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HOUSE OF REPRESENTATIVES

Monday, April 17, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He that doeth the will of God abideth forever.—John 2: 17.

God of grace and God of glory, pour Thy power upon us as we wait upon Thee in prayer. In days of darkness we have no light but Thine, in times of trouble no refuge but in Thee, in periods of perplexity no strength but the strength Thou dost bestow upon the believing heart. To Thee do we commit ourselves and our Nation praying that in weakness we may be made strong; restless may we find rest in Thee, and when confused may we be aware of Thy presence.

Grant unto us the courage to walk in the way of Thy commandments, the confidence to do Thy will and the consciousness that Thou art with us every moment of every day. So may we live as we pray and as we pray so may we live. In the Master's name we offer this our morning prayer. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 13, 1967, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on April 10, 1967, the President approved and signed a bill of the House of the following title:

H.R. 2536. An act to terminate the Indian Claims Commission, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills, concurrent and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 95. An act for the relief of Capt. Rey D. Baldwin;

S. 191. An act for the relief of Eileen Iris Punnett;

S. 233. An act for the relief of Chester E. Davis;

S. 324. An act for the relief of Jesse C. Johnson;

S. 327. An act for the relief of Dr. Carlos Victor De La Concepcion Garcia;

S. 499. An act for the relief of Dr. Manuel A. Zuniga;

S. 534. An act for the relief of Setsuko Wilson (nee Hiranaka);

S. 608. An act for the relief of Koon Chew Ho;

S. 636. An act for the relief of Mrs. Chin Shee Shiu;

S. 650. An act for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired);

S. 714. An act to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committees, and members of the credit committee of Federal credit unions;

S. 819. An act for the relief of Charles H. Thurston;

S. 965. An act to amend the Federal Reserve Act to enable Federal Reserve banks to invest in certain obligations of foreign governments;

S. 966. An act to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes;

S. 1045. An act for the relief of Alton R. Conner;

S.J. Res. 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission;

S.J. Res. 49. Joint resolution to designate April 28–29, 1967, as "Rush-Bagot Agreement Days";

S.J. Res. 56. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day;

S.J. Res. 57. Joint resolution authorizing and requesting the President to extend through 1967 his proclamation of a period to "See the United States," and for other purposes; and

S. Con. Res. 20. Concurrent resolution to declare the week of June 18 "National Coal Week."

The message also announced that the Senate insists upon its amendments to the bill (H.R. 286) entitled "An act to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962, disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Williams of Delaware, and Mr. Carlson to be the conferees on the part of the Senate.

The message also announced that the Vice President, pursuant to Public Law 84–1028, appointed Mr. Javits as a member of the Board of Visitors to the U.S. Military Academy in lieu of Mr. Allott, resigned.

The message also announced that the Vice President, pursuant to Public Law 80–843, appointed Mr. Javits as a member of the delegation to the International Labor Conference to be held in Geneva, Switzerland, June 7–29, 1967, in lieu of Mr. Dominick, resigned.

WHO IS CREATING THE CREDIBILITY GAP?

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, there has been a lot of chatter in the press and on television about a credibility gap. I thought the House would be interested to know that Ropev Research Associates did a survey on the believability of the various media.

Forty-one percent of the people said that they would believe what they saw on a television news show; 24 percent what they read in the newspaper; and 8 percent what they read in a magazine.

If there is a credibility gap—it is upstairs—and they created it.

WILLIAM HOWARD TAFT NATIONAL HISTORIC SITE

Mr. CLANCY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLANCY. Mr. Speaker, I am today introducing legislation to provide for the establishment of the William Howard Taft National Historic Site. The purpose of the bill is to have the birthplace of William Howard Taft in Cincinnati declared to be a national historic shrine.

This distinguished Cincinnatian climaxed his long and illustrious career of public service by serving as President of the United States from 1909 to 1913 and as Chief Justice of the Supreme Court from 1921 until 1930, when illness forced him to resign.

There is no adequate memorial in honor of former President Taft. We have honored many other former presidents and certainly former President Taft deserves similar tribute.

Under the provisions of the bill I am introducing, the Secretary of the Interior is authorized to acquire, by donation or purchase, such land and buildings in the vicinity of the home necessary for the establishment of the shrine.

The Taft family, through a nonprofit corporation, the William Howard Taft Memorial Association, has, with its own funds, restored the outside of the house to its original condition. In addition, I am informed that the association will attempt to bear the costs of producing pamphlets and brochures and promoting visits by school children, tourists, and other visitors.

I am introducing this bill because the association has encountered obstacles and cannot proceed further without this assistance.

I am hopeful that early action will be taken on this proposal so we can preserve in public ownership this historically significant site.

ANNOUNCEMENT OF POSSIBLE CHANGE IN THE PROGRAM FOR THE WEEK OF APRIL 17, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to announce a possible change in the program for the week. The gentleman from South Carolina, the distingushed chairman of the Committee on Armed Services, has advised that the bill H.R. 6167, authorizing the loan of certain naval vessels, programed to come up Wednesday, would be called up under a unanimous-consent request tomorrow, following disposition of the District of Columbia Appropriation Act for fiscal year 1968.

LEGISLATIVE PROGRAM FOR THE WEEK

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I take this time to ask the distinguished majority leader about the program. A moment ago he said the bill H.R. 6167 would be called up by unanimous consent on what day? Did he say on Wednesday?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I said the bill would be called up tomorrow, following disposition of the District of Columbia appropriation bill. The gentleman from South Carolina is present. He notified me that he would undertake to call up the bill by unanimous consent. The bill had been programed for the next day.

Mr. GROSS. Does the bill have a rule?

Mr. ALBERT. No; but we expect we may get a rule tomorrow.

Mr. GROSS. Then it would be considered under a rule and not by unanimous consent.

Mr. ALBERT. It will be before the Rules Committee tomorrow, and, of course, consideration of it under the rule would be dependent upon what the Rules Committee does between now and tomorrow.

If, of course, the gentleman from South Carolina obtains unanimous consent to call the bill up tomorrow a rule will not be necessary.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

JOHN FITZGERALD KENNEDY NATIONAL HISTORIC SITE, MASS.

The Clerk called the bill (H.R. 6424) to establish the John Fitzgerald Kennedy National Historic Site in the Commonwealth of Massachusetts.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask the gentleman who is in charge of this bill if admission fees are to be charged?

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I yield to the gentleman from Colorado.

Mr. ASPINALL. Admission fees will be charged at this facility just the same as at any other facility where the Department of Interior feels they should be charged.

Mr. GROSS. And the admission fees will be dedicated to what? Will they be dedicated to maintenance of the site?

Mr. ASPINALL. Admission fees will be dedicated to the purposes for which such fees are used under the present practices in the Department of Interior.

Mr. GROSS. To the maintenance and other costs?

Mr. ASPINALL. They would be used in the general category of funds collected by the procedures followed in like matters.

Mr. GROSS. I thank the gentleman.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I should like to continue this colloquy to ask if, in the opinion of the distinguished chairman of the Committee on Interior and Insular Affairs, the use towards the annual cost of $32,500 a year for operation and maintenance of this national historic site properly does come under the provisions of the Land and Water Conservation Fund Act? It has always been the understanding of the gentleman from Missouri that these funds which are gained in the land of the "free" on Corps of Engineers, reservoir, and reclamation projects, for which our people have already paid, and which should be a part of their recreational activities in the land of the free, would go for further acquisiton, not for operation and maintenance of the reservoirs or other historical sites. I wonder if, technically, the conversion of these fees from the land and water conservation fund, to the operation of this proposed historical site—I find not fault with that—is not a dereliction from the original intent with regard to such funds?

Mr. ASPINALL. Mr. Speaker, will the gentleman from Iowa yield to me?

Mr. GROSS. I yield to the gentleman from Colorado.

Mr. ASPINALL. When I answered the question of the gentleman from Iowa I tried to make reference to the fact that some admission fees go to one source and some admission fees go to another. The gentleman from Missouri is correct. If these fees are covered into the land and water conservation fund, then they will be dedicated for the purposes set forth in the fund. The expenses that will be necessary, in taking care of this facility, just like a similar facility for the late President Grant, will be taken from our general appropriations from the Treasury.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 6424

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve in public ownership historically significant properties associated with the life of John Fitzgerald Kennedy, the Secretary of the Interior is authorized to acquire by purchase, donation, or otherwise all right, title, and interest in and to such lands, or interests therein (including scenic easements), together with any improvements thereon, as the Secretary of the Interior may deem necessary for the purpose of establishing the birthplace of John Fitzgerald Kennedy as a national historic site. The acquisition shall include, but not be limited to, the property in the town of Brookline, county of Norfolk, Commonwealth of Massachusetts, with the improvements thereon, situated on Beals Street, being shown on a plan entitled "Subdivision lot 47 Beals' Estate, Brookline, Oct. 1897, Joseph R. Carr, C.E." recorded with Norfolk Deeds, book 1080, page 461, and bounded and described as follows:

northwesterly by Beals Street, 50 feet;

northeasterly by lot 50 on plan recorded with said deeds at the end of book 800, 72.46 feet;

southeasterly by lot 48 on said last mentioned plan, 50.51 feet; and

southwesterly by a part of lot 47 on said last mentioned plan conveyed by Robert M. Goode to Estille C. Ralph, by deed recorded with said deeds, book 1092, page 53, 80.33 feet,

such property being the birthplace of President John Fitzgerald Kennedy.

SEC. 2. The properties or interests therein acquired under the provisions of this Act shall be designated by the Secretary of the Interior by publication in the Federal Register as the John Fitzgerald Kennedy National Historic Site.

SEC. 3. The Secretary shall administer the John Fitzgerald Kennedy National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666), as amended.

SEC. 4. The National Park Service of the Department of the Interior is hereby authorized to conduct a study to develop a suitable plan for the operation and maintenance of the John Fitzgerald Kennedy National Historic Site as provided in this Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in order to preserve in public ownership and for the purpose of establishing the birthplace of John Fitzgerald Kennedy as a national historic site, the Secretary of the Interior is hereby authorized to acquire by donation the property in the town of Brookline, county of Norfolk, Commonwealth of Massachusetts, with the improvements thereon, situated on Beals Street, shown on a plan entitled "Subdivision lot 47 Plan Beals' Estate, Brookline, Oct. 1897, Joseph R. Carr, C.E." recorded with Norfolk Deeds, book 1080, page 461, and bounded and described as follows:

"northwesterly by Beal Street, 50 feet;

"northeasterly by lot 50 on plan recorded with said deeds at the end of book 800, 72.46 feet;

"southeasterly by lot 48 on said last mentioned plan, 50.51 feet; and

"southwesterly by a part of lot 47 on said last mentioned plan conveyed by Robert M. Goode to Estille C. Ralph, by deed recorded with said deeds, book 1092, page 53, 80.33 feet.

such property having erected thereon a dwelling which is the birthplace of President John Fitzgerald Kennedy. The Secretary is further authorized to acquire personal property used and to be used in connection therewith.

"SEC. 2. The Secretary shall administer the John Fitzgerald Kennedy National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666), as amended."

The committee amendment was agreed to.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I have the honor and the privilege to present for your consideration H.R. 6424, the purpose and intent of which, simply expressed, is to preserve for the public benefit the birthplace of John Fitzgerald Kennedy, the 35th President of the United States.

In just a little over 2 months, it will be 50 years since John Fitzgerald Kennedy, the second child and son of Joseph Patrick Kennedy and Rose Fitzgerald Kennedy, was born on May 29, 1917. The birthplace is an unpretentious but comfortable wooden house of nine rooms, standing at 83 Beals Street, in a residential neighborhood not far from Coolidge Corner, in the suburban town of Brookline, Mass., which is adjacent to Boston.

The house at 83 Beals Street was purchased by Joseph P. Kennedy just prior to his marriage to Rose Fitzgerald, daughter of John F. Fitzgerald, mayor of Boston, on October 7, 1914, and remained their home until the early autumn of 1920, when it was sold, and the family moved to a larger house at 51 Abbottsford Road, about a quarter of a mile away but still within the limits of the town of Brookline. By this time, the future President had passed his third birthday and, besides his older brother, Joseph, Junior, born at Hull in 1915, had two sisters, Rosemary, who arrived in 1919, and Kathleen the next year.

It was while the family was residing at 51 Abbottsford Road that young Jack and his older brother Joe, Junior, began their formal education by attending the Dexter School, a private nonsectarian academy only a few blocks distant and still active as an institution of elementary learning. Here Jack advanced as far as the fourth grade, when the family made a major move to Riverdale, N.Y.

When Joseph P. Kennedy and his wife started housekeeping at 83 Beals Street in 1914, Mr. Kennedy had just passed his 26th birthday and as head of the Columbia Trust Co. at Maverick Square in East Boston was probably the youngest bank president in the country. In 1917, the year the 35th President was born, the United States declared war on Germany and Joseph P. Kennedy left the Columbia Trust Co. to become assistant general manager of the Fore River Shipbuilding Yards of the Bethlehem Shipbuilding Co. in Quincy, only a few miles from his Beals Street home in Brookline.

Joseph Kennedy remained in his position at the Fore River Yards for the duration of World War I and it was during this period that he made an acquaintance which soon ripened into a close friendship with Franklin Delano Roosevelt, an Assistant Secretary of the Navy, who was to become a candidate for Vice President in 1920 and finally, and gloriously in 1933, the 32d President of the United States. To state the historical facts succinctly, Joseph P. Kennedy was helping the future 32d President of the United States win World War I at the same time he was raising the 35th President as a youthful member of his household at 83 Beals Street in Brookline.

The John Fitzgerald Kennedy birthplace at 83 Beals Street passed through several hands and was continually used as a private residence until it was repurchased by a representative of the Kennedy family in November of 1966. The one person with an intimate knowledge and recollection of the house as it was at the time of the birth and infancy of our 35th President—a person no less than the late President's mother who gave him birth, Mrs. Rose Fitzgerald Kennedy, is now busily engaged in having the interior of the birthplace restored and furnished to conditions as she knew them in 1917.

Work in the house will progress rapidly in the course of the next 2 months and through the legislation I have introduced as H.R. 6424, I urge, Mr. Speaker, the Congress take favorable action to enable the Nation to accept the generous donation by the Kennedy family of the John Fitzgerald Kennedy birthplace. This action should be consummated promptly and in sufficient time for a formal acceptance and dedication of the birthplace to be held on the 50th anniversary of the birth of John Fitzgerald Kennedy on May 29, 1967.

Mr. ASPINALL. Mr. Speaker, I am glad to support H.R. 6424, a bill to establish the John Fitzgerald Kennedy National Historic Site in the Commonwealth of Massachusetts.

First, I want to congratulate our colleague the gentleman from Massachusetts [Mr. O'NEILL] for having introduced this bill and for his vigorous support of it. Second, I want to thank Mrs. Joseph P. Kennedy, our late President's mother, for making it possible for us to consider this bill at this time. We owe to Mrs. Kennedy and other members of her family the generous offer to donate the house in which John Fitzgerald Kennedy was born, an offer that makes this bill so very attractive at this time.

H.R. 6424 is worthy of the support of all Members of the House. If it is enacted, the home in which President Kennedy was born will be added to those of five other Presidents—Washington, Lincoln, Hoover, and the two Roosevelts—which are being preserved as units of the National Park System. As I have said, the President's mother is going to donate the home to the Nation. Not only this, but she is currently engaged in restoring it to the condition in which it was in 1917 when President Kennedy was born, and she is furnishing it as it was then furnished. Much of the furniture, in fact, is the very furniture that was in the house at that time. It has been in storage in the meantime. Thus we will have complete authenticity in the new national historic site, a result which is often difficult to achieve.

I would like to add just this—the present is a very appropriate time for us to be considering this bill. May 29—6 weeks from today—will mark the 50th anniversary of J.F.K.'s birth. The other body has already passed a bill similar to this one. A few minor differences will need to be resolved, but I see no difficulty in this. In other words, we can, if we pass this bill today, make it possible for dedication of the new national historic site to take place on the anniversary. Would that John Fitzgerald Kennedy himself could be present for the dedication. Since he cannot be, the next best thing is to have it take place on what would be his 50th birthday.

Mr. Speaker, I urge the House to give H.R. 6424 the same unanimous support that it received in the Committee on Interior and Insular Affairs.

Mr. TAYLOR. Mr. Speaker, the bill that is now before the House, H.R. 6424, proposes that the home in which J.F.K. was born be recognized as a national historic site and provides for its administration as a unit of the national park system.

The Kennedy home, located at 83 Beals Street, Brookline, Mass., has been purchased by members of the late President's family and will be donated to the United States. The generous offer to donate is contained in a letter dated March 15, 1967, from Mrs. Rose Kennedy, the President's mother, to the Secretary of the Interior, which is printed at the end of our committee's report on H.R. 6424.

President Kennedy's parents purchased this home in 1914, about 6 years after it had been built, and lived there until 1920, when they sold it. It has continued to be used as a private residence ever since then. It is a frame structure of two stories and nine rooms and stands on an approximately 4,000-square-foot lot. The neighborhood is zoned residential. Ample parking space is close at hand, both in the street and on several near-by municipal parking lots.

After reacquisition of the home by the Kennedy family not long ago, the President's mother undertook the task of restoring it and refurnishing it in the style in which it was in 1917 when J.F.K. was born. The Nation will thus acquire, if H.R. 6424 becomes law, not only a valuable memento of its late President, but also a good example of the way in which many American families lived during the period just before World War I burst upon us. Although this latter point may not seem to be of great significance to many of us today, familiar as we are with this manner of living, we can rest assured that its importance will grow as the years roll by. Early 20th century America is disappearing faster than most of us like to admit.

The National Park Service has estimated that proper care of the home, once it is turned over to the Government, will require an expenditure of about $32,500 a year at present prices. This includes the salaries of a curator, a year-around guide, and seasonal guides plus janitorial service, heating, lighting, and other maintenance work as needed from time to time.

I know of no objection to this legislation. The people in the neighborhood are pleased, and the bill was approved by the House Interior Committee unanimously. In fact, the members of our committee regard this as a worthy addition to the national park system and are grateful to Mrs. Kennedy and other members of the family for making it possible.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 6424, a bill to establish the John Fitzgerald Kennedy National Historic Site in the Commonwealth of Massachusetts.

The bill establishes the residence at 83 Beals Street in Brookline, Mass., the birthplace of the late President, as the John Fitzgerald Kennedy National Historic Site. This residence was built by the Kennedy family and was the home of the 35th President of the United States during the first 3½ years of his life.

Presently, this two story frame structure is being restored by the Kennedy family. The Committee on Interior and Insular Affairs is informed that, by a letter from the President's mother to the Secretary of the Interior, the Kennedy family will make a donation of this property to the United States for administration through the National Park Service.

Mr. Speaker, it is fitting and proper that Congress enact H.R. 6424, authorizing the establishment of the John Fitzgerald Kennedy National Historic Site in Brookline, Mass., in commemoration of the late President.

The birthplace of five of the 36 men who have served as President of the United States are administered by the National Park Service, the birthplace of 13 other Presidents of the United States are in State, local government, foundation, or institutional ownership.

Mr. Speaker, there is no need to comment on the role which history has destined the late President John Fitzgerald Kennedy to play in the annals of the United States. It is our duty to preserve that history and the role played by such a distinguished and beloved American President from its beginning for all succeeding generations.

Mr. Speaker, I recommend and urge the passage of H.R. 6424.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1161) to establish the John Fitzgerald Kennedy National Historic Site in the Commonwealth of Massachusetts, a similar bill to the bill just passed by the House.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1161

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of John Fitzgerald Kennedy, the Secretary of the Interior is authorized to acquire by purchase, donation, or otherwise all right, title, and interest in and to such lands, or interests therein (including scenic easements), together with any improvements thereon, as the Secretary of the Interior may deem necessary for the purpose of establishing the birthplace of John Fitzgerald Kennedy as a national historic site. The acquisition shall include, but not be limited to, the property in the town of Brookline, County of Norfolk, Commonwealth of Massachusetts, with the improvements thereon, situated on Beals Street, being shown on a plan entitled "Subdivision lot 47 Plan Beals' Estate, Brookline, October 1897, Joseph R. Carr, C.E." recorded with Norfolk Deeds, book 1080, page 461, and bounded and described as follows:

northwesterly by Beals Street, 50 feet;

northeasterly by lot 50 on plan recorded with said deeds at the end of book 800, 72.46 feet;

southeasterly by lot 48 on said last mentioned plan, 50.51 feet; and

southwesterly by a part of lot 47 on said last mentioned plan conveyed by Robert M. Goode to Estille C. Ralph, by deed recorded with said deeds, book 1092, page 53, 80.33 feet,

such property being the birthplace of President John Fitzgerald Kennedy.

SEC. 2. The Secretary shall administer the John Fitzgerald Kennedy National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666), as amended.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of S. 1161 and insert the provisions of H.R. 6424, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 6424) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that I, the gentleman from North Carolina, and any Member of the House may have the privilege to revise and extend their remarks on the bill just passed (H.R. 6424) immediately prior to passage.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

JUDGMENT FUNDS OF THE UTE INDIAN TRIBES

The Clerk called the bill (H.R. 6629) to provide for the distribution of judgment funds among members of the Confederated Bands of the Ute Indian Tribes.

There being no objection, the Clerk read the bill, as follows:

H.R. 6629

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to divide the trust fund belonging to the Confederated Band of Ute Indians appropriated by the Second Supplemental Appropriations Act, 1965, and deposited in the United States Treasury pursuant to the final judgment entered in Indian Claims Commission docket numbered 327, including the interest thereon, by crediting 60 per centum to the Ute Indian Tribe of the Uintah and Ouray Reservation and the Ute Distribution Corporation, 20 per centum to the Ute Mountain Tribe of the Ute Mountain Reservation, and 20 per centum for the Southern Ute Tribe of the Southern Ute Reservation. The trust fund, upon its division as herein directed, shall be available for use in accordance with existing authorizations for use of funds of the tribes and the Ute Distribution Corporation, including the Act of August 21, 1951 (65 Stat. 193, as amended), Act of August 12, 1953 (67 Stat. 540), Act of June 28, 1954 (68 Stat. 300), Act of August 27, 1954 (68 Stat. 868), as amended. Any part of such funds that may be distributed to the members of the tribe shall not be subject to Federal or State income taxes.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the bill which we now have before us, H.R.6629, is not a controversial measure. Its sole purpose is to provide for the distribution of judgment funds awarded by the Indian Claims Commission to the Confederated Bands of Ute Indians as fair payment for lands in Colorado ceded to the United States in 1873. The judgment amounts to $7,908,586.16.

Appropriations covering this judgment were included in the Second Supplemental Appropriation Act of 1965. Distribution of the funds among the tribes, however, has been delayed because there is, apparently, in the minds of some, a legal question involved. This bill will resolve that issue.

The Southern Ute Tribe has developed, and the Bureau of Indian Affairs has approved, the customary plan for the use of its share of the judgment funds. Testimony before the committee indicated that this tribe needs these funds to proceed with its ambitious and constructive programs and it has requested that its share of these moneys be made available in accordance with the ratio agreed upon by the tribes involved. Once this legislation is enacted, the other tribes will be able to proceed to finalize their plans and to submit them for approval.

Similar legislation has been considered and approved by the other Chamber; however, H.R. 6629 differs somewhat from that legislation.

Mr. Speaker, I know of no objections to this legislation. Its enactment will enhance the prompt utilization of the judgment funds in accordance with approved plans and programs for the benefit of the members of the tribes involved. As chairman of your authorizing committee, I am pleased to recommend the enactment of H.R. 6629.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1191) to provide for the disposition of a judgment against the United States recovered by the Southern Ute Tribe of the Southern Ute Reservation of Colorado, a similar bill to the one just passed by the House.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill, as follows:

S. 1191

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Southern Ute Tribe of the Southern Ute Reservation that were appropriated by the Act of April 30, 1965 (79 Stat. 108), to pay a judgment by the Indian Claims Commission in docket numbered 327, and the interest thereon, less payment of attorneys fees and expenses, may be invested, expanded, or advanced for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribe shall not be subject to Federal or State income taxes.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Aspinall: Strike out all after the enacting clause of S. 1191 and insert the provisions of H.R. 6629 as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed.

The title was amended so as to read: "An Act to provide for the distribution of judgment funds among members of the Confederated Bands of the Ute Indian Tribes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 6629) was laid on the table.

CONFEDERATED SALISH AND KOOTENAI TRIBES OF MONTANA

The Clerk called the bill (H.R. 7345) to provide for the disposition of a judgment against the United States recovered by the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation of Montana.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that S. 1177, an identical bill, be considered in lieu of H.R. 7345.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation that were appropriated by the Act of October 27, 1966 (80 Stat. 1065), to pay a judgment by the Indian Claims Commission in docket numbered 61, and the interest thereon, less payment of attorneys fees and expenses, may be invested, expended, or advanced for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribes shall not be subject to Federal or State income taxes.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, H.R. 7345, introduced by the gentleman from Montana [Mr. Olsen], is a bill providing for the disposition of the judgment funds awarded by the Indian Claims Commission to the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

The $4.4 million judgment arose from an action by these tribes against the Government of the United States which was based on unconscionable consideration paid for some 12 million acres of lands in Montana which were ceded to the United States as a result of a treaty of 1855.

These moneys were appropriated in the Supplemental Appropriation Act last year; however, additional legislation is usually necessary before the funds can be distributed to the tribes for use in accordance with approved plans and programs. In this case, the claims legislation report for the Confederated Salish and Kootenai Tribes has been completed and they are ready to utilize the judgment funds in accordance with an approved family improvement plan.

No one appeared before the Subcommittee on Indian Affairs in opposition to the enactment of the bill H.R. 7345, but witnesses for the tribe spoke in favor of it. I am happy, Mr. Speaker, to recommend this measure to the Members of the House and I urge its approval.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7345) was laid on the table.

AUTHORIZING THE DISPOSAL OF NICKEL

The Clerk called the bill (H.R. 5786) to authorize the disposal of nickel from the national stockpile.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, as I understand it, nickel is vital in the production of jet engines, aircraft frames, armorplate, magnets, and electrical plating. In other words, it is necessary for our defense needs. It seems to me that there should be some debate on this bill and some justification for reducing our stockpile so low. We should certainly bring it up under a somewhat different procedure than on the Consent Calendar.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the distinguished minority leader, the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I fully understand the feelings and the reservations that the distinguished gentleman from Washington [Mr. Pelly], has concerning the procedure by which this legislation is brought to the floor of the House.

Mr. Speaker, I was hopeful that this bill could be approved today through the use of either this procedure or under the procedure of the suspension of the rules, or by any other means or methods consonant with the procedures of the House of Representatives.

But, Mr. Speaker, I certainly do understand the observations which have been made by the gentleman from Washington [Mr. Pelly]. There are some fine minority views expressed in the committee report that should be called to the attention of the Members of the House of Representatives, as a whole.

Mr. Speaker, I only wish to take this time, because of my deep interest in seeing favorable action taken on the legislation as soon as possible.

Mr. Speaker, I wonder if it would be possible to ask the distinguished majority leader, the gentleman from Oklahoma [Mr. Albert], if we are not able to consider this legislation under the Consent Calendar procedure, would it be the gentleman's intention to have a rule requested and then the bill be scheduled for consideration, if the Committee on Rules acted favorably later during this week thereon?

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Washington yield to me at this point?

Mr. PELLY. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, of course, if the Committee on Armed Services requests such a rule and if such a rule is granted by the Committee on Rules in time to do this, I shall undertake to add it to the legislative program for consideration this week.

Mr. PELLY. Mr. Speaker, as an objector I would think that even if this bill came up under the procedure of a suspension of the rules, it would at least give the period of 20 minutes to each side so that there could be a legislative record made on the matter.

Mr. Speaker, this is not a simple bill, which should go by under the procedure of the Consent Calendar and by unanimous consent.

Mr. PHILBIN. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, I wish to say to the distinguished gentleman from Washington [Mr. PELLY] that if the gentleman desires a statement in regard to this bill I shall be glad to provide such a statement, since the gentleman has raised this question.

Mr. Speaker, the Committee on Armed Services, and especially the subcommittee which considered this legislation, held most thorough hearings thereon, the most thorough hearings which we have ever conducted since this subject matter has been under consideration by the committee.

Mr. PELLY. Mr. Speaker, it is not a matter of the merits of the bill. It is a matter that this bill is of sufficient importance to our country so that there should be some sort of legislative record made and it just should not slide by under a unanimous-consent request or under the Consent Calendar procedure.

Mr. PHILBIN. Mr. Speaker, will the gentleman yield further?

Mr. PELLY. I yield further to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, it is my opinion and judgment that there have been ample records, hearings, and consideration of this matter in the committee.

Further, Mr. Speaker, it is my opinion that there are no ambiguities contained in the bill. I do not believe it is an extremely complex bill.

Mr. Speaker, this procedure only represents the question of getting to the consideration of a very important and a very urgently needed material, nickel, and getting that nickel out of the national stockpile and into the hands of industry that needs the materials most urgently for defense-rated orders.

Mr. Speaker, that is the only question involved in this bill, may I inform the distinguished gentleman from Washington. I wish those facts to be clearly established in the RECORD—that of the increments of nickel that would be disposed of under this procedure, almost 90 percent will be allocated for defense-rated orders.

Mr. Speaker, the defense industry needs this release from the stockpile at this time.

Therefore, Mr. Speaker, I beseech the gentleman and I plead with the gentleman from Washington [Mr. PELLY] not to object to this bill at this time, because such action would only delay the consideration of the subject matter as covered by this bill, the release of nickel that is urgently needed by the defense industry.

Mr. PELLY. Mr. Speaker, I would like to point out to the distinguished gentleman from Massachusetts [Mr. PHILBIN] that the need of industry is not the purpose of the stockpile. Further, it is my opinion that this request should be more fully justified than the very strong statement that the gentleman has just made.

Mr. Speaker, I believe that there is no doubt but what there is some merit to the bill.

Mr. PHILBIN. Mr. Speaker, if the gentleman from Washington wishes to object to the bill, that is his privilege to do so. However, I would like to point out to the gentleman the fact that every aspect of this bill has been adequately considered; first, whether we could safely take this quantity of nickel out of the stockpile, a question upon which we have had abundant testimony in support of that point.

Mr. PELLY. Mr. Speaker, I have great faith in the gentleman from Massachusetts and the committee on which he serves. However, I do know that there were two members of the gentleman's committee whose remarks indicated that they had some doubts about this legislation.

Mr. PHILBIN. Yes; and they are very able members of the Committee on Armed Services, but I do not believe that those gentlemen object to the consideration of this bill at this time.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from California.

Mr. GUBSER. Mr. Speaker, as one of those who filed separate views on this legislation, I would like to state for the benefit of the Members of the House my reason for doing so. That reason was due to the fact that I have differing opinions as to the validity of the present stockpile objective from responsible parties other than the witnesses who testified before the Committee on Armed Services. And, Mr. Speaker, in order to serve my own conscience, I felt dutybound to express my objection.

However, I want it quite clearly known and understood that I, in no manner, wish to impede the passage of this bill, and I have no intention of registering an objection to it today.

But I do feel very strongly that the stockpiling objectives are not being properly served, and I felt dutybound to state my opinion of the bill. I have no intention of trying to stop the bill.

Mr. PELLY. I thank the gentleman for his remarks.

I would like to say, Mr. Speaker, I do not want to impede passage of the bill either, but I certainly agree that if it is an important piece of legislation it can come up under some other procedure within 2 or 3 days.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the majority leader.

Mr. ALBERT. Will the gentleman from Massachusetts be agreeable to my making a unanimous consent request that this bill be put down for suspension of the rules on Wednesday of this week?

Mr. PHILBIN. That will be agreeable.

Mr. ARENDS. Mr. Speaker, reserving the right to object, I would say that would come on a rather unfortunate date as far as I am concerned. Being a member of the subcommittee, I would prefer that it be brought up on Thursday, if that does not interfere with the legislative program already scheduled for Thursday.

Mr. PHILBIN. That would be agreeable.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further?

Mr. PELLY. I yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that this bill be put over until Thursday of this week, and that the bill may be brought up under suspension of the rules, and that the Speaker may recognize any Member insofar as the calling up of this bill is concerned on this coming Thursday.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The **SPEAKER.** Without objection the bill will be passed over without prejudice.

This completes the call of the Consent Calendar.

CHANGE OF REFERENCE—H.R. 7796

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of H.R. 7796, to establish a Council on Environmental Quality, and for other purposes, and that the bill be rereferred to the Committee on Science and Astronautics.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

THE NEW JOHN W. McCORMACK SCHOOL IN BOSTON, MASS.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, many honors have come to our beloved Speaker in his long life of publice service, during the many years that he has devoted himself without stint to his country, to this House, to his district, and to his constituents.

He was recently the recipient of the coveted Silver Helmet Award of that outstanding veterans organization, AMVETS, for his years of achievement in Congress. The Commonwealth of Massachusetts observed JOHN W. MCCORMACK Day on March 16 of last year. On that occasion he returned to the Great and General Court of Massachusetts where his distinguished career had begun 46 years before, and addressed a joint session of the body he once had served as a representative from South Boston. He told his friends, his State's legislators, how moved he was by the honor which they had accorded him. He spoke with the wisdom and understanding of a lifelong public servant of the responsibilities that are the burden and the glory of a career devoted to the public interest.

Speaker McCORMACK said that:

> These years have been active, trying, sometimes disappointing, but I think on the whole they have been great years for our people and the human race. If we should learn one thing from that period of history, it is that the militant aggressor considers weakness and fear as an invitation to make greater and greater demands. A basically comparable situation exists today. Their strategy and purpose is and has always been to subvert, divide, and conquer, and I say to you here today that under the leadership of action of President Lyndon B. Johnson, this they shall not do.

Stirring words of courage like these have characterized the leadership and service of JOHN W. McCORMACK throughout his public life. Now the people of Boston, who hold him in such high honor and respect that they are constantly seeking an appropriate way to convey their feelings for him, have at last discovered an honor that has not previously been granted to a public figure during his lifetime, the naming of a new public school.

The new school to be named in honor of the Speaker will be the best and, therefore, the most costly school building ever constructed in Boston. It will be the largest single school building constructed in Boston since the Hyde Park High School was built in 1929. On a 5-acre site on Mount Vernon Street in Dorchester, the new building will provide for the education of more than 1,100 pupils each year. The total cost of this investment in the future of Boston's young people will be $3 million.

There will be 32 classrooms, four special classrooms, a remedial reading laboratory, a library, an art room, a sewing room, a food laboratory, a drafting room, special guidance and administrative offices, metal and electronics shops, and science laboratories. The school will serve youngsters in grades four to eight. The John W. McCormack School in Dorchester will be either the equal of or better than any comparable public school in the entire country.

It is entirely fitting that this splendid new school should be named for a man who has done so much for the cause of education in this country. Under his leadership as Speaker, the 88th and 89th Congresses passed laws for the support of education that were historic achievements. In his support and leadership of so many magnificent education bills during his speakership, JOHN W. McCORMACK was following the path he marked out for himself as a young Member of the House of Representatives and as majority leader. Whenever a bill under debate was one which would aid America's children in their quest for an education, JOHN McCORMACK was always to be found enthusiastically and skillfully battling for its passage. From his own youthful struggles for an education he knew that anything he could do to help our country's educational program he should do, and how well he did it.

Many institutions of higher learning have honored him for his work in education and for his efforts in other legislative areas directly affecting the well-being of our children. He holds honorary degrees from Boston College, Holy Cross College, Boston University, Tufts, Providence College, Stonehill College, Georgetown University, and the Catholic University of America. He has been honored by the Vatican as a Knight of Malta. He holds the Peace Medal of the Order of Catholic Laymen.

He has always been a deeply conscientious Representative of the district that he loves so well. He has been a credit to every cause he has espoused. He is a very great Speaker.

Now a school has been named for him during his lifetime. He must be very proud, but his constituents are very proud, too. They are proud of him.

I include a news story from the South Boston Tribune of April 6, 1967, at this point:

NEW BOSTON SCHOOL TO HONOR SPEAKER McCORMACK—DORCHESTER UNIT WILL COST CITY $3 MILLIONS

The most expensive school building ever constructed in Boston and the largest single building to be undertaken since the completion of Hyde Park High School in 1929 will be named in honor of John W. McCormack, Speaker of the House of Representatives.

The school, on Mt. Vernon street in Dorchester, is being constructed on a five acre site and will accommodate 1100 pupils. Total cost is three million dollars.

The Honorable John W. McCormack is a lifelong resident of South Boston. He was born on Mercer street, lived on Vinton street and graduated from the John A. Andrew School.

Speaker McCormack was elected to the Massachusetts House of Representatives in 1920, the Massachusetts Senate in 1923, and was elected to the 70th Congress to fill the unexpired term of Congressman James A. Gallivan. He was elected Majority Leader of the Congress in 1940 and Speaker of the House in the 87th Congress.

Speaker McCormack holds honorary degrees from Boston University, Holy Cross, Boston College, Tufts, Providence College, Stonehill, Georgetown, and the Catholic University in Washington, D.C. He has been honored as a Knight of Malta and holds the Peace Medal of the Order of Catholic Laymen. The Speaker lives at 726 Columbia Road.

The new John W. McCormack School will house 32 classrooms, 4 special classrooms, a remedial reading laboratory, library, art room, sewing room, food laboratory, drafting room, special guidance and administrative offices, metal and electronics shops and science laboratories. The school will serve grades 4 to 8 and will be comparable to any in the nation.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me?

Mr. O'NEILL of Massachusetts. Mr. Speaker, I am delighted to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I can think of no greater tribute than that of having a school named in one's honor, and I cannot think of anyone so deserving of that honor than is the distinguished and beloved gentleman who presides over this body. He is an inspiration to young people and one of our great stalwarts in the effort to advance and expand education.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I wish to thank the gentleman, and I do appreciate that the citizens of Boston realize the greatness of the Speaker of the House of Representatives.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I will be happy to yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I believe the public officials of the city of Boston have shown extremely wise judgment, and I emphatically compliment them in naming a school after our beloved and highly respected Speaker of the House, the Honorable JOHN W. McCORMACK. It is a well-deserved tribute to a great American.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I am very grateful to the gentleman from Michigan for his remarks.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present to hear the presidential messages.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 69]

Anderson, Tenn.
Andrews, N. Dak.
Ashbrook
Ashley
Bell
Blanton
Blatnik
Bolling
Brademas
Brasco
Brinkley
Brock
Broomfield
Brown, Calif.
Button
Cahill
Cederberg
Celler
Chamberlain
Cleveland
Cohelan
Conyers
Corbett
Cowger
Delaney
Dent
Dickinson
Diggs
Dingell
Downing
Dulski
Edwards, Ala.
Erlenborn
Evans, Colo.
Feighan
Fino
Friedel
Galifianakis
Gallagher
Giaimo
Hagan
Halleck
Halpern
Hanna
Hansen, Wash.
Hébert
Heckler, Mass.
Herlong
Hull
Hutchinson
Irwin
Jacobs
Jonas
Jones, Mo.
Jones, N.C.
Karth
Kupferman
Landrum
McCarthy
McDonald, Mich.
McEwen
Macdonald, Mass.
Madden
May
Miller, Calif.
Moorhead
Murphy, N.Y.
Myers
Nelsen
Nix
O'Konski
Passman
Pepper
Pickle
Pool
Quillen
Randall
Rarick
Reinecke
Resnick
Roberts
Ronan
Rosenthal
Rostenkowski
Roybal
Ruppe
St Germain
St. Onge
Scheuer
Shipley
Sisk
Smith, N.Y.
Snyder
Steed
Steiger, Wis.
Tunney
Utt
Watson
Whalen
Whalley
Williams, Miss.
Williams, Pa.
Willis
Wydler
Young
Zablocki
Zion

The SPEAKER pro tempore. On this rollcall 326 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE 1966 ANNUAL REPORT OF THE NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The **SPEAKER** pro tempore (Mr. ALBERT) laid before the House the following message from the President of the United States which was read as follows:

To the Congress of the United States:

I am pleased to transmit the 1966 Annual Report of the National Capital Housing Authority.

Impressive progress has been made by the Authority. More than 3,200 dwelling units are now being built or planned to provide better homes for low-income families in the District of Columbia.

Imaginative new approaches to provide decent housing are being tested—and with good results.

The first "turnkey" project in the Nation has recently been completed in Washington—a 343-unit building for low-income elderly families. This technique marshals the full resources of private enterprise—

To plan a low-cost public housing project.

To finance its construction.

To build the project.

After the housing has been completed, it is purchased and maintained by the local housing authority. Washington's "Turnkey" project has shown that this technique can speed housing availability, reduce administrative costs, and improve the quality of housing through the genius of private enterprise.

In addition, the Authority has begun to lease units in privately owned dwellings to meet the immediate housing needs of low-income families in the District.

Another new program of the Authority is rehabilitating older homes for use by low-income families. A 10-unit pilot program successfully completed in 1966 forms the basis for a major effort to rehabilitate 240 units in 1967.

The National Capital Housing Authority maintains over 9,000 units of public housing. Still, the need for low-cost housing far exceeds the supply. Many needy applicants face years of waiting before decent housing can be made available. This shortage is complicated by rising construction costs and scarcity of land, making the need for new approaches more urgent.

The complexity of the task which lies ahead must not be allowed to diminish our resolve to make the Nation's Capital a city of which all Americans can be proud. For, as I said last year in my message to the Congress on American cities, "The prize—cities of spacious beauty and lively promise, where men are truly free to determine how they will live—is too rich to be lost because the problems are complex."

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 17, 1967*.

The **SPEAKER** pro tempore (Mr. ALBERT). Without objection, the message, together with the accompanying papers, is referred to the Committee on the District of Columbia.

There was no objection.

THE 1965 ANNUAL REPORT OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107)

The **SPEAKER** pro tempore (Mr. ALBERT) laid before the House the following message from the President of the United States which was read as follows:

To the Congress of the United States:

I am pleased to transmit the 1965 annual report of the Department of Housing and Urban Development.

The year 1965 was a milestone in the history of America's effort to provide decent housing for its citizens and to improve the quality of urban life. It saw not only the creation of the new Department, but the passage of the Housing and Urban Development Act of 1965.

The Housing and Urban Development Act provided the new Department with powerful tools.

The Congress has since supplied others:

The model cities program, making possible the coordination and concentration of Federal, State, and local efforts for the physical and social rehabilitation of deteriorating neighborhoods.

Funding for the rent supplement program.

Authorization for the Federal National Mortgage Association to purchase an additional $3.7 billion in home mortgages to help meet the shortage of mortgage funds.

An additional 2-year authorization for the urban mass transportation program.

In addition to reorganizing five separate, semiautonomous agencies into a single cohesive organization, the Department of Housing and Urban Development has begun the work for which it was created.

Since it commenced operations on November 9, 1965, the Department has:

Begun the model cities program, inspiring hope and generating a commitment to excellence as American cities plan their attack on urban blight.

Approved grants for the construction of 71 neighborhood centers in low-income areas, bringing services to those who need them most. At the same time it has joined with other departments and agencies to develop a 14-city pilot program of multiservice neighborhood centers which will bring together a wide range of Federal, State, and local services.

Enabled hundreds of poor people to live in decent privately owned housing under the new rent supplement program.

Moved about 600,000 persons into low-rent public housing.

Initiated a new "turnkey" program to lower costs and speed construction of low-income public housing by permitting private industry to build houses for sale to local housing authorities.

Provided better housing for 100,000 college students.

Made available 8,900 apartment units for elderly persons through loans of $113 million.

Stimulated the upgrading of older areas in more than 40 cities by approving $53 million in grants for intensive code enforcement.

Stimulated the rehabilitation of low-income homes through some 2,300 grants totaling $3 million and nearly 800 loans amounting to $4 million.

Approved an additional 157 urban renewal projects, and increased grant commitments for urban renewal by $931 million.

Approved more than $400 million in loans, grants, and advances to promote more than 1,500 community projects, including mass transit, urban planning, development of water and sewer facilities, and acquisition of open space.

On the occasion of the Department of Housing and Urban Development's first anniversary, Secretary Weaver reported to me:

> In just 1 year, significant strides have been made in program development, Departmental organization, and legislation. This is a Department on the move.

Today, with cities in every State of this Nation planning their assault on urban blight under the model cities program, we know that the pace will—as it must—be quickened.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 17, 1967*.

The **SPEAKER** pro tempore (Mr. ALBERT). Without objection, the message, together with the accompanying papers, is referred to the Committee on Banking and Currency and ordered printed, with illustrations.

There was no objection.

ADDITIONAL AUTHORIZATION FOR RIVER BASIN PLANS

Mr. JONES of Alabama. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8363) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes.

The Clerk read as follows:

H.R. 8363

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) in addition to previous authorizations, there is hereby authorized to be appropriated for the prosecution of the comprehensive plan of development of each river basin under the jurisdiction of the Secretary of the Army referred to in the first column below, which was basically authorized by the Act referred to by date of enactment in the second column below, an amount not to exceed that shown opposite such river basin in the third column below:

Basin	Act of Congress	Amount
Alabama-Coosa River	Mar. 2, 1945	$34,000,000
Arkansas River	June 28, 1938	170,000,000
Brazos River	Sept. 3, 1954	9,000,000
Central and Southern Florida	June 30, 1948	14,000,000
Columbia River	June 28, 1938	153,000,000
Missouri River	do	20,000,000
Ohio River	June 22, 1936	38,000,000
Ouachita River	May 17, 1950	8,000,000
San Joaquin River	Dec. 22, 1944	2,000,000
South Platte River	May 17, 1950	2,000,000
Upper Mississippi River	June 28, 1938	4,000,000
West Branch Susquehanna River	Sept. 3, 1954	9,000,000
White River	June 28, 1938	2,000,000

(b) The total amount authorized to be appropriated by this section shall not exceed $465,000,000.

SEC. 2. In addition to the previous authorization, the completion of the initial phase of the bank erosion control works and setback levees on the Sacramento River, California, authorized by the Flood Control Act of 1960, is hereby authorized at an estimated cost of $7,000,000.

SEC. 3. The plan of improvement for the Brazos River Basin, Texas, authorized by the Flood Control Act of 1954, is hereby modified to provide that all additional construction costs occasioned by the occurrence of the slide in the embankment of Waco Dam on the Bosque River during the fall of 1961 shall be borne by the United States.

SEC. 4. This Act may be cited as the "River Basin Monetary Authorization Act of 1967".

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded?

Mr. CRAMER. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, I demand a second.

Mr. CRAMER. Mr. Speaker, I demand a second, and ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. JONES] will be recognized for 20 minutes, and the gentleman from Florida [Mr. CRAMER] will be recognized for 20 minutes.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of H.R. 8363, the river basin monetary authorization bill. H.R. 8363 provides increased authorizations for the prosecution of river basin plans for flood control, navigation, and other related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers.

At the present time there are 20 basin development plans subject to basin monetary authorization limitations. Authorizations provided to date, including the most recent provided by legislation in June 1965, are generally adequate for work to be performed through the end of fiscal year 1967. However, the 14 basins listed in sections 1 and 2 of H.R. 8363 will run out of authorization in fiscal year 1968 unless additional authorization is provided.

All of these 14 river basin plans have already been approved by Congress as you will note opposite the name of each basin in H.R. 8363 which gives the date of enactment at the time each basin was basically authorized by Congress.

The total number of projects in these basins for which the additional authorization is required to permit use of the anticipated appropriations is 82. These range from 1 project in Central and Southern Florida Basin to 21 projects in the Arkansas River Basin.

The operations and expenditures of the Corps of Engineers in the river basins must be planned to fit the construction season which does not coincide with the fiscal year, but in general extends from late spring through the summer and fall of the year. If the basin monetary authorization is insufficient for contract payments work must either be suspended or the contractor must fund his own activities. To avoid increasing costs which will eventually be reflected by higher contingencies in bidding, it is necessary to increase monetary authorizations for the entire construction season of the calendar year of 1968.

Since this bill will provide only for scheduling work permitted by the proposed fiscal year 1968 appropriations, there will be a need for further review of monetary authorizations for all basins early in the second session of the 90th Congress so that action can be taken to permit continuing accomplishment of the water resource program as it was intended by Congress originally.

Therefore, passage of this bill is necessary to continue orderly and efficient operations in these 14 river basins. I strongly urge that the House approve H.R. 8363.

The bill provides for increased authorizations totaling $472 million for the above mentioned 14 river basin plans. Of this amount $465 million is the total amount authorized for the first 13 river basins listed in the table in section 1—the total of $450 million shown in the report, House Report No. 192, is a typographical error—and $7 million for the Sacramento River Basin shown in section 2 for the completion of the bank erosion control works and setback levees on the Sacramento River, Calif., authorized by the Flood Control Act of 1960, which completes the entire project.

Allowance is made for the amount of monetary authorization carried over on June 30, 1967.

The figures in the bill were developed in the following manner using the Alabama-Coosa as an illustration.

In the Alabama-Coosa River Basin, as shown on pages 3 and 4 of the report, there are five projects which will require $56 million in appropriations to carry them through the summer and fall of the calendar year 1968. There is now $22 million left over in the monetary authorizations from previous bills. This means that the total additional authorization required is $34 million, which is the figure shown in the table.

The other figures in the table are based on the same kind of analysis, and the total estimated cost of the basin plan, the available monetary authorization, the amounts now left over, and the funding required through the summer and fall construction period for the calendar year 1968, are all shown in the committee report.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman.

Mr. GROSS. I note on page 3 of the report dealing with section 1, the total figure is $450 million, but on page 2 of the bill, section 1, the expenditures total $465 million. Which figure is correct?

Mr. JONES of Alabama. That is a typographical error. The figure in the bill is the correct figure. I am sorry I did not point that out in my explanation of the bill itself.

Mr. GROSS. That then adds up to $472 million with $7 million for the Sacramento project?

Mr. JONES of Alabama. That is correct.

Mr. GROSS. I would like to ask why the Federal Government is called on to pick up all the damage on the Brazos River in Texas—I believe it is in Texas.

Mr. JONES of Alabama. That is a very unusual situation. The Flood Control Act of 1954 authorized the Brazos River project and took into account the types of works that would be needed to complete a comprehensive Brazos River project. It included an arrangement made by the city of Waco, Tex., that they would reimburse the Federal Government for water withdrawals in the immediate vicinity on the Brazos River for municipal and industrial water supplies.

Subsequent to the agreements that were made with the city of Waco and also with the U.S. Government, a slide occurred in the embankment of the dam and it was estimated that a payment in excess of $1 million would be required to repair this slide as a proportionate share of the cost from the city of Waco. The dam was actually constructed and through some difficulty—it is said that it might have been an act of God—there was a slide at the dam. It was necessary to reconstruct that portion. The agreements had already been made and the city of Waco had assumed their obligations and made their arrangements for local taxation and credit based upon, as I said, the original figure. So we thought as a matter of equity that the city of Waco should not be liable over and beyond the original commitment.

Mr. GROSS. Who was responsible for the construction of the dam or wherever the earth slide occurred?

Mr. JONES of Alabama. The Corps of Engineers.

Mr. GROSS. Turning to the Arkansas River—will there be enough water to provide for river traffic to Little Rock on the Arkansas River?

Mr. JONES of Alabama. Yes. The Arkansas River is one of the great streams of the country, as you know, extending some 870 miles and there is considerable enthusiasm not only on the part of the people who would like to have navigation features added to the Arkansas River but it is coming into focus as a financially qualified project.

Mr. GROSS. With the expenditure of $170 million. Will that be enough to make the river navigable to Little Rock, or will it cost a good deal more?

Mr. JONES of Alabama. The $170 million is enough to make the Arkansas River navigable to Little Rock.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, the legislation before us today will continue the orderly and historic advance of one of the Nation's greatest water resource development programs—the multipurpose development of the Arkansas River.

The Arkansas Basin is one of 14 basin projects included in this bill, which provides the authorization necessary to justify appropriations needed to continue construction through the summer of 1968.

Assuming the appropriation of the

sums requested in President Johnson's budget, the Arkansas River program will remain on schedule and navigation to eastern Oklahoma will become a reality in 1970.

No other development in Washington means as much to Arkansas and Oklahoma as does this great river program's continued advance.

No other program of our Government means as much to the full economic development of the State of Oklahoma. The continued support of this great program by the President and the Congress is deeply appreciated, not only by Oklahoma's entire congressional delegation, but also by millions of Oklahomans.

Mr. CRAMER. Mr. Speaker, I yield myself such time as I may consume.

I join with the distinguished chairman of the subcommittee, the gentleman from Alabama [Mr. Jones] in support of the legislation that came out of the committee unanimously. The ranking minority member of the committee on our side, the gentleman from California [Mr. Don H. Clausen], has done a very fine job relating to this legislation, and he will discuss it in greater detail in just a moment.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am happy to yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Speaker, I do not recall a time in the history of the Committee on Public Works when there has been greater accord and understanding in the working relationships of the members of the committee as there was during the consideration of the bill now before the House. The gentleman from California [Mr. Don H. Clausen], the gentleman from Florida [Mr. Cramer], and the other members of the committee have been most cooperative and helpful. Your usefulness has been proven in the fact that we have what we consider to be a very fine bill which has been reported out through the cooperation of the members of the committee. We can be proud of the fact that we do have this splendid relationship.

Mr. CRAMER. I thank the gentleman. Maybe the 90th Congress will be one of togetherness in the Committee on Public Works. We can hope so. Certainly that spirit was evidenced by our consideration of this legislation.

For the information of the Members, we have a necessity for projects already authorized, flood control projects which are running out of money. Two years ago, in 1965, we considered this matter. They are running out of money now. They cannot consider the 1968 expenditures in the Appropriations Committee until additional authorizations are voted. That is why this bill is here. If it were not here, these projects would have to be stopped, many of them, in 1968. The Appropriations Committee cannot consider the needed money for the 1968 budget or spending without additional authorizations. Hearings are underway, or will be shortly, relating to these projects, that is, in the Appropriations Committee, and adequate authorizations must be made available.

It is also essential to have orderly contracting and orderly progress on the projects. I can cite the central and southern Florida flood control project as an example in that they have only a $4 million authorization left. They need $5 million-plus additional money to meet the appropriations that they recommended in the budget for consideration by the Appropriations Committee. They have a serious problem with regard to Everglades National Park. I am sure that Members have been reading about the destruction of deer due to the drought in the park, in one instance, and then a few months later the flooding of the park. The control of the water in the surrounding area to the north and east is the responsibility of the Southern Flood Control District. This flooding, this destruction of one of the finest potential parks in this Nation, in my opinion, is being encouraged by, and the proper development of the park is being prejudiced and jeopardized as a result of not having adequate control structures. Therefore, the additional amount of $14 million needed for this emergency purpose is contained in this legislation.

Basically, the legislation contains authorizations equal to the minimal amount that was determined to be needed for this year, that is for 1968, and for construction and proper management and contract letting through September 30, 1968.

This is a good bill. I trust it will be supported.

Mr. Speaker, I yield to the gentleman from California [Mr. Don H. Clausen] such time as he may consume.

Mr. DON H. CLAUSEN. Mr. Speaker, I thank the gentleman for yielding. Further, I thank and commend the gentleman from Alabama, the chairman of the committee, for his kindly comments, because certainly cooperation is a two-way street.

I rise in support of this legislation. H.R. 8363 is not an authorization for new projects, but it does increase the monetary authorization for projects already authorized in the Rivers and Harbors Flood Control Act. I find myself basically in agreement with all the comments made by the gentleman from Alabama.

I would like to refer briefly to a couple of the projects in California. We have cooperated with the gentleman from California [Mr. Johnson], who watches with regularity over these Central Valley projects.

I believe this is a very good bill. It is needed at this time and should be approved by this body.

The project for flood protection on the Sacramento River was first enacted in the Flood Control Act of March 1, 1917, and has been amended subsequently by further acts of Congress, the most recent of which was the 1960 Flood Control Act. This provides for modification of the existing flood control project to include a long-range program for bank erosion control work and setback levees, at a total cost of $21,260,000. There are other projects which, I believe, the gentleman from California [Mr. Johnson] will probably want to comment on further.

Mr. BROTZMAN. Mr. Speaker, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Colorado, who has worked with us with interest on these projects.

Mr. BROTZMAN. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of H.R. 8383 and express my appreciation for the hard work done by the chairman of the subcommittee and the ranking minority member of that subcommittee, the gentleman from California, as well as the chairman of the full committee and the ranking minority member of that committee, and other Members in bringing before this House this important piece of legislation at this time.

Mr. Speaker, today we are considering H.R. 8363, the River Basin Monetary Authorization Act of 1967.

One of the items contained in this bill is the authorization of an additional $2 million for fiscal year 1969 for the Chatfield flood control project on the South Platte River in Colorado.

This authorization represents less than one-half of 1 percent of the increase requested by the Corps of Engineers for various river basins. But, Mr. Speaker, even though this is a comparatively small item, I doubt that a more pressing requirement exists anywhere in the Nation.

My district is blessed with some of the finest climate and scenery in the world. Beautiful mountain streams spill out onto a fertile and productive plain which, in recent years, has grown up with modern industry and sprawling and attractive housing developments.

But this fertile, productive, and populous plain has another dimension—one which has not been entirely clear until recent years. We now know that, several times each century, a weather phenomenon peculiar to the eastern edge of the Rocky Mountains occurs.

Storm systems of incredible intensity will, in the space of 6 hours or so, dump a veritable waterfall onto a relatively broad watershed.

As a matter of fact, the town of Elbert, Colo., which is located in this general area, just out of my district, is believed to hold the record for rainfall in a 6-hour period in the United States. In May, 1935, a total of 24 inches of rain fell, according to U.S. Weather Bureau records.

Such a rainfall would cause disaster wherever it occurred. But falling into a hilly country—with the deluge being concentrated very quickly in valleys which slope steeply toward the plains—the results are devastating. The destruction in the path of onrushing flash floods is comparable to that of severe earthquakes and tornadoes.

Such a storm occurred on June 15, 1965, in the watershed of Plum Creek and other South Platte River tributaries. Rainfall of 12 to 14 inches in a 6-hour period was common.

I am sure, Mr. Speaker, you will recall the headlines, because in a matter of a few hours 13 lives had been lost in the Denver area and downstream, and property damage estimated by the Corps of Engineers at $509,325,000 was inflicted.

Today, nearly 2 years later, the scars of the flood still are in evidence and the repair work goes on. There also is fear in the South Platte River Valley—fear brought out by the fact that cloudbursts like the ones of June 1965 not only can happen again but will happen again. The relatively brief Weather Bureau history in the area, plus physical evidence in the floodplain, indicate this. The question, then, is not "if" there will be another great floodcrest, but "when."

Mr. Speaker, the Army Corps of Engineers and the U.S. Congress acted swiftly following the 1965 flood. The Chatfield flood control project, principal feature of which is a dam and reservoir at the confluence of the South Platte River and Plum Creek upstream from metropolitan Denver, was authorized. Preliminary planning is completed, and acquisition of land and re-location of highways and utility facilities is about to begin.

Progress is not as rapid as the situation seems to warrant, primarily because, last November, the President ordered a slowdown of this project as part of his scheme to throw a wet blanket on the U.S. economy. Moneys he ordered withheld were released this month. But several valuable months of progress were lost forever.

The people of Colorado—and particularly those of my district and the city of Denver—are deeply concerned that further delays may occur.

Mr. Speaker, one way which Congress can make certain that no further delays occur in the Chatfield project will be to authorize this additional $2 million for fiscal year 1969.

Basically, this additional authorization is an insurance policy—money in the bank to make sure that vital contracts can be let during the summer of 1968 until the main funding for fiscal year 1969 is available.

Mr. Speaker, I wish to take this opportunity to commend the distinguished gentleman from Maryland [Mr. FALLON], the chairman of the Public Works Committee; the gentleman from Florida [Mr. CRAMER], the ranking Republican member; Mr. JONES of Alabama and Mr. DON H. CLAUSEN, and the other members of the committee for the fine work they have accomplished in reporting this bill. I was pleased to present testimony before the Public Works Committee in support of the Chatfield project and I know that all of the members of the committee put in long and hard hours in considering this legislation.

Mr. DON H. CLAUSEN. Mr. Speaker, I conclude simply by asking for unanimous support of a bill which is badly needed. It is our policy on the committee to try to bring this type of legislation not only to the committee but to the House hopefully on an annual basis, so we can control the overall authorizations.

Mr. JONES of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. JOHNSON], a member of our committee.

Mr. JOHNSON of California. Mr. Speaker, I take this time to commend the gentleman from Alabama [Mr. JONES], chairman of our Subcommittee on Flood Control and also the ranking minority member, the gentleman from California [Mr. DON H. CLAUSEN], for their very fine cooperation in putting together this bill that is before us today. We have the San Joaquin and the Sacramento River projects for flood control and bank erosion works which have to be brought up to date each year. We certainly need these authorizations.

I want to commend the gentleman from Maryland [Mr. FALLON], chairman of the full committee and the ranking minority member, the gentleman from Florida [Mr. CRAMER], in their having done a very fine job in working out all of the details in bringing this bill to the floor of the House. The Flood Control Subcommittee is a very active and very necessary one and they do a very fine job in preparing to meet the needs of flood control throughout our Nation.

Mr. JONES of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, I wish to extend to the members of the committee my appreciation for bringing to the House this bill, H.R. 8363, particularly inasmuch as it has reference to $2 million for the Chatfield Reservoir in Colorado. On June 16, 1965, there was a big flood, which carried waters of the South Platte River through the city and county of Denver. The Chatfield Reservoir was authorized in 1950.

From then until the time of the flood no action was taken to construct the Chatfield Dam. However, since that time moneys have been appropriated; $6 million was provided last year, and there is now before the Appropriations Subcommittee some $7 million plus for this year. With the $2 million authorized as provided in this bill, the Chatfield Reservoir can proceed forward with adequate construction and not have a lag.

I hope the Army Engineers will follow through and start early construction of the Chatfield Dam.

Mr. PICKLE. Mr. Speaker, I am particularly pleased to note that the authorization includes funds for the San Gabriel River project in the Brazos River Basin.

The project has been in the making some 18 years and through the cooperation of local and Federal interests we have come to the stage where the proposal stands today. These years represent much planning, surveying, and research in many areas.

The project will materially alleviate the flood hazard of the San Gabriel watershed and provide additional flood protection to many thousands of acres of land along the Brazos River into which the San Gabriel flows.

I applaud the efforts of those who have had a hand in planning for this project and for the foresight of the House today in securing the initial step to fruition of the San Gabriel River. I hope the appropriations for this bill will follow quickly. They are much needed and long overdue.

Mr. FASCELL. Mr. Speaker, I want to thank and commend the Public Works Committee for its recommendation that $14 million in additional monetary authorization be provided for the central and southern Florida flood control project and I urge my colleagues to adopt this recommendation in its entirety.

This $14 million figure represents the bare minimum amount with which the C. & S.F.C.D. will be able to proceed toward completion of the project in an orderly, efficient, and businesslike manner at the greatest possible saving to the taxpayer.

With the present authorization running out, and with the need to provide for continuing contracts, failure to authorize an adequate amount at this time could bring the project to a halt with ensuing loss of efficiency, upset planning, and increased costs to the Federal and State Governments.

Furthermore, emergency situations exist which require immediate action. For example, in the coming fiscal year it is almost certain that some type of provision to prevent salt water intrusion into Everglades National Park arising from the removal of an earth fill plug at canal C-111 will have to be made. This additional monetary authorization will allow for such a provision to be made and thus assure that the unique ecology of the Everglades National Park will be protected from any possible damage.

For these vitally important reasons, I urge my colleagues to concur with the committee's report and authorize $14 million for the central and southern Florida flood control project.

Mr. JONES of Alabama. Mr. Speaker, I have no further requests for time.

Mr. CRAMER. Mr. Speaker, I have no further requests for time.

Mr. JONES of Alabama. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Alabama that the House suspend the rules and pass the bill H.R. 8363.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 8363, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

TAX EXEMPT BONDS SHOULD BE ELIMINATED—ANSWER TO PROPAGANDA CAMPAIGN

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, today I received a form letter from Goodbody & Co., an investment firm in New York, asking my opinion on tax-exempt bonds. From the nature of the letter, I presume that a similar communication has been received by all Members of Congress.

Goodbody & Co., of course, is a big dealer in tax-exempt bonds and it has an obvious self-interest in wanting to see these tax exemptions continued.

The letter and opinion poll are apparently prompted by the Banking and Currency Committee hearings of March 15. At this hearing, I, along with other members of the committee, discussed the problem of tax-exempt bonds with Federal Reserve Board Chairman William McChesney Martin.

In answer to questions propounded by committee members, the Federal Reserve Board chairman stated that he would be glad to see the tax-exempt feature of bonds eliminated. In addition he stated:

> I think we have too many tax-exempt securities.

Mr. Speaker, I am—in this instance—in full agreement with Mr. Martin. The growth of tax-exempt securities has been fantastic in recent years and I believe it is presenting a serious problem for the country.

The loss of tax revenue is extremely high. In fact, I received a letter from Secretary of the Treasury Henry H. Fowler, on April 12, in which he discusses this problem and indicates that the loss of revenue through the tax-exempt securities issued in just 1 year is around $3.6 billion.

Mr. Speaker, we all realize that the tax-exempt bonds have been used for many worthwhile purposes by local school boards, municipalities, and other governmental subdivisions. The construction of school buildings, water and sewage plants, and other needed facilities must go forward, and I am sure that all of us want to see this done at the lowest cost possible.

However, I question whether the tax-exempt bond is the best method and I believe that the figures bear me out. At the present time, these tax-exempt securities are purchased primarily by the wealthy, the banks, and the other large financiers, seeking a method of avoiding taxes. It is obviously possible for those with sufficient funds to purchase tax-exempt bonds in such quantities that their entire income is totally exempt from Federal income taxes.

It is an open secret that substantial numbers of taxpayers in the upper brackets completely escape the income tax through various tax exemptions. The purchase of tax-exempt bonds is a favorite device of this group.

I do not believe this is good public policy. There are other ways that these local political subdivisions can carry out the necessary financing for facilities. I suggest that the tax-exempt feature be eliminated. At the present time, the tax-exempt feature of a municipal bond saves the local subdivision not more than one-half of 1 percent at current rates. This saving, of course, is important to the hard-pressed local districts, but, the same saving can be accomplished without such a tremendous loss in Federal tax revenues.

In other words, the municipal bonds should be marketed the same as any other government bond, without tax exemption to the purchaser. The difference between the lower interest rate—with tax exemption—and the higher interest rate—without such tax exemption—could be made up in the form of direct subsidy by the Federal Government to the local political subdivision.

This would mean a net gain to the Federal Government, with no loss to the local governmental units. The Federal Government would gain much more in tax revenues than it would be required to pay out to make up the interest rate difference to the local governments.

This point is clearly established in Secretary Fowler's reply to my letter on the question of tax-exempt securities. I quote from this letter of April 12:

> The belief that you expressed in the last sentence of the first page of your letter would seem to be a reasonable possibility, namely, that the Treasury would gain more in revenue in taxing these securities than it would pay out in compensating the difference.

In addition to providing more revenue, this method would also be much more equitable without the handful of privileged and wealthy people, banks and others, gaining such tax windfalls. This would help the tax burden to fall more evenly on the people.

In recent years, the commercial banking system has been gathering up more and more of these tax-exempt bonds, thus lowering their tax liability to the Federal Government. In 1966, the commercial banks held about $40.3 billion worth of the $104.8 billion of municipal bonds outstanding. This has been a major device for tax dodging by the commercial banking system. It is an unnecessary special privilege to the big banks.

Other large blocks of these tax-exempt bonds are held by individuals and institutions which do not need additional subsidies in the form of tax loopholes.

Mr. Speaker, I hope the entire question of tax-exempt bonds will be studied carefully by the Congress so that these inequitable tax exemptions can be eliminated without damage to local governments.

VIEWS OF SENATOR SAM J. ERVIN, JR., ON CIVIL RIGHTS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, on Sunday, April 2, 1967, an article appeared in the Charlotte, N.C., Observer relating to our distinguished senior Senator from North Carolina, Hon. Sam J. Ervin, Jr. This very fine article was written by James K. Batten of the Observer Washington bureau.

Senator Ervin, a resident of the 10th Congressional District, is one of North Carolina's most distinguished sons. I am proud of his wonderful record of service. His leadership in the U.S. Senate in many areas of legislative activity is of the highest order, and all of us who are privileged to know him intimately take great personal pleasure in that record.

When the article appeared in the Observer I contacted Senator Ervin and asked that he permit me to place it in the body of the Congressional Record. He very kindly consented, but requested that any insertion in the Record by me include a fuller statement on his part of his views on civil rights legislation. I, of course, readily agreed with him that this should be done.

On April 14, 1967, Senator Ervin wrote a letter to me stating his position more fully than was done in the article by Mr. Batten.

I insert Senator Ervin's letter of April 14, 1967, and the article by Mr. Batten dated April 2, 1967, as a part of the Record at this point:

April 14, 1967.

Hon. Basil L. Whitener,
House of Representatives,
Washington, D.C.

Dear Basil: I am deeply gratified to you for suggesting the desirability of placing in the *Congressional Record* the feature article entitled "Sam J. Ervin Just Won't Fit in a Mold," which appeared in the *Charlotte Observer* on April 2, 1967. As you know, the author, James K. Batten, is one of Washington's ablest young reporters. I would be glad to have you place this item in the Record together with this letter.

The article was exceptionally well-researched and typically well-written, and I am flattered by the time and trouble he devoted to the project. Nevertheless, he makes one point which deserves an answer—a point which has particular significance as Congress begins its annual consideration of an Administration civil rights bill.

It is implicit in the article that my opposition to so-called civil rights bills is inconsistent with my defense of individual liberty. Unfortunately, the view that civil rights legislation is synonymous with freedom is a common attitude, and, in my view, a common mistake.

For the record—and I do not think Mr. Batten has indicated otherwise—I have never said an unkind word about any race or about any man because of his race. My stand is unequivocal: No man should be denied the right to vote on account of race; no man should be denied the right to seek and hold any job, the right to live by the sweat of his own brow; no man should be denied the right to have a fair and impartial trial by a jury of his peers; no man should be denied the right to a decent education or to enjoy any other basic human right. I have publicly and privately deplored violence or threats of violence against any man because of his creed or color; and, where necessary, I have supported Federal remedies for such violence.

But we will not fool history as we fool ourselves when we steal freedom from one man to confer it on another. When freedom for one citizen is diminished, it is in the end diminished for all. Nor can we preserve liberty by making one branch of the Federal government its protector, for, though defense of liberty be the purpose, the perversion of it will be the effect. The whole fabric of our Constitution—the Federal system and the separation of powers doctrine—is designed to protect us from such centralization; but even the language and lessons of the Constitution cannot stop a people who are hell-bent on twisting the document to the will of a temporary majority. In the words of Madison: ". . . a mere demarcation on parchment of the constitutional limits of the several departments, is not a sufficient guard against those encroachments which lead to a tyrannical concentration of all the powers of government in the same hands."

Yet, we have ignored all of this American political philosophy in considering civil rights legislation. We have stolen the freedom of one man to hire and serve whom he wishes in order to give another the false freedom to work in the first man's business or buy in his store. We would rob a man of his freedom to sell or rent his own home in order that another have a choice of locations. Every recent voting rights bill, every current Federal proposal concerning alleged discrimination in State Courts, represents an effort to centralize, with a loss of liberty the end result.

It is particularly sad that encroachments come in the area of the right to vote and to have an impartial jury, because effective and constitutional remedies for discrimination have existed for almost 100 years in the form of Federal criminal and civil statutes prohibiting a denial of rights. Each year for over a decade the representatives of three Administrations have come to Congress seeking new tools. Each year I asked them what they had done with the old ones; and always the answer was "Nothing." Not one prosecution brought for denying the right to vote, yet wholesale denials were claimed! In the face of this, Congress is asked to substitute its wisdom for that of the States and set up new systems for voter registration and juror qualification. My answer remains that constitutional innovations are unthinkable answers for a Justice Department that is either lazy in its enforcement or untruthful in its pronouncements.

The preservation of liberty is tedious work, and we must not be distracted from it by the civil rights side shows which rob us in their own name's sake.

Civil rights legislation has been urged in Congress by sincere men, and I attribute to them only the loftiest of motives. However, as Justice Brandeis said:

"Experience should teach us to be most on our guard to protect liberty when government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning, but without understanding."

It is not the "civil rights" of some, but the civil liberty of all on which I take my stand.

With all kind wishes, I am,
Sincerely yours,
SAM J. ERVIN, Jr.

[From the Charlotte (N.C.) Observer, Apr. 2, 1967]

SAM J. ERVIN JUST WON'T FIT IN A MOLD—HE'S STILL A MAN TO RECKON WITH

(By James K. Batten)

WASHINGTON.—To a casual visitor peering down from the Senate Gallery, he might look like some windbag Senator Claghorn, a walking Washington stereotype.

There, behind a desk piled high with lawbooks, is Sen. Samuel James Ervin, Jr., eyebrows rippling up and down, fulminating against the latest civil rights bill and regaling the Senate with crackerbarrel humor from the mountains of North Carolina.

But if stereotypes are always misleading, they are downright laughable in the case of Sam Ervin.

After 13 years in the Senate, Ervin still regularly enrages first the liberals and then the conservatives. He defies all the easy generalizations of political journalism.

Now, at the age of 70, when most men are savoring quiet hours with their grandchildren, the senior senator from North Carolina has never been busier.

And in his own peculiar way, he is at the height of his personal influence in the world's most exclusive club.

In the last Congress, Ervin had his fingers in an incredible variety of legislative pies.

He helped push through a landmark immigration act. He fought invasions of federal employees' privacy. He filibustered successfully against repeal of right-to-work laws. He held hearings on the rights of American Indians.

He pushed a bill that would permit the courts to determine the constitutionality of federal aid to parochial schools.

And as always, Ervin was slugging away at civil rights legislation, killing where he could, amending and diluting where he could not.

HE WILL RUN AGAIN IN 1968

Then, after adjournment late last fall, Ervin gently explained to his wife that he would "rather wear out than rust out." Soon afterwards, he let it be known that he would seek reelection in 1968.

While Margaret Ervin, the senator's wife of 42 years, would much prefer to be going home to Morganton in 1968, her chagrin is minor compared to that of the liberal wing of the N.C. Democratic Party led by former Gov. Terry Sanford.

The liberals had hoped that Ervin, whom many of them regard as an incorrigible mossback, would step down and open the way for a younger, more progressive man to represent North Carolina in the Senate. That man, of course, was Terry Sanford.

Sanford may yet choose to tackle Ervin in a primary, but most informed politicians in both camps believe that unless Ervin's health falters—and he is described as "healthy as a bull"—Sanford will reluctantly sit out in the 1968 campaign.

Thus for the foreseeable future Sam Ervin is likely to remain a man to reckon with in the politics of North Carolina and the Senate of the United States.

It is safe to say that Ervin enjoys his life as a senator. He is, in some ways, a shy man, but he has come to relish the senatorial routine that keeps him constantly in the spotlight.

The Ervins live in a comfortable fourth-floor apartment in the Methodist Building, just across the street from the Supreme Court and a five-minute walk from the senator's office.

He usually gets to his desk by 9:30 in the morning to begin a round of committee meetings, conferences with his aides, appearances on the Senate floor and after-hours engagements that often keep him going until late in the evening.

His social calendar is particularly jammed early in each session of Congress, when a long line of North Carolina groups—from the American Legion to the savings and loan industry—pile into Washington for congressional receptions and dinners.

Mrs. Ervin enjoys embassy parties, and when she wants to accept those invitations, the senator usually agrees.

On the cocktail circuit, Ervin prefers bourbon whisky. He gave up smoking 20 years ago, and he uses occasional Metrecal lunches to keep his weight under control.

Ervin usually gets to bed around midnight, after watching the 11 o'clock news on television.

"There are two things I hate to do," he says with a chuckle. "One is to go to bed, and the other is to get up after I'm there."

Occasionally, Ervin wakes up in the middle of the night with an idea for a speech he's preparing or a bill he intends to introduce. When that happens, he lies in bed with the light still off and works out the idea in his head. The next morning at the office, he dictates it to a secretary.

In other years, the senator enjoyed an occasional fishing trip, but now his sole diversion is reading—primarily on legal and historical subjects, plus a lot of poetry. He belongs to three different book clubs. One of his latest enthusiasms is Catherine Drinker Bowen's book on the making of the Constitution, "Miracle in Philadelphia."

For Ervin, reading is not only relaxation. It also is a way to keep the daily demands of the Senate in perspective.

"You know what's wrong with Lyndon Johnson?" he once demanded of a colleague. "I'll bet you Johnson has never read a book unless it was written about him."

Ervin is known in the Senate as a man who does his own research, and unlike the 99 other senators, Ervin uses the well-stocked Senate library regularly. At least once a week, he usually can be found settled in a big upholstered leather chair, burrowing through the lawbooks.

His penchant for personal research contributes to Ervin's stature among his colleagues.

"He undertakes to be as prepared as if it were his first court case and his whole reputation were at stake," says one senator. "He does his homework like not many people around here do."

Vice President Hubert H. Humphrey, an old friend of Ervin's, despite their frequent political differences, makes a similar point:

"Whether you agree or disagree with Sen. Ervin—and on occasion we have disagreed—you learn from him. He has a tremendous intellect and vast learning. I have benefited from his friendship, his advice and his great human warmth."

Sam Ervin is a man full of paradoxes, and one of them is that despite his power both in North Carolina and in the Senate, he is, some ways, no politician at all. Instead, he is a skillful lawyer with what a friend calls "that great lumbering mind," a legal man who loves constitutional theories more than political maneuvering.

"Sam Ervin has never been a politician," said one North Carolina political insider. "He's never even had a race. He holds himself above what he considers to be the petty political arena."

Ervin has been a U.S. representative, a N.C. Supreme Court justice, and a U.S. senator, but he originally got all three jobs by appointment, not election. And in facing the voters later, he never had serious opposition.

In some respects Ervin verges on being—if there can be such a thing—an apolitical senator.

It shows up in Washington, where Ervin remains relatively aloof from the backstage tugging-and-hauling of the Senate cloakrooms.

"He is aloof," remarked a northern liberal senator who differs with Ervin but deeply admires him. "Maybe that's part of his charm. It may dilute his effectiveness, but he's not always meeting somebody in the corridor and mumbling about some amendment."

Ervin's aloofness from politics also shows up in North Carolina, where he has no political organization worthy of the name. (But his personal influence is profound enough that when he makes a major political move—like backing Dan K. Moore for governor in 1964—he can help convert a political unknown into a winner.)

For years there has been a widely held but grossly oversimplified belief that Ervin's junior colleague, Sen. B. Everett Jordan, was the meat-and-potatoes man looking out for North Carolina interests in Washington, thus presumably freeing Ervin to worry about larger, less provincial issues.

That contention is well summed up by the Tar Heel politico who said recently, "as for looking out for North Carolina's interests in the political arena, Sen. Sam Ervin holds himself above that to a considerable extent. His office is not as politically attuned as Everett Jordan's."

The impression probably is heightened by the senators' contrasting committee assignments.

Two of Jordan's committees—public works and agriculture—are crucial to North Carolinians who want dams and water projects and tobacco programs.

Ervin's assignments—government operations, judiciary and armed services—have less flavor of pork about them.

But it would be a mistake to insist, as some people do, that Sam Ervin is divorced from the pork-barreling, large and small, that is part of any senator's routine. He may not relish it, but he is inextricably involved in it.

In 1965, to cite one notable example, the Defense Department was threatening to shut down an airplane rehabilitation center at Cherry Point, N.C. About 2,000 jobs were at stake.

Ervin sat down with Sen. John Stennis, D-Miss., and Sen. Richard B. Russell, D-Ga., two titans of the Senate Armed Services Committee, and the next day, it was certain that the rehab center would stay in business.

But Ervin's power in the Senate does not come, for the most part, from being a senatorial politician. A great portion of his influence flows, instead, from his reputation as a "constitutional expert." He cherishes that role and plays it to the hilt.

Ervin's claims to constitutional expertise is accepted by many scholars and lawyers.

THERE ARE SKEPTICS WHO DO SMIRK

"Sam Ervin's scholarship is real," said one. "He's a graduate of the University of North Carolina and Harvard Law School. He's smart. He's not a phony."

But both in Washington and North Carolina, there are skeptics who smirk at such a claim. Said one:

"I get the feeling around here in talking to men who really are constitutional experts, like Prof. Paul Freund at Harvard, that they're somewhat amused that Ervin sets himself up as an expert because he was a state supreme court justice."

The skeptics point particularly to Ervin's stubborn refusal to accept the constitutionality of the Supreme Court's decisions in the field of civil rights, beginning with the landmark school desegregation decision of 1954.

"He's a good lawyer of the old school," said one renowned constitutional scholar. "But in many ways he resists the current trends. Reliability as a constitutional expert depends not merely on being familiar with the precedents but on being able to sense currents, trends and tendencies in the law."

Yet a surprising number of impartial scholars, many of whom differ sharply with Ervin on civil rights, insist that in the context of the Senate, he is easily the best authority on the Constitution.

"He's not a scholar," conceded Prof. Philip Kurland of the University of Chicago, one of the nation's best-known law professors. "But in terms of senators, you'd be hard-pressed to name anybody since Daniel Webster and Henry Clay who are as well-grounded as Ervin on the Constitution."

It is important to remember that in terms of political power in the Senate, the academicians' debate over Ervin's credentials as a constitutional authority is, in a sense, irrelevant.

A sizable bloc of senators regard Ervin as a constitutional expert, and whether they are correct or not, there is real power in that reputation.

One young liberal in the Senate puts it this way:

A SIZABLE BLOC GOES WITH ERVIN

"On constitutional questions, if you get Sam Ervin sold, that's a sizable bloc of votes. Those in the Senate that shrug him off are those who wish he would get out of their hair."

If Ervin's influence on constitutional and essentially legal matters—like prayer in the schools, presidential succession and bail procedures—is generally conceded to be great, there is less agreement on his broader power in the Senate.

"I don't think he can be regarded as a leader in the Senate," said one high-ranking administration official. "He falls totally under the shadow of (Sen. Richard B.) Russell (D–Ga.)."

But columnist William S. White, one of the Senate's most celebrated journalistic observers, gives Ervin higher marks:

"He has a very high place in what I used to call 'The Inner Club.' He stands very high in the esteem of the Senate particularly the Southern wing of it. He might one day succeed Russell, if Russell ever left, as the untitled leader of those fellows."

In a place where seniority counts for so much, Ervin's 13 years in the Senate have inevitably given him some power that comes to any veteran senator who does not defy too many rules of the club.

A PLACE TO GO FOR A NEEDED VOTE

To cite one small but illustrative case, in 1964 when Sen. Olin D. Johnston (D-S.C.) died, Ervin was next in line among members of the Senate Judiciary Committee to take over chairmanship of the subcommittee on improvements in judicial machinery.

That chairmanship, with its control of a $150,000 staff payroll, was a modest but juicy political plum. But Ervin was already running two Senate subcommittees, and when freshman Sen. Joseph D. Tydings, D-Md., came to Ervin and asked for the job, Ervin helped him get it.

Now, although Ervin would never mention it, Tydings now is a man to whom Ervin could turn for a vote or a favor if he ever really needed one.

Beyond seniority, another source of Ervin's influence in the Senate is his ability as a folksy raconteur. Sometimes his endless supply of Tar Heel stories taxes the patience of other senators, but on occasion, the right story at the right time is a useful weapon.

In his book on labor racketeering, "The Enemy Within," Robert F. Kennedy speaks warmly of Ervin's service on the Senate Select Committee investigating that problem in the 1950's. Kennedy was the committee counsel.

"I heard Sen. Ervin on several occasions destroy a witness by telling an appropriate story which made the point better than an hour-long speech or a day of questioning," Kennedy wrote. "He could be particularly devastating when a witness was pompous or overbearing."

But wherever Sam Ervin stands in the over-all Senate pecking order, the heart of his life in the Senate revolves around the Constitution, and since 1961, the subcommittee on constitutional rights.

In that year, Ervin succeeded the late Sen. Thomas C. Hennings, D-Mo., as chairman of the subcommittee. It has been his principal focus of interest ever since.

But here in the work of the subcommittee, there has surfaced the biggest paradox of all in the senatorial career of Sam Ervin. It can be simply stated:

Ervin, to the man in the street in North Carolina and perhaps in New York is known only as an unrelenting foe of the civil rights legislation.

SENSIBLE GUARDIAN OF CIVIL LIBERTIES

Yet at the same time, to a smaller, more sophisticated audience centered primarily in Washington, he has also established a reputation as a sensitive guardian of civil liberties.

For a man soon to gain this sort of Jekyll-Hyde reputation on civil rights and civil liberties, Sam Ervin's arrival in the Senate on June 11, 1954, was auspicious in its timing.

Twenty-five days earlier, the Supreme Court had declared "separate-but-equal" schools for Negroes and whites unconstitutional, thus helping unleash the Negro Revolution of the 1950's and 1960's, which Ervin would struggle to turn back.

As the American Negro took his demands for equal treatment into the courts and into the streets, Ervin generally was to remain unmoved. He became, in effect, the legal advisor to the Southern anticivil rights bloc in the Senate.

He was always ready with intricate constitutional arguments to prove why Congress had no business passing laws to insure the Negro's right to vote, to take his family into a decent restaurant, or to compete on equal footing for a good job.

But in that same first summer in the Senate, Ervin found himself appointed to a six-member select committee that ultimately backed Senate censure for Sen. Joseph R. McCarthy, whose anti-Communist witch-hunts had run roughshod over a variety of basic civil liberties.

In a memorable speech on Nov. 15, 1954, the freshman senator from North Carolina told a story about Uncle Ephraim Swink, an arthritic mountaineer.

When Uncle Ephraim was asked at a revival meeting to say what the Lord had done for him, he struggled to his feet and declared, "Brother, he has might nigh ruint me."

And that, Ervin told his colleagues, was what McCarthy had done to the Senate. The issue, Ervin said, was this: "Does the Senate of the United States have the manhood to stand up to Sen. McCarthy?" Soon afterwards, the Senate showed, belatedly, that it did.

Thus, as some Washington oldtimers see it, the pattern for Ervin's Senate career was set in his tumultous freshman year of 1954.

While Ervin's adamant opposition to civil rights bills drew big headlines, his role as a champion of civil liberties developed with little public fanfare.

There were misgivings among the bulldogs of the American Civil Liberties Union and other civil-liberties groups when, in 1961, Ervin took over as chairman of the constitutional rights subcommittee.

But today, most of them are staunch Sam Ervin admirers. They wince at his civil rights stands, but they applaud as "excellent" his campaigns for the rights of the mentally ill, American Indians, federal employees, members of the armed services, and indigent criminal suspects unable to muster money for bail or legal counsel.

In the eyes of the civil libertarians, one of Ervin's finest hours came during last year's Senate debate on Sen. Everett McKinley Dirksen's proposed constitutional amendment permitting prayer in the public schools.

Ervin had been an early critic of Supreme Court decisions on prayer in the schools, but after long, personal study, he changed his mind and said so on the Senate floor in an eloquent address. The court, he concluded, was protecting religious liberty, not threatening it.

Dirksen's amendment was voted down, along with a milder resolution by Sen. Birch Bayh. The Washington Post, not known for its love of Sam Ervin, called him "an authentic hero of the Senate debate."

Marvin Braiterman, a lobbyist for a coalition of Jewish religious groups, called Ervin's prayer speech in a recent interview "one of the finest documents of civil liberties uttered in debate in Congress in a long time."

The Dirksen amendment had been popular in "Bible-belt" North Carolina, and Ervin predictably drew scalding criticism from many of his constituents. He characteristically shrugged it off.

Many in Washington who admire Ervin, the civil liberatarian, believe that his education on such issues began when he took over the constitutional rights subcommittee almost seven years ago.

There is good reason to reject that view. Undeniably, the subcommittee has given Ervin a forum for his views and broadened his knowledge. But the instincts he has displayed in the chairmanship apparently were there all along.

Back in 1925, for example, when young Sam Ervin was a legislator in the N.C. General

Assembly, he helped defeat a bill that would have banned the teaching of evolution in the state's public schools.

If the bill had passed, the famous Scopes "monkey trial" in Tennessee could have easily happened in North Carolina. But Ervin saw a threat to free speech in the bill, and he fought against it.

"Such a resolution," declared Ervin in the folksy style he would later carry to the Senate, "serves no good purpose except to absolve monkeys of their responsibility for the human race."

But the enigma of Sam Ervin remains, and every friend of civil liberties, after praising Ervin on that score, raises the same puzzled question:

"How can a man so obviously sensitive to the rights of Indians, bureaucrats, army privates and the mentally ill be so stubbornly opposed to legislation to protect the rights of Negroes?"

Ervin, of course, would never accept the premises of that question.

In most cases, Ervin would say, the civil rights legislation of the last decade was unnecessary. He would add that the bills were conceived in a cynical attempt to pander to the growing Negro vote.

To those who agree with Ervin on civil rights, this position embodies self-evident truth. But to those who disagree—while still admiring and respecting him for other reasons—his attitude is difficult to fathom.

There are some who blandly assume that Ervin doesn't really believe what he says about civil rights. They assume he is behaving the way a southern senator must behave to get elected.

"You have to remember his practical need to get returned to office if he's going to do this other good work," remarked a well-known law professor unfamiliar with North Carolina.

"He's essentially a man of good will. If attitudes in North Carolina would shift, you'd find him among the moderate ranks in the Senate."

A Washington civil rights lobbyist tends to agree. He recalls that Ervin came to Washington not long after the bitter 1950 race in which Willis Smith knocked liberal Frank P. Graham out of the Senate in a campaign badly stained by the racial issue.

"Ervin is the product of the post-Frank Graham panic among North Carolina political people," said the lobbyist. "Prior to Graham's defeat, I think the North Carolina politicians were thinking it was all right and safe to take a moderate position on civil rights.

"But then there was the complete rout, and I think Ervin was a product of those times."

Others, who perhaps know Ervin better, admit that like all men, the senior senator from North Carolina was shaped by his environment—in his case, an environment where racial segregation was taken for granted.

But they insist that Ervin is no racist, nor does he consciously play politics with the civil rights issue.

"Sam Ervin is far above the mere stereotype," said columnist William S. White. "There isn't an ounce of Bilboism or that kind of rubbish in him at all."

A liberal senator, who has been a leader among congressional civil rights strategists, agrees with White.

"I do not feel him to be a prejudiced man," he said. Then, the senator murmured almost apologetically, "That's crazy, I know."

Ervin himself has always taken pains to dissociate himself from the Anti-Negro racism apparent in many of those who share his distaste for civil rights laws. There is nothing of the gallus-snapping Southern demagogue in his behavior.

Last year, after the shooting of James Meredith in Mississippi, Ervin sorrowfully conceded that civil rights bills "are the natural reaction to the activities of a few demagogic politicians and a few murdering criminals in the South."

But Ervin's critics reply that if he sidesteps racism himself, he provides an unfortunate veneer of intellectual respectability for those segregationists whose motives are less high-minded than his own.

Among Ervin's liberal admirers who deplore his civil rights stand, it is widely suspected that Ervin's outrage is not aroused during civil rights debates because he fails to grasp the Negro's plight in the Deep South.

Because he is from Western North Carolina, where the Negro population is small and racial relations traditionally amicable, these admirers suggest that Ervin just doesn't understand Alabama and Mississippi and South Georgia.

If he did, they say, his proven sense of decency would force him to find a way around his legal objections to civil rights legislation.

"I think he's convinced in his own mind that there's no discrimination in his state," remarked a liberal senator from the Midwest.

"He thinks it's no worse in North Carolina than anywhere else in the country. I think he's opposed to discrimination in his own mind. But I think he's a bit naive not to see what's going on in some of his neighboring states."

Whatever the underlying reasons for his stand, it is clear that Ervin's widely publicized aversion to civil rights legislation has made him popular in North Carolina.

One of the state's most experienced Democratic politicians, put it this way:

"Sam Ervin is riding a tide of considerable influence in North Carolina, not because of his political pull in Washington, but because of the civil rights issue.

"His stand is popular in North Carolina. It's not because of what he's done for the State."

When this tangle of speculation about his civil rights position is taken to Ervin himself, the senator seems a little grieved.

"When I was elected to the legislature," he recalled, "the first thing I did was introduce a bill to provide for a local bond issue to give the Negroes an adequate school in Morganton.

"I have always fought for adequate educational opportunities for all children of all races. I have never spoken an unkind word in my life about any race of men. My personal relationships with Negroes have always been very good."

But the civil rights bills, he went on, have been a different kettle of fish.

Every one of them, Ervin said, has either tended to centralize governmental power in Washington, or has stripped rights from some citizens and given them to others.

He is deeply distressed about concentration of power in the federal government, especially the executive branch.

"Centralization of governmental powers is inconsistent with freedom," he likes to say, and he can quote everybody from James Madison to Thomas Hobbes to prove his point.

But when Ervin is pressed to consider the plight of Southern Negroes as a group, he sidesteps the question and quickly heads back into the thicket of constitutional theory.

He seems more comfortable dealing with the abstractions of the law than the grievances of flesh-and-blood.

"What Ervin doesn't have," mused lobbyist Marvin Braiterman, "is a profound understanding of social change as, for example, Frank Graham had.

"But he has an unusual ability to think of the Constitution as it relates to individual people."

A Washington rabbi, musing about Ervin's relations with other men as individuals, suggested that a Yiddish word captures the senator to perfection.

"Ervin," said the rabbi, "is a mentsch." "Mentsch" is difficult to translate into English, but it describes a man who is warm and human, a responsible man who takes his dealings with other men seriously.

So the paradox of Sam Ervin emerges:

An immensely successful politician who is not really a politician at all . . . A man who seems to battle the Negro revolution for one reason, but whose battle wins popularity for another reason . . . A sensitive man who recoils from wrongs against individuals, but who is curiously obtuse about an injustice that many admirers regard as one of the greatest moral questions of our time.

SUMMIT MEETING OF CHIEFS OF STATE AT PUNTA DEL ESTE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, for those of us who have been eagerly and hopefully following the summit meeting of American chiefs of state, the news from Punta del Este has been tremendously heartening.

The Latin American Presidents have given evidence to the world of their determination—and that of their peoples—to pay the price of development, however rough it may be in terms of self-help and self-denial.

The good news from Punta del Este represents nothing less than a personal triumph for President Johnson. He has kept faith with his lifelong interest in the destiny of our neighbors to the south. He has given ample proof to the Latin American nations of our solidarity with them—and, to quote his own words, that "we will be at their sides."

Let us bid him "bienvenide" upon his return.

TEXT OF PRESIDENT JOHNSON'S ADDRESS AT INTER-AMERICAN SUMMIT

Following is the text of a speech given Thursday by President Johnson at the Summit Conference of American Chiefs of State today:

Mr. Chairman, fellow Chiefs of State, Ladies and Gentlemen:

First, President Gestido, may I express, on behalf of my entire delegation, gratitude to you for the courtesy and generosity that Uruguay has offered her sister nations at this conference.

We have come to Punta del Este as the leaders of 20 governments—and as the trustees for more than 400 million human beings.

We meet in a city where, five and a half years ago, an Alliance was formed—a pledge made—and a dream begun.

Now we must measure the progress we have made. We must name the barriers that still stand between us and the fulfillment of our dream. Then we must put in motion plans that will set us firmly on the way toward the proud destiny that is our people's right.

We meet as friends, as neighbors, as allies. Hundreds of years ago we were the new world. Now each of us faces the problems of growing maturity—of industrialization, of rapid urban growth, of sharing the opportunities of life among all our people.

We no longer inhabit a new world. We cannot escape from our problems—as the first Americans could—in the vastness of an unchartered hemisphere. If we are to grow and prosper, we must face the problems of our maturity. And we must do it boldly—wisely—and now.

If we do, we can create a new America—where the best in man may flourish in freedom and dignity. If we neglect the planning, if we ignore the commitments that it requires—if our rhetoric is not followed by action—we shall fail not only the Americans of this generation, but hundreds of millions to come.

In unity—and only in unity—is our strength. The barriers that deny the dream of a new America are stronger than the strongest among us—acting alone. But they cannot stand against our combined will and common effort.

I speak to you as a ready partner in that effort. I represent a nation committed by history, by national interest, and by simple friendship to the cause of progress in Latin America. But the assistance of my nation will be useful only as it reinforces your determination and builds on your achievements—and only as it is bound to the growing unity of our Hemisphere.

Here, as I see it, are the tasks before us:

First, you will be forging a great new common market—expanding your industrial base, increasing your participation in world trade, and broadening economic opportunities for your people. I have already made my position clear to our Congress: If Latin America decides to create a common market, I shall recommend to the Congress a substantial contribution to a fund that will help ease the transition into an integrated, regional economy.

Second, you will design, and join together to build, great multination projects that will open up the inner frontiers of Latin America. These will provide—at last—the physical basis for Simon Bolivar's vision of continental unity. I shall ask my country to provide, over a three-year period, substantial additional additional funds for the Inter-American Bank's Fund for Special Operations, as our part of this special effort. I have also asked the Export-Import Bank to give urgent and sympathetic attention, wherever it is economically feasible, to loans for earth stations that will bring satellite communications to Latin America.

Third, I know how hard you are striving to expand the volume and value of Latin American exports. Bilateral and multilateral efforts to achieve this are already under way. But I made clear yesterday afternoon in our private session that we are prepared to consider a further step in international trade policy. We are ready to explore with other industrialized countries—and with our people—the possibility of temporary preferential advantages for all developing countries in the markets of all the industrialized countries. We are also prepared to make our contribution to additional shared efforts in connection with the International Coffee Agreement.

Fourth, all of us know that modernizing agriculture and increasing its productivity is an urgent task for Latin America—as it is for the whole world. Modernizing education is equally important. I have already urged our Government to expand our bilateral assistance in the fields of agriculture and education.

Fifth, you are engaged in bringing to Latin America life all that can be used from the common fund of modern science and technology. In addition to the additional resources we shall seek in the field of education, we are prepared to join with Latin American nations in:

Creating an inter-American training center for educational broadcasting, and supporting a pilot educational television demonstration project in a Central American country.

Establishing a new Inter-American Foundation for Science and Technology.

Developing a regional program of marine science and technology.

And exploring a Latin American regional program for the peaceful uses of atomic energy.

Sixth, the health of the people of Latin America ultimately depends on everything we do to modernize the life of the region. But we must never forget that when children are not provided with adequate and balanced diets, they are permanently affected as human beings—and as citizens. Therefore, we propose to increase our food program for pre-school children in Latin America, and substantially improve our school lunch programs. We are also prepared to set up in Latin America a demonstration center in the field of fish protein concentrates. We believe that this essential ingredient of a balanced diet can be provided at much lower cost than in the past.

Finally, I shall urge funds be provided to help establish Alliance for Progress centers at colleges and universities in the United States. Our partnership must be based on respect for our various cultures and civilizations. And respect is built on knowledge. This new education program will offer new opportunities for students and educators of your countries and mine to work together.

Our discussions here are couched in the technical terms of trade and development policies.

But beyond these impersonal terms stands the reality of individual men, women, and children. It is for them—not the statisticians and economists—that we work. It is for them—and especially for the young that the hope and the challenge of the Alliance exists.

For them, we must move forward from this hour:

Building more schools and hospitals and roads.

Producing more food.

Developing more trade.

Taking on the hard problems of tax reform and land reform.

Creating new jobs and economic opportunities.

Cleaning out the red tape and acting with the sense of urgency our times require.

And above all, following through on the plans we make.

I pledge to you today that I will do all I can, in my time of leadership, to help you meet these challenges.

One of the first groups I met with after I became President was composed of your Ambassadors to Washington. From that time to this I have accelerated America's commitment to the Alliance, by increasing substantially the contribution of my country by more than 35 percent of the previous three years. I know what is at stake for you, and for my country, in Latin America.

And I know that the clock is ticking. I know that the dream of the new America will not wait. I know that you sense the same urgency—the same need for speedy decision and effective action in your country, as in mine.

My fellow Presidents, I should like to conclude by speaking not only to you, but to the youth of our nations—to the students in the schools and universities, to the young people on the farms and in the new factories and labor unions and in the civil service of our governments—to all those who are moving into their time of responsibility.

This is the message I bring to them:

All that has been dreamed, in the years since this Alliance started, can only come to pass if your hearts and minds become committed to it.

It is our duty—we who hold public office and bear great private responsibilities today—to create an environment in which you can build your part of the new America.

It is your duty to prepare yourselves now—to use the tools of learning, and the idealism that is your natural heritage, for the human purposes that lie deep in our common civilization.

You cry out for change, for what Franklin Roosevelt called a New Deal. And you do not want it imposed from above. You want a chance to help shape the conditions of your lives.

You—the youth of the Americas—should know that revolutions of fire have brought men in this Hemisphere, and in jungles half the world away, still greater tyrannies than those they fought to cast off.

Here in the countries of the Alliance, a peaceful revolution has affirmed man's ability to change the conditions of his life through the institutions of democracy. In your hands is the task of carrying it forward.

The pace of change is not fast enough. It will remain too slow—unless you join your energies and skills and commitments in a mighty effort that extends into the farthest reaches of our Hemisphere.

The time is now. The responsibility is ours.

Let us declare the next ten years the decade of urgency.

Let us match our resolve and our resources to the common tasks—until the dream of a new America is accomplished in the lives of all our people.

INVITATION TO MEMBERS TO HEAR REPORT ON ACTIVITIES OF PUBLIC LAND LAW REVIEW COMMISSION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I rise at this time to extend to you and all Members of the House a cordial invitation to join your Committee on Interior and Insular Affairs at our meeting on Wednesday, April 26, at 10:45 a.m., room 1324 Longworth Building, when the committee will receive a report on the progress and status of work of the Public Land Law Review Commission.

While we will be glad to have the public present, if seats are available, we will reserve all of the seats in the meeting room for Members of the House until after the briefing has gotten underway.

The work of the Public Land Law Review Commission has significance for all Americans; it is of utmost importance in many regions, districts, and communities. The Commission, of which I have the honor to be Chairman, has completed its basic fundamental task of laying the foundation for its overall review. As we enter the next stage of our work—entering into contracts with research organizations, universities, individuals, and, as appropriate, Government agencies—it is fitting that the House be informed of these activities, and that the committee having legislative oversight responsibility should review the work to date.

Most of the work at this stage has been performed by the staff under the direction of Milton A. Pearl, who, you will recall, Mr. Speaker, served the House Committee on Interior and Insular Affairs for many years as a consultant on public lands. Mr. Pearl will make the presentation next week accompanied by senior staff personnel. All of these people will be available for questioning by the committee.

We are particularly interested in having Members whose districts contain public lands to be present along with newly elected Members who were not in Congress when the law establishing the Puplic Land Law Review Commission was enacted.

For the benefit of the Members, under permission previously granted, I enclose in the RECORD at this point a short summary of the composition and purpose of the Commission:

BACKGROUND AND COMPOSITION OF THE PUBLIC LAND LAW REVIEW COMMISSION

Because of the multiplicity of statutes, the lack of clear policy, and the division of jurisdiction among executive agencies, Public Law 88–606 provided for the establishment of the Public Land Law Review Commission. The Commission is charged with the following responsibilities: (1) study all existing statutes and regulations governing the public lands, which includes, in addition to the public domain, all national forests, wildlife refuges and game ranges, and the resources of the Outer Continental Shelf; (2) review policies and practices of the Federal agencies administering these lands; (3) determine present and future demands on the public lands; and (4) recommend changes in laws and administration which will enable the general public to realize the maximum benefit from the public lands.

The Commission is composed of 19 members, with bipartisan representation from both Houses of Congress and Presidential appointees: six appointed by the Speaker of the House, six by the President of the Senate, and six by the President of the United States. The congressional members, which are divided equally between the majority and minority parties, must come from the respective Committees on Interior and Insular Affairs.

The first 18 members named were authorized by Public Law 88–606 to elect a nineteenth member as Chairman. At the Commission's organization meeting it chose Representative Wayne N. Aspinall, of Colorado, as Chairman; H. Byron Mock, a Presidential appointee and practicing attorney at Salt Lake City, Utah, as Vice Chairman; and Milton A. Pearl as Director.

The present composition of the Commission is as follows:

Chairman: Honorable Wayne N. Aspinall

Appointed by the President of the United States:

Laurance S. Rockefeller, of New York City, New York

Governor Philip Hoff, of the State of Vermont

H. Byron Mock, of Salt Lake City, Utah—Vice Chairman

Dr. Robert Emmet Clark, of Tucson, Arizona

Dr. Maurice Goddard, of Harrisburg, Pennsylvania

Mrs. Nancy E. Smith, of San Bernardino, California

Appointed by the President of the Senate:

Henry M. Jackson, Senator from Washington

Clinton P. Anderson, Senator from New Mexico

Alan Bible, Senator from Nevada

Thomas H. Kuchel, Senator from California

Gordon Allott, Senator from Colorado

Len B. Jordan, Senator from Idaho

Appointed by the Speaker of the House of Representatives:

Walter S. Baring, Representative from Nevada

Roy A. Taylor, Representative from North Carolina

Morris K. Udall, Representative from Arizona

John P. Saylor, Representative from Pennsylvania

Laurence J. Burton, Representative from Utah

John Kyl, Representative from Iowa

LIBERTY HIGH SCHOOL REPRESENTS PENNSYLVANIA IN THE FESTIVAL OF STATES

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am extremely proud today to call to the attention of my colleagues the achievement of a contingent of young people from the Keystone State who journeyed to Florida last week. These young people and their director, Mr. Ronald P. Sherry, comprise the Liberty High School Grenadier Band of Bethlehem, Pa., which was chosen last fall to represent Pennsylvania at the 46th annual "Festival of States" in St. Petersburg, Fla.

Last October 20, I made note of the honor bestowed on the Grenadiers by their selection to represent Pennsylvania during the Festival of States. I confidently assured my colleagues then, "they will represent Pennsylvania with distinction during their forthcoming visit to St. Petersburg."

In reality, Mr. Speaker, my remarks of last October did not do justice to the Grenadiers and their director. Last Friday, the Grenadiers marched proudly along the 22-block Festival of States parade route through the heart of St. Petersburg. Their appearance, precision and performance captivated the 200,000 persons who lined the parade route.

The impression they made on the parade judges became evident Friday night when the Liberty High School Grenadiers were awarded the coveted "Governor's Cup"—the feature award of the 1967 Festival of States.

Citizens of Bethlehem turned out 10,000-strong yesterday afternoon to welcome home the Liberty High Grenadiers. These same citizens had raised $20,000 to finance the trip to Florida, to afford these young people and their capable director the opportunity to demonstrate their talent and ability.

Their confidence in the Grenadiers was richly rewarded when this fine band returned home "Champion of Champions."

They were acclaimed in Florida, not only for their musical performances but also for the admirable standards of conduct they observed throughout their visit there.

Mr. Speaker, I am seeking now to arrange to have the Grenadiers visit our Nation's Capital and to demonstrate their talents on Capitol Hill. Each of my colleagues will be invited to see and hear the Grenadiers at that time.

Under leave to extend my remarks, I should like to insert in the RECORD, two articles from the April 15, 1967, edition of the Bethlehem Globe-Times which detail the distinction won by the marching band of my high school alma mater and the Bethlehem community's reaction to this achievement:

BETHLEHEM TO CHEER VICTORIOUS BAND

Thousands of Bethlehem residents are expected to gather tomorrow night to greet the triumphant Liberty High School Grenadier Band on its return from St. Petersburg, Fla.

A familiar sight will meet the bandsmen's eyes as they approach the city, for the star on South Mountain will be illuminated to mark the occasion.

The Grenadiers, as Pennsylvania's representatives in the 46th annual Festival of States, yesterday captured the coveted Governor's Cup—and also the hearts of just about everyone in the Florida metropolis.

This city's citizens have been asked to begin assembling in the west stands of Liberty High School stadium at 6:30 p.m. tomorrow, and while they are awaiting the arrival of the Grenadiers, they'll be entertained by three other Bethlehem musical units; the American Legion Band, the Municipal Band and the Northeast Junior High School Band—all under Ray Houston's direction.

The exact time of arrival, will depend on travel conditions that the five-bus caravan encounters along the way, but should there be any change in the schedule, area residents will be notified by radio station WGPA during the afternoon.

POLICE ESCORT

A police escort will meet the band at the city limits and guide the happy travelers into the stadium through the Laurel St. gate.

Those on hand to welcome the band home have been asked by planning officials to occupy the west stands for the ceremonies.

The three bands taking part in the festivities will serenade the Liberty High youngsters as they arrive, and as soon as everyone is assembled, the invocation will be given and the National Anthem will be played.

The speakers will include Harry Trend, executive secretary of the Chamber of Commerce, who will express the city's gratitude for the honor that the band has brought to the city; the Rev. Harry Colver, school board president, who will talk on behalf of the school board.

Dr. John W. Khouri, superintendent of schools; John A. Heske, Chamber of Commerce president, who led the citizens' drive to raise the necessary funds to send the band to Florida, and Charles A. Klein, Liberty High's principal, will be on hand for remarks.

The response for the band will be given by its director, Ronald Sherry and by John Tripp, student band president.

Officials have asked that the public not park cars on Laurel or Clifford Sts., immediately adjacent to the stadium, since this is the route the band will use to enter the reception area.

All day today, city and school officials—along with many others—have been busy preparing for the welcoming home celebration.

Those who have been making the necessary arrangements include Mayor Payrow, Heske, Trend, Houston, Phil F. Phillippi, Liberty High's director of athletics, Albert P. Delgrosso, superintendent of buildings and grounds, Dr. Khouri, the Rev. Mr. Colver, Joseph J. McIntyre, principal of the new Freedom High School and Klein.

A large banner—approximately 4 by 12 feet—is being prepared for display in the stadium, and there will be a Marine Corps color guard to participate in the program.

PRINCIPAL'S STATEMENT

In his statement, Klein said that "the entire Liberty High School community and the community of Bethlehem are thrilled by the splendid efforts of the Grenadier Band in winning the Governor's Cup as the outstanding band in the festival of states."

In noting that he offered his personal congratulations last night to Sherry, the LHS principal declared that "the band has brought great credit to the community of Bethlehem and to the state of Pennsylvania in its singular achievement and Mr. Sherry and the band members are to be highly commended for their skilled musicianship and exemplary conduct which made this achievement possible."

Klein also noted that there will be a school assembly on Wednesday morning at 8:15 in the school gym during which the 3,200 youngsters will pay tribute to their fellow students.

Just in case there should be inclement weather for the homecoming tomorrow night, officials have made the necessary provisions for moving the ceremonies into Memorial Gymnasium.

SOME 200,000 VIEW PRIZEWINNING PERFORMANCE

(By Robert Hampson)

With probably the greatest prize it's ever won safely tucked away, the Liberty High School Grenadier Band is speeding homeward this afternoon, knowing that it's the best musical organization of its kind in the entire country.

An almost flawless, 22-block march through the heart of St. Petersburg, Fla., in sweltering, 90-degree heat yesterday earned the Bethlehem outfit that coveted Governor's Cup—emblematic of the championship of the 46th annual Festival of States.

An estimated 200,000 people watched the 46 bands pass in review, but the best was saved for almost the last, as the Pennsylvanians were the 40th unit to step off in quest of the grand prize.

The Bethlehem youngsters, attired in their sparkling parade best—the familiar uniform that local residents see during the Liberty High football games each fall—waited patiently under a shade tree in the park for their turn to swing into action.

Those tall, bearskin hats, high collars and long trousers may be just dandy for cool, fall afternoons, but they can be mighty uncomfortable under the merciless rays of a brilliant Southern sun.

But, with sweat pouring down their faces and determination in their hearts, the Liberty unit strode along the more than two-mile route in almost perfect fashion.

Starting near the waterfront, the parade route took the bands through the heart of the downtown section and then swung uptown before finally winding up.

HAD TO IMPRESS

Although the parade started at 12:30 p.m., the Liberty Grenadiers didn't step off until almost 3 o'clock. By that time, the judges had seen 39 other units pass in review, so the Bethlehem squad really had to be "terrific" to catch the judges' attention after seeing so many other outstanding musical aggregations.

When the final block had been marched, there was a drum roll cadence, the Grenadiers halted, formed a large huddle, gave a heartwarming cheer, looked hopefully at one another and then piled into their buses for a trip back to the hotel to await the grand climax—last night's award ceremonies.

ONLOOKERS AMAZED

Many onlookers along the way watching in amazement, some claiming that this was the best band that they'd ever seen in this or any previous festival.

And the Liberty unit had to be close to perfect to bring home the grand award. The Grenadiers nailed down 295 out of a possible 300 points, and although there was no official announcement as to who was second and by how much, highly reliable sources noted that the Alabama band was just two points in back of the Keystone Staters when the final judging tabulations had been recorded.

The announcement of the winner was made at 10 o'clock last night during the victory dance in the Bayshore Arena.

Herbert Melanie, the festival's executive director, just about was able to make the announcement. While everyone waited excitedly for the proclamation, Melanie was just able to say "The feature award for 1967—the Governor's Cup—goes to the Keystone State . . . "

The more than 300 Pennsylvanians—including the 163 band members who made the entire thing possible—broke into a tumultuous cheer that all but drowned out the rest of the presentation announcement.

Handshaking, kissing and hugging—intermingled with tears of joy—greeted the realization that Bethlehem was indeed the best high school band in the land.

SHERRY BEAMS

Band director Ronald Sherry strode from his seat at the rear of the arena, beaming from head to toe in his brilliant orange sports jacket, to receive the cup. Sherry was almost swamped by well-wishers and jubilant Grenadiers as he clutched the grand prize.

"I just can't believe it," was about the only thing the tired, but overjoyed Sherry could say.

After the dance, the band returned to its festival headquarters, the Soreno Hotel, and immediately grabbed its instruments to play "Bethlehem Forever" and the schools "Alma Mater."

The runnerup Alabama band was also there to give the Pennsylvanians a little musical argument, with the playing of the traditional Southern marching song, "Dixie," but the Bethlehemites answered right back with a rendition of "Yankee Doodle."

This 11 p.m. spontaneous concert was brought to a noble conclusion when the Liberty band played the National Anthem and Craig Eby, student announcer, made a brief, good will speech.

Lights out was scheduled for 1 a.m. this morning, but many a band member continued to relive the events just passed far into the night.

This morning, everyone was up again by 7:30 o'clock, for there was a lot of packing to do in preparation for the noon departure. There was time for a trip to the beach and a swim in the clear, blue Florida waters before bidding a fond farewell to the host city.

Mayor H. Gordon Payrow telephoned his congratulations to the band last night, telling Sherry that the entire city of Bethlehem is sharing in the excitement of the great achievement.

DEMONSTRATIONS OUT OF HAND

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, free speech even in the United States does not include license to incite to riot.

The right of freedom of speech can be abused. It is being abused by the rabble rousers and hatemongers of the hour. Demonstrations of the proportions witnessed in recent times make a mockery of constitutional peaceable assembly.

Nowhere is this better illustrated than by what happened in New York City last Saturday. Wholesale violation of law and order, burning the American flag, burning draft cards in quantity and in uniform. The only characterization of such conduct is disgraceful.

Why were there no arrests of these open violators of law?

For a Nobel Peace Prize recipient to play a leading role in such undermining of our Armed Forces makes public travesty of the award itself. And Carmichael's public incitations to violence should no longer be shrugged off as the rantings of a soapbox demagog. His subversive intention has been so often expressed that not even a majority of the present U.S. Supreme Court would sanction his inflammatory provocations under the first amendment.

Such conduct in the Granite State of New Hampshire would mean jail—and quickly.

Demonstrations grown out of hand are a menace to freedom.

What must our men feel who daily put their lives in the line of enemy fire for that flag, when they see such scenes on the front pages of American newspapers? When an enemy burns our flag in the streets of Hanoi, at least the motivation is understandable. But when citizens claiming to be American burn their flag in the streets of New York City, it is time for patriotic Americans to act. To be sure, these groups represent a minority and minority opinion is protected in our Republic, yet our laws should not allow such havoc in public streets of this country with its inevitable confusion in foreign capitals who look to us for guidance.

This type of protest, if not treasonable under present law, certainly represents "a clear and present danger" and should be dealt with quickly and firmly if our American values are to be protected and preserved.

BURNING THE AMERICAN FLAG

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, what is treason? The dictionary gives this definition:

> The offense of attempting by overt acts to overthrow the government of the state to which the offender owes allegiance or to kill or personally injure the sovereign or his family.

It is easy for us to recognize treason when it results in the outright killing of the heads of government or in going over to the enemy on the battlefield and turning against your own fighting forces. But what about calling a gathering of 100,000 people where the flag of our country is publicly burned and the heads of our Government are called "fools," "liars," "murderers"? Are not such acts pretty close to the dictionary definition of treason "attempting by overt acts to overthrow the Government"?

All of these things happened last Saturday in New York and in San Francisco. The American flag was burned in Central Park during a meeting organized by Martin Luther King, Dr. Benjamin Spock, Stokely Carmichael, and several professors who were recent welcome guests of the Communist government in North Vietnam. Under such circumstances and while nearly a half million Americans are fighting the Communists in Vietnam, I submit that burning the flag is an act of treason. I further submit that those who are parroting the Moscow-Peking-Hanoi line for a peace which is not only defeat, but will sacrifice the freedom of South Vietnam are coming very close to treason. These misleaders cannot excuse themselves from blame for the excesses by saying they personally have no part in the desecration of the flag or the abuse of our President and other high Government officials. It was their meeting. They called it. They provided the agitation to work up the thousands into tirades of hate against America. In spite of all their pious phrases, their words and their actions and the chaos they are achieving with the result that the war in Vietnam is being prolonged and thousands of Americans will die who need not have died, are bordering on treason.

It is even worse that some of those who encourage the sort of action that took place in New York on Saturday are still serving on Government boards and agencies. Mr. Speaker, let us put an end to such activity. For the sake of America and in the name of freedom everywhere, let us sort out the traitors in our midst and, for heaven's sake, let us at least take them off the Federal payrolls.

Last week I introduced a bill, H.R. 8536, which would punish by fine and imprisonment, anyone desecrating the flag of the United States. I hope speedy action will be taken on this legislation. It is the least we can do for those we are asking to fight and die to protect our freedom.

BURNING THE AMERICAN FLAG

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, I take this time for the purpose of associating myself with the splendid remarks just made by the gentleman from Tennessee [Mr. KUYKENDALL].

WELFARE STATE IN SWEDEN

Mr. LATTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, the April 24, 1967, issue of U.S. News & World Report carries an article which I believe every Member of this House should read and reread. It outlines the "dilemma in Sweden" caused by too much welfare statism. The article follows:

STOCKHOLM.—Here is a country that seems to have gone the limit in cradle-to-grave security—and finds nothing settled, problems growing, not eased.

The Swedes in a material way enjoy the highest standard of living in Western Europe. In addition to other things, they get housing subsidies, rent rebates for low-income groups, free hospitalization, subsidies for doctors' bills and drug bills, free care in childbirth, cash allowances for maternity, free higher education, sick pay, unemployment insurance and old age and disability insurance.

There is little of what can be called poverty in the nation, and there are no real slums. Racial and minority problems are nonexistent.

The Swedes have kept out of wars. Their population growth is slow.

All this and discontent. Despite their boons, people are discontented, restive. The Labor Party, which gave the people many of the supposedly wonderful social benefits, has suffered a political setback. There is a revival of left-wing Socialism and of Communism. Radical slogans are becoming fashionable.

American officials are watching Sweden's experience as the United States embarks on ever more ambitious welfare projects in the hope, or expectation, that they will solve all social problems.

The fact Americans will discover is that, after 20 years of building the world's greatest welfare state, Sweden finds most of the original problems unsolved and, in some cases, grown greater instead of fading away.

In this country, the costly welfare and educational reforms have not curbed such social ills as crime, alcoholism and drug addiction. Sweden's crime rate has doubled since 1950, with juvenile crime largely responsible.

Police are particularly worried by the steep rise in crimes of violence. During the last three years, the number of homicides and robberies, while low by U.S. standards, has climbed by 80 per cent; the number of rapes reported to police has risen by 56 per cent.

Acute alcoholism is growing fastest in the age group between 15 and 24. Drug addiction among young people is spreading like an epidemic, police say.

Officials attribute the rise in crime and antisocial behavior among youths to a deterioration in family life. It appears, these officials say, that the welfare state has not strengthened either family ties or moral standards. One comment heard in Stockholm:

"The Swedish example shows clearly that material welfare and social security are not enough to solve the social problems of our times."

Housing subsidies are one of the achievements of which the social planners are most proud.

Yet housing today is one of the worst of the messy situations troubling Sweden's welfare state.

Although home building has increased a good deal in the 1960s, Government controls, and the way they are administered, have tended to discourage the private building of homes.

The result is that Sweden, with a low population growth, is in the midst of a housing crisis much more severe than it was 20 years ago.

In 1947, the waiting list for housing accommodations in Stockholm totaled fewer than 23,000 applicants. It now includes more than 120,000 in the Swedish capital—a city of about 800,000—plus 50,000 looking for places to live in Stockholm's suburbs.

Young married couples often are forced to live with relatives. Many face a wait of 10 years before they can have homes of their own. Profiteers offer "black market" apartments for a bribe of "key money"—usually between $1,000 and $2,000 per room. Despite Government controls, rents for new apartments keep soaring. Building costs have skyrocketed.

HEALTH DEMANDS

Sweden's version of medicare is another trouble area.

Demand for medical and hospital treatment under Sweden's compulsory-health-insurance plan has expanded much faster than had been anticipated. Hospitals are so overcrowded that people with such ailments as gallstones or hernia may have to wait for more than a year before being hospitalized. In some hospitals, seriously ill and dying people are shunted into corridors because rooms are full.

Welfare, as Americans are learning, costs money.

To pay for all the "good things" offered "free" in Sweden requires taxes that are the most burdensome in Europe. It turns out that most of this load has to be borne by the people who draw most of the benefits—those in the lower and medium-income brackets. The service they receive is socialized, but paid for largely by them.

Total taxes in Sweden, including social-security taxes, now amount to 40 per cent of the gross national product, up from 31.3 per cent in 1960.

The Swedish tax load is at least one-third heavier than in the United States—which has enormous military expenses. In Sweden, cost of welfare is twice that of defense.

Workers in the lower and middle income brackets pay in taxes twice as much as Americans in the same brackets. Examples: A married Swede with an income of $5,000 a year pays 25 per cent of that in income and social-security taxes. A single man earning $5,000 a year pays 35 per cent. On an annual income of $10,000, the tax rate for married persons is 37 per cent; that for single persons, 44 per cent. On incomes of $20,000, the "take" in Sweden is 48 per cent for married couples, 52 per cent for those who are single.

Consumer taxes, too, keep going up. A general sales tax, introduced in 1960, was first levied at a rate of 4.2 per cent. In addition, indirect taxes on tobacco, liquor, autos and gasoline have gone up time and again. So have special welfare taxes levied on employers and employes.

Taxes represent two-thirds of what a person pays for a gallon of gasoline, 80 per cent of the price of a package of cigarettes, up to 90 per cent on the price of a bottle of liquor.

A recent study shows that a Swedish family with just $3,000 of taxable income pays 38 per cent in direct, indirect and social-security taxes; a family with $6,000 of income pays about 45 per cent—and the burden grows in size as income increases.

Yet so voracious is the appetite of the welfare programs for money that higher taxes have failed to wipe out Government budget deficits. As revenues go up, new social-welfare programs are started. These along with other spending keep the Government in the red, adding to inflationary pressures.

Wage-price spiral. Consumer prices have more than doubled in Sweden since 1950. Living costs have risen 30 per cent since 1960, compared with 12 per cent in the U.S.

In this welfare state, wages and salaries have risen even faster than prices, but higher taxes have swallowed most of the gains in pay.

Wage inflation now is beginning to undermine the competitive position of some industries. As a result, workers are beginning to be laid off as employers are forced to cut labor costs. Unemployment has climbed to the highest level since 1959—close to 3 per cent of the labor force.

Widespread discontent over high taxes, inflation, the housing shortages and other flaws in the welfare state led to a setback for the Labor Government headed by Prime Minister Tage Erlander in last autumn's elections. Voter support for the Labor Party dropped to 42 per cent from 50 per cent in 1962.

Sweden's top Communist, Carl-Henrik Hermansson, has greater popularity than any Communist has ever before enjoyed in Sweden. He is urging more-drastic economic controls as well as higher taxes on big business and wealthy people to ease the squeeze on those with low incomes.

New "radical" moves. The Labor Government hopes to arrest the trend toward the left by making "radical" moves. One recent example is a Government plan for a state-run bank to facilitate and control industrial development. In a move to spread the tax burden, capital-gains taxes have been boosted.

As the Labor Government moves leftward to meet the Communist challenge, it loses support from business and other "moderate" elements. Good relations between the Government and business, traditional in Sweden, are deteriorating and a period of instability may lie ahead.

So when you look behind the facade of Sweden's "Great Society" you find a disturbing picture—a picture of developing crisis, not one of social problems solved and a nation having discovered the formula for contentment.

Here in Stockholm, suggestions are heard that the U.S. Congress, inundated with new ideas and new plans for bigger and broader benefits to be financed by taxpayers, might take a long, hard look at what has happened in Sweden.

SOVIET NUCLEAR STRATEGY

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, the nuclear affairs committee of the House Republican conference from time to time issues background material for the use of its members. The following data relative to Soviet nuclear strategy has just been issued:

APRIL 16, 1967.

From: Representative CRAIG HOSMER, Chairman, Nuclear Affairs Committee.
To: House Republican Conference.
Subject: Soviet Nuclear Strategy.

PLEASE NOTE

Events in Viet Nam should not divert our attention from other vital ramparts which must be watched. Article I (8) (1) of the Constitution establishes in the Congress the power—and therefore the duty—to "provide for the common defense." This material is furnished the House GOP Conference to assist its members in the execution of that duty. It is based on military strategy discussions *inside* the Soviet Union amongst its leading military figures. These include, but are not limited to, the following: Marshals Sokolovsky, Sacharov, Rotmistrov and Malinovsky; Colonel-Generals Lomov and Schtemenko and Major-General Tscherednitschenko. To a substantial extent the conclusions here drawn are confirmed by what is known of the USSR's military budget, its inventory of military manpower, weapons and equipment and disposition thereof, and plans and construction in progress.

MILITARY STRATEGY AND MARX-LENINIST DOGMA

The Soviet military establishment reflects both the natural and political environments which created it. Its structure and doctrines are responsive to both. Marx-Leninist concepts particularly influencing Soviet military structure and strategy are:

1. The communist and non-communist worlds are totally incompatible and thus in an inescapable conflict which must proceed until one conquers the other—and the conqueror shall be the communist world.

2. The conflict itself will be a protracted one waged over a wide spectrum of actions ranging from non-violent to most-violent, i.e. "cold war" through "hot war."

3. In order to speed the day of final victory, the particular amount of violence to be applied by the communist world at any particular place or time is the greatest amount that can be employed without serious risk of breaking the next rule. (*Note*: current differences between Soviet and Chinese Communist leaders revolve largely around the degree of violence which should be applied at the moment.)

4. Do not escalate up the scale of violence to a point which invites a non-communist opponent to respond with violence that will do unacceptable damage to the communist homeland and base of power. (*Note:* U.S. strategic nuclear retaliatory forces are maintained in practical recognition of this Marx-Leninist concept.)

NUCLEAR WEAPONS PERMEATE SOVIET STRATEGIC THINKING

Nuclear weapons, and more especially strategic nuclear weapons, occupy a predominant place in the strategic thinking of Soviet military commanders. These weapons have been introduced as the principal means of destruction in all Army units. In addition to this they fix the basic principles and procedures for military operations by the armed forces, including the Navy.

SURPRISE ATTACK

Soviet military and political leaders are no less acutely aware of the advantage of surprise in the initiation of hostilities, particularly intercontinental nuclear hostilities, than other nationalities. They admit that technical developments, such as anti-missile defenses, can reduce the risk of surprise attack. In fact they make no bones about being in the process of installing them. They allege a fear of a U.S. "first strike" surprise attack. However, another interpretation of their protective effort is that its primary purpose is to thwart our retaliation after they have struck first. (*Note*: This is relevant to the current U.S. discussions relative to ABM deployment.)

In any event, their respect for surprise attack is such that Soviet doctrine requires both (a) "hardening" of strategic missile sites and (b) maintenance of strategic nuclear forces on permanent alert.

ASSUMPTIONS UNDERLYING CURRENT SOVIET MILITARY STRATEGY

The military strategy of the Soviet Union today is based on the following assumptions of fact:

1. The United States has become the economic, political and military mainspring of "aggressive imperialism."

2. After World War II the center of non-communist world power shifted from Europe to the U.S.A. and remains here.

3. Under existing conditions a war between major powers of the non-communist world is unlikely.

4. The next war will be a war between communist and non-communist powers, specifically between the Soviet Union and the West.

5. The next world war will be a nuclear conflict involving the use of ballistic missiles.

a. Such a war, however, cannot be waged with nuclear weapons alone and will require substantial conventional forces.

b. It may be of long duration and call for the utmost effort by all the armed forces involved.

c. It will bear the character of a coalition war and, from a spatial angle, be of tremendous dimensions.

d. Military operations will be intercontinental in scope and the role of space will undergo a fundamental change.

e. The struggle for mastery of the seas will take place mainly below the water, since surface vessels equipped with even the most up-to-date technical devices will prove too vulnerable.

f. As the initial phase of a nuclear war is of decisive importance to its ultimate outcome, armies will no longer occupy the leading position, but will be superseded by strategic missile forces.

g. Development and maintenance of armies cannot be neglected, however, for they are still indispensable, even in the nuclear war, for the complete elimination of the enemy and his defeat.

6. Strong nuclear armaments contribute to the maintenance of peace. Scientist and soldier must continuously develop new nuclear weapons' strength in order:

a. To keep the choice of time of initiating hostilities from slipping to the enemy.

b. To be able to suppress to the extent possible the enemy's damage inflicting capabilities when hostilities commence.

SOVIET NUCLEAR STRATEGY EVOLVES (1965–66)

Based on secrets stolen from the Los Alamos Scientific Laboratory by the atomic master spy Klaus Fuchs and similar espionage, the Soviet Union early claimed membership card No. 3 in the world's "Nuclear Club." By the mid-1950s it achieved a respectable stockpile of A-bombs and H-bombs. A quick shift was made in strategic thinking from emphasis on massive conventional armies to emphasis on strategic missilery. Naval efforts concentrated on building a nuclear submarine fleet. During this period the "Thirty Minute War" concept took hold and Khrushchev even ordered some rather substantial cutbacks in the Red Army's size.

Soon, however, the Red high command regained its regard for heavy investments in conventional forces. It became apparent that conventional military adventures of considerable extent might still be carried on under an umbrella of mutual deterrence. Events in Korea and Vietnam have proved this out.

Further, the idea came into being that the deterrent umbrella might even be big enough to permit carrying on limited nuclear war. In this event tactical battlefield nuclear weapons would be employed extensively, while the major combatants withhold using strategic nuclear warheads against targets outside the battlefield.

It is impossible to determine whether or not Soviet military leaders privately believe limited nuclear war can be kept limited. Many shrewd observers believe they do. However, Soviet political leaders to a man insist on the inevitability of escalation. They believe that if this story can be sold, the fear of escalation will render impotent the United States' rather substantial tactical nuclear capability created to deter a Soviet invasion of Western Europe. (*Note*: Secretary McNamara's recent withdrawal from Europe of Davey Crockett tactical nuclear warheads.)

In any event, further experience with nuclear weapons on both sides of the Iron curtain has revealed much that was unknown in the mid-1950s about their capabilities. It also has revealed much about their limitations. As a consequence the "Thirty Minute War" concept has been discarded by Soviet military strategists. Now it is believed the initial strategic nuclear exchange can fix the eventual outcome of a fairly prolonged war, but only by following up an initial advantage with large-scale conventional operations.

Khrushchev's Red Army cutbacks were short lived. Under Brezhnev and Kosygin, Soviet forces have been kept large, made flexible and mobile, and logistics systems tailored to supplying swiftly moving combat troops engaged in exploiting advantages gained by surprise attack throughout a very large theater of operations.

A further reason seen by Soviet high commanders for substantial troop strength is insurance against technical developments which might preclude or hamper the use of strategic nuclear rockets. Based on this Soviet armored units and parachute brigades both have been beefed up.

SOVIET WORLD WAR III SCENARIO

As seen by L. J. M. van den Berk writing in NATO's Fifteen Nations (1965–1966 Winter Edition) the Soviet scenario for World War III is as follows:

"Rocket troops form the chief component of the whole military machine. Their task is to destroy, by means of intercontinental and medium-range ballistic missiles—aimed respectively at the U.S.A. and Europe—strategic targets in the enemy's rear as well as groupings of his armed forces and other important targets on the various battlefields.

"Together with the nuclear submarine and the strategic air arm they will dominate the initial phase of nuclear hostilities—in which they may be supported by other rocket troops for tactical purposes.

"Immediately after this first nuclear strike, paratroops will be dropped over the adversary's territory so that they may quickly exploit the gains. Then ground forces are thrown into action, their first task being to engage and eliminate any fighting units that still remain intact on enemy territory.

"At the same time the Navy takes action to support landing operations in coastal waters, to intercept convoys and to destroy naval installations. For this purpose the Soviet High Command relies primarily on nuclear-powered submarines supported by missile-carrying aircraft.

"The armies then take the offensive. Their operations have to be carried out very swiftly in large-scale maneuvers and in different regions simultaneously.

"As stable and continuous fronts will be practically non-existent, the armies will be engaged mainly in mobile fighting, which must be done with close cooperation between armored divisions, aircraft and paratroop units. They will no longer advance in skirmishing order, but in small dispersed units which can operate independently.

"Mopping up operations will continue until all pockets of resistance—organized or unorganized—are destroyed and Soviet forces are in total control."

A $400 MILLION TAX TRIBUTE TO THIRD-CLASS MAILERS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, midnight tonight is the deadline for the payment of the Federal income tax. I would like to point out that $400 million of the taxpayers' money will go toward the deficit which has been created by the junk-mailers, those who mail third-class mail and create a deficit of $400 million annually. This is a tax tribute of $2 on the average on the part of every man, woman, and child in the country and, of course, inasmuch as every individual American is not a taxpayer and many pay more than others, the tax tribute paid on behalf of third-class mailers can be pretty high for some. I am hopeful that the Congress will take positive action and sharply increase the postage rates on third-class mail so that the third-class mail will pay its way.

An article from the Washington Post on the subject of third-class mail is as follows:

At Wit's End

(By Erma Bombeck)

The Editor, Schnook Magazine,
New York City, N.Y.

Dear Editor: Ordinarily, I do not answer letters sent to me in plain, brown envelopes with a bulk rate stamp and permit number in the upper right hand corner. Obviously, from the familiar tone of your letter, we do know each other and you are doing a little under-the-table embezzling from your mailing department. (Now, now, we all take a paper clip now and again.)

I'll admit at first I was a bit suspicious, as the name did not ring a bell. However, when I spit on my finger and rubbed it over your signature, it smeared and that's good enough for me.

First, about that plaintive little message you scribbled on the envelope, "I hate to lose an old friend." What kind of a friend would desert a man who's a little down on his luck and selling magazine subscriptions?

About the check you enclosed which would give us "Schnook" magazine for 15 years at a saving of $145. My husband and I talked it over and we can't let you do it. We have destroyed the check. You may bill us for the full price. Come to think of it, you must be the one we met on a street corner in New York last spring who wanted to cut us in on his wonderful invention to do away with air pollution. Incidentally, how is that crazy extension cord for electric automobiles coming? We have always been sorry we couldn't swing it.

Well, enough about business. How is that family of yours? We are all fine. Last summer we vacationed in Michigan as the guests of another old friend whom we had forgotten until he wrote us a letter in a plain, brown envelope with a permit like yours.

His name was Tom Travel and he worked for a gasoline company. He wrote us such a nice note about how he valued us as friends and hoped he could count on our business for another year. We dropped in on him just to reminisce about the good times.

Now, for the exciting part. We are taking the kids to New York during spring vacation. We know they would be disappointed if they couldn't spend at least two or three days with you. Don't fuss. We've slept on roll-away beds before. As you said in your letter, "Old friends are the best." If this is not convenient, you have us in your personal address book, I'm sure.

Sincerely,

"Occupant," U.S.A.

THE 125TH ANNIVERSARY OF THE BIRTH OF MRS. PHOEBE APPERSON HEARST, COFOUNDER OF THE NATIONAL CONGRESS OF PARENTS AND TEACHERS

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, it always gives me great pride to see American citizens given public recognition for their outstanding contributions to our Nation. It gives me even greater pride to know that one of these great Americans was a native of Franklin County, Mo., in my congressional district.

This December will mark the 125th anniversary of the birth of Mrs. Phoebe Apperson Hearst. Mrs. Hearst was a remarkable woman and is best known as the cofounder of the National Congress of Parents and Teachers. Her most valuable contributions to our country were in the field of education. It is only fitting that such a great American woman should be given public recognition for her great work in fostering education and the Parent Teachers Association.

For some time now, efforts have been generated throughout the country to obtain approval of a commemorative stamp to honor Mrs. Hearst. As Congressman from the Ninth Congressional District of Missouri, I have had special interest in the issuance of a postage stamp to honor this great American lady.

Mrs. Hearst's outstanding contributions to education are known not only in Missouri, but throughout the United States.

Several State legislatures have passed resolutions memorializing the Postmaster General of the United States for issuance of a Phoebe Apperson Hearst Commemorative Stamp.

Each year the Post Office Department receives far more meritorious requests for commemorative stamps than the 15 they issue annually. I regret that a postage stamp for Mrs. Hearst was not included in the recommendations of the Citizens' Stamp Advisory Committee to the Postmaster General this year.

However, the Postmaster General is well aware of the work of this outstanding woman, and intends to give future consideration to issuance of a stamp in her honor on some significant anniversary of the Parent-Teacher Association movement.

In connection with the great interest of citizens throughout the United States to give public recognition to Mrs. Hearst, I herewith insert in the Record the Senate concurrent resolution passed by the Missouri State senate, memorializing the Postmaster General for issuance of a Phoebe Apperson Hearst Commemorative Stamp:

Senate Concurrent Resolution No. 8

Memorializing the Postmaster General of the United States for issuance of a commemorative postage stamp

Whereas, Phoebe Apperson Hearst was a great American woman humanitarian and philanthropist who is noted as the cofounder of the Parent Teachers Association and the organizer of the Travelers Aid Society and as being instrumental in the restoring of Mount Vernon; and

Whereas, by her generosity and consciousness of the tremendous requirements of education today, Mrs. Hearst gave millions of dollars to education and has properly become known as the "greatest single benefactor" of the University of California; and

Whereas, it is only fitting and proper that recognition in the form of a commemorative postage stamp be given to Phoebe Apperson Hearst for her multitudinous projects and activities;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring therein that the General Assembly of the State of Missouri memorialize the Postmaster General of the United States to provide for the issuance of a commemorative postage stamp honoring Phoebe Apperson Hearst; and

Be it further resolved that copies of this resolution be forwarded to the President and Vice President of the United States, to the Postmaster General of the United States, to the Speaker of the House of Representatives of the United States and to each Senator and Representative from Missouri in the Congress of the United States.

PRESIDENT JOHNSON'S SUCCESS AT PUNTA DEL ESTE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I desire to commend the gentleman from Connecticut [Mr. MONAGAN] on his statement and join him in what he has had to say with reference to the Punta del Este Conference and its accomplishments.

All who have followed the proceedings at Punta del Este were witness to one of the most remarkable demonstrations of statesmanship by an American President in modern times.

President Johnson voiced America's friendship with a quality of sincerity which disarmed his severest critics. His appeal for a fervent dedication to social and economic development without regard to petty differences and quarrels inspired a new sense of confidence and determination. The high hopes of Punta del Este in 1961 were born anew.

In my view the new Declaration of the Presidents is worthy of this Nation and its American partners. It is based on our historic unity. It is a document to cherish because it is forged from principles and ideals, not tied to financial commitments. I believe it will win wide support in the other Republics.

The President made no promises which his countrymen and Congress cannot wholeheartedly support. Neither did he offer gimmicks or prizes.

We can support Latin America's physical and economic integration because that represents a logical plan for mobilizing the hemisphere's vast resources for the good of the people.

Mr. Speaker, the favorable outcome of Punta del Este in 1967 reflects the fact that the President conducted himself as an equal partner in the Alliance for Progress. He listened patiently and spoke with utter candor.

President Johnson's success at Punta del Este is a notable tribute to the excellent planning and preparation which preceded this historic mission. The United States and her sister Republics are the true beneficiaries of this labor.

I insert at this point President Johnson's statement at the summit meeting along with his closing statement and a draft of the declaration:

President Johnson's Statement at Summit Session, April 12

(Following is the text of a statement made by President Johnson Wednesday at an informal and closed meeting of the Inter-American Summit Conference:)

Mr. Chairman, Fellow Chiefs of State:

I shall be presenting some thoughts on the agenda of our conference tomorrow, but as we enter into our private discussion of the Declaration before us which our Foreign Ministers have prepared, I wish to make a few specific observations.

First, I want to restate my support of the program which you have set for yourselves.

In my message to the Congress on March 13, I recommended increased financial assistance to your countries in the areas covered by the Declaration before me: Economic integration, multinational projects, agriculture, education, and health. This represents my convictions and my policy today.

The decisions which you take here—and the follow-up action which you take in the months ahead—will enable me to pursue that policy.

Second, I wish to state my country's position on how we might assist in expanding Latin American trade.

Much of our thought and work in the Hemisphere has centered in recent years on ways to expand the volume and the value of Latin American exports.

We all know that basically the answer lies in the diversification of agriculture and in making overly protected Latin American industry competitive and efficient. This is one of the reasons that we all support Latin American economic integration.

But we wish to be as helpful as we can in this transitional period in Latin American history.

We are now devoting a major effort to try to make the Kennedy Round negotiations a success. If they succeed, they will help us all—including Latin America.

But the process of freeing trade from unnecessary restrictions will not come to an end when the current important Kennedy Round negotiations are completed.

We have been examining the kind of trade initiatives that the U.S. should propose in the years ahead. We are convinced that our future trade policy must pay special attention to the needs of the developing countries in Latin America and elsewhere in the world.

We have been exploring with other major industrialized countries what practical steps can be taken to increase the export earnings of all developing countries. We recognize that comparable tariff treatment may not always permit developing countries to advance as rapidly as desired. Temporary tariff advantages for all developing countries by all industrialized countries would be one way to deal with this.

We think this idea is worth pursuing. We will be discussing it further with members of our Congress, with business and labor leaders, and we will seek the cooperation of other Governments in the world trading community to see whether a broad consensus can be reached along these lines.

We also recognize the very special importance for certain Latin American countries of earnings from coffee exports. In our programs for assistance for agricultural development, we are already helping prevent chronic surpluses. As a further step in this direction, we are prepared to lend $15 million to the proposed International Coffee Diversification and Development Fund with the understanding that the coffee producing countries agree to contribute $30–$50 million per year over the next five years, and to lend up to $15 million more to match contributions by other coffee-consuming members of the International Coffee Agreement.

I have been informed of the great importance which you attach to the use of Alliance for Progress funds to finance procurement in other Alliance for Progress countries as well as in the United States. I know that you are all aware of the United States balance of payments problems and we deeply appreciate your cooperation in helping us meet them.

The cooperative nature of our Alliance is very important to me. I want you to know that we shall undertake consultations on this matter. We shall try to establish whether we can agree that aid funds for capital projects and related technical assistance can be used in Alliance for Progress countries in ways which will protect the U.S. balance of payments.

The final point I would make has to do with the Declaration which is before us. As the political leaders of our countries we have the responsibility to translate complex issues into understandable language for our people. The decisions reached at this meeting are complicated decisions. Though essential to the progress and prosperity of our people, they may seem removed from pressing everyday needs, unless we extract them from the language of the economists and diplomats—on whom we so greatly rely.

I know that when I return home, I shall try to make clear to our people these basic decisions we have made together. And I am sure you will all wish to do the same.

President Johnson's Closing Statement at Punta del Este

(Following is the text of a statement released today by President Johnson at the close of the Hemispheric Summit Conference:)

The leaders of the Americas met in Bogota and Punta del Este six years ago to inaugurate one of the most audacious programs in the annals of mankind.

The goal was to demonstrate that freedom and economic development are not enemies—that massive social and political transformations can be accomplished without the lash of dictatorship, or the spur of terror.

That was a time to state the challenge. The years that have passed prove beyond any doubt that the nations and peoples of the Americas responded creatively to this challenge.

We returned to Punta del Este for an assessment of our achievements and our future obligations. We met in a spirit of candor, with a full realization of the scope of the problems that confront us.

We have looked at the past and the future with cold realism, knowing that our cause will not be served by either naive optimism or cynical pessimism.

We have learned much, and much that we have learned confirms the judgment of Ecclesiastes that he who increaseth wisdom, increaseth sorrow. We have long since abandoned the view that rhetoric could alter a social system—or that blueprints could guarantee economic growth.

Economic and social development is a task not for sprinters but for long-distance runners.

We know now that transforming the lives of over two hundred and fifty million people requires a commitment to specifics. It requires a fierce—a stubborn—dedication to those undramatic, day-to-day attainments that are the sinews of economic and social progress. This is especially true of the United States and Latin America.

We are greatly impressed by the steps that have been taken—the progress made by Latin America in recent years. We are also impressed by the high level of cooperation that has developed among the proudly independent nations of the Americas.

In my judgment, this has been an extremely valuable conference. We have set our priorities for the next stage.

First, we have made some vital structural commitments. The fulfillment of these objectives will not only be a major accomplishment in its own right, but will make possible wide-ranging improvements presently beyond our reach.

The Latin American Common Market, once achieved, will alter the whole economy of the Hemisphere, and will have consequences in every sector of social and political organization. Multi-national projects—opening the way for the movement of people, goods, electricity—will have a similar impact.

Second, we have moved to deal with a number of immediate problems:

To expand Latin American trade.

To modernize Latin American agriculture and increase food production to meet the needs of an expanding population.

To combat illiteracy and improve educational systems.

To provide access to the latest scientific and technological developments, and so to help bridge the technological gap.

To expand health measures so that the latest fruits of medical science will be at the disposal of all our people.

To eliminate unnecessary military spending.

The first phase of the Alliance has been a success by any realistic standard.

The second phase is now under way. It will cut to the heart of the problem—the modernization of over-protected Latin American industry, under-financed Latin American agriculture and education. It will be difficult and demanding. It will require sustained effort.

The American people have responded generously to the needs of their fellow Americans, and I am sure that our friends in Latin America realize that we can be depended upon in the long struggle that will follow, as we could in the beginning of the Alliance.

I return to my country in good heart for this reason. I have met all of the Presidents of the Latin American Republics—and the Prime Minister of Trinidad and Tobago. I am convinced that the leaders of Latin America are serious and determined to develop their nations. And I believe the people of the United States will continue to respond to their efforts.

DRAFT DECLARATION TO BE SIGNED BY PRESIDENTS AT SUMMIT MEETING, PUNTA DEL ESTE, AS APPROVED BY FOREIGN MINISTERS

The Presidents of the American States and the Prime Minister of Trinidad and Tobago meeting in Punta del Este, Oriental Republic of Uruguay,

Resolved to give more dynamic and concrete expression to the ideals of Latin American unity and of solidarity among the peoples of America, which inspired the founders of our countries;*

Determined to make this objective a reality within our own nations, in keeping with the economic, social and cultural aspirations of our peoples;

Inspired by the principles which underlie the Pan-American system, especially those contained in the Charter of Punta del Este, the economic and social act of Rio de Janeiro and the protocol of Buenos Aires amending the Charter of the Organization of American States;

Conscious that the attainment of national and regional development objectives in Latin America is based essentially on self-help;

Convinced, however, that the achievement of those objectives requires determined collaboration by all our countries, complementary support through mutual aid and expansion of external cooperation;

Pledged to give a vigorous impetus to the Alliance for Progress and to emphasize its multilateral character, with a view to encouraging balanced development of the region at a substantially faster pace than attained thus far;

United in the intent to strengthen democratic institutions, to raise the living standards of our peoples and to assure their increased participation in the development process, creating in these purposes suitable conditions as much in the political as in the economic, social and labor fields;

Resolved to maintain a social harmony and fraternal relations in the Americas, where true racial equality must prevail.

We proclaim the solidarity of the countries we represent and their decision to achieve to the fullest measure the free, just, and democratic social order demanded by the peoples of the hemisphere.

LATIN AMERICA WILL CREATE A COMMON MARKET

The Presidents of the Latin American Republics agree to create progressively from 1970 the Latin American Common Market which must be substantially in operation in a period of no more than fifteen years. The Latin American Market will be based on the complete development and progressive convergence of the Latin American Free Trade Association and of the Central American Common Market, taking into account the interests of the Latin American countries not yet affiliated with these systems. This great task will reinforce our historic bonds, will promote industrial development and the strengthening of Latin American industrial enterprises with more efficient production and new opportunities for employment, and will permit the region to play its deservedly significant role in world affairs. The ties of friendship among the peoples of the continent will thus be strengthened.

The President of the United States of America, for his part, declares his firm support for this promising Latin American initiative.

WE WILL LAY THE PHYSICAL FOUNDATIONS FOR LATIN AMERICAN ECONOMIC INTEGRATION THROUGH MULTINATIONAL PROJECTS

The undersigned Presidents affirm that economic integration demands a major sustained effort to build a land transportation network and to improve transportation systems of all kinds so as to open the way for the movement of both people and goods throughout the continent; to establish an adequate and efficient telecommunications system; to install inter-connected power systems; and to develop jointly international river basins, frontier regions, and economic areas which include the territory of two or more countries.

WE WILL JOIN IN EFFORTS TO INCREASE SUBSTANTIALLY LATIN AMERICAN FOREIGN TRADE EARNINGS

In order to increase substantially Latin American foreign trade earnings, individual and joint efforts shall be directed toward facilitating non-discriminatory access of Latin American products in the world markets; toward increasing Latin American earnings from traditional exports; toward avoiding frequent fluctuations in income from such commodities; and finally, toward adopting measures that will stimulate exports of Latin American manufactured products.

WE WILL MODERNIZE THE LIVING CONDITIONS OF OUR RURAL POPULATIONS, RAISE AGRICULTURAL PRODUCTIVITY IN GENERAL, AND INCREASE FOOD PRODUCTION FOR THE BENEFIT OF BOTH LATIN AMERICA AND THE REST OF THE WORLD

We will transform the living conditions of the rural workers and farmers of Latin America, to guarantee their full participation in economic and social progress. For that purpose integrated programs of modernization, land settlement, and agrarian reform will be carried out as the countries so require. Similarly, productivity will be improved and agricultural production diversified. Furthermore, recognizing that the continent's capacity for food production entails a dual responsibility, a special effort will be made to produce sufficient food for the growing needs of our own peoples and to contribute toward feeding the peoples of other regions.

WE WILL VIGOROUSLY PROMOTE EDUCATION FOR DEVELOPMENT

In order to give a decisive impetus to education for development, our literacy campaigns will be intensified, education at all levels will be greatly expanded and its quality improved so that the rich human potential of our peoples may make their maximum contribution to the economic, social and cultural development of Latin America, our educational systems will be modernized taking full advantage of educational innovations, and exchanges of teachers and students will be increased. Latin America will share in the benefits of current scientific and technological progress so as to reduce the widening gap between it and the highly industrialized nations in the areas of production techniques and of living conditions.

WE WILL HARNESS SCIENCE AND TECHNOLOGY TO THE SERVICE OF OUR PEOPLE

National scientific and technological programs will be developed and strengthened and a regional program will be started; multinational institutes for advanced training and research will be established; existing institutes of this type in Latin America will be at the same time be strengthened and contributions will be made to the exchange and advancement of technological knowledge.

WE WILL EXPAND PROGRAMS FOR IMPROVING THE HEALTH OF THE AMERICAN PEOPLES

The fundamental role of health in the economic and social development of Latin America demands that the prevention and control of communicable diseases be intensified and that measures be taken to eradicate those which can be completely eliminated by existing techniques, and that programs to supply drinking water and other essential sanitary services for urban and rural areas will be speeded up.

LATIN AMERICA WILL ELIMINATE UNNECESSARY MILITARY EXPENDITURES

The Presidents of Latin American Republics, conscious of the importance of armed forces to the maintenance of security, recognize at the same time that the demands of economic development and social progress make it necessary to devote to those purposes the maximum resources available in Latin America.

Therefore, they express their intention to limit military expenditures in proportion to the actual demands of national security in accordance with each country's constitutional provisions avoiding those expenditures that are not indispensable for the performance of the specific duties of the armed forces and, where pertinent, of international commitments that obligate their respective governments. With regard to the treaty on the banning of nuclear arms in Latin America, they expressed the hope that it may enter into force as soon as possible, once the requirements established by the treaty are fulfilled.

In facing the problems considered in this meeting, which constitute a challenge to the will of the American Governments and peoples, the Presidents proclaim their faith in the basic purpose of the inter-American system: To promote in the Americas free and democratic societies, existing under the rule of law, whose dynamic economics, reinforced by growing technological capabilities, will allow them to serve with ever increasing effectiveness the peoples of the continent.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include President Johnson's statement at the summit session on April 12, and President Johnson's closing statement at Punta del Este, with

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* Wherever the term "Latin America" is used in this text, it is to be understood that it includes all the member states of the OAS save the United States of America. The term "Presidents" also includes the Prime Minister of Trinidad and Tobago. The term "Continent" comprises both the continental and insular areas.

a draft of the declaration to be signed by the Presidents at the summit meeting as approved by the Foreign Ministers.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **MONAGAN**. Mr. Speaker, will the gentleman yield?

Mr. **ALBERT**. I yield to the gentleman from Connecticut.

Mr. **MONAGAN**. Mr. Speaker, in addition to the items mentioned by the gentleman from Oklahoma, there was an editorial in yesterday's New York Times by James Reston, which I believe is a very fairminded appraisal of the results of this conference. I ask unanimous consent that this article might be included following the remarks of the gentleman from Oklahoma.

Mr. **ALBERT**. I thank the gentleman.

The **SPEAKER**. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The article referred to follows:

Punta del Este: The Fertile Giant

(By James Reston)

Punta del Este, April 15.—Even on the most modest assumptions, the conference of the American Presidents at Punta del Este was an admirable and maybe even significant occasion.

After a hundred years of dreaming rhetoric, Latin America has plenty to be modest about. Presidents do not really preside over the turbulent life of this fertile giant. Words, it seems, do not divert the waters of the Amazon or conquer the terrifying altitudes of the Andes. Nor is it clear that these nations are governable in their present state of human fertility, poverty and ignorance. But within the narrow limits of political influence, the conversations here were useful.

THE POSITIVE SIDE

At least they influenced for a few days the attitudes of influential men on both sides of the Rio Grande. Instead of concentrating on their separate national problems, the Presidents dealt with their common problems. Instead of talking about the divisive demons of history and ideology, they talked about the stubborn problems of geography. Instead of talking about themselves and the past, they talked about the continent and future.

In the process, it was possible to see, not change but the possibility of change. Latin America had doubts about the sincerity of Washington's purpose in supporting a common market in Latin America. Why should the powerful *gringo* of the North want a unified Latin America? Why not keep the nations below the Rio Grande weak and divided and dominated by Washington's policies and Wall Street's capital?

PERSUASIVE THEME

President Johnson helped minimize these ancient fears. He talked about the weakness and division of Latin America as a threat, not only to the civil order of the Latin states, but as a threat to the security of the United States. He put forward his theme, not as an act of generosity, but of national self-interest for the United States, and there is some evidence that he managed to persuade the other Presidents that he was genuinely for a strong Latin America that could achieve in unity a more equal partnership with the United States.

This was one important imponderable. Another was that the idea of a cooperative interdependent Latin America moved in this conference from the level of technical discussion to the arena of political decision. Latin America has been developing for many years a growing company of expert economic and social technicians who recognize that even the largest and most advanced of these nations cannot compete alone in the modern world of science and technology. But their concepts, like Keynesian economics, remained textbook theories until they became an issue for political decision at the highest levels of government. And this is what happened at Punta del Este: the Presidents accepted the integration concepts of the technicians and committed themselves to try to transform them into policy.

Also, this conference provided a forum for political leaders of continental scale. The Presidents of the Latin-American republics have been isolated figures in their own seperate areas, like Governors in the United States, with limited constituencies. But at this conference, all of Latin America heard the voices of men like President Eduardo Frei of Chile and President Fernando Belaunde of Peru, and these two men—to mention only two—demonstrated that Latin America is producing wide-ranging political minds worthy of comparison with any political leaders in the present world.

At the very least, this conference was an educational experience for all the participants, including Lyndon Johnson, who conducted himself with great dignity and sympathetic understanding. He made many friends here and discovered in the process that money is not the only, and maybe not even the main answer to an effective hemispheric policy.

"No external aid," President Frei of Chile said, "can replace our own domestic effort. . . . The alternatives cannot be ignored: either there is a way leading to a free human society, or we shall inevitably fall into disorder and violence. . . ."

"Appeal to our peoples," President Belaunde of Peru said, "in the conviction that the solution to their problems lies within themselves. . . . It does not depend on a given credit or loan which might be convenient. . . . I say it will depend above all on their own will to work. . . ."

RAYS OF HOPE

It is far too early to talk, as many here are now doing, of "turning points" and "new eras," but there are some important glimmerings among these most deprived peoples.

Not so many years ago, many people were fearing that the whole of Latin America might go the way of Cuba, with Castro talking of the Andes becoming the Sierra Maestra of South America. The theme, as least, is different now. They are talking about developing the River Platte into a vast productive international transportation and industrial system, of conquering the Amazon, and mastering the Andes, and binding the continent together with a common communications network via satellite.

Maybe it is just talk; that depends on the implementation of the Punta del Este concepts, but it is pretty good talk reaching out for what Lyndon Johnson called a New America.

BEEF IMPORT LEGISLATION

Mr. **REIFEL**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from South Dakota?

There was no objection?

Mr. **REIFEL**. Mr. Speaker, last week I joined with the distinguished gentleman from Nebraska [Mr. Martin] in introducing legislation to tighten controls on meat imports.

My bill (H.R. 8505) and Mr. Martin's bill (H.R. 8293) would bring under import quotas all processed, canned and prepared beef and veal shipped into the country. Because this category of meat imports is not covered by the Meat Import Act of 1964, some 1.2 billion pounds of these products were imported last year.

These bills also would eliminate the 10-percent above-quota-imports "trigger clause." The President would be required to impose import restrictions when the predetermined base figure of 905 million pounds annually of imports has been reached. At present the President has discretionary authority to impose restrictions only after the damage has been done and imports have reached 995 million pounds.

I join Congressman Martin in urging the House Ways and Means Committee to take early action on this legislation. No other State in the Union is more severely hurt by excessive meat imports than is South Dakota, where more than 70 percent of farm income is derived from the sale of livestock and livestock products.

Some interest in stepped-up school lunch program purchases by the Agriculture Department has been expressed by the American National Cattlemen's Association. While it would be helpful to have a 90-day supply of imports removed from the market, I point out that this is but a stopgap solution. What we really need to strengthen the position of the American livestock producer faced with sagging prices is a strengthening of the Import Act of 1964 through legislative action by Congress.

Many of us warned the act was inadequate at the time it was passed. I believe events of the intervening years have proven this thesis.

In January of this year alone, imports of fresh, frozen, and chilled beef climbed 51 percent over the figure for the same month a year earlier.

Mr. Speaker, under unanimous consent, I include at this point in my remarks two items of printed material. The first is the GTA Daily Radio Roundup of Wednesday, April 12, 1967, reporting on the Minnesota poll finding, wherein more than 7 out of 10 Minnesota residents, or 72 percent, feel the American farmer is not getting a fair return for his products and 57 percent would be willing to pay higher food prices if it would assure a higher return for the farmer.

The second item is my current newsletter, Reifel Shots, of April 11, 1967, in which I discussed the current position of the farmer and available means to assist him.

The items follow:

[From the GTA Daily Radio Roundup,
Apr. 12, 1967]

For whatever reasons, agriculture's image seems to be improving in Minnesota. This may well be true in other states also. Nonfarm people seem to understand better the problems of farmers.

We say that because of a poll taken recently by the Minneapolis Tribune. This is the Minnesota Poll, which is widely recognized and quoted. Here, in summary, is what the poll shows:

More than seven out of ten Minnesota people, 72 percent, think the nation's farmers are not getting a fair return for their products.

A majority of the Minnesota public, 57 percent, would be willing to pay higher food prices if it meant higher income for farmers.

Some of those polled, of course, think that farmers are getting a fair return now. The percentage thinking that is 21 percent in this Minnesota Poll. But a year ago 38 percent thought farmers were doing all right, and two years ago it was 28 percent. So the percentage that think farmers are getting a fair return is doing down.

As we said, 57 percent of the Minnesotans said they would be willing to pay higher food prices if farmers benefited. But 36 percent said they would not. Those are state-wide percentages.

The Minnesota Poll breaks this down in various ways. It found that 60 percent of the men, but only 53 percent of the women, would be willing to pay higher food prices.

In the larger Minnesota cities of Minneapolis, St. Paul, and Duluth 48 percent of the people would pay higher food prices. That same percentage held in the smaller cities.

The percentage went up significantly to 67 percent in the towns of Minnesota. Townspeople, of course, are close to agriculture. They understand what is happening in the country. They know first-hand that farm families spend more when their incomes improve, and the towns are the first to feel that additional spending. So it is understandable that 67 percent of the townspeople would be willing to pay more for their food to improve farm incomes. That's significantly higher than the 48 percent in the larger cities.

How about farmers . . . would they be willing to pay more for food? In this Minnesota Poll 80 percent of the farmers said they would. These days, you know, farm families buy food from the stores just as city families do. They don't live off the land, so this overwhelming farm willingness to pay more for food is significant.

Going back to that question of whether or not farmers get a fair return for their products, 94 percent of the farmers polled said they do not. The state-wide percentage, you'll remember, is 72.

This Minnesota Poll would seem to indicate that Washington's great fears about consumer unhappiness over food prices are not founded in fact.

(By Congressman **Ben Reifel**)

Washington.—For a long time I have maintained that big-city consumers wouldn't mind paying higher grocery bills if they understood the farmer's plight and could be assured he was getting the increase. Consumer resentment is understandable when all they hear about from their politicians is "farm subsidies." They need some education.

Secretary Freeman has made some useful statements on the subject. But not until farmers were dumping milk on the ground, in an effort to get a 2-cent-a-quart increase, did his department take action to investigate current prices and the impact of dairy imports.

One of the best recent statements I have seen came from the National Limestone Institute. It pointed out all the articles in the shopping cart that cannot be classified as groceries or food. It showed how the American shopper is spending a smaller percentage of his disposable income for food than ever before:

Year	Disposable income	Total expenditures	Expenditures for food	Percent of personal disposable income
1947	$1,179	$1,115	$303	25.7
1957	1,801	1,643	373	20.7
1966	2,568	2,363	464	18.1

A recent Agriculture Department report had a comparison of food expenditures as a proportion of spending in various countries. Here are the five lowest and highest:

Lowest	Percent	Highest	Percent
United States	19.8	Ghana	58.7
Canada	21.5	Korea, Republic of.	58.5
Denmark	22.0	China (Taiwan)	50.8
Australia	22.4	Ceylon	50.0
Puerto Rico	25.2	Vietnam	48.2

So we're paying less for food in comparison to total expenditures than in any other nation. We also get more built-in maid services, such as pre-packaging and quick freezing, than in any other nation. And we eat better.

Yet the farmer's price for many commodities is less than that of 20 years ago. He is getting only 74 per cent of a fair return as measured by parity. His income is only 66 per cent of the $2,618 per capita average for non-farm people.

What's being done about it? The President didn't even send a farm message to Congress this year. He did, however, recommend a 25 per cent step-up in poverty war spending. Freeman's department seems content to issue reports about record farm income. Chairman of the Agriculture Committees say this is a year for review of farm legislation, not one for enacting price increases.

Congressmen representing rural districts (at least 20 per cent rural population) make up only 12 per cent of Congress, compared with 38 per cent in 1950 and 57 per cent in 1920. Farm population, 25.2 per cent under FDR, has shrunk to 16.7 under Truman, 13.9 under Eisenhower, 8.7 under Kennedy and 6.4 under Johnson. And it's still shrinking.

In a recent article for the *Aberdeen American-News* I outlined some things that ought to be done and could be done, even in a city Congress, if we got some help from the other end of Pennsylvania Avenue:

1. Set out on a realistic, planned campaign to give full price parity to the farmer, even if it does mean higher prices for consumers.

2. Boost the farmer's return under existing wheat and feed grains programs.

3. Pass meaningful import restriction laws, with teeth in them, for both meat and dairy products. End the "foreigners first" policy in agriculture.

4. Get public recognition that rural poverty often is translated into urban poverty. Displaced farmers shouldn't have to go to the cities for help they can't get working for themselves on the farm. Instead, oppressed city dwellers should be offered opportunities in sparsely settled rural areas.

5. Authorize and construct without delay such projects as the Oahe Irrigation Unit, which will intensify land use, stabilize farm income, encourage industry and keep farmers on the land.

NEW FEDERAL BUILDING IN CLEVELAND, OHIO

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Minshall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, under leave to extend my remarks I wish to insert the following correspondence and material in the Record:

Congress of the United States,
House of Representatives,
Washington, D.C., April 13, 1967.

Hon. Elmer B. Staats,
Comptroller General of the United States,
General Accounting Office,
Washington, D.C.

Dear Mr. Staats: This is to respectfully request an investigation by the General Accounting Office of contractual and construction procedures involving the new $32 million Federal office building in Cleveland, Ohio.

Originally contracted for completion by September 1, 1966, it will not be finished until sometime in 1968, and its history is marked by building practices unique in modern construction.

Not the least remarkable of these is the apparently close and amiable relationship between the General Services Administration and the general contractors, Huber, Hunt & Nichols of Indianapolis, Indiana, and Frank Briscoe Co., Inc., Newark, New Jersey.

When the original completion date, September 1, 1966, was not met, a five-week extension was granted to the contractors by GSA to October 8, 1966 and the $3,000 per day penalty excused for that period. Last June 17 I was advised that the building would be finished and turned over to the government by February 15, 1967. It is now the middle of April and I am advised by GSA spokesmen that my office in the building will not be ready for occupancy before next December. Yet within the last month, Mr. Knott of GSA has said, "We have excused some penalties and will excuse more."

One year ago this week a Cleveland newspaper commenting editorially on the delay in completing the structure said, "GSA has been slipshod in riding herd on the project." That was putting it mildly. My investigation has disclosed:

1. Sloppy housekeeping. After my last criticism to GSA about this condition, many truckloads of debris and rubbish were hauled from the partially occupied building.

2. Total disregard of ordinary safety measures. The accident rate is so high on this structure that industrial compensation rates for all contractors in the Cleveland area very probably will be raised.

3. Poor planning, or acceptance of poor planning, by GSA. In this connection I would ask why master valves and by-passes were not installed in the piping on each floor to avoid a total shut-down should repairs be necessary on only one floor.

4. Disregard of specifications by contractors taking shortcuts to get the work done. A typical example of this malpractice is the "bending" of horizontal pipes to accommodate the out-of-plumb condition of the building.

5. Reports that architect's warnings on unsafe structural practices were completely unheeded. Witness the collapse of an unbraced wall, despite the architect's admonition about its lack of safety.

Because GSA has tolerated these practices despite reports and complaints made by their own inspectors and other responsible persons on the job, and, further, because GSA has avoided answering my specific questions or has applied the whitewash brush to them, I am respectfully requesting GAO to make the following specific determinations:

1. Who pays for the cost of the freeze-up

last December when 210 fan coil units were destroyed and 420 Johnson pneumatic control valves had to be replaced? Reports indicate this cost will run between $100,000 and $500,000.

2. Who stands the cost of the $100,000 fire damage to the ninth floor last February? I have never been informed as to the exact cause of the fire.

3. Who is going to pay for the cost of breaking through plaster walls to repair leaks in pipes which were covered with insulating material and "plastered" in before being subjected to pressure tests? Last week they had not replastered walls on the lobby floor which they had to break down to get at pipes.

4. What, approximately, will the contractors' "extras" total?

5. Is it possible at this time to ascertain how much of the extension time granted by GSA to the contractors will be liable for penalty?

I also request that General Accounting conduct an immediate audit of the financial status of the contract: How much has been paid by the government to the general contractors; how the contractors have handled their bills with the sub-contractors, and how much above the original bid the final cost will be.

Attached for your guidance is a chronology of the construction program.

Also enclosed is an affidavit obtained from Mr. David Jennings, 3152 West 48th Street, Cleveland, Ohio, who supervised a crew of some 75 men as construction foreman in charge of installing hot and cold water and steam lines in the new Federal building. In addition I am enclosing for your information statements given on a confidential basis to my staff from other individuals who are or have been connected with the project. The correspondence I am enclosing with this supplemental information is from a firm now in litigation with the contractors.

My long acquaintance with the outstanding performance of GAO encourages the anticipation of your prompt consideration of what appears to be an imposition on the taxpayers and a structural threat to the health, safety and comfort of the building's occupants.

With best regards.

Sincerely yours,

WILLIAM E. MINSHALL,
Member of Congress.

STATEMENT MADE BY DAVID JENNINGS, CLEVELAND, OHIO, AT CLEVELAND, OHIO, ON MARCH 14, 1967

I have spent 22 years in the pipe-fitting trade. I was employed by Ray Hoge, of Wrightco, Inc., 4300 Carnegie Ave., Cleveland, Ohio, and Limbach of Pittsburgh, Pa., in November of 1964 as construction foreman in charge of the installation of hot and cold water lines and steam lines in the New Federal Building. I supervised the work of 75 to 80 men on this job.

During the two years and five months I was employed in that capacity I observed many operations in connection with the building project which, in my opinion and experience, resulted in sub-standard installations. I shall endeavor to relate these instances as accurately as possible:

No expansion joints were installed in the main steam mechanical quarter, a condition that very probably will lead to a major shutdown at some future date.

Armaflex (a rubberized covering on copper and steel lines to prevent sweating) was not properly applied on some lines and is hanging loose. This condition permits some sweating which will become more pronounced in hot weather and could result in ceiling damage. Most of the covering on fan coil units is in this condition.

Shut-off valves and by-passes in the plumbing system were not installed at each floor. Because of this omission if work has to be done on the hot or cold water lines on (for example) the 7th floor, all lines from the 1st through the 15th floors must be shut down. Floors 1 through 15 and 16 through 32 are served by two distinct systems.

The colonnade piping has no pitch, which means it will not drain itself by gravity. And the importance of this situation is emphasized by the fact that some valves have been enclosed behind plaster or between ceiling and floor so that the stainless steel ceiling in the lobby and colonnade will have to be removed to do any work on, or drain, any of these lines or valves.

All pipe was covered before being subjected to pressure tests. I never before heard of covering pipe before pressure tests as this makes it almost impossible to definitely trace leaks. Pipes in this building were covered with Johns Mansville #90, fibre glass, and Armaflex.

I have always held it to be standard practice to flush all lines (cleaning out all dirt and foreign matter) with a chemical substance, usually Calgon, before putting the lines into actual operation. This was not done on this project, with disastrous results. Scale that flecks off in pipe and tubing, along with dirt nominally introduced during construction, remained in the pipes with the result that whole rows of fan coils (heating and air-conditioning units) now are clogged and inoperative. There are nearly 5,000 of these fan coils in the building and it is my best judgment that 30% to 40% of them are clogged today, including many in the now occupied first seven floors. Some have been found to be plugged solidly by [name deleted] of GSA's building maintenance staff.

Floating thermostats inside the main steam traps dual duct units are being replaced at considerable cost because of foreign substances in the steam lines. Fifty per cent of the strainers in the steam system are clogged right now.

Careless or faulty welding of joints (branch lines to main lines) left micro weld stubs and unburnt welding rod bits internally in pipes. When the lines are put into operation these stubs (tiny metallic particles) clog strainers, jam fan coils, and damage pumps. Altogether, basing my estimate on actual experience, I figure that the dirt and foreign matter in pipes, pumps, valves and coils eventually will add up to amount a million dollars' damage.

Many of the pipes to the fan coil headers from the risers were threaded too deeply. Then when they were screwed into the valves they had to be inserted for the full length of the thread or they would leak. Thus the pipe so screwed into the valves jammed at least 50% of the valves so they are inoperative. Wicking and other compounds were used in an effort to correct leaks caused by faulty threading of pipes. This constitutes slovenly work and is only makeshift and temporary in its ultimate effect. The valves referred to in this paragraph now are enclosed behind plastered walls which must be broken into to make repairs or adjustments. It is impossible to reach the valves any other way. Other valves on the chill and hot water main feeder risers have been so enclosed in construction that in order to gain access to them ceilings must be torn out. This condition was mentioned earlier in this statement with reference to the lobby and colonnade ceilings.

In preparing for the installation of riser piping, sleeves are installed in each floor, one directly above the other, before concrete is poured. By precise measurements these sleeves are located alongside the upright columns in very exacting perpendicular locations, with practically no allowance for tolerance so that the risers will run exactly straight up and down. These sleeves (on this job) have an inside measurement of 5½ inches and are about 6 inches long. They extend 1" above and below the concrete flooring and "Q" deck. The pipe that runs upward through these sleeves has an outside dimension of 3⅛", thus allowing a 1" clearance on all sides.

I explain this because as we extended the pipe upward we discovered the building had shifted from the perpendicular to such an extent that we had to force the pipe through the sleeves, using strong leverage to make it fit. This condition became so pronounced on some floors that we actually had to resort to heating and bending the pipes, although before the concrete was poured the sleeves were within ⅛th of an inch of perfect alignment. The only conclusion I can come to is that the building "tilted" or shifted after the concrete was poured.

Aside from the above aspects of the construction, all of which were within the field of my operations and all of which I reported to my superiors who told me "don't worry about it", I am personally aware of the following conditions:

The steel under the curtain wall, starting at the second floor, was never painted with prime and finishing coats as specified. The steel received a prime coat, but none received the finishing coat.

Above the 18th floor something went wrong with the curtain wall clips and they had to weld to the mullion stubs—couldn't use the usual bolting operation. It appears now if they have to remove any window frames for any reason they'll have to use a burning torch. All the curtain wall is leaking air—so much so that it is apparent to anyone standing along a windward wall when a stiff breeze is blowing.

Concrete on the lower levels was poured under adverse conditions and this could be responsible for some of the cracking and porosity that has caused serious waterproofing trouble.

Three weeks ago water was running down the walls of Sub Basement Room 122 and also the walls of the storage room next to the fuel oil tank at the south end of the building. A small room south of Room 122 held 3 to 4 inches of water. Water and moisture problems are so severe that sooner or later an elaborate system of dehumidifiers will be needed to rectify the condition. (Dye markers have been used in an effort to trace the source of the water leaking into the building).

Doors installed and working one day become jammed in the next day or two. Some doors just cannot be closed.

Attest.

DAVID L. JENNINGS.

CONFIDENTIAL STATEMENTS TO STAFF OF REPRESENTATIVE WILLIAM E. MINSHALL IN RE FEDERAL BUILDING

[Name deleted], an asbestos worker, confirms statements of slovenly workmanship. He also says the pipes were covered before pressure tests were made, resulting in the reinsulating of many pipes. He also knows of dirt in pipes. Mr. ——— also insisted "they are covering up mistakes as fast as possible." He insists there was a big crack in the concrete flooring "somewhere between the 20th and 29th floor so big I could put my thumb in it." He cannot recall the exact floor, but observed that "it probably has been tiled over by this time." He points out that tolerances were not up to specifications in many instances to such a degree that specified amounts of insulation could not be applied. In other words, there wasn't enough room to install the proper amount. He was not inclined to make a signed statement (Friday, April 7—his birthday and he was getting ready for a celebration) but probably would later. Mr. ——— also stressed that the average craftsman took pride in his work, but workers on this job were disgusted because of the many shortcuts and "skimping" by sub-contractors.

[Name deleted], a pipe-fitter foreman who worked under David Jennings, also will substantiate Jennings' statements. He cannot materially add to Jennings' statements, but completely endorses them.

[Name deleted], nurse at the new Federal building in charge of the first aid station, can offer many instances of injuries and sloppy safety procedures. She herself was injured on the job, has not worked for a year, and currently is suing the general contractors.

[Name deleted], GSA safety man on the project until last February 1967, has saved memoranda and copies of his reports to GSA regarding faulty construction and hazardous working conditions, but will release them only under subpoena. Verbally he has affirmed just about all of Jennings' allegations, but says "there is a lot more" he could tell.

Hon. Robert Sweeney, attorney and former Member of Congress, has filed a $500,000 suit against the contractors for injuries received by Ray Sullivan, a structural iron-worker when a concrete block wall, 12 feet high, collapsed and fell on him. Sweeney says he will produce evidence that the architect on the project told the general contractors that the wall was defective but the warning was totally disregarded.

[Names deleted], both GSA maintenance men, are reported to have important supporting information, but both are reluctant to talk with Minshall office staff for fear of job reprisals.

Chronology of New Federal Office Building, Cleveland, Ohio

JUNE 1962

Final plans for building announced by GSA. To be 32 stories, 1.45 million square feet floor space, parking for 300 cars, 25 elevators and two escalators to basement cafeteria with 1,000-person capacity. Provide office facilities for some 24 Federal agencies now scattered in 27 locations and employing about 5,000 persons. Will take 30 months to build; construction to start in summer of 1963. Plans developed by Dalton, Dalton Associates; Schafer, Flynn & Associates; Outcult, Guenther, Rode, Toguchi & Bonebrake. Site cost $1,270,000.

DECEMBER 7, 1963

Congress votes $37.86 million for building. Approved by the President December 19, 1963.

JANUARY 16, 1964

GSA called for bids, then extended deadline to February 20, then to March 5. No explanation given for extensions.

MARCH 30, 1964

$31.6 million contract awarded to Huber, Hunt & Nichols and Frank Briscoe Co., Inc. Bid of these two firms was announced as lowest of six and was $6.2 million less than appropriation. *Contract provided for completion in 860 calendar days or mid-summer of 1966.*

APRIL 16, 1964

Briscoe says completion target is Fall of 1966.

AUGUST 12, 1964

H. Vernon Wheelock, GSA project engineer, says project is one week ahead of schedule.

JUNE 10, 1965

Completion date now announced as Labor Day, 1966.

JULY 26, 1965

Wheelock predicts completion date of September 6, 1966.

SEPTEMBER 16, 1965

Wheelock says building four months behind schedule, but will be finished by September, 1966.

NOVEMBER 13, 1965

Wheelock says structure to be completed "on time."

NOVEMBER 30, 1965

Cleveland Press reports "at least three months behind schedule," but does not attribute quote.

DECEMBER 8, 1965

Press reports "Briscoe & Co. must complete the building in 860 calendar days or pay $3,000 a day penalty. Work is behind schedule." This is first mention of $3,000 per day penalty.

DECEMBER 20, 1965

Press says work is three months behind schedule and points out Federal government paying about $2 million yearly rental for agencies to be housed in new building. At that rate the $3,000 a day penalty would reimburse the government for only half the funds it spends for rent. $2 million a year is approximately $5,500 a day.

APRIL 13, 1966

Press says editorially: "GSA has been slipshod in riding herd on this project."

JUNE 17, 1966

(Date of visit to Federal Building by Reps. Minshall and Sweeney and conference with GSA officials.) Mr. Minshall indicates he is interested in some sort of watchdog committee to keep tab on what happens to Federal projects after tax money has been allocated. At that time William Keely, president of Briscoe, reported that the building originally was scheduled for completion September 15, 1966, but that now the target date for turning it over to the government is February 15, 1967.

OCTOBER 12, 1966

Tesaura of GSA, Chicago, says the contractors won't have to pay the $3,000 per day penalty, at least for the time being. He said the deadline had been extended five weeks and the new extension passed last Saturday. He was unable to say what the new deadline would be—"have to be determined by Washington." He said the building now was 84% complete.

MARCH, 1967

Mr. Minshall, in Independent Offices Appropriations Subcommittee session, requests that GSA administrator Lawson B. Knott, Jr., review the numerous allegations and pay a personal inspection visit to Cleveland. Knott agrees to do this, but does not, and without prior notification to the Minshall office, sent deputies out over a weekend to inspect the building.

POLICY AND PERFORMANCE

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the United States has become increasingly involved in controlling the world's burgeoning population. This commitment, however, will fall pathetically short of its mark if we merely respond with assistance for existing programs. Unfortunately, countries most in need of help seem to be least prepared culturally to attack the problem. Future aid efforts must, therefore, concentrate on creating within the less developed countries an internal will to control their own population.

I would call attention to an excellent editorial appearing in the Washington Post on Wednesday, April 12, 1967, elaborating on this point, which follows:

Policy and Performance

Bold changes in policy often come most effectively when they come most quietly. At some point, however, if policy is to be translated into performance, it becomes necessary to shove, or even shout. The evolution in this country's acceptance of a global role in promoting population control is a striking case in point. The final step in the policy-making process was almost casual. "I guess it won't be too long before we're asked to do it," AID Administrator William Gaud told a congressional committee, in response to a question about whether this country would actually make available contraceptive devices or the means to produce them, if asked to do so. "My inclination is that we should."

Since the United States has been doing just about everything to promote population control here or there around the world, short of furnishing or financing the devices themselves, this may not seem a very large step. Except for the pill, which is costly to produce, money is not the object in any case; the so-called inter-uterine device, for example, costs only a few pennies to produce.

By contrast with official attitudes only a few years ago, however, Mr. Gaud's off-hand disclosure and the remarkably mild congressional reaction to it, represent a giant stride. The Kennedy Administration took a first step in committing the United States to research on the subject, and to public dissemination of the results. President Johnson turned a crucial corner in his 1965 State of the Union message, by pledging "to seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources." Innocuous as this sounded, it was the result of months of bureaucratic tugging and hauling and it served as a badly-needed catalyst to aid officials here and technicians in the field who were eager to move ahead but chary of getting out in front of the political leadership. As a result, "family planning" programs, to help establish clinics and spread educational material, have been established by American aid missions in some 20 countries.

But as with other aspects of this problem, not much happens without a certain mutuality of interest, a degree of reciprocity. The United States has correctly avoided coercion; its help is available only on demand. And for all the obvious reasons, demand in most parts of the world, and most noticeably in Latin America, where the Church exerts a powerful restraining influence, has been slack. So AID has found ways to spend only a trifling $8.6 million in the current fiscal year for its population programs—half of it in India alone. Because foreign interest and activity is inadequate to the needs, so is the availability of American aid. Too often, the responsibility in AID missions is somebody's added chore, simply because local interest does not justify the sending of trained technicians.

This built-in inertia may be ended simply by dint of educational programs; the examples of South Korea, or India, or Nationalist China, to name three countries where impressive local programs are under way, may prove contagious. But it may not be enough to await overtures from those countries which should be the most concerned. It is estimated that at present population growth rates, the world population of 3 billion—the product of eons—will double in 35 years, and double again 35 years later. If the United States is to make its economic aid programs meaningful, there will have to be some limit to the human dimension of the problem. This week's meeting in Chile of the International Planned Parenthood Federation is a heartening token of world-wide concern, and a proper forum for the sort of shoving and shouting that may be needed to translate policy into performance to meet one of the great challenges of our time.

FINO COMPLETES URBAN LEGISLATIVE PACKAGE

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINO. Mr. Speaker, today I am introducing six urban service bills as the last part of my three-part 1967 urban legislative package. The six bills I am introducing today would provide Federal assistance to localities for first, street lighting; second, rat control; third, sanitation and garbage collection; fourth, community health inspection centers; fifth, fire-control and fire-hazard prevention; and sixth, public safety.

I am inserting in today's Record my press releases on each of my three groupings of urban legislation: First, urban services, April 17, 1967; second, housing, April 4, 1967; and third, transportation, April 12, 1967.

The press releases follow:

Fino Introduces 1967 Urban Services Legislation, Derides Inadequacy of L.B.J. Proposals

(Press release of Congressman Paul A. Fino, Republican, of New York, Washington, D.C., Apr. 17, 1967)

Congressman Paul A. Fino, Dean of the New York Republican House delegation, today introduced the last group of bills in his three part 1967 urban legislative package; bills to provide federal aid for local sanitation, garbage collection, public safety, street lighting, fire control and fire prevention efforts in blighted neighborhoods. Mr. Fino also introduced Johnson's much touted 1967 housing legislation known as "The Rat Bill", and derided the Administration for meeting the challenge of the Urban Future with a paltry rodent control bill, terming it Johnson's "Mouse That Roared".

The House Banking and Currency Committee's Housing Subcommittee is scheduled to begin hearings tomorrow on the Administration housing bill, at which time HUD Secretary Weaver is expected to testify on rat control and other Administration objectives, as well as on the many urban legislative proposals introduced by Mr. Fino.

Mr. Fino's "urban services" bills are as follows:

1. To authorize the HUD Secretary to provide financial assistance for the control of rodents in urban areas. (The Administration "Rat" bill).

2. To authorize the HUD Secretary to provide financial assistance for public safety programs in blighted urban areas. (A new bill).

3. To authorize the HUD Secretary to provide financial assistance for sanitation and garbage collection programs in blighted urban areas. (A new bill.)

4. To authorize the HUD Secretary to provide financial assistance for fire control and fire hazard elimination programs in blighted urban neighborhoods. (A new bill).

5. To amend the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime. (Introduced also by several Congressmen and Senators in this Congress and the 89th Congress).

6. To amend the Public Health Service Act to provide for Community Health Protection centers for the detection of disease (Preventicare). (Introduced in the 89th Congress by Mr. Fino and others).

In introducing this legislation, Mr. Fino said:

"The lead title of this year's omnibus housing bill is labeled 'rat control'. What an extraordinary change from last year's mammoth omnibus bill which sought to legislate paradise for the slums in one stroke! Perhaps the Administration's enthusiasm has been dampened by the disenchantment of the slums with the 'demonstration cities' program.

"As a recent *New York Times* article said, slum dwellers are beginning to fathom that the 'demonstration cities' program is nothing but a payroll for planners. According to the *Times*, one interviewee announced that: 'We're beginning to feel like laboratory animals. We've been surveyed and studied to death. You don't have to draw any more maps. There are maps downtown that say we're supposed to get six garbage collections a week, but you don't see those cats out there.'

"This pinpoints a very real shortcoming of the demonstration cities program, which is nothing but a payroll for planners and a mechanism for exerting federal control over local, urban, social, residential and educational patterns. The crisis of our cities calls for simple, honest action, not the ivory tower solutions of left-wing planners. Will the Administration produce these solutions? No, they will not. The Administration will not endorse my bill to take the federal tax breaks away from slum properties, even though this approach has been endorsed by leading architects and redevelopment directors like Edward Logue, nor do I expect that they will endorse my bills to provide federal assistance to slum programs for fire prevention, garbage collection, public safety and street lighting—after all, these do not create jobs for planners. The Administration is only introducing a rat control bill because last year, one such rat almost bit Hubert Humphrey—that rat was truly a 'Mouse That Roared' and so is the Administration rat bill.

"Let me briefly sketch my six bills. The first would provide federal aid for rat extermination programs, like the Administration bill, but the needs of the slums do not end with rat control. What about the rotten grapefruit in the streets, the dangerous, unlit alleys, the tubercular cellars, the garbage-strewn apartment halls? Don't we need programs to cope with these evils? And what about fire hazards and fire stations? Don't we need fewer of the former and more of the latter in blighted neighborhoods? My second bill would provide federal grants for public safety programs; my third for sanitation and garbage collection programs; my fourth for fire hazard elimination and fire control programs; my fifth for street lighting facilities; and my sixth for community health inspection centers (preventicare) facilities. None of these programs require planners—planners are the bane of the slums, which need help and not endless studies. My bills offer that help."

Fino Introduces 1967 Housing Legislation

(Press release of Congressman Paul A. Fino, Republican of New York, Apr. 4, 1967)

Congressman Paul A. Fino, Dean of the New York Republican House delegation, and a senior member of the Housing Subcommittee of the House Banking and Currency Committee, today introduced a package of legislative proposals relating to housing and urban development.

The four Fino bills are as follows:

1. To provide for a Bank for Urban Rehabilitation and Development within the Department of Housing and Urban Development, which bank would (a) insure loans (above existing ceilings) of up to $50 million for FHA multi-family housing projects (rehabilitation, as well as other FHA 221 programs) *and* insure loans for mass transit programs for which grants could be made under the Mass Transportation Act; (b) make direct loans of up to $10 million for rehabilitation of housing in urban areas of extreme socio-economic tension; and (c) guarantee municipal bond issues to finance such projects regarding which loans could be made or insured under the Bank's other programs. Public agencies and corporations, as well as private persons, would be eligible for Bank loans and insurance. (Mr. Fino introduced this bill in the 89th Congress as H.R. 17997.)

2. To amend the National Housing Act to provide for more careful administration by FHA of its multi-family housing programs by (a) prohibiting FHA from extending or modifying mortgages in default unless income from the insured project is held in trust; (b) requiring contractors furnishing materials or services to multi-family housing projects to certify the cost before FHA can insure; and (c) prohibit FHA from insuring multi-family projects unless there is a binding agreement that the Comptroller General may have access to the books. (Senators Ervin and McClellan have introduced this bill in the 90th Congress as S. 1249.)

3. To amend the Internal Revenue Code to provide tax incentives for the rehabilitation of rental housing for low-income families by allowing a five-year depreciation write-off of the cost of rehabilitating housing, with a 20% bonus in the first year. (Senator Javits has introduced this bill in the 90th Congress as S. 1199 and Congressman Button has introduced it as H.R. 7328.)

4. To amend the Internal Revenue Code to deny capital gains tax treatment to unimproved real estate, to limit the deduction for real estate taxes paid on unimproved land, and to eliminate the deductions for real estate taxes and depreciation on multi-family housing which is not maintained in a safe and sanitary condition. (Mr. Fino introduced this bill in the 89th Congress as H.R. 14995.)

In introducing his four bills, Congressman Fino said:

"During the last few years, I have been privileged to be among the leaders of the fight against the Administration's bureaucratic, wasteful and socially-scheming 'rent subsidy' and 'demonstration cities' programs. I regret the Department of Housing and Urban Development has, in the words of *Barron's Financial Weekly*, used the nation's urban crisis as an excuse to get the social planning 'camel into the tent'—i.e., enact housing legislation designed to achieve social upheaval.

"As this Administration knows full well, the cities need federal help, but not federal control. This Administration uses federal aid as a stalking horse for federal control which the federal government intends to exert on behalf of special interest groups. Frankly, I disagree with this whole philosophy. I think that private enterprise offers the real hope for rebuilding our cities. If the federal government will content itself with helping private enterprise to do the job, we will be spared federal control and bureaucratic waste. The achievements of corporations like United States Gypsum and Smith, Kline and French ought to convince the White House to give business the tax and mortgage insurance encouragement necessary to do the job and foreswear the socio-political ambitions of the Washington housing bureaucracy.

"With these thoughts in mind, I am today introducing four bills which I think can help to solve the crisis of the cities. First, I am re-introducing my 1966 bill to establish a 'Bank for Urban Rehabilitation and Development' within the federal Department of Housing and Urban Development. The Bank would insure loans for rehabilitation and other multi-family project housing activities undertaken by private persons and public agencies up to $50 million, going beyond the limit of some existing federal programs. The Bank could also insure local mass transit project loans up to $50 million providing the projects meet existing requirements for a mass transit program grant. Additionally, the Bank would be empowered to make rather than merely insure loans for housing rehabilitation in areas of socio-economic crisis. Lastly, the Bank would be empowered to guarantee municipal bond issues for purposes for which it could make or insure loans. I believe that the Bank for Urban Rehabilitation and Development could be just what business needs to get going in the field of housing rehabilitation. I think my proposed Bank would provide a great alternative to the power-hungry 'demonstration cities' program and unnecessarily cumbersome 'home ownership' plans.

"Secondly, I am introducing a bill which Senators Ervin and McClellan have authored to impose new and stricter standards on FHA's sloppy administration of multi-family housing projects. The administrative incompetence of FHA is so noticeable that *Reader's Digest* entitled a recent exposé 'The Stench at FHA'. As a Housing Subcommittee Member, I know that *Reader's Digest* is correct. If we impose tougher standards on FHA, perhaps some of the money they spend will go to provide housing and not bank accounts for windfallers.

"My third bill has already been introduced by Senator Javits and Representative Button. Simply put, it would encourage housing rehabilitation by setting up a new tax incentive scheme whereby builders could write off rehabilitation costs over a five year period, besides getting a 20% bonus deduction in the first year. While I am completely in favor of the general idea of tax help for rehabilitation efforts, I recognize that there are several approaches which can be followed.

"My fourth bill is similar to one I introduced last year, based on suggestions in several labor and architectural journals that our present tax treatment of land transactions encourages both land speculation and long-term idling of valuable land, which affects land prices and thus housing prices. Besides denying capital gains tax treatment to unimproved real estate, my bill would also strike at the profits of slum lords by denying federal income tax deductions for real estate taxes and depreciation on multi-family housing which is not maintained in a safe and sanitary condition. My proposal would make it uneconomic for slumlords to operate their slum properties. A dearth of profits will be a far greater blow to slumism than all the 'demonstration cities' programs the Administration can conjure up.

"I hope that the probable late April Housing Subcommittee hearings will give me a chance to discuss these proposals with expert and governmental witnesses."

Fino Introduces 1967 Transportation Legislation

(Press release of Congressman Paul A. Fino, Republican, of New York, April 12, 1967)

Congressman Paul A. Fino, Dean of the New York Republican House delegation, and a senior member of the Housing Subcommittee of the House Banking and Currency Committee, today introduced a package of legislation to improve urban transportation and transportation facilities.

The Fino bills are:

1. To amend the Mass Transportation Act to authorize grants under that program to provide the wherewithal for local public agencies to assist local mass transportation company which maintains commuter service, in effect providing federal funds to keep commuter services running. (Senator Harrison Williams, of New Jersey, introduced this bill in the 89th Congress, and Mr. Fino introduced it as H.R. 12470.)

2. To amend the Mass Transportation Act to increase the funds available to major metropolitan areas and to allow mass transit funds to be used to pay the interest on state or local bonds issued to finance a mass transit program. (Mr. Fino introduced a substantially similar bill in the 89th Congress as H.R. 14458.)

3. To amend the Clean Air Act to authorize an investigation and study to determine means of propelling vehicles so as not to contribute to air pollution; and

4. To authorize a program of research, development and demonstration projects for electrically powered vehicles. (Senators Magnuson and Muskie have introduced these bills in the 90th Congress as S. 451 and S. 453.)

5. To establish a program of mortgage insurance to assist in financing the construction, improvement, expansion and rehabilitation of harbor facilities for boating and commercial craft. (Chairman Fallon of the Public Works Committee introduced this bill in the 89th Congress as H.R. 990.)

6. To authorize a program of research, development and demonstration projects for hydrofoil watercraft. (A new bill.)

In introducing these bills, Mr. Fino said:

"Improved transportation facilities is a pressing need of the Sixties. Today, I am introducing six bills which I believe could help American transportation to meet the challenges of this and coming decades.

"Three of my bills relate to experimental transportation schemes, i.e., electric-powered cars and hydrofoil watercraft. The Senate has already held hearings on electric-powered cars and seemingly dismissed the idea, but I hope the House will take up the slack. My own State of New York, under the leadership of State Senator Edward Speno of Long Island, has embarked on an electric-car study. I think that electrically-powered cars are a partial answer to the smog problems of our cities because of their lack of fuel consumption and exhaust. Unfortunately, the oil company lobby is at work to block electric-car research.

"In addition to my two electric car research bills, I am introducing a bill to establish a hydrofoil watercraft research program. A few hydrofoil boats are presently plying their way between downtown New York City and some of the commuter suburbs, but hydrofoil watercraft are not yet used widely in the United States, as I believe they could be in light of their success in Europe. Hydrofoil traffic gets heavier each year in the Black Sea, in the Baltic, on the Danube River and in the Mediterranean.

"My fourth bill would also help metropolitan area and other water transportation by establishing a program of mortgage insurance to assist in financing the construction, improvement, expansion and rehabilitation of harbor facilities for boating and commercial craft. A program like this could help stimulate the development of a New York City water transportation system and boat marina network centered in maritime and commercial boating areas like City Island in my own congressional district.

"My fifth bill, which I first introduced in 1966, would amend the Mass Transportation Act program to allow mass transit funds to be used by public agencies to subsidize the operating deficits of transportation companies providing commuter services. More than most Americans, commuters pay whopping taxes, few of which dollars are returned to them as federal services. I think that we ought to use federal dollars to subsidize commuter service in the same way federal subsidies and land grants were used to subsidize Western railroads in the last century.

"Finally, my sixth bill would amend the Mass Transportation Act to change the program's ability to help our major metropolitan areas by (1) eliminating the 12½% limitation on the amount of mass transit funds which can go to any one state in favor of a general directive that the Secretary give priority to the needs of America's larger cities; (2) changing the federal contribution to projects aided under the Act to as much as 90%, depending on local tax burdens (the range would be two-thirds to nine-tenths); (3) putting the program on a permanent $200 million a year rather than year-to-year basis; (4) providing that the Secretary may approve grants on a reimbursable basis; and (5) providing that Mass Transportation program funds may be used to underwrite the interest costs of state and local bond issues floated to finance mass transit projects which meet the non-cost requirements of a Mass Transportation Act grant under present law. As restructured by my bill, the Mass Transportation Act would be a greater assist to Governor Rockefeller's bold new metropolitan New York City transportation development scheme."

REASONS FOR NOT FUNDING RENT SUBSIDY AND DEMONSTRATION CITY PROGRAMS

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINO. Mr. Speaker, I would like to bring to the attention of the Members of this House some data which I have prepared listing a number of very good reasons why both the rent subsidy and demonstration cities programs should not be funded this year. Both programs are cumbersome, unwanted, unpopular, and unproductive. What more is there to say?

My enclosures follow in two parts:

Why the Rent Subsidy Program Should Not Be Funded

1. So long as rent subsidy projects are kept out of the unwilling suburbs by the "local option" rider attached by the Appropriations Committee to the past rent subsidy appropriations, few viable project applications will be submitted, because according to material submitted to Congress by the Roman Catholic Archdiocese of New York, per unit land and labor costs will prohibit projects from being built in the central cities.

A) This lack of demand for existing rent subsidy contract authority has been confirmed, notwithstanding HUD's protests that it needs more money, by leading editorialists Allen and Scott, writing in the Northern Virginia Sun, Feb. 17, 1967:

"The Great Society's rent supplemental program is turning out to be as productive as a dry creek.

"With a little more than four monthe remaining of this fiscal year, only around $160,000 of the $2 million voted by Congress for rent supplements has actually been allocated by the FHA. That's less than 10%.

"And of the $32 million Congress authorized the FHA to enter into contracts covering other aspects of this controversial program, only about one-third—$10.381 million—has been earmarked for possible projects. . . .

"This is the unpublicized record of the program that President Johnson effusively hailed as the 'most crucial new instrument in our effort to improve American cities' ". . .

B) To twist and finagle within the strict income and cost limitations imposed by

Congress, HUD has put pressure on its appraisers to violate their professional ethics. Last fall, two of the most senior appraisers *resigned* or retired rather than go along with violations of their professional standards. See October 14, 1966 *Congressional Record* insertion of Hon. Del Clawson quoting editorial to this extent from an appraisers association journal.

2. Rent subsidy projects are no longer being built with private funds, but are rather being financed through government purchases of rent subsidy project mortgages out of FNMA's special assistance funds. This action, which violates promises made by Democratic congressional leaders, has put the realtors' groups in opposition to the program.

3. Rent subsidy per unit costs are extremely high—much higher than public housing. In 1965, Ira Robbins of the National Association of Housing and Redevelopment Officials, told the Housing Subcommittee (House) that the public housing could be provided for a $4,000 a year family of four at $37 per unit per month, while rent subsidy housing would cost $66 for that family. HUD asserted that average rent subsidies would be about $40. HUD now admits that the average is about $75 per month (Washington Star, April 13, 1967). The cost over that of public housing is the premium paid for using privately built housing (with market interest rate mortgages) to achieve economic integration.

4. According to a *New York Times* article of March 18, 1967, Assistant HUD Secretary Taylor said that the Demonstration Cities program will be used to disperse rent subsidy housing into middle-income sections of "demonstration" cities. Metropolitan planning (Title II of 1966 omnibus bill) could be used to spread rent subsidy projects around suburbs notwithstanding Appropriations Committee rider.

Why the Demonstration Cities Program Should Not Be Funded

1. *Barron's* national business and financial weekly (Nov. 28, 1966): The demonstration cities program is "designed less with an eye on slum clearance or urban renewal than on educational upheaval and social change." (Cong. Record, March 23, 1967.)

2. *United Press International* wire service story of November 30, 1966, describing how HUD planned to disregard Congress' anti-racial balance scheme amendment of October 14: (Congressional Record, March 23.)

"New York.—Public school educators were told today applications for 'demonstration cities' funds will be returned unprocessed unless their cities combat such social problems as *de facto* segregation to the satisfaction of federal officials. Any proposal which ignores integration or any other social problems would not be in accordance with the 'demonstration cities' bill,' said John Clinton, an aide to Secretary Weaver (Department of Housing and Urban Development). . . .

"The applications must show evidence of consultation of all pertinent agencies with a point of view—including welfare groups and civil rights groups which would be vocal if integration is ignored."

3. Statement of Ralph Taylor, HUD Assistant Secretary for Demonstration Intergovernmental Relations, quoted in *Washington Monitor* of December 15, 1966 (Congressional Record, Mar. 23, 1967, p. 7806):

"From the very beginning of the model cities idea, we in HUD have always assumed that schools would be an integral part of any proposed program for a model neighborhood development."

(Contrast with *Washington Post*) editorial of October 4, 1966: The Demonstration Cities bill has nothing to do with schools.")

4. *New York Times* article of March 18, 1967, describing how the demonstration cities program would be used to 1) force changes in union hiring practices; and 2) disperse public housing and rent subsidy projects throughout middle-income neighborhoods in name of racial balance (Congressional Record, March 22, 1967.)

"As for employment, Mr. Taylor reminded his audience that the regulations governing the program required cities to give 'priority' for jobs created by the expenditure of program funds to 'neighborhood residents possessing the necessary skills.'

"Mr. Taylor's statement here was interpreted as a warning that cities that cannot win agreement from local labor unions not to discriminate in hiring people for construction work will be at a disadvantage in competing funds under the program."

Moving on to the subject of dispersing the population of the ghetto, HUD officials spoke boldly, the gist of their comments being summed up by the March 18 *Times* article as follows:

"Pressed for specifics, Walter G. Farr, the new administrator of the program who serves under Mr. Taylor, said he did not think that the act permitted the government to guarantee the relocation in a white suburban neighborhood of a Negro who wanted to live there.

"But he said that federally-aided housing must be 'open' and that the Administration would definitely give extra points to a city that agreed to disperse federally-aided housing, such as public housing, rent supplement and other low-income housing programs, throughout the city 'in order to avoid perpetuation of the ghetto.' "

5. In an editorial of February 9, 1967, the *Washington Post*, noted that the District of Columbia demonstration cities proposal included a guaranteed annual income proposal, obviously possible within the language of the bill. The *Post* enthused as follows:

"The guaranteed income is precisely the kind of experimental idea that needs to be built into Washington's plans for its model neighborhood program. The program's draftsmen are entirely right in their emphasis upon it. They are showing that the Demonstration Cities Act is already beginning to effect one of its most important purposes, the revival of leadership and imagination in city government."

6. Some prominent national figures are critical of the demonstration cities program. In a February 23, 1967, *New York Times* article, Governor George Romney of Michigan is quoted by Warren Weaver, Jr., as saying that " 'drastic change' was needed in the model cities program." Boston Redevelopment Director Edward Logue told a George Washington University audience on April 1, 1967, that the model cities program was needlessly complex. The following excerpts are from the April 2, 1967 *New York Times* (daily Congressional Record, April 13, 1967, p. A1797):

"He told the bureaucrats that the Administration's Model Cities program was needlessly complex. He told the mayors and redevelopers that all their pleading for billions more in federal funds was a waste of time because the Government 'is not about to reduce any existing national priorities or reallocate any national resources to fight slums.'

" 'At the rate the executive and legislative branches are spinning off new pilot projects, launched with glowing promises of the wonders they will perform, the average local official is beginning to feel like an air traffic controller.'

" 'Increasingly, the local official is forced to turn his attention away from the local scene to palaver with a bewildering variety of Feds who are at home with all the rhetoric, but inexperienced and uninterested in practical local applications.' "

7. Disillusionment has already set in among the poor regarding the Demonstration Cities program—the poor feel that all it provides is a gravy-train for middle-class planners' employment aspirations. One slumworker was quoted by the *New York Times* in an April 2, 1967 story:

" 'We're beginning to feel like laboratory animals,' said a young man with a full, reddish beard. 'We've been surveyed and studied to death. You don't have to draw any more maps. There are maps downtown that say we're supposed to get six garbage collections a week, but you don't see those cats out there.' "

8. Disillusionment has also set in within the ranks of city administrators and legislators. Under the leadership of New York City Comptroller Mario Procaccino, a bipartisan and overwhelming majority of the New York City Council on April 11, 1967, voted to slash New York City's "demonstration cities" program by 40%. The vote was 28 for cutting the program, 8 against. An April 12, 1967 *New York Times* story which capsules the actions of the Council appears on p. A1798 of the April 13, 1967, daily *Congressional Record*.

9. *In summation:* 1) the Demonstration Cities program never received more than 178 votes in the House of Representatives (the Administration had to wait until opponents had gone home to campaign); 2) the House amendment to prohibit HUD from insisting on school racial balance schemes is being ignored, according to the statements of HUD's own officials; 3) the Demonstration Cities is receiving increasing critical attention from urban leaders like Edward Logue and George Romney; 4) the Demonstration Cities program is susceptible of use as a vehicle for guaranteed income, and forced housing, and union-coercing programs; 5) the slum poor are turning against the Demonstration Cities program because it primarily helps (and employs) the ivory-tower planners; 6) and local legislative bodies like the New York Council have turned against the Demonstration Cities program. For these reasons, the Demonstration Cities program should be abandoned in favor of a less cumbersome and less social-planning-oriented program.

MORAL EDUCATION

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on April 14 an editorial in the Washington Star entitled "Moral Education" refers to an earlier article from the same paper which points up the necessity of concentrating on instilling moral principles in the classroom. In our present era, this is an issue which needs further study. As the Star editorial points out:

> There are other countries, as Irvine points out, where certain rules of conduct are drilled into the heads of youngsters from the day they enter school. Such rules, for example, as obey your parents, obey the law, be polite to your elders, come to school clean, wellgroomed and neatly dressed.

More and more information must be disseminated on this subject, and the Washington Star is to be commended for bringing it to public attention. Here is the editorial "Moral Education":

Moral Education

With the advent of the war on poverty, American public schools have assumed steadily increasing responsibilities for the physical and economic well-being of deprived children. Is it not clear by now that a heavier responsibility for the moral training of all our young people should also be added to the list?

Contributing writer Reed J. Irvine, in an article published by The Star last Sunday, asked and answered this question with a resounding yes. Irvine makes the indisputable point that antisocial behavior and the breakdown of discipline and moral standards so prevalent among young people today are not taking a turn for the better in this period of social upheaval. They are worsening. No other social institution seems able to reverse this trend. And that being the case, he asks, why not assign a more positive role of moral training to public schools which are "in a position to exercise their influence over virtually every child in the community five days a week, nine months a year?"

Why not, indeed? The idea is not novel. There are other countries, as Irvine points out, where certain rules of conduct are drilled into the heads of youngsters from the day they enter school. Such rules, for example, as obey your parents, obey the law, be polite to your elders, come to school clean, well-groomed and neatly dressed.

The idea in this country seems to be that schools are the wrong places for this sort of thing, that such training should come from the home, the church—or somewhere else. But what of those homes which have nothing to offer by way of example or advice, where there is seldom even communication between parent and child? It may be too much to expect schools to overcome the character damages suffered in the worst slum environments. The point is that the school may be the last hope, however, for such children ever to be told the difference between right and wrong, or the way they are expected by society to act.

Nor is this a problem, by any means, of the ghetto alone. The statistics on juvenile delinquency and, more pointedly than that, the instances of rudeness and undisciplined behavior that are evident in any well-to-do neighborhood day after day show the real dimensions of the problem.

The surprising thing is that our schools seem so doggedly determined today to avoid any place in the formal curriculum for this entirely logical sort of training. No question of teaching religion or political ideology is involved. Why, in a period of unparalleled probing for answers to antisocial conduct, are we in this country so skittish about this single possibility?

If society does not care enough to tell children how to act, is it really surprise that many of them seem not to know?

U.S. MILITARY PERSONNEL HELD CAPTIVE IN VIETNAM

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CRAMER. Mr. Speaker, because the North Vietnamese have continued to disregard completely the principles of the Geneva Convention of 1949 in their treatment of imprisoned military personnel, I am introducing a resolution concerning the treatment of U.S. military personnel held captive in Vietnam. In doing so, I join with others of my colleagues who have introduced similar resolutions.

The actions of the North Vietnamese when dealing with Americans is opposed to the concept of international law and ethical behavior, and can only add to the problems of finding lasting peace in Vietnam. I hope that these resolutions will help to make it clear to the North Vietnamese that we strongly oppose the trial, punishment, or execution of American captives.

ADDRESS BY HON. ROBERT C. WOOD

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, on April 12, Under Secretary of the Department of Housing and Urban Development, Robert C. Wood, addressed Massachusetts Gov. John A. Volpe's Conference on Community Development in Boston.

He cited the gains we have made in dealing with our critical and complex urban problems and noted how many problems we have still to solve, particularly in the area of training competent city planning personnel. I include Mr. Wood's speech in the body of the Record at this point:

Address by Robert C. Wood

I am glad to join the Governor's Conference on Community Development for the second successive year—and for several special reasons. That we should be together again demonstrates some durability on my part—as HUD moves well into its second year—and considerable endurance in the field of luncheon speakers on yours.

I miss very much my old associations with you in Massachusetts—although enough of you journey often enough to Washington chasing your grants-in-aid applications to keep me from feeling lonely.

There are more important reasons for wanting to return. First, I feel the need to exchange views on the urban situation with those on the firing line; and second, I'd like to share with you our estimate of where the nation stands now on its community development programs compared to where it stood a year ago.

My simple themes are these:

That we have moved in a year, from the challenges of establishing modern urban aid programs to the challenges of putting them to work and producing meaningful results.

That, in this new phase of action, all of us at every level of government have new responsibilities of organization, management and execution.

That we will succeed in our endeavors to the degree that we realize our mutual obligations and responsibilities. In urban America of 1967, no one government, no one agency, no one individual goes it alone.

A year ago when I spoke with you, we were just beginning a new level of Federal effort to build and rebuild the urban areas of this Nation. I spoke of the Rent Supplements program and its problems of getting funded. Model Cities, Metropolitan Incentive Grants, and New Communities Aid were then proposals of the President that had not even been considered by the Congress.

Indeed, some experts announced that the new programs were "dead" even before the legislative hearings.

They said the Administration was foolish to try to update our urban strategy. They said we would be better off just requesting more money for old programs—even though such requests produced only yawns in the halls of Congress.

Those new proposals, once written off so prematurely, are now the law of the land and open for business.

We are doing business, moreover, at a new stand.

HUD is not HHFA simonized. It is a substantially different organization directed through new management practices, operated by means of new allocations of functions carried on by a new field structure. Some 5,000 HUD personnel are now either in new positions, new units, or new locations as a result of organizational changes. New budgets, new reporting systems, new review procedures are now in operation.

That is all background for my themes of today. In 1966, the big news was enactment of Model Cities, Metropolitan Development and New Communities legislation. In 1967, the big news is action.

The cities and towns of Massachusetts have expressed great interest in Model Cities. The Commonwealth heads all States in the number of cities planning to apply. I am glad that Senator Kennedy made possible the Worcester Conference on Model Cities last Monday, and that our Regional Office could provide technical assistance and—I hope—warm moral support.

We are receiving more proposals daily from potential Model Cities across the country and we expect to be making the first planning grants within sixty days from the initial $11 million authorized last year.

In the fiscal 1968 budget, we are asking the Congress for the full $412 million authorized—$400 million to carry the first Model Cities into the execution stages, and $12 million to begin a second generation of Model Cities. This program is not a competition, as some have said, among our cities, or among the poor of our cities. To see it thus is a gross burlesque of the endeavor. Rather the Model Cities program is a sustained effort to move to new and higher levels of Federal urban investment, and to new and improved levels of performance. As cities qualify, they will move forward to increasing participation in the program.

President Johnson has put his full commitment and enthusiasm behind this effort. We have just concluded our first week of appropriation hearings where the interest and enthusiasm of Congressman Boland has been an enormous aid. We look forward to the testimony of John Collins on our behalf as a distinguished national leader in urban affairs. And, this program has never been a partisan one. Congressmen Morse and Conte lent important support to the passage of last year's urban legislation.

The same drive for funds to support action on our new programs applies to Metropolitan Incentive Grants and the New Communities program.

All in all in our current requests to the Congress, we are seeking $3.2 billion compared to the $2 billion received last year. If the Congress responds favorably, we can increase significantly the impact of every major program in the Department.

We hear often from those who lament the inadequacy of Federal financial urban contributions. I think we can differ on how much is really adequate but we cannot really differ over whether or not the national contribution has been substantial and has been growing rapidly. It has, and we can show it.

In 1961, Federal financial commitments affecting urban areas totaled $17 billion. Between 1961 and 1964 they increased each year by 7.8 percent. By 1966, Federal commitments stood at $29 and a half billion. That means an annual increase from 1964 to 1966 of 17.7 percent. Our estimate for 1967 is $30.8 billion and for 1968 it is still higher at $33.8 billion.

So the national commitment, including HUD and other Federal agencies that help urban populations in many ways, has been rising twice as fast as the Gross National Product, and two-and-a-half times as fast as total Federal spending.

These figures are not a reason for complacency. They should not be interpreted to mean this Administration believes we are doing enough to solve urban problems. Clearly we have to do more and that is why we are seeking the new obligational authority for the Model Cities and other programs.

Yet simply agitating for more resources is not enough. As we seek greater and greater public investments, we must recognize the increasing public and Congressional insistence that we produce a product for the price we ask. As budgets grow, we must show results in urban development.

Let me make this point clear. The Vietnam war is not the only restraint on urban investment, nor is space, nor is foreign aid. These are great national missions. We will not abandon them. We will succeed in each of them. But these commitments do not rob the urban purse. Even if we include Vietnam costs, the traditional administrative budget, as a percent of Gross National Product, is at 17 percent—nor more than it was in 1955. And the public debt, as a percent of Gross National Product, has been steadily decreasing—from 134 percent in 1946 to an expected 41 percent at the end of fiscal 1968. We can afford what we can wisely spend.

The real issue of urban development today is not just spending—but prudent, effective and human spending. Our principal challenge is not money but competence. Our real need is for every level of government to improve its capabilities, revise its procedures, upgrade its manpower, increase its sophistication and accept the necessity to work together to secure results. Our concern must be the viability of the federal system in a time of stress and strain.

That is why we have put so much effort in revamping HUD's organization this year.

That is why we welcome the new efforts of State governments to rethink their role in community development—efforts such as the proposals to reform Massachusetts state agencies just put forward by Governor Volpe.

That is why the Model Cities Program places such emphasis on the need for many levels of government to pull together, and for private enterprise, quasi-public agencies, charitable and non-profit institutions to come together in an interdependent and democratic pattern.

It is heartening to see so many states, cities, towns, and counties facing up to the challenge of administration and execution, exploring ways to work together, concentrating on tangible solutions of complex problems. These governments avoid the error of continuing to promise more—and produce less.

In contrast, it is sometimes disturbing to see that there are still those in responsible positions in urban affairs who assert that there are simple, easy, tidy solutions to the subtle, complex, and revolutionary processes of change in urban society.

These spokesmen would have you believe that mere strokes of the pen, decisions of the President, reforms by the United States Treasury would solve our urban dilemma. They insist they can take care of their own city if only the Federal bureaucrats or the Congress—or the taxpayers—would send the cash and then get out of the way.

Their favorite theme to Federal officials is this: Just give us the money and throw out the rules: more dough, less advice.

Now this kind of fiscal fantasy has a lot of appeal. Every Federal agency head has probably had daydreams of a world of full appropriations and no General Accounting Office, no departmental legal office, and no Congressional investigation.

In the current spate of tax-sharing and so-called "unconditional grant" proposals (both in and out of Congress) there resides a similar hope that direct, simple, and perhaps painless ways can be found to solve the very real financial problems of State and local governments. These proposals, however, raise more questions than they settle—and they quite properly will call forth a good deal of national study and debate.

For example, there is the question as to what governmental body or what level of government should be the recipient of Federal tax largesse. Quite understandably, the governors are rather interested in seeing it go directly to the States; the mayors are convinced that it should go to the cities; anti-poverty and urban renewal agencies prefer dealing directly—as at present—with federal agencies; school boards are inclined to favor direct aid channeled to school districts. And so it goes.

To attempt to turn back Federal taxes by formula to municipalities presents great practical problems as well as serious policy questions.

To separate financial and program responsibilities—to tax at one level of government and spend at another—is fraught with dangerous consequences.

There are obvious problems of how you get the money where the need is, and how you ensure that it is not spent frivolously. These questions are quite properly part of the Federal responsibility when it comes to the disbursement of national tax resources. The "go it alone" posture of certain city officials is the counterpart of national isolationism—just as appealing and just as impossible in the modern world.

For the time being, I would like to return from fiscal unrealities to deal with management realities.

And here, I suggest, we all have problems. Take the field of urban renewal, for example: Currently, the preparation of local plans for urban projects takes an average of 25 months. Project execution (not counting construction) has taken an average of another five years for those projects completed to date. But many more are still unfinished. One-half of urban renewal projects started in 1950, the first year of the program, have not yet been completed.

Recently we have had to suspend Federal renewal assistance in Cleveland because of the inability of the city to move forward. Holding that progress on the city's urban renewal projects was "generally unsatisfactory", Secretary Weaver refused to consider an enlarged application for one project and withdrew a $10.4 million fund reservation on another project that has been in planning since the middle of 1961.

Recently, we suspended open space and other metropolitan development programs in Montgomery County, Maryland, when for a time it was uncertain that a genuine planning process was in operation as required by law.

We will continue to examine performance records in our assistance programs to see how we can reduce the time now required to move from planning to execution. For in a period when needs for our programs are mounting, we can ill afford to set aside large sums of Federal money, year after year, without seeing measurable progress. Such carelessness with scarce resources would be the greatest waste of all.

Meantime, we will move forward to improve operational capability in urban programs as a national responsibility. The Committee on Appropriations is now considering our request for 1½ million for continuing the urban fellowships program (of which the first 93 awards have just been made) for initiating the new program of grants to States for urban information and technical assistance services to small communities; and for getting underway the grant program for training public technical and professional employees in the community development field.

These programs will help to meet the critical shortage of trained personnel in the urban field. In 1964, the American Society of Planning Officials found over 500 unfilled positions for urban planners, and predicted the creation of 11,000 to 11,500 *new* planning positions in the following five years, as the planning requirements in many programs became more demanding. The need for pre-service and in-service training for public employees has likewise increased dramatically, as developing technology and rapid urban growth place new demands upon them.

There is also a need for national resources to go into a research and development program that no community and no state could undertake. That is why we are asking Congress for the funds for research to move toward a basic foundation in urban knowledge that can be used in communities.

There is a need for national resources to experiment with and demonstrate new and innovative solutions to urban problems that no community could undertake on its own. That is why we are asking local governments to move ahead on the Model Cities and other demonstration programs.

So the new thrust and the new reality of urban affairs requires, not an escape into the world of a municipal Big Rock Candy Mountain where the budget is unlimited, taxes non-existent, and voters inactive. Nor do they permit a retreat to the old bread and butter politics of the past, when the city existed for selfish exploitation by its managers, public and private. Instead, urban realism requires the recognition of complexity, the development of new capabilities, and for all of us in this interdependent system a reliance on mutual respect and a spirit of cooperation.

Those of us in the service of the city, whether local, state, or national, can ill afford these days our private disputes. Back-biting, gossip and intrigue ill become us. We have too much to learn, too much to do. We know that modern American cities will not be built by the innocent, or the ignorant, or the arrogant.

The stakes in the urban game are high—they involve four-fifths of the next generation.

They involve the places in which nearly all people will live, and work, and play, their community designs, their opportunities for the good life.

Our urban tomorrow will not be built by whim or impulse, but by reason, knowledge, humility and cooperation.

A WORLD OF NUCLEAR POWERS?

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, in February the School of International Affairs at Columbia University and the American Assembly sponsored the first graduate student assembly which was held at Arden House in Harriman, N.Y. Topic for the assembly was the question of nuclear proliferation and the students, who represented Columbia, Princeton, Johns Hopkins, and Tufts Universities, prepared a report entitled "A World of Nuclear Powers?"

In my judgment, such an assembly is an excellent exercise for the students in analysis, negotiation, and draftsmanship that will serve them in the future as international relations specialists. I understand that another assembly is to be held next year and I hope that this will become an annual event.

I include in the body of the RECORD the report of the assembly and the list of participants:

A WORLD OF NUCLEAR POWER?

PREFACE

On February 23, 1967, sixty graduate students from four major universities gathered at Arden House, Harriman, New York, to discuss the complex problem of nuclear proliferation. Officially titled *A World of Nuclear Powers?*, the Graduate Student Assembly was sponsored by the School of International Affairs of Columbia University and by the American Assembly. The delegates were from the School of Advanced International Studies of Johns Hopkins University, the Woodrow Wilson School of Public and International Affairs of Princeton University, the Fletcher School of Law and Diplomacy of Tufts University, and the School of International Affairs of Columbia University. This Assembly represented a departure from previous conferences held under the auspices of the American Assembly in that the participants were exclusively graduate students.

The participants, divided into permanent discussion groups, wrestled for three days with the complexities and nuances of the problem of nuclear proliferation. Professor William T. R. Fox, Professor Warner R. Schilling, Mr. Christopher Wright, and Colonel Thomas E. Lamb, USAF, all of Columbia University, attended the discussions as resource persons. On the fourth day, in plenary session, the participants approved the statement of findings and recommendations contained herein.

The participants were honored by formal addresses by Ambassador Sverker C. Aström, Permanent Representative of Sweden to the United Nations, and by Mr. Adrian S. Fisher, Deputy Director of the U.S. Arms Control and Disarmament Agency.

The Assembly was organized and directed entirely by students working under the auspices of the Society of the School of International Affairs, the student organization of the School. They were advised by Dr. William C. Olson, Associate Dean of the School of International Affairs, and by Mr. Clifford C. Nelson, President of the American Assembly.

The background material for the Assembly included *A World of Nuclear Powers?*, edited by Alastair Buchan (Prentice Hall, Inc., 1966), and *On Nuclear Proliferation*, by Robert L. Rothstein (One of a Series of Occasional Papers, 1966, available through the School of International Affairs, Columbia University).

The views contained in the Final Report of the Graduate Student Assembly are those of the participants and not necessarily of the sponsoring institutions.

PETER W. SHEATS,
Director, Graduate Student Assembly.
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Dean, Faculty of International Affairs, Columbia University.

FINAL REPORT OF THE GRADUATE STUDENT ASSEMBLY

(At the close of their discussions the participants in the Graduate Student Assembly reviewed as a group the following statement. Although there was general agreement on the final report, it is not the practice of The American Assembly for participants to affix their signatures, and it should not be assumed that every participant necessarily subscribes to every recommendation.)

We face today, in nuclear proliferation, a possibility of frustrating uncertainty. A satisfactory assessment of its implications would require a degree of foresight which few among us are willing to claim. Yet not to attempt an evaluation of the contingent hazards involved in nuclear proliferation would be to avoid our responsibility as students of international affairs to treat seriously a matter of potentially grave consequence to human survival. It is our intent here to evaluate the problems generally associated with the spread of nuclear weapons, and to propose some modest recommendations to deal with the problem of proliferation.

Reasons for proliferation

While not accepting without further examination the assertion that nuclear proliferation is in itself a factor of instability, our first concern is with the probability of nuclear weapons being acquired by countries presently without them. In spite of the fact that a timely combination of motive and capacity is needed for the development of nuclear weapons in any given case, there seems to be a strong likelihood over time that proliferation may prove unavoidable.

In discussing the principal motives for proliferation, it is essential to stress their diversity. While the most frequently mentioned motives can be summarized as security and prestige, it would be a major error to believe that these factors operate in a uniform manner in every case. Security may involve either offensive or defensive priorities, and may exist as a problem both within and without alliance systems. It is most likely to be dominant where a specific external threat exists, and where guarantees by one of the superpowers are not offered, or are not credible. Credibility of guarantees offered is not only the most crucial but also the most difficult element in leading the non-nuclear powers to accept a nonproliferation treaty. Prestige is likely to be a somewhat less important element, but it is a common factor and may be dominant in some decisions.

Other reasons for proliferation may include a desire for autonomy or for technological gains. Autonomy would have an appeal to traditional armed neutrals such as Sweden and Switzerland. Hope for technological gain is based on the argument that nuclear weapons research promotes industrial development. These motives are not overwhelming, but their rationale may be attractive where security or prestige is a dominant factor. Although an automatic "bandwagon" response that will breed global proliferation is not certain, once a given nation in a region does acquire nuclear weapons there is increased pressure on other nations within the region and perhaps the world to acquire such weapons. We believe, however, that nations will make their decisions individually, and primarily in terms of their regional context.

Reasons for restraint

Among reasons for restraint in the pursuit of nuclear weapons, guarantees and pressures from the two superpowers are most significant. The economic cost of entering into a nuclear arms race is also a considerable disincentive, especially where a nation faces the problems of economic development. A third major restraint may prove to be the general diplomatic and military pressures which will be focused upon states seeking a military nuclear capacity. A fourth restraint, in such cases as Japan and India, may be a public sentiment that the acquisition of nuclear weapons would result in a loss rather than in a gain in prestige and influence. A fifth restraint is that certain states may indeed consider the acquisition of nuclear weapons as harmful to their security interests. We believe further that the difficulty of calculating the actual effects of the acquisition of nuclear weapons on a nation's position is in itself a force restraining a nation from opting for nuclear weapons.

There is little reason to expect that nuclear technology, in the form of information, components, or technical skills, will be a significant bottleneck in the achievement of simple nuclear weapons by present civil nuclear powers. For these countries, the decisive factor is their political will. The development of sophisticated systems, however, may be impractical without external assistance. Easily exploited uranium deposits are in limited supply, but it would require only one uncontrolled source of uranium to undermine attempts to limit the diffusion of fissile material. In general, even among nations presently without nuclear technology, the relative costs of developing nuclear weapons are constantly decreasing over time.

We believe that the technological factors operating against proliferation are weak. These restraints will, over time, prove almost inoperative at least for simple weapons systems.

Effects of proliferation

The immediate effects of individual cases of proliferation will depend upon the context in which they occur. The most dangerous situation would be an effort undertaken because of exacerbated local conflict. In this context, a major threat of violence would occur during the time between the discovery of intent and the acquisition of nuclear weapons. While proliferation which increases regional tensions may raise pressures for superpower involvement in regional stabilization, the superpowers will probably not intervene militarily in a nuclear conflict initiated by a country claiming their protection. Such a non-support option is necessary if the superpowers are to avoid the threat of continuous "nuclear blackmail." Once two regional powers have nuclear weapons it is conceivable that a regional situation of mutual deterrence will develop.

If proliferation occurs, threats to both local and world stability are considered most likely to develop in the Middle East, South Asia and Central Europe. Although the destabilizing effects of proliferation would be greater in Central Europe, the possibility of proliferation occurring there is considerably less than in the other two areas.

We feel that proliferation entails greater risks than those inherent in efforts to prevent it.

We believe that certain conditions must be realized if proliferation is to be prevented. We believe that the kinds of arrangements involved in a general non-proliferation treaty are the most likely to provide the basis for useful and effective agreement. We feel it is possible to achieve a treaty which will meet the conditions discussed below.

We recommend that a non-proliferation treaty in itself not be considered as the ultimate solution to arms control. As such we advocate that the United States and other countries continue to search for additional arms control and disarmament measures. The achievement of a non-proliferation treaty should not lead to complacency among those who sign it.

Conditions for a general nonproliferation treaty

Detailed conditions for an effective, durable, and comprehensive non-proliferation treaty are too controversial for a broad consensus by the participants of this conference. What consensus we have reached emphasizes the importance of a coordinated approach by the United States and the Soviet Union to the problem of guarantees and safeguards. Furthermore, cooperation by the superpowers will be ineffective unless the non-nuclear and civil nuclear powers exercise equal good faith in the practice of non-acquisition.

The problem of dissemination focuses primarily on West Germany, and upon a fear by the Soviet Union that a projected European Community will somehow give West Germany a measure of control over nuclear weapons without the protection afforded by that country's total subordination to a fully integrated successor state. We recommend that the United States and the Soviet Union reach a compromise which leaves in abeyance the question of a supra-national European force and which provides for a later review if and when the problem becomes more imminent.

An agreement on the question of safeguards is also essential. We recommend that strong provisions for safeguards be included in a non-proliferation treaty.

The basic condition to satisfy the non-nuclear powers would be that some effective alternative provision for their security be provided. With regard to guarantees, there are problems of both credibility and acceptability. It is doubtful that India would accept a guarantee by only one of the two superpowers because of her traditional political non-alignment. On the other hand, the superpowers are unlikely to increase their present formal commitments. We recommend that some system of tacit agreement be arranged outside of a formal treaty, in which vital interests rather than explicit guarantees are expressed.

The problem of assessing credibility in the case of guarantees is too complex for resolution here. It is doubtful that in the long-run guarantees will be credible unless at least tacitly coordinated in instances where the superpowers have an over-riding mutual interest. But even tacit agreements may not satisfy the desire for a credible guarantee on behalf of non-nuclear or near-nuclear small powers, nor are tacit agreements likely to satisfy the desire of these countries for increased regional status or autonomy through the possession of nuclear weapons. This then represents a major weakness in a non-proliferation treaty approach.

Other conditions likely to be emphasized by countries without nuclear weapons are that the treaty be considered a prelude to further steps toward arms control and disarmament, and that their own access to civil nuclear progress be kept open. In addition, although in principle a treaty of indefinite duration will be necessary, there must be included a withdrawal clause to leave open a legitimate option in case of future security threats.

Other agreements

Agreements other than a broad non-proliferation treaty seem to hold little promise as substitutes for a general treaty, but because of the magnitude of the problems involved, we consider that any nuclear agreement which establishes a mood of international cooperation, however limited, is worth the effort to pursue. The realities of international politics may necessitate limited approaches to non-proliferation.

Effective agreements on a comprehensive test ban, the withdrawal of nuclear weapons, and limitations on the production of fissile material may need assent as general as that needed for a non-proliferation treaty itself. In spite of their value to the Soviet-American detente, the agreements will not in themselves prevent proliferation but they may provide additional disincentives to developing nuclear weapons.

It is possible that the non-nuclear and civil nuclear powers can act independently of the powers with nuclear weapons, in concert or as individuals, to prevent proliferation. However, they would necessarily face the same problems which are involved in a general non-proliferation agreement, and would still be without the conditions which they presently demand from the owners of nuclear weapons.

The most likely area for the establishment of a nuclear free zone is Latin America, but even here agreement is blocked by both regional difficulties and the reluctance of major nuclear powers to cooperate on Latin American terms. The same is true in other areas. We recommend, however, that the nuclear powers support efforts by the non-nuclear countries to establish nuclear free zones in their respective areas.

In the event that a non-proliferation treaty cannot be attained or proves ineffective, and if proliferation subsequently occurs which creates serious regional imbalances, it is recommended that possible alternative approaches to the overriding goal of regional stabilization be considered. Such approaches include strengthened commitments and guarantees the possibility of assistance in nuclear development, or even the provision of nuclear weapons in certain cases.

Without deciding among the various approaches possible in the event of destabilizing proliferation, the conference notes them and recommends their consideration and study under the above conditions.

Conclusion

In conclusion, we feel it important to state that the prospect of nuclear proliferation is only one of many problems complicating international relations. In perspective, nuclear weapons must be viewed as both a cause and an effect of world tension. The achievement of a non-proliferation treaty will have lasting success only if it is followed by a continued sense of movement toward further disarmament and arms control measures. It is therefore highly important for those nations desiring to prevent proliferation that in addition to a direct approach to arms agreements, they exhibit a willingness and a capability to ease their hostility in other areas of competition. A significant increase in hostilities would undermine all efforts to avoid proliferation. Only a genuinely cooperative multilateral effort will succeed.

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COMMITTEE ON INDEPENDENT UNIONS AND UNRECOGNIZED GROUPS

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am today reintroducing a resolution to create in the House of Representatives a Committee on Independent Unions and Unrecognized Groups. The interests of these groups vary considerably, and organization for an effective continuing presentation of their interests to Congress and the executive because of their generally small size and heterogeneous nature is especially difficult. These groups, by and large, have no representative in Washington assuring that their voices are heard. Nor is there any congressional or executive body specifically attuned to meeting their problems. A House committee would offer them an opportunity to have their interests weighed with those of other important segments of our society to a degree commensurate with their role. Further, a House committee could become the basis from which Congress could explore and act upon the needs of independent unions and similar groups in much the same manner as our House and Senate Select Committees on Small Business have explored and acted upon the special problems of small business.

When I introduced this bill in the last Congress I commented in greater detail upon the need for a permanent House committee to operate in this area. Those remarks follow. They appeared in the Congressional Record, volume 111, part 1, pages 616–617.

Mr. Curtis. Mr. Speaker, one of the best definitions of a small business is one that does not have a Washington representative. Implicit in this definition is the importance to any group in our country, with the ever-increasing role being played by the Federal Government, of having a voice in Washington, a way in which its views on the matters affecting it can be drawn to the attention of America's policymakers.

There are various channels through which these interest groups can make their feelings known. A common way is through the employment of lobbyists and Washington attorneys knowledgeable in the ways of the Congress and the regulatory agencies. The agencies and departments themselves often act to give a forum to representatives of interest groups in the consideration of matters within their special province.

Similarly, the work of congressional committees in areas of their jurisdiction help to give a voice to the needs and opinions of the groups whose interests are touched by the legislation the committee studies. The Select Committees on Small Business of the House of Representatives and the Senate are excellent examples of this, and go along well with the definition of small business which I noted earlier.

I have today reintroduced a proposal to create in the House of Representatives a Committee on Independent Unions and Unrecognized Groups. The purpose of this proposal is to offer to these organizations a chance to have their interests weighed in with those of the other segments of our society. Just as small business before the advent of the House and Senate select committees, these groups have no representatives in Washington assuring that their voices are heard, nor is there any congressional or executve body specifically attuned to meeting their problems.

In many ways these groups can be found parallel to small business. They are generally small, struggling in a competitive world to find a place and often provide an organizational context for a new idea. The idea may be good, perhaps even great, yet without a fair chance of survival in a competitive world, it might be lost. One element of survival in the United States is assuring that full consideration be given the interests of the group involved. With the many voices clamoring to be heard in the process of making public policy, it is too easy to overlook one which does not have an adequate sounding board on the Washington scene. This committee, which I suggest, would offer the type of sounding board which would permit the interests of these groups to be given the recognition they deserve.

An example of this is found in the labor field. Concern is properly given the AFL–CIO as the largest representative of organized labor in our country. Similarly the large independent unions, an example being the International Brotherhood of Teamsters, gain recognition. Yet, some 2.7 million workers are joined in small, independent unions whose voices are seldom heard in deliberations of the Congress or policies of the executive departments and agencies. Beyond this number are many other workers, not organized into unions as such but represented to some extent by a formal grouping. It is to give a forum to these groups that I offer the proposal for the Committee on Independent Unions and Unrecognized Groups.

As I mentioned before, I introduced this legislation in the last Congress. I also had the occasion to comment further on the situation in some remarks on the floor of the House under the title "The Case for the Independent Unions" which appeared in the Congressional Record, volume 110, part 4, pages 4329–4330. Under unanimous consent, I include those remarks in the Record at this point:

"THE CASE FOR THE INDEPENDENT UNIONS

"Mr. Curtis. Mr. Speaker, we have shown a proper concern in our society for the problem of small business, recognizing that small business is the lifeblood of our economic endeavor and that big business which is also beneficial, started as small business. However for some reason or other we have not shown a similar concern for the counterpart of small business, the small or independent unions.

"The AFL–CIO represents approximately 15 million workers out of our work force of around 70 million. Probably 27 million workers are members of unaffiliated independent unions. The voice and point of view of the independent unions is little heard in the councils of the great Government far away in Washington. Indeed, the Department of Labor is oversolicitous of big labor whose voice is heard in all its corridors. There are many areas where big labor is the opponent of independent unions, just as big business in some areas is in opposition to small business. It is important that the voice of independent labor be heard, particularly when it expresses a point of view contrary to that of big labor.

"Part of the difficulty is that the story of the independent union labor movement has not been told widely enough. I was particularly happy, therefore, to see in the New York Herald Tribune of February 23, 1963, an article entitled 'The Case for the Independent Unions' which tells part of the story, and refers to a recent book written by Prof. John J. Collins telling the story. I am placing this material in the Record because this story needs to be broadcast throughout our land and certainly needs to be known in the Congress."

I also wish to again call to my colleagues attention House Resolution 137 which I reintroduced in this Congress to create a House Committee on Independent Unions and unrecognized labor groups to particularly look after and give a forum to the problems of independent unions and nonunion workers. The remarks I made at the time of introducing this legislation appeared in the Congressional Record, volume 109, part 1, page 527.

"CASE FOR THE INDEPENDENT UNIONS

"(By Walter Hamshar)

"Since 1945 the Nation's maritime industry has been wracked by 38 major seamen's strikes. During the same 19-year period, a sizable group of American-flag tankers has never been held up by a work stoppage because their licensed officers and unlicensed crewmen are members of independent unions.

"John J. Collins, a professor of history at Fordham University, who has been the adviser to those unions since 1938, tells the story of independent unions in 'Never Off Pay,' a book published last week by the Fordham University Press.

"The title of the book is the keynote of Mr. Collins' many arguments in favor of independent unions in an industry which only lately has won for itself the title of 'Strike-Strangled Merchant Marine.'

"Independent unions, meaning organizations which are not industrywide affiliates of the AFL–CIO are in a better position to bargain for their members, Mr. Collins argues.

"'Each [union] has the right to, and does, negotiate agreements which to them seem most suitable to their type of operation,' he said. 'This control at the local level and the ability to tailormake an agreement is one of the reasons why an independent union confined to the employees of one company or one plant is so often preferred by those employees to the large affiliated union.'

"Officers of small independent unions are more receptive to ideas from their members and usually, through their own experience, are familiar with the peculiar problems of the membership. This is not true of large unions, Mr. Collins contends, where the leadership is too frequently influenced by political motives rather than the needs of members. Thus, in independent unions there are no propaganda buildups by power-hungry officers; no strikes called to strengthen the leaders' political power; no theatrics of marathon bargaining, and no feuds which result in costly work stoppages without gains to the members.

"'In their use of commonsense, the independent tanker associations have never sought to push for an economic gain which, if achieved, would have become a pyrrhic victory.' he stated. 'Perhaps it is this quality of commonsense that can be exercised so widely in a nonpolitical atmosphere that has enabled these associations to have had such unique success.'

"While Mr. Collins attributes the success of the independence among crewmen to commonsense collective bargaining which has produced high pay and working conditions without work stoppages, he does not highlight two other factors which have also contributed to the independent union's prosperity.

"First, there was the willingness of the big oil companies to negotiate agreements which gave the independent unions better contracts than those of the large affiliated organizations. Mr. Collins relates that these agreements were negotiated. But the generosity of the companies is implied, not described.

"The second factor is that the big unions have created the climate under which the independents exist. The reader cannot help but get the impression that cordial relations between companies and independent unions are actually the result of the existence of larger affiliated labor organizations poised to organize dissatisfied tanker crewmen. It is to the advantage of the companies to encourage independents, Mr. Collins said. As long as the powerful, big unions stand in the offing, they will continue to prefer the independents.

"But there never were grounds for the charges so frequently made by the big unions that the independents were company organizations. These charges have been thoroughly investigated on several occasions by the National Labor Relations Board and found to be without foundation.

"The independent unions cover officers and unlicensed seamen in the fleets of the Standard Oil Co. of New Jersey, the Socony Vacuum Fleet Co., Tidewater, and the officers of Texaco and Cities Service.

"These companies, as well as their crewmen, have benefitted from the contracts with independent unions. The advantages go beyond the avoidance of the periodic strikes which have plagued relations between maritime management and unions.

"One important benefit enjoyed by the oil companies is that they are not required to hire their ship personnel through union hiring halls. This requirement by the big unions has given them a powerful weapon in securing the loyalty and obedience of their members.

"A second benefit is that the welfare and pension plans of the independents are confined to company personnel. This has encouraged continuity of service within the companies. It also has encouraged a company loyalty rather than a loyalty to unions contrasted to the psychological impact on the seamen in large unions who get their welfare or pension payments from the NMU or SIU plans.

"Mr. Collins' book shows that these two factors, never opposed by the independents, have done much to promote cordial relations between management and labor. So cordial have these relations been that the National Maritime Union, the Seafarers International Union, or any of the large ship officers unions have been unable to make any headway in organizing within the membership of the independents."

CHANGING VIEWS ON ECONOMIC POLICY

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri, [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, in its Monthly Economic Letter for April 1967, the First National City Bank, New York, has called attention to the Annual Report of the Joint Economic Committee and what it terms the committee's "defection from the 'new economics' banner."

The bank's letter notes that the policy rift between the Johnson administration and the Joint Economic Committee reflects more than merely a difference of opinion about the economic outlook. More basically, the difference concerns the ability of the administration to "finely tune" the economy, primarily by changes in Federal expenditures and tax rates.

In its annual hearings on the President's Economic Report this year, the committee heard a large number of economists question the ability of Government policymakers to engage in pushbutton economic policy. The committee was told repeatedly that Government policies of the past have tended to be destabilizing. There was a large body of opinion which downgraded the importance of fiscal policy as a determinant of economic activity and expressed increasing confidence in the influence of monetary factors.

Under unanimous consent, I include in the RECORD the First National City Bank's article, "Changing Views on Economic Policy," from its April 1967 Monthly Economic Letter.

CHANGING VIEWS ON ECONOMIC POLICY

The sudden restoration of the investment tax credit and the moves toward easier money would seem to indicate a recognition by the Administration and the monetary authorities that the business situation called for a switch in economic policies. But, in urging restoration of the tax credit, Administration officials last month insisted that the need for this action was not related to any weakening in the overall economy and that the proposed 6 per cent surtax would still be needed by next July 1.

A contrary view, however, was presented on March 17 by the Congressional Joint Economic Committee in its report on the President's *Economic Report*. In an unusual "statement of agreement," both the majority and minority members of the Committee warned that the Administration's "optimistic midyear forecast may not eventuate, in which case a tax increase would be warranted." The Committee went on to call for a reduction in nondefense expenditures, which would reduce "the case for a tax increase even if the economy's expansion is restored during the second half of the year." The Democratic majority specified a cut of at least $5-6 billion in nondefense expenditures for fiscal 1968.

DEFECTION FROM THE "NEW ECONOMICS"

The policy rift between the Administration and the Joint Economic Committee (JEC) reflects something more than a difference of opinion about the business outlook. The Administration's current policies are based on a belief in "fine tuning" the economy, primarily by changes in Federal expenditures and tax rates. The "fine tuning" idea, in turn, is the latest manifestation of the "new economics" philosophy, with its stress on fiscal policy changes as the prime method for managing the economy.

The JEC, on the other hand, adopted its latest policy stand after lengthy exposure to sharply differing views on stabilization policies from a group of economic experts testifying on the President's Economic Report in February. What the Committee discovered is that a growing number of economists have come to downgrade the importance of fiscal policy as a determinant of economic activity. Instead, economists are increasingly impressed with the influence of monetary factors in shaping the course of the economy. The JEC's latest policy stance on fiscal and monetary policies, therefore, substantially reflects the shifting weight of economic opinion.

Thus, while the Council of Economic Advisers has continued to emphasize fiscal policy, the JEC this year has stressed a steady increase in the money supply as being vital for "restoration of economic growth and avoidance of a recession." The JEC's majority report stated:

"The committee urges that the monetary authorities adopt the policy of moderate and relatively steady increases in the money supply, avoiding the disruptive effects of wide swings in the rate of increase or decrease."

In a minority report, Republican members called for increasing the money supply at a rate of 2 to 4 per cent a year, compared with a 3 to 5 per cent range recommended by the majority report. The accompanying chart shows the erratic behavior of the money supply over recent months.

The JEC's current policy stance represents a major reversal since last year. At that time, the Committee called for immediate enactment of a tax increase on a standby basis (to be triggered by a joint resolution) and prompt suspension of the investment tax credit. It then strongly supported the idea of an active fiscal policy, with particular emphasis on raising and lowering taxes. In view of this history as well as its special responsibility for advising Congress on economic policies under the Employment Act of 1946, the Committee's defection from the "new economics" banner is a matter of more than passing importance.

CONTRASTING VIEWS ON "FINE TUNING"

The differences between the "new economics" doctrine and opposing views were effectively revealed by expert testimony at the Committee hearings. A leading exponent of "fine tuning" was Professor Walter W. Heller of Minnesota, who initiated the "new economics" era in 1961 as chief economic adviser in the Kennedy-Johnson Administration:

"Quick and fine tuning of economic policy must be the order of the year in which we expect first an ebb and then a flow in the tides of economic advance, all the while operating near full employment, with continued cost-push inflation. In this context, the case for a midyear effective date for the proposed 6 per cent temporary surtax is clear."

In line with his "fine tuning" stand, Mr. Heller maintained that the surtax should be increased or decreased in size and postponed or dropped completely depending on economic conditions. He went on to call for "push-button tax increases or decreases activated by the President and subject to congressional veto."

But many economists have come to reject the economic thinking behind "fine tuning," which assumes that the private economy is highly unstable and subject to manic-depressive behavior unless constantly corrected by Government action. While recognizing that the "new economics" has represented an advance in fiscal-policy thinking insofar as it is based on the concept of a "high-employment surplus," these observers have become highly critical of its basic assumptions about the economy.

In the first place, they reject the view that the economy is so unstable as to require constant "fine tuning" through fiscal and monetary policy. Among the critics of this view before the JEC was Professor Paul McCracken of Michigan, former economic adviser in the Eisenhower Administration, who pointed out that "a far larger part of our problem of economic instability has come from erratic and inappropriate fiscal and monetary policy than we may like to admit."

While the news media have widely acclaimed the "new economics" for its role in maintaining economic expansion, Mr. McCracken and other witnesses submitted considerable evidence indicating that fiscal policy actions had been poorly timed in recent years. Moreover, far from exerting an exquisite and unfailing control over economic activity, fiscal policy was shown to be less effective than monetary policy. The "new economics" school, on the other hand, have usually regarded monetary policy as no more than a handmaiden to fiscal policy.

Professor John Culbertson of Wisconsin downgraded the role of fiscal policy in the recent expansion period in the following words:

"The recovery from that [1960-61] recession occurred despite the fact that fiscal policy remained unusually restrictive. Fiscal policy moved to a less restrictive position in 1962, which will be recalled as the year when the economy developed an increasingly slack position. Despite the condition of the economy, fiscal policy moved back to an unusually restrictive position in 1963. But despite *this*, the economy in early 1963 began the upsurge in total demand that finally brought back full employment."

He pointed out that fiscal policy became unusually expansive only after mid-1965 when full employment had been substantially achieved, and then became even more expansive in late 1966 and early 1967. Despite the most expansive fiscal policy of modern experience, he went on, the economy over the past year "has been transformed from extreme expansion to the brink of recession."

Advocates of an active fiscal policy argue that its effectiveness has been hampered by slowness in congressional decision-making. They maintain that policies could be improved by adopting "push-button" taxes legislated in advance and activated by the President as needed. The chief difficulty, however, is that an appropriate fiscal policy requires a high degree of accuracy in economic forecasting and an early recognition that action is needed.

In late 1965 and early 1966, the Administration failed to recognize the intensity of the boom then under way and underestimated the amount of restraint needed. And when it finally acted to suspend the investment tax credit last September, the capital spending boom had already crested, as the current and subsequent surveys confirmed. It has now acted to restore the credit at a time when the business slowdown may weaken capital spending to the point where the credit may be insufficient to bring a real revival.

EMPHASIS ON MONETARY FACTORS

Many economists have also been critical about the timing of monetary policy changes. At the same time, belief in the key influence of monetary policy has been growing. Among the witnesses upholding this view was Beryl Sprinkel, Vice President of the Harris Trust and Savings Bank, who presented the following appraisal:

"Although fiscal policy received most of the plaudits for the 1961-65 economic expansion, it should be noted that economic performance can be better explained by trends in monetary growth. Despite the fact that the 1964 tax [cut] lagged the initial proposal over 1½ years, the economy continued to record favorable growth records in response to an expansive monetary policy following the 1962 slowup. Furthermore, there was no demonstrable acceleration in the economy subsequent to the tax cut."

"Rather than looking on monetary-fiscal policies as substitutes, the evidence suggests they are more nearly complements with monetary policy providing the major spending motive force while the tax system establishes the structural incentives to encourage production, employment, savings, investment, and growth."

Many economists also attribute the recent business slowdown to the abrupt change in money supply behavior from an excessive rate of expansion to an actual contraction in the spring of 1966. As Mr. Culbertson pointed out:

"Money growth from the spring of 1965 through the spring of 1966 was by far the most rapid during any period of prosperity in recent times. . . . Finally, with characteristic abruptness, the rate of growth of the money supply changed again in the spring of 1966, now becoming sharply restrictive by involving a net decline in the money supply, compared with an average earlier performance of 3 or 4 percent a year growth.

"Evidently, this sharp departure in monetary policy can be interpreted as the factor causing the choking off of expansion since last summer."

The recent experience, therefore, provides added evidence of the crucial role played by money supply behavior. Economists in recent years have accumulated a great deal of evidence confirming the importance of monetary factors in the economy. The revival of interest in monetary behavior as evidenced by the JEC hearings, is largely attributable to the researches of Professor Milton Friedman of Chicago, whose monumental study (with Anna Schwartz), *A Monetary History of the United States, 1867–1960*, has had a wide-ranging impact on economic thinking.

NEW ROLE FOR FISCAL POLICY

The accumulating evidence on the key role of monetary factors in the economy obviously has important implications for fiscal policy. For if monetary policy largely determines the course of economic activity, this reduces the need for an active fiscal policy, particularly one that would require Congress to hand over much of its power over taxation to the Executive branch.

The JEC's call for a $5–6 billion cut in fiscal 1968 expenditures and its rejection of any early action on the tax surcharge conforms with the new views that are emerging among economists. As Mr. McCracken pointed out, "a fairly wide range of budget positions" may be consistent with a given level of GNP. But the budget remains important because the size of the budget deficit (including sales of financial assets) "has a powerful effect on capital markets and the level of interest rates." Mr. McCracken, therefore, suggested a new division of labor between monetary and fiscal policy:

"We now see it as the task of monetary policy to set the growth path for the domestic economy, and it is the task of fiscal policy to achieve the money and capital market conditions that will validate this course."

Many people who favor a tax increase to narrow the prospective 1968 budget deficit apparently are unaware of the accelerated growth of nondefense outlays, which has been partly hidden by offsetting sales of Federal financial assets. But as the accompanying chart shows, nondefense spending is climbing much faster than defense outlays.

The presumed success of the "new economics," particularly as exemplified by the 1964 tax cuts, is often regarded as setting a precedent for a flexible fiscal policy, whereby Federal spending and tax rates would be continuously adjusted to economic conditions. But Congress's intent in lowering tax rates at that time was to stimulate the economy by improving incentives and equity. Indeed, the preamble of the Revenue Act of 1964 specifically called for "all reasonable means to restrain Government spending."

Because the Joint Economic Committee has a special responsibility for economic stabilization, its current policy stand against "push-button" taxes and excessive tax changes is a welcome development. A similiar posture had already been taken by Chairman Wilbur Mills of the House Ways and Means Committee, which has jurisdiction over initiating tax legislation. In a speech delivered last February, Mr. Mills said:

"We must not let ourselves be put into the position of raising or lowering the hemlines of taxation from season to season merely to make the merchandise more salable."

It is increasingly obvious that the 6 per cent surtax proposal is not only ill-timed and inappropriate under present conditions, but it represents a psychological barrier to business confidence. Instead, sound fiscal policy requires a slowing in the explosive growth of Federal spending. Pruning $5–6 billion from proposed expenditures, as suggested by the Joint Economic Committee, would put the economy in better shape to resume healthy growth.

Meanwhile, easier money should be our main instrument for stimulating a further advance in business. Our recent experience, however, suggests that a steadier monetary policy—one that avoids excessive swings up and down—is a vital necessity if the economy is to maintain noninflationary growth. In easing money now, therefore, care should be taken to stay within the safe speed limits for monetary expansion.

THREE FEDERAL BUDGET CONCEPTS: WHICH IS "BEST"?

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, the Federal Government's budget has become the subject of increasing comment and criticism to the point where the President, himself, has appointed a committee on budget reform for the purpose of restoring the integrity of the world's most important financial document.

On February 16, I inserted in the Congressional Record—page 3573—an article from the Journal of Accountancy of November 1966, by Maurice H. Stans, entitled "The Federal Budget Needs Reform." Mr. Stans, a former Budget Director, has been a leading proponent of budget reform. His articles and speeches on the subject have been most compelling in presenting the case for reform fairly in the context of professional accounting considerations.

One of his many well-taken arguments has been that the use of three budgets is misleading and confusing, and that the Federal sector of the National Income and Products Accounts "budget" is not a budget at all, but a tool for economic analysis.

The President this year referred to the National Income Accounts "budget" as the "most appropriate measure of the overall economic impact of the Federal budget." Many economists appear to concur with the President in his selection of the NIA "budget" as the one which should be emphasized.

Therefore, it is highly significant when one of the Nation's leading economists presents a balanced analysis of the characteristics and uses of the three budgets, and draws the conclusions which necessarily follow from such a careful consideration.

Prof. Raymond J. Saulnier, former Chairman of the Council of Economic Advisers, has done this in his M. L. Seidman Memorial Town Hall lecture at Memphis State University, Memphis, Tenn., on March 3 of this year. The title of the lecture was: "Three Federal Concepts: Which Is 'Best'?"

Dr. Saulnier analyses the question in terms of the need for each budget, the uses to which it is put, and its capabilities. I think it would be fair to summarize his points as follows:

First. The NIA "budget" is not a budget but a tool for economic analysis, and by no means a perfect tool even for that more limited purpose: it does not measure cash flows, it does not show the extensive lending operations of the Government, it does not adequately measure the deficit—or surplus—it gives no hint of the impact of Federal Government operations on the financial markets, and the timelag between the availability of the kind of information it supplies and actual events is so long as to limit further its usefulness.

Second. The existence of three budgets provides an opportunity, even an invitation, to an administration to choose which "budget" concept it will emphasize on political criteria rather than set standards relevant to public and private needs.

Third. The National Income Accounts "budget" is interesting and useful, but the administrative budget, and the cash budget are essential to the operation of the Government.

Mr. Speaker, I believe the President has appointed a very fine and competent group of people to his committee on budget reform. I have the utmost confidence in them. I would like to note, however, that the committee does not include Dr. Saulnier, nor Mr. Stans. I believe this to be a most distressing oversight. Here are two individuals who are not only among the most highly qualified to render invaluable service to the Government and to the people in this cause, but who have already on their own initiative, made substantial contributions toward improving the budget.

At the very least, we here in the Congress, and those who have been named to the President's Committee To Reform the Budget, have an obligation to study their recommendations carefully. As noted above, I have already inserted Mr. Stans' article in the Record so that it will be available to all for reference.

Mr. Speaker, this time, it is a pleasure and privilege to insert in the Record this further valuable analysis by the distinguished Professor Saulnier, "Three Federal Budget Concepts: Which Is 'Best'?"

THREE FEDERAL BUDGET CONCEPTS: WHICH IS "BEST"?

(The M. L. Seidman Memorial Town Hall Lecture, sponsored by Memphis State University, Memphis, Tenn., March 3, 1967, by Dr. Raymond J. Saulnier, professor of economics, Barnard College, Columbia University, New York City)

My subject tonight is the federal budget but what I shall be talking about is not whether it makes any difference how the budget comes out in the end, whether there is a deficit or a surplus, but how the deficit or the surplus, as the case may be, is calculated. To put it differently, the subject is federal budget accounting.

Such a subject would in any case be appropriate for a lecture memorializing a distinguished public accountant, but for a number of reasons it is also a topical one. First, a budget that is deeply and consistently in deficit on any recognized and respected method of accounting is bound to become a conversation-piece. And the federal budget is deeply in deficit and has been for six full fiscal years. It is now in its seventh deficit year; and there are additional deficits ahead, even under the most optimistic assumptions concerning economic developments. And because we have been running large deficits during prosperity, the deficits that would emerge if the economy were to turn into recession would be enormous.

Second, it is a good rule that when some aspect of the economy gets out of kilter, so to speak, debate tends to center on the statistics that bear on the problem. That rule has not failed in the present case. What has attracted particular attention is that there are three different sets of figures on the budget and that each tells a different story. On one basis of calculation we have had deficits of only $4.8 billion in the past six full fiscal years; on a second basis, we have had nearly $23 billion; and on a third, we have in this period had a deficiency of receipts below expenditures of just over $30 billion.

Third, it did not go unnoticed that the administration's recent choice of the budget concept which, in its opinion, is the best measure of the federal government's economic impact happens to be the concept that shows the smallest deficit.

Finally, the subject is topical also because the President has indicated he will appoint a bipartisan group to study federal budget accounting practices and make recommendations for improved methods of presenting the figures.

In what I have to say tonight I shall (1) attempt to explain the several budget concepts; (2) discuss their relative merits for measuring the federal government's impact on the economy; and (3) make suggestions for presenting federal budget accounts.

THE SEVERAL BUDGET CONCEPTS

There are three budget concepts that warrant particular attention. I will in a moment speak about a fourth, one that seems recently to have been lost in the shuffle, but there are only three that figure in the current dialogue. These are: (i) the administrative budget (the budget most familiar in public discussion); (ii) the cash consolidated statement (better known as the cash budget); and (iii) the so-called NIA budget. Since the last is not a budget at all, I will not refer to it as such, but rather by its technical name: the "federal sector of the national income and product accounts."

The fourth budget concept, to which I just alluded, must be referred to in the past tense, since it has apparently been abandoned for official use. I refer to the "full employment surplus concept," or what came to be known as the "high-employment budget." It was prominently set forth in the January 1962 Economic Report and in the 1965 Report was praised as "a useful measure of the impact of the federal budget on economic activity." There was not a word about it, however, in the last two Economic Reports. On the contrary, the administration has now turned to the Federal sector of the national income and product accounts as its preferred method of measuring federal impact on the economy.

I have no wish to comment more than parenthetically on the mysterious disappearance of the "full employment surplus concept." But I am constrained to say that if it was dropped because it is giving wrong signals now as to what fiscal policy ought to be, or gave wrong signals in the past, then the public deserves an explanation of what is officially thought to be wrong with this previously much-admired concept. It never seemed to me to be a good one, and I have publicly presented my objections to it, but it was, after all, the intellectual foundation of fiscal policy in recent years. Moreover, and this is a point on which I concede a certain personal interest, it was used extensively by officers of government since 1960 to disparage the fiscal policies of the nineteen-fifties. Remembering this, some explanation is called for if the concept is now being cast aside as somehow seriously deficient. At least, it deserves an obituary notice.

HOW THEY DIFFER

Let me turn now to a description of the three federal budget concepts still in circulation and competing for attention. How do they differ, one from another?

There are a good many differences, but they fall mainly into two general groups. The first has to do with coverage, that is, with the extent to which the concepts include federal fiscal transactions within their scope. The second has to do with the basis on which the several concepts register the occurrence of transactions, which we may refer to as the criterion of timing.

In coverage

On the coverage question, let me note at once that no one of the concepts covers all federal fiscal transactions. In each case there is a certain amount of offsetting of receipts against expenditures with the result that substantial areas of government spending are never visible in the budget. Business-type activities of the federal government, such as the Post Office and TVA, are reported this way. And, as we will see later, federal lending operations are reported on a net basis. However, except for the handling of lending programs, on which I will comment in a moment, we can ignore for present purposes those limitations of coverage in respect of which the several budget concepts are the same; all that concerns us here are the ways in which the coverage of the three budget concepts is significantly different.

Briefly, the important differences of coverage are that the administrative budget excludes trust fund operations, whereas the cash budget and the federal sector of the national income accounts include them, and that (subject to a qualification I will explain in a moment) both the administrative budget and the cash budget cover transactions of federal lending programs, whereas the federal sector of the national income accounts does not. Thus, the most complete set of accounts is the cash budget; it includes trust fund operations absent in the administrative budget, and lending transactions absent in the national income accounts. If there is merit in breadth of coverage—and I believe there is—the blue ribbon, on this score, goes to the cash budget.

In timing

Let us now look at the three concepts from the point of view of their timing of transactions. Conceptually, two bases are used: transactions are recorded on a *current* basis, that is, as they actually occur, or on an *accrual* basis, that is, as rights to receive income, or liability to pay taxes or make other payments are incurred.

It would be convenient if we could say that the three budget concepts are consistent, each within itself, in following either a current or an accrual form of accounting but this is apparently not strictly the case. Broadly speaking, however, we may say that the cash and the administrative budgets are on a current basis and that the federal sector of the national income accounts is on an accrual basis. Thus, the administrative and cash budgets register spending as it occurs—with the interesting but not very significant difference that the former registers spending as checks are drawn while the latter registers it as checks pass through clearance—whereas the national income accounts record spending for equipment and supplies at time of delivery, regardless of when money to pay for them is actually disbursed. On the income side, the administrative and cash budgets record revenues as they are actually received, though again with the minor difference between writing and clearing checks, whereas the national income accounts register receipts from corporate income taxes not as companies actually pay them but as their liability to pay taxes accrues.

So much for the major differences among the three concepts. What I have had to say here, plus other points of lesser importance, are set forth clearly in the January 1967 budget document.

THEIR USES AND RELATIVE MERITS

What are we to say now as to the relative merits of these three budget concepts for measuring the impact of federal fiscal transactions on the economy?

The administration has recently stated that it is the federal sector of the national income accounts that is "best" in this connection, but I am sure you will recognize that "best" in this context must be a relative matter. There is no absolute best. A particular budget concept can be "best" only in the sense that in a particular use it serves better than any other. If there were only one use to which budget concepts are put, we could expect a definitive answer to the question: which concept is best? But there is a variety of uses and not *a priori* reason to say that any one concept is "best" in connection with all of them.

For the Congress

Consider first the use to which Congress puts the various budgets. Obviously, Congress must be interested in all three concepts, but it has a particular interest in the administrative budget. It is this set of accounts—and no other set—that deals specifically and exclusively with fiscal transactions for which Congress has a unique operating responsibility. If you examine the appendix to the budget document you will find that transactions are organized into two categories, those involving "federal funds" and those involving "trust funds." Federal funds are those which, as the budget document puts it, "are owned by the federal government." Their hallmark is that they are funds in respect of which Congress stands in a kind of proprietary position, a position that involves both discretionary authority and special responsibility.

With respect to "trust funds" on the other hand, Congress stands in a position of trustee or fiduciary. These include social security and unemployment insurance trust funds, the highway trust fund, funds of several federally-sponsored enterprises, of which FDIC is an example, and funds left with the federal government in a kind of "suspense" category or as a deposit. Responsibility of the Congress for trust funds is essentially different from responsibility of the Congress for federally-owned funds; accordingly, separate accounting of the two is necessary.

For the Congress, the administrative budget—which records transactions in federal funds—is not only a meaningful but an indispensable set of accounts. It has been correctly described in the budget document as "the focal point for management and decision-making with respect to [those] government activities financed by the government's own funds." Ultimately to consolidate administrative budget and trust fund transactions in a single accounting statement (as in the cash consolidated statement) does not in any way interfere with the carrying out by Congress of its responsibilities for the two separate types of funds. Indeed, the cash consolidated statement provides Congress with much valuable information. The point is that, with the responsibilities of Congress defined as they are, it needs an administrative budget and it needs separate trust fund accounts. The much maligned administrative budget has obvious deficiencies for measuring the impact of federal fiscal transactions on the economy; all the same, it is an indispensable accounting concept for the Congress.

For the Treasury

The Treasury has two major operating responsibilities that determine what it needs by way of budget accounts. These are its responsibilities for the public debt and for the cash balance of the federal government. Changes in the amount of public debt outstanding are affected by changes in government cash balances and by financing transactions of government enterprises, but they are determined primarily by transactions in federally-owned funds, as reflected in the administrative budget. Changes in the government's public financing requirements, on the other hand, are affected not only by transactions in federally-owned funds but by transactions in trust funds, as well. Accordingly, from a purely functional point of view, the administrative budget is indispensable to the Treasury for its management of cash and total public debt and the cash budget is indispensable to it for the conduct of public debt-financing operations. If the Treasury had no administrative budget or no cash budget, it would have to invent both all over again, and would have to do so promptly.

The federal sector of the national income accounts, on the other hand, is another matter. The Secretary of the Treasury uses these data in certain broad analyses, but if they were all he had to guide him in the performance of his duties as chief financial officer of the federal government he could be swamped with cash; more serious, he could see his checks returned marked "no funds" and not have the slightest forewarning of these embarrassments. Nor would he have the least idea of the kind of debt-financing problem he was up against. In short, for the Treasury, the national income accounts are interesting but the administrative budget and the cash budget are indispensable.

For the monetary authorities and financial analysts

Consider next the needs of those who must evaluate the impact of federal fiscal transactions on the capital markets. These are questions of paramount interest to the nation's monetary authorities—the Treasury and the Federal Reserve System—and to scores of businessmen and financial analysts.

The first point that should be clear is that the federal sector of the national income accounts is of little direct use in making financial analyses. Because they exclude government lending operations they give an incomplete measure of the amount of funds the federal government is injecting into the economy, and an incomplete measure of what government is demanding from the capital markets. For such measures, one has to turn to the cash consolidated statement. And even this statement, with its extensive coverage of financial transactions, is still not broad enough to measure the federal government's full financial impact on the economy. This deficiency results from the way the cash consolidated statement handles the sale of financial assets by the federal government. Let me explain.

Because it is a banker nowadays on a very large scale—far larger than is commonly understood—the federal government holds large amounts of financial assets. In fiscal 1966, for example, it entered into new direct loan commitments amounting to $7.2 billion, entirely apart from the $24.3 billion of privately advanced loans which it committed itself to insure or guarantee, and its holdings of loans amounted to $33 billion at the end of that fiscal period. Recently, however, it has been selling loans from among these holdings, not in small amounts, as was done in the 1950's, but in very large amounts. Thus, in fiscal 1966 it sold nearly $3 billion; it proposes to sell another $4 billion in fiscal 1967; and budget plans for fiscal 1968 call for sales of $5.3 billion.

In the 1950's, loans were sold in order to get the federal government out of the banking business but that is obviously not the purpose of recent sales since (except to a minor extent) loans are not turned over to the buyer but are held in a special trust fund and continue to be serviced by the federal government. What is sold is a security called a "participation certificate" or PC, which has been ruled by the Attorney General as being backed by the "full faith and credit of the United States."

The effect of these sales on the budget is to make spending and the deficit seem less than they really are. Because the sale of financial assets is treated as a loan repayment, and because loan repayments are netted against loan disbursements in reporting expenditures, net budget expenditures for lending agencies and, therefore, net expenditures for the administrative and cash budgets are less, dollar for dollar, than they would otherwise be. And because recorded expenditures are less, the recorded deficit is less. Thus, as a result of financial asset sales, the federal government appears to be spending less than it is actually spending and its budget deficit appears to be less than it actually is. The federal sector of the national income accounts is, of course, entirely innocent of this effect because it excludes lending transactions altogether.

Because PC sales are as much a security flotation as the issuance of conventional federal debt, if we want to measure capital requirements of the federal government we have to add their sales to the deficit recorded in the cash budget. Similarly, to get a meaningful measure of the change in federal debt, we must add outstanding participation certificates to the amount of outstanding conventional debt.

The budget concept that best measures the extent to which federal fiscal operations affect capital markets is neither the administrative budget nor the cash budget, and certainly not the federal sector of the national income accounts; it is the cash budget adjusted for financial asset sales.

For policymakers and economists

Finally, we come to the task of evaluating the impact of federal fiscal operations on the economy as a whole. It is this task—wider than the task of evaluating the impact on credit markets—that is faced by the economic forecaster; it is a major preoccupation, also, of federal policymakers.

Because what happens to capital markets is a major consideration in determining what will happen to the economy, and because it is the cash budget adjusted for financial asset sales that reveals this impact, we may begin by saying that a critical part of the task of evaluating the federal government's impact on the economy as a whole must be satisfied by the cash budget adjusted for financial asset sales. Not only does this measure government financing requirements, but it gives some clue as to whether their satisfaction will involve recourse to the commercial banking system, and thus whether it will affect the money supply. We may differ in the importance we attach to changes in the money supply, but there can be no quarrel with the proposition that, if we don't know how government operations are affecting the money supply, we are without a major part of an explanation of how it is affecting the economy generally. And I emphasize again that, in supplying information to this end, the federal sector of the national income accounts gives no help at all. What information we have comes from the cash budget adjusted for financial asset sales.

Last summer was an object lesson in what we need to know if we are to understand how the federal government affects the economy. A near-crisis was brought on by a sudden turn to tightness in monetary policy concurrently with massive and untimely sales of participation certificates. As a register of these near-calamitous events, the federal sector of the national income accounts is a complete blank! It is a remarkable thing that in a world where there is so much preoccupation with interest rates and with tight money and easy money, the budget concept officially labeled as "best" in revealing the impact of federal operations on the economy should tell us nothing *directly* about the forces affecting interest rates, credit markets, or the money supply. Trying to understand the impact of federal fiscal operations on the economy solely by the use of national income accounts is like trying to understand the impact of consumer spending on the economy without knowing what is happening to consumer credit. It is impossible.

What the national income accounts do for us, and it is an undeniably useful service, is to measure the direct impact of federal operations in national income and production. Important as this is, however, it does not justify labeling that set of accounts "best" for measuring the government's impact on the economy. This much is clear: if all we knew about the impact of the federal government on the economy was what we could learn from the federal sector of the national income accounts, we would promptly have to reinvent the cash budget. And when we had reinvented the cash budget we would have to learn how to adjust it for sales of financial assets.

THE MERITS OF ACCRUAL VERSUS CURRENT ACCOUNTING

Let me touch briefly on another point frequently mentioned as a particular merit of the national income accounts, namely, that they measure federal financial transactions on an accrual rather than on a current basis.

There is a good deal to be said for accrual accounting in evaluating the impact of the federal government on the economy; but it is debatable whether, from an economic point of view it is the "best" basis of accounting. For example, consider the handling of government revenues. Do taxes have more impact on a corporate taxpayer when he makes the cash payment or when he accrues his tax liability? The use of cash to pay taxes affects corporate liquidity; the accrual of taxes does not. Accrued tax liabilities, on the other hand, affect corporate income and profits, whereas disbursement of cash to pay taxes does not. Which is more important, the impact on liquidity or the impact on income? No analyst can afford to be interested in one to the exclusion of the other. To say that the national income accounts are "best" because they are put together on an accrual basis is not at all a conclusive argument.

On the same point, consider the merits of accrual *versus* current accounting in recording federal expenditures. Is it more useful to know when federal spending actually takes place, that is, when checks are drawn or cashed, or to know when the goods for which these payments are made or delivered? My answer to that question is that the analyst must be interested in knowing when the payments are made and when the goods are delivered. One should be eclectic in these things; one needs all the information available. Information on the flow of cash comes from the cash budget; information on the flow of goods comes from the national products accounts. Nothing could be more fruitless than an attempt to show that one type of information is more important or somehow better than the other.

UP-TO-DATENESS

This discussion can be concluded by pointing out that of the three budget concepts the federal sector of the national income accounts must get the lowest rating when judged by the time-lag between the information it supplies and actual events. The administrative budget is available on a monthly basis. The same is true of the cash budget. The national income accounts are available only quarterly, and even at that, with a considerable time-lag. Thus, if you were to look tonight (March 3, 1967) for the most up-to-date information available in the federal sector of the national income accounts you would find some information through December 1966; but for the budget deficit or surplus you would find data only through September of last year. We may sometime have monthly data on national income and product accounts, and the sooner the better, but as things stand these estimates have the weakness of lagging very much behind events.

CONCLUSIONS AND RECOMMENDATIONS

(1) President Johnson's plan to appoint a bipartisan commission to review methods of presenting federal budget information and make suggestions for improvement comes at a time when such a review is greatly needed. What the commission should strive for in federal budget accounting is precisely what we insist on in corporate financial accounting: full disclosure; methods of presentation that avoid misunderstanding; accounts that adequately serve the needs of the principal users of budget materials.

(2) There being no one way of presenting federal fiscal information that meets the needs of all users equally well, and as fully as we should strive to meet them, we should continue the present method, which is to present all three accounts. However, when we speak about "budget deficit" or "budget surplus" we should speak of what is shown in the cash consolidated statement. Gaps in coverage seriously impair the usefulness of the administrative budget for such purposes, though it is an indispensable tool in the management of funds for which Congress has special responsibility. The federal sector of the national income and product accounts, though useful in showing the relation between federal activities and changes in national income and production, is open to the same objection. It will help public discourse if the latter is referred to as an "analysis" rather than as a "budget."

(3) Even the cash consolidated statement is inadequate in one of the leading uses to which federal fiscal information is put: to measure the amount of the federal government's current and prospective demands on the capital markets. To correct this inadequacy, the budget document should include a special analysis of the capital market requirements of the federal government and related agencies. It would set forth actual results and projections for:

a) change in public debt arising from transactions in federally-owned funds, changes in cash balances and financing transactions by government enterprises;

b) extent to which federal debt financing is accomplished through absorption of securities by federal trust funds;

c) extent to which federal expenditures are financed by seigniorage and sales of financial assets, in particular sales of participation certificates;

d) financing by federal agencies that is additive to direct federal financing.

(4) It would be enormously helpful, also, if the federal government were to institute the practice of making quarterly projections of federal expenditures, federal budget receipts and the federal government's capital market requirements. As things stand, information on such matters is more extensive and reliable for the private economy than for the federal government.

(5) In the interest of full disclosure and public understanding, the budget document, through appropriate footnotes or memorandum accounts, should clarify and give prominence to unusual transactions and circumstances affecting the budget. This would include large sales of financial assets, especially participation certificates; unusual gains from seigniorage; and nonrecurring gains or losses of revenue, such as result from changes in methods of tax collection or the management of funds and lending programs. The rule should be the same as that applied to corporate financial accounting: a realistic presentation of budget results that will make it possible to draw meaningful comparisons between operations in adjoining fiscal years and over longer periods of time.

It must be conceded that we have been operating of late in a kind of fiscal fog. This is not only unbecoming but downright dangerous. I hope the suggestions made in these remarks will help lift that fog and extend the range of financial and economic visibility.

AN ANSWER FROM MR. SHRIVER

Mr. **STANTON**. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **QUIE**. Mr. Speaker, for over 18 months I have been attempting, without much success, to get certain vital information from the Office of Economic Opportunity and its Director, Mr. R. Sargent Shriver. I am today inserting in the CONGRESSIONAL RECORD a series of letters and one telegram to illustrate how difficult it is to elicit even a reply from Mr. Shriver.

The opening letter is dated January 12, 1967, to which no reply was received. On March 2, 1967, I again wrote to Mr. Shriver. A third letter was sent on April 6, 1967. I waited until April 13, 1967, at which time I sent a telegram to Mr. Shriver which contained this phrase:

> Unless you advise me to the contrary, staff investigators, House Education and Labor Committee, will be at your office, nine a.m., Monday, April 17, 1967, to commence four-week investigation at OEO headquarters.

The telegram, at last, galvanized Mr. Shriver into an answer, which is also included, dated April 14, 1967. I am also including my reply to Mr. Shriver of April 17, 1967.

I believe a careful reading of the letters and telegram illustrates a serious administrative defect in the operations of OEO. As I wrote in my letter of April 17, 1967:

> A review of our correspondence reflects that it takes an average of from four to six weeks to receive a reply from the Office of Economic Opportunity. I am still waiting for a reply to my inquiry of January 12 (1967), concerning bonus payments for recruitment of Job Corps enrollees. I find replies to reasonable inquiries of the Office of Economic Opportunity are delayed for a longer period than in any other government agency.

Mr. Speaker, It would appear to me that OEO already has enough problems without compounding them by refusing to answer a reasonable request from a Member of Congress.

As Members of Congress know, I am not out to eliminate the poverty programs. With my colleague, Mr. GOODELL, I have worked hard to prepare a substitute for the administration's war on poverty, called the opportunity crusade. The opportunity crusade would transfer the programs of the Economic Opportunity Act from OEO to existing agencies and would provide for the involvement of States and private industry in an effort to make meaningful studies toward eliminating poverty.

The purpose of many contacts with OEO is to make the faltering war on poverty a successful opportunity crusade.

Mr. Speaker, I trust my colleagues will take note of this exchange of letters, and Mr. Shriver's belated reply. To vote intelligently we must have more facts. I hope Mr. Shriver and his associates will in the future be more cooperative when a Member of Congress makes a reasonable request for information.

The letters and telegram follow:

JANUARY 12, 1967.

Mr. R. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR MR. SHRIVER: The December 20, 1966, issue of the Omaha, Nebraska, *World Herald* carried an article captioned "GOCA Given Bonus Offer—Job Corps Prospects Worth $25 Each." The Director of the Greater Omaha Community Action agency reported he had been asked to participate in a "bonus" program to attract more male youths into the Job Corps. He said the Community Action agency would receive $25 for each youth it recruited and sent to the State Employment Service where screening and testing is done. GOCA reportedly would be paid whether or not the youth entered the Corps.

On January 10, 1967, Mr. Kenneth E. Shearer, Director, Greater Omaha Community Action, confirmed the above and stated this bonus program had been set up in many states because of "some difficulties in recruiting youngsters."

On January 10, 1967, Mr. Don Thomasson, Regional Director of OEO, Kansas City, Missouri, advised a staff investigator of the House Education and Labor Committee that the above program was conceived early in December and all Regional Offices of OEO had been encouraged to participate.

Perhaps you will recall that during the Senate debate of the 1965 Amendments to the Economic Opportunity Act, there was some criticism of OEO for paying amounts up to $80 to the United States Employment Service and private organizations for recruiting Job Corps prospects. The 1965 Amendments to the Economic Opportunity Act, Section 103(e) provided "that the Director shall make no payments to any individual or to any organization solely as compensation for the service of referring the names of candidates for enrollment in the corps."

It seems to me that a plan to reimburse another anti-poverty agency for recruiting or referring Job Corps prospects is contrary to the spirit, if not the letter, of the Economic Opportunity Act as amended. Further, I would expect that the recruitment and counseling of prospects for Job Corps would receive high priority in community action programs and that these activities are provided for in funds granted community action agencies for conduct and administration.

I would appreciate your comments regarding the above matter.

With every best wish, I am,
Sincerely yours,

ALBERT H. QUIE,
Member of Congress.

MARCH 2, 1967.

Mr. R. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR MR. SHRIVER: The Sunday, December 11, 1966, issue of the *San Francisco* (California) *Examiner* carried a front-page story exposing fiscal irregularities in the operation of the Economic Opportunity Council (EOC), San Francisco's Community Action Agency. The Examiner's story was based on an Office of Economic Opportunity audit report released by the Western Regional Director of the Office of Economic Opportunity. Concerning the release of the OEO audit report, the Regional OEO Director said it was a public document open to inspection by anyone.

I was somewhat surprised to learn that OEO considers audit reports public documents. During the past eighteen months, there has been considerable publicity resulting from alleged improper expenditures of War on Poverty funds. To my knowledge, neither the Congress nor the public have been given the results of audits of programs where scandals have occurred and in most instances have not learned of the ultimate disposition of these matters.

I know you are aware of my deep interest in anti-poverty legislation and the development of anti-poverty programs across the country. In order that the Congress can be apprised of the results of official OEO audits of programs having alleged fiscal difficulties, please forward to me OEO audit reports regarding the following matters:

1) Interim and final audit reports concerning Haryou-Act during the 1965–1966 period;

2) Interim and final audit reports concerning EYOA, the Los Angeles Community Action Agency, audited early in 1966. (You will recall that during the 1966 War on Poverty hearings, the Chairman of the House Education and Labor Committee ordered that these reports be submitted for the record. The record does not include the Los Angeles audit reports.)

3) Interim and final audit reports concerning the ABCD, Boston's Community Action Agency, which was involved in difficulties late in 1965 and early 1966;

4) Interim and final audit reports regarding CDGM, Mississippi's Head Start sponsor, much of which has been publicized;

5) Audit reports concerning EOC, San Francisco's Community Action Agency, which were released to the press in December, 1966;

6) Audit reports reflecting the results of an investigation in Newark, New Jersey, which culminated in the conviction of Phillip Thigpen, an NYC administrator, and his assistant;

7) Inspection reports regarding the Rhode Island Neighborhood Youth Corps programs which received widespread publicity late in 1965;

8) Audit and inspection reports of the Camp Atterbury, Indiana, Job Corps Center prior to change of sponsor in 1966;

9) Audit and inspection reports of the Camp Breckinridge, Ky., Job Corps Center prior to the change of sponsor in 1966;

10) Audit reports concerning the Cleveland Action for Youth program where, prior to September, 1966, $1,632 admittedly was paid to a fictitious employee;

11) Audit reports regarding Cleveland's (Ohio) Neighborhood Youth Corps where in September, 1966, alleged payroll padding scandals were exposed;

12) Audit reports of the Suncoast Progress (Florida) antipoverty programs. It was reported in July, 1966, that U.S. Representative Sam Gibbons had requested OEO to make a "top-to-bottom" re-examination of the Suncoast poverty war; and

13) Any audit or inspection reports of the Mingo, West Virginia, County Community Action Agency.

An early reply to the above request will be appreciated very much.

With every best wish, I am,
Sincerely yours,
ALBERT H. QUIE,
Member of Congress.

APRIL 6, 1967.

Mr. R. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR MR. SHRIVER: I am told that on the Easter Sunday "Meet the Press" program you stated you would welcome a long, hard look at the antipoverty program by the Congress. I find this invitation most interesting and particularly appropriate at this time. I am hopeful that in the near future the House Education and Labor Committee will be considering anti-poverty legislation. It is my feeling that the Committee would find most useful data that the Office of Economic Opportunity has been gathering for the past year. I have noted that several million dollars have been spent by the OEO to study and evaluate a variety of its programs.

It would be appreciated if you will agree to make OEO records available to staff investigators of the House Education and Labor Committee at the OEO Headquarters during the period April 17–May 12, 1967. I would like your assurance that investigators will be permitted access to personnel and administrative records, Inspector General's reports of OEO investigations, all fiscal records including OEO audit reports, all OEO contracts and memoranda and reports concerning studies and evaluations of War on Poverty programs. It is likely that copies of selected data will be requested for review by the Committee. Further, it would be most helpful if you would make members of your staff available, their schedules permitting, for interviews.

I would appreciate an early reply in order that the necessary arrangements can be made.

With every best wish, I am,
Sincerely yours,
ALBERT H. QUIE.

R. SARGENT SHRIVER,
Director, OEO,
Washington, D.C.:

Reference my letter April 6, 1967. Unless you advise me to the contrary, staff investigators, House Education and Labor Committee will be at your office, 9 a.m., Monday, April 17, 1967, to commence 4-week investigation at OEO headquarters.

Regards,
ALBERT H. QUIE,
Member of Congress.

OFFICE OF ECONOMIC OPPORTUNITY,
Washington, D.C.

Hon. ALBERT H. QUIE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN QUIE: Your telegram of April 13 and your letter of April 6 have been the subject of a discussion between myself and the Chairman of the House Committee on Education and Labor. Chairman Perkins indicated that he would shortly inform me of his Committee's desires with respect to the handling of this year's poverty bill.

I assured the Chairman that I would welcome a long hard look at the anti-poverty programs by his Committee, that this agency was fully prepared to comply with any appropriate requests for information from his Committee, and that we were ready to cooperate in every possible way to facilitate the deliberations of his Committee.

I am prepared to answer any questions that you or any other Member of Congress may have with respect to this agency's operations. Members of my staff are prepared at any time, their schedules permitting, to answer any questions you or any other Member of Congress may wish to present to them.

I don't think that my attitude with respect to Congressional examination of Economic Opportunity Act programs differs significantly from those of the heads of other agencies in connection with their requests for funds and legislation. I am, therefore, somewhat surprised that what I have said on this point should give rise to the suggestion that your staff should be permitted to range at will through the files and records of this agency—a request that, so far as I know, is completely unprecedented.

The files of this agency, like those of others, contain a variety of material that bears on internal decision-making processes, upon the private affairs of many thousands of individuals, and upon possible or alleged but as yet undetermined violations of law or regulations on the part of specific individuals and organizations. I am certain you will recognize that much of this material is traditionally protected and not of the nature that any agency head could be expected to make available on the terms you suggest.

Apart from questions of law or basic propriety, I would also point out that what you suggest would most certainly interfere with operations of this agency at the busiest time of the year. It would also most certainly interfere with the grant process and inhibit our own efforts to prepare and assemble our justification materials for the Congress in an orderly and efficient manner.

The evaluation reports of OEO programs, as we have previously indicated, are available at any time. They are voluminous and we have them in a special library that is open to the public and certainly would be available to any of your staff who would like to review them. They may contact Dr. Levine (Government Code 128–6021) and they will be permitted access to the reports.

In response to your letter of March 2 with respect to certain audit reports, neither this agency nor any other in the Federal Government considers such reports automatically public documents. The fact that one report was issued prematurely is not a justification for considering all such reports public information.

The report of the auditors is but one step in an over-all auditing process that may involve a good many internal staff communications of the kind that are not normally available even in litigation with an agency. An audit report, moreover, may well lead to or become a part of an administrative or court proceeding. It is clear that premature release of this kind of document can be wholly subversive of the purpose for which those documents are prepared. Obviously the Federal interest could not be protected by the disclosure of every potential claim, charge, or action while it is under discussion. Public disclosure would, in fact, jeopardize in many instances the Federal case if the matter eventually results in a formal proceeding or a criminal prosecution.

Most of the audits on which you requested reports have not as yet been brought to final resolution. The audit report of the 1965 summer program of Haryou, for instance, was completed early this year. It was followed by a response on the part of the grantee which resolved some of the problems. That response has been reviewed by lawyers, accountants, and program people who have made recommendations to the regional director. He is now consulting further with Haryou on the basis of the recommendations made by the reviewing staff. Should his determinations be accepted by Haryou, a final order bringing the matter to a conclusion will be prepared. If not, Haryou will be entitled to an administrative or judicial hearing.

There follows a status report on the other matters on which you requested information.

1. EYOA (The Los Angeles Community Action Agency)—The audit report has been completed and a response has been made by the grantee. This response is being evaluated and no final determinations have been made.

2. ABCD (Boston's Community Action Agency)—A series of audits have been completed. The grantee has responded and the process is moving forward. One or two elements are being evaluated by the Justice Department.

3. CDGM—1965 Summer Head Start Program—Audit process has been completed. A substantial amount of money was recovered. A report on this matter will be provided to you shortly. An interim audit by Ernst and Ernst of the 1966 CDGM Head Start Program is being evaluated as a basis for final audit by OEO staff.

4. EOC (San Francisco's Community Action Agency)—The report was completed. The response of the grantee is now being evaluated.

5. Your requests relating to the Neighborhood Youth Corps programs of ABCD in Boston, and Newark, New Jersey, the Rhode Island Neighborhood Youth Corps, Cleveland Action for Youth, and the Cleveland Neighborhood Youth Corps, I have referred to Jack Howard who will respond to your inquiry.

6. The audits of Camp Atterbury and Camp Breckenridge Job Corps Centers are now in process. When they are completed, the Contracting Officer will make his decisions and a close-out voucher will be submitted.

7. The audits of the Suncoast Progress (Florida) are being wound up. Information disclosed by the auditors has already resulted in the conviction of one individual for the misappropriation of funds.

8. Mingo County (West Virginia)—An audit is underway.

I stand ready, of course, to answer any specific question you may have with respect to any grant or contract made by this agency. I am also prepared to provide you with the final determination of the audit process as each is completed.

The General Accounting Office, an arm of the Congress, has automatic access to the reports of our auditors and continuously scrutinizes our auditing process. If you have genuine doubts as to how this agency is handling the audits of its programs, you might want to request GAO for an evaluation of our efforts either generally or with respect to particular matters. People at the GAO are experienced and competent to carry out such work. Their experience and objectivity would preclude the misinterpretation and confusion that might result from superficial scrutiny by inexperienced personnel of material in audit reports generally.

As for the reports of our Office of Inspection, they are not and never have been public information. These reports are prepared for investigatory purposes and for law enforcement. They are internal communications directed to me as Director of this agency, most frequently at my specific request, giving advisory interpretations of specific fact situations. They almost invariably contain information given in confidence and material which if publicly disclosed would constitute an invasion of personal privacy. By their very nature, they must be protected for public disclosure if they are to serve the purpose for which they are intended.

Your vigilant concern for the problems local anti-poverty programs have met in the past is well known to all of us. I believe that most of these problems, now more than a year behind us, have been resolved. I sincerely trust that as our new legislation goes forward you will be as vigilant in maintaining the OEO programs which have proven so vital to the continued progress of America's poor.

Sincerely,

SARGENT SHRIVER,
Director.

APRIL 17, 1967.

Mr. R. SARGENT SHRIVER,
Director, Office of Economic Opportunity, Washington, D.C.

DEAR MR. SHRIVER: Thank you for your letter of April 14, 1967. I was pleased to note the communication did not reflect the hostility which was conveyed by Saturday morning's *Washington Post's* account of it. I read the *Post's* article first.

As the time for the House Education and Labor Committee's hearings on the anti-poverty program rapidly approaches, I am most anxious to see that valid, objective data bearing upon the progress, or lack of it, of War on Poverty programs is presented properly to the Committee. Perhaps you will recall that a substantial part of the testimony at last year's hearings on the Economic Opportunity Act was provided by representatives of Federal agencies. My efforts to have sixty-seven witnesses called were ignored. It was my feeling that these individuals, a cross section of proponents and dissidents and all knowledgeable regarding specific aspects of the War on Poverty, could have furnished information of value for the legislative deliberations of the Committee.

Misappropriation and diversion of anti-poverty funds are of vital concern to the Congress and the taxpayers. We in the Congress have been rather patient, I think, waiting for reliable reports of fiscal scandals that broke in the news media eighteen months ago. If disposition of the audits I requested on March 2nd isn't available for this year's hearings, when will it be? Why is it that the Comptroller of the City of New York can release his report on the Haryou situation and the Congress must remain in the dark concerning OEO's findings in this matter?

At last year's hearings you will recall a discussion of the Los Angeles Community Action Agency's audit by the OEO. At that time the Chairman ordered this report be placed in the record and it was not done. Now, one year later, you tell me no final determinations have been made. Are there no administrative devices to expedite these important matters?

Your reasons for denying Congressional examinations of OEO audit reports and reports of your Office of Inspection appear to be substantial; however, I'm not convinced the reasons take precedence over the need for the Congress to know their contents.

Why was OEO's audit report of San Francisco's Community Action Agency released to the press in December, 1966, and what basis did your Regional Director have for stating the audit report was a public document open to inspection by anyone? It seems to me there may have been a compelling reason to release the San Francisco report, if your attitude regarding audit reports was the same then as it is now.

You suggest I might want to request the General Accounting Office to evaluate the handling of OEO audits. I reject this suggestion since it would constitute duplication of the process that your auditors have performed. At this point I have no quarrel with your auditing procedures. It is the findings of the audits that would be of interest to the Congress, the House Education and Labor Committee, and the general public.

I would take exception to your feeling that "misinterpretation and confusion might result from superficial scrutiny by inexperienced personnel of material in audit reports generally" by Congressional staff investigators. I can assure you that the minority investigators of the House Education and Labor Committee are experienced, competent and thorough and would be capable of a completely objective review of your agency's records.

What did you mean when you said on the March 26th, nationally televised, "Meet the Press" program when you stated, "We would welcome, as I've said many times, a close scrutiny of all parts of the War against Poverty?" It is my view that any close scrutiny of the War on Poverty must include an examination of the OEO Headquarters' operations, the very heart of the problems that plague anti-poverty efforts.

Naturally, I would prefer that any investigation of OEO Headquarters or examination of OEO records be scheduled with your approval and cooperation. If at some future date I still feel the need of Congress to be apprised of the results of OEO audits and inspection reports, I intend to explore the possibilities of examining OEO records under the provisions of legislation enacted by the Congress last year (Public Law 89-487, Public Information, Availability).

A review of our correspondence reflects that it takes an average of from four to six weeks to receive a reply from the Office of Economic Opportunity. I am still waiting for a reply to my inquiry of January 12, concerning bonus payments for recruitment of Job Corps enrollees. I find replies to responsible inquiries of the Office of Economic Opportunity are delayed for a longer period than in any other government agency. When irate taxpayers and responsible representatives of the news media request information from me concerning anti-poverty programs, I do not expect they should be kept waiting for periods of months for answers to their inquiries. Any steps you can take to expedite responses will be greatly appreciated. I might add this view is shared by a large number of my colleagues.

Your invitation to my staff to review evaluation reports of OEO programs at your library is appreciated. I would appreciate it if you will forward the following reports to me so that I might look them over in my office prior to this year's anti-poverty hearings:

Two reports prepared by the Louis Harris Associates concerning surveys of Job Corps graduates and dropouts.

The evaluation report of neighborhood centers prepared by Kirschner Associates of Albuquerque, New Mexico.

Report of the study made by Dr. Max Wolff, Senior Research Sociologist for the Center of Urban Education at the University of New York City, on the Head Start program.

410-page report prepared by the Human Sciences Research, Inc., McLean, Virginia, resulting from a study of six Indian reservations.

310-page report on the jobs for the poor in Baltimore, Boston, Philadelphia, and Rochester, prepared by the National Committee on Employment of Youth under contract to OEO.

Report on Camp Atterbury prepared by Booz, Allen and Hamilton, Inc., in late 1965.

With every best wish, I am,

Sincerely yours,

ALBERT H. QUIE,
Member of Congress.

THE ATTORNEY GENERAL PROCRASTINATES ON POWELL CASE; PERMITS JUSTICE TO FALTER AND TORMENTS CONGRESS

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TALCOTT. Mr. Speaker, it has been more than 3 months since serious allegations of misappropriation of Federal funds by ADAM CLAYTON POWELL were made public—and said charges certainly must have come to the attention of the then Acting Attorney General.

More than 2 months have elapsed since Mr. Powell was accused of conduct constituting misappropriation of Federal funds and fraud by a select committee of the House of Representatives. The evidentiary material and transcript of testimony, all uncontroverted, were transmitted to the Attorney General for appropriate action on February 24, 1967.

More than 5 weeks ago, on March 14, approximately 150 Members of the House of Representatives wrote to the Attorney General respectfully urging him to inquire into the findings of the select committee "with due diligence and dispatch."

The only reply was a letter from an Assistant Attorney General, dated March 20, 1967, to the gentleman from Ohio [Mr. Devine] promising that the Justice Department "will give this matter thorough and expeditious attention and will take whatever action is deemed appropriate."

Inasmuch as the entire membership of the House of Representatives was being embarrassed by the alleged misconduct of Mr. Powell, and tormented by the delay of the Justice Department, and because I believed that both he and the American public are entitled to a prompt determination of the serious allegations of unlawful conduct against him, I was offended and alarmed by the failure of the Attorney General to answer responsively the inquiries of more than a third of the Members of this House.

Mr. Powell should not be kept on tenterhooks. If he is not guilty of any crime, the accusations should be allayed and his innocence should be judicially decided.

To permit charges of malfeasance to go unresolved—one way or the other—is grossly unfair, and unconscionably damaging to the character and reputation of the person against whom they are made.

As has been stated many times, justice delayed is justice denied. Every accused person and the public are entitled to swift justice.

Our Constitution stipulates that the determination of whether or not certain conduct is unlawful should be made by the courts—not by the Congress. Breaches of law should be prosecuted by the Justice Department—not by the Congress. Fines, when warranted, should be imposed by the courts—not by the Congress.

Ordinarily, one of the coequal branches of the Federal Government should not encroach upon the jurisdiction of another. But the Powell case involves all three branches—legislative, executive, and judicial.

Regrettably, the House of Representatives is being forced to consider action which raises questions of jurisdiction—principally because the Justice Department is not now discharging its clear responsibility.

With these thoughts in mind, I wrote to the Attorney General as follows:

April 7, 1967.

Hon. Ramsey Clark,
Attorney General of the United States,
Department of Justice,
Washington, D.C.

My Dear Mr. Attorney General: More than three months have passed since serious charges of embezzlement and fraud by Mr. Adam C. Powell, of New York, were made public. More than six weeks have elapsed since the Select Committee of Congress turned its files which substantiated some of these charges over to your office. More than 23 days have elapsed since approximately 150 Members of the Congress called upon you to investigate the charges, study the record, and take the appropriate action—either to clear Mr. Powell of the accusations or to indict him so that "even justice is more than a shibboleth." We have had no reply.

The highest law enforcement officers of the United States should not wink at undenied charges of protracted embezzlement of United States taxpayers' funds. If justice in this country is to be respected, it must be swift and certain—for all; special exemptions for friends or allies should not be tolerated.

The Congress is being embarrassed and tormented by unresolved accusations that are primarily within your responsibility. If Mr. Powell is not guilty of any federal crime, he was entitled to an early absolution. If a a reasonable question remains, he and the nation are entitled to an early determination by a court.

The evidence is available now. No further investigation appears necessary for a determination of the present charges. Postponement of action by your department can only result in the loss of witnesses and evidence. No law enforcement officer should prejudice a case by delay or postponement.

May I please have a status report of that portion of the Powell matter within your jurisdiction as of the day your office receives this letter.

May I pleased be informed when you plan to take some definitive action? If further postponement of the Powell case is indicated, may I please have a brief statement of your reasons for such delay.

May I also please have a statement explaining why the accusations against Mr. Powell should be treated differently from charges of embezzlement against other persons.

A prompt reply will be appreciated.

Yours very truly,

Burt L. Talcott,
U.S. Congressman.

Like the gentleman from Ohio [Mr. Devine] I was sent a routine, unresponsive letter from an Assistant Attorney General—the full text of which follows:

Department of Justice,
Washington, April 11, 1967.

Hon. Burt L. Talcott,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman: The Attorney General has asked me to reply to your letter of April 7, 1967, concerning the report of the Select Committee of the House of Representatives appointed to investigate the qualifications and activities of Adam Clayton Powell. We received that report by letter dated February 24, 1967, and we acknowledged its receipt in a letter dated March 3, 1967.

You are also undoubtedly aware of our response to Congressman Devine and approximately 150 members of the Congress. We responded to the letter of March 14, 1967, in a letter dated March 20, 1967. You will find a copy of that response reprinted in the March 21, 1967 issue of the Congressional Record, page 7389.

The alleged misuse of public funds by Mr. Powell is under investigation by this Department. You may be assured that the results of that investigation, when completed, will be given full and expeditious consideration to determine whether there have been prosecutable federal violations and appropriate action will be taken.

Sincerely,

Fred M. Vinson, Jr.,
Assistant Attorney General.

We can only conclude that the Attorney General intends to avoid this case, to ignore the accusations, to postpone any indictment, to refuse to prosecute Mr. Powell, and to disregard the reasonable inquiries of House Members.

Procrastination by law-enforcement officials can result in loss of witnesses and other evidence, and seriously prejudice a sound case.

The general public, the law-abiding citizen, the youth who seek direction, all who are implored by law-enforcement officials to respect the law, surely are disillusioned when the highest law enforcement officer of our Nation refuses to do his duty.

Private correspondence having failed, I now publicly call upon the Attorney General to set aside personal friendships, disengage from political affiliations, rescind all extrajudicial commitments, and treat the Powell case as any other. Special treatment of the Powell case because of race, party politics, religion or personal friendship should not be tolerated.

I simply call upon the Attorney General to do his duty—now.

REPORT ON RHODESIA

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Younger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. YOUNGER. Mr. Speaker, in view of the fact that the Government of Rhodesia was never given an opportunity to appear before the Security Council so as to give their side of the issue before the compulsory sanctions were voted, I think it is well to put in the Record a very excellent report by D. Garner for the Under Secretary, External Services, for the Government of Rhodesia, which I recently received.

He outlines in a very cogent and sensible way the problems which confront that little country in trying to fight for its independence against England and the United States, which countries seem to be determined to wreck the economy of the country and prevent it from getting its independence when all of the other countries of Africa have been granted their independence.

His entire letter follows:

Salisbury, Rhodesia,
April 11, 1967.

The Honorable J. Arthur Younger,
Congress of the United States, House of Representatives, Washington, D.C., United States of America.

Dear Sir: The State Department has issued a Paper (No. 1/21d–666BT) which gives the official U.S. attitude towards Rhodesia.

This paper starts by stating that the United States accepts the British Government's position that Rhodesia is a British Colony.

It omits, however, to mention that Rhodesia was a self-governing Colony until November, 1965 and had been since 1923 when Southern Rhodesia, as it was then, was given the choice by Britain of either becoming a province of South Africa, which was then a Dominion—a sovereign state and a full member of the League of Nations; or of assuming Responsible Government. Rhodesia chose the latter by a referendum of the electorate. It is at this stage that it can be claimed that Great Britain renounced any responsibility for Rhodesia by virtue of giving her this choice, which could have led to her joining South Africa.

Since then Rhodesia has governed herself with no interference from Britain so far as her internal affairs were concerned for over 40 years.

She has had her own Army, Air Force, Police and Civil Service, administered and paid for by the Rhodesian people and responsible to the Rhodesian Parliament.

The Queen's representative here at the time of the Declaration of Independence, Sir Humphrey Gibbs, was bound by the Constitution to take the advice of the Queen's Rhodesian Ministers on all matters concerning Rhodesia's internal affairs.

Rhodesia was not, therefore, a Crown Colony under the control of the Colonial office and never has been. She has been in a position similar to that held by the Dominions—Canada, Australia and New Zealand and South Africa up to the date of the Statute of Westminster and, indeed, this position was tacitly accepted generally in the Commonwealth by the Rhodesian Prime Minister being invited to and attending Commonwealth Prime Ministers' Conferences for many years up till 1953, when Rhodesia joined the Federation of Rhodesia and Nyasaland.

From then on, up until the dissolution of the Federation by Britain's unilateral decision in 1963, Rhodesia was represented at the Prime Ministers' Conference by the Prime Minister of the Federal Government. Indeed, for the first few years, the same individual, Sir Godfrey Huggins (now Lord Malvern) who had attended previously as Rhodesia's Prime Minister, still attended these Conferences as Prime Minister of the Federation.

During the period of the Federation's existence, consideration was being given to modifying Southern Rhodesia's Constitution and a Constitutional Conference was held in Salisbury in 1961 under the Chairmanship of Mr. Duncan Sandys at that time Secretary for Commonwealth Relations.

At this Conference it was agreed that the "Reserved Clauses" in the 1923 Constitution—never in fact used by Great Britain—would be done away with, except for a few formal matters.

The Rhodesian electorate was asked to vote in a Referendum in July 1961 either for or against the proposed Constitution as set out in two White Papers—Command Papers 1399 and 1400—printed and issued by Her Majesty's Stationery office in London.

The introduction to Command Paper 1399 contained the following paragraph:

"The proposed new Constitution, which is based on the conclusions of the Conference, will reproduce many of the provisions of the existing Constitution. It will eliminate *all* the reserved powers at present vested in the Government of the United Kingdom, save for certain matters set out in Paragraph 50."

Paragraph 50 reads as follows:—

"Under the new proposals Southern Rhodesia will be free to make any amendments to any section of the Constitution without reference to the United Kingdom with the exception of amendments which would affect:—

"(a) The position of the Sovereign and the Governor;

"(b) The right of the United Kingdom Government to safeguard the position regarding—

"(i) International obligations;

"(ii) Undertakings given by the Government of Southern Rhodesia in respect of loans, under the Colonial Stock Acts."

It is understandable, therefore, that the Rhodesian electorate assumed they were voting for a Constitution which gave them complete Independence, except for a few trifles, and voted accordingly.

But when the Bill introducing the new 1961 Constitution was before the British House of Commons on November 8th, 1961—*some months after the Referendum had taken place*—it was stated by the then Under Secretary of State for Commonwealth Relations:

"My Right Honourable friend (Mr. Duncan Sandys) proposes to advise Her Majesty to grant by Order in Council under the Bill, once enacted, a Constitution which will follow the White Papers in every detail. It will include a few minor points for which provision has to be made, which were not mentioned in the White Papers, since these of necessity were expressed in layman's language."

One of these few *minor* points not mentioned in the White Papers was the inclusion of Section III in the new Constitution.

Section III reads: "Full power and authority is hereby reserved to Her Majesty by Order in Council to amend, add to or revoke the provisions of Sections 1, 2, 3, 6, 29, 32, 42 and this Section and any Order in Council made by virtue of this section may vary or revoke any previous Order so made."

An almost identical provision, Section 61, existed in Rhodesia's 1923 Constitution so, in other words, we were back to "square one" again with a vengeance!

It is difficult to think of a more flagrant deception perpetrated against an electorate in modern times and it is inconceivable that the Rhodesian electorate would have voted for the new Constitution if they had known that Section III was to be included.

When the Federation was broken up at the end of 1963 Northern Rhodesia and Nyasaland were promised Independence and were, in fact, granted it on October 24th and July, 1964 respectively.

But the British Government would not grant independence to Rhodesia in spite of the fact that, unlike the other two territories, she had had Responsible Government for over 40 years and in spite of the fact that the leader of the British delegation, Mr. R. A. Butler, a senior Minister of the Crown made a categorical promise to the Rhodesian Prime Minister at the Victoria Falls Conference in July, 1963; that, if Rhodesia cooperated in the winding up of the Federation, the British Government would immediately deal with our Independence. The matter to be concluded not later than the granting of Independence to the other members of the Federation. However, this promise, like so many others, was not kept.

Nevertheless the Rhodesian Government continued to pursue negotiations for Independence under the 1961 Constitution throughout 1964 and, later in that year, decided to demonstrate that this desire for Independence was supported by the majority of the Rhodesian people of all races.

Accordingly a referendum was held on November 5th at which overwhelming support was given by the electorate to the claim for Independence under the 1961 Constitution.

But the great majority of the black population could not qualify for the vote, so it was decided to use the traditional African method of obtaining the views of the people by holding an Indaba or Conference of all the Chiefs and Headmen. This was done in October, 1964. This traditional procedure has always been accepted as a valid method by the British Government in the past and was in fact last used before this in 1947.

Proof of this was provided while the 1961 Constitution was being negotiated when the British Government of the day insisted on the Southern Rhodesia Government enacting legislation to provide for the formal establishment of a Council of Chiefs and also Provincial Assemblies of Chiefs *to give expression to African opinion in the Tribal Trust Lands.* The relevant legislation was duly enacted in Act No. 58 of 1961 and is cited as the "Council of Chiefs and Provincial Assemblies Act."

This Act not only defines the Tribal Trust Lands, but also repeats the Constitutional definition of "tribesman" which means *"a person under tribal law and custom is recognised as a member of a community under the control or leadership of a Chief appointed and holding office under law."*

Africans living in the Tribal Areas make up over 67% of the whole indigenous African population. Therefore, when the Chiefs and Headmen decided unanimously, according to their tribal customs and traditions, that they wanted Independence under the 1961 Constitution, it cannot be disputed that the Rhodesian Government had the support of virtually two-thirds of the whole population.

This support was confirmed, incidentally, by the Chiefs when Independence was taken about a year later. It should be noted that though invited, neither the British High Commissioner nor the United States Consul General chose to attend the Indaba and the British Government refused to send any observers. Perhaps they were afraid the decision would go against them!

There can be little doubt that, if the decision of the Indaba had been against Independence, it would have been claimed that the majority of the population did not support Mr. Smith's claim.

The British Government had indicated that, if Mr. Smith could demonstrate that a majority of all the inhabitants desired independence, progress in the negotiations could be made. Indeed, it had been clear for some time that the main difficulty, so far as Britain was concerned, was doubts about whether majority support for independence existed or not.

Other ex-colonial territories in Africa, which were nothing like so advanced economically, or in other ways, as Rhodesia, had been granted independence without hesitation, as soon as there was any evidence that the majority of the people desired it; even though it is extremely doubtful if public opinion was always tested as thoroughly as it had been in Rhodesia.

However, for reasons which, it is now pretty clear, had nothing to do with the merits of Rhodesia's case, the British Government still refused to grant independence.

Negotiations continued for about another year, until it become quite clear that Independence could not be negotiated with Britain on reasonable terms, but only under conditions which were not acceptable to the majority of Rhodesian people of all races. Accordingly Independence was declared on November 11th, 1965 and a new Constitution, the 1965 Constitution, was introduced which was in all respects a replica of the 1961 Constitution except for certain minor changes necessary to make it applicable to a Sovereign State.

Clauses referring to such matters as franchise laws, human rights, etc., were identical with those in the 1961 Constitution.

The State Department paper states that this was done by the "Smith Regime," but fails to point out that Mr. Smith's Government was the legally elected Government of Rhodesia—elected originally late in 1962 and confirmed in office with an increased majority in May, 1965 and had the support, as has been shown above, of some two-thirds of the total population of all races.

This Government was and is, therefore, governing with the consent of the governed and made the transition to independence peacefully—without any bloodshed at all in fact, which the State Department claims is just what United States' policy toward Southern Rhodesia is aimed at.

This policy is stated to be grounded on five principles:—

1) *Self-determination for all African Countries.*

If a two-thirds majority of the inhabitants is in favour of independence is this not clear evidence that this principle has been met and applies in the case of Rhodesia?

2) *Encouragement of the solution of African problems by Africans.*

Surely it can be claimed that Mr. Smith and his Government, many of whom were born in Africa, are indeed Africans, just as the American Government comprises Americans.

On this basis, the solution arrived at by the Rhodesian Government should receive encouragement and not the reverse.

3) *Support of improved standards of living through trade and aid.*

America's support of sanctions against Rhodesia would appear to be in exact opposition to this principle.

In spite of sanctions, however, Rhodesia is endeavouring to continue improvement of standards of living of all her peoples, already higher than those existing in most, if not all, of the Independent black African States north of the Zambezi.

4) *Discouragement of arms build-up beyond the needs of internal security or legitimate self-defence.*

Rhodesia has no aggressive designs against any of her neighbours, is enjoying complete internal peace and tranquility (another proof, incidentally, that her present government is governing with the consent of the governed) and is certainly not engaged in any arms build-up.

5) *Encouragement of other free-world countries to recognize their continuing responsibilities towards Africa.*

This principle does not apply to Rhodesia; but presumably to European or other countries engaged in trade with or development of Africa. Rhodesia would welcome any assistance in this respect, provided there were no "strings" attached.

This paper goes on to refer to "a political solution acceptable only to the minority in Rhodesia and prejudicial to the interests and rights of the vast majority of the population!"

As has been indicated above this is a complete travesty of the true situation here and it is most surprising that the United States' Department displays such abysmal ignorance of the actual conditions existing in Rhodesia.

It might well help if U.S. Government representatives accepted Chief Sigola's invitation to come here to see for themselves, as indeed did a fact-finding mission of the American African Affairs Association whose report appears to have been ignored by the State Department.

The above is also applicable to Ambassador Goldberg's remarks in the U.N. Security Council, both on November 12th, 1965 as referred to in this paper and, more recently, which show how ignorant he also is of the true state of affairs here.

This paper also refers to the additional measures taken by the United States with regard to Southern Rhodesia, No. 4 of which states:—"*All American private travel to Southern Rhodesia was discouraged.*"

This is perhaps of some significance, as it would appear to be an attempt to prevent the American public from finding out the truth for themselves!

It can hardly be on the grounds of personal safety, as Rhodesia is one of the most peaceful countries in the world, as has been testified to by the hundreds of American citizens who have visited this country, in spite of this discouragement, since Independence.

Later in this paper the statement is made "at present there is no direct Communist threat to Southern Rhodesia."

Is the State Department not aware that Communist armed and trained guerrillas have, from camps established in Zambia and Tanzania (both members of the British Commonwealth) been infiltrating across Rhodesia's borders and attempting to commit various crimes such as murder, arson, cattle-maiming, etc., ever since and indeed before Independence?

The fact that they have been singularly unsuccessful is beside the point; except that it is just another proof that the present Government is governing with the consent of the governed. But for the active assistance of the local population in reporting the location and movement of these terrorists, it is obvious—at least to anyone with any knowledge of guerrilla warfare—that the Rhodesian security forces, who are numbered in hundreds rather than thousands, could not possibly have "contained" this infiltration coming across a frontier some 400 miles long, mostly consisting of very wild country.

Finally it is not disputed that our Declaration of Independence was, strictly speaking, illegal, just as any rebellion is illegal, as was the American Declaration of Independence, until it is successful!

On moral grounds, however, it would seem that Rhodesia had just as good a case, if not a better one, in 1965 than America did in 1776.

This paper points out that Independent Rhodesia has not yet been recognised by any other country. Nevertheless it has peacefully maintained its independence in spite of all the efforts of Britain and other countries, including the United States of America, to suppress it for over a year now.

The State Department is reminded that Great Britain didn't acknowledge American Independence until some nine years after the Declaration.

It is rather early days, therefore, for Americans to describe the Rhodesian Government as "an illegal regime which has temporarily usurped power" or "this white minority regime in a desperate and what will certainly prove to be a futile gesture" . . . as this paper does.

While appreciating the present respect for legality existing in the United States of America, it is most surprising that she has chosen to take such a very narrow view about Rhodesia's declaration, in view of the circumstances of her own birth as a Nation!

One can only hope that it is due to the almost complete ignorance shown by American officialism, of the true facts of the case.

Sincerely,

D. GARNER,
(For Under Secretary, External Services).

P.S.—Since writing the above it has occurred to me that this may not be the letter which you wish to insert in the "Congressional Record" (vide your letter of the 17th March to Mrs. Christman of Ohio). If not, then you must be referring to my letter of the 13th February (a copy of which is attached).

It may also interest you to learn that at a Press Conference of the Secretary General of the United Nations held on the 10th June, 1967 (Press Release SG/SM/637), Dr. E. von Hofmannsthal, Schweizer. Handelszeitung: posed the following question:—

To come back to your answer on sanctions. As it is a basic rule of law that *nobody can be sentenced without being heard*, and as the Security Council has refused to hear Rhodesia because it is not an independent State, does that not lead to the compelling conclusion in law and logic: (a) that sanctions can only be imposed on independent States; (b) that sanctions imposed on an entity which cannot be heard and defend itself are *illegal and void?*"

The *Secretary-General:* "As you know, I am not a jurist or a constitutional lawyer. As the Secretary-General I have to comply with the decisions of the principal organs of the United Nations. The Security Council in its wisdom has adopted a resolution—a historic resolution. Whether it is legal *or illegal* is not my business to argue. I have to comply with the decision of the Security Council. Therefore, I am proceeding on the lines I indicated earlier."

Where do we go from here?

I shall endeavor to pass relevant information to you as often as possible. I realise that you are an extremely busy person so please do not worry about acknowledgement.

Assuring you of our warm and sincere appreciation of your support,

Best wishes,

Yours sincerely,

DOUGLAS GARNER.

P.P.S.—By all means use the whole or any portion of either of the texts of these letters.

SALISBURY, RHODESIA,
February 13, 1967.

MRS. H. E. CHRISTMAN,
Rocky River, Ohio,
United States of America.

DEAR MRS. CHRISTMAN: Our mutual and very good friend, Bob Bartlett of Puerto Rico, has kindly advised me of your reaction to my recent letter regarding the "Carnegia Blueprint" and also the United Nations Participation Act, Section 5 (a) and (b) (which, incidentally, are one and the same as U.S. Public No. 264). By all means, photostat as many copies as you wish.

It is rather ironic that Selected Mandatory Sanctions have been imposed on our country under Articles 39 and 41 of the U.N. Charter. Ironic because Article 4, can only be applied if Article 39 has been complied with and it reads:

"The Security Council shall determine the existence of any threat to the peace, breach of the peace or act of aggression, and shall make recommendation or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain and restore *international* peace and security" (my capitals and underlining).

U Thant, discussing Communist China and North Vietnam, recently stated, "Of course, my attitude regarding Security Council involvement is guided by one single consideration: If the Security Council has to take any action on any dispute, the first prerequisite is that it must be in a position to hear both sides of the question; this is a must."

Strange, is it not, that Rhodesia's side of the case has not been heard. Indeed, Mr. Duncan Sandys pointed out to the House of Commons the imposition of sanctions on Rhodesia is based on a lie. Also, Lord Coleraine said (House of Lords, Monday, 7th February) that if a state is arraigned and accused, the first principle of justice is that it should be heard in its own defence. "Rhodesia made application for that and the application was not even answered. What kind of justice is the Security Council dishing out?", he asked. It would appear that U Thant's "one single consideration" is only applicable to the Communists.

I was interested to learn from Bob that you were involved with him in the pro-Katanga movement in Cleveland some years ago. Interested because of my involvement in the exodus of thousands of Belgians. In July, 1960, I was in charge of a camp set up in Salisbury to accommodate, feed and generally help these poor fleeing people. As a matter of interest, we had over 300 Americans (mainly missionaries of the Church of Christ) through our hands at that time.

Best wishes.

Yours sincerely,

D. GARNER,
(For Under Secretary, External Services).

THE TARIFF WALLS ARE TUMBLING DOWN

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. YOUNGER. Mr. Speaker, Mr. Ed Wimmer, president of Forward America, Inc. of Covington, Ky., has prepared a paper entitled "The Tariff Walls Are Tumbling Down."

Mr. Wimmer is the public relations director for the National Federation of Independent Business and his conclusions may well be taken as opinions derived from the various polls taken by the National Federation of Independent Business. His article follows:

THE TARIFF WALLS ARE TUMBLING DOWN

(By Ed Wimmer)

"Our tariff structure should be reformed to reflect wage differentials between the various nations with whom we compete and trade. If this is not done, it will serve only to place our own industries at an unfair disadvantage, and it will retard the advance of wages in other countries.

"I am also led to believe that the Department of State is not adequately situated or equipped to deal with this problem. . . . Our entire goal must be to encourage fairly competitive trade—the only trade that is healthy trade (domestic or international)."—JAMES C. CLEVELAND, Member of Congress (1964).

U.S. TARIFF POLICES STRENGTHEN OTHER NATIONS—WEAKEN THE UNITED STATES

Between now and June 30, when our present Tariff Act expires, the Congress of the United States will either seal the doom of thousands of American factories and destroy millions of jobs, or adopt a sane tariff policy that will strengthen our industries, increase job opportunities, and offer foreign traders the only trade privilege to which they are entitled: an opportunity to compete with our industries on a fair trade basis.

In other words, what Congress now faces is a task of taking tariff regulation out of international politics and putting it into economics (where it should have been lodged at the beginning), and, at the same time, deprive any bureau, agency or even the President of the power to raise or lower tariff walls to benefit the economy of a foreign nation by weakening the American economy.

Congressman Harley Staggers (W.Va.) supported this view when he said: "American companies and workers should not be penalized because our government wants to make friends with foreign countries."

A ONE-WAY STREET

Senator Russell Long (La.) spoke in the same tone when he told his colleagues: "We must be zealous in our concern for the welfare of American workers and their employers—as we are for those who live in distant lands. We as a people, and especially the Congress, must be farsighted enough to strengthen the American system by wise adoption of laws calculated to foster American strength and economic growth, rather than submissively accepting policies whose chief contribution is strengthening other nations at our expense."

CHEAPER TO DESTROY AMERICA

Free traders say that Long and Staggers are not making sense. They say if we let down the bars against foreign trade, Americans will be better off because they will be able to "buy foreign goods for less money and therefore have more money to spend on other things." They support the view of Dr. Harry Johnson, formerly of Chicago University, and now with the London School of Economics, who says: "By dropping tariff walls (especially against the poorer nations), America will be reducing the need for direct foreign aid." He adds: "We should abandon any insistence that foreign nations drop their trade barriers against us. . . . America should also stop insisting that foreign nations spend their foreign aid dollars in the U.S., and we should start phasing out cotton textile arrangements to help adjust to the shock of imports."

PAY THE BANKRUPTS—TRAIN THE JOBLESS

What Dr. Johnson is saying, and what top officials in the Administration are advocating, is actually a policy of compensating factory owners who are put out of business with cheap imports, and pay their jobless employees a guaranteed wage until they have been retrained for other work. Some argue that liquidation of entire industries may be necessary to carry out a "free trade" program, and they refer to the clause in the present Tariff Act providing that government shall make payments to firms "seriously injured by imports"—if the owner is able to prove that his demise was due to concessions in tariff agreements—and "not to his inability to compete efficiently."

Such wanton destruction of investments and jobs would make the so-called protection clause in the Tariff Act a total fraud, because it could not cover more than a fraction of total losses.

A TEXTILE APPALACHIA

Consider the billions, for example, that would be required to compensate companies put out of business in the textile industry alone, and the cost of retraining countless thousands of workers who would lose their jobs; the communities that would be ruined if free trade in textiles and related products should become a reality.

Alabama textile mills, apparel and man made fibre industries, employ 37 percent of all manufacturing workers in the state. Alabama has 129 textile mills, all of which are now threatened by our present tariff policy.

South Carolina receives 27 per cent of all its corporate income tax from the textile industries—which pays 64 per cent of all local property taxes. No textile factory or textile job in South Carolina is safe under the present tariff policy. Congressman W. J. Dorn, of this up-and-coming state, declares: "There is no depression worse than a depression during a time of inflation and high prices, when a person in a community is unemployed, or dependent on some form of dole. This is the danger we face in my state where 2 out of 3 jobs in manufacturing are in the textile and related industries, representing 58 per cent of all industry wages. We dare not risk the destruction of our factories and a loss of jobs at a time when our costs of government are so high, and when every job counts for so much."

Congressman Charles Jonas (N.C.):

"There are 279,000 workers in North Carolina employed in spinning and weaving. You will find large companies such as Monsanto, du Pont, Beaunt, Hercules, Celanese, Fibre Industries, American Enka, and Uniroyal Mills, modern and efficient but with no chance whatsoever to compete with the wages and tax rates of their foreign competitors."

Mr. Jonas is convinced that North Carolina now faces a crisis.

In Hendersonville, N.C., Harriot, Henderson Cotton Mills officials have asked merchants to write their Congressmen urging more tariff protection. Pilot Mills Co., Raleigh, N.C., stated:

"We have been in the textile business since 1905, but have never seen a time, even in the '30's, when the industry was any sicker and as much hurt by imports as now. We lost money in 1966 for the first time, and it is becoming worse."

THREATENED AREA WIDENS

Tennessee reports 30 per cent of all manufacturing jobs are in the textile industry. Chattanooga area reports 16,500 textile jobs. In several Tennessee counties (with an Appalachia label) 3 out of 4 jobs are in textiles. Kentucky shows one Congressional District with 20 plants and 400 workers threatened by the imports. . . . Rhode Island, 26,000 textile jobs, and in the New England area, where 700 factories were struck down by imports, with a loss of over 300,000 jobs, there are still 200,000 people directly employed in the textile industry. In Fall River, Massachusetts, 70 per cent of all workers are employed in textiles and related businesses, yet, U.S. negotiators in Geneva continue to advocate up to 50 per cent reduction in present tariffs on all these products.

WE BUILT THEM UP

According to authoritative sources, we literally gave foreign countries "$6,200,000,000 worth of textile machinery," which free traders now suggest we turn against our own factories and workers—despite the fact that 59 countries, beneficiaries of our pot of gold philosophy, won't let a pound of our textiles cross their borders. Congressman Tom Bevill (Ala.) has reminded them that when this industry was founded in America, there was no Marshall Plan. No Office of Economic Opportunity; no handouts of any kind. He noted that in Danville, Virginia, the Dan River Mills employs 10,000 people in a city of 50,000, with a payroll of $45,000,000; yet, with one stroke of the President's pen, it could become a "Ghost Town" or a "Dole Center".

LOWERING THE BOOM ON TILE

If any reader of this discourse doubts what is going on in this country, I refer them to the case of National Tile & Manufacturing Co., Anderson, Indiana, where 525 employees lost their jobs, and a 77-year-old business was put up for sale, or merger, at a distressed price.

Japanese and other foreign tile hit the tile industry like a tornado. Tariff cuts on tile were made in 1951 and following years, and between 1952 and 1963, Japanese tile sold in the U.S. went from 2,700,000 square feet to 54 million, and in a few years, National's sales were cut in half—along with those of other American companies.

THE COMMISSION HEARS AN APPEAL

National took its case to the Tariff Commission in 1964, and was represented by able Horace de Podwin, New York Consultant to the Ceramic Tile Manufacturers of the U.S., seeking the assistance Congress promised in the Trade Expansion Act of 1963. In a closely split decision, the Commission lived up to its almost unbroken chain of refusals to act. Two of the Commissioners, however, Dan H. Fenn and Joseph Talbot, vehemently declared that National had met all the tests of the law, and was entitled to compensation, but the majority said no. National closed October 1966.

AID AFTER DEATH

After the turndown, Richard Alexander, president of National, was heard to remark that he had been told that under the Tariff Laws "you have to die first before help is forthcoming, and after that it doesn't matter."

Until the Japanese decided to flood the nation with floor and wall tile made by workers receiving under 30 cents an hour, and by companies whose taxes and other overhead was less than half the costs of American companies, 77-year-old National was successfully marketing its products.

Congressman Wright Patman (Texas):

"I have great interest in the tile industry which is made up of many small manufacturers scattered across the country. Many are closing their doors, and we must not allow this to happen."

JAPANESE BUSINESSMEN SAY THEORY WON'T WORK FOR JAPAN

In contrast to the irrational Don Quixote approach to the tariff issue by our American representative, Mr. Yosomatsu Natsubara, Chairman of the Hilachi Shipbuilding & Engineering Co., a heavy producer of home appliances and heavy electrical equipment, declared: "Chaos would reign in Japan if

U.S. industries are allowed to enter our country unhampered by tariffs."

Mr. Natsubara added that "smaller businesses (now being written off by the countless thousands in the U.S.) would suffer seriously, and we would thus bring on many social and labor problems."

Ken Okubo, president of the giant Mitsubishi Electric Corporation, also predicted "chaos," and Tsuenji Matsuda said "Japan's distribution system will be plunged into serious confusion by an invasion of American capital and goods, or if unlimited American production and investment in Japan by American corporations should be permitted."

Japanese businessmen and bankers want "more time," and it may be certain that they and the Japanese government will fight anything that endangers their trade position. They will sell wherever they can, whether it is Red China, the Soviet Union, or Cuba, and at prices our domestic companies will be unable to meet.

U.S. WISHY-WASHY TRADE POLICY

As a result of our wishy-washy lose-our-shirts, fear-of-retaliation, hold-our-"friends"-at-any-price, foreign trade policy, we are destroying our industrial centers sewing machines, office machines, household appliances, radio and transistor business, photographic equipment; glass, gloves, china, watches, silver, tractors, dresses, shirts, shoes, plastics, tile, wallboard, plumbing supplies, steel, textiles, U. S. flags—you name it, and the internationalists who think in terms of "America last" want to speed up the process—whether they know it or not.

PEARL HARBOR AND TODAY

To prove this statement, ask them if they can deny that we gave, or otherwise supplied, Japan with all its high test gasoline, most of its scrap iron, nearly all of its copters and war materials dumped on China in the '30's, and if the bombing of Pearl Harbor would have been possible if we had not supplied them with 800,000,000 gallons of Zero (Japanese fighter plane) fuel as late as 1940—after the Roosevelt embargo had gone into effect.

You should then show the billion dollar figures on what it cost us to rebuild Japanese industries and to restore their prosperity, and how they (the free traders) are now insisting that we turn this mammoth production facility (a would-be Frankenstein) loose in our markets—just as we are being urged to turn loose the American paid for industries and know-how of Europe—all consequences or risks be damned.

NOT OPPOSED TO FAIR FOREIGN COMPETITION

At this point I want to say that no responsible person is anti-Japanese, anti-British, German, or anti-any other race or country. I personally want every nation to make good, in the free enterprise way if possible, but I know it cannot be done under a domestic-international-discount-house-dog-eat-dog, unmoral, uncurbed, uncontrolled marketing system, as advocated by the free traders and uninformed anti-fair traders wherever or whoever they are.

What we must do in this country (and we have to do it quickly), is to sponsor an all-out program of opening up every possible opportunity for the next generation to start and run things, whether it is farms, factories, banks, stores, or the professions, and we must make this program work so well that present monopolistic corporations and other power centers can be broken up and the formation of new ones made impossible, and we cannot accomplish this goal unless our market place is governed by the same rules of fair play that govern the baseball diamond, the football field or a hockey match.

If such ends are out of our reach, then we ought to embrace the whole socialistic-monopolistic package of Utopian nonsense, and get the explosion over with so we can dust off the Declaration of Independence and start all over again.

STEEL STAGGERS INTO STALEMATE

Before we pursue and further justify the validity of this line of thought, we suggest a close look at the faltering steel industry, and why it is faltering under a barrage of foreign competition.

America was once the biggest exporter of steel in the world. Now we are the biggest importers, and one-third of the steel that we ship across our shores is given away by our government.

Once there were 32 steel producing nations in the world, and these figures held until 1950, when our giveaway program of steel expansion in "under-developed" countries such as Germany and Japan helped to raise the number to around 70. (Reports indicate that upward of 200 foreign steel plants received our aid.)

By 1965, steel production in all markets shot up from a 1950 figure of 207,000,000 tons to 500,000,000 tons, with imports up 1,000 per cent and U.S. exports down 75 per cent.

Japan went from scratch to 11,000,000 tons in 1966, and 50 per cent of it arrived in the U.S. delivered up to 40 per cent below U.S. costs of production. Japanese tariff rates double those of U.S. Like the U.S., Japan has a steel problem: no place to dump its huge production except in the United States. Producers speak in desperate terms. U.S. internationalists say we must not discourage their steel designs on faltering Uncle . . . despite his wage differentials and fringe benefit arrangements that will not be approached by any foreign producer in either this or the next decade.

(Union leaders in most cases ignore these facts. They come up with new demands that cannot be honored without great new strides in automation that cost them more jobs, and they struck the steel industry at a time when imports were being speeded up, costing workers 70,000 jobs, and the government an enormous tax loss. Here we find government silent—until called upon to help the unions get their way, and this is NOT an "anti-union" observation; it is based on the record.)

TARIFFS, CARTELS AND RUIN

The same philosophy exists in Germany, Italy, Britain, Yugoslavia, Russia, Hong Kong, India, Portugal, Canada—wherever you look, and that is why West Germany (which we financed until they became our toughest competitor) put a $43-ton-tariff on carbon plates. Italy and France soak us up to $47 more per ton on carbon plates than we charge them, and worse than all of this, is the fact that American corporations have entered these countries and are building up huge cartels in every part of the world—including our own 50 states.

Foreign corporation officials look at the invasion of American capital and take-over, and speak bitterly of out-merging us in order to compete with us, creating the exact condition that existed in Germany and Britain prior to World War II. . . . In an editorial, Fortune Magazine listed 850 "corporate raids" which Fortune said was "sometimes for size alone"—the opinion being that "anti-Americanism is building up at a dangerous pace."

MIGHTY IBM TAKES OVER

Amid these cries of "economic subjugation" and "corporate colonialism" now hitting France, Italy, Britain, Germany, Canada and other nations, we witness IBM moving its production of computers, et cetera, to foreign countries, and IBM is now selling 9 out of 10 computers sold in the whole world. Better than 30 per cent of cars sold in Europe are made by American firms IN Europe. . . . Fifty per cent of British car sales are by American owned manufacturers in Britain. Chrysler sits on top of Roots Motors and Simca in France. U.S. concerns control 70 per cent of Europe's washing machine sales; 30 per cent of tire sales, and 35 per cent of the tractors. In France we sell 50 per cent of the refrigerators, and 40 per cent of the tractors.

Seven hundred of our biggest (out of 1,000) firms in U.S. have subsidiaries abroad, and they are expanding. We are flooding their retail markets with supermarkets, trading stamps and gimmicks. The discount houses and big chains in our country have gone abroad to knock out countless thousands of small foreign business—just as they have in this country with cutthroat competition, but they were stalled in Japan by opposition from the government—generated by Japan's smaller retailers.

EUROPEAN LABOR LEADER SPEAKS UP

A visiting labor leader from Europe intimated we must be mad. He asked:

"Do you think your American enterprises that own so many of our facilities are going to let your plants ship into our markets when it is easier to take exhorbitant profits from a foreign country where workers can be exploited? . . . Furthermore, the average worker in my country cannot buy our cheap products, let alone your high cost exports."

Then our friendly adviser added:

"There are plenty of rich people in our country who can create any productive facility they want to, but they hide their money and use your money."

S. T. Williams, President of Scoville Manufacturing Co., Scoville, Mass., put it shockingly true when he said (in 1960):

"The way to win in progress and world markets, is to lose a war with the United States."

STEEL MEN TALK—ONE ACTS

President Blough of United States Steel Corporation, advised Congress to "examine our whole international trade arrangements." What he should have suggested was a scrapping of the "arrangements." Board Chairman Edmund F. Martin, Bethlehem Steel Corporation, went a little further than Mr. Blough. He told the American Steel and Iron Institute that "business has lost its good image." He advised everybody to "start selling the profit incentive," and he asked the government and the people to face up to the tariff menace—if we "want to keep a strong steel industry in the United States." I liked his admonition to businessmen to "quit resting on their past accomplishments, for to rest is to rust."

Ninety per cent of the business and professional community has "rested and rusted" over the major sicknesses within the free enterprise system, and that is why the public sector of the nation has been swamping the private sector, and there is nothing that will speed up the process faster than low tariff walls in these critical times.

The one company that acted was Jones & Laughlin Steel Corporation, whose president, William J. Stephens, told a Cincinnati audience:

"With all our responsibilities abroad, our responsibilities to ourselves have increased ten-fold."

He revealed that Jones & Laughlin has spent millions of extra dollars for supplies and new plant equipment, insisting that everything be American made. This great company closed a 113-year-old nail manufacturing plant because "foreign nails were so cheap that competition was impossible."

Free traders accuse the steel industry of being "behind the times," but it spent $13 billion in the last few years to "keep ahead of the times." Renewal of the 7 per cent investment allowance fought for by our organization will start a new spurt in plant and equipment spending, but what good will the spurt do if imports keep flowing in at prices far below domestic costs?

APPALACHIA UNLIMITED

Washington sources say the Appalachian range of unemployment, ignorance, poverty, disease, and lack of economic opportunity stretches from New York to Alabama, and covers about 180,000 square miles. The poverty budget (total) now calls for an expenditure of $25 billion—up 16 per cent in a few months. The so-called Appalachian "poverty belt" runs along a 50-mile peripheral where more than a million textile-apparel jobs are threatened by low tariffs.

UNHOLY ALLIANCES—UNHOLY OUTLOOK

Add to this unholy outlook the figures showing apparel industry profits at the bottom of 20 leading industries, with textile profits down to 17th place. Fifty per cent of wool products sold in the U.S. are imports. Fifty per cent of worsted cloth, knit apparel and wool shirts are imports. All textile imports exceeded exports in 1966 by $800,000,000, only $600,000,000 below total U.S. payment deficits; and estimate of job and plant losses from 1950 to 1960 represented 334,000 workers and 676 plants closed, creating a tax loss to this government of unimaginable size.

Georgia textile plants employ 100,000 people, with a payroll of $400,000,000. In one Congressional District there are 100 plants, nearly all independently owned; 65,000 jobs also are provided by Georgia apparel industry.

South Carolina textile wages average $2.04 per hour. South Carolina textile companies paid 27 per cent of state corporate income taxes and 64 per cent of local property taxes. Wages in Hong Kong and Japan, where we buy millions upon millions of shirts, blouses, skirts, underwear, suits—have wage scales below "30¢ per hour." Both countries sell to Communist China. Communist China is opening huge discount department stores in Hong Kong. So, if Hong Kong workers get their pay from us and they buy from Mao's Department Stores, what kind of foreign aid should we call it?

WE'RE WONDERFUL—UNTIL WE GO BROKE

Yes, good old Uncle Sam's nieces and nephews bought 69,000,000 shirts and 53,000,000 blouses from Japan and Hong Kong in 1966. Only a few European countries will buy them at any price. Portugal, Germany, Italy and Spain sold us 16,000,000 gallons of wine in 1966 without paying a tariff, but we cannot sell them a gallon at any price.

The rug business in now 50 per cent imports and jobs are down 60 per cent. Japanese rug workers get 27¢ per hour; Belgians, 37¢. Their equipment is new and subsidized, and with little money spent on research. Imports up from 303,000 square yards in 1940 to 6,800,000 square yards in 1965.

AN ECONOMIC GRAVEYARD

Wall tile, imports up nearly 3,000 per cent. Plywood from Japan, up from one per cent of U.S. market in 1951 to 60 per cent of U.S. market in 1965. Italy sewed strips of braid on cloth to escape U.S. tariff regulations. Uncle acted. Then they shipped through the Virgin Islands where cloth was treated to "escape tariffs." One Italian drug company put a "spy" in an American laboratory; stole formulas costing $30,000,000 to develop, and sold the medicine to our Defense Department at bargain prices. America pays for the research; foreigners reap the rewards and take over our markets.

Imports of machine tools from Japan are up 300 per cent in less than two years. Russian machine tool industry promises to outstrip our own—at least in price. Russia is building 625 ships to go out over the world, while we put 14 on the waters. Russia has educated nearly 12,000,000 young people in several languages, and if we wait until they start their capitalistic export campaigns, our kids are going to be swamped. Experts talk of the demise of our merchant fleet—due to union policies, high cost of operation, taxes and inability to compete in any kind of traffic.

FARMERS ALSO VICTIMS

Look back and recall the huge quantities of dairy products and poultry we sold or gave to foreign nations—until they could produce their own. Our farmers have been dumping milk at the same time cheese and other dairy products were being dumped on us from abroad. Our yellow corn entering Germany carried a tariff of $1.15 per bushel, but France sold yellow corn to Germany (where we spent billions) against a tariff of 23¢ a bushel. Says the National Wool Growers Association:

"We are seriously alarmed. We cannot hide our disappointment at the failure of the government to institute reasonable limitations on imports. If textiles go, we go."

Yes, the cattlemen are worried too, but their bellows aren't loud enough to be heard. Meat packers view with concern the nearly 100 per cent increase in some meat imports over 1965, and our leather tariffs are below those of any other country.

Stop and consider that since 1950 we reduced dairy herds by 1,000,000. Our cattle population is little above what it was in 1920. Turkey farmers are getting out because the price-cutters sell turkeys on holidays cheaper than they can raise them, which is the same kind of competition we are getting from abroad—that puts farmers, factories, stores, and the young people of America between two gigantic forces: discounting at home and discounting by foreigners.

The Congress and the Administration, professing to favor "fair play"—talks of morals and economic freedom as basic to political freedom—does little for either.

A DOUBLE-EDGED SWORD

The principal aim of this broadside attack on low tariff walls and their control by people who think in terms of "foreign trade as foreign aid," is not an attack on expansion of foreign trade. We must engage in all efforts to create the greatest possible exchange of goods and services between nations, but when we furnish other nations with our research, our tax dollars, our skills, machinery—everything we can offer—and when the production of those nations is subsidized by national governments, by low wages, low taxes and low shipping costs, we have no choice but to protect ourselves or let this nation hit the bottom of the "Have Nots."

Our loss of over 85 per cent of the motorcycle business is an example of what can happen to tile, tractors, shirts—anything—as our industries go down to low tariff drain. There isn't a nation on earth that thinks as we do; not even the untrained, uneducated leaders of the new independent nations would entertain such idiotic trade policies as giving away markets in which they were self-sufficient.

A WORD TO SWEDISH AND JAPANESE CONVENTIONERS

Ever since the U.S. inaugurated the "give them the money to build factories so they can invade our markets" policy, I have contended that other nations can be sold the "fair wages, fair prices, fair profits" idea, and I still believe it.

At a convention in Chicago I examined the tremendous improvements in Japanese products and later asked the Japanese businessmen assembled if they were now good enough salesmen and had good enough merchandise to compete on a market where tariffs are regulated according to wage scales and other costs of competing countries. My admonition was, that if unfair foreign trade destroys our markets, their markets will be weakened to an equal if not greater degree.

At the close of the meeting, the wife of a Japanese businessman said: "Mr. Wimmer, why doesn't your government talk to us like this?"

In Miami, the head of a big Swedish company praised the "fair trade" approach and said: "We are not afraid to match products with American manufacturers under tariff equalized competition."

In fact, he seemed upset by the suggestion that his company needed to be subsidized to sell its goods.

Whoever heard of typewriter manufacturers fighting it out with foreign typewriter manufacturers, with cut prices? There is no cutthroat competition in this field except from a few chains and discounters, and on only a few models.

ONE WORLD-ISM?

Today, there are more knowledgeable people saying that "free trade is the road to one world-ism." Congressman H. R. Gross (Iowa) has believed this for a long time. Mr. Gross predicts that it will come through "international built-in welfare programs," beginning with business and labor. Hon. John Dent (Pa.) has long called our trade policies "a house built upon the sands." Mr. Dent, a Democrat, says the Congress should regulate tariffs; not the internationalists. Mr. Gross says the power to destroy American businesses by lowering tariffs is a power no man in America should possess.

OIL MOVES THE WORLD

"One world-ism" or not, the destiny of goods and services does determine the destiny of a nation. It determines standards of living. It determines whether freedom of opportunity shall exist or disappear. Goods and their destinies determine the outcome of wars.

In the case of oil, no nation can move without it today, and its flow may change governments overnight. In the case of oil, we need import-export controls to encourage development of our own resources, but what can independent exporters do in this country, if prices, taxes, wages and tariffs are not in balance?

What chance does the independent oil company—the "wildcatter"—have in any market—domestic or foreign—where the giants that operate in all oil producing companies are in constant "private" negotiations with governments that leave the independent out in the cold?

OPPOSITION TO TARIFFS SINCERE

Patriotic Americans; sincere, honest Americans (in and out of government) believe the free trade theory will work to the ultimate advantage of all peoples—no matter how many businesses and jobs are lost in its early stages, but all of them, I think, are overlooking the fact that under the free enterprise profit incentive system the United States led in major medical discoveries; development of the automobile and aircraft industries; led the world in steel, electricity, textiles, television, nuclear energy, electronics, movies, farm implements, and most other fields.

It was the profit incentive, as Robert A. Stranahan, Jr., president of Champion Spark Plug Co., emphasizes, that turned basements, attics, small shops, barns and bedrooms into "idea laboratories" from which flowed a stream of products and better ways of doing things—that made America the envy of the world.

Failure to protect this area from being undermined by low wage, low taxed, subsidized products from abroad; failure to solve the monopoly threat; to allow the big chains, big unions and big debts to swamp the system, could only bring harm to the whole world. This is why we cannot permit the free traders (or any other force) to barter away a single business or seriously weaken a single industry.

UNITED STATES ONLY "PATSY"

Somehow or other, the free traders must be made to realize that every country but the United States is jealously guarding its own industries from outside competition, except where vital needs cannot be satisfied by these industries. They have taken the position we should take: no lasting progress can come from reaching an export goal by liquidating home businesses with cheap imports—whether it is watches, glass, paint, tires, textiles or garden seeds.

MOST DANGEROUS TIME IN HISTORY

Congress is thoroughly aroused over this issue, and well it should be. We are going down the monopoly-socialism road faster than Britain. We are in a war that will cost us three to five hundred billion dollars before its aftereffects are paid for, and our obligations and taxes are so great on other fronts that any failure to revive, stimulate, breathe independence, hope and morality into our economic system, could pull the whole world down.

Those of us who speak for small business in this country. Who speak for big business that is not monopoly business. Who are willing to examine any issue regardless of personal opinion, believe that the United States is not only the principal base from which economic freedom and political liberty must be fought, but we believe also that there is still great leadership in this nation that can help and inspire all other nations—if it can be fully enlightened and activated.

It is becoming more and more evident, however, that whether we are dealing in tariffs, antitrust laws, urban renewal or anything else, we must look at their moral aspects and act accordingly.

When the government wastes money, it is violating natural moral laws. When giant business swallows up small business or drives it out with cutthroat competition, or by enjoying its present special privileged buying, et cetera, there is a violation of moral laws, and this extends into labor, inflationary pressures or to a case of government letting any enterprise die from unprotective foreign trade regulations.

NOT AN ISSUE

As a final conclusion in this matter of tariff regulation, I would guess that during the 35 months the 53 nations have wrangled over tariff reduction or elimination proposals, the existence of a moral responsibility to establish a fair trade exchange of goods and services, received little consideration; yet, here is the crux of the whole problem.

William Roth, U.S. Ambassador to the trade talks, told a Senate Finance Committee (for example), that he would "walk out" of the negotiations if they failed to produce a "balanced package" of tariff cuts on both "industrial and farm products." I am certain that Mr. Roth was ready with plenty of concessions to "balance out his package"—at the expense of American industry. In 35 months he might have simply stated that we will allow any foreign competitor to come into our high living standards market on a fair trade basis—maintaining tariff walls only where the competitor is being subsidized by his government, and operating on wage scales and tax rates that make it impossible for Americans to compete.

By dropping our tariffs below the fair competition level, we are doing no different than letting foreign producers set up shop over here—bring in their low paid workers and cheap raw materials, pay none of our fringe benefits, and only the tax they paid at home.

Collapse of the "Kennedy Round" negotiations may mean a wave of international protection-ism, but this would be less dangerous than bartering away our independence and industries in an attempt to appease nations ready to "bury us" should it be to their advantage.

German negotiators gave clarity to the position we ought to be taking, when they argued that any renunciation of the principles of "free and fair international trade" would impair the standard of living and create unfavorable thinking in "all countries." This view knocks the "favored nation clause" which says any government granting a concession to one of its favored trading partners, must grant it to all of them—which may be likened to a manufacturer who has A&P and a dozen others on his favored list to which he grants the same discounts, but not to the customers he doesn't favor.

Individuals, families, nations—are captives of the law of self-preservation. It is the law of the animal kingdom, and no other rule of life will preserve our Heritage, our Constitution, our industries, jobs and hopes; the future of our children's children.

That is why Congress cannot let the anti-protectionists sell their scheme of a Utopia of Free Trade, because such a Utopia will never exist. If Sweden wants to sell sewing machines in the U.S., then Sweden should simply pay the difference between Swedish labor, taxes and material costs, in a tariff, or pay the difference to their workers and stockholders. We are not going to sell other nations unless they sell us, and vice versa, but instead of contributing to low wages of foreign workers by buying what they produce, and then taking conscienceless profits from their sweat and deprivation, let's pursue a policy that raises their standard of living.

One might well wonder what would happen if this Congress issued a credo telling the low wage manufacturers: get your wages up and we'll give you an open market. Come in with a price that is at least close to what American companies have to charge, and that is all the protection we will give them. *Chemicals coming into the U.S. are not assessed on their actual price, but on the selling price of American-made chemicals.*

Foreign producers want this pricing system changed. They want to come in with much lower prices, but they wouldn't stand for the U.S. subsidizing our chemical companies so they could undercut them on their home grounds. British manufacturers say they should be able to sell on our markets cheaper than we can operate, but they are accusing the British government of abandoning them because they can't meet competition from Portugal.

It all adds up to one thing, and that is, we must recognize that trade jealousies are too great and too numerous for any "trade zones"—"favorite nation zones"—"gold bloc nations"—"reciprocal trade groups"—"common market participants"—or any other group to honor agreements that are to their disadvantage no matter how many advantages are involved. All nations, however, can enforce anti-dumping barriers, and they can let competition come in on a basis that offers the home boys enough competition to keep them on their toes, but putting them on their backs is another matter.

Too many tariff negotiators, I am afraid, are too anxious to play the role of big brother—at a time when "Big, Big Brother" is bent over from more debts and taxes than all other nations combined; with most people living in glass houses of government-fed "prosperity" that becomes hungrier by the hour.

In answer to critics of our position, I would say that no knowledgeable person advocates closing the tariff reduction door to all low priced imports. There are myriads of things made by gifted people in every land which will never be produced (except artificially) by Americans. . . . All these talents should be encouraged, and the peoples of other lands should welcome goods from the U.S. not produced in their own nations, or sold at prices harmful to their lives.

A recent agreement (or "Common Market" area) was created in automotive products between the U.S. and Canada, which is an example of how people with similar earnings can trade profitably with each other, and this example should be repeated and explored.

As a parting thought, I would admonish all Americans—especially the business and professional class—to weigh the other fellow's welfare with their own, because no one classification of business—one party—one group—can win or hold their freedom, alone.

When C. Wilson Harder founded the National Federation of Independent Business, Inc., in 1943, it was to forward this conviction now accepted by 233,000 members representing every kind of business and profession in the United States.

* * * * *

"In my belief, the Constitution is somewhat like the Bible. If you read it long enough you will find the answers to a lot of problems that look very complex. . . .

"The Constitution of the United States says very clearly that it is the responsibility of the Congress to regulate commerce, and when Congress recaptures this authority which it has delegated to others, we will find solutions."—BASIL L. WHITENER, Member of Congress.

UNREALISTIC, ARBITRARY ADMINISTRATION OF BEAUTIFICATION ACT JEOPARDIZES PROGRAM

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include tables.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, on January 10, 1967, the Under Secretary of Commerce for Transportation, Mr. Alan S. Boyd, now the Secretary of Transportation, transmitted to the Congress the 1967 highway beautification program report, printed as Senate Document No. 6, 90th Congress. With a price tag over 10 years of $1.8 billion for plan "A" and $2.9 billion for plan "B."

This 1967 report was transmitted to the Congress pursuant to the requirements of the Highway Beautification Act of 1965, Public Law 89-285. I think the requirement of the 1965 act that the Secretary of Commerce had to make such a report to the Congress was one of the wisest provisions of the 1965 act.

The report contains an estimate of the costs of the Highway Beautification Act—as viewed by the administration—and a report on "comprehensive studies" of the economic impact of the program. One of the most controversial sections of the report is part II thereof—the draft standards, criteria, rules and regulations formulated by the administration for the control of outdoor advertising.

These draft standards have been the center of great controversy, principally because they are unrealistic and unworkable.

The draft standards, as submitted to the Congress, appear to be unacceptable to the Committee on Public Works, which has legislative jurisdiction over the highway beautification program. Our concern is evidenced by the fact that the Subcommittee on Roads of the committee has been holding open hearings on all aspects of the highway beautification program since April 5, 1967. It now appears that because of their great importance and because of the substantial concern over the draft standards these hearings will probably continue through the first week of May.

This concern has been expressed to

the committee from all sections of the Nation and by almost all people who are involved in the program—government leaders, businessmen, labor union officials, civic groups, professional associations, and so forth. Testimony before the subcommittee, to date, has well brought out the shortcomings of this program, a program that appears to be almost totally unsusceptible to any effective administration.

From information obtained from the U.S. Bureau of Public Roads, I have compiled three very informative tables on various aspects of the highway beautification program. I think these tables well indicate why the American motoring public is greatly concerned over the draft standards and their anticipated detrimental effects on the convenience of the traveling public.

In essence, these tables indicate that as of October 22, 1965, the date of enactment of the Highway Beautification Act of 1965, the total number of off-premise advertising signs along the Interstate and Federal-aid primary highway systems and subject to the law and the standards, was 1,100,020. The provisions of the 1965 act apply, for the purposes of controlling outdoor advertising, only to the Interstate and Primary Systems, and they are applicable to off-premise advertising control. Of these 1,100,020 signs, a fantastically large number of 1,016,792 of these signs would be removed, if the draft standards are forced upon the States and if they are thereafter carried out in accordance with the current plans of the administration and all signs in the area subject to control in rural areas would have to be removed, some 839,361 in number.

Mr. Speaker, this would leave only 83,228 signs remaining on the 268,898 miles on the Interstate and Federal-aid primary systems, the systems to which the Highway Beautification Act applies. This leaves only approximately one sign for every 3.2 miles on that mileage, possibly causing great inconvenience to the traveling public of our Nation.

The removal of these signs would probably result in the bankruptcy of many outdoor advertising businesses. It would thereby result in the discharge of thousands of those who work in this important industry, from the company supervisory personnel to the sign painters, decorators, paperhangers, and construction crews. It would result in great inconvenience to the traveling public who must depend upon outdoor advertising signs along the Nation's principal highways for instructions and information which will not be included on any directional or informational signs erected by the governments along the highways, supposedly to aid the motorists in finding gas, food, and lodging. It will result in the closing of countless business establishments from tourist attractions to tourist services—such as restaurants, motels, privately developed recreation areas, private lodges, et cetera—who must depend, to a very great extent on their outdoor advertising. It will thereby result in the loss of tens of thousands of jobs for the people employed in such establishments. The program will result in excessive costs to the Federal and State Governments at a time when we should be expending greater sums of money on highway construction.

We shall try to revise the legislation to do an effective job of beautification without causing undue hardship and if the administration's attitude had been reasonable in carrying out the 1965 act, we would not have this controversy before us.

TABLE I—SIGN INVENTORY

The first table that I am putting into the RECORD today—table I—shows the number of off-premise advertising signs along the Interstate and Federal-aid primary highway systems as of October 22, 1965. This sign inventory shows the number of signs controlled by the administration's proposed standards for commercial and industrial areas and other areas on both the Interstate System and the Federal-aid primary highway system. It also shows the number of signs not controlled by the proposed standards, a very small percentage of the total number of signs on the Interstate and primary systems. Figures for this table were supplied by the U.S. Bureau of Public Roads.

Table I follows:

TABLE I.—*Number of off-premise advertising signs along the interstate and Federal-aid primary highway systems, Oct. 22, 1965*

State	Signs controlled by administration's proposed standards									Not controlled by proposed standards		Grand total
	Interstate System			Other Federal-aid primary highways			Total					
	Commercial and industrial areas	Other areas	Total	Commercial and industrial areas	Other areas	Total	Commercial and industrial areas	Other areas	Total	Toll roads	On highway right-of-way	
Alabama	113	582	695	6,044	15,650	21,694	6,157	16,232	22,389	----	485	22,874
Alaska	----	----	----	47	62	109	47	62	109	----	561	670
Arizona	402	2,577	2,979	2,142	5,995	8,137	2,544	8,572	11,116	----	517	11,633
Arkansas	336	567	903	5,155	14,056	19,211	5,491	14,623	20,114	----	3,078	23,192
California	2,156	1,667	3,823	7,471	9,676	17,147	9,627	11,343	20,970	----	158	21,128
Colorado	340	2,060	2,400	2,941	10,164	13,105	3,281	12,224	15,505	----	465	15,970
Connecticut	433	66	499	2,260	962	3,222	2,693	1,028	3,721	64	611	4,396
Delaware	84	13	97	970	1,879	2,849	1,054	1,892	2,946	11	588	3,545
Florida	519	1,054	1,573	15,731	11,604	27,335	16,250	12,658	28,908	64	1,253	30,225
Georgia	254	1,116	1,370	7,480	28,685	36,165	7,734	29,801	37,535	2	5,482	43,019
Hawaii	1	1	2	13	16	29	14	17	31	----	20	51
Idaho	125	1,043	1,168	2,122	7,316	9,438	2,247	8,359	10,606	----	240	10,846
Illinois	446	3,572	4,018	13,141	46,589	59,730	13,587	50,161	63,748	115	2,699	66,562
Indiana	88	855	943	6,930	24,019	30,949	7,018	24,874	31,892	118	7,508	39,518
Iowa	112	249	361	7,821	90,496	98,317	7,933	90,745	98,678	13	13,499	112,190
Kansas	151	815	966	5,256	29,693	34,949	5,407	30,508	35,915	226	16,653	52,794
Kentucky	124	11	135	4,634	13,678	18,312	4,758	13,689	18,447	15	4,625	23,087
Louisiana	149	478	627	3,552	11,567	15,119	3,701	12,045	15,746	----	1,611	17,357
Maine	18	158	176	1,650	2,678	4,328	1,668	2,836	4,504	1	5	4,510
Maryland	46	139	185	2,307	3,889	6,196	2,353	4,028	6,381	56	1,075	7,512
Massachusetts	294	82	376	3,838	1,287	5,125	4,132	1,369	5,501	29	833	6,363
Michigan	994	3,305	4,299	7,802	20,733	28,535	8,796	24,038	32,834	----	4,201	37,035
Minnesota	99	694	793	5,591	35,581	41,172	5,690	36,275	41,965	----	3,030	44,995
Mississippi	122	669	791	2,875	12,099	14,974	2,997	12,768	15,765	----	1,337	17,102
Missouri	675	5,003	5,678	8,568	41,347	49,915	9,243	46,350	55,593	----	1,154	56,747
Montana	31	2,762	2,793	1,447	11,697	13,144	1,478	14,459	15,937	----	1,863	17,800
Nebraska	32	343	375	2,960	29,973	32,933	2,992	30,316	33,308	----	730	34,038
Nevada	351	927	1,278	1,339	1,831	3,170	1,690	2,758	4,448	----	766	5,214
New Hampshire	44	146	190	1,134	2,400	3,534	1,178	2,546	3,724	38	1,458	5,220
New Jersey	84	9	93	9,376	901	10,277	9,460	910	10,370	43	1,286	11,699
New Mexico	790	2,807	3,597	2,271	6,064	8,335	3,061	8,871	11,932	----	527	12,459
New York	270	316	586	10,508	23,923	34,431	10,778	24,239	35,017	25	6,214	41,256
North Carolina	270	1,668	1,938	4,769	14,884	19,653	5,039	16,552	21,591	----	4,779	26,370
North Dakota	54	905	959	1,451	7,815	9,266	1,505	8,720	10,225	----	1,156	11,381
Ohio	305	512	817	6,212	29,283	35,495	6,517	29,795	36,312	19	2,041	38,372
Oklahoma	233	1,470	1,703	3,758	24,557	28,315	3,991	26,027	30,018	1	5,313	35,332
Oregon	351	1,658	2,009	4,858	6,134	10,992	5,209	7,792	13,001	----	559	13,560
Pennsylvania	1,105	1,292	2,397	10,103	25,223	35,326	11,208	26,515	37,723	55	6,412	44,190
Rhode Island	101	4	105	750	87	837	851	91	942	----	85	1,027
South Carolina	76	792	868	6,676	18,055	24,731	6,752	18,847	25,599	----	4,091	29,690
South Dakota	287	2,218	2,505	3,599	19,888	23,487	3,886	22,106	25,992	----	2,205	28,197
Tennessee	231	490	721	6,690	16,075	22,765	6,921	16,565	23,486	----	816	24,302
Texas	2,551	8,591	11,142	14,543	37,269	51,812	17,094	45,860	62,954	----	2,408	65,362
Utah	337	1,501	1,838	1,467	5,632	7,099	1,804	7,133	8,937	----	28	8,965
Vermont	1	21	22	385	2,518	2,903	386	2,539	2,925	----	141	3,066
Virginia	127	265	392	8,268	10,731	18,999	8,395	10,996	19,391	86	53	19,530
Washington	224	881	1,105	2,949	5,378	8,327	3,173	6,259	9,432	----	1,321	10,753
West Virginia	----	12	12	1,938	4,560	6,498	1,938	4,572	6,510	24	1,524	8,058

TABLE I.—*Number of off-premise advertising signs along the interstat e and Federal-aid primary highway systems, Oct. 22, 1965*—Con.

State	Signs controlled by administration's proposed standards									Not controlled by proposed standards		Grand total
	Interstate System			Other Federal-aid primary highways			Total					
	Commercial and industrial areas	Other areas	Total	Commercial and industrial areas	Other areas	Total	Commercial and industrial areas	Other areas	Total	Toll roads	On highway right-of-way	
Wisconsin	80	339	419	9,992	29,140	39,132	10,072	29,479	39,551	13	3,921	43,485
Wyoming	151	1,715	1,866	670	7,185	7,855	821	8,900	9,721		840	10,561
District of Columbia	2	1	3	36	16	52	38	17	55		28	83
Puerto Rico											4,352	4,352
Total	16,169	58,421	74,590	244,490	780,940	1,025,430	260,659	839,361	1,100,020	1,018	126,605	1,227,643

Source: Bureau of Public Roads.

TABLE II—SIGNS TO BE REMOVED

Mr. Speaker, table II shows the number of off-premise advertising signs existing on October 22, 1965, along the Interstate and Federal-aid primary high way systems which would be removed under the administration's proposed standards in commercial and industrial areas and other areas on the Interstate and primary systems. This excludes signs along toll roads, signs on the right-of-way, and signs under construction.

On the Interstate System there were 12,274 off-premise advertising signs in commercial and industrial areas and 58,421 such signs in other areas on the Interstate System as of October 22, 1965, or a total of 70,695 off-premise advertising signs, to be removed under the administration's proposed standards.

On the Federal-aid primary system there were 165,157 off-premise advertising signs in commercial and industrial areas and 780,940 such signs in other areas on the Federal-aid primary system on October 22, 1965, for a total of 946,097 off-premise outdoor advertising signs, to be removed under the administration's proposed standards. The administration, therefore, proposes to remove 1,016,792 off-premise advertising signs existing on the Interstate and Federal-aid primary systems on October 22, 1965.

Table II, showing the breakdown State by State, follows:

TABLE II.—*Number of off-premise advertising signs existing on Oct. 22, 1965, along interstate and Federal-aid primary highway systems which would be removed under administration's proposed standards* [1]

State	Interstate System			Other Federal-aid primary highways			Grand total
	Commercial and industrial areas	Other areas	Total	Commercial and industrial areas	Other areas	Total	
Alabama	105	582	687	3,717	15,650	19,367	20,054
Alaska	0	0	0	36	62	98	98
Arizona	201	2,577	2,778	1,427	5,995	7,422	10,200
Arkansas	305	567	872	3,304	14,056	17,360	18,232
California	1,462	1,667	3,129	4,423	9,676	14,099	17,228
Colorado	304	2,060	2,364	1,700	10,164	11,864	14,228
Connecticut	393	66	459	1,623	962	2,585	3,044
Delaware	81	13	94	821	1,879	2,700	2,794
Florida	389	1,054	1,443	10,225	11,604	21,829	23,272
Georgia	239	1,116	1,355	5,917	28,685	34,602	35,957
Hawaii	0	1	1	10	16	26	27
Idaho	71	1,043	1,114	1,199	7,316	8,515	9,629
Illinois	372	3,572	3,944	10,040	46,589	56,629	60,573
Indiana	75	855	930	5,198	24,019	29,217	30,147
Iowa	104	249	353	3,605	90,496	94,101	94,454
Kansas	136	815	951	3,269	29,693	32,962	33,913
Kentucky	120	11	131	4,013	13,678	17,691	17,822
Louisiana	114	478	592	1,421	11,567	12,988	13,580
Maine	16	158	174	1,099	2,678	3,777	3,951
Maryland	32	139	171	1,306	3,889	5,195	5,366
Massachusetts	207	82	289	2,318	1,287	3,605	3,894
Michigan	738	3,305	4,043	5,937	20,733	26,670	30,713
Minnesota	85	694	779	3,310	35,581	38,892	39,670
Mississippi	106	669	775	2,234	12,099	14,333	15,108
Missouri	396	5,003	5,399	5,912	41,347	47,259	52,658
Montana	29	2,762	2,791	1,175	11,697	12,872	15,663
Nebraska	26	343	369	1,752	29,973	31,725	32,094
Nevada	257	927	1,184	714	1,831	2,545	3,729
New Hampshire	43	146	189	965	2,400	3,365	3,554
New Jersey	51	9	60	5,747	901	6,648	6,708
New Mexico	362	2,807	3,169	1,181	6,064	7,245	10,414
New York	216	316	532	8,102	23,923	32,025	32,557
North Carolina	243	1,668	1,911	3,920	14,884	18,804	20,715
North Dakota	27	905	932	569	7,815	8,384	9,316
Ohio	285	512	797	4,789	29,283	34,072	34,869
Oklahoma	159	1,470	1,629	2,762	24,557	27,319	28,948
Oregon	234	1,658	1,892	3,595	6,134	9,729	11,621
Pennsylvania	759	1,292	2,051	8,042	25,223	33,265	35,316
Rhode Island	84	4	88	475	87	562	650
South Carolina	76	792	868	3,839	18,055	21,894	22,762
South Dakota	232	2,218	2,450	2,768	19,888	22,656	25,106
Tennessee	154	490	644	2,863	16,075	18,938	19,582
Texas	2,327	8,591	10,918	8,319	37,269	45,588	56,506
Utah	295	1,501	1,796	1,027	5,632	6,659	8,455
Vermont	0	21	21	314	2,518	2,832	2,853
Virginia	76	265	341	4,911	10,731	15,642	15,983
Washington	127	881	1,008	2,070	5,378	7,448	8,456
West Virginia	0	12	12	1,762	4,560	6,322	6,334
Wisconsin	70	339	409	8,893	29,140	38,033	38,442
Wyoming	91	1,715	1,806	526	7,185	7,711	9,517
District of Columbia	0	1	1	13	16	29	30
Puerto Rico	0	0	0	0	0	0	0
Total	12,274	58,421	70,695	165,157	780,940	946,097	1,016,792

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[1] Excludes signs along toll roads, signs on the right-of-way, and signs under construction.

Source: Bureau of Public Roads.

TABLE III—ESTIMATED COSTS OF REMOVING OFF-PREMISE ADVERTISING SIGNS

Mr. Speaker, table III shows the estimated costs of removing off-premise advertising signs existing on October 22, 1965, along the Interstate and Federal-aid primary highway systems to comply with the administration's proposed standards. This chart shows the total miles on controlled Federal-aid systems, signs inventoried, signs to be removed—which include all off-premise signs outside of commercial and industrial areas—signs to remain—these signs are in commercial and industrial areas only—and the administration's estimated costs of sign removal. These figures exclude signs along toll roads, signs on the right-of-way, and signs under construction.

Table III shows that of the 1,100,020 signs inventoried on the Interstate and Federal-aid primary systems some 1,016,792 will be removed, leaving only 83,228 signs along the entire 268,898 miles on the controlled Federal-aid systems. The administration's estimate of the costs of removing these signs is $558,610,000, which many, if not most, people who have worked in this field feel is much too low and too unrealistic of the actual expenses that will most probably be incurred in the removal and processes of removal of these 1 million plus signs. This, according to the administration's estimate, will be $549 per sign.

TABLE III.—*Estimated costs of removing off-premise advertising signs existing on Oct. 22, 1965, along interstate and Federal-aid primary highways system to comply with administration's proposed standards* [1]

State	Total miles on controlled Federal-aid systems			Signs inventoried, total	Signs to be removed [2]			Signs to remain [3]			Administration's estimated costs of sign removal	
	Interstate	Other primary	Total		Interstate	Other primary	Total	Interstate	Other primary	Total	Total	Average per sign
Alabama	874	5,738	6,612	22,389	687	19,367	20,054	8	2,327	2,335	$9,994,000	$498
Alaska	0	3,285	3,285	109	0	98	98	0	11	11	26,000	266
Arizona	1,167	2,283	3,450	11,116	2,778	7,422	10,200	201	715	916	14,480,000	1,420
Arkansas	520	3,592	4,112	20,114	872	17,360	18,232	31	1,851	1,882	7,702,000	428
California	2,165	7,548	9,713	20,970	3,129	14,099	17,228	694	3,048	3,742	45,454,000	2,638
Colorado	946	3,622	4,568	15,505	2,364	11,864	14,228	36	1,241	1,277	10,728,000	754
Connecticut	296	987	1,283	3,721	459	2,585	3,044	40	637	677	2,584,000	849
Delaware	41	619	660	2,946	94	2,700	2,794	3	149	152	1,818,000	651
Florida	1,151	4,325	5,476	28,908	1,443	21,829	23,272	130	5,506	5,636	38,348,000	1,691
Georgia	1,105	7,961	9,066	37,535	1,355	34,602	35,957	15	1,563	1,578	16,294,000	453
Hawaii	49	463	512	31	1	26	27	1	3	4	3,000	111
Idaho	609	2,682	3,291	10,606	1,114	8,515	9,629	54	923	977	7,564,000	786
Illinois	1,632	9,826	11,458	63,748	3,944	56,629	60,573	74	3,101	3,175	33,685,000	556
Indiana	1,116	4,937	6,053	31,892	930	29,217	30,147	13	1,732	1,745	9,222,000	306
Iowa	709	9,387	10,096	98,678	353	94,101	94,454	8	4,216	4,224	19,073,000	202
Kansas	799	6,947	7,746	35,915	951	32,962	33,913	15	1,987	2,002	11,295,000	333
Kentucky	733	3,849	4,582	18,447	131	17,691	17,882	4	621	625	4,887,000	274
Louisiana	667	2,641	3,308	15,746	592	12,988	13,580	35	2,131	2,166	6,313,000	465
Maine	312	1,657	1,969	4,504	174	3,777	3,951	2	551	553	2,901,000	734
Maryland	355	2,122	2,477	6,381	171	5,195	5,366	14	1,001	1,015	1,370,000	255
Massachusetts	456	1,908	2,364	5,501	289	3,605	3,894	87	1,520	1,607	4,914,000	1,262
Michigan	1,082	5,957	7,039	32,834	4,043	26,670	30,713	256	1,865	2,121	23,156,000	754
Minnesota	901	7,623	8,524	41,965	779	38,891	39,670	14	2,281	2,295	12,092,000	305
Mississippi	678	5,188	5,866	15,765	775	14,333	15,108	16	641	657	10,328,000	684
Missouri	1,120	7,769	8,889	55,593	5,399	47,259	52,658	279	2,656	2,935	30,747,000	584
Montana	1,177	5,297	6,474	15,937	2,791	12,872	15,663	2	272	274	4,455,000	284
Nebraska	478	5,427	5,905	33,308	369	31,725	32,094	6	1,208	1,214	8,516,000	265
Nevada	535	1,752	2,287	4,448	1,184	2,545	3,729	94	625	719	5,493,000	1,473
New Hampshire	214	1,042	1,256	3,724	189	3,365	3,554	1	169	170	1,629,000	458
New Jersey	373	1,816	2,189	10,370	60	6,648	6,708	33	3,629	3,662	3,769,000	562
New Mexico	1,003	3,093	4,096	11,932	3,169	7,245	10,414	428	1,090	1,518	6,884,000	661
New York	1,234	11,485	12,719	35,017	532	32,025	32,557	54	2,406	2,460	12,489,000	384
North Carolina	769	3,991	4,760	21,591	1,911	18,804	20,715	27	849	876	16,244,000	784
North Dakota	571	4,089	4,660	10,225	932	8,384	9,316	27	882	909	4,534,000	487
Ohio	1,526	6,618	8,144	36,312	797	34,072	34,869	20	1,423	1,443	17,224,000	494
Oklahoma	796	7,332	8,128	30,018	1,629	27,319	28,948	74	996	1,070	17,171,000	593
Oregon	731	3,343	4,074	13,001	1,892	9,729	11,621	117	1,263	1,380	9,369,000	806
Pennsylvania	1,585	6,914	8,499	37,723	2,051	33,265	35,316	346	2,061	2,407	13,519,000	383
Rhode Island	71	371	442	942	88	562	650	17	275	292	984,000	1,514
South Carolina	679	4,616	5,295	25,599	868	21,894	22,762	0	2,837	2,837	7,359,000	323
South Dakota	679	5,341	6,020	25,992	2,450	22,656	25,106	55	831	886	6,621,000	264
Tennessee	1,049	5,723	6,772	23,486	644	18,938	19,582	77	3,827	3,904	10,030,000	512
Texas	3,024	14,566	17,590	62,954	10,918	45,588	56,506	224	6,224	6,448	30,177,000	534
Utah	934	1,433	2,367	8,937	1,796	6,659	8,455	42	440	482	10,222,000	1,209
Vermont	320	1,355	1,675	2,925	21	2,832	2,853	1	71	72	697,000	244
Virginia	1,059	4,637	5,696	19,391	341	15,642	15,983	51	3,357	3,408	19,225,000	1,203
Washington	725	3,234	3,959	9,432	1,008	7,448	8,456	97	879	976	6,608,000	781
West Virginia	516	1,966	2,482	6,510	12	6,322	6,334	0	176	176	4,854,000	766
Wisconsin	459	5,906	6,365	39,551	409	38,033	38,442	10	1,099	1,109	12,834,000	334
Wyoming	912	3,029	3,941	9,721	1,806	7,711	9,517	60	144	204	2,664,000	280
District of Columbia	29	138	167	55	1	29	30	2	23	25	63,000	2,100
Puerto Rico	0	537	537	0	0	0	0	0	0	0	0	0
Total	[4] 40,931	227,967	268,898	1,100,020	70,695	946,097	1,016,792	3,895	79,333	83,228	558,610,000	549

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[1] Excludes signs along toll roads, signs on the right-of-way, and signs under construction.

[2] Includes all off-premise signs outside of commercial and industrial areas.

[3] These signs are in commercial and industrial areas only.

[4] The 69-mile difference between the full authorization of 41,000 miles and the 40,931 miles reported here includes routes for which the final locations have not yet been determined.

CALL FOR A REALISTIC BILL

Mr. Speaker, I sincerely hope that the Committee on Public Works, on which I have the privilege of serving as the ranking minority member, will be able to works its own free will in the formulation of legislation to make the highway beautification program a workable and realistic one.

I think we all want beautification. But there is much difference of opinion between the Congress and the administration on what constitutes a workable and realistic program. Fortunately, many Democrats and Republicans alike on the committee are working toward a workable program. There has been very encouraging bipartisan support of efforts to make the program a workable one. I am sure that this cooperation will continue.

In 1965 the Committee on Public Works was well on its way toward reporting a good highway beautification bill when the administration stepped in—injecting strong partisan issues and making committee members reach strong points of disagreement—thereby resulting in the unworkable and highly criticized program which we have enacted and are struggling with today.

If the Committee on Public Works can work its will, without pressure from the administration, we will have a good bill, one which I think the Nation will readily accept. If the administration steps in again, then we will have the same old problems all over again and still not have a workable beautification program. I hope that this will not happen.

THE WASHINGTON STAR LOOKS AT THE MERITS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, an excellent analysis of the true issue in current Republican proposals for changes in the administration's war on poverty program appears on the editorial page of the Washington Star for today, April 17.

The Star editorial very effectively identifies the basic weakness in the GOP's widely advertised opportunity crusade—and that is the loss of coordination which is sure to follow fragmentation of existing programs, under the GOP plan.

While frankly admitting the vulnerability of OEO's past performance "on a number of points," the Star acknowledges that the administration is moving to meet these criticisms and urges "full consideration" of the proposed administration amendments.

The Star editorial, entitled "Shriver's Survival," follows:

[From the Washington Evening Star, Apr. 17, 1967]

SHRIVER'S SURVIVAL

While there are a good many other aspects, the crux of the fight now shaping up between the administration and House Republicans over the poverty program is clearly and simply the survival of Sargent Shriver's Office of Economic Opportunity as an independent agency.

Scattered demands for Shriver's resignation were heard in the last session of Congress, along with attempts to shift various elements of the OEO program to other agencies. The opposition strategy did not fully coalesce, however, until last week, when GOP members of the House Education Committee disclosed the details of a proposed "Opportunity Crusade" which would "completely dismantle the Office of Economic Opportunity under Sargent Shriver, eliminating or redirecting existing programs." The issue could hardly be stated in plainer terms than that.

Actually, the Republicans' 11-point alternative by no means abandons the goals of the present anti-poverty war. Indeed, most of these programs, modified drastically in some instances and very little in others, are retained. Its estimated cost for the next year, moreover, is a substantial $1.7 billion, just $300 million below the administration's pending request. The authors of the GOP plan seek to disperse the control of these recast programs to other federal agencies, however, primarily Health, Education and Welfare, with the contention that this dispersal plus a fuller participation by local governmental and private sources would add some $400 million to the anti-poverty pool.

We trust there will be no inclination by Congress as a whole to take these claims at face value. The OEO's past performance is vulnerable to criticism on a number of points, much of which is the result of initiating programs on too broad a scale with too little advance thought and preparation. The fact is, however, that the administration is finally showing signs of responding to these complaints. Its own voluminous package of amendments would tighten program control in a variety of ways and it deserves Congress' full consideration.

There may be merit in the specifics of a number of the GOP proposals, which might profitably be incorporated in program revisions. But coordination of these efforts is also essential. And it hardly seems that the best way to achieve coordination is to fragment this vast array of programs among existing bureaucracies which are having great difficulty administering the complexity of federal responsibilities they already have.

CONGRATULATIONS TO THE SUPREME COURT

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I would like to express my appreciation to the members of the Committee on Public Works who have chosen to review the unworkable advertising standards set by the Department of Transportation having to do with the highway beautification bill. I accept this responsibility as a Member of Congress and I believe that the other Members do as well, because there is a vast difference between congressional intent and the criteria which have been established by the Department to administer this act. The gentleman from Florida has made a significant statement. The gentleman from Illinois [Mr. KLUCZYNSKI] has led this fight.

Beyond this, however, I would like to add just one other remark. This might seem just a little strange coming from me, because I have been about as critical of the U.S. Supreme Court as has any man. However, I would like to congratulate that group today upon turning down the request of Cassius Clay to have further delayed his entrance by draft into the U.S. Army. I have mixed emotions, however, about him going into the Army. I would rather have him go to a rock pile and spend the rest of his life there for in my opinion he is not worthy of wearing the uniform of an American soldier. It is a crying shame and disgrace that this same Court has rendered decision after decision which has had the effect of encouraging such sad spectacles as was the case in New York and San Francisco Saturday when our Vietnam critics told the Communists once again they were on their side and do not support the United States and their fellow Americans. The Supreme Court bears more responsibility for this than anyone.

REPORT OF THE PRESIDENT'S CRIME COMMISSION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. RAILSBACK] is recognized for 45 minutes.

Mr. RAILSBACK. Mr. Speaker, the report of the President's Crime Commission and the recent FBI figures on last year's increase in crime underline the swelling problems of our law enforcement officials. A nationwide increase of 11 percent in 1966 is evidence enough that crime today is a terribly destructive force in our body politic—and the threat of its potential is no less real.

In America we prize our freedom and are comforted by the liberties we have—to speak, to move about, to worship as we wish. But if the criminal element in our society denies us the freedom to enjoy these things in which we take so much pride, of what value are they? Already, thousands hesitate to walk our streets and enjoy our parks and our great cities after dark for fear of what may happen to them. Our citizens, quite simply, are no longer secure or relatively free from danger.

And let us not think that this problem affects only the urban dweller. The increase of crime between 1965 and 1966 in suburbia was 13 percent. Our small cities between 10,000 and 50,000 experienced a 12-percent increase. For those under 10,000 the increase was even greater—14 percent. Even rural areas report a 7-percent increase.

There are many aspects of this problem. We must investigate its causes, look for far-reaching remedies, and inspire public responsibility for what is going on.

But one conclusion seems inescapable to me: any meaningful attack on this problem must focus on concerted attention on the law enforcement process. Our system of criminal justice was not established in a spirit of vindictiveness, with a desire to avenge wrongs done. It has, rather, a dual purpose. It seeks to reform and, therefore, to make possible, the return to society of the perpetrator of crimes. Just as importantly, our law enforcement system has the responsibility to assure would-be criminals that violations of the law are to be met with swift and sure punishment commensurate with the crime. If our streets are to be safe, those who would make them dangerous must be removed from them until they understand that society will not tolerate criminal infringements on its members.

To accomplish this task, our law enforcement agencies must have tools with which to work. Better training, scientific research, increased financial support—these are all important. But our officials must also have the legal authorization to do the job which we, the public, vest in them. As some traditional methods of police work have been restricted by recent court decisions other tools and methods must be developed. These must carefully guard the rights of all citizens—those suspected of crimes as well as the law abiding.

It is with this special need in mind that I have given much thought to the laws under which our law enforcement officials operate. I believe that several changes can be made which do not endanger the constitutional rights of anyone but, at the same time, will give officials needed tools in the apprehension and prosecution of criminals. It is with this in mind that I introduce four bills for the consideration of the Congress today.

I. APPEAL OF MOTIONS TO SUPPRESS EVIDENCE

The first of the bills I introduce today involves the problem of motions to suppress evidence collected by our law enforcement officials.

No one condones unreasonable and illegal searches. Just exactly what is an unreasonable and illegal search is not always clear, however.

The law provides that the accused may move to suppress evidence that he feels has been wrongfully acquired. He may appeal conviction if he believes that illegal evidence has been used against him.

This privilege is not open to the prosecution. As a result, different standards apply in different courts in the country. One judge may suppress on quite different grounds than other. Contradictory judgments are not unusual.

A subcommittee of the Committee on the Judiciary of the other body, after studying this problem in the 85th Congress, stated that the authorization of the Government to appeal motions to suppress evidence was badly needed. This authority has been given to the Government under section 1404 of title 18 of the United States Code for narcotics cases. The subcommittee concluded that this authority should not be restricted to narcotics cases. The various courts in this country are entitled to appellate guidance in "admittedly difficult field of search and seizure," concluded the subcommittee. "If they cannot obtain such guidance, the result will be an increasingly chaotic condition, with some judges in a single district consistently adhering to one view of the law, and others to another, incompatible view."

The Supreme Court in the 1957 case of *Carroll* v. *U.S.*, 267 U.S. 132 (1957), declared that a grant of such authority is a proper legislative function of Congress. The Justice Department and the Judicial Conference of the United States have in recent years recommended similar action.

I propose that Congress grant such authority to the Government. However, I believe certain safeguards are necessary. To make sure that such appeal does not bring about unnecessary delay, such appeals must be made within 30 days. Also, to avoid frivolous appeals the attorney who seeks the appeal must certify that the evidence suppressed in the pretrial motion represents a substantial proof in his case against the accused.

Recent support for this general idea came in the report of the President's Commission on Law Enforcement and Administration of Justice. The Commission concludes on page 140 that:

> Congress and the States should enact statutes giving the prosecution the right to appeal from the grant of all pretrial motions to suppress evidence or confessions.

The Commission points out that under present circumstances, when law enforcement officers are faced with overly-restrictive or conflicting rulings they have but two courses of action—both undesirable. They can, for example, abandon a form of search which is considered quite proper by many judges, or they can continue their search, hoping that in future cases a trial judge will sustain it, and a defendant, by objecting and appealing will give the higher court an opportunity to form an authoritative and clarifying ruling. The first choice may cause the denial of the use of legitimate police methods simply because an appellate test cannot be gained, while the second places the officers in the position of flaunting court rulings.

To correct this unfortunate situation is the purpose of the bill I introduce today.

II. FEDERAL "NO-KNOCK" STATUTE

My second bill applies specifically to the area of search and seizure.

Organized crime is today a flourishing business. It affects every one of us—whether as the innocent victims who are shrewdly and professionally exploited each year or as the citizens who annually foot the bill for improved training and new scientific research methods for our law enforcement officials. It is evident that changing situations and tactics demand continuous revision of the procedures used to combat this ever-increasing problem of crime.

This is where my "no-knock" bill comes in—in the form of an additional tool available to our law enforcement officials in the investigation and prosecution of criminals. I propose to grant to our law enforcement officials the authority they need to meet the skillful methods devised by organized crime today.

Of particular concern is the flourishing gambling and narcotics traffic. Here are two highly professional criminal areas of operation where evidence is of extreme importance for convictions. This evidence under present laws can be easily disposed of at the time of a search by officers. Court records are full of cases in which incriminating evidence is thrown out of windows, poured down drains or flushed down toilets when an officer executing a warrant makes the statutory announcement of his presence prior to entry. Another example is that of gambling slips which can be produced on "flash" paper that goes up in smoke in a few seconds at the touch of a match.

Warrants to search for "the fruits and instrumentalities" of these crimes are regularly granted. But due to its peculiar nature evidence of gambling and narcotics is easily disposed of and often lost forever as incriminating evidence.

Clearly there is a need in these cases for our law enforcement officials to be able to enter a place to be searched without delay and without announcement. The delay which now results from the requirement of an announcement of the official's presence allows the criminals to destroy the evidence, thereby frustrating the purposes of a legitimate search.

My bill would, therefore, grant authority to officials to enter premises to be searched without announcement or identification if there is strong reason to believe that the evidence to be seized would be destroyed. This approach has already been enacted into law in the State of New York, and I feel it essential that Federal officers share this authority.

III. AUTHORITY TO INSPECT AUTOMOBILE SERIAL NUMBERS

Stolen motor vehicles pose another problem in the area of search and seizure. Recent FBI statistics show automobile thefts to be one of the largest criminal problems in our country. In 1965 there were 486,000 auto thefts—a 5-percent increase over 1964. Now we learn that this figure increased by another 12 percent during the year just past.

No doubt a high percentage of these automobile thefts are committed by young people for "joyriding purposes." Still, FBI Director J. Edgar Hoover declares that auto theft for resale is one of America's major rackets. Only about one out of four auto theft cases is solved, so exact statistics are not obtainable; but some authorities estimate that 50 percent of the thefts are by professionals.

Car owners can significantly solve the joyriding problem by taking various preventive measures, but deterring professional car-theft rings requires much more.

Especially careful police work in apprehension and prosecution of offenders is a necessity. It is for this reason that I propose a simple increase in the inspection power of law-enforcement officials.

Federal officials now can inspect many items in interstate commerce including motorboats, ferryboats, hazardous chemicals, foodstuffs, and so forth. My bill would allow an inspection by law-enforcement officers of the serial numbers of the body or motor of a motor vehicle for the purpose of determining whether or not it is stolen. This power would not be dependent upon an arrest, or a search warrant, but would simply be an inspection made by an officer who had a reasonable suspicion that the vehicle was being transported in violation of the law. An altered identification number, or a number that did not correspond to registration papers, or that was known to be that of a stolen vehicle would easily establish whether or not a theft had occurred.

If officers can inspect for the great number of purposes they do now, it would seem only logical that they have extended to them this simple power under the commerce clause of our Constitution. The precedents are established, and the need is clear. I would hope that this bill would receive favorable attention by the Members of this Congress.

IV. ADDITIONAL GROUNDS OF SEARCH AND SEIZURE

A particular problem that faces law-enforcement officers and which is often unknown to many citizens, is the inability of officers to search for anything other than fruits, instrumentalities, or contraband of a crime. This deficiency in our methods of criminals procedure is the subject of my fourth bill.

The United States Code limits reasonable searches to the categories I have just mentioned. So under present interpretations of law, it appears that bloodstained clothing, body fluids, hair fibers, and other things that are considered "mere evidence" are not objects of legitimate search.

The Supreme Court has spoken in somewhat equivocal manner in this area. It promulgated in 1921 the so-called "Gouled Rules," which says that items that are merely evidential are not proper objects of a search warrant. The Court in later cases has expanded this rule to include searches made incident to a lawful arrest. However, the Court has not applied the "rule" in cases other than those involving personal papers and documents.

Lower Federal courts and State courts have not acted on this consistently. In the absence of statutory and more definite case law, the cases involving this question have been numerous and conflicting. Recent cases include *Morrison* v. *U.S.* 262 F. 2d 449 (D.C.C.R. 1958), in which a handkerchief which bore evidence of the crime was excluded as improper evidence; and *U.S.* v. *Linsy* 226 F. Supp. 759 E.D. Wis. (1964), in which keys which linked the defendant to an alcohol violation were also excluded. Some State courts have held the opposite. In fact, a Maryland case is before the Supreme Court at this moment in which some clothing is at issue.

Taking cognizance of this problem, the Illinois Legislature of which I was a member, in 1963 passed legislation to make possible searches for any evidence of a crime. The bill I introduce today is patterned after the Illinois law and is based on the sound research and consideration of that legislature.

What my bill does, in brief, is to enable judges or commissioners empowered to issue search warrants to consider as grounds for these warrants any property that may constitute evidence of the offense for which the warrant is requested.

The courts have long held that law officers need no warrant to make a search of a person or his premises if the search is incident to a lawful arrest. My bill, therefore, adds to this power the authority to discover and seize property that may constitute evidence of an offense when the search is thus made incident to arrest.

Obviously, and rightfully, the Constitution of the United States does not permit "fishing expeditions" by police officers so that they may enter our homes and look about for anything they might wish to use against us. On the other hand, it seems absurd to deny officers the right to seize the evidence they find of the very crime for which they have the probable cause to arrest or for which they have a legitimate warrant.

It is my hope, that if passed into law, this bill will clarify the existing situation with respect to search and seizure and will give Federal authorities this significant tool in the investigation and prosecution of crime.

The dispensing of criminal justice is always a difficult and arduous task. The rights of all citizens—innocent and guilty—who are accused of crime must be protected. But these rights must be balanced with the rights of the law-abiding citizens to also be secure in their persons and property. Changing situations and changing tactics of criminals demand that criminal procedure also be revised from time to time. It is my belief that the changes I have proposed take nothing away from the rights guaranteed us all by our Constitution, but that they do offer significant new tools to those who protect us in the prosecution of their work.

Mr. Speaker, I yield back the balance of my time.

Mr. BROTZMAN. Mr. Speaker, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman.

Mr. BROTZMAN. I have been listening with great interest to the remarks of the gentleman from Illinois. I cannot help but observe, first of all, that the gentleman is to be congratulated for bringing to the attention of the House of Representatives one of the Nation's most pressing and most severe problems.

Second, I would like to congratulate the gentleman, and I understand a group of experts, for the vast amount of work they have done in presenting to us concrete and specific proposals to help curb and rectify crime in the streets.

We certainly appreciate also the gentleman taking the time here on the floor of the House today to give us the benefit of all of the work that has been done.

Mr. RAILSBACK. I thank my colleague, the gentleman from Colorado, for his very kind words.

NATIONAL GRANGE WEEK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. ZWACH] is recognized for 30 minutes.

Mr. ZWACH. Mr. Speaker, today marks the beginning of National Grange Week—April 16–22—which not only recognizes this Nation's oldest farm organization, but also honors the National Grange's centennial this year.

I take great pride in saluting this fine organization because its acknowledged father, Oliver Hudson Kelley, chose to settle in my district on a homestead near Elk River, Minn., and because the first State Grange was organized in Minnesota on February 23, 1869.

The times cried for an organized farmers movement in 1867, when Kelley conceived the Grange. It was a troublesome period of reconstruction following the Civil War: Abraham Lincoln was gone, and Andrew Johnson was trying to cope with serious political, social, and economic crises.

In the decade following the War Between the States, farmers felt they were not advancing as rapidly as others. While farmers in the northeastern part of the country were profiting from dairying, market gardening, hay, potatoes, and fruit, other parts of the Nation were less fortunate.

The South was left by the war in a state of complete exhaustion, and agriculture was among the hardest hit; farms had been completely destroyed and often the owners had been killed in battle; but most of all, the total change in the industrial system made a return to normal farming conditions extremely slow.

Meanwhile, the great prairie States of the upper Mississippi Valley, from Ohio to Kansas and Nebraska—producers of wheat and corn—were the center of agricultural discontent. It was here that the protective movement among the farmers manifested itself most vigorously.

The move westward of the wheat industry was leaving these States with disillusioned farmers who were facing depreciation in land values and were finding it necessary to turn to stockraising and dairy farming.

Burdened with debt, they blamed the bankers, railroads, Congress, tariff, and monopolies for many of their troubles. While some of their grievances had been caused by their own shortcomings, many of their grievances were well founded.

Their grievance against the railroads was twofold. In the first place, many unsuspecting farmers lost every penny as they were victimized by unscrupulous brokers who sold them stock in new rail lines. Secondly, railroad rates, management, and service were uncontrolled and discrimination was practiced in fixing prices The Granger laws, pushed by State granges in 1873, curbed the railroads and led to further regulation of monopolies through such measures as the Interstate Commerce Act of 1867 and the Sherman Antitrust Act in 1890.

Farmers in 1867 also felt that as a class, they lacked adequate representation in the Government. The 43d Congress—1873–75—for instance, included 61 percent lawyers, 16 percent businessmen, and only 7 percent farmers; at the same time, the 1870 census showed that 47 percent of the working public was still engaged in farming, while commerce and manufacturing could only claim 31 percent.

Usually ignorant of market conditions and of the laws of supply and demand, and with no facilities for storing their crops, farmers often were forced into selling their products in a glutted market. They received small returns for their hard, careful work. The wrath of the farmers was also directed against commission merchants, through whom they were forced to dispose of their crops at quite unremunerative prices.

For example, a story printed in the Proceedings of the Illinois Grange in 1875 told of a farmer carrying a load of grain to market and returning with a pair of shoes for his boy—the sole purchase which he was able to make from the proceeds of the sale for his grain.

Among farmers there was general poverty and widespread indebtedness, as represented by the growing burden of mortgages—often at excessive rates of interest. Loan agents infested the West; sometimes interest on loans ran as high as 15 or 20 percent.

Following the war, various conditions brought about substantial decreases in the prices farmers received. Their decreasing income and increasing costs led to serious personal situations.

These then, were the conditions which led to the organization and early building of the Grange. As Prof. Solon Justus Buck, of the University of Illinois, put it in his book, "The Granger Movement," which was originally published in 1913:

> An agricultural organization, including a great part of the farmers of the nation, would be able to demand fairer treatment from the railway corporations and to enforce it with the help of the state; it could use its immense influence to secure more favorable legislation on such matters as the tariff, currency and taxation; by means of a widespread local organization it could gather and disseminate useful information concerning the crops and the markets; in general, it could foster a beneficial spirit of cooperation and mutual assistance among its members. In this way alone can a satisfactory explanation be found for the widespread and phenomenal movement for organization which appeared among the farmers in the decade of the seventies.

Into this situation plunged Kelley. Born in 1826 in Boston, he moved early in his life to his Sherburne County farm. By 1866 he had served briefly as a member of the small staff of the newly created Department of Agriculture, when he was authorized by Isaac Newton, first Commissioner of Agriculture, to make a survey of farm conditions in the South following the Civil War.

It was while so engaged that Kelley conceived of the idea that a fraternal organization—composed of farmers from all sections of the country—would help to heal the scars caused by war, as well as to improve the economic and social position of the farm population.

On his return to Washington, Kelley discussed his plans with some of his friends in and out of government, and enlisted their support. Among these were William Saunders, Superintendent of Propagating Gardens in the Agriculture Department and later first National Master of the Grange, J. R. Thompson, William Ireland, Rev. A. B. Grosh, Rev. John Trimble, and F. M. McDowell.

These seven men—after framing a ritual and constitution—met in Saunders' office—currently the site of the portion of the Washington Mall that faces the Agriculture Department—December 4, 1867, and formally organized the National Grange.

Resigning his position with the Department, Kelley left Washington on April 3, 1868, to establish the new organization throughout the rural districts. On April 16 he instituted Fredonia Grange No. 1 in western New York, which is still flourishing.

The industry and perseverance of Kelley and his associates gradually made itself felt and granges began to spring up in the Middle West. Before the end of 1872, more than a thousand granges—distributed among more than half of the States in the Union—had been organized. Kelley moved to Washington and in the parlor of his Georgetown home, on January 8, 1873, the National Grange had its first representative meeting, with 27 delegates from 11 States.

From that date on the Grange movement spread across the country like the proverbial prairie fire, and the long-cherished hopes of the founders for a great national organization of farmers—banded together for the protection and advancement of agriculture and holding fast to the best American traditions—came to full fruition on a scale that amazed the entire Nation.

Today, the National Grange has more than 620,000 members in 7,000 local granges; nearly 5,000 of these units have their own grange halls, which also are used by their communities for civic functions.

The Grange in 100 years has helped modify the capitalistic system to meet yesterday's problems and supports it to meet today's challenges. The Grange is motivated by the ethical ideas of brotherhood, neighborliness, integrity and human concern based on our religious heritage—the very foundation that has made America great.

The Grange today is filling a tremendous need in rural communities. It is one of the few organizations where men, women, and young people—family groups—come together for social purposes, for economic discussions and for the formulation of public policies that affect the entire family and every person within the community.

Mr. Speaker, I am proud that such a vital organization had its roots in my district. I commend the National Grange during National Grange Week for its contribution to the development of the United States and wish it every success in its next century of service.

NATIONAL GRANGE MASTER HERSCHEL D. NEWSOM

Mr. HAMILTON. Mr. Speaker, no citation of National Grange Week, April 16–22, would be complete without mentioning the outstanding leadership with which this 100-year-old farm organization has flourished under its current national master, Herschel D. Newsom.

I consider it an honor that Mr. Newsom's hometown is Columbus, Ind., which is in my district. As a matter of fact, Mr. Newsom, who is the Grange's 16th national master, is part of the fifth generation of a distinguished Columbus family of farmers.

Mr. Newsom has given the Grange dynamic leadership and enjoys an international reputation in agriculture. Mr. Newsom has personally directed the National Grange's leadership in international agricultural organizations.

Mr. Newsom is an active member of the President's Advisory Committee on Trade Negotiations to the Kennedy round of the current GATT discussions in Geneva, and he has played an important role in formulating policies among the member nations.

For 3 years—1963–66—Mr. Newsom was president of the International Federation of Agricultural Producers, a federation of farm organizations from five continents, founded in London in 1946 at the instigation and with the guidance of the National Grange.

His concern in the stake of international agriculture has earned him the chairmanship of the Committee on the World Food Crisis, membership on the U.S. Food for Peace Council, a trusteeship of the American Freedom from Hunger Foundation, a directorship of the United Nations Association of the U.S.A., charter membership in the Advisory Council of the International Movement for Atlantic Union, Inc., and membership in the Inter-American Economic Policy Committee on Canadian-American Relations, and Advisory Committee on Latin-American Relations.

Mr. Newsom has contributed importantly to much of this country's domestic agricultural, legislative program during the last 17 years.

Mr. Newsom is a member of the Transportation Council of the Department of Commerce and the Joint Council on Economic Education, and holds additional Presidential appointments to the President's Commission on the Employment of the Handicapped and the President's Rural Safety Council; he also has been appointed to the Citizen's Commission on International Cooperation and has held similar appointments under Presidents Truman, Eisenhower, and Kennedy.

Mr. Newsom represents the third generation in his family that has taken an active part in Grange affairs. In 1960 he received the Distinguished Alumni Award from Indiana University, from which he graduated in 1926 with an A.B. in chemistry.

Herschel Newsom exemplifies the ability, drive, religious, and practical attributes of his 15 predecessors as national master. He is an inspired, active, and farsighted administrator, another example of the excellence which has characterized the Grange for 100 years.

THE GRANGE AND INTERNATIONAL AFFAIRS

Mr. LAIRD. Mr. Speaker, with the country currently embroiled in international controversies, I think that it is appropriate during this week and year that we contemplate the leadership that the National Grange has taken in forging worldwide cooperation in common endeavors involving agricultural affairs.

This week, of course, is National Grange Week, and this year marks the 100th anniversary of the birth of the Grange. The Grange was celebrating its 50th birthday in the early 1900's when the farm organization became increasingly active in world affairs. This participation grew to the point where its leaders became—and are—an important influence in today's widespread effort to spread the best agricultural know-how possible to developing nations, and to utilize every possible means to reduce the starvation that overcomes millions of people.

Today's established international position of the Grange, and the worldwide recognition of the organization and its leaders came about because of the initiative, straight thinking, and practical approaches that have characterized Grange involvement in world affairs.

Mr. Speaker, it has been said that half the people of the world daily go to bed hungry. For many years the Grange has supported—vigorously—programs aimed at providing adequate diets to more and more people.

Grange historian Charles M. Gardner explains that a Grange member, David Lubin, of California, gave the Grange international program a boost when he suggested the creation of an International Institute of Agriculture. It was his idea that a permanent agency be set up in which nations from all over the globe would be represented; and which would have established headquarters, be financed internationally and devote its energies largely to research. King Victor Emmanuel III, of Italy, became very interested in this project and in 1905 the proposed agency was set up in permanent quarters at Rome, eventually becoming an international spokesman for agriculture with more than 60 different nations represented.

This first attempt at international collaboration united the nations in a program for improved farm conditions and started the effort for greater unity among agricultural groups and people. Far-reaching results came from this start, including the Food and Agriculture Organization of the United Nations and the International Federation of Agricultural Producers.

From the very beginning, the Grange was involved in all of these developments. Grange national masters have served on Presidential factfinding missions since 1926 and have brought back to the United States a wealth of information and a broader understanding of world agricultural problems.

It was during the 1940's, however, that the greatest advances were made in world agricultural organization, both among governments and among farmers' own organizations. Through the efforts of National Master Albert S. Goss, the 40-year-old International Institute of Agriculture in 1945 was recognized for its outstanding contributions and consolidated with the new Government-oriented Food and Agriculture Organization.

Soon afterwards, nongovernmental farm organizations from seven countries met in Quebec to consider the creation of an independent federation of farm organizations to bring the farmers of the world together to meet world food problems, and to protect the interests of producers. Goss was a key figure in this and succeeding meetings, from which was organized the 31-nation International Federation of Agricultural Producers. Goss played a major role in shaping and building the new organization.

The history of Grange leadership in the international sphere culminated in the election of present National Master Herschel D. Newsom to the presidency of the IFAP for 3 consecutive years—1963 to 1966. The foresight and humane qualities of the National Grange are magnificently expressed by National

Master Newsom in his comments on May 3, 1966, to the IFAP on its 20th anniversary:

> Twenty years ago—as today—farm leaders believed that farming could only be prosperous when farmers joined together to understand and tackle their problems of production and marketing. Twenty years ago—as today—farm leaders realized that an ever-improving productivity was the master key to progress.
>
> And this is the place to remind those who might tend to overlook it, that few—if any—countries have seen the improvement in agricultural productivity matched by comparable performance by the other sectors of the economy. Nor have there been any more illustrations of general economic advance without agricultural progress having preceded such industrial or economic development.
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> * * * * *
>
> Twenty years ago—as today—farm leaders recognized agriculture's responsibility to consumers. As we went along we came to realize how deep was the community of interest between primary producers the world over and how fruitful were our continuing consultations among farmers' representatives.
>
> * * * * *
>
> In rich and poor countries alike, primary producers have to limit or regulate speculation—of which the prime victims are always those at the base of the economic structure; that is to say, the farmers themselves. We as farmers in our respective countries, therefore, must promote formulae of economic and trade organizations which create a basis for the stability necessary to harmonious progress.

Mr. Speaker, it is natural that, with the interest of the Grange in feeding the hungry people of the world that it should also become active in many related problems that involve peace and war, liberalization of trade restrictions between nations, and stability of domestic markets. Grange positions on these and other problems are constantly reviewed through the machinery of the Grange, which encourages members to "have their say on what Grange policies should be."

And so, Mr. Speaker, to return to my opening remark, it is well to keep in mind during National Grange Week, and the centennial year of the Grange, the historic leadership of the Grange in the field of international agricultural affairs.

GRANGE COMMUNITY PROGRESS PROGRAM

Mr. CHAMBERLAIN. Mr. Speaker, the 100th anniversary of the National Grange, which we are commemorating during National Grange Week, coincides with the 20th year of the community progress program, which is operated under the joint auspicies of the Grange and the Sears, Roebuck Foundation.

The mounting problems of our mushrooming population and urban congestion and decay will hasten suburban expansion into rural areas, relocation of more and more industrial plants in outlying districts, and reveal other symptoms of national growth which all add up to a greater challenge for local leadership to instigate development action at the community level.

Rural community and suburban self-improvement programs have constituted a basic part of the Grange philosophy since the inception of the farm organization 100 years ago.

I am proud that the chairman of this magnificient program is a resident in my district—William J. Brake—who resides in Haslett, Mich., which is headquarters for his activities both as head of the community progress program and as national lecturer of the Grange.

Originally the local Granges carried out projects under the annual community service program. The new 2-year community progress program stresses leadership with the Grange as a motivator and coordinator, rather than the sole doer.

Incentive for the communities to participate in the Grange-Sears program are cash prizes, with the top award $10,000. All award money must be reinvested promptly in further community progress. Some 4,500 entries were submitted in the first biennial contest during 1963–65.

The first-prize winner in 1965 was the Grange in Spencer, N.Y. The town was suffering from urban blight—highlighted by an eight-acre swamp in the center of town—when the Grange and the local chamber of commerce initiated 14 projects that reversed the decaying trend and culminated in the conversion of the swamp into a beautiful lake.

From this example, Mr. Speaker, we can see what local initiative can do when organized behind a common goal. It is self-help projects such as the one in Spencer which will save rural America from further blight, poverty and ghost towns.

Together, the Grange and the Sears Foundation have spawned 100,000 projects that utilized millions of dollars and hundreds of thousands of volunteers dedicated to improving rural and suburban communities throughout the country.

Mr. Speaker, I commend the Grange on its 100th birthday during this, National Grange Week.

THE GRANGE—PIONEER IN EQUAL RIGHTS FOR WOMEN

Mrs. MAY. Mr. Speaker, in 1867 the legal status of women was about the same as that of the then recently freed slaves. In the same year seven farsighted men organized the National Grange with the unheard-of stipulation that women members would have representation equal to their male counterparts.

The founders, in this way, created a unique family organization, the first in history to give women a high place in its operations and an equal share of the most exalted positions of the Grange with their "brothers." The Grange structure from the very beginning has given women responsibilities commensurate with their abilities and privileges.

As a matter of fact, it was a woman who probably saved the Grange from collapsing within its first year. It was May 1, 1868, less than a year after the Grange was founded by a seven-man group headed by Oliver H. Kelley, that Kelley returned to his farm home at Elk River, Minn., from 6 weeks on the road of fruitless organizational efforts.

Kelley was weary, hungry and had little to show for his pioneering efforts except for the organization of Grange No. 1 in Fredonia, N.Y. He even had to borrow railroad fare from Masonic friends at Madison, Wis., to make the last leg home. He was so dejected that he probably was ready to give up his drive to organize the Grange when his wife, Temperance Lane Kelley, came to his rescue.

Unknown to her husband, Mrs. Kelley had received a $500 legacy from a distant relative. She had carefully saved this sum, in spite of the harassing situation surrounding their impoverished homestead, where almost everything was badly needed. After hearing her husband's story she gave him the $500, along with sympathetic, but challenging words of encouragement. She urged him to try again—to continue his inspired organizational efforts.

Without this financial and inspirational aid, the discouraged Kelley might never have resumed his crusade to start the Grange, and it is unlikely that any of the other founders would have been able to have done so.

Even before Mrs. Kelley's support, another woman had already made a key contribution to the Grange. Miss Caroline Hall, Kelley's niece and later his assistant, told her uncle:

> Your organization will never be permanent if you leave the women out.

Kelley took her advice—which turned out to be prophetic. The spectacular action of the founders in giving women full equality and a vote placed the Grange in another leadership role. It was the first American association of any kind—not only the first farm organization—to work for equality and justice for women.

Early conventions of the Grange went on record for women's suffrage, and Grange support and influence contributed greatly to bringing about equal suffrage for women in the United States.

It was not until 1920—53 years after the Grange had established the principle of equality—that the 19th amendment to the U.S. Constitution, forbidding the States from making sex a qualification for voting, was ratified.

Today the Grange has a wide program for women that currently is under the direction of Mrs. Alta Peck, of Litchfield, Conn.

The role of the American woman in society today has changed greatly since the founding days of the Grange. In 1867 plenty of work was found for the weaker sex. Besides homemaking functions in connection with Grange hall activities, Grange women demonstrated their abilities as lecturers, officers and committee chairmen. They took the leadership in community and youth activities that have characterized the Grange in all of its 100 years.

Since 1911, home economics has been a major activity within the Grange, and the National Home Economics Committee, working with subordinate granges, has contributed tremendously to the building of the National Grange into a stronger force throughout rural America. The committee assists the Grange in lectures, its community service program, and its activities associated with educational authorities in towns, counties, and States.

In addition to the various programs and contests conducted by the women of the Grange, overseas assistance projects also receive aid from these dedicated women in such countries as the Philippines, Cambodia, Greece, and Latin American nations.

Mr. Speaker, the unselfish work of the women of the Grange within their organization and for the general welfare is deserving of the highest commendation in this, National Grange Week, and the 100th year of the National Grange.

GRANGE YOUTH PROGRAM

Mr. McEWEN. Mr. Speaker, an integral part of the National Grange since its inception 100 years ago has been the youth of our country. As National Grange Master Herschel D. Newsom stated this week, which is National Grange Week:

> Young members must be encouraged and inspired along the way to develop all of their talents for service and leadership in the high principles of the Grange for building a better America—and a happier, more peaceful world.

Mr. Newsom ties this philosophy to that of the Grange when he points out:

> Those goals can be achieved only as we develop the acceptance of responsibility and dedication to purpose for which the Grange was originally organized, and toward which Grange leadership must now rededicate our 100-year-old farm organization.

Persons 14 and over have been admitted to full membership in the Grange since its founding in 1867. Nine years later, Junior Granges—originally called Juvenile Granges—were created. Junior Granges elect their own officers and conduct their own rituals. Members may continue as active Junior Grangers until they are 16.

Junior Granges are aimed at building good citizens. They teach appreciation of our country, understanding of others, and the responsibility that goes with freedom. They also guide members through the good life, which includes sincere faith, love of the out of doors and a definite place for fun and happiness. Latent abilities are developed in all areas.

Among major Junior Grange activities are summer camps, group discussions, nature studies, first aid instruction, bus tours and participation in National Grange competitions, involving such activities as art, photography, and sewing—according to age groups.

An unusual JG activity is known as the Greek team project, under which Junior Grange members help finance the construction of a girl's school in Kytheria, Greece. The Greek team is composed of Mr. and Mr. George Koksma, Dutch missionaries serving under the aegis of the World Council of Churches, who are directing the school construction.

Although the Grange since its birth has sought to stress youth activities in subordinate units, there was no concerted nationwide approach until 1934. In that year, youth committees were organized in all State, Pomona—district—and subordinate—community—Granges.

Youth activities continued to expand after 1934, and in 1949, a full-time staff member was designated director of youth activities. I am proud that the current director is a constituent of mine—Edwin C. Hadlock, of Hammond, N.Y. Mrs. James W. Ingwersen, of Le Roy, Kans., is junior superintendent.

In 1951 the National Grange youth leadership training fund was established through donations from the 7,000 local Granges—members and nonmembers—to provide incentives and opportunities for young people to discover and develop potential leadership qualities. Under this program was developed the National Grange interstate exchange and international travel scholarships.

Another offshoot of the leadership training program was the popular practice—initiated in 1960—of selecting State and National Grange princes and princesses of the year among older teenagers. In 1961 the young married couple of the year contest was set up.

Another commendable youth feature of the Grange is the youth traffic safety service contest inaugurated in 1963 as an annual feature. It replaced the traffic safety essay contest, which had been in operation since 1927 under the joint sponsorship of the Grange and the automotive safety foundation.

Mr. Speaker, the Grange is performing an outstanding service to the country by preparing many of our young people for the burdens of citizenship and leadership thrust upon them when they become adults. I look forward during this special week to an even more dynamic youth program under the Grange, as it moves into its second century.

LEGISLATIVE ACCOMPLISHMENTS OF THE GRANGE

Mr. HATHAWAY. Mr. Speaker, this special salute today on the occasion of the issuance of a commemorative stamp honoring the National Grange during National Grange Week for 100 years of service to this Nation would not be complete without a roll call of major agriculture legislation achieved with Grange assistance.

Many of our laws taken for granted today were either sponsored or supported by the Grange, not just laws benefiting farmers and rural Americans, but all Americans. Look around you, observe your community. Much of the legislation that developed our 20th-century mode of living was enacted with the active aid of the Grange.

The Grange has helped build highways, schools, churches, recreation and health facilities, libraries, cooperatives, electric and telephone lines, youth organizations. It has not been the sole organization behind these progressive acts, but it has been a bulwark in securing their passage.

In the early days, shortly after its creation in 1867, the Grange fought vigorously for measures which lifted farmers and rural Americans out of their doldrums and into the mainstream of American society.

Its sustained campaign to break the stranglehold the railroads had on this country during the 1870's led to the basic American tradition that the Government had the right to control monopolies, on behalf of the American people. These antimonopoly laws have become known in history as the Granger Laws, and led to such fundamental acts as the Interstate Commerce and Sherman Antitrust Acts.

Following are some of the other achievements of the Grange over the past 100 years in the field of legislation:

The Food and Agriculture Act of 1965, cited by Agriculture Secretary Freeman as incorporating longstanding Grange policies.

The concept of parity, or equality of income, initiated by the Grange, for both the farmer and the entire rural American economy.

Led the fight that gave cabinet status to the Department of Agriculture.

Developed the original Farm Credit Act and played a major role in giving the farmer control and ownership of its administration.

Laid the groundwork for the creation of farm cooperatives and strongly supported their continued development.

Sponsored legislation which created the Rural Electrification Administration and the rural telephone system.

Was the dominant force in bringing social security to farmers and other self-employed rural Americans.

Played a paramount role in the formation of the United Nation's Food and Agriculture Organization and the International Federation of Agricultural Producers.

Helped pass legislation establishing our current system of interstate highways.

Fostered creation of the Agriculture Department's Extension Service and Vocational Agriculture program.

Initiated legislation which removed the Federal tax on fuel for on-the-farm use—saving farmers some $100 million a year.

Won its fight to preserve trip leasing privileges in agricultural trucking—saving rural people $200 million annually.

Was solely responsible for initiation of rural free delivery and our parcel post system.

Secured initial action establishing our system of agriculture experiment stations.

Championed the Soil Conservation Service, Farmers Home Administration, and the crop insurance, upstream small waterways, school lunch and milk, rural area development, food-for-peace programs.

From these examples, Mr. Speaker, we can see that the National Grange over the last 100 years not only has been instrumental in obtaining milestone agricultural legislation, but also laws affecting all Americans.

And so, Mr. Speaker, I wish to commend the Grange during its special week and on this special day, which honors this outstanding farm organization with a commemorative stamp, for its dedicated service to all Americans.

THE NATIONAL GRANGE MAGAZINE

Mr. BROYHILL of Virginia. Mr. Speaker, I am pleased to join in this salute to the National Grange during National Grange Week with a few comments about the renewed publication of Grange this year.

After a 4-year absence, the National Grange magazine has returned bigger and better than ever before. Originally a weekly and later a monthly periodical, the National Grange magazine has been published for 60 of the farm organization's 100 years, prior to its reestablishment in this, the centennial year of the Grange.

The new publication will appear quarterly this year—its pilot issue was distributed last December and its initial, full-scale edition last month—and will become a monthly next year.

Distribution is 500,000 dues-paid copies. The magazine appears in full color on slick paper and its editorial content is probably the most provocative of any publication of its kind.

The pilot issue of the magazine was highlighted by a proposal by National Master Herschel D. Newsom that included three steps which could be taken by the United States and other countries to help eradicate the staggering food problem in the world.

The initial issue last month contained a wealth of excellent material, including a call by Newsom to suspend the extension of new construction of government facilities in major cities until studies have been made to determine which of these planned projects could just as easily be set up in small towns.

Mr. Speaker, I am proud to announce that the managing editor of Grange—Ray J. Taylor—is a constituent of mine who had distinguished himself before joining the Grange as general manager of the Northern Virginia Sun in Arlington and later as executive editor of the Washington World in the Nation's Capital.

I welcome the appearance of this bright new addition to the Nation's press and wish it every success in the ensuing years.

Mr. HANLEY. Mr. Speaker, while we are celebrating National Grange Week between April 16 and April 22, I believe it would be appropriate to look ahead to another date this year—December 4—which will mark the 100th anniversary of the National Grange.

It was on this day 100 years ago in a small office of the newly created Department of Agriculture on the site of what is now the Mall that seven farsighted men grouped themselves around the plain wooden table of William Saunders—superintendent of propagating gardens for the Department—and founded the Nation's first farm organization.

Now, 100 years later, the Grange will be convening at Syracuse, N.Y.—which I am fortunate to represent in Congress—to set in motion plans for its second century of service to our country and the world.

Mr. Speaker, the Grange has neither contented itself to rest on its laurels, nor to fix its programs on the problems of a bygone era. Instead, the National Grange is looking to the future. Today, more than ever before, the Grange is marshaling the necessary forces in the country to revitalize a rapidly declining rural America.

The Grange, today, is placing the full impact of its massive prestige behind an effort to unite all common friends in a fight on rural poverty. No one can stand aside in this fight. The urban resident has as much involved as the rural. The first step of the Grange timetable is to halt the increasing migration into the cities in an effort to lessen the already over-congested cities of our Nation. Such a reversal can only come about if there are adequate incentives to keep the farmer and smalltown citizen where he is. And the Grange is seeking the creation of projects that will "keep them down on the farm" and in the small towns.

As a first step, the Grange has proposed the revolutionary but thoroughly feasible suggestion that some of the new buildings which are being planned by the various executive departments and agencies be placed in heartland communities. Many of our cities simply cannot handle more construction. And the time has passed when the Federal Government has to be totally concentrated in the National Capital.

As a matter of fact, the speedy development of modern technology, mass communication and transportation systems is making such centralization obsolete. In the very near future it will be easy for Government officials to communicate with each other by picture phone, obtain complex data through computerized touch phones, and meet face to face through ever speedier modes of transportation.

Furthermore, the decentralization of Government agencies into sparsely populated areas will give these economically depleted sections of the country the economic base they so badly need to encourage similar action by industry, and thus provide the jobs and social requirements absolutely necessary for the survival of rural America—not to mention urban America.

At the same time, the reversed migration of urban professionals into inviting rural areas will also alleviate the overcrowding in our cities, which are doomed to the ominous prospect of figuring out what to do with twice as many people early in the 21st century.

Additionally, these new rural residents not only will bolster the composite population of the areas, but they will bring living representation of the National Government to people whose conception of the Federal Government in some cases is of a far-removed monolith that neither cares nor works for their behalf.

These are the kinds of proposals which will be scrutinized at the upcoming centennial celebration when the National Grange convenes its annual convention November 13–22 in Syracuse.

While having a history of vast accomplishments behind it, the Grange will concentrate its efforts in Syracuse through prominent speakers and through introspective seminars on solving America's rural dilemma in the coming years.

I will have more to say about Grange plans in the ensuing months, but I wanted, Mr. Speaker, to take the occasion of National Grange Week to alert the other Members of Congress to the discussions and exhibits being planned for the November centennial convention in Syracuse.

LET US KILL ONCE AND FOR ALL THE COSTLY AND UNNECESSARY EXTENSION OF THE WEST FRONT OF THE CAPITOL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 60 minutes.

Mr. STRATTON. Mr. Speaker, Members of this House will recall that I have been one of those who have been most outspoken in opposition to the proposal by the Architect of the Capitol, Mr. Stewart, that we ought to expand and extend the west front of the Capitol, the beautiful and historic front that faces down the Mall toward the Washington Monument and the Lincoln Memorial; that we ought to extend it by 4½ acres, put in a couple of restaurants, movie theaters, and entirely alter the sole remaining portion of the original Capitol Building constructed here originally in 1800.

I have been relatively quiet on this subject this year, Mr. Speaker, as a result of some of the opposition generated in this body and in the other body, and with the formation of a National Committee To Save the U.S. Capitol. I think it was interesting that the Architect decided at the last moment last year not to ask for funds to undertake this project. And there has been some delay in our knowing just what his action was going to be this year. For that reason, I have been, so far, rather quiet on this subject.

But several events have taken place in the last couple of weeks that I think make it timely to bring this subject again to the attention of this House, to the Congress, and beyond us to the American people, who are going to have to foot the bill for any such $34 million boondoggle project up here on Capitol Hill. In fact, if the experience with the Rayburn Building is any basis for judgment, it will prove to be a lot more costly than $34 million.

The first item that I want to bring to the attention of this House is an item that appeared in Roll Call newspaper, dated April 13, announcing that the Capitol Architect, Mr. J. George Stewart, has indicated that he is, after all, not going to ask for any funds to undertake this $34 million project to deface and destroy the only remaining part of the most historic building in our country; he is not going to ask for any money on that project this year.

I do not know whether this is any official document, Roll Call newspaper, but certainly this is interesting news. If it is true, then certainly this is a partial victory for restraint and sanity here on Capitol Hill, and it is certainly very clear, too, that the public opposition to the ridiculous west front project that has been building up over the past 3 years is finally beginning to have a telling effect on the Capitol Architect.

Mr. Stewart pulled in his horns last year, as I have already indicated, on this project after we got our National Committee To Save the U.S. Capitol going with substantial support from both Houses of this Congress and when, as a result of that activity, we were able to put a little national publicity spotlight onto just how harmful and costly this whole scheme would be.

Members may recall that Parade, Sunday newspapers supplement, last September ran an article on this subject, and I might say that the favorable response from that article around the country has been overwhelming.

So apparently this reaction is beginning to be felt. But Mr. Speaker, I do not believe that relying on Mr. Stewart's off-again on-again moods is really going to be good enough for us here. The time has come now for the elected Members of this Congress to assert their own leadership and their own responsibility in what is certainly one of the most vital matters to come before the House—the future of this U.S. Capitol Building. It is time for us, in my judgment, to blow the whistle finally and emphatically on Mr. Stewart's grandiose scheme and tell him in words of one syllable—or less, if possible—that he is not going to get away with devastating and destroying the most historic building in the United States today.

It is time for us to act positively and decisively, rather than for us to try to keep on, year after year, sitting around here with our fingers crossed and holding our breath until we find out what Mr. Stewart's whim for the current fiscal year might happen to be. After all, who is running this body, the Congress or one of our hired hands?

Let us hope that this report is true, Mr. Speaker. But even if the Capitol Architect does not plan to come before the Appropriations Committee to request fiscal year 1968 funds for getting started on this $34 million job, do not by any means think he has given up the hope, or that he has abandoned the project. Because there is plenty of evidence that activities for propagandizing this project—and for trying to sandbag the Members of the House and the Senate into thinking it is all over but the shouting—is still going on.

I commented during the period that Congress was in recess that over in Statuary Hall, in that historic shrine, the former Hall of the House of Representatives of this Congress of the United States, the Architect of the Capitol has himself enshrined in stone and glass and metal, with a structure that rivals the impressive tomb of Napoleon in the Invalides in Paris, a $20,000 model of his proposed extension project. That's right in the center of Statuary Hall. As a matter of fact, he did not miss by very many feet covering entirely the historic spot in that Statuary Hall, marked by a metal plaque, where President John Quincy Adams sat for 20 years as a Member of the House of Representatives, after he was no longer President of the United States, and where one day, more than 100 years ago, he collapsed and was carried off the floor to die.

This is a rather remarkable thing, Mr. Speaker, because Congress never authorized that model to be placed there. We never voted on it. As far as I am aware, this is the first time any such model has ever sat in that historic spot. We have had models before, around here. We had a model of the Rayburn Office Building. The design had been officially approved, the building had been authorized, its construction was underway. And so we had a model of it sitting in the rotunda of the Cannon Office Building, so that people could see what the thing going up across the street would eventually look like. We had models around of the proposed extension of the east front of the Capitol, which also started out at a relatively small cost, but which ended up at a much inflated cost. That design, too, had been approved and construction of the front was going on. But the model was still located downstairs in the crypt of the Capitol, down on the first floor, and not up in one of the historic Chambers.

Yet here is a proposal, still without any formal support from this Congress—as a matter of fact, which the Congress specifically last year directed the Architect not to proceed on. Yet here it is, occupying a position as though it had some sort of special enshrined and sainted significance.

I picked up the National Geographic magazine for April when it arrived at home the other day, and opened it to an article appearing there, entitled, I believe, "Flowering Washington." It was devoted mainly to a project which has been considered downtown for some time, but for which Congress has not yet appropriated the funds, a revision of the northern side of Pennsylvania Avenue and generally an improvement of downtown Washington.

But I was amazed when I saw the pictures that had been included in this article, to realize that the Capitol Building which appeared in the models which proposed to show what a restored Pennsylvania Avenue would look like was the J. George Stewart version of the U.S. Capitol, not the real one. So they have put this version in their own photographs, without any approval by the Congress for the Stewart change, and apparently without any attempt to determine what Congress and the elected Members are going to do about the Stewart proposal.

By doing this the National Geographic Society is directly and improperly contributing to the Stewart propaganda campaign. In view of this uncalled for exercise in subtle propaganda on the part of a magazine which is supposed to have some concern for education and certainly for historic landmarks—and I do not know of any landmark more important than this Capitol Building—perhaps it is a darned good thing that the Internal Revenue Service over the past weekend withdrew the tax exempt status of the National Geographic magazine.

How has the Geographic arrogated to itself the job of telling the world what is going to happen to the Capitol, even before the elected Representatives in this body and in the other body have an opportunity to vote on it? Are they a part of the Stewart propaganda machinery too that is seeking to accomplish by subliminal means what it cannot so far—and I do not think it is ever going to be able to do—accomplish officially and openly? Or has the Geographic been an unwitting victim of the Stewart propaganda machinery itself, fooled by the model of his Capitol project he put in the middle of Statuary Hall when Congress was in recess? Did they fall for that one too, perhaps?

Well, let us get the Stewart model out of the Capitol and let us get it out of the National Geographic magazine. Let us get it back where it belongs, in the Capitol Architect's own office, and back on the very back burner at that.

One further point, Mr. Speaker: The other day the American Institute of Architects made public a study by a task force of distinguished architects operating under instructions of the American Institute of Architects, devoted on this very topic, the present status of the west front of the U.S. Capitol. I am going to ask permission at the end of my remarks to include the full text of this study in the CONGRESSIONAL RECORD, because I believe it will be of interest to every Member of Congress and certainly to the general public at large.

Mr. Stewart has suggested that you cannot repair the west front; that the only way to fix it is to extend it by 4½ acres and spend $34 million to put a couple of movie theaters and Howard Johnsons out there. I think it is reassuring to us who are interested in economy as well as architecture to know that the American Institute of Architects has said that the west front can be repaired. Their report demonstrates this fact. The architectural experts, having examined the building very carefully, found that Mr. Stewart's claim that the building was in imminent danger of collapse and might be slipping down Capitol Hill at any moment if some jet airliner bound for National Airport should veer just a little bit too close to us was complete nonsense. We can stay here for a few more centuries, they found, without too much difficulty—if we can survive the other perils we face.

They said that any structural damage which exists on the west front—and incidentally they noted a fact that I have pointed out on this floor many times; namely, that much of the damage cited to us in justifying this boondoggle project is what occurred because not a single thing has been done to keep the west front in repair since 1961—they said any structural damage can be repaired by modern techniques. We can even duplicate the stone used in the original Capitol.

The report of the American Institute of Architects clearly demonstrates that Mr. Stewart's study of 3 years ago of what was needed to keep the west front from falling down was really no study at all but only a set of fallacious arguments dug up to support a preordained conclusion. As a matter of fact—and I have pointed this out before too—the Stewart study never bothered to go into what would be needed to repair the west front instead of destroying it. This is because Mr. Stewart already had made up his mind about turning it into a super Howard Johnson.

Senator MONRONEY over in the other body tried gallantly last summer to force Mr. Stewart to do a thorough engineering analysis or to have it done for him, as to what would be needed simply to repair the west front and how much this repair would cost in contrast to his own $34 million extension proposal. Once again, though, the wily Capitol Architect slipped through the trap. Now we have a prestigious and professionally sound group on record to the effect that this job can be done in fact. I think we ought to put our attention to the first job and find out just what does need to be done and how cheaply we can get it done. Let us give the heave ho once and for all to the Howard Johnson nightmare on Capitol Hill.

I would like to read, Mr. Speaker, just one or two of the conclusions from this report, because I think they point out how inadequate a job the Capitol Architect has done in trying to lure us into spending this kind of money. The task force of the American Institute of Architects was appointed in September 1966. It was "instructed" to study the engineering reports and the extension plans, meet with and review the arguments of the architects for the project, and inspect the Capitol from attic to basement." The instruction from the president of the AIA were as follows:

> If this committee finds that restoration is impractical or too expensive or that in the opinion of the task force the proposed plans have validity, I think we are big enough to change our position. I hope, therefore, that you will agree to serve on this committee.

Well, they did not change their position. In a preliminary note the report says this. I think we would all subscribe to this.

> The Institute believes that Capitol Hill is the single most important land development in our nation. We also believe that history will hold the architectural profession accountable for the development of the Capitol and of Capitol Hill. Therefore, in the findings and recommendations of the American Institute of Architects which follow we have attempted to be objective and constructive.

Let me just read some of these findings. First of all:

> The west front of the Capitol is in a serious state of disrepair. Numerous cracks are in evidence on the exterior of the building. Some window lintels and keystones have cracked and slipped. Several of the architrave stones have sagged. The foundations at some points are not far enough below finished grade to escape frost damage. However, none of the defects appear to indicate the danger of collapse is imminent or that correction is impractical.

In fact, the comment goes on to point out, and again I am quoting:

> No visible effort has been made recently to fill these cracks nor at least to deter the penetration of moisture.

Imagine 6 years of failure even to keep the moisture out; which any reasonably competent manager or superintendent or janitor of a building ought to be able to do—

> Had this been done as the cracks appeared, it is likely that the disgraceful exterior due to scaling paint could have been avoided.

Mr. Speaker, I think this further comment is also of interest:

> There is no direct evidence that lateral thrust in the present West Front has caused problems. The Capitol Architect's staff engineer reports that the building is not out of plumb. Thus while the Capitol is experiencing some vertical settlement it is not slipping down the hill. In short, none of the above mentioned defects appears to indicate that danger of collapse is imminent or that correction is not practicable. Furthermore, since lateral thrust is not presenting major structural problems, doubt is cast on the need for a buttress, although this is one of the arguments made by those who favor an extension.

So it now appears that that big wooden structure outside that was so ostensibly erected a year or so ago, the big buttresses out there holding up the columns and all the rest, are really after all just another bit of the subliminal propaganda campaign to which we have been subjected by the Capitol Architect to appropriate $34 million we do not need to spend.

Mr. Speaker, here is the second conclusion of the AIA report:

> The recommendation to extend the West Front of the Capitol, to provide Members of Congress and visitors with additional space and facilities, was made without first conducting an adequate survey to illustrate the use of present space and the need for additional space, according to recent testimony by a Member of Congress. If modern facilities and office space are critical necessities, should a 19th century building be reshaped to meet 20th century needs?

The third conclusion is as follows:

> The American Institute of Architects recommends that the West Front of the Capitol be restored and that Congress establish a permanent policy prohibiting any further major alteration to the Capitol other than that absolutely necessary for structural and safety reasons.

I might also quote their further comment, here, since we are concerned with finances—

> No estimate has been made by the Capitol Architect to determine the cost of restoring the West Wall in its present location on the grounds that restoration was not the best solution and there were too many unknowns to arrive at a reasonable estimate. The American Institute of Architects does not know what the cost of restoration would be. However, it is unlikely that the cost of restoration would approach the total cost of extension.

And then finally they conclude—

> The American Institute of Architects recommends that the West Front of the Capitol be restored and that Congress establish a permanent policy prohibiting any further major alteration to the Capitol other than that absolutely necessary for structural and safety reasons.

And they add a couple of other observations which I think the House will find interesting:

> The more aged, eroded condition of the stone of the West Front should be considered honorable evidence of its survival as one of the earliest of our major public buildings.

After all, the British tried to burn the Capitol down and they were not successful. Are we going to let the Architect of the Capitol tear it down and cover it up now?

> It is a condition that does not detract from the beauty of the building when viewed from a distance, and it is one which adds considerably to its interest and historic significance when examined close-at-hand.

Mr. Speaker, it is my opinion that the language should be stronger. I think it would be a tragedy and a crime to cover up the remaining portion of the original Capitol.

And then let me quote the final sentence of the report:

> We strongly urge that the greatest symbol of our country be preserved.

Mr. Speaker, I think there is one other quote in this report I would like to read if the distinguished present occupant of the chair will forgive me for prolonging this discussion.

It is a quotation from President Johnson:

> Among the most cherished of the nation's treasures are the monuments of its past. Each contributes to the historic texture of society. We look back with reverence to lasting reminders of a vital past. We look forward with confidence to achievements which will enhance our future with accomplishments to match our monumental past. In every part of the country citizens are rallying to save landmarks of beauty and history. The government must also do its share to assist the local efforts.

Mr. Speaker, we have right here in this Capitol a historic landmark unmatched in America. Certainly we in the Congress ought to do our part, and I think we can do our part, by saying flatly and finally now that we do not want to let the Capitol Architect get away with his grandiose plans for destroying and defacing the U.S. Capitol, the single most important historic landmark in America.

So, Mr. Speaker, I propose in the days ahead and at the appropriate time to introduce legislation and appear before the appropriate subcommittee of the Committee on Appropriations to get funds appropriated so that we can finally get a full-scale engineering study done of just what repairs are needed to correct the damage which has been allowed to take place in recent years on some of the west front stones, the sole remaining original portion of our U.S. Capitol Building.

I also want to call the attention of my colleagues to a very penetrating article that appeared in the New York Times magazine section yesterday on April 16, written by Robert Sherrill, entitled "Architect, Spare Our Capitol."

This is, I think, a very comprehensive and very fair survey of what the situation here is. I believe the Members ought to take advantage of the opportunity to read this article so that perhaps if they may be inclined to "go along with the Architect" rather than "rock the boat," they may realize that there are some other important factors involved.

The plain fact of the matter is that with all the emphasis today on eliminating unnecessary Government spending, and on ethics in the Congress, the very last thing we need up here on Capitol Hill right now is to leave any possible doubt in the minds of any American voter or taxpayer whether this Congress still plans to go ahead with another grandiose $34 million mausoleum to ourselves once the present flurry has blown over, and the appropriate, unobtrusive moment has arrived. We know darned well that we should not build this thing, and we ought to tell Mr. Stewart and the rest of the world that very plainly and forthrightly right now.

Mr. Speaker, I ask unanimous consent to include with my remarks three items. First of all, the news item from Roll Call from April 13; secondly, the report on the conditions of the west front of the Capitol submitted by the American Institute of Architects; and, thirdly, the article from the New York Times magazine section of April 16 by Mr. Robert Sherrill entitled "Architect, Spare Our Capitol."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The material referred to follows:

[From Roll Call, Apr. 13, 1967]

West Front Project Delayed This Year

Opponents of the west front extension project appeared to have won a postponement, as the Capitol Architect's office this week indicated it would not request funds at upcoming House Appropriations Committee hearings.

Funds for the $34 million project are not included in the Legislative Branch budget for the new fiscal year, although the five member Commission on the Extension of the Capitol approved the preliminary plans last year.

Appropriations hearings on the legislative budget are expected to begin this month, but preliminary plans for the extension will not be submitted for funding, unless requested, the Architect's office reported.

Committee members, however, are expected to closely question the Architect, particularly after last week's release of a study by a committee of the American Institute of Architects opposing an extension.

The AIA committee recommended removing all exterior paint and replacing stones that are structurally unsound with the same sandstone material as that of the original wall.

The Architect's Office maintains that the old sandstone walls are in danger of collapsing and recommends construction of an extension faced with marble that would add 4.5 acres of floor space.

AIA President Charles M. Nes, Jr., in a preface to the committee's report, called on Congress to establish a permanent policy prohibiting any further major alteration "other than that absolutely necessary for structural and safety reasons."

Nes also said that the restoration job would be difficult but if the decision were made to restore the Capitol, "our building technology is certainly adequate to meet the challenge."

The AIA committee report gave no cost estimate for the project, but indicated it would probably be less than that of an extension. Supporters of the extension project contend the cost of a restoration job might be as much, or more, than that of an extension.

A Report on Conditions of the West Front of the Capitol

"In every part of the country, citizens are rallying to save landmarks of beauty and history. The government must also do its share to assist the local efforts." President Johnson, 1966.

I. INTRODUCTION

In September 1966, when it became apparent that the 89th Congress would not appropriate funds for the proposed extension of the West Front, AIA President Charles Nes appointed a five-member Task Force of outstanding and highly respected architects to restudy the conditions of the West Front and the Institute's position with regard to the Capitol extension. Those selected to serve on the Task Force were: Samuel E. Homsey FAIA of Wilmington, Delaware; Francis D. Lethbridge FAIA and John W. Stenhouse AIA, both of Washington, D.C.; Louis Rossetti FAIA of Detroit, Michigan; and Norman Fletcher FAIA of Boston, Massachusetts.

The Task Force was instructed to study the engineering reports and the extension plans, meet with and review the arguments of the architects for the project, and inspect the Capitol from attic to basement.

The Task Force was to be completely objective in making this study and was to arrive at its own recommendations, without regard to any statements previously made by the Institute. Indeed, in a letter inviting Norman Fletcher FAIA, to become a Task Force member, Charles Nes wrote:

"If this committee finds that restoration is impractical or too expensive or that in the opinion of the Task Force the proposed plans have validity, I think we are big enough to change our position. I hope, therefore, you will agree to serve on this committee."

On November 16 and 17 the Task Force met in Washington, having previously studied the Thompson and Lichtner engineering report and related material, individually. Task Force members visited the Capitol on November 16, when they heard the project analyzed by the architects for the extension project, and were taken on a tour of the Capitol building. On the following day they continued their study of the facts. Throughout its review, the Task Force was advised by a prominent and experienced structural engineer. Their report to the AIA Board of Directors is included herewith as an Appendix.

The Institute believes that Capitol Hill is the single most important land development in our Nation. We also believe that history will hold the architectural profession accountable for development of the Capitol and of Capitol Hill. Therefore, in the findings and recommendations of the American Institute of Architects which follow, we have attempted to be objective and constructive.

II. CONDITIONS OF THE WEST FRONT

The West Front of the Capitol is in a state of disrepair. Numerous cracks are in evidence on the exterior of the building. Some window lintels and keystones have cracked and slipped. Several of the architrave stones have sagged. The foundations, at some points, are not far enough below the finish grade to escape frost damage. However, none of the defects appears to indicate that danger of collapse is imminent or that correction is impracticable.

Sandstone

There is some professional opinion that the sandstone facing used on the West Front was inferior to begin with and its deterioration when exposed to the weather was predictable. Though this stone is obviously inferior to some other stones for exterior use, the same can be said of marble. In the Old Patent Office, for example, there is no serious deterioration of the sandstone facing of the first wing. Yet the adjoining wings of marble are badly deteriorated. The example is pertinent since the facing for the Capitol's West Front and the Old Patent Office building come from the same sandstone quarry. This suggests that the condition of the sandstone on the West Front may be partly due to causes other than the quality of the stone.

Cracks

Several of the architrave stones of the portico are definitely sagging and have been shored. Some window lintels and keystones have both cracked and slipped. The foundations, although below the finish grade, are subject to frost damage at several points. The basement wall of the center part of the SW corner in the court has also been shored. When the grade was lowered in this court the foundations thus exposed were veneered and it is this unbonded stone covering that has come loose from its back-up and required shoring. No cracks are in evidence on the interior but this is explained by the fact that constant repairs have kept pace with the cracks. The explanation given by the Assistant Architect of the Capitol that visible exterior cracks are due to settlement and expansion of the wall appears reasonable. However, no visible effort has been made recently to fill these cracks in order at least to deter the penetration of moisture. Had this been done as the cracks appeared it is likely that the disgraceful appearance of the exterior surface due to scaling paint could have been avoided.

Vertical settlement—Lateral thrust

There is no direct evidence that lateral thrust in the present West Front has caused problems. The Capitol Architect's staff engineer reports that the building is not out of plumb. Thus while the Capitol is experiencing some vertical settlement it is not slipping down the hill.

In short, none of the above mentioned defects appears to indicate that danger of collapse is imminent or that correction is not practicable. Furthermore, since lateral thrust is not presenting major structural problems, doubt is cast on the need for a buttress, although this is one of the arguments made by those who favor an extension.

III. SPACE REQUIREMENTS

The recommendation to extend the West Front of the Capitol, to provide Members of Congress and visitors with additional space and facilities, was made without first conducting an adequate survey to illustrate the use of present space and the need for additional space, according to recent testimony by a Member of Congress. If modern facilities and office space are critical necessities, should a 19th century building be reshaped to meet the 20th century needs?

Space survey

One argument made by those who recommend a 4.5 acre extension to the Capitol is that such an extension will provide much needed office space and added facilities for visitors. But, according to recent testimony by a Member of Congress, no accurate survey has been conducted to predict Capitol space needs.

Apparently, the only space survey which has been made was done in 1957 when various occupants were asked: "What additional space do you anticipate needing within the next 25 years?" The findings, based upon the wishes of selected occupants, was that "139,000 additional square feet of useable space are needed to fulfill the needs of the Capitol for the present and for 25 years in the future." Subsequent events have proved the 1957 survey unreliable. This is emphasized by the fact that over 200,000 square feet would be added by the combined East and West Front extensions—61,000 more square feet of space than the Capitol Architect's survey found would be necessary to satisfy Congress' needs in the Capitol building until 1982.

A survey of Capitol space needs should also be made to determine what functions are now being carried on in the building which could be accomplished elsewhere just as effectively. It is quite possible that some of the functions now housed in the Capitol building could be moved to other new or existing buildings with no loss of efficiency.

If a space survey had been made and the need for more generous accommodations clearly documented, the Congress would then be faced with the question: Can present facilities be remodeled or must new space be constructed? Certainly, if one is to provide the most up-to-date and advanced, flexible, functional and handsome space, one would not normally start with the restricting envelope of a building conceived a century-and-a-half ago.

That a survey of immediate and long-term space needs is a valuable and recognized first step in planning any new construction has been consistently recognized by both Congress and the Executive Branch. For example, in 1961 the President directed that a survey of Federal office space be made to eliminate disorderly, inefficient and wasteful utilization of space. The report of the President's *Ad Hoc* Committee on Federal Office Space has been the bench mark for constructing new Federal facilities since that time.

The functions of the Capitol

Floor consideration of legislation and the work closely related thereto are the principal activities which must be carried on in the Capitol. We question whether it is necessary or prudent to try to accommodate in the Capitol constantly growing activities not directly related to the work of Senate and House Chambers.

There is obviously a limit to the amount of space which can be added to the Capitol if it is to retain any resemblance to its original form—or even to the present building. Congress will presumably decide at some point not to make any more additions to the Capitol. We believe the Congress should make that decision now while the one remaining original wall can be saved as visible evidence of our heritage.

IV. RESTORATION: AN IMPOSSIBLE TASK?

The West Front of the Capitol can be restored and its structural weaknesses corrected. Admittedly, it will be a job requiring skill and patience. But if the decision to restore the Capitol is made, our building technology is certainly adequate to meet the challenge. Restoration would be, however, a costly undertaking and would entail some inconvenience.

Restoration techniques

The walls and foundations of the West Front of the Capitol are structurally inferior when tested by today's standards. However, retention and repair of the existing walls is not infeasible. No authority, including the Architect of the Capitol, contends that restoration is impossible. It would, of course, be a delicate and time consuming proposition. But our technology is up to the task.

Restoration work done on historic buildings in Europe indicates that walls and columns which have deteriorated have been reinforced effectively by a system of drilling diagonal holes through the masonry, inserting reinforcing rods, and forcing grout under pressure into the holes. Another successful technique called "needling" involves the use of temporary steel beams to take the load off parts of the wall while other areas of the wall are being repaired. Similar or even more innovative methods could be applied to the West Front.

Inconvenience

If restoration is undertaken, Congressional leaders with offices located on the West Front would have to move and this certainly would be an inconvenience. But this inconvenience would occur even if the West Front were extended.

Cost

No estimate has been made by the Capitol Architect to determine the cost of restoring the West Wall in its present location on the grounds that restoration was not the best solution and there were too many unknowns to arrive at a reasonable estimate. The American Institute of Architects does not know what the cost of restoration would be. However, it is unlikely that the cost of restoration would approach the total cost of extension. Furthermore, since no recent survey has been made to determine the space needs of Congress and no master plan has been developed for the Capitol Hill area, it is our opinion that extension of the West Front may prove much more costly, due to misdirected effort, than the immediate value of dollars spent on the extension project.

V. ARCHITECTURE AND PLANNING ON CAPITOL HILL

We move from crisis to crisis under present procedures for approval and construction of Capitol Hill buildings. Unlike other parts of the Capitol City, neither the Fine Arts Commission nor the National Capitol Planning Commission has authority over Capitol Hill architecture and development. A Congressional inquiry in 1965 brought out the fact that there had been no planning for Hill development during the past eight years. And today, no long-range master plan exists to guide development of Capitol grounds and contiguous areas.

Master planning

Construction on Capitol Hill seems inextricably steeped in controversy. Much of the blame for this situation can be attributed to Congress which, apparently through indifference, has allowed procedures to develop which are not in the best interest of the Capitol Hil area.

For example, most universities, towns and cities of consequence have recognized the benefit of a master plan. And Congress has insisted that comprehensive master planning be accomplished before Federal funds are granted for interstate highways, model cities and other development programs. Yet no such plan exists for Capitol Hill.

"Why," one Congressman recently asked "should this 131 acres known as Capitol Hill be excluded and denied the benefits of comprehensive master planning which Congress in its wisdom . . . felt was an indispensable condition to their spending a dime of Federal funds to help any city?" Why indeed!

Congress owes it to the people of the United States to have orderly plan for the development of the Capitol grounds and contiguous areas. The cost of creating an excellent plan would be far less than the amount which will be spent unnecessarily without one.

A Commission on Architecture and Planning

The 89th Congress considered legislation to establish a Commission on Architecture and Planning. The Commission, to be composed of highly experienced professionals, would supervise the implementation of a master plan and would pass on the design of buildings on Capitol Hill. We believe the legislation has a great deal of merit. Accordingly, we strongly urge that the many members who introduced the legislation in the 89th Congress reintroduce the Commission on Architecture and Planning bill and press for its enactment.

Congress called for the establishment of a Fine Arts Commission and National Capitol Planning Commission to assure the orderly and artistic development of the Capitol City. The Capitol grounds are a part of the city and should no longer be excluded from the accepted process of examination and review. Indeed, Capitol Hill is so important as to merit its own review body.

VI. CONCLUSION: RESTORE THE WEST FRONT

The American Institute of Architects recommends that the West Front of the Capitol be restored and that Congress establish a permanent policy prohibiting any further major alteration to the Capitol other than that absolutely necessary for structural and safety reasons.

No evidence has been produced that would make impracticable the restoration of the West Wall in its present form. The encrustations of paint should be taken off and only those parts of the original facade that are dangerously damaged or deteriorated should be removed to be replaced with the same material as that of the original walls. The more aged, eroded condition of the stone of the West Front should be considered honorable evidence of its survival as one of the earliest of our major public buildings. It is a condition that does not detract from the beauty of the building when viewed from a distance, and it is one which adds considerably to its interest and historic significance when examined close-at-hand.

The American Institute of Architects believes it would be a mistake to cover up the last remaining exterior portion of the original Capitol. We strongly urge that the greatest symbol of our country be preserved.

VII. APPENDIX: AIA TASK FORCE REPORT

Statement of the findings of the AIA Task Force on the West Front of the Capitol

The members of the AIA Task Force on the West Front of the U.S. Capitol met in Washington November 16th and 17th, 1966. They were Messrs. F. D. Lethbridge, Norman Fletcher, J. Stenhouse, L. Rossetti, architects; C. Hansen, engineer; Samuel E. Homsey, Chairman; T. R. Hollenbach and P. Hutchinson, AIA Staff.

The Task Force met in the morning of November 16, having previously studied the engineering reports individually. Carl Hansen, prominent structural engineer, discussed the reports and helped analyze the various structural problems. The afternoon of November 16th was spent at the Capitol building with Mr. Campioli, the Assistant Architect of the Capitol, and the associated architects for the extension of the Capitol project, together with certain of their engineers.

The presentation of the engineering reports by the associated architects for the extension is based largely on the theory of lateral bracing against lateral thrust of the brick arches, although there was no direct evidence that lateral thrust in the present west front was causing problems. There was evidence to show that cracks were due to vertical settlement. Even if the present facade is covered by an extension, it would appear that new underpinning of the present foundations will be necessary.

Several of the architrave stones of the portico by inspection indicated a definite sag and were shored up. Some window lintels and keystones had both cracked and slipped. The foundations at some points were reported to be well below the finish grade and at others unacceptably close. The basement wall of the center part at the SW corner in the court had also been shored. It was explained that when the grade was lowered in this court the foundations thus exposed were veneered and it was this unbounded stone covering that had come loose from its backup and required shoring. No cracks were in evidence on the interior, but this was explained by the fact that constant repairs kept pace with their occurrence. The explanation that visible exterior cracks were due to movement of the wall by settlement and expansion appeared reasonable; however, no visible effort had been made recently to fill these cracks in approved fashion in order to at least deter the penetration of moisture. Had this been done, it is possible that the disgraceful appearance of the exterior surface due to scaling paint might have been ameliorated.

After a study of drawings of building sections and on-site observations, none of the defects appear to indicate that danger of collapse is imminent or that correction is not practicable though it might be time consuming and relatively expensive.

It would seem, however, improbable that the cost of preservation would approach the total cost of extension. Some more research could be done by the AIA on the probable range of cost for the restoration. This could be done by getting opinions from contractors in this country, experienced European contractors who have been dealing with this kind of construction—for example, Fondedile S.P.A. in Rome. Techniques used in Europe for restoring facades include one called "needling," in which steel beams are placed through the wall at intervals for scaffolding, while certain portions of the building are worked on. There is also a possibility of using temporary tie rod techniques on the inside to hold the wall in place while the outside surface is worked on. Restoration work done on historic buildings in Europe indicates that walls and columns have been reinforced effectively by a system of drilling diagonal holes, inserting reinforcing rods and forcing in grout under pressure. This method seems very promising as one of a number of techniques which can almost certainly be used to preserve the West Front with no major change in its appearance. Foundation underpinning is well within the range of familiar techniques in this country.

The inconvenience factor has been strongly developed by the associated architects. If the extension is built, the Congressional leaders using the offices on the west side will be inconvenienced at least part of the time as the building is joined on through construction, and all of the time because of lack of natural light. It is true that if a project for preservation of the present west front is carried forward, then the Congressional leaders in that area would have to move elsewhere during that time, and this certainly would be an inconvenience. However, if extra space, such as is now proposed by an extension, is an absolute necessity, separate quarters could be planned as a Phase I development of a total program, and they could move into the new quarters after it was finished, occasioning no inconvenience except for moving. In this version, Phase II would be restoring the west facade after additional space was built. In all parts of the world we see scaffolds and other protective measures used for preservation of historic monuments; they are there for years at a time. They are worth the effort and patience. They remind us of the dimension of time. We cannot go back and rebuild the past.

At a hearing before the Commission for Extension of the U.S. Capitol in 1965 some opinion was expressed that the sandstone facing used was quite inferior for use when exposed to the weather and unless painted would go to pieces. Though this stone is obviously inferior to some other stones for exterior use, so is marble. The difference is relative. The same quarry from which came the facing for the Capitol furnished the facing for the first wing of the old Patent Office. There is no serious deterioration of that surface, however, the adjoining wings of marble are badly deteriorated. There is good reason to feel that inferior construction methods—penetration of the weather to the inner core of the exterior walls and sealing of the surface with paint—contributed considerably more to deterioration than the facing material itself.

The Task Force supports a program of preservation in the purest sense of the word. First of all, every bit of exterior paint should be carefully removed and the original stone exposed. Only those stones that are structurally unsound should be replaced and these stones should be replaced with the same material as that of the original walls.

It is not felt that a restoration of the West Front for "cosmetic" reasons is either necessary or desirable. The more aged eroded condition of the stones of the West Front should be considered honorable evidence of its survival as one of the earliest of our major public buildings. It is a condition that does not detract from the beauty of the building when viewed from a distance, and is one that adds considerably to its interest and historic significance when examined close at hand. After removal of the existing layers of paint and replacement of damaged stones, it will then be possible to determine whether the wall should remain exposed or should for aesthetic or protective reasons receive a coating that will not entrap moisture as before, i.e. will allow the stone to breathe.

It has been stated in support of an extension that no restoration of the existing building would be permanent. Very little is permanent, not even the proposed extension. Constant maintenance is the only safeguard against failure of any construction—just as constant vigilance is essential to the preservation of our form of government.

Were the primary objective one of preservation rather than additional space, our technology, wealth, and will would be adequate to meet the challenge.

If the extension is carried out, the work of important early American architects and landscape architects would be lost forever—namely, Thornton, Latrobe, Bulfinch, and Olmstead. The work of these significant American architects would seem important to keep in a world in which we are losing many of our original resources in buildings and nature. It seems all the more essential to hold on to this last remaining, important symbol embodied in our Capitol. Should we not follow the example of such attempts at restoration as the Adler-Sullivan Auditorium Building in Chicago and the effort given to restoring New York City Hall recently? Certainly now is the time when Americans are becoming conscious of their heritage in building and in nature.

Now is the time when Americans may be developing the self-confidence to solve their functional problems in an aggressive, growing, and modern approach, still keeping their historic monuments inviolate. These people have a right to be heard. The landmark under discussion is number one on the list—the Capitol of the United States. If this landmark is not worth the effort to save—what is?

The whole problem of the extension points to the necessity for master planning on Capitol Hill. In this connection, it would seem an underground development for the east plaza side of the Capitol should be explored for the possible use of multi-level parking and visitor's facilities. The whole idea for visitors' facilities incorporating cafeteria, specialized auditoria with advanced audio-visual techniques, the use of free and flexible areas and orientation would be part of the overall program. Certainly this type of new 20th century facility can best be solved in structures and materials less inhibited by the classic framework. The matter of additional office space may be subject to some debate as to its critical necessity, but if one is to provide the most up-to-date and advanced, flexible, functional, handsome office space, one would not start with the restricting envelope of a building conceived a century and a half ago. The one advantage of proximity of offices to legislative chambers could be answered by well-designed motorized connections.

The Task Force recommends preservation, but would put a strong plea for a master plan, providing for office space, visitors' facilities and parking, all with possibilities for expansion. It would seem then that the AIA's position, if the Board follows the recommendation of the Task Force, would be very much in concert with the President's program for natural beauty, which would include preservation, and also that of the many governors' councils on the same subject. We are already identified with this movement and are not alone in defending this position. Moreover, there are hundreds of thousands, perhaps millions, of people who are shocked at the prospect of extending the west front of the Capitol and who would support preservation. The fact that the east front has been more or less successfully added to should argue more strongly for the preservation of the west front as the only remaining historic facade of the Capitol.

President Johnson has said:

"Among the most cherished of a nation's treasures are the monuments of its past. Each contributes to the historic texture of society. We look back with reverence to lasting reminders of a vital past. We look forward with confidence to achievements which will enhance our future with accomplishments to match our monumental past. In every part of the country citizens are rallying to save landmarks of beauty and history. The Government must also do its share to assist the local efforts."

[From the New York Times, Apr. 16, 1967]

ARCHITECT, SPARE OUR CAPITOL

(By Robert Sherrill)

During the last years he was in the United States Senate, Paul Douglas of Illinois would periodically arise in that chamber which has heard so many fruitless pleas and add one of his own:

"Architect, spare our Capitol,
Touch not another stone.
In youth it sheltered our Republic,
O please, let it alone."

Capitol Architect J. George Stewart gave no sign then of being moved by doggerel sentiments, nor is he any more impressed today by the increasingly loud appeals to keep his hands off the Capitol, voiced by a chorus that includes the American Institute of Architects, the President's Fine Arts Commission and several prestigious antiquary societies. New York Congressman Samuel S. Stratton has even set up a corporation which has about 25 U.S. Senators and 30 members of the House as cochairmen, called the Committee for the Preservation of the Capitol.

What makes Stewart's critics feel rather desperate is that there is not much left to preserve. If they fail this time, they fail forever. The exterior stones that by 1829 contained the basic Capitol—which was added to but never altered substantially until the coming of Stewart—will all be hidden or discarded. The sandstone that Benjamin Latrobe used to build the original House and Senate wings in the first decade of the 19th century, and which Charles Bulfinch used to construct the central portico in the eighteen-twenties, will be swallowed by Stewart marble. Changed, too, will be some of the design which in 1793 won for Dr. William Thornton a prize of $500, a city lot and President Washington's commendation. And even some of Frederick Law Olmsted's terraces and steps, built between 1884 and 1892, will be displaced.

The Capitol Architect's goal remains what it has been for a dozen years—to spruce up the old central section with new stone—and the only thing that stands between him and completion of the job is $34-million, which Stewart, who has many good friends on the Congressional money committees, considers no hurdle at all.

Six years ago, Stewart obliterated the east front of the original Capitol, pushed it out 33 feet, and replaced it with a shiny new marble front. Now the old man—76, slightly stooped, with precarious eyesight and even more precarious temper—sits impatiently puffing on his pipe in his basement offices, architectural plans ready, waiting only for the lawmakers upstairs to give the budgetary go-ahead that will send his demolition and construction crews to work on the west front. That is all that is left of the original Capitol's facade, a mass which George Washington praised for "grandeur, simplicity, and beauty"; in its place will go some new marble, carved and erected along lines which Stewart and House Speaker John McCormack and Vice President Hubert Humphrey, as well as most of the Congressional leadership, insist will be grander, if not quite so simple.

The original wings will be pushed forward 88 feet and the central section 44 feet, increasing the size of the Capitol by 4.5 acres or 25 per cent. In constructing the new east front, Stewart had duplicated the old design faithfully in every detail, but he doesn't intend to be bound by tradition on the west. He will add a couple of new columns, top them with a pediment (there is none now), cut off eight feet of the 48-foot-wide Olmsted steps, put in flat windows where now they are arcade, and arcade windows where now they are flat. It will be, as nothing else on Capitol Hill, pure Stewart. And that is one of the things which bothers his critics.

The expanded west front will include several dozen offices (most of which will be taken over by the most powerful Congressmen,) a couple of movie auditoriums, 41 toilets, two private dining rooms and two large cafeterias (300 to 400 seats in each) with a great view of the mall. Some unhappy Congressmen predict that it will be "a giant Howard Johnson." But Stewart insists to the contrary that "there are many members of Congress who are dedicated to the proposition that this opportunity [to eat while looking at the Washington Monument] should no longer be denied the millions who visit the Capitol each year."

Just why he and his followers feel that these eateries will catch on is not clear, since other Stewart-supervised cafeterias on Capitol Hill went in the red $500,000 last year for lack of customers. In any event, the quarrel over whether one has an inalienable right to have a scenic bowl of bean soup in the Capitol seems destined to be a central issue, which, though it may seem strangely trivial, is welcomed by both sides as a commonplace handle to hang on to and steady themselves in an otherwise high-flown debate. From the one side come accusations, from men such as Representative Henry Reuss of Wisconsin, that Stewart proposes to feed Congress "by the somewhat excessive process of tearing down its historic house." He is joined by Pennsylvania's Senator Joseph Clark, who likens Stewart's cafeteria proposals to "putting imitation-Colonial hot-dog stands in Independence Hall." In rebuttal is heard the judgment of men such as Humphrey—who once proposed turning the Olmsted terraces into sidewalk cafes—that the Capitol, after all, is "not a monument but a place to work and eat in."

If Stewart succeeds, as he probably will, in laying his mark upon the west front, it will be a notable cap to a stormy career. The eighth Capitol Architect since the office was established, he has spent much more (a total of about $200-million) and built much more (the new Senate Office Building, the Rayburn House Office Building, the expanded east front of the Capitol, two underground Congressional garages, an underground trolley for what the Senate chaplain dedicated as "chariots of democracy," and various renovations to other House and Senate office buildings) than any of his predecessors. And in doing so he has been criticized more than all the other Capitol Architects put together.

He has been criticized for design (stairways that lead nowhere), for decorations (flying horses with cornucopias for tails), for mechanical Rube Goldbergisms (hot and cold air blowing into offices at the same time) and for extravagance (he said the new Senate Office Building would cost $20-million and it cost $30-million; he said the Rayburn building would cost $63-millilon and it cost $98.2-million, making it the most expensive office building in the world).

No major project supervised by Stewart since he was appointed to the lifetime post by President Eisenhower in 1954 has escaped ridicule and outraged criticism. Unhappiness reached newsworthy levels on the completion of the new Senate Office Building in 1958, a building whose workaday kinks (wheezing loudspeakers, clock hands too heavy to move, inoperable elevators) after a decade of slapstick operation are still being straightened out. Unhappiness turned to fury when he tore down the Capitol's east front in 1961. By the time he finished the Rayburn Building in 1964 he was, for many Federal architecture aficionados, considered Public Enemy No. 1.

Senator Stephen Young's description of the Rayburn building as "quite possibly the worst building costing the most money in the history of the construction of public buildings anywhere in the world," would not get much argument even from persons who otherwise defend Stewart. It is a building whose style was described by one newspaper writer as a mixture of "middle Mussolini, early Rameses, and late Nieman-Marcus" and by another as "having all the grace of a dockside warehouse." Criticism finally became so nasty that Stewart, whose most impenetrable defense is customary silence, was stung to complain, "From the way some people talk, you'd think we hire our architectural help in the Bowery."

So long as he stuck to putting up new buildings, Stewart risked abuse only for esthetic judgment, but when he began fiddling with the Capitol—sacred to most Americans despite its cracks and chips and sagging stones—he was quickly damned for sacrilege.

It is a natural reaction. No building in America can raise such passions. It certainly is, as historian Allan Nevins said, "the best-loved and most revered building in America." When the French-born Pierre Charles L'Enfant laid out Washington, he looked upon Jenkins Hill as "a pedestal waiting for a monument," and the Capitol that was finally erected there took on at once not the aura of a monument only but of a temple—"the first temple dedicated to the sovereignty of the people," as Thomas Jefferson hailed it.

Of course, occasionally Congressmen who wanted more room suggested that the original Capitol be enlarged eastward or westward, but after President Fillmore squelched that suggestion in 1851, not again was the east-west inflation seriously considered until the coming of Stewart. A dozen times it was brought up and a dozen times rejected.

Power formidable enough to work change came only when Stewart teamed up with Sam Rayburn. No previous Capitol Architect had anything like Stewart's power, possibly because no other architect was smart enough to realize that the machinery of a democracy is not itself democratic. The 131 acres that make up Capitol Hill is a little kingdom of its own and the men who run it are, while operating within its boundaries, virtually a royal household, desiring the luxuries and services and perquisites of royalty. The Capitol Architect willing to see them in that light, and serve them in that way, would be rewarded with all the unpublicized powers of a medieval major-domo. And Stewart turned out to be that man, to Rayburn's great satisfaction.

A dropout from the University of Delaware, where he played half-back on the football team, Stewart in 1910 went to work in his father's engineering firm, Stewart & Donohue, which at one time was the largest heavy construction company south of Philadelphia. Later he went into landscape construction and is probably best remembered in Delaware for his work on the gardens of the du Pont estate, Nemours. Pottering about in state politics, he was appointed to the Delaware Athletic Commission, and then in 1934, at the age of 44, he was sent to the U.S. House of Representatives on the Republican ticket for one term.

He retired from business in 1944 and began to hanker to return to Washington. Three years later he made it as a member of the staff of the Senate District of Columbia Committee, and though he was bumped from that in 1951 he had already made the right connections on the Republican National Committee, which he served briefly as head of its speakers bureau. By this time, however, he had decided that his future lay not in prompting partisan politics but in tending to the happiness of the Capitol Hill court.

In 1954, when Stewart was 64, a few members of the court decided that he could tend best as Capitol Architect. Joseph Martin, then Republican House leader, recalls approaching Eisenhower with the suggestion: "I took the recommendation to the President, all right. I knew Stewart. He had been in Congress, you know, and he was in the construction business. But it wasn't just my recommendation, it was a general Republican recommendation. Several people thought he would be good for the job." Eisenhower appointed him to the $27,000-a-year post.

Not everybody was overjoyed at the appointment. In the strife-filled years that followed, Stewart's enemies were never to stop mentioning one noticeable defect in his background: He is not an architect. He has neither a degree, nor training, nor experience as an architect (or at least had none until he got this job). Looking back on Stewart's appointment, columnist Joseph Alsop put down Eisenhower's action as "almost as whimsical as the Emperor Caligula's famous nomination of his favorite horse to the Roman consularship; and it has produced far more practical results, all of them perfectly godawful."

Pursuing the trail of Stewart's career through The Congressional Record, one finds others calling him "dangerous," "mad," "the most expensive, most wasteful, most incompetent architect whom we possibly could engage," "the best living example of the tragic waste and shortcomings of Socialism," and likening him to the British vandals who fired the Capitol in 1814. Wolf von Eckardt, The Washington Post's unmincing critic, sees Stewart as the living symbol of the "bungling megalomania of Congress" who heaps "pompous blocks of marble upon marble without plan, reason or design." (Stewart's staff describes von Eckardt, in turn, as "that crackpot.")

It is probably fair to say, however, that much of this bitterness comes from the fact that no matter how vigorously these opponents protest, Stewart remains unruffled and victorious, swaddled in the warm assurance that among the men who really run Capital Hill he is looked upon as a stouthearted and uncomplaining soldier in the necessarily dirty fight to keep government, and the house of government, flexible. As one reporter sized up the situation, "Getting rid of the Capitol Architect is a little like disposing of Daddy Warbucks."

Vice President Humphrey, for example, defers to Stewart in all things architectural. But it is from the House side that he has had his firmest support. House Minority Leader Gerald Ford feels Stewart is, if anything, too cautious and conservative in his expansion plans. House Speaker McCormack describes him as "a dear, dedicated soul." In his first meeting with President Kennedy after the inauguration, Speaker Rayburn's opening remark was: "Now, Mr. President, I want you to keep on George Stewart. He's a good man, and I want him to stay on the job."

Rayburn got an office building partly as a result of that friendship. McCormack may do as well; Stewart has already prepared plans for a new House office building to be named for him. One of the architectural firms that has profited most from Capitol Hill work during the last decade is headed by Dallas friends of Rayburn. The main consulting engineering firm used by Stewart in developing his Capitol plans has headquarters in McCormack's home state. Other friendships are evident. Georgia's Senator Herman Talmadge helped block an effort to prevent Stewart from letting contracts in 1958; six months later Steward awarded a $2,783,650 contract to the George Marble Company of Atlanta.

That's really, as things go now, what being Capitol Architect means. The title is misleading. The Congressional leadership expects the Capitol Architect to be less an architect than a butler. He is responsible for supervising the cleaning and maintenance of the buildings on Capitol Hill, the paying of utility bills, the contracting for repairs and new construction, the supervising of charwomen and elevator operators.

And, in fact, Stewart does not do the designing of his buildings himself. His office has a chief architect, Mario Campioli, and two subordinate architects, but it is freely admitted that they do only minor day-to-day adjustments—adding a room, refurbishing an office—around Capitol Hill. All major jobs are given to outside consultants, and since 1956 most of the big Capitol jobs have been given to the same group of consultants, Roscoe DeWitt and Fred L. Hardison (now deceased) of Dallas, Jesse M. Shelton and Alan G. Stanford (also deceased) of Atlanta, Alfred E. Poor and Albert H. Swanke of New York City, and John F. Harbeson of Philadelphia.

With a budget of $500,000 a year, Stewart is, above all, a dispenser of favors. Does some seniority-girdled Congressman need a special room, a hideaway in the Capitol catacombs? Stewart will find one. And if he cannot find one, he will construct one by knocking out a wall here, throwing up a wall there. At a nod from the leadership, toilets become libraries, closets become breakfast nooks. Does the air-conditioner blow down some influential ancient's neck? Repairmen will work through the night to correct the flow.

Shortly after the new Senate Office Building was finished, some of the more powerful of its inhabitants complained that they weren't getting fast enough elevator service; Stewart spent $600,000 to install two more special elevators for them. Then they complained that the special custom-styled tile which had been installed at a cost of $100,000 was hard on their secretaries' heels; Stewart covered the tile with carpeting, though more than a hundred walnut and metal doors had to be sawed and ground down an inch and a half to clear the new cover.

Always sensible of the fact that when Congressmen speak of practicalities, they do not necessarily mean to be *that* practical, Stewart showed his genius in the Rayburn Office Building. The excuse for building it was the need for more office space, yet when he was through with it, less than 20 percent of the gross floor space was given over to offices. The rest went for swimming pools and gyms and barber shops and steam baths and dining rooms and enough garage capacity for 1,600 cars. Already some powerful Congressmen are complaining about needing more office space.

Above all, Stewart serves the leadership with the kind of secrecy that Rayburn, thinking back to his boyhood days on a Texas farm, once described as "as beautiful as a morning glory closing for the night." What the bald bachelor from Bonham, wanted from Stewart, he got, and he got it in the style he wanted. That included secrecy. "When I came here," Stewart recalls, "Speaker Rayburn said to me, 'Boy, you came here to work, not to talk.' "

That has been Stewart's philosophy ever since. Reporters get next to nothing from him ("If you asked me whether the American flag was going to fly over the west front after it is finished, I still wouldn't have any comment") but nonestablishment Congressmen and the American Institute of Architects, his special foe, get even less. When the A.I.A. asked to inspect the plans for altering the east front, Stewart said the plans "do not belong to the public" and "are not for publication," and he declared firmly that only the Commission for the Extension of the Capitol, headed at the time by Rayburn, could authorize release of the plans. He turned down the A.I.A. again when it asked to see plans for expanding the west front. In fact, for months after the plans had been completed Stewart would show them to nobody in Congress but the members of the Commission for Extension of the Capitol (McCormack, Humphrey, Senate Minority Leader Everett M. Dirksen and House Minority Leader Gerald Ford) and members of the Senate Appropriations Committee.

Some Congressmen complained at being expected to vote appropriations for a job they knew nothing about. Stewart, smiling wanly at such hopeless rebellion, reminded them, "That's the way things are done up here."

"The way things are done" was illustrated nowhere better than in the maneuver by which Congress gave five members the power to meet secretly and make all decisions with regard to the future of the Capitol. It happened in 1955, the year after Stewart became Capitol Architect. Rayburn slipped into the Appropriations Act a section setting up a commission for renovating the central portion of the building. Whether or not Congress knew it, the seemingly bland legislation gave the commission carte blanche powers. No hearings and no debate were held on the expansion in either house. All the planning was being done behind locked doors by the special commission.

By 1958 they were ready to strike. Ray Roberts, who took Rayburn's seat in Congress after the old Texan's death and had been his confidant for years, recalls that victorious moment with metaphor-mixing excitement: "Suddenly the cat was out of Pandora's box!" Many politicians, lay patriots, newspaper editors and architects were furious to discover that the east front, without any public discussion, was about to be remade, but as Roberts puts it proudly: "It was pretty much a case of locking the barn after the foxy old devil [Rayburn] was out."

The east front had been an oddity that the nation had grown proud of. The great cast-iron dome literally stuck out over the edge of the building about 15 feet on that side and seemed to rest on the portico. The dome appeared to pour over the edge and down the columns. But as the years went by most Americans adjusted to the view and then got to like it. Joseph Hudnut, retired professor of architecture and dean of the Harvard School of Design, argued that the east front should be left alone because "history has harmonized a thousand imperfections in the Capitol."

Rayburn did not see it that way. He considered the east front cramped, ugly, deteriorating and unsafe. He wanted more offices and more restaurants, so out came the east front by 33 feet.

The ghost of Rayburn is still directing the debate on the west front. In 1958 Rayburn had promised publicly, "We aren't going to touch the west front," but that is not what he and Stewart and the others agreed on in private conference. So now Stewart is using Rayburn's old east-front arguments to pry loose the west front, too: Once again the words are ugly, unsafe and cramped.

That part of the Capitol *is*, on the surface, unsightly. Not since Kennedy's inauguration has the west front been painted, although Stewart admits it should be painted every four years. Much of the paint is now gone; what remains is flaking away in great scabs. Stones between the columns and the columns themselves are propped up with splitting, unpainted, crudely hewn timbers.

But perhaps the best clue to what is happening to the west front can be had by taking a late-evening walk along the terraces. Unless tourists are around, it is very quiet here; almost rustic. Thousands of birds chirping. As you listen to the birds— starlings—you realize all of a sudden that this is not a peaceful scene: Those are the sounds of a guerrilla war against the west front. Nowhere else do the eaves of the Capitol shelter starlings. Elsewhere the eaves are protected, and very successfully, by anti-starling wiring. But not on the west front. It has been abandoned to the birds and their droppings. For the nastier the front looks, the less opposition is expected to its dismantling.

The west front is also, as Stewart claims, in rickety condition. Even his enemies agree to that. A 30-pound piece of cornice popped off a couple of years ago; Stewart has it prominently displayed in an outer office as a prize piece of evidence. Surface cracks, some of them dating from the burning of the Capitol in 1814, run the height of the building's face. Window capstones have dropped a couple of inches. Stewart warns earnestly that any good jar, even a nearby plane crash, could bring the whole front tumbling down. One of his engineering consultants told a Congressional committee last year that the front had better be replaced "next week—and I'm not kidding."

But among many professional architects there is doubt that the front is as dangerously weak as Stewart and his advisers say. Within the past month a special study group of the A.I.A. reported to Congress that, despite its deterioration, the west front can and should be saved in its present form. This group, made up of five architects and a structural engineer, urged Congress not to be frightened by some of the things said about the Capitol, which may be settling slightly but "is not slipping downhill." Without accusing Stewart, the group nonetheless suggested that in future planning on Capitol Hill he should be assisted by a commission of "highly experienced professionals."

Before he tore down the east side Stewart made the same dire predictions of imminent disaster, and pointed to pieces of the cornice held on with wire. Yet D. W. Kessler, former chief of the National Bureau of Standards' Building Stones Section, said that while some of the Capitol stones are not of the best quality, most are in good condition. Test borings to a depth of a foot, he said, showed no appreciable weathering of the stone back of the first half-inch. Scale it down with pneumatic tools and the "stone would be practically as good as new."

Stewart did not take Kessler's advice; nor has he called on the Bureau of Standards to test the stones on the west front.

Stewart is a no-holds-barred battler. When he got tired of hearing the A.I.A.'s leaders say they felt the west front could and should be repaired with just some new stones, some grout and some hidden braces, Stewart recruited a friendlier organization, the Society of American Registered Architects, which has about one-tenth of the membership of the A.I.A., and it promptly passed a resolution not only supporting Stewart's position but accusing the A.I.A. of an irresponsible hatchet job on him. He who hits Stewart can expect a clout in return, from some direction.

In this fight, as in all others to curb or withdraw the powers of the Capitol Architect, Stewart has shown amazing survivability. Angry Senators have tried to abolish his job altogether, and failed. They have tried to replace him with a registered architect, and failed. Last year an effort was made to banish him at least from one job, supervising the construction of the new Library of Congress annex; this passed the Senate, but the House, intimidated by Speaker McCormack, forced a compromise requiring Stewart to consult with an A.I.A. panel of advisers before he went ahead with the annex. Stewart ignored the order. He signed his contracts with some of the same architects he has been using for a decade and made his preliminary plans without so much as sending a postcard to the A.I.A. and he got away with it. For years Stewart resisted all demands for a public accounting of his expenditures. Finally, in 1964, stung by increasing criticism of the soaring costs of the Rayburn building, Congress authorized the General Accounting Office to audit his books. For some reason, the G.A.O. needed more than two years to do it, but finally the study was released; it was uncritical of the more than 55 per cent estimate error.

The masterful way in which Stewart copes with those challenges he does not just ignore once prompted his old baiter, Douglas, to remark almost admiringly, "Make no mistake about it, the Architect is a very determined man and somewhere, somehow, he has a tremendous amount of influence. He may not know much about architecture—in fact, he knows very little about architecture—but somehow he seems to have a good deal of backing on Capitol Hill."

It is no mystery. Of the power pyramid, Stewart recognizes the existence of only the one topmost block, and hangs on to it. If he ever falls, it will be because the blocks supporting that one are removed. And this is what his enemies are now proposing to do, with a great upheaval.

William Walton, chairman of the Commission on Fine Arts, recently expressed the hope for "a national uprising of citizens, saying, 'You cannot vandalize our Capitol.'" Similarly, Congressman Stratton pins all his organizational hopes on arousing the public to a bubbling rage: "If the voters back home speak out loud and clear against this wasteful and unnecessary mayhem of the principal shrine of American democracy, they can keep Congress from letting it happen."

The odds in this fight are fascinating; it took only one man, Rayburn, to set up the machinery for alterations, and it took only three votes on a secret commission in 1966 to set it on its final motion; four Congressmen. How many millions of voters will Stratton need to reverse their actions? If there is to be an answer, it must come fast. Stewart already has the power. He needs only the money. And nothing is easier to get on Capitol Hill than that.

Mr. STRATTON. Mr. Speaker, I yield back the balance of my time.

BILL TO INCREASE AMOUNT UNDER GOVERNMENT LIFE INSURANCE PROGRAM FOR SERVICEMEN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, today, I have introduced a bill which will increase substantially the amount of life insurance available for servicemen under the Government life insurance program. During the last session of Congress, we enacted a bill designed to provide protection for service personnel, but we limited coverage to a maximum of $10,000. This sum is inadequate to meet today's needs.

The loss of loved ones on the battlefield can never be compensated for through an insurance policy. However, I believe it is important that we help ease the financial burden placed on the surviving family. The present maximum coverage of $10,000 is too restrictive a policy. It should be raised to a maximum of $30,000.

In 1917, the first program of Government life insurance was established for those serving in the Armed Forces. The maximum then allowed was the same as today, $10,000. However, as we all are aware, times have changed. The growth of our national economy and the subsequent increase in wages and cost of living have made it evident that our families must be better protected today against the sudden loss of loved ones in battle.

President Johnson, in his January 31 message to Congress, called for enactment of this basic legislation. My bill differs from the President's in one important way. It provides coverage to all servicemen regardless of rank. The administration's bill would scale coverage above the minimum of $12,000 on the basis of pay level. I believe a sounder principle would be to allow all servicemen regardless of rank the prerogative of deciding the extent of personal coverage.

Often those individuals with a lower income have greater need for insurance coverage than those who are at the high end of the wage scales.

I believe such a proposal, which extends the amount of coverage and introduces a maximum of flexibility in deciding how much a person can carry, will not only protect the loved ones but will serve as a positive incentive for the career motivated person.

A RESOLUTION TO PROVIDE FOR THE ANNUAL OBSERVANCE OF NATIONAL CIVIL SERVANT WEEK

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. PEPPER. Mr. Speaker, I wish to introduce a resolution proclaiming a Civil Servant Week. This would provide an opportunity for expressing the gratitude which we, as Congressmen, owe Government employees. Furthermore, it would afford us the occasion to call to the attention of all Americans the importance of the work being done by the public servants.

The civil service, which replaced the spoils system, adopted a nonpartisan, professional standard not only in the selection of employees, but in all its work. We seldom stop to reflect on the significance of this standard for the operation of our Government and the preservation of our democracy.

This standard guarantees that the bureaucracy of this Government will assist and serve all elected officials regardless of the view they represent within the range of partisan politics. This is important, for it enables us to develop and to express sound but varied positions on issues discussed within the committees and on the floor of Congress. This service is essential for the maintaining of bipartisan politics. How long would our two-party system last if the bureaucracy supplied information only to Members who adhered to the administration's point of view?

It is the responsibility of the Federal employees to maintain the degree of flexibility necessary to enable them to provide information for all views as an issue is being debated in Congress. Yet once a program has been enacted into law, the service works with unswerving loyalty, dedication, and efficiency to implement it. This tradition of service reflects the highest ideals of democracy and, at the same time, helps insure the efficient working of democracy throughout this country.

A well-known historian, H. G. Wells, said, well over a quarter of a century ago, that the "time may come when history, grown more penetrating, will have more to tell about the clerks and less about the conquerors." Unfortunately that time in history has not yet arrived. The spotlight of publicity focuses the attention of the public on a few key figures, while the vast cast of Federal employees, whose work supports and sustains these stars, remain behind the scenes.

The injustice of this is compounded by the fact that Members of Congress, who are in a position both to appreciate and to benefit from this help, make so little effort to inform the public of the work done by the civil servants. We are responsible in part, for allowing the myth to develop in this country that the civil service is the refuge of mediocre men. This myth is both false and damaging.

It is not true that the elected officials rely primarily on Government employees to perform only the picayune and routine jobs. Today, we turn to the Federal employees to supply us with the most highly complex and intricate information on subjects ranging from water pollution to space programs, from civil rights to foreign affairs. More importantly, we depend on these people to administer programs in all these areas. As a result, an increasingly large number of Government jobs demand highly educated specialists. Indeed, in the variety and importance of positions available, the Government service in many areas overshadows private industry.

Yet the public continues to refer to civil servants more often in disparaging than in complimentary terms. More disturbing is the fact that the Brookings Institution recently published the results of a nationwide survey which showed, among other things, that the esteem and respect for the opportunities and challenges of Government employment is particularly low among persons at the upper educational and occupational levels. As a result, many of our finest young people in college and graduate school fail even to consider the possibility of working for the Government. These, of course, are the very persons whom the service needs and whom it must attract.

Unless public opinion comes to recognize the opportunities and achievements of Government employees, the civil service will fail to attract the number of trained and qualified people needed to fill the jobs. No Government service can achieve and maintain excellence without public respect. Excellence and honor must move forward side by side; improvement in personnel and performance must be accompanied by meaningful efforts to generate public pride and recognition of accomplishment.

Only with a renewed determination to deal forthrightly and resolutely with the problem of enforcing the prestige of public employment can we expect the civil service to retain and continue to attract the quality of personnel required to keep pace with the Government's growing need for experts.

Designating 1 week to honor civil servants is an important first step. During this week, we, as the elected officials of this Government, could express our respect and gratitude for the caliber and performance of the civil servants. Such recognition would promote public respect for the service, and thereby further strengthen democracy throughout this Nation.

BUSINESSES FORCED TO RELOCATE BY URBAN RENEWAL DESERVE FAIR COMPENSATION

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. PEPPER. Mr. Speaker, I would like to take this opportunity to speak of grave injustices that can occur when a community undertakes urban renewal projects. One of my constituents, Mrs. Harriet P. Oakes, has brought this situation to my attention.

Mrs. Oakes and her husband John operate a small grocery store in the central Negro district in Miami. Together, Mr. and Mrs. Oakes work a total of 108 hours every week to earn a living. They have invested important years of their lives to insure their economic security. Yet because they do not own either the land or the building where their business is located, they are not eligible for a fair payment of the cost of relocating their business nor can they be sure that a new location will be as profitable or that they will not have to move again.

Under existing law, they are permitted but $500 to help defray the cost of relocating their grocery store. The Housing Act of 1949, as amended, provides a maximum of but $3,000 for relocating businesses, but does not permit payments for lost good will, which can often never be replaced in a new location. Now these people, after years of hard work, must begin again in a new location.

Mr. Speaker, I believe the Oakes' and people like them must be sufficiently and fairly compensated for the necessary relocation required by urban renewal projects. Under existing law, those who own land receive adequate compensation for the property used for urban renewal. Residents who are forced to find new places to live also receive adequate compensation. But honest, hard working business people do not receive payment for loss of the source of their livelihood. After urban renewal forces a business to change its location or close its doors forever, many of these self-supporting people never get back on their feet again. As long as urban renewal represents progress for our cities, Mr. Speaker, then there should not be victims of progress such as Mr. and Mrs. John Oakes.

It is for this reason, Mr. Speaker, that I have introduced legislation to remedy this problem. Mr. Tydings, the distinguished Senator from Maryland, introduced his own bill, S. 3290, in the 89th Congress, and had hoped this would lessen the hardships of these business people displaced by urban renewal. However, my bill, H.R. 8620, provides that compensation not be limited to businesses earning less than $10,000 a year, and the maximum repayment be fair and equitable. In addition stores, which need not physically move but still lose their business because customers are forced to relocate, should also receive fair compensation.

Mr. Speaker, the urban renewal program in this country was born with the Housing Act of 1949. Yet in the intervening 17 years we have done little for the small businessman who often loses his source of livelihood he spent many years building up. Seventeen years is too long to wait, but certainly waiting any longer is even worse. We must do something for these people and we must do it in this session of the 90th Congress.

NEED TO REVISE SELECTIVE SERVICE LAW—XLVII

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, several of the Nation's economists have challenged the assumption by the Department of Defense that the costs of obtaining and maintaining a volunteer military force are prohibitive.

Based on a variety of evidence obtained from a Department of Defense study of military recruitment, Prof. Walter Oi, of the University of Washington, estimates that a starting pay to attract sufficient volunteers for military service should be from $4,000 to $5,000 a year, or about $80 to $100 a week. Professor Oi believes that the total extra payroll costs, after allowing for the savings in turnover and men employed in training, would be around $3 billion to $4 billion a year for an armed force equivalent to 2.7 million men and not more than $8 billion a year for a military force of 3.1 million or 3.2 million.

Prof. Ross Wilhelm, of the University of Michigan, advocates a flat across-the-board pay increase of $240 to $300 a month per man, bringing the total cost of his proposal to more than $9 billion a year. But, Professor Wilhelm maintains that the actual increase in the military budget would be significantly less. He said:

> At present, only about 5 percent of the draftees reenlist for a second tour of duty, while about 20 percent of the volunteers reenlist and more than 90 percent of the regular careerists. Thus tremendous savings could be realized by reducing the turnover.

Professor Wilhelm finds it "distasteful that the richest Nation on earth should use coercion to secure its military personnel when it could obtain all the men it needs by paying adequate salaries."

Prof. Milton Friedman, of the University of Chicago, holds that the present draft is economically wasteful because a volunteer force would need fewer recruits while "we now waste manpower by higher turnover, unnecessary training and retraining, and the use of underpaid servicemen for menial tasks."

Mr. Speaker, the Military Establishment has created what my colleague, the gentleman from Missouri [Mr. Curtis], has called "an artificial monetary barrier to an all volunteer army at the outset." I believe, however, that economic analysis will show clearly that if the military forces were to pay adequate salaries, they could attract all the personnel they require, without resorting to coercion and without costing $17 or $20 billion.

AGRICULTURE—A NATIONAL, NOT A FARM, PROBLEM

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I am today sponsoring two bills—the Dairy Parity Act and the Young Farmers Investment Act. The junior Senator from Wisconsin, Mr. Nelson, is introducing similar legislation in the other body today also.

The bills seek to deal with the two major problems facing the American farmer—and the beneficiaries of America's food producing capabilities, the American consumer.

Below-parity farm income and the prohibitive costs of entering the farm business are combining to reduce the proportion of economic-sized family farmers in the industry. An article in the Farm Index for April 1967 points this up:

> ### Dairy Farms Becoming Fewer, Bigger, Reporting More Milk Cows Per Farm
>
> The pace of the trend to fewer but larger dairy farms quickened between 1959 and 1964.
>
> There were about 1.8 million farms reporting 16.5 million milk cows in 1959. In 1964, 1.1 million farms reported 14.6 million milk cows. In the same period, the average number of cows per farm rose 40 percent.
>
> Farms selling milk and cream dropped at about the same rate, going from 1 million to 650,000.
>
> Larger commercial dairy farms—with gross sales of $10,000 or more—increased during this period, while the number of smaller dairy farms dropped sharply.
>
> Some dairy farmers have gone into other farm enterprises or have found non-farm employment that offered them better economic opportunities.
>
> As demand for beef has continued to rise and demand for farmers has dropped off, some dairy farmers have been attracted to beef production, as it requires many of the same resources as dairy farming.

As one of my constituents said in a letter to me recently:

> The family dairy farmer, a proud, hard-working class of people will soon be history.

It is not just the individual who will be forced out of a vocation that our system of government should provide him the right to continue who suffers, but it is also the consumer who faces the alternatives of a short supply of essential foodstuffs or a supply controlled and priced by large farm enterprises. The result of either alternative is drastically higher food prices for all of us.

It is this situation that I seek to avoid in sponsoring these two bills today.

DAIRY PARITY ACT

The major reason many dairy farmers are making the irreversible decision to give up the work they chose many years ago is the fact that farm produce continues to return less than full parity. This means the cost of the fertilizers, machinery, and other operating materials cost them proportionately more than they receive for their goods. The difference has to be made up some place—and for many it has come out of depreciation. Instead of using the depreciation allowances to replace equipment and farm buildings, the family farmer has had to live on that portion of the gross income he receives.

The result of this all-too-common practice was most evident in the National Farmers Organization milk strike. These farmers, who first sold off their milk cows to the slaughter houses and then dumped their milk, had come to a hard conclusion:

Either they obtained full parity now for their produce or they would eventually be forced out of business when their depreciated equipment and buildings gave out. It was not an easy choice for people who are devoted to dairy farming—as they must be to spend the time needed to keep a herd of dairy cattle producing efficiently.

It is in this context—a loss of family farmers from dairy farming and a trend toward concentration in the industry—that Congress should take a new look at the present dairy support program.

Recent decisions of the Department of Agriculture to continue price supports at $4 per hundredweight or near 90 percent of parity; to resell Government stocks only at 110 percent of cost; to invoke section 22 of the Agriculture Adjustment Act against dairy imports; and to begin a new round of discussions on the national system of milk marketing orders, are all commendable efforts to improve the lot of the dairy farmer.

Under present law, however, the most these can achieve is a return for the dairy farmer of 90 percent of parity.

The Dairy Parity Act would enable the Secretary to assure a return to the dairy farmer of 100 percent of parity while maintaining consumer prices at competitive levels.

For the purposes of assuring the Nation of adequate milk supplies and improving farm income, the dairy parity program would:

First. Liberalize the criteria used by the Secretary of Agriculture in establishing the price support for milk and butterfat. Under present law, the Secretary is permitted only to take into consideration the price support level that is necessary to assure an adequate supply of milk. The dairy parity program would broaden the criteria to include the need of dairy farmers for a fair return on their labor and investment.

Second. Authorize the Secretary of Agriculture to raise the price support for manufacturing milk for a full 100 percent of parity from the present legal limit of 90 percent of parity.

Third. Authorize the Secretary of Agriculture to use payments to producers, in addition to purchases, to support the price of manufacturing milk at 100 percent of parity. The payments would be equal to the difference between the current market price and the price support. If the dairy parity program were currently in operation, the payment would be 57 cents, or the difference between the current U.S. market price of $4.07 and the full parity price for manufacturing milk of $4.64.

Fourth. Stimulate the domestic consumption of dairy products by enabling the Secretary of Agriculture to make a downward adjustment of the Commodity Credit Corporation purchase price for butter, cheese, and other dairy products. This in turn would result in lower retail prices for the consumer and increased domestic use of dairy products. The purchase price could be decreased to a level of 75 percent of parity.

Fifth. Allow the minimum prices for fluid—class I—milk marketed through Federal milk marketing orders to reflect the price or value of manufacturing milk plus any payment on manufacturing milk.

Sixth. Result in savings to consumers through lower retail prices and savings to the Federal Government of high storage, processing, and transportation costs on surplus dairy products more than offsetting the cost of the program. Otherwise surplus dairy products would be consumed through domestic channels because of lower retail prices rather than be accumulated by the Federal Government.

The result would be a stabilization of the dairy industry, continued production of dairy products by the Nation's high-efficiency, low-cost dairy farmers—so essential to a national reserve of dairy production to keep liquid milk prices at reasonable levels across the country—and a restored confidence among dairy farmers in the future of the industry.

YOUNG FARMERS INVESTMENT ACT

The second problem is the prohibitive costs of getting started in the dairy business. As the older farmer is retiring or taking a job in town, the young farmers are not coming into the business at a sufficient rate to continue needed levels of production for the future.

The cost of real estate and of equipping an efficient-sized farm is growing at a fantastic rate. The average value of farm real estate increased by over 50 percent from the 1957–59 average by March 1, 1966. The cost of equipping the farm is an even more dramatic example of why young people—otherwise attracted to farm life—are choosing other jobs, other ways of life.

The costs of getting into the business of farming and keeping up with its ever-changing demands must appear almost insurmountable to the young man just getting started in life. Even though he might be able to see his way clear to buy a small farm with some cattle and equipment, the monthly mortgage payment for principal, interest, and taxes on an economic-sized unit, of 30 to 50 head of milk cows, would leave him so little of his milk check that he could not provide adequately for his family, send his children to school, have an occasional vacation, or otherwise enjoy life as he could if he lived in town. As a result, he chooses the job in town, even though he is attracted to life on the farm, seeing things grow, and being his own boss.

The Young Farmers Investment Act would increase the authority and provide more funds for the Farmers Home Administration to make real estate and operating loans to young farmers.

Its principal provisions would require borrowers to repay 50 percent of the loan with interest over a period of time up to 40 years; make the remaining 50 percent of the loan due and payable in a lump sum or "balloon payment" at the end of the 40-year mortgage period; limit the interest rate to 4 percent, the approximate cost of the money to the Government; and authorize annual appropriations of $100 million for the program.

The need to keep young farmers coming into the business is clear. For some Americans, the efficiency of a farm or other business is equated with size. The bigger the operation, the more efficient it is, or so goes the bigness theory that is often misapplied to farm operations—particularly in the dairy industry. The opposite is true in the dairy industry in Wisconsin. The family-sized farm is clearly the most efficient and productive size unit.

Dairying, more than any other type of farm enterprise, involves the highly skilled and careful management of animal husbandry. Not everyone can be a successful dairy farmer because not every one is willing to commit himself and his family to manage or care for a dairy herd. The "contented cow" is an absolute necessity in a successful dairy operation.

Inexperienced help has been known to deviate from the regular milking procedures, skip feedings, and, in general, ruin a dairy herd's production in a few days' time. For this reason, any good dairy farmer is reluctant to have workers other than members of his immediate family care for his herd. For this reason, among many others, the farm family is uniquely suited to dairy farm management.

As further evidence of the nature of the job of herdsmanship, there is the record of improvement in production recorded by four separate groups of young farmers who are participating in adult farm classes at the Appleton-Kimberly-Kaukauna Vocation and Adult Schools in Wisconsin. The following graph demonstrates how individual family-size farms are able to improve their producing capabilities:

	1st year group 18	2d year group 18	3d year group 22	4th or more group 22
Gross farm income	$8,879	$13,360	$19,380	$22,748
Farm expenses	6,093	7,409	10,941	11,559
Net before depreciation	2,786	5,951	8,439	11,189
Net after depreciation	1,163	4,007	6,169	8,267
Increase in net worth	349	1,402	2,767	4,165
Butterfat per cow	350	394	418	458

The Young Farmers Investment Act would recognize the national importance of getting and keeping young farmers in the business.

The lower repayment schedule would enable the young farmer to build equity in his farm through his efforts and through appreciation in land values, while having enough left over out of his milk check to enjoy life and educate his children on a basis similar to that of his city brothers.

Furthermore, the high and rising cost of land—one of the reasons that young people cannot get started in farming now—guarantees the success of the "balloon payment" plan contained in the bill.

With increasing population, pressure on farmland will continue to force land values up and the lump sum farm payment due at the end of the 40 years will be easily refinanced commercially.

Many interests depend on the vitality of the family-farm sized unit. Small towns across America depend on its business for survival. A dispersal of producing capability assures an adequate supply of essential foodstuffs and avoids the disadvantages of economic concentration and control of food production.

These two bills would restore the discouraged and diminishing agriculture industry to a sound and stable element of the Nation's economy.

MUSCLE SHOALS BAND TO REPRESENT UNITED STATES AT EXPO 67

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Jones] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, with a great deal of pride I wish to announce that a high school band from my district has been invited to represent the United States at the opening of Expo 67 in Montreal.

We have always admired the excellence of our high school bands in the Eighth District of Alabama, and this singular recognition of the Muscle Shoals High School band is welcome acknowledgment of that quality by our neighbors to the north.

Other U.S. bands, of course, will perform later during the fair in Canada. However, for Muscle Shoals to be selected as the one band from the United States which, with three Canadian bands, will play for the opening ceremones next week is indeed a great honor.

The officials of Expo 67 went through a detailed evaluation process in selecting the Muscle Shoals High School band to play for the opening date. They evaluated tape recordings, the awards record, and other information in deciding to issue the invitation to the Muscle Shoals band.

I share the pride of the citizens of Muscle Shoals, Ala., in having this honor bestowed upon a very excellent band. The eager young musicians from Muscle Shoals High School will represent the United States at these ceremonies with dignity and an excellent performance. The officials of Expo 67 are to be commended for their recognition of these excellent young musicians.

CAN YOU BELIEVE YOUR EYES?

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Pucinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, on television the news happens in front of you. But is that what really happened? Is it a true picture or only a violent episode? Would it have happened at all if the TV cameras had not been there?

The highly respected American Heritage Publishing Co., publisher of Horizon, has recently printed an article about television coverage of the news which I believe deserves the widest possible distribution and discussion.

The author of the article, Henry Fairlie, is one of England's best-known political commentators. He is the man responsible for the term "Establishment," and he has covered upheavals from Cyprus to Mississippi for newspapers and television. He is now reporting the U.S. scene from Washington. In this article, he has raised some extremely penetrating questions which I hope will become the basis of an extensive dialog in the communications industry.

I am sure that all of us have a profound respect for the impressive contributions that network television news can make toward a better understanding of world and national events by the American viewing public. Mr. Fairlie's disquieting analysis of how this medium reports the news cries out for a reply by those responsible for network television news.

I am submitting this article in the Record today because I believe such a dialog will serve the best interest of all parties concerned. I personally find no criticism with the way news is handled by local television reporters who, in my judgment, are experts in the field of journalism and, more important, have a deep understanding of local problems in reporting the news. I am not certain the same can be said of network television news.

Mr. Speaker, this article deserves to be read and discussed by Americans from all walks of life. The article follows:

Can You Believe Your Eyes?

(By Henry Fairlie)

None of us has ever seen Alexander the Great emerging from his tent. If there had been television in his day and we could look at the tape, would we know him any better, as we think we now know a John F. Kennedy or a Lyndon B. Johnson when we see them, on television news, emerging from a convention?

None of us has ever heard Julius Caesar speak. But if there had been radio in his day and we could listen to the recording, would we know him any better, as we think we know something important about Franklin D. Roosevelt from his fireside chats?

The answer is far from clear. Of all historical evidence, the public presence of voice or of physical appearance is the most revealing but can also be the most misleading. Yet the problem of historical evidence is raised every night on television news, when we are asked to accept what we see and hear as genuine. It is raised especially by the two most important television news programs in the United States: Huntley-Brinkley on NBC, and Walter Cronkite on CBS. Millions of people have to decide not so much whether they can believe what they are told but whether they can believe what they see flickering in front of them.

"The evidence of their own eyes": but that is precisely what is not available to them. What *is* available is the evidence, first, of the camera, making its own selection, dictating its own terms; and it is the evidence, then, of the small screen—still the best description of television—which in turn dictates to the camera. Can television, by its nature, ever tell the truth?

Amid all the pretentiousness of his theorizing, Marshall McLuhan is right to this extent: the medium is the message. Television does not merely create news. That is an old business, practiced for generations by newspapers. Television creates its own events, something even the most imaginative newspaper reporter cannot do. The newspaperman can only create words, and however powerful they may be, words do not *happen* over the breakfast table as television *happens* in a living room. Thomas W. Moore, ABC's president, came very near to the point when he said: "It is difficult to retain one's perspective when, without leaving the security of our living rooms, we become witness to such startling events as the assassination of an assassin, or a war in progress."

It is because television *happens* in this way that people begin to think that the small excerpts from life which they see on the screen in their living rooms are more "real" than the life which they experience around them. There is a vital margin of difference between saying, "Did you see the report in *The New York Times* of the massacres in the Congo?" and saying, "Did you see the massacres in the Congo on television last night?" The first remark implies only that one has seen a report (which may conflict with a report from another source). The second implies that one has seen the event itself. However carefully television is used, it cannot avoid this deception.

It is doubtful whether it is ever easy—sometimes whether it is ever possible—for a newspaper or television reporter to report an event. He can report incidents, and it is the nature of incidents that they can, and do, happen in isolation. But the true meaning of an event depends on all of its known and unknown causes, on all of the known and unknown incidents that contribute to it, and in the process, cease to be isolated, and on all of its known and unknown repercussions. The whole of an incident can easily be described, the whole of an event may escape even the historian.

If this is a difficulty that confronts the newspaper reporter from day to day, it is one that the television reporter can rarely overcome. For the newspaper reporter possesses a flexibility that the television reporter does not have. He has flexibility because he can move without the paraphernalia and encumbrance of a camera or a camera crew. He has flexibility because he can reach where the camera cannot reach: the camera can never go "off the record."

The newspaperman has flexibility, above all, because words are flexible and the length of a story is flexible: the one able to qualify, even in the shortest parenthetical expression; the other capable of imposing its own perspective. But however carefully chosen the words of a television reporter, they can never properly qualify a spectacular picture; and however discriminating the apportionment of stories in a television program, they are in length too nearly the same.

Incidents are usually in the open; the whole of an event, often obscure and private. Not only is the core of television the public and the spectacular, but there is an important sense in which television has a vested interest in disaster. From the point of view of a good story, both newspapers and television prefer covering a major strike to negotiations which prevent a strike. But it is possible for the newspaper reporter to make negotiations almost as exciting a story as a strike itself; by word of mouth, he can collect a picture of the comings and goings which are the essence of negotiation and, by his words in print, vividly describe them. But what can television do with negotiations? It can only show pictures of people arriving at a building and people leaving it. However, colorful they may be—and the modern business executive is not normally colorful—this does not make exciting viewing.

Violence is the stuff of television, and the question of how to deal with it is the most important one confronting the medium.

To be sure, the same question confronts newspapers, but the impact of violence—whether a boxing match, a riot, or a massacre—is much greater in a moving picture than in a still picture or in descriptive prose. Violence is movement—the raising of an arm, the smashing of it on someone's head—and movement is what television cannot help emphasizing.

In covering violent situations, three distinct characteristics of television conspire to intensify both its special problems and the special temptations to which it is exposed. There is, first, the limitation of time. A lead news story in a paper such as *The New York Times* may take twenty minutes to read; in a popular newspaper or a tabloid, as many as ten. There simply is not this time available in television news. In the reporting of all news, this means concentration to the point of distortion. In the reporting of violence, it means concentration on the violent incident to the exclusion of the whole event.

An outstanding example of such distortion was the police attack on civil rights marchers at the Selma, Alabama, bridge in March, 1965. I was not present myself. But I do not know one reporter who was present, and whose opinion I trust, who does not point out that there was first a prolonged period during which police and demonstrators faced each other, without violence, in an atmosphere of unbearable tension, and who does not agree that the tension had to break in the form of police action.

Television news—except in special features and documentaries—did not, and could not, show this preliminary encounter. Three minutes of film is an extended sequence in a news program, and the time is best filled with action, not inaction. On the other hand, a single phrase in a newspaper story, placed correctly, where it carries weight, can put even an extended description of violence in perspective.

The point of such perspective is not to excuse any eventual police brutality, but to explain it. Without this explanation, whether implicit or explicit, one begins to think that brutality is automatic, that the police will always behave in such a manner; demonstrators begin to think that they can, and should, goad the police; and the police begin to think that, since restraint is so frail anyhow, they may as well give way to exasperation from the start.

There is, secondly, television's tendency to produce self-generating news. The problem arose most notably during the disturbances in Watts; but it has arisen, again and again, whenever there have been similar disturbances in other cities. However spontaneous the original outbreak of violence, an external provocation is added once it has occurred. That provocation is the presence of television cameras in the middle of the trouble spots.

This is especially true on the night after the original outbreak. Then, as dusk gathers, television cameramen and reporters move into the streets looking—literally looking—for trouble, and the crowds begin to play up to them. Their presence is very different from the presence of newspaper reporters, who either roam around, hardly distinguishable, or lounge in bars until they hear that action has broken out somewhere down the block. Television, merely by its presence, helps to create incidents and then itself remains part of the happening. There is no doubt that this participation occurred after the first night in Watts, and that it occurred again last summer in Chicago.

But in order to create on the screen the impression of continuing disturbance, of continuing riots, television needs only one incident. One spectacular incident of violence can occupy a two-minute sequence in a news program just as impressively as a series of incidents. Much of the Watts film is a classic example of this: showing that it needs only one defiant boy and only one hot-headed policeman to suggest that a neighborhood is aflame.

In this connection it seems worth pointing out that a newspaper reporter's dishonesty—or imagination—can be a great deal less dangerous and provocative than a television reporter's. The newspaper reporter, after all, need only create—or exaggerate—a story in his own mind. But the television reporter must create—or exaggerate—it in actuality: he must make it a happening.

Finally, in this matter of violence, there is the size of the screen: the limitations which it imposes, the temptations it offers. At the end of last summer, television news showed some alarming pictures of white men and women in the Chicago suburb of Cicero screaming abuse at some Negro marchers. Their hating faces—a dozen of them, perhaps—filled the screen. They looked as if they were a representative example of a much larger crowd. But anyone who was there knows that these particular whites were only a small part of the crowds in the streets; and that the crowds themselves were only a small part of the total white population of Cicero. To this vital extent, television that night distorted badly.

What all this amounts to is not only that people sitting in their homes begin to think that all police are brutal, that all demonstrators are violent, that all disturbances are riots, that all crowds are aggressive; the fact that they usually go through each day without either meeting or themselves displaying violence becomes less real to them than the violence on the small screen.

Anyone who has appeared regularly on television knows that complete strangers think they have actually met him. They smile or nod at him in the street or across bars; they approach him and shake his hand; they even ask him to drop in when next he is around their way, as if they really believe that he has been in their homes. It is this imaginary "real" presence of television in people's living rooms which is the background to the whole problem. Surely much of the feeling of living in a condition of perpetual crisis, and the agitation arising from it, comes from a sense of being a witness to a world which is more actual than the routine world in which one lives.

Television can create, not only events out of incidents, but movements and people. The television news coverage of the Meredith march across Mississippi, during the couple of days when I accompanied it myself, constantly appalled me. It was near the beginning of the march, when it had barely gotten organized, and when the numbers were few and the individuals composing the numbers were anything but impressive.

All the familiar hazards of television reporting were displayed. A straggling column—it was at the time little more—could be made on the small screen to look like an army. When the cameras were rolling, the marchers pulled themselves together and played the role expected of them. The several civil rights leaders strode in line abreast, at the head of their enthusiastic followers.

The real story of the Meredith march was not this unified demonstration at all, but the fact that it produced the deeply significant clash between different factions of the civil rights movement over "black power." Newspapers felt their way to this story and were, by the end, reporting it fully. It was a story which, for the most part, was taking place in private meetings where the cameras could not reach. But then when television at last caught on to the fact of "black power," it inevitably exaggerated and distorted it. Film is expensive. Getting film ready for a news program is a hurried job. The result is that in reporting any speech the television reporter and cameraman make an automatic, almost involuntary, selection. They wait for the mention of a phrase like "black power," and on go the lights and the film rolls.

But, given the length of the usual sequence in a news program, that is all. The impact is far greater than that of any selection made by newspapers. By constant reiteration on the small screen day after day, the slogan of "black power" was elevated into a movement. It was suddenly there. It had suddenly happened. "Black power" switched the cameras on, and in turn the cameras switched the movement on. It was a classic case of self-generating news.

Stokely Carmichael, of the Student Nonviolent Co-ordinating Committee, could not have emerged so rapidly as a national figure without television. (SNCC is a master at using television.) But he is not the only example of television's ability to create—or destroy—people. No one, I think, questions that Governor Ronald Reagan is the creature of the television cameras, just as previously Actor Ronald Reagan was the creature of the movie cameras. John Morgan, one of the British Broadcasting Corporation's most experienced television reporters, returned from the California gubernatorial campaign last fall, amazed at Reagan's professionalism in the television studio, and the use that he made of it to dictate camera angles and even the moments for close-ups.

Much of the poor impression that President Johnson has often made is the direct result of his comparatively poor television "image." The close-up, especially, can distort in the crudest way and make what is simply unprepossessing actually repellent. In fact, in considering the impact of the close-up, one can notice the vital difference between television and the movies; between what is legitimate in the cinema and illegitimate in a living room.

Movies are intended to be, and are taken to be, larger than life. Sitting in the theatre, one does not imagine that what one is seeing is real. The close-up in the movies, therefore, is a legitimate *and understood* distortion. But a distortion it is. We never do see anyone in real life as close in as the camera can go, except in one position and in one activity; when making love. There is no reason why President Johnson, or any other public figure, should have to pass this private test in public. Moreover, not only does the close-up bring one ridiculously close to a face, it shows it in isolation. It removes the general bearing; it removes the whole man.

Perhaps the most striking demonstration of the power of television to create personalities is one that most people will think also demonstrates its power for good. For a comparatively short time three men seemed to bestride the world: John F. Kennedy, Pope John XXIII, and Nikita Khrushchev. Their impact, all over the world, was quite out of proportion to the length of time any of them held office. In a few years they had made as great an impression as Queen Victoria had in sixty years. This was the work of television.

Television news is new, and we have not yet got the measure of it. Its hazards are numerous: some of them are inherent in the nature of the medium, and are likely to be permanent. Others are more technical and, with technical advances, may be removed.

Camera crews are costly, and costly to move about; this automatically imposes a preselection of news far more rigorous than it is in a newspaper. Film costs impose a second automatic selection. Time on the screen is expensive, and this imposes a final selection. Again and again, when I have been making news films with a camera crew, I have wanted to utter over the pictures, "It was not like this at all."

However paradoxical it may seem, the only immediate answer to most of the problems of television news lies not in pictures but in words. Given the powerful impact of the pictures, the words covering them must provide the corrective. Most television reporting just describes the pictures, and by doing so, reinforces them. But the object of words in television news should be to distract from the pictures, to say: "It was not quite so. This was not the whole story." Pictures simplify; the object of words should be to supply qualification and complication. Pictures involve; the object of words should be to detach the viewer, to remind him that he is not seeing an event, only an impression of one.

The manner of delivery—especially of the "anchor" men in the studio—is as important as the substance of the words themselves. There is something very professional and very engaging about the television manners of Chet Huntley and David Brinkley and Walter Cronkite. All of them, in dissimilar ways, cultivate a deadpan approach. In Huntley, it is made to suggest a judicial impartiality; in Brinkley, an ironical detachment; in Cronkite, an unfailing common sense. Each of them by his manner reinforces the impact of the pictures over which he is speaking, suggesting that they can be taken at their face value.

Only now and then, when Brinkley's irony is allowed to break loose into that over-nourished flicker of a smile, is the value of the pictures ever questioned. The vital role of the television reporter or commentator is to make watching as difficult as reading, to invite the viewer to make comparisons and judgments from his own experience so that he never reacts by assuming that he is seeing actual life.

That television news can do some things remarkably well, especially in full-length features and documentaries, that those involved in making television programs are conscientious and skillful, does not touch the main problem. Television news holds a mirror up to the world in a way that newspapers never can; and the world is beginning to believe that it can recognize itself in it. Life is not made up of dramatic incidents—not even the life of a nation. It is made up of slowly evolving events and processes, which newspapers, by a score of different forms of emphasis, can reasonably attempt to explore from day to day.

But television news jerks from incident to incident. For the real world of patient and familiar arrangements, it substitutes an unreal world of constant activity, and the effect is already apparent in the way in which the world behaves. It is almost impossible these days, to consider any problem or any event except as a crisis; and, by this very way of looking at it, it in fact becomes a crisis.

Television, by its emphasis on movement and activity, by its appetite for incident, has become by far the most potent instrument in creating this over-excited atmosphere, this barely recognizable world. The medium, to this very important extent, has become the message; and the message is perpetual stimulation, perpetual agitation, perpetual change. The world it creates is a world which is never still.

Many of our unnecessary anxieties about the way in which we live, about the fearful things that may happen to us, might be allayed if television news began, now and then, to say: "It has been a dull day. But we have collected some rather interesting pictures for you, of no particular significance." Television news has a deep responsibility to try to to be dull, from time to time, and let the world go to sleep.

NATIONAL CAPITAL CHAPTER OF AIR FORCE SERGEANTS

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Nichols] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. NICHOLS. Mr. Speaker, last Thursday night I was privileged to attend the officer installation of the National Capital chapter of the Air Force Sergeants Association at Bolling Air Force Base. I attended at the invitation of M. Sgt. Estel E. Lipham, the new chapter president, who happens to be from Lineville, Ala., which is my district.

The guest speaker at the installation banquet was my distinguished colleague from South Carolina, Chairman Mendel Rivers, of the Armed Services Committee.

Now, Mr. Speaker, Chairman Rivers has lately been the favorite target of newspaper columnists Jack Anderson and Drew Pearson. I did not rise here today to defend the chairman against Anderson and Pearson, because he can take care of himself in that respect.

But I do want to report to you that if there was a popularity contest between these columnists and the chairman with the members of our armed services voting, there would really be no contest. They made Chairman Rivers an honorary lifetime member of the Air Force Sergeants Association. The sergeants and their wives interrupted his address time and time again with applause. And then the group's national president invited the chairman to address the association's national convention later this year.

It is quite plain to me why the men and women of every rank in our services like, admire, and respect the chairman. He is their representative here in the Congress. He has their interests at heart. It is Chairman Mendel Rivers who wants our service men and women to have a standard of living comparable to those of us in civilian life, and it is Chairman Rivers who wants our fighting men to have the very best facilities and equipment possible so that they can get the job in Vietnam done.

Contrast this, Mr. Speaker, with a question posed by a veteran sergeant who heard the chairman last Thursday night. "What," he asked, "has Drew Pearson done for us lately?"

Chairman Rivers' speech, I think, outlines some of the problems that face the enlisted men of our services, and some of the possible solutions. Under unanimous consent, Mr. Speaker, I include his entire speech in the Record:

President Lipham, Other Officers of the National Chapter, Members of the Air Force Sergeants Association, and ladies:

I am very happy that you asked me to join you tonight, and I am very happy that I have been able to manage my time so I can be here. I think you can appreciate that as Chairman of the Armed Services Committee of the House of Representatives, I am a very busy man. I get so busy that sometimes I turn a corner in the Rayburn Building and meet myself coming the other way.

I told the Secretary of the Air Force in a hearing just the other day that I was coming here and that this marks the first time I have accepted an invitation to speak to an Air Force enlisted group since I have been chairman. I also told him he might not like what I am going to say—and he might not. But I am going to say it anyhow. I am happy that the first occasion is before a group such as this which represents the *career* enlisted man—a group that is interesting in *serving* the enlisted man, not in *selling* to him.

There are all sorts of groups and individuals who work overtime trying to sell things to the enlisted man. I am interested only in those who work to serve him. I know that yours is still a young organization and I am sure that you must still be experiencing some growing pains. But as long as you remain an organization of professional airmen, run by career non-commissioned officers and working for the welfare and benefits of all your members equally, you can make a worthwhile contribution to the Air Force—and to our national defense. I know that is your purpose and I wish you every success. I can tell you that my Committee will always be interested in listening to your ideas. My Committee is ready to listen to any organization that is trying to make life a little better for military men and their families.

Congress has received many worthwhile suggestions on legislation from your counterpart, the Navy's Fleet Reserve Association.

And I assure you that my door is always open to the representatives of the Air Force Sergeants Association.

I have said a number of times in the past and I intend to continue saying it in the future—I shall continue saying it until it is a reality—the members of the Armed Services are entitled to a standard of living as good as the standard of living they are defending. In this connection, I would like to make a prediction.

I predict that you will get a pay raise this year.

In the past when I made predictions like that, some people laughed. They are not laughing much any more. I have been doing pretty well with my predictions.

I introduced this year's pay bill, H.R. 8197, on April 6th. It provides an average pay increase of 5.6%. I told the Secretary of the Air Force the other day that it would pass so fast it would make his head swim.

To give you a little idea of what the bill does:

For a Master Sergeant, E–7, with 16 years service, it will mean an additional $24 per month.

For a Technical Sergeant, E–6, with 12 years service, it will mean an additional $20 per month.

For a Staff Sergeant, E–5, with 6 years service, it will mean an additional $16 per month.

The bill also provides basic allowance for quarters and dislocation allowance to bachelors on permanent change of station. I am pleased with this aspect of the bill. I have often felt that we have neglected those servicemen who have chosen not to contribute to the population explosion.

The bill will mean a basic allowance for quarters to E–4s (with 4 years service) and above for the period when in a travel or leave status between permanent duty stations. It will also permit payment of a dislocation allowance to a serviceman without dependents when he is transferred to a permanent station where he is not assigned to government quarters. Present law pays the dislocation allowance only for a member whose dependents make an authorized move. But a man without dependents incurs the same general type of additional expenses when he is not furnished government quarters at a new duty station. The bill will assure that he is treated fairly along with married personnel.

There is one other provision in the pay bill which is especially gratifying for me. As you know, all of the services now have established the position of Senior Non-Commissioned Officer. The Chief Master Sergeant of the Air Force, Sergeant Airey, was only recently appointed. At my suggestion, the military services are temporarily paying each of these senior men the top proficiency pay of $150 a month. My new pay bill will provide a special rate of basic pay for the Senior Non-Commissioned Officer position of $844.20 per month. This is $150 a month more than the highest enlisted basic pay otherwise provided in the new pay bill.

Having a special rate of pay set permanently in law is further evidence that the Congress recognizes the great importance of this very special individual and through him the great contribution that non-commissioned officers make to the success of our Armed Services.

Now I brought up a few other matters with the Secretary of the Air Force the other day concerning this very special man, the Chief Master Sergeant in the Air Force. And following some correspondence and some questioning of Secretary Brown, I can tell you this. In June, when the Chief Master Sergeant's family arrives, they will have waiting for them here at Bolling the best set of enlisted quarters available. He will have adequate transportation available to him for such travel as he is required to make. He will have adequate office space, stenographers, and an enlisted administrative assistant at the grade of E–7 on his personal staff. And we have gotten it established with Secretary Brown that he will have no problems getting reimbursed for his expenses including entertainment expenses. So he won't have to pinch pennies when he is representing the Non-Commissioned Officers Corps.

Now we have taken care of the Number One Non-Commissioned Officer in the Air Force very well. But that leaves us quite a few others. That brings me to something else that I want to talk about—in fact the thing that I particularly want to talk about tonight.

Because we have a problem in the Air Force.

And it is a very serious problem. It is much more serious in the Air Force than in the other services.

And it can be summed up with one word. And I am sure you all know what that word is: promotions!

I do not know what the answer to the Air Force enlisted promotion problem is but I am here to tell you I have got the questions. And I am here to tell you I am not going to stop asking until we get the problem solved.

In some grades in the Air Force, it takes almost twice as long to be promoted as it does in the Army, or the Navy, or the Marine Corps. I do not understand why this should be so. Are the men in the Army and the Navy twice as smart as the Air Force?

We know that isn't so. Anybody who believes that can turn in his membership card.

Secretary Brown said he thought the Air Force gets the cream of the crop. He said he thought the Air Force enlisted people are better educated, more intelligent, and more ambitious on the average than those of the other services.

Of course, we all tend to favor our own constituencies.

But the Air Force does not need a high percentage of men capable of advanced technical training. And this being true it makes even less sense to have them wait twice as long for promotion.

The average E–4 in the Air Force has 7.8 years of service at the time of promotion to E–5. I am not talking about exceptional cases now. I am talking about the average. By contrast, the average E–4 in the Navy has only 4.6 years at the point of promotion to E–5 and in the Army, the average is only 3.6 years. At the time of promotion to E–6, the average E–5 in the Air Force has more than 12 years service. In the other services the average is around 9 years.

Again, I emphasize that this is only the average.

I get letters daily from members with 10, 12, and 14 years in grade as E–4 and E–5 who have outstanding records but cannot get promoted. I do not get letters like that from the Navy.

I have been especially impressed with the maturity and thoughtfulness of the men who write to me. These are not the goof-offs, the dodo-heads. They are men with families, men who are serious about their careers, who have never had disciplinary problems. They are men who earn efficiency ratings of excellent and outstanding and who earn medals and commendations for their performance. They are men who are proud—proud of their uniform and proud of their service.

Not long ago, I received a letter from an Air Force Staff Sergeant who had 10 years in grade. He was shot down over North Vietnam. He evaded capture for seven hours though wounded and managed to signal to a rescue helicopter in the night with his cigarette lighter. He recovered from his wounds and returned to duty flying additional rescue missions over North Vietnam. He received the Silver Star, the Purple Heart, the Air Force Commendation Medal, and the Air Medal, and his unit received the Presidential Unit Citation. He returned to the United States and in last December's promotion cycle, he was turned down for promotion to an E–6.

When a man with a record like that after 10 years in grade does not get promoted, I think it is time to ask whether there is not something fundamentally wrong with the system.

I have been told that the wait for promotion is longer in the Air Force because the retention in the Air Force is better; but that does not satisfy me.

I am aware, of course, that a higher retention rate makes it more difficult to create promotion vacancies but I will not accept the answer that this reason alone justifies the existence of the problem.

If we say the service that achieves a higher retention rate must have a much lower promotion rate, that is a little like putting a penalty on esprit de corps.

I have also been told that the problem was created in part by the refusal of the Department of Defense to give the Air Force all the non-commissioned officer billets it requires. My Committee is going to look into that allegation and if it is true, we will do something about it. But I have also been told that the Air Force has a higher percentage of its men in the upper enlisted grades than the other services. We, in the Congress, recognize, of course, that the needs of the services differ and the percentage of men in different non-commissioned officer grades will naturally vary, but I want to know why the service which has the highest percentage of non-commissioned officers also has the most serious promotion problem.

I want it clearly understood that I am concerned not just with the wait for promotions, but with the equity with which those promotions are distributed. And I don't wish to imply that I am concerned only about the Air Force. While the problem is more severe in the Air Force there are promotion—and other enlisted problems—in the other services. And we are going to look into those too.

For officers, most of their promotion procedure is written into law and those laws guarantee an officer fair consideration with his contemporaries at set points in his career regardless of where he is stationed. For enlisted men almost all of the promotion procedures are handled by regulations. And promotions seem to vary a great deal from location to location and from command to command.

The processes of the Air Force promotion system are not visible. A man does not know how he was rated by the promotion board. He is not told of his relative standing. He has no examination results with which he can make a comparison. I think we have to do a better job of explaining the system to the men. If the system needs fundamental changes, I think we have to have the courage to change it. But, in any case, I think it is important to Air Force morale to make the system better understood and to reduce its margin for error.

Finally, even beyond the question of promotions themselves, I am concerned about the effect on Air Force personnel and their families if the system is not faithful to its own principles. Our airmen have been told throughout their careers that if they work hard, show loyalty, and dedication and establish good records, they will be rewarded. They have been told that we have a rating system which determines how well they are performing and that those who achieve outstanding ratings will be rewarded with more responsibility and higher pay. They have been told that the rating system means something.

I think we do something terrible to a man's spirit when he achieves success according to the standards of the system but then does not get his reward. We damage not only his faith in the promotion system but his faith in the Air Force and even, to an extent, his faith in himself. I have received letters from long term, intelligent, non-commissioned officers who simply could not believe their promotion folder had ever been considered by a promotion board. Most of them do not ask special intercession in their behalf, they merely ask why. What they want is not influence but understanding. Why did they not get promoted? If a man has excellent or outstanding ratings and commendation medals and letters of praise from his commanders and still does not get promoted, he begins to wonder whether the outstanding ratings and the medals and the praises really mean anything.

I think they really do mean something and I think where their faith has been damaged, it must be made whole again. I think we must have the courage to use our rating systems honestly or to junk them and find something else. I do not think we can afford to run a promotion system in such a way that it damages a man in his dignity or his pride.

Nobody has a right to be promoted but he does have a right to equal consideration with his fellow airmen. He has a right to be told honestly if he is not capable of promotion. He has a right to understand the system he lives by.

I told you in the beginning that I did not have the answers but only the questions. I hope your Association will help us find the answers because we need all the help we can get. I told the Secretary of the Air Force that he ought to appoint a task force to study this problem and if necessary I just might create a task force on my own.

All I can promise you is that we won't stop asking questions until we find satisfactory answers.

CHAIRMAN PATMAN LAUDS CREDIT UNIONS FOR THEIR EXCELLENT RECORD DURING TIGHT-MONEY CRISIS

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Barrett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. BARRETT. Mr. Speaker, last Saturday the gentleman from Texas [Mr. Patman], the distinguished chairman of the Banking and Currency Committee, addressed the annual meeting of the Pennsylvania Credit Union League, in York, Pa. In his remarks, Chairman Patman pointed out that credit unions have weathered the tight-money crisis in our Nation better than any other class of financial institutions.

Not only did credit unions survive the crisis, but they experienced a period of tremendous growth. Chairman Patman pointed out in his speech:

> The Bureau of Federal Credit Unions reports an increase of more than 500 credit unions during the year ending February, 1967, and during the same period more than 1.5 million new credit union members were added. These are impressive totals and clearly show the faith that the American people place in credit unions.

Mr. Speaker, Chairman Patman's speech is a fitting tribute to the more than 22,000 credit unions in this country. I am enclosing a copy of Chairman Patman's speech in my remarks so that Members of this body can become fully aware of the outstanding work that credit unions perform for our Nation.

The speech follows:

Remarks of the Honorable Wright Patman, to the Annual Meeting of the Pennsylvania Credit Union League, York, Pa., April 15, 1967

President McCullough, Officers of the Pennsylvania Credit Union League, Mr. Judge, and League members. After Congressman Annunzio addressed your annual meeting last year in Philadelphia, he spoke so highly of the wonderful reception that he received that I was most appreciative when I received the invitation to address you this year. I am only sorry that I can't spend more time with you because I enjoy so much talking to credit union people. However, due to the press of business in Washington, my stay in your lovely and historic town is all too short.

I would like to take a short period this morning to discuss the state of the art of credit unions and have a few moments to look to the future of the credit union movement.

The United States is slowly coming out of one of the worst tight-money periods in recent history. There was a time when stories concerning monetary matters were buried on the financial pages of our daily newspapers. But lately, the American public has become far more interested in what happens to its dollar and the current tight-money period has whetted the public's appetite for more detailed financial news. Read almost any newspaper in the country for one week and at least once during that 7-day period there will be a story on the front page concerning monetary matters. Unfortunately, most of the stories that have appeared in the past year tell of tight money, high interest rates, and a critical shortage of mortgage funds.

We read of banks and other lending institutions increasing their interest rates to borrowers and severely limiting the amount of funds available for borrowing. During 1966, mortgage credit was at its lowest since the depression years of the 1930s. Residential mortgage loans dropped about $18 billion in 1966 over the previous year and housing starts, which already were running at a rate below the needs of our nation, fell off 20 percent from 1965.

During this period, the commercial banking and the savings and loan industry came to Congress for help in solving the money shortage problem. Other mortgage lenders, fearful that they might be forced out of business, sought assistance from various legislative bodies.

A number of State legislatures were asked to raise the State usury rates so that lenders could extract more interest from borrowers. Governors were requested to call emergency sessions of their State legislatures in order to raise usury rate limitations.

In short, most every financial institution in this country was asking for outside assistance in solving its problems. However, there was one financial institution which, I am happy and proud to say, did not ask for outside assistance and has weathered the financial storm in the finest of styles. I, of course, refer to the credit unions in this nation, which once again demonstrated that they play a major role in the stabilization of our economy.

The Federal Reserve Board, which has never been known for its pro credit union philosophy, had this to say of the role of the nation's credit unions during the tight-money crisis:

"Credit unions continued to improve their position in 1966. They were the only holder group that increased its penetration in every major type of installment credit. Credit unions apparently were not so much affected as other lenders last year by the problem of limited funds . . ."

This quote is not from one of your own publications, whose disinterested view might be questioned, but is from the March 1967 *Federal Reserve Bulletin*. It is the highest type of praise that can be paid to credit unions.

Let no one question the strength, the importance, or the safeness of credit unions, for in the most critical financial period of our nation in the past 30 years, credit unions alone have shown that they can not only withstand such experiences, but actually grow during these adverse times.

The Bureau of Federal Credit Unions reports an increase of more than 500 credit unions during the year ending February 1967, and during the same period, more than 1.5 million new credit union members were added. These are impressive totals and clearly show the faith that the American people place in credit unions.

Because credit unions have shown that they can prosper during extremely critical periods, it is time that we look to expanding the area of credit union activity. Why should such a responsible group of finanacial institutions be restricted to a narrow channel of opportunities? To this end, I have introduced legislation—H.R. 6156—which would permit Federal credit unions to make long-term loans secured by real estate. The impetus for this legislation was supplied by the Pennsylvania Credit Union League—and I salute you for your foresightedness and your willingness to challenge the future.

There may be a reason in law, but certainly not in logic, why Federal credit unions should not be allowed to make real estate loans. Actually, the law does not preclude real estate loans; but because the Federal Credit Union Act limits loan maturities to five years, it would be impractical to attempt to make a real estate loan on such a short-term basis. H.R. 6156 would allow credit unions to invest up to 25 percent of their assets in real estate loans with maturities of not more than 30 years, in amounts not greater than 80 percent of the appraised value of the real estate.

This legislation was brought about because many credit union members seeking mortgage funds found them unavailable from banks, savings and loans, and other mortgage lenders during the recent tight-money period. At the same time, the credit unions to which these individuals belonged had excess funds which could have been made available in the form of mortgage money had there been a law allowing such a transaction.

Not only would passage of the real estate legislation assist credit union members in obtaining mortgage loans, but it would be a shot in the arm for the sagging building industry. It would provide an instant source of mortgage credit that overnight could start the homebuilding industry back on the road to recovery.

I do not want to suggest that every credit union would immediately go into the mortgage lending business, nor perhaps would some credit unions—because of their size—ever make mortgage loans. But there are a number of credit unions which are in a position—because of surplus funds—to make a significant contribution to the mortgage market. At the end of 1965, there were more than 1,200 credit unions with assets of from $1-to-$2 million; there were 767 credit unions with assets from $2-to-$5 million; and there were nearly 300 credit unions with assets of more than $5 million. The 1966 figures are not yet available, but I am told that there will be an increase in each of the three categories I have listed. Thus, we have more than 2,100 credit unions which, based on their size, could enter the mortgage market. I am certain even those who oppose allowing credit unions to enter the mortgage field would agree that the addition of 2,100 new mortgage outlets would highly stimulate our economy in general, and our building industry in particular. Of course there may be hundreds of other credit unions with assets of less than $1 million that might also go into the mortgage market.

Mortgage lending is a sound business, and even during our most critical tight-money period, less than 5 out of every 1,000 mortgage nonfarm structures were foreclosed, and foreclosure does not mean that the loan was a total loss. If Federal credit unions were allowed to enter the mortgage field, I do not feel that their foreclosure rate would even approach the national average, because of the excellent repayment records that credit union members in general possess.

There are a number of other reasons why Federal credit unions should be allowed to go into the real estate mortgage market. If any of you have purchased a new home recently, I am certain you have run into a little item in the financing called "points." This is money which is paid to the lender at the time the loan is granted, in addition to the interest rate. Actually, points are nothing more than a percentage of the loan. For example, if a $20,000 loan were obtained and the borrower were required to pay 5 points, he would have to pay $400 for the privilege of obtaining the loan, plus the interest rate. Points are considered nothing more than a bribe or under-the-table money. It is a way that lenders get around the usury laws. Although points are always objectionable, they are the most objectionable in periods of tight money since the borrower must pay the maximum legal interest rate, plus points, in order to obtain a loan.

If Federal credit unions were allowed to invest in real estate mortgages, they could not charge points because the Federal Credit Union Act prohibits the payment of any fees above the maximum interest rate specified. No matter how scarce money became, credit unions would not be allowed to charge points. Even if this restriction were not in the law, I know that credit unions would not seek to extract extra money from the borrower. Many credit unions charge far below the maximum rate allowed by law, even during money-shortage periods, and credit unions also have done a remarkable job in rebating interest to borrowers at the end of the year if the financial condition of the credit union can justify this practice.

I would like to see more credit unions begin the interest rebate practice. It is excellent public relations, and you would be surprised at the selling job it can do on members for repeat loans. The savers in the credit union might be unhappy with an interest rebate program, but you must remember that credit unions are not set up to favor one category of credit union members over another. An attractive saving rate, plus the interest rebate, is not hard to effect; and although there may be some initial mutterings by your savers, a large majority of your members will applaud such an arrangement.

Real estate lenders have long held an unfair advantage over those who do not engage in real estate lending, and it is an advantage that works against the best interest of the borrower.

I am certain that most of you are aware of the boondoggle surrounding the Christmas Club operations of commercial banks. These are promotions that urge bank customers to save their funds for Christmas expenditures with the bank, although the bank in a large majority of cases does not pay interest on these funds. It is a multi-billion-dollar-a-year free bonanza for the banks, but it is only a drop in the bucket compared to another windfall received by banks and other mortgage lenders.

When you obtain a home loan from a mortgage lender, the lending contract normally requires that your monthly payment include not only a principal and interest payment, but also a prorated share of the annual taxes and insurance premium on your house. Thus a mortgage payment of $150 might be broken down in this manner: $75 for principal, $40 for interest, $20 for taxes, and $15 for insurance. The tax and insurance escrow is withheld so that there is always money available to pay for these items at the end of the year. However, these items are paid only once a year, which means that the lender has the use of this money for the entire year but does not pay the borrower one penny for the free use of these funds.

Not all mortgage lenders require these escrows, although a vast majority demand that both items be escrowed and just about every lender requires a tax escrow. I do not dispute the business soundness of the escrow, but these lenders should be required to pay the borrower interest on this money or allow the escrow to be held in a nonwithdrawal, interest-paying savings account which would be tapped once each year by the lender to pay the taxes and insurance.

When you stop to think of the billions of home mortgages outstanding in this country, the amount of free funds available to mortgage lenders because of escrows staggers the imagination.

If credit unions are granted real estate lending authority, I would hope that they would voluntarily pay interest on the escrow amounts so as to set a precedent for other mortgage lenders.

If credit unions are sincerely interested in the real estate lending proposal and the other portions of their 1967 legislative package, they will face a knock-down, drag-out fight with commercial bankers. Banks want to keep credit unions in the financial basement and will use every method and tactic to accomplish this end. A typical example of the tactics bankers use in their battle against credit unions was a highly distorted article appearing in a recent issue of Nation's Business, entitled "Washington Hides Truth-in-Lending." The article is dedicated to the sole proposition of criticizing credit unions in general, and antipoverty credit unions in particular.

The very fact that this article appeared in the publication *Nation's Business* is enough to raise questions concerning its credibility. *Nation's Business* is, of course, the paid voice of the United States Chamber of Commerce, an organization which has never been known to advocate the causes of anyone except big banks and big business.

It must be remembered that one of the recent Presidents of the U.S. Chamber of Commerce was Mr. Edwin P. Neilan, who is Chairman of the Board and President of the Bank of Delaware. It was Neilan who traveled around the country making speeches against payments to veterans for such items as education and home mortgages, while at the same time he accepted subsidy payments for the operation of his farm in Wilmington. And it is interesting to note that Mr. Neilan's bank has more than $22 million of Government funds on deposit in his bank, for which the bank pays not a penny in interest. **Mr. Neilan is not opposed** to subsidies, he is only opposed to subsidies which he does not receive. I only make these points to indicate that articles appearing in U.S. Chamber of Commerce publications carry a highly distorted viewpoint. For instance, in the article on credit unions, *Nation's Business* reports that many low-income-area credit unions never have paid a dividend. The article states, "In fact, in 1965, about 70 percent of all Federal credit unions with assets of less than $10,000 paid no dividend."

On the face of it, this is a damaging statement. But when the truth is known, the statement is as hollow as an empty rain-barrel. What the article does not point out is that a large majority of credit unions operating in 1965 with assets of less than $10,000 were newly formed credit unions. In fact, more than half of the credit unions in this category opened their doors during that year. It is not unusual for a credit union in its early formative years not to pay a dividend. In addition, it must be remembered that most credit union members do no join for speculative or profit-making reasons. The article should also mention the number of credit unions that did not pay dividends in their first years, but at the same time did not lose members, but, in fact, gained new members. How many banks would continue to attract customers to their savings department if they did not pay interest? You would see a mass exodus from banks in this category, yet, there was no such pulling-out on the part of credit union members.

This twisting of figures and words by *Nation's Business* reminds me of the story of the great auto race between a Russian and American car. Both countries were firmly convinced that their car was the fastest in the world. So a race was arranged to prove which car was the faster. When the race was run, the American car easily defeated the Russian car. The next day the headline in the Russian newspaper read: "Russians finish second in great auto race, Americans next to last."

Banks do not like credit unions because they feel you are invading their territory. I would argue that it is banks that are invading your territory. For years banks were not interested in the small saver or the small borrower. It was only after credit unions had clearly shown that the small borrower and saver were good business risks that the banks entered the field of consumer banking. However, there is another reason—perhaps more important—why banks want to put credit unions out of business. One of the biggest customers of commercial banking—perhaps the biggest—is the loan and finance company industry. While there are no accurate figures available on the amount of funds which loan and finance companies obtain from commercial banks each year, it has been estimated by some, however, that these companies obtain 70 to 80 percent of their short-term funds from commercial banks. The banks do not ask these loan companies what they do with their money or what rates of interest they charge borrowers or question any of the practices of these companies. The banks ask only one question: Will we be paid on time?

I am certain that many of you are aware of the investigation of Federal Services Finance Corporation conducted in 1965 by the Domestic Finance Subcommittee of the Banking and Currency Committee. This was a loan company specializing in servicemen's transactions, which was charging our men in uniform loan rates as high as 60 and 70 percent a year. We also found that this company was taking advantage of the servicemen in a hundred other ways. But what was really shocking was the fact that in 1965 alone, a group of commercial banks across the country extended lines of credit to Federal Services of nearly $32 million. One of the banks making funds available to Federal Services was Puget Sound National Bank of Tacoma, Washington. The Chairman of the Board of that bank was one Reno Odlin, at the time, President of the American Bankers Association. Odlin, like Ed Neilan, felt that this country was perhaps giving our veterans too much assistance. Mr. Odlin chose a strange way to voice his feelings. His bank lent a half million dollars to Federal Service, a company dedicated to the sole proposition of getting as much of the serviceman's pay check as possible.

You can see that banks cannot be your friends and also friends of the small loan industry. You can also see on whose side they would be in a toe-to-toe match. And, unfortunately, it would not be with credit unions.

For years, credit unions have fought for truth-in-lending legislation. For the same number of years, banks and small loan companies have fought against such legislation. The type of truth-in-lending legislation which has been proposed in the past merely requires full disclosure of credit transactions. In short, truth-in-lending requires that the lender tell the truth. This idea is strangely repugnant to the banking industry. They argue that they cannot comply with the provisions of the legislation because of technical difficulties. But, in fact, the bankers are actually saying we cannot comply with the legislation because we cannot tell the truth. Bankers are reluctant to spell out for the lender the interest rate which must be paid. They are hesitant about providing full information so that a rational decision can be made by the borrower. And, at the same time, the banks must oppose truth-in-lending because they are "shills" for their good customers—the loan companies. What's good for the loan companies must be good for the commercial bankers.

Let me state again that I look favorably upon legislation which would enable the borrower to better choose between competing credit offers. At the same time, however, I am not certain that this type of legislation would solve the problems that the consumer faces when he seeks credit or attempts to make a loan. Let's put some meat and potatoes on the truth-in-lending menu, and seek legislation that would go to the root of the problem. I would look with favor on some type of Federal statute that would provide a fair and reasonable limit on interest rates, including those imposed on small loans. Such a law is needed because of the wide variance in small loan laws from state to state. These laws carry interest rates that range as high as 48 percent. In fact, a so-called uniform small loan law which has made the rounds and been adopted in many states recommends a 36 percent limit, a figure which to my way of thinking is nothing more than legalized larceny. In addition, the rapid rise of mail order borrowing clearly justifies the need for Federal legislation in this area. Servicemen are, perhaps, the biggest losers in the mail order borrowing business, particularly those stationed abroad. The Domestic Finance Subcommittee learned that many small loan companies open offices in states with the highest small loan rates, and then offer loans through the mail. The company is careful to make certain that the contract for the loan is executed in the state bearing the high interest rate, even though the borrower may be situated in a state having a lower rate. Why should a person in one state pay more for money than a person in another? A Federal law would change this, and I am certain would correct many of the abuses which have gone on in the small loan field.

Thus, while I will support truth-in-lending legislation of any type, since I feel it would be a step forward, I would rather see legislation that would prevent the borrower from being bilked, instead of merely requiring the lender to tell the borrower that he is being bilked.

At the same time banks are fighting against truth-in-lending legislation, they are waging an aggressive battle to change laws so that their profits can be increased. Legislatures are being bombarded with demands that the 6 percent usury laws be raised to a much higher level. Unfortunately, state usury laws provide only minimal protection for the borrower, and any attempt to dilute this protection would leave the borrower virtually unprotected from the profit-grasping clutches of the bankers. If state usury laws are raised only 2 percentage points, it will mean that the average homeowner will have to work at least one extra year, simply to pay the interest on his home mortgage. This fact does not bother the bankers. They are only interested in the increased profits it will bring into their treasuries. But it is important to you as members of the credit union movement. You must use all your energy and resources to fight any attempt to increase the usury law in any state.

It would be a grave mistake for credit unions to underestimate the objectives or powers of bankers seeking credit union elimination. This is not a scheme drawn up by some bank lobbyist in order to justify his pay check. The amount of money, the number of people, and the amount of work which the bankers are throwing into this fight should clearly indicate that the bankers mean business. They may tell you they are your friends; but if this is true, why, then, do the banking braintrusts seek the elimination of credit unions? It may be true that the bank in your community is a sincere friend of your credit union, and may endorse privately—if not publicly—the work you have done. But I assure you that this banker will soon be whipped into line by the Washington bully-boys of the American Bankers Association. The bankers want to present a united front on every issue in which they take sides. The bankers do not provide for minority viewpoints in their power struggle.

What, then, will the credit union movement do to protect itself from this unwarranted attack by bankers?

There are several choices open to you. You can ignore the bankers and tell yourselves that the bankers really are your friends, and are only making these attacks on credit unions for publicity purposes. You can rest on your laurels, pointing out that credit unions do such a wonderful job in this country that our interests will be protected by legislators on both the Federal and State levels. You can stand idly by with your hats in your hands and let the bankers steamroll you. All of these courses of action would be tragic mistakes.

There is a course of action that will not only benefit credit unions, but also benefit everyone who strives for more service to the public interest in our financial community. Credit unions have more than 18 million members who belong to more than 22,000 credit unions. Mobilize these members and credit unions and fight the bankers. Stand up to them and tell your story publicly and loudly. Organize letter-writing campaigns to your Congressmen and Senators. Tell them what the bankers are advocating and, at the same time, tell them what your organizations are doing to better life in this country.

Your leaders have outlined a dynamic legislative program. You will not see passage of a single piece of that legislation unless you are willing to work for it. Let your elected representatives know your reasons for needing this legislation. Point out the number of people who are members of your credit unions. Hit them with the facts. Tell them what you want and what you expect. As a group representating more than 18 million people, you are much more highly representative of this nation's needs than are the bankers.

I have often heard it said by Members of Congress that they would like to vote a particular way on a piece of legislation, but because of hundreds of letters from commercial bankers in their District, they had decided to vote in the way suggested by the bankers. If the bankers can accomplish their legislative program with a few hundred letters, let credit unions accomplish their programs with thousands of letters. A highly organized letter-writing campaign can have a great effect on the voting outcome of legislation. I sincerely hope before you leave York this weekend that you discuss the need for better grassroots support among credit unions. Your representatives in Harrisburg, Washington, and Madison do an outstanding job, but there is nothing more effective than a letter or letters from a Member's constituents outlining their views on a particular piece of legislation.

In closing, I would like to quote from a letter I received recently from a man who felt he had been treated unjustly by a bank concerning his auto loan. I feel this paragraph is an acute observation of what has happened to banking in our country. If there are those among you who still maintain that bankers are credit unions' friends, I hope that you will listen closely to this paragraph.

The letterwriter states:

"In a small town where I grew up in the 30s and 40s, the local banker was placed on a level with the local doctors and judges. You could stake your life on his word. Interest was calculated as simple interest. Nowadays, you can put no stock in what your banker tells you and they will skin you just as quick as a loan shark or fly-by-night loan company..."

It has been a pleasure for me to be here and I sincerely thank you for the opportunity to speak to you.

A BLUEPRINT FOR SURVIVAL

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. RODINO. Mr. Speaker, our President has now returned from his historic Latin American conference, and while we closely watched him and the events at Punta del Este last week, the time is now before us to analyze the meaning and future significance of this summit meeting. The April 16 Newark Star Ledger contained a perceptive editorial summing up the goals and hopes of Punta del Este, while pointing out also the difficulties that lie ahead. I commend it to my colleagues' attention.

The editorial follows:

A BLUEPRINT FOR SURVIVAL

It would have been relatively easy . . . and popular . . . for President Johnson to have gone to the Latin summit at Punta del Este as the Chief of State bearing impressive pledges of enormous aid to relieve the grinding poverty of Latin America.

This is what is expected of the richest, most powerful nation on earth, the progenitor of the open-handed policy of foreign aid.

But Mr. Johnson astutely realized that the predictable, the expected is not the antidote for Latin America's monumental ailments. A lot more than that will be needed for the economic and social salvation of our hemispheric neighbors.

There will be expanded U.S. aid, of course. But there must be a new spirit, a new mood of determination and purpose created by Latin nations themselves if they are to lift their underdeveloped economies.

And that is what Mr. Johnson sought to create, a feeling of independence among Latin countries, a determination to help themselves and to help each other. This will mean a radical excision of nationalistic jealousies and suspicions, a rapprochement among Latin countries to improve trade and political relations among themselves.

This is not going to be easy; no one expects it to be . . . least of all Latin leaders and President Johnson. But fortunately they have established a consensus, with one lone dissenting voice raised by Ecuador, that U.S. aid by itself, no matter how massive, is not going to accomplish the impressive goals set at the summit meeting.

The sinews for an economic and social renaissance for Latin America have been created by common agreement . . . a common market, the physical foundations for Latin American economic integration through multi-national projects, a substantial increase in Latin trade revenues, the modernization of living conditions for rural populations and the elevation of agricultural productivity and an increase in food production, for the benefit of Latin America and the rest of the world.

These are the goals laid down at Punta del Este; they can be achieved on a long term basis but only with the wholehearted participation of Latin nations in conjunction with expansive U.S. aid. There is really no other alternative, other than revolutionary anarchy.

VISTA ACADEMY AWARD WINNER

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. RODINO. Mr. Speaker, on Monday evening, April 10, the Academy of Motion Picture Arts and Sciences presented their 39th annual "Academy Awards Presentation." Almost the entire Nation viewed this entertaining and suspenseful evening on television. An Oscar was awarded for the best short subject documentary to a VISTA film entitled "A Year Toward Tomorrow," produced for the Office of Economic Opportunity by Mr. Edmond Levy. VISTA stands for Volunteers in Service to America.

I had the privilege of viewing this film earlier in the year, and was deeply impressed by this story of the individual battle of three VISTA volunteers against the inertia bred of generations of poverty. Narrated by Actor Paul Newman, who eagerly donated his services, the film was made on location in the area where these volunteers lived and worked. Completely unrehearsed, it described the frustration, determination, and hope experienced by two girls on a Navajo Indian reservation in Arizona, and a Navy veteran working as a VISTA volunteer in the slums of Atlanta, Ga.

We should all be very proud of VISTA's achievements, not only for the worldwide acclaim their film has received, but for the meaningful, daily contributions these VISTA volunteers, as an arm of the Office of Economic Opportunity, are making in this war against ignorance and despair. We congratulate them all.

THE WARSAW GHETTO UPRISING

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. RODINO. Mr. Speaker, yesterday a commemorative program was held in Newark, N.J. in observance of the 24th anniversary of the Warsaw ghetto uprising. Leaders of our State and local government were present among the capacity crowd attending this event, sponsored by 50 local and national organizations, to commemorate one of the most atrocious episodes in man's history, and one of the most heroic episodes in the history of the Jewish people.

Perhaps no one will ever understand how the mind of man could become so twisted, his emotions so distorted, that one group of men could commit the atrocities against another group of men which occurred that infamous week. The world learned with horror and disbelief of the barbarious massacre of the Jewish people in the Warsaw ghetto.

Never will the world forget the heartrending resistance of the Jewish people of the Warsaw ghetto. Virtually unarmed, knowing in advance their resistance would fail, a doomed people dared to challenge the Nazi war machine. Faced with certain death, the ghetto inhabitants by choice fought to their last ounce of breath, registering for eternity their outrage against man's capacity for inhumanity.

The Warsaw ghetto uprising was the awe-inspiring response of those remaining Jewish people to the last and most horrible Nazi policy toward the ghetto—liquidation. The ghetto had been established in Warsaw by November 15, 1940, sealing within an area of 100 square city blocks a Jewish population of around 500,000. The ghetto inhabitants were given daily rations equivalent to 184 calories per person. Starvation and disease claimed the lives of thousands.

By the summer of 1942 the second phase of Nazi policy toward the ghetto began. The ghetto inhabitants were informed that they were to be "resettled in the East." Resettlement consisted of deportation to concentration camps equipped with gas chambers. It is estimated that 300,000 of the Warsaw ghetto Jews were deported in this manner or shot for resisting deportation.

From a population of 500,000, the ghetto inhabitants had now been reduced to 40,000. The Nazis decided in early 1943 to begin the third and final phase of their policy toward the Warsaw ghetto—liquidation. On January 18, 1943, the Nazis for the first time were met with armed resistance by the ghetto inhabitants. The element of surprise was on the side of the resisters; the Nazis drew back.

Knowing deportation meant death, knowing the Nazis would be enraged by the first resistance, the ghetto inhabitants feverishly prepared for the inevitable Nazi attack. Their decision was made. They would not be meekly led to death. The indomitable spirit of the Jewish people, despite the tragedy which awaited them, despite their physical weakness resulting from the suffering they had thus far endured, that indomitable spirit soared, enabling them to resist for 8 days the crushing power of Nazi military strength. With limited artillery and ammunition, much of it homemade, some of it supplied by the Polish underground movement, the Jewish people in the Warsaw ghetto unbelievably fought for 8 days against German soldiers armed with artillery, tanks, incendiaries, and bombers.

The Warsaw ghetto was liquidated. But never from the mind of man will be erased the memory of the epic monumentally courageous uprising of the inhabitants of the Warsaw ghetto. This indomitable spirit of the Jewish people serves today as an inspiration to all men of good will that the freedom and independence we seek for all mankind may soon be realized.

WHAT HAPPENED TO THE MONROE DOCTRINE?

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, my questionnaire on the issues which I recently forwarded my constituents continues to bring a number of very interesting comments. Several persons have forwarded letters expanding on their views. One of these recently came from Mr. Weldon Ellis, of Nashville, who expressed his views on the subject of "What Happened to the Monroe Doctrine?"

I would like to have Mr. Ellis' letter printed in the RECORD at this point:

NASHVILLE, TENN.

Re: What happened to the Monroe Doctrine?
Hon. RICHARD FULTON,
Member of Congress,
Washington, D.C.

DEAR MR. CONGRESSMAN: Thank you very much for offering me the opportunity to express my opinions on several important matters. Some of the questions that were asked have their roots deep in history. For me to try to give you a "yes" or "no" answer to them might be misleading. It would be, to me, like answering "yes" or "no" to "would I rather be red or dead." Fortunately there are other alternatives. I would rather remain what I am, an American who is a firm believer in our form of Democratic Capitalism.

As far as I am concerned, we have followed our present foreign policy for enough years to convince me that it is leading us into atomic war. If that is what this nation really wanted it should continue to ignore the lessons of history and force a showdown with China. Since I feel certain that it does not want war, I think that we should chart a different course. But lets look at history before we do so. Lets look particularly at Asian history, and Russian.

Russian history is full of attacks on her from the west, and of attempts on her part to create protective buffer states. She likes friendly neighbors, just as we do. The account of the battle of Novgorod with the Swedes is most interesting. You can substitute Stalingrad and Germans and the accounts are the same, even to the creation of protective satellites. History does repeat itself.

Russia has been attacked by Sweden, Poland, France, and Germany, from the west. She has defeated all of those invaders. One does not usually fear a defeated opponent. Russia has only been defeated by opponents from the east. The Mongols, under Genghis Khan, overran Russia, and the Japanese defeated her at sea. The Russians would naturally look with more fear toward the east than to the west.

Russia and China make what could be called "natural" enemies. Both are land powers, with large armies. They have adjoining borders. There are disputed territories that both claim. There is a long history of Chinese expansions and China is on the move again. If we leave them alone they will counterbalance each other. But we are the outsider who is interfering in family affairs. Russia and China will have no choice but to close ranks against us if we continue to interfere.

We interfered in Asian affairs when we forced Japan to open her doors and thus to become a modern nation. We had to fight Japan, in WW II, to stop her aggression in Asia. We interfered in China's internal affairs and lost a former friend. Regardless of reason or intent, we again interfered when we intervened in Korea, China entered the war in Korea when we neared her borders. She became unhappy, as we did when Russia neared our borders. Regardless of intent or reason, we are again interfering in Viet Nam. Instead of a friend we now have an enemy in mainland China, an incensed enemy with nuclear power. History shows that we are on a direct collision course with China and perhaps Russia.

Long ago we declared a very sensible, logical, and reasonable, foreign policy, known as the Monroe Doctrine. It was a clear statement of "Keep your hands out of American affairs" and the world understood. Russia enforced her version of the Monroe Doctrine, when she put down the revolt in Hungary. It was brutally done and the world was shocked. But it was understood as an act of self-protection. Russia did not want any unfriendly neighbors, as close as Hungary. We are not happy about Cuba either.

We started to do the same thing in Cuba when we forced Russia to remove her missiles. The respect for the United States rose in the eyes of the world. We were willing, if necessary, to protect our sovereignty. Unfortunately, we seem to have lost the courage of our convictions. We are tolerating a nearby source of infection that should be eradicated.

Communist Cuba is a cancerous growth that is metastasising and creating more cells throughout Latin America. Bolivian troops are fighting invaders today because of our reluctance to stand behind our stated foreign policy of hands off the Americas. We are spending billions of dollars and asking young Americans to die in fighting Communism in Viet Nam, while we tolerate it under our noses. But that is merely a reflection of our lack of a coherent foreign policy.

We did what could be characterized, with the advantage of hindsight, as a childish thing when we declared a world-wide policy of containment of Communism. We said, in effect, we will let you Communists have some of Asia and a bit of Europe as your playground, while we take the rest of the world. That could be looked on as an extension of the Monroe Doctrine. But it could also be looked upon as the same thing that a child does when he draws a line on the ground and dares another child to step across it. We invited aggression. We dared the Communists to step across that line of containment. No self-respecting nation could refuse such a dare and still face the world. What would we have done if Russia had drawn a similar line around us?

History is full of similar kinds of attempts at repression. Each has represented a resort to force, to try to stop a movement from growing. It is hard enough to do at home and is far worse when its around the world. The effort required increases as the square of the distance. Also, outside pressure is most effective in galvanizing a nation into action. North and South American nations grew out of oppression. The people of Britain united to withstand the attacks of Nazi Germany. Look at repression throughout history and look at what we are trying to do. We are trying to use force to repress Communism throughout the world. The way to defeat Communism is not by using physical force in far parts of the world. The way to do it is by setting an example here in this hemisphere. There is ample opportunity here to show our true strength. We can demonstrate that we are a nation that can be trusted.

President Eisenhower is reputed to have said that we could not afford to let the Vietnamese vote because they would vote for Communism. If that were true, at the time that he was supposed to have said it, it was a clear statement that we did not believe in practicing what we preached. We told the world that we did not believe in the democratic process unless we were sure of winning. Are we a democratic nation? Do we live by our principles? If we do not live up to our agreements, how can we expect others to trust us?

We are letting ourselves be frightened into aggression by the "domino theory" of military successes. The advocates of the domino theory say that if Viet Nam falls, Laos will fall. If Laos falls, then Thailand will fall, and so on, and so on, until finally all of us will be eating chop suey and speaking Chinese. That is the figment of the fearful thinking of some people about China. There is such a thing as being over-extended, as England, France, Holland, Spain, Japan, and Germany have all learned.

If the dominoes did start falling, as predicted, there are other, and much closer nations who would not stand idly by. Pakistan offered to come to the aid of India, in her fight against China. Russia and other nations would be forced to act on their own. Chinese aggression has been stopped in the past, long before these United States of America came into being. Finally, there is the small matter of air and sea power that are happily lacking from China's stock of armaments. No major overseas expansion is possible without both of those.

Russia does not want China to expand. We will miss a golden opportunity if we do not pull out of Viet Nam as soon as feasible and let Russia and China face each other. Let Russia bear the burden and pay the cost of keeping China within its boundaries. She will do it if we let her. She will have no choice because she is China's neighbor. Any move of China toward or around Russia will be suspect.

The admiration of Russia for the West long pre-dates Communism. Over the centuries Russia has become a western oriented nation. The Russians are trying their best to remake themselves in our image. They have learned that theoretical Communism won't work. From what I have read and heard, the people of Russia want peace and prosperity. They revolted against oppression and fought to obtain the right to have their own affluent society. The people of Russia are human, they want bread, not guns. They have the same aspirations for their children that we have for ours. They will demand, and get what they want from their leaders, if we will only step aside and let them.

Now, let's take a look at this beautiful nation that we have inherited, and the affluent society that we have built. We have, in being, the best, the finest, the most foolproof, anti-Communist armor in the world. We have, already installed and in operation, what can truly be called, "Democratic Capitalism." We have created a way of life whereby both private corporate enterprise and public governmental enterprise are owned by the voting public. They are owned by the stockholders and the taxpayers who take the trouble to vote. We have combined, in one system, the best elements of free enterprise and public endeavor. It is, in truth, the finest system in the world. We just do not appreciate it.

We still have a little house cleaning and repair work to do before our anti-Communism system is termite proof. We need to eliminate all forms of pollution: in the air, in the water, and on the ground. We need to eliminate poverty, economic and social. We need to clean out all forms of slums, tear down the man-made forests of utility poles, build schools, hospitals, roads, recreation and reclamation projects, and do whatever else that may be necessary to show what Democratic Capitalism can do when it really gets in high gear.

We no longer need to use force to get others to accept our way of life. We have established working models in Asia and in Europe. The amazing post-war growth of both Japan and West Germany is due primarily to our having cleaned out their outmoded factories and home workshops. We also introduced modern management methods, such as production and quality control. We have two shining examples of what others can do, once they adopt our way of doing things. We can in turn, learn from them.

There is still another side of the coin that needs examining. We are straining our economy by keeping troops around the world. We are killing and being killed, thousands of miles from home. We are not only expending our human and natural resources abroad, we are bringing on inflation and higher taxes here at home. We are paying a high price, in blood and dollars, in a vain attempt to police the world. We are trying to do what no other nation in history has succeeded in doing.

What is worse, we are leaving our nation, our heartland that has to support our troops abroad, exposed to attacks by nuclear missiles. If we could only stop our headlong flight toward destruction, we could: build the necessary anti-missile systems to protect us; add to instead of decreasing our military strength; clean out all forms of pollution and crime; and, at the same time, strengthen our economy. We could gain in many ways by letting others fight their own battles within the confines of their own Monroe Doctrines.

It has been said that fear can bring about that which is feared. We should not let our fear of others lead us into blindly destroying both their way of life and ours. We should stop arming the world for war and start building an even better way of life here at home. We need to strengthen our economic and social armor, as well as our military might.

Sincerely yours,

Weldon Ellis.

TRENDS MR. SAMPSON SEES

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Fulton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, Mr. Hobart H. Sampson recently forwarded and had published a letter to the editor of the Nashville Tennessean.

In his letter, Mr. Sampson remarks on a number of trends which he sees in this country and which he views with alarm.

I have unanimous consent to have Mr. Sampson's letter printed in the Record at this point:

March 1, 1967.

To the Editor:

This is my first attempt to write such a letter but in viewing the National, State, and local Government conditions, I have become very much alarmed.

With each daily news release, our Government Taxing Agencies are trying to find new concepts for laying of new taxes on the individual. It will not take many more straws to break the camel's back.

Pacific Gas and Electricity's Edition of Progress in a Statistical Research of all Recorded History states that the average age of the world's great civilizations has been *200 years*. These nations progressed through this sequence;

From Bondage to Spiritual Faith
From Spiritual Faith to Great Courage
From Courage to Liberty
From Liberty to Abundance
From Abundance to Selfishness
From Selfishness to Complacency
From Complacency to Apathy
From Apathy to Dependence
From Dependence back again to Bondage

Note: The italicized is our approximate point in history.

Edward Gibbon in "The Decline and Fall of the Roman Empire" gave five basic reasons why that great civilization withered and died. These were:

"The undermining of the dignity and sanctity of the home which is the basis for human society."

"Higher and higher taxes; the spending of public money for free bread and circuses for the populace."

"The mad craze for pleasure; sports becoming every year more exciting, more brutal, more immoral."

"The building of great armaments when the real enemy was within—the decay of individual responsibility."

"The decay of religion; faith fading into mere form, losing touch with life, losing power to guide the people."

In the light of these facts, does anyone have difficulty concluding that history is repeating itself, and that prophesy is about to be fulfilled?

The personal, National and International remedy is the Lord Jesus Christ. Nationally and Internationally "Righteousness exalteth a nation: but sin is a reproach to any people" (Proverbs 14:34)

"Happy is that people—whose God is the Lord" (Psalm 144:15)

Statistically, as of this forthcoming 4th July, we will have *nine years left* to continue as a *sovereign nation*. This cycle is not inevitable—It depends on you—the individual.

Hobart H. Sampson.

Old Hickory, Tenn.

EAST-WEST TRADE RELATIONS

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. Baring] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. BARING. Mr. Speaker, over the weekend I issued a news release to the newspapers, radio and television stations in my State that I believe will be of interest to the Members of the House:

Washington.—Congressman Walter S. Baring today warned Congress to take another look at the proposed East-West trade legislation following a statement by unidentified U.S. officials that the Soviet Union and Communist China have worked out an agreement to speed up Soviet military supplies to North Vietnam across China.

"How can we conscientiously even think of engaging in a trade with Communist countries who are making an all-out effort to speed up supplies to kill American boys in Vietnam," Baring said.

"For reasons best known to themselves, these U.S. officials have declined to be identified by name or agency in the press. But they report that, contrary to any impression left by Soviet allegations, Russian shipments to North Vietnam are moving across China in a steady stream."

A story in today's New York Times quoted the unnamed U.S. officials as stating that the Soviet Union and Communist China had apparently worked out an understanding to speed the flow of Soviet military supplies to Vietnam.

"It is inconceivable to me," Baring said, "that we keep our American military commanders from cutting the enemy supply lines and attacking vital military targets—that we know Russian military supplies are being used against our forces in Vietnam—and yet our government talks about opening new avenues of East-West cooperation."

PROBLEMS OF BLINDNESS

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. Kelly] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mrs. KELLY. Mr. Speaker, the problems of blindness are so immense that I find it difficult to believe that they can be comprehended by persons possessed of their vision. That blindness is disabling per se needs no proof. The question is, "Are we providing sufficient benefits for the blind?"

Many blind persons cannot qualify for disability benefits under our social security laws due to the lack of sufficient quarters of coverage. Since the possibility of the blind acquiring the necessary quarters is extremely limited, I have introduced H.R. 8445, which would permit blind persons to qualify for disability if they have been credited with six quarters of social security coverage.

The hardships of a life of blindness can, to an extent, be eased by extending the social security law to provide disability benefits to blind persons who cannot now qualify. These unfortunate people do not need pity—they need help that this bill can afford to them. I urge that H.R. 8445 be enacted into law.

Mr. Speaker, at this point, I would like to place the text of my bill in the Record:

H.R. 8445

A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) section 223(a)(1)(B) of the Social Security Act is amended to read as follows:

"(B) in the case of any individual other than an individual whose disability is blindness (as defined in subsection (c)(2)(B)), has not attained the age of 65,".

(2) Subsection (a)(1) of section 223 of such Act is amended by striking out "the month in which he attains age 65" and inserting in lieu thereof "in the case of any individual other than an individual whose disability is blindness (as defined in subsection (c)(2)(B)), the month in which he attains age 65".

(3) That part of paragraph (2) of section 223(a) of such Act which precedes subparagraph (A) thereof is amended by inserting immediately after "(if a man)" the following: ", and, in the case of any individual whose disability is blindness (as defined in subsection (c)(2)(B)), as though he were a fully insured individual,".

(b)(1) Paragraph (1) of subsection (c) of section 223 of such Act is amended—

(A) by inserting "(other than an individual whose disability is blindness, as defined in paragraph (2)(B))" after "An individual"; and

(B) by adding at the end thereof (after the sentence following subparagraph (B)) the following new sentence: "An individual whose disability is blindness (as defined in paragraph (2)(B)) shall be insured for disability insurance benefits in any month if he had not less than six quarters of coverage before the quarter in which such month occurs."

(2) Subparagraph (B) of paragraph (2) of subsection (c) of section 223 of such Act is amended to read as follows:

"(B) blindness; and, for purposes of this subparagraph, the term 'blindness' means central visual acuity of 20/200 or less in the better eye with the use of correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees."

(c)(1) The first sentence of section 216 (1)(1) of such Act is amended by striking out "(B)" and all that follows, and inserting in lieu thereof the following: "(B) blindness (as defined in section 223(c)(2)(B)."

(2) The second sentence of such section 216(i)(1) is repealed.

(d) The first sentence of section 222(b)(1) of such Act is amended by inserting "(other than such an individual whose disability is blindness, as defined in section 223(c)(2)(B))" after "an individual entitled to disability insurance benefits."

Sec. 2. The amendments made by the first section of this Act shall apply only with respect to monthly benefits under title II of the Social Security Act for months after the month in which this Act is enacted, on the basis of applications for such benefits filed in or after such month.

COLLEGE HOUSING BILL

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. Mink] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mrs. MINK. Mr. Speaker, I am today introducing a bill to help overcome the critical and growing shortage of college housing. This is a major factor in the financial pressure on our colleges and universities and on the parents of college students.

The college housing loan program, created in 1950, has made an important contribution toward meeting this problem through the financing of some 600,000 housing accommodations over the years. In spite of this, we have not caught up with soaring enrollments, and today we are faced both with a substantial backlog of housing needed now and the prospect that enrollments will rise even more rapidly in the years just ahead.

A recent study published by the Joint Economic Committee cites the need for the expenditure of over $10 billion in the coming decade for college housing. Similarly, a study prepared for the American Council on Education estimates that we will need an additional 1.5 million housing accommodations at institutions of higher learning over the same period. However measured, it is clear that we have a tremendous job to do to fully achieve our educational objectives, not just for the benefit of the students but for the benefit of our entire Nation.

The fact is that the demand for financing for college housing in recent years has far outrun the funds available from the loan program. I know that many of my colleagues have received urgent requests from colleges in their districts since the Department of Housing and Urban Development stopped accepting loan applications in January of last year. That action was taken because the backlog of pending applications had reached $760 million, more than twice the annual increment of new loan funds provided for in existing law. Meanwhile, we have slipped further behind in meeting this vital need.

The bill I have just introduced is designed to supplement the existing loan program and provide the needed housing at a cost within the reach of students and their families without imposing a serious burden on the Federal budget. It would be done through private financing, with the Government providing only that margin of assistance necessary to give colleges the benefit of the same 3-percent financing available under the existing loan program.

The approach in my bill is very simple: the university would finance the housing by selling serial bonds to private investors at the market rate of interest under a contract previously entered into, HUD would make an annual payment of the difference between the actual debt service—principal and interest—and the debt service at a 3-percent interest rate. Before HUD could enter into any such contract it would have to obtain approval from the Appropriations Committee. The 3-percent direct loan authorization in existing law would remain available to be used in cases where the private market required an inordinately high interest rate, with discretion left to the Secretary to determine the dividing line.

The impact on the Federal budget in any year under the supplemental payment approach would be very small. For example, assuming an average private market interest rate of 5½ percent for public and private universities together, an annual supplement of less than $10 million would achieve the effect of 3-percent interest for $300 million of college housing financing.

Mr. Speaker, I have introduced this bill for appropriate reference in the belief that it offers a promising approach to the problem of financing college housing and in the hope that it will stimulate thinking about this serious problem. The Subcommittee on Housing of the Committee on Banking and Currency, which has jurisdiction over the college housing program, will begin 2 weeks of hearings on housing tomorrow and I hope they will give the bill thorough consideration and careful technical review. Certainly the need is there, and I plan to do everything in my power to achieve effective action by this session of the Congress to help our colleges and universities meet their housing problems.

"TIGER" TEAGUE: APOLLO INQUIRY CHIEF

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. DORN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. DORN. Mr. Speaker, there is a wise saying from the past that a prophet is not without honor save in his own country. I hesitate to take exception to this noted saying, but I have the privilege of serving with a distinguished gentleman who has made this saying open to question. This man is OLIN E. TEAGUE, my colleague and chairman of the Veterans' Affairs Committee, of which I have the privilege of serving as a member.

When it is among the other Members of Congress, in Washington, in the Nation, or right in his home district in Texas, the qualities of Chairman TEAGUE are known and admired.

A story in the New York Times on Tuesday, April 18, portrayed some of the outstanding attributes of our distinguished colleague, the gentleman from Texas, but it would take much more than one story to detail the qualities which have made Chairman TEAGUE a leading force in our Nation today. His vitality knows no bounds, and he is well deserving of the nickname of "TIGER" which he has borne since his first days in this body.

"TIGER" TEAGUE's work on the Veterans' Affairs Committee is so well known that it needs no eulogy. But in the years that I have known him I have found that whether he is serving as a chairman or as a member, he is equally interested and knows all the facts concerning any undertaking which comes his way.

An outstanding example of this is one of his recent significant achievements. "TIGER" TEAGUE had been appointed Vice Chairman of a special Presidential Panel on Veterans' Matters to work in conjunction with a similar group from the Republic of the Philippines. An unsettled group of questions faced the panel relating to veterans of that country who had served with the U.S. forces during World War II. The chairman of the panel became ill, and "TIGER" TEAGUE took over the leadership of the panel. His adroit handling of this highly important assignment, his forthright discussions with our Filipino friends, brought new understanding of a problem of two decades' standing. Because of his leadership and his great abilities not only in internal affairs but in the international realm, there are greater bonds between the United States and one of our principal allies in the Pacific.

Despite the fact that Chairman TEAGUE has become an expert and his opinions highly respected in the fields of veterans' affairs, space exploration and international affairs, the people of his district in Texas know him as a personal friend vitally interested in their problems. His office has an open door at all times, and there is no limit on his time when his constituents and their problems are involved.

It is a privilege and an inspiration to serve with "TIGER." His knowledge and assessment of any question is profound. His judgment is always just and equitable. I am sure that this opinion is shared by all of my colleagues here today.

As a part of the high regard which is expressed by constituents and friends of OLIN TEAGUE and the people of this Nation in general, I would like to commend the following article from the New York Times to every Member of this Congress and to the people of our country:

[From the New York Times, Apr. 18, 1967]

APOLLO INQUIRY CHIEF—OLIN EARL TEAGUE

WASHINGTON, April 17.—Nearly every day, a stocky man with graying hair scampers nimbly around the paddle ball court in the House gymnasium. On his left foot he wears a special shoe with a rocker sole because of a missing ankle bone.

MAN IN THE NEWS

Friends say it is typical of Representative Olin Earl Teague, Democrat of Texas, that he refuses to be daunted by the infirmity he suffered when a shell fragment nearly severed his left foot on the Siegfried Line in 1944. He spent two years in military hospitals and came out fighting. He has been fighting ever since. His friends affectionately call him "Tiger" Teague.

He is one of the space effort's strongest champions in Congress, and he now finds himself presiding over a House subcommittee inquiry into the National Aeronautics and Space Administration's greatest failure—the fire in which three astronauts died in the Apollo spacecraft last Jan. 27 at Cape Kennedy.

FOUGHT BONUS BILL

The investigation poses a personal dilemma for him. If he is too critical of NASA, Congress might sharply cut back funds for space efforts. If he is too lenient, he leaves himself open to the charge that he is whitewashing the agency.

In some respects, the dilemma is similar to the one he faced when he came to Congress 21 years ago. A political unknown, just out of the hospital, he had won the seat largely because he was a war hero. Fellow veterans in the little cotton towns of northeastern Texas were his strongest supporters.

Yet it was Olin Teague who led the successful fight against a multibillion-dollar veterans' bonus bill in 1949.

The veterans' lobby vowed to "get him" in the next election. But Olin Teague has handily won every election since then, and today he is the principal Congressional policy maker on veterans' legislation.

SPONSORED GI BILL

As chairman of the House Veterans' Affairs Committee, he has continued to serve as buffer between Congress and what he considers excessive demands of the veterans' lobby. Grateful colleagues on both sides of the aisle hail him as the man "who's kept the veterans' lobby off our backs."

But while waging a running fight against what he regards as "veterans' give-aways," Mr. Teague has steered through Congress the most far-reaching veterans' legislation since World War II.

He sponsored the Korean G.I. Bill of Rights, the war orphans scholarship program and rate increases for widows and disabled veterans. His emphasis has been on aid to the sick and needy and disabled.

However, he is no Great Society liberal. More often than not, he has voted against the social improvement programs proposed by a fellow Texan, President Johnson. Mr. Teague comes from a largely conservative district, and his voting reflects it.

Born 57 years ago in College Station, Tex., he worked his way through Texas Agricultural and Mechanical College by cleaning out cow barns at night and mowing lawns by day.

After graduation he worked for the post office in his home town and then, in 1940, volunteered for Army service. As commander of the First Battalion, 314th Infantry, 79th Division, he faced artillery fire for 90 straight days of combat before the Battle of the Bulge. He was wounded six times, won 11 decorations and emerged from World War II with the rank of colonel.

One of the most popular members of the House, he frequently invites friends to his Rayburn Building office for steak dinners, which he cooks on a portable electric stove.

Despite his handicap, he is one of the best paddle ball players in the House. He is an avid gardener, specializing in geraniums and azaleas.

He and his wife, the former Freddie Dunman of Fort Worth, have three children: Jack, an Air Force Captain who served with the Special Forces in Vietnam and is now in training as a jet pilot; James, who is with an Agency for International Development mission in Vietnam, and Jill, a student at the University of Texas.

PARKERSBURG'S BERNARD McDONOUGH

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. HECHLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, Parkersburg, W. Va., is the home of a very remarkable man, Bernard P. McDonough, a prominent industrialist whose life is a legend. Under unanimous consent, I include an article from the New York Times of Sunday, April 16, concerning Mr. McDonough and his works:

PERSONALITY: MAN WITH A FEELING OF SUCCESS—CUDAHY'S NEW CHIEF BELIEVES IN ACTING ON IMPULSES

(By David Dworsky)

PARKERSBURG, W. VA.—Hatless and coatless despite the chill, overcast afternoon, Bernard Patrick McDonough walked out of his mountainside home and watched a car wind its way up the gravel driveway.

He paused to reassure a large German shepherd named Duke, who had burst into a spasm of barking.

"I'm McDonough," he said to a visitor. "How was your flight? Have you had lunch? Come on, I'll broil a steak."

Mr. McDonough, the new chairman, chief executive officer and controlling stockholder of the nation's seventh largest meat packer, demonstrated ease and familiarity while cooking the meat.

But, he quipped over lunch in a guest cottage that stands beside the main house, it will be an entirely different matter to learn how to profitably slaughter, dress and market meat products.

Late last month, the 63-year-old businessman achieved a financial coup of sorts by acquiring an 18 per cent stock interest in the Cudahy Company from the estate of E. A. Cudahy. The block is by far the biggest held by anyone and gives him effective control.

Mr. McDonough said the sum paid for Cudahy, which rang up sales of $365-million last year, "is my affair," but from several subsequent references to the transactions, it is doubtful that more than $4-million was involved.

The meat packer, however, may be laced with gristle. Cudahy sustained losses in four of the last five years, primarily because of labor problems and inefficient plants. Wall Street sources close to the company expect no immediate reversal as few of the problems that produced the deficits have been substantially eliminated.

The executive detailed no specific plans to rejuvenate Cudahy, other than to clamp down in spending and superfluous administrative expenses.

"It took years for Cudahy to get the way it is," he said, "and it isn't going to turn around overnight. I am going to give the company plenty of attention and we are going to get on the ball."

Mr. McDonough leaned back in a wicker chair, swallowed a forkload of steak, potato and onions, and said, "You've kind of got to have that feeling of success to get started or you don't get started at all.

"Can Cudahy make $6-million before taxes?" he asked rhetorically. "I'm betting a few million dollars to find out."

The telephone in the cottage rang constantly. Mr. McDonough takes calls of a personal nature through a regular telephone, but others through an amplifier that enables him to hear and speak from anywhere in the room.

Asked why he bought Cudahy, Mr. McDonough paused for a long, reflective moment before answering, and said:

"I didn't plan to buy Cudahy. I don't plan to do anything. I'm a horse trader, I'm always buying some thing."

The phone rang again, and Mr. McDonough excused himself with a sigh of weary resignation.

Only by telephone, he explained later, can he keep on top of the 10 or so companies he owns. These interests range from a shovel factory in Parkersburg to a cement and gravel plant in Houston to a tugboat business in New Orleans. He also owns a motel in Arizona and a castle in Ireland.

These holdings make Mr. McDonough one of Parkersburg's most influential citizens, one of its largest employers and probably its wealthiest resident.

Mr. McDonough believes in acting on his impulses. He bought Cudahy after knowing the company and its owners only a short time. He purchased the Casa Blanca Motel in Scottsdale, Ariz., after the former owner "took me into the bar and started buying me doubles."

During a vacation in Ireland in 1963, Mr. McDonough purchased Dromoland, a 1,000-year-old castle near Shannon. He paid about $600,000 for the castle and spent about $1.5-million more in restoring the structure, which now "breaks even" as a luxury hotel.

Again acting on a whim, he purchased the 700-acre plot on which his large, two-story home now stands. The residence has fewer than a dozen rooms, but some are 100 feet long.

Mr. McDonough is probably Parkersburg's leading practicing Irishman. He was born in San Antonio, Tex., but has lived here since he was 16 years old. He has seen much of Europe but now goes only to Ireland, where he owns a home and a hotel, as well as Dromoland.

His grandfather was born in County Galway, and laid track for the Baltimore & Ohio Railroad through West Virginia.

Surrounding the outskirts of Parkersburg are factories owned by the O. Ames Company, a division of the McDonough Company and the base on which Mr. McDonough's empire rests.

Ames, a producer of shovels, was founded in 1774, "and is one of the very oldest companies in the United States," according to Mr. McDonough. "We built the shovels that built the railroads," he added.

The company, he noted, turns out three million shovels a year and accounts for nearly half of world shovel production.

Although the Cudahy Company lies 2,185 miles from here, in Phoenix, its new nerve center is Mr. McDonough's three-room office above the Wilmar Cafeteria and Bake Shop.

The stature Mr. McDonough holds in Parkersburg comes into clear focus as his car, a black Cadillac, inches toward his office through the five o'clock traffic of this city's congested Seventh Street.

It is not necessary for him to swing the car off the busy avenue. He stops the car in the middle of the thoroughfare and dashes between cars to the curb. A parking lot attendant who has spotted Mr. McDonough, is already darting out to retrieve the car and drive it off the avenue.

Mr. McDonough is greeted by his secretary with a bulging basket of work and a sheaf of telephone messages. He handles both chores simultaneously, all the while leafing through a copy of The Irish Times of Dublin, which is flown across the Atlantic each day.

Mr. McDonough plays no golf, sails no boats, collects no paintings.

"I work," he said, "I don't think I work very hard, but people tell me I do."

He and his wife, a slim, former West Virginia schoolteacher, who drives a green Cadillac, are frequently in New York, and once saw many Broadway plays.

"They bore me now," he said, "and I walk out the minute I get bored."

Mr. McDonough owns a Twin-Beech aircraft and retains a professional pilot on a full-time basis. He said he was considering buying a used Aero-Commander jet airliner, which had been offered to him for $700,000.

"I can afford it but Cudahy can't," Mr. McDonough said with a grin.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. REINECKE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STRATTON, for 60 minutes, today; and to include extraneous material.

Mr. GROSS (at the request of Mr. STANTON), for 30 minutes, on April 18; and to revise and extend his remarks and to include extraneous material.

(The following Members (at the request of Mr. TIERNAN) to address the House following legislative business and to revise and extend remarks and include extraneous matter:)

Mr. FARBSTEIN, for 20 minutes, today.

Mr. FEIGHAN, for 5 minutes, today.

Mr. RESNICK, for 1 hour, on April 19.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mrs. KELLY.

Mr. MACHEN.

All Members (at the request of Mr. STANTON, on behalf of Mr. ZWACH), for 5 legislative days, to extend their remarks and include extraneous matter in connection with the special order of Mr. ZWACH, today, on the National Grange.

(The following Member (at the request of Mr. STANTON) and to include extraneous matter:)

Mr. HORTON.

(The following Members (at the request of Mr. TIERNAN) and to include extraneous matter:)

Mr. CELLER.

Mr. PUCINSKI.

Mr. WALKER.

Mr. GATHINGS.

SENATE BILLS, CONCURRENT AND JOINT RESOLUTIONS REFERRED

Bills, concurrent and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 95. An act for the relief of Capt. Rey D. Baldwin; to the Committee on the Judiciary.

S. 191. An act for the relief of Eileen Iris Punnett; to the Committee on the Judiciary.

S. 233. An act for the relief of Chester E. Davis; to the Committee on the Judiciary.

S. 324. An act for the relief of Jesse C. Johnson; to the Committee on the Judiciary.

S. 327. An act for the relief of Dr. Carlos Victor De La Concepcion Garcia; to the Committee on the Judiciary.

S. 499. An act for the relief of Dr. Manuel A. Zuniga; to the Committee on the Judiciary.

S. 534. An act for the relief of Setsuko Wilson (nee Hiranaka); to the Committee on the Judiciary.

S. 608. An act for the relief of Koon Chew Ho; to the Committee on the Judiciary.

S. 636. An act for the relief of Mrs. Chin Shee Shin; to the Committee on the Judiciary.

S. 650. An act for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired); to the Committee on the Judiciary.

S. 714. An act to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committees, and members of the credit committee of Federal credit unions; to the Committee on Banking and Currency.

S. 819. An act for the relief of Charles H. Thurston; to the Committee on the Judiciary.

S. 965. An act to amend the Federal Reserve Act to enable Federal Reserve banks to invest in certain obligations of foreign governments; to the Committee on Banking and Currency.

S. 966. An act to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes; to the Committee on Banking and Currency.

S. 1045. An act for the relief of Alton R. Conner; to the Committee on the Judiciary.

S.J. Res. 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission; to the Committee on the Judiciary.

S.J. Res. 49. Joint resolution to designate April 28–29, 1967, as "Rush-Bagot Agreement Days"; to the Committee on the Judiciary.

S.J. Res. 56. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

S.J. Res. 57. Joint resolution authorizing and requesting the President to extend through 1967 his proclamation of a period to "See the United States", and for other purposes; to the Committee on the Judiciary.

S. Con. Res. 20. Concurrent resolution to declare the week of June 18 "National Coal Week"; to the Committee on the Judiciary.

ADJOURNMENT

Mr. TIERNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 27 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 18, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

655. A letter from the Postmaster General, transmitting the report of the Post Office Department pursuant to the provisions of section 2304 of title 39, United States Code (H. Doc. No. 106); to the Committee on Post Office and Civil Service and ordered to be printed with illustrations.

656. A letter from the Chairman, Home Loan Bank Board, transmitting a draft of proposed legislation to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies; to the Committee on Banking and Currency.

657. A letter from the Secretary of the Interior, transmitting a report of 31 projects selected for funding through grants, contracts, and matching or other arrangements with educational institutions, private foundations or other institutions, and with private firms, pursuant to the provisions of 80 Stat. 329; to the Committee on Interior and Insular Affairs.

658. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to raise the maximum age limit of schoolchildren entitled to transportation in the District of Columbia at a reduced fare; to the Committee on the District of Columbia.

659. A letter from the President, National Safety Council, transmitting a report of the audit of the financial transactions of the Council for the year 1966, pursuant to the provisions of Public Law 83–259; to the Committee on the Judiciary.

660. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 3, 1967, submitting a report, together with accompanying papers and an illustration, on a letter report on Tilghman Island Harbor, Md., requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 15, 1961; no authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the River and Harbor Act of 1960; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of April 13, 1967, the following bill was reported on April 14, 1967:

Mr. FALLON: Committee on Public Works. H.R. 8363. A bill authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes (Rept. No. 192). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 8599. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 8600. A bill to amend the Railway Labor Act to provide for a secret ballot vote after an emergency board report to determine the wishes of the employees with respect to acceptance of the carrier's last offer; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H.R. 8601. A bill to amend the Clean Air Act; to the Committee on Interstate and Foreign Commerce.

H.R. 8602. A bill to amend the Internal Revenue Code of 1954 to provide an amortization deduction, based on a 36-month period, for air pollution control facilities; to the Committee on Ways and Means.

Mr. BROWN of California:

H.R. 8603. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 8604. A bill to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, and the Higher Education Facilities Act of 1963; to the Committee on Education and Labor.

By Mr. DERWINSKI:

H.R. 8605. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 8606. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 8607. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FINO:

H.R. 8608. A bill to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime; to the Committee on Banking and Currency.

H.R. 8609. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 8610. A bill to prohibit the payment by the Internal Revenue Service of informers' fees; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 8611. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 8612. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 8613. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. McCLORY:

H.R. 8614. A bill to amend title 35 of the United States Code to provide for extension of terms of patents; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 8615. A bill to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased; to the Committee on Agriculture.

H.R. 8616. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas; to the Committee on Agriculture.

By Mr. MATSUNAGA:

H.R. 8617. A bill to amend chapter 3 of title 18, United States Code, to prohibit the importation into the United States of certain noxious aquatic plants; to the Committee on the Judiciary.

H.R. 8618. A bill to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORRIS:

H.R. 8619. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 8620. A bill to amend section 114(b) of the Housing Act of 1949; to the Committee on Banking and Currency.

H.R. 8621. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 8622. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8623. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8624. A bill to equalize civil service retirement annuities and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHADEBERG:

H.R. 8625. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. TALCOTT:

H.R. 8626. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 8627. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 8628. A bill to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 8629. A bill to amend the act of July 4, 1966 (Public Law 89–491); to the Committee on the Judiciary.

H.R. 8630. A bill to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States; to the Committee on the Judiciary.

H.R. 8631. A bill to amend, consolidate, and clarify certain criminal contempt statutes; to the Committee on the Judiciary.

H.R. 8632. A bill to amend sections 40c(1) and 52a of the Bankruptcy Act so as to reallocate part of the filing fee from the clerk's earnings to the referees' salary and expense fund; to the Committee on the Judiciary.

H.R. 8633. A bill to repeal the provisions of section 41 of the act of March 2, 1917, as amended, relating to the U.S. District Court for the District of Puerto Rico; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 8634. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CLANCY:

H.R. 8635. A bill to provide for the establishment of the William Howard Taft National Historic Site; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H.R. 8636. A bill to authorize the Secretary of Housing and Urban Development to provide financial assistance for public safety programs in blighted urban areas; to the Committee on Banking and Currency.

H.R. 8637. A bill to authorize the Secretary of Housing and Urban Development to provide financial assistance for fire control and prevention programs in blighted urban areas; to the Committee on Banking and Currency.

H.R. 8638. A bill to authorize the Secretary of Housing and Urban Development to provide financial assistance for sanitation and garbage collection programs in blighted urban areas; to the Committee on Banking and Currency.

H.R. 8639. A bill to authorize the Secretary of Housing and Urban Development to provide financial assistance for the control of rodents in urban areas; to the Committee on Banking and Currency.

By Mr. FISHER:

H.R. 8640. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the U.S. Labor Court, and for other purposes; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 8641. A bill to amend the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

By Mr. KASTENMEIER:

H.R. 8642. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide an alternate method of making loans for acquisition and improvements of the farm, needed by farm families, including young farmers, and to provide the borrower family with adequate standards of living and the consumer with reasonable prices for dairy and other agricultural products, as well as to maintain and improve national health; and for other purposes; to the Committee on Agriculture.

H.R. 8643. A bill to amend section 201(c) of the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to assure the Nation of adequate milk supplies and to improve dairy farm income by payments to producers of manufacturing milk and cream, and for other purposes; to the Committee on Agriculture.

H.R. 8644. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KING of California:

H.R. 8645. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 8646. A bill to amend section 203 of the National Housing Act; to the Committee on Banking and Currency.

By Mrs. MINK:

H.R. 8647. A bill to amend title IV of the Housing Act of 1950 to authorize annual grants to reduce the cost of private borrowing by educational institutions as an alternative form of assistance to the direct college housing loans presently provided for; to the Committee on Banking and Currency.

By Mr. MORSE:

H.R. 8648. A bill to amend the act of May 29, 1958, to authorize payment of moving expenses in case of land acquired for inclusion in the national park system; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 8649. A bill to repeal the provisions of the Federal Power Act which exempt from Federal Power Commission regulation the issuance of securities by public utilities subject to certain State regulation; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 8650. A bill to amend and extend laws relating to housing and urban development, and for other purposes; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.R. 8651. A bill to provide for uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Public Works.

By Mr. RAILSBACK:

H.R. 8652. A bill to amend section 3109 of title 18, United States Code, to permit an officer to execute certain search warrants without giving notice of his authority or purpose; to the Committee on the Judiciary.

H.R. 8653. A bill to amend title 18, United States Code, to authorize the issuance of a search warrant to search for and seize any property that may constitute evidence of the offense in connection with which the warrant is issued, and for other purposes; to the Committee on the Judiciary.

H.R. 8654. A bill to amend section 3731 of title 18, United States Code, to permit an appeal by the United States in certain instances from an order made before trial granting a motion for return of seized property and to suppress evidence; to the Committee on the Judiciary.

H.R. 8655. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 8656. A bill to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.; to the Committee on Agriculture.

By Mr. RYAN:

H.R. 8657. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHWENGEL:

H.R. 8658. A bill to provide for the establishment of the William Howard Taft National Historic Site; to the Committee on Interior and Insular Affairs.

By Mr. BETTS:

H.J. Res. 506. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 507. Joint resolution to provide for the annual observance of National Civil Service Week; to the Committee on the Judiciary.

By Mr. CRAMER:

H. Con. Res. 313. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

By Mr. HAGAN:

H. Con. Res. 314. Concurrent resolution expressing the sense of Congress relating to the nuclear ship *Savannah*, including its ultimate disposition; to the Committee on Merchant Marine and Fisheries.

By Mr. KEE:

H. Con. Res. 315. Concurrent resolution to declare the week of June 18 National Coal Week; to the Committee on the Judiciary.

By Mr. UTT:

H. Con. Res. 316. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. CURTIS:

H. Res. 435. Resolution to create a committee for small unions; to the Committee on Rules.

By Mr. McCLORY:

H. Res. 436. Resolution expressing the sense of the House of Representatives with respect to promotion of certain members of the Reserves at the time of their retirement; to the Committee on Armed Services.

By Mr. MARTIN:

H. Res. 437. Resolution amending the Rules of the House of Representatives relating to the consideration of bills making appropriations; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER:

141. Memorial of the Legislature of the State of Nebraska, relative to a study of the marketing of meat by chain food stores; to the Committee on the Judiciary.

142. Also, memorial of the Legislature of the State of Nevada, relative to legislation to provide that voting polls close simultaneously across the Nation; to the Committee on House Administration.

143. Also, memorial of the Legislature of the State of New Mexico, relative to the restoration of New Mexico highway fund allocations; to the Committee on Ways and Means.

144. Also, memorial of the Legislature of the State of New Mexico, relative to certain provisions in the cropland adjustments program; to the Committee on Agriculture.

145. Also memorial of the Legislature of the State of South Carolina, relative to rights, power, and authority over the Canal Zone and Panama; to the Committee on Merchant Marine and Fisheries.

146. Also a memorial of the Legislature of the State of Texas, relative to commemoration of the 50th anniversary of the entry of the United States into World War I; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CORMAN:

H.R. 8659. A bill for the incorporation of the Fair Campaign Practices Committee; to the Commitee on District of Columbia.

By Mr. HARRISON:

H.R. 8660. A bill for the relief of Mary Knezovich; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 8661. A bill for the relief of Chin Bak oon; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 8662. A bill for the relief of Tony S. Kinoshita; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 8663. A bill for the relief of Anthony Francis Mannion; to the Commitee on the Judiciary.

By Mr. MULTER:

H.R. 8664. A bill for the relief of Sandor Rothman (also known as Sandor Rotman); to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 8665. A bill for the relief of Abraham Nassi; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 8666. A bill for the relief of Bassilio (Juan) Martinez (alias Mark Bradley); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

66. By Mr. CASEY: Petition of K. W. Zehfuss and other citizens of Harris County, Tex., that our Federal income tax law be amended to raise the amount of exemption on each dependent from $600 per year to $1,000 per year; to the Committee on Ways and Means.

67. By the SPEAKER: Petition of Henry Stoner, Portland, Oreg., relative to social security amendments; to the Committee on Ways and Means.

SENATE

MONDAY, APRIL 17, 1967

The Senate met at 12 o'clock meridian and was called to order by the President pro tempore.

Rabbi Jay Kaufman, executive vice president, B'nai B'rith, Washington, D.C., offered the following prayer:

Oh Lord, God of men, God of the strong and of the weak, from this august Chamber guerdoned with our Nation's power wherein labor the architects of fate, rearing the walls of our day's destiny, we pray for deeds to match our dire dilemmas. We pray for enactments to stay the unraveling of our Nation's unity, for statutes and ordinances designed to raise the lowly, the scorned seething to break the man-forged manacles binding them to despair, to lowly recompense, crumbling dwellings, deficient preparation to self-sufficient maturity, yet forced to live in their penury, face to face with fellow citizens granted in abundance all the fruits of the bounties of our most prosperous of lands.

From the hearts of all gathered here there rises unto Thee, oh Lord, the earnest beseechment for peace, the prayer for the wisdom to find our way out of the toils of war; a peace brought not by the coward's flight but through the brave man's concord. Our Heavenly Father, may the means be found to stay the carnage where brave men slay their brothers also brave, where the enemy we fight to Thee, oh Lord, is also dear.

Ma navoo al he-harim raglay m'vasayr mashmaya shalom.

How beautiful upon the hilltops are the feet of the messenger of the good tiding that announce Thy most precious gift of peace.—Isaiah 52: 7.

Oh God, may these legislators of our land follow the instructions of Hillel the Sage:

Hevay mee talmidov shel Aharon. Ohev shalom, ohev et ha-breeyot, oo m'korvay la Torah.

Be of the disciples of Aaron, lovers of peace, lovers of all men and may be ye ever nigh unto God's law—Talmud Avet 1: 12. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 14, 1967, was dispensed with.

MESSAGE FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on April 12, 1967, the President had approved and signed the joint resolution (S.J. Res. 65) to extend the period for making no change of conditions under section 10 of the Railway Labor Act applicable in the current dispute between the railroad carriers represented by the National Railway Labor Conference and certain of their employees.

REPORT OF NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT

The President pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the District of Columbia.

To the Congress of the United States:

I am pleased to transmit the 1966 Annual Report of the National Capital Housing Authority.

Impressive progress has been made by the Authority. More than 3,200 dwelling units are now being built or planned to provide better homes for low-income families in the District of Columbia.

Imaginative new approaches to provide decent housing are being tested—and with good results.

The first turnkey project in the Nation has recently been completed in Washington—a 343-unit building for low-income elderly families. This technique marshals the full resources of private enterprise—

To plan a low-cost public housing project.

To finance its construction.

To build the project.

After the housing has been completed, it is purchased and maintained by the local housing authority. Washington's turnkey project has shown that this technique can speed housing availability, reduce administrative costs, and improve the quality of housing through the genius of private enterprise.

In addition, the Authority has begun to lease units in privately owned dwellings to meet the immediate housing needs of low-income families in the District.

Another new program of the Authority is rehabilitating older homes for use by low-income families. A 10-unit pilot program successfully completed in 1966 forms the basis for a major effort to rehabilitate 240 units in 1967.

The National Capital Housing Authority maintains over 9,000 units of public housing. Still, the need for low-cost housing far exceeds the supply. Many needy applicants face years of waiting before decent housing can be made available. This shortage is complicated by rising construction costs and scarcity of land, making the need for new approaches more urgent.

The complexity of the task which lies ahead must not be allowed to diminish our resolve to make the Nation's Capital a city of which all Americans can be proud. For, as I said last year in my message to the Congress on American cities—

> The prize—cities of spacious beauty and lively promise, where men are truly free to

determine how they will live—is too rich to be lost because the problems are complex.

Lyndon B. Johnson.

The White House, *April 17, 1967*.

REPORT OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 107)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

I am pleased to transmit the 1965 Annual Report of the Department of Housing and Urban Development.

The year 1965 was a milestone in the history of America's effort to provide decent housing for its citizens and to improve the quality of urban life. It saw not only the creation of the new Department, but the passage of the Housing and Urban Development Act of 1965.

The Housing and Urban Development Act provided the new Department with powerful tools.

The Congress has since supplied others:

The model cities program, making possible the coordination and concentration of Federal, State, and local efforts for the physical and social rehabilitation of deteriorating neighborhoods.

Funding for the rent supplement program.

Authorization for the Federal National Mortgage Association to purchase an additional $3.7 billion in home mortgages to help meet the shortage of mortgage funds.

An additional 2-year authorization for the urban mass transportation program.

In addition to reorganizing five separate, semiautonomous agencies into a single cohesive organization, the Department of Housing and Urban Development has begun the work for which it was created.

Since it commenced operations on November 9, 1965, the Department has—

Begun the model cities program, inspiring hope and generating a commitment to excellence as American cities plan their attack on urban blight.

Approved grants for the construction of 71 neighborhood centers in low-income areas, bringing services to those who need them most. At the same time it has joined with other departments and agencies to develop a 14-city pilot program of multiservice neighborhood centers which will bring together a wide range of Federal, State, and local services.

Enabled hundreds of poor people to live in decent privately owned housing under the new rent supplement program.

Moved about 600,000 persons into low-rent public housing.

Initiated a new turnkey program to lower costs and speed construction of low-income public housing by permitting private industry to build houses for sale to local housing authorities.

Provided better housing for 100,000 college students.

Made available 8,900 apartment units for elderly persons through loans of $113 million.

Stimulated the upgrading of older areas in more than 40 cities by approving $53 million in grants for intensive code enforcement.

Stimulated the rehabilitation of low-income homes through some 2,300 grants totaling $3 million and nearly 800 loans amounting to $4 million.

Approved an additional 157 urban renewal projects, and increased grant commitments for urban renewal by $931 million.

Approved more than $400 million in loans, grants, and advances to promote more than 1,500 community projects, including mass transit, urban planning, development of water and sewer facilities, and acquisition of open space.

On the occasion of the Department of Housing and Urban Development's first anniversary, Secretary Weaver reported to me:

> In just one year, significant strides have been made in program development, Departmental organization, and legislation. This is a Department on the move.

Today, with cities in every State of this Nation planning their assault on urban blight under the model cities program, we know that the pace will, as it must, be quickened.

Lyndon B. Johnson.

The White House, *April 17, 1967*.

WAIVER OF CALL OF THE CALENDAR

On request of Mr. Mansfield, and by unanimous consent, the call of the Legislative Calendar, under rule VIII, was dispensed with.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session, to consider nominations on the Calendar, Nos. 128 and 130.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Mary B. Porter to be postmaster at Mayetta, Kans., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report was submitted:

By Mr. LAUSCHE, from the Committee on Foreign Relations:

Executive O, 89th Congress second session, the International Telecommunication Convention, with annexes, and the final protocol to the convention, signed at Montreaux, on November 12, 1965 (Ex. Rept. No. 7).

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Claude G. Ross, of California, to be Ambassador Extraordinary and Plenipotentiary to Haiti.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The legislative clerk read the nomination of John C. Bullitt, of New Jersey, to be Assistant Administrator for the Far East.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on the U.S. Position Relating to Southern Rhodesia

A letter from the Secretary of State, transmitting, for the information of the Senate, a report of the U.S. position relating to Southern Rhodesia (with an accompanying report); to the Committee on Foreign Relations.

Report on Survey of Postal Rates

A letter from the Postmaster General, transmitting, pursuant to law, a report on a survey of postal rates, dated April 17, 1967 (with an accompanying report); to the Committee on Post Office and Civil Service.

RESOLUTION OF HOUSE OF REPRESENTATIVES OF NEW MEXICO

Mr. MONTOYA. Mr. President, the 28th Legislature, first session, of the

State of New Mexico, is presently meeting in Santa Fe. The State house of representatives has adopted a memorial entitled "Requesting the Congress of the United States to initiate legislation to amend the enabling act for New Mexico to permit the State of New Mexico to enter into leases on certain State lands to develop and operate geothermal steam and waters for terms of more than 5 years."

Mr. President, I ask unanimous consent that the resolution be printed in full at this point in the RECORD and that it be referred to the Senate Interior Committee.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, as follows:

THE LEGISLATURE OF THE STATE OF NEW MEXICO

A joint memorial requesting the Congress of the United States to initiate legislation to amend the enabling act for New Mexico to permit the State of New Mexico to enter into leases on certain State lands to develop and operate geothermal steam and waters for terms of more than five years

Whereas, the development and operation of geothermal steam and waters on certain state lands offers great potential as a source of power to the state of New Mexico and also as a source of revenue to the state; and

Whereas, because of the large investment required to fully develop and operate geothermal steam and waters on certain state lands, a lease of more than five years is required; and

Whereas, the act of congress enabling New Mexico to be admitted into the union prohibits the state from entering into leases on certain state lands for development and operation of geothermal steam and waters for a term of more than five years:

Now, therefore, be it resolved by the Legislature of the State of New Mexico that the congress of the United States is requested to initiate legislation to amend the act of congress of June 20, 1910, entitled "An act to enable the people of New Mexico to form a constitution and state government and be admitted into the union on an equal footing with the original states" to permit the state of New Mexico to enter into leases on certain state lands for the development and operation of geothermal steam and waters for terms of more than five years; and

Be it further resolved that copies of this memorial shall be transmitted to New Mexico's congressional delegation.

Signed and sealed at the capitol, in the city of Santa Fe.

BRUCE KING,
Speaker of the House.
E. LEE FRANCIS,
President of the Senate.

Attest:

ERNESTINE D. EVANS,
Secretary of State.

CONCURRENT RESOLUTION OF GENERAL ASSEMBLY OF SOUTH CAROLINA

Mr. THURMOND. Mr. President, on behalf of myself and my colleague [Mr. HOLLINGS] I send to the desk a concurrent resolution adopted by the General Assembly of South Carolina expressing strong opposition to the proposal that the United States relinquish its sovereignty over the Canal Zone and the Panama Canal.

I ask that this resolution be printed at the conclusion of my remarks in the CONGRESSIONAL RECORD and referred to the appropriate committee.

There being no objection, the concurrent resolution was referred to the Committee on Armed Services, as follows:

A CONCURRENT RESOLUTION EXPRESSING STRONG OPPOSITION TO THE PROPOSAL THAT THE UNITED STATES RELINQUISH ITS SOVEREIGNTY OVER THE CANAL ZONE AND THE PANAMA CANAL

Whereas, the Executive Branch of the United States Government has publicly announced that it is in the process of negotiating a treaty or treaties with the Republic of Panama that could dilute the indispensable grant of sovereignty over the United States-owned Canal Zone territory acquired pursuant to law and purchase from individual property owners under the 1903 Treaty with Panama for the construction, operation, maintenance, sanitation, and protection of the Panama Canal; and

Whereas, any such proposed treaty or treaties, if ratified by the United States Senate, could divest the United States of authority where there is grave responsibility and thereby render our government impotent to maintain and operate the Panama Canal in conformity with the provisions of the 1901 Hay-Pauncefote Treaty with Great Britain under which treaty the United States is obligated to maintain, operate and protect the Panama Canal on terms of equality for world shipping; and

Whereas, the proposed new treaty or treaties, if approved, could effectively destroy all the indispensable rights heretofore exercised by the United States with respect to the Canal Zone and the Panama Canal; and

Whereas, any withdrawal by the United States could make easier a takeover by communist authority and similar takeovers of governments throughout Latin America, as in the case of Cuba, and imperil the security of the United States and the entire Western Hemisphere. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the General Assembly opposes the relinquishing by the United States of its existing rights, powers and authority over the Canal Zone and Panama Canal.

Be it further resolved that a copy of this resolution be forwarded to the President of the Senate in the Congress of the United States and the Speaker of the House of Representatives, and to each United States Senator from South Carolina in the Congress and each member of the House of Representatives in the Congress from South Carolina.

State of South Carolina, in the House of Representatives, Columbia, S.C., April 12, 1967.

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the South Carolina House of Representatives and concurred in by the Senate.

INEZ WATSON,
Clerk of the House.

LOIS P. WHITLEY—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina. Mr. President, from the Committee on Rules and Administration I report a resolution and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. SPONG in the chair). The resolution will be stated.

The legislative clerk read the resolution (S. Res. 109), as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Lois P. Whitley, widow of William B. Whitley, an employee of the Senate at the time of his death, a sum equal to eleven months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

The PRESIDING OFFICER. The question is on proceeding to the consideration of the resolution.

The Senate proceeded to consider the resolution.

Mr. JORDAN of North Carolina. Mr. President, this resolution was adopted unanimously by the Committee on Rules and Administration. It is in line with other gratuities which are always paid to dependents of employees of the Senate who die while in the service of the Senate.

I ask for its unanimous adoption.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKE:

S. 1553. A bill to prescribe the geographical limits of the naval districts and to provide that the commandants thereof shall be officers not below the grade of read admiral; to the Committee on Armed Services.

(See the remarks of Mr. BROOKE when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 1554. A bill to provide for the conveyance of the Weber River project to the Weber River Water Users' Association, Ogden, Utah; and

S. 1555. A bill to amend the Colorado River Storage Project Act in order to remove the prohibition against constructing dams or reservoirs authorized in such act within national parks or monuments; to the Committee on Interior and Insular Affairs.

By Mr. TALMADGE:

S. 1556. A bill for the relief of Dr. Orlando O. Lopez; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 1557. A bill for the relief of Dr. Carlos E. Garciga; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 1558. A bill to provide for the repayment of certain Federal-aid funds expended in connection with the construction of the Garden State Parkway; to the Committee on Public Works.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri:

S. 1559. A bill for the relief of Jung Lim Gee (also known as Thick Kee Yee); and

S. 1560. A bill for the relief of Mrs. Doris Wai Kam Gee (also known as Mrs. Doris Wai Kam Yee); to the Committee on the Judiciary.

By Mr. NELSON:

S. 1561. A bill to amend section 201(c) of the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to assure the Nation of adequate milk supplies and to improve dairy farm income by payments to producers of manufacturing milk and cream, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 1562. A bill to amend the Tariff Act of 1930 to require certain new packages of imported articles to be marked to indicate the country of origin, and for other purposes; to the Committee on Finance.

S. 1563. A bill to amend the act entitled "An Act requiring contracts for the construction, alteration, and repair of any public building or public work of the United States to be accompanied by a performance bond protecting the United States and by an additional bond for the protection of persons furnishing material and labor for the construction, alteration, or repair of said public buildings or public works", approved August 24, 1935 (49 Stat. 793); to the Committee on Public Works.

(See the remarks by Mr. Dirksen when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S.J. Res. 73. Joint resolution designating the American marigold (Tagetes erecta) as the national floral emblem of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

LOIS P. WHITLEY

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 109) for the relief of Lois P. Whitley, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Report of a Committee.")

TO PRESCRIBE THE GEOGRAPHICAL LIMITS OF THE NAVAL DISTRICTS

Mr. BROOKE. Mr. President, I introduce a bill to prescribe the geographical limits of the naval districts and to provide that the commandants thereof shall be officers not below the grade of rear admiral, and I ask unanimous consent that a very brief explanation of the purpose of the bill be printed in the Record immediately following the listing of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 1553) to prescribe the geographical limits of the naval districts and to provide that the commandants thereof shall be officers not below the grade of rear admiral, introduced by Mr. Brooke, was received, read twice by its title, and referred to the Committee on Armed Services.

The explanation presented by Mr. Brooke is as follows:

> This bill is identical to one introduced in the House of Representatives by Chairman L. Mendel Rivers of the Armed Services Committee, and by the Committee's ranking minority member, the Honorable William M. Bates of Massachusetts.
>
> In effect, it provides in legislative form for maintaining the *status quo* of the eighteen naval districts within the Department of the Navy. The bill prescribes the geographical boundaries of each of these naval districts and designates the city where the district headquarters shall continue to be located. These geographical limits correspond to those presently delineated by the Department of the Navy.
>
> In addition, provision is made to have an officer of at least the rank of Rear Admiral serving as the Commandant of each of the eighteen naval districts.
>
> Introduction of this bill in the House and Senate has been prompted by the widespread dissatisfaction on the part of many members of Congress with the fashion in which the Department of the Navy and the Department of Defense have sought to consolidate naval districts in recent months, despite the fervent and, I believe, soundly reasoned arguments in opposition to these plans which have repeatedly been presented to both the Secretary of the Navy and the Secretary of Defense. As a Senator from Massachusetts I am, of course, primarily concerned with the proposed consolidation of the First and Third naval districts, coupled as it is with what I and so many of my colleagues in the Congress regard as a wholly inexplicable and illogical elimination of Boston as a naval district headquarters. But I do not think this concern is parochial in nature. I know that many other members of the Congress representing other affected naval districts are equally concerned and will, I believe, enthusiastically support this bill. In giving a legislative mandate to the Secretary of the Navy to maintain the naval districts as presently constituted and organized, except for the added provision that the respective Commandants shall be of flag rank, I feel certain that this bill preserves an arrangement which, having worked well in the past, is one that all concerned could live very satisfactorily with in the future. I hope that the Committee on Armed Services will give early and favorable consideration to this bill.

GARDEN STATE PARKWAY

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to provide for repayment of certain Federal-aid funds expended in connection with the construction of the Garden State Parkway in New Jersey. The provisions concern 13.66 miles between Route 9 in Middlesex County and Route 22 in Union County and 4.2 miles near Cape May Courthouse in Cape May County.

The area in Union and Middlesex Counties has the highest fatality rate of any section of the parkway, to wit 40 percent. This is true despite the fact this section constitutes less than 11 percent of the total length of the 173-mile parkway. This is also the most crowded, congested area of the parkway.

Gov. Richard J. Hughes, the New Jersey commissioner of the Department of Transportation, and the New Jersey Highway Authority are all in agreement that in order to reduce accidents and congestion on one of our State's major expressways, the program this bill is directed toward must be implemented promptly. Hundreds of hours of study and planning have come into efforts to work out the best possible approach to relieve this problem by the State agencies. They are unanimous in their conclusion.

Indicative of their strong support across the State was the passage of enabling legislation by the State legislature which voted 37 to 12 in the State assembly and 19 to 4 in the State senate in favor of such.

Approximately 20 years ago, the New Jersey State Legislature authorized the construction of the Garden State Parkway by the New Jersey State Highway Department, to be financed by legislative appropriations, with some matching Federal-aid highway funds. During a 6-year period, approximately 20 miles of this faculty was constructed through the expenditure of about $30 million in State funds and $14,709,532.44 in Federal-aid highway funds; 13.7 miles of this faculty were constructed in Union and Middlesex Counties.

In 1952, however, the New Jersey State Legislature recognized the need to accelerate construction of this facility, and the New Jersey Highway Authority was established to complete the Garden State Parkway through the sale of revenue bonds financed by tolls imposed on the parkway.

Mr. President, under the provisions of this bill, the Federal Government would be reimbursed by the State of New Jersey for the Federal moneys used to construct the State-owned sections of the parkway. The State of New Jersey then plans to sell the State-owned sections of the parkway to the New Jersey Highway Authority. The authority intends to impose nominal tolls on the sections presently owned by the State. The revenues from these tolls would then allow the New Jersey Highway Authority to float revenue bonds, providing the funds for the construction of the Garden State Thruway and several other major highway improvements in the State of New Jersey.

The New Jersey Highway Authority proposes to place these nominal toll facilities on 12 of the 35 interchange ramps in the presently State-owned section in Union and Middlesex Counties. No additional toll barriers would be placed across the Garden State Parkway, presenting no additional tolls to the through motorist.

The New Jersey Highway Authority proposes to construct at least one additional lane in each direction in the State-owned section to be reducing hazardous congestion. Studies undertaken by the New Jersey Highway Authority indicates that approximately 40 percent of the parkway fatalities have occurred on the State-owned section of the parkway in Union and Middlesex Counties. The safety of motorists traveling this section of the parkway is of deep concern to me as I am sure it is to all New Jerseyites. Additionally, part of the congestion is caused by short haul traffic, which might well find alternate routes if forced to stop and pay a toll upon entering or leaving the parkway.

There is also a great need to open further east-west travel access. The existing roads for this purpose are totally inadequate and have caused many serious accidents, injuries, and deaths and an untold loss of hours because of the slow pace of the traffic.

Reimbursement such as provided by this bill to the Federal Government by the States to allow the imposition of tolls on an express highway is not without precedence. Similar legislation has been passed by the Congress in recent years to allow this in the States of Connecticut, Delaware, and Maryland.

I had hoped that Senator Case would be able to join me in making this a bipartisan effort. However, he feels that further informal discussions concerning possible alternative approaches are necessary. It is late in the legislative year and, to produce legislation during this session, hearings are needed quickly.

Certainly the Governor and the heads of the departments have clearly established the right and opportunity to be heard in the legislative forum. I am therefore introducing this bill that these officials have requested in order to secure prompt hearings and a thorough study of this entire problem.

I ask unanimous consent that the provisions of the bill be reprinted at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1558) to provide for the repayment of certain Federal-aid funds expended in connection with the construction of the Garden State Parkway, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the amount of all Federal-aid highway funds paid on account of those sections of the Garden State Parkway in the State of New Jersey referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such Parkway and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid Highway funds of the same class last apportioned to the State of New Jersey. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

(b) Upon the repayment of Federal-aid Highway funds and the cancellation and withdrawal from the Federal-aid highway program of all projects on such sections of the Garden State Parkway, as provided in subsection (a) of this section, such sections shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) The provisions of this section shall apply to the following sections of the Garden State Parkway:

(1) That section of the Parkway near Cape May Court House from interchange numbered 8 to interchange numbered 12 at route United States 9—a distance of approximately 4.20 centerline miles;

(2) That section of the Parkway from a point near its connection with route United States 9 north of Toms River to Dover Road in South Toms River a distance of approximately 2.50 centerline miles.

(3) That section of the Parkway from route United States 9 in Woodbridge to the Middlesex-Union County line—a distance of approximately 6.37 centerline miles.

(4) That section of the Parkway from a point near its connection with the Middlesex-Union County line to a point near its connection with route United States 22 in Union Township—a distance of approximately 7.92 centerline miles.

DAIRY PARITY PROGRAM WILL PRESERVE MILK SUPPLY AND IMPROVE FARM INCOME

Mr. NELSON. Mr. President, I wish to introduce the Dairy Parity Act of 1967 to assure the Nation of adequate milk supplies and to improve dairy farm income by payments to producers of manufacturing milk and cream.

The mounting pressures from rising production costs and lingering low farm prices have driven nearly 500,000 farmers out of dairying over the past 15 years. Last year, this trend reached its peak with more than 40,000 dairy farms ceasing the production of milk. Current reports from Wisconsin indicate that farmers are leaving dairying now at a rate of 84 per week.

They are turning to other phases of farming or business, where they can get a better return on their investment of capital and labor. The Wisconsin dairyman producing the milk earns less than a dollar an hour with $75,000 investment while the Chicago milkman delivering the milk earns $3.50 an hour with little or no investment.

Farm income is disgracefully low. March was the seventh consecutive month of falling farm prices, due largely to the continual decline in milk prices to the dairy farmer. Overall farm prices fell 1 percent last month from February to a level 7 percent below a year ago.

In mid-March, dairy farmers received 10 cents less per hundred pounds of milk than they did a month ago and 19 cents less than in January. Farm prices are now 20 percent less than they were in 1951, 16 years ago. Our farmers are the only group in the country who are receiving less for their labor today than they were 15 to 20 years ago.

Faced with the prospect of selling their milk at or near a loss, farmers are instead selling their dairy cows for beef slaughter. The number of dairy cows in the United States dropped to a record 13,800,000 in December, the lowest figure in this century. In my own State of Wisconsin, our milk cow population has fallen below the 2 million mark for the first time since the 1930's.

The declining number of dairy cows has resulted in a corresponding drop in national milk production. In March, milk production was 26,000 pounds less than a year ago and more than 5 percent less than the 1961–65 average for the month. Last year's total milk production was down to barely 120 billion pounds, 3.2 percent below the 1965 total and more than 4 percent less than the 1960–64 average.

Unless these alarming trends are corrected very soon, we will witness the final destruction of the family dairy farm in this country. And with it, will come serious shortages of milk and dairy products. When the milk shortage hits with its full impact, retail milk and dairy prices will shoot sky high, far beyond anyone's imagination today.

We must have adequate supplies of milk for the demands of future generations. Once our current sources of milk disappear, it will be virtually impossible to rebuild them without incurring a tremendous financial and technological expense.

We must encourage those farmers who are producing today's milk and those young men who will be the dairy farmers of tomorrow to enter and remain in dairying. This encouragement must come through improving dairy farm income.

The Dairy Parity Act of 1967 will substantially improve dairy farm income by assuring farmers full parity for their milk and will also maintain consumer prices for dairy products at competitive levels.

It will authorize the Secretary of Agriculture to set the price support for manufacturing milk at 100 percent of parity and make payments to producers equal to the difference between the current market price and full parity.

The principal provisions of the dairy parity program would:

First. Liberalize the criteria used by the Secretary of Agriculture in establishing the price support for milk and butterfat. Under present law, the Secretary is permitted only to take into consideration the price support level that is necessary to assure an adequate supply of milk. The dairy parity program would broaden the criteria to include the need of dairy farmers for a fair return on their labor and investment.

Second. Authorize the Secretary of Agriculture to raise the support for manufacturing milk for a full 100 percent of parity from the present legal limit of 90 percent of parity.

Third. Authorize the Secretary of Agriculture to use payments to producers, in addition to purchases, to support the price of manufacturing milk at 100 percent of parity. The payments would be equal to the difference between the current market price and the price support. If the dairy parity program were currently in operation, the payment would be 57 cents, or the difference between the current U.S. market price of $4.07 and the full parity price for manufacturing milk of $4.64.

Fourth. Stimulate the domestic consumption of dairy products by enabling the Secretary of Agriculture to make a downward adjustment of the Commodity Credit Corporation's purchase prices for butter, cheese, and other dairy products without causing a decline in dairy farm income. If production did increase to a degree where surpluses were in excess of the requirements of regular Government programs, the Secretary could act to direct this surplus into domestic and commercial channels by reducing the CCC purchase price as low as 75 percent of parity. In reaction to the lower CCC purchase price, the market prices of these dairy products would then decline sufficiently to attract increased domestic and commercial consumption. As the market price for dairy products declined, the market price for manufactured milk would also decline, with the payment to producers increasing to offset the larger difference between full parity and the market price. The minimum level of 75 percent of parity for CCC purchase prices would limit the maximum amount of the payment.

Fifth. Allow the minimum prices for fluid—class I—milk marketed through Federal milk marketing orders to reflect the price or value of manufacturing milk plus any payment on manufacturing milk.

Sixth. Result in savings to consumers through lower retail prices and savings to the Federal Government of high storage, processing, and transportation costs on surplus dairy products more than offsetting the cost of the program. Otherwise surplus dairy products would be consumed through domestic channels because of lower retail prices rather than be accumulated by the Federal Government.

I ask unanimous consent that the text of this bill be printed at this point in the Congressional Record.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1561) to amend section 201(c) of the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to assure the Nation of adequate milk supplies and to improve dairy farm income by payments to producers of manufacturing milk and cream, and for other purposes, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 1561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Dairy Parity Act of 1967."

Sec. 2. Milk is a basic source of the Nation's food supply. The production and use of abundant supplies of milk and its products are essential to the health and general welfare of the Nation. Dairy farming, which is carried on in every State of the Nation and is an important source of farm income, constitutes a vital segment of the agricultural and national economy. It is in the national interest that there be adequate and balanced supplies of milk and its products. In order to assure that adequate supplies of fresh milk will be available at reasonable prices at all times, the supply of milk that is produced at any time must necessarily exceed by a reasonable margin the quantity of milk that will be consumed in fresh form. The milk produced to provide this margin, if it is not marketed for consumption as fresh milk, must be diverted into manufacture into storeable dairy products in order to avoid disruption of the markets for fresh milk. The purchase of storeable dairy products by Commodity Credit Corporation at appropriate support prices therefore serves to stabilize at appropriate levels the supplies and prices of fresh milk and other perishable dairy products as well as the particular storeable dairy products directly concerned. However, accumulation by Commodity Credit Corporation of storage stocks of dairy products in excess of the quantities which can be used in the public interest in school lunch, welfare, and other outlets, is a costly and uneconomic method of supporting prices to producers for milk and butterfat, involving serious storage space problems and risk of loss.

It is preferable that such excessive supplies be consumed in the domestic commercial markets and that the industry be encouraged and aided in promoting expanded use of dairy products. This can be accomplished by authorizing the Secretary to make payments to producers on milk and butterfat in cream used in manufacturing dairy products containing butterfat as he deems advisable as a method of price support, when in his judgment such payments will be effective in encouraging increased sales of such products through incentive pricing of them to consumers in the markets, in avoiding acquisition and accumulation of excessive stocks under price support operations, and in protecting dairy farm income.

Sec. 3. Subsection (c) of section 201 of the Agricultural Act of 1949 (7 U.S.C. 1446 (c)) is amended to read as follows:

"(c) (1) The prices of milk and butterfat in cream shall be supported, through purchases of milk and the products of milk and butterfat or through payments to producers, or through both such methods, at such level not less than 75 per centum and not in excess of 100 per centum of the parity prices of milk and butterfat, taking into consideration (A) the supply of milk in relation to the demand therefor, (B) the importance of milk to agriculture and the national economy, (C) the ability to dispose of stocks of dairy products acquired through price support operations, and (D) the need of dairy farmers for a fair return on their labor and investment."

Sec. 4. Notwithstanding any provisions of the Agricultural Marketing Agreement Act of 1937, as amended, in all orders which base the computation of the minimum class prices for milk in the higher valued use classifications upon the price or value of milk for manufacturing, such prices for milk in the higher valued use classifications shall reflect the price or value of milk for manufacturing plus any payment on milk for manufacturing.

AMENDMENT OF MILLER ACT, RELATING TO PRIME CONTRACTS FOR COMPLETION

Mr. **DIRKSEN.** Mr. President, the purpose of the Miller Act is to provide security to persons furnishing materials, labor, or other subcontract services to Government contractors. It has come to my attention, however, that many difficulties have been encountered by subcontractors in securing payments due them, sometimes because the statute of limitations contained in the Miller Act has expired prior to the 2 or 3 years many of the prime contractors require for completion.

If the subcontractor files suit within 1 year the defense is raised that payment is not yet due and if the subcontractor waits until payment is due the defense is that the statute of limitations contained in the Miller Act has already expired. I introduce at this time a bill to amend the act entitled "An act requiring contracts for the construction, alteration, and repair of any public building or public work of the United States to be accompanied by a performance bond protecting the United States and by an additional bond for the protection of persons furnishing material and labor for the construction, alteration, or repair of said public buildings or public work," and ask that it be appropriately referred.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 1563) to amend the act entitled "An act requiring contracts for the construction, alteration, and repair of any public building or public work of the United States to be accompanied by a performance bond protecting the United States and by an additional bond for the protection of persons furnishing material and labor for the construction, alteration, or repair of said public buildings or public work," approved August 24, 1935 (49 Stat. 793); introduced by Mr. Dirksen, was received, read twice by its title, and referred to the Committee on Public Works.

THE MARIGOLD FOR OUR NATIONAL FLORAL EMBLEM

Mr. **DIRKSEN.** Mr. President, on January 8, 1965, I introduced Senate Joint Resolution 19, to designate the American marigold—*Tagetes erecta*—as the national floral emblem of the United States. Today I am introducing the same resolution with the suggestion that it again be referred to the Committee on the Judiciary.

The American flag is not a mere assembly of colors, stripes, and stars but, in fact, truly symbolizes our origin, development, and growth.

The American eagle, king of the skies, is so truly representative of our might and power.

A national floral emblem should represent the virtues of our land and be national in character.

The marigold is a native of North America and can in truth and in fact be called an American flower.

It is national in character for it grows and thrives in every one of the 50 States of this Nation. It conquers the extremes of temperature. It well withstands the summer sun and the evening chill.

Its robustness reflects the hardihood and character of the generations who pioneered and built this land into a great nation. It is not temperamental about fertility. It resists its natural enemies, the insects. It is self-reliant and requires little attention. Its spectacular colors—lemon and orange, rich brown and deep mahogany—befit the imaginative qualities of this Nation.

It is as sprightly as the daffodil, as colorful as the rose, as resolute as the zinnia, as delicate as the carnation, as haughty as the chrysanthemum, as aggressive as the petunia, as ubiquitous as the violet, and as stately as the snap dragon.

It beguiles the senses and ennobles the spirit of man. It is the delight of the amateur gardener and a constant challenge to the professional.

Since it is native to America and nowhere else in the world, and common to every State in the Union, I present the American marigold for designation as the national floral emblem of our country.

Mr. President, I ask unanimous consent to have the joint resolution printed in the Record in connection with these remarks.

The **PRESIDING OFFICER.** The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 73) designating the American marigold (*Tagetes erecta*) as the national floral emblem of the United States, introduced by Mr. Dirksen, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Resolution 73

Whereas the peoples of the world have from time immemorial adopted emblems—flags, birds, flowers—for their countries, representative of their national virtues; and

Whereas the people of the United States have similarly adopted emblems—the American flag and the American eagle—to represent the virtues of this country; and

Whereas each of the fifty sovereign States of the United States, in addition to its State flag has a floral emblem which it cherishes as its own; and

Whereas the United States is the only major country in the world without a floral emblem; and

Whereas the American marigold represents the character of the United States more appropriately as an emblem than does any other flower in that it is an American native and native of nowhere else in the world; grown in abundance in the home gardens of every State in the Union yet not the floral emblem of any State in the Union; grown easily and quickly from seed; already acknowledged as a symbol of religious faith; a flower in its very appearance representing not just beauty but a rugged humility of character; and, like the American eagle and the American flag, an exclusively American emblem, unclaimed by any foreign nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the flower commonly known as the American marigold is hereby designated and adopted as the national floral emblem of the United States, and the President is requested to declare such fact by proclamation.

AMENDMENT AND EXTENSION OF LAWS RELATING TO HOUSING AND URBAN DEVELOPMENT—AMENDMENT

AMENDMENT NO. 165

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, an amendment to S. 1445, a bill to amend and extend laws relating to housing and urban development.

My amendment strikes section 209 of S. 1445, which deals with comprehensive planning, and adds a new title that is identical to S. 799, the Comprehensive Planning and Coordination Act of 1967, which I introduced on February 2.

I ask unanimous consent that the text of my amendment be printed at the conclusion of my remarks.

Section 701 of the Housing Act of 1954, especially as amended in 1959, was intended to support comprehensive planning. As implemented, however, the 701 program has veered from its original purpose to the extent that narrower functional planning—for example, for transportation or for education—competes with comprehensive planning for assistance authorized by section 701. This deflected focus of the program is the consequence of frequent and patchwork revisions of section 701 since 1959.

My amendment seeks to reorient the 701 program to its original purpose. It would assure regular support of comprehensive planning. Viewing comprehensive planning as essentially an executive function, my amendment seeks to strengthen the ability of Governors and local elected officials to coordinate the development activities of their respective units of government, most of which activities are supported in part by Federal grants-in-aid.

DIFFERENCES BETWEEN THE SCOTT AMENDMENT AND THE 701 PROGRAM

There are several fundamental points of difference between my amendment and the HUD 701 program:

First. My amendment is oriented almost exclusively to comprehensive development planning. As defined in my amendment, comprehensive development planning cuts across the whole spectrum of public activity at the several levels of Government—physical, economic, and social. It is process-oriented in that, while it may result in the production of plans, its basic purpose is to provide a framework of goals, policies, and standards within which planning for various functions such as land and facilities development, medical, welfare, and educational services, and so forth, can be directed and coordinated. My amendment does not provide support for functional planning.

The 701 program is substantially narrower in that it is primarily concerned with planning for physical development. It is, as administered, primarily product-oriented in that, while it is interested in promoting the process of planning, grants are based on the production of specific plans for physical development, ranging from broad land use plans to more specific functional plans such as for transportation, water and sewer systems, and airport locations. In this sense, as supporting functional planning, it is broader than my amendment.

Second. My amendment promotes the idea of comprehensive development planning as an executive function. It provides Governors and regional planning instrumentalities of elected officials with staff capabilities for effective direction and coordination of regional development activities. Grants under my amendment are, in effect, the "glue money" for which Governors and local elected executives have been calling. Similarly, my amendment places responsibility for the administration of comprehensive development planning assistance in the Executive Office of the President rather than in a line department or agency, since it is a program to assist, at the State and regional levels of government, the effective coordination of all Federal programs of assistance to those levels of government. It may be argued that grant programs should not be administered from the Executive Office. However, both OEO and OEP provide ample precedent, and the assistance provided by my amendment is an undergirding for the whole range of functional grant programs administered by the line agencies. It is government-wide in its effect. Moreover, my amendment encourages the development of planning, programing, and budgeting—PPBS—systems at those levels of government to parallel the Federal PPB system which is coordinated in the Executive Office of the President.

While the 701 program can be utilized as an instrument to promote planning as an executive function, that is not its focus, and, as indicated above, it does not have the scope of my amendment.

Third. The grant allocation formula of my amendment provides a necessary continuity to comprehensive development planning by providing an assured annual basis of support to States and regions. This tends to support the idea of making comprehensive planning a process rather than a stop-start, project-oriented activity.

The 701 program is administered essentially as a first-come, first-served, project-by-project program.

Fourth. My amendment covers all areas, urban and rural.

The 701 program, while it provides assistance to small communities, is basically urban oriented, as its name, "The Urban Planning Assistance Program," suggests.

In sum, my amendment aims at providing Governors and local elected officials with a tool for State, interstate, regional, and local developmental decisionmaking. It is concerned with comprehensive planning as a process for coordinating and integrating more specific functional and program planning and meshing local plans into regional programs. It is supportive of both urban and rural development efforts. While more precise in its focus on comprehensive planning alone than is the 701 program, it is broader in scope in that it covers economic and human resource planning as well as physical planning, and it covers rural as well as urban areas.

THE PENDING ADMINISTRATION BILLS

Section 209 of S. 1445, which amends section 701 of the Housing Act of 1954, moves partially in the direction of S. 799 and my amendment, but the 701 program, as amended by S. 1445, would still be narrower in scope than my amendment. Furthermore, S. 1445 continues the patchwork method of amending section 701.

S. 1445 nods in the direction of S. 799 and my amendment in two respects:

First. It makes districts—multijurisdictional rural and nonmetropolitan areas—eligible for 701 planning assistance. This is HUD's nod to the Department of Agriculture which unsuccessfully sought enactment last year of the Community Development District bill. It also removes references to comprehensive planning as being for urban areas and needs.

Second. It revises the definition of comprehensive planning to make specific reference to planning for the provision of governmental services—as well as for public facilities—and for the development and utilization of human and natural resources.

S. 1445 falls short of S. 799 and my amendment in these respects:

First. It does not establish a mechanism for coordinating federally supported development activities in the field through State and regional—development district—planning agency review of applications for Federal grants to insure their proper relationship with the State's and region's comprehensive development plans.

Second. It does not offer incentives to States and sub-State regions to participate in the Federal Government's program budgeting system.

Third. It does not assure a continuing, if minimum, base of Federal support for comprehensive planning by State and regional agencies. Instead, it continues the present project-by-project, crisis-by-crisis, first-come, first-served system.

The PRESIDING OFFICER. The amendment will be received, printed, and referred to the Committee on Banking and Currency, as follows:

S. 1445

On page 10, beginning with line 15, strike out all through line 10, on page 16, and renumber succeeding sections accordingly.

At the end of the bill insert a new title as follows:

"TITLE III—COMPREHENSIVE PLANNING AND COORDINATION SHORT TITLE

"SEC. 301. This title may be cited as the 'Comprehensive Planning and Coordination Act of 1967.'

"FINDINGS AND DECLARATION OF PURPOSE

"SEC. 302. (a) The Congress finds and declares that—

"(1) The economy of the Nation, the welfare of its people, and the efficient functioning of the Federal system are directly dependent upon the cooperative action of the Federal, State, and local levels of government in developing a coordinated and comprehensive system of forward planning for the development of the physical, economic, and human resources of the Nation.

"(2) Development planning has tended to be too narrow, fragmented, and inadequately coordinated; to be fully effective, such planning must be truly comprehensive, embracing the full spectrum of resource development (human and economic as well as physical resources); it must encompass rural and urban development; and there is a vital need for the development of comprehensive, policy-based, action-oriented planning processes and systems that will provide the framework within which functional and project planning can be related for fully coordinated development.

"(3) Action to meet national urban and rural development needs can be coordinated most efficiently and economically at the State and local government level, based on the capability of States and local governments to develop comprehensive, policy-based planning and programing processes which can serve as a framework and guide for functional and project planning and provide a systematic base for effective coordination of Federal, State, and local development programs.

"(4) Improved coordination of programs of Federal assistance which involve the narrower, functional aspects of development planning and which are administered by the various departments and agencies can best be achieved at the Federal level through the Executive Office of the President which can provide an effective focal point necessary for the formulation of consistent development planning policies, standards, and procedures among such programs.

"(b) It is the purpose of this title—

"(1) To encourage and assist State governments in achieving strong comprehensive development planning, programing, and coordination capabilities to guide planning and development activities within and among the States; to encourage cooperation among local governments in solving mutual and areawide development problems by assisting them in developing an areawide comprehensive development planning and programing process and improving their capabilities therefor; and generally to encourage intergovernmental cooperation in developing coordinated and concerted attacks on problems of national development through the provision of a focal point for development planning coordination in the Executive Office of the President.

"(2) To establish a process for the exchange of development information between the States and the Federal Government, in order to assist the Federal Government in the allocation of its resources and the States and their political subdivisions in the determination of their needs, and, further, to permit the Federal Government, through this process to meet more effectively and responsibly the emergency needs of the Nation, the States and the people, as such needs might arise.

"DEFINITIONS

"SEC. 303. For the purposes of this title—

"(a) The term 'development planning' means planning covering the whole or components of the physical, economic, or human resources development of an area.

"(b) The term 'comprehensive development planning' means the continuing process of (1) assessing the needs, resources, and development opportunities of an area; (2) formulating goals, objectives, policies, and standards to guide long-range physical, economic, and human resources development of an area; and (3) preparing plans and programs therefor which (A) identify and evaluate alternative courses of action and the spatial and functional relationships among the activities to be carried out thereunder, (B) specify the appropriate scheduling of such activities, (C) take into account other relevant factors affecting the achievement of the desired development, and (D) provide an overall framework and guide for the preparation of functional and project development plans in such area.

"(c) The term 'functional development planning' means the preparation of plans and programs for generalized but limited development objectives involving interprogram development relationships, including, but not limited to, the establishment or improvement of systems of transportation, outdoor recreation, public health, pollution control, and manpower development and utilization, which systems are integral components of the overall development of the area.

"(d) The term 'agency program planning' means the planning by an agency for individual program activities for which it is responsible, which, when grouped in broader related functional areas, may become part of functional development planning.

"(e) The term 'project planning' means planning of a set of short-range, specific, closely related actions that together will constitute one step toward the achievement of broader, longer-range functional and comprehensive development objectives.

"(f) The term 'State' means any State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(g) The term 'development district' means any multijurisdictional area, including interstate areas, established under State laws, or in the absence of such laws, under a plan approved by the Governor of the State or States, comprising more than one unit of general local government, which area has common or related problems of development requiring cooperative, comprehensive planning, and concerted action for the effective solution of such development problems.

"(h) The term 'metropolitan area' means a development district comprising a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Director may determine to be appropriate for the purpose of this title.

"(i) The term 'unit of general local government' means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

"(j) The term 'Director' means the Director of the Office of Comprehensive Development and Emergency Planning.

"(k) The term 'Federal grant-in-aid' means a program of Federal financial assistance other than loans.

"THE OFFICE OF COMPREHENSIVE DEVELOPMENT AND EMERGENCY PLANNING

"SEC. 304. (a) The name of the Office of Emergency Planning in the Executive Office of the President is hereby changed to the Office of Comprehensive Development and Emergency Planning (hereinafter referred to as the 'Office'), and the titles of the Director, Deputy Director, and Assistant Directors of such office are changed accordingly.

"(b) Nothing in this title shall affect the functions of the Office or of the Director pursuant to delegation by the President under Reorganization Plan Numbered 1 of 1958 (72 Stat. 1799), as amended, nor the functions or authority of the President under Reorganization Plan Numbered 1 of 1958, as amended, but shall be in addition thereto.

"STATE PLANNING, PROGRAMING, AND COORDINATION

"SEC. 305. (a) To strengthen the Federal system and cooperative relationships between the Federal Government and the States, to make more effective the wide range of loan and grant programs of the Federal Government, to provide for more effective coordination of the various programs of the Federal Government operating through the States, and in the interests of efficiency and economy, it is the policy of the Federal Government that the establishment of a policy-based and continuing comprehensive planning, programing, and coordination process in State governments should be encouraged and supported through assistance to a unit in each State government, generally responsible to the Governor of the State for the performance of comprehensive planning, programing, and coordinative functions which may include, but not be limited to—

"(1) The collection on a systematic basis of planning, programing, and development information concerning Federal, State, regional, or areawide, and local public works, capital improvements, capital acquisitions; economic and human resources development programs, projects, and associated activities.

"(2) The establishment of arrangements for the exchange of development planning and programing information between State agencies, and between the various levels of government within each State and their agencies, including metropolitan, district, and regional planning and development agencies, and between such governments and agencies of neighboring States as appropriate.

"(3) The collection and analysis of (A) planning and programing information relative to population characteristics and shifts, (B) economic trends, developments, and projections, (C) directions and extent of urban and rural growth and change, (D) employment and unemployment analysis and projections, (E) social, educational, health, recreational, and cultural development trends and needs, (F) governmental organization and finance within the State and the political subdivisions thereof, and (G) such other development and programing information necessary for comprehensive State planning and programing; and for the coordination of the planning and programing activities of State functional agencies and of local, metropolitan, regional, and district planning and development activities;

"(4) The preparation and maintenance of a coordinated planning and programing system and process, including the formulation of a long-range, comprehensive State development policies plan; coordination of State functional development planning and agency program planning; shorter range comprehensive development programing (including the formulation of development goals, objectives, targets, strategies, and priorities); and other activities necessary to the coordination of plans for the development of the State, its localities, regions, metropolitan areas, and other development districts;

"(5) The provision of technical assistance and training, and advice and consultation on planning and programing matters on an interprogram, interagency, and intergovernmental basis.

"DEVELOPMENT DISTRICT AND METROPOLITAN AREA PLANNING, PROGRAMING, AND COORDINATION

"SEC. 306. To strengthen the Federal system through encouraging cooperation among units of general local government having common or related development problems through comprehensive planning and concerted action, to avoid overlap and duplication in functional planning carried on under other Federal, State, and local programs, and to promote effective and economical coordination of such programs through areawide comprehensive planning in development districts and metropolitan areas, it is the policy of the Federal Government that the establishment of a policy-based, planning, programing, and coordination process in development districts and metropolitan areas should be encouraged and supported through assistance to a unit in each development district and metropolitan area, responsible to the elected officials of the unit or units of general local government comprising such development district or metropolitan area, for the performance of comprehensive development planning, programing, and coordination functions which include, but are not limited to—

"(1) The collection on a systematic basis of planning, programing, and development information concerning Federal, State, regional, or areawide, and local public works, capital improvements, capital acquisitions; economic and human resources development programs, projects, and associated activities within the development district or metropolitan area.

"(2) The establishment of arrangements for the exchange of development planning information among the local governments of the district or area, and between the development district or metropolitan area comprehensive planning unit and the State and Federal Governments and their agencies.

"(3) The collection and analysis of planning and programing information relative to (A) population characteristics and shifts, (B) economic trends, developments, and projections, (C) directions and extent of urban and rural growth and change, (D) employment and unemployment analysis and projections, (E) social, educational, health, recreational, and cultural development trends and needs, (F) governmental organization and finance within the development district or metropolitan area, and (G) such other development planning and programing information necessary for comprehensive areawide planning and programing; and for the coordination of such of the planning and programing activities of the local governments of the development district or metropolitan area which affect the development of the district or metropolitan area as a whole.

"(4) The preparation and maintenance of a coordinated planning and programing system and process, including the formulation of a long-range, comprehensive development policies plan for the development district or metropolitan area; coordination of local plans and programs and State plans affecting the development of the district or metropolitan area; preparation of shorter-range comprehensive development plans and programs including the formulation of development goals, objectives, targets, strategies, and priorities; and other activities necessary to the coordination of local and functional plans affecting the development of the district or metropolitan area as a whole.

"(5) The provision of technical assistance and training, and advice and consultation on planning and programing matters to the local governments of the development district or metropolitan area.

"COORDINATION OF FEDERAL ASSISTANCE PROGRAMS

"SEC. 307. (a) (1) In order to facilitate the coordination of Federal, State, and local development activities on a continuing basis, to provide for the more effective interchange of development information among the several levels of government and their agencies, and to encourage statewide, interstate, and cooperative interlocal comprehensive planning and programing on a continuing basis, any application for a Federal loan or grant made after June 30, 1968, shall conform to the requirements of this subsection.

"(2) If such application is made by the government of a State or a constituent agency thereof, it shall be accompanied by the comments of the comprehensive development planning, programing, and coordination unit of such State government respecting the relationship of the activities (and of any plans on which they may be based) which are to be assisted under such loan or grant to the State comprehensive development policies plan or multiyear program.

"(3) If such application is made by a general or special purpose unit of government, or by any organization performing local governmental functions in a development district or metropolitan area (whether directly or through an agency of the State government), it shall be accompanied by comments of a comprehensive development planning, programing, and coordination unit, responsible to the unit or units of general local government comprising the district or metropolitan area, respecting the relationship of the activities to be assisted (and of any plans on which they may be based), under such loan or grant to comprehensive, areawide planning for the development of such district or metropolitan area.

"(4) Comments required by this subsection to be submitted in connection with applications for Federal loans or grants shall be considered by the agency of the Federal Government to which any such application has been submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of such loans or grants.

"(b) Any Federal agency contemplating direct Federal development activities which will affect the development of any State, development district, or metropolitan area shall consult with the Governor (or Governors in the case where more than one State would be affected) as to the relationship of the projected activity to State comprehensive development plans and programs; and, in the case of a development district or metropolitan area, the agency shall consult with the comprehensive planning unit thereof as to the relationship of the projected activity to comprehensive development plans and programs of the district or metropolitan area.

"(c) The Director shall develop suitable procedures and regulations for the administration of subsection (a), of this section, which may cover, among other relevant matters—

"(1) the reasonable time which may be provided to State, development district, or metropolitan area comprehensive planning units for commenting on proposed applications; and

"(2) the types of programs, projects, or activities which may be exempted from coverage because of their relative lack of significance for State, development district, or metropolitan area development; or for such other reasons as he may deem appropriate and feasible.

"INTERPROGRAM PLANNING COORDINATION AND COMPREHENSIVE PLANNING SERVICE AGREEMENTS

"SEC. 308. In order to achieve a high level of interprogram coordination and to eliminate duplication of effort in the development of basic planning data and information, any State, regional, district, or local governmental agency administering or receiving funds under any Federal grant-in-aid program may, notwithstanding any other provision of law, enter into agreements with comprehensive planning units for the provision of services thereby. Such agreements may provide for payments to a comprehensive planning unit (1) in support of comprehensive planning, programing, and coordination activities, (2) for planning review and advice, as contemplated under section 307, technical assistance, and consultation, (3) for the provision of basic and supporting planning and development information, and (4) for other similar services facilitating the efficient administration of such Federal grant-in-aid program and the functional planning requirements thereof. Any Federal department or agency administering a grant-in-aid program under which such an agreement is made shall approve the expenditure of funds granted under the program for payments to a comprehensive planning unit for service under the agreement under such conditions as the head of the Federal department or agency administering the program may deem necessary and desirable.

"PLANNING PROGRAMING AND COORDINATION GRANTS

"SEC. 309. (a) To support comprehensive planning, programing, and coordination units and their activities, and subject to the limitations contained in this section, the Director is authorized to make planning grants to—

"(1) State comprehensive planning units for State comprehensive planning conforming to the standards set forth in section 305 and for research, technical training, and coordination activities related thereto.

"(2) State comprehensive planning units, or (in States where no such planning unit exists) to agencies or instrumentalities of State government designated by the Governor of the State and acceptable to the Director as capable of carrying out the comprehensive planning and programing functions contemplated by section 305, or to designated metropolitan and district comprehensive development planning units, with the approval of the State comprehensive planning unit, for the provision of comprehensive planning assistance to (A) cities and other municipalities having a population of less than fifty thousand according to the latest decennial census, and counties without regard to population; (B) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than fifty thousand according to the latest decennial census and having common or related planning problems; (C) cities, other municipalities, and counties, referred to in paragraph (4) of this subsection and areas referred to in paragraph (5) of this subsection; and (D) Indian reservations: *Provided, however,* That where a comprehensive planning and programing activity is established on an intergovernmental basis or a metropolitan, regional, or district basis, the State comprehensive planning unit shall limit the planning programs of cities and other municipalities and counties within such area to activities not inconsistent with the aforesaid metropolitan, regional, or district comprehensive planning program. Such grants may also be made to comprehensive planning units for any area where there has occurred a substantial reduction in employment opportunities as a result of (i) the closing (in whole or in part) of a Federal installation, or (ii) a decline in the volume of government orders for the procurement of articles or materials produced or manufactured in such area.

"(3) Official metropolitan, regional, and district comprehensive planning units, and organizations of public officials composed of or directly representative of and responsible to the elected officials representing a unit of areawide government or the units of general local government, which comprise not less than two-thirds of the total population of the area according to the latest decennial census; or, in the absence of such units or organizations, to the State comprehensive planning, programing, and coordination unit, to perform comprehensive, areawide, development planning, programing, and coordination for metropolitan areas, regions, and other multijurisdictional planning districts designated by the Governor (or Governors in the case of interstate areas): *Provided*, That prior to the establishment of any metropolitan, regional, or development district planning area covering more than one unit of general local government for which an agency or organization has been or is being formed to carry out comprehensive development planning as contemplated by this title, or, prior to the designation by the Governor or Governors, as the case may be, of a planning unit for the purpose of this section, the Governor or Governors shall find that the boundaries within which such a planning unit may operate are consistent with those of other planning areas established within the State, or States, in connection with other comprehensive and functional planning in the State or States.

"(4) Cities, other municipalities, and counties which (A) are situated in areas designated as redevelopment areas or as economic development districts by the Secretary of Commerce under section 401 or 403 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.), or (B) have suffered substantial damage as a result of a catastrophe which the President, pursuant to section 2(a) of 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), has determined to be a major disaster.

"(5) Tribal planning councils or other tribal bodies designated by the Secretary of the Interior for planning for an Indian reservation to which no State planning unit or other agency or instrumentality is empowered to provide planning assistance under clause (D) of paragraph (2) of this subsection.

"(6) The Appalachian Regional Commission, established by the Appalachian Regional Development Act of 1965, for comprehensive development planning for the Appalachian region as defined by section 403 of such Act, and to regional action planning commissions in areas designated by the Secretary of Commerce as economic development regions under section 501 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) for comprehensive planning to the extent not assisted thereunder.

"(b) Planning assisted under this section shall, to the maximum extent feasible, cover entire areas having common or related development problems. The Director shall encourage cooperation in preparing and carrying out plans among all interested States, counties, municipalities, other political subdivisions, public agencies, and other parties in order to achieve coordinated development of entire areas. To the maximum extent feasible, pertinent plans and studies already made for areas shall be utilized so as to avoid unnecessary repetition of effort and expense. Funds available under this section shall be in addition to and may be used jointly with funds available for planning surveys, studies, and investigations under other federally aided programs.

"(c) A planning grant made under this section, or an allotment made after June 30, 1970, under section 312(a) shall not exceed two-thirds of the estimated cost of the work for which the grant or allotment is made: *Provided*, That such a grant may be in an amount not exceeding three-fourths of such estimated cost to an official governmental planning unit for an area described in subsection (a)(4), or for planning being carried out for a city, other municipality, county, group of adjacent communities, or Indian reservation in an area designated by the Secretary of Commerce as a redevelopment area or as an economic development district under section 401 or 403 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.), to States participating in planning for Appalachian regional programs, for expenses incurred in the course of such planning, or to the Appalachian Regional Commission. All grants made under this section shall be subject to terms and conditions prescribed by the Director. The Director is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advance or progress payments on account of any grant made under this section.

"(d) The Director is authorized to provide technical assistance to State and local governments and their agencies and instrumentalities, and to Indian tribal bodies, undertaking comprehensive development planning and, by contract or otherwise, to make studies and publish information on related problems.

"(e) In the exercise of his function of encouraging comprehensive planning, programing, and coordination by the States, the Director shall consult with those officials of the Federal Government responsible for the administration of programs of Federal assistance to the States and municipalities for functional and project development planning.

"(f) The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in the comprehensive planning and development of interstate, metropolitan, or other development districts and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

"ANNUAL DEVELOPMENT PROGRAMS

"SEC. 310. (a)(1) Any department or agency of the Federal Government which administers a program of grants-in-aid to any of the State governments shall, upon request, notify the Governor or other official designated by him, or the State legislature, of the purpose and amounts of recommended or actual grants-in-aid to the State. No Act of Congress shall be construed to prevent the Governor or other designated officer from participating in the State's determination of its financial needs in the same manner as he does with respect to the budgeting of State funds.

"(2) Subject only to the procedures here enacted, nothing contained in this title shall limit the authority of any department or agency of the United States to make grants-in-aid to the States.

"(b) Any State, through its comprehensive planning, programing, and coordinating unit, as contemplated by section 305, may file with the Director, by October 1 of each year, an annual development program which shall indicate, in such form and in accordance with such procedures as the Director shall prescribe—

"(1) the four-year development program of the State government and its agencies, showing the type, general location, and magnitude, and scheduling on an annual basis, of major development projects and activities contemplated, along with an indication of those for which Federal assistance may be sought; and

"(2) a development budget for the Federal fiscal year commencing July 1 of the calendar year following the filing of the annual development program, specifying the development projects and activities which the State government and its agencies contemplate undertaking during such Federal fiscal year and indicating for each such project or activity the following:

"(A) its status in terms of legislative approval and State or other funds appropriated or committed, and

"(B) the amount of Federal assistance which has been or will be sought, if any.

"(c) Any metropolitan area or development district through its comprehensive planning, programing, and coordination unit, as contemplated by section 306, may submit an annual development program as described in subsection (b) of this section, in such form and in accordance with such procedures as the Director may prescribe, to the State comprehensive planning unit, if any, for transmittal to the Director. The State comprehensive planning unit shall transmit, within such reasonable period as the Director may prescribe, such district or metropolitan annual development program along with any comments with respect to the relationship of such development program to State comprehensive planning and programing and the State annual development program.

"(d) Any State, development district, or metropolitan area submitting an annual development program, may receive Federal grants-in-aid under section 309(a)(1) and 309(a)(3) equal to three-fourths of the costs of the comprehensive planning, programing, and coordination activities for which grants are made thereunder during the Federal fiscal year following the submission: *Provided*, That where Federal grants-in-aid already constitute three-fourths of such costs under other provisions of this title, the grant-in-aid may be increased to 90 per centum of such cost.

"APPROPRIATIONS AUTHORIZED

"SEC. 311. To enable the Director to make grants for the purpose of developing and strengthening comprehensive development planning, programing, and coordination capabilities in State government and in development districts and metropolitan areas and for other activities authorized under section 309, there are authorized to be appropriated not to exceed $50,000,000 for the fiscal year ending June 30, 1968; not to exceed $75,000,000 for each of the fiscal years ending June 30, 1969, and June 30, 1970; and for each succeeding fiscal year such sums as may be necessary for such grants. Any funds appropriated hereunder shall remain available until expended.

"ALLOTMENTS TO STATES

"SEC. 312. (a) Of the sums appropriated under section 311, in any fiscal year, the Director shall allot $50,000 to each State for comprehensive State development planning, and to the comprehensive areawide planning unit in each metropolitan area, $20,000 plus $1,000 for each additional 100,000 residents in metropolitan areas having populations in excess of 100,000, up to a maximum of $50,000, for comprehensive metropolitan development planning.

"(b) An additional 40 per centum of the sums so appropriated shall be allocated to the States in amounts which bear a ratio to such sums as the population of each State bears to the population of all States for comprehensive State and development district planning programing and coordination, and for assistance to other activities authorized under section 309.

"(c) The remainder of any funds appropriated in any year shall be available for additional grants for activities authorized under section 309 as approved by, and at the discretion of, the Director: *Provided*, That up to 5 per centum of the funds appropriated under this title may be expended by the Director for studies, research, and demonstration projects for the advancement of the purposes of this title. Any funds to be allotted under subsection (a) or (b) in any fiscal year for the work programs (contemplated by section 313) of any State or metropolitan area which are not, in the judgment of the Director, required to carry out such work programs shall be added to the discretionary funds of the Director.

"(d) The population of a State, all the States, and of any metropolitan area shall be determined by the Director on the basis of the most recent satisfactory data available from the Bureau of the Census.

"ANNUAL WORK PROGRAMS

"SEC. 313. (a) Any State or metropolitan area comprehensive planning unit desiring to receive an allotment under subsection (a) or (b) of section 312 shall submit to the Director an annual work program in such form, at such times, and in accordance with such procedures as the Director may specify, indicating the comprehensive development planning, programing, and coordination activities which it has scheduled for the approaching Federal fiscal year, including, in the case of the State unit, assistance to other activities authorized under section 309, along with the estimated costs thereof, and the estimated Federal share of such of those activities as are eligible for assistance under this title.

"(b) Annual work programs shall constitute an application for a grant under the Director's discretionary fund to the extent that the Federal share of the costs of carrying out the annual work program are not covered by allotments under subsection (a) or (b) of section 312.

"(c) Allotments under subsection (a) or (b) of section 312 shall be made by the Director within ninety days after the applicable appropriations have been made.

"MISCELLANEOUS

"SEC. 314. (a) Section 701 of the Housing Act of 1954 is amended as follows:

"(1) by striking out paragraphs (1), (5), (6), and (8) of subsection (a) and redesignating paragraphs (2), (3), (4), (7), and (9) as paragraphs (1), (2), (3), (4), and (5), respectively;

"(2) by striking out subsections (e) and (f) and redesignating subsections (g) and (h) as subsections (e) and (f), respectively;

"(3) by striking out 'comprehensive' wherever it appears in such section; and

"(4) by striking out subsection (d) and inserting in lieu thereof the following:

"'(d) As used in this section, the terms "planning" and "plans" mean planning and plans for the various functional components of urban physical development. Such planning and plans may include, but shall not be limited to, transportation, public facilities, recreation, and other developmental activities to the extent not otherwise assisted under other provisions of law.'

"(b) Effective on June 30, 1968, section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 is repealed."

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTION

Mr. McCARTHY. Mr. President, I ask unanimous consent that the name of Senator SCOTT be added to the list of cosponsors of S. 35, the bill to provide the tax status of head of household for unmarried persons who have attained age 35 and who maintain their own households, and that his name be listed among the sponsors at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I ask unanimous consent that the names of Senators CHURCH, COTTON, HANSEN, HICKENLOOPER, KUCHEL, MCGEE, MURPHY, and TYDINGS be added to the list of sponsors of Senate Joint Resolution 54, the resolution proposing an amendment to the Constitution relative to equal rights for men and women, and that their names be listed along with other sponsors at the next printing of the joint resolution.

The PRESIDING OFFICER. Without objection, it so ordered.

Mr. HANSEN. Mr. President, I ask unanimous consent that the name of the Senator from Idaho [Mr. JORDAN] be added as a cosponsor at the next printing of Senate Concurrent Resolution 21, a resolution expressing the approval and support of Congress of the selection of the U.S. Ski Association that Jackson Hole in the State of Wyoming be designated as the site for the 1970 International Ski Federation World Ski Championships.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that, at the next printing of S. 1473, the youth camp safety bill, the names of Senators GRUENING, INOUYE, MCINTYRE, and MUSKIE be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that, at the next printing of S. 1502, the Police Officers Higher Education Act of 1967, the name of Senator HARTKE be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nominations:

To be representatives of the United States of America to the fifth special session of the General Assembly of the United Nations: Arthur J. Goldberg, of Illinois; William B. Buffum, of Maryland; Richard F. Pedersen, of California; Mrs. Eugene Anderson, of Minnesota; and Samuel C. Adams, Jr., of Texas.

To be alternate representatives of the United States of America to the fifth special session of the General Assembly of the United Nations: Garland R. Farmer, Jr., of California; and, Michael Iovenko, of New York.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1177) to provide for the disposition of a judgment against the United States recovered by the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

ORDER OF BUSINESS

Mr. MANSFIELD. I ask unanimous consent that I may proceed for 8 to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

A "CHINESE WALL" ALONG THE DMZ

Mr. MANSFIELD. Mr. President, over the weekend, Premier Nguyen Cao Ky has ordered the clearing and possible fortification of a line below the DMZ extending 20 miles from the South China Sea eastward to the mountains, and has ordered South Vietnamese battalions to get to work to clear out the area. U.S. marines have joined in the operations and, according to reports, some have expressed dissatisfaction with the proposal because the continuation of such a line would create a "Chinese Wall" which they seem to think would extend along the DMZ or the 45 or 50 miles which comprise that area and southward along the 250-mile border separating South Vietnam from Laos.

I have commented several times on the feasibility of a proposal to build a defense line across the DMZ with a continuation into Laos to either the towns of Savannakhet or Thakhet, both of which are on the Thai-Laotian frontier. This, may I say, would preclude the necessity of building a defense line along the much longer western border of Vietnam.

This proposal, which is not original with me but which I support, would make it possible to decrease the infiltration of men and materiel down the Ho Chi Minh trails which lie in western Laos and achieve the objective which was the stated aim of the bombing of the north but which has failed because infiltration has increased.

This defense line would be composed of electrical barriers, mine traps and other devices, plus the stationing of South Vietnamese troops in large numbers for the purpose of protecting their country.

I have no figures as to the cost, but I am sure that studies have been made in the Pentagon and that the cost would be not only reasonable but also more effective in comparison with the billions being spent in Vietnam today. Furthermore, it would confine the war to South Vietnam, which we have stated it is our purpose to protect, and at the same time it would isolate Cambodia, thereby giving that country a better chance to maintain its neutrality and to decrease its use as an area to which the Vietcong and North Vietnamese could flee when pursued. It would also confine the activities of the 1,200,000 allied troops now in South Vietnam to securing that country, making it more stable and bringing about some degree of order and stability.

Insofar as the penetration of the barrier into Laos is concerned, objections may well be raised; but I would point out that contrary to the Geneva Agreement of 1962, which called for the withdrawal of all foreign troops from that country, North Vietnam has refused to honor that pledge and has consistently maintained elements within the Pathet Lao, and in addition also used the eastern part of Laos for the canopied Ho Chi Minh trails which extend southward and eastward into South Vietnam.

We are aware of the fact that, according to the Pentagon, the Vietcong and North Vietnam has more troops in South Vietnam than ever before, and this, despite increased losses and increased defection, which, according to Secretary Rusk yesterday, doubled in 1966 over 1965 and so far this year in 1967 are doubling those of 1966.

Insofar as infiltration figures are concerned—again according to statistics issued by the Pentagon for the first 9 months of 1966—it amounted to 48,000 men, or just under 5,000 a month. We have no "refined" figures for the last 3 months of 1966 or for any month in 1967.

On the question of the bombing of the north, the statements at hand seem to indicate that for the past 6 weeks Hanoi and Peking have been working more closely together in the shipping of Soviet weapons by rail across China and without delay, hindrance, or deduction. I cite this to indicate not only steady but also a stepup in assistance to North Vietnam which gives it more sinews to continue the conflict. It also means that the question of the bombing of Haiphong and Hanoi and the question of whether to mine or not to mine Haiphong have become less important because of the sharp increase in shipments by land and the possible decrease of shipments by sea.

The question has also been raised and has been advocated by some that we bomb the airfields north of Hanoi. This could be done, but the result might well be a transference of planes from North Vietnam to South China airfields, and the question then would be how far do we intend to go and if we are prepared to accept the results which would follow.

It is interesting to note on the question of bombing that according to newspaper reports, we have been dropping more bombs on North and South Vietnam than we dropped on Europe at the height of the last war.

In reverting to the concept of a barrier across the DMZ extending into Laos, it is worthwhile to note that in the past several weeks the North Vietnamese have been able to penetrate into the northern provinces of South Vietnam which comprises the 1st Corps area; and because of the increased pressure by the North Vietnamese, we have had to dispatch a light infantry brigade and elements of the 1st Calvary divisions to reinforce that area as well, and also to note that Premier Ky has dispatched additional South Vietnamese troops to that area.

That we face a serious question there, there is no doubt. That we ought to consider ways and means to stop or the very least to decrease sharply the infiltration of North Vietnamese troops, is apparent.

One way to face up to the situation is to give consideration to a line of defense across the DMZ, which evidently has already been started on the orders of Saigon, and I would hope consideration would be given to extending it across the 45 or 50 miles which comprise the DMZ and the additional 125 miles which extend it to either Savannakhet or Thakhet. A project of this kind could well mark a turning point in the war.

The press has carried a story that General Westmoreland has given his approval to the building of a fortified barrier, and he is reported to have said that it is designed "to make a direct military invasion appreciably more costly to the North Vietnamese."

In conclusion, may I call to the attention of the Senate General Westmoreland's statement on April 14 when he said in an interview, "I can't see any end in sight." Perhaps a fortified barrier is a partial answer.

SECOND PHASE OF THE ALLIANCE FOR PROGRESS

Mr. HICKENLOOPER. Mr. President, as President Johnson declared at the successful conclusion of the summit meeting of American Chiefs of State at Punta del Este, the second phase of the Alliance for Progress is now underway.

In accomplishing its primary goals of creatings the beginnings of a Latin American Common Market and infusing new impulse into the Alliance for Progress, the Punta del Este meeting set the stage for renewed and redoubled self-help efforts by Latin Americans. I want to say that such efforts, where possible, will receive the wholehearted support of the United States.

The road that lies ahead will not be easy. The long hard pull will require profound sacrifices by all. There are no quick, "sleight of hand" shortcuts to Latin American prosperity—no miracles will be wrought except those brought about by constant dedication and plain hard work together with hemispheric cooperation and unity.

I would venture to say that April 14, 1967—Pan American Day—may be cited by future historians as the moment the so-called peaceful revolution in Latin America shifted gears in its forward march toward socioeconomic development.

I extend sincere congratulations to our President and his fellow American chief executives, along with their hard-working counselors, for their unflagging faith and farsighted statesmanship in forging a new and indestructible link in the chain of hemispheric fraternity and unity.

SWANSTON EQUIPMENT CO.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 87, Senate bill 471.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 471) for the relief of Swanston Equipment Co.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. FANNIN. Mr. President, the purpose of the bill is to pay the claimant $21,376, representing customs duties paid by claimant in connection with the importation of certain hydraulic truck hoists and parts thereof from Canada.

An identical bill, S. 317, passed the Senate late in the first session of the 89th Congress, on October 15, 1965. The bill was referred to the House Committee on the Judiciary which took no action on the bill, and it died in committee.

During the period beginning in April 1956 and ending in June 1959, claimant imported and sold to dealers in the United States farm conversion truck hoists for installation on ordinary 1½-ton trucks used by farmers. Such hoists operated to raise the front end of the truck wagon box so that the load could be dumped out at the tailgate.

Early in 1959 a special agent of the Internal Revenue Service discovered that the quarterly excise tax returns for the periods ending June 30, 1956, through June 30, 1959, had not been filed and the excise tax imposed by the Internal Revenue Code on the hoists sold during those periods had not been paid. The taxpayers sought a ruling that the hoists were not taxable because, first, they were mounted on trucks used only for agricultural purposes; and, second, they were exempt from excise taxes because they were subject to the import tariff. The Internal Revenue Service rejected these arguments as being contrary to the Internal Revenue Code and ruled that the hoists were taxable. Claimant then was heard in the appellate division on the principal ground that the customs duties were improperly collected and as such should be allowed as an offset against the excise tax liability on the basis of the doctrine of equitable recoupment. This claim was overruled and the decision reaffirmed on the grounds that, first, a requirement for free entry as an agricultural implement is that the implement must be chiefly used throughout the United States for agricultural purposes; and, second, available evidence did not establish that these hydraulic hoists with a capacity of 9 tons were chiefly used in the United States for agricultural purposes.

On June 23, 1963, the taxpayer made an offer in compromise of the excise tax liability, including penalty and interest on the basis that there was doubt concerning its liability and it was unable to pay the total assessment. Included with the offer in compromise was a check for $7,961.75, which was tendered conditional upon acceptance of the offer.

During the conferences concerning this offer in compromise, the president of the claimant company stated he had relied upon the advice of an employee of the Small Business Administration, that the hoists were not subject to excise tax if customs duties had been paid on the hoists. On August 30, 1963, the offer in compromise was rejected by the Internal Revenue Service and on October 22, 1963, the check for $7,961.75 was applied against the taxpayer's account.

Later, the Government agreed to concede the 25 percent late filing penalty, amounting to $4,752.80, and this was abated. On December 5, 1963, the taxpayer paid $7,000 which brought the total amount of tax and interest paid to date to $21,542.26 and reduced the outstanding liability to $2,008.96.

The report of the committee, in justifying relief, cites the contents of a letter dated September 13, 1960, from the Small Business Administration, over the signature of Ernest W. Reisner, Chief, Production and Assistance Division, as follows:

> In reply to your inquiry of September 8, 1960, farm machinery and equipment, including farm hoists, for "on farm" use enters the United States from Canada duty free. This does not include, however, food and dairy processing machinery and equipment, nor does it include industrial hoists and materials handling equipment.
>
> Further information on the latter may be obtained from the U.S. Tariff Commission, Washington 25, D.C.
>
> Import statistics on a number of classes of farm machinery and equipment entering the United States from Canada can be obtained from the U.S. Department of Commerce, Bureau of Census, Washington 25, D.C. Farm hoists are basketed with miscellaneous farm machinery and equipment, and cannot be segregated for statistical purposes.

It was contended that on the basis of this letter the claimant understood in the trade that hoists for "on farm" use were exempt; that no one in the Government made any representation in regard to the excise taxes due and that had claimant known there were both duty and excise taxes due on these farm hoists the purchases would never have been made.

The report recommends reimbursement to the claimant for the amount of the customs duties which he paid "after importing the equipment in reliance upon information from an agency of the Government which led him to believe that the equipment was duty free."

The Treasury Department strongly opposes the bill for the following reasons, among others: The only specific evidence in the record of a communication to claimant from the Small Business Administration is a letter dated September 13, 1960, which was long after the hoists were imported. The various reasons given by the claimant for failing to pay the excise tax indicate that claimant was aware of the excise tax and relied upon incompetent advice as to the application of the tax. In 1956 the Internal Revenue Service published "Tax Guide for Small Business," which described this excise tax on automotive parts and accessories. There was no indication that claimant sought advice on this matter from the Internal Revenue Service nor from any other competent tax counsel, notwithstanding that its sales of hoists apparently amounted to almost $250,000 during the years in question. The records available to the Treasury Department indicate that at no time had the claimant contended it was not aware of the 8 percent excise tax on automotive parts. If claimant had disagreed with the classification of the hoists, it could have availed itself of established judicial remedies to contest the determination. Claimant did not do so, and the statutory period of limitations has now expired on any such claim. There was no evidence in this case of any extraordinary extenuating circumstances. Granting such relief in this case constitutes a windfall for the claimant, would discriminate against other similarly situated taxpayers and would create an undesirable precedent.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 86), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to pay to the claimant the sum of $21,376, the amount of customs duties paid in connection with the importation of certain farm machinery and equipment.

STATEMENT

A similar bill, S. 317 of the 89th Congress, was approved by the committee and was passed by the Senate but no action was taken in the House of Representatives.

The bill S. 317 as introduced in the 89th Congress provided for the payment of $40,377.19 which represented the sum of the amounts that the claimant company was required to pay as excise taxes and as customs duties in connection with the importation from Canada by it of certain farm machinery and equipment. The bill in the 89th Congress was the subject of a hearing before a subcommittee of this committee and the bill was subsequently amended by the full committee to provide for the payment only of the amount of $21,376, the amount of the customs duties alone.

Subsequent to the hearing in the 89th Congress the matter was summarized by the Honorable Quentin N. Burdick, Senator from North Dakota, in a letter to the chairman of the Judiciary Committee, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
September 15, 1965.

Re S. 317.
Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR JIM: Testimony was taken in the above matter on May 19, 1965. Briefly, the facts are that the Swanston Equipment Co., a small business in Fargo, N. Dak., acquired some farm hoists from a Canadian company between April 1956 and June 1959. At that time, the president, William M. Swanston, Jr., was under the impression that farm hoists of this type were exempt from duty upon the theory that they were used solely for farm use. I believe the evidence fully substantiates the record.

It appears that after the purchase had been made, Mr. Swanston was contacted by a special agent from the Internal Revenue Service for not only duty but for a 10-percent excise tax. Since the statute of limitations has expired, he used this recourse by way of private legislation.

By letter, dated September 13, 1960, the Small Business Administration, over the signature of Ernest W. Reisner, Chief, Production and Assistance Division, wrote to Mr. Swanston as follows in response to his inquiry of September 8, 1960:

"In reply to your inquiry of September 8, 1960, farm machinery and equipment, including farm hoists, for 'on farm' use enters the United States from Canada duty free. This does not include, however, food and dairy processing machinery and equipment, nor does it include industrial hoists and materials handling equipment.

"Further information on the latter may be obtained from the U.S. Tariff Commission, Washington, D.C.

"Import statistics on a number of classes of farm machinery and equipment entering the United States from Canada can be obtained from the U.S. Department of Commerce, Bureau of Census, Washington, D.C. Farm hoists are basketed with miscellaneous farm machinery and equipment, and cannot be segregated for statistical purposes."

This letter then confirmed what he had understood in the trade to be the fact; namely, that hoists for "on farm" use were exempt. No one in the Government made any representation in regard to the excise taxes due, but it is suffice to say had Mr. Swanston known there were both duty and excise taxes due on these farm hoists, the purchases would have never been made.

I do believe in equity. The Swanston Equipment Co. has a valid claim for the duty paid, which is in the amount of $21,376.

I would, therefore, like to have S. 317 reported to the full committee directing payment in that amount.

With kind regards, I am,
Sincerely,
QUENTIN N. BURDICK.

The committee believes that the bill, as amended in the 89th Congress and as introduced in the 90th Congress, to reimburse the claimant for the amount of the customs duties which he paid, after importing the equipment in reliance upon information from an agency of the Government which led him to believe that the equipment was duty free, is meritorious and recommends it favorably.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to the Swanston Equipment Company, of Fargo, North Dakota, the sum of $21,376, representing the sum of the amounts such company was erroneously required to pay as customs duties in connection with the importation from Canada by it of certain farm machinery and equipment (including farm hoists) during the period beginning October 6, 1956, and ending with the close of May 14, 1959.

ORDER FOR RECOGNITION OF SENATORS FOLLOWING MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the morning business, the distinguished Senator from Arkansas [Mr. MCCLELLAN] be recognized for 30 minutes; that following his speech the distinguished Senator from Colorado [Mr.

ALLOTT] be recognized for 20 minutes; and that thereafter the distinguished Senator from Kansas [Mr. PEARSON] be recognized for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE IN CLEVELAND WHILE POLICE ARE ASSIGNED TO CIVIL DEFENSE DUTY

Mr. YOUNG of Ohio. Mr. President, in reading the front page of the Washington Post this morning, I also noted the headline, "Violence Overtakes a Bestirred Cleveland."

Mr. President, Cleveland is my home city. I have lived there for many years. Many years ago my wife and I and our two little children lived in peace, contentment, and happiness in the Hough area where this violence occurred. Apparently times have changed.

Yesterday violence again erupted in the Hough area in East Side of the city of Cleveland, the scene of violent rioting and destruction last summer. According to this morning's Washington Post, most experts who have taken Cleveland's racial temperature this spring have concluded that the city is again heading for summer convulsions. Dr. Martin Luther King speaking at an impromptu news conference yesterday also included Cleveland among the cities across the country that could "explode in racial violence this summer."

There are symptoms enough for this diagnosis: violence as exemplified in yesterday's fighting, rock-throwing, and window smashing along Superior Avenue from about East 79th Street to the East 105th Street area; anger and tension in Negro poverty sections; increased crime; ugly incidents between police and crowds; and white hostility to improving the Negro environment.

I am hopeful that these gloomy predictions will be proven false, that civic leaders in Cleveland of both races will act responsibly to forestall a tragedy.

Mr. President, daily we read of killings, rapes, muggings, robberies, purse snatchings, and other crimes of violence on the streets of every American city. My home city of Cleveland has had more than its share of these crimes. Now, in addition to these problems and other normal law-enforcement problems, officials of this great city are faced with the possibility—which I fervently pray will never come about—of further racial incidents this summer.

At the same time, in Cleveland the present administration has diverted six employees of the Cleveland Police Department to so-called civil defense duties. These six able-bodied policemen are sitting around doing nothing, just waiting for the bomb to drop. There are five civil defense zone offices throughout the city and a police officer in charge of each zone. At present one such position is vacant. Lt. Theron Eddy is, I am told, in charge of the whole program and his office is in city hall. He has a secretary who is a policewoman. The four police officers presently assigned to his civil defense unit are E. Davison, Jim Foley, William Hertzel, and Gus Zukie.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, their duties ostensibly are to recruit, train, and supervise auxiliary police officers who would augment the local police force in case of a civil defense emergency. They are in no way responsible for volunteer civil defense workers, who have performed outstanding service throughout the Nation when natural disasters occurred. I am informed that these police officers occasionally have extra duties during evening hours, but these duties are also concerned with civil defense and not with normal police functions. For the most part, they consist of giving speeches before private groups and showing propaganda movies dealing with civil defense shelters.

The fact is that their primary activity is to sit around doing nothing, waiting for that nuclear bomb to fall. I am sure that they have filled many filing cabinets with reports of their activities and with the memorandums that they write to each other and to their superiors on the civil defense boondoggle which has already cost the taxpayers of this Nation more than $1.3 billion to no good purpose. They are prone to issue propaganda leaflets and write nice messages to themselves. However, I assert that the citizens of Cleveland are not one whit safer in the event of a nuclear attack by the existence of this absurd civil defense section in the Cleveland Police Department. It is outrageous that five policemen and a policewoman should be diverted from the normal duties as police officers at a time when they are needed for those duties more than ever.

Crime and tension are increasing throughout the city of Cleveland, especially in the Negro slum areas with nearly 100 fires set on one recent night alone. Fifty-nine teachers have been beaten on school grounds since the beginning of the year. Three merchants have been shot to death in slum areas since March 1, and many more were robbed. The formation of white vigilante groups has been reported. City hall has suggested that firemen arm themselves to repel attackers. Fire-bomb threats come in around the clock at police headquarters.

Mr. President, in reading the Cleveland Plain Dealer of Saturday, I was saddened this morning to see the picture of a newly made widow whose husband operated a grocery store in Cleveland, and who was gunned down by robbers of his market.

While all this and much, much more is occurring, it is unbelievable that officials of the Cleveland Police Department have assigned six officers to useless and wasteful civil defense duties. If only one robbery had been averted; if only one life had been saved; if only one act of violence had been thwarted by the addition of these six officers to normal police functions, they would have accomplished immeasurably more than they will ever accomplish sitting around waiting for the bomb to drop.

Mr. President, I cite this only as an example of the crying need in my home city of Cleveland for a more realistic and constructive attitude toward solving the problems facing that city. In itself, the assignment of these police officers to the civil defense boondoggle is indicative of the apathy that exists.

Mr. President, for many years, Cleveland was proud of being the "City of Nations" and was known for its racial harmony. In Cleveland where the 31 members of our city council are elected, and not appointed as are members of the police force, 10 are Negroes. In the cabinet of the mayor of Cleveland, two of the nine directors are Negroes. However, while there are considerably more than 2,000 men on the Cleveland police force, only 137 are Negroes. This, in a city where 33 percent of the population is Negro. Business, civil, and community leaders of both races have taken steps to help correct the conditions that breed poverty, hopelessness, and the indignities of ghetto life. There is still much to be done. We in the Congress also have the duty to enact into law more effective programs to back up and aid efforts of community leaders in Cleveland and other cities of the Nation to provide adequate housing and to eliminate poverty. Unless we do so, there will be further explosions caused by pent-up frustrations, unemployment, and the hopelessness of those living in neglected neighborhoods.

The housing program is too small. The poverty program is too small. The program for slum schools is too small. It is not the riots in the slums but these lame and inadequate programs that are the real disgrace of the richest nation on earth.

In part this is due to the tremendous cost of our involvement in the miserable civil war in Vietnam—a little nation less than half the size of some of our States and of no importance whatever to the defense of the United States.

To continue this war means that the desperate social problems we face at home will remain neglected. Instead of rebuilding our cities, we are burning Vietnamese villages. Unemployment, ghetto housing, the urgent need for more hospitals and schools—all these must wait while we destroy Vietnam. In their place we will have inflation and higher prices, higher interest rates, a more intensified gearing of our economy to military needs, and all the other economic and social ills that have afflicted our land as a result of the war in Vietnam.

It is clear that the elimination of slum misery will require new programs and much money. We as legislators must act with determination in providing the wherewithal to erase conditions in slum neighborhoods which give rise to the ugly rioting which racked our cities last summer. We must be determined in this task. The handwriting is clearly written on battered walls of Cleveland, Chicago, and other great cities of our Nation.

At the same time, city officials must clean house and immediately do those things that can be done at no cost to taxpayers to help avert violence and crime. I assert that in the city of Cleveland the first small step can be taken by removing those police officers assigned to civil defense duties and placing them in jobs where they can help protect the citizens of Cleveland and help avert further disorder. This should have been done long ago. It will not cost taxpayers one cent. It will not in any way decrease the security of the citizens of Cleveland. On the contrary, it will save taxpayers' money and add to their protection. It is high time that officials of the Cleveland Police Department, and the mayor of Cleveland, woke up and the same is true of police departments and mayors in any other American city where the services of trained police officers are being completely wasted on ridiculous, wasteful civil defense programs. It is an act of folly to divert police officers from their normal duties to protect the people.

SOVIET WAR MATERIAL TO NORTH VIETNAM

Mr. COTTON. Mr. President, the Washington Evening Star of April 13 contained a column by David Lawrence entitled "Overlooking the Obvious on War." I ask unanimous consent that the article appear in the body of the Record at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COTTON. Mr. President, in this article David Lawrence points out that Associated Press and United Press International dispatches have informed the country that the Soviet Union and Red China have reached an agreement to assure the steady flow of Soviet war materials to North Vietnam. He alleges that even after this news became known, the State Department is urging Congress to pass measures to expand our trade relations with Communist bloc countries. He insists that our biggest mistake in conducting international affairs is the tendency to ignore realistic facts and "overlook the obvious."

Mr. President, the able Senator from Washington [Mr. Magnuson], chairman of the Commerce Committee, and the able Senator from Kentucky [Mr. Morton], a minority member, have joined in announcing hearings before this Committee on East-West Trade. As the ranking minority member of that committee, I hold both these Senators in high regard and have a profound respect for their opinions. In embarking on these hearings, I know they are motivated by a sincere desire to learn what is best for our country, even though there is some question in my mind as to the timing of such hearings.

In the statement accompanying the announcement, I note this observation:

> East-West Trade is a fertile field for American commercial consideration and a fertile field for controversy and myth-making.

Mr. President, it is no myth that we have nearly half a million Americans under fire in Vietnam. It is no myth that weapons and supplies of many kinds are being furnished by the Communist bloc countries to defeat and destroy American military forces. It is no myth that it is next to impossible to differentiate between strategic and nonstrategic materials in time of war.

Though I have some doubt as to the effect of publicized hearings on this subject at this time, I have no doubt whatsoever that there should be no such trade expansion until the shooting stops. I regret that the President already, by Executive order, has somewhat expanded our trade with our virtual enemies. I agree with Mr. Lawrence that we are ignoring facts and overlooking the obvious.

When these hearings are held, I hope and expect that there will be many witnesses who will oppose East-West trade expansion until hostilities in southeast Asia are terminated.

Exhibit 1

Overlooking the Obvious on War

(By David Lawrence)

The biggest mistake made in conducting international affairs is the tendency to ignore realistic facts and "overlook the obvious." Associated Press and United Press International dispatches from Washington have just informed the country that the Soviet Union and Red China have reached an agreement to assure the steady flow of Soviet war materials to North Vietnam.

Even after this news became known, State Department officials were urging Congress to pass measures to improve trade relations with Communist-bloc countries in Eastern Europe.

Yet the government's own intelligence sources abroad have reported that "some sort of tripartite understanding" has been reached between Hanoi, Peking and Moscow. Whatever their ideological differences, they now have to come to the conclusion that they must stand together against the United States.

The North Vietnamese have been getting small arms and light equipment from China for some time, but they depend on Russia for such items as MIG jet fighters and antiaircraft missiles. Most of these supplies are going by sea, but some of the more important items connected with missile operations are being shipped overland.

According to international law, every nation may trade with either side in a war but takes the risk of having its trade interrupted and war supplies sized and confiscated as contraband.

The United States has taken no steps to halt Russian vessels or the ships of any of the other countries which are steadily moving in and out of the port of Haiphong. The obvious fact is that Red China and the Soviet Union are helping to kill Americans in Vietnam and are preventing the Hanoi government from entering into peace negotiations.

Sen. Bourke Hickenlooper, (R-Iowa) said during the hearings of the Senate Foreign Relations Committee on Tuesday:

"It appears we have fooled around too long, and now the Russians and Chinese are getting back together on logistic support for North Vietnam."

All this is making American military men more and more unhappy about the way their operations have been restricted. Certainly the bulk of Soviet support which is going by sea—particularly all the oil as well as deckloads of military trucks—could be prevented from being landed at Haiphong. Also, supply lines north of Hanoi could be bombed. If the armed services of the United States are not given the right to fight the war as it should be fought the conflict in Vietnam may go on for years.

One point being raised by opponents of a blockade is that no actual state of war has been declared by Congress. But there are many precedents in international law for the interception of arms and munitions without any declaration of war. As recently as 1962, during the Kennedy administration, the United States Navy stopped and searched Russian vessels which were suspected of carrying equipment for the Communist missile bases in Cuba. Congress had not passed any resolution specifically authorizing this action.

Similarly, during the Korean War, although the Congress of the United States had not declared a state of war, the United States Navy was employed along the entire Korean coast to prevent any kind of sea traffic from reaching the northern part of that country, which was held by the Communists.

The Vietnam casualties are continuing to mount. Military men privately are expressing concern that they should be expected to win a war without being given the right to employ essential military tactics—namely, to bomb all supply lines of the enemy and intercept at sea any shipments of war materials.

What is puzzling is that the Congress of the United States has not taken cognizance of the Soviet and Red Chinese activities in supplying war materials to the Hanoi government. There are many members who feel that a resolution condemning the action would be a warning to both Red China and the Soviet Union. It would tell them that all the conventional weapons and tactics of war would be employed to stop assaults against the American Army and Allied troops as they seek to protect the territorial integrity of the Republic of South Vietnam.

THE DANGERS OF EXTREMISM

Mr. YOUNG of Ohio. Mr. President, on April 6, 1967, the distinguished senior Senator from Pennsylvania [Mr. Clark] made an outstanding speech, entitled "The Dangers of Extremism," before the biennial convention of the National Women's Division of the American Jewish Congress, at the Mayflower Hotel in Washington, D.C.

In his incisive remarks our colleague pointed out how extremism breeds on alienation and how the problem of alienation is tied up with both our wars—the war on poverty here at home and the civil war in Vietnam, which we have allowed to become an American war. He clearly and concisely showed that if we fail to win the war against poverty, the Nation can look forward to a progressive estrangement of rich and poor, and of black and white. Also, if we fail to end the war in Vietnam, the prospect is a similar one; those who believe in a military solution will become more extreme in their belligerence, while those who oppose the war will be driven toward more dramatic demonstrations of their dissent.

Mr. President, I commend this outstanding speech to my colleagues and ask unanimous consent that it be printed in the Record at this point as part of my remarks.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Dangers of Extremism

(Remarks of Senator Joseph S. Clark, Democrat, of Pennsylvania, before the biennial convention of the National Women's Division of the American Jewish Congress, at the Mayflower Hotel, Washington, D.C., April 6, 1967)

Three years ago at the Cow Palace in San Francisco the Republican Party virtually split itself down the middle over the issue of "extremism," while the nation looked on in fascination, disbelief, and a grain of horror—and in some of us, as practicing politicians of a different political persuasion—a measure of smug satisfaction as well.

Since then there has been far less talk about those far out on both ends of the political spectrum. Yet in my judgment the threat of extremism is far more acute today than it was three years ago. What has happened to make this so?

The central fact of American life today is the war in Vietnam. As this war is escalated day by day in our pursuit of an ever elusive total military victory which will bring the Viet Cong and their Northern allies cringing to their knees, the price we must pay for this questionable glory steadily rises.

The costs are heavy and I shall not take your time to recite them here. We are paying every day in the relative inattention of our leaders to the problems of our own society, because of their absorption in the problems of Vietnam; in the drag the war places on our efforts to make meaningful progress in establishing that detente with the Soviet Union which is so essential to peace and to the well-being of the peoples of both countries and the world; and of course, in the tragic killing and maiming of our own precious youth, as well as the tens of thousands of Vietnamese, North and South, civilian and military, old and young, who are the direct human casualties of the war.

But perhaps the highest price of all is the brutalization of our own society which the war is causing. Primitive instincts for combat have been revived by the daily statistics of the number of Viet Cong and North Vietnamese troops killed in the last 24 hours. Watching the war on TV has become a popular spectator sport. Seeing young men killed and old women burned is commonplace in the living rooms of millions of Americans. Clamor in the country for "getting it over with quickly" by unleashing the full force of our military strength—including nuclear weapons—rises daily.

In short, the United States is in danger of catching war fever because of our exposure in Vietnam. So far, we have just had a touch of it. But if the case gets more serious—and I fear that it must unless we are able to achieve an honorable negotiated settlement before the escalation goes much further—it can produce long-range crippling effects on our society.

For the fact is that belligerence abroad and extremism at home go hand in hand. Intolerance is the ugly handmaiden of war—intolerance of those who dissent from the goals of the war and the manner in which they are pursued, intolerence of those who feel that there should be more emphasis on negotiations and less emphasis on military aggressiveness.

How different is this from the kinds of intolerance which have kept the American Negro out of the mainstream of American life for 100 years after the winning of the war which was supposed to bring "freedom?" How different is this from the subtle anti-semitism—and sometimes not so subtle—that still hampers and entangles Americans of the Jewish faith? How different is this from the hostility with which Catholics are sometimes regarded in certain rural parts of this country?

I certainly do not mean to suggest that those who most strongly advocate military victory in Vietnam—at whatever cost—are necessarily bigoted, or that those with the strongest racial and religious prejudices are also necessarily ultra-hawks. But I hope you will excuse me if I wonder aloud about whether there is any significance in the fact that the part of our country which has been most culpable in the field of civil rights and equal opportunity—the states of the Old Confederacy—is also the part of the country which is most vociferous in its support of measures to "win the war in Vietnam."

The interconnection between belligerence and extremism is not limited to the war in Vietnam. We had a good example of this in the Senate not long ago in the debate over approval of the Consular Convention with the Soviet Union, which I am glad to see has now been signed by the President.

This Convention is a modest step in the direction of establishing normal relations between the world's two greatest powers. In many ways it will work to the advantage of this country. Our society has traditionally been an open society; Russia's has been closed. Consequently, any steps that further open up Russia to the penetration of Western influences are a clear gain for us.

Nevertheless a massive campaign against the Consular Convention was mounted by the organized forces of the Extremist Radical Right. A somewhat unhelpful statement by the Director of the FBI—to put it mildly—was seized upon to generate an hysterical spy scare, and used to whip up unsophisticated and easily deluded people against the Convention.

The results could be felt all over Washington. At one point during the debate my mail from constituents in Pennsylvania was running nearly 100 to 1 against the Convention. The principal themes in this mail were fear, mistrust, and suspicion. Fear—that, in Khrushchev's unhappy phrase, the Russians are out to "bury us" and are well on their way to succeeding. Mistrust—that the Russians would lure us into signing a treaty, planning secretly to break it themselves. I don't know how many times I've seen the words, "You can't trust the Russians," in mail of this kind, generally used to preface the assertion that the Russians have broken every treaty they have ever signed—a gross historical inaccuracy. And suspicion—that the other side is out to get us, in some Machiavellian way we have not yet figured out, and that there are concealed traps secreted away in the innocent seeming language of the Convention.

I have seen these themes before. Four years ago when the Congress was struggling to pass the Omnibus Civil Rights Bill introduced by President Kennedy, Congressional offices were flooded by letters expressing fear of the growing Negro participation in this country's communal life, mistrust of the Administration's motives in proposing the bill, and suspicion of its effect on our Constitutional scheme. And last year we saw them again in the avalanche of mail directed at President Johnson's Fair Housing Bill.

There is another dimension to this problem which is related, but subtly different. Bigotry, it seems to me, is merely a species of callousness. What makes prejudice work—if that is the way to say it—is the inability of the prejudiced person to identify with the victim of his bias as a brother human being.

It is this very failing which has made it possible for the affluent majority of this country to ignore and neglect the 35 million Americans who live in poverty today. One writer has described them as "the invisible poor." That is too flattering to the rest of us. They never were invisible; we just refused to look at them. We built our superhighways and expressways over and around their ghettos and the people in them so that comfortable, middle class Americans could ride back and forth to their homes in the suburbs complaining about the crime wave on their way without having their eyes opened and their consciences strained.

I think it is safe to say that the days of ignorant neglect of the poor are over. If the launching of the War on Poverty by the Johnson Administration does nothing else—and I am one who believes that it can and must do much more—it will at least have educated us to the problem. If we are foolish enough, or heartless enough, to turn our backs on the poor today, it will not be in ignorance but in deliberate callousness.

And here again the link between attitudes toward events abroad and attitudes toward events at home is discernible. The hallmark of the Radical Right is that it is "know nothing" on international issues and "care nothing" on domestic issues. The same tunnel vision which blinds it to the need for arms control and disarmament measures to lessen the danger of war prevents it from seeing the need to make the necessary investments to halt the blighting of millions of American lives.

Fortunately this negative point of view is not widely held. The Senate Subcommittee on Employment, Manpower, and Poverty, which I Chair, recently completed its first week of hearings on the antipoverty program. Competent witnesses agreed that the $2 billion which the President has recommended for that part of the War on Poverty administered by Sargent Shriver's Office of Economic Opportunity is entirely inadequate even though it is a 20% increase over what the President got last year. Programs all over the country have already been cut back. This summer things will be worse. Mayor Cavanagh of Detroit, President of the United States Conference of Mayors and former President of the National League of Cities, testified that a minimum of $3 billion would be required to keep the program moving ahead. Other responsible witnesses put the figure at $4.5 billion.

Representatives of the poor, directors of community action agencies, Erwin Canham, Chairman of the Task Force of the United States Chamber of Commerce and Andrew Biemiller, representing the AFL–CIO, all agreed that we have barely scratched the surface of the poverty problem in the United States. Sargent Shriver has stated that of the 35 million Americans now living in poverty, Office of Economic Opportunity programs have had some impact on only 4 million. How much of an impact we don't yet know. Many of the witnesses were critical of the operations and administration of the poverty program. But not one undertook to recommend that we make peace with poverty by quitting the war.

It is clear, of course, that Federal money alone will not solve the problems of poverty in the United States. There are many other complicated technical and human reasons why we have not done better than we have. But without adequate funding a real program is impossible. And because of the war in Vietnam—and the mood it has created in the Congress and the country—I frankly despair of securing adequate funding.

We are just getting under way with our investigation of the poverty program. On Monday I shall be in Jackson, Mississippi, to open a tour of ten states from which we hope to gain helpful information about the plusses and minusses of the War on Poverty as it is being fought in the field. We must find out what is wrong and what is right with its operations, so that we can do our part in making all the programs more effective.

All this may seem remote from the problem of extremism, yet I submit that it is not. For extremism breeds on alienation, and this problem, the problem of alienation, is tied up with both our wars—the one here at home against poverty, which we must win; and the one in Vietnam, which we must end.

If we fail to win the war against poverty, what we have to look forward to is the progressive estrangement of rich and poor, and of black and white. If we fail to end the war in Vietnam, the prospect is a similar one; those who believe in a military solution will become more belligerent, while those who oppose the war will be driven into more extreme positions and more dramatic demonstrations of their dissent.

Let me stress here that our concern cannot just be with extremists of the right. All forms of extremism constitute an attack on the fabric of our democratic society.

I wonder how many of you saw Art Buchwald's excellent column of last week on the problem of free speech. Mr. Buchwald's touch is light, but his pen is sharp. His subject was his visit to a mythical institution called the "Sitdown Institute of Technology" to confer with an organization called the "Students for Utterly Free Speech and the Preservation of Democratic Institutions Through the Exchange of Ideas Movement."

He asked the group's spokesman what the purpose of his organization was. "Our main purpose is to keep speakers who come to college campuses from speaking," he was told.

"If you are for free speech, why don't you let the speaker say what is on his mind?" he asked.

The spokesman answered, "We're not for free speech for the speaker. We're for free speech for ourselves. We demand the right to interrupt anybody any time he opens his mouth. Our members don't want to sit around listening to people make a lot of speeches all day. They like action. That's why they joined the Free Speech Movement. We prefer to boo and shout a lot. It gets rid of our hostilities."

What Buchwald is saying—without using a sledgehammer—is that free speech is just as dead, whether it's murdered in the name of free speech or for some other cause. I don't know if there is anyone here who has personal memories of the Nazi bully squads that spelled the end to free speech in Germany in the 1920's and 1930's with their shouting, violent breaking up of meetings. If there is, I wonder what she must think of the shouting outburts which have prevented speakers from being heard on some of our college campuses.

Up to this point I have been talking only about extremism in this country. Before I conclude I would like to add a word or two about matters abroad.

Last fall I went on a four-week study mission for the Senate Foreign Relations Committee which took me to Eastern Europe, the Soviet Union, the Middle East and Israel. I came back with the conclusion that there are three widely separated areas of conflict in the world, in each of which there is either violence in being or violence in prospect—violence which could erupt into a wide war with unforeseen, and unforeseeable, consequences.

One of these I have already mentioned: Vietnam. The other two are Germany and the Middle East.

All through Eastern Europe and the Soviet Union I found a widespread concern about the danger of a militarily resurgent Germany. The losses suffered at the hands of Germany—particularly by the Russians, Poles and Yugoslavs—have caused a mistrust and fear that 20 years of peace have tempered but not ended. This fear has given some Eastern European governments a powerful hold on their people. It has also apparently affected attitudes toward the United States, for it is felt that we, in the name of anticommunism, have rearmed Germany.

Although I have read in the press, as you have, disturbing reports about an apparent rise in neo-Nazi and right-wing political activity, it is hard to know how much significance to place on them. I do have a good deal of hope, however, that West Germany's new coalition government, headed by Chancellor Kiesinger, and with Willy Brandt as Foreign Minister, will be able to produce a cooling and settling of the domestic political climate. Then, perhaps, it will be possible to proceed toward the goal of removing forever the fear of another German war of aggression, through the negotiation with all parties concerned of a general and complete disarmament agreement which would allow for Germany's peaceful reunification. Germany must never threaten the world's peace again.

The situation in the Middle East is doubtless familiar to everyone here. Israel, ringed about by Arab enemies and with its back to the sea, has been in a virtual state of siege since its creation. Although Nasser's egotistical belligerence cannot be discounted, the principal threat to peace in the Middle East, it seemed to me, lies in the Arab refugee camps which are situated in Jordan and along the Gaza strip. These camps are breeding places for hate and revenge against Israel; over half the able bodied men in them are unemployed. Their children are daily subjected to a vicious hate campaign against Israel. These camps are the main recruiting ground for the so-called "Palestinian Liberation Army," which, although it poses no great threat to Israel's security in itself, is capable of provoking a war in which others would carry the brunt of the fighting.

Clearly the time has come to abolish these seething nests of anti-Israeli extremism, by taking steps to bring about the assimilation of these refugees into the national life of the various countries of the Middle East—and I do not exclude Israel. It is very much in Israel's interest to see to it that these people are given a chance to start a new life under conditions which would permit them to become stable, law abiding citizens of the community in which they would settle.

Meanwhile we must work to bring about general arms control and disarmament for the Middle East to put an end to the arms race and permit all the nations of that troubled region—Jew and Arab alike—to turn their energies to the task of creating a better life for their people. But until that goal is realized, let no one be mistaken: Israel is here to stay, and the United States stands ready to guarantee that.

If I am right in my basic assumption—that extremism on foreign policy matters and extremism on domestic matters are two sides of the same coin, then our job is not harder, but easier. As we work to substitute international cooperation for international conflict in our dealings with other nations, we shall be helping to create a climate here at home where conflict between groups—rich and poor, Negro and white—will give way to conciliation and cooperation. Every step we take toward a more peaceful world is likewise a step toward a more unified and prosperous America, and every tension we can relax on the international scene will make possible the further relaxation of tension in our own society.

We must therefore resolve to renew and intensify our efforts toward the eradication of the fears and suspicions which divide us from our fellow citizens, and our nation from our fellow nations, wherever they occur, and whatever the issue—civil rights or disarmament, East-West trade or the War on Poverty—so as to put an end for all time to the menace of extremism in America.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MISSION OF MRS. HUBERT H. HUMPHREY

Mr. BYRD of West Virginia. Mr. President, the Sunday, April 16, issue of the Washington Post Potomac magazine, reported an interview here in Washington, D.C., between a reporter for the Post and Mrs. Hubert H. Humphrey, wife of the Vice President of the United States, under the title "The Mission of Muriel Humphrey."

The sympathetic and informal treatment given to Mrs. Humphrey's personally dedicated mission to publicize the problems of mental retardation, as developed by the interviewer, Vivian Yudkin, has made this a very readable and appealing article. Mrs. Humphrey, whose personal charm and many capabilities are well recognized by Americans throughout the Nation, has opened new vistas through her efforts to enlist public participation in improving the opportunities for greater advancement for mentally retarded American youths. Her own family situation, approached in the constructive spirit which is typical of Mrs. Humphrey's efforts throughout her life, has given the impetus for her mission—that of enlisting others to join her in her cause, one that offers great hope to a much larger segment of our American people than perhaps many realize.

I ask unanimous consent that this newspaper article be printed in the RECORD.

There being no objection, the newspaper article was ordered to be printed in the RECORD, as follows:

THE MISSION OF MURIEL HUMPHREY

(By Vivian Yudkin)

Muriel Humphrey is exactly on time for her appointment. As she enters the living room of the Humphreys' Harbour Square apartment her bright turquoise dress is outshone only by the dazzle of her intensely blue eyes. They are somewhat wary but at the same time they are the eyes of a totally assured woman.

She has the sturdy, stolid bearing of a pioneer woman. Her handshake is firm and matter-of-fact, familiar with the palm of the public. But at the same time, the curiously small hand is enigmatic—there is another Muriel Humphrey.

Her executive assistant and press secretary, Betty South, with murmuring Idaho voice and soft blonde slipping hair, seats herself—at Mrs. Humphrey's invitation—neatly at the end of the long curving couch. Mrs. Humphrey, bolt upright in the center of the couch, turns to the respectful maid. "Yes," she says, and nods for coffee. Her silvery hair glistens like buffed pewter, her fresh country-girl skin is ruddy with expertly applied makeup plus the Washington March wind she has just left. Now she waits. She is feeling her way into what is expected of her, and she is primarily a lady of action. Her strong pink arms, the poise of her newly coiffed head, the vigorous thrust of her body towards the coffee cups say, Let us proceed!

She pats a stack of letters at her side, all from people who have seen her on television—the Mike Douglas Show—with her eldest granddaughter, six-year-old Vicky Solomonson. Vicky, the daughter of Nancy and C. Bruce Solomonson of Minneapolis was born a Mongoloid child on election night 1960, and the lifting of the veil of mental retardation has become for Muriel Humphrey the most absorbing promotional interest of her public and private life.

She wants very much to begin the interview by reading from the stack of letters, but she is so anxious to talk about Vicky that she almost forgets the letters. Her voice, richly resonant, hesitates then plunges all at once into talk. It has made its decision and will not go back. But from time to time she administers a little pat to those letters there at her side, as if they were a household pet which needs reassurance that it is not forgotten. Mistress is still here, soothes the hand, your wants will be attended to all in good time, in a moment.

The energy and excitement of her project bursts from her like flame from a log. It is impossible not to become swept up into it. Muriel Humphrey, wife of a Vice President, the first ever elected to the President's Committee on Mental Retardation, (and this election was one of her own choosing, was in fact, her own idea) is raring to go.

She is talking now about Vicky and her affliction, one which affects the lives of half a million babies born annually, and what she is saying has been repeated scores of times by Mrs. Humphrey to the press, in magazines, to TV viewers, in public speeches and on her trips abroad in the past few years. Yet the words come forth as newly minted as if she herself has never heard them before.

It is apparent that she is a pretty woman and enjoys it, feminine, too—in a way more youthful than expected. She touches her new hairdo, obviously enjoys her bright dress from whose hem a silky beige slip protrudes as she moves. Her smile is one she gets a great deal of pleasure from herself, but the essential quality of her character is her lack of neurosis. And she has no tiresome mannerisms. It is this which has caused her to be classified as unsophisticated by so many, but this is hardly the case. Muriel Humphrey today knows exactly who she is, what she stands for, what her abilities are, what her best points are, and what she wants.

She recognizes these without any excuses or subtleties and when, as in the case of her granddaughter Vicky, she espouses a cause with all the intensity of her will and finely-honed discipline of purpose, there is no question of her success. She talks about her daughter, Nancy. "Nancy's pretty," she says, "a little fat . . ." (she pauses, laughs extenuatingly). "Nancy's shy."

Muriel Humphrey's brows come together in a shade of puzzlement, wonderment at this, her own daughter's shyness. Whatever shyness *she* undoubtedly felt in the beginning of her public life has been relentlessly weeded out of herself, by herself. When Vicky was only 5 months old it was a torment for Nancy Solomonson to go anywhere with Vicky, even to cross the street to the store with her. "I," said grandmother Muriel, "*I* used to wheel that baby around in her carriage, take her to the store, chat with people I knew. *I* liked to show off that baby she was so sweet!"

Then she pauses for a moment, thinking. She laughs again, a shamefaced laugh like a schoolgirl caught out of bounds by a teacher. "I was ignorant," she says, "Oh well, no, not ignorant but innocent, you can call it that. I simply didn't understand how Nancy felt in the beginning. All my four children were healthy children. You see, all I ever had to worry about were the usual things like ordinary illnesses, measles and mumps. It took me a long time to understand Nancy. I simply couldn't understand her at first. But that's what you have to do, you have to learn to feel your way into what the other person is feeling, what the mother is feeling, what Nancy went through."

She leans forward with the discovery of what she has found out dawning on her all over again. Feeling her way into things isn't really Muriel Humphrey's way. Her way is to take hold, to do, to act. But in the case of the family tragedy, feeling was called for first, so feeling is what she has achieved. She nods rapidly. Yes, she's done it, she's accomplished it, it came off. She appears delighted with the fact that she has faced and is facing still another challenge and has mastered it. When the child was born it was known from the very first day that she would be one of the "special ones."

"Why," Mrs. Humphrey says, "I would have taken that baby, I would have cared for her if Nancy and Bruce had wanted me to, if Nancy had felt she couldn't have managed. It isn't easy." She shares the distress of her family with you generously, with the total absence of self-pity which is at the core of her pithiness. "But it has to be lived with and it must be done!"

She slips into the public cadences of her position quite often, as easily as slipping on a glove. She herself is not aware these are public cadences any more; she utters these remarks with the same sincerity as when she tells of having to keep rubber panties on Vicky all during the recent February tour when Mrs. Humphrey and Vicky appeared together to publicize mental retardation.

"They . . . Vicky," says Mrs. Humphrey, "don't have the same level of response to physical needs . . . or to hurt . . . as the others . . ." She says this with an air of confiding intimacy and then adds in precisely the same way "my strong feeling is that we must realize that these children have every bit as much right to as nearly normal an opportunity as possible. The Congress should make more money available to build schools, to do more research . . . I am aware of the problems these children make in a family and it is not always possible to keep the child at home . . ."

Then she slides back into the personal talk in the exact bright, lively, unhurried tone of the public statement. "Vicky might have to go away one day," she says, her eyes looking off, "not now, but in a year or two say, for the rest of the family's sake you know" (and then the public words crowd in, willy-nilly). "That's why special schools must be built, even for part-time going away, or for the summer so that the parents and the rest of the family may have some time to themselves and allow the child to be with it's own kind."

There is a large television set in front of the couch. Mrs. Humphrey places her coffee cup on the tray and looks at the empty TV screen. "There was a program on the mentally ill last night," she recalls. She is about to relate this to her project, there is a visible struggle, then she gives in to an instant of enjoyment. "And oh my goodness," her voice comes with a rush, "some nights you just sit in front of TV and it's absolutely dead and last night we had *Mark Twain* and *Brigadoon* and the program on the mentally ill to choose from . . ." Her laughter at the vagaries of TV programming is rich with pleasure. She pauses.

Through the apartment windows directly ahead of us the midwinter Potomac River, its waves turned back by the wind, stretches up to Woodrow Wilson Bridge. To the right there are dank dripping tree branches and in the distance the White House and Arlington Cemetery. The view is melancholy.

Was it Muriel Humphrey's idea to bring little Vicky to Washington to appear publicly on programs which deal solely with the problems of mental retardation?

"Oh, we all talked it over in the family," Mrs. Humphrey says, veering around firmly. Did Nancy Solomonson mind? "Nancy doesn't mind it a bit."

Others in the family are becoming involved in Vicky's affliction now. For example, Donna Erickson Humphrey married in Minneapolis in August, 1966, to son Robert Humphrey is at this time studying how to teach retarded children. In fact, Mrs. Humphrey arranged a party for Vicky and her classmates at the Louise Whitbeck Fraser School for the Retarded to be given the day after Donna and Robert were married at the Humphrey home in Waverly, Minn. The green and white tents, the same tables and chairs left there from the wedding festivities, even the half-eaten wedding cake were used for the children. Douglas, another Humphrey son, helped entertain the children. The Vice President piloted them about in a pontoon boat. Mrs. Humphrey wrote about this party in an article for the Minneapolis Tribune. So perhaps it is due to Mrs. Humphrey's energetic skill in bringing Vicky into the foreground of the family's life as well as into the public consciousness that Nancy "does not mind."

Betty South, neatly and quietly in her corner, her hands on her lap, occasionally breaks in with a suggestion. "Oh yes, clothes," Mrs. Humphrey gives a little exclamation of gratitude at being reminded. "Of course," she says, with a renewal of energy, "some of the children at Vicky's school don't always appear as if anybody at their homes gave a thought to how they *look*, and this is so important!" Vicky Solomonson is assuredly "given a thought to."

"She's always dressed so prettily, little plaid dresses, her hair's always curled, some of the other little girls have their hair chopped OFF" (Mrs. Humphrey draws down her mouth in amazement) "and their *teeth*, it's so important about their teeth. They have teeth like . . . well, so often, the teeth, and they can't breathe properly you know . . . it's so important to have the teeth taken care of, straightened, so that when they look in the mirror they won't, well, *recoil*, they do know how they look you know, they do respond, I've seen it in Vicky's eyes and I've talked to the dentists and I've told them how necessary it is for them to work towards the care of the teeth of the retarded and *of course* they've promised me they will. I say to them, Dentists, do something . . ."

She adds suddenly, "Those dentists must be made aware. Everybody must be made aware." She is not going to put down her hoe until every man, woman and child in the U.S. is made aware. "They must not be shunted aside, laughed at by their neighbors, pushed into a corner by the Congress."

How could it be otherwise?

But what about Vicky?

Does Vicky mind being in the public eye? Could Vicky mind? Or indeed does Muriel Humphrey mind, in the case of her granddaughter?

"It's fun," she says, "Vicky and I had more fun!

"At first Nancy thought she ought to come along on this last trip with Vicky, but I said Nancy you don't like plane rides and you don't like to appear in public, why put yourself out to do two things you don't want to do? And Mike Douglas asked me that in his studio. He's a very nice man. When Vicky was playing with her puzzle set in the corner he asked me, does Vicky mind? Mrs. Humphrey do you think Vicky feels unhappy at such exposure?"

The diamond-blue eyes are genuinely perplexed for an instant, then they smile. "Vicky had a wonderful time, after all she was with *me*, someone she trusted. And when she went to the White House for lunch, why, going to the White House is enough to shake the poise and sophistication of *anybody*, let alone a child . . . I wanted the Johnsons to meet her, I wanted them to see what she is going through and you know how it is you hear about it and it's never the same as when you actually see it . . . and they did see it, the way it really is," she said "you have to see it to know what it's really like."

So she is a lady with a mission and nothing is going to deflect that mission until every nook and cranny of the problem has been aired, examined, given a thorough housecleaning. The stories of Muriel Humphrey's early days are remembered. This is that same Muriel Buck of Huron, S.D., whose father failed in venture after venture in his efforts to keep going in the Depression years.

This is the self-same "Bucky" (as Hubert Humphrey called her in 1936) who worked as a biller, got up at dawn each morning to make sandwiches which Humphrey sold to his fellow graduate students at Louisiana State University. The same Muriel Humphrey who cared for three young children (the fourth had not yet arrived) and who earned money mowing lawns and managing a small apartment building to help pay off $1700 of the first Humphrey campaign bills, which the Humphreys first thought had already been paid by his supporters. So the determination to win, to beat the enemy is not new, nor are the methods of winning. Muriel Humphrey, today, has her same "let-us-now-be-up-and-doing" attitude as always which says "While one is alive and able to draw breath one is able to do *something* about the situations in life. It's absolutely un-understandable that people are not able to achieve what they want to achieve once they put themselves into it . . . with all their souls and with all their mights!"

In a curious kind of a way, this newest and most fierce of all of Muriel Humphrey's campaigns is a personal one. It's a painkiller, and this is the kind of pain which will live and grow by the minute, by the hour, and day. She's new to this type of adversary, the kind which does not depart even though Vicky is home in Minneapolis after her tour and may not return to Washington until late summer. But "it isn't certain," "the summer is coming . . ." and "the family house at Waverly is just wonderful for Vicky, she has so much more room there," and back she goes to the whole topic.

She can no more keep away from it than a bee from clover. Call it self therapy, call it expiation, call it a kind of search for peace, one thing is certain: Muriel Humphrey won't stop in her cause of "making people aware" of the kind of suffering Vicky and those like Vicky unknowingly inflict on their families. And in sharing that suffering with the public, as Muriel Humphrey wife of the Vice President, she is continuing what she has always done—that is, converting a personal goal into a public inspiration.

THE TWO WARS OF VIETNAM

Mr. BYRD of West Virginia. Mr. President, all Americans are very well aware of the war of bullets and bombs being waged every day in South Vietnam as American and South Vietnamese soldiers, sailors, marines, and airmen strive to bring peace and protect freedom in South Vietnam against the North Vietnamese Communist regular troops and the Communist Vietcong irregulars.

We have often heard of the "other war," by which we refer to the pacification efforts in the villages. But there is still another Vietnam war that is being waged, and it is being waged daily here in the United States and inside other democratic countries allied with or traditionally friendly to the United States. It is a war of propaganda; it is a psychological war. It is being waged by an irresponsible group of people whose adherents range from fanatic leftist extremists to the lunatic fringe that is always to be found in times such as these. Undoubtedly, too, there are some innocent people in this irresponsible group, but it is going to be more and more difficult for innocent people to be a part of a group that denigrates our President and our Vice President, that burns the American flag in a public demonstration, and that, increasingly, seems to be led—if the photographs in the daily newspapers are any guide—by bearded hooligans who could well do with a haircut and a bath.

The demonstrations in New York City and in San Francisco on Saturday, April 15, went a long way toward showing that the main purpose of the other Vietnam war is to harass the President of the United States, to hold up American policy to ridicule and contempt around the world, to attack the morale of our fighting men in Vietnam, and, above all, to stay the hand of the United States in its efforts to contain the march of world communism. If American public opinion can be so brainwashed or so intimidated that it will ask that we get out of Vietnam, then Communist aggression will feel perfectly free to go on the march from South Vietnam, in southeast Asia, to Berlin in Europe, and around the vast continents of Africa and South America.

The case has been put very well by the head of a small country in southeast Asia. The Sultan of Brunei—in a newspaper interview on April 10, 1967—said that the war in South Vietnam "is not just a question of southeast Asia but a question of defending what is good against what is evil." He went on to say that he hoped the United States would stay in that part of the world in order to be able to protect "the small nations here so that they may live in peace and harmony." [1]

But the peaceniks and Vietniks who demonstrated in New York and San Francisco are really not interested in a true peace with justice. Rather, they are interested in the creation of a climate of hate and of fear. Can anyone seriously believe that demonstrators who chant "Hey, Hey L.B.J., How Many Kids Did You Kill Today?" [2] have anything but hatred in their hearts? How can such hypocrites dare to tell the American people that they are really devoted to the cause of "peace"?

And what is one to say of Nobel Peace Prize winner, the Reverend Dr. Martin Luther King? The Associated Press stated that he "led the east coast rally while his wife was with the west coast demonstrators." [3]

Another of the leaders of the New York demonstrations was Stokely Carmichael. He was quoted as having called the President of the United States a "buffoon," and I saw him on television when he so referred to the President. Carmichael then went ahead to sabotage American national security by inciting his listeners to resist the draft. He said: "We must begin to organize antidraft groups in the high schools." [4]

WHAT IS BEHIND THE DEMONSTRATIONS?

The demonstrations in New York and San Francisco on Saturday, April 15, were simply the culmination of a week of agitation which began on April 8. The real purpose was spelled out in the extreme left newspaper National Guardian on April 8. Said the Guardian:

> The dual demonstrations are being called a "new beginning" in the anti-war movement which will bring heretofore indifferent sections of the American population into peace activity.[5]

In other words, the leftist extremists understand quite well that the vast majority of Americans are devoted to their country, respect law and order, and reject violence, intimidation, and hooliganism in the streets of the Nation. The National Guardian obviously hopes that demonstrations of this kind will win over some Americans to the cause of the Vietniks. It may well be, too, that the photographs of the demonstrations can be used to stiffen the morale of the Vietcong and the North Vietnamese troops. This latter may be indicated by an interesting statement of the North Vietnamese news service. Hanoi VNA International Service stated on April 8—the day the week of demonstrations, marches, and protests was scheduled to start in the United States—that:

> The South Vietnam Liberation Youth Union and the South Vietnam Liberation Student Union have jointly sent an open letter to American youths and students thanking them for actively taking part in preparation for the spring drive of struggle beginning today in many towns and cities in the United States to demand that the Johnson authorities stop their aggressive war in Vietman, withdraw their troops from South Vietnam . . .

In any event, the demonstrations in New York and San Francisco were not spontaneous outpourings of the citizenry, but carefully organized projects. A 16-car special train carried demonstrators from Washington, D.C., to the New York protest parade and special buses were operated from Cleveland, Detroit, Columbus, and other cities.[6] Rather obviously, this indicates careful planning and a well-organized effort.

The Spring Mobilization Committee to End the War in Vietnam, which apparently exercised overall coordination of the demonstrations, held a major planning meeting in Cleveland, Ohio, as early as November 1966, according to the Washington report of the American Security Council. It quoted the Washington Daily News as having stated that:

> More than two-thirds of those registering were members of the Socialist Workers Party (Trotskyite), the Young Socialist Alliance (the SWP Youth branch) or the W.E.B. DuBois Clubs. The Communist Party was represented by members on the National Committee.[7]

The Washington report went on to indicate some of the threads in the organization of the New York demonstrations by pointing out that:

> In New York on February 26, the Spring Mobilization Committee announced the appointment of Rev. James Bevel as its national director. Bevel, on leave from Rev. Martin Luther King's Southern Christian Leadership Conference, has never been noted for moderation and immediately injected a racist aspect into the Mobilization. He was quoted in the New York Times as saying, "White Americans are not going to deal in the problems of colored people when they're exterminating a whole nation of colored people. At a subsequent San Francisco meeting, dutifully reported in the People's World, Bevel is quoted as characterizing President Johnson as "an international Jesse James." [8]

One can say that the marchers in New York and San Francisco carried out the tasks that might have been expected from leaders who would make such attacks on the President of the United States. In New York, the blue and orange flag of the Vietcong was carried in the parade, draft cards were publicly burned, and the Reverend Dr. Martin Luther King told reporters that the demonstration was "just a beginning of a massive outpouring of concern and protest activity against this illegal and unjust war."[9]

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[1] The New York Times, Apr. 16, 1967.

[2] Quoted as an antiwar chant in the New York demonstrations, the Washington Sunday Star, April 16, 1967.

[3] AP dispatch as quoted by the Washington Sunday Star, April 16, 1967.

[4] The Washington Sunday Star, April 16, 1967; front-page story by Mary McGrory.

[5] The National Guardian, April 8, 1967, p. 1.

[6] The Washington Evening Star, Apr. 15, 1967.

[7] "The Ugly Tail", Washington Report, American Security Council, Washington, D.C., Apr. 3, 1967, p. 2.

[8] Washington Report, *ibid.*, p. 3.

In what appeared to be a coordinated effort, peacenik demonstrations marched in London, Paris, Tokyo, and Mexico City.[10]

But whether in New York, San Francisco, London, or Paris, the theme was alike: The United States and its leadership was branded as imperialistic, racist, and wholly in the wrong whereas the Vietcong and the North Vietnamese Communists are pictured as peace-loving innocents who are wholly in the right.

Perhaps the Rev. E. Freeman Yearling, a Negro Baptist minister who led a counterrally, a pro-America rally in New York City on Saturday, April 16, is right. Said Reverend Yearling:

> The American civil rights movement is merely an auxiliary of world communism. We are in a war that must be won and with an enemy that must be destroyed.[11]

Mr. President, I do not mean to imply that criticism and dissent should be silenced. There are many well-meaning Americans who criticize our country's policies with regard to South Vietnam. It is quite another matter, however, when the dissent takes the form of demonstrations such as those which occurred in New York City and on the west coast on last Saturday and which have occurred from time to time in the recent past when the demonstrators sought to lie down in front of troop trains, burn draft cards, desecrate the American flag, carry Vietcong flags, and denounce the President as a "buffoon" and Secretary Rusk as a "fool." I cannot avoid the thought that Communist elements are actively supporting such demonstrations. In any event, these disgraceful, arrogant, and shocking displays, widely publicized as "peace protests," will not stop the war or bring peace; to the contrary, there is every likelihood that they will prolong the war and lengthen the casualty lists, because they encourage Hanoi, Peiping, and Moscow to continue their support of the fighting in the hope that America will quit.

Any American has a perfect right to disagree with the policies being followed by our Government, but he can express this disagreement in a way which will not be detrimental to our country and to the safety of its fighting men in South Vietnam.

There are many avenues open for the expression of legitimate dissent, without the concomitant effect, of which I complain. Honest dissent is not to be derogated; but dissent merely for the sake of dissent, especially in a matter so serious as the war in South Vietnam, cannot be defended. It is very interesting to note that so many persons who make public displays of decrying their opposition to American bombings completely ignore the horrible atrocities committed against South Vietnamese civilians by the Hanoi-supported forces. It is always America and President Johnson who are being subjected to castigation and vituperative abuse—Hanoi and Ho Chi Minh never come in for even the slightest portion of sophisticated criticism.

I fear for this Republic—the democratic processes of which guarantee the right of dissent—if it depends, for its preservation and security, on the beatnik-type dissenters who make up so large a part of the so-called peace protests of recent times. Their right to dissent would be gone with the wind if the ideology, to which Ho Chi Minh and Mao Tsi-tung swear allegiance, should ever gain the upper hand in this country.

Preserve the right to dissent, yes. But let the right to dissent be viewed in proper perspective and exercised with a proper sense of responsibility.

Mr. President, I ask unanimous consent to have printed in the Record a table enumerating selected United States and third-party Vietnam peace efforts since 1964.

There being no objection, the table was ordered to be printed in the Record, as follows:

SELECTED UNITED STATES AND THIRD PARTY VIETNAM PEACE EFFORTS SINCE 1964

1. Laos Conference.
2. UN Security Council invitation to Hanoi—August 7, 1964.
3. Seventeen non-aligned nations appeal—April 1, 1965.
4. President Johnson's speech at Johns Hopkins University—April 7, 1966.
5. Indian Government proposal—April, 1965.
6. UN Secretary General peace efforts—April, 1965.
7. Commonwealth Prime Ministers initiative—June, 1965.
8. Davies Mission—July, 1965.
9. President's letter to U Thant—July 28, 1965.
10. Ambassador Goldberg's letter to President on UN Security Council—July 30, 1965.
11. Indian-Yugoslav proposal—August, 1965.
12. UK 12-Nation appeal—December, 1965.
13. Cambodian proposal for ICC expansion December, 1965.
14. Pope Paul VI appeal—December 19, 1965.
15. Peace offensive—communicated with 115 Governments with six presidential envoys visiting 34 Capitals—December-January, 1965–66.
16. Ronning mission—June, 1966.
17. Asian Conference initiative—August 6, 1966.
18. UN Secretary General proposal—August 31, 1966.
19. Ambassador Goldberg's General Assembly address—September 22, 1966.
20. British six point plan—October 6, 1966.
21. Manila communique—October 25, 1966.
22. Ambassador Goldberg's letter to U Thant—December 19, 1966.
23. British proposal for cessation of hostilities—December 30, 1966.
24. President's letter to Pope Paul—February 8, 1967.
25. Continuous bilateral contacts with Communist capitals, including talks with Chinese Ambassador in Warsaw—1964 to present.
26. Bombing pauses:
    (1) May 12–17, 1965 (5 days).
    (2) Dec. 24, 1965–Jan. 30, 1966 (37 days).
    (3) Dec. 23–25, 1966 (2 days).
    (4) Dec. 30, 1966–Jan. 1, 1967 (2 days).
    (5) Feb. 7–13, 1967 (6 days).

Mr. BYRD of West Virginia. I ask unanimous consent to have printed in the Record an article entitled "King Stand Held Wrong for Negro," written by Charles Bartlett and published in the Washington Evening Star of April 15, 967.

There being no objection, the article was ordered to be printed in the Record, as follows:

KING STAND HELD WRONG FOR NEGRO

(By Charles Bartlett)

The motives are more apparent than the consequences of Martin Luther King's decision to use his prestige to build a boycott against the war in Vietnam.

A quixotic mixture of idealism and self-interest appears to have persuaded King to take this step which most of his closest advisers opposed on grounds that it may do great damage to the equal rights movement.

On the idealistic side, he is strongly influenced by the fact that there have been only three Negro Nobel Prize winners and that the other two, Chief Luthuli of South Africa and Ralph Bunche of the U.N. Secretariat, are not free to speak out for peace. King maintains that he feels like the white preacher in a Southern church who takes a soft stand on civil rights to avoid disrupting his congregation.

The Negro leader recalls that during his visit with Lyndon Johnson in 1965, the President mentioned repeatedly that he was under enormous pressures from the "hawks" to wage a more aggressive war. Now it is time, King argues, to make the President feel equal pressure from the "doves."

The practical side of King's motivation is money, the lifeblood of the protest movement. His sources have been drying up because the "black power" theme is frightening off the liberals whose hearts and pocketbooks will bleed for a cause that is fashionable and safe. They prefer now to put their money in the peace movement.

The simple fact of the past year is that King's initiatives have not attracted the voluntary mail support which once furnished as much as one-third of the budget of the Southern Christian Leadership Conference. The Mississippi March cost King almost $40,000 and the Chicago program has not evoked much sympathy from contributors.

This makes King more reliant than he has been since the early 1960s upon the hard Left, the spooky figures whom J. Edgar Hoover describes flatly as sympathizers or actual Communists. These people have used the leverage of their contributions to prod King to take his evangelism where the money is and their interests lie.

Revolutions devour their leaders and King is being inexorably swallowed by the rush of events. The young redhot Negroes who swell Stokely Carmichael's rallies view him as middle class. The middle-class organizers struggling with the revolution in the big Northern cities respectfully urge him to keep out of their way.

Enthusiasm for his announced return to Chicago to march this summer on Cicero has been seriously dampened by his anti-war move. The prospects for his Chicago operation are squeezed already between Mayor Daley's triumph at the polls last week and a marked intensification of the ugly white mood on the West side. Many civil rights leaders doubt that the situation will be helped by King, particularly in his new role of peacenik.

His stand on the war is apt to kindle enthusiasm among young Negroes like the students who have been rioting in Nashville. The truculent, "let's make whitey pay" spirit which abounds on these campuses will respond eagerly to a new form of protest.

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[9] The New York Times, April 16, 1967; the quotation from King is on p. 2.

[10] *Ibid.*

[11] Quoted, The Washington Sunday Star, Apr. 16, 1967.

But older and wiser Negro leaders recognize that their race's greatest advances have been scored during wars that strained the economy and opened new opportunities to men with few skills. In 1964 Roy Wilkins, observing pickets outside the White House with signs that read: "Who needs niggers?" observed quietly, "The nation needs us most when it is in trouble."

The Negro should emerge from the war, if past experience is any guide, more fully intertwined than ever with the culture and the economy. But those who join King in his boycott will have taken a separatist step that can only prolong the process of breaking down the racial walls.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the lead editorial in today's Washington Star, entitled "The Flag Burners," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE FLAG BURNERS

It takes something out of a pleasant spring Sunday to pick up the newspaper and see the American flag being burned in New York's Central Park by a crowd of half-wits.

Still, in our society, there needs to be a place for the imbeciles—for the flag burners, those who burn their draft cards and the like. How they get away with this moronic activity is something of a mystery, since a man who has burned his draft card certainly is in violation of law, and if there is no law which makes it illegal to burn the flag there ought to be. In the United States, however, these so-called protest demonstrations have to be tolerated. And this despite the fact that they undoubtedly delight the men in Hanoi and Peking, and in spite of the probability that they will cost American lives in a prolonged war. The only alternative to tolerance would be to forcibly suppress them, and this would cast our country in the role of the totalitarian states, which seem to claim the first loyalty of many if not most of the demonstrators.

According to the news reports, a total of some 185,000 people turned out for Saturday's shameful performance. At first blush, this may seem like an impressive number. But it isn't, really, for what it means is that for every American who joined the demonstrations, something like 999 stayed away. Thus, the voice of the lunatic fringe, while shrill, does not begin to speak for the people of this country. If 185,000 Americans took part in the protest, something like more than 185,000,000 did not. And those who were revolted by the Saturday spectacle will simply have to hold their noses and learn to live with this sort of thing.

Mr. BYRD of West Virginia. Mr. President, I yield the floor.

THE MARCH FOR PEACE

Mr. SCOTT. Mr. President, I speak from this side of the aisle in defense of those who march for peace.

I speak in defense of the three veterans who appeared in a rally at Independence Hall in Philadelphia, Pa. These veterans were Medal of Honor winners from World War II, the Korean war, and the present war.

Those three Medal of Honor winners know what it is to march for peace.

I speak also to defend those who march for peace, the members of the armed services who are compelled to march courageously every day in the direction of the enemy. And it takes a lot more guts to march for peace against a willful, deliberate, murderous aggressor than it does to march down the streets of America's towns and cities.

As a lawyer, I fervently uphold the statement of the late Chief Justice Charles Evans Hughes that freedom of speech is freedom not for the thought we love, but for the thought we hate.

If any marcher were arrested in my Commonwealth for the simple act of marching, protesting, disagreeing with our Government, or carrying placards and wished me to be his counsel, I would serve gladly and would seek to free him from any detention.

I value the right of dissent. Moreover, I think that dissent serves a useful purpose in this country. It serves to awaken the otherwise blatantly apathetic Americans to a resentment—a justifiable resentment—against the kind of marching where not a single voice was raised among the marchers anywhere in America, so far as I am aware, that addressed itself, in the cause of peace, to the only people who can bring an end to the war—that is, the enemy.

Not a word was said to Ho Chi Minh. Not a word was said to the enemy. Not a word was said to any of our enemies. The only thing that was said was, in effect: "Our country is always wrong."

The corollary of that is to say that the enemy is always right. They did not mean that, but in acting as they did they give aid and comfort to the enemy.

I think they have a right to dissent as they did and to keep on dissenting. However, every time they do, let those Americans who dissent from them stand up and say that what we are doing is just and right and in keeping with our tradition.

Let us all march for peace with the Medal of Honor winners and with those soldiers, sailors, and marines, all of whom are serving the cause of peace in the only way a free nation knows how in an effort to keep the rest of the world free so far as we have a commitment to do so.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "One Thousand at Rally in Philadelphia—Salute Three War Heroes," written by William J. Storm, and published in the Sunday Bulletin of Philadelphia on April 16, 1967, and an editorial entitled "Marching for Peace," published in the Philadelphia Inquirer of April 17, 1967.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Sunday Bulletin, Apr. 16, 1967]

ONE THOUSAND AT RALLY IN PHILADELPHIA SALUTE THREE WAR HEROES

(By William J. Storm)

Three Medal of Honor winners were among more than 1,000 persons who took part in a rally here yesterday in support of American involvement in the Vietnam war.

The rally, sponsored by the Philadelphia County Council, American Legion, was held in the rear of Independence Hall. It was preceded by a parade which began at City Hall and moved down Market st. and over 6th st. to Chestnut.

The rally was picketed by several young men carrying antiwar placards. They, in turn, were picketed by other young people, with pro-war placards. At times words were exchanged between the two groups but police kept them apart.

WORLD WAR II HEROES

The Medal of Honor winners were Lawrence Joel, an Army specialist 6th class; Marine Corps Major Douglas P. Jacobson, of Willingboro, N.C., and Carlton R. Rouh, a retired marine captain, of Lindenwold, N.J.

Joel was decorated by President Johnson last month for saving the lives of 13 wounded comrades while under continuous rifle and machinegun fire of the Viet Cong.

Jacobson was decorated for heroism on Iwo Jima in 1945. Rouh also received his medal in World War II.

REENLISTS FOR 6 YEARS

Joel, who has been in the Army 17 years, ended his latest hitch yesterday and was sworn in for another six-year term by Major Jacobson.

Joel, a medical corpsman, is the first Negro to receive the nation's highest decoration in the Vietnamese conflict. He and Major Jacobson addressed the rally.

Another speaker was Dr. Robert Strausz-Hupe, director of the Foreign Policy Research Institute at the University of Pennsylvania.

The anti-war pickets carried placards with inscriptions "Why Are We Murdering the Vietnamese?"

The pro-war pickets' placards read: "We Must Win the War."

[From the Philadelphia Inquirer, Apr. 17, 1967]

MARCHING FOR PEACE

Self-styled peace marchers had a big weekend from coast to coast—with rallies in New York and San Francisco holding the spotlight.

Young men, enjoying their safety and security thousands of miles from the fighting front in Vietnam, seemed to have a wonderful time burning their draft cards.

So-called civil rights leaders were in fine form, oratorically speaking—apparently convinced that their strongest civil right is to attack the good name of their country and to distort its motives.

Peace-at-any-price professors from university campuses were out in force—setting an example for a young generation that will inherit leadership tomorrow.

Hard-core advocates of surrender to the Communists did their usual efficient job of bewildering and deluding the sincere and frustrated pacifists—many of them mature women of integrity and intelligence—who conscientiously object to war and have been misled to believe that the most effective way to end the war in Vietnam is to demonstrate repeatedly in public protest against U.S. policy.

So much for the peace marchers who retire to comforts of home and hearth as dusk descends.

There are other Americans also marching for peace in Vietnam. They are servicemen who are there.

Crawling through a rice paddy isn't quite like marching down Madison avenue. It takes a little more courage, for one thing.

Our countrymen over there are marching for peace where it counts.

It must be great—really great—for Americans fighting the Communists in Vietnam to hear and read about countrymen back home burning draft cards and lavishing aid and comfort upon the enemy.

If anti-war demonstrations on the home front could advance the cause of an honorable peace in Vietnam, we would urge that they be held around the clock. But peace is not won by turning the face of disunity and dissension to a ruthless enemy. This kind of display invites him to prolong the war instead of ending it.

If marchers on the home front want honestly to advance peace, they should support patriotic demonstrations such as were held in Philadelphia and environs Saturday—demonstrations that underscore American resolution and fortitude.

PRESIDENT JOHNSON AND THE LATIN AMERICA SUMMIT MEETING

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that there be printed in the RECORD at the conclusion of these brief remarks three editorials: "Senate and Summit" from the News of Mexico City, April 6; "President Johnson's Trip" from the Boston Globe, April 10; and "The Presidency: L.B.J.'s Diplomatic Foray Into South America" from Life magazine, April 14.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, in different ways and for somewhat different reasons, all of these make the point that the action of the Senate Foreign Relations Committee with respect to the so-called Punta del Este resolution should have a salutary effect. Even Life magazine, which as usual is led astray by arguing personalities instead of issues, concludes that the President "may even make a virtue of what happened by pointing out to his fellow heads of state—who know what political troubles are—that he does not have it all his way all the time, either."

The Boston Globe sees the matter more clearly as not involving policy toward Latin America but only the procedures of the U.S. Government, and the Globe is encouraged by the "new spirit of congressional independence."

Perhaps the most interesting of all is the comment of the News, the English-language newspaper published by Novedades of Mexico City.

It may prove fortuitous—

Says the News—

> if President Johnson arrives at the hemisphere conference with empty hands, so that the carrot of U.S. economic assistance will not distract the participants from far more important questions for discussion, including economic integration and more equitable treatment for Latin America's raw materials in the U.S. market. There are those who are saying quite bluntly that the best contribution President Johnson and the U.S. delegation can make to the conference is to sit quietly and listen, and the Senate Committee decision to force Mr. Johnson to leave his checkbook at home may achieve precisely that purpose.

It is especially significant, Mr. President, that this perceptive analysis comes from a Latin American newspaper.

Finally, I ask unanimous consent that there also be included in the RECORD at the end of these remarks, as an example of enlightened and liberal criticism, an article from the Los Angeles Times entitled "Senator 'Fulblock' Stalls Latin Bid."

This article might be compared to the glowing report of the success of the Conference by the various commentators who were present at the Conference. In my opinion the Conference was a success and the action of the Senate certainly did not adversely affect the President's role at Punta del Este.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the News (Mexico, D.F.) Apr. 6, 1967]

SENATE AND SUMMIT

Even the most acquiescent Congress has to thwart its chief executive every so often to prove who is really boss. This is essentially what the U.S. Senate Foreign Relations Committee did Monday in watering down the resolution President Johnson had asked for in preparation for the Latin American summit conference at Punta del Este. The issue was over whether the Committee was willing to pledge advance commitment to economic aid programs for Latin America, and the refusal was based on scruples over "constitutional procedures." The best President Johnson could obtain from Fulbright and Company was a resolution saying Congress would "consider" any plan of economic cooperation worked out at Punta del Este.

Apart from the implicit rebuff to the President, whose intended liberality at the summit conference has been effectively circumscribed, the Senate Committee action does not endanger any vital points of the Punta del Este agenda. In fact, it may prove fortuitous if President Johnson arrives at the hemisphere conference with empty hands, so that the carrot of U.S. economic assistance will not distract the participants from far more important questions for discussion, including economic integration and more equitable treatment for Latin America's raw materials in the U.S. market. There are those who are saying quite bluntly that the best contribution President Johnson and the U.S. delegation can make to the conference is to sit quietly and listen, and the Senate Committee decision to force Mr. Johnson to leave his checkbook at home may achieve precisely that purpose. An intent spectator at Punta del Este will not fail to grasp the pervading sentiment among Latin American nations that what is needed is not outpouring of U.S. funds but basic changes in the feudalistic systems that limit progress in so many Latin nations and better conditions for trade in the U.S. market. No amount of aid can bring about any significant development as long as so many of the area's principal products have such a precarious status in world markets sensitive to fluctuations in U.S. economic policy.

Unwittingly surely, the reticence of the Senate Foreign Relations Committee may have done Latin America a favor by helping to keep the discussions at Punta del Este in proper perspective. Real understanding of Latin America's problems, and true intent to help alleviate them, will be seen in the trade recommendations President Johnson submits to Congress after the summit meeting—and in the disposition of Congress to act on them.

[From the Boston Globe, Apr. 10, 1967]

PRESIDENT JOHNSON'S TRIP

When President Lyndon B. Johnson takes off this evening for Punta del Este, he will be leaving behind him a most embarrassing rebuff in the U.S. Senate, while ahead of him he will face his most baffling problem, except for Vietnam, in foreign policy.

The problem, for whose solution the chiefs of state of 19 Western hemisphere nations are convening on Wednesday, is how to rehabilitate the deteriorating economy of Latin America, with special reference to creation of a common market for that area.

While they possess more land, natural resources and potential wealth than the United States, the 20 states between the Rio Grande and Cape Horn are divided by national and natural boundaries. If they have one thing in common, it is exploitation of the multiplying poor.

The Charter of Punta del Este was supposed to point the way for the Alliance for Progress. But President Eduardo Frei Montalva of Chile, writing in the current Foreign Affairs, aptly describes it in his title as "The Alliance That Lost Its Way."

He tells how the extreme right and left tried to prevent the needed basic changes. As a result, "less than half of the Latin American countries have started serious programs of agrarian reform. Drastic changes in the tax system are even scarcer, while the number of genuinely democratic regimes . . . has actually declined. In other words, there has been no strengthening of the political and social foundations for economic progress in Latin America."

To strengthen his hand for this week's summit meeting, Mr. Johnson had asked Congress for a resolution giving him an advance pledge of aid for the proposed common market. It would have committed Congress, in effect, to an increase over five years of $1.5 billion in Latin aid, now running at $1 billion annually.

The House quickly approved this, 210 to 147. But it was different in the Senate, where the Foreign Relations Committee turned it down 9 to 0. The Administration then dropped the matter.

Yet it would not be correct to say the Senate opposes the proposal. It does not. Senator Fulbright and many other lawmakers objected purely on procedural grounds. They saw the resolution as a "blank check" reminiscent of Tonkin Bay; they wanted public hearings before more funds were committed, and they resented being told the resolution must be passed word for word.

All this is encouraging for the new spirit of Congressional independence it represents. But there should be no doubt that if President Johnson returns from Punta del Este with agreement on a common market and other reforms, the Senate will support him.

[From Life magazine]

L.B.J.'S DIPLOMATIC FORAY INTO SOUTH AMERICA

(By Hugh Sidey)

On the eve of the Latin American summit, described by one White House enthusiast as "the conference of the decade," Lyndon Johnson got mad. His unflagging nemesis, Senator William Fulbright, stood between him and a resounding vote of congressional approval backing his mission to Punta del Este this week. For a few hours—until his temper subsided—the President saw a year's painstaking preparation about to go down the drain. But when calm returned he decided that, with or without the backing of Congress, the meeting would be important. He was right.

Not only is this a major and new stimulation for the becalmed Alliance for Progress but also it is kind of a coming-out party for Lyndon B. Johnson. He still is an unknown quantity to the Latin Americans, who are more inclined to put the portrait of John F. Kennedy on their walls. Mostly they know Lyndon Johnson for his actions in Panama and the Dominican Republic, neither of which was wildly popular down there. They want a chance to size him up. For L.B.J., Punta del Este is a main bout in international diplomacy. He has saturated himself in Asian troubles for fully three years now, and for the first time he seriously swings his eyes south. The view is encouraging.

That is his type of land, with "sunshine and flowers and pretty girls," to list three things in his own language that L.B.J. finds appealing. He has often vacationed in Mexico and he has a palate that is finely attuned to tacos and enchiladas. There is even a report that he has been polishing his "Tex-Mex" into something resembling classical Spanish so that he can say a couple of lines like a native.

Some of the talk will be about improving the soil so that more food can be raised. Lyndon Johnson even now reminds his listeners that one of his first glimpses of poverty was when as a boy he saw Mexican-American children rummaging in garbage cans for grapefruit rinds. The discussions will deal also with spreading education to the vast hordes of the illiterate. Again, Johnson's past rises to influence him. He can call the names of the Mexican-American students he taught more than 35 years ago in Cotulla, Texas. Fully aware of Latin America's new era of awakening (page 42), Johnson believes those countries are now capable of assuming a large part of the responsibility for their own development. He sees his role in this "family affair," as he likes to call the conference, as helping to make them come more fully to life.

The party that L.B.J. gave at his ranch for the Latin American ambassadors was a warm-up for this week's events. Not only was there plenty of hot barbecue out along Johnson's own beloved Pedernales, but also there was the oportunity for man-to-man talk with the diplomats. He gave them to understand that he wanted to hear the most private worries and greatest dreams of the chiefs of state at Punta del Este.

It was a just a few days later that the Senate Foreign Relations Committee voted 9–0 to change the resolution of support. Johnson had sought a virtual commitment from Congress that it would back up his pledges to increase the Alliance for Progress support by $1.5 billion over the next 5 years. At the instigation of Chairman Fulbright, the committee watered it down to a pledge "to give due consideration to cooperation in such agreements."

Behind it all was the smoldering bitterness between Fulbright and the President. To the senator, Johnson's request was a reminder of the Gulf of Tonkin resolution which was guided through the Senate by Fulbright. As he came to disagree with the conduct of the war more and more, the senator also became resentful of Johnson's constant reference to it as backing for expanding the fighting. Though the proposed Latin American resolution was not unlike one voted for the Bogotá meeting in 1960, and it was for peace instead of war and required further congressional action for spending money, Fulbright's dislike of Johnson and his tactics became the overriding consideration. When Johnson learned of the committee's action, in a white heat he sent his special assistant Walt W. Rostow to tell the White House press corps that the Fulbright resolution was "worse than useless."

For a few hours the two antagonists simply stared defiantly from their opposite ends of Pennsylvania Avenue. Lyndon Johnson, who carries the responsibility for success or failure at Punta del Este, was the one who capitulated. Not wanting to have a fuss stirred all over South America, he decided after his anger subsided that he would take whatever backing the Congress would give him. The House of Representatives has granted the endorsement he asked for, and even if the whole Senate does not act before he sits down at the conference table the President plans to keep his disappointment in check. In fact he may even make a virtue of what happened, by pointing out to his fellow heads of state—who know what political troubles are—that he doesn't have it all his way all the time, either.

EXHIBIT 2

[From the Los Angeles Times]

SENATOR "FULBLOCK" STALLS LATIN BID

(By Ernest Conine)

Thanks to what might be called Sen. William Fulbright's arrogance of hurt pride, President Johnson is going to the Latin American summit meeting this week with one hand tied behind him.

Fulbright, chairman of the Senate Foreign Relations Committee, has worked himself into a massive pique over Mr. Johnson's determination to pursue the war in Vietnam in the teeth of his advice to the contrary.

The Arkansas Democrat seems determined to show the President that if he can't make foreign policy, he can at least frustrate it.

He has sought to do just that by influencing the Senate to withhold a resolution of support which Mr. Johnson badly wanted to have in his hip pocket at Punta del Este. Or so it appears.

The President's main summit aim is to nudge the presidents of this hemisphere into finally making the commitment to create a Latin American common market.

If our Latin neighbors are ever to outgrow the need for large-scale U.S. aid, they must lower the trade barriers which divide the hemisphere into a collection of small and inefficient economies.

It takes considerable courage, however, for the leader of a poor, revolution-prone country to throw open the borders to cheaper goods from other lands—thereby alienating not only the affected growers and factory-owners, but the workers who are temporarily displaced.

President Johnson wanted to sweeten the pill by pledging U.S. funds to help them through the painful adjustment process. To strengthen his hand, he asked Congress for a joint resolution of support.

The House went along. But Fulbright, purporting to see a parallel with the 1964 Gulf of Tonkin resolution which has been used to justify the U.S. role in Vietnam, accused the President of seeking a "blank check."

(The logic is peculiar, since Fulbright has complained previously that Mr. Johnson was committing the country without advance consultation with Congress.)

As a result, the President did not get his resolution from the Senate.

The summit may succeed anyway, of course. But the fact remains that Mr. Johnson's bargaining power has been drastically and needlessly impaired.

The incident is just one more example of Fulbright's recent campaign to usurp the executive branch's pre-eminent role in the making of foreign policy.

Such senatorial attempts have, in the past, proved unfortunate for the country—the best example being the "band of willful men" who obstructed U.S. membership in the League of Nations after World War I.

It is noteworthy that, until lately, Fulbright has always advocated more, rather than less, Presidential power in foreign policymaking.

In the 1950's, he helped fight off the so-called "Bricker amendment" to restrict the President's treaty-making powers. And as late as 1963, he called for "further enhancement of Presidential authority in foreign affairs" to prevent "immobility and the paralysis of national policy in a revolutionary world."

What changed his mind? Obviously, Vietnam.

Fulbright is absolutely convinced that the U.S. military involvement in Southeast Asia is not just wrong, but dead wrong.

He professes deep remorse that he and other senators didn't seriously challenge administration policy earlier. Now he does his best to force a reversal of that policy.

These efforts have escalated from private persuasion to televised hearings—aimed at mobilizing public opinion against the President—and finally to petty sniping and obstructionism on matters having nothing to do with Vietnam.

Through it all, the soft-spoken Arkansan has seemed to look upon the President's failure to recognize his superior wisdom as a personal affront.

There is nothing in the Constitution which says that a senator must always agree with the President, on foreign any more than other subjects.

But as the Fulbright of yesteryear would have been the first to agree, the conduct of U.S. foreign policy suffers when the chairman of the Senate Foreign Relations Committee tries to run the show from Capitol Hill.

It approaches tragedy that a man with so much capacity should put his talents to such negative use.

OUR RELATIONS WITH EUROPE

Mr. FULBRIGHT. Mr. President, once again Mr. Walter Lippmann has written with great insight and perception of our relations with Europe. In a column which appeared in the April 4 issue of the Washington Post, Mr. Lippmann comments on "the great differences between modern Europeans and contemporary Americans who are drifting apart in their policies in the world."

He observes that—

> Europe, which in his respect includes the Soviet Union, is moving to a direction of its own, not to be sure against the United States but apart from it and in spite of it.

Mr. Lippmann writes that "our official spokesmen no longer speak in the language of contemporary Europeans" and he concludes that "the place where the renovation and the revivification of our relations with Europe must begin is in the minds of our own officials."

I commend Mr. Lippmann's article to the attention of my colleagues and suggest that the points it makes are highly relevant to Senate Resolution 49, proposed by the distinguished majority leader, which expresses the sense of the Senate that because of changed circumstances in Europe "a substantial reduction of U.S. forces permanently stationed in Europe can be made."

I ask unanimous consent that the full text of the article entitled "Humphrey in Europe," written by Mr. Lippmann and published in the Washington Post of April 4, 1967, be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, April 4, 1967]

HUMPHREY IN EUROPE

(By Walter Lippmann)

The Vice President's reception in Europe has been most correct but not enthusiastic. Yet if his chief practical purpose is to persuade the Germans and Italians to accept the non-proliferation treaty, it is reasonable to suppose that in the end they will accept it. But that assent, which will be given very reluctantly, will certainly not alter the great differences between modern Europeans and contemporary Americans who are drifting apart in their policies in the world. The Europeans do not doubt or underestimate the power of the United States in military affairs and economic affairs. This power is fully recognized in Europe. But the political and moral influence of the United States, the willingness of Europeans to follow the leadership of Washington, has decreased dramatically in the past several years. Europe, which in this respect includes the Soviet Union, is moving to a direction of its own, not to be sure against the United States, but apart from it and in spite of it.

There are two main causes of the separateness of Europeans from Americans. The outstanding one is, obviously enough, the war in Vietnam which is so deeply and vividly disliked all over Europe that anything like confident diplomatic relations are impossible as long as it lasts. If the Vice President has not learned this, then those who have entertained him have not talked frankly. There are, to be sure, small numbers of highly placed officials and personages who speak out openly for the American position in Vietnam. But they are not a majority or anything like it, and they are reluctant and even apologetic and embarrassed defenders of our course. The British, for example, who have a special national interest in pleasing the Administration, do not applaud and defend only with great difficulty the extended bombing offensive against North Vietnam.

The other great cause of the separateness between Europe and America is that the thaw in the cold war is much more advanced than it is in the United States. As a result, our official spokesmen no longer speak in the language of contemporary Europeans. Vice President Humphrey's speeches sound curiously out of date. The Vice President, for example, announced in Europe, no doubt with the best intentions, that we are in favor of the Atlantic community and also of a detente with eastern Europe. To a contemporary European these two objectives, however sincerely held and well meant, are incompatible. If you are going to consolidate the Atlantic Alliance, you will consolidate along with it the Warsaw Pact, so say the contemporary Europeans. Two opposing military alliances cannot make a detente. They need, as the recent history of both NATO and of the Warsaw Pact shows, fear and antagonism to keep them together. As a consequence the detente, which most Europeans want and seek persistently, assumes the erosion and dissolution of the pacts.

Whether some greater European community may emerge from all this no one today is able to say.

The most important question about the Vice President's trip is whether he has listened and what he has learned. For the place where the renovation and the revivification of our relations with Europe must begin is in the minds of our own officials. The critical question is how much they have learned and been able to adjust their policies from what was proper in the 1950s to what suits the contemporary condition of the late Sixties.

THE REAL COST OF WAR

Mr. FULBRIGHT. Mr. President, the phrase "the cost of war" is heard with increasing frequency across the land. I am speaking now, not of the tragic cost of war in terms of the tears, of the lost limbs or the lives that will never be lived. I refer only to the raw cost in dollars, the cost to our country and its economy.

In a larger sense it is impossible to assess the cost of a war. War is not a simple commodity that can be selected from the shelf and purchased. Its price can be neither fixed nor negotiated. The unseen forces which merchandise war are, like all sharp dealers, guilty of shockingly deceptive trade practices. They not only conceal from the public the true price that is being paid when it contracts to purchase the evil luxury of war, but it also hides the full extent of the sacrifices which must be made in terms of the necessities which must be relinquished from the usual national budget. Moreover, the merchants of war never have the candor to inform the taxpayer that he will be paying interest on his macabre purchase in virtual perpetuity, for, as our experience with our last three wars has demonstrated, almost no progress is ever made at amortizing the cost of a war or retiring the indebtedness thereon.

There unfortunately has been no truth-in-packaging legislation to protect the consumer who must pay the bills for war. There is no regulatory agency establishing fair trade practices for disclosure of the true cost of war to each American. Most unfair of all, those who contract by proxy to incur these terrible obligations without full disclosure of the terms of the agreement, have no subsequent remedy at law. They cannot sue for fraudulent misrepresentation; they cannot obtain restitution; they cannot be made whole again. There can be no recovery, no redress.

On the front page of the Washington Post of Thursday, April 13, is an article by Hobart Rowen stating that the growth of the Nation's economy has come to a standstill. Our "real" or adjusted gross national product remains ominously unchanged for the first quarter of this year. This is the first time that there was not even a small increase in real terms in the 6-year boom cycle that started with the Kennedy administration.

The gold reserves of the United States have now, for the first time, dwindled to less than half the amount of the more than $25 billion in foreign claims against us, with the claims steadily increasing. The situation is actually far more serious than these figures would indicate, for of our approximately $13 billion in gold, nearly $10 billion is now legally pledged as backing for our currency.

Many experts agree that our balance-of-payments situation will be much more seriously aggravated by the staggering fiscal demands of the Vietnam war, that the trade deficit figure for this year alone will reach $3 billion.

There are those of us who have a growing fear that we cannot continue indefinitely with ingenious but illusory expedients for maintaining world confidence in our monetary soundness. We cannot continue forever juggling entries in deceptive books. There is a limit to how long we can "cool the thermometer," deluding only ourselves as to what the outside economic temperature is.

If the tremendous stresses on our economy are permitted to go on unchecked, it is by no means impossible that the perennial argument of guns versus butter could become largely academic, our available funds having become inadequate for a sufficiency of either.

What I would suggest is that it would not necessarily be presumptuous for the Congress to consider from time to time the nature and extent of the obligations we are incurring. I am referring to the true costs, and not merely the apparent costs, of the vast, malignant, metastasizing bureaucracy of war. Our present adventures in southeast Asia and the expansion of our undertakings there suggest the words of John Ruskin:

> Borrowers are nearly always ill-spenders, and it is with lent money that all evil is mainly done, and all unjust war protracted.

One of the most revealing articles I have seen recently on this subject is one by our distinguished colleague, Senator VANCE HARTKE, in the "Speaking Out" section of the current issue of the Saturday Evening Post. I regard some of the figures cited as most conservative, but whether the cost of killing an Asian peasant is half a million dollars, as stated in the article, or a million dollars, as some reputable analysts have calculated, the amount is equally senseless and shocking. I thank the senior Senator from Indiana for having the courage to make the statements in the article.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled, "Why HUMPHREY Got That Abuse in Europe," written by Anthony Lewis, and published in the Sunday New York Times, and the magazine article entitled, "Vietnam Costs More Than You Think," written by the senior Senator from Indiana [Mr. HARTKE], and published in the Saturday Evening Post.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times]

WHY HUMPHREY GOT THAT ABUSE IN EUROPE

(By Anthony Lewis)

LONDON.—In Paris it would not have been so surprising. But this was Brussels, that picture of bourgeois respectability, and in an upper-middle-class residential area. An American family was giving a cocktail party last week. As the guests arrived, banners were hung from the windows of a flat across the street: "U. S. A. go home. Paix au Vietnam."

Such displays are commonplace in Europe these days—as Vice President Humphrey unhappily learned in country after country during his recent tour. They are the surface signs of a disaffection from the United States that has cut surprisingly deeply into political life in Britain and on the continent.

Anti-Americanism is the phrase commonly used in American newspapers when rotten eggs are thrown at Mr. Humphrey or slogans are painted on walls. But it is a notably inaccurate way to describe the phenomenon that exists.

Ask Americans who live in Europe, and few will say that they have run into any personal anti-Laotian neutrality which the Thais feared meant a U.S. pullout and the communization of Laos. Thai bases helped U.S. air power offset North Vietnamese infiltration in Laos starting in 1964, but until the massive commitment of U.S. troops in South Vietnam, Bangkok like other Southeast Asian capitals, was not sure whether President Johnson would match words with deeds.

His visit here last October is said to have helped the Thais make up their minds. It was a case of mutual seduction and mutual involvement.

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It is not a hatred of persons or of a nation as such. It is, rather, a disaffection from what the United States stands for—or what these critical Europeans think it has come to stand for.

"The feeling is not hatred but disappointment," a correspondent in Rome says.

A survey of New York Times correspondents in Europe shows a surprising similarity of attitudes in the various capitals. Again and again, the same psychological elements are found in the tendency to turn away from the United States.

First, there is an underlying feeling that the United States is simply, as a Paris correspondent put it, "too large, too powerful militarily and industrially—a giant with an enormous weight against which you have to

For a Western Europe that has grown from defend yourself if you do not want to be crushed."

the American-aided phase to economic ebullience, there is perhaps a natural resentment of the friend who helped in hard times. But something more than that, much more, is involved. It might be called a concern for identity.

Not only Charles de Gaulle is worried about the spectre of an American industrial juggernaut gulping the major business of Europe into its maw. A Belgian businessman who has enjoyed the profits brought by American industrial activity nevertheless worries about the Americanization of his country and its economy.

The Paris correspondent puts it colorfully: "If Ford wins the auto race at Lee Mans, it will be a catastrophe for French-American relations. A Frenchman can accept a victory for Ferrari because he sees Ferrari as something small and delicate, the brainchild of a brilliant man who succeeded on a shoestring. He sees Ford as a bulldozer crushing its competitiors by the sheer superiority of its capital and its bigness. The humiliation of having to import the more sophisticated electronic gadgets—the technological gap's result—does not help, nor does the brain drain."

The size and power of the Unitted States are relevant in another way. Among the young people all over Europe there are signs of a revulsion from power, of a kind of nihillism. The Provos in Amsterdam and the young idealists in Hamburg proclaim their rebellion against all aggregations of power—and the United States is the biggest.

The use of American power is the second major element. And of course that largely means Vietnam.

To go into the reasons for West European atitudes toward Vietnam would require rehearing all the arguments about America's role there. Suffice it to say that only the British Government has had much favorable to say about American policy in Vietnam. No European country has a single soldier there. Much of the public on the Continent, rightly or not, sees the situation as that of a huge power over-reacting.

The Vietnam war is a symbol of something else among the politically sophisticated—a strong feeling that the concerns of the United States are no longer in Europe, that it is looking elsewhere.

This third factor in the increasing distance between the United States and Europe is evident even among politicians most identified as friendly to the United States. They have come to realize, they say regretfully, that America does not see problems through European eyes.

The non-proliferation treaty was an acute example. Without adequately consulting its best continental allies, who would be acutely affected, the United States negotiated away with the Soviet Union on the assumption that a halt to the spread of nuclear weapons was an obvious good approved by all. Non-nuclear powers such as Belgium and Italy and West Germany did not disagree with the holiness of the aim, but they felt that the United States was ignoring their interest in such questions as the peaceful use of atomic energy and the inspection of nuclear plants.

A fourth element is a widespread belief that the United States is still too stuck in the stereo grooves of the cold war, still too ridden by fear of Communism. This European feeling may be resented by American officials and seen as a result of distance from and ignorance about Vietnam. But it is unquestionably true that most Europeans conceive of the cold war as a dying fact and do not take seriously any longer the idea of a Russian military threat. American officials have urged them to think differently.

A final factor that must be mentioned is a lack of sympathy for or identification with President Johnson as an individual.

To many Europeans, the President is a symbol of something old-fashioned, overblown. President Kennedy was young and sophisticated and understated—qualities that Europeans perhaps understand better. It may be unfair. Mr. Kennedy might have had as much trouble in Vietnam as President Johnson. But there is no blinking the human fact that today's European disaffection from the United States is a disaffection not only from its policy but from its President.

[From the Saturday Evening Post]

VIETNAM COSTS MORE THAN YOU THINK

(By Senator VANCE HARTKE)

The Administration has already given us the signal that the cost of Vietnam is going to start to pinch this year. The national budget has been increased 10 percent to a total of $169 billion, and the President has proposed increasing taxes to pay for it. Yet we have not been told honestly what this war is really costing and how much more we can expect it to cost as it accelerates—and how little we are getting for our blood, sweat and money. With our Gross National Product exceeding $750 billion a year, it would seem that the United States could easily carry the load of a conflict in a tiny Asian nation. What too few seem to realize is that the price of this war has risen to at least $2.5 billion a month (the figures have been manipulated—I think it may be $2.7 billion)—and that there are hidden costs as well. All in all, the proposed defense budget of $75.3 billion would be only about $5 billion less than the amount spent by the military during the peak years of World War II, when the whole nation was in arms.

More than two years ago, I said in an address: "The President should and must tell America, first, and the rest of the world what our posture is; what our aims are; what our interests and commitments are; how we intend to meet those commitments. We must know where we are going and what we are going to do in Vietnam." The Administration has still failed to provide a satisfactory answer. And today, I fear, there is still an uneasy acceptance of our course, an acceptance based on a childlike faith that the government is necessarily just and wise. Yet when Vietnam is examined by comparing benefit to cost, that faith seems ill-founded.

Let's consider one week as an example, the week of January 8–14. Put aside political considerations, and even put aside the casualty list that was issued: 1,144 Americans were killed, wounded or missing. That week, Marines from the 7th Fleet made an amphibious landing on Kienhoa, an island province 35 miles south of Saigon. Supposedly Kienhoa was a Viet Cong training and supply base, and the Marines were to push a horde of V.C. into the sea. In fact, 21 of the enemy were killed and 14 captured. The operation cost an estimated $16 million; the direct cost of killing *each* Viet Cong was about $800,000. Meanwhile, there are at least a million Vietnamese refugees who subsist on a government allowance of $10 a year (if they can get it). The money spent on this single Marine operation, which was called Deckhouse V, could have paid the allotment of all the Vietnamese refugees for a year, and actually have raised their rate of payment by 60 percent, to $16.

While truly profligate, such spending with such small result is routine in the Vietnam war. North and South Vietnam together are about the size of New Mexico. Into this area last year we dropped 637,000 tons of bombs, more than five tons for every square mile, one ton for every 51 people.

The dollar price of these bombing missions was proportionately vast. Flying a B–52 from Guam costs $1,300 an hour, and it is a 10-hour round trip. A B–52 carries more than 29 tons of bombs—and bombs, on the average, cost one dollar per pound. We pay $2,500,000 for an F–4 aircraft, $800,000 for an F–100. Reliable reports say we're losing more than 10 planes a week.

We are pouring artillery shells into the Vietnam jungle at a greater rate than that of U.S. forces in World War II. The artillerymen in Vietnam seldom have more than random hopes of hitting anything. Ground troops spray jungle shadows with bullets from their M–14 rifles at a rate up to 150 rounds per minute. With an M–16, ammunition consumption in one minute can be as great that of 750 men in the Civil War. From a helicopter, 18,000 bullets per minute can stream to the ground in the hope that a few may hit a military target. Helicopters cost $250,000 each, and of the 177 we lost in 1965, the enemy destroyed only 76; the others were lost in accidents. Last December, the ground forces were officially reported to be using ammunition at the rate of $120 million a month, while air munitions expended cost $142 million. Translated into cost per Viet Cong killed, at the officially reported rate of about 4,900 killed a month, the amazing result is that we are spending some $55,000 in ammunition alone for each one of the enemy we kill. When all the costs of the war are added together, the staggering result is that we are spending more than $500,000 to kill a single "Charlie."

We have been told repeatedly that we can afford this war without seriously disrupting the economy. We can have guns and butter. Once again, this theme has been accepted by many with innocent faith in government. Yet the estimated *annual* Vietnam cost of $30 billion, including all support effort, is twice the size of our gold reserves; it is also a sum large enough to make every South Vietnamese fabulously rich with an outright grant of $2,000 per capita; and it means every American man, woman and child is paying $150 a year just for Vietnam. I am not trying to suggest that we are likely to go bankrupt under this burden, although I am sure that China is hoping that the Russian prediction will come true—that we are digging our economic grave and "We will bury you." But sending the hundreds of thousands of troops and dropping the hundreds of thousands of bombs and firing the millions of bullets without achieving noticeable results has had serious side effects—the hidden costs of Vietnam. First is the cost in attrition, damage and delay to the domestic economy, to progress at home.

President Johnson has said that we can continue the Great Society even while we fight in Vietnam. The fact is that inside Congress, new Great Society proposals are getting a cold frown because the price of Vietnam must come first. Legislators must ask themselves where the money is supposed to come from, especially since a tax increase—a "surcharge"—has already been proposed. My own proposal to increase the level of personal exemption under the income-tax law was stillborn. Even in an economy as great as ours, we must be hurt when billions are thrown into an unproductive war. In 1961, when President Kennedy still favored a tax increase, I proposed a tax cut, for I believed that this would lead to expansion of the economy. In 1964 the cut finally came—$11.3 billion, a sum larger than the total of all taxes received by the Treasury in any year before 1942, larger than the income of all the banks or the railroads or the mining industry. Today this sum pays for only a fraction of the Vietnam war. Can anyone honestly believe that the economy is not affected?

Certainly no one inside the Administration believes this. This is evidenced by the way budget figures have been rigged. When an Administration witness came before the Finance Committee a year ago, I told him that the Pentagon was underestimating Vietnam costs by $10 billion, and would have to make a supplementary appropriations request for that amount. The actual figure turned out to be $9.7 billion, but I do not claim powers of clairvoyance. The budget requests for long-range military procurement, principally involving planes and missiles, had been based on an assumption the war would end by July, 1967. No one really believed this would happen. The underestimate was a political device to soothe the public and disguise the impact of Vietnam on the domestic economy.

The domestic attrition which comes about because of Vietnam is perhaps best demonstrated in the "small" items which congressmen consider killing at a time when the Society is supposedly becoming greater than ever. It was proposed in 1966, for instance, that the school lunch program be cut by $19 million, a sum which would finance the war in Vietnam for less than six hours. Another six hours presumably could be paid for by a cut of $20 million in Agriculture's budget for rehabilitation of land and property because of natural disaster. How Great is a Society when it is recommended that $158 million be cut from the National Defense Loan Education Act at a time when college costs accelerate and college students proliferate? At one point, the school milk program was slated for a slash from $103 million to $21 million. The $82 million saved would have run the war for one day, but what would its loss do to children whose only milk is the milk provided by these funds?

Other budgetary gimmicks have been used in an effort to conceal, or at least make unobtrusive, the true impact of Vietnam. A total of 225,000 companies, the ones that withhold more than $2,500 a month in income taxes from their employees, are "asked" to forward the money to the Treasury twice a month instead of only once. Sales of mortgages held by federal agencies to the public in the form of "participations" is another way of providing emergency relief to the Treasury without its being much noticed by the public. In the recent past there has been optimistic talk about the need to share federal revenues with the states. There is a growing demand and genuine need for such a redistribution of tax revenues. But does anyone really think that such a proposal has a chance while war in Vietnam is still going on?

Another imaginative proposal, seemingly utopian and yet keyed to our economy of abundance, is for a "negative income tax"—a guaranteed income—as a way to attack economic ills in the slums. The Democratic Study Group in the House of Representatives proposed examination of the idea. So did the National Commission on Technology, Automation, and Economic Progress. But while we pour billions into Vietnam, there cannot be serious consideration of such a proposal.

Or look at the hidden costs stemming from the flow of dollars to Vietnam. I call them "hidden" because the public seldom understands them. As a member of the Senate Finance Committee, I find them matters of deep concern.

To put it bluntly, Vietnam has ruined any chance we might have had for attaining equilibrium in our balance of payments. There has long been concern about our net outflow of dollars: In 1964 our deficit was $2.8 billion; in 1965, largely because of voluntary cooperation by large corporations, it was $1.3 billion. Secretary of the Treasury Henry H. Fowler and other Administration leaders encourage increased borrowing abroad by American firms to finance their foreign capital needs. We discourage tourists from going abroad in order to keep more dollars at home. But until recently there was curiously little official acknowledgment that, after all, Vietnam is the real culprit, for we are sending billions abroad to keep the war going.

So many words have been written about Vietnam that sometimes we must all feel like the small boy who, having read an exhaustive account of the habitat, habits and psychology of the penguin, wrote in his book review, "It really told me more about penguins than I wanted to know." And yet few of us know nearly as much about the subject as we think we do—especially about what this adventure is really costing us. I shall, of course, continue to vote for the military supplies our troops need. But it is time to be honest about what "benefits" we are receiving for our efforts. Cost-accounting a war is impossible, but realism is not. Even the South Vietnamese are not profiting from our vast investment. Our dollars have distorted an already impoverished economic scene, causing devaluation of the piaster to half its previous rate and thus adding misery for almost everyone, while a handful of Saigon businessmen have a vested interest in keeping the war going on.

Ninety miles from Florida lies a Communist country under Fidel Castro. We have an enclave there, at Guantanamo. If we decide we must have a foothold in Indochina, then let us establish an enclave there, as General James Gavin and others have suggested. But let us concede the facts: Vietnam is 8,000 miles from California; it is difficult to supply; it has an unstable government; it is an arena of civil strife, and Ho Chi Minh is not a real threat to the United States. We are squandering our national wealth there unconscionably, much more of it than most of us realize, and more than our Government will admit. The key question is whether we are using an elephant gun to shoot an elusive fly.

BIRTH CONTROL

Mr. **CLARK**. Mr. President, recent happenings around the world are bringing more and more into public view the vital necessity for measures of population control, birth control, and planned parenthood all over the world.

An important international meeting has recently concluded its deliberations in Santiago, Chile, where the emphasis was primarily on planned parenthood and birth control developments in the Latin-American countries.

I ask unanimous consent that an article entitled "Optimism Voiced on Birth Control," published in the New York Times of Sunday, April 16, 1967, and an article "Birth Control Gaining in Latin America," written by Jeremiah O'Leary, and published in the Washington Star of April 7, 1967, be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 16, 1967]

Optimism Voiced on Birth Control—World Population Assembly Ends With Plea to All Lands To Adopt Programs

(By Juan de Onis)

Santiago, Chile, April 15.—The World Planned Parenthood assembly adjourned today with a call on all governments to adopt national programs that would help their people utilize birth control.

Sir Colville Deverell of Britain, Secretary General of the International Planned Parenthood Federation, said family planning of the number and spacing of children was "a contemporary human right" that governments and international bodies such as the United Nations must support.

The eighth international conference of the federation, which attracted delegates from 87 countries, closed at the municipal theatre with a basically optimistic assessment by delegates of the possibility of controlling the world "population explosion" in this century.

But Sir Colville said this can be achieved only if governments and volunteer agencies greatly increase present efforts to make contraception and maternal services available to the public in the developing countries, where population is growing fastest.

There may be as many as half a billion people of reproductive age living in developing countries where little or no progress has been made in providing birth control information and services, he declared.

Sir Colville said that the federation, a private organization of autonomous family planning groups in 50 countries on five continents, was in a transitional stage in which it must involve the governments of both developed and developing countries to assume responsibility for mass population control programs.

Dr. Alan Guttmacher of New York, chairman of the federation's medical committee, said that about $25-million was being invested annually by pharmaceutical companies, foundation-supported laboratories and universities in basic research and development of contraceptives.

NEW TECHNIQUES SOUGHT

This includes work in perfecting the hormone contraceptives that act on female ovulation, known as the pill when taken in oral form, and some work on basic biology of human reproduction that could lead to development of new techniques, including a male "immunizer" that could make sperm cells temporarily incapable of fertilizing the female egg.

Dr. Alan S. Parkes of Cambridge University, one of the pathfinders in hormone contraception, said the development of techniques that would permit the male to share in the possible side effects of long-run hormone use would be medically desirable, since it would reduce the burden of the woman.

Sir Colville, former British Governor of Maritius, an island group in the Indian Ocean, said in his summary of the week-long conference that there were several positive developments in the population field since the last conference was held in Singapore in 1963. He mentioned the following:

There is abundant evidence from opinion surveys and sociological studies that women everywhere "do not wish to indulge in anything approaching maximum fertility and yearn for effective help."

Very few governments are actively opposed to family planning, and religious opposition, where it exists, is not a decisive factor. Official public health representatives from 47 countries were here, and Roman Catholic priests were members of many delegations.

Effective and relatively inexpensive and acceptable methods of contraception can now be employed with the organization of family planning staffs, members of a new profession that has begun to acquire "expertise."

The dramatic growth of worldwide awareness of the importance of population control for economic and political considerations has encouraged wealthier nations to offer technical aid and program funds in this field. The United States, Britain, Sweden and Japan are among countries that includes family planning assistance in their overseas aid programs.

The United Nations Agencies, "although not yet perhaps quite unfettered" from the resistance of some countries, are participating in a few family planning efforts in response to requests for advice, though financial assistance is given. The Soviet Union and countries with strong Roman Catholic church-state relation, such as Spain and Ireland, have been resisting efforts to give the United Nations agencies, particularly the World Health Organization, a clear mandate to work in the population control field.

Only a few individual governments have accepted the responsibility of incorporating family planning into their maternal and child health services, and fewer yet are conducting national birth control programs, Sir Colville said.

The leaders in the development group are in Asia. Nationalist China, South Korea, Hong Kong, Singapore, Ceylon, India and Pakistan have official programs affiliated with the international federation. Other nations have private groups, as in Thailand.

The federation received indications here that it will be working with substantially increased funds in coming years. William H. Draper, chairman of the Population Crises Committee of Washington, a group that seeks to mobilize world opinion for population control, said private fund-raising and governmental contributions from about 20 countries would raise the federation's budget from $4-million this year to $10-million in 1970.

[From the Washington Star, Apr. 7, 1967]

Birth Control Gaining in Latin America

(By Jeremiah O'Leary)

Santiago, Chile.—A Latin America faced by an explosion of population it can hope to neither feed nor house is discovering that religious and social barriers to family planning have largely vanished.

Until recently, the process of liberalization was glacial, but 1967 will be remembered as the year Latin America came to grips with the population problem. The use of the contraceptive pill and intrauterine devices is no longer taboo.

Latin America has the highest population growth rate of any continent. The population has trebled to about 244 million since 1900. Unless checked it will double within 25 years and reach 623 million by the year 2000.

The dimensions of the problem are further indicated by statistics that predict a 90 percent increase in the number of child-bearing women in Mexico within 15 years. In 15 countries a 3.1 percent annual rate of population growth is forecast. The rate of growth in the U.S., by comparison, is 1.6 percent a year; in Europe it's .9 percent.

Except in a minority of cases, the dominant Roman Catholic church and the Latin governments are no longer implacable enemies of controlled parenthood.

Pope Paul's March encyclical, "Populorum Progression," might have been written with Latin America in mind, but it came long after untold thousands of Latin Americans gradually had reached their own moral decision on the dilemma.

The Pope's words—"It is for the parents to decide on the number of children . . . In all this they must follow the demands of their own conscience enlightened by God's law authentically interpreted and sustained by confidence in Him"—merely affirmed a conclusion reached independently by countless members of the Catholic clergy and laity in Latin America.

Leaders of the eighth Conference of the International Planned Parenthood Federation, starting a week-long meeting here Sunday, are hailing the encyclical despite Osservatore Romano's denial that it represents any change in the thinking of the church.

The significance of the conference is evident in the number of bishops, priests and Catholic laymen who have come to attend.

The Western Hemisphere Region of the IPPF has discerned a general softening of resistence to family planning programs in the past year, according to Dr. Luisa Pfau, president of the Chilean Association for Protection of the Family.

Just a year ago, she said, the regional group was providing grants to family planning associations in only 15 Latin American countries. Today, 24 countries receive direct support.

New associations have been established in Argentina, Ecuador, Brazil, Colombia, Mexico, Panama, Costa Rica, El Salvador, Curacao and the Dominican Republic.

The only countries where no family planning organization exists are Paraguay, Bolivia and Peru. One exists in Nicaragua, but encounters resistance from the ruling Somoza family.

Countries with lower birth rates, such as Argentina, have become interested because of high abortion rates and the number of deaths of pregnant women in the Latin equivalent of abortion mills.

In Chile, there is one abortion for every live birth. In Uruguay there are three abortions for every live birth.

The remarkable fact is that nationalistic governments are now a greater enemy of birth control than the church.

Some nationalistic resistance is due to the heavy-handedness of the U.S. which in 1963 underwent a basic policy change on assistance in family planning for underdeveloped countries and launched a selling campaign with all the subtlety of a Madison Avenue drive to peddle a new mouthwash.

As one official said, "It is difficult to get the U.S. government to move but once it moves, it is hard to slow it down or get it to use the light touch."

Fortunately, the U.S. role has become more efficient and more subtle.

Many of the 1,200 delegates from 80 countries attending the Planned Parenthood Conference here are coming with airplane tickets paid for by the Ford Foundation. The U.S. Agency for International Development has invested $100,000 in the conference and U.S. embassies around the world have quietly helped form delegations to Santiago.

More than $100,000 has been contributed to the conference by the Ford and Rockefeller Foundations. Financial assistance also came from Norway, Sweden, Denmark and The Netherlands.

Philander Claxton, a special assistant on population to Secretary of State Dean Rusk, and George Coleman, head of health, nutrition and population for the Latin America section of the State Department, are delegates, but will be purposely in the background.

Nevertheless, the U.S. has $7 million available for training in family planning and $400,000 of this is earmarked for demographic studies in Latin America.

A major problem the conference will take up is how to better transmit family control information to women of the slums and rural areas.

Chile was the first government in Latin America to introduce family planning as part of its national health services and this year is providing $400,000 to provide contraceptive devices to 100,000 women.

Honduras' ministry of public health has established 57 family planning centers with the objective of 1,000 IUD insertions a month.

Mexico has no formal policy on family planning, but gives moral support to private efforts. The Guatemalan government has not supported family planning but a family welfare association has now achieved the toehold of legal status.

Panama, while it has not developed a policy, is not opposing family planning activities begun in cooperation with the University of Panama.

Argentina has been slow to start family planning because of its low birth rate of 1.6 percent. But medical concern over abortions and family welfare has led to private group activities.

There is no formal organization in Bolivia but individual doctors are providing contraceptive service to Indians.

Fifty-four clinics will be established in Brazil this year, a giant step in view of the national law against propagandizing contraceptives.

Colombia has appropriated $300,000 to extend family planning services throughout the country and expects to place $30,000 IUD's this year. Ecuador has neither supported nor opposed private services now operating in nine provinces.

In Peru, the government and Ford Foundation support a population and development center, largely a research organization. Contraceptive devices are illegal in Peru.

The Uruguayan government, without any public announcement, contributes financially to the development of clinics which offer IUD's and oral contraceptives at the rate of about 1,800 consultations a week.

In Venezuela, a public health ministry center is developing a pilot birth control project.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "The Indian Burden," written by Joseph Kraft, and published in the Washington Post of April 17, 1967. The article explains in some detail the enormous difficulties of dealing with population control in India.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Apr. 17, 1967]

The Indian Burden

(By Joseph Kraft)

New Delhi.—From Suez through Hungary to Korea, India was in the thick of every great international episode during the decade of the fifties. But when United Nations Secretary General U Thant arrived here last week it was a question what subjects he could find to discuss usefully with the Indian government.

The shrinkage of horizons thus exemplified happens to coincide exactly with both the Indian and the American interest. But in India, as in most countries, there are powerful forces and people working against shedding the burden of international prestige. And the United States, as if unconscious of its interests, does things that can only whet the appetites of Indians still keen to play the "World Game."

To understand why India's coming in out of the world suits the interest of both New Delhi and Washington, it is enough to get a glimpse of the Indian food and population problem. Just to feed India this year, the United States will be sending abroad one-fifth of its annual wheat crop. Six hundred ships, the largest armada ever assembled, are required to carry the grain.

The food population crisis this year, to be sure, is particularly intense after two years back-to-back of drought. A considerable improvement in Indian food production is likely, provided the summer rain or monsoon comes through this year.

Even so there stretches out for five or even ten years a long, hard road. On the population side India has 500 million mouths to feed and is accumulating 14 million more every year. The loop, which was supposed to be a once-and-for-all birth control device, has not lived up to its promise.

India's new Minister of Family Planning, Dr. Chandrasekhar, stresses bonuses to promote sterilization of fathers of more than three children. His people in the field are already speaking of compulsory sterilization.

On the food side, the Indian government two years ago approved a comprehensive plan embracing seeds, fertilizer, irrigation, pesticides and price incentives to farmers, which aims at high-yield agriculture designed to give the country self-sufficiency by 1971.

But fulfilling this plan requires something about as stark as compulsory sterilization.

It requires the almost total diversion of India's energies and resources to the agricultural sector. It requires especially the subordination of foreign to internal interests.

But it is never easy for a country to forgo past glories, especially those won in foreign fields. Prime Minister Indira Gandhi would not be the daughter of Pandi Nehru if the "World Game" were not more to her taste than scratching in the ground for grain.

The opposition parties, the bureaucracy in the defense and foreign ministries, both keep harping on India's security problems with Pakistan and China. The Soviet Union, playing New Delhi off against Washington and Peking, keeps pushing the Indians forward in the foreign policy field—an influence particularly expressed in repeated Indian statements on Vietnam.

The American interest, in these circumstances, is to foster the shucking of India's international burdens. And that means chiefly not rubbing Indian national pride the wrong way. But in two respects, American policy is now at odds with that obvious council of caution.

For one thing, there is the recent decision to supply lethal arms aid to Pakistan. For good historic reasons any aid to Pakistan can only rouse Indian nationalism, and the present commitment ought at least to be held down and soon scrapped.

Secondly, there is the so-called ship-mouth policy of having food available to India on a short-term basis only. That system may have provided a useful tool for generating a sense of urgency in India months ago.

But now uncertainty as to what will be available only cramps action, and complicates the kind of long programming essential to evaluation. And it gives the impression that the United States is sweating the Indians.

As it happens, one pending piece of business affords the United States an excellent chance to soothe some of the national feeling it has recently irritated. In the negotiations for the nonproliferation treaty barring the spread of nuclear weapons, the Indians are asking, among other things, for some kind of joint American-Russian guarantee against China.

In this matter Washington can well afford to be generous. For the precise American interest in southern Asia is to absorb as much as is possible of India's international burden now against the day when a strong India can again play a useful role in world affairs.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "Wanted: A Policy for Birth Control," written by Marquis Childs, and published in the Washington Post of April 17, 1967. The article comments favorably—and I join in the comments—on the efforts of AID to expand its birth control program around the world.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Apr. 17, 1967]

Wanted: A Policy for Birth Control

(By Marquis Childs)

Bailing out a leaky boat with a teaspoon—that is what the effort is like thus far to stem the upsurge of population threatening to overwhelm the earth's resources. An important change in American policy could, however, mark the beginning of a more meaningful attempt to defuse the time bomb of the population explosion.

While it got little notice William S. Gaud, Administrator of AID, told a congressional committee that as part of AID's family planning program the United States will furnish contraceptive materials to countries requesting them. Until now AID has furnished only technical and advisory help for population programs, training and research.

The amount spent on this marginal effort has been tiny. Out of the economic program for the current fiscal year of $2.1 billion less than $9,000,000 goes into family planning. Of that amount $5,000,000 is a loan to Turkey to spread information about techniques to carry out family planning.

Cautious as the approach has been, it is a radical departure from the timidity of the past that vetoed even the most peripheral look at a subject hedged in by a multitude of taboos. The break came with President Johnson's declaration in his State of the Union message in 1965 that he would seek new ways to use our knowledge to help deal with the explosion in world population and growing scarcity in world resources. The AID administrator's statement that birth-control materials can now be provided is another milestone on a road stretching into a long, troubled, and menacing future.

The cautious steps have been taken as the full meaning of death control—the conquest of ancient plagues limiting the growth of peoples—without birth control is evident. The summit meeting in Punta de Este and before that the session of the International Planned Parenthood Assembly in Santiago, Chile, pointed up the urgent need for action in Latin America where the population will double before the end of the century. Many of the Americas must import food to maintain a bare level of existence for constantly multiplying peoples.

A grim fact conveniently ignored in the past is being faced up to. This is the rate of illegal abortion steadily on the increase. It takes a toll in life and in health only partly reflected in statistics.

This reporter has a vivid memory of meeting in Bogota, Colombia, with a group of demographers and family planning specialists. They spoke with foreboding, almost despair, of what the upsurge of peoples means in a country where the masses live on the poverty line. In particular they were concerned with the way in which often self-induced abortion brought on death or serious illness. Hospital beds, all too scarce, were filled with tragic women with too many unwanted children. Penicillin and other scarce drugs were used to save their lives. Of the 90,000,000 women of child-bearing age in Latin America AID officials estimate that half will go to any lengths to prevent having further offspring.

AID has just put out a report showing startling contrasts in rates of population increase around the world. The rate for Latin America is 2.9, over-all for the less-developed countries 2.5. The percentage for the developed countries is 1.1, the United States 1.2. In Italy, where the Roman Catholic Church is the official church, the rate is 0.7, only slightly lower than Denmark and the United Kingdom with 0.8.

Caution is still the keynote of AID's approach to family planning with stress on the request that must come from the country wanting help. Some advocates of the desperate need to bring food resources into balance with population growth urge that establishment of family planning programs be made a condition of economic help. In his statement to the House Foreign Affairs Committee, Gaud rejected this condition, stating that birth-control aid would be provided "to those countries which have voluntary family planning programs" allowing for individual freedom of choice.

Any effort to persuade or coerce sensitive underdeveloped countries into taking contraceptive material would kick up a political storm. Still under study is how to go about providing such help. A possible model is in the loan to Pakistan of $168,000 in Pakistan currency for a joint enterprise with an American drug company to manufacture the contraceptive pill as well as eight other drug products.

Of the total aid request for the next fiscal year of $2.53 billion, $20,000,000 is budgeted for family planning. Double the current figure, it is a gain, although still a small beginning on an immense problem.

Mr. CLARK. Mr. President, in this morning's New York Times there is a news article dealing with the report made to the Pope by a committee which he had appointed to deal with the vexing and delicate problem of contraception as it applies to members of the Catholic faith. Another article published in this morning's New York Times is entitled "Majority Report Seeks Papal Shift on Contraception—Advisers to Pontiff Are Split—Both Findings Printed in U.S. Catholic Paper—No Comment by Vatican."

I ask unanimous consent to have these articles printed at this point in the Record.

There being no objection, the articles was ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 17, 1967]

Majority Report Seeks Papal Shift on Contraception—Advisers to Pontiff Are Split—Both Findings Printed in U.S. Catholic Paper—No Comment by Vatican—Liberals on Panel Hold View That Marriage Requires Rights To Plan Family

(By Douglas E. Kneeland)

Kansas City, Mo., April 16.—The texts of the long-secret recommendations submitted to Pope Paul VI by the Papal Commission on Birth Control have been made public here. They confirm that the majority favored approval of "decent and human means" of contraception.

The National Catholic Reporter, a liberal, independent weekly published by laymen, is printing in this week's issue, dated April 19, its own English translation from the Latin of the majority and minority reports presented to the Pope last June 26 and of a majority working paper.

[The Vatican remained silent on the publication of the reports.]

DEBATE HAS BEEN PERSISTENT

Robert G. Hoyt, the 45-year-old editor of The Reporter, said the texts were obtained from a member of the commission, whom he would not identify.

A debate has raged for years among Roman Catholics over the church's ban on artificial means of contraception. Hopes were recently aroused among advocates of change that the commission's report would result in an easing of the church's stand, but the Pope has taken no action on the recommendations.

The commission, which was named by the Pope to make a thorough study of the issue, was limited to an advisory status.

The depth of the philosophical and theological rift on the question is evident in the recommendations of the majority and minority.

THE PILL NOT MENTIONED

The majority bases its argument for using means of contraception other than the rhythm method almost entirely on the need for fulfillment in marriage, which it contends includes sexual fulfillment and the right to plan the number of children the family can care for and prepare "for a truly human life."

Although acceptance of contraceptive pills has been considered an avenue for the church to take in abandoning its opposition to mechanical means of contraception, the majority did not mention the pills or differentiate between them and other means of contraception.

In their minority report, the conservatives stood firmly on past teachings of the church.

Arguing that contraception is evil in itself they said:

"Something which can never be justified by any motive or any circumstance is always evil because it is intrinsically evil. It is wrong not because of a precept of positive law, but a reason of natural law. It is not evil because it is prohibited, it is prohibited because it is evil."

SERIOUS IMPLICATIONS SEEN

Apparently conceding difficulties in meeting the majority's arguments that circumstances and human knowledge have changed, the minority report added:

"If we could bring forward arguments which are clear and cogent based on reason alone, it would not be necessary for our commission to exist, nor would the present state of affairs exist in the church as it is."

The conservatives saw serious theological implications in a change in the position of the church.

"For the church to have erred so gravely in its grave responsibility of leading souls," they said, "would be tantamount to seriously suggesting that the assistance of the Holy Spirit was lacking to her."

The minority paper also contended that the condoning of artificial contraception in marriage would open the door to approval of extramarital sexual relationships, sterilization and unnatural sexual acts.

Arguing that newer means of contraception are no different from and an improvement on the approved rhythm method in which sexual intercourse is limited to the wife's infertile periods, the liberals declared:

"The regulation of conception appears necessary for many couples who wish to achieve a responsible open and reasonable parenthood in today's circumstances. If they are to observe and cultivate all the essential values of marriage, married people need decent and human means for the regulation of conception."

Defending the importance of sexual love in marriage, they said:

"Through developing their communion and intimacy in all its aspects, a married couple is able to provide that environment of love, mutual understanding and humble acceptance which is the necessary condition of authentic human education and maturation."

The majority recommendations carefully pointed out that sexuality was not to be condoned for its own sake even within marriage.

'An egotistical, hedonistic and contraceptive way which turns the practice of married life in an arbitrary fashion from its ordination to a human generous and prudent fecundity is always against the nature of man and can never be justified," they asserted.

Abortion is condemned outright in the report, which also makes it clear that there will be no change in the church's stand on extramarital relations or unnatural sexual acts.

[From the New York Times, Apr. 17, 1967]

EXCERPTS FROM MAJORITY AND MINORITY REPORTS OF PAPAL PANEL ON BIRTH CONTROL

MAJORITY REPORT

In fulfillment of its mission, the church must propose obligatory norms of human and Christian life from the deposit of faith in an open dialogue with the world. But since moral obligations can never be detailed in all their concrete particularities, the personal responsibility of each individual must always be called into play. This is even clearer today because of the complexity of modern life; the concrete moral norms to be followed must not be pushed to the extreme.

The fundamental values of marriage

A couple ought to be considered above all a community of persons which has in itself the beginning of new human life. Therefore those things that strengthen and make more profound the union of persons within this community must never be separated from the procreative finality which specifies the conjugal community.

God created man male and female so that, joined together in the bonds of life, they might perfect one another through a mutual, corporal and spiritual giving and that they might carefully prepare their children, the fruit of this love, for a truly human life.

Responsible parenthood and the regulation of conception

Responsible parenthood (that is, generous and prudent parenthood) will make a judgment in conscience before God about the number of children to have and educate according to the objective criteria indicated by Vatican Council II.

Responsible parenthood—through which married persons intend to observe and cultivate the essential values of matrimony with a view to the good of persons (the good of the child to be educated, of the couples themselves and of the whole of human society)—is one of the conditions and expressions of a true conjugal chastity. For genuine love, rooted in faith, hope and charity, ought to inform the whole life and action of a couple. By the strength of this chastity the couple tend to the actuation of that true love precisely inasmuch as it is conjugal and fruitful. They accept generously and prudently their task with all its values, combining them in the best way possible according to the particular circumstances and of their life and in spite of difficulties.

The regulation of conception appears necessary to many couples who wish to achieve a responsible, open and reasonable parenthood in today's circumstances. If they are to observe and cultivate all the essential values of marriage, married people need decent and human means for the regulation of conception. They should be able to expect the collaboration of all, especially from men of learning and science, in order that they can have at their disposal means agreeable and worthy of man in the fulfilling of his responsible parenthood.

The morality of sexual acts between married people takes its meaning first of all and specifically from the ordering of their actions in a fruitful married life, that is one which is practiced with responsible, generous and prudent parenthood. It does not depend upon the direct fecundity of each and every particular act.

On the continuity of doctrine and its deeper understanding

The tradition of the church that is concerned with the morality of conjugal relations began with the beginning of the church. This tradition always, albeit with various words, intended to protect two fundamental values: the good of procreation and the rectitude of marital intercourse. Moreover the church always taught another truth equally fundamental, although hidden in mystery, namely original sin. This had wounded man in his various faculties, including sexuality. Man could only be healed of this wound by the grace of savior. This is one of the reasons why Christ took marriage and raised it to a sacrament of the new law.

An egotistical, hedonistic and contraceptive way that turns the practice of married life in an arbitrary fashion from its ordination to a human, generous and prudent fecundity is always against the nature of man and can never be justified.

The large amount of knowledge and facts that throw light on today's world suggest that it is not to contradict the genuine sense of this tradition and the purpose of the previous doctrinal condemnations if we speak of the regulation of conception by using means, human and decent, ordered to favoring fecundity in the totality of married life.

Then must be considered the sense of the faithful: According to it, condemnation of a couple to a long and often heroic abstinence as the means to regulate conception cannot be founded on the truth.

The acceptance of a lawful application of the calculated sterile periods of the woman—that the application is legitimate presupposes right motives—make a separation between the sexual act which is explicitly intended and its reproductive effect which is intentionally excluded.

The tradition has always rejected seeking this separation with a contraceptive intention for motives spoiled by egoism and hedonism, and such seeking can never be admitted. The true opposition is not to be sought between some material conformity to the psychological processes of nature and some artificial intervention. For it is natural to man to use his skill in order to put under human control what is given by physical nature.

The opposition is really to be sought between one way of acting which is contraceptive and opposed to a prudent and generous fruitfulness, and another way which is an ordered relationship to responsible fruitfulness and which has a concern for education and all the essential, human and Christian values.

The objective criteria of morality

The question comes up which many men rightly think to be of great importance, at least practically: What are the objective criteria by which to choose a method of reconciling the needs of marital life with a right ordering of this life to fruitfulness in the procreation and education of offspring?

It is obvious that the method is not to be left to purely arbitrary decision.

The objective criteria are the various values and needs duly and harmoniously evaluated. These objective criteria are to be applied by the couples, acting from a rightly formed conscience and according to their concrete situation. They will thoughtfully take into account both their own welfare and that of their children, those already born and those which may be foreseen. Finally they will consult the interests of the family community, of temporal society and of the church herself.

Likewise, these are objective criteria as to the means to be chosen of responsibly determining the size of the family: If they are rightly applied, the couples themselves will find and determine the way of proceeding.

In grave language, Vatican Council II has reaffirmed that abortion is altogether to be excluded from the means of responsibly preventing birth. Sterilization, since it is a drastic and irreversible intervention in a matter of great importance, is generally to be excluded as a means of responsibly avoiding conceptions.

The natural law and reason illuminated by Christian faith dictate that a couple proceed in choosing means not arbitrarily but according to objective criteria. Among these criteria, this must be put first: The action must correspond to the nature of the person and of his acts so that the whole meaning of the mutual giving and of human procreation is kept in a context of true love. The means which are chosen should have an effectiveness proportionate to the degree of right or necessity of averting a new conception temporarily or permanently.

Therefore not arbitrarily, but as the law of nature and of God commands, let couples form a judgment which is objectively founded, with all the criteria considered. This they may do without major difficulty, and with peace of mind, if they take common and prudent counsel before God.

The task and fundamental conditions of educational renewal

Couples who might think they find in the doctrine as it has just been proposed an open door to laxity or easy solution make a grave mistake, of which they will be the first victims. The conscientious decision to be made by spouses about the number of children is not a matter of small importance. On the contrary to impose a more conscientious fulfilling of their vocation to fruitfulness of a whole complex of values which are involved here.

Application of the doctrine of matrimony to different parts of the world

It seems very necessary to establish some pontifical institute or secretariate for the study of the sciences connected with married doctrine of matrimony should be applied to different parts of the world.

There are many reforms and initiatives that are needed to open the way to decent and joyful living for all families. Together with all men of good will, Christians must approach this great work of human development, without which the elevation of families can never become actual. It cannot be that anyone would wish to elevate his own family without at the same time actively dedicating himself to opening a way for similar elevation for all families in all parts of the world.

Demographic fact and policy

The church is not ignorant of the immense difficulties and profound transformations which have arisen from the conditions of contemporary life throughout the world and especially in certain regions where there has been a rapid rise in population.

The church, by her doctrine and by her supernatural aids, intends to help all families so that they might find the right way in undertaking their generous and prudent responsibility. Governments that have the care of the common good should look with great concern on subhuman conditions of families and "beware of solutions contradicting the moral law, solutions which have been promoted publicly or privately, and sometimes actually imposed." These solutions have contradicted the moral law in particular by propagating abortion or sterilization.

Political demography can be called human only if the rights of parents with regard to the procreation and education of children are respected and conditions of life are fostered with all vigor so that parents are enabled to exercise their responsibilities before God and society.

The inauguration and further development of means for education of couples and youth

Couples are burdened by multiple responsibilities throughout the whole of life; they seek light and aid. With the favor of God there will develop in many regions what has already been initiated often by the married couples themselves, to sustain families in their building and continual development.

Maximum help is to be given to parents in their educational task. Therefore it is fitting everywhere to work out many better means to remote and immediate preparation of youth for marriage. This requires the collaboration of everyone. Married people who are already well educated will have a great and indispensable part in this work. In these tasks of providing help to spouses and to the young who are preparing to build a conjugal and family community, priests and the religious will cooperate closely with the families.

MINORITY REPORT

Contraception is understood by the church as any use of the marriage right in the exercise of which the act is deprived of its natural power for the procreation of life through the industry of man. Contraceptive sterilization may be defined theologically as any physical intervention in the generative process (opus naturae) which, before or after the proper placing of generative acts (opus hominis), causes these acts to be deprived of their natural power for the procreation of life by the industry of man.

Always evil. Something which can never be justified by any motive or any circumstances is always evil because it is intrinsically evil. It is wrong not because of a precept of positive law, but of reason of the natural law. It is not evil because it is prohibited, but it is prohibited because it is evil.

A constant and perennial affirmative answer is found in the documents of the Magisterium and in the whole history of teaching on the question.

First of all, some more recent documents of the pontifical teaching authority may be cited, namely the encyclical "Casti Connubii" of Pius XI (1930); the "Allocution of Midwives" of Pius XII (1951); the encyclical "Mater et Magistra" of John XXIII (1961).

Pius XI, "Casti Connubii":

"But no reason, however grave, may be put forward by which anything intrinsically against nature may become conformable to nature and normally good. Since, therefore, the conjugal act is destined primarily by nature for the begetting of children, those who in exercising it deliberately frustrate its natural power and purpose, sin against nature and commit a deed that is shameful and intrinsically vicious.

"Any use whatsoever of matrimony exercised in such a way that the act is deliberately frustrated in its natural power to generate life is an offense against the law of God and of nature, and those who indulge in such are branded with the guilts of a grave sin.

"If any confessor or pastor of souls, which may God forbid, leads the faithful entrusted to him into these errors or should at least confirm them by approval or by guilty silence, let him be mindful of the fact that he must render a strict account to God, the Supreme Judge, for the betrayal of his sacred trust, and let him take to himself the words of Christ: 'They are blind and leaders of the blind: and if the blind lead the blind, both fall into the pit.' "

Pius XII, "allocation to midwives," 1951:

"Every attempt on the part of the married couple during the conjugal act or during the development of its natural consequences, to deprive it of its inherent power and to hinder the procreation of a new life is immoral. No 'indication' of need can change an action that is intrinsically immoral into an action that is moral and lawful.'

"This prescription holds good today just as much as it did yesterday. It will hold tomorrow and always, for it is not a mere precept of human right but the expression of a natural and divine law.

"Direct sterilization, that which aims at making procreation impossible as both means and end, is a grave violation of the moral law, and therefore illicit. Even public authority has no right to permit it under the pretext of any 'indication' whatsoever, and still less to prescribe it or have it carried out to the harm of the innocent."

John XXIII, "Mater et Magistra," 1961:

"Hence, the real solution of the problem (overpopulation) is not to be found in expedients which offend against the divinely established moral order or which attack human life at its very source, but in a renewed, scientific and technical effort on man's part to deepen and extend his dominion over nature. The transmission of human life is the result of a personal and conscious act and, as such, is subject to the all-holy, inviolable and immutable laws of God, which no man may ignore or disobey. He is not, therefore, permitted to use certain ways and means that are allowable in the propagation of plant and animal life. Human life is sacred. From its inception it reveals the creating hand of God. Those who violate His laws not only offend the divine majesty and degrade themselves and humanity, they also sap the vitality of the political community of which they are members."

The answer of the church in the present century is also illustrated by declarations of the bishop, either collectively speaking in a particular region or speaking individually in their own diocese.

It must be noted that the Holy See between 1816 and 1929, through the Roman Curia, answered questions in this matter 19 times. Since then it has spoken almost as many times. In the responses given, it was at least implicitly supposed that contraception was always seriously evil.

History provides fullest evidence that the answer of the church has always and everywhere been the same. The theological history of contraception is sufficiently simple, at least with regard to the central question: Is contraception always seriously evil? For in answer to this question there has never been any variation and scarcely any evolution in teaching. The ways of formulating and explaining this teaching have evolved, but not the doctrine itself.

Theologians have never said, "Homicide is always evil because God has said 'Increase and multiply;' but because He has said 'You may not kill the innocent.' "

Similarly they have not said that contraception is evil because God has said "Increase and multiply," but because they have considered it in some way analogous to homicide. In every age it is clearly evident that contraception essentially offends against the negative precept: "One may not deprive the conjugal act of its natural power for the procreation of new life."

Brief summary of recent doctrinal development

With regard to sexual acts and their natural consequences, it is possible to do the following: practice continence; an imperfect or incomplete act, including amplexus reservatus; intervene in the operation of nature without mutilation, for example, by using a pill for contraception; intervene in the operation of nature by a irreversible surgery, for instance, through sterilization; intervene in man's operation (opus hominis), by depriving the cast itself of procreative power, as through onanism; intervene against the embryo, considering it is not yet animated by a rational soul; intervene against the fetus, animated by a rational soul, by abortion, properly so-called; intervene against a newly born deformed child.

Until now the church has condemned human intervention in genital activity (from the third practice on), whether it was a question of impending or frustrating the natural power of conjugal intercourse. After a few years, some theologians allowed intervention (in the operation of nature without a mutilation). Then some allowed intervention (by irreversible surgery) for special cases. Many with ease allow even intervention in man's operation, etc., at least when it is not a question of a condom impending intimate union. Some seem prepared to admit (intervene against the embryo, etc.) if it can be established with certainty that the rational soul does not come into existence at the moment of fertilization. Further it would seem that intervention against the fetus, etc., is not absolutely excluded by all.

MAJORITY'S REBUTTAL

Today, no one holds that the solemn declaration of the encyclical "Casti Connubii" constitutes a true doctrinal definition. This is by no means an apostolic tradition or an attestation of faith, but merely the tradition of teaching formulated in diverse ways at divers times.

Little by little, the church has freed herself from this inadequate concept of nature and the natural law. The teaching of the Second Vatican Council affirmed the great importance of the expression of conjugal love through intercourse and especially the virtuous exercise

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> It is the duty of man to perfect nature (or to order it to the human good expressed in matrimony) but not to destroy it. When man intervenes in the procreative process, he does this with the intention of regulating, and not excluding, fertility.
>
> The rhythm method is very deficient. Besides, only 60 per cent of women have a regular cycle. Intervention ought to be done in a way more conformed to the expression of love and to the respect for the dignity of the partner.

Mr. CLARK. Mr. President, I recently returned from 2 days of a Mississippi investigation of the poverty program and how the program works there,

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. Mr. President, I ask unanimous consent that I may be permitted to continue for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, the Senator from New York [Mr. KENNEDY] and I saw conditions in the delta area of Mississippi which convinced me beyond the peradventure of a doubt of the need for a massive program of population control and birth control in that State.

The visit merely confirms the views which I have held for a long time as the result of conditions in my own State, that a system of population control, voluntarily engaged in, with information made available to every woman and every man who wants it is an essential tool in the war on poverty.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield.

Mr. CLARK. I yield.

Mr. BYRD of West Virginia. Mr. President, I share that viewpoint, and I think that not merely information, but also devices should be made available to persons who wish to use them.

Mr. CLARK. Mr. President, I agree with my friend, the Senator from West Virginia.

That is just what AID is now doing. Unfortunately, there are too many places in our own country, I fear, where adequate information or devices are not being made available to these poor, ignorant people who do not know how to protect themselves against the unwanted child.

Mr. BYRD of West Virginia. The Senator is correct.

I have urged that the Health Department of the District of Columbia proceed with utilizing money made available for the establishment of fulltime birth control clinic teams in the District of Columbia.

I have complained to the health department, because that department had not moved as rapidly as it should have moved in establishing these teams and thus making information and birth control devices available to the clientele which exists.

Mr. CLARK. The Subcommittee on Manpower, Employment, and Poverty, of which I am chairman, will hold hearings in Washington on Thursday and Friday of this week, dealing with poverty conditions in the District of Columbia. I would certainly welcome a statement from the Senator from West Virginia, and perhaps his appearance as a witness at those hearings, to advocate the position which he has just stated, because I believe it would be of great assistance to the subcommittee.

Mr. BYRD of West Virginia. The position I have just stated has been advocated time and time again and is so recorded as part of hearings conducted by me as chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations.

I am proud to join with the Senator from Pennsylvania in expressing the belief that this very important subject, which so long has been swept under the rug, is one with which we will have to come to grips and about which something must be done now rather than a generation hence. The time is already late.

NOTICE TO THE SENATE ON THE REPRINTING OF 1967 UKRAINIAN INDEPENDENCE DAY PROGRAM

Mr. SCOTT. Mr. President, with respect to the 49th anniversary of Ukrainian independence, a private order is being submitted for reprint publication of all statements and other insertions made by Members of the Senate prior, during, and after the January 22, 1967, event.

If there is no objection from any such Member, his or her statement or insertion will be incorporated in the reprint brochure, which has been requested by the Ukrainian Congress Committee of America. I ask unanimous consent that this may be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

IS IT REALLY NECESSARY FOR THE UNITED STATES TO RATIFY THE HUMAN RIGHTS CONVENTIONS?—YES

Mr. PROXMIRE. Mr. President, some conscientious individuals have questioned me on the necessity and wisdom of my daily efforts to win Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

Their very plausible argument proceeds along this general theme: "Certainly the United States has proved that we care. Actions speak much louder than words. We have provided massive assistance—both physical and financial—to other less fortunate people. We have given the United Nations far, far more support than any other nation. Really, we have conclusively demonstrated our humanitarian generosity. What else do we have to do?"

Well, Mr. President, I agree wholeheartedly that the United States has humanely shared our prosperity with billions of the world's people. We most definitely have given openly of our foodstuffs, our technology, and our wealth. I, as I am sure the overwhelming majority of Americans are, am very proud of this Nation's record.

The United States has also been a major benefactor of the United Nations, providing the world organization with a home and the financial assistance necessary to keep the U.N. going.

But there is much more to human rights than simply copious bequests to near-indigent peoples.

As Ambassador Goldberg stated the case so well in testimony this past February 23:

> I discover in my work at the U.N. that constant repetition and reiteration of basic principles are still required, and I discover sometimes even in our own country that there is lack of recollection of what we have gone through in various periods of our national history, so that I think reiteration, reaffirmation of attachments to basic fundamental values is a very important thing.

In this testimony, Ambassador Goldberg was echoing the wise sentiments of President Kennedy on July 22, 1963, when he wrote:

> There is no society so advanced that it no longer needs periodic recommitment to human rights.

The United States has a singularly distinguished record in the struggle for human rights. The Senate can add further luster and greater meaning to our national record by ratifying the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

EXPANSION OF TRADE BETWEEN COMMONWEALTH OF VIRGINIA AND EUROPE

Mr. SPONG. Mr. President, the Governor of Virginia, Hon. Mills E. Godwin, and more than 30 other representatives of the State will soon be returning from a 3-week trade mission to a number of European capitals and commercial centers. Their trip included meetings with many government officials and business leaders. Its purpose was to promote greater export-import activity between Europe and Virginia, expanded air travel through Dulles International Airport, and development of broader European markets for Virginia agricultural and manufactured goods. The delegation included leaders in many commercial fields, as well as Governor Godwin and other State officials. Reports indicate that it was a highly successful venture.

Too often the representatives of State business and government view the development of foreign commerce as a matter for the Federal Government. This is not, and should not, be so. Governor Godwin and his party are to be commended for their initiative, not only in promoting greater economic activity between Virginia and countries overseas, but also in establishing the kind of personal contacts with leaders of other nations which is so necessary for understanding and cooperation in an increasingly interdependent world.

During their trip Governor Godwin made several speeches which I think are reflective of the benefits of such State and private efforts in foreign countries. I ask unanimous consent that his remarks of April 14, 1967, in Brussels, Belgium, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Address by Gov. Mills E. Godwin, Jr., of Virginia, American Chamber of Commerce, and American Belgian Association, Brussels, Belgium, April 14, 1967

This visit to Belgium recalls to many Virginians an experience of 23 years ago, an experience which demonstrated anew the long standing ties of good will and friendship between our peoples. When the German breakthrough precipitated what we in the United States came to know as the "Battle of the Bulge," many of our young Virginians were a part of the Allied forces which blunted the enemy thrust aimed at Liege and eventually the sea. The names of Bastogne, St. Vith, Malmedy, and scores of others associated with those trying winter days have a special meaning for many homes in Virginia. And the aid which was rendered by your people is remembered also by many other families whose sons were saved after being shot down or wounded while on aerial and ground missions which carried them over or into your territory. The action of the Belgium people constituted a great demonstration of genuine friendship, for their allies and friendship for the cause of freedom.

There are numerous other reasons that we read special significance into our visit with you this spring. We recall another party of Virginians who came to Belgium in 1956, headed by another Governor of Virginia, the Honorable Thos. B. Stanley, who had the privilege of meeting with many of your governmental and business leaders, including His Majesty King Baudouin.

And especially gratifying now is the knowledge that the people of the Commonwealth of Virginia will have the opportunity shortly of paying homage to another Belgian, Miss Monique Van den Boeynants, daughter of your distinguished Prime Minister, the Honorable Paul Van den Boeynants. We are delighted that this charming ambassadress of your country will reign as Queen Azalea XIV at the International Azalea Festival in Norfolk, April 19th to 23rd.

Perhaps we were ill advised in the composition of our own party—I am confident that the warmth of our reception would have been vastly increased could we have selected as one of our emissaries a young lady of similar characteristics. However, we will attempt to make amends by hastening home to Virginia in time to participate in the welcome to Her Royal Majesty.

Belgium is one of four nations we are visiting during this mission and, of course, it is not difficult to fathom the reasons Brussels is a prime stop during the tour. Here you have the trading and political clearinghouse of Europe and the contacts with business and industry so essential to the success of any mission of this character. Aside from the very enjoyable aspects of our visit, such as this pleasant occasion today, we have some very definite objectives which we believe to be of mutual benefit. First, we seek to enlist your aid in expanding Virginia exports. We also want to encourage Belgium industry and business to recognze the advantages of using the facilities available to them in Virginia, such as the great Port of Hampton Roads, which is America's second in terms of tonnage; and Dulles International Airport which has been aptly described as the "jet gateway to America."

We also seek to make known to your executives the advantages available to your firms in choosing Virginia for branch plants or additional outlets for your products. In addition, we hope that our visit may remind you that Virginia beckons those of you who are thinking of the best and most enjoyable means of utilizing your leisure time. We like to think that no area on the globe has more to offer the vacationist than Virginia. Our sun-bathed beaches are unsurpassed and those who enjoy motoring can view some of the most spectacular vistas in America while travelling along our mountain top parkways. Those who enjoy the out-of-doors can find well-equipped camp sites throughout Virginia and those who would prefer the luxury of the finest hotel facilities will find our resorts matching the famous spas of Europe. And while I am thinking in these terms, perhaps I should add that a simple request by letter or postcard to us in Richmond will bring you detailed suggestions and even complete itineraries for whatever period of enjoyment you are able to spend with us.

We appreciate the fact that Belgium for many years has been one of our prized customers for many items from our farms and factories. We also are mindful of the great industrial output of your country and the many ways in which your products meet the needs of our people and augment our own economy. Perhaps we were a bit selfish, but manly-wise, in restricting our delegation to male representatives. Past experience has proved beyond a shadow of a doubt that it is indeed risking financial ruin to expose American ladies to the merchandise attractions of Brussels, or any other city of Belgium, where everything from lace to diamonds is in evidence in such profusion.

More seriously, we speak for 4½ million Virginians in inviting the business and industrial interests of Belgium to explore with us the means of expanding trade and commerce to our mutual advantage. We seek in no way to send products to Belgium in competition with your own, and would like to emphasize that the spirit of our mission is one of cooperation rather than competition. In this setting, we are convinced that there are many opportunities meriting joint discussion and that, if properly implemented, can bring about the desired objective of contributing to higher income and living standards for both Virginians and Belgians.

This, in essence, is the consolidated objective of all of us here today and as we present this thought to you, we would once again reaffirm the never ending desire of every American to strengthen the ties of friendship which have meant so much to all of us on the western side of the Atlantic and which we shall strive always to preserve.

On behalf of our group, may I express our sincere appreciation for this opportunity of talking with you and of enjoying your hospitality. We shall look forward to your returning our visit, individually or collectively as the case may be, and affording us the opportunity of reciprocating in full measure.

ECONOMIC REVIVAL STRENGTHENS CASE FOR SHARP BUDGET CUTS

Mr. PROXMIRE. Mr. President there are small, faint signs that the economy may be turning up, moving ahead after 3 or 4 months of standing still. These signs, of course, are mighty welcome, small and preliminary as they may be.

The Wall Street Journal's regular Monday comments on the state of the economy suggests that recent developments indicate that the Council of Economic Advisers may be just about right in their January estimates of the prospects for our economy.

This suggests that the proposed 6-percent surtax proposal of President Johnson may be alive after all, and that while it is unlikely to be enacted by July 1, it might be called for to take excessive steam out of the economy and prevent inflation later in the year.

Mr. President, with this prospect in mind, the case for congressional action to reduce spending by $5 to $6 billion instead of increasing taxes by this amount becomes stronger than ever. Congress has done this well or better several times in the recent past. We can do so again.

The economic case for lower spending in the face of the massive record-smashing budget requests that confront us is becoming stronger.

I ask unanimous consent that the column published in the Wall Street Journal today, which for some inexplicable reason ignores the case for budget slashing, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Apr. 17, 1967]

Appraisal of Current Trends in Business and Finance

When the Council of Economic advisers unveiled its forecast of gross national product in January's jittery business atmosphere, there were many reasons to doubt its accuracy. So many, in fact, that one authority confessed certainty about only one thing: "Our forecast is wrong—I'm just not certain which way."

The $787 billion figure hinged on, among other things, the implausible projection that by July 1 the economy would need a 6% income tax surcharge, and on the then-secret scheme to restore by mid-year the tax incentives for business investment that were suspended last October. Woven through it were wishful estimates that the credit supply would continue to ease, that unemployment wouldn't rise appreciably, and that inflation would be milder despite the increasingly costly war.

None of the council's predictions about 1966 contributed to confidence in its 1967 forecasting. It had estimated GNP for 1966 at $722 billion and the actual figure was nearly $740 billion. It had predicted an overall rise of about 1.8% in prices and they climbed an average 3%. Defense spending was to rise $4 billion in the fiscal year that ends in June; instead it is likely to go up three times as much, to over $70 billion.

As the year progresses, however, there are developments which make the Johnson Administration's 1967 forecasts not less but more credible than they were in January. "Our $787 billion GNP is beginning to look better all the time," one official says.

The $47 billion gain implied in that $787 billion figure seems an ambitious target indeed, in view of the first quarter's skimpy $5 billion gain in the annual rate. But the sharp fall-off from the previous quarter's $14 billion gain is in fact very close to what officials in Washington had been projecting. Its cause, moreover, is exactly what they had looked for—an earnest effort by businessmen to work down the inventories that piled up during the surprising late-1966 slump in consumer demand.

This effort has been somewhat more intense than authorities had anticipated, but they're pleased that the inventory buildup is being halted without widespread worker layoffs that would impair purchasing power and consumer psychology. "There was no pain," comments one Washingtonian; "hardly anyone knew it was happening."

If the inventory buildup is finally over, that fits neatly into Washington's January forecast of a sluggish first half economy that will pick up speed in the second.

Another important element in that forecast was a projected recovery in homebuilding from last year's depressed level, and planners profess to find reassurance in the fact that housing recovery hasn't yet really begun. "This means GNP will get its kick from construction later in the year," one economist says. In view of the way families are shoveling savings into mortgage-making outlets such as savings-and-loan associations, and the way the once warily regarded Federal Reserve Board is demonstrating a desire to make credit generally cheaper and more abundant, Washington figures the housing rebound will be all the more pronounced when it does come.

The unemployment rate is behaving even more decorously than officials had dared hope, averaging lower in this year's soggy opening months than in the blatantly boomy first quarter of 1966. Despite the current Capitol Hill complication, authorities appear still confident that Congress will restore the briefly suspended business-investment incentives in ample time to prevent a bogging down of capital outlays later in the year.

So far, at least, the statistics available give the Government no reason to back away from its milder-inflation forecast, either. Wholesale prices for months have been below their record heights of last summer, and consumer prices have been only creeping, not leaping. The high level of inventories on hand means that "the price pressures expected later this year will be moderated by less need to increase inventories," reasons Robert A. Wallace, assistant Treasury secretary.

Barring either major escalation or truce in Vietnam, several factors weigh against the danger the Government's massive spending for defense and other purposes will prove as unpredictable and disruptive as last year's. A key problem then was the arbitrary assumption by the fiscal 1967 budget makers of an end to the war along with the end of the fiscal year this June 30. This unrealistic hypothesis held back the Pentagon's supply reordering, and when it was scrapped in the latter part of 1966, the result was a temporary bulge in Government buying. Now, in response to pleas from economic planners, the Pentagon has begun publishing monthly totals of its orders. And more ways of "avoiding repetition of last year's experience" could result, the Congressional Joint Economic Committee hopes, from its hearings next week how defense spending affects the economy.

Additionally the Economic Committee, chaired by Sen. Proxmire (D., Wis.), has wrung agreement from the Budget Bureau to follow up its annual January budget presentation with a second report on the total spending and revenue picture shortly after June 30 each year, and to turn in another updating once Congress completes its appropriation work.

No matter what the Pentagon predicts or how often it does so, not all the economy's overseers will be easily convinced that the projections are valid. It was the underestimation of defense spending that "wrecked planning" in late 1965 and in 1966 both, one authority says, adding that it's common sense to assume the troop buildup will exceed officially targeted levels this year, too. If it does, the extra spending would only add thrust to the second half economic upturn that's expected.

It remains to be seen whether all these factors will sway Congress to apply the restraint of an income tax boost. But the industrial production upturn in March (see story on another page) adds to the evidence the lawmakers will need to persuade them. Certainly the much-challenged conviction of Administration planners that higher taxes would be a desirable precaution against a new inflationary surge in 1968 is being reinforced.

—Richard F. Janssen.

NEBRASKANS PLANT GINGKO TREE ON CAPITOL GROUNDS

Mr. CURTIS. Mr. President, it was my privilege to take part in a very inspiring ceremony which took place Sunday afternoon on the East lawn of the Capitol. A delegation of 46 Nebraskans who traveled by chartered bus took part in a tree-planting ceremony commemorating the centennial of Nebraska statehood and the celebration of Nebraska-originated Arbor Day. Women dressed in pioneer costumes and men wearing centennial beards were present for the planting of a Gingko tree, a symbol of good luck and of the hearty pioneers who settled Nebraska and converted it from a barren territory to a rich agricultural State in which hand-planted trees have flourished.

The tree that was planted was brought here from Arbor Lodge, a State park near Nebraska City and the family home of the late J. Sterling Morton, one of our distinguished Secretaries of Agriculture, who originated the idea for Arbor Day.

The ceremony was participated in by the Nebraska Society of Washington and the Nebraska congressional delegation, including my colleague Senator Hruska and Congressmen Robert Denney and David Martin.

Because it has significance which applies to many of our national problems today, Mr. President, I wish at this time to place in the Record the inspiring speech delivered on the Capitol lawn Sunday by Mr. Virgil Pitstick of Nebraska City, chairman of the Arbor Day Committee of the Nebraska Centennial and a member of the Nebraska Centennial Commission. I therefore ask unanimous consent to have his speech printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Virgil Pitstick, Chairman, Arbor Day Committee, Nebraska Centennial Commission

It is well and fitting that we pause on this beautiful Sabbath Day in 1967, the Nebraska Centennial year, to pay homage to J. Sterling Morton, the founder of Arbor Day.

For it is from his idea to "plant trees" that Nebraska ceased to be a portion of the Great American Desert and instead became a land of plenty, of woodlands for all to enjoy, of landscaped homes for abundant and happy living, and of tree windbreaks to calm the relentless summer winds laden with drifting top-soils.

It was J. Sterling who said, "Love of home is primary patriotism," and if today there were more love of home, with the Christian training that our forefathers gave their families, then a lot of our Nation's troubles would soon end.

Mr. Morton also said, "All other holidays repose on the past but Arbor Day proposes for the future," and as for me, "Happiness is in planting a tree for future generations to enjoy." So let us today give thanks to the Almighty for the leadership of men like J. Sterling Morton. Today, to the founder of Arbor Day, we are dedicating a Gingko tree, otherwise known as the Maiden Hair Tree, also known as the tree of "Good Luck," for in China to carry a Gingko leaf is supposed to insure "Good Luck," and that I can believe, as the Gingko has withstood the trials of insects and all diseases and fungi for well over two million years. Proof of this is verified by leaf fossils, exactly like the leaves of today, found in fossil beds of the long, long ago.

Proper caring for a tree is essential after it is planted, that it may grow into a thing of beauty and usefulness. It is like rearing a child . . . both require tender loving care and discipline . . . and if either starts to grow crooked, right then, early in life, is the very best time to get them back on the straight road of worthwhileness. Use a strong stick to straighten either of them out. Late in life it is impossible to straighten a crooked tree or to rehabilitate a hardened criminal, regardless of what some sob sisters and the like may think.

The fundamentals of a good life are founded in the home by the examples and love from the parents and I do mean the real love as governed by Christian discipline.

And so with a tree. Its future stateliness is determined during the first ten years of its life. I quote from the late Dr. Samuel Stouffer, head of the Sociology Department of Harvard University: "The greatness of our truly great men of history is in direct proportion to the love and discipline they received at home in their early lives."

"So let us today dedicate ourselves to being better parents by living examples and tender love . . . and I do not mean the more liberal parent . . . I mean guiding with a loving discipline, that our children may so live that a lasting honor for America may be the result."

It is now my pleasure to dedicate this tree in the hope that it will grow tall and stately like unto our great nation. I would like to ask Mrs. Wirt Morton, widow of a grandson of J. Sterling Morton; our two honorable Senators Hruska and Curtis; Congressmen Robert Denney and Dave Martin; and our little Betsy Ross, Mary Lindell, who designed our Otoe County Centennial Flag, to assist by putting some of the dirt around the roots of this tree.

A PLEA FOR DECENT HOUSING FOR ALL AMERICANS

Mr. JORDAN of Idaho. Mr. President, on April 19, 1967, Mr. Percy, the dynamic new Senator from Illinois, delivered a speech to the National Housing Conference, meeting here in Washington. It is an articulate plea for decent housing for all Americans and I believe it would be well for everyone to read it. I, therefore, ask unanimous consent that this speech be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

A New Priority for American Housing

(Address of Senator Charles H. Percy, Republican, of Illinois, Before the National Housing Conference, Washington, D.C., April 10, 1967)

For a freshman Senator such as myself to have the opportunity to address the National Housing Conference is both an honor and a privilege: an honor, because the NHC is the foremost organization in the Nation in the field of housing; and a privilege, because your invitation gives me the opportunity to discuss with you some new directions for an accelerated effort to provide decent housing for every American family.

Although I am but the junior minority member of the Senate Housing and Urban Affairs Subcommittee, I am not unaware of the Nation's serious housing needs.

Long before I examined the dreary statistics, I saw for myself the crying need for better housing as I campaigned for Governor and then for Senator in my home state of Illinois.

In Chicago, mile after mile of shocking slums are inhabited by people for whom each day is an ordeal of hopelessness and despair.

In East St. Louis, dingy, dilapidated buildings provide inadequate and depressing shelter for thousands of families who deserve far better.

In Peoria, Rockford, Springfield, and many smaller towns around my state there is an immediate need for better living conditions for many of their residents.

Nationally, the 1960 census revealed that nearly one in five dwellings in America was dilapidated or deteriorated. It would be a major task just to replace or reclaim these dwellings. But when one stops to think that over the next two decades our population will grow by sixty million people—people who must be housed—it is appallingly clear that housing construction and improvement must be dramatically increased.

There is only one way that this can be done.

This nation must commit itself anew to the proposition that every American deserves decent housing, and attach high priority to achieving that goal.

In the last few years housing has not been a high priority item in this nation.

The war in Viet Nam has caused us to set aside or cut back many programs designed to meet the national housing need. The race to the moon has taken a similar toll.

None of us intend to sacrifice the well-being of our fighting men in Asia for increased comfort for those of us back home. Nor do we intend to abandon a strong program for the exploration of space.

But we must insist that just as we as a Nation must meet our responsibilities in these areas, we do not use Viet Nam and the space program as excuses for ignoring the serious need for increasing and improving our national supply of decent housing.

My most fervent wish is that the President may be successful in achieving a de-escalation and settlement of the war in Viet Nam on terms acceptable to the American people. When that happy day arrives, we must be ready to embark on a vast expansion of programs to produce better housing. But even while we are pursuing that honorable peace in Asia, we must accelerate progress toward a better life for millions here at home—not by mere token gestures, but by an ever-increasing commitment, ending only when our goal has been achieved.

As many of you may know, I began last year to try to make a contribution toward achieving that goal.

I sought a way whereby the enormous resources of the private sector could be brought to bear upon our housing needs.

I sought a way whereby the inhabitants of substandard housing could make their own contribution to improving their physical environment.

I sought a way whereby the many programs dealing with housing and the many programs dealing with people could be blended into a coordinated effort to make today's slums into the decent neighborhoods of tomorrow and to help slum people achieve self-reliant middle income status—which, of course, are the principal goals of the Model Cities program.

And I sought a way to make the advantages of individual and cooperative home ownership available to those who today do not have the opportunity to enjoy them.

There is nothing new about the idea of home ownership. Indeed, there is scarcely a concept in American life so cherished and so venerated as the concept of owning one's own home.

President Calvin Coolidge said:

"No greater contribution could be made to the stability of the Nation and the advancement of its ideals, than to make it a Nation of home owning families. All the instrumentalities which have been devised to contribute toward this end, are deserving of encouragement."

President Herbert Hoover reiterated his predecessor's belief when he said:

"I am confident that the sentiment for home ownership is so embedded in the American heart that the millions of people who dwell in tenements, apartments and rented rows of solid brick have the aspiration for wide opportunity in ownership of their own homes. To possess one's own home is the hope and ambition of almost every individual in our country, whether he lives in hotel, apartment or tenement."

Over the years, beginning with President Hoover's Home Owners Loan Corporation, which helped millions of home owners avoid foreclosure during the dark days of the Depression, many important Federal programs have assisted Americans to become home owners.

But even as we have become a nation of home owners, we have not completed the task. For all the programs which encourage home ownership — whether it be a single family home, a row house, a share in a housing cooperative, or an apartment in one of the newer condominiums—are aimed at those families of middle or upper income.

Those who may well need home ownership and profit from it most have been left out.

For the prospect of achieving home ownership, especially to a man who has little, can provide the impetus for breaking what I call the motivation barrier.

I am convinced that if home ownership, in its various forms, can be made a realistic possibility to the poor but aspiring family, they will surmount that motivation barrier and strive to achieve the economic security that can make ownership a reality for them.

Often when I was walking through the slums of Chicago, through littered streets and decaying tenements, I would come across a man carefully polishing his automobile. His home, with its rats and falling plaster and cold water, belonged to some faceless landlord. But his car belonged to him. Taking care of that car was far more important than taking care of someone else's property, even though the latter served as a home for his family.

Chairman Wright Patman of the House Banking and Currency Committee has made the same observation. In a speech last December, he pointed out what a dramatic effect the rural electric cooperatives had had in improving his own Congressional District in the State of Texas. He said:

"I am convinced that (these rural electric cooperatives) are successful enterprises because the people are involved and have a stake and a little bit of ownership. When they got this electric power and learned that the system belonged to them, they had a new pride. Unpainted farmhouses suddenly got a coat of bright paint and the weeds in the front yard were cut down. It gave them new hope."

And he went on to say that the same concept underlying REA should be applied to our urban areas today; and if that were done, it would "generate a new spirit and a new desire to rise above poverty."

The National Housing Conference does not need to be told the advantages of home ownership. Over the years you have championed it in all forms. Most recently you have supported the new program of FHA mortgage insurance for low income home ownership projects, which Congress, with the leadership of Congresswoman Sullivan, enacted last year. You have long urged the expansion and improvement of the laws relating to cooperative ownership housing.

Based on your long record in support of home ownership, I feel confident that you, and the many organizations you represent, will give full and serious consideration to legislation I intend to propose to supplement and expand existing opportunities for home ownership for those presently poor.

The core of my proposal is the establishment by Congressional charter of a private nonprofit National Home Ownership Foundation. Its purpose would be to mobilize the enormous resources of the nongovernmental sector behind a national effort to expand home ownership opportunities for all Americans. The role of government would be a role of reinforcement and guarantee—but not execution and control.

The prime function of government in this program would be to stand behind the Foundation's bonds. These bonds would be sold on the private market to raise capital for the Foundation's loans for low income housing programs.

This is no unfamiliar role for the Federal Government.

The Federal Government today stands behind every FHA and VA insured mortgage.

The Federal Government today stands behind private investments in low income housing in Latin America.

The Federal Government today stands behind deposits in thousands of banks and savings and loan institutions.

The Federal Government today stands behind loans to college students.

What good reason can there be for the Federal Government not to stand behind the capital issues of a blue ribbon national foundation dedicated to the improvement of slum housing and the diffusion of home ownership among the poor?

For the privilege of this government guarantee, the FHA home buyer, the Latin American housing investor, and the private savings institution pay a premium or fee. So would the Foundation. As the Foundation proved itself through the years, its own record and prestige would be its guarantee, and the Federal guarantee could be removed.

Some have questioned whether a private institution like the Foundation should enjoy this kind of government reinforcement. What assurance would the public have, they ask, that the Foundation would act in the public interest and in accordance with its Congressional charter?

That is a worthwhile question and it deserves an answer.

First, Congress, which would charter the Foundation, would retain the exclusive and explicit power to alter or amend the charter or even abolish the Foundation altogether.

The Foundation would be required to submit an annual report to Congress, the President, and the public, recounting its activities in detail.

One-third of the Board of Directors would be appointed by the President of the United States, with the advice and consent of the Senate.

The Foundation would be required to adhere to the General Accounting Office audit and reporting requirements as if it were a wholly owned government corporation. In this respect the Foundation would operate under closer public scrutiny than even so established an institution as the Federal Reserve System, and many of the farm credit institutions.

The limits on the amount of debentures the Foundation could issue would be established by Congress and could be raised only by act of Congress.

These are just some of the ways in which the Foundation would be accountable to the public for its activities. In my view, this special position may well herald the beginning of a trend—a trend toward the creation of other specialized institutions which operate through private initiative to solve public problems, but which are under the close, continuing, and effective review of the Congress and the American people.

One of the most important elements in the plan is the provision for insurance to lower income home buyers to protect them against foreclosures due to curtailment of income. Such a plan, operating in case of forces beyond the home buyer's control such as death, disability, illness, and economic recession, was first advocated, to the best of my knowledge, by Senators Winston Prouty of Vermont and Len B. Jordan of Idaho in a 1963 Senate Subcommittee report. I incorporated it in my initial presentation of the Home Ownership Plan last September. Last month President Johnson announced his support of it. Here is an area where a great service can be done by Congress, not only for poor home buyers, but for all home buyers threatened by foreclosure due to causes beyond their effective control.

Perhaps the most critical bottleneck to the success of the Home Ownership plan is the availability of trained housing specialists to work in local sponsoring organizations.

Three years ago a Federal-State matching grant program was authorized to encourage the training of such specialists. To date it has never been funded by the Congress. I will work to obtain at least the 5 million dollars sought by the Department of Housing and Urban Development for this program and perhaps, if it can be profitably applied, an additional amount.

My colleague from Connecticut, Senator Abe Ribicoff, who has performed an outstanding service in focusing the Nation's attention on the crisis of our cities, has already introduced legislation broadening this section 802 program for training and fellowships. I support his legislation and I will support broadening it even further.

Another pressing need which is not being adequately met is that of "seed" money for local nonprofit housing sponsors. It is not enough to certify their planning, architectural and acquisition expenses for inclusion in an eventual mortgage loan. Money must be found when it is needed. The National Home Ownership Foundation legislation will include authorization for a seed money fund, along the lines of recent legislation in New York State which is supported by this Conference.

All too frequently low income families who would like to become home owners are rejected for inadequate credit. An extremely valuable Low Income Housing Demonstration study at Lincoln Estates in Gainesville, Florida, has shown what can be done if the credit needs of lower income families are considered sympathetically and their financial management improved through intelligent counseling. We must expand efforts to remove artificial limitations from present home credit standards, and to assist lower income families through credit and consumer education to become reliable mortgagors.

The time is ripe, too, for achieving another goal long advocated by the NHC—the conversion of existing public housing units to tenant cooperatives or condominiums. I am convinced that no single step could do more for solving the serious social problems that have arisen in connection with the public housing program. Following the War, Lanham Act housing was converted to cooperative ownership in a number of places around the country. It is time to draw upon that experience again, and I intend to support whatever assistance may be needed to facilitate that conversion.

In addition, new ways must be found for the aggressive implementation of the amendment to the Housing Act sponsored by my colleague Senator John Tower in 1965. The Tower amendment authorizes the sale of individual public housing units to tenants who wish to become owners. Legislation to broaden the Tower Amendment has been offered and I intend to give it my support.

Another important approach which deserves speedy action is the proposal of Senator Jacob Javits for the establishment by Congressional charter of an Economic Opportunity Corporation. This Corporation would encourage the industrial and commerical development of slum neighborhoods and would help local groups gain access to the assistance they need for all kinds of community development programs. I intend to support Senator Javits' legislation when it is introduced.

Serious consideration should also be given to the proposal of Representative Albert Quie for the creation of a National Commission on Urban Living. Such a Commission could serve a useful national purpose by giving thoughtful attention to the quality of life in our increasingly complex metropolitan centers.

Undoubtedly, one of the greatest needs of our day, in the field of housing, is a vastly expanded knowledge of the techniques and economics of slum rehabilitation. President Johnson recognized this when he pledged, in his Poverty Message of last month "to call together an outstanding group of private citizens from across the country—from business and labor, government and the building industry—to examine every possible means of establishing the institutions to encourage the development of a large scale efficient rehabilitation industry."

Thirty-six years ago President Herbert Hoover issued a similar call, which led to the President's Conference on Home Building and Home Ownership. Hundreds of leading citizens of that day came together to issue a far reaching series of recommendations, among them an urgent call for additional research into the problems of low cost housing technology.

I hope that President Johnson will implement his pledge by issuing a call for another great White House Conference on Housing and Urban Development as repeatedly proposed by this organization.

The purpose of such a conference should be not only to examine the potential for large scale housing rehabilitation, but to map out a comprehensive plan of attack on all the problems of housing and community life that America will face over the next several decades.

An important result of a new White House Conference on Housing and Urban Development, I am convinced, would be a rededication of the American people to our national goal of decent housing for all, and a surge of new action to achieve that goal.

For the housing needs of America cannot wait; nor can we, as we move forward to meet them in a manner worthy of the rich, powerful Nation in which we live.

PRESCRIPTION FOR AILING ECONOMY

Mr. McCARTHY. Mr. President, an exchange of remarks between the Senator from Indiana [Mr. HARTKE] and Chairman William Martin of the Federal Reserve Board was the basis for a recent column by Eliot Janeway. In his article, Mr. Janeway raises questions about the state of the economy and about the need for the proposed 6-percent surtax. I ask unanimous consent that the text of his column, appearing in the Chicago Tribune, April 10, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TREASURY HAS NO PLAN FOR WAR ECONOMY

(By Eliot Janeway)

NEW YORK, April 9.—Back during the Korean war, this columnist was impressed with our emergency plan of industrial expansion to the point of joking it would make our economy big enough to fight a jungle war and still leave room for a slump.

Today this danger is no laughing matter. Whether we planned it that way or not, the war is clearly getting bigger and, nevertheless the economy is just as clearly getting weaker. More disturbing still, at the very time when the inflating cost of the war is putting the economy in need of greater money flows, earning power is suffering deflation and confidence in the outlook for business—traditionally red hot in war-time—is in a blue funk.

If the spectacle of a modern war economy in a sag or even a stall is surprising, the revelation that it is being allowed to sputter and stumble along without coordination by the authorities in Washington is staggering. But a war economy is just as dependent on its financial high command as a military machine is on its general staff. Altho the growing mood of disappointment and fear reflects the disturbing performance of the economy, it results from the absence of a war plan, for the dollar front.

A frank dialog between federal reserve board chairman, William McChesney Martin, and Sen. Vance Hartke [D.-Ind.], in a recent hearing of the Senate finance committee on the restoration of the investment tax credit, goes far to explain the administration's failure to help the economy manufacture the sinews of war.

CUTTING RATES HIKES REVENUE

Hartke's cross-examination of Martin readily elicited the admission that Martin has been advocating surtaxes as a revenue-raising measure. It also produced an initial disagreement on Martin's part with Hartke's charge that the Fed's moves to tighten money had run the economy into its present mess. But disagreement quickly turned into agreement while Hartke—always a tiger in defense of tax cuts—put the big question: "And you disagree with me completely that by reducing tax rates you increase revenue, don't you?" "No, no," Martin replied.

Dialog too simple and conclusive to qualify for the late President Kennedy's standard of "sophisticated and technical" climaxed with Hartke's conclusion that, "All we have in the history of the last 15 years is that by decreasing taxes you increase the revenue in the treasury. Isn't that true?"

Martin's "Yes, but" answer acknowledged that the tax cuts of 1962, 1964, and 1965 had spurred the economy and benefited the treasury, but insisted on regarding the tax-cut year of 1955 as a special case on the grounds that we were still struggling with the heritage of war. However, he accepted Hartke's point that each and every tax cut has resulted in revenue increases.

WAR COST BURDEN

In 1967, unlike 1955, far from struggling with the heritage of a war long since won, we are burdened with the astronomical cost of a war in which our purpose has yet to be defined. To report that our treasury needs money is immeasurably less controversial than to speculate that our state department seeks victory or that our defense department is preparing the strike to consolidate it.

In the light of the treasury's need for money, its continued advocacy of tax increases instead of cuts makes no sense because it promises to raise no dollars. In spite of continued support from the Martin-led Fed for the administration's 6 per cent war surtax scheme, the Hartke-Martin dialog produced agreement on three vital points: [1] that the treasury's budget deficit could soar to the admitted peril point of 20 billion dollars [as forecast by Hartke's colleague, Russell Long, who called on his friend, the President, not to redesignate Martin as chairman]; [2] that restoration of the investment tax credit will not help the depressed housing industry; and [3] that it will not help the sick auto business either. No recovery in earnings or revenues can cure a deficit so long as housing and the auto businesses remain sick.

But the big point on which Hartke and Martin agreed is that the treasury isn't saying or doesn't know how much the war is costing. "But we are supposed to write laws . . . in order to pay for a war," Hartke summed up, "and not know what it is costing . . . in other words, there is no financial plan to pay for the war."

"Well, this is one of the problems," Martin agreed.

SUPPORT OF REPEAL OF PRESIDENTIAL CAMPAIGN FUND ACT OF 1966

Mr. SCOTT. Mr. President, an excellent editorial supporting the Senate's decision to repeal the Presidential Election Campaign Fund Act of 1966, and published in the New York Times of April 15, 1967, points out what still needs to be done to reform the laws governing political finance. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Campaign Reform in Senate

Now that the Senate has voted to repeal the plan to subsidize campaign expenditures of the two major parties, the way is cleared for constructive action to meet the serious problems of political fund-raising.

In agreeing with Senator Gore of Tennessee to reverse its hasty move last fall, a majority of the Senate properly concluded that the subsidy plan had too many defects and imponderables to justify trying it out. The Federal Government would have been put in the position of virtually determining the political activities of its citizens by totally underwriting the two major parties, to the detriment of new or existing third parties. The Republican and Democratic parties would, in effect, have become franchises worth millions of dollars to the men controlling them.

Almost inadvertently, the Senate in the course of repealing the subsidy plan accomplished two worthwhile reforms long needed. Senator Gore's repealer was actually a perfecting amendment to a substitute offered by Senator John Williams of Delaware. The Williams substitute closes significant loopholes in the Corrupt Practices Act.

It extends the act's full-disclosure provisions to cover party conventions and primaries as well as general elections and to cover campaign committees even if they operate in only one state. In the past, committees have had to report their activities only if they operated in two or more states. It is important that in acting upon this bill the House retain these reforms.

A comprehensive overhaul of the Corrupt Practices Act and related statutes is still needed to achieve a better system of auditing and publicity for campaign finance reports and faster and more vigilant enforcement. But that still leaves the problem of insufficient money and unfair pressures on candidates—or potential candidates—of modest means. Congress can begin to rectify this difficulty by holding hearings and devising legislation to provide fair access for all candidates in the use of television, radio and newspaper advertising.

A mixed public-and-private system of financing political campaigns could evolve that would provide some Government financial assistance while preserving the variety and spontaneity of individual political activity.

CREATIVE FEDERALISM

Mr. NELSON. Mr. President, on March 8, 1967, Secretary of Health, Education, and Welfare John Gardner delivered the first John Gardner Annual Lectureship on Excellence and Renewal at Carroll College, Waukesha, Wis. He took the opportunity to restate his strong belief in "creative federalism" and to challenge our citizens to modernize and strengthen our State and local government machinery. The Secretary described this goal as "just about the greatest contribution you can make to our future as a Nation."

The Secretary's Department alone has scores of programs that require wise State and local administration to make the most of the Federal money available for ongoing and innovative programs essential to the progress of our communities. It is up to us to make them work.

I ask unanimous consent that the recent Milwaukee Journal editorial that underscored the potentials aroused by Secretary Gardner's thoughtful speech be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Better Local Government First Need, Gardner Says

Speaking at Carroll college, John W. Gardner, secretary of health, education and welfare, pleaded for the strengthening of state and local governments. "It is just about the greatest contribution you can make at this point to our future as a nation," he told the students. In an era when an ever expanding federal government is so often accused of usurping local responsibility, this plea by a member of the president's cabinet is significant.

The concept of federalism, of delineated national and state responsibility in government, is firmly rooted in our heritage. Its framework is spelled out in our Constitution and laws. Within this framework the influence of the national government has grown vastly in the last 30 years—a growth not matched by state and local governments. Consequently the public more and more looks to Washington for help in solving local problems.

The grant in aid has emerged as Washington's principal tool for extending its influence to state and local functions. Federal standards must be met for federal money to be granted. The lure of federal aid has stimulated cities and states to improve schools, upgrade welfare programs, offer better social services to the poor. Federal leadership has moved in to fill a void in local leadership.

But federal leadership is of value only when it is utilized. In recent weeks, for example, federal study groups have suggested ways states and cities might improve law enforcement and overcome educational problems arising from racial imbalance in schools. Federal aid may be made available to encourage these improvements. But actually bringing about these improvements remains the job of state and local government.

President Johnson has called the concept of federal-state-local co-operation "creative federalism." The concept is no stronger than its weakest link. And, as Secretary Gardner said bluntly in another speech recently, "the weakness in creative federalism at the moment is that most state and local governments do not have the vitality and competence to play their role in an effective partnership with the federal government." This underlies Washington's interest in having stronger, more imaginative leadership in the state capitols, city halls and schools.

THE STATE DEPARTMENT'S CANDID COMMENTS ON TRAVEL IN THE SOVIET UNION

Mr. HANSEN. Mr. President, from the Department of State Passport Office can be obtained a document that would have made interesting reading in the context of the recently concluded debate on the United States-U.S.S.R. Consular Convention. Entitled "Travel to the Soviet Union," the State Department bulletin is a list of "do's and don'ts" for persons traveling in the Soviet Union. It might well have been subtitled "Beware, All Ye Who Enter Here."

The essence of the paper is that when one travels in Russia, everything not mandatory is prohibited and that one can wind up in a Soviet prison for the slightest infraction of the most trivial law or regulation.

It is amazing to me how anyone reading this paper could have much interest in traveling to this Communist-dominated, police state in which he can take pictures only of approved items, travel only to approved areas and along approved routes, and presumably speak only approved words.

Because the paper reads like a short course in current Russian history, I ask unanimous consent that it be printed in the Record.

There being no objection, the document was ordered to be printed in the Record, as follows:

Travel to the Soviet Union

GENERAL

Every American who travels in the Soviet Union* is subject to Soviet laws, regulations and restrictions. These laws are often very different from our own and are strictly enforced. Persons violating Soviet law, even unknowingly, run serious risks of arrest, trial, fine or imprisonment.

Only a few of the some 18,000 Americans who visit the U.S.S.R. annually have reported molestation or harassment. But recent cases of harsh treatment of American travelers accused of violating Soviet laws illustrate the danger.

The American tourist should give particular attention to the following DO's and DON'T's which are described more fully in the later pages:

Do: Strictly observe Soviet currency controls and customs regulations; bring a substantial reserve of money; think before taking photographs; have confirmed hotel accommodations or lodging before traveling; follow approved travel plans; write down passport number, and Embassy address and phone number.

Do not: Buy rubles privately or sell clothing; pick up "souvenirs" from Soviet hotels, however insignificant in value they may seem to you; bring in or take out of the country packages or letters for others; attempt to bring in religious objects or publications except for your personal use; attempt to take photos of slums, the poor, military installations, or border areas. When in doubt ask; attempt to deviate from approved itineraries.

There is some basis for surmising that the Soviet authorities' treatment of Americans accused of violating their laws and regulations is harsher in periods of strained bilateral relations than would normally be the case. There have been indications of Soviet interest in exchanging imprisoned American tourists for Soviet citizens convicted of espionage in the United States. Also, the government-controlled press in the U.S.S.R., reflecting the Soviet desire to permit only controlled contacts between Soviet citizens and visiting Americans, has recently carried stories apparently designed to be public warnings that many tourists and other visitors from the United States are collecting intelligence information.

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*The Department of State issues a separate information notice (M–249) for United States citizens contemplating travel to the Soviet Zone of Germany (East Germany) or the Soviet Sector of Berlin (East Berlin), as well as a pamphlet on travel in Eastern Europe (M–251).

TRAVEL ARRANGEMENTS

Tourists, businessmen and persons attending conferences or conventions in the U.S.S.R. will usually have to arrange for their travel with one of the many United States travel agencies accredited by Intourist, the official Soviet tourist agency, or with a local agency working with an accredited agency. Soviet visas are usually obtained by the travel agent with little delay.

Tourist travel is normally limited to standard itineraries. All travel, hotel accommodations, meals, etc., must be arranged and paid for in advance. By working with a travel agent, special tours can sometimes be arranged to meet individual interests. Some travelers recently have expressed dissatisfaction with Intourist arrangements, noting especially the difficulty in obtaining refunds for travel and services which they paid for in advance but never received. There is substantial evidence that Intourist has in the past been offering travel and hotel facilities, particularly in the higher priced range, to more U.S. travelers than it has the capacity to accommodate. Because arrangements between traveler and Intourist are based on private contract, the traveler who is dissatisfied with services provided or seeks refund for unused travel coupons must make a claim to Intourist or through his travel agent as provided for in the contract. If the claim for refund cannot be resolved directly the traveler may institute legal action in the city or state where the contract was entered into.

The Soviet Union is now reportedly engaged in programs to expand and improve its tourist service, so that the problem described here may in due course be eliminated. At the present time, however, U.S. travelers to the Soviet Union should be alert to potential problems in their contracts with Intourist.

Much of the Soviet Union is closed to travel by most foreigners. About one quarter of the U.S.S.R. is officially closed to foreigners. In addition, other large areas are unofficially but effectively closed because Intourist declines to arrange travel there.

SOVIET LAWS AND REGULATIONS

Soviet laws and regulations are often very different from those applying in the United States and the American citizen who violates them, even innocently, is running a serious risk of arrest, trial and imprisonment. Sentences or fines for violations are often much more severe than would be the case for similar infractions in the United States. It is the responsibility of each prospective traveler to the U.S.S.R. to inform himself to the fullest extent possible of pertinent Soviet laws and regulations and to comply scrupulously with them. Travelers should obtain this information from their travel agents or from Intourist. Particularly, travelers should: (1) avoid bringing in or taking out of the country letters or parcels for third persons; (2) observe customs requirements and currency controls strictly; (3) think before they take pictures; (4) not distribute anti-Soviet literature or religious materials; and (5) refuse all offers to buy clothing, personal articles, or articles purchased in the foreign currency stores.

CURRENCY AND CUSTOMS LAWS AND COMMERCIAL TRANSACTIONS

These laws and regulations are strictly enforced and the traveler should comply with them meticulously. He should find out what he can bring into the U.S.S.R. and what he can take out. He should make an accurate and complete declaration of money and valuables on entry and keep a copy of it until he leaves. He should keep copies of receipts of currency exchange. Rubles should not be brought into the U.S.S.R. or taken out of the country. The traveler may be approached by persons seeking to sell rubles privately or to buy clothing. All such offers should be refused. Such transactions violate Soviet laws. The traveler should not attempt to bring in religious objects or publications in any significant quantity; these are subject to confiscation by Soviet customs officials. The traveler should bring with him all of the funds he will need for the entire trip, plus a substantial reserve, since receipt of funds in the U.S.S.R. is complicated and time-consuming.

TRAVEL BY AUTOMOBILE

Automobile travel along certain specified routes is presently permitted, with or without Intourist guides. Only mature and experienced drivers should consider unaccompanied motor trips. Driving conditions are far more rugged than in Western Europe; service stations are rare. Soviet driving regulations are complex and very strictly enforced. Foreign drivers who violate them are subject to the full severity of Soviet law (including trial and extended imprisonment).

Automobile travelers should be fully insured under policies valid for the U.S.S.R. Such insurance may be placed with a number of Western firms or with Ingosstrakh, the Soviet organization which insures foreigners.

Upon entering the Soviet Union, all auto tourists are required to sign an obligation guaranteeing the re-export of their automobiles; this guarantee also applies to damaged vehicles. In the past, there have been cases in which American tourists have been required to pay up to $400 to ship their damaged automobile out of the Soviet Union to neighboring countries for repair.

DEVIATION FROM APPROVED ITINERARY

Whether traveling by automobile or other means of transportation, visitors to the U.S.S.R. should bear in mind the Soviet law of July 23, 1966, providing severe penalties for foreigners who "maliciously" violate Soviet travel regulations, "visiting places not mentioned in their U.S.S.R. entry visas or deviating from the itinerary indicated in the travel documents without special permission." If a foreigner has been twice subject to an "administrative penalty" for such an unauthorized deviation, the law provides that the punishment for his third offense may range from a fine of up to 50 rubles ($55) to a sentence of up to one year in prison or in a corrective labor camp. Further, a new regulation published the same day grants Soviet militiamen the right to assess fines for violation of these rules without recourse to the local authorities. This strict law appears to apply to all sorts of violations: entries into forbidden areas, departure from an approved motor route, failure to adhere to prearranged itinerary, and the like.

PHOTOGRAPHY

American tourists have on occasion been detained, handled roughly, interrogated and asked to leave the U.S.S.R. because of alleged violations of Soviet regulations on photography. Translations of a Soviet note of February 11, 1954 to the American Embassy at Moscow containing the text of regulations are available at the Embassy. A summary of these regulations follows:

1. Photographs are permitted of architectural monuments; cultural, educational and medical buildings, theaters; museums, parks; stadiums; streets and squares, living quarters; landscape scenes not having objects listed below (under 3) in the background.

2. If permission is first obtained from the officials of the institution concerned, photographs may be taken of industrial enterprises manufacturing civilian products, state farms, collective farms, railroad stations, airports, river ports, and governmental, educational and social organizations.

3. Photography is forbidden within the 25-kilometer border zones except in those portions not closed to foreigners. Photographs of the following objects are forbidden: all military objects and institutions; storage facilities for combustibles; seaports, hydroelectric installations (sluices), pumping stations (dams); railroad junction tunnels, railroad and highway bridges; industrial, scientific and research establishments; electric, telephone and telegraph stations; radio facilities. Photographs from airplanes, and surface and panoramic shots of industrial cities are prohibited.

Taking pictures of slums, the poor, or other potentially embarrassing subjects has often resulted in unpleasantness and detention. When in doubt, the traveler should ask his Intourist guide or the subject before taking a picture.

SOVIET CITIZENSHIP

The Department of State cannot determine whether a naturalized American citizen or resident alien who was once a resident of Imperial Russia, the Soviet Union or territory now under Soviet control may be considered by the Soviet Government to be a citizen of the U.S.S.R. The Department knows of no recent cases in which an American has been detained in the Soviet Union on the claim that he is also a Soviet citizen. This possibility cannot be excluded, however.

A decision as to whether a former resident of the U.S.S.R. or territories now under Soviet administration should travel there can only be made by the individual himself in the light of his background and all other pertinent factors.

VISITING RELATIVES IN THE U.S.S.R.

"Visitors' visas" permitting Americans to travel to a relative's place of residence in the U.S.S.R. and remain there for a specified time are sometimes issued by the Consular Division, Soviet Embassy, 1609 Decatur Street, N.W., Washington, D.C. 20011. Application forms may be requested by mail from the Embassy. They should be submitted well in advance of the proposed visit. Soviet consideration of these applications is often a very slow process and they may be denied or not acted on at all. Letters of invitation from relatives in the U.S.S.R. may be useful. These letters, which the relatives should have certified by their local Soviet authorities, invite the Americans to visit them and indicate that there is room to accommodate them. The invitation should be submitted with the visa application.

In order to avoid delay or refusal of a visitor's visa, Americans have sometimes taken an Intourist tour to the U.S.S.R. and arranged on their own to meet relatives at a Soviet city near the place where the relative resides. This has not always worked out, for the Soviet authorities have sometimes prevented the Soviet citizens from traveling to meet their American relatives. In such cases Intourist assumes no responsibility for any failure to meet relatives.

The Department has been informed that occasionally some Americans visiting relatives in the U.S.S.R. have been subjected to harassment by local officials or over-zealous Party agitators. This harassment, which at times was directed against the Soviet relatives themselves, has included press articles attacking the visitor.

Americans passing through Moscow on their way to visit relatives living outside the capital may wish to stay overnight in Moscow on arrival or departure. In such cases, travelers are cautioned to purchase Intourist vouchers for this purpose prior to arrival in the U.S.S.R. Unless prior arrangements have been made with Intourist, hotel rooms may prove difficult or impossible to obtain.

REGISTRATION

Americans not traveling in group tours and Americans born in territory now under the control of the U.S.S.R. should notify the Consular Section, American Embassy, Ulitsa Chaykovskovo 21, Moscow, of their full name, passport number, date and place of birth, occupation, hotel and room number, purpose of dates of visit to the U.S.S.R., home address, and the names and addresses of any relatives to be visited in the U.S.S.R. This information can prove useful to the Embassy in making inquiries should the American encounter difficulties which require the intervention of the United States Government. Registration should be accomplished in person, or if this is not possible, by mail.

Travelers should keep a record of their passport numbers since hotels normally keep the passport for the purpose of registration. The Embassy's address and telephone numbers should also be written down. The telephone numbers are 52–00–11 through 52–00–15.

THE RIGHT TO PRIVACY

Mr. BAYH. Mr. President, a recent meeting of the Indiana Civil Liberties Union was privileged to have as its guest speaker the distinguished Senator from Missouri, Hon. EDWARD V. LONG. As a long-time champion of civil liberties and as chairman of the Subcommittee on Administrative Practice, Senator LONG of Missouri has been waging a dramatic struggle against both public and private interference with one of our most precious rights—the right of privacy. He also is the author of a recent book, The Intruders, which alerts the American public to the need for constant vigilance against the invasion of personal rights.

In his Indianapolis speech, Senator LONG of Missouri reviewed some of the evidence which has been assembled by his subcommittee and outlined the need for additional legislation. Because of its importance and timeliness, I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY U.S. SENATOR EDWARD V. LONG (DEMOCRAT, MISSOURI) BEFORE THE INDIANA CIVIL LIBERTIES UNION

It is a great pleasure and honor to be with you tonight.

Your outstanding work, and the work of civil liberties unions throughout our country, are of great encouragement and strength to many of us in the Congress. We deeply appreciate your untiring defense of the rights of all Americans. We are grateful for your dedication to the Bill of Rights.

You in Indiana are very fortunate here for you have two outstanding statesmen in the Senate. Senator Hartke is a great champion of civil liberties causes. Senator Bayh, who is on my Senate Subcommitte, is a very vigorous supporter of our efforts. I am very confident he will go a great deal further in service to this nation. As you know, he already has the distinction of being the principal sponsor of a Constitutional Amendment, the 25th Amendment.

Without your work and support on the local level, it would be very difficult for us to make headway in the Congress on matters of vital interest to us all.

There is no doubt in my mind that we would have had a great deal more trouble passing the civil liberties legislation of the 88th and 89th Congresses had it not been for you and other civil liberties groups across the country.

I am thinking of your support for the new 24th, or Poll Tax Amendment to the Constitution. I am thinking of your support for the historic Civil Rights Act and your support for the Supreme Court. I am thinking of your support for our effort to defeat a bill to keep state legislatures mal-apportioned.

Today, we stand at a cross road in the history of civil liberties. One of the major issues before the Congress this year is the American citizens' right to be left alone, the right of privacy, the right to be free from fear that you are being wiretapped, bugged or snooped on.

Who would believe that our great Nation is today threatened by the very practices which turned Germany into a Nazi dictatorship?

Who would believe that the United States, with all of its great democratic traditions would ever have some government agents like we have today, who believe it is right to use the same electronic gadgets on American citizens that the secret police use in Communist Russia?

Who would ever believe that George Orwell's *1984* could be anything more than a writer's fantasy? Who would believe that America today has Federal agents who act like Big Brother?

For two years my Senate Subcommittee has been holding public hearings on invasions of privacy. We have been investigating all forms of violations by government agents, private detectives, industrial spies and the telephone companies.

The evidence we have collected only begins to scratch the surface. But it is convincing proof that unless we begin today to take action, the right of privacy, guaranteed by our Constitution, will be about as worthless as a crumpled piece of paper.

Many of these agents were trained at a special Treasury Department school in Washington in the latest wiretapping and bugging techniques. Whenever they had trouble installing their wiretaps or bugs they would call on a special eavesdropping expert who would fly up from Washington.

These agents were wiretapping, bugging and spying on American citizens. We may never know how many taps and bugs they actually placed. They may have been trying to catch someone else. But if you used the phone they were wiretapping, or if you used that room, your conversation would have been heard, your privacy would have been violated.

These agents will all admit that to wiretap they broke Federal laws and the rules of the Internal Revenue Service. To place these gadgets they had to illegally break and enter the private homes and offices of citizens. In most cases they had no search warrants. They just broke in like the Gestapo would.

These agents are supposed to be public servants. But I do not think they serve the people of Indiana or America by breaking local, state and Federal laws. I do not think they were serving the people when they deliberately disobeyed a United States District Judge in Boston by illegally taking and keeping copies of a taxpayer's records from an accountant.

I don't think they are the kind of people you and I want collecting our taxes and enforcing our laws.

These agents and many others like them in other cities across the country pose a serious threat to the future of privacy in the United States. Here are law enforcement officials breaking the laws they are sworn to uphold. They do not respect those laws. Testifying before my Subcommittee, they said they thought it was their duty to break the law. They said they were above the law, that they could have special privileges the average American does not have. Some even said they would break laws anytime because they disagreed with those laws.

All of this poses a serious threat to the future of our right of privacy. This is what my subcommittee and I are so deeply concerned about. This is what the Congress is becoming concerned about. This is what the President was concerned about when he said in both his "State of the Union" and "Crime" messages that we must have legislation to outlaw wiretapping and eavesdropping. Even the Justice Department, which for years refused to prosecute law enforcement officers who wiretapped, is today urging Congress to take action. Under the able leadership of President Johnson and Ramsey Clark, the Attorney General, I believe our Federal agencies are beginning to take a second look at their snooping operations.

As you know, I have introduced in Congress this year a comprehensive Right of Privacy Act.

Here is what this Bill will do.

First, it prohibits wiretapping, and it prohibits divulgence of any information obtained by wiretapping. Back in 1934, Congress passed the Federal Communications Act in which Section 605 also banned wiretapping. But Section 605 has been severely abused by Federal law enforcement officers. We even discovered that some agents in the Internal Revenue Service were wiretapping and then keeping the court from finding out. They knew that their case would be lost if the Judge found out the defendant's right of privacy had been violated. They would even lie or conceal facts from U.S. Attorneys who would have to try tax cases in the courts.

My bill has one exception that has frequently been overlooked. Where kidnaping, bribery, extortion and threats of death are involved, a citizen may request police surveillance on his phone. The police may listen but only if the citizen has requested it for his own protection.

In all cases, our bill will set the record straight except where the actual security of the Nation is at stake.

Second, this bill will prohibit all electronic snooping on the phone, or the use of radio transmitters or devices which have been shipped in interstate commerce. This means gadgets which are not wiretaps and do not directly connect with the phone line. It will also prohibit electronic eavesdropping on businesses which operate in interstate commerce.

Congress has never passed a law outlawing electronic "bugging." Although clearly "bugging" a bedroom or office is just as much a violation of our constitutional rights as "wiretapping" a telephone.

You would be amazed at the different ways you can now be "bugged". There is today a transmitter the size of an aspirin tablet which can help transmit conversations in your rooms to a listening post up to 10 miles away.

An expert can devise a bug to fit into almost any piece of furniture in your room. And even if you find the bug, you will have no evidence of who put it there. A United States Senator was bugged by a transmitter secretly placed into a lamp which his wife was having fixed at the shop. When experts searched for the transmitter, it was gone.

A leading electronics expert told my Subcommittee last year that wiretapping and bugging in industrial espionage triples every year. He said that new bugging devices are so small and cleverly concealed that it takes search equipment costing over one hundred thousand dollars and an expert with 10 years of field experience to discover them. Ten years ago, the same search for bugs could have been made with equipment costing only one-fourth as much.

In California we found a businessman who had been so frightened by electronic eavesdropping devices which had been concealed in his office, that he is now spending thousands of dollars having his office searched each day, taking his phone apart every morning, and stationing a special guard outside his office 24 hours a day.

He is one of a growing number of men in industry who live in constant fear that what they say is being listened to by their competitor.

This bugging business is big money. An expert can earn over six hundred dollars just to place one bug. The losses to the victim often soar into the millions.

Unless we can curb this kind of snooping, our whole business and industrial system will be undermined by fear and suspicion. My bill will not do away with this practice. Industry must do it itself. But my bill will make it a crime, so that if we can catch an industrial spy we can prosecute.

Third, my bill prohibits the manufacture and shipment and advertisement of wiretapping and eavesdropping devices in interstate commerce.

One of the first things my Subcommittee discovered was how easy it is to buy a wiretap or electronic bug. There are catalogues for these devices just like the Sears and Roebuck catalog. You just pick out the items and send off for it. No questions are asked. Manufacturers today advertise in national magazines, like *Diners Club Magazine* and *Esquire*. They even advertise in comic books, where they urge children to buy these gadets as toys. They want children to grow up believing that snooping on the neighbor is fun. They want children to grow up with no respect for the privacy of others.

This is not a perfect bill. We have just begun extensive hearings on all aspects of the bill. We may have some additions and amendments, I am very pleased that 22 other Senators are co-sponsoring the bill. I hope we can get right of privacy legislation through the Congress this year.

But let no one be mistaken. This bill will not solve the whole problem. I also want Congress to pass my bill to ban all secret mail covers conducted by the U.S. Post Office. This practice, which has been going on for years, consists of a watch on all your mail. They will record all the information on a letter coming to your house before it is delivered. These mail watches or mail covers can be placed at the request of any law enforcement agency. This practice is just another "Big Brother" practice which invades the privacy of our mail. You will be interested to know that they used to open these letters as well. At the request of the Internal Revenue Service they used to open first class mail. But as soon as we discovered this practice, Congress passed a law banning the opening of first class mail.

In addition, we must consider legislation which will provide the citizen more protection from harassment by Federal agents.

In our investigations, we have run across case after case in which a citizen is being pressured and pushed by Federal agents who are mis-using their power. Many a citizen's reputation has been ruined by irresponsible agents who abused a citizen's rights during an investigation. I think the average citizen needs some kind of ombudsman or public official whose full time job is to help citizens in their problems with government agencies. Most citizens these days are helpless when dealing with some of our big government agencies. There is red tape, and there are agents who are overzealous in pursuit of their duties. The citizen's will to stand up for his rights is crushed by delay.

In the Senate, I now have introduced three "Ombudsmen" bills to help the citizen dealing with government.

As you know, this subject first gained national attention when I held hearings last year on the ombudsman concept.

My first bill will set up a tax ombudsman in each of the Internal Revenue Service regions. He will aid citizens dealing with the IRS on small tax matters.

My second bill would create an ombudsman for the District of Columbia. The people of the District do not have home rule and often are confronted with severe problems when trying to deal with their local government.

My third bill will set up an ombudsman for every one who must deal with the government on matters such as veterans cases, social security and tax matters. You would be amazed at how red tape and delay by government agents can injure a citizen's rights. Justice must be obtained as swiftly as possible. The Ombudsman's job will be to help the citizen get swift justice.

But, no matter how many bills we consider and pass in Congress, there must be widespread public concern in these matters.

This is why I wrote my new book *The Intruders:* to alert the American people to the tremendous danger of apathy. We are not secure in our rights and our privacy today, let no one think we are. Tomorrow, it may be gone, unless we work on the local, state and Federal level to protect it.

Large firms are wiretapping and snooping on the labor union activities of their employees. Congress cannot stop this practice without the help of both business and labor.

Local police forces like the one in Fairfax County, Virginia, have great arsenals of electronic snooping devices which they also lend to other counties. Congress needs the help of state legislatures to regulate this.

Private firms can lease from the phone company devices to monitor the conversations of all employee's phone calls. As a practical matter, Congress cannot stop this practice without the cooperation of the phone companies.

Private detectives are being hired in divorce cases to use wiretaps and every device available to catch the husband or wife doing something wrong. Congress alone cannot stop this. Citizens and local authorities must simply recognize the tremendous threat to privacy this kind of practice represents.

Private detective firms are being hired today by political leaders to take the place of legitimate law enforcement agencies. This is clearly an extremely dangerous development. This is the way the Gestapo and the secret police operate. Rather than being responsible to the people, these private police forces are the personal arm of a state official. They owe their allegiance to this official, not the people. They are not even paid by the people, but by private funds.

A private police force is an extremely serious threat to the citizen's right of privacy.

Everyone here today, every American in every town and city, must feel that the right of privacy is worth fighting for. This is why I have written *The Intruders* and this is why I have spoken around the country on this subject. We must arouse citizens to action. The people must know the dangers, they must know the price of individual privacy.

We are at a critical moment in the history of the Bill of Rights. We must be willing to defend our rights or they will crumble. Should we ever lose our right of privacy, we will lose our right of free speech, and all our rights will be lost forever.

VISTA IN WISCONSIN

Mr. NELSON. Mr. President, one of the least publicized, but most effective of the programs in the war on poverty is VISTA.

The dedicated young VISTA volunteers give a year of their lives to work with the poor and disadvantaged.

The Wisconsin State Journal, in a thoughtful and sympathetic article, described the work being accomplished by a young native of Great Britain as a VISTA volunteer in Wisconsin.

The State Journal has set forth in a most effective way the efforts being made by Miss Shirley Baker to assist the Winnebago Indians in Wisconsin Dells, Wis.

The problems of these Wisconsin citizens are many—lack of jobs, lack of education, and lack of community organization.

The Wisconsin State Journal has done a valuable public service in bringing this vital program to the public's attention.

I ask unanimous consent to have the Journal's article inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ENGLISH GIRL AIDS INDIANS IN VISTA PROJECT AT DELLS

During the Boston Tea Party, American colonists dressed up as Indians and threw British tea in the harbor.

But Shirley Baker, from Kent, England, bears no grudge. She came to America, joined VISTA, and serves the Winnebago Indians in Wisconsin Dells.

Although Miss Baker has seen no painted faces or feathered headdresses since her arrival, she has seen the problems that face American Indians—lack of jobs, lack of education, lack of community organization.

The 19-year-old volunteer has been in Wisconsin Dells only since October, but she has already written a Head Start proposal, organized a teen club, and signed up unemployed men to work on a community beautification program.

Miss Baker came to the United States during the summer of 1965, after graduation from St. Augustine's Secondary School.

INTERESTED IN WORLD

"All of my friends were talking about marriage and babies. At this point in my life, I was more interested in what was going on in the rest of the world," she said. "My father visited America in his youth, and it was an experience that he never stopped talking about."

Although money for travel presented a problem for Miss Baker, she was able to overcome that obstacle. She found out about an agency that hires governesses for families in America. If she was accepted, the family would pay her passage across the Atlantic and she would work for them for one year.

She financed the travel costs by working as a governess for Dr. and Mrs. Jonathan Fine, Potomac, Md.

"Little did I realize the effect that the Fines would have on my life," she said. "Caring for three children in their suburban home turned out to be a time-consuming yet enjoyable job.

"I woke up each morning at 8 to get Annie, age 7, and Lizzie, age 5, ready for school. Grant, age 3, was home with me all day and Lizzie was home from kindergarten by noon. I fed the children, played with them, took them on hikes and generally opened their eyes to things around them.

LIKE ONE OF FAMILY

"I was treated like one of the family. The Fines like to travel so I went with them. I looked after the children in Boston, New York, on Nantucket Island and in Falmouth, Mass. I got to see most of the Northeast."

Miss Baker also had time for numerous discussions with the Fines. She learned a lot about life in this country from Dr. Fine, who is with the AID, and from Mrs. Fine, who at the time was a lawyer with VISTA.

Miss Baker read the VISTA literature that Mrs. Fine brought home. "It took me seven months to decide," she said. "I had read a little about American Indians and I wanted to see the West. Besides, the Fines were planning to leave for a two-year stint in Peru and I wasn't ready to go back to England."

THE VISTA BLUES

When Miss Baker first arrived in Wisconsin Dells, she had the "VISTA blues."

Not quite sure what was expected of her as a Volunteer, she consulted the VISTA coordinator for the Winnebago tribe, Bertha Lowe. Mrs. Lowe told her that a new housing project for Indians in Wisconsin Dells would need landscaping. Together, they learned that unemployed men could receive good salaries for work in a beautification project. Miss Baker became a one-woman public information office for the project and soon had several men sign up.

Next, she launched a Head Start program. She found headquarters for the classes, wrote the proposal, and collected letters of commitment from all the people who had volunteered their services or facilities—the elementary school, the cook, a dentist, and a doctor.

"I feel this program is so important because a sense of achievement and individual self-confidence is something that must start on the pre-school level," she said.

SUPERVISOR PRAISES HER

Mrs. Lowe, her supervisor, called Miss Baker "A resourceful volunteer . . . someone who can bring out local leadership and help polish our relationship with nearby communities.

"Her work with teens is commendable. She organized a club in which teenagers have elected their own officers. She will not do anything for them that they can do on their own."

Residents of Wisconsin Dells have, in their turn, done a good bit to further foreign relations.

"I was really accepted," said Miss Baker, "even in the very beginning. The people found me an apartment and the Rotarians installed a phone. The Kiwanis club purchased a bed for me. I bought lumber and the boys club made me a chest, a phone stand, and shelves."

Before the end of her year in VISTA, Miss Baker plans to set up a tutorial program, with high school students helping those in the elementary grades. "It will make the high school students feel important. It might even give them a push to go on with their own education. At any rate, it will give them a feeling of individual worth."

She plans to return to England in October. She recently learned of the Community Service Volunteers in London, a new program similar to VISTA. She has written to them for information. "I feel that England needs something like this and that I could be of help," she said.

THE F-111 AIRCRAFT

Mr. TOWER. Mr. President, last Friday a number of remarks were made in the Senate about the F-111 aircraft. I regret that I was not in the city that day to engage in the floor discussion.

I note that both the Air Force and the Navy have issued statements in which they state emphatically that they desire to continue tests and procurement of the aircraft and believe it to be progressing satisfactorily.

I ask that these statements be printed in the Record since there have been some suggestions that the services are dissatisfied. These statements indicate they are not.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Statement, Secretary of the Air Force Harold Brown and Air Force Chief of Staff General J. P. McConnell, April 13, 1967

The F-111A is designed to provide an all-weather strike potential superior to that of any tactical aircraft in the world today. It will fly faster, farther and carry a greater payload, nuclear or conventional, with an unexcelled capability to penetrate sophisticated enemy defenses. Additionally, the operational concept for the F-111A capitalizes on its inherent flexibility for rapid deployment from Z.I. bases to any overseas theater without reliance on tankers and for operations from short, semi-prepared runways with a minimum of support facilities.

We are confident from the level of performance already displayed in the very extensive flight tests performed on development aircraft that the operational F-111A will provide these vitally needed capabilities, and will meet the military requirements established for the aircraft at the inception of the program.

Statement, Secretary of the Navy Paul H. Nitze, April 13, 1967

I recognize that development of a system as complex as the F-111B/Phoenix has produced sizeable engineering problems. I continue to be impressed with the manner in which they have been met and overcome. I have confidence that changes proposed by the Navy, approved by the Secretary of Defense and now being implemented will make the F-111B suitable for operation from our first-line attack carriers and will give it the capabilities to perform its mission.

THE WAR THE PEACENIKS DON'T TALK ABOUT

Mr. HOLLINGS. Mr. President, recently a series of columns was published in the Washington Daily News with the running title "The War the Peaceniks Don't Talk About."

The author is Mr. Jim G. Lucas, a longtime war correspondent and an extremely talented journalist. In these articles, Mr. Lucas has presented the best portrayal of the systematic rule-or-ruin campaign that is being waged by the Vietcong that I have been privileged to read.

The articles offer undeniable documentation of wanton acts of naked terrorism and murder committed without rhyme or reason against nonmilitary villages and their peaceful inhabitants.

I believe Mr. Lucas has provided an eloquent answer to the critics who ask why we are in Vietnam, I ask unanimous consent that the complete text of the four articles be printed in the Record.

There being no objection, the four articles were ordered to be printed in the Record, as follows:

[From the Washington Daily News, Mar. 28, 1967]

The War the Peaceniks Don't Talk About—Vietcong Terror: Another Village Is Wiped Out

(Editor's Note.—President Johnson recently scored as "moral double bookkeepers" those who express horror of his policy of bombing military targets in North Vietnam—but manage to ignore the deliberately murderous terror campaign the Viet Cong wage against civilians in the South. This is the first of a four-part series in which Jim Lucas shows how South Vietnamese civilians are victimized by the the Viet Cong's efforts to rule or ruin.)

(By Jim G. Lucas)

Ap Bo, South Vietnam, March 28.—The Viet Cong mortar and rocket barrage lasted only two minutes, but the fires burned for a long time.

The toll: 22 dead, 73 hurt, 200 or more houses—three-fourths of Ap Bo—destroyed.

It made no sense. Militarily Ap Bo was no target at all, The Viet Cong cause was not advanced militarily, nor ours hobbled, by its destruction. One day Ap Bo was there and the next day it wasn't—not much of it, anyhow—and the war went on.

It began at 3:16 a.m. when Ap Bo was asleep. The hamlet, never before hit, had no reason to expect the attack.

The mortars and rockets came down on Ap Bo's huts in clusters. Men, women and children were tossed around like leaves in a windstorm. And then the fires began.

Ap Bo is a shanty town, its houses jammed one against the other. The thatched roofs burned fiercely. So even houses not touched by the mortars and rockets went up with the rest.

There were Americans in Ap Bo, which may be one reason the Viet Cong decided to destroy it. Five Navy men had moved in eight months ago to live with and help its people. They called themselves Village Assistance Team No. 2. They were asleep when the mortars came. One sailor was slightly wounded.

The people of Ap Bo reacted as they always do—fearfully, childishly.

"Fear is a rule of life here," Boatswain Mate First Class Fred Rehing, Waterloo, Ia., said. "So they were afraid. We've had Viet Cong come into the hamlet, and they freeze. They won't do anything. They just disappear into their houses, shut the doors and hope the Viet Cong will go away."

They have reason to be afraid. The day before the mortar attack a civilian bus had detonated a mine between Da Nang and Dai Loc. Vietnamese buses are incredible—jammed with people, some perched precariously on top, others hanging from the sides. Pigs and chickens, and geese are among the paying fares. This mine was a big one. It broke the bus in half and turned it around. Eleven were killed and 32 injured.

Dawn came and Ap Bo's survivors seemed in shock. Two families were all but wiped out. Five small bodies, zippered into rubber shrouds, lay in front of the charred wreckage of their homes. A few of the women gave way to tears and loud sobs, but most did not.

Nearby, a teen-age boy carefully searched the ruins of his home for his schoolbooks. He found a charred page. The edges crumbled to his touch; only the center was intact. He salvaged what he could, folded it carefully into his pocket and went on looking, turning the ashes with a forked stick.

Navy Chief Charles Griva of Benld, Ill., surveyed the scene grimly. He is in charge of the Navy team that lives here.

"We'd just finished helping them build 25 houses and a school," he said. "All but two are gone. We'll start over and help them build again."

[From the Washington Daily News, Mar. 29, 1967]

Grenades Stun Peaceful Village—The Day Viet Cong Struck Nam O

(By Jim G. Lucas)

Nam O, South Vietnam, March 29.—The terror came to Nam O without warning on a Saturday evening.

Farmer Bui Thong, 26, had strolled down the main street of its principal Hamlet, Xuan Thieu, with his friend, Nam Ba, who fishes in the South China Sea.

Earlier, they had shared cups of wine in the village grog shop. Their talk was lighthearted. It was good at the end of a week of hard work to walk and talk with friends in the hamlet where you were born.

VILLAGE SCHOOL

Tran Van Thien, 10, played with her friends from the village school.

Tran Dat, the hamlet chief, had returned home and washed and donned his comfortable black pajamas. Dat had been with a squad of popular force soldiers investigating the appearance of a strange boat on the river. The boat had beached and the three men in it had disappeared. Dat and his men had hunted for them and found no one. At the moment, it did not seem important.

Suddenly, grenades exploded among them. One landed at Bui Thong's feet. He fell, a sliver of steel thru his throat.

Tran Van Thieu screamed and held her stomach. Hot steel had gouged thru her abdomen.

Tran Dat felt the shrapnel shatter his leg. He fell to the ground in front of his home.

PEOPLE STUNNED

The people of Nam O were stunned. Life had been placid in their village. Its people are fishermen and farmers. A few work a nearby quarry. There never had been trouble in Nam O.

Men poured into the streets in search of the attackers. Tran Binh, the village chief, was in the lead.

They returned with a prisoner. He was Huynh Van Tiao. The villagers knew Huynh. He lived on the far bank of the river. He had seemed harmless, tho it was generally suspected his Son Dang, was a Viet Cong.

Huynh was frightened. Dang, he said, had asked him to row him and a friend, whom Huynh did not know, across the river. Dang had not told his father why, or where he was going. Huynh had not asked. He had seen no grenades, he insisted. He believed the younger men were going to see their girls.

Dang and his friend were faster than the old man. They had run away and left him behind.

THIRTEEN HURT

Marines in a nearby outpost heard the grenades. Ambulances came and took the wounded away. Thirteen of Nam O's people had been hurt, Bui Thong, Tran Van Thien and Tran Dat most seriously.

Dang and his friends still are at large. Huynh is in jail.

Why did they do it?

"Perhaps," says village chief Tran Binh, "because we allowed the Americans to rebuild our school."

Marine Cpl. John Large of Corpus Christi, Tex., had designed and helped build the new schoolhouse. Cpl. Large's father is an architect. He was proud of his work. Everyone told him it was one of the finest in Vietnam.

Or perhaps, Tran Binh said, it is because "we are soon to hold free elections." Binh was appointed to his post by the provincial authorities. On April 30, the 1067 people who live in Nam O will choose their own village chief. Binh is not a candidate. He feels the new chief should be one of the village people. He expects to join the National Police.

"The terrorists were angry with us," he said, "they hope to terrorize the people so they will not vote."

He thought about this for a long time.

"Of course," he said, "do not think they will succeed. Our people will vote."

[From the Washington Daily News, Mar. 30, 1967]

THE WAR THE PEACENIKS DON'T TALK ABOUT—THROAT CUT FROM EAR TO EAR, HE LIVES

(This is the third of four articles setting out how South Vietnamese civilians are victimized by Viet Cong terrorism.)

(By Jim G. Lucas)

CAN THO, SOUTH VIETNAM, March 30.—Song was never a particularly brave man.

He was a farmer in Vinh Binh, where the communists are strong. He had tried as best he could to stay out of their way, to placate them. He paid when they demanded "taxes" and he gave them rice when they asked for it. Song wanted mainly to be left alone with his wife and three children.

His troubles began in September, 1965. The Vietnamese army conducted military operations in Vinh Binh near Song's house. When they left, they took 50 prisoners with them. Some were local cadre. Others were Viet Cong soldiers who had taken off their uniforms and tried to pass as local farmers.

"BETRAYAL"

Rightly or wrongly, the Viet Cong said Song had betrayed them. No one but Song knows now whether he did or not. But the Viet Cong put him in a prison camp in Long Duc. That was in 1965.

And until just this month, there he remained, his feet in stocks. Occasionally they let him exercise. Most of the time he merely sat there. Often he cried. He begged to be sent back to his family.

You don't get the story, of course, from Song. Song may never talk again. He lies in a Can Tho hospital bed, his throat cut from ear to ear. It is a miracle that Song is even alive.

You get the story from Vo Van Hiep, who was Song's friend. Vo never knew Song before they met at the Long Duc prison. Vo had been imprisoned since 1964. They were kept in the same stocks.

Vo, now 44, also had tried to stay out of the communists' way. He also shied away from the government.

Vo believes he was arrested because his two brothers worked for the government. One held a minor civilian post, another was in the army.

VIET CONG CAME

But all he really knows is that the Viet Cong—three of them, armed—came to his home and arrested him and his wife. He does not know where she was taken.

Vo and Song might still be in the Long Duc prison except for a recent Vietnamese Ranger operation in Vinh Binh. Their jailers realized the prison camp was in the Rangers' path and soon would be overrun.

Song and Vo sensed the jailers were frightened. Shortly before noon they were taken out of stocks and blindfolded, then led outside. Vo remembers Song was quietly sobbing. He remembers one of their guards saying, "the government soon will be here, we must kill them all."

There was a flashing pain in his stomach, and Vo knew he had been stabbed. He did not have to feign death. He passed out.

TWO RANGERS ARRIVE

Five minutes later the Rangers arrived, but for 11 of the 13 prisoners at Long Duc it was too late. They—10 men and one woman—were dead, their throats slashed. Song and Vo, because they were in the last hut and their guards were in a desperate hurry to save their own lives, escaped death by a thread.

Vo still is badly frightened. He lies in his hospital bed at Can Tho, his old mother beside him, and tells his story reluctantly, painfully. Song, of course, says nothing. Vo wonders whether his wife is dead.

As Vo tells his story and Song stares mutely ahead, another patient is wheeled in from surgery. American doctors have worked for hours to save his life. He will live, they say.

The card at the foot of his bed says he is a Viet Cong.

[From the Washington Daily News, Mar. 31, 1967]

THE WAR THE PEACENIKS DON'T TALK ABOUT—VIETCONG FIRE; FAMILY WIPED OUT

(This is the last of a series of articles setting out how South Vietnamese civilians are victimized by Vet Cong terrorism.)

(By Jim G. Lucas)

BACK LIUE, SOUTH VIETNAM, March 31.—The thatched roof of a Vietnamese house is no defense against a Viet Cong recoilless rifle shell.

Dzu's wasn't. He and his family were asleep when it crashed thru the roof and landed beneath the bed in their one-room hut. The family all slept in the same bed. They died together.

Capt. Choi's family also perished together.

The Viet Cong opened fire on Bac Lieu the first night at 11:30. There was no warning. They fired from two points, each three miles outside the provincial capital but from opposite sides of town.

NO YANKS

From one point they fired at the American and South Vietnamese army compounds. The first round hit the roof of the American headquarters building. Another landed in the street, shrapnel splattering the new chapel. Miraculously, no Americans were hurt.

A second group fired at a South Vietnamese Ranger compound. The Rangers were away on an operation, but their families were there. And there was an ammunition dump nearby. That may have been what the communists were shooting for.

It was a massacre. Thirty-two men, women and children were killed. Others were horribly burned. In all, 200 houses burned to the ground before the flames were brought under control. They burned most of the night.

The Rangers came back at dawn and the next night the Viet Cong opened up at 9:20. They were less successful this time.

WOMEN, CHILDREN

The commanding South Vietnamese general told those who were afraid they could come and stay with him if they wished. Some of the women and children who had lost their men moved in that evening, bringing their sleeping mats with them, and cooking on the marble floors where French governors and their ladies once had danced. The general lives alone in the big house built by the French. His family is in Saigon where the children can go to school.

It was an incongruous sight, but oddly comforting. The general, a kindly man, walked among them, soothing a frightened child here, speaking softly to an old woman there. He told his aides to see to it that they were as comfortable as they could be under the circumstances, and then he went to bed.

The Viet Cong did not fire their recoilless rifles the third night. The Rangers were out after them, and they had fled back to the mangrove swamps.

After that, there was nothing to be done but to bury the dead.

Gradually, their fears subsided, the women and children moved out of the general's big house, back to their huts or to build new ones if they could, and the general again was alone.

JET AIRCRAFT CAPABLE OF SERVING SMALLER AIRPORTS BELIEVED NEAR PRODUCTION—SENATOR RANDOLPH URGES FURTHER EFFORTS TO SOLVE AIRPORT CRISIS

Mr. RANDOLPH. Mr. President, the advent of the jet age in aviation and the phasing out of propeller-driven aircraft have been conditions of very real concern for public officials with responsibilities for funding and managing the airports of the Nation. Indeed, there has been and there persists the belief that an "airport crisis" impends. This grows in part from the anticipation that the intermediate-size and smaller airports are in danger of being bypassed and of losing existing commercial airlines service because of the shift from propeller-driven to pure jet airplanes and the expected requirement of the jets for lengthened runways as well as larger terminal facilities.

Even the Nation's largest airports will be beset by problems of greater concern as the "stretched jets" and the "jumbo jets" reach operational status.

But it seems to me, Mr. President, that a ray of hope shines through the problem, in some degree at least. Charles Yarborough, whose "On Wings" column in the Washington, D.C., Evening Star is an excellent source of information and enlightenment on aviation affairs, was "on target" when he wrote in his April 12 commentary under the heading, "Short-Short Haul Jets Arriving":

> A decade or so ago, anyone proposing jets for airlane schedules of 100 miles would have been considered too far-sighted in his short-haul thinking.
>
> The contention, and it seemed logical enough at the time, was that it didn't make economic sense. Yet just such an airplane flew out of the nest from the Boeing plant in Everett, Wash., this week—the 737 Twin-jet, smallest of the Boeing jet family.
>
> Economic sense? Eighteen airlines, including United, Lake Central and Piedmont, have ordered 141 of them—and it has been a long time since the airlines took the wrong fiscal path.

Mr. President, this development, coupled with an announcement made earlier by Fairchild-Hiller Corp., which I reported on and discussed in this forum a few weeks ago, should afford us reason to feel more optimistic about providing jet service at the intermediate size, and even some smaller airports, rather than face the staggering and costly abandonment, enlargement, or replacement of them.

I wrote in a letter discussing these conditions and developments with Gen. William F. McKee, Administrator of the Federal Aviation Administration of the new Department of Transportation, that an excessively rapid phasing out of propeller aircraft presently serving the intermediate-size and smaller airports, and the resultant requirement for expanding many existing ones—or constructing gigantic new airports—would place an emergency fiscal strain on Federal and local resources. It would be an inordinately severe strain that I am sure the Federal Government could not overcome quickly and one which many communities could not meet without sacrificing funds for other essential purposes and services.

I have had faith that modern aviation would develop more flexibility, even totally within the family of jet aircraft, as the propeller equipment rapidly is being phased out. In spite of this optimism on my part, I have not been without fear that the propeller craft phaseout would be too rapid and the input of pure jets capable of operating on the shorter runways would be too slow, thus truly making the airport problem more critical.

The Fairchild-Hiller announcement that it is projecting the F–228, an advanced technology jet aircraft specifically designed for the regional carriers as replacement for their their propeller-driven aircraft on the short-stage lengths, came as a forerunner to the Boeing 737 revelation.

I mentioned both of these developments in my communication to FAA Administrator McKee, and suggested that certainly they should be taken into account in FAA studies of airport plans and requirements and in action on applications for Federal aid to airports. There is no doubt but that other manufacturers will be producing similar aircraft and that other airlines will be placing orders for such aircraft to provide more flexibility of equipment and service.

Both the aerospace manufacturers and the airlines have the responsibility to assist in preventing the obsolescence of the many airports in which there are very substantial public investments. I commend the segments of these industries which are acting positively to help prevent this obsolescence, and, in the doing, to improve service to many communities which have had the fear that they must either make huge new airport investments or suffer the loss of service by scheduled airlines.

Mr. President, I request unanimous consent to have printed in the RECORD the text of my April 15, 1967, letter to FAA Administrator McKee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
April 15, 1967.

Hon. WILLIAM F. MCKEE,
Administrator, Federal Aviation Administration, U.S. Department of Transportation, Washington, D.C.

DEAR GENERAL MCKEE: We are both familiar with the term "a national airport crisis," and we know of its origin and meaning in this jet age.

But, General, does it not appear that this so-called jet age is coming into another new phase—possibly one in which the airport crisis will become less acute in West Virginia, as over most of the nation?

This jet age has seemed to be coming more and more under the domination of the so-called stretched jet aircraft and its requirement for lengthly runways. With the even larger supersonic requisites projected, there are many persons who visualize most existing airports, other than the very large ones, as being on the verge of obsoleescene.

Meanwhile, the ingenuity of the aerospace industry is manifesting itself in response to the national—indeed, the world wide—requirement that jet aircraft be developed which would be operable on the shorter runways of the intermediate-size, and even the small airports. I have had faith that modern aviation would develop more flexibility, even totally within the family of jet aircraft, as the propeller equipment rapidly is being phased out. But my fear has been that this propeller phase-out would be too rapid and the input of pure jets capable of operating on the shorter runways would be too slow, thus truly making the airport problem more critical.

An excessively rapid phasing out of propeller aircraft presently serving the intermediate and smaller airports, and the resultant requirement for expanding many existing 'ports or building new ones of gigantic proportions, would place an emergency fiscal strain on Federal and local resources. It would be an inordinately severe strain that I am sure the Federal government could not overcome quickly and one which many communities could not meet without sacrificing funds for other essential purposes and services.

Hopeful developments seem to be in the offing—developments which could change much of the airport planning, reduce costs, and take much of the urgency out of the so-called airport crisis.

I refer to the recent announcement by Fairchild-Hiller Corporation of its development of the F–228, an advanced technology jet aircraft specifically designed to replace propeller driven aircraft on the short stage lengths (average 100 statute miles) which characterize the majority of the regional carriers' route structures.

Then Boeing revealed that its new 737 jet airliner had made its initial flight over Puget Sound on April 9. It was, as you doubtless know, a test flight of 2½ hours from Seattle's Boeing Field, after a takeoff roll of only 3,200 feet. The takeoff weight was 92,558 pounds for this smallest of the Boeing jet family, designed for routes of from 100 to 1600 miles and a maximum load capacity of 97,000 pounds, including 101 passengers. Its cruising speed is reported to be approximately 580 miles per hour. This B–737 aircraft is expected to be operable on a standard day at an airport with 5,200-foot runway and carrying a load of 90,000 pounds, and perhaps on a 6,000-foot runway carrying the maximum 97,000-lb. load, including 101 passengers.

Of special significance to West Virginia, I am reliably informed that United Airlines, which operates at Kanawha Airport at Charleston, already has placed an order for 50 of the B–737 airliners, some to be delivered late this year; that Piedmont Airlines, which uses our Princeton-Bluefield, Beckley, Charleston, Huntington and Parkersburg airports, has ordered six B–737's with the first delivery in March of 1968; and that Lake Central Airlines, which services our Martinsburg, Elkins, Morgantown, Clarksburg, Wheeling, Charleston, and Parkersburg airports, has three on order for delivery in November 1968.

These developments certainly should be taken into account in FAA studies of airport plans and requirements and in action on applications for Federal aid to airports. I have no doubt but that other manufacturers will be producing similar aircraft and that other airlines will be placing orders for such airliners to povide more flexibility of equipment and service.

It would be helpful to have your comments and counsel on this subject matter.

With personal and official regards, and with best wishes, I am

Sincerely,
JENNINGS RANDOLPH,
U.S. Senator.

POVERTY: INTERRELATIONSHIP OF RURAL AND URBAN AMERICA

Mr. MAGNUSON. Mr. President, on March 14 the President of the United States delivered an excellent message on urban and rural poverty. One of the most significant portions of that statement dealt with programs for the rural poor. The President pointed out the unrealities of attempting to treat the problems of the small town or community as if those areas were completely independent of the urban centers of the country. Today's transportation and communications make the segmented approach obsolete.

On Saturday, April 1, 1967, the Washington Post in an editorial dealt succinctly with this issue.

An energetic young man, Mr. Lee

Lukson, from the State of Washington, has made a significant contribution to the discussion of the relationship between urban and rural problems. In a statement before the National Advisory Commission on Rural Poverty, Mr. Lukson, who is director of the Yakima Valley Council for Community Action, spoke on the matter in some detail. His statement illustrates well the need for revised thinking.

In March 1967, Mr. Lukson prepared another statement which is also relevant here. It is entitled "The Role of the Community Action Agency in Rural Planning."

I commend these statements to all who are interested in removing the blight of poverty from every corner of the land, and I ask unanimous consent that the Washington Post editorial and the statements prepared by Mr. Lukson be printed in the Record.

There being no objection, the editorial and the statements were ordered to be printed in the Record, as follows:

WASTELANDS AND SLUMS

The Nation reacts with a curious ambivalence toward economic hardship in its urban and its rural areas.

When there is difficulty in rural America—as there is now in the milk strike—the prevailing urban reaction is that there are just too many people in agriculture and they ought to move to the cities. *The New York Times,* in a typical urban comment, said very philosophically: "No one likes to see this movement away from the farm; but it is socially and economically inevitable."

Why is it that a labor surplus in the cities never produces the same argument? New York's metropolitan area now has 224,800 unemployed. But there will be no editorials in any New York paper saying that they should emigrate from the city. No one will accept that possibility as "socially and economically inevitable."

This curiously inconsistent attitude toward economic crisis in urban and rural America has resulted in the neglect of rural needs until 3 million people a year are moving into the cities. This emigration is accepted generally as logical and unavoidable. As Secretary of Agriculture Orville Freeman has pointed out, 7 out of 10 persons now live on 1 per cent of our land; only 3 out of 10 live on the other 99 per cent.

The country cannot accept as inevitable the further concentration of rural refugees in its large cities. It cannot tolerate a calm acceptance of a drain from rural America arising in part out of an unjust distribution of the national income and proceeding from an unfair economic discrimination against those who grow our food and fiber. More strenuous exertions must be made to provide comparable incomes for farmers who are efficient producers and to create for the others alternative employment in rural areas. The neglect of this problem is rapidly producing two nations—one a rural wasteland and the other an urban slum.

RURAL SOCIAL PLANNING: THE ROLE OF THE COMMUNITY ACTION AGENCY

How can we do a better job in our war against poverty?

To date, being inexperienced soldiers, we have not realized the strength of the enemy, and we've not used our weapons properly.

We have attacked separate areas of poverty as though they could be eliminated separately. We have attacked bad housing, poor health and joblessness. And we have said: "This is poverty." But these are the results of poverty, not the causes.

Better housing, health and jobs are absolutely necessary, but they do not eliminate the causes of want.

One cause is the lack of job skills. But we teach skills in the cities only to find that a steady flow of unskilled people are coming in from the country, combining this and the related problems. And urban training programs may attract more unskilled workers to the city, compounding the perplexity further.

We are emptying our countryside and glutting our cities.

Why not more skill training in smaller cities to stem this flow? And why not, then, try to decentralize some of our industry to the smaller cities? It would improve the economy of our rural areas and alleviate the poverty and growth problems of the cities—less sight, sound, air and water pollution, less traffic, less crowding of people.

So—we can combat poverty in both urban and rural areas by locating new industry in rural areas and providing extensive skill training there for unskilled workers who might otherwise flee to the city.

Our best weapon is large-scale social planning. And we can do it easier in rural than urban areas because of less population and less distinction between social classes and ethnic groups. Too, our cities have extensive and deeply entrenched, and often inadequate, ways of dealing with poverty. The complex of outdated welfare services is a formidable obstacle to planning. A major obstacle is the mental attitude of low-income people themselves, with their feeling of rootlessness in the large, complex city.

Rural communities have fewer people to plan for, and the different social classes and ethnic groups more often intermingle, hence are more tolerant of each other. Thus the "haves" in a rural community more readily join to help the "have nots". The community is easier to mobilize, especially if its economic fate is at stake. Finally, rural low-income people perhaps are more optimistic because of their simpler life and surroundings.

With social planning we can join two kinds of social change—the *revolutionary,* where the disadvantaged are slowly learning that by organizing they may gain economic and political strength, and the *evolutionary,* where the "haves" help the "have nots" gain some small but not very threatening gains.

So far, neither approach has caused significant social change. The revolutionaries have woefully underestimated the monolithic character of the affluent establishment, while the evolutionaries, being part of it, are protective and restrictive in their approach. These forces need common ground to plan change.

The local Community Action Agencies, created under the Economic Opportunity Act of 1964, can be this common ground, especially in rural areas where the problems of coming together are less formidable.

Thus, if (1) a fundamental cause of *urban* poverty (the lack of skills in rural workers attracted to the city by industry), and if (2) a fundamental cause of rural *poverty* (the lack of industry) can both be attacked, *rural* communities with rural Community Action Agencies seem to offer the best tool for the kind of planning necessary.

Example: The Yakima Valley in Washington State is what economists call a "low-growing" region. Industry and agriculture are expanding slowly. It is primarily an agricultural area, once had a great agricultural growth and might again with further development of its water resources. It attracts large numbers of seasonal farm workers. Some 7,000 a year move in with the crops, but twice that many have settled permanently in the small towns of the valley. The valley is the northern terminus of the west coast migrant stream, which originates in south Texas.

Today many of these people are moving on to Seattle, 120 miles northwest of Yakima. In the Puget Sound area surrounding Seattle, there are now 1.9 million people. By the year 2000, this will have increased to 4 million. Seattle is booming because of rapid growth of the Boeing Aircraft Company and other industries. They are like magnets, drawing unskilled workers who are unable to find steady work in the rural areas. Unfortunately, in Seattle they too often merely swell the ranks of the unemployed, despite the fact that Boeing recently lowered its educational requirements from a high school graduate to a 10th grade equivalency.

The Yakima Valley's Community Action Agency is bringing together representatives of the "haves" and "have nots" for social planning. Its board of directors, called the Yakima Valley Council for Community Action, contains leaders from both the affluent and the disadvantaged groups.

Planning is usually done by the staff but is approved or disapproved by the board. The staff also contains representatives of both groups, but the low-income people are in the majority.

The CAA has developed a large-scale plan to train the Valley's 15,000 unskilled workers in gradually increasing numbers. It is called the Comprehensive Manpower Program (CMP), one of the few like it in the rural areas of the nation.

THE COMPREHENSIVE MANPOWER PROGRAM

The CMP is run in cooperation with the State Department of Employment Security, which has specific responsibility under a recent directive by the Department of Labor. Its aim is threefold:

(1) *Outreach*—locate the unskilled person and interest him in preparing for a job; determine his capabilities and needs;

(2) *Education and skill training,* and

(3) *Placement and follow-up,* to help him adjust successfully.

The CAA has developed the basic structure for an outreach program in four key areas of the valley where there are concentrations of unskilled farm workers: Southeast Yakima, Wapato, Toppenish, and Sunnyside. Community Action Centers in each of these communities are now using community aides to study the specific needs of the target population. When CMP begins, these centers will begin the outreach activity. In addition, "Operation Grass Roots", designed to organize the poor for improving their environment, especially housing, is being expanded to include outreach.

To help fill the lack of education programs for adults, the CAA has joined with the State Department of Employment Security and other agencies to coordinate the present training programs in the valley.

A program has also been developed with the aid of the State OEO office (in its role as technical assistant). It will include classes to give the unskilled the equivalent of a high school education. It will also involve the training of teachers, counselors, and aides, as specialists in adult education.

In skill training the CAA has joined with the Department of Employment Security in forming a coordinating committee. This brings together all agencies to create a single training program for the unskilled. These include Yakima Valley College, the State Department of Public Assistance, the State Division of Vocational Rehabilitation, the Bureau of Indian Affairs, the Yakima County Agricultural Extension Service and others. All of the work of restoring human lives, both educational and vocational, will be coordinated by the CAA and the State Department of Employment Security at one location, called the *Job Clinic.* This will be the place where the unskilled farm labor can get counseling and guidance toward rehabilitation.

Concerning placement, the CAA is promoting two key activities. First, *job search,* is being handled by the new On-the-Job Training Office. A federal Department of Labor grant has made it possible for the YVCCA to undertake to find and fill 110 job openings in the area. The Department of Employment Security is cooperating here, too, in its usual role of placing the jobless. Second is *job creation*. The CAA is cooperating in the forming of a Local Development Corporation. With aid under the Economic Opportunity Act of 1965 and from the Small Business Administration, the corporation will try to bring business and industry into the valley. We hope it will be able to offer "custom trained" employees who are trained in the Comprehensive Manpower Program.

SUPPORTIVE SERVICES

Trainees often have medical, legal, housing, food and other problems that must be attended to before they can even begin their training.

The CAA will coordinate these services in its Job Clinic. Where none are available in the community, it will create them. Day-care services for children and stipends for the family will also be needed. The CAA will have the use of a number of mobile day-care centers, and it has requested stipends in its project proposals.

Training programs like the one described can be achieved with two outside forces, funds and expertise. Representatives of the entire rural community have been involved and the entire community stands to benefit. The program will speed the development of the area as an industrial center by importing industry and by retaining the untapped work force.

The CAA has discovered that the prospects for large scale social planning at the local level are excellent, again, given money and expertise. Neither are in short supply nationally, but they are often unavailable in the rural areas. A rural Community Action Agency may know what it needs in social planning and how to create and implement plans. But, unlike urban organizations, it is often hard put to locate the exact sources of funds and obtain them. And plans are useless without funds. Further, the rural CAA often has difficulty obtaining advice on professional activities like evaluation and training. It needs the knowledge and experience of professionals such as professors, counselors, psychologists, efficiency engineers, etc. The rural CAA often has a sudden need for teams of such experts. If they were available, there would likely be a much wiser use of funds.

With funds and expertise readily available, a rural CAA like the one in the Yakima Valley could do much more in alleviating poverty in both rural and urban areas. It could easily enlarge the CMP so that the flow of unskilled workers to the city may be stopped (given, again, the importation of new industry).

With the aid of the Labor Mobility Act, the flow of workers may actually be reversed from the cities back to the rural areas. The Yakima Valley, for instance, could become a "high growing" region.

A rural CAA could prevent the conditions of poverty, such as overpopulation, which might accompany the buildup of an industrial work force, because of its concern with the total environment of the trainee. It would be unrealistic to try to eliminate or control, say, bad housing on an individual basis only. The CAA's concern with avoiding bad housing for trainees would eventually lead it to explore low cost "self-help" housing and to plan for constructing such housing on a large scale with the help of low-interest government loans. In the same way the CAA would necessarily begin planning such things as dental and medical clinics, cooperative stores, legal aid bureaus, credit unions, and so forth. It would be planning for the entire community, since it would not be feasible or desirable to restrict it to the poor. But the aim would be "maximum feasible participation of the poor" in operating the various activities mentioned above.

It also seems likely that if the rural CAA successfully manages the operation of a large-scale training program and its supportive services (with the help of other agencies and institutions), it will eventually plan activities not directly related to the rehabilitation of human beings. It could become the natural agent for planned change in other areas of community life, like recreation programs and adult educational programs in the schools. It could become involved in economic development in ways that might not immediately benefit low-income people. Planning business research and investment activities are examples, perhaps in the expansion of agriculture. The Yakima Valley, for example, has great potential for agricultural growth if its water resources could be further developed; also for the growth of related industries such as canning and packing. With its great freedom to be creative, the rural CAA is the natural agent for planned change in many areas of community life.

In closing, the War on Poverty has created much hope among low-income people, though it has not always administered successfully to their needs. This hope is the greatest asset that social planning has. The rural Community Action Agency, more than any other kind of organization, is in a position to provide a constructive means of expression for this hope. Without this, and unless the planning itself is soon implemented, we may fear the worst. The frustration of hope will tip the balance in favor of revolution rather than evolution, and there will be an increase in violence in both our rural and urban areas. At the moment the balance favors the sort of community action advocated in this paper, but the rural CAA cannot maintain this state of affairs without help from above.

THE ROLE OF THE COMMUNITY ACTION AGENCY IN RURAL PLANNING

The need for regional planning commissions is acute. The problems which beset the individual in these times are beyond his control. The space in which he lives, the job at which he works, even the very air he breathes—all these are threatened by man made forces beyond the control of any one man, forces such as overpopulation, automation, and pollution. A number of men acting as a group may be able to plan for the control of these forces, utilizing their common assets, including foresight, energy, creativity, and the resources of the various professions or ways of life which they represent. Such groups exist in most areas, but the scope of their concern is often administratively limited. City planners are concerned with urban problems, *per se*, rural problems are the concern of county planners.

The forces which create these problems are scarcely limited to an arbitrarily defined administrative area. Overpopulation is obviously a concern of city planners and city dwellers; but it is also the concern of county planners and rural people, since at the very least, it will inevitably result in the urban or sub-urban appropriation of their lands. The disadvantageous effect of automation—the elimination of work and hence earning power for some people—may be first felt among workers in highly industrialized areas, but it is also felt among small farmers and seasonal farm workers. A single plan to counter this disadvantageous effect of automation will touch the lives of all these people, whether they live in the country or in the city. The same is true with air pollution: the inhabitants of urban *and* rural areas are already breathing dirt. The winds above are no respecter of administrative subdivision of the land we live in. Planners in both areas have common enemies.

What is clearly needed is a group of planners whose "visibility" is such that it is not limited to any one administrative area. The overview necessary for effective planning for a rural or an urban area can probably only be gained if the planners involved are free to examine an area transcending administrative limitations. We are talking about a region, an area defined not by the homogeneous quality of life within it, but by "natural" limitations including geographic, economic, and social factors. The federal government and numerous state governments have officially recognized "natural" regions of this sort; these almost always include portions of several counties and at least one major urban center. Regions defined in this fashion are probably the maximum feasible areas of concern at the moment for people concerned with the control of the disruptive forces mentioned above.

The federal government has gone further and actually demanded the creation of regional planning commissions as a condition of the use of federal monies for certain purposes. For example, the Department of Housing and Urban Development, HUD, which is being increasingly sought out by cities for aid, somewhat nebulously stipulates that programs being funded must be "part of the comprehensively planned development of the area." In practice, this has meant that HUD has withheld its monies until the grantee has acted to establish a regional planning commission. To get down to particulars at this point, the city of Yakima, Washington, developed a sophisticated plan for sewer and water facilities, half of the cost of which was to be met by HUD. However, the federal share is being withheld until such a regional planning commission is created.

This forced creation of planning groups is unhealthy. The measures being taken to meet federal demands will result in inadequate planning. If regional planning commissions are created by existing planning agencies—city and county—they will undoubtedly be composed of individuals who share the necessarily limited views of such agencies. In fact, it is likely they will be largely made up of people chosen by the city and county planners themselves. Planning will probably be restricted to the limited administrative areas which are presently the concern of these planners. In Yakima, for example, the regional planning commission currently being formed will take as its "region" the county itself. To some extent it will thus duplicate the work of the Yakima County Planning Commission, which has been mainly concerned with economic development only, and that as it pertains to agriculture.

There are two other important disadvantages in regional planning commissions of this kind. First, there is the age-old conflict between rural and urban interests, which planning groups unfortunately have not escaped. There is no very convincing history of cooperation between city and county planners. In Yakima, as elsewhere, both groups, across the street from one another, go about planning for their own area only. Thus two distinct plans have been developed simultaneously: the county's Overall Economic Development Program, to mention one, and the city's General Plan for the City of Yakima. Neither of these plans notes the existence of the other. This is particularly unfortunate, as there will be (and have been) inevitable points of contact and conflict in city and county development.

Perhaps the most obvious such point occurs at the city limits: the city of Yakima plans geographical expansion into farmland for which the county of Yakima plans more extensive agricultural use through diversification of crops. The regional planning commission now being formed will very likely become the arena in which such conflicts will be needlessly perpetuated at the expense of comprehensive planning.

Secondly, city and county planners alike share an understandable distaste for federal controls, which often seem based on the premise that local people are always shortsighted in their views or careless in their spending. Although they occasionally seek federal funds, they usually do this when local funds are clearly inadequate or in dangerously short supply. This policy limits their ability to deal with forces such as overpopulation, automation, and pollution. The complex problems which develop from these forces simply cannot be resolved without extensive financial assistance from the federal government. For example, the General Plan for the City of Yakima itself, an imaginative projection, could never have been formulated but for a grant from the Federal Department of Housing and Urban Development. The activities of a regional planning commission would be severely limited if this policy towards government funds became its policy, as is now likely.

If regional planning commissions are going to come in this fashion—through local action as a result of federal pressure—there is an urgent need that elements be built into them which will counterbalance the restrictive tendencies mentioned above. In short, there ought to be people present who can think and act in a manner which is free from parochial restrictions, who can entertain a vision of the good life for all who inhabit a particular region. This is important enough that it should not be casually accomplished, simply by the inclusion of individuals who *may* entertain such a vision. Specifically, what is needed in regional planning commissions is the presence of a group of individuals who have given evidence of their ability to think and act successfully together in this direction. In many localities this will be the most recent arrival in the planning field, the Community Action Agency. It is imperative that CAA's take their place in the regional planning commissions now being formed.

There are many reasons why the CAA's are especially well suited for the job. In the first place, most counties in the country have their own CAA. Because in a given region, made up of several counties, CAA's are likely to be made up of similar kinds of people facing similar problems, a number of CAA's might readily come together to deal with the large problems besetting the whole region. In short, the inclusion of a group of CAA people from several counties in a regional planning commission would be the easiest way for it to avoid the restrictions of the single county idea currently being held to.

Further, the CAA has usually had experience in planning activities that transcend the administrative subdivisions of a region. They have been at war with poverty, and poverty is one of the large problems facing mankind that is scarcely limited to any one administrative area. A plan such as the Comprehensive Manpower Program being activated by the CAA in Yakima—designed to locate the unemployed low-income person, to test his abilities, to provide him educational and vocational rehabilitation, to place him permanently in a decent job, and finally to see that he adjusts to his new situation—this kind of a plan quite "naturally" is not restricted to the manmade subdivisions of a region. It is "naturally" a region-wide concept, just as the problem it is aimed at, poverty, is usually regional in nature. Such a Comprehensive Manpower Program is not hampered by the kind of jurisdictional disputes which sometimes occur among city and county planners. With the experience of such regional programs behind them, CAA's are well qualified—as few local groups are—to become involved in regional planning.

Thirdly, CAA's are usually composed of local people who are familiar with federal programs and with the use of federal funds and who presumably do not share the widespread local bias against the "feds". Their familiarity, it should be noted, is not limited to "poverty" funds available under the Economic Opportunity Act. Many CAA's have learned that the elimination of poverty means concern with the total convironment (which may include the region itself) and even the future prospects of the low-income individual. Poverty thus dealt with is an extremely complex problem and the elimination of it leads the CAA to the study and use of government funds from sources other than the Office of Economic Opportunity. Examples include the Rural Area Development Program under the Department of Agriculture and the Economic Development Program under the Department of Commerce. It is this kind of grass roots expertise which the CAA's bring to regional planning, and only with it can a regional planning commission arm itself effectively in the struggle for control of the disruptive forces we have been talking about.

In this fashion, then, the inclusion of CAA's in regional planning commissions may make up for some of the deficiencies seemingly inevitable at this point. Yet the CAA's have a unique positive contribution to make which no other planning group at the moment can match. In planning circles we find that a change is occurring which will altogether revolutionize planning. Traditional planning is characterized by a concern for physical surroundings. That is, the "physical" planners have tended to ask, "Where shall we plan to place this factory in order that its location will be economically advantageous?" Now there is an increasing tendency for planners to ask, "Where shall we plan to place this factory in order that its location will in no way be disadvantageous to human life in the vicinity *and* (secondly) be economically advantageous?" This latter activity might be called "social planning." People involved in planning activities are slowly coming to feel that they ought to be guided by a major concern for the welfare of human beings.

In this respect CAA's are ahead of other planning agencies. They have been planning for some time for the welfare of a particular kind of human being, the low-income person. In dealing with the total environment and future prospects of this person, they have found themselves already involved—often indirectly—in planning for the welfare of all the inhabitants of the region in which they are operating.

In the Yakima Valley again, a Comprehensive Manpower Program will create a skilled work force which will attract new industry. Realizing this, the Yakima Valley Council for Community Action, Inc. is helping to set up a Local Development Corporation with funds available under the Economic Development Act of 1965 and the Small Business Administration. These agencies will actually seek to interest industrial firms in Yakima Valley industrial sites. If it is successful in this, it will have contributed to the economic well-being of all the inhabitants of the region—not just the low-income people—by stimulating the economy of the whole area. This particular CAA, then, has already been involved in a kind of social planning. It should be emphasized that here its role is not simply "preventive," that is, involving the control of forces destructive of the good life. It is making a positive contribution to the economic growth of the region, acting to actually create the good life.

This increased emphasis on the human factors in planning, like the increased emphasis on regional planning, is being felt locally as pressure from above. At the federal level the National Commission on Technology, Automation and Economic Progress last year published its highly significant report, *Technology and the American Economy*. People concerned with planning, such as Michael Harrington (see *Harper's*, Dec., 1966), were quick to spot the innovative features of the report, among which was the recommendation that a "system of social accounts" be established. Such a system, as the report puts it, "would indicate the social benefits and social costs of investment and services."

As Harrington interprets this, "there would be overviews of entire areas of social need. . . ." At the state level, a similar emphasis is found: in a preliminary staff report entitled *Planning Goals for Washington*, the Washington State Department of Commerce and Economic Development gets down to specific recommendations touching on three areas of social need:

1. "A healthful, efficient, and attractive environment for all State residents.
2. An adequate economic level for all State residents.
3. Provision of State and local public services and facilities of adequate standard and equal availability to all State residents and all areas of the State."

Now these areas of social need are not unfamiliar to CAA personnel. Concern for the welfare of low-income people has certainly often brought them into contact with such areas. Each of the above recommendations might be made with respect to low-income people only, by any CAA director who is doing his job. Thus the CAA's represent a *local* means by which the new social concern might be introduced into regional planning in a gradual yet timely manner.

Finally, one is tempted to ask: "Just why are CAA's qualified to perform the task we have outlined in this paper?" The answer is strikingly simple. The term CAA has been bandied about here as though reference was being made to a new agency, in the snse of a new bureaucratic grouping of professionals. This is exactly what the CAA is not. Th individuals who make up CAA's are usually non-professionals, and they are guided in their work by a concern for people who are temporarily "down and out."

This attention to human needs—which any human being is capable of—is at the heart of social planning. It is also at the heart of the concept of democracy, which is being severely tested by the disruptive forces mentioned earlier. The inclusion of CAA's in regional planning commissions is in effect the addition of a humanizing element to the heretofore impersonal process of planning.

THE VIETNAM DEMONSTRATIONS IN NEW YORK AND SAN FRANCISCO

Mr. THURMOND. Mr. President, I am moved to speak up today in an effort to let our fighting men in Vietnam know that the people participating in the sorry spectacles in New York and San Francisco last weekend hardly represent a fraction of 1 percent of the population of those cities, let alone any meaningful percent of the people of the Nation as a whole.

These demonstrations were undoubtedly Communist-inspired, and they accomplished nothing other than what the Communists in this country and abroad would desire. Unfortunately, some people will follow a crowd, even if the crowd is going nowhere and doing nothing constructive. Such was the case in New York and San Francisco last weekend.

The leadership of these misguided people says a great deal in weighing the consideration the protests should be given. It was composed mainly of so-called civil rights extremists, who have discredited themselves in that movement and are looking for a new avenue to keep themselves in the public eye and press. The key speakers at these rallies included individuals such as Martin Luther King, Jr., and his wife; Stokely Carmichael, Julian Bond, Rabbi Abraham Feinberg, of Toronto; Floyd McKissick, Edward M. Keating, Dr. Linus Pauling, and Eldridge Cleaver.

One might theorize what the Communists would like to see in this country in order to discourage our efforts in aiding our ally, South Vietnam, in defending itself from the Communist aggressors of North Vietnam, whose military onslaught is accompanied by the wanton murder and kidnaping of thousands of South Vietnamese civilian officials, women and children. If we can visualize such a meeting, I feel sure such Communists would set as some of their highest goals such acts as follows:

First. The burning of the American flag.

Second. The display of the red, blue, and yellow flag borne by the Vietcong, who this very moment are killing American fighting men.

Third. The labeling of our President as a "buffoon," our Secretary of Defense as a "racist," and our Secretary of State as a "fool."

Fourth. The burning of draft cards by American citizens.

Fifth. Statements by public figures such as Carmichael's "Hell no, we won't go"; Dr. Linus Pauling's "I'm ashamed of my country, the United States of America"; Cleaver's "the White House stands for murder and genocide in Vietnam"; Rabbi Feinberg's "The international conspiracy is a myth"; and King's "Let us save our national honor—stop the bombing."

Mr. President, such demonstrations mislead our Communist enemies in Hanoi as to our determination to stand with South Vietnam in defense of their nation. These demonstrators, misguided or not, had just as well be standing in the front lines with the Vietcong, for by their actions this past weekend they put their hands on the triggers and grenades which are ripping open the bodies of our fighting men. Everyone has the right to dissent, but the nature of the dissent last weekend in a wartime situation comes close to sedition.

While most of the participants in this sorry affair, such as black power advocate Carmichael and Martin Luther King, are well known to the public, I noted in San Francisco that Cleaver has surfaced from our jails and now stands in the public forum along with others of his ilk.

He is the same individual whom I called to the attention of the Senate early this year as the author of the filth-ridden article which appeared in the June 19, 1966, issue of Ramparts magazine. My subject at that time was pornography, and in the introduction to the article the editors reported Cleaver "has spent more time in jail than out of it. By far." The article also stated, "Today Cleaver, a tall, handsome man in his early thirties, is in prison at Soledad, Calif., serving 1 to 14 years for assault with intent to murder," and while serving a previous sentence at San Quentin "he had been a leader in the Black Muslims."

Mr. President, unless the respected leaders at all levels throughout our country condemn such events as those described above, this Nation is headed toward serious trouble here at home. Such action must be taken at once or we shall see more and worse orgies of discontent. While undoubtedly many participants last weekend were not aware of the nature of the leadership of these demonstrations, and the Communist inspiration behind them, they can be excused no longer. This country needs men of patriotism and stature, not snake-sized creatures whose guts would fit in a thimble.

YOUTH CAMP SAFETY ACT

Mr. RIBICOFF. Mr. President, I ask unanimous consent that my bill, S. 1473, be printed at this point in the RECORD.

There being no objection, the text of the bill ordered to be printed in the RECORD, follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Youth Camp Safety Act".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to protect and safeguard the health and well-being of the youth of the Nation attending day camps, resident camps, and travel camps, by providing for establishment of Federal standards for safe operation of youth camps, and to provide Federal assistance and leadership to the States in developing programs for implementing safety standards for youth camps, thereby providing assurance to parents and interested citizens that youth camps meet minimum safety standards.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "youth camp" means:

(1) any parcel or parcels of land having the general characteristics and features of a camp as the term is generally understood, used wholly or in part for recreational or educational purposes and accommodating for profit or under philanthropic or charitable auspices five or more children under eighteen years of age, living apart from their relatives, parents, or legal guardians for a period of, or portions of, five days or more, and includes a site that is operated as a day camp or as a resident camp; and

(2) any travel camp which for profit or under philanthropic or charitable auspices, sponsors or conducts group tours within the United States, or foreign group tours originating or terminating within the United States, for educational or recreational purposes, accommodating within the group five or more children under eighteen years of age living apart from their relatives, parents, or legal guardians for a period of five days or more.

(b) The term "person" means any individual, partnership, corporation, association, or other form of business enterprises.

(c) The term "safety standards" means criteria directed toward safe operation of youth camps, in such areas as—but not limited to—personnel qualifications for director and staff; ratio of staff to campers; sanitation and public health; personal health, first aid, and medical services; food handling, mass feeding, and cleanliness; water supply and waste disposal; water safety including use of lakes and rivers, swimming and boating equipment and practices; vehicle condition and operation; building and site design; equipment; and condition and density of use.

(d) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(e) The term "State" includes each of the several States and the District of Columbia.

GRANTS TO STATES FOR YOUTH CAMP SAFETY STANDARDS

SEC. 4. From sums appropriated pursuant to section 11 of this Act, but not to exceed $2,500,000 of such appropriation for any fiscal year, the Secretary is authorized to make grants to States which have State plans approved by him under section 6 to pay up to 50 per centum of the cost of developing and administering State programs for youth camp safety standards.

SEC. 5. In developing Federal standards for youth camps, the Secretary shall—

(a) consider existing State regulations and standards, and standards developed by private organizations, applicable to youth camp safety;

(b) establish and publish youth camp safety standards within one year after enactment of the Act, after consultation with State officials and with representatives of appropriate private and public organizations after opportunity for hearings and notification published in the Federal Register; and

(c) authorize and encourage camps certified by the States as complying with the published Federal youth camp standards to advertise their compliance with minimum safety standards.

STATE PLANS

SEC. 6. (a) Any State desiring to participate in the grant program under this Act shall designate or create an appropriate State agency for the purpose of this section, and submit, through such State agency a State plan which shall—

(1) set forth a program for State supervised annual inspection of, and certification and compliance with, minimum safety standards developed under the provisions of sections 5 and 9(a) of this Act, at youth camps located in such State:

(2) provide assurances that the State will accept and apply such minimum youth camp safety standards as the Secretary shall by regulations prescribe;

(3) provide for the administration of such plan by such State agency;

(4) provide for an advisory committee, to advise the State agency on the general policy involved in inspection and certification procedures under the State plan, which committee shall include among its members representatives of other State agencies concerned with camping or programs related thereto and persons representative of professional or civic or other public or nonprofit private agencies, organizations, or groups concerned with organized camping;

(5) provide that such State agency will make such reports in such form and containing such information as the Secretary may reasonably require;

(6) provide assurance that the State will pay from non-Federal sources the remaining cost of such program; and

(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this Act.

(b) Any State desiring to enable youth camps in the State to advertise compliance with Federal youth camp standards, but which does not wish to participate in the grant programs under this Act, shall designate or create an appropriate State agency for the purpose of this section, and submit, through such State agency a State plan which shall accomplish the steps specified in (a) (1) through (3) of this section, and which provides for availability of information so that the Secretary may be assured of compliance with the standards.

(c) The Secretary shall not finally disapprove any State plan submitted under this Act or any modification thereof, without first affording such State agency reasonable notice and opportunity for a hearing.

DETERMINATION OF FEDERAL SHARE; PAYMENTS

SEC. 7. (a) The Secretary shall determine the amount of the Federal share of the cost of programs approved by him under section 6 based upon the funds appropriated therefor pursuant to section 10 for that fiscal year and upon the number of participating States; except that no State may receive a grant under this Act for any fiscal year in excess of $50,000.

(b) Payments to a State under this Act may be made in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

OPERATION OF STATE PLANS; HEARINGS AND JUDICIAL REVIEW

SEC. 8. (a) Whenever the Secretary after reasonable notice and opportunity for hearing to the State agency administering a State plan approved under this Act, finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 6, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Secretary shall notify such State agency that no further payments will be made to the State under this Act (or in his discretion, that further payments to the State will be limited to programs or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this Act (or payment shall be limited to programs or portions of the State plan not affected by such failure).

(b) A State agency dissatisfied with a final action of the Secretary under section 6 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

ADVISORY COUNCIL ON YOUTH CAMP SAFETY

SEC. 9. (a) The Secretary shall establish in the Department of Health, Education, and Welfare an Advisory Council on Youth Camp Safety to advise and consult on policy matters relating to youth camp safety, particularly the promulgation of youth camp safety standards. The Council shall consist of the Secretary, who shall be Chairman, and eighteen members appointed by him, without regard to the civil service laws, from persons who are specially qualified by experience and competence to render such service. Prior to making such appointments, the Secretary shall consult with appropriate associations representing organized camping.

(b) The Secretary may appoint such special advisory and technical experts and consultants as may be necessary in carrying out the functions of the Council.

(c) Members of the Advisory Council, while serving on business of the Advisory Council, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

ADMINISTRATION

SEC. 10. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress at least once in each fiscal year a comprehensive and detailed report on the administration of this Act.

(b) The Secretary is authorized to request directly from any department or agency of the Federal Government information, suggestions, estimates, and statistics needed to carry out his functions under this Act; and such department or agency is authorized to furnish such information, suggestions, estimates, and statistics directly to the Secretary.

(c) Nothing in this Act or regulations issued hereunder shall authorize the Secretary, a State agency, or any official acting under this law to restrict, determine, or influence the curriculum, program, or ministry of any youth camp.

AUTHORIZATION

SEC. 11. There are authorized to be appropriated to carry out the provisions of this Act the sum of $3,000,000 for the fiscal year ending June 30, 1968, and for each of the five succeeding fiscal years.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

RECOGNITION OF SENATOR McCLELLAN

The PRESIDING OFFICER. In accordance with the unanimous consent agreement previously entered, the Senator from Arkansas is recognized for 30 minutes.

CRIME MARCHES ON

Mr. McCLELLAN. Mr. President, in an editorial in the Washington Star of March 16 entitled "Anger Mounting on Crime Issue," James J. Kilpatrick called attention to the fact that the law-abiding public is demanding that Congress take action to protect them from the effect of recent 5-to-4 Supreme Court decisions which require the freeing of criminals who have voluntarily confessed their crimes.

Mr. Kilpatrick stated, what we all know, that the long-range proposals of the administration for "uplifting disadvantaged criminals" are well and good, but that what is needed now is legislation that will remedy the harm being done by the Miranda decision in curbing traditional and legitimate police interrogation of persons arrested for violent and vicious crimes.

Mr. Kilpatrick is not alone in his thinking. He is exactly right. Deep concern and apprehension are mounting throughout this country. The files of the Subcommittee on Criminal Laws and Procedures are daily growing with letters of outraged citizens. These people, who are taking their time to write and protest and who are urging action, are not illiterate busybodies. They are good, intelligent fellow citizens who are genuinely distressed and alarmed. What is more, they are most outspoken in their condemnation of the majority Justices who rendered the Miranda decision. Listen to a few representative samples of these letters.

A business-man in Nebraska who is president and general manager of a manufacturing business writes as follows:

> *Thinking and concerned citizens are outraged at the callous disregard for the protection of the non-criminal majority which is evidenced by the Supreme Court.*
>
> It is time for the Congress to put aside partisanship and pass legislation or a constitutional amendment curbing the power of the Supreme Court to legislate by judicial action. The System of Checks and Balances is badly out of balance and the Supreme Court must be brought back to reality for its own and the nation's good.
>
> I was in Chicago last week for three days. There was a murder every day I was there. I know they have caught one of them. He stabbed a young girl, airline employee, right downtown on the street. He would, no doubt, be freed by the Supreme Court if his case should go to the Supreme Court.
>
> This is getting serious. It isn't safe for anyone to be on the streets anymore after dark or even in the daytime. It isn't safe for a woman to drive from one town to another. *You can lay much of the blame on the shoulders of the Supreme Court.*

The writer of that letter sent a copy to his two Senators and Congressman and to the Chief Justice himself.

A Women's Club in Chicago wrote me a letter, signed by 51 members, which reads as follows:

> Two atrocious crimes have been committed in our State within the past months—the stabbing of a young woman in Chicago and the shooting of two young boys in Rockford.
>
> In both cases the apprehended suspects are not first offenders. The leniency of the courts has excused their previous offenses (the Rockford suspect was acquitted on January 27 of a shooting!)
>
> We, the undersigned, *protest the laxity of our courts and the trend of the judiciary which does not*, today, "promote the general welfare" of the majority of our people but instead *protects* and *pampers* the criminal. We earnestly request your consideration of our protest.

Another Women's Club in Maryland writes:

> *We add our voice to the many asking Congress to reverse the recent five to four decision of the Supreme Court concerning confessions of criminals.*

For two years the Women's Civic League has studied diligently the crime situation in Baltimore and other cities. The enclosed clippings speak for themselves. You have heard from many judges, district attorneys, and law enforcement officers and we feel you should hear from a truly representative women's organization.

We urge you to do all in your power to see that these five to four decisions are reversed.

A woman in Colorado wrote to the President, sending copies to me, other Senators, and to the Denver Post. Her letter reads in part as follows:

I believe in Civil Rights to a certain degree, but when we see our courts turning murderers loose even when they have confessed the crime, just becaues they hadn't been told of their rights, it makes one wonder what our Supreme Court Judges are trying to do.

I am surprised that our policemen even try to catch a criminal when they know they will be turned loose to perpetrate even worse crimes. Why are our laws not made to protect the innocent people as well as the criminals?

I am sure you are aware of the Jose Suarez case in question in New York, and no doubt you have seen the many cartoons in the newspapers as well as the many letters written to the papers by outraged citizens like myself. I am enclosing a few copies of some which have appeared in the Denver Post recently.

It is no wonder the criminals are laughing up their sleeves at our laws and the policemen who try to enforce them. *Surely someone has the power to make our Supreme Court Judges turn about and rescind some of their rulings which pat the criminal on the back, and if anything, make our laws more strict in the punishment of criminals before our people take matters into their own hands and form 'vigilante groups' such as one person suggested in a recent letter to above newspaper.*

An outraged member of a grand jury who had heard evidence in criminal cases in New Jersey took time to write a two-page letter containing a heading reading, "The Supreme Court Miranda Decision Has in Effect Infringed Upon the Constitutional Rights of the Majority." I will not quote the entire letter but will quote these two significant paragraphs:

Since the now famous Supreme Court Miranda decision convicted murders, rapists, robbers and kidnappers have been set free by the court. In addition many defendants suspected of like crimes have also been exonerated. Furthermore, during a period of from June through September of last year out of a total of 316 persons arrested for major crimes 130 refused to answer any questions or make any statements after being advised of their constitutional rights. There are cases in which confessions voluntarily and freely given represents the bulk of evidence against defendants and the only solid basis for convictions. *Those courts that invalidate such confessions and remove such statements as inadmissable serve neither society nor justice.*

From all indications and it becomes more evident every day that "Crime does pay!". Rob, murder, rape and kidnap because even if you are caught, the odds are ten to one in your favor.

Mr. President, that is no exaggeration. If one compares the number of crimes reported with the number of persons who are punished, it will be found that the ratio is actually less than 10 percent. Less than 10 percent of those in this country who commit felonies today, and not all crimes are reported, are punished, and less than 12 percent convicted.

The letter continues:

It also becomes apparent that the police, the prosecutor, his staff and detectives have become the defendants and those charged with crimes sit back and blatantly defy them to prove their guilt within the framework of the present Judicial process. * * * The time for action is NOW!! It behooves all of us to sit up and be concerned and demand that the scales of justice be adjusted so that both sides are of equal proportion.

Another obviously highly literate citizen in New York has written me as follows:

The efforts of your committee to restore some pragmatism to law enforcement is applauded by all who are sick and tired of seeing criminals pampered by a Supreme Court, five of whose members have their heads so high in the clouds that their feet have lost all contact with the ground.

One of the first symptoms of the decadence of any society is its inability to discipline itself. A Supreme Court that has usurped legislative powers has created thereby serious obstacles to the self-disciplining of this country. Let it be recalled that it was substantially this Court that caused the Association of Chief Justices of the State Courts to overcome its natural reluctance to criticize the highest court of the land and to overwhelmingly vote for a resolution urging the members of the Supreme Court to exercise judicial restraint. *Far from acting as any restraint, the resolution has apparently spurred the Court to an even more flagrant degree of judicial despotism.*

If it should require a constitutional amendment to undo the harm done to the country by the Supreme Court—so be it. To the extent that the electorate could make its voice heard there would be speedy ratification. We hope that the Congress gives us a chance."

A housewife in Michigan writes:

I am encouraged to read that a Congressional Committee is frightened, as are your constituents, at the decisions of the Supreme Court, relative to the rights of criminals.

We, those of us who try to live by the laws, have Constitutional Rights too. The preamble states them thus: "to establish Justice, insure *domestic* Tranquility, provide for the *common* defence, promote the *general Welfare*", etc. *Every one of these requirements have been disregarded—and denied—by allowing one confessed criminal to be freed.*

What, in effect has been done is to insure injustice, insure domestic terror, provide for the selected defense, and promote the specific welfare.

Please count this raised voice in favor of doing something about our Constitutional Rights before it is too late!

A member of a board of supervisors of a medium sized town in California writes:

I wish to compliment you upon the initiation of an investigation into the impact of recent Supreme Court decisions.

The rate of crime in California is growing six times as fast as the rate of population, *and in Los Angeles County the ratio is ten to one.*

I certainly hope that your Subcommittee will be able to do something to cause the Supreme Court to modify its way of thinking. If this problem continues to grow we will soon be unable to live with it.

A citizen of upper state New York has written the following letter:

As a retired N.Y. State Police Officer, I have been closely following your work on crime and law enforcement. I find your attitude wholesome and refreshing.

There is no doubt that the vast majority of enforcement agencies across the nation agree that the courts have gone much too far in the so-called safeguards of the rights of criminals. This judicial splurge has caused the police officer in the field to be maligned by the very citizenry he is trying to serve and it seems that he is frustrated at every turn by *ill-advised decisions that make investigations for the "truth" a mockery.* The investigator should not be denied the vital working tool—questioning of suspects. Innocent people should not be fearful of police activity. There is need for a new era of public cooperation with law and its officers. As you have said, Senator, the very best solution to our festering crime rate is quick, sure, arrest and punishment. Most emphatically, it is not "inutterable nonsense" when we see the murderers, rapists, racketeers, and others of their ilk, make law enforcement a farce.

Thank you for your efforts to bring about a solid and sensible program of justice.

Mr. President, I have received a copy of a letter addressed to the President from an incensed woman in California, reading in part as follows:

Your recent Crime Commission was so preoccupied with sociological questions, they could not see the forest for the trees, they are the ones that are using "Obsolete Methods." They concluded "criminals are sick, the victims of social misfortune, and injustice." Soft treatment only rewards the criminal, and makes crime more profitable. Since when do we tell criminals "they have been systematically deprived"? The whole report of the Crime Commission was complete whitewash of criminals running rampant throughout the country.

Never in our history has crime been so richly rewarded. It is impossible to promote obedience to law by rewarding the lawbreakers. Money alone is not going to solve the problems. What is needed, is a reversal of our Supreme Court decisions that places the criminal in a privileged position. We have had just about enough of Mr. Warren and his far-left Court. We are sick and tired of seeing our police officers humiliated and degraded, slugged and murdered by these criminals that are being turned loose, after being tried and convicted, two, three, and sometimes four, I repeat Mr. President, we are sick and tired of it. And from what we are are hearing from all across this Country the same feeling prevails.

In a short letter, which is typical of hundreds of such letters that are being received by the Subcommittee on Criminal Laws and Procedures, another woman in Ohio writes the following:

I have enclosed some clippings from the paper that concern me very much and I wonder whom, besides yourself, we can turn to to remedy these things.

The Supreme Court seems to be obsessed with finding new rights for the criminal and for the enemies of our government. What about the rights of law-abiding citizens and loyal Americans? Can't Congress do something to counteract some of these ridiculous decisions?

Doesn't Congress have the power to nullify rulings of the Supreme Court by removing such questions altogether from its jurisdiction?

The public in general are becoming furious at the way criminals and pro-communists are protected and good law-abiding loyal Americans reap the benefit.

I do hope your committee can do something about these matters . . . Thanks very much.

A resident of Hawaii whose home has been burglarized three times within the past 2 years writes:

> I am in . . . constant fear of an "enemy" attack of our home and family. Every strange sound and movement has to be checked for fear the "enemy" is here again. A wrong telephone call at night makes us suspicious; a knock on the front door, day or night, puts us on the defensive.
>
> We can never leave the house with a single window open. Our home must always be sealed tight. Even at night, we can only afford to leave one window open. (We would prefer breathing and dying from carbon monoxide poisoning than by the hands of an "enemy" burglar . . . and so we all sleep in one bedroom although we have 3 bedrooms.)
>
> Yes, *this* is Hawaii and America!
>
> As far as I'm concerned, a real *war* exists here. And it pains me to think of the billions we are spending over an ideological situation in Viet Nam . . . it pains me even more to hear and read about the idiocy being handed down by the Warren court and all of the other assembly-line courts.
>
> *This*, I sincerely believe, *is the* American tragedy. Unless we can restore the spirit of the law and replace the letter with the original intent of the law, we are going to destroy America as sure as the internal forces within caused the downfall of the great Greek and Roman empires.
>
> The expression, "We are so close to the forest we can't see the trees," holds true here. Criminals and even murderers are freed because of some *legal* technicality. It's about time the courts employed some *courage* and began to make decisions that are acceptable and meaningful—in short, to dwell on the real business, the real issue on hand.

Mr. President, I want my colleagues to know that these letters are just what I say they are—representative samples of protest from intelligent, concerned and alarmed fellow citizens. Make no mistake about it, the public is aroused. They are demanding and they have a right to expect action by their representatives in Congress.

Mr. President, there are those, no doubt, who will characterize these letters from our citizens as "unutterable nonsense." They will, no doubt, contend that their expressions, their apprehensions, and their pleadings are just "emotional nonsense." And, of course, those who do so will turn a deaf ear to these petitions for remedial action and protection, and continue to be indifferent to the problems created by recent 5-to-4 Supreme Court decisions in criminal cases. But I cannot and do not share their attitude and complacency or lack of concern.

The Subcommittee on Criminal Laws and Procedures of the Judiciary Committee will resume hearings tomorrow on bills designed to restore the rule of reason in the admissibility of voluntary confessions, and on a bill to permit law enforcement officers to tap telephone wires being used in organized criminal activities, after a showing of probable cause to our courts and obtaining a court order.

Search warrants, obtained upon probable cause and authorizing search of our offices and homes and places of business have never been thought to be unreasonable within the meaning of the Constitution. It makes no sense to argue that similar warrants to listen in on telephones used by organized criminals violate either the Constitution or common sense. Would the Supreme Court rule that what a law enforcement officer overheard while listening to a conversation through a keyhole is inadmissible in a criminal trial because it constituted an unconstitutional invasion of privacy? Let us hope the majority of the Supreme Court does not, in its pellmell rush to aid the criminal, finally bar all evidence against the defendant in criminal cases.

Mr. President, I trust that my colleagues will follow the hearings of our subcommittee and will during this session respond, by action, to the rising anger and just indignation of our constituents.

President Johnson is quoted as saying recently that "tragically some Americans fear not only the criminals who break the law but also the men who seek to enforce it." Mr. President, I regret that the President saw fit to thus belittle and degrade our dedicated law enforcement officers throughout the country. We teach our children that police officers are their friends and not their enemies to be feared. Mr. President, out of hundreds of letters I have received on this subject, I have not received one letter from any citizen saying that he is afraid of the police. The foregoing samples of letters, however, demonstrate most clearly that our citizens do fear the criminal and are genuinely alarmed at the unjust and unrealistic decisions of the present majority of the Supreme Court in releasing self-confessed felons on our society.

No, Mr. President; decent law-abiding citizens in this country do not fear the police. The President of the United States was tragically misinformed when he made that statement. What the law-abiding citizens in this country now fear is the criminal element in our midst and the 5-to-4 majority of the Supreme Court.

The newly appointed Attorney General Ramsey Clark is quoted as feeling that "no case has been made out" for the proposition that the Miranda decision has adversely affected law enforcement to the extent that congressional action is required. His view is certainly not shared, Mr. President, by experienced judges, prosecuting attorneys, and chiefs of police throughout the length and breadth of this country. As you well know, many judges have freely expressed themselves about harmful effects of these decisions. The consequences were predicted by the minority Justices on the Court itself. Prosecuting attorneys and law enforcement officers are practically unanimous in urging our subcommittee to take legislative action to restore commonsense in legitimate police interrogation and in the admissibility in evidence of voluntary confessions and admissions.

In my judgment, Congress would be derelict if it took no action. Congress should and must respond to this appeal from our citizens throughout the land for protection from the depredations of criminal activities.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. TALMADGE. Mr. President, I congratulate the able Senator on the speech he is making. I also congratulate him on the number of bills which he has introduced seeking to correct some of what I think are very erroneous decisions, particularly of our Supreme Court, in the area of crime and punishment.

There has developed a philosophy of thought in this country in recent years that somehow the criminal is not to blame for his offense, but that society has failed the criminal. Would the Senator care to comment on that?

Mr. McCLELLAN. I commented on that last night on the television program.

Many people say that the trouble is poverty, that poverty is the cause of crime, as well as ignorance. Well, ignorance may be a strong factor and poverty may be a smaller factor, but today we have the most affluent society we have ever had, which means that there is certainly less poverty in the United States today than ever before, and I think there is less ignorance in the United States than ever before. Yet, the crime rate continues to rise.

Thus, there must be other factors involved. I stated last night that, in my judgment, one of the principal factors in the increasing crime rate in this country is the breakdown in discipline in the home, in the lack of adequate instruction there, as well as the failure of the schools to instill into the youth of this country those basic principles and ideals which are essential to the building of good character which have made this Nation great. I think the fault lies in those areas.

Next to that, I think the actual breaking down of the enforcement of the law is another factor.

In my judgment, those are the three principal greatest causes for the increase in the crime rate in this country today.

Mr. TALMADGE. Will my friend from Arkansas yield to me further?

Mr. McCLELLAN. I gladly yield.

Mr. TALMADGE. If poverty is the cause of so much crime, then would it not be logical to state that Abraham Lincoln should have been the "Al Capone" of his day, should he not?

Mr. McCLELLAN. He most certainly could have developed into some kind of criminal on the basis of being born poor, instead of the great patriot and statesman that he turned out to be in spite of it.

Of course, I appreciate that poverty has some influence on the lives of people. But so do hardships. So does any kind of adversity.

Nevertheless, poverty, adversity, lack of opportunity are no excuse for crime.

The honest people of this world down through the ages, throughout the centuries, have always found a way to survive and to live honorably, and ultimately to prosper, without having to resort to crime.

There is such a thing as earning our way in life. There is such a thing as working for what we get. There is such a thing as being thrifty. There is such a thing as providing for ourselves, and trying to take care of our families. There is such a thing as loving and having devotion for the family. There is such a thing as the right to be inspired to go out and earn one's living and make our way in life honorably, decently, and by hard work, instead of trying to cheat and steal and murder in order to get sustenance.

Mr. TALMADGE. I fully share the Senator's views. The Senator is a former, able prosecuting attorney in his State of Arkansas, where he made an outstanding record. Does not the able Senator feel, as I do, that the changes in our laws brought about by recent Supreme Court decisions regarding the free and voluntary giving of confessions has imposed a drastic impediment upon the law enforcement officers and prosecuting attorneys of our Nation?

Mr. McCLELLAN. Absolutely. Let me suggest this: A fellow has a right to be silent. Yes, he has, but there are few honest men who want to be silent. Honest people feel that they have an obligation to help preserve law and order in this country. If they do not have something to hide, or if they are not guilty, they will willingly speak up and tell the facts to the best of their ability. Most honest people feel a responsibility to make their contribution toward the apprehension of criminals, to see that they receive justice.

There is no excuse to say, "Well, you must not ask anyone a question because he has a right not to answer." I think that our law enforcement officers have a duty to interrogate anyone they think can throw some light on or give some information with respect to dastardly crimes.

Mr. TALMADGE. I think that the simple ascertaining of justice would demand it, would it not?

Mr. McCLELLAN. Yes. It not only demands it but there can be no law enforcement without it.

Mr. TALMADGE. I thank my friend for his comments.

Mr. McCLELLAN. This country is moving toward chaos. Just a few more Supreme Court decisions further to shackle law enforcement officials in their work and their responsibility, and we will finally reach the point that there will be no competent, legal, valid evidence which anyone can present against a criminal because it would infringe upon his rights if we expose his conduct.

Mr. TALMADGE. Again I thank my friend from Arkansas very much for yielding. I share his views wholeheartedly.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield.

Mr. ALLOTT. We have just listened to a speech to which all of us subscribe. For 3 years now I have been making speeches along similar lines, calling attention of the Senate to some of the facts which the distinguished Senator from Arkansas has just laid before us.

Would the Senator agree with me that when a few years have passed and we are able to look at this matter objectively, in the light of time, the dissenting decisions of Justice Harlan and the other Justices will go down in history as the most clearly worded statements of legal justice that have been written in the past 30 years in this country?

Mr. McCLELLAN. I think those dissenting decisions are very profound. I think they signal a warning that we certainly had better heed. I have stated in the past, and will continue to state, that there is no delight or pleasure in disagreeing with the Supreme Court of the land. I do not want to be too critical. But something must be done. The courts and the other events are stimulating an increase in crime in this country which must be checked; otherwise we are headed for national chaos. The enemy is also within. It is not merely the doctrines of foreign ideologies. There is an enemy within that has disrespect for law, that resists obedience to the law, that exercises wanton disregard of the law to have its way, that is disrespectful of decency and integrity. These people have no purpose to work; no desire to be members of the human family; or to have decent respect for their fellow man. Those who are preying upon the fruits and the labors of others for their welfare and sustenance are enemies of freedom, liberty, justice, of everything this Government stands for and everything that has made it great up to this hour.

Mr. ALLOTT. Mr. President, I concur most heartily in what the Senator has said. I sincerely hope—and I intend to speak about this further on the Senate floor at a later time—that out of his committee, we can come up with legislation which will cause an about-face in the prevailing attitude. We are at the point of anarchy. The Senator's remarks, particularly about the police officers and those charged with enforcement of the law, find in me a warm response, because I know that today our law officers are the only group who stand between us and total anarchy in our streets. Unless something is done, and done quickly, unless we get away from the concept that the public at large is responsible for what these people are doing, I can see no future for this country.

We must support our law officers; we must support our prosecutors; and I might say that each citizen needs to look anew at the responsibilities and the oath he takes when he serves on a jury, and be sure, when he walks out of that jury box, that he has fulfilled the responsibility of the part he plays in the enforcement of our laws through the decisions he has made as a juror.

I thank the Senator for yielding to me.

Mr. McCLELLAN. I thank the Senator very much.

Mr. ALLOTT. I congratulate him on his excellent remarks.

Mr. McCLELLAN. I thank the Senator.

Mr. President, it is still my belief—and I shall assert it again and again—that of the five wise men who have supported these majority decisions and are responsible for them, at least one, after proper reflection and taking into account the conditions that have developed and now prevail in this country, will reconsider his decision and, at the next opportunity, get back on the track to restore respect for what was the traditional procedure in this country from the time our judiciary system was founded, so that our own traditions and what was constitutional under the great codes in the past may again be observed and respected in this country.

Certainly, when four members of the Court criticize as seriously as have the four dissenting members the most recent such decisions, then we in Congress should alert ourselves to the issue, and the American people should take note.

The people are taking note that there is something wrong. They, too, know what is happening throughout the land, and they want something done. The next responsibility is ours.

There are two statutory approaches. One is by a statute defining what is a voluntary confession, and the circumstances under which it may be considered in a trial court and the jury may pass upon it, and the other—though I hope we never have to do this—is, as someone suggested in a letter I have received, to delimit the jurisdiction of the Supreme Court in the matter of confessions.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the distinguished Senator from Nebraska.

Mr. CURTIS. I thank the distinguished chairman. I commend him upon the speech he has made. His words are words of wisdom. He has spoken courageously, and his speech is most timely.

Will not the Senator agree that the first responsibility of government is to maintain law and order?

Mr. McCLELLAN. Without it, government cannot survive. A government of free men, I will put it that way, cannot survive. A dictatorship might.

Mr. CURTIS. There can be no individual liberty unless government itself maintains law and order; is that not correct?

Mr. McCLELLAN. That is absolutely true. We hear much today about individual liberty. That liberty will not be preserved unless there is law and order. It cannot be. Finally, we shall have nothing but the law of the jungle, where the strongest survive.

Mr. CURTIS. Does not the Senator believe that every citizen, as a part of the price he has to pay for living in a society of law and order, should cooperate with the police, even when it leads to inconvenience, delay, and embarrassment?

Mr. McCLELLAN. Yes. I repeat two things I said a while ago, in answer to the distinguished Senator from Georgia. We talk about the rights of the criminal; that he has a right to be told he has a right to a lawyer, that he has a right to be told he does not need to talk. But let me say to the Senator, they do not tell him that he has an obligation of citizenship. I think he should be told that also; because I think when you take the fifth amendment right not to talk, there is a corresponding obligation of citizenship; and if our police forces and our law enforcement officials cannot interrogate those who may have information about the commission of a crime, then law enforcement is at an end in this country.

When honest, law-abiding citizens follow the example of the crook, the scoundrel, and the law violator, and take the fifth amendment on everything, we cannot have law and order. There is a corresponding obligation.

Somewhere, there is a maxim that every citizen is presumed to know the law. Certainly, as for repeaters, who have been convicted, have been in the penitentiary, have been tried, have been in the courtroom—it is absurd to start telling them, "You have a right not to say anything, you have a right to be silent, you have a right to an attorney, and if you do not have an attorney or money to get one, we will provide you one."

That is what the Supreme Court has held, and it has gone too far, in my judgment.

Mr. CURTIS. I commend the distinguished Senator. I believe he has rendered an outstanding service to the Senate and to this country.

The **PRESIDING OFFICER.** Under the previous order, the Chair recognizes the Senator from Colorado for 20 minutes.

FUTURE OF RAIL TRANSPORTATION

Mr. ALLOTT. Mr. President, a short time ago the new Department of Transportation came into being here in Washington. Although the Department is new, the concern of the Congress about adequate transportation facilities dates back to the earliest days of the Republic.

Our Founding Fathers saw fit to provide in the Constitution for the construction of roads for the delivery of mail. Later, as railroads developed, the Congress and private rail companies cooperated in the development of much of our Nation, and particularly the West. As the people turned to cars, the Congress in conjunction with the States embarked on the construction of a nationwide network of interstate highways. I need not review our aid to airports and airlines in the days before air transportation was a profitable venture. I need not mention the concern we have evidenced for the development and regulation of transportation in this Nation by means of the various commissions and agencies we have created throughout the years. The point is that whenever there has been a real transportation need, opportunity, or crisis in this Nation, the Congress has acted.

Those legislators who voted for the railroad land-grant programs could hardly have envisioned the West as it is today. Yet their foresight laid the foundation for this tremendous development.

Even as recently as the 1950's, when we voted to construct and coordinate the interstate freeways in America, we did not realize the fantastic numbers of cars that would be traveling these roads today. Mr. President, I hesitate to think of what would have happened had we not acted as we did back in the 1950's. Today, this Nation is faced with a situation which is a combination of a need, an opportunity, and a crisis.

We have a tremendous network of railroad lines in this country. In peace, and particularly in war, these railroad lines have served us extremely well. There was a time when nearly every little town was served by a railroad of one sort or another. In many cases even small towns were served by several lines.

Times have changed. First came the automobile in the 1920's combined with a demand for better paved roads. Millions who traveled by rail soon owned private autos and preferred to drive them instead.

Then came the depression of the 1930's. Many of the larger railroads were forced to cut back service for economic reasons. Small railway lines, many of them nothing more than suburban electric interurban routes, were forced to abandon service completely. The trend continued unabated until the entry by the United States into World War II.

Then, every form of railroad in the United States, from the heavy steam railroads of the East and West to the surviving interurban electric lines of the Midwest, did a yeoman job in contributing to our defense effort. With a scarcity of gasoline and no new cars on the production lines, the railroads absorbed the tremendous passenger load with hardly a noticeable effort.

Since the end of the war, however, railroad passenger traffic has been on a steady decline. Long haul passenger traffic has almost ceased to exist. The remaining interurban lines which survived the war have been abandoned, almost without exception.

On the other hand, air transportation has boomed, and rightfully so. An overnight train hardly appears attractive in comparison with a 2-hour flight.

Highways have been built in ever increasing numbers. Yet, the rate of traffic using these highways is so great, they become crowded almost the minute they are opened. My own State of Colorado, which until just a few years ago was considered almost rural in status has rush-hour traffic jams in several of its major cities. The traffic tieups in Denver will match those of any comparably sized city. Traffic between Denver and Colorado Springs, for instance, is ever increasing in intensity.

Until recently, few gave much thought to this developing situation. It was assumed that we would simply have to build more highways and airports to solve the projected problems.

Just recently, however, experiences in our major cities and highly concentrated areas of the Nation have shown us that an infinite number of cars cannot be accommodated on conventional highways without prohibitive expense and destruction of too much property for right-of-way and parking in the process. In addition, observers of air traffic patterns are beginning to concern themselves that the number of flight corridors in metropolitan areas is not inexhaustible either. If the projections of population I am sure we have all seen and read are correct, then this entire Nation will be faced with a gigantic problem of mobility in the not-too-distant future. Even my own State could well be faced with a transportation problem of some magnitude between Cheyenne, Wyo., on the north and Pueblo, Colo., on the south. The problem is we just are not sure what is likely to happen and whether or not we can handle it, especially on a nationwide basis.

That brings us back to the present time. Throughout the Nation, and Colorado is no exception, passenger trains are being taken off one by one, and what was once referred to as "creeping abandonment" has begun to gallop. I am not suggesting that there is not some economic justification for these abandonments in light of the present conditions, and in view of what we are doing—or perhaps I should say what we are not doing—in the field of rail transportation. The proverbial vicious cycle, however, has set in. Without deciding whether the chicken or the egg came first, it is safe to observe that most people are not riding the trains and the railroads are not doing much to promote ridership by speed, schedule, or equipment. As a result, the railroads can apparently no longer compete with airlines, and most often take second place to vehicles driven on our Nation's highways and to our bus system.

Faced with the need to move the ever-increasing amount of mail at a faster pace the Post Office Department—for many years one of the railroads' largest customers—has begun a systematic discontinuance of its contracts with the railroads to haul mail. The rail service may be slow and inefficient. So the Post Office Department decided that planes or trucks can handle it better; or the Post Office Department may decide for reasons best known to it, to cancel a railway post office contract. In that case, the railroad soon argues that it can no longer justify the operation of a passenger train because of the loss of revenue from the mail contract.

No matter what the causes, and no matter whether the railroad or the post office is initially responsible, the fact is that less and less mail is being hauled by fewer and fewer trains, and more and more trains are being discontinued on the excuse that they are no longer needed to haul mail.

The discontinuance of these trains is causing a hardship to many communities, large and small, across the Nation. It is true that passengers in large numbers do not use some of the trains the railroads are seeking to discontinue, but abandonment of rail service leaves many communities isolated from other adequate reliable year-around forms of passenger transportation. And, Mr. President, the fact that trains are well patronized is no guarantee either that they will be continued in operation. The California Zephyr is a good case in point. That Zephyr is a joint railroad operation. The Western Pacific Railroad has asked for permission to discontinue its portion of the run. If it is allowed to do so, the Chicago Burlington & Quincy and the Denver & Rio Grande Western which have expressed a desire to continue in the passenger business will be denied an access route to the west coast. Yet the Zephyr is well patronized. There are times when reservations must be made months in advance to obtain a seat. I could cite several other recent examples where well patronized passenger trains are up for discontinuance.

In the East, the New Haven carries millions of commuters in and out of the New York area. The trains are packed but not profitable. If it were up to the New Haven, passenger trains would have ceased long ago, despite the fact that there is no alternative means of transportation for these commuters other than our already overcrowded highways. Here in the East, we have begun an experiment in high-speed rail service, which will get underway later this year. Trains will run between Washington and New York and New York and Boston. The population in the East already justifies the existence of high-speed rail service on a frequent time schedule. Now it is a matter of selling the public on riding such trains when they are offered.

But there are many other areas in the Nation which will soon have the population and thus the problems of the so-called Northeast Corridor. Yet, each of these areas is unique. Geographically, these high-density regions will be vastly different. They will be different in the type of existing rail facilities available. They will be different in the attitudes of the people concerning private vs. public transportation. They will doubtlessly vary as to what sources of power are available to operate a transportation system. So while one isolated project has begun to focus attention on finding a solution to the transportation problems I believe are right ahead of us. Little if any study is being given to the Nation as a whole. Little attention is being paid to the potential needs of those areas which may be facing a crisis of tomorrow. By the same token almost nothing is being done to face up to the problems of today; namely, the abandonment and discontinuance of most long haul or non-commuter short run passenger service in the country.

Thus, the real purpose of my remarks today is to announce that on April 28 I will introduce a sense of Congress resolution asking that the new Department of Transportation conduct a nationwide study of the potential future uses of all rail lines in the United States. I believe this study should be designed to determine if future population growth will indicate eventual usage of surface rail lines for high-speed passenger service and if high-speed rail service can be adaptable to railway post office operations. In addition, this study should seek to find out if there is any long-range passenger and mail route potential from the development of economical feeder service from areas of low population density to areas of high density where high-speed service is most likely to be operated.

Certainly, there is no justification for the continuation of passenger or mail service in the long range, I would be the last to insist that the railroads should operate it.

On the other hand, we have seen many examples where a facility was needlessly abandoned or discontinued, only to be needed after and subsequently resurrected shortly thereafter, but at a tremendous and almost prohibitive cost. At this very time, rapid transit lines are being planned and built to serve the same communities where earlier rapid transit lines were discontinued just since the end of World War II.

In the face of existing ridership decline and perhaps even existing technology as it relates to rail operations, abandonments, and mail contract cancellations may be justified. But there is much we do not really know about the future potential of our existing railroads.

I believe, for instance, that the study of which I speak should define the future megalopolis areas of the Nation. I believe the study should determine if demonstration projects similar to the Northeast Corridor experiment should be considered in these other high density areas. Perhaps some sort of timetable for such experiments might be suggested by the department, in line with the population projections now available. We ought to find out what steps might be taken now to insure that if and when we want to make use of our railroad lines, they will be ready for us to use.

We have all heard that long-distance passenger operations are a thing of the past. I, for one, am not willing to accept that cliche at this point. We have not had a comprehensive study of the possible use of auto carrier cars on passenger runs. Such an operation, in which the car could be transported along with the passenger, might be ideal for family vacation trips or as a substitute for winter driving on the interstate roads. A comprehensive study might be able to tell us if there would be any benefit to smaller communities in between point-to-point destinations on an auto-carrier rail route.

Speaking of the smaller communities, even with rapid population growth, their needs in terms of service by railroads will continue to be small. Yet, as I mentioned earlier, a wise transportation policy would prevent isolation of these communities from railroad operations. Certainly, some research ought to go into the development of economical equipment capable of giving service to small communities.

Some years ago, the railroads thought they had such equipment in the rail-diesel car, or RDC. Apparently, however, the RDC themselves did not prove to be very economical. Today only a few of them are in operation. The concept, however, remains valid. A single unit capable of running in either direction without the need of an outside source of motive power remains in the eyes of many observers the key to providing service to small cities. We need a piece of equipment which would do for the railroads what the bus has done for the highways.

Then there is the matter of power. Just recently, I returned from Europe, where once again I saw fast, efficient trains being pulled by electrically driven locomotives. In fact, electricity is being used in all major rail expansions in all of Europe, the Soviet Union, Japan, and a variety of nations around the world. Some of these countries have an extreme advantage in that they are able to obtain electric power very cheaply. Others do not have such an advantage.

The point is, however, that in France where trains run at speeds up to 200 miles per hour, and Japan where the new Tokaido line is a ground transportation marvel, electric power is being used exclusively. In the future, some areas of our country may be able to obtain power at lower rates. Then, too, the age of nuclear powerplants may still evolve.

If nothing else, many innovations in rail passenger transportation have been forthcoming abroad when they have not been in evidence here. It would seem appropriate, then, that we examine the railroad systems overseas in comparison with our own, to see what successful concepts in use there might be applied here. Normally, private enterprise would study areas of this nature on its own. In most cases, however, the railroads have been interested only in getting out of the passenger business, not in improving it. Until the Federal Government put large injections of millions of dollars into this area, those who build passenger trains showed very little interest in the innovations which have been made abroad.

I believe that the Post Office Department should coordinate with the Department of Transportation in this study to determine the potential for mail service on high speed or feeder trains.

Research and development should be the key to this study. I would hope that if Congress asks the Department to conduct it, the survey would pinpoint the areas of need in research and development in the field of surface rail technology.

Because I believe that this study is essential to the future transportation planning of this Nation, and because to conduct a survey there has to be something in existence to study, I will accordingly suggest in this resolution that the Interstate Commerce Commission declare a moratorium on the discontinuance of all rail passenger service and the abandonment of all rail routes where passenger service is being operated until the study is completed. Certainly the losses to all concerned—even if it is proven that abandonment in the end is wholly justified—cannot compare with the cost of replanning, rebuilding, and resurrecting trains or systems which have gone out of business.

In addition, this resolution will ask the Post Office Department to declare a moratorium on the cancellation of all railway post office contracts with the railroads, even where such a contract involves a predominantly freight or "mixed" train.

To summarize, our population projections point to an urgent need for this Nation to return to the concept of moving people rather than just moving cars. While badly neglected, poorly maintained, and in many cases, in poor financial condition, our Nation's railroads still provide a solid network which may solve our future transportation problems.

To find out just what future for the railroads we can expect to develop on a nationwide basis, a comprehensive study of our railroad systems is desperately needed. But so as not to impede the study, which may provide answers to the key questions of how to revive long haul passenger service and of how to provide continued mail and passenger service to small communities, the ICC should, in my judgment, hold up on abandonments and train discontinuances, and the Post Office should not cancel mail contracts until we have the complete picture in our hands.

Congress, from the time it authorized the first postal roads down to the recent creation of the Department of Transportation has never failed to act when the best interests of the Nation's future were at stake. I am hopeful that the Senate will see fit in its wisdom to take this first small step at this very significant point in our history.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the distinguished Senator.

Mr. DOMINICK. Unfortunately, I did not have an opportunity to be in the Chamber when my colleague began his speech, but I have read his statement. I believe that the Senator proposes a number of points which are of enormous importance in connection with the future of our country.

We have a situation at the present time, particularly in connection with postal service, in which the discontinuance of postal service by trains has created a vast number of problems. This is true not only in our State of Colorado, but also in other areas.

I congratulate the Senator for urging that this matter be the subject of a major study. I would be happy if the Senator would add my name as a cosponsor of the resolution.

Mr. ALLOTT. I am honored and I am happy to add the name of the Senator as a cosponsor. I appreciate the remarks of the Senator.

While I have spoken specifically of two or three instances in our State, the fact is that this is a problem which plagues a great many States, and in almost every portion of the United States.

Of course, when the railroad says, "We are operating at a loss; now they have taken away postal contracts, and it makes it impossible for us to run," they may be entirely correct, and we cannot ask them to operate at a loss.

The moratorium on the cancellation of postal contracts and, perhaps, a moratorium on abandonments until this study is complete may offer us a way out, and may offer plans for the future which, indeed, could make the railroad picture brighter.

Mr. DOMINICK. Mr. President, will the Senator yield further?

Mr. ALLOTT. I yield.

Mr. DOMINICK. I assume that my colleague, as I have had, has had discussions with some knowledgeable people who have been in the postal service for a long period of time. Those who have spoken to me, at least, have felt a good deal of the congestion problems and difficulty in distribution of mail could be improved to some extent, if we were able to keep our postal train service in operation rather than canceled. Has my colleague had that type of information?

Mr. ALLOTT. I have had that type of information.

Last week officials of the Post Office Department testified that the situation was due mostly to the incapacity of the trains. However, I think it is a situation where there is fault on both sides, and also on the side of the Postal Department.

Mr. DOMINICK. I again congratulate the Senator for bringing attention to what I think is a useful type proposal by which we can get to some of the root causes of the problem.

When I served on the Committee on Commerce during the 89th Congress, we had problems brought up in connection with the New York, New Haven & Hartford Railroad. It seemed difficult, but it was necessary to keep that line in operation. The question was how to do it.

The study which the Senator mentioned could bring up problems of that type as well as those problems which the Senator mentions specifically.

Mr. ALLOTT. I thank the Senator.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. HANSEN. Mr. President, I wish to associate myself with the distinguished Senator from Colorado because Wyoming shares a keen and genuine interest in a resolution of the problem confronting the railroads, as does the State of Colorado.

We see a diminution in rail service which we have been privileged to enjoy for many years. We see a diminution in jobs and a threat to the stability of the smaller communities that are so intimately associated with all which the presence of rail service brings to those communities.

In addition to those reasons, we know that if we are denied passenger service, which seems to follow the phasing out of the postal service, there will be no public transportation of any kind; no dependable kind of transportation for our smaller Wyoming communities that are presently served by rail passenger service only.

I compliment the Senator from Colorado for his excellent presentation. I hope the Congress will take heed of his recommendations and see to it that this legislation moves forward rapidly so as to prevent the phasing out of a type service that certainly is very vital to Wyoming, as well as much of the West.

Mr. ALLOTT. I thank the Senator very much for his constructive remarks.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Pursuant to the previous order, the Chair recognizes the Senator from Kansas [Mr. PEARSON].

THE CRISIS OF THE CITIES DEMANDS NEW APPROACHES

Mr. PEARSON. Mr. President, future historians of American society will write that the 1960's marked the beginning of a new and concerted effort to deal with the social, economic, and environmental problems of the Nation's cities. The wisdom and energy with which we tackle these problems today will determine the quality of American life tomorrow.

There have been those who have sounded an alarm about an impending crisis of the cities for a decade or more. But the fact remains that it is only recently that society as a whole has awakened to this crisis; a crisis which is headlined in terms of rising crime rates, chronic unemployment, festering slums, disintegrating family structure, explosive racial unrest, congested streets, polluted air, and contaminated water.

We have discovered—or more properly have been forced to recognize—that the problems are more numerous, more persistent, and more difficult of solution than we had previously realized. And belatedly and disappointedly, we have recognized that many of the contemporary efforts by municipal, State, and Federal governments are falling short of achieving the goals so expansively proclaimed at their inception. Indeed, many of those programs have indirectly served to multiply and intensify the problems of the cities. For example, Government-backed mortgage, housing, and highway construction measures have contributed to the deterioration of the core of central cities by speeding the exodus of middle income families to the suburbs. And there is strong evidence to suggest that welfare programs together with their achievements have served to attract poverty-stricken migrants to the city slums and even to the breakup of slum families.

Mr. President, the depth of the problems of our big cities and the failures of existing programs to solve them was dramatized by the hearings conducted last fall by the Senate Subcommittee on Government Reorganization. I see the chairman of the subcommittee in the Chamber. I also recall that the present occupant of the chair participated and made a great contribution to those hearings.

A common theme expressed at these hearings is that the cities desperately need a large increase in the volume of Federal aid. A spokesman for the U.S. Council of Mayors, indicated that the cities will need at least $250 billion in Federal money over the next decade. The mayor of New York City suggested that his city alone would need $50 billion in the next 10 years to maintain his city as a decent and livable place.

These are staggering sums of money, yet they may be realistic estimates of genuine needs, although a revealing indication of just how ill prepared we are to estimate future financial needs came to light during these same hearings when administration officials were totally unprepared and unable to put a reliable price tag on existing Federal expenditures for urban programs. But, in any case, no one doubts that there will have to be a considerable increase in the volume of tax revenue devoted to the cities in the future.

However, Mr. President, I would suggest that while it is certainly the case that the cities need more new dollars, they need new ideas even more. Old dogmas must be shattered. New sources of ideas must be tapped.

The crisis of the cities looms so large partly because we have been so tardy in recognizing how pressing these problems are, but more importantly because we have lacked and still are lacking in the kind of vision and know-how necessary to solve these problems. Many of the ideas which went into the programs now in operation were new, and even revolutionary in the eyes of some, when they were enacted. But now for the most part, those ideas and the programs which they fostered are obsolete and because they are obsolete they are failing to effectively deal with the problems at which they are directed and, in fact, in some cases apparently serve to aggravate existing problems and to generate new ones.

The antipoverty program is the most recent example of a new effort grounded in old ideas. This program brought new money, new people, new government agencies, and even a new spirit to the task of eliminating the cancer of poverty. But for all its new spirit, new money, and new people, it has been characterized to date by relatively few new ideas about how to effectively implement the goals so proudly proclaimed.

Thus, Mr. President, while not minimizing the challenge of finding new sources of local, State, and Federal revenue to deal with the crisis of the cities, I would suggest that the most imposing challenge is that of the search for new ideas and new ways of solving problems which daily grow in intensity and complexity.

Mr. President, I would first of all suggest that the cities themselves must be more creative and more energetic in finding solutions to their own problems. This is not to say that they should no longer look to the Federal Government for aid and assistance, because in a very real sense many of the problems of the cities are national problems and must be dealt with at the national level, with national resources.

But just as the cities cannot handle their pressing problems by themselves, neither can the Federal Government be expected to shoulder the full burden. More importantly, despite the fact that there is a certain commonality to city problems all across the Nation, each city has its own unique characteristics which only local people can deal with effectively.

Greater creative responsibility by local and State governments cannot be achieved by Federal edict. Yet, wherever possible, the Federal Government should help to create and promote an atmosphere which encourages the cities, in cooperation with their State governments, to take a more independent action.

It is also likely, Mr. President, that municipalities would deal more responsibly with their own problems if they were granted broader home rule authority to their respective State governments. In a related point, surely metropolitan area governments and planning authorities would appear desirable in many instances.

Mr. President, another area in which the search for new approaches must be concentrated is to find more effective ways of encouraging greater involvement by private business, labor unions, and civic groups. I would not justify the need for greater participation by the private sector on the basis that less government action is desirable, but rather on the basis that more than public action is demanded.

I do not agree with the old argument that private effort is always more preferable and more effective than government action, which is nothing more than the combined effort of individuals. By the same token, I reject the equally outmoded concept that public problems can be dealt with only through government activity. It is simply a fact that all the problems of the cities cannot be solved by government alone. Government must enlist the help of the private sector.

Several proposals along this line have already been advanced, some of the most promising being sponsored by fellow Republicans. For example, the junior Senator from Illinois [Mr. PERCY] and the senior Senator from New York [Mr. JAVITS], have both presented comprehensive and precedent shattering proposals for government-industry partnership in the rehabilitation of slum housing areas.

These proposals by Senator PERCY and Senator JAVITS are examples of what steps the Federal Government might take to encourage greater involvement of the private sector in dealing with the problems of the cities. I would also suggest that the State and local governments should also explore means by which they can encourage greater participation by the private sector.

Mr. President, one of the great barriers in this search for new approaches is the stereotyped image we have of cities and the urbanization process.

The development of the megalopolis, for example, has generally been viewed as inevitable and basically desirable. These massive urban concentrations have been seen as a product of unavoidable economic forces which inexorably demand greater and greater centralization of our productive capacities. This concentration is generally viewed as economically desirable in that we have assumed that there is a great advantage of economies-in-scale associated with large, centralized productive centers.

This traditional view must now be questioned. Quite aside from the social problems that are obviously generated by this type of massive urbanization, it is now becoming increasingly apparent, I believe, that there are numerous economic inefficiencies associated with this type of concentration. It is very likely, for example, that the economic overhead costs associated with air and water pollution, garbage treatment and disposal and other public services more than offset the improved efficiency of centralized production centers.

As another example, it is likely that there are gigantic economic wastes associated with the movement of people to and from work in the great metropolitan areas. That many thousands of people in areas like New York, Chicago, Los Angeles, and Washington, D.C., must spend from 1 to 2 hours each day commuting to and from work is not only psychologically frustrating but certainly economically wasteful.

Mr. President, overriding this problem of possible economic waste is the fact that the massive concentration of population is often the root cause of such social problems as high crime rates, weakening of the family structure and racial discontent.

Mr. President, all this suggests there is good reason to believe that it would be desirable for the Federal Government to undertake measures designed to help control the now indiscriminate concentration of population and economic resources.

In this respect, Mr. President, the recent proposal by my distinguished colleague from South Dakota, Senator MUNDT, calling for the creation of a Commission on Balanced Economic Development deserves serious consideration. This proposal, of which I am a cosponsor, would create a commission to evaluate the relationship between economic development and population change. It would conduct a thorough study of economic factors related to migration and population concentration and would provide us with a great deal of solid data about the urbanization process and geographic distribution of population and resources which we simply do not have at the moment. The results of the studies conducted by such a commission would lay the groundwork for actions by the Federal Government to assist in achieving a more economically efficient and socially desirable geographic distribution of population and economic resources.

Mr. President, in connection with this argument that we need to break through the stereotyped image about cities and urbanization in general, I have read with a great deal of interest reports of the projected development of the new city in Minnesota. This experimental project apparently will be a joint operation of the Federal Government and the University of Minnesota and, if successfully carried through, may result in a completely self-contained city of approximately a quarter of a million persons located in what is now a rural area.

Many, of course, would scoff at this experiment, and it may well indeed prove to be unsuccessful. But the project should not be casually written off just because it is new and different, for it is out of such experiments may come the ideas and experiences which will contribute to the long-range solution of the crisis of the American cities. For as we look to the future, present myths must be shattered and new ways must be found for redirecting old efforts.

Mr. President, there are several encouraging indications that we are beginning to modify our attitudes toward the problems of the cities. I have mentioned some of these above and I hope to contribute to this trend with several proposals such as they may be. However, Mr. President, we can expect to see the proposal and adoption of really new and effective approaches only after we have completely broken out of the old patterns of thought and begin to look at the problems of the cities from the fresh viewpoint demanded by this modern, by this complex age.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. PEARSON. I am glad to yield to the distinguished Senator from New York.

Mr. KENNEDY of New York. I listened very carefully to the speech of the Senator from Kansas. I think it is most worthwhile. I would hope that our colleagues in the Senate would study the speech. I think it is a very important and very worthwhile speech, one which tries to deal with the problems of urban areas over the period of the next decade. I congratulate the Senator for his contribution of a very valuable speech on this subject to the Senate and the American public.

Mr. PEARSON. I thank the Senator. It may seem odd that one coming from Kansas would be concerned over this question, but the out-migration from rural areas to the cities need not be irrevocable. I made note of the experiment in Minnesota. I am persuaded that it is difficult to "keep them down on the farm," so to speak, but the development which has taken place in many European countries, of industry moving to the rural areas, thereby creating opportunities for jobs, may be a partial solution to some of the problems of metropolitan areas.

The alleviation of traffic, of crime problems, of housing problems in the metropolitan areas may offer some partial solution. While, as I have said, it may seem surprising that these suggestions should come from a Senator from Kansas, we have these problems in Wichita, Topeka, and Kansas City, and thus, not only the Senator from New York, or Senators from States having large cities, but Senators from all the States are concerned.

Mr. KENNEDY of New York. That is why I think the Senator from Kansas has rendered a great service. There is an interrelationship of these problems. Where the State of New York or the State of Pennsylvania fails because of a failure in the cities of New York and Philadelphia, or where Illinois fails because the problems in Chicago have not been solved, it affects Kansas and the rest of the States. So the thought, imagination, and courage needed to find solutions to these problems, to which the Senator from Kansas has contributed by his speech today, are necessary, for the whole country will be affected—not only the State of the Senator from Kansas or other States with urban areas, but all the States.

Mr. PEARSON. I thank the Senator from New York.

INVESTMENT TAX CREDIT

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. HARTKE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I call up my amendment (No. 146) and ask that it be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 146) proposed by Mr. HARTKE is as follows:

At the end of the bill insert the following new section:

"SEC. 4. (a)(1) Section 4061(a)(2)(A) of the Internal Revenue Code of 1954 (relating to rates of tax on passenger automobiles, etc.) is amended by striking out

" '7 percent for the period beginning with the day after the date of the enactment of the Tax Adjustment Act of 1966 through March 31, 1968.'

and inserting in lieu thereof

" '7 percent for the period beginning on March 16, 1966, and ending on the date of the enactment of the Automobile Excise Tax Reduction Act of 1967.

" '4 percent for the period beginning with the day after the date of the enactment of the Automobile Excise Tax Reduction Act of 1967 through March 31, 1968.'

"(2) The amendment made by paragraph (1) shall apply with respect to articles sold after the date of the enactment of this Act.

"(b) Section 6412(a)(1) of such Code (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out 'or before January 1, 1966, April 1, 1968, or January 1, 1969' and inserting in lieu thereof 'before January 1, 1966, before the day after the date of the enactment of the Automobile Excise Tax Reduction Act of 1967, or before April 1, 1968, or January 1, 1969'.

"(c)(1) Where after March 16, 1967, and before the day after the date of the enactment of this Act, a new automotive item subject to the tax imposed by section 4061(a)(2) of the Internal Revenue Code of 1954 has been sold to an ultimate purchaser, there shall be credited or refunded (without interest) to the manufacturer, producer, or importer of such article an amount equal to the difference between the tax paid by such manufacturer, producer, or importer on his sale of the article, and the tax made applicable to the article on such day, if—

"(A) claim for such credit or refund is filed with the Secretary of the Treasury or his delegate on or before December 10, 1967, based upon information submitted to the manufacturer, producer, or importer before November 1, 1967, by the person who sold the article (in respect to which the credit or refund is claimed) to the ultimate purchaser; and

"(B) on or before December 10, 1967, reimbursement has been made to the ultimate purchaser for the tax reduction on the article.

"(2) No manufacturer, producer, or importer shall be entitled to a credit or refund under paragraph (1) with respect to an article unless he has in his possession such evidence of the sale of the article to an ultimate purchaser, and of the reimbursement of the tax to such purchaser, as may be required by regulations prescribed by the Secretary of the Treasury or his delegate under this subsection.

"(3) All provisions of law, including penalties, applicable in respect to the tax imposed by section 4061(a)(2) of the Code shall, insofar as applicable and not inconsistent with paragraphs (1) and (2) of this subsection, apply in respect of the credits and refunds provided for in paragraph (1) to the same extent as if the credits or refunds constituted overpayments of the tax.

"(d) This section may be cited as the 'Automobile Excise Tax Reduction Act of 1967'.

"Amend the title so as to read: 'An Act to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property, and for other purposes'."

Mr. HARTKE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HARTKE. Mr. President, the amendment which I have offered is an amendment dealing with the excise tax on automobiles. The present excise tax on automobiles is 7 percent. The amendment proposes a reduction to 4 percent.

Under the law the excise tax on automobiles will automatically drop next April 1 from 7 to 2 percent. In other words, the effect of the amendment is to reduce the tax on a gradual scale, rather than permit a sudden steep drop in the future.

There are a number of reasons why the excise tax reduction on autos is important. First, the question of equity. There is no question that the 7-percent tax credit is proposed to give about $1 billion in tax relief to business. I do not come empty-handed in this regard. I am for this tax reduction for business. Last fall when the administration asked that the tax credit be suspended, I voted against such suspension, because I thought it was unsound as the economy was already showing signs of leveling off. I think it is proper for us now to correct that mistake, because it is quite evident that investment has dropped more severely than anyone had anticipated.

To have an economic slump at this time is remarkable. It is remarkable because we are in the middle of war expenditures, and expenditures that we are going to have to pay for over some extended period of time. My own view is that the way to do this is to stimulate the economy, keep the economy going and growing. I do not think there are enough strategic moves or maneuvers available to the Government permitting it to deal with it in an effective and timely manner. The only sure way is to have the private economic sector move ahead.

My own viewpoint is that we must depend on two factors to do this. The first is to permit business to operate at a profit—not necessarily as large a profit as last year, but a profit. The second is to keep the people working at full-time employment.

Some individuals have indicated that the anticipated trouble in employment at this time of year did not occur this year, in response to the reduction or the so-called slowdown in the economy. But I point out quite candidly that there is something which is just a little bit more important than the actual number of people working. That is the number of hours worked. That figure, the number of hours per worker per week, dropped from its 1966–67 high, 41½ hours per week, to 40.3 hours.

In other words, what those figures really say is that the number of people working was maintained at the same level, but the number of hours they worked was reduced to nearly their regular time, because of a decrease in demand, both in the consumer sector and from inventory building rate. That amounted, in effect, to a substantial reduction in consumer purchasing power;

and that reduction in consumer purchasing power has been felt all across the board, not alone as a result of tight money, but as an actual reduction in the amount of money that any individual has to spend.

To the greatest degree, the initial impact of the tight-money, high-interest-rate policy, and the slowdown of the economy was felt in the market for new homes. At the present time, the homebuilding industry in the United States is at a staggering low, the lowest it has been in 5 years. The economic effect of this alone is severe, but the social effect will most certainly be felt in every community in the United States. We have an increase in population. Young couples find themselves in a situation where they do not have enough money to make a down payment on a home of their own, so the result is that they are forced to double up with parents. This creates economic and social situations which portend trouble; and the long, hot summer before us will aggravate that situation.

The No. 2 place the slowdown affected extremely is the automobile industry. It is true that automobile sales in the last 10 days—that is, the first 10 days of April—have somewhat recouped their loss of the first 3 months; but automobile sales were down 25 percent in the first 3 months of this year, and it would take an exceptional boom to make it possible to regain those losses. I am not one who is crying that automobile sales are going to fall to an alltime low, or that they will necessarily go below the 7 million level. With an annual growth of 3 percent in the number of young people who should be buying automobiles, the fact remains that instead of having an increase in sales, we are having a substantial aggregate decrease.

Also, it must be remembered that the comparable period, the first 10 days of April 1966, was one of the low points for automobile sales in the 1966–67 year. So to compare these figures for the first 10 days of April of 1967 with the figures for the first 10 days of April 1966 gives a distorted picture.

How are we going to pay for this war, then, if we canont pay for it out of the taxes paid on corporate profits, or if we cannot pay for it in taxes on the amount of earnings from overtime work? There is definitely going to be a striking phenomenon, for America, of finding ourselves with increased expenditures for war, some $5 billion less than what we spent at the height of World War II, with the threat of at least a $20 billion deficit, which Mr. William McChesney Martin, at the hearings of the Committee on Finance said is not only possible but completely thinkable. Mr. Martin further states that the estimate of $20 billion may even be low, and the figure may more nearly approximate $22 or $23 billion.

In my judgment, there is only one way to pay for this war, and I think it is high time for us to get about that business, and that is to provide means whereby we can keep the economy moving at a boom level in the middle of a war. One of the quickest and most effective ways to do that is to reduce excise taxes on automobiles, which are a deterrent to the sales of the products of a very prime industry in the United States.

There is no question that there is plenty of authority for such a reduction. Most of today's private economists will tell you the real need today is not to attempt to increase the availability of funds for investment in the automobile industry, because the availability of funds there, at the present time, is not the detriment which keeps them from expanding.

I might point out also that a little-noticed effect of the present situation in the automobile industry is that fact that automobile production in Canada is rocking right along, increasing, due to this ill-fated Canadian-United States automotive agreement, which guaranteed, no matter what happened to automobile sales and production in the United States, that production in Canada would continue to be maintained, and in fact, increased.

I think it is important, again, to call to the attention of the Senate that Paul A. Samuelson, the well-known institute economist at the Massachusetts Institute of Technology, advocates the reduction of automobile excise taxes; that William F. Butler, vice president for economic research at Chase Manhattan Bank, advocates the reduction of automobile excise taxes; and that Leif H. Olsen, senior vice president and economist of the First City National Bank of New York, has advocated a reduction in excise taxes on automobiles.

We now come, Mr. President, to a subsidiary issue, and that is the question of steel. Steel production was very hard pressed to keep pace with last year's production. The fact of the matter is that representatives of the steel industry have been asking many Members of Congress to support the imposition of a high tariff to prevent imports of steel entering the United States. The reason for that is the fact that the steel mills have found no quick recovery, and have indicated, as late as April 9, that the chances for quick recovery of the steel market are slim. This is contained in a report which stated that steel and rails have shown no improvement, that most of the forecasts call for shipments to remain at their present levels through May and June, and that for some companies the order trend is still downward. As one marketing man explained:

> We need a pickup just to stay even.

Then, on the question of inventories, the accumulation of inventories presents a question which needs to be resolved very quickly, or we will have a serious problem on our hands. There again, the question of a cutback is very important, because one of the potential consumers is the steel industry itself. For a time, excess steel production was going into semifinished inventories; but there was no sign of an order improvement, and individual companies were starting to run out of storage space. To quote one executive, he said:

> I think you are going to see cuts at the mills, principally because everyone is loaded with inventory.

Then he made this remarkable statement:

> There isn't any place you can put it—

that is, the inventory—

> unless you rent the State of Ohio.

All of these things, Mr. President, indicate quite clearly that what we have on our hands is a slowed-down economy. I certainly am not in a position to state what is going to happen in the next quarter, but I know one thing: The first quarter reports of heavy, major corporations in this country were sad. Obviously, if we can reverse that trend now, we will take out what I call "recession insurance."

One of the major editorials dealing with the question of inventories, and dealing with the question of the decline, was contained in the April 8 issue of the New York Times, in which they said:

> At the moment, the economy is coping with the imbalances that took root in the expansion, when monetary policy was much too tight and fiscal policy was not tight enough. The process of correction has still some way to go. The basic problem is that the supply of goods is much greater than the demand and there are limits to the power and influence of economic policy in solving it.

I ask unanimous consent to have printed in the RECORD the entire editorial, entitled "Dealing With the Decline," published in the New York Times of April 8, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEALING WITH THE DECLINE

(—"The basic problem is that the supply of goods is much greater than the demand—")

Despite a brave show of unconcern about the current softening in business activity and continued insistence that tax increases will still be needed later on, Washington's public actions bear little relation to its publicized expectations. It may be talking prosperity, but it is behaving as if it fears recession.

The Federal Reserve's reduction in its discount rate, which will make credit cheaper and more readily available, is the latest in a series of bold and resolute measures taken by the monetary authorities and the Administration to counter a decline. The combination of easier money and an expansive fiscal policy is potent medicine for what ails the economy. In time, it will moderate the forces of contraction and pave the way for a powerful and perhaps inflationary resurgence. But it is doubtful that it will have the immediate effect of stopping the downturn in its tracks.

At the moment, the economy is coping with the imbalances that took root in the expansion, when monetary policy was much too tight and fiscal policy was not tight enough. The process of correction has still some way to go. The basic problem is that the supply of goods is much greater than the demand and there are limits to the power and influence of economic policy in solving it.

The outlook is for a paring down of inventories, which means a further decline in production and an increase in unemployment. It also means a narrowing of profits and reductions in payrolls. Manufacturers will not be spending as much in adding to their capacity as they did when demand was strong. And there is always the possibility that the slowing down of activity will touch off a chain reaction or uncover weaknesses that were masked by the preceding boom.

> There is little that economic policy can do that has not been done to restore momentum to the economy. More in fact cannot be attempted without endangering the nation's balance of payments and the stability of the dollar. The President can, of course, withdraw his request for increases in corporate and individual income taxes. But while imposition of higher taxes would almost surely result in a recession, a decision to refrain from applying this particular brake will not, by itself, boost the economy.
>
> The Administration has to recognize that it must improve its econmic forecasting that is the basis for policy making. And it must also realize that even if it corrects its forecasting mistakes, there are limits to the shifts it can make in its fiscal and monetary policies.
>
> The Administration is to be commended for moving so quickly and forthrightly once it learned that the economy was in trouble. But it is always difficult to prevent a decline when it is under way. The right time for action is when the economy is still expanding and excesses and distortions begin cropping up. The only way, in fact, to stop a downturn is to keep it from getting started in the first place.

Mr. HARTKE. I point out that this is the very heart of the matter. In other words, action by the Government, per se, cannot correct this imbalance indefinitely.

Then we have one other very significant fact, and that is the report of the gross national product for the first quarter of this year. At the end of that time, it is important to note that this was the first time in almost 6 years that the gross national product had failed to show a "real" increase in any one quarter.

This is serious for the American economy, and it is serious business for the U.S. Government and its revenue expectations.

I would say, on this basis, that if we are going to pay for the war, the quickest way to pay for it would be to increase the amount of revenue coming into the Treasury. When we repeal excise taxes, we make it possible to increase our revenue without an actual increase in taxes.

I imagine that if we do not take sufficient action at this time, before the close of this year we will have again the tight money policy, the high interest rate problem, and a staggering increase in our Federal debt on our hands.

If there were a request to increase the debt limit, we would find the U.S. Government in a position in which, instead of asking for a reduction in excise taxes, as I ask for today, the Government would be asking for a cut in taxes across the board.

I am not opposed to that. But this is not the way, in my judgment, to run a ship of state.

If we grant a tax cut of roughly $1 billion to business, there is no reason in equity or economic reasoning why we cannot at this time provide for a cut in excise taxes on automobiles for the consumer.

Mr. WILLIAMS of Delaware. Mr. President, I respect the argument made by the Senator from Indiana in connection with his amendment; however, at this particular time I oppose the amendment for the simple reason that we do not have the money with which to finance it.

The amendment of the Senator would cost an estimated $720 million, representing the difference in the cost of repealing these excise taxes today rather than on the effective date of April 1, 1968.

The Government collects approximately $1 billion a year from excise taxes. At a time when we have a $18 billion to $20 billion deficit confronting us for fiscal 1968, an average of $1.5 billion a month, we cannot afford to reduce taxes.

I agree with what the Senator from Indiana has said to the effect that the present plan to reduce these excise taxes next April does leave a notch, but I think the administration has ample time in which to make the decision for next year.

Personally, I would recommend that the expiration date be advanced beyond April 1, 1968. We do not have sufficient revenue so that we can cut any taxes at this time.

The American Automobile Manufacturers Association has taken the position that while they would like to see these taxes eliminated this is not the time to do so in view of the huge deficits which confront the administration.

That association has gone on record as being opposed to the repeal of these excise taxes at this time. I have discussed this with many others in the industry.

Their position is similar to that of the association.

Regardless of how meritorious the amendment of the Senator may be, we must nevertheless recognize that we do not have an extra $700 million so that we can afford to make this tax reduction.

The amendment should be rejected, just as we rejected the proposal last week to repeal the excise taxes on telephones.

If we repeal the excise tax on one item certainly we open the floodgates, and we shall be asked to repeal the entire $8 billion of excise taxes.

I do not think that any Senator would say that at this particular time we would be fiscally responsible if we were to take such action.

I hope that the amendment is rejected.

Mr. GRIFFIN. Mr. President, I commend the distinguished senior Senator from Indiana [Mr. HARTKE] for focusing the attention of the Senate on the discriminatory excise tax which applies to automobiles.

I wish I thought it were practicable and feasible to achieve a significant reduction in the auto excise tax at this time by amending the pending bill.

It is not easy for a Senator from Michigan to vote against the amendment offered by the Senator from Indiana. However, I have reluctantly concluded that I shall do so—not because I favor automobile excise taxes, but because I believe that in the long run we will better serve the cause of ultimate elimination of this discriminatory tax by resisting the temptation to adopt this amendment today.

I believe that the amendment is fiscally premature. The auto excise tax is scheduled by law to drop from 7 percent to 2 percent on April 1, 1968. The administration's budget has been geared to accommodate that reduction.

Although I am sure that the amendment springs from the best of intentions, I am concerned that adoption of the amendment of the Senator at this time would upset the fiscal apple cart and could actually jeopardize the chances of a reduction later in the automobile excise tax.

I do believe that the Senate should stand ready to consider the possibility of a reduction before April 1, 1968, if the sales of automobiles should fall off again. Fortunately, in recent weeks there has been a slight upturn and the sales outlook has brightened somewhat.

Let me say that I would be tempted to vote for the amendment of the Senator from Indiana if it were offered as a substitute for the committee bill which seeks to restore the investment tax credit.

The argument of the Senator from Indiana that we need to generate consumer demand, perhaps even more than to stimulate plant expansion, has great appeal. However, I am convinced that it is unrealistic to believe that we could add the Senator's amendment to the committee bill and expect the House conferees to accept the amendment, and then expect the President to sign it.

Mr. President, I believe it would be the better part of wisdom at this time to reject the Senator's amendment, and then for those who favor elimination of this tax to urge the Senate, the House of Representatives, and the administration to stay on course so that the scheduled reduction in the auto excise tax will in fact take effect April 1, 1968.

Mr. CLARK. Mr. President, with deep regret, I shall oppose the amendment of my good friend, the Senator from Indiana.

The economy is sluggish. It does need a shot in the arm.

The gross national product is standing still instead of increasing.

Under ordinary circumstances this would be the time to reduce taxes. However, I cannot overlook the fact that our Government is going to run, in this fiscal year and in the next fiscal year, a substantial deficit, a deficit which is a danger to our balance-of-payments situation and our ability to stay on the gold standard, a deficit which, even though carefully watched, will bring us into trouble from the forces of inflation.

The cause of this deficit, of course, is the war in Vietnam, in which we are spending $2 billion a month, or $24 billion a year.

The victims of this situation are the Great Society programs of President Johnson, which I so strongly support, programs such as aid to education, the war against poverty, the elimination of air pollution, the elimination of water pollution, the mass transit program, and a score of others.

I cannot conscientiously support those programs and, indeed, urge further authorization and higher appropriations for them, appropriations which they so desperately need, and support further cuts in taxation.

I am indeed reluctant to support the restoration of the 7-percent investment tax credit, but I have concluded that in all likelihood it will engender more Federal revenue than it will cost.

For these reasons, Mr. President, I shall reluctantly vote against the proposal of my good friend, the Senator from Indiana.

Mr. HARTKE. I say to the Senator from Pennsylvania that I perfectly understand what he is saying, and probably I understand part of his reasoning for not wishing to vote for the amendment.

No matter what the position of any Senator may be with respect to the war—whether it should or should not be conducted in the fashion it is being conducted—the fact remains that we all will have to pay for the war. You can not pay for this war, in my opinion, with a stagnant economy. I want the country to move forward; I want progress. The country and its economy are not moving forward enough.

The drop in corporate profits which has occurred in the first quarter of 1966 probably will have as much effect upon the deficit as has any other single item. It is estimated reliably that the loss of revenue occasioned by the drop in the economy, without regard to anything else that has occurred, may exceed $2 billion. If you add that to the background and the backdrop of the situation regarding the anticipated deficit which was delineated by the administration, and add to that the fact that probably the revenues anticipated from a 6-percent surtax will never accrue and then add to that the sale of the participation certificates which the Federal Government is presently involved in, which in effect is really money that ordinarily would be included in the budgetary deficit, then there is no question about there being a $20 billion deficit. These are figures of Mr. Martin, of the Federal Reserve Board. He points out that in all the time he has been on the Federal Reserve Board, every reduction in tax rates has resulted in an increase in tax revenue by the Federal Government.

This is what I am saying today. Those who do not agree with this philosophy should most certainly vote against cutting these taxes. But people agree that excise taxes which are regressive in nature, excise taxes which hit the consumer immediately, are the quickest way to insure a reversal of the economy.

Since these taxes are scheduled to be reduced to 2 percent in less than a year, there is no question that the thing to do is deal now with the problem which confronts us—the problem of putting the economy back on its feet. The quickest way to do that, in my opinion, is to reduce the excise tax on automobiles from 7 percent to 4 percent, and to let the remainder of the 2-percent reduction occur next March.

Mr. CLARK. The Senator's economic argument is quite persuasive, although I believe we are going too far in increasing the deficit. I have believed in deficit financing. When the economy is sluggish, we should give it a shot in the arm.

In my opinion, however—I say this with all deference to my friend, the Senator from Indiana—a far better way to do that would be to increase the personal exemption or to cut income taxes for our lowest income groups, rather than to effect this excise tax reduction, which gives just as much credit to the multimillionaire as it gives to the poor man who is financing the purchase of a car on 36 months' time.

Mr. HARTKE. I find no basic disagreement with the argument made by the Senator from Pennsylvania, because he is talking about putting money into the poor man's pocketbook and asking him to spend it.

A threefold proposition is involved in this situation. First, the automobile industry is sluggish, and it is a major industry in the United States. It affects one out of every six or seven working people in the United States.

Second, this tax is one which was reimposed, so to speak. This tax was on; it was taken off; it was put back on. It is in exactly the same posture as the investment credit. It is on all fours in that regard with the measure which is before the Senate at this time.

Third, in due conscience, we see ourselves in a very difficult position if we provide a 7-percent tax credit to industry, but then say the same tax which was restored for the same reason we suspended the investment credit should not be treated in similar fashion because for some peculiar reason the Treasury does not deem it so.

I am interested in reducing the amount of the deficit, and I believe this is the best way to do it. I am confident that we are faced with a deficit of nearly $20 billion in the coming year, and it is high time we try to put our house in order.

Those who disagree with us in principle should vote the other way. I hope I am wrong as to the size of the deficit, I fear I am right.

I am ready to vote.

Mr. GORE. Mr. President, excise taxes, sales taxes, and other taxes of this general nature are the most socially objectionable and the most inequitable, other than a poll tax, of all taxes in our system. Were this amendment offered as a substitute for the investment credit, reinstatement, I should be pleased to vote for it. It is with reluctance that I must vote against its adoption as an addition to this bill to restore the investment credit.

The revenue lost by restoring the investment credit, as has been pointed out in the Senate—was not contemplated in the President's budget. This will increase the deficit. If we add the pending amendment to the investment credit reinstatement, then we increase the deficit even more.

I have heard the so-called new economic theory advanced—to wit, that the way to balance the budget or increase the revenues is to cut taxes—many times. When a former Secretary of the Treasury advanced it, as I recall, he predicted that this so-called new economic theory would produce a balanced budget and eventually a surplus. This economic theory is not new at all. It was called new when Andrew Mellon advanced it some years ago. It was not particularly new then. It is not new now. It was as fallacious in one instance as in the other. Instead of its producing a balanced budget and eventually a surplus, as was predicted, we see the consequence. But that is beside the point, it seems to me. But the distinguished senior Senator from Indiana advances it in support of his amendment, so it really is not out of order, I suppose, to refer to it.

What is the nature of the difficulty in the automobile industry? It is not lack of productive capacity. It is heavy inventory and idle productive capacity. The investment credit proposes or is advanced as a solution to the problem. What would it do? It would provide a tax incentive, or to look at it another way, subsidize an increase in productive capacity. Is this the way to solve the overhanging inventory?

As between investment credit and a reduction in the excise tax, which would be calculated to encourage consumer demand, I would certainly favor the repeal of the excise tax. However, as I said in the beginning, I find myself unable to support both.

The war must be paid for or approximately so. Although I believe there are more equitable ways to do it than with excise taxes, nevertheless, that is not the choice presented by the pending amendment. The pending amendment would add to the investment credit restoration the reduction of the excise tax on automobiles. Adding the two together, we would be reducing by approximately $2 billion our expected and projected revenues.

For these reasons, Mr. President, I am unable to support the amendment, although it is with reluctance that I resist proposals to repeal almost any excise tax, and certainly an excise tax upon automobiles which a great many people must use in their ordinary walks of life.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment (No. 146) offered by the Senator from Indiana [Mr. HARTKE]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Arizona [Mr. HAYDEN], the Senator from Ohio [Mr. LAUSCHE], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from New Hampshire [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], the Senator from Maryland [Mr. TYDINGS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Ohio [Mr. LAUSCHE] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Connecticut would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. COOPER], the Senator from New York [Mr. JAVITS], and the Senator from California [Mr. MURPHY] are necessarily absent.

The Senator from Vermont [Mr. AIKEN] is detained on official business.

If present and voting, the Senator from New York [Mr. JAVITS] and the Senator from California [Mr. MURPHY] would each vote "nay."

The result was announced—yeas 14, nays 71, as follows:

[No. 80 Leg.]

YEAS—14

Bartlett
Bayh
Burdick
Byrd, W. Va.
Fong
Gruening
Hart
Hartke
Long, Mo.
Moss
Nelson
Randolph
Ribicoff
Young, Ohio

NAYS—71

Allott
Anderson
Baker
Bennett
Bible
Boggs
Brooke
Byrd, Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Griffin
Hansen
Harris
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—15

Aiken
Brewster
Cooper
Dodd
Hayden
Javits
Lausche
McGee
Metcalf
Murphy
Muskie
Russell
Smathers
Tydings
Yarborough

So Mr. HARTKE's amendment (No. 146) was rejected.

Mr. PEARSON. Mr. President, I call up my amendment No. 150.

The PRESIDING OFFICER. The amendment offered by the Senator from Kansas will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. PEARSON. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (No. 150) of Mr. PEARSON are as follows:

Renumber section 2 of the bill as section 3, renumber section 3 of the bill as section 4, and insert after the first section thereof the following new section:

"SEC. 2. (2) Section 48(h)(2) of the Internal Revenue Code of 1954 (defining suspension period property) is amended by striking out subparagraphs (A) and (B) and inserting in lieu thereof the following:

"'(A) the physical construction, reconstruction, or erection of which is begun by the taxpayer during the suspension period, or

"'(B) which is acquired by the taxpayer during the suspension period.

In applying subparagraph (A) to any section 38 property, there shall be taken into account only that portion of the basis which is properly attributable to construction, reconstruction, or erection during the suspension period.'

"(b) Section 167(i)(1) of such Code (relating to limitation on certain methods of depreciation) is amended—

"(1) by striking out 'if—' and all that follows in the first sentence and inserting in lieu thereof the following: 'if the physical construction, reconstruction, or erection of such property by any person begins during the suspension period.'; and

"(2) by adding at the end thereof the following new sentence: 'In applying this paragraph to any property, there shall be taken into account only that portion of the basis which is property attributable to construction, reconstruction, or erection during the suspension period.'"

On page 4, strike out lines 4, 5, and 6 and insert the following:

"SEC. 5. The amendments made by the first section, section 2 and section 4 of this Act shall apply to taxable years ending after March 9, 1967."

Mr. PEARSON. Mr. President, it is not my intention to ask for a yea-and-nay vote on this particular amendment, but to state to the Senate the intent and effect of this particular amendment, which is to return the bill to the identical state in which the House passed it in relation to the effect between the two important dates.

With respect to the suspension of the 7-percent tax and accelerated depreciation as of October 10, 1966, and the restoration as of March 9 of this year, the House version provided that during these particular dates goods that were ordered and delivered would not be subject to the 7-percent credit or accelerated depreciation, but that goods ordered but not delivered until after March 9 would be subject to the credit.

The Senate, in reporting this bill, knocked out that House provision on goods ordered but not delivered. The effect of this amendment would be to put it back.

I shall speak only briefly to refer to the reasons, as I understand them, for this proposal. To permit a credit for goods ordered but not delivered would be to discriminate against the taxpayer who postponed putting his order in, who complied with the theory, idea, and concept of the Government in suspending the 7-percent credit for 18 months. Further, purchasers, in placing their orders during that particular time, never expected to receive the tax credit. Moreover, there was a third reason. Those who ordered and got delivery would be subject to discrimination as against those who did order but did not get delivery.

Two other points were raised in the Senate report. One relates to going back to the House version, and states that to go back to the House version would dilute the effect of any future tax suspension in a fiscal or monetary bill such as this; that it would dilute its effectiveness. Last, the argument was raised that it would reduce revenues.

I say that the first of the so-called discriminatory provisions would make the Senate version a penalty against those who ordered but did not get delivery. I do not think that was the intention of those who provided for it. The intention or purpose of the suspension is found to be very clearly stated in this report. I cannot find my copy of the report at the present time, but it merely was to take off inflationary pressures in this country. That was the total sum and substance of what the measure was to produce. That object has been achieved. To go back to the Senate version now is to create, as the House indicated, an enormous administrative problem. It would create a problem for many businesses or industries, in that a great number of orders that had been placed will be canceled, and the businesses will go back and pick them up later.

I think the record should be made on the intent of the Senate. I have dealt with the problem briefly. As I indicated, it is not my intention to seek a yea-and-nay vote on this particular matter, but I think the Senate should make a record.

Mr. MORSE. Mr. President, if the Senator will yield, and if I may have the attention of the Senator from Louisiana and the Senator from Minnesota, the Senator from Louisiana and I had a colloquy last Thursday, and the questions I am about to ask are based upon the amendment the Senator from Indiana contemplated offering, and which I understand he is not going to offer. Possibly I may offer it subsequently, although I hope we can clear it up by colloquy and we can dispose of it, if the Senator from Louisiana will help us.

First, if the Senator will bear with me, I want to state that last Thursday, in a colloquy with the Senator from Louisiana [Mr. LONG], I placed in the RECORD a wire addressed to me by Francis F. Hill, president of Northwest Natural Gas Co., and statements supplied by Northwest Airlines. These items, which appear at pages 9400-9401 of the April 13 RECORD, expressed the concern of both companies over the absence in H.R. 6950, as reported by the Senate Finance Committee, of the retroactivity provisions on investment credit appearing in the House-passed bill.

The Senator from Kansas seeks to restore that provision. He does not go as far as these companies would have him go, for the reason that both companies complain that the bill under consideration in the Senate will result in inequities and place the companies at a competitive disadvantage when compared to taxpayers who were able to postpone projects until after restoration of the investment tax credit. Both companies are regulated industries supplying essential services to the public.

I want to stress to the Senator from Louisiana that they are regulated industries. The material I put in the RECORD indicates that they had no choice in the matter; that they had to proceed with construction in one case, the natural gas company case, and in the airlines case they had to proceed to supply the equipment. They could not say, "We will wait to supply the equipment until later or wait for the construction," because, as I understand from their presentation, they had a public service obligation to perform.

I would like to ask the Senator from Louisiana whether or not he would object to the amendment of the Senator from Kansas, perhaps with some modification that would give the fair and equitable relief required by Northwest Natural Gas and Northwest Airlines, which means that since they found themselves in a position where they had to proceed with construction, in the case of the natural gas company or purchase as in the airlines case, they are going to receive, on a retroactive basis, the tax benefit.

Mr. LONG of Louisiana. Mr. President, the way I understand this problem is that we suspended the investment tax credit because we wanted people to postpone placing orders for new equipment and postpone the building of plants.

In the cases the Senator had in mind, those people knew they were not going to receive the investment credit, but they went ahead and placed their orders, anyway. They were not required to do so; there was no law or contract that made them do it; but the natural gas company, for example, simply felt that if it wanted to serve its customers and sell more gas, it should build more storage capacity through construction of a facility to liquefy gas. The airline simply felt they needed additional airplanes to improve their operations and it was its business judgment that the orders should not be postponed even though they had to forego the investment tax credit because they placed the orders during the suspension period.

Those companies did what we knew many companies would do; they went ahead and placed their orders for expansion, even though they knew that they would not receive the benefit of the investment tax credit if they did so. So did a great number of other companies. It is difficult to see why we should now extend this relief to people who knew they were not supposed to get the investment tax credit. If at some future date, this device were to be needed again to encourage people to hold up placing orders, and if we retroactively, give the people all, or much of the benefits of the credit they would have had if we had never discontinued it to begin with, this device would not be a convincing deterrent to placing orders at that time.

I feel that we should not accept the amendment because it goes a long way toward wiping out the suspension of the credit. It makes the credit available for orders, placed before March 10, 1967, where delivery takes place after that date. It also makes the credit available for the portion of construction occurring after March 9, 1967, even though the construction was begun before March 10.

This matter will be in conference, may I say, because the House has language of this sort in its version of the bill; and therefore this issue can be discussed between the Senate and the House conferees.

I do feel, however, that the Senate's position as recommended by the committee is the better of the two positions, and I would certainly expect to hold to that position unless I am shown reasons, not now apparent to me, for making a change.

Mr. MORSE. Mr. President, will the Senator from Kansas yield to me a moment further, although I do not wish to keep imposing on his time?

Mr. PEARSON. I shall be pleased to yield to the Senator from Oregon in a moment. First, however, I make the point that the matter is not quite as simple as the Senator from Louisiana states. It is not a matter of forgiving everything, which would have been the case under the Hartke amendment. It is to go back to the House version, which provides that those people who ordered and received delivery between October 10 and March 9 will not receive the tax credit, or any of the accelerated depreciation, but those who ordered between those dates and received delivery later than March 9 would receive the tax credit.

I understand the Senator's position, but I think, as the House of Representatives pointed out in its report, the administrative problems, particularly on accelerated depreciation, would be tremendous.

Mr. MORSE. The Senator from Kansas is pointing out that one of the problems that confront us is when the goods were delivered. If they were delivered after the March date, the company does receive the tax credit; if they were delivered before the March date, they do not receive the tax credit, though the orders went in at the same time?

Mr. PEARSON. That is correct.

Mr. MORSE. I do not think that is very fair.

Mr. PEARSON. Speaking of discrimination, there is also discrimination here.

I yield to the Senator from Oregon. I merely wished to make that observation in response to the comments of the manager of the bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. PEARSON. I think I have yielded to the Senator from Oregon.

Mr. MORSE. Mr. President, I should like to hear from the Senator from Louisiana. I believe this is the point where we differ. I should like to hear him clear the matter up, because we may be wrong in our assumption.

Mr. LONG of Louisiana. The Pearson amendment would discriminate between companies placing orders during the suspension period where one receives delivery before March 9—and therefore does not receive the investment credit under this amendment—and another which although placing an order at the same time but does not receive delivery until after March 9. Under this amendment, in this latter case, the investment credit would be available under the Pearson amendment. There is no reason, in the prior law, to anticipate that there would be any difference in treatment in these two cases. The amendment would make a difference of some $570 million in tax revenue. It would be, in my judgment, a windfall for those companies who placed orders during the suspension period but received delivery afterward. It would seem to me that if we are to consider separating one group of companies from another, there must be a less artificial way than would result from this amendment. There, of course, are administrative problems under the amendment, too. For example, there is the problem of granting a fast writeoff to part of a building—the part constructed after March 9—and not to the portion constructed in the suspension period.

It would be in conference, anyway, and I think it would be better if we have some flexibility in the matter.

As I say, I think the Senate committee is right. People were told, "If you place your orders during a certain period, you will not get the investment tax credit." The people placed their orders anyway, as we anticipated some of them would. If we simply retroactively gave everybody the investment tax credit, we would lose $925 million in taxes to the benefit of people who knew that they were going against the national policy. Even though we urged them not to make these investments, nevertheless they did, knowing that they were not going to get the investment tax credit, and now they are coming to Congress and saying, "We knew when we placed our orders we were not going to get it, but we ask you now to give it to us anyway."

We tried to discourage them from investing in this period by telling them they would not get the investment tax credit if they invested then. If they wanted to go ahead and make the investment anyway, and pay the larger tax resulting from no investment credit, that, too, was their privilege. It seems to me that in the future, we could expect to have very little retarding effect, however, when we wanted to slow down the economy, if we tell people they will pay more taxes if they do something in the near future and, then at a subsequent date, after they had done so, we proceed to give the full tax benefit to those who went ahead and invested anyway. Those who cooperated with the Government in the established national policy would find that they suffered while the others benefited by disregarding what Congress adopted as its policy.

Mr. MORSE. Mr. President, will the Senator from Kansas yield to me for a question about his amendment?

Mr. PEARSON. I yield to the Senator from Oregon.

Mr. MORSE. I should like to have this question cleared up: Under the Senator's amendment, if businessman A ordered goods during the period that the tax benefit was supposed to be repealed, and the goods were delivered during that period of time, he would not receive the tax benefit; but if businessman B ordered goods on the same day that businessman A ordered goods, but they were not delivered until after the March date, by the passage of this law, he would receive the tax benefit?

Mr. PEARSON. He would not.

Mr. MORSE. He would not receive the tax benefit, and the Senator's amendment seeks to provide that he would?

Mr. PEARSON. To provide that he would. This does not break it down all the way back retroactively, as I sought to point out, as precisely as the Senator has stated. Businessman A and businessman B each put an order in for goods. Businessman A receives delivery before March 9. He does not receive the tax credit.

Mr. **MORSE**. The Senator's amendment does not give it to him?

Mr. **PEARSON**. Afterward, he would get it.

Mr. **MORSE**. But the Senator's amendment does give the tax benefit——

Mr. **PEARSON**. To the man who received delivery after March 9.

Mr. **MORSE**. If the Senator will yield to me a bit further, there is some difference between the Senator's amendment, as he knows, and the one which the Senator from Indiana had proposed to offer.

Mr. **PEARSON**. That is correct.

Mr. **MORSE**. I ask that I may have the attention of the Senator from Louisiana and the Senator from Kansas. I should like to make this argument, and then hear their replies. That would at least be helpful, I should think, when the matter gets to conference, because, as the Senator from Louisiana has stated, the matter will be in conference.

The Hartke amendment, which is at the desk, No. 145—and has not been called up, although it can be called up—has one purpose: to stimulate that sector of the economy that the administration insists needs stimulation. That is why we are having it repealed.

The administration initiated action toward its restoration through the President's letter asking for it. I concur wholeheartedly in the desirability of the basic measure before the Senate. The investment credit should be restored and it should be restored now.

I voted against repeal last year, because I thought it was economically unsound. I thought we ought to be encouraging production rather than discouraging it. I have never shared the point of view that we can meet the problems of inflation by discouraging production. It all depends on what is being produced.

I see then, Mr. President, an agreement here on the need for restoration of the investment credit now. But I should like to take the reasoning of the administration to its logical conclusion. If stimulation is needed, why not provide the extra little bit that would be provided by a retroactive repeal of the suspension? Why not provide industry with this extra amount that should never have been taken away in the first place. There is talk about inequity involved in making the suspension retroactive. To my mind the greatest inequity to business and the economy as a whole was the suspension itself. It took away the incentive that would have permitted marginal expansion plans, but those that in their own and the economy's best interest found it wise to continue expansion despite the suspension were not deterred.

We will find that particularly true in the regulated industries such as the two I have mentioned that have submitted their cases to me for discussion.

We took away from industry something we had given them to believe was a permanent part of the tax structure. Here is inequity compounded and I find it very difficult, Mr. President, to sympathize with ethical posturings on the part of the administration when they were in error to begin with. With a retroactive repeal of the suspension, the administration will be honestly admitting its mistake and giving back something that in equity and sound economics, should not have been taken away in the first place. I believe most profoundly, Mr. President, in equity, but I believe that inequity should be recognized and laid at the proper doorstep. To use the equity argument as a means to perpetuate one's own earlier inequity, is, to my mind, inexcusable.

The administration has repeatedly said that this is not a revenue measure. This argument for restoration certainly underlines the fact that the Treasury does not consider the revenues derived from the suspension of controlling import. If there is a windfall anywhere, it is in the Treasury, where the moneys, business were told they could count on, now reside. If the revenue gain is, in the mind of the administration, not the most important consideration here but the stimulation of the economy, why not return these moneys to the business community where they should have been all along? Here Mr. President, we have both equity and sound economics combined. What else could the administration ask for? We erase the mistake and further buttress the stimulation of the economy.

One last point, Mr. President. I have received considerable mail in support of this measure. The preponderance of the mail urges the repeal be made retroactive not only because of the return of funds, but also because of the nightmare of administering these on-again, off-again tax measures. As my good friend from Ohio [Mr. YOUNG] said on the floor last Friday, the average man needs a slide rule to keep up with the patchwork of tax policy in this country. I have mail from some of the world's largest companies and they state that certain bookkeeping measures occasioned by the suspension cannot even be handled by their giant computers. We have finally proved, at least in this negative instance, Mr. President, that tax policies of this nature confuse everyone, even the most sophisticated computers. In some cases, Mr. President, the cost of administering the suspension provisions would exceed the benefits of retroactive repeal. In other words, to give the investment credit back to business now without retroactive repeal would cost more than what was lost by the original suspension. In addition, I certainly would not wish to be responsible for the litigation that is bound to ensue if the repeal is not retroactive.

For these reasons, I think at least we ought to agree to the Pearson amendment. I am seriously thinking about offering the Hartke amendment as my own, giving due credit to its source. However, there is one final point, and I want the Senator from Louisiana to hear this. The Senator from Louisiana said that these regulated industries did not have to order.

I want to say that they felt a compulsion to order because when those in a regulated industry pay great heed to a regulatory body. Do not forget that these orders in advance are well known by the regulatory body. The orders have the approval of the regulatory body. The regulatory body encourages these expenditures.

The regulatory industries have made their case that the orders are necessary and serve the public interest. The regulation is based on the fact that the industry is vested with the public interest. Therefore, when they play fair and square with the regulatory boards, they have made their plans for the building of a plant or a pipeline or for the purchase of the jetplanes that are necessary to serve the public.

We then pass a tax bill and they hear from us later: "Well, because you were keeping faith and carrying out your responsibility in a regulated industry, we are not going to give you the tax benefit by way of the writeoff. When you placed your order, you paid down your money, money necessary in large part to pay for the planes and the material and the pipeline. Then, because of a calendar bracket, we are not going to give them the benefit of retroactivity.

I do not think it is equitable. My argument is based entirely on the doctrines of equity and whether this really is fair dealing with these businessmen who, after all, invested their money for the benefit of the public interest that is involved in a regulatory industry.

I think that the Northwest Natural Gas Co. and the Northwest Airlines have made their case on equity. I think we ought to take to conference not only the problem that the Senator from Louisiana will mention—it will not be as broad as the argument of the Senator from Oregon—but also the broader retroactivity, as suggested by the Senator from Indiana [Mr. HARTKE] rather than the more narrow one covered by the amendment of the Senator from Kansas.

Mr. **PEARSON**. Mr. President, I appreciate the attitude of the Senator from Oregon.

I understand the forces at work today in this Chamber in relation to the bill. It will be my intention to withdraw the amendment. However, I would like to state once again my position in regard to the amendment.

We put on the 7-percent tax credit and the accelerated depreciation some time ago in order to give the economy a boost, to bring it forward, and to increase our growth rate.

At a later time, because of inflationary pressures that built up, we took it off. That was on October 10 of last year.

Now, the administration in its judgment—and correctly so, I think—has said the time to lift the suspension is now.

So, the purpose of the institution and the purpose of the suspension and the purpose of the lifting of the suspension now is in regard to the national economy and the inflation pressures.

It did not have anything to do with revenue. It did not have anything to do with punishing those who did or did not comply. It did not have anything to do actually with creating a precedent or an attitude as to whether the public would believe us or not believe us.

The point made by the Senator from Louisiana is that if we forgive it now we will create a situation in which, if we were to do it again, nobody would believe us.

The administration has done that very thing. This was to go off on December 1, 1967. All of a sudden, we removed that and then put it back to March 9.

I think the House version is really a much fairer version. I voted against it when it was here before. So, I would concur with the Senator from Oregon and the Senator from Indiana in taking it off. However, I think the most expedient thing to do would be to go back to the House version.

I have great faith and confidence in the Senator from Louisiana when he says that he hopes something can be worked out in conference to alleviate some of the great administration problems and some of the great inequities he thinks are present here.

I will withdraw the amendment, but before I do so, I yield to the Senator from Delaware for some observations he has.

Mr. WILLIAMS of Delaware. I thank the Senator from Kansas for his observations, and I appreciate the fact that he is going to withdraw the amendment.

I believe the Senator from Louisiana stated the case very clearly. This matter is a problem that can be dealt with in conference much better than can be done on the floor.

There is no question that the bill as reported by the committee, which I support, creates inequities. By the same token, if the amendment of the Senator from Kansas were adopted, while it would eliminate some of those inequities it would create others. It would be impossible to eliminate all inequities unless we go all the way back and reinstate the act as of September 1966, and if we do that we are talking about a matter of another $900 million.

I believe the Senate would be well advised to support the position of the Senate committee and let this proposal go to conference, where we can consider all these questions and problems which have been raised very pointedly by the Senator from Kansas and the Senator from Oregon. Perhaps we can come back with a near solution. This is not a problem to which a clearcut solution can be obtained. The matter is not that simple. I can assure the Senator that as one member of the committee I will try to see what can be worked out.

Mr. PEARSON. I thank the Senator from Delaware.

I yield to the Senator from Oregon.

Mr. MORSE. Before the Senator from Kansas withdraws his amendment, I wish to say that I shall join him in the suggestion that we withdraw it, in view of the record that has been made in colloquy as to what the problem is, and in view of the assurance of the Senator from Delaware and the Senator from Louisiana that the matter will be thoroughly discussed in conference.

I express the hope that the House conferees will not refuse to recede on the matter, because I believe the case of equity that we have made speaks for itself, and when the conferees get time to read the Record, they will be more inclined to recede than is the Senator from Louisiana at the present time.

I should like the Senator from Kansas to know that I shall be happy to join in his suggestion that the amendment be withdrawn, and I shall not offer a substitute.

Mr. PEARSON. I thank the Senator from Oregon, and I thank the Senator from Louisiana for his consideration.

Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. LONG of Louisiana. Mr. President, I wish to make the record complete in this matter. As the Senators are aware, this matter will be discussed in conference, and I ask that certain paragraphs from the committee report, appearing at the bottom of page 16 and the top half of page 17, be printed at this point in the Record. I believe this will help make clear the committee's position with respect to this matter.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Your committee concluded * * * that the definition of suspension period property should not be modified in the manner provided by the House bill. In part this is due to the fact that your committee considers the provisions of the House bill to be discriminatory. In the first place, the provisions discriminate against taxpayers who postponed orders or construction during the suspension period and who therefore forfeited their place in line for delivery of new equipment. These taxpayers postponed orders because they were under the impression that they would not receive these tax incentives with respect to such property and because they felt the incentives were important enough to justify the postponement. It would be unfair to these taxpayers, who acted in the manner that was the intended purpose of the legislation, to now rescind the effect of the suspension.

In the second place, the provisons of the House bill discriminate among taxpayers who ordered similar equipment at essentially the same time but who received the equipment at different times. These who received delivery on or before March 9 would not be eligible for these tax provisions while those who received the equipment on or after March 10 would be eligible. This is true even though all taxpayers who ordered equipment during the suspension period did so under the expectation that they would not receive the benefit of these tax provisons.

As indicated previously, the modifications in the definition of suspension period property contained in the House bill have the effect of rescinding the suspension provisions enacted last fall for a large number of taxpayers who ordered equipment during this period or began construction during this period. The suspension of the investment credit and the related accelerated depreciation provisions were enacted in response to the conditions which existed in the economy last fall with the intent of deterring investments. Approval of the House bill would therefore set an unfortunate precedent with regard to any possible future legislation undertaken primarily to assure the continued growth and prosperity of the economy. Taxpayers might be left with the impression that they could ignore, for planning purposes, the temporary suspension of special tax incentives enacted in response to economic developments. Such a reaction would not only severely reduce the effectiveness of such fiscal actions, but would also create the possibility of hardships to taxpayers whose expectations were not fulfilled.

Finally, the definitional modifications in the House bill would result in a substantial loss of revenue to the Government. Receipts over the 4 fiscal years 1967 through 1970 would be reduced by $570 million. A large share of this reduction, $270 million, would occur in the fiscal year 1968. In view of the substantial deficit now projected for that fiscal year, such a reduction in receipts would appear inappropriate.

In view of the foregoing, your committee's bill retains the provisions of present law prescribing what constitutes suspension period property. Under these provisions, either the investment credit or the accelerated depreciation methods is denied for property the construction, reconstruction or erection of which began either during the suspension period or pursuant to an order made during the suspension period. In addition, the investment credit is denied in the case of property which is acquired by the taxpayer during the suspension period or pursuant to an order placed during that period.

Mr. BYRD of West Virginia. Mr. President, I call up my amendment, which has been left at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER (Mr. Hollings in the chair). The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is, at the end of the bill, add the following new section:

Sec. —. (a) (1) Paragraph (2) of subsection (a) of section 202 of the Social Security Act is amended by striking out "62" and inserting in lieu thereof "60".

(2) Paragraph (1) of subsection (b) of such section 202 is amended by striking out "62" wherever it appears wherein and inserting in lieu thereof "60".

(3) Paragraphs (1) and (2) of subsection (c) of such section 202 are each amended by striking out "62" wherever it appears therein and inserting in lieu thereof "60".

(4) Paragraph (1) of subsection (e) of such section 202 is amended by striking out "62" wherever it appears therein and inserting in lieu thereof "60".

(5) (A) Paragraphs (1) and (2) of subsection (f) of such section 202 are each amended by striking out "62" wherever it appears therein and inserting in lieu thereof "60".

(B) Paragraph (3) of such subsection (f) is amended by inserting "subsection (q) and" after "Except as provided in".

(6) (A) Paragraph (1) (A) of subsection (h) of such section 202 is amended by striking out "62" and inserting in lieu thereof "60".

(B) Paragraph (2) (A) of such subsection (h) is amended by inserting "subsection (q) and" after "Except as provided in".

(b) (1) The heading to subsection (q) of such section 202 is amended by striking out "or Widow's" and inserting in lieu thereof "Widow's, Widower's or Parent's".

(2) Paragraph (1) of such subsection (q) is amended by striking out "or widow's" and inserting in lieu thereof "widow's, widower's, or parent's".

(3) (A) Paragraph (3) (A) of such sub-

section (q) is amended (i) by striking out "age 62 (in the case of a wife's or husband's insurance benefit) or age 60 (in the case of a widow's insurance benefit)" and inserting in lieu thereof "age 60", and (ii) by striking out (each place it appears therein) "husband's, or widow's insurance benefit" and inserting in lieu thereof "husband's, widow's, widower's, or parent's insurance benefit".

(B) Paragraph (3)(C) of such subsection (q) is amended by striking out "or widow's insurance benefit" each place it appears therein and inserting in lieu thereof "widow's, widower's, or parent's insurance benefit".

(C) Paragraph (3)(D) of such subsection (q) is amended by striking out "or widow's insurance benefit" and inserting in lieu thereof "widow's, widower's, or parent's insurance benefit".

(D) Paragraph (3)(E) of such subsection (q) is amended (i) by striking out "is also (or would, but for subsection (e)(1), be) entitled to a widow's insurance benefit to which such individual was first entitled for a month before she" and inserting in lieu thereof "is also (or would, but for subsection (e)(1), (f)(1), or (h)(1), be) entitled to a widow's, widower's, or parent's insurance benefit to which such individual was first entitled for a month before such individual", (ii) by striking out "the amount by which such widower's insurance benefit" and inserting in lieu thereof "the amount by which such widow's, widower's, or parent's insurance benefit", and (iii) by striking out "over such widow's insurance benefit" and inserting in lieu thereof "over such widow's, widower's, or parent's insurance benefit".

(E) Paragraph (3)(F) of such subsection (q) is amended (i) by striking out "is also (or would, but for subsection (e)(1), be) entitled to a widow's insurance benefit to which such individual was first entitled for a month before she" and inserting in lieu thereof "is also (or would, but for subsection (e)(1), (f)(1), or (h)(1), be) entitled to a widow's, widower's, or parent's insurance benefit to which such individual was first entitled for a month before such individual", (ii) by striking out "the amount by which such widow's insurance benefit" and inserting in lieu thereof "the amount by which such widow's, widower's, or parent's insurance benefit", and (iii) by striking out "over such widow's insurance benefit" and inserting in lieu thereof "over such widow's, widower's, or parent's insurance benefit".

(F) Paragraph (3)(G) of such subsection (q) is amended (i) by striking out "is also (or would, but for subsection (e)(1), be) entitled to a widow's insurance benefit" and inserting in lieu thereof "is also (or would, but for subsection (e)(1), (f)(1), or (h)(1), be) entitled to a widow's, widower's, or parent's insurance benefit", and (ii) by striking out "the amount such widow's insurance benefit" and inserting in lieu thereof "the amount such widow's, widower's, or parent's insurance benefit".

(4) Paragraph (6) of such subsection (q) is amended to read as follows:

"(6) For purposes of this subsection, the 'reduction period' for an individual's old-age, wife's, husband's, widow's, widower's, or parent's insurance benefit is the period—

"(A) beginning—

"(i) in the case of an old-age, husband's, widow's, widower's, or parent's insurance benefit, with the first day of the first month for which such individual is entitled to such benefit, or

"(ii) in the case of a wife's insurance benefit, with the first day of the first month for which a certificate described in paragraph (5)(A)(i) is effective, and

"(B) ending with the last day of the month before the month in which such individual attains retirement age."

(5)(A) Paragraph (7) of such subsection (q) is amended by striking out "or widow's insurance benefit" and inserting in lieu thereof "widow's, widower's, or parent's insurance benefit".

(B) Subparagraph (E) or paragraph (7) of such subsection (q) is amended to read as follows:

"(E) in the case of widow's, widower's, or parent's insurance benefits, any month before the month in which such individual attained retirement age for which such individual was not entitled to such benefit because of the occurrence of an event that terminated such individual's entitlement to such benefits, and".

(6) Paragraph (9) of such subsection (q) is amended by striking out "with respect to a widow's insurance benefit" and inserting in lieu thereof "with respect to a widow's, widower's, or parent's insurance benefit".

(c) Subparagraph (A) of paragraph (1) of subsection (a) of section 214 of such Act is amended to read as follows:

"(A) in the case of a woman (i) who has died, the year in which she died or (if earlier) the year in which she attained age 62, or (ii) who has not died, the year in which she attained (or would attain) age 62,".

(d) Subparagraph (A) of paragraph (3) of subsection (b) of section 215 of such Act is amended to read as follows:

"(A) in the case of a woman (i) who has died, the year in which she died or, if it occurred earlier but after 1960, the year in which she attained age 62, or (ii) who has not died, the year occurring after 1960 in which she attained (or would attain) age 62,".

(e)(1) Subsection (b)(3)(A) of section 216 of such Act is amended by striking out "62" and inserting in lieu thereof "60".

(2) Subsection (c)(6)(A) of such section 216 is amended by striking out "62" and inserting in lieu thereof "60".

(3) Subsection (f)(3)(A) of such section 216 is amended by striking out "62" and inserting in lieu thereof "60".

(4) Subsection (g)(6)(A) of such section 216 is amended by striking out "62" and inserting in lieu thereof "60".

(f) The amendments made by this section shall apply with respect to monthly insurance benefits under section 202 of the Social Security Act for and after the second month following the month in which this Act is enacted, but only on the basis of applications filed in or after the month in which this Act is enacted.

Mr. BYRD of West Virginia. Mr. President, I have today offered an amendment to H.R. 6950, for the purpose of amending title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amount of such benefits.

This provision to permit men and women, otherwise eligible, to retire voluntarily at age 60, with actuarially reduced benefits is a logical and progressive step in updating our social security system. The original social security program provided direct money grants for the needy aged and also provided a system on which to build a foundation of economic security for the retired worker. I feel it is now time for the Congress to take into account the fact that our thousands of older Americans, each day increasing in number as time brings more people into the aged category, do not age at the same rate.

There are those who are better equipped physically and mentally to continue gainful employment. Many, however, are not.

My proposal recognizes that many workers, particularly those who have labored all their lives at hard physical tasks, are more likely to suffer injury or chronic ill health during their later working years. It recognizes that there are those who are not yet 62 years old who cannot find work because they are not in good physical condition but who are not so severely disabled that they can meet the qualifications for social security disability benefits.

It faces realistically the fact that our highly industrialized and computerized Nation today has a working pattern that is totally different from that of former decades and that a large proportion of our senior citizens past age 60 are not productive and resilient enough for retraining for employment in new industries.

My proposal further recognizes that there is everywhere some measure of job discrimination because of age requirements, and that today's competitive working world demands increasingly greater education, greater training, and greater mobility. All of these attributes are ones which many of our older Americans are least likely to have. All too often their experience and training were achieved in a by-gone economy. They lack the modern technical skills needed to run new machines and they lack youthful elasticity to adapt easily to new technology.

Federal statistics to exist to prove these facts, for today, more than three-quarters of a billion dollars in unemployment insurance is paid each year to workers who are past 45. These aging, marginally trained workers comprise 27 percent of all the unemployed—and 40 percent of the long-term unemployed.

In 1965, the Secretary of Labor reported to the Congress that approximately half of all private job openings were barred to applicants over 55, and a quarter were closed to applicants over 45.

I believe that the time has surely come for providing increasing flexibility in our social security pattern for retirement. The provision for actuarial reduction in benefits incorporated in my amendment would serve as an incentive for those who can and who wish to continue to work to do so.

Of special interest, from the standpoint of financing the system, this provision would add no new costs to the employer or the employee.

We in Congress, in being responsive to a multiplicity of appeals resulting in the expenditures of millions of dollars for rehabilitation and aid programs at home and abroad, should not overlook the necessity for constructive changes to meet the needs of our elderly Americans as time marches on.

The Senate has on two occasions in the past favorably acted on my proposal. However, the provisions subsequently were deleted in conference following objections by House conferees. I believe that this liberalized optional retirement provision is sorely needed, and it is my hope that the Congress will, given this further opportunity to weigh the merits of the proposal, adopt it.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. RIBICOFF. I wonder if the distinguished Senator has checked with Mr. Robert Myers, the chief actuary, concerning the actuarial balance and impact of his amendment on the social security trust fund.

Mr. BYRD of West Virginia. I have spoken with Mr. Myers upon a number of occasions regarding my amendment. This amendment has been accepted twice by the Senate, and twice has died in conference with the House.

I have been informed by Mr. Robert Myers that there would initially be an out-go effect of something like $425 million more annually, but that the trust fund can easily stand it, and that this would be counterbalanced in later years, so that there would be no long-range cost impact upon the fund.

Mr. RIBICOFF. How many people would be affected, in Mr. Myers' opinion, by such an amendment? What does he estimate the number of people who would take advantage of this measure?

Mr. BYRD of West Virginia. He says that there are approximately 3.5 million people in the United States who would be available for voluntary retirement at age 60, but he says that considerably less than one-third under the actuarial reduction would do this. Therefore, he estimates that there would be about 900,000 persons who would likely apply and be eligible for retirement under this amendment during the next fiscal year.

Mr. RIBICOFF. Do I correctly understand the purport of the distinguished Senator's amendment to be that there would be an adjustment downward of the benefits to be received as a result of the option to go to 60 rather than 62? Would the benefits to the beneficiary be scaled down?

Mr. BYRD of West Virginia. The Senator is correct. An individual who elects to retire at age 60 would have to accept an actuarially reduced benefit by his decision to retire prior to age 62 or age 65. It would work the same as does the age 62 provision which is in the present law.

Mr. RIBICOFF. In other words, the additional cost would be due to the fact that a certain number of beneficiaries, who otherwise would have waited until age 62, would opt to get their social security benefits?

Mr. BYRD of West Virginia. The Senator is correct.

Mr. RIBICOFF. But over the long period of time, that would be counterbalanced by benefits they would have received in later years, so that the fund would eventually balance out?

Mr. BYRD of West Virginia. The Senator is correct. By electing to retire at an earlier age, they would receive reduced benefits per month, so that in the long run it would even out.

Mr. RIBICOFF. Do I correctly understand that Mr. Myers has assured the Senator that this amendment would have no long-range impact on the social security trust fund?

Mr. BYRD of West Virginia. The Senator is correct.

Mr. RIBICOFF. Are there certain sections of the country where the Senator believes this proposal would make an impact or where it becomes necessary because of economic conditions or circumstances?

Mr. BYRD of West Virginia. I believe there are such sections of the country. In my State of West Virginia there are men who have worked in the mines for many years and who at age 60 are unable to get a job; yet, they may not be physically incapacitated to the degree that they could qualify to receive disability benefits under the Social Security Act. This amendment would give them an option. They could elect to retire earlier and accept a smaller benefit. Otherwise, they might have to rely upon public welfare during the 2 years between 60 and 62.

Mr. RIBICOFF. The purpose of the Senator's amendment, as I understand it, is that where circumstances exist, such as related by the Senator, rather than these individuals going on welfare for those 2 years, they will receive their social security benefits and eliminate the necessity of welfare payments.

Mr. BYRD of West Virginia. The Senator is correct. It would be an entirely voluntary matter. It would be up to the individual. But it would at least give him an option. He could elect to retire 2 years earlier and accept a smaller benefit monthly, or he could continue to work if he had a job.

He would not be required to retire and yet, at the same time, it gives him an option by which he can make a decision depending upon his circumstances at the time. There would be no increased long-run cost to the trust fund, and there would be no additional tax on the employer or upon the employee.

Mr. RIBICOFF. I wish to say that I think the Senator has a good proposal. I would imagine, Mr. President, before many months go by we will have to study the impact of the entire social security system because this would be under consideration, and since, it seems to me, the Senate has adopted his proposals on two prior occasions it might be worthy of consideration in conference. However, I imagine full consideration will have to be given the matter later when the Committee on Finance studies the entire revision of the social security system that will be coming to us from the other body in the near future.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, in years gone by I have voted for the proposal which the Senator now proposes. A similar proposal has been passed by the Senate on at least two occasions and I believe on one of those occasions it was agreed to by an overwhelming majority.

The first time this proposal went to conference it was my honor to be one of the conferees. I fought diligently for this provision in conference. The Senator may recall the outcome of the conference was such that I opposed the conference report. There was involved this proposal and at least one other proposal by other Senators that would have helped aged people of this country.

The Senator had a strong case. His amendment, as I understand it, according to the social security experts, in the long run would cost nothing. In the short run it would have cost about $425 million. However, in the long run the savings would offset the first-year cost.

We have sufficient money in the fund to stand this first-year cost, and a second and third-year loss. In my judgment this would probably save the Government money. I shall tell the Senator why.

There are many people who cannot get a job, as the Senator indicated. It is difficult to get a job after a man has reached the age of 60 and thereafter. A fellow cannot get a job. He comes in and he contends that he is disabled and unable to work. It is difficult for any social security administrator or any doctor to decline to go the extra mile to say he is disabled. It is known he cannot get a job after he is turned down. If he is declared to be disabled, the Government would lose money.

The amendment of the Senator would make money for us by requiring a reduced pension if he is available but cannot get a job.

The second instance would be the case where a man cannot get help and has to apply for public welfare of one sort or another. In the last analysis, being unable to obtain some sort of public welfare, he then asks for private charity. Where does the money come from for that? That money is all tax deductible. In the last analysis it costs us money one way or another to help him when in reality it would be better to let him retire at the age of 60.

The Senator does know, does he not, that we already do this for women?

Mr. BYRD of West Virginia. Yes.

Mr. LONG of Louisiana. Sometimes it has occurred to me that perhaps we are discriminating in violation of the equal rights provisions of the Civil Rights Act of 1964 by declining to give this person, who is a man, the same treatment that the person would be entitled to if he were a woman.

The last time the House of Representatives turned us down on this proposal the impression that I had was that this was something the administration wanted to recommend later on; they felt they had done a great deal of good in the bill we had and they did not want to go the extra mile that the Senator recommended at that time.

I think that the Senator has a fine amendment. I voted for it twice before, and the Senate has also. I cannot promise what the House conferees will do. They have been tough about it, although the Senator made a touching appeal to them on other occasions. I hope the Senator will agree to the amendment.

Mr. BYRD of West Virginia. I am thinking of the individual at the age of 60 who is unable to get another job, if there is an unemployment gap, who may have exhausted his unemployment compensation payments, and who does not want to go on public welfare. This amendment would offer him an opportunity to make a decision as to whether or not he would accept social security benefits on an actuarially reduced basis. I do not believe there would be many people who would elect to do this, relatively speaking, but there are those who should be given an opportunity to make this decision if they so desire.

Mr. WILLIAMS of Delaware. Mr. President, I do not question for one moment that there is much merit to the proposal of the Senator from West Virginia, and I recognize his sincerity.

We are, however, confronted with the fact that in the House of Representatives the Ways and Means Committee is holding hearings on a major social security bill at the present time, and all of these proposals could be given consideration by the House of Representatives. That same bill is scheduled for action by our committee sometime between now and July 1. This proposal could be more properly handled then.

The problem here is that if we were to look at this one amendment alone perhaps we could give it more favorable consideration, but as the Senator said, this would cost the social security fund about $500 million. We have six other amendments pending and awaiting Senate action. The total cost of all these amendments dealing with social security benefits, if accepted by the Senate, would be $5,925 million. An extra $5,925 million in annual social security benefits is embraced in the five or six amendments now pending before the Senate in connection with this bill.

If we start taking one of them, we can take a second—which will cost $140 million, $160 million, one and a half billion, and so on. It can be said that each proposal has tremendous merit. I do not question that. However, can we afford to increase social security benefits by $5.9 billion annually when at the same time there is no provision in a single one of those proposals to raise the taxes to pay for them?

The House of Representatives is considering a social security bill which would provide an annual increase of $4.5 billion annually, but that bill carries some mechanics to raise the taxes whereby it can be financed over the years. If the Senate were to accept these amendments now before us as they are drafted, we would be bankrupting the social security fund. Let us face it—there can be no benefits unless the payroll tax is raised.

I believe it would be wise that if these amendments are to be offered, each carry an increased tax provision sufficient to finance them. Then as we vote for these amendments we would be accepting the tax necessary to pay for them at the same time.

It would be a tremendous mistake if the Senate yielded on the point and started to make this bill into a social security bill. If we accept all these amendments the cost would be about double the original bill. The present bill would end up as a social security bill rather than a bill to restore the investment credit.

I hope the Senator from West Virginia, who has proposed this amendment, will withdraw it at this time. If he can get it accepted, well and good. If he cannot, I would be glad to join the chairman of the committee and other members of the committee so that when the bill comes to the committee, which it will be doing in a short time, we would make sure that he would have the opportunity to appear before the committee and present his arguments. As one member of the committee, I would be most receptive to listening to his arguments and they could be considered on their merits. I hope that the Senator will follow that procedure.

Mr. BYRD of West Virginia. I recognize the sincerity of the arguments made by the Senator from Delaware, but I have sought on two previous occasions to have this amendment adopted. It has been adopted on both occasions by the Senate. It went to conference and for special reasons at the time, the administration opposed it. I have reason to believe that the administration would not oppose it at this time. I feel that if the House conferees will go along with it, the President will accept it as part of the measure and that it will go into effect earlier, thus affecting the people who would benefit from these provisions that much earlier.

Mr. WILLIAMS of Delaware. But the Senator realizes that he would be in a much stronger position if his amendment were to be accepted by the Senate as an amendment to the major social security bill itself, rather than as a rider on this particular bill.

If I were the author of the pending amendment I would want to be in the strongest position.

Mr. BYRD of West Virginia. I recognize, again, that the Senator from Delaware is sincere in his arguments, but I feel that if the Senate would accept the amendment—and it will be the third time—it seems to me that this would strengthen the position—if, indeed, the House conferees do not go along with it this time, I think that our position would be stronger once we attached it to the social security bill. The fact is, it might even be attached in the House——

Mr. WILLIAMS of Delaware. It could be, but the Senate must bear in mind that it will not be voting on just the Senator's amendment, but they must also look at the next five similar votes which are coming up shortly. The five amendments together will cost approximately $6 billion, for which not one of those sponsors has included as a part of his amendment any method of financing.

Mr. BYRD of West Virginia. With the exception of this fact: This amendment is a self-financing amendment.

Mr. WILLIAMS of Delaware. Oh, no. I do not wish to quarrel with the Senator from West Virginia on that score, but there will be an extra cost. The beneficiaries cannot just be given increased benefits without it costing something.

Mr. LONG of Louisiana. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. LONG of Louisiana. As the Senator so well points out, this amendment requires no increase in tax. It might have the effect of drawing down on the social security fund which, at this time, is approximately $22 billion plus. It could well draw down on it at the rate of about $425 million for the first year, the second year about $400 million, and the third year——

Mr. BYRD of West Virginia. Then it begins to level off.

Mr. LONG of Louisiana. About $300 million the next year. So that payments would be increased approximately $1.5 billion for the first 4½ years, and then costs will begin to balance and level off; so that it requires no increase in tax. I cannot recall that the House was upset when it recommended to us that we do this very thing for widows. We did so. No one has any right to worry about it at this time. It gave no one any problems at all. It was a self-financing proposal.

Let me say that we can look at this as a subject matter which is within the jurisdiction of the Finance Committee. It is a problem that we have considered and studied in the previous two Congresses without any serious objection being voiced to its adoption.

We have fought the House conferees on this type of relief before but unsuccessfully. However, we finally got them to come down from age 65 to age 62 on the actuarially reduced benefits. There is no doubt in my mind that the Senator's amendment should and will become law.

One thing that appeals to me is the hope that, because Bob Byrd has been fighting for this amendment in previous years, through two Congresses, and Congress should have agreed to it previously, this will be called the Bob Byrd law.

If I do say it, Wilbur Mills is probably the most generous, open, and freeminded chairman on the House side. He is one of the greatest Representatives in the House. I say all this without disparaging any other chairman or any other Representative. But it does seem to me that inasmuch as we have so many irrelevant amendments on this bill anyway, we might have no action taken on this bill.

The Senator from Delaware [Mr. Williams] stated on the floor while the Williams amendment was pending, at a time when no one had any right to object, that he proposed to modify his amendment to put in the bill two amendments to the Corrupt Practices Act. The Finance Committee has no jurisdiction over the Corrupt Practices Act. It may very well be that those amendments, if insisted upon in conference, would kill the bill. The Committee on Ways and Means has no jurisdiction over the Corrupt Practices Act, just as the Finance Committee in the Senate has not. The Senator can make his own motion, that we have to take, and we cannot even separate one part from another because the Senator modifies the amendment at a time when the parliamentary situation is such that we do not even have the right to do anything about it—to vote, or object, or anything. If we can put those kinds of things in the bill, which have been considered and voted on time and again, and perhaps made part of the law, they may not be agreed to when taken to conference, which will be nothing new to House Members because they have discussed these things in conference before.

I do not say that they will accept the Senator's amendment, but the Senator would be in a better position to fight his battle after the Senate has agreed to it twice.

Then we would have a vote on it again in this Congress, rather than offering the amendment on the floor or in committee at some subsequent date.

Someone spoke of its cost. The President has sent Congress a social security bill—H.R. 5710—executive sessions are now being conducted by Ways and Means on it—they are talking about a proposal which will increase the cost of the program by $4,500,000,000. If the House can recommend something to us that would increase the annual cost by $4.5 billion, it would seem to me that the Senate, having accepted the amendment before—having had it prevail twice before—and further, as we have so many irrelevant amendments to the bill, should accept the amendment of the Senator from West Virginia; an amendment which has been accepted twice already, which is a self-financing amendment. I believe that in the long run it will result in economy to the Government.

Mr. BYRD of West Viriginia. I thank the distinguished majority whip for his helpful comments.

Mr. President, to summarize, let me say, first, that the amendment, if adopted, will give an individual, when he reaches the age of 60, the option of continuing to work if he has a job, or he may choose to retire, if he wishes, and accept actuarially reduced benefits.

Second, it would not cause any longrange cost impact on the social security trust fund.

Third, it would not result in any increase in taxes, either on the employer or the employee.

Fourth, for every individual who chose to retire from a job at 60 rather than continue to work until 62 or 65, there would be an additional job opening for younger individuals entering the labor force.

The amendment has twice been adopted by the Senate in the past five Congresses, and I trust that Senators will support the amendment on this occasion.

Mr. WILLIAMS of Delaware. Mr. President, if the Senate wishes to accept the amendment of the Senator from West Virginia in addition to the other amendments, that is the privilege of Members of the Senate. I have stated my own position. I think we will be making a big mistake if we turn this into a $5.5-billion-dollar social security bill.

As the Senator from Louisiana points out, the House now, in executive session, is considering a social security bill which would result in increased benefits of $4 billion to $4.25 billion annually, but it is also considering a tax increase on employers and employees which would pay for it. The proposals here suggest that we are giving something but that it will not cost anything. This one amendment alone will cost anywhere from $425 million to $500 million. Certainly we are not going to give that kind of money to anybody without somebody paying for it. It is ridiculous to assume otherwise.

Any one of the next four or five amendments, if we forgot the cost, would be equally meritorious. Persuasive arguments could be made for all of them. I personally am not going to be a party to bankrupting the social security fund by adopting amendments providing benefits under social security without providing any method of paying for them. I think it is a false promise, and I will not be a party to such a political farce, but if the Senate wants to do it I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. ALLOTT. Mr. President, I have listened to this discussion with a great deal of interest. I have been concerned about the social security fund for a long time. On my own behalf, I think it is fairly evident to everyone that I have taken those actions in the Senate which I thought would stop inflation in this country and which would make it unnecessary to add to social security benefits.

I intend, later in the spring, to vote for additional payments in social security, and also to vote to finance the cost of such benefits.

The fact is that in the past 10 years—I think it is that long now—Congress has voted additional benefits under social security one way or the other, which it did not finance as it went along. Therefore, there has been, in general, a worsening situation with respect to the overall actuarial balance of the social security fund.

I am in sympathy with the professed purpose of this amendment, but I think it is wrong to talk about not costing any money. If $400 million a year more is paid out the first year than is being taken in in taxes, the social security fund loses the amount of interest on that $400 million. Since interest is in the neighborhood of 4 or 5 percent, we are talking about $20 million a year that it will cost the social security fund in lost revenues.

I intend to vote for some increases, and I want to make my position clear, because I think Congress has been derelict in financing the amount of spending it has done. I think the President has been derelict in the amount of spending he has requested of Congress without providing for adequate financing. I intend to vote for social security increases, and I intend to vote for those means that will permit us to finance those increases as we go along.

The pending amendment is perhaps the first one of a number which will probably be offered, and I could not vote for it without voting for the next ones. Therefore, I shall vote against it, because a bill is pending in executive session in the House Ways and Means Committee. It seems to me it would be foolhardy and foolish to tack this amendment onto this bill without providing any means of financing additional amendments which will, almost of necessity, be offered. I believe the Senate would be wise to wait until after the House has acted and the Senate committee has had an opportunity to delve into the whole question of social security finances and review all of the proposals to revise benefits before we act, rather than approach this matter on a piecemeal basis. For this reason I urge the Senate to reject this amendment.

Mr. LONG of Louisiana. Mr. President, I want to make one matter clear for the record before we vote on the amendment. I am sure the Senator from Colorado was in complete good faith in stating his impression that the Byrd amendment might prejudice the social security trust fund. The fact of the matter is that the statement is not correct. The fund is in the best shape that it has been in for a very long time. It is because it has a very favorable balance—so favorable—that the President's recommendation for a 20-percent increase in social security payments is intended to be covered in large measure by this actuarial balance in the financing of the fund.

In other words, the Byrd proposal does not have to put in a tax to cover the benefits. Estimates reflect that the social security fund has a favorable actuarial balance of 0.74 percent and that approximately $2 billion more will be coming in than was originally estimated. So the fund is in no present danger at all. It is in good shape.

I do not commit myself to other amendments which may be offered, which would require a tax hike or general revenue financing. This amendment does not require either. It is self-financing. It is something we have done twice before, and I expressed extreme disappointment when the House did not see fit to agree with the Senate.

I hope, therefore, that the Senate will accept the amendment. Even if the House turns it down, we have a running start toward having it agreed to at a later date.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Louisiana indicates that the $4 billion social security benefits, as recommended by the administration, do not carry a proposal to increase taxes next year. He is correct. If we examine the President's recommendation the $4¼ billion increased benefits will go into effect on July 1, 1967, but the increased tax will not go into effect until after the Presidential election of 1968. Then after the election, beginning in 1969, the impact of the new tax will be felt by the employer and employee. By deferring the effective date of the tax increase the administration is trying to buy an election. If we are to increase social security benefits let us start out by putting a price tag on it. If there is merit to this proposal then let us include a method for raising the revenue.

Let us not vote for it with the idea that it will be killed in the House. If Senators vote for it let them recognize that we cannot give away $500 million, as these proposals call for, without ultimately raising taxes on employers and employees.

The employers and the employees today are already paying a high payroll tax. We are hearing a lot of complaints from the young workers who are struggling to raise their families. That is the reason the administration is trying to postpone the effective date of the social security tax increase until after the 1968 elections. Politically they are afraid to let the American voters know the full cost of these programs.

Mr. President, there are good arguments in favor of some increases in social security. I am willing to vote for a tax effective the same day as any benefits afforded. If the Senate is not willing to raise the tax then let us not vote for the benefits. We cannot just accept this one amendment and figure this will be all. There are four or five other amendments, any one of which, taken by itself, we can argue can be financed for awhile out of the surplus of the social security fund.

The social security fund has approximately $21.5 billion, but I point out that it is scarcely enough to meet 12 months' benefits at the rate at which they are now being paid out. When the Social Security Act was first passed the President and its advocates in Congress said the social security fund to be reasonably safe—not actuarially solvent—must always have a reserve of a minimum of 3 years to 5 years in order to meet the payment of benefits in case of a recession. We have whittled that figure down now until there is scarcely enough in the fund for 12 months' benefits, and if we run into a recession we would be in real trouble, because along with a recession would come increased retirements, increased payments, and at the same time a decrease in income to the fund, for as the payroll goes down, down goes your income.

We are gradually eroding the only security that we have, and that is a 12 months' reserve. I think it would be the worst thing in the world we could do to the retired people, those who have retired expecting that for the next 10 or 15 years they will live on social security, would be for Congress to bankrupt that fund, so that the day would come when those people would have to receive a notice, "We have no money to pay. The fund is bankrupt."

This fund must be kept solvent.

Let us put a price tag on every amendment. I remember, not so many years ago, when our committee and the House Committee on Ways and Means had a very firm rule—and I think the House committee would stand by it today even though the Senate does not—that any social security increase would have to carry with it the necessary tax increase to finance it.

Mr. LONG of Louisiana. Mr. President, to take care of the Byrd amendment, it would not be necessary to increase taxes at all, nor would it be necessary to change the fund. We are anticipating right now $2.2 billion more in taxes for the social security fund than the fund is paying out. This amendment would simply reduce, for a period, that $2 billion surplus. That is an increasing figure, may I say, so it would not touch the fund at all. I believe this is a good amendment. I have voted for it several times before, and I think it should be agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I disagree with the statement of the Senator from Louisiana. The reason why payments into the social security fund are running slightly ahead now is that there has been full employment and much overtime, which automatically results in a larger payroll tax. But in recent weeks there is less overtime and somewhat reduced employment, and the income of the fund has shrunk correspondingly. This year the fund is not expected to have the surplus as reported last year.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have the Senator from South Carolina joined as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. HOLLINGS. Mr. President, only this weekend I talked to a group of senior citizens recommending that the retirement age for social security eligibility be reduced to 60 years of age. I am pleased to join with the distinguished Senator from West Virginia in offering the pending amendment to this effect, on a reduced annuity basis.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from West Virginia [Mr. BYRD] and the Senator from South Carolina [Mr. HOLLINGS]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Ohio [Mr. LAUSCHE], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], the Senator from Maryland [Mr. TYDINGS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Florida [Mr. SMATHERS] would vote "nay."

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING] would vote "yea."

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Ohio [Mr. LAUSCHE]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Ohio would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. COOPER], the Senator from New York [Mr. JAVITS], and the Senator from California [Mr. MURPHY] are necessarily absent.

The Senator from Illinois [Mr. PERCY] is detained on official business.

The result was announced—yeas 55, nays 28, as follows:

[No. 81 Leg.]

YEAS—55

Anderson
Bartlett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cotton
Dominick
Eastland
Fong
Fulbright
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Hollings
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Mondale
Monroney
Montoya
Morse
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Williams, N.J.
Young, N. Dak.

NAYS—28

Aiken
Allott
Baker
Bennett
Boggs
Brooke
Case
Curtis
Dirksen
Ellender
Ervin
Fannin
Griffin
Hansen
Hatfield
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Miller
Morton
Mundt
Scott
Thurmond
Tower
Williams, Del.
Young, Ohio

NOT VOTING—17

Bayh
Brewster
Cooper
Dodd
Gruening
Javits
Lausche
McGee
Metcalf
Moss
Murphy
Muskie
Percy
Russell
Smathers
Tydings
Yarborough

So the amendment of Mr. BYRD of West Virginia and Mr. HOLLINGS was agreed to.

Mr. BYRD of West Virginia. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT

Mr. DIRKSEN. Mr. President, if I may have the attention of the Senate, I should like to ask the distinguished majority leader what the program is for the remainder of the day and also for tomorrow.

Mr. MANSFIELD. Mr. President, in response, I first ask unanimous consent that when the Senate completes its business this afternoon, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. It is my understanding that the distinguished Senator from Vermont [Mr. PROUTY] will offer an amendment shortly, which will not take much time, and then he will offer another amendment, which will be the pending business when the Senate returns to the unfinished business tomorrow. I do not anticipate any more votes this evening.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment tax credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. PROUTY. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. PROUTY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is, on page 4, after line 6, insert the following new section:

SEC. 5. Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

"SEC. 40. EXPENSES OF EMPLOYEE TRAINING PROGRAMS.

"(a) GENERAL RULE.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

SEC. 6. Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for Computing Credit for Expenses of Employee Training Programs

"Sec. 51. Amount of credit.
"Sec. 52. Definitions; special rules.

"SEC. 51. AMOUNT OF CREDIT.

"(a) DETERMINATION OF AMOUNT.—

"(1) GENERAL RULE.—The amount of the credit allowed by section 40 for the taxable year shall be equal to 10 percent of the employee training expenses (as defined in section 52(a)).

"(2) LIMITATION BASED ON AMOUNT OF TAX.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed—

"(A) so much of the liability for the taxable year as does not exceed $25,000, plus

"(B) 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

"(3) LIABILITY FOR TAX.—For purposes of paragraph (2), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax) or by section 541 (relating to personal holding company tax) shall not be considered tax imposed by this chapter for such year.

"(4) MARRIED INDIVIDUALS.—In the case of a husband or wife who files a separate return, the amount specified under subparagraphs (A) and (B) of paragraph (2) shall be $12,500 in lieu of $25,000. This paragraph shall not apply if the spouse of the taxpayer has no employee training expenses for, and no unused credit carryback or carryover to, the taxable year of such spouse which ends within or with the taxpayer's taxable year.

"(5) AFFILIATED GROUPS.—In the case of an affiliated group, the $25,000 amount specified under subparagraphs (A) and (B) of paragraph (2) shall be reduced for each member of the group by apportioning $25,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

"(b) CARRYBACK AND CARRYOVER OF UNUSED CREDIT.—

"(1) ALLOWANCE OF CREDIT.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the limitation provided by subsection (a)(2) for such taxable year (hereinafter in this subsection referred to as 'unused credit year'). such excess shall be—

"(A) an employee training credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) an employee training credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year beginning after December 31, 1966. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) LIMITATION.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a)(2) for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"(3) EFFECT OF NET OPERATING CARRYBACK.—To the extent that the excess described in paragraph (1) arises by reason of a net operating loss carryback, subparagraph (A) of paragraph (1) shall not apply.

"SEC. 52. DEFINITIONS; SPECIAL RULES.

"(a) EMPLOYEE TRAINING EXPENSES.—For purposes of this subpart, the term 'employee training expenses' means—

"(1) the wages and salaries of employees who are apprentices in an apprenticeship program registered with a State apprenticeship agency or the Federal Bureau of Apprenticeship and Training;

"(2) the wages and salaries of employees who are enrolled in an on-the-job training program pursuant to section 204 of the Manpower Development and Training Act of 1962;

"(3) the wages and salaries of employees who are participating in a cooperative education program involving alternate and approximately equal periods of study and employment in cooperation with—

"(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Education to be an area vocational education school as defined in section 8(2) of the Vocational Education Act of 1963 (Public Law 88-210), or

"(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17(a) of the National Vocational Student Loan Insurance Act of 1965 (Public Law 89-287);

"(4) tuition and course fees paid or incurred by the taxpayer to—

"(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Education to be an area vocational education school as defined in section 8(2) of the Vocational Education Act of 1963 (Public Law 88-210), or

"(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17 (a) of the National Vocational Student Loan Insurance Act of 1965 (Public Law 89-287) for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid or incurred by the taxpayer to any such individual in reimbursement for such tuition and fees paid by such individual;

"(5) home study course fees paid or incurred by the taxpayer to any home study school accredited by a nationally recognized accrediting agency or association listed by the United States Commissioner of Education for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid or incurred by the taxpayer to any such individual in reimbursement for such individual;

"(6) expenses of the taxpayer for organized job training (including classroom instruction) provided by the taxpayer, including (but not limited to) expenses for the purchase or lease of books, testing and training materials, classroom equipment and related items, and instructors' fees and salaries, incurred in training any individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills;

"(7) expenses of the taxpayer for organized job training described in paragraph (6) provided by another taxpayer, but only to the extent the expenses of providing such instruction would, if it were provided by the taxpayer, constitute employee training expenses of the taxpayer under paragraph (6) of this subsection; and

"(8) expenses of the taxpayer for organized job training described in paragraph (6) provided by a business or trade association, joint labor-management apprenticeship committee, or other similar nonprofit association, group, trust fund, foundation, or institution for employee or prospective employee of any taxpayer member of such association, committee, group, trust fund, foundation, or institution in job skills necessary for and directly related to his employment by such taxpayer member or his continued employment with such taxpayer member in a position requiring additional job skills.

"(b) ORGANIZED JOB TRAINING DEFINED.—For purposes of this section, the term 'organized job training' means job training according to a plan formulated or approved by the taxpayer which contains—

"(1) the title and description of the job objectives for which individuals are to be trained;

"(2) the length of the training period;

"(3) a schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

"(4) the wage or salary to be paid at the beginning of the course of training, at each successive step in the course, and at the completion of training;

"(5) the entrance wage or salary paid to employees already trained in the kind of work for which the individuals are to be trained; and

"(6) the number of hours of supplemental related instruction required.

"(c) LIMITATIONS.—

"(1) TRADE OR BUSINESS EXPENSES.—No item shall be taken into account under subsection (a) unless such item is allowable as a deduction under section 162 (relating to trade or business expenses). For purposes of applying the preceding sentence expenses which are paid or incurred by the taxpayer with respect to an individual who is not his employee shall be treated as paid or incurred with respect to an individual who is his employee.

"(2) Certain kinds of training excluded.—

"(A) in general, no item shall be taken into account under subsection (a) with respect to any expense paid or incurred in training any individual in—

"(i) management, supervisory, professional, or human relation skills;

"(ii) scientific or engineering courses creditable to a baccalaureate degree by an institution of higher education (as defined by the first sentence of section 103(b) of the National Defense Education Act of 1958);

"(iii) courses of a type determined by the Veterans' Administrator to be avocational or recreational in character under the authority of section 1673 of chapter 34 of part III of title 38, United States Code; or

"(iv) subjects not contributing specifically and directly to such individual's employment or prospective employment with the taxpayer (or a taxpayer member of an association, group, trust fund, foundation, or institution as used in paragraph (8) of subsection(a)).

"(B) Exceptions.—Subparagraph (A) shall not apply to—

"(i) expenses described in subsections (a) (4) and (5) paid or incurred for courses and at institutions certified by a State apprenticeship agency (or where none exists, by the Bureau of Apprenticeship and Training) as eligible for inclusion in a registered apprenticeship program in an apprenticeable occupation listed by the Bureau of Apprenticeship and Training;

"(ii) expenses described in subsections (a) (4) and (5) paid or incurred for courses offered in a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge by an institution which is accredited or otherwise certified by the United States Commissioner of Education under paragraph 401(f)(5) of the Higher Education Facilities Act of 1963 (Public Law 88-204); or

"(iii) expenses described in subsection (a) for training which has been approved by the agency of a State that administers its State unemployment compensation law for individuals receiving unemployment compensation.

"(3) Reimbursed expenses.—No item shall be taken into account under subsection (a) to the extent that the taxpayer is reimbursed for such item by any other taxpayer, by any association, group, trust fund, foundation, or institution, or by any State, local, or Federal Government program, grant, contract, or agreement.

"(4) Geographical limitation.—No item shall be taken into account under subsection (a) with respect to any expense paid or incurred by the taxpayer for training conducted on the territory of any foreign country.

"(5) Overlapping expenses.—A taxpayer may take into account expenses paid or incurred with respect to any one individual under either paragraph (3) or paragraph (4) of subsection (a), but shall not take into account expenses concurrently paid or incurred with respect to such individual under both such paragraphs.

"(d) Subchapter S Corporations.—In case of an electing small business corporation (as defined in section 1371)—

"(1) the employee training expenses for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any employee training expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense.

"(e) Estates and Trusts.—In the case of an estate or trust—

"(1) the employee training expenses for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each,

"(2) any beneficiary to whom any employee training expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense, and

"(3) the $25,000 amount specified under subparagraphs (A) and (B) of section 51 (a) (2) applicable to such estate or trust shall be reduced to an amount which bears the same ratio to $25,000 as the amount of the employee training expenses allocated to the trust under paragraph (1) bears to the entire amount of the employee training expenses.

"(f) Limitations With Respect to Certain Persons.—In the case of—

"(1) an organization to which section 593 applies,

"(2) a regulated investment company or a real estate investment trust subject to taxation under subchapter M (section 851 and following), and

"(3) a cooperative organization described in section 1381(a),

rules similar to the rules provided in section 46(d) shall apply under regulations prescribed by the Secretary or his delegate.

"(g) Cross Reference.—For application of this subpart to certain acquiring corporations, see section 381(c)(24)."

Sec. 7. Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by renumbering section 123 as 124 and by inserting after section 122 the following new section:

"Sec. 123. Tuition and Fees Under Employee Training Programs.

"In the case of an individual, gross income does not include—

"(1) tuition and course fees paid on behalf of such individual, or amounts received as reimbursement for such tuition and fees paid by such individual, to the extent such tuition and fees or such reimbursement constitutes employee training expenses under section 52(a)(4) of the person making the payment or reimbursement, and

"(2) home study course fees paid on behalf of such individual, or amounts received as reimbursement for such fees paid by such individual, to the extent such fees or reimbursement constitutes employee training expenses under section 52(a)(5) of the person making the payment or reimbursement."

Sec. 8. (a) The table of subparts for part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"Subpart C. Rules for computing credit for expenses of employee training programs."

(b) The table of sections of subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out

"Sec. 40. Overpayments of tax."

and inserting in lieu thereof

"Sec. 40. Expenses of employee training programs.

"Sec. 41. Overpayments of tax."

(c) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by striking out

"Sec. 123. Cross references to other Acts."

and inserting in lieu thereof

"Sec. 123. Tuition and fees under employee training programs.

"Sec. 124. Cross references to other Acts."

(d) Section 381(c) of such Code (relating to items taken into account in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for employee training expenses.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect of the distributor or transferor corporation."

Sec. 7. The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1966.

Mr. PROUTY. Mr. President, the amendment I have just offered is the Human Investment Act of 1967, identical to S. 812.

The cosponsors of S. 812 are as follows: The Senator from Colorado [Mr. Allott], the Senator from Tennessee [Mr. Baker], the Senator from Delaware [Mr. Boggs], the Senator from Kansas [Mr. Carlson], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from New Hampshire [Mr. Cotton], the Senator from Illinois [Mr. Dirksen], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from Hawaii [Mr. Fong], the Senator from Michigan [Mr. Griffin], the Senator from Wyoming [Mr. Hansen], the Senator from Iowa [Mr. Hickenlooper], the Senator from Nebraska [Mr. Hruska], the Senator from New York [Mr. Javits], the Senator from Idaho [Mr. Jordan], the Senator from California [Mr. Kuchel], the Senator from Iowa [Mr. Miller], the Senator from Kentucky [Mr. Morton], the Senator from South Dakota [Mr. Mundt], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], the Senator from Illinois [Mr. Percy], the Senator from Pennsylvania [Mr. Scott], the Senator from Maine [Mrs. Smith], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Tower].

The Human Investment Act provides for a 10-percent tax credit toward the costs of high quality training programs conducted by the private sector, America's greatest and most efficient job trainer.

The Human Investment Act has been enthusiastically sponsored by 29 Members of this body and 139 Members of the other body. Over the last 2 years, following the introduction of the prototype bill, S. 1130, in the 89th Congress, the Human Investment Act has received a great deal of attention and support.

That has been so, I believe, for two main reasons. First, over the past 2 years, and stretching ahead into the future, the Nation has been and will be experiencing a severe shortage of skilled labor. This labor shortage is producing production bottlenecks. It is delaying deliveries. It is forcing up costs. It is generating inflationary pressure. It is hindering the war effort in Vietnam. Perhaps most sadly, this skilled labor shortage comes at a time when some 2.7 million Americans are out of work.

The major reason why these 2.7 million Americans cannot be fitted to the better than 2 million available jobs, Mr. President, is that so many of them lack the skills to qualify for the jobs that are going begging. That is not the only reason, but that is the major reason.

The Human Investment Act, by encouraging business and labor to work together to upgrade the skills of workers all along the job ladder—not just those who begin with few skills of any kind at the bottom—is a sound, responsible and economic way of breaking the skilled labor bottleneck and opening up new economic opportunity to millions of American workers at the same time.

The other reason why the Human Investment Act is gaining support, Mr. President, is a growing dissatisfaction with training programs run by the Federal Government. Now, certainly institutional training has an important role to play. Our training institutions are responsible for providing that sound basic education without which further job training is nearly impossible; and for providing instruction in basic vocational skills, such as those taught in our secondary schools with the support of the Vocational Education Act of 1963 and its predecessors. But where Government has ventured into actual skill training, it has fared rather badly in comparison with private industry on-the-job training. We are coming to recognize, I believe, that training by business, or supported by business, is better suited to the rapidly changing needs of American industry and more likely to employ trainees when their training is complete.

I have dwelt on this subject at greater length, Mr. President, so I will not take the time of the Senate to do so now. My remarks on the Human Investment Act, along with those of the Senator from Nebraska [Mr. HRUSKA] and the Senator from New York [Mr. JAVITS], appear in the RECORD of February 2, as do the remarks of some 44 members of the other body who introduced companion bills at that time.

Over the past 2 years, the legislation that comprises this amendment, has been sharpened and refined with the aid of literally scores of businessmen, training experts, labor leaders, tax lawyers, and agency experts. I am of the opinion that it is now in first-class condition and fully suitable for the consideration of the committee. I think that it deserves a fair hearing, so that all those parties who have expressed an interest in it may have a chance to go on the record with their views and recommendations.

A year ago the Senator from Louisiana did schedule several days of hearings on the Human Investment Act. But before those hearings could get underway, they were cancelled.

In view of this background, Mr. President, and the support for this legislation which has been generated across the country during the last 3 years, I believe that it is only fair and proper to permit the Human Investment Act to be brought to a vote during this session of Congress.

However, in view of the importance and technical complexity of this proposed legislation, and in order that the Congress may be completely informed as to its merits when it passes judgment, I should still like to have formal hearings conducted by the Finance Committee before any vote is taken.

Accordingly, Mr. President, if the distinguished junior Senator from Louisiana will assure me and the 28 other Senators who have cosponsored S. 812 that hearings will be held within the next few months, I shall be happy to withdraw my pending amendment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. LONG of Louisiana. I appreciate the fact that the Senator will not insist on a vote on this matter at this time.

As the Senator knows, this is a big issue and it is a subject that we have never had an opportunity to study in committee. Some time ago I promised that I would conduct hearings on this subject. I scheduled hearings, but those who were to testify for the proposal of the Senator, and similar proposals, were not available to testify on relatively short notice. That being the case, we were compelled to postpone the hearings and seek a date that would be more acceptable to them.

We scheduled hearings and gave notice of a week or 10 days. However, it is a big subject and those who wish to testify for it felt that they wanted more time to prepare their case. In due course I do intend to hold hearings on this subject.

Mr. PROUTY. I thank the Senator. I did not mean to imply that the Senator deliberately canceled the hearings. I appreciated the willingness of the Senator to conduct hearings at that time and I appreciate his willingness to conduct hearings this year.

I withdraw the amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement giving a background and summary of the Human Investment Act.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BACKGROUND AND SUMMARY—THE HUMAN INVESTMENT ACT

(S. 812, H.R. 4574, 90th Cong.)

Purpose: "To provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed."

Method: The Act offers employers a tax credit toward certain expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

Amount of tax credit: 10% of the allowable training expenses, with a maximum of $25,000 plus 50% of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other sections of the tax code, and in addition to the regular deduction as a trade or business expense under section 162 of the code.

Allowable employee training expenses:

1. the wages and salaries of employees who are apprentices in an apprenticeship program registered with a State apprenticeship agency or the Federal Bureau of Apprenticeship and Training.

2. the wages and salaries of employees who are enrolled in an on-the-job training program pursuant to section 204 of the Manpower Development and Training Act of 1962.

3. the wages and salaries of employees who are participating in a cooperative education program involving alternate periods of academic study and employment in cooperation with a secondary school, college, university, business school, trade school or vocational school.

4. tuition and course fees paid by the taxpayer for the instruction of any individual by a college, university, business school, trade school, or vocational school in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer.

5. home study course fees paid by the taxpayer for the instruction of any individual by a college, university, or accredited home study school in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer.

6. expenses to the taxpayer of organized job training (including classroom instruction), including expenses for the purchase or lease of books, testing and training materials, classroom equipment, and instructors' fees and salaries, incurred in training any individual in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer.

7. expenses to the taxpayer of organized job training provided by another taxpayer.

8. expenses to the taxpayer of organized job training provided by a business or trade association, joint labor-management apprenticeship committee or other similar nonprofit association.

Other provisions:

1. Allowable employee training expenses must be tax deductible under section 162 of the Code, relating to trade or business expenses.

2. The tax credit could be carried back three years and carried forward seven years.

3. No credit would be allowed for the training of managerial, professional, or advanced scientific employees. The intent of the Act is to encourage business to upgrade the skills of those at the bottom end of the skill and income ladder, not middle management or professional employees.

4. No credit would be allowed for avocational or recreational courses.

5. Employers could not claim a credit when the training expenses are reimbursable by the government under a training contract, etc.

Comment: The Human Investment Act is patterned closely after the investment credit provisions of the Revenue Act of 1962, which permitted a 7% tax credit toward investment in certain depreciable plant equipment and real property.

This bill is an attempt to meet the increasingly serious problems of structural unemployment caused by a labor force ill-fitted for existing and developing job opportunities. Unlike programs aimed only at the hard-core unemployed, the Human Investment Act is designed to help both the hard-core unemployed and workers presently employed who seek to increase their skills to qualify for better jobs. The intent of the Act is to advance all workers up the skill ladder, thus opening vacancies at the bottom for the presently unskilled and unemployed.

The major premise of the Human Investment Act is that private business and labor have, over the years, learned how to obtain the most results per training dollar, and should now be encouraged to expand their training programs to meet the growing national need. Rather than to expand government-operated programs with all their bureaucracy, inefficiency, and expense, the philosophy of this Act is to revise the tax structure to stimulate increased investment in "human capital" by the private sector of the economy.

Legislative History: The original version of the Human Investment Act was introduced on February 17, 1965, by Senator Winston Prouty (R.-Vt.) (S. 1130; remarks in the CONGRESSIONAL RECORD, vol. 111, pt. 3, p. 2780). Following six months of study and consultation with businessmen, labor leaders, economists, and tax lawyers, a revised Human Investment Act was introduced on September 9, 1965. (S. 2509, H.R. 10934). Detailed explanatory remarks by Senator Prouty appear in the CONGRESSIONAL RECORD, volume 111, part 17, page 23359 of that day. A special presentation organized by the leading House sponsor, Rep. Thomas B. Curtis (R.-Mo.), begins at page 23253, volume 111, part 17 of the CONGRESSIONAL RECORD. Thirty-five Representatives took part in the presentation, and a total of 46 introduced the bill at that time.

The present Human Investment Act (S. 812, H.R. 4574) was introduced on February 2, 1967, by Senator Prouty and 28 other Senators, and by Rep. Curtis and 121 other Representatives. Explanatory remarks by Senator Prouty may be found on pages 2338 to 2357 of the RECORD of that day. The remarks of Rep. Curtis and 44 other Representatives occupy pages 2401 to 2422 on the same day.

AMENDMENT NO. 138

Mr. PROUTY. Mr. President, I call up my amendment No. 138, as modified, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. PROUTY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 4, after line 6, insert the following new section:

"SEC. 5. (a) Section 215(a) of the Social Security Act is amended by striking out the table and inserting in lieu thereof the following:

""TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS

" I		II	III		IV	V
(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1965 Act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
		$44.00		$67	$70.00	$105.00
		58.00	$91	92	70.00	105.00
		59.00	93	94	70.80	106.20
	$23.08	60.00	95	96	72.00	108.00
$23.09	23.44	61.00	97	97	73.20	109.80
23.45	23.76	62.10	98	99	74.60	111.90
23.77	24.20	63.20	100	101	75.90	113.90
24.21	24.60	64.20	102	102	77.10	115.70
24.61	25.00	65.30	103	104	78.40	117.60
25.01	25.48	66.40	105	106	79.70	119.60
25.49	25.92	67.50	107	107	81.00	121.50
25.93	26.40	68.50	108	109	82.20	123.30
26.41	26.94	69.60	110	113	83.60	125.40
26.95	27.46	70.70	114	118	84.90	127.40
27.47	28.00	71.70	119	122	86.10	129.20
28.01	28.68	72.80	123	127	86.70	130.10
28.69	29.25	73.90	128	132	88.00	132.00
29.26	29.68	74.90	133	136	89.20	133.80
29.69	30.36	76.00	137	141	90.50	135.80
30.37	30.92	77.10	142	146	91.80	137.70
30.93	31.36	78.20	147	150	92.30	138.50
31.37	32.00	79.20	151	155	93.50	140.30
32.01	32.60	80,30	156	160	94.80	142.20
32.61	33.20	81.40	161	164	96.10	144.20
33.21	33.88	82.40	165	169	97.30	146.00
33.89	34.50	83.50	170	174	97.70	146.60
34.51	35.00	84.60	175	178	99.00	148.50
35.01	35.80	85.60	179	183	100.20	150.30
35.81	36.40	86.70	184	188	101.50	152.30
36.41	37.08	87.80	189	193	102.80	154.40
37.09	37.60	88.90	194	197	103.20	159.60
37.61	38.20	89.90	198	202	104.30	161.60
38.21	39.12	91.00	203	207	105.60	165.60
39.13	39.68	92.10	208	211	106.90	168.80
39.69	40.33	93.10	212	216	108.00	172.80
40.34	41.12	94.20	217	221	108.40	176.80
41.13	41.76	95.30	222	225	109.60	180.00
41.77	42.44	96.30	226	230	110.80	184.00
42.45	43.20	97.40	231	235	112.10	188.00
43.21	43.76	98.50	236	239	113.30	191.20
43.77	44.44	99.60	240	244	113.60	195.20
44.45	44.88	100.60	245	249	114.70	199.20
44.89	45.60	101.70	250	253	116.00	202.40
		102.80	254	258	117.20	206.40
		103.80	259	263	118.40	210.40
		104.90	264	267	118.60	213.60
		106.00	268	272	119.80	217.60
		107.00	273	277	121.00	221.60
		108.10	278	281	122.20	224.80
		109.20	282	286	123.40	228.80
		110.30	287	291	123.60	232.80
		111.30	292	295	124.70	236.00
		112.40	296	300	125.90	240.00
		113.50	301	305	127.20	244.00

" I		II	III		IV	V
(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1965 Act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
		$114.50	$306	$309	$128.30	$247.20
		115.60	310	314	128.40	251.20
		116.70	315	319	129.60	255.20
		117.70	320	323	130.70	258.40
		118.80	324	328	131.90	262.40
		119.90	329	333	133.10	266.40
		121.00	334	337	133.20	269.60
		122.00	338	342	134.20	273.60
		123.10	343	347	135.50	277.60
		124.20	348	351	136.70	280.80
		125.20	352	356	137.80	284.80
		126.30	357	361	138.30	288.80
		127.40	362	365	138.90	292.00
		128.40	366	370	140.00	296.00
		129.50	3,1	375	141.20	298.00
		130.60	376	379	142.40	299.60
		131.70	380	384	142.90	301.60
		132.70	385	389	143.40	303.60
		133.80	390	393	144.60	305.20
		134.90	394	398	145.70	307.20
		135.90	399	403	146.80	309.20
		137.00	404	407	147.20	310.80
		138.00	408	412	147.70	312.80
		139.00	413	417	148.80	314.80
		140.00	418	421	149.80	316.40
		141.00	422	426	150.90	318.40
		142.00	427	431	151.20	320.40
		143.00	432	436	151.60	322.40
		144.00	437	440	152.70	324.00
		145.00	441	445	153.70	326.00
		146.00	446	450	154.80	328.00
		147.00	451	454	155.10	327.60
		148.00	455	459	155.40	331.60
		149.00	460	464	156.50	333.60
		150.00	465	468	157.50	335.20
		151.00	469	473	158.60	337.20
		152.00	474	478	158.90	339.20
		153.00	479	482	159.20	340.80
		154.00	483	487	160.20	342.80
		155.00	488	492	161.20	344.80
		156.00	493	496	162.30	346.40
		157.00	497	501	162.50	348.40
		158.00	502	506	162.80	350.40
		159.00	507	510	163.80	352.00
		160.00	511	515	164.80	354.00
		161.00	516	520	165.90	356.00
		162.00	521	524	166.10	357.60
		163.00	525	529	166.30	259.60
		164.00	530	534	167.30	361.60
		165.00	535	538	168.30	363.20
		166.00	539	543	169.40	365.20
		167.00	544	548	169.50	367.20
		168.00	549	550	169.70	358.00.'

"(b) The amendment made by subsection (a) shall be effective with respect to monthly benefits under title II of the Social Security Act for months after the month following the month in which this section is enacted.

"(c) The amendments made by the preceding provisions of this section shall be known as the 'Social Security Amendments of April 1967'.

"(d) (1) Section 415 (g) of title 38, United States Code, is amended by adding at the end thereof a new paragraph as follows:

" '(3) Notwithstanding the provisions of paragraph (1) of this subsection, in the case of any individual—

" '(A) who, for the month in which the Social Security Amendments of April 1967 is enacted, is entitled to a monthly insurance benefit under section 202 or 223 of the Social Security Act, and

" '(B) who, for such month, is entitled to dependency and indemnity compensation under this section,

there shall not be counted, in determining the annual income of such individual, any increase in benefits under such sections of the Social Security Act which result from the enactment of the Social Security Amendments of April 1967.'

"(2) Section 503 of title 38, United States Code, is amended by inserting '(a)' after '503', and by adding at the end thereof the following:

" '(b) Notwithstanding the provisions of subsection (a) of this section, in the case of any individual—

" '(1) who, for the month in which the Social Security Amendments of April 1967 is enacted, is entitled to a monthly insurance benefit under section 202 or 223 of the Social Security Act, and

" '(2) who, for such month, is entitled to pension under the provision of this chapter, or under the first sentence of section 9(b) of the Veterans' Pension Act of 1959,

there shall not be counted, in determining the annual income of such individual, any increase in benefits under such sections of the Social Security Act which result from the enactment of the Social Security Amendments of April 1967.'

"(e) In addition to all other sums authorized under any other provisions of law to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to each of the aforementioned Funds, for the fiscal year in which the Social Security Amendments of 1967 are enacted, and for each fiscal year thereafter, such sums as may be necessary to place each of such Funds in the same financial positions as that which it would have been in if such Amendments had not been enacted."

PUBLIC TELEVISION

Mr. CLARK. Mr. President, the Washington Post this morning published an editorial entitled "Public Television" which I strongly endorse. I ask unanimous consent that the editorial may be printed at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, I commend President Johnson for the proposals he has sent to Congress aimed at getting a system of public television started, in addition to providing new funds for educational television and radio.

These proposals would establish a corporation for public television and fund its first year of operation. Some kind of public television is certainly badly needed, not only to raise the level of commercial programs, but also to give access to millions of Americans in some form of cultural television programing.

The President is to be highly commended for sending this message to Congress and I shall do everything in my power to support his recommendation.

EXHIBIT 1

PUBLIC TELEVISION

The hearings now being conducted by Senator Pastore's subcommittee on the establishment of a public television system are among the most important that will be held in this Congress. In the words of Dr. Killian, "The American people have a great instrument within their grasp which they can turn to great purposes."

The television industry, for many reasons, has fallen far short of reaching its potential for greatness. Now is the time for Congress to launch for the Nation a system that will use the promise of electronic communications in a way to bring the vast variety and riches of the world closer to all of us.

The proposals the President has sent to Congress are aimed at getting such a system started. In addition to providing new funds for educational television and radio, they would establish a Corporation for Public Television and fund its first year of operation. This would be only a start for it would leave unanswered the toughest question involved with public television—how to pay for it. But the President was wise in separating the two issues. Since no one has yet come up with a completely satisfactory method of financing and since the need for a start is so great, we should move ahead as far as possible this year.

It seems to us that there are two major principles that ought to guide Congress in its study of the Administration's proposals. One is the need to keep public television from falling into the hands of governmental control. The other is to preserve local autonomy for the public and educational stations. But both of these need to be achieved without sacrificing the prestige of the national organization or the quality of the programing it offers.

In light of these principles, some questions do arise from the Administration's proposals. The first of these deals with the way in which the directors of the new corporation will be named. The Administration has proposed that they be appointed by the President with the consent of the Senate. While this would undoubtedly add to the prestige of an appointment to the corporation, it would raise a constant fear that politics would enter into the appointments. And it would give any Senator who disliked the kind of programs presented on public television a chance to harass the prospective directors at confirmation hearings.

The Carnegie Commission has suggested that half of the directors be appointed by the President and confirmed by the Senate with these directors to select the rest of their board. While this reduces the chance of political influence, we think it can be cut still further, while adding to the role played in public television by the local stations. Congress should think about splitting the directors into three categories—one third to be named by the President, one third to be elected regionally by the stations that are affiliated with the corporation, and one third to be selected by the other directors. By staggering six-year terms of the directors, this would minimize the chance of political tampering with the system and bolster local participation without removing the national role the proposed corporation must play.

PENNSYLVANIA AND BAHIA—A PRIVATE SECTOR PARTNERSHIP UNDER THE PARTNERS OF THE ALLIANCE PROGRAM

Mr. CLARK. Mr. President, I call to the attention of Senators a little-known fact of interest to my constituents. Not long ago, in the State of Bahia, Brazil, a new road, called Pennsylvania Avenue, was completed. Contrasted with the well-known Pennsylvania Avenue that joins the Capitol Building and the White House, the little road in Brazil that bears the same name is, nonetheless, an outstanding example of accomplishment that has been made possible by the private sector partnership between the States of Pennsylvania and Bahai under the Partners of the Alliance program.

The Lobato road project, as it was called, was to join the people of Lobato with the capital city of Salvador in Bahia. An access road was needed to allow the workers of this small suburb of Salvador to use the transportation services of the city and thus make possible more direct routing to their employment.

But to build the access road, it was necessary to tear down and rebuild a number of homes in its path. The Bahia Partners donated their land and labor and the Pennsylvania Partners, through eight districts of the United Steel Workers of America in Pennsylvania, and under the guidance of Jimmy Jones, international representative, District No. 7, USWA, raised $5,000 for the project.

Thus a small scale project like Lobato helped immeasurably to bring friendship and greater understanding between Pennsylvanians and Bahians, who have been cooperating on various projects since the partnership was formed in 1965. Pennsylvanians are proud that our friends in Bahia have honored our State by naming the new access road Pennsylvania Avenue. It is part of the growing testimony detailing the strength of interaction between the peoples of the hemisphere. It is further evidence of the expanding role of the private citizen in the work of the Alliance of Progress.

Mr. President, I ask unanimous consent that an article in the Evening Bulletin of Philadelphia for March 14, 1967, by Mr. John G. McCullough of the editorial page staff, describing the Lobato project be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Philadelphia Evening Bulletin, Mar. 14, 1967]

STATES OF PAN-SYL-WHANIA AND BAHIA (BRAZIL) ARE PARTNERS

(By John G. McCullough)

Salvador, Brazil.—In this the ancient capital of Brazil, a place where old things are treasured, there is something new. It is Pennsylvania Avenue.

Pennsylvania Avenue is not, however, easy to find. One must, to begin with, ask for what sounds like—the language of Brazil is Portuguese—"Avenida Pan-syl-whania." Even this doesn't help much. For the people who use Pennsylvania Avenue of "Avenida Pensilvania," have trouble with the pronunciation, too. They call it, with a directness that is Brazilian, "the short way."

This is of itself quite a tribute to both the road and to the Partnership Program of the

Alliance for Progress. Pennsylvania and the Brazilian State of Bahia, of which Salvador is the capital city, are partners under the Alliance for Progress. And because of this partnership there is a Pennsylvania Avenue. It provides "a short way" for roughly 1,000 people who travel each day between Salvador and the village of Lobato and who, in the past, had no road, just a winding and often impassable trail.

STEEL WORKERS CONTRIBUTE

To help the people of Lobato build a section of the new road, members of the United Steel Workers of America from districts throughout Pennsylvania provided $5,000. Against a U.S. foreign aid program of well over $1 billion a year to Latin America, the Steel Workers' $5,000 isn't much. What makes it impressive, however, is that it is part of a people-to-people effort that doesn't involve governments.

James Jones, international representative of the Steel Workers' District 6 and a member of the Pennsylvania-Bahia Partners, said during a recent visit here that "I came away with a genuine admiration for everyone I met, people who were willing and anxious to help themselves—and needed only the materials."

When Jones visited in Bahia, he was greeted with a sign which read: "Welcome Jim Jones, the Dear Friend who works for us in Pennsylvania." Much the same words greeted Fredrick Heldring, senior vice president of the Philadelphia National Bank and president of the Pennsylvania-Bahia Partners of the Alliance, during his visit.

ROADSIDE HOUSES, TOO

The road project, which also involved the rebuilding of more than 100 houses along its route, is but one of many of the projects undertaken in the nearly two years of the partnership. These have amounted to some $60,000 in money, equipment and materials—all of it privately provided.

The Pennsylvania members of the partnership have been responsible for completion of an agricultural training school in one part of Bahia and for the construction of a school for home economics in another. Funds were provided to replace homes destroyed by floods in the town of Ipiau. Several dental chairs and other equipment for clinics and medical centers have been provided. Air conditioning was supplied for the operating room of a hospital. Just recently five incubators were provided for the care of infants in hospitals for indigent patients. There are, in addition, several young people from Bahia attending colleges in Pennsylvania on scholarships arranged through the Pennsylvania-Bahia Partnership.

SELF-HELP PROJECTS

Heldring, in discussing the Partnership Program, emphasizes that every project involves self-help. Each project, too, has resulted from a personal inspection made by Pennsylvania members of the partnership.

"This partnership," Heldring explained, "has been a gradual thing. Each step has involved effort on the part of the people of Bahia. It will, we expect, develop into an exchange under which works of art for which Salvador and Bahia are famous will be part."

To a surprising extent the entire program has been conducted with little fanfare or attemps at publicity. Heldring says frankly that "we have moved deliberately, carefully. We have not tried to make of this something that it is not. But the partnership is working and I have never been so enthusiastic about anything in my life."

"BIG" TO BAHIANS

The same approach is taken by Dr. Jorge Calmon, a newspaper publisher and Minister of Justice and the Interior, who is president of the Bahian side of the Pennsylvania-Bahia Partnership.

"The people of Bahia," Dr. Calmon says, "know of the partnership and appreciate its achievements. It is no small thing. It has brought our states together and it has brought our nations and our people closer together. We hope, quite frankly, to be able to contribute more to this partnership. We would like to have visits from the people of Pennsylvania. We would like the people of Pennsylvania to see more of the work of our painters and other artists and craftsmen. We hope for a greater exchange of students, of professional people. Bahia and Pennsylvania are rich in history and in tradition and are yet very much a part of today's world. We move, I think, well together."

THIRTY PARTNERSHIPS

There are in all more than 30 Alliance for Progress partnerships involving North American states with states or nations in South America. New Jersey is, for example, a partner with the State of Alagoas in Brazil. Delaware has a partnership arrangement making it a Campaneros de la Alianza with Panama. Maryland, also a partner with a Brazilian state, recently provided a donut-making machine to turn out 48,000 donuts a day as part of a school lunch program. Philadelphia's Drexel Institute is undertaking an economic survey of Bahia. A Brazilian trade mission recently visited Chicago to study light industries.

A chemical plant worker who uses Pennsylvania av. or "the short way" every day, and knows that ambulances or police and fire vehicles can now reach his home expressed his pleasure the other day at the fact that "people from so far away are willing to help us in our needs."

PRESIDENT'S WORDS

In asking for an expansion of the Partnership concept, President Johnson phrased it just a bit differently:

"Only when people know about and care about each other," the President said, "will nations learn to live in harmony."

REALISM AND WORLD ORDER

Mr. CLARK. Mr. President, one of the most interesting developments in the search for peace through law has been the foundation of the world law fund. This fund derives its inspiration and much of its financing from the work of the late Grenville Clark, who believed so strongly in general and complete disarmament under enforcement of world law, and did so much to advance that cause all over the world.

One of the ancillary measures Mr. Clark evolved and arranged to have funded is the World Law Foundation which deals with the preparation of educational materials respecting world peace and world law, the judicial and diplomatic, and various other categories of knowledge which should be made available in the schools and universities of this country to enable them to understand the challenge of peace and educate them in the desirability of advancing the cause of peace as they come to the age of 21 and citizenship.

In a talk, given by Mr. Harry Hollins, chairman of the managing committee of the world law fund at the Institute for Religious and Social Studies on January 10, 1967, entitled "Realism and World Order," the principal purposes of the world law fund and what it has been doing to promote education in our country and across the world in the wide field of world peace and world law is discussed cogently and I believe most appealingly.

Mr. President, I ask unanimous consent to have the statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REALISM AND WORLD ORDER

(A talk given by Harry Hollins, chairman of the managing committee of the world law fund, at the Institute for Religious and Social Studies on Jan. 10, 1967)

On February 18, 1960, Christian Herter, who was then Secretary of State, made a speech before the National Press Club in which he outlined the immediate and long-term goals of the U.S. Foreign Policy with respect to arms control and world order problems. In this talk, which was in many respects by far the clearest and most courageous statement on these matters by any responsible statesman before or since, he outlined the essential elements of world order; he made it clear that these elements are not only interrelated but that it is also impossible to move to a world order system until agreement is reached on *all* the essential parts which he defined as follows: (1) the creation of certain universally accepted rules of law; (2) these laws to be backed by a world court; (3) an international force which would be stronger than the forces of any single nation, all of which would be inoperable without (4) the disarmament of all nations down to forces required for internal security. Furthermore, Mr. Herter urged that these matters be studied with a view to expanding the understanding of persons in government and also of the American people.

Similar conclusions have been reached by many of the leading statesmen of the world since the end of World War II beginning with Secretary of War Stimson. Despite this fairly general agreement, very little has been done. For instance, although all serious students of this problem recognize, as did Mr. Herter, that nations cannot possibly give up their armaments until they can see the details of how a new system might work, there is not one single government in the whole world that has set forth any such detailed plan.

Furthermore, the amount of money is infinitesimal that has gone into education on the subject of war prevention in which the problem, as Mr. Herter suggested is necessary, is examined as a set of closely interrelated factors. The total sum would hardly build ten miles of a modern freeway.

When Frederick M. Eaton was Ambassador of the United States to the ten-nation Conference on Comprehensive Disarmament, he realized how very little work had been done in this area. During the hearings before the Senate Foreign Relations Committee in August 1961 on the bill which established the Arms Control and Disarmament Agency, Eaton said in part:

"A future negotiation should not be put in the position in which our delegation found itself in January of last year when we were scheduled to sit down on the 15th of March in a multi-nation conference. We were without an agreed-upon position within our own Government, let alone an agreed-upon position with our allies."

The answer usually given to explain why so little attention and organized effort has been given to the problem of substituting a disarmed world under law for the present relative military power system is that this idea is unrealistic. What does "unrealistic" mean, used in this context? I do not think that those who use it mean that they consider that the present system is practical or that they prefer to maintain the present system of international relations indefinitely as opposed to a world order system. What they mean is that a world law system is not *politically acceptable* at this time or in the immediate future.

If this is a correct interpretation of what is meant by being "unrealistic", then it may be helpful to examine what has happened in past situations where a course of action was necessary where it would benefit most persons, but at a given time was not politically acceptable. For this is the kind of situation that is faced on the local, state and national levels, day after day, in solving many types of social and economic problems.

For instance, this was the situation faced by those relatively few persons, five or ten years ago, who took the population explosion problem seriously. It was almost impossible at that time to generate any interest and money for the required research and education and all the other things that were necessary to make birth control a viable program. It was not "acceptable". There is little doubt today that a birth control program is politically acceptable and "realistic".

What occurred in 1940 to make compulsory military training politically acceptable is a dramatic illustration of a private citizen making an urgently needed course of action "realistic". In April of that year, Grenville Clark felt very strongly that the U.S. not only would, but should, become involved in the war; but that if this were to come about, we would be totally unprepared, since there was no compulsory military training at that time. Clark therefore made an appointment with President Roosevelt to try to persuade him to place the full power of his office behind the enactment of a compulsory military training law. The President agreed with Clark that it was highly desirable and, in fact, very necessary but he said that the proposal was not realistic, and by that he meant it was politically unacceptable to the American people at that time. When Clark returned to New York, he drafted his own compulsory military training law; he persuaded two outstanding Senators to sponsor it; he formed a national committee, raised money, and then went to work on an educational program in this country to tell the people what the problem was, and what course of action was required. The result of this effort by a private citizen was that in September of the same year, six months later, the Selective Service Act passed the Senate by one vote, and by October 16th, more than sixteen million Americans were registered for military service.

Now there are both some very basic similarities and also some very real differences between the situation that, let us say, Grenville Clark faced of that the persons concerned with population control faced, and the problems that are faced by those who are concerned with eliminating the institution of war as a social institution by ending the military/war system.

The similarities, as I see them, are mainly three. In all cases, the existing conditions, if continued would almost inevitably be disastrous. In all cases there was a possible solution—a way out; and in all cases the way out was blocked because the necessary action was politically unacceptable. Private citizens solved the first two problems; that is, they made a course of action realistic which a short time before had been deemed unrealistic. The solution to the problem of establishing world order will come about in the same way, if it comes about at all. It is most unlikely that persons in government will take the initiative.

The differences are basically two: In the first place, the problem of changing the present system of international relations to a law-based system is one that obviously requires *world* action. It is not something that can be solved within this country or in any other single country. In the second place, the issues are far more complicated to get across to the people.

Unless we are to resign ourselves, however, to accepting indefinitely the relative military power system with all its implications, there is no alternative but to marshall whatever resources are required to inform the people not only within this country but elsewhere as to the true nature of our predicament and the general nature of the remedy.

Despite the fact that a world-wide educational program on a highly complicated and sensitive subject presents many difficulties the task is by no means impossible. I make this statement on the basis of some personal experience. Furthermore, I am convinced that it can be carried out for a relatively small investment.

During the past five years, I have been directing an educational program in this general area. I would like to take just a few moments to tell you very briefly what has been accomplished in five years, starting from scratch in 1961. From this experience I can confidently say that, given more to work with than we have so far had, there is every reason to believe that a drastic change in attitude towards world order problems could be brought about within the next five years and certainly within the next ten years.

Beginning in 1958, which was the year Grenville Clark and Louis B. Sohn published their book, "World Peace Through World Law," I did some voluntary work with Clark in connection with arranging the translation and publication of this work into some twelve languages. Then in November, 1960, Clark telephoned me from his home in Dublin, New Hampshire, and asked me to visit him for three days. He said he had a matter of some urgency to discuss.

In September, 1960, Grenville Clark had received the Gold Medal Award from the American Bar Association. Shortly after that he developed a form of cancer. Since he was in the midst of carrying out a number of projects which he considered of great importance, he insisted that his doctors advise him as to how much time he might live. The report was that he had about one chance out of three of living for one year or more.

Since the publication of his book in 1958, Clark had been conducting a sort of one man worldwide educational program from his home in New Hampshire. He therefore wished to discuss with me what could be done to insure that this program would be not only continued, but expanded. During those three days we decided to set up a special educational project which became part of the *Institute for International Order*, a small foundation here in New York which already had a deep interest in the United Nations and related matters. *This project became the World Law Fund.*

Shortly after the World Law Fund started operations in July 1961, we determined to concentrate our efforts on reaching the students in the universities, colleges and high schools.

We made this decision for the following reasons:

(1) A survey indicated that at that time—early 1962—there were virtually no courses, or even units in courses, on any educational level which dealt in a systematic and comprehensive way with world order problems.

(2) There was evidence of a strong latent interest in the subject both on the part of teachers and students. At the same time it was almost impossible for teachers to offer the subject, due to the lack of suitably prepared instructional materials, and because most of them had not been trained to teach it.

(3) If we were successful, we would bring the vast resources of the universities, colleges and schools, to bear on the problem year after year in return for a relatively small investment.

(4) And most important, we felt very deeply that world order is a subject with which the young people will be intimately concerned throughout their lives. It is clear, however, that if they are to act responsibly and constructively in this area, their action must be based upon a solid foundation of knowledge.

In sum, for the above reasons, we determined in early 1962 to embark on a worldwide curriculum revision program for the purpose of introducing an entirely new dimension of teaching into all major educational systems.

Like all curriculum revision projects, whether it be introducing the new math or introducing the subject of world order, there are three essentials for success: first, there must be instructional materials which deal responsibly with the subject; second, it is necessary to gain the acceptance and participation of many responsible educators and educational institutions; and finally, thousands of teachers must ultimately be trained to deal with the subject.

Since there is not time to explain in any detail what has occurred since 1961, I will summarize briefly how the World Law Fund has worked with the universities and colleges and what has happened as a result of this work.

The World Law Fund published its first book in September, 1962, an 852 page book of readings for graduate and undergraduate courses, which uses the Clark/Sohn book, "World Peace Through World Law," as an instructional model of a system of world order based on principles that are quite different from those that govern our present world system.

Since 1962 the World Law Fund has published five major works, the last being a four volume work entitled "The Strategy of World Order," which was brought out in February, 1966. In the last ten months more than 14,000 separate volumes of this work have been sold for university and college use.

Since September, 1962, more than 175 universities and colleges have used our publications in 225 separate courses. In a number of universities and colleges entirely new courses have been introduced. At Rutgers Law School the new course, which is based entirely on the Fund's materials, has been compulsory for the last two years for all freshmen students.

Perhaps most significantly several publishing concerns have recently asked our permission to take over "The Strategy of World Order" series. Also within the last several months several universities have consulted with us with respect to setting up institutes on world order within their own universities for the purpose of producing materials and training teachers.

And, finally, we have started the formation of a University Advisory Committee, which at the present time includes: Professor Kenneth Boulding, University of Michigan; Professor Richard A. Falk, Woodrow Wilson Center of International Studies, Princeton University; Dean Clyde Ferguson, Howard University School of Law; Dean Erwin N. Griswold, Law School of Harvard University; Professor Harold D. Lasswell, Law School of Yale University; Professor Saul H. Mendlovitz, Rutgers School of Law, and Mr. Oscar Schachter, Director of Research, United Nations Institute of Training and Research.

The progress on the high school level, while in some ways quite different, is equally encouraging.

In sum, I no longer have any doubt whatsoever that while much hard work remains and many difficulties still stand in the way, the educational goals set by the World Law Fund five years ago can be achieved—at least insofar as the United States' educational system is concerned.

I wish to say just a few words about our program in other countries, which has one basic difference from that in the United States. Whereas in this country the World Law Fund is publishing materials, setting up teacher training programs and dealing in many ways directly with educators and educational institutions, in other countries our activities are confined to locating responsible educators, who themselves will take on a program similar to ours, sometimes, when needed, with some financial assistance from us.

We started with a ten-day seminar in New Delhi in September 1964, sponsored by the University of New Delhi, the International Law Association of India and the World Law Fund. Since that time we have initiated projects in Germany and in Great Britain; we co-sponsored a two-week seminar last June at the University of East Africa, Dar-es-Salaam, Tanzania; and recently completed two institutes in Bogota, Colombia. In all cases, these actions have resulted in the writing of manuscripts for future publication, to be used in these various countries and areas.

Last May we also spent three weeks in the U.S.S.R., where we had twelve meetings at various institutes. Exactly what will come out of these meetings is still uncertain, but I would like to mention that almost without exception the people we met with were impressed with the *method* that we have developed for teaching about this project. I will therefore spend a few minutes explaining this method and this will conclude my remarks.

As Christian Herter realized, no nation will give up its own armaments until it can see quite clearly how a new system would protect its vital interests. By the same token, it seemed equally clear to us in 1962 that it would be difficult if not impossible for students to study and assess the workability of any new system of international relations unless there were one or more detailed models of such systems, with somewhat the same specificity as one finds in the Clark/Sohn book. This is so because in any complex system, whether it be mechanical like a watch or a system dealing with human relations, the various parts of such systems are closely interrelated. Just two examples:

The dangers that might be created in setting up an all-powerful world military force require the most careful study. Before any nation could determine whether or not its interest would be served by setting up such a force, it would have to examine very carefully how this force will be controlled, and what would prevent it from establishing some form of world military dictatorship. I have no intention of going into the detailed ways that Clark and Sohn recommend for dealing with this problem other than to say that they have devised quite a number of ingenious ways for mitigating the danger; the stationing of troops in many scattered parts of the world, the composition of fighting units, and in particular, the restriction on the number of troops that could be drawn from any one country, plus of course the careful civilian control of those troops.

Or to take another example, it would be impossible to determine how much a world order system would cost to operate unless the details of the system were clearly spelled out. With the detail that exists in the Clark/Sohn model, however, it is possible to estimate that the total cost of operating that system, which includes paying a large permanent highly trained peace force, would not exceed twenty billion dollars annually. Since this would represent a savings of well over 120 billions annually over the cost of maintaining the present scale of world armaments, one can judge that if part of these savings were to be devoted to attacking the great social and economic problems that threaten the peace and stability of many parts of the world, then there would be some chance of eradicating these problems. Or to put it another way, if through an educational program it could be made known to people throughout the world that a world law system would make possible a concerted attack on starvation and poverty; on the problems that beset all urban areas and on the eradication of illiteracy and the lifting up of levels of education throughout the world—then, in that event, a wholly new, highly powerful force would have been created and introduced which might well overcome the normal apathy and reluctance to change what one is accustomed to. In other words, the dissemination of this information would directly and profoundly affect the *acceptability factor*, and thereby make more realistic what now appears to be unrealistic.

The creation of four or five new models of world order with the same degree of details as that contained in the Clark/Sohn model is a project that is receiving the highest priority in the World Law Fund. When these models are completed by scholars from other parts of the world, they will become an essential part of the instructional materials for educational efforts throughout the world.

In concluding these remarks, I wish to point out that the World Law Fund is not the only educational project engaged in creating a broad base of understanding of world order problems. Others are doing important work in the area.

What I have tried to make clear is: that the task of making a world order system realistic is by no means impossible; that it is a question of changing public attitudes; and the requirements for doing this are not mysterious—on the contrary there are well-known remedies based upon the initiative of private citizens.

I am also saying that the total effort and response now going into this field is pathetically and dangerously small; and finally, I am saying that responsible educational programs that confront directly and realistically the problems raised by Christian Herter in 1960, present an opportunity to make an investment in the future of mankind that is in some important respects unprecedented.

VIETNAM POLICY—MEETING BETWEEN STUDENT LEADERS AND SECRETARY OF STATE

Mr. CLARK. Mr. President, one of the things which concerns me as a sometimes critic of our Vietnamese policy has been the somewhat inflexible position taken toward an interest in achieving peace by our Secretary of State, Mr. Dean Rusk, for whom I personally have the greatest affection and admiration

Not too long ago a group of editors of a college publication who had a number of questions about our policy in Vietnam joined in a letter to Mr. Rusk, as a result of which a meeting was set up to explore the doubts and views of this group of extremely intelligent and able student editors.

Let me say, in passing, that these student editors are not the wild-eyed type of vietnik who demonstrates in support of unilateral withdrawal from Vietnam that on the contrary they are intelligent and able young men who have risen within their respective colleges to positions of responsibility on the college newspaper of their particular institution.

I was, therefore quite concerned to read in the Harvard Alumni Bulletin of February 25, 1967, an article written by Gregory B. Craig, a Harvard senior who is actively engaged in journalism at Cambridge, entitled "My Discouraging Visit With Dean Rusk." This visit unfortunately deepened the concern of Mr. Craig over the Johnson administration's Vietnam policy.

I believe that the article is well reasoned and worthy of close attention by all Senators and readers of the CONGRESSIONAL RECORD, and I therefore ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MY DISCOURAGING VISIT WITH DEAN RUSK

(A Harvard senior reports on a meeting between student leaders and the Secretary of State, and tells why it has deepened his concern over the Johnson Administration's Vietnam policy.)

(By Gregory B. Craig)

I am one of those more moderate college students generally described as "seriously concerned" or "deeply troubled" about our government's policy in Vietnam. Two weeks ago, I met with Secretary of State Dean Rusk as a member of a student delegation to discuss our country's course in Vietnam. The meeting intensified my concern and generated many new misgivings about our future in Vietnam.

This is a report on the letter that led to our meeting with Mr. Rusk, on my reaction to the meeting itself, and on my growing pessimism about the outlook for the future.

Student response to the war in Vietnam has taken many forms, ranging from teach-ins and fasts to burning draft cards and lying down in front of the Secretary of Defense's car. But the most recent (and perhaps most quietly dramatic) reaction to the war rejected the "protest ethic" and took the form of a letter to the President, signed by one hundred student body presidents and college newspaper editors from colleges and universities all over the country.

The letter, reprinted in the New York *Times* of December 30, reported that increasing numbers of America's most loyal and courageous young people—people who are devoted to the Constitution, to the democratic process, and to law and order—are deeply troubled about the posture of our government in Vietnam. The student leaders wrote that for every militant dissenter, there are scores of students who are confused about our basic purpose and policy in Vietnam. The letter then cited a series of questions for the President, expressing the hope that the questions would open up a dialogue between the Administration and the mainstream of American youth about the growing doubts in students' minds concerning our objectives in Vietnam.

The response to this letter from outside as well as inside the academic community was overwhelmingly favorable. *Time* printed excerpts from the letter in its "Man of the Year" article. The Boston *Globe* ran an editorial entitled "Speak Up, Mr. President," and suggested that the questions in the letter were questions that should be answered not only for the benefit of the students but for the information of the whole country and the rest of the world. By the end of January, an additional hundred student body presidents and editors had endorsed the letter, so that almost every major institution of higher education was represented, from small midwestern state colleges to prestigious Ivy League universities, from Catholic girls' schools to Big Ten multiversities.

On behalf of the President, Secretary Rusk wrote a detailed response, concluding in an invitation to the signatories to meet with him and to continue the dialogue in a more personal and meaningful fashion. Although the Secretary took great pains to answer the questions posed in the students' letter, few signers felt that the Secretary's letter resolved the confusion. In an editorial, the *Crimson* called Mr. Rusk's response "almost pathetic in its reliance on worn-out shells of ideas."

As one of the original drafters of the letter, I began to organize an executive committee of the signers to set up the meeting with the Secretary of State. Bob Powell, President of the Student Body of the University of North Carolina at Chapel Hill, was cochairman. After lengthy negotiations with the State Department, the number of people who would speak with the Secretary was limited to 45 and the meeting was scheduled for Tuesday, January 31. The Executive Committee decided to release a response to Secretary Rusk's letter before our meeting with him, in order to focus our questions more clearly and to take the dialogue one step further.

Our second letter focused on our problems in defining Secretary Rusk's description of our government's policy as a "middle course." We felt two alternatives were open to the government: to pursue a negotiated settlement in which neither side seeks victory nor accepts defeat, or to rely on a military solution requiring the surrender of the other side. We feared that although the government's statements publicly committed us to a negotiated settlement, our military actions in Vietnam, combined with contradictory statements by high officials in the administration, served to undermine that objective. We believed that negotiations were impossible until the credibility of our government's desire for a negotiated settlement was unquestionable, and so we urged the government to take tangible and unequivocal steps towards a negotiated settlement.

The letter posed additional questions: What type of negotiated settlement would be acceptable to our government? Were we in fact prepared to accept a settlement less than complete surrender of the other side? The letter also outlined what we considered to be the dangers of increasing reliance on military action. If Hanoi was in fact responsible for supplying and directing the war effort, would not a military solution require the ultimate defeat of Hanoi militarily? And was it possible that both Communist China and the Soviet Union would stand by and allow Hanoi to be beaten without giving significant support to the Northern regime? To seek a military solution, we felt, would risk the dangers of a wider, longer, and more costly war. Our major concerns as we went into the meeting with the Secretary of State were the dangers of such a continuing escalated war and the attitude of our government toward a negotiated settlement.

I felt that the group of students was an impressive delegation—articulate, forthright, and representative of large numbers of American students. The group represented all shades of political belief, all types of colleges, and all parts of the country. Many of the students were Republicans; some had signed petitions in support of the war a year earlier and had voted for Barry Goldwater in 1964. One commented as we walked into the State Department, "The Secretary has only to say a few things, and I'll be persuaded." In short, the students entered the meeting with Mr. Rusk honestly puzzled, eager to talk, and with many wanting to be persuaded. In the course of the interview, the Secretary managed to alienate them all, to a man.

Since the meeting was held off the record with the explicit agreement that we would not quote the Secretary publicly, I can only give my general impressions of the discussion that we had. As chairman of the meeting, I had an advantage in that I could follow up questions without waiting to be called upon, and, because I was sitting next to the Secretary, I could study him more closely as he gave his answers.

The Secretary seemed insufficiently concerned about the possibility of an unlimited war, unlimited both in terms of time and in terms of intensified military action. I was particularly distressed at his reiteration that the other side had to make major concessions before any sort of meaningful negotiations could take place. He had missed our major point. Of course we felt that the Viet Cong should make concessions to match ours, but we were unsure about our own government's willingness to accept a settlement less than victory. We believed that our own good faith had to be demonstrated in tangible ways, before attempts could be made to persuade the opposition to make concessions. Too often, we thought, our expressed desire for a negotiated political settlement had been undercut by our actions, and too often our sincerity had been thrown into doubt by contradictory statements of administration officials. In short, we sought assurances that the administration was prepared to negotiate on a give-and-take basis. We not only did not obtain such assurances, but we left feeling that our government would accept peace only through capitulation of the other side; that the American government was in fact gradually committing itself to a military solution, thereby risking a lengthy and dangerous war.

The group came out of the meeting with the Secretary quite literally stunned. There had been virtually no communication; the Secretary did not seem to understand our questions, and his responses appeared to be superficial and hopelessly rigid. As one member of the group said, "It was like two ships passing in the night." In ninety minutes of discussion, the Secretary had succeeded in disaffecting even the most moderate members of the group. Many of the students were visibly shaken.

It seems clear that both communication and understanding have broken down between a sizeable portion of the student population and the Johnson Administration. Unless our government candidly spells out the consequences of our present course in Vietnam, and just as candidly presents rational alternatives to that course, student dissatisfaction will quickly become disaffection. And if the Johnson Administration continues to dredge up comfortable new justifications for uncomfortable old policies, passive disaffection could quickly turn into active non-cooperation. Unless this situation is remedied, our country faces the tragic prospect of a great number of its most talented and thoughtful young people becoming increasingly alienated from all aspects of American life, and these same people viewing the notion of a national purpose with growing cynicism and intensified hostility.

THE 19TH ANNUAL CONFERENCE OF THE NATIONAL CIVIL LIBERTIES CLEARING HOUSE

Mr. CLARK. Mr. President, on March 21 and March 22, 1967, the National Civil Liberties Clearing House held its 19th annual conference in Washington, D.C.

I am certain that President Johnson's words of greeting to the conference will be of deep interest to all Americans who are concerned about civil liberties, and I ask unanimous consent to have printed in the RECORD President Johnson's letter of March 17, 1967, to Mr. Lawrence Speiser, chairman of the National Civil Liberties Clearing House. I also ask that the program of the conference appear in the RECORD at that point.

There being no objection, the letter and program were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, D.C., March 17, 1967.

MR. LAWRENCE SPEISER,
National Civil Liberties Clearing House,
1637 Massachusetts Avenue NW.,
Washington, D.C.

DEAR MR. SPEISER: I welcome this opportunity to extend my warmest personal wishes to the National Civil Liberties Clearing House and the organizations it serves.

You are concerned, as am I, by the tormenting fact that universal freedom and equality have eluded man throughout history. The cost in crippled souls, in lost opportunities for learning and self-fulfillment and common prosperity is beyond measure.

We stand today at a time of testing. We must affirm the wisdom and morality of the course we have chosen in this decade. We must press forward without pause in the struggle to capture those elusive ideals of liberty and justice. We must secure them for every American.

My pledge of perseverance accompanies my prayers for genuine progress in the trying months and years ahead.

Sincerely,

LYNDON B. JOHNSON.

PROGRAM

Tuesday, March 21—The Diplomat Room

1:00 p.m.: Registration desk opens.

2:00 p.m.: Call to order, Lawrence Speiser, Chairman, National Civil Liberties Clearing House; Director, Washington Office, American Civil Liberties Union.

THE ECONOMICS OF EQUALITY: CIVIL RIGHTS IN TRANSITION

Chairman, Harold C. Fleming, Executive Vice President, the Potomac Institute.

The Honorable Samuel C. Jackson, Member, Equal Employment Opportunity Commission.

Representative Thomas B. Curtis, House Ways and Means Committee, Joint Economics Committee.

Jack T. Conway, Executive Director, Industrial Union Department, AFL–CIO.

Conference discussion.

6:15–6:50 p.m.: Reception, Diplomat Room.

7:00 p.m.: Dinner Meeting, Palladian Room.

Mr. Speiser, presiding.

Address by the Honorable Ramsey Clark, Acting Attorney General of the United States.

Wednesday, March 22—The Diplomat Room

9:00 a.m.: Registration desk opens.

9:30 a.m.:

WHAT'S HAPPENING TO YOUR RIGHT OF PRIVACY?

Chairman, Leon Shull, Executive Director, Americans for Democratic Action.

Monroe H. Freedman, Professor of Law, National Law Center, George Washington University; Chairman, ACLU Committee on Privacy.

Jack G. Day, President, National Association of Defense Lawyers in Criminal Cases.

Arlen Specter, District Attorney of Philadelphia.

Conference discussion.

The Palladian Room

12:30 p.m.: Luncheon meeting, Mr. Speiser, presiding.

EXTREMISM AND RACISM: DOUBLE THREAT TO DEMOCRACY

Chairman, Jacob Clayman, Administrative Director, Industrial Union Department, AFL–CIO.

Dr. Franklin H. Littell, President, Iowa Wesleyan College; Chairman, Institute for American Democracy.

Dr. John A. Morsell, Assistant Executive Director, National Association for the Advancement of Colored People.

Tom Kahn, Executive Director, League for Industrial Democracy.

Conference discussion.

4:30 p.m.: Adjournment.

THE TOP 10 TENNIS PLAYERS IN OFFICIAL WASHINGTON

Mr. CLARK. Mr. President, I turn now to a matter of considerable importance; namely, the question of who is the best tennis player in the Senate, and can the best tennis player in the Senate take on such adversaries—and formidable ones, too—as Mr. William McChesney Martin, of the Federal Reserve Board, and Secretary of the Treasury Henry H. Fowler, both of whom are well known as formidable opponents on the tennis court.

In the April issue of the Washingtonian, there is an article published by C. Alphonso Smith, the winner of 14 national tennis championships, and at the age of 56 continues from year to year to add trophies to his already remarkable collection.

The article undertakes to rank the top 10 tennis players in official Washington.

There are five players in Congress and a few whom Mr. Smith describes as "insufficient datas."

Somewhat to my chagrin, I find myself listed as one of the "insufficient datas." I would have to say that since my tennis is played anonymously and not in the public eye, that description is probably accurate so far as I am concerned.

However, I should like to note for the record, with some pride, that of the five ranked Senators who are listed as "insufficient datas"—which at least can mean that, every now and then, they play tennis—six are members of the Democratic Party and only one is a member of the Republican Party.

Can it be that our friends on the other side of the aisle are too old to play tennis? Can it be that they hobble around a 9-hole golf course every now and then, leaving it to the party of youth, vigor, imagination, and forward-looking policies and procedures, the Democratic Party, to run around on the tennis court?

I can hardly believe that this is true. I note that my colleague from Rhode Island [Mr. Pell], who is occupying the chair next to me at this moment, is ranked No. 1 among Senators.

Let me say, in all modesty, that I question the accuracy of this ranking, that one or two unreported tennis matches—which I am sure were part of my record to make me one of the "insufficient datas"—have taken place within the past few years.

To satisfy the curiosity of Senators, which I am sure is insatiable at this moment as to who the others are, they are the Senator from New York [Mr. Kennedy]—I note that he is ranked ahead of the Senator from New York [Mr. Javits].

That, I think, is a great tribute to the Democratic Party.

Next is the Senator from Indiana [Mr. Bayh]. Then the Senator from Massachusetts [Mr. Kennedy]. The Senator from Maryland [Mr. Tydings] and I are unranked—we are "insufficient datas."

I do not know how that match might come out, if we were to face each other on the tennis court.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Pennsylvania yield at that point?

Mr. CLARK. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Without detracting one iota from the credit which is due these great tennis players, I join the Senator from Pennsylvania in complimenting them on their achievements.

I point out for the benefit of all, however, that perhaps none of them could have achieved the No. 1 position had the former Senator from Rhode Island, Mr. Green, not retired from the Senate. He was the champion.

Mr. CLARK. The Senator from Delaware is quite correct on that.

I have the horrible feeling that this ranking was prepared before the new, vigorous Republicans were elected to the Senate in 1966.

I shall be interested in seeing how Senators Hatfield, Percy, Baker, and Brooke, in due course, attempt to reply to my comments.

I also note that the present occupant of the chair—the Senator from South Carolina [Mr. Hollings]—is alleged to be—by a very distinguished member of the Senate staff—probably the best tennis player of us all. In due course, no doubt, he will have something to say about that.

Mr. President, I ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washingtonian, April 1967]

The Top 10 Tennis Players in Official Washington—The Top Five in Congress, and a Few "Insufficient Datas"

(As seeded by a former U.S. Davis Cup team captain, winner of fourteen national tennis championships and member of the board of directors of the National Lawn Tennis Hall of Fame—C. Alphonso Smith)

Ten scant years ago, when Dwight D. Eisenhower was administering the affairs of state amid the flora and fauna of Burning Tree, golf was indubitably the "in" game in Washington. Politicos and publicists, lawyers and lobbyists, hied themselves to the nearest bit of suburban real estate to learn the lingo, if not the art, of propelling a pellet over hill and dale.

The old order changeth. Golf is out; tennis is "in" along the banks of the Potomac. Quietly, the word has gone out: "If you can afford four hours on a golf course, the Great Society can't afford you." The reaction has been swift. Golf clubs and bags have gone from the car trunk to the trunk in the attic, and not since the days when Bill Tilden used to disport himself on the White House court as the guest of incumbent Warren Gamaliel Harding has tennis zoomed to such popularity in the Nation's Capital.

Even odd-shaped tennis rackets resembling those used by long-skirted champion May Sutton Bundy have been seen on the courts of the swank Chevy Chase Club as well as at the St. Albans Tennis Club, favorite rendezvous of Washington's tennis set.

The teaching pro's throughout the city are booked solid, as aspiring wife and perspiring husband struggle with the lob and the volley, the service and the forehand. If age has taken its relentless toll and such strenuous exercise is beyond the realm of possibility, there remains a glimmer of hope for the ambitious. If Pauline Betz Addie, all-time tennis great, will accept an offspring in the summer tennis camp which she operates with another Washington professional, Clark Taylor, the husband may yet make the scene with LBJ. Do not worry if your son or daughter has the coordination of a kangaroo cub. They will teach him—or her as the case may be—how to play bridge and chess while mingling with the young of Washington's elite.

Leadership in the Washington tennis revival comes direct from the White House but not from *the* man himself. LBJ has never been known to play tennis, not even with Bobby Baker. Walt Whitman Rostow, Special Assistant to the President, is the man who almost single-handedly has made tennis the "in" game in Washington.

FIRST 10

1. Walt W. Rostow, Special Assistant to the President.
2. Paul R. Ignatius, Assistant Secretary of Defense.
3. Charles F. Baird, Assistant Secretary of the Navy.
4. William McChesney Martin, Chairman, Federal Reserve System.
5. Norman S. Paul, Under Secretary of the Air Force.
6. Stewart L. Udall, Secretary of the Interior.
7. James R. Symington, Chief of Protocol, Department of State.
8. Robert S. McNamara, Secretary of Defense.
9. Harold Brown, Secretary of the Air Force.
10. Henry H. Fowler, Secretary of the Treasury.

Insufficient data

General Maxwell D. Taylor, USA (Ret.).

Hugo L. Black, Supreme Court Justice.

R. Sargent Shriver, Director, Office of Economic Opportunity.

William S. Gaud, Administrator, Agency for International Development.

FIRST FIVE IN CONGRESS

1. Senator Claiborne Pell.
2. Senator Robert F. Kennedy.
3. Senator Jacob K. Javits.
4. Senator Birch Bayh.
5. Senator Edward M. Kennedy.

Insufficient data

Senator Joseph D. Tydings.

Senator Joseph S. Clark.

It is difficult to say whether Walt Rostow was chosen for his present post because of his tennis game—or in spite of it. Critics are wont to say that Walt's backhand and our foreign policy bear a certain resemblance. Both are unorthodox and both tend to obfuscate rather than clarify the situation. Suffice it to say that spectators, even opponents, wince when Rostow hits the ball off his port side. A broken wrist appears the least that he can escape with. Be that as it may, Walt Rostow is easily the best tennis player in official Washington; and one of the most enthusiastic. Last fall, when the National Press Club challenged the White House to a tennis match, the 50-year-old Rostow played as top man on his team and battled a much younger opponent to a standstill, with both agreeing to a draw at one set all.

Ranking second on the Washington tennis scene is the Assistant Secretary of Defense (installations and logistics), Paul R. Ignatius. A product of the Harvard Business School and a former professor there, Ignatius is a classic example of what tennis can do for you in today's Washington. When he first reported in to the Pentagon, he was a lowly Assistant Secretary of the Army. He was also the possessor of a very rusty tennis game. But he applied himself diligently and within a few months he was deemed ready for the first team. He was promoted to Assistant Secretary of Defense and promptly justified this confidence by winning the Army-Navy husband-wife doubles championship.

The third best tennis player in the Washington hierarchy is another Pentagon resident, Assistant Secretary of the Navy Charles F. Baird. It is an "open" secret in Washington how "Chuck" Baird got his job. When Under Secretary of the Navy Paul Fay, an ardent tennis enthusiast, was getting ready to resign, he recommended Baird, saying that he had a strong service and a dependable game. This was all that was needed to assure Baird the job. Assistant Secretary Baird, not a man to rest on his reputation, led the Navy team to the Government League Championship in 1966.

William McChesney Martin, Chairman of the Federal Reserve System and former "Boy Wonder of Wall Street," is the only top Government official who has played in the National Men's Championships at Forest Hills. He is number four. In the early '30's, Bill Martin was one of the best players in the East. He has remained in Washington with the Federal Reserve System only because he has a private court within 30 yards of his office. It is well understood within Federal Reserve circles that all conferences must end at 11:50 to enable the chairman to be on the court at noon for his daily game. His favorite partner is a fellow member of the Board of Governors, one James L. Robertson, who hails from the unlikely hamlet of Broken Bow, Nebraska. In rumor-ridden Washington, the most hilarious of all the "dope" stories is the oft-heard report that LBJ would be happy to receive Bill Martin's resignation. The Capital's cool cats know that if LBJ really wanted Martin to resign, he could accomplish it with ease and agility by telling the General Services Administration to extend the State Department's parking lot to include Bill Martin's tennis court. The resignation would be on his desk before he could say Sir Rabindranath Tagore.

Norman S. Paul, Under Secretary of the Air Force, is given the number five ranking on the basis of his "no nonsense" approach to the game. He would beat his top boss, Secretary McNamara, and his immediate boss, Air Force Secretary Brown, on the same afternoon without batting an eyelash. It may be that he holds his job because he has never been known to play with either one.

At number six we have placed that champion of conservation, the friend of fish and forest, Secretary of the Interior Stewart L. Udall. It is on the tennis court that Secretary Udall reveals a Jekyll-Hyde personality. He plays tennis with a reckless abandon that is frightening to behold. His shots have a tendency to carom off the wooden part of the racket in a manner calculated to instill fear in the opposition, chance passersby, and any wildlife in the immediate vicinity. During the winter months, Udall holds forth at one of the new indoor clubs, but in summer he takes his game to the wooded groves of McLean. For years the Washington Area Tennis Patrons, shooting for improved tennis facilities at the Sixteenth and Kennedy streets courts, which Udall's Park Service manages, have been trying to get the secretary within 50 feet of the "Comfort Stations" at these courts. But Secretary Udall has smelled a rat, which is one of the more pleasant odors emanating from this Udall-operated sportsmen's paradise.

Youngest member of our Top Ten is number seven, the Department of State's Chief of Protocol, 39-year-old James W. Symington. Jim learned his tennis at his father's knee, but he is not as good as his Daddy was before love and golf entered his life. Back in the rainy summer of 1922, Stuart Symington was considered one of the most promising young tennis players in America. Young Jim plays with the "hearty optimism of youth," coupled with a certain willingness accumulated through his State Department association. In the service of his country, he is perfectly willing to let the Japanese Ambassador beat him. Until he develops the "killer instinct," Jim will not rise on our ladder.

At number eight in our ranking is the Secretary of Defense, Robert McNamara. Mac, as he is never called, considers tennis just another problem to be solved. While he seeks the solution, Allie Ritzenberg, the pro at St. Albans, waxes fat and rich. The Capital's press corps have caught Secretary McNamara doing just about everything except playing tennis. The reason is obvious. He takes his lessons at 6 a.m. and this is going-to-bed time for such jet-set reporters as Rowland Evans and Sander Vanocur.

Dr. Harold Brown, the brilliant physicist Secretary of the Air Force, is ranked number nine, partly because of his contributions to the game. Two thousand four hundred and sixty-one lieutenant colonels in the Air Force are learning to play tennis in hopes of an invitation to play with their boss. But Dr. Brown's favorite partner is his wife. She keeps peace in the family by letting her "McNamara whiz kid" husband beat her most of the time.

Rounding out our Top Ten is the redoubtable Secretary of the Treasury, Henry H. Fowler. In Roanoke and Richmond, his habitats before coming to Washington, the Secretary built a reputation as a sound money player. But, on the shores of the Potomac, he has been so busy juggling the silver content of our coins, messing with the interest rate on Savings Bonds, and sticking a finger in the dike to stop the gold outflow, that he barely slips into our Top Ten. Unless he "pulls up his socks and has a go at it," as the British say, he may suffer the ignominy of being dropped from next year's Top Ten. Suffice it to say, he recognizes this as a "fate worse than death" and can be counted on for a valiant effort this year.

There are several other players on the Washington scene who might be able to break into the First Ten, but their records are incomplete and in fairness we have placed them in a special "insufficient data" grouping.

Notable among these is General Maxwell Davenport Taylor, USA (Ret.). General Taylor's game has suffered since he went on the retired list. While on active duty, he was always assigned a "tennis aide," whose duties were to lose gracefully to the general. In the best physical condition of any man his age in Washington—which is damning him with faint praise—he is one of the best doubles players around town.

At 81, Supreme Court Justice Hugo Black is still capable of beating many players half his age. He, too, is an excellent doubles player. Justice Black no longer plays the circuit, confining his almost daily tennis on his private court in Alexandria to making his wife one of the better lady players in official Washington.

Sargent Shriver, Director of the Office of Economic Opportunity, carries on a monologue while playing tennis. His conversation is better than his tennis, but neither quite qualifies him for the Top Ten. Sarge doesn't play much these days. His friends say that he is knee-deep in poverty and just can't afford the game.

William S. Gaud, Administrator of the Agency for International Development, was frequently seen on the courts when he first came to Washington in 1961 as an assistant administrator in AID. He lost tactfully to his boss, David Bell, and, as his protégé, was made number one man on the team when Bell departed. Gaud is a sad case. He has had the misfortune of meeting up with Washington's most formidable doubles team (on foreign aid, that is), Congressman John Rooney of New York and Otto Passman of Louisiana. They have reduced him to a mere shell. His whistling serve, booming forehand, and lightning forays to the net are but fond memories. 'Tis said, "Gaud is dead."

In fairness to the United States Congress, we should point out that our selections have been limited to the executive branch of the Government. We are well aware that there are five Senators who might make our Top Ten. Here are thumbnail sketches of the Senate's best racketmen:

Senator Clairborne Pell. Easily the best tennis player in Washington's most exclusive club. Learned his game on the hallowed courts of the Newport Casino, where he occasionally plays in tournaments against some of America's best.

Senator Robert F. Kennedy. Hits hard but lacks accuracy, according to a scouting report submitted by FBI Director J. Edgar Hoover.

Senator Jacob K. Javits. A match between New York's two Senators would pack Forest Hills and it would be a close contest. We are inclined to think that Senator Javits would win, but we have given the nod to Bobby, purely on the basis of his youth.

Senator Birch Bayh. Was prepared to challenge anyone in the Senate until a lawnmower clipped off a toe or two. Is readying himself for a comeback in 1967.

Senator Edward M. Kennedy. Ted has always played in the shadow of his older brother. Doesn't play too well in the shadows. Should stick to touch football.

Mr. CLARK. Mr. President, the article, of course, contains some photographs. One is a photograph of the Senator from New York [Mr. Javits] looking, perhaps, 15 years younger than he does on the floor of the Senate. He has a real gleam in his eye. Unfortunately, my effort to revise the Congressional Record to accommodate pictures was not successful, so that they could be shown in tomorrow's Record.

There is also a photograph of William McChesney Martin, looking like a very good tennis player, playing doubles with Secretary of the Treasury, Henry H. Fowler, who, I think, would have to agree that this particular photograph does not do justice to him as a handsome man of considerable ability on the tennis court.

Mr. President, I yield the floor.

PERSONAL STATEMENT

Mr. LONG of Louisiana. Mr. President, an editorial was published in the Washington Post on Sunday which perhaps deserves comment. It gives me somewhat the impression that there are two editorial writers making comments on the investment tax credit bill. At least, whoever is writing their editorials on this subject must have editorial schizophrenia.

One day I am praised as being courageous and trying to do the right thing, and the next day my proposal is described as "shabby," a "slush fund," and the like.

Mr. President, it would seem to me that those who do not wish to change existing law with regard to the way presidential campaigns are financed should, in good conscience, carry the burden of defending the present system, in which no one knows where money is going to be spent, where it went, where money is reported or where it is not reported, and in which some people make huge contributions, which no one can account for, in the hope of reaping vast gain in terms of special privilege after the election is over.

The editorial writer of the Washington Post referred to the presidential campaign election fund as a "slush fund."

Mr. President, the presidential campaign election fund is one in which every dollar would have to be accounted for. It would be checked by the Comptroller General of the United States. Payments could be made only for legitimate expenditures incurred. All expenses would be reviewed by a bipartisan board composed of outstanding Democrats and Republicans, and three nonpartisan members who are chosen by the partisan members to help them arrive at impartial answers to the various controversies which might arise in connection with the expenditure of money from such a fund.

It was my impression that a slush fund is not the same kind of thing; I thought one could spend from a slush fund without an accounting. That kind of statement would apply to most of the money which finances presidential campaigns now. No one knows who puts money in the funds. No one knows how it is spent. Before the Long Act, money could be put up with the most corrupt intentions that the mind of man can conceive.

It seems to me that the one who defends the status quo—as the Post apparently does—is the one who supports the slush fund, not one who is trying to replace it with an honest method of financing campaigns.

I have made it clear right along that, as far as I am concerned, I would like to cut out these big private contributions to presidential campaigns. It is my judgment that these big contractors, the monopolists, the large monied interests who contribute to these campaigns for the most part expect some special return out of it.

I would like to see presidential campaigns financed by small contributions, preferably one dollar contributions, in such a fashion that the man who was elected President would feel no obligation to anyone.

Let me analyze the problems in connection with campaigns, but first may I say that I have helped raise money in these campaigns. I have campaigned in them. So I know something about campaigning and financing campaigns for Senators and Congressmen, as well as Presidents and Governors.

It has been my impression that the worst thing about our campaign financing system is that it raises funds in such a fashion that persons contributing money think they have, and in many instances actually have, commitments, justifying the feeling that they are going to be rewarded for those contributions by special favors which are not accorded people in different situations.

That is the first shortcoming of the system that exists today.

The second shortcoming is that it is very difficult for a person with limited means, the man who tends to take the public interest point of view, the side of the poor, the unfortunate, the small wage earner, the middle class people of our Nation, who are seeking to own their own homes, to find funds to finance his campaign.

I have found that one who has fought the monopolists down through the years, one who has fought more vigorously than anyone else in this Chamber against the granting of patent rights to private interests, and one who has fought against high interest rates, receives no contributions because of these efforts. He does not receive financial contributions from private monopolies, from drug companies, who charge the public many times the cost of production. About all one gets from that kind of activity is a well-financed opponent. That is the best one can expect, from a financial point of view.

So I judge that the money is contributed in large measure by people who expect to get either their share or more than their share from the Government.

It is contributed by people who expect to get a special advantage, by people who expect the Government to see things more their way than the way of those who have a different economic interest. By and large, that is the difficulty we have with our present system.

The third objection to the present system is that it tends to deny Government a great deal of leadership to which the Nation is entitled.

It means that only those from wealthy families can run for President, because of the enormously high cost of campaigning which has devolved over the years. No longer can a Jackson or a Lincoln grow straight as a tall pine and lean neither to one side nor the other and move courageously forward, fighting for the people's cause, and hoping to finance a campaign for the Presidency. Conceivably, a person of that kind might run for the Vice-Presidency. If there were a brutal assassination—as happened to President Kennedy—perhaps he would fall in the Presidency. Even if he did, if he planned to run for reelection, he would be faced by the same problem that former President Harry Truman found himself faced with, when he had trouble financing his campaign, after he had fought for the public interest as he saw it.

A fourth defect of the present system is that no one knows where the money for a campaign is coming from or where it is going. For all we know, half of the money used in presidential campaigns could be stolen. No one knows where it has come from. No one knows whether it has been raised honestly or corruptly. No accounting is made of the money coming in or going out.

These are problems which the Senator from Louisiana has sought to deal with. I am willing to support legislation, and have supported legislation, to solve these problems. Amendments I proposed to the Long Act would seek to do that.

I have felt from the very beginning that, rather than proceed by way of a corrupt practices law—which may make government more corrupt—it would be best to answer the first question first. That is, How can we provide an honest way of financing a presidential campaign, when means can be provided for financing the campaign so that no man need make improper promises, so that any mother's son, even a foundling left in the bullrushes might be elected?

When ways are found to finance presidential campaigns with adequate funds, we shall no longer be confronted with the present situation. Then it will be possible for good men not to make improper promises, to act in the public interest, and to finance their campaigns aboveboard and above any peradventure of suspicion or doubt.

Having solved the first problem, we set the stage for the second problem. That is to cut out as much as we can of corrupt or improper influences on the Government of the United States or any segment of government.

Failure to solve the first question makes solving the second question absolutely impossible. Why do I say that? I say that because the corrupt practices law has not reduced corruption. It has increased it. It says campaigns can be financed only in a certain fashion. Every nickel must be reported. Only $10,000 can be spent, as I read it, in the election of the average Senator. It takes a lot more than that.

Sometimes I think when we send a Senator a copy of the corrupt practices law we should also send him a circular explaining how everybody avoids that act, by setting up committees on the side to raise money without reporting it. Some of those who are known as the strongest idealists have accepted contributions, to my certain knowledge, that they have not reported. They know their committees were soliciting, seeking, and collecting the money and they were not reporting it because they did not have to do so under the law.

I suppose everyone is in about the same situation. When one avoids and evades the spirit of the law, he does not have the same respect for the law that he does if he had never had to do so. For that reason, it seems to me that the Corrupt Practices Acts that have been passed have been honored in the avoidance and evasion rather than in the compliance. We have not provided an answer to the first simple question, which is: How can a man running for President of the United States, or other high public office, honestly finance his campaign in such a way that he is obligated to no one?

We have not provided the answer; and by failing to do that we have made politics all the more a game of evasion and avoidance rather than a game of compliance with standards imposed by the law.

Much has been said about the third party problem. It has been suggested that the plan of the Senator from Louisiana, which is now on the statute books, should have been more generous to third parties. I agree. When I first proposed that the Federal Government should have a tax-related proposal to finance presidential elections, I said then, and I have said ever since then, that undoubtedly there are ways that this proposal can be improved. The suggestion I made at the time was that a third party should have help available to it immediately after the election. It is impossible to know how many votes a third party may receive. It is difficult to know whether a third party is just a nuisance party, or is a party representing a substantial segment of American thinking. One cannot know until after the votes had been cast. That is why, in the original Long Act that I proposed, cosponsored by the Senator from Wisconsin [Mr. NELSON] and the Senator from Illinois, Mr. Douglas, we suggested that a candidate of a party other than the Democratic and Republican parties should have available to him a reimbursement for expenses on the formula of $1 for every vote he received above 1,500,000 votes.

The committee did not see fit to accept that part of my suggestion, and the House conferees were even less favorable to the prospects of a third party. I can well understand that the future survival of the country may some day depend upon the emergence of a third party. That could well be. If we are going to help the existing parties, the major parties, to finance themselves above and beyond any hint of misconduct, it would be well that we try to do something along that line for third parties, as well.

So I voted for an amendment which would have provided that immediately after the next election, if a party received more than 2 million votes, it could be reimbursed for out-of-pocket expenses and for unpaid bills that it owed as a result of the efforts it made to present its case to the American people in the election. I regret that some Senators who spoke most strongly against the Long Act, on the theory that it did not do justice to third parties, could not be found among those voting for the amendment to treat third parties more fairly. But perhaps we can offer them an opportunity again, to see whether they are sincere in their effort to treat third parties more reasonably and more fairly and to give third parties a chance to emerge and present their case to the public and see if the public would favor them with votes on election day.

The other argument made against my suggestion was that it should be more specific, that more safeguards and more standards should be spelled out in the law with regard to what a candidate could spend the money for.

On that score, let me say that this never was really much of a problem, in my judgment, because the members of the bipartisan board of the caliber of the outstanding Democrats and Republicans, who have already been selected and have agreed to serve, understand the practical problems of campaigning for President; they know the difference between a proper and an improper expenditure. It is my judgment that the flexibility there provided would be adequate, in that the Comptroller General with the aid of the board could provide adequate safeguards.

Nevertheless, because of the hue and cry about the need for more safeguards, I supported the amendment proposed by the Senator from Connecticut [Mr. RIBICOFF], who understands very well what the problem is. We undertook to specify how the money could be spent in the elections.

It was also my pleasure to vote for the Tydings amendment, which further tightened up on how the expenditures could be made, limiting them to the various media of communication, such as radio, television, newspaper advertising, and the like.

In my judgment, the Tydings amendment tightened up too much on what the money could be spent for. It certainly seems fair to me that there should be an opportunity to spend money for the transportation of the candidate for President, for his expense of hiring an airplane, even for taking along with him friends and associates, including public officials whom he wishes to meet, who could serve as an escort group. I believe such expenses should be covered in the cost of a presidential campaign.

But I was willing to go the extra mile to tighten up on presidential campaign fund expenditures even more than, in my judgment, would be wise, in the hope that we might work out something to satisfy those who complained.

It is clear to me that most of those who are opposed to this means of assuring honest elections will not be pleased, no matter what is done. That is beyond our power. When someone is determined not to be satisfied, it is difficult to satisfy him. But I have gone the extra mile in trying to satisfy them, and I shall do it again.

My analysis of the vote that occurred on this question indicated that had every Senator been in his seat, the vote would have been in favor of the side I advocated; it would not have been in favor of the other side. When amendments were lost on close votes, I had no way of coming back and trying again. But I reserved the right to try again to prevail on this question in other ways.

One other item is worthy of consideration; that is, the idea that more money might become available than would be necessary. Such a statement cannot honestly be made with respect to the amendment as it stood after the approval of the Tydings amendment. That amendment reduced the distributions by more than one-half for the 1965 campaign and provided that the funds would be limited to certain advertising purposes; in addition, it provided that no one could solicit or accept, either directly or indirectly, funds from any private sources to pay the same expenses. A candidate would have to elect to be bound by, and would have to be responsible and cooperate in seeing to it that those supporting him complied with, the provision of the law which limited him to these funds, and these funds only, in paying his major campaign expenses when running for office.

So, as I say, it was not my idea that we should commence consideration of legislation on this question on the floor of the Senate. I would have much preferred to study the matter in committee and then to report a bill. But now that the matter has been the subject of legislation and we have voted on it time and again, I hope that we might consider other amendments, so as to give the committee some indication of exactly what the Senate would feel like doing at such time as a bill is reported to the Senate by the Committee on Finance. It is an important subject, one which will require much study.

There is one thing about which I am determined, and I say it now as I have said it before: In connection with the movement for good government, the movement to assure that every mother's son—yes, and every mother's daughter—can be considered for President of the United States, the highest office in our land, I shall try to make certain, if I have any influence in this body, or in Congress itself, or even with the President, now that we have made a start, that we are not going to turn back, but are going to improve on what we have. I shall help to do that. But if I can help it, we are not going to junk the progress we have made, which is the only progress that has been made in this direction, to speak of, in the last 100 years. We are not going to turn back the clock.

If Senators want to improve on what I have been able to do with the assistance of the Senate and the majority of the Committee on Finance, I shall welcome their help and will help them. But if all that Senators have in mind is to turn back the clock and junk the progress that has been made toward obtaining honest, clean government, and having elections financed with no special obligation to anyone, I shall oppose them to the full extent I am able. They may feel as of this moment that the Senate action is nothing more than a game in which they are ahead by six points, but if this is so this is only the end of the first quarter—much more of the game is still ahead of us.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, April 18, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 17, 1966:

UNITED NATIONS

The following-named persons to be representatives of the United States of America to the fifth special session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.
William N. Buffum, of Maryland.
Richard F. Pedersen, of California.
Mrs. Eugenie Anderson, of Minnesota.
Samuel C. Adams, Jr., of Texas.

The following-named person to be alternate representatives of the United States of America to the fifth special session of the General Assembly of the United Nations:

Garland R. Farmer, Jr., of California.
Michael Iouenko, of New York.

IN THE ARMY

The following-named officer for appointment as professor of mathematics, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4333:

Pollin, Jack M., O26520.

The following-named persons for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3290, and 3292:

To be major, Judge Advocate General's Corps

Lane, James C., Jr. (TC), O69146.

To be second lieutenant, Medical Service Corps

Wilson, Gary R. (Inf), OF100228.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287 and 3288:

To be majors

James, Lynn M., O1891252.
Lum, Raymond L., O1873742.
Van Strien, James M., O4005528.
Wright, George L., O1688688.

To be captains

Arnold, John M., O5302068.
Bliss, Donald E., O1941181.
Eaton, Arthur F., O5301957.
Fagan, Ward D., O5508298.
Fitzgerald, Richard A., O1940855.
Frederick, Theodore C., III, O5405468.
Frese, George D., O5401967.
Horner, Thomas A., O5304343.
Hunley, Will S., O5403339.
Janas, Edward A., O5310619.
Jones, Alan R., O1885807.
Klinedinst, William H., O4031234.
Knehans, Adolph H., Jr., O5507362.
Knight, Clarence E., Jr., O5208814.
Martin, Roderick C., O5307499.
Miller, William V., Jr., O5208728.
Moreland, Malcolm E., O4072126.
Oliver, Robert L., O5310654.
Parker, Joel R., O5300253.
Peffers, Gerald L., O5310658.
Rudd, William C., O4033375.
Smalley, Bruce G., O5310682.
Smiley, Philip, O4024107.
Stillman, Geoffrey L., O5310688.
Tower, William E., O5310697.
Wenzel, Paul J., O5310707.
Williams, Jon W., O5304049.
Williamson, James M., Jr., O5407685.

To be first lieutenants

Adams, John, O2315430.
Allen, Cornelius A., O5415536.
Ashley, Adrian A., O5412508.
Bartz, Richard C., O5020488.
Bell, Charles L., O5413367.
Blahnik, David G., O5516491.
Boyer, John F., Jr., O5215179.
Brin, Oliver O. A., O5315190.
Clary, Jim H., O5414238.
Collar, Roy A., O5317227.
Crook, Louis M., Jr., O5409560.
Daly, Martin P., O5517723.
Dieck, Peter F., O5318156.
Domask. Jerome H., O5515851.
Dorr, Charles D., O5009963.
Duda, Robert J., O5015874.
Edwards, William W., II, O5707848.
Ellis, Joseph T., O5218118.
Esposito, Xavier A.. O5318164.
Fisher, Bernard T., O5707902.
Flanagan, Richard W., O5214390.
Getchell, John V., O5530295.
Grant, Melvin L., O5318183.
Hammel, Robert M., O5210838.
Hamilton, James H., Jr., O5315092.
Holman, Gerald F., O5511902.
Horn, George M., O5222102.
Johnson, William N., O5213534.
Karnitis, George, O5321670.
Kenyon, Jarrett L., O5313333.
King, Joseph S., O5402681.
Kosta, Antonio L., Jr., O5415017.
Kulik, William R., O2300619.
Lackey, John G., III, O5313671.
Marchesseault, Paul A., O5014245.
Masters, Lawrence G., O2308015.
Matsuda, Clarence G., O5312449.
McLane, Earl L., O5219209.
Miller, James W., O5517983.
Milliron, William R., O5222714.
Mobley, William L., O5312171.
Moody, Richard C., O5406107.
Murray, Warren E., O5311323.
Northridge, John O., O5008123.
Nutt, Merwyn L., O5412877.
Oxford, Barry T., O5414576.
Pate, Francis M., Jr., O5415572.
Peck, Millard A., O5321602.
Peeler, William R., O5320509.
Picard, James D., O5415904.
Ramage, Gary F., O5315404.
Reinhart, Peter S., O5318077.
Rinella, Donald E., O5209137.
Robinson, Cleo W., Jr., O5531813.
Russ, Sam W., Jr., O5318257.
Salzer, William W., Jr., O5316762.
Sutcliffe, Edward H., O5018269.
Taylor, William E., O5531201.
Trail, Benard D., O5413513.
Warren, Dennis M., O5415390.
Williford, Charles J., O2289104.
Woodward, Edward J., O5216639.

To be second lieutenants

Baer, Fred H., O5229093.
Carr, Jerry T., O5419754.
Clark, Alfred T., O5023629.
Downey, Carrol W., O5322878.
Fleming, John J., O5419613.
Fulmer, Lemos L., Jr., O5418113.
Grandstaff, Terrence A., O2304493.
Haight, Rubert Q., Jr., O5415964.
Henderson, Frank F., O5417178.
Hirsch, Patrick R., O5420152.
James, Richard D., O5710609.
Kling, Lynn W., Jr., O5226797.
Loar, Jerry E., O5324198.
Mutula, Benjamin R., O5416915.
Ricca, John J., O5423812.
Riddick, Robert L., O5322760.
Roper, Robert W., Jr., O5327729.
Rosenberg, Howard M., O5324075.
Smith, Walter C., O5328307.
Stokes, Marvin R., O5324857.
Tausch, Egon R., O5416309.
Tobias, James W., O5533362.
Wylie, Gary D., O5416562.

The following-named person for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, and 3294:

To be captains, Army Nurse Corps

Aberilla, Romualda P., N2299358.
Accardo, Patsy J., MN902688.
Campman, Keith L., MN2277175.
Garlick, John B., MN2299317.
Gehringer, John MN902659.
Hensley, Maurice H., MN805826.
Huber, James O., MN2297347.
Lynn, Eileen A., N5407124.
Mitsdarfer, Donald E., MN902611.
Pelkey, Dwight F., MN805828.
Phillips, Eugene J., MN902512.
Ruester, Margarete E., N2300284.
Rupp, Russell T., MN805842.
Scheffner, Lawrence W., MN902571.
Tonn, Genevieve J., N902681.
Ward, David A., MN2295005.
Williams, Ella E., N5407351.

To be captain, Chaplain

Baasen, Wesley A. G., O2307911.

To be captains, Dental Corps

Anderson, James L., O5525709.
Baxter, Truman D., Jr., O5208405.
Beattie, Alfred H., O2316543.
Coleman, Alfred E., O5223741.
Davisson, Nelson M., O5525669.
Haro, David P., O5519332.
Jacobs, Richard C., O5006800.
LeBeau, Paul Jr., O5408526.
MacCarthy, Gary R., O5519345.
MacClean, Walter L., O5708525.
Marshall, Keith J., O5706132.
Miklik, Robert A., O5518098.
Shaudis, Thomas C., O5216778.
Theisen, Frank C., O5227530.
Vikari, Christian, O5706188.
Weber, Donald D., O2316574.
Weinstat, Marvin C., O5014746.

To be captains, Judge Advocate General's Corps

DeFord, Maurice H., Jr., O1939693.
Fay, Theodore F., Jr., O5510091.

To be captains, Medical Corps

Aebi, Ernest P., O2316950.
Anderson, Harold F., O2313116.
Carter, Gordon C., O5204967.
Carvalho, Richard S., O2308500.
Collins, Oliver D., III, O5232499.
Dorazio, Richard A., O2316925.
Easley, William F., Jr., O5312993.
Ellis, Richard E., O4035505.
Feher, Thomas L., O5232598.
Forsythe, James W., O2313117.
Gay, James S., O5408776.
Gerstenberger, Duane F., O2313229.
Gibford, Richard W., O2316896.
Gillespie, Hal G., O2313227.
Gozansky, David M., O2316939.
Graham, William H., O2316941.
Heimel, Albert J., O5540388.
Johnson, Clayton A., O5501801.
Kavel, Karl K., O5420876.
Livingston, Gordon S., O90927.
Long, Robert G., O5004735.
Mouer, James R., O2313031.
Moye, Jerry W., O5307816.
Muldoon, Thomas N., O5015380.
Myers, Ronald L., O2316921.
Owens, Bennett G., Jr., O5309993.
Peacock, Jack B., O5232313.
Rahm, Adolf E., Jr., O5211751.
Ramey, John A., O2317003.
Rivers, James L., Jr., O5309471.
Rold, James F., O5239580.
Ryals, John R., O5309595.
Sacamano, Joseph S., O5711573.
Sullivan, Dennis J., O2316945.
Sutton, Richard O., Jr., O91084.
Werner, John L., O5711952.
Wilson, Stuart D., O2313064.

To be captains, Medical Service Corps

Cunningham, James L., O2285290.
Troisi, Angelo J., O4006747.

To be captains, Veterinary Corps

Brown, John L., O2309189.
Rozmiarek, Harry, O2309314.

To be first lieutenant, Army Medical Specialist Corps

Klavins, Ruta, J2312041.

To be first lieutenants, Army Nurse Corps

Anderson, Luke R., MN2315376.
Casper, David F., MN2298001.
Chaussee, Daniel L., MN2316259.
Diskin, Patricia A., N2316634.
Dodds, Carol M., N2315955.
Downey, Doris P., N2325561.
Edwards, Elaine S., N2320178.
Farrell, Anne E., N3126644.
Fix, Judith M., N5411598.
Gramkow, Nancy V., N2317104.
Henderson, Kledus J., N5411660.
Hildebrand, Teddy L., MN2308014.
Hunn, James M., MN2304518.
Jaquez, Virginia, N2315665.
Katilus, Joseph P., MN2315728.
Knight, Sylvia S., N5315731.
Larrabee, Marvin L., MN2310537.
Letourneau, Dorothy I., N2308021.
Ruhr, Marcella M., N5519481.
Stecher, Ann H., N2313880.
Temple, Charles L., MN5319899.
Tranbarger, Russell E., MN2300144.
Vanhoutte, Kay E., N2318243.
Washington, Lawrence C., MN2311249.
Whipple, Darlene S., N5325712.

To be first lieutenants, Chaplain

Bailey, John C., Jr., O5216900.
Danielson, Wendell E., O5519025.
Howells, Carlton R., O2313305.
Stock, Joseph E., O2319278.

To be first lieutenants, Dental Corps

Ailor, John E., Jr., O5326019.
Barrett, Kay C., O5540359.
Brunner, David G., O5232297.
Lacy, Benjamin W., Jr., O5315705.
Runion, Marion G., O5216500.
Santa, Edward A., O5519531.
Stocks, Robert B., O981180.
Truax, Kurt H., O5540243.

To be first lieutenant, Judge Advocate General's Corps

Kile, Daniel A., O5006592.

To be first lieutenants, Medical Corps

Allen, Gary W., O2325437.
Coppin, Thomas D., O99550.
Godwin, Charles W., O2320750.
Lawrence, Frank M., O98185.
Lull, Robert J., O2325443.
Mitchell, Charles H., IV, O99494.
Nau, Richard C., O2322469.
Provost, John M., O98525.
Rossiter, Francis P., Jr., O2320927.
Zwerling, Louis R., O2325804.

To be first lieutenants, Medical Service Corps

Freeman, Joseph B., Jr., O21316490.
Helton, Jimmy D., O5208838.
Ribotto, Joe W., Jr., O5709556.
Williams, Jewel L., O5316097.

To be second lieutenants, Army Nurse Corps

Cardona, Virginia D., N5325708.
Carrier, Joseph A., MN2322107.
Dexter, Judith L., N5417250.
Dresser, Janie L., N5417222.
Ellis, Wayne E., MN5239420.
Fletcher, Sara L., N5232216.
Fountaine, Yvonne D., N5417321.
Gullett, Judith A., N2325298.
Jones, Jane A., N2317754.
McDaniel, Frances L., N2325852.
Orvis, Mary E., N5417289.
Showman, Lonnie J., MN2322886.
Waddell, Rachel A., N5417303.
Walchek, Dennis E., MN2317533.

To be second lieutenants, Medical Service Corps

Borzotra, Winslow F., Jr., O5226620.
Braun, William W., O5534747.
Heinz, Ronald H., O2317546.
Heltsley, James R., O5225640.
Kearns, James R., O5825029.
Spatz, Marvin, O2317424.
Watkins, William W., O2318424.

The following-named distinguished military and scholarship students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Anderson, Gary D.
Anderson, James B., III
Bobb, Dale C.
Brown, Frederick B.
Casull, Brian H.
Cheek, Jack W.
Clark, Jeffrey R.
Clemons, Donald E.
Cole, Norman G., Jr.
Farley, Patrick C.
Gray, John P.
Gunderson, Ronald B.
Hanohano, William, Jr.
Hawkes, Thomas A., Jr.
Jones, John K.
Lonon, James C.
Nelsen, Wayne M.
Sheppard, Paul R.
Varnado, Jimmie W.
Walters, Michael J.
Wills, Clarence R.

The following-named distinguished military and scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 2107, 3283, 3284, 3286, 3287 and 3288:

Art, William L.
Aseron, Douglas R.
Attaway, Gerald D.
Baker, George G., Jr.
Barkley, Alben W.
Bassett, Dennis A.
Beck, James L.
Bishop, Philip H.
Bishop, Willard R.
Bosch, Robert J., Jr.
Bunge, William S.
Burcher, David P.
Campbell, Larry J.
Clemmons, Reginal G.
Clevenger, Gary L.
Cornwell, Paul D.
Crowder, Scott P.
Davis, Floyd J.
Davis, George B.
Drezins, Herbert G.
Dunkle, Stephen W.
Elam, Robert L.
Emmons, Alton F.
Fannoney, Abraham C.
Fortune, Donald H.
Freeman, James J.
Friedman, William J.
Goff, Forrest W.
Gordon, James R.
Goslee, Clarke D.
Govekar, Paul L., Jr.
Green, Charles A.
Haas, Michael A.
Halpern, James S.
Hammond, John C.
Harkins, Howard F., Jr.
Hatton, Robert E.
Heller, Ulf R.
Hewitt, Timothy G.
Hillman, Arthur B., III
Hogg, Christian D.
Howard, Ernest L.
Jasper, Gail W.
Karig, Martin R., Jr.
Keddie, Regis L., II
Keisling, Kim
Keister, Donald C., Jr.
Kligel, Robert J.
Koelle, Richard C.
Kohler, James Q., Jr.
Krause, Albert A.
Kunz, Henry F.
Launder, John E., III
Littig, Melvin J.
Lory, Joseph M.
Lui, Hilton J.
Luley, Charles, III
Luther, Peter J.
Lynch, Paul D., Jr.
Manion, John W.
Manor, Michael H.
Mares, Raymond A.
McKeen, Robert G.
McKenzie, Milton R.
McWilliams, Lawrence J.
Meekin, Richard S.
Menzel, William M.
Mertel, Mark V.
Miller, Ronald R.
Mitchell, Bradley S.
Morgan, Michael M.
Morrow, Sidney H.
Muhl, Sebastian
Muther, Paul S.
Mydland, Mervin J.
Myers, Jeffrey L.
Nicholas, David P.
Noel, Rodgers D.
Pate, James C.
Peek, Jerry D.
Pietrosilli, Bernard M.
Poole, Norman R.
Posey, Charles R.
Purdy, Michael F.
Quiamzon, Romeo
Quigley, Collin R.
Rhodes, Donald P.
Riley, Robert H.
Ritenour, John P., Jr.
Roberts, Franklin L.
Roberts, William J.
Rokosz, Ronald F.
Romig, Gerald V., Jr.
Romig, Robert L.
Scheer, Richard L.
Schmidt, Victor H.
Schreiner, Steven C.
Sidebottom, William J.
Simpson, Michael C.
Smith, Garry L.
Smith, Joe L., Jr.
Smith, Michael A.
Smith, Terry L.
Strong, Mack C.
Sturtevant, George A.
Tallant, David R.
Tamez, Raul
Thompson, Ronald E.
Tindall, John R., Jr.
Vesolich, Thomas S.
Wachter, Richard M.
Walters, Wayne D., Jr
Ward, William R.
Weaver, James G.
Will, Thomas G.
Woitkoski, Gerald S.
Wood, Theodore W., Jr
Ziegler, David A.

The following-named cadets, graduating class of 1967, United States Military Academy, for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3284 and 4353:

Adams, James R.
Adams, Richard B.
Adamson, John E.
Adkins, Richard C.
Aiello, Michael J.
Albers, Donald P.
Alford, Lodwick K.
Alich, James A.
Allen, James B.
Altieri, Richard T.
Altshuler, Herbert L.
Anastasi, Richard W.
Anderson, Parker T.
Andrews, Michael A.
Angeli, Robert R.
Arango, Roger J., Jr.
Askman, Jan P.
Atkins, Gary W.
Atkinson, Terry O.
Avard, John J.
Baccei, Bruce C.
Baggett, David L.
Bailey, Max P., III
Baker, Charles L.
Baker, James R.
Balkcom, James R., Jr.,
Barbee, Steve G.
Barney, Michael L.
Barofsky, Frederick J.
Bean, David B.
Beck, Edward J.
Begin, Robert J. P., Jr.
Behrens, Jon S.
Berthelot, Henry J.
Bickford, Richard O.
Bigelman, Paul A.
Bishop, Burk E.
Bishop, David M.
Black, Richard A.
Blanchard, David G.
Blaney, Thomas D.
Bohn, Bartholomew B., II
Bolyard, Marshall K.
Bondurant, Jimmy N.
Boretti, John J.
Bornmann, John A., Jr.
Bowen, Carl A.
Boyt, John T., III
Brantner, Jim N.
Brawn, Richard E. K.
Brierly, James K.
Brigadier, William L.
Brown, Gordon M., II
Brown, Hugh B., III
Brown, John P.
Brown, William D.
Bryla, Edward A. B.
Bucchieri, David J.
Burer, Alfred E.
Burkett, Philip A.
Burns, Jonathan K.
Bush, Kenneth R.
Butler, Craig D.
Cage, Lee E., Jr.
Cain, Michael M.
Caldwell, John S., Jr.
Call, James F., Jr.
Canevet, John P.
Carlson, Gary W.
Carpenter, Robert J.
Casey, Elmer M., Jr.
Casey, Joseph C.
Cassity, Martin M., Jr.
Cates, William E.
Cenci, Robert A.
Chambers, Gary M.
Charters, John P.
Clapper, Richard T., Jr.
Clark, Asa A., IV
Clarke, Townsend S.
Cline, Paul M., Jr.
Cmil, Paul J.
Coates, Dennis E.
Coe, Aaron E.
Coker, Thomas C.
Cole, Douglas E.
Colella, Louis J.
Colson, Robert H.
Combs, John L.
Comi, Richard A.
Commons, Christopher S.
Condon, Thomas P.
Condos, William R., Jr.
Corley, John T., Jr.
Cortese, Anthony H.
Costanza, Charles, Jr.
Cowart, James B.
Cox, Michael J.
Crawford, Gregory L.
Crowley, James C.
Cullen, Thomas J., Jr.
Cunningham, John E.
Curtis, Robert I.
Curtis, Thomas M.
Cusack, William F., Jr.
DeSantis, James P.
Dean, Ward F.
Delaplain, Calvin B.
Delleo, Michael F., Jr.
Dewey, Edward J.
Dials, George E.
Dietz, Donald W.
Dietzel, Joe M., Jr.
Dionne, Ronald E.
Doheny, Robert C.
Donnell, Alton P., Jr.
Donohue, William J., Jr.
Doty, Steven E.
Douglas, John H.
Downs, Gary T.
DuBois, Joseph E.
Ducharme, Jean M., II
Dunn, Michael E.
Dwiggins, Donald H., Jr.
Dyer, Thomas B., III
Economos, Peter
Eggering, William H.
Ehrenreich, Richard L.
Ellis, David R.
Eme, Elwood M.
Emerson, Tom
Enners, Raymond J.
Ervin, William J., III
Estes, Richard D.
Etheridge, Hampton A., III
Evans, Robert H.
Fabish, Frank J.
Farr, Richard S., II
Findley, James J.
Fischer, George R.
Fischer, Mark R.
Foelsch, Richard E.
Fowler, Garth L.
Fowler, James D., Jr.
Fox, Gerry L.
Fracker, Phillip M.
Francisco, Thomas R.
Frank, Robert A.
Frankiewicz, Stephen L.
Frazer, Ronald L.
Frazier, Gary L.
Freccia, William F.
Frink, John A.
Fulkerson, Roger A.
Gale, John C.
Garay, John S.
Gilbert, Timothy P.
Gizzi, Peter J.
Gladstone, Richard V.
Gonser, William C.
Gooding, Richard H.
Goodnow, John E.
Graham, John M. W.
Gray, Douglas T., III
Graziano, John A.
Greene, Ellis D.
Griffin, Robert F.
Griffith, Robert K., Jr.
Groman, William C.
Groover, Dana M.
Grove, Stephen K.
Grube, Richard A.
Guignon, Thomas R.
Haas, James O.
Hadly, David M.
Hadorn, John R.
Haeffner, Robert A.
Hagen, Robert P., Jr.
Haines, William L.
Hale, David R. E.
Hale, Glynn W.
Hall, Gary L.
Hall, John R., II
Hamilton, Mark R.
Hand, Terry D.
Hanelt, Peter G.
Hankard, Thomas R.
Hansen, Dean D.
Hardin, Joseph S., Jr.
Hardy, Michael R.
Harmless, Howard M., II
Harris, Kenneth A.
Harris, Robert L., Jr.
Hart, John D.
Hartley, Robert M.
Hartman, Frederick E.
Haseman, Paul B.
Hausman, William F., Jr.
Hayes, Brian E.
Heath, Raymond A., Jr.
Hedrick, Bruce B., Jr.
Hegglin, Terry L.
Heimann, Roger T.
Heimberg, Ernest C., Jr.
Heisler, Charles T.
Held, William G.
Helmstadter, Donald G.
Herb, Robert D.
Herman, Claude P.
Hernandez, Charles P.
Hertzfeldt, Donald C.
Hewett, David K.
Heyne, Michael A.
Hikes, Dale J.
Hill, Frank A., 3d
Hill, Richard M.
Hill, Thomas R.
Hines, Jerry L.
Hixson, Robert A.
Hoagland, William
Hogue, Philip A., Jr.
Hohman, Loren H., II
Honzo, Steven G.
Hood, Michael A.
Horn, William W.
Horton, David D.
Horton, James R.
Horwath, Charles S.
Hoskins, Harry D., III
Howard, Carrol J.
Hubert, George P.
Hubshman, Edward R.
Hughes, Emmett E.
Hulse, Richard D.
Hutchinson, Milford B., III
Huyck, Dennis W.
Hyde, Gary L.
Izzo, Lawrence L.
Jackson, James F.
Jackson, Joseph P., Jr.
Jackson, Thomas H.
Jacobs, Karl H.
Jacobus, Thomas P.
James, John R.
Jansen, Alexander R.
Jinks, Daniel W.
Johnson, James T. R., Jr.
Jones, David C.
Jones, James P.
Jones, Norman R.
Jones, Richard A.
Jones, Wilbur S., Jr.
Jordan, Edwin N., Jr.
Jorgenson, John H., II.
Kasper, Lewis P.
Keck, Chad W.
Keck, Robert C.

Keenan, Robert E., Jr
Kellenbenz, George H.
Kelley, David H.
Kelley, Michael D.
Kelly, John E., Jr.
Kempf, Michael C.
Kern, Paul J.
Ketter, Terry L.
Kinnard, Randall L.
Kinney, Lloyd P.
Kiper, Richard L., Jr.
Kishiyama, Michael M.
Knapp, Robert E., Jr
Koch, William P.
Kokonowski, Paul R.
Kolesar, George F.
Komblevitz, Andrew
Kraft, Carlan J.
Kraus, Kent E.
Krause, Peter B.
Kreger, Frank H., III
Kujawski, Steven W.
Kunihiro, Dean M.
Kurtyka, Steven T.
Kush, Michael F.
Kuspa, John P.
LaBelle, Gary L.
LaBouliere, Richard H.
LaRaia, Robert F.
Lancaster, Michael S.
Landgraf, John B.
Langlois, William M.
Lanyi, Thomas
Lascher, Michael F.
Lau, Hartmut H.
Lenz, Robert J.
Leonardi, Kenneth J.
Libutti, Robert J.
Lighthill, Michael S.
Lima, Paul E.
Locke, Edward J.
Loftin, Davis H.
Love, Robert J.
Lowrey, Willis F., Jr.
Loyola, Mario A.
Lucas, Everett D., Jr.
Lupton, George P.
Lynn, William R.
MacDonald, William A
MacPherson, Donald W.
Macfarlane, F. Scott
Mackerer, John C., Jr.
Madsen, Jeffrey R.
Mahle, Clarence E.
Mahoney, Brian E.
Marion, Eddie L.
Marlin, Lawrence H.
Maron, Andrew W.
Marshall, John E., Jr.
Mather, Walter E., Jr.
Mathews, Mathew S., III
Matulys, Joel T.
May, Stephen A.
McAdoo, David R.
McBride, Michael B.
McColgin, Sterling W.
McConnell, Todd L.
McCoy, Tidal W.
McCrodden, Brian J.
McDowell, William J.
McEldowney, Robert S.
McMahan, William T
McManus, Thomas P
McMillan, William L
Meigs, Montgomery
Mekkelsen, Norman B., Jr.
Metzger, Robert S., II
Meyer, Charles R., II
Mikale, Dennis M.
Mikula, John E.
Miley, James M.
Millard, Val D.
Miller, Mark W.
Miller, Robert H., Jr.
Milliken, James L.
Mills, Charles J.
Mills, Karl W.
Minnick, Cole W., Jr.
Misurek, Gerald S.
Mohler, Ralph G.
Molnar, Gerald J.
Monroe, Wayne A.
Montanaro, John D.
Moon, Randall W.
Mooney, Darrel L.
Moore, Edward V.
Moore, Reginald G., Jr.
Moore, William P., III
Morrell, William R.
Mosser, David R.
Moyer, Gary L.
Murfee, Walter L.
Murphy, Thomas M.
Murrell, John H.
Murrill, Robert D., Jr.
Nahas, Albert J.
Naples, Ronald J.
Natalini, Ernest R.
Nathe, Michael L.
Nelson, Donald J.
Nesterak, Norman L.
Neuburger, Daniel L.
Neuman, Michael J.
Newell, Richard T.
Newman, George E., III
Newton, John E.
Nickerson, Barry E.
Nida, Anthony V.
Nii, Michael N.
Norton, Michael
Norton, William A.
Nowels, Jerry L.
Nusbaum, Andrew J.
O'Hara, Kerry L.
Obert, Jack E., Jr.
Obley, William W.
Olson, Alan D.
Osborne, James D.
Ouellette, John R.
Pais, Randall M.
Palmer, Nielsen R.
Pangle, Victor C., II
Parr, Michael G.
Parr, Thomas J.
Parrish, Monte M.
Partridge, David M.
Peixotto, David E.
Pejakovich, George
Pena, Jose M.
Pennington, William R.
Penny, Palmer J., III
Perkins, George E.
Perry, Frank M.
Petrie, Thomas A.
Petruzel, William F.
Pettit, Thomas C.
Phalan, Richard A.
Philips, Malcolm H., Jr.
Pillsbury, Hobart B., Jr.
Pittenger, William A.
Platt, Richard W., Jr.
Platt, William T.
Pollitt, William A.
Portney, Robert L.
Powers, David L.
Preston, Leonard L., Jr.
Pringle, Douglas J.
Pryor, James E.
Radez, Richard E.
Ragsdale, Daniel P.
Ramsey, Anson S.
Rankin, Charles M.
Rankin, Gordon L.
Reder, Norbert J., Jr.
Refsland, Earl R.
Releford, Richard D.
Rettig, Robert W.
Rice, Gregory A.
Rice, Kenneth A.
Richards, William A.
Richardson, Bruce S.
Riess, Michael G.
Risseeuw, Dean P.
Rivers, David P.
Roberts, James E.
Robinson, Gus B.
Rodriguez, Benjamin
Rodriguez, George A.
Roe, Raymond T.
Rollow, John A., IV
Root, Joseph E., III
Rothmann, Harry E., Jr.
Rothrauff, Thomas C. Jr.
Rowley, David S.
Ruhl, James F.
Russell, Timothy B.
Ruthven, Arlin C.
Saine, James H.
Sakas, Karl D.
Sands, Warren M.
Sargeant, James R.
Savory, Carlton G.
Sayes, Thomas H., III
Schaefer, George A., Jr.
Schaltenbrand, Wayne K.
Schrage, Daniel P.
Schremp, Frederick R.
Schwartz, Ferdinand L., Jr.
Schwartz, Thomas A.
Sears, Stephen R.
Segal, Robert L.
Segraves, Michael T.
Sellars, Robert L.
Severson, John E.
Seyfer, Alan E.
Sharkness, William W.
Shaw, Robert F.
Shotwell, Rand K.
Shumate, Rufus H., Jr.
Siket, James R.
Smith, Colin C.
Smith, Edwin P.
Smith, Frank L., Jr.
Smith, Gregory W.
Smith, John L. B., Jr.
Smith, Kenneth W.
Smith, Lawrence R.
Snyder, David M.
Socher, Gordon A.
Spincic, Wesley J.
Spinello, Michael T.
Spring, Sherwood C.
Stancil, Charles M.
Stark, Jeffrey A.
Starr, Douglas H.
Stave, Clark A.
Steere, Myron S., III
Stewart, James E.
Stewart, John N.
Still, Thomas R.
Stock, Joseph P., Jr.
Stone, Virgil W.
Streit, Charles W.
Stromberg, Robert N.
Strong, Kenneth D.
Sullivan, Edward A. M.
Summers, Peter P.
Sutten, Charles G., Jr.
Swanson, Charles H.
Swett, Thomas N.
Tankovich, James A.
Taylor, Harry O.
Taylor, Harvey G., Jr.
Terry, John G., Jr.
Theis, Joseph C.
Thiltgen, John W.
Thomas, Charles S.
Thomas, Frederick H.
Thompson, Thomas D., Jr.
Thomson, John E.
Thornton, Thomas N.
Threadgill, Gerald G.
Tieman, Marvin L.
Timm, Henry P., Jr.
Tipton, Edward N.
Toelle, Steven A.
Toneatto, Giuliano M.
Trainor, Charles W.
Trevathan, Louis B., Jr.
Tucker, Harry A., Jr.
Tye, David L.
Uberecken, Henry M., II
Unterbrink, Robert C., Jr.
Vance, James O.
Viney, George S.
Visconti, Joseph Jr.
Vissers, Christian F.
Walden, James L.
Walker, Jerry D.
Walker, Robin A.
Walker, Wallace E.
Waltz, Roger W.
Waraksa, Thomas J.
Warner, James M.
Warren, Michael H.
Waterman, Richard E.
Watts, George W., III
Weakley, Benjamin L., Jr.
Weitz, Ronald L.
Weller, James M.
Wells, Daniel R.
Wentzel, Sealon R., Jr.
Whaley, Bobby G.
White, Emett R., IV
White, Thomas E., Jr.
Wikert, Gary A.
Wilby, William L.
Williams, Forrest D.
Williams, Kenneth E.
Williams, Robert K.
Wimert, Michael C.
Windeler, Jack A.
Winkel, Raymond J., Jr.
Winton, George B.
Winton, Michael C.
Wolfe, Donis R.
Wood, Jack B.
Wysocki, Robert A.
Yambor, Steven P.
Yankus, John A.
Yap, Michael W. L.
Yuguchi, Tadashi G.
Ziemke, Jack A.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Lucy F. Sanders, Goshen, Ala., in place of M. F. Seymour, retired.

Ramona N. Sellers, Kent, Ala., in place of J. R. Estes, retired.

ARIZONA

Wilbur V. Cook, Youngtown, Ariz., office established October 2, 1961.

CALIFORNIA

Anne A. M. Woempner, Boulevard, Calif., in place of W. B. Keller, removed.

Leona M. Wade, Central Valley, Calif., in place of T. G. Boothroyd, retired.

Jack R. Tallman, Plymouth, Calif., in place of C. W. Needham, retired.

Jack L. Faulkner, Trinidad, Calif., in place of M. R. Saunders, retired.

COLORADO

Byron M. Jacobsen, Ault, Colo., in place of D. B. Venable, retired.

Leslie M. Cogswell, Pierce, Colo., in place of E. F. Huitt, retired.

CONNECTICUT

Luzerne L. Bristol, Durham, Conn., in place of H. E. Leonard, retired.

E. Louise Oatley, East Killingly, Conn., in place of P. T. Lewis, retired.

Stanley Dombrowski, Jr., Oakdale, Conn., in place of A. T. Babcock, retired.

Thomas J. Kaylor, Washington, Conn., in place of C. H. Davenport, retired.

GEORGIA

Mary C. Townsend, Wildwood, Ga., in place of M. C. Tucker, retired.

IDAHO

Lena E. Quincy, Tensed, Idaho, in place of B. J. Howard, retired.

ILLINOIS

Lester J. Morr, Altamont, Ill., in place of S. W. Goers, retired.

John I. Stoltz Bellmont, Ill., in place of I. C. Stoltz, retired.

Merabello Pelini, Chillicothe, Ill., in place of R. E. Ward, retired.

Charles E. Smith, Geff, Ill., in place of O. H. Holman, retired.

Francis M. Pope, Ramsey, Ill., in place of L. A. Hayes, transferred.

INDIANA

George A. Bouse, Claypool, Ind., in place of C. M. Sands, transferred.

Mrs. M. Louise Davenport, Henryville, Ind., in place of D. V. Prall, retired.

Juanita O. LaFollette, Ridgeville, Ind., in place of F. W. Conn, resigned.

IOWA

Donald H. Degen, Bancroft, Iowa, in place of F. M. Bradley, retired.

David W. Springer, Jr., Kellogg, Iowa, in place of L. A. Hasselbrink, retired.

Dwayne D. Dygert, Panora, Iowa, in place of G. M. Heiland, retired.

KANSAS

Willis J. Truhlicka, Barnes, Kans., in place of J. T. Poland, retired.

Berniece L. French, Rossville, Kans., in place of Everett Pelfrey, retired.

KENTUCKY

Charles N. Skillman, Hardinsburg, Ky., in place of J. O. Gibson, retired.

Lucille S. Smith, Pikeville, Ky., in place of Grant Phillips, Jr., retired.

MARYLAND

Edward F. Mooney, Lonaconing, Md., in place of E. J. McPartland, deceased.

MASSACHUSETTS

Walter D. Calnan, Merrimac, Mass., in place of G. V. Crane, retired.

Gerald C. Tucke, North Chelmsford, Mass., in place of G. M. Fallon, retired.

MICHIGAN

T. Gary DeVar, Waterford, Mich., in place of L. M. Amos, retired.

Frederick G. Hamlin, Watervliet, Mich., in place of J. H. Brule, retired.

MINNESOTA

Roger A. Baldwin, Big Lake, Minn., in place of E. I. Reintjes, retired.

Thomas T. Cotter, Brewster, Minn., in place of J. P. Ebert, retired.

Norman S. Boehne, Parkers Prairie, Minn., in place of H. T. Cobjornsen, retired.

Ovid R. Sitz, Park Rapids, Minn., in place of H. M. Magelssen, deceased.

MISSISSIPPI

Sarah E. Tolar, Anguilla, Miss., in place of M. L. Henry, retired.

William E. Galey, Jr., Greenwood, Miss., in place of R. B. Hall, retired.

MISSOURI

Gerald E. Wilson, Blythedale, Mo., in place of C. M. VanHoozer, retired.

Joy F. Messick, El Dorado Springs, Mo., in place of Parks Bacon, retired.

Francis M. Bryan, New Bloomfield, Mo., in place of Arthur Williams, retired.

MONTANA

Edward A. Anklam, Culbertson, Mont., in place of E. L. Bowers, retired.

NEW JERSEY

Rachel B. Hill, Cape May Point, N.J., in place of R. N. Gerew, retired.

NEW MEXICO

Lester O. Downey, Aztec, N. Mex., in place of J. G. Lanier, retired.

Edna A. Taylor, Whites City, N. Mex., in place of E. R. White, retired.

NEW YORK

Charles M. Baez, Castle Point, N.Y., in place of W. A. Horan, retired.

Ruby I. Breakey, Copenhagen, N.Y., in place of G. F. Mahar, deceased.

Henry Betke, Coxsackie, N.Y., in place of E. V. Parslow, deceased.

Helen H. Braun, Glenford, N.Y., in place of V. M. O'Brien, retired.

Carl W. Lewis, Gouverneur, N.Y., in place of A. J. Boulet, transferred.

John P. Coultry, Malone, N.Y., in place of C. J. Dumas, retired.

Francis J. Wilson, Portville, N.Y., in place of H. M. Fairbanks, retired.

Warren P. Schofield, Waddington, N.Y., in place of J. D. Desmond, retired.

Robert H. Ward, Weedsport, N.Y., in place of J. A. Howe, retired.

NORTH CAROLINA

Everett D. Tate, Nags Head, N.C., in place of R. R. Kessinger, retired.

Frank H. Powell, Turkey, N.C., in place of L. A. Williamson, retired.

OHIO

Banjamin K. Pfeiffer, Gnadenhutten, Ohio, in place of H. L. Gray, retired.

Eleanor R. Flor, Yorkville, Ohio, in place of A. M. Wulle, retired.

OKLAHOMA

Harvey R. Bettis, Atoka, Okla., in place of K. A. Fahrny, transferred.

Gordon B. Grant, Edmond, Okla., in place of J. W. Simmons, retired.

Howard W. Thomas, Pawnee, Okla., in place of W. R. Marlin, retired.

Frank C. Coon, Stilwell, Okla., in place of B. R. Jones, retired.

OREGON

Robert G. Schneider, Gresham, Oreg., in place of F. J. Powell, Jr., resigned.

George T. Lyons, Odell, Oreg., in place of H. M. Rhoades, retired.

PENNSYLVANIA

Jeanette R. St. Clair, Blairs Mills, Pa., in place of E. B. Kling, deceased.

Newell A. Blair, Linesville, Pa., in place of H. D. Akens, retired.

Harry E. Adams, New Cumberland, Pa., in place of H. J. McIntyre, retired.

Charles F. Sutton, Newtown, Pa., in place of R. S. Burns, deceased.

PUERTO RICO

Alma A. G. Head, Penuelas, P.R. in place of Ramon Zaragoza, retired.

RHODE ISLAND

Raymond F. Cahill, Oakland, R.I., in place of Ralph Scotland, Jr., retired.

SOUTH CAROLINA

James R. Coleman, Travelers Rest, S.C., in place of W. F. Griffin, retired.

Esther S. Kearse, Ulmers, S.C., in place of J. J. Brant, declined.

SOUTH DAKOTA

Clair T. Eggen, Astoria, S. Dak., in place of O. G. Westgard, retired.

Paul J. Cooney, Kennebec, S. Dak., in place of D. L. Floyd, resigned.

Christian G. Christiansen, Sisseton, S. Dak., in place of F. X. Clarey, retired.

TENNESSEE

Frewl B. Buffaloe, Gates, Tenn., in place of O. L. Davis, retired.

Marshall G. Pierce, Jr., Halls, Tenn., in place of E. J. Shannon, retired.

Carl W. Smith, Kenton, Tenn., in place of J. F. Penn, retired.

TEXAS

Mike A. Carlisle, Holland, Tex., in place of W. D. Reed, retired.

John H. Muennink, Hondo, Tex., in place of H. E. Filleman. retired.

Mayme M. McBrayer, Lorena, Tex., in place of T. H. McBrayer, retired.

Larry F. Lattimore, Ore City, Tex., in place of G. J. Shipp, retired.

William R. Bunker, Jr., Salado, Tex., in place of B. M. Johnson, retired.

VERMONT

Franklin D. Henry, Norton, Vt., in place of P. S. Molloy, removed.

VIRGINIA

William B. Newton, Mechanicsville, Va., in place of M. L. Carneal, retired.

James L. Staubus, Mount Solon, Va., in place of W. J. Shull, retired.

Barbara C. Hurst, North Tazewell, Va., in place of D. H. Webb, retired.

Frances S. Vincent, Skippers, Va., in place of B. B. Vincent, resigned.

WASHINGTON

Allen L. Millard, Greenacres, Wash., in place of Jack Doty, retired.

Maxine A. Meyers, Lyman, Wash., in place of Enis Beasley, retired.

Leonard E. Amundson, Marysville, Wash., in place of J. C. Boid, resigned.

WISCONSIN

Joyle H. Anderson, Amery, Wis., in place of W. J. Fraipont, retired.

Howard M. Frane, Curtiss, Wis., in place of I. E. Hennlich, retired.

Edward J. Prem, Loganville, Wis., in place of F. H. Trachsler, deceased.

Arthur G. Hubbard, Mondovi, Wis., in place of A. E. Duncanson, transferred.

WYOMING

Bessie E. Lieuallen, Fort Larmie, Wyo., in place of E. I. Underwood, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 17, 1967:

DEPARTMENT OF STATE

Claude G. Ross, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Haiti.

AGENCY FOR INTERNATIONAL DEVELOPMENT

John C. Bullitt, of New Jersey, to be Assistant Administrator for the Far East, Agency for International Development.

WITHDRAWAL

Executive nomination withdrawn from the Senate April 17, 1967:

POSTMASTER

The nomination sent to the Senate on March 13, 1967, of Mary B. Porter to be postmaster at Mayetta, in the State of Kansas.

EXTENSIONS OF REMARKS

Bureaucrats and the Games They Play

EXTENSION OF REMARKS

OF

HON. E. S. JOHNNY WALKER

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 17, 1967

Mr. WALKER. Mr. Speaker, today I would like to discuss bureaucrats and the games they play. I can only imagine the name of the game, and I must confess I don't know the rules, nor how the score is kept, nor whether the players realize the injustice they do the public.

Federal agencies seem to take a perverse pleasure in pitting themselves against the public in these games.

I have followed the progress of one game, since coming to Congress 2½ years ago, between the Civil Aeronautics Board and the public. Since the rules are known only to the CAB, and it refuses to discuss them, naturally the public is behind. However, the game is not yet over.

The CAB scored an undetermined number of points with the decision of April 11, 1967, in the matter of the Pacific Northwest-Southwest Service case, docket 15459 et al.

A synopsis of the game to date follows:

In August 1964 hearings commenced:

During the next 1½ years, CAB Examiner Ross I. Newmann traveled extensively and listened to representatives of various cities who wished to obtain additional airline services. Governors, Members of Congress, city officials, county officials, and interested civic-minded individuals testified and answered questions at these hearings.

In June 1966, Mr. Newmann presented his recommendations to the Civil Aeronautics Board. The Board calls the recommendations the "initial decision" and reserves the right to discretionary review.

Last week, the final decision, which bears little resemblance to the initial decision, was announced. The time lag between the initial decision and the final decision was 9 months. I am tempted to observe at this point that the mountain labored and brought forth a mouse.

On April 12, a messenger brought a packet from the CAB to my office at 6:30 p.m. Like most of my colleagues, I have a dedicated staff, and it would be unusual if there were not someone in my office at that time.

However, there was no one to answer the telephone at the CAB.

The CAB now indicates that a new investigation will be held.

I would like to commend the CAB for

its refusal to be stampeded into any snap decisions.

During the past 3 years, the CAB has spent about $17 million for personal services, and it is very tempting for me to call this amount "player salaries."

If there is any doubt about the impact of the CAB's actions on a community, let me quote from a column by George Carmack, managing editor of the Albuquerque Tribune, a Scripps-Howard newspaper:

> I asked this man (a prominent New York businessman) what he thought Albuquerque and New Mexico could do to get our share or a little more of this (population) shift. "Let me tell you a very minor thing first but you might be surprised at how important it can become," he said. "If you hope to attract national or regional headquarters of major business, you are going to have to be sure that your commercial air service is first class. The jet airplane has really changed things and if your schedules are not competitive with those of other cities, you are badly handicapped." He, of course, had no detailed knowledge of how Albuquerque fared in this regard.

Tribute to Giovanni da Verrazano, April 17

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 17, 1967

Mrs. KELLY. Mr. Speaker, April 17 marks Verrazano Day and I would like to pay tribute to that great Italian sailor and explorer.

Historians believe that Giovanni da Verrazano was the first European to visit the area that became New York City and undoubtedly he sailed into New York Harbor and saw the mouth of the Hudson River in 1524.

An outstanding sailor of the 16th century, in his youth Verrazano sailed in the Mediterranean and finally settled in France. In 1524 he was commissioned by the French King, Francis I, to explore the coast of North America. He did this in company with the French explorer, Jacques Cartier. He brought back the first maps of what is now the New York City area. The practical result of Verrazano's voyage was the rekindling of French interest in the New World, which in turn led to the great struggle between England and France for control of the North American Continent.

He became concerned, following his initial discoveries, with European attempts to find a passage through the American Continents to the Pacific. In March 1528, he sailed again from France at the head of an expedition bound for the Americas. But he came to an untimely end, as he was beset by cannibals at the height of his explorations. One can truthfully say he gave his life in behalf of discovery and the quest for expanded human knowledge.

The Verrazano-Narrows Bridge exists today as a great tribute to this brave explorer. The bridge connects the Borough of Brooklyn with Staten Island. It is a suspension span of 4,260 feet, the longest in the world.

It is indeed appropriate that the name of Verrazano, who played a primary part in the discovery of the North American Continent, should be recognized in so illustrious a manner. It is appropriate also that we annually pay tribute to him, for he was, indeed, a great explorer.

Hon. Robert E. "Bob" Jones Speaks on the History of Flood Control, Paying Tribute to the Efforts of Clifford Davis, of Tennessee

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 17, 1967

Mr. GATHINGS. Mr. Speaker, our colleague, Hon. Robert E. Jones, of Alabama, chairman of the Flood Control Subcommittee of the House Committee on Public Works, delivered a most illuminating and provocative address to the Lower Mississippi Valley Flood Association in New Orleans, La., on December 3, 1964.

He talked at the banquet meeting of the association at Hotel Roosevelt and his remarks were warmly received by the large listening audience. Mr. Jones depicted the history of flood control legislation in the Nation and the vital role and moving force behind water resource development by the people from the area embraced in the Mississippi River and its tributaries.

"Bob" Jones paid tribute to our former colleague, Hon. Clifford Davis, of Tennessee, praising his accomplishments and his long service to his district, State, and Nation. He enumerated the legislation which "Cliff" Davis fought for and was successful in passing during his tenure of office.

Mr. Jones' remarks follow:

Address by Hon. Robert E. Jones, Member of Congress, Before the Lower Mississippi Valley Flood Control Association, New Orleans, La., December 3, 1964

Mr. President, members of the Lower Mississippi Valley Flood Control Association, ladies and gentlemen:

It is an honor to be invited to address this fine Association on twin subjects—a man and a river. I refer, of course, to Congressman Cliff Davis of Tennessee and the mighty Mississippi. Both the man and the river have been close to my heart for many years.

Before recounting the tremendous contributions that Cliff Davis has made in the development of the Mississippi, I would like to sketch briefly the programs for flood control, navigation, and the related features of water resources development which have meant so much to the people in the Valley and to the Nation.

Many thoughts must have entered the mind of DeSoto as he discovered the Father of Waters 423 years ago. However, I am sure he had no realization of the tremendous forces which lay within the bosom of the mighty stream—forces that could be of great benefit to the future peoples along its banks and which could be equally disastrous. So long as the river bore only the canoes of the Indians and the shallow riverboats of the early settlers, and so long as its banks were sparsely settled, it was useful as a minor avenue of commerce, and harmful only as a minor annoyance when it overflowed.

As the country grew, however, the needs of both commerce and the production of food and fiber became increasingly dependent upon the use and control of the Mississippi River. Its treacherous sand bars and its shifting channel could not long be trusted. Its yearly overflow could no longer be tolerated.

No overall solution of a problem of this magnitude had ever been attempted. The early efforts to control the Mississippi in the 18th Century followed the traditional pattern of constructing dikes and levees. There was no comprehensive plan for harnessing the stream. Levee failures occurred frequently in the early and middle 1700's.

Following the turn of the 19th Century, the increasing development of engineering skill enabled man for the first time to face the problems of controlling a great river with more hope. The Federal Government entered the picture in 1820 when a token start was made through the appropriation of funds for surveys and maps. This was brought about partly by the advent of the steamboat and increased need for navigation aids on the Mississippi and the Ohio. The first work was started in 1824 when the Corps of Engineers was made responsible for removing snags below the mouth of the Missouri River. This was the beginning of the present vast network of 12,000 miles of inland waterway.

The improvement of the Mississippi River for navigation was the first recognized need. However, as time went on, it became increasingly apparent that the control of floods was equally important. Two of the most devastating floods occurred in 1849 and 1850 in the Lower Valley and caused such a loss of life and destruction of property that the attention of the Nation was directed to the area. The end result was that the famous Swamp Acts of 1849 and 1850 were passed by the Congress.

One of the early forerunners of the present-day survey report of the Corps of Engineers was started by Congress in 1850 by two engineers, Humphrey and Abbott, of the Corps of Engineers. Their study is a historic landmark in the control of the stream.

Following their report, a period of stagnation occurred when the Nation was occupied with the Civil War. Much of the work that had been previously accomplished was lost.

The river was not to remain in this state, however. The first step along the road which we are still following was the creation of the Mississippi River Commission in June 1879. The Commission had the responsibility of recommending plans for rebuilding that which had been destroyed and for planning ahead for the great work which was yet to be accomplished. This has proved to be one of America's greatest steps forward in the field of natural resource development.

The work of the Commission and the construction of improvements were carried on in the years and decades that followed. The Federal Government continued its aid to the area, both in the matter of planning and in the matter of levee construction and channel improvements. But it was not really awakened to the compelling need until the flood of 1927. This flood inundated about 26 thousand square miles of the Valley, destroyed many of the levees, and inundated scores of cities and towns and thousands of farms. The damage reached almost 300 million dollars and more than 200 lives were lost. About three-quarters of a million people were left homeless and the major routes of transportation were completely blocked.

It was then that the Federal Government, through the Corps of Engineers, took its second major step, by the authorization of the comprehensive project for the Mississippi River and Tributaries in the Flood Control Act of 1928. Although other acts had been passed dealing with flood control, both in the Mississippi River and in isolated areas in other parts of the country, the 1928 Act might be termed the first major flood control act in the United States. It perhaps may be visualized as a starting point for the general recognition of national responsibility in flood control which culminated in the Flood Control Act of 1936, usually referred to as the first National Flood Control Act, which covered every part of the United States.

The plans and projected programs for the entire country, set forth in the 1936 Act, were developed, expanded, and modified in accordance with the ever-increasing know-how as the years went on. We can say in all confidence that the control of floods and the related benefits arising from navigation, hydroelectric power development, water quality control, pollution abatement, recreation, fish and wildlife preservation, and many others have become the accepted fields of national interest.

It might be of interest to cite a few dollar figures with respect to the programs for flood control, navigation, and related functions for the whole country.

The total flood control, navigation, and multiple purpose programs amount to about 22 billion dollars. Of this amount, about 13 billion dollars has been appropriated. The present rate of appropriation is slightly over one billion dollars a year. If no new projects were to be authorized, the program could be completed in something less than 15 years; however, it must be recognized that new projects are constantly being added or altered.

The population explosion is creating new needs. There are new requirements for abatement of water pollution, the supply of fresh water to our cities, our industries, and our farms, and the many other facets of water resources development.

The expenditures for these great programs have been repaid many times over by benefits to the Nation as a whole. For instance, present figures show that flood control benefits have already returned three times the cost of the projects. Benefits from navigation have also exceeded the construction cost.

The Lower Mississippi River is an outstanding example of the benefits from water resource development. The latest cost-estimate of the project for the Mississippi River and Tributaries authorized in 1928 is approximately one billion, 912 million dollars. Benefits from this program are being returned at the rate of 6 dollars for every dollar of cost.

It should be a matter of great pride to the Lower Mississippi Valley Flood Control Association that it has played a vital part in the first and the biggest water resource development in the United States.

And in this connection Cliff Davis, too, can well be proud of the part he has played during his many years on the Committee on Public Works and as Chairman of the Subcommittee on Flood Control. He is the top ranking member of the House in this field. He has made contributions of tremendous value to the development of the Mississippi River and to the country as a whole. There is no more appropriate time or place than now to speak of the highlights of his career.

Clifford Davis, Representative in Congress from the Ninth District of Tennessee, is known by most people in this room. Many of us call him Judge Davis, not only because of his previous experience on the bench, but also because of the qualities of knowledge and leadership which he has shown over the years. He was elected in 1940 to the 76th Congress and to every Congress since. This Session of Congress will be his last; and we who have served with him, as well as his friends in the Valley, will deeply regret his leaving a post which he has so ably and so honorably filled.

When a person of the proven worth of Cliff Davis leaves office, we all remember many of the great things that he has done during his period of service. Most of us are inclined to overlook the fact that these notable achievements are not isolated peaks of accomplishment. They are the heights which can only be reached by hard uphill grinds. This is perhaps true in all walks of human endeavor, but most particularly in the field of legislation. The public works which can be traced directly to the efforts of Clifford Davis are the result of days, months, and even years of patient, untiring effort.

In addition to being Chairman of the Flood Control Subcommittee, he was also a member of the Subcommittee on Rivers and Harbors, which is closely related to flood control as you in the Mississippi Valley well know, and also a member of the Subcommittee on Roads, Public Buildings and Grounds, and Watershed Development. In the last two Congresses, he has been Chairman of the Select Subcommittee on Federal Real Property Acquisition, which is now completing a report expected to be one of the most valuable documents ever produced. Last, but certainly not least, was his Chairmanship in the present Congress cf the Ad Hoc Subcommittee on Appalachian Regional Development. I have never seen anyone work so hard and for so worthy a cause. He succeeded in getting the bill out of Committee over tremendous odds, and if it had not been for circumstances beyond his control it would have been enacted into law.

One of Cliff Davis' earliest achievements was the sponsorship of legislation to provide for planning and construction of the Mississippi Valley Parkway, also known as the Great River Road. As far back as the 82nd Congress he introduced legislation for this project and in the 83rd Congress it was enacted.

In the 84th Congress he introduced legislation to amend the Tennessee Valley Authority Act to provide for the sale of revenue bonds in the amount of 750 million dollars. This would have increased the efficiency of the TVA by adding sorely needed steam facilities to the existing hydroelectric plants.

As was inevitable, opposition arose because of conflicting philosophies of public and private power production. Judge Davis had no hesitation about venturing into this political jungle, which represented perhaps one of the most difficult legislative terrains in the field of domestic policy. He did not succeed in having this bill enacted in the 84th Congress; but, undaunted, he continued to fight in the 85th Congress and succeeded in having the bill reported to the House. It still did not clear the entire Congress and go to the President; but he continued to work toward the goal until finally in the 86th Congress, due to his inspired leadership, the TVA revenue bond bill was passed and approved on August 6, 1959.

During this time Cliff Davis was one of the principal architects of the Flood Control and River and Harbor Bills, commonly known as the Omnibus Bills. These bills, during his leadership on the Committee, totaled 8 billion, 400 million dollars. Particularly noteworthy was the 1958 Flood Control Bill on which hearings were actually begun in 1956 and which followed a stormy road beset by conflicting views in his own Committee and in the Congress as a whole. It was thwarted by three vetoes. He finally succeeded in securing this much-needed authorization for public works projects in 1958. These bills contain not only authorizations for the many projects which are presented to the Congress by the Corps of Engineers, but equally important contain increased authorizations for comprehensive basinwide plans previously approved by the Congress but subject to a monetary ceiling at the time of approval. These basins include the alluvial valley of the Mississippi River and many others.

Another major field in which Judge Davis had played a prominent part is that of the national highway program, and the well-known Interstate Highway Program on which construction was initiated in 1956 with a completion goal in 1972.

All of you have had occasion to drive over these highways. You need no other proof that the Interstate System represents the greatest public works project ever conceived and brought into being in the entire world.

These are only the highlights. I could go on at great length speaking of Cliff Davis' efforts to improve rivers and harbors and highways in his own District. Those of you who know the Memphis area are familiar with President's Island, Ensley Bottoms, and Wolf River. These are flood control projects involving the reclamation of thousands of acres of otherwise useless land. The preservation of this land, particularly on President's Island, with its 8,000 acres, marks the beginning of an industrial growth that will be of tremendous economic value to the people in Memphis. Within three years of its completion, the cargo tonnage at Memphis increased 50 percent.

There have been many farsighted American statesmen who have been responsible over the years for the necessary public works programs which made this Nation the envy of the world. But none has contributed more than Cliff Davis. I nominate Cliff Davis for membership in that truly select group of national leaders—men of inspiration, foresight, and dedication—who have given this Nation world leadership in the development and conservation of natural resources.

But over and beyond that I want to pay tribute to Cliff Davis, the man. I know him as a man of dedication and devotion, of courage and conviction, of warmth and wit. His great human qualities have endeared him to a host of friends who honor him for his distinguished career of outstanding service. Throughout his splendid years of public life he has had the devoted help and assistance of his lovely wife Carrie. To both of them, I say well done.

Cliff, we need your continued counsel and advice and I hope you will be available when the going gets rough and rugged—as it always does. It won't be nearly as much fun without you.

In closing—I know that I speak for all who are here in saying—you have our highest respect and regard, and our best wishes for health and happiness in the years ahead.

Representative Machen Warns of Possible SST Air Pollution

EXTENSION OF REMARKS

OF

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 17, 1967

Mr. MACHEN. Mr. Speaker, in a news column that I distributed to the newspapers of my district this week, I raised certain questions about the possibility of air pollution from the civil supersonic transport—SST—now under development, and possible effects on our weather.

Because I feel that these questions are vital to the decisionmaking process on the next step toward development of the SST, I include under extension of remarks in the Record my column for the information of my colleagues.

The Machen Report

While President Johnson and his advisers consider their next step in the program to develop a civil supersonic transport (SST), a decision which was held in abeyance in the proposed budget for fiscal year 1968, it might be a good time to take a close look at an aspect of the program to which little attention has been paid: The possibility of air pollution by the SST in the upper atmosphere.

Readers may recall the SST program was officially launched in 1961 by President Kennedy and now is at the point where hundreds of millions of dollars have been spent by the government and private business. Two aircraft companies have been selected by the Federal Government to build a prototype model of the giant aircraft. One will build the airframe and the other will build the jet engines, which are to be about twice as powerful as existing jet aircraft engines. The decision as to when to build the prototype and how much to commit financially is still under advisement by the President.

The SST itself will be as long as a football field, and fly from 60,000 to 70,000 feet high at speeds around 1,800 miles an hour. Proponents argue that it will cut the world in half by reducing flying time to major capitals, and major production will greatly reduce the U.S. balance of payments problem.

Many highly detailed aspects and potential problems of the SST have been researched and studied. Included in this category would be the effect of the sonic boom along the ground and the possibility of cosmic radiation on the aircraft's passengers at very high altitudes, where such radiation is at its peak. However, except for a page-and-a-half-long memorandum, I cannot find very much consideration of the possibility of air pollution by the high-flying SST.

This possibility is related to weather modification, either intentional or inadvertent. Last year the Federal Government spent about $7 million in more than a half-dozen agencies on weather modification in various forms. The primary federal objective is to take steps to provide better weather for the growing of crops and livestock, and to clear heavy weather from airports. These programs would fit into the category of intentional weather modification.

Unintentional or inadvertent weather modification is just beginning to come to the forefront of scientific and public minds as a very real problem. Air pollution at ground level from planes, autos, industrial plants, etc., may have some effect on our weather. Urban development and even deforestation and irrigation may result in changes in the weather, all inadvertent. Last January, in a message to the Congress, President Johnson listed carbon monoxide from jet engines as a pollutant and stated that "aircraft engine exhausts are also becoming significant pollution problems." My question is, are they a significant problem as pollution to cause a change in the weather, particularly in the upper atmosphere?

Studies show that the average jet engine with 100 percent combustion efficiency emits 1.3 pounds of water, 3.2 pounds of carbon dioxide and 11.5 pounds of nitrogen in burning one pound of fuel and 15 pounds of air. Indeed, a four-engine jet expels 88 pounds of pollutants during each takeoff, a national magazine stated recently.

Last year, a study on weather modification and control by the U.S. Senate Commerce Committee stated that "Highly-flying jet aircraft produce artificial cirrus clouds (clouds of ice crystals) from their contrails. If this occurred in sufficient amounts it could conceivably alter the radiation balance by modifying out going radiation. If this occurred in the right place (perhaps the Alaska gulf), it could conceivably trigger a worldwide change in atmospheric wind circulation. Studies of such possibilities are being increasingly made with the use of computer simulation models. Concern has also been expressed from time to time about the effects of radioactive debris, rocket booster combustion products, and increasing carbon dioxide concentration from the burning of fossil fuels, which could alter the radiation balance or affect the worldwide precipitation patterns through seeding effects. These possibilities are currently discounted in some quarters, although in a matter of decades they may become important."

A similar view is held in the only written material I could find on the possibility of air pollution and possibility of weather modification as a result of the SST flying in the upper atmosphere. The document is a page-and-a-half-long memorandum of the Environmental Science Services Administration dated September 17, 1965, and entitled, "Possible SST Contamination of the Stratosphere and Climatic Change."

The memo begins by stating that "The question of climatic changes as a consequence of the addition of large amounts of water vapor and carbon dioxide into the lower stratosphere has attracted the attention of a large number of scientific groups.

"It cannot be said that an unequivocal answer can be offered but the general opinion almost unanimously rejects any significant threat to modification of the weather. It is therefore argued that no crash program to further clarify this matter seems necessary."

However, the author states that "two contaminants present themselves as candidates to alter the weather; the first is water vapor; the second carbon dioxide. Both can change the radiation balance in the atmosphere. In addition, it may be imagined that persistent contrails formed of the water vapor will backscatter incoming solar radiation to deplete the solar beam." What he means is less sunlight coming to the earth because of the cloudy contrails from the SST exhaust.

The author continues that "while there is some uncertainty as to the possibility of forming contrails in the stratosphere, there is little doubt that even if they form, they will dissipate rather than persist in the extremely dry stratosphere."

But the author himself admits that "Although most scientists have suggested only small changes in temperature resulting from the addition of even large amounts of water vapor and carbon dioxide, it is remotely possible that such small change can have a more dramatic effect on other significant weather effects. Further we have not considered even all of the possible consequences which can now be envisaged."

While the author of the memo concludes that there "is no sense of urgency in such research," into the possibility of weather modification by SST air pollution, we cannot and must not ignore the facts that this memo was written in September, 1965, and that the national government is on the verge of ordering a prototype SST to test fly. If no further thought has been given to this problem of weather modification and air pollution by this new airplane, the time for a "sense of urgency" may well have arrived now.

Our government is making a large national commitment in the fight against air pollution. It is even possible to imagine the day when most of it will be highly controlled and virtually non-existent. Weather modification, intentional and inadvertent, is a great shadowy object which can benefit mankind, or can destroy it. While the national government is in the initial stages of launching a major program into intentional modification of the weather for the public benefit, it is imperative that much more consideration must be given to inadvertent weather changes before we realize that we have committed ourselves, unintentionally, to a path of tragedy.

In 1962, the World Meteorological Organization, which works closely with the United Nations, issued a report that held:

"Ultimately mankind may well have the power to influence weather and even climate on a large scale. However, it is imperative that the consequences of any large-scale interference with the atmosphere be accurately evaluated in advance."

This is all that I, as an individual and as a Congressman, am asking; that the national government accurately evaluate the consequences of large-scale interference with the atmosphere before the next major step in the SST program is taken. I am not convinced that this has been done to date.

Congressman Horton Notes Scheduling of Harmony Week Events

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 17, 1967

Mr. HORTON. Mr. Speaker, barbershop harmonizers in my congressional district have joined this week with more than 30,000 other harmonizers throughout the United States and Canada to celebrate Harmony Week.

April 11 was the 29th anniversary of the founding, in Tulsa, Okla., of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc.

This unique organization, which has grown to 700 chapters located in every State of the Union and most Canadian Provinces, is bringing tremendous pleasure not only to its members but also to its devotees numbering many millions. Few, if any, organizations contribute more in time, talent, and cash to charities and worthy causes of all kinds. Major beneficiary of their activities on a national scale is the Institute of Logopedics in Wichita, Kans., where victims of speech and hearing impairment of all ages are scientifically aided.

It is a source of great satisfaction to me that S. Wayne Foor, a valued constituent and outstanding citizen of Rochester, N.Y., served as president of SPEBSQSA, Inc., in 1963. A Seneca land neighbor, James Steedman, of Buffalo, is now the international head. Seneca land has furnished four international presidents in all: Phil Embury, of Warsaw, N.Y.—1944–46—and Arthur Merrill, of Schenectady — 1955–56 — preceding Wayne Foor.

Harmony Week is customarily observed by proclamations by Governors and mayors and on occasion the Congress has taken such action, as my colleagues are aware.

In fact, one of my first official acts after becoming a Member of the 88th Congress was to sponsor a joint resolution calling upon the President to proclaim National Harmony Week. Many of my colleagues joined with me in this legislative effort, and as the record reflects, our resolutions led ultimately to President Kennedy's signing Public Law 88–7, a proclamation of National Harmony Week.

District of Columbia chapter, under the leadership of President Arthur K. Gearheart, and its public relations officer, Edward R. Place, assisted by the Singing Capital chorus and chapter quartets, is putting on an ambitious Harmony Week program. Highlight will be a concert next Sunday evening at Tiber Island for the residents of that community, including the Vice President, Hon. HUBERT H. HUMPHREY.

Alexandria harmonizers, who have supplied the president, Wilbur Sparks, for the mid-Atlantic district of the society, closes Harmony Week this Saturday with its 17th annual "spring tonic" at T. C. Williams High School. Its show is being advertised as "automated harmony."

I am privileged to make the first announcement that the Smithsonian Institution will present a series of nine open-air concerts this summer by the Riverside area barbershoppers from nine chapters: District of Columbia, Alexandria, Arlington, Fredericksburg, Fairfax, Manassas — unchartered — Montgomery County, Prince Georges County, and St. Marys County. Upward of 300 voices will comprise the chorus of the Potomac.

Scene of the concerts, opening on Saturday, June 24, and concluding Friday, August 25, will be the Mall side of the Museum of Science and Technology at 12th Street and Constitution Avenue. Producer of the nine concerts, all on Friday nights except the opener, will be James F. Sheehan, a past president and chorus director of Arlington chapter. On July 21 will occur the so-called summer concert as the successor of the Watergate series of recent years.

I do not wish to overlook the major harmony event of the year in the District of Columbia, the District of Columbia chapter's annual "Harvest of Harmony," on Saturday, November 4, at Constitution Hall. Coproducers are David Malony and Charles R. "Bob" Maguire. Featured quartets will be Michigan's international champion Auto-Towners and Canada's top foursome, the Night Hawks, past international medalists.

Vocal harmony is only one aspect of harmony among the nations of the earth and all mankind.

I am sure that my colleagues will join me in observing Harmony Week.

The Warsaw Ghetto Uprising: One of the Most Heroic Chapters in Man's History

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 17, 1967

Mr. PUCINSKI. Mr. Speaker, in October of 1940, well after the start of World War II in Europe, the establishment of the Warsaw ghetto was proclaimed by the Nazis occupying Poland. A month later the ghetto was sealed and completely segregated from the rest of Warsaw.

In July of 1942 the Nazi program to liquidate the ghetto's inhabitants and to destroy all the Jews in Poland was begun. Three hundred thousand Jews were either deported or killed while still in the ghetto. In January of 1943 the second deportation began, but was halted after 3 days. The Nazis had encountered armed resistance from the Jewish people.

On April 19, 1943, on the eve of the Jewish Passover, the Nazis launched their attack. Twelve hours later not a single Nazi remained alive in the ghetto area.

The Nazi commanders called in tanks and planes. For a week the Jewish people continued to fight a well-coordinated battle. They faced artillery, heavy machineguns, incendiary bombs, and flamethrowers. The resistance banded into a small guerrilla arm. Pistols, hand grenades, and homemade gasoline bombs were no match for the Nazi war machine. Yet the battle continued. And the world listened in astonishment as the days went by and still the ghetto had not fallen.

This resistance to Nazi terror constitutes one of the most incredible pages in man's struggle for human dignity. The heroism and sacrifices of the Jewish people held captive in the ghetto serves as an inspiration to all of those who value freedom to this day.

On May 16—27 days after the first heavy attack upon the ghetto—the great Jewish synagogue was dynamited.

According to Nazi Commander General Stoop, more than 56,000 Jews were captured, including 7,000 killed in action, 7,000 liquidated in the Treblinka Concentration Camp, and 5,000 to 6,000 destroyed in the flames and blasted ruins of the ghetto. Less than 80 people escaped the carnage.

Human beings—men, women, and children—became statistics and the statistics became history.

The thousands who fought and died in the ghetto were not martyrs because they chose to die for their principles, for they had no choice.

They were not martyrs because they adhered to a particular religious belief, for their persecution was also racial.

They were martyrs because they refused to accept the Nazi edict that they were "subhuman" beings.

As men and women, they refused to accept the Nazi edict that they were without dignity and without rights.

They became martyrs because they fought injustice, hopelessness, and tyranny. They ran up the blue and white flag of David alongside the flag of Poland. This was their proclamation to the world.

The Jewish people of the Warsaw ghetto fought and died for their most basic right—the right to survive, and in survival, the right to be free. We must not forget.

No, Mr. Speaker, we must never forget their superhuman sacrifice in behalf of freedom.

Antitrust Enforcement in 1967

EXTENSION OF REMARKS
OF

HON. EMANUEL CELLER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, April 17, 1967

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include my remarks before the Antitrust Laws Section of the American Bar Association in Washington, D.C., on April 13.

My statement follows:

This opportunity to address the Antitrust Section of the American Bar Association at this time is most welcome. In recent weeks the newspapers and magazines have been rife with criticism directed toward antitrust policies and with complaints about how those policies are currently being enforced.

Complaints from the business community about how antitrust is out of step with modern business needs is not a new phenomenon. Since the 81st Congress, when, as Chairman of the Committee on the Judiciary, I first appointed a special antitrust investigating subcommittee, there have been continuous protests that the antitrust laws are outmoded and unnecessary for modern business.

These complaints need to be kept in perspective. Almost invariably they originate from sources that want to see less antitrust enforcement, and not more competition. Although lip service is paid to the function of the antitrust laws in preserving the vitality of the competitive process, the changes that are suggested always seem to make it easier for the defendants to prevail and to make it harder for the Government. In short, these criticisms are one-sided and negative. They have scant chance for adoption.

The plain fact is this: the antitrust laws now perform a beneficial function in the direction and growth of our economy. Nobody yet has devised an alternative or substitute which reasonably promises to do as well. Until the critics can come forth with positive suggestions which promise to provide the same benefits, the proposals to review, amend or repeal the antitrust laws need not be taken too seriously.

REVIEW COMMITTEES

One suggestion that keeps recurring is to insert a review body or advisory group into antitrust enforcement. This review body, will supposedly "assist" the Government, and prevent enforcement "mistakes."

For many years, the Business Advisory Council, the elite business group that gives advice to the Government, was physically and structurally located in the Department of Commerce. After the Antitrust Subcommittee's investigation of the BAC, its operations were taken from inside the Department of Commerce, and it became a private outside advisory organization. The BAC, in 1952, prepared a report entitled "Effective Competition," which was published by former Secretary of Commerce Charles Sawyer. The purpose of this study was to provide a ". . . new, modern, definition of competition." The result, "Effective Competition," is not susceptible to precise definition—but one thing is clear. If "Effective Competition" were to become the standard, the defendants would more likely win in antitrust cases, and the Government would more likely lose.

One conclusion of the Business Advisory Council report was:

"Antitrust policy is badly confused today, particularly because of the mixed policy and particularly because of procedure. The statutes, the court decisions, and the administrative rulings which make up antitrust law, tend to impede effective competition as often as they protect it against abuse. It is an extreme statement, yet literally true, and in some cases the courts deliberately disregard the facts as to competition."

One way that the BAC would have corrected this court originated confusion was to create a Conference Section to operate in the Department of Justice, Antitrust Division. The function of the Conference Section would be "preventive" in nature. The Conference Section, the BAC stated, ". . . with proper instructions, some persons believe, might will get rid of 90 percent of all potential cases of the Department of Justice without their being instituted in the first place." Such a Conference Section was not instituted in the Antitrust Division. Fortunately, antitrust law since 1952 has been permitted to develop in the courts.

Proposals for a review committee to "assist" antitrust enforcement have recently been resurrected. This year, the Department of Commerce again has sponsored a report which recommends formation of an independent advisory group to operate in the antitrust field. This report, entitled, "Technological Innovation: Its Environment and Management," prepared by the Panel on Invention and Innovation, found that we have a need to "clarify" the relationship between antitrust policies and technological innovation. The panel also found that there were a number of areas where the technological innovation process could conflict with antitrust enforcement. Any change that might be needed to clarify the law or to remove the conflicts, however, could be accomplished administratively, without legislative action.

In lieu of legislation, the panel recommended that a special committee be created, independent of the agencies charged with the administration of enforcement of the antitrust and regulatory laws, ". . . to whom these agencies could turn for expert and unbiased advice and assistance." In addition, to its responsibilities to interpret antitrust policy for Government antitrust enforcement officials, this advisory committee's charter would be broad enough so that its operations ". . . should be conducted with full attention to the needs for informing and generally advising interested parties and the public, as well."

"Interested parties," I assume would be defendants or potential defendants in antitrust cases.

The scope of the advisory committee's activities is set forth in Recommendation 13, as follows:

"A group should be established within the Federal Government to aid and advise the regulatory and antitrust agencies by performing such activities as:

"(1) Developing criteria for helping these agencies judge the impact of antitrust and regulatory policies on invention and innovation.

"(2) Systematically analyzing the consequences of past antitrust and regulatory activities in light of these criteria.

"(3) Advising the responsible agencies on the probable consequences of proposed policy changes affecting invention and innovation.

"(4) Advising technological forecasts as an additional factor for antitrust and regulatory planners to weigh in their policy formulations."

With such a charter, it is difficult to forecast exactly how the advisory group would act. It could be merely another abstruse "study group," or it could be a free wheeling intermeddler in all significant antitrust prosecutions. In any event, I doubt that its formation would result in more expeditious decisions on proposed antitrust cases. Suggestions for changes which are addressed to elimination of "hardships" or "deficiencies" that result from application of the antitrust laws, need to be examined carefully. They seldom encourage or facilitate speedy application of antitrust policies.

REVIEW COMMISSIONS

Another remedy that frequently has been proposed to correct the alleged failure of the antitrust laws has been the creation of a super commission to review and revise the antitrust laws generally in the light of "modern" conditions. It is clear from the statements made by the proponents of such a review commission that what they really seek is the repeal, not revision, of the antitrust laws.

This proposal, also, has been around for many years. As long as its proponents have nothing positive to substitute for antitrust law, it also is not likely to get very far.

An article entitled, "Antitrust in an Era of Radical Change," by Max Ways, published in *Fortune Magazine* is typical of this type of criticism. Mr. Ways sees the antitrust laws as "our sacred cow . . . born two-headed." One head, the good head, protects competition against conspiracy, but the other head strikes down mergers and is bad. Mr. Ways describes the bad head as follows:

"The other antitrust policy has been fearful of change; it has frowned upon the growth of firms, especially by merger; it has sought to preserve the specific structure of markets on the assumption—long since demonstrated to be groundless—that the degree of competition is directly proportionate to the number of competitors and inversely proportionate to their average size: it has impaired the legitimate scope of freedom of contract and introduced arbitrary rigidities into the market through which we allocate our resources.

"During the last fifteen years the second policy has become more and more dominant in antitrust enforcement."

Mr. Ways contends that the antitrust laws at the present time serve to prevent innovation and flexibility in corporate practices. Protection of innovation, Mr. Ways says, ". . . urgently requires the United States to abandon the anticompetitive side of antitrust."

In 1967, *Fortune* spoke again and sponsored a "Forum on the Changing Business Scene," under the direction of Max Ways, who was assisted by a panel of representatives from business, education, and politics. This panel was concerned that the antitrust laws particularly the antimerger laws, were a handicap to economic development. Roy L. Ash, president of Litton Industries, for example, stated:

"Some of our greatest gains now are coming from building bridges between industries and between technologies. Unhappily, the application of the antitrust laws, particularly in cases of conglomerate mergers, seems to be aimed directly at making sure that a minimum number of bridges are built between different industries and the technologies that they employ."

My good friend Senator Javits also participated in the forum. Although he has many forward looking qualities, he suffers from a kind of myopia when he views the antitrust laws. For many years he has sponsored a resolution which would set up an antitrust law review commission. To get such a commission established, however, he needs more help from all business leaders than he has thus far been able to muster. To encourage business to help him out and to take a strong position, Senator Javits said:

"I think business ought to show some fight about the antitrust laws. These laws can have grave consequences for America's future. I think business ought to take a very strong position that the antitrust laws as they stand are contrary to the interests of the nation, are archaic and need to be revised."

I have come to take a rather detached view of these clamors for the establishment of a super commission to review the antitrust laws. The comments of the sponsors make it clear that their objective is really repeal of the antitrust laws. For this reason, I am sure, such proposals have never gotten very far in Congress.

ENFORCEMENT

Lately, there has been still another type of antitrust complaint. These critics say there is not enough antitrust enforcement. The Wall Street Journal, on March 7, 1967, carried an article entitled "Gentle Trustbusters," for example, which found that antitrust enforcement was in disfavor at this time. The Wall Street Journal stated:

"But the truth is that antitrust enforcement in the traditional sense is becoming an anachronism in this era of the Great Society; the declining number of significant antitrust suits attests to that."

The *Wall Street Journal* attributes this decline in antitrust enforcement to diminished political support for antitrust policies. An unidentified member of the House, for instance, is quoted as saying "There's no constituency anywhere for antitrust these days. There's no political mileage in it any more."

A similar complaint was recently voiced in a *Washington Post* editorial. On March 9, the *Post* found that antitrust policy had ". . . fallen into an innocuous state of desuetude," and that Justice Department's policy on mergers ". . . is noteworthy for its inaction."

Here is a paradox not infrequently found; antitrust is set upon by friend and foe alike.

The best way for the Department of Justice to overcome these enforcement complaints, of course, is for the Antitrust Division to make an effort to institute a greater number of cases. After all, a total of only five antitrust cases has been filed this year.

I recognize that the "numbers game" with antitrust statistics may be misused to build a distorted record. Still, there are considerable prophylactic benefits to be derived in industry from the constant pressure of antitrust litigation. That is, all business will benefit from the realization that as a matter of normal routine there will be a constant sequence of cases that fall within already well defined areas of the law. We need more antitrust cases in the so-called "hard-core" areas. There is no need to wait for landmark cases that will define new legal boundaries. We should take the Antitrust Division attorneys away from the conference table, and put them back in the court room.

In the last decade, the Supreme Court has taken great strides to clarify the reach of the Celler-Kefauver Act in most areas. Now what is needed is more intensive cultivation of this vineyard. There should be more cases challenging corporate mergers. The United States merger movement relentlessly proceeds, even in the face of the Government's victories. There needs to be a constant recognition that mergers that violate the guide lines that have been established by the Supreme Court can reasonably be expected to be challenged in a significant number of instances. Such continuous pressure also would have the effect of minimizing the *Washington Post* editorial criticism and eliminate comment on the Department's failure to act on Continental Oil Company's acquisition of Consolidated Coal, or Union Oil's acquisition of Pure Oil.

Constant antitrust pressure in more or less routine, hard core fact situations, as price fixing, territorial divisions, and mergers, should be supplemented in the 1967 law enforcement program, by actions that challenge conduct prescribed by section 2 of the Sherman Act, the traditional "big" case, against monopoly and monopolization. In this connection, the House Antitrust Subcommittee presently now has under way a study of the electronic computer industry. It is well-known that the electronic computer industry at the present time is, and for many years, has been, out of balance in competitive structure. Moreover, the significance of computers to innovation in our modern interrelated society can not be overstated. Antitrust enforcement officials must keep abreast of these emerging technologies if future markets are to remain accessible to all operators that have the means and are eligible to participate.

REVISION OF CONSENT DECREE PROCEDURES

Recently, the Antitrust Division has received criticism from still another source. The Supreme Court, in the *El Paso* case, found considerable fault with the way the Division handles negotiated settlements.

In the 85th Congress, the Antitrust Subcommittee conducted an intensive investigation into the Antitrust Division's procedures used to negotiate consent settlements of antitrust cases. The Subcommittee examined in great detail the consent decrees in the *AT&T* case and in the 1941 *Oil Pipeline* case.

The Subcommittee's report made three major recommendations for revision of the consent decree procedures. First, the Subcommittee recommended that notice be given to the public of the terms of the proposed consent decree and a waiting period established; second, that private parties affected by the terms of the decree should be given an opportunity to intervene in the Government's case so they could present their objections to the court; and, third, that the Department of Justice should submit an explanatory statement with the consent decree. This statement would serve the same function as does the court opinion that now accompanies a litigated decree. The statement would set forth the facts involved, the defendant's position, the meaning of the provisions used in the decree, and the basis for the Department's acceptance of the particular compromise.

The Antitrust Subcommittee's report was published on January 30, 1959, but no action was taken until June 29, 1961, when Attorney General Kennedy promulgated Order No. 246–61, establishing a new consent decree policy. Order No. 246–61 incorporated the first of the Subcommittee's recommendations, but did not implement the recommendations as to intervention, or as to the accompanying explanatory statement.

Although I would have liked to have seen each of the Subcommittee's recommendations adopted, I agreed to wait and examine the results of our experience from operations under the revised policy.

The Supreme Court in the *El Paso* case (*Cascade Natural Gas Corp.* v. *El Paso Natural Gas Co., et al.,* and related cases, Feb. 27, 1967), has emphasized the value of the Antitrust Subcommittee's recommendations.

The *El Paso* case, of course, has been twice to the Supreme Court, and, aside from the proposed settlement, had been fiercely litigated. Accordingly, it is not the typical consent decree situation. The settlement that was ultimately recommended by the Department of Justice in the *El Paso* case, however, was negotiated in accordance with the procedures that are utilized in negotiating consent decrees.

In keeping with its normal practice, the Department of Justice, when the proposed settlement was offered to the court, resisted efforts of third parties to intervene in the Government's case so that they could more adequately protect what they conceived to be their own best interests. The Supreme Court's opinion clearly recognized that some of the private and local interests directly affected by the settlement decree were not adequately represented by the Department of Justice as spokesmen for the public. The Supreme Court, accordingly, permitted the affected third parties to intervene as of right.

The Supreme Court's opinion in the *El Paso* case is without parallel in its criticism of the Department of Justice's handling of the proposed settlement. The Supreme Court, for example, found that the Government had ". . . fallen far short of representing . . ." the interests of the intervenors; also, that the United States ". . . knuckled under to El Paso and 'settled' this litigation." Ruling that the Department of Justice by stipulation or otherwise has no authority to circumscribe the power of the District Court as to the Supreme Court's mandate, the Court found that the proposed settlement ". . . does the opposite of what our prior opinion and mandate commanded." The case was reversed and remanded with directions to assign the case to a different District Court.

In view of this criticism, on March 2, 1967, I suggested to Assistant Attorney General Turner that the Department's consent decree procedures be revised to implement the second and third recommendations of the Antitrust Subcommittee.

On March 17, 1967, Mr. Turner responded and outlined in detail the considerations on which he based his conclusion that the Department of Justice should continue to oppose formal intervention in consent decree proceedings in government civil antitrust cases.

I personally do not believe that to permit formal intervention by affected third parties in the remedy stage of the Government's antitrust case would have the effect of destroying the Government's consent decree program. Nor do I believe that third parties solely interested in building a record for private treble damage actions would be able to persuade the court to prevent entry of a decree that otherwise was acceptable to the Government and to the defendants. I recognize that reasonable men differ on these matters; it seems that the Supreme Court and I take one view, and Mr. Turner takes the other. It is clear, however, that intervention would increase to some extent the burden on the Government in reaching negotiated settlements.

It would be helpful to keep in mind what the recommendations of the Antitrust Subcommittee were designed to achieve. For one thing, from 70 to 75 percent of all civil cases are terminated by consent decrees. In this connection, the Antitrust Subcommittee found:

"While it is difficult to establish numerical restrictions on the proportion of consent settlements which the Department of Justice should accept in its antitrust enforcement program, *the committee considers that currently there are too many consent decrees in relation to litigated judgments.* In order that the deterrent effect of the antitrust laws may be realized and growth in judicial precedents assured, a greater proportion of litigated judgments is required." (emphasis supplied)

One reason for this conclusion is found in the following statement:

"For the most part, present consent decree procedures utilized in the Department of Justice eliminate any independent judicial determination of legal or factual issues that are involved in the particular antitrust proceeding.

* * * * *

"It is apparent that what has happened under the current consent decree program is that the judicial function has been superseded by an administrative procedure in which there are no rules to safeguard the public interest and the interests of parties not involved in the Government's case. The consent decree practice has established an orbit in the twilight zone between established rules of administrative law and judicial procedures."

I believe these observations are still valid. The change made in 1961 for notice and a waiting period is not sufficient. Some way must be found to assure greater participation by the courts in the terms of negotiated consent settlements. Intervention by affected third parties is one way this may be accomplished. In his letter, Mr. Turner indicated that the Department of Justice, while it opposes formal intervention, has no objection to the appearance of third parties as amicus curiae. His letter states:

"In addition, while we have regularly opposed efforts by private parties to intervene formally in proceedings on proposed decrees, we have regularly acquiesced when private parties have endeavored to file statements or briefs with the district court or have requested the opportunity for oral argument to the court, both of which have become more and more common."

This may be a reasonable compromise. As a minimum, I believe the Department of Justice consent decree procedures should be revised to give affirmative effect to this statement. The Department of Justice should actively support efforts of third parties to file statements and briefs with the court, or to present oral arguments to the court.

There now seems to be general acceptance of the third recommendation made by the Antitrust Subcommittee in its report. That is, the recommendation that an explanatory statement should accompany entry of the consent decree. Mr. Turner's letter states:

"I believe that the proposal to provide a more detailed statement merits serious consideration on our part. It may well be we could and should supply more information than we have been accustomed to do, particularly in explaining the purposes of the decree and the expected impact of the relief obtained."

It would be beneficial, I believe, for the 1961 consent decree policy statement to be revised to require specifically that such a statement be prepared.

SENATE

TUESDAY, APRIL 18, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, we come in the assurance not of our feeble hold of Thee, but of Thy mighty grasp of us.

In a world of suspense and suspicion and turmoil, breathe now in this quiet moment Thy peace on hearts that pray—The peace that comes only when our jarring discords are tuned to the music of Thy will.

Then, as heralds of good will, send us forth across all the barriers of race and creed, to make our contribution to the glad day when justice and understanding shall engirdle this worn and weary earth.

May we march with conquering tread in the gathering armies of friendship against which all the spears of hate cannot ultimately prevail.

And so, may we walk with Thee in the bright fellowship of those who are able to say at the last—"I have fought a good fight, I have kept the faith."

In the name of the Master. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 17, 1967, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session.

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Robert H. McBride, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Democratic Republic of the Congo, which was referred to the Committee on Foreign Relations.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

REPORT OF OFFICE OF CIVIL DEFENSE

The PRESIDENT pro tempore laid before the Senate a letter from the Secretary of Defense, transmitting, pursuant to law, a report of the Office of Civil Defense, for the fiscal year 1966 which, with an accompanying report, was referred to the Committee on Armed Services.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Arthur J. Goldberg, of Illinois, William B. Buffum, of Maryland, Richard F. Pedersen, of California, Mrs. Eugenie Anderson, of Minnesota, and Samuel C. Adams, Jr., of Texas, to be representatives of the United States of America to the fifth special session of the General Assembly of the United Nations; and

Garland R. Farmer, Jr., of California, and Michael Iovenko, of New York, to be alternate representatives of the United States of America to the fifth special session of the General Assembly of the United Nations.

Mr. FULBRIGHT. Mr. President, I also report favorably sundry nominations in the Diplomatic and Foreign Service. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to lie on the desk, are as follows:

Dr. Charles E. Klontz, of Illinois, and sundry other persons, for appointment and promotion in the Foreign Service;

Delmar R. Carlson, of the District of Columbia, and sundry other persons, for promotion in the Foreign Service; and

Alan W. Ford, of California, and sundry other persons, for appointment and promotion in the Foreign Service.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive D, 90th Congress, first session, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, signed at Washington, London, and Moscow on January 27, 1967, on behalf of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics (Ex. Rept. No. 8).

By Mr. MAGNUSON, from the Committee on Commerce:

Albert Scheffer Lang, of Minnesota, to be Administrator for the Federal Railroad Administration;

James F. Fanseen, of Maryland, to be a Federal Maritime Commissioner;

Francis H. McAdams, of the District of Columbia, to be a member of the National Transportation Safety Board;

Louis M. Thayer, of Florida, to be a member of the National Transportation Safety Board;

Joseph J. O'Connell, Jr., of Maryland, to be a member of the National Transportation Safety Board;

John H. Reed, of Maine, to be a member of and National Transportation Safety Board; and

Oscar M. Laurel, of Texas, to be a member of the National Transportation Safety Board.

By Mr. PEARSON, from the Committee on Commerce:

George M. Stafford, of Kansas, to be an Interstate Commerce Commissioner.

By Mr. SCOTT, from the Committee on Commerce:

William W. Hagerty, of Pennsylvania, to be a member of the board of directors of the Communications Satellite Corp.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER (by request):

S. 1564. A bill to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

By Mr. TYDINGS (for himself, Mr. Case, and Mr. Javits):

S. 1565. A bill to amend the act of October 10, 1949, entitled "An Act to Assist States in Collecting Sales and Use Taxes on Cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Finance.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1566. A bill to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1567. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide an alternate method of making loans for acquisition and improvements of the farm, needed by farm families, including young farmers, and to provide the borrower family with adequate standards of living and the consumer with reasonable prices for dairy and other agricultural products, as well as to maintain and improve national health; and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG (for himself and Mr. Inouye):

S. 1568. A bill to amend the sixth paragraph of section 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for loans by Federal Land Banks; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Fong when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 1569. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Finance.

By Mr. FONG (for himself and Mr. Miller):

S. 1570. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; and

S. 1571. A bill to amend title II of the Social Security Act to increase the amount of the insurance benefits payable to widows; to the Committee on Finance.

By Mr. FONG:

S. 1572. A bill to amend title II of the Social Security Act to raise from $44 to $70 the minimum monthly old-age insurance benefit payable thereunder; and

S. 1573. A bill to amend title II of the Social Security Act to increase the monthly insurance benefits of certain individuals who have attained age 72; to the Committee on Finance.

(See the remarks of Mr. Fong when he introduced the above bills, which appear under a separate heading.)

By Mr. MANSFIELD (for himself, Mr. Pastore, Mr. Cotton, Mr. Byrd of Virginia, and Mr. Brooke):

S. 1574. A bill to amend the Act of July 4, 1966 (Public Law 89-491); to the Committee on the Judiciary.

By Mr. BURDICK:

S. 1575. A bill to amend the Land and Water Conservation Fund Act of 1965; to the Committee on Interior and Insular Affairs.

By Mr. RANDOLPH:

S.J. Res. 74. Joint resolution to provide for the formulation, adoption, administration, and periodic updating of a comprehensive plan for the U.S. Capitol Grounds and contiguous related and influencing areas; to the Committee on Public Works.

(See the remarks of Mr. Randolph when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

DISTRIBUTION AMONG THE STATES OF RESEARCH AND DEVELOPMENT FUNDS

Mr. CURTIS (for himself and Mr. HRUSKA) submitted a resolution (S. Res. 110) relating to the distribution among the States of research and development funds made available by Government agencies, which was referred to the Committee on Government Operations.

(See the above resolution printed in full when submitted by Mr. CURTIS, which appears under a separate heading.)

LEGISLATION TO ASSIST STATES IN THE COLLECTION OF CIGARETTE TAXES

Mr. TYDINGS. Mr. President, many of our States and municipalities are being deprived of badly needed tax revenues by an enormous criminal interstate traffic in one of the best selling commodities in the American marketplace—cigarettes. Forty-nine States and numerous municipalities have imposed special sales taxes on cigarettes. These valid revenues measures are flouted daily when large quantities of cigarettes are purchased in North Carolina, the one State which does not tax their sale, for clandestine transportation to and surreptious sale in States and municipalities imposing a cigarette tax. The practice has come to be known as cigarette bootlegging and already amounts to a multimillion-dollar criminal enterprise annually.

The cost in lost taxes to the various States and municipalities is also measured in millions of dollars. For example, tax officials of the State of New York have estimated that the illegal sale of untaxed cigarettes there amounts to a revenue loss of $40 million per year. The annual revenue loss for the city of New York alone has been estimated at $9 million.

Moreover, law enforcement agencies in the States are increasingly concerned that organized crime is directing these cigarette smuggling activities.

The States along the eastern seaboard have made strenuous efforts to curb the transportation of untaxed cigarettes. The State of Maryland has been a leader in the effort to curb this cigarette smuggling. Indeed, in April 1966, Maryland tax officials hosted a conference of 13 State tax administrators called for the sole purpose of devising ways to bring cigarette smuggling under control. That conference led to increased vigilance by the attending States. Several of the State tax officials encouraged their own State legislatures to impose stiffer penalties for smuggling to augment the stepped-up enforcement efforts. For example, the Maryland Legislature last year made it a felony to transport untaxed cigarettes. The conference of State tax administrators also called upon Congress to assist the States in their enforcement of cigarette tax laws.

Last session, I introduced legislation of the type requested by these States. The Honorable HERBERT TENZER proposed similar legislation in the House. Congress did not act on either bill. Congressional inaction may have been predicated in part upon an opinion rendered by the Justice Department which reasoned that the taxing States had within their own power sufficient means to combat cigarette smuggling.

For a year now, the State and local tax authorities have vigorously enforced their respective laws. Maryland alone has made approximately 50 arrests of cigarette smugglers in the past 15 months and has confiscated more than a half million packs of cigarettes. Yet, the volume of cigarette smuggling has not decreased, and State and local governments continue to be deprived of needed revenues. Again, this year the State tax administrators have asked for Federal assistance; namely, the enactment of legislation which I am introducing today.

The State revenue and enforcement agencies have only the most limited means for learning when illegal shipments are made, for learning who is carrying those illegal shipments across the boundaries of their State, for learning who in their State is receiving and retailing untaxed cigarettes.

Several years ago a part of the cigarette smuggling problem was solved when the Jenkins Act was enacted to prohibit the use of the U.S. mails for cigarette smuggling. The act was an unqualified success, within its limited scope. The U.S. mails have been effectively closed as an avenue for the evasion of State cigarette taxes—but the highways are still wide open for the smugglers.

Today I am proposing, with the cosponsorship of Senators CASE and JAVITS, amendments to the Jenkins Act which should effectively close all the avenues of interstate commerce to this organized criminal cigarette smuggling.

The amendments are simple. They follow the pattern established by the Jenkins Act. They would give State taxing officials the information they must have to enforce State law and to give them the assistance of Federal law to make certain that they receive this information.

In essence, the amendments require anyone engaged in the interstate commerce of more than 5,000 cigarettes to give tax officials of the State to which the cigarettes are bound full information about the origin, transport, and destination of all untaxed cigarettes brought into their States. Those who transport more than 5,000 cigarettes would be required to carry during the course of their interstate travel documentation disclosing the identity of the vendor and the recipient of the shipment.

It would become a Federal offense for those engaged in this cigarette selling in interstate commerce to fail to transmit the required information to State taxing authorities or to fail to carry the required documentation during the course of the interstate transportation.

This bill has been carefully considered and analyzed by many of the State officials most concerned with the cigarette-smuggling problem.

The bill is designed to eliminate a criminal and costly evasion of State laws, without affecting in any way the legitimate commerce in cigarettes.

The bill in no way interferes with the sovereignty of any of the States, including that one State which does not levy cigarette taxes. Indeed, the bill will make it far more possible for all the States to enforce their tax laws and to defend the integrity of their revenue collection systems.

To illustrate the impact of cigarette smuggling, I ask unanimous consent to have printed at this point in the RECORD two articles which appeared in the New York Times.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The bill will be received and appropriately referred; and, without objection, the articles will be printed in the RECORD.

The bill (S. 1565) to amend the act of October 10, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes, introduced by Mr. TYDINGS (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Finance.

The articles presented by Mr. TYDINGS are as follows:

[From the New York Times, Apr. 17, 1967]

CITY ASKS LICENSING OF CIGARETTE SELLERS TO END TAX EVASION

(By John Sibley)

Intensifying its drive against tax-evading cigarette smugglers, the Lindsay administration will ask the City Council this week to require retail cigarette dealers to be licensed.

The new law would enable city authorities to move swiftly against stores that sold contraband cigarettes trucked here from tobacco-growing Southern states. The city could revoke a retailer's license on the spot and prevent him from selling cigarettes.

The licensing proposal, part of a three-pronged campaign against the bootleggers, was announced yesterday by Roy M. Goodman, the city's Finance Administrator.

Mr. Goodman said the annual loss of tax revenue to the city and state could be as much as $60-million. But that figure is the highest of several estimates that have been made.

Smuggling has proved so profitable, he said, that "the octopus of major crime" is moving in.

"The mob has moved in because the penalties are far less severe than in narcotics," he said. "It's been a magnet for undesirable criminal groups operating on a very large scale."

Mr. Goodman applauded the investigation of cigarette smuggling undertaken several months ago by District Attorney Aaron E. Koota of Brooklyn. As a second measure against cigarette smugglers, Mr. Goodman said he would urge the city's four other District Attorneys to join in the Koota inquiry.

Mr. Koota said yesterday his investigation was "going on intensively."

"Right now," the District Attorney said, "we've got proceedings under way in State Supreme Court to punish one witness for contempt.

"This fellow was a small-time operator. He was running three or four trucks back and forth from the cigarette factories in North Carolina.

"Not long ago, he was compelled to turn over his trucks to the mob. But he still refuses to talk before our grand jury."

The third prong in the city's drive against smugglers, Mr. Goodman said yesterday, will be an effort to have the state and city cigarette taxes imposed at the source—by the manufacturer.

"If it were possible—as it was recently recommended by a Federal study group—to have manufacturers affix tax stamps right at the factories, and then ship them into the states having already collected the taxes, this would obviously in one fell swoop eliminate our problem," Mr. Goodman said.

"Under this system there would be no basic source from which criminal elements could attain untaxed cigarettes."

Mr. Goodman added: "We're getting good cooperation from the tobacco industry in exploring this."

Wholesale distributors of cigarettes are strongly supporting the plan to license retail cigarette sellers. Wholesalers' sales declined 30 per cent last year.

Morris Weintraub, managing director of the Wholesale Tobacco Distributors of New York, made this comment on the bill before the City Council:

"This bill should give the city tax authorities better control of the distribution of cigarettes, both within the industry and outside the industry, and help to eliminate bootlegging."

Mr. Goodman, commenting on the proposed law, added:

"It'll give us the power—where we find something not being handled legally—to suspend the license and to take people immediately out of the cigarette business.

"At the moment, one of the difficulties is that we simply do not have sufficient teeth in the enforcement program.

"We've moved in a number of directions within existing laws to get things done. We've created a special police squad. We've increased our inspection staffs, both city and state. We've suspended the right to sell cigarettes in certain special cases.

"But with this licensing arrangement, we have a much greater flexibility, and we can move more rapidly."

Exactly how much tax revenue is being lost to smugglers remained unclear yesterday.

Last Dec. 19, Mr. Goodman estimated the loss at $20-million a year.

Governor Rockefeller said Feb. 1 that the loss in city and state taxes was $40-million a year.

[From the New York Times, Oct. 3, 1966]

Illegal Cigarettes Still Selling Well Despite Penalties

(By Martin Arnold)

"They're cheaper and they're stamped the way they should be, so I assume they're all right."

The speaker, the owner of a small stationery and candy store in Manhattan, was explaining some of the basic economics of cigarette bootlegging.

"Around the corner they sell cut-rate cigarettes. If I don't, I'm out. It's buy them cheaper or make no profit on them for me."

Stiffer state penalties for cigarette smuggling, which were signed into law in June, have reduced the bootlegging of cigarettes in New York. However, million of dollars a year in revenues to the state, city and the legitimate businessman are still being siphoned off by the smugglers.

"There is some solid evidence that bootlegging is being done away with, although we still have a long way to go," City Finance Commissioner Roy M. Goodman said last week.

Even as he was talking, contraband cigarettes by the tens of thousands were being moved north from North Carolina in trucks, in automobiles, even in boats, authorities said. Mostly the shipments end up in New York, where they are resold at comparatively low prices that do not include the tax. North Carolina is the only state without a cigarette tax.

The city, with one of the highest cigarette and sales tax rates in the nation, and its vast market for sales, is the main center for bootleggers. Each pack sold in the city has 16 cents of state and local taxes included in its price, compared with 11 cents in New Jersey and only 8 cents in Connecticut.

Despite this vast flow of illegal cigarettes, state and New York police authorities disagree over whether the Mafia has broken into cigarette bootlegging or whether independent entrepreneurs are operating the racket.

The New York Police Department's Central Investigation Bureau believes that it is mainly the unaffiliated independents. The bureau says that the very bulk of the product involved coupled with the new penalties—it can cost $25 per carton for possession of untaxed cigarettes—does not make cigarette bootlegging safe or profitable enough for the Mafia families.

"A few kilos of uncut heroin are more valuable than a warehouse of cigarettes and a lot harder to detect," one police investigator said. "That's where you'll find the families, not in cigarettes."

It is the police belief that cigarette smuggling is mostly the racket of "the punks, who may have their own little organizations bankrolled by loansharks and bookies."

The state authorities disagree. So does the wholesale cigarette distributing industry.

State officials point to the fact that cigarette tax stamps are being counterfeited in a more sophisticated manner. They also say that there is a steady flow of cash available to persons who want to buy cheap cigarettes in North Carolina and smuggle them here. And, they add, persons caught get quick, expert legal help.

SALES DROP

Wholesalers point to statistics. Cigarette purchases have increased between 1 and 3 per cent across the United States, they say, despite the cigarette cancer scare in 1964.

During the same time the sale of cigarettes has declined in New York and, according to one industry spokesman, "this doesn't mean fewer people are smoking here, only that fewer are smoking legally purchased cigarettes."

The spokesman, Morris Weintraub, managing director of the Wholesale Distributors of New York, a trade organization with 37 members, says that "such a great amount of bootlegging must be because of organized syndicates—the Mafia, Cosa Nostra, whatever you call it."

The pros and cons of whether organized crime is involved are by inference. What is not inference is the loss in revenues, from the state on down to the small retailer of cigarettes.

During a five-month period this year—April to August—972,654,000 cigarette tax stamps were sold in the state. Of these, 352,610,000 were sold in New York City. The total number of stamps sold represents a drop of 11.8 per cent compared to the same five months in 1964. It represents an increase of .7 per cent over the five months in 1965.

In New York City, the figures "clearly infer an improvement in the smuggling situation," Mr. Goodman said. "We see a decline in bootlegging of almost half this year," he added, but it still may cost the city about $12-million in anticipated revenue.

The state cigarette tax is 10 cents a pack outside of New York City. The city adds its own 4-cent cigarette tax to each pack sold in the city.

A pack of cigarettes has only one stamp on it. The stamp is blue outside of New York City and black if it is a combined state-city stamp.

The stamps are an ink imprint, easily counterfeited by anyone capable of making a simple rubber address stamp. There are indications, however, that the counterfeiting is getting quite sophisticated. The state is now investigating one bootlegging ring using the identical ink used in legal stamps. The belief is that the ink was stolen from the company, which is licensed to manufacture it, or that an employe of the company is working with the counterfeiters.

Stamps are affixed by the wholesaler with a metering device, which records the number of stamps used. Designated banks then collect the tax money from the wholesaler.

To make money out of cigarettes, either legitimately or bootlegging, the seller must deal in large quantities.

A legitimate wholesaler pays between $1.80 to $1.87 per carton, depending on the make, whether it is a regular, a filter, or a king size cigarette.

A wholesaler may pay $1.84 for each carton of filters he purchases from the manufacturer. (He gets a 2 per cent cash discount from that price.)

If the carton is sold in the city, he adds $1.40 to the price for the state and city tax and sells it to a retailer for $3.24 plus his profit. The profit can range from slightly more than 1 per cent to between 3 and 4 per cent a carton, depending on the terms of his own purchase from the manufacturer and the deal he has with the retailer.

In the city the retailer must add to the price 20 cents [10 cents outside the city] for sales tax for each carton plus 80 cents Federal excise tax.

To make a profit, then, the retailer must sell the carton for more than $4.24 plus the wholesaler's profit. (Cigarettes in the city generally range from between $3.55 a carton in large supermarkets to about $4.40 a carton in many small stores.)

There are in the city a number of stores that deal in cutrate items. They sell cigarettes at a loss to get other business.

But for the small candy store or delicatessen operator, this sales practice often is not practical.

"If the retailer buys his carton for even 25 cents less than the legitimate wholesaler will sell it to him, he is going to make a much bigger profit on cigarette sales," a state tax official said.

"You can't read the man's mind. But I'm sure that when he is paying 25 cents per carton less than he used to, he must know he's buying them with counterfeit stamps on them," the official said.

As if in answer, a delicatessen owner explained:

"I don't ask questions. I see the stamp. It looks O.K. to me, I buy. Why should I think there's something wrong. I have to display the cigarettes with the stamp out on view. Let them come and get me. I'm broke if I don't meet the competition."

There are basically two ways in which smuggled cigarettes get into the market.

There is the friend or relative who is going to bring cigarettes into the state or city from nearby states that have lower taxes.

"You think that's harmless enough," Mr. Weintraub said. "It represents millions and millions of dollars a year, however."

And there is organized smuggling from North Carolina. In North Carolina a carton of cigarettes can be purchased legally at a price ranging from $1.87 to $2.60, depending on the make and type. These are smuggled northward, mostly to New York for resale.

Once in the state, they are either sold without stamps for from $2.50 to $3 a carton in industrial plants, office buildings, beauty parlors, by door-to-door salesman in apartment buildings, or by street-corner peddlers.

Or tax stamps are counterfeited, and the cigarettes are sold in small candy stores or groceries.

A state tax investigator says that "sometimes the route man goes in business for himself.

"He's delivering potato chips, say, to hundreds of stores. He's also delivering cigarettes with counterfeit stamps," according to this investigator.

Morton G. Meyer, president of the Metropolitan Tobacco Company, one of the largest wholesalers in the New York metropolitan area, said that before the state tax was increased from 5 to 10 cents per pack in 1964 he sold an average of between "two and three billion cigarettes to retailers."

"My business has been off by nearly 30 per cent in cigarettes in the city since the tax increase and 14 per cent outside the city," he said.

"In the same period it's been up about 8 per cent in New Jersey," he said. "You can't tell me there's not a lot of smuggling going on."

Lately there has been a third method of getting cheap cigarettes into the state; by mail order. New York State allows a person to bring into the state for personal use, two cartons of cigarettes without paying taxes.

The mail order companies in North Carolina now advertise two cartons for $5.50 and promise "we assume all responsibility."

The state contends, however, that New York's laws only allow the two cartons to be carried in, not mailed into the state. The State Tax Commission has said it will move in the Federal Courts to stop the cigarettes from being mailed to New York.

There is a Federal law that makes it mandatory for any distributors mailing cigarettes to another state to notify the state's tax bureau and to give it the names and addresses of the buyers.

"In North Carolina there are about a dozen companies who mail cigarettes to customers here, but only one lets us have the names and addresses," according to Benjamin B. Berinstein, head of the State Tax Commission's New York City regional office at 80 Centre Street.

All confiscated illegal cigarettes are stored at the 80 Centre Street office, where they are held for evidence in court cases and then auctioned off to legitimate wholesalers. The wholesalers must in turn put decals on each carton to show that the tax has been paid.

Rooms set aside for the fifth floor for confiscated cigarettes are piled high with boxes of cartons. Many of which have the customer's code name scribbled on them.

Some of the names say "Manny," "Monk," or "XXX". They were placed on the boxes in North Carolina, in some gasoline station or warehouse where the main industry is the sale of cigarettes to bootleggers who will transport them north.

In the metropolitan New York area, in the fiscal year ended Aug. 31, 1966, there were 1,332 seizures of contraband cigarettes. While only 529 of the cases resulted in convictions, the city and state were able to collect $2,329,857.90 more in taxes.

Since the new penalties went into effect, the state has hired about 60 cigarette investigators. They are peace officers, without the power of arrest, but with the power to hand out summonses and confiscate unstamped or illegally stamped cigarettes. If the smuggler is to be arrested, a regular policeman has to be with the state investigator.

The new tax law carries a fine of up to $1,000 and up to one year in prison for possessing more than 25 cartons of unstamped or improperly stamped cigarettes. A second offense provides for a fine of up to $2,500 and a mandatory jail sentence of from six months to a year.

Penalties for counterfeiting cigarette tax stamps, or for their possession or manufacture range up to a five-year jail sentence.

More practical in stamping out the smuggling, however, is the penalty that is automatically imposed by the State Tax Commission. The new law imposes a penalty of $25 a carton for possession of untaxed cigarettes in quantities of more than 25 cartons.

Both the police and the state agree that the new penalties have cut down the smuggling, and a police investigator added: "It's that $25 a carton that kept the Mafia out of the smuggling. A warehouse of cigarettes, so easily detected, could bring $100,000 in penalties.

PROPOSED AMENDMENTS TO PUBLIC LAW 88–609

Mr. MAGNUSON. Mr. President, at the request of the Atlantic-Pacific Interoceanic Canal Study Commission, I introduce, for appropriate reference, a bill to amend sections 3 and 4 of the act approved September 22, 1964—78 Stat. 990—providing for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific Oceans.

The crisis in 1964 in Panama focused world attention on the commercial and strategic inadequacies of the present canal. The Senate Commerce Committee, after extensive inquiry, concluded that an immediate investigation should be made to determine the feasibility of, and the most suitable site for, a second canal at sea level through the American Isthmus.

The committee unanimously recommended the creation of a Presidential Commission to expedite the study. The committee bill because Public Law 88–609.

The President appointed five civilian members to the Commission and designated Robert B. Anderson the Chairman.

Under the law the Commission is required to report its findings and recommendations by June 30, 1968.

A series of circumstances make it apparent that the Commission cannot conclude the task by this deadline.

Treaties with Panama and Colombia to permit the onsite surveys could not be worked out in time for the studies to advance very far during the 1966 dry season. The required permission has been obtained from those countries and the job is now underway—but late.

Meanwhile the Atomic Energy Commission's Plowshare program, which includes the cratering studies we need to decide whether nuclear excavation of the new canal is feasible, has fallen a year behind and only one test is scheduled for fiscal 1968.

These delays mean, the Commission believes, that they cannot complete their work and make their recommendations until late in 1970.

Furthermore, the estimated cost of this essential study has increased from the $17,500,000 now authorized under law to $24 million. The delays I mentioned have contributed in part to the higher cost figure. In addition, services which the Commission expected to receive at minimal or no cost whatsoever cannot now be provided by the Department of Defense because of the requirements of the Vietnam situation.

The bill which I have introduced today would amend the enabling legislation which created the Commission to provide additional time and authorize sufficient funds for the Atlantic-Pacific Interoceanic Canal Study Commission to complete its job.

I am conscious that the construction of this new sea level canal constitutes a civil engineering project of greater magnitude than any ever undertaken by man.

I am concerned that the study proceed without further delay.

I ask unanimous consent that the letter of Chairman Robert B. Anderson to Vice President HUMPHREY, dated March 6, 1967, which explains in detail the need for the proposed legislation, be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1566) to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea level canal, connecting the Atlantic and Pacific Oceans, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

ATLANTIC-PACIFIC INTEROCEANIC
CANAL STUDY COMMISSION,
Washington, D.C., March 6, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Provided herewith is a draft bill "To amend Sections 3 and 4 of the Act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans."

We recommend that this draft bill be referred to the appropriate committee for consideration, and we recommend its enactment.

The Atlantic-Pacific Interoceanic Canal Study Commission was established by the Act approved September 22, 1964 (Public Law 88–609, 78 Stat. 990), to make a full and complete investigation and study, including necessary on-site surveys for the purpose of determining the feasibility of, and the most suitable site for, construction of a sea-level canal connecting the Atlantic and Pacific Oceans, and the best means of construction.

When Public Law 88–609 was enacted, the expectation was that site surveys in Panama and Colombia would begin not later than January 1965. This expectation was the basis for the establishment of the June 30, 1968 reporting date and was a factor in fixing the $17.5 million ceiling on appropriations.

On April 18, 1965, the President appointed the five present members of the Commission from private life. After the Commission was appointed, it adopted a plan of study that attempted to adjust the study program schedule to the circumstance that the favorable dry season occurring in fiscal year 1965 had already passed. At that time the Commission had no actual on-the-ground experience on which to base a more accurate time and cost estimate. The new program schedule assumed the start of a full-scale data collection beginning in January 1966, with completion of the study by June 30, 1968. Subsequent events have so altered the original program that it is now necessary for the Commission to seek modification of the completion date and the appropriation ceiling imposed by Public Law 88–609.

In September 1965, it became apparent to the Commission that the necessary treaties with Panama and Colombia could not be negotiated and ratified before the advent of the 1966 dry season. It, therefore, requested the Department of State to direct its immediate efforts towards achieving early agreements for site surveys only, with the understanding that negotiations for sea-level canal treaties would continue with the hope of agreement at a later date. The negotiations on site surveys initiated with Panama in October 1965 were successfully concluded in an exchange of notes between the United States and Panama on February 15, 1966. A similar exchange of notes with the Colombian Government was made on October 25, 1966.

Although access to the survey route in Panama was achieved prior to the close of the 1966 dry season, only limited work could be accomplished there in the remaining weeks of dry weather. During the negotiation period, every advantage was taken to expedite those functions not requiring actual route access. Supplies and equipment were purchased and stored, but full-scale data collection had to be postponed until January 1967. In spite of maximum efforts during this period, two full years for data collection have been lost.

The degree of certainty with which the Commission can reach conclusions concerning "the best means of constructing such a canal, whether by conventional or nuclear excavation," is dependent to a major degree upon the progress of and results from the Atomic Energy Commission's research and development program in this field. The Atomic Energy Commission's cratering program for fiscal year 1968 includes only one test. Thus, it now appears that the Plowshare program will fall at least one year behind the schedule previously presented to the Commission, resulting in further delay to the Canal Study. The Commission will continue to maintain close liaison with the Atomic Energy Commission concerning our correlative studies recognizing that research and development work does not lend itself to an assured timetable.

Evaluating the alternatives available to the Commission for completing their investigation and study, in the face of the delay caused by difficulties in starting actual on-site surveys and the delay in the nuclear excavation research program, the Commission has determined that it will require until December 1, 1970, to complete and submit its study.

It is also apparent to the Commission that it cannot adequately accomplish its tasks within the current appropriation limitation of $17.5 million. The current estimate of funds required to complete the study is $24 million, an increase of $6.5 million. The major items contributing to the increase in estimated cost are the result of delays in beginning on-site surveys, more realistic cost estimates based upon actual field conditions, and other changed conditions. Included in the Commission's present cost estimate are funds to extend the study, to cover unprogrammed Federal pay raises, to provide services for the Commission that otherwise would have been provided by the Department of Defense at little or no cost to the Commission had it not been for the Vietnam requirements, to support program changes resulting from actual on-site conditions, to support a program stretchout which will result from the extension of the nuclear excavation research activities, and other requirements resulting from conditions which were not envisioned in the original program planning, as follows:

Commission's revised fiscal program

	Additional costs attributed to item
Major item affecting cost increase:	
Delays in obtaining survey agreements	$1,303,000
Unprogrammed Federal pay raises	400,000
Vietnam situation (services originally to be furnished by DOD at little or no cost to the Commission but no longer available due to Vietnam requirements)	477,000
Revisions of cost estimates resulting from actual field experience	$3,320,000
Program stretchout resulting from extension of nuclear excavation research activities, budget limitations, and other conditions not envisioned in the original program planning	1,000,000
Total	6,500,000
Previous study estimate	17,500,000
New study cost estimate	24,000,000

The Atlantic-Pacific Interoceanic Canal Study Commission considers that the objectives of Public Law 88–609 can best be accomplished by enactment of the proposed amendment to extend the study until December 1, 1970, and to increase the appropriation ceiling to $24.0 million so as to provide the Commission with sufficient time and funds to complete the study in an orderly and efficient manner.

For the reasons stated above and because of the fact that the fiscal year 1968 budget for the Commission will be affected by the inclosed draft bill, its prompt and favorable consideration during this session of Congress is recommended.

The Bureau of the Budget has advised that the enactment of the draft legislation would be in accord with the President's program.

Respectfully yours,

ROBERT B. ANDERSON,
Chairman.

SPECIAL LOANS FOR YOUNG FARMERS ENTERING AGRICULTURE

Mr. NELSON. Mr. President, I wish to introduce the Young Farmers Investment Act of 1967 to make low-interest, long-term loans available to young farmers.

The average age of our Nation's farmers is now well over 50 years. This situation is even more acute in dairy farming, where operators average nearly 60 years of age.

The fact is that young men are not entering farming in sufficient numbers to replace the older farmers who are retiring or taking jobs in the city. Besides having attractive opportunities with industries and businesses, young men are staying out of agriculture because of the prohibitive costs of entering and staying in farming today.

The monthly mortgage payments for principal, interest, and taxes for an economically sized farm unit leaves the farmer with so little of his income that he is unable to provide for his family as well as his counterpart who works in the city.

This prospect discourages many young people who would otherwise be interested in farming as a career.

In addition to the sociological problems that will occur when the family farm disappears from rural America, the most widespread effect will be a tremendous increase in the cost of food to the consumer. The American family farm is the most efficient, most effective producer of food in the world. Unless young families are financially able to take over from retiring farm families, future food production will be placed in jeopardy and consumer prices for essential foods can be expected to skyrocket.

Our young farmers need a boost to encourage them to enter and remain in farming. This assistance is available through the young farmers investment program.

It will provide real estate and operating loans to young farmers at an interest rate of 4 percent. Half of the mortgage would be amortized over 40 years with a final balloon payment of the remaining amount, which in turn could be refinanced.

The principal provisions of the young farmers investment program are:

First. Require borrowers to repay 50 percent of the loan with interest over a period of time up to 40 years.

Second. Make the remaining 50 percent of the loan due and payable in a lump sum or balloon payment at the end of a 40-year mortgage period, with a provision for refinancing.

Third. Limit the interest rate to 4 percent, the approximate cost of the money to the Government.

I ask unanimous consent that the text of this bill be printed in the CONGRESSIONAL RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1567) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide an alternate method of making loans for acquisition and improvements of the farm, needed by farm families, including young farmers, and to provide the borrower family with adequate standards of living and the consumer with reasonable prices for dairy and other agricultural products, as well as to maintain and improve national health; and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Young Farmers Investment Act of 1967".

SEC. 2. Section 305 of the Consolidated Farmers Home Administration Act of 1961 is amended by changing "SEC. 305" to read "SEC. 305(a)" and by adding the following new subsection 305(b):

"(d) Direct loans may be made under sections 302 and 303 for acquiring and improving owner-operated farms without regard to the limitations of section 305(a) but not in excess of the present market value of the farm as certified by the county committee. Notwithstanding the provisions of section 307(2), any such loan shall bear interest at 4 per centum per annum. That part of the loan which is equal to the normal agricultural value of the farm as improved, but not less than 50 per centum of the loan, may be amortized over a period of forty years. The balance of the loan, without interest, shall become due and payable at the end of such period, or any extension thereof approved by the Secretary if the farm is then owned and operated by a borrower eligible under section 302, or at such earlier date as the farm, or any interest therein, is transferred without the consent or approval of the Secretary to an ineligible person. When the balance of the loan becomes due, it shall bear interest after the due date."

AMENDMENT OF SECTION 12 OF THE FEDERAL FARM LOAN ACT, AS AMENDED

Mr. FONG. Mr. President, I introduce, for myself and my colleague [Mr. INOUYE], for appropriate reference, a bill to amend further the sixth paragraph of section 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for long-term loans by Federal land banks.

That provision of the law presently provides that in order for a corporation to be eligible for a loan from a Federal land bank the principal part of the corporation's income must be derived from farming and the stockholders of the corporation assume personal liability for the loan to the extent required under rules and regulations prescribed by the Farm Credit Administration.

This bill would permit a corporation to qualify for a Federal land bank loan without the stockholders assuming personal liability for the loan if the corporation puts up security determined by the board of directors of the Federal land bank concerned to be adequate to insure repayment of the loan. All other existing requirements in the law must be met by the corporation.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 1568) to amend the sixth paragraph of section 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for loans by Federal land banks introduced by Mr. FONG (for himself and Mr. INOUYE), was received, read twice by its title, and referred to the Commitee on Agriculture and Forestry.

SOCIAL SECURITY INCREASES

Mr. FONG. Mr. President, today I am introducing, for appropriate reference, five bills improving the social security system, including an automatic increase in benefits to cover cost-of-living increases.

Under my first bill, when the cost of living rises 3 percent or more in 1 year, benefits would be increased correspondingly for all social security recipients.

For example, if the cost of living jumps 3.9 percent, benefits for social security retirees, survivors, the disabled, all beneficiaries in fact, would be increased 3.9 percent.

My bill is patterned after an existing law providing automatic cost-of-living increases for civil service retirees.

For purposes of computing the amount by which living costs rise, the year 1967 is provided as the first base year.

Congress will undoubtedly increase social security benefits this year in recognition of the cost-of-living increase since 1965, when the last social security increase was voted. That would make 1967 the starting point for computing future cost-of-living increases.

Whenever the cost of living rises 3 percent or more above the Consumer Price Index in 1967, social security benefits would be increased by a corresponding amount.

The year the increase becomes effective would then become the new base year for computing rises in the cost-of-living index.

As stated last week in the minority views of the Senate Special Committee on Aging, in which I joined:

> No amendment is more necessary to achievement of a truly sound and equitable social security system, in our opinion, than enactment of automatic cost-of-living increases in old-age, survivor and disability benefits.

My bill, therefore, carries out a vital change in the social security system recommended by the minority members on the Special Committee on Aging.

Social security is an insurance program offering protection against economic loss of income caused by retirement, death of a breadwinner, or disability. My bill for automatic cost-of-living increases is insurance against economic loss of income caused by inflation.

My second bill also carries out a principle endorsed in the minority views, by raising to $2,400 the amount social security beneficiaries may earn without loss of social security benefits.

Present law permits earnings of $125 a month, up to $1,500 a year without imposing any deduction in social security monthly payments. If a beneficiary earns more than $1,500 a year, $1 in benefits is withhold for each $2 of annual earnings between $1,500 and $2,700. A beneficiary loses $1 in benefits for each $1 earned above $2,700.

In offering this bill, I am seeking to liberalize the earnings limit, pending such time as a thorough investigation of the question of its elimination can be made.

As the minority of the Special Committee on Aging stated:

> Ideally, it probably would be best to eliminate completely penalties applied to social security beneficiaries who work. There is considerable support, among young and old, for such a position.
>
> Social Security Administration actuaries, however, inform us that such action would "cost the system" in excess of $2 billion a year. Such funds might be applied to the cost of other improvements in the system.
>
> Regrettably, almost every change except the cost-of-living automatic adjustment would require additional funds. Once more the question of balancing one improvement against another in the spirit of realistic compromise becomes necessary.
>
> Completely unknown, of course, is how much in earnings may be lost to OASDI beneficiaries in loss of earnings because the penalty provision encourages them to avoid work which they otherwise would like to accept.
>
> It would appear appropriate to make a thorough investigation of both sides of this "cost" question. It might show a net benefit to the nation from complete elimination of the "work test" even with a $2 billion cost to social security. Possible additional income taxes realized from higher earnings might offset the increased load on the social security system.
>
> Pending such investigation, we believe some liberalization, without undue cost to the social security system, is badly needed.

The minority agreed the earnings limit should be raised to "at least $2,100 a year, or $175 a month."

The present provision of law helps keep many older people at a poverty level by such a low ceiling on earnings. My bill raises the limit from $125 a month to $200 a month, and the yearly limit from $1,500 to $2,400.

I am pleased to say the Senator from Iowa [Mr. MILLER] is cosponsoring this bill with me.

My third bill also carries out a recommendation of the minority views by permitting widows to receive 100 percent of the social security benefit of her deceased husband, rather than 82½ percent as at present.

Senator MILLER is also cosponsoring this bill.

If a man's primary benefit is $100 a month, while he and his wife both live, their total benefits would be $150. Should the wife die in such a situation, the widower would revert to a payment of $100 a month. If the husband should die, however, the widow would only receive $82.50 a month.

If anything, a widow, with an average greater life expectancy than a widower, may have a greater need for her social security benefits. Also, her opportunity to supplement social security with other income may be less.

I believe present law unfairly discriminates against widows and should be corrected.

My fourth bill seeks to fulfill a recommendation of the minority members of the Committee on Aging by raising the monthly minimum social security benefit, now $44, to $70. The minority called for a meaningful increase in minimum benefits. I believe the increase to $70 is a meaningful increase.

My fifth bill follows this concept by increasing monthly benefits for those persons past 72 who are entitled to receive $35 a month under a provision of law enacted by Congress last year. My bill raises the monthly benefit to $50 for the primary beneficiary, with $25—instead of the present $17.50—for a qualified spouse who is over age 72.

There are many areas where the social security system can be improved to provide its primary objective, a minimum of economic security. The five bills I am introducing today are important moves toward that goal. They will help provide a better and a more equitable social security program for all Americans covered by the social security umbrella of protection.

I hope that when the Senate considers social security legislation this year, the improvements in my bills will be approved.

I ask unanimous consent that the text of these bills be printed in the RECORD at this point.

The **PRESIDING OFFICER.** The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills were received, read twice by their titles, and referred to the Committee on Finance, as follows:

By Mr. FONG:

S. 1569. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"COST-OF-LIVING INCREASE IN BENEFITS.—

"(w) (1) For purposes in this subsection—

"(A) the term 'price index' means the annual average over a calender year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

"(B) the term 'base period' means the calendar year 1967, or if later, the calendar year preceding the year in which the most recent cost-of-living adjustment has been made in monthly benefits under this title by reason of the provisions of this subsection.

"(2) As soon after January 1, 1969, and as soon after January 1, of each succeeding year as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall determine the per centum of increase (if any) in the price index for the calendar year ending with the close of the preceding December over the price index for the base period. If the increase occurring in the price index for the latest calendar year with respect to which a determination is made in accordance with this paragraph over the price index for the base period is equal to at least 3 per centum, there shall be made, in accordance with the succeeding provisions of this subsection, an increase in the monthly insurance benefits payable under this title equal to the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"(3) Increases in such insurance benefits shall be effective for benefits payable with respect to months beginning on or after April 1 of the year in which the most recent determination pursuant to paragraph (2) is made.

"(4) In determining the amount of any individual's monthly insurance benefit for purposes of applying the provisions of section 203(a) (relating to reductions of benefits when necessary to prevent certain maximum benefits from being exceeded), amounts payable by reason of this subsection shall not be regarded as part of the monthly benefit of such individual.

"(5) Any increase to be made in the monthly benefits payable to or with respect to any individual shall be applied after all other provisions of this title relating to the amount of such benefit have been applied. If the amount of any increase payable by reason of the provisions of this subsection is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10."

By Mr. FONG (for himself and Mr. MILLER):

S. 1570. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) paragraphs (1), (3), and (4) (B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out "$125" wherever it appears therein and inserting in lieu thereof "$200".

(2) The first sentence of paragraph (3) of such subsection (f) is amended by striking out ", except that of the first $1,200 of such excess (or all of such excess if it is less than $1,200), an amount equal to one-half thereof shall not be included".

(b) Paragraph (1) (A) of subsection (h) of section 203 of such Act is amended by striking out "$125" and inserting in lieu thereof "$200".

SEC. 2. The amendments made by the first section of this Act shall be effective with respect to taxable years ending after the date of the enactment of this Act.

S. 1571. A bill to amend title II of the Social Security Act to increase the amount of the insurance benefits payable to widows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 202(e) (1) and (2) of the Social Security Act is amended by striking out "82½ per centum" wherever it appears therein and inserting in lieu thereof "100 per centum".

(b) The amendments made by subsection (a) shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after the month following the month in which this Act is enacted.

By Mr. FONG:

S. 1572. A bill to amend title II of the Social Security Act to raise from $44 to $70 the minimum monthly old-age insurance benefit payable thereunder.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the table in section 215(a) of the Social Security Act is amended by striking out all the figures in columns I, II, III, IV, and V down through the line which reads:

"26.41	26.94	65	110	113	69.60	104.40"

and inserting in lieu thereof the following:

'------------	$26.94	$65 or less	------------	$113	$70.00	$105.00'".

(b) The amendment made by subsection (a) shall apply only in the case of monthly insurance benefits under title II of the Social Security Act for months beginning on and after the first day of the second month following the month in which this Act is enacted.

S. 1573. A bill to amend title II of the Social Security Act to increase the monthly insurance benefits of certain individuals who have attained age 72:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) section 227(a) of the Social Security Act is amended by striking out "$35" and inserting in lieu thereof "$50", and by striking out "$17.50" and inserting in lieu thereof "$25".

(2) Section 227(b) of such Act is amended by striking out in the second sentence "$35" and inserting in lieu thereof "$50".

(b) (1) Section 228(b) (1) of such Act is amended by striking out "$35" and inserting in lieu thereof "$50".

(2) Section 228(b) (2) of such Act is amended by striking out "$35" and inserting in lieu thereof "$50", and by striking out "$17.50" and inserting in lieu thereof "$25".

(3) Section 228(c) (2) of such Act is amended by striking out "$17.50" and inserting in lieu thereof "$25".

(4) Section 228(c) (3) (A) of such Act is amended by striking out "$35" and inserting in lieu thereof "$50".

(5) Section 228(c) (3) (B) of such Act is amended by striking out "$17.50" and inserting in lieu thereof "$25".

SEC. 2. The amendments made by this Act shall apply with respect to monthly insurance benefits under title II of the Social Security Act for months after the second month following the month in which this Act is enacted.

FORMULATION, ADOPTION, ADMINISTRATION, AND PERIODIC UPDATING A COMPREHENSIVE PLAN FOR THE CAPITOL GROUNDS AND CONTIGUOUS RELATED AND INFLUENCING AREAS

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a joint resolution to provide for the formulation, adoption, administration, and periodic updating of a comprehensive plan for the U.S. Capitol Grounds and contiguous related and influencing areas.

This joint resolution is similar to Senate Joint Resolution 76 which I introduced in the 89th Congress and, although reported favorably from the Committee on Public Works on September 21, 1966, it was overlooked by the Senate in the rush of business just prior to adjournment.

The purpose of this Senate joint resolution is to authorize and direct the Architect of the Capitol, in consultation with the Nation Capital Planning Commission, to enter into a contract with an experienced consultant firm of national reputation to prepare a comprehensive plan for the future development of the U.S. Capitol Grounds and the contiguous related and influencing areas; to provide for the approval of the comprehensive plan by the Committees on Public Works of the Senate and House of Representatives, and to further provide for the review, modification, and updating of the approved comprehensive plan at least once every 5 years.

This Senate joint resolution does nothing more than require of the Congress the same considered and thoughtful long-range planning regarding its own physical surrounding that Congress has required of other governmental bodies.

Mr. President, it is in the national interest that the U.S. Capitol Grounds and the contiguous related and influencing areas be developed and maintained in a manner that will facilitate the functions of the legislative and judicial branches of the Government, will provide ingress and egress of persons associated therewith, and will assure the existence at all times of an aesthetic setting appropriate to the seat of the legislative and judicial branches of the Government of which all Americans can be justly proud.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 74) to provide for the formulation, adoption, administration, and periodic updating of a comprehensive plan for the U.S. Capitol grounds and contiguous related and influencing areas, introduced by Mr. RANDOLPH, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Whereas the immediate vicinity of the National Capitol Building is the seat of the legislative and judicial branches of the Federal Government; and

Whereas Washington, District of Columbia, was originally carefully planned as an attractive city with facilities which for many years thereafter were adequate for the efficient functioning of the said branches of Government and of personnel associated therewith and interested therein and for the related movements of residents of and visitors to the Nation's Capital; and

Whereas as the city has grown in population, various supplemental plans have been developed from time to time for the city as a whole and for individual portions thereof; and

Whereas the present population of the city far exceeds that of any time in the past and will undoubtedly continue to expand; and

Whereas the functions of the legislative and judicial branches of Government and the number of persons associated therewith have likewise expanded greatly beyond the concepts of the initial planning process; and

Whereas the number of citizens who annually visit the Nation's Capital has increased to approximately seven million and is anticipated to continue to increase in future years; and

Whereas it is in the national interest that the United States Capitol Grounds and the contiguous related and influencing areas be developed and maintained so as to facilitate functions of the legislative and judicial branches of Government, the access and egress of persons associated therewith, the existence at all times of an esthetic setting therefor appropriate to the seat of the legislative and judicial branches of Government, of which all Americans can justly be proud, and which interested citizens will desire to visit and will find pleasure in doing so; and

Whereas the environs of the Capitol include many houses and other buildings of historical and esthetic importance whose preservation will contribute to the beauty and distinction of the Capital City and the Capitol Grounds; and

Whereas, in order that such grounds and areas be so developed and maintained it is necessary that a long-range comprehensive plan be formulated, adopted, continually administered and periodically updated to reflect future and presently unpredictable growth and changes in environment and circumstances: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol, in consultation with the National Capital Planning Commission, is hereby authorized and directed to enter into a contract on behalf of the United States with a consultant firm of national reputation having a working office within the Washington metropolitan area to conduct a full and complete study and analysis of the present and anticipated future development needs of the United States Capitol Grounds (as described in the Act of July 31, 1946, as amended (40 U.S.C. 193a)) and the contiguous and related influencing areas, and, on the basis of such study and analysis, prepare a comprehensive and detailed plan for the suitable development (over the next twenty years) of such grounds and areas. The consultant firm selected shall be properly qualified in all phases of the formulation of a comprehensive plan, including, but not limited to experience in related factors, such as growth trends, socioeconomic impacts, traffic flow and terminal facilities, costs and economic feasibility, civic center and parklike developments, esthetic considerations, controls imposed by subsurface conditions, design, operation and maintenance of public facilities, collection, codification and use of data related to planning procedures previously prescribed by the Congress for urban areas, the preparation of factual and illustrated descriptive prospectuses and reports, and similar functions essential to the formulation of an adequate and realistic comprehensive plan. In preparing such comprehensive plan, due consideration shall be given to population growth of the Washington metropolitan area, population growth of the staffs which daily work in such grounds and their needs for access and egress, facilities required for the convenience of visitors to the grounds, buildings (their occupancy, use, and services), considerations of accessibility to and intercommunication between buildings and grounds, open green areas, priorities, relocations resulting from developments and all items hereinbefore mentioned as essential to the formulation of an adequate and realistic comprehensive plan. During the course of its work, the consultant firm shall maintain close liaison with the Architect of the Capitol, the appropriate committees of the Congress, the National Capital Planning Commission, the National Commission of Fine Arts, and other local agencies associated with the planning process. A preliminary draft of the report to contain the findings and recommendations of the consultant firm shall be submitted in sixty copies not later than nine months after the firm has been notified to proceed with the work for the review and comment of the Architect of the Capitol, the appropriate committees of the Congress, the National Capital Planning Commission, the National Commission of Fine Arts, and other local agencies associated with the planning process, and within three months after the consultant firm has been provided with such comments, it shall provide to the Architect of the Capitol one thousand copies of a printed report, properly illustrated in color, defining the recommended comprehensive plan, outlining the actions required for its implementation, and containing a schedule of appropriations estimated to be required therefor.

SEC. 2. The contract referred to in the first section shall not be entered into until after the approval of the terms and conditions thereof by the Committee on Public Works of the Senate and the Committee on Public Works of the House of Representatives, nor shall the plan referred to in the first section become the approved comprehensive plan until appropriate action has been taken by such committees.

SEC. 3. Inasmuch as a projected comprehensive plan must be modified from time to time to give proper recognition to future developments as they occur and which cannot necessarily be fully anticipated, the Architect of the Capitol in consultation with the National Capital Planning Commission, is hereby authorized and directed to enter into a contract for the review of the approved comprehensive plan at intervals not greater than five years and to submit the results of such review to the committees and other agencies mentioned in section 2 for appropriate consideration. Such periodic reviews should be made under contract with the same consultant firm which prepared the original comprehensive plan unless circumstances indicate otherwise.

SEC. 4. Inasmuch as the successful implementation of the plan requires that the buildings erected by the United States be of the highest architectural quality, the selection of the architects for such buildings shall be made by a committee which shall include representatives of the appropriate committees of the Congress, the National Capital Planning Commission, the National Commission of Fine Arts, and the architectural profession.

SEC. 5. There is authorized to be appropriated such amount as may be necessary for carrying out the provisions of section 1.

PRACTICAL METHOD OF REDISTRIBUTION OF RESEARCH AND DEVELOPMENT GRANTS

Mr. CURTIS. Mr. President, the distinguished Senator from Oklahoma [Mr. HARRIS] will soon hold hearings on a better distribution of the research grants and expenditures that are made by the Federal Government. I wish to commend him for holding these hearings. I am very much interested in them.

The Government research programs have been concentrated in a very few States, and this is having an adverse effect on crops and acreages. This maldistribution will lead to maldistribution of the industries of tomorrow.

I send to the desk, for appropriate reference, a resolution calling upon the National Science Foundation to submit to the Congress a practical method of redistributing the research and development grants, contracts, and other funds of the Federal Government.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 110) submitted by the Senator from Nebraska (for himself and Mr. HRUSKA), was received and referred to the Committee on Government Operations, and, under the rule, ordered to be printed in the RECORD, as follows:

Resolved, That the National Science Foundation is requested to formulate and transmit to the Congress at the earliest practicable date its recommendations for such changes in—

(1) the laws under which research and development funds are granted, loaned, or otherwise made available by departments or agencies of the Government to institutions of higher learning for scientific or educational purposes; or

(2) the administration of such laws;

as may be necessary and desirable to provide for a more equitable distribution of such funds to all qualified institutions of higher learning to avoid the concentration of such activities in any geographical area and to insure a continuing reservoir of scientific and teaching skills and capacities throughout the several States.

INVESTMENT TAX CREDIT—AMENDMENT

AMENDMENT NO. 167

Mr. LONG of Louisiana submitted an amendment, intended to be proposed by him, to the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. DOMINICK. Mr. President, I ask unanimous consent that the name of the Senator from Idaho [Mr. JORDAN] be added as a cosponsor of the bill (S. 925) to direct the Secretary of the Treasury to establish a reserve of at least 165 million ounces of silver for national defense purposes, at the next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the name of the Senator from Utah [Mr. MOSS] be added as a cosponsor of the bill, S. 1485, the Intergovernmental Manpower Act of 1967, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the name of the Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor of the bill, S. 1485, the Intergovernmental Manpower Act of 1967, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the name of the

Senator from Rhode Island [Mr. PELL] be added as cosponsor of the following bills: S. 699, the Intergovernmental Personnel Act of 1967; and, S. 1485, Intergovernmental Manpower Act of 1967, at the next printing of the bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the name of the Senator from West Virginia [Mr. RANDOLPH] be added as a cosponsor to the bill, S. 515, to make desecration of the American flag a criminal offense, at the bill's next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HANSEN. Mr. President, I ask unanimous consent that the name of the senior Senator from Wyoming [Mr. MCGEE] be added as a cosponsor at the next printing of Senate Concurrent Resolution 21, expressing the approval and support of Congress of the selection of the U.S. Ski Association that Jackson Hole in the State of Wyoming be designated as the site for the 1970 International Ski Federation World Ski Championships.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNOUNCEMENT OF HEARINGS

Mr. MUSKIE. Mr. President, the Subcommittee on Intergovernmental Relations will hold hearings on April 26, 27, and 28, to consider two bills directed to improving the quality and management of administrative personnel at State and local levels of government. The first is S. 1485, the Intergovernmental Manpower Act of 1967, which was introduced on April 11 of this year. This bill would carry out the recommendations of the President made in his recent message on the quality of American government. The second is S. 699, the Intergovernmental Personnel Act of 1967, which was introduced January 26 of this year, and was developed from studies and recommendations of the Subcommittee on Intergovernmental Relations.

The hearings for April 26 will be in room 1202, New Senate Office Building, beginning at 9:30 a.m. Hearings for April 27 will be held at location to be announced later. For April 28, the hearings will be held in room 3302, New Senate Office Building, beginning at 9:30 a.m.

Any Senator or other person wishing to testify should notify the subcommittee, room 357 Senate Office Building, extension 4718, in order that he might be scheduled as a witness.

NOTICE CONCERNING H.R. 5876, AN ACT TO AMEND TITLES 5, 14, AND 37, UNITED STATES CODE, TO CODIFY RECENT LAW, AND TO IMPROVE THE CODE

Mr. ERVIN. Mr. President, on behalf of the standing Subcommittee on Revision and Codification of the Committee on the Judiciary, I desire to give notice that the subcommittee now has under consideration H.R. 5876, 90th Congress, first session, and the accompanying report thereon, House Report No. 124, regarding amending titles 5, 14, and 37, United States Code, to codify recent law, and to improve the Code.

The purpose of this notice is to advise any and all interested parties of the consideration of this legislation by the subcommittee and that the subcommittee desires to have any statements or comments relating to the proposed legislation. The statements or comments requested are for the purpose of allowing any and all persons to express their views as to such legislation.

It is required that such statements or comments be forwarded to the Subcommittee on Revision and Codification of the Committee on the Judiciary, room 341, Old Senate Office Building, on or before May 9, 1967.

The subcommittee consists of the Senator from Michigan [Mr. HART], the Senator from Pennsylvania [Mr. SCOTT], and myself, as chairman.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Robert H. McBride, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1161) to establish the John Fitzgerald Kennedy National Historic Site in the Commonwealth of Massachusetts, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 1191) to provide for the disposition of a judgment against the United States recovered by the Southern Ute Tribe of the Southern Ute Reservation in Colorado, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H.R. 8363) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1177) to provide for the disposition of a judgment against the United States recovered by the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, and it was signed by the Vice President.

HOUSE BILL REFERRED

The bill (H.R. 8363) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes, was read twice by its title and referred to the Committee on Public Works.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, April 18, 1967, he presented to the President of the United States the enrolled bill (S. 1177) to provide for the disposition of a judgment against the United States recovered by the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

GUARANTEED STUDENT LOANS

Mr. MANSFIELD. Mr. President, my colleague, the distinguished junior Senator from Montana, has performed a service of widespread benefit to Montana students and parents. In a special report, he has described how the guaranteed student loan program builds on the joint cooperative efforts of private lenders and guaranty agencies.

As Senator METCALF states in his report:

> The concept of guaranteed loans for higher education is not entirely new. Several states have had guaranty programs in operation for the better part of a decade. Private non-profit guaranty effort, notably through United Students Aid Funds, Inc., has also been active since 1960. However, when President Johnson signed the Higher Education Act of 1965, new stimulus and new publicity focused on guaranteed student loans.

This report describes the excellent voluntary participation of the private sector of our economy in meeting a clearly identified public social need. Because of the national interest in this concept and program, I ask unanimous consent to insert the report of Senator LEE METCALF in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SPECIAL REPORT FROM WASHINGTON, D.C.,

BY SENATOR LEE METCALF

Few activities commend themselves more warmly to us than those which help young people to acquire a better education.

One of the most intriguing and, indeed, one of the most promising of these is the guaranteed student loan program. Too little is known about this program and about the work private lenders and guaranty agencies have done to make it function. For example, in Montana over the past several years private lenders have made available almost $1.5 million to Montana's college students under guaranteed loan arrangements. As of the most recent report I have, 98 Montana banks are making student loans under this program.

This type of lending is quite different from other and more familiar financial aids. It brings together the student, his home-town bank, his college, the guaranty agency—and in recent months our federal government.

Generally (and Montana is fairly typical) it works this way: The guaranty agency maintains a reserve fund. Private commercial lenders will lend from $10 to $12.50 on the average for every dollar the guaranty agency keeps in this reserve. The college certifies the student's attendance. Then, when a lender agrees to make the loan the guaranty agency endorses it—or in more familiar terms, the guaranty agency cosigns the student's note so that if he later fails to repay it the guaranty agency will make it good.

The student makes no payments, principal or interest, until he leaves school. Meanwhile, the federal government under the 1965 Higher Education Act pays all the interest while the borrower is in school, half of it after he leaves.

The concept of guaranteed loans for higher education is not entirely new. Several states have had guaranty programs in operation for the better part of a decade. Private nonprofit guaranty effort, notably through United Students Aid Funds, Inc., has also been active since 1960. However, when President Johnson signed the Higher Education Act of 1965, new stimulus and new publicity focused on guaranteed student loans. Chief stimulus, of course, was the interest subsidy already mentioned.

Additionally, under that law the federal government made available so-called seed-money advances totaling $17.5 million over a two-year period to help strengthen or establish private and state guaranty programs. These seed-money advances were computed according to college-age population, and allocations on behalf of Montana residents amounted to $75,000. At this point, these seed-money advances and the interest subsidy payments represent the extent of federal involvement.

It is worth recalling here that President Johnson originally proposed to Congress that our federal government also function as an active guarantor. Before the bill was passed this proposal was modified. As the bill finally evolved it provided a federal guarantee on a stand-by basis only—to become operative if state and private guaranty programs were unable to do the job. Thus far, state and private agencies are operating in all 50 states, and the federal guarantee still remains stand-by and inoperative. Montana has contracted for the administration of a guaranty program for the State. The operating agency under this arrangement is United Student Aid Funds, Inc. (USAF), a private nonprofit corporation headquartered in New York. The banks in Montana have contributed $20,000 to the reserve fund for the USAF.

The dollar volume of guaranteed loans has grown remarkably each year, as more lenders enter the program and guaranty capacity continues to expand. The performance record in 1966 was close to spectacular, considering the special hurdles which confronted all who participated. During the six months from July through December, 1966, some 200,000 students across the Nation borrowed more than $170 million in guaranteed loans.

This is real cause for confidence and for some optimism about the future. At the same time, however, special problems must be faced squarely, and at once if the existing guaranty program, or indeed any guaranty program, is to succeed.

Lenders, including those in Montana, have rendered a splendid public service in the guaranteed loan field. But, as demand grows and more students participate, the program will need more lenders—many thousands more in all 50 states. If more lenders do not become involved, then the load will fall even more heavily and, in fact, unfairly on those who do participate. Clearly, the best route to success is greatly expanded lender participation—in Montana and elsewhere.

In the problems area, the federal government has reason to examine critically its own role and its own performance as we assess developments since passage of the Higher Education Act of 1965.

Federal regulations under the new Act were delayed for months. The President signed the bill into law on November 8, 1965—yet it was almost time for the 1966 Fall semester before students, lenders, guaranty agencies, and colleges finally got some clear procedural signals from the U.S. Office of Education.

Even then the paperwork imposed by the federal government proved an enormous obstacle. That these first paperwork requirements of the Office of Education were unreasonable is evidenced by the fact that in the face of immediate heavy protests they sharply curtailed their first demands. It would be surprising if still more could not be done in this regard, and we will continue to urge that course on the Office of Education. Meanwhile, however, we must reclaim the ground that was lost when these early paperwork demands not only discouraged many new lenders but also drove literally hundreds of older established lenders out of the program.

Tight money and rising interest rates were an added 1966 hurdle, a hurdle not yet completely behind us. The law fixes the maximum interest at 6% simple. Many lenders claim this is less than a break-even return on this type of transaction. A special task force is currently at work under Treasury Department auspices investigating this claim.

Sensible paperwork requirements from the Office of Education along with a break-even interest rate to lenders, can do much to encourage the expanded lender participation this program needs. It would be most regrettable if obstacles like these were permitted to stifle the progress, and the high promise, of guaranteed education loans. The real genius of this program is its capacity to involve the private sector of our economy in voluntarily helping to meet a public social need. We must impress upon all who work with this program, including the U.S. Office of Education, that the public interest is served best when this kind of private effort is encouraged—not when it is impeded.

Many students have asked me how to go about getting a guaranteed loan. Your first stop should be the Student Financial Aid Officer at your college. He will have all the information, all the forms, and must certify your enrollment before a lender makes a loan. Your home-town bank, of course, is also a good place to call. Mr. R. C. Wallace, Secretary-Treasurer of the Montana Bankers Association, 347 North Main Street, Helena or Mr. Edward W. Nelson, Executive Secretary of the Montana University System at Helena, can likewise help you with up-to-date details.

Bear in mind that while we've talked here principally about higher education, there is also a parallel program for guaranteed loans for students at vocational schools. On these loans, I would again recommend that your first inquiry be made at the school.

ACUTE NEED FOR DAIRY FARM ASSISTANCE

Mr. CARLSON. Mr. President, I believe the American consumer has become convinced that something must be done for the dairy farmers of this country. The President, at the request of the Secretary of Agriculture, has asked the Tariff Commission to study the dairy import problem.

The problem in the dairy farm industry is very easy to understand. Certain manufactured dairy products are not under import quotas. So countries with surplus milk manufacture it into these products which are not regulated and can ship these products into this country in any amount. These products do not have to meet the sanitary standards this country's products must meet and, of course, foreign labor is much cheaper. This means our dairy farmers must compete with products which are made more cheaply, and of course, he cannot.

As a result, the dairy farmer is not receiving a fair return for his investment and long hours. So, many are selling their herds and quitting the farm.

The result of this, unless something is done, will be a shortage of milk.

The investigation by the Tariff Commission—which will undoubtedly result in the curbing of imports under section 22—is not a long-range solution, nor is it even immediate. The study will take time. While the study is going on, importers will step up their shipments of dairy products to this country.

Section 22 is not enough. What is needed is a new law. What is needed is some action that will show the dairy farmers that they will not have to wait until a crisis develops before we react to their problems.

There is a realistic way to put an end to this problem. The Dairy Import Act of 1967 would set reasonable quotas and allow foreign countries to share in our markets. It is cosponsored by 52 Senators, including myself.

It would allow continued import of dairy products based on the average annual rate of imports for the base years 1961–65. If domestic consumption increases or decreases, the bill allows for a corresponding change in quotas. The President would be permitted to increase quotas if in the national interest.

This bill would close the loopholes through which an estimated 4 billion pounds of milk equivalent in the form of dairy products is expected to be shipped into the country this year.

The dairy farmer must have some protection against low-cost, and usually Government-subsidized, dairy products from abroad.

The National Milk Producers Federation has said that this flow of unchecked dairy imports is the number 1 problem facing the dairy farmer today.

Dairy farmers have been disheartened to learn that products from abroad are allowed unlimited entry just when a workable balance between milk supplies and market requirements was achieved after a period of 15 years of milk surpluses and depression prices.

This is not just a farm problem. Milk and dairy products constitute the largest portion of our diet. The supplies needed to feed our growing population with fresh fluid milk and dairy products can only come from domestic sources.

Our dairy farmers need some assurance of continuing markets at reasonable prices if we are to maintain our domestic production.

We can give farmers this assurance by passing the Dairy Import Act of 1967.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. AIKEN. Mr. President, the Senator from Kansas has spoken well. We are steadily increasing our imports of dairy products into this country, and that makes the importers and the big dairy distributors very happy. The Senator from Kansas well knows that the importers and the big distributors are far better campaign contributors than the farmers and seemingly have far more influence at the seat of Government.

Mr. CARLSON. I know of no one better qualified to speak about the problems of the dairy farmer than the distinguished Senator from Vermont, who has had many years of experience in working with and helping farmers.

I sincerely hope that we can get the assistance that the farmer needs.

Mr. AIKEN. When the Senator from Kansas said that we are becoming more dependent on imported dairy products, he made an understatement. We are going to be more and more dependent on imported dairy products, and that puts the fixing of the price and control of distribution more and more in the hands of the importing corporations.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. CARLSON. I shall be happy to yield to the Senator from Nebraska, if I have sufficient time remaining.

Mr. CURTIS. Mr. President, I am in accord with what has been said by the distinguished Senator from Kansas [Mr. CARLSON] and the distinguished Senator from Vermont [Mr. AIKEN]. The situation is serious, and the welfare of agriculture certainly needs attention.

Mr. CARLSON. Mr. President, I appreciate the remarks of my colleagues with regard to an industry that is in serious difficulty.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. YOUNG of North Dakota. I, too, wish to commend the senior Senator from Kansas for the fine and appropriate statement that he has made.

ECONOMIC PLIGHT OF FARMERS

Mr. YOUNG of North Dakota. Mr. President, I am sure that every Member of Congress as well as the general public is aware of the unrest among farmers. There has been considerable publicity about farmers withholding their commodities from the market in the hope that this might bring about a better and more equitable price.

Other farm groups have announced their intention not to use their remaining few dollars or any credit they may have left to purchase new equipment. Still others, because of the low price of wheat, have indicated their intention not to increase their acreage, since to do so could result in even lower prices.

It is regrettable that so few of our people realize the difficult problem farmers have in making ends meet. Farm prices did increase somewhat last year but have now dropped 7 percent from that relatively low level. The prices paid to farmers today are actually 2 percent below those they received during the 1947–49 period.

Farm machinery prices—and this is a big item in any farm operation—have risen 24 percent since 1959 and labor costs are up 35 percent since that time. Farmers net earnings are among the lowest of any segment of our economy. The per capita average income of farmers is less than $1,700 in yearly earnings, which is 60 percent below the average earnings of nonfarmers.

Mr. President, I received a letter yesterday that describes the farmers' plight in far more understandable terms than any of our economists have expressed it.

Let me read the letter I received from Mr. Harold Debertin of Parshall, N. Dak., dated April 14, 1967. This farmer writes as follows:

> Just a line from the grass roots. I've been overhauling my old Moline tractor and had to buy a new manifold for it. Price was over $60 for the main part of manifold. There was another small part that I should have had for $14.95 and this did not include the intake part of manifold. This is for a U-Moline—not a big tractor.

A manifold on a tractor is a relatively small piece of cast iron, and the fact that its cost has risen to $60 gives some indication of the tremendous rise in the cost of farm operations.

Mr. Debertin states further:

> On the other hand we took 30 dozen good big eggs to the local locker plant and received about $6.50. I read that wool is down. It seems to me there is a lot of farm sales this year. Is this the answer? Quit farming? If the farmers leave what happens to REA? It seems to me that if the bottom block which is the farmer is pulled out a lot of the rest of the pile are going to come down. But we cannot go on borrowed money for long.

Mr. President, in simple terms this explains better than can any Member of Congress the problem farmers face today. Our farmers are the most efficient producers in the world. They not only provide our nearly 200 million people with abundant, cheap food but, in addition, make possible yearly exports of approximately $7 billion.

If the average farmer is to be able to stay in the farming business, he has to have better prices than he is getting today. The answer to this is not abandoning price supports as many—even a few ill-advised farm leaders—seem to think. The low price of eggs which Mr. Debertin mentions is a good example as this is not a price-supported commodity. In fact, most of the small producers of eggs were driven out of business long ago and the production now is in the hands of a few huge producers.

Mr. President, not the least of the contributing factors to the present low prices for many major commodities is that of excessive imports. Imports of dairy commodities alone have increased more than 300 percent in the past year. There is a very similar situation with respect to beef and mutton.

Mr. President, we owe a great debt of gratitude to the farmers of this Nation for the wonderful job they have done in producing two of the most important things in life—food and fiber. To the great credit of farmers, you do not find them or their sons burning draft cards or the American flag which seems to be a means of getting attention these days, especially by the long-haired beatniks.

JOHN C. BROGER—DIRECTOR FOR ARMED FORCES INFORMATION AND EDUCATION

Mr. YOUNG of Ohio. Mr. President, John C. Broger occupies the highly important post of Director for Armed Forces Information and Education in our Defense Department. In this position he is responsible for informational and educational activities in our Armed Forces.

In the February 6, 1967, issue of Newsweek magazine, this official was quoted as having said:

> I am against extremism in any form, but I'm against extremism of the left more than of the right.

I ask does he consider the Americans for Democratic Action an obnoxious left wing extremist organization? If not, is he just referring only to that ragtag splinter group of Communists which FBI Director J. Edgar Hoover says now number 8,000 in the United States?

On February 9, I wrote to Secretary of Defense McNamara stating that if Broger was quoted correctly and if this is, in fact, his view, then it is absolutely inexcusable that he should remain in the sensitive position he now holds.

Evidently, the Secretary of Defense did not consider this to be a matter which merited his personal attention, as on February 17 I received a letter from Lt. Gen. J. B. Lampert in the Office of the Assistant Secretary of Defense for Manpower in which General Lampert reported:

> I have discussed this matter with Mr. Broger and he assures me that he did not make this statement. His clear recollection of his discussion with the reporter for Newsweek magazine is that he stated, in the course of the discussion, that he was against extremes of the right or of the left or any other extremes so far as that is concerned.

I subsequently spoke with Dom D. Bonafede, the reporter for Newsweek magazine who interviewed Mr. Broger and wrote the story in Newsweek that contained the statement in question. Mr. Bonafede told me that John C. Broger did indeed make this statement to him directly as he reported it, stating the exact time and place when the statement was made. His detailed statement of facts was very convincing to me.

On March 4, I again wrote to Secretary McNamara informing him of my conversation with Dom Bonafede and of the obvious discrepancy between what Broger claims he said and what Bonafede quoted him as saying.

On March 11, Assistant Secretary of Defense Thomas D. Morris replied stating that Mr. Broger again denied making the statement in question. Mr. President, it appears I am getting along in the world. My first letter to the Secretary was answered by a lieutenant general. My second merited a reply by an Assistant Secretary. Perhaps my remarks today will finally merit the Secretary's attention. I hope so, as I do not take lightly a matter involving the education and information received by millions of American servicemen.

Mr. President, very definitely, in my considered judgment, Broger told Dom D. Bonafede precisely what this reporter for Newsweek reported he told him. I have made careful research regarding both Mr. Broger and Mr. Bonafede. I believe the Newsweek reporter has a reputation as an objective writer. I consider that Broger was not telling the truth when he stated to General Lampert that he was incorrectly quoted.

Furthermore, this statement appeared in the February 6 issue of Newsweek, over a month ago, and to date I have not read any public retraction or correction issued by Mr. Broger in Newsweek magazine or elsewhere. I am convinced that Broger made this statement in the exact words as quoted.

Mr. President, the official responsible for information and educational activities in our Armed Forces should be equally opposed to extremism in any form, whether it be to communism on the extreme left or to the fascism of the John Birch Society, the Liberty Lobby, and other extremist rightwing fringe organizations. Political extremism is somewhat like pregnancy—either the young lady is or is not—and it is absurd to make differentiation, especially for a highly placed public servant in a position to influence the information and education received by millions of American servicemen.

It is deplorable that information and education received by American servicemen should be disseminated and censored by an official so lacking in good judgment.

Of course, such a high public official should be violently opposed to Communists and communism and ragtag leftwing extremists of that ilk. On the other hand, it is evident from this official's statement that he does not find the extremism of the John Birch Society, for example, to be as obnoxious, objectionable and as un-American as leftwing extremism.

Secretary McNamara may not consider this incident important enough to merit his personal attention. That is unfortunate. However, as a Senator of the United States, I consider that I have the obligation to denounce a situation whereby much of the information received by millions of young American servicemen, thousands of them from Ohio, is disseminated and censored by a public official so lacking in good judgment and candor.

If John Broger held some other position in the Defense Department it would probably be immaterial whether this man holds a higher opinion of rightwing extremists such as members of the John Birch Society, the Liberty Lobby, Young Americans for Freedom, or the Minutemen to name a few lunatic rightwing extremist organizations, many of whose leaders are fascist-minded.

However, in the position Broger occupies, that high official should despise extremists of the right and extremists of the left as being equally un-American. It is unfortunate that a high official in our Government, particularly one with authority over informational and educational activities to members of our Armed Forces, should make such differentiation.

Mr. President, the end result of extremism if tolerated in this country whether of the right or left would be destruction of our Constitution and of the American dream of freedom and equality.

Secretary of Defense McNamara should immediately remove John C. Broger from his present important post. In the Defense Department there is a civil defense division replete with a staff of castoffs from other Government agencies who last year wasted more than $900,000 of taxpayers' money on propaganda pamphlets while sitting around waiting for the bomb to drop and writing messages to each other. This would be a good division for John C. Broger.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DAILY PRAYERS BY WESLEYAN SERVICE GUILD, TRINITY METHODIST CHURCH, McLEAN, VA., FOR AMERICAN TROOPS IN VIETNAM

Mr. BYRD of Virginia. Mr. President, we hear a great deal these days about a limited war in Vietnam. It is limited to the extent that it has not been widened beyond the boundaries of Vietnam. It is limited in the help that the United States is receiving from other nations. But so far as the American people are concerned, Mr. President, it is not a limited war. The United States is engaged in a full-scale war in Vietnam. We have there 438,000 men on the ground. We have another 65,000 aboard ship. We have 42,000 in Thailand.

And what about American casualties? During 1966 our Nation suffered 35,000 battle casualties, killed and wounded. For the first quarter of 1967 American casualties in Vietnam have totaled 16,000. If we annualize that figure, it will mean, if the casualties continue at the same rate, more than 60,000 Americans will have been killed or wounded in that struggle.

That brings me to a letter which I received this morning. It is from the Trinity Methodist Church of McLean, Va. It is signed by the members of the Wesleyan Service Guild of Trinity Methodist Church. The members of that service guild have pledged themselves to pray daily for the American troops in Vietnam.

I feel that this action on the part of the women of the Trinity Methodist Church is one which deserves to be called to the attention of the Senate. I am pleased this morning to bring to the attention of the Senate this letter, signed by Mrs. W. Edward White, president of Wesleyan Service Guild, Trinity Methodist Church, McLean, Va., and the other members of the guild. I commend her, I commend them, and I commend the church of which she is a member for focusing attention on our men in Vietnam and urging that throughout our Nation more and more groups pray daily for those men who have been drafted and sent 12,000 miles from the city of Washington to fight. They deserve and need the prayers of our people.

I close with two paragraphs from the letter which I commend to all Americans:

> We are concerned with the activities in Viet Nam and our country's involvement there. Even in our small group opinions of individuals differ but we are united in feeling that our nation as a whole should be called to prayer.
>
> Many things have been said and written about Viet Nam, demonstrations of all sorts have taken place. Yet we have not emphasized or recognized the importance of prayer. We feel that prayer can and does make a difference in a Christian nation and it is time that prayer is brought to the forefront as we seek a solution to war.

The PRESIDING OFFICER. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE APOLLO TRAGEDY

Mr. WILLIAMS of Delaware. Mr. President, in yesterday's New York Times there appeared an article by Mr. Harry Schwartz entitled "Unanswered Questions on the Apollo Tragedy." Mr. Schwartz is a member of the editorial board of the New York Times, and in his article calls attention to questionable manner in which this contract has been handled since the inception of the space project.

I trust that the congressional committee now investigating the Apollo tragedy will give careful consideration to obtaining answers to some of the pertinent questions raised by Mr. Schwartz.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Unanswered Questions on the Apollo Tragedy," written by Harry Schwartz, and published in the New York Times of Monday, April 17, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 17, 1967]

UNANSWERED QUESTIONS ON THE APOLLO TRAGEDY

(By Harry Schwartz)

The more that is revealed about last January's Apollo tragedy, the more curious it becomes. As last week's Congressional hearings indicated, the roots of this catastrophe spread wider than the technical factors that received the initial emphasis.

Any adequate investigation must go beyond the disaster that took the lives of the three astronauts. It must penetrate the politics and economics of the nation's vast space-industrial complex. In the process the

National Aeronautics and Space Administration, its management, its policies and its contractors should get more critical Congressional scrutiny than they have received to date.

BLINDED BY SUCCESS

To begin with, though, there is the disaster itself. There has not yet been a full answer to justify permitting the astronauts to enter their death trap. The nearest thing to an explanation so far is the highly unsatisfactory claim that both NASA and the Apollo capsule builder, North American Aviation, were anesthetized by success, so that it never occurred to them that an accident could occur on the ground. Nothing of the sort, after all, had happened during either the Gemini or Mercury programs.

But such carelessness and unconcern seem incredible. The hazards must have been apparent to those involved in the project. The Apollo capsule being tested last January had a pressurized oxygen atmosphere that any spark could turn into an inferno. It also had much combustible material to serve as fuel. But it had no instant escape hatch or fire fighting equipment. How could any technician have examined this situation and fail to realize the deadly game it represented here on earth?

THE PHILLIPS REPORT

Once these answers are in hand, a closer study must be made of the so-called Phillips report, which revealed NASA dissatisfaction with North American's performance. It now turns out that in December 1965, NASA's Apollo program director, Maj. Gen. Samuel C. Phillips, sent a highly critical memorandum to North American's president, and about that time considered taking part of the Apollo contract away from that company.

General Phillips said last week that by April 1966, North American had made "sufficient progress" so that, in effect, all was forgiven. But the NASA review board that probed the Apollo fire found "many deficiencies in design and engineering, manufacturing and quality control."

Evidently General Phillips relaxed his vigilance too soon. Now the case for publishing his "report" is strong, as is the case for finding out why NASA kept North American's deficiencies secret. Perhaps the nation needs an independent technical auditing agency that would regularly publish findings on the competence or incompetence of major Government technical contractors.

If a year and a half ago, General Phillips was wondering whether Nerth American was qualified to carry out the Apollo contract, should the company have gotten that contract in the first place? Congressional investigators might throw some useful light on that question.

It is worth exploring the granting of the contract for another reason. For there is evidence to suggest that the shadow of Bobby Baker, the former secretary to the Senate's Democrats, darkened the history of North American's relations with NASA.

During the period when NASA was pondering the choice of contractors for the Apollo Project, North American was holding talks that ended in the Serv-U Corporation acquiring the highly profitable contract for vending machines in North American's plants.

Serv-U, of course, was the company owned by Mr. Baker and Fred R. Black Jr., North American's highly paid Washington lobbyist. They were able to start Serv-U as the result of a loan from a bank that had a close financial relationship with Mr. Baker's good friend, the late Senator Robert S. Kerr, then chairman of the Senate Space Committee and a great booster for Oklahoma's industrial development. And at the head of NASA was—and is—James E. Webb, who also was a close business associate of Senator Kerr's before he took his present post.

CHOICE OF PLANT SITE

Against this background it may not be surprising that after North American got the huge Apollo contract from NASA it picked Tulsa, Okla., as the site for a new plant and did much of its banking with a bank in which Senator Kerr and Mr. Black had substantial amounts of stock.

Every defense contractor has friends in high places and there has been no suggestion that these particular relationships influenced the choice of North American. But a full investigation of the Apollo project from contract award to the present seems called for in order to insure that so avoidable an accident does not happen again.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to proceed to the consideration of Calendar No. 14, Executive O, 89th Congress, 2d session.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL TELECOMMUNICATION CONVENTION, WITH ANNEXES AND FINAL PROTOCOL

The Senate, as in Committee of the Whole, proceeded to consider Executive O, 89th Congress, second session, the International Telecommunication Convention with annexes, and the final protocol to the Convention, signed at Montreux, on November 12, 1965, which was read the second time, as follows:

INTERNATIONAL TELECOMMUNICATION CONVENTION

PREAMBLE

1 While fully recognizing the sovereign right of each country to regulate its telecommunication, the plenipotentiaries of the Contracting Governments, with the object of facilitating relations and co-operation between the peoples by means of efficient telecommunication services, have agreed to conclude the following Convention.

2 The countries and groups of territories which become parties to the present Convention constitute the International Telecommunication Union.

CHAPTER I. COMPOSITION, PURPOSES AND STRUCTURE OF THE UNION

Article 1. Composition of the Union

3 1. The International Telecommunication Union shall comprise Members and Associate Members.

4 2. A Member of the Union shall be:

a) any country or group of territories listed in Annex 1 upon signature and ratification of, or accession to, this Convention by it or on its behalf;

5 *b*) any country, not listed in Annex 1, which becomes a Member of the United Nations and which accedes to this Convention in accordance with Article 19;

6 *c*) any sovereign country, not listed in Annex 1 and not a Member of the United Nations, which applies for Membership of the Union and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Convention in accordance with Article 19.

7 3. An Associate Member of the Union shall be:

a) any country which has not become a Member of the Union in accordance with 4 to 6, by acceding to this Convention in accordance with Article 19, after its application for Associate Membership has received approval by a majority of the Members of the Union;

8 *b*) any territory or group of territories not fully responsible for the conduct of its international relations, on behalf of which a Member of the Union has signed and ratified or has acceded to this Convention in accordance with Article 19 or 20, provided that its application for Associate Membership is sponsored by such a Member, after the application has received approval by a majority of the Members of the Union;

9 *c*) any trust territory on behalf of which the United Nations has acceded to this Convention in accordance with Article 21, and the application of which for Associate Membership has been sponsored by the United Nations.

10 4. If any territory or group of territories, forming part of a group of territories constituting a Member of the Union, becomes or has become an Associate Member of the Union in accordance with 8, its rights and obligations under this Convention shall be those of an Associate Member only.

11 5. For the purpose of 6, 7 and 8, if an application for Membership or Associate Membership is made, by diplomatic channel and through the intermediary of the country of the seat of the Union, during the interval between two Plenipotentiary Conferences, the Secretary-General shall consult the Members of the Union; a Member shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

Article 2. Rights and obligations of Members and Associate Members

12 1. (1) All Members shall be entitled to participate in conferences of the Union and shall be eligible for election to any of its organs.

13 (2) Each Member shall have one vote at all conferences of the Union, at meetings of the International Consultative Committees in which it participates and, if it is a Member of the Administrative Council, at all sessions of that Council.

14 (3) Each Member shall also have one vote in all consultations carried out by correspondence.

15 2. Associate Members shall have the same rights and obligations as Members of the Union, except that they shall not have the right to vote in any conference or other organ of the Union or to nominate candidates for membership of the International Frequency Registration Board. They shall not be eligible for election to the Administrative Council.

Article 3. Seat of the Union

16 The seat of the Union shall be at Geneva.

Article 4. Purposes of the Union

17 1. The purposes of the Union are:

a) to maintain and extend international cooperation for the improvement and rational use of telecommunications of all kinds;

18 *b*) to promote the development of technical facilities and their most efficient operation with a view to improving the efficiency of telecommunication services, increasing their usefulness and making them, so far as possible, generally available to the public;

19 *c*) to harmonize the actions of nations in the attainment of those common ends.

20 2. To this end, the Union shall in particular:

a) effect allocation of the radio frequency spectrum and registration of radio frequency assignments in order to avoid harmful interference between radio stations of different countries;

21 *b*) coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio frequency spectrum;

22 *c*) foster collaboration among its Members and Associate Members with a view to the establishment of rates at levels as low

as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunication on a sound basis;

23 *d*) foster the creation, development and improvement of telecommunication equipment and networks in new or developing countries by every means at its disposal, especially its participation in the appropriate programmes of the United Nations;

24 *e*) promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication services;

MOD 25 *f*) undertake studies, make regulations, adopt resolutions, formulate recommendations and opinions, and collect and publish information concerning telecommunication matters for the benefit of all Members and Associate Members.

Article 5. Structure of the Union

26 The organization of the Union shall be as follows:

1. the Plenipotentiary Conference, which is the supreme organ of the Union;

27 2. Administrative Conference;

28 3. the Administrative Council;

29 4. the permanent organs of the Union, which are:

a) the General Secretariat;

30 *b*) the International Frequency Registration Board (I.F.R.B.);

31 *c*) the International Radio Consultative Committee (C.C.I.R.);

32 *d*) the International Telegraph and Telephone Consultative Committee (C.C.I.T.T.).

Article 6. Plenipotentiary Conference

ADD 33 1. The Plenipotentiary Conference, supreme organ of the Union, shall be composed of delegations representing Members and Associate Members.

34 2. The Plenipotentiary Conference shall:

a) determine the general policies for fulfilling the purposes of the Union prescribed in Article 4 of this Convention;

35 *b*) consider the report by the Administrative Council on its activities and those of the Union since the previous Plenipotentiary Conference;

36 *c*) establish the basis for the budget of the Union and determine a fiscal limit for the expenditure of the Union until the next Plenipotentiary Conference;

37 *d*) fix the basic salaries, the salary scales and the system of allowances and pensions for all the officials of the Union;

38 *e*) finally approve the accounts of the Union;

39 *f*) elect the Members of the Union which are to serve on the Administrative Council;

40 *g*) elect the Secretary-General and the Deputy Secretary-General and fix the dates of their taking office;

41 *h*) revise the Convention if it considers this necessary;

42 *i*) conclude or revise, if necessary, agreements between the Union and other international organizations, examine any provisional agreements with such organizations concluded, on behalf of the Union, by the Administrative Council, and take such measures in connection therewith as it deems appropriate;

43 *j*) deal with such other telecommunication questions as may be necessary.

44 3. The Plenipotentiary Conference shall normally meet at a date and place decided on by the preceding Plenipotentiary Conference.

45 4. (1) The date and place of the next Plenipotentiary Conference, or either one of these, may be changed:

MOD 46 *a*) when at least one-quarter of the Members and Associate Members of the Union have individually proposed a change to the Secretary-General, or,

47 *b*) on a proposal of the Administrative Council.

48 (2) In either case a new date or place or both shall be determined with the concurrence of a majority of the Members of the Union.

Article 7. Administrative conferences

MOD 49 1. Administrative conferences of the Union shall comprise:

a) world administrative conferences;

50 *b*) regional administrative conferences.

MOD 51 2. Administrative conferences shall normally be convened to consider specific telecommunication matters. Only items included in their agenda may be discussed by such conferences. The decisions of such conferences must in all circumstances be in conformity with the provisions of the Convention.

MOD 52 3. (1) The agenda of a world administrative conference may include:

a) the partial revision of the Administrative Regulations listed in 203;

MOD 53 *b*) exceptionally, the complete revision of one or more of those Regulations;

MOD 54 *c*) any other question of a worldwide character within the competence of the conference.

MOD 55 (2) The agenda of a regional administrative conference may provide only for specific telecommunication questions of a regional nature including instructions to the International Frequency Registration Board regarding its activities in respect of the region concerned, provided such instructions do not conflict with the interests of other regions. Furthermore, the decisions of such a conference must in all circumstances be in conformity with the provisions of the Administrative Regulations.

MOD 56 4. (1) The agenda of an administrative conference shall be determined by the Administrative Council with the concurrence of a majority of the Members of the Union in the case of a world administrative conference or of a majority of the Members belonging to the region concerned in the case of a regional administrative conference, subject to the provisions of 76.

MOD 57 (2) This agenda shall include any question which a Plenipotentiary Conference has directed to be placed on the agenda.

MOD 58 (3) The following items may also be included in the agenda of a world administrative conference dealing with radiocommunication:

a) the election of the members of the International Frequency Registration Board in accordance with 172 to 174;

MOD 59 *b*) instructions to the Board regarding its activities and a review of those activities.

MOD 60 5. (1) A world administrative conference shall be convened:

a) by a decision of a Plenipotentiary Conference which may fix the date and place of its meeting;

MOD 61 *b*) on the recommendation of a previous world administrative conference;

MOD 62 *c*) at the request of at least one-quarter of the Members and Associate Members of the Union, who shall individually address their requests to the Secretary-General; or

63 *d*) on a proposal of the Administrative Council.

MOD 64 (2) In the cases specified in 61, 62 and 63 and, if necessary, in the case specified in 60, the date and place of meeting shall be determined by the Administrative Council with the concurrence of a majority of the Members of the Union, subject to the provisions of 76.

MOD 65 6. (1) A regional administrative conference shall be convened:

a) by a decision of a Plenipotentiary Conference;

MOD 66 *b*) on the recommendation of a previous world or regional administrative conference;

MOD 67 *c*) at the request of at least one-quarter of the Members and Associate Members belonging to the region concerned, who shall individually address their requests to the Secretary-General; or

MOD 68 *d*) on a proposal of the Administrative Council.

MOD 69 (2) In the cases specified in 66, 67 and 68 and, if necessary, in the case specified in 65, the date and place of meeting shall be determined by the Administrative Council with the concurrence of a majority of the Members of the Union belonging to the region concerned, subject to the provisions of 76.

MOD 70 7. (1) The agenda, or date or place of an administrative conference may be changed:

a) at the request of at least one-quarter of the Members and Associate Members of the Union, in the case of a world administrative conference, or of at least one-quarter of the Members and Associate Members of the Union belonging to the region concerned in the case of a regional administrative conference. Their requests shall be addressed individually to the Secretary-General, who shall transmit them to the Administrative Council for approval; or

71 *b*) on a proposal of the Administrative Council.

MOD 72 (2) In cases specified in 70 and 71, the changes proposed shall not be finally adopted until accepted by a majority of the Members of the Union, in the case of a world administrative conference, or of a majority of the Members of the Union belonging to the region concerned, in the case of a regional administrative conference, subject to the provisions of 76.

ADD 73 8. (1) The Administrative Council may deem it advisable for the main session of an administrative conference to be preceded by a preparatory meeting to draw up proposals for the technical bases of the work of the conference.

ADD 74 (2) The convening of such a preparatory meeting and its agenda must be approved by a majority of the Members of the Union in the case of a world administrative conference, or by a majority of the Members of the Union belonging to the region concerned in the case of a regional administrative conference, subject to the provisions of 76.

ADD 75 (3) Unless the Plenary Meeting of a preparatory session of an administrative conference decides otherwise, the texts finally approved by it will be assembled in a report which will also be approved by a Plenary Meeting and signed by the Chairman.

ADD 76 In the consultations referred to in 56, 64, 69, 72 and 74, Members of the Union who have not replied within the time limits specified by the Administrative Council shall be regarded as not participating in the consultations, and in consequence shall not be taken into account in computing the majority. If the number of replies does not exceed one-half of the Members consulted, a further consultation shall take place.

Article 8. Rules of procedure of conferences and assemblies

MOD 77 For the organization of their work and the conduct of their discussions, conferences and assemblies shall apply the Rules of Procedure in the General Regulations annexed to the Convention. However, each conference or assembly may adopt such Rules of Procedure, in amplification of those in Chapter 9 of the General Regulations, which it considers to be indispensable, provided that such additional Rules of Procedure are compatible with the Convention and the General Regulations.

Article 9. Administrative Council

A. Organization and working arrangements

MOD 78 1. (1) The Administrative Council shall be composed of twenty-nine Members of the Union elected by the Plenipotentiary Conference with due regard to the need for equitable representation of all parts of the world. The Members of the Union elected to the Council shall hold office until the date on which a new Council is elected by the Plenipotentiary Conference. They shall be eligible for re-election.

79 (2) If between two Plenipotentiary Conferences a seat becomes vacant on the Administrative Council, it shall pass by right to the Member of the Union from the same region as the Member whose seat is vacated, which had obtained at the previous election the largest number of votes among those not elected.

ADD 80 (3) A seat on the Administrative Council shall be considered vacant:

a) when a Council Member does not have a representative in attendance at two consecutive annual sessions of the Administrative Council;

81 *b*) when a member of the Union resigns its membership on the Council.

MOD 82 2. Each of the Members of the Administrative Council shall appoint to serve on the Council a person who shall, so far as possible, be an official serving in, or directly responsible to, or for their telecommunications administration and qualified in the field of telecommunication services.

83 3. Each Member of the Administrative Council shall have one vote.

84 4. The Administrative Council shall adopt its own Rules of Procedure.

85 5. The Administrative Council shall elect its own Chairman and Vice-Chairman at the beginning of each annual session. They shall serve until the opening of the next annual session and shall be eligible for reelection. The Vice-Chairman shall serve as Chairman in the absence of the latter.

86 6. (1) The Administrative Council shall hold an annual session at the seat of the Union.

87 (2) During this session it may decide to hold, exceptionally, an additional session.

88 (3) Between ordinary sessions, it may be convened, as a general rule at the seat of the Union, by its Chairman at the request of a majority of its Members.

89 7. The Secretary-General and the Deputy Secretary-General, the Chairman and the Vice-Chairman of the International Frequency Registration Board and the Directors of the International Consultative Committees may participate as of right in the deliberations of the Administrative Council, but without taking part in the voting. Nevertheless, the Council may hold meetings confined to its own members.

90 8. The Secretary-General shall act as Secretary of the Administrative Council.

91 9. (1) In the interval between Plenipotentiary Conferences, the Administrative Council shall act on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter.

92 (2) The Council shall act only in formal session.

93 10. The representative of each Member of the Administrative Council shall have the right to attend, as an observer, all meetings of the permanent organs of the Union mentioned in 30, 31 and 32.

94 11. Only the travelling and subsistence expenses incurred by the representative of each Member of the Administrative Council in this capacity at Council sessions shall be borne by the Union.

B. Duties

95 12. (1) The Administrative Council shall be responsible for taking all steps to facilitate the implementation by the Members and Associate Members of the provisions of the Convention, of the Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union.

96 (2) It shall ensure the efficient coordination of the work of the Union.

97 13. In particular, the Administrative Council shall:

a) perform any duties assigned to it by the Plenipotentiary Conference;

98 *b*) in the interval between Plenipotentiary Conferences, be responsible for effecting the coordination with all international organizations referred to in Articles 29 and 30, and to this end, shall conclude, on behalf of the Union, provisional agreements with the international organizations referred to in Article 30, and with the United Nations in application of the Agreement between the United Nations and the International Telecommunication Union; these provisional agreements shall be submitted to the next Plenipotentiary Conference in accordance with 42;

99 *c*) decide on the numbers and grading of the staff of the General Secretariat and of the specialized secretariats of the permanent organs of the Union, taking into account the general directives given by the Plenipotentiary Conference;

100 *d*) draw up such regulations as it may consider necessary for the administrative and financial activities of the Union; and also the administrative regulations to take account of current practice of the United Nations and of the specialized agencies applying the Common System of pay, allowances and pensions;

101 *e*) supervise the administrative functions of the Union;

102 *f*) review and approve the annual budget of the Union, ensuring the strictest possible economy;

103 *g*) arrange for the annual audit of the accounts of the Union prepared by the Secretary-General and approve them for submission to the next Plenipotentiary Conference;

104 *h*) adjust as necessary:

1. the basic salary scales for staff in the professional categories and above, excluding the salaries for posts filled by election, to accord with any changes in the basic salary scales adopted by the United Nations for the corresponding Common System categories;

105 2. the basic salary scales for staff in the general service categories to accord with changes in the rates applied by the United Nations organization and the specialized agencies at the seat of the Union;

106 3. the post adjustment for professional categories and above, including posts filled by election, in accordance with decisions of the United Nations for application at the seat of the Union;

107 4. the allowances for all staff of the Union, in accordance with any changes adopted in the United Nations Common System;

108 5. the contributions payable by the Union and the staff to the United Nations Joint Staff Pension Fund, in accordance with the decisions of the United Nations Joint Staff Pension Board;

ADD 109 6. the cost-of-living allowances granted to beneficiaries of the Union Staff Superannuation and Benevolent Funds on the basis of practice in the United Nations.

110 *i*) arrange for the convening of Plenipotentiary and administrative conferences of the Union in accordance with Articles 6 and 7;

111 *j*) offer to the Plenipotentiary Conference of the Union any recommendations deemed useful;

112 *k*) coordinate the activities of the permanent organs of the Union, take such action as it deems appropriate on requests or recommendations made to it by such organs, and review their annual reports;

113 *l*) provide, if it considers it desirable, for the filling ad interim of a vacancy for Deputy Secretary-General;

114 *m*) provide for the filling ad interim of vacancies for Directors of the International Consultative Committees;

115 *n*) perform the other functions prescribed for it in this Convention and, within the framework of the Convention and the Regulations, any functions deemed necessary for the proper administration of the Union;

116 *o*) take the necessary steps, with the agreement of a majority of the Members of the Union, provisionally to resolve questions which are not covered by the Convention and its Annexes and cannot await the next competent conference for settlement;

117 *p*) submit a report on its activities and those of the Union for consideration by the Plenipotentiary Conference;

ADD 188 *q*) send to Members and Associate Members of the Union, as soon as possible after each of its sessions, summary reports on the activities of the Administrative Council and other documents deemed useful;

119 *r*) promote international cooperation for the provision of technical cooperation to the new or developing countries by every means at its disposal, especially through the participation of the Union in the appropriate programmes of the United Nations; and, in accordance with the purposes of the Union, to promote by all possible means, the development of telecommunication.

Article 10. General Secretariat

120 1. (1) The General Secretariat shall be directed by a Secretary-General, assisted by one Deputy Secretary-General.

121 (2) The Secretary-General and the Deputy Secretary-General shall take up their duties on the dates determined at the time of their election. They shall normally remain in office until dates determined by the following Plenipotentiary Conference, and they shall be eligible for re-election.

MOD 122 (3) The Secretary-General shall be responsible to the Administrative Council for all the administrative and financial aspects of the Union's activities. The Deputy Secretary-General shall be responsible to the Secretary-General.

123 (4) If the post of Secretary-General falls vacant, the Deputy Secretary-General shall discharge the duties ad interim.

MOD 124 2. The Secretary-General shall:

a) coordinate the activities of the permanent organs of the Union with the assistance of the Coordination Committee referred to in Article 11;

125 *b*) organize the work of the General Secretariat and appoint the staff of that Secretariat in accordance with the directives of the Plenipotentiary Conference and the rules established by the Administrative Council;

126 *c*) undertake administrative arrangements for the specialized secretariats of the permanent organs of the Union and appoint the staff of those secretariats in agreement with the Head of each permanent organ; the appointments shall be made on the basis of the latter's choice, but the final decision for appointment or dismissal shall rest with the Secretary-General;

127 *d*) report to the Administrative Council any decisions taken by the United Nations and the specialized agencies which affect Common System conditions of service, allowances and pensions;

MOD 128 *e*) ensure the application of the financial and administrative regulations approved by the Administrative Council;

129 *f*) supervise, for administrative purposes only, the staff of those specialized secretariats who shall work directly under the orders of the Heads of the permanent organs of the Union;

130 *g*) undertake secretarial work preparatory to, and following, conferences of the Union;

MOD 131 *h*) provide, where appropriate in cooperation with the inviting government, the secretariat of every conference of the Union and provide the facilities and services for meetings of the permanent organs of the Union in collaboration with their respective Heads. The Secretary-General may also, when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;

132 *i*) keep up-to-date the official lists, compiled from data supplied for this purpose by the permanent organs of the Union or by Administrations, with the exception of the master registers and such other essential records as may be related to the duties of the International Frequency Registration Board;

133 *j*) publish the recommendations and principal reports of the permanent organs of the Union;

134 *k*) publish international and regional telecommunication agreements communicated to him by the parties thereto, and keep up-to-date records of these agreements;

135 *l*) publish the technical standards of the International Frequency Registration Board, as well as such other data concerning the assignment and utilization of frequencies as are prepared by the Board in the discharge of its duties;

136 *m*) prepare, publish and keep up-to-date with the assistance, where appropriate, of the other permanent organs of the Union:

137 1. a record of the composition and structure of the Union;

138 2. the general statistics and the official service documents of the Union as prescribed by the Regulations annexed to the Convention;

139 3. such other documents as conferences or the Administrative Council may direct;

140 *n*) distribute the published documents;

141 *o*) collect and publish, in suitable form, data, both national and international, regarding telecommunication throughout the world;

142 *p*) assemble and publish, in cooperation with the other permanent organs of the Union, both technical and administrative information that might be specially useful to new or developing countries in order to help them to improve their telecommunication networks. Their attention shall also be drawn to the possibilities offered by the international programmes under the auspices of the United Nations;

143 *q*) collect and publish such information as would be of assistance to Members and Associate Members regarding the development of technical methods with a view to achieving the most efficient operation of telecommunication services and especially the best possible use of radio frequencies so as to diminish interference;

144 *r*) publish periodically, with the help of information put at his disposal or which he may collect, including that which he may obtain from other international organizations, a journal of general information and documentation concerning telecommunication;

145 *s*) prepare and submit to the Administrative Council annual budget estimates which, after approval by the Council, shall be transmitted for information to all Members and Associate Members;

146 *t*) prepare a financial operating report and accounts to be submitted annually to the Administrative Council and recapitulative accounts immediately preceding each Plenipotentiary Conference; these accounts, after audit and approval by the Administrative Council, shall be circulated to the Members and Associate Members and be submitted to the next Plenipotentiary Conference for examination and final approval.

147 *u*) prepare an annual report on the activities of the Union which, after approval by the Administrative Council, shall be transmitted to all Members and Associate Members;

148 *v*) perform all other secretarial functions of the Union;

ADD 149 *w*) act as the legal representative of the Union.

150 3. The Deputy Secretary-General shall assist the Secretary-General in the performance of his duties and undertake such specific tasks as may be entrusted to him by the Secretary-General. He shall perform the duties of the Secretary-General in the absence of the latter.

MOD 151 4. The Secretary-General or the Deputy Secretary-General may participate, in a consultative capacity, in Plenary Assemblies of the International Consultative Committees and in all conferences of the Union; the Secretary-General or his representative may participate in a consultative capacity in all other meetings of the Union; their participation in the meetings of the Administrative Council is governed by 89.

Article 11. Coordination Committee

ADD 152 1. (1) The Secretary-General shall be assisted by a Coordination Committee which shall advise him on administrative, financial and technical cooperation matters affecting more than one permanent organ and on external relations and public information.

ADD 153 (2) The Committee shall also consider any important matters referred to it by the Administrative Council. After examining them, the Committee will report, through the Secretary-General, to the Council.

ADD 154 (3) The Committee shall, in particular, help the Secretary-General in the duties assigned to him under 144, 145, 146 and 147.

ADD 155 (4) The Committee shall examine the progress of the work of the Union in technical cooperation and submit recommendations, through the Secretary-General, to the Administrative Council.

ADD 156 (5) The Committee shall be responsible for ensuring coordination with all the international organizations mentioned in Articles 29 and 30 as regards representation of the permanent organs of the Union at conferences of such organizations.

ADD 157 2. The Committee shall endeavour to reach conclusions unanimously. The Secretary-General may, however, take decisions even when he does not have the support of two or more other members of the Committee, provided that he judges the matters in question to be of an urgent nature. In such circumstances he shall, if requested by the Committee, report on such matters to the Administrative Council in terms approved by all the members of the Committee. If, in similar circumstances, the matters are not urgent but are important, they shall be referred for consideration to the next session of the Administrative Council.

ADD 158 3. The Committee shall be presided over by the Secretary-General and shall be composed of the Deputy Secretary-General, the Directors of the International Consultative Committees and the Chairman of the International Frequency Registration Board.

ADD 159 4. The Committee shall meet when convened by its Chairman and, in general, at least once a month.

Article 12. Elected Officials and Staff of the Union

MOD 160 1. The Secretary-General, the Deputy Secretary-General and the Directors of the International Consultative Committees, shall all be nationals of different countries, Members of the Union. At their election, due consideration should be given to the principles embodied in 164 and to the appropriate geographical representation of the regions of the world.

161 2. (1) In the performance of their duties, neither the elected officials nor the staff of the Union shall seek or accept instructions from any government or from any other authority outside the Union. They shall refrain from acting in any way which is incompatible with their status as international officials.

162 (2) Each Member and Associate Member shall respect the exclusively international character of the duties of the elected officials and of the staff of the Union, and refrain from trying to influence them in the performance of their work.

ADD 163 (3) No elected official or any member of the staff of the Union shall participate in any manner or have any financial interest whatsoever in any enterprise concerned with telecommunications, except as part of their duties. However, the term "financial interest" is not to be construed as applying to the continuation of retirement benefits accruing in respect of previous employment or service.

164 3. The paramount consideration in the recruitment of staff and in the determination of the conditions of service shall be the necessity of securing for the Union the highest standards of efficiency, competence and integrity. Due regard must be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 13. International Frequency Registration Board

165 1. The essential duties of the International Frequency Registration Board shall be:

a) to effect an orderly recording of frequency assignments made by the different countries so as to establish, in accordance with the procedure provided for in the Radio Regulations and in accordance with any decisions which may be taken by competent conferences of the Union, the date, purpose and technical characteristics of each of these assignments, with a view to ensuring formal international recognition thereof;

166 *b*) to furnish advice to Members and Associate Members with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur;

167 *c*) to perform any additional duties, concerned with the assignment and utilization of frequencies, prescribed by a competent conference of the Union, or by the Administrative Council with the consent of a majority of the Members of the Union, in preparation for or in pursuance of the decisions of such a conference;

168 *d*) to maintain such essential records as may be related to the performance of its duties.

MOD 169 2. (1) The International Frequency Registration Board shall consist of five independent members designated in accordance with 172 to 180.

170 (2) The members of the Board shall be thoroughly qualified by technical training in the field of radio and shall possess practical experience in the assignment and utilization of frequencies.

171 (3) Moreover, for the more effective understanding of the problems coming before the Board under 166, each member shall be familiar with geographic, economic and demographic conditions within a particular area of the world.

MOD 172 3. (1) The five members of the Board shall be elected at intervals of not less than five years by a world administrative conference dealing with general radiocommunication matters. These members shall be chosen from the candidates sponsored by countries, Members of the Union. Each Member of the Union may propose only one candidate who shall be a national of its country. Each candidate shall possess the qualifications described in 170 and 171.

173 (2) The election procedure shall be established by the conference itself in such a way as to ensure equitable representation of the various parts of the world.

174 (3) At each election any serving member of the Board may be proposed again as a candidate by the country of which he is a national.

MOD 175 (4) The members of the Board shall take up their duties on the date determined by the world administrative conference which elected them. They shall normally remain in office until the date determined by the conference which elects their successors.

MOD 176 (5) If in the interval between two world administrative conferences which elect members of the Board, an elected member of the Board should resign or abandon his duties without good cause for a period exceeding thirty days or should die, the country, Member of the Union, of which he is a national shall be asked by the Chairman of the Board to provide a replacement as soon as possible, who shall also be a national of that country.

177 (6) If the country, Member of the Union, concerned does not provide a replacement within a period of three months from the date of this request, it shall lose its right to designate a person to serve on the Board for the unexpired period of its current term.

MOD 178 (7) If in the interval between two world administrative conferences which elect members of the Board, the replacement should resign or abandon his duties without good cause for a period exceeding thirty days or should die, the country, Member of the Union, of which he is a national shall not be entitled to designate a further replacement.

MOD 179 (8) In the circumstances described in 177 and 178, the Chairman of the Board shall request the Secretary-General to invite the countries, Members of the Union, of the region concerned to propose candidates for the election of a replacement at the next annual session of the Administrative Council.

MOD 180 (9) In order to safeguard the efficient operation of the Board, any country a national of which has been elected to the Board, shall refrain, as far as possible, from recalling that person between two world administrative conference which elect members of the Board.

181 4. (1) The working arrangements of the Board are defined in the Radio Regulations.

182 (2) The members of the Board shall elect from their own numbers a Chairman and a Vice-Chairman, for a period of one year. Thereafter, the Vice-Chairman shall succeed the Chairman each year and a new Vice-Chairman shall be elected.

183 (3) The Board shall be assisted by a specialized secretariat.

184 5. (1) The members of the Board shall serve, not as representatives of their respective countries, or of a region, but as custodians of an international public trust.

185 (2) No member of the Board shall request or receive instructions relating to the exercise of his duties from any government or a member thereof, or from any public or private organization or person. Furthermore, each Member and Associate Member must respect the international character of the Board and of the duties of its members and shall refrain from any attempt to influence any of them in the exercise of their duties.

Article 14. International Consultative Committees

186 1. (1) The duties of the International Radio Consultative Committee (C.C.I.R.) shall be to study technical and operating questions relating specifically to radiocommunication and to issue recommendations on them.

187 (2) The duties of the Internal Telegraph and Telephone Consultative Committee (C.C.I.T.T.) shall be to study technical, operating and tariff questions relating to telegraphy and telephony and to issue recommendations on them.

188 (3) In the performance of its duties, each Consultative Committee shall pay due attention to the study of questions and to the formulation of recommendations directly connected with the establishment, development and improvement of telecommunication in new or developing countries in both the regional and international fields.

MOD 189 (4) At the request of the countries concerned, each Consultative Committee may also study and offer advice concerning their national telecommunication problems. The study of such problems should be in accordance with 190.

MOD 190 2. (1) The questions studied by each International Consultative Committee, on which it shall issue recommendations, shall be those referred to it by the Plenipotentiary Conference, by an administrative conference, by the Administrative Council, by the other Consultative Committee, or by the International Frequency Registration Board, in addition to those decided upon by the Plenary Assembly of the Consultative Committee itself, or, in the interval between its Plenary Assemblies, when requested or approved by correspondence by at least twenty Members and Associate Members of the Union.

191 (2) The Plenary Assemblies of the International Consultative Committees are authorized to submit to administrative conferences proposals arising directly from their recommendations or from findings on questions under their study.

192 3. The International Consultative Committees shall have as members:

a) of right, the administrations of all Members and Associate Members of the Union;

193 *b*) any recognized private operating agency which, with the approval of the Member or Associate Member which has recognized it, expresses a desire to participate in the work of these Committees.

194 4. Each Consultative Committee shall work through the medium of:

a) the Plenary Assembly, normally meeting every three years. When a corresponding world administrative conference has been convened, the Plenary Assembly should meet, if possible, at least eight months before this conference.

195 *b*) study groups, which shall be set up by the Plenary Assembly to deal with questions to be examined;

MOD 196 *c*) a Director elected by the Plenary Assembly initially for a period equal to twice the interval between two consecutive Plenary Assemblies, i.e. normally for six years. He shall be eligible for re-election at each subsequent Plenary Assembly and if reelected shall then remain in office until the date of the next Plenary Assembly, normally for three years. When the position becomes unexpectedly vacant, the following Plenary Assembly shall elect the new Director;

197 *d*) a specialized secretariat, which assists the Director;

198 *e*) laboratories or technical installations set up by the Union.

ADD 199 5. There shall be a World Plan Committee, and such Regional Plan Committees as may be jointly approved by the Plenary Assemblies of the International Consultative Committees. These Plan Committees shall develop a General Plan for the international telecommunication network to help in planning international telecommunication services. They shall refer to the International Consultative Committees questions the study of which is of particular interest to new or developing countries and which are within the terms of reference of those Consultative Committees.

MOD 200 6. The Plenary Assemblies and the study group meetings of the Consultative Committees shall observe the Rules of Procedure contained in the General Regulations, annexed to this Convention. They may also adopt additional Rules of Procedure in accordance with 77. These additional Rules of Procedure shall be published in the form of a Resolution in the documents of the Plenary Assemblies.

201 7. The working arrangements of the Consultative Committees are defined in Part II of the General Regulations annexed to this Convention.

Article 15. Regulations

202 1. Subject to the provisions of Article 8, the General Regulations contained in Annex 4 to this Convention shall have the same force and duration as the Convention.

MOD 203 2. (1) The provisions of the Convention are completed by the following sets of Administrative Regulations:

Telegraph Regulations,
Telephone Regulations,
Radio Regulations,
Additional Radio Regulations.

ADD 204 (2) Ratification of this Convention in accordance with Article 18 or accession in accordance with Article 19 involves acceptance of the General and Administrative Regulations in force at the time of ratification or accession.

MOD 205 (3) Members and Associate Members shall inform the Secretary-General of their approval of any revision of these Regulations by competent administrative conferences. The Secretary-General shall inform Members and Associate Members promptly regarding receipt of such notifications of approval.

206 3. In case of inconsistency between a provision of the Convention and a provision of the Regulations, the Convention shall prevail.

Article 16. Finances of the Union

207 1. The expenses of the Union shall comprise the costs of:

a) the Administrative Council, the General Secretariat, the International Frequency Registration Board, the secretariats of the International Consultative Committees, and the Union's laboratories and technical equipment;

MOD 208 *b*) plenipotentiary conferences and world administrative conferences;

209 *c*) all meetings of the International Consultative Committees.

MOD 210 2. Expenses incurred by the regional administrative conferences referred to in 50 shall be borne in accordance with their unit classification by all the Members and Associate Members of the region concerned and, where appropriate, on the same basis by any Members and Associate Members of other regions which have participated in such conferences.

211 3. The Administrative Council shall review and approve the annual budget of the Union, taking account of the limits for expenditure set by the Plenipotentiary Conference.

212 4. The expenses of the Union shall be met from the contributions of the Members and Associate Members, each Member and Associate Member paying a sum proportional to the number of units in the class of contribution it has chosen from the following scale:

30 Unit class
25 " "
20 " "
18 " "
15 " "
13 " "
10 " "
8 Unit class
5 " "
4 " "
3 " "
2 " "
1 " "
½ " "

213 5. Members and Associate Members shall be free to choose their class of contribution for defraying Union expenses.

214 6. (1) At least six months before the Convention comes into force, each Member and Associate Member shall inform the Secretary-General of the class of contribution it has chosen.

215 (2) The Secretary-General shall communicate this decision to Members and Associate Members.

MOD 216 (3) Members and Associate Members who have failed to make known their decision before the date specified in 214 shall retain the class of contribution previously notified to the Secretary-General.

217 (4) Members and Associate Members may at any time choose a class of contribu-

tion higher than the one already adopted by them.

218 (5) No reduction in a unit classification established in accordance with 214 to 216 can take effect during the life of the Convention.

219. 7. Members and Associate Members shall pay in advance their annual contributory shares, calculated on the basis of the budget approved by the Administrative Council.

ADD 220 8. (1) Every new Member or Associate Member shall, in respect of the year of its accession, pay a contribution calculated as from the first day of the month of accession.

ADD 221 (2) Should the Convention be denounced by a Member or Associate Member, its contribution shall be paid up to the last day of the month in which such denunciation takes effect.

222. 9. The amounts due shall bear interest from the beginning of each financial year of the Union at 3% (three per cent) per annum during the first six months, and at 6% (six per cent) per annum from the beginning of the seventh month.

ADD 223 10. The following provisions shall apply to contributions by recognized private operating agencies, scientific or industrial organizations and international organizations:

MOD 224 *a*) Recognized private operating agencies and scientific or industrial organizations shall share in defraying the expenses of the International Consultative Committees in the work of which they have agreed to participate. Recognized private operating agencies shall likewise share in defraying the expenses of the administrative conferences in which they have agreed to participate, or have participated, in accordance with 621 of the General Regulations.

225 *b*) International organizations shall also share in defraying the expenses of the conferences or meetings in which they have been allowed to participate, unless exempted by the Administrative Council on condition of reciprocity.

ADD 226 *c*) Recognized private operating agencies, scientific or industrial organizations and international organizations which share in defraying the expenses of conferences or meetings in accordance with 224 and 225, shall freely choose from the scale in 212 their class of contribution for defraying Union expenses, and inform the Secretary-General of the class chosen.

ADD 227 *d*) Recognized private operating agencies, scientific or industrial organizations and international organizations which share in defraying the expenses of conferences or meetings may at any time choose a class of contribution higher than the one already adopted by them.

ADD 228 *e*) No reduction in the number of contributory units shall take effect during the life of the Convention.

ADD 229 *f*) In the case of denunciation of participation in the work of an International Consultative Committee, the contribution shall be paid up to the last day of the month in which such denunciation takes effect.

MOD 230 *g*) The amount of the contribution per unit payable by recognized private operating agencies and scientific or industrial organizations or international organizations towards the expenses of the International Consultative Committees in the work of which they have agreed to participate shall be fixed annually by the Administrative Council. The contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of 222.

ADD 231 *h*) The amount of the contribution per unit payable towards the expenses of administrative conferences by recognized private operating agencies which participate in accordance with 621 of the General Regulations and by participating international organizations shall be fixed by dividing the total amount of the budget of the Conference in question by the total number of units contributed by Members and Associate Members as their share of Union expenses. The contributions shall be considered as Union income. They shall bear interest from the sixtieth day following the day on which accounts are sent out, at the rates fixed in 222.

232 11. Expenses incurred by laboratories and technical installations of the Union in measurements, testing, or special research for individual Members or Associate Members, groups of Members or Associate Members, or regional organizations or others, shall be borne by those Members or Associate Members, groups, organizations or others.

233 12. The sale price of documents sold to administrations, recognized private operating agencies or individuals, shall be determined by the Secretary-General, in collaboration with the Administrative Council, bearing in mind that the cost of printing and distribution should in general, be covered by the sale of the documents.

Article 17. Languages

234 1. (1) The official languages of the Union shall be Chinese, English, French, Russian and Spanish.

235 (2) The working languages of the Union shall be English, French and Spanish.

236 (3) In case of dispute, the French text shall be authentic.

237 2. (1) The final documents of the plenipotentiary and administrative conferences, their final acts, protocols, resolutions, recommendations and opinions, shall be drawn up in the official languages of the Union, in versions equivalent in form and content.

238 (2) All other documents of these conferences shall be issued in the working languages of the Union.

239 3. (1) The official service documents of the Union as prescribed by the Administrative Regulations shall be published in the five official languages.

240 (2) All other documents for general distribution prepared by the Secretary-General in the course of his duties shall be drawn up in the three working languages.

241 4. Any of the documents referred to in 237 to 240 may be published in languages other than those there specified, provided that the Members or Associate Members requesting such publication undertake to defray the whole of the cost of translation and publication involved.

242 5. (1) At conferences of the Union and whenever it is necessary at meetings of its permanent organs and of the Administrative Council, the debates shall be conducted with the aid of an efficient system of reciprocal interpretation between the three working languages and Russian.

243 (2) When all participants in a meeting agree, the debates may be conducted in fewer than the four languages mentioned above.

244 6. (1) At conferences of the Union and at meetings of its permanent organs and of the Administrative Council, languages other than those mentioned in 235 and 242 may be used:

245 *a*) if an application is made to the Secretary-General or to the Head of the permanent organ concerned to provide for the use of an additional language or languages, oral or written, provided that the additional cost so incurred shall be borne by those Members and Associate Members which have made or supported the application;

246 *b*) if any delegation itself makes arrangements at its own expense for oral translation from its own language into any one of the languages referred to in 242.

247 (2) In the case provided for in 245, the Secretary-General or the Head of the permanent organ concerned shall comply to the extent practicable with the application, having first obtained from the Members or Associate Members concerned an undertaking that the cost incurred will be duly repaid by them to the Union;

248 (3) In the case provided for in 246, the delegation concerned may, furthermore, if it wishes, arrange at its own expense for oral translation into its own language from one of the languages referred to in 242.

CHAPTER II. APPLICATION OF THE CONVENTION AND REGULATIONS

Article 18. Ratification of the Convention

MOD 249 1. This Convention shall be ratified by the signatory governments in accordance with the constitutional rules in force in their respective countries. The instruments of ratification shall be deposited, in as short a time as possible, with the Secretary-General by diplomatic channel through the intermediary of the government of the country of the seat of the Union. The Secretary-General shall notify the Members and Associate Members of each deposit of ratification.

250 2. (1) During a period of two years from the date of entry into force of this Convention, a signatory government, even though it may not have deposited an instrument of ratification in accordance with 249, shall enjoy the rights conferred on Members of the Union in 12 to 14.

MOD 251 (2) From the end of a period of two years from the date of entry into force of this Convention, a signatory government which has not deposited an instrument of ratification in accordance with 249 shall not be entitled to vote at any conference of the Union, or at any session of the Administrative Council, or at any meeting of any of the permanent organs of the Union, or during consultation by correspondence conducted in accordance with the provisions of the Convention until it has so deposited such an instrument. Its rights, other than voting rights, shall not be affected.

252 3. After the entry into force of this Convention in accordance with Article 53, each instrument of ratification shall become effective on the date of its deposit with the Secretary-General.

253 4. If one or more of the signatory governments do not ratify the Convention, it shall not thereby be less valid for the governments which have ratified it.

Article 19. Accession to the convention

254 1. The government of a country, not a signatory of this Convention, may accede thereto at any time subject to the provisions of Article 1.

255 2. The instrument of accession shall be deposited with the Secretary-General by diplomatic channel through the intermediary of the government of the country of the seat of the Union. Unless otherwise specified therein, it shall become effective upon the date of its deposit. The Secretary-General shall notify the Members and Associate Members of each accession when it is received and shall forward to each of them a certified copy of the act of accession.

Article 20. Application of the convention to countries or territories for whose foreign relations members of the union are responsible

256. 1. Members of the Union may declare at any time that their acceptance of this Convention applies to all or a group or a single one of the countries or territories for whose foreign relations they are responsible.

257 2. A declaration made in accordance with 256 shall be communicated to the Secretary-General, who shall notify the Members and Associate Members of each such declaration.

258 3. The provisions of 256 and 257 shall not be deemed to be obligatory in respect of

any country, territory or group of territories listed in Annex 1 of this Convention.

Article 21. Application of the convention to trust territories of the United Nations

259 The United Nations shall have the right to accede to this Convention on behalf of any territory or group of territories placed under its administration in accordance with a trusteeship agreement as provided for in Article 75 of the Charter of the United Nations.

Article 22. Execution of the convention and regulations

260 1. The Members and Associate Members are bound to abide by the provisions of this Convention and the Regulations annexed thereto in all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 51 of this Convention.

261 2. They are also bound to take the necessary steps to impose the observance of the provisions of this Convention and of the Regulations annexed thereto upon private operating agencies authorized by them to establish and operate telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

Article 23. Denunciation of the convention

262 1. Each Member and Associate Member which has ratified, or acceded to, this Convention shall have the right to denounce it by a notification addressed to the Secretary-General by diplomatic channel through the intermediary of the government of the country of the seat of the Union. The Secretary-General shall advise the other Members and Associate Members thereof.

263 2. This denunciation shall take effect at the expiration of a period of one year from the day of the receipt of notification of it by the Secretary-General.

Article 24. Denunciation of the convention on behalf of countries or territories for whom foreign relations members of the union are responsible

264 1. The application of this Convention to a country, territory or group of territories in accordance with Article 20 may be terminated at any time, and such country, territory or group of territories, if it is an Associate Member, ceases upon termination to be such.

265 2. The declaration of denunciation contemplated in the above paragraph shall be notified in conformity with the conditions set out in 262; it shall take effect in accordance with the provisions of 263.

Article 25. Abrogation of the earlier convention

MOD 266 This Convention shall abrogate and replace, in relations between the Contracting Governments, the International Telecommunication Convention (Geneva, 1959).

Article 26. Validity of administrative regulations in force

MOD 267 The Administrative Regulations referred to in 203 are those in force at the time of signature of this Convention. They shall be regarded as annexed to this Convention and shall remain valid, subject to such partial revisions as may be adopted in consequence of the provisions of 52 until the time of entry into force of new Regulations drawn up by the competent world administrative conferences to replace them as annexes to this Convention.

Article 27. Relations with non-contracting States

268 1. Each Member and Associate Member reserves to itself and to the recognized private operating agencies the right to fix the conditions under which it admits telecommunications exchanged with a State which is not a party to this Convention.

269 2. If a telecommunication originating in the territory of such a non-contracting State is accepted by a Member or Associate Member, it must be transmitted and, in so far as it follows the telecommunication channels of a Member or Associate Member, the obligatory provisions of the Convention and Regulations and the usual charges shall apply to it.

Article 28. Settlement of disputes

270 1. Members and Associate Members may settle their disputes on questions relating to the application of this Convention or of the Regulations contemplated in Article 15, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.

MOD 271 2. If none of these methods of settlement is adopted, any Member or Associate Member party to a dispute may submit the dispute to arbitration in accordance with the procedure defined in Annex 3, or in the Optional Additional Protocol, as the case may be.

CHAPTER III. RELATIONS WITH THE UNITED NATIONS AND WITH INTERNATIONAL ORGANIZATIONS

Article 29. Relations with the United Nations

MOD 272 1. The relationship between the United Nations and the International Telecommunication Union is defined in the Agreement concluded between these two Organizations.

273 2. In accordance with the provisions of Article XVI of the above-mentioned Agreement, the telecommunication operating services of the United Nations shall be entitled to the rights and bound by the obligations of this Convention and of the Administrative Regulations annexed thereto. Accordingly, they shall be entitled to attend all conferences of the Union, including meetings of the International Consultative Committees, in a consultative capacity.

Article 30. Relations with international organizations

274 In furtherance of complete international coordination on matters affecting telecommunication, the Union shall cooperate with international organizations having related interests and activities.

CHAPTER IV. GENERAL PROVISIONS RELATING TO TELECOMMUNICATIONS

Article 31. The right of the public to use the international telecommunication service

275 Members and Associate Members recognize the right of the public to correspond by means of the international service of public correspondence. The services, the charges and the safeguards shall be the same for all users in each category of correspondence without any priority or preference.

Article 32. Stoppage of telecommunications

276 1. Members and Associate Members reserve the right to stop the transmission of any private telegram which may appear dangerous to the security of the State or contrary to their laws, to public order or to decency, provided that they immediately notify the office of origin of the stoppage of any such telegram or any part thereof, except when such notification may appear dangerous to the security of the State.

277 2. Members and Associate Members also reserve the right to cut off any other private telecommunications which may appear dangerous to the security of the State or contrary to their law, to public order or to decency.

Article 33. Suspension of services

278 Each Member and Associate Member reserves the right to suspend the international telecommunication service for an indefinite time, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Members and Associate Members through the medium of the Secretary-General.

Article 34. Responsibility

279 Members and Associate Members accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

Article 35. Secrecy of telecommunications

280 1. Members and Associate Members agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.

281 2. Nevertheless, they reserve the right to communicate such correspondence to the competent authorities in order to ensure the application of their internal laws or the execution of international conventions to which they are parties.

Article 36. Establishment, operation, and protection of telecommunication installations and channels

282 1. Members and Associate Members shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of internationa' telecommunications.

283 2. So far as possible, these channels and installations must be operated by the methods and procedures which practical operating experience has shown to be the best. They must be maintained in proper operating condition and kept abreast of scientific and technical progress.

284 3. Members and Associate Members shall safeguard these channels and installations within their jurisdiction.

285 4. Unless other conditions are laid down by special arrangements, each Member and Associate Member shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.

Article 37. Notification of infringements

286 In order to facilitate the application of the provisions of Article 22 of this Convention, Members and Associate Members undertake to inform one another of infringements of the provisions of this Convention and of the Regulations annexed thereto.

Article 38. Charges and free services

287 The provisions regarding charges for telecommunications and the various cases in which free services are accorded are set forth in the Regulations annexed to this Convention.

Article 39. Priority of telecommunications concerning safety of life

MOD 288 The international telecommunication services must give absolute priority to all telecommunications concerning safety of life at sea, on land, in the air or in outer space, as well as to epidemiological telecommunications of exceptional urgency of the World Health Organization.

Article 40. Priority of government telegrams and telephone calls

289 Subject to the provisions of Articles 39 and 49 of this Convention, government telegrams shall enjoy priority over other telegrams when priority is requested for them by the sender. Government telephone calls may also be given priority, upon specific request and to the extent practicable, over other telephone calls.

Article 41. Secret language

290 1. Government telegrams and service telegrams may be expressed in secret language in all relations.

291 2. Private telegrams in secret language may be admitted between all countries with the exception of those which have previously notified, through the medium of the Secretary-General, that they do not admit this language for those categories of correspondence.

292 3. Members and Associate Members which do not admit private telegrams in secret language originating in or destined for their own territory must let them pass in transit, except in the case of suspension of service provided for in Article 33 of this Convention.

Article 42. Rendering and settlement of accounts

293 1. Administrations of Members and Associate Members and recognized private operating agencies which operate international telecommunication services, shall come to an agreement with regard to the amount of their credits and debits.

294 2. The statements of accounts in respect to debits and credits referred to in 293 shall be drawn up in accordance with the provisions of the Regulations annexed to this Convention, unless special arrangements have been concluded between the parties concerned.

295 3. The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the countries concerned, in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 44 of this Convention, these settlements shall be effected in accordance with the Regulations.

Article 43. Monetary unit

296. The monetary unit used in the composition of the tariffs of the international telecommunication services and in the establishment of the international accounts shall be the gold franc of 100 centimes, of a weight of 10/31 of a gramme and of a fineness of 0.900.

Article 44. Special agreements

297. Members and Associate Members reserve for themselves, for the private operating agencies recognized by them and for other agencies duly authorized to do so, the right to make special agreements on telecommunication matters which do not concern Members and Associate Members in general. Such agreements, however, shall not be in conflict with the terms of this Convention or of the Regulations annexed thereto, so far as concerns the harmful interference which their operation might be likely to cause to the radio services of other countries.

Article 45. Regional conferences, agreements and organizations

298. Members and Associate Members reserve the right to convene regional conferences, to conclude regional agreements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis. Such agreements shall not be in conflict with this convention.

CHAPTER V. SPECIAL PROVISIONS FOR RADIO

Article 46. Rational use of the radio frequency spectrum

MOD 299. Members and Associate Members recognize that it is desirable to limit the number of frequencies and the spectrum space used to the minimum essential to provide in a satisfactory manner the necessary services. To that end it is desirable that the latest technical advances be applied as soon as possible.

Article 47. Intercommunication

300 1. Stations performing radiocommunication in the mobile service shall be bound, within the limits of their normal employment, to exchange radiocommunications reciprocally without distinction as to the radio system adopted by them.

301 2. Nevertheless, in order not to impede scientific progress, the provisions of 300 shall not prevent the use of a radio system incapable of communicating with other systems, provided that such incapacity is due to the specific nature of such system and is not the result of devices adopted solely with the object of preventing intercommunication.

302 3. Notwithstanding the provisions of 300, a station may be assigned to a restricted international service of telecommunication, determined by the purpose of such service, or by other circumstances independent of the system used.

Article 48. Harmful interference

303 1. All stations, whatever their purpose, must be established and operated in such a manner as not to cause harmful interference to the radio services or communications of other Members or Associate Members or of recognized private operating agencies, or of other duly authorized operating agencies which carry on radio service, and which operate in accordance with the provisions of the Radio Regulations.

304 2. Each Member or Associate Member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of 303.

305 3. Further, the Members and Associate Members recognize the desirability of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in 303.

Article 49. Distress calls and messages

306 Radio stations shall be obliged to accept, with absolute priority, distress calls and messages regardless of their origin, to reply in the same manner to such messages, and immediately to take such action in regard thereto as may be required.

Article 50. False or deceptive distress, urgency, safety or identification signals

MOD 307 Members and Associate Members agree to take the steps required to prevent the transmission or circulation of false or deceptive distress, urgency, safety or identification signals, and to collaborate in locating and identifying stations transmitting such signals from their own country.

Article 51. Installations for national defense services

308 1. Members and Associate Members retain their entire freedom with regard to military radio installations of their army, naval and air forces.

309 2. Nevertheless, these installations must, so far as possible, observe statutory provisions relative to giving assistance in case of distress and to the measures to be taken to prevent harmful interference, and the provisions of the Regulations concerning the types of emission and the frequencies to be used, according to the nature of the service performed by such installations.

310 3. Moreover, when these installations take part in the service of public correspondence or other services governed by the Regulations annexed to this Convention, they must, in general, comply with the regulatory provisions for the conduct of such services.

CHAPTER VI. DEFINITIONS

Article 52. Definitions

311 In this Convention, unless the context otherwise requires,

a) the terms which are defined in Annex 2 to this Convention shall have the meanings therein assigned to them;

312 *b*) other terms which are defined in the Regulations referred to in Article 15 shall have the meanings therein assigned to them.

CHAPTER VII. FINAL PROVISIONS

Article 53. Effective date of the convention

MOD 313 The present Convention shall enter into force on January first nineteen hundred and sixty-seven between countries, territories or groups of territories, in respect of which instruments of ratification or accession have been deposited before that date.

In witness whereof the respective plenipotentiaries have signed the Convention in each of the Chinese, English, French, Russian and Spanish languages, in a single copy in which, in case of dispute, the French text shall be authentic, and which shall remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

Done at Montreux, 12 November 1965.

For Afghanistan:[1]
M. A. Gran
S. N. Alawi
For Algeria (Algerian Democratic and Popular Republic):
A. Amrani
S. Douzidia
M. Harbi
For the Kingdom of Saudi Arabia:
A. Zaidan
M. Mirdad
A. K. Bashawri
For the Argentine Republic:
A. Lozano Conejero
M. Bucich
O. García Piñeiro
R. A. Salvador
F. Diaco
For the Commonwealth of Australia:
C. J. Griffiths
R. E. Butler
For Austria:
B. Schaginger
K. Vavra
A. Sapik
For Belgium:
M. C. E. D. Lambiotte
R. Rothschild
For the Bielorussian Soviet Socialist Republic:
P. Afanassiev
For the Union of Burma:
Min Lwin
Pe Than
For Boliva:
M. C. Sejas Sierra
For Brazil:
E. Machado De Assis
E. Martins Da Silva
D. S. Ferreira
C. Gomes De Barros
J. A. Marques
H. Dourado
For the People's Republic of Bulgaria:
V. Makarski
For the Federal Republic of Cameroon:
Tchouta Moussa
H. Effoudou
For Canada:
F. G. Nixon
For the Central African Republic:
E. N'Zengou
L. A. Moziallo
For Ceylon:
G. E. de S. Ellawela
For Chile:
H. Calcagni P.
E. Clause F.
R. Huidobro
For China:
Y. Shen
T. C. Yü
T. C. Liu
T. V. Miao
For the Republic of Cyprus:
R. Michaelides
A. E. Embedoklis

---

[1] Country designations translated from French. (Note by Department of State.)

For the Vatican City State:
A. Stefanizzi
P. V. Giudici
For the Republic of Colombia:
E. Arango
S. Quijano-Caballero
O. Rovira Arango
For the Democratic Republic of the Congo:
J. Mulumba
B. Kalonji
F. Tumba
A. Masamba
M. G. M'Bela
For the Republic of the Congo (Brazzaville):
M. N'Tsiba
J. Balima
R. Rizet
For the Republic of Korea:
I. Y. Chung
C. W. Pak
For Costa Rica:
C. Di Mottola Balestra
M. Bagli
For the Republic of the Ivory Coast:
S. Cissoko
T. Konde
B. Sakanoko
For Cuba:
P. W. Luis Torres
L. Solá Vila
J. A. Valladares Timoneda
For the Republic of Dahomey:
T. Bouraima
For Denmark:
G. Pedersen
P. F. Eriksen
For the Group of Territories Represented by the French Office of Overseas Posts and Telecommunications:
E. Skinazi
M. Chapron
J. L. A. Constantin
G. Auneveux
For Ecuador:
E. Ponce y Carbo
For Spain:
J. P. de Lojendio e Irure
J. A. Giménez-Arnau
J. Garrido
For the United States of America:
J. C. Holmes
For Ethiopia:
D. Negash
D. Beyene
For Finland:
O. J. Saloila
T. A. Puolanne
For France:
I. Cabanne
G. Terras
R. Vargues
For the Gabon Republic:
E. Méfane
J. A. Anguiley
For Ghana:
J. A. Brobbey
For Greece:
A. Marangoudakis
D. Bacalexis
For Guatemala:
F. Villela Jiménez
For the Republic of Guinea:
S. Diarra
A. I. Diallo
M. B. Camara
M. Saadi
For the Republic of Haiti:
J. D. Baguidy
For the Republic of Upper Volta:
A. M. Kambiré
For the Hungarian People's Republic:
D. Horn
For the Republic of India:
Chaman Lal
C. P. Vasudevan
G. D. Gokarn
A. Asrani
For the Republic of Indonesia:
A. Tahir
Pratomo
T. Awuy
A. Boer
For Iran:
G. Shakibnia
For the Republic of Iraq:
W. Karagoli
For Ireland:
L. O'Broin
P. L. O'Colmain
M. O'Malley
For Iceland:
B. Kristjansson
For the State of Israel:
E. Ron
M. Shakkéd
M. Bavly
For Italy:
F. Babuscio-Rizzo
A. Bigi
For Jamaica:
H. H. Haughton
G. A. Gauntlett
For Japan:
I. Hatakeyama
M. Takashima
M. Itano
For the Hashemite Kingdom of Jordan:
Z. Goussous
K. Samawi
For Kenya:
F. M. Hinawy
For the State of Kuwait:
F. Hamzeh
A. M. Al-Sabej
F. Kodsi
For the Kingdom of Laos:
I. Cabanne
For Lebanon:
N. Kayata
M. Ghazal
For the Republic of Liberia:
J. L. Cooper, Jr.
For the Principality of Liechtenstein:
A. Hilbe
For Luxembourg:
E. Raus
J. B. Wolff
For Malaysia:
V. T. Sambanthan
K. P. Chew
Mah Seck Wah
B. A. K. Shamsuddin
For Malawi:
A. W. Le Fevre
For the Malagasy Republic:
C. Ramanitra
R. Ravelomanantsoa-Ratsimihah
J. Chauvicourt
For the Republic of Mali:
M. Sidibe
For Malta:
I. Xuereb
A. Barbara
J. V. Galea
For the Kingdom of Morocco:
A. Laraqui
A. Berrada
M. Benabdellah
For the Islamic Republic of Mauritania:
M. N'Diaye
For Mexico:
C. Nuñez A.
L. Barajas G.
For Monaco:
C. C. Solamito
A. Y. Passeron
For the Mongolian People's Republic:
D. Gotov
S. Gandorje
L. Natsagdorje
For Nepal:
H. P. Upadhyay
For Nicaragua:
A. A. Mullhaupt
For the Republic of Niger:
B. Bolho
B. Batoure
R. Mas
For the Republic of Nigeria:
G. C. Okoli
E. A. Onuoha
For Norway:
L. Larsen
P. Övregard
N. J. Söberg
T. L. Nebell
For New Zealand:
E. S. Doak
A. W. Brockway
For Uganda:
J. W. L. Akol
G. W. Adams
For Pakistan:
M. S. Kari
R. Ahmad
M. Aslam
For Panama:
J. A. Tack
For Paraguay:
S. Guanes
M. Ferreira Falcon
For the Kingdom of the Netherlands:
G. H. Bast
For Peru:
E. Gomez Cornejo
J. Barreda
F. Solari Swayne
A. A. Giesecke Matto
For the Republic of the Philippines:
V. A. Pacis
A. G. Gamboa, Jr.
P. F. Martinez
R. D. Tandingan
For the People's Republic of Poland:
H. Baczko
For Portugal:
J. T. C. Calvet de Magalhães
M. A. Vieira
J. da Cruz Filipe
R. Rezende Rodrigues
M. F. da Costa Jardim
For the Spanish Provinces in Africa:
J. Sabau Bergamín
For the Portuguese Overseas Provinces:
J. T. C. Calvet de Magalhães
M. A. Vieira
J. da Cruz Filipe
R. Rezende Rodrigues
M. F. da Costa Jardim
For the Syrian Arab Republic:
A. S. Atassi
A. M. Naffakh
For the United Arab Republic:
I. Fouad
A. Osman
F. I. Ali
For the Federal Republic of Germany:
H. Bornemann
For the Ukrainian Soviet Socialist Republic:
G. Sintchenko
For the Somali Republic:
S. I. Abdi
For Rhodesia:
C. R. Dickenson
For the Socialist Republic of Rumania:
M. Grigore
G. Airinei
For the United Kingdom of Great Britain and Northern Ireland:
W. A. Wolverson
H. G. Lillicrap
C. E. Lovell
P. W. F. Fryer
H. C. Greenwood
For the Rwanda Republic:
Z. Habiyambere
L. Sibomana
For the Republic of Senegal:
I. N'Diaye
M. Roulet
L. Dia
For Sierra Leone:
C. S. Davies
For Sinapore:
Chong Tong Chan
For the Republic of the Sudan:
M. S. Suleiman
F. M. F. Barbary

For Sweden:
H. Sterky
H. Westerberg
S. Hultare

For the Swiss Confederation:
G. A. Wettstein
A. Langenberger
F. Locher
R. Rutschi
G. Buttex

For the United Republic of Tanzania:
C. G. Kahama

For the Republic of the Chad:
M. Ngarnim
G. Goy

For the Czechoslovak Socialist Republic:
M. Laipert

For the Territories of the United States of America:
F. Corneiro

For the Overseas Territories for the International Relations of Which the Government of the United Kingdom of Great Britain and Northern Ireland Are Responsible:
A. H. Sheffield
D. Simper

For Thailand:
S. Punyaratabandhu
S. Sukhanetr
C. Vajrabhaya
D. Charoenphol

For the Togolese Republic:
A. Aithnard

For Trinidad and Tobago:
W. A. Rose
T. A. Wilson

For Tunisia:
Z. Chelli
M. Mili
A. Ladjimi

For Turkey:
N. Tanay
A. F. Arpaci
M. D. Karaoglan
Mme S. Çubukçu

For the Union of Soviet Socialist Republics:
A. Poukhalski

For the Republic of Venezuela:
E. Tovar Cova

For the Federal Socialist Republic of Yugoslavia:
P. Vasiljevic

For the Republic of Zambia:
L. Changufu

Annex 1

(See number 4)

Afghanistan.
Albania (People's Republic of).
Algeria (Algerian Democratic and Popular Republic).
Saudi Arabia (Kingdom of).
Argentine Republic.
Australia (Commonwealth of).
Austria.
Belgium.
Bielorussian Soviet Socialist Republic.
Burma (Union of).
Bolivia.
Brazil.
Bulgaria (People's Republic of).
Burundi (Kingdom of).
Cambodia (Kingdom of).
Cameroon (Federal Republic of).
Canada.
Central African Republic.
Ceylon.
Chile.
China.
Cyprus (Republic of).
Vatican City State.
Colombia (Republic of).
Congo (Democratic Republic of the).
Congo (Republic of the) (Brazzaville).
Korea (Republic of).
Costa Rica.
Ivory Coast (Republic of the).
Cuba.
Dahomey (Republic of).
Denmark.
Dominican Republic.
El Salvador (Republic of).
Group of Territories represented by the French Overseas Post and Telecommunication Agency.
Ecuador.
Spain.
United States of America.
Ethiopia.
Finland.
France.
Gabon Republic.
Ghana.
Greece.
Guatemala.
Guinea (Republic of).
Haiti (Republic of).
Upper Volta (Republic of).
Honduras (Republic of).
Hungarian People's Republic.
India (Republic of).
Indonesia (Republic of).
Iran.
Iraq (Republic of).
Ireland.
Iceland.
Israel (State of).
Italy.
Jamaica.
Japan.
Jordan (Hashemite Kingdom of).
Kenya.
Kuwait (State of).
Laos (Kingdom of).
Lebanon.
Liberia (Republic of).
Libya (Kingdom of).
Liechtenstein (Principality of).
Luxembourg.
Malaysia.
Malawi.
Malagasy Republic.
Mali (Republic of).
Malta.
Morocco (Kingdom of).
Mauritania (Islamic Republic of).
Mexico.
Monaco.
Mongolian People's Republic.
Nepal.
Nicaragua.
Niger (Republic of the).
Nigeria (Federal Republic of).
Norway.
New Zealand.
Uganda.
Pakistan.
Panama.
Paraguay.
Netherlands (Kindom of the).
Peru.
Philippines (Republic of the).
Poland (People's Republic of).
Portugal.
Spanish Provinces in Africa.
Portuguese Oversea Provinces.
Syrian Arab Republic.
United Arab Republic.
Federal Republic of Germany.
Ukrainian Soviet Socialist Republic.
Somali Republic.
Rhodesia.
Rumania (Socialist Republic of).
United Kingdom of Great Britain and Northern Ireland.
Rwanda (Republic of).
Senegal (Republic of the).
Sierra Leone.
Singapore.
Sudan (Republic of the).
South Africa (Republic of) and Territory of South-West Africa.
Sweden.
Switzerland (Confederation of).
Tanzania (United Republic of).
Chad (Republic of the).
Czechoslovak Socialist Republic.
Territories of the United States of America.
Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible.
Thailand.
Togolese Republic.
Trinidad and Tobago.
Tunisia.
Turkey.
Union of Soviet Socialist Republics.
Uruguay (Oriental Republic of).
Venezuela (Republic of).
Viet-Nam (Republic of).
Yemen.
Yugoslavia (Federal Socialist Republic of).
Zambia (Republic of).

Annex 2

(See Article 52)

Definition of Certain Terms Used in the International Telecommunication Convention and Its Annexes

401 *Administration:* Any governmental department or service responsible for discharging the obligations undertaken in the International Telecommunication Convention and the Regulations annexed thereto.

402 *Private Operating Agency:* Any individual or company or corporation, other than a governmental establishment or agency, which operates a telecommunication installation intended for an international telecommunication service or which is capable of causing harmful interference with such a service.

403 *Recognized Private Operating Agency:* Any private operating agency, as defined above, which operates a public correspondence or broadcasting service and upon which the obligations provided for in Article 22 are imposed by the Member or Associate Member in whose territory the head office of the agency is situated, or by the Member or Associate Member which has authorized this operating agency to establish and operate a telecommunication service on its territory.

404 *Delegate:* A person sent by the government of a Member or Associate Member of the Union to a Plenipotentiary Conference, or a person representing a government or an administration of a Member or Associate Member of the Union at an administrative conference, or at a meeting of an International Consultative Committee.

405 *Representative:* A person sent by a recognized private operating agency to an administrative conference, or to a meeting of an International Consultative Committee.

406 *Expert:* A person sent by a national scientific or industrial organization which is authorized by the government or the administration of its country to attend meetings of study groups of an International Consultative Committee.

MOD 407 *Observer:* A person sent by:

—the United Nations in accordance with Article 29 of the Convention;

—one of the international organizations invited or admitted in accordance with the provisions of the General Regulations to participate in the work of a conference;

—the government of a Member or Associate Member of the Union participating in a non-voting capacity in a regional administrative conference held under the terms of Article 7 of the Convention.

MOD 408 *Delegation:* The totality of the delegates and, should the case arise, any representatives, advisers, attachés or interpreters sent by the same country.

Each Member and Associate Member shall be free to make up its delegation as it wishes. In particular, it may include in its delegation in the capacity of delegates, advisers or attachés, persons belonging to private operating agencies which it recognizes or persons belonging to other private enterprises interested in telecommunications.

409 *Telecommunication:* Any transmission, omission or reception of signs, signals, writing, images and sounds or intelligence of

any nature by wire, radio, optical or other electromagnetic systems.

410 *Telegraphy:* A system of telecommunications which is concerned in any process providing transmission and reproduction at a distance of documentary matter, such as written or printed matter or fixed images, or the reproduction at a distance of any kind of information in such a form. For the purposes of the Radio Regulations, however, unless otherwise specified therein, telegraphy shall mean "A system of telecommunications for the transmission of written matter by the use of a signal code."

411 *Telephony:* A system of telecommunications set up for the transmission of speech or, in some cases, other sounds.

412 *Radiocommunication:* Telecommunication by means of radio waves.

413 *Radio:* A general term applied to the use of radio waves.

414 *Harmful Interference:* Any emission, radiation or induction which endangers the functioning of a radionavigation service or of other safety services,[1] or seriously degrades, obstructs or repeatedly interrupts a radiocommunication service operating in accordance with the Radio Regulations.

415 *International Service:* A telecommunication service between telecommunication offices or stations of any nature which are in or belong to different countries.

416 *Mobile Service:* A service of radiocommunication between mobile and land stations, or between mobile stations.

417 *Broadcasting Service:* A radiocommunication service in which the transmissions are intended for direct reception by the general public. This service may include sound transmissions, television transmissions or other types of transmission.

418 *Public Correspondence:* Any telecommunication which the offices and stations must, by reason of their being at the disposal of the public, accept for transmission.

419 *Telegram:* Written matter intended to be transmitted by telegraphy for delivery to the addressee. This term also includes radiotelegrams unless otherwise specified.

420 *Government Telegrams and Government Telephone Calls:* Telegrams or telephone calls originating with any of the authorities specified below:

—the Head of a State;

—the Head of a government and members of a government;

—the Head of a territory, or the Head of a territory forming part of a group, Member or Associate Member;

—the Head of a territory under the trusteeship or mandate of the United Nations or of a Member or Associate Member;

—Commanders-in-Chief of military forces, land, sea or air;

—diplomatic or consular agents;

—the Secretary-General of the United Nations; Heads of the principal organs of the United Nations;

—the International Court of Justice at The Hague.

421 Replies to government telegrams as defined herein shall also be regarded as government telegrams.

422 *Service Telegrams:* Telegrams exchanged between:

a) administrations;

b) recognized private operating agencies;

c) administrations and recognized private operating agencies;

d) administrations and recognized private operating agencies, on the one hand, and the Secretary-General of the Union, on the other, and relating to public international telecommunication.

423 *Private Telegrams:* Telegrams other than service or government telegrams.

ANNEX 3

(See Article 28)

ARBITRATION

501 1. The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute a notice of the submission of the dispute to arbitration.

502 2. The parties shall decide by agreement whether the arbitration is to be entrusted to individuals, administrations or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree upon this point, the arbitration shall be entrusted to governments.

503 3. If arbitration is to be entrusted to individuals, the arbitrators must neither be nationals of the parties involved in the dispute, nor have their domicile in the countries parties to the dispute, nor be employed in their service.

504 4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Members or Associate Members which are not parties to the dispute, but which are parties to the agreement, the application of which caused the dispute.

505 5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator.

506 6. If more than two parties are involved in the dispute, an arbitrator shall be appointed in accordance with the procedure set forth in 504 and 505, by each of the two groups of parties having a common position in the dispute.

507 7. The two arbitrators thus appointed shall choose a third arbitrator who, if the first two arbitrators are individuals and not governments or administrations, must fulfill the conditions indicated in 503, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The Secretary-General shall then draw lots in order to select the third arbitrator.

508 8. The parties to the dispute may agree to have their disputes settled by a single arbitrator appointed by agreement; or alternatively, each party may nominate an arbitrator, and request the Secretary-General to draw lots to decide which of the persons so nominated is to act as the single arbitrator.

509 9. The arbitrator or arbitrators shall be free to decide upon the procedure to be followed.

510 10. The decision of the single arbitrator shall be final and binding upon the parties to the dispute. If the arbitration is entrusted to more than one arbitrator, the decision made by the majority vote of the arbitrators shall be final and binding upon the parties.

511 11. Each party shall bear the expense it shall have incurred in the investigation and presentation of the arbitration. The cost of arbitration other than those incurred by the parties themselves shall be divided equally between the parties to the dispute.

512 12. The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need.

ANNEX 4. GENERAL REGULATIONS ANNEXED TO THE INTERNATIONAL TELECOMMUNICATION CONVENTION

PART 1. GENERAL PROVISIONS REGARDING CONFERENCES

Chapter 1. Invitation and admission to Plenipotentiary Conferences, when there is an inviting government

601 1. The inviting government, in agreement with the Administrative Council, shall fix the definitive date and the exact place of the conference.

602 2. (1) One year before this date, the inviting government shall send an invitation to the government of each country Member of the Union and to each Associate Member of the Union.

603 (2) These invitations may be sent directly or through the Secretary-General or through another government.

604 3. The Secretary-General shall send an invitation to the United Nations in accordance with Article 29 of the Convention.

605 4. The inviting government, in agreement with or on a proposal by the Administrative Council, may invite the specialized agencies of the United Nations and the International Atomic Energy Agency to send observers to take part in the conference in an advisory capacity, on the basis of reciprocity.

606 5. The replies of the Members and Associate Members must reach the inviting government not later than one month before the date of opening of the conference and should include whenever possible full information on the composition of the delegation.

607 6. Any permanent organ of the Union shall be entitled to be represented at the conference in an advisory capacity when the conference is discussing matters coming within its competence. If necessary, the conference may invite an open organ which has not considered it necessary to be represented.

608 7. The following shall be admitted to Plenipotentiary Conferences:

a) delegations as defined in 408 of Annex 2 to the Convention;

609 *b*) observers of the United Nations;

MOD 610 *c*) observers of the specialized agencies and of the International Atomic Energy Agency in conformity with 605.

Chapter 2.—Invitation and Admission to Administrative Conferences when there is an Inviting Government

611 1. (1) The provisions of 601 to 606 above shall be applicable to administrative conferences.

MOD 612 (2) However, the time limit for the despatch of invitations may be reduced to six months if necessary.

613 (3) Members and Associate Members of the Union may inform the private operating agencies recognized by them of the invitation they have received.

614 2. (1) The inviting government, in agreement with or on a proposal by the Administrative Council, may notify the international organizations which are interested in sending observers to participate in the conference in an advisory capacity.

615 (2) The interested international organizations shall send an application for admission to the inviting government within a period of two months from the date of notification.

616 (3) The inviting government shall assemble the requests and the conference itself shall decide whether the organizations concerned are to be admitted.

617 3. The following shall be admitted to administrative conferences:

a) delegations as defined in 408 of Annex 2 to the Convention;

618 *b*) observers of the United Nations;

MOD 619 *c*) observers of the specialized agencies and of the International Atomic Energy Agency in conformity with 605.

620 *d*) observers of international organizations admitted in accordance with 614 to 616.

621 *e*) representatives of recognized private operating agencies, duly authorized by the Member country to which they belong;

622 *f*) permanent organs of the Union, subject to the conditions set forth in 607.

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[1] Any radiocommunication service used permanently or temporarily for the safeguarding of human life and property.

Chapter 3. Special provisions for conferences meeting when there is no inviting government

623 When a conference is to be held without an inviting government, the provisions of Chapters 1 and 2 are applicable. The Secretary-General shall take the necessary steps to convene and organize it at the seat of the Union, after agreement with the Government of the Swiss Confederation.

Chapter 4. Time-limits for presentation of proposals to conferences and conditions of submission

624 1. Immediately after the invitations have been despatched, the Secretary-General shall ask Members and Associate Members to send him, within four months, their proposals for the work of the conference.

625 2. All proposals, the adoption of which will involve revision of the text of the Convention or Regulations, must carry references identifying by their marginal numbers those parts of the text which will require such revision. The reasons for the proposal must be given, as briefly as possible, in each case.

ADD 626 3. The Secretary-General shall communicate the proposals to all Members and Associate Members as they are received.

MOD 627 4. The Secretary-General shall assemble and coordinate the proposals received from administrations and from the Plenary Assemblies of the International Consultative Committees and shall communicate them, at least three months before the opening of the conference, to Members and Associate Members. The General Secretariat and the specialized secretariats shall not be entitled to submit proposals.

Chapter 5. Credentials for delegation to conferences

MOD 628 1. The delegation sent by a Member or Associate Member of the Union to a conference shall be duly accredited in accordance with 629 to 636.

MOD 629 2. (1) Accreditation of delegations to plenipotentiary conferences shall be by means of instruments signed by the Head of State, by the Head of the Government or by the Minister for Foreign Affairs.

MOD 630 (2) Accreditation of delegations to administrative conferences shall be by means of instruments signed by the Head of State, by the Head of the Government, by the Minister for Foreign Affairs or by the Minister responsible for questions dealt with during the conference.

MOD 631 (3) Subject to confirmation prior to the signature of the Final Acts, by one of the authorities mentioned in 629 or 630 as appropriate, delegations may be provisionally accredited by the Head of the diplomatic mission of the country concerned to the government of the country in which the conference is held. In the case of a conference held in the country of the seat of the Union, a delegation may also be provisionally accredited by the Head of the Permanent Delegation of the country concerned to the European Office of the United Nations.

MOD 632 (4) A delegation representing a trust territory for which the United Nations has acceded to the Convention, in accordance with Article 21, shall be accredited by an instrument signed by the Secretary-General of the United Nations.

ADD 633 3. Credentials shall be accepted if they are signed by the appropriate authority mentioned under 629 to 632, and fulfil one of the following criteria:

ADD 634—they confer full powers;

ADD 635—they authorise the delegation to represent its government, without restrictions;

ADD 636—they give the delegation, or certain members thereof, the right to sign the Final Acts.

ADD 637 4. (1) A delegation whose credentials are found to be in order by the Plenary Meeting shall be entitled to exercise the right to vote of the Member concerned and to sign the Final Acts.

ADD 638 (2) A delegation whose credentials are found not to be in order by the Plenary Meeting shall not be entitled to exercise the right to vote or to sign the Final Acts until the situation has been rectified.

MOD 639 5. Credentials shall be deposited with the Secretariat of the conference as early as possible. A special Committee shall be entrusted with the verification thereof and shall report on its conclusions to the Plenary Meeting within the time specified by the latter. Pending the decision of the Plenary Meeting thereon, a delegation of a Member of the Union shall be entitled to participate in the conference and to exercise the right to vote of the Member concerned.

MOD 640 6. As a general rule, Members of the Union should endeavour to send their own delegations to conferences of the Union. However, if a Member is unable, for exceptional reasons, to send its own delegation, it may give the delegation of another Member of the Union powers to vote and sign on its behalf. Such powers must be conveyed by means of an instrument signed by one of the authorities mentioned in 629 or 630, as appropriate.

MOD 641 7. A delegation with the right to vote may give to another delegation with the right to vote a mandate to exercise its vote at one or more meetings at which it is unable to be present. In such a case it shall, in good time, notify the Chairman of the conference in writing.

MOD 642 8. A delegation may not exercise more than one proxy vote in any of the cases referred to in 640 and 641.

MOD 643 9. Credentials and the transfer of powers sent by telegram shall not be accepted. Nevertheless, replies sent by telegram to requests by the Chairman or the Secretariat of the conference for clarification of credentials shall be accepted.

Chapter 6. Procedure for calling World Administrative Conferences at request of members and associate members of the Union or on a proposal of the Administrative Council

MOD 644 1. Any Member or Associate Member of the Union wishing to have a world administrative conference convened shall so inform the Secretary-General, indicating the proposed agenda, place and date of the conference.

MOD 645 2. On receipt of similar requests from at least one-quarter of the Members and Associate Members of the Union, the Secretary-General shall inform all Members and Associate Members thereof by telegram, asking the Members to indicate, within six weeks, whether or not they agree to the proposal.

MOD 646 3. If a majority of the Members, determined in accordance with 76, agree to the proposal as a whole, that is to say, if they accept the agenda, date and place of the proposed meeting, the Secretary-General shall so inform the Members and Associate Members of the Union by circular telegram.

MOD 647 4. (1) If the proposal accepted is for a conference elsewhere than at the seat of the Union, the Secretary-General shall ask the government of the country concerned whether it agrees to act as inviting government.

MOD 648 (2) If the answer is in the affirmative, the Secretary-General, with the assent of the government concerned, shall take the necessary steps to convene the conference.

MOD 649 (3) If the answer is in the negative, the Secretary-General shall request the Members and Associate Members desiring the conference to make alternative suggestions for the place of the conference.

MOD 650 5. Where the proposal accepted is for a conference at the seat of the Union, the provisions of Chapter 3 shall apply.

MOD 651 6. (1) If the proposal as a whole (agenda, date and place) is not accepted by a majority of the Members, determined in accordance with 76, the Secretary-General shall inform the Members and Associate Members of the Union of the replies received, requesting the Members to give a final reply on the point or points under dispute within six weeks of receipt.

652 (2) Such point shall be regarded as adopted when they have been approved by a majority of the Members, determined in accordance with 76.

MOD 653 7. The procedure indicated above shall also be applicable when the proposal to convene a world administrative conference is initiated by the Administrative Council.

Chapter 7. Procedure for convening Regional Administrative Conferences at the request of members and associate members of the union or on a proposal of the administrative council

MOD 654 In the case of a regional administrative conference, the procedure described in Chapter 6 shall be applicable only to the Members and Associate Members of the region concerned. If the conference is to be convened on the initiative of the Members and Associate Members of the region, it will suffice for the Secretary-General to receive concordant requests from a quarter of the total number of Members and Associate Members in that region.

Chapter 8. Provisions common to all conferences change in the date or place of a conference

MOD 655 1. The provisions of Chapter 6 and 7 above shall apply, by analogy, when a change in the date or place of a conference is requested by Members and Associate Members of the Union or is proposed by the Administrative Council. However, such changes shall only be made if a majority of the Members, determined in accordance with 76, concerned have pronounced in favour.

656 2. It shall be the responsibility of any Member or Associate Member proposing a change in the date or place of a conference to obtain for its proposal the support of the requisite number of other Members and Associate Members.

657 3. Where the issue arises, the Secretary-General shall indicate, in the communication referred to in 645, the probable financial consequences of a change in the date or place, as, for example, when there has been an outlay of expenditure in preparing for the conference at the place initially chosen.

Chapter 9. Rules of procedure of conferences

Rule 1. Order of Seating

658 At meetings of the conference, delegations shall be seated in the alphabetical order of the French names of the countries represented.

Rule 2. Inauguration of the Conference

659. 1. (1) The inaugural meeting of the conference shall be preceded by a meeting of the Heads of Delegations to prepare the agenda for the first Plenary Meeting.

660 (2) The Chairman of the meeting of Heads of Delegations shall be appointed in accordance with the provisions of 661 and 662.

661 2. (1) The conference shall be opened by a person appointed by the inviting government.

662 (2) When there is no inviting government, it shall be opened by the oldest Head of Delegation.

663 3. (1) The Chairman of the conference shall be elected at the first Plenary Meeting; generally, he shall be a person nominated by the inviting government.

664 (2) If there is no inviting government, the Chairman shall be chosen, taking into account the proposal made by the Heads of Delegations at the meeting described in 659.

665 4. The first Plenary Meeting shall also:

a) elect the Vice-Chairmen of the conference;

666 *b*) set up the conference committees and elect their respective Chairmen and Vice-Chairmen;

667 *c*) constitute the conference Secretariat, made up of the staff of the General Secretariat of the Union, and, in case of need, of staff provided by the administration of the inviting government.

Rule 3. Powers of the Chairman of the Conference

668 1. The Chairman, in addition to the other prerogatives conferred upon him under these Rules of Procedure, shall open and close the meetings of the Plenary Meeting, direct the deliberations, ensure that the Rules of Procedure are applied, give the floor to speakers, put questions to the vote, and announce the decisions adopted.

669 2. He shall have the general direction of all the work of the conference, and shall ensure that order is maintained at Plenary Meetings. He shall give his ruling on motions of order and points of order and, in particular, he shall be empowered to propose that discussion on a question be postponed or closed, or that a meeting be suspended or adjourned. He may also decide to postpone the convening of a Plenary Meeting should he consider it necessary.

670 3. It shall be the duty of the Chairman to protect the right of each delegation to express its opinion freely and fully on the point at issue.

671 4. He shall ensure that discussion is limited to the point at issue, and he may interrupt any speaker who departs therefrom and request him to confine his remarks to the subject under discussion.

Rule 4. Appointment of Committees

672 1. The Plenary Meeting may appoint committees to consider matters referred to the conference. These committees may in turn appoint subcommittees. Committees and sub-committees may form working groups.

673 2. However, sub-committees and working groups shall be formed only when it is absolutely necessary.

Rule 5. Budget Control Committee

674 1. At the opening of each conference or meeting, the Plenary Meeting shall appoint a budget control committee to determine the organization and the facilities available to the delegates, and to examine and approve the accounts for expenditure incurred throughout the duration of the conference or meeting. In addition to the members of delegations who wish to participate, this committee shall include a representative of the Secretary-General and, where there is an inviting government, a representative of that government.

MOD 675 2. Before the budget approved by the Administrative Council for the conference or meeting is exhausted, the budget control committee, in collaboration with the secretariat of the conference or meeting, shall present an interim statement of the expenditure to the Plenary Meeting. The Plenary Meeting shall take this statement into account in considering whether the progress made is sufficient to justify a prolongation of the conference or meeting after the date when the approved budget will be exhausted.

MOD 676 3. At the end of each conference or meeting, the budget control committee shall present a report to the Plenary Meeting showing, as accurately as possible, the estimated total expenditure of the conference or meeting.

677 4. After consideration and approval by the Plenary Meeting, this report, together with the observations of the Plenary Meeting, shall be transmitted to the Secretary-General for submission to the Administrative Council at its next annual session.

Rule 6. Composition of Committees

678 1. *Plenipotentiary Conferences*

Committees shall be composed of the delegates of Members and Associate Members and the observers referred to in 609 and 610, who have so requested or who have been designated by the Plenary Meeting.

679 2. *Administrative Conferences*

Committees shall be composed of the delegates of Members and Associate Members and the observers and representatives referred to in 618 to 621, who have so requested or who have been designated by the Plenary Meeting.

Rule 7. Chairmen and Vice-Chairmen of Sub-Committees

MOD 680 The Chairman of each committee shall propose to his committee the choice of the Chairmen and Vice-Chairmen of the sub-committees which may be set up.

Rule 8. Summons to Meetings

681 Plenary Meetings and meetings of committees, sub-committees and working groups shall be announced in good time in the meeting place of the conference.

Rule 9. Proposals Presented before the Opening of the Conference

682 Proposals presented before the opening of the conference shall be allocated by the Plenary Meeting to the appropriate committees appointed in accordance with Rule 4 of these Rules of Procedure. Nevertheless, the Plenary Meeting itself shall be entitled to deal with any proposal.

Rule 10. Proposals or Amendments Presented During the Conference

683 1. Proposals or amendments presented after the opening of the conference must be delivered to the Chairman of the conference or to the Chairman of the appropriate committee, as the case may be. They may also be handed to the Secretariat of the conference for publication and distribution as conference documents.

684 2. No written proposal or amendment may be presented unless signed by the Head of the Delegation concerned or by his deputy.

685 3. The Chairman of a conference or of a committee may at any time submit proposals likely to accelerate the debates.

686 4. Every proposal or amendment shall give, in precise and exact terms, the text to be considered.

687 5. (1) The Chairman of the conference or the Chairman of the appropriate committee shall decide in each case whether a proposal or amendment submitted during a meeting shall be made orally or presented in writing for publication and distribution in accordance with 683.

688 (2) In general, the texts of all major proposals to be put to the vote shall be distributed on good time in the working languages of the conference, in order that they may be studied before discussion.

689 (3) In addition, the Chairman of the conference, on receiving proposals or amendments referred to in 683, shall refer them to the appropriate committee or to the Plenary Meeting as the case may be.

690 6. Any authorized person may read, or may ask to have read, at a Plenary Meeting any proposal or amendment submitted by him during the conference, and he shall be allowed to explain his reasons therefor.

Rule 11. Conditions Required for Discussion of, and Vote on, any Proposal or Amendment

691 1. No proposal or amendment submitted prior to the opening of the conference or by a delegation during the conference may be discussed unless it is supported by at least one other delegation when it comes to be considered.

692 2. Each proposal or amendment duly supported shall be submitted to a vote after discussion.

Rule 12. Proposals or Amendments Passed Over or Postponed

693 When a proposal or an amendment has been passed over or when its examination has been postponed, the delegation sponsoring it shall be responsible for seeing that it is considered later.

Rule 13. Rules for Debates of the Plenary Meeting

694 1. *Quorum*

For a valid vote to be taken at a Plenary Meeting, more than half of the delegations accredited to the conference and having the right to vote must be present or represented at the meeting.

695 2. *Order of debates*

(1) Persons desiring to speak must first obtain the consent of the Chairman. As a general rule, they shall begin by announcing in what capacity they speak.

696 (2) Any person speaking must express himself slowly and distinctly, separating his words and pausing as necessary in order that everybody may understand his meaning.

697 3. *Motions of order and points of order*

(1) During debates, any delegation may, when it thinks fit, submit a motion of order or raise a point of order, which shall at once be settled by the Chairman in accordance with these Rules of Procedure. Any delegation may appeal against the Chairman's ruling, which shall however stand unless a majority of the delegations present and voting are against it.

698 (2) A delegation submitting a motion of order shall not, during its speech, discuss the substance of the matter in question.

699 4. *Priority of motions of order and points of order*

The motions and points of order mentioned in 697 and 698 shall be dealt with in the following order:

a) any point of order regarding the application of these Rules of Procedure;

700 *b*) suspension of a meeting;

701 *c*) adjournment of a meeting;

702 *d*) postponement of debate on the matter under discussion;

703 *e*) closure of debate on the matter under discussion;

704 *f*) any other motions of order or points of order that may be submitted, in which case it shall be for the Chairman to decide the relative order in which they shall be considered.

705 5. *Motion for suspension or adjournment of a meeting*

During the discussion of a question, a delegation may move that the meeting be suspended or adjourned, giving reasons for its proposal. If the proposal is seconded, the floor shall be given to two speakers to oppose the suspension or adjournment and solely for that purpose, after which the motion shall be put to the vote.

706 6. *Motion for postponement of debate*

During discussion of any question, a delegation may propose that the debate be postponed for a stated period. Once such a proposal has been made, any discussion thereon shall be limited to no more than three speakers, not counting the person submitting the proposal: one for the motion and two against.

707 7. *Motion for closure of debate*

A delegation may at any time propose that discussion on the point at issue be closed. In such cases, before a vote is taken on the proposal, the floor may be given to not more than two speakers opposing the motion.

708 8. *Limitation of speeches*

(1) The Plenary Meeting may, if necessary, decide how many speeches any one delegation may make on any particular point, and how long they may last.

709 (2) However, as regards questions of procedure, the Chairman shall limit the time allowed for a speech to a maximum of five minutes.

710 (3) When a speaker has exceeded the time allowed, the Chairman shall notify the Meeting and request the speaker to conclude his remarks briefly.

711 9. *Closing the list of speakers*

(1) During the debate, the Chairman may rule that the list of speakers wishing to take the floor be read. He shall add the names of other delegations who indicate that they wish to speak and he may then, with the assent of the Meeting, rule that the list be closed. Nevertheless, as an exceptional measure, the Chairman may rule, if he thinks fit, that a reply may be made to any previous statement, even after the list of speakers has been closed.

712 (2) The list of speakers having been exhausted, the Chairman shall declare discussion on the matter closed.

713 10. *Question of competence*

Any questions of competence that may arise shall be settled before a vote is taken on the substance of the matter under discussion.

714 11. *Withdrawal and resubmission of a motion*

The author of a motion may withdraw it before it is put to a vote. Any motion, whether it be amended or not, which has been withdrawn from debate may be resubmitted or taken up by the author of the amendment or by another delegation.

Rule 14. Right to Vote

715 1. At all meetings of the conference, the delegation of a Member of the Union duly accredited by that Member to take part in the work of the conference shall be entitled to one vote in accordance with Article 2 of the Convention.

716 2. The delegation of a Member of the Union shall exercise the right to vote under the conditions described in Chapter 5 of the General Regulations.

Rule 15. Voting

717 1. *Definition of a majority*

(1) A majority shall consist of more than half the delegations present and voting.

718 (2) In computing a majority, delegations abstaining shall not be taken into account.

719 (3) In case of a tie, a proposal or amendment shall be considered rejected.

720 (4) For the purpose of these Rules of Procedure, a "delegation present and voting" shall be a delegation voting for or against a proposal.

721 2. *Non-participation in voting*

Delegations which are present but do not take part in a particular vote or expressly state they do not wish to take part shall be considered neither as absent, for the purpose of determining a quorum as defined in 694, nor as abstaining for the purpose of 723.

722 3. *Special majority*

In cases where Members of the Union are to be admitted, the majority described in Article 1 of the Convention shall apply.

723 4. *Abstentions of more than fifty per cent*

When the nurmber of abstentions exceeds half the number of votes cast (for, against, abstentions), consideration of the matter under discussion shall be postponed to a later meeting, at which time abstentions shall not be taken into account.

724 5. *Voting procedures*

(1) The following voting procedures shall be adopted except in the case provided for in 727;

a) by a show of hands, as a general rule;

725 *b*) by roll call, if the above-mentioned procedure shows no clear majority or if so requested by at least two delegations.

726 (2) Votes by roll call shall be taken in the alphabetical order of the French names of the Members represented.

727 6. *Secret ballot*

Voting shall be by secret ballot when at least five of the delegations present and entitled to vote so request. In such cases, the Secretariat shall at once take steps to ensure the secrecy of the vote.

728 7. ***Prohibition of interruptions during votes.***

No delegation may interrupt once a vote has begun, unless to raise a point of order in connection with the way in which the vote is being taken.

729 8. *Reasons for votes*

The Chairman shall authorize any delegations which so request to give the reasons for their vote, after the vote has been taken.

730 9. *Voting on parts of a proposal*

(1) When the author of a proposal so requests, or when the Meeting thinks fit, or when the Chairman, with the approval of the author, so proposes, that proposal shall be sub-divided and its various sections put to the vote separately. The parts of the proposal which have been adopted shall then be put to the vote as a whole.

731 (2) If all the sections of a proposal are rejected the proposal shall be regarded as rejected as a whole.

732 10. *Order of voting on concurrent proposals*

(1) When there are two or more proposals on any one matter, they shall be put to the vote in the order in which they were presented, unless the Meeting decides to the contrary.

733 (2) After each vote, the Meeting shall decide whether or not the following proposal shall be voted on.

734 11. *Amendments*

(1) Any proposal for modification consisting only of a deletion from, an addition to, or a change in, a part of the original proposal shall be considered an amendment.

735 (2) Any amendment to a proposal accepted by the delegation submitting the proposal shall at once be embodied in the original proposal.

736 (3) No proposal for modification shall be regarded as an amendment if the Meeting considers it to be incompatible with the original proposal.

737 12. *Voting on amendments*

(1) When an amendment is submitted to a proposal, a vote shall first be taken on the amendment.

738. (2) When two or more amendments are submitted to a proposal, the amendment furthest from the original text shall be put to the vote first; of the remainder, that furthest from the proposal shall then be put to the vote and the same procedure shall be followed until all the amendments submitted have been considered.

739 (3) If one or more amendments are adopted, the proposal thus amended shall then be put to the vote.

740 (4) If no amendment is adopted, the original proposal shall be put to the vote.

Rule 16. Committees and Sub-Committees Rules for Debates and Voting Procedures

741 1. The Chairman of all committees and sub-committees shall have powers similar to those conferred by Rule 3 on the Chairman of the conference.

742 2. The provisions set forth in Rule 13 for the conduct of debates in the Plenary Meeting shall also apply to the discussions of committees and sub-committees, except in the matter of the quorum.

743 3. The provisions set forth in Rule 15 shall also apply to votes taken in committees and sub-committees, except as regards 722.

Rule 17. Reservations

744 1. As a general rule, any delegation whose views are not shared by the remaining delegations shall endeavour, as far as possible, to conform to the opinion of the majority.

745 2. However, if any decision appears to a delegation to be of such a nature as to prevent its government from ratifying the Convention or from approving the revision of the Regulations, the delegation may make reservations, final or provisional, regarding this decision.

Rule 18. Minutes of Plenary Meetings

746 1. The minutes of Plenary Meetings shall be drawn up by the Secretariat of the conference, which shall endeavour to ensure their distribution to delegations as early as possible before the date on which they are to be considered.

747 2. After the minutes have been distributed, delegations may submit in writing to the Secretariat of the conference the corrections they consider to be justified; this shall be done in the shortest possible time. This shall not prevent them from presenting amendments orally during the meeting at which the minutes are approved.

748 3. (1) As a general rule, the minutes shall contain only proposals and conclusions, together with the principal arguments for them presented in terms as concise as possible.

749 (2) However, any delegation shall have the right to require the insertion in the minutes, either summarized or in full, of any statement it has made during the debates. In this case, the delegation should, as a general rule, announce this at the beginning of its statement in order to facilitate the work of the reporters and must itself hand in the text to the Secretariat of the conference within two hours after the end of the meeting.

750 4. The right accorded in 749 regarding the insertion of statements in the minutes shall in all cases be used with discretion.

Rule 19. Summary Records and Reports of Committees and Sub-Committees

MOD 751 1. (1) The debates of committees and sub-committees shall be summarized, meeting by meeting, in summary records drawn up by the Secretariat of the Conference in which shall be brought out the essential points of the discussion, and the various opinions of which note ought to be taken, together with any proposals or conclusions resulting from the debate as a whole.

752 (2) Nevertheless, any delegation shall be entitled to invoke 749.

753 (3) The right referred to above shall in all circumstances be used with discretion.

754 2. Committees and sub-committees may prepare any interim reports they deem necessary and, if circumstances warrant, they may submit, at the end of their work, a final report recapitulating in concise terms the proposals and conclusions resulting from the studies entrusted to them.

Rule 20. Approval of Minutes, Summary Records and Reports

755 1. (1) As a general rule, at the beginning of each Plenary Meeting, or meeting of a committee, or sub-committee, the Chairman shall inquire whether there are any comments on the minutes of the previous meeting, or, in the case of committees or sub-committees, on the summary record of the previous meeting. These documents shall be considered approved if no amendments have been handed in to the Secretariat and no objection is made orally. Otherwise, the appropriate amendments shall be made in the minutes or summary record as the case may be.

756 (2) Any interim or final report must be approved by the committee or sub-committee concerned.

757 2. (1) The minutes of the last Plenary Meeting shall be examined and approved by the Chairman of the Assembly.

758 (2) The summary record of the last meeting of each committee or sub-committee shall be examined and approved by the Chairman of the committee or sub-committee.

Rule 21. Editorial Committee

759 1. The texts of the Convention, the Regulations and other Final Acts of the conference, which shall be worded as far as practicable in their definitive form by the various committees, taking account of the views expressed, shall be submitted to an editorial committee charged with perfecting

their form without altering the sense and with combining them with those parts of former texts which have not been altered.

760 2. The texts shall be submitted by the editorial committee to the Plenary Meeting, which shall approve them, or refer them back to the appropriate committee for further examination.

Rule 22. Numbering

761 1. The numbers of the chapters, articles and paragraphs of the texts subjected to revision shall be preserved until the first reading in Plenary Meeting. The passages added shall bear provisionally the number of the last paragraph in the original text, with the addition of "A", "B", etc.

762 2. The final numbering of the chapters, articles and paragraphs shall be entrusted to the editorial committee after their adoption at the first reading.

Rule 23. Final Approval

763 The texts of the Convention, the Regulations and other Final Acts shall be considered final when they have been been approved at the second reading in Plenary Meeting.

Rule 24. Signature

MOD 764 The final texts approved by the conference shall be submitted for signature, in the alphabetical order of the French names of their countries, to the delegates provided with the powers defined in Chapter 5 of the General Regulations.

Rule 25. Press Notices

765 Official releases to the press about the work of the conference shall be issued only as authorized by the Chairman or a Vice-Chairman of the conference.

Rule 26. Franking Privileges

766 During the conference, members of delegations, members of the Administrative Council, senior officials of the permanent organs of the Union attending the conference, and the staff of the Secretariat of the Union seconded to the conference shall be entitled to postal, telegraph and telephone franking privileges to the extent arranged by the government of the country in which the conference is held in agreement with the other governments and recognized private operating agencies concerned.

PART II. INTERNATIONAL CONSULTATIVE COMMITTEES

Chapter 10. General provisions

767 The provisions of Part II of the General Regulations supplement Article 14 of the Convention defining the duties and structure of the International Consultative Committees.

Chapter 11. Conditions for participation

768 1. (1) The International Consultative Committees shall have as members:

a) of right, the administrations of all Members and Associate Members of the Union;

MOD 769 *b*) any recognized private operating agency which, with the approval of the Member or Associate Member which has recognized it, subject to the procedure prescribed below, expresses a desire to participate in the work of the Committees. However, it may not act on behalf of the Member or Associate Member which has recognized it unless that Member or Associate Member informs the Consultative Committee concerned in each particular case that it is authorized to do so.

770 (2) The first request from a recognized private operating agency to take part in the work of a Consultative Committee shall be addressed to the Secretary-General who shall inform all the Members and Associate Members and the Director of the Consultative Committee concerned. A request from a recognized private operating agency must be approved by the Member or Associate Member recognizing it.

771 2. (1) International organizations which coordinate their work with the International Telecommunication Union and which have related activities may be admitted to participate in the work of the Consultative Committees in an advisory capacity.

772 (2) The first request from an international organization to take part in the work of a Consultative Committee shall be addressed to the Secretary-General who shall inform by telegram all the Members and Associate Members and invite Members to say whether the request should be granted; the request shall be granted if the majority of the replies of the Members received within a period of one month are favourable. The Secretary-General shall inform all the Members and Associate Members and the Director of the Consultative Committee concerned of the result of the consultation.

773 3. (1) Scientific or industrial organizations, which are engaged in the study of telecommunication problems or in the design or manufacture of equipment intended for telecommunication services, may be admitted to participate in an advisory capacity in the administrations of the countries consultative Committees, provided that their participation has received the approval of the administrations of the countries concerned.

774 (2) The first request from a scientific or industrial organization for admission to meetings of study groups of a Consultative Committee shall be addressed to the Director of the Consultative Committee; such a request must be approved by the administration of the country concerned.

ADD 775 4. Any recognized private operating agency, international organization or scientific or industrial organization allowed to take part in the work of an International Consultative Committee has the right to denounce such participation by notifying the Secretary-General. Such denunciation shall take effect at the end of one year from the date when notification is received by the Secretary-General.

Chapter 12. Duties of the Plenary Assembly

776 The Plenary Assembly shall:

a) consider the reports of study groups and approve, modify or reject the draft recommendations contained in these reports;

777 *b*) decide new questions to be studied in conformity with the provisions of 190; and, if need be, establish a study programme;

778 *c*) so far as necessary, maintain existing study groups and set up new study groups;

779 *d*) allocate to study groups the questions to be studied;

780 *e*) consider and approve the report of the Director on the activities of the Committee since the last meeting of the Plenary Assembly;

MOD 781 *f*) approve an estimate of the financial needs of the Committee until the next Plenary Assembly, for submission to the Administrative Council;

782 *g*) consider any other matters deemed necessary within the provisions of Article 14 of the Convention and Part II of the General Regulations.

Chapter 13. Meetings of the Plenary Assembly

783 1. The Plenary Assembly shall normally meet every three years at a date and place fixed by the preceding Plenary Assembly.

MOD 784 2. The date and place, or either, of the meeting of the Plenary Assembly may be changed with the approval of the majority of the Members of the Union replying to the Secretary-General's request for their opinion.

785 3. At each of these meetings, the Plenary Assembly shall be presided over by the Head of the delegation of the country in which the meeting is held or, in the case of a meeting held at the seat of the Union, by a person elected by the Plenary Assembly itself; the Chairman shall be assisted by Vice-Chairmen elected by the Plenary Assembly.

786 4. The secretariat of the Plenary Assembly of a Consultative Committee shall be composed of the specialized secretariat of that Committee, with the help, if necessary, of the personnel of the administration of the inviting government and of the General Secretariat.

Chapter 14. Languages and right to vote in Plenary Assemblies

787 1. (1) The languages used in the Plenary Assemblies shall be as provided in Article 17 of the Convention.

788 (2) The preparatory documents of study groups, the documents and minutes of Plenary Assemblies and the documents published after these Assemblies by the International Consultative Committees shall be issued in the working languages of the Union.

MOD 789 2. The Members which are authorized to vote at sessions of Plenary Assemblies of the Consultative Committees are those to which reference is made in 13 and 250. However, when a country, Member of the Union, is not represented by an administration, the representatives of the recognized private operating agencies of that country shall, as a whole and regardless of their number, be entitled to a single vote, subject to the provisions of 769.

Chapter 15. Study groups

790 1. The Plenary Assembly shall set up the necessary study groups to deal with questions to be studied. The administrations, recognized private operating agencies and international organizations admitted in accordance with 771 and 772 which wish to take part in the work of the study groups shall give in their names either at the meeting of the Plenary Assembly or, at a later date, to the Director of the Consultative Committee concerned.

791 2. In addition, and subject to the provisions of 773 and 774, experts of scientific or industrial organizations may be admitted to take part in an advisory capacity in any meeting of any study group.

792 3. The Plenary Assembly shall appoint the Chairman and Vice-Chairman of each study group. If in the interval between two meetings of the Plenary Assembly, a Group Chairman is unable to carry out his duties, the Vice-Chairman shall take his place, and the study group concerned shall elect, at its next meeting, from among its members, a new Vice-Chairman. It shall likewise elect a new Vice-Chairman should the Vice-Chairman find himself no longer able, during this period, to carry out his duties.

Chapter 16. Conduct of business of study group

MOD 793 1. Study groups shall conduct their work as far as possible by correspondence.

794 2. (1) However, the Plenary Assembly may give directives concerning the convening of any meetings of the study groups that may appear necessary to deal with large groups of questions.

795 (2) Moreover, if after a Plenary Assembly a Group Chairman considers it necessary for his study group to hold one or more meetings not provided for by the Plenary Assembly to discuss orally questions which could not be solved by correspondence, he may, with the approval of his administration and after consultation with the Director concerned and the members of his study group, suggest a meeting at a convenient place bearing in mind the need to keep expenses to a minimum.

796 3. However, in order to avoid unnecessary journeys and prolonged absences, the Director of a Consultative Committee, in agreement with the Group Chairmen of the

various study groups concerned, shall draw up the general plan of meetings of groups of study groups which are to meet in the same place during the same period.

797 4. The Director shall send the final reports of the study groups to the participating administrations, to the recognized private operating agencies of the Consultative Committee and, as occasion may demand, to such international organizations as have participated. These shall be sent as soon as possible and, in any event, in time for them to be received at least one month before the date of the next meeting of the Plenary Assembly. This provision may be waived only when study group meetings are held immediately prior to the meeting of the Plenary Assembly. Questions which have not formed the subject of a report furnished in this way shall not appear on the agenda for the meeting of the Plenary Assembly.

Chapter 17. Duties of the Director, specialized secretariat

798 1. (1) The Director of a Consultative Committee shall coordinate the work of the Plenary Assembly and study groups, and shall be responsible for the organization of the work of the Consultative Committee.

799 (2) He shall be responsible for the documents of the Committee.

800 (3) The Director shall be assisted by a secretariat composed of a specialized staff to work under his direction and to aid him in the organization of the work of the Committee.

801 (4) The staffs of the specialized secretariats, laboratories and technical installations of a Consultative Committee shall be under the administrative control of the Secretary-General.

802 2. The Director shall choose the technical and administrative members of the secretariat within the framework of the budget as approved by the Plenipotentiary Conference or the Administrative Council. The appointment of the technical and administrative personnel is made by the Secretary-General in agreement with the Director. The final decision for appointment or dismissal rests with the Secretary-General.

803 3. The Director shall participate as of right, but in an advisory capacity, in meetings of the Plenary Assembly and of the study groups. He shall make all necessary preparations for meetings of the Plenary Assembly and of the study groups.

804 4. The Director shall submit to the Plenary Assembly a report on the activities of the Consultative Committee since the last meeting of the Plenary Assembly. After approval, this report shall be sent to the Secretary-General for transmission to the Administrative Council.

805 5. The Director shall submit to the Administrative Council at its annual session a report on the activities of the Committee during the previous year for the information of the Council and of the Members and Associate Members of the Union.

MOD 806 6. The Director shall submit for the approval of the Plenary Assembly an estimate of the financial needs of the Consultative Committee up to the next meeting of the Plenary Assembly; the estimate, after approval by the Plenary Assembly, shall be sent to the Secretary-General for submission to the Administrative Council.

MOD 807 7. The Director shall prepare, for inclusion by the Secretary-General in the annual budget of the Union, an estimate of the expenses of the Committee for the following year, based on the estimate of the financial needs of the Committee approved by the Plenary Assembly.

808 8. The Director shall participate as necessary in technical cooperation activities of the Union within the framework of the Convention.

Chapter 18. Proposals for administrative conferences

MOD 809 1. In accordance with 191, the Plenary Assemblies of the Consultative Committees may make proposals for modification of the Regulations mentioned in 203.

810 2. Such proposals shall be sent to the Secretary-General in good time for assembly, coordination and communication, as laid down in 627.

Chapter 19. Relations of consultative committees between themselves and with other international organizations

811 1. (1) Plenary Assemblies of Consultative Committees may set up joint study groups to study and make recommendations on questions of common interest.

812 (2) The Directors of Consultative Committees may, in collaboration with the Group Chairmen, organize joint meetings of study groups of both Consultative Committees, to study and prepare draft recommendations on questions of common interest. Such draft recommendations shall be submitted to the next meeting of the Plenary Assembly of each Consultative Committee.

813 2. When one of the Consultative Committees is invited to participate in a meeting of the other Consultative Committee or of another international organization, the Plenary Assembly or Director of the invited Consultative Committee is authorized to make arrangements for such representation in an advisory capacity, taking into account the provisions of 156.

814 3. The Secretary-General, the Deputy Secretary-General, the Chairman of the International Frequency Registration Board, and the Director of the other Consultative Committee, or their representatives, may attend meetings of a Consultative Committee in an advisory capacity. If necessary, a Consultative Committee may invite to attend its meetings, in an advisory capacity, representatives of any permanent organ of the Union which has not considered it necessary to be represented.

FINAL PROTOCOL TO THE INTERNATIONAL TELECOMMUNICATION CONVENTION

(Montreux, 1965)

At the time of signing the International Telecommunication Convention (Montreux, 1965), the undersigned plenipotentiaries take note of the following statements forming part of the Final Acts of the Plenipotentiary Conference (Montreux, 1965):

I

For Afghanistan:

The Delegation of the Royal Government of Afghanistan to the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) reserves for its Government the right not to accept any financial measure which might lead to an increase in its contributory share to defraying the expenses of the Union, and to take any measures it may deem necessary to protect its telecommunication services should any Member or Associate Member fail to observe the provisions of the International Telecommunication Convention (Montreux, 1965).

II

For Algeria (Algerian Democratic and Popular Republic):

The Delegation of the Algerian Democratic and Popular Republic declares that its Government reserves the right to take such action as it may consider necessary to protect its interests, should a Member or Associate Member fail in any way to observe the provisions of the International Telecommunication Convention (Montreux, 1965), or should the reservations made by such Member or Associate Member jeopardize its telecommunication services or lead to an increase in Algeria's share in defraying the expenses of the Union.

III

For Algeria (Algerian Democratic and Popular Republic), the Kingdom of Saudi Arabia, the Republic of Iraq, the Hashemite Kingdom of Jordan, the State of Kuwait, Lebanon, the Kingdom of Morocco, the Syrian Arab Republic, the United Arab Republic, the Republic of the Sudan and Tunisia:

The above-mentioned Delegations declare that the signature, and possible subsequent ratification by their respective Governments to the International Telecommunication Convention (Montreux, 1965), are not valid with respect to the Member appearing in Annex 1 to this Convention under the name of Israel, and in no way imply its recognition.

IV

For Algeria (Algerian Democratic and Popular Republic), the Federal Republic of Cameroon, the Central African Republic, the Democratic Republic of the Congo, the Republic of the Congo (Brazzaville), the Republic of the Ivory Coast, the Republic of Dahomey, Ethiopia, the Gabon Republic, Ghana, the Republic of Guinea, the Republic of Upper Volta, Kenya, the Republic of Liberia, Malawi, the Malagasy Republic, the Republic of Mali, the Kingdom of Morocco, the Islamic Republic of Mauritania, the Republic of the Niger, the Federal Republic of Nigeria, Uganda, the United Arab Republic, the Somali Republic, the Republic of Rwanda, the Republic of the Senegal, Sierra Leone, the Republic of the Sudan, the United Republic of Tanzania, the Republic of the Chad, the Togolese Republic, Tunisia and the Republic of Zambia:

The Delegations of the above-mentioned countries declare that their signature of the International Telecommunication Convention (Montreux, 1965) and subsequent ratification of that document by their respective Governments in no way imply recognition by these States of the present Government of the Republic of South Africa, and do not entail any obligation towards that Government.

V

For the Argentine Republic:

The Argentine Delegation declares:

The International Telecommunication Convention (Montreux, 1965) provides in number 4 that any country or group of territories listed in Annex 1 thereto is a Member of the Union. Annex 1 lists as such the Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible.

As is its custom, the Government in question includes in this group of territories the "Falkland Islands and Dependencies" and the "British Antarctic Territories".

The Argentine Delegation wishes to place on record that this practice in no way affects Argentine sovereignty over the Malvinas Islands, the South Sandwish Islands, and the South Georgia Islands, occupied by the United Kingdom as the result of an act of force never accepted by the Argentine Government, which hereby reaffirms the inalienable rights of the Argentine Republic and declares that these territories and the land lying in the Argentine Sector of the Antarctic are not the colony or possession of any nation but form an integral part of Argentine territory.

With regard to the name used in the aforementioned document to designate the Malvinas Islands, the Argentine Delegation wishes to draw attention to the decision of the United Nations Special Committee on the situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples; this Committee, in approving by general agreement the Report of Sub-Committee III on the Malvinas Islands, dated 13 November 1964, decided by a majority vote that the word "Malvinas" should appear beside the name "Falkland" in all documents of the Special Committee, it having been proposed that such a compromise be adopted for all United Nations documents.

This declaration holds good for any other mention of the same kind which may be made in the Convention or in its Annexes.

VI

For the Argentine Republic, Bolivia, Brazil, Chile, the Republic of Colombia, Costa Rica, Ecuador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Peru, and the Republic of Venezuela:

The above Delegations declare that they do not accept the principle that Members of the Union not belonging to the region concerned should take part in regional conferences and meetings with voting rights.

VII

For the Commonwealth of Australia, Malawi, Malta, New Zealand, the Kingdom of the Netherlands, the Republic of the Philippines, the United Kingdom of Great Britain and Northern Ireland, and Trinidad and Tobago:

The Delegations of the above-mentioned countries reserve for their Governments the right to take such action as they may consider necessary to safeguard their interests, should certain Members or Associate Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the requirements of the International Telecommunication Convention (Montreux, 1965) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

VIII

For Austria, Belgium, Denmark, Finland, Iceland, the Principality of Liechtenstein, Luxembourg, Norway, the Kingdom of the Netherlands, the Federal Republic of Germany, Sweden and the Confederation of Switzerland:

The Delegations of the above-mentioned countries formally declare with regard to Article 15 of the International Telecommunication Convention (Montreux, 1965) that they maintain the reservations indicated on behalf of their administrations when the Regulations mentioned in Article 15 were signed.

IX

For Belgium:

In signing the present Convention, the Delegation of the Kingdom of Belgium declares, on behalf of its Government, that it cannot accept any consequences of reservations which might lead to an increase in its contributory share in defraying the expenses of the Union.

X

For the Bielorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics:

The Delegations of the above-named countries hereby declare on behalf of their Governments:

1. that the decision taken by the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965), to recognize the credentials of Chiang-Kai-shek's representatives to take part in the Conference and to sign the Final Acts on behalf of China, is illegal in so far as the legal representatives of China in the International Telecommunication Union, as in other international organizations, can only be the representatives appointed by the Government of the People's Republic of China;

2. that the Saigon authorities do not really represent South Viet-Nam and cannot therefore speak on its behalf in the International Telecommunication Union. In consequence, the signature of the Final Acts of this Plenipotentiary Conference by the representatives of these authorities, or accession thereto on behalf of South Viet-Nam, is unlawful;

3. that in signing the International Telecommunication Convention (Montreux, 1965), the Bielorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics leave open the question of the acceptance of the Radio Regulations (Geneva, 1959).

XI

For the Bielorussian Soviet Socialist Republic, the People's Republic of Bulgaria, Cuba, the Hungarian People's Republic, the Mongolian People's Republic, the People's Republic of Poland, the Ukrainian Soviet Socialist Republic, the Socialist Republic of Roumania, the Czechoslovak Socialist Republic and the Union of Soviet Socialist Republics:

The Delegations of the above-mentioned countries declare, on behalf of their Governments, that they consider the claims of the representatives of South Korea to speak on behalf of the whole of Korea, within the International Telecommunication Union, to be without foundation and completely devoid of legal validity, since the puppet régime of South Korea does not represent, and cannot represent, the Korean people.

XII

For the Union of Burma:

The Delegation of the Union of Burma, in signing this Convention reserves for its Government to right to take any action it considers necessary to safeguard its interests if reservations made by other countries should lead to an increase in its contributory share in defraying Union expenses.

XIII

For the People's Republic of Bulgaria, Cuba, the Hungarian People's Republic, the Mongolian People's Republic, the People's Republic of Poland, the Socialist Republic of Roumania and the Czechoslovak Socialist Republic:

The Delegations of the above-mentioned countries declare that they reserve for their Governments the right to accept, or not to accept, the Radio Regulations, in whole or in part.

XIV

For the People's Republic of Bulgaria, Cuba, the Hungarian People's Republic, the Mongolian People's Republic, the People's Republic of Poland, the Socialist Republic of Roumania and the Czechoslovak Socialist Republic:

The Delegations of the above-mentioned countries consider signature of the International Telecommunication Convention (Montreux, 1965) on behalf of China, by the Representatives of Chiang Kai-shek, to be illegal and void, since the sole legal representatives of China, which have the right to sign international agreements on behalf of China are the representatives appointed by the Central Government of the People's Republic of China.

At the same time, the Delegations of the above-mentioned countries declare that, in view of the present situation on the territory of South Viet-Nam and the Geneva Agreements, their Governments cannot consider the Government of Saigon as representing the interests of the people of South Viet-Nam.

XV

For the Federal Republic of Cameroon:

The Delegation of the Federal Republic of Cameroon to the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) declares on behalf of its Government that it reserves the right to take all necessary steps to safeguard its interests should the reservations made by other delegation on behalf of their governments, or failure to comply with the Convention tend to jeopardize the proper operatoin of its telecommunication service.

Moreover, the Government of the Federal Republic of Cameroon accepts no consequences of any reservations made by other governments at the present Conference which would lead to an increase in its share in defraying the expenses of the Union.

XVI

For Canada:

The signature of Canada to the International Telecommunication Convention (Montreux, 1965) is subject to the reservation that Canada does not agree to be bound by the Telephone Regulations but does agree to be bound by the other Administrative Regulations except where specific reservations are made therein.

XVII

For Chile:

The Delegation of Chile expressly states that, whenever the International Telecommunication Convention, its Annexes and Regulations, or documents of any kind, mention, or refer to "Antarctic Territories" as dependencies of any State, the said mentions or references do not, and cannot, apply to the Chilean Antarctic Sector, which is an integral part of the national territory of the Republic of Chile, over which that Republic holds inalienable rights.

XVIII

For China:

The Delegation of the Republic of China to the Plenipotentiary Conference of the International Telecommunication Union at Montreux, 1965, as at Atlantic City, Buenos Aires and Geneva, is the only legitimate representation of China therein, and is recognized as such by the Conference. Any Declarations or Reservations made in connection with or attached to the present Convention by any Members of the Union, incompatible with the position of the Republic of China as set forth above, are illegal and therefore null and void. To those Members of the Union, the Republic of China does not, by signature of this Convention, accept any obligation arising out of the International Telecommunication Convention (Montreux, 1965) or any of the Protocols annexed thereto.

XIX

For the Republic of Cyprus:

The Delegation of Cyprus declares that the Government of the Republic of Cyprus cannot accept any financial consequences that might arise as a result of reservations made by other governments taking part in the Plenipotentiary Conference (Montreux, 1965).

XX

For the Republic of Colombia and for Spain:

The Delegations of Colombia and Spain declare, on behalf of their respective Governments, that they can accept no consequences of any reservations that might lead to an increase in the shares they take in defraying the expenses of the Union.

XXI

For the Republic of Korea:

The Delegation of the Republic of Korea declares that it is, as at the previous Conferences since the accession of Korea to the Union, the only legitimate representation throughout Korea and recognized as such by the Conference. Any Declaration or Reservation made in connection with or attached to the present Convention by any Member of the Union, incompatible with the position of the Republic of Korea as set forth above, is illegal and therefore null and void.

XXII

For Costa Rica:

The Delegation of the Republic of Costa Rica reserves its Government's right to accept or not to accept the consequences of any reservations made by other governments which might lead to an increase in its share in defraying the expenses of the Union, or should the reservations by these countries jeopardize its telecommunication services.

XXIII

For the Republic of the Ivory Coast:

The Delegation of the Republic of the Ivory Coast declares that it reserves for its Government the right to accept or refuse to accept the consequences of any reservations made by other governments which might lead to an increase in its contributory share to defraying the expenses of the Union.

XXIV

For Cuba:

The Delegation of Cuba, in signing the International Telecommunication Convention (Montreux, 1965) on behalf of the Government of the Republic of Cuba, formally reserves its position with regard to acceptance of the Telegraph Regulations, Telephone Regulations, and Additional Radio Regulations, mentioned in number 203 and thereafter of Article 15 of that Convention.

XXV

For Cuba, the Hungarian People's Republic, the Mongolian People's Republic and the People's Republic of Poland:

The Delegations of the above-mentioned countries reserve for their Governments the right to take such action as they may consider necessary to safeguard their interests, should reservations made by other countries lead to an increase in their share in defraying the expenses of the Union or should certain Members of the Union not bear their share of the expenses of the Union.

XXVI

For the Republic of Dahomey:

The Delegation of the Republic of Dahomey reserves for its Government the right:

1. not to accept any financial measure which might lead to an increase in its contributory share in defraying Union expenses;

2. to take any measure it deems necessary to protect its telecommunication services if any Member or Associate Member does not observe the terms of the International Telecommunication Convention (Montreux, 1965).

XXVII

For Denmark, Finland, Iceland, Norway and Sweden:

The Delegations of the above-mentioned countries declare on behalf of their respective Governments that they accept no consequences of any reservations which would lead to an increase in the shares they take in defraying the expenses of the Union.

XXVIII

For the United States of America:

The United States of America formally declares that the United States of America does not, by signature of this Convention on its behalf, accept any obligations in respect of the Telephone Regulations or the Additional Radio Regulations referred to in Article 15 of the International Telecommunication Convention (Montreux, 1965).

XXIX

For Ethiopia:

The Delegation of Ethiopia hereby reserves the right of its Government to take any action it deems necessary to safeguard its interests should Members or Associate Members in any way fail to comply with the International Telecommunication Convention (Montreux, 1965) or should reservations by other countries jeopardize its telecommunication services.

XXX

For Greece:

The Greek Delegation declares on behalf of its Government that it accepts no consequences of any reservations made by other Governments, which might lead to an increase in its share in defraying the expenses of the Union.

It also reserves for its Government the right to take such action as it may consider necessary to protect its interests, should certain Members or Associate Members of the Union not take their share in defraying Union expenses, or in any other way fail to comply with the provisions of the International Telecommunication Convention (Montreux, 1965), its Annexes or Protocols attached thereto, or if the reservations made by other countries should jeopardize the proper operation of its own telecommunication services.

XXXI

For the Republic of Guinea and the Republic of Mali:

The Delegations of the above-mentioned countries reserve for their respective Governments the right to take such action as they may consider necessary to safeguard their interests, should Members or Associate Members fail in any way to observe the provisions of the International Telecommunication Convention (Montreux, 1965), should such reservations jeopardize their telecommunication services.

XXXII

For the Republic of India:

1. Upon signing the Final Acts of the International Telecommunication Plenipotentiary Conference (Montreux, 1965), the Republic of India does not accept any financial implications resulting from any reservation that might be made on the budgetary matters of the Union by any delegation participating in the present Conference.

2. The Delegation of the Republic of India states that the signature by the Delegation to this Convention is also subject to the reservation that the Republic of India may or may not be in a position to accept certain provisions of the Telegraph and the Telephone Regulations (Geneva, 1958), referred to in Article 15 of this Convention.

3. The Delegation of the Republic of India further reserves the right of its Government to take appropriate steps if necessary to ensure proper functioning of the Union and its permanent organs and implementation of the Regulations, listed in Article 15 of the Convention, should any country reserve and/or not accept the provisions of the Convention and of the Regulations mentioned above.

XXXIII

For the Republic of Indonesia:

1. The Delegation of the Republic of Indonesia declares hereby, that the signature by the said delegation, and the possible subsequent ratification by its Government of the International Telecommunication Convention (Montreux, 1965) are not to be construed as a recognition by the Republic of Indonesia towards the Government of the "Federation of Malaysia," "China", and of other countries not recognized by the Republic of Indonesia.

2. The Delegation of the Republic of Indonesia hereby reserves the right of its Government to take any action it deems necessary to safeguard its interests should Members or Associate Members in any way fail to comply with the requirements of the International Telecommunication Convention (Montreux, 1965) or should reservations by other countries jeopardize its telecommunication services.

XXXIV

For Iran:

The Delegation of Iran hereby reserves the right of its Government to take any action it deems necessary to safeguard its interests should Members or Associate Members in any way fail to comply with the requirements of the International Telecommunication Convention (Montreux, 1965) or should reservations by other countries jeopardize its telecommunication services.

XXXV

For the State of Israel:

The declarations made by the Governments of Algeria, the Kingdom of Saudi Arabia, the Republic of Iraq, the Hashemite Kingdom of Jordan, the State of Kuwait, Lebanon, the Kingdom of Morocco, the Syrian Arab Republic, the United Arab Republic, the Republic of the Sudan and by Tunisia, being in flagrant contradiction to the principles and purposes of the International Telecommunication Union and therefore void of any legal validity, the Government of Israel wishes to put on record that it rejects these declarations outright and will proceed on the assumption that they can have no validity as to the rights and duties of any Member State of the International Telecommunication Union.

In any case, the Government of Israel will avail itself of its rights to safeguard its interest should the Governments of Algeria, the Kingdom of Saudi Arabia, the Republic of Iraq, the Hashemite Kingdom of Jordan, the State of Kuwait, Lebanon, the Kingdom of Morocco, the Syrian Arab Republic, the United Arab Republic, the Republic of the Sudan and Tunisia in any way violate any of the Articles of the International Telecommunication Convention.

XXXVI

For Italy:

The Delegation of Italy reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should certain Members or Associate Members of the Union not take their share in defraying the expenses of the Union, or fail in any other way to comply with the provisions of the International Telecommunication Convention (Montreux, 1965), and the annexes or protocols appended thereto, or should reservations made by other countries jeopardize its own telecommunication services.

XXXVII

For Jamaica:

The Delegation of Jamaica reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should certain Members or Associate Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the requirements of the International Telecommunication Convention (Montreux, 1965) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize the telecommunication services of Jamaica.

XXXVIII

For Kenya:

The Delegation of Kenya reserves the right of the Kenya Government to take any action it deems necessary to safeguard its interests in the event of Members or Associate Members failing in any way to comply with the provisions of the International Telecommunication Convention (Montreux, 1965) or the Annexes and Regulations attached thereto or should reservations by other countries jeopardize its telecommunication services.

XXXIX

For the Republic of Liberia:

The Delegation of the Republic of Liberia hereby reserves the right of its Government to take any action it deems necessary to safeguard its interests should Members or Associate Members in any way fail to comply with the requirements of the International Telecommunication Convention (Montreux, 1965) or should reservations by other countries jeopardize its telecommunication services.

XL

For Malaysia:

The Delegation of the Government of Malaysia hereby reserves the right of its Government to take any action it deems necessary to safeguard its interests should Members or Associate Members in any way fail to comply with the provisions of the International Telecommunication Convention (Montreux, 1965).

XLI

For the Islamic Republic of Mauritania:

The Delegation of the Islamic Republic of Mauritania, on signing the present Convention, reserves for its Government the right to take such action as may be necessary to protect its telecommunication interests should Members or Associate Members fail to observe the provisions of the present Convention; and not to accept any reservation made by other Governments tending to increase the amount of the contributory share towards defraying the expenses of the Union.

XLII

For Nepal:

The Delegation of the Kingdom of Nepal reserves the right of its Government to take any action it may deem necessary to safeguard its interests should reservations made by other countries jeopardize its telecommunication services.

XLIII

For the Federal Republic of Nigeria:

In signing this Convention the Delegation of the Federal Republic of Nigeria hereby declares that its Government reserves the right to take any action which it considers necessary to safeguard its interests should certain Members or Associate Members not share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the International Telecommunication Convention (Montreux, 1965) or its Annexes or the Protocols attached thereto or should reservations by other countries endanger the telecommunication services of the Federal Republic of Nigeria.

XLIV

For Uganda:

The Delegation of Uganda reserves the right of the Uganda Government to take any action it deems necessary to safeguard its interests in the event of Members or Associate Members failing in any way to comply with the provisions of the International Telecommunications Convention (Montreux, 1965) or the Annexes and Regulations attached thereto or should reservations by other countries jeopardize its telecommunication services.

XLV

For Pakistan:

The Government of Pakistan declares that by signature of this Convention on its behalf it reserves the right to adhere to all or to some of the provisions of the Telephone and of the Radio Regulations.

The Government of Pakistan further declares that it reserves the right of accepting the implications that might arise through the nonadherence by any other country Member of the Union to the provisions of this Convention or of its related Regulations.

XLVI

For Panama:

The Delegation of the Republic of Panama to the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) declares that the Government of the Republic of Panama accepts no financial consequences which may result from reservations made by other Governments taking part in the present Conference, concerning any aspect of the finances of the Union.

XLVII

For Peru:

The Delegation of Peru reserves for its Government the right:

1. to take such action as it may consider necessary to protect its interests, should other Members or Associate Members fail in any way to comply with the provisions of the International Telecommunication Convention (Montreux, 1965) or of its Annexes or Additional Protocols, or should the reservations made by them lead to any increase in its share in defraying the expenses of the Union, or jeopardize Peru's telecommunication services;

2. to accept or not to accept all or any one of the provisions of the Administrative Regulations mentioned in Article 15 of the Convention.

XLVIII

For the Republic of the Philippines:

In view of the reservations made by certain countries which may affect the telecommunication services of the Republic of the Philippines, the Delegation of the Republic of the Philippines in signing this Convention on behalf of its Government, formally reserves its right to accept or reject any or all of the provisions of the Telegraph and Telephone Regulations, and Additional Radio Regulations mentioned and made a part of the International Telecommunication Convention (Montreux, 1965).

XLIX

For Portugal:

The Portuguese Delegation to the I.T.U. Plenipotentiary Conference, (Montreux, 1965), *considering*

a) that Resolution No. 46 adopted by the Conference deals with questions of an exclusively political character, entirely outside the scope of the Union,

b) that the said Resolution was adopted without any decision by the Conference, under the terms of number 611 of the General Regulations annexed to the Geneva Convention 1959, concerning the question of competence, which was raised in writing by the Portuguese Delegation (Minutes of the 7th Plenary Meeting, 21 September 1965, Document No. 158), *declares*, on behalf of its Government that, in signing the Convention, it considers Resolution No. 46 to be illegal and, therefore, non-existent.

L

For the United Kingdom of Great Britain and Northern Ireland:

The Delegation of the United Kingdom of Great Britain and Northern Ireland declares that it does not accept the statement of the Argentine Delegation contained in its declaration in so far as this statement disputes the sovereignty of Her Majesty's Government in the United Kingdom over the Falkland Islands and the Falkland Islands Dependencies and the British Antarctic Territory and it wishes formally to reserve the rights of Her Majesty's Government on this question. The Falkland Islands and the Falkland Islands Dependencies and the British Antarctic Territory are and remain an integral part of the territories together making up the Member known as "Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible", on behalf of which the United Kingdom of Great Britain and Northern Ireland acceded to the International Telecommunication Convention (Geneva, 1959) on 9 December, 1961, and which is described in the same manner in Annex 1 to the International Telecommunication Convention (Montreux, 1965).

The United Kingdom Delegation also cannot accept the view expressed by the Argentine Delegation that the term "(Malvinas)" should be used in association with the name of the Falkland Islands and Falkland Islands Dependencies. The decision to add "(Malvinas)" after this name related solely to the documents of the United Nations Special Committee on the situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples and has not been adopted by the United Nations for all United Nations documents. It therefore in no way affects the International Telecommunication Convention (Montreux, 1965) or its Annexes or any other documents published by the International Telecommunication Union.

In so far as the statement of the Argentine Delegation refers to sovereignty over the British Antarctic Territory, the United Kingdom Delegation wishes to bring to the attention of the Argentine Government Article IV of the Antarctic Treaty to which both the Argentine Government and the United Kingdom Government are parties.

LI

For the Republic of Rwanda:

The Delegation of the Republic of Rwanda reserves for its Government the right to take such action as it considers necessary to protect its interests, should Members or Associate Members fail to observe in any way the provisions of the International Telecommunication Convention (Montreux, 1965) or of the Annexes and Regulations, or should the reservations made by other countries jeopardize the proper operation of its telecommunication services.

LII

For the Republic of the Senegal:

The Delegation of the Republic of the Senegal declares, on behalf of its Government, that it accepts no consequence of any reservations made by other governments at the present Conference which might lead to an increase in its share in defraying Union expenditure.

Furthermore, the Republic of the Senegal reserves the right to take any action it deems fit to safeguard its interests if the reservations made by other countries, or failure to respect the Convention, should jeopardize the proper working of its telecommunication service.

LIII

For Sierra Leone:

The Delegation of Sierra Leone hereby declares that it reserves the right of the Government of Sierra Leone to take any action which it deems necessary to safeguard its interests should Members or Associate Members of the Union in any way fail to comply with the requirements of the International Telecommunication Convention (Montreux, 1965) or should reservations by other Member countries jeopardize its telecommunication services.

LIV

For Singapore:

In signing the International Telecommunication Convention (Montreux, 1965) the Delegation of the Government of Singapore reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any country fail in any way to comply with the requirements of this Convention or should reservations by any country jeopardize its telecommunication services or lead to an increase in its share towards defraying the expenses of the Union.

LV

For the Somali Republic:

The Delegation of the Somali Republic reserves for its Government the right to take such action as it considers necessary to protect its interests, should Members or Associate Members fail to observe in any way the provisions of the International Telecommunication Convention (Montreux, 1965) or the attached Annexes and Regulations, or should the reservations made by other countries jeopardize the proper operation of its telecommunication services.

LVI

For the Republic of the Sudan:

The Delegation of the Republic of the Sudan reserves the right of its Government to take any action that it deems necessary to safeguard its interests should any country fail in any way to comply with the requirements of the International Telecommunication Convention (Montreux, 1965), or should reservations by any country jeopardize its telecommunication services or lead to an increase in its share towards defraying the expenses of the Union.

LVII

For the Swiss Confederation:

Respect for the law being a constant principle of the policy followed by the Swiss Confederation, the Swiss Delegation declares that it cannot accept Resolutions Nos. 44, 45 and 46 which it considers to be contrary to Articles 2 and 4 of the Convention.

In adopting this position, the Swiss Delegation passes no judgment on the substance of the resolutions in question, but considers that political disputes should in principle be strictly excluded from technical agencies.

LVIII

For the United Republic of Tanzania:

The Delegation of the United Republic of Tanzania reserves the right of its Government to take any action it deems necessary to safeguard its interests in the event of Members or Associate Members failing in any way to comply with the provisions of the International Telecommunication Convention (Montreux, 1965) or the Annexes and Regulations annexed thereto or should reservations by other countries jeopardize its telecommunication services.

LIX

For the Territories of the United States of America:

The Territories of the United States of America formally declare that the Territories of the United States of America do not, by signature of this Convention on their behalf, accept any obligations in respect of the Telephone Regulations or the Additional Radio Regulations referred to in Article 15 of the International Telecommunication Convention (Montreux, 1965).

LX

For Thailand:

Thailand reserves the right to take any action it may consider necessary to protect its interests if reservations made by other countries should lead to an increase in its contributory share in defraying Union expenses.

LXI

For the Togolese Republic:

The Delegation of the Togolese Republic reserves the right for its Government to take such steps as it may deem expedient should any country not respect the provisions of the present Convention, or if reservations made during the Conference or upon signature by certain Members or Associate Members should lead to situations hampering its telecommunication services or to an excessive increase in its contributory share in defraying the expenses of the Union.

LXII

For Turkey:

Turkey reserves the right to take any action it may deem necessary to protect its interests if reservations made by other countries should lead to an increase in its contributory share in defraying the expenses of the Union.

LXIII

For the Republic of Venezuela:

1. The Delegation of the Republic of Venezuela reserves for its Government the right to accept or not to accept the provisions of number 204 of the present Convention, concerning the Administrative Regulations.

2. The Delegation of the Republic of Venezuela declares that its Government reserves the right to take such action as it may consider necessary to protect its interests, should other countries not observe the provisions of this Convention.

3. The Republic of Venezuela cannot accept any consequences of reservations made to this Convention or its Annexes, which might lead to a direct or indirect increase in its share in defraying the expenses of the International Telecommunication Union.

LXIV

For the Federal Socialist Republic of Yugoslavia:

The Delegation of the Federal Socialist Republic of Yugoslavia states on behalf of its Government that it considers that:

a) the Representatives of Taiwan have no right to sign the International Telecommunication Convention (Montreux, 1965) on behalf of China;

b) the Representatives of South Viet-Nam have no right to sign the present Convention on behalf of the whole of Viet-Nam;

c) the Representatives of South Korea have no right to sign the present Convention on behalf of the whole of Korea.

LXV

For the Republic of Zambia:

The Delegation of the Republic of Zambia declares that it reserves the right of its Government to take any action that it deems necessary to safeguard its interests should Members or Associate Members in any way fail to comply with the requirements of the International Telecommunication Convention (Montreux, 1965) or should reservations by other countries jeopardize its telecommunication services.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Final Protocol in each of the Chinese, English, French, Russian and Spanish languages, in a single copy, which shall remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

Done at Montreux, 12 November 1965.

[The signatures following the Final Protocol are the same as those which follow the Convention.]

Mr. MANSFIELD. Mr. President, when the time comes for the vote on the resolution of ratification of his treaty, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, this convention had an extensive hearing, under the chairmanship of the distinguished Senator from Ohio [Mr. LAUSCHE].

The committee members, in full session, asked many pertinent questions and went over the proposal. It was reported by the committee unanimously. There is no objection to it.

Because the Senator from Ohio [Mr. LAUSCHE] is necessarily absent, he has asked me to make the following statement, which he has prepared:

STATEMENT OF SENATOR LAUSCHE, READ BY SENATOR MANSFIELD

Mr. LAUSCHE. The International Telecommunication Convention, with annexes and the final protocol thereto, were signed at Montreux, Switzerland, on November 12, 1965. Their main purpose is to replace the 1959 Geneva Convention which was approved by the Senate in 1961. Although the Convention follows the pattern of the 1959 Convention, it does contain a number of minor improvements and several modifications relating to the functioning of the International Telecommunication Union and some of its organs.

One of the principal changes effected by the Montreux Convention relates to the composition of the Administrative Council, which carries on the work of the ITU between plenipotentiary conferences. Because of the increase in membership in the ITU from 96 to 129 during the period 1959–65, it was decided to increase the membership of the Administrative Council from 25 to 29 seats, with the understanding that three of the extra seats would be reserved for the African region and one for the region of Asia/Australasia. In this connection the membership of the International Frequency Registration Board—IFRB—which is responsible for the assignment and utilization of frequencies, was reduced from 11 to five, or one for each of the five regions established for the election of the Administrative Council—the Americas, Western Europe, Eastern Europe, and northern Asia, Africa, and Asia/Australasia.

A public hearing on the International Telecommunication Convention was held by my ad hoc Subcommittee on Maritime and Telecommunications Matters on March 16, 1967. The convention was discussed by the full Committee on Foreign Relations in executive session March 20 and April 14. On the latter date it was ordered reported with the recommendation that the Senate give its advice and consent to ratification thereof. It has the approval of the Department of State and the Federal Communications Commission, and there is no opposition to it.

Mr. MANSFIELD. Mr. President, I now ask unanimous consent to have printed in the RECORD an excerpt from the report (Ex. No. 7) explaining the background and provisions of the convention.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BACKGROUND

The provisions of the first International Telecommunication Convention were drawn up in Madrid in 1932. That convention formed the International Telecommunication Union (ITU), the organization which carries on negotiations among its members and coordinates the use of all forms of international telecommunications. At its first post-World War II meeting held in Atlantic City in 1947, the ITU voted to become a specialized agency of the United Nations and made arrangements to hold plenipotentiary conferences every 5 years to discuss possible revisions of the basic convention. Since that time, conferences have been held in Buenos Aires (1952), Geneva (1959), and Montreux (1965).

PROVISIONS OF CONVENTION

The pending convention, which follows the pattern and provisions of the 1959 Geneva Convention, is divided into seven chapters. They contain provisions relating to (1) the composition, purposes, and structure of the ITU, (2) the application of the convention and regulations, (3) relations with the United Nations and with international organizations, (4) general provisions relating to telecommunications, (5) special provisions for radio, (6) definitions, and (7) final provisions regarding the effective date of the convention.

Four numbered annexes accompany the convention and are considered a part thereof. The first contains a list of countries and groups of territories which are entitled to be members of the ITU upon signature and ratification of, or accession to, the convention on their behalf. The second annex contains definitions of certain terms used in the convention and its annexes. The third contains special provisions regarding arbitration, and the fourth consists of comprehensive general regulations, including provisions regarding conferences and international consultative committees.

The final protocol to the convention contains statements, including certain reservations and understandings, made on behalf of a number of the signatories when the convention was signed. In this connection, article 15 provides that the provisions of the International Telecommunication Convention are completed by four sets of administrative regulations, namely: (1) Telegraph, (2) telephone, (3) radio, and (4) additional radio. The telephone regulations and the additional radio regulations relate either to matters of particular concern only to the European region or to matters with respect to which our Government has not undertaken to adopt extensive regulatory measures. Such being the case, the U.S. delegation reserved the position of this Government by declaring as a condition to signing the convention that the United States does not accept any obligations in respect to the telephone regulations or the additional radio regulations.

FINANCES OF THE ITU

Pursuant to paragraph 5 of article 16 of the pending convention, "Members and Associate Members [of the ITU] shall be free to choose their class of contribution for defraying Union expenses." The United States, including its separately assessed territories, contributes 55 of the 556 units contributed by all members (about 10 percent). Under this formula, the U.S. contribution to the ITU for calendar year 1966 was $496,983 against total assessments on members of $5,033,133.

The committee notes that a number of signatories to the pending convention have reserved the right not to accept any financial measure which might lead to an increase in their contributory share to defray the expenses of the International Telecommunication Union. In the committee's opinion, if the countries in question invoke these reservations, the U.S. Government should reexamine its position to determine whether to maintain its current level of contributions to the ITU. In this connection, the committee is informed that a number of countries are in arrears on their contributions to the ITU. The committee hopes that serious efforts will be made to collect these contributions and wishes to emphasize that the United States should not be expected to increase its contribution to the ITU to offset payments due from delinquent countries.

DATE OF ENTRY INTO FORCE

Article 53 of the convention states that it shall enter into force on January 1, 1967, between parties depositing instruments of ratification or accession before that date. Each instrument of ratification deposited subsequent to that date shall become effective on the date it is deposited. Each member and associate member of the ITU may denounce the convention and such denunciation shall take effect at the expiration of one year.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, for the information of the Senate, I ask unanimous consent that the vote on the resolution of ratification on the pending convention take place at 3 o'clock p.m., today.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Without objection, the convention will be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification, which will be read.

The legislative clerk read as follows:

Resolved, (Two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the International Telecommunication Convention, with annexes, and the final protocol to the convention which were signed at Montreux on November 12, 1965 (Executive O, Eighty-ninth Congress, Second Session).

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

WOMEN IN COMMUNITY SERVICE AID THE JOB CORPS

Mr. JAVITS. Mr. President, there is a vast army of volunteers throughout the country who are quietly helping to make the war on poverty succeed. These are the people who, day in and day out, without the stimulus of headlines, contribute their time and effort to better the lot of the poor.

I call attention particularly to the work of an extraordinary group of women known as the Women in Community Service, Inc., organized as a result of the initiative of the National Council of Jewish Women, joined now by Church Women United, the National Council of Catholic Women, and the National Council of Negro Women. In other words, all faiths and creeds are now represented. This group is of particular aid to underprivileged girls in the Job Corps.

It is particularly gratifying when the work of these volunteer individuals and groups comes to the attention of the press so that they may enjoy the public praise and support they deserve. On Sunday, April 16, the New York Times included an article describing the work of the Women in Community Services, Inc.—WICS—in counseling and referring young women to the Job Corps. Not only is this organization contributing a signal service in aiding these underprivileged girls get the further education and training they need, but by combining in its ranks of volunteers both white and nonwhite women of all economic groups it is opening new avenues of communication and social accommodation.

This is such an unusual exercise of private initiative in so critically important a field, and fits in so closely with my feelings that the private sector, including business, can do so much to help make the war on poverty succeed, that I ask all Senators to take note of it, and to do what they can to help these women in their work locally.

WICS has grown tremendously within the last few years and now operates 253 offices throughout the Nation. This organization has performed magnificently in service to our communities.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Volunteers Help Job Corps Girls," written by Irving Spiegel and published in the New York Times of Sunday, April 16, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VOLUNTEERS HELP JOB CORPS GIRLS—REPORT TELLS OF INFLUENTIAL ROLE OF CHURCH WOMEN

(By Irving Spiegel)

ATLANTA, April 12.—Without fanfare, a volunteer force of women is playing a highly influential role in the lives of underprivileged girls being trained by the Job Corps.

A report that vividly depicts the profound changes in the lives of the young girls because of the efforts of the women volunteers was issued here today at the biennial convention of the National Council of Jewish Women.

The volunteers call their organization WICS, for Women in Community Service, Inc. The group is composed of 10,000 women who are members of the National Council of Jewish Women, Church Women United, National Council of Catholic Women and the National Council of Negro Women.

Since they organized in December, 1964, the volunteers have screened 60,000 underprivileged 16-to-21-year-olds, the report states. Fifteen thousand were recommended to the Job Corps and 45,000 were granted personal help and referred to other programs.

NEW SKILLS ATTAINED

The report says that as of February, 1967, 4,763 girls were graduated from the Job Corps with skills that made many employable for the first time in their lives, and which gave others earning power never before possible.

The average wage of a women's Job Corps graduate is now $1.71 an hour, the report says. Typical is the report from one WICS office that cites a former domestic worker who had been employed only three days a week at 65 cents an hour. She is now working as a PBX operator at $55 a week.

A former babysitter who had been paid $15 for a 48-hour week is now getting $1.65 an hour as an electronics assembler. Among other skilled jobs at which women's Job Corps graduates are now working are cosmetologist, business machines operator, dental technician, chef and dietitian, the report says.

Mrs. William Cooper, chairman of the council's volunteer Development Committee, who is the first president of WICS, said in an interview here:

"Many of these youngsters come from broken homes, or homes where there were too many children and too many other problems for them ever to have had much personal attention. Now they found for the first time someone really cared for them."

Mrs. Cooper attributed the Job Corps' achievements to the volunteers' attention to the "whole girl" rather than merely her job training.

Job Corps officials, Mrs. Cooper said, have told her that the volunteers' personal involvement with the girls, their interest in day-to-day problems and sympathy with the girls' struggles have made a crucial difference in the girls' motivation.

ACCOMPLISHMENTS OF VOLUNTEERS

The report tells how WICS volunteers helped to iron out family problems that might have prevented girls from leaving for centers. It also tells how volunteers helped overcome health problems that had made some volunteers ineligible, how they gathered together wardrobes and luggage for girls who had none of their own and how they started grooming and birth control courses.

In one Texas town volunteers began a literary course after discovering that fathers were not signing consent forms for their daughters because the fathers were illiterate.

The report tells of close cooperation between white and Negro volunteer women, especially in the deep South. It quotes a letter from one WICS volunteer that said in part:

"For the first time in our state, avenues of communication are open and opportunities for meaningful dialogue are being made possible. Heretofore, even the possibilities of changing hard and fast mores were not available.

"The customary contact between women of the two races was only on an employer-employe basis, and mostly in domestic employment. Now, because of the local WICS, women of both races are working side by side sharing the problems and joys of this valuable project."

From a modest beginning, WICS now operates 253 offices across the country. Of this number, 69 were opened since last January when the Office of Economic Opportunity recognized the success of the women's corps by raising the percentage of girls in the total Job Corps from 10 to 23 per cent.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Are we now in the morning hour?

The PRESIDING OFFICER. The Senate is considering routine morning business.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

PRIORITIES OF PROBLEMS INVOLVED IN SILVER

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the name of the Senator from Idaho [Mr. JORDAN] be listed as a cosponsor of S. 925, the silver reserve bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, this is the fourth statement I have made this year on the priorities of the problems involved in silver. As the silver situation becomes more critical, I will undoubtedly feel compelled to make additional statements on this subject.

I think that most Senators are aware of my interest in the silver situation and my concern over the silver situation.

My basic concern is that unless we take some immediate constructive action, we will wake up and discover that we have no silver left in our treasury reserves. Silver is a commodity which is needed for defense purposes.

It was for that reason that I introduced legislation for a stockpile set aside of 165 million ounces. That is the amount of silver needed to meet our defense stockpile objective as established by the Office of Emergency Planning.

I reported to the Senate on March 16, that as of March 10 we had only 112,974,825 ounces of free silver left in our treasury reserves.

Mr. President, as of April 11, just 1 month later, we have only 95,584,540 ounces of free silver remaining. Our supply has decreased in the period of from March 10 to April 11 in the amount of 17.3 million ounces.

Our Nation's silver reserves are being used as a private mine by the commercial and industrial silver users at the expense of the defense of this country.

The Treasury Department has refused to take action to set aside silver for our defense stockpile. In the meantime, our silver reserves are being depleted by commercial purchasers at an alarming rate.

If no action is taken to stop this outflow of silver, we will find ourselves in the very position that I have tried to describe to Congress for, lo, these 5 years.

I introduced the set-aside bill, S. 925, on February 8; yet, to date, none of the departments downtown have sent their reports on the bill to the Banking and Currency Committee as requested. This to me demonstrates their lack of concern over the problem.

This is not merely a westerner talking about silver production. This is a U.S. Senator talking about the defense of our country. We need this silver for our Polaris submarines and other defense activities. We do not now have enough silver available to meet the stockpile objective for our national defense.

It seems to me that it is past time for the Treasury Department to stop being simply a receptacle for the wishes of the commercial users of silver in this country and that it is past time for it to start thinking about the defense needs of our country.

Mr. President, Congress, in its wisdom, and as part of the Silver Coinage Act of 1965, provided for the establishment of a Joint Commission on Coinage.

The congressional members of this Joint Commission on Coinage have been appointed since shortly after the passage of that measure. However, the President has failed—and I will not say refused, but he has certainly failed—to appoint any of the public members. Consequently, the commission, which is supposed to determine silver policy, simply has not been in operation and has never been given the opportunity even to meet.

It seems to me that, in view of the problems dealing with our defense needs for silver and our rapidly decreasing supply of silver, the President should take action as soon as possible to appoint the necessary public members. It is imperative that the joint commission should begin to function in order that it can develop and recommend long-range silver policies with respect to coinage, defense, and sales to the industrial market, as well as what we should do about prohibiting export of silver if that should prove advisable.

I am somewhat appalled at the fact that the administration has failed to take action on the appointing of members to serve on a very important committee that has been authorized by Congress; a committee which is supposed to be determining policies with respect to this problem instead of merely having a policy determined by the say-so of the Secretary of the Treasury who seems to be listening only to the silver users association.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NUT ATTACHED TO THE STEERING WHEEL

Mr. GRIFFIN. Mr. President, despite the increased emphasis on auto and highway safety, the number of fatal highway accidents in the United States continues to climb. Last year, 52,500 people were killed in automobile accidents—an increase of 7 percent over the 1965 figure.

In Michigan alone, 2,296 persons lost their lives in highway accidents in 1966.

Of particular significance, in view of these developments, is a detailed study recently conducted by the Automobile Club of Michigan which focused on 20 percent of the fatal accidents occurring in my State in 1966.

The deaths occurred last July and August as well as on the weekends of Memorial Day, Fourth of July, and Labor Day.

The auto club, which represents 750,000 Michigan motorists, investigated and thoroughly analyzed accidents involving 435 fatalities. On the spot inspection visits were made to the sites of 109 accidents in which one or more of the deaths occurred.

The study made by the automobile club indicates that there were eight major causes of the accidents. Heading the list of prime causes were drinking and speeding. The study also revealed that motorcycles and motorbikes were involved in a disproportionate number of the accidents.

Almost half the drivers involved had the following qualities in common: They were male, under 30 years of age, and were killed in single car mishaps. In addition, they were driving too fast, drinking too much, not wearing seat belts, and they were on a nonholiday trip within 25 miles of their homes.

As a part of its report, the Automobile Club of Michigan strongly recommended that the Federal Government focus much more attention on the driver and his behavior rather than the automobile.

The following statement contained in the report is particularly significant:

> National press emphasis has been fully on the vehicle, which causes relatively few accidents, and to which little can be done to cut accidents significantly. It should be shifted to the major cause, the driver. Most of what is being done to improve safety in cars (and we approve of it) will have no effect on cutting accidents, though it may cut deaths and severity of injuries.

I have often said that overemphasis on one part of the total safety problem has the effect of leading many people to believe, mistakenly, that treatment of this one factor, alone, will cure or greatly reduce the problem.

On the contrary, study after study, including this one by the auto club of Michigan, reveals that it is the "nut attached to the steering wheel" who is at fault in about 90 percent of the accidents. We had better get about the business of focusing attention upon the driver and his behavior instead of deluding ourselves with the idea that accidents can be eliminated by making a "whipping boy" out of the automobile manufacturer.

The Auto Club of Michigan should be commended for undertaking this exhaustive study. The results of its study have been recorded in a comprehensive 61-page booklet entitled "How To Bring More Back Alive."

Fortunately, an excellent summary of the findings and recommendations contained in the booklet has been set forth in a letter to Dr. William Haddon, Jr., from Mr. Frederick N. Rehm, general manager of the Automobile Club of Michigan. Mr. President, I ask unanimous consent that the letter be reprinted at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MEMBER: AMERICAN
AUTOMOBILE ASSOCIATION,
Detroit, Mich., March 15, 1967.

Dr. WILLIAM HADDON, Jr.,
Administrator, National Highway Safety Agency, U.S. Department of Commerce, Washington, D.C.

DEAR DR. HADDON: Thank you for inviting us to comment on state traffic safety standards. We wish you well in your huge task of cutting traffic deaths.

Attached are several copies of a study of auto deaths that we have just completed. We think the study is unique, in that we have visited the scenes of almost 20 percent of the deaths in a state for a year, analyzed the accidents to determine as well as is possible their causes, and set out to find ways of preventing them.

We listed all eight causes in order of their importance. We searched out all the solutions other states had tried for preventing these causes. And we decided what we feel are the best solutions for Michigan.

We think the study has national application, for most of the causes would be the same in most states, and in general most of the solutions would probably be the same. For these reasons, we think it has application to the proposed standards for state highway programs you have invited us to comment on.

Here are the causes and suggestions in brief:

1. Finding: Drinking was involved to some extent in 44 per cent of 363 fatal accidents.

Auto Club position: A Drinking Driver Law as part of a program of detection, rehabilitation and prevention.

2. Finding: The point system is not keeping the incorrigible driver off the road.

Auto Club position: More and longer mandatory suspensions, higher point levels for repeaters, limited restoration of licenses.

3. Finding: Nearly 70 percent of all fatals occurred on two-lane roads.

Auto Club position: Scientific speed studies on all two-lane county roads, leading to realistic speed limits; traffic engineers or technicians for all counties or groups of counties.

4. Finding: Young drivers (16–18 years old) were responsible for a disproportionately large number of these fatals.

Auto Club position: Require parent or guardian to accompany new under-18 driver at all times for first 90 days and after dark for rest of first year.

5. Finding: Eighty-nine percent of the fatalities involved some basic law violation—indicating that many motorists do not have adequate knowledge of the laws.

Auto Club position: Uniform statewide licensing by Secretary of State; written examination at each license renewal.

6. Finding: Vehicle defect as an accident cause appeared to be practically nonexistent to our investigators—although they are not engineers.

Auto Club position: Give new state police vehicle inspection system time to work before taking any action on a compulsory vehicle inspection program.

7. Finding: Incompleteness of accident forms alone indicates police manpower shortage and lack of in-service training.

Auto Club position: Increase size of state police force, amount of time devoted to road patrol; institute statewide police traffic training program.

8. Finding: Motorcycles and motorbikes were involved in disproportionately large number of fatalities, and fatality rate is growing much faster than their actual numbers.

Auto Club position: Study present and anticipated future use of highways by motorcycles and motorbikes: Study possibility of special cyclist license. Educate the general driving public to the rights and prerogatives of the cyclist.

We believe much can be done in these areas toward improving the driver for less money than some programs which have been advanced. And we believe compulsory motor vehicle inspection should be placed far down the priority list, in keeping with our findings. We find no evidence indicating compulsory motor vehicle inspection has proven itself effective anywhere—as your preliminary report indicated—either in improving condition of vehicles or cutting accidents.

We feel our credentials are good: Our Safety and Traffic Department has for many years been spending about half a million dollars a year in Michigan on safety patrols, driver education, traffic surveys and spot studies, pedestrian protection, etc. Its 15 men are trained traffic analysts, and they have been aided in this study by a recently-retired 20-year veteran Michigan State Police officer. Michigan State Police, sheriffs and local police along with the Secretary of State department, cooperated wholeheartedly on our study.

It began with separate studies of the deaths on each of the three long holidays of 1966. We felt we did not have enough of a sample in these three holidays to be representative of a year, so we studied all the deaths in July and August also. Among other things we think unique in these studies is that we checked into the driver-records of those involved in all the fatalities, and found that motorists who caused 15 percent of the deaths were among the worst two percent of drivers. They have demonstrated by past performance that they have no business on the road.

Our study leads us to two conclusions which apply now to the nation's efforts to cut traffic deaths:

1. National press emphasis has been fully on the vehicle, which causes relatively few accidents, and to which little can be done to cut accidents significantly. It should be shifted to the major cause, the driver. Most of what is being done to improve safety in cars (and we approve of it) will have no effect on cutting accidents, though it may cut deaths and severity of injuries.

2. A priority system must be set up to determine which safety steps should be taken first, based on which will cut accidents fastest, and which deal with the most serious causes of accidents. The amount of money available for safety is not unlimited, and the total bill may be unsupportable and impossible in our diverse society. With a priority system, we can achieve more with our funds. It might be best to let states set their own priority systems, based on your guidance and their present programs.

Our investigators found in our study that some basic law violation on the part of the driver was the primary cause of 89 percent of the fatal accidents. Pedestrians were judged at fault in another 8.5 percent; and error by cyclists caused another 1.9 percent. This covers nearly 99.5 percent of the traffic fatalities we examined.

That is why we cheer the section of your activity devoted to highway safety and the driver, and hope that more attention will be given to its activities by the press in the future. For the beneficial effect on the traffic accident picture of education, selective enforcement and engineering has been proven many times.

Certainly through no fault of your agency, a great deal of attention has been given by the press to the area of the vehicle in safety, and very little to the road and to the driver. This is unfortunate, for even when the perfect vehicle is built—if it ever is—there will still be accidents.

While we rightly remove the hood ornaments from autos in the quest for greater highway safety, we in most cases hesitate to remove proven bad drivers from the road.

While we rightly insist that dashboards "give" on impact, we still do not identify the driver who will not "give" at an intersection.

While we rightly insist that autos meet set national standards, we make no such comparable demand of drivers or the laws which govern them. (No two states' school bus laws are the same, for instance.)

And while we correctly insist that all of today's new autos meet the latest state of safety perfection, we allow them to be driven by old fashioned, horse and buggy drivers, on old fashioned horse and buggy roads.

The subject of traffic safety has always been charged more with emotion than fact, and almost everyone is a self-styled traffic safety expert. Unfortunately, there are far too few persons trained in the science of traffic engineering. Only four of Michigan's 83 counties have traffic engineers. And of the 24,000 miles of two-lane hard-surfaced county roads in Michigan, only 4,000 have been scientifically studied and speeds posted after engineers have checked them. This may hold true in most states.

And 70 percent of the deaths we studied occurred on two-lane roads, 41 percent due to speed too fast for conditions. Here is something which can be attacked with real expectation of the results.

Our engineers and analysts made a unique study of a Michigan county (Cass) in 1961. With only a small expenditure of money, but a lot of "housekeeping," as a result of this study, this county cut its deaths 20 percent in two years, while deaths were rising in surrounding counties. Among other things, Cass County contained eight one-lane bridges on two-lane hard-surfaced roads. Four have been rebuilt to safety specifications.

We are pleased to note you have been given authority to waive certain standards where states are experimenting on programs which are designed to attack certain problems. Vehicle inspection is a good example of why we are pleased with this. Michigan and California are engaged in a new spot-check vehicle inspection program. Michigan's is run by the State Police. It has the virtue of costing very little money, requiring no large capital outlay to start, causing the motorist very little delay or inconvenience in going to an established check lane. It also practically eliminates dishonesty on part of persons who deal out the inspection station licenses, eliminates building a big bureaucracy in the government, and eliminates mechanic-inspectors who take a fee for giving an ok sticker. These are reasons we have found why some states have abandoned vehicle inspection.

We commend the national interest which has made your department possible and we wish you every success. We would be glad to assist in any way we can in explaining our studies further.

Most sincerely yours,

FREDERICK N. REHM,
General Manager.

ENFORCING HIGHWAY BEAUTIFICATION

Mr. INOUYE. Mr. President, improving the appearance of vast stretches surrounding the 265,000 miles of Federal-aid highways in the country is a formidable task. There are more than 17,500 automobile graveyards, junkyards and scrap metal heaps along these main roads and streets. And there are countless billboards to blot out the scenery and intrude a commercial message on passing motorists.

The Highway Beautification Act, passed by Congress 2 years ago, is the tool with which the Government can help to restore national beauty to the endless miles of our roadways.

Under the law, States are required to compensate billboard owners for any signs removed. The Federal Government is paying 75 percent of this expense. This is more than reasonable, in my judgment. Yet the sad fact is that to date not one State has enacted legislation that meets Federal standards of billboard control. The penalty for failure to do so will be the loss of 10 percent of highway aid next January.

In an editorial April 16, the New York Times urged enforcement of the 10 percent penalty provision. While opposed to reimbursement, the Times rightly notes that "the essence of the billboard control law must be retained" if highway beautification is to become a reality instead of a goal.

I ask unanimous consent to insert into the Record the Times editorial entitled, "Ransoming the Scenery."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 16, 1967]

Ransoming the Scenery

The billboard industry, like many other private enterprises, is largely dependent on the public investment in tens of billions of dollars in highways. It would seem elementary that the public, having built the roads, has the right to view the scenery that those roads open up. But that is not the industry's attitude. It is holding out for a $560-million ransom payment to let the public see its own scenery.

When the Highway Beautification Act was enacted two years ago, the billboard lobby persuaded Congress, over the Administration's objections, to require the states to compensate the billboard owners for any signs that had to be removed. Washington had to reimburse the states for 75 per cent of this expense.

This reimbursement provision is anathema to the more progressive states which for decades have been regulating billboards under their zoning powers without offering compensation. The New York Court of Appeals last month affirmed the principle that the state could regulate billboards without reimbursement. In any case, the overwhelming share of this Federal money would go not to the farmers and other landowners who rent their land but to the companies that own the signs.

The billboard industry would, of course, rather not give up locations even for a price. The upshot is that, under the watchful eye of the billboard interests, not a single state has yet enacted legislation that meets Federal standards for control. The penalty for failure to do so will be the loss of 10 per cent of their Federal highway aid next Jan. 1. But Representative John Kluczynski, chairman of the highway subcommittee of the House Public Works Committee, has written the fifty Governors, grandly assuring them that the deadline will be waived.

Congress has no justification to spend taxpayers' money to ransom back scenery that belongs to the public by right; the mandatory reimbursement provision should be repealed. At the same time, the essence of the billboard control law must be retained. Secretary of Transportation Boyd might move Congress in the proper direction if he informed the states that, Mr. Kluczynski notwithstanding, the 10 per cent penalty will be enforced next Jan. 1.

TOURISTS AND HOTEL ACCOMMODATIONS

Mr. PELL. Mr. President, I should like to call the attention of the Senate to what I regard as a lamentable case of mismanagement in accommodating the great influx of tourism which is such an important part of the life of our Nation's Capital City at this time of year.

The case in point involves 80 junior high school students and their faculty advisers from Goff Junior High School in Pawtucket, R.I., who were advised on arriving in Washington last night that their hotel reservations, made nearly 8 months ago, had been cancelled because the hotel simply did not have the space.

Fortunately, I am happy to report, the management of the Sheraton-Park Hotel had made alternative arrangements, which after several intervening phone calls from the night duty staff in my office, proved at least temporarily acceptable to the group.

But no amount of alternate arrangements can quite make up for the disappointment and initial impression of shabby treatment inflicted on the 80 students who had been planning and looking forward to this visit to their National Capital for over a year. Nor can it make up for the acute distress of responsible faculty advisers who had made reservations in good faith last fall, made followup arrangements a month ago and final confirmation last week. The logistics of bringing a school class to Washington are never simple or easy, and I am convinced that in this case the faculty members of Goff Junior High School had left no stone unturned in preparing responsibly for a well-planned tour. They had every reason to expect that Washington's reputable tourist facilities would not let them down.

Mr. President, it seems to me that the tourist and hotel facilities in the National Capital area have a very special responsibility to the thousands of schoolchildren who come here every year from all parts of the country. There surely must be some way that a great hotel with a national reputation can guarantee with absolute certainty that it can make good on reservations made and confirmed well in advance. It seems to me that the Metropolitan Washington Board of Trade and other interested groups should take prompt steps to assure that the plight of the students from Goff Junior High School will not be repeated.

Mr. President, I ask unanimous consent that an article from the Washington Post relating to this matter be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Apr. 18, 1967]

Rhode Island Students Stage Sit-in When Hotel Fails To Fill Reservations

(By Jean R. Hailey)

There was no room at the inn, so 80 weary junior high school students sprawled out on the floor for several hours last night in the crowded lobby of the Sheraton-Park Hotel.

The tired travelers from Pawtucket, R.I., arrived in two buses around 6 p.m., ready to shed their suitcases in their rooms and start a long-awaited sightseeing jaunt through the Capital city.

Instead, they were met at the door with a "sorry, you have no reservations here."

Hadn't they first made reservations for the group of youngsters of Goff Junior High School as early as last October? Hadn't they checked just last week and received confirmation by telephone and wire from the hotel?

They had, embarrassed hotel officials acknowledged, the foulup was strictly the hotel's fault. Apparently its reservation office hadn't set aside the rooms.

The officials were quick to explain that they had arranged for other rooms at the Woodner Hotel.

This was unsatisfactory to the chaperones, particularly to English teacher Joseph P. Kelly and his wife, who had arranged the trip and had three of their own youngsters in tow. Equally displeased were Assistant Principal Michael Kenny and his wife, accompanied by six of their children. Very upset was Principal Leonard Girouard and his wife.

So the big sit-down ensued right in the middle of the main lobby, with only a break for an hour's supper at 7:20 p.m.

The students returned at 8:20 p.m. and were told to plunk themselves down again.

A truce was finally declared shortly after 9 p.m. when the resident manager, L. Norden Schwiebert, came to the lobby.

Schwiebert explained that a number of guests had failed to check out as expected but that the hotel would have room for the youngsters this morning. Their visit is scheduled to last until Thursday.

So the unhappy youngsters trooped back to their buses and headed for the Woodner to spend the night. The chaperones were armed with a note signed by Schwiebert that $200 would be cut from their Sheraton-Park bill because of the inconvenience.

SENATOR JENNINGS RANDOLPH LAUDS EVENING STAR EDITORIAL ON "THE FLAG BURNERS"—COSPONSORS SENATOR DIRKEN'S BILL TO MAKE DESECRATION OF FLAG A CRIMINAL OFFENSE

Mr. RANDOLPH. Mr. President, I read with interest last night the fine editorial in the Evening Star, entitled "The Flag Burners." It was brought to my attention that early in this session, the distinguished Senator from Illinois [Mr. Dirksen] introduced S. 515, to make desecration of the American flag a criminal offense, and I have today requested that at the next printing of this bill my name be added as a cosponsor.

Since the Star editorial was so thoughtful, I would like to call it to the attention of Senators who may not have seen these comments yesterday, and I therefore ask unanimous consent that "The Flag Burners" be printed at this point in the Record.

There being no objection, the editorial was ordered printed in the Record and follows:

The Flag Burners

It takes something out of a pleasant spring Sunday to pick up the newspaper and see the American flag being burned in New York's Central Park by a crowd of half-wits.

Still, in our society, there needs to be a place for the imbeciles—for the flag burners, those who burn their draft cards and the like. How they get away with this moronic activity is something of a mystery, since a man who has burned his draft card certainly is in violation of law, and if there is no law which makes it illegal to burn the flag there ought to be. In the United States, however, these so-called protest demonstrations have to be tolerated. And this despite the fact that they undoubtedly delight the men in Hanoi and Peking, and in spite of the probability that they will cost American lives in a prolonged war. The only alternative to tolerance would be to forcibly suppress them, and this would cast our country in the role of the totalitarian states, which seem to claim the first loyalty of many if not most of the demonstrators.

According to the news reports, a total of some 185,000 people turned out for Saturday's shameful performance. At first blush, this may seem like an impressive number. But it isn't, really, for what it means is that for every American who joined the demonstrations, something like 999 stayed away. Thus, the voice of the lunatic fringe, while shrill, does not begin to speak for the people of this country. If 185,000 Americans took part in the protest, something more than 185,000,000 did not. And those who were revolted by the Saturday spectacle will simply have to hold their noses and learn to live with this sort of thing.

PRAISE FOR SENATOR McGEE'S SUPPORT OF THE PRESIDENT IN VIETNAM

Mr. INOUYE. Mr. President, the distinguished senior Senator from Wyoming has received warm praise from the Wyoming Eagle for his recent speech supporting the President's conduct of the war in Vietnam.

The Senator said:

> Meddling of amateur diplomats in the effort to achieve an end to the war in Vietnam has proven even more foolish and more irresponsible than at first blush.

He urged the Nation to give support to the President and provide him with "our confidence rather than our criticism, our support rather than our silence, our backing rather than our political brickbats."

The Wyoming Eagle, in an editorial, "thoroughly agrees" with these views.

The editorial declares:

> We believe the time has come for critics to put away their megaphones or at least, as Senator McGee has suggested, "show some restraint."

The Eagle also declared that President Johnson has the overwhelming support of the American people in his policy of "prudent firmness under careful control" while "seeking an honorable peace by every means."

I ask unanimous consent to insert this editorial, of March 28, 1967, in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Cheyenne (Wyo.) Eagle, Mar. 28, 1967]

A Swing at the Critics

Wyoming's senior Sen. Gale McGee, one of the foremost foreign relations experts in the U.S. Senate, has taken a swing at critics of President Johnson's policies in Southeast Asia.

He warned that "meddling of amateur diplomats in the effort to achieve an end to war in Vietnam has proven even more foolish and more irresponsible than at first blush."

He charged that critics of the administration were "making it possible for some in North Vietnam to believe that if they will only hold out a little longer, a divided America will weaken its stand and seek a solution favorable to Hanoi's ends."

"I think it is time for our amateur diplomats to show some restraint," the senator said. "I think it is time for them to weigh most carefully the meaning and impact of their sometimes ill-concidered statements."

McGee urged his colleagues to give President Johnson "our confidence rather than our criticism, our support rather than our silence, our backing rather than our political brickbats."

We thoroughly agree with Senator McGee.

Experts have agreed for sometime now that the enemy in Vietnam knows he cannot win. They also have agreed for sometime that one of the enemy's only remaining hopes is that the United States will get tired of fighting and pull out.

Those hopes are nurtured, to a considerable degree, by public statements of the so-called "hawks" and "doves" right here in these United States. Critical public statements—by those who would have us plunge forward in escalation of the war and by those who would have us turn our backs on our commitments and pull out—apparently are being misinterpreted by the Communists as an indication of disunity.

No one, of course, disputes the right of individuals or groups to criticize our policies in Vietnam. But in assuming the role of critics—setting themselves up as experts—they also make themselves subject to criticism.

We believe the time has come for the critics to put away their megaphones or at least, as Senator McGee suggested, "show some restraint."

Meanwhile, we would remind that it is the President of the United States who must make the important decisions. The heavy responsibility is his. And he has the assistance of the best experts available.

He also has the support of the overwhelming majority of American citizens in his policy of "prudent firmness under careful control" while seeking an honorable peace by every available means.

UNIFICATION OF RESOURCE MANAGEMENT

Mr. NELSON. Mr. President, nowhere is there a more unquenchable flame of enthusiasm for the preservation and proper management of America's natural heritage than among the members of the Sierra Club, the great conservation group founded by John Muir in 1892.

It was to be expected, therefore, that this group should be among the first to seek out the details of the proposal made by the distinguished Senator from Utah [Mr. Moss] to establish a Department of Natural Resources in which the work of all of the agencies, bureaus, commissions, committees, and councils charged with saving our renewable and nonrenewable resources can be centered.

Senator Moss made his case for the unification of natural resource management at the 1967 Sierra Club wilderness conference in San Francisco on April 8—an exposition which won him a standing ovation from his audience.

He pointed out that despite the many conservation bills which Congress has passed, the millions which have been appropriated to save our lands and our forests and our mountains and rivers and our seashores and our wildlife and our wilderness and our white water and our mineral and even our clean air—

> In many areas our air is filthy, our rivers, lakes, and streams debris-strewn and polluted, our landscapes hideous with billboards and old cars, our national and state parks as noisy and crowded and smoky as cities during the summer caravan, our redwoods 80 percent gone, our soil and forests bulldozed and covered with concrete highways. One of the places that we have gone wrong—

Senator Moss said—

> is that we have lacked a coordinated, sychronized effort in all Federal Departments.

He called his proposal for a Department of Natural Resources "an idea whose time has come."

I ask unanimous consent that the speech Senator Moss made before the Sierra Club be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A Department of Natural Resources

(Address of Senator FRANK E. MOSS, (D., of Utah), 1967 Sierra Club Wilderness Conference, San Francisco, Calif., April 8, 1967)

I particularly welcome this opportunity to address the 1967 Wilderness Conference of the Sierra Club because it allows me to thank all of you personally for the magnificent work you have done in conservation since the club was founded by the great John Muir in 1892.

For seventy-five years you have been dedicated to preserving American beauty. Your farsightedness in launching this crusade—your commitment to preserving the spiritual values of nature at a time of frenzied industrialization and production of material wealth—your valiant affrays in defense of "the eagle and the mockingbird of the wilderness"—all of these and more attest to your importance in the stream of American society.

I must also mention your handsome publications. One of my favorites is in Wilderness is the Preservation of the World, with quotations from that apostle of the wilderness, Thoreau. These publications bring to many an urban dweller a world unknown—a world filled with nature's magnificence and majesty. The imagery and inspiration of these themes is held quietly to be recalled in days of stress, smog, noise, and the blare and cry of ordinary living in an uglified, crowded, industrialized workaday world. Many who ponder your beautiful books may never see in person the wonders they depict, but to know that such places do exist—and in America—is to be reassured of our heritage and of our common life with nature. If parents do not view these wonders, the Sierra Club has helped to assure that their sons may, because the beauty will be saved "from generation to generation." The Sierra Club is and has been a missionary, a bold, wise, and salubrious influence in the political, personal, and historical life of the United States.

When one reflects on the controversies that occupy "political" man's mind and activities, it is more than a little startling to realize that conservation of the country's natural resource base should be one of the most intense. To you and to me, it appears that reason and sensitivity would naturally dictate the preservation of such things as the giant redwoods, as the Indian pictographs in the Canyonlands of Utah, as the bleak High Sierra Nevada habitat of the nearly extinct California condor, as the ruggedness of the North Cascades, as the aquatic life of the Everglades, and as the glistening untrammeled world of seashore.

The logic of saving what can be saved of America's wilderness should be obvious, for the reason that it is not a renewable resource. If man shrinks and destroys the primeval, he can never recreate it. It is gone forever. But there are user groups in politics and society at large, who do not take the "forever gone" view of their actions. It is only in recent years that "the bird watch-ers, the photographers, the campers and the climbers are making themselves heard above the chain saws and the bulldozers." They have determined that we shall not be overwhelmed within sterile horizons.

I am encouraged, as I know you are, to find signs all over America today that indicate a turning away from perpetual exploitation, perpetual destruction, perpetual over-development of the American earth. There is a growing awareness among the citizenry that to conquer and to alter and to utilize for profit every square mile of the United States is not to create, to establish and to maintain the best possible homeland for Americans. This message, I can assure you, is coming in strong to Members of Congress. Certain user groups, who have seemed to believe in economic growth at any price, are presently listening to the organized, sophisticated, and articulate conservationists like yourselves, who stand firm for what the future good society must include in its master plan. What is left of America's wild beauty is a central objective of modern conservation, so I am hopeful that we will not need to say a century from now what Thoreau said a hundred years ago, "Thank God they cannot cut down the clouds." This is not to say that all natural resources development should cease. Obviously, man's economic well-being and achievement of the good life requires metals, timber, water, energy, and fuel supplied from our natural resource bank. What I do say is that discrimination and judgment must prevail. Both wilderness and development are valuable. Neither must be throttled.

But, the pendulum having swung far toward unchecked economic exploitation, is now swinging back.

One of the permanent and notable achievements of the 88th Congress was its adoption of the Wilderness Act. That act extended protection to a vast acreage of National Forest land that had already been classified as wild, or wilderness. It also provided for review of other lands in the National Forest System, the National Park System, and the Fish and Wildlife Refuge System to determine which of those areas could properly be classified for inclusion in the wilderness system. That review is still going forward in the Departments of Agriculture and Interior. Each year since the passage of the Wilderness Act in 1964, a number of individual bills have been sent up to the Congress for inclusion of specific areas in the wilderness system, and others will continue to come.

As far as the success of these bills is concerned, the Sierra Club cannot afford to slacken its vigil nor lessen its endeavors to get them passed. Your opponents from within and without Congress continue to press their philosophies with slogans of "sterile bondage", the "Freezing of Vast Acreages in Static Preservation", "Full Development Under Dynamic, Multiple-Use Management", "Ecological Purity is a Dream of the Past: 'Civilization' Must Have Priority", and many, many other charges.

On January 11 of this year in Chatham, Massachusetts, a public hearing was held on a proposal of the Bureau of Sport Fisheries and Wildlife to classify a small island called Monomoy as "Forever Wild". Monomoy is permanent home for no human beings. It belongs to the yellowlegs, plovers, sanderlings, and other shorebirds, to the Canada Geese, and the Black Ducks, to the Warblers and the Terns. Over 300 species of Birds have been observed on this ornithological wonderland. The hearing on Monomoy was important, not because practically nothing on the island will be changed, but because if the preliminary proposal on it is ultimately approved by the Congress, the island will be permanently protected from the automobile causeway that some wanted to build between it and the mainland, no yacht harbor will be constructed, and the beach will not be overrun with vehicles. It will be for the far-stretching future a wild place where visitors may come by small boat to fish, stroll the sands, watch the birds, collect shells, picnic—and then leave Monomoy to the wash of the Atlantic and the probing of the sea winds.

I mention Monomoy because it is the first proposal that the Bureau of Sport Fisheries and Wildlife has made under the 1964 Wilderness Act. The Forest Service is developing similar proposals for what are now called "primitive areas" in the national forests, and the Interior Department is working on proposals for every roadless area of 5,000 acres or more within the national parks, wildlife refuges, and game ranges. Since there are more than 150 such areas and the law requires that at least one-third of them shall be reviewed within 3 years. The deadline for the first 50 hearings will be September 1967. The Sierra Club will have a lot of work—and hearing witness—to do in the next few months. You will find country-wide support and participation by interested citizens who are resolved that they will have a hand in determining the uses to which America's yet "undeveloped land" is devoted.

The President himself, in transmitting to the Congress the second annual report on the status of the national wilderness preservation system, called the maintenance of our existing wilderness system a "priority program of the Federal Government." He stated that "the period of expansion and exploration, the great era of successive western frontiers, has now become a part of our American past." Recalling that past, the President noted that the pioneers of our American history regarded the wilderness as a foe to be conquered, but today's pioneers have a new purpose—"to preserve some remnants of that wilderness from the onrush of modern civilization." The axe and the plow that made farms and pastures out of the seemingly inexhaustible forests have been replaced by the more subtle pressures to preserve and keep and the upsurge of determined public opinion which demands "that we maintain our wilderness birthright."

One paragraph in the President's statement pinpoints a problem that I feel particular concern about solving. This is what the President said on February 14, 1966: "Legislation is one thing; administration is another. The executive branch must fulfill its responsibility with commonsense and imagination."

We in the Congress have accomplished a great deal in conservation legislation. The Congress has appropriated millions and millions of dollars to carry out that legislation. Resource agencies in great number have been created in just about every Federal department of the United States Government, except the Post Office. The Congress had nodded "yes" to proposals for saving land, saving forests, saving mountains, saving rivers, saving seashores, saving fish, saving wildlife, saving lakes, saving wilderness, saving white water, saving minerals, and even saving clean air.

Despite all this legislation, all this concern, all this expenditure, all this good intention, the facts are that in many areas our air is filthy, our rivers, lakes, and streams debris-strewn and polluted, our landscapes hideous with billboards and old cars, our National and State parks as noisy and crowded and smoky as cities during the summer caravan, our redwoods 80 percent gone, our soil and forests bulldozed and covered with houses and concrete highways.

Last year I made a proposal in the Senate to establish a department of natural resources. The bill did not go anywhere last session. I have re-introduced it as S. 886 in the 90th Congress on February 7, 1967, and am hopeful that it is an idea whose time has come. It is my conviction that the place—one of the places—where we have gone wrong in our conservation efforts is that we have lacked a coordinated, synchronized effort in all the Federal departments and agencies where responsibilities have been widely delegated and then jealously guarded, and never have been looked at as pieces of a whole plan to save our natural habitat. Like the ecological unity in nature, I am persuaded that we need unification of natural resources management in government.

There has been no dearth of strictures about current methods of dealing with natural resources problems. In the legislative acts of the Congress, goals for conservation have been clearly enunciated. Agencies, bureaus, commissions, committees, and councils almost unending, have been created to help attain the goals. Yet all this activity and delineation of purpose have not been adequate to assure us that our renewable and non-renewable resources will be adequately managed to meet the prodigious demands of this generation and those to come.

As the President so wisely said: Legislation is one thing; administration is another. In past years, any suggestion that the methods by which we handle our resources should be reorganized has met vehement opposition. The opposition has come not only from those interests who directly obtain economic benefits from literally "eating the nation out of house and home." The functionaries of the agencies have strenuously objected to reorgaization too. This is ironic, inasmuch as the agencies were created to preserve and protect the public interest and to keep our small part of the planet in condition for our health and enjoyment. The departments concerned with natural resources were created to deal with problems of our land, forests, minerals, and waters not only in terms of what economic gains could be derived from them, but to save our heritage of natural beauty and wide open spaces for pleasant living. In some cases, however, this goal has been lost in the building of ever-widening empires of overlapping, fractious, duplicating, and contradictory bureaucracies.

The problems of management of resources have today become too urgent to permit the organization and direction of them to be bogged down in the old status quo thinking of federal administrators or to be dissipated for the private gain of business organizations and individuals. I guess it is our long and historical background of pioneering that has lashed us to the juggernaut of perpetual growth—industrial growth, population growth, material wealth growth—so that we are only in recent years waking up to the fact that the enslavement of more and more of our natural riches means there will be less and less of them free for our children and our children's children. We are even thinking sometimes that more and more material wealth and more and more people are in acute conflict with our own notions of the good life. Unless we stabilize our population we may not be able, in the long run, to save our wilderness and wild life.

One of my favorite conservation stories is about Uncle Joe Cannon. He was that venerable and intransigent speaker of the House of Representatives at the time President Theodore Roosevelt was launching an American conservation movement. On hearing about Roosevelt's plans and requests of the Congress relating thereto, Uncle Joe commented firmly, "not one cent for scenery." But Cannon's law has been repealed. And the law of "appropriative rights" which has been applied to the programs administered by the federal agencies must also be repealed.

The prerequisite to Federal—or national—leadership in natural resources conservation is a permanent and coordinated department that will deal with all aspects of policy and program as a whole. Natural resources are interdependent in nature, and it seems to me that this concept must be applied to man's management of them.

It will take considerable soul-searching and give-and-take to reach a meeting of minds in Washington and all over the country to bring all of the natural resources activities into one Federal department with one head.

Organizationally, what I propose in my bill evolves something like this. The Department of the Interior would be redesignated the Department of Natural Resources and the Secretary of the Interior would be redesignated the Secretary of Natural Resources. The Under Secretary of Interior would become Deputy Secretary of Natural Resources. There would be two Under Secretaries in the new Department—one an Under Secretary of Natural Resources for Water and the other an Under Secretary of Natural Resources for Lands.

Several bureaus and agencies would be transferred either into, or out of, present Federal departments as follows. The Bureau of Indian Affairs and Office of Territories would go to Health, Education and Welfare. The Forest Service would be transferred into the Department of Natural Resources, where it and the Park Service (which is already there) would not only work out a *modus vivendi* on the methods of conservation about which they now disagree, but would be parts of the same Federal department with the same overall objectives. To illustrate the present conflicts of purpose between the Forest Service and the National Park Service, we may take the case of the North Cascades in Washington State: writing recently in the *Atlantic* magazine, Mr. Paul Brooks calls it "The Fight for America's Alps".

The principals in the struggle over which agency shall have the controlling interest in these wildest, most rugged, and some say, most beautiful mountains in the United States, are the Forest Service of the Department of Agriculture, which presently controls the mountains, and the National Park Service of the Department of the Interior, which would like to develop them into a national park. The Forst Service is supported by lumbering, mining, and hunting interests, and the Park Service has the backing of most national wildlife, park and wilderness organizations. Secretary of Agriculture Freeman has called the North Cascades "one of the most magnificent areas in the world", and others believe they offer "an opportunity for the most beautiful wilderness park in our entire national park system."

However, the rock-bottom conservation issue being finely drawn concerning the North Cascades is whether the Forest Service will compromise between the lumber interests and recreation-as-a-"Valid-forest-product", or whether the Park Service, carrying high the banner of recreation, will compromise to omit some of its customary "improvements" in park-forest areas, so that in the end the North Cascades may be saved for use and wilderness, or whether they will be yielded for timber and "developed recreation." I will not go further into the involved and difficult questions that could be laid out in this case. I have only brought the North Cascades question up as an illustration that is contemporary with my concern about similar questions throughout all areas of natural resources management.

The functions of watershed protection and flood protection now in the Department of Agriculture would also be moved into the Natural Resources Department. The civil functions of the Corps of Engineers now in the Department of the Army would likewise be moved into the new department, with the provision that in time of war or other national emergency, the functions of the Army Engineers would be transferred back to the Secretary of the Army's authority for the duration of the emergency.

It is a kind of folly that presently permits the Corps of Engineers to plan a $100 million flood control project in the Rio Grande watershed of New Mexico, while upstream in the watershed there is extensive erosion which is causing sedimentation that will move downstream unchecked to fill up the reservoir, while the Soil Conservation Service of the Department of Agriculture and the Bureau of Land Management of the Department of the Interior debate their jurisdictions.

And it is certainly a kind of folly to permit the Corps of Engineers to imperil and destroy in the Florida Everglades what the National Park Service has preserved and guarded. A great battle is taking place on the southernmost tip of Florida. The dredges and the bulldozers and the earth-moving machines which the Army engineers have employed to build a canal along the northern edge of the park have drained or cut off water supply to vast marshes and everglades and thus have pushed back and have eliminated many rare birds, fish, amphibians, and animals, some of them of dwindling species.

The canal carries barges from an aerojet plant in the area producing rockets for the space operation at Cape Kennedy. It is now proposed to remove the plug which is holding salt water out of the canal, and to allow it to flow through. The salt water would spill over into the area of the park that has most of the roseate spoonbills, the wood ibis, the great white herons, and the few alligators which have retreated there.

Local drainage authorities say let the water in—they doubt it will do too much harm. Director of the National Park Service George B. Hartzog says it would destroy the delicate balance between fresh water and salt water which is the biological base. There is no referee.

The non-military functions of the National Oceanographic Data Center now in the Department of the Navy would be transferred to the new Department of Natural Resources. The sea grant programs now under the National Science Foundation would be moved into the new Department.

By administrative action the water pollution functions of the Department of Health, Education, and Welfare have been transferred to Interior. My bill would add air pollution functions also to the new Department of Natural Resources.

The Secretary of Natural Resources would, under provisions of my bill, be the only official whose approval would be required before the Federal Power Commission could issue a license for a project that might affect the comprehensive plan of any river basin commission developed under the Water Resources Planning Act.

At the end of each calendar year, the Secretary of Natural Resources would submit to the President and thence to the Congress a report on the year's departmental activities.

Speaking idealistically, I think that such an administrative and organizational regrouping would bring all resource-related agencies together in a way that makes sense. President Johnson said: "The executive branch must fulfill its responsibility with commonsense and imagination." I would hope that a Department of Natural Resources might help considerably in doing just that. In such an organization, after the initial protestations, some of the rivalry and confusion would undoubtedly be eliminated. In future, the Department could in unity determine whether a reclamation project is to be built in a certain location or whether it is to be a power project alone; whether a storage reservoir will be built or scenic landmarks will be left untouched; whether a wilderness area is to be turned into a teeming mass recreation park with "improvements" or whether it is to be left "forever wild" as nature made it; whether public lands that are primitive or wild are to be turned over to mining, grazing, and timber cutting, or whether the deeper values of the trees and mountains are to be regarded as permanent retreats for an increasingly urbanized population.

Hopefully, it would solve—or resolve—some of the disputations about power projects, between the corps and the Reclamation Bureua, and the uses of public lands by the Forest Service and the Park Service, to cite but two examples that have gotten a lot of attention and have been at times hotly controverted.

I am compelled by pride, or in defense, to pont out that all of this could be accomplished without setting up a new Federal agency. It would be essentially but an ingenious re-shuffling, with a single, sound purpose, into an existing department with a new name—to make the Federal Government make sense in its natural resources policies and programs.

I am an advocate of the virtues of competition, but among Government agencies where prolonged jurisdictional disputes keep important matters unresolved and hanging fire for indefinite—and critical—periods, I am all for cooperation and coordination, rather than competition about who should do what, and when, and where, and so on ad infinitum. The Nation can no longer afford this exercise in agency muscle-flexing with all hands bringing in their partisan big guns for an interagency foray.

I am not saying that all blame for past contentious tie-ups can be laid on Federal administrators and agencies, because the facts are that each one of them has been assigned specific missions and responsibilities in acts laid down by the Congress. And I can think of no program without considerable merit. Under scrutiny of a judging eye, the programs generally are excellent and of essential worth. However, I do say that the fragmented approach has dissipated many effective achievements that could have been realized from the same activities.

You are an extraordinarily concerned and wise organization, and I ask you frankly, do you know where you might go in the Federal departments and find out just what the overall natural resources plan is, or where we are right now, or where we are going to come out vis-a-vis our natural resources? I think not. Someone has likened the situation to a symphony orchestra where all the musicians are first-rate but they have no conductor.

With a Federal Department of Natural Resources, combining in a harmonious relation all aspects of natural resources programs, I believe there would be productive repercussions on other levels. States, local bodies, representatives of industry, agriculture, labor, conservation groups, and just plain citizens would find less bewilderment and confusion if they could see the pieces of the patchwork quilt of conservation sewn together. They too would understand just what it is we are attempting to accomplish in conservation; in the utilization, and preservation of our land, water, forests, minerals, and wildlife. There would undoubtedly be some bruised feelings arising from such a consolidating move into the Department of Natural Resources, but for a little suffering about old allegiances and hurt pride, we might be able to achieve a long-term yield that would more than repay our transient short-term adjustments.

To return specifically to wilderness preservation to which this group is especially dedicated, I am of the opinion that such a reorganization plan as I have laid before you would be of benefit in achieving your high-minded goals. A Federal Department of Natural Resources should have within its capability the power to relate conservation practices and development to each other, just as nature has related the resources of soil, water, forests, wildlife, wilderness into a noble and interdependent whole.

It is my conviction that despite the work of conservation groups like the Sierra Club, the resource conservation programs of Federal, State, and local agencies, and the vast appropriations and multitudinous conservation bills of the Congress, the United States is still undergoing a progressive deterioration of its natural resources. It is my further conviction, as I said on the floor of the United States Senate on February 7, that the trouble is that "we have allowed competing interests for the use of our limited resources to block any overall development and protection plan. Every resource management agency is surrounded by competing agencies, each striving to utilize our waters, minerals, and land for its own particular clientele." Consequently, it turns out that when important decisions are to be made—such as to dam or not to dam a river, to cut down a 2,000 year old redwood or to let it stand—we frequently have no policy at all to deal with the question. It is with thoughts—and facts—like these in mind that I have offered you today my proposal for an effective resource management reorganization. I hope that you will give it earnest and critical thought.

Of the various labors I have performed in the Senate of the United States, the most congenial ones have had to do with all phases of conservation—the establishment of parks and recreation areas; the development of mineral and water resources; and the conservation of wilderness and wildlife. As a native westerner and one who loves and finds the deeper meanings of human happiness in great spaces and natural, rugged beauty, I conclude my visit with you by repeating the eloquence of Wallace Stegner, with whom I went to school at the University of Utah, on the mystique of primitive areas and the importance of intangibles to human development and joy:

"Something will have gone out of us as a people if we ever let the remaining wilderness be destroyed; if we permit the last virgin forests to be turned into comic books and plastic cigarette cases; if we drive the few remaining members of the wild species into zoos or into extinction; if we pollute the last clean air and dirty the last clean streams and push our paved roads through the last of the silence, so that never again will Americans be free in their own country from noise, the exhausts, the stinks of human and automotive waste. And so that never again can we have the chance to see ourselves single, separate, vertical and individual in the world, part of the environment of trees and rocks and soil, brother to the other animals, part of the natural world and competent to belong in it.

"We need the wild country available to us, even if we never do more than drive to its edge and look in. For it can be the means of reassuring ourselves of our sanity as creatures, as part of the geography of hope."

I salute you, members of the Sierra Club, for helping to save for all Americans the wonder of our wilderness.

COMMIES MASTERMIND DEMONSTRATIONS

Mr. BYRD of West Virginia. Mr. President, headlines of newspapers all over the Nation on Sunday morning, April 16, were made memorable with remarks on the anti-Vietnam war rallies in the United States over this past weekend.

The reports on the actual events covered points such as "125,000 Marchers Protest War", and "New York Parade Converges on U.N. Plaza." Elsewhere the facts underlying the organization of the parades, the major ones having occurred in New York and San Francisco, were carried for newspaper readers to use as yardsticks in estimating the purposes of these well-planned demonstrations. One can only hope that these realistic appraisals will be given equal circulation abroad with the headlines reporting the actual occurrences.

One of the assessments which I feel deserves wide circulation is that by James J. Kilpatrick, "Vietnam Day: An Exercise in Subversion," published in the April 16 issue of the Sunday Star, Washington, D.C. This columnist draws public attention to the lengthy organization and coldly calculated planning which preceded the actual marches, emphasizing that the hard core of planners and directors have communistic connections and that any well-meaning pacifists who become involved with these demonstrations are encouraged and recruited primarily to further the aims of the Communist party.

Those who in their naivete believe that exercises such as the coast-to-coast demonstrations which occurred over this past weekend are spontaneous expressions of diverse political opinions, honestly held, need to do their homework before they depart from their residences for their next jaunts as demonstrators.

I ask unanimous consent that Mr. Kilpatrick's column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Vietnam Day: An Exercise in Subversion

Two weeks prior to yesterday's "Vietnam Day" demonstrations, the House Committee on Un-American Activities published an excellent white paper reviewing and exposing the antecedents of the peacenik protest.

In the nature of things, sad to say, the committee's report received scant attention. Campus intellectuals, New Leftists and professional pinks have done so effective a job of smearing the committee that HUAC's papers tend to be discredited before they are read.

It is a pity that the committee's measured, temperate, and heavily documented report of March 31 was not more widely heard. For the committee established, beyond cavil, that plans for yesterday's demonstrations were Communist dominated from start to finish. These protests were about as spontaneous as an exercise in close-order infantry drill.

Now, this is not to say that a great many sincere pacifists and non-Communist liberals were not active in the sponsorship. The committee's point, which it supports with overwhelming evidence, is that the pacifist students were recruited for these marches primarily to further the aims of the Communist party. It is true that none of the officers of the final Mobilization Committee is a Communist. It is equally true that these officers were placed in their positions by the avowed Communists who were running the show.

"Vietnam Day" in New York and San Francisco had its genesis in a proposal last spring by Bettina Aptheker for a nationwide student-faculty strike in protest against American involvement in Vietnam. No doubt surrounds her position. In an open letter to fellow students at Berkeley, she asserted in November, 1965, that "I have been for a number of years, I am now, and I propose to remain a member of the Communist Party of the United States."

Bettina's original idea, advanced in the journal of the Communist-front DuBois Clubs of America, was to stage the strike in September. This failed to jell. She then organized a planning committee to put together a December meeting in Chicago. Among her 32 co-sponsors were three fellow-members of the DuBois Clubs, three members or officials of the radical Students for a Democratic Society, and a couple of holdovers from the old Free Speech Movement at Berkeley.

By early fall, Bettina and her friends were able to mail out 20,000 copies of a printed appeal for support. Their list of sponsors grew to 282 names. The "Chicago Peace Council," an organization created in the summer of 1965 by a mixed group of Communists, pacifists, and New Leftists, became the vehicle for action.

Roughly 250 persons attended the Chicago conference on December 28–30. The delegates came from 16 States, Puerto Rico, and Canada, and from 49 colleges and universities. Among those manning the registration desk was Joel Britton, Chicago organizer for the Socialist Workers Party (the Trotskyist Communists). Three Communist organizations set up literature tables. Among these was the Progressive Labor Party (PLP), the Peking-oriented faction of the U.S. Communist movement.

The PLP was not altogether happy with the outcome. One of its delegates wrote in the party's official publication that the Chicago conference "was dominated by the Communist Party of the United States, the DuBois Clubs, and the Young Socialist Alliance." Other delegates disagreed with Bettina's idea for a student strike; they doubted that sufficient anti-war sentiment could be organized on enough campuses to make a respectable showing. On the final day of the conference, a decision was reached to stage a "Vietnam Week" instead.

While all this was going on in Chicago, a parallel "Spring Mobilization Committee" had been organized by 150 persons attending a meeting in Cleveland. By the PLP's own description, this too was "a coalition of Communist Party revisionists, Trotskyites, and liberal-pacifists." Arnold Johnson, public relations director of the Communist Party, was a sponsor. So was Bettina herself. Al Richmond, executive editor of the West Coast People's World, became a leading promoter.

In January, these twin streams merged in a Student Mobilization Committee with offices in New York, Berkeley, Los Angeles, Chicago, Cleveland and Nashville. Behind a camouflage of sponsoring organizations, the Communist role began to disappear. Publicly, at least, the ball passed to so prestigious a figure as Martin Luther King.

No one who troubles to read the House Committee's report will be deceived by the false front of pacifist liberalism erected in front of "Vietnam Day." In its origin, planning and execution, this exercise in subversion was a put-up Communist job.

PAN AMERICAN WEEK—RESOLUTION OF LEGISLATURE OF HAWAII

Mr. INOUYE. Mr. President, in recognition of the historic significance of the anniversary of the founding of the Pan American Union, President Johnson last week proclaimed April 14, 1967, as Pan American Day, and the period of April 9–15, 1967, as Pan American Week.

The Senate of the Fourth Legislature of the State of Hawaii, General Session of 1967, adopted a resolution to mark this historic occasion. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 177

Resolution relating to Pan American Week

Whereas, the International Union of American Republics was created on April 14, 1890, and has since operated through a permanent bureau in Washington, D.C., later designated as the Pan American Union; and

Whereas, this Union was the foundation for peaceful and friendly interaction and communication between the nations of the Western Hemisphere; and

Whereas, the Organization of American States has evolved from this organization, increasing and strengthening the bonds of friendship and understanding among the American Republics; and

Whereas, in recognition of these bonds and of the historic significance of the anniversary of the founding of the Pan American Union, the President of the United States has proclaimed April 14, 1967, as Pan American Day, and the period of April 9–15, 1967, as Pan American Week; and

Whereas, the Governor of Hawaii has also proclaimed the said day and period for the State of Hawaii; and

Whereas, the Senate of the State of Hawaii on behalf of the people of Hawaii, wish to express their sentiments of cordiality and friendship for the peoples of the American Republics, NOW THEREFORE,

Be it resolved, by the Senate of the Fourth Legislature, Regular Session of 1967, that this body endorse the proclamations of the President of the United States and the Governor of Hawaii, and call upon the citizens of Hawaii to cooperate in observing the spirit and intent of Pan Americanism; and

Be it further resolved, that a copy of this resolution be sent to President Johnson, to Jose A. Mora, Secretary General of the Pan American Union, to Hawaii's congressional delegation, and to Governor John A. Burns.

——— ———.

HAVE WE BROUGHT RUSSIA AND CHINA TOGETHER? A GRIM PROSPECT

Mr. GRUENING. Mr. President, although Asian experts have expressed belief that the split between Communist Russia and Communist China had gone so deep that reconciliation was most unlikely—a great break for the United States from the standpoint of those who believe in and justify our war in southeast Asia—now comes the bad news that apparently Russia and China are getting together in their determination to help the South Vietnamese, Vietcong, and their North Vietnamese allies in fighting against us. This means an indefinite prolongation of the war at staggering costs in American lives and treasure, and forecasts a steadily increasing disaster for the United States.

This subject is treated in devastating column entitled "The Escalating War," written by Walter Lippmann and published in the Washington Post this morning, April 18, 1967, and likewise in an article entitled "New Turn in Vietnam—A 'Deal' Between Russia and China," published in the current issue of U.S. New & World Report.

It might be well for those who are cheering our ever-deepening descent into the southeast Asia quagmire, who have disregarded the warnings against getting involved in a ground war on the Asia continent, given by such eminent military strategists as Gen. Douglas MacArthur and Gen. Matthew Ridgway and the caustic dissent from our involvement in that war of former U.S. Marine Corps Commandant David M. Shoup, to take a new, hard look at our folly in southeast Asia.

The proper proceeding, so far rejected by the administration, is to stop the bombing for 6 months and announce it and find out whether the various peace feelers which our leadership appears to have disregarded may not have some validity. Almost any alternative would be better than to continue on our headlong, downward, disastrous course with its ever-mounting death toll of American boys and increasing abandonment of our vital domestic programs. When I began to speak in opposition to our folly over 3 years ago, I warned of the danger of our bringing Russia and China together. It now appears to be happening.

I ask unanimous consent that the two articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE ESCALATING WAR

Returning from what must have been a most welcome change at Punta del Este, the President is back again with Vietnam.

It can be argued that here on the home front, he has made some gains. He has obtained the approval of Sen. Brooke and a certain amount of approval from Gov. Romney. As of now the Republican Party will not run in 1968 as an anti-war party. And if Mr. Nixon prevails, the Republicans will outbid the Democrats in their support of Lyndon Johnson. The only fly in the ointment is that no matter what the Republican politicians say about the war, many voters will turn to the Republican Party, as they did in 1952, because there is no other alternative to a Democratic President who has proved that he cannot make peace. There are enough reservations and qualifications in Gov. Romney's speech to provide the Republican candidate with all the openings he would need if he really intended to end the war by negotiation.

There are many reasons for believing that the situation in Southeast Asia has worsened. First and foremost, as we now know with almost complete certainty, the Soviets and the Chinese have worked out an arrangement to facilitate the supplying of North Vietnam across Chinese territory. This supply line cannot be interrupted except at a direct risk of world war.

Two or three months ago such an agreement would have seemed unlikely. For the Sino-Soviet quarrel was very bitter, and Hanoi gave signs of being much weakened and alarmed. There appeared to have been a shift in the balance of power which was inducing Hanoi to offer a peace conference in return for a cessation of the bombing of North Vietnam. It is now clear that Hanoi's attitude has hardened and sharpened, and the probable reason for this is that Ho Chi Minh can now count on reenforcements of food and material and, if necessary, manpower from the whole Communist world.

A measure of how the situation has worsened can be found in some remarks made by Gen. Westmoreland last week. He said that he knew no better way to win the war than to "go on bleeding" our adversary. The spectacle of an American commander committed by his government to a war of attrition on the Asian mainland committed to spending American lives in some exchange ratio against Asian lives, is a startling illustration of what has happened to American military and diplomatic leadership in this war. Imagine Gen. MacArthur, Gen. Eisenhower, Gen. Ridgway, Gen. Bradley, imagine any of the military leaders and thinkers in our history being placed in a position where the defense of freedom on the globe depended on matching American lives against the manpower of Asia!

The situation has worsened also in South Vietnam. There are many indications that Marshal Ky and his junta expect to "legitimatize" their dictatorship in the elections being held in the unoccupied parts of South Vietnam. Having done this, they appear to be determined to use their new political power to prevent serious negotiations either with the Vietcong or with Hanoi. Mr. Johnson is riding a tiger and he will find it difficult to dismount.

As there is the worsened prospect of negotiations among the Vietnamese, as the channels have been opened for indefinite escalation from the Communist side, the outlook is that the scale of the war in men, money, and casualties will expand indefinitely. Mr. Nixon, Sen. Brooke, even Gov. Romney, are quite mistaken if they think that the resistance of the Communists is being fed by the American dissenters. No doubt they like to hear the American dissent and they find it encouraging. What is feeding the war is the large industrial potential of the Soviet bloc, the inexhaustible reserves of Asian manpower, and the determination not to let the United States install itself on the mainland of Asia.

It is no contribution to this grim situation to pretend that the only alternatives open to us are either to scuttle and run or to escalate to the brink of total war. It is not true that there are no other alternatives and that President Johnson, because he appears to be between two extreme positions, is therefore following the only course that is open to us.

There are other courses than the present course which entails the occupation and pacification of all of South Vietnam by the Americans. They are all variants of a strategy which would limit our commitment and reduce the objectives which our troops must achieve. The fatal objection to the adoption of a defensive and holding strategy, awaiting the time when general negotiations become possible, is that this limited strategy cannot be pictured as a triumphant victory. It cannot be painted up to look like something which it is not. This is intolerable at the White House which is, so far, unwilling to accept the liquidation of an endless war if it is not made to seem like an heroic and victorious ending.

NEW TURN IN VIETNAM—A "DEAL" BETWEEN RUSSIA AND CHINA

Peking and Moscow, despite their continuing and bitter feud, have decided that war against the U.S. comes first.

After months of harassment, Chinese have agreed to let Russian war goods move freely across China into North Vietnam.

Effect on U.S. strategy could be profound. For Reds in Hanoi it was a shot in the arm when things were going badly.

A Russia-Red China "deal" on war in Vietnam, now confirmed, complicates the U.S. problem, reduces any chances of negotiation and seems sure to force President Johnson to review war policy.

The agreement of the Russians with the Chinese assures free and complete passage of Soviet military equipment across China to North Vietnam. This passage is assured by rail or by air.

To keep members of the Red Guard or other groups from interfering with the movement of Russian war supplies, the North Vietnamese will take "physical control" of such supplies at the Russian-China border. Thereafter, transit will be a matter of China's co-operation with the Vietnamese—their allies—eliminating friction that had developed between Peking and Moscow.

Meaning for U.S. Serious ramifications are regarded as arising from the deal. For the U.S. it means—

Prospects for ending the Vietnam war this year are virtually dead. Hanoi's determination to continue fighting is strongly bolstered now that a continuous flow of supplies from Russia has been guaranteed.

Russia's interest in an early end to the war is now reduced. Soviet leaders, as a result of this agreement, are less worried about the danger of a confrontation with the U.S. on the sea lanes to Haiphong.

Intensified attacks by the Viet Cong aimed at inflicting much higher casualties on U.S. forces in South Vietnam are said to be in the cards in the period ahead. Even more significantly, a new campaign of terror is building up against the U.S.-sponsored pacification program, regarded as the key to ultimate victory in the South.

President Johnson faces additional pressures to escalate further the war against North Vietnam if he hopes to end the conflict before the 1968 presidential election. "Hard-liners" may now get a more responsive hearing on demands for stepped-up U.S. air attacks on supply lines from China as well as against the port of Haiphong.

END OF A PHASE

Experts make this point: The agreement between Moscow and Peking, brought about by Hanoi in secret six weeks ago, marked the end of a phase of the Vietnamese war when peace hopes were on the rise.

During that phase, both Russian and North Vietnamese leaders were deeply concerned with the upheaval in Red China and the possible effects on the Vietnam conflict. It was feared that fanatically anti-Soviet leaders in Peking would completely cut overland supply routes from Russia to Hanoi in an effort to force Moscow into a showdown with the U.S. at sea.

The Russians seemed almost anxious to promote a peace settlement in Vietnam to avert this danger. The North Vietnamese showed signs of wavering and hinted earlier this year at a willingness to consider negotiations.

In the words of one U.S. official: "Ho Chi Minh in Hanoi finally put a gun to Peking's head, threatening to open negotiations with the U.S. unless China accepted an agreement guaranteeing no interference with the movement of Soviet war supplies overland and by air across China."

It was this threat, according to American officials, that produced the new Russian-Chinese deal.

The map on page 43 shows how vital the new agreement is to insure a steady flow of Russian arms—everything from Soviet missiles and jet planes to artillery, antiaircraft guns and mortars.

Soviet arms aid had been running at well over 600 million dollars a year until it was interrupted several months ago. Without this massive dose of Russian help, experts say, North Vietnam would have a hard time keeping the war going.

A TIMELY BOOST

Hanoi now has a fresh assurance of a steady supply of weapons, oil and economic aid from outside. The deal gives the North Vietnamese a moral and material shot in the arm at a time when the tide of the war appeared to be turning strongly against the Communists.

Now a big increase in this influx of outside help is said to be on the way.

One intelligence assessment is that Moscow already has decided to increase the delivery of air-defense weapons and possibly more MIG jet fighters as a counter to the latest step-up in U.S. air attacks against the North.

BROADER ROLE FOR RUSSIA?

This, too, is pointed out. What obstacles now removed by Red China, Russia is bound to come under greater pressure in the Communist world to broaden its war role in Vietnam.

Communist leaders in Red China and elsewhere have been charging that Soviet aid to the embattled North Vietnamese was inadequate. They assailed the Soviet Union for its failure to provide an effective defense in the North against American air attack.

Soviet leaders had a ready excuse—that Chinese interference with supply lines was hampering their efforts. Moscow publicly attacked the Chinese for harassing and even hijacking rail shipments destined for North Vietnam. Those open attacks reached a peak late in February.

Now, authorities emphasize, the Russians can no longer use Red China's harassing tactics as an excuse for not mounting a large-scale expansion of aid.

The nature of the Soviet build-up will depend partly on U.S. strategy in the war against North Vietnam. A leading analyst gives this report:

"If the U.S. bombs airfields in the North, then you can expect Russia to increase materially the delivery of surface-to-air missiles, antiaircraft weapons and MIG fighters to North Vietnam.

"If the U.S. blockades Haiphong, you can be fairly certain that Russia will deliver the weapons needed to strike at the American Seventh Fleet—surface-to-surface missiles, patrol vessels and strike bombers."

Hanoi's own war strategy in the South is to be affected even more than Moscow's, according to U.S. military men. Not only has the idea of negotiations with the U.S. been dropped, but the Communists are fighting on a greatly expanded scale in the South. Hanoi's confidence in a steady supply of new arms is one reason for that.

GI CASUALTIES RISE

In its latest casualty report, on April 13, U.S. headquarters reported that 177 Americans were killed in action and 1,345 were wounded in the preceding week.

In the past six weeks—since the new Russian-Chinese deal—more than 1,200 Americans have been killed in Vietnam and almost 8,500 wounded. Those figures, far above the war's average, reflect intensification of the fighting by Communist regular forces.

More of the same is now the outlook, military men predict, with Hanoi bent on keeping the war going on a stepped-up scale at least until the 1968 presidential campaign in the United States.

U.S. intelligence estimates now say it is evident that Hanoi believes it can hold out at least that long, while President Johnson will come under increasing political pressure to make far bigger concessions to end the war than he is willing to make now.

In that strategy, the new arrangement between Moscow and Peking takes on great importance.

THE ACCOMPLISHMENTS OF PRESIDENT JOHNSON

Mr. McINTYRE. Mr. President, it is a matter of history that any President who leads the Nation away from the "status quo" is subjected to criticism. It is a price all great Presidents have paid. And Lyndon B. Johnson is paying more than his share.

However, the columns of today's newspapers are not the pages of tomorrow's histories. The headlines grab only for momentary attention. Histories are the records of accomplishment.

There is no doubt in my mind that history will give Lyndon B. Johnson full credit for the accomplishments of his administration. For under no previous administration has there been such achievement in the progress of civil rights and equal opportunity in this country. Nor has any President, under noisy and articulate abuse, so valiantly upheld this Nation's foreign commitments in defense of freedom.

My confidence in the record of history, however, does not dilute my concern for what is happening today. Today, the President is caught in a crossfire of controversy between the national policy in Vietnam, on one side, and the civil rights movement, on the other. In fact, there are many who, through malice or poor judgment, have tried to link the two. Resultantly, the criticism has become loud and shrill. Instead of commendation for what the President has done, there has been a strange and lethargic silence.

Last week, for example—and again this past weekend—a prominent personality in the civil rights movement deprecated our Vietnam policy. Although the Reverend King is a clergyman, in the public mind his prestige is connected with civil rights. His remarks have created resentment among millions of Americans who believe implicitly in what this Nation is doing in southeast Asia. As a natural and tragic consequence, the public antagonism has not been directed at Dr. King personally, but instead at the very movement to which both he and the President are dedicated.

There is no logic in this. Civil rights has nothing to do with Vietnam. No more, basically, than baseball has anything to do with Vietnam. And if Mickey Mantle, of the Yankees, were to express his opinion on Vietnam as did the Reverend King, it is doubtful whether so many Americans would take it out on baseball. Or on the people who play it. The issues at stake, unfortunately, are charged with emotion. In linking them—if only on a de facto basis—Dr. King has harmed his own cause while at once hurting the best friend it ever had.

There are others who are doing the same thing. It is easy access to the morning headline. But in their preoccupation with the present, they forget the past and jeopardize the future they seek.

Have they forgotten so soon that a new President, only 7 months in office, united the overwhelming majority of Congress behind the most extensive and meaningful civil rights legislation since the Emancipation Proclamation? Have they forgotten so soon the political and personal perseverance on the part of the President; in fact, of the criticism and the attack this legislation provoked?

Have they forgotten so soon who proposed and brought into being the greatest series of opportunity programs for the underprivileged any nation has ever offered? Not too long ago, opportunity was only a dream. Now, it is a living, breathing reality. And in a few short years, two and a half million people have been lifted from the abyss of poverty.

In 18 months, a Voting Rights Act brought to the polls almost half a million minority group voters in five Southern States.

Over 3 million schoolchildren in more

than 17,000 school districts have been given new tools, new resources, new hopes and 200,000 additional schoolteachers under title 1 of the first Federal Aid to Primary Education Law in this Nation's history.

Eight hundred thousand citizens have received job training and counseling from 1963 through mid-1966 in manpower programs. Many of them came from minority groups. All were vocationally handicapped.

Half a million young men and women in 50 States were in Neighborhood Youth Corps at the end of the last fiscal year. That means half a million young Americans were no longer roaming the streets, but have new jobs now and new opportunities to lead useful, productive lives.

Who is to say that all of this came easily to Lyndon B. Johnson? Was there no opposition in Congress or from hidebound traditionalists in the press? Was there no abuse aimed at the President? No criticism cast his way? In spite of the personal sacrifice, he carried on. He chose to assure every American the basic right to live where he wants to live, to serve on a jury, and to speak out for rights without fear of violence or intimidation.

The record of these programs will be blacked indelibly into history. And the handwriting will be that of Lyndon B. Johnson.

EMPLOYEES WHO GOT A SECOND CHANCE

Mr. HART. Mr. President, Nation's Business reports in its April issue on the work release program of the U.S. Bureau of Prisons.

The article, "The Employees Who Got a Second Chance," vividly illustrates the value of the program through actual quotations of prison officials, employers, and inmates.

It is encouraging to see work release receive such favorable attention. This program is a significant new tool for the treatment of Federal inmates and it deserves the full support of the American people.

I ask unanimous consent that the article, entitled "The Employees Who Got a Second Chance," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE EMPLOYEES WHO GOT A SECOND CHANCE—BUSINESSMEN ARE GIVING JOBS TO PRISONERS WHO PAY BOARD AND TAXES WHILE SERVING OUT SENTENCES

When day's work is done at the Milan Screw Products company in Michigan, there's a scramble by the men to go home.

"The old lady'll skin me alive if I'm late tonight," one jokes.

Being late is no joke to three of the workmen. They must report to the nearby Federal Reformatory by a given time and unexcused tardiness could cost them a precious privilege: An opportunity to work unsupervised in the "outside world."

"It's the difference between my family being on public welfare," says Bobby X, 22, of his job as an automobile mechanic at the Ford dealership in Petersburg, Va., under the new federal prison work-release program. It's the difference, too, in a growing acceptance by the public of newer methods of criminal rehabilitation.

"Frankly," says L. J. Gengler, director of the work-release program for the Federal Bureau of Prisons, "the enthusiasm of the business community to participate has been overwhelming."

"I think it is one of the greatest things that's ever happened," offers John Mirageas, owner of an engineering blueplant plant in Ann Arbor, Mich.

In varying words, the same thing is said by countless employers, who weighed natural apprehensions—the possible effect on other workers and on customer relations—against a greater awareness of a social responsibility.

Over the nation—every day and night—thousands of men and women leave federal, state, county and city jails to go to work in factories, foundaries, stores. The money they make goes to support their families, build nest eggs for the day when they are released from custody and even make restitution to victims.

In the first 14 months the program was in operation in the federal prison system, 2,000 inmates earned $2,096,000.

They paid federal, state, local and social security taxes amounting to $303,000; reimbursed the prison system $203,000 for upkeep; sent home $372,000 to families; spent $575,000 within various local communities on such items as civilian clothes in which they work, transportation and lunches, and saved $700,000 to help get a new start.

If a man has a family, the money he earns and can send home frequently means that it can be removed from welfare rolls.

"We have a long list waiting to get into the program," Mr. Gengler explains. "But the man who needs to get his family off relief is going to get top consideration if he meets the other qualifications.

"This is just another reason why programs of this type are important to the taxpayer.

"But you must remember the most important thing is it offers real hope these men will learn work habits and attitudes that will help them make it in society and stay out of trouble—and out of prison."

The work-release programs are just one of the many accelerated changes taking place in the nation's correctional institutions.

NEW ATTITUDE TOWARD PRISONS

"There's been a growing awareness on the part of the public that correctional institutions should rehabilitate, not just incarcerate," says Warden Paul P. Sartwell of the Milan Federal Reformatory.

"Let's face it. Just keeping a man behind walls, cut off entirely from society is not the answer. And keeping the institutions a mystery from the public is no way to do it, either. The public is paying for this." Gil Ziegler, the general manager of Milan Screw Products agrees.

"It's doubtful if you'd have found this wide acceptance 10 years ago." he says. "Partly it's because of economic conditions. Sure a certain type of labor is hard to find. But I think people have begun to realize you've got to do just more than dump a man back on the street after he's been locked up for years."

Freddy B is an example.

"I'm just kind of scared of people," he told his boss, Charles R. Ayers, when he reported that first day at the Universal Car Wash in Ann Arbor.

"Now," says Mr. Ayres, "he's out there talking to people a mile a minute."

All of the inmates participating in the federal prison system work-release programs are volunteers, as are those in the various city, county, and state programs. They are all in minimum custody status and for whom jobs fill a need.

"There's got to be a need for these men," declares Warden Dave Heritage of the Petersburg Federal Reformatory. "A financial need on the part of their families or a rehabilitation need on the part of the men. It's got to mean something."

"It sure does mean something," says Tommy T, serving a "zip 60" (inmate slang for an indeterminate sentence of 60 days to six years—with an average time served of 18 to 24 months).

"You build a year of good time and you figure maybe you can make it. But when you come out and work and have to cut the mustard just like anybody else, it proves you can."

"I'm a parole violator," says Bobby X. "I figure I'll make it this time, though. I've learned you can't sass the boss and keep a job."

Federal prison authorities are frank to admit work-release is not panacea.

"Sure," says Warden Sartwell, "we've had our failures. We've had men who just couldn't resist the temptation to drink a beer at lunch. Or cuss the boss. Or knock off an hour early and go downtown and stand on the corner. But that percentage is small."

HOPE TO CONVICTS

"Man, you know you better cut it," exclaims Billy Z, 21, doing a second stretch for stealing cars. "You goof up and the guys back in the cell blocks raise hell. This is hope to them. Everybody wants a shot at work-release."

The federal prison population has shown a steady decline in the last few years and now hovers around the 20,000 mark. Most of the prisoners are young, 18 to 23. More than 50 percent of all inmates are serving time for violating the Dyer Act, transporting a stolen car across state lines.

"Most of the men we deal with are unskilled or semiskilled," says J. L. Burns, the Work-Release Coordinator for the Petersburg Reformatory program at its start.

"They learn a basic skill in one of the vocational training programs within the institution. But it's when they get out and actually work they really learn what they need to know."

"I figure I'm just now beginning to earn the boss a profit," volunteers Tommy T, working at the Andrews-Joyner Iron Works in Petersburg.

Work-release programs date back to 1913, when Wisconsin passed such a law. In 1957, North Carolina put one into effect and made those convicted of felonies eligible for participation.

But it has been only in the last few years that more and more states have adopted the idea. More important, acceptance by the public and business community is mushrooming.

"There's a little bit of conscience involved, I think," Mr. Mirageas ventured in explaining why he thought business is generally wholeheartedly backing the program.

"A lot of guys at first thought it was going to be a good way to get some cheap labor.

"I think I went to Warden Sartwell's meeting to explain work-release just out of curiosity. I'd never seen a prison. But what he said made sense to me: Give these men a chance to slide back into society, learn what work habits and attitudes mean and maybe you won't have this revolving door—out today and back tomorrow.

"Sure, I had some apprehension. I don't now. I'm sold on it."

His attitude reflects that of scores of businessmen who talked to NATION'S BUSINESS about their hiring work releasees.

WHAT BUSINESSMEN SAY

Under the law, employers must pay these men the same scale as any other employee hired for the same job. No program is started without consultation with business, community, religious and union leaders of the area.

Pay ranges as high as $5.75 an hour for skilled workers such as an electrician, but the average is about $1.50 to $2.20 an hour.

Businessmen in the community and area are generally invited to a meeting at the institution, shown its shop training facilities and told exactly what the work-release program is intended to do.

"I think one of the reasons this program is working out well is that there's a basis of mutual need," Mr. Mirageas declares.

"We have a need and these men have a need," says George Bass, shop foreman at the Petersburg Motor Co., Inc. "We expect them to do us a job, just like any employee."

The types of jobs involved range the spectrum of business: From white collar to heavy labor.

"We've never seen any resentment by our employees to hiring these men," declares H. Carter Myers, Jr., president of the Petersburg Motor Co.

"We leave it up to the man whether he wants to tell the guy in the next stall he is serving time. Most of them do. In a way, it just makes the other guys feel kind of protective about them."

An over paternalistic feeling is a natural danger, admits Oscar Olive, work-release coordinator at Milan. "We don't want them treated any special way. Most of the employers don't. But every now and then you run into one who can't see a darn thing wrong with him letting a guy off to do a little shopping."

One of the reasons for the success of the programs, most employers believe, is that the system is geared to their needs. Prisoners can work any shift—day or night, Saturday or Sunday, as long as transportation can be worked out. And the rules are flexible.

"If I need to keep a guy overtime, I can call up and tell the prison and they'll let me do it. All I have to do is promise I'll bring him home if he can't get a bus."

"We think we have to meet the employers' need, not the employer fit his needs to our schedules," Warden Sartwell says.

COLLEGE COURSES, TOO

This flexibility extends into other vocational and educational programs run for the inmates. If man is working in the daytime, but wants to go to school at night, it is arranged.

At Milan, several prisoners are enrolled at Eastern Michigan University in Ypsilanti in full-time, academic courses.

"College will be better rehabilitation for these men than anything else," Warden Sartwell says. "Their parents pay the tuition; they must satisfy the college admission boards of their real desires and they must stick to the rules we lay down."

These rules, though, are tinged with understanding.

"Can I miss the 5:45 bus today," one study-release inmate telephoned breathlessly. "I've got an exam tomorrow and I need to study in the library until the 7:45."

He got an okay.

Some strongly criticize work-release, along with other rehabilitation programs such as unsupervised furloughs and minimal custody "half-way houses," contending this is coddling criminals.

"These men know they are in a correctional institution, make no mistake about that," Warden Sartwell emphasizes.

"We go on the theory that rehabilitation begins the moment a man walks through the front door. But the man has to earn through his conduct and attitudes the right to go into honor unit cell blocks and the work- or study-release programs.

"When they knock off at the end of the day and go back to the cell block at night, when they look at the walls or the fence and the bars, they know this is no boarding school.

"Some men you are just not going to be able to help. We know that. We know that some of the men think they're conning us about their willingness to work. They're not."

"Yeah, man, you know you ain't in any boarding school," says Bobby X. "It seeps in your bones."

Most work-release inmates are housed together in special areas. Some are open, barrack-style dormitories. Others are arranged in tiny, single cubicles.

"Privacy is a tremendous incentive for an inmate," Mr. Olive believes.

Not all businessmen are keen about the work-release program.

"I think personnel managers are split on it, about 50–50," says Harlan Roos, personnel director of the Edwards Co., book lithographers in Ann Arbor.

His firm has an inmate working and probably will use more.

"If we need him and he's qualified, those are the only criteria," Mr. Roos says.

Placement of parolees is a major problem for many state prisons. The work-release program offers a potential easing of it. Several hundred inmates have remained on their jobs after they have finished their sentences or are released on parole.

"I'd like to keep the man I have now," declares W. W. Williams, owner of the Andrews-Joyner Iron Works. "He's a fine boy and a good worker. But I don't know if I can."

The Bureau of Prisons is acutely aware that that it can not allow any community—especially the smaller ones—to become a "haven" by allowing too many inmates to be paroled to work in it. And it is careful to avoid this.

But a good many instances are on record where a former work-release employee has gone to another area, completed his probation period and then returned to his old job.

FEW FLUNK THE PROGRAM

The federal prison work-release program was authorized by the Prisoner Rehabilitation Act of 1965, an act pushed by Sen. Edward Long, D–Mo.

On its first anniversary, President Lyndon B. Johnson saluted the results, noting 95 per cent of the prisoners who participated in the program successfully completed it or were still working at it.

Normally, a man is on work-release for about six months. This is usually in the period before he is eligible for parole.

"You need this cushion," an inmate serving time for post office burglary stoutly maintains. "It gives you time to get your brains unscrambled."

Prison officials at all levels concede the newer rehabilitation programs aren't going to solve all of the problems of crime.

"But it's a long, long way from the old Jimmy Cagney-Humphrey Bogart movie image of the Big House," says Mr. Gengler.

And Joseph F. Marsh, welding instructor at Petersburg, got a note from a former work-release inmate telling about a new job he got after his parole, adding: "You know, this is the first time in my life I've ever been able to put my hands on a couple of hundred honest dollars."

A TEXAS-SIZED SALUTE

Mr. BARTLETT. Mr. President, Alaska and Texas share numerous bonds. They are, of course, the two biggest States in the Union. Both States have vast petroleum resources in the land.

But a closer bond than mutual bigness and oil ties these States together. That bond, the strongest bond of all, is the sturdy pioneer spirit shared by Alaskans and Texans. It is true that Alaska is closer to its pioneer past than Texas is. For that matter, the day of the pioneer is still with us in some sections of Alaska.

However, the fact that Texans still feel the bond for Alaskans is indicated by a resolution adopted this month in which the Texas State Senate salutes Alaska on the launching of the year-long celebration marking the 100th anniversary of the purchase of Alaska from Russia.

Mr. President, I ask unanimous consent that the resolution, sponsored by Senator Dorsey B. Hardeman, be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Senate Resolution 344

Whereas, The vast area that is now the State of Alaska and the largest state in our great Union was acquired one hundred years ago from Russia, when the treaty negotiated by Wm. H. Seward, Secretary of State under President Andrew Johnson, was signed on March 30, 1867; and

Whereas, Only superlatives can describe the majesty that is Alaska; northernmost Pt. Barrow, its flat, treeless tundra and subzero temperatures; the great Brooks Range, with splendid Mt. Chamberlain, Mt. Michelson, and Mt. Alapah; Central Alaska, with mountains, valleys and plateau pierced by the beautiful Yukon River on its meandering course to the Bering Sea; the major Alaska Range, where towers Mt. McKinley, at 20,320 feet the highest point in North America; the Panhandle, scenic world of wonder where the land drops steeply to the sea to create a half moon of craggy fjords; Katmai National Monument, northwest of the Gulf in the Aleutian Range, the volcanic mountains and Valley of 10,000 Smokes; and the huge Muir Glacier, 2 miles wide and 250 feet tall, the Glacier Bay National Monument; and

Whereas, The treasures of this mighty land, bought for only $7.2 million, are equally awesome: the legendary gold-rush days of 1896 are long past, but gold production last year was valued at more than $1.5 million; oil has replaced the early importance of gold, and the economy of Alaska and the entire nation was stimulated by nearly $34 million from this resource in 1966; other important minerals include coal, natural gas, mercury, uranium, platinum—to name a few; the splendid forests of spruce, yellow cedar and hemlock, red cedar and birch, add annually an estimated $89 million through manufacture into lumber and other wood products; Alaskan fisheries are fabled the world over, and commercial production averages more than $56 million each year; wildlife flourishes to provide the magnificent furs—seal, sable, ermine, land otter, muskrat, beaver and the rest—which warm and adorn the most beautiful women in the world; and

Whereas, The lore and history of this great land read stranger than fiction—and far more interesting—and the names and places tinge the imagination with colors and hues more intense than those on the artist's palette: there's Skagway, historic entry to the Klondike gold fields, via Chilkoot Pass and White Pass; Ketchikan must certainly be a play on words, centering as it does the famous salmon industry; Anchorage, Alaska's largest city, sits at the head of Cook Inlet, named for the famous British explorer who visited the western coast in 1776; the Bering Strait, carrying the name of Alaska's discoverer, Vitus Bering, a Dane employed by Russia; Valdez, on the Gulf, first reached by Spaniards in 1790; the Pribilof group, a name reminiscent of Russian ownership; and words like Unimak, Umnak and Attu, in the Aleutian Islands; and

Whereas, The heritage of Alaska—of Indian, Eskimo, Aleut, Scandinavian, Spaniard, Russian, English, French and American—has been melded from the adventurous spirit, the hardihood of all those who accepted the challenge not to tame this great bastion of the far Northwest, but to accommodate themselves to its demands; not to deplete nature's bounty and ravage its beauty, but to use it judiciously and conserve it for those who follow; and

Whereas, After the Alaskan Purchase on March 30, 1867, called "Seward's Folly," which was succeeded by the formal transfer of the territory to the United States on October 18, 1867, Alaska was designated a District and did not become an Organized Territory until August 24, 1912; nearly a half century elapsed before Alaska was voted into the Union on June 30, 1958, and on January 3, 1959, was officially proclaimed the 49th state by Dwight D. Eisenhower, the first native Texan to serve the United States of America as President; and

Whereas, Fabulous and legendary characters contributed to the romantic and interesting sagas emanating from this land of promise including such as the late Tex Rickard, a native Texan known as "The Magnificent Rube," who operated a saloon, "The Northern," in Dawson during gold-rush days and later gained fame as a boxing promoter of international renown. It was this era which inspired the nostalgic poems of "The Face on the Barroom Floor" and "The Shooting of Dan McGrew"; and

Whereas, The same spirit which brought about the settlement, the growth and development of Alaska, pervaded the Texas frontier, and perhaps this, in part, has welded the bond of close friendship and camaraderie which Texans feel for Alaskans; which makes the Senate of Texas, at this time, pause to recognize a great sister state and congratulate her and those who sit in the legislative halls at the beautiful capital city of Juneau, as they begin the celebration of Alaska's centenary in the American Republic; now, therefore, be it

Resolved, That the Senate of the 60th Legislature of the State of Texas does hereby pay its respects to the State of Alaska and to all those courageous men and women of many cultures and many nationalities who brought this great northland through 100 years of progress under the Flag of the United States of America; and, be it further

Resolved, That copies of this Resolution be forwarded to Honorable Walter J. Hickel, Governor of Alaska; to the President of the Senate of Alaska; to the United States Senators from Alaska, Edward L. Bartlett and Ernest Gruening; and to Honorable H. W. Pollock, United States Representative, as an expression of esteem and good wishes for the State of Alaska from the Senate of Texas.

PRESTON SMITH,
Lieutenant Governor,
President of the Senate.

I hereby certify that the above Resolution was adopted by the Senate on April 3, 1967:

CHARLES SCHWARTZ,
Secretary of the Senate.

DEATH OF WILLIAM SHIVERS MORRIS, AUGUSTA, GA.

Mr. THURMOND. Mr. President, last week the Nation lost one of its giants in the newspaper industry and field of journalism. William Shivers Morris, chairman of the board of the Southeastern Newspapers Corp., Augusta, Ga., died at his home in Augusta on Tuesday, April 11, but left behind a record of public service accomplished by few men. His influence was seen in all the newspapers which made up the Southeastern Corp. They include the Augusta Chronicle, the Augusta Herald, the Savannah Morning News, the Savannah Evening Press, and the Athens Banner-Herald.

The philosophy which governed his newspapers was expressed in a quotation from Woodrow Wilson which appeared every day on the editorial page of the Augusta Chronicle and read:

> The history of liberty is a history of limitations of governmental power, not the increase of it. When we resist, therefore, the concentration of power, we are resisting the processes of death, because concentration of power is what always precedes the destruction of human liberties.

Bill Morris was a man of deep compassion and great personal courage. He was honest in his dealings with his fellow man and his decisions were based on principle and what he considered to be right, rather than what might be expedient. In a day when the responsibility of the press is greater than ever, Bill Morris has blazed a trail that all his associates would do well to follow.

Mr. President, my deepest sympathy is extended to his widow, Mrs. Florence Hill Morris, his sons, W. S. Morris III, and Charles H. Morris, and his daughter, Florence Alden Morris. I ask unanimous consent that the editorial entitled "William Shivers Morris," which was published in the Wednesday, April 12, 1967, issue of the Augusta Chronicle, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WILLIAM SHIVERS MORRIS

When history records the tenure of William Shivers Morris as helmsman of The Augusta Chronicle and Herald, it unquestionably must—if it is to reflect the true character of the man—give emphasis to his two most distinguishing attributes—courage and compassion.

It will be the former that will underline his accomplishments over the years in the fields of journalism, public service and politics, in each of which his mark has been indelibly made.

But it will be the latter, we suspect, for which Bill Morris would prefer to be remembered—and will be by those of us who, over the years, came to love and respect him for more than deeds done and honors won.

To us, the memory will be not just of an employer but of a dear friend, one who never forgot a favor however small, nor failed to lend a sympathetic ear when, in time of difficulty, one needed advice and understanding.

Yet, to remember only his kindnesses and gentleness, and his warmth and depth and zest for life would be to ignore the whole man, the man of whom it was once publicly said—and no doubt often thought—that he is "a credit and honor to the state—a real fighter for righteous causes."

And so he was, recognizing the vast responsibility that rests upon those upon whom the public must depend. This awareness was not something that had come suddenly to Mr. Morris. As a lad at his father's knee he had been taught that "There are two things you must always remember: Be right and be honest."

From this philosophy had come his dedication to the support he gave to the perpetuation of America's constitutional processes. It gave substance to his belief in government by consent of the governed, and to his opposition to those ideologies which would alter the fundamental principles of constitutional government.

Inherently, his determination to pursue the "righteous causes" prompted him not only to utilize his journalistic responsibility as a public trust, but to participate personally in civic endeavors.

With several associates, he led the assault on what was believed at the time to be the impregnable bastion of the old Cracker Party. The success of his onslaught led to its defeat and overthrow and helped to provide, in the years that followed, the atmosphere that has enabled Augusta and Richmond county to advance industrially, economically and culturally.

In both the years preceding that one venture into politics, and in the years that followed, he gave unstintingly of his time, when his health had permitted, to public enterprises ranging from chairmanship in 1935 of Augusta's 200th anniversary celebration, to membership in the General Assembly in 1947–48, and on the Board of Regents from 1941 through 1951.

Honors were not strangers to this man of unusual talents, unflagging energy and unvarying dedication. One of the most appreciated ones, however, was his selection in 1960 by the Association of County Commissioners for its "Outstanding Citizen of Georgia" award.

It was said of him then, in a quotation from Emerson, that "In a thousand cups of life only one is the right mixture. The fine adjustment of the existing elements, where the well-mixed man is born with eyes not too dull, nor too good, with fire enough and earth enough, capable of receiving impressions from all things, and not too susceptible, then no gift need be bestowed on him. He brings his own fortune with him."

And thus did William Shivers Morris fulfill the dreams that only reach fruition for the imaginative and the capable, gaining success through that "right mixture" of business acumen, determination, integrity, courage and compassion.

It was this combination of attributes that prompted him to say, upon his purchase in 1955 of The Chronicle and Herald, that "It is my desire, first of all, that our newspapers will contribute to the building of a better Augusta and Central Savannah River Area . . . newspapers that will bring to the people live, accurate and informative news, the whole truth at all times, and to endeavor to preserve our heritage of freedom of speech and freedom of the press—as is the public's right . . . to assist public officials, to try to help them to do a better job and thus serve the people well . . ."

This creed also governs the operations of The Savannah Morning News and Evening Press and the Athens Banner-Herald, newspapers that with those in Augusta, make up Southeastern Newspapers Corporation which he served as board chairman.

Today, the dreams of W. S. Morris have come to an end, for his stout heart beats no more.

To each of us still on his newspapers, however, the torch that he so proudly bore will be carried on. It will be a legacy to each of us from one of whom it was once written that here is "a man of vigor and vision, a fighter of whom it has never been said, even by his bitterest foes, that lack of courage could be numbered as one of his faults."

MILWAUKEE JOURNAL CITES DIFFERENCES IN PETITIONS FOR CONSTITUTIONAL CONVENTION

Mr. PROXMIRE. Mr. President, of the 32 State legislatures petitioning Congress to call a constitutional convention on reapportionment, 26 were malapportioned at the time they passed the memorials. Furthermore, three of the memorials petition Congress to call a convention to limit the jurisdiction of the Federal courts over malapportionment cases while the other 29 envision a convention to pass a constitutional amendment permitting one house of a State legislature to be apportioned on a basis other than population.

I have already commented on the invalidity of memorials passed by the 26 malapportioned legislatures. Today I should like to focus on the three memorials which would limit the jurisdiction of the Federal courts. For this purpose, I invite the Senate's attention to an excellent editorial published in the April 13 Milwaukee Journal, citing a Wisconsin precedent for holding these three memorials immaterial to the calling of a constitutional convention.

As the Journal editorial points out:

> Back in 1929 the late Bernhard Gettelman—

Then serving in the Wisconsin senate—

> sponsored a resolution memorializing Congress to call a constitutional convention. The resolution pointed out that since the founding of the nation * * * some 35 different states had petitioned for a constitutional convention.

Therefore, Congress should act. Congress did nothing. After all, it was said, these petitions cover many years and a variety of subjects.

The same objection of lack of uniformity can with fairness and wisdom be made against the three memorials limiting the jurisdiction of the courts. So by even the most conservative estimate, leaving aside the 26 malapportioned legislatures, only 29 valid memorials have been passed.

Frankly, I was not aware of this precedent before I read the Journal editorial. It is just another example of the scholarly acumen which goes into the preparation of Milwaukee Journal editorials and articles on a variety of subjects. It also is a reminder to the 1-man, 10-vote advocates that they have a long road to travel before they foist a rotten borough system of government on the American people.

I ask unanimous consent that the Journal editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WISCONSIN'S PRECEDENT

There is growing feeling that even should two more states pass resolutions asking congress to call a constitutional convention on reapportionment of state legislatures nothing at all might happen. Congress just might fail to act.

Reason for nonaction, many observers feel, would be that the resolutions so far sent to congress are not uniform. Some merely want to amend the Constitution to allow state legislatures to have one house based on land or another basis than people. Some would specify that local government need not be uniformly apportioned. There are many other differences.

There is only one precedent in our history, and it involves Wisconsin. Back in 1929 the late Bernhard Gettelman, serving in the Wisconsin senate, sponsored a resolution memorializing congress to call a constitutional convention. The resolution pointed out that since the founding of the nation and the writing of the Constitution some 35 different states had petitioned for a constitutional convention. It was, said the petition finally passed by the Wisconsin legislature, the duty of congress to call a convention. Congress did nothing at all. It was pointed out that the petitions from the states covered a long period of years and that they also covered a large variety of subjects.

The argument that congress would do nothing even if two more states petition for a convention on apportionment rests on that same charge of variety and lack of uniformity—plus what the courts might find a fatal flaw: The fact that many of the legislative petitions were approved by legislatures before reapportionment, making them invalid.

ADMINISTRATION ENCOURAGES GOOD PUBLIC HOUSING DESIGN

Mr. BARTLETT. Mr. President, not too many years ago a commonplace criticism of public housing projects was that they were ugly, sterile dwellings that were virtually as bad as the slums they replaced.

Even though the criticism has been exaggerated for the sake of making a point, great changes have been taking place in recent years to overcome many of the shortcomings in public housing design.

A recent article written by Wolf Von Eckardt and published in the Washington Post's Potomac magazine describes the "new look" in one of the public housing projects in Washington—Highland Extension Dwellings.

It points out the efforts that have been made to find out what people needed and wanted, and to achieve a well-designed project that meets those needs with units grouped around a common court, fenced-in patios for privacy, play space, and a community center for educational purposes and other indoor activities.

Much credit should go to the administration, through the efforts of the Department of Housing and Urban Development's Secretary Robert Weaver, and his deputy for public housing, Mrs. Marie McGuire, for the great effort that has been made to infuse new life and imagination in the design of housing to meet the needs of low-income families.

I ask unanimous consent that this interesting article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A NEW LOOK FOR PUBLIC HOUSING

If Jane Jacobs is right, this city should some day save a good deal of money on policing and repairing the new public housing project, known as Highland Extension Dwellings, which soon will be built at the southern tip of Anacostia.

Miss Jacobs, you may remember, published a book in 1961 entitled *The Death and Life of Great American Cities*. At first city planners considered it sheer heresy. I remember a national planning conference shortly after the book appeared where the chairman announced in all seriousness that anyone who so much as mentioned Miss Jacobs' name would be excluded from the deliberations.

Yesterday's "decent, safe and sanitary" public housing projects, Miss Jacobs observed, have often "become worse centers of delinquency, vandalism and general social hopelessness than the slums they were supposed to replace." Anacostia, for example, with its reckless concentration of public housing, certainly bears her out. Delinquency, vandalism and explosive social hopelessness across that sluggish river have been much lamented.

But the planned Brown & Wright project—a tight cluster of 320 townhouses above Oxen Run Parkway—is the first constructive attempt ("constructive" in the literal sense of the word)—to do more about it than erratic anti-poverty skirmishes. The Jane Jacobs influence is unmistakable.

To be sure, it is not yet quite an instant Greenwich Village, the place Miss Jacobs fondly holds up as a fairly ideal community. It still won't have all the amenities its roughly 2400 residents ought to have.

But as Kiyoshi Mano of architects Brown and Wright designed it, this project, at least, won't look like a typical, grim public housing project. It *will* look like a place to live. The model, in fact, reminds you of a little medieval town.

And that—although medieval towns may seem backwards compared to the widely spaced, rigidly aligned housing slabs of the 20th century functionalist crusaders—is progress.

Washington, with its inherent conservatism, has managed to avoid the worst excesses of functionalist projectitis. We luckily do not have the vast accumulation of dreary, towering brick boxes with their mangy lawns in between with which New York City has chosen to punish its poor for their poverty. Nor can we boast anything as inhuman as Chicago's skyscraping ghetto—that two-mile row of widely spaced slabs with which the housing authority has lined State Street.

But here, too, the general notion has prevailed up-to-now that suburbanization is the road to salvation revulsion of Victorian tenements and Thoreau-like worship of Mother Nature, dictated that streets must be dissolved by verdant setbacks, that only vast lawns and shrubbery will promote civic virtues, that people ought to live as far apart from each other as budget would permit and that stores and other places of human congregation are essentially evil and ought to be kept as far away from residences as possible.

This, of course, might work reasonably well in the suburbs—though there are some who see distinct disadvantages in the Miltown boredom of suburbia—but then, most people in the suburbs are affluent and have the time and automotive power to seek social and economic intercourse miles away from their homes.

It doesn't work very well in public housing projects. The verdant setbacks and vast lawns have to be fenced in to save the grass and residents feel fenced in and act accordingly. Why that, some say, only proves, these poor in-migrants have not sufficiently adjusted to urban life! The fact they are never offered any real urban life to adjust to and participate in, is only now beginning to occur to most project planners.

"Nobody cared what we wanted when they built this place," Jane Jacobs quotes a public housing tenant. "They threw our houses down and pushed us here and pushed our friends somewhere else. We don't have a place around here to get a cup of coffee or a newspaper even, or borrow fifty cents. Nobody cared what we need. But the big men come and look at that grass and say, 'Isn't it wonderful! Now the poor have everything!' "

And the rest of the city has an increase in crime and broken windows. For all that virtuous, verdant and functionalist project planning has accomplished, Miss Jacobs points out, are districts like Anacostia which are custom-made for easy crime. And that, she says, "is idiotic."

"The first thing to understand is that the public peace—the sidewalk and street peace—of cities is not kept primarily by the police, necessary as police are," Miss Jacobs writes. "It is kept primarily by an intricate, almost unconscious network of voluntary controls and standards among the people themselves, and enforced by the people themselves." A thousand eyes, the eyes of shopkeepers, bartenders, casual loiters, strolling lovers, shoppers, baby carriage pushers and bench sitters, she points out, can police a street or a public place far more effectively than a thousand police dogs, scout cars and walkie-talkies.

Brown & Wright have taken all * * * with, they *did* care what their prospective tenants wanted. One of the young architects in that firm, Colin A. Carew, a Negro who had himself lived in a public housing project in Boston as a teenager, did not just ask questions. He actually moved into the old Highland Dwellings, a defense housing project, built in 1941, to get "the feel" of people's needs and wants.

Carew's new public housing neighbors confirmed Miss Jacobs' observations. Sure, the project's two-story apartments are grouped around a common court. But it is not, a common outdoor living room, a New England Commons or an old town plaza and as it should be. It serves as a place to dry laundry and collect trash and garbage. It is also the only place where small children can roam. Nobody feels invited to use it. The small, grass, front yards are just about equally useless for adult recreation, let alone teen-age play. They are largely wasted space.

Nor are there any other places for spontaneous or organized meetings or activities. In fact, there was little in the entire project, Carew found, to inspire community pride and cooperation, and nothing for the people to identify with except their common gripes and frustration.

The immediate result of Carew's experience in the new Highland project will be the kind of house that suits the needs of the tenants. They almost unanimously expressed a wish, not for open and suburban-type front yards—that are hard for the management to keep up—but for private, fenced in patios of their own to satisfy the urge for "territoriality." B&W provided them. They also wanted a separate place for the garbage and to hang laundry, no grass that turns into mud, no communal staircases where vandals might lurk and no neighbors upstairs who might hold a party all night.

B & W's trim, modern and attractive townhouses accommodate these wishes. But most of all they add up to a setting where both privacy and an urban community life are possible.

In the heart of the cluster is an urban plaza which the architects hope will become a focal point for the community life not just of the Extension but the old Highland project—which is now being spruced up and other, nearby public housing. It will be a place to congregate, for celebrations, parades, dances and bustle.

Another place for "the intricate, almost unconscious network of voluntary controls and standards," Miss Jacobs has written about, is an amphitheater, not far from the plaza. It provides a more intimate setting to spark celebrations and the display of talent.

A Community Center, also designed to serve people all around, is to provide space for indoor activities as well as adult education. National Capital Housing director Edward Aronov hopes that a private foundation will help make it the imaginative, attractive place the people of Anacostia so desperately need.

Throughout the "town," furthermore, are some dozen small playlots and a number of shaded sitting areas for adults. What is missing, of course, is the old corner candy store, a place for neighborhood shopping "to get a cup of coffee or a newspaper even, or borrow fifty cents."

It is true, of course, that it is only three or four blocks to the nearest shops where all this and more might be had. And it is also true that the National Capital Housing Authority has, with Brown & Wright's "town," already gone a long and daring way to explore a new approach to public housing. Perhaps it is not too late to go all the way with a nice little store or two.

Because our objective should be not just to build housing but to build communities—to recapture in modern terms those qualities of the town of old that made them not only eminently livable but helped their residents toward what sociologists call the ladder of "upward mobility."

RESOLUTIONS PASSED BY CITIES OF TEXAS

Mr. TOWER. Mr. President, I have received a resolution passed by the city council of the city of El Paso protesting cuts in passenger service by railroads serving the El Paso area. I ask unanimous consent that the text of the resolution be printed in the RECORD at this point so that the matter may receive the attention of the appropriate officials at the Department of Transportation and of Members of the congressional bodies who are concerned with serving the people of the affected areas.

I also ask unanimous consent that the El Paso resolution be followed by the printed text of a resolution passed by the city commission of the city of Bryan, Tex.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION

Be it resolved by the City Council of the City of El Paso:

Whereas the Southern Pacific Company has issued a Notice of Proposed Discontinuance of Service pertaining to Trains Number 39 and 40 between Tucumcari, New Mexico and Los Angeles, California; and

Whereas the railroad service to and from the El Paso area has already been decreased to the point where satisfactory service is nonexistent, and this proposal even further jeopardizes the public necessity and convenience;

Now therefore be it resolved that the City Council of the City of El Paso join with other interested persons and agencies in protesting the proposal to further degrade railroad service, and respectfully requests that the Interstate Commerce Commission take immediate action to hold a hearing in El Paso in order that proper representation and testimony can be given to show the detriment of the above proposal to this area.

Adopted this 30th day of March, 1967.

J. F. WILLIAMS,
Mayor.

Attest:

R. H. GABEL,
City Clerk.

RESOLUTION

Whereas, the City of Bryan, Brazos County, Texas, has met in a lawfully constituted body this day to consider business relative to the City of Bryan;

Whereas, it has been brought to the attention of this commission that the 446th Troop Carrier Wing of Ellington Air Force Base is slated for deactivation by December of 1967; and

Whereas, the fine record of this outstanding Reserve Unit has been recognized nationally by the department of defense and national organizations; and

Whereas, the civic, cultural, economic, and social contribution of the Officers and men of the Unit who, live in Bryan has been of great benefit in making the City of Bryan a better place in which to live; and

Whereas, the military contributions being made by the said 446th Troop Carrier Wing to the cause of national defense, and the humanitarian contributions made in times of natural disaster are a vital and continuing need to this nation's well being;

Be it now resolved by the city of Bryan, Texas, that the City Commission of Bryan, Texas, acting with consent of and on behalf of, the citizens of said city, do hereby and hereon go on record this day as opposing any move to deactivate, reduce, reassign, or relocate any or all of the members or functions of the 446th Troop Carrier Wing (United States Air Force, Reserve), Ellington Air Force Base, Texas.

To duly attest thereof, the Secretary of the City of Bryan, Texas, is hereby authorized and ordered to make this Resolution a proper part of the official minutes of the City Commission meeting of this date; and is further authorized and ordered to transmit a duly notarized copy of this resolution to the Texas delegation of Congress and Senate in Washington, as well as to the Chairman of the Armed Forces Committees of House and Senate. He is also authorized and ordered to transmit a copy of this resolution to the Governor of the State of Texas.

J. D. CONLEE,
Mayor.

Attest:

NOAH W. DANSBY,
City Secretary.

THE CONTINUING UNFAVORABLE BALANCE OF PAYMENTS; STORMY WEATHER AHEAD

Mr. SYMINGTON. Mr. President, a growing deficit in the U.S. balance of payments seems inevitable for 1967.

The mounting demands of the Vietnam war, along with the fact that the Government, in an effort to hold down the deficit, has almost exhausted such "gimmicks" as the interest equalization tax, voluntary restraints, et cetera, could result in a $2.5 to $3 billion deficit in our balance of payments.

As Professor Wallich, formerly of the Council of Economic Advisers, has stated:

> Now we have used up a large part of what can be done about the deficit, and what is the result? If you remove the window dressing, we still have a deficit on the order of $3 billion. And because fewer easy measures are left to be taken, the situation is basically worse than it has been.

This gloomy prospect for an increased deficit, along with the resulting outflow of dollars that, upon request, can be converted into gold, has recently intensified pressure for the adoption of a harder line by the United States. The growing discussion as to whether or not the United States should now refuse to sell gold at $35 an ounce, either to all countries, or to those countries who have failed to cooperate in protecting the dollar, supports that statement.

It is interesting to note that officers of the two largest banks in the Nation, the Bank of America and Chase Manhattan, have now joined those academicians who have advocated that the United States adopt a hard policy. The Bank of America president, Rudolph A. Peterson, states:

> There is no overwhelming reason why we should sustain the dollar value of gold. In the event a cumulative gold drain becomes intolerable, we will have no choice but to react with more massive retaliatory measures.

According to the Wall Street Journal article of April 11, Mr. John Deaver, vice president of Chase Manhattan Bank, does not believe the United States should "tinker with the $35 an ounce price of gold but should reserve the right to decide when and to what countries it will sell."

Mr. Deaver cautions that he is not advocating the Government stop selling gold right now, only to "tell the other countries right now what the consequences will be if they keep draining our gold."

In any case, a harder line regarding increased gold outflows could be developing in the administration. As example, Secretary of the Treasury Fowler, in an address before the American Bankers Association meeting last month, stated that the United States might be forced into "unilateral action or withdrawing from commitments" if meaningful cooperation is not exhibited by other countries.

The present dilemma can be traced, at least in part, to the Bretton Woods Agreement of 1944. That agreement set the price of gold at $35 an ounce.

Today, foreign central banks now hold $12.7 billion in potential claims against U.S. gold stocks. In addition, private foreign holders have an additional $13.7 billion in claims which, at any time, they could turn into their central banks for gold.

The United States has only $13.8 billion in gold—nearly $10 billion of which, under law, is currently required as backing for U.S. currency—to meet these potential claims aggregating some $30 billion.

According to a recent article in Newsweek, "Stormy Weather for the Dollar," economists concede that a run on gold could occur. One of these economists, with extensive practical experience, the Honorable Robert V. Roosa, former Under Secretary of the Treasury, fears that unless more rapid progress is made on our payments deficit, there will be "a fusing of attitudes around the world—a defection by only one or two governments could foul it up for everybody."

If a further run beyond the French effort develops against United States gold, the hoped-for response by some would be for this country to increase the price of gold; in effect, therefore, to devalue the dollar.

It is my own considered opinion that such action should be avoided at all costs. It could only benefit, in the main, two groups: First, the major gold-producing nations, of which this country is not one; and, second, the nations that have hoarded tremendous amounts of gold by selling dollars, primarily France.

Another possible answer to a threatened run on gold would be our refusal to sell gold—any gold. This would mean placing the dollar on a floating exchange rate along with all the other currencies. Under such circumstances, again, according to Mr. Deaver, foreign central banks would then be given two basic choices:

First. To support the dollar's price in line with other currencies by buying and holding dollars, thus putting the world on a strict dollar standard.

Second. To continue to buy and sell gold among themselves, allowing the dollar to fluctuate in the market, very possibly at a lower value as compared with other currencies. The latter would give U.S. products a more competitive advantage in world trade.

A clear declaration by the administration that the United States does not intend to raise the price of gold, coupled with a strong warning that excessive demands by our allies on our gold supply would result in our refusal to sell gold, might make such action unnecessary. But the adoption of any such hard line by the administration in recognition of these continuing demands on our gold supply should not be a substitute for renewed and more meaningful efforts to bring the U.S. balance of payments closer to equilibrium.

Apparently the administration is either unable or unwilling to take those meaningful steps which it is now clear are necessary to correct the 18-year continuing unfavorable balance of payments of the United States.

With that premise, it would appear that only two steps are left: First, devaluation of the dollar as a result of an increase in the price of gold; or second, placing the dollar on a floating international currency basis by refusing to continue to sell gold at $35 an ounce.

Neither of these two alternatives will appeal to many, if not most, banking authorities. Of the two, however, I personally am convinced that the latter—a refusal to continue to sell gold—would be much the more preferable.

RESOLUTIONS BY AMARILLO, TEX., CHAMBER OF COMMERCE AND CITY COUNCIL OF CHILDRESS, TEX.

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the Record a resolution passed by the Amarillo Chamber of Commerce. The statement was adopted by the board of directors, and concerns H.R. 1041.

Also, I ask unanimous consent that that resolution be followed by the text of a resolution passed by the city council of the city of Childress.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Amarillo Chamber of Commerce Board of Directors

Whereas, House Resolution 1041, introduced in the 90th Congress, would amend section 201 of the Agricultural Adjustment Act of 1938 by adding the following:

"(e) Upon the written request of twenty or more persons who certify that they are being damaged by discriminatory rates, charges, tariffs, or practices relating to the transportation of farm products, the Secretary shall, as soon as practicable, make complaint to the Interstate Commerce Commission with respect thereto and shall prosecute the same before the Commission, unless he finds that the request of such persons is unreasonable or frivolous"; and

Whereas, the present Act authorizes the Secretary of Agriculture to take such action; and

Whereas, it appears that said legislation was introduced at the request of the Texas Poultry Federation, whose primary concern is the comparative levels of freight rates on corn from the midwest to southern states and to east Texas; and

Whereas, it appears that freight rates on grain sorghums from the Amarillo area into east Texas are free from discrimination; and

Whereas, regulated freight rates from grain producing areas form a complex, closely inter-related grain rate structure which could be destroyed by attempts to meet the demands of small, special interest groups; and

Whereas, adoption of said legislation would require enormous expansions of the legal and transportation staffs in the Department of Agriculture; now therefore,

Be it resolved, that the Amarillo Chamber of Commerce, Amarillo, Texas, express to members of Congress its opposition to said legislation, the principle contained therein, and to any similar legislation which has been or may be introduced in Congress.

Adopted by the Amarillo Chamber of Commerce Board of Directors on this 22nd day of March, 1967.

Charles A. Green,
President.

Resolution

Section I, whereas:

(a) This City Council has been informed that rapid advances in the multiple uses of helicopters accentuate the scarcity of trained and licensed pilots for non-fixed (Rotary) wing aircraft, and that the need for trained pilot personnel can be met by privately operated schools and instructors; and

(b) This Board is further informed that proposals are pending for the training of helicopter military cadet aviators by Helicopters International Training Academy under government contract and that this privately operated school could feasibly utilize Childress Municipal Airport facilities because of the excellent existing aviation capabilities including not only presently operational flight facilities, but also readily adaptable hangars and other buildings and structures;

Section II, now, therefore, be it resolved by the city council of the city of Childress, of the county of Childress, State of Texas, that the Department of Defense, the Department of the Army, and the Director of Army Aviation be, and it is hereby respectfully urged, to give favorable consideration to helicopter cadet aviation training projects, submitted by proposal from Helicopter International, Inc., a qualified and competent private operator of schools, providing such instructions utilize the excellent aviation facilities available for such purposes at Childress Municipal Airport, together with any of the other Childress municipal aviation facilities;

Section III, it is further resolved, that the Clerk of this Board shall forthwith forward copies of this Resolution to: Honorable Robert S. McNamara, Secretary of Defense; Honorable Stanley R. Resor, Secretary of the Army; Major General Robert T. Williams, Director of Army Aviation, OACSSOR, Pentagon.

Witness the signatures of the members of the city council of the city of Childress, Childress County, Texas, this the 27th day of March, A.D. 1967.

C. J. Lyons,
Mayor, City of Childress.
Glenn N. Buckley,
Alderman, Place No. 1.
Mike Dilson,
Alderman, Place No. 2.
Cecil C. Park,
Alderman, Place No. 3.
W. L. Eikman,
Alderman, Place No. 4.
———————,
Alderman, Place No. 5.

WHAT CHALLENGES OUR FREEDOMS?

Mr. MUNDT. Mr. President, on March 2 of this year I was afforded the opportunity to address the members of the Drug, Chemical, and Allied Trades Association at their annual convention, which was held at the Americana Hotel, in New York City. I ask unanimous consent that the text of my remarks be printed in the Record.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WHAT CHALLENGES OUR FREEDOMS?

(By Karl E. Mundt)

Mr. Chairman, it is a real pleasure for me to fly up from Washington tonight to address this distinguished organization of business leaders and executives. Before getting into politics, I myself was a private businessman for about a dozen years until the Federal Government took over so much of our first mortgage and loan business that I decided to get into the business of the Federal Government. I have now been in it for over 28 years through service in the National Congress, so I shall speak to you both as a businessman and as a public official who belongs to a Governmental operation that is vitally interest in your business.

When I first arrived in Congress in 1938, a veteran Southern Congressman told me, "Karl, the business of Government has changed greatly since I came here in the middle twenties. But there is still a formula for political success which I would advise you to follow—identify yourself with some successful Federal financial operation in your State and remember always that 'economic conditions determine political decisions.' You should constantly identify yourself with the economic successes and advancements of the people of your State."

Mr. Chairman, that was good advice, and many successful members of Congress have followed it for many years. To a certain degree, I presume it is still effective. But to show how the functions and activities of Government have changed since the middle thirties, let me point out that a new political axiom now prevails. I think the fact that the new axiom can be expressed simply by rearranging the words of the old indicates how continued but largely unnoticed steps toward paternalistic government can alter a Country's Government without many of its citizens really knowing about the changes. Today, for example, while it still may sometimes be true that "economic conditions determine political decisions," we know that it has now become far more demonstrably true that "political decisions determine economic conditions." Same words, you see, but what a whale of a difference is represented by the fact that they now must be rearranged from their earlier order of sequence in order to present an accurate picture.

I know you all realize the validity of this new axiom. Bad political decisions by public officials which get us into war, which squander our fiscal resources until the flames of inflation consume the value of our personal or business savings; discriminatory taxes which punish some while promoting others: such moves as these, and many more, made by a President and/or a Congress can knock into the proverbial cocked hat the best plans prepared by the best economists and the finest managers of the greatest corporations in America. And long before the big fellows fall, the cemeteries of abandoned hope will be filled with the tombstones marking the demise of hundreds of small businesses and individual enterprisers.

You already know in your own businesses how the Federal Government has demonstrated its capacity and fetish for interfering with your business procedures and for pre-determining your opportunities for success. For example, you face or have already encountered the power and the purpose of Government planners, fixers, and reformers in Washington as they move into your economic practices on such matters as packaging, labeling, testing, advertising, and promoting the products of your plants. Likewise, your profit ratios—if any—are now more frequently than not determined by bureaucrats and politicians in Washington rather than by the efficiency experts, managers, directors, and officers of your respective corporations. But for you, and for many others in the private sector, our Government is as Churchill put it at "The end of the beginning" rather than at the "beginning of the end."

However, just as we appear to be fighting an indecisive war in Vietnam after five years of bloody conflict there, we also appear to be engaged in an indecisive battle here at home as to which course we desire to have our Government take in our private affairs. Do we want more or less regulation from the Federal Government? Do we want more or less Federal interference in our lives? Do we want our Government in Washington to cost more or less? Do we want to increase or decrease the size, the scope, the functions, and the number of employees and functionaries in the Federal State?

Neither you nor I tonight can answer these questions for America. Neither you nor I know really what America wants in these areas of alternatives. We live now in a great decade of decision in which the basic answers are yet to be made, and my plea to you tonight is to get yourselves more deeply into the business of politics and Government at a time when, with little urging from anybody outside of the political fraternity, the Federal Government is getting itself more deeply into your own private businesses.

How can I be sure that as of now neither you nor I know what Americans really want in terms of their answers to the questions I have raised about the purpose and the power of the Federal Government? My friends, all we need to do is to look at recent American history in order to convince ourselves that our great Country has not yet decided for sure what it really wants its Government to do. The big, basic, enduring decisions are yet to be made; they must and will be made by folks like you at the polling places of America through a series of elections yet to come.

Let's take a quick look at the recent American history. The first big recent opportunity at public decision-making occurred in 1960 in the Presidential race between Jack Kennedy, the winner, and Dick Nixon, the loser. Starting with 1933, our Country started under FDR to move toward a new concept of the power and purpose of our Federal Government . . . the glorification of the Federal Government and the concentration of great and unprecedented new powers in the central city of our land, Washington, D.C. The rights of States and the opportunities for individual success started to become early casualties at that time in that battle against the impacts of the Great Depression.

However, by 1952, Americans generally demonstrated an alarm and a distrust over the tendency of the Federal Government to grow ceaselessly larger, more expensive, and more embracing, and Dwight Eisenhower was elected President. For eight prosperous, peaceful, progressive years, Americans enjoyed a breathing spell from new excursions of political power into the private affairs of Americans; so, logically, in 1960, the Presidential campaign gave Americans an opportunity to choose between two recent types of Governmental philosophy, and each type was represented by a Presidential candidate with both the ability and the desire to discuss the alternatives intelligently. It was indeed a great campaign.

I knew both of the Presidential candidates intimately. I had served both in the House and in the Senate with each of them. I had, in fact, served on Congressional committees with each of them, and in those intimate sessions had come to know and admire both of them. I had seen both of them under strain and stress and had watched them operate in the decision-making attendant upon hotly contested controversial issues.

With Dick Nixon, I had served on the House Committee on Un-American Activities and on the Senate Committee on Investigations headed by John McClellan of Arkansas and of which I became the ranking Republican member. After that, during the investigation of labor racketeering and organized crime in America, I served when Jack Kennedy was a member of that Committee and when his little brother was the Chief Counsel. I suspect that one of the things I'm going to have a hard time convincing St. Peter he should forgive is the fact that John McClellan and I gave Bobby Kennedy his first important exposure in public life. But we did; and we're guilty; and we can't deny it! Anyhow, there he was, and he was a good Counsel for our Committee. His brother Jack was a friend of mine. Dick Nixon also was a close friend of mine.

It's a known fact that I filled in as Acting Chairman in the Alger Hiss-Whittaker Chambers confutation which finally resulted in the incarceration of Alger Hiss. Dick Nixon was an associate of mine on that Committee, and then we went to the Senate, I two years ahead of him, but when he came there we both were on the McClellan Investigating Committee. We investigated together the "old twelve pound ham" controversy and the "five-percenters" and the "mink coat" episodes; you remember them all. We joined in passing the Mundt-Nixon Bill that became the Internal Security Act of 1950. It was the only Act in the history of the 20th Century ever introduced in a Democratic Congress by two Republicans, vetoed by a Democratic President, and yet passed over the President's veto to become the law. At least, it was a law until the Supreme Court got hold of it. That Court can do strange things to an act of Congress, and it's still working on our Internal Security Act. Wait until it gets at the drug industry—then you really will have problems! Anyhow, the Court has knocked big sections out of our act, but some of it is still left.

So I knew both Kennedy and Nixon well; I liked them; I admired them; they were dedicated; they were articulate; they were fine Presidential candidates. Remember the debate—just go back a little while in your minds because it was directed to you. Some of you may not have realized that a few of the companies you represent were really the ingredients of the "big debate." That's when Jack Kennedy said, "We've got to get America going again. We've had eight years of not getting very much done. Now we've got to get America going again; we've got problems. We've got problems in mass transportation; we've got problems in poverty; we've got problems of malnutrition, bad housing, bad health, and bad air and water. Lots of problems! We've got to get America going again and the way to do it is to increase the power, the spending, the authority, and the personnel of the Federal Government to put all this action behind solution of the problems to get America off dead center." And his arguments made a lot of sense to a lot of people.

Dick Nixon came along in his debate and said, "I too am young; I too agree America isn't good enough; I too believe we've got to get America going again; we've got to keep moving ahead and stop looking backward." "But," said Dick Nixon, "the way to do it is not to increase the scope, the power, the cost, the functions, and the competition of the Federal government, but the thing to do is to give venture capital and our competitive economic system a chance to progress and build America better by the great success formula we have used to get us where we now are in making America great." So there was a spirited debate, and both candidates made a lot of sense.

When the issues were given to the voters of 1960, how did they vote? They ducked them; they didn't answer. True, by an infinitesimal margin Jack Kennedy won—but not by anything representing a mandate because it was by less than 1%. To make the situation even more peculiar, the same people who voted for Jack Kennedy for President in that November of 1960 on the same ballot on the same day in the same voting places voted for a Congress dedicated primarily to the Nixon concept—we ought to cut big government down not expand it.

So poor Jack Kennedy as President for two years proposed and the Congress disposed. He said we ought to build the government bigger, and Congress said you ought to make government smaller. A wonderful thing about our system of voting is that we can change our decisions every two years. We have a bielection then when the whole House of Representatives is up for grabs; a third of the Senate or more is up for grabs; and you can get what you want if you're not satisfied with what you have.

So we had the debate all over in 1962. Half the people running for the Senate and the House in 1962 ran on the program that you've got to give the President more support. They said, "Here is a bright young man with brave new ideas who has a new scheme for the mission of government; we've got to provide him with the money; we've got to give him the power; we've got to give him the personnel so he can get America going again using the great engine of the Central Government. We want people who will vote 'yes' when Jack Kennedy says, 'Will you please do this?'"

The other half of the House and Senate candidates said, "Look, we've been holding the line, but just barely; this is a very attractive fellow; he's got a lot of strange and costly ideas but Congress has held the line. We can't hold it alone much longer so you've got to give us more support. You need to have more people in Congress who believe their function as a Representative in Congress and in the Senate is to represent the people, their attitudes, their ideals, their areas of activity, and their convictions rather than those who will be Rubber Stamps for the White House. Send us people who will say 'no' to the President and not 'yes.'"

And what did you do as the voters? You ducked again. You didn't make any decisions. In the body to which I belong, you increased the percentage of those who said we believe the function of a Congress is to say "Yes" when the President says "Will You?" But in the House of Representatives, you increased by the same margin the percentage of members of the Congress who said, "We believe the function of a representative body in Congress is to screen, scrutinize, criticize, and analyze Presidential proposals so as to relate them not to the desires of the big politicians in the White House, but to the people in the home precincts of America. So we had a dead heat again in 1962.

Then came the awful tragedy in Dallas and the death of Kennedy.

Then came Lyndon Johnson, and we are a Nation of sportsmen. We said, "The fellow is entitled to a chance. He has inherited the position under very difficult circumstances. Let's wait and see how he operates." Which we did, and nothing unusual or of great significance happened until the big campaign of 1964. Just as you had the great debate in 1960 and the great hesitation in 1962, you had the great "second look" coming up in 1964. But we didn't take it! It resulted in a campaign without a real clash of issues.

We remember that campaign. I believe the campaign between Nixon and Kennedy was the best and most responsible and most erudite that we've ever had in American history—meeting each other on television, debating the issues, a clear-cut cleavage between perfectly defensible and patriotic American proposals. It was a wonderful campaign—a genuine credit to all Americans.

On the other hand, the worst Presidential campaign on both sides which we have ever had to my knowledge was in 1964. There you had Barry Goldwater on the one hand and Lyndon Johnson on the other hand trying to see who could scare most of the American voters into voting one way or the other—no debate of the basic issues, no statements on what they were going to do, no consistent analysis of program, no willingness to face each other in debate, just a bunch of hobgoblins waving wands and scaring voters. Lyndon had more Witch Doctors on his side than we had, so he won! They should have conducted that campaign on Halloween night rather than on the first Tuesday after the first Monday of November!

In 1964, there was a big evasion of our basic decisions, so we're still debating the issues—do you want to have big government and, if so, how big, how embracing, how strong, how costly? Should there be a little niche left for you as a private citizen to make some decisions of your own? I don't know what America wants. But we're going to find out the answers to these questions, you and I, pretty soon.

We didn't learn very much for that matter in 1966 about the direction most Americans want our Country to take. There was a traditional pull-back to the Republican Party; there was a natural movement toward conservative government; but then you had this reckless spending program and the surge of inflation for some time and people were becoming weary of it. However, it was not a decisive gesture in conclusive terms. A significant number voted for a "slow down," but the House and Senate remain in control of the party of the White House and the Senate by almost a two-to-one margin. So we face up now to the years ahead—1968, 1970. Perhaps in the election campaign of 1972 that's still going to be the same basic, undecided issue: How big should the Central Government grow?

It isn't strictly and always the issue between our two political parties, but it is an issue always between two points of view. You see you have a lot of people down in Washington, I regret to say, who belong to my fraternity and vote in the Senate, and I like them as friends, but who have nothing but complete distrust of folks in businesses like yours. And you should know it, because I think the average proud American will fight back when some politician whose salary he pays say he is so dishonest, so corrupt, so ignorant, or so greedy that you need a government gauleiter looking over his shoulder to make him a decent citizen. We have some of that kind of people in Washington, and they are there because you put them there. And when you put a few more of them there, they will be looking over every shoulder because you've asked them to. But you must manifest more confidence in yourselves because for over twenty years most of the members of the private sector of this Country have been insulted by people in jobs like mine and the answer has been nolo contendere. You haven't fought back! And I don't know how you protect a way of life when those enjoying it most and profiting from it best fail to defend it vigorously.

You know far better than I whether you have a defensible industry, and defensible procedures that justify your fighting back. If you have, nobody else in this whole wide world is going to protect people who won't fight for themselves. I tell you that in complete candor and honesty because I believe you have a right to be proud of the great industry which you have built.

So here we are. In the next three elections I think the decision will be made. It has almost got to be made, you see, because we are part of a world trend.

I think actually that TMG has done more damage to the freedoms of the world in the last ten years or twenty years than that murderous explosive TNT without ever shedding bloodshed. TMG—Too Much Government. Too few officials having too much control over too many people for too long a time—That's TMG. That was Hitler. That was Stalin. That's Kosygin. That's Ho Chi Minh. That's all the dictators right and left and down the middle that the world has produced.

People have let them have too much power too long!

Now we haven't done that yet in this Country. We haven't made the decision. But all I can say to you in strict honesty is something that you know for yourself. That is that while we have not moved to the same degree that many of the countries of the world all around have moved in downgrading people in the private sector and building up the power of people holding public jobs, we have, unhappily, steadily, moved in that same direction. How much further should we go? I don't know. And you don't know. Because America has proven in election after election after election that it doesn't know. And so we've got to decide for ourselves what we want, and we must do it soon.

I remember a number of years ago I was privileged to visit Turkey as a member of the Foreign Relations Committee. At a big state dinner, among the people that I saw was a very interesting Turk by the name of Isad Sumer, who was head of the biggest banking house in Turkey as well as holding a ministerial post in Ankara. Those of you who have visited Turkey or studied Turkish history know about that great banking house. He was my dinner companion. After that, we went up to his room and had a long visit, and I said, "Let me ask you something, Mr. Minister. Tell me what kind of economic and political system do you have in Turkey? Is it a Socialistic system as so much of the Eastern world has? Is it private enterprise? What is your basic economic and political system?" He looked at me and said, "Well, let me tell you. We have worked out a formula in Turkey whereby we try both systems, and we try them in the same industry. Half of the textile industry in Turkey is owned by private entrepreneurs, private industries; and the other half is owned by the public as a socialistic endeavor run by the government. It's a yardstick system—one half watching the other. Half of the tobacco industry is run by the private sector and half by the public sector."

I then said to him with that great capacity we Americans have to offer free advice wherever we go at any time, "Well, Mr. Minister, I hope you won't think I'm impertinent, but really as an old college professor of political science and economics and a former private businessman, let me point out to you that what you are doing over here is to invite the worst results of both systems—and you get the benefits of neither." I said, "I will admit Socialism will work in a society where people are willing to forfeit their freedoms, and in a society that is willing to let a group of politicians begin directing and dictating everybody's lives. Socialism can provide some advantages to some people under those conditions. As a private entrepreneur myself and a former businessman, I know what the private enterprise can produce and provide. But when you have the two in the same industry together, you stultify them both. The fellow in public office and the socialistic enterprise in his part of the textile industry is reluctant to start an innovation such as putting in a new machine or as to adopt a new formula because, if he tries it and fails, he is in trouble and the private sector can demonstrate how much more efficient and effective it is. So the public operator goes along with what he has. And in the private sector they are also unwilling to start any innovations or any new procedures or methods which are going to make them eminently more successful than the public sector because they know if they do the politicians who control the purse will come in and buy them up and take them over so as to put them out of business."

Then in that perfectly wonderful manner that our European friends have of cutting an American tourist down to knee-pants size with just a few words, he looked at me and said, "Well, my friend, but of course we know all that! Of course we know all that, but you forget that Turkey is a little country of 30 million people living in a world in which practically half of the world is socialized and communized and run by politicians and in which half the world is run by private enterprise as you enjoy it in the USA and you are locked in a cold war against each other. We don't know which side—which system—is going to win, but when one or the other of them does win, we will have had experience in both systems and are ready to take over!" Smart Turk, that fellow! Smart Turk!

Let me point out that this isn't a political presentation because as I am free to confess, we have Republicans, not many but some, who share with others that I know the distrust of you, the public—the taxpayer, the businessman—who won't fight back when government intrudes into your interests. So you have them in both political parties.

But we do have two parties in this Country which are sharply divided on these issues, and each of you belongs to one of them. Once you decide where you are, you ought to do something about it, in my opinion. You've got one political party you can identify by calling it the FGF, and the other party is the FGL. Each of you is a non-dues paying member of one or the other. The FGF's are the Federal Government Firsters and the FGL's are the Federal Government Lasters—there are good people in both groupings. Want to help people in the slums? Want to help ill people get healthy? Want to help people have better homes, better transportation, better schools, cleaner air, and less crime in the streets? The question is where do you stop? When you discover a problem, do you blow the whistle and call a government office and say, "Uncle Sam, we've got a problem, send the troops." Or do you try to do something about it in your own community? Or through the private sector, or in the county, or in the State? The question of where do you begin in solving this tremendous array of problems we have in this Country now is: Do you call the Federal Government first, or the Federal Government last?

Look around you at the problems we've got to solve, and these are genuine problems. What are we going to do about housing? What are we going to do about slum clearance? What about air pollution? What about water pollution? What about homes for the aged? What about hospitals for the ailing, schools for the youngsters? Increased social security benefits for all? How about the people who write us every day and say, "This medicare thing isn't what it is cracked up to be. My trouble is in my feet, or with my eyesight, or my hearing, and I'm not getting any help." What about the people who write us about you saying, "Medicare isn't doing what I thought it was going to do, and it's still costing me too much for medicine, pills, and drugs! Why can't Uncle Sam make the drugs and produce them more economically?" You know—like we deliver the mail with a postman—it's gotten slower now, of course, than it used to be when we had smoke signals and moved our mail by pony express in this Country. What a wonderfully expensive business the Post Office has become! There is our brand of American socialism at work!

I went down last week with Lawrence O'Brien and celebrated the issuance of a new Voice of America stamp because it was my bill that set up the Voice of America and his Department that produced the stamp. He is no better or no worse than any other Postmaster General; but let me tell you about this postal business we Americans run at such a great annual financial loss.

There you've got a business which you fellows ought to own! There is a good business because you not only have a monopoly legalized, nobody can go into competition with you; but if he ever tries to do it himself by making a stamp of his own, you put him in jail! The people have to come to you and pay the price that you ask for the merchandise you are selling. They can't buy it anywhere else in the world and yet we're going into the red hundreds of millions of dollars every year. I guarantee if they'd sell that Post Office Department to J. C. Penney, he'd reduce the price of stamps and make a profit out of it!

I want to hasten to add, however, that I'm not in favor of doing that—I'd vote against it. I'd vote against it for this reason: I think we have to keep the American postal system where it is to hold up before Americans generally the awful spectacle of what is going to happen when we start to socialize America generally! That's a good example of state socialism; there it is, I couldn't find a better one.

So here we are divided up into Federal Government Firsters and Federal Government Lasters! I don't want to leave you without a suggestion. Let me suggest what I think you could do, not as Republicans, not as Democrats, but as people with whom I am in competition because we politicians are moving in the direction of every single product I see represented here tonight. You can't say that it can't happen to you but we're working at it pretty hard. I heard about a fellow the other day who had just had an operation from a socialized doctor. He had gotten into a government hospital. He was in the recovery room and when he awakened he found a sign on his desk and the sign said, "Quiet Please. This is a Federal project. Your tax dollars are at work here!"

What inducement, you might ask, has a fellow from a country state like South Dakota for protecting the right of people that package their merchandise and properly label it? And sell it at a profit? And manufacture their own drugs? Why in heavens name should I be concerned if you're not? It's your business, not mine. We have no such business plants in South Dakota—I sometimes wonder if there is any relationship between that fact and the reason our people are so healthy! I simply want to point out that this is the decision of the decade. What do you want to do about it?

Now I want to give you what you might think is a horrible example, but I think it is an excellent demonstration of what you can do to make your influence felt on the basic decisions of our times. I want to call attention to the fact that the strongest and most effective political organization operating in America today was organized by a man by the name of Walter Reuther and Sidney Hillman. They discovered that under our electoral college system the votes of the people in twenty big American cities in twelve states could determine the electoral college vote in the U.S.A. and that they could nominate and elect a President. They then organized a political machine for getting the people in those areas to the polls in big enough numbers to win. I salute them on having done a tremendous job of it. Walter Reuther's cult, the Committee on Political Education (COPE), of the AFL–CIO, is a much more effective political machine in America today than the Democratic National Committee which controls the House by three to two, the Senate by two to one, the Departments of Government completely, the White House and the Vice Presidency. And its influence is being reflected in the Supreme Court decisions of judges appointed by the Presidents COPE has helped to elect. Those are the facts, and of course, Big Labor's COPE just has to be more effective than the Republican National Committee. We raised a million dollars at a Republican dinner in Washington last night, but we didn't get many votes—that's the trouble. We just got some money in our campaign kitty. We're so completely out-numbered in Washington, of course, that COPE has completely outscored us in most recent elections.

How about Walter Reuther's political cult? It is not an illegal thing because the Court said it's legal for him to collect the money from the Union members that he uses in these campaigns. I think the Court was wrong, but if I'm going to tell you about all the decisions I think the Court has made that are wrong, I'd be here until tomorrow morning at breakfast time! I agree that what the Court says is legal because in terms of our public procedures the Constitution is what the Court says it is. They say it is all right for Reuther to recruit these dollars from the workers and build his political organization. I don't care where you come from, I say to you that Walter Reuther's COPE has more political operatives on full-pay tonight in your State than the Democratic National Committee and the Republican National Committee combined. I salute him for it. While he supports and proposes programs with which I disagree, I recognize that under our American system you give the rewards to those who energetically and successfully strive for them.

For example, Medicare was born at a Labor Day meeting in Cadillac Square in Detroit, Michigan, at a meeting presided over by Walter Reuther where every Democratic potential Presidential candidate that year stood up and took the bow in public—where you heard him and I heard him say and it's recorded in the papers—"I'll go along with Medicare." Maybe that program was desirable—maybe not; but that's not the issue I point out. I simply call your attention to that Labor Day "Pledging Ceremony" as another illustration of the political power of COPE.

If my assumption is correct, and we have the right people running the businesses of this Country, I submit in all sincerity you people should then have and exercise more political authority and influence than you do. If I am wrong, and Big Labor is smarter and has better judgment and represents the real genius of America, perhaps its leaders should be managing, owning, and operating the great industries of this Country and the rest of us should be working under their direction. It sometimes appears we are coming pretty close to that in the political affairs of our Country. I must believe, however, that those running the businesses have as much intelligence to project themselves as Walter Reuther and his group have to promote themselves. I must believe that, so I also believe the great private sector has a contribution to make politically but that we've simply been out-maneuvered, out-worked, and out-organized. I don't complain about that. I don't condemn Reuther and Labor for what he has done. I congratulate him for it, but I point out to you that the private sector is not going to win sitting down. There is no future in hoping for someone else to save you. You are going to win only by utilizing your genius, your ability, your money, and your talent, organizing and fighting for those things in which you believe. And then the great debate of our decade will be decided, in my opinion, by the good judgment of a majority of all Americans voting in the next few elections.

I just happen to believe myself, and I'm not trying to proselyte you or to convince you, but as a South Dakota boy, I just happen to personally believe that America did not get to be the greatest Country in the world by doing everything all wrong! Some place in our system there is something worth preserving. I happen to believe that a system of economics and politics which has solved every prodigious problem of our history from the beginning of time up to now can solve the problems which we now confront if we give it a chance—if we adapt its great success formula to the problems of today. That makes me, I suppose, a Federal Government Laster, and so I am; but it is so hard for me to believe, for example, that our great railroad companies could fling the rails from the Atlantic to the Pacific and develop a great transcontinental railroad system and then tell them they are not smart enough to figure out a way to move commuters from New Haven to New York!

I may be wrong, but at least I think we ought to devise some kind of incentive taxation or develop some other kind of government incentive to encourage the private sector to TRY—to see if they couldn't build that little pip-squeak suburban commuter railroad, after they build one from the Pacific to the Atlantic. I think the same thing is true in many other areas where we have problems which need solving. I think the Country which has been able to build and install more bathtubs in its history than all the rest of the countries of the world combined ought to be able to figure out a way for putting bathtubs in houses that don't have them now without paying subsidized rent to the tenant out of the pockets of the taxpayer! I'd like to see us try it by our established private enterprise success formula—that's all. I'll accept the welfare state verdict if we can't do it in the private sector. In that event, perhaps the government ought to do it—just as you're going to have to accept the verdict if you can't produce what the people need and want in your areas of economic activity. But, last and not first. First we should know the answer to "what can you do"? I wish I could say it—but I wouldn't say it if it were true and I wouldn't say it if I could—but the answer to your problem is not to organize a new political party nor to assume automatically either one of our political parties will save you without your help. This is a nonpartisan meeting and such a statement would not be the truth. But you can do something if you want to, and I'll leave you with a specific suggestion as we close.

All I ask tonight is that you get into this fight for Freedom—that you just don't sit around kibitzing the biggest contest of your lives—the outcome meaning more to your families and your future than anything else you can describe or designate. Get into this decision-making business on one side or the other—that's up to you—but I implore you not to just sit out the showdown decision of our lives. I'll tell you how you can get in effectively.

If you're a Federal Government Firster, if you share the suspicions of many people in my fraternity about the honesty and the ethics and the good behavior of your competitor, get in on the side of the Federal Government. If you really believe in Big Brother Government, try to put your own ideological blood brother in charge! To do that, you can send a $10 check to COPE; the address is Solidarity House, Detroit, Michigan; and Reuther will enjoy your support, be glad to get it, and he'll spend it effectively.

There are however also some organizations that you can join on the other side if you are a Federal Government Laster. I'll mention only one because it is one that I know is honorably led; I know that in the 1964 election contest and in the last election also where COPE was challenged directly by this organization, the organization I am about to mention defeated the COPE candidates about seventy percent of the time. Sometimes Republicans were elected and sometimes Democrats, but they were all FGLs. I refer to Americans for Constitutional Action, organized by Admiral Ben Morrell who headed the Sea Bees during the War. Ben Morrell was chairman at one time of the Board of Jones Laughlin Steel Company in Pittsburgh, Pennsylvania. A great American, Morrell said, "I at least want to give Americans who want to protect our great success formula a place to which they can spend their money where it will be used in a political campaign by the same kind of political experts that Walter Reuther and COPE employ." If you want to join that effort, send $10 to Americans for Constitutional Action, 20 E Street, N.W., Washington, D.C. or, if you prefer, you have a club of your own. It is called the Business Industrial Political Action Committee, run by Bob Humphries of this city and located at 14 W. 29th Street. It is newer and less active in campaigns, but it is moving in the same direction as ACA.

Each of you should decide which side you are on. Are you in fact a FGF-er or a FGL-er? Do you desire to be a decision-maker or are you content to be a decision-taker? That choice is up to you. You can sign up and help decide America's destiny, or you can sit out the contest and accept what others decide. Either COPE or ACA will welcome your support. One or the other must fairly closely represent your point of view and your hopes for the future. Both groups are energetically and effectively led. Because I believe in the fundamental issues of our lives, it is always better to fight and try even though you lose than to remain neutral and ineffective in determining the outcome, I urge you to get into Freedom's fight as we face up to America's future in the full realization that when we finally reach an enduring decision for the U.S.A. it will be a result likely to be emulated by self-governing people everywhere around the World.

NEWSPAPER COMMENT ON HISTORICAL CONTRIBUTION OF WILLIAM MANCHESTER

Mr. TOWER. Mr. President, I send to the desk four articles which have been published in the press recently, three in Texas newspapers and one in a Washington newspaper, evaluating the historical contribution of Mr. William Manchester.

Mr. Larry Howell comments for the Dallas Morning News, Mr. Leonard Sanders comments for the Fort Worth Star-Telegram, and an unsigned editorial is the contribution of the Abilene Reporter-News.

The editor of the Washington Sunday Star, Mr. Newbold Noyes, comments for that newspaper.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Dallas Morning News, Apr. 6, 1967]

QUITE A YARN—HISTORY ACCORDING TO MANCHESTER

(By Larry Howell)

The Kennedys, of all people, should have no quarrel with "The Death of a President," William Manchester merely did what he was asked to do—come up with an account of the assassination from the Kennedy point of view. This he did, in 647 pages of single-mindedly dedicated prose.

Trouble is, the Manchester book was prematurely described by some source as "definitive and objective." At this point the principals should have issued a flat denial, had a good laugh and let it go at that. Objectivity does not stretch to cover the forming of a conclusion—that the Kennedys and the Irish mafia should emerge with spotless white hats—and then the gathering of specific information to back up that conclusion.

Instead, the Kennedys and Manchester apparently started believing the press-agent notices. The widow complained that some of Manchester's revelations were too intimate, even for "authorized" history. And the indignant author yelped back that the family was trying to trespass on his role as historian in chief.

Tragically, perhaps, the book has been afforded a prominence it should not have deserved. The most comprehensive study of the assassination is still the Warren Commission Report, with whose findings Manchester totally agrees.

What's new in Manchester's book is what he was commissioned to tell the world—what the Kennedys did, what they said and what they thought. It is obvious that somebody went overboard here, for what comes out is a sort of unfortunate cross between a True Confessions article and a Greek morality play.

In the latter, everything in the play is either hero or villain; there are no inbetweens. The heroes are set upon by all sorts of adversities—environment, the elements, even human nature.

And so it is with the Kennedys. Their enemies are legion, and foremost among them are Texas in general, Dallas in particular, Lyndon Johnson, the Secret Service, John Connally, The Dallas News, J. Edgar Hoover, the Dallas police, the weather.

Oh, yes, and Lee Harvey Oswald. Both he and Dallas are described as insane but only in Oswald's case is this allowed to be an excuse.

All of this, taken in context makes lively reading—if a little laborious with all that withering detail. Manchester definitely has a way with words. The clouds that parted, making way for a sunlit parade through Dallas, are attributed not to the Divinity, but to "Kennedy weather." First things first.

The office workers who lined Main Street 10-deep weren't cheering, weren't screaming accolades, they were "baying." (To serious students of writing, this is how to reduce several thousand sincere well-wishers to the status of hound dogs with a single word.)

In Houston, then-Vice-President Johnson was not greeting old friends along the street, he was "wandering off."

Several Dallas people may feel deeply hurt by the treatment they get from Manchester. But they can take comfort in this: The Encyclopaedia Britannica, it is not. The book is merely a spoon-fed recitation.

After all, the whole nation has had a chance to read and see just about everything pertinent there is to know about what happened in Dallas in late November of 1963; this is but an anticlimax, and a somewhat fictionalized one at that.

"The Dallas right" is another villain. Picking his quotes carefully, Manchester deduces that "resurgent Dallas Republicanism" dominated the president's welcoming committee.

Fact is, about the only Republican in the bunch was now Mayor Erik Jonsson. There were several conservative Democrats, and to the liberals whom Manchester interviewed in Dallas conservative and Republican are synonymous.

But to quibble over errors of fact is to miss Manchester's purpose entirely. He was handed a point to prove, and like any good defense attorney, he did what he could.

In retrospect, it would appear that the Kennedys got far too upset. What it was that they objected to, only they know. For the reader who accepts Manchester's version of history to the exclusion of all else, the Kennedys will forever be the family rudely evicted from Camelot. They could have asked for little more.

Other readers, however, may have had the benefit of "William Manchester's Own Story" in Look magazine. It amounts to no more than a tantrum in print, but it does shed considerable light on what manner of man wrote this extraordinary book.

He would have done well to start with "Once upon a time . . ." and leave out all his footnotes, charts and maps. But of course in this day of literary sophistication it would never have passed for history.

Therefore he leads off with a quote from Whitman: "O powerful, western, fallen star!"

That fairly well says it. All that remains is to assess how well he carried out the theme. By any yardstick, he did his job admirably.

And if the author will accept a compliment from the state about which he has so much to say:

Bill Manchester, you've spun quite a yarn.

[From the Fort Worth Star-Telegram, Apr. 9, 1967]

MANCHESTER GOOD, AWFUL

(By Leonard Sanders)

William Manchester's long-awaited "The Death of a President," released Friday, is both a success and a failure.

As a best-seller, the book will more than gratify those seeking to relive that still-incredible weekend. Manchester's account is a powerful, gripping narrative, far better than anyone would expect from the prepublication hassle, or from the slashed-up version in Look magazine.

But in Manchester's avowed purpose of supplying history with an "official" account of the tragedy, the book is a complete failure. History will have to wait—as it usually does.

The flaws that place "The Death of a President" on a lower plane are inherent in the book's background, Manchester's approach, and in the writing itself.

The many, much-publicized errors of fact might have been surmounted. Few books of this size and scope could escape such human shortcomings. They could have been corrected in subsequent editions.

More serious is the fact that throughout, Manchester is incapable of objective treatment. He so warns in his foreword. But he does not warn of—nor seem to realize—the extent to which this emotional involvement clouds most every page.

The basic flaw in the book goes even beyond this.

Manchester's approach in many instances is that of historical fiction. His re-creation of some scenes is effective. Presumably, he has talked with the principals involved and knows what they saw, what they felt, etc. (although several listed among "author's interviews" say they did not discuss the assassination with Manchester). But when Manchester puts thoughts into President Kennedy's mind—and Oswald's—they are plainly conjecture.

In one such fictional interpolation on facts, Manchester retraces Oswald's trip to Irving on the eve of the assassination. He relates the story of Marina Oswald and Ruth Paine as to what happened that night, and concludes that Oswald went "mad" while watching "an old film of a World War II battle" on television, and that "the total eclipse of his reason occurred shortly before 9 p.m. that evening, a few minutes after Jacqueline Kennedy had finished her brief Spanish speech in Houston, and while she and the President were making their way across the crowded lobby en route to the Thomas dinner."

Even the Warren Report, which attempted to wrap up all loose ends as neatly as possible, observed: "No one will ever know what passed through Oswald's mind during the week before Nov. 22, 1963," but concluded on the base of evidence that "he must have planned his attack at the very latest prior to Thursday morning when he spoke to Frazier for a ride to Irving that night."

(In any event, the television log that night does not list any World War II battle films or movies on any of the five area channels during the two-hour span before 9 p.m.)

It is this attempt at omniscience that must give the discerning reader pause.

At one point, Manchester spends six and a half pages describing the "world" of 12:21 p.m. on that day—who was doing what, and where. This is convincing. Most people remember where they were, what they were doing on Nov. 22, 1963. But Manchester then moves into the realm of the stopwatch: "As Dwight Eisenhower, a critic of the administration, lifted a spoon at a 'UN We Believe' luncheon in New York, Steve Smith, meeting with an Ohio politician who had become convinced that Kennedy was going to carry the state next fall, was laying down a knife in La Caravelle restaurant a few blocks away."

This penchant for detail is unnecessary and overwhelming, even when not strained to things Manchester could not possibly know. Considerable editing would have made the book more effective.

Yet some of the book's most serious shortcomings are in its omissions.

The most obvious of these come early as Manchester describes Kennedy as a "reluctant Texas tourist" benevolently patching up a political row he felt Vice President Johnson should have ended. Kennedy, Manchester tells us, was "confident of a smashing reelection" if Goldwater "became the sacrificial lamb."

Manchester portrays the Kennedy administration as a "Camelot" era, virtually devoid of trouble. He barely mentions Kennedy's deep, paralytic legislative difficulties with Congress. He does not associate the tour of Texas (where polls showed Goldwater ahead for the state's 25 electoral votes), with the trip to Florida (14 electoral votes) earlier in the week, or to New York (43) before that. Manchester does not serve history by omitting these political aspects—and that it was mainly to Kennedy's interest that Texas' political schism be mended.

There are other similar, inexplicable omissions that serve Manchester's purpose to place Kennedy in a hostile land. One, of course, is that it was the Secret Service, not the chauvinistic Texans, who put the Kennedys in the smaller suite at Hotel Texas.

Many of the book's errors have been corrected in news columns—that Johnson did not know how to use the suitcase to launch a nuclear attack, that O'Donnell paced the corridor as Johnson was sworn in, the disappearance of the Bible—and others undoubtedly will emerge, for Manchester clearly is an emotional and opinionated writer.

The remarkable thing is that despite these flaws, "The Death of a President" is a compelling book. The description of the assassination itself—the moment by moment development is a dramatic piece of writing. Other portions—the funeral, the "chase" involving Caroline Kennedy, the "battle" inside Parkland Hospital—are equally good.

President Johnson does not fare as badly as advance news stories have indicated. Texas fares worse.

Manchester is at times obviously sympathetic with Johnson's position. The animosities among the staff members on the flight back to Washington undoubtedly would have emerged in a sudden corporate shift of power under much less trying circumstances, and Manchester treats them in that context.

His own animosities toward "that strange country" are more pronounced. They emerge in the adjectives used on Texans (Valenti: "Sammy Glick in Sammy's graduation photo;" a Parkland visitor: "a thin, conceited face;" Father Thomas Cain of Dallas: "bespectacled cigar smoker with thinning gray hair and a turkey gobbler neck"). He lambasted Dallas police for not checking credentials, but a Fort Worth official who does is labeled a "local panjandrum."

Unfortunately, the factual errors and slanted writing make suspect some of the book's most valuable revelations. The contrast in the reactions of news personnel and the Secret Service, for instance, are disturbing.

Most of the Secret Service did not recognize the sound of rifle fire, Manchester charges, because they had never heard guns from a distance. Merriman Smith's radiophone message to UPI was six minutes ahead of official communication, and Parkland heard the news on radio before receiving the alert that the high-priority emergency was en route. In describing the hospital developments, Manchester builds an appalling indictment against the Secret Service.

It was Smith's UPI bulletin that sent Robert McNamara's flash warning to U.S. military bases throughout the world, Manchester reports. John McCone of the CIA was getting his news from Walter Cronkite—as later did President Johnson.

If Manchester's description of these events is correct—and the "if" is prompted only by his demonstrated weaknesses—the book may make a valuable contribution to the future.

In retrospect, it is easy to see that Manchester was faced with an impossible task. And perhaps this is the reason the book is both a success and a failure.

Manchester has recalled that when asked by Jacqueline Kennedy to write the book, he turned to his secretary and said, "How can I say no to Mrs. Kennedy?" The secretary answered, "You can't."

It is now known that others did, because of "the agreement." But Manchester could not—at least then. He signed the agreement and in effect was commissioned to write—simultaneously—the "Kennedy story" and the "one complete, accurate account." This may have been impossible.

For instance, Jacqueline Kennedy's "housing problem" is simply solved in Manchester's book: "Harriman volunteered to move his family into a hotel and turn his own Georgetown home over to Mrs. Kennedy." This apparently is the way the Kennedys remember it.

But in another book, "R.F.K.: The Man Who Would Be President," by Ralph de Toledano, to be published later this month by Putnam, the incident is recalled differently.

The Harrimans had just remodeled the house, De Toledano says, and "Bobby approached him (Harriman) to ask if he would relinquish it to Mrs. Kennedy until she had bought a house of her own. The Harrimans who had just moved in, were a little reluctant. Bobby settled the matter by announcing to the press that Harriman had 'offered' the house to Jacqueline. The Harrimans could not contradict Bobby without appearing boorish and hardhearted, but relations between them and the Kennedys were never the same."

In effect, Manchester has written another "version" of the assassination, as opinionated at times as Mark Lane's—or anyone's.

But it is the "official" Kennedy story—"despite disclaimers—and contains a great deal of new information. Manchester's emotional involvement has the partially redeeming virtue of giving the book vitality.

"The Death of a President" is a good book, a highly readable book, but not a definitive work of history.

[From the Abilene (Tex.) Reporter-News, Apr. 1, 1967]

MANCHESTER BOOK ERRORS FAULT IT AS HISTORY

William Manchester's book, "The Death of a President," goes on sale next Friday. Advance reviews this week have disclosed more of its contents than had been previously known from the Look Magazine serialization.

There has been no book like this in this century, but this is not necessarily said in praise. No book has been so conceived—by direct commission of a First Family, so to speak. No book has been so controversial from such a unique set of circumstances. The Kennedys, who authorized it, in effect repudiated it, Mrs. Kennedy taking her battle with the author, publisher and Look Magazine to court. And the fact that this ended in an out-of-court settlement does not imply that all that had gone wrong was righted.

As Manchester himself said last week in his own story on the conflict in Look Magazine:

"Once, we (he and the Kennedys) were united by a unique friendship. But now, very deep wounds have been inflicted. Eventually, they will heal, but the scar tissue will remain ugly."

The Manchester book is famous and will be in unprecedented demand. But "celebrated" is not the word for it. "Notorious" perhaps is a more appropriate one, for it became so in the angry battle that swirled around it, and because of the discrepancies in fact which have thus far been revealed.

Manchester's version of his own book in the Look account reflects, it seems, a vanity on the part of the author which is no credit to him. Note a pair of passages from his story: ". . . And I needed no vindication; my book would do that." "My offense was that I was determined to give this generation a living history. . . ."

But the book does not deserve to stand, and should not be regarded as authentic history, because of the many, many gross inaccuracies already exposed.

Even as the book reviews appeared Tuesday, new errors were refuted. The Defense Department denied, as the book said, that it ordered worldwide alert of the armed forces. "The joint staff did send a message to the commands informing them of the assassination and cautioning that they should be especially on the alert. Routine posture remained in effect," the Pentagon said. Further, the Chesapeake and Potomac Telephone Co. denied that there was a near blackout of telephone service in Washington which posed peril to the government.

Manchester's book is vulnerable as history on another score, his bitter assault on Dallas. History should be objective; his writings of Dallas are not.

Manchester is a brilliant writer, but writing talent alone cannot make a book if integrity through truth and accuracy is missing.

The book doubtless will make exciting reading. But the discerning reader's enjoyment of it will be restrained by wondering how much of it can be believed.

[From the Sunday Star (Washington, D.C.) Apr. 9, 1967]

MANCHESTER'S BOOK: AN EXERCISE IN DEMEANING HISTORY

(By Newbold Noyes)

The question before the house is: Why is this such a bad book? It is bad—very bad—much worse than anyone would suspect on the basis of the excerpts published in "Look." There is a cumulative effect to its badness. As you get along toward the end of its 647 pages, progressively assailed by feelings of distaste, you must literally struggle to keep going.

Why? Manchester's subject, surely, is one of the great tragedies of history, filled with personal meaning for us all. Lord knows he has researched it exhaustively. The writing is not all that bad—not good, but adequate. What accounts for the disastrous result of this monumental effort?

In the first place, there is a question whether any book so conceived and commissioned could have succeeded. "The Death of a President," it seems clear, grew out of a remarkable illusion on the part of the Kennedy family—the illusion that there was a danger that people would forget. Of course there was no such danger. For all who lived through it, the memory of November 22, 1963, and the days immediately following will always be painfully green. Manchester's book will add nothing to the memory. And it cannot reproduce the feel and spirit of that experience in a reader of the future who did not live through it.

Manchester has not merely failed to fix the memory of those Kennedy days. For most readers, he will pollute it.

THE MINUTIAE

One pollutant the book is sure to add to the memory is boredom. Manchester is a great man for the minutiae, and for a while the minutiae serve his purpose well. As the narrative builds toward the moment of the assassination, his close-up, slow-motion technique develops tension and a sort of anticipatory pathos. The level of interest is sustained, roughly, through the return of Air Force I to Washington; thereafter the going becomes progressively sticky. The sheer weight of morbid particulars becomes oppressive. The effect is not elevating, not purgative, but merely enervating. Eventually you find yourself not really caring any more about, let us say, the trouble Chief Justice Warren had starting his car after the funeral—or why the generals did not offer Secretary McNamara a coat—or the endless difficulties of soldiers carrying the coffin—or the minute personal reaction at every stage of Arthur Schlesinger, Pat Moynihan, "Bunny" Mellon, Ben Bradlee, Ken Galbraith and "Stas" Radziwill.

Manchester is a name-dropper, and his view is shockingly snobbish. He focuses on a coterie of twenty or thirty insiders, and tells his story through their eyes. With the exception of the widow, however, there was nothing really remarkable about the behavior of the people closest to Mr. Kennedy. When anybody dies in unexpected circumstances, the effect on those closely associated with him is apt to be devastating. Mr. Kennedy was an immensely attractive person and President of the United States to boot; it was hardly to be expected that his immediate circle of friends would react casually to his murder. Yet Manchester seems to think he can establish for the rest of us the dimensions of this historic tragedy by dwelling on the sadness, bitterness and frustration of the inner White House circle.

It is quite the other way around: What *was* remarkable, what did establish the dimensions of the event, was the fact that this personal response was shared by the whole nation. It is much more important that the milkman in Omaha wept for Mr. Kennedy than, let us say, that the President's relatives did. The thoughts of the people who waited in line all night to walk by the casket in the Rotunda are far more significant to the mystery under study than are the thoughts of the members of Mr. Kennedy's staff. To Manchester, the outsiders are "they." They appear now and then, as a faceless background blur or a statement that a poll showed that sixty-some percent had this or that reaction at some point in the proceedings. It is not enough.

While focusing on too small a cast of characters, Manchester also focuses too much on one aspect of their behavior during this crisis period. All that is divisive, contentious and demeaning floats to the surface of his narrative—the rest too often sinks un-noted to the bottom. A principal thread of this account, it must surely be known by now, is the conflict that developed, in the assassination aftermath, between the Kennedy and Johnson staffs, and even between "loyalists" and "realists" in the Kennedy following. It is impossible for one who is even slightly acquainted with the persons involved to escape the suspicion that this conflict has been cunningly sharpened in the telling. It is not merely a question of selecting among numerous available details—some of the details selected are suspect. The case of Ken O'Donnell and the swearing in provides an insight into the Manchester technique of handling facts. O'Donnell remembered that he attended the swearing of President Johnson, yet others said they saw him pacing the airplane corridor, his hands over his ears, during the ceremony. Manchester did not hesitate to accept the latter version, and must have been embarrassed when photographs showed O'Donnell firmly wedged among the spectators at the oath-taking.

Manchester too often tends to let themes that appeal to him run away with his concern for accuracy. He has, for example, a pet idea that Kennedy friends, in shock, became impervious to the effects of alcohol on November 22. "Mary McGrory," he reports, "tried to get drunk with Teddy White." The Star's Miss McGrory had a cup of coffee with Teddy White that day, and did not try to get drunk with anybody. She worked late into the night—a fact personally noted by the present writer as he circled her desk, waiting for the copy.

The major, recurrent theme of the book is even harder to support with fact, and Manchester ends up simply asserting and reasserting it, as if saying so will make it so. He wants with all his heart to turn the story of the assassination into a sort of civil-rights morality play, in which the hero is felled by the forces of "hatred" and reaction. Manchester accepts and argues convincingly for the Warren report conclusion that Lee Oswald, acting alone, shot Mr. Kennedy. But he cannot bear the thought that the deed was one man's aberrant whim. That makes the death too meaningless. Since there was no right-wing plot behind the assassination, more intangible influences must be ascribed to Oswald. And so we are told again and again that the atmosphere of Dallas is to blame, or Texas, or people who hated Kennedy because he had helped the Negroes. This is a thesis which seems to comfort many intelligent people, and perhaps it would be good for us all if we were to believe it. Unfortunately it has nothing to do with what happened to John Kennedy. And, unfortunately, Manchester simply cannot let the idea go—he worries it to death.

AS MORALITY PLAY

President Johnson does not come out of the book as badly as the advance publicity might lead one to suppose. The thrust of the criticism of him, which of course comes through with unmistakable emphasis, is that Mr. Johnson moved in on his new responsibilities too fast, hurrying the swearing in, his takeover of the Oval Office, his address to Congress and so on. While dwelling cheerfully on every expression of resentment by the Kennedy people, Manchester does several times personally disavow any such judgment. Here is how he does it:

"To those who loved John Kennedy, the transition of power seemed needlessly cruel. Certainly it was harsh. It couldn't be otherwise; the brutal murder had guaranteed that. . . . Aspects of Johnson's behavior in shock may have proved exacerbating, but . . . Johnson was not himself that afternoon. In Dallas the national interest required strength, not elegance and it is arguable that Johnson, far from taking over too quickly, did not take over quickly enough."

This is, of course exactly right. The effect of such statements, however, again, is somewhat vitiated by Manchester's choice of detail in describing the behavior of the new Chief Executive. He seems fascinated by the plastic inhaler on which Johnson sniffed at Parkland hospital. He describes Evelyn Lincoln, Mr. Kennedy's secretary, laboring to clear her White House office for the new regime, and ends the moving passage with these words: "As one Chief Executive's furnishing departed, another's arrived. Behind Evelyn's desk a huge gold-framed portrait of Lyndon Johnson, brought over from his Vice Presidential office, was swiftly hung." (Only if we bother to read a footnote do we discover that two days later, the "huge gold-framed portrait" was gone.)

"The Death of a President," when all is said and done, must stand or fall on whether it tells how it was. Certainly Manchester does not tell how it was for the ordinary reader and citizen. The assassination of John Kennedy, together with its aftermath, was a major event in the lives of most Americans—the first great happening of history which, through the wonder of electronic journalism, became a nationwide personal experience. To most of us, hanging over our radio and television sets in those dreadful hours, it seemed that the men and women involved (particularly, always Mrs. Kennedy) dealt effectively and bravely with the circumstances that confronted them.

We were told of the wild dash to Parkland Hospital and the agonized and hopeless effort to save the President there. We understood, and approved, the extreme precautions taken in Dallas to protect the new President, while the possibility of a coup was still vividly evident. Necessary or not, it seemed proper that Mr. Johnson should be speedily sworn into office, and the cabin of the presidential airplane was a quite acceptable setting.

To us, at the time, nothing could have been more appropriate than the flight back to Washington, the new President and the fallen leader's family and staff escorting the body together. At Andrews Field, where television picked them up, we saw the widow depart with the coffin, while Mr. Johnson, briefly and humbly, spoke of his sorrow and promised, with God's help, to do his best.

And so on—through the developing pageant of Saturday at the White House, Sunday in the Rotunda, and Monday at St. Matthew's and Arlington. It was all right, and the ability of these people to carry on in their shock and pain made us proud of them and gave us confidence in ourselves and in the future.

This, let us note, was what the actors in the drama were trying to do. Mrs. Kennedy and Robert Kennedy, President and Mrs. Johnson, all of them, were struggling to do what had to be done with dignity and courage. They managed it.

Is not that, after all important? Should we be more concerned with speculation and gossip about what people think and fuss about in time of stress—their jealousies, fears, doubts and petty verbal indiscretions—than with what they actually do?

Given the ghastly situation in which they found themselves, those who were on stage on November 22 acquitted themselves well. They did right by the country, and by the memory of the late President.

It is too bad that William Manchester could not have done as well by them.

CHARLESTON, S.C.

Mr. THURMOND. Mr. President, an article entitled "Charleston Retains Best of Old Values" recently appeared in the Columbia, S.C., State; written by James J. Kilpatrick, the nationally syndicated columnist, it relates the preservation of the historic city of Charleston, S.C., to the preservation of those ideals which Charleston has retained from the days of Charles Cotesworth Pinckney, one of the drafters of the Constitution.

Charleston has found a means to combine her unique and lovely tradition with the mandatory progress of a large seaport, and I would like to suggest that the steps taken by the people of this city be examined for use in other areas that are faced with similar problems.

Some one once said that a person does not become a conservative until he has something to conserve; Charleston and my State of South Carolina have that something, and I only hope that the rest of the Nation will come to as full a realization of its heritage as we have.

I ask unanimous consent that the article, "Charleston Retains Best of Old Values," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Columbia (S.C.) State, Apr. 9, 1967]

Charleston Retains Best of Old Values—City Has Lesson for Nation

(By James J. Kilpatrick)

Charleston.—The returning vacationer who pauses in Charleston may be looking for nothing more than a visit with old friends and a bowl of she-crab soup at Perdita's; but in the old houses of this incomparable city, he is likely to find a metaphor instead. It is a metaphor of profound meaning, and he wishes the Congress would come find it, too.

Alone among the cities of America, so far as this traveler is aware, Charleston is renewing herself from within. She is preserving the best of her old values in housing, not because the structures are old, but because they are values.

Yet the venture is much more than mere preservation. Charleston is adapting the past to the present; she is putting the conservative doctrine to its best and purest use.

Elsewhere in the country, one encounters a series of recurring urban ailments: The central cities are suffering from an explosion to the suburbs; they are experiencing the social and economic upheaval that accompanies mass immigration of low-income families; they are undergoing the drastic surgery of urban renewal, Federal style; they are obliterating their architectural heritage in a desperate attempt to get glassily modern; they are witnessing the destruction of old neighborhoods and old associations, and opting for the new-new-new relationships instead.

Is this not precisely what is happening to American institutions generally? The policy-making responsibilities that once were vested in the states and localities have disintegrated and blown off to Washington. The institutions of church, family, community have greatly diminished.

And the Constitution, that metaphorical house of our fathers, has been unrecognizably altered with the addition of fun rooms, picture windows, and movable walls. The old restraints upon power have not been adapted to contemporary modernized; it has yielded to needs; they have been knocked flat and smoothed over.

Little remains of the grand design of American government. There is only a sign arising from the rubble: Your Federal Taxes at Work.

Consider, if you please, the contrast of Charleston. Fifteen years ago, no outside observer would have given a nickel for her prospects. Here was an old seaport, off the main routes; a Navy town, a massive Negro population; a tradition of genteel poverty. Many of the houses on the Battery were suffering from the diseases of old age. Almost anyone would have predicted that the central city would fall into slums, followed by urban renewal, followed by a sterile mediocrity.

But Charleston simply would not succumb. Her people saw in their sense of community, and in the houses of their fathers, some priceless and irreplaceable values. What if the buildings were old? They had sound beams, solid bricks, graceful details, spacious rooms. They had charm and distinction and tradition. In the square word, they had character.

So Charleston adapted. The Atlantic Coastline Railway took a magnificent old house on King Street and made it into a ticket agency and office building. The City Water Works moved its operations into an octagonal house on George Street, dating from 1796. Florist Joe Trott converted a residence at Queen and State Streets. The Citizens & Southern Bank renovated a picturesque building on Queen Street and made it a modern "counting house."

On a narrow lane known as Vendue Range, the John Hancock and Prudential insurance companies brought aging buildings back to life. Waterfront warehouses have turned into modern apartments and offices. Lawyers, brokers, realtors, contractors, grocers, ship factors and chandlers—all of them have found that old values are worth preserving.

There is not a lovelier city in America today than Charleston in spring time. The whole is much more than the sum of the parts—the tiny gardens, the wisteria, the Spanish moss, the cobbled alleys, the brick walks, the courtyards and archways. Charleston is even more essentially a city of human beings who live on a human scale, in mutual respect between the races. Here the old values of family, church, neighborhood, and community are the values that count.

Flying back to Washington, one falls into reverie. This nation once cherished such a neighborhood of values: a sense of self-reliance, planked in cypress; a Constitution, high ceilinged, solidly walled; a garden of personal freedom—the freedom to work, the freedom to harvest, the right of privacy. What has the bulldozer brought us that is one-half so precious as what Charleston has preserved?

THE INTERNATIONAL EXECUTIVE SERVICE CORPS

Mr. HARTKE. Mr. President, it has now been nearly 3 years since the International Executive Service Corps, sometimes known as the Businessmen's Peace Corps, was formally launched at a ceremony in the White House Rose Garden Today it is moving steadily forward, with a recognized record of achievement behind it in the assistance it provides to management in other countries through its volunteers. An article in the Reader's Digest of last November, entitled "The Globe-Trotting Trouble-Shooters of IESC," made millions of people aware of its quiet progress.

The IESC was set up as an organization independent from the Government in its operation but it was enabled to get its start through the financial assistance of grants from AID. When I first investigated the possibilities of such a businessman-to-businessman mission by Americans, having seen the great need for management guidance in the African countries I visited in 1962, we found that contrary to first impressions, such an organization could be achieved, if the right people believed in it and gave it a thrust, without any direct Government involvement.

The idea appealed to a considerable number of America's most highly placed business leaders. Mr. Sol Linowitz, then chairman of the board of Xerox Corp., and now our Ambassador to the Organization of American States; Mr. David Rockefeller, of the Chase Manhattan Bank; and others of high business capability, experience, influence, and dedication became members of the young organization's board. Their selection for president and chief operating officer of IESC was Frank Pace, former Secretary of the Army and later chairman of General Dynamics after serving as its president. During the first year of operation IESC responded to requests and provided assistance and leadership for 43 projects. The number rose to 143 in the second year, and will top 300 this year, continuing to expand to a maximum of some 500 projects a year in 1969 and maintaining that level.

Among the projects announced last fall in the IESC Newsletter were such diverse areas for service as reorganizing the accounting department of a port authority in El Salvador; introducing new types of insurance and training staff for a general insurance company in Iran; developing more efficient administrative procedures for an electric power company in Nigeria; and improving quality control and reducing costs in the manufacture of cigarette and other paper in Taiwan. The men who receive these assignments go on a voluntary basis, either on loan from their companies or as retired persons, go with an enthusiastic sense of service.

There is a "bank" of 2,500 men on the IESC available list; while they receive a per diem expense allowance for themselves and their wives, the IESC itself receives the fee paid by the client abroad. Usually the client is a private business, but service has occasionally been provided to a Government agency, such as in the case of the Panama Government Tourist Office.

Many of the IESC projects approved and carried out have been in the various countries of Latin America. Mr. Linowitz, in his new position as OAS Ambassador and with a close working knowledge of IESC, is in a position to realize the contributions to economic growth which this business organization can make in those lands. I would hope that he might, so far as possible, gear in the missionary spirit of these men as they spread the know-how of long experience to strengthen private enterprise in the sister Republics of the hemisphere. I would hope that President Johnson, who welcomed Mr. Linowitz and the members of the IESC board even before it had an official name, might likewise encourage his Punta Del Este colleagues to make use of the resources of the private sector, which exhibits here and in other ways the desire to be helpful in direct economic relationships with their business counterparts abroad.

Recently there appeared in the Fairchild business newspapers publication, the Daily News Record, a rather complete and up-to-date account of the operations of this private enterprise foreign aid operation, the IESC. It illustrates some of the reasons I am gratified by the development of this creation in which I have had such a long standing and, to some extent formative, interest. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Paunch Corps

An international "Peace Corps" of retired Americans businessmen, middle-management technicians and executives tied in with the United Nations, much like UN aid to underdeveloped countries? Sound far-fetched?

Not to Frank Pace, president of the International Executive Service Corps, who believes that in 2 years, the organization, started in 1964, will be able to evaluate its work and chart its future course.

IESC has a proven track record. It has attracted top echelon men out of retirement, or near-retirement, in fields ranging from A almost to Z—agriculture and food processing to textile manufacturing.

These men, who serve unsalaried for periods averaging 3 to 4 months, are called at times "Paunch Corps" members (a tolerant reference to middle-aged girth), and are working in 38 emerging and under-developed nations around the world. These nations are in Africa, Latin America, the Middle East, southeastern and eastern Asia.

The countries are as far away from each other—at opposite ends of the globe practically—as Chile and South Korea.

The headquarters of IESC is at 545 Madison Avenue. This nerve center may be described as being similar to "U.N.C.L.E.," but it doesn't fight evil men, criminals and demons who would rule the world. Instead, it sends out "operatives" to fight misery, ignorance, backwardness in business and industry. And it helps disadvantaged nations and people through improving business operations and companies abroad.

IESC completed 165 projects as of March 1 in 24 countries. It has 88 men in the field, and 58 more consultants ready to go abroad on assignments. It has a number of other aid projects approved, but it has not yet assigned men to them, according to Charles Brown, vice-president in charge of public relations.

The projects undertaken include agriculture and sugar beet raising in Iran, radio broadcasting, TV station operations, programming and marketing in Iran and Ecuador. (Radio broadcasting and TV station management assignments are in their early stages.)

The 54-year-old president of IESC is a tall, lean, rangy Arkansan, with a complexion that makes him look as if he just came in from the chores. The former Secretary of the Army from 1953–1963, director of the Budget Bureau before that, is dedicated to the concept of service, whether it is in or out of Government.

This dedication comes in part from the fact that in his earlier Government career he was also executive assistant to the Postmaster General. He left the Government and successively became executive vice-president, president and chairman of General Dynamics Corp.

Mr. Pace's enthusiasm and vigor reminds one of an earlier time in America, when neighbors would pitch in with the harvesting and barn-raisings. This spirit is still alive and abroad in this land of ours, he maintains.

This sense of service marks the entire organization, whose "missionaries" of business executives, professional and scientific men such as engineers and metallurgists have gone abroad, and returned "recharged" with new enthusiasm and vigor. Out of roughly 165 completed projects, almost all businessmen said they would tackle a second project, and 34 went out on their second assignments, with a few taking three assignments, according to Mr. Brown.

The American spirit of generosity, which Mr. Pace said is one of our most outstanding traits, and a quality for which we are known around the world, first came to be channeled through IESC in 1964. Sen. Vance Hartke, (D., Ind.), suggested such an organization almost simultaneously with David Rockefeller, president of the Chase Manhattan Bank, and Sen. Jacob K. Javits (R., N.Y.).

Senator Hartke made this suggestion after a six-week inspection trip to Africa in 1962 had impressed him with the enormous reservoir of technical and business talent we possess in our business men and executives that could be utilized abroad to aid emerging countries.

An IESC brochure states that "Its concept is to provide management and technical assistance to business enterprises in developing countries in the belief that sound business management is essential to the development of a national economy, and particularly to long-range aim is to assist in strengthening private enterprise and maintaining free institutions overseas."

To accomplish this, IESC assigns experienced businessmen to work with selected firms overseas.

IECS functions as a private organization. As such, it is probably unprecedented in the history of American institutions, Mr. Brown said. It receives a subsidy from the Agency for International Development (AID), because it operates at a deficit (two-thirds of its $2,024,000 expenses in 1966 were met by AID, the Government's chief foreign assistance arm.)

In retailing, for example, M. D. Schlesinger, formerly supervisor of Sears, Roebuck's Eastern territory store planning and visual merchandising is in Porto Allegre, Brazil. There he is working with Rafael Guaspari Tecidos a Confeccoes, a department store on store planning.

The projects embrace these fields: Ceramics, glass, metalworking, chemicals, rtw, transportation and service industries as well as banking and insurance.

IESC has two channels of recruiting business executives. It possesses a bank of 2,500 names of men available. Many of them heard of the organization and have written, expressing interest. The second means of recruitment is "headhunting," with methods similar to those used by management consultant companies to find the right man for the right post.

The organization's first step is to approve a project, Mr. Brown said. "Some are turned down, because one criterion is that a business or company has to be susceptible to help, and the advice of a consultant could do some good, financially and in other ways. Our second criterion is the viability and the place of the business, or the particular company and perform some useful task.

"We obviously would not approve of a rainwear factory in the Sahara Desert.

"While we strongly emphasize growth of private enterprise in developing countries, that is not to say that we never work with Government agencies abroad. We had a project with the Panama Government Tourist Office, which was a demonstration of indirect aid to the economy of that country."

IESC has 20 local directors around the world in 38 developing or emerging countries, which it has worked with, or agreed to cooperate with.

IESC pays all expenses on a per diem basis for consultants and their wives. The organization receives from the client round-trip air passage tickets for volunteers and their wives.

The monthly fee which is paid to IESC is agreed upon by the contracting client abroad. These fees are negotiated by the country directors with the companies abroad wishing IESC aid.

"The lowest fee paid was $200, but the average runs about $900–$1,000 per month, with $1,500 the top fee paid," Mr. Brown said.

Half of the projects staff is selected from the bank of 2,500 names, Mr. Brown said. "We call them and ask them if they're interested. The rest, is done through headhunting. Making specific searches for men with certain backgrounds, skills and experience. But we have been eminently successful in this, even though it takes time."

The organization, he continued, hopes to build its bank up to 4,000 names, and find 70–80 per cent of its men from this source.

From the time a project is approved, to the time a man goes out into the field, 60 days generally elapse, a record certainly, when one considers all the details involved.

But the idea of retired executives and businessmen being made to feel useful again, instead of "being put out to pasture," and their immense experience and knowledge utilized instead of being wasted, is one of the most gratifying aspects of IESC, he added.

Silver trays are presented in Mr. Pace's office to men when they complete projects. There are stars added for the second and third missions.

How effective has IESC been so far in aiding these emerging and developing countries? Mr. Brown was asked.

"It's too soon to measure the over-all effects on the economies of the countries we have assigned men to, but we can tell of positive results in certain cases from statistics and figures men bring back of significant turnarounds in profits or costs.

"In other instances, we can't detect tangible result, but there is a brighter and more optimistic outlook apparent, with a turnaround. We found this in the soybean growing, and sugar beets projects in Iran, for example."

IESC finds more executives are volunteering as they approach retirement age. The organization is trying to encourage this through publicity and stories about its work.

It conducts recruitment campaigns in Florida and California, big retirement havens, and has a special recruiting office in Los Angeles and Miami.

It is in the early stages of working with American companies to bring in middle-management executives and technicians. It is recruiting almost every type of specialist—cost analysis men, engineers, systems men, marketing experts in all areas, communications experts, transportation, accounting, broadcasting programing and marketing men.

Mr. Pace, who said with pride that his daughter is a member of the Peace Corps in Tanzania, added the program is aimed at getting people out of industry, not solely retired executives, who make up a large proportion of the men sent out.

"We're providing special opportunities for retired executives, who want to make a contribution," he said. "I'm frequently told, 'America has been very good to me and I want to pay something back.' And for retired people, IESC has special appeal."

People are retiring earlier, and living longer, he pointed out. They're not leading sedentary lives or living in a sedentary world. They have a vast urge to do things.

"The Greeks' division of life was preparation, performance and fulfillment. Americans have been pictured primarily as callow opportunists, largely interested in preparation and performance. Now, with this very large span of a man's working life, there is a chance to grow by contribution. There is a certain amount of religious fervor and belief, and out of 165 men who were assigned abroad, 140 asked to be sent again.

"In the middle-career area, we are asking companies to provide highly qualified men, with most having to be 40 years and older.

"From time to time, we are able to take men in their 30s. We do it on the assumption that there is no way a man can get equivalent experience and training. He learns international business by sitting on the same side of the desk as a local businessman. This is a privilege very few Americans enjoyed in the past. They are given major degrees of responsibility for reorientation of businesses, or that portion to which they are assigned."

A significant thing he pointed out is that these men have to perform their assignments without any precedents, guidelines or regulations.

"But this is the kind of experience every man needs if he is part of a large organization—requiring initiative and responsibility.

"We only ask companies to provide us with a man, if in their judgment it serves their purposes as well, in terms of being a quid pro quo arrangements—if they are training potential executives, otherwise, we tell them "Don't do it."

"I believe this will in time be part of many companies' management programs. This takes time. It has to be fitted properly into the programs."

IESC, he believes, is providing services to countries where management technicians are still relatively unsophisticated.

Many European countries after World War II had sophisticated manpower and executive talent. They needed capital, and the Marshall Plan helped them to climb back up in the past 25 years.

But many of these 38 countries IESC helps and works with, need manpower and expertise, he stressed. They now can also attract capital. There are funds available through the World Bank, the International Bank and AID, among others.

"We hope in time to be helpful to United Nations' projects of help to underdeveloped countries, because the UN has a great many programs around the world. We are able to attract the quality of minds needed to solve serious problems and to do this over short-term periods.

"We have men who are broadminded with vast experience of dealing with a magnitude of problems. They approach them by saying they must first solve these steps before they can proceed. They are men who can deal with totality.

"We haven't lived long enough as an organization to make evaluations of our contributions to specific or total economies of nations. The question is how we make contributions to the total economies. We are taking on projects of great significance. They include industrial parks in Taiwan, communications systems in Brazil.

"We had 43 projects our first year; 143 the second; 300 this year. We will have 400 next year and 500 in 1969. We intend to freeze our growth when we reach 500. Then we will evaluate what areas, in terms of projects, have had the greatest impact.

"We are faced with the question of how to achieve multipliers. How to pass on what one businessman learned from our aid to another business firm in a foreign country. In our system, we are enormously competitive. If one firm takes a giant step forward, everybody must make similar moves, but this doesn't apply in other countries.

"But if one company goes ahead abroad, others must be able to do so, too.

"We are dedicated to the proposition that quality in small numbers can result . . . if there is intelligent application of that quality.

"One must ask, 'How do we in such a large and complicated world achieve meaningful results when dealing in such small numbers as we do?' Therefore, the careful assessment will come at the 500 project level and a decision as to the course we should follow.

"American businessmen are by the very nature of our system tough, competitive, but still very human. Problems on missions are therefore enormous, and our men have shown great and remarkable understanding."

Concluding, he said:

"We have a marvelous thing in IESC, and if we can do it right, we can make a contribution of great substance. But this depends on the quality of men we send out; and the intelligence and imagination we apply in our work."

NATIONAL GRANGE CENTENNIAL STAMP

Mr. CARLSON. Mr. President, I should like to draw the attention of Senators to an historic event—the issuance yesterday by the U.S. Post Office of a commemorative stamp honoring the centennial year of the National Grange, the oldest farm organization in the country.

The ceremonies yesterday marked the appearance of the special 5-cent stamp in the patio of the Agriculture Department, which looks out across the Mall, the scene of the founding of the Grange 100 years ago in the office of William Saunders, an agriculture aid and first national master of the Grange.

The ceremonies preceded a luncheon on Capitol Hill and a reception at the National Grange headquarters; the ceremonies highlighted National Grange Week, April 16–22.

The five-color stamp simulates a poster distributed by the Grange during its early organizational days; Artist Lee Pavoa has captured the agricultural aura of the 19th century America in his rendering.

In the center of the stamp stands a farmer of the 1870's with a scythe, which he is drying with a cornhusk. A water-powered gristmill grinds behind him, while a train passes over an arched bridge.

I hope that Americans will study these colorful stamps on their envelopes, because they will remind us of the great heritage of this country and of a key organization that helped it become great—the National Grange.

In attendance at the ceremonies celebrating the 100th anniversary of the Grange, were Grangers and representatives from many States and a large gathering of friends. An excellent program was arranged, and addresses were delivered by Hershel D. Newsom, National Master, Secretary of Agriculture Orville Freeman, and Frederick C. Belen, Deputy Postmaster General.

I ask unanimous consent that the text of the program and the addresses by Mr. Newsom, Secretary Freeman, and General Belen be printed in the RECORD.

There being no objection, the program and addresses were ordered to be printed in the RECORD, as follows:

PROGRAM

Musical Selections—String Ensemble of United States Marine Band.

The National Anthem.

Invocation—Allen P. Wheeler, Chaplain, National Grange.

Welcome and Introduction of Guests—Herschel D. Newsom, Master, National Grange.

Remarks—The Honorable Orville L. Freeman, Secretary, United States Department of Agriculture.

Musical Selection—String Ensemble of United States Marine Band.

Address and Presentation of Albums—The Honorable Frederick C. Belen, Deputy Postmaster General.

Response—William J. Brake, Chairman, Centennial Committee.

Benediction—Dr. George R. Davis, Minister, National City Christian Church.

Address by Herschell D. Newsom, National Master, the National Grange

Today, at the start of Grange Week nationwide, we celebrate the 100th annniversary of the Grange. Today's ceremonies, which mark the issuance of the Grange centennial commemorative stamp, provide a great start for the week for Granges all over the country.

We of the Grange are proud of our heritage. We are proud of the series of Firsts achieved by the Grange. Ours was the first national farm organization to be established in the country, and it is the only rural-family fraternity in all the world.

From the outset, the Grange has included young men and women in its operations. It has always conceived its duty to the nation to be directed toward family, community, state and national needs; Grange Community Progress Program projects have benefited thousands of towns and areas.

Legislatively, the Grange has been in the forefront of the battles to secure an equal place for rural people in American society. In this field of economic opportunity, the National Grange has devoted great effort. While we are proud of our accomplishments in this field during our first 100 years, we are looking forward—into the future—not backwards, as we prepare to move into our second century of service on December 4—the birthdate of the Order of Patrons of Husbandry.

We are planning action which will help revitalize rural America. As Secretary Freeman has said, "Only a unified, national effort can revitalize rural America." The Grange hopes to play a leading role in directing this effort.

We plan to work with Secretary Freeman and his far-sighted department—as well as with other government and private organizations who share our concern with the decline of rural America—in a major drive to build the non-metropolitan areas of our nation into areas that offer job opportunities and the other social and economic amenities necessary to make rural America an attractive place to live in.

We know that we have a long, hard campaign ahead of us. But we look forward to the campaign with the same enthusiasm that sparked the creation and rapid growth of the Grange 100 years ago in the wake of a devastating Civil War. We have the high standards of our seven founders and their many worthy successors to live up to. We do not plan to let them down.

We plan to help lead rural America into a new era of development and to guide it into a viable partnership with our nation's cities, a partnership aimed at full development of our natural resources. In this way, we believe, the Grange will continue to contribute to America's greatness through improvement and extension of opportunities for a fuller way of life for rural Americans.

We are thankful that our organization is in the position to make such a contribution to our country. We are grateful to our many friends here today for providing us with moral support. We are grateful to the Secretary of Agriculture for his presence this morning and for the use of his department's beautiful patio.

And we are thankful to Mr. Belen and the Post Office Department for the National Grange centennial stamp. We are thankful, not for ourselves, but for the hundreds of thousands of Grange members who, over the century—now rapidly closing—have made the Grange great. It is *they*, who have made it possible for *us*, to be here today.

And we are confident that 100 years from now, when the Grange is celebrating its 200th birthday, that the Grange members who will have inherited our proud traditions will look back to this day as the start of a new pioneering spirit that led the Grange into a second, and even more productive century.

Thank you.

Remarks by Secretary of Agriculture Orville Freeman at the National Grange Commemorative Stamp Ceremony

National Master Newsom, Mr. Belen, honored guests, and my friends of the National Grange:

I'm honored to take part in this program and pleased to add my congratulations to the Grange on this auspicious occasion. I'm particularly pleased to have the opportunity to pay tribute to this organization's many and significant contributions to America . . . and to express my personal appreciation of the Grange's leadership in the struggle to reach parity of income for the American farmer and revitalize the entire rural economy. And in the process I would make a confident prediction: The National Master of the Grange will go down in history as one of America's, indeed the world's, great statesmen of agriculture.

The Grange has written an indelible record of achievement in its first hundred years.

And, Herschel, a fellow told me a story the other day that would indicate the Grange has even brighter days ahead.

It seems two farmers were trying to decide which farm organization to join.

"I don't know what to do," one said to the other. "The NFO won't let me sell anything . . . and the NFU won't let me buy anything. Seems to me that leaves the Grange. At least I could dance every Saturday night."

Well, it takes more than Saturday night dances to earn the honor of a commemorative stamp, and I, for one, am delighted that this occasion will draw the entire nation's attention to what the Grange has done for this country the past century.

Let me call the roll quickly.

You pioneered farm education, laid the groundwork for the establishment of farmer cooperatives, developed the original Farm Credit Act, and you championed interstate highway programs, legislation to remove the federal tax on fuel for "on the farm" use, Rural Free Delivery and the Parcel Post System, REA, the Soil Conservation Service, Farmers Home Administration, Extension Service, Vocational Agriculture Program, Crop Insurance, Upstream Small Watershed, School Lunch and Milk Program, Great Plains, Food for Peace and Food for Freedom, and Rural Area Development.

The passage of the Granger Laws brought about judicial and official recognition that the public *does* have a proper interest in the policy and decisions of big business.

And you were a key factor in the formation of the United Nations Food and Agriculture Organization and the International Federation of Agricultural Producers.

If a single word could describe the National Grange, that word would be "responsible." Historically, you have avoided extremes . . . choosing, instead, to move inexorably ahead on a solid middle path.

In the matter of farm commodity policy, you reject complete reliance on the "free market" at the same time you reject over-regulation of agriculture.

You have recognized that farm commodity supplies must be brought into balance with the real needs of the nation . . . including its foreign commitments . . . and you backed this up with your wise support of the Food and Agriculture Act of 1965.

I use the word "wise" deliberately, for in the first year of the four years this Act will span, we rounded the turn into a New Era of American agriculture.

The surpluses of the Fifties are, for the most part, gone, and for the first time in years our farmers are being asked to grow more . . . instead of less.

Today, the market is nearer supply-demand balance than it has been in half a century, and the market is freer of Government than it has been in 30 years.

And last year farm income made almost unprecedented gains. Gross farm income and net per farm income set new records, and total net farm income was the second highest in history.

Since the 1966 high income watermark we have slipped some this year. Temporary but familiar forces mostly beyond our control—a bumper grain crop in Canada, Australia, and Russia and increased production of fed cattle and hogs—have come together all at once and are exerting heavy downward pressure on farm prices. We are all worried about the 7 percent farm price sag since last fall. The prices the farmer must pay continue to climb. The cost-price squeeze which improved markedly last year is again severely punishing the American farmer.

I am deeply concerned with these recent developments. However, I do believe them to be temporary in nature. There is no way I know to completely eliminate the peaks and valleys in agriculture. Nature is always unpredictable. But we are learning to smooth them out and avoid boom and bust. This is what the Food and Agriculture Act of 1965, which might be called a Granger law because it incorporates long-standing Grange two-price principles, seeks to do. I believe it will work if we work at it and don't discourage too easily.

I am confident that prices will strengthen later in the year, and that over the four-year pull of the Food and Agriculture Act of 1965 the hills and valleys will level out . . . and the good will far outweigh the bad.

Remember, we've had only one year under the Act. And in that year, farm income made the greatest advance in 20 years.

Earlier this month, the President said: "We are trying to use the Act of 1965—and the four years of stability it gives us—to increase farm income substantially. There will be price fluctuations. There will be price frustrations. But these, we believe, during this four-year period will straighten out."

What we need most today are the confidence that we now *have* the tools to build a bigger, stronger, healthier American agriculture . . . and the perseverance to give those tools a fair test.

We can take a lesson from the little boy who was learning to skate. His tumbles aroused the sympathy of a bystander, who said: "Sonny, don't you think you've had enough? Why don't you stop for a while and just watch the others?"

With tears streaming down his face from the last spill, the youngster looked up and said: "Mister, I didn't get these skates to give *up* with. I got 'em to learn *how* with."

We didn't get the last five great farm bills to give up with. We got 'em to succeed with. *And we will succeed . . . if we don't let a tumble or two discourage us.*

Master Herschel Newsom and members of the Grange, here and all about this great United States of ours, on behalf of the President of the United States, the U.S. Department of Agriculture, and, yes, of all America, I extend to you thanks and congratulations on 100 years of service and accomplishment!

Speech by Frederick C. Belen, Deputy Postmaster General

I must confess that I have always envied farmers. Farmers have such wonderful opportunities that are denied city folk. If a farmer gets up very early and works very late, he will surely make a fortune—if he strikes oil.

There appear to be no statistics on how many members of The Grange have had this good fortune. But there is ample evidence that in the past one hundred years The Grange has made the farm a better and more rewarding place to live.

Over the years, The Grange can point to widespread social and economic accomplishments. I think all of these can be summed up in a few words: The Grange has restored dignity to the American farmer.

One of my most pleasant recollections is of my student days at Michigan State when I was a member of the debating team. Although our debates were spirited and keenly contested, we sometimes had trouble finding audiences. An orator with no listeners, of course, is like Richard Burton without Elizabeth Taylor. But frequently the Grange came to our rescue and invited us to debate at potluck Grange suppers. These were great occasions for me. The audience was always receptive, and the food was just wonderful.

Farming has always been vital to man's survival. Indeed America was colonized by farmers. Some of these were amateurs, of course, but the 17th century colonist had to learn how to farm or he and his family did not eat.

About one hundred years ago, under the impact of industralization, a wide gap developed between farm and city. Urban America was going forward; rural America was standing still. The city home was illuminated by gas. The farmer had a coal oil lamp. In remote areas candles were still used. Water was piped into city homes. The farmer went to the well for his. Books, magazines and newspapers stimulated the minds of the people in the city. The farmer did not know about these, or if he did he could seldom afford to buy them.

Not too many years ago, we can remember a similar gap in creature comforts between the city and the farm. The farmer had to wait a long time for his electricity and for his telephone.

In 1867, Oliver Hudson Kelley and six associates founded The National Grange, here in Washington, on December 4. Kelley, I am proud to say, was a clerk in the Post Office Department at the time. The accomplishments of this remarkable man have had a great impact on our history. We of the Post Office Department can also take pride in the fact that the first subordinate Grange—Potomac No. 1—consisted mainly of the Post Office Department clerks and their wives.

The records of The National Grange, I am aware, credit Fredonia, New York, with becoming the first subordinate grange, and this is proper. Fredonia was a grange of farmers and their wives, banded together to cope with farm problems. But it was the Potomac Grange where the ritual was first practiced, by Post Office Department clerks and their wives.

Like many high-minded and ambitious projects, The National Grange began with little or no money in the bank. Even so, The Grange officers voted Kelley a salary of two thousand dollars a year and expenses. This payment, however, was to come from commissions earned from the $15 initiation fee for each new grange. Kelley set off for Harrisburg, Pennsylvania, with $2.50 in his pocket. Before he was to reach his home in Minnesota on this organizing campaign, Kelley found it necessary to borrow $75 enroute for trainfare. The stock of The National Grange had reached such a low point that there were times when Kelley did not have money to buy postage stamps to carry on the organization's business.

Slowly, but surely, The Grange caught on. Early in 1873, one thousand, three hundred and sixty-two granges had been established. Before the year was over more than 8,000 additional granges were formed, bringing the total to over 10,000. Two years later, this number of granges was to increase to 28,000 with 758,000 members.

The Grange was now a powerful, national force.

Why did rural America join The Grange?

The motives were educational, social and economic. Many grange halls were stocked with books and magazines and newspapers. The social affairs held by the grange were a bright moment for the farmer and his family.

The ritual was inspiring and gave a lift to life.

Moreover The Grange provided men and women with the opportunity to work together to improve their economic lot. This was done in a variety of ways. In some parts of the country, notably California and Kansas, The Grange founded banks.

These banks permitted grange members to survive periods of depressed agricultural prices. On one occasion when the price of wheat declined, a grange bank loaned its members three million dollars so that wheat could be withheld from the market until prices were more favorable.

The Grange also founded mutual fire and life insurance companies. There were cooperative stores where grange members could buy merchandise at low price and there were cooperative marketing ventures, in which by working together grange members could get higher prices for the products they raised.

But by far the most spectacular and far-reaching accomplishment of The Grange, in its early days, was in obtaining passage in various midwest state legislatures of the so-called "Granger Laws." These laws curtailed the monopolistic railroads and grain elevators who charged rates as high as the market would bear. Farmers were at the mercy of the railroads and they felt they were suffering from discriminatory freight rates.

The constitution of The Grange prohibits it from participating in partisan politics, but that does not preclude it from supporting or opposing impending legislation. Consequently, with Grange endorsement, the Illinois General Assembly passed and the Governor signed in 1871 an act to regulate the rates that grain elevators could charge.

Munn and Scott, operators of chain elevators in Chicago, decided to test the validity of the law. They refused to take out a license, as required, and charged rates higher than the new law prescribed.

The case was carried eventually to the U.S. Supreme Court. It took the Court more than a year to render a decision. Chief Justice Waite commented on the delay, saying:

"We have not been unmindful of the vast importance of the questions involved."

The Supreme Court's decision set the pattern for future State and Federal controls on public carriers, public utilities and other vital public services.

The Chief Justice said: "When one devotes his property to a use in which the public has an interest, he . . . must submit to the control by the public for the common good."

The Grange had won a great battle against a powerful opponent.

Today The National Grange can look back on 100 years of service to our country. It has a proud record of accomplishment, one which we are pleased to recognize by issuing a postage stamp commemorating The Grange.

It is my hope that this postage stamp will remind Americans, the country over, of what The Grange has accomplished to make this a better nation for all.

Thank you.

COMMUNIST STRATEGY FOR INSURRECTION AND REVOLUTION

Mr. THURMOND. Mr. President, the presence of Stokley Carmichael in the Nashville area for 3 days a week ago, and the widespread looting, arson, and rioting which followed upon his presence must not be regarded as unrelated incidents. Rather, Carmichael's presence must be regarded as part of the worldwide Communist strategy to incite insurrection and revolution throughout the free world.

Those who imagine that the United States will be exempted from Communist attempts to divide our people by instigating suffering and hatred need only to listen to the words of Carmichael himself. Less than 3 months ago, Carmichael, acting as head of the so-called Student Nonviolent Coordinating Committee—SNCC—signed a joint manifesto in San Juan, Puerto Rico, with a Castroite apparatus known as the Movement for Puerto Rican Independence—MPI.

The MPI is the Puerto Rican spearhead of the Soviet-financed Tricontinental Congress based in Havana. Puerto Rican revolutionary activists are members of the permanent secretariat of the Tricontinental Congress in Havana, organized in January of 1966 to coordinate so-called wars of national liberation in Asia, Africa, and Latin America. Puerto Rico was singled out as an important primary target because of its special relationship with the United States. A successful revolution in Puerto Rico, or at least widespread disorder, would inflict a significant defeat upon U.S. prestige and influence. Moreover, the growing number of Puerto Ricans within the continental territory of the United States would be an aid to spreading agitation to the mainland.

It is of extreme significance that Stokely Carmichael himself has integrated his organization into the Communist plan for world revolution. On January 26, 1967, Carmichael signed a "protocol of cooperation" with the MPI and the Student Federation for Independence in Puerto Rico. This protocol is filled with incendiary language of the sort that is becoming commonplace in recent examples of Carmichael rhetoric. It is the sort of rhetoric deliberately designed to stir hatred and incite violence. I quote:

> We feel that there is a close relationship between our struggle for black power and your struggle for independence. Black power means for us liberation from oppression by the racist white power structure of the United States. It means that we will control our own Afro-American communities. That we will direct our own affairs. That we will have power in the political and economic arenas.
>
> In the same way, independence for you means to direct and control your own country, now controlled by a foreign power—the United States—and its Uncle Toms here. Our people are a colony within the United States; you are a colony outside the United States.
>
> Brothers, we see our struggle linked to the struggles of the peoples of Asia, Africa, and Latin America against foreign oppression, particularly by the United States. We all have the same enemy. . . .
>
> If we are to fight, we will fight—but in our own country, to liberate our people.

Although the visit of Stokely Carmichael to Puerto Rico received only passing mention in the regular press, the pro-Communist press of the country gave it extensive coverage. The Red-front National Guardian, for instance, carried a complete and exact account, while the Militant, organ of the Trotskyite Communist Socialist Workers Party, carried copious verbatim extracts from the protocol. I ask unanimous consent that the articles, "Puerto Rican and U.S. Negro Struggles Linked," from the National Guardian, February 4, 1967; and "SNCC, MPI Form a Working Bloc," from the Militant, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, these news accounts make clear that Carmichael's accord with the Red revolution is no marriage of convenience. The language of the protocol immediately calls to mind the goals of the Tricontinental Congress. Carmichael makes clear at last that "nonviolence" is no longer part of his program. Moreover, his activities in Puerto Rico show that he has also accepted the other points in the current Communist propaganda drive.

First. He led a group of students in a riotous demonstration demanding independence for Puerto Rico.

Second. He attacked the American role in Vietnam, coupling it with the civil rights movement.

Third. He called for resistance to the draft laws.

All three of these programs have a certain idealistic appeal to many sincere, but deluded, persons. Nevertheless, they are the three items currently on the Communist agenda, and Carmichael sealed his concordat with the Communist revolutionaries by subscribing to all three.

Not surprisingly, Carmichael was highly praised by Castro's Radio Havana on March 8 in a program beamed toward the Americas. Carmichael's goal in the so-called movement for the liberation of North American Negroes, said Radio Havana, was "to have it recognized not as a U.S. domestic problem, but as a matter of direct import to all humanity." Stripped of its Communist jargon, this statement means that Carmichael has now brought out into the open the long-standing but concealed hope of the Communists to use the American Negro as the fulcrum for fomenting a hot revolution, a bloody revolution in America.

When addressing Negro audiences, Carmichael is explicit about what he wants. On November 26, 1966, the press reported that Carmichael told 4,000 people at Watts the following:

> No white man can talk about looting. The white men looted the country, and then they looted us. Looting has made the American empire what it is.

To whites, he is just as explicit. In an interview with Reporter Don Bishoff, of the Eugene, Oreg., Register-Guard on February 16, 1967, he defined "Black Power" as "the coming together of black people to fight for their liberation." When asked what means he would use, he answered: "Any means necessary." When asked further if armed insurrection would be necessary, he said, "If we decide it is, then it is."

On April 8, Carmichael came to Vanderbilt University and declared ambiguously that he had come to Nashville "to make trouble." Apparently he had decided that trouble was necessary. Earlier, he had spoken at Tennessee A. & I. State University, after university officials had renounced his appearance there. His SNCC associates spoke to closed groups at Fisk University, after he was denied permission to speak himself. Late Saturday night, rioting broke out in the area minutes after Carmichael made an impromptu appearance. Two of his top SNCC aids were arrested, charged with inciting to riot.

The riot bore the familiar marks of organized agitation. Police reported that molotov cocktails were manufactured and distributed from a central location. Store windows were smashed. Shops were looted. Fires were set by the flaming molotov cocktails. Snipers shot at policemen and firemen. Pamphlets had been printed denouncing recognized Negro leaders of the community, some of them radical by moderate standards, but not so radical as Carmichael. Police and reporters were showered with rocks and bottles. Everything bore the mark of planned provocation. It is no wonder that Nashville Mayor Beverly Briley said:

> This is not a rebellion of the ghetto; in fact, the people of the ghetto are the victims of this insurrection.

The Nashville Banner, in a brilliant first-page editorial, echoed that same theme, even while it castigated the folly of the white liberals who contributed to the conflagration by inviting Carmichael to the community in a so-called search for truth. The Banner's concern for a suffering city was eloquently put:

> Scars inflicted by willful abrasion do not wash off so easily. Acid etches, and toxic doses—unless counteracted swiftly by people of judgment exercising good sense—can destroy.

Mr. President, this editorial was only part of the Banner's comprehensive coverage of this sorrowful affair. I am sure that my colleagues would be interested in reading the complete accounts of the Carmichael riot, as reported by the Banner, since the affair received only limited attention in the local press. I ask unanimous consent that the following articles and editorials from the Nashville Banner of April 10, 1967, be printed in the RECORD at the conclusion of my remarks: Editorials—"What Price Folly?" and "The Police Know Stokely And They Were Prepared." News stories—"Riot-Torn Area Quiet," "Negro Control of Cities Seen by Stokely," "Policemen Get Praise," "'Explosions' Predicted by CORE Officer," "'Might Take Some Dynamite,' Ware Told Students at Fisk," "Policemen Tripled By One Call," "Carmichael Blamed by Leader Here," and "Three Negro Leaders Hit in Pamphlets."

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the National Guardian, Feb. 4, 1967]

CARMICHAEL AT SAN JUAN: PUERTO RICAN AND U.S. NEGRO STRUGGLES LINKED

(By William A. Price)

The struggle by Negroes for black power in the U.S. has been joined with the fight by Puerto Rican militants for the independence of that island commonwealth. In a "protocol of cooperation" signed Jan. 26 at the San Juan, P.R., International Airport, Stokely Carmichael, chairman of the Student Nonviolent Coordinating Committee, and Juan Mari Bras, head of the Movement for Puerto Rican Independence (MPI), said their organizations are "in the vanguard of a common struggle against U.S. imperialism." Supporting the joint effort is the Student Federation for Independence in Puerto Rico.

In New York Jan. 27 SNCC stated: "The three organizations affirmed the need for a joint struggle against the political, economic, social and cultural oppression inflicted upon Afro-American and Puerto Rican peoples by the U.S. Just as black power signifies a struggle for liberation and the control of Afro-American communities by black people, the independence struggle in Puerto Rico is for control by Puerto Ricans of their own lives and the wealth of the country. Black people constitute a colony within the U.S.; Puerto Rico is a colony outside the U.S."

Signing of the protocol followed a street clash in Santurce, Jan. 25, when Carmichael headed a column of 200 advocates of Puerto Rican independence on a six-mile march from the University of Puerto Rico to a U.S. military installation at Fort Brooke. The group carried signs opposing "Yankee military service," and calling for independence. One sign read in Spanish, "We Support Black Power in the U.S." The group was attacked by about 60 youths who threw eggs, shouted and started fist fights. Carmichael, dressed in blue jeans and wearing a Puerto Rican straw hat, was surrounded by his student followers to protect him until a police cordon separated the two groups.

The joint communique issued in San Juan reflects a growing trend among militant black groups in the U.S. to identify their struggle with that of oppressed colored peoples in other parts of the world and to view the plight of the rural Southern Negro and the Northern urban ghetto dweller as that of victims of a similar domestic, internal colonialism. At a Jan. 24 press conference in San Juan, Carmichael said: "Brothers, we see our struggle linked to the struggles of the peoples of Asia, Africa and Latin America against foreign oppression, particularly by the U.S. We all have the same enemy. For this reason, we strongly support your just struggle for independence. For this reason we support all peoples who are struggling for self-determination."

Another issue joins the black-power advocates of the U.S. and Puerto Ricans who call for independence—joint resistance to the draft. Legal tests have been instituted by many Puerto Rican youths who contend that the U.S. has no authority to induct for its military service men who have no vote in Congress and only limited autonomy over the internal affairs of their island under the present commonwealth status of Puerto Rico. In San Juan Carmichael said the U.S. "tells us that we are going to fight for a so-called 'democracy,' but we know the hypocrisy of that claim. We know, in our own flesh and in our blood, what 'American democracy' means . . . If we are to fight, we will fight—but in our own country, to liberate our people."

The three organizations supporting the San Juan protocol agreed, according to the SNCC Jan. 27 statement, upon the following:

1) Joint action against the draft in particular, and the American war in Vietnam in

general, to be carried out by Afro-Americans and Puerto Ricans in the urban ghettos of this country.

2) Joint action for better housing, education, and living conditions generally in the urban ghettos, as well as against police brutality.

3) Joint action to bring international focus to the problems of the Afro-Americans and to the Puerto Rican struggle for independence.

SNCC said it had agreed to aid MPI's efforts to raise the "colonial" case of Puerto Rico at the United Nations during its current session, MPI and the Puerto Rican student independence group (SUPI) have agreed, SNCC said, to help raise before the UN the case of Afro-Americans in the U.S. "The question will be raised there," SNCC said, "not as a domestic issue, but as a matter of concern to humanity; not as a question of civil rights but of human rights."

Both SNCC and New York-based Puerto Rican independence groups will demonstrate against the planned U.S. visit of Brazilian President-elect Arturo Costa y Silva who, SNCC said, represents a military dictatorship in this country, supports an economic policy maintained on the poverty of millions and has said he will seek U.S. military aid to put down "so-called 'external subversion' " which, in effect, means armed suppression of movements working for basic changes to benefit "the impoverished of Brazil."

THE ORDERS ARE TO BOMB CIVILIANS

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[From the Militant, Feb. 6, 1967]

SNCC, MPI FORM A WORKING BLOC

During his recent visit to Puerto Rico, Stokely Carmichael, chairman of the Student Nonviolent Coordinating Committee, concluded an agreement of mutual support and solidarity between his organization and the two leading pro-independence organizations of Puerto Rico, the Movement for Puerto Rican Independence (MPI), and the Federation of University Students for Independence (FUPI).

For the information of our readers we are reproducing here the full text of the statement made by Carmichael at a press conference on his arrival in San Juan, and extensive excerpts from the agreement signed by Carmichael, Juan Mari Bras, secretary general, MPI; Juan Angel Silen, president, MPI youth; and Alberto Perez Perez, president, FUPI.

A translation of Carmichael's press statement follows:

"Brothers of Puerto Rico:

"I hardly know the Spanish language, but I would like to say a few words in your language. To affirm and cultivate one's own language is a necessary step in the struggle for liberation and self-determination.

"I appreciate the invitation extended to me by the people of Puerto Rico through the Movement for Puerto Rican Independence. I bring you the warmest greetings of solidarity from my organization—the Student Nonviolent Coordinating Committee—and the Afro-American people in their struggle for liberation and black power.

"We feel that there is a close relationship between our struggle for black power and your struggle for independence. Black power means for us liberation from oppression by the racist white power structure of the United States. It means that we will control our own Afro-American communities. That we will direct our own affairs. That we will have power in the political and economic arenas.

"In the same way, independence for you means to direct and control your own lives and the wealth of your country, now controlled by a foreign power—the United States—and its Uncle Toms here. Our people are a colony within the United States; you are a colony outside the United States.

"Brothers, we see our struggle linked to the struggles of the peoples of Asia, Africa and Latin America against foreign oppression, particularly by the United States. We all have the same enemy. For this reason, we strongly support your just struggle for independence. For this reason we support all peoples who are struggling for self-determination.

"The Vietnamese people are today suffering in a brutal war. To conduct that war, the American army takes advantage of the Afro-American masses. It uses them to fight our own brothers. It tells us that we are going to fight for a so-called "democracy," but we know the hypocrisy of that claim.

"We know, in our flesh and in our blood, what "American democracy" means. For this reason we are absolutely opposed—I repeat, absolutely—to the drafting of young Afro-Americans and the drafting of young Puerto Ricans and of young people of any nationality who are oppressed like us. If we are to fight, we will fight—but in our own country, to liberate our people.

"Brothers of Puerto Rico, let us unite to achieve our goals. The forces of oppression, although very powerful, are only a minority compared to the power which all the oppressed of the world can wield. We shall destroy those forces. Let's go!"

From the text of the joint communication signed the afternoon of Jan. 26 by SNCC, MPI and FUPI:

". . . The black people of the United States and the Puerto Rican people are victims of the same structure of political, economic and military power. It is the imperialism of the United States that maintains the black people of North America under conditions of misery and keeps them oppressed in all facets of their individual and collective lives: economic, political, social and cultural.

"The same oppression maintains that power structure over the Puerto Rican nation, which is still subject to political, military and cultural colonialism and still exploited economically.

"Within the framework of the struggle which is liberating the peoples of the world, these two struggles—one waged by a people who exist in the very heart of the oppressor nation, the other by a people over whom the United States exercises direct colonial control—have a special relationship. It is the youth of our two peoples that the United States government is using as cannon fodder in its war of aggression against the people of Vietnam . . .

"A third of the Puerto Rican people, moreover, reside in the urban ghettos of the United States, where they suffer together with the Afro-American racial, cultural and economic oppression and police brutality . . .

"MPI and FUPI offer all their support to the black people of North America in their struggle to obtain political and economic power in their communities, expressed as the struggle for black power.

"SNCC affirms its endorsement of the struggle of the people of Puerto Rico for their national independence . . .

"SNCC and MPI and FUPI understand that the struggle of the Puerto Rican people and of the black people in the urban ghettos of the United States for political and economic control, for better living quarters, for adequate education and better conditions of life in general, can be carried through on a common basis and advanced by means of joint actions.

"SNCC and MIP and FUPI consider that the struggle against compulsory military service and against North American aggression directed at the people of Vietnam can be strengthened by means of joint actions of these organizations.

"SNCC offers its help to the Puerto Rican organizations, MPI and FUPI, in their battle to obtain consideration by the United Nations as quickly as possible of the colonial status of Puerto Rico.

"MPI and FUPI offer their aid in bringing international attention to the oppression of the black people in the United States . . ."

[From the Nashville Banner]

WHAT PRICE FOLLY?

Nothing that could be said by way of public apology—nor any innings of after-the-fact remorse, felt or spoken, on the part of his sponsors there—can remove the stench of the Stokely Carmichael visit to Vanderbilt University; and the tragic infliction of civil disturbance that broke out a little later a few blocks distant, and has raged through two nights. This violence occurred precisely as planned, and concerning it the public had been amply warned. Carmichael himself clearly confirmed the intention when—in an earlier diatribe against The Nashville Banner—he boasted that, yes, he was here to make trouble.

The stupidity of a campus group's explanation that he was brought here as part of a "search for truth" was more than matched—it was exceeded—by Vanderbilt administrative officers who so far disregarded a duty to the campus, the institution, and the community itself, as to publicly endorse the appearance of Carmichael—and became particeps to it. It is colossal stupidity indeed, to suggest that one must lift the lid of a garbage can to discover that there is garbage in it.

That Pandora's Box of violent contents was opened by academic hands and with high official consent is a fact so self-evident as to brand as totally inane expressions of wonderment after-the-fact concerning what happened, how, and why. The contributory circumstances speak for themselves.

In the final analysis, the ultimate responsibility for what occurred lies at the door of the Chancellor, and fellow-administrative authorities at Vanderbilt University.

Carmichael was here at the invitation of a sponsoring group in the student body; but that invitation subsequently was approved in a public statement by the Chancellor himself—making much of the "free expression" pitch, and the so-called "search for truth." By now that phony search has borne fruition in the chaos that has marked Nashville for two nights.

Infamy is the Carmichael stock in trade; his total text as an exhorter for violence and spieler of sedition toward the country he has adopted for purposes of arson. For boundless arrogance in preachment of hate and anarchy, there is for this free-wheeling, treason-minded alien no parallel in America's history. That was known before he planted his feet on any Nashville rostrum—and long before the invitation was sent, and finally accepted, to use Vanderbilt as his forum. True, in that appearance he was outwardly all sweetness and light, but he went from there to the Fisk campus where earlier he had laid the ground work and where the trouble broke out, with him prominently present at the spark point. Last night's rioting centered at Tennessee A&I University, a tax-supported institution, whose administration had clearly renounced the Carmichael appearance there.

This was no "ghetto" affair in either instance, but a riotous student demonstration promoted by imported disturbers brought in by and with Stokely Carmichael.

The Banner's objection to the Vanderbilt affair of community disgrace at no point related to racism, nor to considerations of free speech—of which the sponsoring element made much in its ridiculously tortured argument of justification.

This newspaper believes in that basic freedom. Since the day of its founding it has been the advocate and staunch defender of free expression within the meaning of that constitutional guarantee. But it has had occasion also to point out that liberty is not license. And The Banner has not, and never will subscribe to the customary rationalization resorted to by liberals in the name of free expression when Stokely Carmichael—or anyone else—openly and in the city of Nashville preaches sedition, insurrection, anarchy, murder and arson.

Stokely Carmichael may be "just a voice," but he is a voice exhorting for lawlessness and civil chaos, and no government or people anywhere who expect to preserve public order, security, and tranquility, can long countenance that sort of preachment and still walk safely the streets of any civilized community.

Saturday's affront was compounded by the fact that the slurs of this Trinidad-born character—who hasn't even acquired citizenship by naturalization—who reviles the Flag and everything for which it stands—made his guest appearance in a setting hallowed to the memory of Vanderbilt men who died in their country's service in World War II.

Such was the creation of that Memorial Gymnasium, patriotic in purpose, and its cost borne by Vanderbilt alumni, friends, and the parents of an honored company who gave their last full measure of devotion to the nation they loved and the Flag under which they served.

Comes then, by invitation, this enemy of America and Americanism whose ideological pitch it is to walk on these graves, to smear every man—regardless of color—now in uniform; to insult the nation which has given him sanctuary, solicit total defiance of its laws, and espouse a "retaliatory" racial course of "Kill and Burn."

Kill whom, and burn what? Anybody or anything that gets in the way.

Such a threat is not a mere figure of speech—and no more is the Carmichael importuning for mass violation of the law, as manifested in the shocking aftermath of his visit here. His pet invectives are those of total contempt for the United States, underscored by his assignment of the land "to Hell!"—the malevolence of a mind berserk with its own consuming hate.

Does this make for a "celebrity," entitled to public indulgence as an "interesting" provocateur—an eccentric to be suffered in the name of "free speech"—or to adulation as some kind of hero for the very brazenness of his appeals to treason?

The answer to those questions uniformly would be "No." If there is a degree of public insanity that conditions some minds to filth, or gets its kicks out of subversion by exhibitionist, itinerant firebrands, soiling and vandalizing the nation's temple, with kindred designs upon its soul, let it be said that majority America—young and old, and irrespective of race—shuns the contagion.

Carmichael's type of attempted brainwashing isn't done with detergents. It's a borrowed recipe, practiced by colleagues afar—alike bent on overthrowing this nation by subverting its character.

There IS a good use, however, for soap and water; and Nashville could have used it advantageously—for purposes of individual, institutional, and community sanitation Saturday night.

Unfortunately, scars inflicted by willful abrasion do not wash off so easily. Acid etches, and toxic doses—unless counteracted swiftly by people of judgment exercising good sense—can destroy.

Carmichael & Co. should never have been brought to Nashville. That isn't evident only after the fact.

The disgraceful episode with its lingering burden of more than coincidental tragedy has occurred—and no washing of hands can acquit of responsibility those who set the stage for it: the sponsors and those who gave consent. Late as it is, it is devoutly to be hoped that henceforth these sponsoring groups, and the administrative echelons who more than inferentially indorsed it, will be more particular about the company they entertain.

When the citizenship of this community has recovered from the disastrous results of Carmichael's devised deviltry, it behooves all people of good will to endeavor to restore the amity and mutual respect between all its people, for which Nashville has established an enviable reputation.

[From the Nashville Banner, Apr. 10, 1967]

A Courageous and Efficient Job: The Police Know Stokely and They Were Prepared

Despite recent over-all abuse from certain segments of the community, the Metropolitan Police Department on Saturday and Sunday nights met crisis with bravery and intelligence.

Stokely Carmichael told the city he was here to create havoc. In his Friday night harangue he attacked The Nashville Banner saying: "The Banner says we have come to Nashville to cause trouble. They lie all the time. But this time they tell the truth."

The police knew Carmichael came to bring trouble. They knew it before he arrived and before he said it. They anticipated his plans and were ready. They know Stokely Carmichael. They know what his presence anywhere means. They know SNCC.

Saturday afternoon the Vanderbilt gymnasium was saturated with protection, not only for members of the audience, but for the arrogant, evil-mouthed Black Power speaker as well. As an example, when a spectator displayed a Confederate Flag, it just so happened that an officer in plain clothes was in the next seat. He handled the incident quickly and quietly. The program proceeded without interruption.

However, not being quite as naive as Carmichael's academic sponsors, those who direct the police department were well aware that the Vanderbilt applause for Stokely did not ring down the curtain for the weekend performance of his henchmen.

The police knew that the build-up he had contrived to receive from sophomoric adulation just off West End Avenue was a part of the Black Power pattern.

As Carmichael and his goons departed for the Fisk area, two police riot squads were prepared. They had been ready and waiting since Friday morning.

So when the SNCC picketers began to play their part in front of the tavern of Jefferson St.—when the crowds gathered and the fury mounted—the police put into effect their long-laid plans. Streets were blocked. The trap closed. On both sides of the conflict heads were bloodied, property was damaged and arson attempted.

There was more shooting, burning and looting Sunday night, but again the lines of authority held.

Nashville police have done a good job—a courageous job—in the line of duty, to contain this sporadic rioting, and restore law and order. There has been no default on the part of public authorities. There can be no surrender—on any pretext—to mob rule, nor to the insolent ultimatum of outlawry.

Riot-Torn Area Quiet

(By Larry Brinton)

Roaming marauders, many of them screaming "Black Power," struck throughout a 30-block area of North Nashville Sunday night and early today, shooting, looting, destroying cars and trucks and setting fires to homes and stores with flaming Molotov cocktails.

It was the second straight night of rioting by the roving bands which moved like guerrilla units in an area which includes Tennessee A&I State University, Meharry Medical College and Fisk University.

Peace returned with daybreak and police authorities reported early this afternoon "the area is quiet." They said no acts of violence had been reported since dawn and police officials pointed out they had arrested the ringleaders.

SIXTY ARRESTED

About 400 police officers, many working more than 30 hours in two days, quickly moving with tear gas and riot guns to break up mobs and halt violence, arrested more than 60 persons during the 48 hours.

Among those arrested were George Washington Ware, 26, of Atlanta, bodyguard for "Black Power" advocate Stokely Carmichael, leader of the Student Non-violent Coordinating Committee, and Ernest Stephens, 26, of Tuskegee, Ala., field secretary of SNCC.

Ware and Stephens were taken into custody at 28th Avenue North and Heiman Street shortly before 1 a.m. while riding in a station wagon loaded by SNCC literature. They were charged with inciting a riot and carrying a pistol for the purpose of going armed.

Also arrested was Eugene Andrews, identified as a student at Tennessee A&I. Police said he would be charged with vagrancy and loitering.

NO ESTIMATE

There was no estimate of damage which left the college campuses in shambles, more than 20 injured by rocks and bottles during the two nights and at least three persons wounded by gunfire. The wounded:

Calvin Conners, 19, of Memphis, shot in the neck Sunday night while standing in a crowd on Centennial Boulevard near 28th Avenue North; in fair condition at Hubbard Hospital.

William Reagan, 22, of 733 34th Ave. N., also shot in the neck while riding in a car before dawn at 42nd Avenue North and Charlotte Avenue; in good condition at Hubbard.

Oscar Grisham, 18, shot in the leg Saturday night; treated at Hubbard and released.

EXAMPLES

Police reported a Molotov cocktail set fire to a grocery store, another grocery looted, a cocktail hurled through a plate glass window of a liquor store, bullets smashed into a drive-in market, fire set to a business forms company, a combination grocery-shoe store-cleaning establishment looted, a utility pole set afire, a home burned, several autos and trucks set afire and Metro fire trucks answering calls pelted with rocks and bottles.

Early this morning, police raided two houses near Fisk and arrested five Negro men and two women. They were charged with inciting a riot.

They said Molotov cocktails apparently were being made in the houses and that a carton of soft drink bottles filled with gasoline and rag wicks was thrown through a window as police rushed into one house.

Earlier, Fisk football players, wearing their jerseys, reportedly found and destroyed several Molotov cocktails in a dormitory.

It was the first major racial violence to erupt in the nation this year and the first in Nashville since the 1963 sit-in demonstrations.

The trouble came within hours after the 26-year-old Carmichael climaxed three days of speeches in Nashville with an address at Vanderbilt University's Memorial Gymnasium.

The "Black Power" champion also spoke to students at Fisk and A&I, and urged students to "take over the city." Ware also spoke at Fisk and advocated the "Black Power" theory.

IN AREA

Police authorities said Carmichael was in the area where the rioting erupted Saturday night. He left the scene only minutes before it flared, police said.

He spoke in Knoxville Sunday. His whereabouts today were unknown.

Avon N. Williams, a leading Negro civil rights leader, blamed Carmichael for the trouble and said he believed the SNCC executive chairman "wanted this to happen."

At Vanderbilt, where Carmichael defined for a mainly white audience what he meant by Black Power, no incidents were reported.

Chancellor Alexander Heard said he had "no comment" about the rampaging at Fisk, A&I and Meharry.

SMEAR SHEETS

Smear literature was distributed in the riot area. It suggested three Negro leaders get out of the community. The unsigned literature said, "Black students unite or perish. The black people of Nashville shall no longer tolerate the racist savagery."

Gunfire cracked throughout Sunday night, with most of it occurring in the A&I and Fisk areas.

Rioters behind trees, bushes and buildings fired guns. Police also fired, but their weapons were pointed in the air to frighten students.

ABOUT 150 SHOTS

At one point about 150 shots were exchanged in a melee at A&I.

Some of the reported vandalism included:

A Molotov cocktail thrown into Hibdon's Market at 1500 22nd Ave. N., setting it afire.

A flaming wine bottle loaded with gasoline tossed at the Cheek Oil Co., 1720 28th Ave. N. Casey grabbed it and hurled it into the street. A small fire was quelled.

Marauders broke out the front glasses and looted Green's Bi-Rite, 2600 Heiman St.

A Molotov cocktail thrown through a plate glass window at Gleaves Liquor Store, 1434 12th Ave. N. There was no fire.

Bullets smashed windows at Ernie's Cash Market, 1504 Jo Johnston Ave.

A fire hit Victor Business Forms, 600 21st Ave. No.

Inman's grocery-shoe store-cleaning establishment at 1801-B Jefferson St. was broken into, looted and shoes left scattered on the sidewalk and street.

Officers, under the direction of Assistant Police Chief Donald Barton, and with Capt. John Sorace coordinating plans, began moving reinforcements into the area about 7 p.m. Sunday.

"If you see a group with rocks, I want them locked up," Maj. Casey ordered in a radio dispatch to patrol cars.

DAZED

Less than 15 minutes later, a rock was hurled through an open window of a moving police car and struck Detective John Estes. He was dazed, but not injured seriously.

Then quickly three fires and a large number of rock-throwing cases were reported.

Vandalism and looting reports were received and five arrested at a trestle on Jefferson Street for rock throwing.

At 8:15 p.m. students at A&I began attacking cars, about 100 were lined up on both sides of Centennial Boulevard chanting "Black Power", insulting officers and throwing rocks and bottles.

EVERYTHING

An hour later at 9:15 p.m., a dozen shots were fired at A&I as police disbanded large groups "throwing at everything that moves."

At 9:20 p.m. a fight was reported at A&I and when police moved in, pistol and rifle fire was leveled at them. Ten or more shots were fired by snipers, officers reported, and police fired round after round into the air.

At 9:30 p.m., Maj. Casey radioed, "Move out and let them have the college." The statement came as resistance by the snipers subsided.

A fire was extinguished in a field near the A&I dairy barn.

Then rapidly many rock throwing incidents broke out, a house at 28th Avenue and Batavia Street was burned, a utility pole at A&I set afire, a Molotov cocktail hurled in a house near the Esso gasoline storage tanks on Schrader Lane and small-caliber shots reported fired from a Fisk dormitory at officers on 18th Avenue North near Meharry Boulevard.

When Ware and Stephens were arrested, Ware complained bitterly to a Banner reporter:

"I was driving down the streets of Nashville, not bothering anybody. I have now been placed under arrest and I have been charged with something I don't know anything about.

"My car has been ransacked by police. I'm receiving a first class lesson in the methodology of a police state. I never dreamed I would be arrested by police and be scared for my life."

Others arrested Sunday night and early today were identified by police as:

Bennie Lee Henderson, 21, of 1204 26th Ave. N., A&I student, disorderly conduct by creating a disturbance.

James Mickey Booth, 24, of A&I, charged with inciting to riot.

Andrea Louise Felder, 21, of New York, a Fisk student, inciting to riot.

Charles Stewart Douglas, 20, of 2415 Jefferson St., A&I student, inciting to riot.

Leroy Gilbert Wilson, 21, of 1720 Jefferson St., inciting to riot.

Ida Arnette Whitmire, 21, of Woodbridge, Conn., Fisk student, inciting to riot.

Daniel Frank Massie, 21, of 1720 Jefferson St., Fisk student, inciting to riot.

Aaron Neal Jr., 20, A&I student of 1720 Jefferson St., inciting to riot.

Elias C. Diaz, 28, of 2309 12th Ave. S., loitering.

John Jackson, 20, of 1204 26th Ave N., disorderly conduct by creating a disturbance.

Deotis Clifford Taylor, 24, of 1204 26th Ave. N., A&I student, disorderly conduct by creating a disturbance.

Ralph Jones, 20, 1204 26th Ave. N., A&I student, disorderly conduct by creating a disturbance.

Donald Roger Simmons, 20, 1204 26th Ave. N., disorderly conduct by creating a disturbance.

Ulysses Rudolph Hall, 22, of 1202 26th Ave. N., vagrancy.

Robert Lee Smith, 21, of Holly Springs, Miss., flield secretary for SNCC, vagrancy.

William Thomas Romines, 34, of 322 Foster St., carrying a shotgun and pistol for the purpose of going armed.

John Richard Ashworth, 53, of 322 N. First St., carrying a shotgun and pistol for the purpose of going armed.

Charles Franklin Finch, 45, of 747 Monazone Road, carrying a shotgun and pistol for the purpose of going armed.

Buford Carmack Lyle, 24, of 2411 Lloyd Ave., carrying a shotgun and pistol for the purpose of going armed.

Samuel Leroy Edmondson, 19, of 1612 16th Ave. N., possession and transportation of explosives.

William Henry Jackson, 21, A&I University, possession and transportation of explosives.

Louis Julias Miller, 21, of 1829 10th Ave. N., possession and transportation of explosives.

Frederick Leonard, 24, of 704 29th Ave. N., possession and transportation of explosives.

Larry Thomas Felts, 23, of 513 Conway St., disorderly conduct by creating a disturbance.

Edward Eugene Nichols, 20, of 309 Natchez Trace, disorderly conduct by creating a disturbance.

Walter L. Wheton III, 20, A&I University, disorderly conduct by throwing rocks.

Thomas Henry Oglesby, 19, of 1105 32nd Ave. N., vagrancy and loitering.

Carus Jerome Straughn, 18, of Taylorville, Miss., A&I University, vagrancy and loitering.

Alvin Pentecost Chambliss, 20, of 1004 35th Ave. N., vagrancy and loitering.

Donald A. Peterson, 20, of Linridge, N.J., A&I University, vagrancy and loitering.

In addition, a large number of juveniles were arrested and taken to Juvenile Court.

FIRST DAY

The first day of rioting which continued until dawn extended generally along Jefferson Street from 16th Avenue North to 23rd Avenue North between Scovel and Herman streets.

It left the campuses of Fisk University and Meharry Medical College in shambles.

Two persons were shot, more than a dozen struck by rocks and bottles and treated at hospitals and more than 30 arrested.

The outbreak occurred shortly after 9 p.m. Saturday near the University Dinner Club at 1728 Jefferson St. Within a few minutes, about 400 officers sealed off the entire area.

WINDSHIELDS

Police authorities reported more than 500 persons participated in the rioting in which a large number of auto windshields were smashed, a car overturned near St. Thomas Hospital and six officers, although wearing helmets, injured by missiles. None was hurt seriously.

Officers said they were first called to the club about 8 p.m. when the operator wanted a student ejected. The student left, and was not arrested. A short time later students picketed the club.

The demonstrators became unruly, stopping and rocking cars, jumping on bumpers and harassing motorists.

Police poured into the area as the crowd continued to grow. Rocks and bottles were thrown at officers.

CHARGED

The rioters barricaded themselves behind a rock wall surrounding Fisk and the rock hurling increased until police charged the wall before midnight, dispersing the crowd.

The assault on the wall broke up the main crowd and the rioters dispersed into smaller groups to continue harassing action until after dawn.

Rioters dismantled part of the four-foot wall around the campus to obtain ammunition to use against police.

Shortly after midnight, students charged from the Fisk dormitory hurling rocks, bottles and boards at police. The officers fired over the students' heads and a tear gas bomb was lobbed. The students retreated into the dormitory.

ANOTHER ONE

Across the street, from the dormitory, another large crowd of about 75 began hurling rocks and soft drink bottles. The group was dispersed.

After a brief lull, other acts of violence broke out spasmodically throughout the area as officers went from one section to another, making arrests and scattering crowds.

One of the first persons injured in the violence was Tom Mayhew, director of public relations for the mayor's office. He was struck on the leg by a Molotov cocktail. Sixteen stitches were required to close the wound.

Dr. Edward Mitchell, instructor at Meharry Medical College, was hit on the shoulder by a rock while attempting to talk with students.

REPORTERS

Photographer Dale Ensberger and reporters Jerry Thompson and Frank Sutherland, all of the Nashville Tennessean, were hit by rocks.

Others reported injured and treated at hospitals:

Billy R. Stults, 27, of 1050 Sophi Ave., cab driver, hit by rocks; Charles D. Horton, 39, of Greenbrier, cab driver, struck in the ribs; Robert M. Langford, 15, of 107 Tiffany Road, hit on the shoulder; David Gilliam, 20, head lacerations; Leroy Goan, 18, arm injury; Herman Williams, 20, ankle cut; Tony McClaran, 18, abdomen injuries; Cecile Jackson, 21, cuts on the face; and Henry Johnson, 21, arm cuts.

ARRESTED

Those arrested Saturday night and early Sunday were listed by police as:

Charles Edward Gill, 21, of 6016 Neighborly Drive, laborer, charged with disorderly conduct by fighting.

Willie Tharp, 30, of 1510 Meharry St., laborer, drunkenness.

Billy Wayne Thomas, 19, Pond Creek Road, Pegram, disorderly conduct by fighting.

Herbert Wayne Gill, 20, of 6020 Neighborly Drive, disorderly conduct by fighting.

Frederick Douglas Oliver, 27, of 709 32nd Ave. N., loitering and failure to obey an officer.

Robert Lewis McCord, 25, of 919 43rd Ave. N., disorderly conduct by fighting.

George Linard Gleaves, 39, of 924½ 29th Ave. N., loitering and failure to obey an officer.

Eugene Douglas Dixon, 27, of 1703 16th Ave. N., loitering and failure to obey an officer.

John Thomas Stephens, 23, of 4311 Albion St., disorderly conduct by fighting.

Maj. Robbins Lee, 27, Civil Service personnel manager, San Francisco, loitering about the scene of a riot.

Inman Edward Otey, 29, owner of Otey Development Co., 921 24th Ave. N., resisting an officer.

Ninrod Meredith Sherman Jr., 20, of Detroit, loitering.

Earl Gray, 24, of Detroit, Tennessee. A&I student, loitering.

Donald Edward Hayes, 18, of 1613 Knowles St., Tennessee A&I student, loitering.

Roger Lewis Hicks, 21, of 1906 Herman St., Tennessee A&I student, loitering and assault on an officer.

Bryan Philip Strickland, 18, 1602 Underwood, Tennessee A&I student, loitering.

Aaron Thomas Binkley, 24, of 1908 15th Ave. N., loitering.

William Larkin Hicks, 23, of Whites Creek, loitering around the scene of a riot and carrying brass knucks.

Gilford Eugene Harris, 20, of 2025 Jefferson St., disorderly conduct by cursing.

Leonard Collins, 18, Fisk University, disorderly conduct by throwing rocks.

William Isaac Johns, 21, Shreveport, La. Prairie View A&M student, disorderly conduct by throwing rocks.

Jimmy Lee Howard, 19, of Watson Hall, A&I, disorderly conduct by cursing.

Raymond Norman James, 19, of Watson Hall, A&I, disorderly conduct by cursing.

James Bowman Howard, 23, of 1310 Fifth Ave. N., disorderly conduct by cursing.

James David Davis, 29, of 1212 12th Ave. N., disorderly conduct by cursing.

Arthur S. Wills, 21, of Providence, disorderly conduct by cursing.

Clarence Ervin Stunson, 20, of 1720½ Heiman St., disorderly conduct by cursing.

Leland Brett Ware, 18, Fisk University, disorderly conduct by throwing rocks.

Michael Villard Hagood, 18, 3909 Alameda St., disorderly conduct by throwing rocks.

Arthur Wesley Simmons, 20, Fisk University, failure to obey an officer and resisting an officer.

Negro Control of Cities Seen by Stokely

(By Doug Looney)

Stokely Carmichael has predicted Negroes will control the nation's cities in the near future because of the "white rush to suburbia."

In a Saturday afternoon address at Vanderbilt University, Carmichael attempted to clarify what he means by his "Black Power" concept.

But he led off his talk before the estimated 4,000 persons at the Impact Symposium by attacking The Nashville Banner.

EDITORIAL

Saying he was going to quote from the "modern day theater of the absurd," Carmichael recited passages from a front page editorial of March 25 which condemned Carmichael's inflammatory appeals for violence.

"Let me tell the Banner," the militant Negro said, "that the days of white people telling black people who to invite to their campuses to speak are over."

He was referring to the refusal of Fisk and Tennessee State University administrations to sanction his appearances at the schools last week.

Although he devoted considerable time to his complaints against the paper, he noted, "But let us not be disturbed about the Banner.

"LEAVE NOW

"The honkies (whites) of the Banner can now leave because you will not even begin to comprehend the lecture I am about to give.

"You see, the lecture is on an intellectual level."

He told his audience Washington, D.C., and Newark, N.J., are "already over 50 per cent Negroes" and said the white exodus would bring identical situations elsewhere across the nation.

Carmichael said the problem was in gaining and maintaining control.

"The people of the black community do not control the resources of that community.

POWERLESS

"It is the white power that runs things. We have endured these conditions because we are black and powerless."

He called for "independent organization" so the "cultural integrity" of the Negro community can be kept intact.

The Carmichael who spoke at Vanderbilt was not the Carmichael who whipped crowds into a frenzy at Fisk and Tennessee State.

To his Negro groups, he rants and raves for Negro takeover and calls for this to be achieved by "whatever means necessary."

The crowd yells "Black Power" and Carmichael tells them about it.

TALKING IT OVER

But at Vanderbilt, he dropped most of his four-letter words from his speech and attempted to create the image of "talking this thing over" rather than attempting to stir up trouble—as he has promised.

Much of his efforts at giving a scholarly talk centered around his plea for Negroes achieving '"the right to define ourselves."

He complained of Negroes being "excluded from making decisions" and the importance of taking over "white political machines."

Although complaining his Black Power concept has been misinterpreted, he did little to clarify it at Vanderbilt.

INCAPABLE

"The press is incapable of objective observation, much less an analysis of ideas," he said.

At one point, he said Black Power means the organization of Negro communities so Negroes, as a group, can help determine through political action the decisions that affect their lives.

He called the Watts riots of two years ago "rebellions," but not an example of Black Power.

Policemen Get Praise

(By Dick Battle)

Mayor Beverly Briley today called for "calmness" and stated decisively "law and order will prevail here."

The mayor pointed out outside influences had been at work here to foment disorder and insurrection. He gave high praise to the discipline and trained action of the Police Department in coping with riots Saturday night and Sunday in North Nashville.

In a statement this morning, he pointed out emphatically, "This is not a rebellion of the ghetto, in fact they are the victims of this insurrection."

He said he, his administration and all the agencies of Metropolitan Government are at work on the solution of the problems of the ghetto and seeking the elimination of ghettos everywhere. He said this work will be continued and intensified.

STATEMENT

Briley's statement:

"This is the time for calmness in our community. Law and order will prevail. This must be the basis for any solution. Our sympathy and work have been concentrated upon the relief of the problems of the ghettos in our city and that effort is being intensified.

"This is not a rebellion of the ghetto, in fact the people of the ghetto are the victims of this insurrection. Most of our community leaders are expressing their regrets and deep concern. With their assistance and the understanding and cooperation of this community, we can solve these problems.

"NO ANSWER

"A few people attempting to incite and lead a mob is no answer. I want all to know that communications are open to all legitimate leadership who wishes to settle problems.

"Law and order must prevail in a civilized community. It will prevail here."

Briley was interviewed this morning by the Banner after two nights of maintaining constant communication with police officials in the riot-torn area.

The mayor said police handling of the situation "shows the importance of the recent intensified training program initiated by the Police Department.

"ADMIRABLE

"The superior officers and men of the department were able to handle the situation with a minimum of violence and with admirable restraint. I am proud of the work of this department and its leadership operating under extreme stress and difficulties."

Briley said he believes the situation is "well in hand at this time."

The mayor said a great majority of students at both Fisk and A&I universities are "to be commended for their refusal to be drawn into the rioting conspired by outside influences. The action of the Fisk University football team is particularly commendable in its efforts to restore order on the campus."

Explosions Predicted by CORE Officer

New York (UPI).—A national civil rights leader Sunday predicted summer racial "explosions" in Cleveland, Chicago "and many other major areas in this country."

Wilfred Ussery, the associate national chairman of the Congress of Racial Equality, said "you can name any major metropolitan area in this country and I'm saying that it is in danger of blowing up."

Ussery was asked if CORE plans to take steps to curb situations such as one last week when 70 fires broke out in the Hough section of Cleveland, the scene of racial riots last summer.

NO FIREMAN

"CORE is not a fireman with respect to putting out insurrection throughout this country," he replied.

The official said he supported Dr. Martin Luther King's strong position against the war in Vietnam. Ussery said "you have disproportionate number of black soldiers in Vietnam in relation to the population in this country.

"I think it means that black people in this country have been trapped in an almost genocidic circle of effects, whereby, not only are we wound up being placed at the top of the list to be drafted, but also wind up at front dying in higher numbers," he said.

Ussery said he is certain Adam Clayton Powell will score an "overwhelming" victory in the special election Tuesday in New York's 18th Congressional District.

"I think the important thing is that as large a number of people as possible turn out to indicate their strong support for a man who has contributed so much to the efforts of the black people in this country."

"Might Take Some Dynamite," Ware Told Students at Fisk

(By Doug Looney)

Stokely Carmichael's chief bodyguard told Fisk University students 36 hours before he was arrested and charged with inciting the weekend riots that it "might take some dynamite" to shatter racial barriers.

George Ware, 26, of Atlanta, addressed a class at Fisk Friday, conducted by Dr. P. C. Onwauchi, anthropology professor.

Both refused to admit a Banner reporter and photographer, but Ware's 45-minute presentation was overheard through a door and his remarks confirmed by students.

In his presentation, Ware said, "White people are not nearly as brave as you think."

SCARED TO DEATH

Only moments before, however, Ware told the jammed room, "I am scared to death because I've discovered it's dangerous to be a nigger in this country."

Ware said it was important for Negroes to "push along without any barriers thrown up by whites.

"If the barrier is made of tissue, we will walk right through.

"If it is made of concrete, we might have to beat on it a little bit.

"And if it is made of steel, we might have to go get some dynamite."

CAN'T COME IN

Onwauchi said he had anticipated Carmichael would speak instead of Ware. "You can't come in," he said, "because this is a class and we don't let in outsiders."

Afterward, the professor refused to discuss Ware's talk. "I don't think he said anything startling," Onwauchi said.

Ware said "most people go to college to get a degree, not to get an education."

He said Negroes "are not apathetic about learning, but to most people, I'm still a nigger with a master's degree.

"This shows there is a serious question about what black students can do about education."

NEVER RIGHT

Wearing his familiar sandals and sweatshirt, Ware said, "The (university) administration is never right. That's the first thing students have to understand.

"The administration is fighting for control of the campus and you can't let them have it."

He called for an end to violence among Negroes. "For years, it has been suicidal to hate white people, so we psychologically turn our hate on ourselves," he said.

Policemen Tripled by One Call

One telephone call by Assistant Police Chief Donald Barton increased the Metropolitan Police Department's manpower from about its normal 150 to more than 400 when rioting broke out here.

Barton said he issued the mobilization call to Maj. Joe Casey.

"Casey called two lieutenants who called sergeants, who in turn called the officers working under them," Barton stated.

He said emergency procedures had been worked out carefully in advance and in recent days there had been numerous conferences with top officials, including Casey, Capt. John Sorace and Capt. Paul Gill.

Barton said special squads had been assigned to certain areas in advance of the trouble and helmets, tear gas and other equipment was placed in the west police substation on Charlotte Avenue.

Barton said he would not reveal specific details of the riot control plan.

"We don't want to tip off our hand," he said, "but we did have men staked out and they were the first to respond to the disorders.

"Our entire purpose is to protect lives and property," he emphasized. "We are out to protect the lives of all concerned."

Carmichael Blamed by Leader Here

Stokely Carmichael has been blamed by a Nashville Negro leader for inciting the weekend riots in the Fisk University area.

However, Avon N. Williams said Carmichael "didn't have to be present in town when this started.

"His bully boys were here and they knew what he wanted."

While placing the blame on Carmichael, the attorney said Nashville's white population was also at fault for "failing to see trouble coming."

He said he thought Carmichael "should stay out of here and our people and our community will be better off."

Williams, a veteran civil rights leader, said, "The white power structure, when it tries to create Negro puppets, plays into the hands of Black Power" and makes it possible for people like Carmichael to cause trouble.

Williams called for "equal acceptance" of Negro leadership in working out solutions.

Three Negro Leaders Hit in Pamphlets

"Black power" literature, striking at three local Negro leaders, hit the streets in the aftermath of Saturday and Sunday night riots in North Nashville.

Calling on "Black students to unite or perish," the sheets attacked Dr. Edwin H. Mitchell, chairman of the Metropolitan Human Relations Commission and a member of the staff of Hubbard Hospital; Mansfield Douglas III, one of five Negro members of the Metro Council and the president of the Nashville chapter of the National Association for the Advancement of Colored People; and Inman Otey, real estate developer and one of the organizers of the Greater Nashville Housing Conference.

Douglas has been one of the more militant voices here in behalf of Negroes.

UNSIGNED

The unsigned sheets, accusing the three of failing to back the "Black Power" advocates, suggested Mitchell, Douglas, and Otey should get out of the Negro community.

One sheet said, "The black people of Nashville shall no longer tolerate the racist savagery."

One of the several demands was "That those who are assigned to police the black community live in the black community where they patrol."

Another piece of literature declared:

"Have we not been intimidated enough by white racists? We urge you to not allow yourself to be victims of this system that has been slowly killing us for the last 400 years. Protect yourselves. Fight for what is right. That right is to control your lives."

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

INVESTMENT TAX CREDIT

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of H.R. 6950, the unfinished business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I send to the desk the modification of my amendment No. 138, which I offered yesterday for myself and the senior Senator from New Hampshire [Mr. Cotton].

The PRESIDING OFFICER. The amendment is modified accordingly.

The amendment, as modified, is as follows:

On page 4, after line 6, insert the following new section:

"Sec. 5. (a) Section 215(a) of the Social Security Act is amended by striking out the table and inserting in lieu thereof the following:

"'TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS

"I		II	III		IV	V	"I		II	III		IV	V
(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1965 act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)	(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1965 act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—	If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—			At least—	But not more than—		At least—	But not more than—		
		$44.00		$67	$70.00	$105.00			$114.50	$306	$309	$128.30	$247.20
		58.00	$91	92	70.00	105.00			115.60	310	314	128.40	251.20
		59.00	93	94	70.80	106.20			116.70	315	319	129.60	255.20
	$23.08	60.00	95	96	72.00	108.00			117.70	320	323	130.70	258.40
$23.09	23.44	61.00	97	97	73.20	109.80			118.80	324	328	131.90	262.40
23.45	23.76	62.10	98	99	74.60	111.90			119.90	329	333	133.10	266.40
23.77	24.20	63.20	100	101	75.90	113.90			121.00	334	337	133.20	269.60
24.21	24.60	64.20	102	102	77.10	115.70			122.00	338	342	134.20	273.60
24.61	25.00	65.30	103	104	78.40	117.60			123.10	343	347	135.50	277.60
25.01	25.48	66.40	105	106	79.70	119.60			124.20	348	351	136.70	280.80
25.49	25.92	67.50	107	107	81.00	121.50			125.20	352	356	137.80	284.80
25.93	26.40	68.50	108	109	82.20	123.30			126.30	357	361	138.30	288.80
26.41	26.94	69.60	110	113	83.60	125.40			127.40	362	365	138.90	292.00
26.95	27.46	70.70	114	118	84.90	127.40			128.40	366	370	140.00	296.00
27.47	28.00	71.70	119	122	86.10	129.20			129.50	371	375	141.20	298.00
28.01	28.68	72.80	123	127	86.70	130.10			130.60	376	379	142.40	299.60
28.69	29.25	73.90	128	132	88.00	132.00			131.70	380	384	142.90	301.60
29.26	29.68	74.90	133	136	89.20	133.80			132.70	385	389	143.40	303.60
29.69	30.36	76.00	137	141	90.50	135.80			133.80	390	393	144.60	305.20
30.37	30.92	77.10	142	146	91.80	137.70			134.90	394	398	145.70	307.20
30.93	31.36	78.20	147	150	92.30	138.50			135.90	399	403	146.80	309.20
31.37	32.00	79.20	151	155	93.50	140.30			137 00	404	407	147.20	310.80
32.01	32.60	80,30	156	160	94.80	142.20			138.00	408	412	147.70	312.80
32.61	33.20	81.40	161	164	96.10	144.20			139.00	413	417	148.80	314.80
33.21	33.88	82.40	165	169	97.30	146.00			140.00	418	421	149.80	316.40
33.89	34.50	83.50	170	174	97.70	146.60			141.00	422	426	150.90	318.40
34.51	35.00	84.60	175	178	99.00	148.50			142.00	427	431	151.20	320.40
35.01	35.80	85.60	179	183	100.20	150.30			143.00	432	436	151.60	322.40
35.81	36.40	86.70	184	188	101.50	152.30			144.00	437	440	152.70	324.00
36.41	37.08	87.80	189	193	102.80	154.40			145.00	441	445	153.70	326.00
37.09	37.60	88.90	194	197	103.20	159.60			146.00	446	450	154.80	328.00
37.61	38.20	89.90	198	202	104.30	161.60			147.00	451	454	155.10	329.60
38.21	39.12	91.00	203	207	105.60	165.60			148.00	455	459	155.40	331.60
39.13	39.68	92.10	208	211	106.90	168.80			149.00	460	464	156.50	333.60
39.69	40.33	93.10	212	216	108.00	172.80			150.00	465	468	157.50	335.20
40.34	41.12	94.20	217	221	108.40	176.80			151.00	469	473	158.60	337.20
41.13	41.76	95.30	222	225	109.60	180.00			152.00	474	478	158.90	339.20
41.77	42.44	96.30	226	230	110.80	184.00			153.00	479	482	159.20	340.80
42.45	43.20	97.40	231	235	112.10	188.00			154.00	483	487	160.20	342.80
43.21	43.76	98.50	236	239	113.30	191.20			155.00	488	492	161.20	344.80
43.77	44.44	99.60	240	244	113.60	195.20			156.00	493	496	162.30	346.40
44.45	44.88	100.60	245	249	114.70	199.20			157.00	497	501	162.50	348.40
44.89	45.60	101.70	250	253	116.00	202.40			158.00	502	506	162.80	350.40
		102.80	254	258	117.20	206.40			159.00	507	510	163.80	352.00
		103.80	259	263	118.40	210.40			160.00	511	515	164.80	354.00
		104.90	264	267	118.60	213.60			161.00	516	520	165.90	356.00
		106.00	268	272	119.80	217.60			162.00	521	524	166.10	357.60
		107.00	273	277	121.00	221.60			163.00	525	529	166.30	359.60
		108.10	278	281	122.20	224.80			164.00	530	534	167.30	361.60
		109.20	282	286	123.40	228.80			165.00	535	538	168.30	363.20
		110.30	287	291	123.60	232.80			166.00	539	543	169.40	365.20
		111.30	292	295	124.70	236.00			167.00	544	548	169.50	367.20
		112.40	296	300	125.90	240.00			168.00	549	550	169.70	368.00.'
		113.50	301	305	127.20	244.00							

"(b) The amendment made by subsection (a) shall be effective with respect to monthly benefits under title II of the Social Security Act for months after the month following the month in which this section is enacted.

"(c) The amendments made by the preceding provisions of this section shall be known as the 'Social Security Amendments of April 1967'.

"(d)(1) Section 415(g) of title 38, United States Code, is amended by adding at the end thereof a new paragraph as follows:

"'(3) Notwithstanding the provisions of paragraph (1) of this subsection, in the case of any individual—

"'(A) who, for the month in which the Social Security Amendments of April 1967 is enacted, is entitled to a monthly insurance benefit under section 202 or 223 of the Social Security Act, and

"'(B) who, for such month, is entitled to dependency and indemnity compensation under this section,

there shall not be counted, in determining the annual income of such individual, any increase in benefits under such sections of the Social Security Act which result from the enactment of the Social Security Amendments of April 1967.'

"(2) Section 503 of title 38, United States Code, is amended by inserting '(a)' after '503', and by adding at the end thereof the following:

"'(b) Notwithstanding the provisions of subsection (a) of this section, in the case of any individual—

"'(1) who, for the month in which the Social Security Amendments of April 1967 is enacted, is entitled to a monthly insurance benefit under section 202 or 223 of the Social Security Act, and

"'(2) who, for such month, is entitled to pension under the provision of this chapter, or under the first sentence of section 9(b) of the Veterans' Pension Act of 1959,

there shall not be counted, in determining the annual income of such individual, any increase in benefits under such sections of the Social Security Act which result from the enactment of the Social Security Amendments of April 1967.'

"(e) In addition to all other sums authorized under any other provisions of law to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to each of the aforementioned Funds, for the fiscal year in which the Social Security Amendments of 1967 are enacted, and for each fiscal year thereafter, such sums as may be necessary to place each of such Funds in the same financial positions as that which it would have been in if such Amendments had not been enacted."

Mr. PROUTY. Mr. President, today as never before, we are faced with the agonizing problem of Government having to decide who gets what from the limited resources available for expenditure.

The gallant men fighting in Vietnam for the basic principles which are the heart of our civilization certainly deserve every penny that is being spent effectively to provide them with the assistance they need. All thoughtful Americans agree that the Vietnam war and other national defense expenditures deserve top priority when it comes to deciding how our tax dollars are spent.

But aside from the Vietnam war and national defense spending, there is little agreement among Americans—in or out of this Chamber—as to the exact priorities for expenditure of tax dollars. The bill before us today—H.R. 6950, a restoration of the investment credit—in reality represents a grant to the businesses of our Nation of nearly $1.9 billion under the bill which passed the House or $1.1 billion in the form reported by the Finance Committee.

The speed with which the House passed this bill indicates to me that the administration and many of my colleagues place a very high priority on this grant to businessmen. They argue—and correctly—that we as a nation will receive untold future benefits from the enactment of this bill because it will stimulate the economy of this Nation which might otherwise slide into a recession.

Many of our country's leaders and the powerful voice of our big business community have given passage of this bill a priority second only to Vietnam—and perhaps rightly so.

But what happens to priorities for those who are already in a recession?

What happens to those groups who do not have the full commitment of the administration?

What happens to those groups who cannot exert the influence and persuasion of big business?

What happens to the one out of every 10 Americans who is over age 65 and is engulfed by a perpetual recession?

Mr. President, while we may not like to think of what happens to the 19 million Americans over age 65, every Member of this body knows.

We all know that for 80 percent of these individuals, social security represents the major source of income.

We all know that between 1954 and 1967, wages have increased by over 50 percent. The cost of living has increased by over 25 percent. Yet, the monthly benefit for an individual receiving social security since 1954 has increased less than 15 percent.

We all know that only twice in the last 13 years has Congress increased benefits to social security beneficiaries. The 7½-percent increase in 1958 completely failed to restore 1954 buying power and the 1965 7-percent increase neither corrected this deficiency nor even restored 1958 buying power.

We all know that from 1 to 2 million older Americans not receiving social security continue to cry out for help, even though the watered-down version of the Prouty amendment to the Tax Adjustment Act of 1966 has made it possible for about 650,000 "forgotten Americans" to receive small benefit payments.

We all know that in good conscience we cannot put off until tomorrow that which should have been done yesterday.

Mr. President, in the end I believe that our society will be judged by history not for the sporty cars we produce; not for our ability to mass-produce everything from can openers to airliners; not for our mastery of the atom nor electronics nor drugs; but rather how well we treated our citizens as they grow old. If the final history of the world were written today, I am not sure that we would fare well at all.

For the 3 weeks immediately preceding the Easter recess hearings were held in the House concerning amendments to the Social Security Act. As I read the newspaper accounts of the testimony at the hearings it became clear to me that again meaningful improvements in the social security system are being buried in a forensic funeral of anachronisms.

How can history judge us when we feel compelled to force older Americans to become efficient beggars when all through their younger years they were taught they should not be beggars?

Mr. President, I do not know.

But, Mr. President, I do know this. The 19 million Americans who are over age 65 in our country are not receiving adequate benefits. The solution to their plight should be a top priority in this country.

I regret to say it is not.

The Social Security Administration, which continues to use the most unrealistic definition of the poverty level—about $1,500 per year for an individual age 65 or over and $1,850 for an aged couple—admits that about 5 million persons age 65 or over are living in poverty and another 5½ million are barely avoiding it.

To the person who is over 65 today, there is little security in social security. The average monthly social security payment is about $84. In yearly terms, that is $1,008. Where in this great country can a man exist, let alone live, on $1,008 a year?

Apparently everywhere because it is a fact that 19 million Americans over age 65 are existing.

They are existing by limiting their recreation to walks around the block.

They are existing by eating as little as possible.

They are existing by buying the cheapest, often least nutritious food.

They are sustaining this existence by fighting the tears of despair.

Did you know, Mr. President, that for 80 percent of the Americans in this age group their monthly social security check represents their major source of income? As a Vermonter, I could argue that the older Americans should have been more prudent. I could argue that his dividend checks alone should equal his social security payment. But I can not, Mr. President.

I can not, Mr. President, because ever since the social security system was born 30 years ago Americans have been instilled with the thought that social security would "take care of them in their old age."

I can not, Mr. President, because inflation, national priorities, and greater longevity have robbed the dreams of those who expected an adequate retirement from social security.

I cannot, Mr. President, because the 70-year-old American should not be fooled by a "shell game" of fanciful figures intended to deceive them.

On paper, the administration's proposal for social security benefit increases looks like a panacea for older Americans. For example, the maximum individual monthly rate is shown as $288, compared to the present maximum of $142.

But, Mr. President, did you realize when that maximum rate of $288 would be payable?

It would not be payable today.

It would not be payable tomorrow.

It would not be payable next week.

It would not be payable next year.

Mr. President, that benefit would not be payable to a person retiring until the year 2017. Such an individual is still in grammar school and has an entire lifetime of subjugation to the regressive social security payroll tax.

Prof. Colin D. Campbell, of Dartmouth College, illustrates what is really ahead for that young man who begins work at 22 and continues for 43 years. Following the social security tax rate already provided by present law, that young man's contributions with accumulated interest at 4 percent over the 43 years he must work before retirement would amount to more than $67,000. Exactly the same pension or annuity could be financed with accumulated tax payments of only $33,000 or by premium payments to a private insurance company amounting to about $45,000.

Mr. President, I suggest that the administration's proposal showing nonexistent high monthly payments is not only a hoax on the 19 million older Americans, who are existing within the walls of poverty, but is also a hoax on that poor 15-year-old boy who will finally be eligible for $288 a month social security benefits in the year 2017.

Mr. President, the amendment I offer to H.R. 6950 would give increases to the people who today are over age 65 or soon will be. It does not paint rosy pictures of benefits which do not in reality exist. It attempts to give a fair increase to all recipients of social security with particular emphasis to those who need an increase most.

It recognizes that while a part of the social security system is based on the principle of insurance, there is another part of the system which is based entirely on welfare. Therefore, it provides that all increases are paid out of general revenue funds rather than the social security payroll tax which is regressive and has no comparison to an "insurance premium"—the administration's views notwithstanding.

First, Mr. President, my amendment would raise the minimum social security benefit from $44 a month to $70 a month. It would provide scaled increases for all other social security recipients resulting in an average increase of 20 percent.

The person now receiving the average social security payment of $83.50 will receive $97.70—an 18-percent increase. The person receiving the maximum benefit payable under existing law of $142 a month would receive $151.20.

Mr. President, I believe that one of the most significant features of this amendment offered by the distinguished Senator from New Hampshire [Mr. COTTON] and me is the provision which provides for the financing of the increased benefits. This amendment provides that the costs entailed in it be paid from general revenues rather than from additional increases in an already too regressive social security payroll tax.

The social security payroll tax places too great a burden on low-income families who can least afford to pay for increases motivated by need rather than insurance principles. General revenues, which are obtained in a large part from the progressive income tax, provide a source which is based on the ability to pay. Utilization of general revenues for all future benefit increases will at least hold the line on the social security payroll tax which cuts most cruelly into the pocketbooks of low-income groups.

Mr. President, I ask that an explanation of my amendment be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I believe that now is the time for this body to show the older American that he has, in reality, not been forgotten.

I believe that now is the time for this body to make an effort to give the plight of the older American the priority it deserves.

I believe that now is the time for this body to take steps to correct the most shocking injustice of our times.

The explanation of the amendment is as follows.

Explanation of Prouty-Cotton Amendment
No. 138 to H.R. 6950

The purpose of this amendment is to provide benefit increases for all recipients of social security. It would provide those beneficiaries receiving the smallest monthly benefits the largest increase.

Those presently receiving the minimum social security benefit of $44 a month would receive $70 a month (a 59 percent increase); those receiving the average monthly benefit of $83.50 a month would receive $97.30 (an 18 percent increase); those receiving the present maximum benefit of $142 a month would receive $151.20 (a 6 percent increase).

Financing would be provided from surpluses in the social security trust funds plus general revenues. There would be no increase in either the base or rate of the social security payroll tax.

The amendment has been modified to include a savings clause for veterans' pensions. This modification would prevent the reduction in veterans' benefits which otherwise might be caused by an increase in social security benefits.

Mr. COTTON. Mr. President, will the Senator from Vermont yield?

Mr. PROUTY. I am happy to yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I am proud to have been associated with the Senator from Vermont in the past several years, going back over the two sessions of Congress prior to this one, in seeking this advance in benefits in social security for those in the minimum and lower income brackets.

I wish that every Senator could have followed attentively the able and lucid remarks and analysis which the Senator from Vermont has just given. It is difficult for me to see how any Senator could not be impressed, and not be favorably inclined toward the adoption of this amendment. If there are to be any amendments—and we already have adopted some to the pending bill, this should be one of them.

There has been much wringing of hands and shedding of many tears over former attempts by the Senator from Vermont, and those of us who have stood by his side to gain this kind of consideration for the recipients of social security who are receiving the least and the lower amounts.

I remember our first attempt. I am sure that the Senator from Vermont remembers it also. I remember how those who opposed us gave estimates to the Senate of what a raid it would be upon the Treasury, and of how much it would cost. Then, shortly after the measure had been defeated, it was admitted by representatives of the Treasury—the information was given to members of the Committee on Finance—that they had overestimated the probable cost. They had almost doubled it in their previous estimates. The Senator from Vermont, I am sure, recalls that.

Mr. PROUTY. I remember it very well.

Mr. COTTON. I remember how it was alleged each time—as it will probably be alleged today—that we are violating the principle of the social security system by providing an increase in the lower income brackets without a corresponding increase in a social security tax upon employers and employees to compensate for it.

I do not wish to take the time of the Senate unduly, but I have never been much impressed by the argument that at this time it is wrong in principle and a bad practice to dip into the general revenues to a limited extent, in order to care for those who are receiving a mere pittance upon which to live.

I need not remind the Senate that if the principle of social security has been violated, it was violated a long time ago. I well remember that when I was serving in the House of Representatives the first step was taken in changing the social security system from strict benefits for the care of the aged. We entered the field of compensation and benefits for the totally disabled at age 50 and over. From time to time we have taken more bites out of the social security fund—worthy changes, I am sure, in almost every case, but they should have been kept separate.

If the social security system had been confined to its original purpose—namely, to provide for the aged—there would be no problem, in my opinion, in calling upon the general revenues. I hasten to add, however, that perhaps before the week is out we shall be considering how much we are going to dip into general revenues for the continuation and probable expansion of the Appalachian plan.

Before many more weeks have passed, we will be deciding how much we are going to dip into general revenues for the foreign aid program. We will be asked to spend billions of dollars to care for the needy in other countries, to furnish weapons of war, and to do many other things. These will be mountains compared to the molehills which the amendment offered by the Senator from Vermont will cost from general revenues.

Mr. PROUTY. Mr. President, will the Senator from New Hampshire yield at that point?

Mr. COTTON. I yield.

Mr. PROUTY. I should like to point out that we have already adopted an amendment to the bill—and I am referring to the college tax credit—which will cost only $400 million out of general revenue funds over the proposal which the Senator from New Hampshire and I are making to take care of millions of elderly citizens.

Mr. COTTON. I thank the Senator for bringing out that fact. If there is one amendment that is justified, needed, and necessary to the pending bill, in my opinion, it is this amendment. I think it towers far above any other.

It is a privilege for me to be associated with the Senator from Vermont in offering this amendment. There is no reason to wait. I have been in Congress for 21 years—I am serving my 13th year in the Senate—and I have been told so many times: "Vote against something that you believe in today because it is not appropriate for this particular bill. Vote against something you believe in today, because we are going to give you an opportunity to vote for it next week, or next month, or before the session ends."

It is hard for me to remember more than a single instance that, having fallen for that argument, and having voted "nay" on something on which I wanted to vote "yea" because I believed in it—that we had a later opportunity to vote.

No one knows what legislation is coming out of the House. No one knows what is coming out of the Ways and Means Committee of the House. No one can be quite sure what is going to be the ultimate benefit, other than the very able and masterly analysis that the Senator from Vermont has given us, with respect to the administration's proposals. But the proposal before us today is plain, simple, and clear. There can be no question that it will help the people in this country who need it the very most. It will furnish a small part—$70 a month, at the minimum—of what every Member of the Congress of the United States should feel as a bounden duty to see that our elderly citizens receive.

Mr. President, I commend the Senator from Vermont. I commend him for the way he has fought through the years for this principle and for this amendment. I sincerely hope it will prevail. I never stood on the floor of the Senate and advocated a measure or amendment with such complete confidence in my own mind and heart that it was right and justified. I congratulate the Senator from Vermont.

Mr. PROUTY. Mr. President, I am grateful indeed for the kind references to me made by the Senator from New Hampshire. I wish to point out that he has rendered yeoman services in this fight for our elderly citizens. I wish to pay tribute to my friend the Senator from New Hampshire for his eloquent and effective support of the Prouty-Cotton amendment designed to increase social security payments.

Norris Cotton is not a Johnny-come-lately in his concern over the plight of our elderly citizens. For many years he has been one of their articulate champions and has stood shoulder to shoulder with those of us who, contrary to the recommendations of the administration, have attempted to provide a more adequate opportunity to live in simple dignity for those generations of Americans who have already contributed so substantially to the growth and prosperity of our country.

My friend from New Hampshire is regarded by many as a conservative. This he may be. But he certainly is not a pragmatic or dogmatic conservative who believes that all of our problems will solve themselves or just disappear if we ignore them.

Senator Cotton has great insight into the workings of our society and the needs of our people. One of his greatest attributes, stemming from this insight and from the experiences of his own life, is his genuine and sincere compassion for the less fortunate of our citizens. Just the other day I was among a group, including Senator Cotton, which was discussing our present-day society. I recall my friend from New Hampshire quoting the historian Toynbee—and he can correct me if I quote him incorrectly—to the effect that—

> A society's quality and durability can best be judged by the respect and the care given its elderly citizens.

These traits of compassion and understanding are not limited to Senator Cotton's approach to the problems of the aging. Only last Friday he voted to grant tax credits to our working college students and their middle-income parents. I might add that his desire to help those most in need was, also, reflected by his support of my unsuccessful effort to increase this assistance to those in the lowest income brackets.

Senator Cotton has, also, introduced a bill, on which I am proud to be a cosponsor, designed to pay fair and reasonable wages to those seeking a career in nursing. In addition, he has introduced a proposed social security amendment to raise the income ceiling and to eliminate it entirely for persons over 70.

Mr. President, I have a tremendous respect and admiration for the senior Senator from New Hampshire, and I am sure that our senior citizens are well aware of the contributions he has made and is making toward enacting legislation which will be beneficial for them.

Mr. COTTON. Mr. President, I thank the Senator from Vermont for his generous words. I shall treasure them long after I am a Member of the Senate.

Mr. PROUTY. They are richly deserved. I wish I were more eloquent so that I could do him justice.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PROUTY. I yield to my distinguished colleague.

Mr. AIKEN. Mr. President, I shall support the Prouty-Cotton amendment to this bill. Unbelievable as it may seem, I have heard considerable criticism of this same amendment which they are offering. The criticism has been based on the ground that it would cost between $5 and $6 billion a year to carry it out and to make life more livable for some 20 million people, including 11,600,000 retired workers.

Yet, incredible as it may seem, the most severe critics of the amendment offered by Senators Prouty and Cotton are urging increased emphasis on our expenditures in southeast Asia, which amount, if I assume correctly, to nearly $3 billion every month. We are spending that money for the purpose of making a better life for a lesser number of people than would be benefited in this country by the Prouty-Cotton amendment.

We all want a better life for those people over there, but why should we not want a better life for the 20 million people in this country who are on social security? When we are thinking of cost, of course the money is to be spent for a different purpose. It would be spent for a different purpose by the social security beneficiaries in this country than is being spent by the 10 or 12 million people in South Vietnam today.

All the money which would be appropriated for our social security recipients would be spent in this country. It would be spent for items which make work and make business for everybody. It seems to me that it would be shortsighted, indeed, to advocate an increase in expenditures to help people who live 10,000 miles away rather than to help the people who need help right here in the United States.

Mr. PROUTY. Mr. President, I am most grateful to my senior colleague from Vermont. No one commands greater respect in the Senate than he does. No one is listened to more carefully. His statements are so cogent and so directly to the point and are filled with such a high degree of commonsense that I know that the elderly citizens of the country will be most grateful to him. I know, too, that many Senators will be influenced by his views.

I am grateful, indeed, to my dear friend from Vermont.

Mr. President, I have finished my remarks for the time being.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I suggest the absence of a quorum. This will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, social security actuaries estimate the first-year cost of this proposal at $4 billion. In effect, the amendment of the Senator from Vermont proposes a new benefit schedule for social security recipients. In doing this, however, it destroys the historical 4-to-1 ratio of wages to benefits. Over the years it has been the practice to allow the recipient, for every $4 earned, to receive $1 of benefits in return, upon retirement. The new schedule proposed by the pending amendment cuts the ratio to 2 to 1, with those workers who contribute the least to the program to receive the greatest amount of benefits, while those workers who contribute the most will receive only $1.70 more a month—not only an insubstantial increase but certainly a discriminatory one.

It has been generally agreed that people should get an even break for the money they contribute to social security, and it has been held that the previous rate of return is more than equitable. The pending amendment provides a radical departure from past practice. Where is the justification for this?

It would also allow persons receiving veterans' payments for non-service-connected disabilities to disregard the proposed increase in determining their annual income and eligibility for pension. This proposal is only good for veterans, widows, and children receiving social security benefits. What about VA beneficiaries who are receiving civil service payments or other governmental assistance? What about the individual receiving a private pension payment. The amendment does nothing for them. Just recently, President Johnson recommended that persons receiving Federal retirement payments should be assured that an increase in their retirement payments would not prejudice their right to VA pension payments. The present proposals falls short of meeting this objective. This relief for VA pensioners would increase the cost of this proposal as well.

How is it proposed that we pay for these benefits? It is proposed that these additional payments be paid for by general revenue financing, a new and radical departure from the way that social security increases have previously been provided. Social security is based upon an earned right concept, and benefits are paid to those who earn them by contributions from current workers employed under social security. The present proposal disregards this important concept and places the burden squarely upon the shoulders of taxpayers, many of whom will not and do not participate in the social security program. This invasion can only result in destroying the integrity of the fund and the confidence of the American people in social security. Once we have general revenue financing how can we hold the line? By tapping the Treasury, the amendment would open all stops so that eventually social security would become nothing more than a grandiose superwelfare program.

We share concern about proper financing for social security, but it should be done by those who receive the benefits under the program and not by those who either chose not to have the benefits or will not receive them because of the type work they perform. At least, Mr. President, that has been the traditional concept of our contributory system of social security. The present proposal is a radical departure from that system, from that plan, from this program on which we have relied so heavily for actuarial advice.

It seems to me that a proposal of this nature, so far reaching and constituting such a basic and wide departure from the concept of social security, should receive consideration in committee, which is exactly what a somewhat similar measure, as proposed by the administration, is presently receiving in executive session in the Ways and Means Committee of the other body.

The proposal of the able junior Senator from Vermont deserves more careful consideration than it can be given in the brief procedure on the floor. Whatever these advantages and merits may be, they should be carefully considered by the Committee on Finance when it considers the social security bill soon to be before this body, I believe, after having been considered by the Ways and Means Committee of the other body, passed there, and a message is received in the Senate.

Consequently, Mr. President, I must urge the Senate to reject amendment No. 138 in its entirety.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. (Mr. SYMINGTON in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **GORE**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **WILLIAMS** of Delaware. Mr. President, I join the Senator from Tennessee in urging the Senate to reject this amendment, for two reasons.

The amendment proposes to raise social security benefits by about $4 billion, yet the amendment does not provide any method of financing it, except to finance it directly by appropriations out of the general Treasury. This is a completely new departure. Once we start down the road of financing social security benefits from general revenue by direct appropriations we will have departed from the insurance concept of social security and changed it into a general welfare program.

The argument can be made that Congress established this precedent a couple of years ago when it extended coverage to those over 70 years of age. However, I point out this difference: Otherwise those over 70 could not ever have qualified for any benefits. Congress recognized that this group under no circumstances could ever in the future qualify, and we took care of those people with direct appropriations. However, never has there been a precedent where those who have a chance to qualify, those who are in the laboring force with a chance to pay for their benefits, would have their benefits financed out of general revenue. Once we start this new policy we recognize that the general insurance concept of social security has gone.

How are we going to appropriate $4 billion out of general revenue to finance the cost of this proposal without an increase in taxes? I call attention again to the fact that we now have a deficit of approximately $18 billion to $19 billion. This proposal would add $4 billion more to our deficit with no method for financing.

Mr. **SCOTT**. Mr. President, will the Senator yield?

Mr. **WILLIAMS** of Delaware. I yield.

Mr. **SCOTT**. As have all Members of the Senate, I have a concern when things are proposed which on their face are very good indeed, and which I would desire to support, particularly if I felt they had a chance of passage.

However, I believe we all realize what is going on—that the bill is being loaded up with a lot of goodies, until the ship is so full of sugar that it no longer can make steerageway.

What concerns me is that whether you vote for or against something that on its face appears to be a good thing, you are indulging in a sort of nugatory endeavor. If you vote against it, people say you are against the principle. If you vote for it, you engage in giving aid and comfort to the rather devious purposes which lie behind the broad-loading, piggybacking activity on the part of some whose main purpose, in my opinion, is not to get the good thing done but to destroy another worthy objective, which happens to be restoration of the seven percent investment credit, which I favor.

I also favor some of these other things, if I can convince myself that they have more than a very brief half life. But I am afraid that we may go through the motions of adopting a great many apparently good and worthwhile projects, only to find that one or two things will happen: Either the bill is referred back to the Committee on Finance, or the bill is amputated back to its original organism by the other body.

I do not like being cat and moused, and this is what is happening, in my opinion, to all of us. I believe there is a considerable amount of subtlety, let us say, which at times becomes less subtle as it surfaces and the real motivation appears—not on the part of everyone, not even on the part of the sponsors of many of these desirable amendments, but on the part of those currently entrusted with securing the acceptance of their will over and above and superior to the total will of the Senate or the total will of Congress.

I am tired of being cat and moused, and for that reason I expect to vote against proposals which I am in favor of in principle, until we can have hearings on them, to determine whether they are economically viable and constitutionally sustainable.

Mr. **WILLIAMS** of Delaware. I agree with the Senator from Pennsylvania.

I point out that the Ways and Means Committee at this moment is in the process of marking up a bill providing for an increase in social security benefits. That is the stated purpose. Also included in the committee's study is a method for financing that proposal by whatever tax increase may be justified or necessary. They have completed their hearings, and it is my understanding that they are already holding executive sessions to mark up the bill.

That bill will be before the Committee on Finance for consideration within the next couple of weeks or so. I believe it would be more appropriate to consider an increase in social security at that time, and certainly we should at the same time consider the necessary methods of financing the cost. The only proposal to finance this $4 billion increase is to take the money out of the general revenue of the Treasury.

The fact is that the Treasury does not have the money. Either we are going to increase the general income taxes by $4 billion to pay for these benefits, which would mean a 4-percent, across-the-board increase in all taxes, or we are going to increase the debt ceiling by an extra $4 billion. Those are the only two choices we have if this amendment is accepted; we must do one or the other. I believe the Senate should be well advised on that problem.

Mr. President, I believe there are sufficient Senators present in the Chamber, and I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. **SCOTT**. Will the Senator yield?

Mr. **WILLIAMS** of Delaware. I yield.

Mr. **SCOTT**. Lest I conceal the thought beneath the cobweb of verbiage, I should like to make it clear that I believe they are desirable amendments to the social security law, and I hope to have an opportunity to vote on them.

Mr. **WILLIAMS** of Delaware. All of these amendments have merit. I said yesterday that one can take any of the proposed social security amendments by itself and make a wonderful argument as to its merits. I do not question that. On the other hand, any meritorious proposal which would give benefits to any group will cost some money.

While the Senate is voting for those benefits let us include in the bill provisions to pay for them. If we are willing to vote for the increases and if we consider them to be meritorious certainly we should be willing at the same time to include whatever payroll tax increase may be necesary to finance them; or if we are going to put a tax on the general revenue why not include a proposal to increase income taxes in order to bring in the necessary revenue to pay for the cost of this bill? If we do not want to increase income taxes to pay for these benefits or if we do not want to increase payroll taxes with an extra $4 billion then we must increase the ceiling of the national debt in order to pay for the cost; otherwise the Senate is merely going through the formality of saying it is in favor of something for which it does not have the money, and that is a farce.

Mr. **GORE**. Mr. President, will the Senator yield?

Mr. **WILLIAMS** of Delaware. I yield.

Mr. **GORE**. Does the able senior Senator from Delaware agree that the pending amendment would destroy the contributory nature of the social security program, that it would invalidate the integrity of the fund, violate the ratio between benefits received and wages earned, or payments made into the fund, and instead, by going into general revenue, make of this another mass general welfare program?

Mr. WILLIAMS of Delaware. There is no question about it. I have pointed out those facts before. The adoption of this amendment would be a great disservice to those who are depending on social security. The entire principle of social security has been that it was an insurance type of operation. We all recognized that those persons who came in at a later date would not pay as much money, but everybody was paying under the program. Social security was established on the principle that we wanted these elderly persons upon retirement to be able to walk into the post office, accept their check, and walk out with dignity saying, "This is something I paid for." This is important.

I recognize that we did depart from that principle in one instance last year or the year before when we blanketed in those persons over 72 years of age. We did that knowingly because there was no possible way in which these people could qualify in the labor force. They were out of the labor force, and recognizing that and that in a few years, based on the normal lifespan, the program would revert to a general insurance program we brought in that small group. However, those affected by the present amendment were contributors. They built up their equity. Any increased benefits given to them should be on the basis of increasing the contributing rate so that the program will remain as an insurance fund.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GORE. The able Senator has pointed out that there are millions of Americans who for many years have contributed a portion of their wages and salaries into the social security fund.

If by this amendment we propose vastly increased benefits to be paid out of the fund, but provide no additional revenue to the fund, then do we not, in fact, invalidate the fund and undermine the integrity of all the social security benefits to which millions of people are now entitled as a result of the establishment of the fund?

Mr. WILLIAMS of Delaware. The Senator is correct. There is no question about it. The fund does not have any such surplus. The sponsors of the amendment have included a provision to appropriate it from the general revenue; however, we do not have the money in the treasury. The Treasury Department will have to either increase taxes to get the revenue, or increase the ceiling on the national debt to borrow money to make these payments.

There is no other choice.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COTTON. Is it the understanding of the distinguished Senator that in the beginning social security was established for the primary purpose of collecting an insurance fund from employees to be used for the retirement, and care of those who would need it in their old age?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. COTTON. Then, some years ago—quite a number of years ago—it was extended to total disability of those over 50 years of age. Is that correct?

Mr. WILLIAMS of Delaware. I believe that is the age limit.

Mr. COTTON. I was a member of the House of Representatives at that time, and I voted against it because it seemed to me to be the beginning of the end of preserving this retirement fund as strict insurance.

Then, later, total disability, which at first was only for those over 50 years of age, was extended to total disability at any age for those who were under the social security program. Is that correct?

Mr. WILLIAMS of Delaware. Over a period of years, Congress has been eroding this reserve fund and moving into a direction where it will become a welfare program.

That happened yesterday—yesterday the Senate agreed to an amendment where there is no provision to finance the cost. The fund can become bankrupt, as the Senator from Tennessee pointed out, or be financed from the Treasury, thus moving further into the welfare status.

Mr. COTTON. I am not trying to be argumentative with the Senator because I am second to no one in my respect for his knowledge. I am seeking information. I am seeking to verify impressions that I have.

Is it true that to a certain small extent the medicaid provisions under medicare reach into the social security fund?

Mr. WILLIAMS of Delaware. I do not believe so. The medicare program is supposed to be set up as a separate tax and placed in a special fund. That fund is already in great difficulty, especially title 19. Title 19, to a certain extent, was an adjunct of or a part of the medicare program and does dip into the Federal Treasury. The administration is still panicky over the potential cost of title 19.

I was one of those who opposed that measure at the time it was passed. When passed, the Treasury estimated that the cost would be $238 million a year. Last May they came before our committee and they were quite panicky. They had suddenly found that they underestimated the cost and that the program would cost $1.25 billion a year, or about a billion dollars more than expected.

They wanted immediate action. They promised to send down a proposal to modify title 19 and correct it. Rather than sending down a proposal to correct the original bill we heard nothing further from them until the last 10 days of the session last year, at which time they rushed to the Congress with a new bill, and they wanted action before we adjourned. This new proposal involved a 60-page bill. No one had had a chance to look at it. Some of us thought we had better examine this new proposal to find out the cost before we accepted it.

It is interesting to note that when we did get an actuarial estimate on the cost of the corrected proposal which they sent down last year we were given an estimate that it would cost over $2¼ billion. That was the first time that I had heard of correcting a billion-dollar error by doubling it. The administration this year has not sent any recommendations dealing with a modification of title 19; nor has it admitted how many billions of dollars more it will cost than the original estimate.

That section of title 19 is channeled into a general welfare program, but that is title 19 of the medicare program and not a part of the social security.

Mr. COTTON. I shall not take much more of the Senator's time. The Senator has been very patient.

The Senator said that since the first time we brought in totally disabled persons we have been eroding the social security program as a strict retirement program for earners when they reach the age of retirement.

Mr. WILLIAMS of Delaware. That is correct.

Mr. COTTON. Even in the past few days of discussion on the pending bill, we have adopted amendments which will further erode the program as a strict retirement program; is that not correct?

Mr. WILLIAMS of Delaware. The Senate adopted an amendment yesterday which will cost $425 million for the first year. The estimate had varied between $425 and $500 million. My information was that it was closer to $425 million than to $450 million. But to that extent, there was no provision in the amendment to finance the cost. It represents a further drain on a fund which is already inadequate to give proper security to those who are looking forward to it in their retirement.

Mr. COTTON. Two quick questions. One is, Do I correctly understand that the President's proposal, which is under consideration in the other House, provides for an added tax which is deferred and delayed and also contemplates taking part of the cost from the so-called surplus in the social security fund?

Mr. WILLIAMS of Delaware. Yes. As I interpret the President's recommendations now being considered by the Ways and Means Committee, over the long range the recommended payroll tax increase would finance the benefits as proposed under the President's bill, these would amount to approximately $4.25 billion per year.

The administration wanted benefits to start effective July 1 of this year; however, the Senator is correct in saying that the full impact of the tax does not take effect until 1969, after the 1968 elections are over. The bill recommended by the administration would increase benefits around $4.1 billion per year effective July 1, 1967. That means that in the 18-month period prior to the 1968 election, they will pump into the economy a little better than $6¼ billion. The increased tax, which is effective not this year—none of it—but in 1968, totals $1.8 billion. That leaves a deficit of roughly

$4.5 billion which will be poured into the economy prior to election time. The full impact of the tax to pay for it would not go into effect until after the votes have been counted. I made a statement some time ago pointing out that when that bill is considered Congress should also consider making the effective date of the tax increase the same as that for the benefits. Then those who will be supporting the bill can go home and say to our constituents, "We voted for these increased benefits for you." At the same time we would tell them, "We also voted to increase your taxes." If we are not willing to vote for the necessary tax increase and advise our constituents of that fact, then let us not vote the benefits.

I hope that Congress will so modify the administration's proposal because far too often that has been the practice, to vote the benefits today and let someone else worry later on about the tax increase necessary to pay for those benefits.

Mr. COTTON. If the Senator from Delaware will kindly permit me just three or four more sentences——

Mr. WILLIAMS of Delaware. Certainly.

Mr. COTTON. Let me point out that I have the most profound respect and confidence in the complete knowledge and soundness of the position taken by the Senator from Delaware, who always takes sound positions.

But I am not too much impressed with the argument that the social security system is an insurance system for the reason that years ago, when we entered the field of total disability, we began violating that system. We have been distorting it. We have been making it a welfare system. And too many of our invasions of this system have been made at the expense of the lowest recipients, those whom the Senator from Vermont and I, and other Senators, are now trying to help.

What would be taken out of the Treasury, out of general revenues for this amendment, in addition to what would be taken out of the surplus, would not be a spot to what the Senate will likely vote to spend before next Saturday on an expanded Appalachia. It will not even be a shadow on what the Senate is likely to vote to spend in the next few months all around the world, some of it heedlessly, and some of it dangerously, in foreign aid.

Mr. WILLIAMS of Delaware. I recognize points made by the Senator from New Hampshire. I think there is this slight difference, however. I agree that the erosion started some time ago, but to the extent that the disability fund does point in the direction of welfare, that is a separate fund. They are paid together, but I do not think that they are commingled. Yet I agree that from the standpoint of principle the Senator is right; Congress has been gradually eroding at the principle of social security's being an insurance fund and moving further and further into the general welfare area. This bill would be another major step or jump forward toward a welfare state. I will not dispute for a moment but that an argument can be made that the principle involved is somewhat the same.

Mr. CURTIS. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. I commend the Senator from Delaware for taking this position. Meritorious though some proposals may be, we should not proceed with them without committee hearings.

I invite the attention of the Senate to the fact that when social security first began in the mid 1930's, the maximum annual tax was $30 a year.

If the program recommended by the President is carried out, by 1974 the maximum tax from one employee will be over $500 a year. That is an increase of 16 times in the first 40 years of the program.

I shudder to think what we are doing to our children, so far as this program is concerned, because from the very beginning the cost has been delayed, the obligations have pyramided, and the taxes have not been collected.

The fact is, should the second 40 years of social security experience the same increase in taxes as the first 40 years—in other words, sixteenfold—the tax on one employee will be $8,000 a year.

I hope that does not come to pass. I am not predicting that it will.

My point is that we have a program which is not insurance. It never was insurance. It does call for restraints. Certainly, this is a far-reaching amendment which should be explored by a committee, with testimony taken to see what ones can be accepted, what the social security taxpayers can afford, and what they cannot.

Mr. WILLIAMS of Delaware. I thank the Senator. The House has completed hearings on the general increase of social security benefits. Along with that study and the recommendations will be a proposal to raise the necessary taxes to pay for it if it is enacted.

I think one thing we should point out as we consider raising these payroll taxes to finance increased social security benefits, is that the young workingmen have already shouldered quite a sizable payroll tax. Many of these families and young workers would be paying this tax to support these social security benefits in addition to their trying to support their own families and educating their children. They are already handicapped. We should stop and ask ourselves how much further we can expect to load a payroll tax on the shoulders of young America and ascertain whether they can absorb these additional taxes to pay for these proposed benefits.

We should consider that aspect as well as the popularity of the benefits we are going to provide. Many of these young workers are already overloaded with their own problems, and a further payroll tax only further burdens them.

Mr. COTTON. Mr. President, I wish more Senators would hear the very able analysis of the Senator from Delaware. The Senator from Vermont [Mr. PROUTY] and I spoke to a few Senators, almost an empty Chamber. Not a dozen Senators are present at this time. I do not want to embarrass the Senator by making any suggestion which would be against his desires, but I wonder if we could not get a live quorum to hear the Senator from Delaware, the Senator from Tennessee [Mr. GORE], and perhaps a sharp rebuttal on the part of the Senator from Vermont and myself, who are sponsors of this amendment. What does the Senator think of that suggestion?

Mr. WILLIAMS of Delaware. I had promised that when I yielded the floor I would get a live quorum for the Senator from Vermont. So there will be a live quorum in a few moments.

Mr. COTTON. I would dislike to see the live quorum come after the Senator from Delaware completes his statement, because, in spite of the fact that I do not happen to agree with him on this point, he always furnishes much light on these subjects. Whatever he says is all right with me.

Mr. WILLIAMS of Delaware. I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, the RECORD will show that the Senator from Colorado was on the floor during the course of this debate. I wish to make one or two comments about the amendment.

First of all, I understand very well the motives which come from the hearts of the distinguished Senator from New Hampshire and the distinguished Senator from Vermont, who have offered this particular piece of legislation. Yesterday afternoon, I am sure the Senator will agree, we were faced with the almost identical situation, except as to degree and the amount the amendment would cost the social security fund.

I am sure the Senator will agree with that statement.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. ALLOTT. There are those of us who have told our constituents—and I am one of them—that we do intend to vote for increased social security benefits this year; but on the same note and by the same voice, I take the same position that the Senator from Delaware has taken—that it is time for us to start financing the increased benefits that we grant under the social security system.

I think the Senator will agree with me on two points. First of all, these increases are necessary, because of the profligate and inordinate spending of the Congresses of the past few years, which has managed to erode the value of the dollar and create inflation which destroys the purchasing power of the social security payments.

Second, I am sure the Senator will agree that in no instance that I can recall, in expanding the benefits under social security, has Congress ever at the same time—at least for the 12 years that I have been here—provided for the financing of the new costs when the additional benefits were provided for.

Does the Senator agree that that is a fair statement?

Mr. WILLIAMS of Delaware. I regret that the statement is correct, and I think it was wrong. I have always advocated that the effective date of the necessary taxes to finance the cost of the benefits should be the same as the effective date of the increased benefits.

I will agree with the Senator from Colorado that we should give careful and sympathetic consideration to the need for increased social security benefits. The retired people living on pension checks and those under social security have seen the value of their pension checks and social security benefits eroded by inflation. This has not been caused by any action on their part but by a government which has insisted over the years on living beyond its income. As we have devalued the purchasing power of the American dollar and as we have had inflation we have gradually eroded the purchasing power of all pension checks, and we have in effect been pauperizing these people. So we do have an obligation.

I am willing to recognize and discharge that obligation, but I think it is also our obligation to see to it that we provide taxes to pay for these benefits. We cannot increase these benefits unless we arrange to pay for them. I am willing to finance them at the same time we provide the benefits. If we find that taxes are too high let us reexamine the benefits, but we should provide for financing at the same time we provide the benefits.

Mr. ALLOTT. I agree with the Senator. If we do not provide for the financing or do not raise taxes for the general fund, then the payments necessary to support the amendment can be financed only through a deficit, which in turn will again create the stimulus for more inflation, which in turn will cut down the purchasing power that the recipients of social security and pensioners have.

It is this reason which impels me to vote against the amendment, even though I do intend to support a bill when it comes before us providing for increased benefits under the social security system, as well as a way to finance those benefits. I think the best way is for us to let these proposals go through in the ordinary course, through the committee. As has been pointed out, a bill will soon be before the committee. We can then provide for a look at the taxes and payments provided. We will not then be adding fuel to the fire that has consumed so much of the purchasing power of the beneficiaries under social security.

For that reason alone, I shall vote against this amendment, although my attitude, when the bill comes before the Senate, will be entirely on a different basis.

I thank the distinguished Senator for yielding.

Mr. WILLIAMS of Delaware. I thank the Senator. I think he has expressed the matter very well. We know for a certainty that there will be a bill revising social security benefits and for a proposed change in the tax structure within the next few weeks. We know it is already in the process of being marked up by a committee in the House of Representatives. I hope the Senate will withhold favorable action on this amendment, meritorious though some of it may be, until we can give consideration to that bill. I say again that I do not question for a moment the good faith or motives of the Senators sponsoring the amendment. Certainly I do not question the good faith of the Senator from Vermont or the Senator from New Hampshire. They are sincere, but when we deal with legislation of this importance on the floor of the Senate we are taking a great risk.

I was interested in the analysis that one of the officials of the department made with regard to the social security amendment adopted yesterday providing for retirement of men at age 60. Having in mind that a disabled man under the existing law already can draw benefits when he is disabled, whether he is 55 or 60, we were dealing with able-bodied men when we reduced the retirement age to 60 yesterday.

In the debate yesterday it was pointed out that an able-bodied man who is unemployed, perhaps an unemployed miner, would be helped over this difficult period in his life. I know that was a sincere statement, but let us consider the mathematical results of what we have done to that man. He is, at age 60, an able-bodied man—otherwise he is not affected by the amendment we adopted yesterday—so, first, he would be eligible for unemployment benefits; but suppose he has used all his unemployment benefits. He then elects to take his social security at age 60. By doing that he reduced his normal benefits by 30 percent.

Suppose that after a few days or a few weeks that man obtains a job. He would then no longer be eligible for social security benefits, yet he would be locked in with those reduced social security benefits of the remainder of his life. If he goes to work and earns more than $1,500 a year he starts giving back his social security benefits under the existing formula, as the Senator from Colorado knows. We could practically force this able-bodied man at age 60 to turn down a job offered him because he cannot afford to take it; yet at the same time he cannot afford to live on his social security benefits reduced by 30 percent.

The amendment as approved by the Senate yesterday may well prove to be a booby trap for some able-bodied man who elects to retire at age 60.

Mr. President, I am afraid that the Senate has done that man a great disservice. He probably will not sit down and figure out the mathematical consequences until it is too late.

I do not think that boobytrap will be obvious to some people, and that is why these proposals should be considered in committee.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. ALLOTT. The amendment adopted yesterday will appeal to a certain number of people who will not be able to figure out the financial consequences of what they are doing.

If a man were entitled to receive $100 a month at age 62, and his payments were cut 30 percent, or to $70 a month, which he would have to do under the amendment we adopted yesterday, and that man, supposedly, lived until age 70—which the Bible grants to most of us—then, in that 10 years, his precipitous action in electing to take the reduced sum immediately would cost him 10 times $360, or $3,600, in moneys to which he was rightfully entitled from the social security fund as against an additional 2 years of reduced benefits totaling only $1,680. And, if he lived longer than 70 years, which most can expect to do, his losses would be even greater. Is that correct?

Mr. WILLIAMS of Delaware. Yes. It was argued that it would help the 60-year-old man who is out of a job and needs his retirement check. Bear in mind that we are dealing only with able-bodied men, because those who are disabled have been taken care of previously by other provisions.

That able-bodied man will sign a contract to reduce his social security benefits by 30 percent. If the next day he should get his job back, or get another job, and he works until he is 65 and then retires, not only does he lose his social security benefits during the interval, but when he becomes 65 he can only collect benefits at the reduced 70-percent rate. He does not get reinstated at the rate he would have received had he retired at 65.

I am sure there will be many able-bodied men over 60 who will fall into that trap, because many of us here on the floor of the Senate did not recognize this gimmick until yesterday. I shall be frank to say that that was a point I overlooked in my hasty examination of the amendment, or I would have used it. I only discovered this loophole this morning. This is a trap whereby a lot of able-bodied men over 60 would think they were being helped when in reality they were only worsening their situation.

Mr. ALLOTT. The Senator from Delaware has made a valuable contribution by pointing this matter out.

Mr. WILLIAMS of Delaware. Mr. President, in line with the previous request of the Senator from Vermont [Mr. PROUTY], I suggest the absence of a quorum, and I advise the Senate that this will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 82 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Ohio [Mr.

Lausche] and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], and the Senator from Florida [Mr. Smathers], are necessarily absent.

Mr. KUCHEL. I announce that the Senator from California [Mr. Murphy] is necessarily absent. Also the Senator from Massachusetts [Mr. Brooke] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

EXECUTIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate proceeded to consider executive business.

INTERNATIONAL TELECOMMUNICATION CONVENTION, WITH ANNEXES AND FINAL PROTOCOL

The PRESIDING OFFICER. Under the unanimous-consent agreement previously entered, the Senate will now proceed to vote on Executive O, 89th Congress, second session.

The question is on agreeing to the resolution of ratification. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Ohio [Mr. Lausche] and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Florida [Mr. Smathers], and the Senator from Ohio [Mr. Young] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Ohio [Mr. Lausche], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Florida [Mr. Smathers], and the Senator from Ohio [Mr. Young] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from California [Mr. Murphy] is necessarily absent and, if present and voting, would vote "yea." Also, the Senator from Massachusetts [Mr. Brooke] is necessarily absent and, if present and voting, would vote "yea."

The yeas and nays resulted—yeas 87, nays 0, as follows:

[No. 83 Ex.]

YEAS—87

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—0

NOT VOTING—13

Bayh
Brewster
Brooke
Church
Clark
Lausche
McCarthy
McGee
Metcalf
Murphy
Russell
Smathers
Young, Ohio

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

NATIONAL INSTITUTES OF HEALTH

Mr. MANSFIELD. Mr. President, all too often we take institutions of great worth and merit for granted, and forget the needs of the people who administer them. One of these institutions is the National Institutes of Health, located in Maryland, which has performed outstanding medical services through the years and which has brought hope to many who otherwise would have fallen by the wayside long before.

The daughter of one of my constituents is at the National Institutes of Health at the present time suffering from leukemia. She is being given the best treatment possible under the circumstances, and her father is thankful that such an institution exists for people like his daughter and many others who have no place else to turn. However, he expresses a deep concern over the nursing salaries situation at NIH, because it is losing some of its top nurses there, and there is a fear that the present inability of the National Institutes of Health to offer salaries at least equal to those paid by the commercial hospitals in the area may be symptomatic of a curtailment of research at the Institutes. These competent and dedicated nurses are just as necessary as the new drugs and the dedicated members of the medical profession who give so much of their talent and time to extending life and curing disease.

It is my hope that the distinguished chairman of the Subcommittee on Appropriations handling funds for the Institutes will give this matter his most careful attention. I know that the distinguished senior Senator from Alabama [Mr. Hill], who is charged with this responsibility, would look into this situation without asking, and I am confident that he will do what is necessary to correct the inequities that now exist.

Mr. President, I ask unanimous consent that a letter under date of April 15, 1967, from Dr. Charles S. Graham, of Whitefish, Mont., along with a copy of a letter sent to relatives in the Whitefish area in Montana, be incorporated at this point in the Record. Before deciding on that request, Mr. President, may I express the hope that the loving care of her parents and the dedicated care of the nurses and doctors will combine to return Heather to a life of normalcy in the near future. My best wishes and my full support goes to the National Institutes of Health for the great work they have done in the past and for the great work they will do in the future.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Senator Mike Mansfield,
Senate Office Building.

Dear Senator Mansfield: Attached is a copy of the letter I referred to in my telephone conversation yesterday with the most competent and completely charming Mrs. De Michael.

The letter was sent to relatives and several friends in the Whitefish area in an attempt to generate an atmosphere of near-normalcy for Heather's first trip back home.

The discussion of the disease is oversimplified; the serious side effects of the drugs used and the ultimate prognosis were carefully circumvented.

The references to NIH, however, are entirely heartfelt. The NIH nursing salary situation is most disturbing, inasmuch as the Institutes are apparently losing some of their top nurses. This engenders a stronger fear that the present inability of NIH to offer salaries at least equal to those paid by commercial hospitals in the area may be symptomatic of curtailment in research here. New drugs to replace those which have become ineffective in the treatment of our children mean an extended life span for them, if not an ultimate cure!

Please advise regarding whatever information you may be free to give me about this situation; you have a multitude of parents of leukemia-stricken children at your command. How can we help?

Respectfully,

Charles S. Graham, O.D.

Letter Sent to Relatives and Friends in Whitefish Area

We know that your thoughts and prayers have been with Heather for the past several days. This is the situation: Heather has acute lymphocytic leukemia, a serious disease characterized by an increase in the number of lymphocytes, a type of white blood cell (wbc); a reduction in the number of red blood cells; and a reduction in the number blood platelets. The cause of the disease is unknown. At this moment there is no cure, but here at the National Institutes of Health (NIH) there is effective treatment.

The treatment of leukemia is directed toward reversing the effects of the disease. The lymphocytes for some unknown reason divide at an abnormally rapid rate, resulting in a greater number of cells than normal, displacing the normal cells of the bone marrow. It seems that the cells use up their normal healing energies in this abnormal division, so that the leukemia patient is more susceptible to infection. Fortunately, the "wonder drugs" can handle this problem. The method of treatment of leukemia here at this time is the use of strong drugs which destroy the abnormal rapidly dividing lymphocytes. If the count of rbc gets too low, blood transfusions are made; and if the platelet count is too low, a transfusion of platelets is performed. It is possible for the drugs to have some temporary side effects. For instance, because the cells of the hair follicles are also a rapidly dividing type, there may be temporary loss of hair. This does not happen to all patients, but Heather is hoping fervently that it does in her case, because if it does NIH will give her a wig of her choice. Don't be surprised if she is a straight-haired blonde when you next see her.

The first course of treatment will take ten to sixteen weeks, depending on how long it takes to get her to the point where blood and marrow are normal (remission stage). Then Heather will go home for three weeks—then back here to NIH for five or six days—home for three weeks—NIH for five or six days—that will be the pattern. She will fly jet both ways each trip; either Patti or I will accompany her, of course. Heather will truly be a member of the jet set! She loved the flight down here. Although car-sickness has been a problem for her for some time, rough air seems to delight her. At night on the Chicago-to-Baltimore leg of the flight down, we hit some rough weather; we flew at 37,000 ft. and viewed a fantastically beautiful lightning display from above. (We were eating dinner at the time, and at one point I looked *up* at my tray—would you believe ahead?—Patti said later that Old Dad's face was an interesting chartreuse color, but Heather's grin made the Grand Canyon seem microscopic.)

The National Institutes of Health is a vast medical research center funded by the federal government. They are doing leukemia research and experimentation here; wonderful improvements in treatment have been achieved in the past few years. We were most fortunate to get Heather in; she would not have been accepted as a patient if she had received any prior drug treatment. Heather seems to be the patient here who is farthest from home. Dr. Kann thinks that from now on NIH will pay all costs, including transportation, meals, lodging, etc. for Heather and one parent. This hasn't been verified yet, but even if it doesn't pan out, we have a major medical policy. I interject this mundane subject of expense only because I think some of you may be concerned about it; as a friend of mine says ad nauseam: money isn't important—all one does is trade work for it. We are profoundly thankful that Dr. McIntyre was familiar with NIH.

I cannot do a good job of describing 2 East, the children's leukemia section, because it is always more difficult to describe an emotional experience than a physical thing. There is an aura of devotion that permeates 2 East. Doctors, nurses, patients, parents of patients, aides, social workers, ward boys: all belong to a select group united by a common problem, dedicated to whipping it, convinced that the cure will be achieved, praying that today is the day. Differences in color or religion are not worthy of consideration here—these people have more important things on their minds. When one arrives at 2 East for the first time, he is in an emotionally scrambled state, to say the very least; but after a short time here the unbelievable kindness of the 2 East Gang gets him settled down. It's more like being a member of a large loving family than a patient or parent of a patient.

Heather's physician is Dr. Herbert Kann; I judge him to be a few years younger than I. He is a dedicated man, as are all of the doctors here, but Dr. Kann is very special to the clan Graham. A little professorial in manner—an attitude I suspect he has cultivated in an attempt to remain objective in dealing with his patients—he is a forthright, articulate, and kind person in whom we have the greatest confidence. Heather and he hit it off beautifully together; as a matter of fact I "accidentally" saw her description of Dr. Kann on a card she had written to a friend; "fab" and "slick" were the adjectives (?) used.

Heather is in a two patient room. Her roommate is a sixteen-year old girl, Linda Gentilcore, from Hyattsville, Md. Linda is a rare gem who has been a tremendous help to all of us. She and her father, Phil, an old man of forty-four on the 11th, who likes to shoot golf, have been unbelievably kind. God love these superb people!

The girls have a TV set in their room, as do all rooms. On the 14th floor of the Clinical Center (this building) is a recreation area where most every type of activity imaginable is available. Movies, dances, table tennis, pool, volley ball, roller skating, foreign language lessons, arts and crafts, and school. Heather's books and assignments will be sent to her and she will be tutored in order to keep up with her studies. There are many outside activities also; for instance, Tuesday night those patients whose doctors OK'd it were taken to Washington, D.C., to see the Senators and Yankees play. There is a dance tonight in the recreation area which Heather and Linda are going to attend. The dance is called the April A-Go-Go and there will be no less than three bands performing.

Heather is feeling very well. Has felt well since the blood transfusions in Whitefish. She took the news of her diagnosis like a Saint, as did her mother. Heather is in excellent spirits. Patti and I talked with Dr. Kann just a short while ago, and he is most pleased by her response to the drugs. Treatment was instituted Saturday. If her response continues to be as good the next few days she will be permitted to stay at a motel with Patti and me; then she will go to the Clinical Center just once a day for drug administration and school. For that reason, I plan to stay for another week. If all goes well we'll be able to take in some of the sights of the area—may even go shake Congress up! Patti will remain here until Heather makes her first trip back to Whitefish.

Heather would be thrilled to receive a card or letter from you; but don't be offended if her reply is less than prompt; she is kept very busy, and at times the medication makes her drowsy. If you want to contact Patti or me, just write or call us in care of Heather's address; 2 East always knows our address and phone number.

I am unable to tell you how long it will be necessary for Heather to undergo treatment. NIH and other associated research centers are working around the clock to come up with a cure. Linda began treatment here in January, 1963; she is here now for treatment of an infection. Dr. Kann told us that they have a few patients who have been in a state of remission for more than two years. However, he emphasized that these people are not cured; they will eventually require further treatment. So we are prepared for a long period of treatment. We are convinced that when the cure is achieved, it will be accomplished by the NIH complex. We pray that Heather or Linda or one of their fellow patients will be the agent that proves the cure. Please join us in that prayer.

Sincerely,

The CLAN GRAHAM.

TRIBUTE TO ROBERT E. MILLER—EDITOR OF THE INDEPENDENT RECORD, HELENA, MONT.

Mr. MANSFIELD. Mr. President, the Independent Record, of Helena, Mont., oldest daily newspaper in continuous publication, has lost an editor of great perspicacity, long experience, and devotion to his chosen profession. I refer to Robert E. Miller, who on leaving the Independent Record promised he would not retire from the Montana scene. That is good news.

He has been succeeded by George D. Remington who has had a great and varied experience in the press in Montana and who, in my opinion, is a worthy successor to Bob Miller. To both of them I wish the best in the years ahead and my best wishes in the carrying out of their responsibilities.

I ask unanimous consent, Mr. President, that the last editorial in the Independent Record, written by Bob Miller, as carried in the Missoula Sentinel of April 5, 1967, along with the first editorial of George Remington, editor of the Helena Independent Record, which was carried in that paper of April 6, 1967, both be printed at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Missoula (Mont.) Sentinel, Apr. 5, 1967]

A PEN RESTS

(The editorial reprinted here appeared last Friday in the Helena Independent Record under the headline, "We Lay Down Our Pen." Penned on his retirement as that paper's editor by Robert E. Miller, it expresses some of his views on newspapering gained during more than 40 years. Miller promises he will not retire from the Montana scene. Good.—The Editor.)

As this writer lays down his pen today after more than 40 years in the newspaper profession, it is with mingled feelings.

It could be with a feeling of relief that a job which has lasted so long has finally ended.

It could be with regret, knowing that there are other tasks to be performed, other fields to explore, which will be far less familiar.

It is with the hope that our words and ideas, expressed in these columns, have made people more conscious of the issues of the day and of the parts available for them to play.

While sometimes we have been quite vigorous in presenting one viewpoint, it has never been with the idea that all others must agree with us.

We have tried to keep the columns of this page and of the entire newspaper, open for the expressions of those who have come to opposing conclusions.

We have tried to promote those endeavors of the community which would advance its standing in both state and nation, to make Helena people proud of Helena and to make Montana people conscious of Helena.

We have tried to promote those activities of various groups which would make each one more successful in carrying out its aims. Some of these efforts have been personal. Some have been done through the medium with which we have worked.

We hope we have made friends personally and for the newspaper. But we have no doubt that the opposite has been the case in a good many instances. We console ourselves with the thought that no one agrees with everyone and that the person who has no critics has by the same token, few fans.

We should not finish this final piece without a word of appreciation for the owners of the newspaper. They have given us the utmost liberty of expression and have not called into question a single statement made by this writer since the day the publication changed hands. It was an auspicious day for journalism in Montana when the Lee people took over.

We do not expect things to change very much with our retirement. We predict that those who step into our shoes will carry on with increased vigor and more perceptive ideas. For our successor we bespeak the continued loyalty of the readers of this newspaper, the continued co-operation of the staff, as both have been loyal to and co-operative with us.

We do not expect to disappear. We expect to be a familiar figure about the community and even about the newspaper office for some time to come. So don't weep for us but cheer for George D. Remington.

[From the Independent Record, Helena, Mont., Apr. 6, 1967]

Some Issues and Where We Stand

With the changing of editors, many readers have asked where The Independent Record stands on some of the important issues confronting the nation and the state.

As of this writing, here, briefly, are our views:

VIETNAM

Basically, we support President Johnson's position. We think he is right in increasing military pressure while earnestly working for peace. The so-called credibility gap that has existed on the Vietnam question is unfortunate, but we are encouraged that it seems to be narrowing.

We respect the right of those who oppose the administration's Vietnam policy to protest peacefully. But we believe any material form of aid and comfort to the enemy, including food and blood, borders on treason.

THE GREAT SOCIETY

It is an undue burden upon this country's already overburdened taxpayers to continue and increase Great Society spending while fighting a war. The same is true of congressional pork barrel spending. These programs should be curtailed as much as necessary to balance the budget.

CIVIL RIGHTS

It is unconscionable that people should be discriminated against in any matter because of the color of their skin or their religion. It is un-American and un-Christian. However, violence will serve only to set back the Civil Rights movement. There are indications it already has.

AGRICULTURE

As long as the farmer has so little control over his market, he probably needs some protection from the government. But with huge farm surpluses practically gone, the controls should be relaxed. The farmer deserves a bigger share of the food dollar, but he probably won't get it from the present administration which seems to be selling out the farmer for the big city vote.

EXTREMISM

We don't like it, whether it is of the right or the left. We equally dislike people being called extremists when they are not. There are lots of shades in the political and economic spectrum that aren't necessarily extremist, and the labels "Bircher" and "Red" are thrown around too freely.

JUSTICE AND THE COURTS

If the courts are legislating, which they should not, it probably is because Congress has left a vacuum.

The recent Supreme Court decisions on confessions may have turned a few killers loose, but in the long run they should result in more efficient and more equal law enforcement.

THE PRESS AND THE COURTS

We have faith in the American system of justice and in the jury system. We oppose so-called "trial by newspapers," whether it is done by the newspapers themselves or overzealous lawyers. We will not engage in this practice.

However, it must be remembered that a free press has equal constitutional status with a fair trial. The Bill of Rights recognizes both are equally necessary to a free society. We will not abuse our right, but we will certainly defend it.

FEDERAL-STATE RELATIONS

The states are becoming pawns of the federal government for two interrelated reasons: First, they have failed to do many jobs, so the federal government has stepped in. But second, the reason they have failed is that Uncle Sam has grabbed the most lucrative tax sources.

Until Washington loosens its grip on these sources or gives the state a tax rebate, the states must accept the present system of federal aid, generally in the form of matching funds. In doing so, the states should be aware that no federal money comes without federal strings, whether it is for roads, buildings, welfare or schools.

NEW INDUSTRY

Montana should encourage any and all new enterprise which does not pollute its water and air and deface its beauty. But we shouldn't look to new industry as a cure-all for our economic problems.

REAPPORTIONMENT

The performance of Montana's reapportioned 1967 Legislature should allay any fears that the Supreme Court's one-man, one-vote ruling and the subsequent federal court order would shift political power to the cities. The cities didn't fare nearly as well as they should have from the Legislature. They got some help, but they need a lot more.

MONTANA WATER

It's about time we paid more than lip service to the ever-present slogan, "Montana Water for Montanans." We rant about the prospect of downstream states and those of the arid, over-populated Southwest claiming our water. But when we have a chance to do something about it, we sit on our hands.

The most recent example is the Montana House killing the water conservancy district bill, which would have set up the machinery to put water to beneficial use in Montana, thereby protecting Montana's claim to it.

TRUE FRIENDS FOR VIETNAM ORPHANS

Mr. SYMINGTON. The needy children of the Than Paulo Orphanage in South Vietnam have found true friends in T. Sgt. Charles A. Malouff of Kansas City, Mo., and members of the 633d Combat Support Group in Pleiku.

T. Sergeant Malouff has enlisted the support of the Kansas City Junior Chamber of Commerce and other Jaycee groups in Missouri, to provide clothing, food and medical supplies for the improvement of the substandard facilities at the orphanage.

The project has been named "Operation Yes" to reflect the "Yes, we care—yes, we'll help," attitude expressed by our servicemen in Vietnam as well as for the Kansas City Jaycees whose requests have been met with enthusiastic support by the citizens and business concerns of my State. They have my best wishes for success.

This is a superb example of homefront participation in the good deeds performed by American servicemen in Vietnam.

A recent editorial entitled "Operation Yes," written by Jim Monroe, director of public affairs, and broadcast by radio station KCMO, in Kansas City, and an article published in the Kansas City Star, more fully explain this project. I ask unanimous consent that they be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

Operation Yes

"Operation Yes" . . . latest maneuver in South Vietnam. It sounds much like one of the military drives launched by U.S. and South Vietnam forces, but not true. An Air Force man from Kansas City is its leader, and the people back home are helping him.

Tech Sergeant Charles A. Malouff, in the Pleiku area, found a struggling orphanage being operated by a group of refugee nuns. They had little—still do, for that matter—except for more than one-hundred children orphaned by the war. Sergeant Malouff persuaded some of his buddies to help collect clothing and other necessities for the orphanage. He contacted a brother, James Malouff, in Kansas City and related the needs of the orphans.

Now, the Kansas City Junior Chamber of Commerce is behind the move to help provide for the South Vietnamese children. They call it "Operation Yes", a drive to find clothing, food, medical supplies, and even toys. Many fire stations in the metropolitan area have agreed to serve as collection points.

In addition to the direct aid for stricken people, the operation is gaining even more respect for the American soldier and his people back home. Our military men have shown remarkable concern for the ordinary people of other lands in which they serve. We like to know a Kansas City soldier is leading one more good-will operation in the free enterprise way.

Drive Is Begun Here To Aid Viet Orphans

The Kansas City Junior Chamber of Commerce "Operation Yes" project, designed to help children at the Thanh Paulo orphanage at Pleiku, South Vietnam, opened today in Metropolitan Kansas City.

The Jaycees have pledged themselves to solicit clothing, medical supplies and foodstuffs for shipment to South Vietnam to children from both the north and south, many of whom have witnessed the death of their parents.

Jim Malouff, chairman of the drive, which is expected to continue more than a month, explained that the project is based on an appeal for help from his brother, Technical Sgt. Charles A. Malouff, a native Kansas Citian serving with the Air Force 633rd combat support group in Pleiku.

Malouff said his brother visits the orphanage regularly and had been asking help for the children since January. He has six children of his own living in Salina, Kans., with Mrs. Malouff.

The orphanage is supervised by refugee French Catholic nuns who fled Hanoi when the fighting started.

Merchandise and other items may be left at fire stations in the Kansas City area through a co-operative arrangement between the department and the Jaycees. Most area fire stations also are co-operating in the drive. Jaycees will pick up the contributions for shipment at regular intervals.

Among the items the organization is seeking are lightweight children's clothing, men's shirts (which can be cut down and made into smocks for smaller children), women's blouses, soap, sewing supplies (needles and thread), light medical supplies and dry and powdered foodstuffs.

Gov. Warren E. Hearnes has endorsed the project through an official proclamation in which he included his best wishes for its successful completion and encouraged citizens "to participate to the fullest extent in 'Operation Yes.'"

Additional information may be obtained by calling the Jaycees offices.

NATIONAL EMERGENCY STRIKES

Mr. SCOTT. Mr. President, the problem of strikes which threaten the public health and safety is one which requires action by Congress. Unfortunately, the White House is unable or unwilling to grasp the urgency of this issue.

In the absence of Presidential initiative, the able Senator from New York [Mr. Javits] and the able Senator from California [Mr. Kuchel] have grasped the nettle and have introduced legislation which deserves serious consideration by this Congress.

I ask unanimous consent that an editorial on this subject, published in the Washington Star of April 13, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Patchwork Solution, 1967 Style

Congress has moved with unaccustomed speed to hand President Johnson the stopgap solution he requested to keep labor peace on the nation's railroads. The device this year is an extension of a no-strike period under the Railway Labor Act.

This will give the parties another 20 days to bargain and will keep things on ice for awhile. But it can scarcely be viewed as anything but one more shaky patch on a much-mended garment.

The basic issue here is that six shop craft unions have tried to toss out the pattern accepted by most other rail unions and recommended by a presidential emergency board. Instead of a 5 percent wage increase the first year and a wage reopener the second, the crafts demand 7 percent and 5 percent for the two years plus 15 cents an hour increase for skilled workers in each of the years.

So a group of 137,000 refuse what most of the 630,000 workers in the industry already have accepted. Management understandably fears that if it grants this concession to one power bloc, the pattern will be blown sky high and a whole new escalation will begin.

Putting aside the details of this particular crisis, one can't help wondering what ever became of the President's pledge in his 1966 State of the Union message to press for new laws which would deal with "strikes which threaten irreparable damage to the national interest." The President himself has warned that a rail strike now would be a paralyzing blow to the economy, yet he has done nothing about his original promise.

Legislation offered by Senator Javits of New York last week would come to grips with the issue. The measure, cosponsored by Senator Kuchel of California, would authorize partial federal seizure of a strike-bound industry if the walkout imperiled public health and safety. It would authorize the President to appoint boards of inquiry to make recommendations for strike settlements. And it would empower the government to go to court to halt temporary stoppages affecting interstate commerce.

These proposals may need the refining process of hearings and debate. But at least they offer an alternative to the present system of staggering from one crisis to the next, relying on improvisation and back-room politics to protect the public. And certainly the Javits-Kuchel plan is better than the continued silence at 1600 Pennsylvania Avenue on a long-term solution.

TWO OUTSTANDING MAINE CITIZENS

Mr. MUSKIE. Mr. President, creativity in the field of public service cannot be passed on from one generation to another. Intelligence and understanding are qualities which can only be developed through long hours of hard work and application. Occasionally, these rare characteristics are found in two generations within one family.

In Maine, we are fortunate in having a father and son, Albert and Severin Beliveau, of Rumford, who possess outstanding leadership qualities. Judge Beliveau, who recently celebrated his 80th birthday, served with distinction as a Maine Supreme Court Justice. Representative Beliveau has just launched what observers expect will be a long and successful political career. The people of Maine were and are fortunate to enjoy their talents in positions of public trust.

I ask unanimous consent that two articles published in the Portland, Maine, Sunday Telegram, which described in detail the Beliveaus' achievement, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Retired Supreme Court Justice To Observe 80th Birthday Soon

(By Priscilla M. Ross)

Rumford.—"I will be older, but I will never be old" said retired Maine Supreme Court Justice Albert J. Beliveau, who will celebrate his 80th birthday March 27.

Truly a self-made man, he is known throughout the state as a brilliant lawyer and judge. For all his success, he has never let this deter him from realizing what is truly worthwhile in life, his family.

When asked what he considered the high point of his life, he quickly replied "my marriage to Margaret." He never mentioned his joy of passing his bar exam in 1911 with a percentage of 99⅓, (the highest ever to be attained in the history of Maine until then) nor the day he was sworn in as Supreme Court Justice or any of the many spectacular trials over which he presided, simply his wife of 31 years.

On Aug. 6, 1935, he married the former Margaret McCarthy, daughter of the late Judge and Mrs. Mathew McCarthy of this town. They were richly endowed with three children, Albert Jr., and Severin, both promising young attorneys, (the latter also a newly elected member of the state legislature) and Judith, now Mrs. Lawrence C. Eutis, an English teacher at Stephens High School.

Beliveau was not born with the proverbial "silver spoon" in his mouth, nor was his climb to success an easy one.

The son of Mr. and Mrs. Severin Beliveau, a baker and mill worker, he was born in Lewiston, in 1887. He attended school eight years, the only formal education he received in his early years.

At the age of 13 the family moved to Livermore Falls, where circumstances forced him to leave school. He began as an apprentice in his father's bakery at Chisholm, until they moved here in 1904 where he worked for a year in the Clark foundry and then went to work at the International Paper Co.

In 1906, at the age of 19, he knew there must be more to life and he was determined to find it. Having taken an international correspondence course, in all high school subjects, while he worked at the foundry, he left the mill and went to work in the law office of Mathew McCarthy, where he remained for three years as a clerk and stenographer.

Reading, studying and absorbing all the knowledge he possibly could paid off a hundred-fold, for in 1909 he had fortified himself with the necessary qualifications to be accepted at the U. of M. Law School. He completed the three-year course in two.

He began his practice in an office on the top floor of the Hotel Harris. He also became interested in politics and stumped through Oxford County on behalf of the Democratic party. These early and fiery campaigns brought out the aggressive spirit and marked him as a brilliant and clever speaker.

He also became extremely interested in civic affairs which he has continued to the present. Only on a rare occasion does he miss a town meeting and then only for a good reason.

At the age of 26, after practicing law only three years, he was elected Oxford county attorney, then the youngest in Maine. Fifty years later he saw his youngest son Severin, also 26 at the time, elected to the same office.

Before Judge Beliveau had completed his first year as county attorney, he had to deal with three murder cases. One of the more famous was the apprehension and conviction of Patrick J. Harrington for the murder of Thomas E. Preece of Paris Hill, who was killed on the night of Nov. 7, 1914.

When his term of office was completed in 1915 he went back to private practice until World War I broke out and he went to the Second New England Company Camp at Plattsburg. He was commissioned a second lieutenant in the infantry and in 1918 was sent to France.

With his law experience and his ability to speak both English and French, he was assigned to the Judge Advocates Department. It was his job to settle land controversies with French civilians and to represent the government in general court martials.

He returned here in 1919 to begin his postwar work with the American Legion. His hard work brought him not only great praise and commendation throughout the State, but, more important, a personal satisfaction of doing something truly worthwhile.

He organized the Napoleon Ouellette Post in 1919 and became its first commander. Four years later, he was elected department vice commander and the following year was chosen for the highest state office, that of department commander.

He was appointed a member of former Governor Baxter's staff with the rank of colonel and again by former Governor Brewster.

In 1935, he was appointed by Gov. Louis J. Brann to the office of Superior Court Judge, a post he held for almost 20 years. It was during this time that the rugged pipe-smoking justice broke with legal tradition in Maine by freeing Francis M. Carroll from prison on a writ of habeas corpus. Carroll, onetime deputy sheriff, had served 12 years for the slaying of Dr. James G. Littlefield.

In 1954, at the age of 66, Judge Beliveau was appointed to the State Supreme Court by Gov. Burton M. Cross. He resigned in 1958 to join the Lewiston law firm of Brann and Brann and Isaacson.

When his sons were admitted to practice before the Maine Bar, the firm of Beliveau and Beliveau was formed and he became associated with them. Last year, the firm of McCarthy, Beliveau and Beliveau was started with a new suite of offices on Congress St. He is still active in the firm.

"I go to the office (most of the time he walks) a few days a week for a short time," he said. "My boys are on their own, they don't need or should they have me to lean on. They can make their own mistakes and we all know that experience is the best teacher."

Over the years, Justice Beliveau has shared his time and talents not only as a lawyer, judge and hard working Legion head, but has served as past exalted ruler of the Rumford Lodge of Elks and has also been prominent as a fourth degree member of the Father A. J. Barry Council, Knights of Columbus.

A man with seemingly boundless energy, he has traveled extensively. He first toured Europe in 1929, when he spent three months visiting almost every capital. His purpose was to make a close study of postwar conditions as well as social and industrial conditions. He brought home with him a wealth of valuable material in relation to foreign affairs.

Two years ago, he and his wife went to Europe for seven weeks, a trip they had looked forward to for many years. They plan to go abroad again next fall, but only for a couple of months as he dislikes being away from his native state too long.

His favorite hobbies include gardening and carpentry. He modestly admits he is a mere amateur but the products of his labors prove otherwise.

His huge flower garden, which he tends alone, is a picture of beauty. From early spring until fall he can be seen working around his flowers dressed in old clothes, his favorite attire. "A man in my profession must find some form of relaxation from the demands of his work, and this I found in my gardening and carpentry," he said.

He has become an expert cabinet maker. His most elaborate piece, which adds a great deal to the family dining room, is an 18th century "break front" which he built in his spare time over a period of five years.

He knew nothing about the use of tools when he started, became self taught and the results can be seen throughout his home in the form of desks, bookcases, circular table and kitchen cupboards among other things.

Much has been written about this man over the years of his colorful and rewarding career but describing him as "likable, happy and sincere and to many friends he is most dear" would seem to sum it up.

YOUTHFUL SEVERIN BELIVEAU SHOWS PROMISE FOR DEMOS

AUGUSTA.—The important things happened to Albert Beliveau back in 1935. He was named to the Maine Superior Court and he married Margaret A. McCarthy.

The youngest son of the union between Justice Beliveau and Miss McCarthy is the most promising freshman member of the Maine House of Representatives.

In young Rep. Severin M. Beliveau, D-Rumford, are combined the charm and wit of his Irish ancestry with the resourcefulness and determination of his French ancestry. He is, quite obviously, a young man on his way to somewhere and if Rep. Beliveau himself professes to be uncertain of the destination, it only serves to make the journey the more engrossing.

"I'm really not trying to be evasive but I don't know what I want to do politically," says 28-year-old Severin Matthew Beliveau. "I'm confused."

"He could be governor someday," says one acquaintance. "He has more promise than any other Democrat in Maine right now."

That's heady praise for a young attorney with only two months of legislative experience under his belt. If he hears, Beliveau appears to give no notice. If he is confident, it has not become egotism; if he is friendly, it has not become condescension.

Beliveau's reputation preceded him to the legislature. The son of a famous Maine father and himself a former Oxford county attorney, Beliveau was watched with far more than casual interest from the first day he took his seat in the House.

He has done nothing to lessen his promise. He has avoided one of the most common pitfalls that has dimmed the lustre of other promising legislators, that of speaking often on a number of issues. Beliveau has yet to make his maiden address.

"I'll be doing some talking later on, of course, when the bills I'm sponsoring get to the House floor," he says.

Appearing before legislative committees in behalf of his legislation, he is capable and concise. And brief. Among the bills stamped with Beliveau sponsorship are proposals to establish a separate Department of Motor Vehicles, a lieutenant governor, and an item veto for the governor.

Beliveau, who will turn 29 in 10 days, was born in 1938 in Rumford and attended local schools, finishing up his secondary education at St. John's prep in Danvers, Mass.

After high school Beliveau entered Georgetown University and after graduation in 1960 immediately entered Georgetown Law School.

"For a year I was a member of the Capitol Police Force under the patronage of Congressman (James) Oliver," Beliveau says. The job paid $100 a week for part-time patrol of the capitol. "Mostly we were free to study." Beliveau was dumped from the force and replaced by a Republican when Oliver was defeated.

After graduation in 1963 Beliveau spent six months in the U.S. Coast Guard under the "take six" program and, as Seaman Beliveau, continues to attend monthly weekend drills in Rockland.

A law diploma under his arm and admitted to practice in Maine, Beliveau hung out his shingle in Rumford where he was shortly joined in practice by elder brother Albert, who had been with the Department of Justice. After four months of practice Severin was running for county attorney.

Being county attorney was nothing new for either the Beliveau or McCarthy clans. Since 1820 there have been four Democratic county attorneys in Oxford County. They were Severin's grandfather, his father, his uncle, Matthew McCarthy, and Severin himself.

Despite the fact that Beliveau performed with ability as county attorney he concedes that there's something a trifle ludicrous in an attorney with four months' experience being elected county attorney.

"It points up the need to revise our system to provide for some sort of fulltime prosecuting system although not necessarily district attorneys," he says.

With a term as county attorney behind him, Beliveau ran for the House in 1966 and was elected with ease. "I ran, I guess," he says, "because I wanted to get an insight into state government."

Initially, Beliveau was "disillusioned" with the House. "I didn't understand the system and nothing seemed to be happening. Now that the session is moving, it's becoming more colorful and exciting."

A bachelor, Beliveau speaks easily on a variety of subjects, occasionally pushing an apparently unmanageable forelock back into place. He finds, for instance, little to be enthusiastic about in the bill which would make receipt of a driver's license an unspoken agreement to take an alcohol test if required.

"In place of that I'd like to see a statute that would permit a person's refusal to take a sobriety test to be introduced as evidence in a drunken driving trial. It's permitted in Connecticut and it's very effective there."

Beliveau, by the same token, doesn't profess to have all the answers. "There's no question that something's got to be done about Maine's high power rates but I'm not certain that public power is the way to do it."

Beliveau gives all indications of being "on his way." And the direction is up.

ELECTION FUNDS

Mr. SCOTT. Mr. President, the Senate was wise last week in approving the Gore amendment to repeal the Presidential Election Campaign Fund Act of 1966.

This action, if sustained through the remainder of the journey of H.R. 6950 through Congress, will clear the decks for constructive and needed action by Congress in the area of political finance.

As the Baltimore Sun observes in an excellent editorial today:

> The Johnson Administration and the Democratic leadership in Congress have an unusual opportunity this spring to bring about some basic improvements in Federal laws applying to the collection and spending of political campaign funds.

This opportunity was presented by the Senate's action last week on the Gore amendment. The Sun's editorial concludes:

> All signs indicate that Congress and the public would welcome a display of initiative from the White House.

I, for one, would welcome such a display. However, I do not feel that Congress has to wait for leadership on this issue from the White House.

Legislation to reform and modernize our corrupt practices statutes is already pending in the Committee on Rules and Administration, on which I serve. Included in the proposed legislation is S. 596, my proposed Election Reform Act of 1967. I earnestly hope that the committee will schedule hearings on the bill at an early date.

Likewise, proposed legislation to help political parties to broaden the base of their financial support and to meet the increasingly high costs of campaigning is already pending in the Committee on Finance. Included among this legislation is S. 786, my bill to provide tax credits for political contributions. I hope that the committee will schedule early hearings on this legislation.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ELECTION FUNDS

The Johnson Administration and the Democratic leadership in Congress have an unusual opportunity this spring to bring about some basic improvements in Federal laws applying to the collection and spending of political campaign funds. The opportunity is unusual in that it has been created by the present wrangling over the law, of which Senator Long of Louisiana is the principal sponsor, to channel taxpayers' money into the financing of presidential campaigns. The Senate voted last week to repeal the law, but a Senate-House conference committee now must consider whether to accept or discard the Senate proposal, and the Johnson Administration and the Democratic leadership can do a great deal to influence the conference committee. Republicans in the Senate voted solidly to repeal the present law.

What is plainly needed is much more than a law dealing only with presidential campaign financing. If public funds are to be appropriated for political campaigns, whether by a checkoff authorized by each taxpayer or otherwise, attention should be given to the broad base of our political system, including Senate and House candidacies in primary elections as well as final elections. Financing presidential elections is relatively easy, politically, in comparison with other election campaigns.

The discussion of the present law, and the dissatisfaction with Senator Long's proposal which was shown in the Senate last week, suggest that public opinion could be focused now on an overhauling of out-of-date statutes. The opportunity is here. All signs indicate that Congress and the public would welcome a display of initiative from the White House.

FIRE RESEARCH AND SAFETY

Mr. CANNON. Mr. President, I invite the attention of the Senate to an excellent article published in the April 16, 1967, edition of Parade. The article, entitled "The Shocking State of Our Fire Protection," underscores the need for the enactment of the Fire Research and Safety Act of 1967.

In urging Congress to take positive action on the act, President Johnson called for a reduction in "our shameful loss of life and property resulting from fires."

The Consumer Subcommittee has completed hearings on the Fire Research and Safety Act, and, as chairman of the hearings, it is my hope that a bill soon will be reported to the Senate for action.

Our hearings revealed that deaths from fires in the United States soared to more than 12,000 last year, and that reported fire losses totaled $1.8 million.

The Parade article describes, with facts and figures, why the Fire Research and Safety Act of 1967 is necessary. I commend the article to the attention of all and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Shocking State of Our Fire Protection

(By Sid Ross and George Kiseda)

It was close to noon on a lazy day, and the first two telephone calls to the volunteer fire department in Laytonsville, Md., produced a busy signal. The third call brought a response.

"There ain't nobody but me here at this moment," said a young volunteer. He said he was just "hangin' around" the firehouse.

"It's a 50–50 proposition," he said, "About half the time somebody's here."

He represented one more than the number of volunteers "hangin' around" the firehouse the year before, when Laytonsville had its biggest fire. The firehouse burned down.

The volunteer fire department lost not only its home but also three pumpers, a 2600-gallon tank truck, an ambulance, 32 sets of protective clothing and more than 3000 feet of hose. Estimated damage: almost $100,000.

With nobody in the fire station, the fire apparently had burned five to 15 minutes before it was discovered by an attendant in a gasoline station across the street. It was another 11 minutes before a nearby fire company arrived.

Laytonsville, a tiny community almost equidistant between Baltimore and Washington, found itself in the newspapers. "We got quite a bit of ribbing about it," says Fire Chief James Snyder, an assistant chief at the time of the embarrassment. "But when it happened, it wasn't very funny."

Laytonsville was lucky. Snyder remembers that the wind was blowing 35 to 40 m.p.h. out of the northwest, an unusual meteorological phenomenon for February. "It helped save a good part of the town," he says.

The surprising thing is that there aren't more Laytonsvilles with more serious consequences.

Every 24 seconds a fire breaks out somewhere in the U.S. Every 44 minutes somebody dies as a result of a fire. Fire losses last year reached an alltime high of $1.8 billion, according to preliminary estimates. There were approximately 12,100 fire deaths, 100 more than the year before.

In calling recently for a federal Fire Safety Act, which would support pilot projects to improve the efficiency of firefighting, President Johnson noted that the U.S. per capita death rate through fire was, in 1965, four times as great as that of the United Kingdom and six times that of Japan.

Some of the losses of property and lives could be prevented if our fire protection were what it should be—but it's not.

In the U.S. it is actually a paradox of sorts. We have some of the best fire departments in the world (New York; Los Angeles; Memphis, Tenn.; Miami; Louisville, Ky.; Washington, D.C., etc.), but the quality is mostly in cities with a quarter million or more in population (one notable exception: Pittsburgh). In suburbia, the smaller cities and rural America, the situation is often disturbing.

There are approximately 25,000 fire departments in the U.S., but only 1600 are fully paid. That leaves most of the country's geography and much of its population in the hands of a hodge-podge of volunteers—some paid, some unpaid—who may or may not be available when the siren summons them. By the standards of agencies that grade communities for insurance companies, more than three-quarters of the municipalities surveyed in the 10,000-to-50,000 population category have poor fire protection. The delinquents include some of our fanciest suburbs. "I'd say," says Percy Bugbee, general manager of the National Fire Protection Association, "that there are actually a little over 100 well-manned, quality fire departments in the U.S. that are fully capable of handling almost any kind of firefighting situation."

Lower Merion, Pa., just west of Philadelphia, is "Main Line" suburbia, a community of $100,000 homes, where the average household income is $23,000 a year—after taxes. Lower Merion spends about $4 per person on fire protection each year.

There are seven firehouses in Lower Merion, each with two paid drivers, who work in shifts—24 hours on, 24 hours off. An additional paid daytime fireman recently was authorized for each company. Otherwise, Lower Merion relies on unpaid volunteers, many of whom are in Philadelphia during the day.

Like most communities with volunteer fire departments, the township has good fire equipment. But who mans it if a fire breaks out during the day in a school or a large apartment building?

"They're pressing their luck," says Philadelphia Fire Commissioner James J. McCarey. Township Manager John F. Scull, Jr., while admitting they have their fingers crossed, insists Lower Merion can handle the problem.

James W. Mullin, the township's salaried superintendent of fire, concedes he'd feel more comfortable with a nucleus of paid firefighters—augmented by volunteers. He points out, though, that two companies automatically respond to all building fires, and he can't ever remember a turnout of less than a dozen.

Philadelphia's McCarey says Lower Merion can afford a paid fire department and ought to have one, pointing up the fact that the men are away at work during the day, leaving their most valuable possessions—their wives and children—in the custody of volunteer firefighters. "These are big-business men," McCarey says. "They wouldn't let amateurs run *their* businesses."

Lower Merion has one of the better volunteer fire departments ("an excellent apparatus plant . . . competent leadership," says one insurance rating expert). But it had a whopper of a fire in 1965—a $5 million loss in a paper products plant. One authority says there "are people of the impression it could have been contained." Mullin doesn't like to talk about it. "I wouldn't care to comment on that fire too much," he says.

If Lower Merion is something less than perfect, what about Stratford, Wis., and Vicksburg, Miss., and Lovington, N. Mex.?

In Stratford, a department-store fire mushroomed into a $330,000 loss. It happended during the fishing season, and all but two members of the volunteer fire department were out of town.

In Vicksburg, a sawmill was destroyed when the undermanned fire department could not compete with a doubleheader fire. The loss was $300,000. When the fire first broke out, civilians came to the rescue of the fire department, which did not have enough manpower to operate its apparatus. Two hours and 15 minutes later, the fire was under control. But at 3 a.m., four hours later, the fire began to blaze again, and with the civilians asleep, the fire department was on its own. Result: Vicksburg lost a sawmill.

In Lovington, the fire loss at a cotton-storage plant reached $1,700,000 following some curious firefighting techniques by the local volunteers. First, they connected hoses to hydrants that drew water *from* the sprinkler system. Later, they decided to let the fire burn itself out, and all the apparatus except one engine company was returned to the station. An insurance man finally persuaded the firemen to come back and put the fire out. They did such an effective job that the fire broke out again the following night.

Actually, it would be unfair to suggest that there is any lack of enthusiasm or dedication among the volunteers. And for the most part the equipment is good. But training programs range from good to nonexistent, and a serious lack of manpower exists everywhere—in the suburbs and villages and even in many big cities.

According to one expert, professional firemen average three to four times as much instruction (something like 300 hours of supervised training a year after basic training), while "a volunteer does well to get in 100 hours a year."

And William D. Buck, president of the International Association of Fire Fighters, A.F.L.–C.I.O., contends that "perhaps a half-dozen paid fire departments in the United States have adequate manpower."

Even if Buck has a fireman's ax to grind, what about the National Fire Protection Association?

The N.F.P.A. is a Boston-based, non-profit organization, dedicated to advance, by research and education, the protection of life and property from fire.

"Out of [all] the fire departments in the United States," says Warren Y. Kimball, manager of N.F.P.A.'s Fire Service Department, "fewer than half of 1 percent can provide the proper measure of firefighting capability for successful performance at potentially serious fires in major structures."

The agency that grades municipalities (of over 25,000) for their fire protection quality is the American Insurance Association, formerly the National Board of Fire Underwriters. The A.I.A. sends inspection teams of engineers into a community and examines its fire department (manpower, apparatus, organization, fire prevention program, etc.), its climatic conditions, water supply, building and fire codes and how they are enforced. It then gives the fire department and the city grades—classifying by numbers one through ten. It is the A.I.A. gradings that guide insurance companies in establishing fire insurance rates.

It may startle the taxpayer who considers himself reasonably well protected that there are, in the opinion of A.I.A. only a handful of first-class fire departments in the U.S.—Los Angeles, Memphis, Louisville, Miami, and Fresno and Bakersfield, Calif. (New York's is not rated but probably would be in Class 1.)

No *city* has ever been put in Class 1, largely because of deficiencies in building codes and climatic conditions. Classes 2 and 3 indicate good protection, and anything under Class 4 is poor fire protection. In the 25,000-to-50,000 population category, 62 percent of the communities have poor protection. In the 10,000-to-25,000 group, where the gradings are made by regional agencies, 85 percent of the suburbs, towns and villages surveyed simply do not measure up.

A minimum force of 12 plus a chief officer is required for a routine fire in a residential dwelling, according to the N.F.P.A. But it is not uncommon across the country for calls to be answered with three or four men, and sometimes you will see a truck go by with only a driver.

The key factor in firefighting is "initial response." It determines whether the first company on the scene can deal adequately with the fire during the first few minutes. This is the difference between little fires and big fires, between routine fires and runaway fires. A fireman's first duty is to save lives, but he can't be inside a building rescuing people and outside laying hose at the same time.

"If the local baseball team announced that it could only afford to field seven men," says Kimball, with an appropriate touch of sarcasm, "no one would expect it to play championship ball or even win a game. Yet hundreds of cities have decimated their firefighting teams so that literally one,- two- or three-man crews are often the rule rather than the exception."

If many fire departments don't have the manpower to fight fires, it follows that they don't have the manpower to prevent them. And it is in the arc of fire prevention (i.e., regular inspection and educational programs) that great strides must be made. It has been demonstrated that cities with good fire-prevention programs cut their fire losses significantly. Yet only 20 percent of the nation's fire departments regularly inspect homes for fire hazards.

The importance of inspection is best illustrated, perhaps, by recalling a tragic fire at the Golden Age Nursing Home, Fitchville, O., in 1963, in which 63 elderly patients died. The volunteer fire company had never been inside the building until the night of the fire.

What can be done to improve the nation's fire defense?

More firemen are needed to operate the apparatus and to conduct inspections.

Generally, firemen are underpaid. Wage scales need to be made competitive. The cost is not outrageous. To the average citizen the difference between an adequately manned and an undermanned fire department is six cents a week, according to the N.F.P.A.

Where there are volunteer fire departments, a core of paid, full-time professionals ought to be on duty around the clock. A community should not have to rely completely on the chance that the local embalmer, upon hearing the siren, will interrupt his work to go fight a fire.

The taxpayer can demand modern building and fire codes with tougher enforcement. For wrist-slapping judges, who let landlords flout the law and get off with $25 fines, the letters-to-the-editor column of the local newspaper is a surprisingly effective medium for pressure and action. Politicians *can* read.

Meanwhile, if the volunteer firemen in your suburb let a fire run away from them, don't blame the volunteers. They deserve more credit than they get, and, generally, you get the kind of fire protection you deserve—at that price.

You wouldn't expect a professional fireman to do a first-rate job of embalming. So why expect an embalmer to do a first-rate job of firefighting?

CONGRESSIONAL QUARTERLY FACT SHEET ON TRUTH IN LENDING

Mr. PROXMIRE. Mr. President, on April 5 the Congressional Quarterly published an excellent fact sheet on the truth-in-lending bill.

The article reviewed the background of the truth-in-lending industry, the legislative history of previous proposals, and assessed the outlook for congressional action this year.

Mr. President, I ask unanimous consent that the Congressional Quarterly fact sheet be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW PUSH SET FOR TRUTH-IN-LENDING BILL

Enactment of a federal truth-in-lending law appears to have a better chance in 1967 than in any recent year. However, opposition to the proposal remains strong and passage of the legislation as now written is far from certain.

Fate of the 1967 legislation probably will be determined later this spring in a Senate subcommittee. The Senate Banking and Currency Subcommittee on Financial Institutions will begin hearings April 13 on S 5, the "Truth-in-Lending Act of 1967."

If proponents of the bill can obtain approval of S 5 by this Subcommittee, the chances of enactment are good. But truth-in-lending legislation has languished in a Banking and Currency subcommittee in almost every year since it was first brought before Congress in 1959.

Truth in lending is the name applied to proposals long sought by consumer-interest groups which would require financial institutions and retailers to disclose certain specified information about loans or the extension of credit.

Information disclosure is the center of the issue. Although the truth-in-lending proposals have varied in their details over the years, all have required that persons loaning money or selling goods on credit give their customers information showing the complete cost of the loan or the purchase, including interest and all other incidental charges. Even more important, the proposals have required that the total costs be expressed in some generally acceptable and consistent manner which would permit the customer to compare the costs of a loan or purchase from different lending institutions or stores. To accomplish this, the draft bills have required, in one form or another, that the total financing charges be expressed as a percentage rate per year.

None of the truth-in-lending proposals provided for federal regulation of the amount of interest that could be charged; only that the amount be disclosed to the customer.

The 1967 drive for enactment will be directed by Sen. William Proxmire (D Wis.) who introduced S 5 Jan. 11 with numerous cosponsors. He inherited the mantle from Sen. Paul Douglas (D Ill.), the first and long-time advocate of the legislation, who was defeated for re-election in 1966. Proxmire heads the Subcommittee which will consider S 5.

Proxmire, in the three months of the 90th Congress, has been emphasizing that truth in lending can be made a workable law satisfactory to both buyers and sellers of credit. He has stressed that the 1967 bill has been modified to make it function without placing an unreasonable burden on businessmen.

However, the operation of the law and whether or not it is wise or necessary are still very much at issue. Representatives of the credit industry doubt that S 5 is much of a compromise from previous bills.

Major questions to be resolved (beyond whether or not to have a law at all) include: what full disclosure of credit costs should constitute; whether or not a statement of annual rate ought to be required; and whether or not finance charges for charge accounts can or should be considered interest expressed in an annual rate.

Assuming the bill survives the Subcommittee, the chances of full Committee approval are better than in previous years as a result of the addition of several Senators who are thought to favor the legislation. In addition, the long-time foe of the bill and former Chairman of the Committee, Sen. A. Willis Robertson (D Va.), was defeated in 1966. However, the present chairman, Sen. John J. Sparkman (D Ala.), also opposed the bill in the past.

President Johnson has strongly endorsed the legislation. The bill is thought to be attractive to the Administration, not only on its merits, but also because it would cost the Government relatively little money, an important consideration in a year when the Viet Nam war is placing severe strains on the federal Budget.

The 1967 legislation also will be aided by increased concern about lending practices which cost consumers huge amounts of interest and burden them with debts well beyond their ability to pay. This is particularly true of low income and poorly educated persons. Two recent developments have shown concern about this problem. Massachusetts in 1966 enacted strong consumer credit controls and information disclosure requirements. In May 1966 the Defense Department issued a directive requiring lenders to make full disclosure of the costs of a loan or installment plan to servicemen if they expect to use military channels to collect debts.

This Fact Sheet reviews the history of truth-in-lending legislation, explains the main provisions of the 1967 bill and assesses the outlook for enactment.

BACKGROUND

References—*1962 Almanac p. 393; 1964 Almanac p. 584; Congress and the Nation p. 1184.*

The first truth-in-lending bill (S 2755) was introduced in 1959 in the 86th Congress by Sen. Paul Douglas (D Ill.). This measure and three others, introduced in the 87th, 88th and 89th Congresses, all failed of enactment.

86th Congress (1959–60). S 2755 was approved in 1960 by the Banking and Currency Subcommittee on Production and Stabilization which Douglas headed. The bill, aimed at preventing "excessive" use of credit by consumers, required merchants and money lenders to disclose the full interest costs of installment purchases, loans and revolving credit accounts. The disclosure procedure, outlined in the bill, required that the consumer know both the dollars and cents cost and the "simple annual rate"—a percentage based on all the charges over and above the purchase price of the item or the principal of the loan. Douglas' bill was opposed by the Eisenhower Administration. The full Committee took no action on S 2755.

87th Congress (1961–62). Douglas in 1961 introduced a bill (S 1740) which was similar in most respects to his earlier bill, S 2755. In hearings on S 1740, opponents argued that a simple annual rate would be difficult to apply to revolving credit accounts offered by many retail stores. The critics argued that because the balance owed under such plans was continually shifting through purchases and payments, the requirements for a simple annual rate would mean a merchant would have to compute a new yearly rate everytime a customer bought a new item.

These objections, and others raised in the 1961 hearings, prompted new hearings in 1962 to consider amendments to S 1740. Among the amendments was a provision directing that a merchant disclose a simple annual rate on two occasions: at the time the customer entered into a revolving plan agreement and on every monthly statement.

President Kennedy endorsed truth-in-lending legislation. However, the bill was unanimously condemned by credit industry spokesmen who claimed it would create "fear, doubt and distrust" by substituting an annual rate for what they said was the widely understood monthly interest rate.

The Subcommittee, by a 4-5 vote, rejected S 1740.

88th Congress (1963–64). Douglas' third truth-in-lending bill (S 750) required the same disclosures outlined in his previous bills. However, the bill contained a provision which, in effect, exempted the revolving credit accounts from the bill by permitting merchants to express the finance charges in terms of a monthly rate. S 750 was endorsed by President Kennedy's Consumer Advisory Council and, as before, opposed by representatives of business and the credit industry. In his 1964 consumer message, President Johnson urged that the bill be enacted.

Douglas' Subcommittee approved S 750 by a 5-4 vote in 1964. However, Sen. A. Willis Robertson (D Va.), chairman of the full Committee and an opponent of truth-in-lending legislation, was long in placing the bill on the Committee's calendar. After a bitter exchange of letters and floor speeches between Robertson and Douglas, the Committee voted 8–6 to recommit the bill to the Production and Stabilization Subcommittee, thus in effect killing it.

89th Congress (1965–66). Although Douglas again introduced a truth-in-lending bill (S 2275), no action was taken in either the House or the Senate. President Johnson in 1965 and in 1966 endorsed truth-in-lending legislation in his messages to Congress on consumer affairs.

Consumer Advisory Council. Federal credit regulations and full information disclosure were endorsed by the President's Consumer Advisory Council in its first annual report in 1963 and in every succeeding report. The CAC reports urged that disclosure of an annual rate be required on contract loans, installment plans and also on revolving credit accounts.

Need for legislation

President Johnson in his Feb. 16, 1967, message to Congress on consumer protection stated that outstanding consumer credit in the United States—excluding long-term mortgages—was currently $95 billion including $75 billion in installment credit. He said the interest cost of consumer credit was $13 billion in 1966. (*Weekly Report p. 281*)

The extent of the American consumer's indebtedness was stressed by Douglas in a July 1966 speech on the Senate floor. He pointed out that according to figures then current, the long-term consumer debt (including mortgages) amounted to $196 billion, an increase of 943 percent in 20 years. Short- and intermediate-term debts, Douglas said, had grown 1,247 percent to $79 billion. In the same 20-year period, he added, the Federal Government's national debt had increased 18 percent.

Supporters of truth-in-lending legislation were concerned not only about the size of consumer debts, but also about the extensive use of credit for purchases by middle- and low-income families. As a result, the bill's supporters said, buyers ought to have accessible, complete information about the costs and responsibilities of entering into a loan, installment purchase or revolving credit contract. Mr. Johnson noted in his message, "The consumer should not have to be an actuary or a mathematician to understand the rate of interest being charged."

Testimony at hearings held by the Douglas Subcommittee between 1959 and 1964 and other published accounts revealed many instances of consumers paying very high rates of interest. Among the abuses cited during the 1963 hearings was the sale of goods such as a television set on installment plans advertised as carrying a low interest rate. The rate subsequently turned out to be much higher, a fact which was usually hidden in extra charges and in the manner in which the installment was paid. One witness said he had bought a television set for $123.88 and was given a coupon book which called for 24 monthly payments of $17.50. The interest rate on the purchase was 229 percent.

Another frequently cited practice involved retail credit plans which levy a "service charge" of 1½ percent a month on the balance in revolving or open-end accounts. Truth-in-lending backers said the cost of maintaining such an account to the consumer amounts to 18 percent a year. Complicating the revolving credit system was the different variety of methods used by merchants to determine service charges. One published study showed six different calculations of the finance charge owed on $270 worth of purchases; the charges ranged between $5.44 and $2.28 a month.

A study published in the October 1964 issue of Consumer Reports showed that credit buyers who knew the precise rate they were being charged paid less than borrowers who did not. Borrowers who had full information (between 5 and 11 percent of the study sample) paid an average of 12-percent interest on loans under $500; uninformed borrowers paid an average 37 percent for the same loans.

THE 1967 LEGISLATION

S 5, introduced Jan. 11 by Sen. William Proxmire (D Wis.), was similar to the earlier Douglas bills. It was based on the principle that complete and accessible information about the cost of credit would protect the consumer and give him a full choice in an open market.

The bill differed from the Douglas drafts in one important respect. Proxmire, in what he called "an effort to remove earlier objections to the bill," wrote into S 5 a new definition of the annual percentage rate required as part of full credit disclosure. The new bill, Proxmire explained, in a floor speech Jan. 31 "made it abundantly clear that lenders need only state an approximate annual rate. . . ." As provided in Section 3 of S 5, this yearly rate would be computed by "multiplying the percentage rate per period by the number of periods per year."

The Douglas bills, on the other hand, had required that the lender state a "simple annual rate" which amounted to the percentage the finance charges were of the total amount financed. Critics of the Douglas bills argued that such a definition of annual rate was unrealistic and unfair. Not only did it misrepresent the cost of credit, they said, but it also provided an unworkable mathematical problem for credit administrators.

Proxmire in his speech answered criticism that S 5 would restrict the credit market. He said, "The market system requires information in order to function—information on the part of both buyers and sellers. When information channels become clogged, competition breaks down. The essence of the truth-in-lending bill is to restore full information in the consumer credit field—to ensure a full disclosure of the cost of credit—and thus to permit the market system to function more effectively."

S 5 covered two major areas of credit buying. The first was contract credit, or "closed-end" credit, extended by banks or finance companies for buying goods on an installment plan or for borrowing money. The second area was revolving charge, or "open-end" credit, of the type offered by department stores which keep a running and constantly changing balance.

Contract creditors, under the provisions of the bill, were required to give a borrower, in writing, a statement of: 1) the cash price of the purchase or loan; 2) the amount of downpayment or trade-in; 3) the difference between the cash price and the downpayment or trade-in; 4) charges—such as insurance or administrative costs—paid by the borrower, which have no relation to the cost of the credit; 5) the total amount to be financed; 6) the total finance charge in dollars and cents; 7) the annual percentage rate of the finance charge (found by multiplying the number of repayment periods per year by the percentage ratio of the total finance charges for the period for which the charge is made to the unpaid balance of the total amount financed); 8) the due date and the amount of each payment; and 9) the agreement applicable in case of early or delayed payments.

Under the provisions of the bill, retailers offering open-end or revolving charge accounts were required to tell their customers, in writing, before the contract is drawn: 1) the dates on which the finance charge will be imposed; 2) the percentage rate of the finance charge per period; and 3) the periodic rate of the charge expressed as an annual percentage rate. At the close of each period—one month in most retail operations—the creditor was directed to provide "to the extent applicable and ascertainable": 1) the outstanding balance in the account at the beginning of the period; 2) the cost and a description of each purchase; 3) the amount of a customer's payment during the period; 4) the outstanding unpaid balance; 5) the annual percentage rate used to compute the finance charge for the period; 6) the balance on which the finance charge was computed; and 7) the finance charge in dollars and cents for the period.

Other provisions required the Federal Reserve Board (Fed) to establish regulations under which the Act would be administered. The Fed was directed to devise methods under which the annual percentage rates required by the bill were to be computed. The Board was also directed to set up a nine-member advisory committee of retailers, lenders and members of the public.

The bill provided that any lender who failed to disclose to a borrower the full costs of credit, as required by the provisions, would be liable to the borrower for double the amount of the finance charge imposed, with a minimum penalty of $100 and maximum of $2,000. Criminal penalties of up to $5,000 in fines and one year in prison also were provided. None of the penalties were applicable if the lender had erroneously computed the annual percentage rate. The Act's effective date was 180 days after enactment.

Related issues

Although the basic issue was whether business, and financial institutions in particular, should be subjected to federal regulation requiring disclosure of certain information, the controversy surrounding this question had numerous aspects. Following are several major areas of contention.

Full disclosure. The principle of full disclosure is central in truth-in-lending legislation. But supporters and critics each had a different definition of what full disclosure constituted.

Proxmire, the supporters of S 5 and Douglas held that a meaningful truth-in-lending bill must include disclosure of an annual percentage rate representing the cost of the credit transaction. Others held that full disclosure meant only a statement of the dollar costs of credit, including incidental service charges for processing the loans or charge accounts.

Annual rate. A direct corollary of the full disclosure argument was the calculation of an annual rate representing the cost of credit. Most of the Douglas bills took what could be called a strict view—that a "simple annual rate" had to be figured to include every finance charge in every repayment period multiplied by the number of periods. The percentage this represented of the loan or purchase would have to represent what Douglas termed "a yield equal to the finance charge imposed."

Opponents argued that this was a mathematical impossibility because of the wide variety of repayment schedules and contracts entered into by finance companies and banks. Retailers also argued that the Douglas "true yield" requirement, if it were to be honestly carried out, would mean that the simple annual rate would have to be figured every time a customer made a purchase.

Proxmire, on the other hand, said S 5 would require an "approximate annual rate" determined from the simple multiplication problem—interest rate per repayment period times the number of periods. He added that creditors would "not be held to absolute accuracy down to the last decimal point." Such a multiplication problem could be resolved, he said, by the use of prepared mathematical tables arranged to suit a variety of installment loans and retail contracts.

Time-Price Doctrine. The time-price doctrine was a long-standing principle among sellers of goods on time payment plans. The principle was simply that for the privilege of paying for goods over a period of time, a consumer had to pay a "time price" higher than the cash price of the goods. The difference between the two prices was a finance charge and *not* an interest charge, a distinction which was recognized by the courts. Retailers argued that since finance charges were not legally interest, they could not be expressed as an annual rate.

Jurisdictional argument

The question of which federal agency should draw up and administer the regulations outlined in C 5 was an issue.

The Proxmire bill provided that the Federal Reserve Board execute the truth-in-lending requirements, a procedure backed by the Administration. President Kennedy in 1962 had recommended that enforcement be assigned to the Federal Trade Commission.

Supporters of Fed enforcement argued that the FTC's complicated procedures, which included cease and desist proceedings, would not be applicable to carrying out the provisions of S 5. Placing enforcement with the Fed also would be a wise public relations move, the supporters believed; one Fed staff member said the "FTC is kind of a dirty word with a lot of businessmen. . . . (the Fed) has a better image."

The Fed was not enthusiastic about taking the job of enforcing a truth-in-lending law. A Fed staff member indicated that the organization would object to administering the law, as it had objected in 1961. The staff member said that carrying out the provisions of S 5 "would not be quite as simple" as the bill's supporters thought it would be. In addition, the Board's administration was not structured to pursue investigative or follow-up work that might be involved in administering the regulations, he said. The staff member also pointed out that enforcement would require knowledge of credit trade practices "which ordinarily the central bank of the country does not deal with." The FTC, on the other hand, has had experience in the field of credit practices, he said.

The FTC, however, also appeared reluctant to take on truth-in-lending enforcement. One FTC staff member said, "We don't want the thing. It's a headache." He also pointed out that about 90 percent of credit operations were individually incorporated under state law and, therefore, could not be considered a part of interstate commerce, the FTC's field of operation.

OUTLOOK

A key test for 1967 truth-in-lending legislation will come in the Senate Banking and Currency Subcommittee on Financial Institutions which Proxmire heads. The Subcommittee will review the bill in 1967 for the first time. In previous Congresses, truth-in-lending bills were referred to and usually died in the Production and Stabilization Subcommittee headed by Douglas.

On the Financial Institutions Subcommittee, in addition to Chairman Proxmire, are Democrats Sparkman (Ala.), Muskie (Maine), Long (Mo.), McIntyre (N.H.) and McGee (Wyo.). Republican members are Bennett (Utah), Hickenlooper (Iowa) and Brooke (Mass.). Of the Democrats, Sparkman, Long and McIntyre have voting records in the Committee against truth-in-lending proposals. All three voted in 1964 to recommit (kill) S 750. Bennett is the only Republican now on the Financial Institutions Subcommittee who voted to recommit in 1964.

Close observers of the Committee think that Proxmire, McGee and Brooke can be expected to approve S 5 in a Subcommittee vote. Those more likely to vote against the bill are Bennett, Hickenlooper, Long and Sparkman. If this assessment is correct, the votes that will make the difference will be cast by McIntyre, whose position apparently has softened since 1964, and Muskie, who voted against recommittal in 1964.

Both Sparkman, named chairman of the full committee after Robertson's 1966 election defeat, and Bennett, the ranking Republican, have indicated they can be persuaded to approve S 5. Sparkman said March 29, "I have been given to understand that the proposal . . . would be changed and there might be a likelihood of developing a workable program." Bennett Jan. 13 indicated he might change his previous stand; "I'm not opposed to truth in lending unalterably," he said. "I'm hoping that we may be able to get a bill in the end that everybody will be able to live with." Bennett, according to one of his aides, opposes disclosure of an annual rate in loan and retail contracts and views federal credit legislation "from a businessman's point of view."

The full Committee, according to one of Proxmire's aides, "will be easier" if S 5 gets out of the Subcommittee. Sen. Charles H. Percy (R Ill.), a new member of the Committee, has indicated that he is in favor of credit information disclosure although he opposed the Douglas formula. The other new member, in addition to Brooke and McGee who are both on the Subcommittee, is Sen. William B. Spong Jr. (D Va.), who has not taken a position on truth in lending.

The Senate itself is expected to pass S 5 if it gets past the Banking and Currency Committee.

The House Banking and Currency Committee reportedly favors truth in lending. Committee Chairman Wright Patman (D Texas) has been a long-time supporter of federal credit regulation. Rep. Leonor K. Sullivan (D Mo.), chairman of the Consumer Affairs Subcommittee, also supports truth in lending. Action will be held up, a Committee source said, until the Senate acts on S 5.

Business positions

The organizations representing banks, finance companies and retail operations say S 5 is not the compromise Proxmire says it it. The organizations do not appear to have changed their opposition to statement of an annual rate.

A spokesman for the American Bankers Assn., which represents 98 percent of the nation's commercial banks, said there has been "very little change (in S 5) in terms of practicality and workability." Most of the groups that were questioned by CQ said they agreed with the principle of full disclosure but doubted whether an annual rate was meaningful or necessary for the consumer. A representative for one business group said that about 15 financial pressure groups have been in contact to discuss their approach to the bill and the areas open to compromise.

A representative for the National Consumer Finance Assn., which represents small loan and industrial loan companies, said S 5 "isn't materially different from the Douglas bill." He said there is "no truth in talking percentages" to the consumer. Another retail credit lobbyist predicted the truth-in-lending bill would "disrupt or destroy the system of extending credit." He compared the provisions of S 5 to wage-price controls set by the Federal Government.

Another retail organization, Federated Department Stores, has taken a more favorable attitude toward truth-in-lending although the group still opposes setting a blanket annual rate on all revolving charge accounts.

MASSACHUSETTS LAW, MILITARY ORDER REQUIRE CREDIT INFORMATION

A 1966 order by the Defense Department and two laws enacted in Massachusetts required the disclosure of detailed credit information to persons seeking to borrow money or to obtain goods on credit.

However, existing regulation of credit sales and contract loans varied widely from state to state. Texas has no laws to regulate credit sales. Other states had some form of credit statute covering a broad range of loans and retail credit practices, but only Massachusetts had a statute as inclusive as the provision of S 5.

Usury Laws. Most states in 1967 had laws limiting to 6 percent the amount of interest a lender could charge. The usury laws were systematically avoided by the use of discount rates and by concealing costs in other ways. The usury laws did not apply to open-end or revolving credit on which finance charges were levied according to the time-price doctrine.

Massachusetts Truth-in-Lending Law. The Massachusetts General Court (legislature) in 1966 passed two laws placing strict controls on retail credit transactions and on bank and finance company practices. The laws required full disclosure of the dollar cost and the annual percentage cost of the credit. The statute governing retail credit also set ceilings for finance charges in contracts written by some retail outlets, home improvement salesmen and auto agencies. Exempted from the Act were revolving credit accounts; only dollar costs were required, although a ceiling was set on the size of the finance charges. The second Act extended full information disclosure requirements to closed-end transactions of the type contracted between banks and borrowers; no maximum was set on the amount of interest that could be charged.

Both statutes received wide bipartisan support in the General Court and were strongly backed by the Consumers' Council, a state agency. One of the Acts' earliest champions was Sen. Edward W. Brooke (R., Mass.), then attorney general of Massachusetts.

Defense Department Order. The Department of Defense May 2, 1966, issued a directive providing that all lenders and credit sellers who expected to use military channels to collect debts owed to them by servicemen, had to make full disclosure of the costs of the loan or installment plan. The disclosure of the directive outlined included both the dollar cost of the credit extended and an "approximate annual rate."

Sen. William Proxmire (D Wis.), in a floor speech Jan. 31, said that "no undue difficulties have been reported in the implementation (by private lenders) of the directive or in the use of (the) tables."

FTC Guides. The Federal Trade Commission (FTC) Dec. 24, 1966, issued a list of seven guides prepared by its staff to outline pre-sale disclosure "deemed necessary" for retail credit transactions. The guides were released for the benefit of the credit industry which was invited to comment on them before a March 24 deadline.

The seven provisions applied only to interstate and District of Columbia sales of credit. The guides did not affect charge account credit or loans from finance companies and banks covered in S 5. One of the guides outlined the FTC's interpretation of disclosure: the cash price of the credit but not the annual cost expressed as a percentage.

Proposal for Uniform State Credit Laws. The National Conference of the Commissioners on Uniform State Laws, a 50-year-old organization which drafted model laws for state legislatures, began in 1964 to work on a credit law for the 50 states. One member of the drafting committee told CQ March 29 the disclosure provision the Commissioners were working on included the dollar costs of credit extended in installment sales contracts and in revolving credit accounts. One of the aims of the Commissioners reportedly was to avoid statement of an annual rate. Consequently the Commissioners' progress on the draft law was being closely watched by banking and retail credit organizations who opposed the Proxmire bill.

What's in a Name?

Although most pieces of legislation are given uninteresting and sometimes undescriptive titles, a bill will emerge from time-to-time with a name carefully designed to enhance its prestige and popularity. This frequently—but not always—occurs with legislation aimed at consumer interests.

One of the better known cases of a sweeping name that helped push through Congress numerous controversial proposals was the Johnson Administration's war on poverty, enacted in 1964 (S 2642—PL 88-452). Formally known as the "Economic Opportunity Act of 1964," the omnibus bill included several programs that had been under Congressional consideration for years. (*1964 Almanac p. 208*)

Two 1967 examples were requests made by President Johnson Feb. 16: the Wholesome Meat Act of 1967, to raise standards of meat inspection, and the Fire Safety Act of 1967, to increase protection against fire and improve fire-fighting techniques. (*Weekly Report p. 277, 281*)

Another 1967 case in point was the truth-in-lending proposal, S 5. The 89th Congress enacted a bill (S 985—PL 89-755) with a similar name, truth-in-packaging, which required the disclosure of certain information on packages usually sold in supermarkets and drug stores. It was known formally as the "Fair Packaging and Labeling Act." (*1966 Weekly Report p. 2635*)

Another bill enacted by the 89th Congress (S 3298—PL 89-756) was known as the "Child Protection Act." It extended federal control over hazardous substances. (*1966 Weekly Report p. 2569*)

Another proposal with a colorful history of names was the legislation to allow manufacturers to set minimum retail prices for their goods. This legislation, long sought by small businesses who were feeling the pinch of competition from discount stores, currently is dormant.

It began and was best known under the name of "fair trade" legislation. Its proponents later changed the name to the "Fair Competitive Practices Act" and later to the "Quality Stabilization Act," its most recent title. At one point there were reports that the name would be changed again, this time to "Truth-in-Pricing." Opponents of the legislation never were troubled by the name problem: they called it simply price-fixing legislation. (*1963 Almanac p. 530; Congress and the Nation p. 450.*)

SUCCESS COMES IN CANS AND NOT IN CANNOTS

Mr. MUNDT. Mr. President, in South Dakota we are developing today a climate of opinion among our determined people that through efforts on the part of local community leadership we can bring growth and prosperity to our new State. We are a sturdy people determined to build our State on a sound basis of new industry and new opportunity.

On April 4, 1967, in an address before the Industrial Development Seminar in Pierre, S. Dak., the vice president of Nettleton College, Mr. Jerry Simmons, presented a hard-hitting address on what can and must be done by South Dakota and those in other rural States to keep pace with the growth and expansion of our Nation, generally in order to provide economic opportunities for their people and to those who are coming to reside and work in our State.

South Dakota is truly the land of infinite variety and opportunity, and through the leadership being developed in every community we are determined to become a showcase of opportunity for all to observe. I ask unanimous consent to have the address printed in the body of the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Success Comes in Cans and Not in Can'ts

(By Jerry Simmons, vice president, Nettleton College)

SOUTH DAKOTA MUST FACE THE FACTS

Several years ago during a blizzard a man sat down in front of a pot bellied stove and said, "If you will give me some heat, I will put some wood in." He froze to death. This attitude expresses the beliefs of some of the people in South Dakota when it comes to developing and expanding the economy of our state.

Economic growth in South Dakota can come from only two sources. One, expansion and growth of existing South Dakota companies and, two, new industries attracted to the state.

For the last twelve years I have crisscrossed back and forth across the state of South Dakota organizing and instructing the Dale Carnegie Courses, in over forty South Dakota cities. I have worked face to face with over 3,000 men and women. One question comes up over and over and over again and it is, "How can we get industry to come to our town?" This comes up so frequently that I have created a talk entitled, "What to Do until General Motors Arrives". The point is obvious, American Industry is not waiting breathlessly to rush into South Dakota and build large plants. We must recognize many problems and take many steps to *deserve* economic growth.

We must recognize that 80% of all economic expansion in our state will come from businesses already here and already in operation. W. T. Pinney, Vice President of Profit Counselors, Inc., Chicago, said at a Sioux Falls Industrial Development Foundation meeting a few years ago, "The most important thing to do is to encourage your local companies to expand and better serve their customers." Mr. Pinney went on to point out that 80% of all growth within our state must come from within.

In short, most of the growth in South Dakota will come from the dreams, imagination, vision, work, and capital of the men and women attending this seminar. It is exciting and an honor for me to be the lead off speaker at this important meeting. South Dakota does not need to wait one more second for internal growth. This is something we can begin working on today—now—remember "now" spelled backwards is "won". When you look in the mirror tomorrow morning you are looking at a key member of the South Dakota Economic Development team.

There are unpleasant facts that must be faced. The image of South Dakota is dim. Recently, the North Dakota Economic Development Commission conducted an extensive study about the image of North Dakota. This study is significant because what they learned also applies to South Dakota. Thousands of people from all parts of the United States and Canada were interviewed. 27.1% of those questioned were unable to associate South Dakota with any particular descriptive word; 19% associated the state with the Black Hills; 7% said they thought of Mount Rushmore. Other responses to South Dakota were dry, hunting, badlands, plains, Deadwood, indians, cold, snow, warm, pheasants, desolate, lonely, remote, barren, monotonous, and desert. The conclusion of this study and others is inescapable—South Dakota has much work to do in developing a favorable picture in the minds of the people of this country.

Constantly through the media, locally and nationally, we hear references to our cold weather, snow, and wind.

A recent headline from the Sioux Falls *Argus Leader*, December 8, 1966, said, "South Dakota Said Worst Culprit in Costly Local Government." This charge was made by John A. Perkins, President of the University of Delaware, who spoke at a forum of the Committee for Economic Development. He pointed out that South Dakota had more units of local government in relation to population than any other state in the Union. South Dakota has 152 persons for each of its 4,463 local units. To put it bluntly, Perkins said, "You are taxing yourselves severely to support an obsolete system of local government." He also pointed out that South Dakota had the "doubtful distinction of being one of the highest in the nation in percentage of its total per capita income paid to state and local government treasuries. In South Dakota it was 16% while the national average is only 12.9%.

On February 1, 1967, South Dakota State University's publication, "Alumnus", contained an article by John P. Henkrickson, a professor of History and Political Science which said, "While South Dakota has only .39% of the nation's population, it has 4.89% of the governmental units. These local governmental units take a big bite out of the tax pie."

A report issued by the State Resources and Planning Council at the University of South Dakota recently pointed out these facts: the 1960 census showed 680,514 people in our state. In 1930 the state's population was 692,849. In short, we are losing people. Further, a disproportionate segment of our population today is over 65 and under 21 and that the men and women in the 30 to 49 age bracket are leaving the state in large numbers.

This report further pointed out that one-third of the state's population is employed in agriculture, about 72,000 people. By 1970 that figure is expected to drop to 60,000 people or a loss of 12,000 people. According to the 1966 issue of *Sales Management Magazine*, the per capita annual income rate in South Dakota was $1,863.00, one of the lowest in the nation. This is because a large part of our working population is employed in farming, services and trade which are the lowest paying sectors in our economy.

Job opportunities are not plentiful for

young men and women and it is tragic but true that only 1.3% of the people who leave the farms stay in the state.

We cannot blame the young people for leaving the state of South Dakota. Sylvia Porter reported on March 1, 1967, in her nationally syndicated column, the highest paying jobs in the United States are in cities of one million or more in population. Sylvia Porter puts it succinctly when she says, "You may yearn for the small town, its cleaner air, its more leisurely pace, and all the rest. But if it's top pay you want now, come to the city, young man, come to the city."

We need to look at another factor and that is the future of the small towns in South Dakota. Experts tell us now that any town under 500, unless it has a very unique set of circumstances, will disappear from the face of our state as an effective, functioning economic unit within the next few years.

Experts writing in an article in the *Sioux City Journal*, February 6, 1965, stated that, "Even towns under 2,500 are in serious trouble in the future and most of the communities below the line of 2,500 are going to fade in the future." They explain that the reason for the economic village has vanished. Four of the main reasons for this are; Henry Ford, the paved highway, the Hereford bull and contract harvesting.

Henry Ford and the paved road have made it possible for the farmer to shop within a large radius of his place. The Hereford bull has taken marginal land out of crops and put it into cattle. Contract harvesting makes it possible for corporate farms and large operators to function.

In a report prepared for the State Planning Agency by the State Resources Planning Council of the University of South Dakota it is pointed out "The Dakotas are dependent upon agriculture as their leading job sector in the civilian labor force. Agriculture is by far the lowest paying employment sector, and thus pushes the income ratio down for the state of South Dakota. The heavy dependence on farming, services and trade account for 71% of all employment in the state and are reflected in one of the nation's lowest per capita annual income rates."

These statistics can be brought to life by a conversation I had in Rapid City three months ago with a rancher-businessman from a small town. He had come to Rapid City to negotiate the dissolution of his farm implement business. He had to quit because he could not maintain sufficient inventory required by the company's national office. He had tried for many years to stem the tide but finally had to quit. He made a statement that everyone should keep in mind. He said, "you know, about ten years ago I was at a town meeting where most of our leading citizens were present and a few of us were trying to promote the town. But the general consensus of opinion was that 'there will always be a ———,'" and then he mentioned the name of his town. This town is slowly fading away.

I have created a community growth stimulator called The Community Development Seminar. Its purpose is to help a town stimulate its development. This Seminar has been presented in over 35 communities in the Midwest. The Seminar requires about two hours and has been reasonably effective. One slogan I have coined is "There will always be a Plainview." Feedback tells me that this slogan is used when negative thinkers stand up at community meetings and object to progress. They are quickly met with the statement, "There will always be a Plainview." Of course, this is not true because many South Dakota towns will fade away in the next few years. If you are interested in this program please contact me.

ECONOMIC GROWTH IN SOUTH DAKOTA IS POSSIBLE

The above facts are not presented as points of weakness for our state but to indicate that we do have problems. Frankly, they should give us the courage to face the facts and the future. When the valiant men and women settled South Dakota they had greater problems than we are facing today. We must remember that, "There are no difficulties in life—only opportunities."

What we need is plenty of "stug." That is "guts" spelled backwards. I plan to stay in South Dakota and so does our organization. As a matter of fact, it is of interest that for nine years our organization has led the worldwide Dale Carnegie organization in per capita enrollments. So we know first hand that opportunities exist right here in South Dakota.

When thinking of the opportunities and challenges in South Dakota, I am reminded of the snail that climbed up a cherry tree. A sparrow flew by and asked the snail, "Where are you going?" The snail said, "I am going to the top of the tree to get some cherries." The sparrow flew up there, looked around and noticed that there were only blossoms and flew back down and said, "Silly snail, there are no cherries up there." The snail's answer, really is the answer for South Dakota, "There will be by the time I get there."

Industrial and economic growth and expansion can be accomplished in South Dakota. Success does come in cans and not in can'ts. Here is a partial list of what has been done in the last several years. (Insert A.) It can be done—it has been done. This list is included in the copy of this talk. Carry it back to City Council meetings, Chamber meetings and Industrial Development meetings and use it as proof of growth in the great state of South Dakota. This evidence proves that economic growth is possible.

HOW TO MAKE YOUR TOWN GROW

In South Dakota we have to work diligently for economic and industrial growth—one person, one company at a time. A significant example of this occurred in Gregory, South Dakota, a few months ago. A doctor was driving through Gregory on his way to another part of the Midwest looking for a community in which to place his practice. He arrived in Gregory, wanted a cup of coffee, and stopped at the bowling alley. He mentioned to the proprietor, who had engaged him in a friendly conversation, that he was planning to open up a practice. The proprietor immediately excused himself, went to a telephone, called up two members of the local Industrial Development Corporation and they came down to the bowling alley immediately and began talking to him. They persuaded him to stay in Gregory over night. Soon they helped him with some financing and today this man and his family make a valuable contribution to the community of Gregory. This is what it takes to get action. This is significant because the people in Gregory did not wait for something to happen, they made it happen. There is no sense in denying the basic challenges of South Dakota. We must start improving on what we have. We must remember that life does not always consist of holding a good hand but in playing a bad hand well. A little bit of this philosophy must be utilized by all of us here in South Dakota.

On the other hand, there is a town in South Dakota that has a small company that manufactures a product that has great potential. Unfortunately, this company is under capitalized and needs help and support. The other day I was in this town and one of the leading businessmen asked me this question, "How do we get industry into our town?" It never occurred to him to get a group of businessmen together, form an Industrial Corporation and help a struggling local industry. He did not realize that 80% of all growth must come from within.

Here are the steps that any town in South Dakota must follow if it is to develop its potential:

Step 1. Each community must decide if it wants economic and industrial growth.

Step 2. Establish an action committee to implement the decisions in favor of economic growth.

Step 3. Form a Community Development Corporation or Industrial Development Corporation.

Step 4. Conduct a survey of the community to determine the assets and the liabilities of the community and formulate a program of improvement, with priorities listed.

Step 5. Conduct a community data audit to determine what the community has to offer in terms of power, water, schools, etc.

Step 6. The Community Development Corporation must obtain at least one good industrial site.

Step 7. Assist and aid, in whatever means are necessary, deserving local industry.

Step 8. Prepare a prospectus on the community that is ready at all times to present to prospects interested in locating in your town.

Step 9. Sell the community at every opportunity.

If there is any doubt that this system works, I suggest that you make a personal visit to Rapid City, Watertown, Hoven, Mobridge, or other dynamic communities in our state. They are getting the job done. Their story and their accomplishments are inspirational and prove growth is possible.

HOW TO MAKE THE STATE GROW

There are many specific actions that you and I can take to start selling South Dakota first to ourselves and then to the rest of the country. For example, according to Purchasing and Printing Supply located in the South Dakota State Capitol building, only 570 South Dakota flags have been sold in the last nine months. As a matter of fact, it has only been in the last nine months that you could even buy a South Dakota flag from an agency of our government. As you travel around our state you do not see many South Dakota flags. Therefore, I suggest right now that every person at this meeting purchase a South Dakota flag and put it in your place of business. At Nettleton College in Sioux Falls we have a South Dakota flag in our office lobby.

This may be a project for the State Industrial Development Expansion Agency or some other state organization to put on a first class promotion of the sale of South Dakota flags. They are beautiful, meaningful and will help to sell the state.

Another way that we can dramatize our state is by South Dakota gift giving. The next time you think of a gift for a birthday, graduation, anniversary, wedding or any other purpose, give a made in South Dakota gift. There are over 25 companies in South Dakota that manufacture products suitable for gift giving. Here is a display of some of their advertising pieces. These gifts include jewelry, toys, foods, candies, novelties, etc. For example, just recently the Commercial State Bank in Wagner, South Dakota, did a favor for our organization and we sent them a box of Butter Brickle Candy Bars, manufactured by Fenn Brothers, Inc., Sioux Falls, and on our card we put, "Made in South Dakota". Bob Wheeler of the Wheeler Manufacturing Company of Lemmon, South Dakota, sent me these stones and gifts that are manufactured by his organization and make excellent gifts to give to people.

This phrase should be used over and over again, "Made in South Dakota." Included in this talk is a list that you can use for all your gift giving in the future. It tells you the name of the company, the product, the owner, address and the city. I hereby propose that some organization in the state of South Dakota form a gift council to promote "Made in South Dakota" gifts. The advantage is that gifts can be easily distributed across South Dakota and across the nation.

Another thing we need to do is to talk about our state with pride. When I attended Northwestern University my roommate, John McClaugherty, was from Princeton, West Virginia. Whenever people asked him where he was from, he always said, "West, by God, Virginia" and he was proud of it. No one ever had any doubt about his state.

In the military service if you asked any of these West Virginians where they were from they always gave the same answer. Perhaps we should start a campaign in South Dakota saying that "We are from South, by God, Dakota". It is unfortunate that cowboy and indian plots dominate television and movies today. This makes our job of selling South Dakota difficult. Few industries are attracted by a potential plant site on "Boot Hill".

Frankly, I was astonished to learn that some of the people in our state questioned the use of "The Proud State" slogan. One influential lady in our state said, "Why, the synonyms of proud are arrogant, a belief in one's superiority, lofty self-respect, etc." She's absolutely correct. That is exactly why we should use the word "Proud". Have you ever heard of a Texan who was modest, bashful, reluctant to boast, brag and shout about his state? I say the time has come for us to do the same and declare to all who will hear it, whether they want to or not, that South Dakota is the "Proud State".

Each business organization should take some special action to promote our state. For example, the Nettleton Colleges have made a commercial arrangement with WNAX Radio to broadcast ten minutes a day from a studio located in our college. The program will be entitled, "The Notebook", from Sioux Falls. I will be the editor of the program and responsible for the program. The purpose of this program is to bring the story of Sioux Falls and South Dakota to the five state area of WNAX and its four million people who are covered by this broadcast media. This program will help sell the benefits of South Dakota to millions of people in our neighboring states. Each one of us must take a personal responsibility for selling our state.

A TIRED SOUTH DAKOTAN

I am a tired South Dakotan. I am tired of people not knowing the difference between North and South Dakota. I am tired of people talking about our blizzards and cold weather. I am tired of going to national meetings year after year and having people ask me where I'm from—five times. I am tired of turning on the radio and having people on national quiz shows say, "Oh yes, how's the snow out there?"—in the middle of July to contestants who are from South Dakota. I am tired of listening to people in South Dakota say, "How do we get industry into our town?" I am tired of hearing people say at meeting after meeting, "There will always be a Plainview." I am tired of hearing people in our towns say, "Why doesn't the state of South Dakota do something to attract industry into our state?" I am tired of listening to businessmen complain about business when they refuse to advertise and modernize themselves and their businesses. I am tired of our political parties blaming each other for our state's problems. In short, I am just plain tired of inaction, conservatism, negativism, pessimism, and lack of imagination.

The time is here for us to convince ourselves first, our state second, and our nation third, that South Dakota has great potential.

Most of the advantages and strong selling points that we have in South Dakota the good Lord gave to us. The favorable climate, water recreation areas, space, clean air, few problems of social unrest, lack of traffic congestion. Perhaps because all of these were given to us we take them for granted. We have the finest advertising program in the world in our Badlands, Black Hills and Great Lakes of South Dakota. Many states have done a lot more with a lot less than we have. Now it is our turn to do something. The faces of Mount Rushmore in themselves will not attract industry into the state of South Dakota. Business goes where it can make a profit, distribute products, find labor, and be appreciated.

Everyone must take the responsibility of doing a better job of selling the state of South Dakota and our individual towns. For many of you here today your towns' very existence depends on whether or not in the next few years you replace the shrinking agricultural activity with local industries.

The challenge is clear, it's exciting, and the stakes are high. South Dakota in general and many of our towns in particular are at the crossroads. There will not always be a Plainview for many of our towns. The time has come to act. Here is a favorite quotation; it is entitled, "Victory".

"You are the man who used to boast
That you'd achieve the uttermost, some day.
You merely wished a show, to demonstrate
How much you know
And prove the distance you can go . . .
Another year we've just passed through.
What new ideas came to you? How many
Big things did you do?
Time . . . left twelve fresh months in your care
How many of them did you share
With opportunity and dare again
Where you so often missed?
We do not find you on the list of Makers Good.
Explain the fact!
Ah no, 'twas not the chance you lacked.
As usual—you failed to ACT!"

That's the situation in South Dakota today. Men don't fail, they give up trying. We have a great opportunity, we have plenty of raw material to work with, we have plenty of advantages in our favor. Remember "Success Comes In Cans and Not In Can'ts."

PARTIAL GIFT LIST AVAILABLE FROM SOUTH DAKOTA MANUFACTURERS

Big Stone Cheese Factory, Italian Cheese, Lloyd Hughes, Manager, Big Stone City, South Dakota, 57216.

South Dakota Pheasant Company, Dressed Pheasants, David D. Suter, Owner, 220 East 5th, Canton, South Dakota 57013.

Kustom Kraft Corporation, Black Walnut serving and decorative accessories, salad bowls, servers, trays, candle holders, bookends, etc., John C. Salmon, President, Box 467, Edgemont, South Dakota 57735.

Custer Toy Company, Wooden games and toys, Mr. and Mrs. Myron Carlson, Owners, Box 375, Hill City, South Dakota 57745.

Lux Candle Company, Inc., 100% beeswax candles, pyrex glass followers, 100% & 51% beeswax sanctuary lights, lighting tapers, charcoal, incense and non-beeswax products, Ipswich, South Dakota 57451.

Wheeler Manufacturing Company, Inc., Genuine stone jewelry, R. B. Wheeler, President, 311 8th Street, East, Lemmon, South Dakota 57638.

Valley Queen Cheese Factory, Inc., Butter, cheese (colby, cheddar), dried whey, other dairy products, Alfred Gonzenbach, President, Milbank, South Dakota 57252.

76 Rock Shop, Rough and polished rock, plastic embedding, Ed Kruse, Owner, 68 North Main, P. O. Box 444, Deadwood, South Dakota 57732.

Thorpe (F. L.) and Company, Original Black Hills Gold Jewelry, C. W. Waters, Manager, 659 Main, Deadwood, South Dakota 57732.

Ringneck Ranch, Chicks, dressed pheasants, mallard ducks and chukar partridge, Ernest Ylitalo, Owner, Frederick, South Dakota 57441.

Hoven Dairy Corporation, Cheese in bulk style, Jerome Hageman, Hoven, South Dakota 57450.

Gladys Ceramics, Ceramics, Gladys F. Wax, Co-owner, Manager, Keystone, South Dakota 57751.

Struck By The Ree Enterprises, Souvenir items, Indian-made, Mr. Selix, Manager, Marty, South Dakota 57361.

Schad's Bakery, Bread and other bakery products, Wayne P. Schad, Owner, 216 Main, Milbank, South Dakota 57252.

Product Miniature Of South Dakota, Inc., Molded plastic products and custom molded parts, toys, W. E. Ford, President, Mobridge, South Dakota 57601.

The Agate Shop, Jewelry, cabochons, novelties, Herald A. Krebs, Owner, Quinn, South Dakota 57775.

Black Hills Jewelry Manufacturing Company, Black Hills Gold Jewelry, Ivan E. Landstrom, President, 700 Jackson Boulevard, Rapid City, South Dakota 57701.

Jones Agate Shop, Custom cutting and polishing of native stones, hand carved redwood signs, C. A. Jones, Owner, 2512 Prairie, Rapid City, South Dakota 57701.

Fenn Bros., Inc., Candy, ice cream flavoring, candy bars, ice cream and dairy products, H. R. Scheid, President, 114–128 East Tenth Street, Sioux Falls, South Dakota 57102.

Kerslake (J. W.) Company, Fruits and flavors for ice cream manufacturers, bakeries, soda fountains, J. W. Kerslake, President, 800 S. Van Eps Avenue, Sioux Falls, South Dakota 57104.

Merrigan Marble Manufacturing, Cultured marble products as wall and floor tile, tables, vanities, etc., decorative wall plaques and statues, Ricky Merrigan, Owner, Box 137, Vermillion, South Dakota 57069.

Oglala Sioux Arts and Crafts Shop, Pottery, beadwork, leather work, Miss Ella Irving, Pine Ridge, South Dakota 57770.

Black Hills Cheese Company, Cheddar Cheese, Gerald L. Perkins, Manager, Route 3, Rapid City, South Dakota 57701.

Black Hills Novelty & Gift, Statuary and art goods, wall plaques, etc., Ross E. Sobek, Owner, Box 1925, Rapid City, South Dakota 57701.

Eliker (Dale) Jewelry, Jewelry, Dale Eliker, Owner, 1001 W. 16th Street, Sioux Falls, South Dakota 57104.

Heldt's Tanning-Manufacturing Company, Tanning and manufacturing of deerskin gloves, jackets, etc., also manufacture of reloading components, Walt Heldt, Owner, 3831 W. 12th Street, Sioux Falls, South Dakota 57506.

Neugebauer Jewelry, Gold jewelry and stone and gem cutting, G. Neugebauer, Owner, Sturgis, South Dakota 57785.

Webster Creamery Company, Butter, Herbert Horter, President, 25 E. 5th Street, Webster, South Dakota 57274.

NEW INDUSTRIES—1957–JAN. 1, 1967

This listing of new industries has been compiled in the I.D.E.A. office. The sources of information are newspaper announcements and in-plant visits by I.D.E.A. staff. This compilation is not complete but can be viewed as an effort to document economic development activities in South Dakota. These figures are not known to include expansions in existing South Dakota companies, of which there are substantial numbers.

Aberdeen

Aberdeen Block Company, Cement Blocks, 5 employees.

Craven Welding Shop, Haystack Movers, 10 employees.

Dixie Cream Do Nut Shop, Bakery Products, 8 employees.

Flasco Body & Equipment Shop, Truck Bodies, 9 employees.

Milbrandt & Grote, Metal Work, 11 employees.

Luster-Rock Mfg. Company, Construction Material, 2 employees.

Academy Trophy & Engraving, Trophies, Engraving, 2 employees.

Crest Homes, Home Components, 12 employees.

Sun Valley Marble Mfg. Co., Imitation Marble, 12 employees.

Alcester

Pete's Produce, Bulk Fertilizer, 3 employees.

Alcester Mfg. Company, Space Heaters, 5 employees.

Traction Boosters, Inc., Furnaces, 11 employees.

Arlington

Paul's Hatchery & Mobile Milling, Mobile Milling, Hatcheries chicks, 10 employees.

Bath

Lang German Sausage Kitchen, Sausage, 1 employee.

Beresford

M & M Manufacturing Co., Car Washers, etc., 8 employees.

Sioux Steam Cleaner, Cleaning-Heating Equip., 17 employees.

Belle Fourche

Belle Fourche Dairy, Milk, Cream, Butter, 3 employees.

Big Stone City

Big Stone City Cheese Co., Cheese, 70 employees.

Britton

Aadland-Baird Mfg., Feeder Racks, 8 employees.

Farmer Union Central Exchange, Fertilizer, 5 employees.

Brookings

Larson Mfg. Company, Aluminum Comb. Windows, 20 employees.

The Advertiser, Advertising Printing, 8 employees.

Julian's Pastry Shop, Bread, Pastries, 9 employees.

Cooper's Hatchery, Hatcheries chicks, 2 employees.

Gross Cabinet Shop, Woodworking etc., 7 employees.

Burke

Burke Cheese Co., Cheese, 3 employees.

Canton

Otis Radio Shop, T. V. Coils, 135 employees.

Hunting Unlimited, Inc., Electric Hunting Equip., 4 employees.

Farmers Coop Lockers, Meat Processing, 3 employees.

Sioux Valley News, Inc., Commercial Printing, 11 employees.

K & R Industries, Concrete Finishing Equip., 25 employees.

Carthage

Hendrix Mfg. Company, Display Racks, 2 employees.

Chamberlain

Chamberlain Water Co., Inc., Soft Drinks, 15 employees.

Riverside Dairy, Ice-Cream, Milk, 3 employees.

Custer

Custer Lumber Company, Sawmill, 35 employees.

Custer Toy Corporation, Toys, 6 employees.

Clear Lake

Five Star Dairyland, Receiving Milk Plant, 2 employees.

De Smet

De Smet Manufacturing Co., Commercial Windows, 6 employees.

De Smet Rendering Company, Grease, Inedible Tallow, 20 employees.

Elk Point

Load King Trailer Company, Lowboys, Dump Trucks, 49 employees.

Freeman

Farmers Dairy Produce, Powdered Milk, 41 employees.

Freeman Fertilizer Company, Fertilizer, 3 employees.

Farbest Egg Division, Egg Processing, 15 employees.

Garretson

Anhydrous Ammonia Plant, Fertilizer, 2 employees.

Gregory

Rosebud Planing Mill, General Millwork, 2 employees.

Gettysburg

Harrison Ice & Locker Plant, Meat Processing, 4 employees.

Potter County News, Commercial Printing, 4 employees.

Mrs. Cavanaugh's Candy, Confectionery, 7 employees.

Greenwood

Electro-tech, Electronic Assembly, 25 employees.

Groton

Groton Redi-Mix, Redi-Mix Concrete, 2 employees.

Huron

Barnes Packing Company, Cattle Slaughtering, 50 employees.

Flanery's Inc., Meat Packing, 20 employees.

Raven Industries, Sewn Products, 180 employees.

Peavey Seed Company, Seed Processing, 14 employees.

Huron Tank & Culvert Company, Steel Culverts, 23 employees.

Terrace Park Dairy, Milk Production, 8 employees.

F & H Brown Printing Company, Commercial Printing, 8 employees.

Cook Seed Co., Bluegrass Processing, 4 employees.

Irene

Riley Company, Feed Processing, 7 employees.

Kennebec

Farmers Union Coop, Bulk Fertilizer, 8 employees.

Lake Norden

Farmers Coop, Dried Milk, 5 employees.

Lemmon

Wheeler Manufacturing Co., Stone Jewelry, 19 employees.

Madison

Midland Chemical, Deodorant Blocks, 21 employees.

Martin

Mueller's Feed Mill, Rolling Grain, 6 employees.

Meckling

Sioux Alfalfa Meal Co., Alfalfa Dehydration, 10 employees.

Milbank

Milbank Creamery Company, Mfg. Ice, 4 employees.

Valley Queen Cheese Co., Butter, Cheese, 63 employees.

Miller

Tri-State Insulation, Aluminum Awnings, 32 employees.

Mission

Rosebud Manufacturing Co., Plastic Counters, 31 employees.

Mitchell

Dakota Manufacturing Co., Trail-Eze, 20 employees.

Dakota Redi-Mix, Concrete, 7 employees.

Bauer-King Dental Studio, Crown Ceramics, 4 employees.

Palace Windows, Combination Screens, 8 employees.

Pepsi-Cola Bottling Company, Soft Drinks, 12 employees.

Mobridge

Products Miniature, Plastic Toys, 30 employees.

Philip

Wick-O-Matic Oiler Co., Picnic Tables, 6 employees.

Pierpont

Tri-County Cheese Company, Install, Operate and slicing, packing, 12 employees.

Pine Ridge

Wright-McGill, Fishing Lures, 300 employees.

Rapid City

C. P. Clare Company, Switches, Relays, 110 employees.

Midwest Circuits, Printed Circuit Boards, 100 employees.

Rushmore Manufacturing, Auto-Maid Vacuums, 45 employees.

Sand, Inc., Silica Sand, 11 employees.

Black Hills Cheese Company, Cheese, 5 employees.

Plaines Manufacturing Company, Truck Bodies, 10 employees.

Johnson Machines Inc., Automotive Machines, 27 employees.

Rushmore Manufacturing, Mobile Homes, 45 employees.

Brodsky's Red-E-Mix, Concrete Products, 5 employees.

S & L Millwork, General Millwork, 5 employees.

Air Products & Chemicals, Compressed Liquid Oxygen, 20 employees.

Stapp Manufacturing Co., Truck Boxes, 4 employees.

Salem

Salem Concrete, Redi-Mix Concrete, 3 employees.

Feterl Manufacturing Co., Farm Machinery, 30 employees.

Selby

Equity-Union Fertilizer Plant, Fertilizer Blending, 12 employees.

Scotland

Scotland Creamery Coop, Dairy Products, 14 employees.

Sioux Falls

Gabel Tank Company, Fabricated Metal, 11 employees.

Sioux Valley Hatchery, Egg Processing, 9 employees.

Josten Concrete Manufacturing, Pre-Cast Concrete, 8 employees.

B & F Manufacturing, Heating, Air-Cond., 7 employees.

Modern Press, Inc., Printing, Publishing, 35 employees.

S & H Manufacturing Co., Farm Implements, 50 employees.

Sioux Valley Coop, Dried Milk, 68 employees.

Ace Neon Sign Mfg. Co., Neon Signs, 7 employees.

Greenlee Packing Company, Dressed Beef, 110 employees.

Sturgis

Sturgis Dairy Corporation, Cheese, 5 employees.

Tabor

Cimpl Produce & Marketing, Inc., Fertilizer, 4 employees.

Tripp

Hattendorf Construction Co., Masonry, 15 employees.

Volga

Farmers Coop Creamery, Dairy Products, 40 employees.

Watertown

Balsiger Bakery Company, Bakery Products, 12 employees.

Minnesota-Dakota Egg Company, Egg Shell Processing, 21 employees.

Timmerman Woodworking Co., Cabinets, 7 employees.

Hill Packing Company, Pet Food, 13 employees.

Dakota Midwest Supply Co., Gopher Killing Prod., 11 employees.

South Dakota Concrete Products, Concrete Products, 51 employees.

American Sand & Gravel Co., Concrete Wash Mach., 4 employees.

Gator Manufacturing Co., Truck Hoists, 4 employees.

Quadee Rubber Company, Molded Rubber Products, 200 employees.

Chickasha Mobile Homes, Mobile Homes, 140 employees.

Wakonda

McCauley-Madison Corporation, Travel Trailers, 9 employees.

Wessington Springs

Wessington Springs Cheese Co., Cheese, 6 employees.

Wolsey

Larson Manufacturing Co., Tractor Cabs Air Condt., 6 employees.

Yankton

Dale Electronics, Electronics Components, 210 employees.

Mectronics Inc., Electronic Components, 95 employees.

Kolberg Manufacturing Co., Heavy Equipment, 72 employees.

Stahr Line Boat Mfg. Company, Boats, 4 employees.

Yankton Neon Sign Company, Neon Signs, 3 employees.

HUMAN RIGHTS HAVE LONG HISTORY AS PROPER SUBJECT MATTER OF TREATIES—LIV

Mr. PROXMIRE. Mr. President, as an unequivocal proponent of Senate ratification of the Human Rights Conventions, I have frequently been confronted with the argument that conventions on human rights are not a proper exercise of the treatymaking power.

Mr. President, I contend that there is both abundant historical and legal precedent for U.S. ratification of Human Rights Conventions.

Human rights were very much an integral part of the international treaty process as early as the 17th century. The Treaty of Westphalia, negotiated at the end of the Thirty Years War in 1648, guaranteed for all the Germanies the equality of rights for people of both the Roman Catholic and Protestant faiths.

Later in that same century, the Treaty of Breda saw the extension of freedom and equality to Roman Catholics by Protestant princes.

The Congress of Vienna of 1815 extended the principle of religious freedom and political equality to many cantons of Switzerland and protected the equality of Christian religions in Germany.

Four different treaties and conferences of the 19th century affirmed and reaffirmed the outlawing of slavery. In fact, 105 years ago in 1862, the United States entered a treaty with Great Britain for the immediate suppression and ultimate elimination of the African slave trade.

The treaties concluding World War I—involving Albania, Austria, Bulgaria, Czechoslovakia, Greece, Hungary, Poland, Rumania, Yugoslavia, and Iraq—guaranteed full equality for the citizens of those nations irrespective of birth, nationality, race, or religion.

The United States has both historical and legal precedent for the ratification of Human Rights Conventions.

The Convention on Slavery is a supplementary convention, supplementing the Convention on Slavery signed by the United States during the administration of Calvin Coolidge and ratified by the United States during the Presidency of Herbert Hoover.

The United Nations was a further fulfillment rather than an innovating departure from the traditional collective efforts for protecting human rights and insuring human dignity.

The Senate can take a major step toward the full implementation and full realization of human rights for all human beings by ratifying the Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

HEARINGS OPEN ON TRUTH IN LENDING

Mr. PROXMIRE. Mr. President, on Tuesday, April 13, the Financial Institutions Subcommittee opened hearings on S. 5, the truth in lending bill. On that same day, the Wall Street Journal published an excellent front-page article regarding the bill and its prospects for passage in the 90th Congress.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Telling the Terms—Passage Likely for Bill Requiring Spelling Out of Buyers' Credit Costs—Truth-in-Lending Foes Lose Ground in Congress; Law Gets White House Backing—Senate Hearings Start Today

(By Norman C. Miller)

Washington.—The betting on Capitol Hill is that this year, after six years of furious fighting, "truth-in-lending" legislation finally will become law.

Bitterly opposed by most lenders and retailers, the legislation would require full disclosure of finance charges on all consumer credit, both in terms of an annual percentage rate and total dollar cost. Buyers need such disclosure, advocates contend, so they can shop wisely for credit and be protected against sales schemes in which huge interest costs are disguised. Business spokesmen argue that rigid disclosure rules would be unworkable for many types of credit plans. The foes have always been able to bottle up the bill in the past.

But now, as a Senate subcommittee under Wisconsin Democrat William Proxmire opens hearings today on a new, somewhat softened bill, it is significant that some long-time foes as well as friends of truth-in-lending think recent developments have shifted the odds in favor of legislation.

"The prospect of a bill being passed is stronger than ever before," says John W. Holton, chief lobbyist for the American Bankers Association, which strongly opposes the legislation in its current form.

TAKING TOO MUCH TIME

J. G. Michaux, Washington representative of the big Federated Department Stores chain, warns other retailers that the time has come to abandon all-out opposition and to work for compromise. "Many Congressmen feel that the truth-in-lending issue has taken enough of their time," he says. "They intend to pass some kind of law." And such a leading opponent as Republican Sen. Wallace Bennett of Utah now seems reconciled to passage of a watered-down bill.

The measure now proposed by Sen. Proxmire would reduce one "hardship" business fears—the need for complex interest calculations for many individual transactions—by permitting lenders to state only "approximate" annual interest rates instead of exact figures. And though the present version would be sweeping in its coverage, the sponsors are prepared to grant some concessions. Thus, department stores might be allowed to state the interest on revolving charge accounts on a monthly basis instead of in annual terms, removing their main objection to the bill. There is also talk of exempting small stores from truth-in-lending requirements when they extend credit on a purchase of, say, $50 or less.

A number of roadblocks could sidetrack the measure during its long legislative journey. Nonetheless, this year's truth-in-lending drive has a great deal more going for it than a simple wish by lawmakers to end a long fight. Predictions of success are founded on several powerful new factors:

ACTIVE WHITE HOUSE ROLE

For the first time, the White House is pushing the bill. Previously, the Johnson and Kennedy Administrations endorsed the truth-in-lending concept but didn't press for legislation. This year President Johnson specifically and strongly endorsed the disclosure requirements of the Proxmire bill. Administration emissaries are assisting in Senate efforts to produce an acceptable measure.

At a time when a strained Federal budget is limiting legislative initiatives involving new Government spending, consumer legislation that wouldn't drain the Federal till has a strong appeal to lawmakers eager to impress voters. Truth-in-lending, judging from polls taken by several Congressmen, probably packs more popular appeal than any of the dozen other bills in the President's consumer-legislation package.

The truth-in-lending cause has recently made significant inroads on other battlegrounds. The states of Washington and Massachusetts have enacted such laws, and the Defense Department has adopted a policy requiring full disclosure of credit terms by lenders and credit sellers who may want the military to help them collect debts from servicemen. The Federal Trade Commission has also proposed retail-credit disclosure guidelines for certain transactions. These developments, advocates of a Federal law believe, will encourage Congress to take the plunge.

Sen. Proxmire, who picked up the truth-in-lending banner after the defeat last fall of the bill's veteran champion, Former Democratic Sen. Paul Douglas of Illinois, already has compromised on the "approximate" statement of interest rates and indicates he may make further concessions to spring a bill out of the Senate Banking Committee, where the legislation always has been stymied before. Mr. Douglas' refusal to compromise was one important reason why past bills got nowhere.

Finally, a reshuffling of the Senate Committee's membership has added at least two strong advocates of truth-in-lending (Republican Edward Brooke of Massachusetts and Democrat Gale McGee of Wyoming) and removed one staunch foe (former Banking Committee Chairman Willis Robertson, a defeated Virginia Democrat). Substantial issues would have to be resolved before a majority lined up behind a bill. But veteran committee members say they're hopeful a bill will be worked out, and aides of key Senators have been exploring possible points of compromise for several weeks.

THE BALANCE OF POWER

The bill's first and probably most important hurdle is the Senate Banking subcommittee headed by Sen. Proxmire, which will hold public hearings through next week. Democratic Sens. Edmund Muskie of Maine and Thomas McIntyre of New Hampshire hold the balance of power between the firm pro and anti forces on the nine-man subcommittee. The two New England Senators work closely together and are likely to vote in tandem. If they swing behind the bill, subcommittee approval by a margin of 5 to 4 or greater is almost certain.

In the past, Sens. Muskie and McIntyre at one time or another opposed the Douglas truth-in-lending bills, but their opposition focused on limited elements of the legislation rather than the entire concept. With a flexible attitude now evident on the part of Sen. Proxmire and others, says Sen. Muskie, "I think a reasonable compromise is possible."

Sen. Proxmire has already demonstrated his flexibility by heeding business arguments that the precise interest rate disclosure required by the Douglas bills would be an enormous burden because separate computations would be necessary for many transactions; the actual interest on a department store revolving account, for example, is determined partly by just what time of the month a customer buys and just when he pays his debt. Any imprecision permitted by "approximate" statement of rates would be only a matter of decimal points, Sen. Proxmire says, and business wouldn't be subjected to a hardship because tables could be developed to give salespersons annual percentage rates at a glance.

If his subcommittee does approve a bill, insiders on both sides of the battle expect it would have a relatively easy time clearing the full Banking Committee. Once a bill was released from the committee, almost everyone thinks it would be unstoppable.

"It will be sure to pass if it reaches the Senate floor, and the House committee, if anything, might toughen it up," says one veteran opponent of the legislation. Democratic Rep. Wright Patman of Texas, chairman of the House Banking Committee, long has advocated not only the disclosure provided by truth-in-lending but also ceilings on interest charges, though it's highly unlikely that such ceilings would get serious consideration.

A major reason why Congress would be expected to approve truth-in-lending, if a bill emerged from the obscurity of committee, is that proponents would focus attention on credit abuses. Over the years, backers of a bill have amassed a collection of examples of exorbitant finance charges.

A COSTLY COUCH

In the Senate Banking Committee's files is the story of a Jersey City man who bought a $124 television set and found himself obligated for 24 monthly payments of $17.50—a 229% annual interest rate, or more than twice the cost of the set for interest alone. A New York City housewife who purchased a couch from a door-to-door salesman for $300 signed up to pay $12 every two weeks for two years—an annual rate of 107% and a total interest charge of $324.

Opponents of the truth-in-lending legislation contend that most people who pay sky-high interest are poor credit risks who can't qualify for bank loans or credit from many retail outlets. Truth-in-lending "isn't going to change anything for the guy who's getting gouged," one foe of the bill maintains. "The poor risks are going to pay the same because they can't get the money any place else."

Critics of the bill also suggest that truth-in-lending might discourage consumer borrowing (and buying) generally—with broad impact on a credit business that involves interest payments by Americans of $13 billion a year on mortgage debt and over $12 billion on other consumer debt. The Proxmire bill would cover all forms of consumer credit, including installment purchases, home mortgages, bank and finance company loans, and department store revolving charge accounts. It would provide penalties of up to a $5,000 fine and one year in prison for violations by lenders or credit sellers and reimbursement to the borrower of double the amount of finance charge imposed.

The impact of truth-in-lending undoubtedly could be dramatic, if only in the size of the credit costs revealed. In "true" annual terms, a 4.5% new-car financing plan may actually cost 9% if the interest is figured on the actual amount of the loan extended and not on the face value, from which the lender often subtracts a discount; revolving charge accounts, typically stated in terms of 1.5% monthly interest, cost 18% when the balance remains the same over a year; a 6% home mortgage may actually cost 8% to 10% when certain charges such as closing costs are added on.

But Sen. Proxmire contends that fears of businessmen that truth-in-lending might actually reduce sales are groundless. "Absolutely no evidence has been given to support this allegation," he says. "In fact, I think it is much more logical that the bill will stimulate even greater consumer credit because people no longer will be frightened by its mysteries."

[From the Wall Street Journal]

RIGHT TITLE CAN SMOOTH A BILL'S PATH IN CONGRESS

WASHINGTON.—Picking a righteous-sounding name like "truth-in-lending" for a controversial bill infuriates opponents. But it can be an effective ploy.

"Truth-in-packaging" legislation was enacted last year at least partially on the strength of its name. The way was eased for the war on poverty by dubbing the bill the "Economic Opportunity Act of 1964." This year President Johnson is seeking to strengthen Federal meat-inspection standards under the appealing label of the "Wholesome Meat Act of 1967."

Names can backfire, too. Last year's Demonstration Cities Act for rehabilitating slums won grudging Congressional approval, but some lawmakers complained the name made voters think the Government wanted to encourage riots. Now the name has been changed to "Model Cities," but lawmakers still grumble. Some think the new tag implies the Federal Government is only willing to aid a handful of cities.

AN IMAGINATIVE APPROACH TO POSTAL PROBLEMS

Mr. **MUSKIE**. Mr. President, the postal service has been a popular subject with the Nation's press in recent months. Much of this attention has been encouraged by Postmaster General Lawrence O'Brien.

Just last week, Mr. O'Brien recommended that his job be abolished and that the postal service be made the responsibility of a nonprofit Government corporation. President Johnson has appointed a blue-ribbon commission to review the Postmaster General's suggestion. While I do not wish to prejudge Mr. O'Brien's proposal, it is clear that some new approaches are requird. The Postmaster General should be congratulated for his courage in speaking out on what has long been recognized as a perplexing problem of vast dimensions.

Despite the many problems we face in modernizing our postal system, I should like to correct one misconception I have too often heard: that our Nation's postal operations compare unfavorably with similar systems in Western Europe. The facts do not support this conclusion. The hundreds of thousands of dedicated men and women who deliver our mail deserve to have the record set straight.

The American postal worker is the most productive in the world. While our Post Office employs more people than any other postal system, there is no comparison between our mail volume and that of other countries. In fact, the U.S. Post Office Department processes as much mail as the rest of the world combined. To cite just one example, the annual mail volume in Great Britain is approximately 11 billion pieces compared with our current volume of 80 billion.

To deliver its mail, the British postal service employs 200,000 persons. We have 700,000, or three and one-half times as many employees to deliver more than seven times as much mail.

What about postal rates? Here, again, the American postal service performs better. If we measure ability to pay by using hourly wage rates—first-class postage is much cheaper in the United States than in other industrial nations. The average American worker earns the price of a first-class letter in 1 minute. The average British worker must work nearly 3 minutes to earn the postage for a first-class letter.

Mail service in the United States can and should be improved. Our able Postmaster General, Larry O'Brien, is the first to agree with that statement. That is why he has made the revolutionary nonprofit corporation proposal. Whatever decision the Presidential Commission reaches, we are fortunate to have this type of imaginative thought applied to our postal problems.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Vermont [Mr. PROUTY].

Mr. LONG of Louisiana. Mr. President, I do not believe this amendment should be agreed to.

There are two facets to this amendment. In the first place this amendment would seek to remedy a problem that the Senate has struggled with during the previous Congress, and a problem that the Committee on Finance worked on last year. It attempts to assure all veterans that they will continue to draw their full pensions as well as receive the proposed social security benefit increase. We passed amendments dealing with that matter four times during the 89th Congress. Twice, I went to conference with the House conferees and we were never able to resolve the matter.

We attempted to resolve this problem with veterans' legislation. However, the Veterans' Committee of the House would not see our way. On the other hand, the House Ways and Means Committee said this matter was under the jurisdiction of the Veterans' Committee. They said that they would not override their companion committee, and the conference would not act on the proposal.

This year the Veterans' Committee in the other body promised to consider the matter. The Randolph subcommittee of the Special Committee on Aging has issued a notice for public hearing to be held next Monday regarding, in part, this very problem, and they are going to place all of the facts before the public and try to work out the matter in a way so that it can be settled.

I have further indicated that there will be difficulty between the Senate and the House of Representatives on this bill. Inasmuch as the Senate has tried four times already to resolve this matter, I hope that the Randolph subcommittee will recommend what steps can be taken to alleviate this perplexing question.

In the meantime, I understand the Veterans' Committee of the House of Representatives has said that they will study the matter but not until after the Ways and Means Committee reports a social security bill and it has been acted upon. That appears to be a case of trying to jump the gun and one more effort in frustration to try to force the House to do something that it is not prepared to do.

My guess is that if we proceed in the ordinary manner and let the subcommittee headed by the Senator from West Virginia [Mr. RANDOLPH] conduct hearings and do what they can to work out the problem, perhaps the matter can be resolved.

As I have said, we have tried on four occasions in the previous Congress to do something in connection with this matter. The moment we do something we are back at the same jurisdictional difficulty we had the last time because the Ways and Means Committee respects the jurisdiction of the Veterans' Committee of the House of Representatives and they are not going to yield. The Senate should face the situation. They will not do it.

Mr. RANDOLPH. Will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. RANDOLPH. Mr. President, the distinguished Senator from Louisiana, in making reference to the Subcommittee on Employment and Retirement Incomes of the Special Committee on Aging, which I have the responsibility to chair, is correct in stating that the subcommittee does plan to conduct a thorough study together with public hearings commencing next Monday into this very subject which is a complex one. This hearing will concern itself, in part, as my knowledgeable colleague has indicated, with the impact that social security increases have on benefit payments to VA beneficiaries as well as the effects of those increases on retirement payments to men and women in private pension plans.

Mr. LONG of Louisiana. I thank the distinguished Senator from West Virginia for his remarks.

I would not call this the "Prouty shoot-the-moon amendment." This amendment would cost only $4 billion. Senators may recall that some time ago the Senator from Vermont proposed an amendment which I then called the "shoot-the-moon amendment."

(At this point, Mr. SPONG assumed the chair.)

Mr. PROUTY. Mr. President, will the Senator speak louder?

Mr. LONG of Louisiana. The press has said that I shout at times. I was trying to keep my voice low enough so that only those within a half mile could hear me.

Some time ago the Senate voted on an amendment offered by the Senator from Vermont which I called the "Prouty shoot-the-moon amendment."

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I shall not yield at the moment. I wish to explain the amendment, and then I shall yield.

As I recall, the staff of the Committee on Finance estimated that the Prouty amendment on that occasion could cost $30 billion.

The Senator from Vermont said that I was misleading the Senate; that it would cost only about $1.5 billion. I requested the staff to go back and check the matter, and they said, "Yes, the estimate is that it could well cost in excess of $30 billion." I so advised the Senate.

After the amendment had been voted on we had an opportunity to recheck and to study the matter. I cannot recall if it was agreed to, but some version of it was agreed to subsequently. After we checked, we found that our figures were correct. The Prouty amendment unrevised would cost $30 billion.

The Senator from Vermont did not realize that it would cost as much as we thought it would because when the Senator from Vermont proposed the amendment, everybody who was already receiving a pension under the social security program could receive a pension, no matter how many other pensions they might be getting from other sources. The reason that the Senator was in error on the cost of the amendment was that his amendment had failed to require an eligible person to be a resident of the United States. For example, the pension would be designed to benefit those age 70 and over. Thus Mao Tse-tung, who is over 70, would have been eligible to draw a Prouty pension. All he was required to do was to make an application—since he was not an American citizen—but he would, nevertheless, be entitled to such a pension.

Mr. PROUTY. Mr. President, will the Senator from Louisiana yield in the interest of accuracy——

Mr. LONG of Louisiana. Not at this moment.

Mr. PROUTY. The Senator from Louisiana made the same speech last year about an amendment that was never called up.

Mr. PASTORE. Mr. President, may we have order. There has been no yielding.

The PRESIDING OFFICER. The Senate will please be in order.

Mr. LONG of Louisiana. The amendment in its unmodified form, let me say, would have made Nikita Khrushchev eligible for a pension. In fact, we would have been required to go into the deepest parts of darkest Africa to find people over the age of 70, in order to provide them with a pension under the Prouty amendment. That is why I say it would cost approximately $30 billion. That costly amendment is a "shoot-to-the-moon" amendment. This other one which is pending is just a "bust-the-budget" amendment, because it would cost only $4 billion.

Mr. PROUTY. Mr. President, will the Senator from Louisiana please yield at that point?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. Mr. President, I might be prepared to offer the administration's proposal in the House. Would the Senator accept that?

Mr. LONG of Louisiana. Not at this moment.

Mr. PROUTY. The amount of $4 billion—the cost of this amendment—is the same cost as that of the administration proposal for benefit increases. About $2.1 billion comes out of surplus under the President's proposal and also under my proposal.

While I have the floor, let me say that the memory of the Senator from Louisiana is not good, because there was never any figure of $30 billion. The amendment referred to by the Senator as a "shoot-to-the-moon" amendment was never called up on the desk. The Senator knows that as well as I do. Furthermore, Mr. Meyers, the chief actuary of the social security program, sent me, after the vote, memorandums saying that my figures were absolutely correct. That is already in the RECORD. I do not happen to have that RECORD at this moment, but I will see that it is inserted in the RECORD again.

Mr. LONG of Louisiana. The Senator sometimes modifies his amendments time after time, but my information was that it would cost $30 billion to provide these pensions to everyone under the sun—any human being. If he can qualify as a human being over the age of 70, he would be eligible for a Prouty pension. This present amendment would only cost $4 billion. The Senator says he might be willing to offer as a substitute the administration's social security proposal. Well, in due course, we will get around to looking at the social security bill and consider what it provides. I have not studied it myself yet. I would hope that the Senate could wait until it could take a careful look at the social security bill to act on it.

I have a summary of some of the things involved in the administration's recommendations, which I would think the Senate might want to "buy," and some matters it may wish to modify and others to change. There is a very great deal of study and discussion still needed.

Since there are so many irrelevant and extraneous matters to accept on this subject, I think the amendment offered by the Senator from West Virginia [Mr. BYRD], and adopted yesterday, a matter upon which the Senate has voted time and again, and which everyone understands, should be known as the "Bob Byrd" amendment. It will permit some folks to retire at the age of 60 and take less money. Everyone understands that. That proposal has been voted on time and again. On the other hand, it is very difficult to keep up with the Senator from Vermont when he modifies his amendments in the Record and then on the floor. Thus, I might say that this proposal could very well be something that would be worth thinking about when we get to the social security bill, but the Senate, I think, in justice, has a right to know more about it, as well as what the real cost will be, before it votes on amendments of this kind.

The present proposal would increase this bill by $4 billion more in social security benefits. I do not believe that the House would agree to it, under any circumstances, because the House Ways and Means Committee is presently studying this very subject matter of benefit increases and related matters in executive session.

My guess is that the House will give us a much more reasoned and a much more balanced proposal, particularly on how the money should be spent. Furthermore, the administration's recommendations contain financing provisions within the social security system. It would increase social security taxes to pay the benefits. What the Senator has in mind here is financing benefits out of general revenue, which suggestion has no relationship at all to wages and worker contributions. When we separate the contributory system from the benefits of the program, we are out in a vast area where the inclination of any legislator to be responsible tends to diminish because he does not have to vote for a tax; he just votes for the benefits, to double them up, or to increase them by 20 percent, as the case may be, or for a giveaway pension.

Incidentally, while the Senator would vote us billions deeper into debt, he does not increase the debt limit to go along with it, and he does not put a tax in the amendment to pay for the substantial benefits. I would say that the amendment should not be agreed to at this time.

(At this point Mr. Montoya took the chair as Presiding Officer.)

ORDER FOR ADJOURNMENT UNTIL 11 O'CLOCK A.M. TOMORROW—ORDER FOR RECOGNITION OF SENATOR TYDINGS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I also ask unanimous consent that the Senator from Maryland [Mr. Tydings] be recognized after the approval of the journal tomorrow, for a period not to exceed 1 hour, at which time, I understand, he wishes to discuss with some of his colleagues the possibility of a constitutional convention on reapportionment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I further ask unanimous consent that at the conclusion of the time allotted to the Senator from Maryland [Mr. Tydings], there be a period for the transaction of routine morning business and a time limitation of 3 minutes allotted to Members therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW TO THURSDAY—ORDER FOR RECOGNITION OF SENATOR PERCY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of business tomorrow, the Senate stand in adjournment until 12 o'clock noon on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business on that day, the distinguished Senator from Illinois [Mr. Percy] be recognized for a discussion on housing with a number of his colleagues, for a time up to 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SESSION OF THE SENATE TOMORROW

On request of Mr. Mansfield, and by unanimous consent, all committees were authorized to meet during the session of the Senate tomorrow.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. PROUTY. Mr. President, first I wish to suggest again that if anyone examines the Record carefully for March of 1966, they will find during the discussion on social security last year, no reference at all to $30 billion having been made by anyone. Later on they will find in the Record immediately after the vote memoranda which I received from Mr. Meyers, the Chief Actuary of the Social Security Administration, in which he stated that my figures were correct.

I do not remember those figures at this moment, but I wish to correct the impression which has been given by the Senator from Louisiana. Sometimes it is a good thing to confuse the issue, but it does not add to the constructiveness of debate.

Mr. President, this may take a little time, but I think it is worthwhile in the interest of accuracy. I am referring to the Congressional Record, volume 112, part 4, page 5296, and I am going to quote it:

> Mr. Prouty. Mr. President, I ask unanimous consent to submit some memorandums in the Record.
>
> There being no objection, the data were ordered to be printed in the Record, as follows:
>
> "SUMMARY OF COST ANALYSIS
>
> "1. In 1965, Robert Meyers, social security actuary, informed the Senate Finance Committee that there were 1.75 million Americans aged 65 and over not eligible for social security.
>
> "2. The U.S. Chamber of Commerce, the AFL–CIO, the National Council of Senior Citizens, the American Association of Retired Persons, and the National Retired Teachers Association claim that this figure should be 1.5 million.
>
> "3. On March 2, Robert Meyers maintained there were 1.8 million age 70 and above not eligible for social security.
>
> "4. Using the figures cited by the chamber the cost of the Prouty amendment (not including an allowance for any reduction in State welfare payments which may take place) can reasonably be expected to be $450 million.
>
> "5. Using Meyers' figures the net cost of the Prouty proposal is $760 million.
>
> "6. Striking a median figure between the high and low estimates of the Prouty proposal can reasonably be expected to cost around $600 million.
>
> "MEMORANDUM ON COST
>
> "On April 30, 1965, Robert J. Meyers, social security actuary, submitted a written estimate on the cost of blanketing-in all persons age 65 or over for benefits of $35 per month with $17.50 payable to the wife of the beneficiary.
>
> "This stated that there were 1.75 million Americans aged 65 and over not eligible for social security. Mr. Meyers indicated that the number of such beneficiaries would diminish each year reaching a level of 1.25 million by 1990. On March 2, 1966, Mr. Meyers said that there were 1.8 million people age 70 and above who would be brought within the scope of my amendment.
>
> "Clearly, there is a wide discrepancy in Mr. Meyers' underlying data. How can there be 1.75 million age 65 while there are 1.8 million age 70 only 1 year later, particularly in light of the statement by Mr. Meyers that the group not now eligible for social security is decreasing in size each year.
>
> "The U.S. Chamber of Commerce in its task force report on poverty and the aged notes that there are 1.5 million Americans age 65 and above not now eligible for social security. This statistic is confirmed by the National Council of Senior Citizens and the American Association of Retired Persons and the National Retired Teachers Association.
>
> "The difference in the ultimate cost figure is, of course, quite substantial. If the base figure of 1.5 million older Americans ineligible for social security is used for all those age 65 and above, the cost of the Prouty proposal viewed as a product of the annual benefit ($528) times the number of beneficiaries the cost is maximized at $792 million. The actual cost will be much less. For example, a portion of the 1.5 million will be wives who would receive one-half the minimum benefit. Additionally, the 355,000 transitionally insured (now financed from the OASDI trust fund) would be absorbed and included in the 1.5 million, releasing the present cost of transitional insurance, $140 million for other social security purposes. Finally, beneficiaries of the Prouty amendment might elect to go off public assistance, thereby diminishing the total Federal cost by virtue of the public assistance title of the Social Security Act.
>
> "The Prouty amendment does not blanket in at age 65. It blankets in at age 70. Using the Chamber's base of 1.5 million at age 65 it is fair to assume a base of 1.25 million at age 70. Using a base of 1.25 million would develop a maximum cost of $660 million from which reductions would be made for payments to wives, diminishment in public assistance payments, and a $140 million credit

for the transitionally insured absorbed into the Prouty proposal. The net cost out of general revenue might be fairly represented by $450 million.

"Taking Mr. Meyers' highest estimate of 1.8 million beneficiaries age 70 and above less the credit for transitional insurance, wives' payments and reductions in public assistance, his estimate can be fairly read to require payment of some $700 million out of general revenues.

"Striking a median cost figure between the high buyer's estimate and the low estimate a payment of some $575 million out of general revenues might be expected.

"A more definite cost appraisal is not possible due to the wide fluctuation of the estimates provided by the social security actuary from 1965 to the present.

"PER PERSON COSTS OF OTHER FEDERAL PROGRAMS IN RELATIONSHIP TO THE $44 PER PERSON PER MONTH OR $528 PER YEAR COST OF THE PROUTY AMENDMENT

"Under the poverty program (from hearings on supplemetnal 1966 appropritaion)

"Cost of operating Job Corps camp enrollee: $4,500, over 9-month period; annualized, this cost is $6,035.

"Capital costs of Job Corps camp enrollee: $500, as amortized over 10 years.

"Travel costs of enrollee: $70.

"Readjustment allowance per enrollee: $50 a month, plus $30 a month living allowance.

"Maximum clothing allowance per enrollee: $140.

"In the 1966 supplemental appropriation, Shriver asked for $235 million for job camps to meet a design capacity of 50,000 enrollees. The Prouty amendment asks for two times that amount to provide social security protection for 30 times the number of people. The goal is 100,000 enrollees at an annualized cost of $600 million poverty dollars. For one-third again the cost, the Prouty amendment benefits 1,500 percent more people.

"The poverty program benefits 50,000 young people in the prime of life. The Prouty amendment benefits 1.5 million older Americans in their dim and often desperate years.

"The Job Corps enrollee is paid enough to send $600 back to his parents each year. The aged, 70 years and over, not eligible for social security, are denied $528 if the Prouty amendment is defeated.

"The appropriation requested for 280,000 work-trainees was $255 million, or roughly $911 per trainee. The amount requested per each Prouty beneficiary, $44 per month, $528 per year.

"Under manpower development and training act

"According to the Department of Health, Education, and Welfare, it costs nearly $2,500 per year to keep a man and his family on welfare for a year (hearings on Manpower Development and Training Act, Feb. 2, 1964, Senate—according to Commissioner Keppel). Manpower Development and Training Act costs $1,200—$1,300 per trainee.

"Under programs of vocational rehabilitation

"Depending upon degrees of disability, rehabilitation services run from $500 to $1,500 per person.

"In summary then, it appears that the Prouty cost-benefit ratio far exceeds cost-benefit ratios of existing Federal assistance programs. Additionally, the program benefits a category of beneficiaries too long neglected.

"MEMORANDUM ON STATE PUBLIC ASSISTANCE PROGRAMS

"The 1965 amendments to the Social Security Act provided an incentive and a penalty for certain reductions in State public assistance programs resulting from amendments to the Social Security Act.

"The incentive was provision for voluntary exemption of up to $5 of income in computing a welfare recipient's eligibility for continued or new participation in a State welfare program.

"The penalty occurs under section 405 in the 1965 amendments and requires the diminishment of Federal public assistance grants to States to the extent that the State does not maintain expenditures from State and local funds as was spent under approved plans in a base period against which current quarter expenditures would be measured.

"The net effect of adding these provisions to the Social Security Act is to pursuade States to maintain their level of public assistance expenditures without setting off benefits received by welfare claimants from social security.

"While these two provisions do not guarantee the complete pass-through of social security benefits to welfare recipients without a reduction in the welfare payment they clearly limit the instances in which a State will elect to make such public welfare reductions.

"For example, since the effective date of the 1965 amendments, 11 States have implemented part or all of the allowable $5 exemption. Two States are going to implement it and an additional 12 jurisdictions have the matter actively under consideration.

"Because of the maintenance of effort provisions, section 405, should a State reduce a beneficiary's welfare payment that money is more likely to stay within the State's public assistance program—to aid the blind, children of unemployed parents, the physically handicapped—and accordingly the Prouty Amendment will support State public assistance programs.

"Subject: States which have passed the OASDI benefit increase on to old-age assignment recipients by exercising the option in section 409(a) of the Social Security Amendments of 1965 allowing the disregarding of up to $5 a month of any income.

"The Welfare Administration informs us that as of February 3, 1966, the following States had exercised the option as to $5 a month or less: Arkansas, $3; Delaware, $5; Florida, $4; Idaho, $5; Indiana, $5; Georgia, $4; Hawaii, $5, Missouri, $5; Vermont, $4; South Dakota, $5; Wyoming, $5.

"Two more jurisdictions say that they are going to implement the provision: Michigan and Puerto Rico.

"Twelve more jurisdictions state that implementation is under consideration at the present time: District of Columbia, Kentucky, Nevada, New Hampshire, North Carolina, Oklahoma, South Carolina, Tennessee, Virgin Islands, Virginia, West Virginia, and Wisconsin.

"The rest of the jurisdictions have indicated that they do not intend to implement the provision at the present time.

"MEMORANDUM OF GENERAL REVENUE FUNDING

"1. Amendment 490 which has been superceded by amendment 495 provided that the OASDI trust fund should be reimbursed on a 'contribution-benefit' formula. That is to say from general revenues money should be covered into the trust fund to the extent that it would equate the contribution a Prouty beneficiary would have made to the trust fund if he had been covered by social security.

"2. Amendment 495 which will be offered provides for funding from general revenues on a 'cost-benefit' ratio. That is to say $1 is covered into the OASDI trust fund from general revenues for every dollar in benefits paid.

"3. Under the principle of the funding technique in amendment 490 the cost of the Prouty plan is borne both by the taxpayers and the trust fund. Inasmuch as minimum beneficiaries never contribute as much to the fund as they take out, the Treasury would have to cover into the trust fund only the contributions beneficiary would have made if he had been covered. To the extent that such contribution does not pay for actual cash benefits the trust fund absorbs the difference.

"4. Under the general revenue funding principle of amendment 495 no burden is placed on the trust fund, hence on contributors to the trust fund. All of the costs are borne out of general revenues, hence by the taxpayers.

"EXCERPTS FROM CORRESPONDENCE—WHO BENEFITS BY THE PROUTY AMENDMENT

"Mr. President, nothing tells more about my amendment—nothing better states its need—than the correspondence I have received these many months from people whose destiny turns on my amendment. Let me read to you some telling excerpts:

"From Mrs. C, an 89-year-old widow with no social security, no pension, and little hope, a plea to buy bread for her table.

"From Mrs. T, the widow of a minister with 50 years' service, a sorrowful request for redemption from the indignity of poverty.

"From Miss C, a retired teacher with 50 years' service, a searching request for money to help her preserve her failing eyesight.

"From Mrs. S, of Appleton, Wis., a touching note telling how much my amendment would mean to her. Her total income is $45 per month—she does not receive any welfare payments.

"From the La Crosse County Retired Teachers Association, the results of a study which notes that 500 retired teachers receive less than $25 per month from their pension while 637 receive only $50. None of these 1,100 retired teachers was eligible for social security.

"From Mrs. M of Little Rock, Ark., the story of an acquaintance who retired from teaching at age 70 and took a job as a waitress to get social security coverage.

"From Miss M of Rhode Island, a statement of the retired teachers' great need for my amendment, relating how 250 of them receive pensions of less than $2,000 a year.

"From Miss S of Milford, Mich., afflicted with chronic allergic asthma, complicated by emphysema, who receives a pension of $113 a month, over half of which goes for medicines and I quote, 'I have at times considered just giving up with an overdose of sleeping pills at times—it is so discouraging. I have been a good citizen all my life but I really don't feel like one now.'

"From Mr. H of New Fairfield, Conn., the holder of a Ph.D, these tragic words: 'I used to take it as an honor, but inflation has driven me to my knees to beg for some kind of relief.'

"From Mrs. U from Moxville, N.C., a short, sad biography. For the past 14 years she was the sole support of her aged mother, who recently died at 97. Her pension over this period was less than $50 a month. Now her eyes are dimming and she writes me of her fear that she will not live to see the benefits of my amendment.

"From Miss F of Burlington, Vt., the recollection that for many of her working years as a public school teacher she received $6.50 a week, paying $2.50 a week for board. Today she cannot live on what little she saved. She is not eligible for social security.

"From Mrs. F of Louisville, Ky., a plea for adoption of my amendment and the very penetrating insight that 'the elderly so far have been forgotten in the blueprint for a Great Society.'

"From Mrs. H of New York City, an urgent request for adoption of my amendment because she is now being forced to support her husband's nursing care out of capital.

"From Mr. A of St. Petersburg, Fla., a

report of hunger and little money and a call for the Great Society to do something tangible for the starving millions of older Americans who gave their all during their working years.

"From Mr. E of Huntington Station, N.Y., a comment familiar to those of us who have long studied the problems of the aged, he cannot find a job so as to qualify for social security. You see, he is 78 and employers tell him he is too old to work.

"These letters are typical of the thousands I have received in recent years stressing the plight of the forgotten elderly and pleading for relief from the oppressions of poverty. These people are not the cold statistics of a census. These are real people in real distress."

Mr. President, originally it had been my purpose to offer this amendment and then withdraw it. I am going to read into the RECORD what I had intended to say if I had decided to withdraw the amendment. I certainly have not decided to do that.

Mr. President, very shortly I intend to withdraw the pending amendment—and let me say again I am not withdrawing—and the question may well be asked: If the junior Senator from Vermont did not intend to have a vote on this Prouty-Cotton proposal, why did he take time to discuss it?

There are several reasons for the course of action I have taken which to me, at least, seem highly valid.

First and foremost, I wanted to alert the country and, particularly, the 19 million elderly citizens to what I consider the very minimum which should be done to help ease the insufferable burdens imposed upon them because of a paucity of financial resources.

Second, I wished to point out why, in my judgment, the Prouty-Cotton proposal is much more equitable and realistic from the standpoint of both the elderly retired and younger working people than the administration approach.

This is so because the amendment introduced by the distinguished senior Senator from New Hamshire [Mr. COTTON] and me provides that the greatest percentage of increase should go to those who need it most—those whose benefits are average or lower. Furthermore, we do not place an added regressive tax on the presently employed by an increase in social security tax rates which already are becoming increasingly oppressive.

And lately, Mr. President, inasmuch as I favor the passage of H.R. 6950 I do not wish to take action which might lead to a protracted conference.

But I do hope that the elderly people of this country and their sons and daughters will carefully compare the Prouty-Cotton approach with the administration recommendation.

If they do I feel certain that Members of Congress will be buried in an avalanche of mail urging nothing less than the provisions in the amendment I am about to withdraw will be enacted into law at this session of the Congress.

Let me give assurance that if social security legislation approved by the other body does not measure up to the provisions of this amendment, the amendment will be introduced again when the House bill reaches the Senate. And I feel certain that Senator COTTON and I will be joined by many other Senators in dramatizing the plight of millions of elderly citizens who are living in poverty.

That is the statement I had intended to make when I considered withdrawal of the amendment. I may say I had discussed that with representatives of elderly citizens' organizations. They expressed agreement with the strategy I proposed. They did want to alert the people of the country to the situation. Now I do not intend to withdraw it, for obvious reasons. One in particular is that I find that amendments have been added to the bill, in the first place, in which we are giving a subsidy of $1.9 billion, under the House bill, to big business in this country, and, under the Senate reported bill, we are giving $1.1 billion, again to big business.

Last week we passed a school-credit tax which would cost only $400 million less than the amount of money which would be required from general revenues under the provisions of this proposal.

Yesterday we adopted another measure and I supported it, which would cost $400 or $500 or $600 million immediately, the theory being that over a period of time it would balance itself out. We have amended the bill with amendments which are irrelevant; yet we find it impossible to be concerned about the plight of the poor, elderly people.

I am going to read into the RECORD the differences between the proposal which the Senator from New Hampshire [Mr. COTTON] and I have made and the administration's request.

COMPARISON BETWEEN PROUTY-COTTON AMENDMENT AND H.R. 5710, THE ADMINISTRATION'S BILL

The Prouty-Cotton amendment differs from the administration proposal in two major respects.

First, the cost of the Prouty-Cotton amendment would be financed out of existing surpluses in the social security trust funds, plus general revenues. On the other hand, Mr. President, the administration's proposal provides still another increase in the regressive social security payroll tax. Thus, in 1969 the social security payroll tax would be increased to 4.5 percent rather than the 4.4 percent provided under existing law, while in 1973 it would be increased to 5 percent rather than the 4.85 percent already scheduled for 1973. Even more important, Mr. President, the administration's proposal increases the base to which the social security tax rate applies from the current $6,600 a year to $7,800 in 1968. This is merely the beginning, however. In 1971, still another increase would raise the base to $9,000 a year, while in 1974 the base would be further increased to $10,800 a year.

As I have already pointed out, it would take until the year 2017 or 2034 before any of our younger Americans, who would have to pay this tax, would benefit from it in terms of increased social security payments because of retirement.

On the other hand, Mr. President, the Prouty-Cotton amendment fully recognizes the inescapable fact that the regressive features of the social security payroll tax have been pushed as far as they can go. Under our proposal, therefore, approximately $1.9 billion, only $400 million more than the Senate voted for the tax credit for college students—would be used from general revenues in order to pay for the increased benefits. The greatest merit in using general revenues as a source for benefit increases is that they do not overly tax the poor people who stand in the greatest need of financial assistance.

Second, the actual increases contained in the Prouty-Cotton amendment give beneficiaries receiving the smallest monthly payments the largest increases. Thus, the Prouty-Cotton amendment not only raises the minimum benefit from $44 a month to $70 a month, but also gives every beneficiary receiving less than $100 a month a greater percentage of increase than does the administration's bill.

For example, there are currently 6.9 million retired workers receiving $99.60 per month or less, while there are 4.1 million retired workers receiving over $99.60 a month. The Prouty-Cotton amendment would give the greater benefit to the 6.9 million retired workers on the lower end of the scale.

Let me illustrate how the Prouty-Cotton amendment works. Those now receiving $71.70 per month would receive $86.10 a month under the Prouty-Cotton amendment and only $82.50 a month under the administration's proposal. Those now receiving $80.30 a month would receive $94.80 per month under the Prouty-Cotton amendment but only $92.40 a month under the administration's proposal. The point of difference between the two proposals is for the individual currently receiving $99.60 a month. For him, both the Prouty-Cotton amendment and H.R. 5710 would result in approximately the same increase. Above that point, however, the Prouty-Cotton amendment provides a lower percentage of increase than the administration's proposal.

Thus, the individual presently receiving $133.80 a month would receive $144.60 per month under the Prouty-Cotton amendment and $153.90 per month under the Administration's proposal, while the individual receiving the present maximum paid under the Social Security Act of $142 a month would receive $151.20 per month under the Prouty-Cotton amendment and $163.30 a month under H.R. 5710.

In short, Mr. President, under the Prouty-Cotton amendment those presently receiving the minimum social security benefit of $44 a month would receive $70 a month—a 59-percent increase; those receiving the average monthly benefit of $83.50 a month would receive $97.30 a month—an 18-percent increase; and those receiving the present maximum benefit of $142 a month would receive $151.20 per month—a 6-percent increase.

Mr. President, at this time I ask that a chart illustrating the specific benefit increases under the Prouty-Cotton amendment be inserted in the RECORD.

The PRESIDING OFFICER (Mr. HOL-

LAND in the chair). Without objection, it is so ordered.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Specific monthly benefit increase for couples under Prouty-Cotton amendment

Those now receiving—	Would receive—	Those now receiving—	Would receive—
$66.00	$105.00	$171.75	$192.45
87.00	105.00	173.40	192.60
88.50	106.20	175.05	194.40
90.00	108.00	176.55	196.05
91.50	109.80	178.20	197.85
93.15	111.90	179.85	199.65
94.80	113.85	181.50	199.80
96.30	115.65	183.00	201.30
97.95	117.60	184.65	203.25
99.60	119.55	186.30	205.05
101.25	121.50	187.80	206.70
102.75	123.30	189.45	207.45
104.40	125.40	191.10	208.35
106.05	127.35	192.60	210.00
107.55	129.15	194.25	211.80
109.20	130.05	195.90	213.60
110.85	132.00	197.55	214.35
112.35	133.80	199.05	215.10
114.00	135.75	200.70	216.90
115.65	137.70	202.35	218.55
117.30	138.45	203.85	220.20
118.80	140.25	205.50	220.80
120.45	142.20	207.00	221.55
122.10	144.15	208.50	223.20
123.60	145.95	210.00	224.70
125.25	146.55	211.50	226.35
126.90	148.50	213.00	226.80
128.40	150.30	214.50	227.40
130.05	152.25	216.00	229.05
131.70	154.20	217.50	230.55
133.35	154.80	219.00	232.20
134.85	156.45	220.50	232.65
136.50	158.40	222.00	233.10
138.15	160.35	223.50	234.75
139.65	162.00	225.00	236.25
141.30	162.60	226.50	237.90
142.95	164.40	228.00	238.35
144.45	166.20	229.50	238.80
146.10	168.15	231.00	240.30
147.75	169.95	232.50	241.80
149.40	170.40	234.00	243.45
150.90	172.05	235.50	243.75
152.55	174.00	237.00	244.20
154.20	175.80	238.50	244.70
155.70	177.60	240.00	247.20
157.35	177.90	241.50	248.85
159.00	179.70	243.00	249.15
160.50	181.50	244.50	249.45
162.15	183.30	246.00	250.95
163.80	185.10	247.50	252.45
165.45	185.40	249.00	254.10
166.95	187.05	250.50	254.25
168.60	188.85	252.00	254.55
170.25	190.80		

Specific monthly benefit increases for individuals under Prouty-Cotton amendment

Those now receiving—	Would receive—	Those now receiving—	Would receive—
$44–58.00	$70.00	$93.10	$108.00
59.00	70.80	94.20	108.40
60.00	72.00	95.30	109.60
61.00	73.20	96.30	110.80
62.10	74.60	97.40	112.10
63.20	75.90	98.50	113.30
64.20	77.10	99.60	113.60
65.30	78.40	100.60	114.70
66.40	79.70	101.70	116.00
67.50	81.00	102.80	117.20
68.50	82.20	103.80	118.40
69.60	83.60	104.90	118.60
70.70	84.90	106.00	119.80
71.70	86.10	107.00	121.00
72.80	86.70	108.10	122.20
73.90	88.00	109.20	123.40
74.90	89.20	110.30	123.60
76.00	90.50	111.30	124.70
77.10	91.80	112.40	125.90
78.20	92.30	113.50	127.20
79.20	93.50	114.50	128.30
80.30	94.80	115.60	128.40
81.40	96.10	116.70	129.60
82.40	97.30	117.70	130.70
83.50	97.70	118.80	131.90
84.60	99.00	119.90	133.10
85.60	100.20	121.00	133.20
86.70	101.50	122.00	134.20
87.80	102.80	123.10	135.50
88.90	103.20	124.20	136.70
89.90	104.30	125.20	137.80
91.00	105.60	126.30	138.30
92.10	106.90	127.40	138.90

Specific monthly benefit increases for individuals under Prouty-Cotton amendment—Continued

Those now receiving—	Would receive—	Those now receiving—	Would receive—
$128.40	$140.00	$149.00	$156.50
129.50	141.20	150.00	157.50
130.60	142.40	151.00	158.60
131.70	142.90	152.00	158.90
132.70	143.40	153.00	159.20
133.80	144.60	154.00	160.20
134.90	145.70	155.00	161.20
135.90	146.80	156.00	162.30
137.00	147.20	157.00	162.50
138.00	147.70	158.00	162.80
139.00	148.80	159.00	163.80
140.00	149.80	160.00	164.80
141.00	150.90	161.00	165.90
142.00	151.20	162.00	166.10
143.00	151.60	163.00	166.30
144.00	152.70	164.00	167.30
145.00	153.70	165.00	168.30
146.00	154.80	166.00	169.40
147.00	155.10	167.00	169.50
148.00	155.40	168.00	169.70

Mr. PROUTY. Mr. President, I also ask unanimous consent that a memorandum entitled "Older American Statistics" be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

OLDER AMERICANS STATISTICS

Nineteen million Americans over *age 65*.

For more than *15 million* of these (80%), *social security* represents the *major source of income*.

COST OF LIVING STATISTICS

Between 1954 and 1967, *wages increased* over *50%*.

During this period, the *cost of living increased* over *25%*.

During this period, *social security* payments *increased less than 15%*.

SOCIAL SECURITY LEGISLATION SINCE 1954

Congress has *only increased* social security benefits *twice* during the *last thirteen years*.

In *1958,* it increased benefits *7½%*. This failed to restore 1954 buying power.

In *1965,* it increased benefits *7%*. This failed to restore 1958 buying power.

AMERICANS NOT ELIGIBLE FOR SOCIAL SECURITY BENEFITS

Between *1 and 2 million* older Americans are *not* now *receiving* social security *benefits.*

This results from the conference committee's watering down of my social security amendment which passed the Senate last year.

Even so, around 650,000 senior citizens are now receiving some social security benefits as a result of my 1966 amendment.

PROUTY-COTTON BENEFITS FOR RETIRED WORKERS

There are *6.9 million* retired workers *receiving $99.60* per month *or less.*

There are *4.1 million* retired workers *receiving over $99.60* per month.

There are no figures available showing the numbers of individuals receiving benefits, or the amounts of benefits which they receive, as the result of disability retirement, survivorship or early retirement.

Under the Prouty-Cotton amendment, as compared to the Administration bill, greater social security benefit increases are given to individuals receiving $99.60 or less while the increases are less for those now receiving more than $99.60 a month.

COMPARISON OF BENEFITS

Under both the Prouty-Cotton amendment and the Administration bill, minimum payments would be raised to $70.00 a month.

Under the Prouty-Cotton amendment, maximum payments would become $151.20, while it would be $163.30 under the Administration bill.

NOTE.—Administration states maximum under its bill is $288. However, this would not become effective until year 2017.

Paul has a chart showing present benefits at each step and what they will become under either the Prouty-Cotton amendment or H.R. 5710.

FINANCING

The estimated first year cost of the Prouty-Cotton amendment is $4.1 billion. Of this, $2.1 billion will be provided from the existing surplus and $1.9 billion from general revenues.

The Administration's bill does not provide for the use of general revenues. Rather, it increases the tax rate by steps to 5% in 1973 and increases the taxable base by steps to $10,800 in 1974. And it takes $2.1 billion from the surplus in the Social Security Trust funds.

GENERAL STATISTICS

The Social Security Administration continues to unrealistically define the poverty level for individuals age 65 or over as $1,500 for a single person and $1,850 for a couple.

Under this definition, Social Security Administration states that about 5 million persons 65 or over age living in poverty and that another 5½ million are barely avoiding it.

The average monthly social security payment today is approximately $84.00. This amounts to $1,008 per year.

EXAMPLE GIVEN BY PROFESSOR CAMPBELL OF DARTMOUTH

Professor Campbell illustrates the future of a young man who begins work at age 22 and works under social security for 43 years until he retires at age 65.

This man's contributions with accumulated interest at 4% would amount to more than $67,000 during this forty-three year period.

Exactly the same pension or annuity to which he will be entitled could be financed with accumulated tax payments of only $33,000.

It could also be financed by premium payments to a private insurance company of about $45,000.

Mr. PROUTY. Mr. President, I should also like to comment briefly on the current financial status of the social security system.

Commissioner Ball of the Social Security Administration recently testified before the Way and Means Committee of the House that the trust funds of the social security system now contain a favorable balance which would absorb much of the cost of H.R. 5710, the administration's proposal. He pointed out that under the present program, the level cost of benefits is 8.79 compared to the level equivalent of income which is 9.53 leaving a favorable balance of 0.74.

In real terms, this means that during calendar year 1967 the income under the present law is $26.4 billion, while the outgo is only $22.6 billion. This leaves a net increase in funds of $3.8 billion.

What does this mean in regard to benefit increases? Under the administration's proposal it would mean that at least half of the benefit increases would be financed out of this surplus. The same would be true for the Prouty-Cotton amendment; so, in effect, this would mean that at least $2.1 billion could be used from the surpluses, still leaving a balance of $1.7 billion net increase in the fund. Therefore, the direct cost out of general revenues would be $1.9 billion.

Mr. President, I have a recent memorandum from Robert J. Myers, Chief Actuary, Social Security Administration. I hope there will be no change in the memorandum following the vote on this question, as happened last year. I now quote from the memorandum of Mr. Myers:

> On April 3, Senator Prouty introduced five amendments which he intended to propose to H.R. 6950 (investment credit bill), numbered 138, 139, 140, 142, and 143. Actually, Amendment No. 139 is a combination of Nos. 140 and 143, and Amendment No. 142 is a combination of Nos. 138 and 143.
>
> Amendment No. 138 would introduce a new benefit table for OASDI benefits for insured persons. The principal features of this benefit table are a minimum PIA of $70 and a general benefit increase tapering off from 20% at the lower AMW's to 1% for an AMW of $550. There would be no change in the maximum taxable earnings base or in the contribution schedule. The estimated additional benefit payments in the first year of operation are $4.0 billion. On a long-range basis, this proposal would represent a 16% increase in the relative cost of the program, which would be an increase in the estimated level-cost of 1.4% of taxable payroll.

Mr. President, I ask unanimous consent to have printed in the RECORD a comparison between the Prouty-Cotton amendment and H.R. 5710, the administration bill.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

COMPARISON BETWEEN THE PROUTY-COTTON AMENDMENT AND H.R. 5710, THE ADMINISTRATION BILL

BENEFITS

Both bills would raise the minimum benefit from $44 a month to $70 a month. The Prouty-Cotton amendment provides greater benefits for those people receiving monthly payments based on their individual rate of $93.10 or less, while H.R. 5710 provides greater benefits for those whose monthly payments are based on the individual rate of $99.60 or above. The following chart illustrates the differences:

Those now receiving—	Would receive—	
	Prouty-Cotton amendment	H.R. 5710
$44 to $58	$70.00	$70.00
$71.70	86.10	82.50
$80.30	94.80	92.40
$87.80	102.80	101.00
$99.60	113.60	114.60
$110.30	123.60	126.90
$133.80	144.60	153.90
$142.00	151.20	163.30

NOTE.—Cost: H.R. 5710, $4,100,000,000 (source, Commissioner Ball's testimony before Ways and Means Committee); Prouty-Cotton amendment, $4,000,000,000 (source, Robert Myers).

FINANCING

Both bills would use existing surpluses to finance part of the increases. Commissioner Ball indicates that the net increase in social security funds is $3.8 billion, but that under the President's bill the net increase in surplus could be decreased to $1.7 billion and still remain fiscally sound according to the policy set forth by the Social Security Administration.

The remainder of $2.001 would be financed under the President's bill by increasing the social security payroll tax as follows: to 4.5% in 1969, rather than 4.4% provided under existing law; to 5% in 1973 rather than 4.85% provided under existing law. Also the President's proposal would increase the base applicable to the social security tax as follows: to $7800 in 1968 rather than the present $6600; to $9000 in 1971; and to $10,800 in 1974.

The Prouty-Cotton amendment would utilize the $2.1 billion from existing surpluses and provide the remaining $1.9 billion from general revenues. The reason for this is that general revenue taxation is less regressive than the social security payroll tax.

Mr. PROUTY. Mr. President, I remember very well last year the vigorous opposition which the distinguished chairman of the Committee on Finance made against a proposal to bring people under social security who were not covered. That proposal was approved by the Senate. It meant that those persons previously ineligible under social security would receive a minimum pension of $44 a month.

After the action of the Senate, it went to the House of Representatives and to conference. The administration fought it bitterly; but when it came back, we finally had a compromise, with the result that some of these people, desperately in need, were granted the munificent sum of $35 a month. Roughly 660,000 people have been benefited under the Prouty amendment of last year, which the Senator from Louisiana opposed as vigorously as anyone possibly could. If he had seen some of the hundreds of letters which have arrived in my office, of the "God bless you, Senator PROUTY" type, he would appreciate, I think, that that was a pretty good gesture for Congress to make, small as it is.

Here we are, giving a subsidy to big business. We are giving a subsidy to parents with students in college, particularly the upper-bracket parents. Yet we are denying a living wage or benefit to millions of elderly Americans.

Let me point out again, as I have in the past, that Canada, to the north of us, guarantees every citizen a pension of $75 a month at age 70; and yet this great, powerful, wealthy nation of ours allegedly cannot afford to take these people out of poverty. There is nothing in the antipoverty program which will help retired workers, people who have worked hard all their lives. They are not bums; they have been productive citizens, who either did not qualify under social security, or their incomes were so small that they cannot qualify for a living amount today.

Mr. President, I have talked with representatives of many of the associations and groups representing our senior citizens, and I can assure the Senate that they want this amendment adopted in its present form. I am not under any illusions. If the Senator from Louisiana, who has been very willing to accept almost any amendment, particularly if it was offered on the other side, is going to fight it, it will not be passed. But I can assure the Senator that there are representatives of our elderly, retired citizens in the gallery now, and they are going to know how Senators vote on this question.

Mr. President, I am ready to vote, as soon as the Senator from Louisiana is willing.

Mr. LONG of Louisiana. Mr. President, I had hoped that we might have learned something from last year's experience. Then we were advised by the Senator from Vermont that his amendment providing monthly benefits to everyone over 70 was the answer to poverty.

In some respects, it was a raid on the Treasury, particularly for those already receiving one, two, three, or even more pensions from other sources.

In many cases the Senator provided for benefits to be given to the wealthy. The House did not accept such a handout and tried to put some safeguards in the measure. However, in spite of those controls, many have received benefits who did not need them and, in many instances, did not expect them and thought that we were very foolish to provide it.

Just recently the Associated Press released a story which received nationwide attention. It concerned three elderly, wealthy sisters who received Prouty pension checks. They were forced to consult an attorney because they were incredulous at the thought that Congress would be providing them with pensions toward which they had not contributed one penny. They could not believe that Congress would be so foolish as to write a law which would provide funds for people as wealthy as they, people who had no need whatever for such benefits. However, we had done so under the Prouty amendment.

Let us look at the cost of last year's Prouty proposal. The estimate of the Senator from Vermont [Mr. PROUTY] last year was that his amendment would cost $115 million for 270,000 persons.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I am in error about that statement. I would not want to mislead anyone.

When that matter went to conference and we looked at it, we were forced to limit its benefits. Our best estimate of the cost of doing something that was forced on us against our will, was that it would cost $115 million in the first year to provide these supposedly limited benefits for 370,000 people.

The cost of the proposal now approaches $300 million. The cost is more than twice as much as was estimated. Benefits are being received by 720,000 people. More people have come in and claimed benefits under the proposal than was estimated.

The pending proposal is estimated to cost $4 billion. The Senator seems to feel that we are perhaps on the high side in estimating the cost of his amendment.

As a practical matter, the last time we tried to estimate the cost of one of these Prouty proposals to give benefits to people whether the people have any claim to such benefits or not, we came up with what we thought would be the best estimate that responsible people could give us. And the actual cost now exceeds the estimate by two and one-half times.

Mr. President, the Senator said that certain retired groups are for his amendment even though it does not directly affect them. I guess that is right.

Therefore, because certain retired groups want the benefit of this provision, we are to vote substantial increases for social security recipients, but, we are to pay it out of the general revenue. When we do that, no doubt the reason for such support will become evident. The Senator has four other amendments which would provide additional special payments to various and sundry groups that have not contributed anything to social security and with general revenue financing accepted as a principle, the groups could well demand these benefits without paying anything to social security. Further, no taxes are to be levied to pay for the benefits.

Thus, the benefits under the pending amendment and the other four amendments would have to be paid, as I understand it, out of the general deficit.

The Senator does not propose to raise the debt limit. I suppose he would rely upon us to either put more taxes on the American people or raise the debt limit by a sufficient amount to cover the cost of the $4 billion involved here, and the billions of dollars involved in the other amendments of the Senator.

In the other amendments that we are to consider, the Senator would also provide free medicare for everybody even though they have not paid 1 penny into the fund.

It would be nice to do all of these desirable things. However, it seems to me that if we are going to proceed in this fashion, it may be well to think in terms of asking somebody to pay taxes, income or otherwise, for the benefits to be received. We ought to have the courage to ask somebody to pay for some of this and not just vote for all of the benefits without having the tax-raising provisions with which to pay for them.

The Senator ought to have an amendment to either increase the national debt limit or to impose a specific tax on everybody designed to pay for the benefits.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. Mr. President, I wish the Senator would concentrate his discussion on the pending amendment which is simply an across-the-board increase for social security recipients. It has nothing to do with any of the other things the Senator has been discussing and it has nothing to do with the amendment I offered last year.

Let me point out that on January 30——

Mr. LONG of Louisiana. Mr. President, I have the floor. I yielded for a question.

If the Senator wants to provide for this across-the-board increase on everybody's social security——

Mr. PROUTY. The administration has taken the $70 minimum figure which I have been advocating for years.

Mr. LONG of Louisiana. The difference between what the Senator wants to do and what the administration wants to do is that the administration would increase the contribution rates to pay for part of its proposed benefit increase and the Senator would pay for it out of the deficit.

The Senator said he would pay for it out of general revenue. We have a deficit the way it is now. So I presume he would pay for it out of the deficit.

I would hope that if the Senator does not intend to put a tax on the statute books to pay for some of this, he would at least come along and add to one of his other amendments a provision to raise the debt limit. We would then have some borrowing capacity so that, having paid for all of these benefits out of the deficit, we would be able to borrow money to hold out until next year. However, that is not contained in this amendment, or any of his other amendments.

Mr. President, it has been suggested by the press that I was loading amendments on the bill because I was not happy about some amendments.

I imagine that if I wanted to kill the bill, I would vote for the amendment and insist that the House take it. However, this is not the way we ought to legislate in this area.

We ought to wait until we get the Social Security bill from the House and study that measure and see how much of these proposed benefits we can afford. We ought to consider the administration's recommendations along with the Prouty recommendations. The administration's recommendations are fairly expensive themselves.

The Senator from Vermont offers an amendment calling for equally expensive benefit increases. We do not know whether he wants to have a vote on it or not. The Senator might decide to modify his amendment in this way or in that way. It would, as modified, possibly make a $2 billion or $3 billion difference.

Having changed or modified the amendment in this way or in that way, he then undertakes to determine if he can muster enough votes to have the amendment agreed to.

That is not an orderly legislative procedure that we should follow. We should have an idea of what benefits a particular unmodified amendment would afford, and what it would cost.

That is why I asked for the yeas and nays, to halt the further modification and to vote on what we were certain the amendment was intended to accomplish.

This proposal might have merit so that it could be considered as an alternative for the administration's social security increase. But, we ought to consider it at the proper time; when the Committee on Finance takes up the social security bill, or, if not then, when the bill is reported from the committee to the Senate for its consideration.

Let us face it. The amendment would open up a big problem. It raises the question of whether we are ready to make this general revenue plunge in the social security area; whether we should depart from putting a social security tax into effect to pay for the benefit increase or go whole hog in calling upon general revenue to pay for huge benefits. We should keep in mind those three elderly ladies who received a pension under the Prouty law. They could not believe it.

They went down and talked to a lawyer. They must have feared that they might be put in jail for having stolen money.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I will yield in a minute.

The ladies were fearful that they might get into trouble for taking that money. They could not believe that people as rich as they were would receive a pension for which they had not contributed 1 penny.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. Mr. President, I ask my colleague, the junior Senator from Louisiana, whether he objects to the idea contained in the Prouty amendment to the effect that where there is a social-type approach to a problem, as distinguished from an investment- or insurance- or annuity-type program, the Senator would not prefer to have this financed out of the general fund of the Treasury.

What I am getting at is that as I understand the Prouty approach, an increase is proposed to meet a social need on the part of at least some of the recipients. This has not been adequately financed by them by their social security taxes.

If we follow the social security approach, everyone who pays into the social security fund through his social security taxes will be paying for this. It seems to me that the Social Security tax system is not as equitable an approach to handle this problem as would be the financing of it out of the general fund of the Treasury. I am only talking about principle now, quite apart from the bad deficit situation of the general fund of the Treasury, which is the reason why I cannot support the Prouty amendment.

It seems to me that the general fund of the Treasury is the proper vehicle to use in social type legislation, as distinguished from something that has an insurance annuity aspect to it.

Mr. LONG of Louisiana. We might decide to move in that direction one of these days, to use general revenues to provide pensions for people whom we did not see fit to put under programs in the past. But why must we take off with jet propulsion for the moon? Why not start out with something a little less ambitious than this $4 billion proposal?

We could take a careful look at some small group of individuals who might be left in a distressed situation and help them, rather than go whole hog about the matter at one time. Perhaps with study and argument it might well be tried and see how it works.

Furthermore, if and when we get ready to go into this area, why should we hide the problem behind the social security program? Why not just call it a Federal welfare program and be done with it, rather than say that this is an insurance program for which somebody paid?

Mr. MILLER. If the Senator would premise his argument on the bad state of the budget deficit, I would thoroughly agree with him. But I hope that he will not premise his argument too much on the fact that the Prouty amendment would get into the general fund of the Treasury for some of its financing, because I believe that this is the proper area in which to go.

If we are going to have social legislation and if we are going to meet a social need, I believe that the tax revenue going into the general fund of the Treasury is based upon relative ability to pay. It is better to do it that way than to use the social security tax approach, which is a regressive type tax. To that extent I must applaud the approach of the Senator from Vermont, but I cannot support it because of the present budget deficit condition.

By piling deficit on deficit, we will feed the fires of inflation; and these poor people, who need what the Senator from Vermont is trying to obtain for them, will be hurt the worst by the inflation which these budget deficits will generate.

Mr. LONG of Louisiana. Mr. President, I do not find myself in any particular disagreement with the Senator from Iowa.

I should like to help these people, but once we start in a large way, with a $4 billion increase in social security payments with financing out of general revenue, we will have embarked in a great way on something that many people believe we should never do—undermining the real social security program by providing tremendous benefits to people who have paid nothing or very little for any of it and calling it social security.

Mr. PROUTY. Mr. President, a few minutes ago, the distinguished Senator from Louisiana made reference to an Associated Press story which I have seen, which indicated that three elderly maiden ladies, with ample resources, acquired $35 a month under the amendment which was approved last year. There cannot be more than a handful of such cases.

Permit me to reveal exactly what has happened. As of January 30, 1967, the cost of the program, the monthly cost under the Prouty amendment of last year—the watered-down version reported from conference—was $22,936,000. The number of beneficiaries was 668,766. Of that number, about 19,000 were old couples, with the husband getting $35 and the wife $17.50. That is a total of $52.50 a month. Now, that is a very generous sum, I must say. The average Federal social security payment today, the average benefit, is $84 a month. That is a little more than $1,000 a year. Those people are just wallowing in luxury.

I notice that today the New York City Central Labor Council, AFL–CIO, called for benefit increases in excess of 20 percent in addition to cost-of-living increases. It also said that social security payroll taxes were unfair and that we must turn to general revenues to finance the program.

I believe that is a sound approach insofar as the financing is concerned. All we need do to finance this program is to repeal two of the amendments which were adopted to the bill presently before us—one costing $1.5 billion a year, another in excess of $500 million.

Perhaps it is more important to grant a man with an income of $57,000 or $60,000 a year a tax credit to send his children to school than it is to give something to a person who is trying to exist on $35 a month or $44 a month—the minimum payment now—or even $84 a month. Perhaps that is the logical, sound, and humane way to approach the matter. I disagree with that approach.

Even if the Senator from New Hampshire [Mr. COTTON] and I are the only Senators to vote in favor of the amendment, I am glad to try to help these citizens who need help more than any other segment of our population. I believe that a vote against the amendment will harm many of my colleagues when people around the country realize what is happening.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

Mr. MILLER. Mr. President, before we vote, I wish to say that I am very much in sympathy with the objective of the Senator from Vermont. I wish that the amendment were modified to provide for payment of benefits to those who need them.

Nothing in the concept of social justice requires us to vote to tax many low income people in order to pay benefits to those who do not need them. If this amendment were modified that way, I could support it. I would have a difficult time supporting it in the face of the budget deficit. But even then I might support it because of the need of some of the people whom the Senator is trying to reach, a need that is far greater than the needs we are trying to cover in other legislation, including the amendments referred to by the Senator from Vermont. However, in the present state of the amendment, I could not in good conscience support it.

TAX DEDUCTION FOR THE HANDICAPPED—AMENDMENT TO H.R. 6950

AMENDMENT NO. 166

Mr. JAVITS. Mr. President, I submit for myself and the Senator from Missouri [Mr. LONG], an amendment to the pending bill, H.R. 6950, and I ask that it be printed. This amendment is identical in language to S. 1239 which we introduced on March 9. It would provide the disabled an income tax deduction of up to $600 to cover transportation to and from work, and would allow them the same additional $600 income tax personal exemption now given the blind.

The proposed amendment deals with problems of the handicapped and the difficulties they are under in conforming to the conditions of life which face them, and with their enormous usefulness to the United States if some tax consideration could be given to those individual circumstances which result from the handicapped trying to earn their own way, and thus paying the United States 10 to 1 for everything it costs the country to get them to that condition.

I submit it at this time, because it is the kind of amendment that all senators would desire to consider carefully and to read in advance. It is not a hotly contentious partisan matter, and I hope it may have the prayerful consideration overnight of the Senator from Louisiana [Mr. LONG], the manager of the bill, and of the other Senators.

It is estimated that some 300,000 disabled persons would qualify under this amendment at a maximum cost to the Government of $40 million. This cost seems small when we consider the average cost of from $479 to $544 to rehabilitate each disabled individual. What we will be doing through this legislation is helping these people to help themselves and aiding them to achieve some personal independence from institutions, from overburdened families and from local and State governments.

Our handicapped citizens are capable of being productive workers, contributing to the Nation's economy instead of being dependent upon it. But their disabilities impose upon them additional expenses in pursuit of their livelihoods which are not fully tax deductible, such as special orthopedic devices, extra travel costs because they are unable to utilize routine methods of transportation, expensive additions to office, shop, or home to facilitate their movements, special prosthetic devices, higher insurance costs and the costs of hiring help to perform the simple tasks which the non-handicapped perform for themselves. In addition, rising costs are particularly burdensome. For example, the prices of some special orthopedic shoes needed by the disabled have doubled in the past year.

Under this amendment, the disabled taxpayer, in order to qualify for the additional $600 exemption, must suffer from a loss of one or more extremities or 50 percent or more loss of ability as defined under the Schedule for Rating Disabilities of the Veterans' Administration. In addition, both the blind and the disabled would qualify for the tax deduction of up to $600 for expenses of going to and from work.

Last year, some thirty governors had indicated to the Joint Handicapped Council their support of this proposal. It has had editorial support ranging from the New York Times to the Progressive Farmer. Endorsements also include the AFL-CIO, the VFW, the General Federation of Women's Clubs, the National Association of Social Workers, and the National Council of Churches of Christ. This measure is similar to the bill I introduced last year, S. 3304, and a successor to similar legislation which I first introduced in February 1950 in the 81st Congress as a Member then of the House of Representatives.

Hundreds of thousands of Americans have endeavored valiantly to transform their physical handicaps from stumbling blocks to building blocks. They wish to use their crutches to move on, not to lean on. This amendment will help them do just that. It is as hard-nosed and practical in economic terms as it is humanitarian. It is, in effect, a practical bill to benefit those who have no alternative than but to be practical.

I ask unanimous consent that the amendment, together with an article published in the New York Times of April 16, 1967, by Dr. Howard Rusk, who is famous in this field, and whose article inspired me to submit the amendment, be printed in the RECORD. Normally, I would wait for hearings to be held, and so forth. But Dr. Rusk has made such a vitally strong case for this proposal, that I hope it will commend itself to my colleagues.

The **PRESIDING OFFICER**. The amendment will be received and printed, and will lie on the table; and without objection, the article will be printed in the RECORD.

The amendment (No. 166) is as follows:

At the end of the bill insert the following new section:

"SEC. —. (a) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by redesignating section 218 as section 219 and by inserting after section 217 the following new section:

" 'Sec. 218. Transportation of disabled individual to and from work

" '(a) GENERAL RULE.—In the case of a disabled individual, there shall be allowed as a deduction expenses paid during the taxable year for transportation to and from work to the extend that such expenses do not exceed $600.

" '(b) DISABLED INDIVIDUAL DEFINED.—For purposes of subsection (a), the term "disabled individual" means an individual who is blind (as defined in section 151(d)(3)) or who has lost or lost the use of one or more of his extremities to such an extent that he is unable during the entire taxable year to use, without undue hardship or danger, a streetcar, bus, subway, train, or similar form of public transportation, as a means of traveling to and from work. A taxpayer claiming a deduction under this section shall submit such proof that he is a disabled individual as the Secretary of the Treasury or his delegate may by regulations prescribe. The regulations so prescribed shall provide that—

" '(1) if the taxpayer is a veteran with a service-connected disability, a certification from the Veterans' Administration that his disability (to the extent based upon or attributable to loss or loss of use of one or more of his extremities) has a rating of 50 percent or more under the Schedule for Rating Disabilities of the Veterans' Administration shall be deemed conclusive proof that he is a disabled individual for purposes of this section; and

" '(2) in any other case, a certification from the United States Public Health Service or any local office thereof that the taxpayer's disability (to the extent based upon or attributable to loss or loss of use of one or more of his extremities) has a rating of 50 percent or more as determined in accordance with such Schedule shall be deemed conclusive proof that he is a disabled individual for purposes of this section.'

"(b) The table of sections for such part VII is amended by striking out

" 'Sec. 218. Cross references.'

and by inserting in lieu thereof the following:

" 'Sec. 218. Transportation of disabled individual to and from work.

" 'Sec. 219. Cross references.'

"(c) Section 151 of the Internal Revenue Code of 1954 (relating to allowance of deductions for personal exemptions) is amended by adding at the end thereof the following new subsection:

" '(f) ADDITIONAL EXEMPTIONS FOR DISABILITY.—

" '(1) FOR TAXPAYER.—An additional exemption of $600 for the taxpayer if he is a disabled individual.

" '(2) FOR SPOUSE.—An additional exemption of $600 for the spouse of the taxpayer if the spouse is a disabled individual and if the taxpayer is entitled to an exemption under subsection (b) for such spouse.

" '(3) DISABLED INDIVIDUAL DEFINED.—The term "disabled individual" means an individual who during the entire taxable year of the taxpayer has a loss or loss of use of one or more of the extremities. A taxpayer claiming a deduction under this subsection shall submit such proof that he (or his spouse) is disabled individual as the Secretary of the Treasury or his delegate may by regulations prescribe. The regulations so prescribed shall provide that—

" '(A) if such individual is a veteran with a service-connected disability, a certification from the Veterans' Administration that the disability (to the extent based upon or attributable to loss or loss of use of one or more of the extremities) has a rating of 50 percent or more under the Schedule for Rating Disabilities of the Veterans' Administration shall be deemed conclusive proof that such individual is a disabled individual for purposes of this section; and

" '(B) in any other case, a certification from the United States Public Health Service or any local office thereof that such individual's disability (to the extent based upon or attributable to loss or loss of use of one or more of the extremities) has a rating of 50 percent or more as determined in accordance with such Schedule shall be deemed conclusive proof that such individual is a disabled individual for purposes of this section.'

"(d) Paragraph (1) of section 3402(f) of the Internal Revenue Code of 1954 (relating to withholding exemptions) is amended by adding at the end thereof the following new subparagraph:

" '(G) one additional exemption for himself if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 151(f)(1) (relating to the disabled) for the taxable year under subtitle A in respect of which amounts deducted and withheld under this chapter in the calendar year in which such day falls are allowed as a credit.'

"(e)(1) Subparagraph (D) of such paragraph (1) is amended by striking out 'or (F)' and inserting in lieu thereof '(F), or (G)'.

"(2) Subparagraph (E) of such paragraph (1) is amended by striking out 'and' at the end thereof.

"(3) Subparagraph (F) of such paragraph (1) is amended by striking out the period at the end thereof and inserting in lieu thereof '; and'.

"(f) The amendments made by subsections (a), (b), and (c) shall apply only with respect to taxable years ending after the date of the enactment of this Act. The amendments made by subsections (d) and (e) shall apply only with respect to payments of wages made after the date of the enactment of this Act."

The article presented by Mr. JAVITS is as follows:

[From the New York Times, Apr. 16, 1967]

TAXING THE HANDICAPPED: PRESENT SYSTEM IS CALLED UNFAIR TO THE DISABLED WHO ARE EMPLOYED

(By Howard A. Rusk, M.D.)

Tomorrow's deadline for Federal, State and local income tax payments for 1966 again highlights the inequities of our present tax system, which discriminates against the severely handicapped.

Currently our nation spends more than $1 billion a year for rehabilitation services for our handicapped fellow citizens.

Our motives are both humanitarian and economic.

We are concerned with removing these people from public and private welfare rolls and giving them the dignity and self-respect that comes from gainful employment.

These efforts have become increasingly effective. In the last fiscal year the state-Federal vocational rehabilitation program rehabilitated a record total of 154,000 disabled men and women into employment. The goal for this fiscal year is 190,000.

About three-quarters of those rehabilitated were unemployed when accepted for service and most were dependent upon welfare or the largesse of their families and friends.

A 10-TO-1 PROFIT RATIO

Based on previous experience, it is estimated that for every Federal dollar invested on their rehabilitation the Federal Government will receive from direct taxes approximately $10.

Certainly this is an economically enlightened as well as humanitarian concept.

But our tax treatment of these disabled workers is far from enlightened. They are not permitted to deduct the extraordinary expenses they have as a result of disability.

There is no doubt that severe disability creates extraordinary expenses over and above those that are now deductible as medical expenses.

Major among these is the cost of transportation to and from employment. Since they cannot use public transportation, many disabled persons must rely on taxicabs or chartered car services.

It is not unusual to find a severely handicapped worker paying out half of his weekly salary for transportation.

Those who own cars with such special equipment as hand controls are not even permitted to deduct the cost of such equipment.

To permit deduction of extraordinary transportation expenses by the handicapped would be consistent with basic tax principles. These permit other categories of wage earners or the self-employed to deduct certain expenses they incur as essential to their income-producing activities.

Clothing of the disabled is subjected to unusual wear and stress. Many disabled persons require custom-made clothing or special alterations on ready-to-wear clothing.

Housing costs are frequently higher as disabled persons cannot live in the less expensive nonelevator buildings. They often live in ground floor apartments at higher rents. There may also be added costs for ramps or special household equipment, particularly in the kitchen and bathroom.

Amusement costs are frequently higher as the disabled person must use the more expensive orchestra seats in theaters and concert halls and usually must have an escort or attendant.

Many medical, labor, health, welfare, veteran and other groups have supported legislation to create the parity and equality which the disabled seek on taxes.

In the last 12 years there have been 480 bills seeking such equity introduced in the Congress.

In introducing such legislation in the Senate last month, Senator Jacob K. Javits estimated that some 300,000 disabled persons would qualify under the legislation at a maximum cost to the Government of $40-million.

Under the New York Republican's proposal the disabled taxpayer, in order to qualify for an additional $600 exemption, must suffer from the loss of one or more extremities or 50 per cent or more loss of ability as defined by the Veterans Administration.

In addition, both the blind and disabled would qualify for an additional tax deduction of up to $600 for expenses of going to and from work.

In 1964, Senator John Sparkman, Democrat of Alabama introduced such an amendment to a general tax revision amendment. It was passed by the Senate but died in the Senate-House conference.

Among one of a number of groups actively lobbying for such legislation is the Joint Handicapped Council, 720 West 181st Street, New York, N.Y. 10033.

MILLS CALLED SYMPATHETIC

The council reports a delegation of its members met last year with Representative Wilbur D. Mills, Democrat of Arkansas, and he seemed sympathetic to their views. Mr. Mills is chairman of the House Ways and Means Committee.

Later this month—at the annual meeting of the President's Committee on Employment of the Handicapped, April 27–28—the group will return to Washington to attempt to stimulate support for the legislation.

When a severely disabled person completes his rehabilitation, he enters the job market with high expectations.

Frequently, he finds his hopes dashed in that his salary is not sufficient to meet his costs of transportation, his payroll deductions and his living expenses.

He has no other alternative but to go back on public assistance.

The result is that the several thousands of dollars and frequently innumerable hours of professional and volunteer services have been wasted.

Even more important is that added to his physical problems are the frustrations and disappointments of being able and wanting to work and be self-sufficient, but being denied that opportunity because of discriminatory taxation.

Mr. LONG of Louisiana. Mr. President, in answer to the suggestion that I have been cruel to the aged, down through the years, and prior to the time that the Senator from Vermont [Mr. PROUTY] arrived on the scene, I was regarded as a Senator who sponsored more amendments to increase public welfare than any other Senator in the Senate. I was regarded as being on the "high" side in trying to provide additional payments for aged people. When Senators would come to the Chamber and ask what amendment was being voted on, they would be told, "It is another Long grandma amendment increasing grandma's social security."

The Senator has been attempting to take all of my laurels. I thought I was doing well to get $1 billion for needy grandmas, but the Senator from Vermont is being conservative by asking for $4 billion at one time.

It has been my pleasure down through the years to assist veterans, orphan children, and all persons who needed help. Between the contributions and payments of the Federal Government and the amount that the States and local communities are paying, we are paying approximately $48 billion a year to help people maintain their incomes, persons who draw social security and/or railroad retirement, persons who have received medicare or welfare vendor payments for their medical cost, people who receive assistance for little children under the dependent children program, persons receiving survivors benefits under the social security program, persons receiving unemployment and workmen's compensation, veterans receiving compensation or pension, under public income maintenance programs of one sort or another about $48 billion a year is being paid out.

I expect the Senate to consider a social security bill in the Senate in due course that would—could increase that amount by another $4½ billion, or $5 billion, so that we would be going from $48 billion to $53 billion in providing for people who need assistance and cooperation from their Government to maintain their income.

We are not planning to be harsh on anyone, but we have to be realistic. The Federal Government might need funds to maintain its budget more than someone else. The situation is analogous to the three old ladies who thought we were absolute fools, since they had no need for the money, and who more than likely thought that irresponsible legislation by Congress might bankrupt the country. That is very possible. I hope that the Senate will reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont [Mr. PROUTY].

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I also announce that the Senator from Ohio [Mr. LAUSCHE], and the Senator from Georgia [Mr. RUSSELL] are officially absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from North Carolina [Mr. ERVIN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. BROOKE], and the Senator from California [Mr. MURPHY] are necessarily absent.

The Senator from South Dakota [Mr. MUNDT] is absent on official business.

If present and voting, the Senator from Massachusetts [Mr. BROOKE] and the Senator from California [Mr. MURPHY] would each vote "nay."

The result was announced—yeas 6, nays 79, as follows:

[No. 84 Leg.]

YEAS—6

Aiken
Cotton
Dodd
Fong
Javits
Prouty

NAYS—79

Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Curtis
Dirksen
Dominick
Eastland
Ellender
Fannin
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—15

Bayh
Brewster
Brooke
Church
Clark
Ervin
Lausche
McCarthy
McGee
Metcalf
Mundt
Murphy
Russell
Smathers
Young, Ohio

So Mr. PROUTY's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, if I can have the attention of Senators, I should like to query the distinguished majority leader and ascertain how many amendments are still to be offered, and what the prospects are for completing action on the bill today. Perhaps we could have an indication from Senators as to whether they have amendments to offer and whether they wish record votes on them.

Mr. PROUTY. Mr. President, I have one more amendment which will not take much time to discuss. It is a simple amendment and readily understandable. I will ask for the yeas and nays on it. Senators could remain in the Chamber and vote on it shortly, so far as I am concerned.

Mr. MANSFIELD. Before I answer the question of the distinguished minority leader, I wish to ask the distinguished chairman of the Finance Committee, our deputy leader, and Senator in charge of the bill, if he has any idea as to how many more amendments will be offered.

Mr. LONG of Louisiana. Mr. President, I know that there will be other amendments beyond the Prouty amendment. I just do not know how many amendments will be offered. I do not believe that we will be able to finish the bill today.

Mr. MANSFIELD. Mr. President, then, if it would be possible to get a unanimous-consent agreement to limit time on the Prouty amendment, and have a rollcall vote, that would be all we could anticipate for tonight.

Would the Senator from Vermont agree to some limitation on time in order that Senators may go over to see the Betty Crocker girls?

Mr. PROUTY. I want to see them, too.

The PRESIDING OFFICER. Does the Senator from Vermont wish to offer his amendment now?

Mr. PROUTY. Yes, Mr. President.

The PRESIDING OFFICER. The amendment will be stated.

Mr. PROUTY. Mr. President, I send to the desk a modified version of my amendment No. 140, which the distinguished Senator from New Hampshire [Mr. COTTON] joins me in cosponsoring.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk proceeded to read the amendment.

Mr. PROUTY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment submitted by Mr. PROUTY is as follows:

AMENDMENT

On page 4, after line 6, insert the following new section:

"Sec. 5. (a) Subsections (a) of section 103 of the Social Security Amendments of 1965 are amended to read as follows:

" '(a) Anyone who—

" '(1) has attained the age of 65,

" '(2) is not, and upon filing application for monthly insurance benefits under section 202 of the Social Security Act would not be, entitled to hospital insurance benefits under section 226 of such Act, and is not certifiable as a qualified railroad retirement beneficiary under section 21 of the Railroad Retirement Act of 1937,

" '(3) is a resident of the United States (as defined in section 210(i) of the Social Security Act), and is (A) a citizen of the United States or (B) an alien lawfully admitted for permanent residence who has resided in the United States (as so defined) continuously during the 5 years immediately preceding the month in which he files application under this section, and

" '(4) has filed an application under this section in such manner and in accordance with such other requirements as may be prescribed in regulations of the Secretary,

shall (subject to the limitations in this section) be deemed, solely for purposes of section 226 of the Social Security Act to be entitled to monthly insurance benefits under such section 202 for each month, beginning with the first month in which he meets the requirements of this subsection and ending with the month in which he becomes (or upon filing application for monthly insurance benefits under such section 202 of such Act would become) entitled to hospital insurance benefits under such section 226 or becomes certifiable as a qualified railroad retirement beneficiary. An individual who would have met the preceding requirements of this subsection in any month had he filed application under paragraph (4) hereof before the end of such month shall be deemed to have met such requirements in such month if he files such application before the end of the twelfth month following such month. No application under this section which is filed by an individual more than 3 months before the first month in which he meets the requirements of paragraphs (1), (2), and (3) shall be accepted as an application for purposes of this section.'

"(b) The amendments made by subsection (a) shall be effective on and after the first day of the month after the month in which this Act is enacted."

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, if the Senator from Vermont will yield to me one moment, with the approval of the distinguished author of the pending amendment, the distinguished chairman of the committee and Senator in charge of the bill, as well as the minority leader and others, I ask unanimous consent that there be a time limitation of 30 minutes on the pending amendment, the time to be equally divided between the Senator from Vermont [Mr. PROUTY] and the Senator from Louisiana [Mr. LONG].

The PRESIDING OFFICER. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, I have no objection, but in the event the Senator from Louisiana will be in favor of the amendment, I imagine that the time will be allocated to the minority leader.

Mr. MANSFIELD. Oh, yes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, if the Senator from Vermont will yield further, let me say that this will be the last vote tonight. Let me urge all Senators who have not had an opportunity to do so, to go over and see the Betty Crocker girls.

Mr. PROUTY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President ——

The PRESIDING OFFICER. How much time does the Senator from Vermont yield himself?

Mr. PROUTY. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 10 minutes.

Mr. PROUTY. Mr. President, the medicare program which was enacted by Congress as part of the Social Security Amendments of 1965 is composed of two basic parts: First, hospitalization insurance; and second, supplemental medical insurance.

Supplemental medical insurance presently costs an individual $3 a month and is available to all Americans over age 65 regardless of their coverage by social security or railroad retirement.

However, hospitalization insurance under medicare will be available only to those individuals who are also eligible for social security or railroad retirement benefits after December 31, 1967.

The Social Security Administration estimates that there will be some 70,000 individuals becoming age 65 on or after January 1, 1968, who will not be eligible for either social security or railroad retirement. Therefore, under the present law those individuals would also be excluded from hospitalization insurance under medicare.

Mr. President, do we really want to exclude these 70,000 older Americans from hospitalization insurance under medicare? I do not think we do. I do not think a single Member of this body had any such intention when we voted on the enactment of medicare.

Mr. President, if no one intended to exclude these 70,000 individuals, how did it happen?

I submit, Mr. President, that this happened merely because of an oversight on our part. This oversight occurred because throughout the years one group after another has been covered under the social security system in strictly a patchwork fashion.

Unfortunately, for 70,000 older Americans our patchwork scheme of granting social security coverage never reached them.

The argument that a person must have paid into the medicare trust funds in order to become eligible for coverage has little merit at this point. Just 2 years ago the medicare program was born and millions of beneficiaries were covered, all of whom had paid nothing into the trust funds.

Now, obviously, at some time in the future we need a cutoff date after which only those persons who have paid into the medicare trust funds will be eligible for benefits. However, a mere 2 years after the creation of medicare does not seem to be the proper time—particularly since the only people excluded from coverage are those who were forgotten by Congress in the patchwork scheme of providing coverage under social security.

Mr. President, can any one of us say that one of the 70,000 people who will be excluded from medicare after the end of the year does not deserve hospitalization insurance?

Can we claim that there is too little money in this great country of ours to extend equal protection to the person born a year too late to benefit from our medicare gratuity of 1965?

I do not think we can—particularly when the cost of extending such equal treatment is very small.

The Social Security Administration has assured me that the first year's cost of this amendment would be only $10 million and this would gradually increase through the year 1978. After that time the cost will decrease appreciably, since we are dealing with but a few people who were never given social security coverage.

I believe that now is the time to act on this amendment because it is a just amendment which must be enacted by Congress sooner or later. I say that we must do it sooner since it seems senseless to have 70,000 older Americans continue their day in and day out worry about what they will do if they should get sick after they retire.

The inequity inherent under the present laws becomes most striking when we look at the hypothetical case of John Jones and Bill Smith, neither of whom will be eligible for social security or railroad retirement benefits. If John Jones becomes 65 December 31, 1967, he will be eligible for hospital insurance under medicare. However, if Bill Smith becomes 65 on January 1, 1968, he will be ineligible for hospital insurance under medicare even though he is but 1 day younger than John Jones.

This situation does not make sense to me and I am certain that it does not make sense to my hypothetical Bill Smith.

Tomorrow or the next day may be time enough to correct any other deficiencies affecting medicare, but let us cure this one here and now.

Mr. President, I have here a telegram from the National Conference on Public Employee Retirement Systems, which met last week in San Francisco.

Let me read the telegram for the benefit of Senators who are present:

SAN FRANCISCO, CALIF.,
April 5, 1967.

Hon. WINSTON L. PROUTY,
Senate Office Building,
Washington, D.C.

The National Conference on Public Employee Retirement Systems thanks you for your introduction of amendment No. 140 to the Tax Investment Act to make medicare available to all persons upon reaching age 65. The conference consists of more than 100 State and local retirement systems representing approximately 4 million individuals. The conference deeply appreciates your genuine interest and hopes your amendment will be adopted by the U.S. Senate and passed by the Congress.

JACK E. KENNEDY,
President.
I. L. BARE, ERNEST GIDDINGS,
Legislative Committee.
DENVER, COLO.

Many of the 70,000 who would be afforded relief by this amendment are members of the teaching profession. For example, 12 statewide teacher retirement systems do not incorporate social security coverage for their teachers. These States are Connecticut, Florida, Illinois, Louisiana, Massachusetts, Missouri, Nevada, Colorado, Rhode Island, Ohio, California, and Kentucky. While the retirement benefits paid under most of those systems are superior to social security benefits, it is regrettable that after December 31, 1967, many teachers reaching age 65 under those retirement systems will not be eligible for hospitalization coverage under medicare.

Even in States which have incorporated social security coverage as part of their teacher retirement system, many teachers would still be ineligible for coverage under medicare. For example, in my own State of Vermont, teachers were brought under social security on a local option basis. As of December 31, 1965, 125 out of 342 school districts had elected social security coverage for their teachers. However, this still leaves 28 percent of the teachers in the State of Vermont outside the coverage provided by social security.

In New York, teachers were brought under social security coverage January 1, 1958. But even in States such as New York, many retired schoolteachers never received social security coverage and will become age 65 after December 31, 1967.

Under my amendment, a great many of the 70,000 people estimated by the Social Security Administration to be affected by this amendment would be retired schoolteachers who had devoted their lives to the well-being of our society.

Another group who would become eligible for hospitalization insurance under my amendment would be from 5,000 to 6,000 Federal employees who had retired before July 1, 1960, because of disability. Those Federal employees will not become age 65 until after December 31, 1967, and yet through no fault of their own, because they never had social security coverage, they would not be eligible for hospitalization insurance under medicare.

My amendment would correct this deficiency.

The financing would be provided from any surpluses of the health insurance trust funds and by general revenue. Surpluses are hard to ascertain in the health insurance trust funds because the program has only been in operation for 8 months. However, Mr. Ball stated before the House Ways and Means Committee:

> Under health insurance, our basic feeling about the hospital insurance and the voluntary medical insurance programs of medicare, at this time, is that having had only eight months' experience with the provisions as they are, we are quite reluctant to consider fundamental changes in the package of benefits—proposals to greatly modify, say, the deductibles, to add drug coverage, etc. . . . but on the other hand, we feel that it is perfectly feasible to take the program as it is working for older people and add to it a group that is very similar in their basic needs for health insurance coverage.

While Mr. Ball was referring to the 1.5 million disabled beneficiaries who would be granted coverage under H.R. 5710, the same principle applies with respect to the 70,000 forgotten Americans whom this bill affects.

In the first year the cost would be $10 million.

In the second year the cost would be $15 million.

The cost would gradually increase to $140 million in 1978, after which time the annual cost would decrease.

I reserve the balance of my time.

Mr. LONG of Louisiana. Mr. President, amendment No. 140 would extend medicare on a permanent basis to every person age 65 and over. In effect, it blankets in the uninsured and makes the transitional coverage, which we provided in the 1965 social security amendments, permanent.

Social security estimates the cost of this proposal to be $10 million the first year, rising to $140 million in 10 years. As the Members of the Senate are no doubt aware, the House Ways and Means Committee is presently in executive session considering broad and sweeping proposals concerning social security. Extensive hearings have been held and it is expected that the committee will be in executive session for 6 weeks in order to consider the proposals and the voluminous testimony. Obviously, a recommendation as made by amendment No. 140 should proceed in an orderly fashion by awaiting completion of the House action and not as a social security amendment to a tax bill. We will have a bill to which the Senator could more properly offer his amendment.

Extension of medicare benefits to everyone age 65 or over, regardless of their insurance status, should be considered in committee where all the arguments for and against it would be developed. We want a solid medicare program, not a giveaway program such as the Senate amendment would provide. The Senator's amendment is inequitable, destructive, and contains unconstitutional features. It is certainly inequitable, since it provides a free ride for government employees—State and local—who have never contributed one dime to the social security or hospital insurance trust fund would receive hospital expense benefits without paying a cent for it.

Mr. PROUTY. Mr. President, I wish to assure the Senator——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Vermont?

Mr. PROUTY. That government employees are excluded.

Mr. LONG of Louisiana. I have always thought that State, county, and city employees were government employees. I thought that was the case.

Mr. PROUTY. They are excluded.

Mr. LONG of Louisiana. The Senator modified his amendment to take out Federal employees, but he did not take out State, county, and city employees.

Literally millions of government employees—and I am talking about State and local government workers—teachers, firemen, and policemen could be getting something for nothing. It would also act as a disincentive to 2 million State and local employees who are not now covered under social security to stay out and still get benefits.

There are provisions in the social security law right now which would permit State and local employees to come under social security. By so doing, they would have built-in medicare protection. But, for one reason or another, these employees chose not to come under the program. By so doing, they do not contribute one red cent to the social security or hospital insurance trust funds. In spite of this, the Senator from Vermont would give them medicare coverage for which they are not charged a cent, and for which expense he expects the American taxpayer to pay. This is certainly unjustifiable and harshly discriminates against those State and local employees who have contributed their hard-earned money to have retirement and medicare coverage.

Presently, over 2 million State and local employees are outside social security protection and would no doubt remain so where they could obtain free payment of their medical costs without ever having to pay a dime for it.

The inequities of this proposal exist not only in providing unearned benefits, but it discriminates against the people who elected coverage, paid their tax, and on whose behalf the States have made contributions since 1950.

Further, this will be an inducement to the States to withdraw coverage of their employees from social security.

While over 6 million State and local government employees and nonprofit workers are covered by social security, this free medical payment would certainly stand as an open invitation to the States to leave the social security program, which they can do under present law. Why should a State continue to contribute funds to the Federal Government for coverage when they can receive these benefits for nothing? Obviously, it would be to the financial interest of the States to improve their own retirement systems and let the Federal Government pick up their retired employees' medical expenses.

The general revenue financing suggested by the Senator from Vermont places the benefit load of his payments on all taxpayers but he does not stop there. He not only would require all taxpayers to pay for this unearned benefit, but he would also demand that workers covered under social security continue to pay for their own benefits while he would give benefits free of charge to persons who had never worked or who chose not to contribute to social security. This could well lead to a taxpayer revolt, and could set a precedent for more of the same kind of thing, providing all sorts of benefits for which one is never required to pay.

Furthermore, Mr. President, this would be something of a slap in the face of the House of Representatives and its Ways and Means Committee, under the able chairmanship of WILBUR D. MILLS, of Arkansas. That committee has been working diligently to put together a social security and medical care program to send to the Senate. We would be prematurely throwing at them and asking them to accept something which has been given only one-half hour's consideration in the Senate, and which discriminates against all Americans who pay for the benefits they receive. Actually it would provide a dis-incentive, it would provide a reason why States would find it to their advantage to withdraw from social security coverage.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CURTIS. I thank my distinguished chairman.

It seems to me, Mr. President, that this is a matter which should be explored in committee. I should be inclined to think that there are, perhaps, some categories of citizens for whom this cutoff date might be an inequity. At least that should be considered.

On the other hand, it is a matter that is somewhat involved. It involves people under a number of retirement programs other than social security. I agree with my chairman that it should not be accepted here on the floor, but rather is something that would merit the attention of the Committee on Finance, and I am sure that the distinguished chairman will see that it does.

Mr. LONG of Louisiana. I thank the Senator from Nebraska.

Mr. President, the thought occurs to me that if we are to do something of this sort, we at least ought to have some arrangement whereby those who are to receive the benefit would pay something for it, rather than just giving it to them. We want to continue to provide an incentive to people who presently contribute something for their medical protection, which would induce them to continue to contribute. However, under this amendment they could receive the same benefits in the absence of a contribution. I certainly think it would be better to move forward in ways that encourage people to pay something for their medical coverage, rather than in ways which encourage them to withdraw from the program.

May I say also, Mr. President, that where people are not able to pay for their medical expenses we have provided a Federal-State aid program which we refer to as medicaid, which has cost about a billion dollars during the first year. Medicaid is intended to cover just such people, who might not be eligible for medicare, and who do not have protection.

In addition, Mr. President, to adopt this idea of providing these benefits free for all people at age 65, gives an incentive, where employees are presently paying for the benefits, under the Federal-State program, to withdraw from such a program. If a State withdrew from the State-Federal program, the State's employees obtain benefits free—the same benefits for which most of them are now paying. We would move in the direction of encouraging people who are able to pay and who are now paying for protection, to stop paying and get it for nothing. To adopt this something-for-nothing concept as a substitute for a program where people now pay for their protection would, in my judgment, be extremely unwise, and I urge that the amendment be rejected.

Mr. WILLIAMS of Delaware. Mr. President, under present law, all workers covered by social security pay one-half of 1 percent on the first $6,600 of their earnings into the fund for medicare hospital insurance benefits. In addition to that the employer would pay an extra one-half of 1 percent on the payroll.

Some phases of the Prouty amendment do have merit which I think it would be well for the committee to consider. Nevertheless, the amendment as it is now drafted and before us would mean, if it were approved, that the more than 2 million State and local government employees who are presently outside of social security would be foolish to come in under social security. Under the Prouty amendment they could receive medicare for absolutely nothing. Otherwise they would have to pay for it as do all other people today.

There is a second part of this provision. There are now more than 6 million State and local government employees who are covered by social security under the Federal-State agreements.

These agreements can be terminated. At the present time those State and local government employees are paying one-half of 1 percent of the first $6,600. The State and local governments are paying the other one-half of 1 percent, just as is done in the case of all other workers and employers in America.

If the Prouty amendment were agreed to the States could withdraw from social security. They could save money and put that money in their own programs and still have their retirees receive full medicare and retirement payments with not a single payment involved.

I think the amendment is poorly drafted and should be rejected. That would be completely unfair to other workers. We would have all of the other workers of America paying for their own medicare hospital insurance benefits. They would ask us: "Why has the Senate decided to give to State and local government employees free medicare hospitalization and charge us for it?"

However, I would hope that the Senator from Vermont would withdraw the amendment so that the committee might study that phase of the amendment which does have merit and consider accepting that much of it. If not, as the amendment is at present, it should be overwhelmingly rejected. Otherwise the whole program would collapse.

The PRESIDING OFFICER. The Senator from Vermont has 5 minutes remaining.

Mr. PROUTY. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 minutes.

Mr. PROUTY. Mr. President, I ask unanimous consent that an explanation of my amendment be printed at this point in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

EXPLANATION OF PROUTY AMENDMENT NO. 140 TO H.R. 6950

This amendment eliminates the December 31, 1967, cut-off date for eligibility of persons age sixty-five for hospitalization insurance under medicare, without also having to be eligible for social security or railroad retirement benefits. This would affect 70,000 Americans who will become age sixty-five on or after January 1, 1968.

The cost of the first year would be $10 million and this would gradually increase through the year 1978. After that time the cost will decrease appreciably since we are dealing with but a few people who were never given social security coverage.

The following is an example of the inequity under existing law:

John Jones becomes 65 December 31, 1967.

Bill Smith reaches the same age on January 1, 1968.

John Jones is eligible for hospital insurance under medicare.

Bill Smith, one day younger than John Jones, fails to qualify.

Mr PROUTY. Mr. President, I point out to the Senate that we are not changing the basic law at all. We are merely saying to people who did not qualify that we are simply eliminating a cutoff date for approximately 70,000 people who we think should be permitted to qualify under this program.

We brought millions of people under the medicare bill. These were people who had never paid a nickel toward it. That seems to be acceptable to many Senators present.

These people are entitled to supplemental medical benefits. We are simply asking that they be granted rights to hospital insurance the same as in the case of the elderly people that need this help.

I am certainly not constrained to withdraw the amendment. I think it is a good amendment. I think it deserves the support of the Senate, and I am sure that a great many people when they realize what this is all about will agree that the amendment is sound, workable, and fully justified by the circumstances.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. PROUTY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is an agreeing to the amendment of the Senator from Vermont. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote, I have a pair with the senior Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Florida [Mr. SMATHERS], the Senator from Ohio [Mr. YOUNG], the Senator from Louisiana [Mr. ELLENDER], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

I further announce that the Senator from Ohio [Mr. LAUSCHE] is officially absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from North Carolina [Mr. ERVIN], the Senator from Ohio [Mr. LAUSCHE], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Ohio [Mr. YOUNG]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from Ohio would vote "yea."

Mr. **KUCHEL**. I announce that the Senator from Massachusetts [Mr. BROOKE], and the Senator from California [Mr. MURPHY] are necessarily absent.

The Senator from South Dakota [Mr. MUNDT] is absent on official business.

The Senator from New York [Mr. JAVITS] is detained on official business.

If present and voting, the Senator from Massachusetts [Mr. BROOKE] would have voted "nay."

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from California [Mr. MURPHY]. If present and voting, the Senator from New York would vote "yea" and the Senator from California would vote "nay."

The result was announced—yeas 13, nays 69, as follows:

[No. 85 Leg.]

YEAS—13

Aiken
Cooper
Cotton
Dodd
Fong
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Pastore
Pell
Prouty
Yarborough

NAYS—69

Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dirksen
Dominick
Eastland
Fannin
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Long, Mo.
Long, La.
Magnuson
McClellan
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morton
Moss
Muskie
Nelson
Pearson
Percy
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—18

Bayh
Brewster
Brooke
Church
Clark
Ellender
Ervin
Javits
Lausche
Mansfield
McCarthy
McGee
Metcalf
Morse
Mundt
Murphy
Smathers
Young, Ohio

So Mr. PROUTY's amendment was rejected.

PRESIDENTIAL ELECTION CAMPAIGN FUNDS

Mr. **LONG** of Louisiana. Mr. President, some very thoughtful editorials on the subject of the Long Act were written by Mr. Joseph McCaffrey, and I believe that they are deserving of consideration.

Generally speaking, the basis of Mr. McCaffrey's statement was that rather than repeal what we had done to provide honest financing for the presidential campaigns, we should take this as our starting point and move forward to make it an act that would provide for clean elections, as it seeks to do, to remedy any defect one can find in it, and to move forward to amend and improve it.

Of course, that is the general logic that I have pursued.

This is a difficult and complicated field in which to legislate. A good example of why it is so difficult is that most of the corrupt practices laws that have been passed have created more corruption than they have corrected. For that reason, one cannot hope in a first effort to correct and deal with all the difficulties and the intricacies and the abilities of the human mind to contrive ways to evade acts meant to control human conduct.

Mr. President, I have undertaken to work out the best that could be done, accepting such amendments as appeared logical and necessary at the time in order to pass the best proposals that the committee could work out last year, and I am seeking to move in that direction this year.

Mr. President, I ask unanimous consent that the two editorials by Mr. Joseph McCaffrey on channel 7 in Washington be printed in the RECORD.

The **PRESIDING OFFICER** (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

The editorials ordered to be printed in the RECORD are as follows:

A WMAL-TV, CHANNEL 7 EDITORIAL, APRIL 11, 1967

(By Joseph McCaffrey)

The Senate is now involved, and deeply involved, in Senator Russell Long's tax check off plan which allows a taxpayer to check off on his federal income tax return a dollar for the presidential campaign of one of the two major parties. Senator Long attached this plan to last year's tax bill and since then it has been under fire. Now with the reinstatement of the investment tax credit up on the floor, Senator Albert Gore is trying to tie a rider to it which would kill off the campaign plan, and he has strangely enough drawn some strong editorial support from around the nation.

The words "strangely enough" are used, because these are the same pious editorial writers who decry the Dodd case and the Baker case and who talk about the dangers of conflict of interest in the solicitation of campaign funds. Now here is the first big step ever taken to solve the problem of raising funds for political candidates, and it is being flayed and pilloried from coast to coast.

If this plan is scuttled this year, then the initial step toward the reform of campaign fund raising will have been killed for the life time of every member of the Senate. Certainly, the plan as it is now drawn has many flaws—most of them major. But the remedy is not to throw out the plan. Rather it is to correct the flaws, perfecting the plan. Extend its coverage to help pay for senate and house campaigns, allow other than the two major parties to participate under some clearly defined limitations. The very same critics who deplore the Long tax plan are those who also say, from their velvet cells, that every voter should be encouraged to contribute to political campaigns. That a small contribution is as essential to making democracy work as the act of voting.

Now the frame work for the individual contributor, the frame work for developing some intelligent system for financing our elections is on the block in the Senate. If there is ever to be a sensible system of campaign funding during the next decade, the Long tax plan provides the vehicle for it.

Scrapping the Long plan, kills the first and most important step toward bringing order out of chaos in campaign funding.

A WMAL-TV, CHANNEL 7 EDITORIAL, APRIL 14, 1967

(By Joseph McCaffrey)

By their vote ye shall know them.

The Senate voted to repeal, or quasi repeal the tax check off for financing the presidential campaigns.

A reading of that roll call vote is interesting. To begin with, all republicans voted to kill the check off plan. This, say its supporters, is because the republicans traditionally have been able to raise campaign money with greater ease than the democrats, except, of course, in a fluke campaign like 1964, when the big money cats turned up on the side of the democratic candidate.

In other years (the records show), the republicans have been able to get money—big money. And although the Plan's sponsor—Russell Long is from the south—there were several southern democrats who opposed the plan. Money has never been too big a factor in southern campaigns, and for that matter, most southern democrats couldn't care less who is president, because as far as their own national party is concerned, they are neither fish nor fowl.

And then the wealthy ones, The Kennedy brothers, Robert from New York state and Edward from Massachusetts, are two outstanding examples, were, for the most part, against the check off plan. The Kennedys certainly don't need any check off plan to help them raise campaign money.

But the battle is far from over and the man who may have the most say about the repealer isn't even in the Senate. He is Wilbur Mills, The chairman of the Ways and Means Committee. For it is in the Senate House conference that the future of the repealer will be decided.

A betting man would give about ten to one odds that the repealer will be killed there.

Despite the cries of anguish from editorial writers around the nation about the check off plan, it is still the greatest first step ever taken toward sanity in campaign financing.

A veteran campaign fund raiser, who has been thru many a campaign, told me today it is either this plan or socialize the nation's television. Because, he said, under the present method of operating we'll have to almost steal to get enough money to finance a TV campaign—and all campaigns are now TV campaigns, and TV costs have sky rocketed.

"Or . . . He said . . . We could turn over to a few people with big money the privilege of running for president. . . . The days of a Harry Truman would be over forever . . . As we'd be pricing ourselves out of democracy."

A WMAL-TV, CHANNEL 7 EDITORIAL, APRIL 14, 1967

(By Joseph McCaffrey)

A veteran campaign fund raiser said today that the plan of Senator Long's for grass roots financing of the presidential campaigns, is much more important than a reinstatement of the investment tax credit.

The dispute over whether the Long plan should be repealed or not now threatens the Administration backed seven per cent reinstatement. We can survive, claims this man, without the investment tax credit, but I have serious doubts as to how long our present system of democracy can survive without the Long check off plan.

This may be an alarmist view, but because this man has raised funds in five presidential campaigns, extending back to 1948, his comments aren't to be taken lightly. He isn't speaking from an editorial ivory tower, from which pours the condemnation of the Long plan, while at the same time, other editorials are written about the sins of campaign financing.

Those very sins, said this man, will grow in direct proportion to the increasing costs of television time, because campaigns now are run on television. Those who oppose this plan, he points out, are those who have the greatest ease in raising campaign funds, and included in this group are those who could personally finance their own campaigns for president.

The Long plan provides the framework for raising money, so as this fund raiser said, "you don't have to sell your soul for contributions." And that is why there will be a last ditch effort to keep it on the books and to correct any flaws it may have.

Mr. LONG of Louisiana. Mr. President, I have had prepared an amendment which I shall send to the desk and ask that it be printed.

The amendment would seek to preserve the best of what the Senate has done in voting on both the Long Act and amendments to it; and it would further improve on what the Senate has done. It would not seek to repeal what we have done. It would simply seek to move forward, as I believe we should, in achieving that objective.

AMENDMENT NO. 167

Mr. President, I ask unanimous consent that I may have until 1 hour after the Senate adjourns today to send the amendment to the desk, that it be printed, and that the amendment might lie on the table.

The amendment is available, but I do not have it at this moment. I do not wish to keep the Senate in session in order that I might send it to the desk.

Mr. GORE. Mr. President, reserving the right to object, do I understand that the Senator is offering an amendment for the Record to be printed for the advice and convenience of the Senate, whenever he wishes to call it up?

Mr. LONG of Louisiana. The Senator is correct.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed and will be on the table; and without objection it will be printed in the Record.

The amendment is as follows:

At the appropriate place insert the following:

"TITLE II—HONEST ELECTION ACT OF 1967

"Sec. 201. Short title.

"This title may be cited as the "Honest Election Act of 1967".

"Sec. 202. Authority for designation of $1 of income tax payments to Presidential Election Campaign Fund.

"(a) Subchapter A of chapter 61 of the Internal Revenue Code of 1954 (relating to returns and records) is amended by adding at the end thereof the following new part:

"Part VIII—Designation of income tax payments to Presidential Election Campaign Fund

"Sec. 6096. Designation by individuals.

" '(a) In General.—Every individual (other than a nonresident alien) whose income tax liability for any taxable year is $1 or more may designate that $1 shall be paid into the Presidential Election Campaign Fund established by section 206 of the Honest Election Act of 1967.

" '(b) Income Tax Liability.—For purposes of subsection (a), the income tax liability of an individual for any taxable year is the amount of the tax imposed by chapter 1 on such individual for such taxable year (as shown on his return), reduced by the sum of the credits (as shown in his return) allowable under sections 32 (2), 33, 35, 37, and 38.

" '(c) Manner and Time of Designation.—A designation under subsection (a) may be made with respect to any taxable year, in such manner as the Secretary or his delegate may prescribe by regulation—

" '(1) at the time of filing the return of the tax imposed by chapter 1 for such taxable year, or

" '(2) at any other time (after the time of filing the return of the tax imposed by chapter 1 for such taxable year) specified in regulations prescribed by the Secretary or his delegate.'

"(b) The table of parts for subchapter A of chapter 61 of such Code is amended by adding at the end thereof the following new item:

" 'Part VIII. Designation of income tax payments to presidential election campaign fund'

"(c) The amendments made by this section shall apply with respect to income tax liability for taxable years ending after June 30, 1967.

"Sec. 203. Definitions.

"For purposes of this title—

"(1) The term 'authorized agent' means, with respect to a presidential candidate, the individual designated in writing by such candidate to the Comptroller General as the individual whom he has appointed as his agent for purposes of this title. No individual who is serving as an officer, member, or employee of the national committee, or of a State or local committee, of a political party may be appointed by a presidential candidate as his authorized agent.

"(2) The term 'Comptroller General' means the Comptroller General of the United States.

"(3) The term 'major party' means, with respect to any presidential election, a political party whose candidate for President at the preceding presidential election received 15,000,000 or more popular votes as the candidate of such political party.

"(4) The term 'minor party' means, with respect to any presidential election, a political party whose candidate for President at the preceding presidential election received 2,000,000 or more but less than 15,000,000 popular votes as the candidate of such political party.

"(5) The term 'presidential candidate' means, with respect to any presidential election, an individual who is a candidate of a political party for election to the office of President of the United States or the office of Vice President of the United States in such presidential election.

"(6) The term 'presidential campaign' means the political campaign conducted by presidential candidates for election to the offices of President or Vice President of the United States.

"(7) The term 'presidential election' means the election of electors for President and Vice President of the United States.

"(8) The term 'qualified presidential campaign expenses' means only the following expenses which are incurred after August 31 of the year in which a presidential election is being held and which are incurred in carrying on a presidential campaign by, or on behalf of, a presidential candidate:

"(A) Traveling and related expenses of a presidential candidate and his campaign personnel;

"(B) Radio, television, and motion picture production and time expenses;

"(C) Newspaper and periodical advertising expenses;

"(D) Expenses for the preparation, printing, and distribution of campaign literature, including posters and billboards;

"(E) Expenses for postage, telegraph, telephone, and expressage; and

"(F) Expenses for research and analysis, including contracts for polls, surveys, and data processing.

An expense shall be considered as incurred on behalf of a presidential candidate only if such expense is approved by such candidate or his authorized agent. An expense described in subparagraph (B) or (C) shall be considered as incurred on behalf of a presidential candidate only if the incurring of such expense is approved by such candidate or his authorized agent before such expense is incurred.

"(9) The term 'Secretary' means the Secretary of the Treasury.

Sec. 204. Conditions for eligibility for payments; limitations on payments.

"(a) A presidential candidate shall be eligible to receive payments under section 206 with respect to a presidential campaign only if he—

"(1) furnishes to the Comptroller General such evidence as he may request of the qualified presidential campaign expenses incurred by or on behalf of such candidate in carrying on such presidential campaign,

"(2) furnishes to the Comptroller General such records and other information as he may request,

"(3) agrees to an examination and audit by the Comptroller General under section 207, and

"(4) in the case of a presidential candidate of a major party, certifies to the Comptroller General that—

"(A) no contributions to defray qualified presidential campaign expenses have been accepted or will be accepted by him, his authorized agent, or any individual or organization over which he has control, and

"(B) he, his authorized agent, and all individuals and organizations over which he has control will not incur qualified presidential campaign expenses in carrying on his presidential campaign in excess of the amount of qualified presidential campaign expenses for which he is entitled to payment under subsection (b) (1).

"(b) A presidential candidate shall, upon certification by the Comptroller General under section 205, be entitled to payments for qualified presidential campaign expenses, but the total of such payments with respect to a presidential election shall not exceed the following amounts:

"(1) The total payments to the presidential candidates of each major party shall not exceed an amount equal to the excess over $5,000,000 of—

"(A) $1 multiplied by the total number of popular votes cast in the preceding presidential election for candidates for President of all major parties in such presidential election, divided by

"(B) the number of major parties in such presidential election.

"(2) The total payments to the presidential candidates of each minor party shall not exceed (except as provided in paragraph (3)) an amount equal to $1 multiplied by the number of popular votes in excess of 2,000,000 received by the candidate of such party for President as such candidates in the preceding presidential election.

"(3) The total payments to the presidential candidates of a political party whose candidate for President in such presidential election receives 2,000,000 or more popular votes as such candidate shall not exceed an amount equal to $1 multiplied by the number of popular votes in excess of 2,000,000 received by the candidate of such political party for President as such candidate in such presidential election, except that in no event shall the total payments to such presidential candidates exceed the limitation specified in paragraph (1) for presidential candidates of major parties. The limitation specified in this paragraph shall not apply to the presidential candidates of a minor party if the limitation applicable to such candidates under paragraph (2) exceeds the limitation otherwise applicable to such candidates under this paragraph.

"SEC. 205. Certifications by Comptroller General.

"(a) On the basis of the evidence, records and information furnished under section 204 (a) and prior to examination and audit under section 207, the Comptroller General shall, subject to the provisions of subsection (b), certify from time to time to the Secretary for payment to presidential candidates under section 206 the amount of qualified presidential campaign expenses incurred by or on behalf of a presidential candidate in carrying on his presidential campaign.

"(b) The Comptroller General shall in no event certify for payment under section 206 to any presidential candidate an amount which (when added to amounts previously certified for payment to such candidate under such section) exceeds the limitation applicable with respect to such candidate under section 204 (b).

"(c) Certifications shall be made under subsection (a) at such times as the Comptroller General may prescribe by regulations.

"(d) Certifications by the Comptroller General under subsection (a), and all determinations made by him in making such certifications, shall, except as provided in section 207, be final and conclusive.

"SEC. 206. Presidential Election Campaign Fund; payments by Secretary.

"(a) There is hereby established on the books of the Treasury of the United States a special fund to be known as the 'Presidential Election Campaign Fund'. The Fund shall consist of the amounts transferred to it under subsection (b), and such amounts are hereby appropriated for the making of payments under subsection (c).

"(b) The Secretary, shall from time to time, transfer to the Fund from the general fund of the Treasury an amount equal to the sum of the amounts designated by individuals under section 6096 of the Internal Revenue Code of 1954.

"(c) Upon receipt of a certification under section 205 for a payment to a presidential candidate, the Secretary shall pay to such presidential candidate, or his authorized agent, the amount certified by the Comptroller General.

"(d) If with respect to a presidential election the moneys in the Fund are insufficient for the Secretary to pay to all presidential candidates the amounts certified by the Comptroller General, the payments to all presidential candidates shall be reduced pro rata and the amounts certified which are not paid upon receipt of a certification shall be paid when there are sufficient moneys in the Fund.

"SEC. 207. Audits; repayments.

"(a) After each presidential election, the Comptroller General shall conduct a thorough examination and audit of the expenses incurred in the presidential campaign by each presidential candidate to whom payments have been made under section 206.

"(b) If as a result of the examination and audit under subsection (a), the Comptroller General determines that the payments made to a presidential candidate under section 206 with respect to the presidential campaign exceed the amount of qualified presidential campaign expenses incurred by or on behalf of such candidate he shall notify such candidate of the amount of such excess. If the Comptroller General determines that the payments under section 206 to the presidential candidates of any political party exceed the limitation applicable to such candidates under section 204 (b), he shall notify such candidates of the amount of such excess.

"(c) If the Comptroller General determines that any amount of any payment made to a presidential candidate under section 206 was used for any personal purpose, or for any other purpose, other than—

"(1) to defray the qualified presidential campaign expenses with respect to which such payment was made, or

"(2) to repay loans the proceeds of which were used, or otherwise to restore funds which were used, to defray such qualified presidential campaign expenses,

he shall notify such candidate of the amount so determined.

"(d) Any presidential candidate who receives notice from the Comptroller General under subsection (b) or (c) shall pay to the Secretary, for deposit in the general fund of the Treasury, the amount specified in such notice. In the case of a notice under subsection (c), unless such candidate shows that the misuse of the payment received was due to reasonable cause and not to wilful neglect, such candidate shall also pay to the Secretary, for deposit in the general fund of the Treasury, an additional amount equal to 25 percent of the amount specified in such notice.

"(e) If the Comptroller General determines that the presidential candidates of a major party have incurred qualified presidential campaign expenses in carrying on their presidential campaigns in excess of the total payments which such candidates may receive under section 204 (b) (1), he shall notify such candidates of the amount of such excess, and such candidates shall pay to the Secretary, for deposit in the general fund of the Treasury, an amount equal to 125 percent of the amount specified in such notice.

"SEC. 208. Reports to Congress; regulations.

"(a) The Comptroller General shall, as soon as practicable after each presidential election, submit a full report to the Senate and the House of Representatives setting forth—

"(1) the amounts certified by him under section 205 for payment to each presidential candidate;

"(2) the qualified presidential campaign expenses (shown in such detail as the Comptroller General determines necessary) incurred by each presidential candidate in carrying on the presidential campaign; and

"(3) the amount of payments, if any, required from each presidential candidate under section 207, and the reasons for each payment required.

Each report submitted pursuant to this section shall be printed as a Senate document.

"(b) The Comptroller General is authorized to prescribe such rules and regulations as he deems necessary to carry out the functions and duties imposed on him by this title.

"SEC. 209. Establishment of advisory board.

"(a) There is hereby established an advisory board to be known as the Presidential Election Campaign Fund Advisory Board (hereafter in this section referred to as the "Board"). It shall be the duty and function of the Board to counsel and assist the Comptroller General in the performance of the duties and functions imposed on him under this title.

"(b) The Board shall be composed of two members representing each political party whose candidate for President at the last presidential election received 15,000,000 or more popular votes as the candidate of such political party, which members shall be appointed by the Comptroller General from recommendations submitted by each such political party, and of three additional members selected by the members so appointed by the Comptroller General. The term of the first members of the Board shall expire on the 60th day after the date of the first presidential election following the date of the enactment of this title and the term of subsequent members of the Board shall begin on the 61st day after the date of a presidential election and expire on the 60th day following the date of the subsequent presidential election. The Board shall select a Chairman from among its members.

"(c) Members of the Board shall receive compensation at the rate of $75 a day for each day they are engaged in performing duties and functions as such members, including travel time, and, while away from their homes or regular places of business, shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"(d) Service by an individual as a member of the Board shall not, for purposes of any other law of the United States, be considered as service as an officer or employee of the United States.

SEC. 210. Coordination with title 18 of the United States Code.

"For purposes of applying section 609 of title 18 of the United States Code, expenditures which are qualified presidential campaign expenses and which are made or incurred by any person on behalf of a presidential candidate shall not be taken into account.

"SEC. 211. Criminal penalties.

"(a) It shall be unlawful for any person who receives any payment under section 206 of this title knowingly and willfully to use, or authorize the use of, such payment for any personal purpose, or for any other purpose, other than—

"(1) to defray the qualified presidential campaign expenses with respect to which such payment was made, or

"(2) to repay loans the proceeds of which were used, otherwise to restore funds which were used, to defray such qualified presidential campaign expenses.

"(b) It shall be unlawful for any person knowingly and willfully—

"(1) to furnish any false, fictitious, or fraudulent evidence, books, or information to the Comptroller General under section 205 of this title, or to include in any evidence, books, or information furnished under such section any misrepresentation of a material fact, or to falsify or canceal any evidence, books, or information relevant to a certification by the Comptroller General under such section or an examination and audit by the Comptroller General under section 207 of this title;

"(2) to fail to furnish to the Comptroller General any records, books, or information requested by him for purposes of section 205 or 207 of this title; or

"(3) to fail to pay to the Secretary any amount required to be paid under section 207 of this title.

"(c) It shall be unlawful for any person knowingly and willfully to give or accept any kickback or any illegal payment in connection with any qualified presidential campaign expense. In addition to the penalty provided by subsection (d), any person who accepts any kickback or an illegal payment in connection with any qualified presidential campaign expense shall pay to the Secretary, for deposit in the general fund of the Treasury, an amount equal to 125 percent of the kickback or payment received.

"(d) Any person who violates any provision of subsection (a), (b), or (c) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"SEC. 212. Disclosure of contributions and expenditures by committees supporting presidential candidates.

"(a) Subsections (b) and (c) of the Federal Corrupt Practices Act, 1925 (2 U.S.C. 241) are amended to read as follows:

"'(b) The term "candidate" means an individual whose name is presented at an election for or election as President or Vice President, or Senator or Representative in, or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

"'(c) The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors;'.

"(b) Section 305(a) of such Act (2 U.S.C. 244) is amended by striking out 'a general election is to be held, at which candidates are to be elected in two or more States' and inserting in lieu thereof the following: 'an election with respect to which contributions are accepted or expenditures made by such committee is to be held'.

"(c) Section 306 of such Act (2 U.S.C. 245) is amended by striking out 'in two or more States'.

"(d) Section 309 of such Act (2 U.S.C. 248) is amended by adding at the end thereof a new subsection as follows:

"'(d) Subsections (a) and (b) of this section shall be applicable only with respect to expenditures by candidates for election as Senator or Representative in, or Resident Commissioner to, the Congress in a general or special election.'

"SEC. 213. Effective dates.

"The title (other than section 202) shall take effect on July 1, 1967, except that—

"(1) the provisions of section 208(b) (relating to authority of the Comptroller General to prescribe rules and regulations) shall take effect on the date of the enactment of this Act, and

"(2) the amendments made by section 212 shall apply only with respect to contributions and expenditures made on or after July 1, 1967."

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, if no other Senator desires to make a speech or to offer amendments at this time, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 13 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, April 19, 1967, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate April 18, 1967:

DIPLOMATIC AND FOREIGN SERVICE

Robert H. McBride, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 18, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Draw nigh unto God and He will draw nigh unto you.—James 4: 8.

Lord of all being, throned afar
Thy glory flames from sun and star.
Center and soul of every sphere
Yet to each loving heart how near.

Before this altar of prayer we bow our heads and open our hearts unto Thee. We would be quiet in Thy presence and rest in the assurance of Thy love. We would be strong in Thy strength, wise with Thy wisdom and good by Thy great spirit alive within us. In the darkness of our day make us candles of Thine, lighting the way to freedom and justice for all.

We know that by ourselves we are not equal to our experiences, nor ready for our responsibilities, but by Thy grace we can be adequate for these trying days. Help us to have the courage to stand up for what we believe to be right. Keep us from making our plans and then seeking Thy blessing—help us first to realize Thy presence, to possess Thy spirit, and then endeavor to do our planning according to Thy will. So shall we be blest and so shall we be a blessing to our generation. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 471. An act for the relief of the Swanston Equipment Co.

SUBCOMMITTEE ON ROADS OF THE COMMITTEE ON PUBLIC WORKS—PERMISSION TO SIT TODAY AND THE BALANCE OF THE WEEK

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the Subcommittee on Roads of the House Committee on Public Works may sit this afternoon and the balance of the week during general debate in the House.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? The Chair hears none, and it is so ordered.

There was no objection.

REORGANIZATION OF CONGRESS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, certain alarm signals have been sounded throughout the land. There is a stirring among the people which this Congress cannot ignore. Congress must take positive action to reform its own procedures.

As a relatively junior member of the Joint Committee on the Organization of Congress, I have not spoken out publicly up to this point. But I am disturbed at the lack of a concerted effort to bring this bill to the House floor for a vote.

After a lengthy and informative debate, the other body passed by an overwhelming vote the proposals of the Monroney-Madden committee. This House has a challenge and an opportunity. If we fail to meet it, if this Congress fails to take action on the congressional reorganization bill, I feel Congress faces a serious crisis in confidence.

Mr. Speaker, the very procedure by which this bill is being held up might raise questions in the minds of people as to what is wrong with the Congress. The responsibility for action or inaction is vague, it is not understood by the people, and they have a right to ask: Why is there not speedy action to reform Congress?

SEATTLE—ALL AMERICA CITY

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, today is an exciting day in my district in the State of Washington. At the noon hour, Seattle will be presented the All America City Award. Seattle has always been the All America City to me, but it is certainly gratifying that she has received this recognition from the National Municipal League and Look magazine.

This annual award goes to cities that have performed outstandingly effective community projects to upgrade beauty, culture, services, and facilities, and Seattle has made overwhelming strides in meeting the needs of a greatly expanding population.

One example of the excellent cultural benefits enjoyed by the people of the Puget Sound area, and which was a factor in Seattle being chosen All America City, is the Seattle Symphony Orchestra. This was personally pleasing to me because for many years I was on the board of directors of the symphony, and on one occasion served as the symphony's president.

Seattle's selection for this award was, in large measure, due to the able leadership of the city's mayor, the Honorable Dorm Braman, and likewise to a forward-thinking group of citizens in the chamber of commerce and other civic-minded organizations.

Mr. George B. Leonard, Jr., the head of Look magazine's west coast bureau, will present the All America City Award at today's luncheon of the Seattle Chamber of Commerce, and I am gratified at the deserved recognition of the people of my congressional district.

COMMUNITY ACTION PROGRAMS IN KENTUCKY

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, a week or so ago I inserted an article in the daily RECORD from the Poreman's Journal.

That article indicated that the poverty warriors had built 75 privies in Floyd County, Ky., at a total cost of $59,141 or only $788.68 each.

An article in the Kentucky Post indicates that the area director of the Big Sandy area community action program advises that this report is incorrect. I certainly would like to correct the RECORD. The area director reports that they really built 90 privies at the same cost—so, Mr. Speaker, I apologize—these privies only cost $657.11 each.

The very comprehensive report—which I received on this project is very interesting. The previous article, which infuriated the poverty people, speculated that perhaps these "new models" possessed some new revolutionary innovations—like perhaps—a sliding seat board with different size holes for different size apertures all the way from "Day Care" to "Happy Pappy." But, Mr. Speaker, the photos submitted in the area director's report were very disappointing—there are just "one-holers." I suppose that this is understandable in view of the new, low cost.

HIGHWAY BEAUTIFICATION—PROBLEMS OF LIAISON BETWEEN FEDERAL AND STATE GOVERNMENTS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, this morning the Subcommittee on Roads of the Committee on Public Works heard a very eloquent statement on behalf of the Oklahoma State Legislature by the Honorable Lou Allard, chairman of a select committee of the house of representatives on highway beautification. Because this statement highlights very effectively some of the problems of the State legislatures of various States in dealing with the implementation of our Highway Beautification Act of 1965 and because it also points very forcefully to the need for better liaison between the Congress and the legislatures in working out policy matters that require a joint effort between the Federal Government and the State governments, I am going to obtain consent to place Representative Allard's statement in the daily RECORD today, with the hope that it will be read by the Members of this body.

REFERENCE OF S. 1216 TO COMMITTEE ON ARMED SERVICES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the bill passed by the Senate, S. 1216, to authorize appropriations during fiscal year 1967 for use by the Secretary of Defense for acquisition of properties pursuant to section 1013 of Public Law 89-754, and for other purposes, be referred to the Committee on Armed Services instead of the Committee on Banking and Currency.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON ACCOUNTS OF THE COMMITTEE ON HOUSE ADMINISTRATION TO SIT DURING GENERAL DEBATE TODAY AND TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the Committee on House Administration may be permitted to sit during general debate today and tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON HOUSING OF THE COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE PRESIDENT'S WISE CHOICE OF RAILROAD MEDIATORS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, President Johnson has injected a large dose of wisdom and sound judgment into the negotiations on the threatened nationwide railroad strike. He has done so by naming a special panel of mediators consisting of three of the best qualified arbitrators in the Nation.

The threat imposed by this strike cannot be underestimated. It would have disastrous consequences for the Nation's economy, health, and welfare. It would produce staggering losses in goods, services and income for our people. It would disrupt commuter train service for three-quarters of a million people, cause widespread food shortages, create havoc with industries dependent upon railroad shipments, and reduce the gross national product by 13 percent during the first month of a strike.

Perhaps most important, it would interfere with critically needed materials shipped to our fighting men in Vietnam. Last month alone, 175,000 tons of equipment were shipped by rail to west coast ports for shipment to Vietnam.

It is clear that we cannot afford this strike and that it must be averted. On this score we can be reassured that the President's special panel will do all that is humanly possible to bring both sides together—and will do so fairly and honorably.

Judge Fahy and Professors Taylor and Dunlop comprise the best arbitration team available in the United States. We can be confident that the efforts of these men will be selfless and above any reproach or recrimination from either side in the dispute. And, I think, we can be assured that these men will spare no effort to find the formula to settle this dispute. The President's panel has my vote of confidence in the days ahead.

Mr. BOGGS. Mr. Speaker, I was heartened to see that President Johnson wasted no time last week carrying out the full powers—and opportunities—vested in him by Senate Joint Resolution 65 which postponed the threatened railroad strike for an additional 20 days.

His first action upon signing the resolution was to appoint a special three-man panel to work with the disputing parties, to help mediate their differences, and to recommend additional action, should their efforts prove unsuccessful.

Most encouraging of all was the makeup of the panel itself. There is no doubt that the President selected three of the most experienced arbitrators in the United States to tackle this difficult and urgent problem. They are: Judge Charles Fahy, recently retired judge of the U.S. Court of Appeals for the District of Columbia; George Taylor, professor of industry, University of Pennsylvania; and John Dunlop, professor of economics, Harvard University.

Among them, these three gentlemen bring to their task nearly 100 years of experience in dealing with labor-management disputes. And they bring much more, besides; they bring an objectivity and fairness of approach that should—and, I am sure, will—inspire trust and confidence on both sides of the dispute.

They are not serving labor. They are not serving management. They are serving the best interests of both. And, most important of all, they are serving the welfare of every American citizen.

We all know what the results of a nationwide railway strike would be. In his special message to us last week, the President outlines some of those results:

On the first morning of the strike, three quarters of a million rail commuters in New York, Chicago, and Philadelphia alone would be unable to take their trains to work.

Shipments of perishable foodstuffs to many major cities would be halted at once.

Actual food shortages could soon occur in several cities.

Some health hazards would develop. For example, supplies of chlorine used to purify community water supplies would grow short.

The coal mining industry, with 140,000 workers, would cease operations almost at once.

Many other industries which rely heavily on the railroads—such as metal mining, steel, chemicals—would be badly crippled and soon begin to close down.

For a week or more most factories could operate from their inventories. Soon, shortages and bottlenecks would begin to curtail production drastically.

A spreading epidemic of lost production and lost jobs would sweep through the Nation.

A 1-month strike would reduce the gross national product by 13 percent. That would be nearly four times as great as the total decline that occurred in the Nation's worst postwar recession. It would drive the unemployment rate up to 15 percent—for the first time since 1940—putting millions of workers out of jobs.

These represent more than a recitation of consequences. They represent a warning: the strike must be averted.

I applaud the President for his swift and responsible efforts to settle this dispute. And I applaud him for his selection of a truly outstanding mediation panel. The members of this panel approach their task with the best wishes of Congress—and the hopes of the entire Nation.

Mr. MAHON. Mr. Speaker, the railroads and the union are now pursuing a settlement in the threatened nationwide railroad strike. We very much hope that this settlement will be reached within the 20-day "cooling-off" period requested by the President and enacted by Congress.

I think the record will show that the administration and Congress are doing all that is possible to end this dispute fairly and honorably.

President Johnson deserves strong commendation for the panel he has selected. It is an exceptionally able team. The panel embodies wisdom, experience, and scrupulous fairness.

The three members of this panel are outstanding Americans. Judge Charles Fahy served brilliantly from 1949 to this year as U.S. circuit judge of the Court of Appeals in the District of Columbia.

Prof. George W. Taylor, of the Wharton School of the University of Pennsylvania, is an expert in the field of industrial relations, and has served with distinction on the National Academy of Arbitrators.

Prof. John T. Dunlop, of Harvard, has been a brilliant arbitrator since 1945, serving on numerous commissions and boards of inquiry involving major labor-management disputes.

The American people can have faith in the wisdom and integrity of this panel. These men are eminently qualified to deal with the thorny issues involved in the railroad dispute. And their skills and persuasiveness can help to avoid a paralyzing strike that threatens the security and welfare of us all.

I commend the President for selecting this outstanding panel, and join with him in the hope that a way to a quick and honorable settlement can be found.

Mr. PICKLE. Mr. Speaker, I want to commend our majority leader, the Honorable CARL ALBERT, for his remarks on the 20-day extension in the railway dispute and to add my praise for the President's leadership in this matter.

This is a vital issue, and one, which I think, points up the ever-increasing need to find a solution acceptable to both management and labor for the sake not only of the national and public interest at stake, but also for the sake of preserving a strong collective bargaining system.

I think it further points out the need for a workable approach to the solution of these types of dispute and I would remind my colleagues once again of the legislation, H.R. 5638, which I have introduced to amend the Railway Labor Act.

This proposal, which has received the editorial endorsement of the Washington Post and the support of many Members of both the House and the Senate, would give the President, or Congress, or special boards a new choice of procedures in dealing with emergency strike situations in the transportation field.

The current outlook is such that I feel we must find better solutions to these work stoppage problems and to do it immediately. It is not only complex but controversial, but public interest, labor and industry, require a satisfactory solution.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any Member who desires to do so may extend his remarks following mine in the RECORD on this same subject.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is the call of the Private Calendar. The Clerk will call the first bill on the calendar.

BRYCE A. SMITH

The Clerk called the bill (H.R. 1574) for the relief of Bryce A. Smith.

There being no objection, the Clerk read the bill as follows:

H.R. 1574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Act entitled "An Act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal", approved May 29, 1944, as amended (58 Stat. 258; 60 Stat. 873), Bryce A. Smith, Saint Petersburg, Florida, shall be held and considered, as of the effective date of such Act, to have performed three years of service in the employ of the Isthmian Canal Commission during the construction period of the Panama Canal.

With the following committee amendment:

Page 1, line 12, after "Panama Canal.", add "The eligibility defined in this Act is retroactive to May 8, 1963."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARLINE AND MAURICE LOADER

The Clerk called the bill (H.R. 1971) for the relief of Arline and Maurice Loader.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

WILLIAM JOHN MASTERTON ET AL.

The Clerk called the bill (H.R. 2048) for the relief of William John Masterton, George Samuel Konik, and Louis Vincent Nanne.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

E. F. FORT ET AL.

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MARY F. THOMAS

The Clerk called the bill (H.R. 4566) for the relief of Mary F. Thomas.

There being no objection, the Clerk read the bill as follows:

H.R. 4566

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall pay to Mrs. Mary F. Thomas, of Yonkers, New York, the amount certified to him by the Administrator of Veterans' Affairs pursuant to section 2 of this Act. The payment of such amount shall be in full settlement of all claims against the United States under laws administered by the Veterans' Administration of the said Mrs. Mary F. Thomas for dependency compensation for the period beginning on October 17, 1942, through December 3, 1961, on account of the death of her son, Curtis S. Thomas (Veterans' Administration claim number XC 3 115 076). No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The Administrator of Veterans' Affairs shall certify to the Secretary of the Treasury the amount that Mrs. Mary F. Thomas, of Yonkers, New York, would have received under laws administered by the Veterans' Administration as dependency compensation for the period beginning on October 17, 1942, through December 3, 1961, on account of the death of her son, Curtis S. Thomas, if she had filed a proper claim for such compensation on November 24, 1943.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEMETRIOS KONSTANTINOS GEORGARAS

The Clerk called the bill (H.R. 1596) for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROSE MINUTILLO

The Clerk called the bill (H.R. 1630) for the relief of Rose Minutillo.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DR. GEORGE H. EDLER

The Clerk called the bill (H.R. 1670) for the relief of Dr. George H. Edler.

There being no objection, the Clerk read the bill, as follows:

H.R. 1670

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of determining under title II of the Social Security Act the primary insurance amount of Doctor George H. Edler (social security account numbered 342-28-2323), of Peoria, Illinois, the income received by him on account of services rendered as a chiropodist for the Peoria State Hospital, Peoria, Illinois, during the years 1954 through 1961 shall be included as a part of his gross income in computing his net earnings from self-employment for such years under section 211 of the Social Security Act, if within six months after the date of the enactment of this Act the said Doctor George H. Edler, pays to the Secretary of the Treasury, for deposit in the Federal old-age and survivors insurance trust fund, an amount equal (as determined by the Secretary) to the total of the additional taxes which he would have had to pay under section 1401 of the Internal Revenue Code of 1954 (or corresponding provisions of prior law) on account of the inclusion of the income received for such services if such income had been so included (under section 1402 of such code or corresponding provisions of prior law) at the time it was received.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. M. M. RICHWINE

The Clerk called the bill (H.R. 3717) for the relief of Mrs. M. M. Richwine.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AGNES C. STOWE

The Clerk called the bill (H.R. 4064) for the relief of Agnes C. Stowe.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PUGET SOUND PLYWOOD, INC., OF TACOMA, WASH.

The Clerk called the bill (H.R. 4949) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PEDRO IRIZARRY GUIDO

The Clerk called the bill (H.R. 5970) for the relief of Pedro Irizarry Guido.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DINO J. CATERINI

The Clerk called the bill (H.R. 6445) for the relief of Dino J. Caterini.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ROBERT M. GILKEY, JR.

The Clerk called the bill (H.R. 6446) for the relief of Robert M. Gilkey, Jr.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PATTERSON, EAGLE, GREENOUGH & DAY, ESQS.

The Clerk called the bill (H.R. 1885) for the relief of Patterson, Eagle, Greenough & Day, Esqs.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1968

Mr. NATCHER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to not exceed 2 hours, one-half of that time to be controlled by the gentleman from Wisconsin [Mr. Davis] and one-half of the time to be controlled by myself.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 8569, with Mr. Price of Illinois in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. Natcher].

Mr. NATCHER. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, at this time we submit for your approval the annual District of Columbia appropriation bill for the fiscal year 1968.

As chairman of the Subcommittee on the District of Columbia budget, it is a distinct honor for me to serve with the gentleman from Connecticut [Mr. Giaimo], the gentleman from Wisconsin [Mr. Davis], the gentleman from New Jersey [Mr. Patten], the gentleman from Pennsylvania [Mr. McDade], the gentleman from Arkansas [Mr. Pryor] and the gentleman from Michigan [Mr. Riegle]. All of these gentlemen are outstanding Members of the House and have rendered excellent service as members of the Committee on Appropriations.

This is the fourth consecutive year that an unbalanced budget has been submitted for the District of Columbia. The budget as submitted was out of balance $52,800,000. Submission of a budget out of balance for our Capital City is a mistake and this procedure should stop. Where expenditures exceed receipts under the existing tax structure and authorizations, then a balanced budget should be submitted, followed by legislation making changes in the tax structure which would permit approval of the additional expenditures, and then the requests to the Committee on Appropriations should follow in a supplemental bill.

Walter N. Tobriner has made an excellent Commissioner for the city of Washington, and, as president of the Board, would have accomplished considerably more if outside interference had been eliminated. Here in our Capital City we have good Commissioners and I am still of the opinion, Mr. Chairman, that Mr. Tobriner, Mr. Duncan, and General Mathe should be permitted to make decisions for the best interests of our city and be permitted to carry these recommendations forward to completion without being confronted at every turn with nullification orders. I believe that our Presidents who have served since I have been a Member of the Congress have had the best interests of our Capital City at heart, but I know on a number of occasions they have been ill advised concerning the operation of our city and decisions have been made which were brought about by pressure groups and outside interference which certainly were not to the best interests of the District of Columbia. I have always believed that if the Commissioners did not serve in the capacity in which they were appointed, then they should be removed. We are confronted with problems today which were brought about by virtue of the fact that there has been too much outside interference.

We are entitled to a good police department in our Capital City and certainly have the right to expect good law enforcement. We know that for the past 5 years we have been confronted with an increase in crime throughout our country and this applies to all of our large cities. The rate of increase in my home State compares very favorably with that of the increase in a great many other States. Since I have been a member of this committee we have made every effort to see that the requests of our police department were approved and that on every occasion adequate funds were appropriated for new patrolmen and for an increased force. At the time of the hearings we were informed that there were 301 vacancies in the patrol force and that recruitment was still a serious problem in the District. Since we have been unable to recruit the total authorized force for a number of years our committee recommended to the Congress that adequate funds be set up and used for a tactical force and this would give us in substance a total authorized force for our Capital City. Inadequate sentences for defendants who have been proven guilty, and especially those with previous records; malicious and unfounded charges of police brutality; harassment of police officers while on duty; and failure to support the law enforcement officials of our city are a few of the major roads to travel if you decide to completely destroy the Metropolitan Police Department. The authorized strength of the Metropolitan Police Department is 4.1 policemen for each 1,000 inhabitants. This is 46 percent higher than the median of 2.8 for the largest 15 cities in our country. In fiscal year 1965 the per capita cost for the police service here in Washington was $32.49. This is 49 percent higher than the median cost of $21.82 in the 15 largest cities in our country. Other per capita costs, in descending order, are as follows: Boston, $27.08; Chicago, $25.69; Baltimore, $24.30; San Francisco, $23.52; Los Angeles, $22.41; and Detroit, $21.82.

Mr. Chairman, I believe that there is a place here in our Capital City for both a rapid transit system and a full and adequate highway program and freeway system. Our committee has refused to accept the argument that our freeway program must stop. As you will recall, last year we refused to recommend the appropriation requested for the rapid transit system and, subsequent to our action which was sustained by the House, the freeway program started under way again after a slowdown of 5 long years. Then our committee recommended to the House that not only the request of the rapid transit system should be approved but all of the requests made for our freeway system should also be approved. We have stood firm and will continue to do so, and if at any time in the future pressure groups and those individuals who have endeavored down through the years to destroy our highway program again succeed in placing obstacles in the road, then, Mr. Chairman, we will again refuse to appropriate funds for the rapid transit system and will respectfully request concurrence by the House.

Immediately after the budget for the District of Columbia was submitted, I called attention to the fact that it was out of balance $52,800,000, hoping that the necessary action would be taken to place this budget in balance prior to the hearings, and certainly prior to final enactment of the budget for our Capital City. Last year we completed the hearings and for a period of nearly 4 months waited for additional revenue. This is a right shabby way to treat our Capital City, and those people who pay the taxes that maintain this city and the taxpayers and citizens of our 50 States are entitled to better treatment. Delay in final passage of the District of Columbia appropriation bill simply means that new teachers cannot be employed to start the school year in September, and the same applies to the recruitment of other important and necessary District employees who have been approved in the budget and whose services are essential at this time. Delay in passage of the bill means that construction then must begin during the winter months, which certainly is not to the best interest of our city. Cracks and serious damage in the stadium and other public buildings and facilities which have been brought to the attention of our people during the past few months are the results, to a great extent, of work and construction during the winter months, and this of course should not be tolerated I do not mean, Mr. Chairman, that all construction must stop in the extreme cold weather, but certainly plastered walls and concrete last longer and look better when they are produced under fair-weather conditions.

Our committee has been confronted with problems with this budget which should not be placed upon any committee in the Congress. We are called upon to establish priorities due to an unbalanced budget and we simply are not qualified to say that one school should be constructed ahead of another and that certain other essential projects should either be constructed or delayed. Complaints naturally follow the action of our committee, and especially by those who are extremely interested in our schools. Reductions across the board must follow when unbalanced budgets are submitted, and we should keep in mind that the total budget submitted for the District of Columbia was $526,057,200 and the total requests for our schools was $164,297,500. The amount requested for the schools was 31.2 percent of the total budget and was more than the amounts requested for the operation of our Metropolitan Police Department, Health Department, and Department of Welfare. The request for the Police Department was $47,272,600; the request for the Department of Health was $67,966,800; and the request for the Welfare Department was $43,871,300. Percentagewise, the Metropolitan Police Department requested 9 percent of the total budget, Department of Health 12.9 percent of the total budget, and the Welfare Department 8.3 percent of the total budget. All of the requests for all other departments totaled 38.6 percent of the total amount requested for the operation of our Capital City for fiscal year 1968.

We recommend in this bill that 25.4 percent of the entire budget be appropriated for our schools and that 10.2 percent of the total recommended for the District of Columbia go to the Metropolitan Police Department; 14 percent to the Department of Health; and 8.5 percent to the Department of Welfare. The 41.9 percent of the amount recommended by the committee in the budget for fiscal year 1968 will go for the operation of all other departments and for all other requests made for the operation of our Capital City.

The summer program was stressed during the hearings and certainly, Mr. Chairman, this is an important program. With a budget out of balance and with this program still in the planning stage, we simply could not recommend more than $1,250,000 of the $2,500,000 requested in the regular bill. We should keep in mind that we have increased the Recreation Department's operating expenses in this bill $1,447,100, exclusive of the $1,250,000 allowed for the summer program.

During the past few days we have read stories in our local newspapers concerning certain statements that were made pertaining to the need for more textbooks and workbooks in our school system. Those making statements to the effect that Congress would not appropriate money for instructional supplies, textbooks and workbooks have been misinformed. For fiscal year 1967 the base for textbooks and workbooks was $663,509, and the increase approved by our committee and by the Congress totaled $200,958, making a total for the fiscal year of $864,467. In this bill now before the House, the base for textbooks and workbooks is $751,595 and the amount of the increase that we recommend today is $110,830, making a total of $862,425. Every dime requested for textbooks and workbooks, not only for these 2 fiscal years but for a number of years, has always been approved by our committee and by Congress. At the time this controversy arose during the past few days, the chairman of the subcommittee in the other body introduced in the CONGRESSIONAL RECORD a statement from our Superintendent of Schools which, in substance, said that under current conditions the emergency needs for textbooks can be met immediately upon the request of the school principal.

We carefully considered budget estimates totaling $526,057,200 for fiscal year 1968 and we recommend to the House that the sum of $463,337,700 be approved. This is the largest amount ever recommended by the committee for the District of Columbia budget. The total amount recommended is $58,739,500 above current appropriations for 1967.

The District of Columbia is financed out of five funds: a general fund, a highway fund, a water fund, a motor vehicle parking fund, and a sanitary sewage works fund.

Mr. Chairman, we recommend a Federal contribution of $56 million for the general fund; $2,205,000 to the water fund; and $1,294,000 to the sanitary sewage works fund. This makes a total of $59,499,000.

In order to bring expenditures in line with receipts and to be able to retain a small surplus in the general fund of $731,000, with a balance remaining on hand of $4 million of the general fund to take care of emergencies and salary increases, an overall reduction of $62,719,500 had to be made.

Mr. Chairman, on page 2 of the report accompanying our bill appears a list of the Federal grants to our Capital City which total $167,211,893. This is the amount that the District of Columbia will receive from the Federal Government in addition to the Federal payment herein set forth and in addition to the overall amount recommended for the operation of our Capital City of $463,337,700. As you know, Mr. Chairman, this committee has no control over the Federal grants set forth on page 2 of the report insofar as the District of Columbia budget is concerned. The Federal grants added to the overall amount recommended by our committee makes a total of $630,549,593. This amount compares favorably with a great many of our States which have a total population of less than 4 million people.

Our committee recommends permanent appropriations as set forth on page 25 of the committee report, and Trust Fund Receipts as set forth on page 26 of the report.

Our committee recommends an appropriation of $25,885,000 for general operating expenses. This is $3,222,000 more than for 1967 and $1,463,000 less than the budget estimates. We recommend an appropriation of $91,995,000 for public safety. This is an increase of $6,110,000 over the current year and $522,000 less than the budget estimates.

We recommend an appropriation of $93,730,000 for education during the next fiscal year. This is an increase of $12,898,000 over the current year and $7,298,000 less than the budget request.

We recommend an appropriation of $15,906,000 for parks and recreation during the next fiscal year. This is $3,465,000 over the current year and $1,713,000 less than the budget estimates.

We recommend an appropriation of $103,439,000 for the operation of our Health and Welfare Department during the next fiscal year. This is an increase of $14,397,000 over the current year and $3,370,000 less than the budget estimates.

We recommend $16,705,000 for the operation of highways and traffic during the next fiscal year. This is an increase of $1,583,000 over the current year and is an increase of $398,000 over the budget estimates.

We recommend an appropriation of $26,379,000 for sanitary engineering during the next fiscal year. This is an increase of $2,396,500 over the current year and $246,000 less than the budget estimates.

Mr. Chairman, for capital outlay we recommend $79,658,000 during the next fiscal year. This is an increase of $17-227,500 over the current year and $48,505,500 less than the budget estimates.

Thirty-two of the 67 capital outlay school projects should be approved for fiscal year 1968. In considering the overall amount requested for schools, we must keep in mind that we have 137,151 pupils and the bill before us will provide for a total of 6,383 teachers. This establishes an excellent pupil-teacher ratio for our Capital City. We recommend 591 out of the total of 1,370 new employees requested for our school system. We also recommend, Mr. Chairman, payment of the bill for replacing window panes in our school buildings. During the past year the cost of replacing windows in our schools which were broken by vandals amounted to $143,470.15. This was the cost for replacing 30,037 window panes.

A total authorized personnel of 35,115 was requested for the District of Columbia for fiscal year 1968. We recommend 33,698, which is 1,417 less than the number requested and 1,762 more than currently authorized. The total new employees requested for the fiscal year 1968 was 3,179.

For capital outlay, Mr. Chairman, we recommend 32 of the 67 projects requested for the schools, 21 of the 21 requested for highways, 20 of the 20 requested for sanitary engineering, 8 of the 17 requested for recreation, the 1 requested for the police department, 1 of the 2 for the fire department, 2 of the 5 for the Department of Health, 3 of the 5 for the Department of Corrections, 1 of the 4 for the Department of Welfare, 1 of the 2 for our library department, 3 of 7 for buildings and grounds, and the 1 requested for the Washington aqueduct. The capital outlay projects are set forth on page 20 of the report.

Mr. Chairman, our committee recommends this bill to the Members of the House.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Chairman, I thank the gentleman for yielding. I certainly commend him on the effort he and his committee have made in dealing with what he has very properly described as a difficult subject. I fully approve his recommendations concerning the problems of security in our District.

I also want to express my agreement with his statement concerning Dr. Hansen. I had the pleasure of hearing Dr. Hansen speak to a group of interested parents in the District not too many evenings ago, and I am convinced, as the gentleman from Kentucky is, that Mr. Hansen is doing a good job in dealing with a difficult problem.

I am concerned about the schools in the District. I reside here when Congress is in session. I have two children in the District schools. Certainly the District should not have a second-rate school system. If there is anyplace Congress has a responsibility in education, it is the District of Columbia. We have spent many billions of dollars for educational programs for the country as a whole. I am personally distressed with the cuts in the school budget requests. I am distressed with the cuts in the capital outlays that deal with schools.

The school my children go to has double classes, with the first and second classes together, the third and fourth classes together, and the fifth and sixth classes together. Paint is chipping off the walls, there is no provision for physical training, and there was no library until some of the parents got together and collected some books for the library. And I am told this is one of the better schools, not one of the worst in the District.

We are far from reaching what is the goal of the gentleman and my goal, I am sure, with respect to education in the District of Columbia.

My question is this: I would be interested in having some explanation of the reasons for the cuts, because they distress me and many of the people who reside in the District of Columbia. The committee approved all of the funds requested for the highways. I simply cannot follow the committee's logic on cutting the education requests.

The approval of only 32 of the 67 requested projects for capital outlays for schools causes me deep concern, and I should like to have a comment on that.

Mr. NATCHER. I thank the gentleman for his comments. I say to the gentleman quite frankly, certainly he has a right to be concerned.

With the budget $52.8 million out of balance, and with the requirement, to bring it back into balance, of reducing it a little bit more than that, and with nearly one-third of the entire bill requested for schools, including operating expenses and capital outlay, we had to cut more in schools than in any other department.

I say frankly that when one considers the total amount requested for health, welfare, police, which is less than that for schools, one can see why we had to make the reductions. It was simply a matter of necessity.

Mr. RUMSFELD. Is it not true that many of the things for which we are asked to appropriate funds for the District of Columbia—such as protection, police, and welfare—are costs, in many instances, we could hope to reduce in future years if we, as Members of this body, provide the funds for education that are needed in the early years, so that we can start the young people of the District of Columbia along the road the gentleman and I would hope they would travel, rather than along the road that so predictably results in substantial expenditures for police protection and welfare payments?

Mr. NATCHER. I believe the gentleman is entirely correct.

Mr. RUMSFELD. Could the gentleman explain just briefly why we have to finance capital outlays for school construction out of operating revenues?

Mr. NATCHER. Under the setup governing our Capital City, that is the procedure which has been used all down through the years.

Mr. RUMSFELD. So your hands are tied?

Mr. NATCHER. Our hands are tied.

The CHAIRMAN pro tempore [Mr. Sisk]. The time of the gentleman has expired.

Mr. NATCHER. Mr. Chairman, I yield myself 2 additional minutes.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the distinguished gentleman from Washington.

Mr. ADAMS. I thank the gentleman. I appreciate his yielding. As a member of the Committee on the District of Columbia I have not been involved in the discussions which have been going on with respect to the appropriations, but I do wish to compliment the committee for doing the best job possible to tailor the appropriations to the budget requests.

In line with the remarks just made by the gentleman, I should like to say first and particularly I believe we have to discuss the budget in its overall aspect, which includes the revenue portion as well as the expenditure portion.

The gentleman mentions that his hands have been tied.

I should like to state that some of us who serve on the District of Columbia Committee—and I believe other Members also—will be making further remarks and will be introducing bills today in this regard.

I have introduced H.R. 8667, and I believe other bills will be introduced to raise the revenues available and to make available capital expenditure funds for construction of schools.

I ask the gentleman if it is not correct that in the budget this time $40 million had to be stricken, involving 35 school projects, because there simply were not construction funds available to be allocated from the revenues?

Mr. NATCHER. The gentleman is exactly correct.

Mr. ADAMS. And another $7.3 million was stricken in operating expenses for the same reason.

Mr. NATCHER. The gentleman is correct.

Mr. ADAMS. There was another $1.7 million from the park funds, and I believe the gentleman mentioned $1,250,000 in the summer program.

Mr. NATCHER. That is exactly correct.

Mr. ADAMS. As I add these, they amount to a little more than $50 million involved with the children of the area, which simply was not available to the committee to spend, unless we can make available more revenues and make available a larger bonding capacity.

With that in mind I should like to say further—and this is suggested in the bill —if we were able, as an example, to raise the Federal payment by $10.6 million and to raise the bonding capacity by about $40.5 million, which I have suggested in the bill, there would be projected about $8 million in tax revenues, which would give the committee the flexibility of approximately $62 million, which they had to cut.

The CHAIRMAN pro tempore. The time of the gentleman has again expired.

Mr. NATCHER. Mr. Chairman, I yield myself an additional 2 minutes.

Mr. ADAMS. If he were to produce approximately $10 million in additional Federal payment and approximately $40 to $45 million in authorized bonding capacity, as I understand it, it is estimated that there may be an additional $8 million in tax revenues raised by the Commissioners. If this were available, would it make available to your committee some $62 million that you could use to restore the cuts which you necessarily had to make in this budget?

Mr. NATCHER. I say to the gentleman that if the legislative committee under the chairmanship of my friend, the gentleman from South Carolina [Mr. McMillan], brings to the Congress and to the floor of the House the necessary authorizing legislation and it is enacted into law and the money is then in line for consideration, our committee will carefully consider every item and every proposal made either in a supplemental or in conference with the other body after they pass the bill.

Mr. ADAMS. Mr. Chairman, I very much appreciate this statement and I might state that a number of the members of the committee are here. I see Mr. Nelsen standing and Mr. McMillan, the chairman of the legislative committee, present. Many of us just started to discuss this when we learned of the appropriation last week and had a figure that we could deal with. I would like to reiterate that this is the Capital City of the entire Nation, as the gentlemen in the well has just stated. In the next 10 or 15 years it will become the cosmopolitan world capital that it actually is.

I understand that other Members will introduce these bills, and I want to thank the gentleman for yielding me this time. It is important that we show how this system works so there is no confusion and we can recognize our responsibilities.

Mr. NATCHER. Mr. Chairman, I thank the gentleman for his comments.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman from Iowa.

Mr. KYL. Pursuant to the remarks of the gentleman who just spoke, there are sources of additional information. I have one example here of many that are available.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NATCHER. Mr. Chairman, I yield myself 4 additional minutes.

Mr. KYL. Will the gentleman yield further?

Mr. NATCHER. I yield to the gentleman.

Mr. KYL. Here is a picture of a lovely 3-floor dwelling with basement and marble entrance vestibule with four fireplaces, completely reconditioned and renovated, with new baths and kitchen, and centrally air conditioned, et cetera, with a sales price of $125,000. One hundred and twenty-five thousand dollars. The taxes are $547. It is ridiculous.

Mr. NATCHER. I want the gentleman to know that I fully concur with the statement he has just made. When you consider the fact that the current rate is $2.70 per $100 of assessed valuation, you can see why at no time anyone should complain about the real estate tax in the District of Columbia.

Mr. McMILLAN. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield now to my distinguished friend from South Carolina, the Chairman of the Legislative Committee on the District of Columbia, Mr. McMillan.

Mr. McMILLAN. Mr. Chairman, I thank the gentleman for yielding, and I want to take this opportunity to commend him as Chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations for the fine job he has done not only this year but in previous years in handling the District of Columbia appropriation bill. I do not know of any man who has given more time and study to this subject than your chairman, Mr. Natcher. I marvel at times at how he can take the time and have the even spirited nerve, you might say, to go through some of the hearings that he has to go through on this subject. I am certain that my good friend, the chairman of this subcommittee, will agree with me that every Government agency in the city of Washington, and the budget director of each of these agencies sends down a budget of much more than they expect to get. Is that not true?

Mr. NATCHER. That is exactly correct.

Mr. McMILLAN. I would like to state further that I am certain the Budget Director of the District of Columbia had no idea of ever getting $525 million from your committee when they sent the budget to your committee. I am certain we all know the budget of the District of Columbia has just about doubled in the past 7 years. We have spent more money on school buildings than any other city in the United States of comparable size. I know we want to give them every dime that they can efficiently spend, but even though it is the Nation's Capital and we want to see it retained as the most beautiful city in the world, we will not throw away one dime here in the District of Columbia or any other place.

Mr. Chairman, I certainly wish to see the schools brought up to a standard under which they would compare with the best of the other schools in the United States.

Mr. Chairman, if the distinguished gentleman from Kentucky [Mr. NATCHER], or if any member of the gentleman's committee is of the opinion that they can efficiently expend more money here during the next 12 months in connection with the schools here in the District of Columbia, the Committee on the District of Columbia of which it is my honor and privilege to serve as chairman shall undertake to try to obtain this money for them.

Mr. NATCHER. I thank the distinguished gentleman from South Carolina.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I am happy to yield to the distinguished gentleman from Minnesota [Mr. NELSEN] and then I shall yield to my good friend, the distinguished gentleman from Oklahoma [Mr. EDMONDSON].

Mr. NELSEN. Mr. Chairman, I thank the distinguished gentleman from Kentucky for yielding to me at this point.

Mr. Chairman, I wish to compliment the gentleman from Kentucky for the very careful and thorough job which the subcommittee of which he serves as chairman has performed with reference to this particular appropriation bill.

Mr. Chairman, I noted an article which appeared in one of the Washington papers, an article pointing out the fact that the Subcommittee on the District of Columbia of the Committee on Appropriations has performed a very skillful job—and I am sure it and the members thereof have performed such job—particularly in view of the limitations under which they must operate.

Mr. Chairman, I realize, too, that in order to expand the appropriations for the District of Columbia, there must be additional authorization.

Mr. Chairman, as has been pointed out by the distinguished gentleman from South Carolina [Mr. MCMILLAN], various bills have been introduced to bring about this result. However, I, personally, have not introduced such a bill up to this point, because I have not been able to thoroughly examine some of the requests and some of the needs involved.

Mr. Chairman, until I am fully satisfied as to the dollar amounts, I shall withhold the introduction of a bill which I intend to introduce, but dependent upon the ascertainment and disclosure of pertinent facts involved therein.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. NATCHER. Mr. Chairman, I yield myself 2 additional minutes.

The CHAIRMAN. The gentleman from Kentucky has consumed 30 minutes. The gentleman from Kentucky is recognized for 2 additional minutes.

Mr. NATCHER. Mr. Chairman, I thank the gentleman from Minnesota for his statement.

Mr. NELSEN. Mr. Chairman, will the gentleman yield further?

Mr. NATCHER. I yield further to the gentleman from Minnesota.

Mr. NELSEN. And, Mr. Chairman, I join with my colleagues in endorsing the idea that our Nation's Capital should have the best schools, the best police force, and the best city administration in the Nation.

Also, Mr. Chairman, I shall join with those who wish to approach all of these problems, but shall ask for full justification in order that we may know that what we do is done based upon a sound justification.

Mr. Chairman, I know that the distinguished chairman of the subcommittee, the gentleman from Kentucky [Mr. NATCHER], has proceeded in this manner, and I am sure that our committee will thoroughly investigate the broad spectrum of problems involved in the District's operation.

Mr. Chairman, no one is wedded to any specific figure. However, we want to know what the facts are and to then proceed accordingly.

Also, Mr. Chairman, I wish to add my compliments to the chairman of the Subcommittee on the District of Columbia, the gentleman from Kentucky [Mr. NATCHER], for having introduced a bill to proceed toward the objectives which we seek.

Mr. NATCHER. Mr. Chairman, I thank the distinguished gentleman from Minnesota for his valuable comments and I now yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I thank the gentleman from Kentucky for yielding to me at this point.

Mr. Chairman, my purpose in rising is merely to express one Member's appreciation for the very clear and lucid manner in which the chairman of this subcommittee, the distinguished gentleman from Kentucky [Mr. NATCHER], has presented this bill.

Mr. Chairman, the gentleman from Kentucky is one of the outstanding legislators in this body and his work on this particular piece of legislation is fresh evidence of his outstanding ability.

Mr. Chairman, it is a great privilege to serve in this body with the gentleman from Kentucky.

Mr. NATCHER. Mr. Chairman, I wish to thank my distinguished friend, the gentleman from Oklahoma [Mr. EDMONDSON], very much for his highly complimentary statement.

Mr. GROSS. Mr. Chairman, will the distinguished gentleman yield?

Mr. NATCHER. I am delighted to yield to my good friend, the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I thank the distinguished gentleman from Kentucky for yielding.

I, too, Mr. Chairman, wish to commend the gentleman from Kentucky, especially for his statement in behalf of the Police Department of the District of Columbia. However, I am afraid that too little can be counted upon from the populace of the District of Columbia in order to make this an effective metropolitan police force.

Also, Mr. Chairman, I wish to commend the gentleman for his statement with reference to education.

However, Mr. Chairman, I disagree with those who have said that this city should enjoy the best schools throughout the Nation.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. NATCHER. Mr. Chairman, I yield myself 2 additional minutes.

Mr. GROSS. Mr. Chairman, I disagree mildly with those who have said that the District of Columbia ought to have the best police force and the best schools and the best of everything. It is my opinion that the residents of the District of Columbia should be placed upon an equal basis with the people throughout the country.

However, Mr. Chairman, I do not know of any reason why the District of Columbia should have the best schools and I am not in complete agreement with the statement that we should go out of our way in order to provide the best schools for the District of Columbia in the United States.

Mr. Chairman, the people of the great State of Kentucky and the great State of Iowa are entitled to good schools, along with the residents of the District of Columbia.

Mr. Chairman, I realize that that statement might be construed as splitting hairs, so to speak, but I just must disagree with those who feel that the District of Columbia should be set apart as something for the people generally of the United States to provide to it the best of everything and to everyone.

That leads me to this stadium business out here, this $20 million white elephant. I want to say to the gentleman that I notice in the newspapers and in the various other media of communications that the drive is now on to try to entice somebody in this Congress, despite the fact that we were repeatedly told when that stadium was built that not a dime of the cost of it would come back to the taxpayers of this country, the drive is on now to saddle it onto the backs of the taxpayers of our country.

I hope I have understood the gentleman's statements right in the past, and I hope he continues for some time as one of the leading members of the Subcommittee on Appropriations for the District of Columbia, because I do not believe he shares with some others the belief that the taxpayers of this country should pay for this white elephant out here. Let those who spent the money pay for it.

Mr. NATCHER. Mr. Chairman, I want the gentleman to know that I concur and agree with him absolutely on the statement he just made. I sat on the floor when the bill was passed authorizing the construction of the District of Columbia Stadium, and I recall the gentleman from Iowa asking the question as to what the cost would be, and the gentleman was informed that it would cost $6 million or $7 million.

Mr. GROSS. That is right.

Mr. NATCHER. It cost $20,500,000, and it takes $831,000 a year to pay the interest on the bonds alone, and not a single bond has been retired.

I say again that I agree with the gentleman.

Mr. GROSS. I thank the gentleman for yielding.

Mr. NATCHER. Mr. Chairman, I yield to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I too want to commend the gentleman and the committee in regard to this legislation.

I note that on page 20 of the report—and I might add that I have discussed this with the gentleman, and with members of the committee previously—in referring to highways and traffic, the figure quoted is $14,722,000. I also note on page 23 that the Interstate System has about $10.5 million, which I presume is the 10-percent local share. That means about $100 million total in expenditures on the Interstate System for the coming year plus the primary and secondary, and so forth. Could the gentleman, as one who has fought valiantly and, as far as I am concerned, courageously, to comply with the Federal aid requirements, explain why, when the bill, as it related to the Interstate System, required that a programed, planned, and orderly completion of the system shall be a condition for continued Federal participation, to the tune of 90 percent, can the gentleman give us assurance that this is going to happen in the future, particularly with the leadership he has given to this subcommittee, that there is going to be an orderly, planned completion of the Interstate System, the inner loop, and what have you?

It is probably the most reprogramed, start-stop, restudied program of any in the country, and it is hardly an example to set for the rest of the Nation, at least, in my opinion.

Mr. NATCHER. I agree with the gentleman. I know of his interest not only in the Interstate System here in the Capital City, but throughout the United States. I want the gentleman to know that as one member of this committee I am still of the opinion that there is a place for both rapid transit and the freeway system in our Capital City. If they put roadblocks in the path again to stop the highway program, stopping us from repairing the streets and building the interstate highways, I will again make a recommendation to this Congress that we stop the subway system. We have lost millions of dollars by virtue of the 5-year delay created by those opponents who tried to destroy the freeway system.

The gentleman from Florida is entirely right as far as the future is concerned. We are making every effort to continue the system in the orderly fashion and in the manner the gentleman has just described.

Mr. CRAMER. Mr. Chairman, I want to ask one additional question. The reason I rise to ask it is because I know of the gentleman's expressed desire to have this system completed, and other members of the committee. But it seems to me the problem in Washington and the attitude of some of the local people relating to it is spreading like wildfire, like a disease, and we are having problems in the major urban areas in many States throughout this Nation. We have them in Cleveland. We have them in Boston, Mass., and in many of the major cities, the same problem that this system is not going to be completed by 1972, or 1973, if these issues in the urban areas are not resolved.

As a matter of fact, I am so concerned about it in these major cities throughout the Nation where you have these competing transportation facilities, and you have this replanning and you have this change of design and you have this unwillingness of the local community to make their decisions and finish the system, that I am asking our committee to look into this matter and study it carefully, because otherwise the job is not going to be finished, the urban extension of the Interstate System, by the required date.

Mr. NATCHER. I thank the gentleman for his comments, and I say to the gentleman I concur in the remarks the gentleman has made.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman.

Mr. HUNGATE. I would like to commend the gentleman for the dedication and devotion that he has brought to this task of solving the problems of our Nation's Capital not only this year but over the years in the past.

I commend him too for the fact that the gentleman does not shrink from this task. So I think all of us owe him a debt of gratitude.

The gentleman from Kentucky's abilities have been recently recognized in an article in volume 59, page 462, of the Law Library Journal, discussing the problems of the District of Columbia, entitled "A Marriage of Inconvenience; Congress and the District of Columbia," by Jack S. Ellenberger. The article notes:

> While District Affairs are frequently left to junior Members of Congress who serve their time in the hope that better things will be coming with the increase of years and re-election. Some stay but most go. In all fairness, some strong champions of District affairs have stayed, such as Senators Bible and Morse on the Senate District Committee, and Congressman Natcher (D. Ky.) who Chairs the House Subcommittee on District of Columbia Appropriations.

They note that our colleague from Kentucky is concerned with operating the District government on a balanced budget, a view in which I would hope most of us concur. They further state:

> He has displayed an increasing affinity for solving District problems that has not always followed with seniority.

I again congratulate our colleague on a job well done.

Mr. Chairman, I ask unanimous consent that the gentleman from Washington [Mr. ADAMS] may revise and extend his remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ADAMS. Mr. Chairman, it is important today when the District of Columbia appropriation bill is being presented to the House that we present the full budgetary problems to the House for its consideration.

As a member of the District of Columbia Committee, I have not been involved in the discussions regarding the appropriation portion of the District of Columbia budget. The reports that I have received indicate that the committee has done the best job possible to tailor the appropriations to the revenues available.

I believe it is the responsibility of those of us on the District of Columbia Committee to be certain that we understand our responsibilities with regard to the revenue portions of the budget, and for that reason I am asking that the gentleman from Kentucky assist us in describing the cuts which were required in the District of Columbia budget, particularly regarding the programs for the children of the District.

It is my understanding that the committee reduced the District of Columbia's $526 million budget request for fiscal year 1968 by more than $62 million. It is my understanding that a reduction of $40 million was produced by striking 35 school projects, including Shaw Junior High School, an addition to Hine Junior High School, and a fieldhouse for Wilson High School, together with additions to Dunbar High. It is also my understanding that the schools were awarded $93.7 million in operating funds, which is $7.3 million less than they asked. It is also my understanding that $1.7 million were cut from park funds so that only seven of the Park and Recreation Department's priority list of 17 projects were approved. It is my further understanding that $1,250,000 were cut from a $2.5 million suggested program for summer recreation programs. This involves approximately $51.6 million in programs directly involved with care of the children of the District of Columbia.

I have not referred to the reduction in the community relations program which is so essential to producing law and order in the area, nor to the program for expanding the District of Columbia Sessions Courts although I consider these a vital part of the program we are trying to produce to reduce crime in the District of Columbia.

It is my understanding that these cuts were all necessary because the proposals in the budget for an increase of $10.6 million in the Federal payment and an increase in bonding capacity for construction of the schools in the amount of $45 million has not been acted upon by the District of Columbia Committee.

I regret that this is the fact, and upon learning of the action of the Appropriations Committee last week and the scheduling of this bill today, I have investigated the President's message, the proposed District of Columbia budget, and obtained copies of the revenue proposals.

I am this day introducing a bill to carry out the proposals recommended in the President's message, which in essence recommends that the Federal annual payment authorized be an amount equal to 25 percent of the tax revenues. In fiscal 1968, based on the current estimate of specified tax revenues of $282.3 million, this basis would fix the authorization at $70.6 million—$10.6 million above the present authorization of $60 million. In fiscal 1967 this basis would have fixed the authorization at $64 million, which illustrates the need for a continued fair apportionment of costs of the District government between District taxpayers and the Federal Government.

The second portion of the bill would propose to create a District debt ceiling related to the annual amount of general fund revenue. It is proposed that 6 percent of such revenues be available for debt service, which would permit a debt ceiling of $335 million in fiscal year 1968. This is $45 million above the present authorization and in the future the District would be permitted to take advantage of bonding capacity made available as the District repaid the outstanding bonds.

The result of this revenue measure would be to provide an additional $55 million above the present authorization of $60 million, and with the estimated increase in revenues during the next year of $8 million would provide the funds necessary to restore the budget cuts proposed by the Appropriations Committee.

This modest proposal will allow the District to begin to move forward rather than standing still as will occur under the present budget. As a citizen of the United States who spends a great portion of his life in the District, I hope we will begin to move our National City forward toward becoming the cosmopolitan capital city of the world, which is in fact going to be required. I believe this will occur in any event during the next 10 to 15 years because of the national and world factors that make this a world center, but the manner in which it is done and the speed with which it is accomplished depend on what we start today.

I understand other of my colleagues are introducing proposals to increase the revenues of the District so that the budget cuts can be restored. I hope we will have hearings at the earliest possible date.

Mr. NATCHER. I thank the gentleman for his statement.

The CHAIRMAN. The gentleman from Kentucky [Mr. NATCHER] has consumed 39 minutes.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, anyone who attempts to share in the discussion of this appropriation bill with the gentleman from Kentucky [Mr. NATCHER] must do so with humility. I suspect that my feelings in following the chairman of this subcommittee are somewhat akin to those expressed by John Quincy Adams at the time that the British Foreign Minister suggested to him, when the Holy Alliance, as the group of European nations were called, was contemplating moving against the independent Spanish colonies in Latin America—that there ought to be a joint effort between Great Britain and the United States in opposition to such a move. It was the expressed thinking of John Quincy Adams which prevailed—and which resulted in our independently stating the Monroe Doctrine—that for us to make a joint statement would be like making of ourselves a rowboat in the wake of a British man-of-war.

Mr. Chairman, anyone who attempts to share in this discussion with the distinguished chairman, certainly makes of himself a rowboat in the wake of a man-of-war—for he certainly by his knowledge and by his dedication has performed a most unenviable job under difficult circumstances.

I note that this subcommittee is usually referred to in the press as the Natcher committee. There is justification in fact for that designation and it is not just as a matter of convenience.

I think most of you from your associations here in our Capital City are aware that we have more experts on government here, outside of the District of Columbia administration, than there are educational experts outside of your school administrations and your faculties in the school districts from which you come. There are always plenty of such experts—if you know what I mean.

If left to the Commissioners and to the administrative officers and to the budget officer of this District government, I feel quite certain that after repeated entreaties by Chairman NATCHER, we would have had a balanced budget to deal with in these past few weeks. But it is just as clear, it seems to me, that many experts outside of this District government have again given this subcommittee the almost impossible task of appropriating money that we do not have, appropriating more money than the people are willing to pay for, or than they ought to be asked to pay. Even though you have heard the chairman recite to you that this bill has been cut $62 million, I do not believe that our chairman did emphasize that this also is $59 million more than has been appropriated in the current fiscal year.

It is significant, I think, that the Chairman of the District Commissioners, Mr. Tobriner, and the budget officer for the District of Columbia, Mr. David P. Herman, used the same adjective in referring to the handiwork of this subcommittee. They both used the word "skillful" as being a skillful job under the circumstances.

I know that both in the press and in the mimeographed productions which have found their way to your desks in the past few days, a great deal has been made of the $40 million that was reduced from the original request for school construction. Some of that, as the chairman has effectively pointed out, was the simple result of the lack of available money. But not all of it. I think it is fair to say that a greater amount, more than half of the reductions, were not due to the money shortage. They were due to the problems of the pulling and the hauling and the uncertainty in the submissions to our committee. I submit that this again had to be the result of outside forces at work.

Some people insisted upon submissions to the committee, insisted upon the submission of construction projects, for which the homework could not be done and was not done, and the supporting information simply was not there. We could not in good conscience—and I submit that this applies to more than half of the funds that were cut out in the area of school construction—in good conscience we could not come to this floor and say to you that these projects were justified to us, because they simply were not, in accordance with reasonable standards of justification that we had a right to expect.

I believe that same comment could apply in other areas, in some of the construction in parks and recreation, for instance, where we had to cut out projects, not entirely because of lack of money, but because of lack of adequate justification.

I do not think you would look very kindly upon us if we had come to the floor approving some of the construction projects, for instance, where the land was to be purchased for those projects in accordance with the appraisal submitted to us for more than five times the assessed valuation of the land as it sits upon the assessment rolls of the District of Columbia. So do not blame all of these reductions on the lack of money. Blame some of it—blame more than half of it, on the lack of adequate justification for those projects to our committee.

You will note on page 28 of the report only one of the various departmental or agency items has an increased appropriation beyond what is shown in the budget. I think that is such a departure from the normal pattern of the bill that it does require some explanation, and I hasten to assure you that this does not result in a net-plus commitment as far as the expenditure of money in the District of Columbia is concerned. What it is is an updating of a factual situation. The item of snow removal in the District of Columbia for a number of years was simply a figure of $585,000 that had been submitted. This was purely historical. It bore no actual relationship to the cost of snow removal in the District of Columbia. So the Department of Highways and Traffic, year after year, had simply dipped into the construction funds made available for various highway projects within the District.

In order to put this bookkeeping on a realistic basis, on a modernized and actual basis, the committee did appropriate $1 million, which comes pretty close to being the amount required for snow removal here in the District each year.

I thought you would want to have that explanation of the single plus you see in the final column on page 28 of this report.

Let me talk to you a little bit about this matter of Federal payment which is in this bill for $56 million. It could have been $60 million, as far as authorizations go, but I would just like to suggest to some of the members of this committee that if you ever need a good object lesson in the fallacy of what you have heard talked about a great deal on both sides of this aisle, if you ever need a good object lesson in the fallacy of tax-sharing to State or local communities, you can find it right here.

This is what we are doing. We are sharing taxes with the District of Columbia. As the unfortunate people of the Third Reich before the days of Hitler found out, there is no limit to the insatiable desire for money, once we start sharing it with States and localities out of the Federal Treasury. It was worth all of the hours of toil we in the subcommittee put in to have that object lesson brought home.

I hope that object lesson will apply to the thinking of the Members on the proposal we are hearing so much about these days.

Yes, this budget was cut $62 million, not quite 12 percent. I believe with some modifications here and there, the people of the District of Columbia could live within those limitations. But I am not so naive as to expect that to happen. I believe I can forecast something of what we can anticipate when this bill reaches the other side of the Capitol. But I hope we at this end of the Capitol will not go along with the easy way out, of simply saying yes, yes, we will approve all these things, but we are not going to do anything that is going to make anybody too much upset. We are going to let the District Commissioners exercise their responsibility to raise the real estate taxes, and thereby we will get some $8 million. Then we are going to increase the Federal payment, because that is not going to upset anybody very much. Then we are going to increase the authority of the District Commissioners to dip into the Federal Treasury for more loan authorizations, and that will not upset anybody too much.

I hope whatever increases are made in this appropriation will be on the basis of much more responsible revenue source—funding than taking the easy ways out.

For to do that—and that appears to be in contemplation from what we have heard—is simply shifting the burden to where it ought not to be shifted, and placing it on people who probably ought not to assume it in the years ahead.

So, my colleagues, I suggest there is no place for any significant amendment in this bill. There is not any leeway for increases, because the money is not there. There are no reasonable places for reductions, because this committee has already made the reductions that can reasonably be made.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to my colleague, the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, the gentleman has stated that some of the land purchases they were asked to approve were five times the assessed valuation. I would like to put that statement in proper perspective by asking the gentleman how the District officials are to appraise property under District law? Is it to be appraised at true value? It would appear that either the officials have been extremely derelict in appraising property or else there is some hanky-panky going on in regard to appraisals. I would like the gentleman to elaborate on that point.

Mr. DAVIS of Wisconsin. Mr. Chairman, I do not believe there is any hanky-panky or problem of legislation on the appraisals. They are made in the same manner that they are made in Missouri for highways or for any other purpose. They are handled through independent appraisals, and the appraisals are submitted to the District government, based on the highest and best use of the property in accordance with the usual appraisal and condemnation laws. I do not believe there is any problem in the appraisals, and I do not believe there is any basis for our subcommittee to question those appraisals.

What we should try to find out is why the assessments have so far lagged behind the true relationship to the valuation of the property.

Mr. Chairman, I yield 5 minutes to the distinguished ranking minority Member of the Committee on Appropriations, the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Chairman, since this bill has been discussed in detail by the chairman of our District of Columbia Appropriations Subcommittee, the distinguished gentleman from Kentucky [Mr. NATCHER] and by the distinguished ranking minority Member of the subcommittee, the gentleman from Wisconsin [Mr. DAVIS], I shall be brief. I do want, however, to reemphasize some of their remarks because they are of great significance to the House and to the Nation.

As presented to the House by the President, the District of Columbia budget for 1968 was out of balance and its proposed spending exceeded anticipated revenues by $52,800,000.

The committee has balanced the District budget and has even provided a modest surplus of $731,000 in the general fund.

To accomplish a balanced budget the committee had to face up to the hard fact that to the extent revenues were not available, proposed programs and proposed spending on existing programs would have to be curtailed. As a consequence, the committee undertook the job of determining the most pressing needs of the District and of funding them so that no essential service would be crippled. Their's was yeoman service of which we can all be proud. And I might add that this bill provides for an all-time record budget for the District of Columbia—some $463 million—and no one can accuse the subcommittee of being penny pinchers.

Within the limitation of available revenues, the subcommittee was able to recommend funds for the construction of 32 new schools out of a request for 67. Without question, more new school construction funds are needed for additions to and replacements of the District's existing school plant. This is a pressing need but it cannot be resolved by the Appropriations Committee alone. It requires the additional attention of and assistance by the taxpayers of the District, other committees of Congress and the Congress itself to eliminate the problems created by overcrowded and antiquated school facilities.

While it is true that the subcommittee was obliged to curtail some programs and eliminate some desirable projects, I repeat no immediate essential service will be crippled by those decisions.

This courageous and forthright action of the committee in setting priorities and in balancing the District's budget should be a source of real gratification, not only to Members of the House and the taxpayers of the District, but to all responsible Americans who must follow the same course with respect to their own personal finances.

There are 11 more regular appropriation bills and two or more supplementals to come to the floor this year and I would express the hope that the subcommittees handling those bills will follow the leadership and fortitude that the District of Columbia Appropriations Subcommittee has exhibited here today. If they will, we shall be able to bring the Federal budget much closer to balance and we can do so without impairing any essential Federal service.

I commend the gentleman and members of his subcommittee and may I say there would be no need for a Bow expenditure-limitation amendment if every other appropriation subcommittee performed as well as yours. Of course, the limitation amendment will not be offered today on this bill; however, if the bill should come back from conference greatly out of balance then it would be my intention to undertake to send the bill back to conference for further consideration.

Mr. NATCHER. Mr. Chairman, I should like to say to my distinguished friend from Ohio [Mr. BOW], the ranking minority member of the Committee on Appropriations, we all appreciate the fine statement he has just made. I want the gentleman to know, as one member of this committee, that I appreciate it, and I know that applies to all the others.

Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Chairman, I have followed the problems which have faced the subcommittee in its efforts to finance the District of Columbia in the coming year.

I have been acutely aware of the limitations within which they had to make the decisions on the budget. I am concerned because I know that their actions had to be taken in the light of a Federal payment and a borrowing authority which does not meet the original budget request.

I think the subcommittee and its chairman have done a first-rate job. I am proud of the way in which the subcommittee chairman approached this problem. I know of his deep concern for the welfare of the people of the District. Therefore, I am happy that today I am able to join with the chairman of the Committee on the District of Columbia and others in introducing legislation which will increase the authority for borrowing and for the Federal payment so that before this Congress adjourns there will be an opportunity to add some additional funding to some of the programs which require it. It is a matter of concern to all of us, I think, that we have not been able to fashion a more orderly procedure for disposing of these matters. I think that the subcommittee acted wisely in moving ahead under the authority they now have, but I hope that in the years to come we on the Committee on the District of Columbia can find a way to stay well ahead of the appropriations subcommittee so that they will have the full range of authority to act if they find they need to.

Mr. Chairman, I have considered carefully some of the budget cuts which are of concern to me. I am going to list them in the extension of my remarks. Therefore, I ask unanimous consent that at this point in the Record I may revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Chairman, one very serious problem arises with the reduction of the summer recreation program. Out of about $2,500,000 requested for these programs, the committee recommended appropriation of approximately $1,250,000, a reduction of 50 percent. This reduction troubles me and I know it troubles Commissioner Tobriner who predicted a community crisis last month if such serious cuts were made.

In addition to the 50 percent cut in the summer recreation program, there were other reductions in recreation which are also very serious. For example, the "tot lot" programs which use vacant lots for small playgrounds were eliminated although only $73,000 was requested. These "tot lots" provide relief from the boredom, heat and frustration of this city in the long summer months. They especially help the younger children. Personnel reductions in the recreation staff will force serious program restrictions even when the District has the equipment and the playgrounds available. About $189,000 for these additional playground workers was eliminated.

The preschool program, which would have given the city a chance to truly equalize educational opportunity, has been completely eliminated. The District asked for 75 teachers at a cost of $258,000 for this program which is a development of the Headstart program but under the regular administration of the Board of Education. Also, about $100,000 was reduced from the adult basic education program.

These education reductions hurt most the underprivileged. These programs aid those outside the regular school age. In one case, they prepare children to proceed normally once they get into school. In the other, they help correct the shortcomings another generation suffered.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. Gude].

Mr. GUDE. Mr. Chairman, I would like to commend the chairman of the District Appropriations Subcommittee for doing a yeoman job within the scope of his powers in a complex and difficult situation.

The present proposed budget for the District of Columbia will be out of balance by $44.8 million from the budget as submitted by the administration even after real estate and personal property levies are increased by the District Commissioners.

Since the House Appropriations Subcommittee must report out a balanced budget, heavy spending cuts are inevitable unless Congress authorizes additional revenue.

The District of Columbia school system would be hardest hit by the proposed cuts. Already seriously overcrowded, the District of Columbia school system will be faced with a crisis of major proportions unless immediate steps are taken.

Fully one-third of the city's pupils have fallen 2 years or more behind their proper grade level. While no one would contend that reducing class size and building enough classrooms will be sufficient to solve the District's educational problems, these are absolutely necessary first steps. Yet we are now faced with a situation in which size will actually increase and the present school buildings cannot safely accommodate the numbers of children who will be entering school in the fall. The school-age population in the District has increased 15 percent in the last decade and school-age enrollment has gone up some 35 percent. Hart Junior High now has 2,000 children although it was built to accommodate 1,443. Hendley Elementary School has 1,500 children in space designed for 1,056. We must realistically appraise what the growing school-age population does to the needs of the District.

The level of the public schools in the Washington metropolitan area should be a uniform one, and not one in which the city schools are continually substandard.

Mr. Chairman, I wish to commend the distinguished gentleman from Kentucky for the diligence with which he performs his budget scrutiny and bears the uneasy burden each year of putting into balance a budget that the House receives traditionally out of balance with no guidelines as to where special reductions should be made.

Also, Mr. Chairman, I commend the distinguished gentleman from Kentucky [Mr. Natcher] upon his interest in the expressway and mass transit system in the District of Columbia and the transportation problems of the entire Washington metropolitan area.

Mr. Chairman, the distinguished gentleman from Florida [Mr. Cramer] has stated that not only Washington, but all major metropolitan areas, are faced with competing systems of transportation. I would hope that the various proponents of the so-called competing systems will be able to get together to make these systems complement each other, but not compete with each other, because there is a great need for both mass transit and expressways, as well as adequate parking facilities, both fringe and downtown.

In addition, Mr. Chairman, we will have to be imaginative and look to other forms of transportation as well. But if the proponents of the expressways and the proponents of mass transit as well as others do not stop dueling with each other and look at the overall transportation problem, the transportation system of the District of Columbia as well as those of other big cities throughout the country will bog down.

Mr. Chairman, it is my sincere belief that the distinguished gentleman from Kentucky [Mr. Natcher] has performed a real service to all of us in this metropolitan area in pointing up the need for expressways and for mass transit moving along together in harmony.

Mr. Chairman, the citizens of the congressional district which I represent in the great State of Maryland have a dual interest in the District of Columbia in that it is both the core city of our metropolitan area and our Nation's Capital. We must devote considerable effort toward improving the public services of the District of Columbia.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield 5 minutes to the ranking minority member of the legislative committee on the District of Columbia, the distinguished gentleman from Minnesota [Mr. Nelsen].

Mr. NELSEN. Mr. Chairman, I have no prepared statement for the Record. But as the ranking minority member on the District Committee, I know, as other members of the committee know, that we who serve on the District of Columbia Committee have a rather thankless job assigned to us. However, I am fully convinced of some of the needs of the Nation's Capital. For instance, the schools and many other departments of the District have needs. These departments are behind insofar as the progress of the District of Columbia is concerned.

Mr. Chairman, I am interested in doing the right and proper thing by our Nation's Capital.

I believe it is fair to say that we have not met that responsibility in many respects. Further, I wish to make it very clear that when we provide the additional authorization that will be reviewed in the legislative committee on the District of Columbia, I intend to approach the various problems upon the basis of justified needs.

Also, Mr. Chairman, I must say that I can do nothing more than compliment the Subcommittee on Appropriations for the fine job which it has performed upon this budget. Also, I must compliment the subcommittee members who have had to operate within certain limitations. They have performed a very good, skillful, and thoughtful job.

Mr. Chairman, if there are further requests coming from the District of Columbia which are justified, I shall be the first one to rise in support. I believe all my colleagues know that as a Member of this body I approach things upon a rather careful basis. I have learned through operating a farm that you will not be engaged in farming long if you do not approach it upon that careful basis.

Our Government should be operated on a careful, constructive, progressive basis. In the District of Columbia with our new liberal arts college coming into being, with our new vocational and technical school coming into being, and with needed mass transit and school construction programs, there has to be some long-range finance planning. It is necessary if our Nation's Capital is to remain one of which we can be proud.

Mr. Chairman, I attended a breakfast one morning with some citizens groups. They called my attention to the recreational facility needs in the Northeast Washington section. They pointed out the very serious problem that exists there where youngsters must play in the streets for lack of playground facilities. I know this body would look with favor on examining these needs. I believe we can meet them, not all at once, but in a progressive way.

Therefore when we in the District of Columbia Committee consider the bill which will grant additional authorization, I am sure that we are going to look at all of these needs. I hope we can do the same careful, skillful job as that provided by the Appropriations Subcommittee. This is necessary so that when the subcommittee reviews the problem again, it will have ample room in which to move to do the job that is needed for our Nation's Capital.

Mr. Chairman, I yield back the balance of my time.

Mr. RIEGLE. Mr. Chairman, the Congress today has little choice but to pass this appropriation bill for the District of Columbia, and I recommend that it do so. But it is perfectly clear that the District budget falls far short of the amount necessary to meet the needs of this Capital City.

Today our Capital City is in disgraceful condition. Statements to the contrary are a fiction. Educational facilities are inadequate, the crime rate has spiraled out of control, and sprawling slums pockmark the various neighborhoods. These conditions that persist and worsen daily are a national disgrace. That the Nation's Capital of the United States of America should be so afflicted seems unbelievable. But the affliction is real—it cries out for urgent remedy—and the needs are not being met.

While many additional dollars are needed, dollars alone will not resurrect this city. First, hope must be regenerated in the people of the District. With hope must come individual, group, and community resolve to mobilize every available resource to arrest the erosion of the institutions and spirit that are the foundation stones of a community that can be honestly called a good place to live.

But is it realistic to expect a city to mobilize its ability when, governmentally, it is essentially a ward of the National Government? Self-respect, self-government, self-reliance, these conditions, I believe, are interdependent. Practical and meaningful home rule legislation is long overdue, and is a critical element in a new beginning for our Capital City. I will offer such legislation and fight for its passage.

Still more initiative is needed. We now are considering a national demonstration cities program, and yet is it sound to undertake a program to regenerate our Nation's cities, when our National Capital deteriorates before our very eyes? Let us perfect our "model city technology" here in Washington, D.C., first, and then seek wider application. If we are to undertake a model city program, let Washington, D.C., be the first city.

And broader outside initiative is needed. Let the best specialists in the various fields of urban problem solving come to Washington to meet head on the nagging problems that so badly warp the development of this city. Perhaps the District government should undertake a "regeneration crusade" where our Nation's finest urban problem solvers could be asked to come to Washington and team up in a massive interdisciplinary effort to resurrect this city's vitality and internal capacity.

In my home city of Flint, Mich., some years ago, we pioneered the "community school concept" in education. In brief, this concept sees schools as decentralized community assets that should be available for total public use from 7 a.m. to 11 p.m. with programs available for all segments of the community, ranging from adult education classes, to family swim nights, to senior citizen programs. It also includes the coordination of essential public services, community health, guidance services, and so forth, through the community schools.

We, in Flint, are eager to share our experience and success in this field with the District of Columbia. Meetings have already been held in Washington with District school officials and representatives of the Flint community school program and the Mott Foundation to establish the specific means by which the people of Flint, Mich., could offer a helping hand to the people of Washington, D.C.

We are hopeful of establishing a community school pilot program in the District which might become the beachhead for a revitalized educational program throughout the District. We, in Flint, are even examining the possibility of raising funds to assist the District in getting its pilot program off the ground—and to my knowledge, this is the first concrete example where a local community has come voluntarily to the Federal Government, and to the Nation's Capital, offering help—rather than asking for help. We, in the Seventh District of Michigan, have asked ourselves "What can we do for our country?"—and this assistance in the field of education is part of our answer.

But other communities have unique skills and unique resources available to assist the District of Columbia. I urge them to pitch in and help.

These ideas I have outlined should be examined further. Many more ideas are needed. New ideas should be invited from all sources. For we need additional initiative as much as we need additional dollars.

In conclusion then, while this District appropriation is important in meeting the immediate critical needs of the District, this amount, or an amount 2, 5, or 10 times its amount, will not by itself resurrect this great city. Much more is needed beyond our dollars and we must press on to find and release that initiative necessary to overcome a growing national tragedy.

Mr. EDWARDS of California. Mr. Chairman, it is encouraging that the Subcommittee on Appropriations for the District of Columbia has reported out the largest and most realistic current operating budget in the history of the Washington school system. The subcommittee has regretfully eliminated two programs from the school budget that urgently need to be restored.

One of these is the prekindergarten program. There has been an abundance of evidence to prove the importance of reaching disadvantaged children as early as possible. The years from 3 to 6 are years in which children accumulate the experience that lays the foundation for all of their future education. The Headstart program has shown what can be done if we reach disadvantaged children early enough. The District of Columbia school system asked for funds to begin 75 prekindergarten classes in target area schools. This is only a first step but it is an important step toward the 150 such classes which are really needed and the House should restore the necessary funds to institute this very promising prekindergarten program.

The Subcommittee on Appropriations has also cut funds for 400 teaching positions requested to further individualized instruction. These teachers would be used for team teaching and similar innovative programs which both in Washington and other cities across the Nation have proved successful in raising the level of achievement of economically deprived children. The subcommittee has eliminated funds for all but 101 of these new teaching positions. There is a critical need to find ways of reaching the children and youths of the intercity schools and the Congress should make every possible effort to assist the school system by restoring sufficient funds for all 400 of the teaching positions required for individualization of instruction.

Ample funds would be available for these and other programs if the Congress approached the problem of school construction in the District of Columbia in the way that virtually all other American cities meet their school construction needs. Schools are used over many years and it is therefore more realistic to pay for them over a period of years rather than to pay for them out of current revenue. District of Columbia schools are seriously overcrowded and a great number of them are obsolete. The need for school construction can never be adequately met so long as the District must build its schools out of current income. The Congress must give the District of Columbia school system sufficient borrowing power to meet its school construction needs. This would release current revenue for badly needed operating programs.

Mr. MATHIAS of Maryland. Mr. Chairman, I would like first to compliment the chairman and members of the full Appropriations Committee, and especially the gentleman from Kentucky [Mr. NATCHER] and the members of his subcommittee, for bringing this bill before us so early this year. The subcommittee has worked with great diligence, concentration, and efficiency, and I trust that their promptness will allow the District of Columbia government for once to start a fiscal year free from the uncertainty, hesitation, and confusion which tardy appropriations have produced in the past.

I would also like to commend the subcommittee for the care and prudence with which they have done the difficult and unenviable job of balancing the District's vast needs against its limited resources. On the one hand, we should obviously make a tremendous investment, in both operating and capital funds, in Washington's school system, in law enforcement, in recreation, in social services, and in management improvements. On the other hand, fiscal responsibility requires us to work within the confines of available funds. It is no easy task to reconcile a budget of hope and commitment with the hard facts of present revenues. I regret deeply that certain cuts, especially in educational services and school construction, had to be made. But the subcommittee does deserve great credit for the responsible way in which all requests were evaluated and the needs of particular neighborhoods were weighed.

Mr. Chairman, the Appropriations Committee has clearly accepted its responsibility. It is time for the District of Columbia Committee to do likewise. As in the past, the reporting of this bill, with its unfortunate but necessary cuts, has dramatized the need for prompt committee action to provide the additional revenue which can support the kinds and quality of public services the citizens of the Nation's Capital should have.

I am very pleased that the chairman and many members of the District of Columbia Committee this week have indicated their support for measures to increase the authorized Federal payment to the District and to extend the District's borrowing authority. I trust that hearings will begin very soon on the several concrete proposals which have been introduced. There is already one serious casualty of delay, for the Appropriations Committee has felt compelled to halve the funds requested for this year's summer programs for youth. It may not be possible to restore that $1,250,000 in time to organize a full schedule of youth activities for the entire summer. But we should try, and should also try to provide the means, as soon as possible, to support additional school construction projects, more teachers, and badly needed supplemental educational programs.

Mr. Chairman, in my judgment the District Committee has a further responsibility. It is our obligation not only to meet the urgent financial challenge of fiscal 1968, but also to anticipate the far greater fiscal problems of fiscal 1969, 1970, and even 1975 and 1985. We have fallen into a habit of tardiness, a pattern of delay and a reliance on short-range, patchwork remedies. In terms of congressional procedures, our failure to act on revenue measures before the last minute has greatly hampered the Appropriations Subcommittee in its work. In terms of good government, our year-to-year improvisations have made impossible the overall planning and consistent administration which every city government requires. Finally, in terms of human needs, our annual game of hot potato with the District budget has distracted us from a comprehensive examination and a coherent attack on the very real problems of education, housing, employment and crime with which too many citizens of Washington must live.

If the Congress is to fulfill its self-assumed obligations as the direct governor of the District of Columbia, it is time to take a long look at Washington's financial prospects. The Board of Commissioners has approved a massive community renewal plan which is estimated to cost $3 billion at 1967 prices, and is likely to cost much more by the time of its completion. The National Capital Planning Commission has issued and scheduled public hearings on a comprehensive 1985 plan with a tremendous price tag. This summer we will be receiving the undoubtedly expensive recommendations emerging from the current intensive study of the District of Columbia school system. Meanwhile, the costs of existing services continue to rise, as construction and operating costs increase and salaries of public servants must be raised to keep them comparable with those offered by other jurisdictions in this area.

Our policies and performance during the next decade may advance Washington toward its rightful place as the first city of the land—or may contribute to its continued decline. The cost of progress is going to be high, but the cost of failure, in dollars and in human loss, would be far greater and, I fear, irreparable. Yet our greatest rhetorical commitments to action will be empty words, unless we underwrite our pledges with the necessary funds.

I strongly urge the chairman of the District Committee to schedule this year intensive, full-committee hearings on Washington's overall financial outlook for the coming 20 years. We should entertain the thoughts not only of the Board of Commissioners, but also of the city's business leaders, civic and professional organizations, labor groups, neighborhood councils, and both political parties.

We should ask each witness to review fundamental questions, such as these: What should be the goals for government in Washington between 1968 and 1985? How realistic are these goals? What would be the cost of attaining these objectives? What are the alternative courses of action, and what is their cost? What is the economic potential of the central city, and what changes in its property values and income levels can we anticipate? What is a reasonable distribution of tax burden among individuals of varying income levels, and between individuals and corporations? What are the limits of income, property, and sales taxes? What financial role should the Federal Government assume? Finally, what changes can be made in administrative and legislative procedures to improve long-range financial planning?

In such hearings, we should reach beyond the borders of the District to assess the economic potential and revenue structure of the Washington metropolitan area as a whole. We should also review the experience and seek the counsel of leaders from other central cities of roughly comparable size, such as Baltimore, Boston, Cleveland, Dallas, Milwaukee, St. Louis, and San Francisco. By so doing, we can explore the extent to which Washington's difficulties are shared by these other cities, and the extent to which the problems of the Capital are unique. We can also, of course, profit from the successes of other city governments and learn from their failures.

Mr. Chairman, such an inquiry is admittedly difficult, especially when there is the continuing possibility that the basic structure of Washington's government may eventually change. But I feel that it is essential for us, as the present rules of the District, to learn as much as we can and to plan as well as we can. The alternative is to continue lurching from year to year, without any consistent pattern, any comprehensive plan, or much progress at all. This alternative, I submit, is not in the best interests of this city or the Nation as a whole.

Mr. NATCHER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read the bill.

Mr. NATCHER (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as having been read, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. NATCHER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FILING OF CERTAIN PRIVILEGED REPORTS BY COMMITTEE ON RULES

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZING CONTINUED LOAN OF CERTAIN NAVAL VESSELS AND A NEW LOAN

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill (H.R. 6167) to authorize the extension of certain naval vessel loans now in existence, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. PELLY. Mr. Speaker, reserving the right to object, as the distinguished chairman of the Armed Services Committee, Mr. RIVERS, knows, I checked the Department of Defense through his committee staff as to whether or not any of the vessels under this bill on loan to Latin American countries, have been used in illegal seizures of our American tuna boats in international waters.

This bill (H.R. 6167) covers loans of naval vessels to Colombia and Peru, and according to previous information furnished me, Colombia, in February 1966 seized, detained, and harassed the vessel *Day Island*. Peru, for her part, seized a number of our fishing vessels: In April 1966 the *Mauritania;* in May 1966 the *Chicken of the Sea*, the *Day Island*, the *San Juan*, the *Pilgrim*, the *Concho*, the *Sea Preme*, and the *Elsinore;* in October 1966 the *Sun Europa*, the *Ronnie S.*, and the *Eastern Pacific*.

Incidentally, my bill, H.R. 4451, to reimburse owners of vessels of the United States for losses and costs incurred incident to the seizure of such vessels by foreign countries and for other purposes, will have a hearing before the Merchant Marine and Fisheries Committee's Fisheries and Wildlife Subcommittee soon. This legislation would compel President Johnson to cut off aid to any country which ignores our claims for reimbursement for fines imposed on our fishermen under these illegal seizures in international waters.

The Department of State has informed me previously that naval vessels transferred to Latin American countries under the foreign assistance program have been used to take our tuna boats into custody in international waters.

However, Mr. Speaker, having been assured that none of the naval vessels which are under loan and are covered by this bill have been used by either Colombia or Peru to make any such illegal seizures, I shall not attempt to delay or impede passage of this legislation.

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, this bill, H.R. 6167, would authorize the extension of certain naval vessel loans now in existence and also authorize one new loan.

This kind of legislation has been passed on by the Congress on numerous occasions in the past. This bill is essentially the same as all of the previous ones.

Let me describe what this bill will do. The bill will extend the loan of 10 vessels now in the possession of certain foreign countries. The countries are Argentina, Brazil, Chile, Colombia, Korea, and Peru. Understand, Mr. Speaker, all of these ships are now being used by the countries I have named.

The committee amended the bill to add one new loan. The country is Korea and the ship is a destroyer. The committee was unanimous in its belief that this new loan should be granted.

Korea, unlike the other countries that I have named, has a special problem with respect to the protection of its shoreline. The Communist North Koreans have some very fast patrol boats which make frequent forays along the coasts of South Korea. These fast patrol boats are difficult to intercept and Korea, both for its own interest and for ours, must maintain constant vigilance to keep these intrusions to a minimum. The destroyer that we have added will render great service in effecting this. Also, let us not be unmindful of the 50,000 troops that Korea has sent to Vietnam. There is no doubt about this country being a "friendly" one.

On an overall basis, the theory of our Government in loaning ships to friendly foreign nations is quite simple. Antisubmarine patrol work must be carried on along the coasts of all of the countries named. Someone has to do it. It is very much to our advantage if we can find someone to do the job, a job that otherwise we would have to do ourselves. The simplest most economical way to carry on this antisubmarine patrol activity is to loan ships to our friends and have them do the patrolling.

You should understand that these ships are not ships that we would be using ourselves were they not on loan to our friends since they are old and were in the mothball fleet.

In addition to the prime purpose of antisubmarine patrol there are collateral benefits that accrue to the United States. The officers and men who run these ships come to the United States for training at our naval installations and become oriented to the manner in which our Navy does its work. In effect, these foreign crews become an arm of our own naval forces and it is easy to see that this, on a long-run basis, can not help but benefit our country.

What the bill states with respect to Korea is true of all of the other loans involved in this bill, that is, that the loans were made, and in the case of Korea, will be made, only after the Secretary of Defense consults with the Joint Chiefs of Staff and a determination is made that a loan is in the best interests of our country. We can take back any of these ships any time that we have a need for them.

So although the foreign nations are benefited by these loans, the underlying reason for making them is our own self-interest. As I said, someone has to do the job and this is an inexpensive and efficient way to do it.

There is no cost involved in this bill for the 10 ships already on loan. The only cost is about $7.5 million to place the destroyer for Korea in operational shape. This money will be spent in one of our own shipyards here in the United States.

Mr. Speaker, that is the bill; it is no different from many previous ones that the House has passed on favorably over the years and I strongly recommend your favorable consideration.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

H.R. 6167

A bill to authorize the extension of certain naval vessel loans now in existence, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 7307 of title 10, United States Code, or any other law, the President may extend on such terms and under such conditions as he deems appropriate the loan of ships, previously authorized as indicated, as follows: (1) Argentina, three destroyers (Act of July 18, 1958 (72 Stat. 376)); (2) Brazil, two destroyers (Act of July 18, 1958 (72 Stat. 376)); (3) Chile, one submarine (Act of July 18, 1958 (72 Stat. 376)); (4) Colombia, one destroyer (Act of July 18, 1958 (72 Stat. 376)); (5) Korea, two destroyer escorts (Act of August 5, 1953 (67 Stat. 363), as amended); (6) Peru, one destroyer (Act of July 18, 1958 (72 Stat. 376)).

SEC. 2. All loan extensions executed under this Act shall be for periods not exceeding five years, but the President may in his discretion extend such loans for an additional period of not more than five years. They shall be made on the condition that they may be terminated at an earlier date if necessitated by the defense requirements of the United States.

SEC. 3. The President may promulgate such rules and regulations as he deems necessary to carry out the provisions of this Act.

With the following committee amendment:

Renumber section 3 as section 4 and insert a new section 3 as follows:

"SEC. 3. Notwithstanding Section 7307 of title 10, United States Code, or any other provision of law, the President may lend to the Government of Korea, in addition to any ships previously authorized to be loaned to that nation, with or without reimbursement and on such terms and under such conditions as the President may deem appropriate, one destroyer for a period of not more than five years, but the President may in his discretion extend such loan for an additional period of not more than five years. No vessel shall be made available under this section unless the Secretary of Defense, after consultation with the Joint Chiefs of Staff, determines such transfer to be in the best interests of the United States. The Secretary of Defense shall keep the Congress currently advised of any transfer or other disposition under this section. All expenses involved in the activation, rehabilitation, and outfitting (including repairs, alterations, and logistic support) of the vessel transferred under this section, shall be charged to funds programed for the Government of Korea under the Foreign Assistance Act of 1961 as amended, or successor legislation. The loan shall be made on the condition that it may be terminated at an earlier date if necessitated by the defense requirements of the United States. The authority of the President to lend a naval vessel under this section shall terminate on December 31, 1968."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time and was read the third time and passed.

The title was amended so as to read:

A bill to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes.

A motion to reconsider was laid on the table.

UNITED STATES SHOULD GRAB THE BALANCE-OF-PAYMENTS BILL BY THE HORNS—THE DOLLAR IS STRONGER THAN GOLD

Mr. **PATMAN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **PATMAN**. Mr. Speaker, what makes gold important today in international trade and the money markets is that the U.S. Government stands ready to purchase gold from foreign holders at a firm price of $35 per ounce and to redeem dollars—sell gold—at that same rate of conversion.

U.S. dollars have behind them the world's strongest and most productive economy. This is why our dollars are sound, and this is why gold is valuable. Its convertibility into the world's most desirable currency—the good, old American greenback—makes gold useful as a means of conducting international transactions at a fixed exchange rate.

Only an infinitesimal portion of our total annual production of goods and services involves foreign trade, particularly when compared with other nations which must import and export to survive. America has been blessed with material abundance beyond the wildest dreams of the Founding Fathers. However, over the years we have contributed greatly to the economic miracle in free Europe since World War II ended. By gifts, loans, and investments in Europe and elsewhere, by our Government and private corporations and investors, we have vastly increased foreign claims on our gold supply.

It makes no sense to permit foreign considerations to dictate our domestic business and economic policies, particularly when foreign trade amounts to a drop in the bucket in terms of our gross national product. If it is our policy to continue to support gold in international market, then at some point we will find it necessary to impose stricter limits on the export of capital abroad. Significantly, the United States is the only major industrialized nation which does not impose such controls.

Mr. Speaker, with unanimous consent, I insert at this point in the RECORD an article appearing in the April 16 issue of the Washington Post by Hobart Rowen:

UNITED STATES TAKES BOLDER APPROACH: DOLLAR IS STRONGER THAN GOLD

(By Hobart Rowen)

As any tourist knows, a taxi driver in London, Istanbul, Karachi—indeed, anywhere in the world—will gladly accept his fare in American dollars if you don't have the right amount of local currency.

But try paying the cabbie with—say—German marks in Paris, or Dutch guilders in Rome. Both are good, strong currencies. But the cab driver in Paris will want francs (or dollars) and in Rome he will want lira (or dollars).

In microcosm, the cabdriver symbolized businessmen all over the world who accept—in fact, seek—dollars as the universal money for business transactions. It is a medium of exchange not matched by any other paper money or by gold itself.

UNIQUE ATTRIBUTE

This unique attribute of the dollar is evidence of the prosperity and power of the American economy, not a reflection of the gold we have stashed away in Fort Knox.

It exists because those who hold dollars can invest them in a multitude of ways in any country and get a good return.

This is the backdrop against which to consider last week's headlines about gold, and talk—some of it hysterical—about a change in the U.S. gold policy.

Much of the discussion in the press has revolved about an article published April 4 by the powerful Chase Manhattan Bank of New York, which said that in a "crisis" (meaning a run on gold supplies) the U.S. could halt its present practice of buying and selling gold at $35 an ounce.

This followed by a couple of weeks a tough-talking speech by Treasury Secretary Henry H. Fowler, who warned that if the rest of the world didn't agree on monetary reform measures that would lift some of the pressure from the United States, we might have to take "unilateral" action.

The Chase bank analysis, this column learns, was already in galley proofs when Fowler made his speech on March 17. It said that the U.S. should quit being so defensive about the dollar and "employ a strategy that takes account of the dollar's strength and stability."

If there should be a "run" on gold, the bank article concluded, the U.S. could take the drastic step of refusing to buy or sell any more gold.

The Chase article, written by vice president John Deaver, is an excellent piece of economic analysis. It makes many points that academic economists have urged for years. But powerful banks get more attention than economists.

What landed it on the front pages, was sheer happenstance: Rudolph A. Peterson, head of the equally powerful Bank of America, echoed the sentiments of the Chase article—in fact, quoting from it—in a New York speech.

BIG NEWS STORY

And who introduced Peterson? None other than Chase President David Rockefeller. Now, it was a big news story: two big American banks were urging the U.S. to shut off the outflow of gold. And one influential journal jumped to the erroneous conclusion that we were really witnessing a Fowler-Rockefeller-Peterson plot designed to ram a tough new U.S. policy down European throats.

As one of the principals observed laconically, "We're not that well organized."

There has not been, this reporter is satisfied, any collusion among Messrs. Fowler, Rockefeller, and Peterson. But a gradual realization that the U.S. has for years been taking a needlessly defensive point of view about the dollar does seem to be taking hold, and this is all to the good.

The U.S. is gaining confidence in a bolder approach that presages evolutionary changes—but not an abrupt cessation of gold sales and purchases. Some Europeans consider Fowler might have done better to pursue his goals privately. But the soft sell hasn't worked up to now.

An important fact to remember is that the discussion precipitated by Messrs. Rockefeller and Peterson relates to what would happen in a "crisis," and no reasonable person can sketch out how a "crisis" could take place, once he understands why that taxi-driver will take an American dollar bill when he won't take other currencies.

GOLD CLAIM LIMITS

To evoke the spectre of a run on Fort Knox's gold, one would have to imagine that private holders of dollars all over the world would suddenly decide to get rid of them.

What would they try to get for dollars? Remember only central banks can claim gold from the U.S. for their official dollar balances.

Private holders of dollars in this imaginary crisis—mostly private banks and businessmen—would have to change their dollars into other currencies. And what would they do with them? They can't get gold, because no other currency is convertible into gold.

What would businessmen do with francs, marks, lira, guilders, and so on? They would be more difficult to invest—and certainly would not bring a better return than dollar investments.

This is not a matter of theory: private bankers in Europe—as distinguished from their more conservative central bank colleagues—are delighted with the reliability and stability of the dollar. They'd like as many as they can get. As the Chase article observed, no currency has retained its value better in the post-war period, despite inflation, than the dollar.

What it all adds up to is this: the whole world, whether it likes it or not (and we know how much M. de Gaulle doesn't like it) is heavily tied to a dollar standard. Sometimes, it is called a "gold exchange standard", because we stand ready to buy or sell gold.

But I think that it would be more useful to recognize that we really have a "dollar exchange standard." Gold has a value, not because of some magic or intrinsic quality, but because the United States—and no other country—is willing to buy it from central banks at $35 an ounce.

U.S. willingness to buy gold at $35 an ounce has actually put a floor under the price of gold, making speculation a riskless affair for those who would like to see gold prices raised.

It is not well known that United States gold regulations, following the agreement at Bretton Woods in 1944, provide the U.S. will sell and buy gold within a range of ¼ of 1 per cent of $35—not at the flat $35 price.

RANGE OF GOLD "POINT"

Thus, although it has been our practice to sell and buy gold at $35, our agreement with the IMF provides that we may sell gold up to $35.0875 an ounce, and buy it as low as $34.9125 an ounce.

This range of gold "points" provides us with an opportunity to keep the gold-hunters a bit off balance, by creating just a little bit of doubt that gold will always be as good as dollars.

We are entitled, without any radical change in gold sales or purchases to give ourselves that much elbow room.

We may also soon recover from an error early in the Kennedy Administration, when Treasury Secretary Dillon decided against asking Congress to remove the 25 per cent gold "cover".

This requirement limits to less than $3 billion the amount of free gold available to meet claims by central banks holding dollar balances.

By removing the gold cover, we would free our total supplies of around $13 billion in gold, and we would be saying to central bankers, in effect, if you want the gold instead of interest-earning dollars, come and get it.

Psychologically, as we act to shake the binding control of the mystique of gold, there are other things we can do, especially if the world wants us to continue to act as its banker.

Because we have been a banker, making long-term loans and investments—and because we have made heavy outlays for foreign and military aid—we have run up some big balance of payments deficits.

But these are not the deficits of a country living beyond its means, threatened by a wild inflation—typical, say, of a weak South American country. Our assets abroad are double our liabilities. The dollar is strong, the U.S. economy is strong.

These are among the reasons why Joe Fowler, after years of humiliating and abject promises that the "dollar is as good as gold"—has decided to jut out his jaw and talk tough. The dollar is as good as gold. What's more, it's better.

GEORGE C. MARSHALL: ORDEAL AND HOPE, 1939-42—BIOGRAPHY BY DR. FORREST C. POGUE

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVERETT. Mr. Speaker, shortly before Christmas, the Viking Press of New York published the second volume of the biography of Gen. George C. Marshall. This is the second book of a four volume series which is being written about that great soldier-statesman by Dr. Forrest C. Pogue, formerly of Murray, Ky., now of Arlington, Va. Dr. Pogue was my major professor in college and I have been especially pleased by the high praise he has received for this second volume, "George C. Marshall: Ordeal and Hope, 1939-42," by various book reviewers throughout the country. Both because of what they say about Dr. Pogue and about the great man whose biography he is writing, I wish to insert some articles about the biographer and his book in the Record.

Since this is the 20th anniversary of the Marshall plan, we will hear a lot about General Marshall this year. I think it is especially valuable that we have this second volume which shows in detail how General Marshall went about preparing the Army and the Army Air Forces for the great task of defending this country.

Although he was a great soldier, General Marshall was a stanch upholder of civilian control of our foreign policy. He was remarkable for his ability to work closely with Members of Congress. He was always open and honest with the committees of the House and the Senate and the Members trusted him completely. I have heard our present Speaker describe to Dr. Pogue the fine way in which General Marshall worked with him and others during the critical war years. Dr. Pogue devotes many pages to this phase of General Marshall's career. I think the following incident will illustrate what I mean:

Early in the period of enlarging the Army, there was widespread criticism of construction costs and Senator Harry S. Truman proposed a special committee to look into these and other military matters. Officers in the War Department became alarmed and came to General Marshall for advice. His reply shows the greatness of the man.

It seems to me—

He declared—

that a free and easy and whole-souled manner of cooperation with these committees is more likely to create an impression that everything is all right in the War Department, than is a resentful attitude, and that it must be assumed that Members of Congress are just as patriotic as we . . . My guess is that in the current investigations, no one is going to hurt the Army and I do not believe that we should adopt an attitude of official nervousness.

I am glad to see that the full story of the career of this great leader is being carefully and fairly written. I am particularly delighted that it is being written by my former professor and devoted friend, Dr. Forrest C. Pogue.

I would like to extend my remarks to include two fine articles on Dr. Pogue from the Washington Star of March 5, 1967, and the Louisville Times of March 13, 1967, and excerpts from a number of fine reviews. These articles and reviews follow:

[From the Washington (D.C.) Sunday Star, Mar. 5, 1967]

General Marshall's Biography Emerging

(By Brian Kelly)

In one of Forrest C. Pogue's Arlington apartments, even the kitchen cupboards are stocked with books. Books are everywhere. They line the floor, march across tabletops, fill the bookcases, jam the corners, spill over the file cabinets. Military books, history books, military-history books.

But they're only the tip of the iceberg in the research of Gen. George C. Marshall's biographer. And the River House suite overlooking the Pentagon really is a headquarters office for Pogue and five principal assistants.

"As this project continued to expand, Mrs. Pogue and I had to move to another apartment upstairs," says the sotto-voiced historian, 54, who doubled as the wartime general's biographer and director of both the Marshall Research Foundation and Library at Lexington, Va.

In the same Arlington suite, Pogue recently completed volume two of the Marshall biography "Ordeal and Hope," published Dec. 7 by Viking. The 491-page volume takes Marshall's career from 1939, where Pogue's first work, "Education of a General," left off, through 1942.

In his multiple role, Pogue has directed probably the most extensive biographical research of a major World War II figure. Pogue and as many as 20 assistants have pored through 1.5 million documents associated with Marshall, the Army's wartime chief of staff, later Secretary of State and of Defense and author of the "Marshall Plan" for restoration of post-war Europe.

PAPERWORK MOUNTAIN

The Marshall researchers copied 380,000 of the documents they examined, largely by microfilming, for the research library on the campus of the Virginia Military Institute, Marshall's alma mater.

Much of the paperwork mountain, including Marshall's 250,000 personal papers, has been boiled down on thousands of cross-index cards. Also, the Pogue group has accumulated 4,000 photos of Marshall, sheafs of newspaper and magazine clippings and some 20,000 books for the library, searching as far as a dealer in Tel Aviv for the volumes they want.

Under the direction of Eugenia Lejeune, the non-profit group's archivist-librarian, the Marshall memorabilia, still is being assembled at Lexington for the day when the library will be opened to scholars seeking information about the global strategist, his associates, and their work.

Pogue, chief distiller of the material, taped 40 hours of interviews with Marshall before the latter's death in 1949. He also had interviewed some 300 of Marshall's friends and associates, among them Allied Generals and statesmen, gardeners and cooks.

His interview sessions have carried him to Field Marshal Montgomery's office-trailer in southern England, to the late Adm. Nimitz's retirement retreat overlooking the Golden Gate in San Francisco, various studios and kitchens, private men's clubs, the nearby Pentagon, the British House of Lords, Gen. DeGaulle's country home, crowded airports, even a motorboat on the Mississippi River.

ADDS HUMAN TOUCH

The one-time combat historian first composes on a yellow table in longhand, adding scrawled notes on the margin from time to time. Then, with the traditional "hunt and peck" system, he types a rough draft. Secretaries retype that in "clean form."

Pogue returns then to add a "human touch." The first draft account serves to refute critics who suspect the Pearl attack was anticipated in Washington. The account of the early war years also depicts a smoother Marshall-MacArthur relationship than was generally known. In fact, Marshall had difficult moments with President Roosevelt, the book says.

INVASION CHRONICLE

Twenty-three years ago, when Marshall was chief of staff, his future biographer was one of a dozen Army historians assigned to chronicle the invasion at M-Normandy. Pogue stepped off an LST on D-Day plus two at Omaha Beach, his knapsack full of notebooks.

Pursuing America's Fifth Army Corps across Europe to Germany, sometimes crawling to forward command posts, interviewing surprised dog-faces in foxholes, stuffing completed notes in watertight K-ration boxes, Pogue contributed to several campaign histories. Later, in Washington, he spent six years writing the Army's official history, "The Supreme Command," on Eisenhower's command in northwest Europe during the war.

All this time, he never met Marshall, nor did he suspect his biggest project was to be the four-volume Marshall biography.

Organizers of the new Marshall Foundation chose Pogue in 1956 as executive director, after Marshall insisted he himself would have no part in selecting the group's historian.

REFUSED WRITING OFFER

"I began working without any publication date at all. The whole purpose until after his death was to get the maximum amount of interviews I could of him," said the mild-mannered scholar in an interview the other day.

Marshall himself, mindful of bitter accounts produced by America's generals after World War I, refused entreaties of friends and a million-dollar offer to write his own memoirs.

Knowing he was the center of various wartime controversies, he was reluctant to stir them afresh. "It's bad for the Army; it's bad for the country," the war-time leader said. "I think that history will take care of me."

For 11 years now, that's been Pogue's assignment.

[From the Louisville Times, Mar. 13, 1967]

History While It's Hot

(By Paul Janensch)

Washington.—Forrest C. Pogue first felt "the hot breath of history" when he was a young sprout in Western Kentucky.

"My grandfather had a huge book on Napoleon with hundreds and hundreds of engravings of battles," he recalls. "I used to pore over them for hours.

"And of course, growing up in Western Kentucky gave me a keen interest in the Civil War—as viewed from both sides. I was named after my grandfather, who in turn was named for Gen. Nathan Bedford Forrest (of the Confederacy).

Today, Pogue—who was born in Lyon County—is one of the nation's foremost historians. His specialty, however, is neither Napoleon nor Forrest. It's Gen. George C. Marshall, the Army's chief of staff during World War II, later secretary of state and defense, and author of the Marshall Plan for the recovery of postwar Europe.

TWO OF FOUR VOLUMES COMPLETED

For the past 10 years, Pogue has been working on the "official" Marshall biography. The first two volumes, of what is to be a four-volume chronicle, have been praised as vivid, precise and highly readable.

Volume 1, "Education of a General," meticulously traces Marshall's life to 1939. Volume 2, "Ordeal and Hope," published three months ago, continues the account through Pearl Harbor and America's entry into World War II.

Pogue, 54, also serves as director of the George C. Marshall Research Library and the Marshall Research Foundation at Virginia Military Institute, the general's alma mater.

A graduate of Murray State College and the University of Kentucky, Pogue taught history at Murray before and after the war. His wife, the former Christine Brown, is a native of Fulton.

Tall and erect, Pogue has the bearing of both a scholar and a military man. He is formal yet friendly.

He can click off dates and spin historical anecdotes with the ease of a man who loves to construct an interesting narrative. His gentle yet authoritative voice still carries traces of his home state.

Friends and colleagues who haven't seen Pogue recently might have trouble recognizing him. Once round-faced and heavy, he has lost 45 pounds and now looks as lean as a Kentucky rifle barrel.

Pogue lives and works in a high-rise apartment building in Arlington, Va., across the Potomac from Washington. His book-filled office overlooks the Pentagon, and in the distant haze you can see the Washington Monument and the Capitol dome.

"I like to keep an eye on things," he says with a chuckle.

CHECKED 1.5 MILLION DOCUMENTS

Writing the Marshall biography has been a formidable task. Probably no other military figure of World War II has been so carefully studied. Pogue and his assistants at the Marshall Library in Lexington, Va., have examined some 1.5 million documents, including Marshall's 250,000 personal papers.

Pogue was already a veteran of a massive historical "campaign" when the organizers of the Marshall foundation selected him as executive director and biographer in 1956. Until then, Pogue had never met Marshall.

During the war, while the general was chief of staff, Pogue was an Army combat historian. Forty-eight hours after D-Day he landed on Omaha Beach with notebook and pencil and followed U.S. troops across Europe to Pilzen, Czechoslovakia.

He interviewed generals in command posts and GI's in foxholes. He covered the liberation of Paris, the German counter-offensive and the meeting with the Russians near the Elbe.

Three of Pogue's fellow historians were killed by snipers or booby traps and five were seriously injured. In the event of capture he was under orders to burn his notes and maps with a thermite grenade.

The idea of sending combat historians to the front was originally Marshall's.

"He thought it would be terrible if a boy was shot up and could never know why his unit had been sent there and what had been happening around him," Pogue says.

"Eventually what had been a modest project snowballed and became a tremendous history program. Never before had there been such a systematic effort to gather information in the field and assemble it into a coherent account."

The result was the multi-volumed, still unfinished series, "The U.S. Army in World War II."

Pogue's work was incorporated in several campaign histories. In Washington, after the war, he spent six years on "The Supreme Command," the Army's official history of Gen. Dwight D. Eisenhower's command in northwest Europe.

INTERNATIONAL LEADERS INTERVIEWED

While working on "The Supreme Command," Pogue interviewed more than 100 military and political leaders in the United States, Britain and France, including Eisenhower, Gen. Charles de Gaulle, Gen. Omar N. Bradley, and Field Marshal Viscount Alanbrooke and Lord Louis Mountbatten, of Britain.

Pogue brought this new technique of "oral history" to the Marshall biography. Before the general died, in 1959, Pogue taped some 55 hours of interviews with him, 15 of them off the record.

In addition, Pogue traveled around the United States and Europe taping conversations with more than 300 of Marshall's friends and associates, ranging from former President Harry Truman and former British Prime Minister Attlee to Marshall's wartime orderly.

This, says Pogue enthusiastically, is "history while it's hot."

"These interviews can never be a substitute for documents—messages, reports, diaries and so on—but they add color and fill in the gaps. There's nothing quite like the hot breath of history on the back of your neck."

Pogue writes his first draft on yellow legal paper, referring constantly to documents and an extensive file of index cards containing excerpts of the Marshall papers. Then, typing with only two fingers, he composes a rough draft that is later re-typed by a secretary.

Before the manuscript is ready for the printers, passages are added, subtracted, changed around, polished and trimmed. Writing, like talking, comes easy to Pogue, but he isn't satisfied with the final product until his prose has been reworked several times.

NOT MARSHALL'S "COURT HISTORIAN"

What with the controversy surrounding the Kennedy family and author William Manchester, Pogue is quick to deny that he is Marshall's "court historian."

He was selected by the Marshall Foundation to write the general's biography, and "Naturally they didn't expect me to do a hatchet job," Pogue says.

"I admired and respected Gen. Marshall, but I could say he made mistakes and, in our conversations, Gen. Marshall often agreed.

"If the reader catches me holding back or omitting a point not favorable to Gen. Marshall, this will color his entire view of the biography. When dealing with controversial matters you must be frank.

"If people believe I was running a propaganda factory for a Marshall myth, the new generation wouldn't give me a penny for the biography.

"Yes," says the man from Western Kentucky, whose neck is warm from the breath of history, "it's shortsighted in the extreme to be inaccurate."

[From the George C. Marshall Research Library Lexington (Va.) Newsletter, February 1967]

George C. Marshall: Ordeal and Hope 1939–42

This Newsletter contains excerpts from recent reviews of Dr. Pogue's latest volume on General Marshall, George C. Marshall: Ordeal and Hope 1939–1942. Their almost uniformly favorable reaction indicates that the book is a notable contribution to American history and a faithful, honest, and enduring portrait of one of the nation's great leaders.

All of us at the Marshall Foundation are pleased with the critical acclaim for Dr. Pogue's fairness, thoroughness, and careful scholarship. The reviews reflect wide satisfaction and approval of the Foundation's efforts to provide a comprehensive and scholarly treatment of General Marshall's career—a study based on painstaking review of the General's papers and on detailed interviews with him and his former associates. We will continue to need the backing of friends of the Marshall Foundation in making possible the completion of this project.

Omar N. Bradley,
General of the Army,
President, Marshall Foundation.

REVIEWERS COMMENT ON VOLUME II OF BIOGRAPHY BY LIBRARY'S DIRECTOR

"The author gradually and painstakingly fills in the highlights and the shadows of General Marshall's character, outlined in his first volume, *Education of a General.*

"*Ordeal and Hope,* which covers General Marshall's early years as Chief of Staff, is by virtue of the great events it describes and its detailed documentation, more impressive and far more interesting than the first volume.

"Well written, meticulously researched, this portrait of a leader under stress adds corroborative evidence to the histories of World War II that have preceded it, and makes a great figure of that war, who had seemed to most men somewhat distant and frightening, come alive."—Hanson W. Baldwin, *New York Times*

"The more World War II fades into the background the larger emerges the stature of General George C. Marshall as its greatest military figure.

"Marshall was an exceptionally modest man, so modest that he insisted he would leave the judgment on his career to history. Thus, to the unfading regrets of historians, he refused to write his own story.

"But that story now is coming out, written with authority, insight and great detail by his friend Forrest C. Pogue, historian and director of the Research Center, George C. Marshall Research Foundation at Lexington, Virginia."—Editorial, *The Boston Sunday Globe*

"Dr. Pogue's selection from the great mass of available material and his arrangement of the detail of this story, covering so many civilian and military battlefronts and so many people, are excellent. The result is a moving narrative of the events in which Gen. Marshall was a participant, sometimes as the officially responsible architect, more often as one member of a far-flung team involved in the business of preparing this country for the possibility of war, in the face of strong opposition by those determined to avoid war, and then fighting the war that began at Pearl Harbor.

"Out of it all there comes a clearer image of Gen. Marshall's character and some of its outstanding traits."—B. M. McKelway, *Washington Sunday Star*

"In speaking of Gen. George C. Marshall, Dean Acheson has said: 'The thing that stands out in everybody's recollection is the immensity of his integrity, the loftiness and beauty of his character.'

"If such words appear to be too strong to describe a mere human being, the reviewer can only refer the reader to this second volume of Dr. Forrest C. Pogue's monumental biography of Marshall. It covers the period from when be became U.S. Army Chief of Staff in 1939 to the establishment of the Allied beachhead in North Africa.

"Here is a book that takes the reader behind the scenes and permits him to watch the decision-making of men involved in the world's most devastating conflict.

"It is an important chapter in history".—Russell Barnes, *The Detroit News*

"It was a tribute from the heart, but then those who knew Marshall best respected him most. If Dr. Pogue shares this admiration for his subject it is no more than a reflection of a situation that existed. Marshall came as close as any one man could to being the architect of America's victorious military effort in World War II.

"The book is rich in historical ironies and unexpected revelations. This second volume, incomparably superior to the first in matter and manner, is an invaluable addition to the literature of World War II. It promises at last to do belated justice to America's master builder in that struggle."—John Barkham, *Saurday Review Syndicate, Dallas News* and others

"It is a splendid, well researched, well told and honest narrative of Washington, D.C., through those crucial years, with Marshall as the central figure. The Pearl Harbor chapter is a superb synthesis of the conflicting sources and literature of that shocking 'day of infamy'.

"It is a noble book, inspired by a man of noble ideals."—Jim Dan Hill, *Milwaukee Journal*

"Pogue's book, impressively researched and documented, portrays in detail the gravity and frustration of historic decision, negotiation, victory and defeat. He does not dodge the incendiary issues Marshall's actions often sparked. His dealings with FDR and with the British are closely followed and judged with firmness. At times, even the inner man appears in refreshing candor."—S. K. Oberbeck, *Newsweek*

"George C. Marshall, a five-star general, rates a four-volume biography, and this second volume does much to make clear why the Chief of Staff of the U.S. Army during its worst military situation since 1912 deserved the high esteem in which he was held by official Washington, by his profession and by the public. As the nation's top duty officer, he showed that his chief qualities were probity and unselfish service.

". . . Pogue can be relied upon to commit no injustice to the general. He can also be relied upon to use no fresh trope when the combat-tested cliche is available. But the book is readable for those who like the record plainly laid out.—*Time Magazine*

"The second installment of Forrest C. Pogue's multi-volume biography of George Catlett Marshall is a triumph of research. *Ordeal and Hope* traces the career of the former U.S. Army Chief of Staff from 1939 to 1942, revealing in depth and detail a man known as 'the quiet American'. Marshall was a controversial figure on many counts, and Pogue is painstakingly objective—a rare trait in a historian commissioned to write the 'official' story of any public figure."—Robert Mottley, *Roanoke* (*Virginia*) *World-News*

"The volume ends with the establishment of the Allied beachhead in North Africa in late 1942. It is, indeed, a story of ordeal and hope, the former a daily presence, the latter not yet realized. In the 12 months after Pearl Harbor Marshall accomplished the unbelievable. He was both architect and builder who had to work with difficult allies and equally difficult American generals. Pogue's discussion of what could be called 'the MacArthur problem' is, perhaps, the most fascinating part of the book."—Theodore Long, *Salt Lake Tribune*

"Gen. Marshall, (1880–1959), Chief of Staff during World War II, characteristically declined a million dollars or so to write his memoirs.

"The loss to posterity is not wholly irreparable. A huge, once-secret underground of intensely interesting material has been made available by our last four Presidents and others to tell the General's—and a tumultuous era's—story. The second volume, *Ordeal and Hope,* 1939–42 is before us today. Here Forrest C. Pogue throws considerable new and coherently arranged light on matters long tangled in rancorous controversy.

"Mr. Pogue's work is living history laced with anecdotes. It will stand, I believe, with the finest and most readable modern biographies.

"As the insatiably curious scholar who in an earlier book, *The Supreme Command,* brought SHAEF itself into focus, Mr. Pogue was just the man to uncover General Marshall's incorrigibly civilian character behind the soldier's mask.

"Mr. Pogue keeps his pace cool. On tremendous occasions, when we begin to feel overwhelmed by the grandeur and peril of it all, he underwhelms us, so to speak, with a casual anecdote."—Charles Poore, *New York Times*

"Marshall was dubious about Roosevelt for several years but finally came to the conclusion in 1942 that he was a great man. He was provoked by Churchill's influence over F.D.R., which resulted in the decision to invade north Africa over Marshall's protests. In a forgiving mood, in one of the rare memorable quotations from the taped interviews, Marshall told Pogue why military men sometimes had to be overruled by politicians in war time:

'We failed to see that the leader in a democracy has to keep the people entertained. [That may sound like the wrong word but it conveys the thought]. The people demand action.'

"Despite these glimpses, an air of mystery clings to this formidable figure who gained world renown in war and put his stamp on European reconstruction policy in peace. Two more volumes of Marshall's life remain to be published, and it would be unjust, at this point, to accuse the author of failure to achieve that recreation of a living personality essential to the art of biography. It may be that Marshall, secretive and austere, rigidly self-disciplined, will defy a penetrating analysis to the end."—Willard Edwards, *Chicago Tribune*

"This is, in a sense, an authorized biography. It could, therefore, be expected to have two weaknesses. The most common one would be for the author to be overly sympathetic to General Marshall. This pitfall has been generally avoided. Certainly, there has been no effort to make a glamorous, lovable figure of the General. In perhaps the most controversial incident of the 1939–42 period—the question of assessing blame for the Pearl Harbor disaster—the author has not exonerated Marshall (or anyone else) of some blame.

"The other potential weakness in a book of this type is that of allowing the subject through his biographer, to even a few old scores. This has been scrupulously avoided; recrimination does not seem to have been a characteristic of the General, much as he must have been tempted.

"All in all, George C. Marshall, V.II, bearing a publication date exactly 25 years after Pearl Harbor—is an excellent combination of scholarship and writing style."—Jasper W. Cross, *St. Louis Globe-Democrat*

". . . Pogue is admirably firm in dealing with Marshall's failures, though even the General himself might have agreed with Pogue's identification of his crucial failure in this pre-Pearl Harbor period. Marshall should—and knew he should—have reorganized the War Department. As it was, it was unable to function effectively as a command post, a defect revealed all too clearly on December 7, 1941. Pogue's account, on the other hand, will be no comfort to the revisionists, or any who yearn to believe that Marshall, Stimson, and Franklin Roosevelt between them deliberately and consciously provoked the Japanese attack. Pogue's treatment of the episode may fairly be called definitive in its virtually minute-by-minute recounting of what Marshall did or did not do as time ran out—and on this record his reputation can safely rest.

"Marshall's relationship with MacArthur . . . is one of Pogue's best portrayals; here he has every element properly weighted and in place . . .

". . . and one of the advantages of Pogue's biography over other books which cover the same period and personalities is its underscoring of the essential unity of Marshall's experience.

"This (his plan for an early Cross-Channel attack) was the one major battle Marshall lost, and the one which most sharply divided the joint American and British planners in the early years of the war. I know no other summary of it so clear as Pogue's, in laying out the position on each side, the force of the particular persons defending them, the sequence of argument, concession, compromise.—Eric Larrabee, *The Washington Post* (Book Week)

"Dr. Pogue, who is director of the George C. Marshall Research Center, has drawn heavily on the General's personal papers and taped interviews, as well as on previously classified items from government files. The result is an important, authoritative work, written in good gray prose and, because of the significance of the material with which it deals, of lasting interest."—Elizabeth Easton, *Book-of-the-Month-Club News*

"No battles are dramatized, no combat exploits narrated. Instead, in a style that is admirably lucid, concise, cool and fair-minded, Pogue shows us a man of extraordinary executive and diplomatic ability and probably profound emotion patiently coping with dilemmas unprecedented in American military history. What adds an extra dimension to Pogue's truly monumental portrait, moreover, is that he manages to establish Marshall's heroic stature without concealing his defeats.

"The reason, as Pogue shows time and again, is the strength and depth of his person. . . . Pogue's fine biography makes it clear that George Marshall was more than merely great."—Paxton Davis, *Roanoke* (Virginia) *Times*

"Three years ago this reviewer wrote that volume one of the Marshall biography 'left this reader looking forward to volume two.' It was worth the wait. The mountain of material gathered by Dr. Pogue is so well organized and so entertainingly written that this reviewer can say again: I'm looking forward to the next volume."—Robert S. Horowitz, *Army, Navy and Air Force Times*

"Outstanding is the retelling of the Pearl Harbor disaster. So also are the preliminaries to the North African landings and the reasons why a cross-channel assault from England to the European continent was delayed so long. In all of this Pogue has displayed evidence of superior research and has presented his findings in a readable manner."—George E. Simmons, *New Orleans Times-Picayune*

"Those who remember the early 1940's will read this volume with great interest and pleasure. Those younger who are concerned with the rightness and effectiveness of United States policy and strategy will gain broader perspective and greater appreciation of our resources in dealing with crisis and challenge."—B. McCluer Gilliam, *Lexington* (Virginia) *News-Gazette*

"Pearl Harbor takes a major part of the book: Pogue's analysis of what went wrong is cool, reasonable and very impressive, and will no doubt infuriate those who believe that President Roosevelt was plotting to bring the U.S. into war. Another newsworthy facet of this book is the insight it offers into the inter-service and personality problems posed by General Douglas MacArthur. Pogue has worked from intensive interviews with General Marshall in 1956 and 1957 and access to Marshall's files. He has written a model biography, careful, searching, clear, and balanced between admiration and temperate criticism. It is also an excellent piece of historical writing.—*Publisher's Weekly*

"The refreshing thing about the book is its cool objectivity. The author tries to be scrupulously objective. And it works pretty well.

"Pogue seems quite intent that his should be the definitive works on Gen. Marshall. He is a careful scholar, his text is lucid and orderly, he footnotes frequently, he has detailed bibliographic notes. Yet the happiest feature of the book is its warmth, its purely human qualities.

". . . *George C. Marshall,* Vol. 2, is a meaningful contribution to the history of the second World War. It is also a pleasure to read."—Jim Frankel, *The Cleveland Press*

"The two books with the secondary titles, 'The Education of a General' and 'Ordeal and Hope' prove that the foundation chose an excellent author. More history would be read if more historians wrote the way Pogue makes great events enacted by great men almost speak for themselves.

"How he did what at times must have seemed impossible is part of the story of George Catlett Marshall. Whoever reads 'Ordeal and Hope' will look forward to Pogue's next volume about this magnificent American."—Vladimir L. Posvar, *Indianapolis Star*

". . . Using General Marshall as his focal point, Dr. Pogue has written a splendid account of the army high command in World War II. It makes an important contribution to the history of our times and complements previously-published memoirs and official histories. The military specialist will be impressed by the systematic coverage Dr. Pogue gives to the way in which Marshall used his staff and managed the war. General readers will be fascinated by the new information provided about the characters and wartime actions of such leaders as Roosevelt, Churchill, MacArthur, and Eisenhower."—H. A. De Weerd, *The Virginia Quarterly Review.*

". . . Pogue has hit his stride, producing a book as interesting to read as it is permanently valuable to history." Kenneth S. Davis, *Worcester Sunday Telegram.*

"As a study of the art of war the book is good, and as a contribution to American history it commands attention, but neither of those constitutes its greatest value. Worth far more than either is its description of the forging into steel of an iron integrity under heats and pressures that would have vaporized an ordinary character. Curiously, Pogue fails to mention one obvious factor in this process. In an early chapter he notes that even as a cadet at the Virginia Military Institute Marshall was noted for his knowledge of how to command, and as he climbed the military ladder his mastery of the art increased. As Chief of Staff he noted some waspish comment on the multiplicity of uniforms in Washington so when he was engaged in routine desk work he usually wore civilian clothes; but if he walked into the War Department in a gray flannel suit the greenest elevator boy, who might never have seen him before, instinctively snapped to attention. The boy may not have known who that man was, but very well what he was, namely Lawful Authority.

"The reverse of this medal is known to every amateur psychologist. Almost always a man who can command superbly can also obey superbly, because he learned how to obey before he learned how to command. It is to be hoped that Mr. Pogue will bring this out in subsequent volumes, for it is a large part of the distinction of George C. Marshall. A man who could command Eisenhower and obey Truman, and be equally magnificent in both roles, is a man for the ages."—Gerald W. Johnson, *The New Republic*

"Along the way Pogue demolishes legends and half-truths, clarifies conflicts and issues, and corrects falsehoods. All of it is presented in pedestrian prose, though uniformly clear and straightforward and brightened frequently by apt quotes from Marshall himself or from his papers and by revealing anecdotes and recollections of those who knew him. Pogue has used a vast quantity of source material, much that is still classified, as well as some 300 interviews with participants of the events described.

"Throughout, Pogue provides judicious and succinct appraisals of many leaders, including F.D.R., Churchill, MacArthur, Eisenhower and Harry Hopkins. Of special note is the perceptive picture painted of Marshall's boss, Secretary of War Henry L. Stimson."—Dr. Abe Bortz, *The Morning Sun, Baltimore*

"All of it is a scholar's model, but several chapters emerge more fully than others out of the weight of their own dramatic material. Specifically, the narration of events in Marshall's Washington leading up to December 7, 1941 is superior theatre. The man's dedication, purpose and humanity are evident in a sympathetic, yet objectively presented, portrait. It is clear that Pogue, despite his loyalties, is serving no other commander than Clio, and what comes of it is a piece of major American biography."—Virginia Kirkus Service

"This is a superior work of biography. Pogue had the great advantage of knowing Marshall; he interviewed him frequently and at length. There are no real surprises or major reinterpretations of great events or issues, but there is much illumination, clarification and placing in perspective of controversial matters, including Pearl Harbor and Marshall's relations with Gen. MacArthur.

"This informed and objective biography of Marshall is a major work on the history of the United States and World War II."—Alfred Goldberg, *Los Angeles Times*

"In his first volume of the Marshall biography, *The Education of a General,* Dr. Forrest C. Pogue evoked the warmth and authority that can only come from a deeply perceptive mind totally immersed in the subject it is treating. Even so, in this second volume, the author succeeds in surpassing the excellence he displayed in the writing of *The Education of a General.*

"In both volumes he has scrupulously avoided any temptation to employ the florid prose and ultra-dramatic form of presentation which has marked the style of some biographers who have, consciously or unconsciously, sought to deify some of this nation's modern military leaders.

"The understated style which Dr. Pogue favors, suits to perfection the character and temperament of his subject. Thus, aside from its great historical value, *Ordeal and Hope* will stand as an extremely fitting tribute to the life and memory of a great, but extremely modest soldier and statesman."—John Coombes, *The Columbus* (Georgia) *Enquirer*

"In this second volume of Mr. Pogue's definitive biography, covering the period from the Fall of 1939 to the end of 1942, he makes clear the qualities of greatness which enabled Marshall to understand and to discharge his heavy duties, as well as his shortcomings, both of vision and of temperament. It is the special virtue of the book that the reader comes to know its subject by the unfolding story of how he met and surmounted obstacles and how he dealt with his civilian superiors (including Franklin D. Roosevelt and Winston Churchill) as well as his military colleagues and subordinates. Mr. Pogue devotes a minimum of verbiage to explaining Marshall; he lets the man and his actions speak for themselves."—George Fielding Eliot in the National Review.

"A combat historian of First Army in World War II and author of the excellent study, the Supreme Command, in 1956 Dr. Pogue was chosen to assume custody of the Marshall papers, to serve as head of a research center set up in his memory, and to prepare a full-length biography of the general. The first two volumes of this biography show that the directors of the George C. Marshall Research Foundation made a good choice.

"Dr. Pogue has produced a splendid account of Marshall's role in World War II from September 1939, the day on which he became Chief of Staff—and Hitler invaded Poland—to the autumn of 1942 when the Allies successfully landed in North Africa."—Army Magazine.

"This volume . . . should not be skimmed for new fragments to fuel the flames of controversy. Instead it should be required reading for those who now hold great military power and responsibility.

"There are lessons in this phase of Gen. Marshall's career: lessons on the relations between the chief executive and the still ill-defined positions and responsibilities of those who wear the uniform; lessons about the relations between the Congress and the armed force; and lessons on cooperation between the services.

"One finishes this second volume with almost a sense of personal relief that George C. Marshall was there when the nation needed him most. Mr. Pogue's stature as a biographer has grown in this second volume as his subject has grown."—Hugh M. Cole in Washington Post and Paris edition of N.Y. Herald Tribune.

"The warmth in this book is engendered not by its style but by the genuine human detail. Marshall's quickly won and indispensable friendships with Harry Hopkins and Sir John Dill; his Little Black Book, feared throughout the Army, in which he wrote down the names of officers deserving promotion and crossed out those whom he distrusted; his appraisal of the British commanders and his feeling that Air Chief Marshal Portal was "the best mind of the lot"; his forbearance with his former chief MacArthur; his anguish over the misjudgments in the hour before Pearl Harbor; his delight with the G.I. who mailed him a tough steak as evidence of the poor cooking inflicted on his company; his unshakable belief that final victory would depend on our closing with Hitler's ground forces; and so often in the crisis his quick blaze of temper, which helped to clear the truth—these are a few of the many scenes which enliven this vital, comprehensive, judgmatic book."—Edward Weeks in Atlantic Monthly.

"Marshall's emergence from the relatively obscure career of a professional officer in

America's small pre-war army to the status of one of the half dozen outstanding directors of a global trial at arms is described in depth and breadth in "George C. Marshall: Ordeal and Hope, 1939–1942," the second volume of his definitive biography by Dr. Forrest C. Pogue."—W. H. Chamberlin in Wall Street Journal.

"Forrest C. Pogue again has shown his great talent for research and for writing in the second volume of his biography of Gen. George C. Marshall.

"The book has a magnetic quality: it is the kind that even a non-historian or not much of a student of war can read and enjoy.

"For me, Ordeal and Hope, 1939–42, is a volume to study, not merely to read. I am sure that I will return to it many times—not just out of respect and admiration for an exceptional man's story of an exceptional man but to weigh and evaluate, for whatever it is worth to me, the happenings of Gen. Marshall's life leading up to the great war."—Bill Powell in Paducah Sun-Democrat.

AN ART PHOTOGRAPHER-DESIGNER SPEAKS UP ON FEDERAL GRANTS FOR CULTURE

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, in connection with the criticism I have had of certain grants made by the National Foundation on Arts and Humanities, I recently received a letter from Mr. Verl R. Garten, a cultured person of Springfield, Mo., who operates a photography design service. I believe his comments are worthy of consideration as the Congress proposes to debate the appropriation request for the next fiscal year:

GARTEN STUDIO,
Springfield, Mo., April 9, 1967.

DEAR DR. HALL: I've been following, with interest, the fracas evolving out of your inquiries into some of the appropriations to so-called art. It seems that in the human animal's scramble for culture, he is led to believe that anything that he doesn't understand, or that is too vulgar for any other classification, must be deemed as art.

It is unfortunate that our representatives in congress are human also, and like the masses, have been led to this belief; however, this tragic waste of our revenue should be stopped and no-doubt all the people in the seventh district, like myself, are happy to know that our representative has the intestinal fortitude to speak out against this atrocious waste.

It might be good to pick up some examples of good art from some of the fine Artist in the Ozarks and show those fine gentlemen what real art should resemble. If Congress is compelled to give grants to further the culture (as if this were possible) persons like our own Bob Johnson, Elmer Strain, Ken Shook, Dorthey Farney and others I could mention are far more worthy than some of the persons that are receiving large grants yearly.

I do not believe that any person, organization, and/or government *can* buy culture. It is something that must be acquired by the individual through their own study and refinement. Not unlike the temper of fine steel. When we think it can be acquired any other way we are deluding ourselves.

The Comic book grant might be extremely amusing under different circumstances; however, I understand that the gentleman in California is opposed to our society form, and I cannot believe that any good can come of the advancement of his views.

Has our Government so much money that they can find no better way to dispose of it? Would it not be better spent in education of our youth on the principals under which our country was founded? Could some of it not be utilized well in the reeducation of our Supreme Court?

There are many things about our Government that I do not understand and will probably never know, as I'm not well educated, however, I do believe that it would be much better to ease the tax burden of the working people rather than to make grants for such things as the breast sizes of the American female or the mating habits of some sort of South American fruit fly. I cannot see how these things can effect the governing of a country.

To me, and others that I have conferred with in the seventh district, seem like a waste of our money; and we are proud that we have a representative that we can count on to speak out against these things.

Thank you for your indulgence and keep up the good work.

Respectfully yours,
VERL R. GARTEN.

EFFECT OF OUR PRESENT DRAFT SYSTEM IN TERMS OF RACE

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a report.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAWKINS. Mr. Speaker, there has been of late much concern throughout the country and, indeed, in this body itself, over the question of the effect of our present draft system in terms of race. The deadly struggle that is now taking place in Vietnam serves but to accentuate the importance of this question. I cannot ignore it, nor would I. You, my distinguished colleagues, must also concern yourself with this question, for I am afraid that the facts are not pretty or pleasant, but dark and disturbing.

Faced with this concern over the racial implications of our present draft system, I assigned a member of my staff to prepare a report for me on this matter.

I hereby am placing this report in the CONGRESSIONAL RECORD. Its implications are shocking. I am convinced that the evils that it describes can no longer be tolerated. We cannot wait until January 1, 1969: We must act now.

I commend the report to your urgent attention.

The report follows:

INTRODUCTION

The basic proposals that are dealt with are largely drawn from (1) the Report of the National Advisory Commission on Selective Service (President's Commission), (2) the Report of the Civilian Advisory Panel on Military Manpower Procurement (House Armed Services Committee Panel), and (3) the President's Message to the Congress on Selective Service. This memorandum attempts to analyze the various proposals with several considerations in mind. First of all, (1) basic fairness and (2) racial implications, particularly the potential for eliminating or increasing discrimination, (3) educational, health and other potential social benefits, (4) effect on popular reaction to war-peace issues, and (5) maintaining the armed forces at required strengths and efficiency. The discussion that follows will deal with the three basic proposals separately, one-by-one, examining them in light of the above considerations. Then there follows a general assessment coupled with recommendations for a suggested position.

REPORT OF THE PRESIDENT'S COMMISSION

The key feature of the proposals advanced by the President's Commission is its procedure of random selection from a nationwide pool of 19-year-olds, coupled with administration through 300 to 500 local offices manned by clerks under uniform and explicit national policies and directives. A majority of the Commission also proposed another change of great significance: abolition of student deferments.

Under the present system there are over 4,000 local draft boards which operate essentially as small individual kingdoms holding at this moment of active war near life or death power over the young men in their district. These boards are heavily imbalanced in favor of age, the white race, and veterans of military service (*CR*, p. 19). The Commission's Report documents the fact that in almost every conceivable way these boards operate under a rule of unfettered discretion, capriciousness and non-uniformity. Indeed, this unequal *application* of the selective service law and regulations is probably the most thoroughly documented point in the Commission's report. In essence then, questions of race and other specific factors aside, the present system is the height of unfairness and arbitrary abuse of power.

When the question of race is considered, one almost must use the word "sinister" to describe some of the effects of the present system. To be specific:

1) As a result of denial of equal educational opportunities—both in the urban north and the rural south—together with poor living conditions in terms of health, Negro young men have been disqualified for any service at a rate of about 50 percent (*CR*, p. 26), leaving about half of the total age group eligible on physical and mental grounds to serve (There is an even considerably higher disqualification rate for those called for induction alone. [*CF*, p. 26]). This, of course, means that the draft-eligible group consist of roughly, the upper half of the Negro young male population in terms of education and physical fitness. Since only about 5 percent of college enrollments are Negro—less than half of the Negro percentage of the college-age population—(Bureau of Census 1964 figures), relatively few of this upper half have a chance at college deferment and eventual escape from the draft—and, of course, the risk of dying on a Vietnamese battlefield. Looking for a moment at the white population, one sees that—by contrast—(a) about ¾ths of the white population passes the mental and physical requirements (*CR*, p. 22), and (b) a disproportionately large percentage (about 95 percent) of total is white population attending college, and thus receives student deferments. (Nor should it be thought that the mentally disqualified are all uneducable: Secretary Wirtz just testified [Transcript of Hearings, Senate, *Ibid.*, p. 185] that *less than 10 percent* of those rejected are not able to be educated.)

Stopping even at this point, it is clear that to be physically fit and mentally educated means Vietnam for a Negro but college and II–S deferment for a white.

However, the matter does not rest here. The one-half of Negro youths who are draft-eligible end up being inducted at a rate about twice as great as that of eligible whites (*CR*, p. 22). Moreover—and perhaps even more unfair—they are found in combat duty nearly *four times* as frequently as eligible whites. (Constituting 22.8 percent of all combat personnel in Vietnam and resulting in a Negro death rate of 22.4 percent of all combat fatalities (*CR*, p. 26).

In short, to be a Negro youth today with a sound body and a trained mind means a virtual certainty of going to Vietnam and running a death risk of four times that of the *less fortunate* white youth. At the same time, the *physically fit and mentally educated white youth* is virtually assured of going to college, receiving an education and either (1) going on to graduate school and to complete exemption from the draft, (2) graduating from college and receiving a noncombat skilled job in the armed forces, or (3) entering a nearly lily-white national guard or reserve unit and thereby escaping Vietnamese duty altogether.

In sum, the present system is—*to a very high degree of effectiveness*—biased in favor of killing physically fit, intelligent Negro youths and exempting intelligent, physically fit white youths.

2) The Commission has no figures breaking down by race the classifications by particular draft boards, nor are figures even available on a state-by-state or region by region basis. In fact, the basic material on race is derived (a) from census surveys several years old and (b) from estimates of the Defense Department (*CR*, pp. 129; 158–161). Apparently no direct investigation was made by the Commission. This, then, means that the grossest form of racial discrimination in terms of deferment practices could be going on, for example, in southern draft boards and, indeed, in the draft boards in other areas of the country. (Burke Marshall, the Commission Chairman, just admitted this. Transcript of Hearings 3/22/67, Senate Labor Committee, Manpower Subcommittee, p. 315; see also Marshall's admission that "given the will, the means and the intelligence. . . . anyone can beat the draft right now." pp. 289–9) The Commission apparently just simply did not investigate this matter other than in the most general way.

3) The nation's officer and reserve programs are essentially for whites only. This fact, of course, means special privileges, power, and authority, as well as prestige and exemption from the greatest risk. Tables 5.10 and 5.11 (*CR*, pages 158–161) illustrate this picture very well indeed. And even more shocking conclusion from these tables is the fact that Negro participation in officer programs has dropped more than ⅓ over the average of a 10-year period (tables 5.9 and 5.10). (Note.—The charts are short and the figures are best examined directly to get the full extent of the racial discrimination.)

4) There is a continued emphasis upon lowering the mental and medical standards to increase the eligible draft pool. Undoubtedly, the effect of this is to pick up a greatly disproportionate percentage of Negro youths. (The more damning statistic on this is the fact that 41% of the 100,000 men being inducted through the successive lowering of mental standards, since November, 1965, are Negro. Transcript of Hearings, *Ibid.*, Assistant Secretary of Defense Morris, p. 95.) However, the Commission makes no mention of the racial breakdown of the additions to the pool or, indeed, the racial implications of such action.

Coupled with the lowering of the mental and physical standards, the Commission envisions an educational and medical improvement program. In a word, it could be with justice argued, that the Negro youth only receives an education and medical treatment when, and to the extent, necessary for him to fight on the Vietnamese battlefield.

The converse effect would also seem to be true: In other words, if the nation had to provide a decent education and health care to Negro youths before they could be drafted, then the present strong bias of the system to discriminate could be turned into pressure to give that decent education and health care.

The recommendations of the President's Commission did deal with correcting some of the most basic inequities, racial as well as otherwise. First, the national pool coupled with the random selection method corrects the procedural problem inherent in the present system and insures that the starting point is one of fairness. Second, the elimination of most deferments, particularly the student deferment—which leaves the election of time to serve in the hands of the student—closes loopholes very susceptible to racial abuse as well as possessing inherent features of racial bias. Finally, consolidating and limiting the functions of local boards to appeals only makes administrative abuses much more difficult. (It should be noted that HEW supports this position on abolition of college deferments and even the Department of Defense admits that it is quite workable [*CR*, pp. 213–218].)

The Commission's proposal would probably increase the potential social benefits of selective service legislation by achieving economic and social integretion to a far greater extent than the existing system. Also the Commission's proposal for nationwide examination of 18-year-olds, both mentally and physically, would seem very desirable. The Commission's proposals should also serve to bring many elements of the nation's upper class communities into personal contact with the risk of Vietnam combat service, thus bringing home to them a more personal concern about the war-peace issues involved. Finally, the Commission's proposals should have no difficulty in maintaining the armed forces at required strengths and should, indeed, increase their efficiency as a result of their greater fairness.

REPORT OF HOUSE ARMED SERVICES COMMITTEE PANEL

The Key thrust of the Committee Panel's recommendations holds that the basic system of over 4,000 local draft boards operating as nearly completely autonomous units *is desirable and should be preserved intact*. Secondarily, the panel would preserve and render absolute college deferments as far as gaining the bachelor's degree, together with a few graduate deferments (principally in the health and scientific fields). Moreover, the panel would rigidly limit the conscientious objector classification, limit the tenure of draft board members to 10 years, suspend any further lowering of mental standards for draftees, and reject other methods of military manpower procurement (including the lottery).

The thirty page report of the Panel has almost no documentation and is largely based upon conclusions, which is in clear contrast to the President's Commission Report.

The essential direction of the panel's report is set forth in its own words in its concluding recommendation (page 25): "That care be exercised to ensure that any effort to establish greater uniformity in local board actions *avoids diminishing the discretionary authority of* local draft boards."

It appears obvious that the recommendations of the panel, if followed, would generally preserve the existing gross inequities in the selective service system and, in many cases, accentuate them.

THE PRESIDENT'S MESSAGE

The President, though adopting a few of the minor recommendations of the other tribunals, essentially accepted the key points of his Commission, the heart of which is that "A fair and impartial random (FAIR) system of selection be established to determine the order of call for all men eligible and available for the draft." (President's Message, p. 4). Moreover, the President ordered that a management study be undertaken with a view of implementing the structural recommendations of the Commission concerning the consolidation of the over 4,000 local boards into 300–500 boards. Also the President followed the Commission in stating that firm and uniform deferment rules be adopted and followed on a nationwide basis. However, in a key departure from the Commission's recommendations, he proposed that undergraduate college deferments be continued. The chief executive also extended the life of the Commission for an additional year. (President's Message, p. 4).

As to time, the President set January 1, 1969, as the target implementation date for his key proposals. (President's Message, p. 9). A few of them would begin to become effective over the next several months.

It would seem that the continuation of the college deferment policy would still leave open the major avenue for inherent racial discrimination in a Selective Service System. As long as whites in overwhelming numbers are those who are able to take advantage of all of the benefits and options inevitably provided them through such deferments, non-discriminatory treatment seems impossible. (As stated earlier, this position is strongly supported by Commission Chairman Marshall in his recent Senate testimony.) Moreover, the setting of January 1, 1969, as the target date seems unrealistically far away for a problem that is crying for immediate solution. Furthermore, General Hershey has just testified before Senator Edward Kennedy's Manpower Subcommittee that the proposed changes in a Selective Service System can be effected in very short order. (Transcript of Hearings, *Ibid.*, General Hershey, pp. 55, 57.)

Finally, there seems to be no legal obstacle to the President accomplishing most—if not all—of the needed reforms within the next few months by simple executive order. Furthermore, in any case in which either an executive order would not suffice or in which it was felt necessary that Congressional approval be had, the Executive Reorganization Act (5 U.S.C. 133z, *et seq.*) provides the effective and appropriate route of the reorganization plan to accomplish the desired change without delay.

RECOMMENDATIONS

A) It is recommended that a correct, constructive, and valid position could be based on the following points:

1) *General support of the recommendations of the President's Commission.*

2) Particular support for the position of the majority of the Commission abolishing all student deferments (except for specialized areas in science and health).

3) Particular support for the President's fair and impartial random system (FAIR) on a nationwide basis.

4) Particular support for consolidation of the over 4,000 local boards into 300 to 500 such boards, coupled with the primary authority being removed from the local board itself and given to the administrative clerk under full, uniform, and consistent national directives as to all procedures including deferment policies. The board's authority would be limited to review of the clerk's action.

5) Particular support for the House Armed Services Commission panel's recommendation that no further lowering of mental standards take place.

6) Continuous effort to eventually achieve a volunteer system of military manpower procurement.

7) Particular support for *immediate* implementation of the necessary changes, whether by executive order, reorganization plan, or Act of Congress.

8) Particular support for real and sweeping changes in composition of local draft boards so as to reflect a cross section of the community along all relevant lines, including race, age, and absence of previous military service.

B) It is further recommended that a strong statement be issued pointing out the effect of the present draft system upon the most intelligent, well-educated, and physically fit of the nation's Negro youth.

EFFECTS OF THE UNIFORM TIME ACT OF 1966

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, the fruits of an unwise and overly restrictive measure passed last year, the Uniform Time Act of 1966, have proven bitter for the State of Indiana.

When this bill was before the House it was pointed out that it might very well be theoretically desirable to impose stringent overall time standards on the entire country, but to do so would be to ignore and aggravate some difficult problems in certain States. There are geographical and economic factors bearing heavily and directly on the welfare and convenience of citizens of different localities. Forcing the entire State to go on one certain time creates more problems locally than could possibly be compensated for by serving a so-called national interest.

The 1967 Indiana General Assembly passed a law providing for Indiana's compliance with the 1966 Uniform Time Act, with one exception. Local governmental units could set their own time, the Indiana law stated, as more convenient to them if they felt it would be, without being in violation of the law.

A governmental unit may be within the political boundaries of one State, yet be bound inextricably to the governmental unit of another. A very good example is Lake County, in the far northwestern corner of Indiana; economically, socially, and in every facet of day-to-day existence that affects the welfare of its inhabitants, it is tied to Chicago. Lake County time must be Chicago time to avoid impossible confusion; this was the intent of the Indiana General Assembly's law.

Gov. Roger Branigin, of Indiana, asked the Department of Transportation, which is charged with administration of the Federal time law, if enforcement of Federal law could be deferred, pending resolution of the conflict between State and Federal statute. The Department refused.

Social and economic factors do not respect State lines. The 50 States of the Union are not always homogeneous entities. What is meat for one part might well be poison for another. These considerations were ignored and brushed aside when the Uniform Time Act of 1966 came before us. Indiana was right and the Federal Government was wrong.

I cite my State's unfortunate predicament for the benefit of my colleagues who joined me in opposing this measure last year. I also cite it as a perfect example of what can happen when the Congress, knuckling under to the wildly waved banner of "national interest," puts its seal of approval on what ultimately turns into "local disaster."

SERVING OF FREE LIQUOR BY AIR CARRIERS TO FIRST-CLASS PASSENGERS

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, as a frequent air traveler, I have become concerned over the practice of most major airlines of serving free drinks of liquor to first-class passengers. It is offensive to some travelers to have a "liquor bill" included in their basic, first-class fare, and I think a far better approach would be for all classes of air passengers to pay individually for their drinks, and not to expect to have frills such as this included in the basic fare.

On March 7, the CAB met with the Interstate and Foreign Commerce Committee to discuss jurisdiction and current problems facing the Board. At that time, I raised a question concerning CAB treatment of air carriers serving free liquor to first-class passengers. The discussion which followed raised the broader questions of all in-flight entertainment, of competition in the cabin services furnished passengers, and of the extent to which the CAB should consider these fringe benefits in regulating rates.

I would first like to make some observations concerning the serving of liquor on airlines, and then characterize some of the basic decisions the CAB will need to make before sweeping revision of ratemaking can be accomplished.

When liquor is provided "free," I think it really means that the cost of the liquor is hidden in the basic fare, and paid by all passengers whether they want a drink or not. There appears to be a substantial question on whether the second-class passenger, who pays $1 for each drink, is subsidizing, through his basic fare, the frills associated with first-class service. I do not feel that this is a sound practice, and I think the CAB should play a more effective role in providing sound, reasonable rate regulation.

The issue here represents a classic public affairs problem. To polarize the alternatives, we could on the one hand have complete abstention from all rate regulation, allowing the carriers to compete on both price and service. History has clearly told us that this is not a successful approach.

On the other hand, rates could be cut to the bone, requiring passengers to pay for any and all frills not directly incidental to the travel. I do not think this approach would be well received by the public, nor in the public interest.

Accordingly, I feel the best method is a balance between these extremes. Allowing some small amount of "fat" in the fare of each class of service would enable the airlines to compete, for example, on quality of meals and general cabin comfort. But as to the more expensive and less essential items—such as liquor and movies—I do not feel the public should be forced to purchase simply because they travel public transportation.

Presently, the question of a charge for liquor is not covered by any Civil Aeronautics Board regulations. For some time, carriers have been permitted, under an exemption from the antitrust laws, to discuss this subject with the objective of reaching an agreement on domestic flights. I understand that seven carriers have reached an agreement which limits the amount of liquor they may serve on domestic flights. They have also agreed that liquor would be sold individually in all classes of service, except first class. The agreement also provides that any of the signers may depart from the terms of the agreement to meet the practices of nonsignatory competitors. By its terms, however, the agreement does not become effective until approved by the Board under section 412 of the Federal Aviation Act.

At this time, the Board has not given its approval. As desirable as voluntary agreements are in many areas, I do not think they are infallible in public transportation. In addition to the fact that the public seldom has an effective voice in such agreements, there is always the problem of the nonsigner who can disrupt the entire plan.

An alternate approach might be for the Board to deal with the matter of liquor in the same way it handled visual in-flight entertainment. On March 9, the Board deferred action with respect to a voluntary agreement among 12 air carriers which would have allowed passengers of all classes of service to purchase visual in-flight entertainment for a charge of $2. Instead, the Board tentatively decided to require all U.S. domestic carriers to provide in their tariffs filed with the Board for any visual entertainment. Then, every passenger, if he chose to do so, could elect to pay at least $2 for a full-length motion picture, regardless of the class of service. This move by the Board is still tentative, and it will reach its final decision after considering the comments of interested persons which will be filed later this month. This type of approach removes the solution from the willingness of the carriers to agree, insures the observance of the policy by all carriers, and gives the Board more control over the rates to be charged.

Since liquor service seems to be in the same category as in-flight entertainment, the same approach appears applicable. In light of the fact that many people desire to pay for none of the frills of air travel, I feel that an individual payment would be the best method to use for liquor. I feel that few would be offended by this approach, and in the long run, I think it would be a good step toward the goal of good, low-cost air transportation.

If the Board decides to adopt this approach, I hope that it would first set out a clearer explanation of the underlying policy governing its ratemaking. By deleting certain items from the basic fare, and by requiring a more complete disclosure of the expenses making up the basic fare, I think the ratemaking function of the Board could be simplified and basic fares could be lowered. The issue of voluntary or imposed regulation is one thing. But the larger question is what minimum of service will be used as a standard for setting rates, and how closely this standard corresponds with the desires of the traveling public.

"MAKE SURE THE IMPORTANCE OF SEAPOWER IS NOT LOST TO OUR NATION"

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, at the request of an old friend of mine, Comdr. Robert W. Collins, a retired commander in the Naval Reserve who lives at Yazoo City in my native State of Mississippi, I am pleased to bring to the attention of my colleagues two excellent articles by Raymond Moley, the distinguished columnist of Newsweek magazine. These two articles could well be read together under the heading "Make Sure the Importance of Seapower Is Not Lost to Our Nation" for they are on the all-important subject of the indispensability of seapower to our national security. The first article captioned "Mahan's Long Shadow" has for its text the seminal book "The Influence of Seapower Upon History" by Capt. Alfred Thayer Mahan. The second entitled "East of Suez" relies upon the authority of an official Government publication published by the Navy Department and dedicated to freedom of the seas. The text is by Vice Adm. John Sidney McCain, Jr., whose recent promotion to admiral has been announced. Admiral McCain is a leading authority on the doctrine of seapower.

Commander Collins reminds me two very important footnotes must be added to these articles by Mr. Moley and he assures me that Mr. Moley concurs in the statement that they are necessary. The footnote need to "Mahan's Long Shadow" is the advice that Little, Brown, and Co., published Captain Mahan's great work in 1890 and it is still in print and available. Hill and Wang, of New York, have a paperback edition available and a permabound edition is also available from Hertzberg-New Method, Inc., of Jacksonville, Ill. The footnote necessary to "East of Suez" is simply this, that the publication "The New Four Ocean Challenge" may be obtained from the Government Printing Office. Mr. Moley's excellent articles follow:

Mahan's Long Shadow

(By Raymond Moley)

Critics of President Johnson are now attacking the multiplicity of his reasons for pursuing and stepping up the war in Vietnam. It must be admitted that there is some confusion, perhaps contradiction, among his stated war aims. But there is a single valid reason why we must not permit the Communists to dominate the peninsula on which South Vietnam is the key to control. If I may anticipate my argument, that reason is geographical.

One response to the President's critics is that in every war there are stated reasons, and behind these is a real reason. In the past 68 years the United States has participated in five wars. In every case Presidents have been as diffuse as LBJ in their justifications for our sacrifice. Among these justifications there has been plenty of lofty idealism. In this case, it is to satisfy the compassionate at home and the empty bellies in Asia. As Mary Poppins said: "A spoonful of sugar makes the medicine go down."

To explain what I mean, a bit of history is necessary. In 1898 a reluctant President McKinley at last assented to war with Spain for the sake of "humanity" and to pursue American "interests." But the war party, then headed by Assistant Navy Secretary Theodore Roosevelt, Senator Lodge and others, had a very definite "interest" in mind.

STRUGGLE FOR SEA POWER

TR had thoroughly absorbed Alfred Thayer Mahan's great seminal book "The Influence of Sea Power Upon History." He was, in fact, closely in touch with the then Captain Mahan. It was clear that Spain must be routed out of Cuba, the gateway to the contemplated isthmian canal destined to be one of the major sea passages of the world.

Mahan was signally honored in Britain, where statesmen had understood sea power ever since Nelson. He had an avid student in the Kaiser who, it was said, kept the Mahan book at his bedside and had commanded that it be read by all his naval officers. He was planning to break Germany out of its landlocked captivity and to expand as far as the Western Pacific. Germany had been picking up islands there and planned to evict Spain from the Philippines.

TR knew this and, while American eyes were on Cuba, he maneuvered to have a commodore named Dewey, who shared his views, take command of our Asiatic fleet. Thus, within three months the United States emerged as a world power.

Behind all the factors that precipitated World War I was the Kaiser's ambition to challenge the British on the sea. An immense fleet was building and was based at Kiel. But fate had it that Germany became involved in a land war before the fleet was ready. Jutland was a battle nobody won, but after that the British Fleet "in being" kept the German Fleet inactive. When peace came, Britain made sure that the German Fleet was destroyed.

VIETNAM'S VITAL POSITION

The Naval Conference of 1922 put the U.S. at a parity with Britain, with Japan third. As far back as 1933, FDR, also a student of sea power, considered Japan a potential enemy. For the Japanese had studied Mahan, too. American capacity to build a two-ocean Navy and the genius of MacArthur and Nimitz to use sea, air and land power eliminated Japan as a naval power. And the liquidation of the British colonial empire and the deterioration of its fleet left the responsibility with the U.S. to dominate the oceans on which passes 98 per cent of the world's overseas trade.

A great life line of the free world runs from the Aleutians to Japan, Formosa, the Philippines, through the Strait of Malacca to the Indian Ocean and the various countries on its shores.

The importance of South Korea to us was its position on a peninsula. Communist domination would threaten Japan and everything south. We fought to keep it safe for the life line, not just to have a small non-Communist nation.

South Vietnam has a similar strategic value. Its domination by Communism would sever the free connection between two oceans at the Strait of Malacca. Thus to keep South Vietnam's membership in the free world is vital not only to the nations that depend upon our protection but to our responsibilities as a dominant sea power.

East of Suez

(By Raymond Moley)

We Americans, with few exceptions, have scarcely thought of the Indian Ocean since we studied geography in our school days. But now it might be well for all of us to examine a map of that great expanse, to count the 37 nations that it touches and especially note the two channels that connect it with the rest of the world, Suez and the Red Sea at the west and the Strait of Malacca at the east. And while the map is before us, observe that Southeast Asia is a peninsula at the tip of which is South Vietnam. That reveals more about the reason why the United States must make sure that Communism cannot be allowed to occupy that strategic point than all the Senate hearings and debate and most of what the President has said.

For the grim truth that leaps forth from that map is that Communist domination of the tip of that peninsula, with land-based air power and havens for submarines, could assure control of the Strait of Malacca. That, in war or cold war, would frustrate access not only to Australia and India but to most of the countries washed by the Indian Ocean.

THE BRITISH WITHDRAWAL

An official government publication is entitled "The New Four Ocean Challenge." It makes the valid point that our maritime responsibility must now encompass not only the Atlantic and Pacific but the Arctic and the Afro-Asian oceans. The nuclear-powered submarine and the Polaris missile have unlocked the Arctic to naval power. The Afro-Asian expanse has been consigned to our concern by the liquidation of the British Empire and the decline of British sea power. The British Government has recently announced its plan to liquidate its great base at Aden and to substitute land-based planes for aircraft carriers. This leaves a power vacuum in the vast expanse east of Suez which the British expect us to fill. And we must accept that burden or Communism from China and the growing sea power of Soviet Russia will. The Indian Ocean cannot be dominated alone by the land-based aircraft of the British.

Freedom of the seas is a relative term. It must be maintained by the nation that has the military power to assure it. We can be sure that the countries that border on the Indian Ocean would not be secure if they looked out upon waters dominated by Communist power.

But at this time we have no fleet to patrol that area of sea water. Our force there is only two destroyers and one seaplane tender. Therefore, the United States must depend upon mobility in shifting parts of our fleet through the Strait of Malacca from the Pacific. With access closed, that could not be assured. That access is now as important to us and the free world as are the Caribbean and the Panama Canal.

SOVIET SEA POWER

For Soviet Russia is rapidly building its naval power. It is now second only to us on the sea. It has more than 400 submarines, 25 of which are nuclear-powered and equipped with missiles, as well as many other modern warships. It already has that other component of sea power, a vast merchant fleet.

For the time being, the Soviet's cold wet war consists in squeezing the spots of interocean passage. The Cuban episode of 1962 should be fresh in our minds. There is the pattern of Communist nourishment of disorder and movement of military power into the proximity of the narrow sea passages, as at Panama and Suez. There are Soviet attempts now to establish a base in North Africa to dominate the Strait of Gibraltar. The Soviet support of North Vietnam is part of the same strategy.

With maritime mobility we may not need permanent bases in Vietnam. Ambassador Goldberg has assured the U.N. that bases there are not a part of our plan.

All this may be alarming to Americans still possessed by a landlocked mentality, to quasi-statesmen like Fulbright and Morse who believe a negotiating table to be the end-all of trouble. Or to the cunning calculations of Robert Kennedy, who is willing to make political capital of the ignorance of the President's critics. Those misguided people who parade with the slogan "get out of Vietnam" would roll back 70 years of American history.

TURMOIL IN NEW AFRICAN NATIONS

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the abortive coup attempted just 2 days ago in Ghana is in itself of no great significance. When considered in the context of events in western and northern Africa, it is one more example of the inability of these newly independent nations to develop a continuity in their governments.

Civilian rule is often corrupt and inadequate, discontent foments, and there is no secondary political group to provide alternative leadership. With the low degree of professionalism in these countries, the military is often the only elite capable of significant action. Situations, therefore, peak to crises, and there is a revolution. Since it is generally of short duration and is often promulgated by the military, there is more accurately the all too familiar "military coup."

Military leaders are ill suited to run a government on a long-term basis. Their mandate is the arsenal of arms at their command. Consequently, they are not aware of the need for respect and adherence to a popularly drafted constitution. Not schooled in the discipline of economics, they are rarely sufficiently competent to institute the basic economic reforms which are necessary to help eradicate the root causes of instability.

Many military juntas perceive their limitation and promise swift return to civilian rule. After the immediate problems which brought them to power are solved, many do keep this promise and turn their power over to a civilian administration. Nevertheless, fundamental conditions remain the same and events inevitably turn another full circle.

A very perceptive article, by Laurence Meredith, appearing in the Quincy Herald-Whig of April 17, documents this tragic pattern of succession. I submit this article for the RECORD:

PATTERN SAME EVERYWHERE—TEN AFRICAN GOVERNMENTS HAVE FALLEN TO ARMY IN 18 MONTHS

(By Laurence Meredith)

LONDON, April 16.—In the past 18 months 10 of the 38 independent governments of Africa have been overthrown by military coups. It is a distressing pattern in the emerging continent.

The latest military take-over occurred in Sierra Leone at the end of March.

No independent African country has changed its government by the democratic use of the ballot box, the reason usually being that a competent alternative to the government in power does not exist as it does in most European and Western countries.

The army alone has an alternative apparatus of power and an educated elite. And in a crisis the disciplined organization of the army is often what is needed and welcomed by the people.

The causes of the downfall of the politicians have varied widely in the following 10 cases, but in every one the coups have been engineered by young officers.

1. Algeria, Col. Houari Boumedienne, chief of the Algerian armed forces, ousted and imprisoned President Mohammed Ben Bella on June 19, 1965, and became prime minister.

2. Congo (Kinshaha). Maj. Gen. Joseph Mobutu deposed President Joseph Kasavubu on Nov. 25, 1965, and installed himself as head of state.

3. Dahomey. Failure by the politicans to agree on the form of a coalition government led Gen. Christophe Soglo to take over the reins of government on December 22, 1965.

4. Central African Republic. Col. Jean Bedel Bokassa led a group of army officers on Jan. 1, 1966, which drove President David Dacko from power.

5. Upper Volta. Lieut. Col. Sangoule Lamizana deposed President Maurice Yameogo on Jan. 4, 1966, and established a military government.

6. Nigeria. Junior army officers threw out the political leaders of the federal and state governments on Jan. 15 and installed Maj. Gen. Aguiyi Ironsi, the army commander, as head of a national liberation council. When Gen. Ironsi failed to balance the tribal and regional differences he was kidnapped and killed and Lieut. Col. Yakubu Gowon installed in his place.

7. Ghana. On Feb. 24, 1966, during the absence of President Kwame Nkrumah on a visit to Chinese President Mao Tse-tung in Peking, a group of army officers led by Col. E. K. Kotoka seized power. Kotoka and the young officers supporting him brought in Lt. Gen. J. A. Ankrah, whom Nkrumah had ousted as chief of staff, to head the national liberation council.

8. Burjdi. Prime Minister Michel Micombero, with the assistance of a group of army officers, overthrew King Ntare V. and assumed full powers as head of state and government on Nov. 29, 1966.

9. Togo. Col. Etienne Eyadema overthrew on Jan. 13, 1967, the civilian government of President Nicolas Grunitzky, which had been set up after the former military coup of 1963.

10. On March 28 a group of young majors in Sierra Leone's battalion-sized army staged a coup, set up a national reformation council and called Lt. Col. Andrew Juxon-Smith back from attending course at Britain's staff college at Comberley to head the military government. Governor General Sir Henry Lightfoot-Boston, Queen Elizabeth's representative in Sierra Leone, was dismissed from office, the army commander Brigadier David Lansana was imprisoned together with the two political leaders—former Prime Minister Sir Albert Margai and the newly sworn-in Premier Siaka Stevens.

In those countries where civilian government is still in power the one-party state is the norm. This has evolved as a working solution to the disruptive tendencies of tribal communal or linguistic rivalries which are a feature of African society.

In all cases the military takeovers have resulted in improved efficiency of government. The trained civil servants—and in a number of the countries they are of outstanding merit—usually welcomed the soldiers after having suffered under inept or corrupt ministers.

The basic trouble in most of these countries was the absence of a long-term economic plan.

But long-term economic planning is outside the range of army governments who are usually only trained to meet immediate problems. With a continuing competent civil service a military government can maintain a satisfactory administration. Unless, however, this is based on a flourishing and expanding economy it becomes increasingly an authoritarian regime as dissatisfaction grows.

All the military leaders have promised the people they will hand back power to civilians the moment the national house is in order. Mobutu in the Congo and Soglo in Dahomey both handed back power to civilians after earlier coups. But the continued failure of the politicians to run the countries efficiently compelled both men to take over again, they said.

PROTECTION FROM COASTAL DISASTERS

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, ships from all corners of the globe are doing business in the busy ports of the Great Lakes region. The Cleveland area, a portion of which I represent, is a thriving port which counts its commercial marine activity as a major source of income.

The recent Torrey Canyon disaster off the coast of England dramatized for many of us in Cleveland the need to enact legislation enabling this country to meet such a situation without the confusion and lack of authority which proved so costly to the British. Much of the havoc wreaked on the English coastline, some of which may be irremediable, was because no one in Britain knew who was in authority to act. We in the United States are in precisely the same predicament: should a tanker in our waters meet some mishap, with resultant pollution from escaping oil, we have no laws on the book giving Government agencies authority to take quick and effective action.

I am therefore today introducing a bill similar to a measure introduced earlier this month by my colleague [Mr. KEITH], but amended to include U.S. lakes, rivers, and inland waterways as well as our ocean coastlines. A tragedy in Lake Erie similar to the Torrey Canyon disaster could prove ruinous to Cleveland.

In the interest of all our Nation's ports, whether ocean or inland, I urge the

Merchant Marine and Fisheries Committee to take prompt action on this legislation.

A TOURIST FROM THE KGB

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in March 1965, before a House Appropriations Subcommittee, Mr. Edgar Hoover, of the Federal Bureau of Investigation, stated:

> A growing problem is the extent to which the Soviet intelligence services are dispatching undercover spies into the United States. These individuals have no ostensible connection with either the official Soviet establishments or personnel in this country nor do they make any overt contacts with their foreign espionage headquarters. They are well-trained, professional intelligence officers and usually bear assumed identities and are supplied with expertly fabricated documents and unlimited funds. They enter the United States without difficulty to become assimilated into our population and, unless uncovered, eventually serve as the nucleus of an extensive clandestine espionage network. Their detection among the more than 190 million people in this country is a counterintelligence problem of great magnitude.

On Monday, April 17, 1967, the New York Daily News carried an article by William Rice concerning the Soviet Union's No. 2 man in the dreaded KGB, the espionage and intelligence unit. Despite Mr. Hoover's warnings and publicizing of the fact, the Soviets get more brazen every day. Perhaps those who voted for the Consular Treaty can look into practice which Mr. Hoover describes as "a counterintelligence problem of great magnitude."

I insert at this point, "Shh: Two Spies Here Have Fellow Travelers—Feds!" from the Daily News of April 17, 1967:

Shh: Two Spies Here Have Fellow Travelers—Feds

(By William Rice)

Gen. Vasiliy V. Mozschechkov is a pretty smart Red apple. No. 2 man in Russia's dread KGB—the Soviet Union's super-spy military intelligence unit—he is a master of the art of infiltration, of disguises, of traveling under secret cover.

And now, through the use of these arts, he is an expert on tourist Washington, including the cherry blossoms.

On March 27, Mozshechkov slipped into New York with fellow KGBer Gen. Nikolia Vinogradov cloaked under a diplomatic passport made out in the alias of Vasiliy V. Kurnetsov. Fellow travelers—tourists, that is—were hoodwinked.

RUSSIANS HOME AWAY FROM HOME

Flushed with success, Mozie made his way to an apartment house on E. 67th St., owned by the Russians and the home-away-from-home for consular and United Nations Russian attaches.

And the only persons to know of the penetration of the U.S. defenses was, without Mozie's knowledge, the feds.

Playing Mozie's game, American agents began trailing the No. 2 KGBer and his traveling companion on his arrival and, to date, have been sticking to him like glue.

Secure in his knowledge that his cover was successful, Mozie spent two days in New York, then toddled off to Washington where, in his spare time from spying and whatever other official duties he had, he did the town.

Like any other tourist, he gaped at the capital's shrines of self-government and took time to take in the cherry blossom festival.

And everywhere the Red went, the feds were sure to follow. In fact, it was doubtful he could have got himself arrested if he had wanted to.

On April 11, his mind buzzing with capitalistic wonders, Mozie sneaked back into New York City and again took up residence here.

DANGER FROM TOWAWAY FORCES

And in New York he and friend remain, cloaked under aliases, diplomatic papers and the protection of the U. S. government. The only danger he faces is from Mayor Lindsay's towaway forces, who know nothing about the spying bit—they just take cars away regardless of race, color, creed, or the fine art of espionage.

What of Mozie's future? Until he reads this he will not realize his cover is blown. Nor will his boss, KGB head Aleksandr Saharovsky know until then that a Russian defector had fingered Mozie to the U.S.

Saharovsky is sure to have something to say. Like capitalistic car rental agencies, he's never satisfied with coming off second best.

ANTIRIOT BILL

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Kuykendall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, today I have joined with my good friend and colleague, Congressman William Cramer, in trying to do something to put an end to the activities of those who are tearing our country apart by inciting riots, lawlessness, bloodshed, and destruction. I am introducing a companion bill to Mr. Cramer's bill which will make it unlawful to travel from State to State or to use interstate facilities for the purpose of inciting violence and riots.

Mr. Speaker, it is useless for the President or the Congress to deplore the rising crime rate in this country while at the same time agitators are free to go from place to place calling for violence and even murder. Only last week Nashville, Tenn., was the scene of violence after Stokely Carmichael visited there with his cry of "kill the white man," and "burn, baby, burn." Only a few days before in Mississippi this same agitator received a screaming ovation when he shouted:

> To hell with the laws of the United States.

Last Saturday he was one of the organizers and leading speakers of the anti-American rally in New York where the American flag was burned and where the President and other Government officials were ridiculed and insulted.

How long can this Nation tolerate such activities without causing the total destruction of America? History gives us the answer. No nation which has condoned outright subversion and treason has survived.

It is time we looked for the real motives of those who are inciting riots and threatening violence in all our major cities in the coming months. I say these people are not concerned with the civil rights of minorities because the violence they create hurts most those they profess to want to help. I say these authors of destruction are the enemies of all Americans and their activities must be halted.

This bill—which will put them in prison for 5 years and fine them up to $10,000—is the one way to do it.

AIR SAFETY—USE OF SURPLUS AIR FORCE BASES AS AIRLINE TRAINING FIELDS SUGGESTED BY CONGRESSMAN BROTZMAN

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Brotzman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, last week the House Interstate and Foreign Commerce Committee held closed hearings on air safety. Chairman Harley O. Staggers, upon conclusion of the hearings, issued a statement on April 13, 1967, in which he said he "is far from satisfied with the safety efforts in the aviation industry."

Let me quote further from the statement:

> Placing particular emphasis on training flights, Representative Staggers said that he found it incomprehensible that airlines routinely practice flights with simulated emergencies in and around densely populated areas. He went on to say that the only substantial justification for this practice both from the government witnesses and industry witnesses has been on economic grounds. "This," said Mr. Staggers, "makes no sense at all, just to save a few dollars."

On April 7, before the hearings on air safety were initiated by the Interstate and Foreign Commerce Committee, I suggested the conversion of several surplus Air Force bases into airline flight training fields. Such a field could be utilized primarily for training exercises in which emergency situations could be created.

Existence of such training fields and regulations requiring their use would have averted much of the loss of life in the March 30 crash in New Orleans.

There is a small but definable possibility that any takeoff or landing will result in an emergency crash. But when emergency situations are created aboard the aircraft for training purposes, the probability of a mishap on that flight goes up.

Subsequently, Mr. Speaker, I have asked the Federal Aviation Administration to look into the feasibility of acquiring surplus air bases in low-density population areas and converting them for takeoff and landing training.

It seems to me that such facilities, if properly located and equipped, could present every weather and runway condition needed. Such FAA fields need not handle all of the training flights. The main concern would be those flights in which takeoff and landing abnormalities are simulated.

Mr. Speaker, this is not a new idea. Air Force bases have been used for airline training purposes occasionally in the past.

What I am suggesting is a definite policy and improvement of appropriate bases to make the training programs as effective as possible.

Through my inquiries into this possibility, I have discovered that the General Services Administration currently is attempting to dispose of surplus Air Force bases in New Mexico, Nevada, Washington State, Texas, and Nebraska.

These bases, plus facilities which may be surplused by the Air Force in the future, should enable proper distribution of training fields from geographical, climatic and population viewpoints.

It has been suggested, Mr. Speaker, that sophisticated ground training centers for simulation of flight emergencies could be utilized in a training program which would not require any actual flight.

While the trend to more and more ground simulation is a good one and should be encouraged, it is unlikely that training for takeoff and landing emergencies ever can be done entirely on the ground. With population and industry growing rapidly around airports, and with the volume of air traffic in some airports already too heavy to allow training operations, the need for such fields can be expected to grow steadily.

Representative STAGGERS called for immediate action "both on the part of the airlines and the part of the Federal Aviation Administration to assure that training flights in which emergency conditions are created be conducted in isolated areas to the maximum extent possible." Mr. Speaker, I wish to go on record in concurrence with the distinguished chairman of our committee.

DEATH OF MRS. JOHN MAYHEW, FIRST KANSAS WOMAN STATE SENATOR

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SHRIVER. Mr. Speaker, it was with deep personal regret that I learned recently of the passing of Mrs. Patricia Solander Mayhew in Wichita, Kans. Mrs. Mayhew was an active and distinguished community leader. She had earned the distinction of serving as the first woman senator in the Kansas State Senate from 1928 to 1932. She was known and respected throughout Kansas, the Midwest, and the Nation.

I was proud to have known her and regarded her as an outstanding citizen and friend. It was my privilege to have served in the Kansas Legislature with her husband, John Mayhew.

Mrs. Mayhew loved Kansas and through her varied activities she worked to benefit the State and its citizens. She inspired others through her participation in these works which ranged from writing and government to religion and women's club activity. She will be missed by all of us in Kansas.

Mrs. Ruth Yawter Rankin, of Wichita, who was a friend of Mrs. Mayhew and a journalist and member of the Kansas Authors Club, wrote a eulogy to Patricia Solander Mayhew which characterizes the life and contributions of this outstanding Kansan with dignity. Under the leave to extend my remarks in the RECORD, I include excerpts of Mrs. Rankin's eulogy written on March 28, 1967:

MRS. PATRICIA SOLANDER MAYHEW

(By Ruth Yawter Rankin)

"Beauty is truth, truth beauty—that is all
Ye know on earth, and all ye need to know."

These lines from John Keats remind us that beauty and truth still are symbols of Patricia Solander Mayhew. These lines express her devotion to art, beauty, family and friends.

Mrs. Mayhew expressed beauty in her love for art, skill in taking pictures, collecting unusual rocks, writing for radio, and speech making. After serving as the first woman senator in Kansas with the then Senator Payne H. Ratner, she represented the brilliant Governor Ratner's Highway Safety Department and made speeches on that subject to college and civic groups.

To quote The Topeka State Journal: "She (Mrs. Mayhew) served in the State Senate two sessions with fine common sense, graceful poise, and capable abilities. She remembered her home community, preached Kansas, using soprano tones, kept faith that most men were honest, and left a record that was above reproach."

Beautiful, too, was Mrs. Mayhew's flair for friends, both tall and small. Educated at the University of Missouri, Warrensburg State Normal, and Horner Institute of Fine Arts in Kansas City, Mo., she was an outstanding teacher and principal, especially in Osawatomie. She loved children, and the children loved her back.

Hers was a blithe spirit, generous, tactful, eternally young. She was ever one to step into help: for instance, at the Kansas Authors Club state convention here in Wichita last October. She was also inimitable in communicating with people.

After the passing in 1937 of her first husband, T. T. Solander, whom she had married in 1922, she was very busy with civic and governmental affairs in Topeka . . . Here in Wichita she lived for eight years with her second husband, John H. Mayhew, whom she had married in 1948, in Dodge City. Mr. Mayhew was also a legislator.

Patricia Solander Mayhew's love of children again was reciprocal, between the children and grandchildren of Mr. Mayhew. They are his daughter, Mrs. J. L. Greer, Evergreen, Colo.; his sons, Tom, Hutchinson, Kan.; Thurman, Wichita; and Delos, Trousdale, Kan.

Other survivors are two brothers, Denton Nichols, Kansas City, and L. Neil Nichols, Salisbury, Mo., and a sister, Mrs. Dorthy McAdow, Champaign, Ill.

Mrs. Mayhew's fame and outlook were national and international. "Who's Who in United States Politics" devotes half a column to her interests. . . .

Religion deeply interested Mrs. Mayhew. She early had joined the Baptist Church, but was interested in all churches, especially the Methodist Church and Unity. She studied especially religion, physical science and metaphysics.

"She discussed present day problems and made comparisons. Her remarks were instructive, entertaining and brilliant as she found some things to praise, and to laugh about, and some to condemn. On the whole she found life worth living, especially if it is life to service with a due regard for the other fellow." Thus, the Butler, Mo., Press has described Mrs. Mayhew.

Grandmother, mother, sister, wife, cousin, friend mean Love, and Love is never lost. And so, although Patricia Solander Mayhew has passed beyond the horizon of human limitation, this beautiful woman now has that life which knows no end, because it knows no beginning.

And perhaps she is best described in Proverbs 11: 16, "A gracious woman retaineth honour."

PRESIDENT URGED TO MAKE PUBLIC NAMES OF COMMUNISTS WHO HAVE LED OR PARTICIPATED IN ANTI-VIETNAM WAR MARCHES IN NEW YORK AND OTHER CITIES

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I urge that the President make public the names of Communists and, if possible, the interrelations of Communists who have led or participated in the recent anti-Vietnam war marches in New York, San Francisco, and elsewhere.

These demonstrations have not only served the Russians who are providing the bullets and explosives killing our men in Vietnam; they fit neatly into the Red Russian modus operandi—shrieking crowds, hysteria, chanting, and denunciation of our national leadership.

Revelation by the President of the names and records of the Communists involved would, it seems to me, serve two purposes:

First. It would underline the subversive nature of these marches and demonstrations.

Second. It would show which of the participants are innocent of Communist affiliation and merely dupes of the Communists.

In this connection, like other Americans, I noted a White House announcement that the President took with him for reading last weekend an FBI report on Communists in the anti-Vietnam war demonstrations. Why keep the facts from the American people?

As a member of the Armed Services Committee, I am paricularly aware that Negroes are fighting with distinction side by side with their fellow Americans in Vietnam. Some have been awarded high decorations for gallantry, some have died, and others wounded or maimed. I submit that the Martin Luther Kings and the Stokely Carmichaels are doing these fine Americans an extreme disservice here at home.

Are most of these protest marchers merely dupes of those who work secretly for Red Russia? Who are the Communists who pull the strings?

I submit that the half million fine Americans in uniform in Vietnam have the right to know. I submit that their fathers, mothers, wives, and sweethearts, their sons and their daughters have a right to know, too.

Give us the information, please, Mr. President.

HOUSE RESOLUTION 418—A GOOD BEGINNING

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. BURKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, I do not propose to impose too long upon the valuable and precious time of this Chamber. Nevertheless, I do wish to comment upon our passage of House Resolution 418 on Thursday last, April 13, which created a standing Committee on Standards of Official Conduct.

Our action is an auspicious beginning, Mr. Speaker, and all of the Members of this body should be rightfully pleased with this start. I feel certain that our constituents have taken notice and approve.

Great interest has been shown in the establishment of an ethics or standards committee in the House of Representatives, and my own support of this idea was clearly stated earlier in this session when I joined several of my Republican colleagues in introducing legislation to establish a Select Committee on Standards and Conduct.

The fact that we have now established this standing committee and charged it with recommending an official code of conduct should not lull us into complacency. I certainly hope that it will not.

The people, furthermore, are going to await the final results before casting their "yeas and nays." On that we can be assured. I am reminded of the old but pertinent axiom of politics: "Never underestimate the intelligence of the voters, but never overestimate the information available to them." Upon this particular matter, the voters' information is substantial; Congress and the press have rightfully seen to that. We are, therefore, at the mercy of the voters' intelligence. Let us not fail them.

Let us also not fail ourselves. From this point we can go forward and begin to clear away the cobwebs of suspicion in the public's mind. I have great expectations with regard to the work of the Standards Committee. I anticipate that its distinguished members will forthrightly attack the perplexing matter of standards of official conduct and will submit to the House an excellent set of recommendations from which we can shape a meaningful code of conduct.

Once a code has been adopted by this House, we must then take the steps necessary to enforce these official standards of conduct. We can presume that enforcement power will be lodged with the Committee on Standards of Official Conduct. But regardless of where it is ultimately placed, it is absolutely essential that the power to enforce official standards is vested in a committee of this House. Otherwise, there is a grave danger that the standards adopted will be weakened in their force and a certain danger that the public confidence in the House will once more be shaken. Make no mistake about it, the public and the press will tolerate no dodging by us on this matter without crying "foul." The enforcement step is just as critical as the one which this House took last Thursday.

These warnings, Mr. Speaker, are not meant to detract from my enthusiasm over the passage of House Resolution 418. I am sure that the membership of this House is as pleased as am I, a freshman Congressman, by this admirable and much needed action. We have moved in the direction dictated by our actions on January 10 and March 1 of this year. We have stated to the public that abuse of official power will be permitted by no Member of this distinguished body and that all Members shall be judged alike in that respect—judged by their own actions.

WE CANNOT TOLERATE IRRESPONSIBLE SCORN DIRECTED AT THE NATIONAL FLAG

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, we as a nation must have traveled a long distance down the road toward disintegration when mobs of people gather in two large American cities to throw scorn and disrespect on the American flag.

In New York and San Francisco on Saturday the U.S. flag was subjected to such treatment that in another day would bring charges of treason on to its perpetrators.

No national flag can be burned in public by persons living under the protections of citizenship symbolized by that flag without the entire nation suffering a deep loss.

We can imagine voices of dissent rising against the existing Governments of England, France, Japan, or even Soviet Russia, or any other country.

But can we imagine citizens of any of those countries taking to the streets to burn their national flag? I cannot. The majority of the citizens in any other country would not tolerate such outrageous behavior on the part of their countrymen.

This is added reason for Congress to give prompt attention to the legislation which has been proposed to make desecration of the U.S. flag a Federal offense.

My bill is H.R. 4465, introduced February 1. I want also to call attention to the work of our distinguished colleague, Congressman RICHARD ROUDEBUSH in this important effort.

One or another of these bills should be enacted as a means of gaining back some of the ground we have lost in the United States.

Those who find such satisfaction in turning on the American flag should be given something to ponder. We can tolerate responsible dissent from the prevailing attitudes and ideas of government. In fact this is absolutely essential.

But we cannot tolerate irresponsible scorn directed at the national flag, which is the very symbol that protects the right to dissent. The flag burners may enjoy the publicity they bring to themselves in their behavior.

But the end result of their action would be to destroy all that we hold dear, to destroy the very symbol of our freedom and liberty. We must rise up, now, and put a stop to such dreadful acts. I urge the passage of H.R. 4465.

PENALTIES FOR MUTILATING PHYSICALLY OR CASTING CONTEMPT BY WORD ON THE FLAG SHOULD BE EXTENDED TO EVERY STATE IN THE UNION

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. WATSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WATSON. Mr. Speaker, one of the most despicable acts that the American people have ever seen on their television screens or on the front page of virtually every newspaper in this country occurred this past weekend in Central Park in New York City when a group of renegade leftist demonstrators publicly burned the flag of this Nation.

Mr. Speaker, most of us here have followed that flag during periods of military service to our country, and a great percentage of us have faced death defending that flag. There are untold thousands of young Americans who have paid the supreme sacrifice in defending the flag, and at the very moment Americans are dying in its defense.

Who among us fails to feel the ripple of excitement when Old Glory unfolds or experiences that exciting moment when the band strikes up our National Anthem? Of course, we all do, as does the overwhelming majority of the American people. Our flag and National Anthem, like our heritage, is sacred to every one of us. But, there are some in this Nation who are so dedicated to the destruction of our way of life that they would physically destroy these sacred symbols. Such was the case this weekend. While a smelly bunch of unwashed creeps were free to burn our flag, young men of a comparable age were dying to keep that flag waving over a free people.

I am very concerned that no penalty exists for mutilating the U.S. flag, with the lone exception of within the District of Columbia. Title IV, section 3 of the code sets forth the penalties for mutilating physically or casting contempt by word on the flag within the District of Columbia. I am introducing a bill to amend title IV, section 3 of the code to extend its provisions to every State in the Union. In addition, my bill would up the maximum fine for violating this statute from the present $100 fine or 30 days imprisonment or both to a fine not exceeding $1,000 or by imprisonment for not more than 90 days, or both.

Mr. Speaker, I am calling for bipartisan support of this bill and I extend my colleagues an opportunity to join me in introducing this legislation. Certainly this is a gesture to our fightingmen in Vietnam, but it also would indicate to the American people where Congress stands in regard to those people who are conspiring to destroy the outward symbols of our democracy. If we allow antiwar demonstrators to burn the U.S. flag today, these same people will be setting a torch to other symbols of our democracy tomorrow, including the U.S. Capitol.

It is said that one picture is often worth a thousand words. In the case of the picture taken of the peaceniks burning the U.S. flag, the result will not be words but lives—that is right, American lives. The North Vietnamese and the Vietcong will gain renewed psychological strength from that picture. Who knows how many American boys will die because the forces of communism decided to push the war further under the false impression that these demonstrations prove there is no American consensus for the war. Well, it would be impossible to keep this picture from being circulated in North Vietnam, but one thing is probable—if a strong penalty exists against desecration of the flag, in the future a demonstrator is going to think twice before he sets a torch to it.

GERMANY: REUNIFICATION THROUGH DÉTENTE?

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HOSMER. Mr. Speaker, Dr. Paul J. Friedrich, a research fellow at the Hoover Institution on War, Revolution, and Peace has made a significant analysis of the much discussed German reunification problem. His discussion, published in the winter 1967 edition of Western Politica, includes hitherto unpublished materials and is, therefore, of special significance to scholars, Members of Congress and others in our Government who must, to a greater or lesser extent, devote part of their time to this particular issue of the era in which we live.

Dr. Friedrich was born in Germany and has a distinguished educational background. His essay follows:

Germany: Reunification Through Détente?

(By Paul J. Friedrich)

In the past few months events in Germany have resulted in extensive international press coverage. News media everywhere headlined the political developments. First was Ludwig Erhard's relatively unsuccessful visit to Washington in the fall, and the subsequent crumbling of the coalition government in Bonn when the Free Democrats[1] withdrew support for the government, allegedly for disputes over tax issues. Then came the startling gains made by the National Democrats[2] in the state elections in Hesse and Bavaria in November which threatened a revival of Neo-nazism in Germany. Later, the participation of the Social Democrats[3] in forming a coalition with the Christian Democratic Union[4] to gain control of the national government was another much-publicized development in Germany—especially with former Nazi, Kurt Georg Kiesinger, at the head of the coalition. This was sensational news, particularly for those of the Communist press who felt the satisfaction of final vindication in their permanent and relentless anti- (West) German propaganda. Finally, Franz Josef Strauss' participation in the new cabinet (as Minister of Finance) prompted some observers to speculate on seeming dangers threatening the future of West German democracy.

Now, however, these voices have subsided, except for sporadic outbursts, usually launched from Moscow, Poland and East Germany. By persisting in their decision to make a new start with a new coalition under a new chancellor and not give in to pressure from abroad and from within—namely to reconsider the political implications of having a former Nazi party member lead the government—Germany has unquestionably gained self-assurance. Kiesinger's performance during these first two months in office may tentatively be termed successful and promising for the future.

On December 13 before the *Bundestag*, Kiesinger delivered his first policy statement as Federal Chancellor. In this he made it clear that the new government would introduce two significant changes in Erhard's previous foreign policy. First, he expressed his desire to *again draw closer to France*. Former Chancellor Erhard and his Foreign Minister, Gerhard Schroeder, had seemed unable, both for personal reasons and for an apparent lack of diplomatic skill, to establish closer ties with General de Gaulle without seeming anti-U.S. at the same time. Alluding to a wide-spread, yet misleading alternative of a "Gaullist" versus an "Atlanticist" conception of Germany's political orientation and European defense strategy, Kiesinger said: "Together with France, America's oldest ally in Europe, we regard a solid alliance between the free nations of Europe and the United States as irremissable. *We refuse to be talked into making a false and dangerous choice.*"[5] However, the Federal Republic of Germany has supported the U.S. policy with regard to Vietnam and does not follow de Gaulle's criticism.

The other move, by which the new Kiesinger government refashioned German foreign policies towards a French orientation, was a lowering of the diplomatic barriers between his nation and individual East European countries. In so doing, he also gained favor in Washington where a new program for seeking *détente* with the Communist countries of Eastern Europe had been initiated by President Johnson's policy making speech of October 7, 1966, in New York. Following Johnson's lead, but with special reference to French-German relations, Kiesinger thus stated his position on that subject: "From the facts of European geography and in view of the history of our continent, there exists under the present circumstances a particularly high measure of common interest between our countries. [. . .] For the improvement of relations with East-European neighbors, the German-French cooperation is of the greatest value in the greatest number of fields."[6]

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[1] In the 1965 national elections the *Free Democrats* (FDP) polled only 9.5% of the vote (as compared to 12.8% in 1961), and formed the "small coalition" with the Christian Democrats under Erhard. On issues of finances and social legislation, they take a relatively cautious position in comparison with the two major parties. To call them economically conservative would be misleading in view of the fact that Germany outranks all Western countries (including Sweden) with respect to the amount of social legislation passed. For years, the FDP has been in favor of diplomatic relations with Eastern Europe, and on nuclear questions they share the views of the Social Democrats. They have not opposed any plans for a non-proliferation treaty.

[2] A relatively new party, the *National Democratic Party of Germany* (NDP) polled 2% of the votes in the national elections in the fall of 1965, which did not meet the 5% minimum requirement for representation in the *Bundestag*. There are many former Nazis included in its ranks, though support for the party in the state elections of Hesse and Bavaria last fall came, to a considerable extent, from more nationalistic elements among the people who were disappointed with German positions on issues such as reunification, second-class NATO status, etc. They are not a danger to Germany now, nor are they likely to become one, if properly handled.

[3] The *Social Democrats* (SDP), a Marxist-oriented party until the adoption of the new *Godesberg Programme* in 1959, have gained strength during subsequent national elections, receiving 39.3% of the vote in 1965. Domestically, they have favored social legislation more than any other German party. With regard to German reunification and relations with East Germany, the SDP has opposed the "immobilization" of the government, which was demonstrated last year by their attempt to engage in a "dialogue" with East German leaders via televised debates. The SDP has, in the past, advocated a nuclear non-proliferation agreement, and has fully supported NATO and the alliance with the U.S.A. However, their defense expert, Helmut Schmidt, recently criticized the unfortunate handling of French-German relations by the Erhard government. The SDP is willing to renounce any German part in a nuclear military system, but wishes a "nuclear veto" within NATO, i.e., a check on the use of U.S. bombs which could be dropped on German territory in time of conflict. With nine federal ministers and their party chairman, Willy Brandt, now holding the posts of Vice-Chancellor and Foreign Minister, they are directly represented in the new Bonn government.

[4] The party of Adenauer and Erhard and the dominant party since the establishment of the Federal Republic, the *Christian Democrats* (CDU, and their Bavarian branch, CSU, headed by Franz Josef Strauss), received 47.6% of the national votes in 1965. On social and financial issues, they form a moderate, all-inclusive group with both progressive and conservative elements in it. In foreign politics, there are major differences within the party; some favor the strengthening of NATO and relations with the United States (former Chancellor Erhard and his Foreign Minister Schroeder), but others follow France on these issues (Adenauer and Strauss). Until the new coalition was formed last fall, Erhard and Schroeder favored diplomatic ties with the East, while Strauss was rather skeptical. The new Federal Chancellor Kiesinger, seems to coordinate the French relations and the *Ostpolitik*, in a way that combines foreign minister Brandt's ideas of diplomatic ties with the East with his own understanding of the European situation and the importance of the Franco-German relationship. The CDU formerly has taken and apparently will continue to take a tough stand towards Ulbricht's East German government. The party has been critical of an unconditional acceptance of a non-proliferation agreement and has demanded some say in NATO nuclear strategy.

[5] *Bulletin des Presse- und Informationsamtes*, (Bonn), December 14, 1966, pp. 1269–1270 (emphasis added).

For the majority of Americans, who now customarily reproach de Gaulle with criticism, not to say hostility, because he kept Great Britain out of the Common Market and struck a vital blow at the NATO defense system and American "predominance" therein, these German moves might at first have aroused suspicion, or at least surprise. However, some political observers, who were aware of the long-range implications of the new European strategy implemented under the Kennedy administration, saw astute national reasoning behind de Gaulle's opposition to the United States. Perhaps the most prominent figure among those who held this view in Germany was Franz Josef Strauss, until late 1962 Minister of Defense and now Minister of Finance in the Kiesinger cabinet. He was not only one of the key figures in boosting Kiesinger to the post of Chancellor of the new coalition, but was, undoubtedly, also influential in formulating the new direction in Germany's foreign policy, together with Foreign Minister Willy Brandt.

The American decision, to reverse wholly the traditional Dulles strategy (which had sought relaxation of tensions in Europe through German reunification), was made largely without consultation among its European partners. It reflected a particular view of American "national security" which could not easily be shared by West Europeans. In analyzing the replacement of "massive retaliation" by the "flexible response" strategy advocated by Kennedy's adviser, General Maxwell Taylor (*The Uncertain Trumpet*), a discerning French military theoretician. General André Beaufre, wrote in his impartial book, *NATO and Europe:*

"This decision, it must be emphasized, was taken unilaterally by the Americans, without consultation of any kind with their Allies. It bore very important consequences. The first was to give the Europeans the impression that they might become, once again, the arena for a trial of strength, as had already happened twice in the course of the Twentieth Century, while the Russians and the Americans would enjoy a kind of immunity on their own grounds . . . Deterrence, which had been absolute at the time of massive retaliation, was now fundamentally weakened. This was inevitably the origin of the profound disquiet within the Alliance; this disquiet was to grow even more profound as the new problem raised by the "flexible response" revealed the full extent of the contradiction within NATO between the principle of a common strategy, discussed and approved by the Alliance, and the secrecy in which the Americans wrapped their nuclear strategy."[7]

Secretary of Defense McNamara officially announced the shift in United States nuclear strategy at the Athens meeting of the Council of the North Atlantic Treaty Organization in early May 1962. All NATO members except France consented to the new guidelines for the use of nuclear weapons. According to the *New York Times* of May 6, 1962, McNamara's statement had been interpreted by diplomatic observers as a complete alteration of "the whole strategic and tactical situation in Europe." In the same report France's Foreign Minister, Maurice Couve de Murville, was said to have characterized the American policy as "intellectually dishonest." This strategy change concerned particularly Central European security. A recent article in the highly-respected political quarterly, *Orbis*, is, therefore, somewhat in error, when it interprets de Gaulle's "unwillingness to accept the Athens guidelines" merely in the light of his "determination to pursue his own nuclear policy." It claims that this stand can be justified only "if one views the world through the eyes of a nineteenth-century nationalist who holds uppermost considerations of political prestige and national pride. . . ."[8]

At this crucial time Adenauer was equally concerned about Washington's *détente*-oriented policy towards the Soviet Union of which the new nuclear stategy was an integral part. It was apparent that the Kennedy Administration sought elimination of tension in Central Europe at the expense of its loyal ally, the Federal Republic. Adenauer learned of these covert plans through the German Foreign Ministry, which had received in October 1961 secret telegrams from its NATO Embassy in Paris and its Embassy in Washington containing the premises for subsequent discussions. These were: (1) that after a satisfying settlement of the West Berlin problem President Kennedy would offer to discuss the question of Germany's eastern border with the Soviet Foreign Minister; (2) that the American NATO Ambassador, Thomas Finletter, had asked his German colleague about Bonn's position on creating *controlled and de-militarized zones on the territory of the Federal Republic* (the German ambassador was amazed that such a question should even be raised!); and (3) that the British Minister to Washington, Lord Hood, had demanded in an ambassadorial steering committee in Washington, that they "respect the authority of the Government in East Germany"—which, according to the German Ambassador, Wilhelm Grewe, came "desperately close to *de facto* recognition" (cited in Epstein's article mentioned below).

These secret telegrams were made known to the New York journalist, Julius Epstein (now with the Hoover Institution at Stanford University), who published a detailed article in August, 1962, in *Rheinischer Merkur*, which was immediately afterwards reprinted in *Der Spiegel.*[9] In the United States the "Epstein Report" was ignored by the press except for a belittling reference to the *Der Spiegel* article by Sidney Gruson in the *New York Times* of September 17, 1962, while in Germany the report received overwhelming attention.[10] In Germany there were parliamentary inquiries, interrogations of almost the entire staff of the German NATO Embassy in Paris and the Embassy in Washington, and a suit filed by Foreign Minister Schroeder with the Attorney General's Office against an unknown suspect for the betrayal of state secrets. When after three years of investigation it became obvious that the informant must have been Adenauer himself, the inquiry was quietly dropped. It was said that the head of the government may reveal secrets, if, in his judgment, it is to the advantage of the country, for he determines the guidelines of politics.[11] Despite the extralegal nature of Adenauer's action and his constant denial of any involvement, this shrewd maneuver did successfully halt surreptitious *détente* negotiations behind the back of the West German Government.

The three main points on the Soviet agenda in exchange for which a *détente* could be gained by the United States (as revealed by the Epstein documentation at the height of the Berlin crisis), namely recognition of existing borders, arms-control for Germany, and recognition of East Germany by the West, still form the core of Soviet security measures for Central Europe. While the Kiesinger government continues to refuse recognition of the Oder-neisse line as the legal boundary between Poland and Germany for the present, i.e., until the German question is settled in a peace treaty as promised, Kiesinger has declared, on December 13, 1966, that his government consider the Munich Agreement "no longer valid"—a step which would have borne more fruit for Czech-German relations had it been taken several years ago. Bonn also still denies recognition of East Germany—the German Democratic Republic, as it is now beginning to be designated officially even by the leaders of the Federal Republic—as an independent state.

Because of the new government's traditional unwavering stand on these two issues, the repercussions in Eastern Europe of Kiesinger's December 13th policy statement were generally negative. Moscow's criticism emphasized these points, thus bolstering any anti-German feelings in Poland and demonstrating the unanimity of Soviet interests with those of the Ulbricht regime. Pravda published a statement delivered by the USSR Ministry of Foreign Affairs to the embassies of the United States, Great Britain and France in Moscow on January 28, 1967, which constitutes another attack on the revival of Nazism and the alleged *revanchist* nature of West German politics. According to this statement, referring to the meeting of the Political Consultative Committee of the Warsaw Treaty Member-States in Bucharest:

"The Soviet Union and other socialist countries put forward in the Bucharest Declaration (July 1966) a broad programme for strengthening peace and security in Europe. . . . But the Soviet Government cannot and will not close its eyes to the danger to peace in Europe and throughout the world from the neo-nazi and militarist forces of the Federal Republic of Germany."[12]

The general policy line, laid down in the Bucharest Declaration, lists certain requirements to be fulfilled by West Germany before diplomatic ties with the East European Communist countries can be established: (1) Bonn's renunciation of access to nuclear weapons; (2) recognition of the existing borders between European states including the borders of the German Democratic Republic, Poland and Czechoslovakia; and (3) suspension of the claim to represent all of Germany and abandonment of the *Hallstein Doctrine.*[13]

These conditions were ignored when official diplomatic relations were established between Rumania and the Federal Republic on January 31, 1967. Thereupon, East Germany moved swiftly, via its semi-official news agency, ADN, to sharply criticize Rumania for this action—a very unusual exchange between fellow Communist East European nations.[14] By the second week of February Rumania's move had precipitated a hastily arranged meeting of East European government officials (scheduled first in East Berlin, then shifted to Warsaw because of the East German-Rumanian disagreement) in order to discuss tactics to be used against West Germany and to set a high price on diplomatic relations with the F.R.G. This conference notwithstanding, Rumania's action may well lead to future East European-West German relations.

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[6] *Ibid.*, p. 1270.

[7] André Beaufre, *NATO and Europe*, (French, 1966), (New York: Knopf, 1966), pp. 62–63.

[8] Elliott R. Goodman, "De Gaulle's NATO Policy in Perspective," *Orbis*, Vol. X, No. 3, (Fall 1966), p. 704.

[9] "Die Quelle des Uebels: Eine Dokumentation zur Genesis der deutsch-amerikanischen Verstimmung," *Rheinischer Merkur*, (August 31, 1962), pp. 4–5. Cf. *Der Spiegel*, (September 12, 1962).

[10] Cf. the report in *Die Welt*, (Hamburg), September 18, 1962; the lead article and the editorial in *Frankfurter Allgemeine*, September 22, 1962; the front page of *Neue Zürcher Zeitung*, (*Zurich*), September 24, 1962; *Der Spiegel*, October 10, 1962; and *Die Welt*, November 29, 1962. Through A.P. wire service the Epstein report and its political implications received attention in the press throughout Germany.

[11] "Jedermanns Pflicht," *Der Spiegel*, (August 4, 1965), pp. 18–19; cf. also *Frankfurter Allgemeine*, August 4, 1965 and *Sunday Times Magazine*, (London), January 2, 1966, pp. 11 and 13.

[12] Pravda, January 29, 1967; cited from *Supplement to Moscow News*, No. 5, 1967.

[13] In summary the *Hallstein Doctrine* states that, excepting the Soviet Union, West Germany shall establish no diplomatic relations with any country which recognized the East German government, and will break off relations with any country that does so (Yugoslavia).

The importance and sophistication of the Polish-German border question and of the non-recognition of East Germany in the West-German political arena is either unrecognized or regarded as immaterial by most foreign observers. From a reading of international news coverage of German events, it is evident that certain basic presuppositions underlying German policies are not shared by others. Moreover, foreign attitudes regarding an ultimate solution of Germany's geographical and political composition vary widely: the East Europeans would like to see Germany divided forever, because of past experiences with German militarism; the East German government has, admittedly, no interest in a unified Germany under a freely elected government—the reasons are obvious, most Western countries would like to see the German problem solved in order to eliminate the real source of tension within Europe, though they do not always make it clear whether their solution would necessarily be reunification; but no country is primarily concerned with reunification as such, i.e., without considering it as a step towards a more important end, except for the Germans themselves.

The (West) German constitution (*Grundgesetz*) states that the ultimate goal of all lawful German authority is the reconstitution cf a united Germany under a freely elected government. The present German political system is geared to achieve this goal which would mean an end to the divided status of the country. This stance also explains why Bonn insists on speaking in its capacity for *all* Germans and, at the same time, insists on refusing to acknowledge East Germany as an independent unit. Though astonishing, it is nevertheless increasingly evident that the desire to see definite progress towards reunification has been growing among German people. To view this as a revival of nationalism in a negative sense is to misread the German temper. Rather, it is the expression of a measure of self-assurance and self-respect regained, which one might legitimately expect a nation to develop even after its total defeat of twenty years before.

That disappointment and impatience with the stagnating situation in a divided country led certain elements to support the National Democrats in the state elections last November was unfortunate. It reflects, however, the growing German awareness of the fact that not only do the Communists violently oppose German reunification, but that also the West has deferred it to the distant future and has accorded it only unconcerned lipservice. The question here is not whether the West could or should have done more for Germany's political goal, but whether Germans can free themselves of the political illusions built up through the years. Now they must see more clearly than ever that chances for reunification are dim, that today no country in the world wishes to be too seriously engaged in promoting German unity. For many Germans this recognition has come as a shock—inevitable, but a shock. Consequently, a new orientation in Bonn could no longer be avoided, and old concepts had to be reconsidered. From this point of view, the Kiesinger coalition government is facing a difficult task in a situation far from promising. Will the Federal Chancellor be successful in convincing the people of his strategy? Much will depend on his ability to do so. The press, at home and abroad, has responded favorably in most cases.

Even in Eastern Europe there are definite indications that the "opening to the East" has not been a totally futile attempt. Adenauer was fairly successful in establishing his *Ostpolitik* (entrenched as it was in the United States policy towards the Soviet Union and other Communist nations in Europe) among the German voters as the only possible road towards a free and united Germany in the future. While it would be idle to speculate today as to whether a different West German strategy towards the East in the early 1950's would have brought Germany any closer to reunification, West Germany has finally realized that the Kennedy administration's change in the United States policy toward Europe left its own relations with the East without concerted Western political approval. De Gaulle had seen this much earlier and, after his unsuccessful NATO reform talk proposals, had set out to develop his own strategy for Europe.

Given the present American orientation with respect to Europe and NATO, Germany must follow De Gaulle and pursue a more independent line herself. Germany must seek "European security" in a restructured continental defense system, and a relaxation of tensions—primarily psychological—with its East European neighbors, as integral elements of German "national interest." However, de Gaulle has done no more for Germany than to help promote good will. And, on the other hand, East European opposition to reunification was based on more than mere misunderstanding of German intentions.

It would be illusory on the part of the Germans if they believed that reunification could be brought about by political steps on a national level. The key to a united German state lies not within, but without, a major unsolved problem arising out of the "Grand Alliance" diplomacy of World War II. Therefore, one should not over-rate any German steps toward *rapprochement*. The government in Bonn must be realistic enough to see that the way to a united country is not via the official SED (Socialist Unity Party) plan of the East Germans, but firmly in opposition to it. In a New Year's message a month ago, Ulbricht stated again that a united and non-socialist Germany is totally out of the question:

"Socialism and monopolistic capitalistic rule cannot be joined together. A return to the Middle Ages of societal development—to capitalism—is unthinkable for the citizens of the socialist German Democratic Republic. Therefore, a reunion between the socialist German Democratic Republic and the West German Federal Republic, dominated as it is by monopolistic capitalism, is impossible. Reunification, or rather, the unification of the two German states, depends upon a thorough democratic turnover in West Germany."[15]

Ulbricht has also nervously noticed West Germany's new approaches to Eastern Europe. He realizes the potential danger this thrust poses for his own position and, for this reason, has even formulated his own kind of "Hallstein doctrine;" A "fraternal socialist state" of Eastern Europe should open diplomatic relations with West Germany only if the Federal Republic is willing to recognize the German Democratic Republic.

The most realistic prediction of future development is that neither Ulbricht nor Kiesinger and his Foreign Minister, Brandt, will succeed with their respective "doctrines." Certain East European countries will follow Rumania's lead and establish diplomatic relations with Bonn, even though Bonn does not recognize Ulbricht's regime. On the other hand, Bonn will not insist on certain non-recognition clauses as a *conditio sine qua non* (the basis of the *Hallstein Doctrine*) for diplomatic treaties. Eastern Europe is primarily interested in West Germany's tourist money and its promise of lucrative trade relations. Bonn, in turn, wants to get out of the political isolation into which it has been maneuvered, partially through fault of its own.[16] Nonetheless, it would be cynical and unfair not to admit that there is also a genuine wish among the people in Germany and, hopefully, among a growing number in Eastern Europe who want to end the present deadlock and make definite strides towards a more fruitful relationship among European nations.

THE TROUBLE WITH ANACOSTIA

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, in the last few months a great deal of attention has been focused on the problems of that part of Washington called Anacostia, the area of Southeast Washington separated from the rest of the city by the Anacostia River.

Anacostia is an area of great variety. With the greatest concentration of public housing of any segment of Washington, it also includes many new, middle-class apartment developments and older, settled neighborhoods. A region of relatively low housing density, the area is now suffering all of the problems of rapid and essentially undirected population growth. Its schools are overcrowded, recreational space and facilities are inadequate, and problems are mounting every day.

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[14] Cf *Die Welt*, (Hamburg), February 2, 1967, p. 1.

[15] Quoted from *Die Wahrheit* (SED), (West Berlin), January 3, 1967, p. 3.

[16] The term, "political isolation," also involved the question of Germany's signing a world-wide nuclear non-proliferation treaty. The possibility of such an agreement is being discussed presently among nuclear and non-nuclear powers and will be on the agenda of the Geneva Disarmament Conference in the second half of February. Foreign Minister Brandt is especially concerned about possible technological setbacks for Germany as a consequence of restricted and heavily controlled nuclear research for peaceful means. Other influential groups in Germany, who view the proposed treaty as it regards "European security," consider it an impediment to a necessary reform within NATO which would, in effect, prevent the formation of a collective West European nuclear force. Certain disagreements are likely to develop within the Bonn coalition government, as Chancellor Kiesinger will duly weigh the arguments put forth by men like Franz Josef Strauss and Ambassador Wilhelm Grewe who warn against Germany's acceptance of the non-proliferation treaty in its present form. They contend that it serves primarily the interests of the Soviet's Central European strategy by hampering any future nuclear agreements among partners of the Atlantic Alliance. Concern over the political isolation which would result should Germany refuse to sign might, however, be judged by the German government to outweigh the security risks involved in the treaty.

Mr. Speaker, for many years Anacostia has been psychologically isolated from the rest of Washington—ignored by most local residents, exceptionally underrepresented on the formal advisory boards and councils which exist. In the past year, however, general attention has been aroused, most dramatically by the unfortunate disturbances in the 11th Precinct, but also through the exertions of many individual Anacostians and neighborhood groups who are making constructive and imaginative efforts to increase public understanding of the challenges facing their area and to attack the very real problems which exist.

Last winter an extremely compelling view of one area in mid-Anacostia was presented in a series, "The Trouble with Anacostia," on WRC-TV. Produced by Vernon Hixson and directed by Richard Quinette, the series was developed, written, and narrated by Max Robinson, who based his reporting on several months' experience as a resident of mid-Anacostia and on countless conversations with the friends he made there.

His series, which will be shown later this year as a special program, offered a tremendously valuable, controversial, and enlightening examination of the attitudes, hopes, and frustrations of many of the people caught in this insulated ghetto. As such "The Trouble with Anacostia" is instructive not only to those of us particularly concerned about the future of Washington, but also to everyone who seeks to understand and respond to the problems which threaten to overwhelm urban America today.

I include in the RECORD the transcript of this remarkable public service presentation:

THE TROUBLE WITH ANACOSTIA

(With Max Robinson; directed by Richard Quinette; filmed edited by John G. Long, cameraman, Charles Fekete; sound, Al Story; consultant, Stuart Schulberg; produced by, Vernon Hixson; a presentation of WRC-TV and NBC News)

REPORT NO. 1

Max Robinson (on camera):

No domestic problem concerned the American people in 1966 more than the issue of race. "Black Power" emerged as an angry slogan out of forgotten communities across the country and the white backlash echoed the resentment of millions of white American's. In 1966 more riots flared in America's urban ghettoes and the civil rights movement began to lose its footing. 1966 was the beginning of the year of the war on poverty and by year's end there was talk that it might be the beginning of the end.

During this decade there has been a hardening of racial boundaries in this country. The white community appears to have become less amenable to change; and in the black communities across the country, centuries of bitterness have turned more and more Negro Americans from a shameful self-hatred to open hostility against white America. 1966 was the year that this country's famous melting pot ceased to function as a concept.

Our series deals with one of a thousand impoverished and neglected communities in the U.S. It is the same community where the clash between police and citizens almost led to Washington's first riot, on August 15, 1966. It is poor but not the poorest community in the district and, more than most communities like it, there is a growing concern and awareness among its citizens.

Max Robinson

(Voice on film):

It is located in southeast Washington just across the Anacostia River within sight of the nation's Capitol. District officials refer to this community as census tracts 74-75. It is commonly called mid-Anacostia.

Like many northern communities, mid-Anacostia began to undergo a change in its population during the wartime years of the forties. The community which was almost 100% white in the 1940 census was over 72% Negro by 1960, and recent figures indicate that percentage has increased.

Over 36 thousand people live in mid-Anacostia, which is bounded by the Anacostia River, St. Elizabeth's Hospital, Good Hope and Naylor Roads, and the Maryland border. More than a quarter of the population of 36 thousand, over 9,000 residents, live in six large public housing projects. This accounts, somewhat, for the median family income which is as low at $3400 a year in some sections.

From these cold bare statistics spring the human problems of mid-Anacostia, and those problems have created a new mood among many citizens. A new-found hope for dignity has collided head-on with an almost inbred feeling of inferiority. Unrest and discontent are the symptoms.

(Voices on film):

Man: "Just hold on, I'm upset all about the fact that the white man is hurting the black man, more upset doubly about the black man who's defending it."

First woman: "Anacostia has always been a forgotten city. It's really a forgotten place."

Second woman: "I just don't dig police, that's all there is to it. It's just like going back to slavery as far as the Negro is concerned."

Max Robinson

(Voice on film):

Yes, there is discontent in mid-Anacostia. And during the short time I spent as a black Anacostian, I could feel the old order of apathy giving ground to a new assertion for citizenship. That assertion, more often than not, was demanding in tone. Out of this new order I could see the resurrection of a once-buried pride, but there were obvious dangers. For all too often the Molotov cocktail flames from the frustration of the new order. Once a man sees himself as a man, he can't retreat from that image.

The struggle for identity is not easy in the black community. Black power for some has become a vehicle in that struggle. There were many discussions on black power, and there always emerged a host of different concepts, sometimes conflicting.

For the mother struggling to survive on welfare, the black power debate is a luxury she can't afford, for she and her all too numerous children are locked in a battle for sheer existence. The poverty worker, constantly agonized by the desperate plight of too many citizens of the forgotten community, fights a constant battle against disillusionment.

Negro policemen, concerned with the role of police in the black community, talk of widespread discrimination in their department. They also talked about police brutality. And then there is the white citizen—often hostile and, more often than not, tied to a Negro neighborhood because of the lack of a ticket to suburbia.

These are some of the people and some of the issues we will be hearing from in the next two weeks as we explore "The Trouble With Anacostia."

REPORT NO. 2

Max Robinson (on camera):

For many men in mid-Anacostia life is a constant battle for pride. At home his wife and children may expect too much from his meager salary—a new dress, the latest teenage fashions, or new furniture to replace a badly sagging living room suite. On the job he is often faced with an employer who has never thought of him as a man like himself. To his boss he is "boy"—but he must do a man-sized job for his family.

To briefly escape some of the demands of his daily routine, he often meets his buddies at a neighborhood bar owned by Edward Cooper.

Max Robinson (Voices on film):

It's located in the 2400 block of Nichols Avenue, and in the evening after work, the neighborhood men gather there to drink and talk as bartender, Mr. Cooper, knows his customers' concerns.

Mr. Cooper: "Job opportunity—this is what I find in talking to people that they seem to be working for—something, some type of support. I think everybody would like to work if they had a chance, and I think this is what's needed."

Max Robinson: "How do you think the Negro man reacts? How does he react to this lack of opportunity, the lack of a chance to make it for himself?"

Mr. Cooper: "Well, it's kind of frustrating, and I think this is why some of the people act up quite often—because he's despondent and he just doesn't understand what goes on, so he gets mad with the world and he has a couple of beers and he gets a little high and he lets off a little steam. This is what we try to understand and go along with; you know, be nice to the guy and let him know that somebody's in his corner, you know."

Max Robinson (voice on film):

The customers that evening were discussing police-community relations.

Discussion (voice on film):

First man: "I think it begins before you get off work or anything. Now, maybe before you show on the scene—it could be early in the day some fellows may have been shooting dice or anything—O.K., you might not know nothin' about it—you show, you tired, you better go sit down somewhere—he comes along and pulls you around and wants to lock you up. Thinks you been in the crap game which you don't even know nothin' about. Then if you say something about it, he's going to lock you up for disorderly conduct."

Second man: "You can be standing on the corner, and they tell you to move. Right in front of Cooper's, they ask you to move. You just got off work, you a working man, you can't even stand for a few minutes in front of here. But you walk down the street for four or five blocks . . . and you'll find the white fellow, they're standing right in front of the Bank and in front of People's drug store, and they're not asked to move. Why is this?"

Third man: "We got to have police. We got to have the law. But we're asking them to treat people nice. You approach a man and say 'Move on'—who he talkin' to—a dog?"

Fourth man: "Our problem is not with the Police Department. Our problem over here is mostly ourselves. We do more harm to ourselves than the whole Police Department does. There's more brutality among ourselves, our mothers, our fathers—our daughters can't even walk on the street unless one of our kids knock them on the head. For what? The police are not doing that much to us."

Third man: "We got to have police. We got to have police!"

Fifth man: "Some police are real nice and some police are real nasty. You find that in a lot of places but over here in Anacostia, I think they're a lot nastier than they are in other places."

Max Robinson: "Look, how do you feel as a black man living in mid-Anacostia?"

First man: "We're born with this color and this is something we got to live with—why should we feel otherwise? Because the white man is white, we should feel bad because he's white? This is the greatest color that God ever gave any man."

Sixth man: "All in all, I feel pretty good about being a Negro because we have moved up far, far more than the white man, and he's afraid of us now."

Sixth man: "The white man is scared of the Negro. In fact, he is getting the opportunity to show himself, and I think the average Negro who gets the opportunity to show himself is actually running away with the race—and this is making the white man more and more afraid of the Negro, and he's trying harder now to stop this movement than before."

First man: "We got to stick together. That's the only way."

Sixth man: ". . . I feel if we stick together and, if I'm not mistaken, I think it was the Pharoahs that were run into the sea—and I think if the Negro stick together, he'll run the white man into the same sea."

Max Robinson: "What do you think of 'black power'?"

Fourth man: "We don't have money, Mister, so we'll never get the country by the tail, so you can forget about the black power business."

First man: "But knowledge . . ."

Fourth man: "How many Negroes do you know that can manufacture cars, steel? None!"

First man: "I don't feel that we have the opportunity we should have. We are far, far low to opportunity that we should have. We are away in the back, and we should be equal. We go to war with each other; we have boys over in Viet Nam fighting today, black and white together. We die together over there. When they come back to the States, then therefore they're treated like they're nothing but dirt. I'm talking about the black people, my people—they're treated like dirt when they come back to the U.S. They can't get a decent sandwich, they can't get a decent place. First thing you know, you want to call him nothing—he's nothing. But he's fought for the white man and for himself, too, but still he cannot get a decent place—this, I think that the white folks should understand this."

Max Robinson (on camera):

The frustrations of the man in mid-Anacostia are many and varied for, besides struggling on the job and never seeming to get anywhere, he is also plagued by his image as a Negro. He is likely to see the war in Viet Nam as strictly a foreign affair, and if he has fought on foreign shores, as many men in mid-Anacostia have, he must return home to life as usual.

And life as usual is all too often symbolized by the neighborhood policeman who sees him as a faceless black man. When I lived in mid-Anacostia, I could sense the fear of the officer on the beat, and I could more easily see the mask of hostility.

Tomorrow: Three Negro policemen talk about alleged police mistreatment of their fellow mid-Anacostians.

REPORT NO 3

Max Robinson (on camera):

One of the biggest controversies in Washington has been the issue of police brutality and verbal abuse. Many citizens in mid-Anacostia have charged that police officers treat them as second-class citizens or worse, and some residents of mid-Anacostia view the station house as the headquarters of an occupation army.

Max Robinson (voice on film):

The 11th Precinct station house is located on Nichols Avenue in the heart of mid-Anacostia. We talked with three Negro policemen attached to No. 11, who complained about discrimination in their department and police treatment of their fellow citizens. The three officers were interviewed in a darkened room with their backs to the camera.

(Voices on film:)

Policeman: "In some of the areas, especially the project areas, white policemen are assigned to these beats and they don't want them. If this area contains a business area, you'll find a white policeman there; but in the heart of this Negro residential district, you won't see them walking at all."

Max Robinson: We also talked with their Captain Owen Davis.

Max Robinson (to Captain Davis): "Many people have said to me that police do not give the same protection to Negroes that they give to white citizens. How would you respond to that?"

Capt. Davis: "I know that is the belief in some areas of the precinct. But on the other hand, I think that, particularly in the poverty areas, they get more protection than the better, more affluent areas."

Max Robinson: "How is that, Captain?"

Capt. Davis: "Well, we deploy more policemen in those areas because there is more crime."

Policeman: "In the area of brutality, verbal or physical, some instances—I think some cases of brutality are swept under the carpet. You see, there are many charges of brutality that never come to public light, and this the Department controls."

Capt. Davis: "I have received only one complaint of this so-called police brutality, and I honestly believe that if there had been other incidents that I would have heard about it."

Policeman: "I have seen a Negro kicked by a white officer in #11 Precinct. I have seen water thrown on prisoners in the cell block. I have seen people spit on in the cell block. These are just . . ."

Max Robinson: "Without provocation?"

Policeman: "I would say 'without provocation'."

Capt. Davis: "Sometimes our officers may go out and arrest a person and that person puts up a fight—well, certainly the officer has a right to defend himself and a duty to maintain an arrest, and sometimes persons are hurt. Certainly, we investigate very thoroughly any time a person is injured while he is in the custody of the police to make certain that this officer or these officers have used their weapons in a legal manner. However, in some of these cases, the victims or relatives claim police brutality when, in fact, this officer was doing exactly what he had every legal right and a legal duty to do."

Max Robinson (voice on film):

The three policemen also contend that some white officers are bigoted.

(Voices on film:)

First policeman: "Quite naturally a white policeman wouldn't call a Negro a 'nigger' directly in my presence. However, I have seen at last seven instances, when I was in a group of white officers, that they did use the term 'nigger.' And it rolled off their lips like water over a dam. Like I wasn't even present."

Second policeman: "If a Negro police officer can be brutalized physically, mentally, and otherwise, just think what a white officer might do to one of these Negro citizens out here. They wouldn't have too much chance for survival. If we were to turn all the white policemen loose in the streets then held back on all the Negro policemen, I don't think they would leave one Negro standing."

Capt. Davis: "There are a large number of good men here in this department and in this precinct. It's a little unfair to them for anyone to make a broad general statement about the general discourtesy of the men in the 11th Precinct. Unless, of course, this is true, and I assure you that it is not true. I am not aware of any problems at all. These men work together. I don't believe that they engage in social activities together, in fact, I'm almost sure of it. But they do work together and to me, from this level, it appeared to me that they got along fine. Certainly, I haven't detected any friction."

Third policeman: "When #11 received a new captain, he made good statements about how he was going to change this precinct and how it was going to be integrated—and he integrated all the scout cars and then, well, that lasted for about one week. The next week it seemed that they were starting to weed the Negroes out of the cars and putting the white officers back in. Now the situation is back where it started."

Capt. Davis: "The policy of the Department is to give the man the assignment he earns regardless of race."

Max Robinson (to policeman): "What do you think would happen if you faced the camera and your face could be seen?"

First policeman: "Oh, if I faced the camera, I would be castigated by the Department; I would probably be sent to the Trial Board for conduct unbecoming an officer; I would probably be fired for this offense. This is what I think would happen to me *if* I faced the camera."

Second policeman: "Well, if events continue to worsen as they are now, I don't think I'll be a member much longer."

Max Robinson (on camera): If many citizens are offended by police misconduct, some Negro officers are also concerned, for the three officers charged that they have witnessed many instances of physical brutality which never came to public light. They also charged that the word "nigger" is used widely in a department that they view as discriminatory. Their captain praised the men in his precinct, and he defended them by saying that officers, black and white, worked well together. However, it is the concern articulated by the three officers that makes it difficult to recruit policemen in Negro neighborhoods. It is perhaps unfair to force most of the responsibilities of the society upon the patrolman on the beat, but that is the position he finds himself in. And if he reacts out of fear and frustration by resorting to brutality and verbal abuse—who is really to blame?

Tomorrow we will look at the lives of two mothers and their eighteen children on welfare as we continue "The Trouble with Anacostia."

REPORT NO. 4

Max Robinson (on camera): There are almost 600 families on welfare in mid-Anacostia. Many more, in desperate need, are unable to receive assistance because of the difficult requirements of the Welfare Department. For the mother on welfare, life is often bare and insulting. A mother must support her children on an income hardly adequate for one person much less a mother and nine children. And if that isn't enough to contend with, she is constantly aware that a welfare investigator may embarrass her in front of her friends by entering her home looking for a "man in the house." To protect the taxpayer the mother on welfare is finally denied the sanctity of her home.

Max Robinson (voice on film): Until recently, twenty people lived in this five room house—two women and eighteen children—all supported by welfare. The rent here was cheap, and the two families stayed until the winds of winter forced them to seek new quarters. Life on the welfare rolls is often purchased at the price of dignity.

The women describe a recent visit by two welfare workers.

(Voices on film:)

Woman: "And when I looked up, the man was walking past my door with a black suit on. And I jumped out of bed and I grabbed my robe and I ran out and I ran downstairs, and I asked him what the hell was he doing here on a Sunday morning like that. I say, 'And why'd you let those investigators in here in my house?' She say, 'I didn't let 'em in.' Then Wayne said, 'Mommy, I let 'em in.' Then he ask me, 'Are you going to whip me?' And I say, 'No, I'm not going to beat you, but don't you never let strangers into the house.'

"So, when I went into the side room, he was standing there looking around and writing up some things in the side room, and I went to look for something, and he said to me, 'I'm going to fix you.' And I said back to him. 'No, I'm going to fix you.' So I reached down the side of the ice-box, looking for the hatchet, and that's when my daughter hollered, 'This man has pulled the cover off of me.' And I said, 'Who?', and she said, 'The man with the glasses on.' She said, 'He was standing there and looking down on me,' and she pulled the cover back over her.

"So, he went on and I pinned one of them in the room. He said to me, 'Lady, don't hurt me.' I say, 'I'm not going to hurt you, but I'm going to hurt your partner if I get to him.' Then my oldest daughter told me also that he went in her room and pulled the cover off her. I guess he was looking for a man or something."

Max Robinson

(Voice on film):

Former Welfare Director, Donald Brewer, says that the incident is being investigated.

Mr. Brewer: "Those actions are definitely contrary to our regulations. Our regulations are very specific in terms of hours of visiting, which are from 8 to 10 at night. Our regulations are very specific that the investigators must identify themselves. They must be admitted only by adults; and they must not go through the home without permission of the person and, certainly, any charge that they had pulled covers off of anyone or gone into a room under those conditions is a specific violation of our regulations."

M. Robinson

(Voice on film):

The women also claim that welfare workers have encouraged promiscuity.

Woman: "They also stated that it would be best for you to go out with this one and that one and not to have the same man. In other words, if they see one man with you twice, he is supposed to support the family. In other words, they'll cut you off if they see the same man in your house twice. And I think that's ridiculous."

Mr. Brewer: "Well, I think something must be a little turned around here, because we encourage families to stay together. We also indicate that people have a right to have friends come into their home; that parents can visit their children even though they may be separated. But we certainly do not encourage people to have a series of boy friends."

Woman: "Invesigators watching—they park outside and you aren't allowed to do this and you aren't allowed to do that. I don't like it at all."

Mr. Brewer: "Yes, we do set up surveillances in a number of situations. One, if we have information that somebody is working regularly; and we sometimes set up surveillances to see if they're leaving the home in the morning and coming back in the evening to see if there is such employment, if we have indication that the father of the child is in effect not absent but is living in the home, to see whether or not he is coming in and out of the home on regular schedule."

Max Robinson (voice on film):

The mother on welfare wants out of life what most American mothers take for granted.

Woman: "What am I looking for out of life? . . . what I'm really looking for—I wants to raise my children, and I want them definitely to be happy, which they're not now. And also want to be respected."

Max Robinson (voice on film):

Almost implicit in the treatment of the city's poor is the attitude that they are solely responsible for their troubled life. And the elementary concept of dignity that most Americans take for granted is denied to those who have not been able to break through the barriers that society has erected. Even before a person is legally responsible for his destiny, the walls of society present a monumental challenge.

Tomorrow: A young girl faces the future—while her mother watches in fear.

REPORT NO. 5

Max Robinson (on camera):

Yesterday we examined some of the agonizing problems of two mothers on welfare and their desperate struggle to provide for their eighteen children. Life for them had been reduced to a nightmare. During my residence in mid-Anacostia, I observed all too often the crushing reality that forever forces itself upon mothers in the ghetto. However, in contrast, I could see the future mothers—teen-agers successfully shutting out many of the horrible realities.

Some of them sparkled with personality and wit—like Brenda Foster. Brenda lives with her mother in Barry Farms, a public housing project in mid-Anacostia. Brenda's mother recently had an anniversary—she's been off the welfare rolls for one year, and she's proud of it. She is also concerned about her daughter, for Brenda just had an anniversary, she dropped out of school last year. The next few months could be the most critical in Brenda's life, and her mother is all too aware of it.

Voices on film:

Brenda Foster (music in background): "To sing—I love singing, I love to dance, I love to sing, I love to entertain. I feel now as long as I'm singing, I have no problems, and I'm wanted as far as singing and dancing. I'd rather sing and dance than eat and sleep. For as long as I can sing, it look like I'm far, far away—don't have no problems, no trouble, don't have to worry about nobody bothering me. Once this stops, then all the fun is gone.

"My home problem is miserable. I want to leave, I want to go far away. If I could get a job somewhere out of Washington somewhere and get away from my parents and my sisters and my brothers, because my father's not with us and I haven't seen him since I was a child, and my mother brought us up as a father and mother—but she just never could understand me. In the outside world . . . it's dark, it's dark when you haven't been in it. It just seems like if you ever step in the outside world, if it's your first time, you're lost—so you have to seek and find your way through the world, and that's what I want to do.

"There's some things about school I didn't like, like some of the kids in school. They have things that was in style, and I couldn't have because due to the fact that my mother wasn't working—she was sick and I wasn't working at the time, and then she took so sick that I just couldn't stay in school. When she was sick and my sister she didn't want to work, so no one was working, so she was thinking about going on public assistance—getting a welfare check. So I felt the kids would laugh about that, so I dropped out of school to get a job to help her with her bills and help my sisters and brothers through school."

Woman: "I was on the welfare and after I got off the welfare and started working, I will be on my job one year the fifteenth of next month—and I like it. And I'm a cook at the . . . . Day Care Center."

M. Robinson: "How do you feel being off welfare?"

Woman: "I feel *good*. I really was glad when I got off—I was able to get off of it. I hope I never have to get on it again."

M. Robinson: "Were you afraid when you had just gotten off welfare and got a job?"

Woman: "Was afraid? No, I was happy, real happy. Because I was afraid when I was on it, because if you have company, somebody knock on the door—you were afraid that was them coming in, want to see identification and everything—so I was glad when I got off of it."

M. Robinson: "You feel proud about that?"

Woman: "Sure—feel very happy—since I been in my job, I'm just as happy as I can be."

Brenda: "Barry Farms—this is like an island. Just like nothing but water surrounding a little place. Where all the kids—the young kids when they get out or the teen-agers when they get out—first thing happen, they get in trouble. They have a kid or is expecting a kid and then that's the downfall that the parents try to say 'flying with the wrong group' or something. But it's really not that, it's just that the parents keep the kids in the house so much that when they get out, they can't do nothin' else but get in trouble most of the time."

M. Robinson: "Are there any dangers in raising a daughter? I know sometimes you must have fears about your daughters."

Woman: "Well, you know sometime I'll get very upset about especially my youngest one. You know, she go out—I get upset. 'Cause the boys sometimes they out and they're not out for nothing good. You know—and it keeps you very upset sometime."

M. Robinson (voice on film):

A mother worries about her daughter's future. She knows from her own life the dangers that surround a teen-age girl in the ghetto. For isolated from society at large, a young girl walks a tight rope in search of her identity.

M. Robinson (on camera):

For most American teen-agers life at its worst is too much home-work and a party missed—but for the teen-ager in mid-Anacostia one wrong turn could mean a decent lifetime missed.

Monday we will look at some of the attitudes of white Anacostians.

REPORT NO. 6

Max Robinson (on camera):

Many people see Anacostia as a city separate from the nation's capital and distinct in its own character. When I arrived in mid-Anacostia I could sense the pace of life slowing down. On the positive side there was a welcome relief from the frantic pace of the city across the river. Having been raised in Virginia, I found mid-Anacostia much like a small southern town—but I got the impression that the gradualism of the south had collided with the immediacy of the north. The urban problems peculiar to the north had been suddenly forced upon a quiet and somewhat rural community. I could see this quite clearly in the community's race relations which were by and large non-existent. There was and still is an uneasy truce between white and Negro residents in mid-Anacostia. Some white residents have remained in their neighborhoods and have worked for a better community with their Negro neighbors. However, other white Anacostians, many of them poor, have felt trapped in the community. As a minority they view their Negro neighbors with a quiet hostility.

(Voices on film:)

Man: "Broken bottles on the sidewalk—we never had that before—never seen trash out in the street. You could walk the street easily without getting hit on the head. Used to be a good neighborhood—no more."

Boy: "Teen-agers around here—they're all trash. They use vulgar language in front of everybody. They act snotty. I guess this is part of their growing up."

Man: "The desirability of living here is not what it was even ten years ago, but I have lived here too long, too many friends, to think about moving out. I'm going to stay if I have to shoot my way through."

Woman: "It's just not fair to the children around here any more. It's not. I mean—they have a park up here in back of us. The school took the kids down there, and the little colored kids said, 'You all get off this park. This is our park.' They're pretty well taken over, I think."

Man: "They're letting them get away with too much, the way I look at it."

Max Robinson (voice on film):

Irwin Ruben has managed the drug store in mid-Anacostia for more than eight years. Race relations in the area in his view are distant and strained.

Mr. Ruben: "To begin with, you've got to remember the white people that live in this area are from southern Maryland. If you know anything about southern Maryland, this is the part of the state that carried Wallace for a forty percent vote in the last presidential primary. These people at the slightest inclination will down the Negro. That is why they love what's going on because they can talk behind everybody's back and talk to their neighbors and tell everybody that the Negroes are taking over—that the Civil Rights group are taking over—that they don't give a damn about the white people, they're taking their jobs and everything—and they're just enjoying it in reverse."

Max Robinson (voice on film):

This gray house is the home of Mrs. Mayo Du Basky. She and her family have lived in Anacostia for more than sixteen years. Mrs. Du Basky has five children and is active in the P.T.A. She has Negro neighbors and at present has no intention of moving away.

Mrs. Du Basky: "Let's put it this way. If my son came home from school all battered and beaten up because of something that transpired in class or on the playground, I might begin feeling that it might be time. I think the important thing to do now is not be irrational. I think we should stay where we are and try to get along with our neighbors, and realize the conveniences that we have here. So I don't think we should just suddenly jump out and move out into some God-forsaken suburb."

Max Robinson (voice on film):

Even though Mrs. Du Basky has not been lured to suburbia, many of her white neighbors have fled from mid-Anacostia, for this community that was almost 100% white in 1940 is expected to be almost 100% Negro by 1975, and the call for "black power" in some cases has acted as a catalyst. Druggist Ruben is disturbed by that call.

Mr. Ruben: "Sure, it disturbs me, and I consider myself an ultra-liberal. It disturbs me because it's stupid. Power to any normal person means hitting somebody over the head with something. You can't take an average person out of high school and tell them that power means economics, and politics, and running the government, and running the police station, and running the fire station. Power means going out with a baseball bat and hitting you over the head—and that's what white people think "black power" means, and that's what black people think "black power" means. And anybody that sits on television and tells you different is just fooling everybody or trying to. They're not fooling the people around here. They're just aggravating the people because they're not afraid of it. The Negro people around here don't want any part of that term. The white people don't want any part of that term. In essence, really, I think it's been forgotten at this stage."

Max Robinson (on camera):

For many citizens in mid-Anacostia the issue of black power has *not* been forgotten. Tomorrow some of those citizens exchange views on that controversial slogan.

REPORT NO. 7

Max Robinson (on camera):

"Black power" has been one of the most hotly debated slogans ever sounded in this country. In mid-Anacostia I became involved in many discussions on that controversial slogan. In discussing "black power" I could never remember anyone defining the term. It seemed to be accepted that "black power" would be the power of black people over their own destiny—economically, socially, politically, psychologically, and historically. It appeared that after years of having been on the receiving end of meager programs for progress, many black men in mid-Anacostia desired a chance to carve out their own destinies. I could sense that the call to black power was a call for a divorce from white America. A call for the end of a long and tortuous common-law marriage that had never really been blessed by our society.

But along with the call for black power there was conflict among its proponents. How would they obtain black power and, even more importantly, how would it be used?

There seemed to me to be an even deeper conflict for I sensed that for most of the participants in the discussions, there was still a very strong desire to join the mainstream of American life. And the question came: Is it possible to achieve a place in the mainstream while carving out one's destiny alone—without the help of white America? This question was never articulated but it was apparently behind many of the conflicts and frustrations that marked the discussions.

Recently the poverty program in mid-Anacostia sponsored a panel discussion on the many shadings of black power, and we obtained permission to film the proceedings. On the panel were area poverty workers Bob Jackson and Alberta Johnson; Father Samuel Fraser, a minister in mid-Anacostia; and Dr. Nathan Hare, a Howard University professor of sociology, who was invited from outside the community.

Max Robinson (*voice on film*):

The two-hour session began with a firm statement on who should wield "black power" in solving black problems.

(*Voices on film:*)

Bob Jackson: "These are black problems. This movement has to be black, and there's no place for white "do-gooders." Those whites who feel this is a black problem and who are concerned enough to work, I welcome. But I think the important factor in this whole movement is that the black give leadership—the leadership comes from blacks. I think the Negro middle-class and his aspirations for the mainstream of life have tried to wipe off some of this blackness and live the life of whites."

Dr. Hare: "And surely there are middle-class persons who are brainwashed. They think, for example, to be integrated means to be elevated, whereas they have been integrated and still haven't been elevated. They don't have anything at all—and they try to reject their black heritage. Yet there are plenty of persons who are in the middle-class who are blacker than the majority of persons in the so-called grass roots. So it's not just a class thing, and the white folks are trying to split us by making us think this is a class . . . that inevitably and internally, it is a class matter when it is not at all."

Alberta Johnson: "Why is it when the black holler and scream and scream for things they have been denied all their lives and don't get, but soon as the white man thinks a riot's coming through, the money comes flowing in."

Father Fraser: "I'd like to know why we are so concerned about violence. After all, this nation was founded on violence. We are now geared to a war economy, we celebrate this economy, we almost pray to it. We are really controlled in many ways by the generals, by Pentagon officials, and others—and the rise of violence, so to speak, is nothing new."

Dr. Hare: "It seems to me that we might be faced with what I call a "black blitzkrieg," a black lightning war, which will be sort of a thousand times Watts which will sweep the country. And then the United States will either solve its problems, and very soon, or either will get the destruction which it deserves."

Dr. Hare: "Something needs to be done. If it has to be done by drastic means, then we're going to have that. But so long as we go on talking about equality—she's talking about equal power, that is . . . you can't *give* anybody equal power—you can't even get power for yourself! Talk about giving somebody else equal power. So when we're talking about all this malarkey about us being fair and democratic and honest when there never has been such in the whole world so far as I know human history—and there certainly isn't any now. And sometimes you have to back up and fight fire with fire, so therefore all this business about your great illusion about being integrated into white society is useless. Sure, individuals can get . . . sure, Edward Brooke is Senator from Massachusetts—what good is that going to do to the black man? Not one iota! In fact, he would be better off to have a white man there because Edward Brooke will be concerned about the fact that he is not being favorable to the Negroes, and you Negroes will hesitate to pick at him. You'll be sitting back slobbering and grinning and boasting about the fact that you got a Senator at last."

Max Robinson (voice on film):

The audience also had its ideas about how black power can be obtained.

(Voice on film:)

Pharnal Longus: "We have to stop trying to imitate the white man and be proud of ourselves and stop feeling inferior, and just see that we are just as good as anyone else."

Mr. Fokes: "Until we learn to be ready to die for our women, then we're not going to gain a thing—don't make any mistake about it. He'll come to your neighborhood and he'll say, 'Where can I find a girl?' He's not kidding because he knows he can ask you that. Until we learn to knock him down when he asks . . . until we learn to be ready to die if he touch ary a female of the black race—if we have this fight, let's take it ourselves! I don't even agree to women marching up and down these streets—this is our job! And if we're not going to do it, let's quit crying, let's quit these panels, let's quit getting these men in here with this television. It doesn't amount to a thing. It's another two hours, and they'll cut so much of it—and they're only going to put on NBC what they *want* to put on it."

Dr. Hare: "One of the troubles with the black man is that as soon as he gets a program, he tell it to the white man—to the white folks' TV cameras and also to the Uncle Toms, black Uncle Toms—and that's the end of it. If you got a program, you keep it to yourself and you get a little coterie of persons underneath in secret, and you make it work. And not only will the white power structure be the target, but the first target will be the Negro Uncle Toms of this program. And you don't tell it to anybody but you keep it to yourself or to those persons who are trustworthy—and if the person tell about it, then you show them to the white folks the next day with their mouths sewed up!"

Frank Bullard: "As long as you keep Negroes, whites, Pygmies, anybody, fighting against each other, you goin' to be for real that you ain't goin' to get nowhere because you can't work together. People are frightened of black people. You talkin' about power. You *got* power! Yes, you! That's all there is to it."

Dr. Hare: "It's you people that keep us down—not the white man. The white man has ecological, economic, psychological, and social reasons for keeping you down, but it's you who don't have a damn thing to gain—you haven't got a damn thing to gain, but you're the ones holding up . . . I don't even want to hear what you're talking about."

Max Robinson (voice on film):

The session ended in hot and bitter debate, an indication of how strong feelings on "black power" run among black people of mid-Anacostia, and perhaps of how uncertain they still are about how to get it.

Max Robinson (on camera):

Most Negroes in mid-Anacostia do not cling so passionately to the concept of black power as those you have seen in the discussion. You will not find among them the emotional warning of the possibility of a black blitzkrieg, a thousand times Watts; and integration for them has not yet become a dead-end street. However, with the white backlash a political reality and the civil rights movement slowing to a halt, many Negroes in mid-Anacostia are taking a new look.

Tomorrow other residents of mid-Anacostia assess black power and the Negro image.

REPORT NO. 8

Max Robinson (on camera):

Yesterday we heard some differing views on black power during a panel discussion in mid-Anacostia. The participants were mainly civil rights activists and poverty workers. However, in search of a place in the American mainstream, many other Negroes, in mid-Anacostia, are interested in the theme in one way or another.

Max Robinson (voice on film):

We were invited to film a recent party in the apartment of Paul Gothard. His guests were preoccupied with that major concern of most middle-class Americans—a solid education for their children. But black power was also discussed and Mr. Gothard summed up the group's view.

Mr. Gothard: "I think the middle-class Negroes, or middle-class intelligent Negroes, don't really think about black power as most people think about black power. We think about it as an economic thing, as how we can better ourselves or not better ourselves. We don't think in the same terms as Stokely Carmichael or here in the District, Marion Barry, or Floyd McKissick, think of black power. We think more in terms of Lenore Bennett who brought black power out some two or three years ago in an article in EBONY magazine, and I think this doesn't really mean black power. It means 'green power' or economic. It's simply a matter of economics with us."

Max Robinson (voice on film):

While economics may be the main concern of some middle-class Negroes in mid-Anacostia, many other Negroes are concerned with their identity. A short distance away, in a public housing project called Barry Farms, Mrs. Lillian Wright discussed the plight of a black American.

(Voices on film:)

Mrs. Wright: "Well, I think the Negroes have just been brainwashed all their life. They try but they never get anywhere and they give up. If you live in slums for so long, you not used to anything but slums. If you used to being dumb, not having any education, then you don't know anything but ignorance, so therefore I feel that anything that the Negro get, he shouldn't have to work for it. It should be his automatically 'cause he ain't never had anything in the beginning—every thing he's had the white man has taken from him."

Max Robinson: "What do you think of the white man?"

Mrs. Wright: "I don't think of him—period. They just something here, just like dogs and cats and animals, and I don't like dogs and cats—so that's about what I think of the white man."

Max Robinson: "You hate the white man?"

Mrs. Wright: "No, I don't hate anyone. I dislike but I don't hate. I dislike animals, and a lot of foods I dislike—don't agree with my stomach—that's about how I feel about the white man, he just don't agree with my stomach."

Max Robinson (voice on film):

But even middle-class Negroes still suffer discrimination in the white world. Paul Gothard tells of a recent experience.

(Voices on film:)

Mr. Gothard: "These are the things when you ask me how do I feel about being a Negro out here that really *bother* me—is that I'm a contractor, I try to borrow a thousand dollars today to finish a job. I went to six places, I couldn't borrow it. If I had been a white contractor, the first place I went I would have gotten the money, because the money is guaranteed by the government. But I'm a Negro, I can't get the money. This makes me sick—it makes me not want to be a Negro sometime. And whether we like to admit this or not, this is a fact."

Max Robinson (to Mrs. Wright): "Do you think this country will ever be a place that all Negroes will be able to live in with some degree of comfort and respect?"

Mrs. Wright: "Never! Never! That's something I don't see."

Max Robinson (voice on film):

A Barry Farms community organizer, Mrs. Mary Taylor, is more optimistic about the chances for change although she, too, decries the condition of the Negro in mid-Anacostia.

(Voices on film:)

Mrs. Taylor: "They've been pushed in a little corner, and they say, 'This is yours,' and this is what you have to accept. And they have accepted this because they have never been a part of bringing about change before. It's something entirely new to them."

Max Robinson: "Many people have referred to Anacostia as a forgotten city. Do you feel it's a forgotten city—and why?"

Mrs. Taylor: "Well, for one reason, it's separated by bridges, and I guess it was once like a little country town and they refer to it as a city. But it has been somewhat forgotten, and I think the people are beginning to realize that it has been forgotten, and they're trying to remind the Congressmen it still exists."

Max Robinson (to Mrs. Wright): "How much better off do you think you are in 1966 than you would have been in 1866?"

Mrs. Wright: "None. I don't see where I'm no better off at all. I'm about the same, I'm at a standstill—*all* Negroes are at a standstill."

Max Robinson (on camera):

It is the feeling of many Negroes in mid-Anacostia of being at a standstill that has created a psychological crisis in the black community.

For the Negro who has economic security and a college education, segregated housing, financial discrimination, and the myth of color are insulting to him and a threat to his children's future. For he lives in two worlds—on the job he may well work in a thoroughly integrated world but, more often than not, home is in a segregated community.

For many other Negroes living on meager incomes in inadequate housing, the future is anything but bright. For centuries of struggle have yielded little progress. And as America hurtles into the jet age, many Negroes are at a standstill.

Tomorrow we look at the war on poverty—in mid-Anacostia—one effort to get the forgotten community moving.

REPORT NO. 9

Max Robinson (on camera):

1966 was the year that saw the beginning of what is called the War on Poverty. The war was initiated with meager funds and before the end of the year, the administration had proposed a sizable cutback. With a freeze already in effect on employment in local poverty programs, many community efforts have already begun to suffer.

Max Robinson (voice on film):

In mid-Anacostia, the war on poverty is conducted under the aegis of the Southeast Neighborhood Development Program. Its executive director is Ralph Fertig.

Mr. Fertig (voice on film): "The neighborhood development program is aimed at enabling the people of this community to fulfill themselves and to achieve their rights and full status and dignity as American citizens. We do this through jobs, family counseling, day care—a variety of services, of educational and social services—but, mainly, we do this by helping people find ways in which they can express what is relevant and appropriate to them for themselves."

Max Robinson (voice of film):

Some citizens are critical of the program. One is Nichols Avenue druggist Irwin Ruben.

(Voices on film:)

Mr. Ruben: "The Southeast Neighborhood House? The white people have no idea what it is or what it's supposed to do because no one has ever told them."

Mr. Fertig: "We welcome anybody from the white community who wishes to join with us in our cause. Some people do. We've even gone further than that and tried to reach . . . done more in the effort to reach the white community through personal invitations than we have to the Negro community, because we did feel that they felt somewhat left out. They've not responded, and I think they've not responded for a variety of reasons; and part of that's our fault, I'm sure. I'm sure we need to do more to reach them. Part of it, I suppose, has to do with *some* people in the white community feeling that we're hostile to them, and we don't mean this. On the other hand, we don't mean to tone down in any way our dedication to others in the community who are poor, most of whom are Negro."

Max Robinson (voice on film):

On Nichols Avenue the Southeast Neighborhood Development Program operates a place called The Bridge. It is a meeting place for residents and poverty workers in mid-Anacostia. It also serves as a cultural center.

(Voices on film:)

Mr. Ruben: "The organization across the street that calls themselves "The Bridge"? People around here, the white people, they don't know what The Bridge is—they never heard of The Bridge. All they know is it's a place for beatniks to go. It's strictly for Negro people—100 percent. It's supposed to be a culture exchange of some sort, but who's it supposed to be for? If it's supposed to be for Anacostia and for the people that live in Anacostia, then it's not. It's a lie. If it's supposed to be for the poor people from Barry Farms and from the other developments up there, it's a lie—it's not. If it's for the beatniks from across town and for the few people that run it, then that's what it's for. And being run by government funds or U.P.O. funds or Southeast funds, whoever the funds come from, to the white people in this area, it seems horrible. At nine o'clock at night when I close up, many times I've gone across the street to my car and there's half-a-dozen boys back there drinking a bottle of wine, and they break it and they go inside. Or there's a hundred kids outside of there, and the police have to come down—or a lot of things like that."

Mr. Fertig: "I think that's clearly absurd. The Bridge is a neighborhood institution—

it's *run* by people in the neighborhood. We have a broad range of people attending there, from black Nationalists to white Republicans, but I have never seen any beatniks over there.

Max Robinson (voice on film):

The Neighborhood worker is the spearhead of the program and the major force for social change in mid-Anacostia. Bob Jackson's feelings about the work have changed since he first began.

Bob Jackson (voice on film): "I had a great deal of hope for change originally. My hope for change certainly still remains, but I have a different outlook on how I think that change will have to come about now. First of all, I think this change can only come about by participation of persons in the ghetto—poor black people who recognize the fact that they are black, who recognize the fact that in America being black is not popular and they are not wanted. And when once you start from here to make change, I think then these persons who are not wanted have to work for a common cause to bring about this change that we talk about.

"Barry Farms is one of the oldest public housing projects in Washington and has a reputation, at least from the 1960 census, of being first in everything bad and last in everything good. And I think the time has come when the Negro has to stop looking for some pity, looking for hope, the things which ain't—and start working for this change. I think that the country has to be . . . some, well, disruption, if you may, some irritants to this country on the part of the Negro by Negro participation to make the country feel as a Negro has felt. Because the country has not felt—even the many white liberals who feel they're in with it, and they want to do something, and they know how it is to be black—they *do not* know. This is what I think this cry of black power is—an effort to bring Negroes together, to start effecting some of this feeling, I think, is necessary to even make the country aware."

Max Robinson (voice on film):

Overworked and underpaid, Bob Jackson, is motivated by a love for his people; and he is rewarded by their growing determination to build for themselves a decent world, to construct a new life from the rubble of centuries of neglect.

Max Robinson (on camera):

As in other areas there has been some controversy surrounding the poverty program in mid-Anacostia. Some residents, black and white, have charged that the Southeast Neighborhood Development Program has not adequately involved the entire community. Though not entirely the fault of the poverty program, I found this to be true to some extent. When I lived in mid-Anacostia, it seemed to me that the poverty workers' energies were dissipated somewhat on endless rounds of meetings. However, I could also understand the necessity for this when I considered that the program had no precedent in American history.

My analysis of the program, however, was basically done from the standpoint of the people in the community. In spite of the newness of the program, I could see a major change occurring. For, many citizens who had for years been apathetic now appeared to be suddenly aware. This to me was the most noticeable achievement of the program to date. No doubt much remains to be done in this area, but after centuries of neglect more than a few months will be needed in mounting a significant attack on this nation's most critical disease. I kept thinking that we would never be planning a moon landing if we had not been willing to suffer failure after failure in an effort to achieve success. Given the same determination, the war on poverty, I thought, could at least result in a moderate success. Tomorrow I will sum up some of my experiences and reactions in the final report on "The Trouble With Anacostia."

REPORT NO. 10

Max Robinson (on camera):

For the past two weeks we have been looking at some reflections of life in two census tracts in mid-Anacostia. For the most part the people we have seen in this series have two things in common: they are poor and they are black. For most of their lives they have been desperately struggling to find some dignity, some meaning to fill the spiritual emptiness that pervades the ghetto. When I went to mid-Anacostia I had much the same attitude that most Americans cling to when thinking about poor black people. I frankly thought of them as a kind of people rather than people much like you and me. It took me some time to see them as individuals caught in a sociological trap not of their own making. When I really saw this I began to feel many of the things that my fellow mid-Anacostians felt. Without my shirt and tie and apparent NBC News affiliation, I become a faceless black man to most white Anacostians. And even though I was fully aware that all I had to do was to cross the bridge and return to life as usual, I began to feel the frustration, the rage, the hatred, the impotence, the apathy that permeates the ghetto.

Max Robinson (voice on film):

I remember talking with some of the cats on the corner—guys that I would have never talked with before my visit. We would stand and talk for hours about what they wanted out of life. It seemed to mean a lot to them that someone would take the time to listen to them seriously. They wanted what all of us want out of life, but they were puzzled over how to get it.

I remember the two mothers on welfare with their eighteen children living on less than a hundred dollars a week. And the faces of the children haunted me. Children who, before they can glimpse the meaning of race and poverty, are condemned to future generations of welfare payments, condemned to watch *their* children suffer. I could then see why apathy was so widespread. Apathy was a barrier against insanity.

I can remember the long walks with a few new-found buddies as they talked about their scrapes with the law and their desires for a straight life—a good life, as they put it. And as we walked, we could see the policemen pounding their beats as if in a strange land. Their faces appeared to me to be masks of hostility, hiding a more deeply held fear and alienation.

And there were the teen-age girls dreaming long dreams of quick success and wondering what the outside world is all about. Young girls who had all too soon seen the tragedies peculiar to the ghetto.

I can remember the numerous discussions on black power. And I could sense the centuries of frustrations—the desire for dignity denied, a place in the mainstream of American life, a decent home, a bank account, and all of the other things that most Americans take for granted. I could sense that centuries of hope had been dashed against the rocks of the white backlash, the pressure for a balanced budget, and this nation's twentieth century journey into escapism.

And I asked myself why I hadn't looked at the problem before. Had I been escaping? Of course I had. It was all too easy to give pat answers to difficult problems and refuse to see my brother when his situation was somewhat different from mine.

I did see some forces for change in mid-Anacostia—through the efforts of the poverty workers. It appeared that America might be awakening to the necessity of eradicating poverty and racial discrimination from her midst. But before the year was out even that initially meager program has been threatened with a large cutback in funds.

"The Trouble With Anacostia," I thought, is the trouble with America.

As I left mid-Anacostia I could not help but search my brain for some solutions. But the solutions to problems piled up over many years are not easy to come by.

Max Robinson (on camera):

It did, however, seem clear to me that for a start, as one poverty worker put it, "America must suffer some." We must suffer the pain of opening our eyes to the problem that exists in our midst. We must be able to see the forgotten community as a community very much like ours, peopled by real people who lack one thing that we have all had—a real chance to share in this land of plenty. America's rejection of the comfortable easy chair of escapism will be the first real step in ridding this country of its most crippling disease. We as citizens have yet to take that first step.

This is Max Robinson.

INTRODUCTION OF A BILL TO PROVIDE TAX CREDIT FOR EDUCATIONAL EXPENSES

The SPEAKER pro tempore (Mr. SISK). Under previous order of the House, the gentleman from New York [Mr. KUPFERMAN] is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, Federal aid to students seeking educational training is not a novel concept in this body. Our recognition of the importance of higher education, and the problem of increasing costs to obtain it, have become important areas of concern for the growth and progress of our Republic.

Today I have introduced legislation to help continue the tradition of sponsoring and encouraging education. My bill would allow a credit against income tax to an individual for expenses paid by him to provide an education above the 12th grade for himself or for any other individual for whom he has a dependent obligation. This credit would reduce an individual's income tax by a portion of the amount of tuition, fees, books, and supplies required to achieve a higher education. Each dollar of credit allowed would reduce a person's tax by $1. The credit is not simply a deduction, but an actual subtraction from the amount of computed net taxes the individual would owe after all other normal deductions have been taken.

The tax credit as an aid to higher education is designed to direct the aid where it is most needed, in the lower and middle-income brackets. As an instrument for Federal aid to education it should be employed in such a manner so as not to discriminate against any income group comprising the American public.

Under the traditional proposed uses of the credit, the benefit would accrue only to individuals who have taxable income. It would not benefit individuals who pay no income tax, nor would it apply to students who are going to college full time and cannot work because of demanding educational schedules.

The Office of Economic Opportunity states that, at present, 32.7 million Americans are considered poverty stricken. Inasmuch as the people in this group pay no income tax, they have no income upon which a tax credit would operate, and thus would be excluded from any benefit under the tax credit previously proposed. It is these individuals who must rely on loans to finance the expenses of higher education.

My bill would benefit those in the lower income portion of our economy, by extending the tax credit to make it available to individuals when repaying a loan agency. The credit would be applied after the student has obtained his education and is earning income from his chosen profession. Under my bill, it is at this time that he begins to pay back the funds.

In the 89th Congress, on October 11, 1966, I introduced H.R. 18288 on this subject—see Congressional Record, volume 112, part 19, page 26146. Senator Ribicoff introduced a somewhat similar bill—Senate bill 12—in the Senate on January 6, 1965—reintroduced February 6, 1967, as S. 835. S. 835 would provide this tax credit for individuals for expenses of higher education paid by the individual at the time they are incurred to one or more institutions of higher education. Senator Ribicoff's proposal passed the Senate April 14, 1967, as an amendment to the investment tax credit bill—Congressional Record, April 14, 1967, page 9665.

The major additional significance of my bill is that it would extend this credit to make it applicable to individuals when they are paying back a loan, used for educational expenses, to a Federal, State, or private loan agency.

The loan program has been increasingly used as a method of providing Federal aid to needy students for education. The President, in his February 28, 1967 message to the Congress on Education and Health in America—House Document No. 68, Congressional Record, February 28, 1967, page 4776—specifically noted the improving student loan programs. The President said:

> In the Higher Education Act of 1965, Congress authorized a program to support state guarantees for student loans made by banks and other lending institutions. For students of modest means, the Federal Government also subsidizes the interest cost.
>
> The program has become an example of creative cooperation between the Federal Government, the states, private financial institutions and the academic community.
>
> Though it began in a time of tight credit, the program is off to a promising start. This year, it is expected that loans totalling $400 million will be made to nearly 480,000 students. By 1972, outstanding loans are expected to total $6.5 billion.

According to the Department of Health, Education, and Welfare, the present U.S. college and university enrollment is 4,775,000. Its projected figures show 6,459,000 students by 1970, and a total of 7,951,000 by the 1973–74 school year. However, while the number of student attending schools has increased, so have the students' expenses.

An editorial in the July 16, 1966, issue of the Washington Star showed that since 1954 the average cost of attending a public institution for higher learning, per year, has risen from $1,190 to $1,600, and for a private college from $1,700 to nearly $2,500. An exhibit referred to before the Subcommittee on Education of the Senate Committee on Labor and Public Welfare predicted that the cost for attending a public institution by 1975 will be $2,040 per year, and by 1980, $2,400. For private institutions the cost by 1975 will be $3,100, and by 1980, $3,640.

Scholarships or grants will aid in paying for an education to some extent, but they cannot be sufficient. The Commissioner of the Office of Education under the Department of Health, Education, and Welfare has stated that a family of four, with a $13,000 yearly income undergoes considerable financial strain if two children simultaneously attend a college or university. An estimated 24 percent of the family's income must be set aside from taxes to cover the expense. Thus for many families, loans are the only answer.

We must not allow students of the poverty-stricken families, and those who are forced to educate themselves independent of family aid, to be barred by reason of their financial need from obtaining higher education. To meet the needs of these students, Federal and State agencies, along with private lending institutions, have provided loan programs for these students in an effort to help defray their expenses.

The record of Federal, State, and private assistance to students is certainly an outstanding one. Mr. James W. Moore, Director of the Division of Student Financial Aid of the U.S. Office of Education, informs me that there will come a time when no student will be prevented from obtaining an education because of financial need. He bases his opinion on the success of these guarantee loan agencies' plans, the national defense student loan program, college work-study programs, and educational opportunity grants. Under the traditional proposed use of the tax credit the recipients of these loans would not receive any benefit, yet it is these students who need the most assistance. They should not be discriminated against because their burden of financial need is greater than those who have income sufficient to qualify for taxation. The paradox is self-evident.

It is true that these loan programs have had an innovative effect upon the growth and development of higher education. However, the student upon graduation, heavily burdened with the debts incurred from obtaining his education, is often faced with several problems. His immediate income is not large enough to pay off his debt, and his flexibility in availing himself of vocational opportunities becomes severely restricted.

New answers to the financial plight of these students must be forthcoming. I do not believe that increasing the amount of loans available to students alone can be the answer.

A survey conducted by the Northwestern Life Insurance Co., of placement officials at 100 colleges across the country, illustrates the possible ramifications of increased student indebtedness. The survey reports:

> Fordham University has found * * * considerable increase in indebtedness. As a result, some who graduate with heavy loan obligations are impelled to rate job opportunity solely on basis of immediate monetary return—particularly if they are compounding their situation with early marriage. Thereby, career planning loses the flexibility it should have.

The University of North Carolina also reported that student indebtedness is increasing, and that those from very low income families have difficulty repaying. Columbia University, notwithstanding a policy of encouraging students with debts to do part-time work, reported that student indebtedness, now 65 percent for males, is growing, with some problem cases occurring.

At a cost of $10,000 to $20,000 for 4 years of higher educational training the student, upon graduation, may have incurred a debt averaging $15,000. My bill would allow the student to use the tax credit at the time he pays back these loans. The credit would be applicable to the taxes paid on the income received at that time.

Our Nation can be proud of the fact that in the last 10 years our college population has doubled. The significance of this figure is obvious. The percentage of individuals in our society who receive a higher education can directly affect the position of leadership our country maintains in the world community.

The Association of American Colleges in 1964 gave its approval of the tax credit as an effective aid to education. Under my bill, there would be a credit from the income liability of 75 percent of the first $200 of the cost of tuition and books; 25 percent of the next $300, and 10 percent of the $1,000. The savings to the student, whether he applies it to an income earned while pursuing his education, or toward income used to pay back an educational loan after graduation, would be as follows:

Cost of tuition, fees, books, and supplies	Tax credit		Remaining net cost to student
	Amount	Percent of cost	
$200	$150	75	$50
$400	200	50	200
$600	235	39	365
$1,000	275	28	725
$1,500	325	21	1,175

With the average tuitions and fees being $222 per year at public universities in 1964–65, the tax credit would have offset close to 75 percent of the cost, or $155.50. At private institutions the average fees for tuitions and fees was $831. The tax credit would have offset 31 percent of these costs, or $258.10.

The schedule provides more of a benefit for students at a public and low-tuition college because the student is more likely to come from a family with a lower income. While the percentage of a tax credit is greater for students attending public institutions, the students at private colleges and universities would receive a larger dollar amount of relief.

The Office of Education estimates that current expenditures of institutions of higher education will increase from the $8.2 billion spent in 1964, to $12.6 billion in 1970, and as high as $14.6 billion by 1973. Only half of the needed sums to improve our educational institutions may come from the natural rise in educational revenues. The States are increasing their appropriations at a rate of 24.5 percent every 2 years, but, as the tax burden multiplies, this rate becomes increasingly difficult to maintain.

The tuition tax credit I propose would cost the Federal Treasury between $750 million and $1 billion. This resulting loss to the Treasury has been raised as an objection to the educational tax credit. Revenues, however, should not attain a higher value rating in our society than education. Further, this sum is not as large as the figures lead one to believe; it represents slightly more than 9 percent of the expenditures on higher education in 1962. It has been estimated that by 1975 as much as $21.2 billion will have to be directed into our country's educational system annually. Further, it has been amply demonstrated that higher education leads the recipient to better paying jobs, which, in turn, brings greater tax revenues.

To give assistance directly to the institutions themselves could be to create "federalized education." We want to aid education, not control it. Tax incentives help to create individual initiative to accomplish the goal of ability to pay for more higher education, while providing the necessary funds to support our Nation's colleges and universities.

President Johnson stated in April 1964 that:

> We have entered an age in which education is not just a luxury permitting some men an advantage over others. It has become a necessity without which a person is defenseless in this complex, industrialized society . . . We have truly entered the century of the educated man.

I hope this body gives careful consideration to the bill I have introduced today. I believe the tax credit system will serve as the best instrument of Federal assistance to education in this, "the century of the educated man." It will provide the necessary help for the individual student while increasing the amount of private funds available for assistance.

It is a small premium for the Federal Government to pay, for the insurance that the people of our country will reach and maintain a higher intellectual plateau than ever before. For therein lies the foundation upon which this country can grow to the heights visualized in the minds of men.

WHAT ARE WE AFRAID OF IN PANAMA?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. Gross] is recognized for 30 minutes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, since the Red-led Panamanian mob assaults on the Canal Zone during January 9–12, 1964, much has been published in the mass news media of the United States touching the complicated interoceanic canal problem. Unfortunately, most of the publicity has been arrant propaganda aimed at creating a sense of guilt on the part of our people instead of pride in one of the greatest achievements of man—the Panama Canal.

As has been emphasized repeatedly on the floor of the House by my distinguished colleague from Pennsylvania [Mr. Flood], the Canal Zone is constitutionally acquired territory of the United States over which our Government has sole sovereignty, jurisdiction, and ownership. Thus, the situation created by the 1964 mob attack was a domestic one of the United States and should have been dealt with accordingly, without seeking or permitting international involvements.

It was, therefore, with the greatest interest that I have read a recent pamphlet on the canal question by Harold Lord Varney, president of the Committee on Pan American Policy of New York. In this, he gives an admirable summary of events at Panama since 1958, clarifies some of the key issues, shows the dangers involved, and points the way out of the deplorable situation into which we have been jockeyed through the timidity and failures of a cluster of weak and incompetent officials in policymaking position in our Government.

In these general connections, I would invite special attention to the volume of addresses by my colleague from Pennsylvania [Mr. Flood] on "Isthmian Canal Policy Questions," published as House Document No. 474, 89th Congress, and distributed to all Members of the Congress. This collection contains a wealth of information that should be invaluable for all seeking enlightenment on the vital canal subject and we should deal with that subject in the spirit of realism which so grave a matter requires.

In order that the indicated article by Mr. Varney may have a wider circulation, I quote it as part of my remarks:

What Are We Afraid of in Panama?

(By Harold Lord Varney)

Mrs. Leonor K. Sullivan, chairman of the House Merchant Marine Subcommittee on the Panama Canal: "This new agreement is the most terrible thing this country of ours has ever done. The Washington concessions will only benefit a few in the higher reaches of the Panamanian Government and society, not the masses. . . . However, the establishment of a joint authority for canal operation would only serve to satisfy the aspirations of a few families who have controlled the Republic of Panama from the beginning."

If anyone were to propose that we give Texas back to Mexico because the Mexican people were still resentful of the 1848 Treaty of Guadalupe Hidalgo, we would be inclined to question either his good sense, or even his sanity. And yet, this is precisely the kind of action which the United States is being asked to take in the case of the Panama Canal Zone. It is being proposed with the full force of the Administration behind it.

Almost any day now, President Johnson will send to the Senate for ratification the three-part treaty under which the United States will turn over to Panama sovereignty over the Canal Zone, a half control of the administration of the Canal, and a veto voice in the future of our isthmian defense establishments. We will be asked to do this in the full knowledge that the tiny Republic of Panama is one of the most politically unstable and corruption-ridden nations in Latin America.

When, and if the treaty is ratified, the proud United States will stand stripped of one of its most strategic and essential areas of defense. And this appalling proposal *will* be ratified unless the outraged voice of the American people halts it.

There are few precedents in history for such an act of abasement by a great nation.

To put over this abject treaty, the whole apparatus of Liberal-controlled persuasion is being set in motion. The campaign is pitched on a high plane of morality. American history is being cynically rewritten to rationalize the surrender. We are being told that the United States has committed some heinous "wrong" against the Panamanian people which we must now expiate by this treaty. By inference, we are being led to believe that the great Americans who made the Canal—Theodore Roosevelt, William Howard Taft, John F. Stevens, George W. Goethals—men who are a part of the American legend, were sharpers and cheats who schemed to defraud the people of Panama of their national heritage.

Listen to the Louisville Courier Journal which, with a perfectly straight face, recently argued that, in passing the new treaty, "we are undoing an ancient wrong." Or the Baltimore Sun, "The Panama Canal Zone has been a modern embarrassment to the United States. . . . The aura, if not the essence, of colonialism was there." Or the New Haven Register which declared unctuously that, in surrendering the Canal Zone, "the United States has shown the world the greatness of its character."

If we accept this curious thesis of American "guilt", and expiation, then we must admit that the sixty-two year record of generous, creative and unrewarded American service to the Panamanian people since 1903 was something shameful, for which we must now make atonement. It is an argument which was invented by a rabble of Panama's worst political elements, abetted by the Communists. In accepting this distortion of history, we are impugning our own fathers.

The Johnson Administration, itself, realizes clearly that it has been trapped into a situation in Panama which can bode only evil for America's future. Early in the negotiations with Panama, the New York Times quoted Undersecretary of State, Thomas C. Mann, the President's envoy, as declaring that "90 per cent of the American people" would oppose renegotiation of the 1903 treaty, under which we hold perpetual sovereignty over the Canal Zone. Only six years ago, when the sovereignty issue was presented to Congress, the House of Representatives, by a vote of 381 to 12, declared itself almost solidly opposed to any relinquishment of the Canal Zone. Why, then, is such a determined effort now being made to force this unwanted surrender upon the American people?

The only conceivable explanation is an extremely bad case of gutlessness on the part of the advisers who surround President Johnson. For three months, following the murderous and staged Panama mob attack on the Canal Zone on Jan. 9, 1964, President Chiari of Panama waged a war of nerves against the United States in his demand that the United States enter immediate negotiations to revise the 1903 Treaty. On Jan. 11th, President Johnson firmly rejected the Chiari demand, as would any other self-respecting American. But in the end it was Chiari who won the test of nerves. In April, President Johnson acquiescently appointed envoys to confer with Panama and to negotiate a new treaty.

As the United States stands upon the brink of this indefensible retreat, the Panama politicians themselves are providing the strongest argument against ratification.

Before Panama's Congress has even received the treaty for acceptance, a powerful opposition has consolidated outside the government of President Marcos Robles, led by former President Arnulfo Arias and former Chief Negotiator Jorge Illucca, which is now denouncing Robles on the ground that he has not extracted enough from the United States. This opposition claims to represent political groups constituting 80 per cent of the nation. It has the unofficial support of all the Communists and Socialists. Its attitude is frankly expressed by one of its spokesmen in the Panama Congress who declared recently that Panama's goal is to get the United States completely out of the isthmus and neutralize the Canal.

What is in store for the United States, even if we go the whole way in meeting the demands of the Robles regime, was recently hinted by Mr. Arias when he declared that if the United States does not meet the "aspirations of the people of Panama", it faces "violence". Before the ink is dry on any treaty we sign with Robles, the United States may find itself confronting a new and more ravenous Panama regime.

Appeasement of an extortioner has never yet solved a political problem.

HOW WE GOT INTO THE PANAMA MESS

The genesis of the present Isthmian situation is to be found in the almost Byzantine intrigues of Panama politics. Along with its many admirable political personalities, Panama has long been infested with a malodorous breed of gutter politicians. They have combined rapacious official graft with a non-stop abuse of the United States. Early in Panama's history, and increasingly after World War I, ambitious politicos discovered that the surest road to political victory was to revile the hated "gringo".

At first, their attacks were verbal. It was almost routine for newly elected Panama Administrations to make demands upon Washington for a revision of the 1903 treaty, which gave the Canal Zone to the United States "in perpetuity". A Panama President who didn't denounce this treaty could expect short tenure in his office. Just as regularly, Washington would decline to discuss the treaty. It was an expected gambit. As far back as 1923, Secretary Charles Evans Hughes gave the definitive answer to this demand when he told the then Panamanian Ambassador that it was "an absolute futility for the Panamanian government to expect any American Administration, any President, any Secretary of State ever to surrender any part of the rights which the United States acquired under the Treaty of 1903."

What first induced the Panama troublemakers to substitute violence for talk is not a matter of record. Undoubtedly the idea came from the Communists who have been working deviously in the isthmus since 1920. Whatever the starting point, the Yankee-baiters in Panama decided that they would discover whether or not the United States attitude would soften under violence. The President whom they decided to test was Dwight Eisenhower. Unfortunately, Ike had a brother. In one of his ill-advised decisions, he had appointed Brother Milton to be his adviser on Latin American policies. Milton Eisenhower, a former executive of UNESCO in its worst Huxley period, overflowed with the zeal of One Worldism. He took his mission seriously.

In 1958, Brother Milton visited Panama City on a fact-finding mission for the President. Shortly before his arrival, a band of Communist-led students had marched into the Canal Zone on what they called "Operation Sovereignty". They had planted 59 Panamanian flags in the ground at various points between Panama City and Cristobal. To impress Eisenhower, they smashed the windows in the U.S.I.S. building in Panama City. They presented a set of demands calling for Panama sovereignty over the Canal Zone and the flying of the Panama flag in the Zone.

Mistaking this staged Communist show for the voice of the Panama people, Milton Eisenhower was alarmed. He returned to Washington to advise his brother to do something to placate Panama. The gesture which was decided upon was a token recognition of Panama sovereignty. But there was to be another ugly demonstration, before the President acted. On Nov. 3, 1959 (Panama's Independence Day) a mob led by the Panamanian Nationalist, and later Panama Minister to the U.N., Aquilino Boyd, attacked the American Embassy, pulled down the American flag and desecrated it.

Official Washington made the unfortunate decision to appease the Nationalist-Communist conspirators. On Nov. 24, 1959, President Eisenhower sent Undersecretary of State, Livingston T. Merchant to Panama to announce that the United States recognized the "titular sovereignty" of Panama over the Canal Zone, and that, as a goodwill gesture, it would permit the flying of the Panama flag side-by-side with the Stars and Stripes in one location within the Zone.

This was the furthest concession which the United States had yet made in its 56 years in Panama. The action was meaningless, except as a symbol, but it proved to be the open door to all the havoc which followed. Anti-American Panamanians took the Eisenhower gesture as an indication that the United States could be frightened into granting more. The exhilarated nationalist politicians, and their Communist allies, proceeded to give the United States some further violence.

In 1956, the United States had made a free gift to Panama of a $20 million bridge across the Canal—the Thatcher Ferry Bridge. Arrangements were made to dedicate the Bridge with ceremonies on Oct. 12, 1962, with the venerable Maurice H. Thatcher, former Governor of the Canal Zone, and Undersecretary of State George W. Ball as speakers. The trouble-makers showed their contempt for the United States by mobilizing 5,000 rioters, spearheaded by Communist activists, to break up the ceremonies. They wedged themselves onto the Bridge, shouted down Undersecretary Ball with obscene epithets, and prevented Gov. Thatcher, the guest-of-honor, from speaking. Encouraging the mob, all but two of the invited diplomats, instigated by the Egyptian Ambassador, boycotted the ceremonies.

It was a shocking exhibition of Panamanian ill-will. And it had all the earmarks of being organized and staged by the money of the America-baiting Panama politicians.

In all discussions of Panama mob action, it would be well to keep in mind that the manipulation and hiring of mobs for street demonstrations is an old established custom in the isthmus. John T. O'Rourke, fearless editor of the Washington News, described the Panama political mobs, as follows:

"There's nothing new in all this. Mobs have been used, deliberately and cynically, by the handful of family dynasties which own and have run (badly) Panama ever since the country was founded. Rioters against the completely legal presence of the United States in the Canal Zone are hired by local politicians during election campaigns to provide a scapegoat for the people they govern, whose poverty they are either unwilling or unable to alleviate."

The inability of Washington to recognize the phoniness of these so-called "popular demonstrations", mounted by the paid rioters and their unpaid Communist allies, is one of the root causes for the collapse of American resistance to the political blackmail which is now threatening to cost us the Canal.

But all this was a curtain-raiser to what was to follow. Ruling Panama at this time was Roberto F. Chiari, who had been inaugurated as President in 1960. Chiari, a millionaire landowner and a member of the elite ruling families caste which has so long dominated Panama politics, was an unscrupulous and twisted character. In his first race for the Presidency, he had openly solicited and accepted Communist Party support. A demagogue, who made political capital out of his charge that the United States was paying inadequate wages to Panamanians working in the Canal Zone, he himself, it was charged, was paying Panamanians only half the American Zone wage scales on his plantations. His continuous theme song was a demand for the renegotiation of the 1903 Treaty.

How far he was involved in the January 9, 1964 riots is a moot question, but his was the major contribution. There is little question that the riots were jointly planned by the politicians of Chiari's party, and the Communists. They were timed to catch President Johnson at the beginning of his Presidency, and when it would be embarrassing to him to face hostilities in Latin America on the eve of his 1964 reelection fight.

The pretext was the patriotic action of five American Canal Zone students, who raised the Stars and Stripes on the flagpole of the Balboa High School, after it had been lowered by the over-timid Canal Zone Governor Robert J. Fleming. The Governor, following Washington orders, had enraged the Zonites by mounting the Panama flag in several new locations in the Zone, and by issuing an order that the U.S. flag should not be flown officially if the Panama flag was not displayed beside it.

On January 9, 200 Panamanian students, led by known Communists, marched into the Zone, planted the Panama flag beside the U.S. flag in front of the Balboa High School, and then marched to the Canal Zone Administration Building where they attempted to pull down the U.S. flag. After damaging property and shrieking threats, they were pushed back across the border by the Canal Zone police.

Meanwhile, the riot-fomenters were busy in Panama City. Congresswoman Thelma King, ardent Castroite and proprietor of Radio Tribuna went on the air to scream that Panamanians were being slaughtered by the Americans in the Zone and that they should arm themselves and take to the streets. Other radio stations joined in the hue and cry against the Americans. As expected, the Panama City "mob" of delinquents and looters, always ready to join in disorders, made its appearance. By 7:30 P.M. it had grown to 2,000. By 8 P.M., it had increased to 5,000. It attempted to invade the Zone. It began burning and looting property. Members of the mob, with prepared Molotov cocktails, hurled them into the Zone. Showing the advance organizations behind the rioting, sound trucks appeared, to give directions to the mob, and snipers were stationed at pre-arranged points to fire into the Zone.

By 8 o'clock, the tiny Zone Police Force, despite the use of tear gas, realized that they could not restrain the mob any longer. They called upon Commanding General Andrew P. O'Meara for army support. General O'Meara acted speedily and an American Army guard was thrown along the border. At no time did either the police or the U.S. Army enter Republic of Panama territory, or go beyond the defense of the Zone. The aggression was all on the part of the Panamanians. Sporadic rioting, becoming ugly at times, raged for two more days. When hostilities ended, 4 American soldiers and 21 Panamanians had been killed. Scores more had been wounded. An estimated $200 million of American property had been destroyed or looted.

Where was Chiari, while all this was happening? He had at his command a trained and Guardia Nacional of 3,500. Had he mobilized it (as President de la Guardia had done in a previous student demonstration in 1958) the Guardsmen could have thrust themselves between the attacking mob and the Zone border and snuffed out the riot in a matter of minutes. Although he was beseeched to issue the mobilization order, Chiari sat on his hands and permitted the riots to proceed. He reiterated, throughout the bloody three days, that the onus was upon the United States to renegotiate the 1903 Treaty.

THE DISASTROUS NEGOTIATIONS

Under ordinary circumstances, the American course, under such provocation would have been plain. Through Chiari's refusal to halt the rioting, the Government of Panama was plainly the aggressor party. The United States had been attacked. Its citizens had been fired upon and killed or wounded: its property, including public buildings, had been burned or damaged. Had Washington acted intelligently, it would immediately have demanded indemnities and guarantees of good conduct from Panama. Since the Canal Zone, under the existing 1903 Treaty, is American territory, the issue was a domestic one, calling for exclusively unilateral action and settlement. International agencies had no jurisdiction.

Unfortunately, Washington did not act intelligently. The State Department, its mind clouded by considerations of "world opinion" and OAS sensitivity, failed to make official charges against Chiari's Panama, and thus put the Panamanians on the defensive. Our failure to act gave Chiari his opportunity, and he grabbed it. Incredible as it may seem, Panama itself filed charges against the United States and accused us of military "aggression." It demanded compensation for alleged damages to Panama. It put us in an intolerable spot by breaking off diplomatic relations and expelling the American Embassy staff from Panama City. Chiari exposed the whole motive of the riots by declaring that diplomatic relations would not be resumed until we agreed to renegotiate the 1903 Treaty.

We had been outsmarted and outmaneuvered. In the emergency, instead of calling Chiari's bluff by standing pat, we went on to compound our blunders. We called in the OAS and gave them the authority to settle the dispute.

This was tantamount to calling in the wolves to stop the wolverine. In the OAS was Tejera Paris, representative of Betancourt's crypto-Communist government in Venezuela. Paris was instructed by Betancourt to support Chiari's position. He made a statement to the Panamanians that "everything is going to work out right for you."

Betancourt, since President Kennedy made him an American protege, throws a lot of weight in the State Department in Washington. The United States accepted an Inter-American Peace Committee of the OAS, with Paris as chairman. Already, the control of events had been maneuvered out of Washington's hands and transferred to the OAS. The following months were to see the United States concentrating its efforts upon the placation of the OAS, rather than upon the defense of United States interests.

There can be little question that President Johnson, at the beginning, was disposed to make a firm stand against Chiari's intrigues. On Jan. 11, 1964, when the riots were still in progress, he instructed his representatives not to yield to demands to renegotiate the 1903 Treaty. Even when he made the further mistake of appointing American plenipotentiaries to meet with Panama negotiators in April, there are indications that, for months, he persisted in his stand against renegotiation. His decision to surrender to all the major Panama demands was not a sudden move: over the months he had found himself sucked down deeper and deeper, into the OAS quagmire. At his side, representing the United States on the OAS was the arch-appeaser, Ellsworth Bunker, always ready to buy time by renouncing long-range interests. In Washington, the full force of the "One Worlders" and fanatical pacifist church groups beat upon him with their eternal gibberish about "peace". He wanted to be reelected President in November, 1964. He was already bogged down by one military action in Vietnam. He could not give any further leverage to the peace-at-any-pricers.

He postponed his public decision until after he had been safely elected. Then, on December 18, 1964, he gave it to the American people with both barrels. To the consternation of all responsible Americans, he announced that the American negotiators, headed by Robert B. Anderson, who had been meeting for months with the Panamanians, had capitulated to all the major Panamanian demands. Not only had the United States agreed to renegotiate the 1903 Treaty, it had agreed to accept full Panama sovereignty over the Canal Zone. It had agreed to give Panama a half interest in the Panama Canal, which had been built with our money. We had given Panama the whole jack pot.

Meanwhile, Chiari and his Liberal Party had put over Marcos A. Robles, one of his political followers, as his successor. Robles is a politician who practices the cool touch. He avoids the inflammatory statements which are Chiari's trademark. Because of his restrained manner, Washington hailed him as a more reasonable man. But under this disarming approach, Robles pursues the same all-or-nothing path.

President Johnson reiterated his surrender to Panama demands in a joint statement with President Robles, issued on Sept. 24, 1965. In this second statement, he emphasized a decision which is likely to give Americans even more trouble, after we lose sovereignty. This was his agreement to give Panama an equal share in the administration, management, operation and profits of the American-owned Canal. This opened up the controversial question of tolls.

The United States has always been proud to maintain the Canal as a non-profit institution—America's contribution to the commerce of the world. In a sense, we have regarded our operation of the waterway as a fiduciary trust, free of the motive of profit. Accordingly, Congress has never raised the original toll rates which were set in 1914, when the Canal was dedicated.

Unhappily, the Panama politicians have a different view. Panama Foreign Minister Fernando Eleta said during the negotiations (as quoted by Time magazine), that Panama regards the Canal as a great national asset and when it has a voice in the administration, it intends to use it to enrich Panama. He indicated that Panama intends to raise tolls "as high as the market will stand." In short, Panama's concept of the Canal is a sort of commercial hold-up operation which will mulct the commerce of the world for the benefit of Panama.

Such are the partners whom the United States, like Lady Bountiful, proposes to present with a half control of our canal. What a humiliating aftermath to 52 years of honorable, unselfish and reproachless American operation of the Canal. What a shabby role for the United States to accept for its future!

THE AMERICAN BALANCE SHEET IN PANAMA

Mealy-mouthed editorialists, writing in the Liberal press, have indulged in such fulsome nonsense concerning the American record in Panama, it would be enlightening to recall a few facts about what the United States has really done in the isthmus. Actually, what have we got to be ashamed of?

When the United States entered the isthmus in 1903, what is now Panama was one of the most backward and benighted areas in the hemisphere. Its 300,000 inhabitants lived miserably on the lowest subsistence level. They were 90 per cent illiterate. They had no economy except such crumbs as they could extract from the traffic on the American-owned Panama Railroad (built by Americans in 1855). They were unhealthy and plague-ridden by the mosquito swamps in which they lived. They had no experience in self-government. Only a handful of Panamanians (the hundred families) possessed any property, and they lived, mostly, as landlords, preying upon the misery of their more unfortunate fellow-Panamanians.

What was worse, the Panamanians, possessing no natural resources, had no future to anticipate. Unable to lift themselves by their own efforts, they enthusiastically welcomed the United States when, in an inspired moment, President Roosevelt agreed to build a Canal across the isthmus, with American capital. They saw the Canal as their escape from their deadening poverty.

And how well have their hopes been justified! America's job in the isthmus will easily rank as one of the great social welfare stories of history.

We built the Canal—an engineering triumph over difficulties which had baffled a De Lessups—and, first and last, it cost us $2 billion. By a miracle of sanitary engineering, we cleaned up the swamps and brought health to new Panamanians. We extended our sanitation beyond the Canal Zone into the Republic of Panama, built hospitals, supplied pure water systems, constructed schools and eleemosynary institutions, laid out roads, built docks and harbors.

In a moment of frankness, Diogenes de la Rosa, current chief Panamanian negotiator, rose in the Panamanian National Assembly on October 7, 1965, and gave the score of benefits which the Republic of Panama is now deriving from American occupation of the Canal. For the year 1964, he revealed, the total income which the Republic of Panama enjoyed from the American presence in the Canal Zone was $115.4 million. This, in turn, generated activities totalling $233 million. Thus, the United States was pumping into the Panamanian economy an annual contribution of 39 per cent of the total national product of $578.8 millions.

This is the United States, which, if we may believe the tirades of the anti-Gringo street orators in Panama, is cruelly sucking the life blood of the Panamanian people. We can understand the predatory hopes which motivate the Panamanian demagogue or Communists in such a lie. But why should our American bleeding hearts parrot the malicious libel?

THE SEA LEVEL CANAL RED HERRING

We smile over the jingle that Mr. Parker made much darker what was very dark before. But the proponents of surrender of the Canal Zone to Panama are pursuing a similar strategy. They have attempted to obscure and confuse the whole debate about American sovereignty in the Zone by setting up a diversionary controversy about a sea level canal. Although even the most optimistic do not hope to complete a sea level canal, if it is approved, in less than 15 or 20 years (Governor Fleming recently used the figure of 20 years in one of his statements) the Washington sea level lobby and its Administration backers, is drowning out honest discussion of the sea level canal possibility by presenting it as a crash program, which must be decided immediately.

It is difficult to escape the surmise that the sea level project has been brought forward at this precise time in order to plant in the American mind an impression that the old Canal isn't worth fighting to save from the grasping hands of the Chiaris and the Robleses, because we are soon to have a brand new sea level canal to replace it.

Probably the best comment on the sea level project is the question asked by an anonymous quipster; why, in heaven's name, should we talk about building a new canal when we haven't got enough gumption to hold on to the canal which we already own.

Engineering opinion is sharply divided about the feasibility of a sea level canal. The most persuasive argument for its acceptance was the science fiction proposal that we build it cheaply by atomic blasts. This plan, according to the latest Washington reports, has now been virtually abandoned.*

In the effort to dramatize the sea level plan, the fact was overlooked that we already have an approved "Third Locks-Lake Plan" to modernize the old canal. It was worked out by Canal Engineers during World War II and approved by President Franklin D. Roosevelt. It is now gathering dust in the Government archives.

Whatever the ultimate decision on the sea level proposal, it is obviously not the way to get the Panamanians off our neck. If we sacrifice the present canal, and the treaty in perpetuity which guarantees our control, we will then have to make the fight all over again when we sit down to draft a sea level canal treaty with the successors of Robles. Already, Panama axes have been sharpened to gouge us, when negotiation time comes. El Mundo (Panama City), in its issue of Oct. 6, 1965, headlined an article reporting that talk in the National Assembly revolves around a demand for a $400 million annuity from the United States to build and operate a sea level canal in Panama. Perhaps Americans will come out of their trance in time, and ask, "Is it worth it?".

THE MARGIN OF SAFETY

In the end, it is likely that history's verdict on President Johnson's Panama decision will turn upon the question of its effect upon America's defense position in the isthmus. For there is sound reason to believe that the relinquishment of the Canal Zone will not only endanger the security of the Canal. It will also upset the whole defense balance which safeguards Central and South America.

For it must be understood that the Canal Zone, which we are giving up, is not only a corridor for a canal. It is also the locus for the whole U.S. security establishment which shields the hemisphere. A security-minded Administration could not conceivably take the risk of transferring sovereignty over this strategic area to an unpredictable and faction-torn political question mark like the Republic of Panama.

In the Zone, and the nearby Rio Hato airbase, which we lease from Panama, is located an elaborate military complex which protects, not only the Canal, but our 19 Latin American allies in the hemisphere. Here is the headquarters of the U.S. Southern Command—a vital link in our defense system. It is the function of this command to maintain liaison with the military establishments of all the Latin American nations, and to provide instruction and training, when requested, to the armies of all our neighbors. Here are our increasingly important anti-guerrilla warfare training schools. Here are instruction centers in electronics and communications for officers of the Latin American armies. Literally, the Canal Zone is the nerve center of our Latin American system of defense.

Even if a Treaty were obtained permitting the Southern Command to remain, it would be hobbled and thwarted by the transfer of sovereignty over the Zone to Panama. Our defense establishment would then be a guest in a foreign nation. It could be evicted at the will of an unfriendly Panama administration. Its maneuverability would be subject to the day-to-day permission of Panama authorities. The situation would be an intolerable one.

To jeopardize the Southern Command to curry favor with the irresponsible politicos of a midget Republic of Panama is not Good Neighborliness to the 18 other Latin American nations. It is an indefensible default of our responsibilities under the Monroe Doctrine. It is an assist to international Communism which is working insidiously and constantly to weaken the anti-Communist solidarity of this hemisphere.

The Panama Canal for two generations has been a glorious chapter in our national heritage. It has been an achievement which two generations of Americans have looked upon with glowing pride. To besmirch it today, as some Liberal special pleaders are doing, is the mark of the quitter. It is an insult to America's great past.

ANNOUNCEMENT OF IMMIGRATION HEARINGS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Feighan] is recognized for 35 minutes.

Mr. FEIGHAN. Mr. Speaker, I wish to announce that hearings will begin on April 19, 1967, on the immigration aspects of the mutual educational and cultural exchange program. The session will begin at 10 a.m. in room 2237.

Under existing legislation, thousands of aliens enter the United States annually, to participate in various exchange programs designed to increase their knowledge, skills, and abilities. The theory supporting these programs is that after training in the United States the aliens will be better equipped to go home and benefit their countrymen.

The House Committee on the Judiciary, Subcommittee on Immigration and Nationality, fully supports the intent and purpose of the exchange program. As in the past, the committee will continue in the future to protect the integrity of the worthwhile legislation that makes it possible.

Many Members at one time or another have been confronted with cases involving exchange visitors who for one reason or another desired to remain in the United States after completing the purpose for which they were admitted. The aliens thus seek an exemption from the 2-year foreign residency obligation assumed when they accepted an exchange visitor visa. This requirement is found in section 212(e) of the 1965 Immigration and Nationality Act. Provision is also made in this section of the law for a waiver, under certain circumstances, of the 2-year obligation. It is the intent of the committee to review the waiver procedures, the periods of validity of visas, as well as all other immigration aspects of the program, which have been of concern to the subcommittee and Congress.

The first witness on April 19 will be the Associate Commissioner of Immigration and Naturalization, Mario Noto.

On April 26, officials of the American Medical Association, American Hospital Association, and the American Nurses' Association will provide testimony.

The concluding witness on May 3 will be the Assistant Secretary of State for Cultural Affairs, Marian Frankel.

GRANT ON HISTORY OF FUR TRADE IS JUSTIFIED

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRASER. Mr. Speaker, some time ago one of our colleagues issued a critical statement on the floor in which he sought to ridicule a small grant that had been approved for a study of the history of the fur trade in the northern part of my State.

I have looked into this question quite thoroughly, and am satisfied that the attack was unfounded and showed a lack of understanding in the importance of this project.

I have asked the director of the Minnesota Historical Society, Mr. Russell W. Fridley, to prepare a statement explaining this project, and have unanimous consent to set it out in the Record at this point.

Why a Research Project on the North American Fur Trade Is Eminently Worthwhile

I understand that a number of grants under the National Endowment for the Humanities, including a $5,000 grant to the Minnesota Historical Society for the study of the North American Fur Trade, has been criticized. It is difficult to understand such an objection in view of the increasing recognition by historians of the fur trade's foundational role in the early history of the United States and Canada.

The North American fur trade unrolled the map of these two countries. It successfully established the first transcontinental industry. The explorers whose expeditions it financed—Mackenzie, LaSalle, LaVerendrye, Radisson, Thompson, Pond, Fraser and many others—unlocked the geographical wonders of a continent—mountain peaks, sources of rivers, big lakes, watersheds and challenging rapids—which we enjoy under less hazardous conditions as tourists by the millions each year. Alexander Mackenzie, for example, reached the Pacific thirteen years before Lewis and Clark achieved the goal for which they are known around the world.

The fur trade established east-west thinking and blazed trails over which railroads were later built, binding two giant countries together as separate nations. The fur trade determined boundaries of sovereign nations. The international boundary from Lake Superior to Lake of the Woods is defined in the treaty simply as the "customary waterway" of the voyageurs. Familiar fur trade routes determined also the international boundary from the crest of the Rockies to the Pacific.

As in any human enterprise, the story is not without tragedy. In linking the Indian's primitive economy with that of the most highly industrialized civilization in the world, serious human problems were created, the effect of which still occupy and demand our best efforts today. The story of the beaver—which by its defenselessness contributed to its own early extermination in the areas most accessible to the trappers—is hardly a happy one Yet, its value at the fur market constitutes a major chapter in the story and its pelt led men ever westward and northward. Because it is a story of triumphs and tragedies enacted on a continental scale, the fur trade is of endless fascination to later generations.

The fur trade left a rich legacy in courage and achievement. The fun-loving voyageur—that incredibly durable French-Canadian whose muscles paddled canoes and portaged packs of trade goods and furs over thousands of portages across a vast continent—has become an authentic folk hero of both nations.

The fur trade also gives us a sense of place in our own time for it left us a heritage of charming French names. These enliven the map as we ride in automobiles, paddle canoes and hike wilderness trails. Such voyageur terms as "portage," "traverse," and "prairie," encountered as one travels in any direction provide a vivid reminder of a period of history of which the romance never dies. Finally, the North American fur trade strengthens the strong bonds between two great nations because of their common past.

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*Washington (D.C.) Star, Feb. 6, 1966.

There are many reasons for studying history. You will find most of them in the saga of the North American fur trade. I submit that the story of the North American fur trade is not only worth exploring in and of itself, but that the results of the research will yield widespread public interest and benefit. The National Endowment for the Humanities is to be commended for awarding a modest federal grant to this effort.

RUSSELL W. FRIDLEY,
Director,
Minnesota Historical Society.

REVENUE FOR THE DISTRICT OF COLUMBIA

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRASER. Mr. Speaker, I am today introducing legislation that would ease the acute revenue shortage of the District of Columbia. The need for this legislation has been spotlighted by the House Appropriations Committee's sharp cuts in the District's proposed budget for the forthcoming fiscal year—reductions made to balance spending with available revenue. I am introducing two bills. The first bill would raise the authorization for the Federal Government's annual payment to the District of Columbia by $10 million—from $60 million to $70 million. This bill would also raise the debt ceiling by $25 million—from $290 million to $315 million.

This first bill is identical to the one being introduced by the distinguished chairman of the House District Committee. I am pleased to join with the chairman in introducing this bill, and I applaud his initiative in sponsoring legislation to bring needed revenue to the District of Columbia.

This second bill I am introducing today takes a different approach in dealing with the same subject. This bill is identical to the one introduced by the chairman of the District Committee in the other body.

This measure would authorize a new method of computing both the annual Federal payment to the District and the city's debt ceiling.

Title I provides that the Federal payment would equal 25 percent of the general fund income from local taxes. This formula would set the authorized amount at $70.6 million for fiscal year 1968.

Title II would limit the amount available each year for debt retirement to 6 percent of the general fund tax yield and the Federal payment. This would set the debt ceiling for fiscal year 1968 at $335 million.

The second bill has the advantage of allowing for growth in the District of Columbia budget for future years. It would better enable the District budget officials to plan ahead. At the same time, the Congress would retain control over the budget through annual review of the budget appropriations. And if this authorization formula needs correction it will always be possible for the Congress to pass new authorizing legislation.

Each of these bills is a good measure and will help provide better public services and facilities for the District of Columbia if enacted into law. I am hopeful the House District Committee will soon be able to hold hearings to consider these bills.

NEED TO REVISE SELECTIVE SERVICE LAW—XLVIII

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, much of the cost of a conscript army is borne by the draftees in the form of what economists call an implicit labor tax in kind. This hidden tax is equivalent to the difference between the military pay of the conscript and his earning power as a civilian. Professor Friedman of Chicago has written that—

> The real cost of conscripting a soldier who would not voluntarily serve on present terms is not his pay and the cost of his keep. It is the amount for which he would be willing to serve. He is paying the difference. This is the extra cost to him that must be added to the cost borne by the rest of us. Compare, for example, the cost to a star professional football player and to an unemployed worker. Both might have much the same attitudes toward the army and like—or dislike—a military career equally. Just because the one has so much better alternatives than the other, it would take a much higher sum to attract him. When he is forced to serve, we are in effect imposing on him a tax in kind equal in value to the difference between what it would take to attract him and the military pay he actually receives.

Friedman has concluded that the real cost of manning the Armed Forces now, including this concealed tax, is greater than the cost of maintaining a volunteer force of the same size.

Prof. Walter Oi, of Washington, who has done extensive work in analyzing the costs and implications of an all-volunteer force, states that the full economic cost of active military service for a reluctant participant is the difference between the supply price at which he would have voluntarily served, and the actual military pay he received.

> If these differences are summed for all draftees and reluctant volunteers, one obtains the total economic cost of the draft, at least for those who served in enlisted ranks. A lower bound estimate of the aggregate economic cost is $885 million.

Professor Oi further contends that the full economic cost of the draft is more than the estimated $885 million because of the draft-motivated accessions to officer ranks and to Reserve and National Guard components.

> With the possible exception of doctors and dentists, the financial cost of military service is comparatively small for men who serve in these programs. There is, however, some evidence which suggests that these individuals (especially those entering Reserve and Guard programs) have high aversions for military service. The full economic cost which applies to all reluctant service participants including officers and reservists will surely exceed a billion dollars per year.

Finally, Professor Oi concluded that if the draft were eliminated in favor of a voluntary force, the first-term military pay would probably have to be increased to $4,200 per year. Since the same military pay is awarded to all voluntary enlistments, the true volunteers who would have enlisted at the current pay of $2,500 per year could receive an additional $1,700 per year in an all-volunteer force.

> By retaining the draft, we not only tax the reluctant service participants, but also prevent the true volunteers from collecting this economic rent.

Thus, Professor Oi maintains:

> If these rents are included in the full economic cost, it would easily exceed five billion dollars.

Mr. Speaker, in short, the economic costs of the draft greatly exceed the budgetary cost of moving to an all-volunteer military force. The draftee should not be required to support the draft through these hidden taxes which are nothing more than I call a reverse subsidy. These costs should be shared by everyone in our society.

VERRAZANO DAY, 1967

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, this week we salute the memory of Giovanni da Verrazano, the Florentine navigator who over 400 years ago, while sailing under the French flag, explored and charted the eastern coast of America. The 29-year-old Verrazano is credited with discovering New York Harbor and Narragansett Bay in his explorations, which took him from South Carolina to Newfoundland.

Aside from his obvious attribute of courage, the Florentine seaman had a deep thirst for knowledge and, not content with what he had accomplished in 1524, set out on another exploration in 1528 to the southern hemisphere of the Americas. He never returned, and it is generally accepted by historians that he met death at the hands of cannibals on an island in the Caribbean.

In New York, Mr. Speaker, we are constantly reminded of the vital role Verrazano played in our history thanks to a magnificent bridge spanning the Narrows between Staten Island and Brooklyn. The Verrazano Bridge is almost a mile long and the world's longest suspension span. It is a very fitting tribute to the discoverer of the country's greatest harbor.

New York City annually honors Verrazano, and the celebration is heartily supported by many Italian-American societies in New York and elsewhere over the country. Americans of Italian heritage are extremely proud of Verrazano, as well as they should be. In fact, they are extremely proud of all the Italian seamen who figured so heavily in the early days of the New World. It is in reality impossible to study the beginning days of the New World without realizing the importance of the Italians. It was discovered by one, named for another, and charted by many others.

It is fitting that the Italians played such an important part in our age of exploration, for they have since been a vital cog in the history of America. By the millions they have come to make America their home and they have made this land a better place for their presence. They have overcome prejudice, fear, poverty, and hunger to become a leading force in the arts, the sciences, and public life.

Several years ago, President Johnson, while addressing a group of prominent civic leaders of Italian heritage, said:

> No group has contributed more—few have contributed so much—as the sons and daughters of Italy.

To this, Mr. Speaker, we can only say, amen.

AMERICAN POLICY IN THE NEAR EAST—AN ANALYSIS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Tenzer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. TENZER. Mr. Speaker, the current edition of the magazine "Jewish Life" contains a revealing article entitled "American Policy in the Near East—An Analysis" by Mr. Julian Landau.

Mr. Landau is research director of the American Israel Public Affairs Committee, which is interested in foreign policy problems in the Near East. The committee has been in the forefront of efforts to promote economic development and peace in this troubled area of the world.

Mr. Landau is also a member of the editorial staff of the Near East Report. He is active in Jewish affairs in Washington, D.C., where he serves as president of the Washington Council of Orthodox Synagogues. A graduate of the Talmudic Academy of Brooklyn, and of Columbia University, from which he received a master's degree in international affairs, Mr. Landau has written a knowledgeable and interesting analysis of this problem.

It has been my pleasure to have met with Mr. Landau and to have worked with him on matters relating to U.S. policy in the Near East. I place the full text of his article in the Record for the information of my colleagues.

American Policy in the Near East: An Analysis

(By Julian Landau)

American policy in the Near East has undergone radical and positive changes in the past few years. But it has also taken a widely publicized step backwards in the past few months.

The positive changes began during the Kennedy Administration. Previously, President Truman was faced with a bureaucratic hierarchy whose opposition to Israel could only be overcome on sporadic occasions. President Eisenhower looked towards Europe and was guided by a Secretary of State who felt that Communism must be contained by a ring of treaties and alliances, within which Israel had little or no place.

John F. Kennedy came to the White House against the backdrop of the 1956 Suez disaster, the failure of the Eisenhower Doctrine and our Lebanese intervention in 1958 to hold the West's position of power, and the growing influence of the Soviet Union. A strong supporter of nationalism, Kennedy sympathized with the Jewish dream of returning to Zion, as well as Arab aspirations, and he sought to reconcile the two.

Quoting the words of King David—"Seek peace and pursue it"—one of the new President's first steps was a direct appeal to Nasser of Egypt for "an honorable and humanitarian" solution to the Arab-Israel war. But he was vehemently rebuffed.

However, the program enunciated by President Kennedy had two facets. And when the olive branch he proffered was spurned by the Arabs, he turned to the deterrent strength of military might to preserve the peace.

Arms have always been a major barometer of American-Israel relations and the underlying reason for Israel's reluctance to accept the U.S. commitment to her security at face value. Each of Israel's requests for weapons from the United States and the refusal to fulfill them marked a low point in the relations between the two countries.

The American arms policy was established in 1948 by the Department of State officials who opposed the establishment of Israel and predicted its speedy defeat by the Arabs. To make their prophecy self-fulfilling and to ensure the goodwill of the "victors," the United States, and Britain and France who followed its lead, embargoed the shipment of weapons to the Middle East. But naturally, it was Israel, the country under attack and the sole belligerent without a standing army, which felt the effect of the embargo the most keenly.

Even when Israel won the War of Independence and signed armistice agreements with the Arabs, Washington was still not convinced of the new state's stability. And at this point a new factor entered the picture. Cold War tensions were fast reaching the boiling point (Korea was only a few months away) and the U.S. did not want to antagonize the Arabs at a time when it was seeking to isolate Russia and gain allies throughout the world. Thus, when Britain resumed arms shipments to its Arab allies and Israel Foreign Minister Sharett appealed to America for weapons to counter the Arabs' new acquisitions, his request was denied. Instead, Britain, France, and the United States issued the Tripartite Declaration stating their "unalterable opposition to the use of force or threat of force between any of the states . . ." Words were substituted for deeds, and the effect was not lost on the Arabs or Israelis.

Two years later John Foster Dulles assumed office and decided that a "northern tier" of defense was needed to contain Communism. The Arabs were wooed even more assiduously. In 1952 Britain sold Egypt Lancaster and Halifax heavy bombers. The same year the United States sold Egypt two frigates and added hundreds of military vehicles the following year. In 1954 Iraq became the first Arab state to sign a military assistance agreement with the U.S. and to receive grant weapon aid. By the end of 1955 the Baghdad Pact was complete and the Arabs, in the words of one critic, had enough military equipment to resist a Soviet attack, but not enough to be a threat to Israel.

Israel was clearly relegated to a back seat in American policy considerations. Her request for a $75 million loan was promptly turned down; all U.S. foreign aid was held up, in October 1953, until Israel ceased work on the B'noth Yaakov hydroelectric plant; Israel was denied admission to the "regional" Baghdad Pact.

The arms race quickened when Egypt's Nasser, challenged by Western support of his Arab rivals, turned to the East to raise his prestige. In September 1955 he announced that he had concluded a $250 million arms deal with Czechoslovakia. A few months later, early in 1956, an accident revealed a shipment of U.S. tanks and planes to Saudi Arabia.

Israel, surrounded by a growing Arab military machine and harassed by increasing guerrilla raids, again turned to Washington for arms—and again was rebuffed. But Nasser's alliance with Russia opened a crack in the wall of the U.S. embargo. The American refusal was moderated by indications that we would not object to other Western nations assisting Israel. Canada was immediately helpful. A few months earlier, France, spurred by Egypt's support of the Algerian rebels, had begun to provide Israel with large quantities of weapons, including the latest Mystere fighters to counter the Il-28 bombers Nasser received from the Communists.

Israel's decisive victory in Sinai, which soon followed, restored the military balance to her favor and forced the Arabs to postpone their plans for a "second round." But the blueprint for Israel's destruction was only deferred, not discarded, and the acquisition of arms continued. Egypt especially felt compelled to wipe out the shame of Sinai and replace the weapons Israel had captured or destroyed.

The Arab buildup, however, took time and for the next five years the conflict between Israel and her neighbors was quiescent.

ARMS POLICY RE-ORIENTED

Sinai changed more than the millitary situation. Paradoxically, relations between Israel and the U.S. also improved after Israel withdrew her troops from the Gaza Strip and the Sinai Peninsula. American diplomats now appreciated the seriousness with which Israel viewed her security problems and the lengths it was prepared to go in self-defense. Israel, for its part, realized that it had to make greater efforts to explain its position to Washington.

During these years, with the exception of two clashes with Syria in 1958, the attention of American policy makers was focused on intra-Arab wars and rivalries, while U.S.-Israel relations developed normally. Washington was preoccupied with the civil war in Lebanon, the revolt in Iraq, the threat to Jordan, the union—and disunion—of Egypt and Syria, and the dispute between Nasser and Iraq's Kassem. By comparison, Israel was an oasis of calm and stability.

But Russian arms steadily accumulated in Arab arsenals (about $580 million worth between 1955 and 1959) and by the beginning of 1960 the Israelis were again worried about the balance of power. In March 1960 Prime Minister David Ben-Gurion came to the United States. He argued long and hard with President Eisenhower and State Department officials for a defense against the supersonic Russian bombers being sent to the

Arabs. The Administration, however, was preparing for a summit conference with the Soviets (which was torpedoed two months later by Khrushchev's reaction to our U–2 reconnaisance flights) and again refused to antagonize the Kremlin or its Arab friends by openly backing Israel. In addition, the Republicans faced elections in a few months and were unwilling to lay themselves open to the charge that they were promoting the Middle East arms race.

The new Kennedy Administration saw things differently. Offended by Nasser's reaction to his proposals for peace, and antagonized by the Egyptian backing of the Communist rebels in the Congo, President Kennedy was sympathetic to the Israel request. The last straw came on July 22, the 10th anniversary of Nasser's revolution. Egypt celebrated the occasion with a military parade in Cairo which displayed TU–16 jet bombers, supersonic MIG fighters and heavy tanks. Three ground-to-ground Egyptian rockets had been successfully test-fired the day before, each with a range capable of hitting Arab enemies as well as Israel. And that morning the New York Herald Tribune reported that Russia had agreed to send Egypt ground-to-air missiles within the next few weeks.

On September 27, 1962 the United States announced that it had agreed to sell Israel the Hawk anti-aircraft missile. Israel now had a defense against the low-flying TU–16s which were capable of wreaking such havoc on its cities. But more important, for the first time since Israel's establishment our Government made it clear that it was willing to implement its commitment to the Jewish state. Undaunted by Arab threats and blackmail, Kennedy's decision was as important psychologically as it was militarily. It told the Arabs in unmistakable terms that America would not allow the destruction of Israel. It forcefully backed the words U.S. officials had spoken over the past decade and a half, with concrete action. And it put the Arabs on notice that their attempt to gain military superiority over Israel was futile.

The sharp change in American arms policy continued even after President Kennedy's death, but not without some setbacks. Two years later, when Premier Levi Eshkol requested American tanks to meet the heavily armored vehicles Egypt had been getting from Russia, he was sent to West Germany just as Dulles detoured Ben-Gurion to Canada and France in 1955. However, when Nasser denounced Bonn's shipment of Patton tanks to Jerusalem and threatened to recognize East Germany, Chancellor Erhard suspended the shipments. At this point, in February 1965, the U.S. secretly agreed to complete the German agreement and sent the remainder of the M–48 tanks to Israel. In February 1966 the Department of State made the agreement public. Pressure had been mounting from Congress and the public against the U.S. shipment of tanks to Jordan, which was inadvertently revealed by a USIA publication, and in response the Government decided to make its previous decision public.

The last step in the chain of events which began in 1962 occurred last May. To deter an Arab threat, rather than just repulse it, Israel had requested offensive bombers from the U.S. Its French fighters, Israelis argued, were sufficient to ward off attacking Soviet planes and the Hawk was able to counter the Russian bombers. But the complex of weapons acquired by the Arabs was becoming so sophisticated that once war started there would be countless casualties despite all Israel's defenses. What they really needed was to convince the Arabs that war was impractical because Israel could carry it to their territory as well. Thus, on May 19, 1966 Washington announced that it had agreed to sell Israel Douglas A–4 Skyhawk bombers and American arms policy was completely reversed. From a policy at least subtly dedicated eighteen years ago to a victory by the Arabs, the United States has openly become Israel's major source of weapons against the Arabs.

PEACE IS BACK IN THE LEXICON

Arms, however, are only half the story. Traditionally, the United States has proclaimed its friendship for Israel, while in fact practicing a policy of "evenhandedness" towards both Israel and the Arabs. Despite our often repeated commitment to the people of Medinath Israel, the basic objective of American policy in the Middle East has been to halt Communist influence, to maintain land, sea, and air communications, and to keep the oil flowing to Western depots. To achieve this end each successive administration has tried to preserve the status quo and avoid the polarization of the region, with the Soviet Union on the side of the Arabs and the United States on the other side, backing Israel.

This policy required not only cultivating Arab friendship with economic and military assistance, but also abstaining from any initiative for peace which might provoke or upset the Arabs. It has led to an equation of aggressor and victim, with the U.S. insisting that both the Arabs and Israel are responsible for the turmoil in the Middle East.

It began in 1948. On December 11th of that year the UN General Assembly passed a resolution creating the Palestine Conciliation Commission. The purpose of the PCC was to promote peace. But neither its title nor the resolution itself, which spoke of "the final settlement of all questions outstanding," mentioned the word peace. In deference to Arab sensibilities and out of fear of offending them, the UN and the U.S. avoided the "biased" term. The practical results were soon apparent. Unlike Ralph Bunche who insisted that each Arab state meet with Israel separately to negotiate an armistice, the PCC saw only two equal parties and brought all the Arabs together to face Israel. Under the circumstances no Arab country dared make concessions and all refused to even meet with the Israelis. The talks ended in failure.

In 1957 another opportunity was lost. A formal call for peace and direct negotiations after Sinai probably would have resulted in talks between the chastened Arabs and Israel. Instead, American policy makers again avoided the initiative. The U.S. insisted that Israel withdraw from Sinai without any guarantees and without peace. All that it received from Washington were "assumptions." A call for peace, it was feared, would only push the Arabs even closer to Moscow, which was already receiving credit for stopping the British and French invasion.

By 1961 the taboo on the word peace had become so ingrained in American thinking that the U.S. delegation to the U.N. voted against a resolution calling for "direct Arab-Israel peace negotiations." Sponsored by sixteeen African and Latin American nations the proposal was a welcome relief from the annual UN tirade on the Arab refugees. Since 1950 the General Assembly has been subjected regularly to vituperative Arab speeches, in the hope that the nations of the world would reverse their decision of 1947, and legislate Israel out of existence. And while they have not accomplished their full objective, neither have they been totally unsuccessful. By playing upon the sympathy of the world community the Arabs have managed to turn the refugees, into a powerful political pawn. They persuaded the General Assembly to pull a single paragraph out of the UN-resolution which established the Palestine Conciliation Commission—Number 11—which states: "The Assembly resolves that the refugees wishing to return to their homes and live in peace with their neighbors should be permitted to do so at the earliest practical date, and that compensation should be paid for the property of those choosing not to return . . ."

Ignoring the fact that all the Arab states voted against that resolution in 1948, that another paragraph—Number 5—spoke albeit indirectly, of peace, and that even Paragraph 11 conditions the refugees' return on their willingness to live at peace with their neighbors, the Arabs have insisted that this paragraph mystically gives the refugees the "right" to return to Israel unconditionally. And they have seized on the debates regarding the future of the United Nations Relief and Works Agency (UNRWA) as the means of reinforcing that non-existent right by persuading the UN to reaffirm paragraph 11 year after year.

Many nations who were tired of the endless debate and sought a realistic approach to the refugee problem welcomed the peace initiative. But the United States called it "unrealistic" and "counterproductive." As in the past, it allowed itself to be blackmailed by the Arabs who had introduced a resolution calling for a UN custodian of Arab property in Israel. To vote against the Arab proposal and for the peace resolution, the U.S. argued, would antagonize the Arabs and brand us as the "defenders of Israel."

But in 1964 American policy changed. In June of that year for the first time since the establishment of Israel, its Prime Minister was the official guest of the President of the United States. And during the visit the word peace was restored to the vocabulary of American diplomats. Lyndon Johnson's record of friendship to Israel goes back to 1957, and, unlike John Kennedy, Johnson had the power to back his words with deeds before he became President. When Secretary of State Dulles threatened Israel with sanctions if she did not withdraw from the Sinai Peninsula there was an immediate uproar in this country. But what convinced Dulles to withdraw his threat was not public pressure but the firm opposition of two leading Senators—Lyndon B. Johnson and William F. Knowland—who cabled the Secretary of State that they would lead a fight in the Senate opposing sanctions and would insist on firm guarantees for Israel against raids and blockades if the Secretary attempted to carry out his threat.

Three years later Senator Johnson again added his considerable prestige to a Congressional move to prod the Administration into action on the Arab-Israel conflict. In April 1960 Democratic Representatives Wayne Hays of Ohio and Leonard Farbstein of New York introduced an amendment to the Mutual Security Act which stated Congress' opposition to boycotts, blockades, and restrictions on the use of international waterways. The "freedom of the seas" amendment, as it was called, was directed at Nasser's refusal to allow Israel ships or cargo through the Suez Canal.

But while the amendment passed without difficulty in the House it ran into the opposition of the Administration and Senator J. W. Fulbright in the Senate. The fight was bitter. Fulbright accused his colleagues of "appeasing a minority group." Johnson, then Majority Floor Leader, backed Senators Paul Douglas and Kenneth Keating who sponsored the bill, and introduced the motion to table Fulbright's nullifying amendments.

It was this background which led President Johnson to invite Premier Eshkol only two months after the tragic events in Dallas. It was this history which brought him to the New York dinner of the American Committee for the Weizmann Institute, on February 3, 1964, where he dramatically announced a joint U.S.-Israel study of the problems of nuclear desalting with the words, "water must never be a cause of war; it should always be a force for peace, and peace is first on our agenda." And it was this recognition of Israel's problems which led him a few months later to tell Eshkol: "We know that you want to live in peace with your neighbors, and we believe it not only possible but imperative that those problems be peacefully resolved."

Once again American policy had been reversed. The fulminations of the Arab press and their diplomats in Washington were not only ignored, they were specifically rejected by top U.S. officials as unacceptable.

Perhaps even more important than the White House actions was the fact that, unlike President Truman, President Johnson was not a voice shouting in the wilderness of the State Department's opposition. The career diplomats in Washington and in the capitals of the Near East no longer weigh Israel against the might of its thirteen Arab neighbors. The myth of a united Arab world has been so shattered that even the Department of State cannot put it back together. As 1967 began the "progressive" Arab states of Egypt, Syria, Iraq, and Algeria were opposed to the monarchies in Jordan, Saudi Arabia, and Morocco; the republicans fought the royalists in Yemen, with Nasser and Faisal standing at their respective elbows; the Kurds struggled for autonomy in Iraq; the Nasser backed and Shukairy-led Palestine Liberation Organization dedicated itself to the overthrow of Hussein; Syria was competing with Egypt in an ill-concealed bid for Arab leadership; Arab terrorists in Aden killed other Arabs; Syria cut off Iraq's oil; Lebanon accused Kuwait of causing the collapse of one of its major banks, and Premier Bourguiba of Tunisia was at odds with the entire Arab League.

Nor does the State Department still look upon Nasser as "the chosen instrument" of American policy in the Near East. It has finally realized that he is not the unquestioned leader of the Arabs, able to threaten and produce a solid bloc behind him. The lesson was learned in 1965 when Nasser called on the other twelve Arab states to break diplomatic relations with West Germany because Bonn had recognized Israel. He used the usual rallying cries of "Israel" and "imperialism," but only Yemen and Iraq followed his lead. The remaining Arab countries felt that their self-interest required the aid and trade they received from West Germany. Even the magic phrase "Israel" failed to unite the Arabs, and another myth was dispelled.

In Yemen Nasser has found that he is unable to extricate himself from a dilemma of his own making. The past three years have proven that he cannot win the war against the Yemeni tribesmen; that, in fact, he has even lost the allegiance of most of the "republicans," whose revolution he came to defend. Yet, at the same time, he cannot afford to withdraw from the strategic tip of the Arabian peninsula. Not only would he lose face—as important a consideration in the Near East as it is in Asia—but he would also have to relinquish his dream of dominating the oil-rich coast of the Persian Gulf.

Within Egypt Nasser faces even greater problems than those abroad. His foreign adventures and his tremendous outlays for arms have drained Egypt's economy. There is not sufficient food to feed the people, and his rapidly growing population faces starvation. Even the much vaunted Aswan Dam will, when it is completed, only allow Egypt to mark time, not leap ahead.

His critics at home have become more brazen. Last year Nasser was forced to jail some 6,000 of his countrymen for their alleged involvement in the Moslem Brotherhood plot to overthrow his regime.

Washington's disillusionment was translated into policy. When the three year, $450 million surplus food agreement with Egypt expired in 1965 it was not renewed until Nasser and Faisal signed a Yemen ceasefire and Nasser moderated his criticism of the U.S. The terms of the new agreement—limited to only six months—were much harsher than previously. Nasser was required to pay for one-quarter of the food in dollars rather than Egyptian pounds, thus placing an additional drain on his already tight foreign exchange reserves. The agreement expired last June 30. It has not been renewed despite Egypt's request for a new $150 million 12-month program. In the words of former AID Administrator David Bell: "We were not prepared then or now to approve this request" because the United Arab Republic has not moved towards an acceptable solution in Yemen and has not taken adequate self-help measures in its economy.

U.S. officials have also taken steps to curb the Nasser-backed Palestine Liberation Army. Top American spokesmen in Washington and at the UN announced that we would not permit our contributions to UNRWA to be used for the care and feeding of refugees training to destroy Israel. Parenthetically, it should be noted that this stand led UNRWA Commissioner General Michelmore to propose a special $150,000 fund to feed the estimated 12,000 PLA members on the UNRWA rolls.

Finally, unlike its past procedure of almost ignoring Congressional action on the Arab war against Israel, the Administration has taken pains to publicize and enforce the Williams-Javits bill—a measure passed in 1965 to curb the effect of the Arab boycott on American businessmen.

Thus, as 1966 came to an end, American policy in the Near East was more sympathetic to Israel and its problems than at almost any other period since the establishment of the Jewish state: The U.S. stand towards Nasser had hardened; it had agreed to supply Israel with an offensive deterrent capability; it refused to permit Arab blackmail threats to dictate U.S. action; and there was even hope for a peace initiative.

THE RAID ON ES SAMU

But on November 13, 1966 Israel attacked the Jordanian village of Es Samu after six months of terrorist raids from Jordan territory.

Washington's reaction was harsh and bitter. It pushed the strongest Security Council resolution ever adopted by the U.N. Israel became the first government to be censured by the world community. (All previous censure votes had been directed against governmental actions rather than the government itself.)

In light of the positive attitude expressed only a few weeks earlier by the U.S., Israel and her friends were surprised and shocked by the violent American reaction. But, in fact, it was not difficult to understand.

The key to the U.S. attitude was Israel's choice of target. Since King Hussein terminated his treaty with Great Britain in 1956, America has assumed responsibility for Jordan's survival. In the eyes of Washington, the kingdom invented by Winston Churchill is the key to peace in the Middle East. The U.S. fears that if Hussein is overthrown Israel will move into the West Bank to prevent a Nasserite regime from controlling the more than 400-mile border. This, in turn, could inflame the entire region and draw the Great Powers into the conflict. Thus, when Shukairy began fomenting riots among the Jordanian Palestinians, the U.S. embassy in Amman panicked and its fears were transmitted to Washington. State Department officials decided that Hussein must be supported at all costs. The U.S. pressed for a strong UN resolution to strengthen Hussein's hand and Washington correspondents were briefed accordingly. As a result many American newspapers, even those usually sympathetic to Israel, endorsed the censure as "deserved" (New York Times) or denounced the raid as "incredible stupidity" (Detroit Free Press) and "betraying a rage and recklessness dangerously menacing to the maintenance of peace" (Washington Post).

Ambassador Arthur Goldberg was proof of the sudden change. On November 14 he deplored both the Israel attack and the terrorist raids which brought it on. Two days later Goldberg told the Security Council that Israel's action "cannot be justified, explained away or excused by the incidents which preceded it, in which the government of Jordan has not been implicated."

There was a second reason for the U.S. reaction. To Americans the Israelis are "civilized Westerners," while the Arabs are "romantic Bedouin." Adopted from the British who, during the days they held the mandate for Palestine, expected the Jews to understand, sympathize, and agree with them, this philosophy leads most Western officials to anticipate different behavior from the Israelis than they expect from the Arabs. This double standard of expectation has pervaded U.S. relations with Israel since 1948. The Arabs went to war against Israel, but Israel is expected to make concessions to secure peace. Israel has absorbed almost one million Jewish refugees, but Arab refugees are kept in camps and supported by the world community. Arab terrorism is mildly rebuked, but Israel's reaction is harshly condemned. Israel should turn the other cheek, but Hussein must be supported with more arms. Washington, and many of the newspaper editors quoted above, believe that Israelis should "know better" than to resort to force. The Arabs, on the other hand, are not expected to "know better."

THE FUTURE

American policy thus seems to have reverted to the attitude of the 1950s. But only the passage of time can prove whether this retreat is permanent and whether it has wiped out the positive gains since 1962.

In fact, the failure of American-Israel relations, as well as the future of the Middle East does not rest solely in the hands of Israel. Russia, the Cold War, and intra-Arab relations will affect that future more than any actions of the Jewish state.

But U.S. policy can be influenced by American citizens. Just as the Administration is prodded by Congress, so members of the Senate and the House are swayed by their constituents. American Jews can ensure that the retreat is only temporary by expressing their views, repeatedly and without hesitation, to their elected representatives. They can bring peace closer by persuading their Government that indirection encourages belligerence and only a strong U.S. and world demand for an end to the Arab war against Israel will bring it about.

PROFILE OF POVERTY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, it has been my privilege to address the House on several occasions on behalf of the war on poverty and to share with pride the great progress made in my city of Pittsburgh.

In 1965, when speaking in support of the Economic Opportunity amendments, I said they are designed to "provide something to look backward to with pride and forward to with hope." Now, as we prepare to deliberate on the Economic Opportunity Amendments of 1967, I call to the attention of my colleagues, an article from the March 21, Wall Street

Journal, which cites the effect a cutback in funds will have on the various efforts in Pittsburgh, mentioning in particular a family in my congressional district.

We will all be the losers if these programs do not receive renewed support in the 90th Congress, but the biggest losers will be the children who have looked forward with hope, and whose spirits may be damaged forever.

The article follows:

PROFILE OF POVERTY—PROGRAM CUTBACKS HURT THOSE WHO MIGHT BE HELPED MOST

(By John Barnett)

A lot of people are worrying aloud these days that the war on poverty is headed for an armistice.

The Rev. Martin Luther King, Jr., for one, has complained that the war is becoming "scarcely a skirmish" as the Administration spends rising billion on Vietnam. New York's Sen. Javits says that in trimming funds for community action, the self-help phase, Congress "cut the heart out of the program."

The Executive Council of the AFL–CIO has warned that a resurgence of conservatism in Congress is further threatening the antipoverty effort.

But all such talk tend to obscure what's going on at the grassroots level. To begin with, the retrenchment is far from even. In withdrawing funds, Congress directed antipoverty officials to keep active much of the "line" functions, which deal with such hard-core matters as training and finding jobs for employable persons and maintaining a minimum health level.

So the more nebulous family educational and social services were found to suffer. This became more certain as poverty program leaders also considered it necessary, with the money still available, to put first emphasis on job and health-oriented work.

But what does all this mean to the inarticulate, politically naive, perhaps uninformed poor themselves?

One such person is Dorothy Hall, a handsome, soft-spoken woman in the dreary East Liberty section of Pittsburgh, where many low-income families live. She has nine children, enough furniture to outfit her cramped five room apartment and very little else to call her own. Barring a dramatic and unforeseen turn of fortune, she will depend for the next 15 or 20 years—and, quite possibly, the remainder of her life—on public support for the most elemental necessities.

At 32, she has never worked steadily nor learned a trade. She is separated from her husband and says she receives no support from him. Her present income is $362 a month, paid by the Allegheny County Department of Public Assistance to support the children. This is $4,344 a year, almost $1,700 less than the amount the Federal Government considers to be the poverty point for a family of 10.

THE PERFECT TARGET

Few households could provide a more challenging target for a war on poverty than this archetypical Negro slum family with its strong mother, absent father and abundance of children.

Mrs. Hall is one of many in Pittsburgh who stand to be affected by the cutback, which has already meant a 22% budget reduction in that city and prompted David G. Hill, the chief antipoverty administrator there, to say the program is in "grave jeopardy."

A year and a half ago the war on poverty reached the East Liberty district. Committees were formed, neighborhood offices opened, and social workers began knocking on doors to bring a few unaccustomed amenities into the lives of people like Mrs. Hall and her children.

When they got to the Halls' four-story brick apartment house they saw one of only a half dozen crumbling structures left on the block. Next door and across the street are house-high heaps of broken brick and debris, as demolition for an urban renewal project progresses.

A recent visitor to the apartment stepped over scraps of wood and shards of windowglass in the downstairs entry before climbing the stairs to the second-floor landing, where 7-year-old William Hall stood solemnly waiting to greet him.

Although it was wintry outside, the apartment was warmed pleasantly by a large heater set before a bricked-over fireplace. Soon Mrs. Hall came into the room, shushing the children and apologizing because she had been delayed tending one of the smaller youngsters. Then she perched on an arm of her worn sofa and talked of the changes that had sifted into her life of late.

It quickly became apparent that Mrs. Hall doesn't think about the antipoverty effort in terms that approach even remotely the high-level abstractions tossed about by its administrators. Talks of programs, agencies and social concepts means little to her.

She speaks only of the people—of Joanne Kollin, the caseworker who helped arrange to send five of her children to summer camp; of Don McGrath, who helps run a late-afternoon remedial school in East Liberty and who had found two beds for Mrs. Hall's children; of Lee Mazur, a poverty program lawyer who represented 16-year-old Anthony Hall when he was picked up by police after an accident involving a stolen car.

One thing these workers can't do for someone like Mrs. Hall is put her on her own feet economically. When a potential breadwinner is present the workers try to arrange job placement or training that could lead to employment. But in a case like the Halls' this isn't possible.

And so changes wrought in Mrs. Hall's own life by the poverty program aren't fundamental. Poverty workers have helped her with some second-hand furniture, a good deal of expert advice, a few dollars when money was badly needed—but her income hasn't improved, nor would it be likely to.

CHILDREN BIGGEST GAINERS

There have, however, been important changes for the children. They've gone places and done things they might never have without the poverty program. They've attended special schools to upgrade their educational skills, they've romped in the countryside away from the city slums, been taught to see possibilities for self-expression in painting of sculpting or sawing away at a violin.

It's just such things that will be most thoroughly sliced out. In Pittsburgh, which Federal poverty officials regard as having had one of the most successful programs, fully 36,000 of the 50,000 persons helped are youngsters being reached through educational services. Come June, Federal money to provide such services for 33,000 will dry up.

"The net effect," says a Pittsburgh antipoverty spokesman, "will be to cut out all special educational services for kids from grades one through eight." Other programs will remain for the pre-schoolers and high schoolers.

Until she heard a detailed explanation of it at a PTA meeting last September, Mrs. Hall didn't even know there was such a thing as a war on poverty—although for several months she had been using some of the services it supports. Aside from the programs for children, these services have generally centered on arranging some stop-gap financial aid and letting her know what other means for bettering her family's existence are available.

Last winter one agency advanced Mrs. Hall $45.08 to pay an overdue gas bill after the service had been shut off shortly after Mrs. Hall came home from the hospital with a new baby. The money came from a "direct aid" fund set up to provide small sums of cash for such purposes. Mrs. Hall has since paid back $15.

More recently, Miss Kollin has worked on the Halls' behalf to help them find housing as the urban renewal agency's wreckers advance on their apartment house.

The Halls have been alone in the building since October, unable for months to find another place that will accept nine children. Thieves have stripped the building of most of its plumbing fixtures, leaving Mrs. Hall with no running water in the kitchen and only cold water in the bathroom.

Miss Kollin learned that the family could apply for a rent subsidy, and Mrs. Hall finally found an old eight-room house that the city's housing authority will rent for $90 a month and sublease to her for $52. "We're moving soon," she says. "I just can't imagine how much better it will be."

Soon much of this will change. Now, just a few months after Mrs. Hall first learned there was a war on poverty, the battle lines are being retrenched.

There will be some continuing benefit. The new lodging is one such holdover. But most of the services designed to give the children some added enjoyment and to increase their opportunities seem to be ended.

AFTER SCHOOL, MORE SCHOOL

After school in the afternoons, four of the Hall children attend classes supported by the poverty program at Saints Peter and Paul Church in East Liberty. They study remedial math and reading, but also have taken classes in violin, dancing, art and drama.

Now Saints Peter and Paul has eliminated most of its classes except the math and reading, and even those seem likely to go. "We've got 400 kids here who will be back out in the streets when that happens," says a worker at the school. OEO funds for Pittsburgh public education were cut to $1,282,000 this school year from $2,923,000 last year.

The direct-aid funds that paid Mrs. Hall's gas bill and sent her children to camp have been eliminated. Miss Kollin's office now has less than $10 left in its fund, and the poverty program won't replenish it.

In fact, the trouble-shooting information and guidance given families by caseworkers like Miss Kollin will be another casualty. An OEO official in Washington says, unhappily, that their assistance has been "quite important—a way of informing people of the programs available and of getting them in to take advantage of the programs. These caseworkers provide a link between the community of poverty and the community of help."

So at her new home, Mrs. Hall will probably find that she won't receive the close attention of a caseworker like Miss Kollin.

Thinking about these things, Mrs. Hall smiles a small resigned smile and looks down at the curly-haired head of her youngest daughter, Angel. She doesn't seem surprised, and she reflects none of the outrage of the important people like Dr. King and Sen. Javits and the men of the AFL–CIO. She speaks instead with the gentle sadness that comes of long endurance.

"It's too bad," she says. "The children are really going to be unhappy."

END OF A DEMOGOG; END OF AN ERA

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, apparently America has, at long last, come to its senses in regard to the demogog, Martin Luther King. For more than a decade, with the connivance of the press and, to a great degree, Congress and the administration, this prideful, evil, violent man has had a free run of America's streets to preach his special brand of demagoguery. In the minds of the thoughtful there has never been any question about his subservience to radical left; but many would not see or seeing would not believe.

The National Review Bulletin of April 25 reduces the story of this man's rise and fall to a few words and I commend them to the attention of every Member.

Rev. Dr. Martin Luther King, Jr. has been allowed to get away with an awful lot over the past decade. His immunity from public criticism has been triply guarded: by the guilt or fear that many American whites feel toward their fellow citizens of his color; by the presumptions of high-mindedness that Americans still grant those who define themselves as men of God; by our realization, especially in the earlier years of his public career, that many of those for whom King appointed himself tribune had in truth suffered much, and been wronged.

But almost from the beginning there were in King's operations signs that, in the case of public figures not so well sheltered from moral judgment, might have been taken to indicate an ambiguity in motive. For example, King preached lawful "non-violence" in words drawn largely from Gandhi and the New Testament. Nevertheless, he somehow preached it in inflammatory ways that often led to illegal and violent acts. And, second, it soon became noticeable that King would thrust himself into every local situation that seemed ripe for headlines, even when the local civil rights leaders asked him to stay out. King seemed to regard "the civil rights movement" as his personal enterprise, and TV and the press more or less acquiesced in his claim.

Change comes to all things, including the civil rights movement. After the Selma march, King began to go out of fashion. Since then he has been scrambling back and forth trying "to stay in touch with the masses." "Non-violence" quietly gave way to "civil disobedience." By equivocation he tried to absorb the potential of the Black Power slogan without ceding place to the young wildmen who raised it. He set up shop in Chicago, vowing he was going to take over the city and destroy Mayor Daley.

His masses are fickle. They grew bored with King-style sitdowns and marches. The activist wing swung to Black Power and violence-punctured riots. King, feeling the ground slipping on both sides, clutched at the hand that had long been extended. He linked himself into a united front with the Communists, sealed by his acceptance of the Communist position on the Vietnam war.

King put his SCLC colleague, Rev. (naturally) James L. Bevel, on leave to serve as national director of the Communist-initiated "Spring Mobilization Committee to End the War in Vietnam," which has gone into national action this past fortnight. (Bevel's wife, Diane, not long ago got back from a Hanoi pilgrimage.) On April 5 King made his own major contribution to this Spring Festival from the pulpit of New York's prestigious Riverside Church, calling the U.S. Government "the greatest purveyor of violence in the world" and comparing it to the Hitler regime. He whipped his audience with the sweeping lies of the unloosed demagogue: the South Vietnamese peasants suffer "at least twenty casualties from American firepower for one Vietcong-inflicted injury"; "we have killed a million of them, mostly children"; "twice as many Negroes as whites are in combat" . . .

Let the last note be cheerful. On the same day that King told his Hanoi-serving lies in New York, Richard J. Daley, King's target in Chicago, carried every predominantly Negro district by overwhelming margins. In that city Dick Gregory, King's candidate got only 21,000 votes, most of them undoubtedly from white Communists, fellow travelers and odd balls. The millionnaire elders of Riverside Church have a stronger appetite for demagoguery than have the Negro workers and housewives of Chicago.

DO NOT KILL THE CANDIDATE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MONAGAN. Mr. Speaker, as one who has sought for years to bring about a shortening of presidential campaigns, I was delighted to read in Newsweek of April 17 a column, "Campaign Agonies," by Raymond Moley.

He expressed eloquently the point that I have often made that these campaigns are becoming increasingly pointless since they wear a candidate to a frazzle without accomplishing any corresponding enlightenment on the part of the electorate.

Mr. Moley correctly emphasizes the abnormal qualifications required of a candidate who makes this sort of campaign and their total irrelevance to the job of the Presidency. Mr. Moley's excellent column follows:

Campaign Agonies

(By Raymond Moley)

The public may enjoy the big show of a Presidential campaign. But among those who participate, there is more agony than ecstasy. It may not seem "constructive" to dwell upon this, since I have no remedy. It may, however, serve a purpose to suggest that unless there are changes, the quality of future Presidents will drastically decline.

The simian curiosity of people has always demanded that candidates be seen as well as heard. Before we had air transportation, public curiosity was measurably satisfied by pictures of the candidate, by his appearances in large cities and by his traveling by rail over large stretches of the Republic. In my travels with candidates this never seemed more relevant to public enlightenment than hauling a dead whale on a flatcar from town to town, or charging a fee to see a fat man or a bearded lady.

But in those quiet pastoral days before World War II the slow pace of rail travel provided time for candidates to prepare and expound reasonably satisfactory statements of the issues. It was possible, too, to limit these statements so that the press was able to present the dialogue in print for those people who could or cared to read. In 1928 and thereafter the radio helped the public enlightenment because millions could listen to the arguments in the quiet of their homes.

THE PACE THAT KILLS

But when air travel, especially the jet, arrived, the lure of almost unlimited exposure offered itself to candidates. The candidate could travel from coast to coast in a day, with plenty of stopovers in between. Finally, in 1960 there emerged a totally different kind of campaign. Richard Nixon visited 50 states, traveling 65,000 miles. He made 180 scheduled speeches and an equal number of unscheduled ones. There were also press conferences, television appearances, cavalcades and informal gatherings. John F. Kennedy's program was almost equally extensive.

Theodore H. White's remarkable book "The Making of the President 1960" gives us the raw details. The two candidates by late October were drained and spent—physically, mentally and emotionally. And so were their managers, speech consultants and companions.

But so far as informing the public about the issues was concerned, the "coverage" was probably less than in any earlier campaign. There were too many speeches to report and, despite endless repetitions, the press simply could not respond. White offers a vivid picture of the ordeal imposed upon the correspondents:

"And so up into the plane at 1:30 in the morning, to unwind and relax and worry about baggage and what to write about the day's events—and to talk . . . the tired, emotional measuring of judgments . . . for weeks and months they must live like tramps—shaken, rushed, fighting with police at police lines, dirty and unbathed for days on end, herded into buses like schoolboys. Physical care and handling were much alike in both revolving headquarters . . . But none of this meticulous, logistic care could erase the turbulent reality of reporting, the insane jet-flight quality of the 1960 campaign . . . men who had to combine the qualities of roustabouts and philosophers."

IRRELEVANT TESTS

That is what happened to public "education" that year. Measurably it happened in 1964 and it will happen again and again.

The public isn't informed. It is dazed and confused by the snatches of what it hears and reads. The time for the reflection and thought that inform decisions is denied because the show goes on to the last night.

When an incumbent President is a candidate he has certain advantages. But he must live in this world of make-believe while his grave responsibilities are neglected in his office.

Those who choose candidates in the future cannot judge aspirants by what they might do in a rational campaign or as President if elected. They must be guided by how the candidate can stand a jet-propelled campaign. Youth, vigor—the attributes of a long-distance runner—prevail. Other irrelevancies must be considered. How will he look on TV? Can his voice stand the strain? Etc., etc.

Finally, among those who might serve admirably as President there will be few who are willing to pay the price of the tortures of a campaign.

AIR AND WATER POLLUTION MEASURES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Wolff] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLFF. Mr. Speaker, we in New York are in danger of a repetition of the *Torrey Canyon* disaster. The natural waters of this Nation are in danger of becoming totally uninhabitable for fish, destructive to plants and undesirable, distasteful and impossible for people to use or enjoy. Our air is becoming filthy, disease ridden and dangerous to all who must breathe it. These conditions have decayed for hundreds of years, but the next two or three can be crucial in putting an end to this national disgrace.

Today I am introducing two measures. One will protect us against a *Torrey Canyon* disaster to our shores. It will provide for national regulations, standards and procedures to be followed to control water pollution. The other will allow a tax credit to encourage the construction and installation of facilities to make it easier and more attractive for private business to comply with them and to further alleviate this problem on their own. These measures can curtail the flagrant destruction of our air and water so we can begin the arduous task of returning them to their former purity, usefulness, and beauty.

DECLINE IN THE AUTOMOBILE INDUSTRY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Fulton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, reports from the automobile industry continue to be far from encouraging. There is a lag in consumer demand for new purchases which could have a serious adverse effect on our entire economy if carried on through the second and into the third quarter of the year.

Figures furnished me by the Department of Commerce reveal clearly just what is happening and indicate that something must be done to stimulate demand for the product of an industry which is a prime mover of our economy.

According to the Department of Commerce sales of new passenger cars for the first 3 months of 1967 and the first 3 months of 1966 compared as follows:

January 1–March 31, 1966 (Sales)	2,534,000
January 1–March 31, 1967 (Sales)	1,873,000
Net decline	661,000

Thus, we see that sales of new passenger cars are down almost 25 percent from what they were a year ago.

Mr. Speaker, our economy cannot continue to sustain or tolerate a decline in the auto industry of this magnitude.

Therefore, I am today introducing legislation to restore the automobile Federal excise tax reductions which were voted by the Congress in 1965.

Under my bill the current Federal excise tax of 7 percent would be reduced to 4 percent retroactive to April 1, 1967. On January 1 of 1968 the tax would be reduced to 2 percent. On January 1 of 1969 it would be further reduced to 1 percent where it would remain in accordance with the Excise Reduction and Repeal Act of 1965.

The most obvious argument against the restoration of the excise reduction is that it would deny the Treasury revenues which are needed for our military efforts in Vietnam. The need for these revenues was cited in passage of the legislation of 1966 which temporarily froze the reductions of the 1965 act.

However, the losses in excise revenue would be small by comparison to those which will be suffered if the American auto industry continues to decline.

CITATIONS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, to those of us who are remote from southeast Asia, the war may tend to become a kind of chess game as we are lulled by the matter-of-fact reports from the battle scene and we forget the heroism performed each day by the men who are manning the outposts of freedom.

There are those, Mr. Speaker, who downgrade the present generation of young Americans. Some allege that our young people of today are made of less sturdy fibre than their elders. I have never believed this and I would like all Members of this House to pause just a few minutes to read the citations of some young members of the U.S. Marine Corps who received the Navy Cross, the second highest decoration which a Marine may receive. I read these citations just today in the April edition of Leatherneck magazine, and I need not add that it is a powerful emotional experience. I ask unanimous consent to insert these citations at the conclusion of my remarks.

When General MacArthur returned from Korea to address a joint session of the Congress, in this very Chamber, he said:

> I have just left your fighting sons in Korea and they are splendid in every way.

If there is any doubt in anyone's mind that today's generation are worthy successors to those Americans who fought and died in earlier conflicts, I urge him to take a moment to read these accounts of heroism, a heroism which richly merits the words on the Iwo Jima memorial across the Potomac River in Arlington, Va., "Uncommon valor was a common virtue."

The citations follow:

In the Highest Tradition

The President of the United States takes pleasure in presenting the Navy Cross to:

PFC. LEO V. BEAULIEU

(Posthumously)

For service as set forth in the following:

"For extraordinary heroism as a machine gunner serving with Company E, Second Battalion, Fifth Marines, First Marine Division, in action near Chu Lai, Republic of Vietnam, on 16 May 1966. Private Beaulieu's squad was engaged in search and destroy operations against Communist insurgent forces when it was ambushed by a Viet Cong force of sixty men. Heavy machine gun and automatic rifle fire from three sides pinned down the squad in an area offering little or no protection. Private Beaulieu was hit in the first volley of fire and knocked away from his machine gun. Although critically wounded in the chest, he crawled back to his gun and put it into action, delivering heavy, accurate fire on the enemy. He refused to take advantage of the limited cover available in order to bring punishing fire on the ambushing force, and as a result he was hit a second time as the machine gun malfunctioned. Still disregarding his own personal safety, he worked desperately to clear the weapon, and while doing so he received a third wound, which was fatal. Through his extraordinary initiative and inspiring valor in the face of almost certain death, he kept the enemy at a distance until reinforcements arrived, and enabled most of the members of his squad to be rescued. Private Beaulieu's calm and courageous actions under hostile fire upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life in the cause of freedom."

CPL. DANIEL F. SULLIVAN, JR.

For service as set forth in the following:

"For extraordinary heroism while serving as a Machine Gun Team Leader with Company L, Third Battalion, Fourth Marines, in the Republic of Vietnam. On the night of 11 April 1966, Corporal Sullivan and his team were assigned to set up an ambush outside the hamlet of Nam Pho Ha in Phu Loc District in conjunction with Operation Golden Fleece II. Several Viet Cong were allowed to proceed within five feet of the Marines' machine gun before they were brought under fire. As two of the enemy fell in front of the machine gun, a grenade was thrown into Corporal Sullivan's position. With complete disregard for his own life, he leaped on the grenade and covered it with his body. Rolling onto his back and clutching the sputtering grenade to his body, he hurled it upward and away from the Marines. Before it touched the ground, the grenade exploded harmlessly about six feet in front of the position. His valiant effort doubtlessly saved his three comrades from death or severe injury. By his gallant concern for his fellow Marines in the face of almost certain death, Corporal Sullivan upheld the highest traditions of the Marine Corps and the United States Naval Service."

LCPL. RONALD P. SISSON

(Posthumously)

"For conspicuous gallantry and intrepidty in action during reconnaissance operations while serving as a communicator with Second Platoon, First Force Reconnaissance Company, Third Reconnaissance Battalion, Third Marine Division, deep in Viet Cong territory in the Republic of Vietnam on the night of 16 December 1965. When the patrol base from which Corporal Sisson's reconnaissance team was working came under heavy Viet Cong attack, he exhibited uncommon courage in an attempt to establish radio communications with the base camp and subjected himself to intense and exacting enemy fire. When the Viet Cong force of approximately three hundred assaulted the patrol base, the defenders were forced to maneuver to a secure position. Corporal Sisson, though wounded in the leg, began dragging another wounded comrade to safety. By his heroic conduct and selfless devotion to duty he upheld the highest tradition of the Marine Corps and the United States Naval Service. He gallantly gave his life in the cause of freedom."

PRIVATE LARRY A. MATTERN

"For conspicuous gallantry and intrepidity in action while serving as a machine gunner with Company D, First Battalion, First Marines, in connection with operations against insurgent communist (Viet Cong) forces in the Republic of Vietnam on 23 July 1966. During Operation Hastings, Private Mattern displayed outstanding courage and dedication without regard for his own safety.

While on a search and destroy operation near the village of Cam Lo, the forward elements of the platoon were taken under heavy enemy small arms and automatic weapons fire from a Viet Cong force of estimated platoon strength. The point machine gun team leader and his assistant became casualties in the initial burst of fire. Disregarding the heavy fire and exploding grenades, Private Mattern moved forward with his machine gun from his position at the rear of the column to the forward gun position and delivered heavy and accurate fire on the enemy. He accomplished this feat with one hand after receiving a severe wound in the left shoulder. Despite the seriously bleeding wound, he continued to fire until he collapsed over his weapon from loss of blood. By his indomitable courage, initiative and extraordinary devotion to duty, Private Mattern upheld the highest traditions of the United States Naval Service."

LCPL. LARKIN O. VALLERAND

(Posthumously)

"For extraordinary heroism as an Automatic Rifleman with Company F, Second Battalion, Fourth Marines, in the Republic of Vietnam on 25 June 1966. Participating in Operation Jay in the vicinity of Chinh An Village, Thua Thien Province, Corporal Vallerand and his squad encountered intense automatic weapons and small arms fire from fortified positions. They began to seek cover, which was very sparse, and were forced to advance by fire and maneuver to a covered position forward. With complete disregard of his own safety, Corporal Vallerand remained in the open and continued effective fire, giving his men the opportunity to move to safety. He then shouted to his squad leader, identifying automatic weapon emplacements and pointing out known enemy targets. Due to his courageous act the squad was successful in gaining the fire superiority needed for the successful evacuation of the wounded and necessary employment of the squad's automatic weapons and machine guns to cause numerous enemy casualties. While moving forward to a more suitable position, Corporal Vallerand was mortally wounded. By his outstanding courage, indomitable fighting spirit and selfless devotion to duty, he materially aided in repulsing the hostile attack and served to inspire all who observed him, thereby upholding the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life in the cause of freedom."

AFRICANS APPRECIATE OUR ASSISTANCE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. CULVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CULVER. Mr. Speaker, one of the most important programs which the House of Representatives, and one which is unfortunately misunderstood by many of the American people, is our foreign aid. Last year, the Congress authorized approximately $3½ billion for fiscal 1967 for this vital program.

Our foreign assistance is criticized at home as a waste of money which has no beneficial impact, and these critics site evidence that recipient nations do not appreciate such assistance.

Mr. Speaker, I would like to point out that we are not in the foreign aid business for the primary purpose of "winning friends." Our objective is to assist the underdeveloped areas of the world through economic and social means, to improve human opportunities, and achieve stable and viable societies which can resist exploitation internally by infiltration and externally by aggression.

As such, it is part of our overall effort to maintain peace in the world and to eliminate the root causes of poverty, disease, and discontent which breed instability, so that it will not become necessary to involve U.S. material and human resources to a far greater extent at some later date.

The threat posed by the Communist world to our own national security requires a defense budget of nearly $75 billion. If we can spend $3½ billion in peaceful assistance, to reduce the necessity of even larger defense budgets in the future, then this is certainly the most economic investment we can make, in our own national self-interest.

Mr. Speaker, I have received mail from constituents who object to providing foreign aid to nations which criticize the United States. However, we are dealing with independent sovereign states, and we cannot dictate their foreign policies, as much as we might like to do so. However, if we avoid conflict and contribute to stability, then our interests are served whether the nation involved agrees with us on every issue or not.

Keeping this in mind, there are nevertheless very impressive indications of the deep appreciation of many nations for our foreign aid. I think that this is particularly true in the emerging continent of Africa, which is of special interest to me as a member of the House Foreign Affairs Subcommittee on Africa.

Our programs have helped the people of these developing nations. They have also furthered our relations with African nations by showing that the United States applies its principles to practice, by sharing the responsibility to help defeat the enemies of freedom—poverty, disease, illiteracy, and hunger.

Mr. Speaker, I have asked the State Department to compile from its official records recent expressions of appreciation by African leaders and the press for what we have done in Africa. These are only examples from 20 nations, and are by no means meant to be inclusive.

Under unanimous consent I include them at this point in the RECORD, for the benefit of the Members of the House who have the responsibility for the continuation of this vital effort:

AFRICAN STATEMENTS ON U.S. AID

CENTRAL AFRICAN REPUBLIC

Quoted below are excerpts from a speech of appreciation for U.S. aid by the Central African Republic President Jean Bedel Bokassa on September 28, 1966.

"After the gift of medicine given by your government a few weeks ago to contribute to the improvement of our people's health, I am particularly happy to note that you also contributed to the raising of the standard of living of our peasants.

"This is a mark of friendship which goes straight to our hearts.

"Thus, in providing this equipment to the Central African Republic Government, the U.S. contributes strongly to the success of our four-year plan. These vehicles are destined to the agricultural sector, for the distribution of selected crops, etc., and will permit Operation Bokassa to achieve total success.

"I beg you to transmit to your President, Lyndon Johnson, to the Government and to the entire American people the expression of the renewed gratitude which I offer in the name of the Central African Republic people, of my Government and in my own behalf.

"Long live American-Central African Republic cooperation!"

ETHIOPIA

Extracts of speech from Governor General Tamrat of Harar Province at the Fifth Annual Farmer's Field Day held at Alemaya College, Ethiopia.

". . . We have all witnessed the great sacrifices and achievements made by the Alemaya College to help the community of Alemaya and all of Ethiopia. This College was established in 1956 with the help of the United States Government and since then has accomplished wonders by teaching the community as well as the college students how to improve their lives by improving their farming methods. Every farmer here knows in his heart that the better life he is now enjoying is the result of putting into practice the new methods he has learned from Alemaya. We are most grateful to this institution, which, as a local farmer told me a short while ago, 'has given us a new direction and a new goal in our lives'."

GHANA

On March 30, 1966, in accepting partial delivery of an emergency shipment of canned milk, National Liberation Council Chairman Joseph Ankrah expressed "to President Lyndon B. Johnson and to the American people our greatest appreciation for giving such a quick response to our appeal for assistance."

The Accra *Daily Graphic* editorialized on March 26, 1966:

"These offers and contributions have been made freely to help tide us over the chaotic situation created by the old regime. These are encouraging gestures which go to show that given correct and selfless leadership the nations of the world can still thrive on each other's help. It is true that some of the offers are yet to be fulfilled, but we still appreciate the fact that in the hour of need our nation has found friends who are prepared to help. The thousands of tons of milk given by the U.S. Government, as well as the Government of Canada's efforts to seek parliamentary approval of a gift of $2 million worth of flour, confirm this view. Ghanaians are grateful to the governments and people of these countries."

LIBERIA

On January 29, 1964 in addressing an audience at the Department of Public Works, President Tubman said, "Filled with emotions at the realization of one of my highest hopes for the development of our country since I first took office, I am prone to exclaim in my own characteristic fashion 'Thank God!' Thanks to the financial institution of the United States that granted the loan for the financing of this project on such generous terms and conditions; thanks to the designers of the plans and the specifications; . . . that have enabled us to meet on this area upon which is to be constructed the largest and most enormous governmental project ever undertaken."

In the same speech, President Tubman said, "This action on the part of the United States Government is a further indication of its good will toward and interest in our development program, and I wish to again record the gratitude of the Liberian Government and people for this consideration . . ."

On August 24, 1962 in a speech on the 115th anniversary of the unfurling of the Liberian flag, President Tubman spoke of Liberia's educational needs. In this speech he said, "We express our gratitude to that [United States] Government, private corporations, concessionaires, business enterprises, foreign missions and foundations as well as individual foreign citizens for their contributions toward, our struggle for the education of the people of this nation."

MALAGASY REPUBLIC

Quoted below is an informal translation of excerpts of a letter which the Minister of the Interior addressed to the Minister of Foreign Affairs on July 12, 1964, of which the Ambassador received a copy:

"Four Malagasy police commissioners undertook a tour of study and information of three months in the United States. These officials returned to Madagascar on July 8, 1964. They informed me of the warm reception which they received by the Federal authorities as well as of the cordial relationships which they had with American citizens whom they encountered during their stay.

"I would be most grateful to you if you would express my sincere thanks to the American Government which did not spare any effort to make the stay of our compatriots in their country so pleasant and instructive, and in particular I would appreciate your conveying this gratitude to His Excellency the Ambassador of the United States of America in Madagascar who kindly organized this trip."

MALI

The following is a translation of excerpts from the speech given by the Malian Minister of Education, Mr. Abdoulaye Singare, on the occasion of the opening of the 1966 English Language Seminar. The speech was made in the auditorium of the Lycee Technique, on July 18, 1966 and reported in the Malian Information Bulletin the following day:

"It cannot be denied that this five year old program has greatly improved in quality since the inception of the idea. . . . First, let us consider the material conditions under which we now work. AID has given us a new language laboratory . . . AID has thus improved all of our language laboratory facilities. In addition to this, AID has renovated the printing section of the Ministry of National Education so as to make the section more productive than it is at present. Specifically, the composition, typewriting, audio-visual rooms have all been remodeled. For these efforts, I as Minister of National Education am happy, Mr. Charge d'Affaires and Mr. Chief of AID, to convey to the U.S. Government and to AID the assurance of Mali's gratitude."

MOROCCO

On March 5, 1963, Minister of Agriculture Guedira and party on the first part of a trip to the flood-damaged Gharb area addressed in Arabic open-air assemblies of 1,500 to 2,000 farm people and local officials on the Government of Morocco's plans for furnishing plowing, seed and other services to distressed farmers. From the U.S. point of view, he notably remarked on the prompt and generous aid provided by the United States for relief and rehabilitation of the flooded areas. He said America was the first country to send aid when Morocco appealed for help. USAID was told inclusion of this mention was decided by Mr. Guedira in an agriculture cabinet meeting before the trip and before it was known U.S. representatives would be present.

Later, in a letter, he said:

"In both phases of our action—to relieve the people of the Gharb—your support, your help and the general sympathy and understanding we have found both in the services of the Mission and in all your compatriots resident in Morocco, have made an invaluable contribution to our present achievements and future success."

NIGER

Our Ambassador to Niger has reported:

Shipments of sorghum started arriving Niger August 25, 1966. Formal ceremony presenting sorghum took place August 26, carried on Radio Niger, full publicity with photo in daily newspaper today (August 27). Minister of Economic Affairs, acting for President Diori who in France, personally asked me convey grateful and sincere appreciation Government of Niger to U.S. Government for generous gift which arrives in time to meet food shortage problem.

NIGERIA

On January 17, 1967, Radio Kaduna broadcast the following report on remarks made by the Military Governor of Northern Nigeria, Lt. Col. Hassan U. Katsina, at the dedication ceremony of the AID-assisted Kano Advanced Teachers Training College: "The Governor said that this magnanimous gift is a clear indication of American interest in the ever-expanding education of Northern Nigeria. Colonel Hassan pointed out that a gift such as this, coupled with past assistance, is a concrete example and a living demonstration of the faith the U.S. Government has in our overall development. The military governor maintained that such kind gestures underline the mutual respect, love, understanding, and peaceful cooperation that exist between the people of the United States and Nigeria."

RWANDA

During June of 1966, the Rwandan National Assembly expressed its formal thanks to President Johnson and the U.S. Government for their generous aid to that country. A note was sent from the Rwandan Ministry of International Cooperation to the Department of State which cited the Assembly's gratitude for American assistance to the Rwandan budget and food and equipment given to the Rwandan Republic, all of which evidenced to the Rwandans American efforts to assist fledgling nations. The Assembly noted that this assistance strengthened their faith in international cooperation. The note follows:

"The Rwanda Ministry for International Cooperation and Planning presents its compliments to the Department of State of the United States of America.

"It reiterates the sentiments unanimously expressed by the Rwanda National Assembly last June when the national budgets were voted and requests the Department of State to be good enough to convey to the Government of the United States of America, and in particular to its distiguinshed President, the deepest appreciation of the Nation of Rwanda for the generous aid that has been given it.

"The financial benefit represented by the assistance in the form of food and equipment granted to Rwanda constitutes a very valuable contribution to the budget of the Republic.

"At the time when the currency of Rwanda was stabilized the aid of the American Government was of great and real value, the more so since it helps support the efforts of the people of Rwanda in their struggle to bring about the harmonious development of the national economy and to strengthen their faith in international cooperation.

"The National Assembly appreciates this gesture, which is one more token of the strength of the friendship and solidarity existing between the American people and the people of Rwanda.

"Although it is difficult to express the full intensity of feelings of gratitude, the Rwanda Ministry is nonetheless anxious to add to its own thanks expressed previously, the appreciation of the elected representatives of the Nation.

"However, it wishes to add to these thanks of the Nation the hope that the aid and support given it by the United States of America will develop from year to year. The National Assembly trusts that the projects that have been recognized to have priority will be given the full attention and approval of the American Government.

"The Rwanda Ministry for International Cooperation and Planning avails itself of this opportunity to renew to the Department of State the assurances of its high consideration."

SENEGAL

President Senghor of Senegal remarked to members of the National War College visiting Senegal—March 22, 1965:

"The Government of Senegal is grateful for American assistance. Particularly noteworthy in the realm of private investment is the Taiba phosphate mining operation, but more 'aid' like this is needed. U.S. assistance in school-building projects is most appreciated. In fact, American government aid is regarded as the 'most efficient' of any given to Senegal."

SIERRA LEONE

On March 31, 1965 in his budget speech before the Sierra Leonean House of Representatives, the Sierra Leonean Minister of Finance said: "The International Co-operation Administration (I.C.A.) of the United States Government established a Rural Training Institute in Kenema in 1961 to serve as a demonstration centre to improve agricultural methods and the economic and social living standards of rural communities In this respect the Institute has contributed greatly to the socio-economic development of this country . . . Similar Training Institutes would be established in other parts of the country. The popularity of the Kenema Institute is shown by the fact that in September, 1964, 2,500 applications were received to fill 30 places."

SOMALI REPUBLIC

Somali President Aden Abdullah Osman on November 23, 1965 praised American economic aid, and in particular the disaster relief aid which we dispatched to Somalia in 1965:

"It is appropriate that I should reiterate the gratitude of my government and the Somali people for the generous assistance which they have received from the Government of the United States towards the economic and social development of Somalia since the advent of independence.

"I would also take this opportunity of expressing the warm appreciation of the Somali people for the speedy and magnificent contribution made by the American people and Government to the inhabitants of this Republic during the recent famine and drought which caused such grievous damage to our people and economy. This spontaneous and friendly gesture will never be forgotten."

SUDAN

Sudanese Ambassador Amin Ahmed Hussein presented his credentials to President Johnson on March 22, 1966. In the course of his remarks Ambassador Hussein stated: "I need hardly emphasize the happy and cordial relations that exist between our two countries and would like to avail myself of this opportunity to acknowledge with great satisfaction and gratitude the assistance and encouragement we continue to receive from the United States of America. It was, indeed, a great help to us in carrying out our development program. . . . The continued encouragement and unconditional aid we are receiving from your great country invites us to aspire for more in the fields of social welfare, scientific technique and economic planning. We welcome your support which will no doubt contribute to promoting further our mutual friendship and cooperation."

TANZANIA

In a major speech on educational policy, President Julius Nyerere paid tribute to the

United States for the USAID loan which made construction of the school possible, to Kent State University (Ohio) for teacher training it had provided and to American expatriate teachers now staffing the Tanzanian school system. "We are indebted to America for this college and I welcome this opportunity to express our appreciation." In his remarks he referred to the amount and generous conditions of the loan and described the great contribution made by Kent State both in Dar-es-Salaam and in its training programs in the United States.

In a letter which U.S. Ambassador to Tanganyika, William Leonhart, has forwarded to AID, Minister Kambona wrote in May, 1963:

"Now that the last bag of maize has been delivered to Tanganyika I feel the time is opportune for me to write to you and to tell you, on behalf of my government, how deeply grateful we are to the President and people of the United States for the generous assistance which you have rendered to us in our time of need.

"To give freely and without strings 90,000 tons of maize and 2,000 tons of milk powder, as you have done, is no small thing. We shall always remember your good deed with gratitude. No doubt it will further strengthen the ties of friendship which unite us."

TOGO

An English translation follows of an excerpt from remarks made at the Department of State on January 5, 1967 by the Ambassador of Togo, Dr. Robert Ajavon, on the occasion of the exchange of instruments of ratification of the U.S.-Togo Treaty of Amity and Economic Relations:

"Is there any need here to mention the magnificent work being done in Togo by Peace Corps volunteers who, by their direct contact with different levels of the local population, help to create a climate of understanding and mutual esteem between our two countries? It is superfluous also to speak again of the very active participation of the Government of the United States in the training, on the spot, of Togolese technicians, or of the importance of the scholarships given to a large number of Togolese to permit them to pursue their studies in American universities, or of the significant number of prominent Togolese invited to visit various parts of your country."

TUNISIA

President Habib Bourguiba praised the United States on February 4, 1966 for its foreign aid. He told a visiting group of American newsmen:

"Aid from the United States is very valuable, politically and economically, because it is disinterested. This indicates that the United States attaches importance to our independence."

UGANDA

President Obte remarked at the presentation of credentials by U.S. Ambassador Stebbins, July 22, 1966:

"I am gratified to hear that your government and people have not forgotten the problems faced by newly independent states and that you sympathize with us in the task of nation building which we place foremost in our minds. In addition to our appreciation of this sympathy, I would like to take this opportunity to express our gratitude to your government for the assistance which we have received and which has gone some way to help us in realizing our aims."

UPPER VOLTA

The U.S. Chargé signed an AID project agreement for an 11.8 million CFA ($49,000) water resources development program in northeast Upper Volta on March 15, 1966.

The Government sent representatives of the radio and the semi-official weekly newspaper to cover the event. The radio immediately announced the signature of the accord and gave the full texts of the short statements made by the two principals. Summaries were carried on several later broadcasts. The semi-officials weekly, the *Carrefour Africain*, gave the agreement top billing and devoted over a third of its March 19 edition to pictures and the story.

Secretary of State Dakure requested, in the name of the Government and the people of Upper Volta, that the U.S. Government be informed of "our profound gratitude for the assistance which you continue to furnish us."

ZAMBIA

Vice President of Zambia, Mr. Reuben Kamanga, expressed his country's appreciation of United States assistance in a broadcast, April 21, over Zambian radio and television. He said in part. "We have now assurred our supplies of petroleum products and have built up our stocks to the highest level there has ever been in this country. The American and Canadian airlifts have made a great contribution to meeting our needs and to building up our stockpiles. I would like to bid them farewell and place on record our great appreciation of the work that they have done, and of the vital contribution that they have made to a solution of our petroleum problems."

ADDRESS OF GOV. JOHN CONNALLY AT EAST TEXAS STATE UNIVERSITY, APRIL 17

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Roberts] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ROBERTS. Mr. Speaker, on Monday, April 17, the distinguished Governor of Texas, John B. Connally, spoke before a tremendous audience at East Texas State University upon the occasion of the inauguration of a new president for that great educational institution.

Governor Connally issued a challenge to all Texans for additional support for education. He was lavish in his praise of Dr. Daniel Whitney Halladay, who on this occasion became the sixth president of East Texas State University in Commerce, Tex.

Dr. Halladay comes to East Texas from the University of Arkansas where he so ably served that great university as dean of students, professor of education, and chairman of the graduate program in student-personnel administration in higher education.

Dr. Halladay received his bachelor of arts degree from Pomona College in Claremont, Calif., with majors in social science and biological sciences. His master of arts degree in education is from the Claremont graduate school. He took special studies at the University of Southern California and received his doctor of education degree from the teachers college of Columbia University in the fields of administration of higher education and student personnel administration.

Dr. Halladay served his country as a rifle company commander with the U.S. Army in Europe during World War II.

The Fourth Congressional District is proud to welcome into its midst the Halladay family. Dr. and Mrs. Halladay are active in the Methodist Church. He has been active in chamber of commerce work, the Rotary Club, and in civic programs, and is a lieutenant colonel in the Army Reserve. Mrs. Halladay is active in youth work and women's organizations.

East Texas State University is proud and fortunate to gain such a versatile educator and administrator. I am confident that under his leadership East Texas will continue to furnish a high quality of education to so many fine young people.

Following are the remarks made by the Honorable John Connally, Governor of the State of Texas, as well as the inaugural address by Dr. Halladay:

Remarks of Gov. John Connally, East Texas State University, Commerce, Tex., April 17, 1967

It is a distinct pleasure to be called upon on this significant occasion to discuss with you a subject which embraces the paramount objective of my time as a public servant.

The installation of a competent and dedicated leader of a great institution of higher learning is an inspiring milestone in the scheme of things to come in the overall program of education for the people of our state.

In this era of such rapid change, the challenges faced by men elevated to positions of leadership are greater than ever before in history.

And these challenges must be met with capability, dedication, great imagination, and daring.

We must clearly recognize the whirlwind of change that has swept our state and nation in the past few decades, and it is incumbent upon us to foresee an acceleration of change in the years ahead.

Education traditionally has reflected the needs of the society which has given it being and substance. In a society which is experiencing revolutionary changes—and in a world in which specialists tell us that the quantity of information is doubling every 10 years, education mirrors a most complex and confusing social image.

It is especially appropriate to look toward the future of Texas education at an institution which has a great tradition for emphasis upon teaching and upon the education of teachers.

Equally appropriate is this occasion, which marks the inauguration of a distinguished educator who, among his other attainments, has included a steadfast interest in the individual student.

The simplest way to establish a sound perspective on the future is to reassert these two essential principles:

We must constantly revitalize the role of the teacher, both on the campus and in our society.

We must steadily consider the younger citizen engaged in a learning process suited to his special needs and aimed at his best ambitions for a full and productive life after graduation.

Although this prospect is focused in the learning institution and on the institution's activity in discovery of knowledge, communication of knowledge, and highly individualized experience of learning, it is inseparable from the well-being of the state and the nation.

The needs of Texas and the United States are clear.

So are the obligations and opportunities of those now preparing to meet those needs.

Nothing has changed the broad vision of Lamar and his contemporaries who sought in Texas education the best bulwark of democracy. However, the conditions and means of reaching that goal change with each decade.

Most manifest today are the rapid changes in the instruments of communication upon which education relies. In the next decade we will see on every campus such as East Texas what Lamar's generation would consider miracles.

Instantaneous communication by devices, such as laser television, will advance still further the wonders of the electronic age which began as novelties and are swiftly becoming necessities at every level of education.

Instruments for learning by new methods of publication, by computers, by independent study, and by programs for sharing resources of knowledge will challenge the talents of the instructor and the mental capacity of students.

In the course of these developments, no campus will stand in comfortable isolation. Each will be, in increasing degree, a part of the whole educational community. And no member of the academic community who has any real reason for being on a campus will have any sound excuse for not making his experiences meaningful by sharing them with students.

Along with greater advantage will come enlarged responsibility. Institutions will be responsible for greater cooperation with other institutions . . . with the professions . . . with business and industry . . . with the agencies of democratic government . . . and with the pressing concerns of the state, the nation, and the world.

Texas has come of age. It has grown into one of the major productive states in the nation in what actually has been a very short period of time.

It has taken its place of leadership among its sister states, and must be ready to assume an even greater leadership role in the immediate future.

For example, there are 40 percent more persons living in Texas than there were in 1950.

The rate of growth in population in this state is some 250,000 each year.

It is estimated we will have 11.8 million residents by 1970 . . . 14.4 million by 1980 . . . 21 million by 2000.

This growth has placed us fifth among the states in population . . . and it might be well to note that we are a "young" state—in the sense that 43 percent of our people are under 21 years of age.

The significance of this growth—and youth—is obvious to those of us who are so vitally concerned with education.

We must find ways and means to provide for education beyond the high school for *all* our people and, even more difficult, to devise means of seeing that they get that education.

But in the process we must make it abundantly clear to our young people that a college degree is not in itself a panacea. We must somehow develop new prestige and respect for trades, crafts and technical skills which are just as important to our society.

While our imaginations may be captivated by the genius of those people whose dreams result in moon shots and undersea explorations, we must realize that we still have to have great numbers of skilled workers and technicians to make those dreams become realities.

Each student must be trained in his special field, but he must be educated beyond the needs of his daily task so he can understand not just *how* to do his job, but *why* he is doing it.

The welder on a space craft must not only know how to weld . . . he must understand why he is building that craft . . . he must know what it all *means*.

And above all, he must realize that he is an integral part of the overall scheme.

The whole purpose of education is not to develop a forum where the learned can impress his colleagues. The central theme of education has to be the transmission of learning to the student himself.

The purpose of educaiton is not to build great institutions or to develop great professors, but to develop the minds of young individuals.

The strength of our state and nation will stem, to an increasingly greater degree, from the productivity of the individual. And the kind of productivity that is being called for in this age of change—this complex age of technology—can come only through knowledgeable skills and talents which can be attained only through adequate education.

Let's examine briefly what our status is in the field of higher education.

Only California and New York have greater numbers of state-supported higher education institutions than Texas.

We now have 22 colleges and universities with 183,514 students—an increase of almost 70 percent since 1963.

Since then, state support for these schools has doubled, and is now costing $143 million annually.

In our efforts to achieve excellence in education, during this same period of time average faculty salaries have increased over 30 percent.

In our reach for excellence in higher education, we must recognize that greater state contributions must be made. Accordingly, I have proposed a $105 million increase in state expenditures for colleges and universities for the next biennium.

My proposals not only meet the ever-increasing enrollment spiral, but also are designed to continue the support for excellence in faculty salaries, organized research and libraries.

From every forecast of the future comes evidence that unless we expand the quality of higher education and enlarge the scope of research, we will be left by the side of the road—too late to join the parade and too frail to keep up with it.

We must plan for and establish a public policy in the broadest sense of the word for our entire educational enterprise. This policy must be based upon a hard look at everything we are doing—not only against past standards and practices, but against the new problems, settings and techniques of today and tomorrow.

At the present time, the Coordinating Board has before it 28 different requests to add major units to the state's higher education system.

These units include four-year colleges, junior colleges, schools of medicine, dentistry and many other major facilities of higher education.

The Coordinating Board has asserted its position that, before these requests can be acted upon, a master plan for higher education in Texas must be developed.

The Board now has such a plan underway. I have given my endorsement to it. I believe that a plan of implementation—specific proposals as they relate to the role and scope of each college and university—is essential to the future of our state.

Out of the educational system of the state during the past 10 years have come dozens of cooperative programs. They include team research, joint planning, exchange of facilities, sharing of experience and ideas and experiment.

In the coming decade it will be the purpose of the Coordinating Board to encourage this kind of common enterprise and common purpose. No plan on that Board or any other Texas agency concerned with education includes mere stereotypes or dead rules of thumb for institutions or the people who make those institutions significant.

In the recent past, Texas education has made tremendous progress. But it is still in motion, it is still on the way. Certainly there are reasons for pride in what has been accomplished, but we must also get on with what still needs to be done.

As your Governor, therefore, I have come here today to remind you of your historic tradition, to join you in gratification at the clear evidence of your progress, to wish you good fortune in each of your undertakings, and to assure you of my belief in your future.

President Halliday, you and your associates—alumni and students, faculty, staff, and administration—have not only a challenge to new accomplishment. You have the support of all Texans who know that the future of Texas depends upon universities like East Texas State.

I am confident that your administration will realize the full potential of that future.

I congratulate you on the mission which your governing board has envisioned, and the Board upon its selection of a President fully capable of bringing your high hopes to reality.

INAUGURAL ADDRESS OF DANIEL WHITNEY HALLADAY, PRESIDENT, EAST TEXAS STATE UNIVERSITY

Governor Connally, Mr. Kellam and Members of the Board of Regents, Members of the Faculty, Student Body and Alumni, Distinguished Guests, Old Friends and New Friends of Mine and of this University:

I should like at once to accept the honor which has been bestowed upon me today. I do so with great pride and gratitude for the trust and confidence placed in me; with deep humility that recognizes the dependence which I have on all who are associated with this University; with full appreciation of my good fortune as well as my great responsibility; and with a lasting prayer to Almighty God for the vision, strength, and wisdom necessary to this task.

This day offers a special occasion for Mrs. Halladay and me to express our gratitude for the warm, thoughtful, and generous reception we have received from all the good people of Texas. The opportunities which we foresaw for East Texas State University have been found in even greater measure than could be anticipated. The unmistakable affection demonstrated for this University by so many of you bodes well for its future, and for the future of this region, this state, and this nation.

Although we recognize here today a change in the Presidency, we should as well recognize the distinguished leadership of those men who previously accepted and shouldered the duties and responsibilities of the presidential office: William Leonidas Mayo, who founded in 1889 East Texas Normal College, the forerunner of this University; Dr. R. B. Binnion, who guided the institution during its first years as the state-supported East Texas State Normal College; Dr. Sam H. Whitley, who served long and faithfully; Dr. A. C. Ferguson, who honors us by his presence as a platform guest; and Dr. James Gilliam Gee, President Emeritus, whose devoted service spanned the years of transition from Teachers College to State College to State University.

To all of these men, and to the thousands who have served this University with them, is so much owed by the one who this day accepts with resolution the charge of investiture which has been administered to him

This is indeed a rich legacy, and on the well-laid foundations of the past, we must build for the future to extend our intellectual reach and University reputation. While the prospect of change is sometimes a source of discomfort, there is some solace to be found in the fact that it is not new. The preoccupation of early Greek philosophers with the meaning of change differs today only in time and emphasis. It is this time and emphasis, or speed and volume, that must concern us now as East Texas State University faces the challenge of what may well be its most demanding years.

As one examines the East Texas State University as it stands today, it becomes obvious that it is an institution in transition. Like some 250 other colleges and universities in this country engaged in expanding role and scope from teacher-training emphasis to major general-purpose institutions, we are joined in creating a new and most exciting chapter in the history of American higher education. The process of transition provides a rare opportunity because it means enlarging our existing enterprise to meet new challenges, new demands, and new requirements. Transition is movement and adaptation, and it offers, in its fullest meaning, the opportunity to be responsive to the emerging and demanding needs created by the unprecedented economic and technological development of our contemporary society.

The ability to respond to these needs will be the true test of higher education in the days and years to come. It is here that we find the mission and the future of East Texas State University as it moves to achieve its full stature as the regional University of northeast Texas.

As we look to the future then, we must bear in mind that our development must reflect the needs of our time, our place, and our people. It must reflect, too, an appreciation for our role in a developing system of higher education designed to meet most efficiently and effectively the requirements of the State of Texas. We must stand ready to work and cooperate with every other educational institution in this state and nation to help achieve the goal of educational opportunity that has been recognized by our elected leadership and which is urgently needed by our people.

Transition, while it offers rare opportunity for development, does not imply the abandonment of that which has already been accomplished nor does it suggest an unsympathetic or unfavorable view of previous endeavor. On the contrary, it is my purpose to preserve our legacy, our great traditions, and our existing strengths for it is my belief that here at East Texas State University we have something unique, something most worthwhile, that can contribute immeasurably to the welfare and well-being of those thousands of young men and young women who will pass through these halls in the years to come.

Quite simply, it is our great tradition of good teaching and concern for the individual student which stands us in such good stead. This is our hallmark, this is the heritage that emanates from the experience of teacher education and which is the unique strength of the developing state university.

It is the chain which links together the entire educational enterprise; the common denominator that cuts across disciplines and provides the essential sense of community and common objective. It is the key that will maintain that level of warm concern in which students feel a sense of belonging and an awareness of personal interest in their welfare. It creates the environment and climate in which young men and women may develop their potential for worthwhile and satisfying participation in the adult society.

The over-all purposes of a University are four-fold: (1) to disseminate knowledge (teach); (2) to increase knowledge (research); (3) to provide society with graduates qualified in the professions; and (4) to perform public services. We must accept all of these purposes as our concern, but we must also be committed to appropriate emphasis so as to achieve maximum utilization of our resources, because we will not serve the needs of the future by providing for a mediocre education.

East Texas State University has long been recognized for the quality of its teacher-education program. It should be emphasized here that this shall continue to be a major role of this University, and that the quality of this program and its services to all education will be expanded and strengthened as we help meet the urgent requirement for more and better qualified teachers, counselors, and administrators.

Yet the time has come for East Texas to move to new dimensions in providing greater opportunities for its students, as well as educated manpower for this state and nation. Millett has pointed out the dual need of the student as a "cultivation of some appreciation for and continuing interest in the intellectual heritage of Western civilization," while at the same time "affording the opportunity to develop some specialized ability preparing him for a professional career."

The opportunity to provide for this dual need exists at this University in the present form of its schools and academic departments. A true University, especially in this time of increasing knowledge, must build upon the broad base of its offerings in the arts, the humanities, and the sciences. The basic structure is present in our School of Arts and Sciences, but it must be developed beyond its strong supportive relationship to the professional Schools so that it may stand without question as the heart of the academic community.

The existence of our General Studies and Honors Programs within the School of Arts and Sciences speaks well for the vision of this faculty; yet these programs, too, need careful and continuous study to be certain all are meeting properly the objectives of the institution.

By way of further illustration, our four-year degree program in industrial technology must be expanded to meet the science-based needs of the rapid industrialization of this region.

The role of our Graduate School is becoming increasingly important as we view the needs of our society and feel the needs of our students as expressed in our significant graduate enrollment. The fact that this University placed some 250 graduates as faculty members in junior and senior colleges last year reflects a new emphasis and a new responsibility for graduate professional education beyond our traditional role of providing teachers for elementary and secondary schools. There is the need also to develop more fully opportunities for graduate study and research in professional fields of specialization and in the traditional disciplines of the arts and sciences.

Our effort toward the establishment of a new School of Business recognizes that the existing Department is no longer adequate to the needs and interests of our students. It reflects also the desire of a growing University to meet more adequately the requirements for better educated and better trained personnel in the business community.

These is the obligation, too, for further development of our program of adult and continuing education, in all of its ramifications, for improved service to business and industry, schools, communities and individuals. To fail in this broadening area of educational responsibility is to fail in our role as a true University.

While we must be responsive to the requirements of new programs and expanded services to increasing numbers of students, we must also be ever mindful of the need for a highly competent faculty and staff. It is by no accident that this University is able to boast that 53% of its faculty holds the earned doctorate. Beyond this important statistic, however, is the fact of a dedicated and excellent faculty, as evidenced by its community effort in the accomplishments of this University, and by personal achievement in teaching, research, service, publications, and honors. One recognizes in this respect the concern for quality which must be maintained by the proper recognition of those already on our faculty, and by the careful selection of those who will join us in the future. President Pusey of Harvard has voiced well this concern by stating, "A University is many things, but it is most of all its faculty."

To promote the effectiveness and value of this faculty, we must provide for its involvement in the cooperative development of our total educational program. We must provide facilities and equipment for effective teaching. And, we must provide an environment of freedom and creativity for the teacher. On this latter point we are reminded by the President of the American Council on Education that because faculty ". . . and the colleges and universities in which they work are committed to the pursuit and transmission of truth, academic freedom is thus a functional necessity rather than a luxury." The commonality of goals which have given character and integrity to East Texas State assures that the pursuit of this objective will be both full and honest.

My own background would cause me to note that students will have a role in the affairs of this University for they, too, have a responsibility and a concern for its welfare and well-being. Students should know the basis for decisions that will affect them and their learning experience. Further, there is derived considerable benefit to all concerned from the mature and responsible participation of students in institutional development. I cannot refrain from adding, however, that the cooperative design of institutional policies is a hollow victory without mature and responsible cooperative support, once plans become realities.

The role of former students has been assured in the reorganization of our Alumni Office. A source of needed support, encouragement, and constructive interest resides in the some 25,000 graduates of East Texas State, and in this time of increasing financial need, no effort by the alumni can be of more enduring value than the continuation and enlargement of this support.

And, finally, the history of this University reflects a healthy and firm commitment to the ethical and moral values of the American society. It is most unfortunate, in my opinion, that some colleges and universities have seen fit to retreat from accepted and entirely appropriate social standards under pressures described as necessary freedoms. No concern for objectivity should over-rule a concern for those values which undergird the strength and success of this nation. This trend reflects to me a strangely antiseptic regard for the future well-being of individuals and society, and overlooks an essential function of education to bring broader and better capacity and perspective to today and tomorrow's problems.

Certainly, the goals of this University will embrace the seeking of new horizons and the opportunity to question and to test and to explore the unknown, but we must also be concerned with transmitting our heritage and preserving the best of our values. To do less would be to perform a grave disservice to our students. How else can young men and women come to understand that the preservation and fulfillment of our American birth-right must be our central objective?

To achieve the destiny and promise of this University is my charge. With the support of the people of Texas, with the assistance of a dedicated and superior faculty and staff, with the encouragement of a responsible and vital student body, and with the aid of devoted alumni and friends, I pledge my full and complete effort to this exciting and most worthwhile endeavor.

And, as her former students express their love and regard for East Texas State University, I, too, proudly announce my devotion and dedication to her future.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Feighan (at the request of Mr. Albert), for 35 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Stanton) and to include extraneous matter:)

Mr. Edwards of Alabama.
Mr. Hosmer.
Mr. Taft.

(The following Members (at the request of Mr. Patten) and to include extraneous matter:)

Mr. Rooney of New York.
Mr. Murphy of New York.
Mr. Hawkins.
Mr. Wolff.
Mr. Dingell.
Mr. Macdonald of Massachusetts.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 471. An act for the relief of the Swanston Equipment Co.; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1177. An act to provide for the disposition of a judgment against the United States recovered by the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 49 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 19, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 or rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

661. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 21, 1966, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of the Alabama coast, authorized by Public Law 71, 84th Congress, approved June 15, 1955 [H. Doc. No. 108]; to the Committee on Public Works and ordered to be printed with illustrations.

662. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

663. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

664. A letter from the Comptroller General of the United States, transmitting a report of savings available to the Government through revision of the method of supplying commercial rental cars, General Services Administration; to the Committee on Government Operations.

665. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

666. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. House Resolution 42. Resolution to amend the Rules of the House of Representatives (Rept. No. 193). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 438. Resolution providing for the consideration of H.R. 158, a bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration (Rept. No. 194). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 439. Resolution providing for the consideration of H.R. 207, a bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes (Rept. No. 195). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 8667. A bill to provide for computing the annual Federal payment authorization for the District of Columbia, and establishing a method for computing the annual borrowing authority for the general fund of the District of Columbia; to the Committee on the District of Columbia.

H.R. 8668. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8669. A bill to provide for the adjournment of Congress in the summer vacation period, and for other purposes; to the Committee on Rules.

By Mr. ANDREWS of North Dakota:

H.R. 8670. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. BRADEMAS:

H.R. 8671. A bill to amend the Vocational Education Act of 1963; to the Committee on Education and Labor.

By Mr. BARING:

H.R. 8672. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BROWN of Michigan:

H.R. 8673. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BURTON of California:

H.R. 8674. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CABELL:

H.R. 8675. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 8676. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 8677. A bill to provide for the issuance of a special postage stamp in commemoration of the 180th anniversary of the admission of the State of Pennsylvania to the Union; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Tennessee:

H.R. 8678. A bill to reduce the manufacturers' excise tax on automobiles; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 8679. A bill to amend the act of October 10, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 8680: A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 8681. A bill to increase to 95 percent the percentage of the trust funds of the Shoshone and Arapaho Tribes of the Wind River Reservation which may be distributed per capita to members of such tribes; to the Committee on Interior and Insular Affairs.

By Mr. JACOBS:

H.R. 8682. A bill to provide for computing the annual Federal payment authorization for the District of Columbia, and establishing a method for computing the annual borrowing authority for the general fund of the District of Columbia; to the Committee on the District of Columbia.

By Mr. KUYKENDALL:

H.R. 8683. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 8684. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 8685. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the sole surviving son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. MESKILL:

H.R. 8686. A bill to amend title 39, United States Code, to provide for the transportation of mail at no cost to the sender to and from the United States and combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLER of California:

H.R. 8687. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 8688. A bill to establish certain qualifications for election to the offices of President and Vice President of the United States; to the Committee on House Administration.

H.R. 8689. A bill to provide for the adjournment of Congress in the summer vacation period, and for other purposes; to the Committee on Rules.

By Mr. MULTER:

H.R. 8690. A bill to amend section 538 of the act of March 3, 1901, to permit the appointment of substitute trustees in deeds of trusts in the District of Columbia by the owners of the debts secured by such deeds of trust; to the Committee on the District of Columbia.

H.R. 8691. A bill to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad; to the Committee on House Administration.

By Mr. O'NEILL of Massachusetts:

H.R. 8692. A bill to amend the tariff schedules of the United States with respect to the rate of duty on irradiated fresh, chilled, or frozen fish; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 8693. A bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on the Judiciary.

H.R. 8694. A bill to amend the act of October 10, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 8695. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income, authorize loans and grants for community centers, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes; to the Committee on Agriculture.

H.R. 8696. A bill to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies; to the Committee on Banking and Currency.

By Mr. PELLY:

H.R. 8697. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 8698. A bill for the education and training of the handicapped; to the Committee on Education and Labor.

By Mr. RIVERS:

H.R. 8699. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8700. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 8701. A bill to amend title II of the Social Security Act to increase benefit amounts, to raise the wage base, to provide for cost-of-living increases in benefits, to increase widows' benefits, to provide widow's benefits to disabled widows under age 62, to provide wife's or widow's benefits for certain additional divorced women, to provide for contributions to the social security trust funds from the general revenues, to otherwise extend and improve the insurance system established by such title, and for other purposes; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 8702. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

By Mr. TALCOTT:

H.R. 8703. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. UDALL:

H.R. 8704. A bill to amend title 39, United States Code, to provide for the elimination of political influence in the appointment of postmasters, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALKER:

H.R. 8705. A bill to amend the Internal Revenue Code of 1954 to exempt certain farm vehicles from the highway use tax; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 8706. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 8707. A bill to include prepared or preserved beef and veal within the quotas imposed on the importation of certain other meat and meat products, to reduce the percentage applied to certain aggregate quantity estimations used, in part, to determine such quotas from 110 to 100 percent, and for other purposes; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 8708. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 in order to clarify the provisions of that act with respect to certain persons in the Reserves and National Guard ordered to active duty for training for a period of more than 30 days, and to amend title 37 of the United States Code to provide a dependents' allowance for such purpose; to the Committee on Veterans' Affairs.

By Mr. CONYERS:

H.R. 8709. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DENT:

H.R. 8710. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 8711. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

H.R. 8712. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 8713. A bill to increase the annual Federal payment to the District of Columbia and the ceiling on the District of Columbia's borrowing authority; to the Committee on the District of Columbia.

H.R. 8714. A bill to provide for computing the annual Federal payment authorization for the District of Columbia, and establishing a method for computing the annual borrowing authority for the general fund of the District of Columbia; to the Committee on the District of Columbia.

By Mr. FUQUA:

H.R. 8715. A bill to amend the District of Columbia Alcoholic Beverage Control Act to limit the amount of wines, spirits, and beer that may be brought into the District of Columbia; to the Committee on the District of Columbia.

By Mr. HAWKINS:

H.R. 8716. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KUPFERMAN:

H.R. 8717. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 8718. A bill to increase the annual Federal payment to the District of Columbia and the ceiling on the District of Columbia's borrowing authority; to the Committee on the District of Columbia.

By Mr. MINSHALL:

H.R. 8719. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in ocean-going vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. MOSS:

H.R. 8720. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 8721. A bill to amend the Public Health Service Act in order to authorize quality grants for schools of veterinary medicine and scholarships for students of veterinary medicine; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTEN:

H.R. 8722. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8723. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 8724. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WAMPLER:

H.R. 8725. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 8726. A bill to expand and improve existing law and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 8727. A bill to amend the Internal Revenue Code of 1954 to encourage the construction and installation of facilities to abate water and air pollution by allowing a tax credit for certain expenditures incurred in constructing and installing such facilities; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 8728. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BURTON of California:

H.R. 8729. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. MULTER:

H.R. 8730. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. POLANCO-ABREU:

H.R. 8731. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. ROGERS of Colorado:

H.R. 8732. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. UDALL:

H.R. 8733. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. BERRY:

H.J. Res. 508. Joint resolution designating Tax Freedom Day as a national holiday; to the Committee on the Judiciary.

By Mr. CARTER:

H.J. Res. 509. Joint resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

By Mr. DOW:

H.J. Res. 510. Joint resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

By Mr. MONAGAN:

H.J. Res. 511. Joint resolution proposing an amendment to the Constitution of the United States relating to qualifications for election to the offices of President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.J. Res. 512. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 513. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. YATES:

H.J. Res. 514. Joint resolution declaring Inauguration Day to be a legal holiday; to the Committee on the Judiciary.

By Mr. ZWACH:

H. Res. 440. Resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII,

147. By the Speaker: Memorial of the Legislature of the State of Alabama, relative to an amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8734. A bill for the relief of Zofia Karasinska; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 8735. A bill for the relief of Trifon Papavasiliou; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8736. A bill for the relief of Mrs. Gersell Malcolm; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 8737. A bill for the relief of Joaquim Garcia Martinez; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8738. A bill for the relief of Guillermo Ramon Palacio Sela; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 8739. A bill for the relief of Nora E. Jackman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

68. By the SPEAKER: Petition of Charles Edward Smith, Vacaville, Calif., relative to a writ of certiorari per se in forma pauperis; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Watts Labor Community Action Committee

EXTENSION OF REMARKS

OF

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 18, 1967

Mr. HAWKINS. Mr. Speaker, dignity is not supposed to be involved with money—but in our society it is. Integrity is not supposed to be involved with money—but in our society it is. And disadvantaged young people know it. All the speeches, all the spot announcements and youth campaigns in the world will fall on deaf ears unless we prove to these youth they can find the dignity and integrity we talk about, in this world of work we talk about.

This does not mean that these youth do not believe success comes from ability, hard work, and initiative, but their opportunity for success in our world is so limited they take these values and use them where they can succeed—in the street corner society. Youth will never abandon the street corner culture or give up their status in the gang world unless they believe there is a cycle of similar opportunity in the world we offer vis-a-vis work.

And they must feel their work is important. They must feel it performs a service. They must see the good it does and recognize the fruits of their labors.

These are the reasons I heartily support the Watts Labor Community Action Committee in Los Angeles. The youth of Watts too long have been denied the dignity and the hope and the satisfaction that comes with performing a useful, meaningful job at decent wages. Watts labor committee is giving them that opportunity.

WLCAC is a nonprofit organization administered by members of various trade unions and is primarily funded by the Office of Manpower Policy, Evaluation, and Research and the Neighborhood Youth Corps, both agencies within the Department of Labor. The exciting thing about this venture is the cooperation between international unions, staff from the University of California, Los Angeles, and community residents, and the Government, all working together to improve the environment of Watts while young adults are trained for and perform rewarding work.

They can see, and so can we, the fruits of their labors in the small vest pocket parks which have been cleared, where none existed before. In recreational facilities, where none existed before. In clean, well-kept playgrounds, which were cluttered and overgrown before.

This work is done by the Community Conservation Corps, which serves children and young adults aged 7 through 21. Many of the older youth serve as aids, leading younger children in recreational, educational, social, and community service activities.

I believe the Community Conservation Corps can redirect youthful energies into constructive channels which will improve community services. These rewarding and disciplined experiences can change the attitudes of youth toward themselves and their community, while they are strengthening their employment potential with paid work experience.

A multigroup involvement is necessary to give youth the socialization, training, and experience necessary for movement into the labor force. In order for the youth to make that move, labor-management groups must support them and be able to absorb them. I believe with more programs like the Watts Labor Community Action Committee more youth will be directing their energies and their ambitions toward the labor force, not the street corner.

Issue No. 1 Can Help Reverse Decline of State Government

EXTENSION OF REMARKS
OF
HON. ROBERT TAFT, JR.
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 18, 1967

Mr. TAFT. Mr. Speaker, one of the reasons frequently given for increasing Federal grants for necessary capital improvements is that the States are unable or unwilling to finance them. This excuse has sometimes been used as justification for Federal interference, direction, and control over improvements where there would be no need or desirability for it were the States to act. The weakening and downgrading of State and local government that has resulted, sometimes termed, "cremative federalism," is furthering the separation of our people from responsive government where problems, priorities, and needs are analyzed and assessed at home not in some Washington bureau.

It is, therefore, refreshing to see a sincere attempt of a State to help itself in an orderly and careful way by improving its methods for bond financing of capital needs.

PROGRESSIVE COURSE FOR FUTURE

The State of Ohio, under the leadership of Gov. James A. Rhodes, is proposing to embark on a new, progressive course designed to meet the challenges I have mentioned. If approved by the voters on May 2, 1967, Issue No. 1 on the Ohio ballot would create the Ohio Bond Commission. The commission would enable Ohio to plan for necessary capital improvements without the delays that have sometimes allowed public needs to become long overdue before sufficient and necessary action could be taken. The five bond commission members, appointed by the Governor with Ohio Senate approval, would provide a mechanism for long-term orderly financing of capital improvements in Ohio, and a means for financing them on a "pay-as-you-use" basis. Bonds could be issued only with Ohio General Assembly approval of the project and the issue. The total would be carefully limited to amounts which could be financed as to interest and servicing of capital that would not exceed three-fourths of 1 percent of general revenue fund in any year or 6 percent of that fund for all outstanding issues.

NEW ANSWERS NEEDED

We are living in a dynamic, challenging age. The answers which were good 50 years ago, 30 years ago, even 10 years ago, are not necessarily good today. We must have new solutions to old problems, and to new problems which were not even evident 10 or 20 years ago. The Ohio Bond Commission can help lead to those answers.

Ohio's Bond Commission would be authorized to undertake financing in many areas; for universities and schools, mental health facilities, mass transportation, parks, recreational facilities, stadiums, airports, historical projects, and many other authorized improvement programs.

REASONABLE AND EFFECTIVE METHOD

The Ohio Bond Commission would provide a reasonable, effective way to plan and to pay for present and future capital improvements. Governor Rhodes and the Ohio Legislature are to be commended for a constructive proposal. The people of Ohio should approve it.

A Splendid Mediation Panel Faces a Difficult Task

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 18, 1967

Mr. MACDONALD of Massachusetts. Mr. Speaker, President Johnson has given the Nation three good reasons to hope that a settlement in the railroad dispute may be reached quickly.

The reasons are the three outstanding Americans he has selected to serve as special mediators in the dispute. It is clear that he has chosen the best qualified men in the country to help avert what could be a disastrous strike.

I know by reputation the work of Judge Fahy and Professor Taylor. However, I am personally acquainted with the work of Prof. John Dunlop. This panel has proven arbitration experience, sound judgment, scrupulous honesty and fairness, and ample wisdom and patience.

Let me reaffirm what should be obvious: I would believe this panel is neither antiunion nor antimanagement. It seeks neither to muscle aside outstanding issues nor to ignore the rights and interests of both sides in this dispute.

This panel is pursuing only one goal: A prompt and honorable settlement of differences that will end the threat of a nationwide strike.

The President has served notice on both sides in the dispute that "the American people look to them for selfless and responsible action in the tradition of industrial democracy." These are welcome words. And I believe that we can be assured that the President's mediation panel will lead the way in demonstrating selfless and responsible action.

The American people have the right to expect that the disputing parties will cooperate fully with this special panel in making collective bargaining a success in the extra time Congress has provided.

The 100th Anniversary of the Birth of Toscanini

EXTENSION OF REMARKS
OF
HON. JOHN J. ROONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 18, 1967

Mr. ROONEY of New York. Mr. Speaker, it is most gratifying to all of us to observe the extent to which the world is paying tribute to that great citizen of the world, Arturo Toscanini, during this year which marks the 100th anniversary of his birth.

Because of the long years of his life which he lived here in America, beginning in 1908 when he became director of the Metropolitan Opera, and because he became a personal friend in almost every household in America for nearly a full generation, we in America are prone to claim him as an American and glory in his success as an American achievement. But Toscanini belongs to the world. His musical gifts to the world are truly eternal.

I believe that Americans everywhere should be gratified with the effective efforts being made by our fine Italian American organizations to honor this illustrious adopted son. The youth of today, too young to remember back 10 or 15 years ago when "The Maestro" as he was so affectionately known, brought the finest of classical music into our homes, should be informed of his genius. These young people need to learn the greatness of Toscanini's contribution to American culture. They need to know the magnitude of his gift to cementing American and Italian relationships, particularly during the wartorn periods when those relationships were strained.

Few men in history began a brilliant career so early in life and spanned so long a period with one illustrious achievement after another. Little Arturo Toscanini entered the conservatory in his native city of Parma at age 9. He graduated with first prize in cello at 18. Swept into the directorship of the Rio de Janeiro Orchestra 1 year later, Toscanini began a spectacular series of musical triumphs which ended only 10 days after he celebrated his 87th birthday.

Few of us realize that this great adopted son introduced and conducted the premier performance of some of the operas most loved and best known today. These "firsts" include "La Boheme," "Pagliacci," "Gotterdammerung," and "Siegfried" among others.

Few of us remember the extent to which Toscanini was touched by the plight of Jews in Germany when in 1936 he dropped all other activities to organize and conduct the inaugural concert of the Palestine Symphony Orchestra in Tel Aviv, December 26, 1936.

Too few of us recall the extent to which Toscanini served as an ambassador of goodwill in exporting American culture abroad. He took the consolidated New York Philharmonic and New York Symphony Orchestras on a triumphal tour of Europe. Later he took his celebrated NBC Orchestra on a tour of South America.

"The Maestro" passed away in his sleep in New York City on January 16, 1957. The world mourned the passing of a musical genius. The world press printed paeans of praise to him.

Today 100 years after his birth and 10 years after his death the world again honors his memory. I hope that all Americans will share in this homage to a man we consider a truly great American.

Remarks of Senator Everett M. Dirksen Before the Maritime Trades Department Seminar, April 13, 1967, Hotel Statler, Washington, D.C.

EXTENSION OF REMARKS

OF

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 18, 1967

Mr. EDWARDS of Alabama. Mr. Speaker, on April 13, 1967, the distinguished minority leader from the other body, Senator EVERETT M. DIRKSEN, addressed the Maritime Trades Department Seminar here in Washington, sponsored by the Maritime Trades Department comprised of 35 national and international unions affiliated with the AFL–CIO.

The monthly seminars, under the able leadership of Mr. Paul Hall, president of the Maritime Trades Department, are doing a great job of calling to the attention of the people of this Nation the sad plight of our American merchant marine. Senator DIRKSEN, as usual, did a beautiful job of putting this problem in focus.

Therefore, Mr. Speaker, I ask unanimous consent that Senator DIRKSEN's remarks be placed in the RECORD at this point so that all Members may have a better understanding of the really tragic situation we face if we continue to allow our merchant marine to deteriorate:

Mr. Chairman and my fellow citizens: I ought to feel peculiarly at home today because once upon a time I was a marine contractor, which is to say I had a number of dredging rigs, a few tugs, some coal barges, and operated mainly on a local river but once you get water in your soul you never get it out, so whether you are a merchant seaman or a gob in the Navy or whether you are a contractor, it is just all the same.

I ought, therefore, to feel a little like that robber who held up a Methodist Bishop on the streets of Detroit and having taken everything of value he noticed with some dismay the clerical cut of the collar and he said, "Why you are a preacher." He said, "So I am."

"In what church do you preach?"

He said, "I am a bishop in the Methodist Church."

With great dispatch he just passed a missal from one hand to the other, and said, "Shake, old man, that is the church I belong to."

. . . Applause and laughter . . .

So, I am glad to see you. I am a little ahead of you today. Frankly, when I was invited I was not quite sure what the purpose and general objective of your meeting was going to be and then when I learned of it I thought "this rings a bell," because some weeks ago I made a telecast presentation over 75 radio and TV stations for the benefit mainly of people in Illinois. Since you do it every week, you try to find things that are of general interest to people and it occurred to me that perhaps something on our merchant marine might be of real interest. So I did a little research work and when your message came I went back to take a look at my notebook and I thought this is very appropriate for the occasion.

Having served for some 18 years on appropriations committees in both the House and the Senate, I developed something of an economizing complex. I presume it strikes everybody at sometime or other. So you try to look around and see where the axe may go. Probably the greatest allurement is in that field where you are dealing with subsidies. You have the whole field of agriculture where you subsidize by means of price supports, and you have subsidies for airline transportation, and there are a great many others, and way back in the early days I took some note of the subsidies with respect to our merchant marine, namely, operational subsidies and also construction subsidies.

But I discovered, after a time, that it is not quite as simple as it looks from the outside and so you dig a little deeper and find out what the values are that are really at stake.

Now, to a midwesterner and inlander, probably water and ocean-going commerce does not have quite the same appeal as it would have if one were living along the seaboard, if one were living particularly in a port town like Galveston or Baltimore or New Orleans or Philadelphia or New York or San Francisco or any of the port towns in the country. But, on the other hand, there is a general appeal because it comes to mean so much to the country and to its economy and I think it is especially true now for the very good reason that so much emphasis is being placed upon this whole question of foreign trade.

We have negotiators sitting at Geneva today and we have a problem of competition with the common market and we have the President of the United States urging expeditious action on a common market with Latin America, so there is constant emphasis on foreign trade and an augmentation of the commerce of this country, particularly water borne commerce.

Now, at one time we were really a maritime nation when we were just the 13 Original States. I think it could be said we were in truth and fact predominantly a maritime nation. Our sailing vessels plied the seven seas. Of course, anybody who undertook to trespass upon the prestige of this infant country had to give an account to us. We kept our merchant fleet going and along with it, when there was harassment we simply built fighting ships to make sure our merchant commerce was fully protected.

I took a special interest in the restoration of that old frigate, "The Constellation," I think it is up in the Baltimore Yards, and they want to restore it and make it something of a national monument. I am quite all for it, because way back in the early days we had to build some fighting ships to prevent harassment from the French and also from the pirates who thought that our ships were fair game. But in those days we were essentially a maritime nation.

Now, something has happened since that time and we have slipped very materially in the whole field of construction, ship construction, and, as I recall, we have probably dropped to about 14th place. That means that countries like Japan and Germany, and it could be the Soviet Union and France and even others are ahead of us in that field today.

When it comes to our shipping as a percentage or as a ratio in this world, we probably are somewhere around sixth or seventh place. That is a very unhappy situation for a country so wealthy, so large, so populous, and with the kind of a gross national product that we have, that runs up above $750 billion, and there is simply something wrong with that kind of a picture.

Something is happening that we have permitted this country to slip. Now, it has been pointed out that one of the difficulties lies in the fact that insofar as construction is concerned you can buy three vessels in a foreign yard for the price of two which might be built here. I have been through that old lesson book a good many times and the answer is easy indeed, because, then you take a look at the labor differentials, it is obvious that they can build cheaper than we can, but it is also obvious that the shiprights and the carpenters and steelworkers who build vessels in a foreign yard do not pay any income tax into the Treasury of the United States and that makes a very considerable difference.

. . . Applause . . .

And it is obvious also to me that when some of our operators undertake to place their ships under foreign registry it is rather doubtful whether those profits can be taxed into the Treasury of the United States. There has been a tendency over the last few years to take refuge under foreign registry, first, because the operating cost is a good deal cheaper, and certainly it is cheaper if you can hire Chinese, if you can hire Japanese, or people from the Soviet Union who will work at any wage and for whom you need no conformity under the Seamen's Acts in this country.

Obviously, they can be operated cheaply, much cheaper than an American flag vessel, so if that is the only factor that is involved it is quite evident that they want to register under a foreign flag.

To me it is rather strange, and I think this figure is correct, that about 25 per cent of our water-borne commerce today is carried under the flag of Liberia, a very obscure little country on the western coast of Africa. How many of our vessels fly the Panamanian flag, I cannot quite say, but there are a good many. So they fly under so many registries, mainly, of course, to get the advantage of those differentials that will result in a better profit.

I presume I can recite a good many other reasons why we are in the unhappy fix we are in today and hapless fix we are in today as a result of our merchant marine. It is only some twenty years ago we could boast we had the largest merchant fleet on the face of the earth, probably numbering about 5,000 vessels. Today, it is probably around 900 or 1,000 at best. We have managed thus far to take care of our responsibilities and problems in Vietnam, but that gives us no margin, it gives us no leeway, and, in addition, it is not forthright in looking toward the future, because our merchant marine is getting overaged.

I think this is a correct figure, at least I found it somewhere in an authentic document, that the vessels that ply the Great Lakes today, in the country where I live, have an average age of 42 years, and when it comes to our tankers I think the average age is about 15 years so in fact we have the oldest tanker fleet anywhere in the world at a time when we need tankers because we have tremendous investment in the operations abroad, gentlemen, Saudi Arabia, Indonesia, and elsewhere.

And we need tankers not only to supply

the power, the domestic needs for petroleum in this country, but to fuel and supply the U.S. Navy, as well as wherever our naval vessels that happen to be cruising or wherever stationed. So those are the needs of the merchant marine and we must have one that befits the status and the wealth and growing commerce of this country.

I believe in the last six years our waterborne commerce on the blue waters has increased by some 31 percent, but our vessel capacity has increased by only six percent and who will contend for the moment that we are keeping up with our present needs let alone what the future may show.

Now, let's start on this matter when the President, and I think everybody is grateful to him for it, set up a Maritime Advisory Committee, and they did make a report, which has been quite sometime. We had expected perhaps that last year or certainly no later than this year there would have been an all-inclusive recommendation in the State of the Union message with respect to our merchant fleet and our maritime commerce, but it has not been forthcoming.

I think I can say for my Party, and I certainly can say for the Congressman from Michigan, Gerald Ford, who is my opposite number and the Minority Leader in the House, that when we had a chance to make a reply to this State of the Union message over the networks, we did it in very forthright fashion and we agreed that definitely something should be done about our merchant marine and it should be done now.

It is a part of the defensive posture of this country in addition to being a merchant marine, but it has to be adequate for all purposes and certainly we cannot depend upon registry under foreign flags because there could come a time in this rather feverish and hostile world when we have to depend upon ourselves, upon our own registry, upon our own flag, upon our own merchant seamen, upon our own sailors, and can't be looking across the blue waters for help, for when that day comes then, to be sure, the United States of America is on lean days.

So I will not weary you any longer with a speech except to say that I have been giving some thought to this matter but I had not the slightest idea many weeks ago when I made this broadcast to the people of Illinois I would be invited here to be your guest and say a few words about the maritime industry and what I think the needs are; and may I say also that, as I assess the world today and our problems in the field of foreign trade and that goal of course for the construction of vessels, you cannot escape a subsidy so long as we are up against the kind of both operating competition and construction competition that exists in the world.

I have been in Japan, I know what the situation is, I have been around the world four or five times, I have had occasion to appraise and to assess exactly what their standards of living are and when you try to compete on their bases, you are simply undertaking to measure our standard of living against a much lower standard elsewhere in the world; and, in addition, thereto, you are measuring the matter of jobs.

But all of this said and done, these problems and policies and this kind of an investment of public funds finally adds up to the question of jobs. I see the textile people who were before one of the committees of the House yesterday to point out that under a linear reduction of 50 per cent in tariff duties plus the other barriers that exist, they would be confronted no doubt with the loss of some 200,000 jobs in the textile industry, and 200,000 jobs is quite a lot.

Well, you have been confronted with the same thing. Probably at the peak you may have had as many as 80 or 90,000 merchant seamen and maybe today, and I suppose I could verify this figure, if I had time, it is probably down around 50,000. Well, that is 30,000 or 40,000 jobs that once existed that no longer exist and when you measure it against a growing country and sometime this year that big clock on the first floor of the Commerce Building is going to hit a very significant figure, it is probably going to be late summer or fall, but that great big hand is going to show that suddenly the United States of America has become a country of 200 million people, and 200 million is a lot of people.

And we are growing and our integration policies have been decentrally liberal, so we shall continue to grow, all in all, year after year, there must be jobs, because it pays off in happiness and serenity, but there must be well paying jobs because that pays off in terms of prosperity and it pays off in one other field, it enables this man with the soft white whiskers and the stovepipe hat and the starry band around it to manage to get enough money so the Internal Revenue Service can run the affairs of this country as they should be run.

So I salute you and probably I can be of some assistance in the pursuit of those purposes and objectives that you have in mind.

I thank you for inviting me.

A Great Loss

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 18, 1967

Mr. WOLFF. Mr. Speaker, on April 3, 1967, the county of Nassau, the State of New York, and this Nation suffered a great loss.

The Very Reverend Monsignor Richard H. J. Hanley, the founder and editor of the Long Island Catholic, the official newspaper for the Rockville Centre Catholic Diocese, died following a week's illness.

Monsignor Hanley was known and beloved by all with whom he came in contact. He was a dynamic man and yet his humility was a constant reminder to us all that he was first, last, and always a priest of God. The Long Island Catholic will remain a vibrant testimonial to him in each future issue.

In addition to his leadership of this great paper, Monsignor Hanley was the chairman of the diocesan commission for ecumenism. Those of us, clergy and laymen of other faiths, looked to Monsignor as a shining example of man's love for his fellow man. His interests in the vital problems of our times was not that of a newcomer. He has devoted his priesthood to justice, the rights of all men, and that greatest of all virtues, charity. It was men like Monsignor Hanley who gave impetus to the great movements of social justice with us today.

Monsignor Hanley was born on Long Island in Queens County. He was educated on Long Island and was a source of pride to us all.

He also served as director of the Mission Aid Societies and 10 years ago hitchhiked the entire length of Africa visiting missionaries in far-flung outposts along the way.

His ecumenical spirit was transmitted to us all. He attended every session of the Ecumenical Council in Rome and returned to us vibrant and alive with the great mandates of the council. Monsignor never feared change, in fact he was in the vanguard of the men of ideas of our time.

We will miss Monsignor Hanley, but our lives have all been made better by having had him with us.

The Colorado River Board of California

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 18, 1967

Mr. HOSMER. Mr. Speaker, as a major continental stream, the Colorado River drains a basin which comprises parts of seven large Western States and forms one-twelfth of the land area of the continental United States exclusive of Alaska. The water of the river was used prior to 1900, in fact, the Palo Verde Irrigation District's diversion rights—the oldest on the entire river system—date to 1877. However, since the turn of the century the development of irrigation, power works and domestic uses have been increasingly rapid.

It became apparent years ago that the average water supply of the river would not be sufficient to serve all the known and potential demands upon it by the seven States. Consequently, there began to develop strains and stresses occasioned by competition among various interests for the water of the river, which as a result has become known as the "River of Controversy."

Various legislative proposals affecting the river have been before Congress off and on for most of this century and in almost every instance California has been involved, directly or indirectly, for the very good reason that she has a tremendous stake in that unpredictable waterway.

This is worthy of special note now because the 90th Congress is currently considering new proposed solutions to the nagging water problems of the entire basin. And, as it has done so capably in the past, the Colorado River Board of California is playing an important role in safeguarding California's vital interests.

Although this is the board's 30th anniversary year, its antecedents date to 1921. The Governor was authorized then to appoint a member of an interstate commission for the purpose of negotiating an interstate compact relating to the Colorado River. The commission negotiated the Colorado River Compact of 1922 which divided the water between the Upper Basin and the Lower Basin but left open the division of water among the States of each basin.

As one of a long series of attempts to negotiate a subcompact in the Lower Basin, a legislative committee was appointed to meet with the Colorado River Commissions of Arizona and Nevada in 1925. The negotiations failed as did a similar attempt by another negotiating committee in 1927.

A Colorado River Commission to represent the State of California in connection with the proposed Boulder Canyon Project Act was appointed under authority of the statutes of 1927 but allowed to lapse after the passage of the act. Between the date of its termination, September 1, 1931, and the year 1937, no such commission or negotiating committee was in existence to represent California in interstate controversies concerning the Colorado River. The intervening time was a period of intense friction with Arizona during which three successive lawsuits were commenced in the Supreme Court of the United States by that State against California and the other States in the basin. They were defended and defeated by the Attorney General with the cooperation of the California agencies which are interested in the river.

As the burden of protecting California's interests in the Colorado River became more pressing and its continuous character became more clear, the necessity of a State agency to exercise continuous and comprehensive jurisdiction over the problems of the river became evident. It was recognized that the problems in the future would be too vast and complicated to be handled by volunteer and perhaps uncoordinated action. Accordingly, the legislature in 1937 created the present Colorado River Board of California. Similar or counterpart agencies exist in all the other basin States. The board selects from its members a chairman who serves ex officio as Colorado River Commissioner of California. The Commissioner, by statute, is the official representative of California in all communications or negotiations with other States and with the Federal Government in connection with Colorado River problems.

Since 1937, the board has endeavored to maintain, with the essential aid of the executive and legislative departments of the State, the cohesion among California interests which is indispensable to dealing with interstate and foreign relations with a united front. The board has gathered information, compiled and analyzed data, and developed studies in anticipation of the many problems which were foreseen.

Because of these important activities, which rest uniquely with the board, California has been able to weather repeated challenges to its interests. Certainly time and events have clearly demonstrated that the responsibility entrusted to the board was well placed. It has been and is being discharged commendably.

The six public agencies of California which the board represents and which are represented by the board each are major water bodies by any standard. They are:

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

The Metropolitan Water District of Southern California, built and operates the 242-mile long Colorado River aqueduct which is now delivering more than 1 million acre-feet of Colorado River water annually to the coastal plain of southern California. It is represented on the Colorado River Board by Joseph Jensen, chairman of the district board of directors.

The district now has an area of more than 4,500 square miles, a population of about 10 million and an assessed valuation of more than $20 billion. Its total investment in the Colorado River aqueduct and its distribution system exceeds $500 million. It is currently engaged in an expansion of its distribution system at a cost of more than one billion dollars in order to deliver to its member agencies the northern California water which will be available in the early 1970's through the State water project.

THE CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER

The City of Los Angeles Department of Water and Power supplies water and electric service to nearly 3 million residents of the third largest city in the United States. The department's assets in 1965 were $1.26 billion, making it the Nation's largest municipal water and power utility system. Its representative on the Colorado River Board is Samuel B. Nelson, former general manager and chief engineer of the department.

Population of the city is increasing at the rate of 50,000 persons each year and Los Angeles depends upon the Colorado River for an important part of its water and power supplies. Increasing demands for water will be met in 1969 by a second aqueduct from another source, Owens Valley. This new aqueduct will have capacity to serve 750,000 more people. Water use in Los Angeles in 1965 averaged 465 million gallons a day, with a per capita use of 168 gallons daily.

THE IMPERIAL IRRIGATION DISTRICT

The Imperial Irrigation District is located in the southeast portion of California in Imperial County. It includes 909,600 acres, of which 505,419 acres are now under irrigation. The district's Colorado River Board member is Joseph Moore, member of the board of directors of the district.

The All-American Canal, which delivers water to the district, was placed in service in 1942. The total investment of the district in works dependent upon the water of the Colorado River system is in excess of $85,000,000. It maintains 3,200 miles of canals and drains.

Principal agricultural products of the Imperial Valley are vegetables, melons, lettuce, sugarbeets, alfalfa, cotton, and barley. Because of the large quantity and high quality of its winter and early spring vegetables and fruits it is known as "America's Winter Garden." The crop value in 1965 was $200,186,200, including the $60,438,000 value from cattle feeding operations, largest in the world.

THE SAN DIEGO COUNTY WATER AUTHORITY

The San Diego County Water Authority contains more than 720,000 acres and includes most of the developed areas in San Diego County. It has a population of about 1,175,000 and an assessed valuation of nearly $2,000,000,000. The authority is represented on the Colorado River Board by Fred W. Simpson, a member of the authority board of directors.

The authority is a member of the Metropolitan Water District of Southern California, having annexed to that district in 1946. At that time the authority merged its right to 112,000 acre-feet of Colorado River water annually with the district's original right of 1,100,000 acre-feet.

Colorado River water is delivered to the authority through two branch aqueducts which extend southerly from the main Colorado River Aqueduct. The great industrial and military complex in San Diego County is dependent on the Colorado River water supply.

THE COACHELLA VALLEY COUNTY WATER DISTRICT

The Coachella Valley County Water District is located west and north of the Salton Sea in California. More than 135,000 acres of its 660,000 could be irrigated from the 123-mile Coachella branch of the All-American Canal. There are presently 80,000 acres under irrigation. Raymond R. Rummonds, vice president of the Coachella district's board of directors, represents the district on the Colorado River Board and is chairman as well as ex officio Colorado River Commissioner of California.

The Coachella branch of the All-American Canal brings vital Colorado River water to the fertile valley. The investment of the district in works dependent upon the water of the Colorado River system totals approximately $34 million.

Principal agricultural products of the Coachella Valley are dates, grapefruits, grapes, vegetables, alfalfa, cotton, and grain which in 1965 had a value of $48 million. Livestock values from feeding operations during the same period approximated $8 million.

THE PALO VERDE IRRIGATION DISTRICT

The Palo Verde Irrigation District is located around the city of Blythe. It includes 120,500 acres, of which 90,000 are under cultivation. It is represented on the Colorado River Board by Virgil Jones, president of the district's board of directors.

The district obtains its irrigation water from the Colorado River and has one of the oldest water diversion rights on the entire river system. Use of Colorado River water for the irrigation of lands in the Blythe area dates back to 1877. The expenditures on Colorado River water facilities by the district and its predecessors amount to approximately $20 million.

Principal agricultural products of the Palo Verde district are alfalfa, cotton, lettuce, cantaloupes, and watermelons which in 1965 had a value of $24 million. Livestock values from feeding operations during the same year amounted to $12 million.

Diapulse

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 18, 1967

Mr. MURPHY of New York. Mr. Speaker, there are more people in this country who need hospital care this very minute than there are hospital beds to accommodate them. There are those who require surgery yet must wait weeks, sometimes months, because of the overcrowded hospital conditions.

Let us consider that statistics of the American Hospital Association show well over 1½ million beds in over 7,000 hospitals in the United States. Close to 6,000 of these are classified as short-term hospitals and account for over 700,000 beds with an average daily cost of $41.58 per bed. Hospitalization in these institutions average 7.7 days per patient, or approximately 47.4 turnovers per bed per year.

If each patient's stay in each of these short-term beds could be shortened by just 1 day on average, the amount of money saved would total almost one billion five hundred million dollars per year. Or, to put it another way, those same beds could be available for an additional 2,707,488 bed days. And, these totals do not take into account the potential savings in the more than 975,000 beds in long-term hospitals.

If length of hospitalization can be shortened, if hospital beds can be made available for more people in need of treatment, if the workload of our doctors and nurses can be lightened, if hospital overhead costs can be cut and more money made available for staff salaries, if human suffering can be alleviated, then the means by which these ends can be achieved would seem worthy of earnest investigation by all concerned.

In this connection, there have been recently brought to my attention reports by a number of doctors from universities and medical centers in the United States and abroad who have experienced excellent results in reducing hospital stay by their patients through the use of a high frequency electrical therapy known as Diapulse.

Dr. Bruce Cameron, associate professor of orthopedics at Baylor University in Houston, Tex., reporting in the American Journal of Orthopedics on his study of postoperative wound healing, stated that patients receiving Diapulse treatment were discharged from the hospital considerably earlier than those whose postoperative treatment did not include Diapulse. In some types of surgery the average recovery time was 50 percent less than usual, he reported.

His report on the effect of Diapulse therapy on wound healing in dogs marked, for the first time in the history of medicine, the acceleration of the healing process by better than 50 percent, which is indicated by the following:

1. Transverse alignment: treated, 3 days; untreated, 8 days.

2. Collagen formation: treated, 6 days; untreated, nothing within 10 days.

3. White Blood Cell infiltration: treated, 24 hours; untreated, 3 days.

4. Phagocytosis: treated, 24 hours; untreated, 3 days.

5. Histiocytic activity: treated 48 hours; untreated, 4 days.

6. Fat activity: treated, 48 hours; untreated, 5 days.

7. Hematoma canalization: treated, 3 days; untreated, 7 days.

In short, every aspect in the process of wound healing had shown acceleration with the use of Diapulse as compared to the untreated control animals. To confirm his findings in dogs, Dr. Cameron performed a blind, double-blind study on 100 postoperative orthopedic cases and found that by treating with Diapulse he was able to: First, remove sutures earlier; second, considerably reduce pain in his patients; and third, discharge his patients at an earlier date. These results were possible because the process of healing had taken place in considerably less time than normal.

Another report, from the Azucarera Hospital in Mexico, showed a savings of 1,500 days of hospitalization in the treatment of 525 tonsillectomy cases in a single year; an average of almost 3 days per patient saved through the use of Diapulse.

In Mexico City, Dr. Raul Perez Herrera, a noted ear, nose, and throat specialist, has stated in lectures to medical groups and in films concerning his reports on several studies involving over 1,500 adult patients, that he has found: First, a better than 50-percent reduction in healing time with the use of Diapulse; second, a sharp decrease in the need for analgesics in postoperative patient care; third, considerably less pain in his patients; fourth, a 30-percent reduction in surgical bleeding; and fifth, a considerable financial savings through shortened hospital stay by his patients.

In Dallas, Tex., Dr. David H. Aronofsky, a well-known dental surgeon, has found by utilizing Diapulse therapy before and after an operation, that he, too, was able to reduce healing time by 50 percent or better, substantially decreased pain and edema in his patients and was able to reduce the use of analgesics to a bare minimum.

Dr. Richard Taylor, head of the Department of Oral Surgery at Tufts University, is presently engaged in a program of research to confirm the earlier findings on wound healing with Diapulse therapy. In a pilot study, Dr. Taylor and four members of his research staff volunteered to use themselves as human guinea pigs in the experiment. They underwent the pain and discomfort of an experimental operation in their own mouths, first permitting the wound to heal under normal conditions, then repeating the surgical procedure with Diapulse therapy added. Histological slides were prepared to show the chronology of the healing process both with and without Diapulse therapy and Dr. Taylor also found that the Diapulse treatment significantly reduced pain and accelerated the healing process.

Dr. Chester Wong, an associate professor and lecturer in physical medicine and rehabilitation at the University of California, has recently reported extremely important findings with regard to the ability of Diapulse therapy to increase tensile strength of wounds by as much as 25 percent in a shorter period of time than normal.

Dr. Earl G. Kaplan, chief of surgery and Dr. Robert E. Weinstock, director of research, both of the Detroit Civic Hospital in Detroit, Mich., have shown Diapulse therapy significantly accelerates postoperative wound healing in foot surgery, with an attendant reduction in pain, swelling, and soreness and considerably less surgical bleeding. In a film prepared at civic hospital these beneficial aspects of Diapulse therapy are definitively presented.

The reports and films are available from the Diapulse Corp., of America, 350 Fifth Avenue, New York, N.Y.

The economics of this situation cannot be overlooked. In a double-blind study conducted at Harlem Hospital in New York City the average hospital stay for patients treated with Diapulse therapy was approximately 7½ days as compared to a hospital stay of approximately 13½ days for those not treated. In this study 45 patients were treated with a single Diapulse machine, which was used 4 hours a day for a period of 6 weeks. The savings over the period figures out to 270 bed-days.

The American Hospital Association averages the daily cost of a hospital bed in New York State at $47.57. At that rate, the saving at Harlem Hospital in that 4 hours per day for a 6-week period was $12,843.90, brought about by the use of a single Diapulse unit, which cost approximately one-third the amount of money saved.

The experience at Harlem Hospital is not an isolated case. There are others, some of which I discussed earlier. Unfortunately, such cases are yet too few and far between.

Hospitals, beds, and dollars lend themselves to arithmetical calculations through which we produce valid and impressive figures. But, who can compute the savings in human suffering and anxiety? What numerical equation will describe the restoration of a patient to his family life and to productive work? What number can tell us the effects of mounting pressures on overworked doctors and nurses? What is the number that expresses the feeling of relief from pain? There are no numbers for these, only human experience which must breed human understanding and compassion.

It seems logical, therefore, to propose that all those concerned with medical care in this country might well study the accomplishments of Diapulse therapy. When the research is complete, if it is found that Diapulse meets all necessary medical standards, the results of the research should be made available to all interested hospitals and clinics.

The American Economy Runs on Wheels

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 18, 1967

Mr. DINGELL. Mr. Speaker, it has been said, and with good reason, that the American economy runs on wheels. What is meant by this expression is that the strength and vitality of the national economy and the strength and vitality of the automobile industry are practically inseparable. When auto sales go down, when auto plants close—even temporarily—when production schedules are lowered, the entire economy shudders for both psychological as well as economic reasons. Psychologically, the climate for growth comes under storm clouds when it appears that people are not going to buy new cars to the extent that they have. Economically, the auto industry creates a need for so many different products from such a wide range of industries that no major industry can completely escape the consequences of a downturn in automotive production or sales. These industries include: gasoline and petroleum products, rubber, textiles, steel, electronics, plastics, and many others.

There has been some justifiable concern in recent months at the prospects for the automotive industry in the near future. Consequently, everyone will take satisfaction at the announcement by two major auto producers yesterday that they intend to step up their output. The American Motors Corp., according to press reports, plans to double the production of its smaller cars from 1,200 per week to 2,400 per week. It will decrease production of its larger cars, but the overall effect will be an increase in both production and new jobs.

The Chrysler Corp., at the same time, has announced that it will increase its April production by 7,000 units. This decision, according to newspaper reports, was based, in part, on Chrysler sales reports for the period April 1 to April 10.

These two items of news, coming at this time, will give a shot in the arm to carmakers, and to the thousands of companies across the Nation whose business prospects are linked to the viability of the auto industry.

HOUSE OF REPRESENTATIVES

Wednesday, April 19, 1967

The House met at 12 o'clock noon.

Rabbi Gershon B. Chertoff, Temple Bnai Israel, Elizabeth, N.J., offered the following prayer:

Almighty God and Lawgiver: We thank Thee that the Founding Fathers of these United States made our Government one of laws and not of men; of laws designed to set men free—to think for themselves, govern themselves, pursue happiness for themselves, and so become themselves. The laws of our polity were to reflect our commitment to the divine law of justice and equity.

Wherefore we appeal to Thee to kindle a legal conscience in the heart of the Nation. Persuade us of the supremacy of the law as embodied in the Constitution, its authorized interpretations, and the enactments made under its provisions.

May all of us, from the greatest to the smallest, live in the faith that there is no hope for us to live outside the law if we cannot live within it.

For the law is our life and the length of our days. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

IS OUR NATION AFRAID TO DEAL WITH TROUBLEMAKERS?

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, many of us have wondered why the authorities seem so unwilling to interfere with demonstrations and demonstrators. We have a right to expect the laws of this country to be respected and its traditions upheld. The burning of the American flag and of draft cards offends every patriotic American. Surely this requires action by the authorities. Statements that are being made by the leaders of present-day peace demonstrations are treasonable and their actions must be classed as a conspiracy against the United States.

Is our Nation afraid to deal with troublemakers?

Are our Nation's leaders not aroused? I have waited for days but I hear no protests from them. I see no action to deal with such. Will it be different when the same radical groups come to Washington to take over our Nation?

BACKING PRESIDENT JOHNSON IN VIETNAM

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, last weekend a vocal minority in this country did some marching, some speaking, and some flag burning. Their objective was publicity. And I suppose they achieved their purpose. But what kind of publicity?

I think most Americans are sympathetic with their overall objective—peace in Vietnam. There is no debate over this goal.

But few responsible citizens endorse their view that American forces should pull out of Vietnam or that our bombing should cease in the north. The reason is obvious: We are determined to uphold our commitment to the people of South Vietnam until a peaceful and honorable settlement of the conflict can be achieved.

And we will persist in bombing military and strategic targets in the north until Hanoi ceases its infiltration of men and materials to the south.

Our President has repeatedly stated America's intention to work ceaselessly to bring peace to Vietnam. But those who appeal to emotions, who preach hatred and demagoguery to promote their views, do a grave disservice not only to their own cause, but to the policy objectives of their country.

I think we pay too much attention to these irresponsible elements. The draft-card burners get the headlines, but little is said about the solid citizens who endorse their Government's policies. Yet, the fact is that for each "peacenik" who marches, there are 50 Americans who march with their President.

Let us not be misled by well-organized "spontaneous" demonstrations. For their efforts are really drowned out by quiet Americans who are ready and willing to do what is necessary to support their country in a time of need.

Let us give these citizens some recognition. For example, a fine and patriotic group in Beaumont, Tex.—the Pipe Fitters Local 195—this week warmly endorsed the President's policies in Vietnam. In fact, these men felt so strongly about it that they sent President Johnson a telegram assuring him of their support.

The President has received many such telegrams. And I believe the time has come to tell this side of the story publicly.

I wish to share the contents of this message with my colleagues and with my fellow Americans, and I insert it into the Record.

April 14, 1967.

Hon. Lyndon B. Johnson,
President of the United States,
White House, Washington, D.C.:

On April 13, 1967, at the regular membership meeting of Pipe Fitters Local Union No. 195 of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, the officers and members of local 195 instructed me to send a telegram to you stating that the officers and members of local 195 are unanimous in voicing their support of you and your policy in Vietnam, and the members of this local union are against communism in any place or form. We pledge our help to you and our fighting men in Vietnam in any way that we can.

Respectfully,
L. L. "Nick" Morrison,
Business Manager,
Pipe Fitters Local No. 195.

THE CAPITOL

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I am more and more exercised over the criticism which is being made of our Architect of the Capitol and of the staff and members of that organization, which takes such good care of us in this House and in our offices.

Recently I read an article in the Atlantic Monthly, in which the author describes what he calls "Capitol Hill's Ugliness."

I have prepared an elaborate statement refuting all of the comments of that author.

I wish to say that I am going to ask all Members of the House to really take inventory as to whether the Capitol of the United States ought to be a museum, whether it ought to be some kind of a library for people to browse in, or whether it is an active institution, whether it is really a functioning place, and whether we should do something about making it a better functioning place.

There are many, many shortcomings to the Capitol Building about which we should be thinking. We should not be thinking of it being a museum of lasting appearance to the American people. This Capitol Building has been changed many times.

I believe we can keep the outside appearance, as was done with the revision of the east front. We can keep the appearance of the Capitol Building but we can make it a functional building, as it ought to be.

Also, I believe we ought to be defending the quality of the Rayburn Building. We ought to be defending the fact that we are doing something about the quality of the Cannon Building. We ought to be anticipating doing something about the quality of service we get from the Longworth Building.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. OLSEN. I yield to the distinguished majority leader.

Mr. ALBERT. The gentleman has made a real contribution on a matter which is probably misunderstood by many people, and I commend him for his statement.

Mr. OLSEN. I thank the gentleman very much.

Mr. Speaker, this is a rather lengthy dissertation on the article in the Atlantic Monthly. Therefore, I ask unanimous consent that it may be printed in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The material is as follows:

COMMENTS ON ARTICLE: "CAPITOL HILL'S UGLINESS CLUB" APPEARING IN THE ATLANTIC MONTHLY, FEBRUARY 1967

(By Hunter Lewis)

COMMENT

The editorial note explains that Mr. Lewis is a history major at Harvard College, and that his authorship was inspired by curiosity. The latter is easy to believe. But his being a history major—that one is hard to swallow. How could a student of history do such a pitiable research job on his subject, show such disregard for the element of truth, and malign so many public servants and professional men! This student should show more aptitude for the school of journalism with a major in fiction.

Press statement

Architecture on the Hill has become something of a national scandal during the past ten years—enough of an aesthetic outrage to bring down the fulminations of the New York "Times" and the Washington "Post" on the philistine indifference of Congress. Since 1958 both newspapers have publicized the granite imbecilities . . .

COMMENT

All such epithets are merely irresponsible repetitions of malicious statements in other periodicals where self-styled critics have chosen to attack the architecture because it is not of the contemporary style. They ignore the mandate governing the work on-the-Hill, viz., that it shall be in keeping with the Federal Architecture of the Capitol. For the most part, all the buildings but one are marble not granite.

Press statement

The New Senate Office Building, the extension of the east front of the Capitol, and the cavernous Rayburn Building share a uniform banality of design . . .

COMMENT

If this were true, the author is then condemning the original design of the Capitol inasmuch as the extended east front is a faithful reproduction of the original work. Even the opponents of this project have claimed the design of the Capitol to be one of the great examples of World Architecture. Although the AIA was opposed to the Extension of the East Front, its current Task Force on the West Front of the Capitol feel "the east front has been more or less successfully added to. . . ."

Press statement

The Rayburn Building has even been introduced into the classrooms of the Harvard School of Design as a notable example of contemporary architectural blundering . . .

COMMENT

The old Christian motto—Let he who is without sin cast the first stone. Harvard should first look in its own backyard for "contemporary architectural blundering."

Press statement

Its corrupt classic facade faithfully reproduces a variety of detailed ornamentation which fell out of favor among fashionable architectural circles a half century ago . . .

COMMENT

Here is the real reason for all the opposition. This type of architecture "fell out of favor among fashionable architectural circles a half century ago." In other words, this "corrupt" thinking says the new fashion makers are right and a classic design, even near the Capitol, is wrong. This is nonsense.

Press statement

The story of the building's construction has by now passed into Washington legend. Work on "that thing on the Hill" was first begun with the ostensible purpose of providing space for cramped congressional offices. Matthew H. McCloskey, a well-known Democratic fund raiser from Philadelphia, was chosen as contractor; the initial estimate varied from $40 million to $65 million. The final product, produced at a cost of $122 million . . .

COMMENT

The preliminary estimate of cost of the building submitted by the Associate Architects in 1956 was in the amount fo $64,000,000. The final cost of construction of the building was $71,500,000—*not* $122 million. The McCloskey firm was not "chosen" for the construction work; it was the lowest bidder under open competitive bid procedures, the job having been publicly advertised throughout the United States in newspapers and trade journals.

Press statement

The final product . . . provided only 15 percent of its total floor space for offices, and congressmen currently occupying the building are housed at a total construction cost of approximately $721,000 apiece . . .

COMMENT

The $721,000 figure is concocted by dividing 169 Members' suites into $122,000,000—which is *not* the cost of the building. The $122,000,000 includes remodeling in the Cannon and the Longworth Buildings, the purchase of 6 squares of land *not* used for the Rayburn Building, a subway to the Capitol, pedestrian tunnels to the Longworth and the Cannon Buildings, construction of two underground garages south of the Longworth and the Rayburn Buildings, and other items.

No allowance is made in the $721,000 for the above items which are *not* part of the cost of the Rayburn Building, nor for the committee space in the building accommodating 300 Members of the House on committee work, their committee staffs, witnesses, the press, and approximately 2,250 members of the public. No allowance is made for the numerous other accommodations in the building, *everything* being charged to the 169 Congressional Suites.

In 1963, a study was made of the average cost of each Member's Congressional Office Suite in the Rayburn Building. Using only the actual construction cost, and including a prorata share for such necessary items as foundations, stairs, elevators, lobbies, corridors, halls, subway terminal, mechanical and electrical equipment rooms, toilets and locker rooms and maintenance shops, the figure was $145,654 per Member's suite. Add the estimated cost of architectural and engineering fees, administration, supervision and inspection and other such miscellaneous items (excluding land and furnishings), the cost would rise to $162,680 per suite. If the cost of furniture and furnishings is added, the cost moves up to $171,680 per suite.

Press statement

. . . 1960 at his behest, the historic sandstone east front, which the neoclassical genius Benjamin Latrobe had conceived and Charles Bulfinch completed. . . .

COMMENT

Latrobe did not conceive the east front, the design was that of Dr. William Thornton, a portion of whose design was executed under Latrobe's supervision.

Press statement

. . . was extended thirty-six feet . . .

COMMENT

The east front was extended 32½ feet.

Press statement

Nevertheless, the views of Sam Rayburn and the congressional commission which he headed prevailed over the objections of the most qualified architectural opinion available . . .

COMMENT

The Associate Architects engaged on this project were as qualified, or more so, than any of their architectural detractors.

Press statement

The most powerful adversary of "Architect" Stewart's plans, the late President Kennedy, is now sanctimoniously quoted out of context by George Stewart himself . . .

COMMENT

The late President Kennedy was a United States Senator at the time of the key vote in the Senate on the Extension of the East Front. He voted *in favor* of the project (see CONGRESSIONAL RECORD, vol. 104, pt. 14, p. 17590). He did this by voting against S. 2883 which would have blocked the extension. The next day, the Architect of the Capitol was ordered to proceed with the extension.

Press statement

Even the American Institute of Architects has been content to nurse its wounds and brood over its rebuff—at least until the Office of the Architect of the Capitol announced plans last year to extend the west front of the Capitol. That decision struck the AIA as the crowning infamy . . .

COMMENT

Yet in 1957, the A.I.A. advocated the extension of the West Front and even proposed a plan for so doing.

Press statement

Until the Senate Appropriations Committee scheduled hearings on the project, the details of Stewart's plans were closely guarded secret. Only gradually were the facts disclosed . . .

COMMENT

This is another false statement. As stated elsewhere herein, the Capitol Commission held a hearing on the morning of June 17, 1966, considered all plans, approved Scheme 2, and at the close of the meeting held a press conference and laid the plans, models, and reports open to the press. The story was headlined in local newspapers and received wide television and radio coverage.

Press statement

The sweeping Olmsted terraces, built at the end of the last century, were to be almost entirely obliterated . . .

COMMENT

This is not so. These terraces will be reconstructed substantially following the Olmsted design and detail. The principal change being the further separation of the stairways to relate them better to the building.

Press statement

By early summer of last year, building maintenance men counted twenty-one gashes running down the 105-foot facade . . .

COMMENT

Out of 34 bays in the west central part of the Capitol, 21 have vertical cracks for the full height of the wall. Over 1,000 stones have one of more cracks in them.

Press statement

Stewart has consistently claimed that simple restoration or repair of the existing wall is technically impossible because the brick interior arches would collapse if the temporary metal supports were removed . . .

COMMENT

There are no metal supports to our knowledge.

Press statement

The president of the AIA, Norris Ketchum, points to the successful renovation and reconstruction of a number of Wren churches, including St. Paul's in London, which featured the same system of arches and unjointed walls used on the west front.

COMMENT

The west front is full of jointed walls.

Press statement

But according to present plans, such patently nonessential facilities as restaurants, tourist orientation centers, "hideaway" congressional offices, and archival storage areas will occupy virtually all of the four-and-a-half-acre proposed expansion.

COMMENT

One has only to work and use the facilities in the Capitol to know that additional restaurant space is needed particularly on the House side. At present, there are practically no tourist orientation provisions for the millions of visitors to the Capitol annually. Also, lack of space needed for Committees and Subcommittees become more serious each year.

Contributing to the above, the following is an excerpt from an article in the December 1963 issue of the AIA Journal entitled Allied Arts; subtitled Poor Host; written by Wolf Von Eckardt:

"On all of Capitol Hill, for instance, there is hardly a place but the west steps for a visitor to sit down upon. Unless, of course, he gets a pass to relax in the House or Senate galleries, orders a book in the Library of Congress, or calls on his Congressman to rest his feet. At lunch time he might try for a cup of the famous bean soup in one of the Capitol restaurants—if he can squeeze in."

Press statement

As the AIA has stated in its most recent position paper: "Functionally nothing could be gained by creating additional space inside the west front. Without a complete reorganization of the interior, which is not proposed, this additional space would only add to the confusion that was compounded by the recent extension of the east front. If additional space is needed, it can be provided nearby with less cost and greater efficiency.

COMMENT

The views of the A.I.A. are not shared by those who use the space in the extended east front, and the proposed west front will relieve the congestion by the addition of another north-south corridor. Space needs cannot be satisfied elsewhere as the accommodations are needed in the Capitol close to the Chambers.

Press statement

Congressman Stratton says: . . . *My mind misses the element of competitive bidding which is an integral part of all federal construction outside the jurisdiction of the Architect of the Capitol* . . .

COMMENT

Up to the present, it has been considered unethical by the A.I.A. for architects as professionals to bid competitively for their services; other professionals, doctors, dentists, lawyers, do not compete price-wise to perform an operation or render other professional service.

Press statement

Stratton also agrees with Senator Monroney's opinion that the only architects who have determined that the restoration of the west front cannot be done other than by the four-and-a-half-acre extension of the front are architects that are employed to do the four-and-a-half acre extension . . .

COMMENT

Then how does one explain that the overwhelming majority of the architects present at the convention of The American Institute of Architects in 1966 tabled a motion in opposition to the extension project? Further, no recognition is given in this article to the findings and recommendations in the exhaustive study made by the outstanding engineering firm, The Thompson and Lichtner Company, in 1964. This was a fresh study made by a firm with no previous connections, and no present connections, with the project. They recommended retaining the old walls as interior walls and as extension similar to the East Front Extension made 1958–62.

Press statement

The group of architects who so conspicuously command Mr. Stewart's admiration were first brought together as consultants for the east front extension plan. They are John Harbeson of Philadelphia, Gilmore Clarke, Alfred Easton Poor, and Albert Homer Swanke of New York, Jesse Shelton of Atlanta, Roscoe de Witt of Dallas, and Paul Thiry of Seattle . . .

COMMENT

The statement is inaccurate. The original group included Arthur Brown of San Francisco, Henry Shepley of Boston, Fred Hardison of Dallas, Alan Stanford of Atlanta, but did not include Paul Thiry. Mr. Thiry was only added relatively recently when the studies on the West Front Extension were authorized, as a replacement for Mr. Brown who had died in the meantime.

Press statement

Over the course of the past decade these individuals have found themselves so frequently employed together on the Hill that they have formed a firm in Washington to act as a clearinghouse for their various federal projects . . .

COMMENT

This statement is also false, in part, as Messrs. Harbeson, Clarke and Thiry have no such offices in Washington. The Washington office of DeWitt, Poor and Shelton began its existence for the same reasons other architectural firms maintain offices near the site of the work.

Press statement

Mr. Stewart justifies his reliance on a limited number of familiar aging architects by petulantly insisting that "architectural schools no longer teach the kind of classic federal design which is called for on the Hill. There are very few men with the training and experience for our kind of work." Spokesmen for the Harvard School of Design emphatically deny this claim; the AIA labels it "absolutely and completely fallacious." . . .

COMMENT

Mr. Stewart's statement has been used on more than one occasion by members of the faculty of some architectural schools, with the justification that the study of architectural history stifles the imaginative thinking of the student of contemporary architecture.

Press statement

At the meeting which initially approved the extension of the west front, both Vice President Humphrey and Gerald Ford were absent. Both later voted without the benefit of a full briefing . . .

COMMENT

This is a false statement. At the meeting where initial approval of a West Front Extension was approved by the Commission, both Vice President Humphrey and Congressman Ford were present. Approval at that time was for the Architect to request funds for the preparation of preliminary plans and estimates of cost for "the extension, in marble, of the west central front of the Capitol . . ." This was at public hearing of June 24, 1965, a transcript of which has been widely circulated. A meeting of the Commission was held June 17, 1966, in the Capitol, for the purpose of considering the preliminary plans, estimates and report of the architects. At this meeting, Scheme 2 (of three schemes developed) was approved by the Commission and the action was immediately announced and discussed fully at a news conference in the hearing room. At this meeting, the Vice President and Congressman Ford were absent; however, the plans had already been reviewed by Congressman Ford because he was unable to attend the hearing on the day the Commission met.

Press statement

This means that a congressman who expresses faith in the competence of the "Architect" may receive a variety of lesser favors—from the best office furniture at hand to a new coat of paint on the wall . . .

COMMENT

This statement is based on ignorance. For example, the Architect of the Capitol does not have jurisdiction over the furniture in the Capitol.

Press statement

To the surprise of almost everyone, Mr. Stewart simply chose to disregard the wording of the authorization. Initial drawings were completed at Mr. Stewart's bidding by the same group of architects responsible for the New Senate Office Building, the extension of the east front, and the plans for the extension of the west front. The designated committee of the American Institute of Architects was never even notified.

COMMENT

This is a grossly inaccurate statement. The law authorizing the Library of Congress-James Madison Memorial Project provided for direction of the Architect of the Capitol by three Congressional Commissions or Committees. These groups formed a Coordinating Committee among their members to deal directly with the Architect of the Capitol. The same law only required "consultation" with the American Institute of Architects.

The Architect of the Capitol requested direction from the Coordinating Committee on several matters, including (1) the selection of the design architects and (2) the scope and timing of the consultation with the AIA committee. The Coordinating Committee, not the Architect of the Capitol, selected the design architects and their selection was approved by the commissions—committees they represented. Further, the Coordinating Committee advised the Architect to consult with the AIA committee during the planning stage. The design architects selected had nothing whatsoever to do with the planning of the New Senate Office Building as stated. The design architects for that structure were Otto R. Eggers and Daniel Paul Higgins in New York.

Press statement

Only after the choice of plans and architects was firmly established did the AIA receive any word from Mr. Stewart. At a hearing of the Senate Appropriations Committee in June of 1966, these events were finally aired in a revealing fashion . . .

COMMENT

Another misstatement of fact. No planning had been done prior to notification of A.I.A. As a matter of fact, a preliminary meeting was held on May 25, 1966, with the A.I.A. Committee before "pencil was put to paper" by the Associate Architects.

Press statement

After the hearing Senator Monroney submitted a report to Congress which criticized Mr. Stewart for failing to consult with the American Institute of Architects. The report concluded that "the Architect of the Capitol is instructed by the committee to follow the authorization law precisely in the future." . . .

COMMENT

As previously mentioned above, the Architect of the Capitol did follow the authorization law as directed by the Coordinating Committee. In public hearings before the Senate Appropriations Subcommittee in October 1965 on the request for funds for preliminary plans and estimates of cost, the Architect and his assistants clearly indicated what the law required with respect to selection of the architects and consultation with the A.I.A. Committee.

Press statement

No further action has been taken. The Madison Memorial Library is now well along in its initial stages. And spokesmen for the AIA who have carefully perused the plans predict that one more "Rayburn Building" is about to rise on the Hill . . .

COMMENT

This is further falsification which is borne out by the letter from the President of the A.I.A. to the Editor of The Atlantic Monthly, dated January 20, 1967.

Press statement

The chiefs of Congress, for their varying reasons, are unwilling to discard the system which, in the hands of the architect who is not an architect, has contributed so signally to the defacing of the Capitol . . .

COMMENT

In spite of the criticism leveled at the extension project on the Capitol by some, the Office of the Architect of the Capitol, in the years since the work was completed, has received overwhelmingly favorable comment from Members of Congress, Architects, and visitors to the Capitol, to the effect that far from being defaced, the original design has been preserved in marble and the appearance of the Capitol has been enhanced.

Press statement

Some critics propose the division of Mr. Stewart's office into two sections: one for everyday maintenance another for construction around the Capitol. Additionally the office of the Architect might be brought within the jurisdiction of the Fine Arts Commission or the National Planning Commission. Or possibly a standing advisory panel charged with the supervision of the "Architect's" work would be chosen with the advice of the American Institute of Architects . . .

COMMENT

It is difficult to understand such a statement in an informed *free* press. The author seems obsessed with the idea that nothing good can be done without several tiers of review. If not an art commission, then a planning commission should review; if not that, then some kind of standing advisory panel selected by a professional society who is not responsible to the electorate.

Let the record show that the great Capitol of this country, 1792–1967, including the East Front Extension, with all its dignity, magnificence, and beauty was designed and constructed over a period of 170 years without the "benefit" of an art commission, a planning commission, or a standing panel of "advisors." Instead the Capitol is a monument to the foresight, dedication and creative genius of many, many individuals.

H.R. 6167—A DUBIOUS BILL

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I deeply regret the quick and easy approval given by the House yesterday to H.R. 6167, a bill authorizing the loan of U.S. warships to foreign nations.

The legislation should have been more carefully scrutinized by the House, for it continues the loan of American destroyers to Peru and Colombia, two nations that have shocked public opinion with their outrageous, high seas forays against American fishermen.

Peru, ironically, has brazenly employed U.S. Navy vessels to track down and capture our own U.S. fishing boats.

I have in my office, in fact, a photograph of a gun-slinging Peruvian officer pausing between shots at the crew of a San Diego tunaboat, the *Mayflower*. The Peruvian is standing on the bridge of a large, seagoing, American-built tug—a dubious gift from the U.S. Government.

The gentleman from Washington [Mr. PELLY] has ascertained neither of the destroyers consigned to Peru and Colombia by H.R. 6167 has actually engaged in attacks against American boats. But I seriously question whether nations that have so abused our confidence and trust are entitled to the loan of any U.S. warship.

It is my earnest hope that the other body will see fit to tighten up H.R. 6167 so as to cut off further largesse to those nations that would turn our own warships against us.

A TIME FOR REDEDICATION OF THE PEOPLE OF AMERICA

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, 192 years ago, to this day, eight men lay down their lives for our country. The death of these eight men is sometimes overlooked because of the tendency of Americans to celebrate the ending of the Revolutionary War rather than the beginning.

But today, I think, we owe them due notice fitting of the place of honor they hold in our Nation's history.

The men who laid down their tools of labor to defend the principles of freedom on the grounds of Lexington and Concord that day, 192 years ago, represent America's first engagement with the tyranny and oppression of a foreign government.

As we know, it was not the last time that Americans gave their lives for freedom and the principle of democracy.

Those humble men were men of courage, men of fortitude, and men of ideas. And they lit the light of democracy that has since shone from the four corners of our Nation for all the world to see. Those men are as much a part of our Nation's inception as those who followed and drew up the Constitution and the Bill of Rights.

I hope my colleagues, and the people of the United States, will hark back to the sacrifice made 192 years ago and rededicate themselves to the defense of freedom and democracy as we find ourselves faced with new Concords and new Lexingtons.

We owe this dedication to the patriots of the past who gave the dearest sacrifice.

The United States is committed by the patriots of the past to maintain at all costs, the light of freedom and democracy for the world.

AMYOTROPHIC LATERAL SCLEROSIS MONTH

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I am today introducing a joint resolution authorizing the President to proclaim June of each year as Amyotrophic Lateral Sclerosis Month.

This dread disease, for which no cure has yet been found, affects thousands of Americans between the ages of 40 and 60. It attacks the motor nerves and gradually saps the limbs of their function and strength.

Current research into the causes of this disease has established that a high percentage of the population of Guam contract amyotrophic lateral sclerosis. Comprehensive studies are taking place on that island to determine if the disease may be linked to hereditary traits. Thus far, however, no arrestive treatment has been developed. Eventually ALS attacks the breathing muscles and becomes fatal.

As a means of awakening the public

to the impact of this disease, and of encouraging more research into its causes and potential cures, I urge my colleagues to adopt this joint resolution establishing Amyotrophic Lateral Sclerosis Month.

REPRESENTATIVE BERRY DETAILS BEEF IMPORT PROBLEM AND NEED FOR CHANGES IN MEAT IMPORT QUOTA LAW

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, once again attention is being focused upon the growing problem of meat imports. I am certain that thousands of livestock producers across the country anxiously await to see if Congress will take constructive and speedy action on legislation which has been introduced to correct the weaknesses in our current import restrictions.

In 1963, cattlemen pleaded for protection. The executive branch, of course, did nothing. The Congress acted, but it was too little and too late. The disastrous result was one of the worst price declines in recent history for the American cattlemen.

Legislation is now on the books, but we need to take immediate action to improve import controls if we are going to avoid the same financial problems which we had 4 years ago.

I am introducing a bill to correct what I feel are deficiencies in the current Beef Import Limitation Act—Public Law 88-482. I am hopeful that my statement which deals with both the history of our meat trade with the rest of the world, and the current situation, will help to point up why we must take immediate action.

U.S.-FOREIGN MEAT TRADE

The problem of general import competition, of course, goes backs all the way to the 19th century when America learned the valuable lesson that protecting new industries with effective tariffs meant the difference between that new industry succeeding or failing. It is an old idea, but a very valid one. It is, in fact, the basis behind the mid-20th-century policy of the European Common Market which has carried internal protection to the fullest extent.

The acute problem of beef import competition also goes back a long way. I have been waging the fight for adequate protection since coming to Congress 16 years ago, and there were those before who had pointed up the dangers of our post-World War II trade pattern.

In 1953, I pointed out on the House floor:

> Foreign imports, encouraged by the free traders of the former administration, have undersold American farm products and have beaten down prices. Cattle, wool, and grain are striking examples of what these imports have done to undercut the domestic producer.

The trend was becoming clearer each year, and repeatedly we pointed out the potential dangers of rising beef imports which each year were surpassing the preceding year's level.

THE TURNING POINT: 1957

Imports had been increasing rapidly for several years, but beginning in 1957, and 1958, they skyrocketed. The general situation is pretty well displayed by the following statistics:

Balance of trade table—Beef and veal, fresh or frozen

[Product weight, millions of pounds]

Year	Imports	Exports	Net imports
1956	30.8	68.8	(−38.0)
1957	126.4	70.9	55.5
1958	358.2	6.8	351.4
1959	524.5	8.5	516.0
1960	413.8	10.2	403.6
1961	569.1	10.6	558.5
1962	863.3	9.9	853.4
1963	1,123.0	27.5	1,095.5
1964	800.0	57.0	743.0
1965	701.0	44.0	657.0
1966	893.0	29.0	864.0

As the table reveals, prior to 1957, the United States was a net exporter of livestock, meat, and meat products. Today the United States is the world's largest importer of meats.

In addition, imports to the United States, prior to 1957, were primarily from Argentina and Uruguay, and most of the meat was pickled, cured, and canned beef and veal. In 1956, for example, we imported 5 million pounds of fresh and frozen beef, 36 million pounds of boneless beef, and 143 million pounds of canned beef.

In 1962, the import figures showed that canned meat had only slightly increased to 166 million pounds, but fresh and frozen beef had jumped to 18 million pounds and boneless beef had increased to a whopping 1.1 billion pounds in the 6-year period. Obviously, there had been violent changes in our trade in meat and meat products with the rest of the world.

The following table shows the change in types of meat we are importing:

U.S. beef and veal imports, carcass weight equivalent

[In thousands of pounds]

Year	Beef								Total veal	Total beef and veal
	Fresh and frozen	Pickled and cured	Canned	Sausage	Other beef	Other canned not specifically provided for	Boneless	Total beef		
1954	7,520	27,416	168,784	398	8,187	5,766	12,537	230,608	1,048	231,656
1955	6,112	6,172	172,498	371	8,305	6,629	28,674	228,761	275	229,036
1956	5,140	9,799	143,999	468	7,338	6,915	36,894	210,553	245	210,798
1957	32,863	12,794	188,624	586	7,976	18,975	128,520	390,338	4,878	395,216
1958	58,880	7,250	224,606	874	12,691	176,753	414,488	895,542	13,506	909,048
1959	39,136	8,407	187,441	1,230	10,439	120,083	680,317	1,047,053	16,138	1,063,191
1960	14,685	1,107	151,538	1,135	8,369	26,636	556,765	760,235	15,275	775,510
1961	25,096	1,115	188,563	1,128	10,010	29,833	764,905	1,020,650	16,474	1,037,124
1962	18,767	620	166,238	1,159	16,223	28,908	1,187,632	1,419,547	25,511	1,445,058
1963	19,900	7,000	221,000	....	46,500	....	1,362,800	1,651,100	26,400	....
1964	17,200	4,000	110,000	....	20,700	....	919,200	1.067,700	17,500	....
1965	29,300	4,000	126,800	....	32,200	....	734,300	923,000	18,800	....
1966	20,000	6,000	127,000	....	48,000	....	987,000	1,188,000	....	....

Mr. Speaker, two developments reversed the pre-1957 trends. First, new techniques in refrigerated transportation were developed which enabled other countries to ship fresh and frozen meats abroad; and second, the formation of the European Economic Community, which established a higher tariff policy, which consequently closed a traditional market to the world's beef supply.

The new transportation techniques enabled distant Australia and New Zealand to increase their meat exports, and the United States became the new market for their production because of EEC restrictions against meat produced outside the Common Market.

The action of the Common Market points up the great disadvantage which U.S. producers face in world meat trade.

Whereas the Common Market has tariffs ranging from 58 to 118 percent ad valorem on cattle, the current tariff imposed by the United States is only about 3 cents per pound, or 11 percent.

In addition to offering little protection for our domestic markets, we have been denied access to foreign markets. Many of the principal importers into this country completely ban any beef imports into their countries. This is true of Australia and New Zealand, the two countries responsible for 70 percent of our imports, and yet not 1 pound can be exported into their countries.

Ireland, the third largest exporter of beef and veal to the United States, generally restricts all livestock and meat products by requiring import licenses. Their tariffs are high.

Mexico has trade barriers which severely restrict U.S. exports of meat and livestock into that country.

Denmark, one of the largest exporters of pork to the United States, prohibits all entry of such products from the United States under a health restriction.

The rapid import surge, which became a crisis in 1963, is also revealed by statistics which show the growing percentage of U.S. production which beef imports represent. The following table points up the evidence:

U.S. imports of cattle and beef, compared with U.S. production, by year, 1954–62

[Carcass weight equivalent, cattle and calves and beef and veal]

Year	Imports				U.S. meat production	Imports as a percentage of production
	Live animals		Meat	Total		
	Number	Meat equivalent				
	Thousand head	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Percent*
1954	71	35	232	267	14,610	1.8
1955	296	93	229	322	15,147	2.1
1956	141	43	211	254	16,094	1.6
1957	703	221	395	616	15,728	3.9
1958	1,126	340	909	1,249	14,516	8.6
1959	688	191	1,063	1,254	14,588	8.6
1960	645	163	775	938	15,835	5.9
1961	1,023	250	1,037	1,287	16,341	7.9
1962	1,232	280	1,445	1,725	16,311	10.6
1963		180	1,679	1,859	17,360	10.7

YEAR OF THE DISASTER: 1963

The historical trend which I have attempted to portray at some length continued until it reached crisis proportions in 1963. That was the year of disaster for the American cattleman. What happened in 1963 deserves careful scrutiny.

In the fall of 1962, choice steers were selling for over $30 per hundredweight. In January 1963, choice steers were selling for $27.27, at Chicago. By December of 1963, the price had fallen to $22.30, and the downtrend continued until May of 1964 when prices, suffering from the high level of imports, hit bottom at $20.50, down more than $10 a hundredweight. Many ranchers went broke in the decline.

What happened to imports during this same period? Look at the evidence: Imports in 1963 reached 1.67 billion pounds. This is the equivalent of 10.7 percent of the total domestic production. It represented more than 1 month out of the U.S. yearly supply of beef. It meant that every American who consumed an average of 100 pounds of meat in 1963, ate 10 pounds of foreign-produced beef and veal. The cattle market, as any observer knows, can be easily upset by minor fluctuations in the number of cattle and the volume of cattle slaughtered. But to add a 10-percent supply over and beyond domestic production to the country's markets could not help but be disastrous. As imports continued to flow in at record levels in 1963, the prices continued to drop. The attached chart shows the unmistakable parallel between the import level and the price decline:

Prices per 100 pounds of Choice steers and Utility cows at Chicago, 1962 to date, 1963 beef imports, by month (carcass weight)

Month	Choice steers			Utility cows			1963 imports
	1962	1963	1964	1962	1963	1964	
January	$26.39	$27.27	$22.61	$14.87	$15.07	$13.19	86,520
February	26.76	24.39	[1] 21.35	15.26	15.00	[1] 13.51	151,784
March	27.31	23.63		15.97	15.52		132,905
April	27.45	23.77		16.06	15.74		100,093
May	26.02	22.61		15.91	16.31		134,370
June	25.25	22.69		16.42	16.26		118,675
July	26.50	24.72		15.31	15.33		169,674
August	28.19	24.60		15.20	15.65		176,631
September	29.85	23.94		15.65	15.10		179,418
October	29.50	24.03		15.31	14.64		156,300
November	30.13	23.51		15.22	13.82		133,014
December	28.91	22.30		14.91	12.71		135,114
Total							1,677,530

[1] Preliminary.

Source: USDA Economic Research Service.

Prices in 1963 dropped as much as 25 to 30 percent. Gross cash income from cattle marketing fell more than $350 million and helped account for a decline of 3 percent in net farm income. This figure of loss was partially, at least, responsible for the farm parity ratio dropping to 75 percent in April of 1964, the lowest level since the depression days of the thirties.

I appreciate that the economists and the Department of Agriculture attempted to prove that since beef imports only amounted to 11 percent of the beef consumed domestically in 1963 that, therefore, imports could only account for a certain percent of the drop in the price of beef. Each economist comes up with a different figure ranging from 10 to 50 percent of the loss that can be charged to imports. In this connection, however, it should be pointed out that if a glass is filled with water one drop will cause it to run over—11 percent more will spill water all over the place. Increased domestic production in 1963 was just about enough to fill domestic needs. It was the imports that spilled it all over the place and broke the domestic price. Just one drop would have been bad, 11 percent ruined domestic prices.

Translating the 1963 import level into 1,000-pound beef, imports were equal to 4.1 million head of cattle. Not only does this represent 11 percent of all the beef consumed domestically, but it was more beef than was produced and marketed in the States of North and South Dakota, Wyoming, Montana, and Idaho combined. These five States are recognized as great beef-producing areas. The American farmer was required to reduce production in this country by an area the size of these five States in order to accommodate these beef imports.

Another comparison can be made between imports and the production of Texas. In 1962 Texas produced and marketed 3,577 million pounds of beef, or 500 million pounds less than was imported in 1963. In fact, 1963 imports of beef were equal to the combined production and marketings of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, New Jersey, Delaware, Rhode Island, Pennsylvania, Maryland, Virginia, West Virginia, North and South Carolina, Florida, Georgia, Ohio, and Indiana. Therefore, in order to accommodate 1963 imports, an area the size of these 19 coastal States had to be retired from production.

Putting it another way—the U.S. Department of Agriculture estimates that nationwide it requires the production of 28 acres to produce and market a 1,000-pound beef. Using the figure of 20 acres, however, we find that beef imports alone displaced the production of 82 million acres. If the 4.1 million head which came into this country and onto American tables at full market value had been produced in this country, instead of being imported, these cattle would have consumed 20 billion pounds of feed grain in addition to the roughage production of millions of acres, which is a complete waste to the national economy unless harvested by livestock. In terms of corn it would have required more than 350 million bushels.

But the economic impact of imports in 1963 are reflected in other ways, as well. These struck at the heart of the entire economy. Farm equipment sales, retail store sales, truck, automobile, and machinery sales were down from 10 to 50 percent from the year before 1963 in rural areas. It was estimated that farm income would drop by $700 million in 1963, and the largest estimations proved to be correct. Farmers across the Nation were caught in a rural slowdown from which we have never fully recovered. This was all in addition to the direct effect on the cattle market.

THE ECONOMICS OF IMPORT COMPETITION

It is argued that first, overproduction is the cause of lower prices, and second, that imported meat is of lower quality and grade, suitable only for processed products, and has little effect upon fed cattle prices. These statements, however, are unrealistic and do not give a complete picture of the impact of imports upon the domestic market.

Certainly increased domestic production has been a price factor, but should be pointed out that imports are directly responsible for overproduction.

Glutting the low-grade beef market with imports has driven the price of lower grade meat down and producers have not marketed their cows because of price, holding them back and using them another year or two for breeding purposes. This has meant more calves and, in turn, more animals on feed.

In other words, beef imports have a double-edge impact on prices. First, they flood the lower grade domestic market, forcing packers and beef processors out of the cow market, and second, they disrupt the law of supply and demand.

TOO LITTLE, TOO LATE: 1964

Prior to the passage of legislation late in 1964, the administration secured an "agreement" with Australia and New Zealand to voluntarily limit their flow of beef into the United States. The largest defect in the agreement and the one which made it meaningless from the start was that the quota was based on only the 1962–63 average, which naturally included the record high, market-breaking import level of 1963. It also exempted the canned and cured items which, although they had not rapidly increased as much as boneless and fresh and frozen beef, still were substantial. Similar deficiencies were evident in an agreement entered into with the Irish Government soon after.

As I mentioned, action was taken late in 1964. It was, unfortunately, too little and too late. The real chance for effective action was earlier in the year, in March when the Senate was debating the Wheat-Cotton Act of 1964.

At that time, Senator HRUSKA, of Nebraska, offered an amendment to the bill which would have established an effective quota on beef imports. He argued his case excellently. His amendment would have imposed a quota on fresh, chilled, or frozen beef, veal, mutton, and lamb at a level equal to the average imports of these products during the 5-year period 1958 through 1962. The proposal contained a growth factor for foreign suppliers of about 1.5 percent, which represented our own population increase. The proposed amendment would have limited imports in 1964 to 540 million pounds—product weight—which compares with the 920 million pounds under the formula established by the Australian and New Zealand agreements.

The base used in calculating these formulas is very important. That, in fact, is a great reason why we now find that the 1964 law on the books is doing little to control the import of beef and veal. The foundation on which it is based is too large.

It is, therefore, all the more unfortunate that we did not add the Hruska amendment to the 1964 Wheat-Cotton Act. Some argued that we were running out of time, but I am certain the cattle producers of this Nation saw through the mirage. A few more hours of debate on the Hruska amendment would not have killed the 1964 wheat-cotton bill. It would have, instead, given the Nation's cattle producers some needed and valuable protection. It would have saved them millions of dollars. But the amendment lost on a 44-to-46 vote. One more affirmative vote might have spelled success.

Later in that same month, I appeared before the House Rules Committee and urged that the Hruska amendment be made germane to the wheat and cotton bill which the House was going to consider. Unfortunately, for the American cattlemen, that was not sustained, and our efforts were not successful until August of 1964.

It was in August when we were able to pass the current import law. It was in the form of an amendment to a wild animal bill, all of which I think is very indicative of the position of the administration which opposed the quota bill and forced the Congress to tack it on to rather unrelated legislation in order to get some type of protection from the imports which were still greatly holding down cattle prices.

THE 1964 LAW AND ITS SHORTCOMINGS

The 1964 meat import quota law establishes a quota or limit as to the quantities of certain specified types of foreign meat—specifically, fresh, chilled, and frozen beef, veal, and mutton—which may be imported from abroad. That is the base quota and it is set at 725,400,000 pounds, which is the average imports of those meats during the years 1959 to 1963.

Note here that the record high year of 1963 is included in the quota base. This, as I said, is the root of much of the trouble. We have built the record-breaking year right into the formula which we passed to control beef imports. But the base figure can be increased in two ways. First, imports are permitted to grow at the same rate as domestic production. As of now, this growth has reached 179,200,000 pounds, thus resulting in an adjusted base quota of 904,600,000 pounds for 1967. This is not the same growth factor which the original Hruska bill had proposed. In essence, the law on the books guarantees importers the same increase as domestic production.

The tragedy here was pointed up by the recent error in estimating cattle numbers. The Department of Agriculture underestimated cattle numbers by 11 million head, or roughly 7 percent. This increase of 7 percent in production, which was added on with the stroke of one statistician's pen, was also extended to importers for the 1967 importing year. Faced with an unexpectedly high level of domestic-fed beef, it would seem we should hold down on imports, but the current law grants importers the same increase as domestic producers and they have, therefore, received a free 7-percent increase in the amount which they can import in 1967.

The law provides further that the quotas are not imposed until imports are expected to amount to 110 percent of this adjusted base quota. This "trigger point" amounts to 995 million pounds for 1967.

It is obvious that the "growth" and "trigger" loopholes in the current law have rendered the quota restrictions meaningless. We are nearly back at 1 billion pounds, which is the figure that started all the trouble in 1963 and broke the market.

Another fault in the present law is that the quotas are imposed on the basis of an estimate made in advance by the Secretary of Agriculture. When the Secretary could care less in the first place if the cattleman is protected, this "out" has been skillfully exploited by the administration.

The statute provides that at the beginning of each year, and quarterly thereafter, the Secretary of Agriculture is to estimate the quantities of the specified types of meat that will come into this country during that calendar year. The quotas will be imposed only if his estimate of expected imports is a larger figure than the trigger point calculated for that year in the manner previously described.

Also, lamb imports were excluded. The evidence for our export-import trade in lamb is roughly the same as the figures for beef, and imports have soared. This commodity is not included in the formula.

WHAT HAS BEEN THE RESULT?

In 1965, imports of meat subject to the import law totaled 614 million pounds of beef and mutton. In 1966, the quantity was 823.5 million pounds. The actual beef import level for both these years was much higher. In 1965 and 1966, beef and veal imports, which includes items not covered by the quota law, reached crisis proportions once again. The outlook for 1967, in the Department's own words, is one of even higher levels of imports.

In December of 1966, the Secretary of Agriculture announced that imports of fresh, chilled, or frozen cattle meat and mutton into the United States during 1967 were expected to total about 960 million pounds—product weight. This volume of imports would be larger than the quota level under Public Law 88–482, but below the quantity which would direct the President to proclaim meat import quotas.

Under the law, the base quota is 725.4 million pounds. Since average domestic production of these meats during 1965–67 is estimated to be 24.7 percent above the 5-year average of the base period 1959 to 1963, the quotas for 1967 are 24.7 percent above the base level, or 904.6 million pounds. But imports must reach 110 percent of that figure before quotas can be proclaimed. That figure is 995 million pounds.

More seriously, imports of red meats not covered by the legislation, pork, lamb, and all canned and cured meats are also likely to increase in 1967.

The Secretary's estimate for 1966 imports was completely off. We actually imported 823 million pounds, and his first estimate was for only 700 million pounds. The same could very well be true this year, and the unfortunate fact is that this makes the quotas completely ineffective. In short, the mechanics of the present law are unworkable and offer no protection to the American cattleman.

At this point, I would like to state that the original Hruska amendment would hold imports in 1967 to around 625 million pounds. Instead, under the law as it stands, imports may well reach the 1 billion mark once again.

What is the price outlook for 1967? The evidence for the past 15 months is a poor indication of where we are headed. The following tables show the price drop during the March 1966 to present period, the same time during which imports are again on a sharp increase:

Selected prices per 100 pounds of cattle, by months, 1966–67

[In dollars]

Month	Chicago				Kansas City			
	Choice steers		Utility cows		Good feeder steers, 550 to 750 pounds		Choice feeder steers calves	
	1966	1967	1966	1967	1966	1967	1966	1967
January	26.87	25.25	15.83	16.98	24.01	23.36	28.19	29.69
February	27.79	24.92	17.72	17.92	25.40	23.44	30.96	29.60
March	29.22		19.51		26.57		32.45	
April	27.98		19.70		26.26		31.27	
May	26.75		19.54		26.39		31.80	
June	25.49		18.83		25.37		30.90	
July	25.41		17.86		23.91		29.02	
August	25.85		18.37		24.78		29.81	
September	26.11		18.46		24.88		30.21	
October	25.50		17.52		23.74		30.09	
November	24.94		16.53		23.55		29.71	
December	24.50		16.40		23.06		29.31	
Average	26.29		18.02		24.38		30.31	

Selected price per 100 pounds of cattle by months, Omaha, 1966–67

[In dollars]

Month	Choice steers		Choice feeder steers, 550 to 750 pounds		Utility cows	
	1966	1967	1966	1967	1966	1967
January	25.68	24.64	26.56	26.75	15.58	16.68
February	27.11	24.03	28.00	26.50	17.82	17.36
March	28.12		29.45		19.39	
April	26.87		29.12		19.16	
May	25.78		28.89		19.26	
June	25.06		28.75		18.44	
July	25.25		28.50		17.32	
August	25.79		28.35		18.53	
September	25.70		28.59		18.50	
October	24.82		27.76		17.46	
November	23.96		26.80		16.21	
December	23.65		26.75		16.40	

The overall farm parity ratio stands at 74 percent today, once again down to depression day levels. Choice steers are $3 to $5 per hundredweight below a year ago, good grade steers from $2 to $3.50 lower. Choice grade slaughter heifers are $2 to $3.50 lower, and utility and commercial cows are $1 to $1.25 per hundredweight lower.

Choice and prime wooled lambs are $4.75 per hundredweight to $5.25 per hundredweight lower than last year and the 35-pound to 45-pound lamb carcasses are $6.50 per hundredweight below last year.

The Department of Agriculture realizes the impact of imports on these price declines whether it admits it publicly or not. They recently announced a special beef and pork buying program to "stabilize producer prices for beef and pork during an anticipated heavy movement of cattle and hogs this spring and early summer."

What this means aside from bureaucratic gobbledygook is that the Department is very concerned that prices might sink violently once again as they did in 1963. And the idea is to buy off meat to keep prices up by avoiding surpluses on the market. I can think of no better way to keep surpluses off the market than by effectively controlling imports which are the real source of our market surpluses.

The other problem with a Government buying program is that it is physically impossible for the Government to buy enough beef to make that much difference in the price of cattle. It makes little sense to engage in a beef buying program which will be canceled by imports which continue to pour in.

PROPOSED CHANGES IN THE LAW

Quite obviously, we need to make some prompt changes in the import quota law if we are to avoid serious financial problems among our Nation's livestock producers.

Therefore, I am introducing legislation to bring about certain revisions in the law. Several of the changes have been suggested by Senator ROMAN HRUSKA, of Nebraska.

First, we must abolish the "trigger" feature of the current law by removing the 10-percent overflow of imports which is allowed before quotas can be imposed. My bill would set an established quota level which would be final. No amount could be imported over the flat figure.

Second, the bill would change the mechanics whereby the Secretary estimates import volume as a basis for imposing quotas. This change basically would mean that import levels would be recorded and quotas imposed on the actual level of meat imported, rather than on the estimates of the Secretary.

Third, the bill extends coverage of items included in the quota formula. It would include all types of canned, cured, preserved, or other types of beef imports which are used as an "out" by foreign producers to escape the provisions of the current law.

Fourth, lamb would be included. Lamb imports have skyrocketed and we must include lamb in the basic items covered by the import law.

Fifth, we must revise the base upon which the quota is based, and my bill would use the original Hruska suggestions for a base formula. That is the 1958–62 average which avoids the unusually high 1963 level in the figuring of permitted imports. The base would be 585.5 million pounds, rather than the 725 million figure of the current public law.

Sixth, the bill provides for dividing the yearly quota into quarterly divisions. Imports could not exceed the quarterly maximum in any given quarter. This would spread imports evenly over the year and minimize their interference with our domestic markets. When imports reach their quarterly limit, no more could be imported until the next quarter.

Seventh, the bill would include offshore purchases of beef, veal, lamb, and mutton. They would be considered as imports in any quarter. This would include the recent U.S. Defense Department purchase of 10 million pounds of mutton which went directly from New Zealand to our troops in the Pacific military zone and, therefore, was not counted as part of our imports.

Eighth, the bill would require the Secretary of Agriculture to estimate anticipated imports publicly each month. The bill would impose quotas on actual imports quarterly, but it is still necessary to alert the American producer to the anticipated imports for the upcoming month. This section of the bill would make this mandatory. It would also make the public more aware of the level and effect of beef imports.

CONCLUSION

It is very important that we take action immediately. We waited in 1964 and many livestock producers were forced into bankruptcy.

The history of the problem is clear. The facts are clear. Our trading policy, particularly our lax and nonprotective attitude toward beef and meat imports, has cost the American producer millions of dollars. The record is clear.

It is now up to the Congress to take action. We must take a long, hard look at the law which is on the books. We must update and strengthen that law. We must enact changes immediately because the future trend is disturbingly clear.

RESULTS OF MONTHLY CONSTITUENT POLL

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, the tabulations on the second of my monthly constituent polls are now complete. The results are interesting in themselves, and in comparison with last month.

Support for the President's policy on Vietnam, among those who answer these polls-by-mail, went up from 58 percent to 67 percent; and support for the bombing of Vietnam went up from 75 percent to 80 percent.

The respondents gave an 80-percent endorsement of the action of this House in excluding Mr. Powell from the current Congress. By a small majority they said the Federal Government should restrict the sale of firearms. However, 80 percent were opposed to the proposed 6-percent surtax in the next income tax; and 58 percent expressed opposition to lowering the voting age to 18.

In this poll 15,000 ballot cards were mailed to all postal patrons on 29 mail routes, carefully selected to give a good sample of the people in the district. One ballot card was sent to each address. The respondents were asked to return the marked ballots within 2 weeks. Those counted were postmarked from March 21 to April 4, inclusive. There were 3,300 of these, a 22-percent return—compared to 20 percent return last month. I am quite pleased with this high return and attribute it, in part at least, to the interest being stirred in the district by our system of monthly polls.

In more detail the results were:

1. In general do you agree with President Johnson's policy on Vietnam? Yes—67%. No vote—3%. No—30%.

2. Continue the bombing of North Viet-Nam or stop it? Continue—80%. No vote—5%. Stop—15%.

3. Do you agree with the House in its vote to exclude Mr. Powell from the current Congress? Yes—80%. No vote—3%. No—17%.

4. President Johnson says next year the taxpayer should figure his income tax by the current rules and then add 6%. Should Congress so legislate. Yes—14%. No vote—6%. No—80%.

5. Should the Federal Government restrict the sale of firearms? Yes—59%. No vote—3%. No—38%.

6. Should the voting age be lowered to 18? Yes—38%. No vote—4%. No—58%.

SECRETARY OF AGRICULTURE WILL TAKE NO ACTION TO HELP FARMERS

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, the Secretary of Agriculture has summed up the administration's lack of interest in our present farm problem in a letter to me written on behalf of the President and in answer to my request for the release of the 1966 Tariff Commission report on dairy imports. As you may recall, I was joined on March 20 by 48 of my colleagues in requesting that the President forward that report to the Congress so that we could more adequately study the import problem.

In answering my letter, the Secretary states:

> It was and is the President's intention to release these reports in the event he acts on the recommendations of the Tariff Commission.

My question is this, Mr. Speaker: What necessitates those reports remaining secret? There have been over 100 dairy import bills introduced in this Congress—should we not have all the information that we can possibly find in studying this problem?

For the information of my colleagues, I include the letter I have received from the Secretary of Agriculture as part of my remarks at this point:

Department of Agriculture,
Office of the Secretary,
Washington, April 14, 1967.

Hon. William A. Steiger,
House of Representatives.

Dear Congressman: The President has asked me to respond to your letter of March 20 in which you and a number of your colleagues in the House of Representatives, urge that certain reports of the Tariff Commission to the President and relating to the imports of Cheddar cheese be forwarded to the Congress.

The two reports requested by you relate to an investigation conducted by the Tariff Commission at the President's direction and under the provisions of Section 22 of the Agricultural Adjustment Act, as amended. The investigation dealt with (1) whether an increase of 926,700 pounds in the import quota for Cheddar cheese for the period March–June 1966 could be made without material interference with the price support programs; and (2) whether for one year only, that is for the quota year 1966–67 beginning July 1, 1966, the import quota for Cheddar cheese could be increased to 9,565,300 pounds without causing material interference with the price support program.

The increase under (1) represented about one-tenth of one percent of the annual consumption of Cheddar cheese in the United States. An import quota of the size under (2) would be equivalent to less than one percent of the Cheddar cheese consumed annually in the United States.

The two reports were received on May 16, 1966 and on June 1, 1966. It was and is the President's intention to release these reports in the event he acts on the recommendations of the Tariff Commission.

However, while these reports were under study, there were additional significant dairy developments. In June 1966, an increase in the support level for manufacturing milk from $3.50 per cwt. to $4.00 was announced by the Department; in October, I announced that a support of at least $4.00 would continue through March 1968. In addition, I used authority in Section 206 of the Sugar Act of 1948, as amended, to limit imports of articles containing 25 percent or more sugar in butterfat/sugar mixtures. Most recently, the President directed the Tariff Commission to conduct an investigation under Section 22 of the Agricultural Adjustment Act, as amended, and to advise him whether or not certain dairy products were being imported in quantities which tend to interfere with the price support program.

In view of the foregoing, and pending the completion of the study being made by the Tariff Commission, the President has delayed final action on the aforementioned reports of the Tariff Commission. As indicated previously, as soon as such final action is taken, the Tariff Commission will be directed to release these reports for public use, and this, of course, will make them available to you and your colleagues as well as other interested members of the Congress.

Sincerely yours,
Orville L. Freeman.

Unfortunately, this letter typifies what has become known in this country as the administration's credibility or information gap regarding numerous problems facing this country. We have here a report on a study conducted by the Tariff Commission regarding a situation that is making more critical the already serious plight of the dairy farmer and the Congress of the United States is not allowed to look at that study.

I think this also typifies, Mr. Speaker, the patchwork farm program that the administration has run and is attempting to continue to run. Our farm program must not be viewed on a day-to-day basis. This is a continuing problem and we should view it as such.

Since my colleagues, and I, on March 20, asked the President to make public the tariff report, the administration has allowed to slip into this country, by its failure to act, over 300 million pounds of imported milk equivalent. While farmers in this country attempt in a number of ways to improve their ability to earn a reasonable living, those with the power to act sit back and allow to enter this country in those 30 days an amount almost equal to the entire production of milk in the State of Iowa during the month of January.

Mr. Speaker, Wisconsin dairy herds produced a little over 18 billion pounds of milk in 1966. This production was about 4 percent below the previous year; 6 percent, or more than 1 billion pounds, less than the record 1964 production; and between 1 and 2 percent under the 1960–64 average. The State's 1966 milk production was the lowest for any year since 1961. At the same time nationally the number of dairy cattle continues to drop and prices paid by farmers for the goods they buy continue to rise.

What the farmer needs is action. Whether it be temporary or permanent action, the farmer needs action. The first day of hearings on dairy imports by the Tariff Commission is scheduled for May 15. Between now and then, another 300 million pounds of milk equivalent will be imported. This will further depress the farm economy and endanger the national economy. Even if the President would take only temporary action to limit imports until the tariff hearings have been terminated, it would be a welcome relief.

It is hard to imagine, Mr. Speaker, that during a time of world famine and starvation a nation that has abundance can allow its agriculture backbone, the American farmer, to continue an exodus from the farm. On April 1 of this year, Chet Huntley on NBC's "Monitor" did a good job of analyzing this problem. So that my colleagues might have the benefit of his thinking on this matter, I include a transcript from that program as part of my remarks and I point in particular to the paragraph where Mr. Huntley says:

> If two-thirds of the American steel industry had its back to the wall, or two-thirds of the automobile industry, or two-thirds of almost any other industry, there would be a scramble in high places to do something about it. There is some wringing of hands, at the moment, about the plight of the farmer; but nothing is happening.

The transcript follows:

> The time has come when the people of this country . . . and its leadership . . . must do some profound thinking about the immediate and long-range future of one of our basic businesses . . . agribusiness. This conclusion is apodictic. There are about 3 million of them in trouble. These two million farms and farmers represent an in-

> vestment of, at least, 60 *billion* dollars and probably more.
>
> Before you say to yourself, "So what," consider whether a sector of this American economy, worth 60 billion dollars or more, can be in trouble or collapse, without it affecting YOUR pocketbook, your future, your cost of living, your investments, or your savings. It could affect YOUR bank!
>
> If two-thirds of the American steel industry had its back to the wall, or two-thirds of the automobile industry, or two-thirds of almost any other industry, there would be a scramble in high places to do something about it. There is some wringing of hands, at the moment, about the plight of the farmer; but nothing is happening.
>
> Fundamentally, what is happening is this: a decision is being made, but with no profound thought given to it, that two million farmers must get off their land and move into town or city and begin looking for jobs. If that happens, and it is happening, it means awesome difficulties for employment, welfare, housing, and all the rest. But there is a vast social question here, too: what social advantage is there for the nation in having two million or more families living in the stable and peaceful environment of the country. To put it another way: can our already overtaxed cities and towns endure an influx of another two million families? Still another question: at this critical moment in the whole business of food supply for the world's expanding population, how wise are we in liquidating two million farmers who could be depended upon to help meet the crisis?
>
> The situation is critical enough that extreme measures are in order. Organized labor is going for substantial wage increases this year and that is going to mean increased hardship on the farm. Wages and profits in the past 15 years have gone up; farm income has gone down. The prices for everything the farmer buys have gone up . . . prices for most everything he sells have gone down.
>
> Food prices simply have to go up if these 2 million and more farmers are to stay in business. It has been proposed that the farmer at his point of sale be given a modest bonus . . . and a modest one would do it . . . and that this bonus be applied to the commodity through all its stages to the consumer but would not be figured in the percentage of markup by processor, distributor, wholesaler, and retailer. It might have some merit. Higher corporate taxes might have to be applied to the corporate farm or its bonus might be smaller. Extreme measure? Yes. Extreme problem . . . extreme crisis on the farm? . . . Yes. So what do we do?

We are faced here with a situation of growing significance. Anytime we displace, during any one year, production of a product made in this country with 300 percent more imported products than the previous year, it is time to take a real look at the basis of the problem. I hope my colleagues in this and the other body will continue to press for action on the matter of dairy imports.

LACK OF COMMUNIST RESPONSE TO AMERICAN OVERTURES

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, U.S. approval of the United States-Soviet Consular Treaty and the administration's kindly, considerate efforts toward "building bridges" to Russia have received, from the Soviets, the kick that was expected by anyone who has any knowledge of past Russian activities.

Communist Party Chief Leonid Brezhnev stated yesterday in East Germany:

> Help for Vietnam would be significantly more effective and the fiasco of the adventure of the imperialist aggressors would occur much earlier if a comprehensive unity of action of all Socialist countries, including China, for planning and for practical aid to the fighting Vietnamese people could be achieved.

Already, at Russian instigation, Peking and Moscow have made an agreement allowing Soviet war materiel to move more freely across China on the way to North Vietnam.

The objective—and the end result—of all of this is to kill more American troops in Vietnam.

The American Army officer who had more experience with the Russians in World War II than any other, Gen. John R. Deane, pointed out in his book "The Strange Alliance" the utter futility of getting along with the Russians by yielding to them:

> They [the Russians] cannot understand giving without taking and as a result even our giving is viewed with suspicion. Gratitude cannot be banked in the Soviet Union. Each transaction is complete in itself without regard to past favors. The party of the second part is either a shrewd trader to be admired or a sucker to be despised.

General Deane went on to say:

> We have the moral and physical power to stop the Soviet leaders cold and we should not hesitate to use it. We can check any future aggression if we are alive to the dangers that confronts us. If we emulate the ostrich and bury our head in the sand, we shall get the resounding kick from a Russian boot that such an undignified posture deserves.

The lessons of history teach us that we can get along with the Communists only by demanding as much as we give. Not until then will they respect us, and not until they respect us is there any hope for a meaningful peace.

He who ignores history is bound to relive it.

COMMITTEE ON RULES—PERMISSION TO FILE PRIVILEGED REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE NO. 5—PERMISSION TO SIT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary may sit today while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, and I shall not object, I would like to inquire of the distinguished majority leader if there is to be business before the House for the remainder of the afternoon.

Mr. ALBERT. I will say to the gentleman only special orders.

Mr. HALL. I thank the gentleman. Under the circumstances, I think any committee ought to be allowed to sit.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PATRIOTS' DAY, 1967

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I am today, Patriots' Day, 1967, introducing legislation to authorize the appropriation of $200,000 for the first 2 years of operation of the American Revolution Bicentennial Commission. This Commission, authorized by legislation signed by the President on July 4, 1966, has the enormous responsibility of planning for the commemoration of the 200th anniversary of American Independence in the 1970's.

Under the legislation which Mr. MATHIAS of Maryland and I first introduced in January of 1966, initial planning funds were included in the amount of $200,000. This provision was deleted during the course of the legislation process and the Commission at the present time has no funds whatsoever.

It was the intent of the Congress last year to force the Commission to rely on the donations of the private sector. While I hope that private individuals and groups will play an important role in the commemoration of the Revolution, I think we cannot ask them to contribute until they have some idea of what will be done with the money. At the very minimum the Commission must have some "seed money" to lay plans sufficient to attract the interest and the participation of private organizations.

The amendments I introduce today are identical with those requested by the White House in a letter to the President of the Senate and the Speaker of the House except in one important respect. The amendments sent up by the Bureau of the Budget would provide for an open-ended authorization for the Commission. I think it far wiser to put a dollar limitation on the first 2-year funding and have therefore incorporated my original $200,000 2-year limit in this legislation.

Mr. Speaker, I hope that it will be possible for the Congress to act promptly on this legislation so that no more time will be lost in laying the groundwork for a meaningful bicentennial celebration.

A NEW APPROACH TO FOREIGN AID

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, the distinguished gentleman from Maryland [Mr. Gude], recently discussed "A New Approach to Foreign Aid" with the Capitol Hill Kiwanis Club.

Mr. Gude addressed himself particularly to the new possibilities for effective development opened up by the addition of title IX, "Utilization of Democratic Institutions in Development" to the Foreign Assistance Act of 1966.

As a cosponsor of title IX, I am delighted with the interest that the gentleman has expressed. He has recognized the fundamental importance of engaging the people in their own development. He points out:

> The gap within each country between government and governed, between rich and poor, between the literate city dweller and the isolated peasant, is potentially more dangerous than even the gap between the rich and the poor nations.

It is this internal gap to which we must address an increasing proportion of our own development efforts using to as great an extent as possible the tremendous resources in our own private sector.

Under unanimous consent I include the text of Mr. Gude's remarks in the Record:

A New Approach to Foreign Aid

More than twenty years have passed since Americans first became aware that our tremendous resources could help the less developed nations lift the burden of poverty. The term "economic development" has become almost a household word.

Americans have also been quick to recognize the importance or social change to the development process. In occupied Japan, and later in Formosa, American advisers pushed for agrarian reform. The Alliance for Progress institutionalized our support for social reform in Latin America.

Yet support for our foreign aid program has grown increasingly grudging, and honest intelligent criticism of the whole idea of foreign aid is not uncommon. Perhaps we have held unrealistic expectations over what a one per cent foreign aid increment to a nation's gross national product can accomplish. But more important is our failure to recognize that the crucial bottlenecks to the development of a traditional society are most frequently political and institutional. Whether the developing countries can meet the staggering problems of hunger, disease and ignorance will to a large extent depend on the success or failure of their political systems.

Congress took steps to remedy this deficiency in the 1966 foreign aid bill by the addition of a new title IX entitled "utilization of democratic institutions in development." The title provides that "in carrying out programs authorized in this chapter, emphasis shall be placed on assuring maximum participation in the task of economic development on the part of the people of the developing countries, through the encouragement of democratic private and local government institutions."

One expert has pointed out that title IX is "a directive to the U.S. to retool its (foreign aid) philosophy, not a mandate to remake the political systems of other countries."[1] We have learned that our democratic institutions cannot be transplanted intact to soils and climes different from our own. In this hemisphere constitutions much like ours have been repeatedly violated.

But perhaps the political weaknesses of our Latin neighbors, the tragic Communist coup against a democratic Czechslovakia, and the Nazi takeover of a middle class Germany have made us a bit too cynical about the chances for democracy in other countries.

Let's examine the positive side of the ledger. Many developing countries have already achieved diverse forms of democratic stability. Chile and Costa Rica have long histories of free, contested elections, Venezuela and Peru have achieved broad based civilian governments for the first time in the last few years. A stable multi-party system is functioning in the Sudan, and the prime minister of Kenya recently permitted four dissident members of his party to resign their seats and stand for re-election as members of a small opposition movement. In Japan, Democracy has taken root to a degree thought impossible in 1945.

If these countries have anything in common it is that most of them have leadership which is in some degree cognizant of the political dimension of development. Leaders such as Eduardo Frei of Chile and Sadik Al-Mahdi of Sudan consciously pursue political development policies, not only in order to broaden and stabilize their political systems, but also because they understand the economic benefits of encouraging the development of democratic self-help institutions.

Ecuadorean villagers organized a rural electric cooperative with the help of U.S. advisors from the National Rural Electric Cooperative Association, under contract to AID. And within one year an ice plant, a soft drink plant, a spaghetti factory, a coffee processing plant, two sawmills, a motel and a radio station had been established in the village, not only because the village had electricity but also because the villagers had acquired a whole new way of thinking through participation in the cooperative.

Most American aid is still channeled through national government ministries of economics. Before it gets to the village level, it has to pass through the far too fine mesh of bureaucracy, inefficiency, and not infrequently, corruption. Direct aid to the village level through American private and voluntary organizations has been secondary in terms of total U.S. capital outlay. Despite considerable evidence that these projects are often the most successful part of the American AID effort. The intent of title IX is nothing less than to reverse our priorities.

The authors of title IX understood that foreign aid needed a new theoretical justification and set of long range purposes. The theoretical focus of the new provision is democratic political development. The following explanation of the term makes clear that we are talking about far more than a country's formal political system. Political scientists have not yet formulated an exact definition of political development, but they generally agree that the process includes the following:

1. A broadening of the political base. A man in a remote mountain village becomes aware of a national political campaign.

2. The amplification of the decision making process. Slum dwellers decide to build a school. A Kiwanis Club in Peru decides that their village needs an agronomist and sponsors a scholarship for a local student to study in Lima.

3. The growth of intermediate institutions with increased access to the decision making process. A new development association for a province comprised of business and leaders begins to lobby in the National chamber of deputies.

4. The formation of some sort of national consensus. Opposition leaders decide that their attempts to block a reform program in the legislature will only discredit them. They decide instead to present amendments which will make the measure more effective.

5. Mechanisms to preserve the responsiveness and flexibility of the governing consensus. A circulated petition leads to the replacement of an unpopular public official.

Very well, you may say, but what does this mean practically, for the U.S. foreign aid program. I shall try to give you some concrete examples.

It means that AID's contract program with U.S. intermediate institutions should be expanded and that other kinds of institutions should be encouraged to enter the field of foreign assistance, either independently or indirectly under AID. American cooperatives, American labor and some American business organizations are already involved. Between 1962 and 1966 the number of cooperative credit unions in Latin America increased from 432 to 2,216 with U.S. private assistance. They should be given increased support. But other kinds of organizations such as professional associations, fraternal organizations, like Kiwanis, newspapers, etc., should be encouraged to export institutional as well as technical skill.

Several Congressmen have even suggested that our two major political parties set up an institute for democratic development to train young political leaders from the developing countries in techniques of organization and recruitment.

The peace corps volunteers encourage villagers to organize neighborhood organizations or councils. We should examine the possibility of utilizing this approach in our other foreign programs.

We might consider giving assistance to literacy drives which use materials on general subjects such as self-help, democracy, etc. Venezuela sponsored such a drive, with considerable success. The foreign experience of the league of women voters would be invaluable to the planning of such an approach.

I would like to make two final proposals which I believe have not been mentioned as often as the others.

The first is that we think seriously about channeling a large portion of our foreign assistance through the local and municipal governments of other countries. Extreme centralization produces top heavy and unstable political systems in most of the developing world. It increases the gap between government and governed. I recognize that this would have to be accompanied by technical administrative assistance and that we would have to be careful not merely to prop up an unpopular local government the way we have sometimes helped unpopular national regimes.

We could, for example, tie aid for school construction to the setting up of a local school board.

My other suggestion is that U.S. and perhaps European foundations could sponsor regional seminars on the problems of political development. These would be attended by local and national government officials, students, businessmen, labor leaders, etc. This would help to spread awareness of the political dimensions of development throughout the developing world.

One expert has suggested that there may be less resistance to the political development approach among foreign leaders than we might suspect. Most political leaders are aware that the gap within each country between government and governed, between rich and poor, between the literate city dweller and the isolated peasant, is potentially more dangerous than even the gap between the rich and the poor nations. The gap within developing societies is the single most powerful advantage the communists possess.

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[1] Dana Reynolds.

Both the gap within and the gap between societies must be filled. American organizational experience and genius in the private and independent sectors can make an enormous contribution to this compelling necessity of our era.

AN ELOQUENT SPOKESMAN FOR THE HUMANITIES

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, recently the Humanities and the Arts Endowments, established by the National Foundation for the Arts and Humanities Act, submitted their first annual reports to the Congress and to the President. In the short time of their existence both endowments have shown their worth and already have had a noticeable impact on the cultural growth of our country.

Mr. Speaker, the Humanities Endowment has been, of necessity, somewhat slower in developing its programs. And the humanities grants recently announced have received some criticism for being too scholarly in nature—criticism I think to be unjustified. This sort of criticism of humanistic research is nothing new. Since the days when Diogenes the philosopher was a figure for ridicule, pictured as living in a tub, or searching for the honest man with a lamp in broad daylight, the student of mankind has been criticized for wasting his time and everyone else's in pointless study. But we can answer the sour comment of the preacher in Ecclesiastes that there "is no end to the making of books" with Alexander Pope's dictum that "the proper study of mankind is man." But it is even more difficult in an age obsessed with "research and development" and "applied science," designed to produce the super gadgets of modern technology, to persuade people that humanistic study produces the thought that guides the hand that uses the tools of technology.

The humanities have found an eloquent spokesman in the Chairman of the Humanities Endowment, Dr. Barnaby Keeney, former president of Brown University. In a recent commencement address at George Washington University, he discussed in his wise and witty way the broader role of humanistic study in our society. He emphasizes the relevance of the humanities to the problems that we face in 20th-century America and to their solution. As he says:

> The record of human aspiration is the very substance of the humanities. Through their study we may learn why some people have sought high things, and others have not, and how some brought themselves to, and others, lost, their aspirations.

And he goes on to say:

> If humanists can learn to make their work relevant to these problems, and immediate as well as retrospective, they will perform their greatest service. . . . The study must inform the forum.

Mr. Speaker, I have read no better statement of the very real and practical task of the humanities in the 20th century, and under unanimous consent I place the full text of Dr. Keeney's address in the RECORD at the conclusion of my remarks. It is an eloquent and articulate explanation of the role of the humanities.

The money authorized and appropriated for the arts and humanities is dwarfed by the billions spent on the material structure of our society. But the relatively modest sums we spend on the arts and humanities may give us some of the wisdom we need to guide the social and industrial juggernaut that blind technology has created. We must avoid the road of self-destruction by seeking the paths of wisdom.

The address follows:

COMMENCEMENT ADDRESS AT GEORGE WASHINGTON UNIVERSITY, FEBRUARY 22, 1967

(By Barnaby C. Keeney, Chairman, National Endowment for the Humanities)

Commencement addresses resemble neckties in two important respects. The first is that they are vestigial and symbolic relics of much more elaborate historical institutions. The necktie descends from the scarf, which is a comfortable device for keeping the neck warm in winter and cool in summer. The necktie itself, of course, is not comfortable and interferes with circulation enough to keep one cool in the winter and warm in the summer, but no one of ripe years would dare go without one, and few institutions dare dispense with the Commencement address, which is the last formal barrier between the student and his degree. The Commencement address is descended from the 18th Century practice of requiring each graduating student to deliver an oration. This was bad enough when there were a dozen people in a class, but as classes grew it became intolerable. Indeed, one class at Brown in the mid-19th Century went on strike and all 50 students refused to deliver their orations, and to this day have not received their degrees, though they may have received an education.

The second respect in which Commencement addresses and neckties resemble each other is that they are frequently poorly tied together and after awhile tend to become spotty. I fear that this speech will be no exception, but having heard scores of them, I rest with Mark Twain, who once remarked that of all the speeches he had heard, he enjoyed his own the most.

President Elliott has asked me to speak about the humanities, their place in the university, (and particularly in this university, situated as it is next to the heart of American decision-making), the place of the humanities in Washington, which he properly describes as a crossroads of the world. Actually, the humanities are at a crossroads of their own. Which fork they take will affect their place in universities, and more importantly, their place in society.

A year and a half ago the Congress and the President established the National Foundation for the Arts and Humanities, and in doing so declared that it is in the national interest that the arts and humanities flourish as a national resource, not simply to embellish American life but to form it, and to make it more meaningful. They conceived the humanities and arts as meaningful to all, but, as anyone would, they defined the humanities as that rather obvious collection of academic fields—the study of literature, history, art, philosophy, and so forth. It is in this academic orientation that the problem exists and from which the crossroads lead.

Humanism as we presently know it was formed in the Renaissance, though like everything else in the Renaissance it was not new. It was a reorientation of man's thought and his aspirations from the Christian belief that man's activities must be shaped primarily toward his relations with the Divinity and his future in the hereafter. It was in the early Renaissance that attention to the Greek and Roman classics was emphasized, though their study had not been lacking in the Middle Ages. The Greek and Roman classics, of course, were written without any Christian preconceptions or preoccupations. They relate to man's activities on earth, and when they do involve a divinity, as they frequently do, it is another divinity than the Christian one. The classics, therefore, become closely associated with the this-worldly orientation of the Renaissance, and rather quickly, humanism became not so much an interest in this world as a study of the classics, and humanism acquired at that time and has since kept its very academic orientation. It is today primarily scholarship in literature, in history, in art, in philosophy, rather than an interest in literature or history or art, past or present, as a part of man's daily activities. This is the problem. The substance of the humanities is the creative work of men and women their speculations about their condition their nature, their relations to each other, their place in the universe, and their aspirations. Much scholarship in these fields relates to the details of all this, and the worst scholarship, which we call pedantry, ignores the substance. Even the best is likely to underplay the relevance.

We often assume that humanists can work well only when material conditions are good and when there is peace and order. We forget that the Renaissance humanists themselves lived in a society that was as internally and externally disorderly as any that the world has ever seen. We forget that the Greeks, who composed the enduring monuments of Athenian thought and art, were throughout their greatest period in long and exhausting wars, and that their society was based upon the labor of slaves. We forget that the Jews, whose speculations and interpretations of themselves, their past, and their God, are the other great base of modern western thought, were the traditional prey of all the great powers of the eastern Mediterranean, and that they lived in a physical environment where great effort is necessary to sustain decent life. Actually, men do create the substance of the humanities under the most strange conditions, and they do so because they are willing to take time to think and because they have aspirations whose attainment is of the utmost importance to them. A paradox, of course, of our situation today is that the scholar who devotes himself to an examination of those very works and those very acts which reflect the immediate and present aspirations, as well as the future hopes, of man in the past, often does so entirely retrospectively and neglects to consider the very like acts of creativity, the very like deeds of history, and the very similar hopes and aspirations for the future with which we are concerned today.

It is often said, and I think it is true, that Americans today are producing a great age in art. It is often said, too, and I think truly, that scholarship in the humanities is at a higher level in this country than it has even been in the past. It is never said, and I think properly so, that this is a great age of humanism, and I think the reason is the paradox I have just defined, that our scholarship and our present work are somewhat disassociated.

Yet there is reason for hope. Because we are in trouble as individuals, as a country, and as a world, we are searching our minds and our lives, searching because there is doubt and uncertainty, but searching also because there is concern and hope.

Search as we will, we won't find the answers wholly in the present, so that we will be forced to look to the past for the reasons that things are as they are, for intellectual enlightenment, for experience. Thus the humanities may be forced into present relevance.

If we can force ourselves to take time to think, time stolen from the work and play that so effectively prevent us from thinking, and from the procedures that we invent so that thought will be unnecessary, we may well shape a new future. We may even develop educational institutions that will cause their students, even after they become alumni, to continue to learn and investigate things that are related to their larger concerns, rather than to the work that they are at the moment doing. We may hopefully remember, in time, that it is literature and art and music, thought and understanding and belief, whether it is assumed or reasoned, that really give life its meaning, and we may save ourselves in time from mistakes by remembering that the recorded activities of men in the past can usefully serve as vicarious experience for us. What reputable physician would prescribe for a patient without taking his history? The doctors of society and government must learn to behave likewise.

There are many problems that face us today, and for some of the most difficult of these, technological solutions either have been found or can be found, but political and social solutions have not or cannot. We know, for example, how to prevent the pollution of the air, how to cleanse the water of our rivers and how to prevent them from becoming sewers in the first place. We have not found the political and social device which will permit us to throw enough of our national resources into purification to be effective, and particularly we have not been able to bring ourselves to hamper by regulation those industries which we originally encouraged to develop, and through their very development pollute our environment. Particularly, we have not yet found the will to reimburse them for changing the ways that we have encouraged them to adopt.

These latter are social and political acts, and social and political knowledge is humane knowledge. We have the wealth with which to eliminate material poverty. We have the educational resources, theoretically, to educate and train almost anyone so that he need not (because of ignorance) be poor, excepting relatively, but we have lost the way to remove the greatest poverty of all—the deprivation that comes from lack of aspiration. The record of human aspiration is the very substance of the humanities. Through their study we may learn why some peoples have sought high things and others have not, and how some brought themselves to, and others lost, their aspirations.

Pollution is indeed a great problem, and poverty is as great a one, but there is a greater yet, perhaps the greatest that faces us today. We have a systematic and frequently professed set of beliefs, and we have an unstated set of assumptions. In a society which is at rest with itself, beliefs and assumptions that are accepted control behavior. In ours, they do not, for though we state our beliefs, we behave quite differently, and we have not yet been willing to account even to ourselves for the disparity, but we are beginning, and your generation is leading, to question the accepted positions, and sometimes to propose alternatives. I suppose the most dramatic example of a disparity between belief and practice, between respectability, and actuality, is in the area of birth control and population management, often described as another greatest problem that the world today must face. The technology to control population exists. The political and social instruments do not. Actually, however, it is the disassociation of belief and practice that lies behind this practical problem, and which must be at least partly solved before a practical solution can be implemented.

We must, in short, either change our ways or our ethics, or both, unless we choose to allow starvation and war to clean up the situation. Both customs and ethics are the very substance of the humanities.

The humanities need Washington, because it is here that knowledge and decision are most closely involved in each other. Washington needs the humanities, if our decision-makers are really to learn to use knowledge that is not only quantitative but is abstract and sometimes speculative. There is a difference between being objectively right and being right, and it is through abstract philosophical knowledge and thought, used together with objective knowledge, that one's opportunities to be right are greatest.

If humanists can learn to make their work relevant to these problems, and immediate as well as retrospective, they will perform their greatest service. The Civil Rights movement is more than it appears to be on the surface. It is a part, and a very present part, of the ancient search for justice, and many of the problems that are being faced or evaded today are problems that have been faced or evaded in the search for justice in the past. Knowledge of these events and thoughts is highly relevant to what we have before us now. The study must inform the forum.

These are some of the reasons that my little organization is important, and that the great band of humanists and artists and writers and thinkers is far more important yet. Will we learn to use what we have and what we can create, and at the end of these trying times cause to flourish a truly noble society here and elsewhere? Or will we, like many civilizations of the past, allow the disintegration of the intimate relationship between knowledge and belief and act to destroy us?

Now I return to the principal obligation of the Commencement speaker, which is to advise the graduates. As a humanist, I must advise you to be curious, to seek always to know and to understand, not simply things that concern you immediately but things that are of ultimate importance for you. As an executive, I must advise you to be lazy, lazy enough to think and to reflect, before you act, so that you will really have the opportunity to use the knowledge that you have acquired here and which I hope you will continue to acquire. Finally, as a seeker for knowledge, I must advise you to listen. You will be surprised to learn how much more information you acquire that way than by talking. Obviously, I have disregarded my own advice long enough.

"FAITHFUL HEIR OF THE FOUNDING FATHERS," CHRISTIAN A. HERTER

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the Atlantic alliance lost one of its most outstanding and perceptive statesmen with the recent death of Christian A. Herter. During his public career, beginning with election to the House of Representatives, Mr. Herter was a leader in the effort to establish an Atlantic Union. As Secretary of State, Mr. Herter gave full State Department support to a bill authorizing a U.S. Citizens Commission on NATO to explore greater unity with similar delegations from other Atlantic allies.

Clarence K. Streit, president of Federal Union, Inc., in a recent article in Freedom and Union, has outlined the significant contributions of Mr. Herter for the cause of Atlantic Union.

In 1966, Federal Union, Inc., presented its highest award to Mr. Herter in presenting to him the association's Atlantic Union Pioneer Award on June 11. Former U.S. Ambassador to Peru Theodore Achilles made the presentation.

Mr. Speaker, at this point, I include Mr. Streit's article and Ambassador Achilles' presentation as a part of my remarks:

IN MEMORIAM: "FAITHFUL HEIR OF THE FOUNDING FATHERS," CHRISTIAN A. HERTER, 1895–1966

(By Clarence Streit)

By the death of Christian A. Herter on Dec. 30 Atlantic Union lost the second of two great American statesmen who had teamed ever more closely for it through 20 years. Mr. Herter, long an outwardly smiling victim of arthritis, died apparently of a stroke at 71; his team-mate and friend, Will Clayton, passed into History on Feb. 8 at 86.

How much more Chris—as his friends called him—would have done for Atlantic Union had he been spared as long as was Will . . . had he lived those extra 15 years in this period when science and technology are advancing at a speed faster than sound—and faster far than light on how the world they are creating is to be governed in freedom—the freedom it requires as do growing infants mother's milk. To pause, and think of these things, is to appraise better our incalculable loss in the death of Christian Herter, and our gain through his life, and teamwork.

This teamwork began when in 1946–7 Texan Mr. Clayton as Under Secretary of State inspired the Marshall Plan. Mr. Herter, then a Republican Congressman from Massachusetts, headed a Select Committee that led in getting Congress to approve it. They next teamed together for the Kefauver resolutions to explore Atlantic Union which Rep. Herter co-sponsored in 1949 and 1951, and Mr. Clayton championed as vice president of the Atlantic Union Committee, which he had helped found in 1949 soon after he left the State Department.

The Department blocked these proposals until Mr. Herter, after serving as Governor of Massachusetts, became Secretary of State in 1959. Thanks to him, it then gave a green light to a bill authorizing a U.S. Citizens Commission on NATO to explore greater unity with similar delegations from other Atlantic allies. Congress approved this in 1960 and in 1961 Messrs. Herter and Clayton were included among the 20 Commission members and elected co-chairmen of it.

When the resulting Convention met in Paris in January 1962, Mr. Herter was elected its President.

Meanwhile, early in 1961 the two men became the first U.S. statesmen to belong to the small highly selective Honorary Council of the International Movement for Atlantic Union. In the Fall of 1961 the Herter-Clayton team led in paving the way for the Trade Expansion Act. When Congress approved it in 1962, President Kennedy named Mr. Herter as Special Representative in charge of the international negotiations to free commerce which it opened up. He still held this post, struggling upstream against mounting frustrations, when he died.

These highlights suffice to show that Federal Union, Inc. (publisher of this magazine), was richly justified in giving its highest honor—the Atlantic Union Pioneer Award—to Mr. Clayton in 1964 and to Mr. Herter in 1966. Other details in this crowning period of Mr. Herter's career are given in the accompanying excerpts from the eloquent address by former Ambassador Theodore C. Achilles in presenting the Award to him at New Salem, Illinois, the pioneer settlement so formative for Abraham Lincoln. We reprint also his acceptance statement—the more significant because this testament of faith in federal union of the free was, we understand, his last important public statement . . . a fact entirely overlooked by the daily press. (In fact, the columns it devoted to his obituary rarely mentioned even briefly his long work for Atlantic federation.)

We tend to picture the pioneer as an uncouth frontiersman, through whose rough exterior History's perceptive eye could see the diamond core. Yet when we visit Mount Vernon or Monticello, we are inwardly pleased to see from the homes which Washington and Jefferson built that these revolutionaries who founded our American Federal Union were the kind of men we like to associate with so noble a structure. When we read the lives or words of Benjamin Franklin and Alexander Hamilton we gain the same unconscious satisfaction that their characters and even manners were in keeping with the stature and nature of the political work they pioneered.

Both Christian Herter and William Clayton were shining examples of that kind of pioneer—noble men, in the best and self-earned sense of the term. Both were at home in the most refined, educated and articulate circles—and both made the least refined, educated and articulate feel at home with them. They were gentlemen in what most distinguishes that abused word—they were men of rare strength and rare gentleness. They shared a trait—natural kindliness—we do not associate so much with Washington, Jefferson, Hamilton, or even Franklin.

This gentleness and kindliness were the more remarkable and praiseworthy in Christian Herter because they shone through the painful arthritis that crippled his later years—daily testimony to his courage, as well as to his consideration for others.

In opening the Atlantic Convention in 1962 President Herter asked: "How can we accelerate the historic process of Atlantic unity; how engineer a political breakthrough. . .? The key problem remains—national selfishness, doubt that such a positive political act of faith is needed, postponement of the necessary self-denial . . . Our task is to break this inertial trend . . . Perhaps a galvanic shock will be needed. . . But must we wait for some great catastrophe" to unite us?

Thus he defined the task that, more urgently than ever, still confronts us. In tackling it now without him we can gain courage from the heritage of words and deeds he left us each. We can take heart, too—as he would—from the accelerating rise to power of young Congressmen, Senators and others who became convinced Atlantic Federalists in their student years and now assure its future leadership. And so, in trying to express, in a letter to Mrs. Herter, our feelings of personal loss and sympathy for her and her family, I felt confident that I could assure her: "We will do our utmost that his plea for Atlantica to be united in time to prevent catastrophe—not too late—will not have been made in vain."

Herter, Accepting Atlantic Union Award, Reaffirmed Faith in "Federal Principles"

(By Theodore C. Achilles)

(*There follow excerpts from the tribute which former Ambassador Theodore C. Achilles, vice president of Federal Union Inc., paid to Christian Herter in presenting to him the association's Atlantic Union Pioneer Award on June 11, 1966, in front of the restored Rutledge log tavern in New Salem settlement where Anne won the heart of Abraham Lincoln.*)

Christian Herter has given his country and his fellow men in all countries nearly 50 years of devoted public service. The breadth of his varied experience has been equalled by the length of his personality and his ability to inspire his associates to constructive thought and action.

[*After detailing "the wealth of varied experience which has enabled him to do so much for the cause of Atlantic unity," Mr. Achilles added:*]

I do not know when he first came to believe in that cause, but I am sure that his belief in it was first aroused, like all of us, either by talking with Clarence Streit or by reading *Union Now.* I do know that, as a Member of Congress in 1949 [*then, and again in 1951*], he joined with Senator Kefauver in introducing the first Atlantic Union resolution.

The breadth of his vision, and of his understanding that the proven wisdom of our American federal principles could be of incalculable benefit to the world of today was shown in the words of preamble of that resolution:

"Whereas the principles on which our American freedom is founded are those of federal union, which were applied for the first time in history in the United States Constitution; and

"Whereas our Federal Convention of 1787 worked out these principles of union as a means of safe-guarding the liberty and common heritage of the people of thirteen sovereign States, strengthening their free institutions, uniting their defensive efforts, encouraging their economic collaboration, and severally attaining the aims that the democracies of the North Atlantic have set for themselves in the aforesaid [NATO] treaty; and

"Whereas these federal union principles have succeeded impressively in advancing such aims in the United States, Canada, Switzerland, and wherever other free peoples have applied them; and

"Whereas the United States, together with the other signatories of the treaty, has promised to bring about a better understanding of these federal principles and has, as their most extensive practitioner and greatest beneficiary, a unique moral obligation to make this contribution to peace . . ."

Each time the Department of State opposed the resolution on the grounds that the time was not ripe, that emphasis on the broad prospect of Atlantic unity might cool enthusiasm in Europe for the more limited goal of European unity, and that this Government could not even initiate exploration of such unity unless it was exactly what would emerge at the other end. Had similar objections prevailed in 1787 we would never have had a United States of America.

In 1960 a similar resolution was before Congress but Mr. Herter was then Secretary of State. He then stated:

"The Department considers that a meeting such as the one proposed in this resolution might well serve a good purpose. We would be in favor of any useful meetings in which the future of the Atlantic Community can be discussed realistically by thoughtful and responsible people. We in the Department of State would certainly welcome any constructive and practical ideas which might emerge from the proposed convention.

"We particularly welcome the thought expressed in the resolution that the delegates to the proposed convention should be free to explore the problem as fully as individuals . . ."

Finally the resolution passed and Mr. Herter, after his retirement in 1961 as Secretary of State, was elected Co-Chairman of the American Delegation and Chairman of the Paris Convention. His opening speech to that Convention was inspiring and well worth re-reading in full. I will quote only a few sentences. . . .

"Our efforts will be fruitful if we clarify our central purpose to generate an awareness and resulting demand for change and, perhaps, to foreshadow new political arrangements."

"Human efforts," he continued, "become even more effective as they are directed towards defined ends, both in time and in scope. Not only do we need to be clear on the general nature of our political designs, but on a general time span in which we hope to accomplish them. While the ultimate political framework of the North Atlantic Community cannot now be foreseen, our respective nations should not rule out of consideration any approach, no matter how ambitious."

"Must we wait," he concluded, "for catastrophe to unite us?"

When Clarence Streit launched his bold vision of a Union of the Free in 1939 it was dismissed as utopian by many people, particularly in government or political life. It took courage for anyone in government or political life publicly to support it and to urge action to make that vision a reality. Today a resolution calling for a convention to seek agreement upon union of the free as a goal, upon a definite time table and specific institutions to bring it about, is before the Congress sponsored by, at the last count I have heard, 17 Senators and 97 Congressmen.

Selfish, shortsighted nationalism is still strong, not only in France, and the Union of the Free will not come into being without much further controversy and effort. Yet "utopia" has become practical politics, and no single individual has done more to make it so than Christian A. Herter.

It is an honor and a privilege to present him the Atlantic Union Pioneer Award with this citation: "Christian A. Herter, Faithful Heir of the Founding Fathers, Who as Congressman, Urged Exploration of Atlantic Union, as Secretary of State First Opened its Door to a Convention to that End, as President of that Convention asked: 'Must We Wait . . . for Catastrophe' to Unite Us?"

[*Mr. Herter being unable to come—as he had planned to a late hour—Rufus Smith, Director of Canadian Relations in the State Department, accepted the Award for him, and read this statement Mr. Herter had written before his health kept him from coming—and was, we believe, his last important public declaration.—Editors*]

"I deeply appreciate the honor you are doing me and regret that it is impossible for me to be with you in person.

"It was not quite 30 years ago, just before the outbreak of World War II, that Clarence Streit startled the world with his proposal for a federal union of the free. The boldness of his vision inspired new hope in many, but many others dismissed it as utopian dreaming. These 30 years have seen far more "utopian" things become real elements of today's world—television, jet propulsion, nuclear weapons, space travel.

"His proposal was based upon the conviction that the federal principles embodied in our Constitution were the best means yet devised for combining the preservations of individual liberty with the strength of union and that, as our history has proved, they served 180 million people as well as a few million. I know of no free man who would dispute this.

"It was based upon the conviction that all the forces of the modern world—the pressures of population, the speed of modern transportation and communication, the destructiveness of modern weapons—were making the would constantly more interdependent and forcing us to seek new ways of dealing with problems which respect no frontiers. How much truer this is today than in 1939, and how much more widely recognized.

"Finally, his proposal was based upon the conviction that a start toward wider unity must be made by those nations of Western Europe and North America which share a common faith in the dignity and freedom of the individual, a common heritage, and a vast reservoir of democratic political experience, of knowledge and of moral and material resources. Every U.S. President from Truman to Johnson, every Canadian Prime Minister from St. Laurent to Pearson, and many statesmen in Western Europe, have eloquently proclaimed the importance of progressively greater Atlantic unity.

"What is 'utopian' about these ideas today? Are they not rather a far-sighted view, in President Kennedy's words, of the true course of history? President Johnson has said, 'We shape an Atlantic civilization with an Atlantic destiny.'

"I am convinced that in the long-run neither military alliances nor customs unions will survive without the cement of political institutions. This does not necessarily mean the exact type of union which we created here in the United States. It may well be something new. It must be realistically based upon the needs of today's and tomorrow's world and, I believe, it will have to be based upon some form of federal principles. The ties may be looser and more flexible as between different nations. The roots of unity may have to grow slowly and deeply before the tree grows to full height, but we must never lose sight of our objective or tire in our pursuit of it."

WISCONSIN PROFESSOR ANSWERS VIETNAM CRITIC

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, we have witnessed cleverly organized groups throughout the country, primarily headed by ultraliberals with Communist involvement obscured from view, who are conducting a concerted attack on U.S. foreign policy in southeast Asia. Former Vice President Richard Nixon has effectively described the aid and comfort which the enemy is receiving from the radical left within this country.

I am pleased to insert into the Record as part of my remarks a letter Dr. Waclaw W. Soroka, associate professor of history, Wisconsin State University, Stevens Point, Wis., has written in answer to a request from a radical liberal group active on that campus to sign an appeal to the President similar to statements emanating from other radical left groups to which I have referred. I include Dr. Soroka's letter at this point in the Record:

March 16, 1967.

Prof. Morris M. Wilhelm,
Acting for the Stevens Point Committee for Peace in Vietnam, Department of Political Science, Wisconsin State University, Stevens Point, Wis.

Dear Professor Wilhelm: I have refused to sign your appeal to the President of the United States related to the war in Viet Nam, as proposed in your writing of January 27, and through your representatives on February 23, 1967.

The reasons for my disapproval of your action are the following:

Your statement "that the situation in Viet Nam today is not one where American military might can effectively curb Communist tyranny and aggression" is not convincing. Why isn't it? I see a lack of foundation for your statement; "it is a typical 'petitio principii'" This action in Viet Nam, combined with a proper stand of the U.S. Government, has already curbed Communist expansion throughout the world. There are many signs visible in the Communist camp which indicate that the determination of the U.S. in curbing the Communist expansion by force decreased the influences of the Communist warmongers and strengthened the Communist opponents of the Stalinist and Maoist bellicosity in all the Communist countries, a result of enormous significance. The situation in Viet Nam is proving, in spite of its drama and gravity, that containment of Communism is effective and that the imposition of the Communist revolution and subsequent dictatorship by force on any country is doomed to failure.

The military action of the U.S. in Viet Nam is, therefore, similar in its character and causes to the action carried out by President Harry S. Truman in Greece, Korea and Berlin, and by President J. F. Kennedy in Cuba. President Lyndon B. Johnson has faced a similar pressure from conspiracies of political minorities expressed in terror, massacres and in complete disregard for international agreements. This pressure also disregards the stand of the opponents of Communism no matter whether they are democrats and progressives or conservatives and authoritarians.

Additionally, I disagree with your formulation of this particular statement. It implies your understanding of the military action in Viet Nam as being separated from the political process under the control of the U.S. government. I am of a different opinion. In Viet Nam, we do not see "American military might" only, which would act independently from the political organs of this nation. The military action in Viet Nam is only an extension and prolongation of American policies and diplomacy. The policies of the U.S. in Viet Nam have limited objectives. They are to lead toward a decent solution protecting the nations from imposed dictatorship. However, the policies of this country face the military pressure and the known determination of the Communists to impose their will on everybody else.

Your belief "that the use of American forces in Viet Nam today has turned more Vietnamese, other Asians, and the world community against the United States,"—and "has encouraged more Vietnamese than ever before to turn to Communism . . ." is completely unfounded. In looking at the situation in Viet Nam, you disregard the fact that the Communists are using their unrestricted terror in forcing support from the population of the regions under their domination. You also disregard the fact that in the regions of Viet Nam free from Communist terror, the overwhelming majority of the people voted against Communism. Do you really know many countries where Communism was adopted as a result of the decision of the majority of the people? Do you *know one such country* with the *exception* of Karelia in India?

You also disregard the fact that the claims for peace, including the appeals of the representatives of various religions, with Pope Paul VI as head, have been addressed to both of the parts, to both of the suprapowers, and to China as well. Your stand requiring a unilateral withdrawal of the U.S. from Viet Nam misinterprets such appeals—since you err in your evaluation of the public opinion of the world.

Your statement also implies a misinterpretation of the U.S. broader or underlying objectives in Asia. You assume that the U.S. wants to impose their own rule on part of Asia. And I assume that such are not the objectives of the U.S.

The U.S. does not tend toward the establishment of new colonialism or of any kind of rule over any country of Asia. The U.S. is determined to help in building the Asian societies based on the will of the majority, on respect of human dignity, on freedom from terror and willfulness. The U.S. is determined to submit to, and to defend, the rule and regime of the international law and international cooperation. And to abide by international law, imperfect as it still is, but expressed in some valid agreements is to the interest of everybody, but first of all of the weak and small nations. The rejection of such a rule of law is a crime, no matter whether it is motivated by power politics of the strong, or by nationalism and irrational obstinacy of the Ho Chi Minhs. Giving up in face of such an obstinacy does not solve anything. It cannot solve now as it did not solve anything when the Western powers were giving up in face of the obstinacy of Hitler.

I agree that many Asian peoples have historical reasons for apprehensions at the thought that the old colonialism could be replaced by a new one. It is the task for our diplomacy to dissipate such apprehension. The thought of intelelctuals with integrity must include in its consideration the threat and existence of Communist colonialism, as well. It certainly is to the interest of Asian peoples to learn that the U.S. has been one of the most effective factors in bringing down colonialism.

I agree with you that it is a tragedy for everybody to look or think about the "massacre of thousands of innocent Vietnamese" as well as the "sacrifice of the lives of thousands of the U.S. soldiers" which result from the war in Viet Nam.

But do you believe that the massacres would stop with the American withdrawal from Viet Nam? Let's be candid. A huge new wave of extermination would start which would be similar to the extermination of tens of millions of people in China and everywhere where Communism has been established.

One might have a special attitude toward the victims of Communism, but a fair measure of intellectuals should not make any distinction among Communist and non-Communist victims of terror and barbarism. There are such people who refuse to notice this, I would say that this also is "a treason of the clerk." Any massacre points to the barbaric stage of civilization and to the needs for going deeper to eliminate all of these practices.

Are you sure that saving our soldiers in Viet Nam is tantamount to saving our soldiers and our nation from the threat of aggression? What do you seek; to be safe from aggression, from the necessity of sacrificing millions in the future war—or to be safe from the necessary united effort and sacrifice today in Viet Nam, no matter what would be the future?

Have you forgotten that in the last war close to 50 million people perished just because a madman, Hitler, could create an illusion of "the peace of our time" which became possible because of unreasonable appeasement? Those victims of the Second World War perished because the aggressors had been given green lights for their aggressions, because there was nobody strong enough to prove to the madman in time that he had no chance with his Nazi idea. Giving a green light to the new aggressors necessarily leads us to further demands and higher costs of resistance. A future war would cause incomparably more losses, victims and sacrifices.

In the face of an aggressive pressure, of a threat of Communist mono-idea to be imposed on people by force, the resignation or indifference of free nations does not help at all in finding a proper solution for the difficulties. The rule of law, the superiority of law, and the respect for international agreements and requirement of international cooperation, is the only solution and an urgent necessity. As in the past, on a lower level of organization, in the transition from the individual self-defense and vengeance to the justice administered by the state, so in the present in international relations, the rule of law, peace, and orderly conditions cannot be established by giving up before an aggressor. It cannot be established through a submission of its objectives to the obstinate nationalisms and unlimited sovereignty of the states and nations. All the failures of the international organizations and of the collective security in the past resulted from lack of sufficient backing of strong nations, self-restricted but prompt in implementing the rule of law and agreement. Not the excess of strength in defense of law and peaceful cooperation was the cause of failures of the international order in the past, and consequently of millions of innocent victims, but lack of strength, restricted to rational objectives and used in a proper time.

Today, still the United States is strong enough to provide the rule of law and the respect for international agreements with sufficient force. Your proposition tends toward a limitation of this strength or toward a postponement of the test. Your proposition, therefore, tends toward the return to the situation similar to that after the First World War, when there was no strength to stop aggressors until the world-wide war developed from the local aggressions. I do not agree with you and I do not see any justification for such a stand.

There is no justification for assuming that the Communists are unified. There are such Communists in the Soviet Union who stand with Daniel and Siniavskii who were deported to Siberia for smuggling their books to the west. There are the Kochetkovs, the Pankratovas who publicly denounced the imperialism and nationalistic chauvinism of Russia and the Soviet Union. There are Tito and Albanian Hodzha, there were Stalin and Khrushchev, there is Mao Tze-tung and his opponents. There are such Communists who hate this continuous pressure of Romantic revolutionaries and wait for a support of the U.S. given to "settlement, reconciliation and cooperation," *against* their own irrational revolutionaries.

The stand of this country—no matter which—helps the one and harms the other.

Firm containment of Communistic pressure in Korea reversed Stalin and his entire myth, and his new purges and new dogmatic revolution.

Firm containment today, in Viet Nam or anywhere increases chances that the Communistic world will generate determination and sincere will for a cooperation in peace. It is the only valid objective of this country but this objective is worth all the sacrifices.

I may go beyond the scope of your direct considerations regarding three additional problems.

The Asiatic nations pass through their interior revolutions. It would be unreasonable and detrimental to support the dictatorial and arrogant groups representing the feudal past or the privileged present of the few against the progress and extension of the democratic process for all. There is no such a necessity. But it would be equally detrimental and unreasonable to assume that progress is represented by the Communists who should not be opposed. In this respect, the work done with the help of the U.S. toward the establishment of the democratic institutions in Viet Nam is commendable and exemplary as the third solution between two false alternatives.

The stand of the U.S. reflected in the policies of President L. B. Johnson, in fact of all the U.S. government since 1945, is marked by deep and mature self-restrictions and limited objectives. These limited objectives seek primarily the cessation of the Communist invasion by force of non-Communist countries. These limited objectives include putting in relief the necessity for all the nations to submit to the rule of law and to the requirements of a peaceful cooperation implemented by the United Nations, by other international organizations and by the international agreements.

Such a stand is not acceptable only for those who consider the process of Communistic expansion as irreversible and as an unavoidable accomplishment of Marxist dialectic. Not all of the Communists of today believe in such a costly dogma. Why does this country have to support the belief of the most radical and blindly orthodox Communists?

The stand of this country is successfully kept and preserved in spite of other pressures of the rightist-extremists, in spite of adverse stand of some leftist groups, in spite of the danger that the development of such an event—if uncontrolled sufficiently—might push this country to an unlimited involvement.

The leaders of the Soviet Union, of China and of all the Communist countries do know or can know that the U.S. is ready to cooperate with all in a peaceful co-existence. They, however, still do not know clearly how far they can go in breaking the international commitments and in disregarding loyalty in this cooperation. They broke the tens of major commitments made to President F. D. Roosevelt. They should know that there is no chance for further blackmailing and a successful imposition of their dictatorship by force over any other country. The sooner they know this, the quicker they will turn toward reason and common sense and against irresponsible adventures.

Your assumption that the Communist regimes turn toward a Titoism of "National Communism" is probably true. It is not excluded that the same evolution could have occurred in Viet Nam, had the whole of Viet Nam become Communist after the defeat of the French. We do not know this, although it is probable.

But what we do know for sure is that "National Communism" developed in the period of successful containment. We also do know that the successful expansion of Communism increases its dogmatism, its bellicosity, its fighting spirit. And this is not desirable in common interest of non-Communist as well as Communist countries.

The sufferings of the Vietnamese have been caused first of all by the Communists themselves. Human compassion for the victims of the war should be expressed also as a protest against the action of the Communists and of Ho Chi Minh. We also do know that we face today not the alternatives of 1950, but the alternatives of 1967.

We heard the people comparing the American conduct of war in Viet Nam with the Nazi deeds and methods. Such a comparison is an abuse of freedom of thought and of common sense. It also proves a complete misunderstanding and lack of knowledge of what the Nazis were.

If I were to protest, I would protest:

Against the nations and individuals who do not abide by the international law, agreements and good faith;

Against the ideologies and apostles of the monoideas—Communistic, nationalistic, Fascistic or others—imposed on the people by force against their will;

Against the regime of one party, or one group which limits individual freedoms and the protection of law over man;

Against the regimes which disregard the will of majority and the rights of minorities, and which govern the peoples without taking into account the will of people and its right to the control over the governments;

Against all Romantic revolutionaries who expose man, a concrete, singular human being, to oppression and hardship in the name of their classes, of their nations, of their concepts of "perfect society";

Against all cruelties including the Communist cruelties;

Against the weakening of this country which can and should defend Peace and international order, discredited and indefensible if the containment does not hold.

Sincerely,

Dr. Waclaw W. Soroka,
Associate Professor of History.

Mr. Speaker, this letter speaks for itself as an effective rebuttal to the propaganda which the radical left of this country is using in an attempt to confuse the American public and foil the leadership our Nation must provide to the free world in the continuing struggle against Communist tyranny.

FLOOD OF PORNOGRAPHY POLLUTES OUR POSTAL SYSTEM

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Reinecke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. REINECKE. Mr. Speaker, today I am reintroducing two bills designed to attack the flood of pornographic mail which pollutes our postal system.

A recent report from the attorney general of my State of California reveals disturbing facts about the amount of obscene and pornographic material which is produced in our State. The smut industry grosses more than $20 million a year from the sale of its offensive matter. And the disturbing thing is that most of this smut is delivered through the services of the U.S. postal system.

The decent citizens of my State are appalled at this situation. They are taking steps toward halting production of this pornographic material on the State level. But they need the strong arm of Federal law to stop the flow of obscene matter through the postal system.

The attorney general's report cites Los Angeles as a central source for obscene matter mailed throughout the Nation.

The Johnson administration has completely ignored this major problem facing law-enforcement agencies. The President recently proposed a series of major anticrime bills to the Congress, but not one word was said about the rising tide of pornography.

Because efforts to combat obscenity have been stymied in the courts, I believe that the Congress must give to every American the weapons to protect his family against the smut being dumped into his mail box.

COMPOUNDING THE PROBLEM

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wyoming [Mr. HARRISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARRISON. Mr. Speaker, the service given by the Post Office Department steadily grows worse. Repeated requests are being made for increases in first-class mail rates but no improvement of service results from such increases. Even the Postmaster General admits the Department is inefficient and he has suggested that its method of operation be changed.

Some time ago, the Post Office Department shifted from railway mail service to delivery by trucks, with a decreasing efficiency in the handling of the mail, a large loss of revenue by the railroads, and the loss by many railway postal workers of their jobs. The Post Office Department is now considering a further elimination of the railway mail cars and service, and should this further reduction be initiated, Wyoming will suffer a further loss of employees and will receive much poorer mail service.

An editorial written by Mr. Jim Flinchum, editor of the Wyoming State Tribune at Cheyenne, sets out the facts of this matter very clearly, and I am submitting a copy of his editorial and I hope that others who are suffering from a similar situation will join me in an effort to correct this situation, protect the jobs of loyal Government postal employees, and provide efficient and prompt mail service.

COMPOUNDING THE PROBLEM

The impending pull-out of 60 to 70 postal clerks from the Cheyenne postoffice doesn't make sense in view of the current operating mess in the U.S. Postoffice Department itself.

The proposed loss of the Cheyenne postal clerical force presumably stems from the fact that processing of Wyoming mail has been shifted to Denver, Omaha, and Salt Lake City, larger mail distribution centers on the periphery of this state.

But this is exactly why the entire Postoffice Department is in a jam right now, and why Postmaster General O'Brien has called for the department's cabinet-rank deactivation, and placing its operations under a corporation.

A published interview with the postmaster general today in U.S. News & World Report quotes him as saying a "catastrophe" is facing postal operations in this country unless there is a drastic change.

The trouble, according to O'Brien, is the concentration of postal processing operations in a number of key cities of the country. In the U.S. News & World Report article which will be published in this week's issue O'Brien says there are 300 to 400 large postoffices that are currently overloaded.

Among them are New York, Chicago, Los Angeles, San Francisco, St. Louis, Kansas City, Baltimore, Philadelphia, Washington, Cleveland and Brooklyn. The situation in Pittsburgh, Cincinnati, Milwaukee, and Indianapolis is described as severe; Memphis as "extremely critical"; Des Moines as a "real problem."

"Los Angeles and San Francisco are subjected to extremely heavy north-south traffic," said the postmaster general. "We're also watching Omaha and Oklahoma City very carefully."

The postal plant is described by O'Brien as "appallingly inadequate." Another problem is finding a capable work force. On any day, he says, the department is breaking in between 70,000 and 80,000 new workers.

The postal crisis is so appalling, says O'Brien, that if a blowup occurred in two or three big offices at the same time, the department would be in serious trouble. He is quoted in the U.S. News & World Report piece: "If Dallas and Atlanta went down together, for instance, the whole eastern part of the country would be paralyzed. When mail is delayed at strategic points, you get a tremendous chain reaction."

What's the source of the trouble? Judging from the O'Brien interview in this publication, its a sudden mail glut that occurs in the big distribution centers.

The problem resides, obviously, in centralization—amalgamation of mail processing and distribution facilities. This should provide a perfect counter-argument for the Cheyenne Chamber of Commerce representatives who met here yesterday with Senator McGee.

A rough analysis of this trouble would seem to absolutely require a mandatory decentralization process for the postal handling operations.

Why not let the Wyoming mail be broken down, for example, right here in Cheyenne and distributed from here rather than from Denver? Why must it be necessary to handle the Wyoming mail in Omaha (500 miles from Cheyenne), Denver (100 miles) or Salt Lake City?

Rather than achieving efficiency by the centralization of operations, the Post Office Department is creating such a logjam of operations and problems that stem directly from them, that it is nearing collapse.

Postmaster-General O'Brien talks fondly of creating a corporate entity out of the department instead of a bureaucratic maze. Why not set about some modern corporate policies, then, by decentralizing the physical plant? Why concentrate it entirely in a relatively few large postoffices that are subject to critical overloads, and distribute the functions on a more efficient basis?

It just doesn't seem reasonable to compound the confusion and problems by depriving the smaller postal facilities of some of their operating responsibilities, and concentrating those chores in the bigger postoffices and distribution centers where overloading already threatens disaster.

THE SEPARATION OF POWERS

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, although the Supreme Court, in the 1959 Barenblatt decision, the 1960 McPhaul decision and the Braden and Wilkinson decisions in 1961, has upheld the constitutionality of the House Committee on Un-American Activities, nevertheless attempts are still being made to enjoin the committee from performing its function as an investigative and legislative committee.

One such attempt arose out of the hearings before the Committee on Bills To Make Punishable Assistance to Enemies of United States in Time of War in August of 1966. It will be remembered that demonstrations and raucous behavior was indulged in by certain elements before the committee here in Washington. Members of the committee were named as defendants in court action because it was charged that the actions of the committee "were done solely to harass and intimidate them in the exercise of first amendment rights, and were not done in aid of the lawmaking and law-evaluating functions of the Congress of the United States."

As the case of Krebs and others against JOHN M. ASHBROOK and others, presents very important and interesting arguments dealing with the separation of powers of the legislative and judicial branches of Government, I include the supplemental brief of the Department of Justice for dismissal of the case in the RECORD at this point:

[In the U.S. District Court for the District of Columbia]

DR. ALLEN M. KREBS, ET AL., PLAINTIFFS, *v.* JOHN M. ASHBROOK, ET AL., DEFENDANTS—CIVIL ACTION No. 2157-66

Defendants' supplement to motion to dismiss and to strike certain allegations of the complaint and plaintiffs' affidavits; supplement to opposition to plaintiffs' motion for preliminary injunction; and motion that three-judge-court order its own dissolution and remand case to single-judge-court to dismiss action for want of subject-matter and equity jurisdiction, or order dismissal of action as moot.

Comes now the United States Attorney for the District of Columbia on behalf of defendants, and:

1. Moves the Court to dismiss the supplemental complaint, and renews the motion to dismiss the original complaint, for lack of subject-matter and equity jurisdiction;

2. Opposes plaintiffs' supplement to their motion for preliminary injunction, and renews the opposition to the original motion for preliminary injunction;

3. For jurisdictional purposes, particularly the bar to maintenance of this action imposed by the separation-of-powers doctrine and the sovereign immunity doctrine—

(a) Expressly traverses all of plaintiffs' conclusory allegations in the original complaint and supplemental complaint to the effect that the complained-of actions of members of the Committee on Un-American Activities, House of Representatives, 89th Congress, were done solely to harass and intimidate them in the exercise of First Amendment rights, and were not done in aid of the lawmaking and law-evaluating functions of the Congress of the United States.

(b) Affirmatively avers that Congress' official records and reports conclusively show that such complained-of actions were done in the course and within the scope of Congress' legislative business; and the Court lacks jurisdiction to inquire or consider any evidence *dehors* the official congressional records and reports in this regard; and

(c) Further affirmatively avers that plaintiffs' contrary, conclusory allegations are fictitious, unfounded in fact, and feigned in an effort to give this Court some semblance of color of jurisdiction in the premises.

4. For jurisdictional purposes—particularly the lack of a justifiable case or controversy and lack of standing to sue—

(a) Expressly traverses all of plaintiffs' conclusory allegations in the original complaint and supplemental complaint which state (or imply) criminal prosecution of plaintiffs Krebs and Teague is imminent, for contempt of Congress arising out of the occurrences or defaults at the "Hearings on H.R. 12047, H.R. 14925, H.R. 16175, H.R. 17140, and H.R. 17194—Bills to Make Punishable Assistance to Enemies of U.S. in Time of Undeclared War" held on August 16–19, 1966 by the Committee on Un-American Activities, House of Representatives, 89th Congress; and

(b) Affirmatively avers that the events since such hearings indicate that criminal prosecution of plaintiffs Krebs and Teague for contempt of Congress arising out of such occurrences or defaults is unlikely.

5. Moves the Court to strike so much of paragraphs 17, 18, 20–27, of plaintiffs' supplemental complaint as conclusorily allege (or imply) that at said hearings the Committee on Un-American Activities of the House of Representatives, 89th Congress, was not engaged in gathering information in aid of the law-making and law-evaluating functions of the Congress of the United States; and, further, to strike so much of paragraphs 27, 30–32, of plaintiffs' supplemental complaint as conclusorily allege (or imply) criminal prosecution of plaintiffs Krebs and Teague is imminent, for contempt of Congress arising out of the occurrences or defaults occurring at said hearings.

6. Moves the Three-Judge-Court to order its own dissolution, and remand this case to Single-Judge-Court to dismiss for want of subject-matter and equity jurisdiction; or to order dismissal of action as moot.

Incorporated into and made a part hereof (by reference) are Government Exhibits 1–5, heretofore filed in this cause. Also incorporated into and made a part hereof are the following additional exhibits, identified as indicated:

Government Exhibit No. 6: (Attached) printed record of "Hearings on H.R. 12047, H.R. 14925, H.R. 16175, H.R. 17140 and H.R. 17194—Bills to Make Punishable Assistance to Enemies of U.S. in Time of War" held by Committee on Un-American Activities, House of Representatives, 89th Congress on August 16–19, 1966 and August 19, 22, and 23, 1966 (Parts 1 and 2)

Government Exhibit No. 7: (Attached) Report No. 1908, House of Representatives, 89th Congress, 2d Session, dated August 29, 1966, entitled "Obstruction of Armed Forces", reporting favorably out of the Committee on Un-American Activities the bill (H.R. 12047) to amend the Internal Security Act of 1950, with amendments

Government Exhibit No. 8: (By reference) the proceedings in the House of Representatives, 89th Congress, on consideration of said bill, CONGRESSIONAL RECORD, volume 112, part 19, pages 26213–26252, and volume 112, part 20, pages 26592–26594

Government Exhibit No. 9: (Attached) H.R. 12047, the bill to amend the Internal Security Act of 1950, as passed by the House of Representatives, 89th Congress, on October 13, 1966 and referred to the Senate

Government Exhibit No. 10: (Attached) H.R. 8, the bill to amend the Internal Security Act of 1950, as introduced January 10, 1967 in the House of Representatives, 90th Congress, 1st Session

Government Exhibit No. 11: (Attached) H. Res. 7, 90th Congress, 1st Session, as agreed to in the House of Representatives January 10, 1967, adopting as the Rules of the House of Representatives, 90th Congress, (with amendment) the Rules of the House of Representatives, 89th Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended

Government Exhibit No. 12: (Attached) affidavit of Francis J. McNamara, Director, Committee on Un-American Activities, House of Representatives, 89th Congress and 90th Congress, setting forth facts as to House of Representatives receipt and custody of records characterized in the supplemental complaint as "membership lists"

Government Exhibit No. 13: (By reference) election of members, Committee on Un-American Activities, House of Representatives, 90th Congress, CONGRESSIONAL RECORD, pages 1086 and 1738 for January 23 and 26, 1967.

In support hereof, a memorandum of points and authorities is submitted.

DAVID G. BRESS,
U.S. Attorney.
JOSEPH M. HANNON,
Assistant U.S. Attorney.
GIL ZIMMERMAN,
Assistant U.S. Attorney.

CERTIFICATE OF SERVICE

I hereby certify that service of a copy of the foregoing supplement to motion, opposition, etc., (with attached exhibits going to Mr. Kinoy only), and supporting memorandum of points and authorities, has been made this 14th day of April, 1967 by mail upon the following attorneys for plaintiffs:

Arthur Kinoy, Esq., Kinoy & Kunstler, 511 Fifth Avenue, New York, New York. (Copy by Special Delivery Air Mail and also by regular mail.) John DeJ. Pemberton, Jr., Esq., American Civil Liberties Union, 156 Fifth Avenue, New York, New York 10010. Jeremiah S. Gutman, Esq., 363 Seventh Avenue, New York, New York. Lawrence Speiser, Esq., American Civil Liberties Union, 1426 16th Street, N.W., Washington, D.C.

GIL ZIMMERMAN,
Assistant U.S. Attorney.

[In the U.S. District Court for the District of Columbia]

DR. ALLEN M. KREBS, ET AL., PLAINTIFFS, *v.* JOHN M. ASHBROOK, ET AL., DEFENDANTS—CIVIL ACTION No. 2157–66

Defendants' memorandum of points and authorities in support of supplement to motion to dismiss and to strike certain allegations of the complaint and plaintiffs' affidavits; supplement to opposition to plaintiffs' motion for preliminary injunction; and motion that three-judge-court order its own dissolution and remand case to single-judge-court to dismiss action for want of subject-matter and equity jurisdiction, or order dismissal of action as moot.

INTRODUCTION

(A) Present Status of Matters Relative to Litigation

So that the Court will be informed as to the present status of matters relating to this proceeding (as of April 10, 1967), the United States Attorney for the District of Columbia, on behalf of defendants, supplements paragraphs 1–5 of his earlier Statement,[1] as follows:

6. On August 29, 1966 the Committee on Un-American Activities, House of Representatives, 89th Congress, filed its Report No. 1908 (Government Exhibit 7). It accompanied H.R. 12047, as amended. That report set forth (*inter alia*) the purpose of the bill; the Committee's action in respect thereto; and the Committee findings as to the necessity for its enactment.

7. After legislative debate, the House of Representatives, 89th Congress, on October 13, 1966 passed H.R. 12047, as amended. Subsequently, that bill was referred to the Senate, 89th Congress. (Government Exhibits 8 & 9.)

8. No report was made to the House of Representatives, 89th Congress, while it was in session, as to the fact of plaintiffs Krebs' and Teague's failure to appear when called to testify (as required by subpoena) on August 17, 1966 before the Committee on Un-American Activities, House of Representatives, 89th Congress. The 89th Congress adjourned *sine die* on October 22, 1966. CONGRESSIONAL RECORD, volume 112, part 21, page 28897. The fact of such failure was thereafter not reported to the Speaker of the House of Representatives during the 89th Congress while not in session. And no such step (or any other) looking to their criminal prosecution, or other proceedings, in respect of such failure has been taken to date.

9. Upon expiration of the 89th Congress, and the convening of the 90th Congress on January 10, 1967 (CONGRESSIONAL RECORD, p. 3), the following authorities, under which the hearings of the Committee on Un-American Activities, House of Representatives, 89th Congress, were held on August 16–19, 1966, terminated and became *functus officio*:

(a) H. Res. 8, 89th Congress, 1st Session, adopted January 4, 1965 (CONGRESSIONAL RECORD, vol. 111, pt. 1, p. 21). This House Resolution had adopted "as the Rules of the House of Representatives of the Eighty-Ninth Congress", with amendments, "the Rules of the House of Representatives of the Eighty-Eighth Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended."[2]

(b) Resolution of the Committee on Un-American Activities, House of Representatives, 89th Congress, adopted July 14, 1966, authorizing the Committee, or a Subcommittee thereof, to conduct hearings for the proper legislative purpose of gathering information in aid of law-making and law-evaluation. (Government Exhibit 1; see Government Exhibits 2 & 3.)

10. By House Resolution 7, adopted January 10, 1967, the House of Representatives, 90th Congress, has adopted "as the Rules of the House of Representatives of the Ninetieth Congress", with amendment, "the Rules of the House of Representatives of the Eighty-Ninth Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended." (Government Exhibit 11.)

11. The House of Representatives, 90th Congress, has elected the membership of its Committee on Un-American Activities for the 90th Congress. (Government Exhibit 13.) The following named defendants have been elected to the Committee for the 90th Congress: Edwin E. Willis, Chairman; William M. Tuck, Joseph R. Pool, Richard H. Ichord, John M. Ashbrook, and Del M. Clawson, Members. The following named defendants are not members of the Committee for the 90th Congress: John H. Buchanan, Jr., George F. Senner, Jr., and Charles L. Weltner.

12. The Committee on Un-American Activities, House of Representatives, 90th Congress, has to date not adopted any Resolution authorizing the Committee, or any Subcommittee thereof, to conduct hearings on the same subject-matters as are set forth in the Resolution of the Committee, 89th Congress, of July 14, 1966 (Government Exhibit 1).

(B) Relief sought by plaintiffs

In their supplemental complaint, plaintiffs continue to seek "all the preliminary and permanent injunctive relief and declaratory relief prayed for in the original complaint".

Plaintiffs originally sought to have this Court anticipatorily interfere by injunctive process with the conduct by a Congressional Committee of Congress' legislative business. They wanted this Court to issue an injunction, barring defendant members of the House Committee on Un-American Activities, 89th Congress, from proceeding with Committee hearings then scheduled to begin August 16, 1966, or from reporting to the House of Representatives the facts concerning any contempt of Congress arising out of plaintiffs Krebs' and Teague's failure to comply with Committee subpenas requiring them to appear and testify at those hearings.[3]

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[1] Our prior Status Statement appears at pp. 1–2 of "Defendants' Memorandum of Law Pursuant to Order of Three-Judge District Court dated August 17, 1966." We incorporate it here by reference.

[2] The Legislative Reorganization Act of 1946, 60 Stat. 812, 814, expressly provided that its Rule provisions were "an exercise of the rule-making power of the Senate and House of Representatives, respectively and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply". ((Section 101(a).)) And it further expressed "full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) *at any time, in the same manner and to the same extent as in the case of any other rule of such House.*" ((Section 101 (b).)) [Emphasis supplied.]

By way of declaratory judgment relief, plaintiffs originally sought to have the Court declare that "Rule XI of the Rules of the House of Representatives establishing the Committee on Un-American Activities of the House of Representatives and the Legislative Reorganization Act of 1946, 60 Stat. 317, 828, insofar as it incorporates and sets forth Rule XI violate on their face and as applied the Constitution of the United States and are therefore null, void and no effect".

Plaintiffs have added a prayer in their supplemental complaint that injunctive process issue to keep, not only defendant members of the House Un-American Activities Committee, 89th Congress, but also the entire membership of the House of Representatives, "from using in any manner whatsoever the membership lists subpoenaed by defendants". They also now pray that defendant members of the House Un-American Activities Committee, 89th Congress, be required by injunctive process "to return all such lists and any copies thereof to their rightful owners".

(C) Facts as to so-called "membership lists".

As for the records which the supplemental complaint characterizes as "membership lists": Those records were lawfully subpoenaed from universities and colleges. They are presently in the custody and subject to the control of the House of Representatives. Without the approval of the House of Representatives, the return of those records to the universities and colleges concerned cannot be effectuated. And plaintiffs Krebs and Teague have no personal property or other legal interest therein. (Government Exhibit 12.)

SUPPLEMENTAL ARGUMENT [4]

I. The Court lacks subject-matter and equity jurisdiction

Plaintiffs misconceive[5] our jurisdictional objections. We do assert the absence here both of "federal subject-matter jurisdiction" and of equity jurisdiction.

(A) Separation-of-powers

In their reply memorandum, plaintiffs disregard the basic separation-of-powers jurisdictional vice in their case.[6] Therefore, we re-emphasize:

Our basic point here is that *any* anticipatory court interference (whether by injunctive process or by declaratory relief having like inhibitory effect) with the conduct by Congress of any part of its legislative business would constitute an unjustifiable judicial encroachment upon the legislative sphere constitutionally entrusted to Congress. The Constitution vests the legislative power of the United States in Congress, consisting of the Senate and the House of Representatives. Art. 1, Sec. 1. The separation-of-powers doctrine, which is so fundamental to our American constitutional system, posits the independence of Congress, within the sphere of sovereignty assigned it by the Constitution, from any interference by either of the other coordinate branches of the Government. See *Kilbourn* v. *Thompson*, 103 U.S. 168, 190–191 (1880).[7]

We think this point has been so clearly settled in this Circuit by *Pauling* v. *Eastland*, 109 U.S. App. D.C. 342, 344–346, 238 F. 2d 126, 128–130, *cert. denied*, 364 U.S. 900 (1960), as to be beyond controversy in this Court:

> "It seems quite clear that as a matter of basic general principle a court cannot interfere with or impede the processes of the Congress by proscribing anticipatorily its inquiries. This is so * * * from the viewpoint of the Constitutional separation of powers * * *.
>
> "* * * The courts have no power of interference unless and until some event, * * * brings an actual controversy into the sphere of judicial authority. * * *
>
> "* * * * *
>
> "* * * It is unthinkable * * * that, if [in a proper "case" or "controversy" within the judicial competence] the courts should hold a specific directive of a Committee of the Congress unconstitutional and void, the Committee would nevertheless attempt to enforce that directive. So, * * * a declaratory judgment would be as effective an impingement upon and interference with legislative proceedings as a flat injunction would be. Thus, * * * a declaratory judgment respecting the validity of contemplated Congressional action would violate the doctrine of the separation of powers and would be an illegal impingement by the judicial branch upon the duties of the legislative branch.[8]
>
> "* * * * *
>
> "In summation, it is perfectly clear * * * that, if Pauling should be cited for contempt and thereafter committed, either by the Senate or by a court, of contempt, the courts will review that judgment and may in that proceeding pass upon the validity of the order of the Subcommittee. It is equally clear * * * that the courts have no power in the proceeding presently before us to pass upon, either by injunction or by declaratory judgment, the validity of the Subcommittee order. * * *" [Bracketed material supplied.]

The other cases we have cited also make it clear that all prior or anticipatory judicial restraint of Congress in respect of any phase of its legislative business would violate the constitutional separation-of-powers doctrine.[9]

Plaintiffs sought in their original complaint to get this Court to interfere by anticipatory injunctive process (or declaratory relief having like inhibitory effect) with the conduct by the House Un-American Activities Committee of a legislative hearing in progress, and with its reference to the House of Representatives of the fact of occurrence of acts in apparent contempt of Congress. They seek in their supplemental complaint to get this Court to interfere by injunctive process with Congress' possession of certain records which they characterize as "membership lists". Thus, proper application here of the separation-of-powers doctrine is wholly dispositive of plaintiffs' entire case

To whatever extent plaintiffs may seek to rest their claim that this Court has jurisdiction here, upon *Dombroski* v. *Pfister*, 380 U.S. 479 (1965), and *Reed Enterprises* v. *Corcoran*, 122 U.S. App. D.C. 387, 354 F. 2d 519 (1965), their reliance is misplaced.[10] Those decisions avail them nought, in respect of the proper applicability here of the separation-of-powers doctrine.

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[3] We believe that the after-occurring events enumerated herein render the entire injunctive aspect of the matter moot. See our Argument *infra*.

[4] We intend that this Argument serve both as a rejoinder to plaintiffs' memoranda, and as a supplement to our original memorandum of points and authorities in support of our motion to dismiss, etc., and our subsequent memorandum of law pursuant to the order of the Three-Judge District Court dated August 17, 1966 (which we incorporate here by reference).

[5] Reply memorandum, pp. 1–3.

[6] This vice is so patent to us that we marvel plaintiffs undertake to discuss the matter in their reply memorandum exclusively in "equity abstention" terms. But they purport to do so seriously. Also, they have supplied to this Court (by letter of November 16, 1966) a copy of the decision of the Court of Appeals for the Seventh Circuit in *Stamler* v. *Willis*, No. 15268, etc., entered November 10, 1966, re-hearing *en banc* denied February 13, 1966 (Kiley and Cummings, J.J., with Knoch, J., dissenting). There, the Court of Appeals majority appears to have not considered (or, perhaps, has chosen to ignore) for purposes of determining the propriety of convening a Three-Judge-District-Court, the obvious separation-of-powers jurisdictional bar we discuss here.

Accordingly, and in order that there will be no further mistaking of our position on this basic point, we here supplement the discussion in our original memorandum (Point 1, at pp. 3–6) and our brief touching on it in our August 26, 1966 memorandum (at p. 3). We here also incorporate by reference Judge Hart's excellent discussion in his recent opinion (entered April 7, 1967) in *Powell* v. *McCormack*, D.C. Civil Action No. 559–67. If this Three-Judge Court shares our view that we are "laboring the obvious" here, or simply determines that, without even reaching the issue itself, it will follow Judge Hart's decision in *Powell*, we hasten to apologize for burdening the Court with this additional exegesis of what, to us at least, seems obvious and settled.

[7] In the context of this litigation, it is also pertinent to note that the Constitution confers upon each House of Congress the right to "determine the Rules of its Proceedings". (Art. 1, Sec. 5, Cl. 2.) Furthermore, all members of Congress are constitutionally protected from judicial (or other) questioning "for any speech or debate in either House". (Art. 1, Sec. 6.) This protection extends to all "things generally done in a session of the House by one of its members in relation to the business before it", including "written reports presented in that body by its committees" and "resolutions offered". *Kilbourn* v. *Thompson, supra*, 103 U.S. at 204.

[8] In our August 26, 1966 memorandum (at p. 2), we cited *Federal Housing Administration* v. *Darlington, Inc.* for the proposition that declaratory relief having like inhibitory effect is no different from an injunction for purposes of convening a Three-Judge District Court. In that case, plaintiff sought—and the District Court purported to grant—a judgment declaratory in form, holding certain provisions of the National Housing Act unconstitutional. 142 F.Supp. 341, 353 (E.D.S. Car. 1956). The Supreme Court, recognizing the true inhibitory effect of the declaratory relief sought and granted, reversed and remanded the case for consideration as an injunctive matter under 28 U.S.C. 2282 by a Three-Judge District Court. 352 U.S. 977–978 (1957). It was thereafter considered and decided by the Supreme Court on direct appeal as a Three-Judge Court injunctive matter. 358 U.S. 84 (1958). Also see *Public Service Commission, etc.* v. *Wycoff Co.*, 344 U.S. 237, 247 (1952); *Flemming* v. *Nester*, 363 U.S. 603, 606–607 (1960).

[9] See our original memorandum (at p. 5). Also see *Yellin* v. *United States*, 374 U.S. 109, 121 (1963), where the Supreme Court, citing *Pauling* v. *Eastland, supra*, indicated that it was "highly improbable" that any injunction could issue against a Committee of Congress. In *Dombroski* v. *Burbank*, 123 U.S. App. D.C. 190, 192–193, 358 F.2d 821, 823–824, *cert. granted sub nom. Dombroski* v. *Eastland*, 385 U.S. 812 (1966), the Court of Appeals recognized that it could not enjoin Members of Congress from using documents allegedly seized "in the course of their official business for the * * * Committee" of Congress.

[10] See their original memorandum (at pp. 19–34) and their reply memorandum (at pp. 5, 6–11). In our view, plaintiffs simply obfuscate the matter.

Dombroski involved no aspect of separation-of-powers. It concerned "the Federal judiciary's relationship to the States". As Mr. Justice Brennan observed in *Baker* v. *Carr,* 369 U.S. 186, 210 (1962), such Federal judiciary-State relationship is totally different in kind from the "relationship between the [Federal] judiciary and the coordinate branches of the Federal Government."

It was early settled[11] in our constitutional law history that under the "Supremacy Clause" in Article VI, par. 2, of the Constitution, the Constitution and laws of the United States are paramount over all laws and actions of instrumentalities of the various States of the Union. And since *Ex parte Young,* 209 U.S. 123, 147–148 (1908), it has not been doubted that—in a proper equity case warranting Federal judicial intervention in State affairs—the Federal courts may enjoin State action in order to vindicate Federal rights. See *Dombroski, supra,* 380 U.S. at 483–486.[12]

Reed Enterprises involved no separation-of-powers confrontation between the Federal judiciary and Congress. Plaintiffs there were not seeking by anticipatory court process to stop Congress "in its tracks" when acting within the legislative sphere constitutionally entrusted to it.[13] That case involved[14] the familiar settled use of the courts' injunctive process as a mode of effecting judicial review of actions by Executive officers (subordinate to the President) seeking to enforce a statute which is claimed to be unconstitutional.[15]

This brings us to the final point we wish to discuss under this heading: Plaintiffs here seek, by making a fictitious, unfounded, feigned claim in their complaint, to project this Court into an extreme confrontation with Congress in a sensitive separation-of-powers area. Their claim (complaint, par. 10) that the Committee subpoenaed plaintiffs Krebs and Teague "solely for the purpose of harassing and intimidating" them in the exercise of their First Amendment rights, is unfounded in fact and feigned to give this Court some semblance of color of jurisdiction.

The principles governing constitutional adjudications make it unnecessary for this Court to entertain plaintiffs' feigned extreme claim here. Particularly since plaintiffs seek to project the Court far into the delicate area of judicial relations with Congress in the realm of legislative matters, this Court should properly limit its decision here to the case actually before it, and not venture to "formulate a rule of constitutional law broader than is required by the precise facts to which it is to be applied". *United States* v. *Raines,* 362 U.S. 17, 21 24 (1960). As we noted in our August 26, 1966 memorandum:[16]

"* * * [I]t incontrovertibly appears that the Members of Congress sued were engaged at the Committee hearing in the conduct of Congress' legislative business.

"That the Committee was gathering information in aid of law-making and law-evaluating at its hearing is established beyond dispute here by Government Exhibits Nos. 1, 2 and 5. * * *. No evidence *dehors* the official congressional record may properly be considered here as to any purported ulterior purpose in summoning plaintiffs * * *."

We have now supplied the Court with additional materials conclusively establishing, for purposes of this case, that the Committee was gathering information in aid of law-making and law-evaluating at its hearings which commenced August 16, 1966: The printed record of the 89th Congress Committee hearings (Government Exhibit 6); the Committee Report on H.R. 12047 (Government Exhibit 7); the House proceedings on consideration of that bill (Government Exhibit 8, by reference); that bill as passed by the House of Representatives, and referred to the Senate (Government Exhibit 9); and the corresponding bill introduced in the current Congress (Government Exhibit 10).[17]

For purposes of this case, the official Congressional records now before the Court incontrovertibly show:

(1) The August 16–19, 1966 investigative[18] hearings, as well as the August 19, 22 and 23, 1966 legislative hearings, which the Subcommittee conducted, were essentially concerned with "hard core" Communist activities. The Subcommittee Chairman made this clear in his Opening Statement.[19]:

"The Supreme Court has held that, in the domain of national security, this committee has "pervasive authority" to investigate Communist activities. When this country is engaged in open hostilities with a foreign Communist power, the sending of aid or assistance to that power involves the national security; obstructing the movement of military personnel or supplies affects our national security; impairing or interfering with the loyalty, morale, discipline, and recruitment of military personnel affects our security, and so do Communist propaganda activities carried out in this country in behalf of the Communist power with which we are engaged in hostilities, and travel and any other activities undertaken in behalf of that power and the world Communist movement. Clearly, the committee has the authority to investigate the extent of subversion or Communist influence in such activities."

(2) During the investigative phase of the Subcommittee hearings commenced August 16, 1966, testimony was received (*inter alia*) to the following effect:

"(a) The Progressive Labor Movement, now the Progressive Labor Party, was formed in 1961 by two former members of the Communist Party of the United States who were expelled therefrom for 'left deviationism', being considered to be supporters of the 'Chinese faction, the Albanian faction' of the World Communist movement. This Communist organization 'in many respects * * * considers itself to be the only true Communist Party in the United States'. It follows 'the same ideological line as the Chinese' and vehemently attacks the Soviet Union and the Communist Party of the United States.

"(b) Among the long-range means by which the Progressive Labor Party hopes ultimately to accomplish the forcible overthrow of the Government of the United States is to incite riots 'within various ghettos in the cities', and form 'radical so-called anti-imperialist student groups'.

"(c) The Progressive Labor Party and all other Communist organizations operating within this country (and abroad) devote 'a tremendous amount of time and money' on propaganda efforts 'aimed at specific groups' which they would like to incite. In the course of such incitements, 'civil disobedience plays a very important role'; if the young people involved get arrested and jailed, that (hopefully) would 'create more of a revolutionary consciousness on their part.'

"(d) The Progressive Labor Party established, or aided in the establishment, and helped direct, a number of 'Front' organizations (i.e., organizations actually under Communist control, but involving other people, and not appearing to be under Communist control). By this means, such other persons are brought into contact with Communism, and they may perhaps then actually join a Communist organization. Among these 'Front' organizations was the 'May 2nd

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[11] *M'Culloch* v. *Maryland,* 4 Wheat. 316, 427–438 (1819); *Gibbons* v. *Ogden,* 9 Wheat. 1, 210–212 (1824).

[12] In *Dombroski,* the plaintiffs asserted Federal rights under the Civil Rights Act, 42 U.S.C. 1983, and the Constitution of the United States, and sought an injunction restraining instrumentalities of the State of Louisiana. The Supreme Court there found a "bad faith" situation to exist in which plaintiffs' defense in the State's criminal prosecution would not assure "adequate vindication" of Federal constitutional rights, 380 U.S. at 481–482, 485, 487–489, and that, under the particular circumstances in that case, it was "inappropriate" to apply the "equity abstention" doctrine. 380 U.S. at 489. Also inapposite, for the same reason as *Dombroski,* are such other cases involving State action as *Bond* v. *Floyd,* 385 U.S. 116 (1966); *Baggett* v. *Bullitt,* 377 U.S. 360 (1964); *National Association for the Advancement of Colored People* v. *Button,* 371 U.S. 415 (1963).

[13] We further deal with this point *infra* under the heading of "sovereign immunity".

[14] It was held in *Reed Enterprises* that an action may lie against the Attorney General and his delegates, seeking to enjoin a pending criminal proceeding, where (allegedly) proposed multiple criminal prosecutions would result in destruction of the accused persons' "business, exhaust their financial resources, and make it impossible to defend themselves", and the (alleged) multiple prosecutions (allegedly) have a "chilling effect" on expression within the protection of the First Amendment.

[15] See *Philadelphia Co.* v. *Stimson,* 223 U.S. 619–620 (1912); *Larson* v. *Domestic & Foreign Commerce Corp.,* 337 U.S. 682, 704 (1949). But it has been an immutable principle of our tri-partite constitutional system that no like injunctive proceedings will lie to interfere with the President's conduct of his constitutional duties. See *Chicago & Southern Air Lines, Inc.* v. *Waterman S. S. Corp.,* 333 U.S. 103, 109–112 (1948); *Mississippi* v. *Johnson,* 71 U.S. (4 Wall.) 475, 500 (1867).

[16] At pp. 7–8, with full citation of authorities.

[17] The complaint "on its face" now also supplies a portion of the official records of Congress which incontrovertibly establish, for purposes of this case, that the Committee hearings which commenced on August 16, 1966 were in aid of Congress' lawmaking and law-evaluating functions. In their supplemental complaint, plaintiffs have incorporated (as their Exhibit A) the transcript of the August 16–19, 1966 investigative phase of the Committee hearings. This same transcript comprises most of Part 1, Government Exhibit 6.

[18] In paragraph 16 of their amended complaint, plaintiffs appear to give the Committee's use of the term "investigative" a wholly unwarranted connotation. As was carefully explained by the Subcommittee Chairman (Government Exhibit 6, part 1, pp. 917–918): The investigative phase of the Committee hearings was "to develop information which will assist the Congress in performing its constitutional legislative function." Witnesses subpoenaed to testify in these hearings have been summoned because committee investigation indicates that they have knowledge of the subject under investigation." Since "Congress cannot and does not legislate in a vacuum," it "must have accurate and thorough knowledge of the conditions pertinent to the legislation under consideration". "The investigative process is one of the means by which it acquires such information". And the Committee had the duty "to develop information which will assist the Congress in performing its constitutional legislative function".

[19] Government Exhibit 2; Exhibit 6, part 1, p. 918.

Movement' which endeavored to get 'young Americans to refuse to fight in the War in Vietnam'.

"(e) The Progressive Labor Party sought to have the May 2nd Movement 'form organizations on a number of American college campuses with the specific purpose of advocating immediate withdrawal of American troops from Vietnam and * * * to instill some type of a genuine and serious propaganda effect on these campuses, to simply create the illusion that most American students were opposed to the War in Vietnam'. The literature of the May 2nd Movement stated that the Movement was 'launching an anti-induction campaign on the campuses', to 'organize existing resistance to the draft, based on the refusal to fight against the people of Vietnam'."

(3) The Subcommittee hearings commenced August 16, 1966 were held in connection with H.R. 12047 (and other House bills), introduced in the 89th Congress. H.R. 12047 sought to amend the Internal Security Act of 1950, so as to add a new Title IV, concerned with "Obstruction of Armed Forces"; "Assistance to Hostile Forces"; and "Obstructing Military Personnel or Transportation". The bill contained Congressional Findings of Fact. Finding of Fact No. 6 declared that there exists in the United States "organizations, groups and persons who adhere to the purpose and objectives of the World Communist movement, who seek to give aid, assistance and comfort to forces hostile to the Government of the United States, and enlist others in support of the purposes and objections of the World Communist movement, with the intent to obstruct and defeat the defense activities of the United States." The record of the Subcommittee hearings convened August 16, 1966 substantially support this Finding of Fact.

(4) At the close of the investigative phase of the hearings on August 19, 1966, the Subcommittee Chairman stated:

"The Subcommittee has held 3½ days of hearings. These hearings have fully revealed the nature and affiliations of the individuals and groups who have played leading roles in organizing the activities which would be encomposed by the bills before us.

"It is clear that the key leadership of these groups is made up of hard-core revolutionary Communists who are acting in behalf of foreign interests.

"We have the information we set out to obtain. The need for the enactment of the bill is clear. We see no need to continue the investigative phase of this hearing."

(5) House Report No. 1908, 89th Congress, 2d Session, accompanied H.R. 12047. It describes (at p. 2) the Committee action at the hearings commenced August 16, 1966, and then states:

"Following the hearings, the Subcommittee met on August 23, 1966, to consider the bill [H.R. 12047]. Certain amendments, as set forth in this report, were proposed and adopted. The full Committee convened on August 24, 1966 to receive the report of the Subcommittee. The amendments proposed by the Subcommittee were adopted by the full Committee. Mr. Pool [the Subcommittee Chairman] was authorized and directed to file the report of the Committee to the House, with a recommendation that the bill, H.R. 12047, be passed as amended."

Thereupon, this Committee report enumerates the Committee Findings under the heading "Necessity for Legislation". In part, these Findings set forth the following (pp. 2–3):

"The investigations of this Committee reveal that:

"(1) There exists a widespread and well-organized effort initiated within the United States by Communist groups, and their affiliated organizations, involving thousands of adherents, who render various forms of aid and assistance to Communist forces engaged in armed conflict with the United States;

"(2) The immediate purpose of this activity is to obstruct the Government of the United States and its Armed Forces in the execution of their commitments in Vietnam, so as to facilitate the seizure of South Vietnam by Communist agencies.

"(3) The long-range objective of such Communist groups is to destroy the Government of the United States and to install a Communist totalitarian dictatorship, consistently with the ideology of Marxism-Leninism.

"(4) The efforts of such Communist groups have been exhibited in various ways and forms, including activities pertinent to H.R. 12047; namely, the solicitation, collection and delivery of money or property to and for the use of North Vietnam and the Vietcong, and the obstruction of the movement of personnel and supplies of our Armed Forces within the United States."

(6) With specific reference to plaintiffs Krebs and Teague—

(A) Krebs

The Committee found on the basis of its investigations that the Free University (School) of New York is a "Communist-created school for Marxist indoctrination". (Government Exhibit 7, p. 4.) Testimony was received that: Krebs is the Director of this School. (Government Exhibit 6, p. 955.) He attended meetings of the National Executive Committee of the May 2nd Movement, which was instrumental in establishing this School. And he is believed to have been an active member of the May 2nd Movement. (Government Exhibit 6, p. 959.) Krebs taught a class at the School called "Marxism and American Decadence". (Government Exhibit 6, p. 1045.) The School served as a place for the dissemination of pro-Communist literature, including Vietnamese literature put out by the U.S. Committee to Aid the National Liberation Front [of South Vietnam]. (Government Exhibit 6, pp. 1046–1047.)

(B) Teague

The Committee found on the basis of its investigations that "in April of 1965 the U.S. Committee to Aid the National Liberation Front of South Vietnam, organized in Greenwich Village, New York, by Walter Teague, widely solicited contributions of money to buy medical supplies, to be forwarded not to him but directly to addresses of agencies of the National Liberation Front in Hong Kong, Prague, Paris, Algiers, or Moscow. His campaign has been supported by the Free University of New York, a Communist-created school for Marxist indoctrination, to which he also supplies Hanoi-published documents and literature." (Government Exhibit 7, pp. 3–4.) Teague, as Chairman, signed a letter on behalf of this National Liberation Front Committee offering books and pamphlets at a discount for use in connection with courses on Vietnam conducted at the Free University. (Exhibit 6, p. 1062.) In August, 1965 he told a journalist that he (Teague) could put him (the journalist) "in contact with underground agents who would arrange" it so that the journalist could go "fight personally in the ranks of the Vietcong against the United States soldiers in Vietnam". (Exhibit 6, p. 1040.) In 1966, Teague also was apparently in charge of a place "called the Artist Research Group" in New York City at which "there were probably 100 different publications, pamphlets, books, and so forth, printed in Hanoi and Peking for sale". (Exhibit 6, p. 1041.)

Thus, it incontrovertibly appears, for purposes of this case, that the Committee actions, of which plaintiffs essentially complain here, were clearly in aid of the law-making and law-evaluating functions of Congress in respect of "hard-core" Communist activities. And the charge in the complaint that these Committee actions were undertaken "solely for the purpose of embarrassing, harassing, and intimidating the plaintiffs" is specious. Consequently, this Court is not here confronted with any extreme application of the separation-of-powers doctrine; and on this dispositive ground the Court should readily conclude that jurisdiction is lacking.

(B) Sovereign Immunity

The doctrine of sovereign immunity bars suit against the United States without its consent. This immunity of course extends to Congress' conduct of its business as the legislative organ of the United States. And, as we have noted[20], the Speech or Debate Clause in the Constitution confers constitutional immunity upon Members of Congress for all "things generally done in a session of the House * * * in relation to the business before it", including "written reports presented in that body by its committees" and "resolutions offered."

Subordinate Executive officers, who generally have no constitutionally-assigned responsibilities or immunities, have a limited duty simply to carry into execution the constitutional laws of the United States. They do not enjoy any absolute immunity from injunctive suit when performing their official duties. A judicially-created fictional exception to the sovereign immunity doctrine has been carved out as to them: It has long been established law that a suit for anticipatory injunctive relief (or for specific relief in other forms) may be maintained against such subordinate Executive officers—but not the President. And in a proper case they may be preclude *pendente lite* from taking official administrative action challenged as unconstitutional (or otherwise in excess of their legally delegated Executive powers). See *Larson* v. *Domestic & Foreign Commerce Corp., supra.,* 337 U.S. at 689, 690.

Whatever be the justification under our American constitutional system for this established exception to the sovereign immunity doctrine, which permits delay *pendente lite* in the execution of the laws by subordinate Executive officers, historically, from *Marbury* v. *Madison,* 1 Cranch 137 (1803), to date, this exception has never been thought applicable to Members of Congress carrying on the legislative business of Congress.

In light of the spirit (and, perhaps, the letter) of the Speech or Debate Clause in the Constitution, which gives Members of Congress absolute immunity for all things done in relation to the business of Congress, no sound justification exists in principle for extension of the judicial fiction permitting judicial intervention to stay execution of the laws by Executive department subordinates until judicial review has been had, to Members of Congress acting in relation to the legislative business of Congress. Never in our history have the courts restrained Congressmen from carrying out their Committee work, or from introducing Resolutions in Congress for contempt citations, or from taking any other action done in relation to Congress' legislative business. And there is no warrant in reason for this Court to undertake to do so now.[21]

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[20] See fn. 7, *supra.*

[21] See fn. 7, *supra.* We do not understand the Court of Appeals for the Seventh Circuit in its November 10, 1966 decision in *Stamler* v. *Willis,* No. 15268, etc., to have done so either. The majority considered solely the issue "whether the complaints presented a substantial constitutional question", and (in our view, erroneously) thought that the Single-Judge District Court lacked "preliminary inquiry jurisdiction" to look further into the matter. (Slip op., p. 2.) The authorities cited in our August 26, 1966 memorandum (at p. 7) establish that the Single-Judge District Court has "preliminary inquiry" jurisdiction to determine whether jurisdiction is lacking.

As the Supreme Court recognized more than a century ago in *Mississippi* v. *Johnson, supra,* 4 Wall. (71 U.S.) at 500:

"The Congress is the legislative department of the Government; the President is the Executive department. Neither can be restrained in its action by the judicial department; *though the acts of both, when performed, are in proper cases, subject to its cognizance.*" [Emphasis supplied.]

Considering the absence of any judicial precedent; the limited fictional exception created by the courts to the sovereign immunity doctrine in respect only of the execution of the laws by subordinate Executive officers; and the purpose of the Speech or Debate Clause in the Constitution, we are firmly of the view that: A "proper case" arises for judicial consideration of a contempt-of-Congress matter only if and when the contemnor "should be cited for contempt and thereafter be convicted, * * * by the * * * [House of Congress concerned] * * * or by a court, of contempt". Only at that *completed* stage of such a matter do the courts acquire jurisdiction to "review that [contempt] judgment and may in that proceeding pass upon the validity of the order of the * * * [C]ommittee". *Pauling* v. *Eastland,* supra, 109 U.S.App.D.C.App.D.C. at 346, 288 F. 2d at 130. There is no doubt today, just as there was none in 1935, "that the Congress 'is as much the guardian of the liberties and welfare of the people as the courts'." *Hearst* v. *Black,* 66 U.S.App.D.C. 313, 317, 87 F. 2d 68, 72 (1936).

There is no warrant for any extension into the legislative realm constitutionally entrusted to Congress the fictional exception to the sovereign immunity doctrine which now applies only to subordinate Executive officers limited to carrying out only lawfully delegated statutory duties. In reality, it must be recognized, plaintiffs' suit here seeks to stop a Congressional Committee "in its tracks" while carrying on legislative investigative functions. If the courts were prematurely to venture into the legislative sphere, it would practically hamstring Congress' power to secure such information as it deems needed to accomplish its constitutional legislative function advisedly and effectively. Would not a host of other persons subpoenaed to appear before Congressional Committees do as plaintiffs have done here: Apply for anticipatory court process on fictitious, unfounded, feigned allegations, in order to delay and, perhaps, frustrate effectuation of the subpoena power of Congress?

Even as to subordinate Executive officers, the Supreme Court has recognized exceptions-to-the-exceptions to the sovereign immunity doctrine: Injunctive suits against subordinate Executive officers may yet be barred by the sovereign immunity doctrine if (under some circumstances) a remedy is available upon conclusion of the challenged administrative action, *Malone* v. *Bowdoin,* 369 U.S. 643, 647–648 (1962), or if judgment in the injunctive suit would "interfere with the public administration", *Dugan* v. *Rank,* 372 U.S. 609, 621 (1963). Were it necessary to consider them here, we think both of these exceptions-to-the-expections to the sovereign immunity doctrine would apply here.

Accordingly, on this additional ground the Court should conclude that jurisdiction is lacking.

(C) No Actual "Case" or "Controversy" in Original Complaints.

We pointed out in our August 26, 1966 memorandum that feigned claims do *not* give rise to any actual "case" or "controversy".[22]

The claim of plaintiffs Krebs and Teague (in paragraph 12 of the original complaint) to the effect that defendant Members of Congress were then imminently threatening to institute criminal proceedings against them under 2 U.S.C. 192 for contempt of Congress is wholly fictitious, and was obviously feigned to give the Court some semblance of color of jurisdiction on the face of the complaint.

In fact, plaintiffs Krebs and Teague instituted this lawsuit prior to commencement by the House Un-American Activities Committee of its hearings on August 16, 1966, and prior to the time they were required by the subpoenas to appear and testify thereat. It was then not known whether they would appear; if they did, what questions would be put to them; and, then, what answers (if any) they would give, or what objections they might raise. No Committee Resolution reporting the facts of the occurrence of any contemptuous conduct on their part had then been made to the House of Representatives. No vote of the House of Representatives to cause the Speaker to make a certification of the facts of any occurrence as to them, deemed to be a contempt of Congress, had been taken. And the Speaker of the House had not certified the facts of any apparent contempt on their part, to the appropriate United States Attorney. See 2 U.S.C. 194; *Wilson* v. *United States,* D.C. Ct. of App. No. 19,501, August 2, 1966; *Ex parte Frankfeld,* 32 F. Supp. 915, 916–917 (D.C. 1940).

Considering this posture of the matter at the time when plaintiffs instituted this lawsuit, it is clear that in fact no actual "case" or "controversy" was then presented. And events since the institution of the lawsuit make even clearer the absence of an actual "case" or "controversy" here. The courts are "without power to give advisory opinions". *Alabama State Federation of Labor* v. *McAdory.* 325 U.S. 450, 461 (1945), recently cited and followed in *Zemel* v. *Rusk,* 381 U.S. 1, 20–21 (1964). "For adjudication of constitutional issues, 'concrete legal issues, presented in actual cases, not abstractions,' are requisite". *United Public Workers, etc.* v. *Mitchell,* 330 U.S. 75, 89 (1947).[23]

Moreover, we think that plaintiffs Krebs and Teague are in no position here to assert the rights of other persons, whose expression is within the protection of the First Amendment For purposes of this case, the official records of Congress incontrovertibly show that: The information made available to the Committee, about which it sought to question them in the legislative investigation it was conducting, linked them to the "hard-core" Communist activities which were the subject of the inquiry. Moreover, the claim (in paragraph 10 of the original complaint) that they were being subpoenaed to appear before the Committee at its hearings commenced August 16, 1966 "solely for the purpose of embarrassing, harassing and intimidating them in the exercise of rights within the protection of the First Amendment" is also fictitious and feigned to give the Court some semblance of color of jurisdiction on the face of the complaint.

We believe it to be firmly settled by Supreme Court decision that the House Un-American Activities Committee has "pervasive authority to investigate Communist activities in this country". *Barenblatt* v. *United States,* 360 U.S. 109, 118 (1959).[24]

Plaintiffs' reliance[25] on *Dombroski* v. *Pfister, supra,* 380 U.S. 470, and *Reed Enterprises* v. *Corcoran, supra,* 122 U.S. App. D.C. 387, 354 F.2d 519 (1965), is also unavailing to them in this connection.

In both *Dombroski* and *Reed Enterprises,* the allegations in the complaint were taken as true for purposes of decision, as on demurrer. In *Dombroski,* it was alleged in substance that "bad faith" State criminal prosecutions were threatened. This, the Supreme Court *in limine* assumed, made out an actual "case" or "controversy" under *Ex parte Young,* 209 U.S. 123 (1908) (which the Supreme Court characterized as the "fountainhead' authority permitting suits for Federal injunctions against threatened State criminal prosecutions under proper circumstances). In *Reed Enterprises,* it was alleged that multiple prosecutions by the Attorney General were threatened. On this essential basis the Court of Appeals rested its conclusion that an actual "case" or "controversy" was presented.[26] Here, it patently appears that the claim in the complaint to the effect that criminal prosecution of plaintiffs Krebs and Teague was imminently threatened, is fictitious and feigned. As noted, feigned allegations do not give jurisdiction. Further, we have *not* demurred to the allegations; we have traversed them. If the allegations going to jurisdiction were not feigned, the Court might have to consider whether to conduct a preliminary inquiry into its jurisdiction in which plaintiffs would carry the burden of proof.[27]

As for the alleged "chilling" effect upon the exercise of rights within the protection of the First Amendment: In *Dombroski* the Supreme Court recognized that "hard-core" conduct is not within the protection of the First Amendment in any event, and it may be appropriate to leave the constitutionality of a challenged statute, when applied to such "hard-core" conduct, to be tested in criminal proceedings, and not earlier. 380 U.S. at 493. And in *Reed Enterprises* the Court of Appeals assumed, without question, the claim that the conduct there sought to be protected was within "the protected First Amendment area". 122 U.S. App. D.C. at 391, 354 F.2d at 523. Unlike those cases, it clearly appears that the Communist activities under investigation by the House Committee on Un-American Activities, in respect of which Krebs and Teague were summoned to testify, are within the "hard-core" area. Plaintiffs' claim to contrary effect, being feigned, does not give jurisdiction.

Hence, the Court should dismiss the original complaint for lack of jurisdiction, on the additional ground of lack of any actual "case" or "controversy".

(D) No Standing of Sue-on Supplemental Complaint

It is well settled that, to having standing to maintain a suit for relief against Governmental action, a complainant must[28] show a direct injury done or threatened to a particular, personal, legally-protected right of his own. It is not enough to assert an alleged injury to a right the complainant shares in common with the public generally. *Stark* v. *Wickard,* 321 U.S. 288, 290, 304 (1944); *Massachusetts* (*Frothingham*) v. *Mellon,* 262 U.S. 447, 487–488 (1923); *Texas State AFL–CIO* v. *Kennedy,* 117 U.S. App. D.C. 343, 345, 330 F. 2d 217, 219, *cert. denied* 379 U.S. 826 (1964).

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[22] See fn. 2, at p. 9. We there cited *Hatfield* v. *King,* 184 U.S. 162, 165 (1902); *Williams* v. *Nottawa,* 104 U.S. 209, 210–211 (1881) We here add: *Cf. Harrison* v. *Chamberlin,* 271 U.S. 191, 194 (1926); *Sahn* v. *Pagano,* 302 F. 2d 629, 630 (2d Cir.), *cert. denied* 371 U.S. 891 (1962). See *Baker* v. *Carr,* 369 U.S. 186, 199 (1962); *Bell* v. *Hood,* 327 U.S. 678, 682 (1946).

[23] And see the other authorities cited in our August 26, 1966 memorandum (at p. 9). Further, as noted *infra,* the events since the filing of this lawsuit indicate that, if there ever was any actual "case" or "controversy" here presented in this regard, that "case" or "controversy" is now moot.

[24] We do not understand the statement appearing in *Gojack* v. *United States,* 384 U.S. 702, 706 (1966) to in any way raise any question in this regard. See the critical constitutional question posed (summary appearing at 34 LW 3173, No. 594, Question Presented No. 4).

[25] Original memorandum, at pp. 19–28; reply memorandum at pp. 7–11.

[26] It was on this very basis that the Court of Appeals distinguished *Lion Manufacturing Co.* v. *Kennedy,* 117 U.S. App. D.C. 367, 330 F. 2d 833 (1964). See 122 U.S. App. at 391, 354 F. 2d at 523. *Lion Manufacturing* held that no actual "case" or "controversy" was presented, where no "showing of an immediate and tangible danger" of criminal prosecution had been made. 117 U.S. App. at 373, 330 F. 2d at 839.

[27] See the authorities cited in our August 26, 1966 memorandum, at p. 8, fn. 1.

Plaintiffs Krebs and Teague have no personal property or other legal interest in the records which the supplemental complaint characterizes as "membership lists". Therefore, they lack standing to maintain suit, seeking to prevent defendant Members of Congress (as well as the entire membership of the House of Representatives) "from using in any manner whatsoever" those records, and to compel their return "to their rightful owners".

Accordingly, the Court should dismiss this claim, on which the supplemental complaint essentially rests, for lack of jurisdiction on the additional ground of no standing to sue.

(E) No Equity Jurisdiction

We discussed in our August 26, 1966 memorandum[29] the want of equity in plaintiffs' case. Plaintiffs reply[30] that *Dombroski* and *Reed Enterprises* mark a new departure, and that the mere claim of "chilling" of rights within the protection of the First Amendment, without more, in all circumstances permits equity intervention and short-circuiting of the normal adjudication of constitutional defenses in the course of criminal proceedings.

Dombroski must be read in light of the circumstances there alleged, which the Supreme Court took to be true for purposes of decision. It does not reach the present case. Here, Congress was conducting a legislative inquiry for proper legislative purposes into "hard-core" Communist activities. *Dombroski* was decided in the context of an allegedly "bad faith" State prosecution of persons attempting "to vindicate the constitutional rights of Negro citizens of Louisiana." 380 U.S. at 482. We cannot conceive that the Supreme Court meant *Dombroski* to be applied here in the broadest sweep of the utterances there made. Nor do we understand *Reed Enterprises* to govern here. It simply applied *Dombroski* in the context of that case. 122 U.S. App. D.C. at 391, 354 F. 2d at 523.

Under the particular circumstances here, which are strikingly different than those presented in *Dombroski* and *Reed Enterprises,* the Court should conclude that equity jurisdiction is lacking. Plaintiffs Krebs and Teague should be made to await their remedy in the criminal proceedings, if ever actually instituted against them.

II. *The Three-Judge-Court should order its own dissolution, and remand case to Single-Judge-Court to dismiss for want of jurisdiction, or order dismissal of action as moot*

Plaintiffs assert[31] that we have failed to "answer * * * [their] * * * threshold proposition that the provisions of Section 2284 precluding single-judge dismissal become operative after the convening of a three-judge statutory Court". They further assert that *Osage Tribe, etc.* v. *Ickes,* 45 F. Supp. 179 (D.C. 1942), *aff'd on opinion below* 77 U.S. App. D.C. 114, 133 F.2d 47, *cert denied* 319 U.S. 750 (1943), "offers no support" for our contention that the proper course, if this Three-Judge-Court "determines that it is improvidently assembled" is to "order its own dissolution."[32]

Plaintiffs err. Their attack on *Osage* founders on the fact that it went the route of appeal to the Court of Appeals, and then certiorari to the Supreme Court. Had the case been a proper Three-Judge-District-Court matter, it would have had to go on direct appeal to the Supreme Court.

Moreover, *Osage* cited and relied on *Oklahoma Gas & Electric Co.* v. *Oklahoma Packing Co.,* 292 U.S. 386, 391 (1934). In that leading decision, the Supreme Court pointed out—most pertinently to the present case—that no "mere form of words" in a complaint is "enough to keep three judges assembled", when such words have "no support whatever in fact or law."[33] We also refer the Court to *Ex parte Bransford,* 310 U.S. 354, 359 (1940); *Wilentz* v. *Sovereign Comp., etc.,* 306 U.S. 573, 580 (1939). The cases plaintiffs discuss are not to the contrary; nor do we know of any.

Where the Three-Judge-Court determines it lacks jurisdiction *qua* Federal Court, the case should be dismissed. The same result follows where it lacks equity jurisdiction. *Spielman Motor Sales Co.* v. *Dodge* 295 U.S. 89, 95–96 (1935). We have fully discussed the subsequent course of action the Three-Judge District Court should take, once it reaches such conclusion (in our August 26, 1966 memorandum), and will not repeat that discussion here. The dismissal procedure we urged there should now be followed.

We believe Judge Corcoran's conclusion (dissenting, in part, from this Court's order of February 10, 1967) that the "intervening events have mooted the controversy" is correct—assuming *arguendo* that an actual "case" or "controversy" existed here, in the first place (which we deny). A moot case ceases to be justiciable in any way. *Williams* v. *Simons,* 355 U.S. 49, 50, 58 (1957). See *United States* v. *Munsingwear, Inc.,* 340 U.S. 36 (1950).

There remains one final point in this connection which we deem it our duty to bring to the attention of this Three-Judge-Court: No "Act of Congress" within the meaning of 28 U.S.C. 2282 is under attack here. House Rule XI, under which the House Un-American Activities Committee, 89th Congress, was functioning when it commenced its hearings on August 16, 1966, was simply a Rule of Procedure adopted by the House of Representatives (acting singly) on January 4, 1965. (H. Res. 8, 111 Cong. Rec. 21–25.) It became *functus officio* upon the expiration of the 89th Congress.

The House of Representatives, 90th Congress, on January 10, 1967 agreed to a new Resolution, adopting as the Rules of the House of Representatives for the 90th Congress the Rules of the House of Representatives, 89th Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, 60 Stat. 812, as amended. (Government Exhibit 11.) The Legislative Reorganization Act of 1946 recognized the constitutional right of either House to change its own Rules "at any time, in the same manner and to the same extent as in the case of any other rule of such House." (Art. 1, Sec. 5, Par. 2, of the Constitution.)

Further, the power of a Congressional Committee to conduct a legislative investigation flows from, and is a necessary attribute of, the constitutional power of Congress to legislate. This power exists quite apart from the provisions of House Rule XI. See, *e.g., McGrain* v. *Daugherty,* 273 U.S. 135, 161 (1927).

Thus, it appears that, on this additional ground, this Three-Judge-Court has been improvidently assembled.

CONCLUSION

For the foregoing reasons, and the reasons set forth in our prior memoranda, it is respectfully submitted: This Three-Judge-Court should order its own dissolution, and remand the case to the Single-Judge-Court to dismiss the action for want of jurisdiction, or order the dismissal of the action as moot. And plaintiffs' motion for preliminary injunction should be denied.

David G. Bress,
U.S. Attorney.
Joseph M. Hannon,
Assistant U.S. Attorney.
Gil Zimmerman,
Assistant U.S. Attorney.

THE LAND OF THE FREE

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, so much has been said concerning the Federal Government's oppressive control over the American farmer that we tend oftimes to forget the incongruity of these regulations with our democratic way of life. It is not until specific cases are reviewed that we are reminded of the difficult burdens under which the farmer exists. A letter from M. Winthrop French, of Wakeman, Ohio, is another illustration of why our agricultural system is in its present predicament. I place his letter in the Record at this point:

Wakeman, Ohio,
April 4, 1966.

To collect a judgment of $322 and 10 years interest, a total of $533.53, Uncle Sam plans to sell John Donaldson's 389 acre farm in Hartland Township, Huron county, Ohio. While most of us farmers were signing on the dotted line for our government dole, John Donaldson refused. Instead of collecting a government check for 2 or $3,000 for his yearly share for "cooperating" in Uncle Sam's "poverty program" for farmers, John said "No Thanks." This was in 1957 and wheat quotas were in effect. John's quota, cooperate or not, was 15 acres. John stayed within his allotment. I know he did, because he told me he did, and John is not a liar.

Uncle Sam's local agents weren't so sure. They wanted to go onto John's farm to measure his wheat field. John said "NO". This made the agents very angry. One of them later bragged to John's neighbors that he had entered on the sly, thus abrogating the 4th Amendment to the Constitution which protects us from unreasonable search and seizure.

A penalty of $322 was forthwith assessed against John and this was upheld by a judgment given Oct. 1, 1958 in Federal District Court in Toledo, which was in turn upheld in 6th Circuit Court of Appeals in Cincinnati. In neither of these so-called trials was John allowed to present evidence nor witnesses in his own defense. This judgment has never been paid. Now Uncle Sam is after his pound of flesh, by threatening foreclosure on these ancestral acres.

How will a proud father convey this news to his son Jack? Outside Vietnam on the aircraft carrier *Enterprise,* Jack will have to hear of it. By helicopter he was plucked last fall to attend his mother's funeral. Now this!

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[28] Unless statutory standing is granted; but no statutory provisions conferring standing to sue in vindication of the public's interest in proper administration of the law, is involved here.

[29] At p. 10.

[30] Reply memorandum, at pp. 7–11.

[31] Reply memorandum, at pp. 4–6.

[32] See our August 26, 1966 memorandum at pp. 4–5.

[33] Plaintiffs have omitted mentioning *Oklahoma Gas* in their reply memorandum. It was cited in our August 26, 1966 memorandum (at p. 6).

John and the girls at home, God give them faith; a faith like that which sustained John through those five years when he served the cause of freedom in World War II under that Grand Old Flag, the Red, White and Blue. God give them faith that this black night will break on a new dawn when Americans will again be freed; when we may live by our own initiative; when we are paid in a free market for what we grow, not for what we don't grow; when we are paid for working and not for loafing. God give us faith. Amen!

Winthrop French.

CALIFORNIA 13TH CONGRESSIONAL DISTRICT CITIES COMBAT CHILD MOLESTERS

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Teague] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, the incidence of child molestation in our country is increasing at an alarming rate and constitutes one of the most reprehensible phases of the nationwide crime wave.

Several cities in the 13th Congressional District of California, which I represent here, have taken steps to combat this situation which I believe are deserving of the attention of all Members and the law-enforcement agencies of the cities in their districts.

These steps, involving close, voluntary cooperation by the general public with police and sheriffs' offices, are described as block parent programs. A detailed description of the manner of their operation was published in the April 4 issue of the Oxnard Press-Courier, of Oxnard, Calif., which I include at this point in my remarks:

Block Parent Program Launched in Oxnard—Aimed at Child Molesters

Oxnard parents are developing a Block Parent program to cut down on child molesting and child annoyance, Capt. Jack Snyder of the Oxnard Police Department said today.

Snyder said six schools have already started the program and he hopes it will spread citywide before long.

Port Hueneme Police Chief Al Jalaty said his city has had the Block Parent program for two years. He estimated it has reduced child molestation cases 90 per cent.

"It has also brought the people closer to law enforcement," Jalaty said. "They have become a part of the police department through their cooperation."

SIGNS IN WINDOWS

The Block Parent program is usually set up under the guidance of a PTA for a particular school and the area it serves. Parents who are part of the program put signs in their window to let children know they can go there whenever they are annoyed by strangers or lost or have other problems.

Police instruct the parents and check them out before they are given a sign to put in the window.

Snyder said the program is already under way in Hathaway, Bard, Blackstock and Brittel schools, and he expects to add Juanita and Ramona schools in the near future.

"We have two or three children molestation cases a week now," he said. "I know a lot of other cases are not reported because it embarrasses the children and their parents."

NO PUBLICITY

Under the Block Parent program, the police promise not to give out publicity and they get greater cooperation.

"These molesters are the most cunning and crafty individuals we have to deal with," Snyder said. "They affect all sections of the city. We hope to get all schools in the city to adopt the program."

Snyder made it clear this is not a police program, but a parent program in which the police only cooperate.

Jalaty said he found it was almost "perfect public relations."

"Unlicensed solicitors are reported almost immediately to the police and so are people who hang around the schools," he said. "I would estimate that there are about 800 parents now involved in the program. It has become one of our biggest crime deterrents."

The program is started through talks with PTA goups and with teachers. It is followed by three or more sessions of instruction for parents plus some follow-up work with supervisors.

Jalaty said Thousand Oaks, Fillmore, Ojai and Santa Paula as well as the county sheriff's office are working on Block Parent programs.

"We hope to make it countywide so that wherever a child goes, he can look for the same sign in the window that means a haven from molestors or those who would annoy children," he said.

GREAT LAKES COMPACT COMMISSION

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Steiger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, in 1955, officials of the Great Lakes States created the Great Lakes Basin Compact. This compact began because those leaders had the foresight to realize that the lakes would be increasingly more important as time went on and something had to be done to more fully utilize and conserve the waters of the Great Lakes.

Through their legislatures, the States of Illinois, Indiana, Michigan, Minnesota, and Wisconsin ratified the compact in 1955. Similar action was taken subsequently by Pennsylvania in 1956, New York in 1960, and Ohio in 1963. In ratifying the compact, the States designated the Great Lakes Commission as their joint research and advisory agency on Great Lakes water resource development, programs and problems.

The Great Lakes Basin Compact confers strictly advisory and recommendatory powers. I have introduced legislation today that will give congressional consent to the commission and am joined by my colleagues, the gentlemen from Wisconsin [Mr. Thomson, Mr. Byrnes, Mr. Laird, Mr. O'Konski, and Mr. Schadeberg].

The purposes of the compact are basically five fold:

First, to promote the orderly, integrated, and comprehensive development, use and conservation of the water resources;

Second, to plan for the welfare and development of the water resources of the basin;

Third, to derive the maximum benefit from the utilization of the public works in the basin;

Fourth, to secure and maintain a proper balance in the use of the basin; and

Fifth, to establish and maintain an intergovernmental body to pursue these purposes.

Mr. Speaker, I think the work this commission has done and will do is vital to the Great Lakes for the proper planning and future development of the Great Lakes area.

Similar legislation has been introduced in previous sessions of the Congress. In 1959 the gentleman from Wisconsin [Mr. Byrnes] introduced H.R. 333.

It is vital that the 90th Congress adopt legislation to give our consent to the Great Lakes Basin Compact. I urge speedy consideration of this matter and call the attention of my colleagues to this important subject.

GREAT LAKES COMPACT COMMISSION

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I am very proud to join with my colleagues from Wisconsin in introducing today legislation granting the consent of Congress to a Great Lakes basin compact.

In 1955, officials of the Great Lakes States created the Great Lakes basin compact. This compact began because those leaders had the foresight to realize that the lakes would be increasingly more important as time went on and something had to be done to more fully utilize and conserve the waters of the Great Lakes.

Illinois, Indiana, Michigan, Minnesota, and Wisconsin, through their legislatures, ratified the compact that year. In subsequent years, it has been ratified by Pennsylvania, New York, and Ohio. In taking this action, these States designated the Great Lakes Commission as their joint research and advisory agency on Great Lakes water resource development, programs, and problems.

The Great Lakes basin compact confers strictly advisory and recommendatory powers. My legislation, and the similar legislation of my colleagues, will give congressional consent to this commission.

I urge early action on this vital matter by this body.

THE STOMACH—TURNING POINT

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, the unsolicited trash mail that some of my constituents have received and brought to my attention has prompted me to speak. Fortunately, the offended people also sent me an address by Mr. Jenkin Lloyd Jones, the distinguished editor of the Tulsa Tribune, delivered before the American Society of Newspaper Editors. The date of the speech was April 18, 1962.

While many of the specific features of American life that Mr. Jones found morally dehabilitating have abated, I wonder whether this is because we have advanced morally or have had one grade of filth replaced by another.

I believe the main lines of his argument remain valid: that the soul of America is beset in a period of continuing crises by the forces of permissiveness, the vanguard of moral dissolution. Not only military defeats will destroy nations.

I draw attention to the article to stimulate thought on how the individual can maintain his bearings on the principles that have liberated the human spirit, individual responsibility, and sacrifice for achievement, so that they may not be lost in these times of testing.

Mr. Jones' address follows:

The Stomach-Turning Point

(By Jenkin Lloyd Jones)

This, ladies and gentlemen, is to be a jeremiad.

I am about to inflict upon you an unrelieved, copper-bottomed, six-ply, all-wool, 25-minute howl of calamity about the present moral climate of America. And I am going to talk about our responsibilities therefore as the temporary custodians of America's press.

You may dismiss such fogeyism with a tolerant laugh. But the pathway of history is littered with the bones of dead states and fallen empires. Most of them rotted out before they were overwhelmed. And they were not, in most cases, promptly replaced by something better.

Nearly 1,000 years elapsed between the fall of Western Rome and the rise of the Renaissance, and in between we had the Dark Ages in which nearly all of man's institutions were inferior to those which had gone before. I don't want my children's children to pass through a couple of centuries of dialectic materialism before the sun comes up again.

It is sad to watch the beginnings of decay. It was sad to see an age of Pericles replaced by the drunken riots of Alcibiades. There was, indeed, just cause for gloom when the Roman mobs, flabby with free bread and bemused by free circuses, cheered for the unspeakable Nero and the crazy Caligula.

Alaric's Goths finally poured over the walls of Rome. But it was not that the walls were low. It was that Rome, itself, was low. The sensual life of Pompeii, the orgies on Lake Trasimene, the gradually weakened fibre of a once self-disciplined people—all these brought Rome down. She went down too early. She had much to teach the world.

And so, ladies and gentlemen, I look upon our own country and much that I see disturbs me. But we are a great people. We have a noble tradition. We have much to teach the world, and if America should go down soon it would be too early.

One thing is certain. We shall be given no centuries for a leisurely and comfortable decay. We have an enemy now—remorseless, crude, brutal and cocky. However much the leaders of the Communist conspiracy may lie to their subjects about our motives, about our conditions of prosperity, our policies and aims, one thing they believe themselves implicity—and that is that we are in an advanced state of morale decline.

It is a dogma of current Communist faith that America is Sodom and Gormorrah, ready for the kill.

Do you know what scares me about the Communists?

It's not their political system, which is primitive and savage. It's not their economic system which works so badly that progress in a few directions is purchased at the price of progress in all the rest. It is their puritanism.

It does no good to comfort ourselves with the reflection that these are the products of endless brainwashings, of incessant propaganda, of deprivation by censorship and jamming of counter-information and contrary arguments. The confidence that they are morally superior is there.

You can't get very far into Russia before the naive questions of your Intourist guide reveal that she thinks she is talking to a soft top who is ripe for the tumbril and the guillotine. In the schoolyard the children rush up to show you, not their yo-yos, but their scholarship medals. And when you offer them new Lincoln pennies as souvenirs they rip off their little Young Pioneer buttons and hand them to you, proud that they are not taking gifts, but are making a fair exchange.

The Russian stage is as austere as the Victorian stage. Russian literature may be corny, but it's clean, and it glorifies the Russian people and exudes optimism and promise. Russian art is stiffly representational, but the paintings and the sculpture strive to depict beauty and heroism—Russian beauty, of course, and Russian heroism.

And what of us?

Well, ladies and gentlemen, let's take them one at a time:

We are now at the end of the third decade of the national insanity known as "progressive education." This is the education where everybody passes, where the report cards are non-committal lest the failure be faced with the fact of his failure, where all move at a snail pace like a trans-Atlantic convoy so that the slowest need not be left behind, and all proceed toward adulthood in the lockstep of "togetherness."

With what results? At an age when European kids are studying the human capillary system and discussing the binomial theorem our youngsters are raising pollywogs on the classroom windowsill and pretending to keep store. This is what is known as "learning by doing." We have produced tens of thousands of high school graduates who move their lips as they read and cannot write a coherent paragraph. While our Russian contemporaries, who were supposed to be dedicated to the mass man, have been busy constructing an elite we have been engaged in the wholesale production of mediocrity. What a switch!

I wish you could have read all the letters I have received in the past few months from disgusted teachers who have tried to reintroduce principles of hard work and integrity in their classrooms over the opposition of the school hierarchies. It is high time that these Ph.D'd poohbahs of John Deweyism stepped forward and permitted themselves to be graded. But no.

You recall that last fall the school board of the little township of Twin Lakes, Wisconsin, dissatisfied with modern primes, announced that it was introducing reprints of 80-year-old McGuffey Readers. Maybe it was making a bad mistake. Maybe the new books and new teaching methods are far superior. Here was a fine chance to find out.

But did the Wisconsin State Board of Education offer a sporting challenge—a one-year test, for example, to see which was the better approach, theirs or McGuffey's? Not a bit of it. The State Board merely moved to deprive Twin Lakes of state aid, to the thunderous applause, I'm sorry to say, of the so-called "liberals."

When was the last time you, as editors, examined the curricula of your local schools? Are your students given the standardized Iowa and Stanford tests, and if so, how did your schools rank compared to the national average? Do your kids bring home meaningful report cards, or are parents just getting a lot of gobbledegook about adjustments and attitudes? When was the last time you asked to look at any senior English themes? When have you given a fine picture spread to your town's best scholars?

Having generally neglected disciplines in education it was quite logical that we Americans should neglect disciplines in art. The great painters and sculptors of the past studied anatomy so diligently that many of them snatched bodies. And today, after many centuries, we stare at the ceiling of the Sistine Chapel or at the walls of the Reichsmusee and marvel at their works.

But this self-discipline is of little concern to the modern non-objective painter. All he needs is pigment and press agent. He can stick bits of glass, old rags and quids of used chewing tobacco on a board and he is a social critic. He can drive a car back and forth in pools of paint and Life magazine will write him up.

Talent is for squares. What you need is vast effrontery. This is the kind of art that a painter with no ability can paint and a teacher with no ability can teach. No wonder it's popular at the factory end. But the tiny minority of youngsters who might have the spark of a Titian or a Rembrandt within them stay unencouraged and unrecognized. And our museums are filled with splashes, cubes and blots being stared at by confused citizens who haven't the guts to admit they are confused.

But fakery in art is a light cross we bear. Much more serious is our collapse of moral standards and the blunting of our capacity for righteous indignation.

Our Puritan ancestors were preoccupied with sin. They were too preoccupied with it. They were hag-ridden and guilt-ridden and theirs was a repressed and neurotic society. But they had horsepower.

They wrested livings from the rocky land, built our earliest colleges, started our literature, caused our industrial revolution, and found time in between to fight the Indians, the French and the British, to bawl for abolition, woman suffrage and prison reform, and to experiment with graham crackers and bloomers. They were a tremendous people.

And for all their exaggerated attention to sin, their philosophy rested on a great granite rock. Man was the master of his soul. You didn't have to be bad. You could and should be better. And if you wanted to escape the eternal fires, you damned well better be.

In recent years all this has changed in America. We have decided that sin is largely imaginary. We are bemused with behaviorist psychology which holds that abstract things like insight, will and spirit are figments of the imagination. Man, says the behaviorist, is either a product of a happy combination of genes and chromosomes or an unhappy combination. He moves in an environment that will tend to make him good or that will tend to make him evil. He is just a chip tossed helplessly by forces beyond his control, and therefore not responsible.

Well, the theory that misbehavior can be cured by pulling down tenements and erecting in their places elaborate public housing is not holding water. The crime rates continue to rise along with our outlays for social services.

We are far gone in fancy euphemy. There are no lazy bums any more—only "deprived persons." It is impolite to speak of thugs.

They are "underprivileged." Yet the swaggering, duck-tailed young men who boldly flaunt their gang symbols on their motorcycle jackets are far more blessed in creature comforts, opportunities for advancement, and freedom from drudgery than 90 per cent of the children of the world. We have sown the dragon's teeth of pseudo-scientific sentimentality, and out of the ground has sprung the legion bearing switch-blade knives and bicycle chains.

Clearly something is missing. Could it be what the rest of the world's children have been given—the doctrine of individual responsibility?

Relief is gradually becoming an honorable career in America. It is a pretty fair life, if you have neither conscience nor pride. An angry old judge in Muskogee County, Oklahoma, upon his retirement last month, asserted that in his last docket 37 bastardy cases were filed for no other purpose than to qualify for the relief rolls, and that in most cases both the plaintiff and the defendant continued living together while awaiting the next arrival. Any effort to stop this racket brings an immediate threat that federal aid funds will be withdrawn.

The state will give a mother a bonus for her illegitimate children, and if she neglects them sufficiently she can save enough out of her ADC payments to keep herself and her boy friends in wine and gin. Nothing is your fault. And when the city fathers of Newburgh suggest that able-bodied welfare clients might sweep the streets the "liberal" editorialists arise as one man and denounce them for their medieval cruelty.

I don't know how long America can stand this erosion of principle. But if we wish to survive maybe we had better do something about the elaborate pretense that there is no difference between the genuinely-unfortunate and the mobs of reliefers who gather to throw bottles every time the cops try to make a legitimate arrest. The welfare state that taxes away the rewards for responsible behavior so that it can remove the age-old penalties for irresponsible behavior is building on a foundation of jelly.

Finally, there is the status of our entertainment and our literature.

Can anyone deny that movies are dirtier than ever? But they don't call it dirt. They call it "realism." Why do we let them fool us? Why do we nod owlishly when they tell us that filth is merely a daring art form, that licentiousness is really social comment? Isn't it plain that the financially harassed movie industry is putting gobs of sex in the darkened drive-ins in an effort to lure curious teenagers away from their TV sets?

Three weeks ago Bill Diehl, the righteously-angry entertainment editor of the St. Paul Dispatch, ran down the list of present and coming attractions, as follows:

"Walk on the Wild Side." Set in a brothel.

"A View From the Bridge." Incest.

"The Mark." A strange young man trifles with little girls.

"The Children's Hour." Two school teachers suspected of being lesbians.

"All Fall Down." A psychopathic attacker of females.

"Cape Fear." A crazy rapist.

"Lolita." A middle-aged man's affair with a 12-year-old.

"The Chapman Report." The adventures of a nymphomaniac.

Just think! All this and popcorn, too!

In a speech a couple of months ago in Hartford, Connecticut, Mr. Eric Johnston, president of the Motion Picture Association of America, asked the plaintive question: "Why despite our unceasing efforts, does the film industry fail at times to have public confidence?"

Then he suggested an answer: The movie people apologize too much, he said. They should take pride in the fact that they have amended their production code. (Mr. Johnston apparently uses the term "amended" when he means a general tooth extraction.)

"What art form," asked Mr. Johnston, "has not had to keep up with the times to reflect contemporary society?"

Well, hooray for Mr. Johnston's contemporary society. Incestuous Americans. Perverted Americans. Degenerate Americans. Murderous Americans.

How many of these contemporary Americans do you know?

But perhaps the most intriguing part of Mr. Johnston's speech dealt with newspaper movie ads. It is ridiculous, he said, for parents to complain about bad influence by movies upon their children when all parents have to do is look closely at the ads.

"I have yet to run across a movie ad so subtle," said Mr. Johnston, "that a concerned parent would not know whether the film was suitable for his child."

Well, here is a semantical pole-vault that ought to set a world's record. For the suggestive, half-dressed figures locked in passionate embrace that have been decorating the theatre ads in our great moral dailies are now revealed as a public service, generously paid for by the movie moguls so that the parents can be warned!

Last year our advertising manager and I got so tired of Hollywood's horizontal art that we decided to throw out the worst and set up some standards. We thought that this belated ukase of ours might cause some interruption in advertising some shows. But no. Within a couple of hours the exhibitors were down with much milder ads. How was this miracle accomplished?

It seems that exhibitors are supplied with several different ads for each movie. If the publishers are dumb enough to accept the most suggestive ones those are what they get. But, if publishers squawk, the cleaner ads are sent down. Isn't it time we all squawked?

I think it's time we gentlemen of the press quit giving Page 1 play to Liz and Eddie. I think it's time we asked our Broadway and Hollywood columnists if they can't find something decent and inspiring going on along their beats.

And the stage: Bawdiness has put on a dinner jacket. The old burlesque skits that you used to be able to see at the Old Howard and the Gayety for six bits are now on display in the most lavish Broadway revues at $8.80 a seat.

But perhaps we should be glad to settle for good old heterosexual dirt. The April issue of Show Business, illustrated, quotes Dr. L. John Adkins, a New York psychotherapist as saying that in his opinion at least 25 per cent of the persons presently connected with the American theater are confirmed homosexuals.

Even the normally strong-stomached drama critics are beginning to get mad. Howard Taubman, in a lead article in the drama section of The New York Times, recently wrote as follows:

"It is time to speak openly and candidly of the increasing incidence and influence of homosexuality on the New York stage. It is noticeable when a male designer dresses the girls in a musical to make them unappealing and disrobes the boys so that more male skin is visible than art or illusion requires. It is apparent in a vagrant bit of nasty dialog thrown into a show, or in a redundant touch like two mannish females walking across a a stage without a reason or a word of comment."

What do you know about the "cultural exchange" program to which we are all involuntary contributors?

Last summer an American touring company, sponsored by the State Department and paid for by our tax dollars, presented one of Tennessee Williams' riper offerings to an audience in Rio de Janeiro. The audience hooted and walked out. And where did it walk to? Right across the street where a Russian ballet company was putting on a beautiful performance for the glory of Russia! How stupid can we get?

A couple of months ago in Phoenix I attended a tryout of a new play by William Inge. It takes place in a Chicago apartment of a never-married woman whose son by a bellhop has just been released from reform school, and whose current boy friend is being seduced by the nymphomaniac across the hall whose husband is a drunk. I wonder if the State Department is considering putting this show on the road around the world.

We are drowning our youngsters in violence, cynicism and sadism piped into the living room and even the nursery. Every Saturday evening in the Gunsmoke program Miss Kitty presides over her combination saloon and dance hall. Even the five-year-olds are beginning to wonder what's going on upstairs. The grandchildren of the kids who used to weep because The Little Match Girl froze to death now feel cheated if she isn't slugged, raped and thrown into a Bessemer converter.

And there's our literature. I presume we all have our invitations to become charter subscribers of Eros, the new quarterly magazine of erotica at $10 a copy. I got three invitations, so either the Addressograph was stuck or I'm considered a hot prospect.

Anyway, the publisher, Ralph Ginzburg, says this, and I quote:

"Eros has been born as a result of the recent series of court decisions that have realistically interpreted America's obscenity laws and that have given to this country a new breadth of freedom of expression."

And what are the dimensions of this "breadth of freedom"? Well, we are assured that Eros' first issue will include an article on aphrodisiacs, a schematic drawing for a male chastity belt, a story about an old New York bawdy house where women copulated with beasts, the latest word on Havana's red light district, and the memoirs of a stripper which, it says here, "is astonishing for its matter-of-factness."

Isn't it splendid that Mr. Ginzburg stands with the frozen ghosts of Valley Forge as a fearless defender of his country's freedom? Ten dollars, please!

The fast buck boys have succeeded in convincing our bumfuzzled judges that there is no difference between a peep show and a moral lecture. The old eyepoppers which tourists used to smuggle back from Paris under their dirty shirts are now clothed in judicial blessing. A Chicago judge has recently issued a blanket injunction against any one who might try to prevent the sale of Tropic of Cancer to children. Lady Chatterly's Lover and Ulysses are on the paperback shelves right next to the comic books. They can close the bookstalls on the Seine. It's all over at your corner drugstore where the kids hang out.

Don Maxwell of The Chicago Tribune last year asked his book department to quit advertising scatological literature by including it in the list of best sellers. The critics and the book publishers have denounced him for tampering with the facts. I would like to raise a somewhat larger question:

Who is tampering with the soul of America?

For nations do have souls. They have collective personalities. People who think well of themselves collectively exhibit elan and enthusiasm and morale. Where they low-rate themselves as individuals they will not long remain the citizens of great nations.

Dr. Celia Deschin, specialist in medical sociology at Adelphi college, in a recent article in This Week magazine, says it's time for a new kind of Kinsey Report. She asserts that the late Doctor Kinsey produced a report that was heavily loaded by exhibitionists and that did immense damage to America by peddling the impression that sexual self-discipline neither exists in this country nor is it desirable.

Generally, she says, those parents who are afraid to lay down the law have the most miserable children. Children, she points out, want honest direction and a set of sensible rules to live by. Where these are denied them on the fantastic theory that it's no longer scientific to say No, the kids often develop subconscious anxiety. Much juvenile delinquency springs from a deep hunger for rules. It is a masochistic effort to seek punishment. The child, says Doctor Deschin, abhors a world where everything goes.

Or, as my tough-minded old grandmother put it, "The youngster who doesn't know that there's a Lord in Israel bounces around in a limbo where there is no force of gravity. If you think he's happy you're crazy."

The time has come to dust off the rule book. The game is unplayable if you're allowed two strikes or six, if you can use a bat or a cannon, and if some days you can have three men on third and other days there isn't any third base at all. We have to stop trying to make up our own rules.

And that goes for all of us. It's time to quit seeking learning without effort and wages without work. It's time we got mad about payola. We should ask the Lord's forgiveness for our inflated expense accounts, and quit pretending that goonery is a human right.

Ladies and gentlemen: do not let me overdraw the picture. This is still a great, powerful, vibrant, able, optimistic nation. Americans—our readers—do believe in themselves and in their country.

But there is rot, and there is blight, and there is cutting out and filling to be done if we, as the leaders of free men, are to survive the hammer blows which quite plainly are in store for us all.

We have reached the stomach-turning point. We have reached the point where we should re-examine the debilitating philosophy of permissiveness. Let this not be confused with the philosophy of liberty. The school system that permits our children to develop a quarter of their natural talents is not a champion of our liberties. The healthy man who chooses to loaf on unemployment compensation is not a defender of human freedom. The playwright who would degrade us, the author who would profit from pandering to the worst that's in us, are no friends of ours.

It's time we hit the sawdust trail. It's time we revived the idea that there is such a thing as sin—just plain old willful sin. It is time we brought self-discipline back into style. And who has a greater responsibility at this hour than we—the gentlemen of the press.

So I suggest:

Let's look at our educational institutions at the local level, and if Johnny can't read by the time he's ready to get married let's find out why.

Let's look at the distribution of public largesse, and if, far from alleviating human misery, it is producing the sloth and irresponsibility that intensifies it, let's get it fixed.

Let's quit being bulldozed and bedazzled by self-appointed long-hairs. Let's have the guts to say that a book is dirt if that's what we think of it, or that a painting may be a daub if the judges unwittingly hang it upside down. And if some beatnik welds together a collection of rusty cogwheels and old corset stays and claims it's a greater sculpture than Michelangelo's "David" let's have the courage to say that it looks like junk and may well be.

Let's blow the whistle on plays that would bring blushes to an American Legion stag party. Let's not be awed by movie characters with barnyard morals even if some of them have been photographed climbing aboard the Presidential yacht. Let us pay more attention in our news columns to the decent people everywhere who are trying to do something for the good of others.

In short let's cover up the cesspool and start planting some flowers.

Well, that's the jeremiad. I never dreamed I'd go around sounding like an advance man for Carry Nation. On some people I still think bikinis look fine.

But I am fed up to here with the educationists and pseudo-social scientists who have underrated our potential as a people.

I am fed up to here with the medicine men who try to pass off pretense for art and prurience for literature.

I am tired of seeing America debased in the eyes of foreigners.

And I am genuinely disturbed that to idealistic youth in many countries the fraud of Communism appears synonymous with morality, while we, the chief repository of real freedom, are regarded as being in the last stages of decay.

We can learn a lesson from history. Twice before our British cousins appeared to be heading into a collapse of principle, and twice they drew themselves back. The British court reached an advanced stage of corruption under the Stuarts. But the people rebelled. And in the wild days of George IV and William IV it looked as though Britain were rotting out again. But the people banged through the reform laws, and under Victoria went on the peak of their power.

In this hour of misbehavior, self-indulgence and self-doubt let this be the story of America. Unless I misread the signs a great number of our people are ready. Let there be a fresh breeze, a breeze of new pride, new idealism, new integrity.

And here, gentlemen, is where we come in.
We have typewriters.
We have presses.
We have a huge audience.
How about raising hell?

THE ORDERLY MARKETING ACT OF 1967 WOULD AID AMERICAN SHOE INDUSTRY

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I am today joining my distinguished colleagues, the gentlemen from Massachusetts [Mr. BATES and Mr. BURKE] in reintroducing the Orderly Marketing Act of 1967, with the hope that enactment of this legislation may bring some relief to hard-hit American industry, especially footwear and textiles.

This bill is not a rigid protection measure, nor would it impose an inflexible quota system on imports. But it is designed to give some American industries, hard hit by a massive and increasing flood of low-cost foreign imports, a chance to readjust to changing conditions of world trade.

This situation has threatened the very existence of domestic manufacturers, particularly the smaller ones, and their workers in a number of industries, notably the textile, shoe, and farming industries. In some of these small businesses, the complex problems of high labor costs, narrow profit margins, and limited capital resources, have helped low-wage foreign competition make major inroads into our domestic market.

Recent statistics showing an alarming increase in shoe imports are indications of this impending crisis. In 1966, a grand total of 132,188,000 pairs of shoes, including rubber footwear, were imported, compared to 120,995,000 pairs in 1965. The value of these 1966 imports was $172 million, compared to $136 million in 1965.

This means that imports increased to 16.3 percent of domestic production in 1966, from 15.2 percent in 1965 and compared to just 1.2 percent of American footwear production in 1955. If this disturbing trend continues, a 30-percent figure is projected for 1969.

In five major categories of footwear manufacturing, imports already amount to 20 to 60 percent of production. Industry sources indicate these imports have already taken away 15,000 jobs in footwear manufacturing and are taking away additional jobs each month.

Last month, in discussing this situation, the international weekly said this problem had the $5-billion-plus footwear industry teetering on the brink of major disaster.

This bill would require, under certain specific conditions, the Secretary of Commerce to determine whether increasing imports are contributing to economic impairment of a domestic industry.

If the Secretary finds that such impairment does exist, the President would be empowered to impose import limitations geared to total sales in the domestic market subject to review after 3 years.

This would enable us to overcome unfair foreign competition, through international agreements or through unilateral but flexible quotas. At the same time it would allow foreign competitors to share in the growth of our economy.

And it would materially alleviate the type of situation that has presented such a threat to the American footwear industry, textile industry, and others faced with this presently unstoppable flood of imports.

AUTO LIABILITY INSURANCE

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. CAHILL] is recognized for 60 minutes.

Mr. CAHILL. Mr. Speaker, I am taking this time to call the attention of the House to a problem I discussed last week concerning the problem of automobile liability insurance. Last week, the gentleman from Pennsylvania [Mr. GREEN] and the gentleman from Kentucky [Mr. SNYDER] joined me in recommending to the House a study of the social problems resulting from the uncontrolled actions of a good many automobile liability insurance companies in this country. It appears crystal clear that the problem is national in scope, that it requires congressional action as distinguished from State action, and that only Congress can do the job that must be done.

Many of the leading newspapers of this country have featured a series of articles outlining the problem and particularizing the abuses as they relate to various States and communities.

Mr. Speaker, I have made reference before to the articles prepared for the readers of the Gannett newspapers, written by Mr. Robert W. Lucas, head of the Washington bureau of the Gannett group. I have inserted in the RECORD several of these articles and shall at the termination of these remarks insert the balance of Mr. Lucas' articles because they portray the problem objectively yet forcefully, fairly but effectively. I recommend these articles to the membership.

It would appear to me, Mr. Speaker, that some legislative action may also be required in order to insure the Federal Government's right to regulate insurance. The Supreme Court of the United States states in the case of United States against Southeastern Underwriters Association:

> No commercial enterprise of any kind which conducts its activities across State lines has been held to be wholly beyond the regulatory power of Congress under the commerce clause. We cannot make an exception of the business of insurance.

As a result of this Supreme Court decision, the Congress passed the McCarran Act which, in effect, held that the business of insurance was subject to the laws of the several States and that no act of Congress shall be construed to supersede any State law regulating insurance. The act then provided, however, that the Sherman Act and the Clayton Act were applicable to the business of insurance.

As a result of this act, several subsequent court cases interpreting the act seem to indicate that the Federal regulatory powers are limited and it would appear to me, therefore, that it would be in order for some amendment to be adopted relative to the McCarran Act so that the full force of congressional action will not be impaired. There is no doubt in my mind that the Federal Government has the authority to fully investigate and, in my judgment, to pass remedial and regulatory legislation. There is no doubt in my mind, Mr. Speaker, that the problem is too vast for the individual States to cope with effectively. There should be national standards relating to minimum coverage and requiring valid reasons for the refusal to insure or for cancellation or for refusal to renew.

Recognizing as I do the fact that individual State commissioners have more intimate knowledge of this problem than I do, I have written to each commissioner of our 50 States asking their views on this vital matter.

The gentleman from Kentucky [Mr. SNYDER] has introduced House Resolution 275 requiring the Interstate and Foreign Commerce Committee to conduct a full and complete investigation and study of insurance companies issuing automobile liability insurance and their practices and procedures in determining eligibility for liability insurance and in canceling and refusing to renew such insurance.

Certainly, this is a step in the right direction and I would hope that the Committee on Interstate and Foreign Commerce will schedule hearings on this proposed legislation so the entire membership of Congress will have the opportunity to express their views and so all of us together can find a solution to this very real and present danger.

Many of the individual States—particularly North Carolina, Michigan, Virginia, Maryland, California, and North Dakota—have passed regulatory legislation seeking to correct the unfair discrimination and the unfair practices of many of the insurance companies. Most of the States, however, have failed to do so and the result has brought on inadequately financed companies, writing substandard policies at inordinately high premiums.

It is my hope, therefore, Mr. Speaker, that other Members will look into this important matter to the end that some early solution may be found.

Mr. Speaker, I am pleased to include the remaining article on this subject, written by Mr. Lucas, of Gannett newspapers, referred to in my remarks, and an article by Mr. Thomas Flynn, of the Courier-Post newspaper, Camden, N.J. I shall make a further report, Mr. Speaker, to the House after the receipt of the views of the insurance commissioners of the various States.

The Lucas and Flynn articles follow:

LAWS CUTTING ABUSES

(By Robert W. Lucas)

WASHINGTON.—A wave of reform laws and regulations, boiling out of the storm over auto insurance industry practices, threatens to drown the industry's complaint of being "misunderstood."

For, although few companies, or agents, openly talk about making "guidebook" judgments against "prohibited risks," such guidebooks do exist.

And, although there is little proof that some companies discriminate against blocked-out sections of cities, where insurance is denied the poor, or the underemployed, or Negroes, such "off-limits" practices are followed.

In fact, the practice is tacitly admitted in the record of a South Carolina case. There a divorced woman (formerly an employe of the insurance company) was denied insurance, the reason being her "marital status." When it was noted that the denial was unsigned by an officer of the company, an investigation proved that the signature was withheld for fear of a "slander or libel" suit.

Insurance Commissioner Norman Polovoy of Maryland says some companies seem to want to take the "cream off of the cream."

The Insurance Information Institute, a public relations vehicle of the industry, has produced a document, based on "studies" in several states, which says the "cancellation problem . . . has taken on the proportions and coloring of myth."

The number and scope of complaints; the recent passage by nine states of tough laws against arbitrary cancellations; the warnings of state insurance commissioners and the findings of legislative committees, suggest that the cancellation and non-renewal problem is something more than a "myth."

In 1961 the National Bureau of Casualty Underwriters announced that 250 affiliated companies would "voluntarily place restrictions on their right to cancel automobile liability insurance policies on private passenger cars." Thus some of the major companies recognized the problem six years ago. Others have not followed.

Since then, California, Maryland, Michigan, New Jersey, North Carolina, North Dakota, South Carolina, Virginia and Wisconsin have acted to protect policy holders against sudden arbitrary and unwarranted insurance cancellations or non-renewal.

Michigan's statute explicitly prohibits discriminatory action in canceling, failing to renew or raising premium rates "solely because an insured has reached the age of 65 years."

New Jersey's law describes "unfair discrimination . . . because of age . . . race, creed, color or ancestry" as an "unfair method of competition and deceptive act or practice in the business of insurance."

California requires that cancellations be accompanied by a written statement to the insured "setting forth the grounds upon which the cancellation is based." And that state also provides an appeal procedure for challenge of the cancellation.

Maryland denies insurers the right to "decline to issue or renew (auto insurance) solely on account of geographic area" unless that area is designated and filed with the commissioner of insurance 60 days in advance.

In some states "advisory" regulations on this subject may soon be converted into "compulsory" statutes.

In May of last year, the "National Underwriter"—a leading trade journal of the insurance industry—admitted that "automobile cancellations and non-renewals . . . are serious problems."

In interviews with state regulators of insurance, the magazine found that "any number of commissioners suggested that cancellations are a big problem elsewhere, but few said that their own states had experienced any real difficulties."

Joseph D. Thomas, California's chief assistant commissioner, said: "The problem of unfair cancellation or non-renewal is probably the hottest problem in this state at this time."

In its document referring to cancellations, the Insurance Information Institute said recently, "in the past, the myths about the cancellation policies of insurance companies have gone unchallenged because of a lack of solid documentation. Cancellation practices in fact affect a minuscule proportion of drivers."

As proof of this contention, the institute calls attention to a "five year study covering the period 1959–63 in Washington State" where companies and agents "cancelled only .9 per cent of the policies in force each year.

But a report issued last December, by a special 10-man joint interim committee on insurance of the Washington State Legislature, said:

"Cancellation, rejection and failure to renew automobile liability insurance present the number one problem facing the insurance-consuming public today."

Several state insurance commissioners report that the actual statistics on cancellations are misleading. More often, when an insured motorist is found to be a "questionable risk" for one reason or another, or is left high and dry when an underwriter abandons his agent, his insurance is simply not renewed. Sometimes reasons are given, sometimes not.

In building a backfire against such charges as "insurance companies won't take on bartenders" or that "they canceled my cousin's policy just because he grew his hair long," industry sources respond, "never mind that the bartender has had a series of moving violations or that the cousin is a hopeless alcoholic." In other words, industry spokesmen say that too often the "whole story" behind a cancellation or non-renewal is not known, or told.

A contributing factor in the intensive classification of risks has been the fierce competition for business between the stock and mutual insurance companies and those that write insurance directly, without resort to middlemen or agents.

The cost per premium dollar of producing business for the agency-related companies is just about double that of the direct writers in the automobile insurance field.

This contributed to the sensational gains between 1945 and 1964 of such companies as State Farm and Allstate, the latter overtaking such giants as Travelers Indemnity and Aetna Casualty.

The two direct writers now dominate the auto insurers' field, leading the next two stock companies, two for one, in total premiums.

The old-line companies are fighting back with a wider variety of packaged options, based on ever closer analysis of the potential market.

All of which is leading to self-analysis within the industry as to its future place in the U.S. economy.

THERE'S HELP COMING—BUT WHEN?

(By Tom Flynn)

The solution to the auto insurance problem—higher and higher claims and higher and higher premiums—lies far into the future.

Part of the answer may be available now, but so far all approaches to the problem are in the talking stage.

There's talk of national control and Congress is tentatively sticking its big toe in the waters, but it promises to be a long time before it takes the full plunge.

There's talk of forcing insurance companies to use profits from other types of insurance—home, life, liability, etc.—or from investments to uderwrite the losses that auto insurance incurs.

There's talk of a compensation-type of settlement of auto claims, similar to that now in use in settling workmen's compensation cases.

"Some European countries are doing this," Horace J. Bryant Jr., deputy commissioner of the N.J. Department of Banking and Insurance, says, "but it's not being used anywhere in the states yet." There are some merits to this approach, Bryant believes.

Workmen's compensation cases rarely go to court but are usually settled at arbitration. Under normal circumstances, an employe injured at work has all medical and hospital bills paid and receives $50 weekly as long as he is unable to work.

Finally, a team of experts, including an insurance representative and a state referee, determines the amount of compensation.

This is what may come in the automobile insurance business.

Bryant says such a system would ease the strain on the courts and also would speed settlement of the cases. Today many automobile insurance claims drag on endlessly.

Additionally, in this system, lawyers' fees would be set in advance. Bryant admits that lawyers are now getting 30 or 40 per cent of some jury verdicts but he says, "remember, they don't win every case."

An indication of what may be in store for insurance companies cropped up in Kentucky recently when the state insurance commissioner ruled that companies must use part of earnings from investment income to offset rate increases.

Insurance companies set aside two funds. One is for "unearned" premium reserves (covering policies still in effect) and the second is reserve for losses (money for claims in accidents which have already happened but which have not been settled.)

These funds are invested but the profits from the investments are used to pay dividends to the stockholders. Meanwhile all auto claims must be paid from the premiums.

But now the Kentucky commissioner has ruled—and he's the first in the nation to do so—that the profits from investments must be used to lower premiums.

Bryant is aware of the complicated financial structure of insurance companies. He explains that the company sets aside 66 cents from every premium dollar to pay loss claims. In addition, 20 cents goes for commissions, eight cents goes for operation of the home office and four cents is earmarked for taxes. That leaves only two cents of every dollar for profit.

"Anytime the company's losses run higher than 66 cents, that company is running at a loss," he says. A Camden agency recently said its office operates at 117 per cent ratio, meaning it loses money on every policy it writes.

Bryant is aware too that the national underwriters are looking toward bigger agencies and would like to drop the smaller agents.

He explains that they occasionally get hit with a "shock" claim. In a small agency, one unusually large claim can mean that the company must operate that agency at a loss for several years, Bryant says, "and companies don't like to do that."

There is no law in New Jersey which says an insurance company must continue to insure anyone but there is a directive from Commissioner Charles R. Howell of the Department of Banking and Insurance that has the same effect.

Howell's directive says the company must renew a policy as long as the original conditions under which it was written continue to exist. But once a driver has an accident, changes residence, changes cars, reaches a certain age, or alters any of a number of other circumstances, the company has the option of dropping the policy holder.

And as more and more policyholders are dropped there is an increasing cry for greater state and federal control over the insurance companies.

Mr. Speaker, I yield the balance of my time to the gentleman from Pennsylvania [Mr. GREEN].

Mr. GREEN of Pennsylvania. Mr. Speaker, I want to thank the fine and able gentleman from New Jersey for granting me time to talk about automobile liability insurance.

Last Wednesday we held our first discussion of the growing crisis in this field. Although I did not know it at the time, a not-so-funny thing happened on my way to the House floor. Another insurance company was being declared insolvent in my State of Pennsylvania. This is the 15th insolvency in the last 2 years, a dismal record for failures that is unparalleled in the Nation.

A record like this points unmistakably to the needs for Federal inquiry in the problems the public faces with regard to automobile insurance. Insolvency is not peculiar to Pennsylvania. It has been a problem in Illinois, Indiana, Missouri, and West Virginia, along with half a dozen other States. It has left more than 100,000 American car owners without the coverage they paid for.

However, as I indicated last week, the mounting crisis encompasses more territory than the fly-by-night, undercapitalized companies which merely write insurance, but fail to underwrite it. The public is concerned with high rates, often inexplicable, with discriminatory practices, and with whimsical cancellation policies.

Failure in Pennsylvania is symptomatic of the failure of many States to accord their citizens the full power of the protection they should afford them.

With the exception of New York, which has placed considerable emphasis on the problem of automobile insurance, and perhaps California, which has reformed their approach to the business of automobile insurance, most States have been far too timid in attacking a growing problem. Now that problem is too large for them to handle. Few States have the resources, or are willing to place what resources they have, into the construction of insurance departments with the power and expertise to regulate the automobile insurance business-industry fairly and intelligently. The time for Federal action is approaching.

In the next few weeks, I understand, hearings will start on the proposal to create a Federal Insurance Deposit Corporation modeled after the FDIC as it affects banking.

Last week I expressed my doubts that this bill goes far enough. This week I have the same doubts. I concur with my distinguished colleagues, the gentleman from New Jersey [Mr. CAHILL] and the gentleman from Kentucky [Mr. SNYDER] that the Congress must take a harder look at automobile insurance. And I call for support of the resolution of the gentleman from Kentucky to widen the scope of the hearings.

FORESTERS FORUM ON CONSERVATION

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, important conservation measures have been adopted in this country during the past several years, but maximum effectiveness will come only through general understanding. Thanks to organizations dedicated to the wise management of natural resources, Americans are gradually coming to recognize the scope of the problems and the courses of action prerequisite to solution.

Last month the District of Columbia section of the Society of American Foresters conducted a meeting and panel discussion that can have far-reaching benefits if the discourses it prompted are given proper circulation. For the elucidation of my colleagues, I am inserting in the RECORD, under permission already granted, the remarks of three distinguished speakers who participated.

The Honorable Orville L. Freeman, Secretary of Agriculture, presents broad aspects of land management which open new challenges to an expanding nation. I commend his statement to your close scrutiny.

Secretary Freeman also takes the occasion to compliment Senator CARL HAYDEN for his many years of service in the cause of conservation. I join in expressing thanks to a renowned statesman whose myriad contributions have helped make this country a better place to live and to enjoy.

John E. Kinney, a sanitary engineering consultant whose views are respected by everyone actively interested in the promotion of good conservation practice, offers a frank and practical analysis on the subject of pollution. His observations should be read by legislators and government officials at the National, State, and local levels.

The Honorable JOHN A. BLATNIK, our esteemed colleague from Minnesota, has a message which Members of the 90th Congress have an obligation to absorb, for what we do this year may very well determine whether the water pollution control laws recently enacted with national enthusiasm will even remotely serve in the manner intended. Parenthetically, I want JOHN BLATNIK to know that I am most appreciative of his untiring efforts in the field of water pollution control and that I shall continue to stand with him in his determination to obtain the results Congress intended when the legislation was adopted.

Mr. Speaker, the Society of American Foresters is to be congratulated for providing the forum from which these views could be expressed. They need to be repeated again and again, for factual explanations such as these are essential to transforming public apathy and indecision into unity of purpose and vigorous motivation.

The statements follow:

COMING OUT OF THE WOODS

(Remarks of Secretary of Agriculture Orville L. Freeman before the Washington, District of Columbia section of the Society of American Foresters, Washington, D.C., March 22, 1967)

Chairman Morriss, Senator Hayden, Secretary Udall, special guests, and members of the Society of American Foresters.

I am told that the Washington, D.C., Section of the Society of American Foresters has in its membership many of the Nation's top forestry policy makers. I am also told that you gentlemen have among you a broad cross section of the public and private natural resource interests. These include the forest industries, citizen associations, consulting foresters, educators, the public agencies, retired foresters, and others. Gentlemen, I commend you all on the choice of the theme for your meeting—"Environmental Pollution." By so doing you have taken on one of the most talked about and least "done about" problems in America today.

Now, we all know that to the forestry profession goes the credit for developing, testing, using at home, and exporting throughout the world the multiple use concept of land management. But, gentlemen, the theme of your meeting goes beyond this. In a loud voice you seem to be saying, "Listen, America, we foresters are coming out of the woods."

Senator Hayden—Sir, I believe that you will agree with me that this is good news for the people of America. It is good news because, although foresters plan for the decades, they have a reputation for getting things done today. I'm convinced that a dynamic, understanding ally such as the forestry profession can bring new life to the desperate fight against environmental pollution.

I'm glad to participate in this tribute to our honored guest. Over the decades, his work in the Congress of the United States has helped, in one way or another, to bring better protection and better management to every acre of forest land in America.

In my own Department, forest conservation on private and public lands represents a large share of our effort. While the Forest Service has the prime responsibility for nationwide forestry programs involving forestry research, State and private forestry cooperation, and National Forest and Grassland management, other agencies of the Department of Agriculture also play a vital role. These include the Cooperative State Research Service, Extension Service, Agricultural Stabilization and Conservation Service, Farmers Home Administration, Farmer Cooperative Service, Soil Conservation Service, and Rural Community Development Service. At the core of this cooperation are the family forest owner, the State Forester, the forest industry, the consulting forester, the universities, and other agencies and departments of the State and Federal governments. It takes teamwork and every little bit counts in the effort to provide the people of America with the products and benefits of the forest.

Yes, America's foresters are coming out of the woods. Their deeds and actions are demonstrating that the science of forestry is a broad subject that goes far beyond the task of growing trees. Multiple use management of forest lands means growing of trees, of course, but it also means the production of wood, water, wildlife, recreation, range, and special forest products. It means natural beauty. It deals with the development, protection, and management of forest lands and their resources for the benefit of people.

This is a broad social objective—as timely today as it was in Pinchot's time. But I would suggest to this group that you give even greater attention to the shorter run—especially to what more can be done now for our rural residents. And I would like to put this in the setting of the situation today in rural America:

(1) Where poverty is relatively twice as great as in our urban areas;

(2) As migration from rural areas adds to the festering slums of our modern cities;

(3) Where the desperate plight of the "boxed-in" segment of our rural citizens is a national disgrace; and

(4) Where people with the relatively lower educational and skills levels of this rural group are misfits in a civilization increasingly mechanized and less dependent on common labor.

In this context, the forested areas of our country, which coincide to a major degree with the most economically depressed areas, provide a real opportunity. These areas have marginal agriculture; but in many, forest industries are expanding. This presents a real challenge to you people as professional foresters to make your profession contribute far more than it has to date in finding solutions to these problems. This does not mean a lesser concern for the land, but it does mean a greater concern for the people—now, as well as in the long run! This is my message to you as professional foresters; a plea to those of you who haven't already done it to broaden your horizons by coming out of the woods.

It is in this setting, Senator Hayden, that I address myself to your outstanding accomplishments, of which the honor about to be bestowed upon you is merely symbolic—a token of achievement in only one area of a much broader field.

I am told that your forestry interest started prior to your congressional service of over a half century—that when you were a Sheriff in Arizona in the 1910 era, you used to visit the Forest Supervisors' offices and discuss forestry with them. I wanted to call attention to two special Forest Service retirees who were to be with us today—Mr. Arthur Ringland, the first Regional Forester for the Forest Service in the Southwest, 1908–1916, is present. And he was present at the swearing-in ceremony for Senator Hayden as a Congressman in 1912. Mr. Raymond Marsh, former Assistant Chief for the Forest Service and Forest Supervisor at Flagstaff in the early days, was to be with us, but his wife died Sunday night and he could not attend. Our deepest sympathies go to him.

Years later, I'm told your visit with President Franklin D. Roosevelt led to inclusion of a road development program in the National Recovery Act, a most important step which contributed so much to opening up rural areas—including forest roads and highways.

Your support in that same era for the Civilian Conservation Corps program needs particular mention. I know that the work these boys did for our forestry and related resources, and in developing themselves as men, has been a source of great satisfaction to you. More than any other legislator, you have participated in the development of American forestry from its infancy to its professional stature today.

As a matter of fact, I am told, your very first speech in the U.S. Congress, in March 1912, was delivered in support of an appropriation for the Forest Service.

You have been an active supporter in the first great wave of public awareness of the importance of forest conservation of the Pinchot era; the second wave of conservation progress under F.D.R.; and even a greater advocate of and supporter for forestry and its related resources in the third conservation wave well under way today. In this wave is the great public concern for our total environment.

I could go into detail, but I will mention only one specific case in the Arizona water programs including the Beaver Creek Watershed. Your leadership in the development of this project is giving us highly significant results and adding to the scientific basis for application of multiple use to forest lands. It would not have been possible without your interest and support. It is giving us the data on a controlled basis for evaluating the effects of different types of treatment on the benefits and returns from these lands. It, in effect, gives us the basis for consideration of alternatives of management—a forerunner of the Program Planning Budgeting System approach which we hear so much about today.

Its application is broad and extends far beyond the water areas of the West. The principles and techniques apply wherever we have forest lands.

There are many other examples that could be named. Stu Udall, I'm sure, will add to this list.

Let me close by saying that I am happy to have the opportunity to speak before this elite group of foresters and to be a witness to the honor that is being bestowed upon you. I shall long remember this day and I know that none of us can ever forget what you have done for the forest lands of America. God bless you!

THE THIRD DIMENSION IN POLLUTION CONTROL

(By John E. Kinney)

The public envisions a forest in terms of recreation, wildlife, peace and tranquility, the last remaining undespoiled state of nature. The forester knows that maintaining these "natural" attributes requires scientific knowledge and hard work by many people.

But many foresters, however, are guilty of a misconception. They can not imagine the forest land involved in any pollution control program. Neither can the general public. Both relate pollution to sewer outfalls, not to a water quality condition which interferes with other water users. So there is no recognition that quality of drainage onto and from agricultural and forest land must be included in any effective appraisal of water quality management.

So far too few have seen this total picture. Had there been more, the Congressional hearings on water pollution would have included agricultural views. There would also be agricultural concerns expressed over the administrative guidelines now extending Congressional intent. And most certainly there would be agricultural participation in the decisions which are now defining policy in water quality management.

These policies are stated in generalizations with the illustrations limited to nonagricultural activities. When asked why the agricultural and forest land interests were not involved, one ranking administration official stated it would be political suicide to involve agriculture until the precedents are established with cities and industries. Eventually the generalization will apply to all sources which affect water quality.

GOOD GUYS AND BAD GUYS

In this era when public image is so important and when it is imperative to be on the side of the good guys, an accusation that a person is causing pollution automatically triggers a denial from the accused and mob action to seek his due punishment. The chorus has two chants—changing attitudes and louder demands for more stringent legislation. The tempo leaves the impression that instant pollution abatement is now a reality and requires only determination to purchase it.

But we still hear the dissidents who question either the need for the program proposed or the manner in which it is administered.

Actually we are witnessing a common phenomenon—a few vocal antagonists each claiming to speak for the public and each a victim of a self-deception resulting from gross oversimplification of complex and shifting situations. There is a frozen, unalterable position, either deliberate or unwitting depending on whether the individual is acting intentionally or is duped by the sound of the proposal. It is not limited to the naive nor the schemer. Many who by education and training should be able to analyze the situation do not.

The gross simplification and our intellectual laziness which relates all persons to either the good guys or the bad guys result in arguing one conclusion versus another, in claiming one position is all good, all correct, the other all bad.

So we have the assertion that any source of drainage is pollution and thus evil; any advocate of its cessation a knight in shining armor, a doer of good.

This will continue until we take the time to publicly examine the premises on which the conclusion is based or until there is a third alternative offered for appraisal.

And what about the public? What actually is its attitude? Despite the boasts of the debaters the public has refused to be of one voice, one mind. Many demands are made in the name of the public but the public approved bond issues in one community while defeating them in another during the past election, just as it did 20 years ago. The debaters may claim thousands of members in their particular organizations but the public has refused to be lumped. Where the public attitude has changed, some local issue or person can be given credit, not any national organization or legislation.

Ernest Swift, former executive director of the National Wildlife Foundation, in appraising the recreationist and forest land taxation in a most remarkable essay, "Beware the Pied Pipers of Recreation", emphasized the impossibility of winning a meaningful victory unless the issue is in depth analysis instead of emotions. His words apply equally well to the strident clean streams advocate who would, under the guise of protecting our waters for future generations, actually deny their use of anyone other than himself.

Mr. Swift makes an eloquent argument for knowledgeable persons to dethrone those of limited vision:

"Many recreationists just don't approach the management of resources with economic realism. . . . The average urban or country dweller, bent on a few hours or weeks recreation, doesn't bother with the profundities of economics. Many have only the vaguest notion of even the ecological relation between plants, animals, soil and water. They have less understanding yet that resource management, the cornerstone of survival, is concerned with industry, standards of living, education, markets, legislation, taxes and the interrelationship of community, state and national economies.

"They fail to realize that there can be no extensive recreation without a sound economy.

"The man who really needs to know the facts is Mr. Average American, who knows little about land-use problems or land ownership. His only contact is through recreation. We must start the job of educating Mr. Average American to at least a minimum understanding of the basic economics of land-based industries which convert resources to products and pay-checks.

"Less pied-piper talk on the right to leisure and more awarenes of the basic productive resources which make leisure possible is needed in these coming decades of the recreation boom."

Our land and water resources are inextricably linked. The same attitudes, the same in-depth knowledge are needed for both.

CONGRESS AND GUIDELINES

In addition to educating Mr. Average American on the facts of living—not an easy task in this age of rising expectations—there is the equally important task of treating the political pollution which contaminates our clean streams program.

Candidates for office frequently over-emphasize a problem and promise to resolve it. Too few of the elected reduce these situations to specifics to permit resolution so each election sees a renewal of scares and promises.

Perhaps the elected would like to resolve the problem but don't know how. Or perhaps they rely on advisors who are dependent on the continuance of the crisis for a job, or on advisors who mean well but are short on competency. There is greater probability the core of the problem is limited vision—an unwillingness to admit the problem is complex and deserving of diagnosis beyond the realm of legal jurisprudence.

An example of the influence of limited vision is provided in the legislative history of the Water Quality Act of 1965. The hassle over that enactment lasted more than two years. As you recall, the Senate sponsored the administration proposal that a cabinet officer should have total discretionary authority to establish water quality standards. The House Public Works Committee, headed by John Blatnik (D. Minn.), recognized this delegation of authority to be much more than a water pollution control measure. Definition of uses of a river must precede setting standards. The committee objected to one man having authority to decide which waters shall be used for agricultural drainage, industrial development, water supply, recreation and navigation. Objecting to this and giving the authority to the States brought criticism from those who can see nothing wrong with any proposal which promises clean streams.

Agricultural and forest land management interests seemed unaware the House Public Works Committee had appreciated there is more to water quality management than "pollution", than sewer outfalls. For example, setting a standard on nitrogen below an agricultural area can limit the acreage fertilized, the fertilizer applied, and the time of application. Below a wooded land it can brand the decaying vegetation, the runoff over the forest floor cover, a gross polluter, a despoiler of streams.

In similar manner standards on organics used for pest control sets limits on spraying forest lands. The good guys claim sprays are poisonous and should be banned. Any objector to the prohibition is a bad guy. There is no in-depth analysis of the benefits, risks and controls required.

The House Public Works Committee insisted that the States make the water use, quality standard determinations. The heat over this difference in decision making authority diverted attention from the equally important detail of how Congress expected the job to be done. The guidelines sent out by Secretary Udall in May, 1966, only complicated the situation.

So when the House Public Works Committee held hearings in 1966 on the administration proposal for further changes in the law, there was attention to testimony presented about policies which were being promulgated by the administration.

John Blatnik and his committee, to their eternal credit, dropped the politically inspired, narrow vision proposals and developed a bill and committee report which emphasized the need for total water management by basins or interrelated areas. This package placed into focus America's many basic needs, some of which are incompatible in the same area or the same water, but all of which must be satisfied. The bill and the report (House Committee Report No. 2021) provided the guidance for intelligent and effective basin development. And the House agreed with a 314–0 vote.

But again there was not comparable vision in the Senate so compromise took its toll on the bill. However, the Committee report, which was the sense of the House, was not modified in any way by the conference and thus should still guide the policy makers. Yet it has not. Why it has been ignored can be surmised but as is often the case sound advice and direction is not heeded.

DYING LAKE ERIE

The Vietnam war has, among other things, messed up our budget. The fiscal drain is causing cutback in programs directed towards improving the way of life of our citizens. Money is scarce. It should be more important than ever that we have priorities for spending which will minimize waste and maximize accomplishment of specific objectives.

It should be—but emotional, narrow vision, limited-interest promoters can still accomplish undue influence for one program over another. And they will continue to do so until Mr. Average American has an understanding of all the issues involved, a concept that there is at least a third alternative for his consideration in any program, and a realization that for any given area there should be priorities of importance established for the many programs irrespective of how desirable all may be.

There will be very serious issues on land-management control which relate to water quality control. And unless those who are knowledgeable participate fully in appraising these issues, they are no less culpable than those who make the decision.

Perhaps an illustration may help demonstrate the consequences of noninvolvement. Let's consider "dying Lake Erie". The parallel is legitimate. The decisions on that lake affect land management, fish management and the economy of the basin.

At a meeting in Buffalo on January 27, 1967, Mr. Edward Rath, Erie County executive, decried this dying Lake Erie theme. He stated companies are refusing to move to the Buffalo area, company executives are refusing to transfer there. They refuse to be next to a dead body.

When Pennsylvania held its public hearing to set standards on Lake Erie, the hotelmen, the marina owners, the sports fishermen were loud in their objections to this designation of a dying lake. It was ruining their business.

And yet the Cleveland Press a month ago

reported that James Quigley had described Lake Erie as America's first dead sea.

But is it?

Lakes age just as people do. The lakes in the Arctic with little organic growth are youthful lakes. Lakes at the equator, choked with plants, are in their senility. When the lake finally dies it has filled and is fertile land. Between the Arctic and the tropics we have lakes in all stages of aging—or eutrophication as the ecologist calls it.

Lake Erie is said to be in a state of accelerated eutrophication—aging faster than if no one were living around the lake. No one can deny that. But the pitch is then made that the eutrophication is proceeding at such a rapid rate the lake's demise is imminent. Full appraisal of the facts shows this is not true, that there has been less than honest interpretation given to the public. Even worse, the pollution control program proposed by the federal agency at a cost of $20 billion will not correct the problem conditions.

Lake Erie has a very serious algal bloom problem at its western end. Lake Erie is also reported to be devoid of oxygen in a 2500 square mile area in the central lake. The dead sea. Actually this condition occurs in the bottom 3 to 10 feet of the lake under some weather conditions. When a thermal stratification occurs—called a thermocline—the water below the thermocline holds still while the water above moves. The water above the thermocline—some 50 feet deep—has plenty of oxygen. The oxygen in the lower layer is used up by organic matter which is present. This same condition, as you know, prevails in some of our finest fishing lakes, lakes which have never been described by anyone as dead or dying.

The federal water pollution control administration claims phosphates in the sewer outfalls cause the algae bloom and then when this algae dies it uses up the oxygen. So the federal recommendation is to set a limit on phosphates and then control sewages treatment plant outfalls and combined sewer discharges to meet this limit.

But the Bureau of Commercial Fisheries has biologists more knowledgeable about Lake Erie, who disagree with this. They believe the algae and the occasional occurrences of low dissolved oxygen are separate and distinct problems and furthermore, that phosphorous is not the limiting or causative constituent in the algae problem. In other words the $20 billion program will keep us busy but it won't change the lake conditions.

The Maumee River drains an agricultural area into the algae laden waters of Lake Erie. The shallow river carries fertilizer and during the warm spring weather floats out on the top of the lake. The natural flow pattern in the western lake holds this nutrient-rich water and with the sunlight the bloom develops. The solution to eliminating algae problems would be to stop all agricultural usage of the land—or, do as the House Public Works Committee report recommended: give attention to means of harvesting algae. That recommendation has been ignored by the administration officials.

We all know algae is high in protein. Other countries are promoting its growth as a food supplement for man and animals. Over here we are attempting to eliminate it by a regulation on sewer outfalls.

One of the arguments given to prove Lake Erie is dying is the disappearance of the sturgeon, the white fish and other game fish. When you check the commercial fish catch records for Lake Michigan and Lake Erie you find a remarkable agreement in point of time for changes in species in both lakes. For example, the last catch of sturgeon was in 1895. The commercial fishermen had deliberately eradicated the fish because of the damage the large fish were doing to white fish nets.

The white fish disappeared from the St. Clair in 1878. The Detroit hatchery for western Lake Erie was closed in 1890. Warnings on changing migration habits and concentrating on individual species were not heeded. The 1930 warning on concentrating on the cisco was also ignored and 1933 saw the consequent demise of that species.

The importance of fish management is evident in the forecast by some experts that by the year 2000 over 60% of our protein will be supplied by fish foods. The potential of the Great Lakes needs attention. The productivity in pounds per acre is the same now as it was in 1875. Lake Erie still produces 50,000,000 pounds a year—about one-half the total of all the Great Lakes. Yet that is less than 2 pounds per acre per year, a far cry from the 200 pounds per acre harvested where good fish management is practiced.

This illustration of the lack of truth which promotes the myth and hysteria about dying Lake Erie is not intended to suggest there are no pollution problems in Lake Erie. There are—very real ones. But the pollution problems due to sewer outfalls are local problems. The solution of the local sewer outfall problems will not affect the lake. That requires another approach.

And yet there will not be another approach unless we can get Mr. Average American to realize that the problem is complex, not simple; that there is no common panacea to water quality control. Actually Mr. Average American would see the situation more clearly if those persons within and out of the government who are knowledgeable of the situation would get into the act, honestly and effectively. Too many of those doing the talking have ignored the facts.

It is true this would ruin a good many political speeches as they are now written. But it would also permit those representatives of the people who want positive achievement to get a grasp of the situation.

Sir Charles Snow, the eminent British scientist, in a lecture "Science and Government", pleaded for such participation:

"One of the most bizarre features of any advanced industrial society in our time is that the cardinal choices have to be made by a handful of men; in secret; and, at least in legal form, by men who can not have a first-hand knowledge of what these choices depend on or what their results will do."

LAND MANAGEMENT

If the decision is to continue on the Lake Erie program as a critical battle of time against a dead sea and if the weapons are to be limited to regulations and plugs in sewers, there will be some $20 billion wasted. The lake won't know the difference between that program and the one which had been underway by the States before it was accelerated to panic proportions by federal conferences.

These conferences, which represent the epitome of trial by newspaper, blotted out the efforts to put things into perspective. There were only two groups present—the good guys and the bad guys. If you weren't in complete accord with the good guys, you were automatically a bad guy.

Now facts are breaking through. Do we reassess our situation or are we committed to an irrevocable decision? It takes a big man to admit he made a mistake. But it takes a misguided zealot to continue a program if there is to be money wasted with the rationalization we should do all we can when, at the same time, we have children without adequate food, shelter and education.

There will be similar decisions by persons dedicated to clean streams which affect land management programs. Unless the total issue is appraised, there will be similar futility. Its prevention is not guaranteed by establishing interagency committees. It did not work on Lake Erie.

The alternative is public discussion led by the technically competent. And it includes the time required to educate, not to influence, those who are to make the legislative record.

Such participation could also help keep programs practical and effective. How far from the ideal a program can go was illustrated to me recently. West Virginia, as you know, is totally in Appalachia. One of the avowed purposes of the Appalachia program is to restore productivity in West Virginia. But a friend of mine in the State government was bitterly criticizing the program because West Virginia can't raise the matching monies required, so the benefits are going to its wealthier neighbor states.

There is a similar complaint about the rules and regulations established by the administrators of the federal water pollution control agency with respect to standards and to grants. The reality is a far cry from the rhetoric of the members of Congress who promulgated the "intent of Congress".

With a recognition of the complexity in these issues, and water quality management is a prime example, and with the realization that human nature promotes a concept of self-importance and an exaggerated sense of the importance of a job or program relative to the overall economy, there is no alternative to having persons apart from the government advising the Congress on a continuing basis. But this will do little good unless the Congress reasserts its policy making functions.

However, this takes time. And it means more work. It also means accepting responsibility as well as destroying some empires. Despite these formidable obstacles the change must be made if we are to achieve effective resource protection and development.

The outcry excited by "Silent Spring" should be sufficient warning the public responds dramatically to charges that health or welfare is in jeopardy.

It is a sad commentary, but the American is not so interested in the reasons he eats as well as he does nor in an explanation of the whys and hows of pesticide usage. Rachael Carson's book was a best seller; Jamie Whitten's "That We May Live" has not had the same acceptance although it provides an easy-to-read destroyer of fear. Incidentally, Mr. Whitten's book is well worth the time of Mr. Average American.

But perhaps the American is seen in better perspective if observed as he reacted to the warning on smoking. He hesitated, but not for long. His personal pleasure is indeed important. So if water standards which concern his health or pleasure are proposed, and if they mean someone else must exercise control, he will loudly demand their enforcement.

So let the men of the forest beware—be certain that the water quality standards affected by forest drainage are sound, effective and necessary rather than merely deemed desirable by someone who believes enforcing rules and regulations to maintain pristine quality is our sole objective in water quality management.

REMARKS OF THE HONORABLE JOHN A. BLATNIK

I am honored to be part of your panel. We are not strangers. As you know we have come a long way since my original federal water pollution bill some ten years ago. It was tough going then, but finally after a veto and many close votes we arrived at the unanimous victories of the Water Quality Act of 1965 and the Clean Waters Act of last year. These victories were hard fought and reflect years of hammering out usable language that would satisfy the states, industries and conservations and yet be effective.

Now that we have the legislation on the books we have to move on from these blueprints or we are never going to get the house built. We have taken all the measurements—we have heard all about the problem—we recognize the need for the structure. The question seems to be where do we stand—

is the foundation laid or are we at the first story? Maybe the second?

WHERE DO WE STAND?

We can safely say that we have successfully taken the program out of the basement of HEW, given it agency status and transferred it to the Department of Interior—but now what? It seems to me that the work is cut out for all of us and I don't think we're getting the job done. I don't feel that all systems are going. This is not said critically. It is said in the hopes that we can get on with the building of a structure for clean water. If we need more carpenters then let's get them—if we need more material then let's get it—if it has be be air conditioned then let's do it.

UNANIMOUS MANDATE

We were given a clear mandate by unanimous votes by the House and the Senate. The need has been documented over and over again. Yet, we seem to be at a stand-still. Surely, the intent and the commitment of the Congress to clean up our Nation's waters couldn't be more clear. Surely, the overwhelming support of the now pollution control conscious public couldn't be more clear. Show me another issue that the people of the second largest state in the Union—New York—would so readily vote themselves an over billion dollar commitment to water pollution control. Where then are the impediments to the construction of a clean water program?

BUDGET CUT

It makes me sick when I think of the work went to last year to hammer out a dollar agreement between the Republicans and Democrats on our side alone to say nothing of the fight we had in conference with the Senate on a dollar amount. We cut the dollar amounts to absolute minimums and then I picked up the budget and found that our absolute minimum authorization of $450 million for fiscal year 1968 has been cut by more than half—$200 million is requested in the budget for construction grants for FY 1968! Mind you, this is after the House side already cut $150 million from the unanimously passed Senate authorization. Just look at the crying needs of New York City alone and you can readily see the budget grossly underestimates the cost associated with the water pollution control in this country. Under the present law, New York City would get a 30% across the board Federal grant and because it matches the Federal grant, the Federal share is raised to 40% and then if they have enforceable standards it would be 50%. But with the President's budget request of $200 million, every state's share in 1968 is cut by more than half and New York City instead of getting the 50% the law entitles them to, it will receive little more than 20%. Even more scandalous is the fact that information supplied the committee shows that New York City alone will spend nearly $180 million in 1968 on its pollution backlog. This is just $20 million short of the budget request for the entire Nation.

STATE LEGISLATURES MEET

Not only is the budget cut a blow to states like New York which passed its billion dollar bond issue to clean up its waters by a 4 to one margin but the over 40 states where the State Legislatures are convening right now are going to say, "It does not look like the Federal Government is all that serious about the war on pollution," and the states is the very area that needs encouragement rather than an excuse to sit back. It is all important to fight to restore the authorized full amount. To appropriate less than this amount at this time is to do a great disservice to years of work in abating water pollution.

We can summarize by saying, we have a new Federal agency, a new structure. We have given it more money, more authority, and more work. Water pollution control has been pulled out of the sub-basement of the administrative hierarchy and pushed into the front line. And if I am any judge of the mood of the American people, this is what they want. I think they are going to be rooting for this new program. But I think they are also going to be looking for the results.

NEW RESPONSIBILITIES

All of this, it seems to me, adds up to some important new responsibilities for everyone concerned.

It puts the responsibility on the Congress to come through with the necessary appropriation for the next fiscal year and the still larger appropriations authorized for the years immediately ahead.

It puts the responsibility on the Department of the Interior and the Federal Water Pollution Control Administration to organize themselves in a way that will make for the best possible use of the resources available to them.

It puts the responsibility on the states to set higher goals for the use and enjoyment of their water resources than most of them have considered feasible—or even worth working for—in the past.

It puts the responsibility on business and industry to double and redouble their own water pollution control efforts in full collaboration with the local communities and the state and federal governments.

It puts the responsibility on the water and waste water expert to bring greater imagination and daring to the search for new and better ways to control pollution.

And, not least of all, it puts the responsibility on that hypothetical individual, the average citizen, to participate in and support the total effort in every way he can.

ACTION NOW RATHER THAN NEW LEGISLATION

This is a rough measure of how I view the future of water pollution control in this country at this point. The time for head-shaking and hand-wringing over what has been happening to our water resources has passed. The time for action—far larger and far more effective action than anything we have known before—is at hand. With the Water Quality Act of 1965 and the Clean Water Restoration Act of 1966 on the statute books, this kind of action is now possible. So it's action we want now rather than more legislation.

A general but by no means searching review of the situation gives me a good deal of confidence that the preliminaries for the kind of action I am talking about have been going reasonably well.

ALL STATES FILED LETTER OF INTENT

It is encouraging, I think, that the states, without a single exception, have chosen to pick up the option provided by the Water Quality Act and are undertaking to develop their own water quality standards.

Now I am not so naive as to take for granted that these good intentions are going to materialize automatically into standards that will be acceptable from the national viewpoint. As you know far better than I, setting standards that are both attainable and that will come somewhere near achieving full use and enjoyment of a heavily polluted stream is hardly an easy job.

Some states, I understand, have not yet held hearings on the matter. Some, in fact, are not able to do so without new legislation. But at least the states are moving in the right direction. The people at the Federal Water Pollution Control Administration tell me that before the year is out, all states probably will have enacted whatever additional legislation is necessary in order to become full-fledged partners in the new program. This is progress.

OVER ONE-HALF OF STATES HAVE PROPOSED STANDARDS

As a matter of fact, I understand that the formal submission of standards is already beginning. Although the deadline for this is still nearly five months away some 25 states have already proposed water quality standards and are now receiving preliminary review by the Federal Water Pollution Control Administration. So June 30 will not be an altogether bleak day for America's waters.

I mentioned earlier the important matter of working relationships. It is my impression that, on the whole, the business of standard setting is proceeding with good will on all sides. Most of the states have asked for and have received extensive technical assistance from the experts at FWPCA in developing their standards.

It is encouraging also to note that FWPCA is in the process of assembling a number of expert committees to develop criteria for various water uses that will be most helpful in judging the merits of the standards as they are submitted. I understand that an announcement on this development will be forthcoming very shortly.

In closing, I want to point out that we need more tax incentive legislation. Though we were successful last year in exempting water pollution control facilities from the suspension of investment tax credit, this act was repealed a couple weeks ago so that pollution control facilities no longer receive special tax treatment. So we must do more to encourage tax incentives for the construction of waste treatment plants.

HEARINGS SCHEDULED

As you know, I have scheduled hearings into the progress of water pollution with emphasis on the budget cut. They are scheduled for April 25th and 26th in the Public Works Hearing Room.

I appreciate the opportunity of addressing this distinguished group and again, I want to commend you for holding seminars of this nature because through them, everyone gets a good dialogue as to the current challenges in water pollution abatement.

THE REPUBLICAN "OPPORTUNITY CRUSADE": WHO'S KIDDING WHO?

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. RESNICK] is recognized for 60 minutes.

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, since first coming to Congress my admiration for this body has increased with each passing day, and so has my admiration for the intellect and ingenuity of its Members. And, last week, something happened which caused my respect for my colleagues to hit the high-water mark. What happened was that some Members of this body introduced a new way to fight poverty, called the "opportunity crusade." This "opportunity crusade" presents to the American people—in fact, to the world at large—a totally new concept in management; namely, that we can increase the efficiency and quality of a program by simply wiping out the cost of operating it.

In a nutshell, the creators of this radical new idea would enlarge the war against poverty and at the same time reduce its cost, by beheading the organization and then scattering its arms, legs, and vital organs all over Washington. The Office of Economic Opportunity itself would literally be wiped out of existence. According to our Republican colleagues, the entire budget for the administration of their "crusade" would be precisely zero dollars. That is right, Mr. Speaker—no dollars and no cents. And, if this sounds like a pun, it was not entirely unintentional.

This is a remarkable concept and I think that those who created it may be wasting their time here in Congress. They should be lecturing at the Harvard business school. They should be packaging this idea for our largest corporations and business management consultants. Here, finally, is the magic formula for instant cost reduction in business: Simply eliminate the cost of running your organization.

General Motors, for example, I am sure will be delighted to learn that they can now eliminate their hundreds of field offices and fire all of their high-priced executives in Detroit. They can even dismantle their factories, by subcontracting the work to Ford and Chrysler. But why stop there? If this is a valid technique for promoting organizational efficiency, why should we limit it to the Office of Economic Opportunity? Why not apply it to the most expensive operation in the entire Government, the Defense Department. Following the principles proposed in the opportunity crusade, I would like to suggest that the functions of the Defense Department be parceled out to other Government agencies.

For example, recruitment for the Armed Forces is basically a manpower problem and should be turned over to the Department of Labor. The Medical Corps should have its work taken over by the Public Health Service. The Continental Army Command should be transferred to the Department of the Interior; the fleet to the Maritime Administration; the food service to Howard Johnson's; the military airlift command to TWA, and the Signal Corps to A.T. & T. Just think of what we would gain in efficiency and dollar savings.

All of this would border on the ludicrous were it not for some fundamental implications that I consider dangerous and that I urge my colleagues to weigh with the utmost deliberation and care. the so-called crusade would destroy the one Federal agency which serves as a spokesman for the poor. By decapitating and dismembering that agency, by buring its programs in already high bureaucracies, the sponsors of the crusade would reduce the war on poverty to a series of unrelated and ineffective skirmishes. The Republican crusade sounds retreat along the line back into the clutchs of welfarism, paternalism, and all the material and spiritual costs to society that they entail. And the voice of the poor in the halls of government would be stilled forever.

For without an Office of Economic Opportunity, who would the poor speak to? And without an Office of Economic Opportunity, who would we Congressmen yell at when programs go wrong in our district? Who would be the whipping boy? Who would admit to an error? We all know what a deadly serious game buckpassing can be in Washington. A major purpose in setting up an independent administration to head up a major program is to know just where to point the finger when something goes wrong and to know just where to go when information is needed.

In any well-run program the ultimate authority must be vested in one individual. As Harry Truman used to say, "The buck stops here."

We all ridicule an establishment that is all chiefs and no Indians. Under the Republicans' opportunity crusade we would have all Indians and no chief.

I find it hard to understand the attitude of the malcontents whenever the war on poverty comes up for discussion. I think the Office of Economic Opportunity has, on the whole, done a spectacular job. In President Johnson and Sargent Shriver, we have two dedicated men who combine compassion for the deprived with superlative administrative ability. And if there is anything wrong with the war on poverty it is that it has not yet reached enough people. As many of you know, my own background was in private business. I have established a number of factories in different industries. And early in the game I learned that there is a long distance between the planning board and the final product, and an equally long distance between the final product and the profit.

Understandably, we are all impatient to see quick results in the war on poverty. We are so impatient that we overlook the fact we have had miraculously quick results. Have we forgotten that it is barely 2½ years since the original Economic Opportunity Act was passed to develop and launch the most massive attack on poverty in the history of mankind? Think of it, not quite 2½ years and look at some of the things that we have accomplished: 2,000,000 people have moved over the poverty line; 130,000 men and women have been enrolled in the Job Corps—at least 70 percent of whom are today earning a living and paying taxes. Our Domestic Peace Corps, known as VISTA, is now attracting more volunteers than the Peace Corps to help the poor help themselves through community development. Community action right now is at work in 1,100 American communities where local people using their own initiative and manpower are fighting poverty. Headstart, that jewel in the Office of Economic Opportunity's crown, will have half a million children enrolled next summer and 200,000 will be enrolled in a full year program. And, countless additional people are being given new hope and opportunity through such programs as the Neighborhood Youth Corps, the migrant workers program, legal aid, foster grandparents, and adult basic education.

And, remarkably, all this has been accomplished with one of the lowest administrative costs of any Government agency now operating—about 3 percent. The fact is that, for anyone who wants to take the trouble to examine its results, the war on poverty is working and working well, and that no apologies need be made for the results we have obtained so far.

But the Republicans tell us the war is in need of major redirection. I know which direction they have in mind, and I suspect many of my colleagues do, too. They would like to direct it out of existence. The people who talk to us today about a "crusade" are the same Republicans who, in 1964, voted by 70 percent to kill the original Economic Opportunity Act by recommittal, after first trying to cripple it with amendments. And they are the same Republicans who by a vote of 90 percent voted to recommit the poverty amendments in 1965. These are the people who today are asking us to entrust the war on poverty to their loving care.

Not only do they want to behead the Office of Economic Opportunity, they also want to burden the States with half the cost of running such programs as the Neighborhood Youth Corps. I can think of no faster way to kill any program than with this suggestion. We know from bitter experience that 50–50 programs just do not work. The most glaring example of such a failure is the Kerr-Mills Act which the Republicans used for years to block the passage of medicare. As every American knows, Kerr-Mills just did not work. And the only States where it did work was where it was least needed.

Under 50–50 matching grants, the poorest States are penalized the most. And we find that most of them do not even participate at all. As a matter of fact, it was this voluntary 50–50 basis which finally convinced the Nation that medicare was an absolute necessity if everyone were to be protected.

In the make-believe world the "crusaders" are painting for us, the suspicion is planted that nobody pays for the 50 percent that the States contribute. Now, we know that, in the final analysis, all funds come out of the same pocket—the taxpayer's. The important thing is to come up with a formula that works. And experience has taught us that 50–50 funding does not generate the cooperative effort that produces results.

Mr. Speaker, I could go on—I could analyze the entire opportunity crusade proposed by my Republican colleagues. I could point out that, while they call for a larger involvement by private enterprise, they overlook the fact that private enterprise is actually running our Job Corps centers—and doing a remarkable job. And, I could point out that, while the Republicans talk about an enlarged VISTA program, they do not even provide an administrative home for VISTA, since they have already proposed to eliminate the Office of Economic Opportunity. And, I could also point out that many of the proposals they have supposedly "introduced" have already been in effect for some time, or are now being considered by committees of this distinguished body. The expansion of Headstart is but one example.

But all of this is beside the point. Even if the Republican proposals were realistic—which they are not—I would still oppose them. I would oppose them because I question the motives of those who have historically turned their backs on the poor and underprivileged at every opportunity. These are the same people who voted to cripple and kill aid to education, free school milk to children, manpower retraining, medicare, housing, food stamps for the poor, rent supplements and the Teacher Corps—all within the past 6 years. Are we supposed to believe that their cup of indifference now runneth over with compassion?

Mr. Speaker, I accuse the Republicans of creating an insidious legislative device to dismantle the entire poverty program.

They have always opposed this program. They still oppose it now. But because they know that the vast majority of Americans support this noble effort, the Republicans cannot attack it openly. This explains why they have chosen to slowly bleed it to death with the "opportunity crusade." Our struggle to eliminate poverty cannot be entrusted to those who, deep in their hearts, do not believe it is right. If we believe the fight has been successful, let us not give it up, but rather continue as we have been going and enlarge it as demand dictates and resources allow. If we feel there have been shortcomings, let us acknowledge them honestly and overcome hem. But in heaven's name, let us not as the old expression goes, throw out the baby with the bath water. The need now is for renewed dedication, stronger programs, and tighter administration. The direction the crusaders would have us take is 180 degrees away from what is most needed today.

Jobs are needed. Education is needed. Training and opportunity are needed. Health care is needed. To meet these needs the war on poverty was originally launched, and to direct that war, the Office of Economic Opportunity was created.

Poverty is a cancer in our midst that costs $10 billion a year in cold cash in welfare expenses alone, plus $100 billion a year in lost opportunities, lost income, and lost taxes. This is to say nothing of the human cost which is utterly incalculable.

This kind of debate of how best to mobilize the war on poverty might have been expected 2½ years ago when the Economic Opportunity Act was first introduced. At that time we were all babes in the wilderness, not even too certain about what our problems were, much less what the solutions should be. But we have come a long way since then. While we do not know it all, we do know a lot more about poverty than we ever did before. And, we have developed imaginative, bold, and workable techniques and programs. We have had an opportunity to measure their effectiveness, to curtail those that were less effective, and to expand those which worked. We have launched a magnificient rocket into the heavens, and while some midcourse corrections will still be necessary, I intend to do everything within my power to see that it is not destroyed by a hypocritical effort to "improve" it.

Mr. EDWARDS of California. Mr. Speaker, I share with the gentleman from New York both his incredulity at the so-called opportunity crusade's initial press release and his conviction that the crusade's sponsors are primarily out to destroy the war on poverty for political purposes.

Let us be blunt about it, Mr. Speaker. By their very nature, most of the economic opportunity programs are controversial. Why? It is not only that they are doing things that have never been done before. They are also bringing together, in communities throughout this country, people who have never talked together before, people who in many cases have never even been aware of each other's existence before.

This bringing together of community elements, Mr. Speaker, this social catalytic action inevitably produces some conflict and some turmoil. I might digress just slightly, Mr. Speaker, to remark that the alternative meeting place to the neighborhood center is the neighborhood street, and that the action there is not catalytic but explosive.

But the sponsors of the so-called crusade have no quarrel with the tremendously constructive results of this bringing together. So they are painted into a political corner. To attack the administration for its bold economic opportunity legislation, they must applaud the results while condemning the processes.

This is what they are doing, Mr. Speaker, when they talk about dismantling the Office of Economic Opportunity. They would keep the programs but they would obliterate the agency that conceived the programs and made them produce results. They would keep the components of community action but blow community action itself into bureaucratic smithereens.

I believe, Mr. Speaker, that their real purpose is to bring the war on poverty to a halt. Let us not forget that the Republicans voted 90 percent to recommit the Poverty Act Amendments of 1965.

Mr. PICKLE. Mr. Speaker, I am glad to have this chance to express my deep interest in the value of the Office of Economic Opportunity to a continuing and meaningful strategy against poverty.

Those who would eliminate OEO would, in my humble judgment, turn their back on the more than 30 million Americans who live in poverty and who look to the economic opportunity program as a way out of misery for them and, at the least, their children.

This is the promise of the Nation's bold action against poverty and the OEO has the responsibility of carrying out that promise. To destroy OEO is to destroy that promise—not to mention the performance that has already been achieved through the poverty program in moving people away from public assistance into productive employment.

The need for OEO—and the coordination it provides in the antipoverty effort—was expressed in effective fashion in an editorial in the Washington Evening Star which I would like to include at this point in the Record:

Shriver's Survival

While there are a good many other aspects, the crux of the fight now shaping up between the administration and House Republicans over the poverty program is clearly and simply the survival of Sargent Shriver's Office of Economic Opportunity as an independent agency.

Scattered demands for Shriver's resignation were heard in the last session of Congress, along with attempts to shift various elements of the OEO program to other agencies. The opposition strategy did not fully coalesce, however, until last week, when GOP members of the House Education Committee disclosed the details of a proposed "Opportunity Crusade" which would "completely dismantle the Office of Economic Opportunity under Sargent Shriver, eliminating or redirecting existing programs." The issue could hardly be stated in plainer terms than that.

Actually, the Republicans' 11-point alternative by no means abandons the goals of the present anti-poverty war. Indeed, most of these programs, modified drastically in some instances and very little in others, are retained. Its estimated cost for the next year, moreover, is a substantial $1.7 billion, just $300 million below the administration's pending request. The authors of the GOP plan seek to disperse the control of these recast programs to other federal agencies, however, primarily Health, Education and Welfare, with the contention that this dispersal plus a fuller participation by local governmental and private sources would add some $400 million to the anti-poverty pool.

We trust there will be no inclination by Congress as a whole to take these claims at face value. The OEO's past performance is vulnerable to criticism on a number of points much of which is the result of initiating programs on too broad a scale with too little advance thought and preparation. The fact is, however, that the administration is finally showing signs of responding to these complaints. Its own voluminous package of amendments would tighten program control in a variety of ways and it deserves Congress' full consideration.

There may be merit in the specifics of a number of the GOP proposals, which might profitably be incorporated in program revisions. But coordination of these efforts is also essential. And it hardly seems that the best way to achieve coordination is to fragment this vast array of programs among existing bureaucracies which are having great difficulty administering the complexity of federal responsibilities they already have.

Mr. BRASCO. Mr. Speaker, the so-called opportunity crusade's initial press release is insistent about making the case for the crusade by figures. Yet as the gentleman from New York has pointed out, virtually every set of figures, both in terms of dollars and of human beings, turns out to be a house of cards under the slightest probing.

The press release talks with scorn about "a poverty bureaucracy of 91,000 administrators." It does not say where these administrators are, Mr. Speaker; the rapid or unwary reader might even be led to believe that they are all employed by the Office of Economic Opportunity. That would be a bureaucracy indeed.

When we slow down and probe a bit, however, the numerical picture changes. OEO's total administration—both for the seven regional offices and for headquarters in Washington—totals 2,600 people. This is approximately one-half the size of the Small Business Administration.

Some 5,000 individuals are employed to administer war on poverty programs by other Federal agencies. Contractors representing the private sector account for another 7,000 employees.

But we are still way short of the crusade's figure. How will we get up to it?

Well, Mr. Speaker, we can make a considerable jump by adding the 35,000 professionals working, not in Washington, not in any regional office, but in the communities themselves. These lawyers, teachers, doctors, and social workers are providing the services the poor so desperately need and of which they have been so long deprived.

Would the so-called crusade eliminate that element of the so-called poverty bureaucracy?

But we are still far short of the crusade's figure, Mr. Speaker. We can only get there by adding the 41,000 poor people who have found not only employment but new careers and new hope in antipoverty programs throughout the Nation.

That element—the poor themselves—is by far the largest element in what the so-called crusade chooses to call the poverty bureaucracy, Mr. Speaker, and because it is the largest, we can logically assume that the crusade would lay waste to it, root and branch.

Is this what the Nation wants? I think not.

Mr. ROSTENKOWSKI. Mr. Speaker, I consider it a privilege—as well as an obligation—to join this vital discussion on the importance of the Office of Economic Opportunity as an absolutely vital command post in this Nation's strategy against poverty.

There are some in this body who would destroy OEO and while I would not want to question their motives, I must certainly object to their judgment.

Those who would eliminate OEO insist that the war against poverty must go forward. I would submit, here and now, that the elimination of OEO will mean the end of the war on poverty.

It is OEO's responsibility to carry on an intensive attack on the causes of poverty—an attack to which this Congress and this Nation is committed. Such an attack can not be carried on by burying each of the OEO programs here and there in various bureaus of Government.

Sargent Shriver, the capable and dedicated Director of the Office of Economic Opportunity, was questioned about this in an interview by Bob Radcliff of the American Broadcasting Co., and I think his remarks on the OEO program in general and on the opposition in particular deserve the study of Members of this House.

For this reason I want to include a portion of the transcript of that interview at this point in the RECORD:

BOB RADCLIFF, OF AMERICAN BROADCASTING CO., AND SARGENT SHRIVER

SHRIVER. You just tell me when you're ready, when you ask your first question, how much time you want me to spend and so on.

RADCLIFF. Well, I thought we'd talk for a couple of minutes, and I'd appreciate you explaining to me the significance of the new anti-poverty measures that you proposed yesterday and what they will mean. In other words, why are they necessary and so on.

SHRIVER. The new anti-poverty legislation sent to Congress today creates a substantially new program which we believe will be more efficient, less costly and more effective in helping poor people get themselves out of poverty. We also believe that it will give greater power in coordinating in Washington the various programs the Federal government is operating to help the poor. Now we think this new bill is significant because it is based on the actual experience gained by this Agency in the last two years. We have found out what make an effective Community Action Program. We have found out what it takes to run the Job Corps successfully. We have found out what is necessary to make VISTA, the Domestic Peace Corps, work effectively in the United States. And this law puts down into law the lessons we have learned from experience. For example, we've learned how to select people better for the Job Corps. How to manage them better at the Job Corps centers including better discipline of them. We've found out how to get them jobs better. And this new law puts all of that experience into action.

RADCLIFF. Mr. Shriver, I understand that the new bill will also widen the role of the mayor, of the city mayor, in the poverty program. There have, of course, been a number of criticisms leveled at the OEO by mayors and various other critics. How would you respond to the idea this might be a capitulation to the mayors?

SHRIVER. Well, first of all, it's not a capitulation to anybody because the law also says that a local Community Action agency should have representatives of labor, representatives of religious groups, representatives of the business groups in the community as well as the mayor if he wants to be on the committee. Now, why does it say that? It says it because we have found out in two years that that's what makes the program work. For example, in Pittsburgh, Pennsylvania or Detroit, Michigan, where we've had good programs, the mayor does participate very actively. In other cities, the mayor may not be on the Community Action board itself, but his representatives are there. And they are effective in bringing public money behind the total effort. What you've got to remember is this—we have attempted to start a citizen's war against poverty. A war in which everybody participates. We're not trying to exclude anyone. We're not trying to exclude mayors. We're not trying to exclude businessmen or labor leaders. We certainly want to include the poor. We want the poor in there to the maximum feasible extent that we can. But we're not trying to make this an isolated program which just utilizes one group in the community. We want everybody in it. And that's what we mean by Community Action. That's what this law provides for.

RADCLIFF. Now the mayors have been . . . it has been possible for the mayors to take part in the program before on the local level.

SHRIVER. That's correct, and it's been done in many, many places across the country. As I said a second ago, what we have found out is that it works. So we're putting it into the law. It works so, therefore, we want it to be used.

RADCLIFF. Now the Republicans, many of them critics of course, have described the OEO up to this point as, and I'm reading from their new Republican Opportunity Crusade as they call it. They describe the OEO as "the languishing and confused poverty program." And they go on to say that under their Opportunity Crusade they would completely dismantle the OEO under you and eliminate the existing and re-directing the existing programs. Do you feel that the poverty battle in the United States could be fought under existing agencies like the Department of Health, Education and Welfare without any need for this sort of thing?

SHRIVER. Well, it's not what I think. It's what the record of history shows. First of all, the Republicans have adopted all the programs that we started. The Republicans are adopting Head Start. The Republicans are adopting the Job Corps. The Republicans are adopting the Neighborhood Youth Corps. The Republicans are adopting the Foster Grandparents program. The Republicans are adopting the whole idea of Community Action. The Republicans are adopting the whole idea of getting the poor to participate. The Republicans are adopting the idea of VISTA. And just remember, two years ago the Republicans had never heard of any of those things. In fact, two years ago they were opposing all of those things. Now they adopt them, but they say somebody else can run them better. The question is historically why didn't somebody else start them to begin with?

RADCLIFF. Why do you suppose the Republicans are fighting the centralization of all of these anti-poverty programs under one organization such as OEO?

SHRIVER. I think what they're trying to do is to create some sort of a political victory for themselves or what looks like a political victory for themselves by attacking the organization of the program. They don't dare attack the programs themselves. Why they'd be run out of office if they said to stop Head Start, so they can't say that. So they've got to attack something else that looks as if it could be attacked. And it's always popular to attack organization or make it look as if you're against bureaucracy. But, in fact, the OEO has got the littlest bureaucracy almost in Washington. There are only 2300 people working for this Agency which is about one half the size of the Small Business Administration. It's just about comparable to the Peace Corps. But they try to build it up as if it was a giant burgeoning bureaucracy. That's a phrase everybody likes to use. It's not that at all. I remember one time finding out that we have in the whole war against poverty in the entire country about one fifth the number of people needed to keep one wing of B–52's in the air. That's just one wing of airplane requires more people than we got in the whole war against poverty.

RADCLIFF. Mr. Shriver, would you characterize these latest programs for OEO as a step toward perhaps bringing the program down closer to the local level of administration?

SHRIVER. Well, there's no question about it. That, of course, is one of the basic principles of our effort from the beginning. We try to place authority for the program at the local level and we put Federal money at the control of the local people. Now this has caused problems because some of those local programs have been badly administered. And then we get criticized in Washington when the local program doesn't run properly. And the basic theory of OEO, the War Against Poverty, has been to give the people themselves at the local level maximum control over the program to eradicate poverty in their community. That's unprecedented in the modern history of this country. And, of course therefore, it has caused some difficulties. But fortunately now most of the difficulties of the first year or two have been eliminated.

RADCLIFF. How do you forecast the outlook of your new proposal against the Republican opposition as it's shaping up now?

SHRIVER. Well, it's obvious the Republicans have more votes in the Congress this year than they had last year. So if they can keep all of their party members together, and that will be their objective, they stand a much better chance of getting their ideas adopted than they did the year before. But I think on the opposite side is the fact that the programs themselves are now proving to be effective across the country. The American Bar Association is 100 per cent, for example, behind the Legal Services program. The businessmen have rallied around the Job Corps. It has taken two years to prove that these programs will work. And consequently, I think that the vast majority of informed people in the United States now approve of the program. This was substantiated just last week when the Lou Harris national survey reported that 60 per cent of all Americans want the War on Poverty expanded or at least continued as it is at the same fiscal, same amount of money, level. This is a tremendous change over just six or eight months ago.

RADCLIFF. So you're generally optimistic of the outcome of your legislation against all this criticism?

SHRIVER. Yes, I am. In fact, you'll notice that the criticism has died down tremendously. Let me ask this, who's criticized me? Nobody but a handfull of the Republicans in the Congress are criticizing it. You don't see any criticism in the local papers about the Job Corps where the Job Corps is located. In fact, in those papers in communities across the country, the Job Corps is very popular. You don't see any criticism anymore about the Neighborhood Youth Corps—that's eighteen months ago. You don't see any criticism of Head Start. Lawyers are not criticizing the program. Doctors are not criticizing the program. Businessmen are not criticizing the program. . . .

RADCLIFF. O.K., well, I think that spells it out very well Mr. Shriver. Thanks very much.

Mr. HOWARD. Mr. Speaker, I have always felt that the Nation's antipoverty program should be run for the poor and not for politics and kept free of partisan wrangling. It is with some hesitation, therefore, that I join this discussion of the unfortunate turn that has been taken in the national debate on the economic opportunity program.

I feel I can say, however, that were it not for the blatant political maneuvering of the opponents of the Office of Economic Opportunity none of us would be here today to speak out so strongly in favor of a central agency to direct and coordinate the antipoverty effort.

We feel strongly, Mr. Speaker, that the destruction of the Office of Economic Opportunity—as some are suggesting—would prove to be the destruction of the ambitious, innovative, and inspiring program this Nation has undertaken to help the poor become self-sufficient.

This is no time, Mr. Speaker, to sweep the problems of the poor under the rug. We have done that too often in our history. We have heard the plea of the poor and done the least that we could to help. Too often that help has been in the form of direct assistance that merely perpetuates poverty.

It is OEO's responsibility to keep the needs of the poor before the Nation and to maintain efforts to meet those needs in a meaningful and positive way. OEO must be kept intact to exercise that responsibility—not merely for the poor but for a nation that will be served by the passage of every man and woman from welfare into work.

For those who apparently think the destruction of OEO is good politics—I see no other reason for such a move—I would remind them of the evaluation of public opinion provided by a recent Louis Harris poll.

In that survey people were asked to choose between President Johnson and the most popular Republican prospect at the moment, Governor Romney, in determining which one could best handle nine different national problems.

President Johnson enjoyed his biggest margin in regard to "helping the poor." Two of every three people in the sample chose President Johnson as the man for this job.

This is hardly a vote of no-confidence in the antipoverty program which the President initiated. Instead, it is a 67-percent endorsement that any candidate would take in any race at any time.

Mr. YATES. Mr. Speaker, the following is the entire text of an editorial appearing in the April 17, 1967, Milwaukee Journal, entitled "Keep OEO":

> The year-old idea dismembering the OEO, and distributing its antipoverty assignments among established governmental departments has been revised by Representatives Quie, Republican, Minnestoa, and Goodell, Republican, New York. The disadvantages of any such dismemberments out-weigh any reason for the changes that have been advanced so far. The purpose of reorganization supposedly is to promote efficiency by sorting out OEO functions among existing bureaus that already deal with similar problems. Headstart might be taken over by the Office of Education; the Job Corps, VISTA and other projects by other appropriate agencies. It may be attractive in an organizational chart, but not in practice. The poverty war is a new program attempting new solutions to a newly recognized problem of broad dimensions.
>
> Running such a program requires an organization with the freedom to innovate and experiment in areas that cut across judicial departmental lines. The OEO incubator of ideas fighting poverty—ideas that never would have hatched and the responsibility been scattered across the bureaucratic landscape.

Mr. UDALL. Mr. Speaker, I am pleased to have this chance to discuss with my colleagues my deep concern over the effort that is being made by a few Members of this House to destroy the Office of Economic Opportunity and all that it stands for in terms of this Nation's commitment to the poor.

It is important that this effort be exposed promptly for what it is and shot down for the damage it would do. The effort does not suggest that OEO's programs be abandoned or even curtailed. We are merely being asked that they be parceled out to other agencies of Government.

The immediate administrative dangers in such a move are obvious. Who would supply the direction for the program? How, with each program in a separate niche of Government, could the Congress maintain effective surveillance and control?

More important, however, are the dangers to the antipoverty concept itself. By killing OEO you would, for all intent and purposes, kill the Nation's bold strategy against poverty. You would kill the voice of the poor at the highest level of Government and, in so doing, regress to the old and worn responses of earlier years when welfare was the only way of life for those in poverty.

The Office of Economic Opportunity, in its strategy against poverty, is demonstrating that there are ways by which the poor can become self-sufficient—ways by which youngsters can be moved out of the poverty that has gripped their families.

I could speak for hours, in fact, of the need for bold and focused action against poverty and, necessarily, for OEO. But no one could put the argument for OEO in better perspective than did Robert W. Glasgow, regional editor for the Arizona Republic, in a recent column. I would like to include it in the RECORD at the conclusion of my remarks.

Mr. Glasgow puts the issue this way:

> To eliminate OEO would simply be to throw the poverty effort back into the bureaucratic bog from which we are seeking to extricate it.

I recommend his column—and his logic—to every Member of this House.

The column follows:

GOP DEMAND TO ABOLISH OEO A RETURN TO OLD APPROACH

(By Robert W. Glasgow)

The demand by key House Republicans that the Office of Economic Opportunity be abolished, that its various anti-poverty programs be transferred to already existing cabinet departments, will have a certain public appeal. But a critical examination of this demand reveals disturbing implications.

Reps. Albert H. Quie (R-Minn) and Charles Goodell (R-NY) say that unless the administration accepts such changes in the anti-poverty program the OEO "may be in danger of elimination entirely by a frustrated and impatient Congress." We doubt very seriously if transfer of the programs to the Department of Health, Education and Welfare and the Department of Labor (through which some of these poverty funds are already siphoned) would eliminate these frustrations or impatience. Such a transfer would seem more likely to exacerbate these feelings.

For the Republicans are not suggesting that anti-poverty funds be cut off, but that they be placed under the administrative umbrellas of these huge departments that already are struggling with the administrative burden of a multiplicity of welfare programs. What the advantage would be is hard to see.

One of the major reasons for the OEO's creation and the community action approach was that the existing welfare bureaucracy, both government and private, had for at least two decades been groping at the poverty problem with rather poor results. Why these already burdened departments would be able now to make a more effective impact on poverty is not at all clear.

Once these anti-poverty funds get caught up in the maw of the machinery of the orthodox welfare system, we suspect that it would be more difficult than it is now to determine the successes and failures of the anti-poverty war. For whatever criticism one may have of the Office of Economic Opportunity, it cannot be said it doesn't have an open door for public examination, whether by Congress or the newspapers, of what they are doing.

Whether these funds are channeled through OEO or through the existing departments, the poverty sufferers will still exist. Thus far, Congress has been frustrated, as the Republicans suggest, the public has been frustrated and, most importantly, the poor have been frustrated. Part of this frustration has been because of the high visibility the OEO has given the problem.

To turn these funds back to the huge departments, to run the risk of returning completely to the orthodox welfare approach quite possibly would lessen the visibility of the poor. The anti-poverty funds quite possibly could get lost somewhere in the tangle of the department's overall budget. This might very well be one way to stop the day-to-day public political battle over the use of these funds. But it would also be a way to assure our knowing even less than we do now about the cost-effectiveness of the anti-poverty war.

Conceivably, this might ease the frustrations of those congressmen who tire of the tedious argumentation with their constituency on the pros and cons of the poverty war. And this diminution of public dialogue probably would ease the frustrations of many members of the public who are tired of these reminders of poverty's existence.

But, certainly, it would not ease the frustrations of the poor themselves and these are frustrations that the affluent community inevitably must come to grips with. The comforting bromide of "out of sight, out of mind" has simply lost all applicability. Consequently, we hope the majority of the members of Congress will retain the Office of Economic Opportunity. Make it more effective—yes. In fact, the OEO itself is almost painfully self-conscious of the need for corrected approaches. To eliminate OEO would simply be to throw the poverty effort back into the bureaucratic bog from which we are seeking to extricate it.

GENERAL LEAVE TO EXTEND

Mr. RESNICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject on which I have spoken.

The **SPEAKER** pro tempore (Mr. HUNGATE). Is there objection to the request of the gentleman from Texas?

There was no objection.

CELEBRATION OF FIESTA WEEK IN SAN ANTONIO

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker and fellow Members, while we are here in the Nation's Capital working on legislative business, committee work and House work, the home folk in the 20th District of Texas are celebrating Fiesta Week. I wanted to extend an invitation to each and every one of you to visit San Antonio, Tex., during this week, and particularly the tail end of the week, Friday and Saturday, at which time we will have the very famous Battle of Flowers Parade on Friday afternoon and the illuminated Fiesta Flambeaux Parade on Saturday night. These two achievements are nationally and internationally known. I hope that you will have an opportunity to visit us in Texas, and particularly in San Antonio, because it is the part of this month of the commemoration during which we celebrate Texas' independence and its historic and glorious achievements.

I conclude by saying, as all of my Texas colleagues know—and especially those in the adjacent districts—that when Members come, they will really enjoy themselves. I know if the gentlemen will go to San Antonio, Tex., for this weekend, they will never regret it.

AMERICAN PAVILION AT EXPO 67

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, I think most of us are familiar with Expo 67—the multimillion-dollar international exhibition in Montreal.

The United States has a pavilion at Expo 67. Guess what we have in it? Notable among our exhibits is a 40-foot-high picture of Elizabeth Taylor, surrounded by still shots from "Cleopatra." I am not sure that Elizabeth Taylor is a part of our culture which we ought to advertise, but because her 40-foot portrait is one dimensional, we are not even presenting her at her best.

Besides Elizabeth Taylor, our exhibit plugs Charlie Chaplin, Marlene Dietrich, Rudolph Valentino, and Greta Garbo. What would have been wrong with plugging some Americans?

The other highlights of this misguided pavilion are 20 pieces of contemporary American art, a wooden statue of a baseball player, and dozens of American Indian exhibits. There is nothing wrong with Indians, except that Canada has more Indians, and bringing Indians to Canada is like bringing spaghetti to Naples.

All Expo 67 lacks is a large, flashing three-colored neon representation of the LBJ Ranch. Then the disaster would be complete.

CARLYLE VAN AKEN

The **SPEAKER** pro tempore. Under previous order of the House, the Chair recognizes the gentleman from Montana [Mr. OLSEN], for 60 minutes.

Mr. OLSEN. Mr. Speaker, Carlyle Van Aken, who was staff director of the Census Subcommittee during my time as chairman, suffered a fatal heart attack 2 weeks ago. His life was cut off at the height of Carl's powers as a man. He was one of the sunniest, most positive men I have ever worked with, and it is still a numbing shock to realize that he is no longer with us.

During our association, I particularly recall the management awards dinner given by the Administrative Management Society in 1965. The day before the dinner I had received an award from the Administrative Management Society for the "paperwork jungle" investigations by the Census Subcommittee. This investigation resulted in great savings, and as I listened to the awards being presented for savings resulting from better paperwork management for an estimated total savings of $100 million a year, I could not help but observe how happy Carl seemed to be witnessing the awards given to other people.

Yet it was Carl's painstaking investigation that supported our hearings that were held across the United States. Others were willing to talk about the vast savings that could be obtained by good management, but it was Carl who went out and got the facts and wrote the report that was so aptly named "The Paperwork Jungle." He had a genius for making complicated things understandable, and 2 to 3 years later he was still gathering support for economy in Government, and the news media including Time and U.S. News & World Report picked up the cry.

This year the paperwork hearings will be concerned with legislation. It weighs heavily with me that Carl is not here to see the culmination of his work. We may never finish the many projects that he started—they were many and varied—but we will finish many of them, and the American people will never know how they benefited from the work of one public servant. He was a pioneer in the computer field, the development of which will see almost the entire country, and certainly the Government, automated.

Every time I hear complaints about the Federal Government's lack of concern for State and local governments, I am reminded of how hard Carl worked to serve State and local governments in the computer field. But most of all, his work on behalf of a middecade, 5-year national census is more important than all the rest combined, because needed facts would be supplied to local governments who have to depend on handouts of information from the Federal Government.

Carl was not just a Federal employee—he was a servant of the American people as a whole—and all of us benefited from this man's work.

Carl and I were friends, and I think one of the reasons we got on so well together was that we had both been in the Navy and we used to swap stories about our experiences. I was in the Pacific while he was on a minesweeper in the Mediterranean. I am one Congressman who will miss his good counsel and his friendship. To his family and his wife, Eleanor, I can only say that I am sorry, as is everyone who knew Carl. He was a good man and there is a vacant place left in all of us; but his influence, example, the memory of work accomplished, and the thought of work to be done, is still with us.

Mr. Speaker, I have received a letter from the counsel of our committee which I will include as part of my statement:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON POST OFFICE AND
CIVIL SERVICE,
Washington, D.C., April 17, 1967.

HON. ARNOLD OLSEN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: It is with deep sadness and profound sorrow that I join with you in memorials to Carlyle Van Aken. I have been privileged to enjoy his friendship as a member of the staff of the Post Office and Civil Service Committee of the House of Representatives for the past four years.

I spent several minutes with Carl just before he left the office on the day of his untimely death. His charm and persuasiveness, courage and resourceful leadership, won him the admiration and respect of his fellow workers here on the Committee as well as the respect of the Congressmen whom he served so well.

The death of Carl Van Aken is a distinct loss to our Committee staff. Personally, his death comes as the loss of one of my closest friends.

To his good wife, I join with you in extending my deepest sorrow in her hour of bereavement.

Sincerely yours,

JOHN H. MARTINY,
Counsel.

Mr. DULSKI. Mr. Speaker, the untimely death of Carlyle Van Aken 2 weeks ago was a shock from which none of us have recovered. He was one of the best liked men on our staff.

Carl Van Aken was with the Post Office and Civil Service Committee for approximately 4 years. His services were loaned to the committee by the Bureau of the Census, and he performed an admirable job in cementing a good working relationship between our committee, the Bureau of the Census, the National Archives, and all Federal Government agencies which are part of the Federal computer community.

Carl was only 53 years of age, and the picture of health. In fact, he was seldom ill and he had over 2 years' sick leave to his credit.

There are many reasons for a man's popularity among his associates. The principal reason, I believe, that Carl was so well liked is the fact that he thought and acted upon the conviction that every one he met was an important person.

A resourceful man, Carl was also extremely capable and knowledgeable. He was always prepared to accomplish the task at hand and was never found wanting. He deserved and enjoyed the respect of all those with whom he came in contact.

This year he became staff director of the Postal Operations Subcommittee, as well as the staff director of the Census Subcommittee. This was my old subcommittee and I am proud of the way Carl Van Aken took over this difficult assignment and the burden of additional duties.

I feel it is essential that the Congress should have the best in staff personnel, and Carl was one of the best. We shall all miss him.

We share in Mrs. Van Aken's grief and she has our heartfelt sympathy. May she take comfort in the fact that her husband left a legacy of good will and a better understanding of brotherhood among his fellow men.

The staff director of your committee has written me, for himself and all of the staff, expressing their sorrow at the loss of their good friend and fellow worker. The letter follows:

Hon. Thaddeus J. Dulski,
Chairman, Committee on Post Office and Civil Service, House of Representatives, Washington, D.C.

Dear Mr. Chairman: Carlyle Van Aken, whose untimely passing so saddened the Members and staff of your Committee, will always hold a special place of honor and affection in the hearts of we staff members who had the privilege of knowing and working closely with him.

Carlyle Van Aken was an ideal professional staff member—exceptionally able, alert, and responsive to the needs of the Committee and the Congress. More than that, he was a fine American and Christian gentleman who devoted every day of his life to service for the benefit of his country and his fellow man. He was a dear and kind and gracious friend whose wonderful life will be an inspiration to all who knew him.

The staff has asked me to express for all of us, in the small way that I can, our heartfelt sympathy to Mrs. Van Aken in her great loss, and our hope that her grief will be lessened by the knowledge that the good Carlyle did will live on.

Sincerely,
Charles E. Johnson,
Staff Director.

Mr. GREEN of Pennsylvania. Mr. Speaker, when Carlyle Van Aken died 2 weeks ago I had not known him a long time. But he was one of those people who you can become genuinely fond of in a short time. There are a great many things that I remember about Carl, but the thing that will stay in my mind is that the day he died, a month before our hearings on the middecade census bill, he was so well prepared that we could have begun our hearings that day a month early.

Carl was with us on the Hill working for the House of Representatives for 4 years less 1 month. He was on the rolls of the Bureau of Census, but I think we can claim him for our own because of the depth and warmth of the feeling toward him that he left with us. He loved the House of Representatives, and his work showed it; and that feeling was returned by everyone who knew him.

If a man's work is his monument, Carl left his in bills and hearings and ideas that Congressmen of both parties together could and did support. Middecade census legislation was supported by the ranking Members of both parties in the House of Representatives and by Senator Smathers, Senator Kuchel, and Senator Inouye in the other body.

Carl's life was devoted toward the proposition that decisions have to be based on facts to be good decisions, and that good decisions make for good government. For this reason his efforts on behalf of a 5-year national census of population, unemployment, and housing were important to all of us; especially since the Federal Government is so active in protecting the welfare of our people.

I think that among Carl's lasting contributions the good relations he built between people in the executive branch and the Congress, between people in the sciences, administration, and in the legislative area. It can be said of very few men that everyone was better for their presence—Carlyle Van Aken was one of these. For the loved ones he left behind, particularly his lovely wife Eleanor, all that we can say is that we are sorry. Words fail us where there is so great a loss. On behalf of my own family and myself, I will add only that we feel in a small part the loss that has come to Mrs. Van Aken.

Mr. NIX. Mr. Speaker, 2 weeks ago a man died. A man who was a friend of mine. His name was Carlyle Van Aken, or simply Carl to those who knew him. He was the staff director of two House subcommittees—Postal Operations, and Census and Statistics. I worked with Carl for 2 years and we became close friends.

Since his death after 33 years of public service, I have often asked myself "How do you measure a man's life?" Certainly the standards of journalism do not apply, since most people only reach the printed page through obituary columns. Good work and good men are not unusual in this world of ours. What measure then, do we apply to a man who always did his job and who never let anyone down? A man's wife knows him better than anyone, and the yardstick applied during marriage is straighter and sterner than any other test. Carl certainly passed that test. But, for our purposes, the test we apply is what a man's colleagues thought of him. That judgment is based on whether burdens were lighter because of his work. On that basis, Carl Van Aken made the day's work easier for everyone he came in contact with. We all carry burdens both professional and personal, and no one can say that they were not easier to carry because of Carl's help, nor could anyone say that Carl's burdens were ever added to anyone else's. To those who knew Carl, it must have seemed that Carl had a sunny life because he was a happy man. He was a happy man because he was a good man, but his life was no less difficult than those he worked with.

Carl was orphaned at 7, worked his way through college and graduate school during the depression, entered Government during the hectic New Deal days, served in the U.S. Navy during World War II, began his career in the Census Bureau during the start of the computer revolution, and finally, his public service for the House of Representatives during the past 4 years. You can describe a man's life in a sentence as I have just done, but the personal sacrifice that went into that life could only be described in volumes. Carl had to work as a waiter and a short order cook to get his education. His naval service included taking his ship, a minesweeper, into the beaches in the south of France, clearing the way for the troops. His professional life included not only years of study, but years of reconciling different viewpoints, and simply getting the job done. Carl did not talk about his public service very much, but he did tell me one story about his early days when he was working his way through the Wharton School of Business.

He worked for a fry cook who, no matter how busy he was, saw to it that Carl made his 11:30 class each day by releasing him from work. Carl said that he owed his education to that man more than any other. But the important point to that story is that everybody who worked for Carlyle Van Aken during his 33 years of service, benefited from that act of kindness, which was passed on by him many times over.

Carl Van Aken's unique contribution during his career was that he brought people of diverse backgrounds together, brought people an understanding of each other. We often hear about the gap of misunderstanding that exists between people whose work is in technology, and those whose work is in the social sciences. Here on the Hill we read about each other in the papers, and we read about the misunderstandings between Democrats and Republicans, liberals and conservatives. But, where Carl Van Aken did his work there were only people—personalities who had to come to understand each other better. There are those who devote their lives to talking about ultimate solutions, but Carl used to point out that it was the next step that counted and whatever he put his hand to, that next step was taken. Perhaps Carl's strength came from the fact that he was a superb technician who saw that big problems are really little problems wrapped together. When the Congress and the executive branch does its work each day, it unravels these problems and they in turn become smaller, whether the problem is automation, race relations, the space race, or war and peace.

All of us who were associated with Carlyle Van Aken have said to ourselves "What a waste" and repeated the saddest words of all "What might have been." Here was an enormously talented man who was ready for great responsibilities. I have lost a friend. The House of Representatives has lost a great public servant. I will miss him, and I think the House of Representatives will miss him.

Mr. CORBETT. Mr. Speaker, I have always been proud of the generally fine record of nonpartisanship on the Post Office and Civil Service Committee. Besides the cooperative attitude of the members of our committee, the staff members' attitude toward their work is a contributing factor. That attitude is based on professionalism and a desire to make a worthwhile contribution. Two weeks ago this was pointed up to all of us by the death of one of our finest people, Carlyle F. Van Aken.

Carl was on loan from the Bureau of the Census. He was with the committee for approximately 4 years and it was a 4-year period that all of us who serve on the committee enjoyed a little more because of his presence.

The Subcommittee on Census and Statistics was Carl's major area of endeavor, and this year he took over the staff direction of the Postal Operations Subcommittee. Mr. Van Aken did a great deal of work on a bill that I introduced in the last session and will probably introduce in this session—a middecade census bill that would direct the Bureau of the Census to take a national census 5 years after the regular decennial census. It always struck me as odd that we kept better track of farm animals than we have of people.

Carl's work could be summed up as a struggle for better management within the Federal Government. He also helped organize hearings on the vast amount of waste in connection with Government redtape. His contributions were in the area of the saving of money rather than the spending of it. It makes me proud to be on the Post Office and Civil Service Committee because if Carl Van Aken is typical of our civil servants, this Government is well served.

I know that despite the bitter loss that Mrs. Van Aken must feel, that she must be very proud of her husband. On these occasions we must all feel that we should have been more appreciative of another human being who is no longer with us. It does seem to me, however, that a man who had Carl Van Aken's self-confidence and zest for living must have known that the people around him reciprocated his good will toward them.

Mr. TUNNEY. Mr. Speaker, I was elected to the Congress in 1964, and one of the first people I met on coming to the Congress was Carlyle Van Aken, who was the staff director of the Census Subcommittee. We became close friends. He was one of those people who believed that the road to reason was paved with facts. Reasonable discussion and decisions required a strong and sure foundation in fact, and he interested me in the mid-decade census, the "paperwork jungle investigations" and many other issues. Carl never pretended to have the answers, but had a keen sense of knowing where to look for facts, decisions became much more realistic. Carl died 2 weeks ago, and I will truly miss him.

When I wrote and gave my first few speeches outside the Congress I came to rely on Carl for research and advice. He was a truly witty man as people who have a good sense of proportion usually are. Facts came alive and became living things when he would gather them together, because he could always explain their relationship to people. Most of our problems he felt are based on great misunderstandings and the marshaling of fact can clear up those misunderstandings and bring people together.

One of Carl's great efforts was the mid-decade census bills that were introduced during the last session and during this session. This project almost became a reality last session, and hopefully with administrative support, they could become a reality this session with final passage. If this bill becomes a reality it will be a monument to Carl because he worked so long and hard to bring it to fruition.

Entire civilizations have struggled with the meaning of life and death. I can only say that most of us view death as the beginning of a second eternal life. There are some of us who do not, and for those it is sufficient to say that our friend Carl, realized the joy of the here and now. Everyone who knew Carl knew that he was a happy man. No one can really console Eleanor, his wife, but each shares a little bit the sorrow of his passing from among us. The House of Representatives was better for him having been here.

GENERAL LEAVE TO EXTEND

Mr. OLSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks eulogizing an employee of the House, Carlyle Van Aken, who passed away April 4 of this year.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

JOINT STATEMENT ON SEATING OF ADAM CLAYTON POWELL

The SPEAKER pro tempore. Under previous order of the House, the Chair recognizes the gentleman from Arizona [Mr. UDALL], for 10 minutes.

Mr. UDALL. Mr. Speaker, the voters of the 18th Congressional District of New York have decided once again that they want to be represented in this House by ADAM CLAYTON POWELL. Shortly the 434 Members who already have been seated must decide again whether the duly elected Representative of the 435th District shall be seated.

As this historic vote approaches, a number of my colleagues and I have decided to draft a statement presenting our views on the question. Without objection I shall insert the text of that statement at the conclusion of my remarks.

Mr. Speaker, also without objection, I shall include a number of newspaper editorials supporting the constitutional argument that, once the voters have made their decision, a duly elected Representative must be seated. The signers of this joint statement strongly endorse that argument.

JOINT STATEMENT ON THE SEATING OF ADAM CLAYTON POWELL

The re-election of Adam Clayton Powell to fill the vacancy in the 18th New York District is now official. The House, once again, is faced with serious Constitutional questions involving basic principles of our representative system of government.

We condemn Powell's past abuses of his power as Chairman of the Committee on Education and Labor. The Democratic caucus acted on January 9th to deprive him of that power. We deplore his other misconduct as found and documented by the Select Committee. But the question is not whether we, or our constituents, might have chosen him to represent us; the question is whether the electorate of the 18th District have a right to choose him to represent them. The Constitution and 180 years of almost unbroken precedent require that he be seated.

Powell clearly meets the Constitutional requirements of age, inhabitancy and citizenship. The framers of our government considered the denial of a seat in Congress against the express wishes of a constituency as a most grave and serious matter. They wisely provided that such drastic action be taken only after seating, and only then by a two-thirds vote. Except through *that* procedure we have no right to second-guess an electorate which was fully aware of the charges and the evidence against the candidate it chose as its Congressman.

The House must assure that appropriate action is taken to recover any monies found to be due the United States. The Justice Department is now investigating the various allegations and we believe and expect that necessary legal actions will be taken on any violations which have occurred. The House should continue and complete the steps already begun to prevent future travel and payroll abuses by Mr. Powell or any other Member.

In less than 120 days the House has twice dealt with this subject. It will not go away. Until it is squarely faced and properly resolved we will meet it again and again. A failure to seat Powell we believe will do violence to the Constitution, establish a dangerous precedent for rejecting other legally elected but nationally unpopular legislators, and pose the divisive and dangerous threat of a disastrous clash between Congress and our Courts. The representatives of 434 constituencies should not continue to impose their judgment on the 435th.

Powell, if seated, will take a place with little power or opportunity to repeat the abuses with which he is charged. The House is not a criminal court. It is a legislative body bound by a constitution, by rules and regulations.

Despite these considerations, it appears that a majority of the House is prepared to exclude once again. The vigorous and courageous stand of the House Democratic Leadership in favor of honoring the April

11 election is correct and commendable. We shall follow that leadership.

We commend the Republican leadership for its support of the Select Committee last month. We appeal to them to continue that support. We urge all our colleagues to resolve this matter in accord with the spirit and the letter of the Constitution.

Thomas L. Ashley, Richard Bolling, John Brademas, Hugh L. Carey, Donald M. Fraser, Chet Holifield, John E. Moss, James G. O'Hara, Frank Thompson, Morris K. Udall, Sidney Yates.

[From the Detroit News, Mar. 3, 1967]

POWELL MERITED PENALTY BUT EXCLUSION A MISTAKE

The immediate battle over Adam Clayton Powell, the nation's foremost fun-and-games man, is over. So, perhaps, is his congressional career. But the mischief so jauntily provoked by him, so casually touched off by a majority of the House, is only just begun. Its effects may linger for years.

Few will defend Powell's behavior. The best his most ardent defenders will say of it is that he is far from alone as a congressional sinner, that his colleagues' decision to impose the ultimate sanction at their command on him while other miscreants go unnoticed reflects race more than morality.

Powell's reaction is archtypical. Still sunning at Bimini, he professes supreme unconcern. True, he has acquired a touch of modesty: When the House refused to seat him in January he likened himself to Jesus; Wednesday he settled for identification with Dred Scott.

But his guiding ethic stands undimmed: "Why should I be angry, with all these lovely friends I have here on Bimini? . . . I'll be happy all the time . . . My only feeling is to be happy to be alive and to be here with my friends."

That's one of his troubles—pleasure beats responsibility every time.

He will forgo such pleasures just long enough to take the matter to court, to enter and handily win the special election to fill his district's now-vacant seat, less because he really cares about constitutional principles or the right of New York's 18th Congressional District to choose its own representative, than because the protracted fight will give his detractors fits.

But if Powell disdains responsibility, his colleagues should not have. The well-deserved punishment already inflicted on him—loss of his prestigious chairmanship—was no small blow. The measures recommended by the House Select Committee—censure in person before the bar of the House, restitution of $40,000 in misused House funds, loss of 22 years of seniority—would have constituted a crushing additional price for his unremitting self-indulgence all these years.

Vindictive doubters to the contrary, he would have felt it keenly. His pride—his arrogance, if you will—would not have permitted this humiliation to roll off unfelt. It's a fair bet he might never have walked into the House chamber to submit.

But Powell did meet the constitutional requirements for the House seat he is denied. The House has unquestioned authority to expel a seated member for behavior like Powell's but there's plenty of question about its legal right to add to the Constitution's qualifications for being seated.

If the House can refuse to seat Powell for pecadillos of middling gravity, what limit is there on its power to exclude anybody, on any grounds a simple majority may decide to use, even membership in the wrong party? The Powell precedent is grave.

So is the prospect of collision between Congress and the courts should Powell sue and prevail there. The courts may find for Powell on constitutional grounds, but they cannot enforce such a decision on a stubborn House. Such an impasse would be unhealthy for the Constitution and the country.

The impression is hard to avoid that House members, who for years chuckled tolerantly at Powell's happy ways, were moved more by the mailbags from back home than by any great sense of moral outrage.

The folks back home had every right to be sick of Powell and of their representatives' tolerance of his excesses. But it was those representatives' duty to sit and decide on law and wisdom, not on the volume of the shouting.

Rep. Thomas B. Curtis of Missouri ventured out onto thin ice in resorting to the Ten Commandments. Powell may have been their most blatant violator of late, but if every congressman who has bent the Commandments were excluded, quorum calls might present a problem.

Exclusion was a mistake, in our belief, as a matter of both law and the practicalities. Powell will not go away; he will return again and again to haunt the House, with its Harlem seat unfilled by the man Harlem wants.

This Draconian punishment has removed the last prop Negroes had to defend against black pro-Powell hysteria—unless the House quickly applies its new-found morality to others whose hands are not clean.

Nobody should hold his breath waiting for that.

[From the New York Times, Apr. 12, 1967]

POWELL RETURNED TO CONGRESS

As expected, Adam Clayton Powell has won reelection overwhelmingly to his seat in the House of Representatives. The small turnout of voters, however, suggests that the ordinary citizens of Harlem are a good deal less indignant about Mr. Powell's punishment by the House than many leaders of Negro organizations had urged them to be. The time when the voters repudiate Mr. Powell has unfortunately not yet arrived, but he is slowly and surely wearing out his welcome among the people whose loyalty he has exploited for so long.

The House of Representatives now has the opportunity and the responsibility to rectify the error it made six weeks ago in voting to expel him. He has been duly elected and is entitled to be seated. The House can punish him for his past abuses by putting into effect the recommendations of the special committee headed by Representative Celler, chairman of the Judiciary Committee. It can properly discipline a member by censuring him, fining him, and depriving him of his seniority, but it cannot deny the constituents of any district the right to choose their own representative providing he is legally qualified and has not achieved his election through provable fraud.

If Mr. Powell's transgressions merit criminal penalties, that is for the Justice Department and the courts to decide. The House of Representatives can impose as much discipline as is necessary for the orderly conduct of its parliamentary business, but it should not confuse its functions with that of the policeman, the judge, and the jury. The job of the House is to write laws, not enforce them.

[From the South Bend (Ind.) Tribune, Mar. 2, 1967]

REFLECTIONS ON THE POWELL CASE

The surprise ouster from the House of Representatives of Adam Clayton Powell was unnecessary, of doubtful constitutionality, and quite probably futile. What's worse, it will reinforce the convictions of many American Negroes that Powell is a victim of simple race discrimination.

For some members of the House, no doubt, prejudice was the key motive. But not for all.

Debating the issue, however, is fruitless. Negroes argue that Powell's sins were not unique, that other congressmen do the same things and escape punishment. From their point of view, then, the only possible explanation of the action again Powell is his skin color.

That line of reasoning ignores several elements of the Powell case, the chief one being the fact that Powell did not simply transgress, but he boasted of his transgressions. That doesn't make his sins any worse than anybody else's, but it did make them harder to ignore.

Powell flaunted his ability to wheel and deal on "Whitey's" terms. For that he won admiration among his people, some of it grudging and some of it enthusiastic. He also won the bitter enmity of his fellow transgressors and sealed his doom. He could not be allowed to ruin things for the others. And so they ganged up with the House racists against Powell.

But there was another sort of party to this alliance. The law-abiding congressmen who make up the big majority also could not ignore Powell's defiant ways. They helped push the issue to a test—and then things got away from them.

With so much going against Powell, perhaps it was inevitable that the situation went too far.

The committee-recommended censure, fine, and seniority stripping were adequate punishment for Powell's offenses. Denying Powell his seat is unlikely to settle anything, for few can doubt his recent boast that he can win re-election in Harlem as long as he lives, and possibly longer. And there is serious doubt that the House has the power to deny a seat to a constitutionally elected representative, or that a court test of the action would not reverse it.

It is unfortunate that the Powell case has achieved the divisive status it has in American political life. The central figure is not worth the fuss, baby.

[From the Chicago Daily News, Feb. 13, 1967]

CONGRESS AND MR. POWELL

Once the House of Representatives has unraveled the legal puzzle of whether it can expel Adam Clayton Powell, it will face a political question: Should it?

For now, a House committee is plunging through the constitutional thicket in search of what exactly qualifies Rep. Powell to become an ex-representative. Powell himself says that he should be judged only on requirements spelled out in the Constitution—age, citizenship, residence. That is why the committee is curious about how much time Powell spends in his Harlem congressional district. "The gentleman from Bimini" now becomes not only a sobriquet but an accusation.

Powell is willing to settle the question on that basis. He has produced his New York State income tax returns and recalled the sermons he delivered to his Harlem congregation on Sundays, the one day of the week he was safe from arrest.

But the committee seeks to go beyond the question of whether Powell is a bona-fide inhabitant of the district he represents. It could cite another portion of the Constitution to back up its case: "Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two-thirds, expel a Member."

It is legitimate, however, to ask if the House should expel Powell even if it legally can. No matter how irritating his habits or clouded his reputation—traits that used to be blanketed by the term moral turpitude—there's a danger in clearing Congress of its exceptionally objectionable members. As Sen. Robert A. Taft once said: "If the Senate can say that the absence of moral turpitude is a qualification, it can impose qualifications based on morals, the religion or lack of religion or the philosophic views of any person elected."

Powell has already lost his committee chairmanship, and on the evidence of his misuse of committee funds that loss was amply justified. Other evidence developed against him has presumably been examined by the Justice Department.

But the people of his district did, after all, choose to be represented in Congress by Adam Clayton Powell, for better or for worse. Short of some unlikely finding that would put him behind the bars, Congress would be treading on dangerous ground to deny the people that right of representation.

[From the Wall Street Journal, Mar. 3, 1967]

Discredit To Share

The Adam Clayton Powell episode provides plenty of discredit to share.

Nothing in it, certainly, reflects well on Mr. Powell, although his varied sins hardly need further elaboration.

We find little to commend, either, in the reaction of most civil rights leaders, who tend to attack the entire movement against Powell as a manifestation of racism. Without denying that the House still has some members more inclined to discipline a Negro than a white, it seems plain that Mr. Powell was singled out for discipline chiefly because his abuse of office was singularly blatant.

The least excusable share of blame, though, must fall on the majority in the House itself for turning aside more moderate discipline proposals and insisting on denying Mr. Powell his seat. This action was not only ill-tempered and senseless, but it usurped the right of Mr. Powell's constituents.

As a sample of the House's temper, consider the amount of drivel the debate on exclusion produced. Representative Thomas B. Curtis argued that the House should not refuse to unseat someone who had broken the Ten Commandments.

Representative Durward G. Hall assailed Mr. Powell for calling House members "hypocrites." In light of their persistent prior refusals to police their own ethics, it seems to us the shoe fits some of them pretty well.

More serious, of course, is the House's refusal to seat a man duly elected by his constituents. Certainly it cannot be reconciled with the spirit of representative government. Probably it cannot be reconciled with the letter of the law, as the House was duly warned by its leaders and the committee which investigated Mr. Powell. In ignoring these warnings, the majority only showed itself blinded by emotion.

The damage the ill-considered display will do the House's standing has only begun. What will it do if Mr. Powell wins reelection, as he undoubtedly can? What will it do if the courts overrule the exclusion? It will be faced with the unhappy choice of backing down or pushing its illogic to even greater extremes.

At this point probably nothing can completely undo this damage, but one step would help mitigate it. That would be to display, as through establishment of an ethics code and a means to enforce it, a new determination to police the ethics of the House membership generally.

ANTIRIOT BILL ACTION CALLED FOR—CARMICHAEL SHOULD BE PUT OUT OF BUSINESS

The SPEAKER pro tempore. Under previous order of the House, the Chair recognizes the gentleman from Florida [Mr. Cramer], for 10 minutes.

Mr. CRAMER. Mr. Speaker, as Members of this body know, I have been attempting to have enacted into law H.R. 421, a measure which would make it a Federal offense for an individual to travel in or use a facility of interstate commerce with the intent of inciting a riot or any other form of civil disobedience. I introduced H.R. 421 to accomplish that. As recently as April 12, I placed in the Record a number of newspaper articles which forecast another summer of riots and violence, and at that time I called for immediate consideration of my antiriot bill by the Judiciary Committee.

In my remarks of April 12, I related the remarks of city officials, educators, and responsible civic leaders of Nashville, Tenn., to the effect that Stokely Carmichael, director of the Student Non-Violent Coordinating Committee, was responsible for inciting the recent riots in Nashville. I pointed out that Carmichael, who was involved in the riots which took place in many major American cities last summer, was making speeches on many college campuses urging his listeners to disobey the law.

Mr. Carmichael spent this week in the State of Florida. He visited Tallahassee, Daytona Beach, and St. Petersburg, the latter of which is in my congressional district.

Some months ago a group of Mr. Carmichael's disciples rushed St. Petersburg's City Hall and destroyed a mural which that group said was insulting to the members of his race. As a result of this incident, the leader of that rush on city hall was properly sentenced to a term in jail, and he is serving it now.

Members of SNCC in St. Petersburg claimed that Carmichael was coming to town to get their local leader, Joseph Waller, out of jail. I am here to advise this House that he failed.

I am pleased to further advise this House that he was not able, despite his inflammatory utterances, to make a "hate showcase" out of either my hometown of St. Petersburg or of the State of Florida. And the reason he failed is because the people did not buy his anti-American, divisive, race-baiting line.

I believe that this shows responsible leadership as well as a responsible citizenry in the State of Florida.

I recall, as I am sure do many other Members of the House, the riots which took place in Cleveland last year. I recall the pillage and the stealing, the personal injuries which resulted, the complete breakdown in community relations between the races, the store windows which were smashed, and the stores that were looted. There was, in effect, anarchy on a temporary basis.

Stokely Carmichael, in reviewing that incident for which he was largely responsible, said, in effect—and this is Carmichael speaking:

> I understand the people in Cleveland are now replacing those windows we broke with Molotov cocktails with brick walls.

And, speaking to an aroused audience, he said:

> We are coming back next time with dynamite.

That is the philosophy, and those are the preachments, of Stokely Carmichael. This is the reason why this man ought to be put out of business. To put him out of business it is essential this Congress enact a law which, should he continue to incite riots, would put him in jail.

I am sure Members read in the paper recently where Carmichael told a group of students, "To hell with the laws of the United States" and "To hell with the draft." It was highly disturbing to me to hear Stokely Carmichael say to the people of this Nation, through the medium of television, which apparently gives him unlimited coverage no matter what he says, and a chance to sell his poison—with him chanting, and the audience chanting:

> To hell with the draft. To hell with the draft. To hell with the draft.

I say that because of these actions it is time for us to protect our citizens against those such as Stokely Carmichael, who, intentionally, knowingly, and purposely use interstate commerce or its facilities for the objective of inciting a riot and disturbing the domestic tranquillity of this Nation.

Yesterday, in order to bring this matter to focus, I wrote to the chairman of the House Committee on the Judiciary, Emanuel Celler, and urged him to give immediate consideration to my antiriot bill.

The responsibility for putting men like Stokely Carmichael out of business rests with the Congress and our refusal to act will be construed as acquiescence to these acts. The letter I sent to Chairman Emanuel Celler of the Committee on the Judiciary on April 18 reads in part as follows:

> As you know, this Anti-Riot proposal was approved by the House by a vote of 389 to 25 as an amendment to the 1966 Civil Rights Bill.
>
> Following the demise of the Civil Rights Bill in the Senate, I introduced a separate Anti-Riot Bill which is substantially the same as the Anti-Riot Amendment which passed the House. At that time, you gave me your personal assurance that consideration of my Anti-Riot Bill would be among the first orders of Judiciary Committee business in the 90th Congress.
>
> I feel it is essential that such consideration be given as soon as possible. Evidence strongly indicates that America will witness another summer of riots and violence perhaps more violent than ever before unless steps are taken now to put the instigators of these riots on notice that they desist or they will end up behind bars.

On April 12, I placed in the Congressional Record a number of the articles I referred to in the letter.

My antiriot bill is not intended nor does its language remotely suggest responsible civil rights leaders and other citizens would in any way have their freedom to express dissent impeded; but, rather, it is aimed at such men as Stokely Carmichael and other professional agitators such as George Lincoln Rockwell of the American Nazi Party, and Ku Klux Klan agitators, who instigate violent civil disturbances. I firmly believe that this Congress will be guilty of gross negligence should it fail to act in a responsible way on this legislation. I trust consideration by the Committee on the Judiciary will be given to my antiriot bill in the near future.

I am proud to say, I repeat, that Stokely Carmichael was not successful in making a hate showcase out of our great State of Florida and I laud the citizens of Florida for preventing him from doing so.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman from Mississippi, the chairman of the Committee on Rules.

Mr. COLMER. Unfortunately, I did not hear all of the gentleman's statement, but I rise to ask the gentleman whether he has any knowledge as to whether this man Carmichael is a citizen of the United States.

Mr. CRAMER. The distinguished chairman of the Committee on Rules asks as to whether I have any knowledge as to whether Mr. Carmichael is a citizen of the United States. There are a number of people who suggest he is not. There is some proof that he is, but whether he is or is not, what he is doing is anti-American and he should be put in jail, in my opinion.

Mr. COLMER. I certainly agree with the gentleman's statement about stopping him, but my inquiry was directed at the thought that if he is not a citizen of the United States and if he is an alien, then the proper department should take steps to get him out of the country.

Mr. CRAMER. I will say to the distinguished chairman that this approach of deporting an alien I understood was considered by some Members of Congress and inquiries were made. It was determined, at least to my satisfaction, that he was not an alien, based on present facts, but he should still be put out of business. He should have less reason for doing it as an American citizen.

RECENTLY LAUNCHED U.S. FOOD AND DRUG ADMINISTRATION INVESTIGATION OF BANANA PEEL SMOKING

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the U.S. Food and Drug Administration recently launched an investigation of banana peel smoking.

This was very good news to me, since I have been extremely concerned over the serious increase in the use of hallucinogenics of youngsters. Apparently, it was not enough for this generation of thrill-seekers to use illicit LSD, marijuana, and airplane glue. They have now invaded the fruit stand.

The implications are quite clear. From bananas it is a short but shocking step to other fruits. Today the cry is "Burn, Banana, Burn." Tomorrow we may face strawberry smoking, dried apricot inhaling or prune puffing.

What can Congress do in this time of crisis? A high official in the FDA has declared:

> Forbidding the smoking of material from banana peels would require congressional legislation.

As a legislator, I feel it my duty to respond to this call for action.

I ask Congress to give thoughtful consideration to legislation entitled, appropriately, the Banana and Other Odd Fruit Disclosure and Reporting Act of 1967. The target is those banana-smoking beatniks who seek a make-believe land, "the land of Honalee," as it is described in the peel puffers' secret psychedelic marching song, "Puff, The Magic Dragon."

Part of the problem is, with bananas at 10 cents a pound, these beatniks can afford to take a hallucinogenic trip each and every day. Not even the New York City subway system, which advertises the longest ride for the cheapest price, can claim for pennies a day to send its passengers out of this world.

Unfortunately, many people have not yet sensed the seriousness of this hallucinogenic triptaking. Bananas may help explain the trancelike quality of much of the 90th Congress proceedings. Just yesterday I saw on the luncheon menu of the Capitol dining room a breast of chicken Waikiki entry topped with, of all things, fried bananas.

An official of the United Fruit Co., daring to treat this banana crisis with levity, recently said:

> The only trip you can take with a banana is when you slip on the peel.

But I am wary of United Fruit and their ilk, because, as the New York Times pointed out, United "stands to reap large profits if the banana smoking wave catches on." United has good reason to encourage us to fly high on psychedelic trips. And consequently, I think twice every time I hear that TV commercial—"fly the friendly skies of United."

But let me get back to what Congress must do. We must move quickly to stop the sinister spread of banana smoking. Those of my colleagues who occasionally smoke a cigarette of tobacco will probably agree with the English statesman who wrote:

> The man who smokes, thinks like a sage and acts like a samaritan.

But the banana smoker is a different breed. He is a driven man who cannot get the banana off his back.

Driven by his need for bananas, he may take to cultivating bananas in his own backyard. The character of this country depends on our ability, above all else, to prevent the growing of bananas here. Ralph Waldo Emerson gave us proper warning:

> Where the banana grows, man is . . . cruel.

The final results are not yet in, however, on the extent of the banana threat. An FDA official has said that, judging from the 4 years of research needed to discover peyote's contents, it will probably take years to determine scientifically the hallucinogenic contents of the banana. We cannot wait years, particularly when the world's most avid banana eater, the monkey, provides an immediate answer.

We can use the monkey as a laboratory, seeing what effects bananas have on him. The FDA says it cannot tell if a monkey has hallucinogenic kicks; they think not. The problem, I feel, is seeing the monkey munch in its natural habitat. To solve this dilemma, I propose the Peel Corps, necessarily a swinging set of young Americans capable of following the monkey as he moves through the forest leaping from limb to limb.

On the homefront, I am requesting the President to direct the Surgeon General to update his landmark report on smoking and health to include a chapter on banana peels. In the meantime Congress has a responsibility to give the public immediate warning. As you know, because of our decisive action with respect to tobacco, cigarette smoking in the United States is almost at a standstill. This is because every package of cigarettes that is sold now carries a warning message on its side.

Therefore, I propose the Banana Labeling Act of 1967, a bill to require that every banana bear the following stamp, "Caution: Banana Peel Smoking May Be Injurious to Your Health. Never Put Bananas in the Refrigerator."

There is, of course, one practical problem with this legislation: banana peels turn black with age. At that point, the warning sign becomes unreadable. It may be necessary, as a consequence, to provide for a peel depository, carefully guarded, to protect the public from aged peels. I am now requesting of the Secretary of the Treasury that, given the imbalance of the gold flow, some of the empty room at Fort Knox be given over to such a peel depository.

As with any revolutionary reform movement, I expect the forces of opposition to be quite strong. One only has to look at the total lack of Federal law or regulation relating to bananas to realize the banana lobby's power. We have regulations on avocados, dates, figs, oranges, lemons, pears, peaches, plums, and raisins. But bananas have slipped by unscathed.

What we need across the length and breadth of this great land is a grassroots move to ban the banana, to repeal the peel. Howard Johnson's can survive with only 27 flavors. And what is wrong with an avocado split? I will only breathe easier when this country, this land we love, can declare, "Yes, we have no bananas; we have no bananas today."

THE 333D ANNIVERSARY OF THE FOUNDING OF MARYLAND

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, on Tuesday, March 14, many Marylanders, a number of our colleagues, and representatives of the Navy joined Mrs. Mathias and myself at a reception to commemorate the 333d anniversary of the founding of Maryland. The reception was highlighted by an exhibit paying tribute to the U.S.F. *Constellation*, the oldest ship of the U.S. Navy afloat. Those navigational instruments, uniforms, weapons, and other articles which were on display constituted the most complete collection of material relating to the *Constellation* ever assembled under one roof. Although a written list does not do justice to those artifacts and paintings I would like to include it in the RECORD as a further tribute to the old frigate and those who have worked so diligently for her preservation, as well as a record of the relics and where they may be found.

The list of materials loaned by the *Constellation* Reconstruction Committee is as follows:

1. Hull model or "trial" model used as a guide for reconstruction and preservation of the ship.
2. Ship's bell originally used on the *Constellation* date 1797.
3. Telescopes dating from the early 19th Century.
4. Binnacle originally used on the *Constellation*.
5. Cutlasses dating from the early 19th Century.
6. Collection of early 19th Century tools representative of the types of tools that would have been used on the *Constellation*.
7. 18 pound cannon ball.
8. High hat and epaulets belonging to Captain John Stewart, 3rd Commander of the *Constellation*.
9. Flag from the U.S.F. *Congress,* sister ship of the *Constellation*, dating July 4, 1858.
10. Dead Eye.
11. Historical wall board outline.
12. Painting of the *Constellation* defeating the French ship *La Vengeance*.
13. Painting of the *Constellation* defeating the French ship *L'Insurgente*.
14. Copper bolts originally used in the construction of the *Constellation*.
15. Model of Cannon—Iron Barrel.
16. Rigged model of a cannon.
17. Iron mast band from foremast.
18. Copies of old newspaper clippings regarding the *Constellation*.
19. Plans—Inboard profile and rigging plan.
20. Bow and stern decoration—framed fastener samples.

Mr. Donald Stewart, curator of the *Constellation*, loaned a small-scale model which he constructed depicting the ship as she appeared in 1812.

Mr. Leon D. Polland, chairman of construction and repair, loaned a mounted dead eye and a mounted timber. He also loaned the following framed photographs:

1. 16" x 20"—Billet Head.
2. 10" x 14"—Sailing model at the University of Maryland.
3. 10" x 14"—Stern View.
4. 16" x 20"—Humphrey's Plan (Body Lines).

From his extensive collection of photographs Mr. Polland loaned the following:

1. *Constellation*—Arrives home in Baltimore, July 1955.
2. *Constellation*—About 1890.
3. *Constellation*—Spar deck—Baltimore 1914.
4. *Constellation*—Quarter deck—Baltimore 1914.
5. *Constellation*—About 1914.
6. *Constellation*—Baltimore, 1914.
7. *Constellation*—About 1880.
8. *Constellation*—About 1910.
9. *Constellation*—About 1914.
10. *Constellation*—About 1914.
11. *Constellation*—About 1919.
12. *Constellation*—Baltimore, 1962—Replanking starboard side.
13. *Constellation*—Baltimore, 1961—New side planking.
14. *Constellation*—Baltimore, 1961—Replanking starboard side.

15 *Constellation*—Baltimore, 1961—Under repairs.

16. *Constellation*—Baltimore, 1961—Replanking starboard side.
17. *Constellation*—Cutwater 1955.
18. *Constellation*—May 30, 1964—Maryland Shipbuilding & Drydock Co.
19. *Constellation*—May 30, 1964—Maryland Shipbuilding & Drydock Co.
20. *Constellation*—June 1964—Maryland Shipbuilding & Drydock Co.
21. *Constellation*—June 1964—Maryland Shipbuilding & Drydock Co.
22. *Constellation*—June 1964—Stem and keel connection.
23. *Constellation*—October 1964—Leaving Maryland Shipbuilding & Drydock Co.
24. *Constellation*—March 1964—Entering Maryland Shipbuilding & Drydock Co.
25. *Constellation*—Berth deck—Lieutenants' quarters.
26. *Constellation*—Pier 4, 1958—Reconstructed bow.
27. *Constellation*—Pier 4, 1958—Before restoration.
28. *Constellation*—Baltimore, 1964—Reconstructed stern and galleries.
29. *Constellation*—Pier 4, Baltimore, 1965—Stern view.
30. *Constellation*—Baltimore, 1964.
31. *Constellation*—Baltimore, 1963.
32. *Constellation*—Quarter deck, 1965.
33. *Constellation*—Bowsprit, June 27, 1961—Fort McHenry, Baltimore.
34. *Constellation*—Foremast, June 27, 1961—Fort McHenry, Baltimore.
35. *Constellation*—Foremast, June 27, 1961—installing, Baltimore.
36. *Constellation*—Berth deck knees, 1965.
37. *Constellation*—Forehold, 1962.
38. *Constellation*—Berth deck knees, 1948.

The U.S. Naval Academy Museum in Annapolis, Md., loaned the following exhibits:

1. Log Book of Midshipman McDowell.
2. Painting of the *Constellation* in Newport, Rhode Island, by Beal.
3. Medal awarded to Truxtun by Congress.
4. Magazine—"News from Home"—Spring 1954 Issue.
5. Large Photograph (1922) commemorating the 123rd anniversary of the *Constellation's* victory over *L'Insurgente*.
6. Photograph of large bronze plaque commemorating the return of the *Constellation* to Baltimore.
7. Photograph—Gun deck of *Constellation* file No. 7952.
8. Series of 3 photographs (*Constellation*) file Nos. 705402, 705403 and 705404.
9. Photograph of the *Constellation* taken in 1895 with U.S. Naval Academy Midshipmen aboard—file No. 2137.
10. Photograph of the *Constellation* in Baltimore taken in 1914.
11. Large photograph of the *Constellation* by Frank Child.
12. Sailor's Straw Hat.

An original painting by Col. Phillips Melville, U.S. Air Force, retired, showing the *Constellation* departing Baltimore for her first deep-water cruise, June 8, 1798, was loaned by the U.S. Naval Institute.

The Center of Adult Education of the University of Maryland loaned the following exhibits:

1. Oil painting of Captain Stewart.
2. Painting of the *Constellation* defeating the Algerian frigate *Mashuda*.
3. Painting of Commodore Thomas Truxtun.
4. Painting of the *Constellation* under full sail.
5. Framed reproduction of instructions by William Rush, for the design of the figurehead of the *Constellation*.
6. Photograph of Commodore Alexander Murray, who as the first Maryland commander of the frigate succeeded Commodore Thomas Truxtun.
7. Photograph of the *Constellation* model built by the inmates of the Maryland State Penitentiary and on display at the Center of Adult Education.
8. Close-up photographs of the model mentioned above: cannon, bowsprit and figurehead, rigging, mast.

Those articles loaned by the Naval Historical Foundation of the Navy Department are listed below.

1. Old photographs.
2. Log books and letter books.
3. Framed portrait of Commodore Thomas Truxtun.
4. Book—"Longitudes and Latitudes . . ." with sail plan diagram done especially for Thomas Truxtun.
5. Photocopies of early letters from officers aboard the *Constellation*.
6. Reproduction of Congressional Medal awarded Truxtun.
7. Chart board showing all commanding officers of the *Constellation* from commissioning in 1794 to final decommissioning.
8. General fact sheets on the *Constellation*.

The Navy Yard Museum loaned the following paintings:

1. The *Constellation* capturing the French frigate *L'Insurgente*.
2. The *Constellation* capturing the *Deligent* and *Union*.

The David Taylor Model Basin of the Navy Department generously loaned a large-scale model measuring 6 feet long, 6½ feet high, and 2½ feet wide.

The Department of the Navy also loaned the following photocopies of the following original documents:

1. Statements of Expenditures; containing detailed accounts of the expenditures of public monies by naval agents.
2. Document stating the cost of the *Constellation's* construction.
3. Truxtun's signal book.
4. Log extract for *Constellation*, 10 and 11, February 1799, relating her encounter with *L'Insurgente*.
5. Letter of Truxtun to Capt. John Barry regarding his cruise in the Caribbean and his encounter with *L'Insurgente*.
6. Section of Naval Chronical report on *Constellation-L'Insurgente* engagement and extract of Presidential thanks to Truxtun.

I only wish that this unusual and interesting exhibit could have remained here for a longer period of time so that those who visit and frequent Capitol Hill could have had the opportunity to enjoy it.

RCA IN THE COMMONWEALTH OF PENNSYLVANIA

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. McDADE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. McDADE. Mr. Speaker, the industrial rebirth of the city of Scranton was vividly dramatized last Friday morning when the Radio Corp. of America, one of the great industries in this Nation, through its president, Robert W. Sarnoff, dedicated a new $26 million color-picture-tube plant at the Keystone

Industrial Park near the city of Scranton.

It was a ceremony attended by many of the people who have worked tirelessly in the industrial rebirth of that city, and the opening of this plant was, as Mr. Sarnoff remarked, a tribute to the "vigor and skill" of the people of the Scranton area.

I do not have to tell you, Mr. Speaker, how enthusiastically we all welcome the coming of RCA to our community. Over the past several months, RCA has recruited and trained approximately 700 people to man this new 350,000-square-foot plant, where RCA will produce a 22-inch color tube which employs a new RCA-developed, red-emitting phosphor, making it the brightest in the color television industry.

We have a particular love for RCA in the Commonwealth of Pennsylvania. This great corporation presently is employing more than 10,400 people at 27 separate locations in our Commonwealth.

It was a particular source of pride for all of us to have this building dedicated by Mr. Sarnoff—a name that has been synonomous with all that is excellent in the field of radio and electronics for the past 50 years in America. It was also a great source of pride for all of us to listen to Mr. Sarnoff's words on this occasion.

In his speech at the dedication, Mr. Sarnoff noted that Friday was—"symbolic of Scranton's second participation in a revolution that is reshaping the life of people everywhere."

He continues:

> In an earlier generation, venturesome men came here to develop the rich veins of coal. This was the fuel of the Industrial Revolution, and it powered new machinery that enlarged the capabilities of the human muscle.
>
> Today, Scranton is part of another great revolution. Its base is electronics, which is amplifying the capabilities of the human mind.
>
> The instruments of this Information Revolution are computers, broadband channels, communications satellites, radio and television. Together, they are transforming our environment, our ways of dealing with one another, and our methods of learning and teaching.
>
> RCA is actively engaged in all principal aspects of the Information Revolution. We make computers and instructional equipment, home instruments and space electronics. We broadcast to the nation through radio and television, and we provide worldwide communications services for business and government. Our various enterprises also include book publishing and the oldest technical training institute in the United States.
>
> It is from this broad base that we hope to widen new horizons of human endeavor through the bringing together of all forms of communication and information handling.
>
> Television will be of central importance in this emerging pattern. Far more than merely a remarkable technological achievement, today it represents a primary source of enlightenment, enrichment, and pleasure. Tomorrow, it will be the visual heart of our unified information systems. Whatever one seeks from the volume and diversity of information available to us, television is—and will continue to be—a basic source.
>
> It is reasonable to believe that the future of this industry will be as bright as the picture tube itself. This confident expectation has led RCA to build this plant. I can assure you that it figures importantly in our plans for the years ahead.
>
> But even more important than the facility itself are the people who serve it. In the last decade, RCA has more than doubled the sales of its products and services to surpass a level of over $2.5 billion annually. This achievement is fundamentally a tribute to the creativity of the many thousands of men and women who make up the RCA family . . .
>
> The staff of our new Scranton plant represents a continuation of this tradition at its finest. The record time in which this plant was placed in production, and its exemplary performance to date, are especially gratifying. I commend all of you who have shared in these accomplishments.
>
> Your vigor and skill are typical of this community, and they demonstrate again one of the principal reasons for our selection of Scranton as the site of this new plant. We are both dedicated to growth. We both accept change as a challenge and we both believe that the future is more significant than the past.
>
> Let us approach our role as new corporate citizens of Scranton in the spirit of mutual enterprise and cooperation. Let us as individuals demonstrate that our citizenship imposes on us the obligation to work for the greater benefit of the community. Let us bring to that objective our skills, our dedication, and above all, our pride in being part of Scranton . . .
>
> Through this mutuality of interest, RCA and Scranton can progress and prosper together. To that end, let us not only dedicate this plant, but let us also dedicate ourselves.

We were fortunate also to have present Mr. Harry R. Seelen, division vice president and general manager, RCA Television Picture-Tube Division, who praised the energy and skill of the fine workers in this new RCA plant, and who pointed out that these employees had set a record for initiating new production on new equipment.

Present also was Mr. Joseph H. Colgrove, general manager of the new Scranton RCA television picture-tube plant, who acted as master of ceremonies for the dedication and who described to the audience the exact function of this plant in the RCA industry.

Pennsylvania's Secretary of Commerce Clifford L. Jones represented Governor Shafer at the dedication and paid deserving tribute to RCA as a great industry and as a most significant employer in the State of Pennsylvania.

Mr. Frank Hemelright, president of the Scranton Chamber of Commerce, and a member of the Pennsylvania Industrial Development Authority, extended the welcome of the city of Scranton to Mr. Sarnoff and his colleagues.

Mr. Speaker, it was indeed a memorable day in the bright new history of Scranton and it is a great pleasure for me to call this day to the attention of you and to my other colleagues here in the Congress.

FEDERAL AND DISTRICT OF COLUMBIA INTERROGATION ACTS OF 1967

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Quillen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I have today joined my good friend, the gentleman from Ohio [Mr. Taft], in introducing his bills, the Federal Interrogation Act of 1967, and the District of Columbia Interrogation Act of 1967.

These measures will establish guidelines, rules, and regulations to govern some phases of interrogation and law enforcement.

All of us are fully aware of the great and rapid increase in crime here in the District and around the country. We must begin now at the Federal level to stem this crime rise, and I think by so doing we can set a good example for the States.

I could not agree with Congressman Taft more than to say that this legislation attempts to provide effective safeguards for our people without unduly diminishing the effectiveness of our law enforcement agencies. It involves the traditional American approach of balancing important interests to advance the public good.

I have unanimous consent that these two bills be recorded in full at this point in the Record, and I urge my colleagues to consider them and join in this effort:

H.R. 8790

A bill to provide comprehensive rules dealing with interrogation which will fully protect the rights and interest of society and the criminally accused

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding existing rules of court, the following shall govern where applicable.

TITLE I

SHORT TITLE

Section 1. This Act may be cited as the "Federal Interrogation Act of 1967."

DEFINITIONS

Sec. 2. When used in this title, unless the context otherwise requires—

(1) the term "Federal law enforcement officer" means any citizen officer of the United States who is authorized to make arrests for offenses committed against the United States.

(2) the term "master of examination" means a special master appointed by and solely responsible to the presiding judge of the United States district court having jurisdiction over the place where the interrogation pending hearing by commissioner occurs.

INVESTIGATION OF CRIME

Sec. 3. (a) Voluntary Cooperation With Law Enforcement Officers.—

(1) Authority to request cooperation.—Federal law enforcement officers engaged in the performance of their duties are invested with authority to request information or cooperation from any person in connection with the investigation or prevention of a Federal crime. Such authority includes the right to request that any such person respond to questions, appear at an office or other installation of the Federal Government, or comply with any other reasonable request: *Provided, however,* That no such officer shall indicate to any person that such person is legally obliged to furnish information or otherwise cooperate if no such legal obligation exists. Compliance with a request for information or other cooperation shall not be deemed involuntary or coerced solely on the ground—

(A) that such request was made by one

known to be a Federal law enforcement officer; or

(B) that such request was made to a person ordered to remain in the officer's presence under section 3(b).

The refusal to give information as requested hereunder shall not be admissible evidence in any later proceeding against the person requested to give such evidence.

(2) Warning to persons requested to appear at an office of the Federal Government.—Whenever a Federal law enforcement officer requests any person to come to or remain at any office or installation of the Federal Government, such officer shall advise such person as to whether an obligation to comply with such request exists at that time.

(b) Stopping of Persons.—

(1) Stopping of persons having knowledge of crime.—A Federal law enforcement officer lawfully present in any place may, if he has reasonable cause to believe that there has been a violation of a Federal criminal statute and that any person has knowledge which may be of material aid to the investigation thereof, order such person to remain in or near such place in the officer's presence for a period of not more than twenty minutes.

(2) Stopping of persons in suspicious circumstances.—A Federal law enforcement officer lawfully present in any place may, if a person is observed in circumstances which suggest that he has committed or is about to commit an act made criminal by a Federal statute, and such action is reasonably necessary to enable the officer to determine the lawfulness of that person's conduct, order that person to remain in or near such place in the officer's presence for a period of not more than twenty minutes.

(3) Action to be taken during period of stop.—A Federal law enforcement officer may require a person to remain in his presence pursuant to subsection (1) or (2) of this section only insofar as such action is reasonably necessary to

(A) obtain the identification of such person;

(B) verify by readily available information an identification of such person;

(C) request cooperation pursuant to and subject to the limitations of section 3(a); or

(D) verify by readily available information any account of his presence or conduct or other information given by such person.

(4) Use of force.—In order to exercise the authority conferred in subsections (1) and (2) of this section, a Federal law enforcement officer may use such force as is reasonably necessary to stop any person or vehicle or to cause any person to remain in the officer's presence.

(5) Action to be taken after period of stop.—Unless a Federal law enforcement officer acting hereunder arrests a person during the time he is authorized by subsections (1) and (2) of this section to require such person to remain in his presence, he shall, at the end of such time, inform such person that he is free to go.

(6) Admissibility of statements.—Voluntary statements, including incriminating statements, made by a person subject to an order to stop as provided in this section shall not be excluded from evidence in a trial involving such person so long as the provisions of this section 3 are complied with. Federal law enforcement officers are not obligated to give the warning specified in section 4(a) or any other warning during the period of time prescribed in this section 3(b), and the failure to give such a warning shall not render any statement made hereunder involuntary or excludable from evidence for any other reason.

Circumstances Requiring Section 4 Warning.—

(1) Implied restriction on liberty.—If a Federal law enforcement officer by specific order or by his conduct indicates that a person is obliged to remain in the officer's presence at any time when no such obligation exists under section 3(b), or fails to inform a person who has been stopped that he is free to go when required to do so by section 3(b)(5), such person shall be accorded all the rights and protections afforded by section 4(a) of this title.

(2) Requests to appear at an office or installation of the Federal Government.—If a law enforcement officer, pursuant to section 3(a), requests any person to come to or remain at an office or installation of the Federal Government, and does not advise such person that no legal obligation exists to comply with such request, such person shall be accorded all the rights and protections afforded by section 4(a) of this title.

WARNINGS TO BE GIVEN UPON ARREST

Sec. 4. (a) Procedures on Arrests: Warning.—Upon making any arrest, a Federal law enforcement officer shall as promtply as is reasonable under the circumstances—

(1) identify himself unless his identity is otherwise apparent;

(2) inform the arrested person that he is under arrest and the cause of the arrest, unless the cause appears to be evident;

(3) warn such person that he is not obliged to say anything or answer any questions, that anything he says may be used as evidence against him; that he has a right to be represented by counsel, and if he cannot afford one, one will be appointed for him; that he will be appearing without unnecessary delay before a commissioner; and that upon arrival at the office or installation of the Federal Government he will be permitted to communicate by telephone with counsel, relatives, or friends.

(b) Appearance Before Commissioner.—An arrested person shall be taken without unnecessary delay before the nearest available commissioner or any other nearby officer empowered to commit persons charged with offenses against the laws of the United States.

(c) Interrogation Pending Hearing by Commissioner.—

(1) Renewal of warning.—Any person arrested, if not released, shall be brought promptly by the most direct route to an office or other installation of the Federal Government. The arrested person may be interrogated while being transported to such office or other installation. Upon arrival at the office or installation of the Federal Government, any arrested person who is to be interrogated shall immediately be brought before a master of examination who shall supervise any subsequent interrogation. The master of examination shall repeat the warning required by section 4(a)(3), shall inform the arrested person that he or his representative will supervise any further interrogation to insure that it is fair and proper, and shall contact and arrange for the presence of retained or appointed counsel, if either has been requested.

(2) Telephoning rights.—An arrested person shall be given a reasonable opportunity upon arrival at the office or installation of the Federal Government to use the telephone to consult in private with counsel or any friend or relative.

(3) Continued interrogation.—For a period of three hours commencing with the completion of the reasonable use of the telephone provided by section 4(c)(2), or, if no telephoning, commencing upon completion of the warning provided in section 4(c)(1), the arrested person may be interrogated by officers of the United States, notwithstanding the fact that neither retained or appointed counsel nor any relative or friend of the arrested person has appeared to consult with the accused. Such continued interrogation shall be supervised by a master of examination who shall order the termination of the interrogation at any time that he finds that the methods of interrogation used are reasonably calculated to elicit an involuntary response or that the arrested person does not comprehend the rights contained in the warning provided in section 4(a). At any time during the continued interrogation, the master of examination shall be authorized to suspend the interrogation in order to repeat the aforesaid warning. If retained or appointed counsel (or a friend or relative if no counsel has yet appeared) arrives at the offices or installation of the Federal Government where the interrogation is in process, such person shall have immediate access to the arrested person. Upon the arrival of any such friend or relative (if no counsel has yet appeared) the interrogation may continue for the balance of the three-hour period, but the arrested person shall be permitted to have any one such relative or friend present. After the arrival of counsel, retained or appointed, or the expiration of the three-hour period herein provided, whichever may first occur, there shall be no further interrogation without counsel being present. If during said three-hour period, it becomes reasonable to take the arrested person before a commissioner the interrogation must cease and the hearing provided for in section 4(b) held.

(d) Admissibility of statements.—Voluntary statements including incriminating statements made by a person arrested by a Federal law enforcement officer shall not be excluded from evidence in a trial involving such person so long as the provisions of this section 4 are complied with. The master of examination shall make a report as to all interrogations supervised and deposit same with the court. In any case where there is an issue as to the voluntariness of any confession or other statement, said master of examination shall testify, or if he is dead, disabled, or otherwise not reasonably able to appear, then his report shall be admitted into evidence on the question of voluntariness. Master of examination shall employ any manual or mechanical means to keep a record of interrogation conducted in his presence.

PENALTIES

Sec. 5. The use of coercion, threats, or promises of leniency by a Federal law enforcement officer for the purpose of eliciting a confession shall constitute a misdemeanor and shall be punishable by a fine not to exceed $1,000.

H.R. 8789

A bill to provide comprehensive rules for the District of Columbia dealing with interrogation which will fully protect the rights and interest of society and the criminally accused

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "District of Columbia Interrogation Act of 1967".

DEFINITIONS

Sec. 2. When used in this Act, unless the context otherwise requires—

(1) the term "District law enforcement officer" means any citizen officer of the District of Columbia who is authorized to make arrests for violations of the criminal laws in effect in the District of Columbia.

(2) the term "master of examination" means a special master appointed by and solely responsible to a judge of the United States District Court for the District of Columbia or a judge of the District of Columbia Court of General Sessions.

INVESTIGATION OF CRIME

Sec. 3. (a) Voluntary Cooperation With Law Enforcement Officers.—

(1) Authority to request cooperation.—District law enforcement officers engaged in

the performance of their duties are invested with authority to request information or cooperation from any person in connection with the investigation or prevention of a violation of a criminal law in effect in the District of Columbia. Such authority includes the right to request that any such person respond to questions, appear at an office or other installation of the District of Columbia government, or comply with any other reasonable request. No such officer shall indicate to any person that such person is legally obliged to furnish information or otherwise cooperate if no such legal obligation exists. Compliance with a request for information or other cooperation shall not be deemed involuntary or coerced solely on the ground—

(A) that such request was made by one known to be a District law enforcement officer; or

(B) that such request was made to a person ordered to remain in the officer's presence under subsection 3(b) of this section.

The refusal to give information as requested hereunder shall not be admissible evidence in any later proceeding against the person requested to give such evidence.

(2) Warning to persons requested to appear at an office of the District of Columbia government.—Whenever a District law enforcement officer requests any person to come to or remain at any office or installation of the District of Columbia government, such officer shall advise such person as to whether an obligation to comply with such request exists at that time.

(b) Stopping of Persons.—

(1) Stopping of persons having knowledge of crime.—A District law enforcement officer lawfully present in any place may, if he has reasonable cause to believe that there has been a violation of a criminal law in effect in the District of Columbia and that any person has knowledge which may be of material aid to the investigation thereof, order such person to remain in or near such place in the officer's presence for a period of not more than twenty minutes.

(2) Stopping of persons in suspicious circumstances.—A District law enforcement officer lawfully present in any place may, if a person is observed in circumstances which suggest that he has committed or is about to commit an act made criminal by a law in effect in the District of Columbia, and such action is reasonably necessary to enable the officer to determine the lawfulness of that person's conduct, order that person to remain in or near such place in the officer's presence for a period of not more than twenty minutes.

(3) Action to be taken during period of stop.—A District law enforcement officer may require a person to remain in his presence pursuant to paragraph (1) or (2) of this subsection only insofar as such action is reasonably necessary to—

(A) obtain the identification of such person;

(B) verify by readily available information on identification of such person;

(C) request cooperation pursuant to and subject to the limitations of subsection (a) of this section; and

(D) verify by readily available information any account of his presence or conduct or other information given by such person.

(4) Use of force.—In order to exercise the authority conferred in paragraphs (1) and (2) of this subsection, a District law enforcement officer may use such force as is reasonably necessary to stop any person or vehicle or to cause any person to remain in the officer's presence.

(5) Action to be taken after period of stop.—Unless a District law enforcement officer acting hereunder arrests a person during the time he is authorized by paragraphs (1) and (2) of this subsection to require such person to remain in his presence, he shall, at the end of such time, inform such person that he is free to go.

(6) Admissibility of statements.—Voluntary statements, including incriminating statements, made by a person subject to an order to stop as provided in this section shall not be excluded from evidence in a trial involving such person so long as the provisions of this section are complied with. District law enforcement officers are not obligated to give the warning specified in subsection (a) of section 4 of this Act or any other warning during the period of time prescribed in this subsection, and the failure to give such a warning shall not render any statement made hereunder involuntary or excludable from evidence for any other reason.

(c) Circumstances Requiring Section 4 Warning.—

(1) Implied restriction on liberty.—If a District law enforcement officer by specific order or by his conduct indicates that a person is obliged to remain in the officer's presence at any time when no such obligation exists under subsection (b) of this section, or fails to inform a person who has been stopped that he is free to go when required to do so by paragraph (5) of such subsection, such person shall be accorded all the rights and protections afforded by section 4 of this Act.

(2) Requests to appear at an office or installation of the Federal Government.—If a District law enforcement officer, pursuant to subsection (a) of this section, requests any person to come to or remain at an office or installation of the District of Columbia government, and does not advise such person that no legal obligation exists to comply with such request, such person shall be accorded all the rights and protections afforded by section 4 of this Act.

WARNINGS TO BE GIVEN UPON ARREST

Sec. 4. (a) Procedures on Arrest: Warning.—Upon making any arrest, a District law enforcement officer shall as promptly as is reasonable under the circumstances—

(1) identify himself unless his identity is otherwise apparent;

(2) inform the arrested person that he is under arrest and the cause of the arrest, unless the cause appears to be evident;

(3) warn such person that he is not obliged to say anything or answer any questions, that anything he says may be used as evidence against him; that he has a right to be represented by counsel, and if he cannot afford one, one will be appointed for him; that he will be appearing without unnecessary delay before an officer empowered to commit persons charged with offenses against the laws in effect in the District of Columbia (hereafter in this section referred to as a "committing officer"); and that upon arrival at the office or installation of the District of Columbia government he will be permitted to communicate by telephone with counsel, relatives, or friends.

An arrested person shall be taken without unnecessary delay before the nearest available committing officer.

(c) Interrogation Pending Hearing by Committing Officer.—

(1) Renewal of warning.—Any person arrested, if not released, shall be brought promptly by the most direct route to an office or other installation of the District of Columbia government. The arrested person may be interrogated while being transported to such office or other installation. Upon arrival at the office or installation of the District of Columbia government, any arrested person who is to be interrogated shall immediately be brought before a master of examination who shall supervise any subsequent interrogation. The master of examination shall repeat the warning required by paragraph (3) of subsection (a) of this section, shall inform the arrested person that he or his representative will supervise any further interrogation to insure that it is fair and proper, and shall contact and arrange for the presence of retained or appointed counsel, if either has been requested.

(2) Telephoning rights.—An arrested person shall be given a reasonable opportunity upon arrival at the office or installation of the District of Columbia government to use the telephone to consult in private with counsel or any friend or relative.

(3) Continued interrogation.—For a period of three hours commencing with the completion of the reasonable use of the telephone provided by paragraph (2) of this subsection, or, if no telephoning, commencing upon completion of the warning provided in paragraph (1) of this subsection, the arrested person may be interrogated by officers of the District of Columbia government, notwithstanding the fact that neither retained or appointed counsel nor any relative or friend of the arrested person has appeared to consult with the accused. Such continued interrogation shall be supervised by a master of examination who shall order the termination of the interrogation at any time that he finds that the methods of interrogation used are reasonably calculated to elicit an involuntary response or that the arrested person does not comprehend the rights contained in the warning provided in subsection (a) of this section. At any time during the continued interrogation, the master of examination shall be authorized to suspend the interrogation in order to repeat the aforesaid warning. If retained or appointed counsel (or a friend or relative if no counsel has yet appeared) arrives at the offices or installation of the District of Columbia government where the interrogation is in process, such person shall have immediate access to the arrested person. Upon the arrival of any such friend or relative (if no counsel has yet appeared) the interrogation may continue for the balance of the three-hour period, but the arrested person shall be permitted to have any one such relative or friend present. After the arrival of counsel, retained or appointed, or the expiration of the three-hour period herein provided, whichever may first occur, there shall be no further interrogation without counsel being present. If during said three-hour period, it becomes reasonable to take the arrested person before a committing officer, the interrogation must cease and the hearing provided for in subsection (b) of this section held.

(d) Admissibility of Statements.—Voluntary statements, including incriminating statements made by a person arrested by a District law enforcement officer, shall not be excluded from evidence in a trial involving such person so long as the provisions of this section are complied with. The master of examination shall make a report as to all interrogations supervised and deposit same with the court. In any case where there is an issue as to the voluntariness of any confession or other statement, said master of examination shall testify, or if he is dead, disabled, or otherwise not reasonably able to appear, then his report shall be admitted into evidence on the question of voluntariness. Master of examination shall employ any manual or mechanical means to keep a record of interrogation conducted in his presence.

PENALTIES

Sec. 5. Penalties.—The use of coercion, threats, or promises of leniency by a District law enforcement officer for the purpose of eliciting a confession shall constitute a misdemeanor and shall be punishable by a fine not to exceed $1,000.

THE WARSAW UPRISINGS: A COMMEMORATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, courage is one of the qualities of man which succeeds in uplifting human stature. Thrown back, man has yet raised his head. He has shown valor and nobility amidst danger and despondency. He has proved that the spirit of man is insuppressible.

Never was this clearer than during World War II when the German Army blazed an infamous trail through the heart of Poland. By 1938, Hitler had already achieved his "anschluss" with Austria and had enveloped Czechoslovakia in his "lebensraum" operation. By August 1939, he had maneuvered a strategic tour de force in the Nazi-Soviet Non-Aggression Pact. An agreement that the Soviet Union will never be able to live down; a move of expediency which will forever live in infamy. The next step was as clear as the proverbial handwriting on the wall. Poised for his downward swoop, Hitler surveyed Poland stretched out defenseless and unprepared before the high-speed, heavily armored German Army.

On September 1, 1939, Hitler attacked; within a month Poland was under German occupation.

For 5 years the Polish people lived under German rule suffering the exactions of war and the ignominy of occupation. Their leaders were forced to flee to London and to establish a government-in-exile far removed from their own people. Their soldiers defended home territories as best they could and then joined the ranks of Allied armies, first battling alongside the French and later distinguishing themselves among the ranks of the British. The Polish underground worked steadfastly and surreptitiously, hoping to build up enough strength to blast the Germans from their land.

German tactics toward the Polish people were not of one sort. The population was divided into Jews and non-Jews, with correspondingly different treatment. In Warsaw, about 400,000 Jews were herded into a ghetto comprising only a small part of the city. Living in squalid, dirty, disease-infested conditions, thousands of Jews died within the ghetto walls. Those who survived the cold, the starvation and the typhoid fever were transported to "resettlement camps" such as Treblinka, Oswiecim, Belzec, and Majdanek. There they were to meet a brutal death in a gas chamber or before a firing squad.

Between July and October of 1942, 300,000 Jews were deported from the Warsaw ghetto to concentration camps. By April 1943, there were only about 60,000 Jews left in the ghetto and even fewer that were still sound in body and in spirit.

And yet, this handful of people, pitted against the indifference of the outside world and the overwhelming might of the German Army, chose to make a final valiant stand. The policy of appeasement, the policy of hope had failed. Only one thing remained—to fight and salvage their last vestige of pride. The outcome was foreclosed even before the Jews had made their first sign of resistance; this they knew and this they disregarded. Courage replaced disgust and discouragement.

On April 19, 1943, when the Germans entered the gates of the Warsaw ghetto, the Jewish fighting organization showered them with bullets and handmade grenades. Resistance continued for a long and painful month, the Jews steadily losing men and blood but gaining glory and respect. They were finally suppressed by the German Army but their memory and their valor lives on.

A year later, on August 1, 1944, the spark of heroism was seen anew as the Polish people raised up arms against their German oppressors. The entire city became a battle scene, with men, women, and children struggling desperately and courageously against the foreign dictator. They had been cowed and intimidated and tyrannized for 5 years. A will to fight was born, discarding resignment and arousing courage.

The Polish fighters hoped their battle cry would be echoed by the Allied forces who would come to their aid. The Soviet Army lay just beyond the Vistula; Radio Moscow urged the Polish Home Army to attack, but did nothing to assist them.

The Polish people were bitterly disappointed. They fought valiantly and courageously, but they fought alone. No assistance was forthcoming from the Red army. Instead, the Soviets waited out the final destruction of the Polish resistance and then advanced on Warsaw to occupy the destroyed and abandoned city.

And yet, the Polish people did not fight in vain. They proved by their courage that love of liberty cannot be suppressed. The Polish chose to fight for their freedom and for their country. For this we can only admire and respect them.

On this day, let us honor the uprising of the Jews in the ghetto and the Poles in Warsaw for their valor. Let us remember that the human spirit has untapped sources of strength and when called upon may evoke nobility of character and an unfaltering sense of purpose. The efforts of a few men have therefore served to inspire all men. The deaths of the people of Warsaw in their struggles against a mighty enemy have been vindicated by the example and the inspiration they have left behind for their successors. Some day, too, they will throw off the yoke of Communist dictatorship and once again live as truly free men.

NEED TO REVISE SELECTIVE SERVICE LAW—XLIX

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, at the draft hearings held by the Senate Subcommittee on Employment, Manpower, and Poverty, Assistant Secretary of Defense Morris displayed his usual rigid, negative thinking with respect to the possibility of creating an all volunteer force. Morris claimed that a voluntary system of military manpower recruitment would supply only 2 million of the 2.7 million men that will probably be needed in the 1970's. He also referred once again to the $4 billion to $17 billion figure that the Defense Department economists estimate to be the amount necessary to meet the increased military payroll and related costs of a voluntary system.

Morris' figures and studies are based on the need for an annual recruitment of approximately 550,000 men to support a 2.7 million man military force. They do not consider the benefits and savings that would be obtained from a voluntary force. For example, the retention rate of military personnel under a voluntary system would be increased considerably. Economically speaking, the reenlistment of one man, alone, saves the Government more than $7,000 in enlistment, training and transportation expenses.

The training of a defense missile guidance mechanic comes to about $10,400. Statistically, however, this mechanic will not remain beyond his original period of obligation. Furthermore, there may not even be a need for as many as 550,000 new entrants each year to support a military strength of 2.7 million. But, Defense Department experts do not take these savings into account in their studies. Our colleague, the distinguished gentleman from Missouri [Mr. CURTIS] wrote to Mr. Morris last year, asking for additional information on what savings could be accomplished through a change in recruiting and other personnel policies. He was informed that "no estimates were made for the draft study of the combined effects of improvements in fringe benefits upon the rate of volunteering."

The basic problem of the military is the high rate of personnel turnover. What does this do to military efficiency and morale? Ralph Cordiner, in his 1957 report, described the situation at many training camps:

> I found antagonism and bitterness over the draft. They were checking off the days until they get out. We must devote 25 percent of our military effort to training men who don't stay. The trainers are discouraged. They resemble the poor teacher whose every class flunks.

For some draftees, the feeling and emotion they experience when leaving military service can best be described in words written by Dostoyevsky, "Liberty! New Life!" This poor personnel retention rate, in which one in approximately six departs annually, adds up to an immense manpower and economic waste each year. But, the Department of Defense experts and economists do not appear to be concerned about this problem as long as they can use the draft to obtain the necessary replacements.

Mr. Speaker, despite what Mr. Morris and his experts have to say on this subject, an adequately compensated voluntary force not only will supply the necessary numbers of men, but also, at a great savings in time and training costs.

THE TEACHER CORPS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, our foremost concern among those who live in poverty today are the children. They are the one best hope for the future of that part of our population, and until the Teacher Corps came along, countless children, who lived in poverty, were destined to receive an inferior education and therefore were handicapped in efforts to rise out of their environment. The Teacher Corps has shown that many children can be reached, their awareness awakened and their horizons broadened.

We here in Congress have a natural interest in the Teacher Corps especially since the President has asked us to expand it to five times its original size by 1968. I therefore found most valuable an article in the April issue of the American Federationist, official monthly magazine of the AFL–CIO, written by Richard A. Graham, director of the Teacher Corps, now a part of the U.S. Office of Education. Mr. Graham headed the Peace Corps program in Tunisia and served as a member of the Equal Employment Opportunity Commission before he took over as Director of the Teacher Corps.

Mr. Speaker, I insert Mr. Graham's article, "The Teacher Corps—It Works," to be reprinted in the RECORD, as follows:

THE TEACHER CORPS

(By Richard A. Graham)

Can a nation enjoying unprecedented economic prosperity ignore some 5 million children in poverty and force them to accept second-rate education and its grim consequences just because they are poor?

President Johnson has answered "no" by calling up new troops to join in the battle against poverty of the mind. They are the Teacher Corps, a group of 1,200 apprentices and veteran teachers now serving in 111 school districts across the country.

Now the President has asked the Congress to expand the Corps to five times its present size by 1968 to provide what he called a "symbol of hope" for poor children across the country.

Established in November 1965 as part of the Higher Education Act, the Teacher Corps is designed to train prospective teachers in the special methods needed to successfully teach the poverty child. The Corps, however, was not able to get fully into operation until it received all its funds in October 1966.

Today, thanks to its work in 29 states, the Teacher Corps is proving it can make good on its promise.

In mid-March, Life magazine said of the Corps: "At these prices, it remains the best bargain in the federal education program."

The Corps has gone where it was wanted and needed into the understaffed, over-populated schools of America's urban ghettos and rural slums. It has done the job it was asked to do—helping overworked classroom teachers while it trained new teachers for the toughest job in education—teaching students who had no incentive to learn; who would rather have three square meals a day than a diploma.

How has the Teacher Corps accomplished these ends in six short months?

It cannot be judged either in dollars and cents or statistics—only in terms of children.

A success story in Solidad, California; another in Conway, Arkansas, added to reports from Teacher Corps programs across the country, add up to this: it works.

One such story was reported recently by one of four participating colleges in New York City. A teacher-intern is working with a small group of 10-year-olds who had been written off as "social adjustment problems." They skipped class regularly and already had police records.

At the request of the principal, the corpsman set up a special program that takes these children from their regular classrooms for scheduled periods each week. It is paying off in two ways: the boys no longer dominate the class and overpower the teacher. And they are getting needed guidance and a teacher they can talk to man-to-man. The young corpsman didn't realize how well he had won these boys over until he got a call from one of the boys' older brothers—a high school dropout. The older boy just wanted to know if the corpsman had time to teach him and his pals how to read. The corpsman dug into his own pocket for rent on a storefront where he holds night classes for the dropouts.

The kids aren't the only ones who appreciate the corpsmen. Parents in Arkansas and an impoverished Appalachian area also have expressed their thanks to local corpsmen with daily gifts of precious home-grown fruits and vegetables.

Stories like these suggest that corpsmen have made the program work not only in the classrooms but in the school neighborhoods. Community acceptance is an important part of their work and training.

In Brooklyn, corpsmen have organized storefront centers which serve as social spots as well as training centers where women can learn typing and shorthand.

In Philadelphia, evening "arm chair" classes have been organized for illiterate adults. In Minneapolis, Minnesota, a community library was stocked by corpsmen who managed to get 1,000 paperback books donated by an understanding publisher. In southern Texas, corpsmen took mothers on their first tour of a big city supermarket.

There are other examples, but they all point up the fact that the teacher in the slums gets through to his students best if he is part of the scene—part of the child's daily life.

This way the corpsmen have learned how poverty limits a child's experiences and slows down the learning process. It is common in ghetto schools to find youngsters two years behind the average by the time they reach third grade, hopelessly behind by the time they should be ready for high school.

Although unequal educational opportunities are so often defined in terms of a racially imbalanced school, corpsmen have learned that it means much, much more.

In a slum school, 35 youngsters of varying background and abilities are often grouped together and expected to perform at the same speed and grade level. It just doesn't work but, in an overcrowded schoolroom manned by an over-burdened teacher, this is the only way the school can keep its doors open.

How does the corpsman help? On the one hand, by taking the child who learns slowly and giving him personal, patient attention. On the other, by working with gifted students, giving them the extra push and confidence which will get them through high school, perhaps into college.

In one junior high school in Washington, D.C., for example, a young corpsman is now giving daily literature lessons to four exceptional students who have been coasting along in their regular English class. The course is held during half of the children's lunch period and runs 30 minutes. Books must be read at home and the children must be prepared to discuss them, in depth. The questions posed by the corpsman are tough and provocative—they are making these children think as they have never had to think before. The group is currently reading The Taming of the Shrew and short stories by Salinger—heavy going even for the average college freshman.

"We've got to tax these kids," says one intern from Arkansas. "It doesn't matter if they are bright or below average—whatever their abilities, you have got to push them. You have to make them want to overreach. They enjoy it. Failure is a built-in commodity in the slums. It's expected, accepted. Success, however, is understood and means something very special to these kids. And they recognize it and love it."

How to give these children the extra push varies from Teacher Corps project to project. Since local school administrators determine how and where corpsmen can best be used, each corps member's assignment and academic preparation differs. Their work is specifically geared to the needs of the local schools they are serving. In fact, the local school administrators work closely with the corpsmen's training institutions to develop the two-year graduate work-study program.

In Chicago, public schools work with a group of colleges and universities to develop the Teacher Corps program. Corps activities here center on developing the urban child's language skills.

In Canada, Kentucky, the focus is different. This remote, rural area requires the corpsmen to introduce the children to life beyond the hills, to teach them about newspapers, telephones, escalators and restaurants, things almost taken for granted by the urban poverty child.

In Rio Grande City, Texas, teaching English as a second language is the corpsmen's priority. Here, 95 percent of the children are Spanish-speaking and start school not knowing a word of English.

Although the Teacher Corps has proved itself, its future may be uncertain. The Corps will require renewed congressional authorization and appropriations.

The Teacher Corps has support in the top areas of government. It has support at the bottom in the children the Corps is helping, the college faculties who are learning much about training teachers from the Corps and in the teachers who welcome the help.

It needs more support in the middle. It needs the support of all those who believe every boy and girl has a right to a good education, no matter how poor their homes.

HE SERVED US WELL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, Vice President HUBERT H. HUMPHREY performed a valuable but difficult task on his recent trip to Europe. During his conferences with leaders of many nations, he reaffirmed and strengthened friendships and alliances dating back to World War II and beyond.

The Detroit News, on April 12, published an editorial praising the Vice President for a successful mission. I am pleased to place this editorial in the CONGRESSIONAL RECORD:

HUMPHREY'S MISSION TO EUROPE: HE SERVED US WELL

Vice-President Humphrey faced a thankless task in conferring with our European allies, but he acquitted himself superbly.

He took with him no new master plan for revived unity—Washington hasn't got one. His assignment was to try to straighten out misunderstandings that have arisen across the Atlantic in the political-military field and to assure our NATO allies our deep involvement in Vietnam does not mean we have downgraded our basic ties to Europe.

What caught many headlines in this country were the demonstrations of protest against American policies Humphrey encountered almost everywhere he visited. These incidents have to be placed in perspective, however. The perpetrators were those on the extremist fringe. In Italy, France and Germany, they were Communist originated.

Humphrey was superbly equipped for his mission, perhaps more so than the President himself. His frankness, his composure under stress, his unfailing optimism and his capacity to field questions on complex topics and to break those topics down so they could be readily understood served this nation well.

The clue to our difficulties with Europe lies in what Humphrey said publicly when the President greeted him at the White House on his return. "The postwar era is over," the vice president said. It is, and Americans are slow to realize that. We have become the captives of our successful policies in a world that has changed since those policies were inaugurated. NATO has served the West so well we can't take it for granted. But we have been doing just that, and if De Gaulle hadn't tried to wreck that alliance, others would have demanded a reassessment of NATO's purpose and planning.

It is true our preoccupation with Vietnam has tended to make us lax about repairing our fences in Europe which is still, strategically and politically, our most vital interest of all. And it is also true Europe took the United States for granted—along with our nuclear arms—until Vietnam created doubts.

Europe and the United States are at cross purposes, too, in attitudes toward the Soviet Union and East Europe. Convinced Moscow no longer presents a direct military threat, West Europe has been establishing a new and profitable relationship with the East, particularly in trade. When Mr. Johnson, on the same tack, talks of building bridges of understanding to the East, Europe first welcomes it—and then begins to suspect Washington and Moscow may be cooking up some deal to settle World War II's unfinished business behind Europe's back.

Humphrey told the leaders of all seven nations we'll settle nothing with Moscow that's contrary to our pledges to our allies. We couldn't even if we tried to, in any event. Even on the nonproliferation pact, Washington and Moscow have to carry their allies with them. Otherwise, the deal's off. But Humphrey did say, "There will be no back room deals."

That was why he was sent and it is a measure of the deterioration of trans-Atlantic understanding that his journey was necessary. Humphrey couldn't remove all suspicion. But he has allayed a fair amount. Our prime purpose now must continue to be to convince Europe that their vital interests are still unqualifiedly ours, too.

LEGISLATIVE PROTECTION FOR AGRICULTURAL WORKERS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the AFL–CIO Executive Council recently adopted a statement on legislative protection for agricultural workers which I hope all our colleagues have taken the time to read.

As the statement points out, 1966 was a significant year for farmworkers because, for the first time, Congress voted to extend to some of them the protections of the Fair Labor Standards Act. It is true that only 30 percent of all farm laborers were brought under the act by the Fair Labor Standards Amendments of 1966, but that was at least a start. Hopefully, we will do better in the future.

The AFL–CIO statement on agricultural workers declares that farm labor continues to be denied "almost all of the rights and benefits enjoyed by other workers under Federal and State laws" in spite of the modest improvements of 1966.

One of the actions Congress ought to take to ease the plight of farm laborers would be extension to them of the right to bargain collectively under the National Labor Relations Act—a right which the great majority of other workers, who enjoy much better economic conditions, take for granted. I have introduced legislation (H.R. 4769) to extend the coverage of the NLRA to agricultural workers, and I hope it will be favorably considered this year.

Mr. Speaker, I think readers of the CONGRESSIONAL RECORD might find the AFL–CIO resolution on agricultural workers interesting, and I will have it printed as part of my remarks at this point in the RECORD:

LEGISLATIVE PROTECTION FOR AGRICULTURAL WORKERS

(Statement by the AFL–CIO Executive Council, Feb. 25, 1967)

While significant gains were made last year in the effort to relieve the plight of farm workers, they still are the most exploited group in the American labor force.

In 1966, the Congress voted to include about 30% of all farm workers under the federal Fair Labor Standards Act. Until then, all farm workers had been excluded from wage-hour protection since it was first established 30 years ago.

Despite this first modest step, agricultural workers continue to be denied almost all of the rights and benefits enjoyed by other workers under federal and state laws. And because of these unjustifiable exceptions, farm workers continue to be cruelly exploited by the large and profitable agribusinesses that employ most of them.

Agricultural workers—who for so long have been unable to fight effectively against economic oppression—should now be safeguarded by federal law in their right to organize and to bargain collectively, as are other workers. Their exclusion from the protection afforded by the National Labor Relations Act must now be ended.

Agricultural workers—most of whom are still paid wages far below the poverty level—should now be fully and equitably covered under the minimum-wage, maximum-hours and child-labor provisions of the Fair Labor Standards Act.

Agricultural workers—the most insecure group in the labor force—have been forced almost universally to bear the total brunt of their own unemployment. The time has come for their inclusion under all unemployment compensation laws.

Agricultural workers—employed in one of the nation's most hazardous industries—must have the protection of workmen's compensation laws in all states, not just a minority of them.

In addition, the time has come to protect American farm workers from the adverse effect of federally-sanctioned foreign farm labor import programs, by finally terminating all of them.

Moreover, a really significant effort must be made by governments at all levels to improve housing standards, health protection and educational opportunities for agricultural workers, particularly for migrant farm workers and their families.

In the most affluent nation of the world, and supposedly the most humane, the substandard status suffered by the three million Americans who work for wages in agriculture can no longer be tolerated.

The AFL–CIO will not be content until these fellow Americans enjoy the same opportunities to better their lives as are available to other working people. We are determined to help them achieve the same legislative safeguards and the same access to the benefits of collective bargaining now enjoyed by other American workers.

SUPPORT FOR CONSTRUCTION SAFETY ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, in yesterday's mail, I received a copy of a letter addressed to the President in support of H.R. 2567, the construction safety legislation which I have introduced in this Congress.

Mr. Norman Crenshaw, the writer of the letter, makes a persuasive case for passage of H.R. 2567, and I include it as part of my remarks for the information of Members of Congress and other readers of the RECORD. The text of the letter follows:

APRIL 12, 1967.

Hon. LYNDON BAINES JOHNSON,
President of the United States,
Washington, D.C.

DEAR PRESIDENT JOHNSON: You have an opportunity to perform a great service to a large segment of the working men of this country. Those to whom I refer are the construction workers . . . and there are several million of them.

The construction trades have always been a very hazardous way for a man to make his living. And very little improvement is being made except in isolated instances.

During the fifteen years I worked as a bricklayer, I have seen men killed by falling into an unbarricaded deep hole, by a swinging stage scaffold collapsing when a rotten rope broke and when the banks of a trench caved in and crushed a man to death.

In none of these instances were there even rudimentary safety precautions being taken.

Today these same conditions still prevail and construction workers are still being killed on the job. Last year (1966) there were 42 fatalities and over 3300 lost time accidents on construction in Michigan alone.

Michigan has a Construction Safety Act but it has no adequate provisions for enforcement. The inspectors can only suggest safety improvements.

Over the past twenty years the accident rate in construction in this country has actually been rising, both numerically and percentagewise, while the rates in practically all other major industries have been drastically reduced.

In 1945 the injury rate in construction was 19 disabling injuries for every million man-hours worked. These resulted in 2270 days lost. By 1965 these figures had jumped to 28 disabling injuries with 2642 days lost for each million man-hours worked.

For every disabling injury, the average time lost by the construction worker is 93 days. During 1965 construction workers lost 22,500,000 days because of injuries in this nation.

This gives you some idea of the seriousness of the situation and how badly we in the industry need your help.

There is a bill before the Congress right now which would go a long way toward alleviating most of the conditions that cause or contribute toward these accidents. It is H.R. 2567 and is known as the Construction Safety Act.

If passed, this law would result in the promulgation of a set of Construction Safety Standards nationwide which are badly needed.

This bill contains adequate provision for enforcement and it would cover all jobs in excess of $20,000, in which any Federal money is used. Today that means most major projects.

This should be a non-controversial piece of legislation which should receive the support of every person who is concerned with the well being of his fellow man.

If you actively support this bill, or a similar one, through to successful enactment, you will be enhanced in the eyes of every man working on construction in this country.

I personally want to sincerely thank you for all the help you can give us in getting this legislation which is so much needed.

Sincerely,

NORMAN CRENSHAW.

FLINT, MICH.

POSTMASTER GENERAL O'BRIEN'S PROPOSAL TO CONVERT THE POST OFFICE INTO A NONPROFIT GOVERNMENT CORPORATION DRAWS EDITORIAL COMMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. UDALL. Mr. Speaker, Postmaster General O'Brien's proposal to convert the Post Office into a nonprofit Government corporation and President Johnson's appointment of a top-level special commission to study the idea has drawn widespread editorial comment. Generally, newspapers in every section of the country have found Mr. O'Brien's plan bold, refreshing, and worthy of serious study and consideration. And President Johnson's reaction to Mr. O'Brien's recommendation and the caliber of the commission he has appointed to review it also have won the applause of the press. I insert in the RECORD at this point selected excerpts from editorials appearing in the following newspapers:

The Baltimore Sun: "The commission is a good one: headed by a former board chairman of American Telephone and Telegraph, and including several well-known business men, a labor leader, a Washington attorney, an educator and a former Government official now heading a giant foundation."

New York Post: "President Johnson has acted wisely in naming a special commission to investigate the postal system and to recommend a modern reorganization of its program.

"The commission will take up Postmaster General O'Brien's proposal for a nonprofit postal corporation, along with other ideas. Some may be better, but O'Brien is correct in arguing that some cure must be found for the deficit plague which has weakened his department for so many years.

"We hope the commission will undertake the job with the individual handling and speed that denote special delivery."

Newark Evening News: "President Johnson has assembled an eminent and representative commission to examine the postal system, which certainly needs examination."

The Richmond News Leader: "It appears to us as having great merit, for the reason that there is no realistic hope that the problems of the Post Office can ever be solved under the system of divided responsibility that now prevails—with the Congress unwilling to provide the money required and the Post Office unable to handle the mountains of mail within its present revenues."

The Wichita Eagle: "It would be a drastic step, to jerk the Post Office out of politics, but that, apparently, is what has kept the Post Office operating inefficiently despite manful efforts of a few reformers, and the cries of the public that something be done.

The Cleveland Plain Dealer: "O'Brien's suggestion is a drastic one but it could, when further developed, provide the answer to the growing postal problem."

The Denver Post: "Most provocative idea of the week has to be Postmaster General Lawrence O'Brien's proposal to turn the job of delivering the nation's mails over to a nonprofit corporation similar to the Tennessee Valley Authority."

The Washington Daily News (D.C.): "But if the commission functions objectively and produces a useful plan, no matter how drastic, it could have a lot to do with persuading Congress to take the steps which obviously are necessary."

Sioux Falls Argus-Leader: "Surely O'Brien's recommendations merit careful study. The Post Office Department is in difficulty and it is obvious that something must be done if its operations are to be maintained on a high level of efficiency."

The Cedar Rapids (Iowa) Gazette: "We will say, however, that O'Brien's suggestion that the postmaster general be removed from cabinet status makes considerable sense. The post office department is primarily a service enterprise and its competent direction is essentially an administrative job."

Buffalo Courier Express: "Mr. O'Brien is to be commended for proposing a giant step in postal reform, a matter of urgency in the opinion of most users of the mails."

The Kansas City (Mo.) Times: "Whether or not O'Brien's proposal was made in complete seriousness, it bears the mark of anguish. He is a responsible man buried under a mountain of mail that never diminishes but continues to increase. He is frustrated. He wants the government to take a new look at the task and perhaps it is time the government listened."

The News and Observer (Raleigh, N.C.): "The proposal clearly represents a bold and innovative attempt to restructure a system which continues to cost the American taxpayer more and more money for what often seems less and less speed and efficiency."

Asheville (N.C.) Citizen: "Larry O'Brien is inviting, in effect, the elimination of his own job, but we think Congress should consider seriously the Postmaster General's recommendation. The Larry O'Briens of our time can get other jobs—and undoubtedly better ones."

Intelligencer-Journal (Lancaster, Pa.): "The O'Brien proposal cannot be dismissed as a political gimmick, however. There is plenty of evidence to back his description of the Post Office Department as a 'tottering structure' increasingly hard put to cope with an enormous rise in mail volume. Something clearly must be done—something far more basic than the proposed rate increase. Before the service collapses under the burden of functioning with antiquated methods and rate structure, Congress should consider fundamental revision of the system. The postmaster general's recommendations will at least serve as a good springboard for hearings and debate with that end in mind."

Seattle Post-Intelligencer: "In a word, Mr. O'Brien has recommended that the Post Office be operated more like a business and a great deal less like the bogged-down government bureaucracy it has become. His proposal merits the most serious and urgent study."

The Albany Herald (Ga.): "If Mr. O'Brien has done nothing else, he has succeeded in focusing public as well as official attention upon a chaotic condition fairly begging for remedy."

The Anniston (Ala.) Star: "It is just conceivable O'Brien's proposal may get a hearing. It strikes a balance between the reluctance of the traditionalists who don't want a thing changed, and the enthusiasm of the theorists who would divorce the department from the government entirely.

"Job rights of postal employees would, of course, have to be protected, but such a fresh approach to improving efficiency—based on reliable business methods—should be welcomed."

St. Louis (Mo.) Post-Dispatch: "Postmaster General O'Brien's proposal to change the structure of the Post Office Department from an Executive department to a Government corporation is as sensible as it is bold. On both accounts he has earned the public's gratitude and support."

The Montgomery Advertiser (Ala.): "Despite congressional opposition, the O'Brien proposal has merit. It is not as radical as Goldwater's plan to turn the department over to private business, since it would be a government venture.

"Yet, for all its inefficiency, the Post Office is a public service. As such, the ultimate control should be in the hands of those who are directly answerable to the people.

"The O'Brien plan deserves a public airing, where perhaps a blending of the better parts of both the existing system and the proposed one could be achieved."

HELP FOR THE NATION'S EDUCATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I was highly gratified by President Johnson's recent announcement that some 217,000 students, who could not otherwise afford to attend college, will receive educational opportunity grants totaling $108 million in the coming school year.

I heartily agree with the President's remarks that this money will be repaid many times over when grantees take their places as contributing members of our society. Any doubts on that score would immediately be removed by a perusal of the benefits we have received in the form of taxes and skilled services from the users of our various GI bills.

Even more important, Mr. Speaker, this program is a prime mover in our national effort to see that everyone who can benefit from education has the chance to get it, regardless of his family or financial background. It can truly be said now, thanks in part to the educational opportunity grants program, that lack of money need not bar anyone from college.

Already, the program is helping the sons and daughters of migrant laborers, the products of broken homes, and others whose parents cannot afford to help them get the educations they need and deserve.

The worth of this program is further demonstrated by the fact that nearly 54,000 of those who received grants last year will qualify for additional awards this year because they were in the top half of their class.

The need for this assistance to provide our Nation with trained and educated people in an increasingly complex society is striking. Consider that the 217,000 students to be aided in the coming year are more than graduated from our colleges and universities in any year before the end of World War II. Facing shortages in many types of occupations, we can take justified pride in the success of this program.

Mr. Speaker, this program demonstrates the value of a cooperative approach in Federal aid to education. We have here Federal funds committed to a national program directed at a national problem. But we leave the choice of beneficiaries to the individual institutions of higher education that are in the best position to know who can truly benefit from it.

DESTRUCTIVE ACTS AND DEMONSTRATIONS BORDER ON TREASON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, the burning of the American flag and the destruction of draft cards at so-called peace demonstrations last weekend, in my opinion, borders very close on treason.

Those demonstrations were a disgrace to the United States and the only ones who could draw comfort from them are Ho Chi Minh in Hanoi and his Communist friends.

That undoubtedly was the intent. Anyone who, while engaging in such anti-American acts, calls the President a buffoon, the Secretary of State a fool, and the Secretary of Defense a racist certainly cannot be said to have serious patriotic instincts.

The inflammatory speeches at New York and San Francisco Sunday were nothing but hate-mongering, anti-American harangues serving no one but the enemy. It is past irony that those speeches would never be allowed in those countries which were the only beneficiaries of them.

I let the people of my district know about the principal sponsors of those demonstrations in a speech April 7 at Kinston, N.C.

It was well known and had been well documented by the House Committee on Un-American Activities that the demonstrations were being organized chiefly by known and admitted members of the Communist Party.

It is beyond belief that so many people appear to be so naive that they think they can publicly participate in such an activity and then disassociate themselves from the sponsors.

Every American has the right of dissent from any policy of his Government but such public abuse of one's country and in such numbers only gives aid and comfort to the enemy and costs many more American lives.

I can only echo what the Secretary of State said about the ranting and raving that took place: It will not change the conduct of the war in Vietnam.

Thank God there are still millions of patriotic Americans who refuse to be duped by such frauds.

T. W. HUNTER, PRESIDENT OF THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. DORN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DORN. Mr. Speaker, a South Carolinian who has distinguished himself as an educator, legislator, businessman, and community leader has recently been accorded a new and important national responsibility. I am referring to T. W. Hunter, of Newberry, S.C., who has recently been elected to the presidency of the National Rural Electric Cooperative Association, an organization which represents nearly 1,000 nonprofit, consumer-owned rural electric systems serving over 20 million rural Americans in 46 States.

Judge Hunter's election to the national presidency of the Rural Electric Cooperative Association brings to South Carolina one of the greatest honors that has ever come to our State and to my congressional district. I am proud to be the Congressman who represents this distinguished American.

Judge Hunter has a wonderful family. His outstanding successes all through his life have been made possible with the able assistance of his charming, lovely, and devoted wife Leila, and his two attractive daughters.

Those of us who know Judge Hunter realize that his election to such a high place in this vital program is more than a reflection of the high esteem in which he is held by his fellow workers in the rural electrification field. Rather, it is a recognition of the qualities of leadership he has displayed in all of his many activities over the years. It is an acknowledgment of his willingness to shoulder and carry through the responsibilities placed upon him by his fellow man. He has never shied away from a task that would benefit his community, State, or Nation.

A native of Prosperity, S.C., Judge Hunter has become one of our State's most highly respected citizens. After attending St. Lukes Grade School and Prosperity High School, he graduated from Newberry College. His very first position was as principal of the Swansea, S.C., public schools and later as principal of the Prosperity High School.

In 1931, he left the education field to enter the law school of the University of South Carolina, from which he received his law degree in 1934. Since that time he has industriously conducted a successful law business, presently under the name of Clarkson, Hunter & Clarkson. He has also pursued an active business career as vice president and secretary of Boyd's Lumber Co.; president of the Midway Oil Co. in Newberry; a member of the advisory board of the State Bank & Trust Co., and, at the same time, engages in farming.

He was a distinguished member of the South Carolina Legislature from 1954 to 1960. He also belongs to the Newberry Hunting Club, the Newberry Country Club, and is a member and deacon of the Aveleigh Presbyterian Church where he has served as superintendent of the Sunday school and president of the Men of the Church Organization.

His interest and dedication to the rural electrification program in our State and throughout the Nation is indicated by his concern for the welfare of people. As the attorney for the Newberry Electric Cooperative, an active leader in the South Carolina Electric Cooperative and as a long-standing member of the national board of the National Rural Electric Cooperative Association, he has played a leading role in bringing the rural folks electric power. Today, we have 23 rural electric systems in South Carolina serving more than 152,000 of our people. This electric power has enabled our rural people to keep pace with modern agriculture technology and has eased the burden of living in rural areas. Now, and in the future, it will play an even more important role in assuring a dynamic and viable rural economy.

Judge Hunter's succession to the top post of the national association follows his service as secretary-treasurer and vice president of the organization during which time he displayed the same leadership qualities which we, in South Carolina, have always admired. As he leads this national rural electrification program forward, I hope many of my colleagues in the House will have the opportunity to work with this fine South Carolinian.

CAPITOL COOLNESS DISMAYS BACKERS OF LOGISTICS SHIPS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BURKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to bring to your attention and my colleagues in both Houses an article by Orr Kelly, Star staff writer, entitled "Capitol Coolness Dismays Backers of Logistics Ships," which appeared in the Sunday, April 16, edition of the Evening Star.

One of the major arguments against this proposal has been that the existence of 30 FDL's would suddenly make us policemen of the world; however, as the article well points out, these few ships would constitute less of a threat than our already existing thousands of aircraft carriers, troop and supply ships, and giant logistics transport aircraft. In my testimony before the House Armed Services Committee on April 4, I proposed that if the "policeman" reasoning is valid, then it would be in keeping to scrap our other systems.

The article referred to follows:

CAPITOL COOLNESS DISMAYS BACKERS OF LOGISTICS SHIPS

(By Orr Kelly)

The generals and the admirals and even the Pentagon's "whiz kids" were delighted with themselves when they discovered that it is still possible in this complicated age, to "get there fustest with the mostest."

They have thus been startled, in the last few weeks, to discover that a lot of people on Capitol Hill—including some they had long considered their best friends—think that may not be such a desirable goal after all.

The country could thus be heading for a peculiar new kind of "great debate" over weapons and strategy—all of it centered around a proposal to build a fleet of huge Fast Deployment Logistics Ships.

The Senate already has cut funds for the fleet from the 1968 budget and there are indications the House might take the same action.

PROFESSIONALS UNANIMOUS

This negative reaction on Capitol Hill has come as a puzzling surprise to officials in the Pentagon who, in one of their relatively rare displays of total unanimity, think the FDLs are an almost perfect answer to a tough problem.

The problem is posed by the commitments the civilian leadership of the country has made to help defend the country's friends throughout the world.

As officials in the Pentagon see it, Congress has approved a policy under which the military would be expected to move as fast as possible to help a threatened ally.

"This is the first time," said one official, "that I have heard of the military being criticized for finding a more efficient way to do something we have been told to do."

ESSENTIAL PART OF SYSTEM

The FDLs, as the military people see it, are one of the essential parts of a weapons system that—if it had been available then—would have substantially shortened both World War II and the Korean War.

The other two elements in the system are the storage of large quantities of military goods at strategic overseas bases and the tremendous carrying capacity of the C-5A jet cargo plane now being developed in Georgia by Lockheed.

Some of the opposition apparently has been sparked by an erroneous impression that fully loaded FDLs would constantly roam the seas, ready to move in almost instantly wherever trouble might erupt. Sens. Mike Mansfield, D-Mont., and Richard Russell, D-Ga., have both complained that this would give the United States the capability to become a "global policeman" and that the country might find itself in fights it would be better off out of.

More likely, about 13 of the ships—enough to move the equipment for a full division and its supporting forces—would be based, fully loaded, in the Western Pacific. Others, partially loaded, would be based in Hawaii, and in the West, East and Gulf coasts of the U.S. ready to take on the equipment of divisions stationed nearby.

READY FOR TROOPS, MATERIEL

In case of trouble, the FDLs could begin unloading equipment while troops were being flown in by the C-5As; although the planes are designed to carry cargo, they can also carry 345 men apiece.

In a complicated series of studies of alternative strategies, the Joint Chiefs of Staff's special studies group figured that, without advance warning, it could land a division in a trouble spot in three to 20 days. With advance knowledge of a potential attack, the reaction time would range from less than one day up to 10 days.

In Korea, the war was nearly lost before the first U.S.-based division could be rushed across the Pacific and landed 56 days after the invasion from the North.

If the U.S. had had C-5As and FDLs at the beginning of World War II, it probably could have held on to New Guinea and some of the Pacific islands that were regained only after some of the bloodiest battles in history.

NOT FOR SLOW BUILDUP

Although the FDLs are not specifically designed for the kind of slow buildup which has gone on in Vietnam, they might have been useful there in two ways. If the introduction of the first small units of U.S. troops had brought a large scale reaction from North Viet Nam or China, FDLs and C-5As would have made it possible a lot more men and equipment in a hurry and since the FDLs are designed to unload on a beach as well as in a built-up port they could have cut down on the congestion in the Saigon harbor.

Pentagon officials say it is simply not true that the existence of the ships would lead to more global involvement. They fail to see, they say, how 30 ships—the bulk of them based in this country—could possibly be more provocative than the thousands of ships of the Sixth and Seventh Fleets, already deployed around the world.

The Navy hopes, through the FDL construction program, to work a major revolution in the way ships are constructed in this country. A key to the revolution is the proposal to give the contract for the whole 30-ship fleet to one manufacturer—the same way in which the contract for the C-5A was given to one firm.

OTHERWISE OCCUPIED

But the three firms in the final running for the contract—Lockheed, General Dynamics and Litton Industries—are all primarily involved in aero-space construction rather than shipbuilding, although all three also have shipyards. Some of the operators of conventional shipyards aren't happy with the way things are turning out—especially since the FDL fleet is being described as a $2 billion program.

The FDL will be about the size of a small aircraft carrier, but will need a crew of only about 37 men.

SUPPORT OF TITLE IV OF H.R. 5710

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATTEN. Mr. Speaker, a growing need exists in this Nation for more social workers, programs, and facilities, and title IV of a bill being considered by the House Ways and Means Committee—H.R. 5710—would help provide them through Federal aid.

Because New Jersey is the most urbanized State in the country, its social needs are not only more numerous, but more complex.

To help cope with the problems created by heavy urbanization, legislation should be passed this year to improve the preparation of those who plan to enter the social field—and even for some already in it.

Most colleges, universities, and social schools face the frustrating problem of limited financial resources and are in urgent need of assistance. I believe that the Federal Government should bear some of the costs of developing, expanding, or improving undergraduate and graduate programs.

The U.S. aid proposed in title IV of the bill now under consideration would help meet part of the increased faculty and administrative personnel and improvement of present facilities.

The Graduate School of Social Work of Rutgers, the State university of New Jersey, would be one of the higher education institutions to benefit from the program. Many others throughout the Nation would also gain.

One of several letters I have received urging my support came from the dean of the Rutgers Graduate School of Social Work, Dr. Werner W. Boehm, who wrote me that title IV would "materially contribute to the improvement of the quantity and quality of manpower in social welfare." And I have a very deep respect for Dr. Boehm's judgment.

Mr. Speaker, I am convinced that if title IV of this fine bill—H.R. 5710—is approved, social problems would be attacked with greater effectiveness and success, strengthening our Nation in one of the most sensitive, important, and far-reaching fields.

LEGISLATION TO AUTHORIZE PROGRAMS THAT WILL PERMIT THE MARKET SYSTEM TO WORK MORE EFFECTIVELY FOR WHEAT AND FEED GRAIN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I am offering legislation that will have the effect of finally permitting the wheat and feed growers of this Nation to get away from price supports and Government loans.

If ever there was a time when we can turn farmers loose from controls and expensive Government programs, certainly that time is now.

The saving involved—more than $2 billion from the Federal Treasury—is tremendously important, but perhaps of greater significance is the opportunity it will give wheat and feed grain farmers to produce more efficiently and for the marketplace.

While I represent a New England constituency, where price supports are of no importance, I must emphasize that every private farmer poll I have seen over the last few years has shown dramatically that the farmers of the major producing areas of this country feel overwhelmingly they want to be turned loose to produce.

I fear too many Agriculture Department officials are looking at today's farmer as if he were that farmer of those dark days of 1929. Times have changed much since that time, and so have farmers and farming. Let us not look backward to the extent that we are blinded in thinking of the future.

In my opinion, the most economical and best quality food can be obtained by consumers only if farmers are allowed to produce for the market, not for a Government warehouse. American agriculture is the most efficient the world has ever known. It has made this progress in spite of Government farm programs.

Let us help farmers refine their methods even more by doing away with farm programs that cripple and impede.

Doing away with price supports for wheat and feed grains is a most serious step after all these years of Government "help." But, this bill would help farmers make the transition by using a Government agency to insure private loans which farmers could obtain from their banks, or others, on their crops.

Most farmers now use banks to finance purchase of cattle, machinery, and supplies. They do this without Government insurance. This legislation would insure the loans they would make to get wheat and feed grain crops into the ground, but the Government would be out of the expensive business of storing the commodities.

This legislation is strongly supported by the American Farm Bureau Federation, by far the largest farm organization in the Nation. It is a result of an affirmative decision by Farm Bureau's duly elected voting delegates. It represents a real grassroots sentiment which we in this Chamber should heed.

ESTABLISHMENT OF FEDERAL RESEARCH LABORATORY IN PROVIDENCE, R.I.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, all of us are very concerned about the carnage that take place on our Nation's highways, claiming some 50,000 citizens annually.

I am very pleased, therefore, that a Federal research laboratory, devoted exclusively to studying the behavior of automobile drivers, is being established in Providence, R.I.

This laboratory, which will specialize in researching the human factor in the causes of automobile accidents, was brought about through the efforts of my friend and colleague, the late Representative John E. Fogarty.

The laboratory will be operated by the injury control program of the U.S. Public Health Service and I have great expectations as to its contribution toward reducing the carnage on our highways.

In an effort to familiarize my colleagues with this matter, I insert into the RECORD news articles pertaining to this laboratory that have appeared in the Washington Evening Star, the New York Times, the Providence Sunday Journal, and the Providence Evening Bulletin:

[From the Washington Evening Star, Mar. 31, 1967]

SAFETY SEARCH MAKING SENSE

(By Charles Yarbrough)

Without a crusading author and the harsh glare of publicity, the search for greater highway safety has finally turned in the right direction.

Buried five paragraphs down in a release from the United States Public Health Service on federally-staffed driving simulator studies is this understatement of the campaign:

"Much more needs to be learned to teach people how to stay out of accidents in the first place."

Research getting under way at the Health Service's newly-organized National Center for Urban and Industrial Health in Providence, R.I., is expected to "produce important information on driving behavior patterns and aid in establishing standards for driver licensing and improvement."

It marks the first time that the government has stepped in with individually-designed electronic driving simulators and devoted time exclusively to the human aspects of auto accident causation.

Can you imagine the results if a "call-back" system would be introduced to bring in faulty motorists?

The Health Service announcement says many types of drivers operating under various driving conditions will be tested.

(Would that include the driver who passed me at over 60 miles an hour on rain-slicked Memorial Parkway, his right arm draped across the top of the seat?)

"Drivers of both sexes will be studied in an effort to determine driver failures, and weaknesses that cause acidents."

(Will the simulator provide a small child to sit beside the mother as she crosses the solid, yellow line to pass going uphill on two-lane, hilly Highway 7?)

"With these simulators, research will be undertaken which has never been feasible on the highway. Drivers can be exposed to the most hazardous driving conditions; an accurate record of his immediate responses can be compiled."

(Do simulators leave skid marks as long as 30 feet, heading off George Washington Parkway in all directions?)

Out of a still-depressed automobile sales picture last week came the 50,000th Mercury Cougar delivery, less than six months after the car was introduced.

Lincoln-Mercury general manager E. F. Laux is forecasting sales of 11,000 for March, which would be 37 per cent better than February.

Appearance of the XR-7, the "fancied up" version of the Cougar, is partly responsible for the steady sales, according to Laux.

Results of sharp price cuts in the Rambler American are bringing smiles to otherwise straight faces at American Motors.

So is announcement that Kinney National Service, Inc., national car-rental agency, will buy 6,000 American Motors automobiles; 4,000 to be delivered this month; 2,000 more in May.

You may not see any multimillion, simultaneous response, but tomorrow has been set as "Winter Tire Removal Day" by the Rubber Manufacturers Association.

The association cautions against using winter tires in warmer weather because sustained high-speed driving results in a greater heat build-up than in conventional tires.

[From the New York Times, Mar. 27, 1967]

NEW LABORATORY WILL TEST DRIVERS—FEDERAL FACILITY IS SEEKING GUIDELINE FOR LICENSING

PROVIDENCE, R.I., March 26.—The United States Public Health Service will open here tomorrow a research laboratory built about electronic simulators to study human factors in the causes of highway accidents.

The $900,000 facility, with an operating budget of $432,000 a year and a staff that will total 20 persons, will be operated by the Federal agency's newly organized National Center for Urban and Industrial Health. One of its goals is to develop guidelines that will assist the states in establishing driver licensing requirements under the National Highway Safety Act of 1966.

The first Federal project of its kind, it plans to examine the reactions of 1,200 volunteers annually in teen-age, middle age, elderly and handicapped categories of both sexes to every conceivable variety of highway hazards and emergencies. The subjects will be tested both while normally alert and while they are under varying conditions of impairment, such as fatigue, emotional stess and the influence of alcohol, amphetamines and tranquilizers.

The laboratory is built around two electronic driving simulators that cost more than $600,000. One, built by Radio Corporation of America, is an optical reduction system in which a long-distance test driver confronts a highway in miniature with model moving traffic and environmental elements. The other, built by Goodyear Aerospace Corporation with Philco equipment, televises highway situations onto a screen in front of a short-distance test driver.

PROGRAMED SITUATIONS

Subjects in both simulators will confront programed situations and their vigilance and reaction in responding through the driving controls they operate will be studied in detail by engineers and psychologists on the laboratory staff.

Dr. Richard E. Marland, chief of the health service's injury control program, said he hoped the research would develop data that would materially reduce the nation's traffic toll of 50,000 deaths and 3.5 million injuries annually. Up to now, he said, safety research has focused on highway engineering and the car manufacturer, not on drivers.

Dr. Robert K. McKelvey, an engineering psychologist who was chief of human factors research at the National aviation facility experimental center at Atlantic City, is director of the new laboratory.

The laboratory will pay nominal fees to volunteer test subjects. Many will be college students. The state Department of Health will assist in providing aging and physically impaired subjects.

Federal, state and local officials, educators and scientists, have been invited to attend an informal opening of the laboratory tomorrow. It will take until next fall, Dr. McKelvey said, to set up the research discipline necessary for full-scale operations.

[From the Providence Sunday Journal, Mar. 26, 1967]

FATAL FAULTS DISCLOSED BY COMPUTER DRIVING

You're doing 50 miles an hour down a tree-lined street and there's a sharp curve ahead.

You wait until the last minute before making your turn, narrowly missing a truck parked by the roadside, and then floor it again.

A figure appears at your side window and a voice asks, "what do you think of it?"

The voice brings you back to reality. You're not driving 50 miles an hour, but sitting behind the wheel of a late model car parked inside a building. And that tree-lined street and truck were just images projected from a television camera in another room.

That it wasn't the real thing is fortunate, because you "theoretically" wiped out that truck, you learn.

This automobile is part of one of two driving simulators that were developed for the federal government for use at its new driving research laboratory in Providence.

SHORT-DISTANCE DRIVING TESTS

This particular simulator uses a closed-circuit television system to test driver behavior in short distances.

The driver starts the car as he would his own. Although he hears the sound of a motor (it is a tape recording), the ignition switch activates an analogue computer in another room. At the same time it activates a television camera in the other room and an image appears on a screen in front of the windshield of the car.

The television camera is suspended above a model replica of a small town. The equipment was constructed by the Goodyear Aerospace Corporation in Akron, Ohio, and the 12-by-18-foot model, built to scale, originally was a replica of that city.

Because of the angle of the lens on the camera, it appears to the driver that he is looking across the replica and not down on it.

As the driver presses down the accelerator, electronic impulses move the camera forward over the "road." The speed of the camera is controlled by the accelerator.

CREATES DRIVING CRISES

The steering mechanism of the car controls the movement of the camera. Because the camera can move laterally as well as forward, the "car" can go anywhere over the replica, as one "hot-rodder" found out recently.

The computer may be programmed to create many different driving situations, such as cars pulling out of side streets right in front of the camera, and it also records the driver's responses so that they may be analyzed.

The other driving simulator uses what scientists term an optical reduction system. It also uses a late model car, but instead of a television camera it uses a graphic camera lens mounted in front of the windshield. The camera lens is aimed down a 35-foot tunnel directly in front of the car. In the tunnel are five endless moving belts.

As in the other simulator, the test driver turns the key, activating the computer, and also the belts. As he presses down the accelerator, the belts move accordingly, but all at different speeds. The inner belts, which represent the road, move at a faster rate than the outer belts, which represent the roadside.

COLLISION, MANEUVERING TESTS

This simulator, designed and built by Weiser Associates Inc., for the RCA Data Systems Center, is primarily for testing driver behavior on long, straight roads. The computer can set up collision and maneuvering problems. And the test driver can change lanes, pass other automobiles, and even pull off on the side of the road.

A reporter who recently took the test under twilight conditions scored a memorable record. In a matter of only a few minutes he piled into the rear of one car, side-swiped another and crashed head-on into a third car.

Admittedly, the engineers and technicians assigned to the laboratory had been playing games with him, setting up collision problems impossible to avoid.

But one of the psychologists present commented: "I think I note a little hostility there."

[From the Providence Evening Bulletin, Mar. 28, 1967]

THE HUMAN FACTOR

Since 1965 the federal government has taken the official view that killing and maiming on the nation's highways is as much a "disease" as poliomyelitis or diphtheria. Its purpose was to run research on the cause of accidents so that cures may be found to prevent them. The job was turned over to the U.S. Public Health Service which conquered malaria and other virulent sicknesses.

In accepting the challenge, PHS has opened its first research laboratory in Providence. Electronic equipment costing nearly a million dollars has been installed in one of the abandoned buildings in the Brown & Sharpe Mfg. Co. complex, and the service has budgeted $432,000 a year to run down the equivalent of germs and viruses that cause highway injury.

Subject to detection, isolation and identification in the laboratory here are the practices of drivers that result in accidents. Two electronic driving simulators will be used in the process.

Volunteers of all age groups involved in driving will be tested in the simulators for long-distance and short-distance driving. They will be tested while normally alert and under varying conditions of impairment, such as fatigue, emotional stress and the influence of alcohol, amphetamines and tranquilizers. Every conceivable variety of highway hazards and emergencies will be flashed on the screen as they pretend to drive, and their reactions will be measured electronically.

Researching the human factor in highway casualites is the greatest challenge in PHS history. Malaria was controlled when the anopheles mosquito was detected as the carrier. It will not be so simple to discover why people behave the way they do behind the wheel.

The task is worth the effort. Close to 50,000 Americans are killed in highway accidents each year, and 3½ million are injured, many of them crippled for life. A scientific breakthrough leading to the control of such an epidemic would be one of mankind's greatest boons.

STATEMENT COMMEMORATING THE 24TH ANNIVERSARY OF WARSAW GHETTO UPRISING

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I was interested to note yesterday that Dr. Nathan Goldmann, president of the World Jewish Congress, has found that the Jewish people of Poland are generally accepted as equals in that country. It is ironic that such a statement should be made so close to the commemoration of one of the most brutal repressions of Jews in the history of the world.

During early April of 1943, Hitler decreed that the 60,000 Jews walled up in the ghetto of Warsaw, Poland, should be eliminated. On April 19 began simultaneously the brutal culmination of the extermination of the Jewish population of Warsaw and a heroic defense by 60,000 relatively unarmed Jews. The events speak for themselves.

In early 1940, after one of the fiercest seiges of World War II, Warsaw fell to the Nazi blitzkreig. Immediately afterward, the Nazis walled up what was to rise to a total of 450,000 Jews in a 1- by 3-mile section of the city. Any Jewish person leaving that section was shot on sight.

For the next 3 years, the people of the ghetto were slowly starved to death, with hundreds of thousands living on one bowl of straw soup a day. Periodically, the vile cattle cars would be filled from the ghetto for the final trip to Auschwitz and "final solution," the most hated and despicable phrase of our time.

By late winter of 1943, there were only 60,000 inhabitants of the former 450,000 remaining alive in the Warsaw ghetto.

On April 19, the Nazi storm troops moved into the ghetto area with tanks, armored cars, flamethrowers, heavy machineguns and grenades. The people of the Warsaw ghetto defended themselves with a few rifles and automatic weapons, homemade grenades and "Molotov" cocktails.

After initial defeat, the Nazis began to systematically burn the buildings of the ghetto. Many hundreds fought in the burning buildings until consumed by the flames rather than surrender. After the buildings disappeared, the Jews took to the sewers and kept up a steady and costly defense for days.

On May 16, the commander of the German troops stated the horror of the last 3 years:

> The former Jewish quarter of Warsaw is no longer in existence.

Mr. Speaker, there rarely occurs such a valiant defense against such overpowering odds as at Warsaw 24 years ago. The events of those 3 weeks spur us to appreciate the freedoms we enjoy in America today and to recognize the deprivation of liberty that yet exists in other parts of the world.

In recognition of the Warsaw uprising let us renew our pledge and dedication to never rest in defense of liberty, both personal and national, throughout the world.

Dr. Goldmann has found that the Jewish people of Russia remain bound by prejudice and unequal treatment. No doubt there are other areas where minorities suffer by the ignorance of the majority. Let us in America never forget the plight of these oppressed peoples and forever extend to them our hands and hearts.

ELECTRIC CO-OPS FACE DOUBLE CHALLENGE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, the nearly 1,000 rural electric systems of the country, whose services are so invaluable to the development of that 97 percent of the total U.S. land mass which is designated as "rural," have reached a critical point in their development.

These systems financed by the Rural Electrification Administration face, not only persistent demands for services from new consumers—about 150,000 a year—but also pressures from their present consumers for more power.

REA anticipates that in 1981 the amount of power put into these systems will be nearly three times the 1966 input of more than 50 billion kilowatt-hours. This means, according to the Agency, that the systems are going to need $8 billion of capital for new and improved facilities in the next 15 years, or about twice the amount made available during the last 15 years. REA and its borrowers do not expect this huge amount of money to be provided through REA's direct 2 percent loan program. They say a supplemental form of financing to bring private financing into the program is essential and certainly in the public interest. I heartily agree.

For many years the Bloomington, Ill., Panagraph has been a spokesman for and a keen observer of our rural life. I would like to submit for inclusion in the Record an editorial from the pages of that newspaper, discusing a turning point in the life of rural electric cooperatives and endorsing a supplemental financing plan for the REA program:

[From the Bloomington (Ill.) Pantagraph, Mar. 2, 1967]

Electric Co-Ops Face Double Challenge

A turning point has arrived for rural electric cooperatives in the United States for two main reasons:

1. Time is running out for the "founding fathers," and new blood must take over to formulate policies to meet future needs.

2. The financial demands of the future are so tremendous that the federal government can no longer provide 2 per cent money to meet all the needs. New methods of financing must be found or the cooperatives will wither on the vine.

Both of these factors are highly important to virtually every farmer and, through them, every individual in Central Illinois.

Both issues permeated the recent annual meeting of the Corn Belt Electric Cooperative here in Bloomington, the first by the questions asked about policy and the second by approval of a resolution favoring new financing.

Being human, those who organized and nurtured the rural cooperatives through the lean years are reluctant to give up their roles. They have not provided for continuity of policy development and management.

As a result some rural cooperatives face this double transition ill prepared to meet the challenges. They have not been able to conceive of the organizations as a growing, revolving, continuing organization which can and must get along without them.

Old policies are no longer sufficient. Old patronizing methods are no longer acceptable to the new generation of members. But this, of course, will change because it must.

The electric cooperatives face an estimated need of nearly $10 billion dollars in the next 15 years. This is almost twice as much as they have received in the 32 years since rural electric cooperatives were begun.

Money in this quantity is not available at 2 per cent and the national leaders of the cooperatives know it. In fact they cannot expect more than $300 million a year to apply toward the needed $700 million to keep abreast of demands.

Rural electric cooperatives have turned to Congress for permission to tap the private money market to fill in the gap in financial requirements. Their proposal is for the establishment of a bank, patterned after the Federal Land Bank, the Bank for Cooperatives and the Production Credit Association.

These were all authorized to meet the needs of farmers in the depression years. They have functioned well. The Federal Land Bank and the Bank for Cooperatives have repaid funds advanced to them from the U.S. Treasury and are now free of government aid. The Production Credit Association expects soon to pay off all U.S. Treasury advances.

The rural electrics want the same kind of financial system. They also want to keep 2 per cent loans, especially for the cooperatives in sparsely settled areas where need for service exists but where earning capacity is limited.

The conservative swing in Congress and the call for federal funds in Vietnam and elsewhere make the outlook for a double victory less than rosy.

Furthermore, the privately owned utilities see a golden opportunity to strangle the rural electric cooperatives. They are out in full force in opposition to both the bank setup and to extension of 2 per cent loans.

This is something of a switch for the private utilities. For years they opposed 2 per cent loans, to which they also were eligible, and urged that the rural electric cooperatives go into the open market. Now that the cooperatives are moving in this direction, the private utilities suddenly have discovered that this will mean stronger competition for them.

This should not be a political partisan issue. The good that rural electric cooperatives has done cannot be questioned. The fact that they filled an unmet need cannot be challenged.

However, they have grown up. They should rely more on the money market rather than unrealistic 2 per cent interest rates from a federal government already deeply in debt. There may be some exceptions as mentioned above.

Congress should empower the cooperatives to get this money through establishment of the proposed bank or some similar setup. We urge our own senators and representatives to support it.

Time and vigorous new leadership will take care of those who pioneered well in the rural electric field but who, in the process, have come to feel indispensable. It is unfortunate that this transition has coincided with the need for new financing. Private utilities won't overlook their double opportunity.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. McDonald of Michigan (at the request of Mr. Gerald R. Ford) on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Olsen, for 1 hour, today; to revise and extend his remarks and include extraneous matter.

Mr. Udall, for 10 minutes, today.

Mr. Sandman (at the request of Mr. Stanton), for 5 minutes, on Tuesday, April 25, 1967.

Mr. Hall, for 30 minutes, tomorrow.

Mr. Cramer, for 10 minutes, today, to revise and extend his remarks and include extraneous matter.

The following Members (at the request of Mr. Albert) to revise and extend their remarks and to include extraneous matter:

Mr. Dent, for 60 minutes, on Tuesday, April 25, 1967; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. McCarthy.

(The following Members (at the request of Mr. Stanton) and to include extraneous matter:)

Mr. Roudebush.

Mr. Morton.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. St. Onge.

Mr. Kee.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Thursday, April 20, 1967, at 12 o'clock noon.

CONTRACTUAL ACTIONS, CALENDAR YEAR 1966, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following report for printing in the Congressional Record pursuant to section 4(b) of Public Law 85–804:

Assistant Secretary of Defense,
Washington, D.C., April 17, 1967.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: In compliance with Section 4(a) of Public Law 85–804, the calendar year 1966 report on extraordinary contractual actions to facilitate the national defense is transmitted herewith.

Table I shows that 336 contractual actions were approved with a cost to the Government of $6,688,000, and that 88 actions were disapproved. Included in the number of actions approved are 85 actions for which a potential Government liability cannot be estimated because it is contingent on a major accident such as a nuclear explosion.

Table II lists the actions which have an actual or potential cost to the Government of $50,000 or more. Included in this list are the above mentioned contingent liabilities for which a potential dollar cost cannot be estimated.

In addition to the actions reported on the above tables, the authority of Public Law 85–804 was used to require a standard employee compensation clause in all contracts for construction work at the Cape Kennedy complex. The clause specified various items of compensation based on a Project Stabilization Agreement negotiated by and between the Patrick Air Force Base Contractors Association, the Brevard (Fla.) Building and Construction Trades Council and the Building and Construction Trades Department, AFL-CIO. Adoption of this clause resulted from the President's Missile Sites Labor Commission recommendation that adherence to the money provisions of the Project Stabilization Agreement by all contractors and subcontractors performing construction work at the Patrick Air Force Base and Cape Kennedy complex will promote stability, efficiency and economy of performance of contracts which directly affect the national defense.

Sincerely,

PAUL R. IGNATIUS,
Assistant Secretary of Defense,
(Installations and Logistics).

TABLE I.—*Summary report of contractual actions taken pursuant to Public Law 85-804 to facilitate the national defense, January–December 1966*

[Dollar amounts in thousands]

Department and type of action	Actions approved			Actions denied	
	Number	Amount requested	Amount approved	Number	Amount
Department of Defense, total	336	$8,156	$6,688	88	$2,288
Amendments without consideration	12	4,113	4,014	19	771
Correction of mistakes	157	3,084	2,097	51	1,224
Formalization of informal commitments	36	784	512	5	275
Contingent liabilities	85				
Disposition of property	4				
Cancellation without cost					
Other	42	175	65	13	18
Army, total	94	4,257	4,102	32	823
Amendments without consideration	2	3,668	3,668	5	301
Correction of mistakes	23	160	108	12	504
Formalization of informal commitments	22	265	265	2	
Contingent liabilities	4				
Disposition of property	4				
Cancellation without cost					
Other (residual authority Dominican Republic)	39	164	61	13	18
Navy, total	87	1,408	1,266	4	28
Amendments without consideration	7	130	130		
Correction of mistakes	22	1,233	1,101	3	14
Formalization of informal commitments	5	34	31	1	14
Contingent liabilities	50				
Disposition of property					
Cancellation without cost					
Other (claims paid under residual powers)	3	11	4		
Air Force, total	78	2,179	1,051	36	1,279
Amendments without consideration	2	231	171	11	396
Correction of mistakes	40	1,488	689	23	622
Formalization of informal commitments	5	460	191	2	261
Contingent liabilities	31				
Disposition of property					
Cancellation without cost					
Other					
Defense Supply Agency, total	77	312	269	16	158
Amendments without consideration	1	84	45	3	74
Correction of mistakes	72	203	199	13	84
Formalization of informal commitments	4	25	25		

TABLE II.—*List of contractual actions with actual or potential cost of $50,000 or more taken pursuant to Public Law 85-804 to facilitate the national defense, January–December 1966*

Name and location of contractor	Actual or estimated potential cost	Description of product or service	Justification
AMENDMENTS WITHOUT CONSIDERATION			
Army:			
Memcor, Inc., Huntington, Ind	$3,666,912	AN/PRC-25 radio sets and related spare parts.	Continued deliveries are essential to meet requirements for southeast Asia. Failure to grant relief would almost certainly result in serious financial damage to this company. If this occurred, the Army would not be able to receive the items when required. In addition, procurement from another source would probably result in the loss of most of the amount already outstanding on loans to this company.
Navy:			
Memcor, Inc.	89,497	Gyros for the MK 33, MK 37, and MK 44 torpedoes, bomb racks, transmitters, and altitude holding devices.	The contractor has suffered losses under defense contracts which have impaired its productive ability. Its continued operation for the performance of various Navy contracts is essential to the national defense.
Air Force:			
Central Technology, Inc., Box 231, Herrin, Ill.	170,000	Design and development of F-111 aircraft.	The contractor obtained R. & D. type contracts in order to establish a line of qualified products and in so doing incurred serious losses on a number of these contracts. Continued production is necessary to meet the scheduled test flight program.
CORRECTION OF MISTAKES			
Navy:			
Boeing Aircraft Co. (Vertol Division)	853,738	Helicopters	The contracts will be amended to provide for an additional amount to the contractor. This is to correct a mutual mistake based on the assumption that the starter engines would be Government furnished equipment instead of contractor furnished as called for in the specifications.
Federal Pacific Electric Co., 50 Avenue L Newark, N.J.	59,653	Engineering services	The additional engineering services provided by the contractor resulted from changes made in the specifications after equipment had been delivered and installed. This required considerably more services than had been provided for in the contract.
Air Force:			
Philco Corp., Western Development Laboratories, 3875 Fabian Way, Palo Alto, Calif.	287,000	Photogrammetric triangulation effort.	This cost was authorized by letter contract but was inadvertently omitted from the definitive contract.
Douglas Aircraft Co., Inc., Missile and Space Systems Division 3000 Ocean Park Blvd., Santa Monica, Calif.	71,079	Operational development of missiles	To correct a mutual mistake where contractor was directed to accomplish changes in the contract without proper reimbursement.

TABLE II.—*List of contractual actions with actual or potential cost of $50,000 or more taken pursuant to Public Law 85–804 to facilitate the national defense, January–December 1966*—Continued

Name and location of contractor	Actual or estimated potential cost	Description of product or service	Justification
FORMALIZATION OF INFORMAL COMMITMENT			
Army:			
Douglas Aircraft Co., Inc., Charlotte Division, 1820 Statesville Ave., Charlotte, N.C.	$123,218	Field engineers and field technicians to provide technical assistance, services and/or to install special modifications to Nike-Hercules missile system.	While a contract was being negotiated with the contractor the requirements were increased. Due to an urgent need for the services and further negotiation, the work was performed without a task order. Every effort was made to utilize normal procurement procedures but due to the urgency this was not practical.
Air Force:			
Aerojet-General Corp., Post Office Box 1947, Sacramento, Calif.	60,555	Production planning on Titan I engines.	The amount approved represents costs incurred by the contractor for his effort on the Titan I engines which was later canceled by the Government.
Shin Hyun III, Samdo Forrestry Co., 17-8 Ankukdong, Ching No Ku, Seoul, Korea.	107,277	Logs used in construction work at Suwon Airbase, Korea.	The contractor has been authorized reimbursement for logs taken during 1951 by the Air Force and for which payment was never received. This misunderstanding arose due to a dispute as to the owner of the property.

CONTINGENT LIABILITIES

Provisions to indemnify contractors against liabilities on account of claims for death or injury or property damage arising out of nuclear radiation, use of high energy propellants, or other risks not covered by the contractor's insurance program were included in 84 contracts (the potential cost of these liabilities cannot be estimated). Items procured are generally those associated with nuclear-powered vessels, or nuclear armed guided missiles, or experimental work with nuclear energy.

Name of contractor	Number of contracts		
	Army	Navy	Air Force
Aerojet General Corp	-------	-------	5
AVCO Corp	-------	2	-------
Boeing Co	-------	-------	5
Cutler Hammer	-------	1	-------
General Dynamics Corp	-------	3	-------
General Electric Co	2	13	-------
Hercules, Inc	-------	1	5
Honeywell, Inc	-------	2	-------
International Diary Engineering Co	-------	1	-------
Lockheed Electronics Co	-------	1	-------
Martin Co	-------	-------	3
North American Aviation, Inc	-------	8	7
Northrop Corp	-------	1	-------
Ocean Systems, Inc	-------	1	-------
Raytheon Co	-------	3	-------
Reynolds Submarine Services Corp	-------	1	-------
Ryan Aeronautical Co	-------	-------	2
Sperry Rand Corp	-------	1	1
Thiokol Chemical Corp	-------	-------	4
United Aircraft	-------	1	-------
Westinghouse Electric Corp	-------	9	-------
Zurn Industries	-------	1	-------
Total	2	50	32

In addition to the above, special indemnification clauses will be included in all MAC Air Transportation Contracts when the Civil Reserve Air Fleet (CRAF) has been activated.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

667. A letter from the Chairman, Federal Reserve System, transmitting the Annual Report of the Board of Governors of the Federal Reserve System, for the year 1966, pursuant to the provisions of section 10 of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

668. A letter from the Secretary of Health, Education, and Welfare, transmitting the Annual Report of the Advisory Council on State Departments of Education, for the fiscal year ending June 30, 1966, pursuant to the provisions of Public Law 89–10; to the Committee on Education and Labor.

669. A letter from the Comptroller General, transmitting a report of need to strengthen controls over use of modified live virus vaccines in the hog cholera eradication program, Agricultural Research Service, Department of Agriculture; to the Committee on Government Operations.

670. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on extraordinary contractual actions to facilitate the national defense, for the calendar year 1966, pursuant to the provisions of Public Law 85–804; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 442. Resolution providing for the consideration of H.R. 2508, a bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes (Rept. No. 196). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 8740. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

By Mr. BRAY:

H.R. 8741. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNE of Pennsylvania:

H.R. 8742. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

H.R. 8743. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 8744. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8745. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 8746. A bill to amend section 4(e) of the Fair Labor Standards Act of 1938 to require the Secretary of Labor to investigate the effect of foreign competition on domestic employment when a complaint is filed by an employer or labor organization; to the Committee on Education and Labor.

H.R. 8747. A bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas; to the Committee on Education and Labor.

By Mr. EILBERG:

H.R. 8748. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 8749. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

H.R. 8750. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 8751. A bill to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8752. A bill to amend the Federal Water Pollution Control Act to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

By Mr. WILLIAM D. FORD:

H.R. 8753. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 8754. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

H.R. 8755. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. LLOYD:

H.R. 8756. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

H.R. 8757. A bill to authorize construction of the Little Dell Dam and Reservoir project, Salt Lake City, Utah; to the Committee on Public Works.

H.R. 8758. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 8759. A bill to amend the Federal Water Pollution Control Act to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

By Mr. O'NEAL of Georgia:

H.R. 8760. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PETTIS:

H.R. 8761. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 8762. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RANDALL:

H.R. 8763. A bill to amend the act of October 1, 1965 (79 Stat. 897); to the Committee on Interior and Insular Affairs.

By Mr. STEIGER of Wisconsin:

H.R. 8764. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WATTS:

H.R. 8765. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 by making it clear that the income, including subscription and advertising income, derived by an organization in carrying on any publication, such as a trade or professional journal, shall not be deemed to be unrelated business taxable income if the publication is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

H.R. 8766. A bill to amend subsection (c) of section 501 of the Internal Revenue Code by making it clear that the tax exemption of a civic league or organization exclusively for the promotion of social welfare shall not be affected because of income, including subscription and advertising income, derived from carrying on any publication, such as a journal, which is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

By Mr. WILLIAMS of Pennsylvania:

H.R. 8767. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. WYMAN:

H.R. 8768. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 8769. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMSON of Wisconsin:

H.R. 8770. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. O'KONSKI:

H.R. 8771. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHADEBERG:

H.R. 8772. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LAIRD:

H.R. 8773. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. STEIGER of Wisconsin:

H.R. 8774. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ASPINALL:

H.R. 8775. A bill to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. EILBERG:

H.R. 8776. A bill to authorize the establishment of the Redwood National Park and Seashore and the King Range National Conservation Area in the State of California, to provide for the acquisition of Point Reyes National Seashore, and to provide economic assistance to local governmental bodies affected thereby; to the Committee on Interior and Insular Affairs.

By Mr. FRIEDEL:

H.R. 8777. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increase in benefits and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOSMER:

H.R. 8778. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 8779. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. HUNT:

H.R. 8780. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 8781. A bill to provide for the exchange of certain lands in Shasta County, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. MATHIAS of California:

H.R. 8782. A bill to provide for the establishment of a national cemetery in Kern County in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. MATHIAS of Maryland:

H.R. 8783. A bill to amend the act of July 4, 1966 (Public Law 89–491); to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 8784. A bill to amend the act of July 4, 1966 (Public Law 89–491); to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 8785. A bill to establish a Commission on Government Procurement; to the Committee on Government Operations.

By Mr. OLSEN:

H.R. 8786. A bill to amend chapter 3 of title 18, United States Code, to prohibit the importation into the United States of certain noxious aquatic plants; to the Committee on the Judiciary.

H.R. 8787. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. PICKLE:

H.R. 8788. A bill to amend the Internal Revenue Code of 1954 with respect to the estate and gift tax treatment of employees' survivors annuities under State and local retirement systems; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 8789. A bill to provide comprehensive rules for the District of Columbia dealing with interrogation which will fully protect the rights and interest of society and the criminally accused; to the Committee on the District of Columbia.

H.R. 8790. A bill to provide comprehensive rules dealing with interrogation which will fully protect the rights and interest of society and the criminally accused; to the Committee on the Judiciary.

By Mr. REES:

H.R. 8791. A bill to provide for U.S. participation in a special fund of the Asian Development Bank; to the Committee on Banking and Currency.

H.R. 8792. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. REINECKE:

H.R. 8793. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 8794. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 8795. A bill to protect postal patrons from morally offensive mail matter; to the Committee on Post Office and Civil Service.

By Mr. ST GERMAIN:

H.R. 8796. A bill to repeal the authority for the current wheat and feed grain programs and to authorize programs that will permit the market system to work more effectively for wheat and feed grains, and for other purposes; to the Committee on Agriculture.

H.R. 8797. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

By Mr. SMITH of Iowa:

H.R. 8798. A bill to regulate and prevent burdens upon Commerce among the States by providing a system for the taxation of money earned outside of a State; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 8799. A bill to amend section 131 of title 23 of the United States Code relating to the control of outdoor advertising; to the Committee on Public Works.

By Mr. THOMPSON of New Jersey:

H.R. 8800. A bill to provide an improved charter for Economic Opportunity Act programs, to authorize funds for their continued operation, to expand summer camp opportunities for disadvantaged children, and for other purposes; to the Committee on Education and Labor.

By Mr. TAFT:

H.R. 8801. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 8802. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 8803. A bill to provide grants-in-aid to States for gold mining subsidies; to the Committee on Interior and Insular Affairs.

By Mr. WATSON:

H.R. 8804. A bill to amend section 3 of title 4 of the United States Code to prohibit the mutilation of the flag anywhere in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAMS of Pennsylvania:

H.R. 8805. A bill to repeal the authority for the current wheat and feed grain programs and to authorize programs that will permit the market system to work more effectively for wheat and feed grains, and for other purposes; to the Committee on Agriculture.

By Mr. ANDERSON of Illinois:

H.J. Res. 515. Joint resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

By Mr. FRIEDEL:

H.J. Res. 516. Joint resolution to amend the joint resolution of March 25, 1953, relating to electrical and mechanical office equipment for the use of Members, officers, and committees of the House of Representatives, and to remove specific limitations on electric typewriters furnished to Members; to the Committee on House Administration.

By Mr. HORTON:

H.J. Res. 517. Joint resolution authorizing and requesting the President of the United States to issue annually a proclamation designating June as "Amyotrophic Lateral Sclerosis Month"; to the Committee on the Judiciary.

By Mr. McFALL:

H.J. Res. 518. Joint resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

By Mr. REINECKE:

H.J. Res. 519. Joint resolution to create a joint congressional committee to study and report on problems relating to industrywide collective bargaining and industrywide strikes and lockouts; to the Committee on Rules.

By Mr. ASHMORE:

H. Con. Res. 317. Concurrent resolution expressing the sense of the Congress with respect to the United Nations sanctions against Rhodesia; to the Committee on Foreign Affairs.

By Mr. COLMER:

H. Res. 441. Resolution amending the Rules of the House of Representatives relating to germaneness; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

148. The **SPEAKER** presented a memorial of the Legislature of the State of Colorado, relative to amending the Highway Beautification Act of 1965, which was referred to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8806. A bill for the relief of Dr. Henry B. So; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 8807. A bill for the relief of Girolamo Scardino; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 8808. A bill to permit the vessel *Defiant* to be documented for use in the fisheries and coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. FISHER:

H.R. 8809. A bill for the relief of Maj. Hollis O. Hall; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 8810. A bill for the relief of Young Kwon Chun and Dong Seung Chun; to the Committee on the Judiciary.

By Mr. HUTCHINSON:

H.R. 8811. A bill for the relief of Cornelis de Geus; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 8812. A bill for the relief of Ilona Diaz; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 8813. A bill for the relief of Giorgio Biagini; to the Committee on the Judiciary.

H.R. 8814. A bill for the relief of Mrs. Annette Velia Marjorie Cable Biagini; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 8815. A bill for the relief of Dr. Newton Marten-Ellis; to the Committee on the Judiciary.

H.R. 8816. A bill for the relief of Dr. Guillermo Sardinas Perez; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 8817. A bill to grant commissary, post exchange, and ship's store privileges to Roswell Kelly; to the Committee on Armed Services.

SENATE

Wednesday, April 19, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, in this hour of the world's deep distress we turn to Thee, mindful of our insufficiency. We are but broken reeds, lashed by wild winds that mock our boasting pride uttered in days of calm. The arm of flesh is futile. Thine alone, O Lord, is the greatness and the power and the glory and the victory. Thou only art as the shadow of a great rock in a weary land. We are humbly grateful that our America still stands with lamp held aloft, a beacon of freedom for all the earth.

Send us forth to waiting tasks, conscious of a great heritage worth living and dying for, and with a deathless cause that no weapon that has been formed can defeat.

We lift our morning prayer in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Byrd of West Virginia, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, April 18, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business be limited to 3 minutes, following the speech that is to be delivered by the distinguished Senator from Maryland [Mr. Tydings] under the order previously entered.

The PRESIDING OFFICER (Mr. Clark in the chair). Without objection, it is so ordered.

RECOGNITION OF SENATOR TYDINGS

The PRESIDING OFFICER. Under the order previously entered, the Chair recognizes the Senator from Maryland.

VALIDITY OF CONSTITUTIONAL CONVENTION PETITIONS REGARDING REAPPORTIONMENT

Mr. TYDINGS. Mr. President, several weeks ago the distinguished Senator from Wisconsin [Mr. Proxmire] and I called attention, on the floor of the Senate, to the clear possibility that we are approaching another chapter in the battle against malapportioned State legislatures. We noted that 32 State legislatures had, at that time, apparently petitioned Congress to call a convention to propose specific amendments to the Constitution dealing with legislative apportionment.

If two more State legislatures petition Congress for a convention dealing with any aspect of legislative apportionment, I expect that the same forces which were defeated twice during the 89th Congress in their attempts to authorize legislative malapportionment will rush back to the floor of the Senate demanding that Congress immediately call a constitutional convention. Their arguments, no doubt, will be deceptively simple. They will cite article V of the Constitution:

> The Congress . . . on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments.

They will contend that 34 valid petitions had been received, and that Congress must immediately call a convention.

Mr. President, we in Congress must be prepared for this new assault on the principle of one-man, one-vote. These latest tactics present gravely disturbing questions which have potential impact far beyond the apportionment issue itself. I should like to explore these questions today—before any resolution is before us in Congress—so that we might calmly examine the merits of the possible demands for a convention before the proponents attempt to stampede us into convening an ill-considered constitutional convention.

I wish to discuss two questions today. These are not the only questions regarding the validity or meaning of the petitions now before Congress, but I believe these questions have particular importance. The first question I wish to discuss today is, Should Congress regard as invalid petitions from malapportioned legislatures calling for a constitutional amendment to authorize malapportionment? In my judgment, the answer is "Yes." Both the distinguished Senator from Wisconsin and I took this position on the Senate floor several weeks ago. Today I shall spell out in somewhat greater detail my justification for this position.

I begin with the premise that a malapportioned State legislature abridges the fundamental rights of citizens living in more populous, underrepresented districts. As the Supreme Court stated, in *Reynolds* v. *Sims*, 377 U.S. 533, 567 (1964):

> To the extent that a citizen's right to vote is debased, he is that much less a citizen.

Malapportioned legislatures brought a vast number of political injustices to citizens in underrepresented districts, both through legislation favoring overrepresented interests and through failing to enact legislation on behalf of underrepresented interests. But these injustices cannot as a practical matter be erased by a stroke of the pen—either in the courts, or in Congress. As a Federal court of appeals has stated, to rule invalid all legislative acts—or even those acts which appeared to favor overrepresented interests—passed by malapportioned legislatures "would produce chaos." *Ryan* v. *Tinsley*, 316 F. 2d 430,432 (11th Cir. 1963). Moreover, it is not necessary to resort to this extreme step. The many injustices of malapportionment can, I believe, in most cases be substantially corrected simply by election of new State legislatures under constitutionally sanctioned apportionment.

In certain circumstances, however, malapportioned legislatures can take action which flagrantly violates the citizens' right to equal representation and which even after reapportionment cannot readily be corrected. The courts have recognized this problem, and have acted to protect the rights of State citizens to equal representation by forbidding such action by malapportioned legislatures.

A Georgia case illustrates this. In Toombs against Fortson, a three-judge Federal court enjoined the Georgia General Assembly from calling a constitutional convention to revise the State constitution "until the general assembly is reapportioned in accordance with constitutional standards." In its order, the court stated:

> We do not feel that it would be proper to permit such new constitution as may be proposed to be submitted to the people for ratification or rejection when it is, as is the case here, proposed under conditions of doubtful legality by a malapportioned legislative body. (Order dated June 24, 1964, Civil Action No. 7883.)

As this order was being appealed to the Supreme Court of the United States, a new election was held in Georgia. The Supreme Court remanded the case for a determination whether, in view of the new elections, the order was still necessary. (379 U.S. 621 (1965).) As Mr. Justice Harlan pointed out in his dissenting opinion, this disposition clearly indicated that the lower court could properly issue the injunction.

Action by a malapportioned legislature to undermine the constitutional principle of one-man, one-vote is, of course, the most direct and flagrant abridgment of this constitutional right. Every first-year law student knows the basic principle of equity that a claimant "must come into court with clean hands" before the court will hear his claim. In my judgment, no illegally apportioned legislature has "clean hands" in calling for a constitutional convention to legitimize its own illegality. A malapportioned legislature may be competent, pending its reapportionment, to pass legislation generally. But such a legislature has no competence to initiate amendments to the Constitution to make legal its own illegality. A three-judge Federal court in Utah has clearly recognized this principle. In *Petuskey* v. *Rampton*, 243 F. Supp. 365, 373 (1965), the Court stated:

> Well-known general principles of equity require that the [malapportioned] legislature not consider or vote upon any proposal to amend the Constitution of the United States on the subject of legislative reapportionment.

Accordingly, Congress should refuse to accept from a malapportioned legislature "any proposal to amend the Constitution of the United States on the subject of legislative reapportionment.

The Petuskey case reveals the strategy followed by proponents of a constitutional convention for adoption of a malapportionment amendment and provides an additional argument for holding convention petitions invalid. In 1964, the court observed the following, regarding the State legislature:

> We note here the somewhat widespread public statements of some persons who are, or may be, charged with the responsibility of law-making that reapportionment is a subject upon which they are "willing to drag their feet" or to "await potential changes in the federal law or Constitution."

A year later, when the State legislature remained malapportioned, the court stated:

> For a very long period of time all efforts to obtain a constitutionally apportioned legislature in this State have been frustrated.

The court then observed, in a footnote:

> It is interesting to note the speed by which the last State legislature memorialized Congress to call a constitutional convention to provide for reapportionment "on factors other than population" . . . compared to the Legislature's hesitancy to properly reapportion under the mandate of this court.

This pattern of hostility to court orders for reapportionment, attempts to delay implementation of those orders, and feverish activity to force a constitutional amendment legitimizing malapportionment was repeated in other State legislatures across the country, including my own. Of the 29 State legislatures which have petitioned for a convention to propose a constitutional amendment to authorize apportionment on "factors other than population," 23 were unconstitutionally apportioned at the time the petition was approved; 13 of those 23 legislatures were under court orders to reapportion, and litigation was pending in the other 10. Moreover, 24 of these 29 petitions were passed in the same year, 1965, in legislative sessions immediately following the Supreme Court's decision in Reynolds against Sims which elucidated the one-man, one-vote principle. These petitions were passed in haste, without the measured deliberativeness which should accompany the weighty responsibility of proposing an amendment to the Constitution of the United States.

We must not forget that, although the reapportionment decisions were welcomed by the great majority of citizens in this country, those decisions were most unpopular among the defeated litigants—the malapportioned State legislatures themselves. These defeated litigants had many reasons to resent and to oppose the reapportionment orders. For many rural legislators, the orders meant that they would lose their jobs. For many who might expect to be reelected in a constitutionally apportioned legislature, reapportionment nevertheless meant the disappearance of the old coalitions of overrepresented interests which give them effective power. In addition, many court orders required special sessions of State legislatures to adopt reapportionment plans. As we in this Chamber know, special sessions are not particularly popular among legislators. Petitions to legitimize malapportionment which were approved under these circumstances were, in truth, little more than sullen gestures of annoyance, and defiance. These petitions were passed without the calm, unhurried exploration of merits and demerits which should properly accompany the proposal of a convention to amend the Constitution of the United States.

Because of the circumstances in which most of these petitions were approved, I believe that the Congress should disregard them. Because most of these petitions were approved by unconstitutionally apportioned legislatures, in flagrant disregard of the rights of all citizens within the States for equal representation, I believe that the Congress must disregard them.

There is an additional, compelling reason that Congress should disregard petitions submitted by malapportioned legislatures. In judging the validity of petitions for constitutional convention, submitted by State legislatures under article V, Congress clearly has the authority to rule out petitions on the ground that circumstances which led to their submission have materially changed. This authority is precisely analogous to Congress power, upheld by the Supreme Court, to disregard the ratification by the Kansas Legislature of a constitutional amendment—dealing with child labor laws—after circumstances which had led to the proposal of the amendment had materially changed. Chief Justice Charles Evans Hughes, speaking for the Court in *Coleman* v. *Miller* (307 U.S. 433, 453 (1939)) stated:

> When a proposed amendment springs from a conception of economic needs, it would be necessary to consider the economic conditions prevailing in the country, [and] whether these had so far changed since the submission as to make the proposal no longer responsive to the conception which inspired it . . . This question can be decided by the Congress with the full knowledge and appreciation ascribed to the national legislature of the political, social and economic conditions which have prevailed during the period since the submission of the amendment.

I submit, Mr. President, that the reapportionment of State legislatures which had submitted petitions to avoid such reapportionment is a political and social condition which has "so far changed since the submission—of the petitions—as to make the proposal no longer responsive to the conception which inspired it." These petitions must be disregarded because the State legislatures which approved them no longer exist. Of the 23 malapportioned legislatures which approved "factors other than population" petitions, 19 are now constitutionally apportioned and elections under the new apportionment have been held. In two other States, elections are soon to be held. If a convention to change the present constitutional principles of apportionment is to be proposed by any of these states, these reapportioned legislatures shall consider the question.

The decision of the Supreme Court in *Dillon* v. *Gloss*, 256 U.S. 368 (1921) is also directly in point. In that case, which upheld Congress' power to place a specific limit on the time permitted for State legislatures to ratify the 18th amendment, the Court stated at p. 375—

> An alteration of the Constitution proposed today has relation to the sentiment and the felt needs of today, and . . . , if not ratified early while that sentiment may fairly be supposed to exist, it ought to be regarded as waived, and not again to be voted upon, unless a second time proposed by Congress.

In that case, the time limit was 7 years. Here most State legislatures have petitioned Congress within the past 2 or 3 years. But the principle still applies to invalidate these petitions. It is not the lapse of time, but rather the lapse of the malapportioned legislatures themselves which clearly indicated that the same "sentiment" in the newly apportioned legislatures may not "fairly be supposed to exist." These petitions, therefore, "ought to be regarded as waived, and not again to be voted upon, unless a second time proposed" by a constitutionally apportioned State legislature.

Based on the considerations I have discussed, which in my view demonstrate the manifest invalidity of petitions dealing with reapportionment submitted by malapportioned legislatures, at the present time the Congress has before it only six valid petitions from State legislatures for a convention to propose an amendment authorizing apportionment on factors other than population and no valid petitions whatsoever for a convention to propose an amendment depriving Federal courts of jurisdiction regarding legislative apportionment. Thirty-four valid petitions—two-thirds of the several States—are, of course, required before Congress must consider calling a convention. At the present time, we are a long way from that number.

Mr. **PROXMIRE**. Mr. President, will the distinguished Senator from Maryland yield?

Mr. **TYDINGS**. I yield.

Mr. **PROXMIRE**. Mr. President, I warmly and enthusiastically commend the distinguished and able Senator from Maryland for the fight he is leading against what could be a real constitutional nightmare. I believe this fight is one of the most important services that has been rendered to the Senate and the country.

It is interesting to note that even now the proponents of memorials calling for a constitutional convention are proceeding on the assumption that such a convention will not be held.

In Wisconsin, the major proponent of the constitutional convention is one Robert Knowles. Who is Robert Knowles? He is the majority leader of the State Senate in Wisconsin. He is the brother of the Governor of Wisconsin. He is a man who has been identified with this fight for at least 2 years. He is extraordinarily intelligent and able.

I think that if any State legislator in the country can be said to be aware of what the implications might be, it is Robert Knowles. Yet when he testified before the State Senate Judiciary Committee in Wisconsin, he said that it was his belief such a convention would not be held.

It seems to me that this raises a serious question as to the validity of a petition from Wisconsin in the event the Wisconsin Legislature, heaven forbid, should ask this body for a convention. It would appear to me that many of the States acting on these memorials are doing so in the belief that they merely serve to let Congress know of State concern. This belief, in and of itself, makes these memorials questionable as a basis for calling a constitutional convention. Apparently, many of the States passing the memorials had no such intention.

As I say, Mr. Knowles is a man who speaks not with any failure to understand the situation, any failure to have studied the problem, or any failure to have had sufficient experience in a legislature. He and his brother, the Governor, have been in legislative activity of one kind or another virtually all their adult lives. They know this issue intimately and thoroughly. Yet State Senator Knowles says that his Wisconsin petition will not serve to convoke a convention. He says at the Wisconsin hearing that he does not expect a convention to be held.

Mr. President, I can easily understand the reluctance of State legislatures to admit to themselves that by passing these memorials they are moving step by step toward a constitutional convention. Never in our Nation's history has a convention been called under article V of the Constitution. Never, in fact, has there been a need for such a convention. Our processes of government have operated, by and large, very fairly. They have been responsive to the people. Never have the States felt it necessary to make an end run around their national government by calling for a convention.

I do not believe that most people feel that a convention is desirable or necessary at this time. Surely the Federal Government has not so badly trampled the rights of the individual States that the States feel compelled to amend the Constitution without regard to the wishes of the national legislature. And what is to prevent the representatives of the States in convention assembled from deciding to do just about anything they please? Are we who revere the permanence and the utility of our Constitution really prepared to see a host of amendments proposed by a constitutional convention?

Article V states that—

> On the Application of the Legislatures of two thirds of the several States, [Congress] shall call a convention for proposing amendments.

The Constitution does not say that Congress shall control the subject matter of such a convention.

I submit that under the Constitution there is no way in which questions of this kind can be limited to the proposing of only one amendment. The constitutional language is clear that the convention can propose any number of amendments; that that is the purpose of the quoted provision of article V. I do not know how anyone can construe the language in any other way.

I should just like to quote a distinguished constitutional authority, U.S. Senator Heyburn, a Republican who, incidentally, helped to frame the Idaho constitution. He said on this floor on February 17, 1911:

> When the people of the United States meet in a constitutional convention there is no power to limit their action. They are greater than the Constitution, and they can repeal the provision that limits the right of amendment. They can repeal every section of it, because they are the peers of the people who made it.

Mr. President, I do not know how anyone can read article V of the Constitution and come to any other conclusion.

I thank the distinguished Senator from Maryland once more and congratulate him on the fine presentation he is making this morning on this subject.

Mr. **TYDINGS**. I thank my distinguished colleague from Wisconsin.

Mr. President, the second question I want to discuss today is—even assuming the validity of all 32 of the pending petitions dealing with legislative apportionment, must the Congress call a constitutional convention if two more States submit petitions on this subject? In my judgment, the answer to this question is "No." It appears that if two more legislatures act, 34 of the State legislatures at some time will have called for conventions dealing in some manner with legislative apportionment. But the convention calls now before the Congress differ in crucial respects. Twenty-nine of those petitions call for a convention to propose a specific amendment—detailed in the petitions—to permit one house of a State legislature to be apportioned on the basis of "factors other than population." Three of those petitions call for another fundamentally different amendment, one which would deprive the Federal courts of any jurisdiction regarding apportionment of State legislatures. I do not think the Congress would be justified in considering these two different types of petitions as calling for the same constitutional convention.

It is not correct to assert that all 32 State legislatures which have thus far submitted petitions want a constitutional convention dealing generally with the subject of legislative apportionment. The State legislatures have not said this. Some have called for a convention to propose one specific amendment; others want a convention to propose another specific amendment. I do not think we can assume that a legislature which called for an amendment to keep the courts out of apportionment cases would be just as happy to have an amendment which keeps the courts in those cases, but alters the apportionment standards applied by the courts.

Even more importantly, the question whether Congress could place any limitation on the powers of a constitutional convention would be dangerously complicated if Congress were to lump together two different kinds of calls for conventions. The most troublesome unanswered question in article V of the Constitution is whether Congress can limit the powers of a convention called to propose amendments. I believe that the Congress, if it calls a constitutional convention in response to the present petitions, must narrowly and clearly circumscribe the powers of that convention to insure that the whole fabric of our framework of government is not brought into issue. Unless the Congress can call a convention with powers strictly limited to those specifically requested by two-thirds of the State legislatures, then I believe the convention could too easily view its power as unlimited, and could too easily justify ignoring Congress express limitations.

There is little precedent to guide us on the question whether Congress can limit the power of article V constitutional conventions since none has been called since the first convention which drafted the Constitution itself. Every other amendment to our Constitution, including the cherished Bill of Rights, has been first deliberated and approved in the Congress before being proposed to the States for ratification. The proponents of the malapportionment amendments have resorted to attempting a constitutional convention because the Congress deliberated on the proposed amendments, saw the clear dangers in them, and rejected them.

The Congress, in deliberating on those amendments, also saw quite clearly certain forces which, behind the scenes, were among the most ardent advocates for malapportionment—the far rightwing, anti-civil rights, and special-interest big business groups which have for years controlled the rotten borough legislatures for their own profits and the public's loss. There is danger, I think, that those groups would attempt to dominate a constitutional convention called to consider malapportionment amendments. And I shudder at the prospect that a constitutional convention, thus dominated, would be free to reopen every sentence and paragraph of the U.S. Constitution.

The reasons for the uncertainty in article V regarding whether Congress can limit the powers of a constitutional convention arise from the history which preceded the calling of the first Constitutional Convention, and the debates at the Convention itself regarding article V. After 1780, the weaknesses of the Articles of Confederation as an instrument of government quickly became apparent—in particular, the lack of authority in the central government to raise revenue, to regulate interstate commerce, or to exercise general coercive powers to enforce its laws. Moreover, the veto power which the Articles placed in any single State made amendment impossible. By the end of 1786, all States but Rhode Island had petitioned the Congress to call a convention to reexamine generally the structure of Government established by the Articles. The Congress in February 1787 refused to issue such a general convention call, but called a convention for the "sole and express purpose of revising the Articles of Confederation" and reporting back to the Congress—Pritchett, "The American Constitution," page 14, 1959. The Constitutional Convention which met in May 1787, ignored this limitation and considered itself, as the Preamble to the Constitution indicates, to speak for "we the people of the United States."

In the convention debates on article V, there is some evidence that constitutional conventions provided for by that article could also ignore the limitations placed on it by Congress and instead purport to speak for "the people." The first draft of the constitutional provision dealing with the amending power stated that, when two-thirds of the State legislatures applied for an amendment, the Congress "shall call a convention for that purpose." Madison's notes of the Convention record that he was disturbed by this provision. "How," he asked, "was a convention to be formed? by what rule decide? what the force of its acts?"—2 Farrand, "The Records of the Federal Convention of 1787," at 558. Madison moved successfully for reconsideration of the provision.

The second draft gave the Congress exclusive power to propose constitutional amendments, with no provision for conventions. Colonel Mason, of Virginia, opposed vesting exclusive power to propose amendments in the Congress. Mason's marginal notes on his copy of the draft of the Constitution provide his reasoning:

> By this article, Congress only [would] have the power of proposing amendments at any future time to this constitution and should it ever prove so oppressive, the whole people of America can't make or even propose alterations to it; a doctrine utterly subversive of the fundamental principles of the rights and liberties of the people. (2 Farrand, *op. cit.*, at 629 n. 8)

Mason stated these objections, and Madison reiterated his concerns about the form of such conventions and his preference for clearly leaving the function of proposing amendments with the Congress. Madison was, however, willing to have Congress "bound to propose amendments applied for by two-thirds of the States"—2 Farrand, op. cit. at 629–30. From this debate, the draft of article V was changed to its present form so that either the Congress or a convention called by Congress, on application of the States, could propose constitutional amendments.

Article V thus appears to be a compromise between Mason's view, that a convention must be free to speak for "the whole people of America" and bypass the Congress altogether in the amending process, and Madison's view that the Congress should retain a clear role in proposing amendments. On the basis of this constitutional history, however, the question whether Congress could validly restrict the powers of a constitutional convention is not free from doubt. I might note that the distinguished minority leader, Senator DIRKSEN, has expressed similar views. The Chicago Tribune of Monday, March 27, 1965, reported that in an address 2 years ago to the National Grange, Senator DIRKSEN made the following remarks:

> There can be and is a genuine fear of a constitutional convention on the part of many thoughtful people who urgently are working toward enactment of a constitutional amendment. The fear is simple. There has never been a constitutional convention since these United States became a nation. There is strong legal opinion that once the states have mandated a convention, the courts nor the executive can control it, guide it, or establish the matters with which it would deal. A constitutional convention, many sincere people believe, would, once unlocked, spread in every direction.

I think all of us in the Congress would readily agree—no matter what our views on the apportionment issue—that the Constitution as a whole, and our framework of government under it, should not be freely tampered with by a constitutional convention called by this Congress. As I have stated, there are grave doubts that Congress could validly limit a convention called under article V. But if there is ever a remote possibility that a convention could be limited, Congress would justify imposing a limitation only if it counts together, for purposes of aggregating the necessary two-thirds, petitions from State legislatures which request conventions for exactly—to the letter—the same purposes. At the present time, Congress has received no more than 29 petitions calling for a convention dealing with the same specific aspect of the reapportionment issue. We must therefore conclude that, even assuming the validity of these 29 petitions, at least five more State legislatures must petition the Congress before any issue regarding a convention call is properly before us.

Mr. GORE. Mr. President, will the gentleman yield?

Mr. TYDINGS. I yield.

Mr. GORE. I have followed with interest the very able address of the distinguished Senator from Maryland. I want him to know that it is far more than perfunctory courtesy with which I say I am grateful for the able leadership the Senator has provided in this field, or issue, so vital to our democratic processes. I only rise to so express myself and also to encourage him to be persistent in this worthy cause.

Mr. TYDINGS. I thank the distinguished Senator from Tennessee. I appreciate the efforts he made with us in the fight to protect the rights of the people in the 89th Congress, and his support is greatly appreciated.

Mr. President, my views are well known to the Senate on the merits of both proposed constitutional amendments to authorize malapportioned State legislatures. I am opposed to both amendments because, as I stated in my maiden speech in the Senate, I believe both are inconsistent with the constitutional history of this country and would undermine fair and effective State government. A number of Senators disagree with these views. But this difference of views regarding the merits of the one-man, one-vote principle should not, in my judgment, dictate that a difference of views must exist regarding the validity of all the present petitions for constitutional conventions on this issue. Whatever his views on the merits of the reapportionment issue, I believe that every Senator is concerned with the integrity of our Constitution and is aware of the need for orderly, deliberate proceedings in proposing any amendment to that document. I believe that every Senator must be disturbed, as I am disturbed, at the unseemly circumstances, necessarily inconsistent with calm deliberation, which accompanied approval of most of the petitions now before us. I believe that every Senator must be disturbed, as I am disturbed, at the prospect that, in their haste to change a particular constitutional rule, the proponents of this change will tear open the whole fabric of our Constitution. These should be the considerations uppermost in our minds if, in the near future, any resolution is introduced in the Congress to call a convention to propose amendments to the Constitution. I would hope, moreover, that these considerations would be fully weighed before any resolution is introduced. If these considerations are fully weighed, I believe that no such resolution will be placed before us.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. TYDINGS. I am happy to yield to the Senator from New York.

Mr. KENNEDY of New York. First, I wish to commend the Senator from Maryland for his remarks. His careful and thorough scholarship has cast new light on this most important issue. He has brought into sharp focus many of the difficult problems involved in the amending of the Constitution through the untried process of a constitutional convention called by the Congress on the basis of resolutions adopted by two-thirds of the States.

Gladstone once said that—

> The American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man.

This thought is particularly germane when we are confronted with the possibility that that Constitution will be amended by the untried method of a convention called by Congress on the application of the legislatures of two-thirds of the States. A document which has withstood the test of almost two centuries must be changed only for the most important reasons. And, when the mechanism for change is one that has never before been invoked, special care must be taken to insure that the entire amending process is wholly above procedural question as well.

Because constitutional amendments do produce such fundamental changes in our political structure, the Founding Fathers intended that the amending process be both elaborate and exacting. Thus, in the case of resolutions passed by two-thirds of the States, they could hardly have intended that Congress not play a significant role in deciding whether the desired convention has been validly requested. This is not to say that Congress has complete discretion to disregard the wishes of the States. But it must possess power to rule upon the validity of the submitted resolutions as the basis for convening a constitutional convention. If for any reason these resolutions appear to be invalid—either in regard to the circumstances of their enactment or their submission or the form of their request—then it follows that Congress must reject them.

At present, only 32 States have passed resolutions dealing in some way with apportionment. It is therefore premature for Congress to render a final judgment on the problem, since it is not yet certain that a full two-thirds of the States will petition for a convention. But should two more States choose to submit resolutions—and such resolutions have been passed by one House of the Iowa Legislature and are pending before the legislatures in Wisconsin and Pennsylvania—then we must be prepared to deal with the matter. We should therefore begin to consider the weighty and, in my judgment, compelling arguments that have been advanced against the validity of these resolutions.

First, 26 of the 32 resolutions were invalidly enacted, since that many legislatures were malapportioned when they passed these petitions. Their hastily enacted and ill-considered applications are thus nothing more than attempts of malapportioned bodies to preserve their lost power. The vast bulk of these resolutions represent not the voice of the people but the special pleading of those groups and factions whose rule of our States has already been found inherently undemocratic.

I believe this Congress can and should refuse to sanction these efforts by the few to maintain power at the expense of the majority. Any attempt on the part of a malapportioned legislature to legitimize its own power and thwart the rights of its citizens to equal representation must—as the Federal courts have recognized—be rejected. Changes which go to the very heart of our constitutional system cannot properly be set in motion by those whose right to govern has been overturned.

Second, these resolutions fail as a group to constitute a valid set of requests upon which Congress is required to act. It would make little sense if a convention could be convened on the basis of widely differing applications seeking consideration of disparate issues. And these 32 resolutions are not all the same. Twenty-nine of them request a convention to pass an amendment permitting one house in a bicameral legislature to be malapportioned. The other three seek only to abrogate the power of the Federal judiciary to deal with apportionment.

We are told that these two groups of resolutions can be linked together. But certainly that cannot be. One group wants the judiciary stripped of jurisdiction and left without power to deal with malapportionment in either chamber of a State legislature. There is no basis on which Congress can conclude that that group also wants an amendment which leaves power in the courts and sanctions malapportionment in only one house of a bicameral legislature. Those legislatures which may have believed it wrong for the Federal courts to enter the "political thicket" at all may not have wanted to guarantee the right of each State to malapportion one branch of its legislature. A request to shift power from one level to another in the Federal system is not the same as a request for permission to deny majority rule in a State legislature. As Prof. Charles Black, of Yale, has written:

> It is not for Congress to guess whether a State which asks for the one kind of convention wants the other as a second choice. Altogether different political considerations might govern.

And in fact this observation has been borne out in the States of Washington and Wyoming. The legislatures of both, after passing resolutions seeking to abrogate the power of the Federal courts to reapportion, refused to accept resolutions calling for the States to be allowed to malapportion one house of their legislatures.

Third, these resolutions do not accord with the intent of article V that the purpose of calling a convention is to propose amendments. The 32 resolutions not only request a convention but stipulate the texts of the amendments and the method for ratification. They are in effect an attempt by the various State legislatures to force Congress to call a convention which can only act mechanically to approve or disapprove a specific amendment. The attempt is to make the convention merely an initial step in the ratifying process instead of a deliberative meeting to seek out solutions to a problem. The word "propose" cannot be stretched to mean "ratify." The Congress cannot properly accept and become part of any prepackaged effort to shortcut the amendment process. The attempt to reduce Congress and a constitutional convention to rubber stamps and to destroy the power to decide upon the content and method of ratification of a constitutional amendment, is sufficient in itself to invalidate these resolutions.

Fourth, some of these resolutions cannot be counted toward a requisite two-thirds since they have not been validly submitted to Congress. In at least three States it appears that resolutions were passed by legislatures which then adjourned without taking the final step of formally sending their petitions to Congress—a step which would appear to be required if there is to be any orderly way of determining whether a sufficient number of States have validly requested the calling of a convention. These resolutions thus have the status of unfinished legislative business at the State level. Their ability to be considered by Congress expired when the enacting legislatures expired. Until and unless these resolutions are reenacted, they cannot serve as the basis on which this or any future Congress can call a constitutional convention.

Finally, the 32 resolutions may well not be sufficiently contemporaneous to be treated as a valid reflection of the will of the people at any one time. How long the States have collectively to propose or ratify specific constitutional change has always been a matter of congressional judgment. In deciding that question, Congress must determine when the identical acts of various States will cease to be collectively responsive to a continuing public interest. In this particular case, over two-thirds of the enacting legislatures were faced with reapportionment at the time they acted and most of these legislatures have since changed in composition and outlook. Therefore it seems to me that Congress is justified in this case in setting a very short time period—certainly of no more than 2 or 3 years. The behavior of States like Wyoming and Maryland, which failed to rescind their 2-year-old resolutions only because of procedural technicalities, lend support to this conclusion.

That many difficult and troubling constitutional problems are involved in considering the validity of these various resolutions should be obvious. And beyond these problems is the question of what a convention, once convened, may decide to undertake. For much as Congress may limit the convention's power, we can never be certain whether circumstances and the pressure of immediate political passions may tempt this body to narrow our fundamental rights—to limit the guarantees of free speech and religious freedom and fairness in the criminal process. I am deeply troubled by the possibility of a convention which may decide to move beyond the legitimate boundaries of its jurisdiction and interfere with basic human rights.

The time is late, but public consideration and discussion of the dangers of a constitutional convention can still help. There are still States which have not yet passed a resolution but are considering one. There are other States in which a previous legislature passed a resolution, but where there is presently a chance to rescind it. And, most important, the people of our Nation should know of this new assault on the principle of one man, one vote, this attempt which could bring with it the destruction or inhibition of our basic liberties. For it is they who stand to lose in this effort to restore the rotten borough to the American political system. It is they who will lose if the bill of rights is eroded at such a convention. And it is they in the end, who have the power to insure that such damage will never be done to our Constitution.

Once again I commend the Senator from Maryland for the leadership he has given in this matter, and the Senator from Wisconsin for his efforts in joining with the Senator from Maryland.

I have a number of questions that I wish to ask the Senator from Maryland, if I may do so at this time.

Mr. TYDINGS. I thank the distinguished Senator from New York. His presence on the floor and his support mean a great deal in this effort.

Mr. KENNEDY of New York. I wanted to ask the Senator from Maryland for some comments on what I think are significant and important points in this struggle.

I ask the Senator whether, in his judgment, it is not true that a malapportioned legislature cannot very well have the power to call for a constitutional convention for the very purpose of preserving its malapportionment. Would the Senator comment on that?

Mr. TYDINGS. I would answer in the affirmative. As the Senator knows, there is a fundamental principle of equity, that a person cannot go into court and ask for equity when he does not have clean hands. A man who is guilty of adultery cannot go into a divorce court and ask for a divorce on the grounds of his wife's adultery. A malapportioned legislature cannot propose a constitutional convention for an amendment to make legal its own illegality.

Mr. KENNEDY of New York. Will the Senator from Maryland also comment on whether or not he feels it is true that calls for conventions to deal with different subjects cannot be linked together.

Mr. TYDINGS. I concur in the Senator's remarks. He is entirely correct that the convention calls must be identical to be honored.

Mr. KENNEDY of New York. I ask the Senator whether, in view of the requirement of article V that a convention be called merely to "propose" and not to ratify amendments, he believes that those resolutions which attempt by their wording to limit the roles of both Congress and the convention are invalid.

Mr. TYDINGS. In my judgment, they are invalid. I would agree wholeheartedly with the position the Senator from New York has taken in his remarks. Under article V, a constitutional convention cannot be limited to a "rubberstamp" role with power only to approve or disapprove a specific amendment submitted by the States or Congress. The petitions from State legislatures which attempt to restrict a convention to considering only one possible text of a constitutional amendment are, therefore, invalid.

Mr. KENNEDY of New York. I should also like to have the Senator's comments on the time period during which these resolutions remain valid. Does he not think that, and because most of these resolutions were hastily considered by malapportioned legislatures, it is important that there be a limit on the period of time in which they can be considered by Congress?

Mr. TYDINGS. I think the Senator's point is very validly made. In a Supreme Court case I mentioned in my remarks, Chief Justice Charles Evans Hughes, speaking for the Court, stated that Congress could consider whether political, social, or economic conditions have changed, in determining the validity of acts by State legislatures mainly analogous to petitions for a constitutional convention.

I do not see how any Member of Congress can ignore the fact that, as a result of the one-man, one-vote descision, State legislatures have been reapportioned. The malapportioned legislatures, which petitioned the Congress for a constitutional convention, no longer exist. People are now represented fairly in those States, and conditions have, therefore, drastically changed since these petitions were railroaded through illegally apportioned legislatures.

Mr. KENNEDY of New York. Does the Senator feel it is possible for a subsequent State legislature, in view of the facts referred to in my statement and the statement that the Senator from Maryland has just made, to repeal its predecessor's resolution calling for a convention, at least until Congress itself has taken action and called the convention?

Mr. TYDINGS. It would be possible. I think the real point there is the fact that States were caught unaware. For example, in my own State of Maryland, we did not realize that this back-door attempt to amend the Constitution of the United States by petitioning a constitutional convention had gone so far until about 9 days before the Maryland Legislature was required, by the State constitution, to adjourn. Bills were hastily introduced to repeal the petition which the previous illegally apportioned legislature had approved. In the declining hours of the session, the petition repeal was passed overwhelmingly in the senate. It would have passed the house of delegates. A majority of the members of the house of delegates were cosponsors of the repeal bill. But as the bill reached the floor on the last day of the session, the clock ran out. A few more minutes, and the Maryland Legislature would have rescinded its convention call.

But the intent of the Maryland Legislature was clear, and I think this situation exists in many other States. I believe there are very few legislatures which would again adopt a petition for a constitutional convention, as their illegally apportioned predecessors had done.

Mr. KENNEDY of New York. Let me once again commend the Senator from Maryland for the leadership he has given on this matter. As I remember, he made his maiden speech on the floor of the Senate on the subject of reapportionment. He has been in the forefront of the struggle; and I think that without his leadership and his dedication to the question of equal representation, we would not be in the position that we are at the present time.

So, I commend the Senator for his courage and the effort and imagination that he has shown in leading this body in this very important struggle for individual liberty in our country.

Mr. TYDINGS. I am very grateful for the most charitable and courteous comments of the distinguished Senator from New York.

I ask unanimous consent, Mr. President, to have printed in the RECORD at the conclusion of my remarks two editorials, one entitled "A Constitutional Convention?" published in the Rocky Mount, N.C., Telegram of March 29, 1967, and one entitled "The Convention Threat," published in the Winston-Salem, N.C., Journal, of March 27, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TYDINGS. I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a chart, showing a graphic representation of the malapportioned State legislatures which have called for a constitutional convention. It shows the date of the call, the malapportionment in terms of percentages of the population represented by a majority in each House, and the population range per Senator and Representative at the time of the call. All of these 26 legislatures were malapportioned at the time of this call, and the case so holding is indicated. Again in all of the States, these malapportioned legislatures are no longer in existence, and elections have subsequently been held under constitutional appointment in all but four of the 26 States.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

A CONSTITUTIONAL CONVENTION?

Would a constitutional convention result in a Pandora's box? Sen. Sam Ervin fears that it would. He, along with others, is greatly concerned about what might happen in a constitutional convention in the U.S.

"The specter of a new convention dabbling with the greatest document ever devised by the hand of man is unthinkable," declared the senior senator from North Carolina. Ervin, an expert in constitutional law, knows what such a gathering might do.

The legislatures of 32 states have passed resolutions asking Congress to call a convention at which constitutional amendments could be proposed. The Constitution provides for the calling of a convention when two-thirds, or 34, of the state legislatures have made requests. Thus, only two more resolutions are needed.

"In a growing society with a growing federal government, each of the three branches manifests growing confusion over its proper role under the Constitution," Ervin said. "One example was brought home with horrifying force when we learned that the legislatures of 32 states had called for a constitutional convention to consider the Supreme Court's decision on reapportionment."

North Carolina's General Assembly is one of the legislatures which have called for a convention. The purpose of the states is to include an amendment in the Constitution nullifying the Supreme Court's one man, one vote order in legislative reapportionment.

But the trouble with a convention of this sort is that all kinds of other amendments could be proposed, many of them probably undesirable. Tinkering with the Constitution can be a dangerous thing, particularly if done by an irresponsible group.

The whole thing, of course, began because of the Supreme Court's meddling in the affairs of Congress and the states. The court went beyond its authority in the one man, one vote edict, and in other decisions having to do with criminal procedures. The states got fed up, and turned to the only method open to them: the constitutional convention.

The consequence now is the threat of a constitutional convention to change the basic document upon which the government of this country is based. Many liberals and conservatives share Ervin's fears about what might happen in a convention. Sen. Joe Tydings, a liberal Democrat from Maryland, said last week that in a constitutional convention, "all your rights will be up for grabs."

A staunchly conservative Democrat, Willis Robertson, former senator from Virginia, has been equally fearful of a convention. While he was a senator he kept a running count of the number of state legislatures which had called for a convention. He is fearful that the liberals might control a convention and try to rewrite the Constitution to their liking. "I shudder to think what delegates to a convention might do," he said.

Sen. Everett Dirksen is largely responsible for the legislative actions which make a convention a possibility. He has been the sponsor of proposals in Congress to nullify one man, one vote with a constitutional amendment. He sees the possibility of a constitutional convention as a hammer to hold over the heads of senators opposed to his amendment.

Ervin has supported at least the basic principle of the Dirksen amendment, but the Tar Heel senator's attitude toward a constitutional amendment indicates he feels the threat of a constitutional convention too dangerous a weapon to be used in support of the Dirksen proposal.

EXHIBIT 2

THE CONVENTION THREAT

When two such dissimilar men as Joseph Tydings and Sam Ervin are afraid of what a 1968 constitutional convention might do to the U.S. Constitution, it is time for everybody to be worried about the prospects.

Sen. Tydings, a liberal Marylander, vigorously supported the Supreme Court when it ruled that both houses of state legislatures must be apportioned on the basis of population, not cottonwood trees. He tends to see the Constitution as an instrument that is flexible enough to admit of such interpretations and plastic enough to allow men to cope with 20th century difficulties, whether they lie in Baltimore or Vietnam.

Sen. Ervin is a conservative North Carolinian who thought the Supreme Court guilty of "officious meddling" when it handed down the ruling on state legislatures, and he usually wants to see the Constitution interpreted with meticulous attention to the last comma and the narrowest shades of meaning.

Thus the two men disagree sharply on the one issue—reapportionment—that has provoked the near crisis that they both fear.

Thirty-two states have already asked Congress to call together a convention for the purpose of overturning the one man-one vote decision; if two more are added to the list, Congress may be forced to comply.

Both senators believe, with many students of the Constitution, that once a convention is in session it cannot be limited to a single proposal. It could do away with or elaborate in great detail on the Bill of Rights. It could abolish the presidential veto or it could authorize him to declare war without the consent of Congress.

In short, it could do anything to the Constitution it wished, and its potpourri of decisions would be submitted to the states for approval.

Small wonder that two such diverse men, with such divergent philosophies, agree that the Constitution should be protected from such an assault. The positions outline as well as anything could the Constitution's genius. It permits of the most violent disagreement over its parts but commands almost universal respect of the whole.

How deplorable it is, then, that a group of state legislatures (many of whose members are already out of office) should try to run it through a gauntlet of selfish interests.

EXHIBIT 2

State	Date of convention call	Was legislature constitutionally apportioned at time of call?	Case so holding	Percent of population represented by a majority in State legislature at time of call		Range of population between largest and smallest district in each house		Does legislature which made call still exist?	Have elections been held under a new constitutional apportionment?
				Senate	House	Senate	House		
Alabama	Mar. 1, 1965	No	*Reynolds* v. *Simms*, 377 U.S. 533 (1964).	27.6	43.0	No information available.	4.7 to 1 PVR [1]	No	Yes, 1966.
Arizona	Feb. 15, 1965	No	*Klahr* v. *Goddard*, 250 F. Supp. 537 (D.C.D. Ariz. 1966).	12.8	46.0	7,736 to 663,510 (county population, 2 senators).	5.3 to 1 PVR	No	Do.
Arkansas	Feb. 21, 1963; Feb. 1, 1965.	No	*Yancey* v. *Faubus*, 238 F. Supp. 290 (D.C.E.D. Ark. 1965).	48.8	33.3	35,983 to 80,993 [2]	6.4 to 1 PVR	No	Do.
Florida	June 15, 1965	No	*Swann* v. *Adams*, 378 U.S. 553 (1964).	12.3	14.7	9,543 to 935,047	2,868 to 311,682	No	Yes, 1967.
Idaho	Feb. 14, 1963; Jan. 26, 1965.	No	*Hearne* v. *Smylie*, 378 U.S. 563 (1964).	16.6	42.2	915 to 93,460	11.3 to 1 PVR	No	Yes, 1966.
Kansas	Feb. 21, 1963; Feb. 4, 1965.	No	*Anderson* v. *Harris*, 382 U.S. 894 (1965); *Long* v. *Avery*, 251 F. Supp. 541 (D.C.D. Kans. 1965).	50.1	19.4	47,114 to 61,920	2,231 to 47,800	No	House only, 1966 (senate cont. under court order to reapportion).
Louisiana	June 1, 1965	No	*Spencer* v. *McKeithen*, No. 3316 D.C.E.D. La. (1966).	33.0	33.1	31,175 to 248,427	6,909 to 57,622	No	Not until January 1968.
Maryland	March 24, 1965	No	*Maryland Committee for Fair Rep.* v. *Tawes*, 377 U.S. 656 (1964).	14.1	35.6	15,481 to 492, 428	6, 541 to 37,879	No	Yes, 1966.
Minnesota	May 17, 1965	No	*Honsey* v. *Donovan*, 236 F. Supp. 8 (D.C.D. Minn. 1964).	40.1	34.5	24,428 to 100,520	8,343 to 56,076	No	Do.
Mississippi	July 7, 1965	No	*Connor* v. *Johnson*, 256 F. Supp. 962 (D.C.S.D. Miss. 1966).	37.4	41.2	20,987 to 187,045	3,576 to 26,361	No	To be held in 1967.
Missouri	April 8, 1963; February 22, 1965.	No	*Jonas* v. *Hearnes*, 236 F. Supp. 699 (D.C.W.D. Mo. 1964).	47.8	20.3	96,477 to 160,288	3,936 to 52,920 (single member districts).	No	Yes, 1966.

See footnotes at end of table.

EXHIBIT 2—Continued

State	Date of convention call	Was legislature constitutionally apportioned at time of call?	Case so holding	Percent of population represented by a majority in State legislature at time of call		Range of population between largest and smallest district in each house		Does legislature which made call still exist?	Have elections been held under a new constitutional apportionment?
				Senate	House	Senate	House		
Montana	March 11, 1963; February 12, 1965.	No	*Herweg* v. *39th Leg. Assembly,* 246 F. Supp. 454 (D.C.D. Mont. 1965).	16.1	36.6	894 to 79,016	894 to 12,537	No	Yes, 1965.
Nebraska	September 1965.	No	*League of Nebraska Municipalities* v. *Marsh,* 232 F. Supp. 411 (D.C.D. Neb. 1964).	[3] 44.0	[3] 44.0	21,703 to 36,393 (unicameral).	21,703 to 36,393 (unicameral).	No	Yes, 1966.
Nevada	June 4, 1963	No	*Dungan* v. *Sawyer,* 250 F. Supp. 480 (D.C.D. Nev. 1965).	8.0	29.1	568 to 127,016	568 to 18,422	No	Do.
New Hampshire	June 8, 1965	No	No court action	43.8	44.0	2.5 to 1 PVR	No information	No	Do.
North Carolina	May 17, 1965	No	*Drum* v. *Seawell,* 249 F. Supp. 877 (D.C.M.D. N.C. 1965).	47.1	27.1	65,722 to 148, 418	4,520 to 82, 059	No	Do.
South Carolina	June 10, 1963; Feb. 22, 1965.	No	*O'Shields* v. *McNair,* 254 F. Supp. 708 (D.C.D. S.C. 1966).	23.3	46.2	8, 629 to 216, 382	8, 629 to 29,490	No	Yes, 1966 (senate cont. under order to reapportion).
South Dakota	Aug. 9, 1963; Mar. 1, 1965.	No	No court action	38.3	38.5	10,039 to 43,287	3,531 to 16,688	No	Yes, 1966.
Texas	June 25, 1963; July 26, 1965.	No	*Kilgarlin* v. *Martin,* Civil Action No. 63-H 390 (D.C.S.D. Tex. 1964).	30.3	38.7	147,454 to 1,243,158	33,987 to 105,725	No	Court action still pending.
Utah	Mar. 8, 1965	No	*Petusky* v. *Clyde,* 234 F. Supp. 960 (D.C.D. Utah 1964).	25.3	37.7	10,195 to 55,372	1,164 to 21,135	No	Yes, 1966.
Virginia	Mar. 19, 1964; Jan. 19, 1965.	No	*Davis* v *Mann,* 377 U.S. 678 (1964).	41.1	40.5	61,730 to 163,401	21,825 to 95,064	No	Yes, 1965.
Georgia	1965	No	*Toombs* v. *Fortson,* Civil Action No. 7883 (D.C.N.D. Ga. 1964).	48.2	22.5	1.8 to 1 PVR	1,876 to 185,442	No	No.
New Mexico	1965	No	*Cargo* v. *Campbell,* Civ. No. 33273 (N.M. Dist. Ct. Santa Fe County 1963); *Lindsay* v. *Campbell* (D.C.D. N.M. 1966).	14.0	27.0	1,874 to 262.199	1,874 to 29,133	No	Yes, 1966.
Tennessee	1965	No	*Baker* v. *Carr,* Civ. Action No. 2724 (D.C.M.D. Tenn. 1964).	44.5	39.7	83,031 to 133,248 (district population).	22,275 to 50,105 (district population).	No	Do.
Washington	Apr. 8, 1963	No	*Meyers* v. *Thigpen,* 378 U.S. 554 (1964).	35.6	38.0	20,023 to 145,180	12,399 to 57,648	No	Yes, 1964 and 1966.
Wyoming	Mar. 25, 1963	No	*Schaefer* v. *Thomson,* 240 F. Supp. 247 (D.C.D. Wyo. 1964).	24.1	46.5	3,062 to 30,149	3,062 to 7,929	No	Yes, 1966.

[1] PVR stands for population variance ratio.

[2] Population ranges are in terms of population to senator or representative unless otherwise indicated.

[3] Unicameral.

Mr. JAVITS. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senator from Maryland, by unanimous consent, was granted the floor for 1 hour. The Senator's 1 hour has not yet expired; he has 15 minutes remaining.

Mr. TYDINGS. Mr. President, I am delighted to yield the remainder of my time to the senior Senator from New York.

The PRESIDING OFFICER. The Senator from Maryland yields 15 minutes to the Senator from New York.

The Senate has further agreed by unanimous consent that there be a period for the transaction of routine morning business, to begin at the conclusion of the 1-hour address of the Senator from Maryland.

Mr. JAVITS. Mr. President, I am grateful to the Senator from Maryland for yielding to me. What I have to say is pertinent to the matter which he has raised, and which has been discussed by other Senators. I think it is most useful to take the time to do so at this moment. I think that a great service is being rendered to the people of the United States, by full, frank, and open discussion of the momentum which has gained such ground to call a constitutional convention, and the unique procedure, which has never been attempted before.

I see some real dangers involved in this procedure. That does not mean that it is not my duty, as it is the duty of every Senator, to be a party to the calling of such a constitutional convention if the U.S. Constitution has been complied with in such respect.

I certainly would do no other thing were I convinced there had been an actual demand by 34 of the legislatures to call a constitutional convention.

As this has not yet occurred, and as there are many questions which must be considered by the people of the various States, questions that would have a very profound effect on the State legislatures, I think the time to speak is before the action is finally consummated.

I spoke to this issue in the Senate a few days ago. I think it would be even more timely to join my voice with those of the Senator from Maryland [Mr. TYDINGS], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from New York [Mr. KENNEDY], and other Senators who hold similar views.

Mr. President, I think there is a commanding case for the State legislatures which have already acted to rescind the resolutions under which they have acted. I think that there is a commanding case for the State legislatures which have not acted to refuse to pass such resolutions. My belief in this regard compels me to speak at this time.

What are the grounds for the fear of a constitutional convention such as contemplated by this kind of action?

As I see it, there is a grave question of law—in my judgment, a question of law which probably must be resolved against its proponents—that any legislature can limit the ambit of a constitutional convention by the resolution of request.

I doubt very much that the Congress of the United States can limit such a constitutional convention when it passes a measure of implementation concerning what is requested by the States.

Nonetheless, 29 States of the 32 which have already acted seek a convention for the specific purpose of adopting a single amendment—an amendment reversing the Supreme Court's decision on the popularly called one-man, one-vote principle for apportionment of the State legislatures and other legislative bodies. I think a very grave question exists as to whether this can be done.

A constitutional convention, even if elected under a congressional mandate that it could deal with only one subject, could run away. After all, it would be a duly created constitutional convention, and it could propose any amendments which it decided it wished to propose, subject to ratification.

I doubt very much that such actions would be invalidated as far as action by the States for ratification purposes is concerned. The mere fact that Congress in its resolution sought to restrict the action of the constitutional convention, certainly would not restrict the convention as a matter of law, in my judgment, to the specific issue contained in the resolutions already adopted by 29 States.

The grounds for the fear that we

would have a constitutional convention that would seek to rewrite the Constitution of the United States, including the first 10 amendments, concern the separation of powers with respect to the various branches of Government, the separation of church and state, and other essential guarantees, many of which have been today opposed and rescinded by many amendments—and I feel not by any means a preponderate number—because of the decisions of the Supreme Court which are said to inhibit—as in the case of confessions in criminal cases—prosecutions for crime. There are other examples.

As it is clear that even those legislatures which have acted have no desire to rewrite the Constitution, I do not believe that enough thought has been given to the matter before the resolutions were adopted so that the resolutions would be justified in view of the danger of having a constitutional convention which could not be controlled as a matter of law and confined to one subject, or which could, as a practical matter, be a runaway convention.

There is the real ground involved, for we would invalidate the whole Constitution of the United States upon which our whole society is based, including the Bill of Rights, the first 10 amendments.

We have no right to question these particular resolutions except with reason. I think there is a valid basis for questioning the 29 resolutions which are limited to the effort to call a constitutional convention to act on only a single question.

Another question relates to the age of the resolutions, as a good many of them were sent to the 89th Congress and not to the 90th Congress.

What is the effect of the resolutions which were apparently, as a practical matter, never received by Congress? Do memorials have the same effect as legal resolutions? What about simple petitions? Can voters in States which have adopted resolutions sue for rescission of the resolutions which have been adopted? What about the situation in States which have not been reapportioned?

A great many of the State legislatures which have acted were not reapportioned under the Supreme Court decision.

Can the courts compel Congress to call a constitutional convention if Congress should refuse to recognize the validity of some of these resolutions?

I think there certainly is a right to question the validity and the legality of the procedure.

Another question concerns the responsibility of Congress, and whether Congress must act. It is mandated to act under the Constitution if the actions of the State legislatures are valid. However, I think there is such serious question as to the validity that if Congress did not act based upon the resolutions already submitted, or if Congress made some other disposition of these resolutions, it would be proceeding properly and legally.

I think, therefore, that the question of discretion in this case resides in Congress rather than the autonomy which would seem to be indicated by the Constitution if each of these resolutions could be accepted on its face as completely valid as to both the restrictions which are sought to be imposed and as to the conditions existing under its adoption by the particular legislature.

There is even a legal question as to whether any of these resolutions can be rescinded.

It seems to me that my participation in this matter can perhaps be of the most use in respect to that particular question.

It is my profound conviction as a lawyer that those resolutions, until they are acted on by Congress, are subject to rescission. I believe that the citizens of every State have a perfectly open and clear path, if they disagree with what their State legislatures have done, to see what they can do to have the legislatures rescind the action they have taken.

I do not make any sinister charges, but in many cases, as the Senator from Maryland [Mr. TYDINGS] has pointed out, the resolutions were adopted without anyone knowing what was at stake. I believe the time for rescission is still with us, that rescission may be made by State legislatures, and that, if rescinded, the resolutions would no longer be valid as petitions to have Congress call a constitutional convention.

I could not end my remarks without one word about reapportionment. The fact is that reapportionment appeared to be a matter of great concern to my party. Yet I think it is fair to note that in the 1966 election, the first since reapportionment really got underway, my party made extaordinary gains in State senates, in State lower houses, and in governorships. We did much better than we did in 1964.

We made a net gain of 153 seats in State senates, and 387 seats in State lower houses. The Republican Party now holds 40.9 percent of all seats in State legislatures, contrasted with only 33 percent in 1964. Last year, the Republicans made a net gain of eight governorships and significantly, won or retained control of the government in five of the Nation's seven most populous States.

Interestingly enough, the combined population of Republican-governed States is 108 million now, while Democrats govern only 80 million. This means that 17 Republican Governors represent almost 60 percent of the population, while 33 Democratic Governors represent only 40 percent of the population. It seems to me that this indicates that the fears that were entertained on this side of the aisle about the reapportionment movement have not shown up in the election statistics.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. TYDINGS. Would the Senator from New York agree that the support for the one-man, one-vote principle is not partisan, but that the leaders of both great parties in this country support it and that the principle should not be twisted to be a partisan issue?

Mr. JAVITS. I do not think it should be a partisan issue, and I do not think it is a partisan issue. It is a fact that the movement was led with the deepest sincerity and the greatest skill by the minority leader, the distinguished Senator from Illionis [Mr. DIRKSEN]. That is why I identified the results with the outcome of the movement. I felt originally that the Supreme Court would not be completely rigid in the matter, and I believe that the Supreme Court has not been completely rigid and that, therefore, the attitude of people like myself to sustain the Court was justified.

I merely gave these figures by way of indicating that the fears that had been engendered by the minority party—my party—in the reapportionment debate were apparently not realized in the election. I believe that this is an important question which, politically, every Senator and every Representative will want to ask himself. The figures I have stated are persuasive.

Without in any way questioning the deep sincerity and good faith of those who have sought very strenuously and lobbied to convince State legislatures that these resolutions should be passed, and without questioning the deep conviction of those people that the constitutional convention resulting could be confined to the one issue requested by most of the legislatures, it is my judgment that the real danger is that it cannot as a matter of law, and certainly not as a matter of practice, be so confined; that you could have a runaway constitutional convention, at the very least; that this danger has not been adequately portrayed to the people of the States; that the State legislatures have a right to rescind those resolutions, as they had a right to pass them, before Congress actually acts upon the matter.

Therefore, it is the duty of those who feel as I do to enlighten and inform the people as to what is at stake, so that they may exercise their influence with their State legislatures, affirming at one and the same time my fidelity to my oath as a Senator, that if I am convinced that 34 State legislatures have actually and properly requested a constitutional convention, it will be my duty to vote for an appropriate and feasible measure which will give voice to their proper demands.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Chair understands that by unanimous consent the Senator from Maryland was granted not in excess of 1 hour for the purpose of delivering a speech, which he concluded in substantially less time. The Senator from Maryland then yielded the remainder of his time to the Senator from New York [Mr. JAVITS]. The hour allotted has now expired.

The routine morning business has been limited to 3-minute speeches, on request of the Senator from West Vrginia [Mr. BYRD], the acting majority leader. If we are to digress from the 3-minute rule, the Chair suggests that another unanimous-consent request would be in order.

UNANIMOUS-CONSENT AGREEMENT

Mr. DIRKSEN. Mr. President, notwithstanding the previous unanimous-consent request, I ask unanimous consent to proceed for 40 minutes, and to yield 10 minutes to the Senator from New Hampshire [Mr. MCINTYRE].

The PRESIDING OFFICER. Is there objection to the request of the minority leader? The Chair hears none, and it is so ordered. Accordingly, the minority leader is recognized for 40 minutes, 10 minutes of which he desires to yield to the Senator from New Hampshire.

The Senator from New Hampshire is recognized for 10 minutes.

Mr. McINTYRE. I thank the distinguished minority leader.

Mr. President, I have listened with great interest to the statements of the Senator from Maryland and others regarding the threat to the stability of our constitutional system which arises from the calls for a convention. I have not yet had the opportunity to explore all of the ramifications of this issue in depth, and I feel strongly that such an exploration is needed, but I should like to set out a few random impressions which have crossed my mind on this subject.

The first fact which struck me was the apparent carelessness and lack of understanding displayed by some of the State legislatures in approving the call for a convention. I need go no further than my own State of New Hampshire for an example.

The convention application resolution passed the New Hampshire House of Representatives by voice vote. It was then hand-carried to the State senate.

The resolution was not referred to committee for study. No senate hearings were conducted on the resolution. No explanation was offered regarding the merits or demerits of the resolution. No debate was conducted on the resolution.

Instead, within minutes—or seconds—of the time the resolution was carried into the State senate, it was adopted by the senate and sent to Washington.

The adoption of the resolution was not a partisan issue in the New Hampshire Senate because it was not an issue, period. It was simply picked up and passed without any thought.

And yet, this brief act could result in the most sweeping changes in the history of our Nation.

No doubt we will hear people say that the calls for a convention represent the will of the people of the States. But I wonder how that argument can be maintained in the face of the complete lack of the basic parliamentary safeguards which were cast aside by the senate of my own State.

The New Hampshire action is particularly puzzling because it appears to be in flat opposition to the will of the voters of New Hampshire. The voters of New Hampshire have spoken on this subject, as they did on November 3, 1964, at a statewide referendum. The question on the ballot was:

> Are you in favor of amending the Constitution to apportion the senate districts on the basis of population as equally as possible without dividing any town, ward, or place?

The vote was yes, 150,179; no, 43,837.

Of the eight questions submitted to the people, this one drew the highest number of "yes" votes and the lowest number of "no" votes. I believe that I could be quite safe in saying that the people of New Hampshire have taken a very different position on this subject from that of their State senate, which acted without hearings, study, debate, or time.

Mr. President, while I am on the subject of New Hampshire, I should like to point out my very strong agreement with the distinguished Senator from Maryland, that the merits of legislative apportionment are entirely separate from the merits of calling a constitutional convention.

I took the same position as the Senator from Maryland in opposition to the proposed Dirksen amendment covering reapportionment. My distinguished and learned colleague, the Senator from New Hampshire [Mr. COTTON], disagreed with us. He believed, and still does believe, that factors other than population should be permissible in apportioning a State legislature.

Nevertheless, when it comes to the question of calling a convention, the views of the Senator from New Hampshire [Mr. COTTON] appear to be at one with ours. With his permission, which I have obtained, I shall read a statement which he made on this subject last week:

> Besides our regular routine chores of defense, foreign aid, and taxes, there are knotty questions ahead: the draft, the Electoral College, improvement of Social Security, six new civil rights bills, air and water pollution, East-West trade, outer space treaty, and other issues old and new.
>
> One of these issues has been a "sleeper" since the last Congress, but it's a sleeper that could jump out of bed with a roar. That is the proposed Dirksen Amendment to permit one body of a state legislature to be apportioned by geography rather than population. This I supported, believing states should be allowed some small protection for less populated areas. The zooming city population should have full representation but not allowed to run all the rest of the country. No one element in our society should have unchecked power over all others. But in this Report I am concerned about something far more important than the merits or demerits of the Amendment.
>
> A new and startling situation has arisen for the first time in the history of this Republic. In the 180 years since the drafting of the Constitution, every amendment has been submitted to the states by Congress and if ratified by three-fourths of them, adopted. We had almost forgotten there is another method. If the legislatures of two-thirds of the states apply to Congress, a Constitutional Convention shall be called. On this Amendment 34 states have already applied. Thus, we are closer to the brink of a national Constitutional Convention than ever before. It would be hard to think of anything more dangerous and disruptive than such a Convention. At best, it would be likely to submit a host of amendments, dividing our people and throwing bones of contention into every legislature in the land. At worst, it might even attempt to rewrite the Constitution of the United States.

Mr. President, I am pleased to be on the same side of this issue as NORRIS COTTON. His statement clearly demonstrates that this issue is not one of partisan politics, neither of Democrat against Republican, nor of liberal against conservative or moderate. The issue is simply one of carrying out our sworn responsibility of preserving and protecting the Constitution of the United States.

The issues being raised on the floor today are weighty and important for the future of our country. We do not have the opportunity to explore them in depth at this time. One of the reasons why I am hopeful that Congress will not have to come to grips with this issue is my opinion that it will take a great deal of congressional debate to resolve the issues presented. I would not be surprised to see the Senate tied up for months on end, trying to reach some consensus on the factors involved. At a time when we are engaged in a war on the other side of the earth, we can not afford the luxury of tying ourselves up in knots over obstruse constitutional questions.

Mr. President, I thank the distinguished minority leader for yielding to me.

Mr. DIRKSEN. Mr. President, on June 15, 1964, when the Supreme Court in its decision in the case of Reynolds against Sims handed down what has become quite a celebrated one-man, one-vote decision, I took immediate exception, and in January of 1965, I introduced the first resolution for a constitutional amendment to preserve in the States the right to determine their own destinies, as far as their legislatures were concerned. I was in pretty good company because over a period of time no less a person than Justice Frankfurter took the position that that was a legal thicket, or a political thicket, into which the Court should not venture.

Mr. President, once more I wish to reemphasize what the primary issue is. It is not one-man, one-vote, as such. It is the right of a State legislature to determine the complexion of at least one of its branches on a basis other than population. That basis can be geography; it can be economic interest; it can be one of a dozen things; but it does preserve in the States the right to make that self-determination.

I am afraid those fearsome persons in this body, who so freely express their fears, evidently have no trust in the people. That is another issue. I trust the people. We trust the people who send us here. I know of no good reason why we should not trust them to exercise a very clearly defined constitutional power, which is lodged in them by virtue of article V of the Constitution.

I call attention to the fact that when we were under the Articles of Confederation, there was a provision in article 13 to the effect that those Articles of Confederation could not be amended unless every State—every State, Mr. President—approvingly ratified the amendment. The result was a stalemate in our Government. Rhode Island blocked a very important amendment all by its little lonesome self. Others have blocked amendments that were deemed to be quite necessary for the functioning of those articles.

The framers of the Constitution saw that difficulty when the first call went out. Interestingly enough, Mr. President, the call did not go out to gather in Annapolis or Philadelphia for the purpose of framing a constitution. The call indicated that they were going to revise the Articles of Confederation.

There were timid souls then, who said, "Oh, don't touch this holy document." Why, there had been people in those days who said, "Don't get into difficulty with King George and his Ministers. Let things stand as they are."

Of course, the law of life is either to change or decay, and change is eternal.

That is one thing in this universe you can bet on, and bet everything you have, because change is eternal.

Now, they finally fabricated the Constitution, but that Constitution had to be sold to the people. The three great salesmen were John Jay, James Madison, and Alexander Hamilton. Of all the papers that were written to sell that document to the people, those written by Alexander Hamilton were by far the most prolific.

There are 85 papers or articles in the Federalist Papers, and Hamilton wrote 51 of the 85. In No. 85 he dealt with the question of amending the Constitution of the United States. He did it in a very forthright fashion. Hamilton was aware that things are not static, and that there come times when the people may want to have their Constitution amended, for after all, this is a government of the people.

The Constitution, in the Preamble, recites:

> We the people of the United States, * * * do ordain and establish this Constitution for the United States of America.

Today timid voices are raised, "Oh, don't touch the Constitution." We have heard that before and it has been amended more than a score of times to indicate that it cannot remain static when the need arises.

When I introduced that joint resolution for a constitutional proposal to take care of this decision by the Supreme Court and leave the complexion of at least one branch of the legislature in the hands of the people of the State, we foresaw at that time the difficulties that were going to arise. I mentioned it in this Chamber at the time when I warned the Senate: Watch out, because this is dynamite. It is proving now to be dynamite. Much of the argument that has been made is quite irrelevant to the issue. I pointed out at that time that every elective body might be subject to the one-man, one-vote principle.

Yesterday that question arose in the Supreme Court, because I have here an article entitled "High Court Ponders One-Vote Issue." What is involved? There is involved a city council, a park district, a county board, and particularly, the Houston County Board of Revenue and Control in Alabama.

In the course of the argument before the Court, one of the attorneys gave his opinion that about 20,000 of the Nation's 90,000 local bodies would be affected.

Let me just recite the last paragraph and then I shall insert the entire article in the RECORD.

> But Truman Hobbs, lawyer for the Houston County board, insisted that most of the board's work was administering 1000 miles of rural roads. He said the city "couldn't care less" about county roads and rural residents would suffer if the city dominated the county board.

That could apply, they say, to some 20,000 communities. It is no surprise that the Honorable Thurgood Marshall, the Solicitor for the Department of Justice, went before that court in March and filed his memorandum; his notice that the Department of Justice intended to intervene.

It is beginning. Here is the clarion call. Let us wait and see what is going to happen because we have taken away from the States the right to make that determination and, in so doing, I think that we have violated that first sacred clause of the Preamble which states, "In order to form a more perfect Union."

Mr. HRUSKA. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. HRUSKA. The Senator properly points out that with respect to the one-man, one-vote rule the effort is being made to apply it not only to State legislatures but also to the local political subdivisions which, in every case, are the creatures of the legislature.

Is it not true that there are also advocates of the proposition that the one-man, one-vote rule should apply to the very body which is housed in this Chamber so that there will not be two Senators to each State but representation by population of the States in this body?

Mr. DIRKSEN. Indeed so. When this matter was before the Legislature of the State of Illinois, there were a number of persons who went before that legislature to testify. I quote from an article published in the Chicago Tribune of March 9, 1967:

> One of the chief lobbyists for organized labor today may have aided the movement toward a national convention. He is John Alesia, legislative spokesman for years for the United Steel Workers and brother-in-law of Joseph Germano, midwest regional director of the USW.
>
> WILLING TO CHANGE SENATE
>
> Sen. Everett E. Laughlin [R., Freeport] asked Alesia, a witness before the senate sitting as a committee of the whole, whether his AFL–CIO organization would pursue its "one man, one vote" theories to the point that each state would not be entitled to two United States senators.
>
> "We'll accept the United States Senate on a population basis," Alesia replied.

Mr. President, well, how many Senators for New York? How many for Rhode Island? How many for Wisconsin? How many for California? How many for Illinois? How many for Arizona?

Well, Mr. President, you figure out the mathematics of the thing. But here is a spokesman for labor who said, "We will accept the U.S. Senate on a population basis."

What a body this will be.

Blow out the walls and enlarge this place because we will never be able to hold them now. It will take a lot more than that to people this hall, if this ever comes to pass. But there, he states it before a legislative body that "We will accept the U.S. Senate on a population basis."

Mr. President, I ask unanimous consent to have this article printed in the RECORD at the conclusion of my remarks, as well as "High Court Ponders One-Vote Issue," previously referred to.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, will the Senator from Illinois yield further?

Mr. DIRKSEN. Gladly.

Mr. HRUSKA. In answer to the contention that an effort is being made to put this body on a one-man, one-vote basis, often resort is had to that part of article V of the Constitution which states:

> That no State without its consent, shall be deprived of its equal Suffrage in the Senate.

That particular article was adopted as part of the Constitution proper in 1789.

It was the 14th amendment, was it not, which was the basis of the Supreme Court's one-man, one-vote decision. The 14th amendment was adopted in 1867.

The fond hope of men such as those who testified before the Legislature of the State of Illinois is that the Supreme Court, following this reasoning, ultimately will conclude that since the 14th amendment followed in time, it supersedes article V in the body of the Constitution.

Mr. DIRKSEN. Precisely so.

Mr. President, the distinguished Senator from Maryland says, "I am afraid."

Afraid of what? The people?

The distinguished Senator from New York says, "I am afraid."

Afraid of what? The people?

Well, Alexander Hamilton was quite aware of these things when he wrote Federalist Paper No. 85. The people were a little afraid at that time about this Constitution and what should they do if they had an obdurate Congress with which they could not deal. They would want an amendment to that Constitution as first proposed—and there were quite a number of proposals by Charles Pinckney and others on amendments—but they finally adopted article V so that the Congress could initiate a constitutional amendment and send it to the States for ratification. Then, they provided that the people, through their legislatures, could initiate a constitutional connection to propose amendments if Congress refused or failed to do so.

Fancy a hostile Congress that would not do anything about a resolution which came down here.

Well, they had to sell the people on that idea. So, let me read to the Senate what Mr. Hamilton had to say:

> By the fifth article of the plan, the Congress will be obliged, on the application of the legislatures of two-thirds of the States which at present amounts to nine, to call a convention for proposing amendments which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the States, or by conventions in three-fourths thereof.

Hamilton continued:

> The words of this article are peremptory.

Well, what does peremptory mean?

Peremptory is absolute. There is no escaping it. That is what Hamilton said, in order to mollify the fears of the people.

Then he went on:

> Nothing in this particular is left to the discretion of that body—

Meaning Congress.

I read that glorious sentence again:

> Nothing in this particular is left to the discretion of that body.

Yes; Mr. President, they were wise men, those framers. They had all this in mind.

Hamilton continued:

> And of consequence, all the declamation about the disinclination to a change vanishes in the air.

That is Alexander Hamilton speaking, addressed to the people of the 13 States, to be able to say to them, "Fear not. We have put a power in your hands. The Congress cannot thwart you because it is peremptory. We have left no discretion in congressional hands."

Now there is one thing about it: although they have been declaiming on this subject, they have forgotten one thing about a constitutional convention. They have forgotten that a constitutional convention cannot amend the Constitution.

What it can do is to propose an amendment, and nothing more.

That proposal must then go to the country, and the country will then determine whether to ratify or not. It takes three-fourths of the States to ratify. Thus, a constitutional convention itself could consider a host of things. Not a comma or a period could be inserted in the Constitution until three-fourths of the States had solemnly ratified everything that was proposed.

I have no fear of the people. I do not understand these apprehensions and these ghosts under the bed that are seen by those who are now trying to scale down and undo, if they could, what has been built up in securing the applications of 32 States.

Mr. President, the distinguished Senator from Maryland had your State of Alaska on the phone a good many times—so did I—talking to the leaders of both houses of Alaska. The proposal went through one house in Alaska. It failed in the other house by three votes. I am inclined to feel that it was because there was a little political intrusion in it that it failed; but that is a personal opinion of mine.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HRUSKA. Does not article V further provide that ratification can be had by the legislatures of three-fourths of the States or by conventions in three-fourths of the States?

Mr. DIRKSEN. Indeed, it does.

Mr. HRUSKA. Is it not the intention of the Senator from Illinois, and would it be his thinking, that there would be submitted an act to implement the calling of a constitutional convention. It would provide for the selection of conventions within the States for the purpose of considering ratification of any proposal by the convention to amend the Constitution?

Mr. DIRKSEN. Absolutely so.

Mr. HRUSKA. We find evidence in the statements of those who oppose the submission of an amendment of a complete lack of trust and confidence in the competence of the people to govern themselves. It is a rejection of our republican form of government and our democratic form of government.

Mr. DIRKSEN. Let us make up our minds whether this is a government of the people and by the people or not. Abraham Lincoln, standing at that holy spot in Gettysburg, uttered the prayer, as it were, that government of the people and by the people shall not perish from the earth. That has been the great philosophy of our party, and I adhere to it as firmly now as the Great Emancipater did when he uttered those deathless words.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr PROXMIRE. May I ask the Senator from Illinois if he still takes the position which he took 2 years ago, and I would like to quote very briefly from what he said——

Mr. DIRKSEN. The Senator does not have to quote me. It has already been quoted.

Mr. PROXMIRE. I understand, but, to frame the question appropriately, I would like to quote what he said.

Mr. DIRKSEN. I would like to ask the Senator, Where is the whole speech?

Mr. PROXMIRE. The Senator is here. He can supply the context. This is what he said 2 years ago in that speech:

> There can be and is a genuine fear of a constitutional convention on the part of many thoughtful people who urgently are working toward enactment of a constitutional amendment. The fear is simple. There has never been a constitutional convention since these United States became a nation. There is strong legal opinion that once the states have mandated a convention, the courts nor the executive can control it, guide it, or establish the matters with which it would deal. A constitutional convention, many sincere people believe, would, once unlocked, spread in every direction.

I wish to ask the Senator from Illinois if he still feels that sincere and thoughtful people feel that way, or whether he would disagree that sincere and thoughtful people feel that way.

Mr. DIRKSEN. Oh, I never disagree with sincere people, but I call attention to the fact that I set up some premises and then proceeded to knock them down.

Mr. PROXMIRE. Would the Senator concede, as he said 2 years ago, that there is strong legal opinion that once the States have mandated a convention, the courts, as well as the executive, could not guide or control such a convention?

Mr. DIRKSEN. Exactly; and for what reason? If the courts or the executive could guide and control a convention, why have article V? That is what Hamilton was pointing out in his papers when he spoke about a hostile government that would not give ear to the people. So here we have the power of the people, and it is provided for in article V.

Mr. PROXMIRE. So the Senator is not only saying that if this convention is called it can go in any direction, but is he now adding that in his judgment this is the way a constitutional convention of the people should develop?

Mr. DIRKSEN. That is right, and the States upon their applications have indicated an interest in one thing, which is the question of apportionment.

Mr. PROXMIRE. Then, the Senator would entertain only those petitions which would specify they are interested in apportionment; others would be considered invalid?

Mr. DIRKSEN. I do not run the convention.

Mr. PROXMIRE. No, but the Senator from Illinois is one of the most influential Members of this body and the principal proponent of a constitutional convention. He would certainly have a major influence on what the petitions acceptable by the Congress should contain and what Congress should consider in giving force to the applications. The Senator is taking the position that only those petitions which would seek to overturn the one-man, one-vote principle would be entertained.

Mr. DIRKSEN. That is the only thing that the legislatures have asked for.

Mr. PROXMIRE. There are a number of States that have asked for a convention that would restrain the powers of the courts over some legislatures.

Mr. DIRKSEN. The fear is expressed that the legislatures would run hog wild. Apparently the Senator has no confidence in his State legislature.

Mr. PROXMIRE. Maybe a little less confidence in a Republican-controlled one than I would have in a Democratic one.

Mr. DIRKSEN. Before the control went into Republican hands, the Senator from Wisconsin uttered the same fear, because this goes back to 1964.

Mr. PROXMIRE. I may mention to the Senator from Illinois that the Wisconsin Legislature is now considering this matter. The majority leader of the State senate has specified that no convention would be called, but that this would bring to the attention of the people that a State should have a right to apportion the membership of one house on a basis other than population. He says this Wisconsin petition is not going to result in a convention, contrary to what the Senator from Illinois said 2 years ago.

Mr. DIRKSEN. If the Senator is quoting, perhaps the rest of the quotation can be supplied. The expectation is that a convention would be called. If a correspondent was quoting the gentleman, I do not think it is correct, because he was referring to a convention to consider this question.

Mr. PROXMIRE. I am quoting the reporter who gave the position of Senator Robert Knowles as being that it was his belief that a convention would not be called. He said Congress would get some indication of the unrest of the people. He said that is the object of the petition. His view is that a convention is not going to be held. He is the majority leader of the State senate, and the prime proponent of the petition. His view that the petition would simply bring to the attention of the Congress of the United States the unrest brought about by the failure of the Senator from Illinois to write an amendment and to get congressional approval for it.

Mr. DIRKSEN. He is giving his belief that Congress should act.

Mr. PROXMIRE. He said it would not act, that there would not be a constitutional convention. He does not want it, apparently.

Mr. DIRKSEN. He must have been misquoted, because in that resolution there is a statement of intention if Congress did not submit an amendment before the 30th of June, the convention is to be called. If Congress acted, a convention would become moot.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HRUSKA. Is that not exactly what happened when the 17th amendment was proposed?

Mr. DIRKSEN. Exactly.

Mr. HRUSKA. The same condition was expressed—that if it was not done by the Congress it should be done through a constitutional convention—and the Congress saw the handwriting on the wall and proposed the 17th amendment, and it was ratified.

Mr. PROXMIRE. I think this debate is very helpful. The Senator is saying that the purpose of this procedure in the State legislatures all over the country is to put Congress in such a mood as to act on the Dirksen amendment of last year; it is not to call a constitutional convention, which the distinguished Senator from Nebraska as well as the great and distinguished Senator from Illinois, who are conservatives in the best sense, must know could radically and tragically change our Constitution.

Mr. HRUSKA. Why does not this Congress amend in every conceivable manner the Constitution of the United States? It can propose amendments all over the place if it wants to. Why does not this Congress run away in its effort to amend the Constitution? Commonsense and good faith restrains it. For the same reason I would be very confident and extend every good faith to the representatives in a national convention. As the Senator from Wisconsin will surely concede, all wisdom does not abide in the 100 Members of this body. Surely those selected to the high honor and heavy responsibility of representing the people in a national convention can be given the confidence of possessing good faith and good judgment.

They cannot run away, because it would take 38 State legislatures or constitutional conventions to adopt and ratify their amendments. And, Mr. President, if that is accomplished, who shall deny them the right to exercise the constitutional prerogatives contained in article V? Who is to say? These people representing temporarily the States of the Union?

The significant point in this whole matter is the effort to permit the people to speak. If the amendment is ultimately adopted, it would be a plan which would be approved by the legislatures of the States, calling for representation on a basis other than population in one of the bodies of the legislature, subject to one thing, Mr. President, and that is a popular vote of the people on that issue. Not only once, but every 10 years.

If it is not a proposition of being afraid to trust the people, and of lack of confidence in their ability, to oppose that kind of a proposition, then I do not recognize the breed of the animal.

Mr. PROXMIRE. Mr. President, once more, here is the box we are putting ourselves into: the State legislatures are deeply concerned because under the Court's ruling, they must apportion both Houses on the basis of population. They feel very strongly on this particular issue. They have petitioned for a constitutional convention to act on the issue.

Nevertheless, article V is very clear; and it seems to me, if I understand anything the Senator from Illinois has said this morning, that his view is that a constitutional convention could not be bound, and he says it should not be bound. They do not have to confine themselves simply to apportionment. They can repeal the first 10 amendments of the Constitution, if they wish to do so.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to proceed for an additional 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. And what is the answer of Senators DIRKSEN and HRUSKA to this "Pandora's box" nightmare? The Senator from Nebraska supplied it when he asked what is wrong with relying, number one, on a vote of the people who were elected by all the people to take part in this constitutional convention, with the double check that it would have to go through three-quarters of the legislatures or three-quarters of the States having conventions in order to be ratified.

The answer to the Senator is that those of us who have had experience with State legislatures know that a proposal as extreme as abolishing the Federal income tax—the primary basis for supporting our Government has passed a shocking large number of our State legislatures.

State legislatures have far less knowledge of Federal problems and little or no responsibility for them.

Frankly if the Congress should call a constitutional convention, I would expect a number of extreme amendments to be offered and adopted by three-quarters of our State legislatures.

Mr. HRUSKA. The same article would allow them to reconsider, would it not?

Mr. PROXMIRE. What I am trying to get at is that we have had, for the 180 years of our Republic's history, amendments acted upon, with Congress originating them, never calling a constitutional convention. Members of Congress responsible for Federal law and experience in Federal lawmaking have had and should have the principal voice in acting on constitutional amendments. I think those 180 years represent some accumulated wisdom. We should recognize that once you call a convention of this kind, of people who in most cases have not had experience in Federal office, as Members of Congress have had, of people who have not had the kind of seasoning in working with legislation that Members of Congress have had, almost anything could happen.

Mr. HRUSKA. Exactly.

Mr. PROXMIRE. And three-quarters of the legislatures could act under those circumstances.

Mr. HRUSKA. That is what the Constitution provides.

Mr. PROXMIRE. It is not a matter of not trusting the people. None of us would be here if we did not trust the people. It is a matter of recognizing we have established a good practice, in the past, in accordance with the first provision of article V, and that it could be most unfortunate if we now turn to an untried method which could result in many radical changes in our form of government.

Mr. HRUSKA. The Senator is using words of tact, and they are quite blandishing, but the substance of what he is saying is this: "I do not think the people are competent to govern themselves and make this decision for themselves." That is the plain import of the Senator's statement.

Mr. DIRKSEN. Mr. President, I must remind my friend from Wisconsin all over again that a constitutional convention could propose an amendment to adopt the metric system in the United States; but he forgets that it has got to go back and receive the approval of three-fourths of the States before it ever gets within the four corners of the Constitution of the United States.

The point has been made here this morning that these applications are invalid, because they date back, in some instances, to 1963. I think the Supreme Court demolished that argument pretty well in connection with the 17th amendment, in the case of Dillon against Glass. That is the amendment that provided for the direct election of Senators. It was attacked because of section 3 in the amendment, which allowed 7 years for ratification.

Oh, the great to-do, the hue and cry that was made, that that was out of all reason. But when the Supreme Court got through, they said 7 years was a reasonable time.

If 7 years is reasonable for ratification, is 4 years an unreasonable time in which to initiate, by State application, a convention for the purpose of amending the same Constitution to which they have 7 years to approve an amendment? I submit that the rule of reason applies in every case.

It has been said that some of the applications are not valid as to form and substance. Mr. President, the Constitution of the United States is completely silent on that point. Since State legislatures must initiate, under article V, that is a matter for them to determine. All that is needed, by a rule of reason, is a clear expression of intent by the legislatures. So what difference does it make in what form the application for a convention is made?

It has been said that some of the legislatures passed these resolutions when they were malapportioned. If that made this action invalid, then why not apply this same rule to everything that those legislatures did from the time they were malapportioned? Why not strike down the appropriations, strike down the validation of nominations to State courts and to State offices, strike down all the policy legislation and statutes they may have passed?

Besides that, 25 of those States which are alleged to have been malapportioned approved 25 amendments to the Constitution, and we still accept them as valid.

I defy Senators to find anywhere, in any decision, the word "illegal." The court has never said that a malapportioned legislature is an illegal legislature. They have been accepted in due course.

Can Congress limit or control the convention? One of the reasons Alexander Hamilton wrote that article 85 in the Federalist was to make clear to people that no hostile Congress could thwart the will of the people, if they wanted to amend their own organic law. That makes good sense.

Now comes the great expression of fear that people are going to run hog wild, that a convention will run hog wild. Well, you would have to have either the legislatures or the conventions in three-quarters of the States also run hog wild before you could add one word or one syllable to the Constitution.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. Mr. President, I am so glad that the distinguished Senator is making this speech, and particularly that he refers to the fact that 25 amendments to the Constitution have been adopted by legislatures which under the present law would have been held to be malapportioned.

I recall many Supreme Court decisions in which these amendments have been followed, approved, and interpreted. As late as the time of the Virginia poll tax decision, the Court found occasion to approve and to comment upon the 24th amendment, which was ratified prior to the amendment most recently adopted.

I wonder with the adoption of the 25th amendment, if on any occasion when it is exercised—and I hope there will not be any occasion—somebody will raise the question that the Vice President who happens to come into office or the President, as the result of the functioning of the 25th amendment is not really the President because a malapportioned legislature, or several of them, happened to be among the 38 States that adopted that amendment.

The whole argument seems to me to be completely fallacious. I am glad that the Senator is exposing it.

I hope that the Senator is successful in his effort to have the legislatures, speaking for the people of the State more clearly than any other groups can speak, demand action in this field.

We have recently had a horrible example in my State of Florida of what happens when the court reapportions. I think our people are sick of it. For instance, we have the coupling of Broward County, the county of Fort Lauderdale, in a circuitous route with Monroe County, which is almost an independent principality for the selection of senators, so that all three State senators allowed in that widely extended district have now been named by Broward County. That is a situation in which a citizen from Key West has to come 169 miles to Miami, plus the 28 or 30 miles to Fort Lauderdale, before he can find a State senator to discuss special or local legislation which vitally affects him and his county. There is no State senator who knows what happens in his particular county of Monroe.

I hope the Senator from Illinois will continue to pursue this course of action with the perseverance which has marked his activity in the past. I hope that he will be successful in his course of action. So far as the senior Senator from Florida is concerned, he proposes to cooperate with him to the fullest possible extent in any way in which he can cooperate.

Mr. DIRKSEN. Mr. President, I remind the distinguished Senator from Florida of the Supreme Court case in which argument was finished yesterday. It involved local districts, like towns and cities. In the case of Houston County, Ala., the board of revenue and control administers 1,000 miles of highway dominated by the city. As the attorney said before the Court, the city could not care less about country roads.

This is already simmering down. It was estimated yesterday before the Court that as many as 20,000 local political subdivisions might be affected. They would consist of school boards, park boards, drainage districts, cities, and counties. You name it, and it will come within the purview. However, the Court is trying to find out where to draw the line, now that the damage has been done.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. Mr. President, if I may revert again to the case I just mentioned, which is only one of the horrible situations resulting in my State from a court reapportionment, I can say from some knowledge that many of the questions that will come up on a local basis in Monroe County—the county of Key West—have to do with marine or maritime matters—for instance, the stone crab, which the distinguished Senator knows of and loves so well as a table delicacy. Shrimp are found there in great profusion, as well as sea turtles and other sea creatures which are harvested from the gulf or the Atlantic at or near Key West.

Is it not rather ridiculous to have a local legislator address himself to the handling of problems such as these which are decided in the Florida Senate by three State senators from Broward County, on the mainland of the Atlantic coast, where none of these problems exists? They have to handle matters concerning which they have no knowledge, matters like the Key West crawfish, which are of vital importance to the people in that far-off area which happens to belong to the suzerainty of three Senators who live up in the Fort Lauderdale area. There could not be any more ridiculous situation than to expect those three State senators to know, understand, and be able to deal with the local problems affecting Key West, or Monroe County.

I cite that as an illustration of where we can go when we try to operate on an arbitrary one-man, one-vote basis, particularly when we place jurisdiction and authority in the courts, and have cases decided by men who have life tenure, who do not care whether the people like it or not, who do not care whether it suits the desires of the people or not, but simply decide questions on a mathematical basis by a circuitous route, taking a course such as was adopted in that case, by which they linked Key West, through the little west coast county of Collier, with the great county of Broward, so that Broward, with its 10-to-1 voting strength over both those counties—can dominate the entire delegation.

It is not right. It is not democratic. It is not sound. It ought to be corrected, and I hope the Senator from Illinois will persevere in his effort to have such situations corrected.

Mr. DIRKSEN. Mr. President, I say to my distinguished friend, the senior Senator from Florida, that we have persevered, and we shall continue to do so.

The votes of only seven other Senators were necessary to adopt the resolution that I offered in January 1965, to provide the constitutional two-thirds. Only seven other votes were needed. The vote was 57 to 39, and we fell just a few votes short.

The Senate should have passed that resolution, and the House should pass it. Then, let it go to the people and see what they have to say. However, here we have the expression: "I am afraid of the people."

All I can say, as was written on the ancient parchment long ago: "O, ye of little faith."

I think that is a good place to stop, and we will join in combat at some time later. So, I leave it at that for the moment.

I shall fervently hope that, in a number of States where this resolution is under consideration, they will see fit to approve it.

When we get the necessary 34—and we require only two additional States—I shall march in here, because this is a matter of the highest privilege, with a concurrent resolution and ask that it go to the calendar so that it can be considered in due course.

Mr. President, I believe that will be the end of the discussion for the moment.

There is much that I could add, but I shall do that on a subsequent occasion.

Mr. President, I yield the floor.

EXHIBIT 1

[From the Chicago Tribune, Mar. 9, 1967]

STATE SET TO JOIN ONE-MAN, ONE-VOTE FIGHT—SENATE EXPECTED TO APPROVE DIRKSEN PLAN

(By George Tagge)

SPRINGFIELD, ILL., March 8—Joining a revolt against the "one man, one vote" dictation by the United States Supreme court, the Illinois legislature today prepared to join the legislatures of 27 other states in demanding a national convention to revise the federal Constitution.

The Illinois Senate gave every sign that next week it will adopt a resolution to put Illinois on record in the march toward action by 34 states to achieve the national constitutional covention.

SUGGESTED BY DIRKSEN

Last week the Illinois House adopted the resolution and sent it to the Senate, as suggested by United States Senate Minority Leader Dirksen [R., Ill.]. Dirksen for years has been seeking means of restoring the right of states to follow the federal system in setting up legislatures if their voters want it.

Until the Supreme court several years ago upset the traditional rights of states in this field, most of them followed the system of having one legislative body based on population, and the other chamber based also on other factors.

WOULD ELECT JUSTICES

Illinois voters in 1954 overwhelmingly adopted the federal system but they were overruled by the supreme court headed by Chief Justice Earl Warren, former governor of California.

The anti-supreme court trend was sparked here yesterday by introduction of a Senate resolution aiming at election of justices of the United States Supreme court. This would also be the subject of a national convention obtained by the same method as the one on legislative apportionment.

The move toward abolishing Presidential appointment of Supreme court members was proposed by a freshman Republican, Sen. Joseph J. Krasowski of Chicago's southwest side.

An ultra-liberal Democrat, Sen. Paul Simon of Troy, sought to get a promise of delay beyond next week from Sen. Hudson Sours [R., Peoria], chief sponsor of the Dirksen plan resolution.

CITES 14TH AMENDMENT SPEED

Sours replied that the 14th amendment to the United States Constitution, on which the Supreme court based its "one man, one vote" rulings, was created in less time than is being taken in Springfield to try to modify just one effect.

Sen. Robert McCarthy [D., Decatur] objected that the League of Women Voters favors the pronouncements of the Supreme court and has not had a chance to go into action since the revolt started here last week.

One of the chief lobbyists for organized labor today may have aided the movement toward a national convention. He is John Alesia, legislative spokesman for years for the United Steel Workers and brother-in-law of Joseph Germano, mid-west regional director of the USW.

WILLING TO CHANGE SENATE

Sen. Everett E. Laughlin [R., Freeport] asked Alesia, a witness before the senate sitting as a committee of the whole, whether his AFL–CIO organization would pursue its "one man, one vote" theories to the point that each state would not be entitled to two United States senators.

"We'll accept the United States Senate on a population basis," Alesia replied.

Surpised by the union lobbyist's answer, other senators asked him similar questions and obtained similar replies.

"We would support reapportionment of the United States Senate on a population basis," was Alesia's final version.

STATES CAN FORCE ACTION

Article 5 of the Constitution provides that a convention to revise this basic law may be had if two-thirds of the states agree on this goal.

Simple majorities are sufficient to adopt the national constitutional resolution.

In contrast, two-thirds majorities in the Senate and House here are needed to adopt a pending resolution for a state convention to revise the Illinois constitution of 1870.

[From the Washington Post]

HIGH COURT PONDERS ONE-VOTE ISSUE

(By John P. MacKenzie)

The Supreme Court searched yesterday for a place to draw the line on the "one person, one vote" principle for local government.

The Justices completed two days of oral argument in four local reapportionment cases. They heard warnings of a "political thicket" more dangerous than State legislative reapportionment, and complaints of a continuing "rural stranglehold" on cities at the level of county government.

They were assured by lawyers for city dwellers that the problem was manageable despite the number and variety of county and city governing units. One lawyer said that about 20,000 of the Nation's 90,000 local bodies would be affected.

ONLY 20,0000?

"Only 20,000?" asked Justice Byron R. White. "That's a lot more than 50," Justice William J. Brennan Jr. added, referring to the number of state legislatures governed by the 1964 equal-population decision.

Justice Abe Fortas said the problem was: "What is local government?" He demanded in each case to know the specific governmental powers the State had delegated to local political units. In no case could opposing counsel agree.

Justice Department Attorney Francis X. Beytagh, supporting extension of the equal-population rule, said Fortas's functional approach would bog the Court down in details not involved in the four cases. He said the rule should apply whenever the State provides for elections by districts to a body with any governmental powers.

At issue are the election processes for these political units:

The school board of Kent County, Mich. Grand Rapids has more than half the County's population, but its school district is only one of 21 in the County, each district having a vote in the annual selection of school board members.

The Board of Revenue and Control of Houston County, Ala. The City of Dothan, which has more than half the County's voters, is outnumbered by four rural districts.

The Board of Supervisors of Suffolk County, Long Island. The County is composed of 10 towns ranging in population from 1300 to 172,000 but each town is entitled to one Board member.

The City Council of Virginia Beach, Va. All its 11 members are elected at large, but seven must reside in each of seven boroughs that vary in population from 733 to 29,000.

MOST DIFFICULT CASE

Beytagh conceded that the Michigan case was "the most difficult" of the four because the school board is not elected directly by the people. But he said most school boards are popularly elected and should be covered by any equal population ruling.

School board attorney Paul O. Strawbecker insisted that in Michigan, "education has never been a part of local self-government." He insisted that fairly apportioned state legislatures were "more competent than any court" to distribute political power below the state level.

Washington attorney Charles S. Rhyne, who argued in the breakthrough 1962 case of Baker vs. Carr, urged the Justices to extend the rule because "it's a principle that you just can't carve up."

But Truman Hobbs, lawyer for the Houston County board, insisted that most of the board's work was administering 1000 miles of rural roads. He said the city "couldn't care less" about county roads and rural residents would suffer if the city dominated the county board.

INVESTMENT TAX CREDIT

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, notwithstanding the fact that the morning hour has expired, there be a brief period for the transaction of routine morning business; and I ask unanimous consent that statements during that period be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1574. An act for the relief of Bryce A. Smith;

H.R. 1670. An act for the relief of Dr. George H. Edler;

H.R. 4566. An act for the relief of Mary F. Thomas;

H.R. 6167. An act to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes; and

H.R. 8569. An act making appropriation for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 1574. An act for the relief of Bryce A. Smith;

H.R. 1670. An act for the relief of Dr. George H. Edler; and

H.R. 4566. An act for the relief of Mary F. Thomas; to the Committee on the Judiciary.

H.R. 6167. An act to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes; to the Committee on Armed Services.

H.R. 8569. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes; to the Committee on Appropriations.

REMOVAL OF INJUNCTION OF SECRECY FROM EXECUTIVE I, 90TH CONGRESS, FIRST SESSION, THE CONSULAR CONVENTION BETWEEN THE UNITED STATES AND FRANCE

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive I, 90th Congress, first session, the Consular Convention between the United States of America and France, together with a protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the Record.

The PRESIDING OFFICER (Mr. Gruening in the chair). Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the consular convention between the United States of America and France, together with a protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966.

The convention deals with the conduct of consular relations between the two countries and the functions, privileges, and immunities of their respective consular officers. It covers such important matters as the obligations of the two countries to insure free communication between a citizen and his consul, to inform consular officers of the arrest or detention of their citizens, and to permit visits by consuls to any of their citizens who are in prison. It covers consular functions and responsibilities in such fields as the issuance of visas and passports, and the performance of notarial services. It provides for the inviolability of consular communications, documents, and archives, and the obligation of the host country to protect consular premises against intrusion or damage.

I recommend that the Senate give early and favorable consideration to the convention and give its advice and consent to its ratification.

Lyndon B. Johnson.

The White House, *April 19, 1967.*

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER (Mr. Pearson in the chair), laid before the Senate the following letters, which were referred as indicated:

Amendment of Marketing Quota Provisions of Agricultural Adjustment Act of 1938

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

Amendment and Clarification of Reemployment Provisions of Universal Military Training and Service Act

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes (with accompanying papers); to the Committee on Armed Services.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need to strengthen controls over use of modified live virus vaccines in the hog cholera eradication program, Agricultural Research Service, Department of Agriculture, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings available to the Government through revision of the method of supplying commercial rental cars, General Services Administration, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

Report on Projects Selected for Funding Under the Water Resources Research Act of 1964

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on projects selected for funding under the Water Resources Research Act of 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Increase of Appropriation for Continuing Work in the Missouri River Basin

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Extraordinary Contractual Actions To Facilitate the National Defense

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on extraordinary contractual actions to facilitate the national defense, for the calendar year 1966 (with an accompanying report); to the Committee on the Judiciary.

Report on Audit of Financial Transactions of the National Safety Council

A letter from the president, National Safety Council, Chicago, Ill., transmitting, pursuant to law, a report on audit of the financial transactions of that council, for the year 1966 (with an accompanying report); to the Committee on the Judiciary.

Report on Third Preference and Sixth Preference Classification for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports on petitions approved according the beneficiaries of such petitions third preference and sixth preference classification (with accompanying papers); to the Committee on the Judiciary.

Report of Advisory Council on State Departments of Education

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the Advisory Council on State Departments of Education, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A resolution of the Legislature of the State of New Mexico; to the Committee on Public Works:

"Resolution

"A joint memorial requesting the President of the United States to restore the cutback and to oppose any future reduction in New Mexico highway fund allocations

"Whereas, highway safety is of vital concern to New Mexico Citizens, and official state figures disclose that an estimated one hundred two lives have been saved on already completed interstate highways, and it is estimated that completion of our interstate system in New Mexico will result in one thousand eighty fewer accidents and two hundred fewer deaths annually; and

"Whereas, large segments of New Mexico have been declared economically depressed areas with recent statistics disclosing that gain in per capita income in our state is the lowest in the union, and curtailment or cutback in highway construction has already resulted in the discharge of hundreds of employees directly employed by the industry and its suppliers with consequent reduced money flow, reduced tax revenue and a chaotic economic situation which is certain to result; and

"Whereas, the state of New Mexico has, in the past, expended the maximum amount of available federal funds for highway construction and the imposition of the proposed cutbacks will cause a sixty-one percent reduction of available funds in the last half of 1967, and moneys must be allotted for planning and preliminary engineering from the remaining thirty-nine percent thus leaving even less available for construction with the result that grave delays will be encountered along with the inevitable continued loss of life and limb, together with increasing economic depression for the citizens of our state;

"Now, therefore, be it resolved by the Legislature of the State of New Mexico that the president of the United States, the Honorable Lyndon B. Johnson, is urged and implored to immediately restore the cut-back in our New Mexico highway fund allocations and to oppose any other future reductions; and

"Be it further resolved that a copy of this memorial be transmitted to the president of the United States, to each member of the New Mexico congressional delegation, to the president of the United States senate, and to the speaker of the United States house of representatives."

A resolution of House of Representatives of the State of New Mexico; to the Committee on Agriculture and Forestry:

"Resolution

"A house memorial relating to certain provisions in the cropland adjustments program and requesting consideration of them by the Secretary of Agriculture and the U.S. Congress

"Whereas, the eighty-ninth congress of the United States repealed the provisions of the soil bank program and enacted the cropland adjustments program; and

"Whereas, the soil bank program provided for participation of parts of farms, and the cropland adjustments program has been used for retirement of whole farms; and

"Whereas, the limited amount of money which the secretary of agriculture can now expend on reserving farm acreage has resulted in inequitable participation in the cropland adjustments program:

"Now, therefore, be it resolved by the House of Representatives that the secretary of agriculture and the United States congress are respectfully requested to consider a more equitable method of participation for producers in the cropland adjustments program by apportioning the farm lands held in reserve in such manner as to provide for wider distribution of the benefits; and

"Be is further resolved, that copies of this memorial be sent to the secretary of agriculture, the speaker of the United States house of representatives, the president pro tempore of the United States senate and to the New Mexico delegation to the United States congress."

A resolution of the Senate of the State of New Mexico; to the Committee on Armed Services:

"Senate Memorial 28

"A memorial requesting the Congress of the United States to amend the draft laws to allow a more equitable selection from disadvantaged minority groups

"Whereas, the minority groups in the state of New Mexico have been economically and educationally deprived and few of the young men in these groups can afford to attend college; and

"Whereas, without a college deferment from the draft, these men are inducted into the armed forces, or to avoid the draft, volunteer for other branches of the armed forces; and

"Whereas, New Mexico's largest minority group consists of Americans of Spanish descent and constitutes some twenty-nine percent of the population of the state; and

"Whereas, approximately sixty-nine percent of all inductees from New Mexico are of Spanish extraction; and

"Whereas, of fifty-eight New Mexicans killed in Vietnam during 1966, twenty-five were Americans of Spanish descent;

"Now, therefore, be it resolved by the Senate of the State of New Mexico that the congress of the United States is requested to amend the draft laws to allow a more equitable selection from disadvantaged minority groups; and

"Be it further resolved that copies of this memorial be sent to the speaker of the United States house of representatives, the president pro tempore of the United States senate and the New Mexico delegation to the United States Congress."

A joint resolution of the Legislature of the State of Colorado; to the Committee on Commerce:

"SENATE JOINT MEMORIAL 9

"Memorial memorializing the Congress of the United States to designate or appoint a committee to investigate the cancellation and discontinuance of contracts for the transportation of mails by railroads, and conditions resulting therefrom

"Whereas, The post office department of the United States has pursued a systematic program of replacing contracts for the transportation of mail by the railroads of this nation with contracts for the transportation thereof by other means; and

"Whereas, The National Transportation Policy of the Congress of the United States is to develop and preserve a national transportation system by rail adequate to meet the needs of the commerce of the United States, of the postal service, and of the national defense; and

"Whereas, One essential element for the continuance of a sound, efficient rail system in this nation is economic stability, which, in turn, is dependent on contracts for the transportation of mail; and

"Whereas, Many railroads have been and will be forced by economic necessity to cancel and eliminate many scheduled passenger trains across the nation, thereby depriving many areas of this nation of year-round transportation and mail facilities, as a direct result of the discontinuance of such mail contracts; and

"Whereas, The economic well-being of thousands of citizens and of hundreds of communities is being endangered by said program of the post office department, thus further increasing the manifold problems of the President and of the Congress in the current 'War on Poverty'; and

"Whereas, In times of emergency, the railroads are looked to and expected to provide safe, dependable transportation for the nation and its citizens, and of its mail, when other methods are ineffective; and

"Whereas, Previous efforts of the General Assembly of the state of Colorado and interested citizens of this state have failed to elicit any efforts by the post office department to correct the problems resulting from the cancellation of contracts for the transportation of mail by rail; now, therefore,

"Be It Resolved by the Senate of the Forty-sixth General Assembly of the State of Colorado, the House of Representatives concurring herein:

"That the Congress of the United States be requested to designate or appoint some appropriate committee or subcommittee to investigate the over-all effects upon the railroads, in particular, and the whole transportation system, in general, of the nation, directly resulting from the cancellation and discontinuance of contracts for the transportation of the mails by rail.

"Be It Further Resolved, That a copy of this Memorial be transmitted to each of the following: The President of the United States, the President of the Senate of the Congress of the United States, the Speaker of the House of Representatives of the Congress of the United States, the Chairman of the Senate Post Office and Civil Service Committee, the Chairman of the House Post Office and Civil Service Committee, and to each member of Congress from the state of Colorado."

A joint resolution of the Legislature of the State of Washington; to the Committee on Commerce:

"I, A. Ludlow Kramer, Secretary of State of the State of Washington and custodian of its seal, hereby certify that according to the records on file in my office

"The attached is a true and correct copy of Senate Joint Memorial No. 23 as passed by the 1967 Extraordinary Session of the Legislature of the State of Washington now in session, praying that the Congress of the United States take proper action necessary to implement the intent of the Maritime Act of 1936 so as to reestablish the United States as a leading maritime power among the nations of the world. In witness whereof I have signed and have affixed the seal of the State of Washington to this certificate at Olympia, the State Capitol, April 12, 1967.

[SEAL] "A. LUDLOW KRAMER,
"Secretary of State.

" 'SENATE JOINT MEMORIAL 23

" 'To the Honorable Lyndon B. Johnson, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives, to the Senate and House of Representatives of the United States, in Congress assembled, and to the Secretary of Commerce:

" 'We, Your Memorialists, the Senate and the House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

" 'Whereas, The Merchant Marine Act of 1936 sets forth the intent of congress that the United States shall have an American flag ship merchant fleet capable of carrying a substantial portion of our water-borne commerce and of serving as a naval or military auxiliary in time of war or national emergency; and

" 'Whereas, Despite the intent of the 1936 Act, our American flag merchant marine has continued to decline in number of ships, and in terms of the percentage of our cargo carried by these vessels; and

" 'Whereas, This decline is most strikingly demonstrated in the current Viet Nam emergency in which, as a result of increased shipping needs, our government has turned to foreign flag ships, not only to fulfill its commercial commitments, but to carry military cargoes as well; and

" 'Whereas, The United States is now carrying about eight percent of our imports and exports in American flag ships and holds the fourteenth place in new shipbuilding among nations of the world; and currently Russia has five hundred sixteen vessels under construction while the United States has but forty-nine;

" 'Now, therefore, Your Memorialists respectfully pray that the congress of the United States take proper action necessary to implement the intent of the Maritime Act of 1936 so as to reestablish the United States as a leading maritime power among the nations of the world.

" 'Passed the Senate April 3, 1967.

" 'AL HENRY,
" 'President of the Senate.

" 'Passed the House April 7, 1967.

" 'DON ELDRIDGE,
" 'Speaker of the House.' "

A concurrent resolution of the General Assembly of the State of South Carolina; to the Committee on Foreign Relations:

"A CONCURRENT RESOLUTION EXPRESSING STRONG OPPOSITION TO THE PROPOSAL THAT THE UNITED STATES RELINQUISH ITS SOVEREIGNTY OVER THE CANAL ZONE AND THE PANAMA CANAL

"Whereas, the Executive Branch of the United States Government has publicly announced that it is in the process of negotiating a treaty or treaties with the Republic of Panama that could dilute the indispensable grant of sovereignty over the United States-owned Canal Zone territory acquired pursuant to law and purchase from individual property owners under the 1903 Treaty with Panama for the construction, operation, maintenance, sanitation, and protection of the Panama Canal; and

"Whereas, any such proposed treaty or treaties, if ratified by the United States Senate, could divest the United States of authority where there is grave responsibility and thereby render our government impotent to maintain and operate the Panama Canal in conformity with the provisions of the 1901 Hay-Pauncefote Treaty with Great Britain under which treaty the United States is obligated to maintain, operate and protect the Panama Canal on terms of equality for world shipping; and

"Whereas, the proposed new treaty or treaties, if approved, could effectively destroy all the indispensable rights heretofore exercised by the United States with respect to the Canal Zone and the Panama Canal; and

"Whereas, any withdrawal by the United States could make easier a takeover by communist authority and similar takeover of governments throughout Latin America, as in the case of Cuba, and imperil the security of the United States and the entire Western Hemisphere. Now, therefore,

"Be it resolved by the House of Representatives, the Senate concurring:

"That the General Assembly opposes the relinquishing by the United States of its existing rights, powers and authority over the Canal Zone and Panama Canal.

"Be it further resolved that a copy of this resolution be forwarded to the President of the Senate in the Congress of the United States and the Speaker of the House of Representatives, and to each United States Senator from South Carolina in the Congress and each member of the House of Representatives in the Congress from South Carolina.

"State of South Carolina, in the House of Representatives, Columbia, South Carolina, April 12th, 1967.

"I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the South Carolina House of Representatives and concurred in by the Senate.

"INEZ WATSON,
"Clerk of the House."

A joint resolution of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"RESOLUTION NO. 11

"Whereas, The relationship that exists between the Federal Government and the government of the states is a matter of vital concern; and

"Whereas, The states play an indispensable role in our Federal system of government; and

"Whereas, Unless the trend toward restrictive categoric federal grants is reversed, these grants will so entwine themselves that a state's freedom of movement will be significantly inhibited; and

"Whereas, There is a need and a justification for broader unfettered grants that will give states and localities more freedom of choice, more opportunity to express their own initiative which reflects their particular needs and preferences, all within the overall direction of national purpose; now, therefore, be it

"Resolved by the Senate of the State of Alabama, the House of Representatives concurring, That this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following Article as an amendment to the Constitution of the United States.

"'ARTICLE—

"'Beginning with the first full fiscal year after ratification of this amendment by the requisite number of states, there shall be remitted to all of the states of these United States, an amount determined by the Secretary of the Treasury to be equal to not less than 5% of the aggregate total of individuals and corporate income taxes paid to the United States during the preceding calendar year. Such funds shall be remitted to the States without restriction and this remission of funds shall be in addition to any other federal grant programs which may be enacted by the Congress. Each state shall share in such remission in proportion as the population of such State bears to the total population of all of the States, according to the last preceding Federal census'; and, be it further

"Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to July 1, 1969, this application for a convention shall no longer be of any force or effect; and, be it further

"Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States and to each Member of Congress from this State.

"I hereby certify that the above is a true, correct and accurate copy of Senate Joint Resolution No. 11 by Mr. Cooper, adopted by the Legislature of Alabama on April 5, 1967.

"McDowell Lee,
"Secretary of Senate."

A resolution of the Legislature of the State of Nebraska; to the Committee on the Judiciary:

"LEGISLATIVE RESOLUTION 26

"Whereas, while prices paid to ranchers for livestock have declined, retail prices charged for meat have increased; and

"Whereas, the United States Department of Agriculture Market News Summary of January 17, 1967, shows that the spread between wholesale and retail prices on beef has gone from $18.50 per one hundred pound carcass weight on November 6, 1965, to $20.42 on November 12, 1966; on lamb from $20.68 to $26.98; and on pork from $15.72 to $20.59; and

"Whereas, one independent survey indicates chain stores are now realizing gross profits in excess of $31.00 per hundred weight or more than $180.00 per 600 pound carcass; and

"Whereas, studies made in independent surveys conducted by men of experience in the production, finishing, processing, distribution, and marketing of beef suggest that chain stores may be making excessive profits from the sale of meats at retail while others in the meat business, including ranchers, farmers, feeders and packers, are suffering from depressed prices for their production in the face of increased costs of doing business; and

"Whereas, the number of independent retail outlets for meat has decreased drastically, so that chain stores are now marketing in excess of eighty per cent of the meat sold at retail level; and

"Whereas, prices charged by chain stores for meat are substantially the same in all such chain stores; and

"Whereas, the similarity of pricing and substantial monopoly of the retail sale of meat seems to result in excessive profits to chain food stores in the sale of meats at retail;

"Now, therefore, be it resolved by the members of Nebraska Legislature in seventy-seventh session assembled:

"1. That the Attorney General of the United States is hereby requested to conduct a study of the marketing of meat by chain food stores to determine whether or not there is collusion among the chain food stores in fixing prices, in establishing excessive markups in the retail prices of meat, in establishing a monopoly in the retail sale of meat, and of other practices which restrain trade in violation of the Sherman Anti-Trust Act.

"2. That copies of this resolution be forwarded to the Attorney General of the United States, to the President of the United States Senate and Speaker of the United States House of Representatives, and to each of the Senators and members of the House of Representatives from Nebraska in Congress.

"Elvin Adamson,
"Speaker and Acting President of the Legislature.

"I, Hugo F. Srb, hereby certify that the foregoing is a true and correct copy of Legislative Resolution 26, which was passed by the Legislature of Nebraska in Seventy-seventh regular session on the sixth day of April, 1967.

"Hugo F. Srb,
"Clerk of the Legislature."

A resolution of the Legislature of the State of Colorado; to the Committee on Public Works:

"HOUSE MEMORIAL 1003

"Memorial memorializing the Congress of the United States to amend the Highway Beautification Act of 1965

"Whereas, The Highway Beautification Act of 1965 requires that states make provision for the effective control of outdoor advertising adjacent to the Interstate System and the primary system, and upon failure of any state to do so, after January 1, 1968, such state's federal-aid highway funds shall be reduced by an amount equal to ten per cent of that which otherwise would have been apportioned to such state; and

"Whereas, The Secretary of Commerce of the United States is given authority under said Act to promulgate national standards regarding the effective control of outdoor advertising; and

"Whereas, It is felt by many that agreement has not been reached upon workable standards for the implementation of said Act; and

"Whereas, The legislatures of several states find themselves nearing the end of their legislative sessions without having taken the action required under said Act, and there is little prospect that such legislatures will meet again until after January 1, 1968; and

"Whereas, Said Act, and the standards promulgated pursuant thereto, severely limit the possibility of state action in the field of regulation of outdoor advertising, and particularly burdensome to the states are the delay in formulating standards in commercial and industrial zones, and the prohibition in said Act against the use of the police power of the state to control outdoor advertising; and

"Whereas, Section 131(g) of said Act is particularly onerous to a state, where such state has available to it, under its police power, means to effect the removal of outdoor advertising devices; now, therefore,

"Be It Resolved by the House of Representatives of the Forty-sixth General Assembly of the State of Colorado:

"That this House of Representatives hereby memorializes the Congress of the United States to amend the "Highway Beautification Act of 1965", in general, and, in particular, section 131(g) of said Act, so as to provide more workable standards for the implementation of said Act, and, further, so as to provide a minimal invasion into the already dwindling police powers of the several states.

"Be It Further Resolved, That a copy of this Memorial be sent to each the President of the United States, the President of the Senate of the Congress of the United States, the Speaker of the House of Representatives of the Congress of the United States, the Secretary of Commerce of the United States, and the members of Congress from the State of Colorado.

"John D. Vanderhoof,
"Speaker of the House of Representatives.
"Henry C. Kimbrough,
"Chief Clerk of the House of Representatives."

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Public Works:

"SENATE JOINT RESOLUTION 20

"Joint resolution memorializing the Congress of the United States for the restoration of highway aids to Wisconsin

"Whereas, Wisconsin's highway accident death toll reached staggering proportions in 1967 while establishing a new all time high for highway deaths in a single year; and

"Whereas, the current limitation placed on the federal aid highway program, in recognition of the Vietnam effort and inflationary pressures, will reduce federal aid funds from 50 million to 25 million dollars and severely hinder the state's attempts to reduce the wholesale slaughter taking place on the highways in this state; and

"Whereas, the most critical highways in need of improvement in the state are USH 12, between Eau Claire and Tomah, a congested 35 year old two-lane highway which is carrying traffic in excess of 25,000 vehicles per day during peak periods which serving as a by-pass to the last unfinished portion of I 94; and the last unfinished portion of I 94 extending from the Tomah bypass to the bypass located in the northern part of the city of La Crosse; and the easterly approach to the central exchange located in the heart of the downtown area in the city of Milwaukee which involves I 94, I 794 and USH 141; and

"Whereas, these critical areas were considered to be so urgently needed by this state that the legislature during the 1965 session authorized the first state bonding program for highways in the state's history and increased the motor fuel tax to accelerate the construction of state highways having a high traffic demand; and

"Whereas, Wisconsin falls abnormally far below its neighboring states in the allocation of interstate highway mileage and has compensated for this deficiency by constructing routes which serve a similar function; and

"Whereas, the financing controls established by the federal government has placed the completion of such construction projects in jeopardy and many millions of public funds already invested in highway projects will not be fully utilized until such completion; and

"Whereas, the current financing controls appear to counteract the federal government's program on highway safety; now, therefore, be it

"Resolved by the senate, the assembly concurring, That the legislature of the state of Wisconsin respectfully memorializes the Congress of the United States to grant relief from the general cut back in federal highway aid because of the severity of the results to highway users of this state; to grant permission to utilize ACI financing in Wisconsin to complete the interstate system; or to grant permission to accelerate interstate construction with state bond funds as passed by the 1965 legislature; and, be it further

"Resolved, That properly attested copies of this resolution be sent to the President of the United States, to the secretary of the United States Senate and the chief clerk of the House of Representatives and to each member of the Congress from Wisconsin.

"WILLIAM P. NUGENT,
"Senate Chief Clerk.
"HAROLD V. FROEHLICH,
"Speaker of the Assembly."

A joint resolution of the Legislature of the State of Nevada; to the Committee on Rules and Administration:

"ASSEMBLY JOINT RESOLUTION 4

"Assembly joint resolution memorializing the Congress of the United States to enact legislation that would provide that voting polls close simultaneously across the nation

"WHEREAS, It is an inherent requirement for the preservation of our form of government that all citizens be permitted to make conscientious evaluations of issues and candidates during election campaigns and to vote accordingly; and

"WHEREAS, Anything that tends unduly to influence a person in the exercise of his right to vote is contrary to the best interests of the several states of the Union; and

"WHEREAS, Because of the difference in time zones across the United States of America, polls in the western part of the nation remain open for several hours after polls are closed in the East; and

"WHEREAS, Nationwide television and radio broadcasts reporting election results in the East and predicting nationwide trends before the polls have closed in the West tend to influence voting in the West; now, therefore, be it

"Resolved by the Assembly and Senate of the State of Nevada, jointly, That the Congress of the United States is hereby memorialized to enact legislation providing for a plan of time zone voting wherein the polls are required to close simultaneously throughout the United States of America; and be it further

"Resolved, That certified copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the Speaker of the House of Representatives, and the President of the Senate of the United States of America, and to United States Senators Alan Bible and Howard Cannon and to Representative in Congress Walter S. Baring.

A petition of the 29th Legislative District Club, of the State of Washington, praying for the enactment of legislation authorizing Federal payments to the totally disabled in certain cases; to the Committee on Finance.

A resolution adopted by the members of Lodge No. 1326, International Association of Machinists and Aerospace Workers, Grafton, Wis., remonstrating against the enactment of legislation to levy additional taxes; to the Committee on Finance.

A letter, in the nature of a petition, signed by the president, Colonial Williamsburg, Williamsburg, Va., praying for the enactment of legislation relating to the commemoration of the 200th anniversary of the American Revolution; to the Committee on the Judiciary.

A resolution adopted by the board of governors, Greater Tampa Chamber of Commerce, Tampa, Fla., praying for the enactment of legislation relating to congressional ethics; to the Select Committee on Standards and Conduct.

RESOLUTION SUPPORTING TAX SHARING IN FEDERAL-STATE RELATIONS

Mr. MILLER. Mr. President, I have received a House concurrent resolution from the Iowa House of Representatives in support of the tax-sharing approach in Federal-State relations, and I ask unanimous consent to have it printed in the RECORD and appropriately referred.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The concurrent resolution was referred to the Committee on Finance, as follows:

HOUSE CONCURRENT RESOLUTION 3

Whereas, the mobility of individuals and the free flow of commerce have placed unforeseen demands upon state and local governments in our federal system; and

Whereas, the vigor and responsiveness of state and local governments are essential elements of our governmental system; and

Whereas, existing categorical federal aid programs in many instances impede state and local governments from meeting priority public needs in a manner effectively suited to the varying problems and needs of individual state and local governments; and

Whereas, the principle of tax sharing would allow state and local governments more adequate revenue sources, now therefore,

Be it resolved by the House of the 62nd General Assembly of the State of Iowa, the Senate concurring:

That the Legislature of the state of Iowa urge that the federal government adopt new federal intergovernmental fiscal policies which reflect a basic change in emphasis, giving more discretion and responsibility to state and local governments and moving away from the over-reliance on national controls under the very large number of existing categorical federal grant-in-aid programs; and

Be it further resolved that the Legislature of the state of Iowa specifically endorses the principle of tax sharing and the principle of block grants, consolidating existing federal categorical grants-in-aid, to partially or wholly offset federal categorical grant-in-aid programs which now exist or may be developed in the future.

Be it further resolved that a copy of this Resolution be forwarded to each of the members of the Iowa delegation in Congress.

We, Maurice E. Baringer, Speaker of the House of Iowa, and William R. Kendrick, Chief Clerk of the House, hereby certify that the above and foregoing Resolution was adopted by the House of the Sixty-second General Assembly.

MAURICE E. BARINGER,
Speaker of the House.
WILLIAM R. KENDRICK,
Chief Clerk of the House.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. PASTORE, from the Committee on Commerce, without amendment:

S. 375. A bill to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce (Rept. No. 189).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 1576. A bill to amend title II of the Social Security Act to permit justices of the peace and constables who receive compensation on a fee basis to elect to have such compensation covered by social security, as self-employment income, if such compensation is not otherwise covered by social security; to the Committee on Finance.

(See the remarks of Mr. TALMADGE when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 1577. A bill to complement the Vienna Convention on Diplomatic Relations; and

S. 1578. A bill to authorize the appropriation for the contribution by the United States for the support of the International Union for the Publication of Customs Tariffs; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bills, which appear under separate headings.)

By Mr. HARRIS (for himself and Mr. MONRONEY):

S. 1579. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket numbered 303 of the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HARRIS when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 1580. A bill for the relief of John W. Rogers; to the Committee on the Judiciary.

By Mr. CANNON:

S. 1581. A bill to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584); to the Committee on Rules and Administration.

(See the remarks of Mr. CANNON when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself, Mr. HART, Mr. MCCARTHY, and Mr. YARBOROUGH):

S. 1582. A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act; to the Committee on Public Works.

(See the remarks of Mr. MUSKIE when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLINGS:

S. 1583. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. MILLER:

S. 1584. A bill to create a commission to be known as the Commission for Elimination of Pornographic Materials; to the Committee on Government Operations.

(See the remarks of Mr. MILLER when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. JAVITS, Mr. PASTORE, Mr. HOLLINGS, Mr. RIBICOFF, Mr. HART, Mr. KENNEDY of Massachusetts, and Mr. MUSKIE):

S. 1585. A bill to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. COTTON, Mr. JAVITS, Mr. PASTORE, Mr. RIBICOFF, Mr. KENNEDY of Massachusetts, Mr. HART, Mr. HOLLINGS, Mr. MUSKIE, Mr. BARTLETT, Mr. BREWSTER, Mr. PELL, and Mr. TYDINGS):

S. 1586. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 1587. A bill to provide for the issuance of a special series of postage stamps in commemoration of the 50th anniversary of the independence of Czechoslovakia; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appear under a separate heading.)

By Mr. HATFIELD:

S.J. Res. 75. Joint resolution to authorize and direct the Secretary of the Interior to conduct a survey of the coastal and freshwater commercial fishery resources of the United States, its territories, and possessions; to the Committee on Commerce.

(See the remarks of Mr. HATFIELD when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HARRIS (for himself and Mr. ERVIN):

S.J. Res. 76. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September in 1967 as "Bible Translation Day"; to the Committee on the Judiciary.

(See the remarks of Mr. HARRIS when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

GEOGRAPHIC DISPERSION OF FEDERAL FUNDS AND ACTIVITIES

Mr. PEARSON submitted a concurrent resolution (S. Con. Res. 22) to express the sense of Congress on equitable geographic distribution of research and development grants, which was referred to the Committee on Labor and Public Welfare.

(See the above concurrent resolution printed in full when submitted by Mr. PEARSON, which appears under a separate heading.)

PROVISION OF SOCIAL SECURITY COVERAGE FOR JUSTICES OF THE PEACE AND CONSTABLES

Mr. TALMADGE. Mr. President, I introduce, for appropriate reference, a bill to provide much needed social security coverage for justices of the peace and constables. This measure is voluntary, and would allow these public employees to come under the social security program as self-employed persons if they elect to do so.

Perhaps no greater problem faces older citizens approaching retirement age than the adequacy of their retirement income. Far too many of our citizens cannot answer how they are to supply their everyday needs when their income is sharply cut because of retirement.

Fortunately, a great majority of retired workers, as well as those presently retiring, have protection against loss of their income because of retirement. Mainly, this protection is provided to them under the social security program. Under the present social security system, protection is afforded to 86 million current workers and their families by providing income, disability, and survivor benefits.

Thus, 92 out of 100 people now have retirement income protection; 87 out of every 100 persons under age 65 have disability protection; and 95 out of 100 children and their mothers have benefits available in the event of untimely death of the husband.

In order to see that our State and local governmental employees were also afforded the benefits of this protection, Congress in 1950 extended social security to State and local employees who did not have the benefit of a State retirement program. Subsequently, State and local employees who were covered under a State retirement program were also permitted the additional protection of social security. All 50 States have entered into agreements with the Federal Government to insure that their workers will have adequate retirement protection. Nearly 6 million State employees now have the benefit of social security protection.

However, more than 2 million State and local government employees are still without this benefit, and together with their wives and children are denied this necessary and essential security.

Justices of the peace and constables fall into this category. Apparently States have felt that in view of the type of income that they receive, that is pay on a fee basis, should not be included in the State's agreement with social security. Some States have permitted persons serving as justices of the peace and constables to come under their social security agreement, but many other States have not afforded this privilege to these public servants. Thus, for the most part, justices of the peace and constables are left in most instances with no retirement program for their work.

To fill this gap and provide to these fine public servants an opportunity to have retirement income and survivor protection for themselves and their wives and children in the event of death, I am introducing legislation which will permit them to voluntarily come under the social security program.

Under my bill, persons presently serving as justices of the peace and constables, who receive their salaries solely from the collection of fees, and who are not presently covered under a Federal-State social security agreement, would be able to freely elect coverage under social security as self-employed persons. They would have 2 years from the date of enactment of the bill in which to exercise the right to be covered. Persons who become justices of the peace and constables in the future would also be given a 2-year period to provide themselves with this coverage.

Of course, it is understood that as self-employed persons, justices of the peace and constables would be obligated to pay the full amount required in order to obtain coverage under social security, which is presently one and one-half times the amount an employee pays as a worker. In addition, he must receive at least $400 income from fees.

In coming under social security protection they would also be allowed to participate in the medicare program. Obviously, social security coupled with this necessary hospital expense protection would go a long way in relieving the almost impossible burden that is placed upon them as they grow older and become less able to cope with the demands on their income and physical well-being.

There is certainly nothing new in providing an opportunity to a particular segment of our workers to elect coverage as self-employed persons. In 1954, Congress chose this particular method in affording social security protection to ministers. Clergymen who have taken the opportunity and elected coverage are now protected against loss of earnings because of retirement, disability, and death. Also, they have the further built-in protection of the recent medicare program against staggering and ever-increasing hospital and medical costs. Many of those who did not elect are constantly requesting another chance to do so.

I am hopeful that consideration will be given to this measure and it is my intention that this extension of coverage to these public servants will be considered in connection with the administration's bill when we have occasion to take up this measure after the House has completed its work.

I ask that the bill be inserted in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1576) to amend title II of the Social Security Act to permit justices of the peace and constables who receive compensation on a fee basis to elect to have such compensation covered by social security, as self-employment income, if such compensation is not otherwise covered by social security, introduced by Mr. TALMADGE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 211(c) of the Social Security Act is amended by adding at the end thereof the following new sentence: "The provisions of paragraph (1) shall not apply to functions performed by an individual during the period for which there is in effect a certificate filed by him under section 1402(l) of the Internal Revenue Code of 1954, if such functions are performed as a justice of the peace or constable and if all the compensation paid to such individual for the performance of such functions is paid on a fee basis."

SEC. 2. (a) Section 1402(c) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended by adding at the end thereof the following new sentence: "The provisions of paragraph (1) shall not apply to functions performed by an individual during the period for which there is in effect a certificate filed by him under section 1402(l), if such functions are performed as a justice of the peace or constable and if all the compensation paid to such individual for the performance of such functions is paid on a fee basis."

(b) Section 1402 of such Code is amended by adding at the end thereof the following new subsection:

"(l) JUSTICES OF THE PEACE, AND CONSTABLES.—

"(1) WAIVER CERTIFICATE.—Any individual who is a justice of the peace or constable and who is compensated as such solely on a fee basis may file a certificate (in such form and manner, and with such official, as may be prescribed by regulations made under this chapter) certifying that he elects to have the insurance system established by title II of the Social Security Act extended to functions performed by him as a justice of the peace or constable and for which he is compensated solely on a fee basis.

"(2) TIME FOR FILING CERTIFICATE.—Any individual who desires to file a certificate pursuant to paragraph (1) must file such certificate on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1967 for which he has net earnings from self-employment (computed without regard to subsection (c)(1), insofar as such subsection applies to the performance of the functions of a justice of the peace or constable) of $400 or more, any part of which was derived from fees for the performance of such functions.

"(3) EFFECTIVE DATE OF CERTIFICATE.—A certificate filed pursuant to this subsection shall be effective for the taxable year immediately preceding the earliest taxable year for which, at the time the certificate is filed, the period for filing a return (including any extension thereof) has not expired, and for all succeeding taxable years; except that no such certificate shall be effective with respect to any month (or part thereof) with respect to which the services, as a justice of the peace or constable, of the individual filing such certificate, are covered under an agreement under section 218 of the Social Security Act entered into by the State in which such individual performs such services. An election made pursuant to this subsection shall be irrevocable."

A BILL TO COMPLEMENT THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to complement the Vienna Convention on Diplomatic Relations to be known as the "Diplomatic Relations Act of 1967."

The proposed bill has been requested by the Secretary of State and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter from the Secretary of State to the Vice President dated April 6, 1967, in regard to it, and the sectional analysis of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and sectional analysis will be printed in the RECORD.

The bill (S. 1577) to complement the Vienna Convention on Diplomatic Relations, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 1577

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Diplomatic Relations Act of 1967".

STATEMENT OF PURPOSE

SEC. 2. The purpose of this Act is to promote the conduct of the foreign relations of the United States by specifying the privileges and immunities to which foreign diplomatic missions and the personnel thereof are entitled and by authorizing the President to regulate, consistent with treaties and other international agreements of the United States, customary international law and practice, and this Act, the granting of such privileges and immunities.

DEFINITIONS

SEC. 3. As used in this Act, the phrase "foreign diplomatic mission and the personnel thereof" includes—

(a) any permanent or special diplomatic mission of a sending state accredited to the United States, including special envoys, and the members of the staff of the mission, the members of the families of such members of the staff, the private servants of the members of the mission, and diplomatic couriers.

(b) the head of a foreign state or the head of the government of a foreign state, and, when they are on an official visit to or in transit through the United States the foreign minister of a foreign government, and those members of the official party accompanying such officials.

AUTHORITY OF THE PRESIDENT

SEC. 4. (a) The President is authorized, under such terms and conditions as he may from time to time determine—

(1) to apply the treatment prescribed by the Vienna Convention on Diplomatic Relations, or any part or parts thereof, to those foreign diplomatic missions and the personnel thereof not otherwise entitled to such treatment;

(2) to extend more favorable treatment than is provided in the Vienna Convention on Diplomatic Relations to foreign diplomatic missions and the personnel thereof with respect to—

(A) exemption from Federal taxes; and

(B) immunity from civil and criminal jurisdiction of the United States or of any State, territory, or possession thereof for those persons defined in the Vienna Convention on Diplomatic Relations as the members of the administrative and technical staff and the service staff of the mission;

(b) The determination of the President as to the entitlement of a foreign diplomatic mission and the personnel thereof to diplomatic privileges and immunities under the Vienna Convention on Diplomatic Relations or under this Act, shall be conclusive and binding on all Federal, State, and local authorities.

(c) The President shall from time to time publish in the Federal Register of the United States a list of the permanent foreign diplomatic missions and the personnel thereof entitled to diplomatic privileges and immunities pursuant to the Vienna Convention on Diplomatic Relations or this Act.

JUDICIAL MATTERS

SEC. 5. (a) Whenever any writ or process is sued out or prosecuted in any court, quasi-judicial body, or administrative tribunal of the United States, or of any State, territory, or possession thereof, against a person or the property of any person entitled to immunity from such suit or process under the Vienna Convention on Diplomatic Relations or pursuant to this Act, such writ or process shall be deemed void.

(b) Whoever knowingly obtains, prosecutes, or assists in the execution of such writ or process shall be fined not more than $5,000 or imprisoned not more than one year, or both: *Provided,* That this paragraph shall not apply unless the name of the person against whom the writ or process is issued has, before the issuance of such writ or process, been published in the Federal Register.

EXERCISE OF FUNCTIONS

SEC. 6. The President may exercise any functions conferred upon him by this Act through such agency or officer of the United States Government as he shall direct. The head of any such agency or such officer may from time to time promulgate such rules and regulations as may be necessary to carry out such functions, and may delegate authority to perform any such functions, including, if he shall so specify, the authority successively to redelegate any of such functions to any of his subordinates.

EFFECTIVE DATE AND REPEALS

SEC. 7. (a) This Act shall be effective upon the entry into force of the Vienna Convention on Diplomatic Relations with respect to the United States.

(b) Section 4063, 4064, 4065, and 4066 of the Revised Statutes (22 U.S.C. 252–254) are repealed upon the effective date of this Act.

(c) The repeal of the several statutes or parts of statutes accomplished by this Act shall not affect any act done or right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before such repeal, but all rights and liabilities under the statutes or parts thereof so repealed shall continue, and may be enforced in the same manner as if such repeal had not been made, subject only to the applicable immunities heretofore flowing from customary international law and practice.

The letter and sectional analysis, presented by Mr. FULBRIGHT, are as follows:

APRIL 6, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate.

DEAR MR. VICE PRESIDENT: The Department of State encloses a draft bill entitled "Diplomatic Relations Act of 1967." The draft bill has been prepared to complement the Vienna Convention on Diplomatic Relations, signed April 18, 1961, which received the advice and consent of the Senate to ratification on September 14, 1965 (Sen. Exec. H., 88th Cong., and Sen. Exec. Report No. 6, 89th Cong.), and which is presently in force between fifty-seven countries A sectional analysis of the draft bill and a copy of the Convention are also enclosed.

The Vienna Convention on Diplomatic Relations was prepared under United Nations auspices and is a codification of the rights, privileges and immunities of all members of permanent diplomatic missions and of their families and private servants, and of the rights and obligations of the state on whose territory they perform their functions. For the most part, the Convention is a restatement of principles so universally observed by governments in their practice that they had come to constitute international law. In areas where practice was not uniform, or where it appeared that existing practice should be changed, the Convention establishes new rules. For example, the Convention provides that members of the administrative and technical staff of the mission and their families who are not nationals or residents of the receiving state will have complete immunity from criminal jurisdiction, that said members will have immunity from civil jurisdiction only with respect to official acts, and that diplomatic agents and their families will no longer enjoy immunity from civil jurisdiction with respect to certain private matters. In the Department's opinion, these new rules are desirable in the light of present conditions.

The present statutory basis for diplomatic immunity in the United States is contained in Sections 4063–4066 of the Revised Statutes (22 U.S.C. 252–254), which are derived from an Act of Congress approved April 30, 1790 (1 Stat. 117). Section 252, which provides that any writ or process whereby the person of any ambassador or public minister, or any domestic or domestic servant of any such minister, is arrested or imprisoned, or his goods or chattels are distrained, seized or attached, shall be deemed void, has been held to be declaratory of the law of nations. Sections 253 and 254 provide penalties for acts in violation of Section 252, with certain exceptions relating to citizens and inhabitants of the United States, and domestic servants.

Sections 4063–4066 of the Revised Statutes have been interpreted as according complete immunity from both criminal and civil jurisdiction to diplomatic agents and their families and to members of the administrative and technical staff, and as not according any immunity to the families of the latter category of mission members. For this reason the draft bill provides for the repeal of these Sections, and the substitution therefor of provisions of law which can be applied in a manner consistent with the Convention.

The Vienna Convention conforms substantially to the views of the Department of State as to the standard of treatment which a receiving state is or should be required by international law and practice, as a minimum, to accord to diplomatic missions and the personnel thereof. The Convention is self-implementing with respect to diplomatic missions and the personnel thereof of states parties to the Convention. Legislation is necessary, however, in order to permit the United States to accord this standard of treatment to missions and personnel of states not party to the Convention. In order to assure that American diplomatic personnel in the territory of a state not party to the Convention will enjoy comparable privileges and immunities, the draft bill accordingly grants the President discretion to determine which categories of such state's personnel in the United States will be entitled to specific privileges and immunities.

In two particulars, the proposed legislation will assist the Department of State in adequately meeting the needs of American diplomatic missions and their personnel. In the Department's opinion, all members of a diplomatic mission, regardless of nationality or residence, should have immunity from jurisdiction with respect to official acts, and all members of the administrative and technical staff, other than nationals or permanent residents of the receiving state, should enjoy customs privileges throughout their sojourn. The draft bill therefore authorizes the President to accord, under such terms and conditions as he may determine, to the personnel of certain diplomatic missions exemption from certain Federal taxes and greater immunity from jurisdiction than is required by the Convention. In the administration of this provision, consideration will be given to reciprocity or other appropriate *quid pro quo*.

The Vienna Convention on Diplomatic Relations deals only with permanent diplomatic missions and the personnel thereof, and has no application to foreign heads of state and heads of government and foreign ministers. Such privileges and immunities as have been accorded these three classes of high officials on an *ad hoc* basis rest generally on the law of nations and custom and comity and, when applicable, on the doctrine of sovereign immunity. While no serious questions have thus far arisen with respect to the status of these persons, the Department of State is of the opinion that the matter should be clarified by statute. There can be no doubt that heads of state and heads of government are entitled to no less consideration than an ambassador or minister who is the personal representative of the head of state, and who receives his instructions from his head of government and his foreign minister. Accordingly, the draft bill provides that for the purpose of the bill the phrase "foreign diplomatic mission and the personnel thereof" includes foreign heads of state and heads of government, and, when they are on an official visit to the United States, foreign ministers, and members of the official parties accompanying such persons.

In summary therefore, the draft bill has several purposes: (1) to provide statutory authority for according the privileges and immunities specified in the Vienna Convention on Diplomatic Relations to diplomatic missions and the personnel thereof of states not parties to the Vienna Convention; (2) to authorize according more favorable treatment to foreign diplomatic missions in the United States and their personnel; (3) to clarify the status in the United States of foreign heads of state and heads of government and special envoys, and to specify the privileges and immunities to which they and members of their official parties shall be entitled during their sojourn; and (4) to repeal Revised Statutes 4063–4066, Sections 252–254 of Title 22 of the United States Code.

The Department of State has been informed by the Bureau of the Budget that there is no objection from the standpoint of the Administration's program to the submission of this proposal to the Congress for its consideration.

A letter similar in content is being sent to the Speaker of the House of Representatives.

Sincerely yours,

DEAN RUSK.

SECTIONAL ANALYSIS

Section 1. Title: This may be cited as the "Diplomatic Relations Act of 1967".

Section 2. Statement of Purpose: This states the purpose of the bill, which is to promote the conduct of the foreign relations of the United States by specifying the privileges and immunities to which foreign diplomatic missions and the personnel thereof may be accorded, and by authorizing the President to regulate, consistent with treaties and other international agreements, customary international law and practice, and this proposed legislation, the granting of such privileges and immunities.

Section 3. Definitions: This defines the phrase "foreign diplomatic mission and the personnel thereof" as including not only members of permanent diplomatic missions, their families, and their private servants, but also heads of foreign states and heads of foreign governments, whether in the United States for official or personal reasons, foreign ministers when on an official visit to or in transit through the United States, and persons on special diplomatic mission to the United States, together with the members of the official parties accompanying all such persons. The definition also includes diplomatic couriers. This broad definition is desirable for several reasons. The Vienna Convention on Diplomatic Relations has reference only to permanent diplomatic missions, and, in limited respects, to diplomatic couriers. The repeal of Sections 4063–4066 of the Revised Statutes (22 USC 252–254) will remove from the books the present statutory basis for according diplomatic immunity to persons on special diplomatic mission. The privileges and immunities whch are everywhere accorded to visiting heads of state and heads of government should have some basis in the statutory law of the United States.

Section 4. Authority of the President: Paragraph (a) of this Section authorizes the President, under such terms and conditions as he may from time to time determine:

(1) to apply the treatment prescribed by the Vienna Convention on Diplomatic Relations, or any part or parts thereof, to those foreign diplomatic missions and the personnel thereof not otherwise entitled to such treatment. The Articles of the Vienna Convention which are particularly relevant to this provision are those which define the categories of mission personnel and specify the privileges and immunities to be enjoyed by persons in each category. These are Articles 1, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 47.

(2) to extend more favorable treatment than is required by the Vienna Convention on Diplomatic Relations to foreign diplomatic missions and the personnel thereof with respect to (a) exemption from Federal taxes; and (b) immunity from criminal and civil jurisdiction for members of the administrative and technical staff and the service staff of the mission. The taxes to which Section 4 applies will be those imposed by or pursuant to Acts of Congress. This provision will enable the United States to continue to accord in return for an appropriate *quid pro quo* by the sending state, (1) the exemption from Federal taxes presently enjoyed by duly accredited diplomatic officers and members of the administrative and technical staff who are nationals of the appointing state, (2) complete immunity from criminal jurisdiction to members of the service staff who are not nationals or residents of the United States, and (3) immunity from civil and criminal jurisdiction in respect of official acts to members of the administrative and technical staff who are nationals or residents of the United States.

The draft bill does not contain specific authorization to accord to members of the administrative and technical staff exemption from customs duties and internal revenue taxes imposed upon or by reason of importation because statutory authority now exists to accord such exemptions on the basis of reciprocity (Tariff Schedules of the United States, 19 USC foll. 1202, Schedule 8, Part 2, headnote 1, Subpart C, headnote 4, and Item 822.30.) In the case of many countries, Section 4(a)(2) of the draft bill, if enacted, and the pertinent portions of the Tariff Schedules would merely authorize the continuance of long-existing arrangements where by custom or agreement subordinate personnel at American diplomatic missions are accorded more favorable treatment than is required by the Vienna Convention.

Paragraph (b) of Section 4 reaffirms the primacy of the Executive Branch's determination with respect to entitlement of a particular foreign diplomatic officer or employee to immunity from civil or criminal jurisdiction; the making of such a determination would presumably be delegated to the Department of State pursuant to Section 6, and the certificate of the Secretary of State or his designee would be transmitted by the Attorney General to the appropriate court.

Paragraph (c) of Section 4 adopts the notice feature of 22 USC 254, with these changes: the names of all persons entitled to immunity pursuant to the Vienna Convention or the draft bill will be made of public record, instead of just those persons presently listed in the so-called "White List"; the names of entitled persons will be published in the "Federal Register" rather than posted in the office of the Marshal for the District of Columbia; and the variable treatment of foreign diplomatic missions and their personnel authorized in Section 4(a) will be made a matter of public record for the application of applicable laws and regulations, and for immunity purposes.

Section 5. Judicial Matters: Paragraph (a) provides that any writ or process sued out or prosecuted against a person or the property of any person entitled to immunity from such process shall be deemed void. Paragraph (b) provides that any person who knowingly obtains, sues out, prosecutes, or assists in the execution of such writ or process may be fined or imprisoned, or both. Similar provisions are contained in 22 USC 252–254.

Section 6. Exercise of Functions: This is a standard delegation of authority provision.

Section 7. Effective Date and Repeals: Paragraph (a) provides that the "Diplomatic Relations Act of 1967" will be effective upon entry into force of the Vienna Convention on Diplomatic Relations with respect to the United States. Paragraph (b) provides for the repeal of Sections 4063, 4064, 4065, and 4066 of the Revised Statutes (22 USC 252–254), upon the effective date of the abovementioned Act. Paragraph (c) is a clause regarding legal acts done or rights accrued, or proceedings commenced in any civil cause before the repeal of the several statutes referred to in paragraph (b) above.

A BILL TO AUTHORIZE AN APPROPRIATION FOR THE SUPPORT OF THE INTERNATIONAL UNION FOR THE PUBLICATION OF CUSTOMS TARIFFS

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize an increase in the annual appropriation for the support of the International Union for the Publication of Customs Tariffs and the Bureau established to carry out its functions.

The proposed bill has been requested by the Under Secretary of State and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the Record at this point, together with the letter from the Under Secretary of State to the Vice President dated April 12, 1967, in regard to it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1578) to authorize the appropriation for the contribution by the United States for the support of the International Union for the Publication of Customs Tariffs, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 1578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the Department of State such sums as may be necessary, including contributions pursuant to the convention of July 5, 1890, as amended, for the payment by the United States of its share of the expenses of the International Union for the Publication of Customs Tariffs and of the Bureau established to carry out the functions of the Union.

The letter, presented by Mr. Fulbright, is as follows:

April 12, 1967.

The Vice President,
U.S. Senate.

Dear Mr. Vice President: There is enclosed for the consideration of the Congress a draft bill which would authorize an increase in the annual appropriation for the support of the International Union for the Publications of Customs Tariffs and the Bureau established to carry out its functions.

The United States has, since 1891, been a member of this Union, established at Brussels by a multilateral convention of 1890 (26 Stat. 1518, see also 8 UST (pt. 2) 1671). The only function of the Union and the Bureau is the useful one of translating, publishing, and distributing the tariff laws and regulations of the various countries and other customs territories throughout the world (art. 2, 26 Stat. 1519). The convention and supplementary documents (regulations and final declarations) provide that contributions shall be paid by the member countries to defray the cost of the Bureau's operation. Because the small budget provided for in the convention proved to be grossly inadequate, steps were taken in 1949 for its increase. As a result of such action the United States now contributes $8,658 annually, the authorization for the appropriation of which is the original convention as modified.

In 1963 the President of the Bureau, in his annual report, pointed out that the "growing complexity and number of Customs tariffs throughout the world", and the growing demand from both public and private sources for its publications containing their texts, justified an increase in the Bureau staff beyond that which could be financed under the existing arrangements.

The Bureau, through the Belgian Government, has requested the member countries, including the United States to double the contributions they make for the work of the Bureau. Forty-nine of the seventy-three member countries, including Canada, France, and the United Kingdom and accounting for well over 70% of the contributions according to the prevailing proportional schedule, have already agreed to double their contributions.

The enclosed draft bill would provide an authorization, to permit the United States currently to pay an additional $8,658, in a somewhat broader manner than the draft transmitted to you for the same purpose by my letter of August 30, 1966 (S. 3827, 89th Cong. 2d sess., on which no action was taken by the 89th Congress). While the earlier bill would merely have authorized an increase of $8,658 in the appropriation in addition to the $8,658 now authorized by the convention establishing the Union and the Bureau, the enclosed draft bill is designed to constitute a single authorization for the entire appropriation for the work of the Bureau. Moreover, in view of the need, twice within the past twenty years, for increases in the modest budget of the Union, this draft would in general language authorize such sums as may be necessary for payment of the United States annual share.

The immediate United States contribution of $17,316 under the bill would be less than 6% of the total contributions to the Union.

The various Executive agencies that have responsibilities relating to foreign trade, especially the Department of Commerce, find the publications for foreign tariffs (particularly the English translations) of great value in handling questions raised by exporters and in preparing for negotiations for the reduction of tariff barriers to United States exports. The Bureau has translated the new Tariff Schedules of the United States into the four languages which it uses in addition to English—French, German, Italian and Spanish.

It is recommended that the Congress promptly enact legislation along the lines of the enclosed draft bill to authorize a modest increase in the United States contribution in order to assist the Union and the Bureau in the continuation of their most useful activity.

The Bureau of the Budget advises that there would be no objection from the standpoint of the Administration program to the enactment of this legislation.

Sincerely yours,
Nicholas deB. Katzenbach.

DISPOSITION OF FUNDS APPROPRIATED FOR OTTAWA TRIBE OF OKLAHOMA

Mr. HARRIS. Mr. President, on behalf of myself, and my colleague, the senior Senator from Oklahoma [Mr. Monroney], I introduce, for appropriate reference, a bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket No. 303 of the Indian Claims Commission, and for other purposes.

I ask unanimous consent to have printed in the Record a letter from Assistant Secretary of the Interior, Harry R. Anderson, describing the bill, and a document showing the present distribution of the funds.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and document will be printed in the Record.

The bill (S. 1579) to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket No. 303 of the Indian Claims Commission, and for other purposes, introduced by Mr. Harris (for himself and Mr. Monroney), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter and document, presented by Mr. Harris, are as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., April 12, 1966.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill "To provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket No. 303 of the Indian Claims Commission, and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration and that it be enacted.

On February 11, 1965, the Indian Claims Commission issued an Amended Final Award granting the Ottawa Tribe $368,039.55, with interest at 4 percent per annum from March 22, 1934, on $30,603.94 of unaccounted trust land funds. The initial sum of $30,603.94 together with the interest thereon to March 22, 1934, has already been incorporated in the final award. The recovery represents additional payment for Ottawa lands in Kansas ceded under the treaties of June 24, 1862 (12 Stat. 1237), and February 23, 1867 (15 Stat. 513, 517), and for other items such as unaccounted treaty funds and expenses of a commission established to mediate a settlement between the United States and the Ottawa Tribe for unsold lands and assets arising from the sale of school lands. These funds were appropriated by the Act of April 30, 1965 (79 Stat. 81), and are on deposit in the United States Treasury drawing interest at 4 percent per annum.

At the time of first European contact the Ottawas were located on Manitoulin Island and along the shores of Georgian Bay in what is now southern Ontario. In the late 1640's, however, the Iroquois pushed them into the area around Green Bay, Wisconsin. Subsequently, segments of the tribe returned to their earlier home while others settled along the eastern shore of Lake Michigan, some moving as far west as southern Wisconsin and northeastern Illinois, and along the southern shore of Lake Erie into Ohio and parts of Pennsylvania. In 1831 three bands of Ottawas in Ohio, Blanchard's Fork, Oquanoxa's Village and Roche de Boeuf, ceded their lands to the United States and were granted a reservation in what is now the State of Kansas. They arrived there in 1836 but later, under pressure for the opening and sale of Indian lands, the Ottawas of Kansas, now also known as the Ottawas of Blanchard's Fork and Roche de Boeuf, concluded the 1862 and 1867 treaties whereby they sold their lands in Kansas and purchased a tract in what is now Oklahoma.

The Indian Claims Commission has stated that the Ottawa Tribe of Oklahoma comprises and represents those bands of Ottawa Indians parties to the above-mentioned treaties. Although Federal supervision over the Oklahoma Ottawas was terminated pursuant to the Act of August 3, 1956 (70 Stat. 963), to be effective three years later, the termination Act provided that nothing in it would affect claims previously filed against the United States. The Ottawa Tribe of Oklahoma had been organized under the provisions of the Oklahoma Welfare Act of June 26, 1936 (49 Stat. 1967), and its Constitution was approved by the Secretary of the Interior on October 10, 1938. A Final Roll, prepared pursuant to the 1956 Act and listing 630 individuals, was published in the *Federal Register* on August 13, 1959.

The proposed bill provides for a per capita distribution of this award to those persons whose names appear on the Ottawa terminal roll, and their heirs and legatees, and gives the Secretary authority to develop procedures for the disposition of the shares of minors or persons under a legal disability. Since the relationship between the Ottawa Tribe and the United States has been terminated, the proposed bill does not provide for programming of the judgment funds.

As there are several claims pending before the Indian Claims Commission in which the Ottawa Tribe of Oklahoma might have an interest, the proposed bill provides that in the event the sum of money reserved by the Secretary to pay the distribution costs exceeds the amount actually necessary, such funds shall remain to the credit of the tribe to be disposed of at the discretion of the Secretary.

The Bureau of the Budget has advised us that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

Ottawa (Docket No. 303) Judgment Fund—Balance as of December 31, 1966

Net award—14×7098 awards of Indian Claims Commission, Ottawa Tribe of Oklahoma	$406,166.19
Attorney's fees	40,585.24
Attorney's expenses (none to date)	
Interest as of December 31, 1966	24,022.44
Balance as of December 31, 1966	389,603.39

AMENDMENT OF FEDERAL VOTING ASSISTANCE ACT OF 1955

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584).

The proposed amendments are intended to facilitate and improve the process of absentee voting by members of the Armed Forces and certain other organizations and individuals serving with them while outside the United States, and for certain other purposes.

These amendments are procedural in nature and do not substantially alter the existing act.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 1581) to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584), introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Rules and Administration.

FEDERAL FINE ARTS AND ARCHITECTURE ACT

Mr. MUSKIE. Mr. President, on behalf of myself and Senators HART, McCARTHY, and YARBOROUGH, I introduce, for appropriate reference, a bill to foster high standards of architectural excellence in the design of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings.

This bill is identical to a bill which Congressman REUSS, of Wisconsin, will introduce tomorrow in the House of Representatives, and similar to S. 3521, which I introduced in the 89th Congress.

Mr. President, too often Federal buildings outside the District of Columbia are unimaginative, mediocre structures which have been built to last, but not to add esthetic beauty to their surroundings. Too often they bear little relation to their sites or to architectural styles around them. Frequently the works of art in these buildings have been added as an afterthought and not as an integral part of the total design.

Sadly, many Federal buildings throughout the United States stand as monuments to bad taste for generations to come, when they should be examples of what is best in contemporary American art and architecture.

The proposed Federal Fine Arts and Architecture Act seeks to upgrade the quality and design of Federal buildings and post offices outside the District of Columbia and to provide for the acquisition of suitable works of art for such buildings by establishing the Public Advisory Panel on Architectural Services in the General Services Administration. At least 12 distinguished architects from private life, including landscape architects and city planners; at least six representatives from allied fields, including painters, mural artists, sculptors, specialists in the decorative arts and crafts, and interior designers; and Federal representatives would be included on the panel. The Commissioner of the Public Buildings Service of GSA would act as Chairman.

This provision would give statutory recognition to the GSA Executive order, revised on August 17, 1965, which established a Public Advisory Panel on Architectural Services and whose membership is substantially the same as that proposed in this bill.

In appointing public members to the Panel, the Administrator of GSA shall choose from nominations submitted to him by the Chairman of the National Endowment for the Arts.

Mr. President, the proposed Architectural Advisory Board would have four main functions. It would make recommendations to the GSA Administrator and the Postmaster General on criteria for evaluating and selecting architects for public buildings and post offices outside the District of Columbia and on the choice of artists for works of art to be used in these buildings. It would be authorized to review GSA design standards, guides, and procedures. It would advise the Administrator and Postmaster General on the selection of architects and artists, and it would review and advise them with respect to the acceptability of architectural designs or works of art for individual projects.

Finally, this bill would authorize the GSA Administrator and the Postmaster General to spend an amount equal to 1 percent of the total amount appropriated for the preceding fiscal year for the design and construction of public buildings outside the District of Columbia in order to acquire and maintain suitable works of art for these buildings.

Mr. President, by improving the quality of the art and architecture of Federal buildings all over the United States, I believe this bill would help to enhance the environment of many of our towns and cities. These buildings would reflect the dignity, vitality, and strength of our Nation.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD at this point.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1582) to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1582

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the purpose of this Act to provide—

(1) for the maintenance of high standards of architectural design and art for public buildings and post offices outside the District of Columbia; and

(2) a program for the acquisition and preservation of suitable works of art for public buildings and post offices outside the District of Columbia.

SEC. 2. For the purposes of this Act—

(a) The term "Administrator" means the Administrator of General Services.

(b) The term "public building" shall have the same meaning as is provided in section 13(1) of the Public Buildings Act of 1959.

SEC. 3. (1) The Public Advisory Panel on Architectural Services is hereby established in the General Services Administration. The Administrator shall appoint to the Panel at least twelve (12) distinguished architects from among persons in private life professionally engaged in architecture, landscape architecture, or city planning, and at least six (6) distinguished representatives of the fields of art allied to architecture, including painting (two members, of whom one shall be experienced in mural decoration), sculpture (two members, of whom one shall be experienced in sculpture related to the architectural environment), the decorative arts and crafts (one member), and interior design (one member), and such appropriate representatives of the Federal Government as the Administrator may desire to serve ex officio. The Commissioner, Public Buildings Service, General Services Administration, shall be chairman of the Panel.

(2) The Administrator shall appoint the public members of the Panel from nominations submitted to him from time to time by the Chairman of the National Endowment for the Arts, who shall recommend at least three persons for each position in a professional field for which a public member is to be appointed. The Chairman of the Endowment, in preparing lists of nominees, shall call upon the National Council on the Arts and the Endowment's advisory panels covering the fields of architecture, painting, sculpture, the decorative arts and crafts, and interior design, for advice and assistance, and shall give due consideration to any nominations submitted to the Endowment by established national organizations in the respective professional fields of art and architecture.

(3) Each public member of the Panel shall serve for a term expiring in one of the first three years succeeding the year in which he is appointed, as designated by the Administrator at the time of appointment, subject to the limitation that not more than one painter and one sculptor may have a term scheduled to expire in the same calendar year. No public member of the Panel shall be eligible for reappointment for a term beginning less than two years after the expiration of his third consecutive term.

(4) Each public member of the Panel shall receive compensation at the rate of $50 per diem for each day on which he is engaged in the performance of his duties as such, and shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

(5) In order to insure that Federal public buildings, outside of the District of Columbia, and buildings leased to the United States for use by the Post Office Department, outside of the District of Columbia, may be enhanced by beauty, dignity, economy, utility, and suitable works of art, the Panel shall have the following functions:

(a) Develop and make recommendations to the Administrator and to the Postmaster General as to criteria for the evaluation and selection of, and contractual relationships with, architects for public buildings, and post office buildings, and with artists for works of art related to the total design concept of such buildings.

(b) Review General Services Administration design standards, criteria, guides and procedures and recommend to the Administrator and to the Postmaster General any necessary or desirable changes to further the objectives and purposes of this Act.

(c) Advise the Administrator and the Postmaster General in the selection of architects for the design of nationally significant buildings designated by the Administrator or by the Postmaster General, and of distinguished artists recommended by the architect of such building or by the Panel to work with the architect at the early planning stages.

(d) Review and advise the Administrator or the Postmaster General with respect to the acceptability of architectural designs or works of art proposed for individual projects designated by the Administrator or by the Postmaster General.

(6) Meetings of the Panel shall be at the call of the Chairman or by request of three or more public members. The Panel shall maintain such records as are necessary and render such reports and submit such recommendations as may be requested by the Administrator or the Postmaster General or otherwise considered by the Panel as necessary to discharge its responsibilities under this Act. With the approval of the Administrator or the Postmaster General specified functions of the Panel may be performed by subpanels designated by the Administrator or by the Chairman of the Panel.

SEC. 4. The Administrator and the Postmaster General are authorized to acquire and maintain works of art for public buildings or for post offices, respectively, outside the District of Columbia. In addition to any amounts otherwise authorized, there is hereby authorized to be appropriated for this purpose in each fiscal year, to remain available until expended, an amount equal to 1 per centum of the total amount appropriated for the preceding fiscal year for the design and construction of public buildings outside the District of Columbia. The Postmaster General shall endeavor to secure a similar level and quality of works of art for buildings, outside the District of Columbia, leased to the United States for use by the Post Office Department.

SEC. 5. The Panel shall provide recommendations to the Administrator and to the Postmaster General concerning the artists and works of art under section 4. The Panel may, where appropriate, recommend to the Administrator and the Postmaster General, respectively, the holding of competitions for the selection of artists and of designs or models of works of art.

INTRODUCTION OF PORNOGRAPHY COMMISSION BILL

Mr. MILLER. Mr. President, I send to the desk a bill to create a Commission to be known as the Commission for Elimination of Pornographic Materials, and I ask that it be printed in the RECORD and appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1584) to create a Commission to be known as the Commission for Elimination of Pornographic Materials, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 1584

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS OF FACT AND DECLARATION OF POLICY

SECTION 1. The Congress finds that the publication and dissemination of pornographic materials is a menace to the moral fiber of the American people. All levels of government—Federal, State, and local—bear a responsibility in eliminating this menace, although it is recognized that this responsibility can be effectively carried out only through the cooperative efforts of all citizens. It is the purpose of this Act to establish a national commission to investigate the traffic in pornographic materials, analyze the laws and regulations relating to this traffic, and make recommendations for improved laws and other methods of control and elimination of such materials, and provide information needed to promote a coordinated national effort to eliminate pornographic materials from our society.

ESTABLISHMENT OF THE COMMISSION FOR ELIMINATION OF PORNOGRAPHIC MATERIALS

SEC. 2. (a) For the purpose of carrying out the provisions of this Act, there is hereby created a commission to be known as the Commission for Elimination of Pornographic Materials (hereinafter referred to as the "Commission").

(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of twenty-five members, appointed by the President, as follows:

(1) Two from the Senate (one from each major political party);

(2) Two from the House of Representatives (one from each major political party);

(3) One from the Post Office Department;

(4) One from the Department of Justice;

(5) One from the Department of Defense;

(6) Three from the clergy;

(7) One medical doctor who shall be prominent in the field of psychiatry;

(8) One who shall be a prominent representative of the book publishing industry;

(9) One who shall be a prominent representative of the magazine and periodical publishing industry;

(10) One who shall be a prominent representative of the newspaper publishing industry;

(11) One who shall be a prominent representative of the motion picture industry;

(12) One who shall be a prominent representative of the radio and television industry;

(13) One attorney who shall be a chief prosecutor of a city or county government;

(14) One attorney who shall be prominent in the practice of law;

(15) Three educators (one who shall be prominent in the field of primary education, one who shall be prominent in the field of secondary education, and one who shall be prominent in the field of higher education);

(16) Two parents serving actively in a parent-teacher association; and

(17) Two judges from the State or local benches.

(b) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) CONTINUATION OF MEMBERSHIP UPON CHANGE OF STATUS.—A change in the status of employment of any person appointed to the Commission pursuant to subsection (a) of this section shall not affect his membership upon the Commission.

ORGANIZATION OF THE COMMISSION

SEC. 4. The Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

SEC. 5. Thirteen members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 6. (a) MEMBERS OF CONGRESS.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) MEMBERS FROM THE EXECUTIVE BRANCH.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) Members From Private Life.—The members from private life shall each receive $100 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

Sec. 7. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

EXPENSES OF THE COMMISSION

Sec. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

DUTIES OF THE COMMISSION

Sec. 9. (a) Investigation, Analysis, and Recommendations.—It shall be the duty of the Commission—

(1) to explore methods of combating the traffic in pornographic materials at the various levels of governmental responsibility;

(2) to provide for the development of a plan for improved coordination between Federal, State, and local officials in the suppression of such traffic;

(3) to determine ways and means of informing the public as to the origin, scope, and effects of such traffic, and of obtaining public support in its suppression;

(4) to secure the active cooperation of leaders in the field of mass media for the accomplishment of the objectives and purposes of this Act;

(5) to formulate recommendations for such legislative, administrative, or other forms of action as may be deemed necessary to combat such traffic; and

(6) to analyze the laws pertaining to traffic in pornographic matters and materials, and to make such recommendations to the Congress for appropriate revisions of Federal laws as the Commission may deem necessary in order to effectively regulate the flow of such traffic.

(b) Report.—The Commission shall report to the President and the Congress its findings and recommendations as soon as practicable and in no event later than January 31, 1969. The Commission shall cease to exist sixty days following the submission of its final report.

POWERS OF THE COMMISSION

Sec. 10. (a) Hearings and Sessions.—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued over the signature of the Chairman of the Commission, or such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) Advisory Committees.—In carrying out its duties under this Act, the Commission—

(1) may constitute such advisory committees within States composed of citizens of that State, and

(2) may consult with Governors, attorneys general, and other representatives of State and local government and private organizations, as it deems advisable.

Any advisory committee constituted pursuant to this subsection shall carry out its duties without expense to the United States.

(c) Obtaining Official Data.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

Mr. MILLER. Mr. President, the publication and dissemination of pornographic materials is a menace to the moral fiber of the American people. It is also a vexing problem to which legislatures and courts have not yet found an effective solution. The Commission which I propose would be composed of 25 members, to be appointed by the President from various walks of life. The Commission would investigate the traffic in pornographic materials, and provide information needed to promote a coordinated national effort to eliminate pornographic materials from our society.

ISSUANCE OF SPECIAL SERIES OF POSTAGE STAMPS IN COMMEMORATION OF THE 50TH ANNIVERSARY OF THE INDEPENDENCE OF CZECHOSLOVAKIA

Mr. HRUSKA. Mr. President, on October 26, 1918, in Independence Hall, Philadelphia, Pa., a document of great importance was signed. The document was the Declaration of Independence of Czechoslovakia, and its signer was the founder and President-liberator of the first Czechoslovak Republic, the late Prof. Thomas G. Masaryk.

The document and the man symbolized then, as they do today, the belief of the people of Czechoslovakia in the universal principles of justice and right. The document marked an end and a beginning. The end of the old Austro-Hungarian Empire and the beginning of a free republic, which rose from its ruins—the stablest, strongest, and most prosperous of the succession states.

In order to commemorate the 50th anniversary of the independence of Czechoslovakia, and in recognition of that nation's declaration of freedom on October 26, 1918, I introduce, for appropriate reference, a bill to provide for the issuance of a special series of postage stamps.

In introducing this bill, I am both proud and sad. Proud of the accomplishments of the Czechoslovak people, yet sad that today, Czechoslovakia is a captive nation. For 19 years it has been enslaved and oppressed by a relentless power which seeks to fasten a similar fate upon all nations and peoples the world over.

However, this bill is to commemorate an event that will continue to inspire oppressed people everywhere. For where there abides a fierce love of liberty, as it does in the hearts of Czechoslovakian people, there will be a foundation for eventual deliverance from bondage.

Mr. President, I ask unanimous consent that the bill be printed at this point in the Congressional Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1587) to provide for the issuance of a special series of postage stamps in commemoration of the 50th anniversary of the independence of Czechoslovakia, introduced by Mr. Hruska, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S. 1587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special series of postage stamps commemorating the fiftieth anniversary of the independence of Czechoslovakia, and in recognition of that nation's declaration of its freedom on October 26, 1918, at Independence Hall, in Philadelphia, Pennsylvania.

Sec. 2. Such series of postage stamps shall be first offered for sale to the public at Philadelphia, Pennsylvania on October 26, 1968, and elsewhere on the day following the first day of sale, and shall be thereafter issued in such denomination and design, and for such period, as the Postmaster General shall determine.

PROPOSED SURVEY OF THE COASTAL AND FRESH WATER COMMERCIAL FISHERY RESOURCES OF THE UNITED STATES

Mr. HATFIELD. Mr. President, I introduce, for appropriate reference, a joint resolution to authorize and direct the Secretary of the Interior to conduct a survey of the coastal and fresh water commercial fishery resources of the United States, its territories, and possessions.

A similar resolution was passed by the Senate at the last session of Congress, but too late in the session to receive attention in the House.

A resolution identical to the one I am introducing today has earlier this session been introduced in the House by Oregon Congressman Wendell Wyatt.

I ask that the joint resolution be printed at this point in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 75) to authorize and direct the Secretary of the Interior to conduct a survey of the coastal and fresh water commercial fishery resources of the United States, its territories, and possessions, introduced by Mr. HATFIELD, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S.J. RES. 75

Whereas the United States has the richest and most extensive coastal and inland fishery resources of any nation but has failed to develop, to utilize, and to conserve her fishery resources to the fullest extent; and

Whereas the fishery resources of the United States and of waters contiguous to the United States have, by their variety and abundance, attracted the fishing fleets of many European and Asiatic nations and encouraged them to send fishing vessels to these waters which are more numerous, larger, and superior in capacity and equipment to those of the United States and with such enterprise and capabilities as to threaten these resources with depletion or extinction; and

Whereas the 1958 Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas came into force and effect on March 20, 1966, and the Convention for the first time under international law recognizes the dominant and special interest and rights of a coastal nation to adopt regulations to conserve fishery resources adjacent to its coast under conservation programs based on scientific studies of the resource; and

Whereas additional biological data must be gathered and scientific resource studies be completed to provide for an effective implementation of our rights and obligations to conserve our coastal fishery resources under the 1958 Convention; and

Whereas the last comprehensive survey of said resources was conducted over twenty years ago, and new, current information is necessary for action in preservation and utilization of our present and future national fishery interests: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to conduct a survey of the character, extent, and condition of the coastal and fresh-water sport and commercial fishery resources, including both those resources now being utilized by United States and foreign fishermen and those potential resources which are latent and unused, of the United States, its territories, and possessions, including coastal and distant water fishery resources in which the United States has an interest or right.

SEC. 2. The Secretary of the Interior is directed to submit through the President a report to the Congress as soon as practicable, but not later than three years after enactment of this Act, concerning the results of the survey authorized and directed in the preceding section, along with recommendations for legislation thereon.

SEC. 3. There is authorized to be appropriated, out of moneys in the Treasury not otherwise appropriated, such funds as may be necessary for the purpose of carrying out the provisions of this joint resolution, but not to exceed $3,000,000.

INTRODUCTION OF JOINT RESOLUTION PROCLAIMING "BIBLE TRANSLATION DAY"

Mr. HARRIS. Mr. President, for myself and the Senator from North Carolina [Mr. ERVIN], I introduce for appropriate reference a joint resolution to authorize the President to issue a proclamation designating the 30th day of September 1967 as "Bible Translation Day."

I am particularly interested in the passage of this resolution because of my admiration and respect for the Summer Institute of Linguistics, which operates a linguistics institute, among other places, at the University of Oklahoma each summer. This resolution is the same one that passed the Senate last session. It has the support of the various groups active in Bible translation. I hope that it will be passed again.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 76) to authorize the President to issue a proclamation designating the 30th day of September in 1967 as "Bible Translation Day," introduced by Mr. HARRIS (for himself and Mr. ERVIN), was received, read twice by its title, and referred to the Committee on the Judiciary.

GEOGRAPHIC DISPERSION OF FEDERAL FUNDS AND ACTIVITIES

Mr. PEARSON. Mr. President, I submit today a concurrent resolution expressing the sense of Congress that the executive branch of the Government in awarding research and development grants and in its decisions concerning the location or transfer of federally supported operations, take into account the desirability of achieving a more equitable geographic distribution of these activities.

The imbalance in these types of Federal spending has long been recognized and the need for its correction has been extensively discussed here in Congress and across the country. To date, however, very little corrective action has been taken and the problem continues to worsen. Thus, we must act now to insure that our Nation's educational and economic development is not further impaired.

One of the most serious imbalances, Mr. President, concerns the allocation of Federal research and development funds to our institutions of higher learning. A few examples will serve to illustrate. In 1965, Federal obligations for the support of academic science and other educational activities in institutions of higher learning totaled $2.3 billion. Approximately 76 percent of this money, or $1.7 billion, was allocated to student aid and course improvements in science education, grants for science research, and support for current operating costs and facilities of general research and development activities. The remaining 24 percent went for other educational activities consisting in large part of the Office of Education's program for construction and equipping of undergraduate facilities.

Mr. President, approximately 40.4 percent of the total $2.3 billion of Federal support money was concentrated in only 25 universities. Moreover, these institutions are located in only 15 of the 50 States. For the most part they are concentrated in the Northeastern States of New York and Massachusetts; the East North Central States of Michigan, Illinois, Wisconsin, and Minnesota; and in the Far Western State of California.

This concentration is even greater in regard to Federal contract research centers, which are research and development organizations exclusively or substantially financed by the Government, but generally located at or near educational institutions. Approximately 60 percent of Federal support in fiscal 1965 went to centers in just two States—California and Massachusetts. Indeed, California alone accounted for roughly 49 percent of all such support money.

Furthermore, Mr. President, in 1965 of the 2,237 universities and colleges in the United States, only 1,458 received any Federal support funds at all. Of these, the first 100 institutions ranked in order of magnitude of Federal aid accounted for 85 percent of the $1.7 billion allocated to science research and development, and 77 percent of the total $2.3 billion Federal support program.

In addition, of this elite college group, schools in only four States—New York, California, Massachusetts, and Michigan—received 27.2 percent of the total Federal support money going to higher education.

This disparity is made even more striking when my home State of Kansas is used as an illustration. Kansas received only eight-tenths of 1 percent of the total Federal allocation to higher education, while California received 9.7 percent, New York 8.5 percent, Massachusetts 5.4 percent, and Illinois 5 percent.

Furthermore, Kansas received less than 0.05 percent of NASA prime contract awards in fiscal 1966, while California garnered 43.8 percent, New York 11.3 percent, Louisiana 8.2 percent, and Alabama 7.7 percent.

Mr. President, I want to make it very clear that I am not suggesting that Kansas should receive the same amount of educational aid as, say, California. Given their great difference in population such a distribution would be unjustified and untenable. But the inequities of the present system are too great, and I want to discuss some of the problems which inevitably flow from the existing distribution patterns.

First, I would point to the impact that Federal spending has on the structure of the Nation's system of higher education. Competition exists in all areas of higher education and the desire for Federal aid is universal. The great competitive advantage with which large, established research centers begin is compounded as they receive more and more Federal money with which to attract more and more high quality staff.

This leads to a good deal of "raiding" for top talent by the larger universities. The resulting "brain drain" is severely hampering the ability of smaller institutions, not only to compete for Federal funds, but also to offer rewarding educations.

The scope of this problem is readily apparent when one considers the fact that while the Midwest produces 40 percent of all Ph. D.'s in science, it retains only about 25 percent, the remainder being attracted to the coastal States.

But much more is involved than the effect of these grants on the educational institutions themselves, Mr. President. We often overlook the tremendous impact of these funds on the character and vitality of the surrounding local economy.

As these concentrations of research facilities and intellectual talent begin to build up the trend feeds upon itself and provides its own momentum.

Much more than the immense $16 billion a year which the Federal Government spends on research and development is involved. Due to the enormous complexity of our military defense system and our space program, the Federal Government has come to concentrate much of its spending for these activities in a few regions. Without a conscious effort to achieve a more balanced distribution it is not difficult to see why this concentration has occurred. In awarding a Government contract, the administrators must keep the following question foremost in mind: Can this institution, firm, or area meet the performance requirements demanded? Thus, in the absence of alternative centers, space and defense related contracts tend to flow to to a few choice areas.

For example, in fiscal 1966, one State—California—received more money in NASA prime contracts awards than 47 other States and the District of Columbia combined. Furthermore, in fiscal 1965, about 50 percent of the Defense Department's $23.3 billion prime contracts were concentrated in only five States—New York, California, Texas, Connecticut, and Massachusetts.

This in turn further encourages the concentration of business and industries geared to the production of highly sophisticated products which are a byproduct of enormous proliferation of space age technologies of the past decade Furthermore, private research money tends to follow the Federal money, thus compounding an already adverse trend in a multiplier effect.

As concentration generates further concentration the deficient communities and regions are placed at an ever worsening disadvantage in the competition to attract the highly technologically oriented business and industries. With general economic growth increasingly tied to an ability to provide the technological expertise modern business and industry demands, the growth potential of those communities deficient in research facilities and related activities is seriously, possibly irreparably, damaged.

This loss of economic growth potential, serious as it may be, Mr. President, is not the only damage suffered by the smaller communities who see their highly educated citizens depart for other areas. The quality of community life also suffers—often greviously. The advice and counsel so often given freely by experts in architecture, urban planning, engineering, and many other fields is simply no longer available.

Mr. President, no one argues that great imbalances have been deliberately planned. Quite the contrary, they have occurred because there has been no conscious effort to prevent this occurrence.

There is, of course, no simple solution to this complex problem. Certainly no one proposes the establishment of a rigid guideline which would distribute research and development funds simply on a geographical basis. But the range of factors used in the awarding of grants must be greatly broadened.

The responsible Government agencies must recognize that in the awarding of these grants and contracts they set in motion a chain of events which have ramifications far beyond the immediate concern of accomplishing the specific objective of the award.

Mr. President, there will be those who describe this or similar proposals as being born of narrow parochialism. And I am the first to concede that the most vigorous support for proposals to correct the current imbalance comes from those communities and regions which are now most disadvantaged and that the greatest opposition will come from the States which are now most favored.

Mr. President, my response to this is of two parts. First, I want to make one thing very clear; I do not propose that we begin to deny Federal funds to those communities and regions which are now receiving the bulk of this money. All recognize that such a policy would probably create more problems than it solved.

I do propose, however, that as new and greater volumes of funds are made available they be distributed on a more equitable basis.

Second, I would emphasize that the fact that parochial interests are inevitably involved does not obviate the fact that this is a problem which has genuine and highly important national implications.

Mr. President, it is not in the national interest to pursue a policy that accelerates the concentration of scientific talents and resources in a relatively few localities.

Mr. President, it is in the national interest to promote geographical dispersion whenever this can be done without creating inefficiencies in federally sponsored research and development programs.

For example, Mr. President, a careful analysis of all factors related to national defense demands the conclusion that the concentration of intellectual talent, research facilities, and technological capacities into a few geographical areas is militarily unwise.

A greater dispersal of the Nation's brainpower and technological capacity is good defense strategy.

Even more important, Mr. President, is the fact that a broader geographical distribution of intellectual talent and related facilities and activities simply makes good sense economically, socially, and culturally from both a regional and national point of view.

Mr. President, in this connection, I would like to refer to my statement of April 17 on the crisis of the cities. At that time I argued that if we are to deal effectively with this crisis we must discard the dogmas of the past and tap new sources of energies and ideas. I argued the traditional view of massive urban concentration as being inevitable and desirable must now be questioned. I am of the view that many of our metropolitan areas have reached the point of diminishing economic and social returns; where the possible advantages associated with urban concentration are more than offset by increased economic waste and social costs.

The Federal Government must undertake measures to better control the indiscriminant concentration of economic resources and population if our cities are to remain viable social units. A more equitable distribution of Federal spending which I propose today is one such measure of high priority, for the present pattern inevitably leads to further concentration, with all its attendant problems.

The massive metropolitan areas are already faced with enormous problems of air and water pollution, inadequate housing, crime control, education, and poverty. The search for a solution to these problems will require both time and money. It certainly will not be made any easier by encouraging a rapid influx of people to areas already plagued with overpopulation.

The allocation of Federal research and development funds, sites for Federal activities of all sorts, and the awarding of immense contracts, have all proceeded without adequate regard for the severe economic, and social dislocation their maldistribution can cause.

Mr. President, as a result of congressional pressure and a series of hearings held last year by the Senate Subcommittee on Government Research, a start has been made. NASA, the National Science Foundation, and the Office of Education are all making an effort to achieve a more equitable balance in their spending programs. In addition, the Defense Department has inaugurated Project Themis in an attempt to encourage the dispersion of research funds wherever facilities for new centers exist or wherever existing centers are willing to make the necessary effort.

It is encouraging to see some progress, however small. But we must do more. We must act now to achieve a reasonable balance in Federal funding and contracting.

Mr. President, a wise man once said, "Be just before you're generous." I would amend that to read, "Be careful before you're generous." Be careful—lest the Federal Government unwittingly makes worse the very social diseases it is attempting to cure. Be careful—lest the goal of progress and prosperity become the reality of poverty and paralysis.

I ask unanimous consent that the appended tables and the text of this concurrent resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution and tables will be printed in the RECORD.

The concurrent resolution (S. Con.

Res. 22) was referred to the Committee on Labor and Public Welfare as follows:

S. Con. Res. 22

Whereas research and development funds and contracts, made available or issued by departments and agencies of the United States to institutions of higher learning and to other private and public research oriented organizations, for scientific or educational purposes, are being concentrated in certain geographic areas and in certain institutions, thereby creating inequities in the distribution of scientific and teaching skills and capacities throughout the several States of the United States; and

Whereas the location of sites for activities of the United States and purchasing and contracting of the United States, coupled with the mobility of our population, have strongly influenced regional and local concentrations of population; thus further adding to the problem of inequitable distribution of highly trained manpower throughout the several States of the United States; and

Whereas many geographic areas of the United States, and institutions of higher learning within those areas, possess human and economic resources for development to a much greater extent than has been utilized, and offer unparalleled opportunities for progress and prosperity: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress (1) that in the granting, lending, or otherwise awarding of research and development funds available for scientific or educational purposes to institutions of higher learning, an important factor in making any such grant, loan, or award by any department or agency of the United States shall be a more equitable distribution of such funds to all qualifying institutions of higher learning, with particular consideration being given to developing institutions of higher learning, for the purpose of avoiding the concentration of such research and development funds in certain geographic areas and of insuring a continuing reservoir of scientific and teaching skills and capacities throughout all the States of the United States; and (2) that in any decision to locate or transfer an activity of the United States, and in any decision to award a contract or subcontract of the United States (other than on a competitive bid basis), an important factor entering into such decision by any department or agency of the United States shall be the promotion of a more orderly and equitable distribution of the population of the States of the United States and the areas within the several States in order to avoid or minimize heavy concentrations of population, and to provide more opportunities for balanced economic growth.

The tables, presented by Mr. Pearson, are as follows:

Table I.—*100 universities and colleges receiving the largest amounts of Federal support, 1965*

[In thousands of dollars]

Institution (ranked according to total Federal support)	Total support [1]		Academic science support [1]	
	Amount	Percent of total	Amount	Percent of total
1. Massachusetts Institute of Technology (Massachusetts)	59,601	2.6	59,410	3.4
2. University of Michigan (Michigan)	58,806	2.6	50,239	2.9
3. University of California, Los Angeles (California)	51,884	2.3	35,434	2.0
4. Columbia University (New York)	51,793	2.3	45,681	2.6
5. Cornell University (New York)	48,858	2.1	47,769	2.8
6. University of Illinois (Illinois)	44,892	2.0	40,525	2.3
7. University of California, Berkeley (California)	43,561	1.9	39,753	2.3
8. Stanford University (California)	42,703	1.9	39,101	2.3
9. University of Minnesota, Minneapolis	41,765	1.8	35,855	2.1
10. Harvard University (Massachusetts)	40,802	1.8	39,344	2.3
11. University of Wisconsin, Madison (Wisconsin)	39,789	1.8	33,442	1.9
12. New York University (New York)	36,571	1.6	29,858	1.7
13. University of Washington (Washington)	36,082	1.6	33,236	1.9
14. University of Chicago (Illinois)	35,692	1.6	34,907	2.0
15. Johns Hopkins University (Maryland)	33,198	1.5	29,492	1.7
16. University of Pennsylvania (Pennsylvania)	32,710	1.4	30,500	1.8
17. University of Texas (Texas)	32,400	1.4	26,557	1.5
18. Yale University (Connecticut)	26,488	1.2	24,986	1.4
19. Ohio State University (Ohio)	25,388	1.1	22,642	1.3
20. University of Maryland (Maryland)	25,192	1.1	17,704	1.0
21. Western Reserve University (Ohio)	23,597	1.0	18,520	1.1
22. University of Pittsburgh (Pennsylvania)	22,825	1.0	17,869	1.0
23. University of Colorado (Colorado)	22,813	1.0	19,705	1.1
24. Purdue University (Indiana)	21,575	.9	18,238	1.1
25. Washington University (Missouri)	20,316	.9	18,900	1.1
Subtotal	919,300	40.4	809,668	46.6
26. University of Southern California (California)	20,313	.9	15,322	.9
27. Yeshiva University (New York)	19,950	.9	17,600	1.0
28. Indiana University (Indiana)	19,513	.9	14,061	.8
29. Rutgers University (New Jersey)	19,107	.8	13,111	.8
30. Pennsylvania State University (Pennsylvania)	18,985	.8	14,298	.8
31. University of California, San Diego (California)	18,842	.8	10,787	.6
32. University of Rochester (New York)	18,501	.8	17,925	1.0
33. Duke University (North Carolina)	18,422	.8	16,469	1.0
34. Princeton University (New Jersey)	18,158	.8	17,712	1.0
35. University of Florida (Florida)	18,153	.8	15,414	.9
36. University of Oregon (Oregon)	17,361	.8	14,968	.9
37. California Institute of Technology (California)	17,287	.8	17,172	1.0
38. Northwestern University (Illinois)	17,175	.8	13,696	.8
39. Howard University (District of Columbia) [2]	15,648	.7	2,351	.1
40. University of Missouri (Missouri)	14,972	.7	12,278	.7
41. University of Utah (Utah)	14,722	.6	12,646	.7
42. Michigan State University (Michigan)	14,415	.6	12,168	.7
43. University of Miami (Florida)	14,334	.6	12,167	.7
44. University of Tennessee (Tennessee)	14,309	.6	12,356	.7
45. Tulane University of Louisiana (Louisiana)	14,218	.6	11,321	.7
46. Loyola University (Illinois)	13,385	.6	3,692	.2
47. University of Puerto Rico (Puerto Rico)	13,065	.6	9,632	.6
48. University of North Carolina, Chapel Hill (North Carolina)	13,019	.6	11,123	.6
49. University of California, San Francisco (California)	12,997	.6	12,661	.7
50. University of Virginia (Virginia)	12,592	.6	11,223	.6
51. Texas A. & M. University (Texas)	12,477	.5	11,824	.7
52. University of Iowa (Iowa)	12,475	.5	10,376	.6
53. University of Kansas (Kansas)	12,217	0.5	10,036	0.6
54. University of California, Davis (California)	11,931	.5	9,239	.5
55. University of Kentucky (Kentucky)	11,738	.5	9,912	.6
56. University of Arizona (Arizona)	11,597	.5	9,514	.5
57. Georgetown University (District of Columbia)	11,494	.5	5,566	.3
58. University of Georgia (Georgia)	11,296	.5	9,304	.5
59. Syracuse University (New York)	11,250	.5	10,326	.6
60. University of Hawaii (Hawaii)	10,985	.5	8,165	.5
61. University of Vermont and State Agricultural College (Vermont)	10,718	.5	5,771	.3
62. University of Nebraska (Nebraska)	10,718	.5	6,656	.4
63. University of North Carolina State at Raleigh (North Carolina)	10,493	.5	9,797	.6
64. Oregon State University (Oregon)	10,369	.5	9,182	.5
65. Louisiana State University and A. & M. College (Louisiana)	9,995	.4	8,152	.5
66. Baylor University (Texas)	9,770	.4	9,466	.5
67. Boston University (Massachusetts)	9,649	.4	7,314	.4
68. Iowa State University of Science and Technology (Iowa)	9,559	.4	9,114	.5
69. Wayne State University (Michigan)	9,420	.4	6,704	.4
70. Emory University (Georgia)	9,217	.4	6,978	.4
71. University of Alabama (Alabama)	9,103	.4	7,204	.4
72. University of Oklahoma (Oklahoma)	8,986	.4	7,809	.5
73. Case Institute of Technology (Ohio)	8,868	.4	8,743	.5
74. Vanderbilt University (Tennessee)	8,540	.4	8,001	.5
75. Rice University (Texas)	8,256	.4	7,003	.4
76. Brown University (Rhode Island)	8,244	.4	7,923	.5
77. Colorado State University (Colorado)	8,231	.4	7,321	.4
78. Oklahoma State University of Agriculture and Applied Sciences	8,024	.4	6,609	.4
79. Florida State University (Florida)	7,638	.3	5,366	.3
80. University of Arkansas (Arkansas)	7,619	.3	7,100	.4
81. University of Massachusetts (Massachusetts)	7,494	.3	6,349	.4
82. West Virginia University (West Virginia)	7,228	.3	6,407	.4
83. Georgia Institute of Technology (Georgia)	7,164	.3	5,703	.3
84. George Washington University (District of Columbia)	7,059	.3	6,169	.4
85. Auburn University (Alabama)	7,045	.3	6,208	.4
86. Tufts University (Massachusetts)	7,030	.3	5,731	.3
87. State University of New York of Buffalo (New York)	6,828	.3	6,460	.4
88. Carnegie Institute of Technology (Pennsylvania)	6,618	.3	6,356	.4
89. Mississippi State University (Mississippi)	6,577	.3	5,342	.3
90. Kansas State University of Agriculture and Applied Science	6,545	.3	5,013	.3
91. Temple University (Pennsylvania)	6,491	.3	5,001	.3
92. University of New Mexico (New Mexico)	6,480	.3	3,606	.2
93. New Mexico State University (New Mexico)	6,292	.3	5,808	.3
94. University of Mississippi (Mississippi)	6,046	.3	3,174	.2
95. University of Connecticut (Connecticut)	6,005	.3	3,978	.2
96. University of Denver (Colorado)	5,989	.3	5,391	.3
97. Washington State University (Washington)	5,889	.3	5,274	.3
98. Virginia Polytechnic Institute (Virginia)	5,873	.3	5,507	.3
99. Gallaudet College (District of Columbia) [2]	5,842	.3	342	(3)
100. University of Houston (Texas)	5,747	.3	1,852	.1
Total for 100 universities and colleges	1,759,859	77.4	1,477,966	85.4

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[1] The differences between "total support" and "academic science support" are funds for other educational activities consisting in large part of the Office of Education's program for construction and initial equipping of undergraduate facilities.

[2] These obligations for Howard University and Gallaudet College are Federal appropriations for the operation of the institutions.

[3] Less than 0.05 percent.

Source: NSF 66-30.

TABLE II.—*100 universities and colleges receiving the largest amounts of Federal support, 1965*

[In thousands of dollars]

Institution (grouped according to geographical location)	Total support[1]		Academic science support[1]	
	Amount	Percent of total	Amount	Percent of total
Alabama:				
University of Alabama	9,103	0.4	7,204	0.4
Auburn University	7,045	.3	6,208	.4
Total	16,148	.7	13,412	.8
Alaska[2]	0	0	0	0
Arizona: University of Arizona[2]	11,597	.5	9,514	.5
Arkansas: University of Arkansas[2]	7,619	.3	7,100	.4
California:				
University of California—Los Angeles	51,884	2.3	35,434	2.0
University of California—Berkeley	43,561	1.9	39,753	2.3
Stanford	42,703	1.9	39,101	2.3
University of Southern California	20,313	.9	15,322	.9
University of California—San Diego	18,842	.8	10,787	.6
California Institute of Technology	17,287	.8	17,172	1.0
University of California—San Francisco	12,997	.6	12,661	.7
University of California—Davis	11,931	.5	9,239	.5
Total	219,518	9.7	179,469	10.3
Colorado:				
University of Colorado	22,813	1.0	19,705	1.1
Colorado State University	8,231	.4	7,321	.4
University of Denver	5,989	.3	5,391	.3
Total	37,123	1.7	32,417	1.8
Connecticut:				
Yale University	26,488	1.2	24,986	1.4
University of Connecticut	6,005	.3	3,978	.2
Total	32,493	1.5	38,964	1.6
Delaware[2]	0	0	0	0
District of Columbia:				
Howard University[3]	15,648	.7	2,351	.1
Georgetown University	11,494	.5	5,566	.3
George Washington University	7,059	.3	6,169	4
Gallaudet College[3]	5,842	.3	342	(4)
Total	40,043	1.8	14,428	.8
Florida:				
University of Florida	18,153	.8	15,414	.9
University of Miami	14,334	.6	12,167	.7
Florida State University	7,638	.3	5,366	.3
Total	40,125	1.7	32,947	1.9
Georgia:				
University of Georgia	11,296	.5	9,304	.5
Emory University	9,217	.4	6,978	.4
Georgia Institute of Technology	7,164	.3	5,703	.3
Total	27,677	1.2	21,985	1.2
Hawaii: University of Hawaii[2]	10,985	.5	8,165	.5
Idaho[2]	0	0	0	0
Illinois:				
University of Illinois	44,892	2.0	40,525	2.3
University of Chicago	35,692	1.6	34,907	2.0
Northwestern	17,175	.8	13,696	.8
Loyola University	13,385	.6	3,692	.2
Total	111,144	5.0	92,820	5.3
Indiana:				
Purdue Iniversity	21,575	.9	18,238	1.1
Indiana University	19,513	.9	14,061	.8
Total	41,088	1.8	32,299	1.9
Iowa:				
University of Iowa	12,475	.5	10,376	.6
Iowa State University of Science & Technology	9,559	.4	9,114	.5
Total	22,034	.9	19,490	1.1
Kansas:				
University of Kansas	12,217	.5	10,036	.6
Kansas State University	6,545	.3	5,013	.3
Total	18,762	.8	15,049	.9
Kentucky: University of Kentucky[2]	11,738	.5	9,912	.6
Louisiana:				
Tulane University of Louisiana	14,218	.6	11,321	.7
Louisiana State University & A. & M. College	9,995	.4	8,152	.5
Total	24,213	1.0	19,446	1.2
Maine[2]	0	0	0	0
Maryland:				
Johns Hopkins University	33,198	1.5	29,492	1.7
University of Maryland	25,192	1.1	17,704	1.0
Total	58,390	2.6	47,196	2.7
Massachusetts:				
Massachusetts Institute of Technology	59,601	2.6	59,410	3.4
Harvard University	40,802	1.8	39,344	2.3
Boston University	9,649	.4	7,314	.4
University of Massachusetts	7,494	.3	6,349	.4
Tufts University	7,030	.3	5,731	.3
Total	124,576	5.4	118,148	6.8
Michigan:				
University of Michigan	58,805	2.6	50,239	2.9
Michigan State University	14,415	.6	12,168	.7
Wayne State University	9,420	.4	6,704	.4
Total	82,640	3.6	69,111	4.0
Minnesota: University of Minnesota—Minneapolis-St. Paul[2]	41,765	1.8	35,855	2.1
Mississippi:				
Mississippi State University	6,577	.3	5,342	.3
University of Mississippi	6,046	.3	3,174	.2
Total	12,623	.6	8,516	.5
Missouri:				
Washington University	20,316	.9	18,900	1.1
University of Missouri	14,972	.7	12,278	.7
Total	35,288	1.6	31,178	1.8
Nebraska: University of Nebraska[2]	10,718	.5	6,656	.4
Nevada[2]	0	0	0	0
New Hampshire[2]	0	0	0	0
New Jersey:				
Rutgers University	19,107	.8	13,111	.8
Princeton University	18,158	.8	17,712	1.0
Total	37,265	1.6	30,823	1.8
New Mexico:				
University of New Mexico	6,480	.3	3,606	.2
New Mexico State University	6,292	.3	5,808	.3
Total	12,772	.6	9,414	.5
New York:				
Columbia	51,793	2.3	45,681	2.6
Cornell University	48,858	2.1	47,769	2.8
New York University	36,571	1.6	29,858	1.7
Yeshiva University	19,950	.9	17,600	1.0
University of Rochester	18,501	.8	17,925	1.0
Syracuse University	11,250	.5	10,326	.6
SUNYAB	6,825	.3	6,460	.4
Total	193,748	8.5	175,619	10.1
North Carolina:				
University of North Carolina—Chapel Hill	13,019	.6	11,123	.6
University of North Carolina—Raleigh	10,493	.5	9,797	.6
Total	23,512	1.1	20,920	1.2
North Dakota[2]	0	0	0	0
Ohio:				
Ohio State University	25,388	1.1	22,642	1.3
Western Reserve University	23,597	1.0	18,520	1.1
Case Institute of Technology	8,868	.4	8,743	.5
Total	57,853	2.5	49,905	2.9
Oklahoma:				
Oklahoma State University	8,024	.4	6,609	.4
University of Oklahoma	8,986	.4	7,809	.5
Total	17,010	.8	14,418	.9
Oregon:				
University of Oregon	17,361	.8	14,968	.9
Oregon State University	10,369	.5	9,182	.5
Total	27,730	1.3	24,150	1.4
Pennsylvania:				
University of Pennsylvania	32,710	1.4	30,500	1.8
University of Pittsburgh	22,825	1.0	17,869	1.0
Pennsylvania State University	18,985	.8	14,298	.8
Total	74,520	3.2	62,667	3.6
Puerto Rico: University of Puerto Rico[2]	13,065	.6	9,632	.6
Rhode Island: Brown University[2]	8,244	.4	7,923	.5
South Carolina[2]	0	0	0	0
South Dakota[2]	0	0	0	0
Tennessee:				
University of Tennessee	14,309	.6	12,356	.7
Vanderbilt University	8,540	.4	8,001	.5
Total	22,849	1.0	20,357	1.2

See footnotes at end of table.

Table II.—*100 universities and colleges receiving the largest amounts of Federal support, 1965*—Continued

[In thousands of dollars]

Institution (grouped according to geographical location)	Total support[1]		Academic science support[1]	
	Amount	Percent of total	Amount	Percent of total
Texas:				
University of Texas	32,400	1.4	26,557	1.5
Texas A. & M. University	12,477	.5	11,824	.7
Baylor University	9,770	.4	9,466	.5
Rice University	8,256	.4	7,003	.4
University of Houston	5,747	.3	1,852	.1
Total	68,650	3.0	56,702	3.2
Utah: University of Utah[2]	14,722	.6	12,646	.7
Vermont: University of Vermont & SAC[2]	10,718	.5	5,771	.3
Virginia:				
University of Virginia	12,592	.6	11,223	.6
Virginia—Continued				
VPI	5,873	0.3	5,507	0.3
Total	18,465	.9	16,730	.9
Washington:				
University of Washington	36,082	1.6	33,236	1.9
Washington State University	5,889	.3	5,274	.3
Total	41,971	1.9	38,510	2.2
West Virginia: West Virginia University[2]	7,228	.3	6,407	.4
Wisconsin: University of Wisconsin—Madison[2]	39,789	1.8	33,442	1.9
Wyoming[2]	0	0	0	0

[1] The differences between "Total support" and "Academic science support" are funds for other educational activities consisting in large part of the Office of Education's program for construction and initial equipping of undergraduate facilities.

[2] Figures shown represent totals.

[3] These obligations for Howard University and Gallaudet College are Federal appropriations for the operation of the institutions.

[4] Less than 0.05 percent.

Source: NSF 66-30.

INVESTMENT TAX CREDIT—AMENDMENTS

AMENDMENT NO. 168

Mr. INOUYE proposed an amendment to the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property, which was ordered to be printed.

AMENDMENT NO. 169

Mr. LONG of Louisiana proposed an amendment to the amendment proposed by the Senator from Hawaii [Mr. Inouye] (amendment No. 168), to House bill 6950, supra, which was ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. Tydings], I ask unanimous consent that, at the next printing of the bill (S. 945) to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes, the name of the Senator from New York [Mr. Javits] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. Tydings], I ask unanimous consent that, at the next printing of the bill (S. 1318) to provide improved judicial machinery for the selection of juries, and for other purposes, the names of Senators Bayh, Kuchel, Metcalf, Miller, Nelson, Pell, and Williams of New Jersey be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. Tydings], I ask unanimous consent that, at the next printing of the bill (S. 1319) to provide improved judicial machinery for the selection of Federal juries, and for other purposes, the names of Senators Bayh, Metcalf, Miller, Nelson, Pell, and Williams of New Jersey be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, at its next printing, I ask unanimous consent that the name of the senior Senator from Michigan [Mr. Hart] be added as a cosponsor of the bill (S. 858) to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing the name of the Senator from Maryland [Mr. Brewster] be added as additional cosponsor of the bill (S. 998) to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the names of the Senator from Michigan [Mr. Hart] and the Senator from Texas [Mr. Yarborough] be added as cosponsors of the bill (S. 1282) to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I also ask unanimous consent that the names of the Senator from Michigan [Mr. Hart] and the Senator from Texas [Mr. Yarborough] be added as cosponsors of the bill (S. 1283) to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON S. 1352—SILVER CERTIFICATES

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold hearings on May 4, 1967, on S. 1352, a bill to authorize adjustments in the amount of outstanding silver certificates, and for other purposes. The hearings will commence at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with this bill should notify Mr. Matthew Hale, chief counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., 20510; telephone 225-3921.

NOTICE OF HEARINGS ON S. 1542—SAVINGS AND LOAN HOLDING COMPANY AMENDMENTS OF 1967

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will begin hearings on Monday, June 5, 1967, on S. 1542, a bill to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies. The hearings will commence at 10 a.m. in room 5302, New Senate Office Building, and will continue on June 6 and 7.

Persons desiring to testify or to submit written statements in connection with this bill should notify Mr. Lewis G. Odom, Jr., staff director, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., 20510; telephone 225-3921.

NOTICE OF HEARINGS ON S. 1008 AND S. 1156, BUREAU OF THE MINT LEGISLATION

Mr. PROXMIRE. Mr. President, I wish to announce that the Subcommittee on Financial Institutions of the Committee on Banking and Currency will hold hearings on Tuesday, May 2, 1967, on S. 1008, a bill to repeal the prohibition against mint marks on coins of the United States, and S. 1156, a bill to provide for the financing of the operations of the Bureau of the Mint, and for other purposes.

The hearings will commence at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with this bill should notify Mr. Matthew Hale, chief counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., 20510; telephone 225-3921.

NOTICE OF HEARINGS ON S. 1155 TO AMEND THE EXPORT-IMPORT BANK ACT OF 1945

Mr. MUSKIE. Mr. President, I wish to announce that the Subcommittee on International Finance of the Committee on Banking and Currency will hold hearings on May 16, 1967, on S. 1155, a bill to amend the Export-Import Bank Act of 1945, as amended, to shorten the name of the bank, to extend for 5 years the period within which the bank is authorized to exercise its functions, to increase the bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes. The hearings will commence at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with this bill should notify Mr. Matthew Hale, chief counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510; telephone 225-3921.

NOTICE OF CHANGE OF TIME OF HEARINGS ON SENATE BILL 1321

Mr. JACKSON. Mr. President, I wish to announce for the information of the Senate that the hearings scheduled on the North Cascades National Park proposal, S. 1321, on April 24 will begin at 9:30 a.m., instead of 10 a.m. as previously announced.

This schedule change has been necessary because of a conflict in our committee program.

PRESIDENT JOHNSON'S LEADERSHIP FOR HEMISPHERIC PROGRESS

Mr. MANSFIELD. Mr. President, the Summit Conference at Punta del Este has been the most important and productive meeting of its kind ever held in this hemisphere. It has provided 250 million Latin Americans with good reason to feel hopeful about their futures. And it has created closer understanding and trust between each of the 20 Latin American countries and the United States.

The Congress and the American people warmly applaud President Johnson. The President demonstrated warm understanding and firm resolve in urging the conference to embrace realistic goals to meet hemispheric problems.

The world has learned that summit meetings often end in idealistic rhapsodies that inevitably prove to be disappointing, if not meaningless.

But there was no such euphoria evident at Punta del Este. President Johnson, joined by the other Chiefs of State of this hemisphere, led the way toward realistic appraisals and objective goals for the long, difficult road ahead.

President Johnson helped to provide the keynote around which the work of this conference revolved. This keynote was based on a very uncomplicated idea—namely, that progress is self-generating, and that Latin American self-help, not American aid, will make the difference in realizing progress for the entire hemisphere.

The United States did not go to Punta del Este as a rich uncle benevolently meeting with poor relations. We went as trusted and proven friends, strongly committed to progress and security for every nation in this hemisphere.

This administration is doing its share in Latin America. President Johnson has increased Latin American aid 35 percent since assuming the Presidency. And he is known in Latin America as a trusted and loyal friend.

I believe that what Punta del Este produced is exactly what the hemisphere needs: that is, the means to achieve equality in world markets, power sources, and transportation systems—as well as more food, education, and technology.

But, most important, the conference took a giant step toward true hemispheric interdependence and cooperation. And this may be one of the most significant occurrences in the long history of Latin America.

The heads of state affirmed this vital principle of interdependence. They declared that economic integration is a primary goal for the hemisphere.

They recognized the need for sustained effort to build networks of interconnecting transportation systems, power systems, river basins, frontier regions, and economic areas.

These multinational projects aim to harness the vast and untapped human and material resources of Latin America for the common good of all.

These projects will bind the nations of this great hemisphere in sharing transportation, power, and water development.

These projects will help to expand trade and intensify the modernization of agriculture and education.

These projects will create new solidarity and trust between Latin American nations and will further create new social and political stability.

And they will pave the way toward the development of a common market that will be initiated by 1970 and will be functioning by 1985.

For his part, President Johnson assured the Latin American Presidents that United States will do its share in assisting hemispheric economic integration.

He recommended additional support for the Inter-American bank to help plan multi-national projects. He affirmed our readiness to explore with other industrialized countries the possibility of temporary preferential tariffs for developing nations.

And he declared our willingness to expand assistance to Latin American nations, particularly in education, agriculture, health, nutrition and technology.

The President rightly noted that the second phase of the Alliance for Progress is now underway. This phase seeks to modernize Latin American industry and bolster under-financed agriculture and education.

I can assure the President that we all stand with him in the work ahead for Latin American progress. We are greatly encouraged by what the Alliance has accomplished thus far. And we have learned that serious and determined efforts to promote Latin American progress can succeed in creating new opportunities for the entire hemisphere.

We know what we must do. The agenda composed at Punta del Este is as clear as it is formidable. At stake is the welfare, freedom, and security of the Latin American people. We must not, and cannot, fail.

For as President Johnson told the conference:

> We no longer inhabit a New World. We cannot escape from our problems—as the first Americans could—in the vastness of uncharted hemisphere. If we are to grow and prosper, we must face the problems of our maturity. And we must do it both bodily and wisely—and we must face them now.

Mr. President, I ask unanimous consent to have printed in the RECORD a sampling of editorial opinion on the success of the Punta del Este conference.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From Newsday, Apr. 13, 1967]

TOWARD A COMMON MARKET

A common market to serve the nations of Latin America awaits the certain approval of 18 chiefs of state gathered with President Johnson at Punta del Este. The deadline date is 1970, with complete implementation hopefully by 1985. Within the framework of a common market, and with the financial help of the U.S., Latin America may ultimately achieve its dream of stable prices for its raw materials and for its industrial products. The U.S. should certainly achieve what has long been its good neighbor goal, a financially healthy, cooperative Latin American community capable of standing on its own feet.

The common market concept originated in Europe in 1957 when Belgium, the Netherlands, France, Italy, Luxembourg and West Germany pledged themselves to the gradual establishment of a common tariff system, free movement of labor and capital, and the development of joint policies on labor, social welfare, agriculture, transport and foreign trade.

For Latin America, the concept will be modified to make use of two existing agencies, the Latin American Free Trade Area, comprising all South American nations and Mexico, and the Central American Common Market, comprising all nations in that area. The U.S. is in continuing contact with these two agences, though the bulk of its $1.3-billion annual Alliance for Progress aid is distributed nation by nation.

There are bound to be delays and difficulties in implementing the common market principle over a multinational continent, and patience will be needed to work out the problems that arise. Most Latin American countries are "one-crop" countries. Care will be required to make their agricultural outputs complementary. Similarly, industries will have to be complementary. The market is not sufficiently big to permit the sort of competition that exists in the U.S.

The main point, however, does not revolve around the difficulties that may arise. The main point is that a beginning has been made, which may hopefully foreshadow the end result, a hemisphere common market, including the U.S. and Canada, devoted to free trade.

[From the Chicago Daily News, Apr. 15, 1967]

Candor at the Summit

The summit agreement reached at Punta del Este is remarkably frank in its acknowledgment that Latin America has far to go before it can be counted among the developed regions of the world. The 18-year timetable for the creation of the Latin Common Market emphasizes the magnitude of the task and the patience that will be required to see it through.

In setting such long-term goals the conferees were more realistic than those who forged the Alliance for Progress at the plush Uruguayan resort in 1961. The trouble with the alliance is not that it has achieved only moderate success, but that it led too many people to believe that a miracle might be accomplished in a short time. Though President Johnson called upon his Latin counterparts to "declare the next 10 years the decade of urgency," he made it clear that he was not setting a termination point on U.S. participation.

The unmistakable impression he conveyed—that future U.S. aid would be based on the performance of the Latins in meeting their own economic and social problems—did not encounter any significant resistance. As President Fernando Belaunde of Peru observed, it was only right that the United States should desire to "see sacrifices here parallel" its own.

What many Americans and Latins fail to grasp is that U.S. aid, even at its most generous, has never surpassed more than 2 per cent of Latin America's gross national product. It is not to be scoffed at and it does at times play an important role, but it remains only a drop in the bucket compared with what the Latins themselves must produce for their development.

The willingness of the United States to continue doing its bit should bolster the resolve of the Latins to step up their own pace to improve economic and social conditions. So should the President's pledge to study the possibility—a rather remote one—of granting the Latins preferential trade treatment.

What the summit achieved concretely is perhaps not as important as the spirit of co-operation that it fostered among all of the conferees. A few years ago, such a gathering by Latin chiefs of state to discuss common problems among themselves and with the President of the United States would have been next to impossible.

A hopeful note has now been struck on several sticky problems, but it has been muted by the sobering realization that much more remains to be done.

This applies not only to the items that came up on the official agenda but to several that did not. One of them is devising ways and means to curb Latin America's population explosion. Solving that problem will call for the utmost co-operation between the United States and Latin America.

[From the Washington (D.C.) Evening Star, Apr. 15, 1967]

Punta del Este Set a Precedent Worth Following

(By Max Lerner)

The heads of state of the American nations, meeting at Punta del Este, set a precedent worth following in the future, in Europe and Asia as well as in the Americas. Regardless of anything concrete achieved or not, it is good for the men in the seats of power to meet as a group, and exchange hopes and fears, headaches, gripes, insults and likes. The foreign ministers can be counted on to do the gritty bargaining, including the headlocks and the grimy work on the wrestling mat. The Presidents should be specialized to spacious perceptives.

Maybe that's what President Eduardo Frei of Chile meant when he called the Punta del Este conference primarily a "philosophical" one. In that sense, one muses, the Presidents might have done better to leave some of the swarming trade experts and security guards behind and take some philosophers along with them.

For it becomes even clearer, despite the brave words and hopes about the Alliance for Progress, that the pace will have to be faster, the thinking sharper, and the action more drastic than it has been thus far in the 1960's if the Latin-American countries are to move into the last third of the century on their own, not as dependents of the powerful giant to the north of them.

To do this involves three things: The economic means, the political will, the intellectual working conceptions. Assume that the economic means are there, in the form of American aid, massively given thus far in the history of the Alliance for Progress and also committed for the future—despite the Fulbright shenanigans about having the American Senate play it coy.

The political will must come from the heads of state and the new generation of politicians and technicians who they have recruited as an elite. The remarkable thing about the conference on this score is that most of the heads of state attending it are not caudillos or demagogs or stuffed shirts (sadly there are exceptions to this), but serious men—whether Left, Right or Center—who know that economic aid does little good unless it becomes part of a strong political and social fabric.

This brings us back to intellectual working conceptions. It isn't enough any longer to talk darkly about how the Communists will take over if the democratic regimes don't anticipate the reforms that the Communists promise. This is true enough as a fact. But the fear of the Communist specter, while it may be a prod to action, doesn't furnish a guide to action.

To formulate an adequate guide to action the American heads of state will have to face several hard facts of life. One is that the Alliance for Progress has thus far used up in economic aid a sum roughly two-thirds of what the United States contributed to the Marshall Plan in Europe, and with results far short of the European results. Another is that, however much the United States may increase its aid, the fact of the massive power and affluence of America remains as the overshadowing fact of the hemisphere.

The final fact is that the effort of pouring in aid is bound to be an empty and frustrated effort so long as the growth of population in the southern nations pursues the galloping pace that is true of it right now. If the 230 million people in the countries to the south of the United States become, as the present projection suggests, 600 million at the end of the century, it may stir the pride in sheer magnitudes on the part of some of the Latin leaders. But it is also bound to make any calculable economic growth an empty thing, and consume the seed-corn of social and economic advances.

What new working conceptions do these harsh facts suggest? One certainly is a new intellectual and moral climate which, with the help of the Catholic church and the medical profession, will make family planning the first order of business. The fact that an international conference for population control was being held in Uruguay simultaneously with the conference of the heads of state may be earnest of the will to take this kind of action.

Another working conception is for the Latin-American intellectuals to stop thinking words and start thinking things. Words like "socialism," "capitalism," "imperialism," have worn their usefulness thin. What is needed is thinking about where new investment will come from, how it will be encouraged, what controls will be exerted over it. This is what the Europeans have done since the end of World War II in a hard pragmatic way, and it has yielded results.

The final working conception is not so much to get rid of nationalism, which is an empty rhetorical flourish at a time when there is so much pride in the new national identity, but to find ways by which nations can collaborate on common goals. Colombia and Eucador are showing it can be done. The United States is willing to help multinational projects. The idea of a South American Common Market, which won't take form for years, is another step in this direction. But it is for the philosophers, even more than for the statesmen, to create the climate in which these new conceptions can flourish.

[From the New York World Journal Tribune, Apr. 16, 1967]

Help and Self-Help

The American summit at Punta del Este produced more generalities than concrete results. But the generalities were important.

If there was a key statement in the debates among the American presidents, it was Mr. Johnson's:

"The assistance of my nation will be useful only as it reinforces your determination and builds upon your achievements—and only as it is bound to the growing unity of our hemisphere."

This assertion met with general approval among the heads of the Latin-American states and was reflected in the final documents. Some of the presidents may have had reservations, but only President Arosemena of Ecuador expressed them openly. He wanted more assistance from the United States, and fewer conditions. But this was not only, as President Arosemena was bluntly told by his colleagues, unrealistic. It was wrong.

In the Latin-American countries, most of them still in their industrial infancy and bound by the habits of an agricultural society, the United States could pour billions without appreciably bettering the lot of the average man.

And the billions of the United States are not unlimited.

The whole idea of the Alliance for Progress was help—and self-help. It calls for social reforms, economic progress and political equity. It calls, too, for global arrangements about markets and tariffs.

The biggest forward step taken at Punta del Este was the adoption of the idea of a common market—a highly complex project, given the diversity of Latin America and its present reliance upon the sale of agricultural and mineral commodities. This idea may never be realized in the integrated form that the European common market has attained, but something like it is essential if the whole hemisphere is to prosper.

The sum of the discussions at Punta del Este is that the United States cannot buy off communism or chaos in Latin America. But all the nations of the hemisphere can, by working together, bring a new era to their peoples.

[From the Atlanta Constitution, Apr. 13, 1967]

Common Market for Latins

The 20 nations of Latin America have agreed in principle on ways to establish a functioning Latin-American common market no later than 1985. Most of it will be accomplished long before then, according to heads of state meeting in Punta del Este, Uruguay, site of the signing of the Alliance for Progress.

The agreement is likely to be the major achievement of the conference, attended by President Johnson. The President is faced with Latin American demands which he has to oppose because he lacks blanket approval from the United States to increase U.S. commitments, a major blow to U.S. participation in the conference.

Agreement to form a Latin American common market during the coming decade was reached by hemispheric foreign ministers last month at Buenos Aires. Barring last-minute changes, the 20 chiefs of state are expected to announce general agreement on the need for a common market and on other agricultural, educational, medical and scientific reforms that the United States will support without specifically joining the trading organization.

Measures that the chiefs of state are expected to approve include the creation of a monetary union and perfection of a customs process of free movement of capital in the area and the realization of a common policy on external commerce.

Economic integration has been in the background in Latin America since 1961 when both the Latin-American Free Trade Association and the Central American Common Market began operating. The latter has been outstanding, laying the groundwork for a similar development in the entire hemisphere.

Out of the meeting is expected to come a stepped-up timetable for economic cooperation. At present, trade between Latin America and nations outside the hemisphere is greater than trade among themselves. This the Latin Common Market is expected to remedy.

Latin America, whose population growth is the greatest in the world, is potentially self sufficient if economic growth can be accelerated. It cannot be so, however, in a continent divided into 20 more or less small republics going their separate ways. That is the really significant aspect of the Punta del Este conference. Free movement of capital and labor between member countries and ultimately a common currency are the urgent objectives in achieving peace and prosperity for the entire continent.

MILWAUKEE JOURNAL AND AIA URGE WEST FRONT OF CAPITOL BE RESTORED, NOT EXTENDED

Mr. PROXMIRE. Mr. President, the recent report by the American Institute of Architects, recommending that the west front of the Capitol be restored, was welcomed with open arms by many of us who shuddered at the prospect of a Rayburn building type of extension marring the beautiful facade of this historic structure. As an excellent editorial in the Milwaukee Journal of April 14, points out, the report also recommends that a permanent body of architects, engineers, and planners be named, whose function would be long-range planning on Capitol Hill.

The alternative to this suggestion is the continued leadership in architectural matters of a man who already has spent far too much of the taxpayer's money on Capitol Hill buildings of questionable esthetic and practical value. As the editorial indicates, George Stewart, the Capitol Architect, who is not a qualified architect in the accepted sense of the word, was the guiding hand behind the Rayburn Building—a castle on the Potomac whose cost was originally estimated at $20 million and which ended up requiring one-tenth of a billion dollars for final completion. A recent report by the General Accounting Office indicates that 1,450 contract changes costing approximately $8 million had to be made in this structure. One such change reduced the walking distance from the Capitol end of the subway to the elevators in the Capitol by about 80 feet at a cost of $665,000.

There is absolutely no doubt in my mind that any attempt to extend the west front would be a repeat performance. Estimated to cost $34 million at this date, it would undoubtedly end up costing well over $100 million. Furthermore, the cost in esthetic values destroyed would be incalculable.

I hope that Congress will heed the advice of the AIA and the Milwaukee Journal. It makes good sense to put the experts in charge of the historic structures in which we make the laws of the land. By naming a special board of architects, engineers, and planners we would be letting the Nation know that Capitol Hill construction and renovation is too precious a charge to be left in the hands of the amateurs.

I ask unanimous consent that the Journal editorial be inserted in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NOW COME REAL ARCHITECTS

George Stewart, who bears the title of capitol architect without being an architect, has set some notable records even for Washington. His prize, perhaps, was the Rayburn house office building. Original estimates placed its cost at $20 million. When Stewart and others got through, the best guess is that it cost about $93 million.

Last year Stewart reported that the west front of the capitol was in danger of falling down. He wanted to rebuild it, extend it 44 feet and incorporate two restaurants, a cafeteria, conference rooms, tourist rest rooms and storage space. He got the strong backing of House Speaker McCormack (D-Mass.) and Senate Minority Leader Dirksen (R-Ill.), although another such wholesale attack on the capitol had already destroyed some of its original beauty on the east front.

Now the American Institute of Architects comes forth. It had named a five member task force, which spent five months going over the capitol building "from attic to basement." Its conclusion: "The west front should be skillfully restored as it now stands." It can be restored at a cost tremendously less than the project Stewart says would cost $34 million. And it would faithfully retain the capitol front in its original beauty. If additional modern space is needed it should be provided elsewhere.

That all sounds sensible. And so does this other comment of the institute report: "Certainly the capitol and nearby areas are of sufficient import to justify a permanent body of architects, engineers and planners whose only function would be long range planning of all construction on Capitol Hill, including new buildings that will probably be needed."

At least that would keep Stewart from continuing to ride about in all directions with plans to destroy heritage buildings.

AFRICAN COUNTRIES HAVE TAKEN STRONG STAND BY RATIFYING HUMAN RIGHTS CONVENTION ON SLAVERY—LV

Mr. PROXMIRE. Mr. President, the Ad Hoc Subcommittee of the Committee on Foreign Relations is presently deliberating the Human Rights Conventions on Forced Labor, Political Rights of Women, and Slavery.

The proponents of Senate ratification of the Human Rights Conventions are hopeful that the subcommittee will soon favorably report these three conventions to the full committee. We all hope that the full committee will then act with dispatch and favorably report these three conventions to the full Senate.

The Supplementary Convention on the Abolition of Slavery, signed at Geneva September 7, 1956, has never been ratified by the United States.

The United States was party to a treaty 105 years ago which had as its objectives the elimination of the African slave trade. Yet, in 1967, when slavery is increasing rather than decreasing, the United States has continued to ignore our proud national record in the crusade against slavery.

Sixty-eight nations have ratified the Convention on Slavery. Every permanent member of the Security Council has ratified the Convention on Slavery—except the United States. Every charter member of the United Nations has ratified the Convention on Slavery—except Bolivia, Uruguay, the Union of South Africa, and the United States.

Mr. President, Africa has been historically the bloodiest marketplace of human bondage. Men, women, and children were sold as cattle or hogs were sold, banished into centuries of servitude through the cruel avarice of both men of their own race and men of other races.

The newly independent nations of Africa carry this tragic history with them to the present. Slavery to them was a gory reality. Their resolve is strong that the last vestiges of human serfdom must be totally eradicated.

Two or three days ago I put into the RECORD the documentation of the increase in slavery involving hundreds of thousands of people—the substantial increase in slavery in recent years and the widespread existence of slavery today.

The following African countries have ratified the Convention on Slavery: Algeria, Ghana, Malawi, Morocco, Niger, Nigeria, Sierra Leone, Sudan, Tanzania, Tunisia, Uganda, and the United Arab Republic.

The United States should have no less firm resolve to eradicate absolutely slavery from our world. The Senate can strengthen our national record and reestablish our national commitment by ratifying the Convention on Slavery, after the treaty has languished in the Committee on Foreign Relations for 4 years now, without action.

TRUTH IN LENDING URGED BY WISCONSIN ATTORNEY GENERAL LA FOLLETTE

Mr. PROXMIRE. Mr. President, on Tuesday, April 18, the brilliant and able attorney general of the State of Wisconsin, the Honorable Bronson La Follette, testified before the Subcommittee on Financial Institutions on S. 5, the Truth in Lending bill. There has been no more convincing or persuasive statement on this bill in the 6 years the committee has held hearings on truth in lending.

Attorney General La Follette indicated why this legislation will benefit the American people. He also established beyond a doubt that there is no conflict between Federal disclosure legislation and the separate credit statutes and regulations of the States. As one of the ablest attorney generals in the country, Mr. La Follette saw no problem with Federal action on truth in credit and, in fact, urged that S. 5 be speedily adopted.

Mr. President, I ask unanimous consent that Attorney General La Follette's fine opening statement be inserted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY BRONSON C. LA FOLLETTE, ATTORNEY GENERAL OF WISCONSIN, BEFORE THE FINANCIAL INSTITUTIONS SUBCOMMITTEE OF THE SENATE COMMITTEE ON BANKING AND CURRENCY, IN FAVOR OF BILL S. 5, THE TRUTH-IN-LENDING BILL, APRIL 18, 1967, WASHINGTON, D.C.

President Kennedy, President Johnson and the 1965–66 Consumer Advisory Council, of which I was a member all have emphasized the four fundamental rights of the consumer—the right to be safe, the right to choose, the right to be heard and the right to be informed. Enactment of Bill S–5 would materially protect the consumer's right to be informed in the purchase of commercial credit.

The "poor pay more" is a phrase heard with much urgency today. It is a truthful phrase: low income families do pay more for virtually everything and particularly in credit costs for buying things on time or for personal loans. Low income families have no choice but to accept these abnormally high costs for credit since they are either unable to qualify for credit from other sources, especially commercial banks, or they simply don't know what their other choices could be. These facts alone demonstrate the urgent need for the adoption of Bill S–5.

But low income families are not alone. The average consumer does not have the information he needs to know if he is getting the best buy for each credit dollar. The absence of basic information about credit, particularly about interest rates creates confusion in the mind of the consumer. Without this basic information, he is seldom able to determine what the interest rate is or to compare the rate with other available rates.

The cost of credit, when the facts are known, is shockingly high. Study after study has shown that for most kinds of consumer credit the equivalent annual interest rates can be as high as 30% or more. There is hardly a person in America who has not bought something on credit: an appliance, an auto, or a personal loan to pay off some accumulated debt.

It is well-known that the growth of consumer credit has been a new dynamic element in the high level performance of the American economy in the recent past. In the past six years, (1960–1965), for example, total consumer credit has increased from $56 billion to $87.9 billion, a 60% increase in 5 years. Disposable personal income and GNP increased by comparable amounts during the same period. In 1945 consumer debt was $6 billion or 1/40 of the Federal debt. In 1965 consumer debt was ⅓ the size of the Federal debt. In terms of disposable income, consumer credit rose from 10% in 1950 to 18% in 1965. In 1961 total consumer credit was slightly above 10% of GNP and in 1965 13% of GNP. It is clear that in recent years the magnitude and importance of consumer credit to the performance of the American economy has been substantial. Few of our citizens know what credit has cost them. Furthermore, few of them knew what alternative credit opportunities were available.

What is needed is a standard of comparison which consumers of credit can use so it will be possible to "shop for credit" and to get the most of a credit dollar. To "shop for credit" requires that the information on credit costs given to the consumer be truthful, standardized, and meaningful. Of equal importance, the consumer must be made aware of available credit opportunities and their respective costs. We cannot fully expect that all consumers will make better decisions if they have such information. But with education and open publicity of credit costs it is certain that many consumers will for the first time "shop for credit" in earnest. What is fundamental is that the consumer have the option of being able to compare credit costs and know what alternatives are available. At this time our citizens are denied these options.

In the spring of last year the state of Massachusetts took the lead among the states by enacting the first fully effective lending disclosure law. The main argument that has been raised against truth-in-lending laws has been that they are unworkable; that they will only create additional complexity in engaging in the business of merchandizing credit.

I am happy to be able to state that this argument has been refuted by the experience in Massachusetts since their law became effective. Mr. John P. Clair, Deputy Commissioner of Banks and General Counsel of the Massachusetts Banking Commission in a letter dated March 13 to the Special Assistant to the President for Consumer Affairs, forwarded to me, stated, and I quote:

"I am happy to report to you that the implementation of the legislative purpose expressed in the new Massachusetts statute on Truth in Lending has met with an unusual and unexpected measure of success. The allegations made by those who opposed the principle of truth in lending, on the ground that it was completely unworkable, have been proved beyond doubt to have been in error. We are encountering no difficulty from the lending agencies of this Commonwealth. As a matter of fact, the reverse is true. I think it a fair statement to say that the banking interests at every level are co-operating in every possible way, and that as a result thereof, the public interest is being substantially served."

I am also happy to report that at least 9 states have either enacted or considered similar lending disclosure measures including Arizona, Georgia, Maryland, Michigan, Rhode Island, Vermont, Washington, West Virginia, and Wisconsin.

Every Consumer Advisory Council since 1962 has strongly endorsed Federal truth-in-lending legislation. The Consumer Advisory Council for 1966 was no exception. We adopted a resolution which read, in part, and I quote:

"Whereas, widespread misrepresentation of interest rates, vaguely worded credit contracts, unscrupulous repossession methods, trick balloon payment clauses, high pressure door-to-door selling tactics, unconscionably high rates for credit, unregulated services by debt consolidation companies, and severe garnishment laws, to name but a few, all can and do work severe hardships on consumers;

Therefore, be it resolved, that the Consumer Advisory Council again emphasize the necessity of legislation to require Truth in Lending as a part of any effort to correct the Nation's credit ills.

To make effective comparisons of alternative credit opportunities consumers need to know five things:

"1. the selling price of the commodity if they pay cash or if they buy on credit.

"2. the dollar amount of finance charges, service charges, add-ons, other fees, etc., should be segregated from the actual or pure, interest charges.

"3. the size and number of monthly payments.

"4. the computational method and the interest rate used to calculate finance costs.

"5. the effective finance, or interest rate on an annual basis."

Each of these five types of information make comparison of alternatives possible but none by itself can serve effectively and efficiently as a single standard.

A recent study by the National Bureau of Economic Research examined each of the five standards to assess their single usefulness. The conclusion reached in the study was that for some comparative uses one of the five would be adequate but the exceptions were so great and the variance so wide that the author of this study concluded that all five sources of information were necessary as a standard.

The unscrupulous merchant and lender will object to these disclosures however basic they are to good decisions by consumers. But clearly such lenders are in the minority in America. Reputable lending institutions and other businessmen should welcome the opportunity to deal with well-informed consumers as they have in Massachusetts.

A Truth in Lending bill is necessary and just. It will assist materially in the elimination of deception and fraud in the everyday transactions that affect all our citizens. But Truth in Lending must be reinforced by consumer education and the businessman, consumer and state government should share in this educational effort.

Consumers should be provided with interest rate tables, conversion tables, pamphlets on the structure and availability of credit opportunities. Furthermore, all lenders should be required to provide consumers of credit with a synopsis of the Truth in Lending bill, setting forth the procedure for filing complaints.

Opponents of this bill will argue that any lending disclosure legislation is an unwarranted intervention in our markets and a violation of our free enterprise system.

I totally and emphatically disagree. Our open market—free enterprise system is predicated on the principle that the most efficient allocation of our resources will be made when buyers and sellers make their decisions to purchase on the basis of their own informed self-interest. If they are misinformed or uninformed then they cannot give their patronage to the most efficient producer. A misallocation of our natural resources results.

In sum, the free-enterprise market theory presumes and requires that all buyers and sellers be fully informed in order that their decisions to purchase or sell be made intelligently. It is entirely proper for government to bolster our free-enterprise system by enacting legislation which will enable consumers to make their purchasing decisions intelligently. Bill S–5 would require full disclosure of lending costs and thus promote the intelligent purchasing of credit. Bill S–5 is fully in accord with our free-enterprise system.

In conclusion, Bill S–5 will protect consumers from fraudulent practices and enable the consumers to intelligently shop for credit. It will provide the consumer with a base upon which to make intelligent purchasing decisions. I give Bill S–5 my full support and urge the committee to recommend its prompt enactment.

WITH RUSSIA AND CHINA UNITING CAN THE UNITED STATES WIN THE WAR IN SOUTHEAST ASIA?

Mr. GRUENING. Mr. President, yesterday I placed in the RECORD two very disturbing articles, one by Walter Lippmann and one from U.S. News & World Report, indicating that Russia and China have gotten together at least for a united effort in helping the Vietcong

and their North Vietnamese allies in the war against the forces of the United States. This serious development forecasts to those of us who have been opposed to our military intervention in southeast Asia and should also to those who support that policy, a war of indefinite duration at staggering losses, with victory nowhere in sight.

For some time there have been differences of opinion among those who help shape our policy between those who wish to fight a limited war, as President Johnson has up to now advocated, and those who want to go all-out for a so-called win-the-war policy.

It has been my view that there is nothing in this war that we can really win, using that word in terms of the great losses in blood and treasure which we will increasingly incur for no good result but I have always been willing to assume that our most powerful nation on earth could mobilize enough strength by sea, land, and air to annihilate most of the peasant people we are fighting, lay their country waste, transform it into a desert and thereby achieve something that could be termed a military victory. But even that is now extremely doubtful in view of the new Sino-Soviet entente as far as the war is concerned.

It is noteworthy that so perspicacious an observer and commentator as Joseph Kraft, who is now in Vietnam, where he has been before, in his column in this morning's Post, says:

> I do not share, with so many of the promoters of the war, confidence that a military victory is in sight.

And he adds:

> I still wonder whether a military decision can be reached at all, short of means likely to widen the war.

Widening the war still further would undoubtedly mean the entry of China and possibly of Russia and escalating mankind into a third world war. For those of us who oppose the folly of our military intervention in southeast Asia and have long forecast the probability of such a disaster, it now looms up more formidably and more menacingly in the light of the news that Russia and China have patched up their differences at last to the extent of working together to support the Vietcong and their North Vietnamese allies. It is a frightening prospect and justifies far greater efforts than have been made to put a stop to this folly, and explore other methods of extricating ourselves from the mess into which successive administrations have needlessly gotten the people of the United States.

Pertinent, too, to this discussion is a perceptive column by Marquis Childs which points out the essential differences between U.S. intervention in Greece after the close of World War II, under the so-called Truman Doctrine, which is frequently cited by defenders of our course in southeast Asia as an example to follow and which justifies our military intervention in Vietnam. Mr. Childs exposes the fallacy of those analogies.

I ask unanimous consent that the two columns, "Security in Doubt" by Joseph Kraft and "Border Problems: Logic of Restraint" by Marquis Childs, from the Washington Post of April 19, be printed in the Record.

There being no objection, the columns were ordered to be printed in the Record, as follows:

Security in Doubt

Saigon.—The first impressions of those of us who keep coming back to Vietnam provide a continual reminder of the gap that at all times separates the mood of Washington from the mood of Saigon. And this time, I find the gap more sharply defined than ever.

In Washington there has been a general assumption that the military side of the war here is manageable. It has been almost a matter of form to pay tribute to the steady progress of the security forces.

But in Saigon there have always been doubts as to how much progress was being made, or could be made, on the military side. And now the emphasis here is heavily on the dark aspect of the war.

Vietnamese officials talk of a "grave situation." Vietnamese civilians cite cases of incipient panic in certain exposed towns. The American military assert the need for still more troops. And American civilians talk of "deteriorating security."

No doubt some of these worries are exaggerated. They seem to flow in large part from the spectacular success the other side has enjoyed in such operations as the seizure for several hours of the provincial capital of Quangtri.

That kind of success depends upon an increase of enemy forces in the area just south of the demilitarized zone which divides North Vietnam from South Vietnam. And that is a condition which can be remedied. Indeed, the balance has probably been righted already by the dispatch of more American troops to the beleaguered areas.

Far more vexing is a pattern of small night actions too petty to prick the consciousness of Washington but very much a subject of concern in Saigon. Here are a couple of samples drawn at random from communiques over the past two weeks:

"At 0540 hours the 25th Infantry in Huanghia Province took about 40 rounds of 57 millimeter and 75 millimeter recoilless rifle fire. Three infantrymen were killed and 20 wounded. A reaction force is pursuing."

"At 2325 hours yesterday, the forward command of the 173rd Airborne Brigade, 27 kilometers southwest of Anloc in Binhlong Province, was hit by 20–30 rounds of enemy mortar fire. The enemy ended the attack at 2335 hours. Three troopers were wounded. Enemy casualties are unknown."

These operations represent classic examples of guerrilla action. They feature small units launching, under cover of darkness, attacks of 10 or 15 minutes and then melting into the night.

While not spectacular, these actions are significant because they define the limits of what American troops can do. The fact is that American troops have only got hold of about half the war—the half that has to do with daytime operations by relatively large units.

Nighttime operations by small units around low priority positions have to be the work of South Vietnamese forces familiar with local conditions. But it appears that the more American troops undertake, the less South Vietnamese forces do.

According to reports here, they are not constantly patrolling through the night hours. They are not defending many of the hamlets assigned to their care. They are leaving much of the field to the other side.

In those conditions, the local population has great difficulty in resisting the pressures and appeals of the enemy. And it is not surprising that most of the recent success of the other side, whether large or small, have involved help from the local population.

But once again, the winning over of the local populace is not something American forces can do. It is, almost of necessity, the responsibility of the government and army of South Vietnam.

Thus my first impression on this trip to Vietnam is that basic security has still to be established in much of the country—a condition which leaves major elements of the population open to the other side. I do not share, with so many of the promoters of the war, confidence that a military victory is in sight. I still wonder whether a military decision can be reached at all, short of means likely to widen the war.

Border Problems: Logic of Restraint

The purple rhetoric pouring out of the 20th anniversary of the Truman Doctrine for Greece and Turkey conveniently ignored one historic fact of the first importance. American military and economic aid and the 600 American military advisers who went to Greece were vital in ending the Communist-led rebellion.

But if Tito had not closed the Yugoslav-Greek border beginning in the early summer of 1949, the war would have gone on much longer and at a much greater cost. It could have been indefinitely prolonged with help from the neighboring Communist powers moving across a mountainous and ill-defined boundary line. And lurking in the background as the war went on would have been the danger of a wider conflict transformed by the introduction of more American "advisers."

This is where ardent supporters of the Administration's policy in Vietnam strain historical analogy to the breaking point when they equate the war in Vietnam with the Greek war. There is slight basis for comparison.

In the Vietnam war two open borders are a standing invitation to a larger war. How either of these two borders can be closed to a flow of military materiel is not foreseeable.

Across the first border, between North and South Vietnam with the demilitarized zone intervening, come regular North Vietnamese units. Despite more than two years of bombing, this flow has been impeded but never really checked. The units crossing the DMZ and moving into South Vietnam have recently taken part in some of the heaviest fighting of the war. North Vietnam has one of the best trained armies in Asia and only a fraction of that Army is as yet committed.

The second border is that between North Vietnam and Red China. This border takes on added importance in view of reports that Peking and Moscow have settled their differences over the transit of military materiel from the Soviet Union. If these reports are correct, shipments from the Soviet Union to North Vietnam will increase. Chinese work cadres up to a total of 50,000 are reported in North Vietnam today.

The logic of the restraint applied by the President and Secretary of Defense Robert S. McNamara is plain enough with respect to this second border. McNamara says that the Mig bases in North Vietnam will continue to be off limits for American bombers. If those bases were destroyed the Migs would shift to already prepared bases not far distant in China. The pressures would quickly grow to hit them there and the dimensions of an open-end war would no longer be in doubt. Glib assurances that China's internal troubles are so grave Peking could not possibly send in the same waves of "volunteers" as in Korea must be regarded with suspicion. An invasion of North Vietnam, called for by South Vietnamese Premier Nguyen Cao Ky, would be very likely to bring a massive response from China.

Whatever weight may be given to the military view, Yugoslavia's action announced by Tito on July 10, 1949, was a political development of inestimable importance. Prior to that move the Greek guerrillas when hard-pressed could move into the Yugoslav sanctuary for rest, regrouping and re-equipment. Beginning in mid-1948 rumors of volunteers from the Communist satellites constantly circulated, although this threat was apparently never carried out. Rebellious Greeks were recruited and trained in camps in Bulgaria and Albania.

Tito's bold, courageous action in publicly breaking with the Cominform in 1948 prepared the way for much that has happened since. Even while the Stalinist grip was harshest he showed that a declaration of independence did not necessarily mean annihilation. American policy encouraged this independence with aid.

American aid to Greece beginning in 1946 and through '49 was $818,000,000 of which $345,000,000 was military. Without that help the odds were high that Greece would have become another Soviet satellite. But with the aid went a barrage of rhetoric on the menace of communism and the familiar invocation of freedom, so often equated as freedom for those in power. In Greece it was the Royal family and the wealthy elite.

As for Vietnam, after the Geneva accords in 1954, hope was held out that Ho Chi Minh in the North would be another Tito anxious to establish his independence from China. But when John Foster Dulles proclaimed South Vietnam a bastion of freedom to be defended by the United States, that slender hope vanished.

CHARLES F. LUCE'S FINE ADDRESS ON ALASKAN MATTERS

Mr. GRUENING. Mr. President, an extremely thoughtful and interesting speech is being delivered today by Under Secretary of the Interior, Charles F. Luce, at the Anchorage Workshop of the Pacific Area Travel Association.

I ask unanimous consent that this speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

When John Black, Director of the United States Travel Service, asked me to speak here today, I accepted before you could say "Alaska Centennial." I bring to those of you who make your home in the magnificent 49th State warm wishes and congratulations on this anniversary year of the Purchase of Alaska from Russia.

There is, I think, some inspired humor in the name of one of your centennial attractions, "Seward's Follies." For Alaska soon put to shame the originators of the Seward's Folly libel. The fabulous wealth of Alaska—scenic grandeur, land, water, mineral, timber, fish and wildlife resources—becomes more apparent with every passing year.

You members of the Pacific Area Travel Association and of the Alaska Travel Division need no reminders of this. The State's attractive and informative centennial brochure is a real hit. The stack of folders in the general inquiries office of the National Park Service is a best seller.

Alaska's tourist economy, I understand, owes much to the Pacific Area Travel Association. In the decades to come, PATA will figure even more prominently in the travel picture. The development of PATA since the 1940's illustrates two types of cooperation: the cooperation of private enterprise and government and the cooperation among nations of the Pacific community. This workshop is an example of your vigor and vision. Its benefits will be reflected, I hope, in the 16th annual PATA conference which the United States is privileged to host this year at Seattle, starting next Monday.

The Alaskan who said this State is a king-size Texas was not guilty of overstatement. Here you have remarkable centennial celebrations going on in places separated not by hundreds but by thousands of miles—all in the same State. I would like to see them all—in Anchorage, Juneau, Fairbanks, Nome, Sitka, Barrow and a dozen other places, and especially the reenactment October 18 of the actual transfer ceremony at the old Russian capital of Sitka.

To most people, Alaska means the clean outdoors of the Far North, Arctic landscapes, clear waters, Kodiak bears, Eskimos, and magnificent scenery. Alaska has the ring of adventure and romance. It is the last frontier. Times have changed since James Oliver Curwood, Jack London and Robert Service wrote about Alaska and the Yukon, but let's hope Alaska never loses its flavor of romance and adventure.

Much of the charm of Alaska to the tourist lies in its naturalness—its wildness. And it is imperative that Alaska retain the integrity of its landscape and its native culture.

I do not mean to suggest that all of Alaska should remain forever a wilderness. If Alaska's vast natural resources are to be fully developed for the common good, there must be some change in some parts of the landscape. But Alaska does have a unique opportunity to learn from the mistakes of former frontier States. We would do well to remember President Johnson's counsel:

"The beauty of our land is a natural resource. Its preservation is linked to the inner prosperity of the human spirit."

Nature gave Alaska its wealth, its magnetic appeal and much of its charter. Its people have given it strength, power, imagination and the progress of a free society. Together, they make the 49th State the incomparable State.

When speaking of Alaska's resources I cannot fail to mention its two veteran Senators in Washington. Senator Bartlett was the long-time promoter of statehood as Alaska's non-voting delegate in Congress during the last fifteen years of the territorial period and one of the principal architects of statehood legislation. In the field of substantive law, Senator Bartlett has left his imprint on the fisheries law which is so crucial to Alaska's economy, most recently in securing a seaward extension of our territorial limit to protect against the intrusion of foreign fishing operations. Senator Gruening served fourteen years as territorial governor and has used this vast store of experience to Alaska's great advantage during his more recent service as Chairman of the Senate subcommittee on mines and minerals. Acute in his analysis of mineral development needs, Senator Gruening has been a staunch advocate of incentive techniques to increase production of critical metals, many of which are found in this State.

Protecting its natural heritage is not incompatible with the great things in store for Alaska based on her enormous resources in minerals, fisheries and timber—resources that provide economic opportunity and incentive for investment.

I have seen estimates, for example, that Alaska's metallic and other mineral production can be multiplied 100 times—to an annual value of $2½ billion at today's prices. While there is less authoritative knowledge of Alaska's mineral potentialities than for any other State, and while available data on Alaska minerals stems mainly from searches for gold, petroleum and coal, there is strong evidence that almost every mineral of commercial value is located in Alaska and that discovery of new major high value mineral deposits can be anticipated. The developments just across the border in Canada give evidence of the practicality of mining and processing these mineral deposits once they are identified and evaluated. But this first calls for a stepped-up program of collecting resource data, including expansion of federal mineral survey and research reports shaped to inspire concurrent private, local and State efforts. Rapidly expanding world demands for minerals of every sort assure a market for any Alaska mineral resources and products that can be developed.

Much of Alaska's mineral resources, of course, lie north of the Railbelt Area. If intensified exploration locates substantial quantities of minerals that provide reasonable expectation of rail traffic, the Alaska Railroad should be extended—and although it is no longer under jurisdiction of the Department of the Interior I will venture the opinion that it will be. Water transportation is seasonal and major road construction and associated maintenance costs are expensive and discouraging. Northward extensions by the Canadian Government of its railroad system have contributed greatly to the development of Canadian resources.

Turning to fisheries, the value of fish caught in Alaskan waters already is greater than in any other State. Yet much of the fisheries potential of Alaska remains untapped, particularly with respect to shrimp, flounder, herring, hake, ocean perch and cod. The coastal and offshore waters of Alaska abound with species of great potential commercial value which American fishermen have been unable to harvest for a variety of reasons. Chief among them are lack of technology to locate, catch and process these fishery resources. Alaska is far removed from markets and some fish species are of generally lower per unit value than, for example, the rich salmon catch. But a stepped-up fisheries research and development program for Alaska, which is a long-range goal of our Bureau of Commercial Fisheries, will add greatly to Alaska's fishery wealth.

I have dwelled at some length on Alaska's future economic development and expressed a Federal Government concern with helping Alaska achieve a higher rate of economic development. Federal concern for Alaska was demonstrated most dramatically in the weeks and months that followed the tragic earthquake of Good Friday, 1964. In addition to the normal disaster relief benefits, Federal agencies committed other resources heavily to the reconstruction task. Grants and loans for replacement of homes, business properties, public facilities, highways, bridges and fishing vessels were authorized. Entirely new harbor facilities had to be created at places like Kodiak, Seward and Homer. In the Department of the Interior's own case, the Alaska Railroad was restored to emergency service within days and a two-year program for permanent repair of damage required $27 million. This commitment was made, not on the basis of calculated economic return, but because the Federal Government could not in good conscience abandon a transportation artery so crucial to the State's development potential.

Alaska has been conditioned to the hardships of the frontier and her recovery from disaster attests to the resulting community vigor. Now Alaska's eyes can once again focus on the future.

Returning to matters of more immediate concern to your Association, John Black tells me that PATA "is undoubtedly one of the most important and beneficial" of the several official and semi-official international travel organizations of which the U.S. Travel Service is a member. Your organization, then, bears heavy responsibility of the type Secretary of the Interior Stewart L. Udall referred to recently before the Creative Travel Operators Association. Speaking on "Taste in Travel", he said:

"Much of what you sell is what you have created. And your creation and marketing of this product carries with it a responsibiilty. That responsibility has a very real bearing on the condition of our environment."

The Secretary went on to say that travel operators have a responsibility *not* to "give people what they want" if what they want is shoddy or inferior.

"If a tourist comes home (the Secretary said) from a travel experience only poorer in pocket and no richer in mind and spirit, he has a feeling of being cheated . . . If we wish the members of this increasingly numerous and more affluent society to crave excellence, we must present them with a picture of it and a means of achieving it with a degree of comfort and ease. I do not mean to imply that excellence is easy or that it is necessarily even comfortable. But in presenting attractively packaged travel opportunities that stress the best in our society, you are encouraging excellence and its enjoyment. This is a distinct contribution to our culture and one you are in a favored position to render."

The natural parks of Alaska and the rest of our Nation afford some of the best opportunities for travel that enriches the mind and spirit. They serve, Secretary Udall has said, "as a measuring rod for quality." Any time we lose sight of what constitutes a quality environment, we can take a look at the measuring rod and be jolted back to reality. As we look at Mount McKinley National Park, we can say, "This is what can be preserved—at least, this is what we can aim for: purity of air and water, unscarred land, uncluttered roadsides."

The National Park Service is now planning legislation which would raise Glacier Bay National Monument to National Park status. The Advisory Board on National Parks, Historic Sites, Buildings and Monuments last fall endorsed its 1959 proposal for a Glacier Bay National Park. There are few places on earth where scientists can study glacial activity as satisfactorily as at Glacier Bay.

We in the Department share fully the Advisory Board's conclusion that Glacier Bay meets all of the criteria for National Park status—a status reserved only for the jewels in our national treasury of natural beauty and scientific fascination.

But before this proposal can become a reality, we must resolve one of the conflicts which inevitably arise between preservation of nature's environment and man's need for resources and industry to build and sustain his society. Out of laudable concern for Alaska's economic welfare, the Congress in 1936 specified that Glacier Bay National Monument should be open to location and development of mining claims. From long experience we know that uncontrolled mining operations are totally incompatible with National Park objectives as defined in fundamental park law.

Much is already known about the location and extent of the Monument's mineral deposits. Many of them are critically located with reference to key points of scientific and scenic interest, although actual production has been minimal over the past thirty years. Historically, the solution to this conflict has been to eliminate mining in National Parks; just a few years ago, for example, the Department purchased, on behalf of all the people of the United States, the last operating mine in Grand Canyon National Park.

Ideally from a park management standpoint, this should also be a prerequisite to the elevation of Glacier Bay to full National Park status. But it is evident that the consequences of such a step require careful analysis and consideration. Perhaps other, less severe, avenues may be open to us, such as boundary adjustments to exclude significant deposits or zoning regulations which would ban mining in or near areas of primary scenic or scientific value. At this moment, however, this is an issue that challenges the constructive statesmanship of Federal and State officials and the mining industry.

Travel agencies have performed valuable service in helping to acquaint the public with Glacier Bay's remarkable scenery and scientific significance. The trip from Juneau by plane or boat is a trip of a lifetime for the average tourist and represents some efficient teamwork on the part of the travel operators and the Park Service. The Park Service, incidentally, has added 16 guest cabins to the lodge building that opened last summer at Bartlett Cove, and has expanded the service and maintenance staff accordingly.

At Mount McKinley the Park Service is planning $24½ million worth of improvements over the next 10 years. And at Sitka National Monument completion of a new Visitor Center was timed to coincide with the centennial; the Park Service expects Sitka National Monument to have the most successful year in its colorful history.

Sitka Monument serves the dual purpose of commemorating the bravery of the Alaska Indian in resisting the colonial expansion of Czarist Russia and of symbolizing the artistic heritage in native culture. Here, for example, has been assembled one of the world's finest collections of totem poles. Eighteen of these Indian art works including the tallest and most elaborately carved specimen known anywhere, have been repaired, preserved and installed along the paths of a majestic spruce forest site.

This aspect of our national cultural history is attracting much interest. We applaud the efforts of those who want to seek out and preserve other examples of the ancient totem pole art and we shall provide assistance and cooperation wherever it is possible and proper for the government to do so. Meanwhile, however, the Sitka Monument Visitor Center provides space for extensive workshops where native art and craft techniques may be demonstrated and where native artists and craftsmen may actually work toward the broader development of traditional art forms. This combination of paying homage to the old while providing facilities for contemporary artistic development is unique in the National Park System.

Possibly you did not know that the Park Service works closely with Alaska also to preserve historic sites under State and local ownership. The National Historic Landmarks Survey has accorded appropriate recognition to 16 historic sites in Alaska, including the American Flag Raising Site on Castle Hill at Sitka, the Anvil Creek Gold Discovery Site near Nome, the Fur Seal Rookeries on St. Paul Island, and White Pass of the Yukon Gold Rush days. And now under the National Historic Preservation Act of 1966, the Park Service will act for the Secretary of the Interior in assisting local communities to save and restore sites and buildings of historic eminence.

I cannot close without calling your attention to the expanded recreation opportunities that the National Park System is offering this year in our other Western States.

Besides the traditional—and, unfortunately, traditionally crowded—super attractions such as Yellowstone, Grand Teton, Yosemite, Glacier and Grand Canyon National Parks, the Park Service now administers a growing number of Recreation Areas. One of the most popular is Lake Mead, some 3,000 square miles of sun and fun in the Nevada and Arizona adventure land near Las Vegas. One of the newest is Whiskeytown Lake Recreation Area in Northern California, dedicated by President Kennedy in 1963, and only a day's drive from San Francisco, Sacramento and Portland. Others include the Coulee Dam Recreation Area in the State of Washington, Flaming Gorge in Wyoming and Utah, Shadow Mountain and Curecanti in Colorado, and Glen Canyon in Utah and Arizona.

All of these Recreation Areas are rich in low-cost camp sites, trailer sites, boating, and water-skiing. Lake Powell, behind the Glen Canyon Dam on the Colorado River, will stretch for 186 miles when it eventually fills, and already enables visitors to see Rainbow Bridge National Moument by boat.

Your clients should know about the great parks and monuments and recreation areas of the West, and the National Park Service will gladly provide you or your clients with a price list of all the brochures available from the Government Printing Office.

If I may make a suggestion, the park areas in spring and fall are as beautiful as in the summers when our parks, monuments and recreation areas are most crowded, and if your clients can plan their trips to avoid the summer peak they will enjoy their visits even more. A lot of people even go to Grand Canyon, for example, for Christmas and New Year's.

There's something to please almost everybody in the National Park System. We're proud of the way our parks represent the best and most treasured of our scenic wealth for the people of all lands to enjoy. You are doing a service to international understanding in acquainting the peoples of the Pacific Area nations with our National Park System. We in the Department of the Interior welcome the opportunity to work closely with you.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent on behalf of the Senator from Wisconsin [Mr. PROXMIRE], that Daniel Edwards, staff economist for the Joint Economic Committee, be given the privilege of the floor during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFERENCE OF LATIN AMERICAN LEADERS AT PUNTA DEL ESTE

Mr. HARRIS. Mr. President, we all followed with considerable interest the events of the past week at the Conference of Latin American Presidents at Punta del Este. There, the American Presidents pledged themselves to a far-sighted program of action designed to mobilize the resources of the hemisphere for the welfare of its people.

The realization of this program of action for a new America depends, in the last analysis, on the vision, the courage, and the statesmanship of the Latin American leaders. Observers at the conference were impressed by the realistic manner in which these leaders acknowledged their own responsibilities in the tasks which lie ahead.

We in the United States should take satisfaction in our own country's role in the conference, and particularly, in the skillful manner in which the President directed our participation. Mr. Max Frankel, distinguished journalist of the New York Times, described the President's return from Punta del Este as a "happy homecoming." In an article published in the Times of April 15, he cites some of the gains resulting from the President's quiet diplomacy at the summit.

I ask unanimous consent to have printed in the RECORD some excerpts from Mr. Frankel's article.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

OTHER LEADERS PRAISED

There were two main reasons for the President's evident high spirits or, as he put it before leaving Uruguay, "good heart." The summit meeting convinced him, he said, that the hemisphere is led by men determined to develop their nations and therefore worthy of United States support.

Perhaps even more important was Mr. Johnson's pride in his own performance. His departure statement described leadership in the Americas as "a task not for sprinters but for long-distance runners," and with this strange journey to Uruguay Mr. Johnson established himself as sure-footed on the diplomatic track.

It was a strange journey because probably no American President had ever before flown so far to see so little and to be seen by so few. Five thousand miles from the White House—as far away as the Kremlin—Johnson and his hemisphere colleagues were confined to a few seaside villas in the Uruguayan beach resort of Punta del Este and to the cramped and blazingly lit conference hall, a temporarily converted gambling casino.

The President saw neither the lively streets of nearby Montevideo nor the sidewalk cafes of Punta. He faced no crowds except those that crushed around him at official receptions. He strolled for three nights under the southern sky and could look from his house over the South Atlantic, but standing out there were his country's ships keeping him intimately in touch with his vast and personal communications net.

RHETORIC IN MANY TONGUES

The soaring rhetoric that came to Mr. Johnson's conference earphones in Brazilian Portuguese, Haitian French and Latin-American Spanish undoubtedly made this meeting a "foreign" experience but he was no nearer to a truly alien environment than the rhetoric was to the everyday concerns of the peoples represented.

Yet this very confinement helped to focus the President's objectives. Most of the rhetoric at this conference dealt in fact with the necessity of turning good words into difficult political and economic deeds.

Mr. Johnson was not distracted by attempts to appeal to the Latin-American masses and so he worked directly at his personal contacts with the other American leaders and at the cooperative ventures they had come to design.

The success of the conference itself, however, was not predestined. Though thoroughly prepared, it could have been drowned in words or suffocated by protocol or simply torn apart by national rivalries.

None of this happened, in part because President Johnson made sure it did not. His two main speeches were models of brevity, directly open and delivered as clearly and forcefully as any he had ever made.

The atmosphere remained informal despite tight security and the operetta pomp and heraldry that attended the comings and goings. And Mr. Johnson, together with Presidents Eduardo Frei Montalva of Chile, Fernando Belaúnde Terry of Peru, Gustavo Diaz Ordaz of Mexico and most of the leaders of the larger countries overpowered the nationalism of some smaller nations by simply ignoring it.

Besides playing out the prearranged script of the formal conference therefore Mr. Johnson and his colleagues came away with a higher respect for one another. Moreover, some of the best diplomacy of recent hemisphere history was said to have been achieved among the Latin nations themselves operating under the summit umbrella—a canopy that would not have stretched across all without President Johnson's commitment to the meeting for many months.

The President returns, therefore, in a brighter mood than even he expected.

* * * * *

For an entire week the President was relatively free not only of the direct burdens of the war in Vietnam, which had been weighing more heavily on him each week, but free also of the contention in Washington that has come to surround the war.

Instead, he was deeply engaged in the grand and daring design of a Latin-American common market attended by new programs of social welfare.

The emphasis at the summit on personal diplomacy was a further boon, for Mr. Johnson, operating in shirt sleeves on his lawn, could quickly overcome the formidable and even forbidding reputation that preceded him to South America and that the photographs of him in smoked glasses in blanching lights never completely erased.

Above all, however, was the success of the tactics the President had evolved for the conference: a heavy stress on the need for the Latin Americans to take the lead in their own economic development and political salvation; a refusal to buy their favor or flatter their temporary humor with lavish new promises of aid, and indeed, a firm offer to help that was made contingent directly upon their readiness to help themselves through difficult and unpopular measures at home.

Generosity runs naturally through the President's temperament and also his political philosophy of rewards and punishments. But the priority requirements of Vietnam left him with relatively little to offer in the short run.

So his success lay essentially in his candor, in his confession that he could offer only modest help and in his opportune conversion of that necessity into a call for self-help that struck a responsive chord among the Latin leaders. If the people beyond will only value that contribution, Mr. Johnson could undoubtedly elevate today's success into a historic triumph.

REMARKS BY VICE PRESIDENT HUMPHREY TO NATIONAL FARMERS UNION ANNUAL MEETING, MARCH 13, 1967

Mr. HARRIS. Mr. President, recently, I attended the annual meeting of the National Farmers Union which was held in my home State of Oklahoma on March 13, 1967. At that time, it was our great pleasure to have both as a visitor to our State and as principal speaker of the National Farmers Union annual meeting, the Vice President of the United States, the Honorable HUBERT HUMPHREY.

Vice President HUMPHREY, of course, has been a long-time friend of the farmers of the Nation. His remarks at the National Farmers Union annual meeting point out very vividly his understanding of the problems and needs of agriculture.

Mr. President, I ask unanimous consent that the remarks of the Vice President before the National Farmers Union annual meeting be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, NATIONAL FARMERS UNION, OKLAHOMA CITY, OKLA., MARCH 13, 1967

It is good to be back among the people I know so well.

I have been going to Farmers Union events ever since the 1940's, when I was mayor of Minneapolis. I think it's safe to say that I've attended as many Farmers Union conventions as anybody in Washington.

And I proudly display in my office the award for Outstanding Service to Agriculture you gave me two years ago.

I am not here today to tell you how well off you are. I know you are concerned about farm prices, credit, and income assurances for added production, among other things.

I want to talk to you about all these things.

Farm people—their problems, their setbacks, their future prospects and their basic importance to freedom in the world—have been the concern of President Johnson and Vice President Humphrey for many years.

We have seen farm depressions . . . and huge surplus buildups . . . and low farm prices . . . and heavy migration of farm people to our overcrowded cities. And we have seen enough of them.

I know, from talking to Tony Dechant and other leaders in Farmers Union, that you have serious misgivings about producing a lot more wheat and other grain because of the possibility of over-production and low prices.

The Johnson-Humphrey Administration is keenly aware of this price-income problem, too.

We want enough production to meet requirements—both here and overseas, including reasonable reserves, but with fair prices—I repeat, with fair prices.

Government farm programs are as essential now as ever.

The voluntary feed grain program, for example, has been a real success. About one and a half million farms have been signed up every year since 1961. With this program we have increased farmers' feed grain income, increased exports, and reduced the price-destroying effects of the heavy surplus we inherited.

No one knows what the weather will do to this year's wheat crop, particularly here in Oklahoma . . . and in Texas and Kansas. I know how worried George Stone and Jay Naman and Bill Daniels must be over effects of such a dry winter on the wheat crop.

With the indicated 400-million-bushel wheat carry-over on July 1, 1967—200 million bushels less than a desirable level—I am sure there will be a real need for a higher 1967 wheat crop both at home and abroad.

Ever since the early 1950's we have needed better prices so farmers could earn enough to generate some of their own capital requirements. This must be accomplished or the family farm system—the system on which our efficient agriculture is built—will neither survive nor prosper.

And let us make it crystal clear to all Americans. Good farm prices are good for America—good for American business . . . good for American labor . . . good for the American economy . . . and good for the American *consumer*.

American consumers have benefited—usually with no thought of their benefactor—from prices that at the farm level have consistently been too low.

In no other nation do consumers have so large a choice of nutritious food. And the percentage of disposable income that American consumers spend for food is far lower than anywhere else.

Last year the American consumer needed only 18 per cent of his pay for food.

Nowhere else is food such a bargain.

Yet the people responsible for this bargain have been left behind the rest of our nation.

Farmers are hit year after year by higher *production* costs . . . higher *living* costs . . . higher *interest* costs . . . and higher *machinery* costs. Production costs alone last year were up 2.5 billion dollars.

These are the reasons that farmers are worried about farm prices.

It not only costs more to do business in the city. It costs more to do business on the farm.

And if a worker is entitled to a better wage because of his increased productivity . . . because of an increase in living costs . . . and because of the profits of industry, then who can deny the farmer the right of a better price for his products—a price that brings him a profit . . . a price that makes farming a rewarding way of life, not a sacrifice.

Farm income is far better than it was before 1961, but it is still not good enough. We must do better.

Natural market forces will help us do better.

With most of our surpluses gone, the market is more responsive today to supply and demand than anytime in the last 30 years. Strong world demand, both in commercial markets and in countries receiving food aid, means a good long-term income outlook.

Certainly demand is increasing here at home and in other developed nations.

But there is a far greater demand in the developing nations.

World population is growing so fast that we add the equivalent of a new India every 7 years—and the increase is greatest in the countries that are the hungriest.

As President Johnson has said: ". . . the time is not far off when all the combined production of all the acres, of all the agriculturally productive nations, will not meet the food needs of developing nations—unless present trends are changed."

This is the setting in which we must survey the future. And it is the setting in which we must formulate national farm policy.

This year's production expansion here in the United States is therefore aimed at meeting our growing domestic needs . . . at meeting requirements of expanding commercial markets and food aid programs . . . and at still having some left for strategic reserves.

Some day we're going to have a bad crop. If we have a bad wheat crop this year, it will be a major disaster.

That is why we need reasonable working stocks as a minimum for normal business operations. And we need a little extra for emergencies.

I know you support national food reserves—*provided they are insulated from the market*. That is a reasonable position and I support it.

We took a step in December in boosting prices for Commodity Credit Corporation sales of government-held stocks. These prices are now directly tied to carry-over levels. Lower carry-over levels mean higher resale prices of grain in government hands.

The government can't sell its wheat, corn, barley, oats or grain sorghum now for less than 115 per cent of loan value, plus carrying charges. You fought for this. I fought for this. And we were right.

In increasing these sale prices, we changed the whole level of agricultural pricing. We took the Commodity Credit Corporation of the business of competing with farmers. We want market prices substantially *above* the loan levels.

We need a common sense level of "set aside" reserves, clearly insulated from the market, and understood by the public as "reserves" and not "surpluses." We need your help in developing this program.

When I come before a Farmers Union convention I know I'm among the best friends our Food for Peace program has ever had. I want to thank you again for your loyal support through all these years.

Food for Peace, which once was a surplus disposal program, now is a major constructive force in the world. Since 1954 it has accounted for over 15 million dollars in exports of farm products.

Some of the 100 or so countries we've helped now are commercial markets for our farm products . . . *dollars* markets. This program deserves credit for much of the recent increase in farm exports.

But let no one under-estimate the humanitarian role of our food and technical assistance in meeting the challenge of world hunger.

Governments have risen or fallen on their ability, or inability, to feed their people. And political leaders in the hungry countries are increasingly realizing that neither promises nor prestige can substitute for the basic nourishment of their people.

We will save more lives in India this year as a result of food aid than the total populations of North and South Vietnam.

President Johnson is showing forceful leadership in insisting that we use our food abundance and technical know-how to help food-short nations help themselves. This now is our policy—to use *self-help* to get people to stand on their own feet and to get other industrial nations to help us carry the world food burden.

This Administration also is promoting farm exports in commercial markets. No other nation can even touch us in terms of farm efficiency . . . and we must take full advantage of this edge in world trade.

Agricultural exports last year reached a new high of nearly 7 billion dollars. More than 5 billion dollars of this was in dollars—a major, constructive contribution to our balance of payments problems.

The total should go higher. And it could go very substantially higher if President Johnson's proposals for increased East-West trade are adopted and if the Kennedy Round negotiation, now in progress, helps to keep markets open around the world. I believe the chances are good that it will.

A whole new generation of foreign consumers is looking to us for its food requirements. We simply must wake up to this new opportunity.

And the American farmer should share in the hard currency markets created through trade with the Soviet Union and Eastern Europe. It is good international policy. It is good economics. It makes sense.

Trade in farm products with these countries should be put on the same basis as trade in other non-strategic commodities.

Food sales promote peace and understanding. And why deny the American farmer a good market for his production in the name of anti-communism when it is our national policy to build peaceful bridges and peaceful trade to this part of the world?

Now I want to talk briefly about farm credit, which I know is one of your greatest concerns. We talk about production expansion . . . about greater efficiency in agriculture . . . about adopting all the latest technological advances . . . and about higher net farm income.

But to accomplish all this, we must provide financing with the terms and the interest levels that farmers can handle.

Total investment in agriculture already is more than 250 billion dollars—equal to three-fourths of all the assets of American corporations.

This is a tremendous burden for an industry that has had a low profit history for the past 15 years.

We must do more to insure a new, creative, flexible system of financing farms and farming, or the farms of tomorrow will not be owned by the farmers who work them. If we fail, the family farm system that is the envy of the world will simply disappear.

Adequate farm credit on reasonable terms is the life-line of free-enterprise family farming.

It is not in the interest of consumers, nor is it sound national policy, to have American agriculture so starved of capital that control passes to non-farm owners.

The incentive for efficient production and the ingenuity and efficiency of the family farm is a previous national asset that we *must* protect. And we intend to do so.

The world marvels at the strength and the productivity of our American agriculture—a productivity that has increased more than 100 per cent in less than 15 years.

We have powerful weapons—and so do other nations. We have advanced science and technology—and so do other nations. We have large resources of capital—and so do other nations.

But America has all of this *and* the extra measure of strength that flows from an abundance of food and fiber. It is this extra measure which gives us unmatched resources for world leadership.

Let me put it another way. Imagine what Mr. Khrushchev would have been able to do in the 1950's with our reserves of food and fiber. Imagine what Communist China would have been able to do in the past—and would be able to do today—with our vast abundance of food and fiber.

If we see things in these terms, then how can we ever permit anything to weaken our agricultural economy?

Your President and your Vice President know the importance of American agriculture. We come from farm people. We come from rural America. We have lived through a farm depression.

We have seen the American farmer victimized by burdensome surpluses and deliberate economic policies that were unfair and unjust.

I come here today with a promise and a pledge—a promise of friendship and the pledge of an Honest Deal.

It is time that the American farmer received a fair share of our national prosperity.

He has earned it.

He deserves it.

And he will get it.

The gap between farm income and income in other parts of our economy—the Prosperity Gap—must be eliminated.

And the Johnson-Humphrey Administration will stand by its pledges that it shall be eliminated.

Now, in conclusion, I should like to say a few words about rural areas in a country many thousands of miles away from us, but very much in all our minds—I mean South Vietnam.

In the last analysis, the struggle in Vietnam will be won or lost in the countryside, where 85 per cent of the Vietnamese people live and work.

The struggle will be won when the Vietnamese peasant becomes convinced that democratic government offers him—and his children—a better future than communism.

It will be won when he ceases to think of himself as a "peasant," eking out a bare existence by back-breaking toil and deprived of all human dignity.

It will be won when he ceases to think of himself as a "farmer," using his mind as well as his hands, enjoying a decent standard of living and being treated as a human being rather than a beast of burden.

There is nothing more important in Vietnam than to offer its peasants a foretaste of the better future that freedom can offer them—a foretaste of being farmers rather than peasants.

That is happening now.

And it is not just because of our material aid—seed and fertilizer and pesticides.

It is even more because of the fine *people* we have out there, good rural Americans like yourselves. They are at work in every part of Vietnam, and when I say "work" I mean "work."

They are out there in the mud and the

heat, side by side with the Vietnamese farmers, showing them how to grow more and better crops—how to achieve a higher standard of living.

I have met and talked with our people out there.

Despite discomfort, disease, and ever-present danger, they tell me it's a deeply rewarding experience.

The Vietnamese are vigorous, alert, and eager to learn. There's little of the apathy . . . little of the resistance to new ideas, that persists in some other developing areas.

They *are* learning. They *are* putting what they have learned to use. The results show it. And we should know about those results.

Rice is the basic crop of Vietnam, accounting for four-fifths of the cultivated land. As recently as five years ago, up to 600 varieties were grown, many of them mediocre or downright poor.

These have all been screened, and a few dozen superior varieties identified. Over 20 thousand tons of this improved seed are being distributed every year—and planted.

Some thirty new varieties of vegetables—legumes, grains, sugar cane and root crops—are being grown, and they are proving 20 to 100 per cent more productive than the varieties traditionally grown.

Within four years, the application of fertilizer has mounted to over 250 thousand tons annually—and there are still complaints about the supply falling behind the demand.

Pesticides, almost unknown a few years ago, are being used by half a million farmers. Some 30 thousand sprayers are being rotated among the farmers, and many have bought their own.

New breeds of hogs have been introduced—the scrawny, swaybacked hog of former times is on its way out. As a result, hog productions is now running at three million 600 thousand annually, over double the level three years ago—and the average hog going to market weighs 220 pounds instead of 130 pounds.

New Hampshire Red chickens are gradually replacing the native stock. This improved poultry is catching on rapidly, and there is a brisk market for their meat and eggs.

In every province, there are already farmers who are raising purebreed piglets and chicks for sale to their neighbors.

Thousands of farm demonstrations are being carried out each year to popularize the use of fertilizer improved crops, and improved breeds of livestock.

Some people ask: What will happen when we pull out, once peace is restored? Will the tempo of progress be maintained? Will it be increased?

Indeed it will—because the people and their government are far better organized to maintain and step up agricultural progress than they were.

Vietnamese farmers, in increasing number, are joining together to help themselves by helping each other.

Today—

There are over 20 thousand farm youngsters in 700 4-H clubs.

There are 60 district farmer's associations and 250 farmers' and fishermen's cooperatives.

Agricultural credit associations have extended loans to thousands of farmers, and will go right on expanding.

The first rural electric cooperation association is in operation—and plans calls for bringing electricity to 12 thousand rural people by the end of this year.

Through these organizations of their own making, Vietnamese farmers are gaining a voice and a vote in their own economic future, just as they will have their say in their political future in the village elections beginning next month and the national elections later this year.

This is very real progress. Progress made despite Communist subversion from within and invasion from without.

The help we and other nations have been privileged to give has *not* been wasted. On the contrary, its effectiveness has been multiplied by the work and sacrifice of the Vietnamese people themselves.

What is being done in the Vietnamese countryside has a significance far beyond Vietnam.

For Vietnam is only one developing country among many, and its millions of peasants share the problems and the hopes of hundreds of millions of other Asian peasants.

All have suffered in the past—and some still do—from regimes which, to paraphrase Tolstoi, professed willingness to "lighten (their) load by all possible means—except by getting off (their) back."

All of them are seeking to become farmers rather than peasants . . . free citizens rather than virtual serfs. In this surge forward to freedom and well-being—this revolution that is sweeping the hundreds of thousands of Asian villages and the many millions of its people—much that is being learned in Vietnam can be of incalculable value elsewhere.

And we shall do our part in seeing that it is.

For, despite voices raised to the contrary, I believe our own freedom will ultimately depend on the freedom of nations elsewhere—even those nations where the people have unfamiliar languages and last names.

I believe, as President Harry Truman expressed it 20 years ago in another difficult period of our national history: "if we falter in *our* leadership we may endanger the peace of the world, and we shall surely endanger the welfare of the nation."

We must not, and shall not, falter.

NO NEED FOR FEDERAL VOTING EXAMINERS IN TERRELL COUNTY, GA.

Mr. TALMADGE. Mr. President, the Attorney General of the United States recently assigned Federal voting examiners to Terrell County, Ga., where they are not needed, where they have no business, and where their presence is a great waste of the taxpayers' money and an affront to the local community.

The Terrell County Board of Registrars is abiding by the law and there has been no discrimination against any person. If there are not as many citizens registered as the Attorney General thinks there should be, it is no fault of the board.

As pointed out in an editorial by Carl Rountree, the well-known and respected editor of the Dawson News in Terrell County:

> The simple fact of the matter is that every person able to walk into the courthouse and is still breathing when he gets to the registrar's office can register to vote.

This states the case very well, and I see no reason why Federal examiners were sent into this county.

Mr. Rountree sums up the situation in his editorial. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A WASTE OF MONEY

(By Carl Rountree)

Probably no greater waste of the taxpayers' money has been demonstrated by the federal government than the assignment by the attorney-general of the United States of federal examiners to Terrell County.

For four days now, three men, one from Miami, Florida and two from Atlanta, have been located in an office in the basement of the Post Office building to list the names of persons who allegedly are not registered to vote in the county.

Under the law, these examiners cannot register anyone. Their job is to simply list the names, addresses and other specified information of applicants on a form which at the end of the month is turned over to the County Board of Registrars. It is the board's job to actually do the registering.

On Monday, the three examiners reportedly listed the name of one person. They were a little busier Tuesday. Fourteen persons are said to have called at their office. The story is currently told that two of their visitors Tuesday afternoon were hurriedly brought in for TV benefit and that they were called from automobiles bearing license tags of neighboring counties.

Whether or not any one or all of the 15 persons who listed their names with the examiners have ever applied to actually register could not be determined. The examiners said this question was not contained in the printed form and that they do not ask it.

It does seem strange, however, that any person should bother to walk to the rear of the post office building, walk down steps into the basement to get their names on a form while all they have to do is simply walk across the street from the front of the Post Office building into the courthouse building where they could actually register.

Then why the attorney-general of the United States has found it necessary to send federal examiners into the county at this particular time must be regarded as somewhat mystifying.

If there was any denial, allegedly or in fact, of the right of negroes, or white persons for that matter, to register his action would be understandable. But such is not the case.

Even a spokesman for the attorney-general has said there have been no specific complaints from negroes in the county of a denial of their right to register.

Furthermore, the board of registrars of Terrell County have been under permanent federal injunction for some time not to discriminate against any person because of race or color.

Admittedly, there are relatively few negroes, comparatively speaking, on the voter lists of the county. But that's no fault of the board of registrars or, in our judgment, any reason for the assignment of federal examiners to our county.

The simple fact of the matter is that every person able to walk into the courthouse and is still breathing when he gets to the registrar's office can register. We personally know of instances where negroes who had business at the courthouse almost every week if not every day, who failed to register and then complained they weren't registered to vote. Yet they never made an effort to register.

We think the men who have been assigned here have more important work to do and that there should be a little more consideration given to the expenditure of the taxpayers' money than is evident in this case.

THE UNIVERSITY OF WYOMING DEBATES MOSCOW UNIVERSITY

Mr. HANSEN. Mr. President, two students from the University of Wyoming represented their State and Nation recently in international debate competition held at the University of Toronto in Canada. These two young men were members of the victorious U.S. team which copped top honors in the York University's centennial debating tournament.

After winning a debate with eight

Canadian universities they earned the right to lock horns with a team from Moscow University. They were coached by the University of Wyoming instructor, Wayne Callaway.

University of Wyoming students Mike Anselmi, Cheyenne, a junior, and his debate partner Patrick Hacker, a Rock Springs sophomore, faced their Moscow University counterparts on the proposition: "Resolved: The United States Should Immediately Withdraw Its Forces From Vietnam."

Although political considerations prevented the naming of a winner in this unusual debate—the first time the Moscow team had ever debated a non-Communist team—an account of the exchange carried in the April 16 Laramie, Wyo., Daily Boomerang and television film of the debate, graciously provided me by the Canadian Broadcasting Co., leave little doubt that America and Wyoming were splendidly represented by Pat Hacker and Mike Anselmi.

I might add that the CBC film, a 90-minute account of the United States-U.S.S.R. competition, is en route to the University of Wyoming.

I ask, Mr. President, that the graphic account of the debate as reported in two stories in the Laramie Daily Boomerang, be printed in the body of the CONGRESSIONAL RECORD with my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

I WAS REPRESENTING THE UNITED STATES

(By Joseph T. Sample)

"I was nervous because I knew I was representing not only the University of Wyoming but the United States of America.

"I was afraid the Russians would resort to name calling," Mike Anselmi, UW junior and half of the North American International Debate team, said.

His debate partner, Pat Hacker, a 20-year-old Rock Springs sophomore, the same as repeated Anselmi's fears of their recent bout with the Moscow University debate team at the York University (Toronto, Canada) debate tournament.

The honor of debating the Russian duo was accorded the winner of the international invitational meet.

UW debate coach Wayne Callaway, a 15-year veteran at the art, said the three of them were in semi-final competition at Eugene, Ore. when he received a call March 1 asking the UW team to partake in the Canadian-hosted event.

"I said yes we would go," Callaway remembered. In the same phone call, he learned that UW President John E. King had resigned.

"We didn't know how our trip would be financed, but we sure wanted to go," he continued.

WROTE LETTERS

Up to the March 1 phone call, neither Callaway nor the two Cowboy debaters had ever heard of the York University invitational. After that, and from now on, none of the trio will ever say "What and where is that" when they hear of the tournament.

For they were competing against teams from Michigan State University, Princeton, Cornell, Columbia, Buffalo, Southern Colorado, Rhode Island, Augustana and UCLA from the United States and York University, McGill, Toronto, Alberta and McMaster from Canada.

Time passed quickly the next 29 days as Mike and Pat spent many, many hours in thought, research and study on the assigned topic for the Canadian Debate: "Should Canada Actively Support the United States in Vietnam?"

Letters were written to Wyoming's Senators, Gale McGee and Clifford P. Hansen, to President Lyndon B. Johnson's assistants and others ferreting out information pro and con on America's commitment in Vietnam and why Canada should or should not support it.

NO JOKE

"The thought never even entered our minds that we might have a chance to debate the Russian team," Hacker, the six-foot, four-inch debater revealed.

"We were just trying to win as many debates as possible. We weren't even worrying about the Russian duo," Mike, who is an economics major, added.

The invitational debate was broken into four divisions with five teams to a section. UW competed with Southern Colorado, Rhode Island, Buffalo and McGill in their division.

By Friday night, March 31, the UW twosome had won two and a bye. "This is where you debate yourself and win," Coach Callaway said jokingly. He went on to explain that when the other four teams in the division were debating each other, the fifth team has no one to debate and this is called a "bye."

April Fool's day dawned early for the tourney-crown challengers. UW's debate coach warned his team not to eat a hearty breakfast as they would have to debate McGill University (Canada's most potent collegiate team) and Buffalo University.

The duo lost to McGill 2–0 but blanked Buffalo by the same score to qualify for the semifinal round.

Lunch rolled around and Calloway warned Anselmi and Hacker again.

"Now, don't eat very much lunch. Just something light. We have to meet Princeton this afternoon and I want you to make a good showing," Callaway, who has been at UW three years, said.

UW VERSUS UCLA

Mike and Pat turned Princeton away 4–1 and turned their thoughts to the formal dinner and preparation for the UCLA event that evening.

Callaway warned them for the third time that day: "Now eat light at that formal dinner. We'll have a tough one with UCLA." And there was revenge at stake.

Mike ate most of his roast beef and Pat polished off the Yorkshire pudding. That was all. Then it was prepare, prepare, prepare for the UW-UCLA debate Saturday evening.

The bout started at 7:30 p.m. and after 68 minutes of talking, challenging, questioning and answering, UW took the match with a 3–2 decision.

York U. debate officials accorded them the four-foot winner's trophy and declared them champions of the North American International Centennial Debate tournament.

There wasn't much time for celebration however, for in less than 24 hours, the team would debate the Moscow University team on "Resolved: The U.S. Should Immediately Withdraw its Forces from Vietnam."

The Russian debaters would be Alexander Brychkov, 34, a doctoral candidate at the University of Moscow and a Communist Party youth leader, and Yevgeny Kubichev, 29, doctoral candidate enrolled at the Moscow Institute of Literature who also serves as a Pravda correspondent.

NO DECISION

The Russian team's appearance would be rare—one of the few times out from behind the Iron Curtain and the first time in Canada.

It wasn't 'til 11 p.m. Saturday that the three Cowboy-Staters realized they hadn't really eaten that day.

Next morning, Sunday, April 2, it was the the same old story about not eating too much. So breakfast and lunch were light.

During the Sunday afternoon no-decision debate, the Russians argued the affirmative on what Callaway reflected was an emotional level and gained sympathetic response from the audience's antiwar section.

Anselmi and Hacker defended the U.S.'s legal right to intervene at the South Vietnamese request in a clinical and dispassionate performance before a studio audience of 1,500.

In its Monday edition, the Toronto Globe and Mail reported:

"On a basis of debating skill, it appeared as if the U.S. students had the edge. But if the audience had voted, the Russians would have been the winners." It continued that the debate was argued without heat by both teams and noted the UW squad immediately crossed the stage to shake hands with the Soviets at the debate's conclusion.

In the last minute of the event, one of the Soviet debaters produced a child's book which was scorched and, so the Russian said, covered with blood. It was an old paperback book, pages yellowed. Callaway said it was approximately six by nine inches—about the same size as an old McGuffey reader.

UW's team thought bringing out the visual aid in the last minute of the debate unfair as they had no chance for rebuttal. They could have objected, but as Anselmi said:

"We did not feel like we had been dealt a low blow."

WELL PREPARED

Coach Callaway said he was asked on several occasions whether or not his team had been briefed by the Central Intelligence Agency or the U.S. State Department.

"We had been in no contact whatsoever with any U.S. agency prior to the tourney and so our answer was 'no', of course. The debaters were so well prepared, however, the CBC personnel and a number of debate coaches had difficulty believing the team had no outside help," he said.

"We later found out," Hacker added, "from the American Consul in Toronto, that our stand identically matched that of the United States."

Needless to say, Sunday night, the International Champions and the Russian opponents ate a hearty meal. "We didn't spare anything," 220-pound Hacker said grinning broadly.

THE DEBATE

Films of the debate between the University of Wyoming and the University of Moscow, Russia, have not been made available yet.

However, Warren Gerard of the Toronto, Canada, Globe and Mail, did cover the Sunday afternoon debate at York University in Toronto.

In his article, he mentions that some persons wore "Stop the War in Vietnam" buttons and hissed as well as applauded the U.S. students while the Russians received only applause.

Gerard's account of the debate starts with Alexander Brychkov opening.

He (Brychkov) said U.S. involvement in Vietnam has no legal basis and cannot be explained or defended with the argument that the United States is being threatened by Communism.

"The war is immoral because it is being fought against the will of the people. It was the U.S. that invaded this country: it is the U.S. that should withdraw."

He was cross-examined by Mr. Hacker. "Do you think U.S. action in Vietnam is aggression?"

Mr. Brychkov replied: "They are trying to impose their will on the people."

"Has the U.S. made any efforts to negotiate a settlement in Vietnam?" Mr. Hacker asked.

"Declarations and actions are different," Mr. Brychkov replied. He added that he would give the United States no credit for any efforts to negotiate.

Mr. Anselmi said that the United States is fully justified to fight the war in Vietnam and the U.S. position in Vietnam is advantageous to the Russians.

Mr. Anselmi argued that under international law the United States was legally justified to intervene in Vietnam as soon as South Vietnam asked for help.

"We feel our position is justified," Mr. Anselmi said. "North Vietnam has deliberately supported and incited the Viet Cong."

He was cross-examined by Mr. Brychkov. "Do you think the American public is accurately informed on the war?"

Mr. Anselmi replied: "They are more informed about this war than any other war."

Mr. Brychkov asked him if the war in Vietnam is humane?

"War is never humane," Mr. Anselmi replied.

It was Mr. Kubichev's turn. He said that the economic factors are the least known to the general public, but are the underlying force for U.S. involvement in Vietnam.

"Vietnam is a large resource area. It is the war of American big business with (President Lyndon) Johnson as the chief representative of big business. Americans are building on the ruins of Vietnam."

He was cross-examined by Mr. Anselmi. "Do you feel the war is inhumane?" he asked.

"Certainly," the Russian replied.

Mr. Kubichev added that war is inhumane if it is aggressive but the Soviet Union, which he said is sending trucks and rockets to North Vietnam is supporting the defensive side therefore the humane side.

Mr. Anselmi asked what Mr. Kubichev would consider as economic stability in Vietnam.

When there is no inflation, when workers are properly paid, and when the budget is balanced, Mr. Kubichev replied.

Mr. Anselmi said there is inflation in the United States, Canada and Russia but each country is economically stable. Mr. Kubichev denied there is inflation in Russia.

But you have a food shortage, Mr. Anselmi said. Mr. Kubichev denied this. Mr. Anselmi then asked him what Russia has done with the wheat that it purchased from Canada. "You know what," Mr. Kubichev replied.

When Mr. Hacker's turn came he said it was in Russia's best interests for the United States to stay in Vietnam.

Russia wants a negotiated peace and China wants war, Mr. Hacker said. He said China and Russia are in conflict for the supremacy of the Communist world. Russia wants peaceful co-existence and China wants national wars of independence.

"Then we are to understand that the U.S. is helping peaceful co-existence?" Mr. Kobichev asked.

"If the U.S. loses that war, peaceful coexistence will really get a slap," Mr. Hacker replied.

In rebuttal, Mr. Anselmi said the United States was legally justified in being in Vietnam, and added that the Russians could not and had not argued the point.

He denied that children had been killed or maimed by napalm dropped by U.S. planes. He referred to a report in The New York Times which said a reporter could find no napalm victims. The audience hissed.

In his report, Gerard at no time mentioned the Russians producing the book which was supposedly blood-stained.

WAR AND PEACE IN VIETNAM AND THE CHURCH'S MESSAGE

Mr. **STENNIS**. Mr. President, the Reverend Edward L. R. Elson is minister of the National Presbyterian Church of Washington, D.C.

Dr. Elson is an able and outstanding minister. He is a dedicated American; a man of strong convictions and deep faith. His loyalty to his church, the people of his church, and the Nation is supreme. He is possessed of a sensitive conscience and a courageous soul. Above all, he is a man of mature judgment and thoughtful wisdom which he applies to everything he undertakes. Such leadership is needed in our time, and it is found in the sermons of Reverend Elson.

Last Sunday, Reverend Elson delivered an eloquent sermon on "War and Peace in Vietnam and the Church's Message." It is remarkable for its thorough analysis of this vital issue. It is instructive, and it is encouraging. This message has spiritual strength. I commend it to the careful study of all those who are concerned with this crisis and seek wise counsel and spiritual guidance.

I ask unanimous consent that the complete text of the sermon be included in the body of the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

WAR AND PEACE IN VIETNAM AND THE CHURCH'S MESSAGE

(By The Reverend Edward L. R. Elson, Minister, the National Presbyterian Church, Sunday, April 16, 1967)

"Thou wilt keep him in perfect peace, whose mind is stayed on thee; because he trusteth in thee." (Isaiah 26: 3.)

"Seek peace and pursue it." (Psalm 34: 14.)

The sermon topic for today had already been announced before the regular monthly meeting of our Session on Wednesday evening at which a resolution was adopted asking me to repeat in today's services the remarks which I made at the meeting of the Presbytery of Washington City last Tuesday, April 11, when the Presbytery was asked in a resolution to petition the President of the United States: "(a) to bring to a halt immediately aerial bombing of North Vietnam, (b) to enter immediately into negotiations with the Government of North Vietnam for withdrawal of armed forces of both sides to a predetermined place, as two signals of our desire for participating in a peace conference for the reestablishment of international justice."

In fidelity to my Christian faith, to my vows as a presbyter, to the highest insights of my conscience, and out of a genuine desire to find constructive efforts to lasting peace with justice in the whole world, I could not have remained silent. As you have learned through the press, the comments made by the Pastor of this Church and supported by several dedicated and thoughtful Ruling Elders (one an accredited White House reporter, another a State Department official, a third a military officer) led to the emphatic and overwhelming rejection of the resolution by the Presbytery.

It is clear to many of us here today, as it is clear to many of our leaders in government, and was clear to most of the Commissioners to the Presbytery that the adoption of that resolution by the Court of a great Church in the Capital City of the United States would have been tragic and calamitous, postponing peace consultations, imperiling American fighting men and their allies, and denying maneuverability to our President and our diplomats.

But it is not enough just to reject an unwise and unstatesmanlike resolution. It is important that all of us bring the best Christian insights to bear upon the total problem of the South Pacific and find creative ways to help all of the people of that vast area come to self-fulfillment, self-realization, national dignity and international friendship.

I want to make it as clear as possible that I believe now, as I have always believed, that there are times when the Church of our Lord should speak clearly and resolutely about idolatrous and immoral situations in the world. The Church should speak when in loyalty to God, under guidance of the Holy Spirit and an enlightened conscience, the Church is certain it speaks for God. I decline to be chaplain to the "status quo" or to say "ditto" to the American government.

Whenever a nation absolutizes some aspect of its reality, invests it with qualities of divinity, and claims for it a higher allegiance than the Christian gives to the transcendent God who is made known in Jesus Christ our Lord, then that is idolatry. And whenever a people glorifies or worships the man-God instead of the God-man, as happened in Nazi Germany, then this is paganism as blatant and blasphemous as the world has known which is to be condemned by Christians in all generations. Should that ever appear in this nation I would join with others, under the Lordship of Jesus Christ, to condemn and to resist it with all the powers of my being. And I am ready to die should that be a necessary witness. Honest moral judgments obligate us to keep relevant facts in proper perspective. Thus when it is implied that the United States is participating in an action in Vietnam that is something akin to the diabolical fiendishness of the Nazis program in Germany, then we must reply that such implications falsify history, distort moral perspectives and are an affront to the good name and the sensitive consciences of those who lead the American people and of the American people themselves.

In our country today everybody desires the end of hostilities in Vietnam and the achievements of an honorable peace followed by a stabilized economic and political order in the South Pacific. We all hate war, abominate its ruthlessness, its destructiveness, its squandering of wealth and life. Those persons who know its fiendish fury and its colossal manifestation of sin in man's individual and collective life are most revolted by it and pray fervently for its cessation. But to hate war is not enough. Today it is becoming increasingly clear that too many people are coming to dogmatic conclusions and easy panaceas from limited data.

Not long ago a large company of clergymen came to this city from across the country for the purpose of petitioning the President to do what the resolution in our Presbytery would also have asked him to do. These persons arrived with a pre-cast indictment of American guilt as though we were the sole offenders for the predicament in which the world finds itself. With an arrogance of conscience and a pretension to a higher morality than others, they had the formula: America is the guilty culprit and the criminal nation and therefore must abjectly repent and run. The truth is that America and Americans are guilty, but it is a guilt inherited and shared with other peoples and nations, and to indict America as bearing the sole guilt, or even the major guilt, at the very time we carry heavy responsibilities for the well-being of the whole world provides neither moral guidance nor practical statesmanship. Instead, such procedures provide propaganda weapons for the opposition. And you do not make peace by furnishing weapons to an enemy.

In Presbytery I took the floor to ask the Presbytery to defeat this ill-timed, harmful resolution emphatically, resoundingly, uncompromisingly, and overwhelmingly. This the Presbytery did. Under similar circumstances I should do it again. It is one thing for an individual minister, or the professional pacifists, or the chronic protesters, or the convinced or concealed Marxists, to assembly unofficially and make demonstrations and exhibitions. It is quite another thing for the official Court of the Church in the Nation's Capital to be the conduit of such sentiments to the President and his associates.

What we have seen and heard from some of the protesters about Vietnam does not encourage their trustworthiness as conciliators, peace makers, and statesmen. We found, at the Conference of Clergy held here several weeks ago, guidelines on how to counsel conscientious objectors and draft card burners and law breakers and evaders, but no handbook on how to counsel a devout Christian who has some honor and patriotism and believes he owes his country his military service. At that Conference could be seen pictures of civilian casualties alleged to have been the results of American action, but we have had no exhibitions of the Viet Cong torturing and killing in every conceivable brutal manner 11,900 village chiefs and community leaders in order to terrify the population. Nor is there any reference by these unctuous protesters about what we see at Walter Reed Hospital and every other military hospital—the broken and maimed bodies of American men.

We are asked by the chaplain of a great university "to be angry and sin not." This was his text in a devotional service in a Presbyterian church during one of the protest meetings. Yet the sin of self-assumed moral superiority and arrogance of conscience has seldom been more extravagantly demonstrated than in his own hysterical running off in all directions.

Presbyterian young women attending Eastern women's colleges are led by this same university chaplain to demonstrations in Washington. Then when the daughters of Presbyterian homes are reported to be jailed, the pastors call me while the distraught parents importune me to rescue the young women. Fortunately this is a service I have been able to render to some out-of-town Presbyterians who were sucked into this irresponsible thing some months ago. And I am glad to say that through the years I have been helpful to honest conscientious objectors who were Presbyterians.

Wisdom is learning what the past has to say to the present. We are now hearing the same addresses, sometimes by the same people who were making the pacifist speeches and supporting soft policies in the 1930's. It is now a fact of history that the pervasiveness of religious and secular pacifism and the presence of pacifists in public office in Great Britain contributed to the daring movements of the Nazis in the late 1930's. German intelligence officers taking readings of British life reported to their government that pacifism was so widespread and so highly placed that the British would not resist their military movements. In any case, the intelligence was to the effect that pacifism had so laid hold on Britain that military action was worth risking. Then came the German reoccupation of the Rhineland, the penetration and union of the Sudetenland, the political Anschluss of Austria, the penetration of other areas, until finally in September of 1939, when German intentions became clear, the whole European continent was imperiled, belatedly and without adequate forces a choice was made to resist.

The lessons of history are also clear that when strength has been exercised and there is a resolute readiness to employ military force there have been turning points in history. We saw it by the action of the United States in Greece, in Turkey, with the Berlin airlift, in Korea, in the Suez, in Lebanon and on other occasions. Salutary and peaceful results, preventing anarchy and widespread warfare, have come about with the willingness to exert force at the proper time, in the proper manner, and in the proper place.

Military force as such is neither morally right nor morally wrong. It is the uses of which it is put—the times, the places, the amount and the purposes—which determine the moral or immoral use of force. And in this stage of the development of mankind, failure to use military force in the proper time and place and for the proper purpose can be disastrous and highly immoral. The highest form of diplomacy and statecraft in relation to military force is to perceive when to exert force and when to withdraw it in the service of achieving justice and righteousness.

The relevant morality is the cost of an action in relation to the political objectives to be achieved. In the South Pacific the relevant and determinative factors are not simply South Vietnam nor even the welfare of this people and the stability of its government, though this is included in every thoughtful and compassionate man's objectives. But this operation is related to the whole South Pacific and to the forces at work in the world as a whole. The American presence in South Vietnam has had some bearing upon the dislocation of Sukarno in Indonesia. It affects the well-being of Hong Kong and the stability of Thailand, to say nothing of Cambodia and other areas. Ask a Filipino and he is appalled at the suggestion of diminishing American strength. Ask any citizen in New Zealand or Australia how he would like American withdrawal, and he will answer you that by all means America's presence is absolutely essential to the welfare of the whole area. Moreover, when the ordinary people of South Vietnam are asked their views in an objective manner, it is quite clear that they overwhelmingly desire the assistance and the presence of American forces, technicians and our economic resources. This has been attested by the latest CBS survey.

Look with me then at the Resolution which was proposed in our Presbytery, and let me indicate to you point by point why I believe it to be defective and why the Presbytery rejected it:

"Believing that modern war cannot be equated with the classical Christian definition of a just war,

"Believing that the present so-called police action in Vietnam is in danger of escalating into a genocidal war,

"Believing that the present conflict in Vietnam is compelling our armed forces to participate in a conflict that does grave harm to the image of respect for persons and international justice which are at the core of our foreign policy,

"This Presbytery petitions the President of the United States (a) to bring to a halt immediately aerial bombing of North Vietnam, (b) to enter immediately into negotiations with the Government of North Vietnam for withdrawal of armed forces of both sides to a predetermined place, as two signals of our desire for participating in a peace conference for the reestablishment of international justice."

Take the phrase, "Believing that modern war cannot be equated with the classical Christian definition of a just war," the truth is that there have been many definitions of a just war, and this particular war is different from any other war which preceded it. The first Christians bore no responsibility for government or world destiny. They were a tiny minority in a vast empire. Non-resistance, pacifism and use of force for Christians had different relevant connotations then than now. Beginning with the fourth century, the church fathers developed a series of definitions of a just war and the responsible use of political and military power by Christians. From then on the classical view was never that of "absolute pacifism" although pacifist minority sects continued to exist in every age.

In our world today the terrible potential threat of nuclear war has made the world safe for the limited war. Never before on such a scale have we witnessed a war where the combatants were indistinguishable from civilians, where the hostile force appears as though it were civilian, where the hostile force makes civilian populations its deliberate target and calculatedly shields itself behind civilians. We may never know how many American soldiers and allies have lost their lives because our commanders have paused to warn civilian populations in or near valid military targets.

Take the second sentence about a genocidal war.

This presents a colossal oversimplification of the realities. It is tragic that the very persons who accuse other people of oversimplifying the world situation by dividing everything into communist and anti-communist now fall into the mistake of declaring that the South Pacific action is simply a white versus a yellow man's war. It is more than that—vastly more than that, as I have already pointed out.

Concerning the dignity and value of persons:

Look at that—which persons are being talked about? The people of the whole South Pacific? Or the whole free world, including our troops? Or just Ho Chi Minh and his people. And what kind of justice are we talking about when it is applied to international relations?

So the resolution would have petitioned the President of the United States to bring to a halt aerial bombing of North Vietnam.

This is telling the President to limit our targets and restrict our weapons.

Again, it is proposed to enter immediately into negotiations with the Government of North Vietnam for withdrawal of armed forces of both sides to a predetermined place.

Do we really want the President to do that? Five times, for various lengths of time, the bombing has ceased only to find the period exploited for moving troops and weapons. Thirty letters have been sent to the ruling powers of North Vietnam by our President. Every American diplomat is on the alert for signals that might lead to a helpful negotiation, and the good offices of many foreign nations have also been sought by our own Government. These two proposals are precisely the pre-condition to negotiation which the adversary has set down.

I ask you today, as I asked the Presbytery, has there ever been a more sensitive and magnanimous people in the use of power than Americans? Compassion in time of war is to bring the war to a decisive conclusion which will lead to a just and honorable peace based upon real justice, real human dignity, and a stabilized social and political order which benefits all the people. Hostilities should terminate when we can negotiate from a position of strength consonant with the responsibility we carry in the world today.

I have not found a single responsible official in this city who feels that such a resolution from a church body would be helpful in contributing to peace. Instead it would further emphasize a divided people, it would delay concluding the conflict, imperil American fighting men, deny maneuverability to our Government officials and, above all else, would lead the North Vietnamese to believe they could accomplish by disunity and by propaganda what they cannot hope to achieve by weapons and by honorable negotiations.

Let me say something else today. You do not make for peace by providing the enemy with his propaganda weapons. And that is what the performance of some people does at this very hour. Is it not utterly repugnant to every respectable citizen, does it not wound the national spirit and offend the spiritual nature of people to see on the front page of our papers today an American flag burned by alleged Americans in an American city with the eyes of the whole world gazing on the scene?

Some people this very day must bear a hideous guilt for that ignominious act. Shame on them from all of us—and may God pity them.

I join with my fellow Christians everywhere in hating war. I have been exposed to it, seen it with my own eyes, and have lived through the turbulent and anguished hours of combat and carried home a disability from war. I have gathered up the crushed bodies of young Americans, have ministered to the wounded, the dying, and have performed the last offices for the dead. With every deeply sensitive Christian I loathe war as the most fiendish and most diabolical manifestation of sin in human society.

But the solutions to complicated international problems do not lie in a simple antipathy to the suffering caused by war. The overt expression of war is only part of its meaning and reality. The absence of violence does not mean that we are at peace. War is the tragic alternative to cultural and diplomatic—yes, and religious—failure in the world.

But when it comes and complicated problems arise in the crucible of war, we are not helpful by making wild declarations, proposing naive or simple solutions which deprive maneuverability, restrict weapons, limit targets and leave us without a long-range plan for rehabilitation and reconstruction.

Most people here know that I have a son-in-law and two daughters who have lived in Saigon, that one now teaches in Saigon, that I have a son-in-law in the Army and a son about to enter military age. I do not want my sons commanded by officers whose targets are limited by a resolution, or whose weapons are restricted by an irresponsible resolution adopted by a church body, however well-meaning the intent, especially since the agitators do not have access to all the facts and also lack expertness in diplomacy.

How shall we live and work at this moment of history?

(1) Let us keep our personal lives free from hate and full of love for all peoples. We should do our best to keep our lives free from inflammatory, hysterical and irresponsible hostility. Pacifists, in their zeal, sometimes become very bellicose. And the non-pacifist Christian can become both impatient and intolerant of the pacifist whom he regards as the prescriber of easy and oversimplified solutions for complex problems and hard realities. It is important to preserve the solidarity of the Christian fellowship and this is based upon the loving heart and attitude.

(2) We need to think creatively about the whole world. Our first love is for God, then for our family, then for our church, then for our nation—followed in that order by an outreach into the whole world. Patriotism is not a "dirty word" as is so often implied today. And there is no incongruity between loving God and country and striving to find constructive ways of helping other people achieve self-fulfillment, real dignity, and a national destiny. No people in history have been more sensitive, more lavish in their assistance to other people than have Americans. I have an inner joy about that. And I think we need not panic if now and then, because of the lack of skills or maturity in management, a little of it is squandered! There is so much more that has been helpful. But in our thinking and acting in the South Pacific we need to keep our vision on the whole area and the relation of that entire area to the remainder of the world.

(3) We need to pray. Prayer should not be a substitute for thinking, planning and acting. But we need constantly to humble ourselves before the transcendent, sovereign God to whom men and nations are accountable. We need to ask His forgiveness, His cleansing, His renewal of life. We need to open our lives to the light of His presence, to ask for and wait for His higher illumination and guidance. Even amid the tumult and violence of war there is a peace which belongs to those whose "mind is stayed" on God.

THE CASPER, WYO., STAR-TRIBUNE EDITORIALIZES ON MARTIN LUTHER KING

Mr. HANSEN. Mr. President, the Casper Star-Tribune, in its April 13 edition, took editorial note of the shockingly irresponsible speech of the Reverend Martin Luther King, in which Mr. King said in part:

> The American government is the greatest purveyor of violence in the world today.

The Star opined:

> That is straight out of the Communist lexicon.

The Casper, Wyo., newspaper asserts further:

> The proposal . . . could not be a greater disservice to this country if it were written in Peking, Moscow and Hanoi.

Being in complete agreement with the Casper Star-Tribune's comment, I ask that the editorial be printed in the Congressional Record, together with an April 13, 1967, article from the Rocky Mountain News by Inez Robb covering the same subject.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Casper (Wyo.) Star-Tribune, Apr. 13, 1967]

Boycotting the War

The proposal that Negroes and "all white people of goodwill" join together to boycott the Vietnam war by becoming conscientious objectors to military service made by the Rev. Martin Luther King could not be a greater disservice to this country if it were written in Peking, Moscow and Hanoi.

Taken at face value, it would bring to a halt any further buildup of United States forces at the front, if the youth of America took seriously the advice of Dr. King, the civil rights leader who became a Nobel Peace laureate. And if the Government recognized such artificial conscientious objectors. We are certain neither of these eventualities will occur, not even among a significant number of Negroes, who are proving their valor in Vietnam as they have done in the other wars of this century in which the United States participated.

We say that Dr. King's speech might have been written in Peking, Moscow and Hanoi advisedly. Listen to this statement in his prepared address: "The American Government is the greatest purveyor of violence in the world today." That is straight out of the Communist lexicon. It overlooks the treacherous violence that has decimated village leaders, teachers and others by assassination in South Vietnam by orders of the Communist aggressors. It disregards the Vietcong terrorism and sabotage that kills civilians in the streets. It makes no mention of the booby traps set up in the jungles by the guerrillas that have taken a fearful toll of Americans, both white and black. Dr. King made no mention of these atrocities when he denounced violence.

President Johnson has enough troubles directing a war that involves nearly a half million Americans fighting for human rights in Southeast Asia, without anyone here, no matter how prominent, sabotaging his effort. There is no other word for this proposed boycott of the war.

[From the Rocky Mountain News, Apr. 13 1967]

King's Beliefs Hurt His Image

(By Inez Robb)

No other condition on earth causes such swift, fatty deterioration in a prominent public figure as belief in his own publicity releases. (It has always been a condition common to Hollywood.)

It is now sadly, tragically obvious that Dr. Martin Luther King Jr. is intoxicated by his own publicity, and that he has listened too long and too lovingly to the hypnotic sound of his own pronunciamentos.

During the past 18 months, in Dr. King's constant appearances on television, he has appeared to confuse himself more and more with the Messiah. More recently he has coupled his messianic strictures with the intellectual content of a Cassius Clay.

But Dr. King has outdone himself with his charge that the use of "new" American weapons on the peasants of Vietnam is a counterpart of the Nazi use of "new medicine and new tortures in the concentration camps of Europe."

The Constitution of the country that Dr. King thus assails guarantees him the right of such free speech and protects him from the concentration camps he charges her with duplicating in spirit, if not in fact.

The messianic monkey on his back enables Dr. King to leap about among the oratorical crags at will. Only a week before he likened his fellow countrymen to Nazis. He was opposing the war in Vietnam on the purely pragmatic ground that financially the United States could not fight both the war in Vietnam and advance the cause of racial justice simultaneously.

There is a great number of Americans who believe the war in Vietnam is absorbing money needed at home to eradicate racial inequities, to improve the quality of education for everyone, to create economic opportunity and to rebuild the nation's cities.

Dr. King could have expected sympathetic support from many quarters for the expenditure of more and bigger sums to improve the quality of life in the United States. He is not the only American who fears that the increasing cost of the war in Vietnam means decreasing sums available for vital projects at home.

But Dr. King errs grievously in his estimate of American sensibilities when he permits himself to be carried away by the sound of his own voice into a hysterical denunciation of American tactics in Vietnam as "Nazi."

On the same day that Dr. King accused the United States of following Hitlerian tactics, he deplored the fact "that Negroes and poor people generally are bearing the heaviest burden of this war" and that Negroes are "dying in disproportionate numbers in Vietnam."

Again, Dr. King spoke to a point that disturbs great numbers of his fellow citizens. It is the pressure of this widespread discontent with the draft and the way it works that is leading to the first projected overhaul in the draft law in years.

Americans are far from insensitive to the fact that the draft has fallen heavily on the poor, both white and Negro.

But for Dr. King to suggest that the poor, both black and white, now fighting the war in Vietnam are emulating the Nazis is to put a further indefensible burden on them.

Like other opponents of the Vietnam war, such as Lord Russell, Dr. King cannot hear, see or speak evil of the North Vietnamese. Only Americans, black and white, are bestial, commit atrocities, and torture for fun. The Viet Cong are happy, innocent warriors armed only with peashooters.

His fellow citizens do not exult in the war in Vietnam. In this country there is no war hysteria, except that which Dr. King and his confreres are attempting to whip up and exploit.

INDIANAPOLIS STAR REPORTER RECEIVES CHRIS SAVAGE AWARD

Mr. HARTKE. Mr. President, the journalism alumni of Indiana University recently presented the 1966 Chris Savage Award for professional newspapermen to Harrison J. Ullmann, a staff reporter for the Indianapolis Star.

The award is presented each year to the Hoosier newspaperman who most nearly achieves the professional ideals, ethics and standards which Chris Savage gave to a generation of Indiana journalists. His years of dedication on the Indiana University journalism faculty contributed much of what is good in Indiana journalism.

Mr. Ullmann, who is now studying in Washington on an American Political Science Association fellowship, is a worthy recipient of the Chris Savage Award.

He has written with great depth, insight, and fairness about business and economics, education, medicine, and health care, and a variety of urban problems.

He has helped his readers understand some of the critical problems which confront their city, State, and Nation, and he has promoted a calm and rational discussion of these problems.

I congratulate Mr. Ullmann and I wish him well in his career. But I hope that his career does not take him from Indianapolis and Indiana. His work there has been valuable for the progress of the State.

THE ITT-ABC MERGER CASE

Mr. YARBOROUGH. Mr. President, the proposed merger of the American Broadcasting Co. with the International Telephone and Telegraph Co. is one of the most important merger cases in years.

In his dissenting opinion to the December 21, 1966, order of the Federal Communications Commission, Commissioner Nicholas Johnson offers a brilliant discussion of the issues involved. Commissioner Johnson's dissent is vital to a full understanding of the case. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

THE ITT-ABC MERGER CASE

(Abridged version of dissenting statement of Commissioner Nicholas Johnson)

I. SUMMARY AND INTRODUCTION

My divergence from the path of the majority in this case is so fundamental that I feel compelled not only to offer a relatively substantial analysis of the merits, but to preface it with a few words of explanation and summary.

The majority opinion contains a thorough statement of the procedural detail of the case (such as when pleadings were filed and hearings held), and I will not repeat it. It is sufficient for my purpose to characterize generally the case before us.

The Communications Act of 1934 vests this Commission with responsibility for evaluating, among other things, all proposed transfers of title to licensed broadcast properties. No broadcasting station license can be transferred, assigned or disposed of without our permission. Our refusal prohibits the transfer. In passing upon applications for transfer the Act provides that we must consider whether "the public interest, convenience, and necessity will be served thereby." Unless we can make such a finding the application for transfer must be denied.

The present case, characterized as a "merger" of International Telephone and Telegraph Corporation (ITT) with the American Broadcasting Companies, Inc. (ABC), comes before us because of the transfer provisions of the Act. Under the merger agreement ABC will transfer title of its seventeen radio and television stations to an ITT subsidiary. Ironically, the properties of greatest public significance, the ABC network and its affiliated stations, are not licensed property of ABC, and thus comes within our jurisdiction only by virtue of their relation to the ABC-owned and licensed stations. In order to "approve the merger," the Commission must find that the transfer of the seventeen ABC-owned stations to ITT will serve the "public interest, convenience, and necessity."

A. The Majority's Procedural Approach Would Have Been Generally Questionable in Any Case, But Has Been Especially so in Light of the Significance of This Merger.

It is deeply relevant to note at the outset that this particular transfer of broadcasting properties is the largest in history, and the largest this Commission is apt to encounter for some time to come. What is the Commission's role and responsibility in such a case? My disagreement with the majority over the answer to that question is far more fundamental than any differences with regard to the merits. For the majority's treatment of this case, in my judgment, makes a mockery of the public responsibility of a regulatory commission that is perhaps unparalleled in the history of American administrative process.

From the time the merger application was first filed, the outcome of this case has been a foregone conclusion. At one point no hearing at all was to be held. Then, as a compromise to Commissioner Bartley's insistence on "a full evidentiary hearing," the Commission proposed an unprecedented, bobtailed "oral" hearing. It was anticipated the Commission would merely meet informally *en banc* with the principals of ABC and ITT and hear their side of the case. Only the questioning of the three dissenting Commissioners extended the case to a scant two days. The questioning of three of the four Commissioners in the majority occupied scarcely eleven full pages in the 607-page record. The fourth Commissioner's questioning was directed principally toward discrediting an FCC staff member, and assisting ITT counsel's effort to demonstrate the absence of any possible antitrust implications of the merger.

The most notable peculiarity of the "oral hearing" was the total absence of any party whatsoever representing the public. There were no intervenors. (Indeed the absence of intervenors is sometimes read by the Commission as evidence that the public interest coincides with the economic interest of the applicant. Needless to say, I do not abide such logic.) More shocking, participation by FCC staff was barely evident. One employee of the Broadcast Bureau presented a very brief recitation of some issues that should be of relevance to the Commission. Most had already been noted by Commissioner Bartley in his dissent to the "oral hearing" procedure. There was no cross-examination by the staff of a single spokesman for the applicants. There were no witnesses whatsoever presented by the staff. The applicants came with able lawyers, economists, businessmen and distinguished citizens. The Commission had none.

To say that the individual Commissioners attended the hearing to represent the public is to totally miscomprehend the administrative process of this Commission. A Commissioner has but one legal and one engineering assistant. Between them they must pass upon a caseload that last year produced 3,030 pages of printed opinions, attend numerous meetings and hearings, and otherwise attend to the awesome business of government involvement in this nation's communications system—a system which includes, in addition to the American broadcasting industry, such matters as telephones, satellites, microwave and mobile radio. ITT and ABC combine financial resources represented by total revenues as well in excess of $2 *billion* annually. It is questionable whether the entire staff of the FCC (with annual budget of $17 million) would be adequate to deal with such corporations, even if engaged in nothing else. Clearly a single Commissioner's office is not. For that reason I make no representation that this opinion, and my own role in the hearing, are in any way adequate to serve the substantial public interest involved in this case.

After the hearing things only got worse. I disclose no confidences when I say there has been considerable urgency within the Commission associated with the disposition of this case. There have been numerous references in the trade press to the fact that a substantial minority of this Commission has been fully prepared to decide the case without even waiting to hear from the Assistant Attorney General (Antitrust).

Assistant Attorney General Donald F. Turner wrote FCC Chairman Rosel H. Hyde on November 3, 1966 that:

"Our analysis to date now indicates a sufficient possibility of significant anticompetitive effects to indicate that substantial antitrust questions are present." Only last evening (December 20, 1966) he advised us once again by letter that,

"We believe the possibilities of adverse effects are significant enough that we should call them to your attention, and that they deserve full and serious consideration by the Commission in making its determination whether, in light of these and other pertinent factors, the acquisition of ABC by ITT would serve 'the public interest, convenience and necessity.' "

Mr. Turner's five-page single-spaced letter thoughtfully presents facts and analyses substantially at variance with the evidence presented to this Commission and, if true, leaves the majority's opinion in shreds. I am simply stunned and bewildered that the majority of this Commission could receive such a letter after 6:00 P.M. one evening and resolve a case of this magnitude before 10:00 A.M. the next morning.

I would think it appropriate to at least read Mr. Turner's letter slowly. Having done so, it seems to me essential that this Commission consider the information the Department of Justice apparently has available to it. Obviously, the majority has prevented that possibility. Accordingly, I simply set forth Assistant Attorney General's letter in full as an Appendix to my opinion. Matters raised by the Justice Department were not the only areas where information was clearly lacking. After cursory investigation it became obvious that the record was woefully inadequate with regard to ITT's foreign operations. When it was suggested that the Commission might write the applicants for additional information, the present majority actually refused to sign the letter which was sent.

Substantial quantities of information were filed in response (although partly evasive of the questions asked). Again questions were posed (again over the majority's abstention), and again quantities of information were supplied. None of us has had adequate opportunity to consider this bulky material—

most recently received on December 8, 1966—anymore thoroughly than the issues underlying last evening's letter from the Assistant Attorney General.

Why this rush? Surely it is praiseworthy for an agency to attempt to dispose of its workload expeditiously, especially for an agency that is repeatedly cited as an example of delay and indecision. No one would defend processing cases for five and ten years, though examples of such abound at the FCC. But on what grounds can one charge "delay" by such an agency for taking more than ninety days to dispose of the largest case in its history?

And now the majority's opinion is bathed in public light. Reading it one is prompted to ask if those four Commissioners even believe the merits relevant to their decision. I make no brief for the analysis I have attempted to provide in this dissenting opinion. But at least I have attempted to identify issues and bring some rational analysis to bear. The Commission's opinion seems to me to have forsaken any such attempt.

The majority appears to be saying that a merger serves the public interest unless individual Commissioners are willing and able to bear the burden of coming forward with evidence, and proof, that it does not. (Indeed, on occasion during the hearing, the applicants were almost hostile in their suggestion that Commissioners were acting with impropriety in even questioning the public benefits from the merger unless armed with proof that potential evil would become reality). The majority appears to believe that some disservice to the public interest can be tolerated if it is not too severe.

Let me simply note briefly my disagreement with such propositions, for within these differences may lie some basis for logical understanding of the very wide variance between my approach and that of the majority.

Congress has provided that, "No . . . station license . . . shall be transferred . . . except . . . upon finding by the Commission that the public interest, convenience, and necessity will be served thereby" I believe such language contemplates that some transfers would *not* serve the public interest. I believe such language presumes that this Commission must seek and examine evidence that the public interest *will* be served by a given transfer. I believe the burden of coming forward with such evidence is on the applicants. I believe the burden of proof is on the applicants. I believe that without such evidence a proposed merger must be disapproved. I believe credible evidence of probability that the public interest will be disserved by a merger precludes our finding that it serves the public interest.

If these assumptions be accepted, then the dissent which follows flows logically. If they be rejected, much of my opinion falls. In it the following arguments, here summarized, are expounded and documented at greater length.

B. The Majority's Substantive Analysis Fails to Take Account of the Absence of Evidence to Support the Applicants' Case, and the Substantial Evidence of Probable Harm to the Public Interest.

The merger was conceived in pursuit of personal and corporate interests wholly unrelated to the public interest. ABC President Goldenson wished to retain control of a corporation threatened by a dissident minority. The value of his personal stockholdings has increased by about $3 million since the merger was announced. ITT President Geneen sought to promote further growth through acquisition, and favored American corporations over foreign because of the present foreign-American balance in ITT's holdings. Prior to its merger with ABC 60 percent of ITT's income was from foreign sources. ABC will be one of ITT's largest subsidiaries. Such motivations are, of course, not necessarily inconsistent with serving the public interest in American broadcasting. But this explanation certainly puts the case for "the public interest" in unique perspective. And presumably no one would contend that these reasons, taken alone, are adequate to sustain the majority's approval of the merger.

The public interest in broadcasting will be significantly harmed by the merger. It will place one of the largest purveyors of news and opinion in America under the control of one of the largest conglomerate corporations in the world, a company that derives 60 percent of its earnings from foreign sources and 40 percent of its domestic income from defense and space contracts. The possibility that the integrity of the news judgment of ABC would be affected by the economic interests of ITT is a real threat, without regard to the character of the present management of ITT and ABC and their protestations that no possibility of harm exists. ITT's economic interests are daily affected by what American citizens know and think about what is going on in their country and the world. Moreover, to permit ITT to take over ABC tends to inhibit competitive forces in the broadcasting business. It permits self-serving understandings between ITT's subsidiaries and ABC's advertisers. It removes ITT as a potential owner of a new network, or broadcast properties not associated with a network. It makes it more difficult for a fourth network to come into existence. It tends to remove ABC as a party of protest to the international communication common carrier rates charged by ITT.

These reasons, standing alone, should leave little doubt in anyone's mind that the merger should not receive a blithe imprimatur from this Commission.

But there is another side to this case. The parties' side. What have ITT and ABC argued in support of the "public interest" served by the merger? Does it make sense?

The principal argument of the applicants, and the majority, is that the merger will permit ABC to become a stronger, more competitive network. Each proposition advanced in support of this argument, however, simply fails to withstand analysis. ABC is substantially competitive with the other two major networks today. To the extent it is not, the evidence supports the view that the public is benefited by ABC's more innovative programming, not harmed. Certainly no one offered any evidence that ABC's programming is inferior to that of CBS and NBC—quite the contrary. The company is in good shape financially. Its earnings continue to increase. It has plans for expansion—made before proposal of the merger, and perfectly capable of execution without assistance from ITT. Moreover, ITT has made no specific commitment of funds to ABC. Indeed, Mr. Turner has advised the Commission that,

"ITT's estimates indicate that ABC's earnings growth rate over the next five years would be 16%. More importantly, it was anticipated that after capital expenditures and debt repayment, and assuming ABC continues in third place, it would yield a cash flow approaching $100 million between 1966 and 1970, almost all of which was thought by ITT to be available for reinvestment *outside* the television business."

But most fundamental is that, to the extent ABC is not fully competitive, the reasons lie wholly in the number and competitive position of its affiliated stations. The merger can in no way affect that fact. The growth of UHF television can—and will.

Thus, even ignoring the substantial public detriment that will be caused by this merger, the Commission is not warranted in approving it in my judgment. The applications have simply failed in sustaining their burden of proving that at least some public benefit will be derived from their merger.

And so I am brought to the substance of my dissent. But before I begin my analysis of the merits I wish to add one final word. That feelings about this case run high is obvious—and irrelevant to my evaluation of the issues. I think highly of both Mr. Geneen and Mr. Goldenson, the Presidents of ITT and ABC. Each has rightfully made a reputation for himself as one of the ablest men in American business today. We are fortunate to have them. I think it probable America would be more benefited from their continued individual, than from their newfound collective talents. We shall see.

A. ITT's Foreign and Defense Interests are Potentially Inconsistent With the Integrity of ABC's News Reporting.

The principal danger which inheres in this merger is not difficult to comprehend. Even the majority recognizes it. It is the potential conflict of interest between the business interests which comprise ITT and ABC's broadcasting responsibility to the public, especially in news and public affairs.

The ITT system represents a unique mixture of foreign interests and domestic companies involved in defense and space work. It is probably the outstanding example of an American corporation with inherent structural impediments to the wholesome, independent operation of a radio and television network and seventeen broadcasting stations.

Congressional concern with foreign involvement in American broadcasting companies is strongly evidenced in the Communications Act of 1934. In fact, the irony in today's decision fairly seethes when one realizes that the Congressional hearings on the 1934 Communications Act reveal that Section 310(a) was the product not alone of legitimate generalized concern. It was aimed at one company in particular: International Telephone and Telegraph—the very company which now seeks to control ABC.

A hint of the involvement of ITT officials in foreign affairs is conveyed by the fact that three of them are members of foreign legislative bodies, two of the British House of Lords and one of the French National Assembly. Another is a former premier of Belgium. And several have positions with ministries of foreign governments or as officials of government-owned industries. Three directors of the Chilean telephone subsidiary are appointed by the Chilean government, and that number will increase progressively until seven members of the fifteen-man board are appointed by the government.

ITT is bound by contract, once approved by the Chilean Congress, to sell 49 percent of the stock in the telephone subsidiary to the government and other Chilean interests. ITT owns 13 percent of the shares of Indian Telephone Industries, Ltd., of which the Indian government owns more than 75 percent. ITT owns 20 percent of a French telecommunications research company of which the French government is the majority stockholder, and 5.5 percent of a Swedish company in which the Swedish government is a 50 percent stockholder.

Such example are provided merely to illustrate the character and depth of ITT's close involvement with the governments of foreign countries. They do not begin to exhaust the matter. Any company which derives 60 percent of its income from foreign sources, and has subsidiaries in more than forty countries, obviously will develop an almost unlimited number of relationships and responsibilities in those countries.

Certainly ITT is aware, even if a majority of this Commission is not, that such an international corporation must involve itself closely in the affairs of foreign governments. At the last annual stockholders' meeting, ITT's president reported,

"On all fronts today, ITT is expanding its activities and responsibilities. We now employ over 200,000 persons in more than 50 countries, *representing an extensive involvement and responsibility in the economies and societies of the countries* in which we operate." (Emphasis added)

The company has often aroused the enmity of foreign governments and peoples. There were riots directed against ITT in Spain in the early 1930's. ITT property has been expropriated in eight countries, including Brazil.

Nor are ITT's problems in this respect a thing of the past. Only two weeks ago, there were reports of the almost unanimous opposition of the Peruvian Senate to an increase in telephone rates negotiated by the ITT-owned telephone company and the government of Peru.

Policies of the United States government are of no less concern to ITT, because of the effects they may have on ITT's foreign investments. At annual meetings of ITT's stockholders reports often are given on foreign affairs. In 1964, doubtless referring to the aftermath of the Brazilian expropriation, when ITT was able to exact much better terms of compensation than were originally offered, President Geneen told the gathering:

". . . during the year 1963 the security of all our operations in underdeveloped countries was considerably strengthened by better government-to-government understanding on the part of our own government and the governments of other countries, particularly in Latin America."

That ITT has been very active in advocating self-serving policies to our government was quite clear.

The conflicts which necessarily arise when a company so heavily involved in foreign affairs owns a radio and television network are innumerable and continuous. Only the future can provide specific examples, but it is not difficult to imagine quite plausible possibilities.

Chile, Peru, Brazil or India might someday wish to nationalize the telephone companies which ITT now owns in whole or in part. It has hapepned to ITT in the past and could easily happen again. ABC news and public affairs personnel would have to comment on the nationalization and might wish to editorialize or treat the affair at length. If one admits the possibility that such nationalizations could be put in a favorable light, the potential for conflict with ITT's economic interests is obvious.

Even less confiscatory actions, such as higher taxes, might prompt ITT to encourage retaliatory policies by the United States. ITT had done so in the past by encouraging the Hickenlooper Amendment and might do so again. If the ABC News staff felt retaliation unwise, again a conflict would exist.

The number of potential conflicts is endless. One extreme, but not implausible additional example might be offered. A dissident rebel movement could develop in a country where ITT had large investments. Brazil is the scene of recurrent anti-Government agitation, and ITT is heavily engaged in that country. Suppose ABC News wished to produce a documentary picturing the rebellion as justified, and the government of Brazil insisted that the program not be shown? Would anyone in ABC News be inclined or feel free to propose the show in the first place? Would they be able to withstand suggestions from within or without ITT that ABC News' resources might better be used on other assignments? The added leverage which the government of Brazil could exert because of ITT's Brazilian holdings would be substantial.

If such a situation seems unlikely, one need only think of the boycotts by Arab countries of companies which do business with Israel. In Spain, where ITT has very large holdings, the Government has been boycotting a motion picture company since 1964 because one of its movies, "Ride a Pale Horse," dealt with the Spanish Civil War in a manner displeasing to the government.

With all the inherent difficulties in obtaining accurate information from abroad, why risk even the remote possibility that news judgments presented to the American people might be distorted to serve ulterior corporate economic interests? What conceivable justification could there be for government's participation (through today's action by this Commission) in the creation of a corporation that constantly will be confronted with a conflict between its own best economic interests and the needs of our people, and our government, for broadcasting journalism of completely unimpeachable integrity from around the world?

Foreign relations provide a dramatic but by no means exclusive source of conflict between ITT's business interests and its duties as a broadcaster.

ABC might want to run a documentary favoring the use of domestic satellites for broadcasting. (Indeed, it happens to have been ABC that first proposed such a use, leading to the FCC hearing that produced the now famous Ford Foundation proposal for financing educational television with the money saved by broadcasting via satellite). ITT might have opposed this proposal because of its interest in the Communications Satellite Corporation.

ABC might want to criticize the high level of defense spending, or the large sums being expended in the space effort, or even present programs which discuss conflicting views. Because of ITT's interest in both defense and space work, such positions would jeopardize ITT's economic interests.

ABC might editorially favor truth-in-lending legislation, while ITT finance subsidiaries would presumably be opposed.

In these and countless other ways ITT, as the owner of ABC, constantly will be faced with the conflict between its profit-maximizing goals—indeed, obligations to shareholders—which characterize all business corporations, and the duty to serve the public with free and unprejudiced news and public affairs programming. The issue is both whether anything damaging to ITT's interests is *ever* broadcast, as well as *how* it is presented.

The best we can do is try to provide as much insulation as possible for the industry's programming from extraneous economic considerations. The worst we can do is to encourage mergers like this, which expose businessmen to the daily temptation to subvert the high purpose and indispensable role of the broadcast media in a free society.

Subtle pressures on ABC officials to serve ITT interests cannot be eliminated by the most scrupulous adherence to formal independence for ABC and its editorial staff. ABC personnel will, on their own initiative, consider ITT's interests in making programming decisions. Institutional loyalties develop. These are often reinforced by the acquisition of stock in the employing company—now ITT stock, not ABC. And most important, it will be impossible to erase from the minds of those who make the broadcasting decisions at ABC that their jobs and advancement are dependent on ITT.

If ITT is like most major corporations, it spends vast sums to influence its image and its economic relations—through advertising, public relations, and Washington representation. I am afraid I must concede that the assurances we have been provided—that ITT will be totally oblivious to the image created for it by its own mass media subsidiary, ABC—simply strain my credibility beyond the breaking point. Are we to accept, on the parties' own self-serving assurances, that although ITT may continue to exert pressure as an advertiser on the programming of CBS and NBC, it will exert none as an owner on the programming of ABC? Whether it be the product of realism or cynicism I simply must part company with what I believe to be the majority's naive and unreasoning faith in the parties' "express, positive and binding representations as to future performance."

If the majority could point to any significant action which this Commission has taken in the past to assure the integrity of the news I might have greater faith in its "continuing scrutiny." In fact the examples are rare and trivial. There is neither monitoring nor preservation of the broadcasting product. Thus the raw data does not even exist from which to determine how licensees treated subjects which affected their other business interests should some future "eternal vigilance" require such information. Moreover, too close a scrutiny could be mistaken for censorship or intimidation, which our laws and Constitution forbid. No, the only practical way to combat untoward use of broadcasting facilities by conglomerate corporate ownership is in providing the proper structure for the industry in the first place. When the majority rejects that truth it thereby effectively abdicates responsibility for this most "vital element of broadcast service."

THE WYOMING STATE TRIBUNE EDITORIALLY SUPPORTS BATTLESHIPS FOR VIETNAM

Mr. HANSEN. Mr. President, my recent Senate speech, in which I proposed that two battleships be withdrawn from our inactive fleet and recommissioned for employment in destruction and interdiction activities off the coast of North and South Vietnam, drew the editorial attention of the Cheyenne, Wyo., State Tribune.

Editor James M. Flinchum, in alluding to my remarks, notes that—

> The battleship is made to order for use in the Vietnam war, and the wonder is that it hasn't been employed before this time.

Mr. Flinchum suggests further that:

> The Johnson Administration and the Defense Department owe it to our Air Force and naval pilots and plane crews; to the ground forces in action, to their families and most of all, to this country, to conduct this war as if it were a war and not a political Indian-wrestling match. This requires using all of the effective weapons at our command including obsolete battleships which, considering the present aspects of this war at least, may not be so obsolete after all.

Mr. President, I request that the April 13 editorial from the Wyoming State Tribune be printed in the body of the RECORD with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BRING UP THOSE BIG GUNS

Cliff Hansen had been studying the idea of recommissioning battleships for floating offshore firepower in Vietnam, for some six weeks before he broached it on the Senate floor yesterday. While it may seem incongruous to some that an inland senator should make a naval proposal, it must be equally apparent that some of our sea-faring notables came from places far removed from the U.S. coastal regions.

The Wyoming Republican did not say so in his speech to the Senate, but there is some divided opinion within the Navy about the employment of battleships as floating gun platforms off Vietnam. Naval commanders in Vietnam waters and especially some ground force representatives of the Navy, including Lt. Gen. Lewis Walt (from Fort Collins), the top Marine field commander in Vietnam, favor using the huge battlewagons to supplement present cruiser and destroyer fire support missions delivered to ground troops.

But the top echelons of the Pentagon naval brass, which probably reflect ideas of

Secretary McNamara, are reported to be opposed to recommissioning the battleships.

Their thinking is reported to follow the line that taking the great battleships that played such an important role in World War II and the Korean War, out of mothballs and putting them back into service, would amount to an act of escalation by saying, in effect, we have no hopes of peace within the next year, since it will take approximately that long to put one of these huge ships into service.

But this is precisely one of Senator Hansen's arguments why we should take this step, because it would serve notice on the North Vietnamese and their not-so-shadowy allies, the Communist Chinese and the Soviet Union, that this country is moving to settle the war in Vietnam. So long as the Johnson Administration fitfully pursues the will-o-the-wisp of peace, or at least a ceasefire, so long shall Hanoi and its friends be encouraged to continue the struggle.

From a purely tactical concept, however, nothing appears so reasonable as the use of the firepower of ships like the Iowa, Missouri, Wisconsin and the like. These huge vessels have batteries of nine 16-inch guns, each of which can throw a shell weighing 2,700 pounds a maximum of 24 miles.

As anyone can testify who has ever operated under the cover of offshore naval fire support, the destructive capability of such firepower, its accuracy and its efficiency are wonders to behold compared with other forms of conventional military weaponry.

The aircraft bomb usually is advertised in advance even with today's jet planes; furthermore, it is dropped in a free fall from a swiftly moving vehicle, whereas the artillery explosive is hurled with terrific force so that depending on the type of shell, it can burst above, at, or beneath the ground where its impact is desired. A 16-inch shell at 2,700 pounds packs a terrible destructive force compared with our aerial bombs at 750 pounds.

Not only this, but operating at the direction of a naval forward observer team on the ground or in the air, the battleship can perform its task within its 20 to 24-mile range more efficiently (less chance of mistaken bombing of friendly troops or of civilians) and at virtually no hazard to the deliverers of this firepower.

The battleship is made to order for use in the Vietnam war, and the wonder is that it hasn't been employed before this time. How many Navy and Air Force pilots' lives would have been saved by its use along the Vietnam coastal region is classified, although Hansen's office says the Pentagon has furnished it with a map showing a line within which 16-inch naval gun support could have been delivered during the past two years, in South Vietnam alone. Within that area an undisclosed number of U.S. planes have been shot down or lost in combat action, with a monetary loss alone equivalent to the cost of recommissioning of three battleships.

Hansen is suggesting that only two battleships be refurbished and put back into use for this purpose. This, he says, would cost the equivalent of a half day's expenditures by this country on the Vietnam war.

So it is clear from this casual glance, that this country is overlooking a chance to save many lives of our pilots in the future, to say nothing of the aircraft that may be lost on ground support missions alone within the 20-mile inshore line stretching along the Vietnamese coastline and including navigable waters in which the battleships may operate.

The Johnson Administration and the Defense Department owe it to our Air Force and naval pilots and plane crews; to the ground forces in action, to their families and most of all to this country, to conduct this war as if it were a war and not a political Indian-wrestling match. This requires using all of the effective weapons at our command including "obsolete" battleships which, considering the present aspects of this war at least, may not be so obsolete after all.

NEGOTIATIONS ON AMERICAN GRAINS IN THE KENNEDY ROUND

Mr. JORDAN of Idaho. Mr. President, I am pleased to serve on the Joint Economic Committee with Congressman THOMAS B. CURTIS, of Missouri, who is our ranking Republican member. Mr. CURTIS also is second ranking Republican on the House Ways and Means Committee and in this capacity he has been appointed by the Speaker of the House to be a congressional delegate for trade negotiations.

Congressman CURTIS has fulfilled his responsibilities as a congressional delegate in an unusually thorough way and he has reported periodically to the House of Representatives and the American people on the difficult and delicate international trade negotiations taking place in Geneva.

On Monday, April 10, Mr. CURTIS reported on the critical negotiations on wheat and feed grains. In his analysis, he explored the important issues at stake. He described the trade interest of the United States in maintaining its European wheat and feed grain markets and the potentially damaging effect on our grain exports of the European Economic Community's common agriculture policies. In this context, he outlined the efforts being made in the Kennedy round to maintain U.S. markets and at the same time to agree on a means to share the burden of supplying wheat to needy undeveloped countries.

Congressman CURTIS' exposition on this extremely complex aspect of the extremely complex trade negotiations at Geneva are a thought-provoking contribution to an understanding of the vital issues involved in the current talks in the Kennedy round. I commend them to my colleagues in the Senate for their consideration. I ask unanimous consent that Congressman CURTIS' report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE KENNEDY ROUND AND THE FUTURE OF U.S. TRADE POLICY: AN EVALUATION OF PROGRESS AND ISSUES IN THE SIXTH ROUND OF TRADE NEGOTIATIONS UNDER THE GENERAL AGREEMENT ON TARIFFS AND TRADE

(By Hon. THOMAS B. CURTIS, of Missouri)

The "Kennedy" Round of trade negotiations has now reached the period of ultimate decision. Less than three months remain until President Johnson's authority to negotiate under the 1962 Trade Expansion Act expires. Only a few weeks remain until the April 30 agreed deadline for completing the package of bargains. This report, given to fulfill my function as a Congressional Delegate for trade negotiations appointed under the Trade Expansion Act, is an evaluation of the progress of these important international negotiations at their most critical juncture. It is my third such report, the first having appeared in the CONGRESSIONAL RECORD, volume 111, part 9, pages 12360–12366, and the second in the CONGRESSIONAL RECORD, volume 112, part 14, pages 11856–11869. Yet another report, on cotton textiles, that discussed many related issues, appeared in the CONGRESSIONAL RECORD, volume 112, part 16, pages 20966–21003.

Because what is achieved or not achieved in the Kennedy Round will shape the future of international trade and trade negotiations, this report will hopefully also provide a basis for future discussion. I have prepared it in the thought that it may be a a reference source for those citizens and public officials, including members of Congress, who wish to examine into and understand the forces at work in this important area of U.S. foreign economic policy. International trade—exchanges of goods and services—affects the economic well-being of all Americans. And it is also important as part of an integrated foreign policy which understands and uses trade as a means to promote peace and prevent war.

This evaluation and report will be delivered in successive sections, discussing first the major agriculture sectors, with emphasis on grains and dairy products. I will then describe the industrial negotiations, including iron and steel, cotton textiles, chemicals, aluminum and pulp and paper. I will conclude with a discussion of other-than-tariff trade barriers, including anti-dumping. The problems providing means whereby the developing countries can improve their trade earnings will be treated in a discussion of tropical agriculture products, and cotton textiles.

For five years the Kennedy Round has preoccupied the attentions of Americans interested in foreign affairs and trade. For Atlanticists the Kennedy Round has held the promise of a more tightly-knit Atlantic Community. For those essentially concerned with Communism, the Atlantic solidarity and prosperity promoted by the Kennedy Round might strengthen the "West's" ability to oppose the Communist "East." For those who believe in the importance of integrating the world's developing economies more closely with the industrial economies and establishing the conditions for their faster economic development, the Kennedy Round has held great promise. To those doctrinally committed to "free trade" the Kennedy Round has promised the longest step forward in two decades, while the anxiety of those who believe that the first duty of an American is to favor American industry has been lessened in respect to the Kennedy Round by the evidence of U.S. negotiators' emphasis on reciprocity.

KENNEDY ROUND IN A NEW CONTEXT

One importance of the Kennedy Round is its promotion of fair competition as one of the factors in promoting trade expansion.

The concentration of high rates of trade growth in specialized industrial manufactures is said to give foreign trade an important, or "leading," role in economic growth. The explanation seems to reside in increasing specialization and exploitation of economies of scale. Harold Van B. Cleveland in "The Atlantic Idea and its European Rivals" published for the Council on Foreign Relations in 1966, summarizes this idea as follows:

"Most of the advanced industrial nations are at a stage of development where, for a growing part of their industrial output, a high rate of growth depends on an expansion of output more rapid than is possible within domestic markets. Growing international specialization has become a condition of maintaining a high rate of industrial growth. . . . Specialized products account for a growing proportion of industrial output and play a 'leading' role in economic growth."

This conclusion is borne out by data that compare the growth of world output of goods and services in relation to world trade in goods and services.

Trade analyses agree that before World War I, when relative freedom of exchanges of goods and services and payments prevailed, output grew at annual rates of about 4%, and world trade grew faster than output. But between 1928 and 1949 the average growth in trade fell drastically as a result of the economic and political effects of the Great Depression and the Second World War, and annual rates of growth of output also declined.

DYNAMIC GROWTH IN THE FIFTIES AND SIXTIES

But the experience of the 1950's, and of the first half of the present decade, showed that the rate of increase in manufacturing output was much larger even than in the booming decades before World War I, and that the growth of world trade was even greater, reaching a compound rate of 6.6% a year for manufactured and primary products combined. Much of this trade expansion is considered the result of trade barrier reductions during the 1950's.

Given these underlying forces it is difficult to understand how a highly advanced economy such as the United States' can suffer in world trade as long as it remains aggressively competitive—devoted to implementing market-place economics. A central goal of economic policy should therefore be to maintain a strongly innovative economy. This goal requires a combination of policy tools. One of them is foreign trade based on fair competition. A trade policy seeking to allow competitive forces to play is healthy not only for the United States but for the world economy.

In this new context is found the importance of the Kennedy Round and future trade negotiations. Against this background I will discuss below the major issues in all the important sectors of the Kennedy Round.

ASSESSMENT, BALANCE, WITHDRAWAL—SOME ELEMENTS OF TACTICS

Since my Report to Congress on the progress of the negotiations on May 31, 1966, and my report on the trade policy issues raised by the Long Term Cotton Textile Arrangement on August 29, 1966, some major tactical moves have been made. The most important of these has been the assessment of offers of the 16 so-called "linear" participants in the negotiations. [Linear participants are those which have agreed in principle to an across-the-board or "linear" percentage cut in tariffs on all but a bare minimum of traded items.] The assessment effort was part of the negotiating plan devised by GATT Director-General Eric Syndham White, and the date set for the presentation of assessments was November 30. This could not accomplish precise balancing because it was based on some assumptions about the outcome of the negotiations. But it was valuable because it recapitulated the negotiations to date. All negotiants except the EEC met the November 30 deadline.

For the United States this was a two-part exercise of great importance. The assessment of offers was undertaken during the fall by economists of the Office of the Special Representative for Trade Negotiations in order to determine the "balance" (or imbalance) of other nations' offers. The Commerce Department also made an independent assessment of the "gap" between what the United States is offering and what we are offered by others. Both estimates of imbalance with all other negotiating countries come near to about $2 billion total deficit for the United States.

At the same time, through extensive study and decision by the Interagency Trade Staff and Trade Executive Committees, a withdrawal list was being determined. The Trade Executive Committee (TEC) includes representatives at Assistant Secretary level from the Departments of State, Commerce, Interior, Labor, Agriculture, Treasury and Defense, chaired by Ambassador William Roth, Special Representative for Trade Negotiations.

The TEC instructed its subsidiary committee, the Trade Staff Committee (TSC) (composed of senior policy officials of the departments represented on the Trade Executive Committee) to draw up a list of items that would be the most appropriate to be withdrawn if necessary. Items chosen were to be those economically "sensitive" to tariff cuts, other than those items not already on the U.S. exceptions list.

The Trade Executive Committee met in late November in Geneva where the difficult final decisions on possible withdrawals were made. The result was a listing of items in these categories of priority: first priority were items "certain" to be affected by cuts; second priority were those that likely would be affected; third were those likely to be only marginally affected.

ASSESSMENT AT GENEVA

Then, in bilateral meetings with the major participants in the negotiations, the Deputy Special Representative in charge of the negotiations at Geneva, Ambassador Michael Blumenthal, presented the U. S. assessment of offers. In his presentations the Ambassador explained to the foreign representatives opposite him the several methods by which the United States had calculated the balance of offers as a part of the assessment exercise. Among these methods were: 1) an evaluation of offers on the basis of weighted trade in items subject to cuts; 2) an analysis of the trade creating or diverting effects to try to determine, using three sets of elasticities, whether U. S. exports would increase or decrease; 3) a calculation of losses of duties collected; and 4) a calculation of the volume of imports on which offers were made.

Ambassador Blumenthal also submitted a list of concessions the United States would like to obtain from each country, and, finally, a select list of items for withdrawal to indicate hypothetically what the United States will likely withdraw if new offers sufficient to achieve balance are not put on the table. The U. S. intention during these assessment meetings was to make clear that full U. S. offers would remain on the table if the offers of certain other participants were improved sufficiently to achieve reciprocity.

The participants with whom the United States determined an unfavorable balance were primarily Japan, Canada, and the EEC. With the United Kingdom there was also a slight lack of balance, each side, however, assessing its imbalance with the other at nearly the same dollar value. The items in dispute could be said to be mainly tobacco and whiskey of Scottish origin. Of these assessment meetings I attended those with the representatives of Japan, Canada and the United Kingdom.

THE UNITED STATES, THE EUROPEAN COMMUNITY, AND THIRD COUNTRIES

But clearly the most important such assessment or balancing exercise was that held with the EEC. On the EEC offers depend the offers of many other participants, all of whom have indicated that those of the EEC are insufficient. If each one of these countries were to act on its decision that EEC offers were not sufficiently in balance with its own, and were to retract offers, such country would of course attempt to withdraw from negotiation those offers that were of principal importance to the EEC, and to maintain those of interest to others. But, inevitably, many such withdrawals would affect third countries, including the United States, simply because they are subject to the most-favored-nation (MFN) rule, which in essence requires that a concession made to one country must apply to all.

The focus of U. S. and third country diplomacy and negotiation thus continues to be to improve EEC offers where they are insufficient. By increasing these offers the maximum results can be obtained for everyone, particularly third countries such as the members of the European Free Trade Association, which have made very generous offers. Developing countries will also benefit from deep cuts in EEC tariffs.

A GROWING DISTORTION IN EUROPEAN TRADE

The growing economic chasm between EFTA and the EEC, creating as it does an unnatural division of Europe into two trading blocs of unequal size, is cause for alarm to certain EFTA members in particular. As a customs union the EEC prefers its members by creating a duty-free internal market. At the same time it necessarily discriminates against non-members by excluding them from the union by means of a uniform common external tariff (CXT), and other devices.

Thus traditional markets of non-members are often absorbed by union members because of their new specially-favored access to the Common Market. The creation of a common external tariff applicable to all members has the special effect of raising duties on some countries' exports while lowering duties on others. Thus a traditional supplier may find that the duties on a major export item to a low-tariff country are increased by the averaging of tariffs to create a CXT.

A case in point is butter from Denmark, which used to supply the German market in large quantity. As tariffs among EEC members have fallen relative to external tariffs, the Netherlands has increasingly supplanted Denmark in provisioning Germany with butter. This "Danish dilemma" is illustrated by the fact that the former largest single Danish export, shipments of cattle and beef to the EEC worth more than $100 million in 1965, has virtually come to a stop.

These factors impel Denmark, and other countries in much the same plight, to seek association or membership in the EEC. Even West German "lands," or states, are suffering. Formerly linked by trade ties to areas including non-EEC members, two lands in particular, Bavaria and Schleswig-Holstein, find the trade creating effects of the EEC unable to balance the trade diverting effects of the separation from their old economic ties with EFTA countries. These are the reasons why the EEC's common external tariff must either be negotiated down, or excluded countries like Denmark must join the larger grouping.

EFTA as a group would eventually like to form a union with EEC; Spain and Israel would also like to become associated. Turkey and Greece have already been blessed by association agreements. The line grows longer while, ironically, the ability of the EEC to achieve the needed internal consensus successfully to integrate new members diminishes.

The Kennedy Round was conceived as a principal means of reducing the growing chasm between European economic blocs. If it does not bring that result, it will have been a failure in a major sense.

NORDIC COUNTRIES BARGAIN TOGETHER

The division of these two major European trading areas and its economic side effects, and the imbalance between EEC offers and other nations' offers, have led several EFTA members to attempt a new negotiating approach. Denmark, Finland, Norway and Sweden have joined in a "Nordic front" to negotiate single agreed lists of tariff offers and withdrawals. The joint Nordic approach was necessitated by the insufficiency of EEC offers, and there are now signs that it has been effective. At its January 10 meeting the EEC Council of Ministers improved its offers to the Nordic countries somewhat. These improvements will fortunately also benefit the United States under the most-favored-nation rule.

So much for this sketch of some major developments in the scheme of the negotiations. These extremely complex negotiations are commonly divided into four main groups, each with its own subdivisions. The main groups are agriculture negotiations, industrial negotiations, negotiations in the area of non-tariff barriers, and negotiations with developing countries.

Within the agriculture sector, which I will discuss first, negotiations are carried out in several committees for various products: cereals, meats, dairy, other temperate products, and tropical products. Within the industrial sector five large areas with special problems, steel, chemicals, textiles, paper and pulp and aluminum, have been treated individually. In the area of non-tariff barriers antidumping has become preeminent, and while other non-tariff barriers find their way into the negotiations, notably the American selling price issue and the European "road tax," they do so largely in the context of industrial bargaining.

AGRICULTURE AND INTERNATIONAL TRADE NEGOTIATIONS

Agriculture negotiations in the context of the Kennedy Round are best understood as a beginning—a beginning in reconciling conflicting national agriculture policies almost predestined to create clashes of national interests. These clashes of interest have now become acute because nations generally have failed to develop economic principles to deal with agriculture. Instead they have developed multitudinous political mechanisms to control domestic agriculture sectors.

The tools of national agriculture control have not been the traditional tools used to control trade in industrial sectors, namely tariffs. Rather, the tools have been direct intervention in markets to buy and sell commodities, with the objective of maintaining prices and guaranteeing to farmers a certain level of income deemed to be "fair" without relation to real economic forces.

Particularly since the war, during which U.S. agriculture had expanded so greatly, policies of price maintenance for current production have created a world agricultural surplus, acute in many countries, in periods when world commercial demands had not grown sufficiently to absorb it. But for traditional exporters of agricultural products, like the United States, the problem of surplus was not unusually serious until the buyers of their output began to produce farm commodities in sufficient quantity to begin to approach self-sufficiency.

TRADITIONAL U.S. AGRICULTURE MARKETS CHALLENGED

In the 1960's the United States found that its traditional largest purchasers in Europe were beginning to adopt farm policies which would result in increased domestic output. To justify such policies of agricultural autarchy were adduced balance-of-payments arguments and the real need for reconstruction of agriculture sectors damaged and retarded from technological development by the war. Also important, however, was the feeling that a strong agriculture sector is necessary for national security in time of emergency. This argument, understandable in the context of the post-war period, is cited today as an important motivation for EEC farm policy.

In pursuit of policies of agricultural self-sufficiency and balance of payments equilibrium, and in order to implement the requirement of the 1957 Treaty of Rome establishing the Common Market that agriculture policies of the Six be harmonized, the EEC began to formulate its common agriculture policies (CAP's). The first United States encounter with these revolutionary new policies came during the Dillon Round—or the fifth round of negotiations under the General Agreement on Tariffs and Trade—which took place in 1960–62.

CONFRONTATION ON EEC AGRICULTURE POLICIES AT THE DILLON ROUND

Recounting some of the history of the Dillon Round and agriculture gives a better perspective of the present agriculture negotiations. The United States has in fact been involved in negotiations on the EEC's common agriculture policies for far longer than many of us think. But it is accurate to say that in fact the full portent of the EEC's policies did not come home to us until in 1960 the EEC explained its agriculture policies at annual GATT agriculture consultation meetings.

In the Dillon Round, the Community withheld certain items such as grains, rice, poultry, dairy products and meat from the negotiations because for these products they planned to establish common agriculture policies based on variable fees. In many of these products the United States had previously obtained duty reductions and even zero bindings at GATT negotiations. The Community's intention to adopt common agriculture policies meant that it would have to negotiate with the United States and other countries any alterations in GATT obligations which other member countries had made previously. In some products, like soybeans and variety meats, satisfactory alterations were agreed upon. But for many products, such as grains and other products named above, the Community refused to negotiate satisfactory bargains that would assure us the same treatment under the common agriculture policies as we had had previously.

HISTORY OF THE VARIABLE LEVY IN TRADE NEGOTIATIONS

The effect of the common agriculture policy if based on the variable levy system was to establish a system of import charges that fluctuated day to day and was therefore not the result of international tariff negotiation but of determination by an administrative authority. Under the rules of GATT, specifically Article XXIV (5) (a), average levels of protection of a customs union cannot be higher than those of its component members. But the General Agreement has never been specifically interpreted to disapprove variable levies in the same way that it disapproves of quotas.

The new EEC agricultural policy had not been formulated in detail nor had it been agreed upon by 1961, but its outlines were clear. Also quite clear was that a common agriculture policy on these lines would be demanded by France as the price of progress toward more complete economic union and finally political integration of the Common Market.

THE IDEA OF GUARANTEED ACCESS

Instead of opposing inalterably the variable levy system at the Dillon Round, the United States proposed as compensation for the violation of GATT rules a type of "guaranteed access" to the European market in commodities of which the United States was even then a large supplier. In addition it sought cuts in tariffs on agriculture items not to be covered by the variable levy system.

In response to American demands EEC negotiators would only, however, offer assurance that the variable levy system would not be operated in such a way as to damage U.S. exports. Such assurance of course contradicted the intent of the variable levy system, which when in full operation was in fact intended to prevent competition from outside the market—that was simply the objective of the system.

Thus the United States in 1961 chose not to oppose the variable levy system per se. The President and his advisers decided that the variable levy would be the price the United States would pay for the growth of the EEC and for other concessions in the Dillon Round.

The Dillon Round agriculture stalemate was broken when the United States assented to complete negotiations without resolving satisfactorily the deep problems created by the emerging common agriculture policy on wheat, feed grains, poultry, meat and rice. But the U.S. acquiescence was considered only the end of the first round: the Trade Expansion Act contained a requirement that the next negotiations under its authority be concerned equally with agriculture. It was to be the forum in which the agriculture problems left unresolved by the Dillon Round would be rectified.

THE LEGACY OF THE DILLON ROUND

In retrospect it is now easy to observe that the United States indeed paid a very high price for this decision of the Dillon Round. Though we maintained our option to continue to seek satisfactory compensation for the violation of GATT obligations after the Dillon Round we did so in the context of the common agriculture policies themselves. We have therefore only in a sense "accepted" those systems, but only in that we have agreed to try to modify them until they became compatible with sound trade principles.

A more effective approach might have been steadfastly to refuse to accept the common agriculture policy as we saw it developing, and to have demanded compensation in terms of the previous levels of duties. The price of this position may have been the failure of the Dillon Round and perhaps also the failure of the European Community. But the result is that the United States, in the absence of a recourse under a GATT rule prohibiting variable levies, and having dealt with the EEC common agriculture policies for six years, would now find it difficult to obtain through GATT compensation for the changes or "unbindings." In cases where the CXT rates were negotiated in the Dillon Round, and therefore bound in GATT, a variable levy or other fee that brought the total fees above the bound level could be legally questioned in GATT.

In a speech in December 1966, titled "New Challenge in International Relations" Alf Landon said: "In October, 1961, when the White House was divided on whether to support the fledgling European Economic Community, or whether to request a year's extension of the Reciprocal Trade Act, I urged support of the EEC as the most realistic step toward economic and political stability, and hence world peace. Why? Because the EEC was founded on the simple principle of removing nationalist barriers to international trade."

THE KENNEDY ROUND A SEQUEL TO THE DILLON ROUND

Thus the "Kennedy" Round was to be both the focus of the clash of national policies resulting when a traditional exporter finds its customary markets being closed by agriculture policies which have the effect of overstimulating production. It is also the focus of the conflicts of trade policy left over from the Dillon Round.

Agriculture negotiations in the Kennedy Round are therefore, from one point of view, an attempt to reconcile the international effects of irrational, uneconomic, national farm policies. We are right in attempting to deal with them internationally, but the base from which the negotiations have begun is at best faulty.

This background strongly suggests that the international negotiations in the agriculture area are bound to be disappointing.

This is shown by EEC reaction to U.S. agriculture offers. The United States in fact offered 50% cuts in its tariffs on an immense range of items in the U.S. Tariff Schedules relating to agriculture. These offers were not, however, sufficient to bring meaningful offers from the EEC—and the result has been threatened U.S. withdrawal of a list of offers that, one would think, are very attractive to the EEC. But the enticement does not seem to be sufficient to cause the Community to alter the farm policies it spent years forging through political and economic compromise.

THE NEGOTIATING SCHEDULE IN AGRICULTURE

In evaluating the progress of the agriculture negotiations a review of the steps by which the negotiations have developed to the present is useful: it is testimony to the sense of frustration we now experience.

The Ministerial Resolution of May 1963, reaffirmed by the resolution of May 1964, agreed that the negotiations would include all items, agricultural as well as industrial. Both resolutions said that for agriculture products the negotiations would provide "acceptable conditions of access to world markets in order to significantly develop and expand world trade in such products."

The United States has officially committed itself to the position that there can be no industrial bargains without meeting the above criteria for agricultural products: a final package must contain both. This commitment, which is not required by the letter of the 1962 Trade Expansion Act, has been so frequently reiterated in official statements that it is impossible now to breach it without dishonor. And it is clearly the spirit of the Act and is evident in its legislative history.

BINDING THE MARGIN OF SUPPORT AND DISPARITIES—MAJOR EEC PROPOSALS

Though the Ministerial Resolution of May 1964 announced the Sixth Round's formal opening, the year between May 1963 and May 1964 had been filled with tedious discussions about the ground rules of the negotiations both in the industry area and in agriculture. During this period emerged the two great bugaboos which have haunted both agricultural and industrial negotiations to this day. In agriculture the Community developed and presented the idea of binding the margin of support, the "montant de soutien," while for industrial items it evolved the concept of "disparities."

THE MONTANT DE SOUTIEN

The binding of the montant de soutien would, in the EEC plan, have been part of a world market organization system based on the internal EEC farm system itself. Under the ECC proposal each country would determine the level of its own domestic price supports for each product. World reference prices would be negotiated with other countries for each product. Each country, including the EEC, would then offer to freeze the margin between domestic support prices and these world reference prices. If the price of the imported article was below the reference price, a supplemental or variable levy would be collected equal to the difference between the offering price and the world price. Thus, for an importing country, the reference price would become a minimum world price.

The response of the United States and others was to propose instead an approach according to which, where fixed tariffs were the only form of protection, the aim would be to seek 50% cuts as would be done in the case of industrial items. Where measures other than fixed tariffs were barriers, the aim would be a significant liberalization in these forms of protection equal to 50% in traditional barriers. In a statement to the Foreign Economic Policy Subcommittee of the House Foreign Affairs Committee as late as August 10, 1966, Governor Herter again reiterated the U.S. position that "the objective of the agriculture negotiations should be trade liberalization equal to that achieved in the non-agricultural sector, meaning 50% tariff cuts where tariffs provide the effective protection, and where other forms of protection are employed, such as variable levies, liberalization equivalent to a 50% cut in fixed tariffs." Thus we can clearly see the pragmatic manner in which the United States has responded to the problem of adapting EEC farm policies to make them acceptable.

DISPUTE ABOUT GROUND RULES FORGOTTEN

By the summer of 1964 both the United States and the Community agreed to proceed with the negotiations pragmatically, and to forget arguments of principle. The parties agreed to table lists of exceptions to their industrial offers (which they had agreed would be substantially all items traded) by November 17, 1964. Then, early in 1964, efforts to reach agreement on the ground rules for agriculture were abandoned. It was agreed that grains offers would be made on May 17 and that all other agriculture offers would be tabled on September 16, 1965. The delay in tabling the non-grains offers was requested by the EEC, which took the position that it could not make offers on agriculural products in the Kennedy Round until it could take major internal decisions on the levels of price supports and the elements of the common agriculture policy regulations for all major products.

Like other deadlines, however, the September 16, 1965 tabling deadline fell by the wayside. This time the cause was the Community crisis precipitated by France that emerged on June 30, 1965. Ostensibly based on the issue of Community financing, the roots of the "crisis" reached to the deepest arguments about the future political development of the Community. I have discussed the cause and issues of this crisis in the CONGRESSIONAL RECORD, volume 111, part 13, pages 18133–18134.

THE DECISION TO TABLE LIMITED AGRICULTURE OFFERS—SEPTEMBER 1965

The result was that the United States and the other major negotiating countries, particularly the EFTA countries, were faced with the decision how to maintain some momentum in the negotiations. It was determined by these participants that the best way to proceed would be to table agriculture offers of interest to each other—that is, to exclude offers that they would have made to the EEC had it been able to table its own offers.

In the United States this limited tabling strategy required Presidential decision largely because of the refusal of the Agriculture Department to accept the theory of negotiations proposed by the Special Representative for Trade Negotiations, Governor Herter. This theory was that by allowing pressure to ease on the EEC we would weaken the will of the Community to make internal decisions and thus decrease the momentum of the negotiations. As a minimum, limited tabling would permit us to make significant bargains with other countries.

The Agriculture Department argued that the United States should wait until the EEC could table its offers before tabling even limited offers. The Department's theory was that maintaining such pressure on the Community could result in hastily made decisions which might be more harmful to U.S. interests than less hurried decisions not taken in a context of crisis. Underlying this position was the fear that tabling even limited offers would make more difficult the negotiation of acceptable conditions of access in furtherance of a significant development and expansion of agricultural trade.

SOME PROGRESS IN GRAINS IN 1965

Progress in agriculture negotiations during 1965 was limited to the area of grains. There the Community, along with other participants in the grains discussions, was able to table initial offers on May 17, 1965. These offers were largely in terms of the binding of the montant de soutien. The May meetings were followed by further exploratory discussions. But the EEC crisis on June 30 also caused progress in grain negotiations to come to a halt.

It was only in February and March, 1966, that the EEC was able to resume agriculture and industrial negotiations in the Kennedy Round. The Community tabled somewhat improved grains offers early in August, 1966, when it tabled most other agriculture offers, thus enabling negotiation in the agriculture sector to begin in earnest for the first time.

THE U.S. STAKE IN GRAINS EXPORTS AND THE COMMUNITY MARKET

Grains have been a focal point of the negotiations because of the size of the actual and potential U.S. trade in these commodities and because it is the area of perhaps the greatest potential damage from the Community's common agriculture policy. Partly because of the commitment remaining from the Dillon Round, partly because of the trade importance of the grains area, partly because of the willingness of the French to obtain higher world prices for their own grains exports there has been progress in this area.

FACTS ABOUT U.S. AGRICULTURE TRADE

The following table demonstrates the value of U.S. agricultural exports from 1955 through 1966, separating sales for dollars from Public Law 480 and other government financed exports. Total agricultural exports according to this table were $6.68 billion in 1966. Total agriculture exports excluding specified government financed programs, or commercial exports, were $5 billion. [The data referred to will appear in the text as printed in the Congressional Record.]

Of total agriculture exports (both commercial and government financed) of over $6 billion the major components, according to the following table prepared by the Agriculture Department, were wheat and feed grains. [Data referred to will appear in the text as printed in the Congressional Record.]

SIZE OF EEC MARKETS FOR U.S. AGRICULTURE EXPORTS

Of total agricultural exports of over $6 billion in 1966, agriculture exports to the EEC were $1.5 billion, and grains exports were about $650 million of that amount. The following table presents U.S. agricultural exports to the EEC from 1962–1966 by major commodities, and thus shows the importance of the EEC as a buyer of the whole range of U.S. agricultural exports. [Data referred to will appear in the Congressional Record.]

EVEN WITHOUT EEC SOME GOOD BARGAINS ARE POSSIBLE

The above-demonstrated importance of the EEC as a market for our products gives it the central place in the negotiations. But even so, we have other markets of great importance, with whom it will be possible to make some bargains even in the absence of suitable offers from the EEC. Seventy per cent of our farm exports were bought by other countries. At the end of fiscal year 1966 Japan was our biggest single country market (other than EEC), accounting for trade worth about $900 million. Canada bought $629 million, and the United Kingdom $432 million, of our agriculture products.

While it would be possible to conclude bargains with other countries, such bargains would be very limited in scope because of the extreme selectivity which would have to be used in making them. Given a failure of negotiations with the all-important EEC, other countries would be very careful indeed not to allow tariff cuts to each other that under the MFN rule would benefit the EEC also. This would mean a minimization even of the bargains possible without the EEC.

COMMON AGRICULTURE POLICIES AND U.S. AGRICULTURE TRADE

It is very difficult to comprehensively explain the workings and ramifications of the common agriculture policies (CAPs) without becoming tediously detailed and lengthy. But it is important to try to understand how the CAPs actually affect the U.S. national interest, rather than to be content simply with more flat assertions that EEC policy is outright harmful and illegal.

There are many EEC common agricultural policies, which makes the job of explanation even harder. In creating a common policy for each product it has been necessary pragmatically to reconcile the different sectoral interests in compromise arrangements. Thus the CAP for each product group is somewhat different from the other. And in many cases the common policy is the highest common denominator of protection and inefficiency—it takes account of the agriculture problems of the least efficient and most protected producer.

To understand the great grains muddle created by EEC policy it is particularly important to understand the variable levy system. It is the backbone of the EEC protective device—the other systems, known as the sluicegate price system, reference price system and guide price system, are only embellishments of the true variable levy concept. The central idea of each is that the margin of protection shall always raise the price of the import to a level above domestic prices in the least efficient community market centers.

THE TRUE VARIABLE LEVY

The variable levy system when completed will apply to wheat and feed grains, rice, dairy products, olive oil, and sugar, or to about 20% of the EEC's total agricultural imports. But it is possible, even likely, that the system will be extended to other segments of agriculture. For several of the above products the system is not yet entirely in effect.

The "true" variable levy is based essentially on three prices: target price, threshold price, and c.i.f. (or "landed") price. The objective of the variable levy system is to bring the price of the import up to the target price when that import reaches its final destination in an interior EEC market center.

Target prices are fixed seasonally by the Community. They are the EEC prices for the product in those marketing centers of the Community with the least adequate domestic supplies (or greatest scarcities and therefore highest prices).

From the target price, or what is in effect the theoretical "support" price in the neediest interior marketplace, are deducted all the costs of getting the product to the deficit market center. These costs are: transportation, importer's margin, quality adjustment, and sales tax. When these costs are subtracted from the target price the remainder is the "threshold price."

Thus the threshold price is the price at a port of entry up to which the landed price of an import must be raised. And the device for raising the price is the variable levy. The amount of the levy is simply the difference between the landed (c.i.f.) price of the import and the threshold price, and it can be and is adjusted daily always to reflect this price differential.

The magnitude of the variable levy in terms of dollar equivalent is shown by the following data on EEC levies on wheat and corn as they were on February 1, 1967. It will be seen that the amount of the levy is in some cases almost as much as the landed (c.i.f.) price of grain. [Data referred to will appear in the text as printed in the Congressional Record.]

AN INVINCIBLE BARRIER

Naturally there are many objections to the external supplier, he can never under-accepted means of taxing imports. Most important is the sheer invincibility of the barrier it creates. No matter how efficient the external supplier, he can never undersell EEC producers. In addition, the complexity of the daily changing variable levy makes it difficult for sellers to know costs, thus the system itself is a non-tariff barrier to trade. The importer becomes merely a "residual supplier" standing by to sell only when shortages occur.

The refinements of the system make it even more "invincible." The amount of the variable levy is set each day on the basis of the *lowest* price of the landed product, meaning that all higher-price sellers pay a levy which brings the price of their product above the threshold price. The target, and hence the threshold, price is set on the basis of the least efficient (greatest deficit) internal markets, which means that the highest possible threshold price is arrived at. Prices are at their highest in areas with greatest deficits. Thus the protective effect of the system is maximized.

It is economically evil in that it prevents a very large number of consumers from obtaining cheaper food products because it sets high prices in order to support the least efficient domestic producers. And it prevents truly efficient producers from enjoying the proper fruits of their economic resources and ingenuity.

THE EEC STAKE IN GRAINS

I have shown above the United States' dollar interest in maintaining and expanding its exports of grains to the European Community. The United States is a relatively efficient producer of grains. We feel that this relative efficiency of production should be allowed to compete in a traditional market, partly on the basis of the rights that were ours in GATT, before the common agriculture policy for grains. But the difficulty we have encountered in pressing our claims has an economic and political motivation that is very clear: the EEC has a big stake in grains production as a major element of its agricultural activity.

More than 59% of EEC plowhand is in grains; output of grain accounts for one half of the total value of farm production in the EEC; and grains are important as feed to produce poultry and red meats, consumption of which has been increasing rapidly.

Total EEC wheat production was nearly 1 million metric tons higher in 1965 than in 1964, a very large increase, even though part of the crop was below average because of a wet harvest. Increased production in the EEC, combined with EEC export subsidies, has affected U.S. wheat exports both to the Community and to third countries.

Europe largely produces soft wheat, therefore it will likely always import hard wheat in order to mix with the soft to make flour of acceptable quality. Canada is the biggest producer and exporter of hard wheat by far, but Communist countries have in the past absorbed so much Canadian hard wheat that U.S. hard (northern plains) wheat exports had less competition in EEC markets. Though Communist China will remain a Canadian cash customer, it became clear at the end of 1966 that the USSR would likely be self-sufficient in grains, and may again emerge as an important exporter. This makes the world commercial demand picture for U.S. hard wheat sales less bright than even a year ago.

At the same time, markets for U.S. *soft* wheat exports have been threatened because the French have been subsidizing the export of their surplus soft wheat by $1.35 a bushel, compared to our own February 1967 export payment of about $0.05 for a representative grade. In fact the French have been permitted by the Community to use money collected by means of the variable levies to finance French export subsidization and farm subsidies.

WHAT FUTURE FOR U.S. GRAINS EXPORTS TO EEC?

But the worst is still to come, according to students of the EEC farm systems and the world grain trade.

On July 1, 1967, common prices for 90% of EEC farm commodities will come into effect. The remainder will be covered by July 1, 1968. As Farm Journal Editor Carroll P. Streeter wrote in the March issue of the Journal "French farmers will suddenly see their prices go up 10% while German farmers will swallow hard and take 10% to 15% less. As a group, prices will shoot up 7% to 30%, depending on the commodity and the country".

Until now the French have used a tax to discourage the increased production resulting from the gradually higher price, a tacit signal that even they believe the final (July 1, 1967) price will stimulate greater production. This is significant because the Community has argued that the final price will not actually cause much more grains production—for one reason because there is very little additional land to be used. But at the new high price it is believed that land will be "found" in quantity and production will sharply increase. More importantly, through use of unproved fertilizing techniques stimulated by higher prices, output from existing acreage will likely rise substantially. This, in any case, is the basis of U.S. planning.

THE EFFECT OF THE COMMON GRAINS POLICY ON U.S. GRAINS EXPORTS

Estimating future EEC grains production and demand has been difficult and estimates differ. Within the U.S. Administration the effort to agree on a projected effect of the CAP on U.S. grains sales has been abandoned, as different agencies tended to develop their own statistics to support their own arguments.

COMMUNITY PROJECTIONS

If one accepts data compiled by the EEC Commission itself, it would appear that the continually increasing demand for feed grains cannot be met by internal production. Assuming that Community per capita income increased by 5% per annum, but not taking into account price rises resulting from the CAP, there will be greatly increased demand for wheat. Due to inelastic Community supply, it is estimated that EEC net import requirements in 1970 will be 10 million tons, about the same as in 1950–52. However, the Community's import requirements would be almost entirely for coarse grains, whereas in 1950–52 wheat imports exceeded coarse grain imports.

Explained in terms of "self-sufficiency", the EEC estimates that it will be only 86% self-sufficient in all grains by 1969–70, but will be entirely self-sufficient in wheat. In fact, by 1970 it is projected that the EEC will have a large surplus of exportable wheat. A July 1966 study by the EEC Commission showed that wheat consumption will diminish further than expected as European consumers shift to more diverse and expensive foods. The study thus expects the Community to have from 310,000 to 460,000 tons of wheat available for export in 1970 even if its future production estimates are not too low, which is doubted in this country. The Community estimate shows that the total degree of EEC self-sufficiency in all grains will be the same in 1970 as it was in 1957–1960, and that imports will therefore remain at previous levels.

PRIVATE PROJECTIONS DIFFER

A much more pessimistic projection was made in 1965 by an independent Dutch research organization, the Agricultural Economics Institute. The conclusion of the study is that EEC production of grains by three projections will be 68.1 million metric tons by 1970. It estimates that under an assumption of constant EEC grain prices, only 7.6 million metric tons will be imported in 1970; that under the assumption of a 15% grains price increase only 6.3 million metric tons will be imported, compared to the 10.8 million tons needed in 1962. This independent projection of future EEC grains import demand is indeed sobering.

Finally, Dr. Eric Thorbecke and Alfred Field, in an article in Farm Policy Forum, Vol. 17, No. 4 for 1964–65, made projections which, like those of the Dutch research organization, are also pessimistic: "Given the agriculture protection in Europe even before the advent of the EEC, and the relatively low income elasticities of demand for most farm products, the leveling off of demand for U.S. farm imports would have come about independently of the CAP. At the same time, it is clear that the CAP will further contribute to the worsening of U.S. prospects for agricultural exports to the EEC."

A table follows showing the conclusions of these authors about future demand. They employ two assumptions. The first is that the EEC will by 1970 be totally self-sufficient in wheat. The second is that the EEC will continue to import high quality (hard) wheat. [The data referred to will appear in the text as printed in the CONGRESSIONAL RECORD.]

U.S. GRAINS EXPORTS TO THE COMMUNITY WILL SHRINK

I cannot endorse any of these projections of future EEC demand for U.S. grains. But I would draw the conclusion from them *inter alia* that by 1970 the CAP for grains will have been the major cause of a serious drop in U.S. grains exports.

As a nation we are compelled then to find ways of preventing this event—an important element of our national interest, worth millions of dollars of export trade, is clearly at stake. I have explained above that the arrival at a common agriculture policy was the essential price of the formation of the Community—the U.S. long ago made the policy decision to accept the price, and to try to modify the system to make it compatible with our own economic interest as well as sound economic principles.

THE NEED TO PROTECT U.S. COMMERCIAL INTEREST

Indeed, we did assume that the EEC would essentially be "outward looking", and that modification of the agriculture systems would not prove too difficult. The EEC may well become "outward looking" after the storms of the present period of economic and political adjustment are weathered, but in the interim period we are forced to devise means of protecting our commercial interest.

Our attempt at a solution in the grains area has been to seek international agreement along the lines of a grains agreement.

A GRAINS AGREEMENT DELINEATED

A grains agreement as now proposed would establish market access for wheat and feed grains but would distinguish between the two in one respect. For wheat the agreement would establish minimum prices as well as market access. There are about 200 classes and grades of wheat. A class is a genetic type of wheat. "Grade" of wheat refers to protein content. Prices would have to be set for each class and grade, according to current proposals, thus establishing a set of "fixed differentials" among the types and grades of wheat.

For grains other than wheat (corn, barley, oats, sorghums) there would be no world price scheme. Instead (according to the exporters' initial proposals) there would only be access commitments by the EEC. Rice is not included in the grains agreement.

The grains negotiations have been taking place in the forum of the GATT Cereals Group, a subcommittee of the GATT Trade Negotiations Committee, which is itself in charge of the overall negotiations. Cereals Group members are Canada, Australia, Argentina, EEC, Japan, Switzerland, Norway, Sweden, the U.K. and the U.S. Other countries may join if an agreement is worked out.

The main elements of the package now under negotiation in the Cereals Group at Geneva were decided in meetings among the United States and the three other major exporters, Australia, Canada, and Argentina. Representatives of these countries met in Washington during September, 1966, and decided on a common position which they have since been discussing with the major importing countries. These discussions began on a sustained basis in the second week of February, 1967, and have continued since. Major importers are the United Kingdom, Japan, Norway, Switzerland, and Denmark. Some Asian and African countries also have commercial interest in grain imports.

There are essentially four major elements to be considered in a grains agreement as now conceived: access commitment, minimum world prices, market sharing, and donable food programs.

"IRONCLAD" SELF-SUFFICIENCY ASSURANCES

The concept of self-sufficiency is really the reverse of the earlier U.S. request for access commitments. For the U.S. it is the most important element in the exporters' proposal. It is thought that the EEC chose to look at the access idea from the reverse side in order to save face: it did not "accept" market access, it will instead "offer" to maintain a certain restricted level of internal self-sufficiency.

The exporting countries have requested that the EEC adopt a standard of about 86% or 87% self-sufficiency in all grains. The EEC has proposed 90%, but a 90% self-sufficiency limit seems too high on the basis even of the EEC's own projections of its self-sufficiency by 1970. As a key element of a self-sufficiency agreement, there must be absolute assurances that any surpluses generated by the EEC over the self-sufficiency ratio will not enter commercial markets.

PRICE RANGES

Agreement on a range of world prices for wheat is a major goal of the proposed grains agreement and it is also a principal point of attack of certain American farm organizations. There is precedent for such price-setting in the International Wheat Agreement (IWA), which has been in effect since 1954, but expires July 31, 1967. American experience under the IWA has shaped thinking about the nature of future international price commitments.

The IWA sets a price range for the highest quality class of wheat, Manitoba #1 delivered at Fort William, Port Arthur, Canada. The minimum price is $1.625 and the maximum $2.02 per bushel. Differentials between this class wheat and lower classes have in the past been established by tacit agreement between Canada and the U.S., the largest exporters. The U.S. is said to have consistently observed the differentials and not priced its wheat below them until a change in policy about two years ago, when cooperation among exporters broke down completely and U.S. pricing policy became more aggressive. Canadians and other exporters had been more flexible than the U.S., sometimes setting prices through their international marketing boards at levels below the tacitly agreed differentials, therefore keeping their wheat "competitive" in world markets. Thus we used to hear the complaint of U.S. wheat growers that the U.S. did not price "competitively" in world markets.

In the organized world of the international wheat trade the IWA seemed to be but a token. In a new grains agreement the objective seems to be to try to set minimums for all the classes of wheat and make these minimums meaningful. If achieved, the U.S. could avoid being caught in the position of alone observing minimum prices while others supply markets the U.S. might have had.

This is the logic behind the argument that in a new grains agreement there must be meaningful commitments requiring other exporters not to engage in cut-throat pricing.

Thus another key issue is the levels of the minimum prices themselves. High minimums would narrow commercial markets in poorer countries and tend to deprive those purchasers willing to buy more wheat at lower prices. But the level of the minimum price range is very important for another reason related to the concept of "market sharing".

MARKET SHARING

Market sharing as initially conceived in the grains negotiations would come into effect when world wheat prices fall below the fixed minimums. Then each exporter would divvy up the market according to shares in a "very recent representative period". The U.S. market share proposed hypothetically would be about 32%, it is known.

Obviously, if the agreed minimum prices were high, market sharing would come into force often. If the minimum price is set so high as to become the effective world trading price, there is no practical way of avoiding a constant condition of market sharing.

The present minimum price proposal of the exporting group, based on a new basing grade and basing point of No. 2 hard red winter wheat basis f.o.b. gulf ports of $1.85 a bushel, is quite high indeed. It is higher than the average monthly world price for the same wheat for every month at least since the 1962/63 crop year. Were this price to be agreed on, market sharing would be in effect the bulk of the time, and world wheat trade would be controlled utterly.

Such a situation is not acceptable. If a grains agreement were to be negotiated, the minimum price will have to be reasonable and realistic. If it were not, importers like Japan and other industrial importing countries will not be able to afford an agreement, and poorer importing countries would be deprived.

Ideally, a minimum price should be sufficiently low that it would only serve to prevent distress selling and deliberate price under-cutting—so that its very existence would actually discourage wheat marketing agencies from selling below the minimum, in order to avoid the noisome controls that would then come into effect. Perhaps the most positive result from the pricing provisions of the agreements would be to discourage cutthroat competition.

FOOD "AID"

The current grains agreement proposal also includes commitments about food aid—means of sharing the burden of donable food programs now borne almost exclusively by the United States. In the past several weeks of the negotiations, the food aid proposals of the agreement have become its most controversial element. On "food aid" therefore, could hinge the fate of a grains agreement, and on the fate of the grains agreement hinges the Kennedy Round.

Food aid has come into the grains agreement discussions almost inadvertently, largely as a corollary to the self-sufficiency problem discussed above. The real problem is how to guarantee that EEC grains production in excess of the agreed ratio of self-sufficiency will not enter commercial markets. The answer has been to try to commit the EEC to undertake to give the food away, store it, or destroy it. We would prefer that it be given away, so that part of the U.S. obligation to donate food will be removed and shared among those able to do so.

Public Law 490 food programs were the children of opportunism and bad planning. U.S. donable foods are simply the result of excess production resulting from price fixing. In the name of brotherhood and economic development the U.S. put developing countries on the dole to receive our unwanted surpluses. The effects of this expedient policy have been almost unquestionably harmful to the recipients. Because he so clearly describes the effects of such foreign "aid", I quote from page 53 of John O. Coppock's book for the Council on Foreign Relations titled "Atlantic Agricultural Unity, Is It Possible":

"Gift food is sold by the recipient governments, usually through regular distribution channels. The normal state of the recipient countries, particularly if their development programs are progressing, is one of incipient or active price inflation. Frequently, low-price imports are used in an attempt to stem the price inflation, at least for food sales. To the extent that such efforts are successful, they act as a depressant to prices of domestically produced food stuffs relative to the prices of other goods. Local growers are thus 'taxed' as a special group by this means; not only are their incomes reduced relatively by this disparate rise in prices, a disincentive to private investment in agriculture is an even more serious consequence.

"It is generally argued that such donated imports 'provide resources' for the development program . . . In fact this claim is valid only to the extent that such free imports substitute for imports that would otherwise have had to be purchased commercially and paid for in foreign exchange. This argument is never made, at least to farmers and others interested in the export trades. In general, the developmental resources in these countries which are in short supply are either goods which have to be imported or insufficient technical and managerial skills and proper institutional organization. None of these can be expanded in supply by importing free food that is additional and not substitutional."

But once having created such dependency, it would be cruel and immoral to terminate it suddenly. Thus, at a time when the U.S. finds itself out of its former surplus position, and at a time of growing cash markets, our objective is naturally to want to share the burden of the dependency we have furthered by our own policies. It should be hard for Europeans to deny the U.S. attempt to share the obligation to feed the starving.

UNITED STATES AND EEC SHARES OF A FOOD-AID AGREEMENT

The level of contribution of industrialized countries annually to world food aid has been set at about 10 million tons. The contribution would be divided among grains agreement participants—the U.S. share might be about 40%, the EEC share about 25%. This raises the problem of the burden on food deficit (importing or non-producing) industrialized countries. The Japanese, for example, are concerned because their food aid contribution might cost them about $100 million of foreign exchange each year. They would have to buy wheat to ship to poorer countries. This, on top of a high world price, makes the grains agreement very difficult for Japan to swallow. The British are in much the same position, and are joined by West Germany and the Netherlands.

At Geneva on March 30 Sir Richard Powell indicated Britain might accept a food aid commitment. By the logic of negotiations therefore the U.S. would have to pay a suitable price. This price could be very high. It could mean a reduction in something we want from the negotiations, or it could mean an increase in something we can offer. The price might even be too high to pay. For this reason the U.S. may well have to drop the food aid provision from the agreement.

Were they to do so, the U.S. negotiators would have to find some other suitable means of disposing of EEC surplus production. The food aid idea still appears to me to be the most logical means of doing so.

Thus a food aid understanding should be part of an eventual agreement. It seems the only practical way of negotiating an access commitment when the EEC, and perhaps also the United Kingdom, have refused to negotiate the level of their domestic supports, and apparently are also unwilling to continue even the modest efforts the French have made to limit the quantity to which price supports apply. The resulting surpluses cannot be stored easily as storage facilities do not exist except at European ports, and these surpluses will not likely be destroyed. It would seem that they must therefore be given away.

The donable food aspect of the proposed grains agreement is important then for three reasons: it would help get the U.S. off the hook of having to feed starving people by itself out of dwindling or non-existent surpluses, it would have considerable appeal when the Senate considers ratification of an agreement, and it would make an EEC self-sufficiency commitment realistically workable.

BIG OPPOSITION TO A GRAINS AGREEMENT

The proposed grains agreement has drawn heavy fire from organizations on both doctrinaire and practical grounds. In the last several months it has been one of the most hotly discussed trade issues. The American Farm Bureau Federation, the Grain and Feed Dealers' National Association, and the U.S. Feed Grains Council have expressed opposition, as have other groups. These organizations and others have been extensively briefed by the Agriculture Department about the grains agreement as first proposed and are well informed about its provisions. The National Grange, on the other hand, is among the groups in favor of an agreement.

A key element of the arguments put forward by opponents is that by entering a grains arrangement along the lines described above the United States will eliminate competition in the wheat market and thus decrease the competitiveness of U.S. grains in world markets.

Unless one knows the grains trade, one might think that a free market does in fact exist in wheat, but this is not the case. Australia, Argentina, and Canada, our biggest grains competitors, sell through government wheat boards or trading authorities. The United States itself subsidizes each bushel of exported wheat: an exporter must obtain a U.S. Department of Agriculture license for all exports. The USDA determines the subsidy. The domestic price of No. 1 hard red winter wheat ordinary f.o.b. gulf, a standard type of wheat, was $1.95 a bushel in February 1967. The export payment, or subsidy, is $.09 and therefore the world price is $1.85. $1.95 was in effect the U.S. support price for that type wheat.

To make U.S. grains more "competitive" in world markets would require increased subsidy to lower the price. "Competition" in this context has thus a shaded meaning at best.

The element of artificiality in this "competitive" U.S. approach would be eliminated were the United States to remove subsidies and controls from grains production, and permit the market to operate freely rather than to manipulate it.

U.S. PROPOSAL FOR UNSUPPORTED DOMESTIC POLICIES

The United States actually proposed in the grains group that all producing nations should establish conditions of free agricultural trade. This formal proposal was made in the cereals group discussions beginning May 17, 1965. It was rejected.

But perhaps now is the time for the United States to act unilaterally in the grains area. It seems to me that the conditions are now present that make possible such a shift from the domestic policies of past years. Were it possible to do so we could begin from a new base in international efforts to establish world agricultural trade on more economic lines.

UNSHACKLING AMERICAN GRAINS PRODUCTION UNILATERALLY

American agriculture has for years suffered from production surpluses resulting from the demands on the American farmers to increase his production during World War II. The farmer responded to government requests by enlarging his plantings and investment in order to feed the world at war. Government price support and subsidy programs at the end of the war were properly intended to be a means of tapering off gradually from high war-time production levels. But the purpose of these readjustment measures was never realized. Production was not tapered off, rather it was maintained at high levels throughout the postwar period, with resultant huge surpluses.

The present alleviation of our grains surplus problem has come not from a successful effort finally to control production, but from a steady rise in total demand, both foreign and domestic, to the point that there is now nearly a balance between demand and supply.

The new balance between supply and demand for grains is evidenced by the narrowing differential between domestic and world market prices. Encouraging increases in commercial exports of wheat and especially feed grains are additional evidence of favorable market conditions. Increased demand is reflected in decreased Commodity Credit Corporation (CCC) stocks of wheat and feed grains. In 1965 total CCC wheat stocks were 753 million bushels and, by December 1966, stocks were 369 million bushels. CCC stocks of feed grains have declined from 1.7 billion bushels in 1965, to 1 billion bushels in 1966, which equalled about 42 million tons. 600 million bushels of wheat is considered a satisfactory reserve stock. About 40 to 50 million tons is considered an adequate reserve for feed grains.

AN OPPORTUNITY FOR FUNDAMENTAL CHANGE

Thus there presently exists an ideal opportunity to eliminate subsidy and control programs for grains—an opportunity that should be seized by those interested in the most rational use of economic resources, the welfare of the farm community and the national economy. Congress, after full public debate and deliberation, should repeal all authorities permitting the Executive to deal directly in grain markets through buying and selling crops in order to control prices, by specifying acreage allotments, marketing quotas, and through hiding a substantial part of the cost of the wheat program by taxes on millers.

At the same time, Congress should enact legislation that will make certain that recourse loans are available to American producers of wheat and feed grains. Such insured resource loans should be made through banks and other private financial institutions with government standing in the background as loan insurer.

Such legislation would be consistent with a national economic policy intended to allow market forces to determine production and prices and thereby promote greater efficiency, and ultimately greater income, in the farm sector. Market conditions now permit such a step. It would benefit the consumer. And it would eliminate Federal Government expenditures that cost the public about $2 billion in fiscal year 1966.

TOWARD FUTURE SUCCESSFUL NEGOTIATIONS IN AGRICULTURE

But this step is particularly advisable for reasons relating to the Kennedy Round. In these difficult negotiations the United States and other nations have for the first time attempted to deal with the full scope of world agriculture trade problems. In large part the difficulty of these negotiations stems directly from the fact that world trade in most important agriculture products is impeded and confused by national economic policies that have created highly artificial conditions in domestic farm sectors.

These conditions exist in almost all industrialized countries. It is convenient and easy now to single out the extraordinary systems of agriculture support and protection being finalized and effectuated by the European Economic Community under common agriculture policies that will apply to almost all EEC farm commodities. Other countries also have uneconomic agriculture policies, including the United Kingdom and the United States. These domestic economic policies so distort the economies of production of agriculture commodities that it is very difficult to deal with them through international action.

The cures, in many instances, must start at home. That is why the United States effort in dealing with the EEC must be to continue to attempt over the long term, however difficult that may be, to change the fundamental domestic pricing and support system and the border protection devices now being established by the Community. It may well be that these systems will collapse both of their own inefficiency and after continued U.S. efforts to change them.

In international agriculture trade, therefore, the fundamental cures must be domestic cures, and they must be in the direction of removing government subsidies and controls from the agricultural marketplace. U.S. action to reestablish the conditions of the domestic marketplace in wheat and feed grain would prepare the way for more successful international efforts to improve marketplace conditions in world trade. Were it to eliminate government controls the U.S. would remove any possible criticism from our grains trading partners, the EEC and other countries, that we subsidize production and exports.

THE WHEAT AND FEED GRAINS ACT OF 1967, A MEANS TO THIS END

Therefore on March 16 I introduced a bill in the House, H.R. 7326, the Wheat and Feed Grains Act of 1967, to repeal all authorities for the current Agriculture Department wheat and feed grain programs and to authorize programs that will permit the market system to work more effectively for American grains.

The approach I suggest is, I believe, the fundamentally correct one. If adopted it will do much to sort out world grain trade problems and it will make eventual agreement with the EEC easier.

ADDRESSING THE PROBLEM AT HAND

Responsible persons cannot but be concerned that, in less than three months the EEC will have completed a system that within only three years will, by several estimates, result in serious shrinkage of one of our most important agricultural markets. These persons understandably want to arrive at commitments to prevent this damage to our commercial interest, and perhaps they are correct in thinking that an international arrangement is the only possible means of preventing such damage.

Criticism concentrates first on the idea of an access agreement, then on the height of the proposed minimum price and on market sharing.

WHY AN ACCESS AGREEMENT RATHER THAN CHANGE THE VARIABLE LEVY SYSTEM

U.S. officials are attacked by opposing groups because the U.S. has concentrated on obtaining an access agreement rather than on modifying the threshold or target prices so as to strike at the root source of EEC agriculture protection, its pricing systems.

Is this a valid complaint? Is it realistic? The data adduced above show how essential the grains CAP and its pricing system is to the political development of the Community. Experts here and in Europe have stated that the pricing system itself cannot be modified through negotiation at this time. If, as seems possible, the EEC market for U.S. wheat shrinks to next to nothing by 1970, and there is no grains access agreement, would there be enough world demand to absorb U.S. wheat and feed grain production?

One answer expressed by the Grain and Feed Dealers National Association is that the United States "can best retain and improve its position in other world markets and keep strong pressure on the costly EEC common agricultural policy by maintaining a system of competitive prices in the world cereals market".

THE ESSENTIAL FLAW—MINIMUM PRICE

But the focal point of opposition is justifiably the minimum price and market sharing. Farm groups know that the minimum high price set in the initial bargaining was a compromise. The principal U.S. interest is an access commitment principally for its soft wheat. The Canadian interest is a high price for its hard wheat, which will always be demanded in Europe because Europe can't grow enough of its own. The result was U.S. agreement on a high initial price in return for Canadian agreements to press for access.

Farm groups know this and their expressions of disapproval are healthy. They indicate to other exporters that it will be difficult to obtain U.S. ratification of an agreement that sets too high a price. The fact is that the negotiating price for the basic wheat—No. 2 hard red winter gulf ports—is higher than the world price has been in every year but 1967. The proposed minimum would be too high by far.

The real U.S. attitude may be ambivalent. One report has it that Australian Prime Minister Holt asked President Johnson, during the latter's trip to Australia last fall, to consider that high grains prices would cause Red China to spend all its foreign exchange on food. What it might in fact succeed in doing is simply to drive the Communist Chinese back into the arms of the Soviets, who last year had a wheat surplus, a small portion of which they gave to India.

We can no longer count on the Soviet Union as a large cash buyer of wheat. Because of fundamental reforms introduced by Khrushchev, but concealed by two seasons of very bad weather, the Soviet Union now appears to be a self-sufficient producer. In fact, if Soviet surpluses continue, we may very well find it selling below any high minimum price to developing countries, whom we see as future commercial buyers. Such sales would have obvious political importance.

Obviously if a minimum price must be agreed to at all, it is important to set a relatively low price.

WHAT IS THE BALANCE OF U.S. ADVANTAGE?

Where does the balance of U.S. advantage lie? Some claim that because a grains agreement as now conceived is not going to achieve substantial modification of the variable levy pricing system itself, there should be no Kennedy Round agreements of any kind. This view is based on the idea that, once having made industrial bargains in the Kennedy Round, future leverage to modify the variable levy through industrial bargains is lost. This argument has real merit.

But there is another consideration that must be given thought. It has been statistically shown that world economic expansion itself results in correspondingly greater exports of agriculture products. Were significant industrial bargains to be made without industrial bargains it is still likely that agriculture exports will increase. On this economic argument a case could be made for accepting something less in agriculture than we had hoped to get, on the grounds that significant industrial cuts could cause the increased agriculture trade that we seek anyway.

It can be argued that the grains agreement now envisioned is the best the U.S. can do after a very hard "college try". They say that, because grain represents a very substantial portion of actual and potential U.S. exports, and because the EEC's grains CAP will have a profound effect on U.S. grains sales in Europe, the grains access agreement will have utility and important dollar value.

What meets the terms of the 1962 trade act and the ministerial resolution calling for acceptable conditions of access in furtherance of significant expansion of trade? Opinions vary. A grains agreement that had a very low minimum price and iron-clad assurances that surplus EEC production in excess of 86% of its internal needs would not be sold commercially, would probably meet the test because it might ensure continuation of grains exports now worth about $650 million, and possibly much more.

But there certainly are disadvantages in any such scheme—distasteful ones. It would be far better to achieve a modification of the EEC pricing system itself.

PROPOSALS TO MAKE A GRAINS AGREEMENT MORE PALATABLE

An element should be added to the agreement to make it far more acceptable to those who reject it as an acceptance or "legitimization" of the EEC pricing system, and to those who see it as a poor substitute for modifying the variable levy itself.

The grains agreement should not legitimize the protective devices of the EEC by making clear in a preambulatory passage that it is not. There should be an agreement in principle in the document that by 1970 at the latest the EEC would begin to bind the variable levy, with the goal of converting it into a fixed tariff by a future date.

Certainly, at the very least, the United States should, when signing and ratifying any such agreement, make clear its objections and its future goals. Bu if at all possible the agreement itself should contain a provision permitting the reopening of negotiations on the variable levy at some specific future date.

The United States has been and should remain essentially sympathetic in a tough-minded way to the EEC agriculture problems. The variable levy is in principle an illegal device in GATT, that it creates economic inefficiencies very costly to the EEC when it is linked to high target prices. It has equally onerous effects on the world economy. A grains agreement that does not express the concept that competition must some day be established in world agriculture trade and that access and price agreements are at best minimal assurances should be rejected and the industrial negotiations should be scrapped until another day—in the hope that another opportunity will in fact come to use authority such as that Congress gave to the President in the 1962 trade act.

A HARD POLICY CHOICE

The New York *Times* in an editorial on January 20 giving a well-reasoned judgment of the advantages and disadvantages of a grains agreement, said in part:

"A grain agreement alone would be a significant accomplishment. It would ease the way toward a successful conclusion to negotiations on industrial goods. It also would give American grain producers assured export markets and it would make for a fairer and more rational sharing of the burden involved in distributing food to the poor countries of the world."

These are the factors that must be considered first by the U.S. negotiators when making an agreement, and second, by the United States Senate when ratifying it, and by both Houses of Congress should the agreement require implementation. Though the objective as expressed by the Special Representative for Trade Negotiations in Senate Foreign Relations Committee hearings on February 27 is to make a package of agricultural and industrial bargains that is substantial even independently of a grains agreement, in fact a satisfactory grains agreement is indispensable to achieving the initial and still important goal of providing "acceptable conditions of access to world markets in order to significantly develop and expand world trade in such products."

BEHIND RECENT REPORTS FROM GENEVA—NO DECISIONS YET

During the week of March 27 in Geneva a ministerial level meeting, though without ministerial level meeting fanfare, resulted in press reports of more optimistic tenor than earlier. The "log jam" is said to be "breaking"; new "initiatives" are being proposed.

It is true that there is a new spirit of ferment in Geneva. It is the feeling in the air that Mr. Peter Dreyer, the perceptive Journal of Commerce Brussels correspondent, reported on March 22 when he wrote:

"The prevailing moderate optimism, pointing to modest but generally acceptable results, has two main roots. There is for one the feverish activity now displayed by all principal delegations and their staffs. There is, for another, the near universal assumption that so strenuous an effort cannot but be successful."

But important decisions have not yet been made, and so many remain to be made—not just in grains, but also in the other areas of temperate agriculture negotiations, and of course in the intensely complicated industrial sectors. We can shortly expect announcement that an antidumping agreement has been fundamentally agreed upon. As an initial advocate of such an agreement, concrete achievement in even this limited area is encouraging. But there is much left to accomplish.

The scheduled meetings of the EEC Council of Ministers for April 10 through 12 will be the ideal opportunity for making the decisions that will spell success or failure for the Kennedy Round.

NEXT SECTION OF REPORT

I believe it very important that there be a much wider public understanding of the specific nature of our own trade policy and of EEC agriculture policy. Thus I will discuss in the next section of this evaluation the other product groups for which special negotiating teams have been established: meat and dairy products. I will also discuss poultry and fruits and vegetables, important U.S. trade items, and the problems posed by expanding developing-country exports of tropical agriculture products. This section will follow on Thursday, April 13. It will be followed by a discussion of the industrial negotiations.

U.S. agricultural exports under specified Government-financed programs, exports outside specified Government-financed programs, and total agricultural exports—Value and percent of total, years ending June 30, 1955, through 1966

Type of export	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1955 through 1966
Public Law 480:													
Title I, sales for foreign currency	73	439	909	659	725	826	952	1,024	1,085	1,064	1,135	864	9,755
Title II, disaster relief	83	91	88	92	56	65	146	176	159	150	72	150	1,328
Title III, donations	135	184	165	173	131	105	144	169	170	189	179	171	1,915
Title III, barter	125	298	401	100	132	149	144	198	60	112	130	227	2,076
Title IV, long-term supply and dollar credit sales								19	58	47	151	161	436
Total, Public Law 480	416	1,012	1,563	1,024	1,044	1,145	1,386	1,586	1,532	1,562	1,667	1,573	15,510
Mutual security (AID), secs. 402 and 550, sales for foreign currency and economic aid [1]	450	355	394	227	210	167	186	74	14	24	26	42	2,169
Total exports under specified Government-financed programs	866	1,367	1,957	1,251	1,254	1,312	1,572	1,660	1,546	1,586	1,693	1,615	17,679
Total exports outside specified Government-financed programs [2]	2,278	2,129	2,771	2,752	2,465	3,205	3,374	3,482	3,532	4,481	4,404	5,066	39,939
Total, agricultural exports	3,144	3,496	4,728	4,003	3,719	4,517	4,946	5,142	5,078	6,067	6,097	6,681	57,618

[1] Values shown are disbursements for exports.

[2] Exports, "outside specified Government programs" (sales for dollars) include, in addition to unassisted commercial transactions, shipments of some commodities with governmental assistance in the form of (1) extension of credit and credit guarantees for relatively short periods; (2) sales of Government-owned commodities at less than domestic market prices; and (3) export payments in cash or in kind.

Source: "Foreign Agricultural Trade of the United States," U.S. Department of Agriculture, November 1966.

Total U.S. agricultural exports including Government-finance programs—Value by commodity, calendar years 1965 and 1966

[Dollars in millions]

Community	1965	1966 [1]	Change (percent)
Animals and animal products:			
Dairy products	$196	$126	−36
Fats, oils, and greases	226	190	−16
Hides and skins	109	155	+42
Meats and meat products	112	116	+4
Poultry products	70	67	−4
Other	75	71	−5
Total, animals, etc	788	725	−8
Cotton, excluding linters	486	432	−11
Fruits and preparations	313	315	+1
Grains and preparations:			
Feed grains, excluding products	1,134	1,339	+18
Rice, milled	243	228	−6
Wheat and flour	1,183	1,535	+30
Other	72	90	+25
Total, grains, etc	2,632	3,192	+21
Oilseeds and products:			
Cottonseed and soybean oils	$241	$153	−37
Soybeans	650	760	+17
Protein meal	187	226	+21
Other	79	88	+11
Total, oilseeds, etc	1,157	1,227	+6
Tobacco, unmanufactured	383	482	+26
Vegetables and preparations	155	176	+14
Other	315	336	+7
Total exports	6,229	6,885	+11

[1] Preliminary.

Source: U.S. Department of Agriculture.

U.S. agricultural exports to the European Economic Community—Value by commodity, calendar years 1962–66 [1]

[In thousands of dollars]

Commodity	1962	1963	1964	1965	1966
Variable levy commodities: [2]					
Feed grains	317,081	275,258	325,972	471,472	476,439
Rice	14,247	13,399	15,378	10,140	18,823
Rye grain	18,709	13,700	5,676	1,463	4,417
Wheat grain	50,603	63,655	59,228	67,674	107,096
Wheat flour	5,553	3,200	1,662	1,507	1,358
Beef and veal (excluding variety meats and cattle)	64	169	1,326	2,623	900
Dairy products	3,603	22,551	54,398	30,473	1,211
Lard [3]	2,134	2,543	2,489	1,062	1,105
Pork (excluding variety meats) and swine	341	2,067	8,631	377	1,339
Poultry and eggs:					
Live poultry	790	1,388	0,059	1,380	1,496
Broilers and fryers	30,701	10,698	19,615	6,306	5,415
Stewing chickens	8,347	6,092	6,384	2,710	758
Turkeys	9,624	8,766	11,060	17,491	13,523
Other fresh poultry	574	338	669	938	304
Eggs	3,443	3,331	1,889	1,922	1,710
Total, poultry and eggs	53,479	30,613	31,676	30,747	23,206
Other	16,972	25,864	26,523	24,463	26,763
Total	482,786	452,729	532,959	642,001	662,657
Nonvariable levy commodities:					
Canned poultry [4]	1,080	1,997	3,902	3,325	2,351
Cotton, excluding linters	105,973	131,557	189,143	70,258	65,885
Fruits and vegetables	91,169	97,314	84,525	99,615	87,091
Hides and skins	20,560	16,426	27,433	31,601	28,384
Oilcake and meal	46,020	61,520	76,637	110,736	143,998
Soybeans	162,320	159,436	213,867	226,201	278,676
Tallow [4]	26,375	25,921	34,989	37,222	34,660
Tobacco, unmanufactured	105,543	104,215	105,824	106,315	119,917
Variety meats, fresh, frozen [4]	16,327	21,087	32,280	34,371	35,051
Vegetable oils, expressed	13,161	18,405	33,083	35,590	15,851
Food for relief or charity	14,360	10,164	6,354	4,656	4,555
Other	65,057	70,640	74,881	74,562	82,156
Total	667,945	718,682	882,918	834,452	898,575
Total, EEC	1,150,731	1,171,411	1,415,877	1,476,453	1,561,232

[1] Compiled from U.S. Bureau of the Census data.

[2] Grains, poultry, and pork were subject to variable levies beginning on July 30, 1962; rice on Sept. 1, 1964; and beef and dairy products on Nov. 1, 1964. The variable levy classification is designed to show overall changes in exports rather than to measure the impact of the variable levies.

[3] Lard for food is a variable levy commodity while lard for industrial use is bound in the General Agreement on Tariffs and Trade (GATT) at 3 percent ad valorem. U.S. lard is for food use.

[4] Although canned poultry, tallow, and variety meats are subject to variable levies the import duties are bound in GATT.

Common Market levies on wheat and corn of Feb. 1, 1967

[Per bushel]

	Wheat	Corn
West Germany:		
Levy	$1.77	$1.07
C.i.f., U.S. Hard Winter Ordinary	1.90	
C.i.f., U.S. No. 3 corn		1.64
Levy as percent of landed value	48	39
France:		
Levy	1.22	.65
Since France is an exporter of both wheat and corn, c.i.f. prices are not readily available.		
Italy:		
Levy	1.53	.10
C.i.f., Argentina	1.96	
C.i.f., U.S. No. 2 Corn		1.66
Levy as percent of landed value	44	6
Belgium:		
Levy	1.20	.43
C.i.f., U.S. Hard Winter Ordinary	1.91	
C.i.f., U.S. No. 3 corn		1.60
Levy as percent of landed value	39	21
Luxembourg:		
Levy	1.49	.43
C.i.f., U.S. Hard Winter Ordinary	1.91	
C.i.f., U.S. No. 3 corn		1.60
Levy as percent of landed value	44	21
Netherlands:		
Levy	1.39	.67
C.i.f., U.S. Hard Winter Ordinary	1.90	
C.i.f., U.S. No. 3 corn		1.60
Levy as percent of landed value	42	30

U.S. exports of selected agricultural commodities to the EEC

[In thousands of metric tons]

Commodity	1957–59	1961	Year 1970 projections [1]	
			Low	High
ASSUMPTION I				
Cereals	(4,000)	(6,327)	(2,920–4,190)	(3,480–4,980)
Of which:				
Wheat and wheat flour	1,100	2,577	0	0
Feed grains	2,900	3,750	2,920–4,190	3,480–4,980
ASSUMPTION II				
Cereals	(4,000)	(6,327)	(3,270–4,803)	(3,830–5,593)
Of which:				
Wheat and wheat flour	1,100	2,577	350– 613	350– 613
Feed grains	2,900	3,750	2,920–4,190	3,480–4,980
Meat and meat products	43	97	9– 24	34– 90
Fats and oils	1,557	1,905	1,184–1,722	
Tobacco	50	95	43–67	
Cotton	435	518	200– 400	230– 460

[1] For cereals "low" refers to an annual rate of growth of 4 percent in private consumption expenditures per capita between 1958 and 1970, whereas under the high-income hypothesis, it is assumed that the latter will grow at 4.9 percent over the period. For all other commodities "low" refers to an annual rate of growth of GNP of 4.7 percent and "high" to a growth rate of 5.7 percent. The 2 above hypotheses are roughly equivalent. The above projections are based partially on studies by FAO, EEC, and the authors.

FARM SHARE OF THE FOOD DOLLAR

Mr. McGOVERN. Mr. President, last summer's administrative steps to depress farm prices, or to prevent them from rising, if they were motivated by a priority interest in consumer demands for low-cost food, made it clear that one of the greatest long-range challenges facing farmers is in the area of communications.

Parity prices will benefit not only farmers and the rural economy; they will also assure continued abundant supplies of food for the consumer. This is one simple fact that must have national attention if our efforts to improve agricultural returns are to succeed.

But we can go beyond this and show how insignificant the farmer's share of the consumer food dollar really is and how it has actually declined while retail prices have been rising. I am convinced that if this relationship were broadly realized there would be little objection to treating farmers fairly. In a capsule, parity prices would be inexpensive as well as equitable.

The highly respected economic commentator, Sylvia Porter, has this week performed a great service in connection with these points on farm and food prices. Because they are written on matters of direct personal interest to millions of Americans and because their style is so direct and concise, I know that Sylvia Porter's columns are both widely published and, more importantly, widely read and understood.

I therefore heartily welcomed Miss Porter's column of April 17, which discussed the factors behind farmers' demands for better prices. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

McGOVERN'S MOVE TO HELP FARMER

(By Sylvia Porter)

Democratic Senator George McGovern of South Dakota, has seriously proposed a new food labeling system under which each package of food we buy would bear a label stating how much of the price is going to the U.S. farmer.

Agriculture Secretary Orville Freeman has called for new restrictions on imports of dairy products, at a time when quotas could have explosive political-economic implications.

Infuriated U.S. dairy farmers have tried milk-dumping campaigns in an attempt to drive up the prices they receive for milk.

Just these three news items dramatize the

fact that the American farmer again is in a tightening economic squeeze—for although he made unmistakable strides in catching up to the non-farm worker last year, the leveling off of food prices plus continually skyrocketing costs of operation are hitting him hard in 1967.

Just since 1959, farm machinery prices have risen a full 24 per cent and labor costs are up 35 per cent.

In addition, he's fighting severe farm labor shortages, intense local competition and growing competition from food imports from abroad. Last year alone, dairy imports jumped 300 per cent.

Despite all the progress the farmer has made during this decade, consider these facts:

Even with last year's overall 15 per cent income boost, the farmer still nets only a per capita average of $1,731 in yearly earnings, a full 60 per cent below average earnings of the non-farmer.

Even though retail food prices last year rose to 35 per cent above the 1947–49 average, prices paid to farmers for the food we bought actually were 2 per cent below those paid in 1947–49. Today, the farmer receives only 5½ per cent of the U.S. consumer's total after-tax income for his products—one-half the share he received in 1947.

Even though our spending for farm-originated foods has soared $40 billion since 1947–49, less than one-fourth of this increase has gone to the farmer. For every food dollar you spend today, the farmer gets only 40 cents—10 cents less than he received two decades ago.

Even though a significant number of big U.S. farmers are making record profits today, a far more significant number are being pushed over the brink of poverty. Just in the past eight years, the number of U.S. dairy farms has dwindled from 770,000 to 500,000.

Here's what the farmer gets for each dollar you spend for food:

Farmer's share of $1 spent

Item:	
Canned beets	$0.06
Corn flakes	.09
Canned peaches	.16
White bread	.17
Spinach	.22
Oranges	.24
Potatoes	.30
Fresh milk	.49
Beef, choice	.59
Eggs, grade A large	.65

This table explains the background for the farmer's demands more than a treatise could. With his price pressures on top of the generally rising costs of food production, processing, packaging, there's only one direction for the price of your food marketbasket in the months ahead: up.

NEBRASKA EDUCATIONAL TELEVISION SYSTEM

Mr. CURTIS. Mr. President, we have in Nebraska a statewide educational television system which is a model for the Nation, and I am pleased today to invite the attention of the Senate to some of the details of this system.

The general manager of the Nebraska Educational Television Network is Mr. Jack G. McBride, of Lincoln, Nebr., a capable young man who provided much of the leadership for establishing this system. Mr. McBride also is director of television and general manager of the University of Nebraska's educational television station, KUON–TV.

The statement was made by Mr. McBride in person before the Subcommittee on Communications of the Senate Commerce Committee. He spoke as a representative of the National Association of Educational Broadcasters, and he described in some detail the direct gains which have been made for education in Nebraska as a result of the establishment of our statewide ETV network.

I commend the statement to the Members of the Senate as the testimony of an expert worthy of their most serious consideration in deciding the future action of this body on matters pertaining to the development of educational television.

I ask unanimous consent to have printed in the Record the statement by Mr. Jack G. McBride.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Jack G. McBride, Director of Television and General Manager of the University of Nebraska's KUON–TV, General Manager, Nebraska Educational Television Network, Before the Subcommittee on Communications of the Senate Commerce Committee, on S. 1160, April 13, 1967

My name is Jack G. McBride. I am Director of Television and General Manager of the University of Nebraska's Station KUON–TV, General Manager of the Nebraska Educational Television Network, and Executive Consultant to the Great Plains Instructional Television Library. I have been honored to serve as a consultant on a number of occasions for various states, institutions, and national and international agencies and industries. I am Vice Chairman of the Television Sub-Committee of the North Central Association of Colleges and Secondary Schools, an elected member of the Affiliates Committee of National Educational Television, and a member of the Board of Directors and of the Executive Committee of the National Association of Educational Broadcasters.

I appear today as Chairman of the Board of Directors of the Educational Television Stations division of the National Association of Educational Broadcasters. With me are three distinguished gentlemen who will discuss various aspects of the bill and their experience related to it: Mr. Devereux Josephs, Mr. Newton Minow, and Mr. C. Scott Fletcher. Each of us will submit a prepared statement for the record, speak briefly about it, and then answer your questions.

Educational Television Stations is that division of the NAEB which concerns itself with appropriate national matters relating to educational television stations. Representatives of the licensees elect the ETS Directors, of which there are six. Serving with me on the ETS Board of Directors this year are Mr. Hartford Gunn, General Manager, WGBH–TV, Boston, Massachusetts, Mr. James Robertson, Director, WHA–AM–TV, University of Wisconsin, Madison, Mr. Robert Schenkkan, General Manager, KLRN–AM–TV, Austin, San Antonio, Texas, Mr. Loren Stone, Manager, KCTS, University of Washington, Seattle, Washington and Mr. Donald Taverner, President, WQED–WQEX, Pittsburgh, Pennsylvania. The Directors then elect their own chairman and I am that chairman for this year.

Our organization has given a great deal of attention to the bill before you—S. 1160. It was discussed particularly as it related to the recommendations of the Carnegie Commission on Educational Television at our Second National Conference on the Long Range Financing of ETV Stations, March 5, 6, and 7, 1967, at which 350 station managers and governing board members were present here in Washington. Mr. Fletcher will discuss the Conference reactions to it later. Our Board of Directors met here in Washington in recent weeks again to consider the bill in detail and we have discussed it with our own local organizations. Our conclusion is that we come to you in complete accord with S. 1160 as it stands. We think it is a good bill and we urge its passage. We were grateful to President Johnson for his reference to ETV in his State of the Union message, and for his education message to the Congress which led to the bill we discuss with you today.

Before discussing the bill in detail, I would like to note a few general facts about educational television stations (for details see attached *Facts About Educational Television*). There are over 130 educational television stations now broadcasting, and they exist in areas throughout the United States, Puerto Rico, and Samoa. The typical ETV station broadcasts about 50 hours a week, with an average annual operating budget of about $260,000. Most of the program schedules are quite similar. About one-half of a typical station schedule is devoted to classroom instruction for elementary and secondary schools as well as for college credit, and about half of their programs are what the Carnegie Commission on Educational Television has so aptly called Public Television. Stations normally produce about one-fourth of their own programs, and get the remainder from diverse sources including National Educational Television in New York, the ETS Program Service, regional networks and other sources. (A summary "ETV Programs and Audiences" is attached.)

ETV stations are licensed by the Federal Communications Commission to operate noncommercially and to serve the educational needs of their own communities. None may accept commercial advertising. Each is responsible for its own program schedule. The stations are licensed about equally in number to four general categories of licensees: universities, State Commissions and Departments of Education, public school systems, and community organizations established specifically to operate ETV stations. All are tax-exempt organizations under 501(c)(3) of the Internal Revenue Code and contributions to them are tax deductible.

I would like now to turn my attention to specific provisions of the bill and our concern about them. Title I of S. 1160 is concerned with construction of facilities, an extension of the excellent program of the Educational Television Facilities Act of 1962. We applaud this extension. Educational television has taken giant steps ahead as a result of the Educational Television Facilities Act. That progress should be continued for much remains to be done. You have heard other witnesses testify to the considerable number of stations and increase in public service to the citizens of the United States which the ETV Facilities Act has enabled over the last five years. Mr. Minow here with us today was present, as were many of you on this Sub-Committee, on the occasion of the hearings and passage of this important Act. The Congress can be proud of that Act.

As we look back over the past years of success with the Educational Television Facilities Act, however, success is not measurable in terms of numbers of stations and dollars alone. Let me cite certain Nebraska examples which in many ways are typical of national ETV development. Were it not for the ETV Facilities Act the Nebraska ETV Network would not be providing a 7:30 a.m. to 11:00 p.m., 90 hours per week, year round statewide educational service. Were it not for the ETV Facilities Act, student nurses would not have received quality instruction in anatomy and physiology by television; law enforcement officers throughout the state would not be receiving timely in-school instruction in arrests and bookings; teachers, the latest in elementary science and math teaching methods; farmers and ranchers would not see demonstrations in corn root-worm control and cattle feeding; pupils in Scottsbluff and Weeping Water would not regularly see and hear the Boston symphony and other metropolitan symphony orchestras; college students in Hastings and Peru, a chance to see great drama, preschoolers in Alliance and Grand Island, to watch *Television Kindergarten* and *What's New*. For the first time we have the mechanisms to bring the educational, cultural and historical resources of America's major metropolitan centers direct into the homes of the less populated areas which form a large part of our country.

We believe the future accomplishments of this Title will be even more far reaching than the obvious accomplishments of the Educational Television Facilities Act have been to date. Our Directors and staff prepared a Five Year Projection last year which predicted the growth of ETV in rather specific terms. We have appended a copy of this study to this testimony in the belief that it will prove of some guidance in planning the orderly growth of educational television stations and services in coming years. The Carnegie Commission on Educational Television arrived at much the same conclusions as did we regarding the future size and shape of educational television broadcasting in the United States. We respect the Carnegie Commission analysis and have made a comparison of their analysis and our plans. This is also attached to our testimony, as is a projection of the programming we think likely in the next five years.

In view of the current needs which can be so abundantly documented, we endorse the wisdom of continuing it for an additional five years and adding additional dollars to it. S. 1160 would add 10½ million dollars for the next fiscal year to carry out the purposes of this Title. These dollars are vitally needed if ETV is to continue to grow. That the present Act has been a success can be judged in one measure in that all funds authorized for grants have been committed. A new applicant today will find no federal assistance available to him under this Act. And we are aware that applications for more than that amount—indicating dire need from throughout the United States—are already on hand in the Office of the Secretary of Health, Education, and Welfare.

We have further conducted inquiry among ETV stations to ask what plans they would have in the future for applying for additional matching funds under such a Title. From 40 existing stations, we have received anticipated 1967–68 applications for federal funds of over $28 million. Planned projects include establishing a second ETV station, conversion to color, adding mobile and film equipment, new studio, and, with the proposed new legislation, building an educational radio station, plus expanded radio and TV networking. We regard this as ample confirmation of the intent of the bill, and the need exists and will be well served by this Title.

A report we made last year to Senator Warren Magnuson showed that for every dollar expended in the Facilities Act at least $2 or $3 resulted locally in operations and capital matching funds. Thus have the federal funds also generated continuing and growing local support as a result.

In terms of other provisions of this Title we note that the maximum sum to be granted to any single state has been raised from $1 million per state to 12½% of the total appropriation for any year. We think this is a good provision. As long as two years ago, responding to an inquiry from the Office of the Secretary of HEW, our organization spoke to the need for lifting of the previous $1 million ceiling in the Act. Even then, a number of states which had experienced rapid and healthy development in educational television had reached their $1 million ceiling, and were unable to proceed further in terms of federal assistance.

The State which I am privileged to represent, Nebraska, is a good case in point. In 1963 the Nebraska Legislature authorized development of a State ETV network to serve all the schools, colleges and homes of our State, which is almost 500 miles wide. To date, 5 full-power, tall-tower stations have been activated and the 6th and 7th are under construction. But we consumed our 1 million limitation under the Facilities Act before the 5th station was completed and we still have additional stations to activate, and dark areas to cover to bring the many instructional and cultural benefits of ETV to the more sparsely populated areas. For these reasons, our Nebraska ETV Commission has requested from our legislature currently in session additional funds to match additional appropriations contemplated in S. 1160. There is still much to be done; more channels, interconnection, colorizing, updating production origination facilities. Nebraska's needs are paralleled in many other states.

We note with considerable pleasure the inclusion of educational radio stations as eligible recipients under terms of the Act. Our Directors, long ago urged that educational radio stations be made eligible for these grants. Again last year we submitted a report to Senator Magnuson in which we confirmed this recommendation. About ⅓ of our educational television station licensees are also licensees of educational radio stations. We expect this proportion to increase in future years as the two media are used in joint support for educational service in their communities. Each has a definite role to play in education and community service.

In another provision of this Title we are pleased that federal participation may be increased up to 75% to each applicant. We believe this to be a good change in the procedures of facilities grants. This change will allow the Secretary of HEW flexibility to meet a wide variety of local needs. This is entirely consistent with the recommendations we have made over the past two years in this regard.

We are pleased at the inclusion of the Virgin Islands, Guam, American Samoa and the Trust Territories of the Pacific Islands as eligible recipients. We have long urged the inclusion of these important developing areas. Our own organization, the NAEB, has played a major role in the development of educational television in American Samoa as has become well known througout the nation. We think that the techniques there can be applied to these other areas with equal benefit.

We appreciate that planning for these activities is also eligible under the new terms of S. 1160. An educational television or radio station is a complex enterprise requiring a high degree of planning for its proper development.

I would turn now to the second Title of the Act which calls for the establishment of a non-profit educational broadcasting corporation. It is this Title which is the exciting new proposal we face today. My colleagues Mr. Fletcher and Mr. Josephs and Mr. Minow each have specific comments about the organization and functions of this Corporation and the valuable programming services it can generate in each community as well as nationally. I would add specific comments of my own. Speaking for the ETV stations, we concur absolutely in the aims of this Title. We believe it is in the public interest for the Congress to encourage the growth and development of noncommercial educational radio and television broadcasting. We heartily endorse the policy aims of freedom, imagination and initiative which we know from direct and long experience are the cornerstones on which public television must be built. Our aim has always been to achieve diversity and excellence, although, heretofore, we have seldom had the means at all levels to accomplish it. We have studied the recommended Corporation and we believe that this is an appropriate agency for the Congress to establish, and that it can be of extremely vital service in assisting the continuing development of educational broadcasting throughout the United States.

There are several important aspects of this Corporation to which we would speak. We concur with the objective of the President of the United States when he spoke in his message on education to the Congress that this Corporation must be free from any undue outside influence. We believe the Corporation as described and established by the bill will accomplish that purpose. I can state categorically that no educational broadcasting licensee desires interference with his own local authority or with his program schedule. We do not permit it now; we cannot permit it in the future. The licensee's responsibility is total for his own program schedule. I can assure you that the institution and agency which employ me and those licensees of all other educational television stations concur absolutely. We can tolerate no interference with the autonomy of our program schedules today or in the future. These are our credos in educational broadcasting.

We recognize that one of the major methods of appropriately insulating this Corporation from undue government influence is provided through the appointment of its Board of Directors. We believe that the appointment method proposed in S. 1160 is entirely consistent with these aims. In our opinion, Board members appointed by the Chief Executive of the United States, with the advice and consent of the Senate of the United States, under the conditions established in the bill, is a satisfactory means of securing the highest possible leadership for these policy-making positions, as well as insuring adequate responsiveness to the people of the United States in their selection. I am sure that my other colleagues here will also express themselves to this point.

I should add that it is the unanimous opinion of the ETS Directors that no staff or Board member of any ETV licensee should at the same time serve as a Board member of this Corporation.

We note the wisdom also of the particular directives in the selection of the Board members that there should be no political test or qualification used in their selection, and we, of course, support strongly the position that the Corporation may not in anywise be a politically active Corporation. This is certainly consistent with our own operations as nonprofit tax-exempt organizations.

In terms of the specific activities of the Corporation we applaud the establishment of the Corporation itself as essentially a non-operating entity. We believe it just as important that the Corporation be insulated itself from the day to day activities of a broadcast station or network as it is from political control in its selection of staff and Board members. We think it an important part of this insulation that this Corporation be essentially a grant-making organization for the improvement of a wide variety of educational broadcasting tasks, and not itself a contract-making agency, and thus the creator and broadcaster of the resulting programs. We think this is a further insurance of objectivity and separation from the possibility of improper government influence.

We support the broad activities to which this Corporation would offer encouragement. Extremely critical is the operational support of some of our stations. We have too great a number of ETV stations today which operate with budgets far below any level of effectiveness in their own communities. A majority of ETV stations operate annually on less money than the cost of 1 hour of a prime time program on a commercial network. Despite these limitations, we are proud of the achievement to date of our ETV stations. We longingly look to a future of vastly improved and increased service. Therefore, we are pleased that the Corporation in such situations can assist in the direct operational support of those stations.

We are painfully aware too that many local program opportunities exist which cannot be met because of inadequate local financing. The ETV stations in Nebraska would welcome the opportunity to produce timely documentaries dealing with public affairs and issues facing Nebraskans. We look forward to producing local out of school general educational programs for children; but these productions take a full complement of professional, not part-timers or the inexperienced, or even capable professionals who must perform 2 or 3 different production tasks. Again we are pleased to note the Corporation can assist.

We are aware of the growing development of regional networks for the pooling of resources in any number of regions. The Eastern Educational Network has long been a successful model in this regard and we note the growth of other such systems in the middle west, west and south. We encourage them, and we agree that the Corporation should assist them.

At the national level, the excellent record of National Educational Television, with which most of our stations are affiliated, clearly shows what can be accomplished in ETV when adequate resources are available. NET deserves and should get additional support from the proposed Corporation. In this respect also our own organization has fostered the development of the ETS Program Service in Bloomington, Indiana, which exchanges the best programs of the stations themselves. However, the ETV stations themselves cannot yet afford all the costs of exchanging programs themselves. Thanks to grants from the National Home Library Foundation and the W. K. Kellogg Foundation, the ETS Program Service has already had a year of rapidly expanding service to the ETV stations. We believe the ETS Program Service is an obvious development activity which the Corporation for Public Television should support in order to continue and expand its effective distribution of good ETV programs throughout the Nation. (We assume that this kind of national program service is not to be confused with the kind of archival library proposed that the Corporation itself could establish.)

We are also happy to see that the Corporation could assist organizations like ours to continue development of adequate publications for the continuing education of those in educational television. Our own *NAEB Journal* is certainly a publication which should merit support by the Corporation for Public Television in order to improve its development.

We note with great interest the mention of common carrier rates with respect to activities of the Corporation. It is no secret that the relatively high rates in terms of educational television operation have prevented the full development of regional and national ETV interconnection services. Thus do we encourage by the FCC and the Congress exploration of the means by which either free or reduced rates for these interconnection services could be granted to noncommercial educational broadcasting stations.

Regarding the financing of the Corporation itself, we think that diversity of income sources insures freedom and autonomy for local stations; and we assume that diversity of income sources will accomplish the same ends for the Corporation for Public Television. We note with great pleasure the already-pledged sum of $1 million from Columbia Broadcasting System to the Corporation for Public Television. We hope that other corporations, foundations and individuals may be inspired to do likewise by this generous contribution.

Insofar as the specific amount appropriated for the Corporation and the limits to any project or station grant in this beginning year, we know of no reason why this would not be satisfactory.

(We must note the ironic fact that at the same time this Sub-Committee is considering how to add modest assistance to ETV's strained budgets, other pending legislation—the proposed Copyright Act revision—would add such restrictions to ETV programming as to increase our program costs considerably. A study released by our organization estimates this cost at almost $50,000 per station annually, with most of the increased costs going for new station staff needed to cope with the administration of the proposed revisions in the Copyright law. We would hope that this search for the appropriate national policy for ETV can be related to the development of realistic conditions for ETV operation under any changes in the Copyright law.)

Turning to Title III, which authorizes a comprehensive study of instructional television and radio, we certainly approve. Just as has been done for Public Television by the historical Carnegie Commission study, we feel a study of similar stature with similar outstanding citizens serving it, should be applied to the field of instructional television. It was quite proper that the limited time staff and funds of the Carnegie Commission on ETV be devoted to a single aspect of ETV, Public Television. It is equally appropriate, indeed necessary, that similar attention be given to the companion service of ETV—instructional TV.

Instructional TV in Nebraska is a major factor in our schools. Our elementary and secondary students are regularly receiving instructions in French, English literature, social studies, science and other subjects through our state network. Last week, for example, through the Nebraska ETV Commission for Higher Education, students on Nebraska public and private college and university campuses throughout the State—from Omaha on the east border to Chadron in the west—saw a special interview with a contemporary poet in her home here in Washington; filmed for us by the Washington ETV station.

Nationally, the potential for instructional television is great. Progress is being made. National TV class enrollments have tripled in the past 5 years, according to figures recently released by the National Center for School and College Television. (See attachment: *The Size and Growth of the School TV Audience*.) But problems persist—problems such as quality improvement, increase of services and financing. Answers to these problems must be found or the full potential of instructional television will never be reached, and American education will be the loser.

We are all aware of the considerable studies that have been done by the U.S. Office of Education and the Ford Foundation in the past as to specific problems in instructional TV. We are sure these will furnish a valuable foundation on which the proposed study can be built. As with others we would look to the future for the time when other nonbroadcast media can get equal emphasis, although we recognize that the funding of Title III would not permit such a broad study at this time. We are certain that our ETV station constituents will give full support to this study as it proceeds, as we were pleased to do with the staff and Commissioners of the Carnegie Commission on ETV.

WATER POLLUTION CONTROL

Mr. McGOVERN. Mr. President, the American people and the national economy are totally dependent on assured supplies of fresh, wholesome water. It is an absolute necessity. We know of no substitute.

Yet all too often our use of this vital commodity has been a process of exploitation with little or no concern for future needs. We have been rendering unusable more and more of our limited water resources, and the day is not far off when we will not have enough even to sustain our current requirements, let alone to supply a growing population and an expanding economy.

The prospect of a stagnant Nation, crippled economically and physically by pollution, demands that we turn our full energies toward means of protecting and preserving water supplies.

In a recent interview for the Chicago Tribune, Consulting Economist Eliot Janeway questioned one of our most foresighted and authoritative congressional spokesmen on the issue of water pollution control, Senator GAYLORD NELSON, of Wisconsin. Senator NELSON supplied a concise description of the urgency of our task and of methods that might be used to deal with it. I ask unanimous consent that the interview be printed at this point in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

CONGRESS TO WEIGH POLLUTION PROBLEMS

(By Eliot Janeway)

NEW YORK, April 5.—Overnight, pollution has surfaced as a major American social disaster area. The acuteness of the problem is a standing criticism of the way we have spent our money in this age of affluence. A study just released by the Chase Manhattan bank projects early costs for air and water pollution control at 5 billion dollars annually now, and assumes a steady annual rate of 10 billions by 1970. But Congress strikes the balance between national requirements and national expenditures. Accordingly, this column interviewed Sen. Gaylord Nelson, Democrat, of Wisconsin, a veteran student of conservation problems.

Q.—Is the pollution problem really as grave as we are led to believe?

A.—Indeed it is, and public pressure all the way from the top scientific levels to the grass roots is growing every year for something to be done about it. Our national available supply of water in this country is 600 billion gallons a day, and there's no way to increase that amount appreciably. We now use 35 billion gallons a day. But by 1980 our best estimate is that we will be using 600 billion, and by the year 2000, 1.2 billion, or twice the national daily supply. This means that we will have to use the same water over and over again. And, since the time and cost involved in repeated cleaning are absolutely prohibitive, we'd better find ways to clean up our fresh water and keep it clean.

HAS PROVED EFFECTIVE

Q.—What federal legislation is now operative in pollution control?

A.—One law that has been on the books for several years has proved quite effective. It provides that, if there is provable pollution of interstate waters, the secretary of the interior may convene a conference of the States involved. Once the conference machinery is set up, each municipality and each industrial installation in the watershed is checked out; samplings of the water are taken and examined; the sources of contamination are identified; and offenders are required to install adequate anti-pollution equipment. About a year ago, for example, some 50 companies along the Detroit river undertook such a program. Any company or municipality that refuses to comply with the recommended corrective measures faces federal court action.

Q.—You, I understand, are the sponsor of some new legislation. Will you describe it?

A.—I have several bills providing for federal assistance. Of course, no matter how the program is financed, the American public will foot the bill, whether as taxpayers or as consumers. My industrial bill provides for low interest loans, matching fund grants from the federal government, flexible depreciation schedules, and fast tax writeoffs on anti-pollution expenditures by industry. A municipal bill provides for the same financing as that applied to the interstate highway system. 90 per cent federal funds for a matching 10 per cent in state and municipal funds. Another bill proposes contracts with universities, nonprofit corporations, and private corporations for research and development in hardware and processes for the neutralization and disposal of wastes. Some rather remarkable progress in new equipment development is being made. I recently visited a plant in my home state where they're making the first effective low-cost marine sewage treatment plant for installation on ships. It will be priced within ready reach of all ship operators. Equipment like this could take a long step toward solving pollution of harbors and in the Great Lakes.

ASKS CONGRESS INTENT

Q.—Is Congress of a mind now to appropriate the needed funds?

A.—The Viet Nam war is undoubtedly deterring some congressional action, but once that's over the program is certain to accelerate fairly rapidly. Actually, altho the total cost of cleaning up our air and water over the next 20 to 30 years adds up to quite a bit of money, it is only about the equivalent of two years of defense spending at the present rate. It seems rather tragic that this dramatic increase in awareness of the seriousness of the problem has come so late—considering that Theodore Roosevelt, as far back as 1906, proclaimed conservation the most important American domestic problem. It was then, and the need to solve it is even more urgent now. We can't afford a stop-go approach that fluctuates with the ups and downs of the economy. We need a continuously expanding program at a steady rate of increase—beginning now.

ON WIRETAPPING LEGISLATION—STATEMENT OF REPRESENTATIVE CLAUDE PEPPER BEFORE HOUSE JUDICIARY COMMITTEE

Mr. LONG of Missouri. Mr. President, Congress has no abler opponent of wiretapping and eavesdropping than Representative Claude Pepper, of Florida. As a Member of the Senate he held a most important investigation into wiretapping 15 years ago. Two years ago he testified before my Subcommittee on Administrative Practice and Procedure when we held hearings in Miami, Fla. He has consistently urged Federal legislation to protect the American citizen from invasions of privacy by Federal and private agents.

Mr. President, today, before the House Judiciary Committee, Mr. Pepper made an eloquent statement in support of the Right of Privacy Act of 1967 which I introduced in the Senate and which he and Representative Celler introduced in the House. In his statement he said:

> If we concede here that we are so helpless in our fight against crime that we must in essence open the doors and windows of every home and office building in the United States and submit the people to the possibility of an unreasonable search, anytime, anyplace, and anywhere; then gentlemen, we have indeed fallen into a sorry state. But I do not believe that this country has reached such depth.

Mr. President, I ask unanimous consent that Representative Pepper's fine statement be printed in the Record. I commend it to all Members of the Senate.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of the Honorable Claude Pepper, Before the House Judiciary Committee, Regarding H.R. 5470 and H.R. 5386, the Right of Privacy Act of 1967, April 19, 1967

Mr. Chairman and members of the subcommittee, I would first like to thank the member of this subcommittee for allowing me to present my views on my bill, H.R. 5470 and that of the able Chairman, Mr. Celler's, H.R. 5386, The Right of Privacy Act of 1967.

My interest in wiretapping legislation is not new. Fifteen years ago I headed a Senate Subcommittee which investigated wiretapping here in the District of Columbia. At that time the devices with which we were confronted had not approached the sophistication of the present devices, but even then we recognized wiretapping as a problem which must be faced if we were to protect the citizens of our nation from unwarranted intrusions which go far beyond anything the framers of our Constitution could have imagined when they prohibited unreasonable searches and seizures.

The problem of wiretapping and eavesdropping, to my mind, falls into two distinct and separate categories; intrusions by government officials and the intrusions by private persons. In the case of wiretapping or eavesdropping by government officials whether they be federal, state or local, an argument can be made in favor of controlled wiretapping and eavesdropping; to deny that would be to shirk the responsibilities with which we in Congress are endowed. However, I believe that a review of all of the circumstances and all of the arguments in favor of such action by government officials falls far short of sufficient justification to allow such action, except in the most serious national security cases. What we are dealing with here is that most basic of rights with which the American people are blessed, the right to be let alone. If we concede here that we are so helpless in our fight against crime that we must in essence open the doors and windows of every home and office building in the United States and submit the people to the possibility of an unreasonable search, anytime, anyplace, and anywhere then, gentlemen, we have indeed fallen into a sorry state, but I do not believe that this country has reached such depth. My faith in the American people and in the government of the United States will not let me believe it. Not for one moment will I admit that we must authorize such intrusions by the government into the private lives of our people for reasons involving anything less than national security.

Along every front and in almost every conceivable way our privacy is being eroded by the course of progress and the growth of country, and to the extent that such erosion is natural, it is unavoidable in a growing nation. But we have a duty to protect the people from an unnatural growth of this process and, to my mind, sanctioned wiretapping and eavesdropping is an enlargement of the natural erosion of privacy most unnatural.

Wiretapping and eavesdropping by private individuals presents a somewhat different problem. Here we have actions that, by any name, are so at odds with the ideals of this country that they never should have been allowed to start. As I stated before, an argument can be made for wiretapping by government officials but I submit, gentlemen, that no argument, however tenuous, can be made which would justify the use of wiretapping and eavesdropping devices by private persons.

Presently the situation is deplorable and only the high cost of the devices available to the public limits their use. However, the devices are available to any and all who have the money. I do not believe that it would serve any purpose for me to go into lengthy description of all of the devices which are available to the general public. Suffice it to say that they are numerous and most ingenious. So ingenious, in fact, as to represent a threat to the privacy and the security of every American.

The Right to Privacy Act will protect us all from these devices, no matter in whose hands they are, and it behooves us to act now to enact this bill for time is of the essence.

The power of the Congress to enact this legislation is clear. The "Commerce Clause" dictates a clear grant of authority to prohibit the interception of interstate and intrastate messages because they both use the same wire and to prohibit the interstate shipment of wiretapping and eavesdropping devices and the use of such devices which have been shipped whole or in part in interstate commerce. The need is clear, the power to act is clear, and I wholeheartedly support this measure which responds to this need.

This measure which is before the subcommittee brings into focus the crime aspect of the wiretapping dilemma and I feel should be given further attention. Law enforcement officers have, time and again, declared a need for the power to wiretap in order to fight crime effectively and, while I respectfully dissent from their position on this issue and have done so, I feel that I must speak up on their behalf and recognize that they are indeed faced with an almost unsurmountable but not insoluble problem.

Crime in this country has, in recent years, been growing at a rate which staggers the imagination and the trend continues. In 1965 two million seven hundred and eighty thousand serious crimes were reported to the police and the first nine months of 1966 showed a ten percent increase during that period. In terms of crimes per one thousand inhabitants the 1965 figure represents a thirty-five percent increase over 1960. The growing concern of Congress with the crime problem is clearly reflected in the Congressional Record index where the number of items concerning crime has grown with the crime rate. This growing crime rate with which we are faced has spread alarm throughout the country and I believe that we must act now to attack the problem on its many fronts.

We are all aware of the menace of the Cosa Nostra, or Mafia, as it is more generally known, and we are aware of the unrest and unsettled condition in our great metropolitan areas. And, as we are aware, so are the citizens whom we represent and our duty to them demands that we act now and use the full extent of our powers to alleviate this problem. If we allow the situation to continue on its present course, unabated and unchecked, the reaction of law-abiding citizens to the situation may well exceed all constitutional limitations. In my home state of Florida the governor has taken it upon himself to hire a private police force answerable only to him for its actions and operating well outside the framework of the constitutional government of Florida. If we do not act against crime in a manner more responsive to the situation such private police forces, abhorrent though they may be, may become the order of the day. We cannot dismiss lightly this possibility which, if it came to pass, would place in dire jeopardy all of our precious rights and liberties. We have many means of fighting crime, but we are sorely lacking in knowledge of how best to approach the situation. Our past history in the fight against crime shows that, by and large, we have chosen a piecemeal approach to the problem rather than a comprehensive, overall approach which would attack the problem at its many roots.

We have come to realize, however, in recent years, that crime must be fought on two levels: (1) the present crime problem and how to reduce it and (2) the causes of crime and how to eliminate them. One is a short range goal, the other a long range goal.

However, before any action is taken on a broad scale, we must have more information so that we may be surer that action has concrete results and does not simply evolve into just another funding effort on the part of the Federal government.

In the area of combatting crime we must first admit our limitations. We cannot create a national police force. The primary responsibility for law enforcement is upon state and local governments. Therefore, we must investigate in depth the means which we can employ and the methods whereby these means may be most effectively put into use. The President's message on crime represents an important effort in this direction. Contained in it are numerous proposals of great merit, including the Safe Streets and Crime Control Act of 1967, law enforcement hearings, and proposed legislation to act in the fight against organized crime. The number of presidential proposals reinforces my view of the enormity of the problem.

I believe that we here in Congress can act in a more efficient and responsive manner to the terrible problem of crime in the United States if we create either a joint committee to investigate crime or a select committee in the House to deal exclusively with the problem of crime and I have introduced legislation which would accomplish this. House Joint Resolution 1 would create a Joint Committee to investigate crime and would be composed of seven members of the House and seven members of the Senate and empower the joint committee to make continuing investigations and studies of all aspects of crime in the United States including, and I am here quoting from the joint resolution; (1) its elements, causes, and extent; (2) the preparation, collection, and dissemination of statistics thereon, and the availability of reciprocity of information among law enforcement agencies, Federal, state and local, including the exchange of information with foreign nations; (3) the adequacy of law enforcement and the administration of justice, including the constitutional issues pertaining thereto; (4) the effect of crime and disturbance in the metropolitan urban areas; (5) the effect, directly or indirectly, of crime on the commerce of the nation; (6) the treatment and rehabilitation of persons convicted of crimes; (7) measures for the reduction, control, or prevention of crime; (8) measures for the improvement of (a) detection of crime, (b) law enforcement, including increased cooperation among the agencies thereof, (d) the administration of justice; and (9) measures and programs for increased respect for the law. House Resolution 16 which I introduced contains the same powers for the House Select Committee.

These powers I believe must be embodied in one special committee so that it may examine the problem of crime in this country in its entirety. As I stated before we are in dire need of knowledge throughout the broad spectrum of crime and I am firmly convinced that it is only through the creation of a special committee that we can obtain this knowledge and thus obtain an effective tool to use in enacting effective legislation.

If such a committee is created it can provide us with invaluable information which otherwise might not come to our attention. The committee could weigh the pros and cons of the numerous proposals to combat crime which are made almost daily by experts in almost every field of human endeavor. We should, I believe, hear in full everything that the best thinkers in psychology, sociology, penology, law enforcement, etc., can tell us about the many faces of this problem.

The committee would act as a repository of information on crime and all of its aspects so that we, acting in our individual capacities, and as members of our legislative committees, could draw upon its expertise and information in preparing remedial and imaginative legislation proposals.

We must concede that crime is a problem of almost unimaginable complexity and that information in depth on the subject is most difficult to obtain and assess, and once we make this concession our course of action becomes clear. We must develop within the Congress the means of obtaining and assessing information on crime and all of its complexities and ramifications. The most efficient way, I believe, to accomplish this end would be to create a continuing body with Congress to provide this service. Without this service we must continue to respond to piecemeal proposals and relinquish to the Executive Branch the initiative and the real power to act on this vital social problem.

Thank you very much.

THE THREAT OF OUR EXPLODING POPULATION

Mr. GRUENING. Mr. President, this past Saturday the New York World Journal Tribune commented on the population problem, and correctly pointed out that AID "is still just dabbling with the problem. Many more doctors, nurses, demographers, administrators, and educators, and much more high-level fervor will have to be put into the effort if the population challenge is going to be tackled in time."

I ask unanimous consent that the full content of this excellent editorial be inserted in the Record at the conclusion of my remarks as exhibit 1.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Exhibit 1

The Population Threat

Population growth is climbing right through the ceiling.

British-ruled India, 20 years ago, had 380 million people; today that subcontinent holds 610 million. Indonesia had 55 million people in 1947; today the total is 106 million. The Philippines' population in 1946 was 19 million; today it's 34 million. Brazil had 47 million people in 1946; today the figure is 85 million.

Population growth on that scale is just too much. If the present trend continues, the world's 3.5 billion people will double by the year 2000 and there will be mass starvation, misery and political turmoil the likes of which the world has never seen. Some experts think as early as 1975 some nations will see widespread famine, despite the best efforts to increase the world's food supply.

The United States led the fight in World War II against the forces of aggression; we led the world in forming the United Nations; we have defended freedom in the great tests of the postwar world; we have led the way in improving the lot of peoples through economic aid. But we cannot seem to act as leaders in this great, on-rushing population problem that is second, in President Johnson's phrase, only to war itself.

The Agency for International Development is at last waking up to the need for action. Director William Gaud has told congressmen that AID will go beyond the studies, research and timid advice to which it has limited itself and now will provide family-planning contraceptives, notably birth-control pills, to friendly governments requesting them.

Gaud asked for $20 million for the population project in the new fiscal year. But AID is still just dabbling with the problem. Many more doctors, nurses, demographers, administrators and educators, and much more high-level fervor will have to be put into the effort if the population challenge is going to be tackled in time.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEAT IMPORT LIMITATIONS

Mr. McGOVERN. Mr. President, I have an amendment at the desk and I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. McGOVERN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment submitted by Mr. McGovern, is as follows:

At the end of the bill, add a new section, as follows:

"Title II—Meat Imports

"Sec. 201. Strike all of Section 2 of P.L. 88–482, approved August 22, 1964, (78 Stat. 594) and substitute the following:

"Sec. 2. (a) It is the policy of the Congress that the quantity of the articles specified in Items 106.10 (relating to fresh, chilled, or frozen cattle meat); Item 106.20 (relating to fresh, chilled or frozen meat of goats and sheep (except lambs)), and Item 106.30 (relating to lambs), of the Tariff Schedules of the United States, which may be imported into the United States in any calendar year beginning after December 31, 1966, should not exceed the average quantity imported during the years 1958 to 1962, inclusive; except that this quantity shall be increased or decreased for any calendar year by the same percentage that estimated average annual consumption of these articles in that calendar year and the two preceding calendar years increases or decreases in comparison with the average annual consumption of these articles during the years 1958 thru 1962, inclusive. It is further the policy of the Congress that the quantity of importation of each Tariff Schedule item separately should be so limited.

"(b) Before the beginning of each calendar year after December 31, 1966, the Secretary of Agriculture shall estimate and publish the quantities prescribed for such a calendar year by subsection (a).

"(c) Before the beginning of each quarter in each calendar year after 1966, the Secretary of Agriculture shall estimate the quantity of each item described in subsection (a) which (but for this section) would be imported in such subsequent quarter and, if the quantity thus estimated by him is in excess of one-fourth of the quantity prescribed in subsection (a), and estimated under subsection (b), the President by proclamation shall limit the quantity of the articles described in subsection (a) to one-fourth of the quantity estimated for such calendar year by the Secretary of Agriculture pursuant to subsection (b).

"(d) The Secretary of Agriculture shall determine at least quarterly quantities of commodities being imported into the United States under Items 107.40, 107.45, 107.50, 107.55 and 107.60 (relating to beef and veal, prepared or preserved (except sausages)), and if he determines that there is an abnormal increase in such importations as a consequence of limitation on items described in subsection (a), the President shall by proclamation limit the total quantities of such items which may be entered, or withdrawn from warehouses, for consumption, during any calendar quarter to a quantity based on the average importation during the years 1958 thru 1962, inclusive, plus a proportionate share in the growth of United States consumption of such items.

"(e) In calculating the quantity of any of the items described in subsections (a) and/or (d) and imported into the United States the quantity of any such items purchased by the Department of Defense for use by its forces abroad shall be included in the total of importations.

"(f) The Secretary of Agriculture shall allocate the total quantity proclaimed under subsections (c) or (d) among supplying countries on the basis of the shares such countries supplied to the United State market during a representative period of the articles described in subsections (a) and (d), except that due account may be given to special factors which have affected or may affect the trade in such articles. The Secretary of Agriculture shall certify such allocations to the Secretary of the Treasury.

"(g) The Secretary of Agriculture shall issue such regulations as he determines to be necessary to prevent circumvention of the purposes of this section.

"(h) All determination by the President and the Secretary of Agriculture under this section shall be final."

Mr. McGOVERN. Mr. President, the amendment I am proposing to H.R. 6950 amends Public Law 88-482, approved August 22, 1964, to put a limitation on importation of certain meat and meat products in the United States.

Mr. President, I have discussed this amendment with the Senator in charge of the bill and the chairman of the committee, the Senator from Louisiana [Mr. LONG], and he has expressed his willingness to accept the amendment.

For the purpose of clarity, the amendment strikes section 2 of the act of 1964 and revises it to accomplish the following purposes:

1. To remove an allowance of 10 percent above the quota to be imported before the limitation is triggered.

2. To divide the annual quotas into quarterly quotas for each of the meats involved so the United States market will not be flooded in one month or one quarter with a disproportionately large share of the total annual quota.

3. To base the quotas on the average imports of 1958–1962, inclusive, plus a proportionate share of the increase in domestic *consumption*, instead of *production* as provided in the 1964 Act. This seems to me appropriate since over-production in the United States should not become the basis for swelling import quotas, and worsening any oversupply problem.

4. Inclusion of lamb, under the quota system.

5. The inclusion of U.S. purchases from foreign suppliers by the Defense Department for consumption by U.S. armed forces abroad in any calculation of total imports.

6. To give the Secretary of Agriculture discretion to bring canned, cured, and preserved beef, mutton and lamb under similar controls. There is evidence that these categories in the Tariff Schedules may be used to escape fresh meat limitations.

Livestock producers are wrestling with low prices resulting from an error in cattle numbers reports and excessive tonnage in the markets. They are entitled to an assist from the Government, which is at least partially responsible for the oversupply.

The Department of Agriculture made a serious error in its reporting on cattle numbers in the United States and, until January, reported cattle numbers to be over 3 million head less than the actual number. When the numbers error was corrected, and the recognized number in the United States increased, the markets weakened sharply.

It is continuing to decline and I am told it dropped 25 cents today although it is already far below a break-even price to producers.

In my opinion, this amendment plus a special purchase program of 200 million pounds or more of beef are, under the circumstances, fully justified.

Greater protection for both the cattle and sheep industry is essential. The present prices for cattle, mutton, lamb, and for wool are so low liquidation of many livestock operations is occurring and more are imminent. This will injure the consumers of this Nation as seriously as the producers themselves.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. BYRD of West Virginia. Would the Senator allow me to add my name as a cosponsor of the amendment?

Mr. McGOVERN. Mr. President, I ask unanimous consent that the name of the distinguished Senator from West Virginia be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. HARRIS. Mr. President, the State I represent, the State of Oklahoma, has the second largest number of cattle of any State in the United States. I want to commend the distinguished Senator from South Dakota for offering this much-needed amendment. It does not change the basic philosophy of the imports quota law. In my judgment, it merely makes rather minor but very important changes in the basic law.

I ask unanimous consent that I may be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, I am delighted to have the support and cosponsorship of the Senator from Oklahoma, who has provided needed leadership in this field.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. LONG of Louisiana. As the Senator so well knows, I ordinarily would not accept the amendment; I would oppose it, because it is irrelevant to investment credit; but in view of the fact that we are considering legislation in the general area of revenue, I shall not oppose it. We started out legislating on campaign funds. Then we decided to get into the field of corrupt practices, of which, incidentally, the Finance Committee has no jurisdiction, but we now have a couple of corrupt practices laws in the bill. Then we wandered over into the social security area and legislated in that field for a couple of days, and I think effectively, because we rejected amendments that should have been rejected, and we took amendments which had been studied and which should have been adopted. Then we are going to go into the oil depletion field after a while and legislate in that area.

I am glad the Senator is thinking of the cattle producers. Perhaps the foreign aid law applies. I wanted the Senate to know how flexible the Senator from Louisiana can be.

May I say to the Senator from South Dakota that I am no longer in the beef business. I had a run at the cattle business some time ago. I bought a farm, and found some cattle on it. It seemed to me that there must be an easier way to lose money than in the cattle business, and I decided to get out of it. The Senator is welcome if he can help some people make a living in cattle in South Dakota. I am glad to see him propose an amendment to help them make a living.

About the only man I know of who makes money in cattle is the Senator from Tennessee [Mr. GORE]. He raises fine, prize cattle, fine bulls, and people have to pay $1,000 to have their cows make the acquaintance of one of his bulls. So I hope somebody may make a few dollars in that business. I applaud the Senator for taking this action. I think the average cattle producer is in worse shape than I am, and I got out of that business. I found there are better places to lose money.

Mr. McGOVERN. I thank the Senator for his compassion.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. GORE. Customarily I pay a great deal more money in the course of a year to get advertising that is not nearly as good as the one that I have just received.

Mr. TOWER. Mr. President, I am pleased to be a cosponsor of the amendment being offered by Senator McGOVERN to cope with the seriously high level of domestic beef imports. As the Senate is aware, on several occasions within the past decade imports of foreign beef have been so high as to cause emergencies and severe losses to our American cattle producers.

Present law establishes quotas for certain types of meat, specifically fresh, chilled, and frozen beef, veal and mutton based on a formula established by the base of domestic production during the years 1959 through 1963. Import restrictions are not triggered until imports are estimated to reach 110 percent of the adjusted base quota.

The amendment offered by the distinguished South Dakota Senator would provide badly needed relief for our domestic producers. Present conditions in the industry are not conducive to a healthy growth of this vital industry.

As I stated last fall before the General Subcommittee on Labor of the House Committee on Education and Labor:

> Greatly increased imports of beef have resulted in reduced employment in the cattle-raising industry.
>
> I introduced legislation in the 88th Congress, along with a number of other Senators, which would have curbed the increased beef imports, but the Administration was successful in killing the legislation in committee. Since that time, cattle raisers in my state and throughout the nation have done their best to adjust to the problem, but it is still obvious that imports will have to be curbed if we ever expect the industry to return to full capacity operations.
>
> While we open our own markets to vast quantities of foreign beef, at the same time we act against our own best interests by curtailing our exports. I am referring to the recent actions of the Commerce Department in imposing quotas on the export of cattle hides. I realize it is not the purpose of these hearings to go into an analysis of our export policies, but I bring this up to show that there should be a quid pro quo in formulating our export policies. Cattle raisers had gone to considerable trouble and expense to open up export markets for hides to recoup some of their losses in response to greater imports of beef. When the markets were established, the Commerce Department turned around and clamped a low quota on the number of hides which could be exported.
>
> If we are to make our markets available to imports, steps should be taken to cushion the impact on our domestic labor market, and we should pursue a policy of freely allowing American producers to export where they are able, and to demand market concessions from countries which are allowed access to sell on American markets."

Mr. President, I urge the acceptance of the McGovern amendment to limit beef imports. I hope the Senate will agree to this amendment.

I also ask that the text of a letter I wrote to the Secretary of Agriculture earlier this year urging administrative action to grant relief to the domestic beef industry be reprinted at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> U.S. SENATE,
> COMMITTEE ON ARMED SERVICES,
> *February 15, 1967.*
>
> Hon. ORVILLE FREEMAN,
> *Secretary of Agriculture,*
> *Washington, D.C.*
>
> DEAR MR. SECRETARY: I am writing in regard to the serious price declines presently being experienced in the cattle feeding industry.
>
> In view of the increasing high level of beef imports and the unusually low returns going to United States cattlemen, I urge that the Department act as soon as possible to resume its purchase of choice beef for use in the school lunch program. Present price levels present an opportunity for the program and would strengthen the market.
>
> I would appreciate a report on the Department's intentions in this regard.
>
> Sincerely yours,
> JOHN G. TOWER.

Mr. HRUSKA. I am in support of the amendment of the Senator from South Dakota. I hope it will be adopted. I wish to ask his indulgence and ask unanimous consent that I may become a cosponsor of the amendment, if it is agreeable to him.

Mr. McGOVERN. I am glad to have the Senator from Nebraska and the Senator from Texas join as cosponsors. I ask that their names be added to the amendment, as well as the names of the senior Senator from Missouri [Mr. SYMINGTON] and the senior Senator from Idaho [Mr. CHURCH].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. I am glad the Senator is taking this action in an effort to relieve the problems facing the major industry of the Midwest. It certainly is in our respective States and our neighboring States. The Senator has demonstrated an interest in the well-being of an industry which is so pivotal in our area.

Last Friday it was my privilege to address the Senate on this subject. At that time I outlined the principal points that would be embraced in a bill which was then in process of preparation and which I expect to introduce when the Senate convenes tomorrow. I invite Members of the Senate to participate in colloquy at that time, if they are so disposed.

The principal points which I outlined, I understand from the Senator from South Dakota, are embraced in the amendment he proposes today. I have not had the opportunity to read it in detail but from his description of it, it seems to get at the problems which were spelled out in my speech of last Friday.

Mr. McGOVERN. If the Senator will permit, I want to compliment him for the statement he made on the floor of the Senate a few days ago and also for the leadership he took in this area in 1964 as one of the principal proponents of import quota limitations.

The proposals in the amendment now before us follow generally the outline which the Senator suggested last week. There is one substantial difference. I have included lamb and lamb products in the import quota legislation on the same basis as beef and mutton. As the Senator knows, the sheep industry is in very serious need. Lamb, mutton, and wool prices are at disastrously low levels.

By including lamb in the legislation, which was not included in 1964, I think we have materially strengthened the legislation.

As a matter of insurance, I wish, when the Senator introduces his bill, he would list me as a cosponsor.

Mr. HRUSKA. I shall be very pleased to have the junior Senator from South Dakota as a cosponsor on this bill. I recall very well that the Senator was helpful and ultimately lent support on the proposal which I introduced which resulted in the progress we were able to make 3 years ago.

In the bill to be introduced tomorrow lamb is treated in a little different way. It is in that category of imports as to which the President would have discretion to impose a limitation on imports in case of a demonstrated need for it. Pork would be in the same category.

I am aware of the concern of the industry, which has experienced a marked decline. It will be included in the manner described above.

Notwithstanding the Senator's amendment, I believe it will be well to introduce the bill and ask for early consideration by the Finance Committee. It is in the general field of a tariff measure and is a very technical subject.

Mr. McGOVERN. The Senator is correct. It is a good insurance policy.

Mr. HRUSKA. That is fine. Again I commend the Senator from South Dakota, and also commend the sound judgment of the chairman of the Committee on Finance, in the decision he has made with regard to the pending amendment.

Mr. McGOVERN. I thank the Senator from Nebraska. I yield now to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I ask the Senator from South Dakota if I, too, may become a sponsor of his bill?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. I shall be happy to have the Senator as a cosponsor, and to have his strong and effective support.

Mr. HANSEN. I happen to come from a State that is very dependent on the livestock industry. Next to coal and associated minerals, agriculture, represented primarily by livestock, produces the second largest share of our income.

We happen to be a State that is characterized by a short growing season and a high altitude; and were it not for the fact that we have livestock, both cattle and sheep, in our State, there is much of Wyoming that could not be put to beneficial use. Because of that fact, it is particularly important that we keep our livestock industry viable and healthy.

I look forward to the early passage of the legislation introduced by the distinguished Senator from South Dakota as bringing a necessary measure of relief to an industry that is really hard pressed. Just a few days ago, I was told that parity now stands at 73 percent—the lowest it has been, I think, in some 30 years. We cannot longer remain oblivious to what is happening to the sheepman and the cattleman in this country of ours. If we do so, we run the risk of having a great many of them go out of business.

Mr. McCARTHY and Mr. YARBOROUGH addressed the Chair.

Mr. McGOVERN. I yield next to the Senator from Minnesota, as I have told him I would do.

Mr. McCARTHY. I, too, wish to ask the Senator from South Dakota if I may join as a cosponsor of his amendment.

Mr. McGOVERN. I ask unanimous consent that the name of the Senator from Minnesota [Mr. McCarthy] be added as a cosponsor. I am pleased to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. I agree with the chairman of the Committee on Finance in his decision. I hope he will strive to carry the matter through the conference, and to final action by Congress.

Mr. LONG of Louisiana. Mr. President, I do not want——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Louisiana?

Mr. McGOVERN. I am happy to yield to the Senator.

Mr. LONG of Louisiana. May I say to the Senate, I do not want people to get the impression that at the time of the consideration of the Senator's amendment only cattlemen were present on the floor of the Senate. Therefore, at such time as the Senator from South Dakota is prepared to yield the floor, I intend to suggest the absence of a quorum.

Mr. YARBOROUGH. Mr. President, will the Senator from South Dakota yield to me?

Mr. McGOVERN. I am pleased to yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I request that the distinguished Senator from South Dakota add my name as a cosponsor of his amendment.

Mr. McGOVERN. I shall be happy to do so.

Mr. YARBOROUGH. I commend the Senator for his leadership in this area. I represent a State which has more cattle in it than any other State in the Union, the greatest beef producer, in volume, in the United States. This is of vital interest to my State. Texas is third in agricultural production per year. Our agricultural production has an annual value of about $2.5 billion; and, while cotton is the leading field crop and grain sorghum is not far behind, the meat production of the State accounts for $1 billion each year of the total of $2.5 billion of agricultural production. It is the most important single item in our agricultural production.

We have more than 300,000 farm families in my State—more than any other State in the Union. Texas is a stronghold of the small farm family. We have not yet gone to corporation farming on a great scale, as have some of the other States, and I hope that we never shall. But the stock farmers and the small landowners are vitally interested in this measure, because while our rainfall begins at 60 inches a year on the eastern border, it goes down to 8 inches at El Paso, and vast areas of our State—perhaps half of it—could not sustain themselves with field crops. Those areas are dependent upon ranching for their livelihood. In fact, of our 254 counties, 92 are in the Great Plains area, which is, as the Senator knows, an area greatly deficient in rainfall, and we have some counties which do not even have enough rainfall to be classed within that area, among the 92 counties of the Great Plains area as such. So this is a measure of vast importance to at least half of my State, where ranching is the most important industry. I am happy to join the Senator from South Dakota as a cosponsor.

Mr. McGOVERN. I thank the Senator for his remarks.

Mr. LONG of Louisiana. Mr. President, is the Senator from South Dakota prepared to yield the floor?

Mr. McGOVERN. I yield the floor.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEATH OF KONRAD ADENAUER: A LOSS TO THE WORLD

Mr. JAVITS. Mr. President, I call the attention of the Senate to the passing of Konrad Adenauer, one of the great men of our time.

More than any other man, in the Atlantic community, Konrad Adenauer led the way to a new role for Germany in the postwar world.

Domestically, he did much to bring about the West German constitution and the democratization of its politics. A strong personality himself, he nevertheless knew that the best path for Germany was through freedom and equality, not authoritarianism.

Internationally, he recognized that Germany must not succumb to the temptation of trying to be the dominant power in Europe by playing off Eastern against Western Europe. On the contrary, he firmly planted West Germany in the orbit of Europe and the Atlantic community and made it the most Pan European nation in Europe. For this all German youth rallied to Der Alte, as he was known. The European Common Market and NATO became the hallmarks of Adenauer's foreign policy. These will stand as monuments to his foresight and his place in history.

Mr. President, I had the privilege of knowing Konrad Adenauer personally over many years, and I saw him frequently both at home and abroad.

I know his son and I have met others of his close associates.

I extend my condolences to them and to the German Federal Republic on the loss of such a distinguished citizen as Konrad Adenauer.

Mr. SCOTT. Mr. President, I was saddened to learn today of the passing of Konrad Adenauer at the age of 91. I have fond personal recollections of this great gentleman, having had the honor and pleasure of meeting and conversing with him on several occasions.

We all recall with admiration the spirit and strength of this towering figure who dominated the scene in postwar Germany. He is fittingly known as the father of free Germany.

He was the founder of the ruling Christian Democratic Union and was elected the first Chancellor of the West German Federal Republic in 1949. For the next 14 years he guided his nation from the rubble of Hitler's dreadful Third Reich to a position of stability and respect in the community of free nations.

Konrad Adenauer made democracy a reality in a nation where the democratic process of government was only a textbook concept. He built Germany from a defeated nation, its cities largely destroyed, into one of the world's leading industrial powers—a feat which has been described as a modern economic miracle.

To the Adenauer family, the Government of the Federal Republic, and the people of West Germany, I wish to extend my sincere sympathy. We all suffer a severe loss in the passing of this great statesman.

TAX BENEFITS FOR UNMARRIED INDIVIDUALS

Mr. SCOTT. Mr. President, I have become a cosponsor to the bill S. 35, which was introduced on January 11, 1967, by the distinguished Senator from Minnesota, Eugene J. McCarthy. The bill amends the Internal Revenue Code of 1954 to extend the head-of-household benefits to certain unmarried individuals for Federal income tax purposes. The groups benefiting would be unremarried widows and widowers, and individuals who are at least 35 years of age and have either never been married or have been legally separated for 3 years or more and maintain their own household.

The bill is designed to improve the horizontal equity in our tax structure. It would apply the same tax to individuals in similar economic circumstances. Under present law, certain individuals qualify as heads of households for income tax purposes. They include unmarried individuals who support another qualifying member of the household. For example, a taxpayer who supports a child would usually qualify as a head of household. What this means in practice is that the taxpayer computes his income tax under a special rate schedule, which provides half of the benefit that a married couple enjoys by filing a joint return. In addition, the taxpayer is allowed a $600 personal exemption for the child.

There are instances, however, when a single individual is contributing to the support of another person; but because of the restrictive language of the law, he does not qualify for the special head-of-household rates. For example, in order for a taxpayer who supports a parent to qualify as a head of household, the parent must be a dependent—as defined by tax law—and must live in a home that the taxpayer maintains for him or her. It is not necessary for the parent and taxpayer to live in the same house. However, maintaining a parent in a home for the aged is not maintaining a household for the parent.

It is certainly justifiable for a taxpayer to be allowed a head-of-household status if a parent, for example, is living under the same roof as the taxpayer. However, to deny this status for a taxpayer who must spend, in most cases, substantially more to maintain a parent in a home for the aged or in a nursing home is grossly unfair. These institutions are very expensive and are usually a heavy financial drain on the person making payments to the institution.

I cite this example—which incidentally appears in the Internal Revenue Service's publication, "Your Federal Income Tax"—to illustrate the irrational treatment that often results from certain arbitrary requirements of the head-of-household provision.

Thus, one purpose of S. 35 is to provide remedial legislation which will remove hardships and inequities that result from the complicated and arbitrary rules set forth for qualifying as a head of household. The broader purpose of the bill, however, is to extend the benefits of the head-of-household provision to individuals who do in fact maintain a household even though they do not maintain a dependent.

Under present law if a widow or a widower does not support another qualifying dependent, such as a child, that surviving spouse is taxed as a single person. In many instances the surviving spouse maintains essentially the same household as he or she did when the deceased spouse was living. Household expenses continue at pretty much the same level. In any event, living costs certainly do not diminish in the same magnitude as the tax liability increases as a result of losing the benefit of the split-income provision. In fact, in many cases, especially for a widower, costs increase. He must pay hired help to perform many of the domestic tasks that were previously taken care of by his wife. In the case of a widow, income usually declines drastically.

Similarly, individuals who are legally separated face economic setbacks after their divorce or separation. It means maintaining two separate households instead of sharing only one. Thus, although total expenses are usually increased, income remains the same. Yet each of them is treated as a single person for tax purposes. S. 35 provides that individuals at least 35 years of age and legally separated under a decree of divorce or separate maintenance for more than 2 years would be entitled to the head-of-household rates.

The remaining group of individuals covered by S. 35 are individuals who are 35 and have never been married. Most individuals by the time they have reached 35 years of age and have never been married maintain a household for themselves. Some do this out of necessity, because their parents might be deceased or live in a different geographic area. Others have established a pattern of life which closely parallels the living conditions of other individuals who qualify under either the head-of-household or the split-income provision of present law. They will usually have an apartment, or perhaps a house, furniture, and furnishings just as a married couple or a head of household who supports a qualifying dependent usually has. Thus, the expenses of these unmarried individuals are largely the same as for others who are entitled to take advantage of the lower rates applicable to a joint return or to the head of household. In the interest of equity, these individuals should likewise be entitled to at least the head-of-household tax rates.

Recent data show that there are about 22 million unmarried persons in the United States who are 35 years of age or over. This includes single individuals who have never been married, surviving spouses, and individuals divorced and separated. Nearly three-fourths, or 16 million, of these are women. S. 35 would extend the head of household to certain unmarried individuals who do not currently qualify for the head-of-household provision—or for the joint return which is applicable to some surviving spouses under limited circumstances. The bill will give necessary relief to those who are now inequitably taxed at rates applicable to single persons. It will also add strength to our tax system, since it will be an important step in providing a more equitable tax structure. I earnestly hope that other Members of the Senate, who have not already done so, will support the proposal embodied in S. 35 and that this Congress will enact it into law.

HOW TO ORGANIZE A DURABLE PEACE—THE GREAT CENTRAL QUESTION OF OUR DAY

Mr. FULBRIGHT. Mr. President, the New York Times of April 19 contains a perceptive and profound article entitled "The Great Central Question," written by James Reston.

In this brief, penetrating article Mr. Reston has concisely presented the essential difference in judgment between the view of the administration and my view. He asks precisely the right questions.

In a few words, I believe that the actions of the administration in Vietnam are obstructing and preventing the achievement of the announced objective of the Secretary of State; that is, the organizing of a durable world peace.

As Mr. Reston correctly states, this involves a difference in judgment as applied to the circumstances of the war in Vietnam. I recommend a reading of the article to all Senators.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GREAT CENTRAL QUESTION

(By James Reston)

WASHINGTON, April 18—In his private conversation and increasingly in his public statements, Secretary of State Rusk has recently been complaining that the world is losing sight of what he calls "the great central question of our day."

This is the question of how to organize a durable peace, how to establish rational rules of conduct for the peaceful settlement of disputes between nations and, specifically, how to abolish war as a means of achieving political objectives.

IS HE RIGHT?

Mr. Rusk sees the formation of the United Nations, the creation of the inter-American, European, Southeast Asian, and Middle Eastern security pacts, the negotiation of the defense treaties with Japan, the Philippines, Australia and New Zealand as interconnected parts of a worldwide security system which will eventually bring order into international relations, if maintained, and leave the world in chaos if repudiated.

This is his central theme. This is his main defense of the Vietnam war. He thinks the system rests on the punishment of aggression, on the fulfillment of American commitments to oppose aggressors, with allies if possible, without them if necessary. His sincerity about this is plain, but what about his judgment?

HONEST DIFFERENCES

Is the Vietnam war really helping to "organize a durable world peace," or is it weakening the very peace structure Mr. Rusk hopes to sustain and develop? This is the question that is dividing the Secretary of State from his Vietnam critics. The problem is not that everybody except the Johnson Administration has forgotten "the great central question of our day," but that honest men differ fundamentally about whether Vietnam is promoting peace and order or war and disorder.

Is the war strengthening or weakening the United Nations? Is it fortifying or fracturing U.S.-Soviet relations, on which any durable world order so largely depends? Is it increasing or weakening Vietnam's capacity to block the expansion of China, which is a main objective of our policy? Is it strengthening or weakening the organization of peace in the NATO or any other alliance? Is it widening the split between Moscow and Peking or bringing them closer together?

Finally, what happens to the organization of a durable peace if Vietnam leads to a war with China as in Korea? Secretary Rusk is quite right in fearing that people will get so deeply involved in the day-to-day tactics and arguments of the war that they may forget the larger dangers. One of these is undoubtedly the danger of successful Communist aggression, but another is the danger of opposing the aggression so violently that it will bring China into the war.

The situation at the moment is that the United States is increasingly backing South Vietnam, and the Soviet Union and China are increasingly backing North Vietnam—even overcoming other differences to ship arms via China—and the prestige of the great powers is getting more and more deeply involved in avoiding defeat.

This is not a situation that can be dismissed by blaming the Vietnam critics for short-sightedness, or trying to silence them by charging them with prolonging the war and increasing the deaths. The argument between Mr. Rusk and his opponents is bitter precisely because there are at least two contradictory sides to the question, both fiercely defended.

THE CONFLICTING JUDGMENTS

The Administration's policy of opposing the threat or use of force in Germany, Cuba, the Congo, Korea and Vietnam has undoubtedly maintained some kind of balance in these places and at the same time probably discouraged other aggressions by Sukarno in Indonesia, Nasser in Egypt and other adventurers elsewhere.

In this sense, it has helped "organize a durable peace." But pushed too far in Vietnam, it could easily destroy what it hopes to create. This is the point of Mr. Rusk's critics. They share his yearning for a world order, but are afraid he will lose it rather than gain it in Vietnam.

THE FARMER'S TIGHTENING ECONOMIC SQUEEZE

Mr. TALMADGE. Mr. President, there is a great lack of understanding, particularly among the nonagricultural segment of our society, about farmers' income and the amount he actually receives from the product he produces and markets.

The truth is, the American farmer, with rising production costs, labor problems, and competition from foreign imports, is in the midst of a very difficult situation. As Sylvia Porter so accurately pointed out in one of her recent columns:

> The American farmer is again in a tightening economic squeeze.

The long and short of the situation is this: the American farmer still is not receiving his fair share of the national income as he should be, and the public should understand this.

Miss Porter's column, which was published in the Atlanta Journal of April 17, 1967, graphically demonstrates this situation by enumerating what the farmer actually gets out of each dollar spent for food products. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. FARMER AGAIN IN MONEY SQUEEZE

(By Sylvia Porter)

Democratic Sen. George McGovern of South Dakota has seriously proposed a new food labeling system under which each package of food we buy would bear a label stating how much of the price is going to the U.S. farmer.

Agriculture Secretary Orville Freeman has called for new restrictions on imports of dairy products, at a time when quotas could have explosive political-economic implications.

Infuriated U.S. dairy farmers have tried milk-dumping campaigns in an attempt to drive up the prices they receive for milk.

These three news items dramatize the fact that the American farmer again is in a tightening economic squeeze—for although he made unmistakable strides in catching up to the non-farm worker last year, the leveling off of food prices plus continually skyrocketing costs of operation are hitting him hard in 1967.

Just since 1959 farm machinery prices have risen a full 24 per cent and labor costs are up 35 per cent. Feed grain prices also have been in a sharp upswing.

In addition, he's fighting severe farm labor shortages, intense local competition and growing competition from food imports from abroad. Last year alone, dairy imports jumped 300 per cent.

Despite all the progress the farmer has made during this decade, consider these facts:

Even with last year's overall 15 per cent income boost, the farmer still nets only a per capita average of $1,731 in yearly earnings, a full 60 per cent below average earnings of the non-farmer.

Even though retail food prices last year rose to 35 per cent above the 1947–49 average, prices paid to farmers for the food we bought actually were 2 per cent below those paid in 1947–49. Today, the farmer receives only 5½ per cent of the U.S. consumer's total after-tax income for his products—one-half the share he received in 1947.

Even though our spending for farm-originated foods has soared $40 billion since 1947–49, less than one-fourth of this increase has gone to the farmer. For every food dollar you spend today, the farmer gets only 40c—10c less than he received two decades ago.

Even though a significant number of big U.S. farmers are making record profits today, a far more significant number are being pushed over the brink of poverty. Just in the past eight years, the number of U.S. dairy farms has dwindled from 770,000 to 500,000. More than 95 per cent of farms in this country today are family farms and among these, poverty is still a tragically pervasive fact of life.

Here's what the farmer gets for each dollar you spend for food:

Farmer's share of $1 spent

Item:	*Cents*
Canned beets	6
Corn flakes	9
Canned peaches	16
White bread	17
Spinach	22
Oranges	24
Potatoes	30
Apples	35
Fresh milk	49
Beef, choice	59
Eggs, Grade A large	65

This table explains the background for the farmer's demands more than a treatise could. With his price pressures on top of the generally rising costs of food production, processing, packaging, there's only one direction for the price of your food market-basket in the months ahead: UP.

BATTLESHIPS FOR VIETNAM

Mr. HANSEN. Mr. President, I was pleased to note in last night's Washington Star the headline that "U.S. Ponders Reactivation of Battleship." The article which followed quoted Adm. Ulysses S. G. Sharp, commander in chief, Pacific Fleet, as saying in a news conference that a battleship would be "very useful" because of its many advantages over other lesser Navy ships with smaller guns.

Several Senators have advocated the recommissioning of the largest of our Navy ships for destruction and interdiction missions off the coasts of North and South Vietnam.

I made such a recommendation in a speech April 12 in which I said that the big ships with their long-range, heavy armor and all-weather staying power could save American lives on the ground, in the air, and on the seas.

I reiterate, as I stated on the Senate floor, that we have lost enough planes and aircrews already in strikes against targets that could have been hit by battleships, to have more than compensated for the recommissioning and employment in southeast Asia of not one, but three of these "Sunday punchers."

The Star article quotes "Navy sources" as saying that a decision on the battleships "probably will be reached by the Navy within a relatively short time."

I also ventured the opinion that the psychological effect of a policy decision to use such weapons would have a powerful impact in Hanoi.

As the Star article phrased it:

> The decision to spend the amount needed to get a battleship ready for service could . . . also be a signal to Hanoi that the United States was settling down for a long war and that Communist hopes that the United States would lose its desire to fight were groundless.

With this I thoroughly agree and I ask that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES PONDERS REACTIVATION OF BATTLESHIP

The Navy may reactivate at least one World War II battleship for bombardment of North Vietnamese shore targets.

Adm. Ulysses S. G. Sharp, commander-in-chief, Pacific, told a news conference yesterday that a battleship would be "very useful" because of the accurate fire from its big guns and because it would be less vulnerable to enemy fire than cruisers and destroyers.

He declined to say whether he had recommended reactivation of a battleship.

But it was learned from other Navy sources that high-level officials are impressed with the arguments in favor of taking a battleship out of mothballs. A decision probably will be reached by the Navy within a relatively short time.

STILL UP TO M'NAMARA

If the Navy recommends such a move, it would still be up to Defense Secretary Robert S. McNamara to decide whether or not to go ahead.

The Navy now has four battleships in mothballs—the Iowa, the New Jersey and the Wisconsin at Philadelphia and the Missouri at Bremerton, Wash.

Getting a battleship out of mothballs and into combat would be an expensive and time-consuming procedure.

The Pentagon estimates that "de-mothballing" and modernizing of one of the big ships would cost from $11 million to $20 million. And there would be additional costs to supply the ship and train a crew.

Sharp estimated that it would take at least six to eight months to get one of the ships into combat. Other estimates have ranged up to twice that long.

Once a battleship had been returned to active service, operating it would cost from $12 to $16 million a year.

COULD BE INDICATION

A decision to reactivate a battleship could be taken as an indication that U.S. officials are convinced the war in Vietnam is going to go on for many months, perhaps years.

However the decision to spend the amount needed to get a battleship ready for service could, according to Navy sources, also be used as signal to Hanoi that the United States was settling down for a long war and that Communist hopes that the United States would lose its desire to fight were groundless.

THE OIL SLICK DANGER

Mr. JAVITS. Mr. President, the recent *Torrey Canyon* disaster which resulted in the despoilation of many of Great Britain's southern coastal waterfront areas by thousands of tons of crude oil points up the need to examine just what action might be taken by our own authorities if a similar situation should arise off the shores of Cape Cod or of Long Island or some other U.S. coastline. I think that it is essential not only to protect our shoreline, but to assure the many businesses dependent upon shoreline recreational facilities that our Government is taking steps to prevent such occurrences, or at the very least, that it is prepared to act quickly in case of such an emergency. Frankly, I do not now know whether we need to make changes in our shipping routes—as has been done in Great Britain—or whether we need to step up our scientific research in the dissolution of oil slick. I feel strongly, however, that we must determine now who is responsible for making decisions in such emergencies—quick decisions that cut through intergovernmental red-tape.

I am determined that we set this responsibility and find the answers to these questions now and that Congress be told what legislation may be necessary to prepare us to act swiftly if our shoreline is threatened by oil slick.

In letters to Transportation Secretary Boyd, Interior Secretary Udall, and Maritime Administrator Gulick, I have asked for a report on present procedures, and for any suggestions they might have to prevent such occurrences in the future.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The Senator from South Dakota [Mr. McGovern] obtained the floor.

Mr. LONG of Louisiana. Mr. President——

The **PRESIDING OFFICER**. Will the Senator from South Dakota yield?

Mr. McGOVERN. I yield.

Mr. LONG of Louisiana. I had intended to ask for a live quorum, but in view of the fact that the roll has been called and all Senators are alerted to the fact that the amendments are proposed, I shall not ask for a live quorum.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the names of the following Senators be added as cosponsors to the pending amendment: The Senator from New Mexico [Mr. Montoya], the Senator from Texas [Mr. Tower], the Senator from Idaho [Mr. Jordan], the junior Senator from Colorado [Mr. Dominick], the senior Senator from Colorado [Mr. Allott], and the Senator from Iowa [Mr. Miller].

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I am beginning to think that we have now reached the point on this 7-percent investment tax credit where all of us are beginning to have a lot of fun, and we are losing sight of the very objective and the importance of this legislation to the business community of the country.

I am not opposed to this amendment, because I know that it will not survive conference. I, too, believe in the philosophy of this amendment, because I believe the time is fast coming when the President of the United States and this administration will have to recognize the fact that certain industries in this country are being disrupted because of the voluminous imports. This situation is not only true of the cattle industry. I have nothing against the cattle industry. But what can be said about cows and sheep and bulls can be said about textiles as well.

For a long time we have been trying to do something about the astronomical increase of imports. As a matter of fact, insofar as the woolen industry in America is concerned, the imports have now reached a point of 22 to 25 percent of the entire American consumption. The result has been that we are beginning to liquidate the textile industry in this country. And I have no doubt whatsoever that the cattlemen have their problems as well.

I should like the Record to show that I was on the floor when this matter came up, because this will be a voice vote, and every Senator on the floor, with the possible exception of the Senator from Delaware [Mr. Williams] is interested in cattle. For that reason, this amendment could be agreed to by a voice vote. I know it will not go further than the conference, and all of us are beginning to have a lot of fun.

This bill has been on the floor for more than 22 days. The business community of this country is looking at the Senate, and we are beginning to act like a lot of schoolboys. The business community would like to know, yes or no, "Are you going to do anything about the 7 percent investment tax credit?" Nothing is happening.

I say this with all due deference to the leadership: A long, long time ago, the leadership in the Senate should have admonished the Members of the Senate that it would not entertain any extraneous matters in this bill, that it would vote to lay them on the table and ask for the cooperation of the Senate, and I believe that cooperation would have been forthcoming.

But we have allowed this matter to drift and drift, and here we are. Now we are without sail and without rudder, and the Senate is going to act on this amendment this afternoon; and I believe that any Senator who submits an amendment of any kind can get it passed. This is a distressing situation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LONG of Louisiana. May I say to my distinguished friend, the Senator from Rhode Island, that I stood at the majority leader's chair all the time we voted on the Gore-Williams amendment, and I said that amendment had nothing whatever to do with the bill. Part of that amendment related to the corrupt practices law, over which my committee has no jurisdiction, and the other parts of it had to do with financing presidential campaigns, which is not relevant at all to the investment credit restoration bill.

I concluded that if they were going to put this amendment on, then, so far as I was concerned, Senator Gore and Senator Williams are not the only Senators who have a right to offer completely irrelevant and extraneous amendments. So far as I am concerned, every Senator has the same right as any other Senator.

Mr. PASTORE. And I am not challenging that right. I am not challenging that right for one minute. However, had the leadership taken the position from the beginning that it would move to lay on the table—naturally, if a Senator introduces any amendment that is tantamount to the Ten Commandments, who will vote against it?

But if you are going to make the point that it does not belong in this bill, that it is untimely, the leadership should have admonished the Senate a long time ago that it would move to lay on the table, any such amendment then perhaps the Gore amendment would have been laid on the table, and everybody would have been treated alike. I am not getting into the merits of the Gore amendment.

The other day, a Senator brought up the question of lowering the social security age. Who would vote against that proposal? The Senate has not yet forgotten that in order to be a Senator, first you must be elected.

We are now in the 23d day of this bill, and we are no better off than we were at the beginning. By the time this matter gets to conference, the whole bill will look like a colossal sieve.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PASTORE. I wish to make another statement, and then I shall yield.

OIL SPILLAGE AT SEA

Mr. PASTORE. Mr. President, later today, Senator Warren Magnuson and I intend to introduce two bills which we have worked on together and which I consider of vital importance.

The Oil Disaster Tanker Act of 1967 is the first of the two, and the second bill would provide authority to the Coast Guard to conduct extensive research into methods for eliminating major oil spillage in the ocean before it destroys our coastline and beaches.

For years now, people in my State who live along the coast and who depend upon the tourist trade for their livelihood have lived in fear of oil contamination. The crisis of the SS *Torrey Canyon* has dramatically demonstrated to these constituents in Newport and Middletown, Little Compton, Narragansett, and South County, and to me the need for these two bills.

Last month the *Torrey Canyon*, a vessel nearly 1,000 feet in length and carrying over a million gallons of oil, ran aground and broke apart off the coast of Cornwall in the United Kingdom.

A blanket of black oil from the *Torrey Canyon* soon covered those beautiful beaches of Cornwall. Bunker oil carried in by the tide decimated wild and sea life and destroyed the tourist industry, at least for this season. Financial loss from this one act of negligence—this one grounding—will be measured in the millions of dollars.

The *Torrey Canyon* incident is more than a foreign tragedy to Rhode Islanders. We are subject daily to the possibility of disasters of even greater magnitude. Jumbo oil tankers, some twice the size and capacity of the *Torrey Canyon*, ply the shipping routes off our coast at this very hour.

In this morning's Washington Post, on the front page, we read of the effects of the oil slick from a sunken tanker off the coast of Cape Cod. Beaches and wild fowl are in terrible danger if the pollution remains unabated.

One incident makes the *Torrey Canyon* disaster very real to us. At 12 noon on September 1, 1960, the *P. W. Thirtle*, an oil tanker, while steaming up the east passage of Narragansett Bay with a cargo of 336,000 gallons of bunker oil, went aground off Fort Wetherill in Jamestown and exploded like a bomb. A black mat of oil spread over the entire waterfront in Newport, staining our beautiful, white beaches. The shoreline of summer homes—including "Hammersmith Farm," owned by the family of Mrs. Jacqueline Kennedy—and all the beaches and waterfront were covered with black tar. Property damage amounted to millions of dollars.

We in Rhode Island know what the *Torrey Canyon* means to the people of Cornwall. It means the loss of jobs dependent upon the tourist industry—and, in fact, the loss of the industry itself upon which a large segment of our economy depends—until the black mat of oil can be removed.

This is why we are interested in these two bills. Under present law, a shipowner who pollutes our beaches with oil is criminally responsible only if the act was grossly negligent. Provisions of the Oil Disaster Tanker Act will eliminate this gross negligence requirement and hold the shipowner responsible for ordinary negligence. The test will be ordinary negligence as far as the criminal law is concerned.

On the civil side, the shipowner will be held strictly liable for damage caused by pollution. This is only fair and equitable. Shipowners must be held strictly accountable for the disasters caused by oil spoilage from their ships.

Meanwhile, there is a pressing need for research to develop new techniques for disposing of the oil once the spillage occurs. Our present methods are inadequate. I am a cosponsor of both bills which Senator Magnuson will introduce today, and I intend to work hard for their passage.

Mr. President, I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I believe that there is something psychic about the statement that the Senator has made. Within the last 5 minutes, before the Senator made his speech, I made a similar speech. I appreciate very much the intelligence about these bills.

With leave of the Senator, I wish to request of the Senator from Washington [Mr. Magnuson] that I, too, may be added as a cosponsor.

Mr. PASTORE. I thank my good friend from New York. I was not in the Chamber to hear his speech. I hope it was as good as mine.

Mr. JAVITS. That is an admission against interest, as we lawyers say.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. JAVITS. I was very interested in the Senator's remarks in connection with the meat amendment. I have read it. I came upstairs because I heard it was pending. I do not intend to let it go by.

I wish to ask the Senator this question. Is it not a fact that the situation with respect to these additions, making this a "Christmas tree" bill, is not the fault of the sponsors, but it is our fault? We could vote down every amendment. We could table every amendment. We do not have to do what we do not wish to do.

I wish to point out, in connection with this "Christmas tree" bill—I do not know how the Senator voted, but is is immaterial—and specifically in connection with the tax credit to parents with children in college, 20-odd Senators voted against it. That measure is extremely popular. I have received an enormous amount of mail on it, and I may vote for it.

The Senator, as well as other Senators, has voted against other amendments. The minority leader, the majority leader, or any of us could move to table amendments. Why are we so helpless to deal with the situation which confronts us in connection with this bill? Two-thirds of Senators can enforce cloture. There is no question about the fact that the bill has been debated to death.

I am willing to sign a petition today to have cloture invoked in connection with the bill, and we could have cloture in 2 days. Why are we so powerless?

Mr. PASTORE. It is not a question of being powerless. It is a matter of discretion, it is a matter of tact, it is a matter of practicality, and it is a matter of commonsense and maturity. That is all it amounts to.

I am very surprised that the leadership at some point did not say, "Gentlemen, let's cut out the comedy. This is an important bill. Anyone who raises an extraneous amendment, and I do not care how good it is, I am going to move to lay it on the table." That would be the end of the comedy. I still think that I am right.

Mr. JAVITS. I think that the Senator is correct. I did not rise to challenge the Senator. I rose to back up his argument because I do intend to question this amendment.

Mr. President, I ask unanimous consent that I be recognized in my own right.

Mr. PASTORE. I had told the Senator from Pennsylvania I would yield to him.

Mr. SCOTT. Mr. President, I suggest that the Senator has put his finger on something I have been saying privately for some time, and now I am glad that he has said it publicly. We should use the tabling motion more often.

We have engaged here in a perfectly scandalous waste of time, loading a bill for the purpose of killing it, and generally performing in a way which does not particularly reflect on our ability to legislate.

I suggest if the distinguished Senator from Rhode Island [Mr. Pastore] presents a tabling motion I shall be glad to support it. If we can get more Senators who are of the same mind we might be able to get some business done in this august and highly deliberative body.

Mr. PASTORE. I am not trying to defy the leadership or to take over the leadership. I have enough to do without adding that responsibility.

Mr. SCOTT. The Senator might help the leadership.

Mr. PASTORE. I suggest that they should cut out the comedy and frivolity, or whatever it might be called. Everybody knows that when this matter gets to conference all of this waste of time will be deleted from the bill. I do not know why we punish ourselves the way we do. We have been here day in and day out, engaged in an exercise in futility. I suggest we cut out the comedy and get down to business.

Mr. SCOTT. The Senator is correct. It is a frivolous waste of time.

Mr. PASTORE. I thank the Senator from Pennsylvania.

Mr. HOLLAND. I hope the Senator will let me pour a little oil on the troubled waters.

Mr. PASTORE. I yield to the Senator from Florida.

U.S. NAVY SEABEES

Mr. HOLLAND. Mr. President, one of the finest military construction organizations, the U.S. Navy Seabees, came into being early in World War II.

Last month this great group of men marked their 25th anniversary in the jungles of Vietnam. With weapons always at the ready these fine men, 20,000 strong and of which 10,000 are in Vietnam, are working around the clock in temperatures as high as 130 degrees in the baking sun with perspiration streaming down their salt-caked backs, carving out roads and maintaining them, constructing bridges, hospitals, harbors, storage areas, airstrips, and military support structures in the forward areas. They are carrying on a time-honored tradition, "the difficult we do immediately, the impossible takes a little longer."

Mr. President, while much of the work of the Seabees is in the forward fighting areas, eight Seabee teams of the versatile group of men are engaged in civil action in Vietnam's interior, helping the villagers toward a better life today and a future in a land of peace.

Mr. President, I salute this fine organization, the U.S. Navy Seabees, on their 25th anniversary, and I ask unanimous consent to have printed in the Record a proclamation by the Governor of Florida, the State I have the honor to represent, in part, proclaiming the month of March 1967, "Seabee Month" in recognition of the 1967 Seabee silver 25th anniversary.

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

A Proclamation by the State of Florida,
Executive Department, Tallahassee

Whereas, The Civil Engineer Corps, United States was founded by Congressional Act of 2 March 1867 to provide engineering and construction support to the Navy and the Nation, and

Whereas, Early in 1942, at a time when the future security and life of our Republic were in critical danger, the Civil Engineer Corps officers organized the Construction Battalions to provide the Navy with uniformed construction forces, and

Whereas, Throughout the long months of World War II nearly a quarter of a million

Seabees worked night and day to provide roadways, airstrips, ports and shore installations which enabled the armed might of our nation and its allies to prevail over the tremendous force of our enemies, and

Whereas, In the Korean action as well, Seabees were actively engaged in stemming the tide of Communist aggression in that part of the world, and

Whereas, Today, in Vietnam, Seabees build by day and guard their camp perimeters at night, and

Whereas, Today, wherever the interests of our nation require, the knowledge and ability of the Navy's Civil Engineer Corps officers and Seabees are being used for the protection of the American people, and

Whereas, On this the One Hundredth Anniversary of the founding of the Navy's Civil Engineer Corps and the Twenty-Fifth Anniversary of the formation of the Seabees, it is fitting that we pay tribute to the gallantry and accomplishments of the Navy Seabees;

Now, Therefore, I, Claude R. Kirk, Jr., by virtue of the authority vested in me as Governor of the State of Florida, do hereby proclaim the month of March, 1967, as Seabee Month in the State of Florida and call the attention of our citizens to the proud record of the Navy's Civil Engineer Corps and Seabees and extend best wishes of all Floridians for a most happy birthday to all active, reserve, and veteran Seabees.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 28th day of February, A.D., 1967.

CLAUDE R. KIRK, Jr.,
Governor.

Attest:

______ ______,
Secretary of State.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. JAVITS. Mr. President, I have read an amendment at the desk which is a tariff amendment. It does not have anything to do with taxes. I do not have the remotest notion with respect to it. I propose that we should find out from the author of the amendment what it would do to the Kennedy round negotiations in Europe.

I do not think it is a frivolous matter for the Senate to pass anything. Even though a measure may be eliminated in conference, a majority has declared itself as favoring a certain proposition. When the measure is brought up again, many Senators will have committed themselves, and they will feel that they must vote the same way in order not to be inconsistent or look ridiculous in connection with whatever a Senator may think will influence his position.

I do not think that we can treat these votes as a joke. Knowing that proposals will be stripped from the bill, those who like a provision will say that they knew it would happen that way and those who do not like an amendment can say it is all good clean fun.

Mr. President, I take every amendment seriously. I have not been able to be present for each vote. This has been a protracted situation and there are many other matters that I must attend to. I have been here for most of these proposals and I have voted yea or nay as I felt deeply convinced was dictated by the situation.

I feel the same way about this situation. I do not know what it would do to the Kennedy round. I do not know what the State Department, the Department of Agriculture, or the President think about it. I am not prepared to stand here and let the measure go by on a voice vote. I want to know something about it before voting on it, or before I permit it to be voted on by voice vote.

I would greatly appreciate it if the Senator from South Dakota [Mr. McGOVERN] would explain this provision to the Senate. But, in conscience, I would greatly appreciate it if the author of the amendment would perhaps take a minute or two to allow us to hear from him as to how he considers this justified; one; and, two, how he considers it justified at this time and in this bill.

Let me say to my colleagues, before I yield the floor, that I will have to ask for a quorum call for about 3 minutes, as I have a large group waiting—I have kept them waiting for over an hour—I will be back in 3 minutes. If the Senate will indulge me, I should like very much to listen to what the Senator from South Dakota has to say.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business to consider nominations on the executive calendar beginning with nominations in the United Nations.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

EXECUTIVE MESSAGE REFERRED

The **PRESIDENT** pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

Jonathan Davis, of Massachusetts, to be a member of the Federal Farm Credit Board, Farm Credit Administration.

The **PRESIDING OFFICER.** If there be no further reports of committees, the nominations will be stated, beginning with the United Nations.

UNITED NATIONS

The legislative clerk proceeded to read sundry nominations in the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The **PRESIDING OFFICER.** Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

FEDERAL RAILROAD ADMINISTRATION

The legislative clerk read the nomination of Albert Scheffer Lang, of Minnesota, to be Administrator of the Federal Railroad Administration.

The **PRESIDING OFFICER.** Without objection the nomination is confirmed.

INTERSTATE COMMERCE COMMISSION

The legislative clerk read the nomination of George M. Stafford, of Kansas, to be an Interstate Commerce Commissioner for the term of 7 years expiring December 31, 1973.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

COMMUNICATIONS SATELLITE CORP.

The legislative clerk read the nomination of William W. Hagerty, of Pennsylvania, to be a member of the board of directors of the Communications Satellite Corp. until the date of the annual meeting of the corporation in 1970.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

FEDERAL MARITIME COMMISSION

The legislative clerk read the nomination of James F. Fanseen, of Maryland, to be a Federal Maritime Commissioner for the term expiring June 30, 1971.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

NATIONAL TRANSPORTATION SAFETY BOARD

The legislative clerk proceeded to read sundry nominations in the National Transportation Safety Board.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The **PRESIDING OFFICER.** Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service, which had been placed on the Secretary's desk.

The **PRESIDING OFFICER.** Without objection, these nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion by Senator Mansfield, the Senate resumed the consideration of legislative business.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. JAVITS. Mr. President, now, may I ask the distinguished Senator from South Dakota [Mr. McGovern] if he would be good enough to enlighten us a little bit about his amendment.

Mr. McGOVERN. Mr. President, let me say to the Senator from New York that I will be happy to summarize the highlights of the presentation which I made earlier today. With the Senator's indulgence, I will not wish to repeat all details, other than to say that the amendment goes to legislation which was carefully considered by the Senate 3 years ago, which had hearings before the Finance Committee, the same committee which now has jurisdiction over the pending bill.

The basic thrust of the amendment is to tighten up some of the provisions on present livestock import quota legislation, in order to do something about the collapse of prices in the livestock industry.

As the Senator knows, there are some 33 States across the country, including the Senator's State, where livestock and livestock products are an important part of the economy. That industry today is in very, very serious condition, brought about in part by the sharp increase in beef imports which have climbed several hundred million pounds in the years since Congress last acted on this problem.

I think the amendment which I have proposed is a moderate and a constructive one. It does not curtail or end imports of livestock and livestock products, but merely puts it at the 5-year average of the period from 1958 through 1962 when the level of imports was more in line with what the economy can absorb.

I must say, with reference to the Senator's inquiry about the impact on the Kennedy round negotiations, which are now in progress that, in all candor, no one can answer that question with certainty. It is my understanding, however, that our negotiators have been trying to make the point at Geneva that we are concerned about our agricultural industry. One of the troublesome points in the negotiations has been to get more favorable consideration for the agricultural industry in this country. My judgment is that action on the part of the Senate today will underscore the points our negotiators have been making at Geneva, that we do have serious agricultural problems in this country which the rest of the world must take into consideration, along with their own problems.

My amendment would help accomplish that purpose and I hope that the Senator from New York will support it.

Mr. JAVITS. May I ask the Senator from South Dakota whether this problem has had any hearings at all during the past 3 years?

Mr. McGOVERN. This particular amendment has not had hearings. It has been discussed on the Senate floor, and there has been some informal discussion about it in committees, but this particular amendment has not had any hearings.

Mr. JAVITS. Has any Government——

Mr. CURTIS. Mr. President, will the Senator from South Dakota yield right there?

Mr. JAVITS. Mr. President, I have the floor. Mr. President, I have the floor, do I not?

The PRESIDING OFFICER. To whom does the Senator from South Dakota yield?

Mr. JAVITS. Mr. President, a parliamentary inquiry—I sought the floor——

The PRESIDING OFFICER. The Senator from South Dakota [Mr. McGovern] has the floor.

Mr. JAVITS. I think I still have the floor.

The PRESIDING OFFICER. To whom does the Senator from South Dakota yield?

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. Who has the floor?

The PRESIDING OFFICER. The Senator from South Dakota has the floor.

Mr. McGOVERN. Mr. President, I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I should like to ask the Senator whether any Government department has given an opinion upon this measure.

Mr. McGOVERN. No department has, to my knowledge, reported on this amendment.

Mr. JAVITS. May I ask the Senator whether this will reduce, in his judgment, as he presents the matter—and can he tell us by how much—the current rate of imports of the commodities affected?

Mr. McGOVERN. It would reduce the allowable level from a billion pounds to approximately 750 million pounds. In other words, about a one-fourth——

Mr. JAVITS. Reduction.

Mr. McGOVERN. Reduction.

Mr. JAVITS. May I ask the Senator how that would have any effect upon the prices paid by the consumer?

Mr. McGOVERN. I think that it would have a small impact so far as the consumer is concerned. It should result in a better price for the livestock producer. As the Senator knows, the producer of a pound of beef receives less than half the consumer's dollar which is spent for beef. I think it is somewhere around 45 cents out of the dollar, which the Senator and other consumers pay for beef, which would actually go to the farmer; so that if we add a small percentage increase in the price of cattle in this country, there might be—and probably would be—some small increase in the price of retail beef. I will say to the Senator that it is my best judgment it would be a very small increase, and if it ends the losses and threatened bankruptcies in the livestock production business it will be well worth it to the consumers themselves.

Mr. JAVITS. Therefore, may I ask the Senator, finally, whether he does seriously present the amendment and seriously proposes to have it adopted, and whether, if the House should pass it, he seriously proposes to lock it into law? He is serious about it; is he not?

Mr. McGOVERN. Yes, indeed. I hope the conference comittee will accept it. The Senator from Louisiana indicated earlier that he was somewhat skeptical as to how far it will go in conference. It is my personal hope that it will be approved. I know this proposal has substantial House support. I am certainly serious about it. I think the economic problems in the livestock industry are a serious matter. I believe the Senator from New York shares this view. I would not proceed in this way if I did not believe there is a real possibility of writing this amendment into law.

Mr. JAVITS. Does not the Senator feel that if this is a deliberate matter on which we intend to get action, and if it should pass, at least we ought to have a roll call vote on it?

Mr. McGOVERN. I have no objection to that. The Senator from Rhode Island and other Senators took the floor and deplored the amount of time we were using on this measure; but if other Senators want to take more time on it, and have a roll call I am perfectly willing to do that.

Mr. JAVITS. It seems to me this is introducing a new subject about which we have not heard from the Government departments. We are in the Kennedy round of negotiations. I do not know how this amendment would affect the Kennedy round. Should we pass it, it would certainly have an effect on our negotiators who are negotiating on it, because it relates to a very important commodity.

There is nothing in the world to prevent the Senate from acting on it or the Senator from pushing it, but it seems to me that if we are to do that we should do it in a deliberate way. I certainly would like to find out what our State Department thinks of it with respect to the Geneva negotiation. My own State is involved in $3 or $4 or $5 billion worth of exports of all types a year. I am sure the livestock business in my State does not begin to approach the total of general exports from my State. I certainly would want to know the effect of this measure, because I must assume, if I vote for it, that that is it.

I would like to know what effect this measure will have on the general exports and imports of the United States and the ability to conclude the Kennedy round. We have no idea on it. Personally, I would consider it most improvident to vote affirmatively unless I did know. I cannot at all see letting this amendment slide through without a rollcall, on the assumption that it is just attached to the bill and what difference does it make?

Mr. MILLER. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. MILLER. I share the Senator from New York's concern with respect to the outcome of the Kennedy round of negotiations, but I am persuaded that the adoption of the amendment by the Senate would in no way interfere with the Kennedy round of trade negotiations. This relates to quotas and has nothing to do with discriminatory tariffs of any kind, and negotiations with respect to reciprocal tariffs or trade barriers, and especially tariffs and variable import duties that are giving us so much trouble in the Common Market, will continue regardless of what happens on this amendment.

Furthermore, this amendment takes the very same approach that we have been taking during the Kennedy round of negotiations and the other negotiations in GATT, namely, that we have not asked for a percentage increase in the period covered by amendments, and are satisfied that increased consumption will grow as the population increases and that tonnage will increase. So we are not asking for any more here than in the Kennedy round of negotiations. I think it is entirely consistent with the Kennedy round, and that it will strengthen our position in the Kennedy round.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. JAVITS. I have no desire to argue a matter on which I am not prepared to debate the merits. I assume the Senator is, because he proposes it.

I should like to ask the Senator a very frank question as a colleague of the most friendly kind. I think many of us are not prepared at the moment. Sometimes one has to fish or cut bait. May I ask the Senator if he would consider it unfriendly if I moved to table the amendment, having a test on whether the Senate does or does not wish to consider the matter at this particular juncture?

Beyond that point, I could not do anything about it if the Senate wanted to proceed. I have to make up my own mind on voting, but I do not believe the Senate is in a position to controvert or adopt a measure on its merits, as a matter of first impression, which I see in a typewritten amendment, walking into the Chamber, and which may have an effect—because I know how sensitive the foreign trade situation is, especially at this moment—far beyond what we may dream of. We—except the Senator from South Dakota and the Senator from Iowa—do not know what this means. I ask the Senator that question.

Mr. McGOVERN. Let me say that I would not regard a tabling motion as unfriendly, but as unwise. I hope the Senator would not ask for delay, because the livestock industry is in serious condition. If the administration wants to raise questions about the impact of this action on the Kennedy round, there will be time to make its position known.

I would hope the Senator would withhold his tabling motion, and if he wants a straight-up-and-down rollcall on the merits of the amendment, that is fine with me.

Mr. JAVITS. The situation is such that I think a motion to table is the only thing that is appropriate to the occasion, but I do not want to cut off debate. If the Senator wishes to debate it further, I will stay my hand further. It seems to me that, with this approach, we are getting into thick ground and we do not know what may come out of it. This is a tariff measure. We have had many tax amendments considered. I suppose that could be justified on the ground that this is a tax measure. Now we are into tariffs. I do not know what more critical area we could get into.

I am not the policeman of the Senate, but since it is a measure which affects consumers and foreign trade, it has given me cause to raise these questions, because I have a great interest in those two matters. I think an effective way to deal with it would be to move to table and let the Senate decide the question, and see if it wants to stop the charade which the Senator from Rhode Island has called this action, or whether it proposes to take this kind of action.

Mr. McGOVERN. More time has been taken up by those who have been deploring the amount of time taken up than by those who have been urging this amendment. The Senator from South Dakota was ready to have a vote an hour ago. If the Senator wants to offer a motion to table, I have no way to stop him.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. HOLLAND. As the Senator from South Dakota well knows, the Senator from Florida is a member of the Committee on Agriculture and Forestry, which would have primary jurisdiction over most matters affecting the important livestock industry, which is the biggest single agricultural industry in our Nation.

Has this matter been referred to the Committee on Agriculture and Forestry by the livestock industry? I do not recall its having been submitted to the committee. I do not recall its having been discussed in any way by the committee. Does the Senator have any such recollection?

Mr. McGOVERN. The Senator is correct. I do not have to remind the Senator that as an import quota matter, it would go to the Committee on Finance rather than to the Committee on Agriculture, on which the Senator and I both serve.

Mr. HOLLAND. Mr. President, while it is true that the Finance Committee and the Ways and Means Committee would have primary jurisdiction, I remember many matters affecting agricultural products that lie in this general field which have come before our committee.

I must say that though I am personally acquainted with the officers of the National Cattlemen's Association, I have not heard from any of them on this matter. I have heard plenty about the fact that the market is not in good shape. My own State, as the Senator knows, while it is not one of the most important cattle States, is an important cattle-producing State, and it would seem to me that we should know beyond any peradventure what the facts are in this matter, and what the attitude of the producers may be. We should give the packers, also, a chance to be heard, though on a secondary basis; I would put the producers first. We should hear from the consumers.

I hope that the distinguished Senator will not insist upon his amendment. In the first place, I think it would be futile, even if we agree to it. In the next place, the Senator from Florida adopted the policy several weeks ago that he would oppose all of these amendments, because it seemed to him they were simply cluttering up a badly needed bill, in a field that we had acted upon too precipitately last fall—at least that is my opinion—and I have, therefore, been voting nay on a host of amendments where I had some interest in the subject matter, and where had the proposals been presented otherwise, I would probably have voted otherwise.

It seems to me that the Senate makes itself look a little bit ridiculous when a tax bill comes up, because, whether from frustration because it has to originate on the other side, or for what reason I do not know, we always have a large number of amendments coming in here—generally for the reduction of revenue, although that is not the purpose of the amendment of the distinguished Senator from South Dakota.

We have had this amendment, we have had social security amendments, we have had welfare amendments, we have had divers amendments for reducing revenue, we have had the amendment offered by the distinguished Senator from Tennessee, which certainly had very much merit to it. I am not in favor of the plan now on the books. The question was which was the best way to proceed from now on.

But I think we are either wrecking the chance for passage of a good act, or at least encumbering it badly, if we put a group of such amendments on this bill. For that reason I could not, in conformity with the policy I have been following, vote for the amendment, though I have a great deal of sympathy with what the Senator is trying to do.

I should like to see this subject heard, explored, and debated in committee. I should like to see the attitude of the affected people procured, and then see if we can take some action. But for us to act here while considering on the floor another matter, on an amendment which vitally affects the biggest agricultural industry in the Nation, it seems to me, would be unwise. Therefore, I must say I should have to vote against the amendment, though I have much sympathy with the objectives of the Senator from South Dakota.

I thank the Senator for yielding.

Mr. McGOVERN. I know of the Senator's long-time and consistent interest in doing whatever he could to strengthen the livestock industry. I say to the Senator, with reference to his question about the National Cattlemen's Association, that the amendment which I am offering here now, and which now has the cosponsorship of a good many Senators in States that are deeply interested in the livestock industry, that we did discuss this matter with the legislative committee of the National Cattlemen's Association, who were in the city last week, and the outline of the amendment was worked out in consultation with them.

I agree with the Senator from Florida that this is not the most ideal way to deal with the very serious problem in the livestock industry. But we are up against what I regard as an emergency situation. People in my State and a good many other parts of the country are selling out, which is not only against their interests but, in the long run, it is against the interests of consumers across the country, in all 50 States.

We are dealing with an emergency situation. The matter now before us is one that falls within the purview of the Committee on Finance. Legislation affecting imports is within the jurisdiction of that committee, not Agriculture. We have consulted carefully with representatives of the livestock industry on this proposal. It has their strong support. It has the cosponsorship of a large number of Senators on both sides of the aisle who are knowledgeable in this field, and have given much thought to it over the years. I hope that the motion to table will be defeated, and that the pending amendment will be agreed to.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. Did the Senator from South Dakota submit this amendment to the Committee on Finance when it was considering the bill, and was it considered by the Committee?

Mr. McGOVERN. I discussed it with the chairman of the committee only in the last few days, but the situation in the industry has worsened very sharply in comparatively recent days, as the Senator knows. We did not have a lot of time to consult with all members of the Committee on Finance, but the matter has been discussed with the chairman, and he has agreed to accept the amendment and take it to conference.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the Senator from Nebraska.

Mr. HRUSKA. I should like to confirm what the Senator from South Dakota has stated about the National Cattlemen's Association. They did have an executive committee meeting of that association here in Washington during the course of the past week, and there were a number of informal conferences by the officers of the association and their legislative men, their executive secretary, Mr. McMillan, and others, with a number of Senators from the Middle West.

Obviously, in the short time they had, they could not establish contact with all Senators from all the States. But they did approve in general the outline, and in fact quite particularly, quite specifically, the points covered in the Senator's amendment; and they indicated that they would, in due time, formalize their approval of that approach, though not necessarily the procedure which the Senator has undertaken today, because it was not envisioned at that time, I do not believe.

Mr. McGOVERN. That is correct.

Mr. HRUSKA. Nevertheless, I wish to assure the Senator from Florida that there was consultation and a series of conferences, and that it is a piece of legislation which does meet the approval of this very effective Association, the immediate past president of which is one of the constituents of the Senator from Florida.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the Senator from Florida.

Mr. HOLLAND. This immediate past president to whom the Senator from Nebraska refers is one of my very dear friends. I have not heard anything from him.

Mr. HRUSKA. The Senator will in due time, I assure him.

Mr. HOLLAND. I have not heard anything from the president of the Florida Association. I have heard no word from any member of the cattle industry.

I think the cattlemen in my State would much prefer to have a matter of this importance to them considered in the regular way. I would like the privilege of calling up some of the people from that industry in my State, to be heard before the Committee on Finance, on a matter of this great importance.

The precipitate method of handling the discussion, with the fact that at one time we had 17 amendments on the desk here, and have considered most of them now, chipping and whittling away at our tax structure, makes me think we have been following a very unwise course, and that the authors of this amendment, whatever its merits may be, are making themselves a party to the great group of Senators who have rushed in with their favorite ideas, to try to tack them on to this tax bill.

I am not criticizing anybody. I am smiling at both of my distinguished friends. But every time we have a tax bill, it looks as though every Senator wishes to express, here on the floor, his regret at the fact that the Senate does not have coequal power in originating such measures, because many a Senator sooner or later comes in here with an amendment that he tries to tack on to a tax bill, and it makes us look sort of bad in the public eye, if the distinguished Senator will permit me to say so.

I remember going away from here one day on a mission for the Senate to Montreal, Canada, with the assurance that there would be no votes that day. Somebody got started on a series of tax-cutting amendments to a pending tax bill, and they had 14 rollcall votes that day before I could get back. That is but an indication of how this thing spreads like wildfire.

We do not all have to offer amendments to a tax bill in order to make it clear that we are active for our people.

The distinguished Senator from South Dakota [Mr. McGOVERN] has been extremely active for his people in the Committee on Agriculture and Forestry. He knows that I know that.

The distinguished Senator from Nebraska [Mr. HRUSKA] has been extremely active in the Judiciary and Appropriations Committees. He happens to serve on the same subcommittee where I serve for agriculture. No man has been more avid in his support of agricultural objectives than he.

We do not have to show our interest by taking an unwise course of action on the floor, and that is what I think we would be doing if we were to tack on an amendment which would affect all consumers in the country except vegetarians.

I do not think that it is good policy to follow that sort of course. It is for that reason that I oppose the amendment. The matter should come up on its own merits later. Undoubtedly it has some merits.

It is for that reason that I shall oppose the amendment, whether it comes up now on its own merits—and undoubtedly it has some merits—or whether it comes up, as suggested by the Senator from New York, on a motion to lay on the table.

I do not think it is wise procedure. I hope that the distinguished Senators, so wise in most things, will not allow their eagerness to serve their cattle people—who are many in the States represented by both of my distinguished friends now on their feet—that they will, as it seems to me at least, violate sound procedure by insisting upon this kind of an amendment being tacked to this bill.

I have said more than I intended to say, but it is my philosophy. After all, I do not think we reflect credit upon ourselves or our States by coming in with this great horde of amendments every time a tax bill is being considered.

I thank the Senator for yielding.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. MANSFIELD. Mr. President, I wonder if we could get this matter to a vote if we could agree on some limitation of time on the amendment.

I intend to vote with the Senator and to join the distinguished Senator from Nebraska [Mr. HRUSKA] in cosponsoring the bill which he will introduce tomorrow afternoon.

Mr. HOLLAND. Mr. President, is the Senator introducing a bill on the subject?

Mr. HRUSKA. I am.

Mr. HOLLAND. I would be delighted to have my name added as a cosponsor. I am interested in that objective. I am not interested in doing it in this way. I do not think this would be a constructive way to do it.

Mr. HRUSKA. The Senator has assigned good reason. I did explain when the amendment was offered earlier that I had a bill highly similar in almost all respects. It is my purpose to introduce it tomorrow afternoon.

If the Senator would be so kind as to join in the colloquy at that time, I would be happy. I would be most happy to have him as a cosponsor.

Mr. McGOVERN. I have also asked to be listed as a cosponsor on the bill of the Senator from Nebraska.

Mr. HOLLAND. That makes it clear that our distinguished friends are not too confident that the pending amendment, even if it were tacked on the bill, would become a part of the bill that goes to the White House for approval by the President.

Mr. McGOVERN. The bill of the Senator from Nebraska is a good insurance policy.

Mr. HOLLAND. I would be glad to be a coinsurer and to be a cosponsor of the bill.

The Committee on Finance has other tax measures that will be before the Senate. There will be other hearings.

The committee will give us a chance, as cosponsors of such measures, to appear and argue our cases.

That will give me a chance to hear from some of my cattle people and get some of them up here as witnesses.

I think it will help to show that the cattle people all over the country are interested in this subject. I think my Florida people will testify intelligently from the standpoint of a medium-sized cattle State, an area which has a little different problem geographically perhaps from most of the other States.

That is the way I think we should proceed.

I thank the Senator.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. CURTIS. Mr. President, I point out to the distinguished Senator from South Dakota that what he is doing is supported by all the recent hearings and actions of the Committee on Finance.

Approximately 3 years ago, the situation with respect to beef imports was acute, and there were a number of amendments and actions in Congress. My distinguished colleague, Senator HRUSKA, offered an amendment to an agricultural bill that came within two or three votes of being agreed to. As a result of that, hearings were called by the Committee on Finance.

The distinguished majority leader introduced a bill, and the hearings were based on that amendment and another bill, and in the Finance Committee, by a majority vote, they adopted a measure with objectives identical with the measure now sponsored by the distinguished Senator from South Dakota and the objectives of the bill to be introduced by my colleague from Nebraska on tomorrow.

The committee adopted not the bill that was introduced, but a proposal sponsored by the various segments of the cattle industry at that time. By a majority vote, that measure prevailed in the Finance Committee. It was brought to the floor. The Senate supported it.

Unfortunately, it did not prevail in conference, and a less restrictive measure became the law.

We are now discovering that the less restrictive measure is not doing the job. We are again facing a crisis. However, instead of what is proposed here—a further restriction on the importation of meat products—being out of step with the Finance Committee, it is in accord with the majority vote the last time action was taken.

I further call attention to the fact that extensive hearings—lasting, as I recall, approximately 10 days—were held at that time. A voluminous record was made by the Finance Committee.

That record supports the objective of the pending amendment.

I also call attention to the fact that, within the last 30 days, the Finance Committee held a 1-day hearing in connection with trade policy and had before it Mr. Roth, who was the negotiator for the United States. Although this meeting was called to discuss with him general policies, the record will show that the greater portion of the discussion that day related to agriculture and the plight of agriculture. The record of the Finance Committee, made within the last 30 days, will reveal the concern of many people concerning the importation of beef, dairy products, and other agricultural commodities. So, what is being done today is not a revolt against committee action. It is in line with the last committee action taken.

I thank the distinguished Senator for being so gracious as to yield for so long a time.

Within the last 30 days, at least two delegations representing the cattle industry, producers and feeders, have called at my office, very much concerned about this matter, and urged that something be done now.

It has been suggested that the Secretary of Agriculture should move for a 90-day embargo of all meat products on the ground that that would just about make up for the error that was made in estimating the number of cattle on hand, which error adversely affected the agricultural economy.

I believe, since we are not proceeding under a closed rule and since other amendments have been offered and agreed to, that it is very much in order that the Senate take action on this.

I believe the situation is so critical that the committee and the Senate should proceed with the bill that will be offered by my colleague on tomorrow and that we leave no stone unturned until some relief is granted.

Mr. McGOVERN. I appreciate the Senator's clarification. He is a senior member of the Committee on Finance, and is in an excellent position to apprise the Senate of the procedures that the committee has been following with reference to this issue. He and his colleague, the Senator from Nebraska [Mr. HRUSKA], not only are from great livestock-producing States, but also are extremely knowledgeable about this issue. So I think that the Senator's clarification is most helpful to our understanding of the problem.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. McCARTHY. As a member of the Committee on Finance I say this with respect to the bill: We have adopted amendments on the floor which I believe should not have been adopted, because they were not particularly relevant, because in other cases inadequate hearings had been held, and also because in some cases the implications of the amendment, in my judgment, were not fully understood by the Senate when it voted.

However, as to the proposed amendment, there are several things which argue in favor of our adopting it. One is the simplicity of the substance of the amendment. The subject matter is understood in the Senate. It has been the object of hearings by the Committee on Finance in recent years. It is my judgment that even though we postpone action and hold hearings, any bill the Committee on Finance might report would be very close to what is in the amendment offered by the Senator from South Dakota. Because of this it seems to me that we could adopt the amendment today and go to conference.

This amendment would not complicate the conference very much. There is no great pressure for quick action in the conference, especially since the House version of the repeal of the suspension of the investment tax credit has what in effect is a retroactive feature, which carries it back almost to the time when the investment tax credit was first suspended. Thus there is no great pressure for immediate action, if we assume that what comes out of conference will probably be a compromise between what the Committee on Finance reported, with a cutoff date, and the indirect retroactive features which are in the bill passed by the House of Representatives. It means that we would have time—a week or 10 days, if necessary—during which we could work out in conference any particular inadequacy that might show up in the proposed amendment.

Therefore, I believe it would be wholly in order to have the proposed amendment—more deserving than any other we have adopted—added to the investment tax credit bill before it goes to conference.

An additional consideration is that we are dealing with what amounts to an emergency condition in the livestock industry of this country. This is an unusual industry, in that you can maintain prices up to a certain level, but when the supply goes beyond that point, you do not have a gradual drop but rather a sudden drop. At this point the livestock producers, who have to ship their cattle because the cattle have reached a shipping weight, are not given the advantage of a slow and gradual price decline, but suffer from a sudden drop in prices. Cattle cannot be put in cold storage on the farm, nor can they be put on short rations. They must continue to be fed, and they must be kept in prime condition. At a given point they must be sold and if they have to be sold at depressed prices, the livestock producers suffer.

These, then, are three arguments for including the proposed amendment in the bill: one, the simplicity of the amendment—the fact that the Senate understands what is in it; two, the emergency conditions; three, the fact that the conference would not be complicated by this amendment as it will by other amendments which are much more difficult and much more involved, and which are less related to the action we are taking.

Mr. McGOVERN. I appreciate the Senator's contribution, particularly because he now serves as a member of the Committee on Finance, formerly served for a period of years on the Committee on

Agriculture, and has also served for many years as a member of the House Ways and Means Committee, which has jurisdiction over issues of this kind. So I believe that what the Senator from Minnesota has to say carries special weight.

Mr. President, I hope that we can vote at this time.

Mr. JAVITS. Mr. President, I cannot recall whether I have ever made a tabling motion. I do not believe I have, to my best recollection. However, I am about to make one in this matter, because I believe it uniquely lends itself to precisely that treatment, as a matter of procedure. I have no doubt, myself, as to the merits or demerits of the pending amendment. We are now adventuring, with respect to this bill, into a totally new field of tariffs, not even taxes. Whatever connection that may have with this bill, it certainly is at least programmatic.

For those reasons, and without in the least desiring to be unfriendly, and I assure the Senator from South Dakota that if my motion to table is voted down, that is all I can do, and I will do no more——

Mr. MILLER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Before the Senator yields to the Senator from Iowa, will he yield to me?

Mr. JAVITS. I yield to the Senator from Montana.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that if the tabling motion does not carry, the vote on the pending McGovern amendment take place within 10 minutes of the tabling vote, the time to be equally divided between the Senator from South Dakota [Mr. McGovern] and the Senator from New York [Mr. Javits].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, I hope that my friend, the Senator from New York, will not push his tabling motion. I believe it would be most unfortunate, after sitting through the many amendments which have been offered to this bill, if this would be the one amendment to which my colleague, the Senator from New York, would offer a tabling motion.

This is an emergency situation. I voted against practically all the other amendments that have been offered because they are not emergency-type amendments and they are, of course, quite extraneous to the investment tax credit. But now we have an emergency situation, in which many people will be hurt, not only in the State of New York but also in other States.

It is very well to talk about having hearings and extended deliberations, but I assure Senators that the livestock growers do not need any hearings. They have made their views known for a long time.

I think that this amendment would be supported overwhelmingly by anyone in the livestock business. I see no need to have any further hearings on such a proposal as this. An emergency exists, as the Senator from Minnesota [Mr. McCarthy] has pointed out. If, indeed, there should be a bug or two in the amendment, that problem can be solved in conference. If any amendment has been offered that might have a chance of standing up in conference, I think it is this amendment.

If the Senator from New York wishes to pick any amendment to which to offer a motion to table, I hope he will not pick one that relates to the emergency situation we are trying to deal with.

Mr. JAVITS. Mr. President, I did not "pick" this amendment. It merely appeals to me as almost a classic case for a tabling motion. As I have said, my recollection is that I have never made a tabling motion before.

I think that what is overlooked is that an emergency has not been proved; only an assertion has been made that there is one. On the other hand, the interests of millions of consumers have not been considered. Eighteen million of them live in the State of which I have the honor to share representation with the distinguished Senator from New York [Mr. Kennedy], who is now occupying the chair. Those consumers have not been heard from or consulted about the proposal, and I cannot consult with them in the time which is allotted to do so.

In all conscience, and not in an unfriendly degree whatsoever—I have already agreed to a limitation of debate—I move to table the amendment.

Mr. HOLLAND. Mr. President, on that motion, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). The question is on agreeing to the motion of the Senator from New York [Mr. Javits] to table the amendment of the Senator from South Dakota [Mr. McGovern]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PELL (when his name was called). On this vote, I have a live pair with the junior Senator from Montana [Mr. Metcalf]. If I were permitted to vote, I would vote "yea." If he were present and voting, he would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. CLARK (after having voted in the affirmative). On this vote I have a live pair with the senior Senator from Missouri [Mr. Symington]. If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withdraw my vote.

Mr. RIBICOFF (after having voted in the affirmative). On this vote I have a live pair with the senior Senator from Oregon [Mr. Morse]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], the Senator from Idaho [Mr. Church], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Oklahoma [Mr. Monroney], the Senator from Florida [Mr. Smathers], the Senator from Missouri [Mr. Symington], the Senator from Maryland [Mr. Tydings], and the Senator from Ohio [Mr. Young] are necessarily absent.

I also announce that the Senator from Alabama [Mr. Hill], the Senator from Arizona [Mr. Hayden], the Senator from Oregon [Mr. Morse], the Senator from Rhode Island [Mr. Pastore], and the Senator from Mississippi [Mr. Stennis] are absent on official business.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], and the Senator from Ohio [Mr. Young] would each vote "nay."

On this vote, the Senator from Oklahoma [Mr. Monroney] is paired with the Senator from Florida [Mr. Smathers]. If present and voting, the Senator from Oklahoma would vote "nay" and the Senator from Florida would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is absent on official business.

The Senator from Oregon [Mr. Hatfield], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is detained on official business.

If present and voting, the Senator from Oregon [Mr. Hatfield], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] would each vote "nay."

On this vote, the Senator from Illinois [Mr. Dirksen] is paired with the Senator from Kansas [Mr. Carlson]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 16, nays 58, as follows:

[No. 86 Leg.]

YEAS—16

Baker
Boggs
Brooke
Case
Cotton
Dodd
Ellender
Griffin
Hart
Holland
Javits
Kennedy, N.Y.
Percy
Scott
Williams, N.J.
Williams, Del.

NAYS—58

Aiken
Allott
Anderson
Bartlett
Bennett
Bible
Burdick
Byrd, W. Va.
Cannon
Cooper
Curtis
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hartke
Hickenlooper
Hollings
Hruska
Inouye
Jackson
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Miller
Mondale
Montoya
Morton
Moss
Mundt
Muskie
Nelson
Pearson
Prouty
Proxmire
Randolph
Russell
Smith
Sparkman
Spong
Talmadge
Thurmond
Yarborough
Young, N. Dak.

NOT VOTING—26

Bayh
Brewster
Byrd, Va.
Carlson
Church
Clark
Dirksen
Hatfield
Hayden
Hill
Jordan, N.C.
Lausche
McGee
Metcalf
Monroney
Morse
Murphy
Pastore
Pell
Ribicoff
Smathers
Stennis
Symington
Tower
Tydings
Young, Ohio

So Mr. Javits' motion to lay Mr. McGovern's amendment on the table was rejected.

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, 10 minutes' debate on the amendment will now proceed.

Mr. McGOVERN. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from South Dakota yield himself?

Mr. McGOVERN. I want just half a minute to ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. McCLELLAN. Mr. President——

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. McGOVERN. I yield 1 minute to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 1 minute.

CRISIS IN THE MISSISSIPPI DELTA REGION

Mr. McCLELLAN. Mr. President, on April 12 I placed in the RECORD a letter from the Governor of Arkansas to Secretary of Agriculture, Orville Freeman, and memoranda which had been prepared for the Governor by various department heads, concerning a very critical condition which now exists in the Mississippi Delta region in my State of Arkansas.

As I pointed out in my statement then, the situation has arisen as a direct result of the minimum wage bill which was enacted into law last year. At that time, warning was given that the net effect of the extension of minimum wage to agricultural employees would be a detrimental one. This statement has already proved to be true, and the conditions are apparently even more severe than we had predicted.

Mr. President, the situation was discussed in an article which was published in the Wall Street Journal on April 19. I ask unanimous consent to have this article, and a copy of a letter which I have written to Secretary of Agriculture Freeman, printed in the RECORD.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

MINIMUM WAGE CAN MEAN MINIMUM JOBS

(By Jim Hyatt)

DENWOOD PLANTATION, ARK.—Richard Bogen, a 62-year-old Negro farm worker, sits in the plantation store with cap in hand and tears filling his eyes. "Right now I've got just two pennies in my pocket," he says.

He and his family made $1,778.97 last year, chopping and picking cotton and performing odd jobs on this farm in the delta area of eastern Arkansas. But this year, thanks ironically to the new Federal minimum wage aimed at boosting farm workers' income, Mr. Bogen and his family face unemployment along with thousands of others in the delta.

Mr. Bogen is worried that his employer won't be willing to pay him the $1 an hour wage required as of Feb. 1, and he's almost certain that his wife, Annie Mae, 58, and the couple's two children won't be employed any longer.

C. L. Denton Jr., owner of this 4,000-acre farm, says he hopes to keep Mr. Bogen on the payroll, but probably not his family. "He's been here almost all my life," Mr. Denton, 50, says. "I can't turn this poor fellow out just because they passed a law."

For Mr. Bogen, whose second-grade education severely limits his job choice, the future is bleak. He says he can't sleep nights, worrying about the $337.70 he's already borrowed from his employer to buy food and other necessities, much of it from the plantation store. "That's the most money I've ever owed him in my life," he adds.

ONE-THIRD OUT OF WORK

Whatever happens to Mr. Bogen, other families on the plantation face certain unemployment. *Mr. Denton estimates that a third of the 25 families living here will have to seek other work.* The income of the remaining families, too, will be sharply cut: *The labor of* many women and children, he maintains, *simply isn't worth $1 an hour.*

The new law may spell the end of sharecropping and tenant farming, already dying practices in the south. Federal officials insist that all farm laborers, including those who agree to share their crop with a landowner or pay rent to him, must earn the minimum $1 an hour.

Officials in the delta, in turn, are worried over the problem of providing food and work for the untrained, jobless workers. Fumes one Arkansas economist: *"Federal Government agencies have known this was coming for months, but right now they don't even know where to start helping these people."*

In a letter to Secretary of Agriculture Orville Freeman, Arkansas Gov. Winthrop Rockefeller has called the situation "urgent." His *state welfare director estimates that at least 1,000 farm families in 12 eastern Arkansas counties will be out of work by the end of the year.* "The food problem is most critical, and requires immediate action," adds a poverty war official.

Some delta farmers think the impact is even wider. *"At least 6,000 or 7,000 Arkansas families will be hurt by the minimum wage,* which covers many farm workers for the first time," says *Harold F. Ohlendorf, president of the Arkansas Farm Bureau Federation.* "In my opinion, thousands of Mississippi families won't have any income at all, except what the Government gives them," adds Boswell Stevens, the Mississippi Farm Bureau president. Other pockets of unemployment are developing in parts of Louisiana and in southeastern Missouri.

Not all farm workers are upset over the minimum wage, naturally. Such farm coverage has been a goal of labor unions for years, and workers in the Rio Grande Valley of Texas have been striking for several months seeking $1.25 an hour for their harvesting efforts.

But in the delta on both sides of the Mississippi River, says B. F. Smith, executive vice president of the Delta Council, an area economic development organization, the minimum wage raises these questions:

"Can you eliminate poverty by eliminating jobs? And can the unskilled be benefited by laws that discourage employers from hiring them?"

The affected workers see the problem in more direct terms. "I ain't hit a lick since November," says Hibbler Adams, 64, who has lived on *Mr. Ohlendorf's 6,000-acre* farm since 1933. And his prospects for a job in nearby Osceola, Ark., are slim indeed: "They wouldn't have me uptown," Mr. Adams admits. "There ain't nothing I could do except rake the grass."

John Porter, 56, a worker on Denwood Plantation, complains that the ruling will keep his five youngsters and wife from working. "They actually earn about as much as I do," he says. "But if they don't work, I won't be able to clothe my kids proper. And they won't learn to do a good day's work."

Dwindling farm labor isn't new. *Here in Mississippi County, Ark., for example, the farm population has dropped from more than 60,000 about 2 years ago to 33,000 today.* Farmers have been turning to fertilizers and more powerful machinery for years. Faber White, 61, a John Deere Co. dealer in Osceola, estimates that the county's implement business volume has increased 33% to 40% in four years: The county has 30 implement dealers now, three times the number 10 years ago.

But the minimum wage, say the farmers, will be the final catalyst to force the thousands of remaining marginal farm families out of work. "We knew five years ago we could mechanize," says Larry Woodard, 29, a Lepanto, Ark., farmer. "But we attempted to keep these people working. We had moral obligations. Now with the minimum wage . . ." And his voice trails off at the prospect of telling workers they're now unemployed.

Mr. Woodard's operation, perhaps, is typical of the trend in mechanization. Last year he used 33 tractors to farm the 6,000 acres he rents. This season he'll use only 12 tractors, all eight-row equipment. His capital investment has doubled in the last two or three years to $400,000, he says. Half of the 37 families on his place won't be working this summer, he adds.

The welfare and unemployment problems that will accompany the transition of the marginal workers off the farm have state and Federal officials worried.

"We're just causing problems with the minimum wage," observes one Louisiana farm expert. "These people will be off the farmer's payroll, but in another way, they'll be put on the taxpayer's payroll, through welfare."

EMERGENCY FOOD

A. J. Moss, the Arkansas state welfare director, says he's been asking Department of Agriculture officials for months to arrange emergency food supplies for delta workers.

Eight Arkansas Delta counties, he notes, use the food stamp program instead of raw commodity distribution. Workers must purchase some stamps to qualify for additional coupons. Mr. Bogen, for example, pays $42 a month to get stamps worth $60. The stamps are used like cash at participating grocery stores.

But regulations, Mr. Moss says, don't permit the counties to give away food stamps. He wants permission to establish commodity distribution for these stranded workers in food stamp counties, or a new regulation permitting issuance of free food stamps.

An Agriculture Department official, however, says, "We can't see any sense in running the two programs in the same county." And minimum food stamp purchases, he believes, are so low that any family could afford the fee.

Families with extremely low income must pay only $2 a person a month, up to $12, to receive food stamps. "Presumably, a couple of odd jobs could supply that minimum purchase requirement," he adds.

One 44-year-old farm hand on Mr. Woodard's place, with a wife and eight children, pays $12 a month for stamps worth $90. He has to borrow the food stamp money from his boss, and at the moment owes him $481.

Mississippi witnesses shocked a U.S. Senate subcommittee holding hearings in Jackson April 10 by reporting of "people going around begging" in the delta because they couldn't afford money to purchase food stamps.

AN INVESTIGATION

One of the committee members, Sen. George Murphy of California, said the group should ask President Johnson to "declare an emergency exists in these areas" and to send investigators and emergency aid.

At the subcommittee's request, the Secretary of Agriculture has sent a team "to look into the hunger problem. They're following up on some of the things we saw, and trying to determine whether an emergency situation exists," says a staff member.

In any event, the food shortage is only an immediate consideration. "It represents only a small bite of the whole cake," Mr. Moss observes, for many of the workers are too old for retrainng. And others are able to perform only simple tasks.

State employment experts at this point have no exact information on the numbers or needs for potentially unemployed workers. "Before Feb. 1 there was no way to know how the farmers would react to the minimum wage," says *Fred D. McKinney, administrator of the Arkansas employment security division.*

He has surveyed one delta county, and found that 400 hand laborers wouldn't be employed this year. He is seeking additional funds to conduct a comprehensive survey of the whole region, to pinpoint how many people are involved, and what they require.

"Most of the farmers say the workers can live on the farms for an indefinite period," says Lane Hart, Mississippi employment service director, "so the minimum wage doesn't mean there'll be an immediate exodus to the cities. We're going to try to reach these people where they're now living, and get down to what the needs are."

Adds a farm labor service official in Dallas: "It seems like there's not much you can do about the old folks. But what about the kids of school age on those farms? Will they stay in school?"

In the meantime, the workers will be out of jobs "and will have to do something beside the things they've been doing," says Mr. Stevens, the Mississippi Farm Bureau president. "I think they'll go on Government relief."

APRIL 12, 1967.

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture, Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: It has recently been called to my attention that a very critical situation has arisen in the Delta Region in my State of Arkansas. This has occurred because of the permanent displacement of approximately 1,000 family heads and as a direct result of the inclusion of certain agricultural workers under the Fair Labor Standards Act.

I understand that you have been contacted by the Governor of the State of Arkansas and that he has submitted to you information with regard to the problem.

I will appreciate your immediate attention to what is fast becoming an economic crisis in the agricultural sections of my State.

With best wishes and kindest regards, I am

Sincerely yours,
JOHN L. MCCLELLAN.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senator from New York is recognized. How much time does he yield himself?

Mr. JAVITS. Five minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, I think that the Senate has manifested its clear desire to deal substantively with this matter and has indicated its disposition to approve it.

As I said when I raised the matter and made the motion to table, I have no intention to impede the proponents of the amendment in their progress if a majority felt prepared to vote for it.

I did not, because I thought it was too important and had too many ramifications, quite apart from its own merits, to justify Senate action on it now.

I should like to repeat very briefly these points, because Senators may wish to consider them in respect to voting on the substantive question.

The points are briefly, as follows:

First, there have been no hearings on this particular amendment.

Second, there has been no opinion on it by any Government department.

Third, as we all know, it is not particularly relevant to this bill. Therefore, some crisis or emergency must be shown. None has been shown, beyond the assertion that one exists.

Finally, the amendment affects the consumers of the United States. The proponent of the amendment says it may have some impact on prices; namely, that there will be a price increase. He does not consider it would be a material increase, but that is a matter of judgment. I do not know. I doubt if anyone does. It will result in a material reduction in imports, by one-third, and the proponent of the amendment says so.

Finally, a crucial stage in negotiations, the so-called Kennedy round, hinges upon the matter of agricultural duties and import quotas. In my judgment, it seems improvident for the Senate to vote on this matter on this bill with such insufficient information and with no opinion from our negotiators as to what it means, and especially with no crisis having been shown, but which has merely been asserted.

It seems to me most ill advised to sail into this thing at this time, but, obviously, the Senate has put the bit into its teeth at this time.

I wish to say, in closing, that the idea that this is just some pleasantry, that it is just tacking it on to a bill from which all the amendments will be stripped in conference, personally is not very flattering for the Senate of the United States. It is very demeaning. I assume, whenever a Senator votes, he does so with conviction and determination to do everything he can to make law out of an affirmative vote he has cast for a particular measure.

As I obviously am unacquainted with the merits of this measure, I shall be constrained to vote against it. If I had the remotest opportunity to dig deeply into the merits and get the views of officials which are essential on this measure, I might very well vote yea. However, I must vote nay in good conscience, which I shall accordingly do.

Mr. MILLER. Mr. President, will the Senator from South Dakota yield me some time?

Mr. McGOVERN. I yield 2 minutes to the Senator from Iowa.

Mr. MILLER. Mr. President, the Senator from New York suggests that there has been only an assertion that there is an emergency situation here. I invite his attention to yesterday's issue of the Wall Street Journal, in which it states that cattle prices are off 10 percent. The article is entitled "High Costs, Low Income Dash Farmers' Hopes for 1967, Stir Anger."

I ask unanimous consent that the article be placed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RURAL UNREST—HIGH COSTS, LOW INCOME DASH FARMERS' HOPES FOR 1967, STIR ANGER—PROFITS MAY DROP $1 BILLION, SO FARMERS PLAN TO SHUN NEW GEAR, LIMIT ACREAGE—CALLING OFF A TRIP TO EUROPE

(By Peter H. Prugh)

CHICAGO.—The farmers are fuming.

For nearly two years there has been glowing talk of a golden new era for U.S. agriculture as it is called upon to meet the world's insatiable demand for food.

So what's happening?

Farmers' total net income this year may plummet more than $1 billion from last year's near-record $16.3 billion.

Dairy farmers have been dumping milk in efforts to get dairies to raise their buying prices.

Farm groups are urging farmers to hold off purchases of equipment because of price increases by makers of farm implements.

Farmers are rebelling against suggestions by Federal farm planners that they sharply increase their planted acreage in some crops.

"There's an uneasiness and restlessness that I haven't seen in a number of years," says Tony T. Dechant, president of the 250,000-member National Farmers Union.

OUTRUNNING DEMAND

Actually, farmers have themselves to blame for at least part of their current woes. Anticipating the rising demand for food, they increased their production. But, in many instances, they increased it so much that supply is outrunning demand. As a result, they can't maintain high—or what they consider adequate prices. At the same time, their costs keep climbing.

Farmers are especially upset about their current plight because they had been expecting lush times. Max Townsend, a 54-year-old hog raiser near Marion, Ind., had planned to take his wife to Europe for three weeks this year. But he just canceled the trip. "We can't afford it," he says.

Stephen Rice, a Ford dealer in Milford, Ill., a town 80 miles south of Chicago in the midst of the farm country, says that farmers are buying as many cars as they bought a year ago, but they're going for the cheaper models. "They just don't have that sort of money now," he says.

A banker in a small town in central Iowa says more farmers are being forced to seek loans to meet operating expenses this year. Dean H. Quin, president of Citizens State Bank in Milford, says big farmers aren't hurting but "the small operator is having a heck of a scrape."

TROUBLE IN DODGE CITY

Even some farmers with big operations are hurting. Solomon Deines, who has 1,100 acres in wheat south of Dodge City, Kan., says he is in bad shape. "Back in 1951, I bought a new combine and tractor for $4,200 and paid for it easy off my 400 acres," he says. "Now I've got 1,100 acres, and I can't buy anything." He estimates the cost of new equipment comparable to his purchase 16 years ago now is $16,000.

The current average U.S. market price for wheat is about $1.60 a bushel, but farmers can get about $2 with Government subsidies. But they also were getting $2 way back in 1951, farmers note, when costs were lower for farm machinery, labor, land and interest.

Wheat, however, is selling at above a year-ago prices, while prices of many commodities have been declining, sometimes rather sharply. According to mid-March Agriculture Department figures, egg prices are off 17% from a year ago, poultry 18%, cotton 26% and tobacco 8%. Beef cattle prices are off about 10%, and hog prices are off as much as a third.

Mr. Townsend, the hog farmer, says he recently marketed hogs at $18.25 a hundred pounds, off from as high as $28.75 a year ago. At the same time, he says, "all our costs are going up." He says he now is down to the break-even point on hogs.

SELLING THE COWS

"Good hog farmers can barely make it pay, and poor ones are probably losing money," says L. S. Fife, agricultural economist for International Harvester Co.

Until recently, milk prices were as much as 10% above a year ago, but now these prices, too, have started falling. This drop, coupled with rising costs, is causing some farmers to retrench. Alton Rosenkranz, a dairy farmer in the lush country of southeastern Wisconsin, says he has cut his herd to 30 cows from 40 and has to let go his one employe. He says feed prices have risen 25% to 30% in the past year. "This puts me in a bind," he says.

Paul Fowler, a young dairy farmer in northeastern Wisconsin, says: "We're working hard and getting nowhere."

The dairy farmers who have been dumping their milk in the streets rather than sell it at what they consider low prices are members of the militant National Farmers Organization. They are trying to force the processors to lift their buying prices.

At the same time, many other farmers are refusing to go along with the Federal suggestions that they increase their plantings sharply. The department has urged increased plantings because of dwindling surpluses of grain. Total acreage for all crops this year is estimated at 316 million, up 18 million from 1966 but well below early Agriculture Department estimates of a 30-million-acre rise.

All this chafing is arousing the sensitivities of the Johnson Administration. Federal farm planners aren't unaware that 1968 is an election year. In reaction to the recent dairy-farmer protests, Agriculture Secretary Orville Freeman has called for curtailment of imports of dairy products, and there are rumors of impending increases in Government price supports for milk. Yesterday it was announced in Washington that the Administration is sending Mr. Freeman to the Midwest this week to offer reassurances to farmers troubled over declining farm prices.

The Government also has stepped up purchases of meat in an effort to bolster sagging livestock prices. So far, however, this attempt has been futile.

(Though the Agriculture Department sympathizes with the dairy farmers, the Justice Department stepped into the milk strike and filed an antitrust suit against the National Farmers Organization. The Government charged the NFO used violence and threats to coerce nonmember farmers, carriers and processors into joining its campaign to keep milk off the market. Retorts NFO president Oren Lee Staley: "The Johnson Administration has turned its back on the American farmers and left them as the forgotten part of our nation's economy.")

BOYCOTT IS PROPOSED

If farmers are mad about their declining receipts, so are they furious about the rising prices of things they buy. Farm equipment prices have been rising about 5% a year for several years, and farmers are beginning to do more than just complain.

At its March convention, the National Farmers Union called for a "nationwide voluntary moratorium on buying new farm equipment, including new tractors, combines, pick-ups, trucks and automobiles, until there is constructive action to bring substantial improvement in farm income."

So far, the move hasn't had much impact on sales. International Harvester says its farm equipment sales are running at a record high, and a spokesman for Deere & Co., another major equipment maker, says: "We're sure the called-for boycotts haven't done us any good, but we're not aware of any specific impact."

Mr. Dechant of the Farmers Union estimates that the latest round of equipment price increases would add $200 million to farmers' costs this year if they purchased at their usual pace.

DROP IN INCOME PREDICTED

Because of lower prices and higher costs, the Agriculture Department is predicting that U.S. farmers' net income may fall 5% from the $16.3 billion of 1966; some agricultural economists, however, feel the drop may be closer to 10%. This would shrink farmers' earnings more than $1.5 billion.

In efforts to boost prices, the American Farm Bureau has organized marketing units involving a total of more than 10,000 farmers to bargain with processors on contracts for poultry, fruit and vegetables. Various state units of the Farm Bureau have formed other marketing groups. This kind of activity in the past 12 months has expanded greatly, a Farm Bureau spokesman says, and Federal legislation has been introduced to make it illegal for processors to discriminate against farmers who try to bargain collectively for higher prices.

The shock of lower profits for farmers has been made all the worse, observers say, because of last year's euphoria about the agricultural situation. The current discontent is partly a natural reaction to "the very bullish sentiment" generated last year by statements of Government officials and others on the world food situation and the demand for U.S. agricultural products, comments Gene Futrell, farm economist at Iowa State University.

Parts of the world are still "crying for food," says Roby L. Sloan, agricultural economist for the Federal Reserve Bank of Chicago. But he notes that some of these areas lack funds to purchase U.S. products. Despite huge deliveries of grain to India, there has been "far too much optimism" about the amount of U.S. grain shipments to be sent through U.S. foreign aid programs, he adds. Good grain crops in other agricultural nations last year and the fact that underdeveloped nations (with a great many farmers of their own) are more interested in agricultural self-help projects than huge U.S. grain shipments also has helped limit demand for U.S. farm products, observers say.

Another factor in the current unrest among U.S. farmers is the worsening plight of the hundreds of thousands of marginal farms. Even if farm prices were doubled, one-half of the nation's farmers still wouldn't have income comparable to the average U.S. nonfarmer, says the Federal Reserve Bank's Mr. Sloan. In a recent speech, Secretary Freeman indicated that an "adequate sized" farm should have more than $10,000 in annual gross sales. By this definition, about one million of the nation's two million commercial farms would be considered substandard.

Mr. McGOVERN. Mr. President, I yield myself such time as I may need.

This legislation, very simply, does deal with a crisis in the American livestock industry. In some 33 of our 50 States, the livestock industry is a major part of farm income in those States.

There is no question at all that our livestock producers are in a serious economic condition at the present time. A recent issue of the Fargo Forum of North Dakota, which came to my attention some time ago, carried ads for 61 farm sales. In most instances, livestock producers were liquidating their herds and selling out because of low prices. I suppose many of them were broke.

I cannot think of any single thing Congress could do which would bring sharper or quicker relief than to do something about the large imports which are depressing prices across the industry.

The amendment, as the Senator from Minnesota [Mr. McCarthy] said a few minutes ago, is a very simple one. In a nutshell, it would have the effect of rolling back livestock imports, which are now estimated at over 900 million pounds a year.

It is true that if we had all kinds of time to deal with this problem, we might do it with a little different procedure than the one which we are using here this afternoon, but this is an emergency situation. We are dealing with it in an emergency way.

There is nothing complicated about this amendment. The Senator from New York has suggested it might disrupt negotiations in the so-called Kennedy round. Actually, one of the things that our negotiators at Geneva have been trying to get across to the other countries is that we do have a serious agricultural situation in our country to which they must give consideration. This is one way of underscoring to the whole world that we are concerned about it.

So I hope the Senate will give this amendment a resounding affirmative vote.

I yield back the remainder of my time.

Mr. JAVITS. Mr. President, before yielding back the remainder of my time, I merely would like to say——

The PRESIDING OFFICER. The Senator from New York has 1 minute remaining.

Mr. JAVITS. I had 10 minutes, and I have used only 5.

The PRESIDING OFFICER. There were 5 minutes on a side to the amendment. The Senator from New York has 1 minute remaining.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may have 1 extra minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I merely wish to answer two points.

The first is the idea that because there has been a diminution in prices or because people whose prices have suffered a diminution are angry, that indicates a crisis. That is not a crisis based on supply or a natural disaster or otherwise or a price break which puts people out of business or jeopardizes their inventories.

Second, as to the assertion that the amendment will not interfere with the Kennedy round, there I can say flatly that it will, if this amendment becomes law, tie the hands of the negotiators by the adoption of the amendment to this bill in the Trade Expansion Act of 1962, coming at this time, at the most sensitive point of negotiations.

I could not think of anything more disastrous. I predict that if we adopt it we will hear about in tomorrow's newspapers from a half dozen sources as to what a disaster this is to the negotiations at Geneva, because the Senate of the United States has indicated a protectionist point of view; so what is the use of going into a deal when this only promises that, at such a sensitive time as this is, we have not enough sensitivity, ourselves, to know how important this action is. I think we are making a grave mistake.

Mr. President, I have said my piece. I shall vote "nay." Whatever the Senate does or whatever individual Senators do is in their sole discretion.

I yield back the remainder of my time.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have 3 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HOLLAND. I thank the Senate.

Mr. President, I shall join the Senator from New York in voting "nay." If we are the only two voting "nay," I will have the conviction that we shall be right.

We have here a measure affecting the largest agricultural industry in the Nation. The matter has not been heard by committee. We do not have the views of the departments of Government affected, and more than one is affected. We do not have the views of the producers or the consumers of the country, and that includes all our people except vegetarians. We do not have the views of anybody except the ardent desires of the sponsors of the amendment. I suspect this amendment will be put on this "can of worms" that we have before us. If they think this will speed getting done what they want done, I remind them that we have on the books procedures for quotas in which the executive is recognized, procedures for quotas in which the Tariff Commission is recognized, a course of procedures which it is proposed to bypass by the adoption of the amendment. I think the whole procedure is as unwise as it can be.

I join the Senator from New York in opposing the amendment. Very rarely do we march together, but this is one time when we do.

I have not been approached by anybody in the cattle industry. I have offered to be a sponsor of a bill on this subject. I hope to be able to do that. But the matter should be studied and reported upon, and the people affected, who number in the millions in this country, should have a chance to be heard. If we proceed precipitately on a matter of this importance, I think we will be showing a lack of wisdom.

Believing that, Mr. President, I shall vote nay.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from South Dakota [Mr. McGOVERN]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK (when his name was called). On this vote, I have a pair with the Senator from Missouri [Mr. SYMINGTON]. If he were present and voting, he would vote "yea"; if I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. PELL (when his name was called). On this vote, I have a pair with the junior Senator from Montana [Mr. METCALF]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. MUSKIE (after having voted in the negative). On this vote, I have a pair with the distinguished senior Senator from Oklahoma [Mr. MONRONEY]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. RIBICOFF (after having voted in the negative). On this vote, I have a pair with the senior Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Wyoming [Mr. McGEE], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], the Senator from Maryland [Mr. TYDINGS], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I further announce that the Senator from Alabama [Mr. HILL], the Senator from Arizona [Mr. HAYDEN], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Oregon [Mr. HATFIELD], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Oregon [Mr. HATFIELD], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 55, nays 19, as follows:

[No. 87 Leg.]

YEAS—55

Aiken
Allott
Baker
Bennett
Bible
Brooke
Burdick
Byrd, W. Va.
Cannon
Cooper
Curtis
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hartke
Hickenlooper
Hollings
Hruska
Inouye
Jackson
Jordan, Idaho
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
Miller
Mondale
Montoya
Morton
Moss
Mundt
Nelson
Pearson
Prouty
Proxmire
Randolph
Russell
Smith
Sparkman
Spong
Talmadge
Thurmond
Yarborough
Young, N. Dak.

NAYS—19

Anderson
Bartlett
Boggs
Case
Cotton
Dirksen
Dodd
Ellender
Griffin
Hart
Holland
Javits
Kennedy, Mass.
Kennedy, N.Y.
McIntyre
Percy
Scott
Williams, N.J.
Williams, Del.

NOT VOTING—26

Bayh
Brewster
Byrd, Va.
Carlson
Church
Clark
Hatfield
Hayden
Hill
Jordan, N.C.
Lausche
McGee
Metcalf
Monroney
Morse
Murphy
Muskie
Pastore
Pell
Ribicoff
Smathers
Stennis
Symington
Tower
Tydings
Young, Ohio

So Mr. McGOVERN's amendment was agreed to.

Mr. PROXMIRE. Mr. President, I offer an amendment and ask unanimous consent that reading be dispensed with.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with. I shall explain the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the appropriate place in the bill insert the following new section:

SEC. —. Section 613 of the Internal Revenue Code of 1954 (relating to percentage depletion) is amended—

(1) by striking out, in subsection (a), "specified in subsection (b)" and inserting in lieu thereof "specified in subsection (b) and (d)";

(2) by striking out paragraph (1) of subsection (b) and inserting in lieu thereof the following:

"(1) Oil and gas wells.—The percentage applicable under subsection (d)(1)."; and

(3) by redesignating subsection (d) as (e), and by inserting after subsection (c) the following new subsection: "(d) OIL AND GAS WELLS.—

"(1) PERCENTAGE DEPLETION RATES.—In the case of oil and gas wells, the percentage referred to in subsection (a) is as follows:

"(A) 27½ PERCENT.—if, for the taxable year, the taxpayer's gross income from the oil and gas well property, when added to (i) the taxpayer's gross income from all other oil and gas well properties, and (ii) the gross income from oil and gas well properties of any taxpayer which controls the taxpayer and of all taxpayers controlled by or under common control with the taxpayer, does not exceed $1,000,000.

"(B) 21 PERCENT.—if, for the taxable year, the taxpayer's gross income from the oil and gas well property, when added to (i) the taxpayer's gross income from all other oil and gas well properties, and (ii) the gross income from oil and gas well properties of any taxpayer which controls the taxpayer and of all taxpayers controlled by or under common control with the taxpayer, exceeds $1,000,000 but does not exceed $5,000,000.

"(C) 15 PERCENT.—if, for the taxable year, the taxpayer's gross income from the oil and gas well property, when added to (i) the taxpayer's gross income from all other oil and gas well properties, and (ii) the gross income from oil and gas well properties of any taxpayer which controls the taxpayer and of all taxpayers controlled by or under common control with the taxpayer, exceeds $5,000,000.

"(2) Control defined.—For purposes of paragraph (1), the term 'control' means—

"(A) with respect to any corporation, the ownership, directly or indirectly, of stock possessing more than 50 percent of the total combined voting power of all classes of stock entitled to vote, or the power (from whatever source derived and by whatever means exercised) to elect a majority of the board of directors, and

"(B) with respect to any taxpayer, the power (from whatever source derived and by whatever means exercised) to select the management or determine the business policies of the taxpayer.

"(3) Constructive ownership of stock.—The provisions of section 318(a) (relating to constructive ownership of stock) shall apply in determining the ownership of stock for purposes of paragraph (2).

"(4) Application under regulations.—This subsection shall be applied under regulations prescribed by the Secretary or his delegate."

(b) The amendments made by subsection (a) shall apply only with respect to taxable years beginning after the date of the enactment of this Act.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. Mr. President, would the Senator consider the possibility, in view of the fact that the hour is getting a little late and some Senators wish to leave, of having a time limitation on his amendment?

Mr. PROXMIRE. Yes, indeed. I intend to do so, but I prefer to wait a few minutes until I talk with another Senator on this matter before I give consent to a time limitation.

Mr. MANSFIELD. Could the Senator give the Senate an idea as to how much time he would be willing to limit his amendment to if agreement is reached?

Mr. PROXMIRE. Thirty minutes to a side would be agreeable, but I have to reserve that matter until I discuss it with another Senator.

Mr. MANSFIELD. That is perfectly satisfactory.

Mr. PROXMIRE. Mr. President, my amendment would reduce the existing 27.5-percent depletion allowance, but not for all people who own oil property.

For those who have gross income from oil and gas properties of less than $1 million a year, it would not affect their depletion allowance at all.

For those who gross between $1 million and $5 million, it would reduce their depletion allowance from 27.5 percent to 21 percent.

For those individuals and firms with gross income from oil and gas properties of more than $5 million, it would reduce their depletion allowance from 27.5 to 15 percent. That would not be an elimination of the allowance, but merely a reduction.

This amendment has been before the Senate two or three times in the past years, the last time being, I think, 3 or 4 years ago.

The administration is still talking about introducing a tax surcharge bill during the last half of this year, a surcharge that would increase the income tax by 6 percent on corporations and individuals.

My proposal would eliminate an inequity and would reduce a possible large fiscal deficit. As a matter of fact, this reform could increase the revenue of the Treasury by $450 million, according to the staff of the Joint Committee on Internal Revenue Taxation.

Mr. President, I have been very reluctant to bring up the amendment I am offering today to reduce the depletion allowance moderately for some but not for all operators, because the time did not seem to be right.

But, Mr. President, this bill had become the vehicle for a review of tax inequities. A number of persons have asked me why few if any amendments have been introduced to raise revenues, and furthermore why no one has proposed an amendment to plug the biggest loophole of all—the oil depletion amendment.

It has been said that this oil depletion loophole is so glaring, so unfair, so discriminating, and so loaded with advantage for the special interests that until it is modified, other meaningful tax reform will not be possible.

Mr. President, I think that statement is true. This is the single biggest loophole in our tax structure. It is one that must be eliminated.

Whenever a reform is advanced, the person whose taxes would be increased by the reform points to the oil depletion allowance and says: "After all, why in the world do you want to increase my taxes, even though my loophole may be inequitable and unfair, when that big oil company or operator is able to get away with murder?" And I mean murder, and I can document that statement. The oil depletion allowance is a huge loophole in our tax structure.

Why, Mr. President, in the light of all this have we made such little progress in at least a modest reduction in this gaping giveaway, this immense oil-depletion loophole.

The answer, Mr. President, is twofold, first; and frankly I think most important, the defenders of the oil depletion allowance are not only very powerful in the Government of the United States, but they are also very able. And they are completely sincere in their opposition to any reform in the depletion allowance. No States are more powerfully, effectively, eloquently represented than the oil States in this body: Senators like Mike Monroney and Fred Harris, of Oklahoma, Ralph Yarborough and John Tower, of Texas, John McClellan and William Fulbright, of Arkansas, Alan Ellender and Russell Long, of Louisiana, Thomas Kuchel and George Murphy, of California, James Pearson and Frank Carlson, of Kansas, to name only a few.

These are all men who have great force and influence and feel very deeply and sincerely about this matter. They have been most effective in preventing the Senate and the House of Representatives from moving ahead in clearing up this most gaping and serious loophole that we have in our tax laws.

As Vice President Hubert H. Humphrey said a few years ago when he was in this body:

> The percentage depletion is the first and most important tax loophole that should be corrected.

I would like at this time to go back and paraphrase his words which appeared in a Public Affairs Institute publication entitled "Tax Loopholes." It reads:

> Depletion comes from the word "deplete." When an operator of an oil well sells oil from his well, or the owner of a mine sells coal from his mine, he is depleting or exhausting his capital. Similarly, when a factory owner uses up his equipment in manufacturing his product or a cab driver runs his cab down while driving customers, capital is being used up. In the case of the factory owner or cab driver, the tax laws permit the individual to deduct from his profit an amount which is equivalent to the capital used up during the year in computing his net profit which is subject to income tax. This deduction is called depreciation. The corresponding deduction allowed to the owner of an oil well or a coal mine is called depletion.
>
> If depletion were computed in the same manner as depreciation, there would be nothing wrong. Income tax is a tax on income, not on capital. Consequently, a deduction for capital used up is appropriate. The trouble is that in the case of oil and coal and most other minerals, the deduction is far in excess of the capital used up. As a matter of fact, the deduction has nothing to do with the capital used.
>
> For the factory owner or cab driver, depreciation is computed by dividing the total investment by the number of years the investment is used. If a factory building costs $100,000 and is expected to last 50 years the factory owner is allowed to deduct $2,000 each year for depreciation; after 50 years he has deducted the entire $100,000 investment from his profits.
>
> Not so with the owners of oil wells or of coal mines. For them, the law permits a deduction which is called "percentage depletion." This deduction is a stated percentage of *gross income,* not of the amount invested in the property. For oil, the deduction is 27½ percent; for sulphur, 23 percent; for coal, 10 percent; and for other minerals 15 percent or 5 percent.
>
> Why does this method of computing depletion result in excessive deductions? Take the case of an oil well in which $1,000,000 was invested. Suppose the well produces $5,000,000 of oil for each of 10 years. The owner can deduct 27½ percent each year, or $1,375,000. In the ten years, he deducts a total of $13,750,000 or almost 14 times the amount he actually invested.

The Treasury recently disclosed that the example I have just given from Vice President Humphrey's article is an understatement of the average advantage that depletion allowances provide.

On the average the cost of an oil well is deducted not once or twice, or, as in this example, 13 or 14 times, but 19 times over.

It would be nice if, when one purchases a factory or piece of equipment as a small business man, he could write the amount off 19 times.

This is how the law works, as a practical matter, to help the owner of oil property.

In his 1950 tax message, President Truman said of depletion allowances:

> I know of no loophole in the tax laws so inequitable as the excessive depletion exemptions now enjoyed by oil and mining interests.

The President further commented:

> I am well aware that these tax privileges are sometimes defended on the ground that

they encourage the production of strategic minerals. It is true that we wish to encourage such production. But the tax bounties distributed under the present law bear only a haphazard relationship to our real need for proper incentives to encourage the exploration, development and conservation of our mineral resources. *A forwardlooking resources program does not require that we give hundreds of millions of dollars annually in tax exemptions to a favored few at the expense of the many.*

The Treasury has made an exhaustive study of percentage depletion and has produced these startling figures.

First. In 1947, oil companies were able to deduct 13 times more through percentage depletion than they would have been allowed to deduct if they had been required to use ordinary depreciation methods.

Second. Twelve millionaires owning oil wells paid an average income tax of only 22½ percent on their incomes in the period 1943–47, just one-half of 1 percent less than the wartime rate on the first $2,000 of taxable income.

Third. One oil operator was able to develop properties yielding $5 million in a single year and he did not pay a cent of income tax in that year.

In total, oil and mining interests benefit to the tune of about three-quarters of a billion dollars from percentage depletion. Eighty-five percent of this huge subsidy goes to the oil companies. No wonder President Truman called this the most glaring loophole in our tax laws. If percentage depletion had been eliminated, the entire tax increase on people earning less than $4,000 a year could have been dropped from the last tax bill.

Percentage depletion was once the prerogative of oil and gas, supposedly an allowance to cope with the hazards of exploration and drilling. Before the war it was extended to coal, sulfur, and the metallic minerals. During the war it was extended to many nonmetallics. In the Revenue Act of 1951, besides raising the depletion rate of several minerals already in the law, many new minerals were added to the list of those benefiting from percentage depletion. If there is any substance found in a natural state which has been omitted from this most recent list, I cannot think of it. If there is one, I cannot conceive of why it should be denied a privilege which is now granted sand, gravel, stone, clay, oyster and clam shells, and salt.

If this trend continues, every element and compound known to the chemical laboratory will be given percentage depletion. In the meantime, the average wage earner, farmer, and businessman will be required to pay taxes which the depletion interests are better able to pay.

I might add, Mr. President, that the amendment I have offered would exempt the wildcatter, would exempt the man who grosses less than a million dollars. He would still have his 27.5-percent depletion allowance. There is no question that he is the only one who really needs it, because the big boy is in a position where he has computers, where he knows, to a gnat's eyelash, precisely how many of his wells will come in dry. He can do it on the basis of long experience and on the basis of the most expert geological advice. He can make these computations, and he can make them accurately. The little man cannot do this, and he is at a serious disadvantage because he cannot.

Obviously, when the farmers, small businessmen, and consumers are bearing their full share of the taxes, it is wrongful for the oil companies, who are the most privileged by our outmoded tax laws, to escape. They should bear their fair share. The tax giveaway enjoyed by the oil companies is tremendous. In the March 21, 1966, edition of the Gasoline Letter appeared an article containing some figures that are most revealing and I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tax Figures Conceal Real U.S. Income Taxes

If you read the official oil company income tax figures it looks as if Standard Oil Co., (N.J.) is paying more than half a billion dollars a year in Federal income tax.

In reality the total U.S. income tax burden of the 22 top refiners was only $240 million in 1964, the latest year that figures are available in the Securities and Exchange Commission files.

Lumping foreign and U.S. taxes together has led to public statements by oil company foundations and Senators who support the big refiners that the oil companies pay as much tax as anyone else.

Page 29 of Texaco's annual report shows "provision for income taxes" for 1964 as $83.4 million.

But if you check with SEC you learn that $5.5 million went to Uncle Sam and $77.9 million went to foreign governments and some states.

Figures for 1963 and 1964 presented in our tax table on pages three and four, here compiled for the first time as far as we know, show that the 22 refiners paid 4% of their gross income as U.S. income tax while the rate for working people and small businessmen is about 20%.

The table also reveals for the first time that the 22 retained after U.S. and foreign taxes an average 74% of their gross profit. But some campanies retained 100% or more.

The figures reveal that the oil companies paid almost a quarter million to the U.S., but over $1 billion to other governments. While 4% of their gross profit went to the U.S. Treasury, over 20% went to foreign governments and States.

The provisions allowing oil companies to pay so little are the 27.5% depletion allowance, intangible drilling costs provision, and being able to classify certain royalty payments on oil as income tax to a foreign government and thus subtract the royalties from their tax payment due the U.S. after calculating tax due.

Mr. PROXMIRE. Mr. President, I would like to submit for the consideration of my colleagues, another article which reveals more clearly how 1,900 firms beat the Federal tax problem—a problem with which the average American has just been faced and required to resolve:

IRS Reveals Depletion Effect—How 1,900 Firms Beat Federal Tax Problem

The Internal Revenue Service, with its characteristic lack of humor released last week a detailed study of the depletion allowances and how they lower income taxes.

While many were racing to ready their returns for the Apr. 15 deadline, IRS gave details on the $2.5 billion subsidy Congress enacted allegedly to encourage exploration for minerals.

By far, corporations account for the biggest chunk of the depletion boom, about 90%.

Integrated refining companies accounted for more than $1.6 billion of the depletion claimed, well over half the total.

BIG REFINERS GOT LARGE BITE

But of the $1.6 billion, $435 million was claimed by the 22 oil refining companies for production from foreign properties.

This tax subsidy is aimed at encouraging international corporations to find new sources of oil in the middle east and other areas where it can help the U.S. in time of emergency, while tending to unbalance our international payments.

One of the best features of depletion subsidies is that some firms can do away with paying income tax altogether.

The report shows that 1900 tax returns in 1960 had no taxable income at all.

But depletion only accounted for $880 million while depreciation cut the taxable income another $572 million for these firms.

APPLIED TO $10 BILLION

In the oil and gas industry alone depletion was applied to almost $10 billion in gross income from properties.

Here's the breakdown:

Number of returns	7, 183

[In thousands of dollars]

Gross income from mineral properties	9, 433, 618
Deductions exclusive of depletion, total	4, 326, 810
Exploration	--------
Development	1, 036, 845
Dry hole deductions for oil and gas	140, 851
Depreciation	179, 644
Operating expense	2, 603, 232
Taxes	83, 475
Overhead and other	282, 763
Net income less loss before depletion	5, 106, 808
Percentage depletion at statutory rate	2, 594, 114
Allowable depletion, total	2, 530, 235
Percentage depletion	2, 251, 470
Cost depletion	278, 765
Deductions on nonproducing properties	1, 464, 762

Curiously some of the depletion benefits were taken by wholesale and retail firms with producing properties.

Marketing firms with depletion, 618 of them, took $26.5 million in depletion on gross income from production of $161.9 million, but these figures include nonoil industry depletion statistics.

The word gets around in financial circles.

GETTING IN ON ACT

While the general public may not be aware of the effects of the depletion allowance, 392 manufacturing firms not in oil refining took advantage of oil and gas depletion in 1960 as did 475 nonpetroleum wholesale and retail firms.

Another 2,500 firms, in insurance, finance, and real estate dipped into the depletion cooky jar in the same year through oil property holdings.

One big distinction made in the report is between cost depletion and percentage or statutory depletion.

Cost depletion refers to the actual amount by which the value of property drops when minerals are removed.

U.S. income taxes of 22 largest oil refiners (1962, 1963, 1964) [1]

Rank in size	Year	Gross profit	Federal tax	Percent	Foreign, some States tax	Percent	Income after tax	Percent of gross
Standard (New Jersey)	1962	$1,271,903,000	$8,000,000	0.6	$423,000,000	33	$804,903,000	66
	1963	1,584,469,000	69,000,000	4.3	496,000,000	31	1,019,469,000	64
	1964	1,628,555,000	29,000,000	1.7	549,000,000	33	1,050,555,000	64
Texaco	1962	546,371,000	13,000,000	2.3	51,700,000	9	481,671,000	88
	1963	615,768,000	10,250,000	1.6	58,850,000	12	545,668,000	88
	1964	660,781,000	5,500,000	.8	77,900,000	11	577,361,000	87
Gulf	1962	488,351,000	19,389,000	3.9	128,871,000	26	340,091,000	70
	1963	450,065,000	30,870,000	5.7	137,842,000	25	371,353,000	68
	1964	607,343,000	52,443,000	8.6	159,781,000	26	395,118,000	65
Socony Mobil	1962	379,339,000	8,300,000	2.1	128,700,000	33	242,339.000	63
	1963	437,352,000	23,000,000	5.2	142,500,000	32	271,852,000	62
	1964	464,660,000	27,700,000	5.9	142,800,000	30	294,160,000	63
Standard (California)	1962	348,181,000	5,800,000	1.6	28,600,000	8	313,781,000	90
	1963	356,568,000	2,900,000	.8	31,600,000	8	322,068,000	90
	1964	393,188,000	8,300,000	2.1	39,600,000	10	345,288,000	87
Shell	1962	173,555,000	7,200,000	4.1	8,680,000	5	157,675,000	91
	1963	211,575,000	19,100,000	9.0	12,623,000	5	179,852,000	85
	1964	213,575,000	2,800,000	1.3	12,585,000	5	198,190,000	92
Standard (Indiana)	1962	168,843,000	3,105,000	1.8	3,381,000	2	162,420,000	96
	1963	208,022,000	22,182,000	10.6	2,748,000	1	183,092,000	88
	1964	204,817,000	8,486,000	4.1	1,480,000	.7	194,851,000	95
Phillips	1962	158,320,000	48,000,000	30.3	3,365,000	2	106,955,000	67
	1963	160,954,000	52,000,000	26.2	3,491,000	2	105,463,000	65
	1964	152,197,000	32,229,000	22.2	4,950,000	3	115,018,000	74
Cities Service	1962	84,143,000	20,773,000	24.7	3,185,000	3	60,185,000	71
	1963	101,976,000	20,188,000	21.4	4,283,000	4	77,505,000	74
	1964	113,405,000	27,925,000	24.7	967,000	.8	84,513,000	74
Continental	1962	73,477,000	1,065,000	1.4	3,335,000	5	69,077,000	94
	1963	99,665,000	9,143,000	9.2	3,157,000	3	87,365,000	88
	1964	112,009,000	8,725,000	7.7	3,175,000	2	100,100,000	89
Sun	1962	66,395,000	[2] 200,000	0	13,400,000	20	53,195,000	80
	1963	79,976,000	1,300,000	1.9	17,460,000	22	61,216,000	77
	1964	88,577,000	2,400,000	2.7	17,670,000	20	68,507,000	77
Union	1962	59,421,000	8,000,000	13.5	5,500,000	9	45,921,000	77
	1963	73,028,000	13,100,000	17.7	6,000,000	8	53,928,000	74
	1964	87,564,000	13,300,000	15.2	7,200,000	8	67,064,000	77
Standard (Ohio)	1962	37,235,000	9,275,000	25.0	3,738,000	10	24,222,000	65
	1963	54,008,000	15,225,000	28.1	4,896,000	9	33,887,000	62
	1964	70,252,000	21,150,000	30.2	5,334,000	7	43,768,000	62
Sinclair	1962	57,936,000	0	0	10,586,000	18	47,350,000	83
	1963	71,036,000	1,200,000	0	9,532,000	13	62,704,000	88
	1964	66,444,000	[2] 3,119,000	0	10,531,000	15	58,736,000	88
Marathon	1962	35,894,000	[2] 2,200,000	0	205,000	.5	37,889,000	105
	1963	50,058,000	(3)	0	933,000	1.8	49,125,000	98
	1964	63,220,000	(3)	0	2,844,000	4.4	60,376,000	95
Atlantic	1962	61,110,000	0	0	14,844,000	24	46,266,000	75
	1963	56,747,000	0	0	12,734,000	22	44,013,000	78
	1964	61,081,000	0	0	14,005,000	22	47,076,000	77
Tidewater	1962	35,191,000	228,000	.6	2,387,000	6	32,576,000	93
	1963	42,795,000	[2] 63,000	0	3,384,000	8	39,474,000	92
	1964	40,508,000	377,000	13.7	4,426,000	11	35,705,000	--------
Ashland	1962	24,324,000	6,201,000	25.8	2,799,000	11	15,324,000	63
	1963	28,769,000	10,556,000	37.7	104,000	.3	18,109,000	64
	1964	36,385,000	9,672,000	26.8	2,977,000	8	23,735,000	65
Sunray	1962	41,203,000	3,850,000	9.3	1,152,000	2.8	36,201,000	88
	1963	49,727,000	6,533,000	13.3	1,328,000	2.7	41,866,000	85
	1964	29,357,000	[2] 7,115,000	0	1,290,000	3.6	35,182,000	100
Pure	1962	27,680,000	[2] 2,546,000	0	1,276,000	4	28,950,000	107
	1963	28,582,000	[2] 1,212,000	0	27,000	.01	29,767,000	106
	1964	32,282,000	600,000	.01	164,000	.5	31,518,000	98
Skelly	1962	22,674,000	1,260,000	5.7	250,000	1	21,164,000	96
	1963	27,479,000	3,025,000	7.7	275,000	4	24,179,000	89
	1964	26,601,000	785,000	1.2	275,000	2	25,551,000	98
Richfield	1962	36,615,000	6,000,000	16.6	0	0	30,615,000	83
	1963	29,767,000	1,300,000	4.4	773,000	2.6	27,894,000	94
	1964	26,255,000	[2] 629,000	0	5,429,000	20.8	21,455,000	82
Total	1962	4,198,161,000	164,500,000	4	838,891,000	20	3,194,770,000	76
	1963	4,908,386,000	246,660,000	5	950,540,000	19	3,649,849,000	74
	1964	5,179,036,000	240,529,000	4	1,064,383,000	20	3,873,836,000	74

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[1] Compiled from records of the U.S. Securities and Exchange Commission by the staff of the Gasoline Letter. Warning—this table is part of the Mar. 21, 1966, issue of the Gasoline Letter and may not be reproduced by any means—including office copying equipment—without prior written permission of the publisher. Violation of copyright is a Federal offense carrying penalties from $500 to $2,500.

[2] Cr.

[3] Marathon is the only large oil company that has been able to conceal its domestic income taxes in the Securities and Exchange Commission files. We phoned Girard Jetton, Marathon's tax chief and asked the U.S. figure, but he said it's a secret. Since the firm probably doesn't want to keep secret the smallness of its foreign taxes, it's assumed the U.S. tax is small and all of Marathon's income taxes are listed here as foreign.

This real depletion reflects the declining value of a property related directly to the amount of oil produced.

TAKE HIGHEST FIGURE

But Congress decided to give oil and gas producers a 27.5-percent boon.

No matter what the real depletion is, producers can deduct 27.5 percent of their value of production up to 50 percent of the property's net income before depletion.

Look how it works out when applied to foreign producers and refiners:

[In thousands of dollars]

	Oil and gas producers	Oil refiners
Net income	473,759	1,370,331
Income subject to tax	437,078	969,613
Income tax	225,842	495,702
Gross income from mineral properties	1,321,362	5,419,552
Foreign	805,886	1,589,757
Domestic	515,476	3,829,795

[In thousands of dollars]

	Oil and gas producers	Oil refiners
Depletion, total	353,158	1,424,744
Percentage	343,577	1,351,554
Cost	9,581	73,190
Depletion, foreign	220,257	434,920
Percentage	215,974	416,849
Cost	4,283	18,071
Depletion, domestic	132,901	989,824
Percentage	127,603	934,705
Cost	5,298	55,119

Mr. President, although it is some 17 years old, one of the best statements I have ever seen with respect to this subject was made by former Secretary of the Treasury Snyder before the Ways and Means Committee of the House of Representatives on February 3, 1950. It contains some very interesting figures which indicate that three-quarters of the allowances were received by corporations with assets over $100 million.

One of the reasons why the proposed amendment would raise such a large amount of money, although it exempts a large number of small wildcatters, is that the real advantage is for the very big firm, and almost all the big firms, as indicated, gross over $100 million. These are the firms which have the advantage of the depletion allowance. The smaller firms do not have this advantage.

Mr. President, I should like to point out that the oil depletion allowance, while it is the most notorious and the most frequently cited, is far from the only special privilege and special advantage that the oil property owners have.

There are other advantages that many people feel are more important, and we are touching upon those in the proposed amendment. These are some of the tax allowances they have.

The first applies to everybody—operating costs. This is necessary and deserving and should be permitted.

In addition to operating cost deductions, they are permitted to subtract intangible drilling and development costs. These can be written off in the year in which they occur. They are not spread over a period of years, as is the case in other industries.

It has been estimated that between 75 percent and 90 percent of all costs can be written off in 1 year in this manner. We have, therefore, accorded to this industry virtually the ultimate in accelerated depreciation and fast tax writeoffs.

This is very important to realize. We speak of accelerated depreciation writeoff amounts in 5 years or 10 years. Here is a case in which from 75 to 90 percent of the investment can be written off in 1 year. Some persons say depletion is simply depreciation, but it is not. Depletion is in addition to depreciation and in addition to the intangible drilling and development costs.

Unsuccessful or dry holes, of course, can be written off.

Also, there is the 14-point reduction in the tax itself—or a reduction from 52 percent to 38 percent on taxable income—for income derived from operations abroad in the Western Hemisphere—that is, Venezuela, Canada, Mexico, and so forth.

Thus, the companies which operate in Venezuela—that is a rich oil country—pay only 38 percent upon their taxable income, instead of, I believe, what is now the 48 percent and what has been the 52 percent paid before. When I say they pay only 38 percent upon their taxable income, I mean the limited income which is taxed after all deductions, including depletion allowance, have been subtracted.

Another item is royalty payments abroad, particularly in the Near East, which may be disguised as income tax payments for which the foreign tax credit is then available. This is the golden gimmick. A company can therefore escape liability for the U.S. tax by being allowed to take a tax credit for payment which a domestic taxpayer would be permitted only to deduct from gross income rather than to take as a credit against tax. This, of course, is an extremely valuable advantage.

It is well known that some of the big American companies have the exclusive rights to drilling in Saudi Arabia and other sections of the world. It is well known that, in general, royalty payments are approximately 50 percent of the gross revenue. The interesting point is that this is called a tax, and it can be applied against tax which these corporations otherwise would pay on the income. So in some cases they pay no U.S. income taxes at all.

So far as I know, and it has never been denied—although certain testimony taken in executive session by the Committee on Finance has been sealed as confidential and not to be published—I have never heard any representative of these oil companies in Saudi Arabia deny the statements which were made by former Senator Douglas, by me, and by others on the floor of the Senate. All these arrangements are extraordinarily generous, but, in addition, there is the other allowance which is called percentage depletion, and I have described that.

Mr. President, I should like to point out the enormous advantages that are provided by depletion and the other special tax privileges to oil companies.

I ask unanimous consent that a table of selected corporate business deductions, showing the deductions of all corporations, and a table of corporate depletion deductions by total asset classes be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 1.—*Selected corporate business deductions, all corporations, 1946–57*

[Dollar amounts in millions]

Deduction	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957
Compensation of officers	$5,143.1	$6,026.4	$6,733.3	$6,743.0	$7,606.8	$8,122.0	$8,430.0	$8,776.7	$9,113.2	$10,480.7	$11,045.1	$11,829.6
Interest paid	2,251.0	2,501.4	2,758.7	3,045.1	3,211.9	3,700.5	5,013.2	5,680.9	6,270.6	7,058.4	8,281.0	10,004.5
Taxes paid	5,830.5	6,892.9	7,481.7	8,361.3	9,013.2	11,030.8	11,696.8	12,194.9	12,476.9	14,202.6	15,038.5	16,393.0
Contributions or gifts	213.9	241.2	239.3	222.6	252.4	343.0	398.6	494.5	313.8	414.8	418.0	417.3
Depletion	798.9	1,210.3	1,711.3	1,476.2	1,709.3	2,085.1	2,126.5	2,301.8	2,358.6	2,805.5	3,084.3	3,346.8
Depreciation	4,201.7	5,220.1	6,298.6	7,190.5	7,858.1	8,829.0	9,604.4	10,410.6	13,601.5	13,418.8	14,952.9	16,968.3
Amortization	64.5	58.9	38.9	30.6	43.3	291.9	831.3	1,515.3		2,590.3	2,625.9	2,463.9
Advertising	2,408.3	3,032.2	3,466.0	3,772.7	4,097.0	4,552.9	5,026.8	5,480.9	5,770.2	6,601.8	7,061.6	7,666.1
Amounts contributed under pension plans, etc.[1]	834.6	1,038.3	1,153.5	1,216.1	1,660.9	2,326.0	2,551.8 [2] 860.9	2,936.3 [2] 860.9	2,840.3 [2] 910.6	3,296.2 [2] 1,146.9	3,645.5 [2] 1,302.9	4,043.0 [2] 1,626.2
Other [3]	5,892.1	7,338.4	8,062.8	7,998.7	8,371.3	9,709.7	10,493.6	11,520.5	11,445.5	12,959.1	14,325.4	15,476.4
Total selected deductions	27,638.6	33,560.1	37,944.1	40,056.8	43,824.2	50,991.8	56,803.4	62,273.3	65,191.2	74,975.1	81,781.1	90,235.1

[1] Deductions claimed under sec. 23(p) of the Internal Revenue Code for amount contributed by employers under pension, annuity, stock-bonus, or profit-sharing plans, or other deferred compensation plans.

[2] Contributions under employee welfare plans.

[3] Includes bad debts, repairs, and rent paid on business property.

Source: Internal Revenue Service, Statistics of Income, Corporation Income Tax Returns.

TABLE 2.—*Corporate depletion deductions by total assets classes, 1946–57* [1]

[In millions of dollars]

Assets classes	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957
Under $50,000	3.3	3.9	4.9	3.7	4.0	3.5	3.1	4.7	4.2	5.7	8.6	12.5
$50,000 and under $100,000	3.7	4.6	5.5	4.0	4.4	3.7	5.2	3.7	4.3	5.2	6.9	6.4
$100,000 and under $250,000	10.8	14.7	16.1	11.9	12.6	12.1	13.5	13.5	15.7	27.2	21.1	22.7
$250,000 and under $500,000	12.8	18.9	21.4	16.1	17.1	21.4	21.2	21.4	22.6	26.0	27.5	33.8
$500,000 and under $1,000,000	23.2	31.8	40.8	21.4	31.5	41.4	35.1	38.6	32.2	45.1	43.1	47.0
$1,000,000 and under $5,000,000	71.3	108.3	126.1	101.0	120.8	160.8	150.3	154.0	147.4	191.5	181.6	174.1
$5,000,000 and under $10,000,000	38.3	54.3	72.5	57.5	68.5	83.8	85.7	83.3	73.7	80.0	96.7	124.6
$10,000,000 and under $50,000,000	130.7	165.5	245.2	213.1	278.9	318.9	297.7	306.1	290.3	351.2	339.9	358.3
$50,000,000 and under $100,000,000	38.6	85.7	89.7	92.8	115.2	120.8	131.2	119.8	134.0	178.1	249.0	241.6
$100,000,000 or more	445.0	713.8	1,076.5	895.1	1,038.8	1,299.3	1,370.0	1,539.3	1,517.9	1,869.0	2,082.5	2,308.9
Total	777.7	1,201.4	1,608.9	1,426.5	1,691.8	2,065.8	2,112.9	2,284.3	2,242.4	2,779.0	3,056.7	3,329.7
	Percentage distribution											
Under $50,000	0.4	0.3	0.3	0.3	0.2	0.2	0.1	0.2	0.2	0.2	0.3	0.4
$50,000 and under $100,000	.5	.4	.3	.3	.3	.2	.2	.2	.2	.2	.2	.2
$100,000 and under $250,000	1.4	1.2	.9	.8	.7	.6	.6	.6	.7	1.0	.7	.7
$250,000 and under $500,000	1.7	1.6	1.3	1.1	1.0	1.0	1.0	.9	1.0	.9	.9	1.0
$500,000 and under $1,000,000	3.0	2.6	2.4	2.2	1.9	2.0	1.7	1.7	1.4	1.6	1.4	1.4
$1,000,000 and under $5,000,000	9.2	9.0	7.4	7.1	7.1	7.8	7.1	6.7	6.6	6.9	5.9	5.2

See footnote at end of table.

TABLE 2.—*Corporate depletion deductions by total assets classes, 1946–57* [1]—Continued

Assets classes	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957
$5,000,000 and under $10,000,000	4.9	4.5	4.3	4.0	4.1	4.1	4.1	3.6	3.3	2.9	3.2	3.7
$10,000,000 and under $50,000,000	16.8	13.8	14.4	14.9	16.5	15.4	14.1	31.4	12.9	12.6	11.1	10.8
$50,000,000 and under $100,000,000	5.0	7.1	5.3	6.5	6.8	5.8	6.2	5.2	6.0	6.4	8.1	7.3
$100,000,000 or more	57.2	59.4	63.4	62.7	61.4	62.9	64.8	67.4	67.7	67.3	68.1	69.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

[1] All returns with balance sheets.

Source: Internal Revenue Service, Statistics of Income, pt. 2.

NOTE.—Detail may not add to totals because of rounding.

Mr. **PROXMIRE**. I also ask unanimous consent that a table showing corporate depletion deductions and net income by total assets, showing the percentage of the depletion which was used by firms in various categories of income, from $50,000 up to $100 million or more, be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 3.—*Corporate depletion deductions and net income by total assets classes, 1952–57*

[Dollar amounts in millions]

Assets classes	1952			1953			1954		
	Net income	Depletion deductions	Depletion deductions as percent of net income	Net income	Depletion deductions	Depletion deductions as percent of net income	Net income	Depletion deductions	Depletion deductions as percent of net income
Under $50,000	$382.5	$2.6	0.7	$370.6	$3.2	0.9	$354.9	$3.3	0.9
$50,000 and under $100,000	577.0	4.7	.8	539.3	3.1	.6	518.1	2.9	.6
$100,000 and under $250,000	1,364.9	11.2	.8	1,251.1	11.2	.9	1,281.3	15.3	1.0
$250,000 and under $500,000	1,336.0	17.5	1.3	1,228.0	18.0	1.5	1,252.2	17.5	1.4
$500,000 and under $1,000,000	1,644.7	27.4	1.7	1,473.2	28.8	2.0	1,459.3	23.9	1.6
$1,000,000 and under $5,000,000	4,716.4	129.2	2.7	4,331.5	120.1	2.8	4,172.5	120.8	2.9
$5,000,000 and under $10,000,000	2,319.1	64.6	2.8	2,188.6	70.2	3.2	2,025.7	59.5	2.9
$10,000,000 and under $50,000,000	6,105.7	250.9	4.1	6,123.9	263.6	4.3	5,555.0	245.0	4.4
$50,000,000 and under $100,000,0000	2,806.5	122.4	4.4	2,854.4	106.5	3.7	2,813.8	113.4	4.0
$100,000,000 or more	19,105.5	1,350.5	7.1	21,384.2	1,515.6	7.1	20,085.6	1,489.9	7.4
Total	40,358.3	1,980.9	4.9	41,750.9	2,140.3	5.1	39,518.4	2,089.3	5.3

Mr. **PROXMIRE**. It can be seen that the big boys are really benefiting—the big ones; that the small firms, the medium-sized firms, get almost no benefit at all. Before you get much out of this depletion allowance, you have to get into the large category, and before you get most of the benefit, you have to get into the $100 million class or more.

Mr. President, there is another important fact to be noted from these tables, and that fact is how the depletion allowance has grown through the years. I refer to all forms of depletion and not just these instances. In 1946 the figure was $798 million; in 1947 it was $1.2 billion; in 1948 it was $1.7 billion; and by 1951 it was just over $2 billion.

I have an estimate from the staff of the Committee on Internal Revenue Taxation. They estimate that as of 1967 it is over $4 billion. In other words, this is something that has grown fourfold. The depletion allowance writeoff against income has grown not double, not triple, but four times in the last 20 years. I do not know of any other item of income or taxes that has grown by such an enormous amount, especially when there is recognized the fact that 90 percent of the benefits go to about 20 huge corporations.

When Senator Douglas was in this body and leading the fight for the oil depletion allowance, he collected facts and figures on the taxes paid by oil- and gas-producing companies. I shall refer briefly to these facts and figures, and I shall not take more than 3 or 4 minutes to refer to them. They show for 27 companies since 1945, the taxes paid, as compared with the taxes that the rest of us pay.

As we all know, since World War II, taxes for most corporations have been 47 to 52 percent. However, oil and gas companies pay taxes lower than the amount others believe they should pay.

I shall call these companies company A, company B, company C, and so forth, because they have done nothing illegal. I do not condemn them but only the principle of percentage depletion.

Consider company W. In 1956–58, this company had net income after taxes of about $40 million and paid only $175,000 in taxes during this time. That tax was a foreign income tax. The company paid no domestic income tax. It paid nothing in 1957, 1956, or 1955. From 1953 to 1958 the net income after taxes was approximately $65 million. It paid no income tax. It actually received a net refund of $425,000. They paid no taxes. They had income of $65 million and they got money back from the Treasury. The Treasury paid them. How Mr. Average Taxpayer would like to earn $65 million and then have the Internal Revenue Service charge him no taxes, none and actually pay him $425,000.

Mr. President, this is company S. In 1964, the income was $5,198,000. The company paid $43,000 in taxes, or less than 1 percent. In other years, it paid between 5 and 7 percent in income taxes.

There are many other lurid cases which are designated companies O, X, Y, and U.

A man with a wife and three children, earning $4,000 a year, paid more taxes than company W with net profits over 5 years of $65 million. When these facts become known, as they should be, how long will the American people be happy under these conditions?

Mr. President, I ask unanimous consent that tabulations in that connection be printed at this point in the RECORD.

There being no objection, the tabulations were ordered to be printed in the RECORD, as follows:

Company A

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$22,485,135	(1)	$22,485,135	--------
1957	35,208,979	$5,260,000	29,948,979	14.94
1956	29,523,395	3,024,000	26,499,395	10.24
1955	28,143,673	2,780,000	25,363,673	9.88
1954	21,029,684	1,252,000	19,777,648	5.95
1953	18,812,590	367,000	18,445,590	1.95
1952	16,550,361	654,000	15,896,361	3.95
1951	17,369,652	1,073,000	16,296,652	6.17
1950	18,467,607	3,068,000	15,399,607	16.61
1949	14,759,193	375,000	14,384,193	2.54
1948	27,367,252	4,725,000	22,642,252	17.27
1947	17,749,626	2,830,000	14,919,675	15.94
1946	10,130,975	1,275,000	8,855,975	12.50
1945	5,611,770	215,000	5,396,770	3.83

[1] Not available.

Company B

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$4,371,094	$525,000	$3,846,094	12.01
1957	5,392,505	150,000	5,242,505	2.78
1956	6,975,382	1,095,000	5,880,382	15.70
1955	5,975,382	485,000	4,965,220	9.90
1954	3,291,733	38,172	3,253,561	1.16
1953	5,594,074	1,552,500	4,441,574	27.75
1952	4,436,030	669,500	3,766,530	15.09
1951	5,561,770	714,880	4,846,890	12.85
1950	5,709,537	1,023,900	4,685,637	17.93
1949	3,259,928	163,040	3,096,888	5.00
1948	6,295,858	898,900	5,396,958	14.28
1947	4,011,073	1,023,126	2,987,947	25.51
1946	2,089,932	417,000	1,672,932	19.95
1945	2,321,605	205,908	2,115,697	8.87

Company C

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$5,402,894	$481,413	$4,921,481	8.91
1957	5,561,652	640,635	4,921,017	11.52
1956	4,770,495	261,837	4,508,658	5.49
1956	4,826,687	417,388	4,409,299	8.65
1954	4,625,759	336,889	4,288,870	7.28
1953	4,391,404	179,114	4,212,290	4.08
1952	3,588,107	91,660	3,496,447	2.55
1951	3,934,107	399,397	3,534,710	10.15
1950	3,696,584	847,072	2,849,412	22.91
1949	3,373,448	679,553	2,693,895	20.14
1948	4,542,842	982,540	3,560,302	21.63
1947	2,284,109	529,781	1,754,328	23.19
1946	161,816	212	161,604	.13
1945	33,895	256	33,639	.76

Company D

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$156,130	[1] $13,000	$169,130	0
1957	272,515	5,000	266,515	1.84
1956	476,556	35,000	437,556	7.41
1955	549,093	15,000	534,093	2.73
1954	309,405	----------	309,405	----------
1953	303,453	11,332	292,121	3.73
1952	159,084	25,686	133,398	16.15
1951	415,948	8,234	407,714	1.98
1950	277,514	1,500	276,014	.54
1949	177,187	1,000	176,187	.56
1948	526,061	35,000	491,061	6.65
1947	399,643	52,000	347,643	13.01
1946	139,923	1,000	138,923	.71
1945	140,101	1,500	138,601	1.07

[1] Credit.

Company E

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$8,108,706	$800,000	$7,308,706	9.87
1957	11,303,747	1,600,000	9,703,747	14.15
1956	11,379,241	1,900,000	9,479,241	16.69
1955	8,509,136	1,500,000	7,009,136	17.63
1954	5,320,750	----------	5,320,750	----------
1953	6,420,968	1,048,000	5,372,968	10.32
1952	5,601,723	1,400,000	4,201,723	24.50
1951	5,866,052	2,000,000	3,866,052	34.09
1950	4,951,476	1,500,000	3,451,476	30.29
1949	4,928,459	1,020,000	3,908,459	20.70
1948	5,766,543	960,000	4,806,543	16.65
1947	3,650,374	600,000	3,050,374	16.44
1946	3,248,813	200,000	3,048,813	6.16

Company F

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$54,865,371	$7,400,000	$47,465,371	13.49
1957	51,273,749	4,550,000	46,723,749	8.87
1956	67,517,000	15,700,000	51,817,000	23.25
1955	56,259,000	9,900,000	46,359,000	17.60
1954	50,383,000	8,700,000	41,683,000	17.27
1953	55,775,000	14,900,000	40,875,000	26.71
1952	52,488,000	14,400,000	38,088,000	27.43
1951	58,593,000	17,300,000	41,293,000	29.53
1950	57,407,000	15,000,000	42,407,000	26.13
1949	46,487,000	10,390,000	36,097,000	22.35
1948	74,080,000	19,863,000	54,217,000	26.81
1947	40,655,000	9,298,000	31,357,000	22.87
1946	22,599,000	3,585,000	19,014,000	15.86
1945	16,371,000	1,228,000	15,143,000	7.50

Company G

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$804,716	$50,000	$754,716	6.21
1957	1,167,546	115,000	1,052,546	9.85
1956	560,753	----------	560,753	----------
1955	832,765	----------	832,765	----------
1954	785,624	----------	785,624	----------
1953	730,699	----------	730,699	----------
1952	968,287	69,022	899,265	7.13
1951	935,134	137,220	797,914	14.67
1950	892,552	147,275	745,277	16.50
1949	969,991	204,860	765,131	21.12
1948	872,719	150,367	722,352	17.23
1947	654,922	160,452	494,470	24.45
1946	471,923	135,664	336,259	28.75
1945	461,448	180,808	280,640	39.18

Company H

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$1,760,794	0	$1,760,794	0
1957	2,176,226	$160,000	2,016,226	7.35
1956	2,647,058	93,000	2,554,058	3.51
1955	1,994,072	86,000	1,908,072	4.31
1954	2,276,415	238,329	2,038,086	10.47
1953	1,899,343	156,039	1,743,304	8.22
1952	1,998,758	370,291	1,628,467	18.53
1951	1,992,234	411,166	1,581,068	20.64
1950	1,270,271	72,843	1,197,428	5.73

NOTE.—Records available only for last 9 years.

Company I

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958 [1]	$7,076,455	[2] $23,352	$7,099,807	0
1957 [1]	9,079,022	[2] 5,860	9,084,882	0
1957	9,078,922	[3] 5,860	9,084,882	([3])
1956	8,886,172	151,000	8,735,172	1.69
1955	8,106,746	429,075	7,677,671	5.29
1954	6,769,145	196,335	6,572,810	2.90
1953	5,414,053	26,156	5,387,897	.48
1952	5,067,243	410,539	4,656,704	8.10
1951	4,477,673	404	4,477,269	.01
1950	3,456,001	202,087	3,253,914	5.85
1949	2,949,585	72,628	2,876,957	2.46
1948	2,774,079	201,176	2,572,903	7.25
1947	3,172,001	504,487	2,667,514	15.90
1946	755,220	258,488	496,732	34.23
1945	102,860	65,966	368,946	64.13

[1] 12 months ended June 30.

[2] Credit.

[3] Credit taxes.

NOTE.—In total analysis 1956 equals 1957 on this company, etc.

Company J

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$2,950,700	$90,000	$2,860,700	3.05
1957	3,154,900	20,000	3,134,900	.63
1956	3,168,549	75,000	3,093,549	2.37
1955	3,656,274	150,000	3,506,274	4.10
1954	3,570,162	360,000	3,210,162	10.08
1953	3,363,964	500,000	2,863,964	14.86
1952	2,561,162	267,461	2,293,701	10.44
1951	3,971,370	955,230	3,006,140	24.30
1950	2,302,729	519,263	1,783,466	22.55
1949	1,551,586	104,000	1,447,586	6.70
1948	1,344,021	150,000	1,194,921	11.16
1947	1,230,364	50,000	730,364	4.06
1946	409,171	----------	409,171	----------
1945	328,260	----------	328,260	----------

Company K

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$14,145,331	$2,300,000	$11,845,331	16.23
1957	17,938,378	3,400,000	14,538,378	18.95
1956	16,316,268	2,500,000	13,816,268	15.32
1955	15,599,264	1,900,000	13,699,264	12.18
1954	11,541,464	1,278,154	10,263,310	10.01
1953	11,762,519	1,590,080	10,172,439	13.52
1952	9,218,224	1,875,000	7,343,224	20.34
1951	10,327,002	2,400,000	7,927,002	23.24
1950	8,723,484	2,000,000	6,723,484	22.93
1949	8,716,231	1,800,000	6,916,231	20.65
1948	17,245,547	4,000,000	13,245,547	23.19
1947	9,301,386	2,300,000	7,001,386	24.73
1946	5,321,560	1,010,000	4,311,560	18.98
1945	4,235,097	257,000	3,978,097	6.07

Company L—Liquidated Apr. 11, 1957

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1954	$7,762,785	$1,275,000	$6,487,785	16.42
1953	8,494,844	1,785,000	6,709,844	21.01
1952	7,844,057	1,500,000	6,344,057	19.12
1951	8,553,640	1,500,000	7,053,640	17.54
1950	8,086,702	1,983,000	6,103,702	24.52
1949	7,805,345	1,900,000	5,905,345	24.34
1948	7,512,733	1,726,006	5,786,727	22.97
1947	7,667,536	1,575,000	6,092,536	20.54
1946	5,146,094	1,100,000	4,046,094	21.38
1945	3,209,359	831,500	2,377,859	25.91
1944	3,519,208	1,068,760	2,450,448	30.37

Company M

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$152,543,223	$16,000,000	$136,543,223	10.49
1957	192,910,393	17,000,000	175,910,393	8.81
1956	212,961,000	34,000,000	178,961,000	15.97
1955	215,997,000	41,000,000	174,997,000	18.98
1954	174,803,000	28,500,000	146,303,000	16.30
1953	207,757,854	43,500,000	164,257,854	20.94
1952	175,792,000	30,500,000	145,292,000	14.68
1951	220,981,000	51,500,000	160,481,000	23.30
1950	161,360,000	32,000,000	129,360,000	19.83
1949	138,480,000	18,000,000	120,480,000	13.00
1948	240,069,000	54,000,000	186,069,000	22.49
1947	153,207,000	29,100,000	124,107,000	18.99
1946	79,332,000	7,500,000	71,832,000	9.45
1945	80,395,000	9,500,000	70,895,000	11.82

Company N

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$5,378,973	0	$5,378,973	0
1957 [1]	7,972,558	$1,727,910	6,244,648	21.67
1956	5,378,994	699,000	4,679,994	13.00
1955	2,502,867	18,000	2,484,867	.72
1954	1,603,682	23,923	1,579,759	1.49
1953	3,077,447	4,724	3,072,723	.15
1952	2,334,532	99,844	2,234,688	4.28
1951	1,209,045	31,250	1,177,795	2.58
1950	282,202	49,750	232,452	17.63
1949	1,225,576	6,949	1,218,627	.57
1948	1,395,517	29,053	1,366,464	2.08
1947	359,903	15,000	344,903	4.17
1946	[2] 106,098	200	[2] 106,298	----------
1945	1,537,551	406,500	1,131,051	26.44

[1] 12 months ended June 30.

[2] Deficit.

NOTE.—In totals analysis, 1956=1957 on this company, etc.

Company O

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	(1)	(1)	(1)	--------
1957	$1,573,165	--------	$1,573,165	--------
1956	1,034,094	(2)	1,034,094	--------
1955	1,006,718	(2)	1,006,718	--------
1954	1,690,567	$42,130	1,648,437	2.49
1953	1,873,226	50,000	1,823,226	2.67
1952	1,502,077	40,000	1,462,077	2.66
1951	2,714,277	30,000	2,684,227	1.11
1950	2,692,947	40,000	2,652,947	1.49
1949	3,382,140	42,323	3,382,140	1.25
1948	4,236,057	348,900	3,887,157	8.24
1947	1,517,480	48,919	1,468,561	3.22
1946 [3]	689,609	10,241	679,368	1.51
1945 [3]	664,526	4,103	660,423	.62
1954 [3]	2,205,837	42,130	2,163,707	1.91
1953 [3]	2,600,271	50,000	2,550,271	1.92
1952 [3]	2,202,835	40,000	2,162,835	1.81
1951 [3]	2,623,191	30,000	2,593,191	1.14
1950 [3]	3,744,852	40,000	3,704,852	1.01
1949 [3]	4,158,672	42,322	4,116,350	1.00
1948 [3]	4,353,435	348,900	4,004,535	8.01

[1] Not available.

[2] Not reported.

[3] Figures for 1954–48 restated as result of revision of estimates of recoverable oil and gas revenues.

NOTE.—Company O felt not liable for Federal income tax in this period.

Company P

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$6,135,363	$470,000	$5,765,363	7.66
1957	6,611,110	660,000	5,951,110	9.98
1956	6,277,997	478,000	5,799,997	7.61
1955	6,211,916	470,000	5,741,916	7.56
1954	6,209,385	470,000	5,739,385	7.57
1953	6,761,834	515,000	6,246,834	7.62
1952	7,023,582	540,000	6,483,582	7.69
1951	7,008,444	535,000	6,473,444	7.63
1950	6,616,103	415,000	6,201,103	6.27
1949	4,940,029	270,000	4,670,029	5.47
1948	5,679,055	333,000	5,346,055	5.86
1947	2,827,824	159,000	2,668,824	5.62
1946	2,532,718	151,000	2,381,718	5.96
1945	2,522,301	157,075	2,365,226	6.23

Company Q

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$16,144,274	$3,271,000	$12,873,274	20.26
1957	19,137,735	4,500,000	14,637,735	23.51
1956	10,590,947	2,703,000	7,887,947	25.52
1955	13,034,071	1,852,000	11,182,071	14.21
1954	14,484,813	1,967,000	12,517,813	13.58
1953	12,815,586	1,143,000	11,672,586	8.92
1952	9,570,934	602,000	8,968,934	6.29
1951	8,190,680	385,000	7,805,680	4.70
1950	6,263,638	400,000	5,863,638	6.39
1949	5,183,830	210,000	4,973,830	4.05
1948	7,713,057	407,623	7,305,434	5.28
1947	3,896,936	85,000	3,811,936	2.02
1946	1,614,888	65,000	1,549,888	4.02
1945	997,075	40,000	957,075	4.01

Company R

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$3,620,312	[1] $968,000	$4,588,312	--------
1957	6,908,969	882,000	6,026,969	12.77
1956	10,595,588	2,640,000	7,955,588	24.92
1955	8,052,718	1,164,559	6,888,159	14.46
1954	8,395,561	1,636,500	6,759,061	19.49
1953	11,536,428	3,477,350	8,059,078	30.14
1952	13,532,095	3,884,000	9,648,095	28.70
1951	14,940,795	4,645,000	10,295,795	30.11
1950	10,850,226	2,351,801	8,498,425	21.68
1949	6,470,610	299,023	6,171,587	4.62
1948	8,229,656	1,635,000	6,594,656	19.87
1947	4,773,864	576,444	4,197,420	12.07
1946	2,475,239	370,000	2,105,239	14.95
1945	1,983,259	252,500	1,730,759	10.27

[1] Credit.

Company S

Year [1]	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958 [1]	$3,337,324	[2] $236,642	$3,100,682	7.09
1957 [1]	4,712,841	330,000	4,382,841	7.00
1957	4,712,841	330,000	4,382,841	7.02
1956	4,060,798	260,000	3,800,798	6.40
1955	4,284,521	220,000	4,064,521	5.13
1954	5,241,179	43,000	5,198,179	.82
1953	5,525,948	583,000	4,942,948	10.55
1952	5,618,762	1,425,000	4,193,762	25.36
1951	5,280,578	964,000	4,316,578	18.26
1950	2,944,322	191,000	2,753,322	6.49
1949	4,736,153	342,000	4,394,153	7.22
1948	4,231,001	266,000	3,947,001	6.31
1947	3,200,034	160,000	3,040,034	4.99
1946	1,809,404	30,000	1,779,404	1.66

[1] 12 months ended June 30.

[2] Includes credit of $171,642 prior years' tax adjustment.

NOTE.—In total analysis 1956=1957 for this company, etc.

Company T

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$1,011,165	[1] $235,320	$1,246,485	0
1957	701,822	0	701,822	0
1956	949,659	138,000	811,659	14.53
1955	1,385,335	185,000	1,200,335	13.35
1954	542,208	2,500	539,708	4.61
1953	408,107	--------	408,107	--------
1952	431,569	--------	431,569	--------
1951	273,473	--------	273,473	--------
1950	183,116	5,000	178,116	2.73
1949	[1] 6,000	--------	[1] 6,000	--------

[1] Credit.

Company U

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	(1)	(1)	(1)	--------
1957	$11,719,324	$560,482	$11,158,842	4.78
1956	9,568,842	200,000	9,368,842	2.09
1955 [2]	9,340,810	900,000	8,440,810	9.64
1954	7,805,307	335,000	7,470,307	4.29
1953	7,140,132	600,000	6,540,132	8.40
1952	7,715,591	1,000,000	6,715,591	12.96
1951	10,239,600	2,900,000	7,396,000	28.32
1950	7,659,000	1,200,000	6,459,000	15.67
1949	6,656,347	875,000	5,781,347	13.15
1948	9,030,713	2,250,000	6,780,713	24.91
1947	7,191,002	1,250,000	5,941,002	17.38
1946	3,400,586	400,000	3,000,586	11.76

[1] Not available.

[2] Restated to conform with accounting practice effective Jan. 1, 1956—method of charging intangible development costs was changed. 1956 net income would have been $1,470,000 less without such change.

Company V—Liquidated

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1954	$4,173,767	--------	$4,173,767	--------
1953	3,951,367	$350,000	3,601,367	8.86
1952	4,414,623	660,000	3,754,623	14.95
1951	3,112,871	--------	3,112,871	--------
1950	1,904,836	526,000	1,378,836	27.61
1949	[1] 592,448	7,500	584,948	1.26
1948	461,640	2,400	459,240	.52
1947	416,506	4,100	512,406	.98
1946	328,052	11,282	316,770	3.44
1946 [2]	176,841	5,250	171,591	2.97
1945 [2]	293,539	6,127	287,412	2.00

[1] Before $653,408 loss on wells abandoned.

[2] 12 months ended Apr. 30. In 1946, the company changed to a calendar year basis so 1946 taxes are shown both ways.

Company W

Year [1]	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958 [1]	$16,726,337	[2] $175,000	$16,551,337	1.05
1957 [1]	18,877,389	0	18,877,389	0
1957	18,877,389	--------	18,877,389	--------
1956	5,040,752	--------	[3] 5,040,752	--------
1956 [4]	(5)	--------	(5)	--------
1955	3,395,446	--------	3,395,446	--------
1954	10,260,388	[6] 100,000	10,360,388	(7)
1953	11,500,382	[6] 500,000	12,000,382	(7)
1952	12,100,165	200,000	11,900,165	1.65
1951	15,195,639	1,900,000	13,295,639	12.03
1950	7,128,542	200,000	6,928,542	2.81
1949	7,483,443	200,000	7,283,443	2.67
1948	17,917,474	3,000,000	14,917,474	16,74
1947	5,266,897	400,000	4,866,897	7.59
1946	1,844,156	--------	1,844,156	--------
1945	5,422,254	450,000	4,972,254	8.29

[1] 12 months ended Aug. 31.

[2] Foreign income taxes.

[3] Same for both consolidated and company only.

[4] Consolidated.

[5] Same.

[6] Credit.

[7] Credit taxes.

NOTE.—In total analysis, 1956=1957 on this company, etc.

Company X

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$4,642,978	$670,023	$3,972,955	14.43
1957	7,670,654	840,709	6,829,945	10.96
1956	6,057,708	400,000	5,657,708	6.60
1955	6,720,029	400,000	6,320,029	5.95
1954	5,245,527	--------	5,245,527	--------
1953	4,470,659	240,000	4,230,650	5.37
1952	3,635,498	450,000	3,185,498	12.38
1951	3,702,765	550,000	3,152,765	14.85
1950	3,770,706	696,200	3,047,506	18.46
1949	4,022,266	640,907	3,381,359	15.93
1948	4,731,952	901,906	3,830,046	19.06
1947	2,940,750	597,621	2,343,129	20.32
1946	1,394,512	163,973	1,230,539	11.75
1945	666,557	--------	666,557	--------

Company Y

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$6,231,481	0	$6,231,481	0
1957	7,802,218	$570,000	7,232,218	7.31
1956	7,859,694	650,000	7,209,694	8.27
1955	8,449,374	500,000	7,949,374	5.92
1954	8,256,034	400,000	7,856,034	4.85
1953	8,874,068	1,275,000	7,599,068	14.37
1952	8,101,335	1,255,000	6,846,335	15.49
1951	8,009,124	1,185,000	6,824,124	14.79
1950	7,047,367	1,050,000	5,997,367	14.89
1949	7,048,753	710,000	6,338,753	10.07
1948	9,186,038	1,725,000	7,461,038	18.78
1947	4,883,907	760,000	4,123,907	15.56
1946	2,428,249	315,000	2,113,249	12.97
1945	1,934,850	175,000	1,759,850	9.04

Company Z

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$2,065,816	0	$2,065,816	0
1957	2,215,290	0	[1] 2,215,290	0
1956 [2]	746,447	----------	746,447	--------
1956 [3]	1,602,988	----------	1,602,988	--------
1955	1,262,177	----------	1,262,177	--------
1954	1,720,086	----------	1,720,086	--------
1953	1,508,988	----------	1,508,988	--------
1952	1,547,048	----------	1,547,048	--------
1951	703,747	----------	703,747	--------
1950	151,488	----------	151,488	--------
1949	154,707	----------	154,707	--------
1948	134,881	----------	134,881	--------

[1] Adjusted.

[2] 7 months ending Dec. 31.

[3] In totals analysis, May 31 ending years used.

NOTE.—Years end May 31 prior to 1957.

Company A–Z

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	$909,982	0	$909,982	0
1957	891,025	0	891,025	0
1956	783,082	----------	783,082	--------
1955	981,994	----------	981,994	--------
1954	647,516	----------	647,516	--------
1953	1,008,416	$80,000	928,416	7.93
1952	768,664	----------	768,664	--------
1951	1,143,004	283,000	860,004	24.76
1950	969,156	264,774	704,382	27.32
1949	394,227	----------	394,227	--------
1948	874,306	173,000	701,306	19.79
1947	655,289	73,000	582,289	11.14
1946	227,789	----------	227,789	--------
1945	322,232	----------	332,232	--------

Company B–Z

Year	Net income before income taxes	Income taxes	Net income after income taxes	Percent of income taxes to income before taxes
1958	[1] $31,647,420	[2] $4,074,902	$33,825,276	--------
1957	35,009,503	[2] 1,827,610	35,669,759	--------

[1] State and foreign income taxes included.

[2] Credit.

Mr. PROXMIRE. Mr. President, I do not mean to contend that the oil industry does not contribute greatly to the country. It does. It is an essential industry and it produces a product which is essential to our security as well as our abundance, our commerce, and well-being. It is a source of substantial employment in the Nation and a director of massive investment capital.

Exploration is needed in raw material to convert into production. Also it is composed of some individuals for whom I have a particularly warm spot, the small businessman. It has been characterized by the small operator who takes a chance for a long return. Such men typically operate best in small units and this has been the nature of much of the industry.

Mr. President, I think we should recognize that the industry is not operating in the best interests of the American consumer or the economy, or, in the last analysis, individual producers of the oil industry itself. It is operating under State and local regulations and laws that encourage inefficiency.

Mr. President, this amendment would do something to correct and rectify that situation by giving the small operator, the man grossing less than $1 million a year, an opportunity to continue to operate with some advantage because he deserves it since he is taking a big risk.

As I say, the big operator does not have any risk at all, to speak of. Furthermore, I have heard it said that no one who has an income that puts him in the 60-percent tax bracket or higher can afford to stay out of oil because of the depletion advantage, the intangible drilling advantage, the dry well advantage, and all the other advantages included in the revenue act in favor of oil investors, in the hope that someone in that income tax bracket is going to find all kinds of ways to write off his other income, reducing his taxes and getting that amount returned. This has resulted in great overinvestment in the oil industry and one of the reasons why we have to have so many restrictions, because it has been so attractive for people to go into oil.

The oil industry has gone into resources more than it should, perhaps, and this is bad for the economy as well as for the general taxpayer.

I also view the oil industry as a taxpayer. Here we find the final insult to the national economy. Despite all the monopoly protection the oil industry has provided for itself, and despite all the protection it has obtained in the name of national security, the oil industry has also consistently demanded and received special tax concessions available to no other group in the Nation. Through these concessions, the oil industry sharply reduced its financial support of the Government. Through its tax concessions alone, it has become a national example of the most notorious loopholes, recognized as such even by Fortune Magazine.

The tax structure upon which our Government depends is largely self-enforcing. When individuals and companies generally pay their taxes, they must have confidence that everyone else is paying his "fair share", to use a term we know so well. When it becomes generally known that one group fully capable of paying taxes is not paying taxes, the individual taxpayer feels resentful—with complete justification—and is less willing to pay his own taxes. Not only is the oil industry not carrying its fair share—it is also encouraging others to avoid their fair share.

Does the oil industry pay taxes? Let us look at the ugly facts. We had a Federal corporation tax rate of 52 percent in 1963. Yet the seventh largest industrial corporation in the country, Texaco, with a net income of over $500 million made provision for income taxes in 1963 of only 13 percent. Standard of Indiana, the 14th largest corporation, with a net income of over $180 million, paid in all income taxes, Federal and other, only 14 percent of its net income. Shell, the 16th largest corporation, paid only 18 percent in all income taxes. Continental Oil paid only 10 percent in Federal income taxes. Tidewater, in 1962, paid only 8 percent in all income taxes. Atlantic, in the same year, had over $46 million in net profit and yet paid no income taxes and has apparently not paid any income taxes between 1956 and 1963. I do not have the figures after 1963. Pure Oil ended up 1963 with virtually $30 million in net profit and yet had a net tax credit. It received several hundred thousand dollars in refunds.

But what of individuals in the oil industry? The lowest individual tax rate in 1963 was 20 percent on taxable incomes from 0 to $2,000 or $4,000 for married couples.

Mr. MILLER. Mr. President, will the Senator from Wisconsin yield at that point?

Mr. PROXMIRE. I am happy to yield to the Senator from Iowa.

Mr. MILLER. I was wondering, in connection with some of those figures to which the Senator is referring, with respect to one oil company which had a $46 million net income yet paid no taxes——

Mr. PROXMIRE. That is right.

Mr. MILLER. I was wondering whether the Senator is claiming that the reason no income tax was paid was due to the percentage depletion deduction.

Mr. PROXMIRE. I have made it as clear as I can that this is only one of a series of advantages which the oil companies enjoy. This is a most conspicuous one. It is one which is most significant in reducing the level of taxes they have paid. In this case, I am positive that this particular company not only reduced its tax obligations through the depletion allowance but also through the intangible drilling provision. I think that this company—I am not positive—had foreign investments and used the "golden" gimmick and a number of other devices for the depletion allowance in the central markets.

Mr. MILLER. I should like to suggest to the Senator——

Mr. PROXMIRE. Which, I might say, is the least justifiable.

Mr. MILLER. I would suggest to the Senator that he beware he does not fall into the same error which our former Chairman of the Joint Economic Committee, the former Senator from Illinois—Mr. Douglas—used to fall into——

Mr. PROXMIRE. There were very few if any errors which Senator Douglas fell into on this subject.

Mr. MILLER. In citing these figures, because intangible drilling and development costs are deducted in arriving at net income. It is to the gross income figure that the percentage depletion is applied. I am sure the Senator understands that the percentage depletion is 27.5 percent of gross income and in no event exceeds 50 percent of the net income so that the——

Mr. PROXMIRE. Gross income.

Mr. MILLER. No, net income. In other words, if the net income is $100 million, the most the percentage depletion deduction can be is $50 million. So that failure to pay an income tax would have to be attributable to some other kind of deduction which is available to taxpayers in general.

I would wager, if the Senator would check, that he would find the net operating loss deduction, either carryover or carryback, which is available to oil companies, manufacturing companies, individuals—anyone—would be responsible for the failure of that company to pay any income tax.

Mr. PROXMIRE. I am positive, as I say, and repeat, that there are many reasons why oil companies are able to reduce their tax liability. I point out the fact that they can write off 75 percent to 90 percent of their intangible drilling costs the first year.

That is one of the reasons for it. I am not saying that if we provide this change in the oil depletion allowance it would end oil privileges, but I think I am being moderate—and the Senator from Iowa is being helpful in making my point for me—that these other advantages would be continued and yet we would increase Federal revenues by $450 million. That is why the oil industry is a privileged industry, leaving it with a very much lower tax on net income than virtually any other industry.

I wish to say, furthermore, that we would be putting them into closer equality with other minerals whose depletion allowance is less.

Finally, I point out to the Senator from Iowa that this does not eliminate the oil depletion allowance itself. We keep it. We keep it mostly for the big fellow, and not all of it for the little one.

Mr. MILLER. I will respond to that later. But the point I wish to make is that when the Senator from Wisconsin comes out with these statistics showing that some oil company has a very large amount of net income but pays no income taxes, it should be made clear that it can come not just from the percentage on oil depletion, but from deductions which are available to all other taxpayers. The net operating loss and carryback is the major one.

Mr. PROXMIRE. I think the Senator from Iowa is right, that there are many loopholes in the law. One of the reasons I am making this speech is that many experts on tax reform say, "You will not make any real progress politically until you do something about this excessive oil depletion allowance." Once that is out of the way, some of these other privileges to which the Senator from Iowa properly referred would also be changed, modified, and improved so that we would have something like a more equitable tax system.

But it is ridiculous to have a tax system in this country allowing such things as were exposed by the Senator from Tennessee [Mr. GORE] and other Senators in this area, concerning those several hundred Americans with incomes of over a million dollars a year who, on the average, pay something like 16 percent or 18 percent in taxes to the Federal Government. Also, that some of those people with incomes each year of more than a million dollars pay no taxes at all. This is true in many cases—not in all cases, by any means, but in many cases. It is in large part because they have investments in oil.

Mr. MILLER. On that point of individuals having as much as $1 million in net income, and only paying a 16-percent rate, let me point out to the Senator from Wisconsin, that as a former practicing tax lawyer, I well know how this could happen because oil clients of mine in a similar situation, making a lot of money as small manufacturers, can reduce that by his losses which he pours into dry holes. That is one reason why——

Mr. PROXMIRE. Right.

Mr. MILLER. Those people are willing to invest, because if it is a dry hole he can get a deduction.

Mr. PROXMIRE. That is why there is this overinvestment in the oil industry. That is why a reduction in the oil depletion allowance would put our resource investment on a more rational basis.

Mr. MILLER. I will respond to that later, but the point I want to make now, in response to the Senator's comments, is that I think the statistics of someone making $1 million a year and paying a tax rate of only 16 percent, I will wager that even in those cases where they pay no tax, the net operating loss, carryover or carryback deduction is involved.

This is a very important thing, and it is available to any business—oil, manufacturing, farming, ranchers, or any other business.

Mr. PROXMIRE. Take these companies, not over a period of 1 or 2 or 3 years, but over a period of many years. That is what we have done in the tables. Taking these companies over a period of 15 or 20 years, in no year do many of these companies pay more than 10 or 15 percent of their net income in taxes. If it were a matter of a loss or carryback, the companies would be able to reduce income taxes in 2 or 3 years, but they cannot do it for 15 or 20 years. Over the years, the entire oil industry has averaged one-third of the taxes paid by other industries. That cannot be done on the basis of a loss carryover or loss carryback.

Mr. MILLER. No, but if the Senator is using intangible drilling and development costs, on which no income tax was paid, I remind him that it takes money to carry on that intangible drilling and development cost, and that work cannot be carried on without paying the driller.

Mr. PROXMIRE. Of course not. We are talking about the way that cost is written off. It is written off in a way that other businessmen do not write off their capital costs.

Mr. MILLER. But the fact is that in any year drilling and development costs must come out of the bank. If these costs are not allowed to be deducted, where are they to get the money to carry on?

The Senator from Wisconsin has referred to this provision as a loophole. I am sure he recognizes, if he wishes to use the word "loophole," that these provisions are deliberate and calculated "loopholes."

To me, as a tax lawyer, a loophole is a tax avoidance device which someone has been able to figure out because of a gap in the thinking of the Congress. It is an oversight.

Mr. PROXMIRE. May I say to the able Senator from Iowa that the gap in the thinking of Congress goes back to 1926, when the corporate income tax was 13 percent. The depletion allowance was written in at 27½ percent. When the corporate income tax was raised to 52 percent, the depletion allowance increased fourfold in value.

If my amendment were to place the depletion allowance at the same level of value as oil companies enjoyed in 1926, I would go back not to 27½ percent, but to 7 percent to one-quarter of what it is at the present time.

So the loophole developed from the fact that when the increase in the corporate income tax was made, the depletion allowance was left at this excessively high level.

Mr. MILLER. And since that time the Senator and some of his colleagues have brought this matter to the attention of the Congress.

Mr. PROXMIRE. Yes, and what a Congress we have had.

Mr. MILLER. And the Congress has year in and year out recognized it and left it alone. When that happens, it is no longer a loophole.

Mr. PROXMIRE. Why has the Congress done that? It is because we have had the powerful Members of Congress—sincere people, honorable people—Members of Congress from oil States who have been at the crux, the center of power in our Federal Government. They include the Speaker of the House of Representatives, the majority leader of the Senate—not the present one but the preceding one—the President of the United States. I am not accusing them of being self-serving at all. They are conscientious men. They are good and decent people. But they represent the point of view of their particular States, the point of view with which they have been associated most of their lives. The Senator from Iowa knows that is true.

Just let a Senator try to get on the Finance Committee if he is a dedicated and outspoken critic of the oil industry. Maybe it is different now, but I wanted to get on the Finance Committee year after year after year, and year after year after year Senators with less seniority were put on it before me. I was told confidentially by Senators from oil States that my oil depletion views was the reason. They said this was a fact of life in the Senate. This is why the Senate has not acted on the oil depletion allowance.

Mr. MILLER. The Senator from Iowa well knows that there are some people who are concerned about the oil industry who are very knowledgeable and are influential, and quite properly so——

Mr. PROXMIRE. Of course, they are; not only influential, but they are the most influential.

Mr. MILLER. Just as there are Members who represent the manufacturing interests who are influential; just as there are Members who represent the interests of organized labor who are influential. But the point is that under the seniority system in the Senate, it is very clear that when a vacancy occurs on the Finance Committee, a Democrat or Republican with the necessary seniority will be put on the committee.

I invite the attention of the Senator to the fact that the ranking Republican member of the Finance Committee has on several occasions introduced amendments similar to that of the Senator from Wisconsin.

Mr. PROXMIRE. Yes, and I admire the Senator from Delaware [Mr. WILLIAMS] very much, who has the same feeling in this regard. I am saying that the majority party—the party I love, and support—has simply had a policy which has favored this particular loophole, the oil depletion allowance. I think we ought to change it. We ought to have a look at it. We have not considered it for a long time. I think we should consider it at a time when it seems that almost every other provision in the Internal Revenue Code is being considered.

Mr. MILLER. The Senator knows that I do not for one moment question his sincerity. I would be the last one to say that all tax deductions should not be scrutinized. Every once in a while we should see whether they are achieving the purpose for which they were enacted. But the Senator from Iowa does not come from an oil State——

Mr. PROXMIRE. That is true.

Mr. MILLER. I had the opportunity to serve in the Internal Revenue's Chief Counsel's office, where I had an opportunity to work on oil cases, and I think I know something about taxation of oil companies.

Mr. PROXMIRE. That is correct.

Mr. MILLER. I am not saying the law is perfect, but when we talk about glaring "loopholes" in the tax law, they are there, not because of oversight, but because Congress intended very definitely that they remain there.

The investment tax credit has been called a "loophole" by some, but the Senator from Wisconsin and the Senator from Iowa were here when it was adopted, and it was clearly put on the books by deliberate action of the Congress.

So I think we have to be a little careful when we use the word "loophole." It may sound good to some people, but it really is not a loophole in the true sense of the word.

Speaking with reference to the depletion allowance, I want to respond to the statement to the effect that so much income has been earned and so little tax paid on it. While it is true that there is a depletion allowance, there are other deductions of various kinds for many other types of corporations and businesses in this country.

Mr. PROXMIRE. I thank the Senator from Iowa. There is no question that this is not the only loophole in the law. I still insist on calling it a "loophole." It may be a matter of semantics, but I view it as that. This is the view shared by many commentators on our tax laws.

Believe it or not, our Nation is made up of persons who actually pay this rate. Imagine 20 percent, $800, on the first $4,000 of net income. In the oil industry, and in the oil industry alone, you have an entirely different type of person—men from another world, who take but do not pay for taking.

Your industry has a man who made over $28 million in 1960. How much did he pay in taxes? Nothing. Your industry has a man with an income in 1960 of over $4 million. How much did he pay in taxes? Nothing. Your industry has a man with an income in 1960 of $1.5 million. How much did he pay in taxes? Nothing.

The rest of the world, the world of taxpayers, is beginning to learn about this other world—the world of nontaxpayers. Its boundaries are identical with the boundaries of the oil industry. We get glimpses into this other world, although we are not allowed to enter. We assume, from outward appearances, that the oil industry is a world inhabited by people exempt from taxes. Is this advantage good for your industry? Is it good for our Nation to contain such a tax exempt world?

The effect of this special privilege is to rob the rest of the Nation. The robbery occurs, first, because Government expenses, whether the oil industry recognizes it or not, must be paid. Therefore, since the oil industry is legally enabled to reduce its taxes sharply, other industries, small businesses, and individuals must make up the difference through higher taxes than they would otherwise pay, if the oil industry carried its fair share.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. As a point of clarification for the Senator from Massachusetts, I wonder whether the Senator from Wisconsin feels there is really a very legitimate use for this kind of special privilege, to use the words of the Senator from Wisconsin, for exploration by the small, independent kind of wildcatter?

Mr. PROXMIRE. Yes, indeed.

Mr. KENNEDY of Massachusetts. I believe, looking over the history of the Proxmire proposal, which I have referred to in a number of speeches I have made in the past, in my own State of Massachusetts and on other occasions, and which I know President Kennedy supported, that there is reason for providing the special privilege for the small, independent kind of wildcatter, who is legitimately trying to find areas of oil production. Does the Senator from Wisconsin not agree?

Mr. PROXMIRE. Yes, indeed. He is the man who deserves and needs this assistance, because his risk is so great. He is the man who, if he does not have this kind of incentive, cannot afford to stay in the business.

On the other hand, the large operator is in a position to write off his losses against his gains, and when it gets to the corporations which receive three-quarters to 90 percent of the depletion allowance, these are the firms that have incomes of $100 million or more, they can compute precisely—they have computers to do it—and know what proportion of their wells will be dry, how many will yield and how much. So they do not need this kind of incentive.

Mr. KENNEDY of Massachusetts. So when we think of the wildcatter in the traditional sense, looking back over the history of the development of the oil industry, realizing the very useful contribution of these who have gone out and taken their chances in the wild areas of the West and the Southwest, and were truly interested in the development of the oil industry, we must conclude that they ought to be accorded the kind of special privilege to which the Senator refers.

As I understand it, the position of the Senator from Wisconsin is that this kind of special privilege should be continued for the small, independent wildcatter, in order to protect the national interest and to protect the small businessman, the individual, small company, or small corporation which is interested in the exploration and the development of oil resources?

Mr. PROXMIRE. Yes, indeed. That brings to mind an even more telling point, which is that because of the provision of the oil depletion allowance, the industry suffers from overinvestment, and from people who get into it, even with the notion that they may lose money in it, because they are in a position to write off such losses against their other income.

What does that do the small man for whom his modest oil business is all he has, and for whom his income is relatively modest? It means he has to compete with people who can afford to stay in the oil business to take losses. It seems to me that this overinvestment is most discouraging for him. It probably diminishes the exploration we would have if we had a depletion allowance scale of the kind I am suggesting in my amendment.

Mr. KENNEDY of Massachusetts. As I understand—and I ask the Senator from Wisconsin to correct me if I am wrong—what the Senator from Wisconsin is really proposing to the Senate is that the small, independent wildcatter, who is truly risking a substantial part of his capital in trying to develop and explore oil resources would receive the full benefit of the oil depletion allowance, but that the larger independent operator, company, or corporation, which is able to spread the risk over a greater number of wells and a larger amount of capital would receive less and less of a depletion allowance on a sliding scale basis.

Mr. PROXMIRE. They would.

Mr. KENNEDY of Massachusetts. And the largest companies and corporations, if I understand the Senator from Wisconsin correctly, would still be able to deduct their losses in a way which is not dissimilar to that afforded larger companies and corporations in other American industries, and would still have some allowance for depletion, and the small independent operator would get an allowance appropriate to his situation, with the result that the interests of oil discovery and of the oil industry would be fully protected.

Mr. PROXMIRE. Yes. I think the Senator from Massachusetts has expressed it very well. What the amendment does, by a sliding scale method, is to provide that the smallest operators, those who gross $1 million or less, would receive the same depletion allowance they do now. Those in the middle position, grossing between $1 and $5 million, would have their depletion allowance reduced to 21 percent; and the big man would not have his depletion allowance wiped out, or even reduced 50 percent but would have it reduced from 27½ percent to 15 percent, so he would still have the special benefit, but there would be the opportunity for the small and middle-sized man to continue to exist along with those who have great income from other sources, and who get into the oil industry with their enormous advantage and tend to drive the little man out.

Mr. KENNEDY of Massachusetts. As I understand the proposal of the Senator from Wisconsin, he really proposes to update to the modern economy the strong feeling of the Senator from Wisconsin, which I share, that to the greatest extent possible, we should help and assist the small, independent wildcatter, the small company, and the small corporation; that the real initial reason that the oil depletion allowance was established was for exploration, and was in recognition of the fact that there were extraordinary kinds of risks involved in such exploration, but that actually today, in looking at the oil industry, there is very legitimate reason to reexamine in all its complexity what those in the industry are involved in, and that we should reconsider appropriate steps which we as Members of Congress can take in order to eliminate some of the inequities which currently exist.

Mr. PROXMIRE. Yes, indeed. It is very interesting, the way the Senator referred to the exploration. I think he made a most important point.

Look at the effect that the depletion allowance has had in Texas and in some of the other areas. They do not pump 30 days a month, they do not pump 20 days a month, they do not usually even pump 10 days a month; usually they pump something like 6, 7, or 8 days a month. That means they have an artificial restriction on the amount of pumping they can do, because we have too much oil, not too little. Overinvestment in the industry has resulted in real problems of price fixing and limitation of production, that plague the industry.

So the argument that could be made 40 years ago, when the oil depletion allowance was provided, that we desperately need more of this resource, it seems to me, cannot be supported by the facts today.

Mr. KENNEDY of Massachusetts. I welcome the discussion of the Senator from Wisconsin, because I think he has made an extremely important and constructive observation today.

In his statement this afternoon, as in years gone by, he has updated those of us in the Senate who are attempting to provide for the legitimate interests of the oil industry, and who are seeking to eliminate the kinds of inequities which some of us believe have multiplied because of the oil depletion allowance that is now in effect.

I believe that the proposal which has been made by the Senator from Wisconsin is extremely useful, and I indicate my complete support of it.

Mr. PROXMIRE. I sincerely thank the Senator from Massachusetts.

Mr. President, since the oil industry is legally enabled to reduce its taxes sharply, other industries, small businesses, and individuals, must make up the difference through higher taxes than they would otherwise pay if the oil industry carried its—to use the term again—"fair share," because of the exemption-status of the oil industry.

But the robbery goes even further than this. This Nation grows and prospers because of increased investment and the increasing effectiveness of the use of our resources. The oil industry, however, represents another world that lures investment funds. Therefore, instead of investment funds being used for the greatest gain of the Nation, these investment funds are attracted away from their most effective uses and toward the oil industry, which already has an excess of investment funds. This robs the Nation of a part of its economic growth.

It is not an accident that the greatest economist who ever served in this body, a former president of the American Economic Association, the man who wrote the definitive work on wages, former Senator Paul Douglas, was the principal Senate opponent of the present level of depletion allowance. It is no accident that he is the man who sponsored the amendment I now offer, in the past. He is a profound scholar and an extraordinarily able economist. He recognized not only the tax inequity, but also the waste of resources in allowing to exist a situation in which resources are poured into the industry excessively.

Again, let me make myself clear. Every businessman should be able to deduct his costs. Oil men, together with all businessmen, should do so. When the oil industry incurs depletion costs, it should deduct them. But businessmen in the oil industry, and in that industry alone, know that for every dollar of costs, they can obtain an average of $19 of deductions, according to Treasury Department statistics. By that I mean they write off oil wells, according to Treasury estimates, not once, not 10 times, but 19 times. It is like saying that a man who owns a piece of equipment for which he paid $1,000 can deduct $19,000 for depreciation.

I sincerely hope that the Senate will consider this amendment. As I have said, it has been offered in the past. But it is the kind of amendment, I think, that has particular merit because it represents an effort to break through the principal barrier against effective tax reform. That is the conspicuous injustice of the oil depletion allowance. This is making it difficult for Congress to close many other loopholes.

Mr. MILLER. Mr. President, I would like to respond briefly to the point of the Senator from Wisconsin concerning the depletion allowance itself.

I note that the pending amendment—and if I am wrong, I hope the Senator from Wisconsin will correct me—provides that the 27.5-percent percentage depletion will be continued in the case of those individuals or companies whose net profit is $1 million a year or less.

Mr. PROXMIRE. It would be continued for those who gross $1 million a year.

Mr. MILLER. And the 21-percent percentage depletion deduction would be allowed for those who gross between $1 million and $5 million. The 15-percent depletion deduction would be provided for those who gross more than $5 million.

First of all, I think that the gross income approach is terribly unfair.

The Senator from Wisconsin must certainly appreciate the fact that many distinctions exist among oil companies.

Mr. PROXMIRE. If the Senator will yield, certainly the net income approach would be impractical.

I pointed out that some of these firms have profits of $40 million, $50 million, and $60 million a year and do not pay any taxes because of the manner in which they are allowed with depletion allowances to compute their net income. They have all of these allowances and privileges. Unless we tie it in with the gross income, it would not be very meaningful.

Mr. MILLER. If I could suggest to the Senator from Wisconsin, he would not have to use the gross income approach, which is terribly inequitable. He could use the net income approach before the claimed depletion deduction.

This is what we have to do in order to compute a limitation of percentage depletion, which is 50 percent. I know, because I used to work out these schedules in my office.

I would first of all compute the net income of the corporation or the individual before the percentage depletion. I would then take half of that, 50 percent. I would then take 27.5 percent of the gross income—which is the approach of the Senator—and see which was lower.

Mr. PROXMIRE. May I ask the Senator what the depletion allowance is usually computed on, gross or net income.

Mr. MILLER. Mr. President, I would appreciate it if the Senator would let me complete my statement.

If the 50-percent figure were lower than the 27.5-percent figure, that is the deduction that we could take. The tax law specifically says that the deduction cannot exceed more than 50 percent of the net income.

The Senator would be far more fair if he would use a modified method of gross income approach rather than the straight gross income approach.

Mr. PROXMIRE. That would really complicate it. What is a depletion allowance based on? It is based on gross income.

Mr. MILLER. It is based on gross income up to a point.

Mr. PROXMIRE. That is true, but the depletion allowance is based primarily on gross income. It is based on gross income, with a formula that ties in to a modified extent, to the basic figure taken as the gross income figure.

Mr. MILLER. I would have to differ. In my experience there are innumerable instances—I would not say 50 percent of them, but at least one-third of them—when 50 percent of the net income was the formula we would use.

Mr. PROXMIRE. After all, then, does it not follow that we take the usual method which is, as the Senator has just stipulated and agreed in his debate, what prevails in two-thirds of the instances? Why not take the gross income as the true measure, the measure used in two-thirds of the cases, not one-third?

Mr. MILLER. That is done because the tax law has long recognized that such approach can work out to an inequitable amount of deductions. That is why 50 percent of the net income was put on the books by Congress.

I think that the Senator must recognize that the gross income approach, whether it be $1 million, $5 million, or more, is a very unfair approach to take, whether it involves oil companies or individuals.

For example, I wonder if the Senator realizes how much it costs to drill a 10,000-foot well. It costs at least $200,000 to $250,000 to drill such a well. Certainly those expenses ought to come off the gross income if we are going to try to do equity among corporations.

I could visualize a corporation with a $5 million a year gross business drilling several of these 10,000-foot wells and ending up with considerably less operating capital than a corporation doing a gross annual business of $3 million a year and not drilling any of these deep wells.

I suggest that the gross income approach to depletion allowance that decides whether a corporation or individual can take 15 percent, 21 percent, or 27.5 percent depletion allowance would be economically unsound.

The second point I make is that the Senator from Wisconsin deplores the fact that because percentage depletion deductions result in savings in income taxes for oil corporations and operators, it is necessary for the general taxpayer to pick up the tab and pay the difference.

We could make the very same argument with respect to the pending investment tax credit bill. We could make the very same argument with respect to the retention of percentage depletion deductions provided by the amendment of the Senator—15 percent, and 21 percent.

If we were to continue to allow such deductions, somebody would have to make up the difference.

I think that is a point that should not be overlooked.

I would like to point out that we are not operating in a vacuum here. These oil operators and U.S. corporations are not operating merely in the United States.

One of the major aspects of our foreign trade is our international petroleum operations. The major competitor in those operations is the Soviet Union.

How are we going to have our people meet that competition if we do not give them some kind of tax advantage? They do not have taxes on oil operations in the Soviet Union.

I venture to say that if the Senator from Wisconsin would explore this matter and see what the impact would be on our world competitive position, he would find that it would be disastrous. There are thousands and thousands of people who work for these oil companies and who would be thrown out of work if we were not able to meet the competition of the Soviet Union in the world petroleum market.

For that reason, I certainly think that this matter has to be gone into in much greater depth, and especially on the international scene, than the Senator from Wisconsin has seen fit to do in his argument.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. PEARSON. Mr. President, I recognize the uniqueness of this particular amendment. It is quite different from the traditional Williams amendment that is offered.

I do recognize the uniqueness of the amendment.

In its unique form it is generally and specifically an attack on the depreciation allowance. I am sure that the Senator is honored when I call it that.

Mr. President, as we consider the reinstitution of the investment tax credit we have a paradox with an amendment to this bill. One the one hand we would return to general industry a 7-percent credit on new investment and with this amendment we would deny the oil industry a similar type investment credit.

The 27½-percent depletion allowance has been a part of our basic tax law for some 40 years. When Congress first provided for the depletion allowance in 1926 they recognized that capital assets are consumed in the production of petroleum. The 1926 provision was a change over earlier more complicated regulations for depletion allowance and established a deduction of 27½ percent on the gross sum received from the sale of crude petroleum.

Exploration and the discovery of new reserves has been declining in this country during the past 5 years and to eliminate the depletion allowance at this time would further tend to destroy what reserves we now have.

While independent producers as a group invested some 79.6 percent of the wellhead value of their production in exploration-development expenditures in 1951–55, this ratio dropped to only 45.3 percent in the 5-year period from 1961 through 1965. Even with this decrease, some $38 billion went into seeking, finding, and producing oil and natural gas in the past 10 years.

Profit margins have been dropping in recent years and although the depletion allowance aided somewhat in recovery of investment capital, the incentive was not there to drill on an active basis.

When this amendment comes to a vote, we must decide whether we are actually improving the Federal tax structure by reducing a tax deduction or whether we are actually voting on an amendment which satisfies someone's political philosophy.

There is no evidence to justify a change from the present 27½ percent depletion allowance. The political philosophy which would change this allowance seeks only to reallocate income.

A decrease in the depletion allowance would actually mean an increase in taxes for oil companies and independent producers. These increased taxes would decrease the supply of capital available for finding new reserves resulting in inadequate supplies of oil and gas in this country.

The cost of exploration and development of oil companies in the United States presently amounts to $5 billion annually. As the exploration drops, however, the demand continues. It is estimated that by 1980, the Nation's petroleum consumption will be 17.5 million barrels daily or some 66 percent more than 2 years ago.

Exploration will be one of the most important keys in the availability of these new petroleum products for this anticipated increased consumption. Economists report that it will be necessary to locate in the period 1967–80 new oil fields which will provide as much oil as has been produced in the United States in the last century.

Such requirements cannot be met if the only capital investment incentive remaining to the oil industry is struck a mortal blow.

To maintain a discovery rate, those familiar with the oil business know the risks involved. Due to the circumstances involved in exploration and development, the investment process in petroleum production is quite different from that encountered in manufacturing enterprises and trade. For example, the average profits of oil companies in 1965 were only 11.9 percent of investment which is somewhat lower than the 13.8 percent average return on investment for manufacturing companies.

To replace the oil which has been discovered in the past 100 years in this country will require tremendous exploration on the part of all oil companies and independent producers as well.

While oil is found in one out of every nine wildcat wells drilled, if the marginal and unprofitable discoveries are excluded, the chance ratio drops from one in nine to about one in 32 wells drilled.

Only one out of 600 exploratory wells finds a field as large as 50 million barrels of oil or the equivalent in gas. And we must remember that present weekly consumption of oil amounts to more than 50 million barrels.

Mr. President, we must recognize that the petroleum producing industry is indeed a unique industry, and we must continue to recognize this fact in the adaptation of tax laws such as the 27½ percent depletion allowance.

This allowance is so infinitely deployed throughout the oil industry that any manipulation of present tax structures could create depressed conditions and a poverty in petroleum never before realized.

I must strongly urge therefore, that we defeat this amendment to reduce the depletion allowance on oil and gas investments and refrain from any attempt to create imbalances in an intricate financial structure which has served this country for years by providing the necessary petroleum products to keep transportation and machines in operation.

Mr. PROXMIRE. Mr. President, this is not an attack on the depletion allowance. It would reduce the allowance.

If I felt the allowance was a completely bad thing, I would put in an amendment to eliminate that allowance, but I am not doing so.

Mr. JAVITS. Mr. President, I wish to say to the Senator from Wisconsin that I am sympathetic to what he is trying to do. We all realize it may not be done now, but the Senator renders a great national service in fixing attention on the validity of the depletion allowance in oil, as matters stand now.

Every time you ask people about an unfair tax break, in almost any direction, they will immediately throw up to you the fact of the several billion dollar oil depletion which has been on the books for so long and which is so unfair. It sort of opens the door to anything, if that is what you are going to pull in the national establishment.

Undoubtedly, that is too sweeping, but nonetheless it does indicate a deep national disquiet as to the validity of this particular operation in taxes.

I believe the situation needs to be changed, and I believe that the Senator from Wisconsin has rendered us all a fine service in studiously calling attention to the fact that this is unfinished business for the Nation.

I have no doubt that if this kind of situation continues, we will, in much less time than it has existed so far, make a change.

The Senator from Delaware [Mr. WILLIAMS] has been a leader in this field for a long time. I have always voted with him, and I express my sympathy with what is the educational activity being undertaken.

Mr. PROXMIRE. I greatly value the support of the Senator from New York. He is the ranking minority member of the Joint Economic Committee. He has again and again shown his superb knowledge of economics, and his support in this matter is most encouraging and most helpful.

Mr. WILLIAMS of Delaware. I join the Senator from New York in paying respect to the Senator from Wisconsin for the job he has done this afternoon.

I believe the time is rapidly approaching when there will be a revision in the present depletion rates of some of these industries. It is long overdue. At the appropriate time—perhaps today may not be the time—I shall be glad to join the Senator from Wisconsin and others in an effort to try to get some basis of equality in the method of taxation.

Mr. PROXMIRE. The Senator from Delaware is the ranking minority member of the Committee on Finance. He does a remarkable job again and again on all matters that come before the Senate on taxes and on finance, and I greatly value his support.

Mr. HARRIS. Mr. President, I rise to speak for my State and its interests, as does the Senator from Wisconsin when he talks about the interests of the dairy industry and as does the Senator from Massachusetts when he speaks for the shoe industry.

If percentage depletion is wrong, then it is wrong for every company and individual now coming under this tax provision—whether the gross income is $1 million per year or $5 million per year. If percentage depletion is wrong, then it is wrong for every company and individuals, and any industry now entitled to this provision—whether it be a producer of oil in Oklahoma or of iron ore in Minnesota or Wisconsin or of lead in Missouri or zinc in Tennessee. There is no need to dwell on the simplest distortions that this amendment would produce, as, for example, the fact that an oil compnay in one arbitrarily chosen income bracket would have its depletion deduction scaled down to 15 percent—below the level for some 40 other minerals like lead, zinc, bauxite, and a number of clays.

We are not playing games with trifles here, Mr. President. This measure would effect the fuels—oil and natural gas—that provide fully 75 percent of this Nation's energy. These are the fuels that are basic to our national defense and to the free world security. These are the fuels that we know will be needed in tremendous quantities for as many decades as we can see in the future.

Responsible national policy would call for doing all we can to encourage, to stimulate the needed, intensified search for oil and natural gas.

Why did Congress adopt percentage depletion, and its immediate forerunner, discovery depletion? We know there were two basic motives:

First, Congress was recognizing that the oil in the ground, as well as any other mineral deposit, constitutes the producer's capital. Congress wanted to avoid taxing that capital as if it was part of the producers income. And this principle of not taxing capital as income stands as just, regardless of the producers gross income.

Second, Congress also knew that by this treatment of mineral producers it would be letting them retain some of the funds they need to take the high risks of searching for new reserves to replace those being depleted by production.

In the case of oil and gas, Congress recognized that this was especially of importance because of the extraordinary risks involved in the search for new reserves. This risk is present whether the company doing the hunting is a major, nationally known petroleum corporation, or a one-man wildcatting adventure. It is just as hard for the biggest company to find oil as it is for the smallest and no amount of money can eliminate that risk. Oil in the ground shows no favoritism. It plays "hard to get" for the big company as well as the small.

And the fact stands—whether this amendment recognizes this fact or not—that of every 100 wildcat wells drilled in search of new fields, only three—on the average—will find oil or gas in commercial quantities. These are the basic statistics. They apply regardless of how much money the wildcatter may have in the bank.

Congress recognized these facts when it adopted the depletion laws—first the discovery value law and then the more workable and efficient percentage depletion law we have today.

Here is another fact about the oil industry which this amendment does not recognize: Even when a small company does the actual exploratory drilling, very often a significant part of that company's costs have been borne by a major firm. A smaller company goes down on the record as a wildcatter, but the larger firm puts up a big part of the financing which would not be available from any other source. Banks do not lend money for wildcat wells.

The amendment would also discourage an important conservation activity: Unitized operation of properties. In such operations, under this amendment, the various participants would have different depletion rates—rates that had no logical or equitable basis. These discriminatory variations would make it uneconomic for many firms to participate in such unitized programs—and the Nation and the consuming public would be the big loser.

Mr. President, the distinguished senior Senator from Oklahoma [Mr. MONRONEY] has done much research work in this important field during the 20-odd years that he has served as a Member of Congress. A statement prepared by him for this occasion points out that our natural resources policy does not single out oil and gas for unique privilege and that there are over 100 other extracted minerals to which the present depletion allowance law applies, and he lists them in the statement he has prepared.

Furthermore, Senator MONRONEY calls attention to a recent speech by Secretary of the Interior Udall, in which it was said that the United States would consume more petroleum hydrocarbons during the next 14 years than it had in all the 107 years of the oil industry's existence.

The statement by Senator MONRONEY

further calls to the attention of Members of the Senate that the amendment under consideration imposes a penalty for success and is a depressant to new growth and development.

Senator Monroney states:

The $1 million gross income figure, on its face, seems very large and would appear to allow many producers to retain the benefit of the current 27½% rate. But at $3 a barrel, it would take only about 333,000 of oil to throw a small producer over the $1 million gross income mark and thereby reduce his depletion rate to 21%. The net profit which would be required to exceed the $1 million figure would amount to only $83,000, since the average net profit on a barrel of oil is 25¢.

I ask unanimous consent that the entire statement of Senator Monroney and the attachments thereto be printed at this point in the Record.

There being no objection, the statement and attachments were ordered to be printed in the Record, as follows:

Statement by Senator Monroney

The depletion allowance has in one fashion or another been a part of our basic national policy on natural resources since the imposition of the federal income tax; a policy designed to develop and conserve our natural resources; a policy recognizing the necessity to maintain self-sufficiency in energy minerals; a policy designed to provide cheap and readily available petroleum products and other sources of energy to the American public.

The depletion allowance assigns a value to the capital which is being used up and cannot be replaced. It has been in effect continuously through the administrations of nine presidents. Both Republican and Democratic Congresses over the years have recognized its importance.

The depletion allowance provides the incentive which investors need for taking the substantial risk of investing in an oil and gas venture. The depletion allowance is higher than the allowance on other minerals, because the risk of failure is greater and the capital required is higher. Only one out of every 32 domestic exploratory wells drilled produce oil or gas in profitable quantities. Nine out of every 10 wildcat wells drilled still result in dry holes.

Our natural resources policy does not single out oil and gas for unique privilege. There are over 100 other extractive minerals to which the depletion allowance applies.

PERCENTAGE DEPLETION RATES FOR MINERAL PRODUCTION

Since 1926, the Internal Revenue Code has authorized percentage depletion at a 27½% rate for oil and gas wells. This rate is applied to the gross income from the wells, subject to a 50% of net income limitation.

During the decades that percentage depletion has been a part of the revenue laws, it has been extended to almost all other U.S. minerals at rates ranging from 5 to 23% of gross income from the mineral producing property, as follows:

Twenty-three percent depletion applies to these minerals

Antimony
Anorthosite (to extent alumina and aluminum compounds extracted therefrom)
Asbestos
Bauxite
Beryl
Bismuth
Cadmium
Celestite
Chromite
*Clay (to extent alumina and aluminum compounds extracted therefrom)
Cobalt
Columbium
Corundum
Fluorspar

Twenty-three percent depletion applies to these minerals—Continued

*Graphite
Ilmenite
Kyanite
Laterite (to extent alumina and aluminum compounds extracted therefrom)
Lead
Lithium
Manganese
Mercury
Mica
Nephelite Syenite (to extent alumina and aluminum compounds extracted therefrom)
Nickel
Olivine
Platinum
Platinum Group Metals
Quartz Crystals (Radio Grade)
Rutile
Block Steatite Talc
Sulphur
Tantalum
Thorium
Tin
Titanium
Tungsten
Uranium
Vanadium
Zinc
Zircon

Fifteen percent depletion applies to these minerals

Aplite
Barite
Bentonite
Borax
Calcium Carbonates
*Clay, Ball
*Clay, China
*Clay, Refractory & Fire
*Clay, Sagger
Copper
Diatomaceous Earth
Dolomite
Feldspar
Fullers Earth
Garnet
Gilsonite
Gold
Granite
*Graphite (Flake)
Gypsum
Iron Ore
Limestone
Magnesite
Magnesium Carbonates
Marble
Metal Mines (not otherwise named)
*Mollusk Shells (when used for chemical content)
Molybdenum
Phosphate Rock
Potash
Quartzite
Rock Asphalt
Silver
*Slate
Soapstone
*Stone (dimension or ornamental)
Talc
Thenardite
Tripoli
Trona
Vermiculite
Other minerals not covered elsewhere

Ten percent to these minerals

Brucite
Coal
Lignite
Perlite
Sodium chloride
Wollastonite

Five percent to these minerals

*Clay (used for drainage and roofing tile, flower pots, etc.)
Gravel
*Mollusk shells
Peat
Pumice
Sand
Scoria
*Shale
*Stone
If from brine wells—bromine, calcium, chloride, magnesium chloride

Seven and one-half percent to these minerals

*Clay and shale (used for sewer pipe or brick)
*Clay, shale, and slate (used as lightweight aggregates)

DEMAND FOR PETROLEUM PRODUCTS

Petroleum production still supplies 75 percent of the energy used in the United States.

In order to maintain a safe ratio of crude oil reserves to consumption of 12 to 1, a 1965 Interior Department study estimated that 90 billion barrels of liquid petroleum must be added to proved reserves between 1964 and 1980. At least 584 trillion cubic feet of natural gas will have to be added.

Secretary Udall in a recent speech said that the United States would consume more petroleum hydrocarbons during the next 14 years than it had in all the 107 years of the oil industry's existence.

The February 1967 issue of the Chase Manhattan Bank's Oil Report had the following comment on Secretary Udall's statement:

"In an appearance before the National Petroleum Council—the Secretary of the Interior outlined the Nation's future needs for petroleum. The domestic industry, if it maintained current reserve-production ratios and did not resort to proportionately more oil imports, would need to find between 1965 and 1980 an annual average of 5.5 billion barrels of new oil reserves and 30 trillion cubic feet of natural gas, he said. Our own studies confirm these projections. But, as the Secretary further stated, the industry has never before found that much. *Indeed, over the past decade it has found little more than half as much.* And, as a result, reserve-production ratios have fallen. Why has the industry not found more? Various economic factors might be cited, but for the most part they fall under one heading: *a lack of financial incentive.* This is forcefully demonstrated by the industry's pattern of capital spending. There is a definite relationship between the money spent to find new reserves and the amount actually found. To find more obviously calls for higher capital expenditures. But the industry has not increased spending in line with indicated requirements—it has actually reduced its outlay instead. *Clearly, the incentive to spend more was lacking.*"

In 1958 recoverable reserves of liquid hydrocarbons (crude oil plus natural gas liquids) equalled 13½ times annual consumption. At the end of 1965 the ratio was 12.1. By the end of 1966 it had dropped to 11.5. If crude oil reserves alone are looked at, the decline between 1965 and 1966 is even more severe. The crude oil reserve ratio dropped from 11.7 at the end of 1965 to 9.8 at the end of 1966.

I ask unanimous consent to have printed in the Record an excellent article which appeared in the April 3 edition of the Christian Science Monitor, entitled "U.S. Reminded To Reconsider Oil and Gas Policies":

"[From the Christian Science Monitor, Apr. 3, 1967]

"IMPORT QUOTAS, TAX INCENTIVES NOTED: UNITED STATES REMINDED TO RECONSIDER OIL AND GAS POLICIES

"(By David R. Francis)

"New York.—Within the next few years, the United States will need to reconsider its crude-oil and natural-gas policies. Indeed, in the view of some oil economists, the sooner the better.

"In the political furnace, oil and gas burn at a high temperature. The power of domestic crude producers to influence Congress is well known.

"However, the economic facts are pressing for reexamination of such touchy matters as import quotas, tax incentives, and compulsory unitization of oil fields.

"Figures on oil and gas reserves at the end of 1966, just released by the American Petroleum Institute and American Gas Association, confirm this need.

"The nation's proved recoverable reserves of liquid hydrocarbons at the end of 1966 are estimated at 39.781 billion barrels. This is an increase of 405 million from 1965.

"That looks healthy. But a closer look shows a trend of long-range concern.

"Much of the gain in crude reserves occurred on the West Coast and Alaska. These form a separate oil market from the area east of the Rockies. Not much oil flows over the mountains.

"RESERVES DROP

"East of the Rockies, the crude reserves dropped 100 million barrels.

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*Note differing rates, depending on use. Except for sulfur and uranium, all minerals in the 23 percent bracket have a 15 percent depletion rate for foreign production.

"In addition, the ratio of annual production to reserves has been declining.

"In 1958 the United States had enough proved recoverable reserves of liquid hydrocarbons (crude oil plus natural-gas liquids) to last 13.5 years at the then current rate of production. By the end of 1966, this ratio had dropped to 11.5. Reserves had gone up. Production, though, went up even faster.

"At the end of 1965, the ratio was 12.1.

"The decline between 1965 and 1966 is even worse looking at crude-oil reserves alone. There the ratio dropped from 11.67 to 9.8.

"This doesn't mean that in 11.5 years the United States will run out of crude and hydrocarbons. New wells will be drilled, new discoveries made, new reserves established. It is unlikely that all wells, present and future, will dry up within the current average life span.

"SIMILAR PICTURE

"The decline in the production-reserve ratios does mean that new energy policies will become necessary.

"Adds John H. Lichtblau, research director of the Petroleum Industry Research Foundation, Inc: 'There is no evidence that this decline has come to a halt.'

"In natural gas, the picture is similar.

"Gas reserves advanced to 289.3 trillion cubic feet during 1966. This is up only 2.86 trillion cubic feet.

"Production increased a trillion cubic feet to 17.49 trillion cubic, a larger gain than in any previous year.

"This meant that the ratio of production to reserves dropped from 17.6 at the end of 1965 to 16.5 at the end of 1966. It was 22 in 1958 and has been declining ever since.

"If it were to decline much more, investors might become chary of making long-term investments in pipelines.

"A recent study by Mr. Lichtblau clarifies the problem for crude oil.

"Between 1965 and 1980, the study finds, United States oil producers must lift 61 billion barrels of crude oil out of the ground. This is necessary to meet an annual growth rate in oil demand of 2.7 percent in those years. Total United States energy requirements are projected to grow slightly faster at 3 percent.

"PRODUCTION TARGET SET

"Simultaneously, oil firms must develop gross reserves of almost 80 billion barrels just to stay even with the production-reserve ratio of 1965. They fell behind last year.

"By 1980, this means daily crude-oil production of 13.2 million barrels a day. By comparison, 8.9 million barrels were produced each day last year.

"In short, the United States is faced with a 51 percent hike in its total crude-oil requirements above and below ground for the next 15 years just to hold its own.

"Some idea of the magnitudes involved can be seen from history. In the 107 years since the drilling of the first oil well at Titusville, Pa., the United States has produced about 80.6 billion barrels. To stay even over the next 15 years, new reserves of the same amount must be found.

"It won't be easy. It may not be wise.

"Costs of finding and getting oil out of the ground have been rising. Oil reserves found per wildcat well drilled have declined steadily in recent years.

"IMPORTED CRUDE LIMITED

"In 15 years, the electric car is unlikely to replace the gasoline-powered vehicle. Nor are the huge reserves in the oil shales likely to become a major factor in that period.

"Possible solutions may be unpopular in Congress.

"For one thing oil-import quotas could be hiked. Imported crude now is limited to 17 percent of total refinery production.

"If more crude was imported from the Middle East, where production-reserve ratios may run as high as 40 years, domestic production wouldn't have to grow so fast. But domestic wells are already restrained from producing at full capacity. And the domestic oilmen don't like it. It might depress prices as well.

"At some point, too, the matter of national security enters. If imported oil becomes a larger factor in the supply, what is the danger of its being cut off?

"This danger is not so real in the case of Canadian oil. It is not included in the quotas. But the growth of Canadian imports is limited informally.

"The Athabaska tar sands and the recent new Rainbow field offer huge North American reserves. Domestic United States producers, however, again don't want Canadian crude imports to expand rapidly.

"Another possible solution would be to improve further the economic incentives to finding more oil in the United States. These are already extraordinary because of special tax advantages. The oil industry, though, would like even more encouragement to wildcat for oil.

"A final possibility is to improve the efficiency of present fields. Too many wells often reduce the amount of oil that can be extracted from a field. Compulsory unitization could improve yields in some cases.

"Perhaps a mixture of all these measures may be required. Nor should the government wait too long.

"If it procrastinates, the United States will have to launch what Mr. Lichtblau describes as a 'crash program' to get the oil needed."

The article points out the serious problems facing the petroleum industry today and concludes that our present oil and gas policies must be reconsidered. One solution to the current crisis mentioned by the correspondent, and I quote, "would be to improve further the economic incentives to finding more oil in the United States." This is hardly the time to decrease the present incentive.

Investment capital in excess of $5 billion a year will be needed for exploratory drilling to find these needed reserves.

PETROLEUM INDUSTRY EARNINGS

Even with the depletion allowance oil company earnings have been less than that of other United States industries.

In 1964 the petroleum industry had a rate of return on invested capital of 11.6%. Manufacturing companies for that year had a return of 12.7%. In 1965 the rates of return were 11.9 and 13.8, respectively.

This has been a historical trend. During the time span between 1955 and 1965 the petroleum industry rate of return was 9.5%, while the return for the manufacturing industry was 10.6%. Oil earnings were lower in each of the 11 years.

During the economic boom of the late 50's and throughout the 60's the petroleum industry has not fared as well as the economy as a whole. Using the 1957–59 time span as the base:

	Percent
Industrial production was up	56.3
Employment was up	14.2
Wholesale prices were up	6

At the same time in the petroleum industry:

	Percent
Oil prices were down	2½
Employment (in producing) was down	15
Drilling exploratory wells was down	25

OIL AND GAS EXPLORATION

In 1957 we had a high water mark in exploratory drilling—with 14,707 wells. The next year the figure was down to 13,199 wells and the decline continued. In 1963 it was down to 10,664, and in 1955 down again to 9,466. Last year showed a slight pickup—with 10,188 exploratory wells drilled. We hope this upward trend will continue—and even show a really sharp rise. But, of course, if this amendment should be adopted, exactly the opposite would happen. Exploratory drilling would go into a real tailspin.

And that would hurt the oil industry, to be sure. It would hurt the economies of the oil producing states, to be sure. It would hurt employment. It would hurt the industries that do business with oil producers—steel, cement, chemical, and others. But the people who would be hurt most over the long run would be this nation's consumers—the men and women who depend on oil producers—on the outcome of exploratory drilling—for their future supplies of petroleum products and natural gas.

I ask unanimous consent to have printed in the RECORD at this point a table showing the number of exploratory wells drilled from 1957 through 1966.

Number of exploratory wells drilled by years

1957	14,707
1958	13,199
1959	13,191
1960	11,704
1961	10,992
1962	10,797
1963	10,664
1964	10,747
1965	9,466
1966	10,118

The figures on total well completions are also revealing. They show that the petroleum industry is in no position economically to be the target of a measure that would retard its activity.

In 1957 well completions reached a high of 55,024. The next year this figure had dropped to 50,039. By 1962 it was down to 46,179 and in 1963 it slid still further to 43,653 wells. After a slight pickup from that drop, well completions went into a new low for the period last year—with a total of only 36,628 wells.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point tables showing the number of total well completions from 1957 through 1966, the decline in the number of employees in the crude petroleum and natural gas production industry during the same period of time, and the decline in the geophysical activity in the United States from 1960 to 1965.

Total well completions by years[1]

1957	55,024
1958	50,039
1959	51,764
1960	46,751
1961	46,962
1962	46,179
1963	43,653
1964	45,236
1965	41,432
1966	36,628

Employees in crude petroleum and natural gas production industry

1957	344,000
1958	327,500
1959	329,500
1960	309,200
1961	303,100
1962	298,000
1963	289,200
1964	291,100
1965	288,100
1966	282,600

[1] Source: U.S. Bureau of Labor Statistics.

Geophysical activity in the United States, 1960–65, crew-months worked

	1960	1961	1962	1963	1964	1965
Alabama	26.0	41.0	55.0	35.0	45.0	84.8
Alaska	56.0	83.0	67.5	109.0	113.0	69.5
Arizona	38.0	29.0	15.0	34.3	91.0	14.9
Arkansas	23.0	60.0	43.9	7.5	36.0	30.2
California	146.0	119.0	94.0	89.0	112.0	118.5
Colorado	159.0	154.0	120.0	59.7	39.0	33.6
Florida	11.0	8.0	4.5	7.0	13.0	42.7
Georgia	13.0	(1)	(1)	(1)	(1)	(1)
Illinois	(1)	(1)	.5	1.2	3.0	7.3
Indiana	7.0	(1)	(1)	.3	5.0	11.0
Iowa	(1)	(1)	(1)	(1)	2.0	(1)
Kansas	123.0	85.0	27.9	48.8	50.0	17.5
Kentucky	(1)	8.0	3.5	1.5	3.0	15.7
Louisiana	816.0	785.0	644.0	626.0	746.0	728.3
Maryland	(1)	(1)	2.0	1.0	3.0	2.3
Michigan	101.0	40.0	37.6	29.3	23.0	34.2
Mississippi	415.0	253.0	203.5	239.5	257.0	155.4
Montana	97.0	129.0	118.7	180.5	102.0	108.8
Nebraska	43.0	76.0	46.7	5.6	1.0	1.0
Nevada	(1)	21.0	11.6	(1)	11.0	4.0
New Jersey	(1)	(1)	(1)	(1)	1.0	(1)
New Mexico	319.0	311.0	298.6	302.3	213.0	134.9
New York	(1)	16.0	20.4	6.9	8.0	10.9
North Carolina	(1)	(1)	(1)	(1)	9.0	(1)
North Dakota	81.0	44.0	47.5	38.7	36.0	54.3
Ohio	(1)	9.0	31.2	97.9	337.0	154.8
Oklahoma	253.0	286.0	226.5	251.5	224.0	197.3
Oregon	7.0	25.0	11.0	15.0	20.0	2.5
Pennsylvania	32.0	30.0	23.1	18.8	25.0	16.3
South Dakota	12.0	4.0	9.9	19.2	8.0	2.5
Texas	1,858.0	1,888.0	1,664.4	1,644.4	1,633.0	1,411.3
Utah	302.0	228.0	145.9	195.3	56.0	42.5
Virginia	(1)	6.0	2.0	3.5	27.0	.6
Washington	(1)	8.0	8.5	8.0	5.0	(1)
West Virginia	21.0	20.0	24.5	23.3	(1)	25.1
Wyoming	229.0	249.0	221.6	172.5	140.0	155.6
Other	19.0	9.0	(1)	1.5	9.0	12.0
Total United States	5,207.0	5,024.0	4,231.0	4,174.0	4,406.0	3,700.3

[1] Not available.

Source: Society of Exploration Geophysicists.

BENEFITS TO THE CONSUMER

An hour's work today will buy 8½ gallons of gasoline—3½ times as much as in 1926 and 30% more than in 1956. This is including gasoline taxes, both federal and state, which have risen substantially in the past 20 years.

Excluding gasoline excise taxes, an hour's work today will buy five times as much as it would in 1926.

Yet the average price which oil companies get for a barrel of crude was down to $2.86 in 1965 from $3.01 in 1958.

A study by the Chase Manhattan Bank shows that the cost of gasoline to the average American costs only 38¢ per day in 1966. This was actually lower than the price of gasoline 10 years earlier. Other consumer prices rose by 20% in that decade. State and federal taxes on gasoline increased 27%.

If gasoline prices had risen in line with consumer prices, gasoline would be four cents per gallon higher than it was in 1966.

PETROLEUM INDUSTRY TAXES

The petroleum industry pays roughly 5% of its total gross revenue in federal, state and local taxes. This compares to a 4½% average for other U.S. corporations.

The total tax bill of the petroleum industry is $2 billion a year, broken down as follows:

[In millions]

Federal income	$490
State	630
Local	480
Other	400
Total	2,000

In addition to these direct taxes, motor fuel sales and excise taxes are $6.5 billion a year. This results in a total tax burden on oil and gas of $8.5 billion a year—24% of total gross revenues.

CONSEQUENCES OF DEPLETION REDUCTION

The facts prove that an increase in investment in the oil industry is desperately needed, not a reduction in investment. The pending amendment would drastically reduce the amount of new capital funds available for investment. It would amount to a flat cut in the 27½% rate because the lowest rate of 15% would apply to about 95% of the total oil and gas production. This is a reduction of 45½% in the amount of depletion allowable.

Probably the greatest objection to the amendment is that it would allow the 27½% rate to the very taxpayers who are least likely to reinvest in new exploration—those taxpayers whose income from oil and gas is less than $1 million. It would reduce to 15% the depletion to the very taxpayers who reinvest not only the funds available from depletion, but twice as much again. It can result in only one of two things—in a reduction in the investment for new exploration, or a substantial increase in the price of petroleum products. Neither alternative is acceptable, for we must find the new reserves so important to our country, and we must continue to make petroleum products available for the people at the lowest possible cost. Our strength as an industrial nation rests heavily on our adherence to these two objectives. We must remain self-sufficient at home and never have to depend upon foreign sources for our energy requirements.

The amendment imposes a penalty for success and is a depressant to new growth and development. The $1 million gross income figure, on its face, seems very large and would appear to allow many producers to retain the benefit of the current 27½% rate. But at $3 a barrel, it would take only about 333,000 barrels of oil to throw a small producer over the $1 million gross income mark and thereby reduce his depletion rate to 21%. The net profit which would be required to exceed the $1 million figure would amount to only $83,000, since the average net profit on a barrel of oil is 25¢. The amendment will reduce the depletion rate for a substantial number of the small independent producers upon whom the major oil companies rely for most of the drilling and exploration work necessary to the discovery of new deposits.

It will result in complete confusion and uncertainty with respect to those small independent producers whose annual gross income borders on either $1 million or $5 million a year. These producers will never know at the beginning of a year what percentage rate of depletion will be applicable to them based on the earnings they will make during the year, which will not be known until after the end of the year. Tax considerations are vitally important in business decisions. These small producers cannot make sound business judgments when the tax effect on such judgments is completely unknown.

Mr. President, I am firmly convinced that the adoption of any of the proposals to reduce the depletion allowance will result in an increase in the price of petroleum products to the consumer and a drastic reduction in the capital funds expended in the search for new reserves. This would be contrary to our historic policy on natural resources, which has provided cheap and abundant sources of energy to the citizens of this nation. The strength of this nation has been built on that policy. Unless our resources are taken out of the ground, they have no value to us, and unless we find new deposits of resources and make them available at low cost, our strength will decline. Our natural resources policy has served us well in peacetime and in war. The proposals to amend the depletion allowance represent a fundamental change in that policy, and if adopted, would be detrimental to the national interest and the individual interest of every citizen of the United States. It is a tribute to the Congress that it has rejected these proposals in the past. I am confident that it will do so again.

In conclusion, Mr. President, I cannot see how the Senate can act to reverse a policy which has been so successful. Forty-one years ago after much frustration Congress determined exactly how the rate of the depletion should be calculated. This was a result of the House-Senate compromise. One body wanted 30% and the other 25%. They split the difference and we have had the 27½% depletion allowance ever since.

This proved to be a happy choice. Under this the United States has become preeminent in the discovery and production of oil and gas. Our exploration here at home, and more recently abroad in foreign lands, has proven the wisdom of making this allowance. At the present time this allowance provides the $1 billion a year needed to support $4 billion in new exploration activity.

At the time when our reserves are declining and our exploratory activity has been drastically reduced, the cost of drilling has risen substantially. The amendment proposed today would have the simple effect of raising drastically another cost—taxes—on an industry that now is in a domestic recession. Today we have to drill deeper to get less. We have to spend more to get less profits back.

It is strange than an attempt is being made to tag this amendment on a bill designed to encourage investments. The amendment would strike a body blow to the most important and needed fuel resource in the United States.

We have fought two world wars and two lesser wars in this century with power supplied by oil. We have been able to satisfy the energy requirements of a record breaking productive economy.

Now oil industry costs are beginning to outrun oil production gains. Thin oil sands at deeper strata have resulted in scarce production. We have become increasingly reliant upon imported oil, much to the peril of our domestic producing industry.

Today we are asked to make a major change in our 41-year old natural resources policy on the floor of the Senate without committee hearings, committee study, or committee recommendations. This is not the manner in which to arrive at sound legislation.

Every year for the 29 years I have been in Congress, depletion has been attacked in one form or another. I defend it today as I have every time it has been attacked and will continue to do so as long as I am permitted to remain in this body.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was rejected.

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD, a table prepared by the Gasoline Letter.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

20 largest oil companies Federal tax, 1962–65

Rank in size	Year	Net income	Federal tax	Percent	Foreign, some States' tax	Percent	Income after tax	Percent
Standard (New Jersey)	1962	$1,271,903,000	$8,000,000	0.6	$423,000,000	33	$840,903,000	66
	1963	1,584,469,000	69,000,000	4.3	496,000,000	31	1,019,469,000	64
	1964	1,628,555,000	29,000,000	1.7	549,000,000	33	1,050,555,000	64
	1965	1,679,675,000	82,000,000	4.9	562,000,000	33	1,035,675,000	62
Texaco	1962	546,371,000	13,000,000	2.3	51,700,000	9	481,671,000	88
	1963	615,768,000	10,250,000	1.6	58,850,000	12	545,668,000	88
	1964	660,761,000	5,500,000	.8	77,900,000	11	577,361,000	87
	1965	726,198,000	10,000,000	1.3	79,500,000	11	636,698,000	88
Gulf	1962	488,351,000	19,389,000	3.9	128,871,000	26	340,091,000	70
	1963	540,065,000	30,870,000	5.7	137,842,000	25	371,353,000	68
	1964	607,343,000	52,443,000	8.6	159,781,000	26	395,118,000	65
	1965	655,727,000	53,559,000	8.1	174,935,000	26	427,233,000	65
Socony Mobil	1962	379,339,000	8,300,000	2.1	128,700,000	33	242,339,000	63
	1693	437,352,000	23,000,000	5.2	142,500,000	32	271,852,000	62
	1964	464,660,000	27,700,000	5.9	142,800,000	30	294,160,000	63
	1965	508,016,000	33,900,000	6.6	154,000,000	30	320,116,000	63
Standard (California)	1962	348,181,000	5,800,000	1.6	28,600,000	8	313,781,000	90
	1963	356,568,000	2,900,000	.8	31,600,000	8	322,068,000	90
	1964	393,188,000	8,300,000	2.1	39,600,000	10	345,288,000	87
	1965	455,425,000	9,000,000	1.9	55,200,000	12	391,225,000	86
Shell	1962	173,555,000	7,200,000	4.1	8,680,000	5	157,675,000	91
	1963	211,575,000	19,100,000	9.0	12,623,000	5	179,852,000	85
	1964	213,575,000	2,800,000	1.3	12,585,000	5	198,190,000	92
	1965	234,031,000	26,600,000	11.3	13,876,000	6	193,555,000	83
Standard (Indiana)	1962	168,843,000	3,105,000	1.8	3,381,000	2	162,420,000	96
	1963	208,022,000	22,182,000	10.6	2,748,000	1	183,092,000	88
	1964	204,817,000	8,486,000	4.1	1,480,000	0.7	194,851,000	95
	1965	263,098,000	39,578,000	15.0	4,248,000	2	219,272,000	83
Phillips	1962	158,320,000	48,000,000	30.3	3,365,000	2	106,955,000	67
	1963	160,954,000	52,000,000	26.2	3,491,000	2	105,463,000	65
	1964	152,197,000	32,229,000	22.2	4,950,000	3	115,018,000	74
	1965	165,876,000	31,745,000	19.1	6,415,000	4	127,716,000	77
Cities Service	1962	84,143,000	20,773,000	24.7	3,185,000	3	60,185,000	71
	1963	101,976,000	20,188,000	21.4	4,283,000	4	77,505,000	74
	1964	113,405,000	27,925,000	24.7	967,000	.8	84,513,000	74
	1965	137,118,000	[1] 33,000,000	24.0	976,000	.7	104,118,000	76
Continental	1962	73,477,000	1,065,000	1.4	3,335,000	5	69,077,000	94
	1963	99,665,000	9,143,000	9.2	3,157,000	3	87,365,000	88
	1964	112,009,000	8,725,000	7.7	3,175,000	2	100,109,000	89
	1965	142,051,000	6,865,000	4.8	39,035,000	27	96,151,000	68
Sun	1962	66,395,000	[2] 200,000	0	13,400,000	20	53,195,000	80
	1963	79,976,000	1,300,000	1.9	17,460,000	22	61,216,000	77
	1964	88,577,000	2,400,000	2.7	17,670,000	20	68,507,000	77
	1965	113,405,000	10,300,000	9.0	18,220,000	16	84,835,000	75
Union	1962	59,421,000	8,000,000	13.5	5,500,000	9	45,921,000	77
	1963	73,028,000	13,100,000	17.7	6,000,000	8	53,928,000	74
	1964	87,564,000	13,300,000	15.2	7,200,000	8	67,064,000	77
	1965	119,214,000	15,604,000	13.2	8,840,000	7	94,770,000	79.6
Standard (Ohio)	1962	37,235,000	9,275,000	25.0	3,738,000	10	24,222,000	65
	1963	54,008,000	15,225,000	28.1	4,896,000	9	33,887,000	62
	1964	70,252,000	21,150,000	30.2	5,334,000	7	43,768,000	62
	1965	82,848,000	15,225,000	18.3	4,896,000	6	49,711,000	60
Sinclair	1962	57,936,000	0	0	10,586,000	18	47,350,000	83
	1963	71,036,000	1,200,000	0	9,532,000	13	62,704,000	88
	1964	66,444,000	[2] 3,119,000	0	10,531,000	15	58,736,000	88
	1965	67,173,000	[2] (3)	0	15,299,000	23	61,374,000	91
Marathon	1962	36,064,000	2,200,000	0	205,000	.5	37,889,000	105
	1963	50,058,000	(4)	0	933,000	2	49,125,000	98
	1964	63,220,000	(4)	0	2,844,000	4	60,376,000	95
	1965	97,416,000	(4)	0	37,345,000	38	60,071,000	62
Atlantic	1962	61,110,000	0	0	14,844,000	24	46,266,000	75
	1963	56,747,000	0	0	12,734,000	22	44,013,000	78
	1964	61,081,000	0	0	14,005,000	22	47,076,000	77
	1965	105,299,000	0	0	15,188,000	14	90,111,000	86
Tidewater	1962	35,191,000	228,000	.6	2,387,000	6	32,576,000	93
	1963	42,795,000	[2] 63,000		3,384,000	8	39,474,000	92
	1964	40,508,000	377,000	13.7	4,426,000	11	35,705,000	88
	1965	60,397,000	58,000	.9	3,783,000	6	56,556,000	94
Ashland	1962	24,324,000	6,201,000	25.8	2,799,000	11	15,324,000	63
	1963	28,769,000	10,556,000	37.7	104,000	.3	18,109,000	64
	1964	36,385,000	9,672,000	26.8	2,977,000	8	23,735,000	65
	1965	50,594,000	15,500,000	30.6	2,440,000	5	31,594,000	63
Sunray	1962	41,203,000	3,850,000	9.3	1,152,000	3	36,201,000	88
	1963	49,727,000	6,533,000	13.3	1,328,000	3	41,866,000	85
	1964	29,357,000	[2] 7,115,000	0	1,290,000	4	35,182,000	120
	1965	43,367,000	353,000	.8	1,572,000	4	38,592,000	99
Pure	1962	27,680,000	[2] 2,546,000	0	1,276,000	4	28,950,000	107
	1963	28,582,000	[2] 1,212,000	0	27,000	.01	29,767,000	106
	1964	32,282,000	[2] 600,000	0	164,000	.5	31,518,000	98
	1965							
Skelly	1962	22,674,000	1,260,000	5.7	250,000	1	21,164,000	96
	1963	27,479,000	3,025,000	7.7	275,000	4	24,179,000	89
	1964	26,601,000	785,000	1.2	275,000	2	25,551,000	98
	1965	39,995,000	5,625,000	14.0	375,000	.9	33,995,000	85
Richfield	1962	36,615,000	6,000,000	16.6	0	0	30,615,000	83
	1963	29,767,000	1,300,000	4.4	773,000	3	27,894,000	94
	1964	26,255,000	[2] 629,000	0	5,429,000	21	21,455,000	82
	1965							
Total	1962	4,198,161,000	164,500,000	4	838,891,000	20	3,194,770,000	76
	1963	4,908,386,000	246,660,000	5	950,540,000	19	3,649,849,000	74
	1964	5,179,036,000	240,529,000	4	1,064,383,000	20	3,873,836,000	74
	1965	5,746,923,000	379,412,000	6.6	1,198,143,000	20.8	4,168,667,000	72

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[1] $7 million investment credit.

[2] Credit.

[3] At least $9,500,000 credit.

[4] Marathon is the only large oil company that has been able to conceal its domestic income taxes in the Securities and Exchange Commission files. We phoned Girard Jetton, Marathon's tax chief and asked for the U.S. figures, but he said it's a secret. Since the firm probably doesn't want to keep secret the smallness of its foreign taxes, it's assumed the U.S. tax is small and all of Marathon's income taxes are listed as foreign.

Mr. HART. Mr. President, briefly, this is an analysis of the 20 largest oil companies in this country. It reflects the net income for the years 1962 through 1965 of each of these 20 companies and the percentage of that income paid in Federal taxes.

Then it takes the Federal taxes paid by each of these companies along with some of the State taxes which they have paid, and reflects the percentage of that tax payment to income.

Then it shows the income after taxes for each of these 20 companies and the percentage it bears to net income.

Interestingly enough, we find that in the summary for 1965, the 20 companies paid 6.6 percent of net income in Federal taxes.

I wish very much that the Proxmire amendment had been agreed to. I voted in support of it. I think that this material which, as I say, comes from the July 25, 1966, issue of the Gasoline Letter, may be of interest to Senators.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President——

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Does the Senator anticipate any further voting this afternoon?

Mr. MANSFIELD. I do not.

Mr. HOLLAND. A good many Senators have business elsewhere, but they will stay here if necessary.

Mr. MANSFIELD. There will be no further votes today.

Mr. HOLLAND. I thank the distinguished majority leader.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight, instead of coming in at 12 o'clock noon tomorrow, it come in at 11 o'clock a.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I ask unanimous consent that following the approval of the Journal tomorrow, the Senator from Nebraska [Mr. HRUSKA] be recognized for not to exceed 1 hour for the purpose of introducing a beef import bill and a round robin following that with his colleagues on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. That then we have the morning business, and then the time allocated to the distinguished Senator from Illinois [Mr. PERCY].

Mr. HOLLAND. Is all this in the unanimous-consent request?

Mr. MANSFIELD. It is.

Mr. HOLLAND. I have no objection.

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL FRIDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent, if I have not already done so, that when the Senate completes its business tomorrow, it stand in adjournment until 12 o'clock noon Friday.

ORDER FOR ADJOURNMENT FROM FRIDAY TO 11 A.M. MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the completion of business on Friday the Senate stand in adjournment until 11 o'clock a.m. on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR TYDINGS ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday next, after the approval of the Journal, the distinguished Senator from Maryland [Mr. TYDINGS] be recognized for not to exceed 1 hour, following which there shall be a period for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM MONDAY TO 11 A.M. TUESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of business on Monday the Senate stand in adjournment until 11 a.m. Tuesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS McGOVERN AND RANDOLPH ON TUESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Tuesday next, following the approval of the Journal, the distinguished Senator from South Dakota [Mr. McGOVERN] be recognized for not to exceed 1 hour, to be followed by the distinguished Senator from West Virginia [Mr. RANDOLPH], who is to be allotted not to exceed one-half hour, following which there shall be a period for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. HARRIS. Mr. President, the distinguished Senator from Wyoming [Mr. McGEE], who is very knowledgeable in the field we have been discussing involving oil depletion allowances, has asked me to have printed in the RECORD a statement by him.

I ask unanimous consent to have printed in the RECORD the statement of the Senator from Wyoming [Mr. McGEE], prior to the vote on the Proxmire amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF SENATOR McGEE

IMPORTANCE OF OIL DEPLETION ALLOWANCE

Mr. McGEE. We are beginning the first session of the 90th Congress which I believe will be recorded as a most important Congress in the development of and improvement on our many national policies which will mean so much in charting the future course and success of this nation.

My colleagues, during this important session, I am sure, will recognize and bear in mind that this nation, in assuming its position of world leadershp in our attempt to improve on and maybe solve some of the problems facing the world today, must work, speak, and act from a position of strength. This strength, of course, is based on many and varied foundations.

Foremost among the ingredients that contribute to this necessary national strength to do the job before us is that of a strong energy base.

Today's world depends more and more on inanimate energy as a means of making available to all peoples the sinew for making more and better things for more people at a reasonable cost.

This is true in America as well as the rest of the world.

In America more than 75 percent of this important energy base is dependent upon petroleum—petroleum that comes from 32 of our 50 United States.

I am pleased to note that one of the greatest sources in America for this vital commodity—and energy source—is the Rocky Mountain area. Tops in oil and gas production in this area is my own State of Wyoming. In fact, Wyoming now ranks seventh in production of oil and gas among the 32 states having petroleum production.

Wyoming recorded its first production of petroleum back in 1894, having produced 2,000 barrels during that year. In contrast to this in 1963, we reached our peak thus far and produced 144,407,000 barrels of crude oil. Since 1894, Wyoming has produced petroleum valued at $6,000,000,000, and in 1966 alone, the production of oil and gas in my State amounted to $350,000,000.

Today over 10,500 employees, a significant percentage of our state's population, are dependent directly on the search for, production, and marketing of petroleum and its products.

This is a most important factor in the economic welfare of the citizens of my State, as well as the Rocky Mountain area and the nation as a whole.

Now, what has brought this about? Was it the need for petroleum—not necessarily—many parts of the world need petroleum and still don't have it. Was it the fact we had potential petroleum reserves? Not necessarily, because today and for a long time, there have been, and are, many potential areas all over the world capable of finding and producing petroleum. Then, what is the reason? There are many reasons, among which is the know-how and the venturesome spirit of the American citizen. But most important of all is the incentive for men to risk much in the hope of success.

Foremost in the creation of this necessary incentive is percentage depletion which was written into this nation's tax laws over forty years ago after Congress had thoroughly studied the problem.

In 1926 Congress set a 27½ percent depletion rate for oil and gas and a percentage depletion rate for almost a hundred different minerals since that time in an effort to encourage the discovery and development of the basic and vital minerals which this country needs.

From first-hand knowledge, I know what these important tax provisions have meant to my State, my Rocky Mountain Region and my country.

I think the importance of this vital tax provision can be summed up by saying percentage depletion has helped to establish and maintain the United States as the world's greatest producer and user of petroleum products. Reduction in the effectiveness of this time-tested tax provision would weaken the petroleum industry and result in an impairment of our national security and add increased burdens on the consuming public through increased prices.

I hope and trust that throughout this 90th Congress we will not lose sight of these important facts.

REDUCTION OF THREAT TO SEASHORES RESULTING FROM RELEASE OF OIL AND OTHER SUBSTANCES BY TANKERS AND OTHER VESSELS

Mr. MAGNUSON. Mr. President, as I stated earlier in the day, when the Senator from Rhode Island [Mr. Pastore] and others were discussing this matter, the Committee on Commerce has informally drawn up two pieces of proposed legislation for appropriate reference which I shall introduce at this time which will aid in reducing the threat to our Nation's seashores resulting from the release of oil and other substances by tankers and other vessels.

Mr. President, the *Torrey Canyon* disaster of a few short weeks ago is still fresh in our minds. We have seen the beaches and shorelines of Cornwall in the United Kingdom polluted and economically damaged. We have witnessed destruction of water birds and fish along that beautiful coastline. We are presently witnessing the contamination and destruction of the oyster beds along the French coast. All of these coastal areas will, in addition, suffer a large loss of tourist trade during the coming vacation months. Economic losses attributed to the *Torrey Canyon* grounding will run into the billions of dollars.

While the oil from the *Torrey Canyon* is still spreading along the French coast, we have received reports this week of oil slicks off our own east coast, including actual oil pollution of the beaches of Cape Cod. This morning's Washington Post contains a front page picture which vividly portrays the damage to our wildlife along this important section of the New England coast.

In the past, portions of the Nation's west coast have also been contaminated by the release of large quantities of oil. In March of 1964, for example, an oil barge broke loose from its towline and ran aground near Moclips, Wash., causing widespread damage when its oil cargo was released.

I understand from reports by the Coast Guard that off the coast of the State of Washington there are approximately 17 tankers that have been sunk at various times, in which the oil probably has not been released. I shall obtain the exact figures. I believe this situation may exist off the shores of California and Oregon, as well as off the coast of North Carolina and South Carolina.

Mr. President, the *Torrey Canyon* disaster has brought us to realize the inherent danger which construction of large oil tankers hold for the environmental quality of our Nation's seashores and coastlines. When originally built, the *Torrey Canyon* was 810 feet in length, drew 45 feet of water and had a deadweight capacity of about 60,000 tons. Later the vessel was "jumboized" in Japan and the length was increased to 974 feet and the deadweight tonnage to 117,000 tons.

Yet, the "jumboized" *Torrey Canyon* was not a large vessel when compared to some of the modern oil tankers which are under construction in Japanese shipyards. Some of the oil tankers in the yards are nearly triple the size of the *Torrey Canyon,* running well over 300,000 deadweight tons.

But, not only are the world's oil tankers increasing in size, they are also increasing tremendously in number. Total tonnage has doubled in the last 10 years. This expansion will continue and with it will come an increasing threat of oil pollution.

Mr. President, I shutter when I think of what the calamitous effects would be if one of the modern oil tankers were to go aground or be involved in a collision while in the waters of my own State of Washington. It is difficult for me to visualize the resulting destruction of the shellfish industry in Puget Sound, the fishing industry of the Columbia River, or our beautiful Northwest recreational beaches. A large oil discharge would certainly ruin miles and miles of some of our greatest coastline. It could happen in the Great Lakes area, as well.

However, it is not just the Pacific Northwest which is vulnerable to oil spillage, it is the coastline of the entire United States. Only a few miles from Washington, D.C., is located Chesapeake Bay and I am sure that all my colleagues will realize the total devastation in those waters which would occur from a *Torrey Canyon* type oil spill. The oil would cover the entire bay.

The time has come when we must take immediate action through both domestic legislation and international agreement to minimize the potential damage which oil pollution can cause to our environment.

I intend to comment at a later date on the search for an international solution to this important oil pollution problem. But there is also much that Congress can do to protect the coastline of the United States without international agreement.

We can immediately take steps to establish a research and development effort in combating oil pollution particularly with respect to those tankers we know are sunken and lying at the bottom of waters along the coastline of the United States. There may be some technical way to reach them and neutralize their contents with chemicals. Some research should be done. The first of the bills which I am introducing today would provide the Coast Guard with authority to conduct research and development in dealing with the release of harmful fluids carried in vessels. Under this bill the Coast Guard would be authorized to develop, test, and evaluate systems and procedures to control and regulate the movement of vessels carrying oil and other petroleum products which would have a contaminating effect. In addition, the Coast Guard would be able to develop procedures to effect the collection, removal, or disposal of oil and petroleum products after they have been spilled or discharged in the high seas or navigable waters of the United States.

My second bill, the Tanker Disaster Act of 1967, will give the President of the United States the authority to alleviate or remove the threat to navigation, safety, marine resources, and the coastal economy posed by certain releases of contaminated fluids carried in oceangoing vessels. Under this act, the Commandant of the Coast Guard and the Secretary of the Department of Interior, acting jointly, would have the power to determine whether the release of fluids poses a threat within the territorial waters of the United States. If they make such a determination then the bill would require that the President be informed. The President may take measures to remove such a threat, including the destruction of the offending vessel.

Many of the sunken tankers are under the waters bordering the United States, and particularly along the Atlantic coast line. The bill would go further than similar legislation pending in the other body.

My tanker vessel disaster bill goes further than similar legislation presently pending in the House of Representatives. Under this Senate bill, the Oil Pollution Act of 1924 would be amended to prohibit the negligent or accidental discharge of oil into navigable waters. This was the original intent of the 1924 act, but it has been rendered meaningless by amendments limiting enforcement to those cases involving willful or grossly negligent discharge of oil. Any lawyer in this body knows how difficult it is to prove gross negligence.

My Disaster Act would also amend the Oil Pollution Act of 1924 by imposing absolute civil liability for damages resulting from an oil spill within the navigable waters of the United States. The resulting damages from oil discharge are potentially so destructive that the vessel discharging oil should be held liable without the need to show negligence. Both of these additions are necessary for the protection of our coastal economic interests.

Mr. President, our coastlines need protection now. No one knows better than Senators, and those who spend a great deal of time in conservation work, how much our coastlines need other protections as well.

I urge early enactment of these two vital bills.

I ask unanimous consent that the text of the two bills be printed in the Record.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Magnuson (for himself and other Senators), were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

By Mr. MAGNUSON (for himself, Mr. Cotton, Mr. Javits, Mr. Pastore, Mr. Hollings, Mr. Ribicoff, Mr. Hart, Mr. Kennedy of Massachusetts, and Mr. Muskie):

S. 1585. A bill to provide the Coast Guard with authority to conduct research and de-

velopment for the purpose of dealing with the release of harmful fluids carried in vessels:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 5 of title 14, United States Code, is amended by adding at the end thereof a new section 95 as follows:

"§ 95. Polution control

"(a) The Coast Guard shall make long-range plans for the control and amelioration of any major spillage or release of oil, petroleum products, or other contaminants, solid or fluid, into the high seas or navigable waters of the United States, whether occurring inside or outside of the territorial waters of the United States and however caused. The Coast Guard shall develop, modify, test, and evaluate systems, procedures, facilities and devices to—

"(1) control and regulate the movement of vessels carrying oil, petroleum products, and other contaminating fluids;

"(2) effect the collection, removal, or disposal of oil, petroleum products, or other contaminating fluids either after they have been spilled or otherwise discharged into the high seas or navigable waters of the United States or if, because of hazard suffered by the vessel, spillage or discharge is threatened or imminent;

"(3) reduce, insofar as possible, the contaminating effect or influence upon the seacoast of the United States, its territories and possessions, and the resources over and upon the Continental Shelf of the United States caused by a major discharge of oil, petroleum products, or other contaminating fluids transported in vessels; and

"(4) provide for adequate warning to any area of the United States which may be threatened with harm from the results of a major discharge, oil, petroleum products, or other contaminating fluids into the high seas or the navigable waters of the United States.

"(b) Contracts may be entered into under this section without regard to section 529 of title 31, United States Code."

Sec. 2. The analysis of chapter 5 of title 14, United States Code, is amended by adding at the end thereof the following new item:

"95. Pollution control."

By Mr. MAGNUSON (for himself, Mr. Javits, Mr. Pastore, Mr. Ribicoff, Mr. Kennedy of Massachussetts, and Mr. Muskie):

S. 1586. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Tanker Disaster Act of 1967."

Section 1. Whenever, as a result of marine disaster within or without the territorial waters of the United States, an oceangoing vessel shall release substantial quantities of fluids or other substances, which may tend to contaminate the oceans or the shoreline or the atmosphere, the Commandant of the United States Coast Guard and the Secretary of the Department of the Interior, acting jointly, shall have the power to determine whether such release of fluids or other substances poses a threat within the territorial waters of the United States to navigation, safety, marine resources, or the coastal economy, and if the Commandant and the Secretary do determine that such a threat exists, they shall so inform the President.

Sec. 2. The President, upon being informed by the Commandant of the Coast Guard and the Secretary of the Department of the Interior that a threat to navigation, safety, marine resources, or the coastal economy does exist, may take measures to remove or alleviate said threat. In removing that threat, the President shall have the power to take such steps as he may deem necessary, within or without the territorial waters of the United States, including the destruction of the offending vessel and its cargo.

Sec. 3. The President shall immediately take such steps as he may deem advisable to promote international agreements and conventions for the purpose of alleviating the dangers to navigation, safety, marine resources, and coastal economies caused by the release of hazardous substances as a consequence of marine disasters on the high seas.

Sec. 4. Section 2(3) of the Oil Pollution Act, 1924 is amended to read as follows:

"(3) 'discharge' means, except for the purposes of section 6, any accidental, negligent or willful spilling, leaking, pumping, pouring, emitting, or emptying of oil;"

Sec. 5. The Oil Pollution Act, 1924 is amended by redesignating sections 6 and 7 as sections 7 and 8, respectively, and by inserting after section 5 a new section as follows:

"Sec. 6. (a) Any person who discharges or permits the discharge from any boat or vessel of oil by any method, means, or manner into or upon the navigable waters of the United States or the adjoining shorelines of the United States shall be liable for any damage caused by such oil.

"(b) For the purpose of this section 'discharge' means any spilling, leaking, pumping, pouring, emitting, or emptying of oil, whether or not willful or negligent."

Mr. MAGNUSON. Mr. President, I am joined in sponsorship of the bills by Senators who are not members of the committee itself; namely the Senator from New York [Mr. Javits], the Senator from Massachusetts [Mr. Kennedy], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pastore], and the Senator from Connecticut [Mr. Ribicoff].

Mr. President, I can assure Senators that the Committee on Commerce will proceed expeditiously in this matter.

Mr. HART. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am happy to yield to the Senator from Michigan who has a very pertinent question to ask as to whether the bills cover the Great Lakes area. I am sure that they do, because we are talking about navigable waters of the United States. If they do not cover it, it will be. We will see that the bills include the proper language so that the Great Lakes will be covered. Especially there, it could be even worse, because the Great Lakes do not have any tides.

Mr. HART. I am grateful to my friend, the Senator from Washington, for anticipating my question. I knew that he would sense immediately the concern of the people in the Great Lakes area over this problem, and I am delighted that he has shown such fine leadership in this field.

I, too, should like to be a cosponsor of his bills.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the Senator from Michigan [Mr. Hart] be added as a cosponsor to these two bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. The fine people in the Great Lakes area have a much larger problem than we who live on the seacoasts, because of the lack of tides. This is a problem which we must take a look at, I think particularly because of the building of huge tankers of 300,000 tons deadweight. They are tankers which hardly any dock of largest size can take. They call them jumboized—they take a smaller tanker, spread it out, and put all these tanks in between.

I saw my friend from Oklahoma in the Chamber. I do not know how much research the oil industry has done, but it is possible chemically to neutralize oil and petroleum products with the right kind of chemicals. I am sure that research is being carried on today in the great chemical plants in West Virginia on this problem. It would be disastrous to let this problem go unchallenged.

Mr. President, I ask unanimous consent that the name of the Senator from South Carolina [Mr. Hollings] be added as a cosponsor to these two bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE LATEST PROPOSAL BY SENATOR LONG OF LOUISIANA

Mr. GORE. Mr. President, the amendment to the pending bill introduced yesterday by the distinguished junior Senator from Louisiana proposes to add a new title to the bill before the Senate. From such limited opportunity as I have had to study the amendment, it would appear that its purpose is to reenact, effective July 1, 1967, a somewhat amended version of the Presidential Election Campaign Fund Act, which the Senate voted on last Thursday to repeal, effective July 1, 1967.

In offering the amendment, the junior Senator from Louisiana obviously seeks to reverse or circumvent the action of the Senate when it adopted the amendment of the Senator from Delaware as modified. Though this raises questions concerning the finality of action taken by the Senate during deliberations on a bill, the junior Senator from Louisiana is entitled by such parliamentary procedure as may be available to him, to seek to prevail on this issue. It does seem to me, however, that in the interest of orderly procedure and in the interest of the orderly transaction of legislative business, the Senate may wish to consider the advisability of returning again and again to an issue already decided by a rollcall vote involving 90 Senators.

There has been little opportunity for Senators to study or read the pending amendment. An issue so complex, particularly from the standpoint of legislative drafting, as is the subject of campaign financing, requires and deserves the most deliberate and painstaking study of the language used.

From my initial study of the newly proposed Long act, it would appear that the bill now proposed is in some respects a modest improvement of the act which was passed so hastily and so unwisely last year, yet the major inherent defects of the Long act of 1966 are retained in the proposal now offered by the junior Senator from Louisiana. While much more study would be required to determine the precise effect of some of its provisions, I wish to call to the attention of the Senate the following:

First. The measure now offered continues the taxpayer checkoff approach contained in the act which the Senate has voted to repeal. There has already been considerable debate on this point. In my view, such an approach is unsound, unwise, and unworkable. It constitutes a dangerous precedent which, if extended to other programs, would seriously undermine the function of the Congress in determining the level of authorization for programs and the congressional appropriations process. The expense involved in examining 70 million tax returns, together with other expenses of administration, is a matter upon which we have no estimates, but which surely would be disproportionate to the sums involved. I note also that the pending measure reverts to $1 per taxpayer, although the Senate voted last week to reduce the amount to 50 cents per taxpayer for the 1968 elections.

Second. Under the pending proposal there would be no ceiling whatever on the amount that could be spent in the presidential campaign. Up to $30 million would be available to each major party for certain expenses listed in the amendment. In addition, this $30 million could be augmented by whatever amounts that might be raised and spent from private contributions by individuals or organizations not under "control" of the presidential candidate. Last week I called to the Senate's attention that this kind of so-called restriction would be an even bigger loophole than is the provision of the Corrupt Practices Act relating to senatorial and congressional campaigns. That act provides that a candidate must report all contributions received by him or "by any person for him with his knowledge or consent, from any source, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election * * *." This is a farce, because candidates invariably simply have no specific knowledge of contributions to pay for television programs on which they appear. Under the pending amendment, the expenditures would be outside the so-called restriction as long as the candidate had no "control" over the organization, and lack of "control" is very easy to manage.

Thus, there is no real effective prohibition against privately financed expenditures, even for the purposes listed in the amendment. There is no prohibition whatever against the soliciting, receipt, and expenditure of private contributions for purposes other than those listed in the amendment. Incidentally, the items specified in the pending amendment are similar to those contained in the amendment previously offered by the Senator from Connecticut, except that it does not include salaries for campaign personnel and overhead expenses for maintaining headquarters, including headquarters in State and local areas, as did the amendment of the Senator from Connecticut.

Third. The pending amendment contains no limit whatever on the amount that may be raised and spent from private sources in the conduct of a presidential campaign. It contains no safeguards concerning the solicitation of funds from questionable sources or in questionable amounts from what otherwise would be a legitimate source of campaign funds. Conduct of a presidential campaign under the pending amendment would inevitably involve the commingling of public and private funds. All of the evils now associated with the financing of presidential campaigns would be continued and, in fact, compounded by the availability of up to $30 million for each of the major parties.

Fourth. The amendment contains no limit whatever on the amount which any individual or group might contribute to a presidential campaign. This is one of the basic defects of existing law which would be continued, intact, under the pending amendment.

Fifth. Under the pending amendment there are no safeguards whatever concerning the expenditure of funds received from private contributions. With the availability of up to $30 million in tax funds a party might solicit and raise funds sufficient to pay all its campaign expenses including those which are actually paid from public funds. The party could thus wind up the campaign in the happy circumstances of a substantial surplus of money in the bank, with such funds available to finance such activities as the party bosses might deem desirable for the ensuing three years until the next presidential election, including expenses associated with the next national convention and activities related thereto.

Sixth. The pending amendment contains no guidelines or criteria from which those administering the law could determine whether a given expenditure was associated with the presidential campaign, a campaign for some other office, or both. Thus, if a presidential candidate made an appearance at which his party's candidate for Senator, Congressman, Governor, or sheriff appeared on the same platform, the question would arise as to whether expenditures associated with that appearance qualified for reimbursement from public funds. I am frank to say it would be most difficult to isolate completely a presidential campaign from other campaigns conducted in the same election. Indeed, I question whether it would be advisable for a presidential candidate to run his campaign in a vacuum, so to speak, disassociating himself from all other candidates of his party. This illustrates, Mr. President, the difficulties which are encountered when one undertakes to approach the question of campaign financing on a piecemeal basis. It really makes no sense to try to legislate in the area of presidential campaigns while leaving completely untouched all the questions that cry out for reform in the law as it relates to campaigns for other Federal offices.

Seventh. The pending amendment does not resolve in any way the serious questions raised by many Senators during debate over the past 2½ weeks about the danger of centralized control of political party structure in this country. Under the pending measure political party leaders in Washington would have available not only up to $30 million of tax money but also whatever unlimited amount they could raise privately. The availability of tax funds for basic expenses for the presidential campaign would give to such political leaders almost complete freedom to use privately raised funds to influence the campaigns of Senators and Members of Congress whom these leaders might select for favor or disfavor. For that matter, such funds, raised nationally, would be more readily available even to influence a race for mayor or sheriff. As has been pointed out earlier in the debate, the availability of funds in amounts without any practical limit would give tremendous power to those in a position to allocate or expend them. This would pose great dangers to our presently decentralized political party structure.

Eighth. The pending amendment suffers from the inherent defect of the act which the Senate has voted to repeal in that it does not undertake general reform of existing law in the area of campaign contributions and expenditures. When all has been said that can be said about the pending amendment, if its provisions should become law, the practices which are now prevalent with respect to the soliciting, the contributing, and the expenditure of campaign funds would be unaffected. There would still be no effective limit on how much could be given, how much could be received, how much could be spent, for what it could be spent, where it could be spent, or when it could be spent. Should the pending measure become law and become operative, all we would have done really is to provide up to $30 million to each major political party from public funds for use in addition to whatever amounts can be raised privately.

Ninth. As a matter of particular interest to the members of the Appropriations Committee, I note that the proposal contains a permanent appropriation, in such amount as may be determined by individual taxpayers and those who spend the money.

Mr. President, I emphasize once again that basic reform is urgently needed. If this reform is to be achieved, it must be accomplished in the same measure in which the use of public funds is authorized. If we start writing checks without first legislating reforms, we simply will not achieve those reforms. This is why I believe so strongly that the Long Act of 1966 was a step backward instead of a step forward; this is why, among other reasons, I believe it made matters worse rather than better; this is why I fought against its enactment and why I have fought for its repeal. These reasons apply equally strongly to the measure now offered by the junior Senator from Louisiana.

Mr. President, the foregoing observations are based upon a very limited opportunity to study the amendment offered by the junior Senator of Louisiana. It is, as I have said, somewhat different in some details but quite similar to the measure the Senate approved without adequate study last year. The Senate has spent 2 weeks undoing that mistake. With the offering of the pending amendment, we are right back where we were last October. The Senate has a bill before it which has received no committee consideration, which deals with a subject as complex as it is important, and which the Senate ought not in my view to act upon without the fullest study and consideration possible. This is simply a matter upon which we ought not to undertake to write law on the floor of the Senate.

ADDRESS BY SENATOR BARTLETT BEFORE REGIONAL MEETING OF ASSOCIATION OF LOCAL TRANSPORT AIRLINES

Mr. MAGNUSON. Mr. President, in a recent speech before a regional meeting of the Association of Local Transport Airlines, the Senator from Alaska [Mr. BARTLETT] made some important points in the debate on the expansion of East-West trade. He rightfully, I believe, calls for a more flexible policy which will "encourage these nations to act as individual countries."

I ask unanimous consent that the complete text of these important remarks by the distinguished Senator from Alaska be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD as follows:

THE YEAR 1967—A BENCHMARK IN HISTORY

(Address of Senator E. L. "Bob" BARTLETT, at spring quarterly regional meeting of the Association of Local Transport Airlines, Phoenix, Ariz.)

It was Joyce Kilmer who wrote that life is a highway and its milestones are the years.

To carry that thought a bit further, some milestones are more important than others. They are benchmarks in the highway of history, observing an anniversary of the past or making important new departures.

Nineteen sixty-seven is one of those years. It is the 10th anniversary of the founding of the Association of Local Transport Airlines, and even more important, it is the year the CAB has proposed new nonstop authority on high density routes served by ALTA members.

If I may be excused a bit of parochial pride, it is the year of the Alaska Centennial.

In Alaska it is also the year of the consolidation of airlines.

The consolidations involve five members of the association. To review the proposed mergers, Northern Consolidated Airlines and Wien Alaska Airlines will combine to form one company, and Alaska Coastal and Cordova Airlines will merge with Alaska Airlines.

As in all things, there is more than one way to look at these consolidations. I am not familiar with ALTA's rules considering payment of dues, but I suppose the loss of three members might cut the association's budget—don't cry Joe—or result in an increase in dues. This obviously would be a negative reaction to these moves, and as misleading as an interpretation that because ALTA has three fewer members the local transport airlines industry must be in a bad way. But you and I know differently. In the 10 years of ALTA's existence transport revenues, not counting subsidies, of the 21 firms now in ALTA have climbed from $69 million to $300 million. Passenger miles have jumped from 821 million to 3.3 billion.

Clearly, the local transport airlines industry is healthy, growing and modernizing. Where their firms once flew principally DC–3s, they are now in the jet age with such planes as F–27s, Convairs, and Boeing 727s.

In Alaska, the state where everyone flies, it would be most surprising if local airlines were not experiencing similar growth. Well, I have no surprises for you on that score. The air industry in Alaska is healthy, growing and modernizing. The correct way to look at these consolidations is that they will speed growth and modernization of the airlines involved, and that is good for Alaska and for all local transport airlines.

However, progress does have its victims. New highways replace old landmarks. Mileposts of the past fade from memory, obscured by the changes of present.

At one time, medical supplies were rushed to remote areas in Alaska by dogsled. Today they are flown in by scheduled airlines and by bush pilots.

At one time, bush pilots were responsible for most of the transport miles flown in Alaska. Now, while the bush pilots are still most important to the transportation industry in Alaska, most of the flying public is served by regularly scheduled airlines.

Gone are the days when a man could assemble a World War I plane, equip it with floats, teach himself to fly and then form his own air transport company. That's how Shell Simmons, president and chairman of the board of Alaska Coastal Airlines, got into the business.

Gone are the days when the head of an airline, who doubled as pilot and what have you, could enlist the aid of four passengers for two days of shoveling snow off a runway so the plane could take off and then collect their full fares when reaching the final destination. I don't think you can find customers like that any more, but that is a true story about Merle K. Smith, chief executive officer of Cordova Airlines.

I think it is interesting to note that most of Alaska's local airlines grew out of bush-pilot operations. For example, Alaska Coastal is the result of the consolidation, purchase or merger of nine separate bush pilots and scheduled airlines. The merger of Wien Alaska and Northern Consolidated brings together two other former bush pilots —Sigurd Wien and Raymond I. Peterson. So if some of the milestones forged in the past by these men are obscured by the dust of time, these healthy growing airlines are their monuments which will continue to mark the highway of history in Alaska.

I am convinced, too, that a bright future awaits all members of this association. The need for swift and convenient transportation will grow as our population grows. There will always be an important place in this nation's transportation picture for local airlines, serving the public along with long-range airlines and modern mass transit systems. I wish I could be as certain that the future included a modern merchant fleet, but any of you familiar with the hearings I conducted this week would, I'm sure, share my uncertainty if not my concern over the future of this nation's merchant marine.

I am not about to belabor this audience with a discussion about the poor condition of that portion of this nation's highway to history which stretches over the seas. However, before moving on, I do want to say that the question of the future of our merchant marine is of national importance, of importance to you as part of an effort to build a well-balanced transportation complex. Transportation is a form of communication, and air travel, even as modern telephones, radio and television, has helped draw together the many sections of this large nation, has helped bring a unity of purpose among our people. In the face of a number of bitter debates now raging in the nation I do not want to overdraw the concept of unity of purpose, but I think that behind these disputes, which have more to do with means than ends, the great majority of Americans share common aspirations and goals. This is not true of all nations, has not always been true of this one, but the mobility of our population and our communications, has helped alleviate misunderstanding among the various regions of this country.

A well-balanced transportation industry also can help alleviate misunderstandings among nations—through trade and tourism.

For just a few minutes I would like to discuss the concept of trade among nations, particularly among nations on opposite sides of the so-called iron-curtain. I say so-called, because I believe that old curtain is rusting a bit.

Let's return a moment to my opening figure of speech. I said that 1967 was one of those benchmark years in history which observes an anniversary of the past or marks important new departures.

Nineteen sixty-seven has already seen what may be an important departure in cold war relations—ratification of the consular treaty with the Soviet Union. This treaty was opposed strongly and sometimes hysterically by certain groups. I do not question the right to dissent, but I do regret that too many of them sought to confuse the question with irrelevant or untrue statements. This treaty is not of major importance, but it can be a small step, a start in easing world tensions.

Because of the nature of the campaign launched against the consular treaty, I will not be surprised to see a similar campaign directed at the East-West trade relations bill, a proposal designed to help build bridges between East and West, to help construct a highway which leads to understanding among people and nations. If we can make such a start this year, then 1967 will truly be a benchmark in history.

My intent tonight will not be so much to persuade you one way or the other, but to discuss the issue, for it is important that men such as you, leaders of an industry which thrives because travel and trade are economically and educational profitable, should be aware of what the proposal entails.

Briefly, the bill authorizes the President to enter into commercial agreements with certain communist countries when such agreements will be in the national interest. The bill outlines some of the benefits we might hope to obtain from such agreements, including protection of industrial rights and processes and satisfactory settlement of financial and property claims. No agreement could run longer than three years, which rules out any long-term credit which might be construed as aid rather than trade. The bill prohibits any agreements with Red China, North Vietnam, North Korea, Cuba or the Soviet zone of Germany. It also prohibits any transactions involving material controlled by the Export Control Act of 1949 and the Mutual Defense Assistance Control Act of 1951.

There are several facts of international life which must be recognized in judging the effect and purpose of this act.

First, refusal of the United States to deal with the communist governments of eastern Europe will have little effect on the economic development of those nations. If those nations do not get what they want through trade with this country they will get the goods from other western nations. So actually, the principal result of a no-trade policy with the communist nations of eastern Europe is a denial of markets to U.S. businessmen.

Another fact that should be recognized is that the amount of trade between the United States and the countries in question probably will not be a substantial percentage of the foreign commerce of any of the parties involved, although the economic value of East-West trade potential should not be dismissed. However, the main reasons for building bridges through trade are political.

I do not mean we should expect great political changes in these nations because of any trade agreements reached. Rather, I mean we must answer two questions:

One, do we want to do all we can to encourage independence among the communist nations of eastern Europe?

Two, do we wish to continue an unsuccessful policy which adds more strain to our already difficult relations with the governments of western Europe?

Let me answer the questions in order.

If by some chance we could impose meaningful restrictions on all East-West trade, which we cannot, we would force the nations of eastern Europe to seek even closer economic ties with the Soviet Union., We would in fact, be working to strengthen the so-called Soviet monolithic bloc. Clearly, that bloc is cracking. Recently Yugoslavia has taken further steps in decentralizing her government, another move away from the Soviet way of government. I, for one, think such moves are in the interests of this country and should be encouraged.

As for my second question, it has been shown that despite the policy of the United States, western Europe is going to trade with the Soviet Union and eastern Europe. By seeking to limit that trade we merely add one more item to the already too long list of disagreements we have with our allies in western Europe.

It seems to me that what we need in the area of East-West trade is a policy which gives this nation a degree of flexibility in reaching and suspending trade agreements and a degree of flexibility in reaching different agreements with different nations.

I do not believe we should do more than establish normal trade relations. There is no need to consider long-term agreements. Our government should have the authority to make such agreements not just for the sake of such agreements, but when they are in the national interests. Our government should have the authority to suspend such agreements for good reasons, such as failure to protect American property. And certainly our government should have the authority to establish, for example, one policy toward the Soviet Union and another toward Yugoslavia, for what we are trying to do is encourage these nations to act as individual countries.

Perhaps I have strayed too far from my opening sentences, but it is important that you people, leaders of a growing transportation industry, consider the question of East-West trade. For you, 1967 is a benchmark year in history in that it marks the 10th anniversary of ALTA and holds promise for better routes. With the enlightened leadership of such people as yourselves 1967 can be a benchmark year for marking a new departure in our relationship with eastern Europe, for building new important bridges on the highway of history.

THE SUPERSONIC TRANSPORT PLANE—A LETTER FROM MR. C. R. SMITH, CHAIRMAN OF THE BOARD OF AMERICAN AIRLINES

Mr. MAGNUSON. Mr. President, one of America's outstanding aviation leaders wrote me the other day. He spoke for his company, its stockholders, its passengers and, in fact, for our Nation.

He is C. R. Smith, chairman of the board of American Airlines. He discussed the supersonic transport plane. He wanted to know how soon his airline could obtain the plane and fly it so America's aviation superiority might be maintained.

I ask unanimous consent to have printed in the RECORD Chairman Smith's letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN AIRLINES,
New York, N.Y., March 31, 1967.

Senator W. G. MAGNUSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON: I hope that you will vote for a "go ahead" when the program for the development of the United States supersonic prototype comes before the Senate. The reasons for this recommendation are these:

It is no longer debatable that we will soon have supersonic air transportation. The question is the extent to which the United States will participate in this new development and benefit from it. The British-French have a government-sponsored supersonic airplane on the assembly line and it will be flying soon. The Russians have announced a similar government-sponsored transport and predict that it will be flying at least as soon as the British-French model. There is reason to believe that the Russians will have their airplane; they have the basic capability to design and build it, they have incentive to do so and their announcements in the past about air and space plans have usually been followed by performance.

Russia has been given authority to operate its airline to the United States. Both the British and the French have long had such rights. We should anticipate that British-French and Russian supersonic airplanes will be operating from Kennedy Airport before a United States airplane is available.

International air transportation is highly competitive. It directly affects the economy and the prestige of the nations involved. The air carriers of the United States must be able to operate supersonic airplanes if foreign-flag airlines do so. If the United States carriers cannot buy airplanes built in the United States, they must, for competitive reasons, buy them elsewhere. If this comes about, we lose both prestige and dollars. We also lose employment for our skills and work for our people.

We should be concerned about our position in world aviation. The United States has usually been first in the production, use and sale of better airpaines. In the main, the airlines of the world, although they are usually owned by the nation whose flag they fly, are now equipped with airplanes built in the United States. The United States is the world leader in aviation today. We became the leader because we were willing to lead. We have not hesitated to build, use and sell better airplanes once it has been proven that they were feasible, usable and salable.

Will the United States model be feasible, usable and salable? That would have been a realistic question some years ago. But, during recent years, we have devoted our attention to the potential of supersonic air transportation; we have worked hard and learned much. There is now no reasonable doubt that the United States has the technology needed to design and build the best supersonic airplane; no other country in the world has quite so much knowledge, skill and experience. We hesitate, not because we doubt our ability to produce, but because the investment will be high.

There may be nostalgic value in recalling the time when aircraft development programs cost much less. But, now, we are in a different league. If we want to retain leadership in aviation, in competition with other governments willing to support supersonic development, we must be willing to make the necessary investment.

It has been suggested that we might reduce our risk if we would be willing to settle for a Mach 2 airplane, believing that the total of the unknowns would be smaller. We know, of course, that the number of the unknowns has been steadily diminishing during recent years. Much of the mystery in designing a suitable supersonic airplane has already gone down the wind tunnel. An efficient, economic Mach 3 airplane can be built. Experts in the service of the government believe this and say so. Competent manufacturers are willing to share in the risk of the project. Experienced airlines expect to operate supersonic airplanes and they have protected delivery positions with substantial deposits.

We would increase our risk with a Mach 2 airplane, rather than decrease it. We would be extending the frontiers no farther than airplanes now under way. Our Mach 2 airplane would compete directly with other Mach 2 airplanes and we would have little advantage to offer. More important, the Mach 2 airplane will be obsolete much earlier than the Mach 3 airplane. There is little merit to a proposal that we rest at Mach 2 because other nations are willing to do so. They may be reaching the limit of their technology; we are not. If we stop at the intermediate point, we dissipate our superior technology and surrender our leadership.

Another way to reduce the risk, it is said, would be to build the new airplane of aluminum, because more is known about working aluminum. This would, in itself, reduce our airplane to Mach 2 because that is the limit for aluminum. A decision to prefer aluminum, if made several years ago, might then have been tenable, although it would have turned out to be wrong. But a decision now for aluminum would not be tenable; we can build a better airplane and should do so.

Titanium is a superior metal. It has many advantages, including better heat resistance and better resistance to corrosion. With titanium the airplane can be lighter, although no less strong, giving us an increase in payload, which can be translated either into more range or more passengers, or both. Those who believe that we should "go back" to aluminum are just not well acquainted with what can be done with a better metal. We have learned to work titanium; there are few mysteries remaining. Military machines built of titanium prefer aluminum, if made several years ago, several years. The supersonic airplane, with its problem of heat production, must be designed for titanium.

There are hesitations in other areas. Some would be willing to support the project if they were promised that it would go slowly, learning as we go, as they put it. There is a mirage of appeal in a stretched-out program because annual appropriations might be smaller. We should realize, however, that this program has already been delayed. There is no justification for a planned slowdown.

We want this to be a good airplane, able to earn its way and repay its investment. To get that, we must have a fair total cost. The Air Force learned, long ago, that there are two methods which will certainly add to total cost. One is to slow down the development and stretch it out. The second is to insist on an "accelerated" or "crash" program. There is no need for us to make either of these mistakes.

What about the sonic boom? Nearly everyone who knows anything about airplanes is willing to discuss the sonic boom. That willingness may more often be found among those who have chosen to take a position against the program; it is a subject upon which strong convictions can be expressed without certainty that they will be successfully contradicted.

No one really knows enough about the boom. There will be a boom and it will bring problems. But actual experience with booms produced by large, fast airplanes is confined in the main to experience with the B–70. Only three of these airplanes have been produced and their total flying time is not much.

For the sake of discussion, let's assume the pessimistic point of view. Assume that the problem of the boom will not permit the Mach 3 airplane to operate at that speed over populated land areas. If so, that would reduce its immediate area of opportunity to the overseas routes, water routes, with the land portion at subsonic speeds.

Even with this hypothetical limitation, we still would know that other nations will be operating supersonic airplanes on their routes. If we intend to operate on the same routes with a fair opportunity for competition, we must also have supersonic airplanes. We then come back to the earlier conclusion, that supersonic air transportation is relatively "just around the corner." The principal question remains, to what extent do we intend to participate?

Aside from direct dollar economics, airplanes built in the United States have been "showing the flag" along the air routes of the world for a long time. These airplanes speak of industrial efficiency and of products of good quality. They affect the image of the United States and affect it favorably. This contribution to national prestige needs to continue.

Finally, this is the land of private enterprise. Why cannot the United States manufacturers and the airlines get together and finance the airplane without government aid?

Mathematically, it becomes obvious upon examination that total resources available to the United States firms are not sufficient to bear the risk of the enterprise. But there is more. Both the British-French and the Russian airplanes are government enterprises. The government provides the capital and takes the risks. The manufacturers and the airlines of the United States are efficient and relatively strong. But they are not strong enough to compete with the national treasuries of other governments without aid from their own government.

Unless the United States Government is prepared to participate in the development program, in a very substantial way, we have the prospect that other countries will have a supersonic airplane but we will not have one.

Sincerely yours,

C. R. SMITH,
Chairman of the Board.

ORIENTAL EXPORTERS, INC., EVIDENCES CONFIDENCE IN THE FUTURE OF THE AMERICAN MERCHANT MARINE

Mr. MAGNUSON. Mr. President, I was extremely pleased to read in the Journal of Commerce of April 17, 1967, that Oriental Exporters, Inc., one of the leading operators of American-flag bulk carriers and tankers, has evidenced its confidence in the future of the American merchant marine by placing orders for the construction of two 37,000 deadweight tankers with Bethlehem Steel Corp. These vessels will be built without construction-differential subsidy. Applications for title XI construction loan and mortgage insurance are now pending before the Maritime Administration.

The article announcing this new construction, in the Journal of Commerce, is as follows:

BETHLEHEM GETS ORDER FOR TANKERS

Oriental Exporters, Inc., one of the leading operators of privately-owned U.S. flag bulk-carriers, and Bethlehem Steel Corp., announced at the weekend an agreement covering the construction of two 37,000 deadweight ton tankers to be built at Sparrows Point, Md., yard.

Michael Klebanoff, vice president of Oriental Exporters, and Aniel D. Strohmeier, vice president of Bethlehem in charge of shipbuilding in making the joint announcement said that the agreement is covered by a letter of intent and is subject to the U.S. Maritime Administration approval for Title XI insurance on construction and mortgage.

DELIVERY SLATED FOR 1969

The tankers are to be owned by Wabash Transport, Inc., and Willamette Transport, Inc., affiliates of Oriental Exporters. Mr. Klebanoff is president of the two corporations.

Scheduled for delivery in 1969 the two single-screw tankers will feature advance design with the bridge aft. They will have an over-all length of 660 feet and beam of 90 feet and will be powered by steam turbines developing 15,000 horsepower capable of providing a service speed of better than 16 knots.

The Bethlehem yard also has on order four other ships of similar design and size—three of them for companies in which Maritime Overseas Corp. acts as managing agents and brokers.

COSTING MILLIONS

Although no official price for the ships has been confirmed industry sources estimate that each should cost in the neighborhood of $11 million.

Although none of the tankers are believed to have a specific charter arrangement at this time, the government's Military Sea Transportation Service usually shows a preference for petroleum carriers in the 30,000-ton class owing to limited draft conditions at most U.S. sea-based facilities.

Oriental Exporters also operates a 36,000-ton U.S. flag tanker the Connecticut, and serves as agent for the NSA, the government agency handling reserve ships.

Bulk Transport Inc., an affiliate of Oriental Exporters, recently was awarded a C-4 troopship by the government, and the vessel is presently being converted to a cargo ship.

This is a rare case where a company engaged in this activity has decided to build American and fly the American flag. They are to be commended.

Mr. MILLER. Mr. President, I believe it is particularly applicable to draw attention to this report because of the action taken by the Senate this afternoon in adopting the amendment of the Senator from South Dakota [Mr. MCGOVERN] relating to meat and meat products.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. LONG of Louisiana. Mr. President, with reference to the Proxmire amendment, I have asked that certain charts be brought into the Chamber to demonstrate the problem as I see it.

First, some persons have the impression that oil companies do not pay as much in taxes as do other industries. One of the charts in the rear of the Chamber is entitled "Taxes on Oil." I ask unanimous consent that a facsimile of the chart be printed in the RECORD to show the amount of taxes that the oil companies pay.

There being no objection, the facsimile was ordered to be printed in the RECORD, as follows:

Yearly taxes on oil

[In millions]

Direct taxes:	
Federal income	$490
State taxes	630
Local taxes	480
Other	400
Total	[1]2,000
Excise taxes	6,500
Total taxes	8,500

[1] 5 percent of total revenue.

Mr. LONG of Louisiana. Mr. President, the important point is that oil companies pay $490 million a year in Federal income taxes; $630 million a year in State taxes; $480 million a year in local taxes; and $400 million a year in other taxes; a total of $2 billion, or 5 percent of their total revenue.

That is the amount, or is almost the amount, of taxes that the average manufacturing industry pays. So the oil industry is not a lightly taxed industry; it is a heavily taxed industry. It is taxed as heavily as manufacturing industries.

Some companies pay most of their taxes as Federal income taxes. The oil companies pay the biggest portion of their taxes as State taxes. Those who would raise the Federal income tax on oil companies seldom point out that this industry is particularly vulnerable to State and local taxes, because it must pay taxes to a State in order to produce the oil that is in the State.

As one who has worked with State legislatures in years gone by, I have urged that the eyeballs be taxed off companies operating in Louisiana because they had money, and Louisiana was a relatively poor State and had to get the revenue. I see the Senator from Oklahoma [Mr. HARRIS] nodding in agreement. Oklahoma did the same thing. Oklahoma did not want to tax everybody, but it was necessary to have money, so they bore down and squeezed out every nickel they could get.

Look at the local taxes, a full $480 million. Some industries have no local taxes.

For example, the electronics industry can go to almost any State it wants to and not have to pay any State taxes, because all 50 States are competing for its location there. On the other hand, the oil industry in Louisiana is there and it is taxed 25 cents a barrel, which is approximately 10 percent of the product, and the industry must pay it whether it makes a profit or not.

The same is true of local and other taxes.

While it is true that this industry does not pay as much in Federal income taxes as some other industries do, it makes up for it by paying more in taxes to State and local governments. Somebody has to support State and local governments. If one is a businessman, looking at his profit-and-loss statement, or his report to the stockholders, he must set out the taxes. It does not make any difference to a stockholder whether the money is paid out in local taxes, State, county, city, or Federal taxes. He wants to know how much money is made after taxes, and on that basis the oil industry pays as much as the average for other manufacturing industries.

In addition, this industry carries a heavier burden on its product than any other industry does on any other product except whisky, cigarettes, and beer, all of which bear a moral connotation. Gas and oil do not, or should not. This industry carries a burden of $6.5 billion on its product in terms of excise taxes, more than any other industry other than those just mentioned. I repeat, $6.5 billion.

Some people say that this is a tax which the consumer pays. That may be, but it is a burden on the product. The reason I say that is that, the last time the tax was raised, the oil industry tried to raise its price to get back the cost of the highway tax. There was too much consumer resistance and too much competition from foreign imports, so the industry could not raise the price of its product to get back the cost of the increased tax. It had to absorb that tax.

Mr. President, I ask unanimous consent that the next chart may appear in the Record.

There being no objection, the chart was ordered to be printed in the Record, as follows:

Oil's profits—Rate of return on invested capital

[Eleven-year average, 1955–65]

	Percent
All manufacturing industries	10.6
U.S. petroleum industry	9.5

Mr. LONG of Louisiana. Mr. President, here is a chart to show the average rate of return on invested capital in the oil and gas industry and all manufacturing industries during the 11-year period 1955–65. For all manufacturing industries the rate of return after taxes averaged 10.6 percent.

Now, this is figured the way a banker looks at it, not on a basis of 27½ percent. It is figured on the cost depletion. That is the way a banker looks at it when someone goes in to borrow money and the banker has to decide whether he wants to invest the bank's money in that industry.

So, on a cost depletion basis, the petroleum industry's rate of return was 9.5 percent—less than the 10.6 percent which all manufacturing industries received.

Those figures make a poor case to show that the oil industry should be taxed more heavily, when it makes less profit than the average of all manufacturing industries.

Let us take production from 1957 through 1965. The entire industrial production went up about 66.3 percent. Employment went up 14 percent. Total sale prices went up 5.8 percent.

Now let us look at the oil industry. Crude oil prices went down 2.5 percent. Employment went down 15.3 percent. The number of exploratory wells went down 24.7 percent. So the industry is drilling one-quarter less wells today than it did in 1957–59.

The industry is suffering. This is a depressed industry.

I ask the staff members to pick up the chart on oil reserves and move it over to the chart showing the general economy.

Mr. GORE. That is where it belongs.

Mr. LONG of Louisiana. Mr. President, the reason for the oil quotas and the 27.5 percent depletion allowance is that this Nation hopes that our survival does not have to depend on the whims of Mr. Nasser and whether he is going to close the Suez Canal, or on whether the Shiek of Kuwait is going to shut off the oil supply of Kuwait, or whether the head of Arabia might decide that he likes the Japanese better than he likes Americans and terminate our concession.

We would like not to have our survival depend on a democratic government in Venezuela. In the event it might have a Communist government that would affect our survival.

That is the reason why we provided an incentive of 27.5 percent and the fast write-off. That is why we offered the incentive of some protection against oil imports.

Looking at the chart which indicates our needs and our reserves, we required in the previous 17-year period 59 billion barrels of oil reserves. We require 90 billion barrels of oil to supply the Nation's needs for 17 years.

Now let us see how the consumer has fared with respect to buying this product. If a man drove up to a gasoline station in the 1920's and bought a gallon of gas, he paid 20 cents a gallon. Today he pays about 32 cents a gallon.

Do Senators know where the difference comes? The difference is represented 100 percent by State, local, and Federal taxes. The 12-cent increase is due to the increased taxes imposed to build highways. The Federal Government has put taxes on oil products. The State government has imposed taxes. Cities have imposed taxes. They have been imposed for roads and other purposes.

If one considers the price of gasoline at the refinery gate—what the oil company gets for its product—he will find that the consumer is getting a better product, a product which has more power in it, and which is being sold at the same price as it was 20 years ago.

What other product can anyone point to which has the same record? None comes to my mind. But that product sells for the same price, so far as the industry is concerned, as it did 20 years ago. It is not the producers' fault that the Federal Government has imposed extra taxes. It is not his fault that the State has imposed a tax of anywhere from 7 to 12 cents a gallon on that product. We cannot blame the producer for the big taxes that the Federal Government, the State, and the cities have imposed on gasoline.

If we deducted the State and Federal taxes on the product, the product, which has more power in the package, would be selling for the same price that it did 20 years ago, or before World War II.

What does a working man today pay for a gallon of gas in terms of hours of work? For the average hour of work, the working man gets 8½ gallons of gasoline today. In 1956, just 10 years ago, he got 6.6 gallons of gas for 1 hour's work. In 1926 he got 2.4 gallons of gas for 1 hour's work.

Those figures include the tax. When you buy a gallon of gasoline, 50 percent of what you are paying is for taxes, not gasoline. Even so, you get almost four times as much for an hour's work today as you did back in 1926. What other industry can make that statement?

I say, Mr. President, the oil industry is not making any excessive profits. They are being taxed as heavily as the average for all manufacturing. They are making less profit. They are a depressed industry. This Senator is one of the people in the process of getting out of the oil business, just like I got out of the cattle business—I found I could find better ways to lose money.

The oil industry deserves better treatment than to be pilloried and crucified merely because, on one item, Federal income tax, they do receive considerate treatment by their Government in recognition of what their problems may be.

Mr. INOUYE. Mr. President, I send to the desk an amendment, and ask that it be read and made the pending business.

The PRESIDING OFFICER. The amendment will be stated.

The Assistant Legislative Clerk. The Senator from Hawaii [Mr. Inouye] proposes an amendment as follows:

AMENDMENT NO. 168

At the end of the bill add the following new section:

"Sec. —. Section 303(c)(2)(B) of the Presidential Election Campaign Act of 1966 is amended by striking out '5,000,000' at each place it appears therein and inserting in lieu thereof '2,000,000'."

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

Mr. LONG of Louisiana. No, no; will the Senator withhold that for a moment?

Mr. WILLIAMS of Delaware. I just wanted to find out when we were going to have a vote.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment with certain modifications, and ask that it be considered as an amendment to the amendment.

The PRESIDING OFFICER. The clerk will report.

The Assistant Legislative Clerk. The Senator from Louisiana [Mr. Long] proposes an amendment, No. 167.

Mr. WILLIAMS of Delaware. Mr. President, do I understand this is an amendment to the amendment just offered?

Mr. LONG of Louisiana. As a substitute for it. Let me explain what I have in mind here.

Mr. GORE. Mr. President, I insist that the amendment be reported.

Mr. WILLAMS of Delaware. Would the Senator withhold that for just a moment? I want to help the Senator get to a vote tomorrow, and it would be easier if we could tell the Members of the Senate that there would be a vote. I was wondering if we could get the yeas and nays ordered on the Senator's amendment so that Senators would know there will be a record vote. Would the Senator from Louisiana object to that? I thought perhaps we could arrive at an understanding on that point.

Mr. LONG of Louisiana. Mr. President, if the Senator will just permit me to talk a moment, I believe we can make better headway.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. LONG of Louisiana. That is all I am trying to do. I am not trying to breach anyone's rights at all. I promise everyone that, and I will be completely helpful in that respect.

Mr. President, the amendment I have sent to the desk has certain perfecting modifications of my own proposal, and I would prefer not to order the yeas and nays at this moment. We have a very highly competent staff on the Joint Committee on Internal Revenue Taxation, and also on the Committee on Finance, and we have available to us the extremely able assistance of the Legislative Counsel. Since the staffs and the Legislative Counsel drafted what I thought I wanted to offer as an amendment, they have studied it over, and have found certain material that I felt should not be a part of it. For that reason, I have modified the amendment. I would like for it to be printed, and to be at the desk. I would be happy to have the yeas and nays ordered at that time, before we vote on it.

Mr. WILLIAMS of Delaware. I understand the Senator wanted to vote.

Mr. LONG of Louisiana. But may I say to the Senator, I would be happy to agree to vote, and I do not think I will need to modify the amendment again before doing so; but if someone finds any technical error in it between now and noon tomorrow, I would like to have the right to modify my amendment, in the event I find I need to change a period to a semicolon, or take a word or two out, or delete something that might be in error.

Mr. WILLIAMS of Delaware. Mr. President, we would not be able to get consent to vote on an amendment if we do not know what the amendment is. I am trying to work with the Senator and expedite a vote. The suggestion has been made that we try to arrive at a vote at 3 o'clock tomorrow, and I am trying to work that out; but we cannot do so unless the Senator cooperates.

If we could get the yeas and nays ordered we could call the staffs to tell them if there is going to be a record vote on the proposal, and then Senators will know they had better get here for the vote.

Mr. LONG of Louisiana. It is my suggestion that the ranking minority member of the Committee on Finance contact his minority leader [Mr. DIRKSEN], and I would urge that the majority leader be urged to come into the Chamber, because the leadership have an obligation to protect the rights of Senators. If the Senator from Delaware is in a position to speak for the minority leader, besides himself, that will not be necessary.

Mr. WILLIAMS of Delaware. I have talked to the minority leader, and he wants to know when it will be laid down; and once it is laid down will there be a record vote or will it be withdrawn? When we know that, we can make our plans.

Mr. LONG of Louisiana. There will be a vote.

Mr. WILLIAMS of Delaware. Then we can get the staffs on the telephone lines immediately. That is the reason I asked if the Senator would not want to order the yeas and nays tonight, and then we can tell them there is to be a vote.

Mr. LONG of Louisiana. I would be willing to do it, if I might have some understanding that in the event I find there is some technical defect in my amendment that needs to be modified tomorrow, the Senator would be sympathetic toward a unanimous-consent request to modify the amendment.

Mr. WILLIAMS of Delaware. If they were strictly technical amendments I would have no objection.

Mr. LONG of Louisiana. Without changing the substance.

Mr. WILLIAMS of Delaware. But if there was a change in the substance it would be a different story.

Mr. GORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. LONG of Louisiana. If we could have that understanding, then I would be willing to have the yeas and nays ordered.

Mr. GORE. Will the Senator yield for a parliamentary inquiry?

Mr. LONG of Louisiana. I yield.

Mr. GORE. Mr. President, has the amendment been reported?

Mr. LONG of Louisiana. The amendment is the amendment which is at the desk, and is also at the Senator's desk.

Mr. GORE. I was submitting an inquiry to the Chair. Has the amendment of the junior Senator from Louisiana been reported?

The PRESIDING OFFICER. The amendment has been reported, but has not been read in full.

Mr. GORE. Mr. President, I insist that it be read.

Mr. LONG of Louisiana. Please do not do that. It is a fairly long amendment.

Mr. GORE. Mr. President, reserving the right to object to waiving the reading of the amendment, which I have sought to have done, the able junior Senator from Louisiana presented at this time yesterday a bill of 17 pages which he proposes to offer as a new title to the pending bill. My staff and I have spent considerable time analyzing that bill and studying it. I must acknowledge to my friend from Louisiana that I have found several utterly incomprehensible provisions and sections in it; evidently the typist must have picked up the wrong sheets. So it surely needed modification. But it was offered seriously as a 17-page bill, to solve our problems of election reform, 4 hours ago.

Now we have another bill of equal size introduced, and I insist that it be read. I do not want to have to wait until tomorrow morning to know what amendment is to be called up. So I object to dispensing with the reading of the amendment.

Mr. LONG of Louisiana. Mr. President, I will withhold offering of the amendment for a moment.

Mr. GORE. The amendment has not been offered, and the request has been made to dispense with the heading; and I object. The Senator may withdraw it if he likes.

Mr. LONG of Louisiana. Will the Senator be kind enough to just give me unanimous consent to respond to what the Senator said? I yielded to him to hear him talk.

Mr. GORE. Sure.

Mr. LONG of Louisiana. Mr. President, the amendment which I have at the desk is the same amendment that I presented yesterday, with these exceptions——

Mr. GORE. Mr. President, I still reserve the right to object.

Mr. LONG of Louisiana. I understand, but I am modifying the amendment to provide that a minor party would have to agree that it would not expend for the specified purposes more than a major party could get under the Presidential election fund for those purposes.

The next modification relates to minor party candidates, a third party candidate, such as former Governor Wallace or Martin Luther King or whoever it might be—if someone loaned him some money for his campaign, that person could notify the Comptroller General that this party owed him money. In the event that candidate were to secure more than 2 million votes, the person loaning him the money would, in effect, have a sort of lien against the first amount that might be coming from the fund.

The amendment would also be modified to provide that if any money remains in the presidential election campaign fund after the election, it would go into the general fund of the Treasury.

If the Senator will listen for a moment longer——

Mr. GORE. I am listening.

Mr. LONG of Louisiana. The next modification would then assure that if a single State or local committee is supporting a presidential candidate, that committee would be subject to the reporting requirement of the Corrupt Practices Act—as is the Williams amendment to the Corrupt Practices Act—but this does not apply to a State or local committee engaged purely and simply in supporting a congressional candidate.

The reason I offer that modification is that in seeking to set up a presidential campaign fund, I am not proposing to extend it or any related provisions to congressional and senatorial elections.

I am trying to do something about the presidential campaign. I am not personally trying to regulate the congressional campaigns.

I am not seeking to strike out the Williams-Gore amendment. I am merely seeking to provide what the law would be after the expiration on July 1 of this year, of the so-called Long Act. I am seeking to provide what the law would be thereafter. Under those conditions, I simply would modify the amendment in the fashion suggested.

The Senator can insist on the reading of the amendment if he wants to. It would be about 20 pages long. My suggestion is that we lay it down over night. If the Senator wants to have it read, I am going to leave somebody to adjourn the Senate and I am going to go to the party of the American Society of Newspaper Editors and the Senator can sit here and listen to the reading of the amendment to his heart's content.

I do not see any purpose to be served in sitting here and listening to it.

Mr. GORE. Mr. President, further reserving the right to object, we are dealing with a most vital function of our Government, the election of its public officials.

We are asked here to accept, with this explanation of the modification that has taken several minutes to briefly explain, an effort that is being made to vote at 3 o'clock tomorrow on an amendment which no one has as yet read, which has not yet been printed. Yet, the plea is made that it should not even be read.

It is difficult to prepare a responsible and reasonably authentic analysis of these measures, 20-page documents, with such a brief period of notice.

If the Senator wishes to have a rollcall as it is, then I would yield and feel confident that I could take an early start at it tomorrow morning and know that this was the measure and I could make my statement a little later on.

The Senator has suggested modifications that are really important modifications.

Mr. LONG of Louisiana. Mr. President, tomorrow morning the amendment will be printed in one piece and the Senator can read it consecutively in exactly the order in which it should be. I have a 19-page speech to explain the amendment. I could give that speech this evening or tomorrow, but I do not see any point in having the amendment read for half an hour when the amendment will be available to everybody and everybody can read it overnight and study it and look for any flaws in it.

It was not my idea to have the yeas and nays tonight. The Senator from Delaware thought it would be a good idea. We are willing to go along with it.

I would have asked for the yeas and nays tomorrow, but I wanted to modify my amendment. We have been working on the amendment for several hours to check all the little details.

I would be willing to take a chance that we have it precisely the way we want it.

I am trying to be agreeable. It would be a waste of time to sit around and have the amendment read when only six or eight Senators are present on the floor. We want to study the amendment anyway.

I am sure the Senator and his staff would like to study it even after we get through with the reading of the amendment. They would still want to talk with the Finance Committee staff and the Joint Committee on Taxation staff and the legislative counsel. They will want to know all about it.

Under the circumstances, what does the Senator want to do? If he wants to have the measure read, all right. I will wait.

Mr. WILLIAMS of Delaware. The Senator has a right to modify his amendment. It would help to expedite the vote if we could have the yeas and nays ordered tonight.

Mr. LONG of Louisiana. With those modifications, I am willing to have the yeas and nays ordered.

Mr. GORE. Mr. President, I further reserve the right to object.

Mr. LONG of Louisiana. I hope the Senator will not insist on having the amendment read now.

Mr. GORE. If the Senator will supply me with a copy and agree to have the yeas and nays ordered on his amendment——

Mr. LONG of Louisiana. As modified.

Mr. GORE. As modified, then I would not insist. Can the Senator furnish me with a copy?

Mr. LONG of Louisiana. Yes, I can.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GORE. Mr. President, I withdraw my objection to dispensing with the reading of the amendment.

Mr. LONG of Louisiana. Mr. President, there has been some discussion of when we will vote on the Long amendment tomorrow. I understand that there has been some discussion about the possibility of a unanimous-consent request so that Senators can make their plans. We have been exploring the possibility of setting a vote at, let us say, 3 o'clock tomorrow and dividing the time equally. I believe we have an agreement that there will be two speeches in the morning.

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. We can come in at 10 o'clock tomorrow.

The PRESIDING OFFICER. We already have a unanimous-consent agreement for 11 o'clock and for two speeches to be made.

Mr. LONG of Louisiana. We can divide the time and start at 1 o'clock and be able to vote at a later hour.

Mr. WILLIAMS of Delaware. Mr. President, I always try to work with the Senator from Louisiana to expedite a vote. Now that we have the yeas and nays ordered we can make our plans.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. The amendment offered by the Senator from Louisiana is an amendment to the amendment offered by the Senator from Hawaii [Mr. INOUYE], which makes his amendment an amendment in the second degree and that is not subject to an amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. A substitute would be in order, but the vote on the substitute would not come prior to the vote on the Long amendment.

The PRESIDING OFFICER. The perfecting amendment takes precedence, and the substitute would not be in order.

Mr. WILLIAMS of Delaware. That is correct. The Long amendment would be offered as a perfecting amendment, would it not?

Mr. LONG of Louisiana. That is not correct.

Mr. WILLIAMS of Delaware. I mean to the Inouye amendment.

The PRESIDING OFFICER. The Long amendment is a perfecting amendment.

Mr. LONG of Louisiana. It is a substitute for it.

Mr. WILLIAMS of Delaware. I beg the Senator's pardon. It is not offered as a substitute. It is offered as an amendment to.

Mr. LONG of Louisiana. It is offered as a substitute for it.

Mr. WILLIAMS of Delaware. It is not. It is offered as an amendment. I specifically spelled it out in my inquiry.

Mr. GORE. Mr. President, I ask that the reporter read the record.

The PRESIDING OFFICER. The Senator from Louisiana offered his amendment as an amendment to the Inouye amendment, or as a perfecting amendment.

Mr. WILLIAMS of Delaware. He has offered it, and the yeas and nays have been ordered.

Mr. GORE. Mr. President, the order of business cannot be changed.

The PRESIDING OFFICER. The Senator from Louisiana has offered it as a perfecting amendment.

Mr. LONG of Louisiana. Mr. President, I offer a substitute for the Inouye amendment.

Mr. GORE. Point of order.

Mr. WILLIAMS of Delaware. Point of order.

Mr. GORE. The amendment has already been offered, and the yeas and nays have been ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. LONG of Louisiana. I understand it. It is still in order for me to offer a substitute for it.

Mr. WILLIAMS of Delaware. No, it is not. We vote on that.

Mr. LONG of Louisiana. The Senators may think they have me in a trap.

Mr. WILLIAMS of Delaware. I do not believe I have the Senator in a trap. I am trying to help him.

Mr. GORE. We are not trying to get the Senator from Louisiana in a trap.

Mr. LONG of Lousiana. I simply want a straight vote on my amendment, and I desire to use the same approach that was used by the Senator from Delaware [Mr. WILLIAMS] and the Senator from Tennessee [Mr. GORE].

Mr. WILLIAMS of Delaware. The amendment of the Senator from Louisiana is in a position now, as I understand it, in a parliamentary position where we could not amend it if we wished to.

Mr. LONG of Lousiana. The Senator is correct.

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. That is my understanding of what the Senator from Louisiana desired. However, it is in a parliamentary position where a substitute for the whole package would be in order.

The PRESIDING OFFICER. First there would have to be a vote on the Long amendment, the perfecting amendment, and after that has been voted on, a substitute for the Inouye amendment, as amended would be in order, if the perfecting amendment had been agreed to.

Mr. WILLIAMS of Delaware. That was my understanding. I believe that we understand the position.

Mr. GORE. That is the way it was in the first place.

Mr. LONG of Louisiana. I thought I was offering it as a substitute. But having thought about it, I am in a better position the way it is. Having thought about it, I am happy I did it that way. I had more wisdom than I thought I had.

Mr. GORE. We are trying to help the Senator.

Mr. LONG of Louisiana. I appreciate all the help.

Mr. GORE. To keep the parliamentary procedure straight.

Mr. LONG of Louisiana. I did not realize how wise I was when I did it. Now I realize that I am wiser than I thought, and I am happy about the matter.

It shows that when one tries to do the right thing, he seems to land on his feet, even when he starts out with his weight on the wrong foot.

So, Mr. President, if Senators will inquire about the possibility of a unanimous-consent request, I shall be glad to discuss it with them any time today or tomorrow.

Mr. WILLIAMS of Delaware. I should like to get this vote over with as soon as possible, but we are not in a position to do so tonight.

Mr. LONG of Louisiana. I am of the opinion that the longer we drag this matter out, the better it is for me. I believe that time is on my side.

This reminds me of a story that former Senator Ashurst used to tell. He said that he used to be a prosecuting attorney in Arizona. The sheriff caught a man who had stolen a boxcar full of butter.

The defense counsel came into court and asked for a delay. The district attorney, Mr. Ashurst, agreed to the delay. A trial date was set, and then the defense counsel came into court and asked for another delay. The district attorney agreed to the delay. When the district attorney got ready to try the case again, the defense counsel asked for another delay. The prosecuting attorney said:

> I'll give you all the delays you want, because I'm satisfied that the longer this thing goes, the stronger my evidence will be.

I am satisfied that the longer this matter is dragged out, the stronger my case will be. I am happy that the word is beginning to get to the American people about the Honest Election Act of 1967, and that we are fighting in the Senate to see that every mother's son can run for President, even if he is not a millionaire.

I am satisfied that the longer this matter takes, the better it will be for me. But in the spirit of cooperation, loving those who wish to get on with the business and pass the investment tax credit and help business, I am willing to agree to a limitation to vote, even though I enjoy discussing this subject. One thing people love to do is talk about something that they understand; and I believe I understand this measure because I have been working on it for some time.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the distinguished and beloved minority leader.

May I say to the Senator from Illinois that it was not until the last weekend that I heard the record "Gallant Men"; and I say to the Senator that he did a magnificent job. It is a credit to him and a credit to the Republic. It is a credit to the Republican Party, and it is a credit to America. I enjoyed it very much.

I do not believe the Senator from Illinois was at his best on the Gettysburg Address, but his rendition of "Gallant Men" itself was magnificent, and his part about how the battle was actually fought at Gettysburg was impressive.

Mr. DIRKSEN. I thank the Senator. Now will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, in the spirit of cooperation and in the tradition of "Gallant Men," and to make sure that our distinguished friend, the Senator from Louisiana, will have the fellowship of his editors, could I respectfully suggest that we now adjourn?

Mr. LONG of Louisiana. Mr. President, I have a wonderful speech to deliver. I shall try to present my views on this matter in very short order, and then I shall move to adjourn.

In the meantime, if the Senator would like to attend the reception for the American Society of Newspaper Editors, which I believe is now in full swing at the Shoreham Hotel, he can be on his way; and I will promise him that nothing will happen between now and the time we meet tomorow.

Mr. DIRKSEN. Regretfully, I cannot attend that reception.

Mr. LONG of Louisiana. For the past 2½ weeks a small band of Senators have been directing all sorts of criticisms at the Presidential Election Campaign Fund Act of 1966. Some said the act went too far. Others said it did not go far enough. Some of the objections were invalid; others were petty.

By the end of last week those Senators had convinced themselves that all the bad things they had said about the act were true and it had to go. So far as this Senator is concerned, the only bad thing some of those Senators saw about the act was its objective—honest, clean campaigns for the highest office in our land, the office of President of the United States. Apparently, from those Senators' standpoint, the fault of the act was that it put us too far down the road of honesty in elections—it did too much to equalize the chances of a principled poor man being elected President with those of either a puppet of vested interests or a wealthy son of a billionaire.

That is the real fault in last year's act. Of all the Republican Members of the Senate, only the junior Senator from Kentucky was courageous enough to stand and be counted in favor of clean financing of presidential elections. I applaud him for heeding his conscience.

Some of the 15 Senators on this side of the aisle who voted to repeal last year's law probably were trying to perpetuate the present system which favors the candidacy of a wealthy man.

I have carefully studied the debates over the last 2 weeks, analyzing all the objections, both real and fancied, which were voiced against the Presidential Election Campaign Fund Act. I have listened to all the arguments and I have studied the record. My study convinces me that despite all the talk, a majority of the Senate wants to provide for a presidential election free of the suspicion of improper influence which accompanies reliance on large private contributors to pay the tremendous costs of today's political campaigns. A majority of the Senate wants to provide for the kind of campaign in which any candidate who has the ability can run for President, knowing his chance is not prejudiced because he has no great personal wealth. A majority of the Senate wants to separate commitments from contributions. As I said the other day, my analysis of the vote that occurred on this question indicates that had every Senator been in his seat, the vote would have been in favor of the side I advocated; it would not have been in favor of the other side. When the so-called Gore-Williams amendment prevailed on a close vote, I was unable then to reverse it; but I reserved the right to try again sometime in the future to prevail on this question by other means.

I shall now exercise that right to try again.

The amendment which I have just offered—placing in H.R. 6950 a title II, the Honest Election Act of 1967—would undo the wrong that I believe was done by the Senate last week when it adopted the Gore-Williams amendment to repeal, as of July 1, 1967, the Presidential Election Campaign Fund Act of 1966. My amendment uses last year's act as a basis, but blends into that statute many important reforms which cure the criticisms of last year's law that many Senators have expressed during the pending debate. Here is how the Honest Election Act would work.

EXPLANATION OF HONEST ELECTION ACT OF 1967

The fund: Every individual taxpayer may designate on his tax return that $1 of his tax is to be paid into a presidential election campaign fund. The presidential election campaign fund would be made up exclusively of the $1 amounts designated by taxpayers. The amounts so designated would be appropriated by Congress to be paid to presidential candidates in accordance with the formula specified in the act. This formula is described below.

The formula: Under the act, payments to major party candidates would be determined solely on the basis of votes cast at the last presidential election for major party candidates. Payments to minor party candidates would be determined on the basis of their performance at the last election or the current election, whichever produced the larger payments.

First. Major party candidates: A major party would be one whose candidate for President received at least 15 million votes in the preceding election. The candidate of such a party would be entitled to reimbursement for certain of his presidential campaign expenses up to an amount equal to 50 cents for each vote received by all major party candidates in the last election, reduced by $5 million for each major party. This would be so because the major party candidates would share equally in the fund made up of $1 tax checkoffs after a $5 million reduction for each major party—there were two such parties in the 1964 election.

Second. Minor party candidates: A minor party would be one whose candidate for President received at least 2 million but less than 15 million votes in the preceding election. The candidate of such a party would be entitled to reimbursement for certain of his presidential campaign expenses up to an amount equal to $1 for each vote he received in excess of 2 million votes in either the preceding or the current presidential election, whichever produced the larger payment.

Creditors of minor party candidates: Individuals who advance funds to presidential candidates of minor parties would be permitted to register with the Comptroller General. This registration would determine their place in line for the purpose of receiving repayment of the amounts they had advanced for the campaign. The creditors would receive payment up to the amount allocated to the minor party candidate through the tax checkoff.

Short falls and excess funds: After each presidential campaign, money not needed for payment to presidential candidates would be restored to the Treasury. If the fund were not sufficient to pay fully the candidates in the presidential election year, payment would be made pro rata and the difference would be paid in the following years as the fund is replenished through new tax checkoffs.

Campaign expenditure guidelines: Payments received by a candidate from the fund have to be used solely for the following kinds of expenses incurred after August 31 of the election year: travel and transportation; radio, television, and motion picture production and time; newspaper and periodical advertising; preparation, printing, and distribution of campaign literature, including posters and billboards; postage, telegraph, telephone, and expressage; and research and analysis, including polls, surveys, and data processing.

Authorized agent: Under the act, all expenditures for the specified purposes would have to be approved by the candidate or an "authorized agent" he would specifically designate for that purpose. In addition, expenditures for radio, television, and motion picture time and production, and for newspaper and periodical advertising would have to be approved either by the candidate or his agent in advance of the incurring of the expense. This authorized agent would not be part of the regular party organization. If he were serving as officer, employee, or member of the national committee of a political party or of a State or local committee of a political party, he could not serve as the candidate's agent to receive and disburse payments from the fund.

Private contributions: A major party candidate would have to elect to have all of the specified campaign expenses paid either from the presidential election campaign fund or from private contributions. No payment from the fund could be made to a major party candidate unless he certifies that he has not accepted or spent any contribution for the specified items in connection with his presidential campaign. A minor party candidate could receive contributions for his presidential campaign in addition to any fund payment to which he was entitled, but he could not spend from the combination of contributions and fund payment for the specified items more than the fund payment to which a major party candidate was entitled. Individuals or organizations controlled by a major party candidate would not be allowed to receive contributions with respect to items for which reimbursement is provided under this act.

Administrative features: The Comptroller General would determine the popular vote and certify amounts payable to any candidate to cover qualified expenses actually incurred in the presidential campaign. An advisory board would be established to assist the Comptroller General in his duties under the bill. It would have two members from each of the political parties to protect their interests. There would be three members to represent the public interests.

Audits and repayment: After each presidential election, the Comptroller General would conduct a thorough examination and audit of all presidential campaign expenses of each presidential candidate to whom fund payments were made. If the Comptroller General were to determine that the fund payments exceeded the qualified presidential campaign expenses of the candidate or what the candidate was entitled to, the candidate would have to repay the excess fund payment. If the fund payment was used for personal purposes or purposes other than a qualified presidential campaign expense, then, unless the candidate could show the misuse was due to reasonable cause and not to willful neglect, he would have to pay an additional 25 percent of the amount misused.

Disclosure: The Comptroller General would be directed to file a detailed report to Congress of the fund payments to each candidate, the expenses of each party for which payment was made, and any repayments which a candidate might be required to make. This report would become a public document.

Criminal penalty: A fine of up to $10,000 or imprisonment of up to 5 years, or both, would be imposed for a willful misuse of funds received under the act, including the use of such funds for personal purposes or kickbacks. In the case of kickbacks, the penalty would apply both to the person who paid it and to the person who received it. In addition, the person receiving the kickback would be required to pay to the Treasury an amount equal to the kickback plus a 25-percent penalty.

Corrupt Practices Act: Reporting requirements of the Corrupt Practices Act would be extended to committees supporting presidential candidates. The act would apply not only to multi-State committees, but also to committees operating solely within a single State.

Effective date: The act would become effective July 1, 1967. The tax checkoffs provided under this act would apply with respect to taxable years ending after June 30, 1967. For most taxpayers this would mean the checkoffs could be made on tax returns they file by April 15, 1968, for the calendar year 1967.

AMENDMENT ANSWERS ARGUMENTS OF OPPONENTS

This amendment answers the arguments of the critics of the Long act and incorporates many of the suggestions advanced by my colleagues during the recent debate. For example, it repels the attack of the Long act's most vocal opponents, the senior Senators from Tennessee and Delaware, with regard to a lack of guidelines as to how the money available from the campaign fund could be used. The guidelines provision of my amendment is derived from the amendment of the junior Senator from Connecticut which was adopted by the Senate by a vote of 75 to 12, but which will be repealed July 1, 1967, under the Gore amendment.

The amendment of the Senator from Connecticut provides that 75 percent of the payments from the fund are to be used only for the following kinds of presidential campaign expenses: reasonable allowances for salaries of presidential campaign personnel; reasonable allowances for rent and overhead; television and radio production and time; newspaper and periodical advertising; printing, postage, and distribution of campaign literature; telephone and data processing; travel and transportation. It provides that the remaining 25 percent of the payments from the fund can be used for any purpose, including the items just mentioned, determined to be proper by the Comptroller General and his Advisory Board.

However, in response to the thought of the Senator from Tennessee that practically all of the campaign expenditures of a presidential candidate are covered under the categories listed, in the amendment I offer today, 100 percent of the fund payments must be used for expenditures that fall into one of the categories named. However, salaries of campaign personnel and overhead would not be payable from the fund. This use of all of the fund money for certain, limited purposes, the kind that can be more easily verified, goes in the direction desired by the junior Senator from Maryland. And taking the suggestion of the Senator from Maryland, this amendment would prohibit private contributions from being obtained or spent by a major party candidate for any of the items for which the fund payments were used. If a major party presidential candidate elected to use any fund money at all, not only could he not, but also any organization he controls could not receive or spend private contributions for the enumerated purposes. Thus, if the major party candidate elected, no money other than from the presidential election campaign fund could be used and all of the money from the presidential election campaign fund would have to be used in a presidential campaign for these purposes: traveling and related expenses of the presidential and vice-presidential candidates and their campaign personnel; radio, television—and I would also say motion picture—production and time; newspaper and periodical advertising expenses; expenses for the preparation, printing, and distribution of campaign literature, including posters and billboards; expenses for postage, telegraph, telephone, and expressage; and expenses for research and analysis, including contracts for polls, surveys, and data processing.

Considering another criticism, there was the junior Senator from New York who seemed most upset that the fund payments would give too much power to a national committee. He indicated a national organization could use the money to effectuate party nomination of one presidential candidate over another and to bring recalcitrant members of the party into line, such as Senators and Representatives whose votes and loyalty would be insisted upon in return for judicious use of the money in their States and districts.

The amendment which I offer today overcomes that problem by requiring that disbursement of the fund payments be made not to a political party as in last year's law, but to the presidential candidate of an eligible party or to an agent that the presidential candidate specifically authorizes to receive the payments. Thus, there could be no finagling by a party's national committee before the payments were made, on the assumption that the national committee was going to get the money. The payments would go to the candidate who would decide how and where to use the money best to win the election. Since he is the person most affected, he should have the responsibility of receiving the payments and deciding on their use.

An authorized agent appointed by a candidate to handle the fund payments cannot be any party committee officer, member, or employee. This insures that there can be no divided loyalty between candidate and party over use of the fund money. It is the candidate's to use, as he will, for the qualified expenses. He or his agent must approve every expense incurred on his behalf and his approval must be in advance of incurring expenses for radio, television, motion pictures, newspaper, and periodical advertising.

Another criticism expressed over and over again since last year's Long Act was passed has been that parties other than the Republican and Democratic were treated unfairly and, in effect, were prevented from ever becoming significant influences in presidential elections. The senior Senator from Wisconsin offered an amendment to the Williams amendment to H.R. 6950 which I supported and thought did a great deal to help any significant third party that might arise.

This Honest Election Act I now propose contains a provision patterned along the lines of that of the Senator from Wisconsin. It is designed to recognize more properly the emergence of a strong third party or the realinement of the existing parties and to provide rules for reimbursing candidates of such parties on the basis of their showing in the current election. Last year's Long Act limited its payments to parties which received more than 5 million votes in the preceding presidential election. In 1964, there were only two parties which obtained more than 5 million votes—the Democratic Party and the Republican Party. It has been argued that, because only these two parties will be eligible for reimbursement in 1968, the new law discriminates against other parties and their candidates.

In my present amendment, however, I would define a minor party whose candidate would be entitled to a fund payment as one which received more than 2 million but less than 15 million votes and I would permit reimbursement to candidates of such a party on the basis of the current election results, if in that election the party had obtained more votes than in the previous election. Major party candidates—those who receive 15 million or more votes—would continue to be paid only on the basis of the prior election results.

It is extremely unlikely that a third party in one election could increase its vote enough so that based on a dollar a vote in excess of 2 million in that election its candidate could receive from the fund more than that due the major parties whose payments were calculated on the vote in the preceding election. But it is possible that a new party arising from the remnants of a dying major party might pick up the vote that previously had gone to the deceased major party plus other votes and its candidate might be in a position as a result of one election to receive a larger payment than candidates of existing major parties were entitled to. Thus, the amendment would prohibit the candidate of a minor party on the basis of its showing in the current election from receiving payment larger than that to which the candidate of a major party was entitled. The payment based on a current election, of course, could not be paid until after the election and would still be limited to the qualified expenses which the candidate actually paid or incurred in the presidential election campaign.

Because of the post-election payment, if any, to a candidate of a party which failed to receive 2 million votes in the preceding election, private contributions could be received and spent by such a candidate for the qualified expense items as well as for other items not considered qualified expenses under this amendment. Major party candidates could only use contributions for other than qualified expenses if they took any payments from the fund. Of course, minor party candidates could not use fund money to pay expenses for which contributed money had been used.

In addition to contributions, it is probable that pending a post-election payment from the fund, a third-party candidate would borrow money to pay qualified expenses and then would repay such loans from any fund payments received after the election. Therefore, so as not to inhibit lenders from making money available to third-party candidates, the amendment would permit lenders to register with the Comptroller General who would then, if any fund payments were due the candidate after the election, reimburse the lenders from such fund payments in the order in which they had registered.

Prior to the Gore amendment's repeal of all Presidential Election Campaign Fund Act provisions, effective July 1, 1967, I offered an amendment to H.R. 6950 to provide a specific criminal penalty for the misuse of funds received under the act. My amendment was passed on a rollcall vote of 89 to 3.

The plan I now offer would contain a similar penalty provision. As I said when the Long Act was being debated last fall, I am convinced that the present Federal criminal law, particularly sections 1001 and 1002 of title 10 of the United States Code, adequately provide for any violations of this act. But to soothe those who want to see a penalty specified in the campaign financing law itself, I have included a provision to impose a fine of not more than $10,000 or imprisonment of not more than 5 years, or both, for any violation of the act, such as the willful and knowing misuse of fund payments, the furnishing of any false information to or the failure to furnish information to the Comptroller General required by the act, the failure to repay to the Treasury excess fund payments or the willful and knowing giving or accepting of a kickback or other illegal payment in connection with a qualified expense. The penalty would be identical to the penalty now provided under sections 1001 and 1002 of title 18 of the United States Code for fraud against the Government.

As a part of the amendment that the Senate adopted putting criminal penalties in the Long Act was a section spelling out that payments under this act were not to be considered contributions in applying that limitation in the United States Code which restricted contributions and expenditures by "political committees" by $3 million. Such a provision is also in the Honest Election Act I present today. I stated categorically last year that the $3 million limitation would not apply with respect to payments under the Long Act. Those who question this cannot have examined the law very closely. Title 18 of the United States Code refers to contributions to political committees. The Long Act, as well as this new one I am presenting, on the other hand, actually have nothing to do with contributions. The term "contribute" means to give or supply in common with others; to share in a joint effort. The financing of presidential elections with Federal tax revenues is not a voluntary, joint effort to give funds. Rather, it is an appropriation of funds by Congress to which the candidates have a statutory right. Moreover, it is not part of a joint effort. As a result, it is not a contribution, and therefore, does not come under the limitation of present law. In addition, under my amendment today, what is involved is a payment to candidates of political parties, not payments to political committees. As a result, it should be clear the present $3 million limitation does not apply. But a provision of my amendment today would place it in black and white in the law that the $3 million limitation is inapplicable to payments from the presidential election campaign fund.

Other provisions in my amendment today which strengthen last year's Presidential Election Campaign Fund Act, which resolve problems various Senators may have had with last year's law, and which are included in S. 1407, the bill I introduced to amend last year's law and on which I had hoped the Finance Committee would hold hearings are provisions directing audits of campaign spending, calling for repayments by candidates of money not used for proper presidential campaign expenses, clarifying that presidential expenses include those of vice presidential candidates, and requiring public disclosure of all fund payments and the uses to which they were put.

The audit provision would direct the Comptroller General to conduct after the presidential campaign a thorough examination of the expenses incurred by each candidate in carrying on the presidential campaign and to require a repayment from the candidate if any of the fund moneys were found to have been used for other than presidential campaign expenses or if the fund payments were in excess of what the candidate was entitled to. If the Comptroller General should find that the candidate knew that he was using money from the fund other than for a qualified expense of the presidential campaign or if he spent more fund money than he was entitled to, there would be exacted upon him a civil penalty of an additional 25 percent of the amount misused or of the overexpenditure.

As part of his general duties and function, the Comptroller General probably already has authority to conduct the postelection audit, but it will not hurt to vest this authority specifically under this act. And there should be provisions in the law in the event it is discovered that payments from the fund have been mishandled.

A definitional provision clarifies another point that has been raised about the 1966 Long Act. Payment would be assured for the campaign costs of a vice presidential candidate as well as of a presidential candidate. I believe that last year's act and legislative history fully provided for payment of expenses connected with vice presidential candidates. But for those purists who desire to see such matters spelled out in the act, I have included the appropriate clarification.

Finally, my amendment today would call for the Comptroller General to file a full and detailed report to Congress after each presidential election of the payments from the fund made to each candidate, the expenses of the candidates for which payments were made, and the repayments, if any, which the candidates were required to make to the fund. This report would be printed as a Senate document. I stated in the Senate last year that the Comptroller General's findings and actions would be a matter of public record, but again it may be preferable to assure such a result by requiring it in the statute.

As can be seen, the Honest Election Act of 1967 is a composite of thoughts expressed by a great many able Senators who are expert in the operations of political parties. It contains the best thoughts of a lot of people. For this reason, it deserves the best thoughts of the Senate.

By placing this amendment in the law, we would have a strong, honest method of financing presidential campaigns. I urge that it be adopted. However, I do regret that it is necessary to force this issue to be decided on the floor of the Senate. If the courtesy that is normally present in the Senate had been extended in this case, there need have been no such legislating on the floor. The matter could have been handled in the proper and orderly manner of being studied and decided upon in committee.

As I have said before, I want the very best election and campaign financing laws possible and toward that end the Senate Finance Committee would have conducted a thorough, comprehensive hearing, if I had my way, and would have brought back to the Senate solid legislative recommendations. I would still appeal for that solution to our dilemma. But if that is not possible parliamentarywise because of the adoption of the Gore-Williams amendment, then I am prepared to conduct the searching analysis here on the floor that we would have done in committee. I believe that the amendment I have introduced today can withstand that analysis and emerge as a sound piece of legislation needed on our statute books.

After it has been accorded due consideration here in the Senate, I hope the amendment will be adopted and enacted into law so that we can proudly proclaim for all to hear that the Presidency of the United States is not for sale.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, if no other Senator desires to make a speech or introduce bills, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, Thursday, April 20, 1967, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate April 19, 1967:

In the Navy

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE

William C. Abhau
Walter V. Combs, Jr.
Earl R. Crawford
Walter F. Schlech, Jr.
Thomas S. King, Jr.
Ed R. King
John J. Lynch
David B. Bell
Donald M. White
Roger W. Mehle
Frederick H. Schneider, Jr.
Ralph W. Cousins
Donald "G" Baer
Richard G. Colbert
Walter L. Curtis, Jr.
John E. Dacey
Woodrow W. McCrory
Philip A. Beshany
Robert W. McNitt
Raymond F. Du Bois
Ralph Weymouth
Evan P. Aurand
Vincent P. de Poix
Thomas J. Walker III
Eugene P. Wilkinson
Frederic A. Bardshar
Lawrence R. Geis
C. Edwin Bell, Jr.
Frank C. Jones
Paul A. Holmberg
Donald M. Showers
Harry C. Mason
Jamie Adair

MEDICAL CORPS

Frank T. Norris
John S. Cowan
Harry S. Etter

SUPPLY CORPS

Kenneth R. Wheeler
George E. Moore II

CIVIL ENGINEER CORPS

Robert R. Wooding

CONFIRMATIONS

Executive nominations confirmed by the Senate April 19, 1967:

United Nations

The following-named persons to be representatives of the United States of America to the fifth special session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.
William B. Buffum, of Maryland.
Richard F. Pedersen, of California.
Mrs. Eugenie Anderson, of Minnesota.
Samuel C. Adams, Jr., of Texas.

The following-named persons to be alternate representatives of the United States of America to the fifth special session of the General Assembly of the United Nations:

Garland R. Farmer, Jr., of California.
Michael Iovenko, of New York.

Federal Railroad Administration

Albert Scheffer Lang, of Minnesota, to be Administrator of the Federal Railroad Administration.

Interstate Commerce Commission

George M. Stafford, of Kansas, to be an Interstate Commerce Commissioner for the term of 7 years expiring December 31, 1973.

Communications Satellite Corp.

William W. Hagerty, of Pennsylvania, to be a member of the board of directors of the Communications Satellite Corp. until the date of the annual meeting of the corporation in 1970.

Federal Maritime Commission

James F. Fanseen, of Maryland, to be a Federal Maritime Commissioner for the term expiring June 30, 1971.

National Transportation Safety Board

Francis H. McAdams, of the District of Columbia, to be a member of the National Transportation Safety Board for the term expiring December 31, 1967.

Louis M. Thayer, of Florida, to be a member of the National Transportation Safety Board for the term expiring December 31, 1968.

Joseph J. O'Connell, Jr., of Maryland, to be a member of the National Transportation Safety Board for the term expiring December 31, 1969.

John H. Reed, of Maine, to be a member of the National Transportation Safety Board for the term expiring December 31, 1970.

Oscar M. Laurel, of Texas, to be a member of the National Transportation Safety Board for the term expiring December 31, 1971.

In the Diplomatic and Foreign Service

The nominations beginning Dr. Charles E. Klontz, to be a Foreign Service officer of class 1, a consular officer, and a secretary in the diplomatic service of the United States of America, and ending Edward H. Wilkinson, to be a consular officer of the United States of America, which nominations were received by the Senate and appeared in the Congressional Record on March 9, 1967; and

The nominations beginning Delmar R. Carlson, to be a Foreign Service officer of class 1, and ending John M. Yates, to be a Foreign Service officer of class 6, and a consular officer of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 22, 1967; and

The nominations beginning Alan W. Ford, to be a Foreign Service officer of class 3, a consular officer, and a secretary in the diplomatic service of the United States of America, and ending Russell M. Winge, to be a consular officer of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 23, 1967.

EXTENSIONS OF REMARKS

Voice of America

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 19, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed is the Voice of America.

The report follows:

This is Jim Kee, bringing you the Kee Report.

Most Americans are aware that Soviet Russia and Red China will employ military force to advance the aims of Communism whenever they get a chance. However, there is another form of Communist aggression, equally dangerous, which people in the free world do not fully realize.

This second form of aggression is a form of intellectual warfare waged every day of the year by the masters of Moscow and Peking against the free institutions of democracy. The purpose of this campaign is to mislead people everywhere for their expected Communist take-over. In this campaign of falsehood, special programs are tailored for every country on earth.

The power of modern mass communication is employed to advance the cause of Communism and to sow fear and distrust of democratic government. There are radio and television programs, newspapers, leaflets, magazines and books—with special emphasis on carefully doctored textbooks, which are furnished at very low cost to poor governments. Taken in the mass, this worldwide propaganda carried on by the Communist countries is the most extensive campaign of falsehood and slander the human race has ever known.

If the free governments had let this go unanswered, the cause of freedom would be in a bad way indeed. Fortunately, right after World War II, the officials of our Government recognized this special form of Communist aggression and set up a practical program to nullify its effects.

The agency charged with this task is popularly known as the Voice of America. Actually, this is the name given to American broadcasts in foreign countries. But the work of the United States Information Agency is far more extensive than just broadcasting. Every Communist lie is tracked down to its source, and answered. Every assault upon free institutions is exposed, and repulsed. Around the clock on every continent, in nearly 40 languages, the men and women who conduct our information service are using the healing balm of truth to offset the poison of Communist propaganda.

The Information Agency employs every form of publication, motion pictures and exhibits to tell the story of democracy and freedom to foreign audiences.

There are now millions of people on this planet who depend for their daily news reports upon the special news service prepared and broadcast by our Government. These listeners include untold thousands behind the Iron Curtain who realize that all news reports in their own country are distorted by official propaganda.

The preparation of this daily report is a fascinating story in itself. The basic facts are put together here in Washington with scrupulous regard for truth and objectivity. These news reports are then beamed overseas by 35 transmitters in the United State and 57 more on foreign soil with total power of 15 million watts. Translators then convert them into foreign tongues for broadcast to local audiences.

Today Uncle Sam operates one of the greatest news agencies in the world. Unfortunately, there are two others which are even larger. One is operated by Soviet Russia and broadcasts nearly twice as much as we do. The other is operated by Red China. This gives you some idea of the massive job which must be done.

On Release of Nickel

EXTENSION OF REMARKS

OF

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 19, 1967

Mr. ROUDEBUSH. Mr. Speaker, this week the House of Representatives has an opportunity to help thousands of industries throughout our Nation.

Thursday, we will consider H.R. 5786, the bill which will release Government stockpiled nickel. This measure will release 60 million pounds of nickel and will alleviate to a great extent the problems of our industries which have been hurt by the nickel shortage.

I certainly support the necessity of stockpiling strategic metals and other commodities for use in case of emergency.

However, on this particular bill, the issue is one that is easily solved.

If we do not need the nickel for emergency use then it should be given to industry which does need it.

A majority of the Armed Services Committee say that the 60 million pounds is not needed by the Government.

Industrial leaders say that the 60 million pounds is needed for industry.

Therefore, the obvious conclusion is that the nickel should be released from the stockpiles.

Unless the pounds of nickel are released industrialists will continue to pay exorbitant prices for the metal if they can afford to operate at all, and if they do, these high nickel prices will boost the cost of essential products to other segments of the economy.

This will then contribute in a great degree to inflationary problems we now have, and drive the cost of living to even higher scales, to say nothing of the detrimental effect of unemployment caused by layoffs and shutdowns.

This is important legislation, needed legislation and legislation which will indeed help our country.

I strongly urge that this measure, H.R. 5786, be passed by this body and sent to the Senate.

Antipollution Standards for Detergents

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 19, 1967

Mr. McCARTHY. Mr. Speaker, water pollution caused by detergents has long been a serious problem. Progress has been made in lessening this threat to our waters, but, it is still a major problem.

I have today introduced a bill calling for the restraint of water pollution caused by the various ingredients in detergents.

Synthetic detergents impair sewage processes, encourage the undesirable growth of algae and hinder fish and plant life. Under the bill I have introduced today, first sponsored by Senator NELSON, of Wisconsin, a committee of experts would be established to draft antipollution standards that detergents would have to meet. Research moneys would be provided for the development of detergents that would disintegrate rapidly, not harming sewage processes, fish or plant life or stimulating growth of algae.

The bill, also called the "Detergent Pollution Control Act of 1967," would further foster research into the improvement of sewage treatment and the development of new sewage processes.

Much progress has been made already in reducing detergent pollution but it is still a major problem. Synthetic detergents involved include such common items as water softeners, brighteners, dyes and perfumes which come in liquid, bar, spray, flake, or powder form.

Both public and private agencies and organizations would be funded under the provisions of this bill in a comprehensive effort to continue the campaign to effect improved detergents and combat detergent pollution.

Not enough is known yet about the latest detergents beyond the fact that they are an improvement over the earliest ones. If the 90th Congress sees fit to pass this bill, or one like it, we could increase our knowledge in this area.

Hopefully, we would be able to foster the creation of detergents that would not fertilize lakes, encourage algae, or leave harmful residue that is toxic to fish and plant life.

Foreign Textile Imports

EXTENSION OF REMARKS

OF

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 19, 1967

Mr. MORTON. Mr. Speaker, I have become concerned about the rising imports of apparel products of all kinds into the United States. This concern is heightened because in my district there are 45 apparel manufacturing plants employing approximately 4,000 people. Half of these plants and employees are engaged in the production of men's and boys' woven fabric sport shirts and women's blouses. Imports of these two products have doubled since 1958, while domestic production has increased by no more than one-third. More important, however, while imports of sport shirts have increased 37 percent, in the past 3 years and imports of blouses increased 10 percent, domestic production of these items fell in 1966 from the 1965 level.

Imports of woven fabric sport shirts increased from 5 to 10 percent of domestic production during the period 1958–66. During the same period, blouse imports increased from 16 percent of domestic production to well over 20 percent.

I think it is obvious from these figures that the outlook for domestic producers of sport shirts and blouses is not good. Foreign apparel producers are taking over larger and larger amounts of these two markets within the apparel sector. These imports are not just supplying goods to meet the growth in demand, but they are actually taking over a share of the market which once was supplied by domestic firms.

This invasion of the apparel markets of our country can have nothing but adverse effects on our employment situation. The apparel industry is characterized by its labor-intensive methods of production, and any loss of demand by the industry means it must lay off a substantial number of workers. In my district, as in other areas where apparel is an important industry, many women work in apparel plants, and when they lose their jobs because imports take over a market, these women have no alternative employment opportunities. They must stay in their small towns with their families. The individuals, the families, the apparel firms, and the towns all suffer when these workers are unemployed.

Now we are faced with greater problems than ever from imported sport shirts and blouses. The largest increases in imports of apparel products during the past 3 years have occurred in the area of manmade fiber apparel. The figures I mentioned earlier told of the increases of imports of both cotton and manmade fiber sport shirts and blouses. The great growth in these foreign-made products comes from the increases in the manmade fiber products. Imports of cotton products are now regulated under an international agreement, but not those of manmade fiber fabrics.

The existing U.S. tariffs on these products seem not to be much of a deterrent to their importation, and now it is proposed that the tariffs be cut by as much as 50 percent during the Kennedy round of tariff negotiations. These cuts are to be made before the authority to cut tariffs under the Trade Expansion Act ends this June. If tariffs are reduced to this extent, there could be far-reaching dislocations in the apparel industry in general, and in the area of sport shirts and blouses in particular. The already low prices of foreign products would become lower if tariffs were reduced, and price competition, already impossible to meet on many imported apparel products, will widen the unbridgeable gap between prices.

The domestic apparel industry is not asking our Government to prevent all foreign apparel products from entering this country. This industry is used to strong competition among its own members. The industry asks, however, that its markets not be disrupted unnecessarily by imported products, and it believes that one method would be to institute an international agreement for apparel and textile products of all fibers, such as that now in existence covering the international trade of cotton products. In this way, foreign producers can share in the growth of our apparel markets while not taking away the domestic industry's share of the growth.

It would be impolitic at this time to cut tariffs while we simply wait and hope that some sort of international agreement can be arranged. We need to take firm action before it is too late to stop the disruption of domestic apparel markets caused by tariff reductions of the magnitude of 50 percent. We should not take the chance of cutting tariffs and thereby causing unemployment, idle capital, and a less viable apparel industry. We must work toward a permanent solution to these problems, but we should not start by aggravating it.

Improved Benefits Under Social Security

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 19, 1967

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert in the RECORD the text of a statement I submitted to the House Ways and Means Committee on my new and revised bill, H.R. 8701, introduced on April 18, 1967, to amend the Social Security Act and to improve the various benefits under this act:

STATEMENT OF CONGRESSMAN WILLIAM L. ST. ONGE, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES

Mr. Chairman, I very much appreciate this opportunity given me by the House Ways and Means Committee to present my views and comments on the bill, H.R. 8701 to amend title II of the Social Security Act.

INTRODUCTION

There are 78 countries of the world which now have general social security systems, and although the concept was first applied in the medieval guilds of the 14th and 15th centuries, the broad application of the methods of social insurance as distinct from relief and public assistance has been almost entirely a development of the present century. Social security is taken for granted by the generation that has grown up since 1935 as much as is free public education or the government-operated post office. Although bitterly opposed at the time it was introduced, these controversies are now forgotten and both layman and expert agree that it is undoubtedly the most successful of modern welfare programs. While differences of opinion exist concerning changing various aspects of the social security law, the basic function itself is no longer under serious attack.

Few new institutions have grown so fast or received such widespread acceptance so quickly. In 1950, only about one-fourth of the population aged 65 and over were covered by social security. Now 86 percent are covered, and if civil service and railroad retirement systems are included, a total of 91 percent are enrolled. Of those 65 and over in 1966, 95 percent were covered by one of the Federal retirement systems, and by 1985 it is estimated that the coverage will be 98 percent.

In absolute terms, social security now provides retirement benefits to 14.7 million workers and their dependents, survivors' benefits to 5.3 million widows and orphans, disability benefits to nearly 2 million disabled workers and their dependents, and medicare benefits to almost all retired persons over 65, regardless of their eligibility for social security cash benefits.

While the program has gained widespread acceptance and has proven enormously successful, there remain significant areas in which benefits and financing must be improved if it is to measure up to the serious social needs presently facing our nation. Cash benefits have been increased only twice during the 12-year period, 1954–1966. The 7½ percent increase in 1958 did not restore the 1954 buying power of cash benefits and the 7 percent increase in 1965 fell short of restoring the 1958 purchasing power of benefits.

During the same period of time, man-hour output increased about 43 percent, permitting the American people to enjoy an increased standard of living. However, unduly low benefit increases deprive social security beneficiaries of the opportunity to share in the nation's progress. The aged population, who in their active years made an increased standard of living possible, have every right to participate in the increased productivity of the nation during their inactive years. Benefit increases which merely keep pace with or even fall behind the cost of living do little but keep poverty current.

The problem becomes increasingly acute because people are living longer and therefore are dependent on social security payments for more years of their lives. The object should be not just to protect the benefits of future retirees and those already retired against the loss of purchasing power, but also to ensure the aged population a share in an increasing standard of living for which they built the foundation.

Social security is the only retirement system for about 85 percent of the beneficiaries, and the combination of social security and a supplementary pension plan provides the retirement income for the rest. Even for the 15 percent whose retirement income is a combination of social security and a supplementary plan, it is important to note that social security usually accounts for more than half of the total pension. Over the next 25 years these figures might change to 75 percent with only social security and 25 percent with the combination. There is no real likelihood in the foreseeable future that a majority of older people would become eligible for supplementary pensions. Also, much of the problem of income maintenance in old age is a problem of survivors insurance for widows, which is seldom covered by private pension plan. In addition, too many jobs are difficult to include in private pension plan, and very early membership would be necessary to supply protection to the large number of employees who change jobs frequently.

I wish to direct the rest of my statement to those aspects of my social security bill which I believe will substantially improve the program and provide the necessary relief to those most in need.

GENERAL BENEFIT INCREASES AND THE ESTABLISHMENT OF A $90 MONTHLY MINIMUM

The Social Security Administration estimates that about 5 million persons 65 and over are living in poverty and another 5.5 million are kept out of poverty by their social security benefits. The social security definition of poverty is an unusually strict one, placing it at about $1500 a year for an individual 65 or over and $1850 for an aged couple. The U.S. Department of Labor budget estimate for a minimum but adequate living for an elderly retired couple is about $3000 a year in a large city and $2500 in a smaller community. In 1964, 40 percent of the aged couples in the nation had incomes of less than $2000.

Over 91 percent of the people now age 65 and over are getting social security benefits, and a small proportion receive supplementary benefits from some other governmental program. In spite of these payments, our older people are among the poorest in the nation, and the reason why many of our older citizens are poverty-stricken is that the social security benefits on which they must depend to meet their needs are inadequate. Even at the upper levels, the benefits are barely sufficient to provide subsistence in most parts of the country. About half of the aged social security beneficiaries had less than $12.50 a month in regular retirement income over and beyond their social security benefits. The economic wellbeing of our older citizens, disabled workers, widows and orphans—about one-tenth of our population—depends largely on the extent of which social security benefits are adequate.

A considerable increase in social security benefits is needed if the program is to be a really effective instrument in relieving and preventing poverty. Under my bill, all social security beneficiaries will be provided a substantial increase in cash benefits beginning January 1968, amounting to about 50 percent on the average. I am also proposing a substantial increase in the minimum payment to $90 per month. This new minimum will assure more adequate benefits for people who are now getting low payments because they were too old at the time their occupations were covered by social security to build entitlement to sufficient benefit payments.

Some workers who have been enrolled under social security only occasionally or for short periods and who were not dependent for a living on their earnings in such employment might receive a disproportionate benefit from the increase to a $90 minimum. However, few people receiving minimum social security benefits are in this category. In fact, of the beneficiaries who get minimum payments, only 3 percent of the unmarried men, 4 percent of the unmarried retired women, 5 percent of the aged widows, and 15 percent of the retired couples, receive either public or private pensions.

Those drawing minimum social security benefits are far more likely to be in need or in poverty than those drawing higher benefits. A recent study conducted by the Social Security Administration of people who become entitled to social security benefits shows that people getting very low social security benefits have very little outside income, and that the lower the social security benefit, the less likely the beneficiary is to have any other retirement income resources. Among beneficiaries on the rolls at the end of 1962, over half (55 percent) of the retired workers getting the minimum benefit (then $40, now $44) had no retirement income other than their social security benefits, and over 20 percent were getting public assistance.

The situation is very little better at benefit ranges just above the minimum. Among workers getting benefits in the $41–$59 range, 46 percent of the married men, 63 percent of the single men, and 48 percent of the single women had no retirement income other than social security benefits. Of the widow getting benefits in this range, 43 percent had no outside income. Again in this range, 20 percent of the retired workers were on the public assistance rolls.

These figures should be compared with those citizens receiving benefits at or near the maximum benefit then payable. Among retired workers getting benefits in the upper ranges, 87 percent of the married men, 76 percent of the single men, and 89 percent of the single women had other retirement income and less than 1 percent of the workers in this benefit range were getting public assistance.

Increasing the minimum benefit to $90 a month will thus reduce welfare expenditures substantially.

INCREASE IN WIDOWS' BENEFITS

Under our present social security system, widows in particular receive inadequate benefits and, consequently, are subject to the greatest amount of deprivation and suffering. In 1962, 70 percent of the widows were living in poverty and a 1966 report shows the average social security payments to the 2.5 million aged widows receiving them were only $74 a month. This is about one third less than the average weekly earnings of workers still in employment.

My bill proposes that widows' benefits be increased from the present 82½ percent of the amount of the pension to which her deceased husband was eligible to 100 percent of that amount. The President's Commission on the Status of Women made this same recommendation in its report of October 1963.

A further problem is that the older the widow the less adequate the cash benefits prove, since these benefits are computed on earlier times when both incomes and prices were lower. A reasonable goal for a widow living on a pension would be the maintenance of a standard of living up to the level of moderate comfort similar to that which she had while her husband was living. She should be assured of at least some amenities and independence and the opportunity to live in security and dignity.

WIDOWS' BENEFITS TO DISABLED WIDOWS UNDER AGE 62

I wish to direct special attention to the plight of disabled widows who are ineligible for mother's insurance benefits or for widows' insurance benefits. The Social Security program now provides benefits for persons who become disabled during their adult years only if they meet rather substantial requirements relating to their work in covered employment. The ineligible widow who does not meet these requirements is totally without protection under the program until she can qualify for widows' benefits at age 60.

Both the President's Commission on the Status of Women, in its report in 1963, and the most recent Advisory Council on Social Security in 1965, have recommended that benefits be provided for disabled widows. The 1965 Advisory Council recommendation was that "benefits be paid to the widow so disabled that she cannot work—provided, however, that she was disabled at the time of her husband's death or before her youngest child reached age 18, or within a limited period after either of these events."

There are about 70,000 widows of insured workers who do not qualify for survivors benefits under present provisions and who became disabled before their husband's death or before they ceased to be entitled to mother's benefits, or within 7 years after either of these two events. If benefits were provided for these widows a very significant gap in their protection would be filled. The cost of such a change in the present program is estimated to be 0.06 percent of the taxable payroll.

ALTERNATIVE METHOD OF COMPUTING THE PRIMARY INSURANCE AMOUNT

The number of years over which earnings are averaged is increasing with the passage of time. As more and more years are used in the computation, the average monthly earnings on which benefits will be based may be only remotely related to the level of earnings the worker had just before his retirement. Since earnings levels have risen substantially since the program began, and undoubtedly will continue to rise in the future, a worker's average monthly earnings figured over a long period of years will generally be much lower than his earnings level at the time of his retirement.

Instead of basing benefits on a lifetime average, the changes that I have proposed would provide that the worker's average monthly earnings would always be computed on the best 10 years of earnings. Quite naturally, in most cases this will mean that the ten-year average will be the decade at or near the time of retirement. The change also includes a factor to take account of the length of time the person worked under the program. If this were not done the same benefit amount would be provided for a person who may have worked only long enough to be insured (10 years out of a 40 year working lifetime), as was provided for a person who worked in covered jobs over his entire adult life but whose average monthly earnings in his best 10 years were the same as those of the short-term worker.

AUTOMATIC COST-OF-LIVING INCREASE IN BENEFITS

The legislation I have introduced calls for the automatic adjustment of benefits to meet changes in the cost of living. The adequacy has been seriously weakened because the benefits have remained more or less stationary, while the cost of living has risen. Under the provisions of my bill, benefits will rise one percent with each corresponding rise in the consumer price index. The benefits granted by Congress under my bill will therefore continue to keep abreast of inflationary trends, rather than merely make up for what has been lost. It is, however, of the greatest importance that before any automatic adjustment provisions are enacted the level of benefits be raised at least to the level called for in my bill. If this is not done those receiving social security benefits would be frozen into a level of permanently inadequate incomes, which is just what we are seeking to avoid.

The benefit amount that a worker and his family get at the time they come on the benefit rolls will become less meaningful unless it is increased as prices rise. Over the years Congress has attempted to keep social security benefits abreast of price changes, but this has been done only irregularly and with a considerable time lag between price increases and benefit increases. The provision for automatic adjustment of benefits to changes in prices would assure that as prices rose, benefits would always be increased accordingly.

The enactment of my proposal would follow the pattern set by other Federal programs. For example, the Federal Civil Service and military retirement annuities are automatically adjusted to changes in the price level. The Civil Service Retirement provisions were changed to include automatic increases in 1962 and the military provisions were changed to include automatic increases in 1963.

Adjustment of benefits to changes in price levels coupled with adjustments of the contribution and benefit base to increases in earnings levels could be provided without additional financing, since as earnings rise additional income would become available to the system. Since wage levels usually rise faster than price levels, the additional income would be more than sufficient to pay for adjustment of benefits to changes in prices.

FEDERAL CONTRIBUTIONS TO THE TRUST FUND

Under the present social security program, the combined contributions of future workers and their employers will be about 50 percent higher than the benefits payable to these future generations. This is a result of the fact that, to make the social security program effective for the short run, full-rate benefits are being paid to people who were already old or in their middle years at the time their work was first covered under the program. Only a small percentage of the actual cost of the benefits paid to these people could be met by the contributions they and their employers paid. The balance of the cost of making the program effective in the early years of operation will have to be paid for by future generations.

While present beneficiaries get a high return in relation to their contributions, future generations of covered workers will not get protection worth the combined employee-employer contributions paid with respect to their earnings. The value of the benefits paid on the account of the long-term contributor will be considerably less than it would be if the same employer-employee contribution rates were maintained but a different revenue source were called on to finance the full-rate benefits being paid in the early years.

Since there is a limit to the percentage of covered payroll that can be taxed for social security purposes, and since under the financing policies now in effect a significant portion of the proceeds from the social security tax over the long-range future will be used to finance the benefits already paid to the first generation of workers, the protection provided under the program is much less effective than it otherwise could be.

My bill provides for benefits to be financed partly out of general tax revenues. The bill provides a formula whereby equal amounts will, for the first time, be contributed out of general revenues beginning in the fiscal year 1969. By 1977, general revenues will finance 35 percent of the social security system.

Arrangements for the partial funding of the program over the broader base of general taxation has been considered for many years. In recommending a Government contribution, the 1938 Advisory Council said, "Since the Nation as a whole will materially and socially benefit by such a program, it is highly appropriate that the Federal Government should participate in the financing of the system. With the broadening of the scope of the protection afforded, governmental participation in meeting the costs of the program is all the more justified since the existing costs of relief and old-age assistance will be materially affected."

The contribution from general revenues toward the initial cost of getting the program started will mean that all of the contributions paid with respect to the earnings of future generations of workers, by employers as well as employees, would be available to furnish protection for them. As a result, the value of the insurance protection provided under the program could be made equivalent to the actuarial value of the ultimate combined employee-employer rate paid over a full working lifetime. In addition, the adoption of such a financing policy would make possible an improved social security program without increases in the social security tax rates.

Financing cost in part from general revenues would represent progressive taxation, and would take advantage of the broadly based graduated individual and corporate tax structure and place more of the burden on those best able to pay. Attempting to meet all of the social security costs by means of a payroll tax would be regressive taxation and place a disproportionate burden on those we are trying to help most, and those least able to carry such a burden.

BENEFITS FOR DEPENDENT DIVORCED WIVES AND WIDOWS

I hope that favorable consideration will be given to the plight of the divorced women whose marriages ended too late in life for them to have remarried or to have worked long enough to qualify for benefits on their own right. Under the present law, these women must have been married for at least twenty years prior to the divorce in order to qualify for divorced wife's or widows' benefits. My bill would shorten this period to 10 years while retaining all other protective clauses of the present act.

The cost of the over-all system by reducing this time requirement is quite insignificant, and yet the benefits which would accrue to those who are presently unable to qualify could mean the difference between a decent living standard, and destitution and poverty.

INCREASE OF EARNINGS COUNTED FOR BENEFIT AND TAX PURPOSES

In raising the benefit level it is necessary also to increase the contributions base, i.e., the maximum amount of annual earnings that are taxed and counted for benefit purposes. Periodic adjustments have been made in the contribution and benefit base sufficient to keep it approximately in line with the $3,600 figure adopted in 1950 but the maximum has not been adjusted to anywhere near the degree needed to keep up with the rise in earnings since the beginning of the program. If the base were to be restored to a figure comparable to the $3,000 figure provided in 1935, it would have to be raised to about $15,000. This latter amount is the figure my bill will reach in a two-stage increase by 1970 in order a responsible base for providing both benefits and financing.

If the protection provided by the social security program is not to deteriorate, this contribution and benefit base must rise as earnings levels rise. This is truly the key point in keeping the system strong. To the extent that the base does not keep up with increased earnings, a larger and larger proportion of workers have earnings above the base, and a smaller and smaller proportion of workers get benefits related to their full earnings. Eventually the program would pay to almost everyone a benefit unrelated to his previous earnings because almost everyone would have had earnings above the limit set by the base. Keeping this base up to date is the factor that determines how much of the job is to be either left undone or left only partially done by private pension plans.

Failure to raise the base as earnings levels rise may also limit seriously the ability of the program to respond to new and emerging needs because it weakens the financing of the program; if the base remains frozen a smaller and smaller proportion of the nation's payrolls are subject to social security contributions. The effect of this decrease in the proportion of total earnings that are taxable is that the tax rates have to be higher to finance a given part of the cost of the program falls on the lower-paid workers—those earning less than the limit set by the base—than if the base were raised. The weighted benefit formula and percentage contribution rate makes the financing of the system progressive over the long run, provided that the contribution and benefit base is relatively high. Flat rate benefits and flat contributions, as in the basic British system, for example, add up to a very regressive and weak system of financing.

INCREASE IN EARNINGS LIMITATION

My bill will assure those receiving social security payments a greater opportunity to supplement their benefits through earnings from part-time or intermittent work. The amount that a beneficiary can earn and still receive full benefits is now $1500. If a beneficiary's earnings exceed $1500, $1 in benefits is withheld for each $2 in earnings between $1500 and $2700 and for each $1 of earnings above $2700. I propose to raise this $1500 exempt amount to $2400 and the $1-for-$2 span to $3600. This will enable beneficiaries to increase their incomes without suffering a deduction in benefits, thereby enabling them to attain and keep a more comfortable standard of living after reaching retirement age.

Under my proposed changes it would be possible for beneficiaries to have fairly substantial earnings and still receive some social security payments. For example, a worker reaching age 65 and retiring in January 1968 (the year the changes would become effective), who has had maximum earnings in all years, would be potentially eligible for a monthly benefit amount of $194.80 and a total of $2337.60 for the year; he could earn $5000 a year and still get $337.60 in social security benefits for the year. If the beneficiary is a married man, he and his wife would get monthly benefits of $292.20 with a total of $3506.40 for the year; he could earn $5000 a year and the couple would get $1506.40 in benefits for the year.

The additional cost to the program would be 0.30 percent of payroll (based on a $15,000 contribution and benefit base), figured on a level premium basis.

I believe this is a desirable improvement to existing legislation in that it allows our older citizens, who are willing and able to work, to do so with a minimum cost to the system and still retain most of their social security system. It reinforces our support in the belief of individual initiative, and allows society to benefit from the skills, experience and know-how of a lifetime of work. In addition, it will keep many older people active and occupied which is widely accepted as the best form of therapy for the aging.

REDUCING THE SCHEDULED TAX RISE FOR THE SELF-EMPLOYED

At present and since the self-employed were first covered by social security in 1950, the contribution rate paid by the self-employed for the cash-benefits part of the program has been roughly 1½ times the rate paid by employees. This self-employment rate for cash benefits is scheduled to rise in three steps from 5.8 percent in 1966 to 7.0 percent in 1973. My bill calls for stabilizing the tax rate for the self-employed at 6 percent for any taxable year after December 31, 1968.

To the extent that the self-employed person does not contribute at rates as high as the combined employee-employer rate, there is a financial disadvantage to the program in covering an employee. From the standpoint of an individual contributing toward his own protection, self-employed people who will pay over a lifetime on the basis of maximum covered earnings at the ultimate rate now scheduled may be shown in some analyses to pay total contributions having a value in excess of the actuarial value of their benefit protection. It is true that no one can know, before the fact, that he will be self-employed and pay over a lifetime at the maximum rates. It is also true that no one can buy from any private carrier benefit protection which can be expected to be kept up to date and yet pay as little for it as he will pay under social security.

Part of the contributions paid by self-employed people are, like employers' contributions to the program, used to help provide protection for low-paid workers, workers, with large families and workers who were already on in years when their jobs were first covered. It is reasonable to use the contributions of an employer for general purposes, rather than for the benefit of the particular employees on whose earnings the contributions are based, as long as the employee can in general be said to get his money's worth. On the other hand, a self-employed person may find it difficult to understand why his contribution rate should be set at a level beyond that needed to pay for the protection provided to self-employed people by the program.

A reduction in the rates now scheduled for the self-employed would, of course, mean a loss of income to the program that would have to be replaced with income from other sources. For example, if the rate for the self-employed were kept at the present 5.8 percent, the level-cost of the program would be increased by 0.08 percent of covered payroll. On the other hand, if the present ratio is maintained then it can be expected that some among the self-employed will object to future improvements in the program and even to participating in the program as it now exists, on the ground that both the rates and the amount of contributions paid by the self-employed are considerably higher than those paid by employees and higher than they are willing to pay for the protection provided.

CONCLUSION

I believe that my bill substantially strengthens and improves what is already a widely applicable and thoroughly acceptable program The objective of the program is not only the abolition of poverty among the aged, but its efficient operation can prevent poverty and it can be used much more effectively for this purpose. Perhaps one-fourth to a third of all the poverty that exists in the United States could be prevented by the improvement and broader application of the social insurance principle. A very significant part of the poverty problem is best solved by the expansion of insurance against the loss of job income so that retired people, the disabled, widows and orphans, and those between jobs can have an assured and adequate income when not working.

The Social Security Administration has informed me that the program changes I have introduced are in actuarial balance, and that there is adequate provision for funding all of the benefit increases. Naturally, in view of our nation's present exceptional international obligations, I am not proposing that fiscal commitments be made beyond the limits of our income. Likewise, I do not intend that we should be committed to a system of financing which, while sound on the basis of present actuarial projections, turns out to be unperformable in the future.

It is important to consider that by the time the general revenue contributions of my bill reach the intended level of approximately 35 percent of the social security costs in 1977, general revenues at today's tax rates will be almost $100 billion more than they are now. In addition, our gross national product will probably be nearly a trillion and a half dollars by that time. I believe that this will be more than adequate to provide the basis for financing the benefits I have proposed in my bill. The National Commission of Technology, Automation, and Economic Progress reached the same conclusion when it stated in discussing social securities, "We are convinced that rising productivity has brought this country to the point at last when all citizens may have a decent standard of living at a cost in resources the economy can easily bear."

From a purely national economic standpoint, it is sound and desirable that our elderly, poor, and disabled, receive additional income. Their funds are, of necessity, spent on services or consumer items, and thus the economy as a whole is continuously primed. However, the most essential element is the social and human good that comes from providing a minimum adequate standard of living through the social security program, rather than supplementing deficient payments with relief and welfare subsidies.

Our social security benefits must now be raised and kept at a level sufficient to allow those who depend upon them as a source of income, to live in dignity, confidence, and with the minimum necessities of a decent life.

SENATE

Thursday, April 20, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

Rev. Donald G. Stauffer, rector, St. Andrew's Episcopal Church, College Park, Md., offered the following prayer:

Almighty God, who has created us with the capacity for thought and speech, we humbly offer up thanksgiving for those occasions when we have been able so to use our minds and voices that something fine and good has been achieved, something just and ennobling won.

Lest we account such gain to our own personal glory, we pray that Thou wilt keep us ever mindful of those times when, through indolence, self-seeking or cowardice, our thoughts and spoken words were unworthy of us as public servants and as men.

Open the eyes and ears of each of us that we may know Thy will, and, knowing it as best we can, have the guts to labor and fight for its accomplishment regardless of personal cost, so striving that we may one day hear those glorious words, prized above all else, "Well done, good and faithful servant."

To help us in this dedicated quest, O Lord, guard us, who are so enmeshed in words both from without and within, from becoming so preoccupied that we lose contact with Thy word which was made flesh, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 19, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **PRESIDENT** pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

ORDER OF BUSINESS

The **PRESIDENT** pro tempore. Under the order entered yesterday, the Chair recognizes the Senator from Nebraska [Mr. Hruska].

MEAT IMPORT QUOTA

Mr. HRUSKA. Mr. President, I send to the desk a bill which is designed to revise the quota control system on the importation of certain meat and meat products, and I ask that it be appropriately referred. I introduce this bill on behalf of myself and Senators Curtis, Mundt, Pearson, Bennett, Metcalf, McGovern, Tower, Harris, Dominick, Carlson, Hansen, Miller, Hickenlooper, Allott, Young of North Dakota, Hatfield, Dirksen, Eastland, Church, Burdick, Yarborough, Mansfield, Holland, Fannin, Jordan of Idaho, Lausche, Stennis, Montoya, Aiken, Moss, Monroney, and McGee. I ask that the bill be printed in the Record.

The **PRESIDING OFFICER** (Mr. Williams of New Jersey in the chair). The bill will be received and appropriately referred—and, without objection, the bill will be printed in the Record.

The bill (S. 1588) to revise the quota control system on the importation of certain meat and meat products, introduced by Mr. Hruska (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record.

S. 1588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it is the policy of the Congress that the aggregate quantity of the articles specified in items 106.10 (relating to fresh, chilled, or frozen meat) and 106.20 (relating to fresh, chilled, or frozen meat of goats and sheep (except lambs) of the Tariff Schedules of the United States which may be imported into the United States in any calendar year beginning after December 31, 1967, should not exceed 585,500,000 pounds; except that this quantity shall be increased or decreased for any calendar year by the same percentage that estimated average annual domestic commercial production of these articles in that calendar year and the two preceding calendar years increases or decreases in comparison with the average annual domestic commercial production of these articles during the years 1958 through 1962, inclusive.

(b) Before the beginning of each calendar year after 1967, the Secretary of Agriculture shall estimate and publish the aggregate quantity prescribed for such calendar year by subsection (a).

(c)(1) The President shall by proclamation limit the total quantity of the articles described in subsection (a) which may be entered, or withdrawn from warehouse, for consumption during each quarter of any calendar year to one-fourth the aggregate quantity estimated for such calendar year by the Secretary of Agriculture pursuant to subsection (b).

(2) The Secretary of Agriculture shall allocate the total quantity proclaimed under paragraph (1), and any increase in such quantity pursuant to subsection (d), among supplying countries on the basis of the shares such countries supplied to the United States market during a representative period of the articles described in subsection (a), except that due account may be given to special factors which have affected or may affect the trade in such articles. The Secretary of Agriculture shall certify such allocations to the Secretary of the Treasury.

(d) The President may suspend any proclamation made under subsection (c), or increase the total quantity proclaimed under such subsection, if he determines and proclaims that—

(1) such action is required by overriding economic or national security interests of the United States, giving special weight to the importance to the Nation of the economic well-being of the domestic livestock industry;

(2) the supply of articles of the kind described in subsection (a) will be inadequate to meet domestic demand at reasonable prices; or

(3) trade agreements entered into after the date of the enactment of this Act insure that the policy set forth in subsection (a) will be carried out.

Any such suspension shall be for such period, and any such increase shall be in such amount, as the President determines and proclaims to be necessary to carry out the purposes of this subsection.

(e) The Secretary of Agriculture shall issue such regulations as he determines to be necessary to prevent circumvention of the purposes of this section.

SEC. 2. (a) Whenever the President determines that the imposition of quotas on the quantity of any article enumerated in subpart B of part 2 of schedule 1 of the Tariff Schedules of the United States (relating to meats other than bird meat), other than the articles enumerated in items 106.10 and 106.20, is necessary in order to prevent unwarranted increases in the quantity of such article imported into the United States, he is authorized—

(1) to determine the total quantity of such article which may be imported into the United States during such period or periods as he may specify, and

(2) to limit, by proclamation, the total quantity of such article which may be entered, or withdrawn from warehouse, for consumption during such period or periods to the total quantity so determined.

(b) The President may suspend any proclamation made under subsection (a) and may increase or decrease the total quantity proclaimed with respect to any article under such subsection.

SEC. 3. Prior to the beginning of each calendar quarter the Secretary of Defense shall certify to the Secretary of Agriculture an estimate of the quantity in pounds of meat to be accepted for delivery during such quarter, procured from appropriated funds by the Defense Department from foreign sources, of any of the articles with respect to which quantitative limitations have been imposed on imports under the provisions hereof. The quotas established pursuant to section 1 or section 2 hereof shall be diminished by the amount of such meat to be accepted for delivery as estimated by the Secretary of Defense.

SEC. 4. All determinations by the President, the Secretary of Defense and the Secretary of Agriculture under this Act shall be final.

SEC. 5. Effective January 1, 1968, section 2 of the Act entitled "An Act to provide for the free importation of certain wild animals, and to provide for the imposition of quotas on certain meat and meat products," approved August 22, 1964 (Public Law 88–482), is repealed.

Mr. HRUSKA. On last Friday, I discussed in some detail the legislation then being prepared to tighten up the operation of meat import quotas under Public Law 88–482. Today, the bill described in those remarks is being introduced.

Yesterday, an amendment very similar to the proposal I described last Friday was added to the investment credit bill now under consideration, and that amendment had my hearty support. Regardless of the fate of that amendment in the conference with the House, it is my hope that my bill now being introduced may receive early and careful study of the Committee on Finance. We all recognize that this is a complicated subject and that great care must be taken in legislating in this field.

When Public Law 88–482 was adopted in 1964 and enacted into law, it was admittedly the result of a compromise agreed to under conditions of some haste and a good deal of pressure. At the time, many of us, while expressing our support for it as the best that could be secured at that time, expressed the determination to review it periodically in the light of subsequent experience. As I stated in the course of my remarks last week, the time has come for that review. It is hoped that full hearings on this problem may be possible and will be had at a very early date.

PROVISIONS OF THIS BILL

The provisions to be included in this bill were discussed in my earlier statement of last week. At the risk of repetition they will be summarized here again, so that he who runs may read.

At the outset, let it be understood that in the specific words of Public Law 88–482 it is the policy of Congress that imports of the types of meats specified—that is, fresh, chilled, and frozen beef, veal, and mutton—not exceed what is called the adjusted base quota. But then the law provides that nothing will actually be done to check those imports unless the Secretary of Agriculture estimates, in advance, that the volume is likely to be more than 10 percent greater than that adjusted base quota. That is called the 10 percent overrun.

The bill being introduced today would change that arrangement in two respects. First, it would wipe out the extra 10 percent of imports now permitted before quotas are legally applicable. There is no reason why we should suffer this additional 10 percent of import volume, over and above the quantity specified in the statement of policy set by Congress.

Second, the bill would get rid of the duty on the Secretary of Agriculture to estimate in advance the level of imports and determine whether they will likely be greater than the allowable quantity. Instead, by this bill the quota would be imposed by the law itself, and would not be dependent upon the Secretary's estimate. There is ample precedent for this change—for example, in the Sugar Act, in the laws governing our imports from the Philippines, and elsewhere.

Third, the bill would change the period on which the total quotas is based. The base quota in the present law, for total imports of fresh, chilled, and frozen beef, veal, and mutton, is set at 725,400,000 pounds, which was approximately the average annual importation of those products during the 5-year period 1959–63. In the bill that has been introduced, that base is set at 585,500,000 pounds, the average annual volume of imports during the period 1958–62, a much more representative base period.

Fourth, this bill proposes that quotas be imposed quarterly, instead of annually as at present. This change it is hoped will smooth out the flow of imports through the year, to prevent any unduly heavy impact on the market in any one season.

Fifth, this bill would give authority to the executive branch to impose quotas on the importation of other meat products, if necessary, to prevent a damaging flood of such other products under circumstances where Congress might not be able to act quickly enough. This authority would apply to canned and cured beef, and also to such products as lamb and pork. Last year imports of lamb were higher than in any recent year except 1963. Imports of pork and also imports of prepared and preserved beef were higher than in any year for certainly many years.

This authority would be very necessary in case the quotas on fresh, chilled, and frozen beef were filled and there should then be an effort to get around those quotas by importing the beef in other forms. Similar authority would be very helpful to the Secretary in connection with the manifest evasion of the quotas on dairy products that is occurring right now.

Sixth, the bill provides that offshore purchases of meat by the Defense Department for the use of our troops abroad or otherwise shall be charged against the quota applicable to such meat. For example, a few weeks ago it was announced that the Defense Department had negotiated the procurement of 10 million pounds of lamb from New Zealand and Australia for use in Vietnam. Ten million pounds is a very large quantity in terms of the lamb industry. The Defense Department has informed me that this procurement is to be spread out over an 18-month period, however. Under the provisions of this bill any such procurement would be chargeable against the quota for the period in which it was delivered.

POSITION OF THE FARMER

Again and again we are told of the rising prosperity of the Nation, of the fact that the gross national product is at record high levels.

Not so often is it mentioned that the income of the farmer has lagged behind. While others have enjoyed rising standards of living, the farmer has been left out.

Last year, in spite of the increase in farm income widely publicized by the Department of Agriculture, the fact remains that average per capita income on the farm was only $1,731, less than two-thirds the level of average per capita income for the Nation as a whole.

Nor is that all. As it has turned out, even last year's level of farm income could not be maintained. While the price level has continued to rise, while the price the farmer must pay for the things he purchases has continued to increase, the price he receives has fallen.

According to the most recent figures announced by the Department of Agriculture, between March of 1966 and March of 1967 the index of prices paid increased from 331 to 340. The index of prices received by the farmer declined from 269 to 250, and the parity ratio fell from 81 to 74 in March of this year.

Mr. President, it should be noted that in 1935, when this Nation was in the throes of a disastrous depression, and the Middle West was drought-ridden by dust storms, the parity ratio was 75, a point higher than the present farm parity ratio.

TREND OF CATTLE PRICES

The position of the cattleman has been particularly affected by the adverse trend of farm prices.

His cost of living has gone up. His costs of operation have gone up. The prices of everything else have gone up, but the price of cattle has remained the same or gone down.

Since last year, the price of cattle has gone down sharply. The average price last month of choice slaughter steers in Chicago was $24.67 a hundred pounds, compared with $29.22 a hundred during March of 1966—a decline of over $4.50 a hundred pounds. In only 5 out of the 20 years since the removal of price controls in 1946 have cattle prices been below $24 a hundred for choice fed cattle in Chicago. Prices of feeder cattle have declined in similar fashion. Good feeder steers in Kansas City, weighing 550 to 750 pounds, averaged $26.57 a hundred in March of 1966 and $23.08 a hundred in March of this year, a decline of $3.50 a hundred. And following the even greater decline in the price of fed cattle, it is to be feared that the price of feeders may be pushed down even further.

In Nebraska the position of the cattle industry is the key indicator of the State's prosperity. Over two-thirds of the cash farm income for the State comes from livestock products, and cattle account for three-fourths of all cash receipts from livestock.

The Senator from Kansas and the Senator from North Dakota have indicated in remarks on the floor of the Senate the loss per "critter," as we call them out there, suffered by the cattle producers as well as the cattle feeders. This price decline is snowballing to the point where we are approaching a crisis situation.

INCREASE IN MEAT IMPORTS

During the past 3 years the trend in meat imports has been steadily upward.

Public Law 88–482 relates only to beef, veal, and mutton, fresh, chilled, or frozen. It does not cover canned, cured, or cooked beef, or lamb or other meats. In the amendment originally proposed by me in 1964 the coverage of the legislation was broader, but the definition of meats covered was narrowed down in the version of the legislation finally enacted.

Of the meats covered by the law, imports in 1965 amounted to 614.2 million pounds. For 1966 at the beginning of the year Secretary Freeman estimated that the volume of imports would be 700 million pounds. That estimate was subsequently revised upward twice, to 760 million pounds and then to 800 million pounds, but finally the total of imports was even greater than his last estimate. Total imports last year were 823.5 million pounds.

For 1967 the Secretary's original estimate was 960 million pounds, but last month that figure was revised downward, to 900 million pounds. If this last estimate of 900 million pounds should prove correct, it will be just barely less than the adjusted base quota for 1967, which is 904.6 million pounds. If imports should be noticeably greater than the Secretary's estimate for this year, they might well be considerably more than the adjusted base quota—which is the figure which Congress has said it is our policy should not be exceeded. Nevertheless, imports might well be more than this adjusted base quota without triggering the quota system into operation. That is one of the aspects of the law which appears to require review by a congressional committee.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield for a statement which I wish to make in support of the amendment?

Mr. HRUSKA. I am happy to yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I want to take this opportunity to commend the distinguished Senator from Nebraska for the leadership he has provided in dealing with this problem. No one is more knowledgeable on the problems of the livestock industry and agriculture in general. He is a real champion of the livestock industry. It is a pleasure to join in the sponsorship of the amendments you are offering to the meat import law.

Farmers and ranchers across the Nation are today faced with the prospect of another year of operating at a loss. Fed steers are $4 to $5 below year ago levels. Feeder cattle prices are down. Cattle feeders—good, efficient operators—have been telling me they are losing $15 to $40 on every animal they put on the market. Cattle prices today are lower than they were 20 years ago.

Ranchers are seriously questioning whether or not they can continue. The Nation's sheepmen are in no better condition.

This is the situation faced by one of the most basic industries of this country. The alarming situation has developed in the face of continuing high levels of domestic consumption. The American livestock producer has made use of each new production technique. Still, he is locked in a struggle which he is losing at the present time.

A key factor contributing to this problem is the import of beef and mutton which is again expanding at an alarming rate. Because of a similar situation in 1964, Congress responded with legislation to limit imports. Many of us recognized at that time that what we passed was inadequate and provided serious loopholes; however, it was all that the administration would accept.

In 1965, meat imports subject to the quota provisions established in 1964 totaled 614.2 million pounds. Last year they rose to 823.5 million pounds and Secretary of Agriculture Freeman has estimated that they will run between 900 and 960 million pounds during the current year. Under our present law, these imports will have to reach 995 million pounds before the quota can become effective.

These amendments will tighten the present quotas and place them on a realistic basis. It will remove the necessity of waiting until the horse—in this case it would be more appropriate to say the cow—has been stolen before shutting the door.

Doing away with the 10-percent overrun now provided for will enable us to deal more effectively with this rising level of imports. Eliminating the requirement for the Secretary of Agriculture's estimate would place us on a current operating basis and eliminate the need for a 2- to 3-month wait to provide relief the domestic industry needs now.

The authority to extend these quotas to other types of meat and meat products would eliminate the possibility of imports being expanded by shipping in products not covered by the quota. We are all aware of the problems being created for the dairy industry by just this type of evasion. Dairy product imports have jumped 300 percent this year just because of such evasion.

Other amendments included in this bill would simply place meat import quotas on a more reasonable and realistic basis.

I hope it will be possible to obtain speedy action on this legislation. It is sorely needed in order to help restore the health and strength of our domestic livestock industry.

I believe we are going much too far with imports, not only of agricultural commodities, but also in many other fields. We are ruining domestic industries. As a farmer, I should not complain about the importation of nails and barbed wire. As you know, they are no longer produced in the United States except for a few specialized purposes. We probably could buy them more cheaply from foreign countries. However, it does not make sense to wreck a local industry in this country and put our people out of work for the sake of imports, particularly when our balance of payments with the rest of the world is out of balance.

Mr. HRUSKA. I thank the distinguished Senator from North Dakota.

I direct attention to the salient points involved in the proposed amendments. Certainly when we consider the growth factor which was cranked into this beef quota, added to by the 10-percent overrun, added to by the idea that these quotas will be imposed only if the Secretary of Agriculture's estimate of expected imports is larger than trigger points calculated for that year—when we consider all those things—we know that this is not properly operative on an effective basis for the purposes for which adopted.

I am grateful for the assistance and support rendered by the distinguished Senator from North Dakota in this particular area.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the Senator from Kansas.

Mr. PEARSON. Mr. President, this is a complicated piece of legislation.

Mr. HRUSKA. All measures which seek to amend the tariff laws are necessarily complicated and complex. This one shares in those attributes.

Mr. PEARSON. I understand there is a target level or basic quota which may be reached. When you reach the point of 10 percent above the target level, then the Secretary, through the President, may put on import quotas in certain areas of beef, veal, mutton, and the like; is that correct?

Mr. HRUSKA. The Senator is correct.

Mr. PEARSON. Does the Senator recall what the rationale or determination was as to why it should be 110 percent?

Mr. HRUSKA. The rationale of it, to be frank with the Senator from Kansas, was that that was one of the conditions imposed by those who were the architects of the final form which the bill took in conference. It was stated that this would have to be, or no bill. So the extra 10 percent was added, which we knew would be unrealistic and unsatisfactory, but we wanted a bill. We wanted a bill which would establish the principle of this particular kind of import as being subject to import controls. As nearly as I can explain it to the Senator from Kansas, that is the background for that 10-percent overrun.

Mr. PEARSON. Let me ask the Senator this question: Can the Senator define the reasoning or the rationale as to why the average period of the imports is 1958 through 1963?

Mr. HRUSKA. Yes. Again, I believe that figure was imposed in the final stages of formulation of the present public law. It was an obvious effort to get the volume of imports to as high a level as possible. With 1963 included in that period, it made the base quota very high—as a matter of fact, 725 million pounds. The obvious effort of those in the State Department and the Department of Agriculture was to allow as much to be imported as they could, and, thus to avoid offending some of the foreign beef producers who are competitors with our domestic beef producers.

Mr. PEARSON. I should correct my statement. The years are 1959 through 1963, rather than 1958. As I understand the Senator's proposal, the years under his bill would be 1958 through 1962; is that not correct?

Mr. HRUSKA. That is correct.

Mr. PEARSON. Well, this points out clearly, it seems to me, what the Senator said in his opening statement, it is intended that this be reviewed.

Mr. HRUSKA. Correct.

Mr. PEARSON. From 1964 to right now.

Mr. HRUSKA. The advocates of the bill, including representatives of the cattlemen's associations, State and national, and the Livestock Feeders Association—they all had in mind that the law as now written would be tried out, but that it would be subject to careful scrutiny as time went on, and eventually have a review such as we are engaging in now.

Mr. PEARSON. The truth is, in 1964, the administration did not want any bill whatsoever; is that not correct?

Mr. HRUSKA. Correct. The record plainly shows it—the record of debate and testimony.

Mr. PEARSON. I shall not detain the Senator any longer, except to observe that on yesterday I voted for the McGovern amendment, as did the Senator from Nebraska.

Mr. HRUSKA. I did, indeed.

Mr. PEARSON. And the Senator from North Dakota. But this is an enormously complicated piece of legislation. I think that the Senator's approach in introducing his bill, sending it to committee, in order to have it given thorough and complete study in all its ramifications, has a great deal of merit. I compliment the Senator on his approach, as well as on the subject matter of the amendments.

Mr. HRUSKA. The Senator comes from a State in which cattle raising and the production of beef is a great part of its farm income and, probably, a very substantial part of the gross State income. The subject is of tremendous importance in any State of that kind. I might say that there are some 34 States which have 1 million head or more of cattle in them. Thus, they have a great stake in this subject.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. YOUNG of North Dakota. The Senator mentioned the drop in meat prices and the producers' price situation which has been aggravated, as he so well pointed out, by imports of more than 900 million pounds.

Mr. HRUSKA. That is right.

Mr. YOUNG of North Dakota. This price problem has been further aggravated by changes in the estimates of cattle in the United States made by the Department of Agriculture. They recently revised their figures quite drastically. Their most recent estimate is that there are approximately 3 million more cattle and calves on farms than had been anticipated just a month ago.

This additional 3 million head of cattle, which we are supposed to have on hand now, plus all the excessive imports, makes for a very price-depressing situation throughout the market, does it not?

Mr. HRUSKA. There is no question about it. I am sure that the Senator from North Dakota will remember the testimony of the Secretary of Agriculture 3 years ago, when he took the position that imports amounted to very little by way of having any influence or impact on the livestock prices in this country, that the blame was to be placed upon the heavier population figures in the cattle world.

How the increased number of cattle in this country would drive down prices, and how imports which would have, at that time, equaled about 3½ million head of cattle slaughtered, in order to make up for that volume, would not affect the level of prices in this country, is still a mystery to me. I have an idea that it is a mystery to anyone who knows the cattle industry.

The fact is that in 1963, the equivalent of anywhere between 3½ million to 4½ million head of cattle were being imported. We have to use that wide range because it depends on the weight in which they might be slaughtered—whether heavy, extra heavy, or lean. But there is no question that the import volume is the largest single factor in the sagging effect on price levels in the cattle industry.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the distinguished Senator from Kansas.

Mr. CARLSON. I appreciate very much the Senator from Nebraska's yielding to me at this time, because I think it is generally agreed that one of the regrettable errors was the error in reporting the number of cattle by the Department of Agriculture, which has a serious effect on the market.

The Department of Agriculture, about 2 months ago, announced that there were about 11.3 million head of cattle and calves on feed in 39 States—unexpectedly up 7 percent from a year ago.

It seems to me the Department can be severely criticized for what I would call an extreme error in reporting the number of cattle in the United States, not only in its releases, but what I would call a census of the cattle population, which had an adverse effect on the market, as well as in regard to imports, as the Senator from Nebraska mentioned.

I think it is most important that we keep in mind that quotas have increased without justification. Imports of beef, veal, mutton, cheese, and eggs are substantially higher than the levels of a year ago. Imports of meat subject to the 1964 quota law, for example, were almost 40 percent higher during the first 10 months of 1966 than they were during the same period in 1965.

It seems to me that, first, the error in reporting the number of cattle and, second, the great increase in imports make it essential that there be early hearings and action by the Senate on the bill which the distinguished Senator from Nebraska is introducing today.

This legislation would be of great value to our State. Livestock produces the largest income in the agricultural field in Kansas. We are the greatest wheat State in the Nation, but livestock provides the greatest income. Meatpacking adds $520 million a year to our State's economy. More than 1 billion pounds of red meat are produced annually. The meatpacking industry employs 8,900 people in Kansas.

I appreciate the efforts of the Senator from Nebraska in this field. It is a pleasure to support him and I shall be glad to be of as much help as I can.

Mr. HRUSKA. I thank the distinguished Senator from Kansas for his contribution and support.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. HRUSKA. I am glad to yield to the distinguished Senator from Iowa.

Mr. HICKENLOOPER. I want to thank the Senator for his exposition of the problems that are eating into the vitals of the Middle West and the Far West, and of my State, where cattle is such an important part of our economy. Traditionally and historically my State has marketed more beef than any other State in the Nation, so we have a vital interest in this matter. We do not raise as many feeder cattle in the State as two or three others, but we market more of them and feed more of them.

We have another problem, which is not collateral to but is an important one with respect to the meat problem, and that is the hog situation. We are greatly interested in hogs.

Another problem we have has been caused by the Department of Agriculture's mishandling in the dumping of feed grains on the market at low prices. I admit and realize that the importation of beef and other meat products, including lamb and other meat products, has a substantial effect upon lowering the price of meat, but one of the fundamental problems started when Mr. Freeman came into office and Mr. Cochran, who is his mysterious adviser in the State Department, deliberately decided upon the dumping of feed grains with the avowed purpose that they wanted to keep the price of corn and feed grains at a low price, which then was $1 a bushel for corn. It was stated at that time that cheap feed means cheap meat.

That practice has increased the number of animals, because it is just as true as can be that when feed is cheap, a farmer has to have something to see him through, and he will increase the number of animals he raises; and that automatically results in a lower price.

In summary, many factors have entered into this condition, not the least of which, and a very important one, is the terrific impact of the importation of beef and beef products, sheep, and pork products from abroad into this country when we do not need them and have a surplus of those products for our population at the present time.

The net result is that the farmer's share of the national income is nowhere near the proportion he shoud have in his economic place in this country. He has been in a difficult position for the last several years. We now have the lowest parity figure since the depression of the 1930's as a result, basically, of these practices and these ill-advised policies and, in my opinion, inept management.

In fact, quite often, I think that the whole policy of the Department of Agriculture is not really to benefit fundamentally the farmer and his problems, but to benefit the voters in the big cities with the inducement that they are getting food at low prices, at the expense of the farmers of this country. I think that is what has brought about the problem of the farmers today.

I congratulate the Senator from Nebraska. I am glad to join with him.

Mr. HRUSKA. I thank the Senator from Iowa. For the last two or three decades the senior Senator from Iowa has served his State well and has been closely allied with the agricultural activities of his State, first as Governor, then here in the Senate, where he was for many years a member of the Committee on Agriculture and Forestry. So when he undertakes to assess the situation confronting us, his testimony and his words are entitled to great weight.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. HRUSKA. I am glad to yield to the distinguished Senator from Colorado.

Mr. DOMINICK. I thank the Senator for yielding to me at this time. I am most happy to be a cosponsor of this bill. I think it deals with a vital subject which needs the immediate attention of the Senate. The bill should be heard and passed as rapidly as possible.

Mr. President, my distinguished colleague from Nebraska has proposed some very necessary changes in Public Law 88–482 in order to prevent our livestock industry from certain oblivion. I strongly endorse his proposals and am happy to cosponsorship them.

Frankly, Mr. President, I think every Member of this body should recognize the imminent danger to the livestock industry of this country, and the resultant need for immediate action by Congress to prevent further undercutting of that industry by foreign producers.

The greatest threat to our livestock industry is the encroachment into our market of cheap foreign meat. This penetration of American markets from abroad became a serious threat shortly after the present administration took office; and by 1964 it had reached crisis proportions. Growers and feeders were paying more per pound for cattle than they could get in the market place when they sold them. Thus, my distinguished colleague who today is attempting to prevent this problem from worsening, took immediate action and called for a strict limit on the import of meat into the United States. As you will recall, Mr. President, we ended up compromising on his proposals so that at least a minimum of action could be taken.

We compromised because the 1964 proposal established the principle that quotas were needed on imports of beef and beef products. And our compromise included our trust that the law would be tested for its effectiveness and practicality—and if the law needed changing, we would do so.

Public Law 88–482 does need amending, Mr. President, as the experiences of our livestock industry clearly indicate. For it now looks very much as if this year we will see the biggest importation of meat in our recent history. American housewives, having been urged by the President to shop for the cheapest possible cuts of meat, provide a ready-made market for these imports.

The State Department is now promoting an international meat agreement patterned along the lines of the international wheat agreement which may open the doors of new markets to imports over and beyond those now permitted by law. Our shipments abroad would be limited and curtailed to meet the economic needs of Argentina, Australia, New Zealand, and Mexico and any other country that wants to start ranching. The danger, of course, is whether outside markets so gained will offset the loss of markets within the United States.

Mr. President, I believe our greatest concern should be for the survival of our own livestock industry.

The present law, as established in 1964, authorizes the Secretary of Agriculture to take the initiative in establishing import restrictions. The changes proposed today would end our delegation of authority and would make clear our intent through quotas established in the law itself. Other changes would insure that presently existing loopholes which allow foreign meat producers to continue importing even after current quotas are exhausted will be closed.

Mr. President, our livestock industry has contributed greatly to the health and well-being of America. Even though the industry is not totally unrestricted, it is fiercely proud of its self-reliance and its pioneer spirit.

We must continue to depend, as a nation, upon our livestock industry to maintain its contributions to our enormously high standard of living. But the industry must receive an honest profit for its labor, so honestly done, and its tremendous investment to produce our good meats. We have imposed standards of excellence on our livestock industry unmatched by any in the world; and we would not change those standards. But we are making it impossible for our livestock ranchers to meet those standards and to make economic ends meet.

Mr. President, I urge speedy and favorable consideration of the bill proposed today so that we may usher our livestock industry out of the economic woods into which we have forced them.

I ask unanimous consent to have printed in the RECORD an article entitled "The Coming Rise in Food Prices," by Jack Guinn, published in the April 16, 1967, Empire magazine section of the Denver Post.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Empire magazine, Apr. 16, 1967]

THE COMING RISE IN FOOD PRICES

(By Jack Guinn)

This Thursday at the Denver headquarters of the American National Cattlemen's Association 12 worried men will meet to prescribe for the financially stricken beef business, currently the sickest member of the longtime ailing food-producing family. But as distressed as you may be to hear of the illness, you are not going to like the treatment; what is needed is a transfusion, and it has to come from you.

At the April 20 meeting six ranchers and six cattle feeders representing all the cattle areas in the United States will try to establish a way to control the supply of beef. If they are successful, it will rescue the industry from the threat of bankruptcy.

If the plan works, it also will mean that the housewife will pay substantially more at the supermarket meat counter.

Possibility of success has to be qualified, because it depends upon the cooperation of some 95,000 cattle ranchers and more than 217,000 feeders, each one a rugged individualist dedicated to making his own decisions.

The housewife also can expect price increases in other food items, because the nation's farmers are facing much higher production costs, mainly in labor, which they are convinced will turn some specialties—strawberries, for instance—into absolute luxuries.

As a matter of fact, one farm and ranch authority believes we are just about to see agriculture generally go through "the damnedest revolution this country has ever seen, and the average consumer is not going to realize what has happened until it has hit him." Some monumental changes are shaping up—and it's going to cost you money.

There is no doubt that the food producers are very close to the point at which something has to give, and it has to give in their favor. Ever since the beginning of World War II, with few let-ups, the farmers and ranchers have been caught in the kind of merciless cost-price squeeze, aggravated by public clamor and government pressure, that the producers of automobiles or TV sets wouldn't tolerate over the weekend.

Witness these figures. In the last 20 years, the hourly income of industrial workers has risen 123 per cent in a series of pay boosts. Corporation dividends have increased 232 per cent. But in the same period, farm income has *dropped* 5 per cent.

Rep. W. R. Poage (D) of Texas is authority for the statement that last year all farm labor, including management, averaged $1.60 pay per hour, while industrial pay, excluding management, averaged $2.71. Farm labor wages are beginning to catch up, which accounts for a large part of the squeeze on the farmer.

The average American today spends 18.2 per cent of his income on food. Fifty years ago, when he was making considerably less money, he spent 40 per cent; at the end of World War II he was spending roughly 25 per cent.

Right now the country's cattle feeders are hanging on the cliffs of disaster. In February alone, Colorado's 1,027 feeders lost $3 million and perhaps more in a market that began to fall apart last summer. They sold 109,000 animals in February and the losses were $30 to $40 a head on steers and $20 to $30 a head on heifers, according to estimates collected by Irvin Weisbart of Denver and Brush, Colo., who has been in the feedlot business so long he has been through several of these madly plunging markets for cattle.

What this means is that the feeders are getting back less than the amount of money invested in an animal. Five or six months ago, for example, a feeder paid as high as $169 for a 650-pound yearling steer. It has cost him roughly $100 to add 400 pounds of weight to the steer, so he has a total of $269 invested. If he sold when the market was at 23.8 cents a pound for 1,050-pound steers, he lost $19.10. The loss varies according to the size and price of animal purchased, the time on feed, and how low the market had fallen when the animal was sold.

Iowa and Nebraska, the two leading feeder states, marketed a total of 477,000 head in February. Even if they lost only $20 per animal they were out $9.5 million.

"This is a terrible blow to the economy of all the agricultural states," Weisbart says.

(At the time he was interviewed, Weisbart expected March to be the worst month of all, with losses even greater.)

Neil Skau, executive secretary of the Colorado Cattle Feeders Association, says each member he has interviewed expects the price decline to continue for several months.

The ranchers, who sell to the feeders, were in trouble last fall and don't face the future with much enthusiasm. W. P. Hinman of Yampa, president of the Colorado Cattlemen's Association, told in *Empire's* series (*Gamble on Grass, Part 3,* Jan. 22, 1967) how the price he was getting for a 400-pound calf was about $2 under what it cost him to produce it.

For the past six years, says William C. Helming, director of economic research for the American National Cattlemen's Association, "the average annual dollar return to the cattlemen's labor and management was a minus $2,400."

The meat packing industry, which buys cattle for slaughter from the feeding lots, has been reeling from financial blows since 1958. From that year until the beginning of 1967 a total of 76 packers quit business, according to Donald Campbell, director of the Packers and Stockyards Division of the U.S. Department of Agriculture. Campbell told Bill Fleming, managing editor of *Beef* magazine, that when these packers closed their doors they owed a total of $9,400,052 for livestock. He didn't know how much, if any, was ever paid.

George M. Keller, Jr., a vice president of Armour and Company, says packers don't make any money processing beef: "Cost of the animals has risen and the margins on which we sell them have declined to a point at which most of us now receive less in gross margins than the actual cost of killing the animal."

Only the retailers make any money and they say their profits are declining. Says Cecil Hellbusch, agricultural and livestock consultant for Safeway Stores: "For our meat department, overall realized sale prices in January this year averaged 3.5 cents per pound lower than a year ago and our wholesale costs were only 2.75 cents lower. Our profit margins have been further squeezed this year due to higher wage rates and fringe benefits for our meat cutters."

But the retailers at least have been able to record a profit and they don't get much sympathy from the producers. The cattlemen and farmers are weary of their low position in the American economy and they are determined to do something about it.

Says Dr. Herrell DeGraff of Chicago, president of the American Meat Institute and a highly regarded authority on agricultural problems:

"This price question is going to get awfully high—from the consumer point of view—in these next two or three years. We've got to get through somehow to the thinking people that there is a situation where production costs have risen to where price has to be higher for the producer or we're not going to get the product."

What should the price be? High enough for the rancher and the feeder to realize a 4 to 6 per cent return on total investment, says Bill Helming, ANCA economist. In the case of the rancher, that would be 35 to 40 cents a pound for 375 to 400 pound calves, which is 5 to 10 cents more than their most recent high, and 28 to 34 cents for a 600 to 750 yearling, an increase of 3 to 6 cents.

The feedlot operator should have 28 to 32 cents a pound for choice finished cattle, Helming says. The day this was written the price was 23.8 cents.

"While the cost of producing and feeding cattle continues to go up," Helming says in a marketing study prepared for the ANCA, "the prices that cattlemen receive for their cattle have actually declined. For instance, ranch and farm operating expenses increased by 71 per cent from 1950 to 1966. In contrast, average beef cattle prices in 1966 were 4 per cent below beef cattle prices in 1950."

Farm ranch and feedlot land values have increased "at a rapid and alarming rate," Helming says, which has "merely allowed cattlemen to borrow more money to remain in business, with the farm indebtedness now standing at the highest level in history." The interest on the total farm and ranch mortgage debt has increased 324 per cent, or 20 per cent per year, since 1950.

In addition, the interest rate on money ranchers and feeders borrow to make cattle purchases has steadily advanced until it now stands at 8 per cent, and the cattlemen believe it will go higher.

"I don't feel that anybody in this country, Helming says, "can rationally and legitimately expect any producer of any commodity to produce at a loss."

But that's exactly what thousands of feeders in the 32 feedlot states are doing right now, and many of them will go out of business. Last year 4,883 of them gave up; 300 of these were in Colorado. Irvin Weisbart says there will be many more than that fail to make it this year. He adds:

"You don't get the total effect of a thing like this market break until they go back to the bank late this summer to try to take care of their financing. That's when you'll find out that the banks will shy away and they won't be able to get any money. Then they'll go out of business. The smaller feeders just can't recoup.

"The grains we feed are higher, everything else . . . Look, it's the same old story: Everything you do or buy is higher; property taxes are higher; labor is higher; equipment is higher; everything you have anything to do with is higher, and it just multiplies the loss that much more."

Weisbart has one of the biggest feedlot operations in the country, at Brush, 15 miles east of Fort Morgan. Feedlot capacity is about 25,000 head, which means that perhaps 60,000 go through in a year, depending upon the length of time on feed.

On the average, cattle are fed 160 to 180 days on corn and milo which is scientifically prepared, measured on electronic scales and speedily distributed. "We can feed four or five hundred cattle in about four minutes," Weisbart says.

ONLY BIGNESS SURVIVES

The same type of high-efficiency operation is conducted at the Monfort Feeding Lots, the state's largest, north of Greeley. The Monfort lots hold nearly 80,000 cattle at one time.

By comparison, George Mancini at Brighton handles about 6,000 head in his lot, but his is still a fairly large operation. In Colorado there are 940 feeders handling fewer than 1,000 head and 87 who have more than 1,000 head in their lots.

Only the big operators have the capacity to survive, counting on high volume to lower unit costs and therefore minimize losses and increase their chances of making it back in a more favorable market. But when bad times hit, they lose like everybody else. Says Weisbart:

"We've lost plenty, but not as heavily as these other boys. Our cattle weren't as high-priced going into the lot. We had cattle that we ran over a year (on a 35,000-acre ranch in Oklahoma and in various places in Colorado). Even so, our cattle are losing money. I'd venture to say nobody's made any money, and the losses have ranged from as much as $60 and $70 a head to perhaps as little as $15."

What caused the break in the market that has brought on so much disaster? An over-supply of cattle, says Bill Helming of ANCA. Not necessarily so, says Irvin Weisbart. He blames lack of any kind of coordination in marketing; a large number of slaughter steers delivered at Omaha, for example, can depress that market and immediately all the others are affected. Says he:

"That's the biggest fly in the ointment: We don't know how to market our product properly. You get a lot of people frightened to the point of panic at the same time and they all have the same idea—ship 'em and sell 'em. So they break down their own market structure. Personally, I don't blame anybody but ourselves."

A neutral observer, who prefers not to be identified because he deals with cattlemen, agrees with Weisbart. Says he:

"They do things to destroy market power instead of building it up. The feeder who says to himself when he buys this string of cattle, 'I know that I paid $2 more than I should, but I need them'—he raises his costs out of line and destroys market power real quick."

The cattle business is a world of paradox. Over-supply or not, there are 108,491,000 cattle in the United States, compared with 92,860,000 in 1957 and 77,171,000 a decade before that. Colorado has 3,046,000 compared with 1,971,000 in 1957 and 1,800,000 in 1947. At the beginning of the year, according to U.S. Department of Agriculture figures, the 32 major feeder states had 11,136,000 cattle on feed, an increase of 700,000 over the previous January, and the market was falling apart. In Colorado the increase was 19,000 head.

More and more feedlots were being built, especially in Texas and Oklahoma where cattle on feed increased 25 and 32 per cent over Jan. 1, 1966. At the end of February, a month of financial disaster, Texas had increased cattle on feed 35 per cent over March 1, 1966.

Is this an over-supply? Bill Helming says it is, because it is a supply that exceeds "effective demand." He defines it this way:

"The cattle business produced 103 pounds of beef per capita last year and it was one hell of an expensive ordeal for us as producers, feeders and, for that matter, packers. In 1965 we produced 99.3 pounds per capita, an increase of 4.5 per cent, just about the highest annual increase in per capita beef consumption on record.

"But the point is that we did this at a tremendous loss to overselves. The industry incurred substantial losses all the way from the packing house down to the cow-calf man. The industry would have been much better off if it had produced 96 or maybe 95 pounds.

"In other words, we want to produce to that point where our supply equals effective demand. Total demand is an entirely different thing. Whatever you produce will be consumed. But effective demand is what people are able, and willing, to pay for beef.

"To give you an idea of what this supply and demand situation is like, in France the average retail price of beef—and this is the average, mind you, filet mignon would be considerably more—is about $1.50 a pound. It was 81 cents last year in this country. They actually have a shortage of beef and the price reflects the effective demand."

How to get closer to an effective demand is what the cattlemen are going to talk about when they meet Thursday at ANCA headquarters.

Economist Helming's marketing study, which will be among the documents to be studied at the April 20 meeting, contains a sentence which undoubtedly will be the key to the recommendations the committee makes:

"Historically, a 1 per cent reduction in total supply of beef generally results in about a 3 per cent increase in price at the farm and ranch level."

Examples: Between 1952 and 1955 cattle numbers *increased* 2.5 per cent and the price went down 9.3 per cent, but between 1956 and 1958 cattle inventory *decreased* 1.7 per cent and the price climbed 15.7 per cent.

Because of the nature of the rugged individualists who will receive the recommendations, the 12 members of the Market Development Committee will work up "guidelines"—not regulations—which undoubtedly will be aimed at:

1—Reducing the supply of cattle, possibly by as much as 4 or 5 per cent, over a period of years and then holding it at whatever the effective demand is determined to be.

2—Establishing maximum and minimum weights at the feedlot.

3—Working out liquidation and build-up rates to maintain a profitable balance between the number of calves available at the ranch and the number of fat cattle available at the feedlot.

If they are successful, what happens? Let us assume that they can reduce the cattle supply in one year by enough to increase the price 4 per cent. What will this mean to the housewife?

Says George M. Keller, Jr. of Armour and Company:

"Well, 4 per cent on an animal would be about $10 a head. If it comes to us for $10 a head more, its going to go on beyond us for $10 a head. So $10 a head is 1,000 pennies on 600 pounds, which eventually will get to the retailer at 400 pounds—so it's going to raise the price of beef two to three cents a pound to the consumer. That's roughly the mathematics of it—if they do it."

Doesn't he think the cattlemen can carry it off?

"The biggest single key is that you've got a bunch of rugged individualists. Nobody yet has been able to organize the farmer and have him do more than pay a few months' dues and then rebel."

And what does Helming think of the chances of getting all those independent personalities to work together in this long-range program? Says he:

"First of all, we have several very strong things going for us to make a program like this work, and the major one is the economics of the industry. Most of these fellows have their backs against the wall. The situation, in all frankness, doesn't look good at all and when you've got ranchers and feeders losing as much money as they are, then they're much more inclined to discipline themselves and follow basic guidelines more than otherwise."

Win or lose, the cattlemen's campaign will be closely watched by the nation's farmer groups, who are viewing their own future with foreboding. Up to now they've been able to make a little money, but not much, and they can see increased costs cutting that down to nothing.

Like the cattlemen, they suffer from inflated land values, big mortgages, high interest rates, ballooning costs of equipment and parts and a big labor expense—which they believe is going to grow to majestic proportions.

There you have the seeds of the "revolution" in agriculture that is preoccupying the thoughts of some observers of the farm scene. It may or may not come, or it may take several years to arrive, but if it does it will mean big farms operated by corporations and run like factories, some of which already exist, and ranches adhering to the 40-hour week, plus overtime, with cowboys punching timeclocks.

A DEPRESSING VIEW

If and when the day comes when the ranch and the farm are operated by boards of directors, treasurers, cashiers, assistant vice presidents and up-and-coming junior executives, the price put on food to pay for all this is likely to be astounding.

People frightened by the thought of such progress say it is better to pay a little more now—and avoid the revolution—than a lot in the depressingly orderly tomorrow.

The unidentified but authoritative spokesman who describes this as "the damnedest revolution this country has ever seen" is convinced that it is inevitable.

Dr. Herrell DeGraff, who is concerned about the numbers of farm people who are deciding to make a living at something else, has given the future some gloomy thought. Dean Kittel of the Colorado Farm Bureau says that corporation farming quite possibly someday may be the only way for a young man to get into agriculture profitably—by buying shares in the company. Roy Inouye of La Jara, one of Colorado's most successful farmers, says that when the cost of labor puts the individual farmer out of business there will be no other way to go.

For more than a decade the trend has been toward larger and larger farms and the reason for this, Dr. DeGraff says, is that the farmers are throwing up their hands in despair and looking for jobs somewhere else.

The number of farms in the United States declined from 5,198,000 in 1952 to 3,176,000 in 1967. In Colorado 1,000 farms have checked out each year, as regular as clockwork, since 1952. There were 45,000 then, 31,000 now.

But the area of land in cultivation has remained fairly stable, even showing a slight increase for the country as a whole.

All of that means, of course, what Dr. DeGraff is saying: There are fewer farmers and bigger farms. And he said at the cattle feeders' convention in Denver:

"So, however much the consumer may want cheap food, or however much the administration may want to promise cheap food, farm families are beginning to look at the alternatives. And when they've got an alternative that looks better than the farm, they're going to take the better alternative.

"I can see these changes taking place to the point where we're not going to get the food produced that the nation's going to need—except at improved cost-price relationships. Cost-price relationships on the farm are two things: they are operating costs and prices received. There is no reason to believe that operating costs are going to go down; they're going to continue to increase.

"So the only adjustment that we can see is rising prices for farm products, not because the administration wants them, but because that's the only way we're going to get the food produced. If we don't, the farm families are going to take their better alternatives—and this country is going to find itself hungry."

Asked from the convention floor if he thought big corporations would do as good a job as farm families do now, Dr. DeGraff said:

"They'll do just as good a job as they can afford to. They've got to invest an awful lot of money to build the farm into an adequate unit, to equip it for maximum efficiency, to intensify operations to produce the abundance we're talking about, but they're going to do it only so long as the cost-price relationships justify their doing it. If they don't justify it then what they are going to do is say to hell with it."

The organizing of farm labor that has been accomplished in California has Colorado farmers sitting on the edge of their chairs waiting to hear the other shoe drop. And Dean Kittel says it is due to drop pretty soon.

"We're expecting it in West Slope peaches. Every state in the West is expecting major activity."

The labor movement is already affecting West Coast strawberries, he says.

"When Agriculture Secretary Freeman stopped the bracero program, after all the churches said it was an exploitation of people and that sort of thing, they found out that they just couldn't bring in a fellow off the streets and have him pick strawberries, for example."

So now what has happened to the strawberry business? Kittel says:

"The bulk of the strawberries will be produced in Mexico and shipped here, and the funny part about it is that the braceros that we felt so badly about because we were exploiting them up here will be picking them for about one-half what they made when they picked them in the United States."

But organized agricultural labor is on its way and Kittel says he does not begrudge a man a living wage. Back home in Wisconsin, he says, his father would be happy to pay the farm help $600 a month—providing the consumer was willing to pay enough for the product so he could afford it.

That seems to be the general attitude of the farmer. He's not scared to death of labor unions because he's a nonprogressive enemy of the common man; he's frightened because he's sure the people who will parade to help gain sympathy for the underpaid worker are the same people who'll picket the supermarket to demand lower prices on food.

Roy Inouye says that he tried to explain this to some ladies picketing the grocery stores in Alamosa last October and they were hard to convince. He recalls:

"I told them: 'I admire you for fighting what you think is causing the high prices, but you're barking up the wrong tree. There's only one man you can hurt by picketing the stores, and that's the farmer. We are just barely getting by and we can't stand too much price cutting.'

"I also told them: 'If you want to get to the real source of your problem all you have to do is write our president in Washington and tell him to stop this inflation.'"

Inouye says he doesn't think the average consumer knows the problems the low-margin farmer can have because of labor. He says:

"I can give you an example right at home. You know these potato warehouses down in the San Luis Valley, where they grade the potatoes for the fresh market? Well, the workers are paid $1.40 an hour base, with time and a half for overtime. The warehouse operators know they are on a cost-plus basis. Any business is on a cost-plus basis, because if they don't show money beyond the cost of processing or grading that food they're not going to be in business very long.

"The men were going to strike the other day. They wanted to work more than 40 hours a week so they could get the time and a half. That would put it up to $2.10 an hour, and who do you think would have to absorb that? The farmers. So we wouldn't be getting anything back for what we raise.

"Either the food price is going to go up or the farmers are going to go broke, one of the two. There's no other way to go."

So there you are, and as a parting thought to brighten your Sunday, consider this final word from Dr. DeGraff:

"I would say to the consumers who would complain of food costs when they are at the level of less than 20 per cent of their income, that their chance of getting significantly cheaper food on a continuous basis is precisely zero."

Mr. DOMINICK. Mr. President, among other things, the article points out that in February alone 1,027 feeders in Colorado lost over $3 million, just as a result of the price structure, which has been so tremendously depressed. Also, I wish to say, that Senator Allott's staff and I participated in a conference call about 2 weeks ago in which a group of cattle producers from our State were asking that we do something about the reporting system on the cattle census of the Agriculture Department. As a matter of fact, they wanted it abolished, because it is a system which is creating problems, as well as the problem caused by the imports which the Senator mentioned.

It seems to me the Agriculture Department reporting of the livestock situation has been extremely detrimental to the whole industry and that something must be done to either strengthen its accuracy or to prevent it from disrupting the market as it is at the present time.

I congratulate the Senator from Nebraska for the work he has done and the leadership he has shown, and I am more than happy to do anything I can to be of assistance to him in getting the bill passed.

Mr. HRUSKA. I thank the Senator from Colorado. His comments about the inaccurate reporting of estimates, both as to hogs and cattle, have been voiced by other Senators on the floor this morning, and that point is very important. It is highly important because, after all, the law of supply and demand has to be projected into the future, and those estimates are vital.

However, not discounting that for a minute, when we have superimposed upon that these tremendous imports coming in, which have at times amounted to more than 10 percent of the beef consumed in this country, then we have the largest single factor depressing the cattle industry.

Mr. DOMINICK. I remember so well the Senator from Nebraska pointing out these very problems when we debated this bill previously on the floor. Finally, we were forced to compromise on the bill and the bill has not solved our problems. The compromise was forced upon us by the administration, as we all know. All I can say is that if we can do something more meaningful now than the legislation which is presently in effect, I think we will do a very beneficial thing for our livestock industry.

Once again I compliment the Senator from Nebraska.

Mr. HRUSKA. I yield now to the Senator from Iowa.

Mr. MILLER. I thank the Senator from Nebraska. I am very pleased to join with him and other distinguished Senators as a cosponsor of the bill.

I ask the Senator, Are we not really trying, in this bill, to do the job we tried to do in 1964, as far as putting a reasonable limitation on imports of beef and veal?

Mr. HRUSKA. That statement is correct. This is a renewed effort to put imports down to that level as was outlined to the Committee on Finance back in 1964. We were not able to hold the line on that proposal. Had we been, I think we would have been in much better shape now. It is not too late, but the hour is growing later.

Mr. MILLER. Is it not true that the approach that we advocated in 1964 was watered down to the point where we now have a trigger-point formula, which gives us a very high import quota, and that this resulted from the administration's pressures on its leadership in Congress?

Mr. HRUSKA. Yes. That is true, because there was insistence that we use a high base quota to start out with, plus a growth factor which has totaled, since 1964, almost 180 million pounds, and an override of 10 percent beyond that.

Mr. MILLER. And now we find the farmers in trouble, and we are hoping the administration will no longer bring the pressure on its leadership in Congress, so that we can do the job this year that should have been done in 1964.

Mr. HRUSKA. That is right. That is a good statement of the situation.

Mr. MILLER. There is another point I think we might bring out in this discussion, and that is this: The Senator has pointed out the live animal equivalents represented by this great increase in meat imports. There is also a feed grain equivalent. With the grain farmers being concerned about the prices they have been receiving, it seems to me that if we had had a normal amount of imports in recent years, instead of this abnormal amount, that would have improved agricultural income also, would it not?

Mr. HRUSKA. There is no question about that. When that feed grain equivalent for feeding these cattle to go to market is translated into tons of feed grain, the figure is a formidable one.

Mr. MILLER. Mr. President, the Republican membership of the Senate-House Joint Economic Committee is not unaware of the bad situation in our agricultural economy. Starting on page 85 of the 1967 Joint Economic Report, there is a section entitled "Strengthening Agriculture," which, among other things, discusses the large increase in meat imports. It points out some of the reasons we believe why this has occurred.

I ask unanimous consent that that portion of the report, beginning at page 85 and running through page 87, be printed in the Record at this point.

There being no objection, the excerpt from the report (No. 73) was ordered to be printed in the Record, as follows:

STRENGTHENING AGRICULTURE

The only thing said by the President about agriculture in his Economic Report for 1967 was that "net income per farm rose more than 10 percent" and "we will continue to manage farm programs to assure adequate supplies as well as equitable returns." Such superficial treatment of the serious problems of the agricultural sector of the economy compels comment, especially in light of the February 20, 1967, admission by the President at a Washington meeting of farm leaders, that: "I know that farmers have been caught in a bind between high implement prices, high interest rates, and stable or lowering prices for farm commodities."

Net income per farm appeared to rise 10 percent, but, measured in real dollars, the rise was under 7 percent. Moreover, the number of farms sharing the net income declined by 122,000 during 1966. At the same time the farm population declined by 900,000, and Federal programs to help bring industrial development to rural areas suffering population declines continued to prove inadequate.

Farm debt increase greater than increased net income

What is especially alarming is the increase which occurred in farm debt. According to table B–79 on page 305 of the President's Economic Report, combined real estate and other debt of farmers increased $4.2 billion during 1966 (from $41.6 to $45.8 billion). This works out to an average of $1,220 increased indebtedness per farm; whereas the real dollar increase in net income per farm, according to table B–73 on page 299, amounted to only $323.

Naturally some farmers would be willing to endure additional indebtedness when incurred under a program of investment calculated to improve future net income from expanded or more efficient farm operations. However, the record over the past six years does not reveal improvement in net income commensurate with increased indebtedness.

According to Table B–74, the accumulated net income per farm improvement over 1960 for the past six years amounted to $5,290. At the same time, net indebtedness per farm increased $4,540, leaving a net income excess of only $750 for the six-year period.

It is recognized that while farm debt has been going up, farm equity has been going up even more. But most of this increased equity represents inflated farm land values. Although these may offer a source of comfort to farm land owners, the fact remains that the farmer must still pay off his indebtedness. Without adequate net income to do so, he is left with no choice except to liquidate some of his equity or go out of business.

Looking at the farm economy as a whole, net farm income (in terms of inflated dollars rather than real dollars) increased by $900 million. At the same time, total farm debt increased by $4.2 billion. And almost all ($820 million) of the $900 million increase came from increased Federal Government payments to farmers—not from improvement in the market prices of their products.

Continued cost-price squeeze

Under the administration's inflationary policies, costs of farm production increased $2.5 billion during 1966; farm land prices went up an average of 8 percent; and farmers found credit tighter and bearing the highest interest rates in over 40 years.

The fact of depressed prices of farm commodities is revealed in the parity ratio, which averaged 78 for 1966 as a whole and was down to 75 by the end of last year. Indications are that this is falling even lower. The administration and the Democratic Congress must bear the responsibility for these depressed prices. During the first 3 months of 1966, the Commodity Credit Corporation unloaded over 327 million bushels of corn on the market—well over twice the amount for the same period in 1964. Other price-depressing actions of the administration included action of the Department of Commerce placing export quotas on hides and action of the Department of Defense (on recommendation from the Secretary of Agriculture) reducing servings of pork products to servicemen by 50 percent and procuring pork and beef for our commissaries in Europe from European rather than the usual U.S. sources. Meat imports (including canned, cured, and cooked items, which were exempted from the import quota law due to administration pressure) increased by 263 million pounds, and there is every indication of a further increase in 1967. This will have a further depressing impact on the domestic livestock market. Imports of dairy products rose from 918 million pounds (milk equivalent) in 1965 to 2.7 billion pounds, and, with more dairymen selling their herds because of the worsening cost-price squeeze, our domestic milk production fell by 4 percent.

Administration's apparent cheap food policy harmful to farmers

It is becoming increasingly obvious to farmers that the administration has been following a policy of farm price depressing actions. It has sought to partially offset lower market prices received by farmers by Federal Government payments to farmers, taxing consumers to enable the Federal Government to make these payments. Obviously such a policy is inconsistent with the capitalistic economic system, which depends on the functioning of a reasonably free market.

Moreover, the consumer's food bill is really increased by higher taxes. We recognize that the vicissitudes of weather and other conditions may, in some segments of the agricultural industry, require tax-supported programs which will provide farmers with a minimum level of price supports. But the programs should be so managed as to provide a floor, rather than a ceiling, for the prices farmers can hope to receive for their produce. Unless this is done, agriculture is bound to continue to receive less than its fair share of the national net income—especially during a period of inflation—and the long-range effect on our Nation's food production will be serious.

The export-import picture

Under bipartisan legislative action, promotion of agricultural exports resulted in an increase from $6.6 billion in 1965 to $6.9 billion in 1966. Agricultural imports also rose—from $4 billion in 1965 to nearly $4.5 billion in 1966. However, this $2.4 billion favorable balance was the one bright spot in our overall trade balance, which fell from $4.8 billion in 1965 to $3.7 billion in 1966.

We recognize that foreign trade is not a one-way street. We are concerned, however, when imports of agricultural commodities take over an unfair share of the increase in our domestic market; and this is especially true in the case of commodities which are being produced efficiently by U.S. farmers. Thus, for example, imports of meat have risen from 735.4 million pounds in 1960 to nearly 1.3 billion pounds in 1966. Dairy imports have risen from 604 million pounds (milk equivalent) in 1960 to 2.7 billion pounds in 1966.

Mr. MILLER. Again I commend the Senator from Nebraska for the leadership he has shown in trying to alleviate the serious situation facing the economy of this country. It is a pleasure to join with him in that effort.

TABLE I.—*Agricultural imports*

[In millions of dollars]

	1964	1965	1966
Supplementary:			
Animals, live	56	117	118
Dairy products	62	73	93
Meat and meat products	483	525	713
All seeds and products	158	177	190
Sugar, cane	458	441	502
Tobacco, unmanufactured	89	130	127
Wool, apparel	115	157	157
Other	675	627	728
Total	2,096	2,247	2,628
Complementary:			
Coffee	1,207	1,064	1,080
Cocoa beans	131	139	140
Rubber, crude natural	201	182	177
Wool, carpet	90	71	72
Other	357	384	394
Total	1,986	1,840	1,863
Grand total	4,082	4,087	4,492

TABLE II.—*Agricultural exports*

[In millions of dollars]

	1964	1965	1966
Cotton, excluding linters	682	486	432
Dairy products	265	196	126
Feed grains, excluding products	856	1,134	1,339
Fruits and preparations	279	313	315
Soybeans	567	650	760
Tobacco, unmanufactured	413	383	482
Vegetables and preparations	156	155	176
Wheat and flour	1,532	1,183	1,535
Other	1,597	1,729	1,720
Total	6,347	6,229	6,885

Mr. HRUSKA. In connection with the amount of feed grains the Senator from Iowa mentioned, I recall making a statement in March of 1964 pointing out that the quantity of beef imported was equivalent to 3,250,000 head of live cattle. I read now from the remarks I made on the Senate floor on March 5, 1964:

> That amount of cattle, if raised and fed to the point of slaughter and packing in the United States, would consume in round numbers, approximately 20 billion pounds of feed grain equivalent. Some would be fed only grain; in other instances it would be a supplement.

That is a lot, not of hay, but of corn, sorghums, and other feeds.

Mr. MILLER. I appreciate the Senator's bringing these figures out, because they are very important to the problem under discussion.

Mr. HRUSKA. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I commend the distinguished Senator from Nebraska for introducing this proposal, which seeks to meet the difficulties confronting the American cattle industry at the present time.

As the Senator from Nebraska is aware, a number of us have had meetings with the legislative counsel of the National Cattlemen's Association during the past weeks, and they have brought their proposals before us because of the situation in which the cattle industry finds itself.

As one of the authors, together with the Senator from Nebraska and others, of the present import quota law, I do not think that the chief fault lies there, because under the agreements which were entered into on the basis of the approval of Congress, the ceiling has not as yet been reached; but it may be a factor. The Senator seeks to face up to that by calling for a reduction in the poundage of frozen beef and veal products from outside this country.

I think perhaps a more significant observation may be that the Department of Agriculture, as I understand it, overestimated by something like 3 million head, the number of cattle on the hoof in this country. Relying on that estimate, the cattlemen were caught short, with the result that now they are face to face with a decline in the commodity which forms the basis for their livelihood.

Mr. HRUSKA. Because of the resultant oversupply.

Mr. MANSFIELD. That is right, based on estimates made by the Department of Agriculture.

Mr. HRUSKA. Correct.

Mr. MANSFIELD. I believe the way to face up to the beef import problem and the questions confronting the cattlemen today is through the legislation sought by this bill. Even though I voted for the McGovern amendment yesterday, which, according to the Senator's analysis, seeks in part to do what the Hruska bill is attempting to do, I am not at all certain that that amendment would be agreed to in conference. By working with the Hruska bill, holding hearings, and studying the proposal in committee, I think the possibility of getting better, sounder, and more effective legislation is quite apparent. It is only in this fashion that we can properly legislate to enact a proposal having validity, which will at the same time bring relief to the hard-hit cattle industry.

Mr. HRUSKA. The majority leader's position 3 years ago on this present law, the bill he introduced, and the support he lent to the enactment of the present law are recalled with pleasure by all of us who have this same cause in mind. We are grateful for the Senator's statement of the problem. His comments upon the erroneous estimates have already been called to the attention of the Senate several times today, which certainly indicates how currently the Senator from Montana keeps up with the market picture.

Mr. MANSFIELD. I thank the Senator.

Mr. HRUSKA. I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I should like to join myself with the remarks of the distinguished majority leader, particularly the latter part of his remarks. I was also a coauthor of the bill in 1964, as the Senator well knows. He has taken the lead in presenting this legislation.

None of us was very happy with the bill that finally came out of the conference. As the Senator has pointed out, the increase in quotas, the natural increases under the bill, plus the 10 percent, have left a leeway which has actually provided no real protection for the cattleman.

I should like to ask the Senator one or two questions. He may have covered this point while I was absent from the floor, having been called out and then come back.

What has the Senator done in his bill, and what is contained in the bill, to protect us against these increases? First of all, we have changed the years used as a basis for the quota and left out the year 1963, which was a very large year.

Mr. HRUSKA. That is right.

So, this will naturally set the standard at a lower amount.

The base quota is presently 725 million pounds in round numbers. The base quota will be 585 million pounds, a substantial decrease, and one that should have been in the law as of 3 years ago.

Mr. ALLOTT. With respect to any normal increases in that quota, what does the present bill provide?

Mr. HRUSKA. The present bill provides for a growth factor, and that is perfectly legitimate. In the last 3 years that growth factor has added 180 million pounds to the allowable imports.

There is a third factor, as the Senator knows, that after having used that higher base and the growth factor, there was piled on top of that mountain peak a 10-percent override that was really very uncalled for and harmful.

Mr. ALLOTT. The same growth factor is written in the bill of the Senator.

Mr. HRUSKA. The same growth factor is attached to the lower base quota.

Mr. ALLOTT. It is true that as the bill now stands, it does not contain the 10-percent factor?

Mr. HRUSKA. That is correct. The 10-percent factor has been stricken from the bill which was introduced this morning, of which the Senator from Colorado is a sponsor.

Mr. ALLOTT. So that as of now, in the future, we will be faced with the 585-million-pound figure and with a constant growth factor. However, we will not be faced with the 10-percent override, so that we actually get to a triggering of the quota system at a much earlier point and with more certainty than we did before.

Mr. HRUSKA. Yes. The feature of the bill, as the Senator recalls, is that the mechanism of the Secretary of Agriculture making quarterly estimates is wiped out of the bill. Instead, a mathematical achievement of a certain number each quarter will result in the proclamation of an embargo at that point.

Mr ALLOTT. There was mention a few moments ago of the conference call between some members of the Bent-Prowers Cattlemen's Association, Senator DOMINICK's office, and members of my staff. As a result of that call we sent an inquiry to the Department of Agriculture asking them to justify the methods upon which these cattle estimates had been made.

We received yesterday a reply from the Department of Agriculture which has not, in my opinion, answered the true import of our letter to them, nor given us anything to indicate that they have anything in mind which will make the future estimates in the agriculture field of this country more accurate than they have been in the past.

I thank the Senator very much, and I join wholeheartedly with him in supporting this legislation.

Mr. HRUSKA. I appreciate the help of the Senator. I now yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I compliment the Senator from Nebraska for a very important and meaningful presentation this morning.

I, too, note with considerable dismay that farm income is down.

The Senator pointed out that parity now stands at 74, the lowest it has been in some 30 years. Add to that the impact the estimating error of the Department of Agriculture when they underestimated the total number of livestock on the farms and ranches of America, and we begin to get some appreciation of what has happened and what is becoming a very disastrous price situation.

I represent a State that is quite dependent upon the vitality and the well-being of the livestock industry. In Wyoming livestock and agriculture are the second biggest income producers.

When livestock sell for low prices, as they have been and are now doing, not only are the farmers and ranchers hurt, but everyone else is also hurt.

I have talked with people throughout the length and breadth of my State. I know what is happening in the small towns. I know what is happening in the school districts. The contributions that livestock must and do make to the support of our schools are very important.

I know how far reaching is the impact that this price situation is having upon everyone in the State of Wyoming.

I think the Senator has provided for six important steps that need to be taken to rectify this situation. As a matter of fact, he has already observed that the bill would wipe out the 10-percent override which must be stricken from the bill because when imports reach a high level, the real damage is done to our domestic price situation at that point, and to add to that damage the 10-percent override makes the situation quite unbearable.

The Senator also calls attention to the fact that the bill would provide for an elimination of the duty on the part of the Secretary of Agriculture to make these estimates. It has been demonstrated that he cannot do so and that no Secretary of Agriculture can be expected to give meaningful estimates for as far in advance as the present bill provides.

The base quota has been lowered to a realistic figure so as to exclude the year 1963 in which imports were beyond all comprehension and realism insofar as a meaningful relation between domestic and foreign production is concerned. This would cut those figures back.

The Senator points out that those imports could be set and applied for quarterly. This is important if we are concerned about an orderly marketing and an orderly price structure. Certainly applying these imports and regulations on a quarterly basis rather than on an annual basis would tend to stabilize our market, which would be of interest and importance not only to the producers but also the consumers. It would give authority also to imposing import figures on other products, if necessary.

As the Senator very ably points out, when foreign countries have filled their import quotas it is only understandable that they will turn to these competitive products which can be dumped into our markets and, in effect, have a very disastrous relationship to our price structure.

The Senator calls attention to the fact that offshore purchases by the military should be charged up to the total import quotas.

I compliment the Senator for a very meaningful presentation this morning.

I hope that the Senate will accord his bill the serious consideration it deserves and that steps will soon be taken to bring about an implementation of these proposed changes in the law so as to get our agricultural economy back on the track.

Mr. HRUSKA. Mr. President, I am grateful to the Senator from Wyoming, our neighboring State. We have so many interests in common, perhaps the chief of which is the cattle industry.

I yield to the Senator from Kansas.

Mr. PEARSON. Mr. President, the basic quota in the law, based on 1959 through 1963, is adjusted up and down, is it not, in relation to the estimate of domestic production?

Mr. HRUSKA. The Senator is correct. It is based upon the fluctuations of production in America.

Mr. PEARSON. Then, the misjudgment on the part of the Department of Agriculture really cut two ways, did it not? It hurts not only in relation to what the cattleman may plan upon, but also in relation to where the basic quota would end?

Mr. HRUSKA. The Senator is correct. Of course, the misestimates of the Secretary of Agriculture are of two kinds. One has to do with the estimate of imports of this particular kind.

Earlier there was a complaint made on the floor of the misestimates of cattle numbers.

Mr. PEARSON. And that affects the basic quota.

Mr. HRUSKA. It might. The figures can change quickly. Originally the Secretary of Agriculture estimated 960 million pounds of imports for 1967, and within three months he revised that figure down to 900 million, a difference of 60 million pounds.

Mr. PEARSON. If the estimates are made on a quarterly basis, will that be any inhibition whatever to whatever contracts we make on the imports that will be allowed?

Mr. HRUSKA. Under my proposal the Secretary of Agriculture would no longer be called upon to make those estimates. He would have to report only on the volume of imports. When the figure reaches a certain level, a proclamation by the President will take effect and there will be a cessation of those imports for that quarter.

Mr. PEARSON. Just to the quarter itself?

Mr. HRUSKA. To the quarter itself. The next quarter you start all over again.

Mr. PEARSON. We have been using the figure of 720 million pounds. As a matter of fact, in 1967, we are dealing with a figure of 904.5 million pounds.

Mr. HRUSKA. As the adjusted base.

Mr. PEARSON. As the adjusted base. It is only 100 million pounds less than the high in 1963.

Mr. HRUSKA. The Senator is correct.

Mr. PEARSON. I would make this final observation: it is my understanding that the Department of Agriculture is instituting an extensive purchasing operation at this time to keep the price of beef up at the same time they, on the other side, have the import problem.

Mr. HRUSKA. I thank the Senator for his observation.

Mr. CURTIS. Mr. President, I am pleased to be a cosponsor of the bill presented by my distinguished colleague from Nebraska, Senator Hruska, to tighten the present meat import quota law and make it more realistic with conditions that occur in the all-important farm segment of our Nation's economy. I am delighted at the broad support already shown by Members of the Senate for this legislation. I think the large number of cosponsors is indicative of the grave national concern over the status of the farm economy.

The critical situation caused by the continual increase in imports is evident in the facts and figures compiled by the Department of Agriculture. Cattle prices have dropped 10 percent, hog prices have plunged 31 percent, and the price of chickens is down 11.5 percent from a year ago. Lamb prices also have tumbled.

The livestock price decline already has had a telling effect on total farm income. The Wall Street Journal reported several days ago that farm income this year is headed for a drop of at least $1 billion and possibly as much as $1.5 billion below last year's level.

The farm income decline is being felt in all other segments of the national economy. Farmers are purchasing less equipment, fewer and cheaper automobiles, and less consumer goods than a year ago. They are being forced to seek more and bigger loans to meet operating expenses.

Because of the critical price and income situation, Mr. President, I am serving notice here and now that I shall urge the Senate Finance Committee to hold hearings on the Hruska bill as soon as possible.

I shall urge that the meat-import bill be given priority in a review scheduled to get underway soon by the Finance Committee of the international trade structure of the United States and the administration of the trade agreements program.

The matter of meat imports fits within the category of a shortcoming in the applicable statutes in our international trade structure. As a result, this matter can be considered as part of public hearings which the distinguished committee chairman, Senator Long, has announced as a plan for "a concentrated Senate exercise of the oversight function." The present meat-import law, while it worked all right in the beginning, has proved not to be strict enough in its application to protect domestic livestock producers and the meat industry against mounting imports. Senator Hruska's bill would correct the problem. It would make the present law more realistic. It would correct an oversight which now has become obvious in the original meat import law which I joined Senator Hruska in sponsoring several years ago.

This matter demands the immediate attention of the Senate and the Finance Committee, and I shall push for hearings to expedite the passage of this bill.

Mr. McGOVERN. Mr. President, I am very pleased to be listed as a cosponsor on Senator Hruska's bill, and I commend him for introducing it.

The Senator from Nebraska and I are headed toward a common goal, which includes not only relief for our seriously depressed domestic livestock industry but also a more sensible distribution of food in the world.

It does not make sense in a planet where half of the people are hungry, and two-thirds need higher protein diets, to be shipping large quantities of meat into the one country where meat is already in such oversupply that markets are depressed and the producers are going broke.

During the discussion of my amendment to H.R. 6950 yesterday, I did not have at hand the current cattle price report, from which I had intended to quote. I do have it today. It is the Department of Agriculture's Weekly Livestock, Meat, and Wool Market News bulletin. The latest available is for the week of April 15. At page 338 of that report there is comparison of average cattle prices at various markets for the week ending last Saturday, and for the comparable week in 1966.

The report on the Omaha market shows that prime steers sold last week $3.84 to $4.17 per hundredweight lower than a year before, depending on the weight of the animals. Choice steers were down $3.42 to $3.46. Good steers were down $2.85 per hundredweight and standard steers were down $2.05.

The 1966 level was not a bonanza level. It has been described to me as a break-even level. With the decline this year, the producers are losing money on the meat we have on our tables.

I ask unanimous consent, Mr. President, to include in the Record the table of weekly average of daily quotations on meat animals at Chicago, Kansas City, Omaha, Denver, and California markets.

My information from Sioux Falls, S. Dak., Monday and Tuesday was that the market there was continuing to decline.

The situation, in my opinion, is an emergency situation in which we should do what we can as speedily as we can.

That is the reason, Mr. President, that I hope we can hold the meat import amendment on the investment tax credit bill through conference.

It has been the custom of the House of Representatives to ignore Senate bills involving revenue; to insist that measures which affect revenue in any way—as an import embargo would do—be required to originate in the House as provided under the Constitution. On the other hand, the House has accepted the Senate's right to amend tax legislation which originated there, and has considered Senate proposals when offered as amendments to House bills. This was the way in which the Meat Import Limitation Act of 1964 was handled, by amending a House bill.

The bill which the Senator from Nebraska is introducing is a constructive bill. It has provisions which I hope will get consideration in the conference on H.R. 6950.

If it proves impossible for any reason to hold the meat import amendment on H.R. 6950, the Hruska bill is an excellent measure for us to use as the basis for a continued fight to assist the livestock industry and I want to compliment the Senator on it, and on his continuing, vigorous work to keep livestock—the biggest element of all in American agriculture—economically healthy and productive.

There being no objection, the table was ordered to be printed in the Record, as follows:

Cattle—Weekly average of daily quotations

[In dollars per 100 pounds]

Slaughter cattle	Chicago		Kansas City		Omaha		Denver		California	
	Apr. 15, 1967	Apr. 16, 1966	Apr. 15, 1967	Apr. 16, 1966	Apr. 15, 1967	Apr. 16, 1966	Apr. 15, 1967	Apr. 16, 1966	Apr. 15, 1967	Apr. 16, 1966
Steers:										
Prime:										
900 to 1,100	25.28	29.52	--------	--------	24.88	28.72	--------	--------	--------	--------
1,100 to 1,300	26.10	30.28	--------	--------	24.78	28.95	--------	--------	--------	--------
Choice:										
900 to 1,100	24.38	28.32	23.88	27.72	24.02	27.48	23.30	27.18	25.88	27.75
1,100 to 1,300	24.82	28.72	23.88	27.68	23.78	27.40	23.42	27.22	25.50	28.25
Good: 900 to 1,100	23.32	26.42	22.12	25.82	22.45	25.30	21.68	25.18	24.75	26.50
Standard	21.65	24.32	20.12	23.80	21.00	23.05	--------	--------	23.75	25.50
Heifers:										
Choice: 900 to 1,100	23.85	27.25	22.68	26.28	23.28	26.62	22.65	25.98	23.75	26.50
Good: 800 to 1,000	22.38	24.95	20.55	24.18	21.55	24.12	20.90	24.08	--------	--------
Standard	20.50	23.05	--------	--------	20.00	21.90	--------	--------	--------	--------
Cows:										
Commercial	17.40	20.55	16.80	20.42	17.30	19.75	19.12	21.00	--------	--------
Utility	17.72	19.92	16.88	19.58	17.20	19.22	18.25	19.25	--------	--------
Cutter	17.08	19.25	16.25	18.32	17.00	17.92	16.75	16.75	--------	--------
Canner	15.52	17.95	14.78	16.80	16.50	16.32	14.88	14.50	--------	--------
Bulls:										
Good	--------	--------	22.12	21.62	21.75	--------	22.25	--------	--------	--------
Commercial	21.75	23.00	22.00	21.10	22.30	22.00	23.25	21.75	--------	--------
Utility	22.50	22.50	21.38	19.72	21.75	21.25	21.12	21.38	--------	--------

MEAT IMPORT CONTROL ACT SHOULD BE REVISED

Mr. PEARSON. Mr. President, the decline in farm prices continues. And with costs rising, farmers across the Nation have been caught in a squeeze that threatens the viability of the entire farm economy.

All phases of agriculture have been hit, including the livestock sector. Cattle prices are down 10.4 percent from March, 1966. Pork prices are down 25 percent and sheep prices are down 16 percent.

The recent price drop, plus the heavy anticipated marketings during the next few months has prompted the Department of Agriculture to undertake a special purchase program for beef and pork in an effort to forestall a further price slump.

Mr. President, it is ironic that the Department of Agriculture has undertaken this special buying program in an attempt to remove some of the surplus meat from the market at the very time when meat imports into this country continue to increase and are approaching an alltime high.

All indications are that the current meat supply is greater than the type of effective demand needed to assure the cattle producers and feeders a fair and equitable price on their product. There are several reasons for this situation, but certainly a significant factor is the continued heavy volume of meat imports.

The Department of Agriculture estimates that meat imports in 1967 will be at least 900 million pounds. This compares to the 614.2 million pounds of beef and mutton imported in 1965 and the 823.5 million pounds in 1966.

The 900 million pounds predicted for 1967 is only about 100 million pounds less than the record-high volume of 1963 which figured so prominently in the sharp price decline that resulted in great economic hardships and losses throughout the livestock industry in the years 1963–64.

As a result of the import situation in 1963, Congress took action to establish a reasonable control program intended to prevent reoccurrences of the 1963–64 price disaster. Efforts by Congress at that time to establish some semblance of control over imports of foreign meats were first resisted vigorously by the administration. It relented only after the price situation had become so bad that it could no longer be ignored.

The chief accomplishment of the 1964 congressional action was the official recognition that quotas on imports of beef and beef products were justified and necessary. The mechanics adopted to carry out this principle were generally viewed as constituting a trial method approach. In other words, among those directly concerned, it was widely assumed that after a period of time the whole question of beef imports would be reviewed to determine whether the law was working effectively to achieve its general objectives.

Mr. President, I think it is now clear that our experience to date demonstrates that the present law is not working effectively and that changes should be made if we are to protect the American livestock industry from further price declines.

Mr. President, no one seriously proposes that imports should be completely shut out. We all know that this type of abrupt action would have adverse repercussions throughout the foreign trade channels. We all recognize that trade is a two-way thing, that if we hope to sell other agricultural goods and manufactured products to other nations we must also make it possible for other countries to sell goods to us. Therefore, a total embargo on beef imports would have adverse long-range effects on American agriculture in general and for other sectors of our economy as well.

But the fact remains, Mr. President, that the current program is not satisfactory. It simply makes no reasonable economic sense, for example, to continue to allow imports to increase at a time when domestic prices are already falling. And it certainly makes no sense for us to continue to allow increased beef imports on the one hand, while on the other hand the Government engages in a special purchase program of beef in an effort to shore up domestic prices.

Mr. President, during recent months, numerous proposals have been made to modify the present law. I believe that the proposal submitted by the distinguished Senator from Nebraska, Senator HRUSKA, constitutes a worthy and reasonable approach. Senator HRUSKA has explained his proposal at considerable length and it would be redundant for me to review the excellent and detailed explanation that he has made.

However, as I read the Senator's proposal and as I have followed this debate I am convinced that it would constitute a reasonable and effective solution to the problem. It does not eliminate the basic framework of the machinery created by Public Law 88–432, but rather seeks to improve on the application of the objectives that Congress had in mind when it passed this bill in 1964. It would change the basic quota used for calculating annual allowable import levels to a base period of 1958–62, which is much more realistic than the 1959–63 base as provided at present.

It would eliminate the present overrun provision by which imports into this country are allowed to exceed the prescribed cutoff level by 10 percent. It would extend the import controls to other livestock products such as canned, cured and otherwise preserved beef which have been coming into the country at increased rates. This proposal would also improve the method of estimating and reporting import trends, thus assuring more effective implementation of the control objectives than has been the case in the past.

Mr. President, all of American agriculture has been experiencing a severe price-cost squeeze. This trend has already caused great hardship. If it continues, the impact on agriculture will be disastrous and the repercussions will be felt throughout the economy.

The livestock sector has been particularly hard hit. With American cattlemen already suffering from low prices, it is extremely difficult to justify continued increases in import volumes, which will help cattlemen in New Zealand and Australia, but which can only cause further difficulties here at home.

Mr. MONTOYA. Mr. President, I am most pleased to join the distinguished Senator from Nebraska [Mr. HRUSKA] in sponsorship of a bill that would tighten import quotas on foreign meats, mainly beef and lamb.

The 1964 Beef and Mutton Import Act, although adequate then, is not so now. The state of our domestic livestock industry is serious, and I feel that action should be taken without delay.

The livestock raisers of New Mexico share the plight of others engaged in this industry throughout the Nation. I have had numerous communications from them protesting against the commercially destructive flood of foreign imports.

Mr. President, I believe that the issue before us is remarkably clear, for full hearings and debate on the subject were held in 1964 when the original import limitation was adopted.

The American livestock raiser is in grave jeopardy. We must update our import limitations in order to alleviate an already bad situation. We have no time to lose, and I ask this Chamber to join me and the distinguished Senator from Nebraska in insuring that this swift action will be forthcoming.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

The **PRESIDING OFFICER**. Under the previous unanimous-consent agreement, the Senate will now transact routine morning business under the 3-minute limitation.

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

Report on Reserve Forces

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on Reserve Forces, for the fiscal year 1966 (with an accompanying report); to the Committee on Armed Services.

Report of Board of Governors of the Federal Reserve System

A letter from the Chairman, Board of Governors of the Federal Reserve System, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the calendar year 1966 (with an accompanying report); to the Committee on Banking and Currency.

Vocational Rehabilitation Amendments of 1967

A letter from the Under Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants (with accompanying papers); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the PRESIDING OFFICER:

A joint resolution of the Legisltaure of the State of Nevada; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 22

"Assembly joint resolution memorializing the Congress of the United States to enact legislation limiting imports of butterfat or nonfat milk solids

"Whereas, Pending legislation before the 90th Congress would limit imports of butterfat or nonfat milk solids in excess of the respective average annual quantities which were admitted for consumption during the 5 calendar years 1961 through 1965; and

"Whereas, Standards of quality and health maintained by foreign competition are usually inferior to those in the United States and proper control is imperative to protect domestic milk producers; and

"Whereas, The dairy industry of this nation provides substantial revenues required for the support of this country, provides employment for millions of American citizens and is vital to the health and welfare of each and every American family; now, therefore, be it

"Resolved by the Assembly and Senate of the State of Nevada, jointly, That the legislature of the State of Nevada hereby respectfully memorializes the Congress of the United States to enact legislation limiting imports of butterfat or nonfat milk solids; and be it further

"*Resolved,* That copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives and each member of the Nevada congressional delegation."

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Public Works:

"Senate Joint Resolution 19

"Enrolled joint resolution memorializing Congress to take action to prevent the interstate Pecatonica River from flooding annually in the plains of southwestern Wisconsin

"Whereas, the Pecatonica River spills out of its banks each spring, inundating Darlington, Wisconsin and surrounding communities, halting highway and municipal traffic, damaging the goods and business of numerous merchants, injuring crops and causing general havoc in the area; and

"Whereas, this year a pre-spring flood occurred on January 24, caused by an unusual heat wave together with heavy rains, and the river crested at Darlington at 16.4 feet, more than 6 feet above flood stage, creating the dismal prospect of 2 floods within a period of only several short months; and

"Whereas, the Pecatonica is an interstate river, traversing northern Illinois as well as southern Wisconsin; now, therefore, be it

"Resolved by the senate, the assembly concurring, That the legislature of the state of Wisconsin, respectfully memorializes the United States Congress to take action to prevent the Pecatonica River from flooding annually; and, be it further

"Resolved, That duly attested copies of this resolution be transmitted to the Secretary of the U.S. Senate, to the Chief Clerk of the U.S. House of Representatives and to every member of the Congressional delegation from Wisconsin.

"William P. Nugent,
"Senate Chief Clerk.
"Harold V. Froelich,
"Speaker of the Assembly."

RESOLUTION OF HOUSE OF REPRESENTATIVES OF NEW MEXICO

Mr. **ANDERSON**. Mr. President, the House of Representatives of the New Mexico State Legislature, now in session in Santa Fe, has passed a house memorial relating to certain provisions in the cropland adjustments program and requesting consideration of them by the Secretary of Agriculture and the U.S. Congress.

I ask unanimous consent that the memorial be printed at this point in the Record and that a copy be referred to the appropriate Senate committee.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, as follows:

Memorial

A house memorial relating to certain provisions in the cropland adjustments program and requesting consideration of them by the Secretary of Agriculture and the U.S. Congress

Whereas, the eighty-ninth congress of the United States repealed the provisions of the soil bank program and enacted the cropland adjustments program; and

Whereas, the soil bank program provided for participation of parts of farms, and the cropland adjustments program has been used for retirement of whole farms; and

Whereas, the limited amount of money which the secretary of agriculture can now expend on reserving farm acreage has resulted in inequitable participation in the cropland adjustments program:

Now, therefore, be it resolved by the House of Representatives that the secretary of agriculture and the United States congress are respectfully requested to consider a more equitable method of participation for producers in the cropland adjustments program by apportioning the farm lands held in reserve in such manner as to provide for wider distribution of the benefits; and

Be it further resolved, that copies of this memorial be sent to the secretary of agriculture, the speaker of the United States house of representatives, the president pro tempore of the United States senate and to the New Mexico delegation to the United States congress.

Signed and sealed at the capitol in the city of Santa Fe.

[SEAL]

Bruce King,
Speaker of the House.

Attest:

Ernestine D. Evans,
Secretary of State.

RESOLUTION OF HOUSE OF REPRESENTATIVES OF NEW MEXICO

Mr. **ANDERSON**. Mr. President, the House of Representatives of the New Mexico State Legislature, now in session in Santa Fe, has passed a house memorial protesting expansion of Cannon Air Force Base bombing range in Roosevelt County.

I ask unanimous consent that the memorial be printed at this point in the Record and that a copy be referred to the appropriate Senate committee.

There being no objection, the resolution was referred to the Committee on Armed Services, as follows:

Memorial

A memorial protesting expansion of Cannon Air Force Base bombing range in Roosevelt County

Whereas, the United States Air Force proposes to expand its existing bombing range in Roosevelt County of this state to encompass some 20,720 acres of deeded land; and

Whereas, the existing bombing range now consists of 5,600 acres of deeded land and the proposed expansion would take in another 15,120 acres of deeded land; and

Whereas, approximately 6,000 acres of this land is irrigable farm and ranch land important to the agricultural economy of this state because of the general scarcity of such irrigable land; and

Whereas, such purchase will not only prove a hardship to the farm families now living on such land, regarding their relocation and possibly their readjustment in other vocations, but will also remove such land from the tax rolls of the county; and

Whereas, among the vast holdings of land by the federal government in New Mexico there are many thousands of non-productive, non-irrigable acres within fifteen or twenty minutes flying distance which might prove more suitable for bombing purposes;

Now, therefore, be it resolved that the Congress of the United States and the United States Air Force be urgently and respectfully requested to halt the further expansion of the Cannon Air Force Bombing Range in Roosevelt County at the expense of productive deeded farm land; and

Be it further resolved that a copy of this memorial be sent to each member of the New Mexico Congressional Delegation and to the Honorable Harold Brown, Secretary of the Air Force.

Signed and sealed at the capitol, in the city of Sante Fe.

[SEAL]

Bruce King,
Speaker of the House.
Ernestine D. Evans,
Secretary of State.

RESOLUTION OF THE SENATE OF NEW MEXICO

Mr. ANDERSON. Mr. President, the Senate of the New Mexico State Legislature, now in session in Santa Fe, has passed a senate memorial requesting the Congress of the United States to amend to draft laws to allow a more equitable selection from disadvantaged minority groups.

I ask unanimous consent that the memorial be printed at this point in the Record and that a copy by referred to the appropriate Senate committee.

There being no objection, the resolution was referred to the Committee on Armed Services, as follows:

Senate Memorial 28

A memorial requesting the Congress of the United States to amend the draft laws to allow a more equitable selection from disadvantaged minority groups

Whereas, the minority groups in the state of New Mexico have been economically and educationally deprived and few of the young men in these groups can afford to attend college: and

Whereas, without a college deferment from the draft, these young men are inducted into the armed forces, or to avoid the draft, volunteer for other branches of the armed forces; and

Whereas, New Mexico's largest minority group consists of Americans of Spanish descent and constitutes some twenty-nine percent of the population of the state; and

Whereas, approximately sixty-nine percent of all inductees from New Mexico are of Spanish extraction; and

Whereas, of fifty-eight New Mexicans killed in Vietnam during 1966, twenty-five were Americans of Spanish descent; and

Whereas, it is apparent that persons with disadvantaged backgrounds are more likely to be drafted, which is discriminatory and contrary to the principle of equality;

Now, therefore, be it resolved by the Senate of the State of New Mexico that the congress of the United States is requested to amend the draft laws to allow a more equitable selection from disadvantaged minority groups; and

Be it further resolved that copies of this memorial be sent to the speaker of the United States house of representatives, the president pro tempore of the United States senate and the New Mexico delegation to the United States congress.

[SEAL]

Signed and Sealed at The Capitol, in the City of Santa Fe.

E. Lee Francis,
President, New Mexico Senate.
Juanita Pino,
Chief Clerk, New Mexico Senate.

JOINT RESOLUTION OF NEW MEXICO LEGISLATURE

Mr. ANDERSON. Mr. President, the New Mexico State Legislature, now in session in Santa Fe, has passed a senate joint memorial relating to the Bureau of Land Management and protesting the withdrawal of certain lands from all appropriations under the public land laws.

I ask unanimous consent that the memorial be printed at this point in the Record and that a copy be referred to the appropriate Senate committee.

There being no objection, the joint resolution was referred to the Committee on Interior and Insular Affairs, as follows:

Senate Joint Memorial 11

A joint memorial relating to the Bureau of Land Management and protesting the withdrawal of certain lands from all appropriations under the public land laws

Whereas, the bureau of land management has filed an application for withdrawal of all public lands which are valuable or prospectively valuable for geothermal steam from all appropriations under the public mineral leasing laws; and

Whereas, the bureau of land management desires the withdrawal for the protection and conservation of natural resources, including geothermal steam resources, and the mineral and other resource values in the lands; and

Whereas, the withdrawal of these lands is not in the best interest of the state of New Mexico;

Now, therefore, be it resolved by the Legislature of the State of New Mexico that protest to the withdrawal of all public lands which are valuable or prospectively valuable for geothermal steam from all appropriations under the public land laws is hereby made; and

Be it further resolved that copies of this memorial be sent to the secretary of the interior, Washington, D.C. Bureau of Land Management, Department of Interior, Washington, D.C. 20240, and to the New Mexico delegation to the congress of the United States.

Signed and Sealed at The Capitol, in the City of Santa Fe.

[SEAL]

E. Lee Francis,
President, New Mexico Senate.
Bruce King,
Speaker, House of Representatives.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with amendments:

S. 1029. A bill to improve certain benefits for employees who serve in high-risk situations, and for other purposes (Rept. No. 190).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HRUSKA (for himself, Mr. Curtis, Mr. Mundt, Mr. Pearson, Mr. Bennett, Mr. Metcalf, Mr. McGovern, Mr. Tower, Mr. Harris, Mr. Dominick, Mr. Carlson, Mr. Hansen, Mr. Miller, Mr. Hickenlooper, Mr. Allott, Mr. Young of North Dakota, Mr. Hatfield, Mr. Aiken, Mr. Dirksen, Mr. Eastland, Mr. Church, Mr. Burdick, Mr. Yarborough, Mr. Mansfield, Mr. Holland, Mr. Fannin, Mr. Jordan of Idaho, Mr. Lausche, Mr. Stennis, Mr. Montoya, Mr. Moss, and Mr. Monroney):

S. 1588. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Finance.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 1589. A bill to encourage local governments to develop voluntary cooperative areawide planning programs; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 1590. A bill to prohibit, without the express approval of Congress, any construction which would result in altering the proportions, changing the size, or modifying the U.S. Capitol Building in any substantial manner, and to establish a commission to study the existing and future space needs of the Congress; to the Committee on Public Works.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 1591. A bill to amend the Oil Pollution Act of 1924; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. PERCY (for himself, Mr. Aiken, Mr. Allott, Mr. Baker, Mr. Bennett, Mr. Boggs, Mr. Brooke, Mr. Carlson, Mr. Case, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dirksen, Mr. Dominick, Mr. Fannin, Mr. Fong, Mr. Griffin, Mr. Hansen, Mr. Hatfield, Mr. Hickenlooper, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Magnuson, Mr. Miller, Mr. Morton, Mr. Mundt, Mr. Murphy, Mr. Pearson, Mr. Prouty, Mr. Scott, Mrs. Smith, Mr. Thurmond, Mr. Tower, Mr. Williams of Delaware, and Mr. Young of North Dakota):

S. 1592. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

(See the Remarks of Mr. Percy when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 1593. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 1594. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Finance.

By Mr. METCALF:

S. 1595. A bill to amend title 23 of the United States Code in order to provide assistance for the construction and repair of roads and streets in State subdivisions; to the Committee on Public Works.

By Mr. RANDOLPH:

S. 1596. A bill authorizing the change in name of certain water resource projects in West Virginia under jurisdiction of the Corps of Engineers; to the Committee on Public Works.

By Mr. ANDERSON:

S. 1597. A bill to authorize the Secretary of the Interior to carry out a program of restoration and development of migratory waterfowl habitat in the middle Rio Grande Valley, N. Mex., in furtherance of the purposes of the migratory bird treaties with Canada and Mexico; to the Committee on Commerce.

By Mr. SMATHERS:

S. 1598. A bill to create a national commission to study quality controls and manufacturing procedures of medical devices, surgical instruments, artificial organs and limbs, therapeutic instruments and devices, and other medical and hospital equipment; to determine the need for and the extent of Federal regulation of such medical devices; to recommend to the President and to the Congress methods for determining constructive minimum performance standards, and feasible methods for Federal regulation; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON:

S. 1599. A bill to assist in the protection of the consumer by enabling him, under certain conditions, to rescind the retail sale of goods or services when the sale is entered into at a place other than the address of the seller; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL (for himself, Mr. BAYH, Mr. BURDICK, Mr. CARLSON, Mr. CURTIS, Mr. FANNIN, Mr. MILLER, Mr. PELL, and Mr. SPARKMAN):

S. 1600. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Labor and Public Welfare.

ENCOURAGEMENT OF LOCAL GOVERNMENTS TO DEVELOP VOLUNTARY COOPERATIVE AREAWIDE PLANNING PROGRAMS

Mr. SPARKMAN. Mr. President, I send to the desk, for proper referral, a bill to encourage local governments to develop voluntary cooperative areawide planning programs.

There are many programs that are designed to help local governing officials who are willing to plan on a broad basis with the governing officials of other localities to improve their areas.

One primary example of this is the provisions which are contained in the Model Cities Act of 1966, which provides certain incentives to metropolitan, city, and county governments. The act, however, does not provide the same incentives to local officials in nonmetropolitan and rural areas who will work together in the solution of their mutual problems. I believe it is only logical and fair to give nonmetropolitan and rural areas equal treatment to that of their counterparts in metropolitan, city, and county governments. The bill I introduce today is aimed toward accomplishing that result.

In general, the bill would amend existing law in that it would, first, permit multicounty rural planning agencies to participate in the section 701 urban planning program; and second, it would amend title II of the Model Cities Act of last year to permit applicants in multicounty rural areas to receive the same incentives for carrying out their public facility type projects as are now provided applicants in metropolitan areas.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1589) to encourage local governments to develop voluntary cooperative areawide planning programs, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

PRESERVATION OF THE U.S. CAPITOL

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to preserve the U.S. Capitol. The bill would also create a broadly based commission to study the present and future needs of the Congress with respect to the Capitol Building, the Capitol Grounds, and contiguous areas.

PROVISIONS OF THE BILL

The legislation provides that no work shall be carried out with respect to any project which would alter the proportions, change the size, or modify the U.S. Capitol Building in any substantial manner, unless the project has been specifically authorized by legislation enacted by the Congress subsequent to the date of enactment of this bill.

The bill establishes a 17-member U.S. Capitol Building Commission to be composed of two Senators, two Congressmen, the Chairman of the Commission on Fine Arts, the Chairman of the National Capital Planning Commission, the Chairman of the Board of Trustees of the National Trust for Historic Preservation, two architects, one planner, one landscape architect, two engineers, one historian, one political scientist, and two members from private life.

It will be the duty of the Commission to make a full and complete study and analysis of the present and anticipated future needs of the Congress with respect to the Capitol Building, Capitol Grounds, and contiguous areas. The study will include an investigation of work space for Members of Congress, committees of Congress, and staff personnel, the problem of visitors facilities, and other pertinent matters.

On the basis of its findings the commission will recommend a detailed and comprehensive development plan. The plan shall be prepared with the goal of preserving for future generations the historical integrity, proportions, and original materials of the Capitol Buildings, with particular emphasis upon preserving the existing architectural design.

The commission is required to submit its final report to the President and the Congress not later than 1 year following the date of the first meeting of the commission. Thirty days after submission of the report the commission goes out of existence.

The report shall include the commission's recommendations on procedures to govern the development and approval of the design of buildings in the Capitol area. These procedures shall be dedicated to the end that buildings in the U.S. Capitol area should reflect the dignity, enterprise, vigor, and stability of the American Government and should provide optimum facilities in an architectural style and form which embodies the finest American architectural thought.

WEST FRONT EXTENSION UNWISE

There has been much discussion about the controversial proposal to extend the west front of the Capitol.

Essentially the problem boils down to this: Congress today needs more workspace. And as a result of the expanding population in the United States, Congress will need even more workspace in the future. Indeed, we can expect that the demand for congressional workspace will continue to increase indefinitely. Congress must decide whether it makes sense to try to meet the demand for this increased space by making piecemeal additions, one after the other, to the Capitol Building.

It is common belief that if the west front of the Capitol is extended, Congress' space problems will be solved and that is all we will hear from the Capitol stretchers for a while. Alas, such does not appear to be the case.

SIX ADDITIONAL EXTENSIONS CONTEMPLATED AFTER WEST FRONT

In addition to the extension of the west front the Architect of the Capitol has recommended five other changes. The report of the Architect of the Capitol for 1957—reprinted in the CONGRESSIONAL RECORD, volume 103, part 12, page 16640—states that the following additional changes have been planned at the request of the Architect of the Capitol:

First. Extension of the present Senate and House wings to the east a distance approximately equal to eastward extension of the east front.

Second. Wings extended north from the north portico of the Senate wing, and south from the south portico of the House wing.

Third. An extension north and south of the present terrace on the east side,

Fourth. An extension northwest and southwest of the present terrace on the west side.

Fifth. The addition of a lower level in the present terrace by changing the grade to permit windows.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, in addition to the proposed west front extension recommended by the Architect, these five additional changes to the Capitol are buried in the report. That is why I am introducing a bill to require that this building may not be changed without the specific authorization by Congress first.

In addition, the report urges:

> When further extensions of the Capitol become necessary in the future, such extensions be accomplished by extending the Senate and House wings eastward, approximately the same distance as the east central front is extended . . .

Mr. President, without this legislation the Architect could go ad infinitum with these changes and other changes under this general Mother Hubbard, catch-all clause.

After this is accomplished perhaps the dome will be too small and that will have to be inflated. Then the process can begin all over again. We will end up with a Capitol as tall as the Washington Monument and as big as five Rayburn Buildings.

The policy of meeting Congress' ever-increasing space needs by constantly enlarging the Capitol is questionable, especially when better alternatives are available.

Congress must have more space. It is short of space now. With an ever-increasing population and the complexities of Congress, the need is certain to grow. However, there are ways to meet the situation without these extensions of the Capitol.

We cannot ignore the fact that the Capitol is the single most important building in America. It is also an architectural masterpiece. Somehow, through a process we cannot divine, our Capitol grew through slow additions to achieve its present magnificence. But one cannot really compare earlier additions with what is contemplated by the plans described above. The earlier actions were logical additions. Senate and House wings were added. A dome was added. The beautiful west front was completed.

What is advocated in the west front extension is not a logical architectural addition at all. This plan would push back the walls of an existing masterpiece, and play around with and distort the building's near perfect proportions.

How can we justify doing such violence to the Capitol, without even exploring the alternatives. My bill would create a broadly based body which could undertake an exhaustive study of the whole question of how best to provide for Congress' space needs. The body would include Senators, Congressmen, architects, planners, engineers, an historian, members of public bodies entrusted with historic preservation and planning in the Nation's Capitol, and representatives of the general public. Congress should have the benefit of the recommendations of such a body before it takes action to destroy the present west front.

Mr. President, I am not an expert who says that there should be no change. However, we have not had that expertise in connection with the Capitol. My bill would propose a commission composed of the finest authorities in this country in connection with the preservation of Government buildings.

AMERICAN INSTITUTE OF ARCHITECTS REPORT

The American Institute of Architects recently released a "Report on Conditions of the West Front of the Capitol." This report made several findings which every Senator should be aware of.

The AIA found first that:

> The West Front of the Capitol is in a state of disrepair. Numerous cracks are in evidence on the exterior of the building. Some window lintels and keystones have cracked and slipped. Several of the architrave stones have sagged. The foundations, at some points, are not far enough below the finish grade to escape frost damage. However, none of the defects appears to indicate that danger of collapse is imminent or that correction is impracticable.

Second, the report states that:

> The West Front of the Capitol can be restored and its structural weaknesses corrected. Admittedly, it will be a job requiring skill and patience. But if the decision to restore the Capitol is made, our building technology is certainly adequate to meet the challenge. Restoration would be, however, a costly undertaking and would entail some inconvenience.

In this regard, however, it is noted that the same inconvenience would occur if the West Front were extended. The AIA also believes it unlikely that the cost of restoration would approach the total cost of extension.

Fourth, the report notes that:

> We move from crisis to crisis under present procedures for approval and construction of Capitol Hill buildings. Unlike other parts of the Capital City, neither the Fine Arts Commission nor the National Capital Planning commission has authority over Capitol Hill architecture and development. A Congressional inquiry in 1965 brought out the fact that there had been no planning for Hill development during the past eight years. And today, no long-range master plan exists to guide development of Capitol grounds and contiguous areas.

Finally, the American Institute of Architects "recommends that the west front of the Capital be restored and that Congress establish a permanent policy prohibiting any further major alteration to the Capitol other than that absolutely necessary for structural and safety reasons."

Mr. President, in order that the text of this report may be made available for the information of all Senators, I ask unanimous consent that the full report of the American Institute of Architects, together with the appendix, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, so far as we now know Congress space needs are going to increase indefinitely. But we cannot increase the size of the Capitol indefinitely.

The Capitol, as it now stands, is an architectural masterpiece and historically the most important building in America. Extension of the west front will impair its historical value. Extension will destroy the Capital's near-perfect proportions, the relationships of the different parts of the building, and the surrounding landscaping. Moreover, the proposed enlargement still will not satisfy Congress' need for space.

We cannot allow America's most beautiful building to be pushed around in this manner. There are feasible alternatives. Congress should take action now to provide the means for sensible, rational planning on Capitol Hill.

I ask unanimous consent that the text of the bill be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1590) to prohibit, without the express approval of Congress, any construction which would result in altering the proportions, changing the size, or modifying the U.S. Capitol Building in any substantial manner, and to establish a commission to study the existing and future space needs of the Congress introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—INCREASES IN SIZE OF CAPITOL BUILDING REQUIRING APPROVAL OF THE CONGRESS

SEC. 101. On and after the date of the enactment of this Act, no work shall be carried out with respect to any project which would alter the proportions, change the size, or modify the United States Capitol Building in any substantial manner, unless such project has been specifically authorized by legislation enacted by the Congress subsequent to the date of enactment of this Act.

TITLE II—UNITED STATES CAPITOL BUILDING COMMISSION

SEC. 201. (a) There is hereby established a commission to be known as the "United States Capitol Building Commission" (referred to hereinafter as the "Commission") which shall be composed of seventeen members as follows:

(1) Two Members of the Senate to be appointed by the President of the Senate, of whom one shall be appointed from the majority party and one from the minority party;

(2) Two Members of the House of Representatives to be appointed by the Speaker, of whom one shall be appointed from the majority party and one from the minority party;

(3) The Chairman of the Commission of Fine Arts or his designee;

(4) The Chairman of the National Capitol Planning Commission or his designee;

(5) The Chairman of the Board of Trustees of the National Trust for Historic Preservation or his designee;

(6) Two members appointed by the President of the United States, by and with the advice and consent of the Senate, from at least six outstanding architects nominated by the American Institute of Architects;

(7) One member appointed by the President of the United States, by and with the advice and consent of the Senate, from at least three members of the American Institute of Planners nominated by such association;

(8) One member appointed by the President of the United States, by and with the advice and consent of the Senate, from at least three members of the American Society of Landscape Architects nominated by such association;

(9) One member appointed by the President of the United States, by and with the advice and consent of the Senate, from at least three members of the Consulting Engineers Council nominated by such association;

(10) One member appointed by the President of the United States, by and with the advice and consent of the Senate, from at least three members of the National Society of Professional Engineers nominated by such association;

(11) One member appointed by the President of the United States, by and with the advice and consent of the Senate, from at least three members of the American Historical Association nominated by such association;

(12) One member appointed by the President of the United States, by and with the advice and consent of the Senate, from at least three members of the American Political Science Association nominated by such association; and

(13) Two members from private life, appointed by the President of the United States, by and with the advice and consent of the Senate.

(b) The President of the United States shall designate as Chairman one of the members appointed pursuant to paragraphs 6 through 13 of subsection (a) of this section. The Commission shall elect a Vice Chairman from among its members.

(c) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(d) Nine members of the Commission shall constitute a quorum for the transaction of business.

(e) The Commission is authorized to appoint and fix the compensation of such staff personnel as it deems necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51, and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The Commission is also authorized to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, U.S. Code, but at rates not to exceed $75 a day for individuals.

SEC. 202. (a) Members of the Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members of the Commission appointed pursuant to paragraph (3), (4), or (5) of section 201(a) of this Act shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive the salary of their regular positions when engaged in the performance of the duties vested in the Commission. Such members shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(3) Members of the Commission appointed pursuant to paragraphs 6 through 13 of section 201 (a) of this Act shall each receive compensation at the rate of $75 per day when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

(d) For the purposes of section 208 of title 18, United States Code, any member of the Commission appointed pursuant to paragraphs 6 through 13 of section 201 (a) of this Act shall be deemed to be an officer of an independent agency of the United States.

SEC. 203. It shall be the duty of the Commission to make a full and complete study and analysis of the present and anticipated future needs of the United States Congress with respect to the Capitol Building, Capitol Grounds, and contiguous areas, including but not limited to study of work space for the Members of Congress, committees of Congress, and staff personnel thereof, and facilities required for the convenience of visitors to the Capitol. It shall be the further duty of the Commission, on the basis of such study and analysis, to prepare and recommend a comprehensive and detailed development plan to meet the aforementioned needs. Such plan shall be prepared with the goal of preserving for future generations the historical integrity, proportions, and original materials of the Capitol Building, with particular emphasis upon preserving the existing architectural design.

SEC. 204. During the course of its study the Commission may submit to the President and the Congress such reports as the Commission shall consider advisable. The Commission shall submit to the President and the Congress a final report with respect to its findings and recommendations not later than one year following the date of the first meeting of the Commission. The report shall include the Commission's recommendations on procedures to govern the development and approval of the design of buildings in the Capitol area. Such procedures shall be dedicated to the end that buildings in the United States Capitol area should reflect the dignity, enterprise, vigor, and stability of the American Government and should provide optimum facilities in an architectural style and form which embodies the finest American architectural thought.

SEC. 205. There are hereby authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this Act.

SEC. 206. The Commission shall cease to exist thirty days after submitting its final report as required under section 204 of this Act.

EXHIBIT 1

A REPORT ON CONDITIONS OF THE WEST FRONT OF THE CAPITOL

(In every part of the country, citizens are rallying to save landmarks of beauty and history. The government must also do its share to assist the local efforts.—President Johnson, 1966.)

SUMMARY OF CONTENTS

I. Introduction—Task Force organized by The American Institute of Architects to restudy the proposed extension of the West Front of the Capitol.

II. Conditions of the West Front—The wall is in need of structural repair but collapse is not imminent.

III. Space Requirements—Before new space is added to the Capitol a survey should be made to determine the space needs of the Congress.

IV. Restoration: An Impossible Task?—The West Front of the Capitol can be restored and its structural weaknesses corrected without unacceptable risk.

V. Architecture and Planning on Capitol Hill—Congress should develop a master plan and authorize a Commission of experts to review and advise on new construction.

VI. Conclusion: Restore the West Front—Since a decision will eventually be made not to make further extensions of the Capitol, Congress should make the decision *now* while the one original wall can be saved.

VII. Appendix: AIA Task Force Report.

I. INTRODUCTION

In September 1966, when it became apparent that the 89th Congress would not appropriate funds for the proposed extension of the West Front, AIA President Charles Nes appointed a five-member Task Force of outstanding and highly respected architects to restudy the condition of the West Front and the Institute's position with regard to the Capitol extension. Those selected to serve on the Task Force were: Samuel E. Homsey FAIA of Wilmington, Delaware; Francis D. Lethbridge FAIA and John W. Stenhouse AIA, both of Washington, D.C.; Louis Rossetti FAIA of Detroit, Michigan; and Norman Fletcher FAIA of Boston, Massachusetts.

The Task Force was instructed to study the engineering reports and the extension plans, meet with and review the arguments of the architects for the project, and inspect the Capitol from attic to basement.

The Task Force was to be completely objective in making this study and was to arrive at its own recommendations, without regard to any statements previously made by the Institute. Indeed, in a letter inviting Norman Fletcher FAIA, to become a Task Force member, Charles Nes wrote:

"If this committee finds that restoration is impractical or too expensive or that in the opinion of the Task Force the proposed plans have validity, I think we are big enough to change our position. I hope, therefore, you will agree to serve on this committee."

On November 16 and 17 the Task Force met in Washington, having previously studied the Thompson and Lichtner engineering report and related material, individually. Task Force members visited the Capitol on November 16, where they heard the project analyzed by the architects for the extension project, and were taken on a tour of the Capitol building. On the following day they continued their study of the facts. Throughout its review, the Task Force was advised by a prominent and experienced structural engineer. Their report to the AIA Board of Directors is included herewith as an Appendix.

The Institute believes that Capitol Hill is the single most important land development in our Nation. We also believe that history will hold the architectural profession accountable for development of the Capitol and of Capitol Hill. Therefore, in the findings and recommendations of the American Institute of Architects which follow, we have attempted to be objective and constructive.

II. CONDITIONS OF THE WEST FRONT

The West Front of the Capitol is in a state of disrepair. Numerous cracks are in evidence on the exterior of the building. Some window lintels and keystones have cracked and slipped. Several of the architrave stones have sagged. The foundations, at some points, are not far enough below the finish grade to escape frost damage. However, none of the defects appears to indicate that danger of collapse is imminent or that correction is impracticable.

Sandstone

There is some professional opinion that the sandstone facing used on the West Front was inferior to begin with and its deterioration when exposed to the weather was predictable. Though this stone is obviously inferior to some other stones for exterior use, the same can be said of marble. In the Old Patent Office, for example, there is no serious deterioration of the sandstone facing of the first wing. Yet the adjoining wings of marble are badly deteriorated. The example is pertinent since the facing for the Capitol's West Front and the Old Patent Office building come from the same sandstone quarry. This suggests that the condition of the sandstone on the West Front may be partly due to causes other than the quality of the stone.

Cracks

Several of the architrave stones of the portico are definitely sagging and have been shored. Some window lintels and keystones have both cracked and slipped. The foundations, although below the finish grade, are subject to frost damage at several points. The basement wall of the center part of the SW corner in the court has also been shored. When the grade was lowered in this court the foundations thus exposed were veneered and it is this unbonded stone covering that has come loose from its back-up and required shoring. No cracks are in evidence on the interior but this is explained by the fact that constant repairs have kept pace with the cracks. The explanation given by the Assistant Architect of the Capitol that visible exterior cracks are due to settlement and expansion of the wall appears reasonable. However, no visible effort has been made recently to fill these cracks in order at least to deter the penetration of moisture. Had this been done as the cracks appeared it is likely that the disgraceful appearance of the exterior surface due to scaling paint could have been avoided.

Vertical settlement—Lateral thrust

There is no direct evidence that lateral thrust in the present West Front has caused problems. The Capitol Architect's staff engineer reports that the building is not out of plumb. Thus while the Capitol is experiencing some vertical settlement it is not slipping down the hill.

In short, none of the above mentioned defects appears to indicate that danger of collapse is imminent or that correction is not practicable. Furthermore, since lateral thrust is not presenting major structual problems, doubt is cast on the need for a buttress, although this is one of the arguments made by those who favor an extension.

III. SPACE REQUIREMENTS

The recommendation to extend the West Front of the Capitol, to provide Members of Congress and visitors with additional space and facilities, was made without first conducting an adequate survey to illustrate the use of present space and the need for additional space, according to recent testimony by a Member of Congress. If modern facilities and office space are critical necessities, should a 19th century building be reshaped to meet 20th century needs?

Space survey

One argument made by those who recommended a 4.5 acre extension to the Capitol is that such an extension will provide much needed office space and added facilities for visitors. But, according to recent testimony by a Member of Congress, no accurate survey has been conducted to predict Capitol space needs.

Apparently, the only space survey which has been made was done in 1957 when various occupants were asked: "What additional space do you anticipate needing within the next 25 years?" The findings, based upon the wishes of selected occupants, was that "139,000 additional square feet of useable space are needed to fulfill the needs of the Capitol for the present and for 25 years in the future." Subsequent events have proved the 1957 survey unreliable. This is emphasized by the fact that over 200,000 square feet would be added by the combined East and West Front extensions—61,000 more square feet of space than the Capitol Architect's survey found would be necessary to satisfy Congress' needs in the Capitol building until 1982.

A survey of Capitol space needs should also be made to determine what functions are now being carried on in the building which could be accomplished elsewhere just as effectively. It is quite possible that some of the functions now housed in the Capitol building could be moved to other new or existing buildings with no loss of efficiency.

If a space survey had been made and the need for more generous accommodations clearly documented, the Congress would then be faced with the question: Can present facilities be remodeled or must new space be constructed? Certainly, if one is to provide the most up-to-date and advanced, flexible, functional and handsome space, one would not normally start with the restricting envelope of a building conceived a century-and-a-half ago.

That a survey of immediate and long-term space needs is a valuable and recognized first step in planning any new construction has been consistently recognized by both Congress and the Executive Branch. For example, in 1961 the President directed that a survey of Federal office space be made to eliminate disorderly, inefficient and wasteful utilization of space. The report of the President's *Ad Hoc* Committee on Federal Office Space has been the bench mark for constructing new Federal facilities since that time.

The functions of the Capitol

Floor consideration of legislation and the work closely related thereto are the principal activities which must be carried on in the Capitol. We question whether it is necessary or prudent to try to accommodate in the Capitol constantly growing activities not directly related to the work of Senate and House Chambers.

There is obviously a limit to the amount of space which can be added to the Capitol if it is to retain any resemblance to its original form—or even to the present building. Congress will presumably decide at some point not to make any more additions to the Capitol. We believe the Congress shhould make that decision now while the one remaining original wall can be saved as visible evidence of our heritage.

IV. RESTORATION: AN IMPOSSIBLE TASK?

The West Front of the Capitol can be restored and its structural weaknesses corrected. Admittedly, it will be a job requiring skill and patience. But if the decision to restore the Capitol is made, our building technology is certainly adequate to meet the challenge. Restoration would be, however, a costly undertaking and would entail some inconvenience.

Restriction techniques

The walls and foundations of the West Front of the Capitol are structurally inferior when tested by today's standards. However, retention and repair of the existing walls is not infeasible. No authority, including the Architect of the Capitol, contends that restoration is impossible. It would, of course, be a delicate and time consuming proposition. But our technology is up to the task.

Restoration work done on historic buildings in Europe indicates that walls and columns which have deteriorated have been reinforced effectively by a system of drilling diagonal holes through the masonry, inserting reinforcing rods, and forcing grout under pressure into the holes. Another successful technique called "needling" involves the use of temporary steel beams to take the load off parts of the wall while other areas of the wall are being repaired. Similar or even more innovative methods could be applied to the West Front.

Inconvenience

If restoration is undertaken, Congressional leaders with officers located on the West Front would have to move and this certainly would be an inconvenience. But this inconvenience would occur even if the West Front were extended.

Cost

No estimate has been made by the Capitol Architect to determine the cost of restoring the West Wall in its present location on the grounds that restoration was not the best solution and there were too many unknowns to arrive at a reasonable estimate. The American Institute of Architects does not know what the cost of restoration would be. However, it is unlikely that the cost of restoration would approach the total cost of extension. Furthermore, since no recent survey has been made to determine the space needs of Congress and no master plan has been developed for the Capitol Hill area, it is our opinion that extension of the West Front may prove much more costly, due to misdirected effort, than the immediate value of dollars spent on the extension project.

V. ARCHITECTURE AND PLANNING ON CAPITOL HILL

We move from crisis to crisis under present procedures for approval and construction of Capitol Hill buildings. Unlike other parts of the Capitol City, neither the Fine Arts Commission nor the National Capital Planning Commission has authority over Capitol Hill architecture and development. A Congressional inquiry in 1965 brought out the fact that there had been no planning for Hill development during the past eight years. And today, no long-range master plan exists to guide development of Capitol grounds and contiguous areas.

Master planning

Construction on Capitol Hill seems inextricably steeped in controversy. Much of the blame for this situation can be attributed to Congress which, apparently through indifference, has allowed procedures to develop which are not in the best interest of the Capitol Hill area.

For example, most universities, towns and cities of consequence have recognized the benefit of a master plan. And Congress has insisted that comprehensive master planning be accomplished before Federal funds are granted for interstate highways, model cities and other development programs. Yet no such plan exists for Capitol Hill.

"Why," one Congressman recently asked "should this 131 acres known as Capitol Hill be excluded and denied the benefits of comprehensive master planning which Congress in its wisdom . . . felt was an indispensable condition to their spending a dime of Federal funds to help any city?" Why indeed!

Congress owes it to the people of the United States to have an orderly plan for the development of the Capitol grounds and contiguous areas. The cost of creating an excellent plan would be far less than the amount which will be spent unnecessarily without one.

A Commission on Architecture and Planning

The 89th Congress considered legislation to establish a Commission on Architecture and Planning. The Commission, to be composed of highly experienced professionals, would supervise the implementation of a master plan and would pass on the design of buildings on Capitol Hill. We believe the legislation has a great deal of merit. Accordingly, we strongly urge that the many members who introduced the legislation in the 89th Congress reintroduce the Commission on Architecture and Planning bill and press for its enactment.

Congress called for the establishment of a Fine Arts Commission and National Capital Planning Commission to assure the orderly and artistic development of the Capital City. The Capitol grounds are a part of the city and should no longer be excluded from the accepted process of examination and review. Indeed, Capitol Hill is so important as to merit its own review body.

VI. CONCLUSION: RESTORE THE WEST FRONT

The American Institute of Architects recommends that the West Front of the Capitol be restored and that Congress establish a permanent policy prohibiting any further major alteration to the Capitol other than that absolutely necessary for structural and safety reasons.

No evidence has been produced that would make impracticable the restoration of the West Wall in its present form. The encrustations of paint should be taken off and only those parts of the original facade that are dangerously damaged or deteriorated should be removed to be replaced with the same material as that of the original walls. The more aged, eroded condition of the stone of the West Front should be considered honorable evidence of its survival as one of the earliest of our major public buildings. It is a condition that does not detract from the beauty of the building when viewed from a distance, and it is one which adds considerably to its interest and historic significance when examined close-at-hand.

The American Institute of Architects believes it would be a mistake to cover up the last remaining exterior portion of the original Capitol. We strongly urge that the greatest symbol of our country be preserved.

CHARLES M. NES, Jr.,
FAIA, President, the American Institute of Architects.

VII. APPENDIX: AIA TASK FORCE REPORT

The members of the AIA Task Force on the West Front of the U.S. Capitol met in Washington November 16th and 17th, 1966. They were Messrs. F. D. Lethbridge, Norman Fletcher, J. Stenhouse, L. Rossetti, architects; C. Hansen, engineer; Samuel E. Homsey, Chairman; T. R. Hollenbach and P. Hutchinson, AIA Staff.

The Task Force met in the morning of November 16, having previously studied the engineering reports individually. Carl Hansen, prominent structural engineer, discussed the reports and helped analyze the various structural problems. The afternoon of November 16th was spent at the Capitol building with Mr. Campioli, the Assistant Architect of the Capitol, and the associated architects for the extension of the Capitol project, together with certain of their engineers.

The presentation of the engineering reports by the associated architects for the extension is based largely on the theory of lateral bracing against lateral thrust of the brick arches, although there was no direct evidence that lateral thrust in the present west front was causing problems. There was evidence to show that cracks were due to vertical settlement.

Even if the present facade is covered by an extension, it should appear that new underpinning of the present foundations will be necessary.

Several of the architrave stones of the portico by inspection indicated a definite sag and were shored up. Some window lintels and keystones had both cracked and slipped. The foundations at some points were reported to be well below the finish grade and at others unacceptably close. The basement wall of the center part at the SW corner in the court had also been shored. It was explained that when the grade was lowered in this court the foundations thus exposed were veneered and it was this unbonded stone covering that had come loose from its back-up and required shoring. No cracks were in evidence on the interior, but this was explained by the fact that constant repairs kept pace with their occurrence. The explanation that visible exterior cracks were due to movement of the wall by settlement and expansion appeared reasonable; however, no visible effort had been made recently to fill these cracks in approved fashion in order to at least deter the penetration of moisture. Had this been done, it is possible that the disgraceful appearance of the exterior surface due to scaling paint might have been ameliorated.

After a study of drawings of building sections and on-site observations, none of the defects appear to indicate that danger of collapse is imminent or that correction is not practicable though it might be time consuming and relatively expensive.

It would seem, however, improbable that the cost of preservation would approach the total cost of extension. Some more research could be done by the AIA on the probable range of cost for the restoration. This could be done by getting opinions from contractors in this country, experienced European contractors who have been dealing with this kind of construction for example—Fondedile S.P.A. in Rome. Techniques used in Europe for restoring facades include one called "needling," in which steel beams are placed through the wall at intervals for scaffolding, while certain portions of the building are worked on. There is also a possibility of using temporary tie rod techniques on the inside to hold the wall in place while the outside surface is worked on. Restoration work done on historic buildings in Europe indicates that walls and columns have been reinforced effectively by a system of drilling diagonal holes, inserting reinforcing rods and forcing in grout under pressure. This method seems very promising as one of a number of techniques which can almost certainly be used to preserve the West Front with no major change in its appearance. Foundation underpinning is well within the range of familiar techniques n this country.

The inconvenience factor has been strongly developed by the associated architects. If the extension is built, the Congressional leaders using the offices on the west side will be inconvenienced at least part of the time as the building is joined on through construction, and all of the time because of lack of natural light. It is true that if a project for preservation of the present west front is carried forward, then the Congressional leaders in that area would have to move elsewhere during that time, and this certainly would be an inconvenience. However, if extra space, such as is now proposed by an extension, is an absolute necessity, separate quarters could be planned as a Phase I development of a total program, and they could move into the new quarters after it was finished, occasioning no inconvenience except for moving. In this version, Phase II would be restoring the west facade after additional space was built. In all parts of the world we see scaffolds and other protective measures used for preservation of historic monuments; they are there for years at a time. They are worth the effort and patience. They remind us of the dimension of time. We cannot go back and rebuild the past.

At a hearing before the Commission for Extension of the U.S. Capitol in 1965 some opinion was expressed that the sandstone facing used was quite inferior for use when exposed to the weather and unless painted would go to pieces. Though this stone is obviously inferior to some other stones for exterior use, so is marble. The difference is relative. The same quarry from which came the facing for the Capitol furnished the facing for the first wing of the old Patent Office. There is no serious deterioration of that surface, however, the adjoining wings of marble are badly deteriorated. There is good reason to feel that inferior construction methods—penetration of the weather to the inner core of the exterior walls and sealing of the surface with paint—contributed considerably more to deterioration than the facing material itself.

The Task Force supports a program of preservation in the purest sense of the word. First of all, every bit of exterior paint should be carefully removed and the original stone exposed. Only those stones that are structurally unsound should be replaced and these stones should be replaced with the same material as that of the original walls.

It is not felt that a restoration of the West Front for "cosmetic" reasons is either necessary or desirable. The more aged, eroded condition of the stones of the West Front should be considered honorable evidence of its survival as one of the earliest of our major public buildings. It is a condition that does not detract from the beauty of the building when viewed from a distance, and is one that adds considerably to its interest and historic significance when examined close at hand. After removal of the existing layers of paint and replacement of damaged stones, it will then be possible to determine whether the wall should remain exposed or should for aesthetic or protective reasons receive a coating that will not entrap moisture as before, i.e. will allow the stone to breathe.

It has been stated in support of an extension that no restoration of the existing building would be permanent. Very little is permanent, not even the proposed extension. Constant maintenance is the only safeguard against failure of any construction—just as constant vigilance is essential to the preservation of our form of government.

Were the primary objective one of preservation rather than additional space, our technology, wealth, and will would be adequate to meet the challenge.

If the extension is carried out, the work of important early American architects and landscape architects would be lost forever—namely, Thornton, Latrobe, Bulfinch, and Olmstead. The work of these significant American architects would seem important to keep in a world in which we are losing many of our original resources in buildings and nature. It seems all the more essential to hold on to this last remaining, important symbol embodied in our Capitol. Should we not follow the example of such attempts at restoration as the Adler-Sullivan Auditorium Building in Chicago and the effort given to restoring New York City Hall recently? Certainly now is the time when Americans are becoming conscious of their heritage in building and in nature.

Now is the time when Americans may be developing the self-confidence to solve their functional problems in an aggressive, growing, and modern approach, still keeping their historic monuments inviolate. These people have a right to be heard. The landmark under discussion is number one on the list—the Capitol of the United States. If this landmark is not worth the effort to save—what is?

The whole problem of the extension points to the necessity for master planning on Capitol Hill. In this connection, it would seem an underground development for the east plaza side of the Capitol should be explored for the possible use of multi-level parking and visitor's facilities. The whole idea for visitors' facilities incorporating cafeteria, specialized auditoria with advanced audio-visual techniques, the use of free and flexible areas and orientation would be part of the overall program. Certainly this type of new 20th century facility can best be solved in structures and materials less inhibited by the classic framework. The matter of additional office space may be subject to some debate as to its critical necessity, but if one is to provide the most up-to-date and advanced, flexible, functional, handsome office space, one would not start with the restricting envelope of a building conceived a century and a half ago. The one advantage of proximity of offices to legislative chambers could be answered by well-designed motorized connections.

The Task Force recommends preservation, but would put a strong plea for a master plan, providing for office space, visitors' facilities and parking, all with possibilities for expansion. It would seem then that the AIA's position, if the Board follows the recommendation of the Task Force, would be very much in concert with the President's program for natural beauty, which would include preservation, and also that of the many governors' councils on the same subject. We are already identified with this movement and are not alone in defending this position. Moreover, there are hundreds of thousands, perhaps millions, of people who are shocked at the prospect of extending the west front of the Capitol and who would support preservation. The fact that the east front has been more or less successfully added to should argue more strongly for the preservation of the west front as the only remaining historic facade of the Capitol.

President Johnson has said:

"Among the most cherished of a nation's treasures are the monuments of its past. Each contributes to the historic texture of of society. We look back with reverence to lasting reminders of a vital past. We look forward with confidence to achievements which will enhance our future with accomplishments to match our monumental past. In every part of the country citizens are rallying to save landmarks of beauty and history. The Government must also do its share to assist the local efforts."

Samuel E. Homsey, FAIA, Chairman, Wilmington, Delaware.

Francis D. Lethbridge, FAIA, Washington, D.C.

John W. Stenhouse, AIA, Washington, D.C.

Louis Rossetti, FAIA Detroit, Michigan.

Norman C. Fletcher, FAIA, Lexington, Massachusetts.

AMENDMENT TO THE OIL POLLUTION ACT OF 1924

Mr. MUSKIE. Mr. President, today I introduce, for appropriate reference, a bill to amend the Oil Pollution Act of 1924 which only last year was subject to major strengthening amendments in legislation developed by the Senate Public Works Committee and enacted unanimously by the Senate and the House.

Included in the Clean Water Restoration Act of 1966 were amendments to the Oil Pollution Act which expanded its coverage to all navigable waterways of the United States, increased penalties for oil deposits, and improved protection of the public interest against deposits of oil on all waterways of the Nation.

The congressional intent was quite clear. The Congress wanted increased protection against deposits of oil on the waterways of the Nation, not only in the sense of inhibiting such deposits but by providing a method whereby violators of the act would be charged with removal of such oil from the Nation's shorelines.

At the time of Senate passage of the conference report, I said:

> Finally, the Senate provided strengthening amendments to the Oil Pollution Act. The Senate amendments would have extended the scope of that act to shore installations and terminal facilities and provided that boats, vessels, shore installations, and terminal facilities depositing oil on coastal, navigable and interstate waters and adjoining shorelines would be responsible for the removal of that oil. The legislation reported from conference limits this removal feature to boats and vessels by eliminating application of the Oil Pollution Act to shore installations and terminal facilities. However, the Senate conferees were assured that both shore installations and terminal facilities were subject to the enforcement provisions of the Federal Water Pollution Control Act.
>
> The net effect of the amendments to the Oil Pollution Act, strictly enforced, will be first, the extension of its enforcement provision to all navigable waters of the United States; second, a method of requiring removal or payment of the cost of removal of oil deposited on navigable waters; and third, a protection for the adjoining shorelines against the grossly negligent spillage of oil which has deleteriously affected both the recreational values of these shorelines and has seriously damaged coastal fisheries.

In essence the Senate, and in concurrence the House, anticipated the type of problem created recently by the *Torrey Canyon* disaster.

Apparently, however, some officials in the executive branch did not understand the intent of Congress in its action. From recent press reports, not, and I emphasize this, from formal notification of any executive agency, attorneys in the Justice Department have decided the Oil Pollution Act is unenforceable.

This point was amplified in a recent New York Times article which I include in the RECORD. Of particular interest in this article are the following comments:

> Justice Department lawyers have complained privately that it is virtually impossible to prove that an oil discharge from a ship was due to gross negligence or willful conduct, since the crew members are ordinarily the only witnesses to the event.
>
> Yesterday, a lawyer from the Interior Department, which is supposed to recommend prosecutions under the 1924 law, said that no prosecutions have been suggested since it was amended last November.
>
> "Proving gross negligence is almost impossible—almost like proving they polluted the water on purpose," he said. This lawyer also asked that his name not be published.

This tends to conflict with testimony of Federal Water Pollution Control Administration Commissioner James Quigley, who told the Senate Appropriations Committee:

> Additional funds are also proposed to enable the Administration to implement and effectively carry out the provisions of the Oil Pollution Control Act. The administration of this Act was transferred from the Secretary of the Army to the Secretary of the Interior. Compliance with water quality standards and the Oil Pollution Act will be pursued to obtain voluntary compliance where possible, and through court action whenever required.

Because of the confusion on this point—because neither the Department of Justice nor the Department of the Interior has seen fit to inform the Congress of any flaw in the amendments, but most importantly because of an intense desire on the part of the Subcommittee on Air and Water Pollution to make sure that there is active pursuit of water pollution control, I introduce this amendment.

Further, I assure my colleagues that early hearings will be called on this matter and every attempt will be made to rectify whatever problems may exist in proper enforcement of the Oil Pollution Act of 1924.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the article will be printed in the RECORD.

The bill (S. 1591) to amend the Oil Pollution Act of 1924, introduced by Mr. MUSKIE, was received, read twice by its title, and referred to the Committee on Public Works.

The article presented by Mr. MUSKIE is as follows:

[From the New York Times, Apr. 16, 1967]

ONE POLLUTION ACT HINDERS ANOTHER—WATER LAW CURBS ACTIONS ON OCEAN OIL POLLUTION

(By Fred P. Graham)

WASHINGTON, April 15.—The Justice Department released figures yesterday indicating that the clean-water law of 1966 had crippled enforcement of the Federal oil pollution law.

The department disclosed that it had not filed a single case against shipowners for polluting territorial or inland waters since the Clean Water Restoration Act of 1966 became law on Nov. 3.

According to the Justice Department, the Government had previously prosecuted about 100 cases a year.

A spokesman termed this estimate "very conservative," and said about 25 to 50 cases were brought each year by the Federal attorney's office in New York City alone.

ONE-WORD CHANGE

The new situation results from a one-word amendment that was inserted in the clean-water law by a Texas Representative, James C. Wright Jr., as the law was being whipped into final form by a Senate House conference committee in the final days of the last session of Congress.

Mr. Wright, who insisted on a number of changes in the bill to satisfy objections from the oil industry, said in an interview last night that he did not intend to cripple the law against oil discharges from ships.

He said his purpose was to protect "the poor little devil who might have done it accidentally" from heavy fines.

Since the change involved only one word in a nine-page law, its significance was not appreciated by Justice Department officials until after President Johnson had signed the bill.

Official Justice Department spokesmen, apparently in an effort to avoid friction with Congress, are reluctant to discuss the matter. But privately, Government lawyers charged with enforcing the Oil Pollution Act of 1924, the basic Federal law against oil pollution of navigable waters, complain that the change has made the law unenforceable.

Under the law of 1924, the owners of a ship were liable for fines ranging between $500 to $2,500 if their ship permitted oil to escape into the ocean within three miles of shore.

The statute was drafted so that the Justice Department had only to prove that the oil came from a particular ship. The shipowner could escape liability only by proving that the discharge was due to a serious emergency or an unavoidable accident.

The clean water act of 1966 was primarily a Federal aid program, which made $3.5-billion available to local communities for the construction of sewage treatment plants.

However, the Senate version, which was introduced by Gaylord Nelson, Wisconsin Democrat, and guided through the Senate by Edmund S. Muskie, Maine Democrat, contained amendments calculated to strengthen the 1924 law.

These amendments increased the law's penalties to a maximum of $10,000, and authorized the Government to remove spilled oil from the water or shorelines and then to sue the responsible parties for the cost. They also extended the law to cover navigable rivers and lakes, applied the penalties to pollution from oil tanks and other facilities on shore.

The Senate version also included an "innocuous definition of an oil discharge" as "any accidental, negligent, or willful spilling."

OIL LOBBY WINS

Mr. Wright's amendment changed this to define "discharge" as "any grossly negligent, or willful spilling."

The final version also omitted the shore facilities from the law's coverage, an omission that the oil industry had lobbied for strenuously.

Justice Department lawyers have complained privately that it is virtually impossible to prove that an oil discharge from a ship was due to gross negligence or willful conduct, since the crew members are ordinarily the only witnesses to the event.

Yesterday a lawyer from the Interior Department, which is supposed to recommend prosecutions under the 1924 law, said that no prosecutions have been suggested since it was amended last November.

"Proving gross negligence is almost impossible—almost like proving they polluted the water on purpose," he said. This lawyer also asked that his name not be published.

Donald E. Nicoll, administrative assistant to Senator Muskie, denied that the amendment had been intended to "deliberately weaken" the anti-pollution law.

He said the Congressman involved would be happy to consider any evidence that the amendment has, however, had that effect.

This occasion may arise during hearings scheduled for April 25 and 26 before a House Public Works subcommittee led by Representative John A. Blatnik, Minnesota Democrat. Governor Rockefeller of New York is scheduled to testify.

The purpose of the hearings is to consider the adequacy of Federal anti-pollution laws to cope with the threat of disasters such as the pollution of some British beaches after the sinking of the tanker Torrey Canyon last month.

A spokesman in Mr. Blatnik's office said yesterday that the subcommittee would also attempt to evaluate the effects of the newly enacted clean water law.

AMENDMENT OF SOCIAL SECURITY ACT RELATING TO CERTAIN PAYMENTS TO INDIVIDUALS

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved.

Mr. President, the medicare program has been in operation for less than a year and already it has proved itself an enormous success. The doubts and fears of many have proved groundless—the accomplishments already have been great.

Older Americans have received 15 percent more hospital services during the first 9 months of medicare than during comparable periods in the past. The lives of many elderly people have been significantly improved by this program—the removal of a cataract for example, or other surgery which has made a significant contribution to the individual's well-being.

It has helped more than those who but for medicare would have received no care at all. Many who would have some hospital care anyway have received better care. Because of this program, many more elderly Americans have been able to seek out hospital care with the dignity that goes with the ability to pay.

They have received medical care on the orders of their own private physicians and for many, for the first time, at a hospital of their own choice.

In the first 9 months of medicare, there have been over 4 million admissions for inpatient hospital services under the program and over a billion and a half dollars have been paid to the hospitals.

Equally important for those who have not actually needed care, some of the gnawing fear of illness has been removed because of the security of knowing that illness is less likely to create a serious financial problem for them or their children.

But we know the program is not yet perfect. We knew when we enacted the medicare law in 1965 that a new program of such magnitude would require amendment to insure its smooth operation.

One serious defect which has appeared is the requirement that, under the supplementary medical plan, reimbursement to the beneficiary is made only on the basis of a receipted bill. Under present law, there are two methods of payment for physicians' services under the medical insurance plan. Where the patient pays the bill, payment is made to the patient on the basis of a receipted bill. Secondly, if the physician and the patient agree, payment may be made to the physician on the basis of the patient's assignment.

It is this requirement that this payment is made to the patient only on the basis of a receipted bill which is causing great difficulty to many of the Americans that medicare was intended to benefit. I have heard of this hardship many times over from the actual cases of my constituents.

The medical insurance plan was designed to assist the patient who had trouble paying his bill. Illness is often accompanied by a lack of cash. That is why we have an insurance program. But the patient is required to pay the bill before he can get reimbursed from the plan. This is the squeeze that is put on the beneficiary.

There is no reason why the beneficiary should not be reimbursed from the plan on the basis of a simple itemized bill. Then he will have the money to pay his medical expense. This is the way commercial medical insurance plans have all worked and worked very successfully.

My amendment will put the medicare supplementary program on the same basis. It will allow the beneficiary to be reimbursed from the plan on the basis of an itemized bill. It will prevent the frustration and heartache that comes to a person, already in distress over health problems, of being forced to raise large sums for medical bills from their own resources before they can be paid by medicare. This is the frustration, heartache, and worry that medicare was designed to prevent.

Mr. President, this is an important amendment. It is a deep surprise to many of our older citizens to find they must pay their own medical bills out of their own limited funds before they are entitled to the benefits provided by the law. This change does not add one penny to the cost of the medicare program. It does not expand one iota the medical benefits the plan provides. It does provide easy access to the benefits that our older citizens are already entitled to.

I have received a letter from the American Medical Association endorsing my proposal to remove the receipted bill provision from part B, title XVIII, and substituting a statement of charges. I commend the American Medical Association for its support. It is additional evidence of its intention to make the medicare program run as smoothly as possible for the benefit of all our older citizens.

I ask unanimous consent that the letter from the American Medical Association, dated March 20, 1967, endorsing my bill, and the text of the bill itself be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1593) to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved, introduced by Mr. RIBICOFF was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1593

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1842(b)(3)(B) of the Social Security Act is amended by striking out "on the basis of a receipted bill" in clause (ii) and inserting in lieu thereof "on the basis of an itemized bill rendered by the person who provided the service".

SEC. 2. The amendment made by the first section of this Act shall apply with respect to payments made under part B of title XVIII of the Social Security Act for services rendered on or after the first day of the second calendar month beginning after the date of the enactment of this Act; and the Secretary of Health, Education, and Welfare shall take such action as may be necessary to modify any outstanding contracts entered into with carriers under section 1842 of such Act (effective on such first day) to the extent necessary to reflect such amendment.

The letter presented by Mr. RIBICOFF is as follows:

AMERICAN MEDICAL ASSOCIATION,
March 20, 1967.

Hon. ABRAHAM A. RIBICOFF,
U.S. Senate, Old Senate Office Building, Washington, D.C.

DEAR SENATOR RIBICOFF: A few months ago, a letter was written to you on the subject of the American Medical Association's position on the receipted bill provision in Public Law 89–97, Title 18, Part B. At that time there was no official position on the removal of this provision.

I would like to inform you that the American Medical Association's current position is that the receipted bill provision be removed from Part B, Title 18, and that substituted therefore be a statement of charges. This recommendation for an amendment will be made to the Committee on Ways and Means on April 4, at which time the American Medical Association will formally testify on HR 5710, Social Security Amendments of 1967.

Your cooperation and/or introduction of a bill to help achieve this amendment will be greatly appreciated.

Sincerely yours,
JOHN W. POMPELLI.

DOOR-TO-DOOR SALES ACT

Mr. MAGNUSON. Mr. President, I send to the desk, for appropriate reference, a bill which will permit a consumer, under certain limited circumstances, to rescind the sale of goods or services made by an itinerant seller. This bill, the Door-to-Door Sales Act, is designed to afford the consumer some meaningful and readily available relief once he has succumbed to the unsolicited sales pitch of the door-to-door seller, but has subsequently had time to reconsider the transaction and realize that he has made an unwanted purchase, paid an unconscionable price, or unnecessarily burdened his family with a major long-term expenditure.

To be sure, the vast majority of door-to-door sellers honestly perform a constructive and useful function in conveniently bringing their products to the doors of millions of housewives. Thousands of young people, myself included, have earned spending money or helped pay their way through college by working part time as door-to-door salesmen. Unfortunately, however, gullible, weak-willed, or misinformed customers continue to suffer at the hands of the relatively few unscrupulous members of this industry. It is these latter sellers at whom this bill is directed.

The bill provides that a buyer may rescind a retail sale or contract to sell goods or services "which is entered into at a place other than the place of business of the seller" provided that he mails a letter to the seller, expressing his intent to rescind the sale or contract of sale, prior to midnight of the following day. Although in many instances defects in the seller's performance or in the merchandise sold will not be revealed until a later date, we recognize, as I have stated, that many responsible firms and salesmen are engaged in door-to-door selling. Therefore, the bill attempts to achieve a compromise between the interest which these sellers have in knowing with certainty that a transaction is complete and the buyer's need to have some absolute, inexpensive, and readily available remedy in those cases where he has been lured into an unwanted purchase by one of the unethical salesmen who unfortunately also operate on a door-to-door basis.

The rights conferred upon the consumer by this bill are not exceptional under the circumstances of the transaction. He has not invited the sale or exposed himself to it by voluntarily entering a store. Instead the seller has initiated the transaction by intruding, unsolicited, upon the buyer, or by luring the housewife through free gifts, special offers, or plain fast talking to submit to a free home demonstration of a commodity which is usually not clearly identified until the salesman—more frequently the "special company representative"—has arrived at the doorstep. Once there, the variety of sales pitches he may employ is limitless, but the result is too often the same—another family committed to purchase an item it did not really want or need at what is frequently a grossly inflated sales price.

With this bill, the story need not end here, however. The consumer will be afforded some absolute relief, and to assure that he will be aware of it, the bill requires that the salesman furnish the buyer, at the time of the sale, with a receipt which bears a conspicuous notice informing him of his right to rescind and which also sets forth the seller's address and the details of the transaction. The buyer, therefore, will be able to sit down that evening with his or her family and consider more carefully and calmly exactly what they have purchased. Should they decide that the purchase was hasty or ill-considered or that the salesman deceived them as to the nature or value of the product, this bill will provide them with some immediate recourse.

In a few instances, of course, legal remedies already exist today, but too frequently the buyer is unaware of their availability. Where he knows of their existence, the time and expense of litigating and the uncertainty of obtaining adequate relief deters him from exercising those rights. Similarly, complaint to the Federal Trade Commission, which may result in a cease and desist order against the seller, only helps prospective customers. It does not pay the victimized buyer's bills. In many of these cases, to be sure, the buyer merely feels badly duped and out of pocket a few dollars, but in the worst ones, he may become hopelessly saddled with long-term debts and subjected to the thinly disguised threat of debt collection proceedings if he defaults.

It is these latter cases particularly which cry out for legislative attention, for they frequently affect those consumers least able to afford the high cost of deception. A survey of 500 low-income families conducted by David Caplovitz and reported in a recent speech on consumer problems of the poor indicates how actively these salesmen operate in depressed neighborhoods. One half of the families interviewed had made at least one purchase from door-to-door sellers and more than a third had made subsequent purchases. The actual magnitude of this business is suggested in an article by Leonard Sloane, subtitled "Door-to-Door Sellers Move to Costlier Products," which appeared in the January 31 edition of the New York Times. He quotes the executive director of the National Association of House-to-House Installment Companies who stated that "sales of the house-to-house credit selling industry last year were estimated at $1 billion" and is expected to rise 6 percent in 1967. Others have indicated that overall sales of this industry, both credit and noncredit, may exceed $4 billion.

A brief examination of the selling techniques too frequently employed by the unethical door-to-door seller indicates how urgently some regulation is required, for no individual preys upon the elderly, the poor, the ignorant, the gullible or the softhearted as much as the door-to-door salesman of products ranging from encyclopedias, magazines, and kitchenware to sewing machines, vacuum cleaners, furniture, and aluminum siding. There are two varieties of sellers in this industry. The first, and most common, is the one-shot, hit-and-run salesman who operates in nearly every neighborhood. His mission is to sell a story not a product so his pitch and approach are carefully rehearsed and perfected so as to disarm his unsuspecting victim. He does not hesitate to play on sympathy, shame, or the buyer's conscience, and to capitalize on the ignorance or lack of understanding of certain customers, the language difficulty of the newly arrived, the confusion of the harried housewife, or even the fear of the elderly lady or single girl living alone in order to make his sale.

The second variety of salesman is less common. His goal is to cultivate a permanent customer, most frequently one in a lower income area. He does this by instilling in the customer a feeling of personal loyalty subtly underscored by a sense of obligation, again rather than emphasizing the virtues of his product. His apparent concern with the customer's personal problems, his "friendly" weekly calls, which, oddly enough, are also convenient for collecting installments and pushing new products, and his occasional favors, frequently merely delaying collection of an installment, are all designed to establish this special rapport. This type of seller can be particularly successful, for many buyers, especially the elderly or the newly arrived, may be intimidated by the prospect of shopping in a large downtown store and therefore are particularly appreciative of his personal attention. Younger buyers may also enjoy the convenience of buying from a peddler or the availability of his easy credit terms. Nevertheless, many purchasers come to regret these dealings when they subsequently realize how much his merchandise has actually cost them. Eventually thousands of consumers discover that it may be difficult to say "no" to such a "friend," but it frequently will be very expensive not to.

This bill is designed to provide an immediate remedy for the large number of consumers who have unpleasant dealings with the first variety of fast talking and faster disappearing door-to-door salesmen. This is a group, incidentally, whose members are bound to rise if the proposed increase in postal rates is approved, for industry representatives have advised me that the increase in postage charges will cause some companies to divert their primary selling efforts from direct mail solicitation to door-to-door contacts.

This bill will have no impact, however, on those consumers who deal with the second type of salesman and who crave personal attention or convenient buying and are willing to pay a high price for it. With expanding social programs in recent years designed to break down the feeling of alienation which individuals develop in our increasingly complex and impersonal society, with increased emphasis on consumer education, and with the availability of local legal advice, we can expect, however, that in the future a greater number of those consumers who deal with the latter type of salesman will also find the provisions of the bill an important weapon with which to combat those sellers who are charging unconscionable prices for their wares.

In short, the relief provided by this bill will become increasingly important to consumers at all levels of society. Massachusetts and my own State of Washington have already recognized the need to impose some restrictions on door-to-door selling by passing comparable legislation. Other States are moving in the same direction. Many members of the door-to-door selling industry, such as magazine sellers, have been concerned enough about the nearly uncontrollable conduct of many of their salesmen to consider voluntarily adopting rules which would permit a buyer to rescind a sale during a 72-hour cooling-off period. To protect all American consumers, however, strong Federal legislation—legislation which carefully outlines procedures for refunding a buyer's money and which includes strict enforcement provisions to secure widespread compliance with its purpose—is also urgently needed. I submit that this bill will meet that need.

I ask unanimous consent that the text of the bill be printed at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1599) to assist in the protection of the consumer by enabling him, under certain conditions, to rescind the retail sale of goods or services when the sale is entered into at a place other than the address of the seller, introduced by Mr. MAGNUSON, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Door-to-Door Sales Act".

DECLARATION OF PURPOSE

SEC. 2. The Congress finds and declares that the consumer is frequently induced to purchase goods or services which he does not need or desire through the unsolicited and often unethical persuasion of certain door-to-door sellers. It is the purpose of this Act to enable the consumer to reconsider his purchase within a reasonable period of time and to rescind the sale if he acts before midnight of the following business day, and to impose civil or criminal penalties upon the seller who fails to pick up the goods and refund the buyer's money within three business days after receiving notification of the buyer's intent to rescind.

DEFINITIONS

SEC. 3. As used in this Act,

(1) "business day" means any day other than a Saturday, Sunday or holiday.

(2) "buyer" means a person who buys goods or obtains services from a seller for purposes other than resale.

(3) "interstate commerce" means commerce between any place in a State and any place in another State, or between places in the same State through another State.

(4) "place of business" means the main or branch office or local address of a seller.

(5) "purchase price" means the total price paid or to be paid for the goods or services, such amount to include all interest and service charges.

(6) "seller" means any person engaged in the business of selling goods or furnishing services to buyers.

(7) "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

RESCISSION OF DOOR-TO-DOOR SALES

SEC. 4. (a) Any sale of goods or contract to sell goods made in interstate commerce, or any sale of goods or contract to sell goods made in whole or in part of any item which has been shipped in interstate commerce, or any sale of goods or contract to sell goods affecting interstate commerce, for a purchase price in excess of $25, which is entered into at a place other than the place of business of the seller may be rescinded by the buyer if the buyer (1) furnishes to the seller a notice of intent to rescind the sale or the contract of sale either by letter, postmarked not later than midnight of the first business day following such sale or the first business day following the day on which such contract was signed, or in a writing, delivered to the local business address of the seller not later than 6 p.m. of the first business day following such sale or the first business day following the day on which such contract was signed, and (2) gives up possession of any goods, subject to such sale or contract for sale, delivered to the buyer prior to receipt by the seller of such notice of intent to rescind. A seller shall, within three business days after receipt of such notice of intent to rescind the sale or contract of sale under this section, pick up, at his own expense, any goods, subject to the sale or contract of sale, delivered to the buyer prior to receipt by the seller of such notice and refund all amounts of money paid by the buyer less reasonable charges for any damage to such goods which occurred while in the possession of the buyer.

(b) Any unexecuted contract for the sale of services using any item which was shipped in interstate commerce, or any unexecuted contract for the sale of services affecting interstate commerce, for a purchase price in excess of $25, which is entered into at a place other than the place of business of the seller may be rescinded by the buyer if the buyer (1) furnishes to the seller a notice of intent to rescind the contract for the sale of services either by letter, postmarked not later than midnight of the first business day following the day on which such contract was signed, or in a writing delivered to the local business address of the seller not later than 6 p.m. of the first business day following the day on which such contract was signed, and (2) gives up possession of any goods delivered to the buyer by reason of such contract prior to receipt by the seller of such notice of intent to rescind. A seller shall, within three business days after receipt of such notice of intent to rescind an unexecuted contract for the sale of services under this section, pick up, at his own expense, any goods, subject to the unexecuted contract for the sale of services, delivered to the buyer prior to receipt by the seller of such notice and refund all amounts of money paid by the buyer less reasonable charges for (1) any portion of the services performed prior to receipt of such notice and (2) any damage to such goods which occurred while in the possession of the buyer.

(c) This section does not apply to mail order sales, telephone sales, catalog sales where an order is placed by mail or telephone, or sales in which the buyer has requested the seller to enter into the sale at a place other than the seller's place of business, but it does apply to sales in which the buyer has requested the seller to conduct a demonstration or exhibition at a place other than the seller's place of business and has not also requested to enter into a sale at that place at the same time he has requested such demonstration or exhibition.

RECEIPT REQUIRED IN DOOR-TO-DOOR SALES

SEC. 5. (a) In every sale or contract to sell goods or services subject to the provisions of section 4 the seller shall deliver to the buyer, at the time of making such sale or signing such contract, a receipt which clearly and conspicuously set forth: (1) the seller's name and place of business; (2) a description of the goods or services sold; (3) the amount of money paid by the buyer or the cash value of any goods delivered to the seller at the time the sale or contract was entered into. In the case of a sale subject to the provisions of such section, the receipt shall clearly and conspicuously bear, in at least 10 point bold type, the following statement: "Notice to Buyer: You may rescind this sale provided that you notify the seller of your intention to do so either by letter, postmarked not later than midnight of the first business day following the sale, or in a writing delivered to the place of business set forth in this receipt not later than 6:00 p.m. of the first business day following the sale. Failure to exercise this option, however, will not interfere with any other remedies against the seller which you may possess." In the case of a contract to sell goods or services subject to the provisions of such section, the receipt shall clearly and conspicuously bear, in at least 10 point bold type, the following statement: "Notice to Buyer: You may rescind this contract provided that you notify the seller of your intent to do so either by letter, postmarked not later than midnight of the first business day following the signing of the contract or in a writing delivered to the place of business set forth in this receipt not later than 6:00 p.m. of the first business day following the signing of the contract. Failure to exercise this option, however, will not interfere with any other remedies against the seller which you may possess." The receipt shall be properly dated and signed by the seller.

(b) No receipt shall contain, or be accompanied by any document which contains, provisions by which the buyer waives his rights under this statute.

ENFORCEMENT

SEC. 6. (a) When a seller, who has received notice of intent to rescind the sale or contract of sale, fails to pick up the goods and refund the purchase price paid by the buyer within three business days as provided in section 4, the buyer may bring suit against the seller in any court of competent jurisdiction and recover the amount paid by the buyer upon entering into such sale or contract and an additional equal amount as liquidated damages. The court in such action shall, in addition to any judgment awarded to the plaintiff, require defendant to pay plaintiff a reasonable attorney's fee and costs of the action. The buyer's right to bring an action and to recover judgment against a seller, as provided in this subsection, shall terminate upon the filing of a complaint by the Attorney General of the United States, by any United States attorney, or by any prosecuting attorney of any State, or any political subdivision thereof, under subsection (b) of this section.

(b) When a seller, who has received a notice of intent to rescind a sale or contract of sale fails to pick up the goods and refund the purchase price paid by the buyer within the three business days provided in section 4, or when a seller willfully fails to deliver a receipt setting forth all the information required by section 5, or willfully fails to set forth such information in the manner required by such section 5, or attempts to secure a waiver of the buyer's rights under this statute in violation of the provisions of such section 5, the Attorney General of the United States or any United States attorney, or any prosecuting attorney of any State, or any political subdivision thereof, may bring suit in the name of the United States, in any court of competent jurisdiction, against the seller, charging him with a misdemeanor, punishable by a fine not to exceed $1,500 for each violation. In addition, in any action under this subsection the Attorney General of the United States or any United States attorney, or any prosecuting attorney of any State, or any political subdivision thereof, may also recover from the defendant on behalf of the buyer, the full amount paid by such buyer upon entering into each sale or contract, and upon recovering such amount, shall pay it over to the buyer. Action taken under this subsection shall preclude entry of judgment in any court under subsection (a), except that no action shall be taken under this subsection based on any transaction in which judgment has already been entered under subsection (a). If action is taken under this subsection after action has been commenced under subsection (a), but before judgment has been entered in that action, and if the Attorney General of the United States or any United States attorney, or any prosecuting attorney of any State or any political subdivision thereof recovers from the defendant, on behalf of the buyer, the full amount paid by the buyer upon entering into such sale or contract, as provided in this subsection, the Attorney General of the United States or any United States attorney, or any prosecuting attorney from any State, or any political subdivision thereof, shall also recover from the defendant, on behalf of the buyer, and pay over to the buyer, a reasonable attorney's fee and court costs incurred by the buyer in the action under subsection (a).

(c) In any action under this section based on the failure of a seller to refund the purchase price paid by a buyer and pick up the goods sold within the three-day period provided by section 4, it shall be a defense for the seller to show that at least twice during that period he called at the buyer's home and found no one present to receive the refund and return the goods: *Provided*, That the seller made a reasonable effort to refund such purchase price and collect the goods as soon as possible after expiration of that three-day period.

(d) Any seller who willfully destroys, within eighteen months after its receipt, record of a buyers' notice of intent to rescind a sale under this Act shall upon conviction thereof be subject to a fine of not more than $10,000 or to imprisonment for not more than six months, or both.

(e) The district courts shall have jurisdiction, concurrently with State and Territorial courts, over all proceedings under this section.

EFFECT ON STATE LAWS AND MUNICIPAL ORDINANCES

SEC. 7. This Act shall not be construed to annul, or exempt any seller from complying with, the laws of any State or municipality regulating door-to-door selling, except to the extent that such laws, if they permit such selling, are directly inconsistent with the provisions of this Act.

EFFECTIVE DATE

SEC. 8. This Act shall take effect on January 1, 1968.

ASSISTANCE FOR STATE AND LOCAL GOVERNMENTS IN REDUCING THE INCIDENCE OF CRIME—AMENDMENTS

AMENDMENT NO. 170

Mr. METCALF submitted amendments, intended to be proposed by him, to the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, which were referred to the Committee on the Judiciary and ordered to be printed.

INVESTMENT TAX CREDIT—AMENDMENTS

AMENDMENT NO. 171

Mr. HOLLINGS (for himself and Mr. THURMOND) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 172

Mr. WILLIAMS of Delaware (for himself, Mr. KENNEDY of New York, and Mr. PERCY) submitted an amendment, in the nature of a substitute, intended to be proposed by them, jointly, to the amendment proposed by Mr. INOUYE (No. 168) to House bill 6950, supra, which was ordered to lie on the table and to be printed.

CORRECTION OF COSPONSORSHIP

Mr. KUCHEL. Mr. President, yesterday apparently an error was made in signing as a cosponsor of S. 1318. I ask unanimous consent that my name be deleted as a cosponsor of S. 1318, but that I be added as a cosponsor of S. 1319.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. NELSON. Mr. President, I ask unanimous consent that at its next printing the name of the Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor of the bill (S. 1282) to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I also ask unanimous consent that at its next printing the name of the Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor of the bill (S. 1283) to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON TERMINATION OF FEDERAL SUPERVISION OVER PROPERTY OF CONFEDERATED TRIBES OF COLVILLE INDIANS

Mr. JACKSON. Mr. President, I wish to announce that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs will hold a hearing on Thursday, June 8, on S. 282, a bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes. The hearing will begin at 10 a.m. in room 3110, New Senate Office Building.

Those who wish to testify on this proposal are requested to contact Mr. James Gamble, of the committee staff, in order that a witness list may be prepared.

CHANGE OF DATE OF HEARING ON CENTRAL ARIZONA PROJECT

Mr. JACKSON. Mr. President, due to problems of scheduling, there will be a delay of 1 day in the start of hearings by the Senate Interior and Insular Affairs Committee on the central Arizona project.

The hearings will start on May 2 instead of May 1, and will conclude May 5 instead of May 4.

The hearings will be conducted in the Appropriations Committee hearing room, 1202, of the New Senate Office Building, beginning at 10 a.m.

Under consideration will be five different bills dealing with the central Arizona project and the Colorado River.

A HEARING ON THE FEDERAL JUDICIAL CENTER—S. 915

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings for the consideration of S. 915. This bill would provide for the establishment of a Federal Judicial Center.

The hearings will be held at 2 p.m. on April 25, 1967, and at 9:30 a.m. on April 26, 27, and 28, 1967, in the District of Columbia Committee hearing room, room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the RECORD should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

ANNOUNCEMENT OF HEARINGS ON MISCELLANEOUS TREATIES AND RELATED MATTERS

Mr. SPARKMAN. Mr. President, I wish to announce that there will be a public hearing by the Committee on Foreign Relations on Thursday, April 27, 1967, at 10 a.m. in room 4221, New Senate Office Building, to receive testimony on the following treaties and related matters:

The Single Convention on Narcotics (Ex. G, 90th Cong., first sess.);

Amendment to article 109 of the United Nations Charter (Ex. A. 90th Cong., first sess.);

Convention Concerning the Exchange of Official Publications and Government Documents between States and the Convention Concerning the International Exchange of Publications (Ex. G. 88th Cong., first sess.);

International Labor Organization—ILO—Convention No. 116, on standardizing the provisions regarding the preparation of reports by the ILO governing body on the workings of the conventions (Ex. C, 87th Cong., second sess.);

ILO Convention No. 122 concerning employment policy (Ex. G, 89th Cong., second sess.); and

Senate Joint Resolution 71, providing for acceptance by the United States of two instruments for the amendment of the ILO Constitution.

Persons wishing to testify on any of these items are requested to communicate with Mr. Arthur M. Kuhl, the chief clerk of the committee.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, as acting chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

R. Peter Staus, of New York, to be

Assistant Administrator of the Agency for International Development for the Bureau for Africa.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NEBRASKA OBSERVES CENTENNIAL ARBOR DAY

Mr. HRUSKA. Mr. President, it has been my privilege for the past several years to call to the attention of the Senate the annual observance of Arbor Day, a holiday inspired by Nebraska's J. Sterling Morton, who said:

> Other holidays repose upon the past; Arbor Day proposes for the future.

This year's program at Arbor Lodge, Mr. Morton's gracious home in Nebraska City, has special significance because it comes in the year of Nebraska's centennial of statehood. It is scheduled for next Sunday, April 23, and will be one of the outstanding highlights of a yearlong celebration of our century of statehood.

A preview of the observance, as my colleague, Senator CURTIS, has already noted, occurred here on the grounds of the Capitol last Sunday afternoon, when he and I were privileged to participate in ceremonies attendant to the planting of a Nebraska tree on the Capitol lawn. The tree was brought to Washington by a group of Otoe County residents and was the gift of the Arbor Lodge Association.

It was particularly appropriate that a living part of Nebraska should be brought to these historic grounds by the Arbor Lodge Association, which for so many years has dedicated itself to the preservation and extension of our precious natural resources and especially our trees.

I know of no single aspect of the Nebraska Centennial celebration more meaningful than these two events—last Sunday's symbolic tree planting in Washington and next Sunday's ceremonies at the home of Arbor Day.

Each event honors the memory of J. Sterling Morton. Last Sunday's ceremony took place in the city where he served as this Nation's third Secretary of Agriculture and made a lasting and significant contribution to the American agriculture. Next Sunday's program will be at Arbor Lodge State Park, his home in Nebraska City.

And these two events honor as well all those Nebraska pioneers who earned for our State the designation of the Tree Planters State.

That title was bestowed largely as a result of a Nebraska law passed in 1869 granting tax exemptions for the planting of trees. And on January 4, 1872, the State board of agriculture set aside April 10 and proclaimed it Arbor Day. More than a million trees were planted on the first Arbor Day ever observed in the United States.

Next Sunday's program in Nebraska will actually begin at the capitol in Lincoln, where a centennial tree will be planted. A caravan then will carry dignitaries to Nebraska City for the ceremonies.

Mrs. Suzette Morton Zurcher, a great granddaughter of J. Sterling Morton, will be the principal speaker.

One of the day's highlights will be the creation and dedication of a Centennial Avenue of trees with a plaque dedicating a tree for each of Nebraska's 93 counties.

Another will be the planting of a tree honoring Mr. Virgil Pitstick of Nebraska City, who is State chairman of the Arbor Day Committee and who has taken part in Arbor Day observances for 57 years. The first honorary tree was dedicated to and planted by President Grover Cleveland in 1905.

Mr. President, Arbor Day in Nebraska, and particularly in Nebraska City, is always an outstanding event. The impressively inspiring ceremonies come about as the result of a great deal of work by a great many persons.

While no complete listing of all those responsible would be possible, I ask unanimous consent to have printed in the RECORD, as representatives of the literally hundreds of people who work on the Arbor Day observance, the membership of the Arbor Day Committee in Nebraska City this year, together with an article from the Omaha World-Herald describing last Sunday's ceremonies here on the Capitol Grounds.

There being no objection, the names and the article were ordered to be printed in the RECORD, as follows:

THE ARBOR DAY COMMITTEE

Virgil Pitstick, State Chairman.

Joy Morton Porter, General Chairman.

Evan Nolte, Chamber of Commerce Liaison Officer.

Don Chapin, Sam Metcalf and John R. Simms, Promotions & Parade Marshals.

Ira Glasser, James Olsen and Dwaine Ross, Park Supervision & Staging Arrangements.

Garry Ailes, E. G. Noble and Lafe Williams, Programs.

Vern Livingston and Lloyd Wymore, Centennial Avenue.

Mrs. Joy Morton Porter, Hospitality & Luncheons.

Grove Porter and Severin Sorensen, Tree Planting & Library Landscaping.

Ivan D. E. Beaumont and Lafe Williams, Publicity.

Vern Livingston and Grove Porter, Tree Importation.

Clarence Iversen, Traffic Control.

Joy Morton Porter, Steinhart Tree Program.

[From the Omaha World-Herald, Apr. 17, 1967]

SALUTE TO CENTENNIAL AND J. STERLING MORTON—NEBRASKANS PLANT TREE AT CAPITOL

WASHINGTON.—Nebraskans, commemorating their Centennial year of statehood planted a gingko tree on the east lawn of the Capitol Sunday with scores of tourists from all parts of the country looking on.

The colorful garb of 46 Otoe County residents, who came here by chartered bus, stood out as more than two hundred persons watched the planting ceremony. The women wore early-day dresses and bonnets, the bearded men vests and other apparel of a century ago.

With members of the Nebraska Congressional delegation and scores of Nebraska Society of Washington members on hand, the crowd heard Virgil Pitstick, of Nebraska City, pay tribute to J. Sterling Morton.

The tree set out on the Capitol grounds, on the Senate side not far from the Supreme Court, came from Arbor Lodge, home of Mr. Morton, who had served as Secretary of Agriculture.

Noting that Mr. Morton was responsible for wide-spread tree planting in Nebraska, Mr. Pitstick said:

"It was from his idea to plant trees that Nebraska ceased to be part of the Great American Desert and became a land of plenty and a land of many trees."

He noted that Nebraska has the country's only national forest composed entirely of man-planted trees.

The visiting Nebraskans are to have breakfast today at the Capitol, then resume the sightseeing they have been doing since arriving here Saturday. They are to return Tuesday.

The trip is sponsored by the Otoe County Centennial Committee.

HARMFUL EFFECTS OF WOOL TEXTILE IMPORTS

Mr. CARLSON. Mr. President, the entire Kansas delegation, including the five Members of the other body, as well as Senator PEARSON and myself, share the deep concern of many other Members of the Senate and House with regard to the serious situation now confronting us through continued rising imports of wool textiles from countries with low wages and low production costs.

The harmful effects that these imports are having on both our wool textile industry and our wool-growing industry, have prompted the Kansas delegation to direct a letter to President Johnson, urging that everything possible be done to help restore our domestic wool industry to good health by holding these wool textile imports at reasonable levels.

I ask unanimous consent to have printed in the RECORD a copy of the letter which we sent to the White House, signed jointly by the Kansas delegation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 18, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The Kansas congressional delegation would like to join with the many other members of Congress who are urging prompt implementation of the expressed policy of the Administration for reasonable limitations on imports of wool products.

While Kansas is not a wool manufacturing state, one of our agricultural products is wool. Our growers have no outlet for their wool except through our domestic mills. Since World War II some 300 domestic wool textile plants have disappeared, along with 60 percent of key manufacturing machinery and tens of thousands of jobs.

Mr. President, in 1964 when you stated that imports of wool products must be held at reasonable levels and that the industry should be restored to good health, the volume of wool textile imports had reached 22 percent of our production. However, this past year the ratio increased to 27 percent. In some categories such as worsteds, knitwear and wool shirts, we are advised that import concentration is in the range of 50 percent.

From your address to the agricultural groups who met with you at the White House a few weeks ago, we know that you share our concern for the well-being of agriculture as well as our wool textile industry. If wool textile imports continue to decimate our domestic mills, domestic wool growers in Kansas and the other 49 states (all of which produce wool) will have no market for their raw wool production.

Therefore, Mr. President, in the interest of our entire U.S. wool industry, we strongly urge the Administration to do everything possible to insure that wool textile imports are held at reasonable levels.

Sincerely,

ROBERT DOLE.
CHESTER L. MIZE.
GARNER E. SHRIVER.
JOE SKUBITZ.
LARRY WINN, Jr.
FRANK CARLSON.
JAMES B. PEARSON.

THE SUPERSONIC TRANSPORT

Mr. SYMINGTON. Mr. President, it is only natural that Congress and the American people are deeply interested in the development and production of the supersonic transport, the so-called SST.

In that connection an interesting article, from reliable sources, has come to my attention, and believing that it will be of interest, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SST

Since last August when the United States supersonic transport program was debated on the Senate floor significant additional knowledge has been gained. Additionally, the United States supersonic type transport has been exhaustively and critically analyzed by the FAA, NASA, and the airlines.

These analyses indicate that the United States supersonic transport will be a technical and economic success. The additional knowledge gained and progress made by the manufacturers during prototype definition phases add a factor of confidence in the success of the program which was not so apparent last August.

It is obvious from a review of the CONGRESSIONAL RECORD that Senator Symington has endeavored to be objective in his assessment of the airplane. Last August, while acting in support of Senator Proxmire's amendment, the Senator from Missouri nevertheless introduced into the record statements made by proponents of the program. The Senator also asked a number of questions concerning the program which we believe have now been answered in a satisfactory manner. It has become obvious at this time and at the present level of knowledge that those closest to the program are convinced of its ultimate success.

The American design cannot be today another Mach 2.2 vehicle like the Concorde. If a decision were made today for a United States manufacturer to begin the design and construction of a vehicle to fly no faster than the British-French Concorde, the time to bring this project to fruition would be greater than that required to continue the existing American SST program.

In addition, the experts are convinced that a Mach 2.2 vehicle cannot be as efficient as the Mach 2.7 design; nor can it have any growth potential built into it, a basic factor in the American design.

It is a commonly held belief that one of the reasons why the British and French chose aluminum rather than a more advanced material was that they have not progressed nearly as far as this country in the use of titanium. Their sources for the material are not as great as in this country, nor is their working knowledge of how titanium is formed and produced as extensive as in this country.

It is for reasons such as this that England and France chose the lesser material, rather than one which would permit growth as added knowledge was gained. This is an advantage for the American airplane which should not be ignored.

The airlines have recently indicated again their support of the United States SST program by expressing willingness to contribute funds to the development program, fully at risk. These funds are small compared to the total, but they are large in themselves, an indication of faith in the success of the program. We are told by the Administration that the day will come when this program can be fully supported by private industry, that ultimately American industry will step up and assume full financial responsibility for the continuation of the program; also that it will be done on the basis that every penny the Federal Government invests so as to get the program started will be returned with interest. All industry asks is that government support be maintained until industry can assume it.

The Boeing 747 program expresses the willingness of American industry to invest in the future health of the airline industry; because as of this date, the 747 airplane requires the greatest investment ever made in the history of commercial aviation.

The airlines have been asked to bear a larger proportion of 747 cost prior to schedule service than ever before. They have indicated their willingness to do so, and as a result the program has strained to the fullest the financial capabilities of most of the manufacturers and airlines.

Air travel is growing by leaps and bounds, with the airlines doing all they can to stimulate this travel by providing the best kind of equipment to serve the traveling public well. The 747 will pave the way for this anticipated heavy growth; and the supersonic program, properly timed to proceed, will continue that growth, in an unprecedented fashion.

Once the 747 program is under way, private industry should be able to support the full production portion of the supersonic program; and some recent polls of the traveling public indicate that when the SST comes there will be an overwhelming preference to fly by this mode of transportation.

The SST can only serve to bring this world closer and closer together, providing a better understanding between all peoples.

During the Senate SST debate last summer, concern was expressed about the use of titanium as against aluminum as a basic structural material for this transport. It was then indicated that the Concorde would use aluminum alloys appreciably different from those used in today's aircraft. They have developed new aluminum alloys specifically designed to retain strength at higher temperatures; and while these new alloys should suffice for the Concorde design, they are substantially unproven by operating experience.

Significant reasons for selecting aluminum versus titanium for the British-French Concorde are, first, commercially pure titanium in quantity simply is not available on the Continent, therefore would have to be imported. The development of a titanium producing industry in Europe lags far behind the United States. Since the policy of the French Government is that the Concorde shall be a French product as independent as possible of external sources of supply, and since the French recognized important sales advantages to producing the Concorde well ahead of the United States supersonic transport, titanium was ruled out.

A related significant reason for employing aluminum rather than titanium is the investment that would be required to produce titanium in Europe.

Probably a third principal reason for this decision is that the development and production of suitable titanium alloys would have required at least several years longer than the use of aluminum. The aircraft manufacturing facilities at Bristol and Toulouse were already substantially tooled to handle sophisticated designs of aluminum alloys. Titanium would have required extensive re-tooling and re-training of personnel.

In summary, the decision to use aluminum in the Concorde was in effort to be first in the supersonic transport market. At this point in time it would take longer to redevelop the United States SST design into an aluminum airplane than to proceed with the titanium version; nor would the aluminum airplane have as desirable range payload as the titanium product. Reversion to aluminum at this point would require a reduction in planned cruising speed and the additional development time could be disastrous saleswise.

Titanium is not really a new material. It has been used in many forms in subsonic jet engines for numbers of years. Some high heat aircraft applications have made use of it ever since the days of the Douglas DC–6s. While the current titanium alloys are much more advanced and sophisticated, many have been and are being tested under stringent operating conditions in advanced aircraft projects.

In addition to permitting the design and development of a lighter and stronger vehicle than either steel or aluminum, the application of titanium to the United States supersonic transport structure will permit significant design growth potential. While the airplane will be limited initially to about 2.7 Mach number cruise because of system component limitations, the structure should be capable of Mach 3 to Mach 3.2. Thus, structurally, the United States supersonic transport will be capable of significant speed growth. On the other hand, the Concorde will be essentially limited forever by structure to Mach 2.2; and over the long term this can only enhance sales prospects for the United States plane.

The first Concorde prototype, now being constructed in Toulouse, is scheduled to be flight tested during March, 1968. The first airframe is essentially complete. The main landing gear was being installed last month; in fact the only missing components were the wing leading edge, trailing edge control surfaces, nacelles, and the vertical fin and rudders, scheduled to be installed later. Systems development is essentially on schedule, although some indication exists that certain vendor items may be somewhat delayed.

The Toulouse Sud management are completely confident that the prototype will fly on the scheduled date; also that problems now being encountered are merely "normal" problems, encountered in all aircraft developments.

Technical cooperation between the French and British appears unusually effective. The two corporations, with the two closely associated Governments, seem to be working on a well coordinated basis, with the conclusion that the first airplane will probably be flown on schedule.

DANGEROUS FUSING OF CIVIL RIGHTS AND ANTI-VIETNAM WAR MOVEMENTS

Mr. BYRD of West Virginia. Mr. President, the mass demonstrations which occurred last week in New York and San Francisco were headlined across the Nation as joint efforts of anti-Vietnam war protestors and civil rightists. Dr. Martin Luther King, the much-publicized civil rights leader and Nobel Peace Prize winner, spoke to the demonstrators in New York City, elaborating on his newly embraced theme that our Nation's military presence in Vietnam represents deepening oppression of the Negro minority in the United States.

He and some of his fellow civil rights leaders—and I emphasize that this does not include all of the Nation's civil rights leaders—apparently have now embarked on a campaign, dictated by expediency and geared toward grasping power, to sell the idea to the world that some deep conspiracy exists in the United States which is deliberately causing a preponderant percentage of Negro men to be sacrificed as military targets in Vietnam, while Federal funds are foolishly diverted to support our Nation's military efforts abroad which could better be channeled into ever greater benefits for the Negroes of the United States.

Simultaneously, while the anti-Vietnam war conglomerate assortment of protestors frenziedly cheered on King at the New York meeting, fellow demonstrators of similar unsavory ilk on the west coast made a huge and inglorious spectacle in similar protestations in San Francisco.

Although these demonstrations were reported as not having drawn as many thousands as were boastfully predicted by the publicists who served as advance agents for the events, evidently the impact from the demonstrators must have been satisfactory to the backers and organizers, because an announcement has now been made that a massive demonstration is being planned for May 17 in Washington, D.C., to take place in front of the White House.

These backers and organizers have been presented to the general public under the title "Spring Mobilization to End War in Vietnam Committee." From this name, unwary Americans might believe that this is a new group which has just recently come to the front, a group of people who seek peace. Not so, however, according to the facts which have now begun to seep to the surface.

In addition to Dr. King and his traveling companions in the civil rights movement, who need cash and a wider opportunity to exploit racial tensions, the demonstrations were guided by the masterminds of the W.E.B. DuBois Clubs, long known to the FBI as being communistic in purpose and organization, and by their allies, including avowed Red leaders from student groups on campuses such as that at Berkeley, Calif. These demonstrations were eagerly participated in by hipsters and drug users from city slums, by a collection of society's misfits, and by misguided do-gooders used as fronts by the Communist planners.

I wish to warn my fellow Americans that such subversive elements are always present, geared to exploit any opportunity to show the world that the United States is a heavily divided and indecisive nation; that its Vietnam commitment may eventually be repudiated; and that its policies include national oppression of the Negro minority within its boundaries.

The present coalition of some civil rightists and Vietnam war protestors is a natural setup for the Commies, because their purposes include the agitation of the peace, the widening of disunity in the United States, and the encouragement of apathy as to our Nation's commitment in southeast Asia because of increasing problems at home. Secretary of State Dean Rusk has warned that such actions as the demonstrations will obviously serve to prolong the war, rather than to shorten it, because it will continue to raise hopes in Hanoi, Peiping, and Moscow that the United States will eventually tire of the war, will abrogate its commitments, and will call its troops home. He has pointed out:

> The worldwide Communist apparatus is working very hard in these demonstrations.

With a further massive demonstration now being planned for May 17 in front of the White House, the American public needs to be warned of the dangerous fusing of the civil rights and anti-Vietnam war movements which can only damage American prestige abroad, impair American civil peace at home, and endanger legitimate civil rights objectives.

MORE ON TEXTBOOKS FOR DISTRICT OF COLUMBIA SCHOOLCHILDREN

Mr. BYRD of West Virginia. Mr. President, on April 12, I made the effort to clarify some misinformation concerning the failure of Congress to provide enough schoolbooks for District of Columbia schoolchildren.

As added background to the colloquy which developed on the floor in relation to my remarks, I wish to call attention to the article in yesterday's Evening Star, Washington, D.C., "McNamara, Gross Clash Proves Revealing," prepared by Richard Wilson.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Apr. 19, 1967]

MCNAMARA, GROSS CLASH PROVES REVEALING

(By Richard Wilson)

The gadfly of the House of Representatives buzzed angrily around the head containing the administration's biggest brain. When the harassment was finished more was known than before about the inner workings of the Johnson administration and where it would head if the Vietnam war were over.

This was one of those small incidents in Congress that doesn't last long but reveals a great deal. Rep. H. R. Gross, R-Iowa, self-constituted harasser of big government, took Defense Secretary Robert S. McNamara to task for providing a military plane for the new, 72-year-old ambassador to Saigon, Ellsworth Bunker, to visit his new wife, who is the U.S. ambassador to Nepal.

McNamara defended this promotion of ambassadorial romance as no more than a warm-hearted and benevolent big government does in other cases to relieve high-ranking personnel from the stresses of war. From this point onward the colloquy heated up, with McNamara accusing Congress of failing to provide enough school books for District of Columbia school children (wrong) and declaring that this government would never pay off the war-inflated national debt (right).

How did school books and the national debt get into this argument? This takes some interpreting, but it is basically because McNamara believes that the cost of the Vietnam war is small compared to our national potential, and there is ample room while it is going on to proceed with large-scale social enterprises. He picked a bad example in blaming Congress for school book shortages in the District of Columbia.

This is one of the pet projects of Mrs. McNamara and Mrs. Robert F. Kennedy, wife of the senator from New York, both of whom are charming and intelligent ladies who do not refrain from making their views known to their husbands. Hard-to-refute evidence was later submitted to Congress that there is no school book shortage in the District of Columbia by virtue of the earlier efforts of Vice President Hubert H. Humphrey, and both McNamara and Kennedy, who also took up the good fight, appeared somewhat out of date.

What McNamara was definitely not out of date about, however, was his concept of big government during war and after it. Large as it is, he argued, the defense budget is only 9 percent of our gross national product, and essentially at the same level as in 1961. It is therefore a disgrace, McNamara argued in effect, that we do not spend more for the relief of social problems—much more.

As an indication of the wealth of this country, he asserted, the stock of the Ford Motor Co. is worth 60 percent more than it was when he (McNamara) was president of the company in 1960.

Gross asked how McNamara proposed to retire the $336 billion U.S. debt. "I don't propose to retire it," McNamara snapped. "I don't believe Congress proposes to retire it. I hope the Congress has advanced beyond the stage where it believes it is necessary to retire it.

"No industrial nation in the world has retired a debt of this kind. Our debt in relation to our wealth today is less than in relation to its past and less than other industrialized nations, and our mathematics students of this country know less than the mathematics students of other countries, and I think it is a disgrace.

"I don't share with you the feeling that we as a government cannot meet national problems through governmental expenditures at state, federal and local levels. I think we can. We don't lack resources. We simply lack will."

McNamara was therefore arguing that we can take a $24 billion-a-year war in stride, count on national economic growth to offset the debt, and advance with new domestic projects and programs on a large scale.

The industrial manager who came to Washington in 1961 as a Republican has thus adopted the Heller-Galbraith-Harrington philosophy of unending expansion, increasing taxes, increasing spending, increasing government power which goes under the name of the New Economics.

McNamara has been busily qualifying himself as a big and broad thinker in many fields other than national defense—social welfare, foreign affairs, national economic policy. His influence in the Johnson administration goes far beyond what kind of airplanes to buy and how many missiles to build. It may even be that he dreams of becoming President some day.

UNITED TO SAVE THE BIG THICKET

Mr. YARBOROUGH. Mr. President, the common goal of saving the Big Thicket has united Texas explorers, naturalists, gardeners, and oil, chemical, and atomic workers.

On January 11 I introduced a bill, S. 4, to preserve in the form of a national park part of the 400,000 remaining acres in Hardin, Polk, Tyler, Liberty, and San Jacinto Counties, which have been historically known as the Big Thicket. This unique area of dense vegetation in the

Texas gulf coastal plain has been until recently an unspoiled refuge for scarce species of animals and plants, but it is now threatened with destruction by the seemingly unquenchable thirst of man for progress.

Members of the Dallas County Audubon Society, the Texas Explorers Club, the Men's Garden Club in Houston, the Highlands Rotary Club in Highlands, Tex., and Local No. 4-228 of the Oil, Chemical & Atomic Workers International Union in Port Neches, recognize the dangers that threaten this uniquely beautiful, biological area and have consequently adopted resolutions supporting the preservation of the Big Thicket for this and future generations.

Mr. President, I ask unanimous consent that the resolutions adopted by these organizations in support of my bill, S. 4, and endorsing the establishment of a Big Thicket National Park be printed at this point in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Dallas Audubon Society,
Dallas, Tex., March 7, 1967.

Senator Ralph Yarborough,
Senate Office Building,
Washington, D.C.

Dear Senator Yarborough: The Dallas County Audubon Society strongly endorses SB 4, to establish Big Thicket National Park.

The Big Thicket forested area includes an open forest of longleaf pine in the east and north, and an open forest of shortleaf pine on the west, usually in deep sandy loam-hammock soils, with clear, slow streams bordered by loblolly pines. No civilization encroaches. The National Park may be the last stand of southern floodplain forest and southern mixed forest, there being no national parks containing such ecosystems. The Big Thicket also contains bogs with rare orchids, pitcher plants and sundew. Several virgin habitats remain.

Unless this area is made into a national park, it will rapidly be exploited for grazing, irrigation, housing and other uses. The State cannot do the preservation job.

We hope the Congress will act fast in approving the Big Thicket National Park and preserving this choice area for posterity.

Sincerely yours,
Edward C. Fritz,
Chairman, Conservation Committee.

Bowmer, Courtney & Burleson,
Temple, Tex., March 18, 1967.

Hon. Ralph Yarborough,
U.S. Senate,
Washington, D.C.

Dear Ralph: I enclose copy of a resolution from the Texas Explorers Club supporting the Big Thicket National Park.

Please count us in your corner in any way that we can help with this fine project.

Your friend,
Jim D. Bowmer.

Resolution

Be it resolved by the Board of Directors of the Texas Explorers Club, That this organization unanimously and wholeheartedly endorses the bill introduced by Honorable Ralph Yarborough, United States Senator from Texas, which would create a Big Thicket National Park.

Be it further resolved that this organization has made a careful study of the Big Thicket, various parties of its members have toured the same, and we find it in every respect to meet the highest qualifications for creation of a National Park.

Unanimously passed and adopted this 24th day of March, A.D. 1967.

Texas Explorers Club,
Bob Burleson,
President.

Attest:

Jim D. Bowmer,
Secretary.

Men's Garden Club,
of Houston, Tex.,
March 20, 1967.

Hon. Ralph S. Yarborough,
U.S. Senator from Texas,
Senate Office Building,
Washington, D.C.

Dear Sir: For many years, the Men's Clubs of America has been an active participant in matters relating to the conservation of our natural resources and, as an affiliate, this club is most happy to endorse your bill to establish a National Park in the Big Thicket, and in witness thereof, passed the enclosed resolution.

Respectfully,
C. B. Gilman,
Secretary.

Resolution

Whereas, there is great need to preserve certain unique areas of this country, and

Whereas, that area within the State of Texas known as The Big Thicket is fast being ravished through the harvesting of timber and other human activities, and

Whereas, a considerable portion of The Big Thicket should be preserved for posterity in its natural state, therefore, be it

Resolved, That the Men's Garden Club of Houston in regular meeting assembled, endorse the Big Thicket National Park Bill as introduced in the Senate of the United States by the Honorable Ralph Yarborough, Senator from Texas, that a copy of this resolution be forwarded to Senator Yarborough, a copy to the Honorable John Dowdy, Member of Congress, and that a copy be spread upon the minutes of this meeting.

E. H. Kielsmeier,
President.

Attest:

C. B. Gilman,
Secretary.

Resolution

Be it known to all concerned that the Rotary Club of Highlands, Texas, active and interested in all things which it feels is for the betterment of community, state and nation, is deeply concerned about the future of the Big Thicket of Southeast Texas.

Being fully aware of the many species of rare plant and animal life, virgin timber, and natural beauty of this great wooded area, we feel that the Big Thicket should be preserved in its natural state for the benefit and enjoyment of all our people.

Therefore, we, duly qualified members of Highlands Rotary Club, Highlands, Texas, do hereby endorse, both individually and collectively, U.S. Senator Ralph Yarborough's Big Thicket National Park Bill.

Be it known, also, that this resolution was adopted by unanimous vote of the membership at the regular meeting of Highlands Rotary Club on Tuesday, March 14, 1967.

W. L. Herndon,
President.
Highlands Rotary Club, *Highlands, Tex.*

Oil Chemical and Atomic
Workers International Union,
Port Neches, Tex., March 23, 1967.

Hon. Ralph Yarborough,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Yarborough: Copies of the enclosed resolution that was adopted by this Local Union have been sent to the Honorable John Dowdy and to Mayor Dempsie Henley.

Sincerely yours,
L. L. Crane,
Secretary-Treasurer, Local 4-228, Oil Chemical, and Atomic Workers International Union.

Resolution

Whereas, This Organization has come to know the many problems, frustrations and congestions engulfing our metropolitan areas, such as Jefferson County, and realize the importance and necessity of large green areas surrounding these heavily populated areas for recreation and outdoor enjoyment; and

Whereas, The members of Oil, Chemical and Atomic Workers International Union, Local 4-228, appreciate and accept Senator Ralph Yarborough for his efforts and sacrifices in the behalf of our posterity evidenced by the fact that he was instrumental in bringing about the establishment of Padre Island National Seashore and Guadalupe Mountains National Park; and

Whereas, The members of this body encourage Senator Yarborough in his effort to bring about a better life for all by the setting aside of these vast areas remaining of our rapidly diminishing enclaves of nature's unspoiled beauty, leaving them for the enjoyment of future generations; now, therefore, be it

Resolved, That the members of this Organization go on record commending the senior Senator from Texas Ralph Yarborough, for his introducing a bill in the Senate of the United States to bring about the creation of a national park to be named the Big Thicket National Park consisting of some seventy-five thousand (75,000) acres of land located in the southeast portion of this great state; and, be it further

Resolved, That copies of this Resolution be sent to Senator Ralph Yarborough with our deep personal respect and admiration.

Oil, Chemical, and Atomic Workers,
Local 4-228,
L. L. Crane,
Secretary-Treasurer.

ACTING SECRETARY OF COMMERCE TROWBRIDGE SPEAKS AT THE GROUND BREAKING OF U.S. HEMISFAIR PAVILLION

Mr. YARBOROUGH. Mr. President, on Saturday, April 8, ground was broken at San Antonio, Tex., for the U.S. pavilion at the HemisFair 1968 Exposition to be held in San Antonio during the spring and summer of 1968.

I was privileged to be present.

The main address was given by the Honorable Alexander B. Trowbridge, Acting Secretary of Commerce. I ask unanimous consent that Secretary Trowbridge's remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks by Acting Secretary of Commerce Alexander B. Trowbridge at the Ground Breaking Ceremony for the U.S. Exposition Buildings at HemisFair, 1968, San Antonio, Tex., April 8, 1967

It is a privilege to represent our Federal Government here today. The "Confluence" theme of this great international fair also is appropriate to the joining forces here of Federal, State, and local governments. This is another common endeavor which adds strength and meaning to the "creative Federalism" that is a cornerstone of President Johnson's Administration.

I am also happy to note, as the representative of the department of government charged with promoting private initiative, that the leadership role in this undertaking is filled by the private sector. We are here today largely by virtue of the foresight and energy of those who comprise the dynamic business community of San Antonio. And this fair is a tribute to the free enterprise system under which they do business.

For me personally, it is a special pleasure to participate in this ceremony. I have known about HemisFair '68 from the time that it was little more than a gleam in its sponsors' eyes. I happened to have been head of an American firm's operations in El Salvador when members of the San Antonio Chamber of Commerce visited there in 1962 to introduce the idea of participation in the exhibition. Their enthusiasm, coupled with the careful, businesslike plans they had underway, left no doubt, even at that early date, that HemisFair '68 was destined for success. But little did I know that some five years hence I would have a part in the exercises marking the beginning of construction of the Federal buildings at this fair. It is surely one of the happier coincidences of my life.

This ceremony today has other important meanings for us, in addition to being a symbol of cooperation between the private sector and government at all levels.

The most immediate and practical thing it represents is progress toward getting the Federal buildings underway. As you know, there was a delay that consumed more than three months, raising the possibility that the Federal theater and exhibit hall would not be ready on opening day next year. But through the diligent efforts of Jack Orchard and our fine U.S. Expositions staff, we have gained back some 10 weeks of the time lost. The final review of plans as proposed by the designers, architects and engineers has been completed, and requests for general contracting bids will go out next week. We are confident that if present plans are implemented, the door will open on schedule April 6, 1968.

I can also report progress on the preparation of what we believe will be a truly outstanding presentation for showing in the Confluence Theater. The preliminary draft of the motion picture script by the Academy award winner Francis Thompson has been reviewed, and shooting is expected to start May 1. The "Confluence U.S.A." theme of the show—representing the "Legacy," the "Harvest," and the "Promise"—will, I am confident, provide a memorable experience for all who see the picture.

Perhaps the most important meaning of this ceremony today has to do with our relations with Latin America. Here is tangible evidence that our Federal Government recognizes HemisFair '68 as an important opportunity to help promote the growing unity of the Americas.

And this forms the principal basis of President Johnson's vital interest in the undertaking. In a letter in 1964 wishing success to the HemisFair authorities, the President said: "The New World nations are brothers in history, friends in commerce, and partners in aspirations. San Antonio's 'Fair of the Americas,' HemisFair 1968, will celebrate this partnership. Dedicated to the advancement of the social, economic, and cultural well-being of all peoples of the Americas, it will be a living example of our Nation's policy of Inter-American cooperation."

In this connection, it is particularly fitting that we are here at this time. Next week the President will join other leaders of the American states at Punta del Este for the first such meeting in a decade. There they will review the progress made in the development programs for Latin America and make common commitments for the next steps in this great movement to better the life of our neighbors to the south. I know it will be a source of satisfaction to all participants in the conference that plans for HemisFair '68 are moving forward. The Ambassadors to the U.S. from Latin America and those to the Organization of American States, who toured the fair site last week, will be able to report first hand on the progress. There is no question that this exhibition will, as scheduled, be the perfect prelude to the Olympic Games to be held in Mexico City a year from this coming fall.

From the standpoint of the national interest, HemisFair '68 also will result in very practical benefits, in addition to being a symbol of friendship among neighbors. I refer especially to its contribution to the U.S. balance of payments, for which the Department of Commerce shares a continuing responsibility.

Expenditures by foreign visitors and exhibitors, plus the retained U.S. tourist dollars which otherwise would be spent abroad, are expected to total more than $38.5 million. With the pressure on our international accounts still strong this year due to expenditures abroad in our defense of freedom in Southeast Asia, this sum will be most welcome as we seek to stem the outflow of dollars in 1968.

Our Federal Government also, of course, is vitally interested in the increased economic activity that the fair will bring to San Antonio. The interrelated nature of the national economy means that this will benefit not just the citizens of this area, but those in other parts of the Nation as well. Detroit will sell more autos here and the mills of North Carolina will feel the increased demand for textiles.

Aside from these practical considerations, there is the simple fact of more Americans becoming better acquainted with one of the distinctive cities which are a source of our diversity and strength. San Antonio belongs to that select group of cities that include New Orleans, Boston, and San Francisco, which add a special ingredient to the heritage of America.

But not only are the fair visitors assured a rare cultural and educational experience, they also are guaranteed a rousing good time. San Antonio has always loved a party—it didn't get the name "Fiesta City" for nothing—and the biggest party of them all, six months in duration, is scheduled for 1968. The whole world is invited, and it wouldn't surprise me if half of them showed up. I, for one, wouldn't miss it for anything.

The ground we sink our shovel in today is old ground, rich in tradition, hallowed by twenty-five decades of history. Here is located the Shrine of Texas Liberty, here was first introduced the Latin influence in American life, here was the beginning of the famed Chisholm Trail.

But we are also breaking new ground today. We salute the past, but we are building for the future. Appropriately enough, the Confluence Theater, with alterations, will have a residual end use—just as the benefits of HemisFair '68 will not cease when its gates are closed for the last time. Good will, lasting friendships with our neighbors to the south, a renewed sense of a common heritage, memories of a happy time: these are the products of this fair that will warm the hearts and minds of its visitors as long as they live.

No fair could have a more worthy purpose, and our Federal Government is proud to have a part in an undertaking with such promise.

Let us now break old ground to achieve new aims.

JUSTICE FOR JAPANESE-AMERICANS—AT LONG LAST

Mr. KUCHEL. Mr. President, on April 10, 1967, by unanimous decision, the U.S. Supreme Court sheared away one more remaining harsh and unjust ruling against some 4,100 American citizens of Japanese descent.

Almost a quarter of a century after the end of the second World War this group of our fellow citizens have been vindicated in their claims to their own moneys, deposited in the Yokohama Specie Bank, Ltd., California branch. A harsh interpretation of the Trading With the Enemy Act held that the claims were not filed in a timely manner. The Court held simply and sensibly that the time limit specified in the law, was designed to expedite settlements and not to perpetuate a wrong. While the results of the decision are hardly munificent, they do constitute a forward step in the American theory of equal treatment under law.

The situation is best summarized in a statement of Mr. Katsuma Mukaeda, president of the Japanese Chamber of Commerce of Southern California, to the Supreme Court:

> Many of the Yokohama Specie Bank yen deposit certificate holders were old people who could not read English and could not understand the communications they received from the Office of Alien Property; many of them had to rely upon other persons who themselves were not able to understand the letters; most of the claimants had never talked to a lawyer about their cases and there was a general feeling in the community that all of the claims were going to be treated alike, both the Sumitomo Bank claimants and the Yokohama Specie Bank claimants; there was knowledge in the community that a law suit had been filed in Washington and it was understood and believed that the outcome of that law suit would determine how much money the claimants received and that it would apply to all claimants not just some; most of the claimants had had experience with or had heard about the Japanese Evacuation Claims program (50 U.S.C. Appx. 1981–1987) and many of them knew generally that under that program, deadlines had been extended and even that the law itself had been changed to include persons who originally were not eligible, to be eligible for repayment of some of their losses due to the Japanese evacuation program, and that persons who previously had been denied payment, later were paid; . . . since the original certificates of deposit were the claimants' only direct evidence of their claim, many of the claimants were reluctant to part with this evidence, especially at a time when the Government was recognizing their claims at less than 2% of their face value, to say nothing of accumulated interest over the years; moreover, many of them felt that to send in their certificates at that time would be taken as agreeing to accept this very small sum in full settlement and they did not want to do that; there were others whose claims were so small that to send in the originals at the figure the Government was offering would net them no return or a very small amount; as individuals, even those claimants who did not have very small claims could not afford to hire an individual lawyer in Washington or to file their own suit but had to rely on what was being done generally and many of them believed that in the end their Government would not try to keep their money but would return it.

Claimants will now have the opportunity to restore their savings—but even so, without interest for their sequestration by our government over a period of 20 years. Restitution is a minimum satisfaction.

The plight of Japanese-Americans who have been wronged by the emotionalism of wartime psychology is indeed tragic. In 1962, along with my distinguished colleagues from Washington, Oregon, and Utah, I succeeded in amending the Internal Revenue Code to exclude from taxable income the repayment of funds under the evacuation claims procedure. That became the law of the land. We are dealing here with a different law—the Trading With the Enemy Act. I would think that there will be no tax difficulties in the repayment of these just claims. At any rate, I hope so.

The Japanese-American community has done its share to heal the cleavages of decades gone by. A poignant story was recently related in the San Francisco Chronicle of April 11, 1967. The Ishida family has been waiting two decades for $600, which constituted their life savings as of 1941. Undaunted by the loss of these assets, they have carried on and now have three fine sons who are contributing to the growth and prosperity of California and the Nation.

Mr. President, I ask unanimous consent that there be printed in the RECORD an editorial which was published in the Washington Star on April 12, 1967, an editorial which appeared in the Washington Post on April 13, 1967, and editorials which were published in the Oakland Tribune, an article by Ron Moskowitz, entitled "Long Wait for a Sad Debt," which was published in the San Francisco Chronicle, and an editorial from the Los Angeles Times, entitled "Court Rights Longstanding Wrong."

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Apr. 12, 1967]

JUSTICE DELAYED

The Supreme Court has finally closed the book on what must rank as one of the most shameful episodes of United States history. In a unanimous decision the court upheld the claims of 4,100 Japanese-Americans for the return of their funds seized after the start of World War II.

The court award was pitifully little and shamefully late. More than a quarter century after the outrage, the government will return the money—exactly the amount seized from U.S. branches of Japanese banks, at the prewar rate of exchange, and with no interest. And it took a long, costly court suit to force the United States to make even that minimal gesture of atonement.

This nation must never forget the racial hysteria that followed the Japanese attack on Pearl Harbor. American citizens, whose only crime was their racial background, were treated as traitors, deprived of virtually all rights, and, in thousands of cases, herded into the American equivalent of concentration camps. No effort was made to find out if the Nisei were acting as agents for Japan. Their skin was yellow, they had Japanese names—that was enough.

America must never forget, in order to make certain that this dark hour of stupidity, prejudice and hysteria will never descend on the land again. Let it be remembered, always, that we had our day of infamy, too.

[From the Washington Post, April 13, 1967]

MAKING AMENDS

The Supreme Court's unanimous ruling on Monday regarding the settlement of Nisei claims to bank accounts confiscated after Pearl Harbor amounted to a simple act of restitution. Its effect is to give back to 4100 American citizens of Japanese descent about $8 million to $10 million to which they were entitled but which they were tardy in claiming. Their claims represented about 2 per cent of deposits which they had had in United States branches of Japanese banks taken over by the Government when World War II began. A harsh interpretation of the Trading With the Enemy Act would have denied them even this measure of restitution. The Court sensibly and fairly held that Congress intended to let late claimants share in the settlement.

The award can hardly be called unduly generous. In the excitement and confusion that followed the Japanese attack on Pearl Harbor, this country allowed its military commander on the West Coast to order the immediate evacuation of all persons of Japanese ancestry—whether native-born Americans or enemy aliens—and their confinement in detention centers. The Department of Justice, with full concurrence from the Federal Bureau of Investigation, opposed this monstrous piece of oppression. It was carried out, nevertheless, and remains a blot on the pages of American history. The country can now close the record on this tragic expression of hysteria; but it should never forget the reminder it affords that men ought never to be judged by race or as a class, or condemned on the basis of mere suspicion. Guilt is personal; it can be established only by individual adjudication.

[From the Oakland Tribune, Apr. 13, 1967]

JUSTICE IS SERVED

The United States Supreme Court has ended 20 years of red tape, frustration and injustice for some 4,100 Americans of Japanese ancestry by upholding their right to recover savings confiscated early in World War II.

It is not pleasant to recall the injustices done to Nisei during the wave of anti-Japanese feeling that swept the country following the Pearl Harbor attack.

Fifteen years after the war the Office of Alien Property agreed to pay back some $10 million in confiscated bank deposits at only two per cent of what the deposits were once worth.

But 4,100 others refused to accept the two per cent offer. They also did not join in the legal appeal because they had been advised all claimants were in the same position.

The first group eventually won its point and was reimbursed at a higher rate. But the others learned to their shock that they had forfeited all claims to their savings because they did not formally appeal the initial decision within 60 days, as required by the statute of limitations.

The Supreme Court, in an 8-0 ruling, now has thrown out the government's rigid and unfair position.

The court's decision merely returns property to the rightful owners. The decision is the only fair one.

[From the San Francisco Chronicle, Apr. 11, 1967]

LONG WAIT FOR A SAD DEBT

(By Ron Moskowitz)

In 1934, Massami Ishida started a small savings account at the Yokohama Specie Bank in San Francisco.

A laundry worker, he saved every dime he could. By the end of 1941, he had been able to save about $600.

He needed the money. He had a wife and a year-old son.

Then Pearl Harbor came. And life, as he knew it, went.

SAVINGS

The Yokohama Specie Bank was seized by the United States as enemy property and the savings of U.S. depositors were frozen.

Ishida and his young wife—both native San Franciscans—and their young son were suddenly snatched from their small apartment above the laundry and sent to a "relocation camp" in Utah. All of their meager belongings stayed above the laundry, except for a few clothes.

He worked as a sharecropper and at other jobs at the Utah camp and was later moved to a larger camp at Tule Lake, in northeastern California.

When the war ended, Ishida came back to San Francisco in 1946 and got his old job back at the People's Laundry on Tenth street. By now he had three sons.

RELEASE

Five years had gone by, but his small savings account was still frozen. He had heard that some of the other depositors were trying to get their money released from the Federal Government. But Ishida was one of those 4000 who didn't even try.

With good reason. The Yokohama Specie Bank had a quaint custom of issuing yen certificates to depositors rather than dollar certificates, so that they could be redeemable in dollars in California or in yen at the Japan office.

The value of the yen at the inflated prewar exchange rate was 4.3 yen to the dollar. But by the time the government got ready to settle, the exchange rate had deteriorated to 361.55 yen to the dollar, or less than 2 per cent of the prewar rate.

Ishida's $600 would have been worth about $7.

LOSSES

So Ishida and many of the other depositors more or less wrote off the bank accounts as one of many losses they suffered at the hands of their own Government.

But not all of them. Although some had less than $100 at stake, they fought doggedly through the courts for reimbursement at the same exchange rate as when they deposited their money.

Yesterday, the petitioners won for themselves and for the thousands of others like the Ishidas. The U.S. Supreme Court ruled that the Government must reimburse them at the 1941 exchange rate.

RETURN

So, after 26 years, Masami Ishida will get back his $600—without interest.

Are the Ishidas happy about the news?

"Its been so long, we had almost forgotten about it," Ishida said.

It has been a long time. Ishida is now 53. He's still working at the same job at the same laundry. But many other things have changed.

The family now lives in a comfortable flat at 288 11th avenue.

The oldest son, Fred, 27, is now a draftsman at the Bechtel Corporation. Richard, 24, who was born in the Utah camp, is now an electrical technician at Lockheed in Sunnyvale. Mas, 22, who was born at the Tulle Lake camp, is a student at City College.

"Most of the war years are forgotten now," Mrs. Ishida smiled.

And most of the bitterness.

[From the Los Angeles Times, Apr. 12, 1967]

COURT RIGHTS LONGSTANDING WRONG

The Supreme Court erased a black mark on this nation's history Monday.

It did so by ruling in favor of American citizens of Japanese ancestry whose bank deposits were seized at the outbreak of World War II.

As a result the way has been cleared for more than 4,000 Japanese-Americans—most of them from Southern California—to recover between $4 and $8 million.

Assets of the California branch of the Yokohama Specie Bank Ltd., were taken over as enemy property in December 1941. After the war the Trading with the Enemy Act was amended and $10 million set aside for payment of claims.

> Unfortunately the government fixed a conversion rate which would have paid off two cents on the dollar. Less than 2,000 Japanese Americans filed claims and sought court relief from the rate. When the government later reversed itself and agreed to pay the prewar yen dollar rate the bulk of the remaining claimants sought restitution. Sustaining the position of the government, lower courts ruled they could not collect because they had not sought judicial review within the period specified under law.
>
> The higher court, in its 8-0 decision, ruled that the time limit was designed to expedite settlements, not to shield the government, and that reimbursement must be made.
>
> That thousands of American citizens were herded behind barbed wire as a security measure during the war hysteria of 1942 must ever remain a disturbing thought to other citizens of foreign ancestry.
>
> The Supreme Court decision, however, restores equity and does much to erase the 25-year blot on our record.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may proceed for 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

A PLEA FOR A JUST RESTORATION OF THE INVESTMENT TAX CREDIT

Mr. KUCHEL. Mr. President, the economy of this Nation urgently needs the restoration of the investment tax credit. That problem is plaguing the Senate now. Daily statistics from our financial markets are glaring reminders of the serious slowdown affecting a number of economic activities. The administration itself has presented overwhelming evidence in support of its restoration request. Indeed, there is little question that this measure must be adopted soon if this Nation is to recover from the serious effects created by the suspension last October.

I was pleased to oppose the suspension of the investment tax credit as an ill-timed and ineffective solution to an economic crisis that was already beginning to subside when the administration finally decided to act. The impact of cutting off the tax credit only added momentum to the decline the economy is experiencing today.

Unemployment and production cutbacks are on the increase across the Nation. In my own State of California, unemployment in the building and construction trades of California alone is double that of 1 year ago. The Department of Commerce tells us that we face a serious decline in capital investment. Sales of autos and other durable goods are down sharply, housing has slowed to a standstill, inventories are up and industrial production down, new orders have declined and retail sales have slowed.

The suspension was an unfortunate experiment not to be repeated again. The administration has all but admitted its miscalculation. The confidence of the Nation has been seriously shaken by the confusing and inconsistent policies which have guided the course of the economy. I believe the time has arrived when forthright, well-planned, and consistent fiscal and monetary policies must be adopted if a progressive, dynamic economy is to be preserved. There is little or no disagreement that the reinstatement proposal is the first step in that direction. But the public interest and the economic stability of this Nation will not be served if we allow the terms of the reinstatement to create greater confusion than we are attempting to remedy.

The proposal before this body, as modified by the Senate Finance Committee, may well result in further disruptions in the American business community. To properly rectify the error of enacting this suspension last year, the tax credit clearly should be made retroactive to cover orders placed during the brief 5-month suspension period. The House version, in fact, would have restored the availability of the 7-percent investment tax credit for all qualified property delivered after the restoration date, regardless of when it was ordered. The House almost unanimously adopted this version by a vote of 386 to 2.

The House was correct. The Senate Finance Committee, in my judgment, was wrong.

In the face of this mandate, and as a consequence of strong pressure by the administration, the Finance Committee eliminated the availability of the credit to all orders made during the 5-month suspension period, even if the property were not acquired until long after the restoration date. In effect, the administration, contrary to everything it has been saying for the last 6 months, suddenly argued that the suspension was a tax-raising measure rather than a method of temporarily controlling the economy. The Secretary of the Treasury pleaded at the very last minute not to make the restoration retroactive in any degree in order to conserve revenues. This argument is deceiving and misleading, particularly when the goal of this legislation is not to raise revenues but to restore the tax structure to what existed before the extraordinary suspension.

The changes made by the Finance Committee not only overlook the purpose of this restoration and the long and serious efforts of the House but, more important, also create major problems of administration of the tax laws, both for taxpayers and the Internal Revenue Service. It would cause serious disruptions in normal dealings between purchasers and their suppliers. It would discriminate unfairly between taxpayers who acquire identical items at the same time, based on when the property was ordered. There would be problems of particular magnitude relating to long leadtime property.

Leading businessmen from all over the Nation have expressed their concern to me over the inequities of the Senate version. In a recent letter, Mr. Donald W. Douglas, Jr., president of Douglas Aircraft Co.—a leading aircraft industry in my State—emphasized the harsh administrative problems of the Senate approach:

> I can assure you that these problems are quite real, and will have a most disquieting effect on our industry. I have in mind the cancellation problem mentioned in the House Report. Not only will purchasers seek to cancel and reorder with some minor modification in order to take advantage of the new legislation, but we anticipate that, in some situations, it may actually be advisable for persons to cancel (despite damage payments) if an actual reorder will result in the credit's being available to them. The House version would cut through these administrative problems and confine the harsh effect and the existing administrative problems to the suspension period.

Mr. President, that is a pretty good comment on the regrettable changes which were made by the Finance Committee on the measure.

These are some of the very real and practical considerations which led the Ways and Means Committee to adopt its version of H.R. 6950. I have no doubt that if the Finance Committee version becomes law, there will be a disruptive free-for-all in the American business community: orders will be canceled and replaced, delivery dates will be changed, gross and artificial distortions will appear, and there will be disagreements, misunderstandings, and litigation. That is not my idea of orderly and fair tax administration.

Mr. President, because of the urgency of the restoration measure and the valuable time that has already been consumed on unrelated amendments, I am not proposing to amend the version of H.R. 6950 now before the Senate. I will cast my vote in favor of this measure because I believe that the overriding consideration is the prompt restoration of the tax credit as a permanent and rightful part of our tax structure.

In so voting, however, I do not express approval for the amendments of the Finance Committee which would deny these normal tax provisions to those who ordered or started construction of property before March 9, 1967.

Mr. President, I vigorously opposed the suspension of the tax credit last fall. The purpose of this legislation is to correct the error of the suspension. This goal, and orderly and fair tax administration, can only be achieved by restoring the tax credit structure to that which existed before the suspension, an approach effectively provided for in the House version of H.R. 6950. I am hopeful that the members of the House-Senate conference on this measure will recognize the true needs of the American economy and adopt a just restoration of the investment tax credit.

Mr. President, I shall support the bill. I repeat, I hope that the conference will approve the version that passed the House so overwhelmingly.

Mr. President, I yield the floor.

CHANGES IN THE U.S. SUPREME COURT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, there has been considerable speculation that there will shortly be a need for more than one appointment to the Supreme Court of the United States.

I have been particularly interested by

the analyses published in two articles in recent newspapers, entitled "Quality as Well as Quantity," written by Dana Bullen in the Evening Star, Washington, D.C., on April 7, and "Selecting a Justice Is Always a New Game," in the Sunday, April 9, issue of the Washington, D.C., Post.

Even more frequently discussed in recent days has been the character of a long list of decisions handed down by the present Court. To a wide range of the American public, they reflect a lack of recognition of the facts of life as presently existing in the United States—a kind of removal in the marbled halls of the U.S. Supreme Court Building from the streets and hill roads of cities and counties of the United States.

So strong has this feeling become that it is possible to select a batch of newspapers at random and find articles pointing out that recent decisions of the Court have shown hostility to police officers; that legislation is needed to change some of the court decisions, particularly those by the U.S. Supreme Court, which have prevented the use of confessions by criminals as evidence at their trials; that decisions of the courts have been loaded in favor of the criminal while ignoring the necessary protection of the criminals' victims; that the serious rate of crime increase in the United States during the last year was given a strong impetus by the overvigorous protection accorded to criminals by the Supreme Court; and that citizens are becoming resentful of the Court's disregard for the rights, collectively, of the millions of law-abiding people who are placed in ever greater jeopardy because protected hoodlums feel free to seek new victims while Supreme Court rulings handicap the police.

One reads editorials which are reflections of prevailing thought—that the trouble with the Supreme Court is that it is unable to reach a stopping point; that it has lost all sense of keeping the scales of justice in balance. The assessment that the Supreme Court has fallen into disrepute is frequently expressed, as in the March 12 editorial, "The Problem—Unequal Justice Under Law," in the Sunday Star, Washington, D.C.

As a general cross section of views on this critical problem, I recommend Gould Lincoln's article, "Lo, The Poor Criminal," carried in the March 11 issue of the Evening Star, Washington, D.C.; James L. Kilpatrick's "The Court and a Vanishing Myth," published in the March 30 issue of the same newspaper; Lyle Wilson's column, "Public Criticism Cracks Court Shell," which appeared in the March 31 edition of the Wheeling, W. Va., News-Register; and the editorial, "High Court Dissent Shows Hostility to Police Force," from the April 3 edition of the Huntington, W. Va., Advertiser.

The editorial in the Huntington Advertiser pointed out that the manner in which the liberal block of the U.S. Supreme Court discredits law-enforcement officers and encourages crime by coddling criminals was glaringly illustrated in a recent dope case, saying:

> The average citizen can't help asking whose side these so-called liberal justices are on, the criminals' or the law-enforcement officers.

I would like to make a recommendation, which I can hope may reach an effective level within the administration—that, in selecting future appointees to the U.S. Supreme Court, deep consideration be given to securing individuals of judicial temperament and wide judicial experience. Those who have been intimately connected for years with the administration of justice, and who have served on the bench in the courts of our Nation, gaining substantial judicial experience, would, it seems to me, be more likely to understand the importance of legal precedents and the doctrine of stare decisis and would be more dedicated to the basing of court decisions on time-tested precedents than on modern sociological concepts. I recognize, of course, that some eminent men without previous judicial experience have, in the past, served on the Supreme Court of the United States.

Yet, there may well be a relationship between decisions damaging the law-enforcement processes of the Nation and the lack of previous in-depth judicial experience among the present members of the Supreme Court.

I call attention to the fact that the total judicial experience of the nine present members of the U.S. Supreme Court prior to their appointment to this High Tribunal amounted to no more than 14 years.

In choosing members of the U.S. Supreme Court, high standards of proven professional capability and legal judicial experience should be applied. The American people will be focusing their attention on the coming appointments. I hope that the President, who has repeatedly expressed concern with regard to the spiraling crime rate, will, in making future appointments to this Highest Tribunal, select men with previous judicial experience. If we want to really come to grips with the spiraling crime rate, the place to start is in the appointments to the Supreme Court of the United States.

I ask unanimous consent that the newspaper articles and editorials, which I have identified, be printed in the Record.

There being no objection, the articles and editorials were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, Apr. 7, 1957]

QUALITY AS WELL AS QUANTITY

(By Dana Bullen)

The past year may have established a record for the quality as well as the quantity of presidential appointments to the federal judiciary.

A few figures tell the story.

During 1966, the first full year after the bruising battle over a federal judgeship for Boston's Francis X Morrissey, President Johnson named a record-breaking total of 63 lifetime federal judges.

More than 60 percent were rated "well qualified" or "exceptionally well qualified" by an American Bar Association screening committee. The rest were considered qualified. None was rated unqualified.

The ABA found six "not qualified" nominees among the 57 previous Johnson judicial appointments.

The degree to which the unsuccessful effort to obtain a federal judgeship for Morrissey, a longtime aide of the Kennedy family, figures in this is difficult to pin down. But all sources agree that the attention the episode focused on the need for judicial qualifications was not wasted.

It may be, in fact, that the main impact has been on members of the Senate who propose candidates to the President rather than on the administration. Presumably few senators desire the type of beating meted out to Sen. Edward M. Kennedy, D-Mass., who sponsored the Morrissey nomination.

But if standards for professional capacity have gone up, there is another side of the judicial selection process where little has been done—bipartisanship.

So far, Johnson has named few Republicans to these positions. Of the 63 federal judges named in 1966, for example, only three were Republicans.

Partisan selection of judges, of course, did not start with the Johnson administration. Almost every President as far back as John Adams and Thomas Jefferson has turned to men of his own party for these appointments.

When President Eisenhower left office, however, a rare opportunity presented itself to sustain a bipartisan federal judiciary. His Republican appointments had led to an equal division between the parties.

President Kennedy, with 73 newly created judgeships to fill, passed up the chance to maintain the balance and named mostly Democrats.

Johnson has continued this trend, although there are indications—as there were near the end of Kennedy's period in office—that more Republicans may be named in the future.

Partly to secure bipartisanship and partly to maintain high standards of professional capability, Senator Hugh Scott, R-Pa., is pushing a bill in Congress to create a special commission to recommend persons to the President for federal judgeships.

The seven-member group would include three lawyers, three laymen and a retired federal judge. No more than four members could be of the same party.

The commission's recommendations would not bind the President, although he would be expected to explain to the Senate why he rejected any of the commission's recommendations.

The plan, in a somewhat modified form, contains features of the so-called "Missouri plan" for selecting state court judges, which has been adopted by a handful of states.

Critics of Scott's proposal raise two main objections:

1. It would limit the President in his judgeship choices in a way that, if not actually inconsistent with constitutional provisions, may be inconsistent with the spirit of that document.
2. Such a commission might tend to pick conservative, "safe" names for judgeships to the exclusion of highly qualified, more innovative persons. Under such a system, for example, a labor lawyer or an attorney with experience in civil rights cases might be beyond the pale.

Despite its faults, moreover, a number of sources feel that the existing system works well. The federal judiciary, after all, includes very few persons anyone could fault on professional grounds.

The big need, it seems, is merely to keep senators—who play a crucial role in federal judicial appointments—aware that it is bad politics to suggest unqualified names. Beyond this, what should be done is so iffy that current procedures seem better than ventures into the unknown.

Even on the issue of bipartisanship, there are mixed opinions.

Republicans naturally hope for more judges for their party. There also is merit, however, in the idea that a President carries out democratic theory in naming judges from the party that wins the elections.

[From the Washington (D.C.) Post, Apr. 9, 1967]

SELECTING A JUSTICE IS ALWAYS A NEW GAME

(By John P. MacKenzie)

When a President chooses a Justice of the United States Supreme Court, he engages in one of the most mystical processes in politics and public life. The Nation, without knowing what particular agonies the President is going through, engages in it too.

Such a process is going on now over who will replace retiring Justice Tom C. Clark. The game of guessing the new Justice's identity—never so futile as when the man making the nomination is Lyndon B. Johnson—is well under way, although Clark still occupies one of the nine coveted seats on the Court and apparently will not step down until June.

The elements of high drama are present and the stakes are high because cross-currents of national moods and needs and the President's ability to gauge them are involved.

Fascinating details of the secret process emerge constantly from the work of historians, offering no sure guide to what is going on today but tantalizingly suggesting some of the possibilities.

PRESIDENTIAL MOTIVES

On some occasions, a President will view a Supreme Court appointment as a direct challenge to his own place in history and try to appoint a man so towering in reputation that he will bring distinction to the White House as well as the Court. President Franklin Roosevelt felt that way about Felix Frankfurter and appointed him as soon as he found the political climate favorable.

President Hoover was relieved to be able to nominate Benjamin Cardozo, everybody's candidate, after the controversy that attended the confirmation of Chief Justice Charles Evans Hughes and the Senate's stormy rejection of John J. Parker.

Often, a President will seek vindication of his own policies and, if he has any, his judicial philosophy.

President Taft managed to pick three of the five Justices who formed the 5 to 4 majority that struck down the Federal child labor law in 1916. Later, as Chief Justice, he scouted behind the scenes for the weakling President Harding, coming up with Pierce Butler, and he vetoed candidates he considered dangerous radicals who might misinterpret the Constitution.

President Theodore Roosevelt hoped to establish a judicial version of the Square Deal, but rued his most illustrious appointment when Oliver Wendell Holmes voted "wrong" on a key trust-busting issue.

Franklin Roosevelt was able to accomplish through executive branch appointments the victory for his New Deal programs that he failed to win through his "court-packing" plan.

A President may use the appointive power merely to vex his political opponents, as President Van Buren did when he named Peter V. Daniel to the bench in 1841; or to make a show of political impartiality, as several Presidents have done by naming a figure from the opposition party.

He may reward loyalty and friendship, as President Truman did with the appointments of Clark, Sherman Minton, Harold Burton and Chief Justice Fred M. Vinson.

He may look to familiar and trusted associates, as President Kennedy did to Byron R. White and Arthur J. Goldberg, and as President Johnson did when he pressed his valued counselor, Abe Fortas, into judicial service.

TENETS OF FAITH

The Chief Executive may carry out a tenet of Administration faith as did President Eisenhower after his 1953 appointment of Chief Justice Earl Warren. He elevated John M. Harlan, Charles E. Whitaker and Potter Stewart from Federal appellate courts to which he had appointed them a few years earlier, and promoted William J. Brennan Jr. from the New Jersey Supreme Court.

As if in reaction to the Truman style, Gen. Eisenhower made a fetish of judicial experience as the prime qualification. Frankfurter, latter-day idol of judicial conservatives, discounted the need for prior bench service insisting that the Supreme Court was "a very special kind of court." He said "the correlation between prior judicial experience and fitness for the functions of the Supreme Court is zero."

Most Presidents have at least listened to the recommendations of Attorneys General and frequently that Cabinet officer has himself been the choice. Only Stanley Reed went directly from Solicitor General to Supreme Court Justice, but Solicitors General have frequently figured prominently in the speculation over vacancies.

The Senate has often been a breeding ground for Justices and a graveyard for Presidential appointments. President Andrew Johnson's attempts to make a bench appointment were met by a law temporarily lowering the number of Justices the Court might have. President Fillmore failed three times to fill one vacancy.

The name of George Williams, an Attorney General under President Grant, is dim in history because his nomination was withdrawn after a super-vigilant Judiciary Committee chairman faulted him for using a carriage and horses at public expense.

More commonly these days, Senate objections are ironed out in advance or risky nominations are avoided altogether.

The element of luck plays its strongest role in Court selections when it comes to secondary factors of region and religion. Region was crucial when the Justices sat part-time in their home circuit courts, and it remains important today as Presidents seek to maintain confidence in a "national court."

As for religion, it has become unacceptable to go any length of time without a Catholic or Jew on the Court. Women are now the most vocal among the underrepresented classes, but the best bet is that a Negro will reach the high bench before a woman will.

No single factor, of course, is strong enough to dictate the choice in most cases. It is the interplay of a few key factors that makes the selection process so fascinating.

In replacing Justice Clark, the President has a typically intriguing array of options and pressures. With the Court well balanced geographically he could afford to upset the balance temporarily. Or he could name a Texan to replace Texan Clark without drawing more than the usual amount of fire on that score.

Mr. Johnson needn't worry, if he ever did worry, about party labels, for there are three Republicans on the Court. He once told the Senate the following in answer to the demand for political "balance":

"I believe it is a tedious, arbitrary and particularly unjustifiable argument to contend that the President in the interests of impartial justice should strive to assure a certain amount of bias and partiality on the Court."

Unless he considers the views of the conservative bar important—and he has given a nodding recognition to it since the Frank Morrissey judgeship fiasco two years ago—the President need not pay much attention to the argument that prior judicial experience is a must. No one contends that Justice Fortas' performance has suffered because he never was a judge.

The most publicized restriction on President Johnson's range of choice is the congressional clamor for a conservative in the Clark mold. He is hardly likely to nominate someone who condoned wiretapping, as Clark did as Attorney General, nor an outspoken critic of the Court's close decisions on criminal law. But he might well decide that naming a flaming liberal is a poor way to woo legislative support for the 1967 "war on crime."

Logic alone will not help to predict President Johnson's choice. He is a man of strong views, a long-time intimate of several present members of the Court and has his own instinct for the national mood.

[From the Washington (D.C.) Sunday Star, Mar. 12, 1967]

THE PROBLEM—UNEQUAL JUSTICE UNDER LAW

The inscription carved in bold letters over the imposing entrance to the Supreme Court building suggests that the nation's highest tribunal is dedicated to the concept of Equal Justice Under Law. The fact is that the court, in major rulings in criminal cases in recent years, has been dispensing a brand of justice that is deplorably unequal. And this is what the shooting has been about this past week in the hearings before Senator McClellan's subcommittee.

Assuming that law-abiding people have rights, and we think they have or should have, these rights have been recklessly disregarded by a majority of the court. The President has often spoken of the right of the people to be secure in their homes, on the streets and in their places of business. Each day brings new evidence, however, that this is rhetoric and nothing more. For the people are not secure anywhere. And this insecurity is due in considerable part to the extreme lengths to which a five-man majority of the court has gone in enlarging and protecting the rights of criminals. Reading such opinions as those in the Escobedo and Miranda cases, one might think that the court majority has never heard of the rights of the public—and couldn't care less. Certainly it does not subscribe to the view expressed by Justice White in his dissent in the Miranda case that "the most basic function of government is to provide for the security of the individual and his property."

This process of shielding the criminal at the expense of the public safety grew out of a laudable purpose to erect safeguards against criminal convictions based on coerced or involuntary confessions. There was ample reason for this some 25 or 30 years ago. For the third degree, even in those relatively recent days, had not disappeared from the law-enforcement scene. And a coerced confession is both offensive to one's sense of justice and unreliable as an item of evidence.

The trouble is that the court has not known where to stop, has lost all sense of keeping the scales in balance. The notion that the purpose of our system of criminal justice is to convict the guilty and absolve the innocent is out the window. The commendable effort to erect greater safeguards against involuntary confessions has been carried to such lengths that entirely voluntary confessions are now in jeopardy. In fact, Justice White has said that the court majority seems to be moving in the direction of barring all confessions. He could very well be right.

The hearings which Senator McClellan has been holding have moved along two main lines. One effort has been to find a way to reverse or at least to minimize the pernicious effect on law-enforcement of the court's 5 to 4 rulings with respect to confessions. The other has been to work out legislation to strengthen the hand of those whose duty it is to enforce the laws.

This second undertaking, largely concerned with legislation to permit the use of wiretap evidence and electronic bugs, presents few problems. Congress will get no help in this from the President or the Department of Justice. Still, at least as of this time, there seems to be no constitutional barrier to such legislation.

The subcommittee received a very strong statement on these matters from Chief Judge J. Edward Lumbard of the Second Circuit Court of Appeals. Judge Lumbard was especially concerned with the problem of organized crime. It is, he said, almost impossible to curb it under existing restrictions on enforcement agencies.

Opponents of wiretapping sometimes misrepresent the "dirty business" comment by Justice Holmes in support of their stand. In a reference to this, Judge Lumbard said: There is no dirtier business today than the business of organized crime; it rules by violence and terror; it victimizes the public and corrupts public officials. Every possible resoure of government should be used to expose and destroy it."

He meant that he thought Congress should move without delay to sanction the use of wiretaps and electronic devices, under suitable controls, and we heartily agree.

The question of what to do about the unreasonable and unneeded obstacles which the court has erected against the use of voluntary confessions is a tougher question. For the five-man majority wrapped its Escobedo and Miranda rulings in constitutional interpretations. And this, though the interpretations were gross distortions of what the Constitution says, makes it difficult for Congress to remedy the rulings.

Senator Ervin, himself a former judge, would take two approaches. First, he would amend the Constitution to overcome the effect of the court's rulings on confessions. Second, with the support of 19 other senators, he has introduced a bill which would strip the Supreme Court and other Federal appellate courts of jurisdiction to make such rulings as those in Escobedo and Miranda.

What he is trying to do, and it is a worthy objective, is to get back to the decades-old state of the law in which the test of a confession was whether it had been made voluntarily or not. If voluntary, it would be admissible. And the Supreme Court would not be permitted to throw out a voluntary confession by reading something into the Constitution that was never before thought to be there.

The constitutional amendment route is long and difficult. And while Congress, under Article III of the Constitution, apparently has authority to regulate the appellate jurisdiction of the Supreme Court, this would be a drastic remedy. One must hope that some other way can be found—even assuming that Congress would accept the Ervin proposal.

A somewhat different approach is being urged by Senator McClellan. He, too, would re-establish the admissibility of voluntary confessions. But he would do this by having Congress spell out the meaning of voluntariness and set up standards by which a trial judge and jury would make the judgment on this question. Should this be tried, the Supreme Court might say that the new law is unconstitutional under its own rulings. But the senator hopes that at least one member of the majority, upon further reflection, might change his mind.

Various other recommendations have been laid before the McClellan subcommittee, including a strong statement from Senator Bible urging rectification of the notorious Mallory rule. And we hope that Congress, which for years has been marching up and down the crime-remedy hill, will at last be moved to take effective action.

Still, even though nothing finally emerges in this session, time will not have been wasted. For these hearings and the strong statements by most of the witnesses are a reflection of the mood, not of a few men on Capitol Hill, but of the overwhelming majority of the American people. A President or a Supreme Court justice may be personally remote from contract with crime. But the people are not; they live in its shadow every day and every night. And they are sick and tired of unequal justice. The volume of crime is going to continue its upward climb, and sooner or later the people will make themselves heard.

A final word: Some people think it is almost subversive to criticize the Supreme Court, and that any criticism must spring from ignorance or malice. Let them read the dissenting opinions of Justices Harlan, Clark, Stewart and White. No more severe condemnations of the majority rulings can be found than those which appear in these dissents. And if the five members in the majority will not heed even the protests of their own brethren, they will have no one but themselves to blame as the Supreme Court and, still worse, the law itself, falls into disrepute.

[From the Evening Star, Washington, D.C., Mar. 11, 1967]

LO, THE POOR CRIMINAL

(By Gould Lincoln)

With apologies to Alexander Pope and his "Essay on Man" for the paraphrase, the following seems to be the underlying theme, though not the intention, of the report of the President's Crime Commission, now before congressional committees along with the President's own recommendations.

Lo, the poor criminal, whose untutored mind
Sees escape from punishment in the courts
And in the heart-rending cry
Of police brutality.

Under the chairmanship of Senator John L. McClellan of Arkansas, a subcommittee of the Senate Judiciary Committee this week began hearings on greatly needed legislation to strengthen criminal laws and law enforcement and to halt "crime in the streets" and in the homes and business places of the American people. The House Judiciary Committee is preparing to go to work on the same subject.

Senator Scott of Pennsylvania, addressing the Senate Thursday, said:

"The failure of our society today is its inability to maintain law and order. It is especially significant that in recent years, while the standard of living in the United States has increased—in economic growth, average income, educational levels, technological knowhow—the rate of crime has not decreased. Today, it is worse than ever.

"This is a shocking commentary on a 'justice gap.' A nation within reach of the moon cannot guarantee its citizens the safety of their streets. We have failed to grant the highest priorities to the maintenance of law and order."

The problem is divisible. On the one hand is the long-range war on poverty, the elimination of slums, breeders of crime, better education. On the other is the immediate need to protect the citizen against an existing army of criminals, big and little.

A great portion of the recommendations from the President and his committee deal with the first part of the problem, too little with the second.

From the testimony of a procession of witnesses before the McClellan committee, it is obvious that law enforcement officers, including some members of the judiciary, feel that legislation is needed to aid the police by strengthening their arresting and investigating powers, as well as legislation to change some of the court decisions, particularly those by the Supreme Court, which have prevented the use of confessions by criminals at their trials.

The criticism is that these decisions of the courts have been loaded in favor of the criminal while ignoring the necessary protection of the criminals' victims. One of the recommendations of the crime commission is to pay the victim of a criminal assault, a sop for failure to protect the victim. Who is to say, however, what is proper recompense to a woman who has been raped? Or to a woman whose husband has been murdered?

At the hearings before the McClellan committee, several members of the panel appeared as witnesses, among them Senator Ervin of North Carolina, who has proposed a bill to eliminate the Supreme Court's appellate jurisdiction over cases dealing with confessions.

"We cannot tilt the scale of justice in favor of the self-confessed guilty of crime," Ervin said.

Senator Stennis of Mississippi told the committee that whatever else was done to fight crime, the confessions problem was number one.

McClellan, who has a bill of his own dealing with the criticized court decisions, warned that if something is not done, lynch-mob justice may be the result.

Federal Judge J. Edward Lumbard warned against trying to overrule the Supreme Court's decision by passing a law, although he said he personally disagreed with the court's rulings. He suggested instead giving the police sweeping wiretapping authority to make up for the confessions they lose.

Crime obviously is to become a major issue in the 1968 political campaign, both in the congressional elections and in the presidential election. It is one of the emotional issues that knows no party lines.

Unless something is done, unless some legislation is forthcoming in this Congress, there may be reprisals by the voters who are more fearful of "crime in the streets" than they are of the Vietnam war. They are not going to be satisfied with sociological remedies alone, nor with large expenditures for further investigation on how to combat crime.

Already some Republican members of Congress are raising their voices. Rep. John W. Wydler of New York contends that the President's commission has been sidetracked and bogged down.

[From the Evening Star, Washington, D.C. Mar. 30, 1967]

THE COURT AND A VANISHING MYTH

(By James J. Kilpatrick)

A visitor who happened to drop by the Supreme Court a few days ago, when the court was handing down its opinion in McCray v. Illinois, might have been struck by the debris of a great myth exploding.

The myth is that "ours is a government not of men, but of laws." It is one of the three grand illusions of American political philosophy, the others being that "all men are created equal" and that "the first principle of our democracy is enshrined in majority rule." The maxims are as hollow as the fragile ping-pong ball.

On March 20, in the McCray case, one caught a sudden vivid glimpse of the law as it is embodied in the minds and hearts of two men, Hugo Black and Tom Clark. Because they happened to be sitting on the court that day, and voted with Harlan, White and Stewart in the case, some small degree of sanity returned to the high court's view of criminal law. Without their votes, the court would have taken one more maddening step toward the coddling of hoodlums and the fettering of police.

The case arose in Chicago on the morning of Jan. 16, 1964. Two police officers, on narcotics patrol in an unmarked car, were approached by an informer well known to them. He told them that if they hustled over to 49th Street and Calumet Avenue, they could catch McCray with heroin on his person. Acting on the tip, they slipped around. Sure enough, at 7 in the morning, here came McCray. He spotted the officers and ran down an alley. They pursued, and caught him redhanded. The heroin was concealed in a package of cigarettes.

When the case came on for trial, McCray raised a great cry that his constitutional rights had been abused. The officers had searched him without a warrant; he was a victim of unreasonable seizure in violation of the Fourth Amendment; the evidence should be suppressed and the police censured. At the very least, the informer's identity must be disclosed; otherwise McCray's Sixth Amendment right to confront the witnesses against him would be denied him. And so on, and so on.

A five-man majority of the Supreme Court, speaking through Stewart, flatly refused to buy these arguments. The informer in this case had proved his reliability in 20 to 25 instances during the preceding two years; when he told Officers Jackson and Arnold that he had seen McCray selling dope on many occassions, the officers had probable cause to make their arrest and search. And as for identifying the informer in court, this was plainly not required. The judgment was affirmed.

Predictably, Douglas, Warren, Brennan and Fortas dissented. Douglas spoke for the liberal bloc. His heart bled for the mistreated racketeer and for the abused Constitution. The police should have obtained a warrant. They should have applied to a magistrate and presented their arguments of probable cause. They should never have acted on their own. "The court's approval of that process effectively rewrites the Fourth Amendment."

"What we do today," moaned the dissenters, "is to encourage arrests and searches without warrants. The whole momentum of criminal law administration should be in precisely the opposite direction . . ."

And note especially this paragraph from the Douglas dissent:

"There is no way to determine the reliability of Old Reliable, the informer, unless he is produced at the trial and cross-examined. Unless he is produced, the Fourth Amendment is entrusted to the tender mercies of the police."

In that sarcastic and insulting passage, the court's liberal bloc reveallingly exposed its own animosity to the police officers who stand as the very symbols of law and order. "It is not unknown," Douglas added in a snide footnote, "for the arresting officer to misrepresent his connection with the informer." In the eyes of the liberal quartet, police are typically men of "tender mercies," which is to say, of no mercy at all; cruel men; vile men; men who cannot be trusted to uphold the Constitution.

Well, there are those of us who have followed the bizarre course of the high court's pronouncements in a long string of Fourth and Sixth Amendment cases. Taking one thing with another, and acknowledging the existence of some officers who do in fact abuse their power, we would incline to the view that the liberties of the people and the safety of our society may be better entrusted to the Chicago cops than to Douglas, Warren, Brennan and Fortas.

Why single out Black and Clark among the nine judges who participated in this case? Black has become the swing man. More and more frequently, in the last few years, he has turned away from the liberal bloc's obsessive view of a criminal's constitutional rights. Black is 80 years old; in the nature of things, he cannot have long to go. Clark is retiring at the end of this term. One looks ahead to this prospect, and sees in the dissolving myth a fateful question. What men will replace them? And what law will they write by which we shall be governed?

[From the Huntington (W. Va.) Advertiser, Apr. 3, 1967]

HIGH COURT DISSENT SHOWS HOSTILITY TO POLICE FORCE

How the liberal bloc of the United States Supreme Court discredits law enforcement officers and encourages crime by coddling criminals was glaringly illustrated in a dope case the other day.

The case involved the search by two Chicago policemen of a man named McCray and the discovery of heroin in a package of cigarettes that he was carrying.

The search was made on the basis of a tip received from an informer. The defendant contended that he had been searched without a warrant in violation of his constitutional rights.

A demand was made that at least the identity of the informer be disclosed.

A five-member majority of the Supreme Court, including Justices Black, Harlan, White, Stewart and Clark, rejected the appeal on the ground that the informer had proved his reliability and that his statement gave officers probable cause for the arrest and search.

But the significant aspect of the story was the dissenting opinion written by Justice Douglas and concurred in by Warren, Brennan and Fortas.

The attitude of this coterie of liberals was made deplorably clear by this paragraph:

"There is no way to determine the reliability of Old Reliable, the informer, unless he is produced at the trial and cross-examined. Unless he is produced, the Fourth Amendment is entrusted to the tender mercies of the police."

This gratuitious piece of sarcastic judicial prejudice aimed at law enforcement officers is typical of the attitude of the four members who joined in the dissent and have joined in setting up unprecedented constitutional rights for releasing vicious confessed criminals and for handicapping police and trial courts in curbing crime.

It is typical of the attitude that resulted in the forced release of the New York man who had admitted murdering his wife and five children.

Unless the court's unprecedented decisions are overridden by legislation or a constitutional amendment, the attitude will also result in the freedom of thousands of criminals from whom police will be unable to obtain confessions because of impossible judicial restrictions on questioning.

This judicial slur upon the integrity of policemen who daily risk their lives for the safety of society not only encourages criminals but tends to undermine the very basis of law and order upon which a free government rests.

With such ideas too often predominating in the highest court of the land, it is no wonder that criminals have no respect for the law, that the streets of Washington have become jungles and that a presidential Crime Commission is seeking means of controlling the mounting wave of violence.

The average citizen can't help asking whose side these so-called liberal justices are on, the criminals' or the law enforcement officers.

There is not much the public can do about the justices, but it can at least demand that members of Congress face up to the problem with legislation or a constitutional amendment—or prepare for a trip to the political bone yard.

[From the Wheeling News-Register, Mar. 31, 1967]

PUBLIC CRITICISM CRACKS COURT SHELL

(By Lyle Wilson)

There is some evidence that the Supreme Court is becoming aware of a considerable public dissatisfaction with the trend of rulings during recent years. It would be more precise to report that there is some but not much evidence of this awareness.

Chief Justice Warren and his activist court majority are being jostled by the facts of life as they exist in the United States in the second half of the 20th century. One of these facts of modern life is the crime explosion in this country.

The Justice Department reported this month that serious crime increased by 11 per cent in 1966 over 1965. This shocking crime wave is not peculiar to the great ghetto-ridden cities. Crime was up 14 per cent in towns of fewer than 10,000 inhabitants. Crime was up 13 per cent in the suburbs. A shocking increase in serious crime is the trend year after year after year.

This alarming trend has a background of vigorous Supreme Court action to protect the rights of the individual criminal. Many citizens resent what appears to them to be the court's inattention to the rights, collectively, of the millions of the law abiding persons among whom the protected hoodlum finds victims.

In a decision last week, the court shifted its anxiety and emphasis from the hoodlums to the public at large. In upholding an Illinois narcotics conviction, the court ruled that the police may act on secret tips without revealing the source of their information; that the police may search the accused without a warrant and that evidence so obtained may be admitted in court. This is a switch from the trend of previous rulings which had handicapped police in acting on reports from underworld agents deemed to be reliable sources of information.

This ruling came at a time of Senate subcommittee hearings looking toward congressional action to assert the right of the public to protection against criminals, regardless of the court.

Witnesses firmly testified to their belief that Supreme Court rulings handicapping the police were a major cause of the grim crime record in the United States. Unhappy citizens are pressing their congressmen to check the court. Congress unquestionably will be compelled to act unless the court restrains itself, as it seemed to be doing last week in the case of the Illinois dope peddler.

There is a rising public arbitrary ruling requiring both Houses of state legislatures to be apportioned precisely on the basis of population. The court cannot reverse itself on this one. But 32 of the required 34 states have petitioned Congress to summon a constitutional convention to propose an amendment reversing the court.

Proposals by such a convention would require ratification by three quarters of the states. Perhaps that could not be achieved. But the mere fact of the petitions to Congress is absolute evidence of a resentment against the court running wide and deep among the citizens.

Congressional liberals who applauded the court's apportionment rule are uneasy. Sen. William Proxmire, D–Wis., is seeking to sweep the whole question under the rug. He argues that the petitions are invalid. A year ago former Sen. Paul H. Douglas, D-Ill., was arguing that the Congress could and should ignore the absolute constitutional injunction that a constitutional convention must be called when two thirds of the states petition Congress for such action. Such performances as these are what lead stumbling politicians into a constitutional crisis.

INVESTMENT TAX CREDIT

Mr. WILLIAMS of Delaware. Mr. President, later this afternoon the Senate will resume the consideration of the so-called 7-percent investment credit act. As I understand, the first order of business will be the amendment of the Senator from Louisiana [Mr. LONG], and the first vote will be on this amendment to an amendment offered earlier by the Senator from Hawaii [Mr. INOUYE].

I have previously stated that in my

judgment the Senate would be making a grave mistake if it started to write an election campaign law on the floor of the Senator; however, if the Senate is to function as a Committee of the Whole, then we should write proper safeguards into the law.

In examining this question I find that a realistic solution to the problem would be the one that has already been carefully considered. This proposal was submitted to President Johnson by his Advisory Committee, and the President, in turn, sent it to Congress with a message on May 26, 1966. This legislative proposal would embrace the so-called $100 deduction for political contributions and would provide for a complete revision of the Corrupt Practices Act, requiring 100-percent reporting by all congressional candidates and all types of political committees formed to support national candidates.

The President's bill, when submitted, was introduced by the Senator from Pennsylvania [Mr. Clark] and was cosponsored by the Senator from Kentucky [Mr. Cooper], the Senator from Michigan [Mr. Hart], the senior Senator from New York [Mr. Javits], the junior Senator from New York [Mr. Kennedy], the Senator from California [Mr. Kuchel], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Oregon [Mrs. Neuberger], the Senator from Wisconsin [Mr. Proxmire], the Senator from West Virginia [Mr. Randolph], the Senator from Pennsylvania [Mr. Scott], and the Senator from Rhode Island [Mr. Pell].

The bill having such able sponsorship and having received the study which it has, I think it certainly merits the consideration of the Senate. So after the Senate has finished voting on the Long amendment, or the Inouye amendment as it may be modified by either the Long of Louisiana amendment or other amendments, the substitute which I have mentioned will be in order. I send it to the desk, serving notice that it embraces exactly the President's recommendation of May 26, 1966, and will be called up for a vote. This amendment is sponsored by the junior Senator from New York [Mr. Kennedy] and myself. I understand, also, that the Senator from Illinois [Mr. Percy] also wishes to join as a cosponsor of the amendment.

This substitute amendment will be offered—that is, if the Senate decides, in its wisdom, to proceed on this subject.

AMENDMENT NO. 172

Mr. President, I send the amendment to the desk. It will be called up at the appropriate time.

The **PRESIDING OFFICER**. Without objection, the amendment will be received and printed and will lie on the table.

NEVADA SALUTES U.S. NAVY SEABEES

Mr. CANNON. Mr. President, "Can Do" is a great slogan, made famous by a great body of men, the U.S. Navy Construction Battalions.

This year marks the 25th anniversary of the Navy Seabees and the 100th anniversary of their officers, the Navy Civil Engineering Corps.

From World War II through the Korean war to their present commitment today in Vietnam, the Navy Seabees have written a majestic record in construction and in civic action.

Today in Vietnam, eight battalions and eight Seabee teams labor ceaselessly to assist a friendly people in their quest for peace and freedom.

In recognition of the 1967 Seabee Silver 25th Anniversary, the State of Nevada recently proclaimed "Seabee Week."

I ask unanimous consent that the text of the proclamation be printed in the Record.

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

DECLARATION BY THE GOVERNOR

Whereas, March Fifth, 1967 will mark the Twenty-Fifth Anniversary of the creation of the Naval Construction Battalions—the famed "Seabees", and March Second, 1967, is the One Hundredth Anniversary of the founding of the Navy Civil Engineer Corps; and

Whereas, Since their inception early in World War II, the Navy Seabees have labored in many parts of the world to provide roads, airstrips, and shore installations which enabled the armed might of our Nation and its allies to prevail over the force of our enemies; in the Korean action, Seabees engaged in amphibious landings to assist in stemming the rising tide of communist aggression in that part of the world; and now in Vietnam the Seabees are active in the construction of military facilities to support our combat units deployed there to halt communist aggression. In addition to the construction of military facilities, the Seabees are working as Special Teams in hamlets throughout Southeast Asia to assist the people of this menaced area in building for a better way of life. Thus far, many Seabees have sacrificed their lives in these efforts; and

Whereas, the officers of the Navy Civil Engineer Corps, as the responsible managers of planning, design, construction, and maintenance of the Naval Shore Establishment, have displayed consummate engineering skill foresight, loyalty, and cost consciousness in producing necessary facilities for the Fleet with timeliness, functionality, and at minimum cost, and

Whereas, both of these branches of the Navy are backed up by a civilian Reserve of patriotic engineers and construction men of this state, who devote considerable time away from their families and friends to prepare themselves for recall to support their active duty counterparts, and

Whereas, it is fitting that the citizens of the State of Nevada pay tribute to the gallantry, dedication, and accomplishment of the Seabees on this, their Twenty-Fifth Anniversary, and to the Civil Engineer Corps on their coincident One Hundredth Anniversary;

Now, therefore, I, Paul Laxalt, Governor of the State of Nevada, do hereby proclaim February 27 through March 5, 1967, to be "Seabee Week", and do call the attention of our citizenry to the proud record of the naval construction men in support of our National aims.

WHAT CITIZENS AND THEIR ORGANIZATIONS CAN DO ABOUT CRIME

Mr. HARTKE. Mr. President, crime in the United States presents one of the most serious challenges to the freedom of the individual. Our heritage of personal freedom and individual achievement means little if a citizen's property is subject to theft or vandalism, if he fears walking on the street at night or answering his door, if the lives of his family are in jeopardy.

The President's Commission on Law Enforcement and Administration of Justice has provided important recommendations for combating crime in its report "The Challenge of Crime to a Free Society"—a publication worthy of everyone's attention.

Today, I would like to call particular attention to the section entitled "What Citizens and Their Organizations Can Do." It briefly indicates what is being done and what can be done by nongovernment groups and organizations. Wider dissemination of this report will hopefully stimulate further ideas and action.

I ask unanimous consent that this portion of the report appear in the Record.

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

WHAT CITIZENS AND THEIR ORGANIZATIONS CAN DO

Given enough time and money, specialists can do dramatic things. They can prolong human life. They can make deserts bloom. They can split the atom. They can put men on the moon. However, specialists alone cannot control crime. Crime is a social problem that is interwoven with almost every aspect of American life; controlling it involves changing the way schools are run and classes are taught, the way cities are planned and houses are built, the way businesses are managed and workers are hired. Crime is a kind of human behavior; controlling it means changing the minds and hearts of men. Controlling crime is the business of every American institution. Controlling crime is the business of every American.

HOW INDIVIDUALS CAN HELP TO REDUCE CRIME

That every American should cooperate fully with officers of justice is obvious. The police cannot solve crimes that are not reported to them; the courts cannot administer justice fairly and surely if citizens will not serve as witnesses and jurors. In an earlier society the peace was kept, for the most part, not by officials but by the whole community. Constables were citizens who served their community in turn and magistrates were local squires. That society no longer exists except, perhaps, in a few remote rural areas. But the complexity and anonymity of modern urban life, the existence of professional police forces and other institutions whose official duty it is to deal with crime, must not disguise the need—far greater today than in the village societies of the past—for citizens to report all crimes or suspicious incidents immediately; to cooperate with police investigations of crime; in short, to "get involved."

The Chicago Police Department has had much success with "Operation Crime-Stop," a formal campaign to involve citizens. A special police emergency number that connects callers directly to a dispatcher has been established and widely publicized. Citizens are urged to report suspicious occurrences and are given official commendation when they do report or help the police in other ways. Washington, D.C., and several other cities have similar programs. In some cities taxi drivers and other citizens with radios in their vehicles are organized to assist the police by transmitting information useful in apprehending offenders. Under some State statutes active concealment of a felony is itself an offense as it was at common law. Even if there are no special programs or penalties, every citizen should recognize that he is duty bound to assist the police.

People can do much to insure their own safety and that of their families and belongings by reducing the opportunities for crime. Many crimes would not occur if individuals had proper locks on their doors and windows and enough lighting to discourage prowlers, and if they took such simple preventive action as not letting newspapers or milk bottles accumulate as a sign that a house is unoccupied. Keys left in the ignition or an unlocked ignition account for more than 42 percent of the cars that are stolen.

The citizen's responsibility runs far deeper than cooperating with officials and guarding against crime, of course. Much more important is a proper respect for the law and for its official representatives. People who sneer at policemen; people who "cut corners" in their tax returns; landlords who violate housing codes; parents who set bad examples by their own disrespect for the law, or who wink at their children's minor offenses, contribute to crime. Delinquents—and adult criminals as well—often try to justify their actions by saying that the only difference between them and "respectable citizens" is that they were unlucky enough to be caught.

PARTICIPATION BY INDUSTRY, RELIGIOUS INSTITUTIONS, AND OTHER PRIVATE GROUPS

As members of groups and organizations outside the official agencies of justice, citizens can play even a greater part than they can as individuals in helping to reduce crime. Private businesses, welfare agencies and foundations, civic organizations, and universities can contribute much toward impelling official agencies to reform themselves and toward helping them do it. There are some impressive examples of what such groups can do when they turn their attention to crime.

In Chicago and New York the YMCA and other agencies supported by contributions pioneered the concept of "detached workers" for juvenile gangs. Research projects conducted by the Vera Institute of Justice in New York sparked the bail reform movement, and the Institute is now exploring new ways of handling drunks. Law schools and bar associations have led the development of legal aid and defender programs. Church groups in St. Louis and Chicago opened the first halfway houses for released prisoners. The student service organization at Harvard University was one of the first groups to run regular programs to teach prison inmates. Such projects indicate that private groups have a growing interest and involvement in crime problems, but they still do far less about crime than about such matters as health, education or recreation.

BUSINESS, INDUSTRY, AND LABOR UNIONS

Business and industry are in a particularly favorable position to help the criminal justice system. They have the financial and technical resources that are essential both for developing new equipment to modernize law enforcement and justice, and for devising means to protect against crime. The jobs they can provide can do much to prevent delinquency and reintegrate offenders into society.

The Commission's task force on science and technology explored a number of the important ways in which industry might apply technological innovations to protecting lives and property from crime. It discussed with the automobile industry, for example, such new ways to combat auto theft as ignitions that buzz when a key is left in a turned-off lock, or expel the key; special shielding around ignition cables to prevent "jumping"; and steering column or transmission locks. Automobile manufacturers have already assured the Commission that they will incorporate such devices in future models.

The same sort of effort is needed on such problems as making alarm systems less expensive and less susceptible to false alarms. Alteration of telephone equipment to permit free dialing to the police from public telephones, adoption of a uniform police number, and development of equipment that would automatically record the location from which the call is made are other examples of how private business could contribute to reducing crime.

There are several noteworthy recent examples of successful programs in which business, industry and organized labor have collaborated with correctional authorities. For example, at the Federal penitentiary at Danbury, Conn., the Dictograph Corp. trains in the penitentiary and then employs, on work release or parole, microsoldering technicians for hearing aid manufacture; IBM trains key punch operators, programers and systems analysts, hiring some itself while others are employed elsewhere; and the International Ladies' Garment Workers' Union has established a program to train sewing machine repairmen on machines furnished by several local companies, and provides a card to graduates enabling them to find employment upon release.

The experience of the Bureau of Prisons with these programs indicates that there is a vast, largely untapped willingness on the part of business and labor to cooperate in employment programs in corrections. This bodes well for the success of the growing number of work-release programs in various States, and represents an encouraging change from industry's and labor's traditional hostility toward prison industries, expressed in restrictive State and Federal laws on prison industry activities. If employers overcome their reluctance to hire and unions to admit persons with arrest or conviction records, and if irrational prohibitions on licensing such persons for occupations and trades are removed, correctional agencies will have much more chance to succeed in their task.

The cooperation of business and labor is also essential to make jobs available to young people from slum areas and to help give them the skills and attitudes necessary for successful integration into working life. Several companies have run programs for the Job Corps; many more have provided jobs through the Neighborhood Youth Corps and the Youth Opportunity Centers, programs of the Department of Labor. But here, as with employment of offenders, much more can be done through less formal, entirely private initiative. Chambers of commerce, labor union locals, and service clubs are logical bases for community programs to advise young people about employment and place them in jobs.

Individual employers, too, can contribute substantially to crime prevention through special programs to train and hire young people who have had some trouble with the law. There are obvious risks, though many can be offset through bonding—arranged perhaps with Government guarantees. However much recruitment, training, and employment programs for delinquents and ex-convicts may cost, the price cannot possibly be as great as that paid for the almost total failure, up to now, to bring criminals and potential criminals back into the working world.

PRIVATE AGENCIES AND FOUNDATIONS

Private social service agencies and foundations, concerned with counseling, health and welfare aid, have long carried major responsibility for delinquency prevention. Professional associations such as the International Association of Chiefs of Police, the National Council on Crime and Delinquency, the ABA and local bar associations, the American Law Institute, and others have led for many years the attempt to raise standards and rationalize the criminal justice system. In recent years a number of private organizations like the Ford Foundation have supported research and demonstration projects in various parts of the criminal area, bridging the gap between agencies active in the field and those that concentrate on planning and standard setting. Work of all these sorts is vitally necessary for comprehensive progress in reducing crime. Private groups can identify needs and problems that have not been officially recognized and undertake programs that would be too experimental or controversial for public agencies.

There are, of course, distinct discouragements to work by private social agencies in the criminal area. Usually progress is very difficult to achieve. Those who need to be helped are often hostile, sometimes dangerous, and seldom promise to be truly outstanding citizens even if rehabilitated.

It is not surprising, then, that most private agencies, with very limited resources, have concentrated on serving persons whose problems are less intractable than those of the delinquent or criminal. But the extent to which official agencies, even some antipoverty programs, continue to shun people with criminal records emphasizes the importance of attention to the criminal area by private agencies that can better afford than official ones to risk the failures that are a necessary consequence of experimental work.

RELIGIOUS INSTITUTIONS

The important contribution churches. synagogues, and other religious institutions can make to crime prevention is evident. They are leading exponents and guardians of the community's moral and ethical standards. They have the ability to understand and teach in their largest context the great principles of honesty and honor, of compassion and charity, of respect and reverence that underlie not only the Nation's laws but its entire being. They have the power to move men's spirits and sway their minds.

They have the power, too, to do many practical things. Many religious institutions have. Inner-city churches have done valuable work with youth gangs and released offenders. A particularly noteworthy contribution has been made by the Faith Opportunities Project of the Chicago Conference on Religion and Race. This project, partially financed by the Office of Economic Opportunity, makes a point of finding deserting fathers, particularly those who have deserted because they are unemployed, finding them jobs, and returning them to their families. During one 6-month period 2,500 families were reunited, and 89 percent of them remained that way for at least 90 days.

COMMUNITY AND PROFESSIONAL ORGANIZATIONS

The most dramatic example in the country of a citizens' group that has addressed itself forcefully and successfully to the problems of crime and criminal justice is the Anti-Crime Crusade in Indianapolis. In 1962, the day after a 90-year-old woman had been hit on the head and robbed on the street, 30 Indianapolis women, representing a cross section of the community, met to devise ways of making the streets safer. The organization, which has no dues, no membership cards, no minutes and no bylaws, now involves some 50,000 women, in 14 divisions. It has stimulated the city to improve street lighting. It has secured jobs for young people, helped school dropouts return to school, involved thousands of adolescents in volunteer work for social service agencies and clinics. It has organized campaigns for cleaning up the slums. It has sponsored police recruits. It has observed the operation of the courts and publicized their shortcomings. It has helped parole officers with their work. It has campaigned for pay raises for policemen and formed block clubs to improve slum neighborhoods. This list is only a random selection of the crusade's activities, and only an indication of what concerned citizens can do.

Every group in a community can do something about crime or criminal justice. PTA's and other school groups, for example, could concentrate on the school's role in delinquency prevention and reintegration of offenders; volunteer parents could promote closer contact with slum parents, lead field trips and other activities to compensate for culturally deprived backgrounds, tutor in remedial work, and serve as teacher aides. Suburban groups might pair with those in the inner city for such projects. Hospitals could join together to institute narcotics programs and treatment centers for drunkenness offenders. Businessmen's groups would be well suited to conducting employment programs. Neighborhood clubs and settlement houses have set up recreation programs and a wide range of other services. All of these efforts must be greatly strengthened, an endeavor that will require increased financial support by government and private foundations.

Bar associations and other professional groups have an important role in encouraging legislatures and official agencies to implement changes such as those recommended by this report. A special bar association group in Illinois, for example, drew up that State's pioneering new criminal code. The IACP has been active in promoting police standards and training councils. The National Council of Juvenile Court Judges has promoted reforms in juvenile justice. The American Bar Foundation is now publishing a series of volumes reflecting an intensive 10-year study of law enforcement and criminal justice in three States, most of it completely new and of great importance.

COLLEGES AND UNIVERSITIES

Higher education has played an uneven part in criminal justice. A few law schools have engaged for years in research, and in representation of indigent defenders; their professors have been responsible for a major share of modern criminal legislation and much of the informed criticism of the criminal process. On the other hand, until recently little emphasis was given to preparing students to practice criminal law. Universities like the University of California at Berkeley and Michigan State University have had police science departments for several decades, but they have existed too much in isolation from the rest of the academic community. The same thing is to a large extent true of teaching and research in the corrections field.

All operating agencies of justice urgently need the close contact with academic thought that could be achieved through use of faculty consultants; seminars and institutes to analyze current problems and innovations; advanced training programs for judges, police administrators, and correctional officers; and more operational research projects and surveys conducted in conjunction with agencies of justice.

CONCLUSION

At its end, as at its beginning, this report on crime and criminal justice in America must insist that there are no easy answers. The complexity and the magnitude of the task of controlling crime and improving criminal justice is indicated by the more than 200 specific recommendations for action, and the many hundreds of suggestions for action, that this report contains. These recommendations and suggestions are addressed to cities, to States, to the Federal Government; to individual citizens and their organizations; to policemen, to prosecutors, to judges, to correctional authorities, and to the agencies for which these officials work. Taken together these recommendations and suggestions express the Commission's deep conviction that if America is to meet the challenge of crime it must do more, far more, than it is doing now. It must welcome new ideas and risk new actions. It must spend time and money. It must resist those who point to scapegoats, who use facile slogans about crime by habit or for selfish ends. It must recognize that the government of a free society is obliged to act not only effectively but fairly. It must seek knowledge and admit mistakes.

Controlling crime in America is an endeavor that will be slow and hard and costly. But America can control crime if it will.

THE ATLANTIC ALLIANCE: UNFINISHED BUSINESS

Mr. JACKSON. Mr. President, the Atlantic alliance is at the center of America's concerns, for it is on what happens in the Atlantic community that the world's prospects for peace with freedom chiefly depend. Our interest in Europe is not reduced because of our effort in Vietnam. The strength and mutual confidence of the Atlantic allies are the single most important guarantee that the processes of peaceful change will not break down.

The member states of the Atlantic alliance may take justified pride in the steadiness of their policies since World War II. We had the will to turn weakness into strength, and we have. We had the will to be both firm and restrained in the tests to which we have been subjected. The combination has been the foundation of peace in the Western World and the ground for our hopes that a genuine European settlement will one day be attained.

The circumstances of 1967 are not the circumstances of 1949. As times change, the alliance will undergo many changes. It must if it is to serve the purposes and interests of the members. But the all-important question remains the same: to paraphrase Winston Churchill, Will the Atlantic allies stay the course?

With this question in mind the Subcommittee on National Security and International Operations, of which I have the honor to be chairman, initiated a Senate study of the Atlantic alliance in 1965. Throughout, the inquiry has been conducted on a professional and nonpartisan basis.

The subcommittee has published detailed testimony from Dean Acheson, the late Christian A. Herter, Lauris Norstad, Richard E. Neustadt, Thomas C. Schelling, Malcolm W. Hoag, John J. McCloy, Dean Rusk, and Robert S. McNamara. It has sought the counsel of a number of past and present officials and students of alliance operations in this country and in Europe.

Drawing on this testimony and counsel, the subcommittee staff has made certain findings on the tasks of deterrence, defense, and diplomacy that stretch on ahead as far as any of us can see.

These findings, dated March 1, 1967, have gained attention where it counts most—among key Government officials here in Washington and in the other allied NATO capitals. They have also been widely commented on in the press in this country and abroad.

Mr. President, I ask unanimous consent to have printed in the Record the substance of these staff findings on the role and future of the Atlantic alliance.

There being no objection, the staff findings were ordered to be printed in the Record, as follows:

THE ATLANTIC ALLIANCE: UNFINISHED BUSINESS

(From a study submitted by the Subcommittee on National Security and International Operations to the Committee on Government Operations, U.S. Senate, Mar. 1, 1967)

I. THE WILL TO COLLABORATE

The Atlantic Alliance is commonly described in terms of the commitments of the North Atlantic Treaty and of the institutional arrangements called the North Atlantic Treaty Organization (NATO). A formal description of this kind, however, leaves important things unsaid.

The Alliance is an association, and an important one, within the Atlantic community—a community with a common fund of history, traditions, loyalties, interests, and hopes that give it life and make possible common efforts toward common goals.

The Alliance at work is a group of governments with different preoccupations and prospects. Each government is manned by political leaders and other officials with particular responsibilities and interests. Each set of men naturally prefers to go about its job in independence of the others. They overcome that inclination when they find the others helpful or essential in their work. As Richard Neustadt said to the subcommittee: "The impulse to collaborate is not a law of nature. It emerges from within, arising on the job, expressive of a need for someone's aid or service."

The origin of the Atlantic Alliance tends to be recalled by reference to the men who founded it. It was a generation of leaders who had a strong will to cooperate and who could and did appeal to a popular will to cooperate in their countries. In the United States, Truman, Marshall, Lovett, Vandenberg, Acheson, Clayton . . . . In Britain, Attlee, Bevin, Ismay, Franks . . . . On the Continent, Spaak, Schuman, Monnet, van Kleffens, Lange, de Gasperi, Stikker . . . . Some have passed on; the others, with few exceptions, are no longer on active service.

A new generation of leaders is growing up who experienced neither the disintegration of the West in the 30's nor the disappointed hopes and the risks of the early postwar years, and who must appeal to young people who have known peace and prosperity but not the sacrifice and effort with which they were bought.

When the United States Senate ratified the North Atlantic Treaty in 1949, it formally and legally signified its judgment that our vital interests would be imperiled if Western Europe's many millions of people, great material resources, and strategic positions came under the domination or control of the Soviet Union. It was the conviction of the American Government that the freedom and security of North America and Western Europe were mutually dependent, and that neither continent could any longer "go it alone." This conviction, equally held in Western Europe, was the essential link between the allies and the principal incentive to collaborate.

Today, the weight of private and governmental opinion on both sides of the Atlantic supports the North Atlantic Treaty as an expression of fundamental common need and common interest. (Even President de Gaulle has stated that he regards the Treaty as useful to French security and has not given notice of withdrawal from the Treaty or the North Atlantic Council.) The foundation of the Alliance is therefore still intact and the basic incentive to cooperate is still at work—but there is handwriting on the wall.

The apparent stability of the East-West military balance, a decade and a half of economic growth without historical parallel, and progress toward Western Europe's economic integration, supplemented in some measure by a hopeful intepretation of Soviet intentions, have led to a notable change in Western European attitudes. The people of Western Europe have regained a lively confidence in their institutions and in their future. A sense of security has replaced the earlier sense of danger. We see among some young people (and even among some who are old enough to remember how the Soviet Union behaved when the West was weak) a temptation to assume that because no European country has disappeared behind the Iron Curtain since the Czechoslovak coup of 1948, a strong Western defense is no longer necessary. A logic which concludes that because deterrence has been successful, it is no longer necessary, would appeal to Aesop!

The disrepair of NATO's military arrangements is apparent. The most visible cracks have been produced by President de Gaulle's wrecking hammer. France will be fighting by her allies, we are told, if one of them is subjected to "unprovoked attack", but her President reserves the right to decide whether an attack is unprovoked. As John McCloy commented to the subcommittee: "This is bound to introduce an equivocal note in the Alliance itself, and I do not believe it can be ascribed to a mere slip of the pen."

Some Westerners, preoccupied with other worries, or weary of the cold war and skeptical about policies that have not brought it to an end, or desiring to experiment with new approaches to the East, are finding it comfortable to justify a reduced effort by the Atlantic allies as a reasonable response to what they call the "new situation." In many countries new political forces are gathering, seeking to develop new issues or to exploit the frustrations that have grown up around old ones, and some voices are echoing the familiar Soviet call for the settlement of European security issues by Europeans alone.

Signs of letdown are evident in many quarters in a renewal of narrow, provincial attitudes of a nationalistic, or to coin a term, regionalistic nature. The most pessimistic observers believe that the days of concerted Atlantic efforts are numbered. The conclusion is premature; a warning is not.

The Atlantic Alliance has never been an end in itself. But it has unfinished business as an agency of common defense, a foundation for a solid European settlement permitting the reunification of Germany, and a source of stability in Europe as a pillar of a peaceful international order.

A principal task facing today's allied leaders is to enhance the will to collaborate in the unfinished work of the Alliance. The purpose of this staff report is to suggest certain attitudes and approaches that might be helpful to that end, including ways in which the United States Government might improve some of its own attitudes and approaches.

II. THE SOVIET PROBLEM

In the presence of the external stimulus once provided by Stalin, it was not difficult for the allies to reach a workable consensus on the nature of the Soviet threat. The job is more difficult today. But such a consensus is the foundation of coordinated allied efforts.

The Chinese Communists openly proclaim their determination to rid the world of their enemies. Not so with the Soviet Union; the Soviet rulers fly the banners of peaceful coexistence. The painful experiences of the two decades since V–E day compel us to look beyond these banners to the realities of Soviet policy.

The consistent aim of the Soviet Union, as revealed by Russian actions, has been to achieve a dominating position in both Europe and the Far East. In the West the bar to the achievement of this aim has been the forces and firmness of the Atlantic Alliance, and since 1949 the Russians have been trying to break the Alliance. For the same reason they have tried to block progress toward unity in Western Europe. They have correctly seen the emergence of any coalition powerful enough to balance Soviet power in Europe as an obstacle in their path. They have correctly recognized the key role of the Federal Republic in both the Atlantic Alliance and in a united Europe and have therefore blocked German unification and sought to divide and confuse German opinion and to foster anti-German sentiments everywhere.

Moscow is now deeply involved in diplomatic maneuvers in Europe, and is overlooking few opportunities to fish in troubled Western waters. (The Soviet leaders have been showing a lively interest in the fishing at the Quai d'Orsay.) Even though the Kremlin may be unsure about many aspects of its world policies, there is no evidence that it wants a strong NATO. On the contrary, to take them at their word, the Soviet leaders anticipate that over a period of time the interests and influence of the United States in Europe will be reduced to the point where NATO will break up and Moscow will be able to deal with a fragmented Western Europe of small and medium-sized states, with obvious implications for the ability of these states—including West Germany—to pursue policies not meeting with Soviet approval.

The Soviet political campaign to strengthen its influence on the European Continent is backed up by all the elements of Soviet power.

The Soviet army is the major conventional military force in Europe. Front line Soviet forces in central Europe are approximately matched by NATO's front line forces in West Germany, but the Soviet Union has superior conventional forces in reserve. Furthermore, the Soviet Union has typically done more than the Atlantic allies, and sooner, to provide its armies with the most modern equipment. It is also a very weighty advantage that the main strength of the Warsaw Pact is provided by one army with uniform equipment, a centrally controlled supply system, great room for maneuver, and a single military doctrine.

The Soviet Union has 700 to 800 MRBM and IRBM launchers, most of which are located near its Western borders and targeted on Western Europe. Soviet leaders are carrying out an intensive nuclear weapons research and development program. They have increased quantitatively and improved qualitatively their offensive and defensive strategic nuclear forces at a far faster rate than had been predicted by top American officials. Moscow has begun to deploy an anti-ballistic missile defense system. Obviously the Soviet rulers do not accept the notion, popular in some American circles, that military technology and strategic strength have reached a kind of plateau and that the present balance of forces is fixed for all time to come.

At least for the time being, the Kremlin seems to want an "all quiet" on its Western front. The turbulent turn of events in Red China, together with Russia's ancient fears of simultaneous involvements in major troubles in Europe and Asia, has probably dictated some caution for now in approaching problems in the West. The nationalist trends in Eastern Europe have reduced the responsiveness of some East European states to Soviet command and to a certain degree have limited Soviet freedom of action. However, nothing is more guarded than the Kremlin's decision-making process, and this makes it difficult for anyone on the outside to predict whether the Soviet leadership is in a cautious or risk-taking mood.

It is true that the communist movement is not "homogeneous" and "monolithic", but it does not follow that the Soviet capacity to influence the world scene is inconsequential.

Moreover, Moscow has long prided itself on its opportunism, and it would be dangerous to assume that the future will provide no tempting opportunities to contrive a local crisis or to conduct probing operations, with the idea of calling things off if the West is firm, but with the idea of pushing history along the path of Soviet expectations if things develop favorably. Sometimes it is difficult to call things off, especially in an area as politically unstable and as heavily armed as central Europe.

Stalin tried to evict the West from Berlin in 1948–49, but it was Khrushchev who cranked up the Berlin crisis of 1958–62 and who tried to place missiles in Cuba in 1962. Perhaps the present rulers will eschew adventures in the West, but how long will they rule? Few, if any, students of Soviet affairs anticipated Khrushchev's ouster, and few are likely to anticipate the next shift, or the policy changes to which it may lead.

Here and there it is being said that the Sino-Soviet split is final. Although it may not be possible to patch up Sino-Soviet relations during China's present convulsions, a future reconciliation which offers many mutual advantages cannot be ruled out.

In short, the challenge of the East—whether principally Russian, Chinese, or Sino-Soviet—will continue for an indeterminate time.

To some extent allied officials are bound to view the dangers through the perspective of their own national preoccupations. In consequence, they may not see the situation at a given period in exactly the same terms. But it is very important that allied governments do not base their plans or their performance on unsubstantiated rumors, wishful thinking, or self-serving speculations, no matter what their exalted source.

The allied leaders need therefore to give a higher priority to the continuing, joint review of the evidence bearing on the complex forms of the Soviet challenge, including up-to-date, realistic appraisals of the East European and Chinese situations.

Policy-making begins with information, and policy differences between governments often spring from differences over what the facts are or how they should be interpreted. A joint allied approach to the evaluation of intelligence could make an important contribution to a consensus on the contingencies for which the Alliance should be prepared.

III. MILITARY POSTURE

The North Atlantic Treaty does not commit the allies to a particular strategy or its derivative, a particular set of force goals. The commitment is to regard and resist an armed attack on one as an attack on all. As a normal thing, therefore, the allies have regularly reviewed strategy and force requirements against current appraisals of the Soviet threat.

Unfortunately, the very premises of allied policy have had to be reconsidered because of De Gaulle's eviction notice to U.S. and NATO military facilities in France, and his pull-out of French forces from NATO's unified commands and coordinated military forces. NATO has certainly not been strengthened by the French actions, but the resulting difficulties are not insurmountable, given a determination by the fourteen allies to make the necessary adjustments. The fourteen have found a new site for SHAPE in Belgium and for AFCENT (Allied Forces, Center) in the Netherlands, and have decided to move the NATO Council and the Military Committee to Brussels. They are busy adapting communications, infrastructure and defense agencies to the new situation. The fourteen now meet as a Defense Planning Committee under the Council to conduct the military affairs of the Alliance.

Quite apart from the sabot France has thrown into the NATO works, British and

American balance-of-payment problems together with German budgetary difficulties have compelled a thorough study of the level of British and American forces in West Germany and the financing of their foreign exchange costs. Nuclear problems, including allied nuclear planning arrangements, have led to intensive discussions and among other things to the formation in NATO of two permanent groups for nuclear planning—a policy body called the Nuclear Defense Affairs Committee open to any NATO nation willing to participate in its work, and a Nuclear Planning Group of seven Defense Ministers, drawn from the full committee, to handle detailed work. Underway also is a new NATO-wide effort at joint force planning.

Out of this process may emerge a consensus on strategy and force requirements suited to present and foreseeable needs. There is, however, always a danger that what starts as a review may end in reverses and loss of mutual confidence and strength. These matters need to be handled with the care appropriate to decisions that could endanger the hard-won European balance.

The American military presence in Europe is still the hard nub of the Western deterrent. The chief purpose of the American troop commitment is political: to leave no doubt in Western Europe or in Moscow that the United States would be completely involved from the outset of any move against Western Europe. We want no uncertainty in the Kremlin about our intentions. It needs to be clear to the adversary that any act of aggression would be opposed by an effective American combat force, one capable of making a determined stand, so that the engagement would be from the start a Soviet-American crisis, with all that implies, not just a European one. As Thomas Schelling stated before the subcommittee:

"It is a sign of NATO's success that the nations of Europe can afford to spend so much of their attention on matters of nuclear authority within the Alliance, matters that have more to do with status than with security. But the central feature of NATO strategy is the presence of American troops in Europe * * *.

"We may lack strength, we may lack unity, we may lack adequate command arrangements, we may even lack the territory to provide any defense in depth, but what we still have and must keep is the physical presence of American troops in Europe in sufficient numbers to make clear that they are a real force, not a token force, and that, in case of military action, they are there to fight and not merely to sound an alarm * * *.

"The American divisions that we have there, if they are flexible, adaptable, mobile, and properly located, can make a very enormous difference as to whether things get out of hand or, instead, can be controlled."

The American troops, along with the European troops, are not there as a kind of hostage whose destruction would trigger a nuclear response. The Soviet Government cannot suppose that a large-scale attack on Western Europe could be even briefly restricted to conventional forces, and therefore, if a massive attack is to be made, it will surely begin with a nuclear strike against Western Europe and North America, not a march of great armies across NATO's eastern boundaries.

The primary function of NATO's conventional forces, with their vital American component, is to meet a local crisis as effectively as they can, posing the continuous threat that if the crisis continues and enlarges, the risks of escalation continue and enlarge with it—in particular the risks of nuclear war. To perform this function NATO forces capable of containing a sizable, though limited, attack are required. Anything less would be a standing temptation to Soviet probes of allied mettle, and such probes would force the allies to retreat or to engage in brinkmanship, with all the risks either course would involve.

It is sometimes said that if most of the American divisions now in Europe were brought home, they could be moved back in a crisis. This course would involve serious risks. For example: it would be useless against a sizable surprise attack from the East if only because the required airfields would probably be unavailable; it would necessarily make a large crisis out of a small one; it would require a dramatic and perhaps difficult political decision to put American troops back into Europe; it runs the danger that returning too few troops would look irresolute, while returning too many would look belligerent; it might be too slow to prevent a crisis from getting out of control.

The mishandling by the West of a single emergency could profoundly alter the prospects for stability in Europe. And in an emergency we must be able, without any delay, to put military forces into small confrontations to hold ground, not give it, and thus to improve our diplomatic position. The need is for forces on the ready which can act without unnecessarily difficult political preparations. The ability of SACEUR to move conventional forces, with a strong American component, in several crises in Berlin was important to the successful management of those crises. General Norstad told the subcommittee:

"It is argued in some places that conventional forces were things of the last war or even of the 1914–1918 war. I was in a position to 'supervise' the part of our forces in the Allied Forces during several confrontations in Berlin. The movement of troops, the willingness to use or commit troops, was an important item. I just do not think we could have met those requirements if we had not had the conventional forces we had."

Indeed, NATO's conventional power is needed not only to respond to emergencies that Moscow would deliberately contrive, but also to deal with the unforeseeable contingencies that history sometimes contrives—border incidents, upheavals in satellite nations that splash over the line, and so forth.

It is, of course, the combat capability of conventional forces that counts. With the advance of technology it may be possible to make some redeployment of combat garrisons and their logistic and support elements now on the Continent without reducing the capability needed to meet the problems of deterrence and initial front-line defense. In time new developments in strategic mobility—both air and sea—and in tactical mobility and firepower may further add to conventional capabilities thereby allowing some reduction in land forces, although the experience in World War II, Korea, and Vietnam is not altogether encouraging in this respect. A technological advance by one side has often been offset by an advance on the other side. Moreover, if numbers are reduced by piecemeal cuts in NATO-assigned units, the problem of preserving the organizational integrity and effectiveness of these units becomes more difficult. At least for the time being, any sizable cutback of American and British troops in Europe almost surely implies a greater reliance on nuclear weapons and their incorporation in military operations at a very early phase of hostilities. It is not self-evident that this would best serve the interests of the United States and its allies.

Furthermore, force requirements are designed not only to contribute to deterrence and defense but also to fortify the diplomatic bargaining position of the West vis-à-vis the East, in particular to contribute to a controlled program of arms reduction and to a genuine European settlement. A critical question is the effect of a one-sided reduction in allied combat capability on the chances for a reciprocal East-West reduction in forces and for winning eventual Soviet acceptance of a stable European settlement. It is hard to see how the West can improve the bargaining position it has worked so long and hard to construct by weakening it—unilaterally.

As the allies continue their search for answers to these questions a number of guiding principles seem pertinent:

One. These delicate and complex issues should be examined and decided by all the NATO allies who wish to cooperate. The destiny and commitment of all Alliance members are involved. To exclude any member from the making of decisions on these vital issues would be to invite it, in effect, to exclude itself from the taking of actions flowing therefrom.

Two. These questions are at the heart of effective force planning under the Council and its Defense Planning Committee. The Alliance agencies should not be bypassed by self-appointed groups.

Three. The allies need a force on the central European front to which no one nation contributes a disproportionate share. Too large a West German contribution, for example, might help the Russians to nourish East European fears of Germany, prejudice West Germany's chances of improving its relations with Eastern Europe, and thus delay the working out of the future role of a reunified Germany in Europe.

Four. The problem of allocating defense burdens among the allies challenges the sincerity of each ally in living up to its obligation under Article 3 of the Treaty for "continuous and effective self-help and mutual aid." The words of that obligation were purposely placed in the order of their importance: "self-help and mutual aid."

In the years since World War II Americans have provided over $120 billion for the strengthening of the free world. Contrary to the notion of some critics, we do not expect gratitude. Now that our European allies are back on their feet with an earning power growing at a rate exceeding ours, we might reasonably expect this change to be reflected in the sharing of the defense burden.

It is true, of course, that a rich, powerful nation usually has to make the greater sacrifice and usually is in the weakest bargaining position within any alliance that rests upon the sharing of responsibilities and costs. Yet our European allies should recognize that there is inevitably a relation between their willingness to draw on the resources their expanding economies are providing, and the willingness of the American people to give solid support to the principle of mutual aid. As things stand, most Americans and most West Europeans recognize the need for a strong American combat force in Europe, but this attitude may change unless the European allies are willing, as they grow more prosperous, to assume a growing share of the costs of the common defense.

To be sure, all of the allies face balance-of-payment or budgetary difficulties, some greater than others. It is not easy for any of them to meet the costs of defense. One pitfall to be avoided is clearly marked: pentagonal pressuring of an ally to buy more military hardware than is really useful. Mutually beneficial offsetting systems and other joint arrangements are needed to support a fair allocation of defense tasks among all the allies.

Five. These wide-ranging issues require patient, thorough consideration. They cannot be settled in haste, and still be settled wisely. Abrupt or unilateral changes would be unsettling and risk demoralizing friends and allies. If changes in force posture are to be made, they should flow from decisions by the Council or its Defense Planning Committee and should be executed with a view to minimizing the danger that their significance will be misinterpreted by the Soviet Union—or by allied governments and publics. This applies with special emphasis to any reduction of British and American forces on the Continent.

IV. EAST-WEST RELATIONS

In the circumstances that are emerging in Europe and the world it may be possible to give increased emphasis to East-West adjustments. The basic objective of allied policy in Europe is not strength for strength's sake, or to freeze the status quo, but to create an environment for a genuine European settlement serving the legitimate security interests of all concerned. The hope has been that one day security could be achieved on terms which would put a safe end to Europe's unhappy division.

That day is not, unfortunately, at hand. The only kind of a settlement worth talking about is one reached with the consent of all parties—and, as things stand, the minimum terms demanded by each side exceed the maximum the other side is willing to concede.

The problem is obviously most difficult for Germany, for it is the one country through which the line of division runs. The psychological burden of imposed disunity weighs heavily. Although no one inside or outside Germany can now see a way to reunite the nation that would be acceptable to both East and West, no one in Germany can repudiate the goal. Nor can Germany's allies.

Dean Acheson's testimony to the subcommittee in April 1966 suggested how much must be accomplished in improving the East-West environment as a foundation of German reunification. He said:

"I would not start by trying to write peace programs, but by having East European countries share more in the life and industry and commerce of Europe. Insofar as Eastern Europe can be brought into the general European picture—share in the new prosperity—this is an advantage. This creates a situation where you can move more freely. If this brings the Russians along, good. * * * given a position where people are coming together, economically and politically, where you could reduce the worry over the military situation, where you could begin to talk about boundaries without scaring everyone out of their wits, you get places."

As far ahead as one can see, progress toward a European settlement means a steady and progressive erosion of the importance of the line dividing Europe and partitioning Germany, rather than its dramatic erasure by a formal agreement at the summit. Expanded trade relations, closer diplomatic ties, and better cultural, tourist and scientific contacts between East and West are possible. The Wall may be removed someday. If the division through Europe loses some of its significance, the outlines of a genuine settlement permitting German reunification may become visible.

President Johnson's major policy speech on Europe in October 1966 proposed a greater effort in the direction of East-West reconciliation as a basis for Germany's peaceful reunification. The new West German Government is obviously thinking along the same lines, and has begun a long and delicate effort to recast its relations with Eastern Europe. West German Chancellor Kiesinger has put it this way, in words especially directed to Moscow:

"We wish the reunification of our people in freedom and in peace. We too know that for this not simply a vote is enough; that preconditions must be established, and that above all a climate of mutual trust and mutual understanding must exist as the condition for the solution of this most difficult European problem * * *. I implore the Soviet Russian leaders to take this desire of ours seriously, above all our will to peace, which will ultimately serve the vital interests of the peoples of the Soviet Union, too."

As the West Germans explore the avenues of accommodation they deserve our sympathy, understanding and support. For there will undoubtedly be many detours, disappointments and false starts before they reach their destination.

It is not always helpful to think in grand, let alone grandiose, terms. Western purposes must include German reunification, but this purpose is more likely to be set back than advanced by a diplomacy directly aimed at a quick and full settlement. As the West pursues its long-term goals, certain principles of conduct should be kept in mind;

One. The steadiness and continuity of American policy are essential to the growth of conditions favorable to a settlement, and the people of West Germany, in particular, should feel the confidence in American policy that comes from working together; confidence that they can count on American support for their legitimate goals, that the United States will not enter into any deal with the East over their heads and that they will not be taken by surprise on any approaches to the Soviet Union.

Two. The importance of full participation by the Federal Republic in a developing European community, including the United Kingdom, cannot be overemphasized. The United States has long supported the concept of a united Western Europe. We should be prepared to accept progress in this direction even if it means, as it may, the development of a "European caucus" in some Atlantic Alliance agencies and the growth of a certain "European nationalism" in political, economic, and military affairs.

The challenge to Western Europe is to find whatever degree and form of closer concert or union will improve its health and strength and its will to play its full and responsible part in world affairs. In the long run, Western Europe will achieve effective unity only if its members, including France, are willing to forego turning the movement for unification to selfish nationalistic advantage. In these matters, the United States Government should restrain its Mother Hen proclivities. Only the Europeans can decide these issues.

Three. The German problem is unavoidably and inescapably an international problem; the fact is inherent in Germany's division, its size, and the implications of its reunification for European stability. This is to say that German affairs are not solely German affairs; non-Germans are necessarily concerned and will necessarily have a voice. All the more reason, therefore, why her allies should not be party to any unnecessary or unfair discrimination against the Federal Republic.

The Federal Republic has formally agreed not to produce nuclear weapons on its territory and has voluntarily renounced national ownership of nuclear weapons. All West German armed forces are assigned to NATO, and the Federal Republic therefore has no national troops in the full sense. There is no West German general staff and there are no arrangements for the autonomous employment of West German troops by the West German Government even in defense of West German territory.

With the full cooperation and agreement of West Germany, therefore, arrangements have been devised that should be reassuring to Eastern Europe and the Soviet Union, as well as to many in the West.

Four. There are limits beyond which the efforts for reconciliation might seem to ratify the status quo of a divided Germany. In such circumstances, the possibility could not be ruled out that some future West German government, disillusioned with and embittered toward the West, would seek to work out by itself the best deal it could with the Soviet Union.

In their relations with the East the allies should heed the words Secretary General Brosio spoke to the NATO Parliamentarians' Conference in November 1966:

"The West has shown a great deal of good will in attempting to meet Soviet positions throughout the years. The Soviets, for their part, have not only remained adamant but have maintained the initiative * * *. We are perhaps paying here the price of our invaluable freedom. We are not able to stand firm long enough on positions which appear to us right; our moral questing and intellectual inconstancy force us continuously to conceive and offer new solutions. Our opponents, however, remain steady and obdurate and wait for our further steps."

Five. A possibility that the Soviet Union may prove willing to make some East-West adjustments does not constitute a reason to pay less attention to the defense of Western Europe. As Thomas Schelling said to the subcommittee:

"If indeed the Soviet Union has at last decided that it either does not want to conquer that part of the world, or would not know how to control it if it did, that may be precisely because we have achieved a deterrent and potential defense in Western Europe that is now a foregone conclusion to the Soviet Union, and they have learned the facts of life. I would not like to disturb that Soviet belief. I would not like to offer them any alternative temptation at a time when quite possibly they are willing at least to consider weakening some of their own defensive arrangements in Eastern Europe itself."

Six. The North Atlantic Council is the instrument by and through which the allies should coordinate their policies toward Eastern Europe and the Soviet Union. This does not mean that the Council is an agency for negotiations with the East. Depending on the subject matter, discussions and negotiations might be carried on bilaterally or in various multilateral meetings. In every case, however, the substance of East-West discussions should be regularly reported to the North Atlantic Council and there should be no separate agreements against the interests, or without the knowledge, of interested allies.

V. ALLIANCE DECISIONMAKING

Decision-making in an alliance is a consultative process. Poor substitute though it may be for an executive, it is the only means sovereign authorities have to reconcile their differences and reach a workable consensus. In this process, no ally is too small to contribute to policy decisions: an initiative in December 1966 to strengthen the political role of the Alliance was taken not by one of the bigger allies, but by Belgium. And no ally can afford to stand aloof: the golden rule of an alliance is to consult with others as you would have others consult with you.

Even at its best, of course, consultation cannot extinguish deep differences of judgment between policy-makers over many issues, or erase basic disparities of power. By sharing information and analyses and by allowing time for patterns of thought to change, consultation can help to reduce differences, to develop a common perspective, and to minimize the consequences of differences that remain.

Skilled practice of the art of consultation is important to a big power. It helps to take the sting out of its bigness. This places a high premium on the ability of American officials genuinely and generously to collaborate with others who are also knowledgeable and concerned about the emerging problems of the Alliance.

The North Atlantic Council

The Council is the top allied agency. All members should resolve to use the Council and its Defense Planning Committee as the central bodies for inter-allied consultation. This rule, although recognized in principle, has not always been observed in practice by the members, including the United States.

A strong case can be made for appointing Permanent Representatives to the Council with sufficient political standing in their own countries to have direct access to heads of government, and, where possible constitutionally, to legislatures and parliaments. When Council decisions and recommendations are referred to member governments, the Representatives would thereby be better able to argue for their support and to explain and defend the requirements of the Alliance before their own countrymen.

Forward political planning

To improve allied consultation on complex and sensitive political issues, NATO's policy planning activities could and should be strengthened. What most allied leaders want, and what helps them at home—and what may therefore enhance their willingness and ability to collaborate in an emergency—is confidence that they are involved in the early consideration of major issues and can make their views and wants known before a bigger ally comes to a final decision and acts. Of course, the big powers need the same assurance that the smaller allies will not act unilaterally on important matters affecting the Alliance.

The Berlin task force provides a useful model. In that case the governments concerned disagreed on many issues yet each was insured the opportunity to question anything and to obtain consideration of alternatives before action was taken. In view of the special role of the United States, assurance that our decisions could be questioned and challenged by others reduced public disagreements between the governments and contributed to close cooperation throughout the crisis and thus to its successful handling. The arrangements made it possible for the participating governments to act along agreed lines with full awareness of what the others were doing and why.

In a particular case, such as Berlin, it may be desirable to center planning in Washington. As a general principle, however, it seems desirable to build up the role of the Council and its Secretariat and to concentrate planning at the Council's headquarters.

SACEUR and SHAPE

The Council, the Defense Planning Committee and the task forces should take full advantage of the advice and assistance of SACEUR and SHAPE. SACEUR is the agent of the whole Alliance, but, by virtue of his second hat as Commander-in-Chief of U.S. Forces in Europe (CINCEUR), he provides a most useful connection to the President of the United States, the Commander-in-Chief of all U.S. forces. Furthermore, it is through SACEUR and SHAPE that the development of coordinated allied military plans, the coordination of any allied military actions, and the integration of German forces into the Western defense system, are carried out. SACEUR has proved an indispensable instrument in periods of crisis. McGeorge Bundy expressed it this way:

"It is good that on the issue of keeping NATO intact General de Gaulle is still alone, for if the General's position were to be imitated, the principal Western instrument for effective control of crisis in Europe would be destroyed: This instrument is the Supreme Allied Command in Europe * * *. In moments of crisis the vital need of the Alliance is political unity backed by American strength * * *. Without an effective command—plainly responsive both to the Alliance as a whole and to Washington as the center of strategic strength—there would be no instrument for measured response in any new crisis, and without that instrument we should lose a critical governor for peace."

Developments outside the Atlantic area

Greater use should be made of the North Atlantic Council for the multilateral discussion of issues outside the North Atlantic area including the problem of Communist China. These issues are bound to be the subject of many bilateral discussions among governments. And the Alliance itself, of course, does not entitle one ally to claim the support of others on matters beyond the obligations undertaken in the Treaty. But there is a clear need for more discussion and exchange of ideas on the many threats to the interests of Western powers arising in Asia, Africa, the Middle East, and Latin America. In such discussions the European allies have much to contribute from their knowledge and long experience. As Alastair Buchan has written:

"If the NATO Council became the most important center in the West for the discussion of economic, political and, where relevant, military developments outside the Atlantic area, its effectiveness and influence would grow rather than diminish. Its discussions have a tradition of privacy which is unobtainable in other Western caucuses, for instance at the United Nations * * * the Council is the Alliance in plenary session, and its discussions give member governments a sense of the way the views of their Western colleagues are developing in a fashion that no other body can."

Interparliamentary consultation

Not simply the government executive, but the legislator too, may grow in understanding through inter-allied meetings and discussions. In particular, the North Atlantic Assembly (formerly called the NATO Parliamentarians' Conference), though it is an unofficial body, has contributed to a broader appreciation of the role of the Alliance, to informing public opinion on both sides of the Atlantic, and to stimulating some successful NATO ventures.

Recently, the Assembly proposed that it should have a more recognized relationship with the North Atlantic Council. In response to this proposal, the Council might well give such recognition and volunteer an annual report on the state of the Alliance and the issues before it. For its part, the Assembly should improve its own organization and procedures, for example: a stronger Secretariat and better preparation of agenda items.

Joint ventures on mutual problems

The Atlantic allies need to find more ways to help each other with one another's practical problems—and thus to make collaboration in the affairs of the Atlantic community a plus in terms of national politics. Richard Neustadt made this comment before the subcommittee:

"If one wants to tie the policies of governments together, over time, one seeks joint ventures or concerns which link the daily doings of key men on either side, making them dependent on each other in their work, giving them concrete incentives to collaborate * * *. Ventures or concerns in common * * * give men inside each government a handhold on the hopes and fears of men inside the other as they do their work and pursue their needs in their own barganing arena, day by day. For a peacetime alliance, lacking Stalin or his like, few things can help more to keep two governments together."

A case in point: throughout Western Europe one of the most fashionable topics of conversation is the "technological gap" between the United States and Western Europe. The gap may actually be widening. Yet there seems to be no agreement in Europe on what really needs to be done, or how far West European governments would be ready to pool their efforts to make and exploit technological advances. The field is wide open for scrutiny in Western Europe and in such trans-Atlantic forums as OECD.

There is no shortage of such problems of mutual concern. As has been suggested in this report, opportunities abound for mutually helpful cooperation on problems that do not have to be invented but are already high on national agendas.

U.S. policymaking

As this report has emphasized, the United States Government cannot work effectively on the unfinished business of the Alliance without attending to some of its own attitudes and approaches. These further lines of improvement commend themselves:

Particularly in matters affecting the East-West military balance, safety-first is still the rule, or should be. The attitude of some high officials about anti-missile defenses that "we cannot afford to do much about it" could end up endangering the credibility of the Western nuclear deterrent and unsteadying the Western resolve at a moment of crisis. The price of collective safety and individual liberty is high—and may go still higher. Yet as Robert Lovett told a predecessor subcommittee: "We can do whatever we have to do in order to survive * * *."

In working with allies, of course, there is no substitute for confidence in the word of the American Government. That is why playing with facts and figures, even if it will gain a few yards now and then, may lose the game. Not all of our appointed officials have learned this lesson. It will be a sad day if the people come to agree with Mark Twain that "there are three kinds of lies: lies, damned lies and statistics."

Clear and reasoned policy, approved at the top of the government, is the precondition of effective cooperation with allies. Too often American officials negotiate from divergent points of view, tripping over each other in the process and confusing our allies and ourselves. This is bound to result in making a difficult situation more difficult. There is still much to be done in providing timely, approved formulations of policy and unkinking lines of authority in the conduct of Atlantic affairs.

The founders of the Atlantic Alliance were forward-looking in 1949. Their successors should be equally forward-looking today. The future is filled with challenges no one of the allies can handle in isolation, and that neither North America nor Western Europe can meet alone.

Today's political leaders—executive and legislative—have solemn duties. Theirs is the main responsibility to assure the common defense, to advance the cause of a genuine European settlement, and to provide for stability in Europe as a basis for a peaceful international society. They must inspire the oncoming generation of young people to do its best in the unfinished work of the Alliance.

For today as yesterday the need for the Alliance is fresh and compelling: it is difficult to imagine a hopeful future which does not rest on the stability and steadiness of our association, and, of course, especially on the steadiness of American policy.

INTELLIGENT INVESTMENT ADVICE

Mr. METCALF. Mr. President, stocks and bonds and their intelligent understanding and use represent a vital element in America's economic stability and growth. Our economic system, undergirded as it is by a viable public ownership-free enterprise structure, is rooted in an interplay of the marketplace. Often, members of the public and even institutional investors fail to know about or take advantage of the variety of sources of information needed to make an intelligent investment choice.

The January 28, 1967 issue of Business Week magazine includes an article about a unique service which advises its clientele of investment activities. Most investors rely on the knowledge and skill of reputable brokers. Where do the brokers get their information? While the typical broker uses a variety of channels of communication open to him, the Business Week article describes a service that provides background briefings for investors.

I have regularly opposed the behind-the-scenes maneuvers that make it possible for some key officials in some companies to devise stock option schemes that are staggeringly unfair to investors and a bonanza to the few insiders.

The Business Week article really describes a Wall Street approach for investors and investment advisers that could be called a reversal of the traditional view of caveat emptor for stock market investors. It is indeed investment consumer education.

Earlier this month—March 8, pages 5784–5785—the Congressional Record included the full text of a talk by M. A. Wright, president, Chamber of Commerce of the United States. Mr. Wright's excellent talk entitled "Education, Business, and the Future," detailed the bright future facing our Nation. He said in part:

> Economists tell us that with even modest success, the nation's output in today's prices will exceed $1 trillion in 1975. Further, they see the classic income pyramid being inverted in the next decade as fewer people earn low incomes and an increasingly larger proportion of the population is concentrated in the $15,000 and over income range.

I share with Mr. Wright a feeling of optimism for the economic health of the Nation in general and for all our citizens in particular if we can continue to progress. One necessary part of the progress is having ample communication in the marketplace.

With huge growth in our economic base, and hopefully steadily broadening investment by members of the public in elements of our free enterprise system, the needs—indeed the requirement—for investment communication becomes even more significant.

It is possible that the Federal Government is not doing all it should do to help investors and stockholders alike. However, I ask unanimous consent to have printed in the Record the article which does describe a valuable Wall Street-Washington dialog.

There being no objection, the article was ordered to be printed in the Record, as follows:

Wall Street Gets a Capital Idea

When big investors want to know what is going on in Washington, they often ask the Boston Marching & Chowder Society.

Despite its heady name, the society is not an off-beat New England coterie, but rather an unusual five-year-old information service run by Ben Gaynes, Jr., a vice president of Wall Street's Clark, Dodge & Co., Inc. (The nickname stems from many subscribers in Boston.)

Gaynes supplies his 125 clients—mainly mutual funds, pension funds, insurance companies, and bank trust departments—with financial statistics and other data that his staff collects from various federal agencies. He also introduces individual clients to key Washington bureaucrats and sometimes takes groups of clients to Washington for luncheons or dinners with federal officials.

Where the action is. "I can introduce you to the people who control about a third of the gross national product," says Gaynes, who estimates that federal, state and local governments together exert that much control one way or another. "What better place is there to figure out what the market is going to do?"

Robert H. Brimberg of Brimberg & Co., a small New York securities firm, adds this thought: "Unless you know what the cost of the Vietnam war is, or the political possibilities for passing the tax increase, I don't think you can invest in the market properly."

I. THE CAPITALISTS

Both Gaynes and Brimberg are leaders in the growing effort on Wall Street to keep track of what is happening in Washington and to analyze what it means for the stock market. The need for such intelligence work is particularly great because the U.S. is one of the few nations where the political and financial capitals are separate, notes E. John Rosenwald, Jr., a partner in Bear, Stearns & Co. "In most countries the politicians and the investment community are in daily contact, so that one side usually knows what the other is doing," he says. "That isn't true in this country."

Washington-bound. But more and more brokerage houses are assigning men to fill the gap. For one thing, individual security analysts now frequently visit Washington. Rodney L. White, a partner in Oppenheimer & Co., thinks that "any analyst worth his salt" should talk with federal regulators when analyzing the stocks of government-regulated companies, such as airlines and railroads.

Some brokerage houses that have extensive contacts in both Washington and Wall Street sponsor private luncheons and dinners that bring key people from both sides together. F. Eberstadt & Co., a New York investment banking firm, held such a luncheon late last year in New York at which James L. Goddard, head of the Food & Drug Administration, was the featured guest. Eberstadt won't say which institutional investors were represented at the meeting or what was discussed, but FDA officials say that Goddard usually explains the agency's procedures and policies at such meetings in hopes of helping investors assess product news. His top public relations aide explains that if the investment community understands the FDA better, "it will be helpful all around." Goddard doesn't talk about individual products at the meetings, his aides emphasize.

II. THE PERSONAL APPROACH

Brimberg & Co. has built a profitable institutional business the last two years by sponsoring what appears to be Wall Street's most extensive program of Washington-oriented luncheons. The Brimberg luncheons, which are held in both New York and Washington, are attended by many prominent senators, congressmen, government economists, and military officials, as well as by representatives of most of the nation's largest mutual funds and other institutional investors.

One broker tells of a Brimberg dinner in Washington last year that featured John E. Horne, chairman of the Federal Home Loan Bank Board. "Long before it became apparent in the press, Horne told us what a crisis they were having in the savings and loan industry," this broker recalls.

Brokers and institutional investors generally deny that they get any "inside" information at these meetings. But many are nonetheless extremely shy about discussing the issue publicly for fear that they will rile the Securities & Exchange Commission, the watchdog of the stock market.

Both sides. In off-the-record comments, however, the brokers are quick to defend their private luncheons. They contend that there should not be any artificial barriers to communication between Washington and Wall Street, and that both sides find it helpful to know what the other side is thinking and doing.

"It would be ridiculous to ignore the government when its policies are so important to the market," asserts a mutual fund official.

Rosenwald of Bear, Stearns cites last year's sharp market drop as an example of a Washington-influenced stock market. He attributes the break largely to the Federal Reserve's tightening of money, President Johnson's sliding public popularity, and the growing "disenchantment" between the President and Congress. "If investors had been happy about what was happening in Washington, the market might have gone up," he says. "But many investors were unhappy, so they sold their stocks."

The big picture. Rosenwald's efforts to keep track of government activities include occasional trips to Washington to chat with federal officials and frequent contact with newsmen around the world for their views on the international situation. Last month, for instance, he dined with eight of American Broadcasting Co.'s key domestic and foreign correspondents and then sent a memorandum on their views to some of his institutional clients.

Leo Model, chairman and president of Model, Roland & Co., also follows the international scene closely, contending that government policies in Western Europe sometimes are as important to the U.S. stock market as domestic policies. A decline in European interest rates, for instance, would enable the U.S. to reduce its own high rates without fear of an outflow of dollars in search of high rates abroad, he notes.

Model claims to have "very close contacts" with European central banks, and last September his firm sponsored an economic conference that included such speakers as Paolo Baffi, general manager of the Bank of Italy; Otmar Emminger, a director of Deutsche Bundesbank; and Frederick L. Deming, U.S. Under Secretary of the Treasury.

III. SUCCESS STORIES

Although many firms such as Model, Roland keep close track of government policies, few firms can boast the formal, full-time programs of Clark, Dodge and Brimberg & Co.

Until four years ago, Brimberg was a small, family-owned firm doing a public brokerage business. But Robert Brimberg—a gregarious heavy-set man who is called "Scarsdale Fats" by some associates—wanted to get in on the growing institutional brokerage business, where the big profits are. So he decided to offer the institutions a special service.

His original service was sponsoring private luncheons at his lower Manhattan offices. These were attended solely by brokers and representatives of institutions. The participants would discuss the stock market, and the institutions would say whether they had been buying or selling. The purpose was to allow those present to get an idea of what some other big investors were doing.

Impressive list. Two years ago, Brimberg expanded the luncheons to include frequent Washington guests, who fill in the institutions and brokers on the latest Washington developments. The more prominent guests have included Senators Russell Long and Vance Hartke, Budget Director Charles Schultze, Air Force Secretary Harold Brown, and William F. McKee, head of the Federal Aviation Agency. Brimberg also has met Vice-President Hubert Humphrey, and he proudly displays on his office wall a letter from the Vice-President saying he would like to exchange views about the economy with Brimberg every once in a while.

In this Washington-oriented program, Brimberg works closely with economist Eliot Janeway, himself an avid follower of government policies. Brimberg says the luncheons—which are usually held in a stark, tile-floored room in Brimberg's offices—are better suited to discussions than to speeches. "We're just trying to increase the dialogue between Washington and Wall Street," he says. "We want both sides to know what the other is thinking."

Mutual usefulness. The luncheons have been successful enough to help Brimberg & Co. sign up 75 institutional clients, including most of the 25 biggest mutual funds in the country. An official of one fund says: "I find the meetings extremely useful. You get a chance to meet a lot of people you'd probably never see otherwise, and the discussions usually are candid and to the point."

While Brimberg deals mainly in political and economic information, Gaynes of Clark, Dodge specializes in statistics. Gaynes used to be an analyst of electronics stocks and frequently went to the Pentagon to dig up information—whether, for instance, any contracts had been awarded to his companies. "I found a hell of a lot of information there that industry was using but that Wall Street wasn't," he recalls.

What's important. Gaynes thus decided to set up a service that would find the important information in the reams of data published each day by government agencies and then send this information to institutional clients. He figures he puts out about 600 reports a year. They include such statistics as earnings of textile workers, fertilizer consumption in the U.S., U.S. titanium resources, and anticipated capital needs for urban drainage improvements the next 10 years.

"The only thing I do for my clients is read and walk," he says. "You could almost compare it to something as prosaic as a swimming pool cleaning service. A person could clean his own swimming pool, but most people prefer to hire someone else to do it for them."

Once, Gaynes recalls, a Midwest bank was considering giving a $1-million loan to a wholesaler of ball bearings. The bank called Gaynes to find out how much of a market there was for the type of ball bearings that were in the wholesaler's stockpile. Gaynes went to the Commerce Dept., found out that the market was declining, and so informed the bank. The bank refused to grant the loan.

More recently, Gaynes got a copy of a uranium-mining contract from the Atomic Energy Commission for a mutual fund that was considering buying the mining company's stock.

Confidential sources. Gaynes spends about twice as much time in Washington as he does at his New York office and considers his extensive contacts throughout the bureaucracy his most important asset. He claims to have "a couple of secret places where no one else knows that information is put out."

Although the growing network of Wall Street-Washington contacts appears to please both the government and the investment community, part of the system is under heavy attack from the Securities & Exchange Commission. The SEC is worried about the way most brokers are geting paid for their services.

Mutual funds prefer to pay for attending luncheons and other special services by giving brokerage business to the firm or by directing another broker to give up part of his commissions to the firm being rewarded. If the funds made direct cash payments instead, the money would come out of the fund manager's fee.

The SEC currently is threatening to ban such "reciprocity" and customer-directed "give ups" on the ground they benefit the funds' managers more than their shareholders. But the industry is planning to fight any such move.

In any case, the SEC has had plenty of opportunity to take a close look at the luncheon circuit and how it works. Manuel F. Cohen, SEC chairman, has attended at least one Brimberg meeting himself.

SENATOR HART AND FISH INSPECTION

Mr. BARTLETT. Mr. President, the senior Senator from Michigan [Mr. HART] has long championed legislation designed to aid our fish industry, from harvesters to producers, to reach its potential.

He was a cosponsor of my bill which became the Commercial Fishery Resource and Development Act of 1964. He gave strong backing to the Anadromous Fish Act of 1965 and has been a tower of strength in the campaign to develop fish protein concentrate. The senior Senator from Michigan is a highly valued member of the Subcommittee on Merchant Marine and Fisheries.

For some time he has been interested in finding ways to improve the quality of fish and fishery products available to the American consumer. To that end, he has introduced the Fishery Products Protection Act of 1967.

In a speech delivered at the convention of the National Fisheries Institute in Denver, Colo., on April 15, Senator HART clearly outlined the purpose and scope of that bill.

Mr. President, I ask unanimous consent that the remarks of the senior Senator from Michigan [Mr. HART] be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR PHILLIP A. HART (DEMOCRAT OF MICHIGAN) ON MANDATORY INSPECTION, TO BE DELIVERED AT THE CONVENTION OF THE NATIONAL FISHERIES INSTITUTE DENVER, COLO., APRIL 15, 1967

On February 16 of this year President Johnson sent Congress a message recommending measures for consumer protection, particularly in the areas of health and safety. He said the march of modern technology has brought our Nation unparalleled abundance but has exposed the consumer to new complexities. It is certainly no secret to most of you that I have been particularly concerned about the plight of the American consumer.

With the advance of science and technology, marketing of consumer products, including food, has become highly complex. Responsibility for the finished products has been widely dispersed. As a result, it has become very difficult for the consumer to appraise the risk or fix responsibility for the quality of the food he or she buys. Clearly, the consumer must be protected against hazards to health and safety through adequate legislation.

This brings me to the principal point that I want to make today—that of improving the quality of fish and fishery products that reach the American consumer. Representing as I do a Great Lakes State, I have concerned myself with the health—or ill health—of the fishing industry and I recognize the problems that exist in producing high quality products in an industry made up of a number of widely scattered very small producers.

It seems to me that production and marketing of high quality fishery products has a double effect in that it benefits the fishing industry as well as the consumer. Poor quality products obtain minimum acceptance in the market and consequently sell at a lower price and provide unfair competition to the better quality products. The lower quality product discourages the housewife from buying seafood and results in reduction of sales.

A constructive approach towards improving plant sanitation and processing will enable industry to get its house in order in an orderly manner thus, to a great extent, preventing production of unwholesome products or the possibility of shutdowns due to insanitary practices.

Some advances have been made in improving the quality of fishery products in the past several years, particularly by the larger firms. One example is the voluntary inspection program administered by the U.S. Department of the Interior. You must remember, however, that only 40 plants subscribe to this program. This is a very small percentage of the total number of fish processing plants in the U.S.

Not enough has been done to elevate the quality of fishery products. I don't have to remind you of the serious problems we had several years. Many of you also are probably familiar with the articles issued by *Consumer Reports* on the low quality of several fishery products. I know and I believe you know that general sanitation and good housekeeping practices are needed to improve the condition of many of our domestic fishery plants. It seems to me that mandatory inspection of fish and shellfish is necessary to protect the consumer from buying seafood of low quality.

We are all aware that the Food and Drug Administration routinely inspects seafood as it does other domestic products, but in my view present efforts are not sufficient. A combined educational-regulatory approach is needed to assure that seafoods are packed under sanitary conditions and are of high quality when they enter commerce. This would give seafood the same protection now given to other animal protein foods, such as meat and poultry.

Last fall I introduced a bill to provide for mandatory inspection of fish and fishery products by the Department of the Interior. I have this week reintroduced this bill with some modifications. I would like to discuss with you the general provisions of this new bill which is entitled the "Fishery Products Protection Act of 1967."

This Act would establish a mandatory inspection program for fish and shellfish. It recognizes that implementation of such inspection in the fishing industry cannot be accomplished overnight, but will require a certain period to survey the industry, to draw up the necessary regulations, and to spread education throughout the industry on methods of obtaining compliance. Thus, what I am proposing is a constructive, educational approach that will permit the industry to tool up for mandatory inspection. There is no doubt in my mind that this will be to your advantage.

The Fishery Products Protection Act of 1967 embodies the following features: After enactment, a 6-year grace period would be allowed to implement provisions of the bill. During the first year a survey would be conducted to determine the sanitary conditions of vessels and plants and regulations will be promulgated within 3 years after enactment. After these regulations have been promulgated, it will be possible for plants that meet sanitation requirements to come voluntarily under mandatory inspection without any cost. The provisions of the Act would not become mandatory until at least the end of the sixth year after enactment.

The Act itself would provide broad coverage to all aspects of fish handling and processing. The regulations would establish sanitary requirements for vessels and processing plants used to handle fish and shellfish, and minimum quality requirements for fishery products. The industry would have an opportunity to comment on these regulations before they become final.

A provision of the Act would require a surveillance system to determine if vessels and plants are operated in accordance with sanitary requirements. Products would be sampled during production to determine if they are wholesome and of suitable quality.

Means would be provided to recognize qualified State inspection programs that will produce a service comparable to that outlined in the Federally operated program. Thus, if a State program meets criteria established in the inspection regulations, it can be used in lieu of the Federal program. I feel it is particularly important that we have no duplication of effort. If the States can carry out and perform suitable inspection, we should recognize these programs. In my view this is a very important provision of this Act.

The Fishery Products Protection Act that I have introduced would also recognize the need to include imports. I know that we have a particularly complex situation with fish and shellfish because the U.S. imports fishery products from many foreign countries. One of the first steps would be to recognize existing foreign inspection services that will provide adequate inspection of products exported to the United States. With the cooperation of foreign countries I hope we can develop a satisfactory means of insuring that products reaching this country are of quality equal to what we produce at home.

It is my feeling that the impact on the domestic fishing industry of mandatory inspection would not be burdensome. In the first place there would be a 6-year preparatory period during which studies and surveys of establishments and vessels would be made and regulations would be issued. The bill requires that the regulations be in final form three years after enactment.

After publication of these regulations, however, there would be a second 3-year period before the mandatory provision becomes effective. This time period will permit industry to improve its facilities and voluntarily come under inspection at no cost for the inspection services.

It seems to me that these educational and advisory programs provide an opportunity for processors to understand and comply with the program gradually, thereby spreading out any necessary expenditures for plant improvement.

Since I was elected to the Senate in 1958 I have had a deep and continuing interest in the domestic fishing industry and in trying to improve its position in the American economy. I was a co-sponsor and warm supporter of Public Law 88-309—the Commercial Fishery Resource and Development Act of 1964—for helping alleviate the resource disaster which struck our Great Lakes industry in 1963.

I vigorously supported PL 89-304, the Anadromous Fish Act of 1965, and have sought full appropriations to implement it. I consistently sought approval of the fish protein concentrate.

I am convinced that the Fishery Products Protection Act of 1967 is another step forward in assisting this industry as well as in aiding the American consumer. The two go hand in hand. By providing a product that will be wholesome and nutritious, I feel the American fishing industry will also benefit.

In closing, I want to express my sincere appreciation to the NFI for the responsible, mature thinking you have devoted to this proposal. It has been a rewarding experience to work with your representatives, and I hope that our combined efforts will produce legislation advantageous to the industry as well as to the consumer. That is the intent.

TALENTED DEBATERS OF UNIVERSITY OF WYOMING

Mr. McGEE. Mr. President, we in Wyoming and, in particular, those of us who have a close association with the University of Wyoming, have been thrilled and pleased by the performance of two young debaters and their coach in representing the United States against a Russian team in a debate over American policy in Vietnam recently.

Our Wyoming debaters, Mike Anselmi and Pat Hacker, ably assisted and prepared by Coach Wayne Callaway, first had to take the honors in an international meet sponsored by York University in Toronto in order to gain the right to meet the Russians. This they did, Mr. President, and against the Soviet team they performed so well that the Toronto Globe and Mail reported that:

> On the basis of debating skill, it appeared as if the U.S. students had the edge.

The debate with the Russians, which was broadcast over the Canadian Broadcasting Co.'s facilities, was not judged, however. But it may be said that the Wyoming debaters worked under the handicap of heckling in their final appearance against two Russians, both candidates for doctoral degrees. Mike Anselmi of Cheyenne, Wyo., is a junior at the University. His partner, Pat Hacker, of Rock Springs, Wyo., is but a sophomore. Having been a collegiate debater myself, as well as a coach, I know the stress suffered by Anselmi, Hacker, and their coach, Mr. Callaway, as the Toronto pressures increased and as they made their feverish preparations for the 90-minute televised confrontation with the pair of graduate debaters from the University of Moscow. As young Anselmi put it in an interview with the Laramie Daily Boomerang after returning to the Wyoming campus:

> I was nervous because I knew I was representing not only the University of Wyoming but the United States of America.

Prior to the debate with the Russians, the team of Anselmi and Hacker took first place against teams from Michigan State, Princeton, Cornell, Columbia, Buffalo, Southern Colorado, Rhode Island, Augustana, and UCLA from the United States and from McGill, Toronto, Alberta, McMaster, and the host team from York University of Canada, debating the question: "Should Canada actively support the United States in Vietnam?"

I had the honor of giving just a little advice to the team on that question, as did others. But their research was their own, and they stressed preparation only for the Canadian question. Thus, the outstanding performance they gave against the Russian debaters on the proposition: "The United States Should Immediately Withdraw Its Forces From Vietnam," gains added stature for these two young Americans. Truly, they demonstrated the ability to think on their feet against the toughest sort of competition.

Mr. President, it was my hope that the 90-minute videotape of this United States-U.S.S.R. debate might be widely viewed in the United States. So far, only Wyoming television audiences are assured of a chance to view the debate, but I remain hopeful that public-spirited broadcasters elsewhere also will afford Americans the opportunity to view this program.

FREE LABOR'S UNIQUE INSTITUTE

Mr. METCALF. Mr. President, for many years—in fact, ever since this institution was established—the American Institute for Free Labor Development has been viciously attacked by the Communist press both in this country and abroad. Among the charges repeatedly hurled at it has been the one that the Institute really is not what its record shows it to be; that, on the contrary, it is really an instrument of the CIA and not the unique experiment in cooperation between labor, enlightened businessmen, and government set up by President Kennedy's Labor Advisory Committee on the Alliance for Progress to help develop a strong, free labor movement in Latin America.

In the past, this charge was limited to publication chiefly in Communist propaganda organs, and therefore it received little credence. Unfortunately, however, it has recently been repeated by some newspapers in this country which, apparently unaware of this charge's origins, falsely named the AIFLD as one of the agencies receiving secret CIA funds to support its activities.

Actually, the only source of Government funds used by the American Institute for Free Labor Development has been the Agency for International Development, and these funds have been openly voted by Congress and are annually audited by the Appropriations Committees of both the House and Senate, as well as by the Executive Council of the AFL-CIO. I am confident that we can take the word of AFL-CIO President George Meany, who is also President of the AIFLD, that the Institute has had no hidden sources of funds and that the charge of CIA financing of the Institute is wholly imaginary.

On the other hand, the work which the Institute performs as a unique kind of foreign assistance program is, in my opinion, an important contribution to better understanding of our Nation and its people. During the recent meeting of the American heads of state at Punta del Este, Uruguay, radio commentator Edward P. Morgan broadcast from the conference a report on AIFLD which I think tells the true story of the work it is performing and sets its record in proper perspective.

I ask unanimous consent that the text of this broadcast be printed in the RECORD.

There being no objection, the text of the broadcast was ordered to be printed in the RECORD, as follows:

PUNTA DEL ESTE.—The Kremlin already knows all about it, so it is not exactly breaking security to reveal that U.S. labor leaders are infiltrating Latin America. Their mission, with a boost from American industry and the U.S. government, is to show the working class south of the border how to organize strong, free, non-Communist trade unions. The headway they are making is modest but exciting and important enough for the Communist Party of Uruguay to put high on its agenda the sabotaging of the American Institute for Free Labor Development through which this "infiltration" is being conducted. So far this Communist priority has failed.

The AIFLD is a kind of pocket-sized, foreign aid program mixing in some Peace

Corps techniques, but building bargaining strength for laborers, instead of barns and water systems for farmers, or bringing plumbing to city slums. It was Joseph Beirne, president of the Communications Workers of America, who was credited with the idea of having U.S. trade unionists share their organizational know-how with other unions of the hemisphere. This led to the founding of the Institute in Washington some five years ago.

It now has projects going in at least 17 nations south of the border. Some of these are so modest they go quite unnoticed in the headlines—$500, for example, to teach women in Chile how to use sewing machines, $5,000 for a worker's medical center in the inland industrial city of Cordoba, Argentina, a $2,200 loan to help Brazilian chemical workers build a union hall in Rio de Janeiro, and so on.

The money comes from the AFL–CIO, its individual unions, from such U.S. businesses with interests in Latin America as the Grace Steamship Line, and International Telephone and Telegraph, and from the U.S. government. Harold Geneen, head of ITT, was so impressed with the philosophical sales talk for the project by labor's George Meany, who is also AIFLD's president, that he doubled ITT's contribution. The industrialists aren't involved with projects in the field. That work is done by trained American union men themselves; men like Charles Wheeler of the Communications Workers and Gene Meakins of the American Newspaper Guild in Argentina and Robert Wholey of the International Brotherhood of Electrical Workers in Uruguay, to mention just three.

Naturally these personnel, their families, and their Institute projects are the targets of furious propaganda blasts by Communist organizations. In the wake of the Central Intelligence Agency's unhappy under-cover ties with student groups, foundations, and individual labor unions, including the Guild in past operations, the AIFLD inevitably is accused of being a CIA front as well. Institute officials both here and in Washington stoutly deny this is true, though they make no secret of their close collaboration with U.S. embassy and foreign aid officials. Everybody being human, this collaboration is somewhat uneven. Some AID officials have been jealous of AIFLD activity and effectiveness in impact projects, and undoubtedly some AIFLD men have looked longingly at the size of foreign aid funds for bigger projects.

But the Institute has something neither the government nor business can furnish—working men who can talk the same language as the obrero in Latin America. No matter whether the former doesn't speak Spanish or the latter doesn't speak English, interpreters are available. And, there is a kind of intangible interpreter so to speak, built into the contact—the feeling on the part of the Latin American obrero worker that here is somebody who really understands his problems and who is willing to roll up his sleeves and help him. Here something of the person-to-person esprit of the Peace Corps begins to percolate. In addition to field projects, the AIFLD finances tours to the United States for non-Communist union men to attend seminars about union organization—how to manage a strike and how to raise a strike fund.

Some Latin American employers, desperate with the almost totally obstructionist tactics of Communist-dominated unions, are paying increasingly sympathetic attention to the unions which the AIFLD is trying to help. Things are never easy and they are sometimes rugged. Here in Uruguay, where the Communists do control 80 percent of the organized workers, thugs have beaten up rank-and-filers who have dared to accept help from the Institute. Communist drivers of a bus line in Montevideo refuse to pick up workers if they spot them carrying AIFLD briefing kits.

But the Communists in Latin America actually have less power than they are often given credit for. Though they do control the unions in Uruguay, they don't in Argentina, and paradoxically the former Peronista unions there, those elevated to power by the deposed dictator Juan Peron, are working in reasonable cooperation with AIFLD field men.

The Institute tries to exercise care so the money, modest though the appropriations usually are, is not wasted. The AFL–CIO has underwritten some housing projects in both Argentina and Uruguay, not to mention other countries, amounting to millions of dollars in investment. But work has not gone forward because governments or unions or both in these Argentine and Uruguay projects have not met the requirements stipulated in the loans. One project has gone through—a $350 AFL–CIO donation to the Transport Workers of Uruguay for a typewriter and a filing cabinet. A mimeographing machine may come next and, who knows, there may be some anti-Communist propaganda to follow.

This is Edward P. Morgan saying good night from Punta del Este, Uruguay.

PUBLIC TELEVISION

Mr. TYDINGS. Mr. President, it is fitting that, as the Congress is considering the Public Television Act of 1967, S. 1160, a book of major importance should be published to dramatize the need for the development of noncommercial television. Fred Friendly's "Due to Circumstances Beyond Our Control" is such a book. Mr. Friendly speaks with the knowledge of a man who has seen, from the inside, both the life-enriching potential of television and the inhibition of that potential by pressures of commercialism. His book—which, incidentally, is amusing and absorbing as well as profoundly evocative—should be required reading not only in Congress but at the Federal Communications Commission and in network and local station offices.

Prof. Eric Goldman, professor of history at Princeton University, has summarized the essentials of Friendly's book in his review in Book Week of March 26. I ask unanimous consent that the review be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TYDINGS. Mr. President, I support the Public Television Act of 1967. It is a necessary first step toward providing the American public with the full benefit of the public airwaves to which it is entitled. But this act is only a first step. I believe that the development of a system in which the commercial networks, which now have free use of the public airways, give financial support to public television is the optimum goal. The Ford Foundation proposal, which Mr. Friendly was instrumental in developing, provides such a system through ingenious use of transmitting satellites. I urge the Federal Communications Commission and the responsible executive agencies to take immediate steps to develop such a system. In my view, such action would be wholly consistent with, and inded would complement, the work of the Congress in considering the Public Television Act of 1967.

EXHIBIT 1

THE TRAGEDY OF AMERICAN TELEVISION

(By Eric F. Goldman)

American television is too young to have developed a genuine literature. We have writings galore about it but few of the richer variety, the memoirs and biographies of the people who actually built TV and the deeper-cutting analytical discussions. As a real literature develops, surely an important place will go to this book by the longtime CBS producer and executive, Fred W. Friendly. It is a loosely constructed volume, compounded of history, memoir, polemic, and pleading. However constructed, it is a forceful book, enormously informed, tartly analytical, astute, passionate, and disturbing. No one can read it without a sharply heightened sense of the tragedy of American TV.

Friendly is much too good a TV man not to keep the basic structure of his book a continuous and decidedly human story. It starts in the late 1940's, when the formidable team of Edward R. Murrow and Friendly began to function. Dramatic chapters go behind the scenes of the famous telecasts which did so much to remove the odium of "security risk" from Lieutenant Milo Radulovich and the odium of Senator Joseph McCarthy from the United States. Then, in its hard-driving way, the book moves through other triumphs of *See It Now* and the "strange death" of the program, the unsteady days of *Small World*, the development of the split between the CBS and its great ornament Murrow, the thunder and the tribulations of *CBS Reports*, the embattled years of Friendly as head of CBS's powerful news operation, and the final clash which led to the uproar of his resignation and his present association with Columbia University and the Ford Foundation.

Friendly keeps his pages moving with a rapid fire of anecdotes, revealing, moving, or amusing. There are the incidents of ex-president Eisenhower and President Kennedy both turning down a proposal to appear on TV, the one because he feared the joint appearance would make him appear too old, the other because it could make him seem too young; the stormy executive clash at CBS, with Executive Producer Fred Friendly turning on Chairman of the Board William S. Paley and stomping out the door which led not to the hall but to the private lavatory ("It took me five years to be able to laugh about that—and it was just about that long before I was in his office again"); the scene in the studio as Murrow finished his program on Lieutenant Radulovich, Murrow bathed in sweat and smoke in the air-conditioned room, the technicians, some with tears in their eyes, gathered around him to shake his hand; and the times when Friendly, without adequate sponsorship for an hour of Danny Kaye's UNICEF world trip, went out and hawked the program himself and Murrow faced with the same situation for Marian Anderson, muttered as he reached for the phone, "If Friendly can sell Danny Kaye, I can sell the Lady from Philadelphia."

But the story aspects of the book, however readable, are anything but its central purpose. Fred Friendly is an outraged man. He is a TV enthusiast and, nostalgically, a CBS enthusiast. He believes that the medium and the network did great things in the news and documentary fields and that both have enormous possibilities for the future. He also believes that—for some time and especially today—both have been shirking their potentialities, not to speak of their legal duty, in order to make bigger and bigger profits.

Many people in the TV industry have awaited this book, with glee or indignation, as an insider's assault on the titans of CBS. It does indict and it does present Paley, Frank Stanton, the president of CBS, and others in a way that will hardly delight them. No doubt they will disagree with some of his statements of fact and many of his interpretations, as they have already done publicly in certain instances. But the essence of the book is that it is not really a discussion of personalities at all. It is a criticism of American TV as an institution.

Although Friendly disavows any intention to write an "expose," inevitably the book takes on something of that nature and the reader is reminded of the muck-raking of Lincoln Steffens. The more Steffens looked at the condition of American cities in the early 20th century, the more he became convinced that the critical trouble came not from evil men but from a system which made good men do evil things and encouraged evil men to be themselves. The more Friendly's volume goes on, the more he hammers at "the system that keeps such unremitting pressure on men like Paley and Stanton."

In writing of this type, of course, the author appears basically right and his opponents basically wrong. But Friendly's emphasis on The System is such that his account is not simply the goodies *vs.* the baddies. Of himself, he says: "Possibly if I were in their jobs [the jobs of Paley and Stanton] I would have behaved as they did." He includes other comments about Fred Friendly that will surprise people who have not thought of humility and self-criticism as among his more marked characteristics. He speaks of his own moments of "arrogance," "lack of will power," and "tailorings" of conscience, and he includes a delicious quotation. "Friendly," a colleague remarked, "you'll never have a nervous breakdown, but you sure are a carrier." He has good words for Messrs. Paley and Stanton. They are "honorable men," of intelligence, taste, and a sense of public responsibility—and more and more caught in The System.

Friendly's description of The System, in many fundamentals, follows familiar lines. Quickly TV became big business with shareholders demanding that the profits be higher year after year. Advertisers bought time according to the Nielsen ratings, and the highest ratings customarily went to least-common-denominator programs of mediocre quality. Management either went after these profits—cutting down on the time given to unprofitable quality shows—or the stockholders would see to it that it ceased to be the management. In Friendly's analysis, the Paleys and the Stantons, whatever their imposing titles, lost control over the programing, which went to the TV merchandisers beneath them on the organization chart.

But if the broad outline of his analysis is familiar, the outline is filled in with so many nuances and such an abundance of fresh detail that it takes on the quality of the new. In particular, Friendly adds dimension to the discussion of the deeper effects of the quiz programs on the inner workings of TV; the meaning of the rigmarole of presidents and vice-presidents; and the enormous power in a network of its allegedly subordinate local stations.

In Friendly's book, The System rolls on so inexorably that it raises a question. I do not know whether he intends to say this but his System seems so ironclad that it leaves little or no room for improvement in commercial TV. Is this actually realistic, if a number of TV leaders have the intelligence, character, and taste he describes and are operating under pressure from mounting criticism? Moreover, Friendly makes the market the dynamo of The System. He does not mention the polls which indicate that the better educated and upper-income, a market indeed, are increasingly turning off their TV sets, providing a highly practical incentive to get those sets on again by offering more of the types of programs which Friendly seeks. After all, Lincoln Steffens' deeply entrenched System of municipal government was not impervious to change, by pressures from within and without.

Be that as it may, he concludes his book with a quick but shrewd appraisal of the many plans which have been suggested to break or to supplement The System from the outside. Naturally enough, Friendly gives most emphasis to the idea which he originated and then worked out with McGeorge Bundy, president of the Ford Foundation—the proposal for a constellation of satellites serving the long-line needs of all broadcasters and operated by a non-profit corporation which would use its profits to finance a noncommercial network. Here Friendly's knowledgeable prediction should be noted: "Some satellite system benefiting noncommercial television is going to emerge in the coming months."

More than his knowledgeability, the end of the book expresses his passion about TV. The accidents of the medium brought Fred Friendly into association with that remarkable American, Edward R. Murrow. He was so influenced because the two men, in their very different ways, had the same fire in their bellies—a fire made up of all kinds of elements but including that age-old American emotion which insists that when something new comes along, it should be used to help the ordinary American become less ordinary.

Friendly left his influential post as president of CBS News in a turmoil of doubt. A particular juncture of events triggered his conclusion that he had to get out from The System "while I still could." Yet obviously he had enjoyed his powerful position tremendously—enjoyed the power as power and enjoyed using it for the public service purposes to which, whatever the problems, it could be put. But now with his resignation, as he writes somewhat melodramatically, he was no longer a man at "the big switch." He consoles himself: "If I can't tend the big switch, perhaps I can carry a spear or write a pamphlet or stoke a fire."

Fred Friendly should rest happy with his consolation. He has written not a pamphlet but a major book. He has stoked the fire of criticism of TV in a way which in the long run, I suspect, will serve the people of the United States as effectively as the memorable TV hours which he did so much to create.

NEW YORK TIMES OFF THE RAILS ON DAIRY IMPORTS—SECRETARY FREEMAN GIVES THE FACTS

Mr. PROXMIRE. Mr. President, on April 17 Secretary of Agriculture Orville Freeman took the New York Times to task for criticizing his efforts to impose stricter quota controls on dairy imports. I know that the 52 Senators who joined me in sponsoring my dairy import bill were as pleased as I was to have Secretary Freeman on our side. As his letter indicates, he is a valuable ally, always in command of the facts, who speaks with great authority.

In his letter the Secretary cited an example of the present evasion of dairy import quotas set up under section 22 of the Agricultural Adjustment Act as a safeguard against the dumping of dairy products. He pointed to the importation of Junex, a butterfat-sugar mixture containing 44 percent butterfat, to circumvent regulations restricting imports of mixes containing 45 percent butterfat or more.

The Times immediately came back with another editorial stating that the solution to the farm problem does not lie in more protectionism. On the surface this has great appeal. It is a simple, straightforward, statement. However, as Secretary Freeman pointed out in his letter, these products are being dumped on the U.S. market at well below world prices. The reason? European countries are subsidizing the sale in world markets of the butter they produce by well over 100 percent of selling price. This is the very butter which goes into butterfat-sugar mixtures. And imports of these mixtures increased 3,000 percent between 1965 and 1966. They are still going up.

I shall be more explicit. Common Market countries such as the Netherlands, Belgium, and France are authorized to pay export subsidies or rebates equal to the difference between the domestic price of butter and the lowest price at which other countries offer butter at their borders. The Dutch at-factory price for butter in December 1966 was 64.8 cents per pound. The price of New Zealand butter was 37.5 cents per pound on the London market—London is the principal world market. Furthermore the European Economic Community received offers from East European suppliers at as low as 25 cents per pound. This meant a maximum Dutch export subsidy of 39.8 cents per pound, or more than half of the Dutch factory price. The Dutch could thus offer butter, f.o.b. Dutch ports at around 26 cents per pound. This cheap Dutch butter is purchased by the Canadians and British who use it in butterfat-sugar mixtures for export to the United States.

I can only conclude from the Times editorial that the paper is not fully aware of this situation—one that is growing worse in view of recent indications that East European countries were offering butter at prices below 20 cents per pound.

As I stated earlied, the Times antiprotectionist editorial has some appeal if we postulate an ideal world where all countries are competing on an equal basis. But it hardly cuts the mustard in view of the heavy dairy export subsidies being paid by European countries.

Mr. President, I ask unanimous consent to have Secretary Freeman's letter to the New York Times, as well as the Times editorial, printed in the Record.

There being no objection, the letter and editorial were ordered to be printed in the Record, as follows:

For Dairy Import Quotas

Secretary of Agriculture,
Washington, April 7, 1967.

To the Editor:

Once again The New York Times—in its April 3 editorial criticizing the Secretary of Agriculture for asking for tighter quotas on dairy imports—reveals an unfortunate disregard for the American farmer and a callous lack of sympathy for his low economic state.

In 1966 our farmers realized their largest gross income in history and the second highest net income ever. Still their average pay was only 66 per cent—two-thirds—that of a factory worker in the city.

And the dairy producer was worse off than other farmers. He averaged between 75 cents and $1.50 an hour—about half of city pay for comparable skills—for the hardest kind of toil, seven days a week from 4 o'clock in the morning until after dark, and with never a chance for time off, let alone the city worker's paid vacation. Is it any wonder that dairy farmers are abandoning this drudgery in dismaying numbers to find an easier life for themselves and greater opportunities for their children?

For your information, the Secretary is directed by law to take the action he did against commodities imported in frustration of the law. The Congress has established this reasonable procedure—and other countries have recognized it—as a safeguard against dumping of dairy products and thus interfering with our price support programs.

You wrote: "It is hard to believe that Mr. Freeman was really serious in requesting the imposition of quotas." Quotas were imposed long ago; my action was directed at evasion of quota regulations. And it was deadly serious.

EVASIONS CITED

An example of this evasion: Our regulations restrict imports of dairy mixtures or substitutes for milk or cream containing 45 per cent butterfat or more. This quota was evaded in 1966 by exporters who sent us more than 105 million pounds of products containing 44 per cent butterfat or less—just beneath the 45 per cent limitation. Another flagrant example was Colby cheese; this is a cheddar-like product that is shipped into the United States in huge volume with the obvious intent of circumventing our cheddar quota.

In 1965 some 900 million pounds of milk equivalent were imported by the United States. Last year, the total had grown to 2.7 billion pounds, and most of the increase represented products—many of them heavily subsidized by the exporting countries—that evaded our existing quotas and were dumped into United States markets at prices far below world levels.

Right now, forty-five Senators and sixty members of the House have sponsored legislation that would authorize stringent limitations on all dairy imports. If we can't make the current quotas work, we have no alternative but legislation.

Failure to act would mean an estimated loss of $100 million a year in dairy income.

ORVILLE L. FREEMAN.

POVERTY ON THE FARMS

In a letter printed today, Secretary of Agriculture Orville L. Freeman eloquently describes the plight of the nation's dairymen. There is no doubt that many milk producers are lagging behind other farmers as well as urban workers even though milk price supports were raised substantially last year.

But we continue to believe that Mr. Freeman is not really helping milk farmers by seeking to curtail imports of foreign dairy products. Such a course would simply step up production, which is already too high, and cut into consumption, which is too low. Since the high prices of domestic milk and milk products have steadily reduced demand, holding down imports would serve to punish foreign competition and penalize American consumers without easing the squeeze on high-cost and inefficient dairy farmers.

Those who cannot make a go of it in dairying deserve sympathy and support. But the solution to their painful and serious problem does not lie in more subsidies or in increased protectionism at the expense of taxpayers and consumers. These measures would merely provide unnecessary bonuses to the efficient. Impoverished dairy farmers, like impoverished slum dwellers, ought to be given top priority in the Administration's war on poverty. They need direct help rather than disguised handouts.

SYSTEMS ANALYSIS

Mr. NELSON. Mr. President, the special Subcommittee on Scientific Manpower Utilization, of which I am chairman, has been conducting extensive hearings on the application of "systems analysis" techniques to our pressing social problems. Two bills are now pending before the subcommittee: S. 430, the Scientific Manpower Utilization Act of 1967, which I first introduced in October 1965, and again on January 17, 1967; and S. 467, introduced by Senator SCOTT, on January 18, 1967.

The common purpose of these two proposals is to find the best way to apply these systems engineering techniques, so well perfected in the space and weapons business, to solving such problems as urban blight, environmental pollution and transportation at the State, regional, and local level. It is clear from the expert testimony presented to the subcommittee so far that the systems approach holds great promise in the area of social problem solving.

The systems approach was the subject of a thoughtful speech given last night by Joseph Califano, special assistant to the President, before the Washington chapter of Sigma Delta Chi. I think Mr. Califano's speech, "The Politics of Innovation and the Revolution in Government Management," would be helpful to all Senators in understanding the practical application of systems techniques. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE POLITICS OF INNOVATION AND THE REVOLUTION IN GOVERNMENT MANAGEMENT

(Remarks by Joseph A. Califano, Jr., Special Assistant to the President, before the Washington Chapter of Sigma Delta Chi, April 19, 1967)

Tonight I would like to talk to you not about our more publicized problems or about our more celebrated achievements.

You are all too familiar with our problems—the urban ghettos, rural poverty, keeping the economy in a state of non-inflationary prosperity, the transportation snarl. You often write of those problems—more often, I must admit, than we would like.

You have also heard us speak many times of our achievements—the million college students now receiving Federal assistance; the million Americans acquiring new skills under Federal training programs, where none were receiving such help just a few years ago; the six million patients whose medical bills have already been paid by Medicare; the 72 months of unparalleled prosperity; the 3.6 per cent unemployment rate. Although you have not written about these accomplishments as often as we would like, you are certainly familiar with them.

The story I would like to talk about tonight is largely unwritten. It is a complex story and admittedly not the stuff of banner headlines. But it is as critical to the success of the President's domestic programs as are the legislative victories in education, in medicare, in civil rights.

This story involves two elements: the politics of innovation and the revolution in government management that it has inspired.

The politics of innovation springs from the exploding potential and production of the American nation, our capacity to grow in wealth and power more rapidly than in population, and our need to adjust constantly to a changing environment. The politics of innovation is characterized by our efforts to expand our national wealth so that we have the resources to deal with problems in a total context. As one commentator observed, the question is no longer whether there should be handouts to the poor, but how to break the poverty cycle; the question is not how to move more cars by more roads, but how to develop new transportation techniques that adjust to the whole urban environment.

The revolution in management is the response of government to the politics of innovation. The thrust of that revolution is to mobilize the powerful new means of processing and communicating information and to develop modern analytical techniques to deal with problems in their entirety.

These new problem-solving techniques are leading us to abandon many old slogans and to conduct our national dialogue on the basis of facts and through the prism of a total approach. This new approach to problem solving and decision making has many names: systems analysis, cost effectiveness, planning, programming, budgeting, evaluation.

The name is not important. The approach is. It is a systematic way of saying: what are all the parts of the problem, how do they affect each other, and why? It gives us new management tools to determine our objectives, set our priorities, examine the options open to us and apply the resources available to those programs which will have the maximum impact on the solution of our problems.

For the approach to be total, problems must be defined and examined in their entirety, as a whole, rather than in bits and pieces. It is an approach ideally suited to the Presidency.

First—much as you gather the facts for a story, or as a lawyer gathers the facts for a trial, all of the data bearing on the problem must be assembled.

Second—on the basis of that data, specific objectives must be defined.

Third—alternative means of reaching that objective must be clearly identified and evaluated.

Fourth—the available alternatives must be presented in a way that helps the President select the best option, in terms of the benefits it will bring in relation to costs, social as well as economic.

We must apply a total analysis not only to the substance of the problems, but to the institutions with which we try to solve them. It does no good, for example, only to develop a highly sophisticated mass transit system to speed commuters from their homes in one city to their destination in another. We must also tackle the problem of how the hundreds of Federal, state, city and county agencies involved can work together to install and operate the system effectively and inexpensively.

The new management revolution affects the machinery of government at all levels. It requires reorganization of Federal departments and agencies. It involves an entirely new set of relationships between Federal, state and local governments. These relationships and departments and agencies of government at all levels must be assessed in terms of their capability to define and solve problems.

These principles may seem simple and obvious to anyone in this room. While there were forerunners to be sure, perhaps the most startling fact is that these principles were so rarely applied in government until the last few years—and they have only recently begun to be applied to the domestic side of the Government.

The classic application of these new analytical techniques is in the Defense Department. There, the complex questions of force structure lend themselves to this new problem-solving approach—because they are so readily quantifiable. Defense planners can tell, for example, that an airplane weighing so many gross tons, costing so much to produce, can fly so far and penetrate enemy defenses with so many pounds of bombs. They can compare the effectiveness and cost of that airplane with the ability of a missile to deliver accurately a warhead of a given size in a few minutes to its target.

Perhaps the most difficult part of the Defense equation is the assessment of an enemy's capabilities and his intentions. To enhance our ability to make this assessment, it was essential to restructure the institutions responsible for making it—hence, the combination of separate service intelligence organizations into the Defense Intelligence Agency.

The difficulties of adapting these techniques to the domestic problems of our Nation are enormous. But their potential is vast—in imaginative and effective programs, in revitalizing the entire Federal structure of our country, in savings to our taxpayers, in giving the Presidency a more effective management mechanism than it has ever had.

President Johnson has fully grasped that potential. Years of experience on the House and Senate Armed Services Committees have given him an appreciation of the value of a systematic and total analysis—and of the difference in the operation of the Defense Department before and after its application there.

The same sure instinct for the effective use of Presidential leadership that has led to so many legislative achievements has brought the President to seek their effective administration.

For, from the perspective of the Presidency, a total approach is essential to the solution of any problem. This is particularly true for a problem-oriented President. Crime to the Justice Department may be federal crimes and federal judges and federal courts. To the Department of Health, Education, and Welfare, crime may be juvenile delinquency and halfway houses. To the Labor Department, it may be criminal records that prevent young men from getting jobs. But to the President, the problem is to control crime—not merely to get higher police salaries here and more judges there, not merely to get better correctional institutions here, and probation officers there.

The need for a total approach is particularly acute at a time when the President has committed, through the legislation of the last three years, a substantial amount of funds to the most visible national needs: education, health, poverty. Now we must look beneath the surface—and we must do so with analysis and judgment informed by facts, with a willingness to experiment, with a recognition of past mistakes and a determination to correct them.

For no one knows better than the President that we cannot content ourselves with putting new legislation on the books. We must constantly ask what we are trying to do and whether we are doing it well enough.

While one out of every six college students is now receiving Federal aid, how many potential college students have not even been identified?

While one million Americans are getting job training, how many of them will be self-supporting for extended periods of time? And how many thousands of Americans will not even walk down the street to the neighborhood employment center for help—and why not?

While Head Start is reaching a half-million preschoolers, how many other needy children have not yet felt the excitement of learning—or the encouragement of love?

While the overall unemployment rate is down to 3.6 percent, how do we reach the 12 percent of our teenage Americans who were without jobs in 1966?

While we wipe out measles and smallpox and other diseases, how do we bring the infant mortality rate of the most affluent nation in the world to a level that compares favorably with 10 other nations?

As we reach increasing numbers of Americans with economic policies, with special training, education and health programs, the most important questions become: how to evaluate these programs in terms of their success in achieving our great national objectives and how to reach the untouched Americans.

It is critical that your government find and use the right approach at this point in the Nation's history.

For on that approach depends the confidence of the Congress essential for appropriations and new legislation. On that approach depends the confidence of the American taxpayer, who is entitled to the most effective programs his tax dollars can buy. And on that approach may depend the success of the most comprehensive commitment the Nation has made to improve the quality of life for all of its citizens.

How can this new, total approach operate on the domestic scene:

Where problems cut across several departments within each of which so many entrenched bureaucracies operate.

Where the facts—the raw material of decision making—are often social and psychological and hence not easily quantifiable, even if they are obtainable.

Where so many of the alternative tools to be applied to the problem rest with state and local governments who are often ill-equipped, and private institutions who are often disinterested.

Take the problem of the slum, for example.

A slum is a group of decayed and rotting buildings. It is also poverty. It is hunger. It is inadequate education. It is denial of job opportunity. It is discrimination. It is the infection of rat bites. It is despair and frustration.

Once we recognize that a slum is all these things, it becomes clear that health workers, transportation experts, educators, psychiatrists, vocational training and tax experts—all these and more are needed and they are needed at the right time and in the right place. From the very beginning, the approach must be inter-disciplinary and total.

The Federal government alone cannot wipe out a slum. For the President cannot, and should not be the mayor of every city. Nor can cities alone, when states are responsible for public health and employment services. Nor can states alone, when private industry has most of the jobs available for the unemployed.

Once we recognize that the Federal government cannot do the job alone—nor can the city or the state—a means must be found to bring together the potential of Federal, state and local programs with private initiative.

This is precisely what we are attempting to do with the Model Cities program. Under this program, local communities are asked to assemble all their resources—public and private—together with all available Federal programs and submit a comprehensive plan not only to build apartments, transportation systems, sewers, or hospitals, but to give people in the area the opportunity for self-development at the same time. The Federal government will pay a substantial bonus to help get the job done.

To join effectively with the local community, the Federal government must abandon its traditional vertical structure and bring to bear a horizontal lineup of departments and talents. This, itself, presents difficult problems to departments and agencies that have been inner-directed for a generation.

Another example of our preparations to handle problems in their total context is the Department of Transportation. Establishment of that Department formally recognizes that our transportation network is a series of highly inter-related forces that had far too long been going their own separate ways, fragmented and uncoordinated.

The problems and operations of each mode of transportation have a direct influence on the problems and operations of the others.

For example, an attempt to provide the swiftest, most efficient transportation system in the Northeast corridor raises these questions:

Are eight-lane turnpikes the answer? With special 100-mile per hour bus lanes?

Or high-speed railroads?

Or jumbo aircraft that can move more than 700 people in a single flight?

Or some combination? What combination?

Where, when and how should the Federal investment be made? And how much should it be? Should it be made at a time when it takes the airline passenger longer to get from the airport to the city than fly to the airport?

A few months ago, this Nation did not even have the organizational structure for asking—much less answering—questions such as these. It had instead 31 separate agencies and programs, uncoordinated and growing increasingly chaotic each year.

The Model Cities program and the Transportation Department are two tangible achievements which will allow us to apply a total systems approach. It is no accident that they were also two of the most controversial bills the President presented to the Congress last year.

They represent the politics of innovation in action. Old myths were destroyed. Past mistakes were recognized as such. Power structures—created in part by the politics of distribution to urban renewal departments in cities and to subsidized transportation industries—preferred the old to the new, the known to the unknown.

My point is not to dwell on these legislative achievements of President Johnson. I cite them merely to note some results of a systematic approach that is just beginning to take hold, and to assure you that we recognize that passage of a law is only the beginning.

These are early developments. Their most important impact may be within the Federal bureaucracy. When the President, by concrete example, demonstrates his willingness to take on the tough problems if a sound analysis based on facts has been made, he encourages the planners to ask the hard questions, to demand answers, to seek alternatives, to innovate.

We are beginning to ask these questions and, in some cases, get some startling answers.

We have recently completed a preliminary study of the welfare programs supported by the federal government to answer a very simple question: How many persons capable of working are on welfare?

Some would say many millions. But analysis disclosed that, over the next few years, out of the 7.3 million Americans on welfare, only 50,000 males may be capable of getting off—even if every program, public and private, were adequately staffed and efficiently run.

Of the 7.3 million citizens on welfare: 2.1 million, mostly women, are 65 or over, with a median age of 72; 700,000 are either blind or so severly handicapped that their work potential, if any, is extremely limited; 3.5 million are children whose parents cannot support them; the remaining 1 million are the parents of those children: about 900,000 mothers and 150,000 fathers.

Two-thirds of the 150,000 fathers on welfare are incapacitated. Only some 50,000 are capable of being given job skills and training that will make them self-sufficient.

The problems this study raises are:

How to reach, how to motivate this proportionately small target of 50,000 fathers, and how to educate the American people to recognize and accept this target.

If special child-care centers and special training programs were established, how many mothers would we be able to move off the welfare rolls? Indeed, is it desirable to take two or three-hundred thousand mothers away from their minor children?

Perhaps most important, we must determine whether past mistakes put almost one million mothers and 3.5 million children on welfare—and correct those mistakes.

And what of the hundreds of thousands of Americans who are part of the problem, but not on federally supported welfare programs?

This is only a preliminary collection of the most fundamental information on welfare. If more detailed studies and analyses confirm these preliminary findings, it will be relatively easy to define the target. The difficult task will be to resolve the issues such an analysis raises.

For identification of the problem, proper characterization of the issue is only the beginning.

It is easy to say that the issue is not states' rights, but states' responsibilities. The difficult task is to define those responsibilities, and for the governors to get their states to recognize and assume them.

It is easy to say that free enterprise requires partnership, not a wall of separation, between the Federal government and business and labor. The difficult task is to establish effective federal partnerships with business and labor to solve the problems of contemporary America. Consider the proposal to establish the department of business and labor.

It is easy to say that long-standing programs are obsolete and are only being continued by institutions which they themselves created. The difficult task is to replace the obsolete with programs tuned to the problems of today and tomorrow. Consider our attempts last year to change the school milk and land grant college programs.

It is easy to say that artificial boundaries drawn by pilgrims in New England or pioneers in the West more often hinder than help solve transportation and pollution problems. The difficult task is to transcend those boundaries and set up new institutions.

Solving the difficult tasks—proposing innovative solutions—brings us squarely into the politics of innovation. The first step in practicing the politics of innovation is education—a responsibility that is ours to share, you in the press and we in the government. For in a public educational process, the press is indispensable.

I have attempted to describe the way President Johnson would like the government to approach problem solving and decision making. But the President is the first to recognize that systems analysis—and the entire planning, programming and budgeting system—is no substitute for judgment, compassion, or indeed, decision making itself.

What this process can do for a President is inform his judgment, help translate his compassion into effective action, and help assure that his decisions are based on facts, alternatives and sound analysis. It can measure—to the extent that such things are measurable—the costs and benefits of different alternatives. It can show a President how much he will get for what he spends today—and how much more, or less, it will cost if he waits until tomorrow. But it can never substitute for the political philosophy of a President or a party, or a President's concern for the welfare of his people and his Nation.

Nor do I mean to suggest that we are on the verge of shattering every deeply imbedded principle of government. In our search for new solutions, we have no intention of ignoring the lessons of experience. Actually, we will learn more and more from our experience, as we systematically evaluate it.

But we will not be like Mark Twain's cat who once sat on a hot stove. The cat never sat on a hot stove after that—but he never sat on a cold one either.

What a systems approach represents—and all it represents—is a method of analyzing problems. We have not yet found the answers to all the questions we have raised. In some cases, we have only begun to pose the questions. In others, we have not yet even found the right questions to ask.

This disclaimer does not in any sense downgrade what I consider to be the value of the effort. I place that value very high—as high, indeed, as any government adventure of recent times.

All of us in this room have had experience with the crises of government which crowd other news off the front pages. But they are not what government is. The essence of government—the priceless quality which fuses it with the public will—is its capacity to respond to the needs of the people it serves. It is precisely to heighten this capacity that we have embarked upon the total system of analysis and problem solving that I have discussed tonight.

SOVIET VIETNAM WEEK AGITPROP

Mr. THURMOND. Mr. President, a most unusual article appeared in yesterday's New York Times relating to the American visit of a Soviet national, a certain Vasily V. Kuznetsov, otherwise reported to be Vasily V. Mozshechkov. The substance of this article, and of similar articles in other major publications, is that the FBI believes the man in question to be the top Soviet expert in the subversion of the United States. He is variously described as the director of the KGB's Division of Overseas Operations and as the Deputy Director of the American Division.

The story is that he arrived in New York on March 27, on a 35-day visa, visited Washington for a while, then with State Department permission returned to the Soviet U.N. mission in New York. Reportedly, he has been closely followed by FBI agents. At this point, I ask unanimous consent that the articles, "FBI Believes a High Soviet Intelligence Official Is Visiting United States under an Alias and Is Trailing Him," from the New York Times, April 19, 1967, "KGB Agent Enters United States Under Assumed Name," from the Washington Post, April 18, 1967, and "A Top Soviet Spy in the United States," from U.S. News & World Report, April 24, 1967, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 19, 1967]

FBI BELIEVES A HIGH SOVIET INTELLIGENCE OFFICIAL IS VISITING UNITED STATES UNDER AN ALIAS AND IS TRAILING HIM

(By John W. Finney)

WASHINGTON, April 18.—The Federal Bureau of Investigation believes that for the last three weeks a high ranking Soviet intelligence official has been visiting the United States under an assumed name on his passport.

The F.B.I. has been trailing the man since he arrived March 27 in New York with an aide, also identified as an intelligence officer.

On the basis of its own investigation, the F.B.I. is convinced that Vasily V. Kuznetsov, the name under which the man under observation is traveling, is actually Vasily V. Mozshechkov, a prominent official in the Soviet Union's Committee on State Security, known by its Russian initials as K.G.B. His job in the agency was described by some United States sources as director of the Division of Overseas Operations, by others as Deputy Director of the American Division.

His companion, who is traveling under the name Nikolai F. Vinogradov, believed to be his real name, was identified by United States officials as a lower ranking official in the Soviet intelligence agency.

The State Department, which granted a temporary visa to an official identified as Kuznetsov, was not convinced that it had been duped. A spokesman said the department was checking on whether a Soviet official had entered the United States under an alias and, at this point, could neither confirm nor deny that he was really Mr. Mozshechkov.

TEMPORARY VISA GRANTED

The F.B.I. declined all comment on the identity of the two Soviet officials. But high State Department circles indicated there was no doubt that the bureau privately was "leaking" information that a prominent Soviet intelligence official had been permitted to enter the United States under a false name.

Articles about the Russians' visit first appeared in The Daily News of New York and in U.S. News and World Report.

From information thought to be coming from F.B.I. sources it appeared that the bureau had no doubt about the identity of "Kuznetsov." But it appeared that the information conveyed to the State Department was not so definite.

The F.B.I. notified the State Department shortly after the two Russians had arrived in New York on a flight from Montreal. The report to the State Department, it was said, did not definitely identify one as Mozshechkov. Rather, it was said to have reported unsubstantiated information from an informant that Kuznetsov was Mozshechkov.

The F.B.I. information was believed to have been obtained from a Russian defector. Following its usual practice, the bureau is believed to have circulated among its informants pictures of the two Russians, who had applied for visas. One of the informants identified Mozshechkov.

At the request of the Soviet Foreign Ministry, the State Department granted temporary visas to two Soviet officials with the names Kuznetsov and Vinogradov. Both persons, according to State Department sources, were known to the United States Embassy in Moscow as "Soviet diplomats."

The information supplied by the Foreign Ministry was that the two officials were to be assigned temporarily to the Soviet Embassy in Washington. The two nations have a reciprocal practice of granting temporary diplomatic visas, and visas for a 35-day stay in the United States were readily granted.

Yesterday, the State Department's spokesman, Robert J. McCloskey, said the department had no reason to doubt that officials by the names of Kuznetsov and Vinogradov were the ones who had actually arrived in the United States. Today he was less definite, saying that the department was checking on their identity.

Two days after their arrival in New York, the two Russians drove by car to Washington, and were reported to be under constant surveillance. The two spent most of their time in the Soviet Embassy, but also did some sightseeing, visiting the cherry blossom festival.

With State Department permission, they returned to New York on April 11, staying at the Soviet mission to the United Nations. Riding in a chauffeured limousine, they were reported to have gone to Ohrbach's to shop.

The purpose of their trip remains unclear to United States officials. The general surmise is that the Russians are on an inspection trip to examine security arrangements. One possibility is that they are investigating the security aspects of a proposed new site for the Soviet Embassy here.

While primarily responsible for internal security, in much the same manner as the F.B.I., the Soviet agency also assumes some intelligence functions, handled in the United States by the Central Intelligence Agency. There was doubt in American circles, however, that the Soviet agency would send such prominent officials to engage in espionage work, such as making arrangements for new spy networks.

Their visas expire on April 30. The State Department could cut short the visas if it determined that the visa applications had been fraudulent, Mr. McCloskey, the State Department spokesman said today in response to questions that the use of an alias and the deliberate withholding of one's true name was "normally considered a fraud" under a section of the Immigration and Naturalization Law.

It appeared, however, that the State Department would be reluctant to take such punitive action. In the first place, there would be the difficulty of definitely establishing that Kuznetsov was really Mozschechkov. The only proof would probably be fingerprints, and Soviet Officials refuse to give them to American authorities.

But more important from the State Department's view, such punitive action could upset the practice under which temporary visas are used by both nations to send security or intelligence agents, sometimes under pseudonyms, into the other country.

The assignment of Soviet intelligence officers to the United States is not unusual. Many of the officials assigned to the Soviet Embassy and to the mission as well as some Soviet journalists are known to United States intelligence agencies to be working for Soviet intelligence.

[From the Washington Post, Apr. 18, 1967]

KGB Agent Enters U.S. Under Assumed Name

(By Richard Harwood)

One of the visitors at the Washington Cherry Blossom Festival this year, Government sources reported yesterday, was an official of the KGB—the Soviet military intelligence agency—who entered the United States under an assumed name last month.

He was identified as Gen. Vasily V. Mozshechkov, whose visa bore the name "Vasily V. Kuznetsov." The pseudonym led to momentary confusion because a ranking official in the Soviet delegation at the United Nations has the same first and last names. Mozshechkov's pseudonym, however, had a different middle initial.

Mozshechkov arrived in New York on March 27 carrying a diplomatic passport. The purpose of his visit is still the subject of speculation within the U.S. intelligence community.

In any case, Government agents claim to have spotted him the moment he set foot on American soil and to have had him under close surveillance thereafter.

He was said to have reached Washington on March 29 for "sightseeing" tours, including the Cherry Blossom celebration. He returned to New York on April 11, where he remains.

At the State Department yesterday, Press Officer Robert J. McCloskey refused to comment on the story. He would not confirm or deny that Mozshechkov and his traveling companion, Nikolai F. Niogradov, were KGB agents or officials, and would not confirm that they have been trailed by U.S. agents.

McCloskey was asked if entering the country with a visa bearing a false name was a violation of U.S. law. He said he would have to get a legal opinion in order to answer the question.

McCloskey indicated that as of now no action is being contemplated to shorten the visit of the two Russians. Temporary assignments to the United States by foreign government embassy personnel are not unusual, he said.

[From the U.S. News & World Report, Apr. 24, 1967]

A Top Soviet Spy in the United States

A top official in the Soviet Union's spy organization (KGB), Vasily V. Mozshechkov, has been in the United States traveling under another name. This official arrived March 27 in Washington as a guest at the Soviet Embassy, and left for New York April 11. This visit may have been in connection with the forthcoming start of flights by Aeroflot, the Russian airline, known as a big factor in Soviet spy activities.

Mr. THURMOND. Mr. President, the striking aspect of the Times articles is the reported reaction of U.S. officials to the incident. The State Department is mystified. Its spokesmen cannot imagine what Mozshechkov, alias Kuznetsov, might be up to. He is reported to have gone shopping like any capitalist tourist, and to have visited the Cherry Blossom Festival. There is doubt that such a prominent KGB official would have been sent upon an espionage mission. In other words, the State Department is once more arguing that the U.S.S.R. could not possibly be indulging in actions which, according to the State Department's view, are against the best interests of the Soviets.

Mr. President, I would like to suggest that Kuznetsov/Mozshechkov might have had a purposeful mission on his American visit, something perhaps of more consequence than shopping for souvenirs and inspecting the Cherry Blossom Festival. It must be remembered that he arrived in this country on March 27, came to Washington until April 11, and then, with the permission of the State Department, went to New York. By April 11, Washington's Cherry Blossom Festival was over and done with; but another festival, a festival of hate and hostility was beginning in New York. That, of course, was the most successful Communist agitprop operation in the United States to date, the so-called Spring Mobilization To End the War in Vietnam.

I do not think that anyone who has read the temperate and carefully phrased report of the House Committee on Un-American Activities could disagree that the spring mobilization was a Red-promoted operation from top to bottom. That report is entitled "Communist Origin and Manipulation of Vietnam Week." Not all who took part were Communists by any means, but experts on Communist techniques have long demonstrated that a handful of organized Reds can control the direction of a mass propaganda movement. Communist Party regulars began publishing their plans as long ago as spring 1966. Open and admitted Communists were sprinkled through the spring mobilization, just as in the old days of the United Front tactic in the thirties. The spring mobilization was well financed and organized. Its propaganda could have been written in Hanoi—or in the Kremlin.

It is reasonable to believe, therefore, that the brains behind such an operation would be somewhere near the scene of this dubious triumph. It is a known technique of Communist operation for the open agents of the party to report to their secret superiors after the staging of a public demonstration. Furthermore, a study released in recent weeks by the Senate Internal Security Subcommittee, entitled "Communist Party U.S.A.—Soviet Pawn," demonstrates conclusively that Communist Party U.S.A. is still under the direct control of its Soviet masters. How convenient, then, for the man who is reputedly the Soviet boss of Communist subversive activities in the United States, to appear on the scene on the eve of the demonstrations his division doubtless had been planning for months.

Astonishing as his brazen appearance might seem, no doubt he was more astonished by the success of his manipulations. The demonstrators last weekend may have represented only the lunatic fringe of the population. The organizers of the demonstration argued over the official estimate of 125,000 participants, no doubt in hopes of making a better impression on their bosses. But unfortunately, the demonstrators included in their midst many names of some prominence and respectability. A remarkably candid and remarkably fatuous article which appeared in Monday's Washington Post describes the reactions of the participating wealthy echelons usually referred to as "society." Here one finds such names as Mrs. Drew Pearson, Mrs. Justice Douglas, Mrs. Cyrus Eaton, Mrs. Henry Reuss, and others whose positions should have instructed them in recognizing Communist techniques. It is quite fitting that their march began in Central Park's Sheep Meadow, for these people were surely dazed sheep led to the slaughter. Thus the capitalists are tricked into providing the warm bodies for Communist revolutionary activity. Psychologists say that a terrified victim frequently sides with his attacker and submits meekly to his fate in order to avoid the anticipation of the blow. I am sure that Kuznetsov/Mozshechkov, if indeed it was he, must have smiled as he beckoned his victims on.

Mr. President, I ask unanimous consent that the articles "Police Estimate on Rally Scored," from the New York Times, April 19, 1967, and "March to Beat of Different Drums" from the Washington Post, April 17, 1967, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 19, 1967]

Police Estimate on Rally Scored—"Deliberate Lying" Charged by Head of Antiwar March

(By Bernard Weinraub)

The controversy over the crowd estimates in Saturday's antiwar demonstration here continued yesterday as leaders of the march charged that the city's police and its newspapers were "deliberately lying" in reporting the number of protesters.

"There was a minimum of 400,000 people there," said Robert Greenblatt, assistant professor of mathematics at Cornell University and one of the co-chairmen of the Spring Mobilization Committee To End the War in Vietnam.

Jacques Nevard, the Police Department's deputy commissioner for press relations, said that 100,000 to 125,000 people had marched in the demonstration.

He said that on the basis of mathematical studies of the area there could only have been "about 29,000 at the peak" in the United Nations Plaza—where the rally denouncing United States policy in Vietnam was held.

In issuing figures that asserted that only 29,000 people were in the United Nations

Plaza at any one time, the Police Department contradicted the Rev. Dr. Martin Luther King, Jr., one of the rally's speakers, who had estimated that about 100,000 to 125,000 people were in the Plaza as he spoke.

Over the weekend, Dr. King had also said that 300,000 to 400,000 people had paraded from Central Park's Sheep Meadow to the United Nations. The department disagreed.

"The estimate had nothing to do with police feelings," said Mr. Nevard heatedly. "We have no feelings in this matter. Whether a crowd is large or small is of no concern to the police except as a police problem."

Professor Greenblatt and other leaders of the demonstration held a news conference yesterday at the Spring Mobilization headquarters at 857 Broadway, on the corner of 17th Street.

Discussing the crowd size, Professor Greenblatt said: "It was the largest demonstration this country has ever seen. There was a minimum of 400,000 people there."

Other speakers also said that police figures were far too low, including the Rev. James Bevel, the national director of the Spring Mobilization, who accused the police and newspapers of "deliberately lying in reporting the number of those in the demonstration."

The antiwar committee disclosed that "an independent survey" on the crowd size would be conducted by Serge Boutourline, Jr., who said he had conducted crowd studies.

Mr. Boutourline said later that he would start viewing movies of the demonstration on Thursday morning and that, in the next four days, he would collect still photographs taken from helicopters and roofs.

Both Mr. Boutourline and police officials said that aerial shots of the demonstration were scarce because of the cloudy weather on Saturday.

As the antiwar committee officials held their news conference, Mr. Nevard issued a series of police figures "based as near as we can to mathematical accuracy" on the size of the crowd.

"That 125,000 figure in U.N. Plaza is a physical impossibility," Mr. Nevard said.

"First of all, the space between police barriers on First Avenue [or United Nations Plaza] from 47th Street to 44th Street was 64 feet wide and extended south 650 feet," Mr. Nevard said. "Assuming that the crowd here was in maximum density—at one person for every three square feet—there would have been approximately 13,860 persons."

"On 47th Street, where the crowd was held between barriers 62 feet apart and extended back about 500 feet, it works out to about 10,330 persons."

"And on the side streets, 44th, 45th and 46th Streets, we figure a maximum density of 5,700 persons."

"We come up with about 29,000 at the peak in U.N. Plaza."

Discussing the over-all march, Mr. Nevard said: "Our spot check showed that 20,000 persons arrived in the first hour at the Plaza. Then the rate of march slowed down to about 10,000 an hour."

The total crowd count for the march was 125,000, Mr. Nevard said. "That's still a hell of a figure, isn't it?," he said.

"If you're giving a crowd estimate at Shea Stadium it's one thing," said one of the highest officials in the department. "If you're giving a crowd figure for a march through the city streets, it's something else."

The official, who declined to be identified, said that police generally find the square footage of the area where a crowd is massed and divide the number by either three, four or five square feet—depending on the density of the crowd.

"If it's a real compact crowd—if there's no space at all—it's three square feet per person," said the official. "If there's more room, it's four or five square feet per person."

"Basically, to give a crowd estimate while a demonstration is going on is difficult," said the official. "It's very, very difficult."

INQUIRY ON FLAG BURNING

Police Commissioner Howard R. Leary, meanwhile, has ordered an investigation of the burning of an American flag in the Sheep Meadow in Central Park during the peace demonstration Saturday.

Mr. Nevard said Mayor Lindsey had requested a report on the investigation.

He added that the police were studying photographs of the flag-burning in an effort to identify any participants. Under state law, burning an American flag is punishable by a fine of up to $50.

Although hundreds of Federal agents and local police were in the Sheep Meadow when the flag was burned, it was understood that none were close enough to stop it and that the police were reluctant to take any action that might provoke disorder.

[From the Washington Post, Apr. 17, 1967]

March to Beat of Different Drums

(By Scottie Lanahan)

8 a.m., Saturday—Very hot in Washington. Decide to wear light spring dress, suitable for marching from Central Park to United Nations. Pick up Mrs. Drew Pearson, wearing cotton suit, and her step-grandson Drew Arnold, tall, handsome, red-headed student at GW.

9 a.m.—Arrive National Airport . . . Justice William Douglas is there, with arm around blond bride Cathy, dressed in khaki military-type jacket . . . also gorgeous brunet Linda Merrifield, whose husband is law clerk to Justice Douglas. Mrs. William Fulbright is supposed to have come; doctor said no. Only Congressional wife is Mrs. Henry Reuss (husband, D-Wis.) with daughter Jackie, senior at Sidwell Friends.

9:15 a.m.—Private plane belonging to Mrs. Cyrus Eaton, wife of magnate who befriended Khrushchev, lands from Cleveland, scoops up marching party. Seats arranged like living-room furniture . . . make mistake of riding backwards, very woozy-making. Anne Eaton who looks like Greer Garson, gives out marching orders and picnic lunches.

10:30 a.m.—Land Newark, met by two sleek black rented limousines. Mrs. Eaton carried off plane in wheel chair—she is partially paralyzed by polio. Tells us on way into town she asked everybody she knew whether being pushed across New York would look ridiculous, and all said yes.

"So I decided to do it anyway," she says. She is on national committee for March, one of founders of Women's Strike for Peace.

11:30 a.m.—Arrive Central Park. Freezing cold, put on coats, mine comes to ankles, never mind, there are plenty of other peculiar-looking people around.

BLUE JEANS AND DAFFODILS

Look for Communists, Trotsky Revisionists, Black Muslims and so on . . . only see masses of Greenwich-village young people wearing blue jeans and daffodils, apparently new rage imported from London. Indians from South Dakota, never been to New York before, look frightened by microphones thrust under their noses.

Dagmar Wilson, Washington founder of Women's Strike for Peace, frantic: police force has rearranged all plans at last minute. Committeewoman gets in physical combat with photographer closing in on Martin Luther King. Harry Belafonte offers arm to Cathy Douglas.

12:30 p.m.—Spill out of park onto 59th St., then down Madison Ave. Lines bedraggled, atmosphere quite gay, not at all like Civil Rights march on Washington, which had almost religious feeling.

Bystanders three-deep along sidewalks strangely quiet. One shouts, "You're all Communists," another, "You ought to have your brains washed." A few clap. Most just stare.

Absence of singing noticeable. Once in a while, young group starts up with "Hey, hey, LBJ, how many kids have you killed today?" Others eye them anxiously, questioning taste. At 52nd St., anti-anti-war group runs along sidewalk parallel to march with sign, "Doctor Spock Smokes Bananas," and shouts of "Ho, Ho, Ho Chi Minh, how many kids have you done in?" Trotsky Revisionists?

GUITARS AND HELICOPTERS

1:30 p.m.—Reach UN Plaza. Large crowd already waiting. TV cameras on tops of buildings shrouded in smog. Pete Seeger, Daddy of the social-message folk singers, gets crowd to chant with him, "One, two, three, four, Stop, This, Lousy, War." Raised platform packed with guitars. Helicopters fly overhead, drowning out songs. Ordered out by McNamara?

3 p.m.—Speeches start. Announcement made Central Park is still filled—crowd roars with pleasure. Twenty lost children are found. Martin Luther King gets ovation. Like other Negro speakers, he emphasizes civil rights aspect of war, but gets most applause when he is most general, for example when quoting President Kennedy: "Mankind must eliminate war, or war will eliminate mankind."

Dr. Benjamin Spock, the baby and child care expert who is dedicating his life to the peace cause, and Dr. Linus Pauling, the Nobel-prize-winning atomic scientist, speak briefly. They look cold and out-of-place, bundled up in their good manners among the arrogant and bearded intimates of the civil rights leaders, who hug each other with joy when Stokely Carmichael calls the Secretary of State a "fool," and the President a "buffoon."

"A PSYCHEDELIC WAR"

"White people are sending black people to fight yellow people to keep them from becoming red," says Carmichael, the other civil rights idol of the occasion. "You might almost call it a psychedelic war." The crowd titters. A small, vociferous group yells "Black Power" over and over.

Carmichael is sensitive-looking, but obviously a victim of his own fame, like a movie star. Followers grab at him, whisper to him, acting as bodyguards or advance men. Defensive, as if he were a sort of God.

4:30 p.m.—Starts to rain. Our little band already frozen, decides to take advantage of our advantages, like limousines. Limousines disappear. Find Carey limousines. On way back across town, cross last section of march, still filling streets.

On way to Newark, stuck in gigantic traffic jam . . . truck is turned over on side, lying in middle of highway. Discuss march. Hostess Anne Eaton, is pleased by size of turnout, not as worried as rest of us about confusion of two causes.

"We need as many people under the umbrella of the fight for peace as we can get," she says. "Maybe they're not all our best friends, and maybe we don't approve of everything they said, but as long as we have a common end, we're getting somewhere."

NOT JUST BUNCH OF BEATNIKS

6:30 p.m.—Back on plane for Washington, bar open, Mrs. Eaton's step-grand-daughter-in-law, Cris LeFevre, married to Dr. Robert LeFevre of Cleveland, wraps blankets around those still shivering.

Round-table discussion about why this sudden merger of the civil rights and anti-war movements. Surely not just whim of Martin Luther King. Agreement that in a subtle way, deep in the national consciousness, the fight for racial equality and national self-determination are related. Marchers were not "just a bunch of beatniks," we agree. Do not feel entirely comfortable, however, with the sudden shift, much as we're all for civil rights.

8:00 p.m.—Land in Washington. Boiling hot. Thank Mrs. Eaton. Get stuck in monumental traffic jam going over Key Bridge; accident. Luvie Pearson loses front-door key.

9 p.m.—Reach home, have supper, crawl in bed. Wonder what in the world good accomplished. Reassuring that at least Administration has tangible proof that American people have no heart in war, only faith in Administration. Figure that is good for Administration to be reminded of. Go to sleep feeling like Trotsky revisionist, coddled by Capitalism.

HUMAN RIGHTS TREATIES: WHY IS THE UNITED STATES STALLING?—LVI

Mr. **PROXMIRE**. Mr. President, in the current issue of Foreign Affairs, William Korey has written a most scholarly and perceptive article on the U.S. failure to ratify any of the Human Rights Conventions.

I have the pleasure of knowing Mr. Korey and can attest to his own sincere dedication to the cause of human rights as well as his prodigious accomplishments in that field.

Formerly on the faculty of Columbia University and City College of New York, Bill Korey serves as B'nai B'rith representative at the United Nations.

In this article which I commend to all my colleagues, Bill Korey makes a compelling case for the U.S. ratification of the Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

I request unanimous consent that Mr. Korey's article entitled "Human Rights Treaties: Why Is United States Stalling?" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Foreign Affairs, April 1967]

HUMAN RIGHTS TREATIES: WHY IS THE UNITED STATES STALLING?

(By William Korey)

Twenty years of effort by the United Nations to give vitality and concrete form to the Universal Declaration of Human Rights will be celebrated in 1968, designated by the General Assembly as International Human Rights Year. From 1945 to 1948 the United States delegation led the movement for the enactment of the Declaration as the embodiment of basic democratic political ideas. But since then, while the United Nations has been struggling to establish global norms of conduct, the United States has been the chief laggard in translating them into international law. At the present time the U.S. Senate has yet to ratify a single human rights treaty.

By next year the United Nations and its specialized agencies will have completed about a dozen conventions on human rights, including one banning religious intolerance (scheduled for adoption in the 1967 session of the Assembly), and the twin covenants on civil and political rights and on economic, social and cultural rights. Thereafter the focus of the effort will shift to methods and machinery for effectively implementing the measures.

When it established International Human Rights Year the General Assembly singled out nine conventions which all member states were specifically "invited" to ratify "before 1968." Failure to ratify will no doubt limit a government's effectiveness in the U.N.-sponsored intergovernmental conference to be held in Tehran in the spring of 1968. There stress will be placed upon procedures for implementation, and treaty abstainers, however shielded by legalisms, can expect to be made acutely uncomfortable. One of these will be the United States unless the Administration takes vigorous steps this year to overcome the "lingering Brickeritis" that has afflicted the Senate for well over a decade.

The failure of the United States to ratify human rights treaties has seriously embarrassed the conduct of its policy at the United Nations and prevented it from effectively championing the rule of law on an international scale. On almost every occasion when we have advanced or supported proposals for the protection of human rights, our justification for doing so has been forcefully challenged by the Soviet Union. As the Russians point out, a power that has refused to accede to any human rights treaty is scarcely in a position to advise on enforcement procedures. Our pronouncements in the field of human rights are often branded as brazen hypocrisy, and it is said that the kind of company we keep in failing to ratify a single human rights treaty—South Africa and Spain—testifies to the American purposes.

The Administration is acutely aware that the developing countries of Africa and Asia measure us in terms of our commitment to the advancement of human rights both at home and abroad. President Johnson emphasized this point in his speech to African ambassadors at the White House last May:

"The foreign policy of the United States is rooted in its life at home. We will not permit human rights to be restricted in our own country. And we will not support policies abroad which are based on the rule of minorities or the discredited notion that men are unequal before the law.

"We will not live by a double standard—professing abroad what we do not practice at home, or venerating at home what we ignore abroad."

Concern on this score no doubt hastened the significant decision taken by the Administration on September 28, 1966, to sign the U.N. Convention on Racial Discrimination. While signing an international treaty does not, of course, assure that ratification will follow, it does suggest a solemn commitment by the Administration to exert the required effort to attain this objective. No one can be optimistic at this late date, and particularly after the effects of the "white backlash," that the Senate will quickly reverse a position that has already hardened, but at least the Administration has indicated its intention to make a determined effort to convince the Senate that a policy sponsored by John Bricker and formally enunciated by John Foster Dulles must now be revised.

II

By urging U.S. ratification of international human rights treaties, the Administration would be continuing an effort begun by American policy-makers after the war to implement the "Four Freedoms" announced by President Franklin D. Roosevelt on January 6, 1941, reiterated in the Atlantic Charter of the same year and elaborated in the Dumbarton Oaks "Proposals" of 1944. At the founding of the United Nations in San Francisco in April 1945, American delegates were instrumental in the drafting of the Charter, which made the promotion of human rights a central focus of the world organization.

Led by Mrs. Eleanor Roosevelt, the U.N. Commission on Human Rights recommended the creation of an "International Bill of Rights" to be comprised of a declaration (the "Universal Declaration of Human Rights," adopted in Paris, December 10, 1948), a legally binding covenant (or convention) and "measures of implementation." The projected covenant (split into two separate parts), together with implementation clauses, was finally adopted by the twenty-first session of the General Assembly in December 1966, thereby—as U Thant noted—"fulfilling one of the promises made at San Francisco in 1945."

Already, through the Nuremberg Tribunal, of which the United States was a major architect, the rule of law as applied to criminal violations of human rights had been given a firm foundation. Thus President Harry Truman could comment in November 1946 that the "undisputed gain" of Nuremberg is "the formal recognition that there are crimes against humanity." Recognized among the "crimes against humanity" were persecutions on political, racial or religious grounds whether or not sanctioned by domestic law. In consequence of this "revolution in international criminal law," an erosion of the earlier principle of exclusive domestic jurisdiction in the area of human rights had taken place. The General Assembly was later to endorse the new principle of the Nuremberg Tribunal.

One expression of this principle was the Genocide Convention, the first human rights treaty adopted by the United Nations (December 9, 1948). This convention branded as a crime "acts committed with an intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such." Today it is all but forgotten that the United States played a key role in its drafting, and that the text was formulated in terms of familiar Anglo-American legal theory and couched in language of traditional American common law concepts. In a speech to the General Assembly shortly before the treaty's adoption, Assistant Secretary of State Ernest A. Gross, the head of the American delegation, drew attention to the prominent part played by the United States in bringing the treaty into existence:

"It seems to the United States delegation that in a world beset by many problems and great difficulties, we should proceed with this Convention before the memory of recent horrifying genocidal acts has faded from the minds and conscience of man. Positive action must be taken now. My Government is eager to see a Genocide Convention adopted at this session of the Assembly and signed by all member states before we quit with our labors here."

Two days after the convention was adopted by the Assembly, the United States appended its signature.

For a time it seemed that U.S. ratification would come swiftly. On June 16, 1949, President Truman transmitted the Genocide Convention to the Senate, asking for its consent. A subcommittee of the Senate Foreign Relations Committee held public hearings in January and February 1950, during which an Administration spokesman, Deputy Under Secretary of State Dean Rusk, testified that ratification was necessary to "demonstrate to the rest of the world that the United States is determined to maintain its moral leadership in international affairs and to participate in the development of international law on the basis of human justice."

In May 1950 the subcommittee reported favorably on the convention to the full committee, but to meet objections from segments of the legal profession as well as from conservative political forces, the subcommittee recommended that four "understandings" and one "declaration" be embodied in the resolution consenting to ratification. The "understandings" were designed to clarify the Senate's interpretation of certain language in the convention and to prevent its being applied against the United States in the event, for example, of a single lynching. The most important clarification was designed to meet objections that the treaty might adversely affect federal-state relations by sapping the authority of states on criminal matters. The proposed "declaration" met the constitutional issue by noting that the Senate considers ratification "to be an exercise of the Federal Government to define and punish offenses against the law of nations, expressly conferred by Article I, Section 8, Clause 10, of the United States Constitution. . . ."

Even these clarifications—which many thought unnecessary because they were self-evident—failed to elicit positive action by the full committee. A resurgent "nativism," which was gaining momentum from the McCarthy movement, gave support to those who felt that our sovereignty might be undermined by the United Nations and the legal instruments it was forging.

The Eisenhower Administration finally smothered the Genocide Convention and, indeed, all hope of ratification of other human rights treaties then being considered by U.N. bodies. This was a response to Senator John Bricker's campaign to restrict the presidential treaty-making power, in which he argued that human rights treaties would upset the prevailing balance of federal-state powers. According to Senator Bricker's adherents, the constitutional provision that made treaties the supreme law of the land provided a loophole whereby matters constitutionally within the province of the states would come under federal jurisdiction. (In *Missouri v. Holland*, the Supreme Court had held in 1920 that the Constitution authorizes Congress, in implementation of valid treaty commitments, to pass legislation on certain matters otherwise reserved to the states.)

Partly in order to weaken the offensive against the presidential treaty-making power, John Foster Dulles, on behalf of the Administration, committed the government not to adhere to "formal [legal] undertakings" on human rights, but rather to seek the promotion of human rights everywhere by "methods of persuasion, education and example." He went on to tell a subcommittee of the Senate Judiciary Committee on April 6, 1953, that the Administration would not "become a party to any [human rights] covenant or present it as a treaty for consideration by the Senate." The Secretary of State supported his statement with an argument which, though hoary, continues to be accepted even today by some members of the American Bar Association. The treaty-making power, he insisted, cannot be used "as a way of effectuating reforms, particularly in relation to social matters." It would be a reversal of the "traditional limits" of the exercise of treaty-making, he declared, to use it for the purpose of effecting "internal social changes."

This classic viewpoint had been stated by Charles Evans Hughes in 1929 when he contended that the treaty-making power must be used only "with regard to matters of international concern." But the fact is that various human rights have been dealt with and protected by international treaties since the seventeenth century. The Treaty of Westphalia in 1648, for example, provided for equality of religious rights in Germany. The Congress of Vienna in 1815 advocated the free exercise of religion. And as part of the settlement following the First World War, a number of treaties involving states of Central and Eastern Europe carried elaborate provisions for the protection of minorities, with the League of Nations as a guarantor. During the nineteenth century the United States Government itself was a party to dozens of treaties regulating the slave trade.

It is now clear that the Dulles doctrine struck at the very heart of those U.S. foreign-policy goals elaborated during and after World War II which had given emphasis to the intimacy between domestic suppression and foreign aggression, and which had underscored the necessity of extending the rule of law to the world arena. Ironically, Dulles himself, as a member of the U.S. delegation to the General Assembly in 1948, had urged the drafting of a covenant that would translate human rights into law. In an effective speech then, he drew an analogy between the American Declaration of Independence and the Constitution, on the one hand, and the Universal Declaration and the International Covenant, on the other, observing that legally binding instruments followed and gave force to inspirational declarations.

III

Bricker and Dulles notwithstanding, the fifties and early sixties saw the adoption (usually by unanimous vote) of conventions on: the status of refugees (1951); the political rights of women (1953); the status of stateless persons (1954); the abolition of forms of servitude akin to slavery (1956); the abolition of forced labor (an International Labor Organization treaty in 1957); the nationality of married women (1957); discrimination in employment and occupation (by the I.L.O. in 1958); discrimination in education (a UNESCO Convention in 1960); the reduction of statelessness (1961); and the free consent to and minimum age of marriage (1962).

These efforts were capped by the General Assembly's adoption on December 21, 1965, of the Convention on the Elimination of All Forms of Racial Discrimination, the most important treaty to date in the field of human rights. Described by Ambassador Arthur Goldberg as going "to the core of so much of the turmoil and injustice that still marks the world of the Twentieth Century," it constitutes a remarkable breakthrough both in its coverage and its machinery for implementation. Credit for this achievement must go to the powerful Afro-Asian bloc which is particularly sensitive to racial issues.

This convention transcends the race issue. It forbids all forms of discrimination based upon "color, descent, or national or ethnic origin." Thus it was made clear during the U.N. debate that the convention covers anti-Semitism and "every one of . . . [the] varied manifestations and guises [of racial discrimination] even if not specifically mentioned by name." As impressive as the scope of the convention is the machinery created for the enforcement of its provisions. No other U.N. convention provides a special and permanent organ to deal on a continuing basis with implementation (although a few allow for the submission of unresolved disputes to the International Court of Justice).

The new convention creates a permanent eighteen-member organ—the "Committee on the Elimination of Racial Discrimination"—elected for a four-year period, by and from the ratifying powers. This committee is to receive from contracting states on a regular basis reports of measures taken to fulfill the obligations spelled out in the convention. The reporting procedure constitutes a crucial element in the implementation machinery. For, given the present character of the U.N. and the supremacy of national sovereignty, the most effective means of enforcing human rights is moral suasion. To the extent that contracting states are obligated to report regularly, they are under constant pressure to fulfill treaty provisions. Moreover, the committee may, if it so desires, require a report from a contracting state at any time and, beyond this, can seek "further information."

Clearly, the committee potentially can wield considerable moral authority. In addition to receiving and seeking information, it is required to submit to the General Assembly, through the Secretary-General, an annual report on its activities. Thus it can focus the spotlight of world opinion upon developments in individual countries. Furthermore, the convention gives the committee the additional right of "making suggestions and general recommendations" to the Assembly, based upon its examination of the reports and information received. This right, if exercised, could become a potent force, perhaps resulting in the critical evaluation of reports submitted by contracting states. It is precisely the absence of machinery for critical evaluation that makes the current U.N. reporting system on human rights so inadequate (the I.L.O. excepted).

IV

In December 1962, President John F. Kennedy instructed the American delegation to the U.N. to sign the marriage convention. By 1963, he had become acutely conscious of the importance of human rights as a factor in the world situation. His historic American University address of June 10 in that year underscored the theme that peace itself "in the last analysis" is "a matter of human rights." In a wide-ranging speech to the General Assembly in September, he once again reasserted the earlier determination of U.S. policy-makers to assume the leadership in promoting human rights everywhere and advancing the rule of law on an international scale. Convinced that the Dulles policy must finally be eliminated, President Kennedy transmitted to the Senate in July 1963 three human rights treaties—those dealing with political rights of women, slavery and forced labor. Urging the Senate's consent, he observed: "The United States cannot afford to renounce responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny."

The treaties selected for transmittal were deliberately chosen to avoid the constitutional issue. The Nineteenth Amendment had brought the political rights of women clearly within the federal jurisdiction; similarly the Thirteenth Amendment had made slavery and forced labor a federal concern. Had he lived, President Kennedy would no doubt have pressed for ratification of these treaties and very likely gone on to urge U.S. accession to other treaties. Until very recently, the Johnson Administration has done little to pursue the Kennedy objective.

The failure to ratify human rights treaties has made it difficult, if not impossible, for the United States to take a constructive part in the effort to implement human rights goals. In March of last year, when an American delegate strongly endorsed the establishment of a U.N. High Commissioner for Human Rights—a Costa Rican initiative—the Soviet Union's representative was able to charge that U.S. advocacy was "hypocritical" and "almost indecent," since the Americans "resolutely refuse to accept legal obligations" contained in international treaties on human rights.

The U.S.S.R. rarely misses an opportunity to note that the United States has yet to ratify the genocide treaty. A typical article from *Pravda* (April 24, 1966) reads:

> "It is characteristic that several imperialist powers, in the first place the U.S.A., which has paid lip service to the campaign to halt genocide, have not ratified this convention.
>
> This is no accident. Racial and national oppression is still very widespread in the United States of America."

Of course the Soviet charges have not fallen on deaf ears. Indeed, many delegates at the U.N., including those from friendly and neutral states, find the U.S. failure to ratify human rights treaties incomprehensible and privately question the sincerity of our advocacy of proposals such as that for a High Commissioner for Human Rights. For the majority of states have not been laggard in ratifying the conventions. For example, as of November 1, 1966, 69 countries had ratified the Genocide Convention (the United Kingdom, a long-time abstainer, will soon join); 75 had ratified the Forced Labor Convention; 67 the Slavery Convention; 56 the Employment Discrimination Convention; and 50 the Political Rights of Women Convention.

Besides embarrassing the United States in the conduct of its U.N. policy, abstention precludes the possibility of our complaining effectively about the non-implementation of any convention by a ratifying power. Only those who are contracting parties to a convention are in a position to "blow the whistle" on violations of treaty obligations by an acceding state.

There are, of course, those who consider that the interests of the United States are secured not by building an effective structure of international law but by the use of power. Dean Acheson gave expression to this view when, in his lecture at the University of Virginia on May 7, 1966, he asserted that in the world today the pursuit of peace through law is "illusory." Ambassador Goldberg rebutted the Acheson approach in a lecture at Columbia University twelve days later. Noting that the United States derives its influence "not only from great physical power, but also from the fact that our basic law and our national outlook are premised on the equality and dignity of all men," he went on to say that "the way to peace is . . . to work with all our might for the establishment of a structure of law that will be reliable. . . ."

The clash of views was renewed at the end of 1966 on a related issue. Responding to the Administration's action in supporting U.N. economic sanctions against Rhodesia, Mr. Acheson charged that it transgressed "the First Commandment" of the U.N. Charter: there must be no threat or use of force against the territorial integrity of another state. Ambassador Goldberg, speaking before the Association of American Law Schools on December 29, emphasized that law must foster in the international realm "the same creative and positive values which nations, at their best, have fulfilled in their domestic life." In a crucial passage he declared: "Law must operate to eliminate discrimination, to assure human rights. . . ."

V

An indication that the Johnson Administration may be returning to the earlier objective of advancing the rule of law by promoting human rights treaties is the decision to sign the Convention on Racial Discrimination. But will the President press for its prompt ratification, so that the United States may become a member of the all-important enforcement organ of the treaty?[1] Resistance can be expected from those in the Senate who will contend that racial discrimination is not a matter of "international concern" and therefore not an appropriate subject for a treaty. But this argument becomes less and less meaningful when apartheid in South Africa, the race problem in Rhodesia and the ethnic conflict in Cyprus rank so high on the U.N. agenda.

It will also be argued that parts of the convention clash with the American Constitution and that Article 4, which calls for a ban on "all dissemination of ideas based upon racial superiority or hatred," and all "organizations" and "propaganda activities which promote and incite racial discrimination," threatens freedom of speech and association. While the convention makes an effort to balance these restrictions by requiring "due regard" for the principles of "freedom of opinion and expression" and "freedom of peaceful assembly and association" embodied in the Universal Declaration of Human Rights, the imprecision of the language does raise a serious question.

When the convention was still in the drafting stage in 1964, the United States objected to language which obligated member states to outlaw organizations that not only "incite" but also merely "promote" racial discrimination. Prior to the final vote on the convention in the General Assembly, Ambassador Goldberg interpreted the language of Article 4 in the context of the "clear and present danger doctrine; "a government should only act where speech is associated with, or threatens immediately to lead to, action against which the public has a right to be protected." In the absence of such a threat, he went on, the article "does not obligate a state to take action that would prohibit its citizens from freely and fully expressing their views on any subject no matter how obnoxious they may be, or whether they are in accord with government policy or not."

This position was reiterated in the statement which accompanied U.S. signature of the convention: "The Constitution of the United States contains provisions for the protection of individual rights such as the right of free speech, and nothing in the Convention shall be deemed to require or to authorize legislation or other action by the United States of America incompatible with the provisions of the Constitution of the United States of America." Since the convention provides for the use of reservations in so far as they are compatible with "the object and purpose" of the treaty, a reservation incorporating this view could be appended to the ratification.

The other principal U.N. human rights treaties do not pose this problem. A panel of distinguished citizens at a 1965 White House Conference on International Cooperation urged the Administration to press for "prompt" ratification of the Genocide Treaty and the three treaties transmitted to the Senate by President Kennedy. The panel went further and recommended ratification of the UNESCO treaty on nondiscrimination in education, and two I.L.O. treaties barring discrimination in employment and in pay. The question is whether President Johnson, as International Human Rights Year approaches, will heed this advice and give it a high priority. Unless leadership is forthcoming, the malaise of Brickeritis in the upper legislative chamber will continue to embarrass the United States and impede the achievement of its international goals.

COMPREHENSIVE PLANNING AND COORDINATION ACT OF 1967

Mr. SCOTT. Mr. President, on April 17, I introduced amendment No. 165 to S. 1445, a bill to amend and extend laws relating to housing and urban development.

My amendment strikes section 209 of S. 1445 and adds a new title, the Comprehensive Planning and Coordination Act of 1967.

I ask unanimous consent that a summary of the proposed new title be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF SENATOR SCOTT'S PROPOSED COMPREHENSIVE PLANNING AND COORDINATION ACT OF 1967

1. *Purposes:*

a. To encourage States, metropolitan areas, and other multijurisdictional districts to engage in comprehensive planning, programming, and coordination, and to give incentives for such activity.

b. To improve coordination of programs within the Federal Government itself (the Office of Emergency Planning in the Executive Office of the President would be renamed the Office of Comprehensive Development and Emergency Planning, and would be charged with administering the Act).

c. To establish a framework for nation-State-local program budgeting systems and to provide incentives for participation.

d. To permit a more complete view of State and local needs and thus improve the ability of the Federal Government to allocate its resources.

2. *Provisions:*

a. Encourages the establishment of a single comprehensive planning, programming, and coordination staff in each governor's office and defines the State planning, programming, and coordination function.

b. Encourages the establishment of policy-based planning, programming, and coordination processes in development districts and metropolitan area, responsible to the elected officials of the unit or units of general local government comprising a development district or metropolitan area.

c. Provides for coordination of Federal assistance programs through State, metropolitan area, and development district planning, programming and coordination agencies. After June 30, 1968, any application for a Federal loan or grant to an agency of State government would be accompanied by the comments of the comprehensive planning, programming, and coordination unit of the State government. Such comments would relate the activities and plans to be assisted under the loan or grant to State comprehensive development plans and programs. The same review procedure would apply in the case of applications for a Federal loan or grant to an agency of local government within a development district or metropolitan area. In addition, any Federal agency contemplating direct Federal activities that may significantly affect the development of a State, development district, or metropolitan area (e.g., construction of a post office) is to consult with the Governor or the development district or metropolitan area comprehensive planning unit regarding the relationship of the contemplated activity to the planning program of the State or of the development district or metropolitan area.

d. Authorizes any two or more States to enter into agreements or compacts for cooperative efforts and mutual assistance in comprehensive planning and development of interstate areas, and provides incentives to the organization of State and metropolitan area comprehensive planning, programming and coordination units. State matching funds would not be required until after June 30, 1970 for certain planning activities.

e. Provides for notification and information, upon request of the Governor concerning Federal grants-in-aid available to or allocated to each State.

f. Provides that a State *may* submit an annual development program setting forth a four-year development program with an indication of those projects for which Federal assistance may be sought, a development budget for the ensuing Federal fiscal year, and the amount of Federal assistance which will be sought. The same option is available to development district or metropolitan area comprehensive planning units, which will submit their development programs *through* the State planning agency for appropriate comments.

g. Provides that any State, development district, or metropolitan area submitting such an annual development program may receive a Federal grant equal to three-fourths of the cost of comprehensive planning, programming, and coordination activities (instead of two-thirds); where Federal planning grants already constitute three-fourths of such costs, they may be increased to 90 per cent. (This makes it feasible for States, development districts, and metropolitan areas to participate in the national program budgeting system [PPBS] and thereby provides a State input into the Federal budget-making process.)

h. Specifies which political jurisdictions are eligible for Federal planning assistance under the Act; authorizes $50 million for FY 1968 and $75 million each for FY 1969 and 1970 for planning assistance to them.

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[1] The organ is to be elected six months after 27 governments have ratified the convention. Were the United States to be one of the ratifiers, it would undoubtedly be elected to the eighteen-member body.

i. Allots a minimum of $50,000 to each State for comprehensive State planning, programming and coordination, and between $20,000 and $50,000 to each metropolitan area for comprehensive planning. An additional 40 per cent of the annual appropriations is to be allocated among the States on a straight per capita basis. To receive the "basic" allotment, the State or metropolitan area is to submt an annual work program indicating the comprehensive development planning, programming, and coordination activities which it has scheduled for the approaching Federal fiscal year, including assistance to sub-State planning activities along with estimated costs and the estimated Federal share requested. Thus, incentives are given for indicating to the Federal Government in a systematic and orderly manner the annual planning requirements of the State and its local agencies. These annual work programs would constitute the application for grants under the OCDEP Director's discretionary fund to the extent that the Federal share of the cost of carrying out the annual work programs is not covered by allotments. (The Director's discretionary fund will consist of the remainder of the annual appropriation after subtracting the "basic" allotments and the per capita allotments.)

PRESIDENT JOHNSON'S WISE ACTIONS IN THE RAILROAD DISPUTE

Mr. PELL. We are nearing a time of decision in the railroad dispute. Ahead looms the possibility of either a paralyzing nationwide strike or a reasonable settlement of outstanding differences.

President Johnson has assured the Nation that everything humanly possible will be done to avert a strike. He has backed his conviction with a panel of Presidential mediators whose integrity, experience, and fairmindedness are beyond reproach.

The issues involved in this dispute can, and must, be settled. Collective bargaining is the heart of our labor-management relations. Our people expect bargaining to be hard, but fair; they expect both sides to uphold their rights, but also to uphold the national interest.

The three-man special Presidential panel will insure that our expectations are justified. For these selfless and devoted public servants will inject into the negotiations wisdom and total impartiality upon which new trust and confidence can be realized.

I am certain that a settlement can be reached if the leadership provided by Judge Fahy and his colleagues are met in good faith and in the public interest.

We know that the alternative to successful negotiations is a nightmarish strike that will spread chaos and suffering across the land. The American people want this strike to be settled. They ask that ways be found to satisfy the aims and aspirations of both labor and management.

President Johnson has placed his trust in this special panel. He has chosen wisely and has earned the support of us all.

VOLUNTARISM

Mr. RIBICOFF. Mr. President, one of the most perceptive and knowledgeable men in Connecticut is Daniel W. Kops, president of Kops Communications, Inc., in New Haven. On April 11, 1967, he spoke at a symposium at the University of Notre Dame on the subject, "Voluntarism: The Citizen's Last Opportunity To Influence the Shape of His Community." It is an important and worthwhile address, and I take this opportunity to share it with my colleagues. I ask unanimous consent that it be inserted in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

VOLUNTARISM: THE CITIZEN'S LAST OPPORTUNITY TO INFLUENCE THE SHAPE OF HIS COMMUNITY

(A speech by Daniel W. Kops, president of Kops Communications, Inc., of New Haven, Conn., April 11, 1967)

I am very pleased to have been invited to participate in this symposium on the role of the volunteer.

It's a compliment to be associated with an effort sponsored by a component of the University of Notre Dame because this university has been undergoing impressive self study, adapting its important contributions to the needs of a fast changing society. I can think of no better environment for volunteer citizens to meet and review their role in relation to the changes about us in the field of health and welfare.

And it's gratifying, too, to be engaged in this discussion in South Bend, the locale of your impressive "Project Able." In the face of what seemed to be an insoluble crisis, your community leadership provided an answer for thousands idled by the closing of the Studebaker plant. Community leadership which lives up to its responsibilities in such a manner is indeed well equipped for this discussion.

Most particularly I'm glad to be here because you are taking time from keeping up with everyday pressures to pause and evaluate the responsibility and challenge of voluntarism.

In doing so you are facing up to one of the most significant challenges confronting your community and certainly every other city in America.

That challenge is whether our citizens through civic leadership of our communities can and will exercise a major influence on our social planning. I call this a critical question. The shape of our communities is changing at a pace rapid enough to make us dizzy and, if anything the rate of change will accelerate without waiting for us to adapt.

This is the eleventh hour. If we volunteer citizens in South Bend, New Haven or any other community muff the opportunity that is at hand, we may be stuck with a pattern of community life we may live to regret—an era of ill-fitting computerized answers from Washington to our social ills on a scale that may be wasteful, inefficient and overlapping in their applications. We may have answers that don't fit the needs of our community, but we will have only ourselves to blame.

Now, my assignment was to talk about how the activities of volunteers in our privately supported agencies relate to the public sector in the health and welfare field.

In her introduction, your chairman mentioned that I am a broadcaster, and broadcasters sometimes like to issue disclaimers. In mine I'd like to make clear that I am not a sociologist. I'm not about to give you a digest of the Economic Opportunities Act.

Like many of you, I'm a citizen volunteer. My interest in meeting the social problems of our communities stems from what I consider the responsibility of my profession. In our broadcast operations which date back to 1949, we have been called pioneers in the development of radio editorializing. We seek out the problems of our communities.

We try to stimulate the civic leaders and public officials of our communities to resolve the problems. We try to create public understanding of the problems and alternative solutions.

And of the many editorial concerns we have had in prodding a once backsliding New England city into its current vitality none has interested and challenged us more than the need for citizen volunteer participation in the health and welfare field.

The need—what we're really talking about today when we say voluntarism—is for meaningful citizen involvement in the planning affecting his community.

We need citizens with a community-wide concern on the boards of our volunteer and public agencies.

We need citizens, not married to tradition for the sake of tradition, on the boards and budgets committees of our United Funds.

And we need citizens who are concerned primarily with services for people, rather than the source of the services, on our Community Councils where the challenges and responsibilities in health and welfare planning are specially evident.

I say especially, even though mindful that Community Councils are far from alone in the field of social planning. Planning groups have sprung up everywhere about us. Yet Community Councils have a unique opportunity to bring together all the related planning groups. They are in a position to provide an objective overview, because Councils are generally free of responsibility for any specific operating program.

Now I think it would help if we put aside any preconceived or outdated notions about a line of demarcation between volunteer and public services in our communities. The line doesn't exist anymore. The services that concern us are supported by a complex mixture of public funds, private contributions, foundation grants and fees for services.

The differences are in the hats the people involved wear at a given time as members of volunteer boards or as officials or policy makers of public bodies. On both sides we need a great deal more understanding to have the ultimate in community services.

Up to now, we also have failed to get the services of many citizens who could make planning function more efficiently. Some citizens have stayed out of the picture because of apathy. Some want no part of it because participation in social planning suggests to them an unpalatable involvement with public welfare programs.

Conversely there are governmental officials who prefer to go it alone, perhaps out of dissatisfaction with earlier attempts to work with voluntary organizations on community problems of consequence. Some politicians mistakenly believe that government should take over all health and welfare activities. They think voluntary agencies have been ineffective in dealing with the problems of the poor. They believe that the problems facing us in health and welfare are so massive, and the financial support from voluntary contributions such a small share of the total cost that government should take full responsibility.

By reviewing some of the history and background I hope we can clear up these misunderstandings.

The last five years have seen more legislation bringing about changes in our health and welfare system than in all the earlier years of our history. Medicare, amendments to the Social Security Act, the Economic Opportunities Act, Public Law 749, which enacted comprehensive health planning, the Housing and Urban Development Act of 1965 and a good many others. Some of these laws had a primary emphasis on education or employment or still other fields, but they had an important bearing on health and welfare. On the local level they made it logical for health and welfare planning groups, to establish relationships with other systems.

There have always been citizens violently opposed to new social legislation out of fear that we will become a welfare state. Some who were against the various bills that have been passed believe it might be a violation of their principles to participate in community activities involving funds resulting from the legislation. Some want no part of cooperation with government agencies, believing them to be wastefully and politically oriented.

What they need to realize is that by abdicating their responsibilities, they may leave the whole job to government, even though government alone can't do it properly.

The social evolution around us will continue regardless, because people are demanding a constant expansion of their services from government. The need is too great today, the problems too vast, to be provided for by voluntary agencies. Out of the depths of the 1929 Depression it was recognized that organized charity, supported by wealthy families, couldn't provide for the millions who were out of work and destitute. The Federal Emergency Relief Act, Social Security and other early programs were passed in the administration of Franklin D. Roosevelt. Expansion of federal services has continued under every subsequent president, including Dwight Eisenhower. Republicans as well as Democrats, pass the laws because Congressmen vote according to the way the wind is blowing at home.

More recently the need for massive new programs to provide for people who need help has become imperative.

We have become an urbanized society. By 1980 at least 80 per cent of our population will be living in cities. In our sprawling cities, spreading from one to another in a vast megalopolis, automation has become the lifeblood of the local industries. There is no longer room for the common laborer. Opportunities to earn a livelihood demand people with education and skills. Our cities have become pockets of poverty for the many who are unemployable for lack of skills and education, the many who grew up in homes and neighborhoods where they were constantly reminded "there is no use in trying, because the doors for advancement won't be open to you." These are the people who live in America's ghettos where broken homes, inadequate housing, alcoholism and mental and physical disease are prime influences on the young from birth. This is where delinquency and social ills of every description run rampant.

Traditionally Americans have accepted responsibility for providing for the less fortunate. Today the cost and the means of giving help pose much too vast a scope to be provided by traditional methods. The costs run in billions, but we have programs now that seek to get at the deep-seated causes of poverty, rather than just alleviating the symptoms. They give hope of checking epidemics of crime, mental illness and human misery, which, left unchecked, will spread through our cities.

They are programs addressed to the ills of our cities, but the connections between Washington and our cities and towns are through a complex maze of bureaucracies. Senator Ribicoff, chairman of a sub-committee studying the problems of American cities, recently pointed out that there are 147 separate aid programs a city must look to in seeking help for its problems.

Our chief concern must be that the help obtained for a given community is tailor-made to fit the needs of that community. It must be to see that new programs blend with existing programs and facilities, and even to assure that the programs are needed, and it must be to seek new solutions when the means available locally, through our state capitols or Washington won't solve pressing problems.

In journalism we have a saying that all news is local. It means that any news story originating in any part of the world is of much greater interest to the listener, if adapted to bring in the local angle. A reporter worth his salt knows that a dispatch from, say, New York City, reporting a change in the prime interest rate at which banks lend money will mean much more to the local listeners if it contains an elaboration of whether banks in his community are going to follow suit. A story of a disaster far away is driven home to the listener, if a reporter is enterprising enough to dig out and work in names of hometown people who are involved.

The same thing is true of health and welfare planning. Large scale plans are incorporated on the national and sometimes on the state level. It is up to local citizens, sometimes acting as individuals, and especially through their local planning organizations, to assure that what is obtained fits local needs.

You know, there are those who bemoan that success in obtaining help from Washington is often measured in terms of how many millions can be siphoned into a locale. Certainly this is true of the thinking of many. The inside joke of those who work in local groups administering the Heart, Stroke and Cancer program is a play on the old Serutan commercial. The title, spelled backwards is cash.

My hope is that this symposium may serve a purpose far beyond the scope of our voices today, that what we say here may be the first of concentric circles advancing the theme that involvement of lay citizenry in the social planning of a community can spell the difference between measuring the cost of a program and the results.

Most important is that the involvement and concern of interested local citizens can make the difference between just having programs that cost money and use up people's time, and having programs that achieve their purpose.

We need understanding, too, on the part of officials at all levels of government. Some have been obviously impatient about the accumulation of social ills over a long period of time and have been cynical about what they consider to be the failure of the voluntary sector to deal effectively with such broad scale problems.

On a national level this reflected in the Juvenile Delinquency Act of 1961, whose administrators gave little attention to local Community Councils. Then, too, Ford Foundation officials whose gray area programs were the forerunner of the War on Poverty, tended initially to by-pass local Community Councils.

Perhaps these early warning signs, coming as they did in the early 1960's were a good thing for local planning groups. They prompted local councils to adapt themselves more quickly to the demands of the times. The national leadership of the Fund and Council movement went to work to establish better communications with government and to further understanding of the essentiality of citizen planning.

The result was a recognition on the part of government on the national level that the voluntary and public sectors complement and need each other. In 1966 the leaders in government in the health and welfare field and in the national fund and council movement, the UCFCA, worked out a memorandum of understanding on the relationship of government and the private sector. This recognized that neither sector can go it alone.

This brings things down to you and me, working in our own communities.

Now what do we do about it?

We can exercise our influence as individual citizens, speaking our minds to elected and public officials at all levels on how we see the needs in the health and welfare field for our own community, and many people perform effectively this way.

We can work through neighborhood councils and the many specialized planning councils. All have a bearing on the community decision making process.

The point at which we can see what is happening from a broad perspective is the Community Council. This is where it is possible to influence not only individual segments of the social plan, but the interrelationship of all. The various grants and special programs need to be fitted into the existing community social welfare pattern. Many of the grants are for supplementary programs conducted by existing voluntary or public agencies. They need to be coordinated with existing programs of agencies and in a way that avoids duplication. When the grants are for a limited period, and many of them are, it's important to plan what's going to be done when the grant ends. If the program is worthwhile it will be necessary to find a way to keep it going. If it isn't needed, it's desirable to avoid dislocation of the agency involved when the grant ends.

The social welfare system of a city is made up of dozens of separately administered agencies, each responsible to its own public or voluntary commission or board. The Council's citizen board is in a unique position to provide an overview of how the system fits together. If you work on a Council you may find members of public bodies welcoming your interest when it is knowledgeable and constructive. If you're not greeted with enthusiasm, be patient and hang on. Sometimes it takes time to get your point across.

I want to point out too, that there is an accelerating trend towards directing more and more allocations of federal funds in various categories to the state governments for re-assignment to local communities. Our governors are asking for a greater share in direction of the programs. Also the re-districting of many state legislatures by federal mandate has brought about legislatures more responsive to the problems of people who live in cities. For this reason state health and welfare councils, already operative and effective in several states, can perform an important function. Through state councils, citizens can exercise an influence on legislation and operations of state agencies.

United Funds play an important role, too. Through budget committees the Funds maintain a picture of the financing—from all sources—of the member agencies. The allocation process has a significant bearing on what agencies are able to do in the meshing together of various health and welfare functions. The voluntary contributions that make up the total United Fund financial support may be a relatively small percentage of the total health and welfare dollars expended in a community, however when you put together the total budgets of all the member agencies of a United Fund you come out with a figure that is a high percentage of what is spent for health and welfare in the community. United Funds, accordingly are in a position to exert a considerable influence on the various health and welfare functions. It follows that United Fund Boards must take into consideration the various programs which government operates or finances through public bodies or supports through grants to voluntary agencies. In most instances a United Fund keeps abreast of the changing pattern of health and welfare trends by maintaining a close relationship or partnership with Community Councils. In these relationships the committees and staff experts of the Community Councils are looked to to give technical advice to budget committees.

I learned my first lesson in 1949 when I came to New Haven and tried to give support to a dying Community Chest. Year after year its campaigns had fallen short of goals. The annual campaign had degenerated in public regard to the point that it was only considered one of the many drives that cropped up month after month. The Chest Campaign was in competition with the Red Cross, various health campaigns and other causes. The prospect of failure made it difficult to recruit workers and high level campaign leadership. In fact, the campaign that year was run by the staff director of the YMCA for want of lay leadership.

The demise of Community Chests in New Haven and many other cities came about for reasons that should still concern us as citizen planners.

Some of us could make the same mistake today.

In New Haven and all too many other cities Community Chests had become institutions where the vested interests of local member agencies predominated at the expense of national agencies and to the exclusion of new needs that were uncovered. Boards of directors and budget committees of the chests were dominated by partisans of the local agencies. Whenever the going got tough they reduced budgets of national agencies, with the result that the Red Cross, among others dropped out to become an independent operation.

The worst part of it was that the thinking of local chest boards became hidebound and traditional. It was always taken for granted that existing local agencies operating in their customary manner had a priority claim on the dollars raised in voluntary campaigns.

I'm not at all sure that this attitude doesn't persist in many cities today, but, I submit, it is one that none of us can afford. The new governmental programs often have a bearing on programs of existing local agencies. They may pose opportunities for new services by voluntary agencies funded by or working in cooperation with public agencies.

Also they often turn up in their wake new needs which might be met with private funds. This means that voluntary agencies and local planning groups must be willing to give higher priorities to new demands for service when merited.

Our boards must bear in mind that people are changing. They are on the move. Their attitudes have been changing. Often building-centered institutions lose their clientele to institutions giving mobile services. Group work agencies which cater exclusively to boys or girls in time honored manner may no longer attract enough of the young people who might be served. Today boys and girls are looking for activities which are co-ed. We must be willing to move with the times. We must be willing to experiment and to phase out what is outmoded.

To continue with my reference to New Haven's early experiences—we replaced that Community Chest within a year with a United Fund which sought to include all valid volunteer health and welfare causes. It has grown year by year. Last Fall it surpassed its goal in a campaign that brought in over two million dollars. The strength of that United Fund is citizen leadership, fund raisers who see their task in terms of human needs and a volunteer budget committee which evaluates agency programs critically.

Similarly I have been associated with the evolution of a Community Council. My association began with one of the old style Councils of Social Agencies. It was just what the name implied, a meeting place for staff and board members of related agencies to meet and discuss matters of common interest. The meetings were dominated by professionals. Civic leaders who were persuaded to attend them found they bogged down in endless discussions of detail. The volunteers seldom came back. The Council of Social Agencies obviously had little influence on the life of the community.

Over a period of time we reorganized the Council to gear it to cope with the problems of people. A change of name formalized the evolution from an agency-oriented organization to a Community Council that operates through task forces on community problems. A representative and lively board now sets policies with the help of a Project Planning Committee. Within the framework of that policy the Council staff planners meet regularly with the other planners of the community—the physical planners, those in mental health and in the War on Poverty and coordinate the total community planning.

Like the Fund, the Council has come of age, and is geared to be a vital force in Community planning bringing together the forces of the volunteer and public sectors.

It is fortunate the Fund and Council have reached this degree of maturity, because the political sector has been dynamic. New Haven's imaginative Mayor, Richard C. Lee, has pushed through the largest scale redevelopment program of any city its size. He showed a concern too, for accompanying the rebuilding of slum neighborhoods with human renewal of the people in them. In 1962 the Ford Foundation found New Haven a logical place to set up a three million dollar grant for that purpose. The experimental programs begun in New Haven became the forerunner of the War on Poverty program subsequently enacted in Federal legislation.

Our local institution which administers the programs, now supported by federal funds, is called Community Progress, Inc. Like most such organizations around the country, it has been in trouble recently because of the cut backs in funds allocated from Washington.

A few weeks ago CPI's leadership came to our United Fund Board and posed a difficult question. The new diretcor of CPI admitted that the cut wasn't entirely a bad thing. The program had grown so fast that there was overlap and duplication within the organization and it could learn to operate more economically.

But still the cut-back was curtailing essential programs, CPI's president asked for help from the United Fund. He requested a grant of $60,000 over two years on a nonrecurring basis; indicating that this would not solve CPI's problems, but would make clear the support of our board.

Making that decision took a great deal of soul searching from the United Fund's Board of Directors.

There were those who pointed out that the United Fund had campaigned the previous Fall seeking funds for the needs of a specific list of voluntary agencies—that to deviate from the list might be a breach of faith with the donors.

In fact they felt that to cross the line and help CPI, closely identified in the minds of many people with expenditure of massive funds from Washington, might create problems in next Fall's campaign.

In a close vote, after exhaustive discussion, the Board decided to take that risk.

Now we could have done so, earmarking the grant to go directly to the United Fund Agencies which had been running programs in conjunction with CPI and which had received over $125,000 in the year prior to the cut. Instead we decided to take action which left our position unmistakeable.

We voted a token grant of $12,500 for each of two years directly to CPI. No one on our Board thought of this token as anything more than that, certainly not enough to make a substantial difference in support of CPI's programs.

But it was a symbol.

For one thing it was a symbol that the Board recognized the importance of new programs to improve the situation of people in need.

It was an acceptance that much of what is being attempted through our local CPI and the War on Poverty generally, attempts to get at the roots of the deep seated troubles that keep people locked in poverty, rather than just symptoms.

It was a public commitment.

We were recognizing that the health and welfare field is viable without putting any premium on tradition, the sources of ideas, or where the bulk of the funds come from. We were recognizing our responsibility in our community towards achieving the goals of CPI.

We were dedicating ourselves to a greater degree of involvement in the planning of how everything fits together in the health and welfare pattern of our community.

We have an extremely competent Council staff which also advises the United Fund. These men, experts in social planning and in fund raising had been coordinating from the beginning on aspects of the CPI program, and the Council Board had kept informed and participated in the planning. In fact, we achieve a high degree of coordination by what amounts to an interlocking directorate, Council Board members on CPI's Board and vice versa.

But our United Fund lay leadership had not been involved. For the most part they had not been consulted in the pressures of building CPI from nothing to a far reaching undertaking. The lack of communications had been a barrier to understanding.

The allocation of a relatively small sum of money by itself certainly hasn't changed that. I believe though that in the process we told ourselves and the community that we intended to be involved henceforth.

Thus we were making a new beginning. It is not enough to look back on our accomplishments of the past. We and citizens in communities everywhere, must exercise our responsibility as citizens within the framework of what health and welfare is today.

Unlike earlier days the federal government has shown an increased interest in citizen participation.

Many of the programs, such as the War on Poverty and health grants are contingent on setting up advisory citizen groups and these groups serve a useful purpose.

But these groups can only operate in a narrow sphere.

Only the Community Council can see the larger picture of the whole network of community services. It is the only means of coordinating and integrating the separate activities.

Only the Fund and Council can blow the whistle when the various services get out of phase.

It takes the Fund and Council to interpret and seek citizen support on new programs.

So too can they represent the wants of a community to the various echelons of government.

The opportunity is at hand. We have but to rise to the challenge of leadership.

I know that we will have better communities if we do.

Thank you.

DELAWARE GRANGERS PARTICIPATE IN CENTENNIAL CEREMONY

Mr. BOGGS. Mr. President, the National Grange is marking its centennial this year, and a stamp in honor of this milestone was issued this week by the Post Office Department.

The State of Delaware has a very active Grange organization headed by G. Wallace Caulk, Sr., master; and approximately 85 members came to Washington on Monday for the ceremony at the Department of Agriculture. Then they attended the luncheon which followed at the Rayburn Building.

It has always been a matter of pride to me to be a Grange member, and my membership in the Capital Grange in Dover now dates back 28 years.

The activities of the Grange over the years have been in the tradition of responsible concern for the growth, development and prosperity of its farm family members. I salute all members of the Grange as they mark the beginning of their second century and know that they will continue to be a force devoted to the good of farmers and the country as a whole.

LAX PENTAGON BUYING COSTS MILLIONS

Mr. YOUNG of Ohio. Mr. President, in 1962 the Truth-in-Negotiating Act was passed unanimously in the House of Representatives and on a voice vote in the Senate. Its purpose was to require contractors doing business with the Defense Department to disclose fully the information on which they based their estimated costs in negotiated contracts.

I doubt that there is another law on the statute books of our Nation that has been so flagrantly violated and ignored.

Mr. President, the fact is that today the Department of Defense spends more than $125 million a day on military procurement. By comparison, the operating budget of the city of Cleveland for an entire year is only $75 million. In spending this vast amount of taxpayers' money, officials of the Department of Defense wield immense power that can affect the entire economy and the lives of millions of American working men and women. It is, therefore, of the utmost urgency that every possible effort be made to assure that these billions of dollars are spent wisely and with a minimum of waste. That was the purpose for the enactment of the Truth-in-Negotiating Act.

To the extent there is waste and inefficiency in military procurement, other vital governmental programs suffer. Today, when we are spending tremendous sums of money each month on our involvement in the civil war in Vietnam, it is more important than ever to eliminate waste and duplication whenever possible.

When there is a multitude of domestic problems facing the Nation—air pollution, water pollution, aid to education, the various programs in the war on poverty, to name a few—it is unconscionable that we allow officials of the Department of Defense to ignore a law passed by the Congress specifically for the purpose of saving taxpayers' money.

Mr. President, perhaps the wisest words spoken by President Eisenhower were those in what was termed his farewell address when he said:

> In the councils of government, we must guard against the acquisition of unwarranted influence whether sought or unsought by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.
>
> We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals so that security and liberty may prosper together.

Mr. President, we would do well to heed President Eisenhower's advice. A military-industrial complex does exist in this Nation and unfortunately will continue to exist as long as we spend billions and billions of dollars annually on military procurement. This combination can endanger our democracy if it is not recognized and regulated, and if it ever approaches the point where it can actually flout the will of the people as expressed through their senators and representatives in Congress. Recent disclosures regarding violations of the Truth-in-Negotiating Act indicate that this may be the case.

The Plain Dealer, of Cleveland, Ohio, one of the great newspapers of the Nation, recently published a series of ten articles revealing widespread violations of the Truth-in-Negotiating Act and the failure of officials of the Department of Defense, from Secretary McNamara on down, to enforce that legislation. Sanford Watzman, Washington correspondent for the Plain Dealer, has performed a great public service in bringing to the attention of citizens a situation which heretofore had been buried in obscure reports of the General Accounting Office. His enterprise was in the highest tradition of American journalism.

Mr. Watzman's investigation disclosed the fact that officials of the General Accounting Office saved taxpayers more than $72 million over the past 10 years through scattered spot checking for violations of the Truth-in-Negotiating Act. The violations discovered resulted in overpayments of more than $130 million in that time period. To date only $72 million has been recovered. The astounding fact is that these huge amounts of taxpayers' money were involved in only a comparatively small spot checking of defense contracts throughout the Nation over a 10-year period. These discrepancies were found in only a few of the thousands of Government military procurement contracts negotiated each day over a 10-year period. Had officials of the Department of Defense been more diligent in their efforts to save taxpayers' money, there is no doubt that many additional hundreds of millions of dollars could have been saved.

Officials of the General Accounting Office have done a magnificent job insofar as they had the funds and facilities with which to do so. However, the enforcement of this law is not their responsibility. It is the responsibility of officials of the Defense Department.

Secretary of Defense McNamara acknowledged this fact in a memorandum issued on April 10, 1964, to the Secretaries of the Army, Navy, and Air Force. He wrote:

> In processing the GAO cases it is frequently difficult to reconstruct from our records the reasons why our analytical procedures failed.
>
> It is apparent that some of the problems we are having in this area stem from a lack of clear-cut delineations of responsibilities between contracting officers and auditors.

He warned that mere certification by a contractor that his cost figures were accurate did not relieve procurement personnel of responsibility to analyze the data. Subsequently, a GAO report charged "that in a number of instances limited or no work was done by auditors in significant areas of contractors' pricing proposals."

This lack of diligence of Pentagon officials is especially surprising in view of President Johnson's order on May 2, 1964, to Cabinet members and heads of Government agencies in which he stated:

> I want all reports by the GAO and any congressional committee to be given prompt and thorough attention.
>
> Honest mistakes can be forgiven, but it is hard to forgive failures to examine and tighten agency procedures to guard against a recurrence of an error that is uncovered by the GAO or by a congressional committee.
>
> Look into them promptly. If the criticisms are justified, I will expect you to take corrective action so that the error is not repeated.

Officials of the Pentagon have acknowledged the validity of many of the GAO findings and also have acknowledged that the primary responsibility for detecting violations rests with the Department of Defense rather than at the General Accounting Office. However, they profess uncertainty about how to interpret the Truth-in-Negotiating Act.

Mr. President, if officials of the Department of Defense are uncertain as to how to interpret this important legislation, then it has been their business during past years to come before the appropriate congressional committees and ask the Congress to clarify the law for them. To my knowledge, this was never done. Secretary McNamara and other officials of the Department of Defense do not hesitate to come to Congress to ask for money; they do not hesitate to herald every measure taken by them to save money; but they seem to have been embarrassingly shy about inquiring as to the intent of Congress in the Truth-in-Negotiating Act.

Mr. President, with the spending of vast sums of money each day on military procurement, not all deviations from standard contract forms are necessarily wrong or examples of poor judgment. Simple misunderstandings are not unusual. However, when it is apparent that an Act of Congress is being purposely evaded or ignored, then there is no excuse, and every effort must be made to correct this intolerable situation.

Mr. President, I am hopeful that a committee of Congress will examine the facts revealed in the GAO reports and in the series of articles published in the Plain Dealer, and that corrective action will be taken or legislation enacted.

Mr. President, I ask unanimous consent that this series of 10 articles, which appeared in the Cleveland Plain Dealer from April 9 through April 18, inclusive, and two editorials published in the Plain Dealer on April 9 and April 19 be printed in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Cleveland Plain Dealer, Apr. 9, 1967]

GAO PROCUREMENT REFORMS SPURNED—LAX PENTAGON BUYING COSTS MILLIONS

(By Sanford Watzman)

WASHINGTON.—"Widespread failure" at the Pentagon to enforce a military purchase law is fattening war contractors with excess profits and costing the public countless millions of dollars each week.

The law is the Truth in Negotiating Act, adopted unanimously by Congress in 1962.

Despite its overriding importance to the American taxpayer, the law is hardly known except to decision makers in the military-industrial establishment.

Congress has forgotten it.

The "widespread failure" is chargeable to Secretary Robert S. McNamara and his huge Department of Defense. Elmer B. Staats, U.S. comptroller general, makes that charge in public speeches that the Washington press corps ignores.

Staats asserted in a Plain Dealer interview last week that "they are not minding the store" at the Pentagon. For that reason the government does not always get the truth when it signs an average of more than $125 million worth of war contracts every day.

Staats heads the General Accounting Office (GAO), an investigating arm of Congress. It is not an enforcement agency. Its relatively small staff has no responsibility—as the Pentagon does—to see that laws are observed.

Yet the GAO appears to be the only friend in government of Defense's Truth in Negotiating Act, which Defense had to swallow after the GAO convinced Congress that a law was needed to police military procurement—which accounts for 85% of all government buying.

Over the years the GAO has been publishing reports about alleged violations of the act. Some examples will be cited in this series of Plain Dealer stories. Corporations will be named, and their dealings with the government will be traced in detail.

Today, more than four years after the Truth in Negotiating Act went into effect (Dec. 1, 1962), the GAO is still grinding out reports calling attention to gaping holes in the Pentagon's enforcement program.

The reports are public records of financial commitments by the government that currently are running in excess of $46 billion a year—about one third of all federal spending.

The $125-million-a-day figure is derived from this. The operating budget of the city of Cleveland for an entire year is a mere $75 million.

Most of the GAO reports have ended in the wastebaskets of newspapers, except perhaps an occasional story when a local corporation is accused.

This series of articles represents the first attempt by a major newspaper to give its readers a comprehensive review of the Truth in Negotiating Act.

One fact that might explain the inability of the GAO to win publicity for its reports and for the speeches of Comptroller Gen. Staats in that Staats has only one press relations officer.

By contrast, Secretary McNamara has a small army of press agents at the Pentagon, including an assistant secretary. They have helped to create a public image of McNamara as an economizer and an efficiency expert whose mind outruns computers.

Even McNamara's critics do not challenge this image, which is based on his performance in areas not covered by the Truth in Negotiating Act.

The GAO reports on this subject recall a warning sounded by President Eisenhower in his 1961 Farewell Address.

The general left the White House, after eight years in civilian office, worrying about a "military-industrial complex . . . new in American experience."

"We must never let the weight of this combination endanger our liberties or democratic processes," he said. "We should take nothing for granted."

But the Truth in Negotiating story begins with Harry S. Truman. In World War II Truman headed an investigating committee that exposed cases of war profiteering.

The Truman findings were so well documented that they led to his selection as a running mate for President Roosevelt. After the Truman hearings, interest in war contracts persisted. GAO picked up the ball and ran with it.

In the meantime, the need for America to retain a strong military posture and the complexity of modern weapons forced the opening of a new era in government purchasing. Competitive bidding for most defense contracts no longer was feasible.

For example, the Army might need a special buckle for the cartridge belt of a specialized soldier. Chances are that only one company is tooled to manufacture such buckles competently and speedily—on an assembly-line basis.

So the Army negotiates with the company, and reaches an agreement on what it probably would cost to produce each buckle and on what the profit should be. Or a fixed price is agreed upon, also based on estimated costs, with the company taking its chances on winning or losing money under the contract.

Nowadays, only 15% of military procurement is based on competitive bidding.

Throughout the 1950s, GAO checked war contracts at random, repeatedly finding cases where some companies were inflating their cost estimates and then banking the extra money with their legitimate profits.

By 1959 the Pentagon was persuaded to promulgate a new regulation. Henceforth, companies would be required to certify that their cost estimates were based on information that was current, complete and accurate.

But GAO kept checking, and its findings were the same. In fact, the Pentagon was not enforcing its own regulation. In file after file examined by GAO there was no "truth" certificate.

At this point, Rep. Carl Vinson, D-Ga. (retired), then head of the House Armed Services Committee, decided that there ought to be a law. He introduced the first Truth in Negotiating Act in 1960 with GAO backing.

In essence, the Vinson bill merely sought to add the force of law to what already was demanded—theoretically—in the Defense Department regulation. The "truth" certificate should be required by statute, Vinson insisted. Then perhaps Defense might then give it more attention.

But the Pentagon objected. It argued not only that legislation was unnecessary, but also that it would deprive procurement officials of the flexibility they needed to negotiate contracts. The Vinson bill died in that session.

In 1962 Vinson again introduced it. Two more years of GAO reporting had given him more ammunition. This time the bill passed, 362–0, in the House and on a voice vote in the Senate.

Still, the GAO was not satisfied. It kept checking. It turned up more cases of overpricing by contractors, subcontractors and sub-subcontractors. It demanded—and in many cases obtained—refunds for the government.

The corporations complained. Through their lobbyists in Congress they were able to set up an extraordinary public hearing at which the GAO itself—rather than the contractors—came under investigation.

These hearings were held two years ago and were given virtually no notice in the press. Rep. Chet Holifield, D-Calif., presided as chairman of a military operations subcommittee in a chamber that was empty except for his colleagues and witnesses.

The GAO was in the delicate position of having been called on the carpet by its own bosses. As agents of Congress, the GAO accountants were free to criticize the Pentagon. But at the confrontation in the hearing chamber with their congressional masters, tact was required.

The contractors charged that the GAO was too quick and careless on the reporting trigger. They explained that names of corporations were being bruited about in public GAO documents, injuring corporate reputations before the cases had been adjudicated by appeal boards.

The hearings concluded with an assurance by the GAO to Rep. Holifield that no longer would it issue Truth in Negotiation reports on individual companies except in unusual cases. Instead, the GAO would send the Pentagon private letters on the cases.

With Holifields' endorsement, the GAO announced new reporting strategy. Starting in mid-1965 it would concentrate on examinations of groups of contracts—rather than single awards—to measure compliance with the act. Names of corporations would be withheld in the summary reports.

Plain Dealer interviews with GAO officials in the last few weeks disclosed that accountants were enthusiastic about the new system of operation. The old one-shot reports had produced few results, they explained. They are convinced that the new-style broadsides are striking the Pentagon with greater impact.

Some of these latter-day reports, showing how McNamara's own auditors are ignoring elementary accounting principles will be analyzed in this series.

The stories will show too that McNamara has had more success in welding a single Army-Navy-Air Force team than he has had in getting his contracting officials to work together. Defense negotiators and auditors are frequently at odds, to the detriment of the government.

No one knows how much overpricing is going on. Because of its limited staff and other responsibilities, the GAO is able to check back on only an infinitesimal fraction of the 30,000 procurement actions consummated each day.

From fiscal years 1957 through 1966 the GAO found contract overpricing totaling $130 million. So far, well over half of this amount has been refunded to the government.

Two years ago the Army Audit Agency guessed that perhaps $1 billion in pricing proposals could be "questioned." A more recent Pentagon estimate is $1.8 billion. But there is no evidence to sustain, bolster, or knock down these figures.

Lack of diligence at the Pentagon is especially surprising in view of an order issued by President Johnson on May 2, 1964. At a cabinet meeting the President insisted:

"I want all reports by the GAO and any congressional committee to be given prompt and thorough attention.

"Honest mistakes can be forgiven, but it is hard to forgive failures to examine and tighten agency procedures to guard against a recurrence of an error that is uncovered by the GAO or by a congressional committee.

"Look into them promptly. If the criticisms are justified, I will expect you to take corrective action so that the error is not repeated."

The situation today is that the Pentagon has acknowledged the validity of many of the GAO's basic findings.

A spokesman for McNamara, in a Plain Dealer interview, also acknowledged that the primary responsibility for detecting violations rests in the Pentagon rather than at the GAO.

But McNamara's men, more than four years after enactment of the Truth in Negotiating law, still profess uncertainty about how to interpret it and about what steps must be taken to enforce it.

[From the Cleveland Plain Dealer, Apr. 10, 1967]

City Firm Overcharged Army, GAO Says

(By Sanford Watzman)

WASHINGTON.—In three contracts with the Cleveland Pneumatic Tool Co., totaling nearly $2 million, the Army allegedly was charged $239,000 more than was justified.

This civil finding was made by the U.S. General Accounting Office (GAO), a congressional agency, in one of a series of reports accusing the Pentagon of not enforcing the 1962 Truth in Negotiating Act.

Had the Army been more attentive, GAO said, it would have discovered that Cleveland Pneumatic had already ordered certain forgings for $985 each at a time when it was stating they would cost $1,381 apiece.

Since the company's material costs (and also its labor costs) were overstated, GAO asserted the Army ended up agreeing to an inflated price on the three contracts.

Army loses—In fact, Cleveland Pneumatic volunteered at one point to make a $20,000 refund. The Army accepted it without asking questions. More inquisitiveness would have disclosed to the Army that it was entitled to a much greater refund, GAO said.

The investigative report stirred the Army to greater effort. It checked back on the transactions and decided that GAO was right. It is trying now to recover the $239,000.

Cleveland Pneumatic is contesting the action with a point-by-point answer to the GAO findings. A hearing has been set May 24 before the Armed Forces Board of Contract Appeals.

There is no allegation of fraud in this case or in others initiated by GAO under the Truth in Negotiating Act. This is a civil statute. However, it is not necessary to prove criminality to achieve recovery.

The three contracts with Cleveland Pneumatic were negotiated in 1963 and 1964. GAO reported last year that the company's annual sales totaled about $22 million, with 80% of the business involving government contracts and subcontracts.

Lone bidder—In this case Cleveland Pneumatic sold the Army 632 muzzle brakes—devices that are attached to gun barrels to reduce recoil. The Army had invited bids from 33 potential suppliers, but only the Cleveland Pneumatic bid was responsive.

As required by the Truth in Negotiating Act, the company filed a certificate assuring the government it was basing its cost estimates on information that was current, complete and accurate.

The certificate on the first contract was executed March 14, 1963, and the Army closed the deal the following day. It had on hand—in addition to the certificate—a price proposal from Cleveland Pneumatic saying that the company would have to pay $1,430 a unit for forgings.

In support of this proposal Cleveland Pneumatic had shown the Army a price quotation dated March 8, 1963, furnished by a supplier who had provided forgings under earlier contracts.

The GAO report says:

Cheaper Forging—"For almost a year before Cleveland Pneumatic had been looking into the feasibility of utilizing lower cost forgings made from a different type of steel by another supplier.

"In May, 1962, Cleveland Pneumatic requested that supplier to submit test data regarding the properties of its steel, and in September, 1962, Cleveland Pneumatic determined that the steel would meet specifications for the muzzle brakes. . .

"On Feb. 5, 1963 . . . Cleveland Pneumatic instructed the supplier to obtain the necessary tools and dies for production of the forgings and guaranteed an order for a minimum of 50 units . . .

"On March 27, 1963, Cleveland Pneumatic, ordered 100 of the lower cost forgings at $985 each . . .

"During April, 1963, the Army decided to increase the quantities of muzzle brakes under the contract from 102 to 161 and requested Cleveland Pneumatic to submit a new price . . .

"Cleveland Pneumatic's revised price reflected a small reduction for the additional volume and included a cost of $1,381 for each forging although 100 had already been ordered at $985 each . . .

"Army procurement officials did not look into the proposed material costs, apparently relying on the . . . price quotation from the previous supplier . . .

News to Army—"During negotiations for (the second) contract, Cleveland Pneumatic informed the Army that the lower cost forgings had been utilized . . . Army officials suggested that the contractor make a voluntary refund and subsequently accepted $20,000.

"The Army, however, took no action to determine the full extent of the overpricing or the government's rights to a greater refund."

On the second and third contracts, GAO charged, the company filed estimates based on outdated labor costs. Recent studies had been made showing that fewer working hours would be required, but the studies were ignored, GAO said.

The report added: "Although the negotiation records state that an engineering review was made (by the Army) of the contractor's proposal and that the labor cost was considered acceptable, our review of the files and discussions with procurement personnel revealed that no such review had actually been made."

Disputing the GAO findings, Cleveland Pneumatic insisted it should not have been expected to absorb the possible financial risk involved with new, untried forgings.

Firm doubtful—It also contended that plant experience resulting from the new labor studies had not been sufficient to satisfy management about their validity.

Meanwhile, with the appeal pending, Cleveland Pneumatic continues to get Defense Department business.

Last August it received a $1.5 million order from the Air Force for production of landing gear components for the F-4 series aircraft.

[From the Cleveland Plain Dealer, Apr. 11, 1967]

Steel Costs Differ, Price to Navy Is Same, GAO Finds

(By Sanford Watzman)

WASHINGTON.—For five years the Navy kept buying submarine steel from two corporations, paying identical prices—even though one company sold at 14.5% above cost and the second at 27%.

The U.S. General Accounting Office (GAO), a congressional agency, was puzzled. It asked the Navy why it had not played off one company against the other to achieve a better price for the taxpayers.

The Navy replied it had tried to get cost data from the U.S. Steel Corp. and Lukens Steel Co. but was rebuffed. Since it had no other source for the steel and it feared being cut off from the supply, the Navy added, it decided it had better just keep quiet and keep buying at the price demanded.

Pacts checked—GAO was not satisfied with this answer. It checked back on the transactions (the Navy had bought $16 million worth of the steel through 1964, splitting the business about evenly between the two companies) and reported:

"We were unable to document the Navy's efforts to obtain cost data. The Navy should have officially insisted on cost analysis."

This is one of a large number of GAO reports calling attention to weak enforcement by the Department of Defense of the 1962 Truth in Negotiating Act.

The Plain Dealer has compiled these GAO documents and is publishing in this series of articles the first comprehensive review by a major periodical of procurement experience under the act.

Special steel—The law regulates purchases by the Pentagon, which does 85% of all the government's shopping on a budget of about $125 million a day, or $46 billion a year.

The Pentagon buys odd items. The steel in this case, for example, is known as HY80 plate, meaning "high yield with a minimum strength of 80,000 pounds per square inch." Virtually all of it is used to build nuclear submarines and other naval vessels.

In other words, the fact that the Navy had no other supplier is matched by the fact that U.S. and Lukens Steel had no other ultimate consumer. This is another reason why the Navy's subservience to the corporations raised eyebrows at GAO headquarters.

Prices quoted by the companies were identical not only in the aggregate but also as to all components. Each corporation charged exactly the same fee for blast cleaning, pickling, two coats of paint and ultrasonic testing.

In catalog—The prices for HY80 steel were listed by the companies in 1960 with prices for standard items in their general price catalogs, despite the limited market for this highly specialized product.

The listing was significant because of an exception to the Truth in Negotiating Act. The act requires submission to the government of cost and pricing information that is "accurate, current and complete."

The exception applies where the government awards a contract based on "adequate price competition (or) established catalog or market prices of commercial items sold in substantial quantities to the general public . . ."

GAO asserted: "The designation of HY80 steel plate as a catalog item, for pricing purposes on government contracts, is not justified since the product is sold almost exclusively to the government and its prime (shipbuilding) contractors."

Firms' denial—Commenting on the GAO report, U.S. and Lukens Steel challenged the finding that there had not been "adequate price competition" in the Navy purchases. U.S. Steel maintained that identical prices frequently result from normal competitive forces.

The Navy responded with an order to its contracting officers that they start demanding cost data in HY80 steel procurements, adding that refusal by the companies to make such data available should be reported by the contracting officers to their superiors.

[From the Cleveland Plain Dealer, Apr. 12, 1967]

Army's Second Look Triples Overcharge Finding

(By Sanford Watzman)

WASHINGTON.—The Army allowed itself to be taken for a million-dollar ride on a bomb contract—or was the overpayment closer to $3 million?—even though it suspected this might happen.

In another case the Navy coughed up one third of a million dollars more than it should have, despite its own auditors' warning the price might not be right.

Congress' General Accounting Office (GAO) made these findings in separate reports that criticize the Pentagon for not enforcing the 1962 Truth in Negotiating Act.

Aerojet-General Corp. of California, a subsidiary of General Tire & Rubber Co., is named in the first GAO report. Rocket Jet Engineering Corp., also of California, is the subject of the second.

Bomb contract—The Army in 1963 awarded Aerojet a $27.3-million contract for production of a large quantity of bombs. Aerojet had already been paid some $20 million on three earlier contracts for the weapons, identified only as the "BLU-3/B" variety.

As required by the Truth in Negotiating Act, Aerojet filed a certificate asserting that cost estimates furnished the Army were based on information that was current, complete and accurate.

But the labor costs had been overstated by $857,000 and material costs by $100,000, GAO charged last year in its review of the transaction.

This prompted the Army to take a second look. As a result, the Army concluded GAO was wrong. The actual overpayment was not $957,000 but thrice that—$2.8 million, the Army asserted. It said it would try to get the money refunded.

Key finding—A settlement was reached last June, two years after the Army got the bombs. The government accepted an Aerojet check for about $450,000, GAO reported.

Key finding of the congressional auditors was that Aerojet's estimate of required labor hours was out of line with "actual labor hours being experienced under the previous contract."

"Army procurement personnel who analyzed Aerojet's proposal concluded that the hours were overstated and recommended establishment (of a lesser figure)," GAO related.

"These (Army) recommendations were based on procurement personnel's knowledge of the contractor's procedures and on an Army industrial specialist's time studies of the production of selected parts."

Aerojet prevails—But the report continued that, essentially, Aerojet's view prevailed in the negotiations. It added:

"Although Army personnel had reason to believe the price had been overstated, they took no further action to ascertain the labor hours experienced in prior production."

The Army explained to GAO that it felt protected by a contract clause which stipulated a refund if an overpayment were discovered.

However, the Army made no attempt to check back on the contract until GAO had already done so.

The GAO report added: Aerojet had reduced its costs for one part by changing the packaging requirements and had been offered a lower price by a supplier for another part prior to Nov. 16, 1962 (date of the "truth" certificate).

The certificate did not reflect these last-minute developments, GAO charged.

Detailed rebuttal—Like all other companies cited in GAO reports, Aerojet responded with a detailed rebuttal to the charges. Although fraud is not alleged in any of these cases, it is not necessary for the government to prove fraud to win recovery of money.

In the Rocket Jet Engineering case, $207,700 was refunded to the armed forces by that company, GAO said. It added that an $80,000 settlement had been reached with the Scott Aviation Corp. in the same case.

Some $20,000 also is being sought from the McDonnell Aircraft Corp. The total finding against all three companies was $317,000.

The above figure should be $317,100. As manufacturer of F4 aircraft, McDonnell was the Navy's prime contractor. Scott was a subcontractor for survival kit equipment for pilots, and Scott in turn awarded a subcontract to Rocket Jet for certain components of the kit.

Scott accused—Subcontractors are also covered by the Truth in Negotiating Act. Higher-tier contractors are expected to enforce terms of the law on their suppliers, in the same way that the Pentagon is required to ride herd on the prime contractors.

GAO accused Scott of violating the "truth" law on purchases of some $1.5 million from Rocket Jet Engineering. It said Scott accepted Rocket Jet's prices without trying to determine whether the prices were based on reliable data.

In the end, of course, it was the Navy who paid the price as the ultimate consumer. GAO analysts said they were unable to find facts supporting the high prices charged.

GAO report—GAO related in the report:

"McDonnell stated it had requested a Navy audit of these prices in 1962 because of the absence of adequate competition.

"While an audit by the Navy indicated a possibility of overpricing by Rocket Jet, McDonnell said negotiations held in January 1963 did not result in agreement because Rocket Jet denied the overpricing."

The report concludes: "We proposed that the Department of Defense . . . insist on critical reviews of proposed prices and compliance with (the truth in negotiating law) . . .

"The Department of Defense assures us it will continue to place emphasis on . . . the need for prenegotiation audit reviews . . ."

That was three years ago. This was GAO's first report charging a direct violation of the law. But, despite the Pentagon's assurances at the time, it has not been the last such report.

[From the Cleveland Plain Dealer, Apr. 13, 1967]

GAO Checks Nozzle, Radar Deals—Finds United States Shortchanged

(By Sanford Watzman)

Washington.—A manufacturer of missile nozzles based his labor cost estimates on a slow, manual operation—but he fulfilled his contract with a mass-production machine developed at government expense.

In another case, a radar testing company over-charged $119,200 on an Air Force contract (the money was refunded later) because no attention was given to recent labor cost experience, despite three government reviews.

Both these cases, involving Ohio business concerns, are cited in reports of the General Accounting Office. A congressional agency, GAO, a long-time critic of Pentagon purchasing, keeps uncovering examples of waste.

Minuteman—The rocket parts supplier is Arde-Portland, Inc., a Maine corporation, in which E. W. Bliss Co. of Canton holds a major interest. It produces nozzles for the Minuteman missile.

Avco Corp. of Cincinnati has developed a radar system for the Air Force, and it was given a million-dollar contract to install and test the radar at various sites.

The Truth in Negotiating Act does not come into play in the Arde-Portland and Avco deals, but the cases do illustrate problems associated with military procurement.

Arde-Portland proposed in 1962 to make 1,300 nozzles for a total of $12.5 million. The transaction was with the Thiokol Chemical Corp. of Utah, which had been awarded a prime contract by the Air Force.

Manual—At the time, GAO reported, Arde-Portland had produced 74 nozzles "partly by slow and laborious manual methods." It did not yet have the equipment necessary for mass production.

The report continued: "Arde-Portland planned to use a drilling machine being developed at government expense . . . This machine did not become available, however, until December, 1962 . . .

"Under these circumstances it is our opinion that, at the time it made its proposal, Arde-Portland had no sound production experience for use in reliably estimating the number of hours that would be required to produce the nozzles using the type of machinery . . . essential for attaining the rate of production required to meet Thiokol's delivery (schedule) . . .

Savings—"Arde-Portland experienced a cost underrun of about $681,250 . . . primarily because labor costs were estimated on the basis of experience gained (from) manual methods . . . whereas production was accomplished by using production-line methods and more than $400,000 worth of special tooling financed . . . by the Air Force."

GAO did not accuse the parties of deceptive practices but charged that acceptance of the manual labor estimates was "unrealistic."

The congressional agency did not recommend that the government press for a refund on this point. However, on another part of the contract, GAO charged there had been a misstatement of expected material costs.

Recovery—It urged recovery of $592,800 from Arde-Portland. A settlement for $266,375 was reached on Dec. 7, 1965.

GAO said in the Avco case: "Avco proposed and the Air Force accepted an allowance for labor that was greater than Avco could reasonably expect to incur on the basis of prior experience.

Labor costs previously incurred by Avco for work of a similar nature were not adequately considered . . .

GAO investigators related that three armed forces officials took a crack at reviewing the Avco labor estimate.

Review—One was an industrial engineer from the Air Force contract management office at Cincinnati. The second was an employe of the Army audit agency. The third was an Air Force price analyst.

Replying to the GAO report in 1964, the Air Force, rather than blaming the three review officials, asserted that data uncovered by GAO "would not normally be available to government personnel unless disclosed by the contractor."

GAO disagreed.

[From the Cleveland Plain Dealer, Apr. 14, 1967]

Price Data Not on File at Pentagon

(By Sanford Watzman)

Washington.—Day after day, the Defense Department hands out multimillion-dollar contracts without leaving behind a record to justify the price.

Because of this lack of documentation, the government (and the taxpayers) are in a poor position later to prove overpricing and to demand a refund from the company.

This is revealed in a study of 242 contracts by the U.S. General Accounting Office (GAO), an investigative arm of Congress.

In 222 of the cases, no supporting facts were in the file.

Old story—For years, GAO spot checks have been turning up cases where the Pentagon did pay more than was necessary and where it should have known better.

Examples are indicated in this Plain Dealer series.

The GAO summary report published Jan. 16 again accuses the Pentagon of failure to enforce the Truth in Negotiating Act, passed in September 1962.

"This report is being issued so that Congress may be informed of the need (for the enforcement)," GAO said.

But as in the case of so many other GAO warnings no one in Congress appears to be listening.

165 Zeros—The "Truth" law requires the Pentagon to obtain a certificate from contractors guaranteeing that prices are based on cost estimates projected from "accurate, complete and current" information.

The certificate was furnished in 185 of the 242 cases. But in all but 20 of the 185 awards, GAO found no record "identifying the cost or pricing data submitted . . . in support of significant cost estimates."

GAO asserted: "As a result it appears the certificate is not wholly effective since it may be impracticable to establish where the supplier had submitted inaccurate, incomplete and noncurrent data in instances where he had not identified the data he had certified.

"Further, the government's rights may be impaired since in such cases it may be impracticable to establish that erroneous data were relied on."

File search—The 57 remaining contracts were awarded without a certificate, apparently because these cases were regarded as exceptions to the "Truth" law.

Such exceptions occur when contracts are based on "adequate price competition" or when the goods purchased are the same as those sold "in substantial quantities to the general public" on the basis of catalog or market price quotations.

There was no telling, however, whether the 57 cases were indeed bona fide exceptions. Reason: No data in the files to back up waivers of the certificate.

This void of information, wherever it occurred on the "exceptions," constituted a violation of the Pentagon's own special regulations—another showing of nonenforcement.

Besides the 242 contracts, GAO checked 138 others awarded by Pentagon procurement agencies in Europe and the Far East.

To begin with, after the Truth in Negotiating Act became effective in 1962, findings were "essentially similar."

Defense Secretary Robert S. McNamara was advised of this in private letter from GAO.

Form 633—The congressional auditors culled the 242 domestic cases from a batch of Pentagon news releases issued Jan. 14 through March 23, 1965. Each release told of a contract award totaling at least $1 million. The grand total was $600 million.

To check on these awards, GAO agents that July visited 18 military procurement centers and, while there, asked about an important Pentagon form known as the "633."

These "633" questionnaires had been issued six months earlier for use in contract negotiations. When properly filled out by contractors and placed in the procurement file, the 633s afford much of the documentation needed.

"Is the 633 helping you?" the GAO men asked.

The reply in many cases was: "the 633—what?"

It turned out that the forms had not yet been distributed.

The Pentagon was shocked to hear it. After thanking GAO for the intelligence, an assistant defense secretary on Aug. 14 ordered "immediate action to insure that personnel are aware that use of the 633 is required and that supplies of the form are available."

This is speed—To those familiar with the Pentagon bureaucracy, that Aug. 14 directive, although seven months late, still could be credited as a speedy response to GAO prodding.

On more complicated matters, GAO has not had such luck—for instance, on the lack-of-documentation issue raised by the 242 contracts.

GAO and the Pentagon exchanged letters over the meaning of "cost and pricing data"—that is, documentation.

Finally, in October 1964, the Pentagon issued a regulation defining the term. It was this regulation that inspired GAO's review of the 242 transactions.

GAO found "a general lack of understanding on the part of (procurement) officials as to the intent of the regulation." So the GAO report winds up with recommendations on how to clarify it and dispel the confusion.

"Be assured"—Before the GAO findings were made public the Pentagon was apprised of them. On Jan. 26, 1966, John M. Malloy, deputy assistant secretary for procurement, replied:

"The subject has been incorporated in future review programs for special attention. You may be assured we will keep you advised."

Eight months later Malloy sent GAO another letter pointing out difficulties involved with the recommendations. They seemed to require too much documentation, and this might not prove feasible, he asserted.

Last week Malloy told this reporter that a special study group would make some decisions in "mid-April." From that point it would take at least 90 days before the revised regulations are published and made effective.

Even then, as many GAO reports show, promulgation of a Defense Department regulation never carries with it a guarantee that it will be enforced.

On and on—Meanwhile, as each day goes by—with the "Truth" law on the books for more than four years—the Pentagon commits about $125 million for military purchases without solid assurance that it is getting the truth from its suppliers.

[From the Cleveland Plain Dealer, Apr. 15, 1967]

Loophole Still Unclosed After 18 Months—Pentagon Lax, Overpricing Soars

(By Sanford Watzman)

Washington.—With millions of dollars already down the drain, Defense Secretary Robert S. McNamara had to be prodded into a program for checking back on war contracts—a program that even today contains a large loophole.

Congress' General Accounting Office (GAO) finally persuaded the Defense Department last year it would find considerable overpricing just by looking for it—that is, by developing a system for selective audits on completed contracts.

By the time the Pentagon agreed, the Truth in Negotiating Act was more than three years old. Random samplings by GAO were revealing overcharges at the rate of $13 million a year.

Clause required—The congressional agency argued that the Defense Department could find much more. Not only does the Pentagon have more audit manpower but also it is the executive agency—not GAO—that has responsibility for enforcing the law.

The act requires insertion of a clause into contracts that forces repayment of unwarranted profits. But the clause cannot be effective, GAO contended, unless the government learns through a postaudit program when it has been overcharged.

GAO reiterated this need in a special report to the Pentagon in October, 1965. The report was released to Congress and the press a few months later, but it attracted no attention.

This document cited four new cases where the Pentagon had made overpayments totaling more than $1 million.

Robert N. Anthony, an assistant secretary of defense, replied in December that GAO had proved its point. He said an audit program would be instituted, but its scope would depend on "available audit manpower," among other factors.

Same old theme—This was a theme sounded before by the Pentagon. For example, in one case where GAO had found overpricing, a Pentagon official replied he would not check back on the government's earlier contracts with that corporation. He explained this would require assignment of one official for a full year.

By contrast, Internal Revenue Commissioner Sheldon S. Cohen pleaded with Congress last Tuesday to give him $11 million for 1,000 new employes. Each dollar spent on tax enforcement returns $15 to the U.S. Treasury, Cohen asserted.

After initial hesitation by the Pentagon, systemized postaudit activities began in March, 1966. The program did not get into full swing until last fall, GAO officials say.

The loophole occurs because the Pentagon still is not insisting on complete access to contractors' records, as recommended in the 1965 GAO report.

GAO advised the Pentagon to issue a new regulation on this point. The regulation would require contractors to open their books to procurement officials in cases where this is now not being done.

Presently, the Pentagon is not able always to search company records for actual cost figures—so these may be compared with costs estimated by the company at the time the contract was awarded.

Pentagon undecided—GAO believes the Defense Department could assert this authority by issuing a regulation. The Pentagon is not certain. Some experts say legislation would be required.

But whatever the requirement, the Defense Department still has not decided what to do—announce a new regulation, seek legislation or drop the whole matter. A special Pentagon group is pondering the question—some 18 months after GAO issued its special report.

In the meantime, spending on military procurement has soared to a new rate of $125 million a day.

[From the Cleveland Plain Dealer, Apr. 16, 1967]

Pentagon Pricing Rein Is Slack

(By Sanford Watzman)

Washington.—Defying "sound business practice," the Pentagon has a habit of dishing out profits negotiated on the basis of contractors' projected costs without requiring them to submit cost estimating systems.

This is the latest criticism by the U.S. General Accounting Office (GAO), a congressional investigating unit, which accuses the Pentagon of "widespread failure" to implement the 1962 Truth in Negotiating Act.

"We concur (with the need for estimating systems)," Deputy Defense Secretary Cyrus R. Vance said in a "Dear Elmer" letter to Elmer B. Staats, U.S. comptroller general. This was followed by an order for remedial action.

That the Pentagon should agree is not surprising. It has heard the same criticism before. For at least 10 years, the Defense Department's own auditors have reported the same broad deficiency and recommended the same action as the GAO.

Purchases rocket—Some of the reports were choked by red tape. Others either were ignored or receded from view. Some were fated to become a basis for more studies and more reports. But none was adopted, according to a GAO finding on Feb. 15.

An estimating system is important because it provides both the company and the armed forces with a quick, reliable frame of reference for evaluating projected cost figures.

When such a system is used before multimillion-dollar contracts are awarded, it reduces the need for checking back later. Otherwise, even where the government discovers it has been overcharged, it must resort to expensive (and not always successful) lawsuits to recover refunds.

For 10 years, the GAO has been documenting $13 million in overpricing each year. It has urged the Pentagon to get busy and find even more. Meanwhile, military purchases have rocketed to a new rate of $125 million a day.

Here is a chronology of inaction on estimating systems:

Year 1957—Air Force recognizes estimating system need, issues guidelines. Army and Navy get in step.

Year 1962—Need is still there, Air Force finds. It notes "lack of mutual understanding as to what constitutes an acceptable estimating system."

Year 1963—Special Defense Department-Industry committee calls for "better communication by department as to what is expected of contractors in preparing price proposals," adding that contractors' estimating methods "should be formalized."

Year 1964—Army study shows that "questionable items in price proposals, defense-wide, could approach $1 billion annually." Three out of every five systems reviewed "were not adequate for producing reliable cost estimates."

Army says: "Our examinations served generally to reaffirm continued existence of the same types of deficiencies that have caused problems in prior years."

Year 1965—Bureaucratic ruling is that Army report of 1964 does not qualify as an "action document." Rather, Top Brass receive it "for informational purposes." (The GAO is unable to find "any evidence" that report stayed alive.)

Year 1966—Defense Contract Audit Agency (DCAA) discovers that "conditions found in prior reviews had not significantly improved."

Examples are cited:

"Army evaluated a contractor's methods and found several deficiencies. Army stated that unless corrective action taken, there would be no assurance . . . questionable costs would not continue.

"Seventeen months later, DCAA again identified some of same deficiencies.

The DCAA, by the end of 1965, was pushing its own reform program. Field tests were scheduled for the first half of 1966. But when the GAO checked last August, it found that "none of the regional offices had submitted evaluations of the test program to DCAA headquarters."

GAO maps way—Constitutionally, enforcement is the duty of the Pentagon. But the relatively small GAO staff took the initiative last November. It invited top Defense officials to a special briefing on estimating systems.

Anticipating the critical GAO report of Feb. 15, the Pentagon issued a procurement circular last January ordering reforms on a broad front.

The GAO was impressed—with reservations. Experience has taught the congressional investigators to inspect a lag between promulgation of a new Pentagon regulation and action to enforce it.

Consequently, in the Feb. 15 report, the GAO urged the Pentagon to set up a "monitoring program" to measure compliance with the circular.

Repeaters—The GAO asserted, in addition, that the circular did not go far enough. For example, it did not require that estimating systems be put in writing.

The GAO is still urging the Pentagon to impose a deadline on contractors for completion of their estimating systems. And it wants the Defense Department to arm itself with a list of major contractors whose prices are questioned repeatedly.

[From the Plain Dealer, Apr. 17, 1967]

Buying Team Jealousy Hikes U.S. Costs

(By Sanford Watzman)

Washington.—Evidently embarrassed because "reports continue to reveal cases where the government has accepted unreasonable prices," Defense Secretary Robert S. McNamara blamed it once—as he could today—on lack of teamwork by his purchasers.

A General Accounting Office (GAO) report of Feb. 15 shows that procurement officials still are working at cross purposes.

The Defense chief issued a memorandum at the time (April 10, 1964) to his secretaries of the Army, Navy and Air Force—the three armed services that McNamara had succeeded so spectacularly in welding into a single team.

His problem now was not interservice rivalry but rather friction and professional jealousy inside contracting teams of all three services. He wrote:

"In processing the GAO cases it is frequently difficult to reconstruct from our records the reasons why our analytical procedures failed.

"It is apparent that some of the problems we are having in this area stem from a lack of clear-cut delineations of responsibilities between contracting officers and auditors. It is the purpose of this paper to further clarify . . ."

McNamara warned that mere certification by the contractor that his cost figures were accurate, current and complete did not relieve procurement personnel of responsibility to analyze the data.

The Feb. 15 GAO report, based on a study of 77 recent cases, charges:

"We found that in a number of instances limited or no work was done by auditors in significant areas of contractors' pricing proposals . . .

"Procurement regulations provide that the auditor and technical personnel, each a specialist in his own field, should make complementary analyses of estimated costs areas (and that) technical personnel coordinate their findings with the auditor . . .

"We found that in most cases the technical findings either were not furnished to the auditor or were not made available to him in sufficient time to include them in the audit report."

The GAO document continues: "We found that the auditor did not ordinarily receive information (feedback) on the usefulness of his findings and on ways that audit services could be more effective in future negotiations.

"The record of negotiations should be made available to the auditor so that he will be aware of the results of his work . . .

"We found (at one place) a general nonuse of auditors' findings. In a few cases negotiations were held before auditors' reports were received."

In a reply to GAO, the Pentagon agreed with the criticisms and pointed out that corrective actions had been ordered recently. GAO in turn replied that the Pentagon must continue to keep an eye on this program to make certain it is working.

[From the Cleveland Plain Dealer, Apr. 18, 1967]

Pentagon Bars Updating: True Cost Act Too Vague

(By Sanford Watzman)

Washington.—The little placard on the office door at the Pentagon (where overpayments on war contracts are measured in millions of dollars) says:

"Push for cost reduction."

This is the office of Paul R. Ignatius—full title: assistant secretary of defense (installations and logistics).

I had an appointment with him to ask about the "widespread failure" to enforce the 1962 Truth in Negotiating Act, as charged by Congress' General Accounting Office (GAO).

I found that the Pentagon considers the law "imprecise" but that at no time since the law was adopted more than four years ago (over the Pentagon's opposition) to protect the taxpayer on military purchases—has the Defense Department seen fit to ask Congress for clarifying legislation.

At GAO the prevailing opinion is that no amendments are needed anyway. The law is clear but, like virtually all other statutes, it is not self-executing, GAO says. An enforcement program is needed.

The greater part of my interview, Ignatius having been called away, was with John M. Malloy, assistant secretary of defense (procurement), and Richard W. Webb, director of procurement analysis and planning.

Malloy readily acknowledged difficulties with the law, at the heart of which is a requirement that contractors certify their cost estimates as being based on information that is "accurate, complete and current."

"There are some imprecise terms in the act, like 'accurate, complete and current,'" Malloy said. "We will have trouble explaining what these terms mean."

I asked Malloy, having in mind that minimal spot-checking by GAO keeps revealing overcharges at the rate of $13 million a year, whether the Pentagon had tried in four years to improve the language of the statute, assuming this was needed.

"No, we have sought no further guidance from Congress," Malloy replied. "We can hone these terms. This just requires refinements and refinements. We need experience under the law."

"You have to understand," said Webb, "that this is an evolutionary process."

"We've been giving more attention to implementation of this law in the last year than just about anything else around here," Malloy asserted.

"Why did you wait until last year?" I asked.

Malloy replied: "Well, when you get GAO firing criticisms at you, you turn to your problem areas requiring the most attention."

He added: "Don't misinterpret what I said. We've been working hard on this problem from the very beginning, but as you come across need to do more work in an area, you do it.

"We don't ignore the GAO reports. Secretary (Robert S.) McNamara regards them as a darned fine tool."

"Why do you need GAO to lead you around?" I asked. "Isn't that like the tail wagging the dog?"

"I don't know that they're leading us—they're making suggestions," said Malloy. "We have plenty of reviews going on all the time here. We find many things ourselves too."

"The law was GAO's suggestion," said Webb, "so it's logical that, in the administration of the law, GAO would continue to take an active interest."

"But the responsibility for enforcement rests here in the executive branch of government, doesn't it?" I asked.

"Yes, it does," Malloy replied. "Enforcement is not the responsibility of GAO."

And there the matter rests today.

Secretary McNamara, tardily, has been taking some steps to enforce the law. But GAO remains unconvinced, and it keeps issuing reports on violations and maladministration.

And in Congress, where the law was passed unanimously in both houses (and then forgotten), no one has said a word.

Meanwhile, the latest available figures show that defense procurement spending has soared to a new level of $125 million a day.

[From the Cleveland Plain Dealer, Apr. 9, 1967]

War Contracts and Your Money

The Plain Dealer today introduces a new series of penetrating reports based on a study of national defense contracts in relation to the Truth in Negotiating Act.

The United States Comptroller General has charged the Department of Defense with failure to follow the rules in these matters What are apathy, misunderstanding or plain chiseling costing the American taxpayers?

Spurred by charges of the General Accounting Office that the Pentagon has not been "minding the store" as far as military materiel procurement is concerned, Sanford Watzman of The Plain Dealer's Washington Bureau went hunting in the maze of Washington's governmental red tape.

The first of his articles on his findings is published today.

Presidents of the United States have deplored government waste, particularly in purchase contracts.

President Johnson said, "I want all reports by GAO and any congressional committee to be given prompt and thorough attention. Honest mistakes can be forgiven but it is hard to forgive failure to examine and tighten agency procedures to guard against recurrence of error."

President Eisenhower, in his 1961 farewell address, warned against a "military-industrial complex . . . new in American experience. We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted." President Truman, when he was a senator in World War II, headed an investigating committee that exposed excessive war profits.

The area of government contracts is complicated. Simple misunderstandings are not unusual. Not all deviations from standard contract forms are necessarily venal. But government spending is the biggest business in the world today and it is not done with "federal funds" in the sense it is the government's cash that is involved.

It is your money.

Follow the series and see what happens to it.

[From the Cleveland Plain Dealer, Apr. 19, 1967]

NEGLIGENCE IN THE PENTAGON

Reporter Sanford Watzman of The Plain Dealer's Washington Bureau has shown the Defense Department to be woefully negligent in its auditing of procurement contracts that now involves $125 million a day.

In a series of 10 articles, Watzman put the spotlight on examples of Pentagon failure to look behind blanket cost estimates submitted by contractors in the many fields where competitive bidding is impractical for one reason or another. The amount of money paid out in such fields is no slight matter. It adds up to 85% of all military procurement.

The hero of Watzman's series is the General Accounting Office, investigative arm of Congress, but the role of Congress itself is not heroic at all.

After passing the important Truth in Negotiating Act in 1962, that body virtually has stood aside as though the problem of fair pricing were solved.

The GAO, with the minimal spotchecking it is equipped to do, has revealed overcharges to the government averaging $13 million a year, and there is no telling what the figure would be if the Pentagon were prodded by Congress into carrying out its own major responsibility in such checking.

Actually, the ultimate responsibility lies with Congress—as watchdog for the taxpayer.

Congress should see to it that the Defense Department, day in and day out, does the strict accounting jobs that are necessary in enforcing the Truth in Negotiating Act.

Countless millions of dollars are at stake.

DELAWARE SALUTES U.S. NAVY SEABEES ON SILVER ANNIVERSARY

Mr. BOGGS. Mr. President, the Seabees of the Navy, the great construction battalions first founded in World War II, mark their 25th anniversary of service to the Nation this year.

Today there are eight battalions serving in Vietnam and eight Seabee civic action teams are assisting the Vietnamese people deep in the interior of that country.

Led by the officers of the Navy Civil Engineer Corps, the Seabees have always been first-rate builders. They first proved their abilities at Guadalcanal, where they kept runways open at Henderson Field despite repeated Japanese attacks.

They provided the floating drydocks that made possible the Sicily and Normandy landings and built bases all the way from Tinian to Antarctica.

Vietnam is a new chapter in the history of America's famed builder-fighters, and they are adding new laurels to their great slogan: "Can Do."

In recognition of the 1967 Seabee silver 25th anniversary, Gov. Charles L. Terry, Jr., of Delaware, recently proclaimed CEC/Seabee Week.

I take this opportunity to offer my congratulations to the Seabees on their anniversary and salute them for their outstanding record of achievement in the Nation's interests. I also ask unanimous consent that the text of Governor Terry's proclamation be printed at this point in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

STATEMENT BY GOV. CHARLES L. TERRY, JR., IN OBSERVANCE OF "CEC/SEABEE WEEK," MARCH 2–8, 1967

Congress by legislation on March 2, 1867, provided for the commissioning of Navy Civil Engineers by the President and gave birth to the Navy Civil Engineer Corps.

The Navy Department on March 5, 1942, during the early days of World War II, when the future security and life of our Republic was in critical danger, authorized the formation of Naval Construction Battalions, the CAN DO troops of the U.S. Navy, officially and popularly designated "Seabees" to build and defend advanced bases needed all over the world.

The Navy Civil Engineers, CEC Officers, were given authority to command these newly formed Naval Construction Battalions and have since led the Seabees in action at home and overseas with great military effectiveness and distinction.

Throughout the long months of World War II, nearly a quarter of a million CEC Officers and Seabees worked night and day under perilous conditions to provide airstrips, seaports, supply depots, roadways, and other shore installations, and additonal thousands of CEC Officers and Seabees were actively engaged in amphibious landings throughout the world, which enabled the armed might of our Nation and its allies to prevail over the tremendous force of our enemies.

Today, when the interest of our Nation requires their knowledge, ability, and CEC/Seabee competence, thousands are in Viet Nam in support of our military forces and policy there. Here at home, back of all those on full time duty, is a strong CEC/Seabee Reserve composed of construction men trained and ready for further service to our Country any time the need arises; and

Since many of the Civil Engineer Corps Officers, Seabees and their Reserves are citizens, it is fitting that we all pay tribute to the gallantry and accomplishments of the Civil Engineer Corps on its 100th Anniversary and to the Seabees on this 25th Anniversary of their formation:

I do hereby proclaim March 2–8, 1967 as CEC/Seabee Week and call the attention of our citizens to the proud record of the CEC/Seabees in support of our Armed Forces.

Given under my hand this 1st day of March, 1967. Accordingly, as Governor of Delaware, it is a pleasure to hereby designate March 2–8 as CEC/Seabee Week and call the attention of our citizens to the proud record of this great organization in support of our Armed Forces.

PUOWAINA

Mr. INOUYE. Mr. President, Hawaii has long been proud of its National Memorial Cemetery of the Pacific.

Some 20,000 dead lie peacefully in this beautiful setting, the crater of an extinct volcano overlooking the city of Honolulu.

Scott Stone, assistant city editor of the Honolulu Advertiser, recently wrote an article dealing with this cemetery, which is known locally as Punchbowl because of its contours. I ask unanimous consent that the article be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"PUOWAINA" APPROPRIATE FOR PUNCHBOWL CEMETERY

(By Scott Stone)

Nearly 500 feet above the city the trades blow briskly and the air has the taste of a dry white wine. The sun escapes from a cumulus cloud and spills warmth and light over Punchbowl.

The graves are flat, submerged in a green carpet of grass and identified only by the markers stretching in neat geometric lines across 30 acres inside the crater.

There are about 20,000 graves here. War correspondent Ernie Pyle is buried in one marked D109. Nineteen of the graves contain Medal of Honor winners. To stand in the presence of valor, as much as in the presence of death, is sobering.

The Hawaiian word for Punchbowl is Puowaina, and in translation it is doubly applicable. It means "Hill of Sacrifice" and is where human sacrifices were dedicated to the Hawaiian god Ku. In modern times it recalls the causes for which these dead have died, sacrifices to man's inability or unwillingness to solve his problems short of warfare.

More than a century ago America established a National Cemetery System, and in most cemeteries across the nation there is a shortage of burial space. At Punchbowl there is room for 25,643 spaces, or enough to last another decade before the remaining 82 of the 112 acres, presently underdeveloped, must be used.

Many of the 84 Hawaii men who have died in Vietnam are buried here. The first was killed five years ago this month, executed by Viet Cong terrorists after he was wounded in an ambush on April 8, 1962. He was Specialist Four James Gabriel of 1544 Hala Drive, and when he died he was 24 years old.

In other graves in the flat center of Punchbowl's caldera are veterans from World War II and the Korean War. In the northern end of the cemetery the sun glistens on the marble monument in the Court of the Missing, where 26,280 names emblazon the memory of men whose bodies were never found.

The Court of the Missing was dedicated last May 1, while Communist nations around the world are parading weaponry in their traditional "May Day" observation.

The dedication came 16 years after the start of planning for it, and 8 years after the beginning of construction. The cost was $3 million.

In contrast to the decade and a half it took to establish the Court of the Missing, the cemetery itself was developed with a minimum of delay.

The land was made available in October, 1943, when the Territory of Hawaii ceded it, without cost, to the Federal government. Funds were appropriated by the 80th Congress (1947–48) and a Department of the Army General Order dated Oct. 13, 1948, designated the site as the National Memorial Cemetery of the Pacific.

Construction of the cemetery began in August, 1948, and was completed a year and $1 million later. Civic and military leaders at the dedication ceremonies on Sept. 2, 1949, noted it was the fourth anniversary of the end of World War II.

That war, somebody said, had been the one that was to halt aggression in the Pacific and Asian areas.

Burials take place in Punchbowl almost

every day. The cost to the government is about $60 each, plus $5 a year for care, and the cost for the stone grave marker is between $25 and $35. If a military man is buried in a private cemetery, the government still furnishes the marker, if his family wants it.

Thousands of visitors—an accurate count is impossible—visit Punchbowl each year, winding up Puowaina Drive with its tall grass and littered roadside before going through the twin stone markers at the gate and into the immaculate resting ground. They come in all stages of dress, they are all ages and they invariably become quiet and thoughtful when they pass through the gate.

They walk among the markers and they stand somberly before the sculptured figure, Columbia, at the Court of the Missing. Even the children are hushed here, and the only sounds are footsteps and the wind whistling across the crater.

PUNCHBOWL AT A GLANCE

The summit is 498 feet above the city; it is an extinct volcano. The Hawaiian name is Puowaina.

There are now about 20,000 graves. There is room for 5,643 more. Thirty acres of the 112-acre site have been developed. It cost $1 million to develop the site and $3 million for the Court of the Missing dedicated last May. Punchbowl is the largest National Memorial Cemetery outside the continental United States.

EXTENSION OF SELECTIVE SERVICE ACT

Mr. YOUNG of North Dakota. Mr. President, last Friday, former North Dakota Gov. John E. Davis, national commander of the American Legion, testified before the Senate Committee on Armed Services on proposed legislation to extend the Selective Service Act. It was my pleasure to introduce him at that hearing.

Commander Davis presented an excellent statement, and I think the position he takes on behalf of the American Legion would be of special interest to all Members of the Senate, and to the public generally. I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF JOHN E. DAVIS, NATIONAL COMMANDER, THE AMERICAN LEGION

(Testimony in connection with hearing on S. 1432, before the Senate Committee on Armed Services, April 14, 1967)

Mr. Chairman and members of the committee, so highly do I prize the opportunity accorded to the American Legion to be heard on this important legislation, I set aside my previous plans in order to appear personally today.

There are so many, many fine privileges we enjoy as Americans. Not the least of these by far is the privilege granted to organizations and individuals to express their views to Congress on matters such as service to one's Nation thereby assisting in the formulation of more workable and equitable laws.

I am here today representing the membership of the American Legion and the American Legion Auxiliary, numbering more than three and one-half million members.

Several resolutions adopted by our national convention which met here in Washington, D.C. on September 1, 1966, were specifically designed to reflect the American Legion's position regarding this Nation's military manpower procurement system. Our comments thereon are included in this statement. The full text of each of these resolutions is appended to this testimony. They were written after study on post, department and national levels of hundreds of separate resolutions and express the overwhelming opinion of the members of the Legion and its Auxiliary.

Over the years, the American Legion has evidenced its concern for the defense of the Nation. It has always supported adequate Armed Forces and has traditionally taken the position that the privilege and duty of serving in the Armed Forces should be shared as widely as possible.

Frankly, after nearly 30 years of operation of basically the same manpower procurement system, and of countless hours of study by Presidential, Congressional, Defense Department, and independent committees, I seriously question whether there are any "new and painless" means of providing for the common defense of our Nation.

Every four years when this legislation expires and must be re-enacted, it becomes the center of widespread controversy, both in the public and political forum. Proposals thought by their sponsors to be new or ofttimes old systems into which new life has been breathed, are paraded before the public as the sure-fire answer to the many criticisms of the existing system. Usually, as this committee knows so well, these solutions are not new, nor do they solve the basic needs of the Nation that this legislation provides.

The simple facts of life concerning the legislation before your committee is that it must be re-enacted. If we are to fulfill our national security obligations, we must maintain Armed Forces adequate to do the job.

The American Legion strongly recommends a four year extension of the induction authority of the Universal Military Training and Service Act, as amended, (exhibit A). We also support extension of related laws concerning dependents' assistance, suspension of the permanent active duty strength ceilings of the active forces, the authority for special calls for physicians, dentists, and allied specialists, and provisions for extra compensation for such personnel. I sincerely hope this committee will so recommend to the Senate.

We of the American Legion welcome this opportunity to express again our conviction that the principles and philosophies of raising armed forces in a democracy, and the procedures for putting them into effect which the Congress has translated into law, represent a sound, fair, efficient and effective system of insuring an adequate national defense.

Although the provisions in the present law under which universal military training could be instituted have not been used, the American Legion is proud of the contributions it made in the past to their enactment. These provisions contribute substantially to the capability of this Nation, without any further legislation, to muster all of its resources for defense or survival if the need should arise. The repeal of these provisions would indicate to friend and foe around the world, a weakening of our determination and capacity to fulfill our international commitments.

The present law is a broad and flexible statute under which almost any need can be met. An important aspect of that flexibility are those provisions for universal military training. No one can predict that the Nation will not find it wise and necessary to put them into effect at almost any time. In recent months, there have been a substantial number of suggestions that these provisions be implemented.

In this connection, the American Legion is opposed to that proposal in the bill before this committee which would change the title of the present law. We believe the title of the act should continue to reflect its provisions.

There is no need, in our view, to try to disguise by a change in the title of the act the fact that the Congress had the foresight to provide for a universal training program if it is needed. On the contrary, we believe the nation should be kept aware of the fact that universal military training provisions exist in law and can be put into effect quite rapidly if advisable. Leaving the title of the act unchanged will help preserve that awareness.

With confidence that this committee will recommend, and the Congress enact, extension of the induction authority under the UMT and S. Act, I would like to comment briefly on other proposals which have been or may be placed before this committee to alter, by legislation, or under the broad authority conferred on the President in the law by Executive decision, the principles, philosophies, and procedures of the selective service system which have served this nation so well in its recent history.

While I have received assurance that section 673–A does not provide authority to the Defense Department or to the military services to order individual reservists, who are performing satisfactorily, to active duty, I wish to note for the record the official position of the American Legion in regard to the call-up of reservists.

Resolution 708 (exhibit D), unanimously adopted by our 1966 National Convention, supports Presidential authority for the call-up of reservists without declaring a national emergency *but only* non-unit reservists be called to active duty under this proposal and when necessary that units be called as units and not as fillers so that the integrity of units will be preserved.

The most far reaching, and in our view, dangerous proposal concerning the Nation's Selective Service System, which has been made and which is being seriously considered by some, is the proposal to abandon the time-tested principle of State and community responsibility and authority in the operation of selective service.

In our judgment, the Selective Service System has successfully fulfilled its mission over the years because of the confidence it has won and retained in the community. The source of that confidence is the principle of decentralized operation and local decision. We believe it would be unwise, and perhaps would jeopardize the capacity of the system to function successfully, to weaken the principle of local operation and decision.

Since 1940, several hundred thousand local citizens, motivated solely by patriotism, have served without pay on the local and appeal boards making the difficult decisions as to when the sons of their friends and neighbors would enter service. About 40,000 of these dedicated citizens are so serving now. This service represents one of the highest expressions of citizenship to be found anywhere in our public life.

Hours of reading and intelligent study are required to understand and equitably decide the many trying questions that come before these boards. Those who have not had personal experience in day to day problems with local boards can not fully appreciate the unselfish service they perform.

Having been twice honored by the citizens of my state by election of the office of governor, I hope the committee will accept charitably from me these comments on the role of the governor in such a vital national program as selective service. I offer these comments fully recognizing that it is the confidence expressed in the present law in the citizens of the communities who operate selective service which more than any other factor accounts for its acceptance and support.

The governor, as chief executive of the state, is the officer on whom responsibility for selective service operations in his state must rest. This responsibility cannot be split and part of it shifted to a regional federal office without endangering state, community and federal cooperation on which the success of such vital programs as manning the armed forces depends.

Our early history in raising armed forces, and some recent history in other areas, has some lessons for us on the importance of federal-state cooperation. Until 1917, the federal government either relied too heavily on the states to contribute parts of their militia or, as during the Civil War, sought to raise national forces too independently. Both approaches have serious weaknesses.

Since 1917, however, the governor has had a key role in the operations of selective service programs. This involvement of the governor in this national program has provided assurance that the governor will continue to feel responsibility for national forces as well as for adequate militia to carry out his state responsibility.

While the duty to serve in the Armed Forces, if qualified and needed, is one each person owes the National Government, there is a community and a State interest and pride in such service which enforces the individual's acceptance of this duty. Our people still consider themselves as from a city or a community, and a State, and not as someone from "Federal region No. 6," for example. In the highly demanding and personal matter of joining in the defense of the Nation at the risk of his life, if necessary, a man is ultimately motivated by the defense of his home, the understanding and gratitude of his family, friends and neighbors for the service he has performed.

I am well aware that such proposals as are under study to restructure the Selective Service System would require extensive changes in the law. While no amendments to accomplish this change are before the committee, I feel this representation of the legion's view is timely.

In the administration and operation of the Selective Service System, there exists some 27 years of accumulated experience. This experience exists not only in the present compensated and uncompensated personnel but in the former compensated and uncompensated members of the system and even in appeal agents, advisors, lawyers, doctors and others who have never been actively a part of the system. A restructure of the system would destroy most of this accumulated knowledge.

If ever such a reconstruction of the Selective Service System should be required, it should not be done in the present time of emergency when it is most desirable that the system operate as smoothly as possible and when it would take much time away from all of the peronnel in the present operation to study and learn the management of the new system.

Another proposal to tamper with our time proven system is to use some game of chance to determine who should serve and who should not, rather than rely on judgment and date of birth. I know of no reason to justify using such a device as a substitute for the present system. A so-called lottery violates the principle of placing the individual where his service would be most needed by the Nation.

While my knowledge is not technical in this area, I understand that the present law permits the President to provide for calling 19 year olds if he wishes, or some 19 and some older—any age group or groups he wishes to specify—and to ask for some from one group and some from others. It appears to us that his authority in this area is so broad and flexible that he can limit the time of prime liability to any age group—of one year, two years, or part of a year. He can call the youngest first or the oldest. No lottery can give a greater degree of the limited certainty in this matter than the law already permits.

This leads me to the final matter on which I would like to comment briefly—the matter of deferment.

So long as universal training is not in force, it makes sense to the American Legion to select men for service and to defer others temporarily with the national interest as the prime consideration. However, the Legion is opposed to broadening the opportunities of evading service through more liberal deferments, exemptions, or recognition of any other service as a substitute for military service.

Of particular concern to the American Legion are the several proposals now pending before the Congress relative to changes in the military draft law suggesting that in addition to drafting American men into the military services that the law be extended to include the Peace Corps and Poverty Corps and credit such service toward their military obligation. The American Legion by convention resolution (see exhibit C) strongly opposes this proposal because it believes it is not in accord with the professed motives of the Peace Corps and Poverty Corps which are not military in nature.

We do, however, believe that females should continue to be exempt from the draft. Likewise, we are opposed to increasing the obligation for military service from two to three years when we have a surplus in the number of qualified personnel to meet the requirements of the Defense Department, and even the two year obligation has allowed many to render no military service, it does not seem logical to increase to three years the obligation of those who are called (see exhibit B).

Those who criticize deferment policies as resulting in unfairness should look deeper. Utilization of our manpower for defense, either in uniform or in preparation for performance of vital work in civilian life must apply to the manpower we have with all its degrees of qualification, potential, and activity. Those who seek "fairness" through tinkering with the operations of Selective Service, would, if they pursued their philosophies to their logical extremes, take into the services the unfit and those preparing to or making the most valuable contribution to defense as civilians and those with heaviest personal responsibilities.

On the other hand, they would leave in civilian life presumably those best qualified for service in the Armed Forces and those with the least opportunity or inclination to contribute as civilians and with fewer responsibilities.

Fairness is a desirable goal. If by fairness we mean there should be a broader sharing of the duty of training and service, the only approach is to use more young men through some form of universal military training if not all are needed on active duty. The legion supports such an approach. If by fairness we mean to ignore the factors which effect an individual's availability for service or the national interest in what he is doing as a civilian, the legion opposes such an approach.

Even after entry into the Armed Forces, by whatever means, there is no equity of service when some are in the front line and some at Army headquarters, when some go out on patrol and some do not, when some serve in the U.S.A. and some in Vietnam. The prime consideration must always be the national need, not the arduousness of the individual's assigned duty.

No better assurance of fairness in a selective service system is available than the freedom of local boards to use informed judgment to decide in each case when an individual should be available to serve, and to call him in a familiar logical order by date of birth. However these procedures affect an individual from time to time, there is no hint that they were instituted to further any cause or to favor any group, or to serve any purpose except maintenance of adequate forces with consideration for the needs of the civilian economy.

Since being elected national commander, I have traveled thousands of miles and talked with people from all walks of life, including many of our servicemen here at home and in Vietnam. I am proud of most young Americans, particularly those who do what is expected of them in an unspectacular way.

It pains me greatly, as I'm sure it does members of this committee, to witness young Americans, and some not so young, holding their Nation up to ridicule, citing reasons why they feel no moral obligation to do one earthly thing to perpetuate it. Our news media will go out of its way to bring the acts of these characters to the attention of the world, but will do as little as possible to tell the world about the vast majority of Americans who love and cherish this great, good country of ours. . . . Many of them giving their lives to extend freedom to less fortunate fellow men.

In 1783, the first president of the United States, George Washington, spoke of citizen responsibility in these clear terms. He said:

"It may be laid down as a primary position, and the basis of our system, that every citizen who enjoys the protection of a free government, owes not only a portion of his property, but even of his personal services to the defense of it."

To me, these views are just as applicable today. I thank you.

Exhibit A

Resolution 288

(Subject: Extend Universal Military Training and Service Act, as amended, to June 30, 1971)

Whereas, The authority under the Universal Military Training and Service Act (62-Stat. 604) to induct persons who have not been deferred will expire on June 30, 1967; and

Whereas, Voluntary enlistments in all branches of the Armed Forces are greatly influenced and encouraged by the mere existence of said Act; and

Whereas, There are over 40,000 members of the Selective Service System working without compensation; and

Whereas, The Selective Service System has earned and enjoys the confidence of the overwhelming majority of the American people; and

Whereas, Our nation should never be without an obligation for every youth to serve his country in a military capacity and a system for their selection so to serve; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Washington, D.C., August 30, 31–September 1, 1966, that the Universal Military Training and Service Act (62-Stat. 604) as amended, be further amended so that the same in its present form will be extended until June 30, 1971; and that the Director of Selective Service, State Directors, and their compensated and uncompensated personnel be commended for their outstanding performance in assisting the recruiting service of all branches of the Armed Forces with their respective recruiting programs.

Exhibit B

Resolution 699

(Subject: Position of the American Legion on proposed changes in Selective Service System)

Whereas, The American Legion believes that every male citizen owes his personal service to the defense of his country and to this end has consistently supported the Universal Military Training and Service Act, as amended; and

Whereas, The President of the United States has appointed a commission to study this act with a view to suggesting any changes in the same it may deem advisable; and

Whereas, The American Legion wishes to make clear its position upon certain suggested changes; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Washington, D.C., August 30, 31–September 1, 1966, that it opposes conferring upon the Selective Service System the authority to include females; and, be it

Further resolved, That it opposes the increase of the obligation for service from two to three years.

EXHIBIT C

RESOLUTION 127

(Subject: Military Service Exemption for Members of Peace Corps and Poverty Program Opposed)

Whereas, It has come to the attention of The American Legion National Organization in convention assembled the following:

That the proposals pending in Congress relative to changes in the Military Draft Law—drafting American boys for military service contemplate including along with service in the military forces of the Army, Navy, Air Force and Marines, the newly formed Peace Corps and Poverty Corps.

That affiliation with and service in the Peace Corps and Poverty Corps would be credited against draft service in the military; now, therefore, be it

Resolved, by the American Legion in National Convention assembled in Washington, D.C., August 30, 31-September 1, 1966, that we affirm the necessity for a strong military defense to insure peace; and be it

Further resolved, That The American Legion oppose, including the Peace Corps or Poverty Corps in the draft program because we believe this will be detrimental to maintenance of the strength of the Armed Forces; and be it

Further resolved, That The American Legion believes it will not be in accord with the professed motives of the Peace Corps and Poverty Corps which are not military in nature; and be it

Further resolved, That the draft law should not, however, treat the Peace Corps or Poverty Corps as grounds for exemption or deferment and The American Legion does expressly oppose such a change.

EXHIBIT D

RESOLUTION 708

(Subject: Presidential authority for call-up of reservists)

Whereas, The Senate and House of Representatives have indicated their willingness to give the President discretionary power to call-up certain members of the Reserve components; and

Whereas, The separate proposals of the Senate and House of Representatives vary greatly in the number of Reservists effected; and

Whereas, The American Legion has consistently advocated a strong, well trained Reserve as a vital backup for the regular forces, and is not opposed to the call-up of non-unit reservists or of units as such; and

Whereas, We recognize the requirement for well trained and organized units and individuals; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Washington, D.C., August 30, 31-September 1, 1966, that we support the intent of the Senate and House in giving the President authority to call-up the Reserves without declaring a national emergency and urge that,

1. Only non-unit reservists be called to active duty under this proposal, and

2. When necessary, that units be called as units and not as fillers, so that the integrity of units will be preserved.

KONRAD ADENAUER

Mr. McINTYRE. Mr. President, the entire free world sustained a great loss yesterday with the death of former West German Chancellor Konrad Adenauer.

Konrad Adenauer, more than any single man, personified West Germany's economic and political recovery after World War II. Throughout the dark and troubling years of German postwar recovery, when there was serious doubt that much of Western Europe could survive a Communist takeover, this one man stood firm and personally guided his nation from complete and devastating destruction to a strong, healthy, and vibrant bastion against communism.

Today's Germany is Adenauer's Germany. And today's Europe is, in no small part, the Europe of leaders like Adenauer whose will and determination created order, strength, and prosperity from the chaos of World War II.

Mr. President, all nations of the world will feel the loss of Konrad Adenauer. To his family and nation, I wish to express the heartfelt sympathy of the family of nations who admired and respected this man and his pursuit of peaceful change.

SPRINGVILLE SUCCESS STORY MEANS JOBS FOR RURAL AMERICA

Mr. SPARKMAN. Mr. President, farm mechanization has forced many people to seek employment in towns and cities. Smaller towns in rural areas often lack industries to attract people seeking jobs or to provide employment for their own young people.

The result has been a mass exodus to the cities where many of the uprooted locate jobs and lead productive lives. But many cannot adjust to urban life. They find it strange, frustrating and disillusioning, and long to return to the more tranquil existence of rural America.

There is a need, therefore, to create jobs in these rural communities so that people can lead productive and satisfying lives in home areas they find congenial.

Happily, some small towns have succeeded in accomplishing this. Because of its importance in establishing a pattern that other communities might follow, I would like to relate the accomplishments of one Alabama community and show how, by its own efforts, it dispelled the gloom and despair that threatened to engulf it and transformed itself into a town of opportunity and promise.

Nestled in the verdant mountains of north central Alabama on U.S. Highway 11, about 30 miles northeast of Birmingham, is the town of Springville, Ala.

It took its name from a crystal-clear spring that even today forms a pool of rare beauty in the center of the community. It was once a prosperous community, a trading center for farmers and the home of firms engaged in lumbering and coal mining.

In 1952 Springville was already beginning to feel the adverse effects brought about by farm mechanization. Then a devastating blow occurred. The Alabama Fuel & Iron Co.'s coal mines were closed, terminating many jobs held by the town's residents.

The slow withering and economic decline that was already beginning to affect Springville was accelerated. More and more people in Springville appeared to have no future. It was dying.

But it took 10 years of almost steady decline before the citizens of Springville made up their minds that something drastic had to be done. The extent of the town's plight was revealed when the census reported a population of only 822. The county was officially designated as a distressed area.

The move to put Springville back on the map was started on March 8, 1962, by Judge M. W. Foreman and Mayor Marcus Pearson. These distinguished civic leaders persuaded 87 leading citizens to help them organize the Springville Development Co., a local development company whose primary purpose was to build industrial plants, obtain manufacturing tenants, provide jobs, put more money into circulation, and promote and stimulate the economic growth and development of Springville and its environs.

The development company decided to build a factory which it hoped to persuade a cabinet manufacturer to operate under a lease. Its first job was to raise funds locally, selling stock in the development company at $50 a share. Eighty-seven leading citizens all subscribed, some investing as much as $1,500. It was a major achievement for a town of 822 people in a distressed area.

Next, the development company outlined its program to the Small Business Administration and applied for a loan. SBA quickly approved the project which was to cost $188,000 and approved a loan of $140,000. The remaining $48,000 was raised locally by the development company.

Jack Graves, a native of Blountsville, Ala., agreed to organize a firm, the National Cabinet Corp., to manufacture metal stampings, specializing in metal utility base and wall cabinets to be sold to wholesale and retail furniture and hardware companies.

This newly organized firm leased the new factory building from the development company. Its rental payments would retire both the Small Business Administration loan and the debt to the development company stockholders. At this point, the plant would become the property of the National Cabinet Corp.

In the fall of 1962 the company began operations with 60 employees. In 2 years the firm was able to show a small profit. Profits mounted rapidly from then on and the firm was a distinct success.

Its success was due in large measure to financial assistance provided jointly by a bank and the Small Business Administration. The first loan for $100,000 was approved on June 17, 1963, and a year later a refunding working capital loan of $200,000 was arranged.

The growth of this small manufacturing plant, and its impact on the town, can be shown by its employment figures. Starting with 60 employees in 1962, the company increased this number to 75 in 1963, and 117 in 1965. Today 135 persons are regularly employed.

Of the firm's present employees, 92 were previously unemployed and many were on welfare rolls. Today they are skilled employees, confident of the future, supporting families, paying taxes, backing community projects and helping the trade of local merchants.

The growing prosperity in Springville is reflected in total bank deposits: Springville bank deposits are up 40 percent over 1962. Then deposits totaled $805,922; on December 31, 1966, total deposits increased to $1,127,133.

Mr. President, this is only part of Springville's success story. To insure the continued growth of this firm, SBA has approved two additional loans to the Springville Development Corp. In 1963, SBA approved a second loan of $72,000 and in 1965 a third loan of $37,742. During this time the development company increased its membership to 148 members, and added another $13,500 in funds raised locally to aid the project.

The National Cabinet Corp. is making continued progress. The new factory, while processing 300 tons of steel daily pays the townspeople $500,000 yearly. Every year it pays thousands of dollars in Federal and State income taxes. The half million dollar annual payroll, spent locally, assists merchants and shopkeepers, and helps sustain a growing prosperity in the entire community.

The Small Business Administration, with its financial assistance, has played a vital role in this success story. But the major credit must go to the citizens of Springville. For it was their determination, backed by local money, that brought a dying town back to life.

President Johnson, a strong supporter of the Small Business Administration, has asked SBA Administrator Bernard L. Boutin to see that the small towns of rural America regain their prosperity and their economic importance.

The success which the citizens of Springville have had in bringing prosperity back to their community can be duplicated by the citizens of any one of thousands of small towns in the United States.

Administrator Boutin has reoriented his Agency's local development company program to make it easier for smaller communities with 2,500 population or less to obtain substantial financial assistance from the Small Business Administration.

Mr. Boutin knows that to be successful, a program to bring new industries into the town, if it is to succeed, must have the enthusiastic support of its citizens. But he knows also that small towns cannot raise large sums of money locally to help finance construction of a factory.

Therefore, to make the benefits of the SBA's local development company program more widely available, if a town has a population of 2,500 or less, the townspeople need to raise locally as little as 10 percent of the total cost of a project. The Small Business Administration will provide funds up to 90 percent of the cost.

The Small Business Administration will work with community, civic and business leaders and other officials, local and State, to help communities plan industrial projects that will make maximum use of local resources and also offer prospects for sustained growth.

Springville, Ala., is only one of more than a thousand communities in the United States that are using this program developed by the SBA to help build successful industries.

Thousands of other small communities can get this kind of help from SBA. But it is up to the community leaders to take the first step. I hope the Springville example will encourage other rural communities to seek SBA help.

Certainly Alabama communities have taken advantage of this program. Since the start of the SBA local development company loan program 9 years ago, 23 Alabama firms have received $3,266,683 to help create 1,387 new job opportunities.

On a national basis 50,000 jobs have been created with loans to 1,215 companies totaling $196,362,000.

In a growing Nation such as ours, we must always be alert to new ways to create job opportunities. In my book there is no better way to provide work for rural America than through the development company loan program with its emphasis on local initiative, local funds, and the supply of local management and labor to make the program work.

CONVERSION OF LARSON AIR FORCE BASE TO PEACEFUL PURPOSES

Mr. METCALF. Mr. President, the distinguished Senator from Washington [Mr. Magnuson] has often talked with me about the way his community of Moses Lake has fought back to overcome the severe setback encountered when the Department of Defense closed Larson Air Force Base.

Until I read the article written by Bob Hansen, real estate editor of the Seattle Post Intelligencer, for the March issue of the West Coast Airlines magazine, I had not realized the full scope of the combined community and Federal effort brought to bear on the Larson Air Force Base closing. Perhaps more important, I had not fully realized the excellent results of the Moses Lake community efforts.

We in Montana are faced with a similar and in some respects an even greater challenge with the announced closing of the Glasgow Air Force Base, Glasgow, Mont. We are deeply indebted to our senatorial colleagues Warren G. Magnuson and Henry M. Jackson for their leadership in working with the Moses Lake community and for their sharing of ideas and inspiration to help other communities and other States with similar problems. Above all, the fine citizens of Moses Lake merit the highest commendation for their initiative and resourcefulness in devising imaginative and productive uses for their military facility now converted to peaceful purposes.

The Larson Air Force Base, Moses Lake, Wash., project is a splendid example of innovative suggestions by Federal agencies in working with a combination of local, State, regional, and Federal authorities and resources.

It seems to me that the successful closing and conversion of Larson Air Force Base, Moses Lake, Wash., is an outstanding example of what we read and hear so much about but seldom actually see in operation. Moses Lake, Wash. represents a splendid example of creative federalism for the Nation.

Since the course charted by Moses Lake can undoubtedly be of real value to other communities across the Nation facing problems quite similar in nature, I ask unanimous consent that the West Coast Airlines article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Melodrama at Moses Lake

(By Bob H. Hansen)

It was a cliffhanger, a suspense-filled community melodrama in which no one could bet Our Little Nell would come through the red tape until the last gasping moments.

And yet, in retrospect, it had to work out as it did. Uncle Sam just couldn't let a good thing really go by the board—not if an energized community wasn't going to let it be so.

And though Moses Lake is still left with concern over what will be done with 1,300 federal-owned houses plus millions of dollars worth of airplane production and service facilities, the situation is far less grim than the forecasts of economic peril which hung over the Columbia Basin city when the Department of Defense decided to close huge Larson Air Force Base.

That was in 1965, a year in which a previously complacent community painfully shaped a coordinated effort to spare itself, and has come up believing that the impending doom was a blessing in disguise.

In their first days of political panic Moses Lake community leaders attempted to spread their influence by organizing a countywide action group—an exercise in naivete from which they soon regained the realization that Grant County is a far-famed arena of political infighting in which local issues and national seldom mix.

There was nothing to do then but assemble a local group, omit the rest of the county, and go about organizing the county's tenth port district.

Without a port district there would be no place for Our Little Nell to call home even if local action could keep the airport as an active asset instead of a dormant drag.

Meanwhile, farsighted, aggressive Big Bend Community College moved swiftly on a study which showed what it would do with every barracks and classroom if given an opportunity to acquire the base cantonment area. It was the comforting type of action which sustained hope while it appeared that no edict from on high was going to make Defense Secretary Robert McNamara change his closure order.

About this time an assortment of federal aides came into the drama for walk-on parts, some of them even sent by the Department of Defense to show their concern for reducing the economic impact of the acts of Their Leader. There were players from the Department of Health, Education and Welfare to say that it was OK to give to the college but not to the community hospital. And standing off like semi-official shadows of coming events were minions of the General Services Administration, Uncle Sam's realty agents who would step in when the Wicked Villain went through with the foreclosure.

There were frequent mentions in action committee dialogue of Senators Warren G. Magnuson and Henry M. Jackson, both of whom had spoken and acted in favor of salvaging the air base with least economic hazard.

Our Hero—the action committee—scored a round while still gripped by puzzling uncertainty. It spearheaded a four-month drive to establish Port District 10, finalized by a resounding ninety-one per cent "yes" vote.

But confusion and uncertainty held the center stage until after the 1965 bolidays when little more could be done but swear in the three port commissioners and put them into action.

Through winter the roar of Strategic Air Command continued to pierce the Moses Lake skies day and night as the community neared the fateful day when there would be silence overhead.

One January day, as college and community pleaded for a save list of machines and material lest they be carried off in Air Force cargo planes, Moses Lake came upon a grim peril wrapped up in a hen-and-egg style of red tape.

To save airport operating facilities, including vital tower equipment, they must show a justifiable use and they had to save the gear to get a justifiable user.

About this time a delegation from the Federal Aviation Agency came on the scene to look over the air base and its facilities, no doubt because the three newly-elected port commissioners had gone into virtual around-the-clock action as soon as they were sworn in. While the FAA men were there the action committee suddenly learned that a Boeing Company field party was en route to look over the place.

So those who were now identified in the drama could be those who would save Our Little Nell.

April came and the Air Force flew away ahead of schedule.

During May and June, the Air Force left its operational equipment intact but on June 27, 1966, as the Port was taking over as the new airport owners, the Air Force had a crew on the way to prepare for a flyaway of all transportable operations gear.

It looked like all had gone for naught.

With hours to go the head man of FAA assured Senator Magnuson that the agency could find the $170,000 it would need to keep the airport operational for a year. Boeing and the Port could go ahead on their jet pilot training contract. The college moved its flight school to the base with a taxi strip as home airport. All was bright on the horizon.

The Port, now seasoned to frustration and challenge, expects to be really flying on its own before the FAA deal expires. Why? There's good promise of growing traffic in future moves by GSA. There's open space and utilities and structures all subject to use by air-oriented industry. Moses Lake has the open skies twenty minutes by jet from the Puget Sound region's expanding aircraft industry. Aircraft workers could soon occupy all those vacant houses.

Moses Lake has learned from its schooling in community action that there's reason to stay in there trying all the way.

As one person who was in most of the action summarized:

"It looked in the end like a great but unidentified authority decided the whole plan and may still be calling the turns, but we're not going to relax in that confidence. We're out to build from here until the whole base has become an asset to the region."

THE TROUBLED ALLIGATOR

Mr. SMATHERS. Mr. President, earlier this year I introduced S. 785, a bill to protect the American alligator from extinction through the actions of poachers and others who would destroy this remarkable and distinctive creature—one of the few living links with the prehistoric world.

I note that a number of publications dedicated to conservation and wildlife have become interested in this problem. I commend to the attention of Senators an article entitled "The Troubled Alligator," written by George Laycock, and published in the April issue of Field and Stream.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Troubled Alligator

(By George Laycock)

We watched the yellow light blink softly. "That's a working light," the game warden said. He meant that a poacher was out there searching the surface of the lake for the ruby eyes of an alligator. The light made one low swing against the distant shore and flicked off.

Shortly we were in the air boat skimming across the lake. The roaring of the 125 hp airplane engine drowned out all the night sounds. When we reached the middle of the lake the light appeared again, this time holding steady. There was not the slightest chance that we would be eluded.

The other boat drifted to a stop in the middle of the lake. As we came in beside it, our two strong electric beams splashed over its occupants. "Frog hunting," they explained. There were no signs of firearms or dead alligators—or frogs.

Two of the five men in the boat were known to the wardens; they had previously been arrested for alligator poaching. This time, however, there was no evidence. All the wardens could hope to accomplish was to discourage them for the rest of the night—and give a few of Florida's most famous wild creatures a little longer to live.

A drama similar to this one is repeated night after night across those sections of the South where alligators still hold on against mounting human pressure. Florida game wardens now spend fully a third of their time protecting alligators. The problem is equally bad in Louisiana, where biologists are convinced that their alligators would already be greatly depleted if it had not been for the state and Federal refuges. "We expect that prices for alligator hides will go up to $10 a foot," one of these biologists recently told me. As the supply dwindles the demand grows, and so do the prices. This is one of the reasons why *Alligator mississipiensis* now enjoys the dubious honor of having his name on the official list of endangered American wildlife. They have dwindled in Florida to a point where hunting them is illegal at all times.

One would think, to look at an alligator, that the creature could take care of himself. And a big one can, if people will leave him alone. In the early years of his life he may be caught and eaten by raccoon, otter, bass, heron, anhinga, wild hog, gar, and a host of fellow predators. But if he can escape these hazards long enough to live past the 3-foot length, he enters a new age of social security. The big alligator needs fear virtually no predator except man. His size, temper, armored hide, muscular development, and rows of meat-grinder teeth are proof against most dangers.

Down his back the alligator wears rows of horny scutes, or plates, which are his form-fitted armor. His viselike jaws clamp shut and hold his victims with a grip that cannot be broken. Even a large animal such as a hog, cow, or deer may be drowned by a big alligator. The reptile then gets a grip on his victim's leg, folds his own legs in close to his body, and begins revolving on his axis until he tears his food apart.

When hunting, the alligator floats with only the top of his back and his eyes and nostrils above the surface. He seems as lifeless as a water-soaked log. But if he can drift within striking distance of a victim, the surface of the pond erupts. His battering-ram tail whips around as his head turns on its stubby neck, and his body forms a semicircle. With his tail, the alligator knocks the stunned victim within reach of his jaws. He usually rises to the surface to eat, flips his head to one side and catches the food head first. Bigger items may be ground between his powerful teeth until reduced to bite size.

Alligators are well-equipped for underwater action. Valves keep water out of their ears and nostrils, and the back of the tongue forms a valve to keep them from swallowing water when they open their mouth to capture food.

These large reptiles are not much good at traveling overland. Their short legs and rather small webbed feet will carry them limited distances at moderate speeds. In the water, however, it is another story. Here the magnificent tail comes into action. If an alligator wants to move fast through the buoyant water, he folds his legs back against his body. Then, whipping his tail from side to side, he rockets through the water like a self-propelled torpedo. He can turn and twist with bursts of speed that enable him to overtake many kinds of aquatic creatures.

One of the secrets of the alligators' long success on earth—they have been here 40 million years—is their ability to catch and consume such a wide variety of foods. What an alligator eats depends upon which of his natural foods is most abundant. These include turtles, garfish, coot, frogs, snakes, muskrat, swamp rabbit, and sometimes even smaller alligators.

Dogs seem to hold a special attraction for them. A Florida poacher once explained to me a sure-fire technique of finding alligators. "Take a hound dog out in the boat with you," he said. "Then hurt him until he starts yapping and them gators start sticking their heads up all over."

In spite of the fact that, by human standards, alligators are ugly creatures with unattractive eating habits, there is much concern about their welfare. They are interesting members of the native American fauna, and besides, they have great practical value. In Florida they are high-ranking tourist attractions. In Louisiana, where alligators' hides are said to be the finest of all, there is a firm belief that they can still be managed as an economic resource.

A century ago there were probably three million of these creatures living across the southeastern part of the country, but prejudiced people killed them for no particular reason, and swamps were drained, reducing the size of their domain. Worst of all, they were taken in growing numbers for their hides. In a century the alligator's numbers were reduced from millions to remnant populations largely centered on refuge areas. In Florida the biggest concentrations are in such places as Loxahatchee National Wildlife Refuge and the Everglades National Park. State and National wildlife refuges harbor the bulk of Louisiana's population. Okefenokee National Wildlife Refuge in southeastern Georgia has an estimated 5,000.

As their numbers dwindled the maximum size of alligators also seemed to shrink. Old records, probably reliable, tell of alligators more than 19 feet long. Florida's biggest known alligator today is in Ross Allen's collection at Silver Springs. This giant reptile, known affectionately as "Big George," measures 15 feet from tip to tip. Today there may not be a wild one anywhere longer than 14 feet. The reason may be simply that although alligators continue to grow throughout their lives, few of them today live long enough to reach the maximum lengths of the oldtimers.

What is the difference between an alligator and a crocodile? Most of the visible difference is in the head. Looking down on the heads of the two creatures, you will notice that the snout of the crocodile is thinner and more pointed, and his teeth are more prominent when the mouth is closed. He is more vicious than the alligator. Alligators, in fact, are justifiably frightened of people. There are few, if any, genuine instances of their attacks on humans. A female alligator guarding her nest, however, is not to be trusted.

In Florida, businessmen have installed alligators in roadside enclosures. Here tourists may stare at them to their heart's content, and in some places they may purchase marshmallows to feed the alligators and amuse themselves. There is something ludicrous about a 12-foot alligator snapping up a little white marshmallow. All the flexing of muscle and bone that goes into the consumption of a large wild prey is expended on the tidbit. One cannot help feeling that in addition to killing off most of the alligators, we have corrupted those that remain.

In 1959, biologists in Louisiana decided to investigate the little known facts of life among alligators. How much traveling did alligators do? How long did they live, and did they really grow as slowly as they were said to? All of these questions were important ones if alligators were to be managed for hide production.

Acquiring the answers called for time and some sloppy wrestling matches out in the swamps. The specialists worked out a method of marking the creatures by clipping toes, notching scales, and attaching metal tags.

Alligators, however, are shy, elusive, and uncooperative. They could not care less about having their toes clipped or tags attached to their scaly hides. Those caught and marked measured up to 8 feet in length, and there was always the possibility of an alligator injuring one of the workmen or turning the boat over. To safeguard against such occurrences, one worker would grab the snout of an alligator, sometimes with his hands and sometimes with a snare, while his assistant secured the lashing tail. Then the struggling reptile was dragged into the boat and dropped into a large burlap bag. Once marked, he was released again into the swamp.

More recently the biologists have imbedded miniature radio transmitters in large balls of hair and forced their research subjects to swallow them. Alligators are known to retain hair balls in their stomachs for long periods of time, and so the instruments were sure to stay in place for a while. As the radio-equipped alligator travels around his territory, biologists with receivers monitor the beeps from his transmitter.

It has long been said that alligators grow slowly and that the big ones are ancient animals. From recapturing tagged ones, it became known that the young, which are about 8 inches long at the time of hatching, average 22 inches at the ago of 1. By their second birthday they are 3 feet long, and by the time they are in their fifth year they average 5½ feet and have reached breeding size.

After the fifth year their rate of growth slows down. But what interested the Louisiana people especially was the speed with which alligators reach a length of 5 feet, where their hides are of high commercial value. Partly as a result of this, Louisiana began transplanting alligators back into parishes where they had been killed off. The aim is to maintain a healthy population that can contribute a hide crop without further endangering the species. For the last three years Louisiana has had a completely closed season on alligators.

The wild alligator's year is divided into two parts. In the warm summer months he lives abundantly. During the cold winter months he lies buried in the mud at the bottom of a pond or secluded at the back of a cave beneath a river bank or the edge of an island. For months he goes without food, and according to recent studies in Louisiana, he apparently survives for extended periods without coming up for air.

In March or April the waters warm up and alligators come out and start to feed. The breeding season comes in May and June. Mating is proclaimed throughout the swamps, because the bull alligator is not a quiet lover. He has no vocal cords, but he gets his messages across by inhaling deeply and then, like a giant bellows, emitting a series of booming roars that can sometimes be heard for miles. His spring bellowing probably serves two purposes: it attracts the females and warns other males out of his territory. As he roars, a heavy musk oozes from two glands beneath his chin and perfumes his territory.

The time for mating is something best determined by alligators. Recently Louisiana research biologists put a male alligator in a female's pen in what they presumed was the mating season. The female, far from being appreciative, killed her smaller intended mate. A few nights later, however, another alligator came in from the nearby swamps and climbed up and over the 6-foot wire fence to join the female. He stayed for several days, but apparently at the pleasure of the hostess, because one night she drove him back out of the pen the way he had entered—up and over the fence.

Alligators usually mate in the water, and a male may have several females in his territory. This, however, is the limit of his family responsibilities, duties of raising the young fall fully upon the female. She may, in fact, have to protect them eventually from their own father.

The female builds her nest by piling up a mound of mud and vegetation. She works out a depression in the top. There, in a single visit, she drops from twenty-five to seventy eggs, depending on her size. Then she covers the eggs with several inches of moist chopped plant materials and mud. Within a few days the process of decay begins to warm up the nest. The temperature rises to between 75 and 78 degrees and stays there regardless of outside temperatures.

The female usually guards her nest. She knows when the newly hatched alligators are ready to leave because they tell her. As they chip their way out of the hard-shelled white eggs they set up a grunting noise. The female removes the topping from her nest and waddles off to the water's edge, where she waits for the young to follow. They scramble down the side of the nest and rush toward the water. They stay with her through that year, and sometimes into the following year.

If no wild creature catches them before they are 3 feet long their chances of survival improve. But there is always that other predator—the most deadly one of all—the man who kills illegally with his bullets and his axe.

ALL SEATO NATIONS SHOULD MEET COMMITMENTS

Mr. BYRD of Virginia. Mr. President, the members of the Southeast Asia Treaty Organization are meeting in Washington at the present time. The meeting will continue through this week.

Secretary of State Dean Rusk told the Foreign Relations Committee on Friday, January 28, 1966, that being a member of SEATO committed us to do what the United States is now doing in Vietnam.

I have a high personal regard for Dean Rusk. I am not convinced, however, that this SEATO Treaty committed our Nation to become the major and almost the only supplier of manpower for a land war in Vietnam.

But assuming the Secretary of State is correct in his assertion that the obligations of the treaty are "both collective and individual," then, Mr. President, if the United States is committed, most certainly the seven other signatories are likewise committed. Yet, of the seven, three are not participating militarily in the Vietnam war.

The three who are not participating are France, Pakistan, and Great Britain.

While the members of the Southeast Asia Treaty Organization are meeting in Washington, I hope our Government will come to grips with the administration's most significant failure of the Vietnam war: its inability to obtain effective military help from our allies and from other Asian nations.

This is what Secretary Rusk said on January 28, 1966:

> We have some 42 allies, very specific commitments to those allies.

Is it not appropriate for the Senator from Virginia to assume that these "very specific commitments" work both ways? If we have commitments to them, then do they not have commitments to us?

I say that the Government of the United States has an obligation to the people of the United States to demand publicly and officially and strongly that these nations meet their commitments.

The British Foreign Minister, the Honorable George Brown, is being wined and dined with customary hospitality.

Should not our Government put it squarely and officially and publicly that Great Britain has a commitment, that France has a commitment, that Pakistan has a commitment—assuming Secretary of State Rusk is correct in stating that the United States has a commitment—to participate fully and effectively in the Vietnam war?

Yet the U.S. Government, which as a practical matter is bearing nearly the full burden of the Vietnam war—in both resources and manpower—has uttered not one single word of official protest against the inactivity of three strong nations who are signatories to the SEATO agreement, but who are not participating.

I am frank to say that although I am pro-British, I am disturbed with the Socialist government of Great Britain because, not only is it not honoring its commitment under SEATO, but, also, it will not keep ships flying the flag of Great Britain from carrying commodities and materials to the enemy in Vietnam.

Two days ago, on April 18, I addressed a letter to the Assistant Secretary of State, the Honorable William B. Macomber, Jr., asking this question:

> Has the U.S. Government sent an official protest to the Government of Great Britain concerning shipping into North Vietnam? If so, would you supply date and text.

The Assistant Secretary informed me that there has been no official protest.

What a tragic situation this is, Mr. President. I know that the State Department will say that this is a complex problem and that, anyway, not many ships are involved. Yet, during the past 4 months approximately 15 ships flying the flag of Great Britain carried cargo to and from North Vietnam.

I have watched this matter of shipping into Haiphong for the past 18 months.

I know that until several Members of Congress began speaking out more than a year ago, a lot more British shipping was going into Haiphong, and this was going on at the same time we were sending more and more American men to fight in South Vietnam.

Yes; there has been a decrease of British shipping going into Haiphong during the last year.

Time and again high administration officials told me that nothing could be done to reduce that British shipping.

But something has been done.

That reduction of British shipping has come about by protests made on the floor of the Senate and on the floor of the House of Representatives.

How refreshing it would be if someone in the executive branch of our Government would make an official protest to Great Britain.

To say that the British Government cannot control the activities of ships flying the flag of Great Britain is complete and utter nonsense.

As a Senator, my concern is based on this fact: The United States has 438,000 men fighting on the ground in Vietnam.

During 1966, our Nation suffered 35,000 casualties. For the first 3 months of 1967, we have suffered 16,000 American casualties, which at an annual rate will mean that the American casualty list, if the casualties continue at the present pace, will equal 65,000 for this 1 year.

As a U.S. Senator I have voted for every dollar deemed necessary by the Department of Defense to equip, supply, arm, and give medical attention to our men fighting in Vietnam.

I will continue to do that.

But full support must come not only in the way of appropriations, but also in the way of demands by the administration that our allies give effective help.

Mr. President, whether or not the American public realizes it, the United States has become involved in a major land war in Asia.

Last year, more than one million Americans left their communities, their homes, and their families to become a part of the military service, either as draft inductees or as enlistees. The number who will be inducted into the military service this year probably will be less, but roughly about the same.

The American people must rely on its Government, and on its representatives in the Senate and in the House of Representatives, to see that our allies participate fully and cease trading with the enemy.

This can be accomplished if the executive branch of Government will speak out and if the Members of Congress continue to speak out.

While it is not pleasant, I intend to continue to protest the sending of a single allied ship into enemy ports.

PRESIDENT JOHNSON, THE GREAT SOCIETY, AND THE MOST OUTSTANDING HOUSING PROGRAMS IN AMERICAN HISTORY

Mr. WILLIAMS of New Jersey. Mr. President, the Republican Party has just discovered housing—after a half century of doing very little which would provide all Americans with decent homes in a decent neighborhood at a decent price.

When Franklin Roosevelt said 35 years ago that he found one-third of a Nation ill clothed, ill fed, and ill housed, he was talking about the Republican Party's lack of imagination in managing the affairs of this Nation—especially in housing.

When the junior Senator from Illinois [Mr. PERCY] today proposed a so-called new homeownership plan for low-income groups—which is a good idea—this is an acknowledgement that it has taken the Republican Party 38 years to catch up with ideas which have been Democratic programs since Franklin Roosevelt.

If my Republican colleagues had taken the time to read a little history they would have seen that the housing law of 1965—adopted by a Democratic majority—provides for an insured loan program to allow individuals to buy previously occupied dwellings. That same law also provided grants to low-income homeowners in urban renewal areas to help upgrade the condition of their homes.

But Republican memory is short. It does not even go back to March 14 of this year, when President Johnson clearly and boldly told Congress that he had directed the Department of Housing and Urban Development to carry out a low-income homeownership pilot program, and that $20 million in Federal funds would be used to give mortgage support to this project. This is action, not talk or proposals.

This newest Republican proposal is an attempt to divert the attention of the American people from the fact that the Republican Party has been dilatory on low-income homeownership programs for half a century; that the Republicans have opposed every substantial public housing program since the 1930's; that the Republicans in this very Congress opposed President Johnson's rent supplement program to help low-income groups; and that the Republican Party has never made as one of its central platform goals the reality of a decent home in a decent neighborhood for every American. As an added negative factor, the leadership of the Republican Party strongly opposed President Johnson's fair housing bill when it was introduced in 1965.

Republican discovery of housing is commendable, if somewhat belated. But I would point out that the Democratic Party and President Johnson have one of the finest records of housing this Nation has ever known. That record is known by the people.

The junior Senator from Illinois has only underlined how little and how late the Republican Party in Congress is when it comes to the great social issues, such as housing, to which the Senator has addressed himself.

But I will say to the Senator: Better late than never.

WARM PRAISE FOR PRESIDENT JOHNSON AT PUNTA DEL ESTE

Mr. CANNON. Mr. President, I am to report that editorial reaction to President Johnson's trip to the Latin American Summit Conference is overwhelmingly favorable. And deservedly so.

The President has made clear America's determination to be a willing partner in bringing progress to this hemisphere. He has pledged our help and support to promote the new common market in Latin America and to help these 20 nations to develop greater agricultural and technological resources.

Our President has also led the way toward greater hemispheric interdependence—toward a sharing of human and material resources that will promote the greatest good for the greatest number of 250 million Latin Americans who want a better future.

I ask unanimous consent that a representative sampling of editorial opinion on the summit conference be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Apr. 18, 1967]

Back Down From the Summit

The summit meeting of the American Presidents at Punte del Este last week was hailed as an unqualified success by United States spokesmen. If any aide had called the conference, or any such conference, a failure, we would immediately lose our faith in human nature.

The summit was a success, no doubt, in that its main aim, to create a Latin American Common Market, was agreed to. Likewise, the assembled Presidents agreed to modernize industry, stimulate agriculture, improve the schools, expand health services and hold down military spending. All commendable.

The great thing about summits is the view from the top. Those who met there were permitted a look at the whole panorama of the hemisphere. They could see progress and accomplishment.

But improvement lies in spotting the problems, and they are huge: Mass underdevelopment, with some nations much worse off than others; great gaps in wealth within individual countries; the huge backlog of social injustice and political repression only slowly being reduced; a general over-dependence on single export; coffee, sugar, bananas, beef; and, looming over all, the population explosion that threatens to double the present 250 million population to 500 million before the turn of the century.

The point in coming back down from the summit is not to become too cheerfully optimistic about what has been agreed to, or too woefully depressed about the enormity of the problems viewed from aloft. The task is to get to work, with a new sense of urgency and a new perseverance.

President Johnson put it well when he

said: "Economic and social development is a task not for sprinters but for long distance runners. It requires a fierce—and stubborn—dedication to those undramatic day-to-day attainments that are the sinews of economic and social progress."

[From the Des Moines Sunday Register, April 16, 1967]

Latin Common Market

The agreement by leaders of Latin American governments at Punta del Este to start building a common market in 1970 flashes a new ray of hope in their struggle to rise out of poverty. If the 18 governments (only Ecuador refused to sign) carry out their pledge to integrate their economic systems, economic progress should be spurred.

One of the chief difficulties in the Alliance for Progess has been the attempt of each small country to develop its own full-rounded industrial system. If South and Central American countries can plan development with a continental economic system in view, their prospects for advances in living levels will be improved.

In order to ease the adjustments, President Johnson promised more than $1.5 billion in new aid. This would be a sound investment. The advantages of a large-scale, integrated economy have been well demonstrated in the United States—so well that European leaders have been inspired to imitate it. They have moved a long march toward a Europe-wide economy in their own six-nation Common Market and are considering enlargement to include Britain and other countries. This Common Market has been so successful that "common markets" have become a kind of fad around the world.

It is to be hoped that the Punta del Este agreement is more than the passing adoption of a fad. The gains from integration of economies in Latin America in time could be even greater than those in Europe, because Latin America is in a much earlier stage of economic development and can build toward an integrated system. One of Europe's biggest problems is breaking down the vested national interests encrusted throughout the centuries. Latin America has much less in the way of established industrial complexes which must be reorganized.

But let no one minimize the difficulties of economic development in Latin America—with or without a common market mechanism—and no one does any more, after the disappointments of the Alliance for Progress. The lack of responsible, effective governments; the weakness of education; the feudal land holding systems; the lack of public health services—all these and other traditional barriers still block progress.

The United States and its partners in the Alliance are learning, though. The utter necessity of public education in birth control has become more widely recognized—even within the Catholic church. Actually, South America as a whole has increased output of goods and services in recent years at nearly as rapid a rate as the United States. The difference in per capita income gains is almost entirely a matter of differential rates of population growth. If the Latin American birth rate were held down to 1.5 per cent a year instead of 3 per cent plus, impressive gains in living levels would be appearing.

The United States was challenged by some of the foreign ministers of the Punta del Este countries on its trade policies toward the Southern part of the Hemisphere. Their challenge deserves more than the brush-off which Secretary of State Dean Rusk apparently gave it.

The foreign ministers of Peru and Mexico asked the U.S. to eliminate discriminatory restrictions against imports of basic products; to eliminate uneconomic production of commodities it could obtain more cheaply from Latin American; and to eliminate export subsidies which hamper Latin-America commerce.

These are reasonable requests. The United States has declared many times that it has a vital interest in the economic rise of Latin America, and, indeed, is contributing substantial amounts of foreign aid to that purpose. The Latin statesmen are saying, in effect, that good markets for their products would be more valuable than aid.

They would like to sell the United States more sugar, for example, which they can produce more cheaply than the highly subsidized U.S. sugar industry can. They could also benefit from freer markets for many other farm products, minerals, and other raw materials.

Secretary Rusk said the proposals were too extreme. He indicated that the United States policy of freeing trade throughout the world, and agreement with other industrial nations, prevent preferential trade concessions to Latin countries. The U.S. objects to trade preferences given by France, for example, to its ex-colonies.

This is a sound principle, but it need not stand in the way of U.S. trade barrier reductions in basic raw materials that South America produces.

President Johnson has done well to encourage the Latin American common market, and he is justified in feeling that a large step forward in hemispheric relations has been achieved. One practical way to encourage the common market, which calls for elimination of trade barriers among the countries, would be for the United States to reduce its own tariffs and quotas limiting exports from its neighbors in the hemisphere.

[From the Hartford (Conn.) Times, Apr. 12, 1967]

Latin American Initiative

At the Punta del Este meeting, a summit conference of the heads of state in this hemisphere, the role of the United States is to offer help rather than leadership.

The expected and most important business of the conference is the formation of a common market of the nations of Central and South America among which, over a 15-year period, tariff barriers will disappear. After this commercial and economic integration, the bloc will establish a common external tariff structure.

It is hoped that the abolition of internal tariffs and the consequent promotion of trade and markets will greatly increase the vitality and prosperity of the region.

The Conference is the first major effort in a decade to bring about a spirit and structure of basic cooperation among the nations to the south. One trusts that it will be successful, for on this ground of business improvement largely rest the imperative social changes that can provide opportunity and stability among our neighbor nations.

It has been found that advance under such programs as the Alliance for Progress is no longer sufficient; an upsurge of determination must arise from Latin America itself. As President Frei of Chile has warned, the nations of Latin America must either revolutionize their lives voluntarily or have revolutions forced on them.

There is significance in the fact that the constructive projects considered represent more positive action than the condemnation of Communism and Castroism, once a prominent item on the agendas of hemisphere conferences.

The inclination of Latin America to move beyond denunciation of Communism and to take up the creation of policies that will ward off its threats is encouraging. Further, that they aim to do this "with the important, but marginal help" of the United States establishes new momentum and a new responsibility in their affairs.

At last, prompted by past United States aid, a condition of confidence and enlightenment is spreading in which the Central and South American nations feel competent to handle their own destinies.

In this there is reason for cheer—satisfaction in the accomplishment of our own diplomacy and neighborly pride that the nations in which we are so concerned have reached this stage of maturity in dealing with their own interests.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT

The PRESIDING OFFICER. Under the order of Tuesday, April 18, the Senator from Illinois [Mr. Percy] is recognized.

Mr. BYRD of West Virginia. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Illinois yield for that purpose? The Senator from Illinois has the floor for 1 hour.

Mr. PERCY. I shall yield in a moment.

Mr. President, on behalf of myself and Mr. Aiken, Mr. Allott, Mr. Baker, Mr. Bennett, Mr. Boggs, Mr. Brooke, Mr. Carlson, Mr. Case, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dirksen, Mr. Dominick, Mr. Fannin, Mr. Fong, Mr. Griffin, Mr. Hansen, Mr. Hatfield, Mr. Hickenlooper, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Magnuson, Mr. Miller, Mr. Morton, Mr. Mundt, Mr. Murphy, Mr. Pearson, Mr. Prouty, Mr. Scott, Mrs. Smith, Mr. Thurmond, Mr. Tower, Mr. Williams of Delaware, and Mr. Young of North Dakota, I introduce, for appropriate reference, a bill to charter a National Home Ownership Foundation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1592) to charter a National Home Ownership Foundation, and for other purposes, introduced by Mr. Percy (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. PERCY. Mr. President, I now yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Montoya in the chair). Without objection, it is so ordered.

Mr. PERCY. Mr. President, the purposes of this bill are essentially seven:

First, to promote the improvement of the declining urban and rural areas of the Nation;

Second, to encourage the provision of

decent housing for inhabitants of those areas;

Third, to advance the opportunities for and enjoyment of equity ownership in housing by the inhabitants of those areas;

Fourth, to inspire new self-help efforts by individuals and meaningful involvement by local neighborhood associations in improving their conditions and environments;

Fifth, to bring together into one coordinated effort local housing, education, training, employment, and related supporting programs;

Sixth, to encourage a new spirit of community at the neighborhood level; and

Seventh, to mobilize America's private enterprise system and its religious organizations, educational institutions, labor unions, foundations and professional, civic, and rural organizations and associations in employing their strengths and resources toward the achievement of these ends.

I do not intend to speak at length on this subject at this time, Mr. President, although I do expect to do so in the future.

At this time I would like to say primarily how very grateful I am to the hundreds of people from all walks of life who have given me the benefit of their thinking on this complex yet vitally important subject over the past 10 months. Most important are my fellow Senators who have joined me in sponsoring this bill. No one could be more grateful than this junior Senator for the invaluable wisdom and counsel they have afforded me as draft after draft of this legislation has been written, examined, criticized, and rewritten. While I must bear responsibility for any shortcomings of the bill as introduced today, Mr. President, I must share the greater part of the credit for its merits with them, and with the many people from slum dweller to corporation president to union leader to housing expert who have contributed directly or indirectly to the bill before us.

I make no pretense at having found the philosophers' stone, Mr. President. I do not dare to pretend that this bill, if enacted, would solve all the problems at which it is directed. I do not pretend that its language is beyond criticism. But I do believe, after these arduous months of work, that this is basically a good bill and an important bill. And I am certain that through the deliberate process of the Congress, it can be refined into legislation worthy of broad support. In the months ahead I intend to work as best I can with Senators of both parties, with the executive branch of the Government, and with the many organizations and interested persons outside of Congress to achieve that goal.

Mr. President, I am gratified to be able to announce that simultaneously today, Representative WILLIAM B. WIDNALL, of New Jersey, will introduce a companion bill in the House of Representatives, with the sponsorship of more than 100 Representatives. Congressman WIDNALL has worked in the field of housing for more than 20 years and is a known expert in this field. He is the ranking minority member of the Banking and Currency Committee and of the Housing Subcommittee. He and his staff have given careful thought to the bill, and have contributed the valuable benefit of the expertise they have in this field. I am extremely proud to have him as a cosponsor.

Mr. President, early this year when the Senate and the House of Representatives assembled to hear the President's state of the Union message, I was deeply impressed with one particular section of the message. He looked up from his text, looked to his left, and said:

> I should like to say to the Members of the opposition, whose numbers, if I am not mistaken, seem to have increased somewhat, that the genius of the American political system has always been best expressed through creative debate that offers choices and reasonable alternatives. Throughout our history, great Republicans and Democrats have seemed to understand this. So let there be light and reason in our relations. That is the way to a responsible session and a responsive Government.

I believe this Congress, in the short time that I have been privileged to be a Member, has given careful and thoughtful consideration to the many proposals that have been sent to us by the Executive. I think the President has every right to expect, and in a sense has asked, that Congress itself be a creative body—that it not just respond, but that it create ideas and solutions of its own that, in turn, can be reviewed by the executive branch.

It is in that spirit that I present this legislation to help lower income families to own their own homes. I have been speaking on this subject since the midst of my campaign for the Senate in Illinois. Ten months ago, we began speaking in broad terms of finding a way to help the people of rural and urban America to have a genuine stake in their communities through home ownership.

I have been very gratified indeed that the President has also commented on this principle. In his March 14 message on poverty he said:

> We must learn how best to help low-income families own their own homes.

Mr. President, one of the great barriers to homeownership by low-income families is their inability to get together enough capital with which to make a downpayment.

I suggested 10 months ago the concept of contribution of sweat equity, so that a low-income person could contribute his labor toward a refurbishing or construction of his home or apartment. That labor, contributed over a period of weeks or months, would act as a downpayment if the person did not have any reserve cash.

I was grateful that Vice President HUMPHREY, as recently as February 15, 1967, had this to say:

> Furthermore, we should be able to put the people in these slum areas to work in this purpose, thus acquiring what has been called a sweat equity in their own homes.

On both sides of the aisle, Democratic and Republican, we have been working toward this concept. We have also all been working toward finding a way to bring the great resources of our private enterprise system to bear on some of the great social problems that simply have not yielded to 100-percent governmental action.

I think this is certainly the spirit of our chairman of the Banking and Currency Committee, the Senator from Alabama [Mr. SPARKMAN]. He has already indicated that he wishes to find new answers to old problems. He has indicated his intention to schedule, toward the middle of the year, hearings on ideas that have been presented by the Senator from New York [Mr. JAVITS], the Senator from Connecticut [Mr. RIBICOFF], and myself, explore new approaches to the problems of urban and rural housing.

I would turn to my colleagues in the Senate on the Democratic side of the aisle in the spirit of a statement put out this morning by the joint Republican leadership of the House and Senate. Senator DIRKSEN and Representative FORD said:

> We urge the Democratic leadership and the majorities in the House and Senate to join us in pressing for the earliest possible consideration and enactment of this low income housing ownership for low-income families plan.

That subject was discussed by our joint Republican leadership this morning and refers to the legislation I present to the Senate today.

The purpose of the bill I am introducing on behalf of my colleagues and myself is to offer to American low-income families the opportunity, through their own effort, energy, willingness, determination, and perseverence to own their own home, to gain an economic stake in their own community, and to have the pride and self-esteem that comes with homeownership.

Mr. President, I ask unanimous consent that a brief summary of the National Home Ownership Foundation Act, the text of the act itself, a section-by-section analysis, and an explanatory memorandum be printed on the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and other material will be printed in the RECORD as requested by the Senator from Illinois.

(See exhibit 1.)

Mr. THURMOND. Mr. President, I am pleased to join as a cosponsor with the distinguished Senator from Illinois [Mr. PERCY] and other Members on this side of the aisle in an effort to provide a new initiative in the housing field. I have long been of the view that homeownership makes an individual a better citizen, as it gives him an added reason for showing more concern about the actions of his Government, both local and national. The proposal introduced here today is designed to increase homeownership for those of low or moderate income. Hopefully, under this method, these individuals will become contributing members of society, in contrast to the other methods now available which would make them more recipient than contributor. Any effort designed to bring to bear the resources and management skills of private industry on the problem of providing housing for those otherwise unable to afford it, and to create a spirit of independence and initiative on the part of those who are thereby enabled to live in a home they own, should certainly be applauded by everyone.

The maze of public housing and rent subsidy programs now in operation have proved to be no long-range solution to this problem. Instead, the existing programs have created a situation verging on virtual serfdom for those who find themselves unable to rise above the level of the familiar public housing project. After a while, an air of resignation sets in where a person feels that if he increases his income slightly, and is required to move from the project by virtue of this increase, he will be unable to find and afford other accommodations. This has acted in such a way as to stifle initiative.

In addition, all too often, the public housing project has become a Government-sponsored ghetto, bearing all the characteristics, both physical and mental, of the traditional ghetto.

I view this proposal being introduced today as an alternative to existing programs, and not an addition to existing programs. It may not be perfect, and I am sure that its chief sponsor, the distinguished junior Senator from Illinois [Mr. PERCY] would not contend that it is a perfect proposal in every way. However, much hard work and thought have gone into its preparation, and the committee system in the Senate exists for the purpose of perfecting proposals such as this. With these thoughts in mind, I am pleased to join in this effort, and I commend Senator PERCY for his imagination and creativity in guiding this program to its present state.

Mr. PERCY. Mr. President, I thank the distinguished Senator from South Carolina. I yield to the Senator from Maine.

Mr. MUSKIE. Mr. President, first of all I applaud the initiative and the effort which the distinguished junior Senator from Illinois has obviously devoted to this significant piece of legislation.

I appreciate the opportunity I had on yesterday to briefly discuss the matter with the Senator. I regret that I have not had an opportunity to study the bill in all of its implications. However, it includes two objectives with which I am in hearty accord.

The first objective is that of homeownership by low-income groups. The second objective is the stimulation of private enterprise to become interested and work on the problem of homeownership for low-income groups.

I am in such hearty accord with these two objectives that I have asked my staff and the executive agencies to prepare an analysis of the Senator's bill outlining all of its implications.

I promise the Senator my continuing and conscientious interest in the bill as it develops in committee.

I promise to do everything I can to help develop the measure in a way that will make it a worthwhile legislative goal from the point of view of every Senator.

The problem of our cities and of housing for low income and other disadvantaged groups is one that should commend itself to the attention of every citizen of our country. I believe the problem of housing raises more risk of political instability and unrest than almost any other factor, not excepting unemployment and economic opportunities.

INVESTMENT TAX CREDIT

The **PRESIDING OFFICER.** The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 80, H.R. 6950, an act to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The Senate resumed the consideration of the bill.

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT

The **PRESIDING OFFICER.** Under the order previously entered, the Senator from Illinois has the floor and may continue.

Mr. PERCY. I yield to the Senator from Maine.

Mr. MUSKIE. In closing these brief observations, may I say that I applaud the Senator from Illinois, and I look forward to a thorough exploration of this most worthwhile proposal.

Mr. PERCY. I appreciate the spirit of the Senator's comments. I cannot believe that partisanship will ever become involved when we are attempting to help people in poverty conditions who wish to help themselves. I am grateful for the spirit of the Senator's comments.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. SCOTT. I commend the Senator from Illinois for his constructive and extremely thought-provoking and worthwhile proposal, which I am happy to cosponsor.

The proposals of the Senator from Illinois offer to the committee and to the Senate an opportunity to take homeownership out of the present complicated morass in which we find it and to inject new ideas, innovating proposals, and highly desirable objectives.

Again, I am glad to be numbered as one of the supporters of the bill.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. PERCY. Could the Senator from Tennessee delay his comments for one moment? The Senator from Texas [Mr. TOWER] must leave the Chamber in 3 or 4 minutes.

Mr. BAKER. I am happy to yield to the Senator from Texas.

Mr. TOWER. I thank the Senator from Illinois; and I thank the Senator from Tennessee, who represents the State from whence the State of Texas sprang, practically.

It is a pleasure for me to have the opportunity, as the ranking minority member of the Subcommittee on Housing of the Committee on Banking and Currency, to endorse this very constructive and thoughtful proposal.

We have, of course, embodied this concept in earlier legislation relative to the purchase of homes by the tenants of public housing projects. I am hopeful that if the Senator from Illinois is successful in guiding his bill through the Senate and ultimately through the House, he will have somewhat more good fortune in getting administrative implementation of this bill than we got on the earlier proposition, which has been incorporated into law but about which nothing has been done to date.

I commend the Senator from Illinois. This proposal represents much work, effort, thought, and research. Probably no more carefully considered and thoroughly worked-over plan has been presented to the Senate in this field since I have been a Member of the Senate. I am delighted to join as a cosponsor and to offer my assistance in any way I can be of help in securing the passage of the proposed measure.

Mr. PERCY. I am grateful for the comments of the distinguished Senator from Texas, who is my ranking colleague on the Subcommitte on Housing of the Committee on Banking and Currency. I know that his extensive knowledge in this field will contribute immeasurably to the steering of this bill through Congress.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. PERCY. I yield to the Senator from Kansas.

Mr. PEARSON. Mr. President, the proposal made by the distinguished junior Senator from Illinois is the kind of fresh thinking and initiative that is absolutely necessary to solve the problems of the crises of the cities today, which are indeed crises of people.

This is not a general proposal such as those that flood this Chamber so often. It is a specific program brought forth with great effort and energy and thought. It combines, as other Senators have stated, a happy blend of Government action in the private sector, business, labor, and the slum residents themselves.

According to the press reports today, a spokesman for the White House has indicated that a new Federal study shows that of the 7.3 million Americans on welfare, only 50,000 stand any chance of becoming self-supporting within the next few years. And this is true if all the programs now in effect are operated to their fullest effectiveness. Welfare programs have helped, but they also constitute a trap in environments where there are no opportunities.

The proposal of the Senator from Illinois provides great opportunity, also. I believe the National Home Ownership Foundation Act is a good idea. The amendments are sound. It deserves a chance. If it has any drawback, it comes through the generosity of the Senator as a Republican proposal. I recall how often the majority, so greatly outnumbering the minority, have asked for help. I am sure that a proposal of this kind will receive reciprocating action, and I am most encouraged by the comments of the Senator from Maine [Mr. MUSKIE].

I congratulate the junior Senator from Illinois.

Mr. PERCY. I am grateful for the comments of the Senator from Kansas.

Mr. PEARSON. Mr. President, I ask

unanimous consent that two articles that appeared in the April 19, 1967, issue of the Christian Science Monitor, dealing with the proposal of the Senator from Illinois, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Apr. 19, 1967]

"MOTIVATION BARRIER"—PERCY EXPLAINS HOMEOWNER PLAN

WASHINGTON.—"One of the main things that makes the difference between the manicured lawns in the suburbs and garbage on the sidewalk in the slum is home ownership," says Sen. Charles H. Percy (R) of Illinois.

In an interview before presenting his first piece of legislation, the Senator expressed the following views:

He believes that home ownership can be the key for helping poor families break the motivation barrier that keeps them in poverty.

"The federal government's policy has been to encourage home ownership for middle- and upper-income families," he said. "But the aspiring poor man, who could most benefit from the dignity, self-esteem, and motivation that comes from having a home of his own, has been left out."

The National Home Ownership Foundation Act he is proposing is urgently needed to assist urban slum dwellers, Senator Percy said. The bill would provide a mechanism through which the private sector could take the initiative, with the government giving reinforcement and guarantees.

CONFLICT DENIED

"This is not a 'Percy' bill but a Republican initiative. But we are working hard for Democratic support, too, just as the administration is seeking Republican help for its urban programs," the Senator added.

"It does not conflict with other federal and private programs. We are going downhill [in the cities] so fast we need all of them. And this one won't solve every problem."

The Senator believes his program will give opportunity to the family for which home ownership with its down payment and high mortgage terms has always been a distant dream.

"Also important," he said, "is the difference between the welfare system and what this home-ownership program provides.

"The welfare workers are overburdened. All they really do is go around to certify that help is still needed and that there is no man in the house. They have little opportunity to do much rehabilitation.

LABOR CONTRIBUTION

"In our plan we will require providing services to rehabilitate families. We will counsel them on buying, or in family planning, or in employment. If we find they aren't making their mortgage payments, we will try to find out why and give help.

"While the units are being constructed, many of the people can earn the down payment by contributing their labor. Several members of a family could jointly put in 25 hours a week during the 40 weeks it might take to complete a project, and they would have cut down the cost of their home considerably.

"In every community we will need involvement of many different groups. There is no formula for deciding which groups should participate. But we need full community involvement—from service organizations, churches, unions, clubs, business and public officials.

"The program has its primary emphasis in cities. But a lot of homes in rural areas can be made over. One Senator said he is going to call the bill 'the Urban-Rural Homestead Act of 1967.'

"If it works, the program should stimulate anew the spirit of self-help and self-reliance among individual families and get them moving up the ladder. And even if the individual at the end of his 30-year mortgage has never really achieved middle-income status, he still will own his own home."

HOUSING: PERCY'S PROPOSAL

(By Robert Cahn)

WASHINGTON.—Freshman Sen. Charles H. Percy (R) of Illinois will unfurl a major Republican initiative in domestic legislation Thursday when he introduces his bill to bring home-ownership opportunities to low-income citizens.

The general proposal has been discussed in Percy speeches since last September. In January, 27 Republican senators joined him in a statement endorsing the underlying principles of a home-ownership program featuring private-sector leadership and involvement of slum residents in self-help programs. But details of Senator Percy's imaginative bill have been a well-kept secret.

BOND SALE PROPOSED

The plan provides that a first-year government investment of $13 million could produce up to $330 million in new or rehabilitated housing. If the low-cost housing averaged $10,000 per unit, 33,000 units could be built.

Part of the government payments would eventually be repaid to the Treasury. The financing for the program would come from the sale in the private market of up to $2 billion in bonds. The bonds would be guaranteed for a fee by the federal government, as are savings and loan deposits, or investments in low-income housing in Latin America.

Home-ownership programs would be sponsored in urban and rural areas by autonomous local housing associations, cooperatives, or limited-dividend corporations. They would obtain mortgage money from the parent National Home Ownership Foundation created by the legislation.

Senator Percy's decision to make his home-ownership plan a Republican congressional initiative may inhibit Democratic support needed for passage during this term of Congress.

BACKING OBTAINED

But even if it is not successful this term, the Percy plan for aggressive pursuit of home ownership in slums could become a Republican campaign talking point in 1968.

The plan already has the backing of both liberal and conservative Republicans to whom it has been shown privately. It was also shown in advance to several Senate Democrats.

Unusual features of the Percy plan include:

Coupon mortgages. To help the lower-income home buyer meet market-rate interest payments, the federal government would redeem interest coupons attached to the mortgage. The coupons, similar to coupons on bonds, would cover a portion of the interest, with the home buyer paying the difference.

Reach-back. Home buyers whose incomes subsequently rise to middle-income levels will make gradual repayments into a revolving fund which will be used to help lower-income buyers just entering the program.

Sweat equity. Prospective home owners may, wherever possible, contribute their own labor to reduce the cost of their home. In several private programs home buyers have been able to accumulate a down payment by this method.

Also included is private insurance to protect new home owners against foreclosures when their income is curtailed due to forces beyond their control, and provision for counseling families before and after purchase.

Here is how the Percy plan would work:

The bill would establish the National Home Ownership Foundation. Directed by an 18-man board, 12 members are to be appointed by Congress, six by the President.

The foundation's Technical Assistance Service would help local nonprofit housing associations get started in urban and rural areas. The local associations would be formed by residents of a project area and community leaders from business, labor, church, financial, and other groups. The association would undertake rehabilitation or construction of low-cost housing for sale to participating families unable to obtain ordinary financing or to raise sufficient down-payment money.

SUPPORTING PROGRAMS

In most cases, the associations would buy up housing shells and other structurally sound but rundown buildings. In some areas, the reconstructed units would be single family dwellings; in others such as New York City and Chicago, most of the units would be cooperative or condominium apartments.

Local associations would be required to conduct supporting programs in areas of credit counseling, budget management, employment, and other means of enabling lower-income families to succeed in home ownership.

The Secretary of the Treasury, through the mortgage coupon device, would pay the difference between the market rate of interest and a lower rate to be paid by the home buyer. For instance, if the market rate at the time is 6 percent, the home buyer might receive a subsidy of 3 percent. He would be required to pay back the government assistance only if his income later exceeded a predesignated middle-income level.

RECAPTURE PROVIDED

The local organization would have first option to repurchase the mortgage. Should the buyer sell at a profit, the original subsidy would be recaptured.

The federal government would appropriate $3 million for initial organization costs of the national foundation (some of which would be seed money to help the local associations get started) and $10 million for interest payments in the first year. The bill calls for up to $30 million in payments in the second year, and up to $60 million the third. It is expected that the three-year program would provide about 200,000 units.

The bill being submitted to Congress is the result of eight months of intensive research by Senator Percy's staff, with much of the work done by the Senator's special assistant for urban affairs, John McClaughry.

Senator Percy sounded out his proposals on hundreds of representatives of neighborhood groups, unions, and housing organizations, and leading banking, insurance, and government officials.

A number of changes in the plan were made during the development period. Chief among them was elimination of the scheme for financing the foundation through tax-exempt bonds. This concept was dropped because of Treasury Department opposition to tax exemption, local government opposition to competitive bond issues, and mortgage banker disapproval of the resulting below market-rate mortgages.

Also eliminated was reliance upon the Federal National Mortgage Association for purchasing the mortgages, and mortgage insurance through the Federal Housing Administration. The earlier proposal for authority to obligate funds under existing federal manpower training and antipoverty programs was deleted to placate executive branch officials.

Although the administration has no specific program in the works for organized, community-developed home-ownership activity, President Johnson has authorized the Federal National Mortgage Association to use

$20 million of its funds to support a low-income housing-ownership pilot program.

Mr. PERCY. I yield to the Senator from Tennessee.

Mr. BAKER. Mr. President, the Nation is now engaged in a crucial dialog that will determine what new direction we shall take to conquer the complex social problems of this generation. The distinguished junior Senator from Illinois has made an impressive contribution to this dialog by offering an imaginative, sound, and compassionate approach to the urgent and challenging problem of helping lower income families toward economic independence. His proposed National Home Ownership Foundation provides a practical opportunity for millions of individuals who are rudely compressed into urban ghettoes or callously locked into rural poverty to own their own homes. Home ownership would be accomplished with a minimum of governmental cost and regulation and a maximum of opportunity for personal freedom and dignity. Such an approach is thoroughly consistent with traditional Republican principles and with the initiative our party is taking to define the new direction required by the dilemmas of the 1960's and 1970's.

I am proud to join my colleague in cosponsorship of this legislation and in assisting in whatever way I can to secure its prompt enactment. Once the legislation is enacted, I look forward to an active role in helping to execute in my own State of Tennessee the programs outlined by the bill.

The premises upon which Senator PERCY's plan rests are equally as important as the results he hopes to achieve through this specific legislation.

First, the plan recognizes that a successful attack upon inadequate housing must mobilize the resources of the private sector of our economy. Too often during the last decade social legislation has ignored the great potentialities of business, labor, the professions, and nonprofit associations for contributing to human welfare and progress. As a result, despite the expenditure of billions of Federal tax revenues, many of our social reform programs have never gotten off the ground and neither, I am sorry to say, have the individuals who were the intended beneficiaries of the programs. The National Home Ownership Foundation requires the full participation of the private sector if it is to succeed. Under the plan, the central government is properly involved as a stimulator rather than regulator, helper rather than dictator, and guarantor rather than financier.

Second, the plan will operate within a framework which permits the fullest expression of variety and diversity. It releases the imagination of local, nonprofit housing associations to adjust their plans to meet their peculiar requirements. It avoids the stultifying array of centrally imposed standards that too often harass and hinder rather than help to promote the national objectives. This is the only comprehensive piece of legislation of which I am aware that offers hope to individuals in the metropolitan ghettos as well as to those lower income families in medium-sized cities and rural areas.

Third, the legislation avoids welfare paternalism and instead focuses upon homeownership as a means of helping the poor to help themselves. Affording a man who does not otherwise have it the opportunity to own his own home is, of course, not a panacea to the larger problem of encouraging a man to move from self-pity and resignation to individual dignity. But opportunity for homeownership instills a sense of pride by allowing an individual a fair chance to earn something tangible which he can conserve for himself and for his family. It helps him plant the roots from which traditionally have flowered the sense of civic pride, family responsibility and individual dignity that have made our Nation strong.

It is estimated that $330 million in new housing can be developed through the expenditure of $13 million in Federal revenues. Most of this amount would be used for an interest supplement to those who are willing to participate in the program. From a strictly financial point of view, the cost is much preferable to the rent supplement program which the administration has described as "our most crucial new instrument to improve American cities." From a philosophical point of view, the interest supplement is much superior to the rent supplement. No one may qualify for the interest supplement unless he is willing to help himself secure homeownership. In addition, the beneficiary of the interest supplement is required to pay back the amount he receives at a graduated rate at some later point if he is able to do so.

Those who are concerned about the economic plight of our less fortunate citizens, especially members of minority groups, should be eager to support this effort to bring economic dignity to poor people. This is an important first step toward the kind of individual dignity that will bring to reality the dreams of equal economic opportunity in housing for all Americans, regardless of race, creed, or national origin.

Mr. PERCY. I express appreciation to the junior Senator from Tennessee for his very incisive analysis and very helpful comments, and for the approach that he offers to the problem.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. PERCY. I yield to the Senator from Kentucky.

Mr. MORTON. I thank the junior Senator from Illinois.

Mr. President, first, I wish to commend the junior Senator from Illinois for this really gigantic effort. I know something of the hours, days, weeks, and, the months that have gone into research, study, and consultation that brought this bill into being.

I was in Illinois last year when the junior Senator from Illinois was seeking election to this body. At that time, he outlined the broad philosophy of this bill at that time. It is a campaign promise that has been fulfilled. I know of the gigantic effort that has gone into the bill and I am proud, indeed, to be a cosponsor.

Mr. President, I wish to point out that this is a truly bipartisan assault upon deprivation and despair in our central cities which is about to begin.

On the Republican side, an unprecedented outpouring of support has preceded the introduction today of the exciting National Home Ownership Foundation Act proposed by the Senator from Illinois [Mr. PERCY].

I understand that in the other body, the Congressman from New Jersey, Representative WIDNALL, has introduced a similar measure, and that as of now there are some 100 cosponsors on that bill in the House of Representatives. Obviously, they cannot cosponsor, but they have introduced a similar measure. It is an identical measure, I might say.

I refer to this as being a bipartisan effort because the administration has shown its interest in the principle and great opportunity that homeownership can offer to millions of Americans. The President, in his poverty message this year, underscored the value of individual homeownership, and a number of my colleagues, on both sides of the aisle, have stressed the need for action in this field—and the need for action now.

Mr. President, I am proud to join the Senator from Illinois and the Republican membership of the Senate in support of this historic legislation. I have long believed that a new emphasis must be placed on the role of private enterprise in the solution of mounting social problems.

I believe the National Home Ownership Foundation Act fills a long-existing void in the field of housing for the underprivileged. I do not believe it is a "be-all and end-all."

I am certain, however, that the merits of this bill deserve the closest scrutiny and constructive analysis by the appropriate committees of this body and the entire membership. We shall have been derelict in our duty to masses of our fellow citizens now crying out for help if we do not immediately address ourselves to the crisis this legislation is designed to overcome.

Mr. President, I commend the Senator for his outstanding contribution. I call attention once more to the colossal effort that has gone into the preparation of this most comprehensive proposal.

Mr. PERCY. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PERCY. I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I had a chance to look over this proposal, particularly the explanation and the fact sheet which accompanied it. I listened to a part of the distinguished Senator's speech this afternoon.

Frankly, I am delighted that the other side of the aisle is showing some initiative in this field because I think the Senator is exercising the responsibility which should go with being a Member of this body.

I am happy to note that we would combine the latest technology of private enterprise with the Government in an effort to solve a problem becoming more and more grave in our large urban areas, and directed also at the problem currently developing in our rural areas.

I am delighted that the Senator has seen fit to offer this resolution. I wish to assure him that it will receive every possible consideration, and I am quite certain that out of the initiative displayed by the Senator will come a good measure which will embody the sentiments of the Senate as a whole.

I congratulate the Senator for the proposal he has offered today, for his thorough and detailed explanation of it and for the support which he has received. I assure him that he will receive much support on this side of the aisle, as well.

Mr. PERCY. I am very grateful to the majority leader for his comments.

Mr. BROOKE. Mr. President, will the Senator yield?

Mr. PERCY. **I yield.**

NATIONAL HOMEOWNERSHIP

Mr. BROOKE. Mr. President, I believe that the general concept of the National Home Ownership Foundation Act is sound, and for that reason I am proud to support it. Homeownership no doubt can be a very effective instrument for encouraging marginal-income persons to become more productive members of society. The goal of homeownership for these persons, standing alone, has my unqualified endorsement.

The program is being introduced on the assumption that homeownership, carefully linked to programs of education and job retraining, will result in a corresponding rise in income for many persons now in the low or lower middle income brackets. It is further assumed that this in turn will make it possible for the participants to improve their own situation, and to repay their mortgages.

In concept, this is in the best American tradition. I commend the distinguished junior Senator from Illinois for his untiring efforts to make this dream a reality for large numbers of our citizens.

My questions with respect to this bill, which I feel compelled to raise at this time, relate not to its general concepts but to the matter of financing the program. The bill provides for payments by the Secretary of the Treasury to the National Home Ownership Foundation. These payments are subsidies for interest payments due on mortgages given by the new homeowners. It is hoped that the new homeowners will develop their productive capacities to such an extent that their incomes will increase and they will be able to repay the funds which have been provided by the Secretary of the Treasury in interest subsidization.

But in order to obtain the anticipated results, prospective homeowners will have to be employed, or employable at comparatively high wages. Many of the poor, who perhaps need retraining, education, and incentives the most, will be unable to participate in or benefit from this particular program. And the program does not appear to take into account defaults which might be necessitated by illness, personal injury, old age, or similar disabilities.

If the contemplated success is not achieved, the Foundation funds will soon be exhausted and will have to be recapitalized by further congressional appropriations. Now, Mr. President, I am not opposed to this in principle. I would personally support subsidization of a program of this nature, whose benefits are so similar in concept to those presently provided under various GI bills.

My concern is that the homeownership program is being presented as one which, in a relatively short period of time, will become self-supporting. Frankly, I do not see how it will ever be possible for the program to be self-supporting, given the present economic, social, and psychological realities. And I believe that, if we are to adopt such a program—and I hope that we will—it must be with the understanding that we are embarking upon a venture which will require continuing, and probably increasing, Government subsidization.

The distinguished junior Senator from Illinois has given this measure infinitely detailed and careful study. It is a sound measure. But we must be sure that the ramifications of this program are fully understood by Congress and the American people. It would be tragic if we began this program in 1967 and abandoned it in 1970 on the grounds of increasing and unanticipated costs. Too many dreams and too many hopes would fall with it.

Mr. PERCY. Mr. President, I appreciate the comments of the distinguished Senator from Massachusetts. I am fully aware that too many of our governmental programs have been long on promise, but short on performance. His words of caution are well taken. I can assure him that I intend to be very frank and realistic about what this program can and cannot do in any presentation to the public.

Mr. BROOKE. I thank the Senator from Illinois.

Mr. DIRKSEN. Mr. President, will my distinguished colleague yield?

Mr. PERCY. I am happy to yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, I want to congratulate the junior Senator from Illinois for the very persistent way in which he has pursued the idea of a partnership between the Federal Government and private enterprise in the field of homeownership. I much prefer to call it a homeownership bill rather than a housing bill, because that is its objective and its purpose. I am confident that it will move in that direction.

I congratulate my colleague not only for his persistence but also for the effective way in which he has secured so many sponsors for the bill—every Member on the minority side. I have no doubt that there will be other Members on the majority side who will want to participate in its sponsorship.

I also congratulate my colleague for the very effective liaison and cooperation which he has established with Members of the House of Representatives who entertain similar feelings about the approach to homeownership on a national scale.

I am advised that perhaps as many as 100 House Members will introduce identical bills which will call for the same thing.

The Senator has done his work extremely well. I trust, therefore, that there will be no delay on the part of the Committee on Banking and Currency to undertake hearings in depth, so that the whole matter can be explored and a favorable report made on an effective bill along these lines at a reasonably early date, in order that both branches can consummate action and have the bill engrossed on the national statutes.

Once more, I congratulate my dear friend.

Mr. PERCY. Mr. President, I should like to express my deep and sincere gratitude to the senior Senator from Illinois for his counsel, his guidance, and the soundness of his judgment when I have gone to him on matters concerning this proposal.

From the outset, he urged and helped support my application for membership on the Committee on Banking and Currency, and was helpful in seeing that I was assigned to the Subcommittee on Housing.

I know that all of us in the Senate are expected to know something about everything, and everything about something. I hope that in my years ahead in the Senate I can make a contribution in the area of urban affairs and housing. I intend to try my best to find a way to make our cities, our urban areas, and our rural communities more pleasant places in which to live and work.

Again, I am most grateful for the assistance of the distinguished Senator from Illinois in helping to make it possible for me to obtain a position where I can now effectively go to work in this area.

Mr. HANSEN. Mr. President, will the Senator from Illinois yield?

Mr. PERCY. I am glad to yield to the Senator from Wyoming.

Mr. HANSEN. I am glad to join other Senators who have spoken today, in complimenting the distinguished junior Senator from Illinois for his great diligence in pursuing his longtime efforts in this field.

Long before he evidenced any interest in politics, he was concerned about the plight of the people. He has demonstrated this concern over the years with the introduction of his bill today, which marks an important milestone in a continuing effort to do something important, something which will be helpful, something which can be successful in coming to grips with this difficult problem.

The bill deserves the attention of every Senator. The bill wisely incorporates pride of homeownership into the problems of public housing. It can make the difference between destruction of property because of carelessness and indifference on the one hand, and careful protection of one's home on the other.

It will build; not tear down. It will maintain; not abuse. It will improve; rather than destroy.

This kind of approach is sound. It has been proved by time. It has been tested in practice. It can bring success in our efforts to try to provide housing for the lower income groups in America.

I come from a State with no major metropolitan area, but I find much which is relevant to Wyoming in this particular piece of legislation.

Compared to most such bills, this proposal is modest in its demands on the Treasury. But the great impact it will have on the problem will be out of all proportion, in my opinion, to its modest cost to the American taxpayers.

Mr. President, I am quite aware that the distinguished junior Senator from Illinois has worked long and hard on this bill. He has talked with people in all sorts of endeavors. He has talked with business, with industry, with labor, and with low-income people—those to whom this particular piece of legislation is directly addressed. Yet I am sure he would be the first to admit that the bill may not be perfect. I suggest that it is a workable framework. It presents in broad outline tried and tested operations that can be brought to bear in order to solve a very serious problem confronting America today.

I commend the Senator from Illinois, and I hope that there will be sufficient interest in this Chamber to elicit from every one of the 100 Senators their best suggestions and ideas as to how the bill might be further improved and refined. I certainly propose to do that myself. I propose to work as best I can, further to help the junior Senator from Illinois get this bill enacted into law.

Mr. PERCY. I appreciate the comments of the distinguished Senator from Wyoming.

I yield now to the distinguished Senator from West Virginia. I am happy to say that I am contributing a citizen to West Virginia. I hope she may contribute as much to the life of West Virginia as she has to Illinois.

Mr. BYRD of West Virginia. Mr. President, I thank the distinguished and able junior Senator from Illinois for yielding to me.

I have listened with a great deal of interest to his challenging address here this morning. I had hoped that he would explain, to some degree at least, the provisions of the measure he had introduced. I had hoped we might have a little better understanding of the implications of those provisions. I do share, however, his philosophy that it is best for low-income families in our country to own their own homes, and I join with him in the philosophy that private enterprise should be stimulated and encouraged to assist, to the very highest degree possible, in the attainment of this goal.

We have heard a great deal, Mr. President, about the growing disrespect for law and order in this country. I believe that if more of our citizens owned their own homes, there would be a greater respect for law and order throughout the Nation. Some of us have been greatly concerned about the growing incursions upon property rights of citizens. I believe that if more individuals owned property, there would be greater support, stronger support, and a more profound support for the constitutional and natural rights of property in the country.

Moreover, I believe there would be a greater resistance to Federal welfare programs that are paternalistic and self-perpetuating in nature if more of the low-income people owned their own homes.

Mr. President, I believe that that nation is safest in which people own their own homes, regardless of how humble their homes may be. This gives the property owner something to live for, something to work for, and something to die for.

I do not know of anything more conducive to the future stability and security of our country than that objective which the distinguished Senator seeks to achieve—the ownership of his own property, his own little vine and fig tree, by the individual who is in the low-income or moderate-income bracket.

I congratulate the Senator on that objective. I salute him on the effort, the time, and the thought that have gone into the preparation of this measure. I look forward to reading it, studying it, hearing it debated; and I trust that all Senators can join in molding a measure, based perhaps upon the legislation introduced by the Senator from Illinois, which can reach the very laudable objective about which we have spoken—a home which even the low-income man can call his own castle.

Mr. PERCY. I appreciate very much indeed the comments from the distinguished Senator from West Virginia. They bring to mind reactions that I had, following my defeat for the governorship of Illinois. For the next 2 years I moved through the slums and ghettoes of Chicago, East St. Louis, Rockford, and other cities in Illinois. I went into Philadelphia, Los Angeles, and Harlem. Everywhere there is a glaring difference between the suburban areas and the urban areas, a difference in attitude which comes from owning one's own property. The manicured lawns and the well-kept homes common to the suburbs contrast starkly with the crumbling, deteriorating structures occupied by people who have never had a chance to have a decent home of their own.

I remember a statement made by the late director of public aid for Cook County, who had the responsibility for the welfare of thousands of families. He said that for all the talk we hear about housing, it was his personal observation that housing in the ghettoes and slums of our cities was getting worse every single year; not better.

Yet, as one walks through the slums, he will see a man outside his tenement washing and polishing his automobile. Then he goes into his apartment building where there is garbage down the front steps. What is the difference? He has a degree of ownership in the automobile. That is his. But he has no feeling of ownership, no feeling that the apartment is his. He is paying an exorbitant rent to a landlord or "slumlord" for decaying housing which probably has a dozen code violations. Sometimes the slum landlord makes as much as 25 or 30 percent on his investment every year, simply because there is no place else for the tenants to go.

How much better to take those buildings, and use the credit guarantee of the Federal Government and the money of savings and loan associations, banks, insurance companies, private industry, and unions to rehabilitate these buildings and then sell apartments to the families that now rent them.

I can remember my own family, years ago, saying, "Why is it we always keep paying out rent? We never seem to own anything." Throughout the course of my own family's affairs, never were they ever able to get together enough money to make a downpayment on a house or apartment.

This same condition holds true for millions of Americans today. They have a desire to be a part of their community, to own ther own shelter, and to pay for it out of their efforts over a period of years. We really need to find a way to help them do it. I hope the National Home Ownership Foundation Act can be an important step in that direction.

President Calvin Coolidge had this to say about the subject:

> No greater contribution could be made to the stability of the National and the advancement of its ideals than to make it a Nation of homeowning families.

Mr. President, does not that almost exactly paraphrase what the distinguished Senator from West Virginia has just been saying? A Republican President and a Democratic Senator, through their lifetime of experience, have come to the same conclusion.

President Coolidge continued:

> All the instrumentalities which have been devised to contribute toward this end, are deserving of encouragement.

His successor, President Herbert Hoover, reiterated his predecessor's belief when he said:

> I am confident that the sentiment for home ownership is so embedded in the American heart that the millions of people who dwell in tenements, apartments, and rented rows of solid brick have the aspiration for wide opportunity in ownership of their own homes. To possess one's own home is the hope and ambition of almost every individual in our country, whether he lives in hotel, apartment, or tenement.

Now, because of the bipartisan spirit of our comments today, and because of the comments which the distinguished Democratic Senator from West Virginia, the distinguished Democratic majority leader, the Senator from Montana, and the distinguished Democratic Senator from Maine have made today, I should like to quote another Democrat in the House of Representatives, who has given a great deal of thought to this subject. He is Chairman Wright Patman of the House Banking and Currency Committee. He has made the same observations that have been made by others this afternoon.

In a speech last December, Chairman Patman pointed out what a dramatic effect the Rural Electric Cooperatives have had in improving his own congressional district in the State of Texas. Here is what he said:

> I am convinced that (these rural electric cooperatives) are successful enterprises because the people are involved and have a stake and a little bit of ownership. When they got this electric power, and learned that the system belonged to them, they had a new pride. Unpainted farm houses suddenly got a coat of bright paint, and the weeds in the front yard were cut down. It gave them new hope.

He went on to say that the same concept underlying REA—that of self-help through cooperative ownership of housing—should be applied to our urban areas today; and that if that were done, it would generate a new spirit and a new desire to rise above poverty.

Mr. President, these people must be given hope. They have the same aspirations, the same desires as people with more education and greater income. But we must offer them that helping hand that is needed at this time.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. PERCY. I yield with great pleasure to the distinguished minority whip, the Senator from California.

Mr. KUCHEL. Mr. President, it was a number of weeks ago that I first talked with my able friend from Illinois with respect to the plan he envisioned, by which hundreds of thousands, if not millions, of our fellow Americans may look forward to owning their own homes.

As my able friend has said, pride goes with ownership of a home, and good citizenship accompanies it. From time to time, in my State and across this country, difficulties have erupted, in large part because of the housing conditions in these inflamed areas. Today, families continue to live in poor housing or substandard housing, and, in any event, housing which they themselves do not own.

I think I know a little bit about the problem which some of my own fellow citizens in California face. They live in the hope, but up to now vain hope, that they might own their own homes. I join the Senator's friends on this, the Republican side of the aisle, as well as on the Democratic side, in saying to the distinguished Senator from Illinois that he has performed a true service to his fellow man by the introduction of this splendid proposal now confronting the Senate and the House of Representatives. It truly reflects the extensive research and toil which he has given to the fulfillment of his outstanding ideas in this area. Those of us who have joined him in sponsoring this proposal look upon it as a fresh, new, intriguing, encouraging, and progressive piece of legislation, under which America can pass succeeding milestones as it seeks progress for its people.

This legislation, as the Senator has stated, creates a new public and private partnership in the housing area. The Government provides no execution and no control, but does provide reinforcement and guarantees to those people in our country who wish to raise the level of American citizens' housing. This bill seek to give to all families in this land, rich and poor, high and low, big people and little people, an opportunity to own their own homes.

I congratulate the Senator, and I am happy and honored that my name will accompany the many others cosponsoring the splendid piece of legislation he now introduces.

Mr. PERCY. I thank the distinguished Senator.

Mr. President, I conclude by simply indicating that there have been many of my fellow Senators who have devoted a great deal of thought, time, and effort to the problem of better housing for urban and rural America. The Senator from Connecticut [Mr. Ribicoff] has perhaps done more in the past year to focus the Nation's attention on the crisis of our cities than any other man. He has already introduced legislation broadening the section 802 program for training and fellowships, and I support that legislation.

The distinguished junior Senator from New York and the distinguished senior Senator from New York, the former at the Bedford-Stuyvesant project and the latter in imaginative proposals and policy for an economic opportunity corporation, have approached this problem in accordance with the principles which have been set as goals by the President of the United States—that we seek ways that we can find fresh solutions, through creative thinking, for old problems, and that we marshal the resources of the private enterprise system, working in partnership and cooperation with Government, to attack those problems.

Mr. President, the housing needs of America cannot wait, nor can we, as we move forward to meet them in a manner worthy of the rich, powerful Nation in which we live.

Mr. President, I yield the floor.

EXHIBIT 1

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT (S. 1592)—DESCRIPTION

Goals:

New private sector initiative in meeting the Nation's urban and rural housing needs

Home ownership opportunity for aspiring lower income families

Self-help, initiative, and decision-making at the community level

Implementation:

Creates a private, nonprofit National Home Ownership Foundation, including

A Technical Assistance Service, to help local community organizations . . . make plans for developing decent low cost housing for sale to community residents . . . obtain financing for supporting programs to prepare families for home ownership

A home Ownership Loan Fund, to make mortgage loans to community organizations

The community organization:

May be a nonprofit association, a cooperative, or a limited dividend corporation

Is an autonomous local group composed of community residents together with businessmen, labor leaders, clergymen, educators and others

Develops its home ownership program with help from the Technical Assistance Service

Obtains financing from the Home Ownership Loan Fund

Returns mortgages on homes and units to repay the loan

The homebuyer:

Takes part in the community organization's program to prepare himself and his family for home ownership

Buys his home, apartment, or cooperative unit from the community organization

Is helped by the Federal government in paying the interest costs of his mortgage

Repays his government aid later on if his income rises sufficiently

May contribute his labor as equity in his home

Can be insured against foreclosure if his income should be interrupted for reasons beyond his control

Financing:

For the Home Ownership Loan Fund, through the sale of Federally guaranteed debentures bearing market interest

For the Technical Assistance Service, an initial Federal grant of $3 million; then private donations

For interest assistance payments to home buyers, up to $10 million from the Federal Government the first year; $20 million more the second year; $30 million more the third

Total first year cost to the Government: $13,000,000

Leverage effect: with 3% interest assistance, $10 million Federal dollars can generate $333 million in housing

This new plan:

Holds great promise for rebuilding declining urban and rural areas and providing decent housing for their people

Advances home ownership, and enhances dignity and self-esteem

Provides a workable mechanism for bringing private sector resources to bear on these important national problems

Creates a new public-private partnership, with Government providing reinforcement and guarantee, not execution and control

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THE NATIONAL HOME OWNERSHIP FOUNDATION ACT (S. 1592)—SECTION-BY-SECTION ANALYSIS

Section 1. Short title: "National Home Ownership Foundation Act."

Findings and purpose

Section 2(a). The Congress hereby finds a continuing need for decent housing; that the opportunities for home ownership should be expanded; that the private sector should take the responsibility and initiative; that self-help and involvement of lower income families is an essential element; that a credit gap exists in declining areas; and that interrelated slum problems must be dealt with by comprehensive, and not piecemeal, efforts.

Section 2(b). States the purposes of the Act: to promote the improvement of declining urban and rural areas; to advance home ownership; to inspire self-help, personal involvement and a new spirit of community; to mobilize the non-governmental sector in achieving these objectives.

Definitions

Section 3. Defines terms used in the Act; "eligible borrower" is defined to mean a local non-profit housing association, cooperative, or limited dividend corporation.

TITLE I. NATIONAL HOME OWNERSHIP FOUNDATION

Creation and powers

Section 101(a). Incorporates a private Foundation with general corporate powers. Congress reserves the exclusive right to alter or dissolve the Foundation.

Section 101(b). Provides that the Foundation shall be a nonprofit charitable and educational foundation, contributions to which are tax-deductible under section 170 of the Revenue Code.

Section 101(c). Provides that no officer of the Foundation shall receive compensation in excess of that received by the Secretary of HUD.

Section 101(d). Provides that the Foundation shall make maximum use of existing public and private agencies, institutions, firms, consultants, and programs in furthering the purposes of the Act.

Board of directors

Section 102(a). Establishes a Board of 18 members.

Section 102(b). Establishes a Congressional Ad Hoc Commission to appoint 12 initial Board members.

Section 102(c). Authorizes the President to appoint the remaining six initial members of the Board, with the advice and consent of the Senate.

Section 102(d). Specifies three year terms, except that the initial members shall have three, four, and five year staggered terms. Persons appointed to fill vacancies shall serve only for the unexpired terms.

Section 102(e). Prescribes subsequent appointments to the Board. The President continues to appoint six directors. When the term of one of the remaining twelve directors expires, the Board nominates a successor, whose appointment may be prevented by a qualified vote of those organizations which have been financed by the Foundation.

Section 102(f). Provides that no more than two members of the Board can be full time employees of the Executive Branch of the Federal Government.

Officers and advisory committees

Section 103(a). Provides for the President and other officers of the Foundation.

Section 103(b). Provides for the establishment of advisory committees.

Liability for taxes

Section 104. Makes the Foundation's property subject to State and local taxation and assessments.

Penalties

Section 105. Makes it a misdemeanor for any person to misuse the name of the Foundation.

General Accounting Office audit and report

Section 106. Subjects the financial transactions of the Foundation to GAO audit and report requirements, as if it were a mixed ownership government corporation under 31 USC 857–8.

Annual report

Section 107. Requires the Foundation to make an annual report to the President and Congress.

Technical assistance service

Section 108(a). Authorizes the Foundation to establish a Technical Assistance Service to help local organizations conduct home ownership programs. The Service is authorized to

Help get local organizations started;

Help them obtain qualified administrative personnel;

Help them involve a broad range of local people, companies, and organizations in their programs;

Assist them in obtaining financing and insurance;

Arrange or make interim planning loans;

Help local organizations gain access to existing public and private supporting programs in training, counseling, etc., or to start their own program if necessary;

Arrange for or provide training for program administrators;

Encourage research and innovation and publicize the findings;

Perform other similar services.

Section 108(b). Prevents the use of the Foundation's loan money for financing technical assistance services, but authorizes the inclusion of the value of appropriate services in the eventual mortgage loan.

Home ownership loan fund

Section 109(a). Authorizes the Foundation to establish a Home Ownership Loan Fund.

Section 109(b). Authorizes the Foundation to issue up to $2 billion in debentures to capitalize the Loan Fund.

Section 109(c). Requires the Foundation to consult with the Treasury prior to offering debentures for sale.

Section 109(d). Provides for a Federal guarantee of the Foundation's debentures. In case of default, the procedure is adapted from statutory Federal Housing Administration procedures for redeeming insured mortgages which are in default.

Section 109(e). Authorizes the Secretary of the Treasury to require a fee for the Federal guaranty of the Foundation's obligations.

Section 109(f). Requires the Foundation to maintain a reserve account equal to three percent of its outstanding loans.

Section 109(g). Makes obligations of the Foundation lawful investments for Federally-controlled trust funds.

Loan policy and criteria

Section 110(a). Sets forth the criteria that must be met before the Foundation may make a loan. Involvement of community organizations and project area residents, and maximum impact of the project on the community are stressed in the loan criteria. Additionally, a Foundation loan should be issued only if other financial institutions are unable to make the project loan. (Criteria are set forth in Section 110(A)(1) to 110(A)(17).

Section 110(b). Provides that the interest rate at which loans shall be made to eligible borrowers and the portion of the interest payable by the Treasury on loans to individual home buyers shall be determined by the Board.

Section 110(c). Authorizes the Board to establish down payment standards.

Section 110(d). Limits loans in any one State to 12½% of the Foundation's total debenture authorization.

Coinsurance

Section 111. Authorizes the Board to require an eligible borrower to purchase Foundation bonds, to be held in escrow by the Foundation as a reserve against foreclosures in the borrower's project.

Coadjuvant agreements

Section 112. Authorizes the Foundation to enter into agreements with local lending institutions, investors or public agencies, whereby it may accept up to ten-elevenths (90.9%) of the risk on a local project specified by the local institution, investor, or public agency.

Mortgage coupon redemption authority

Section 113(a). Authorizes the Secretary of the Treasury to contract to make payments to mortgagees for the redemption of interest coupons accompanying mortgages executed as a result of a Foundation loan. The value of the coupon would reflect the difference between the market rate and the lower rate to be paid by the mortgagor. The rate the Secretary could pay would be limited by the average market yield to maturity on all outstanding marketable obligations of the United States. There would be a thirty year limit on coupon payments.

Section 113(b). Directs the Secretary of the Treasury to post all amounts thus paid on behalf of mortgagors to an account in each mortgagor's name, and to report to the Foundation the aggregate amounts posted each month.

Section 113(c). Authorizes appropriations to the Treasury for making coupon payments. The aggregate amounts of contracts to make redemption payments shall not exceed amounts approved in appropriations Acts, and payments pursuant to such contracts shall not exceed $10 million in Fiscal Year 1968, increased by $20 million in Fiscal Year 1969, and increased further by $30 million in Fiscal Year 1970.

Repayment of investment

Section 114(a). Authorizes the Secretary of the Treasury to assess persons whose incomes have risen substantially for the purpose of reducing the balance in their account as established by section 113. The amount of the assessment is determined by a formula set forth in Section 114(a)(1) to 114(a)(3).

Section 114(b). Permits the amounts thus collected to be expended on a revolving fund basis to assist additional mortgagors.

Section 114(c). Gives mortgagors the right to extinguish their accounts at any time.

Section 114(d). Provides for information for making determinations required by this section.

Section 114(e). Authorizes regulations for applying this section to participants in cooperative housing programs.

Section 114(f). Defines adjusted gross income for purposes of the section.

Recovery in case of sales

Section 115. Provides for the recovery by the Treasury, out of the proceeds from the subsequent resale of a housing unit whose purchase was aided by the interest coupon payments, of the balance in the account of the home buyer as established by section 113(b), or of the amount of the taxable long term capital gain, whichever is the lesser.

Homeownership Insurance protection

Section 116(a). Directs the Foundation in cooperation with the private insurance industry to seek to arrange a program for insuring the monthly payments of participating home buyers against curtailment of income due to factors beyond his control, such as death, disability, or recession layoff.

Section 116(b). Exempts cooperative efforts by insurance companies to establish such a program from the provisions of the Sherman and Clayton Acts.

Section 116(c). Directs the Foundation to report to Congress on its success in establishing this program on a private basis, with such recommendations as it may deem desirable.

Equal opportunity

Section 117. Prohibits discrimination on account of race, color, religion or national origin in any program or activity financed by the Foundation.

Initial grant assistance

Section 118. Authorizes the appropriation of not to exceed $3 million for the purpose of meeting initial organizing and operating expenses, and of providing initial funding for the Technical Assistance Service.

TITLE II. AMENDMENTS TO OTHER ACTS

Amendments relating to financial institutions

Section 201(a). Amends the National Banking Act (12 USC 24) by authorizing national banks to deal in the obligations of the Foundation.

Section 201(b). Amends the National Banking Act (12 USC 84) by authorizing national banks to purchase obligations of the Foundation in excess of 10% of their unimpaired capital stock and 10% of their unimpaired surplus.

Section 201(c). Amends the Home Owners Loan Act by authorizing federal savings and loan associations to buy and sell the debentures or other obligations of the Foundation.

Urban renewal—Local determination

Section 202. Permits an urban renewal plan, in order to meet the requirements of section 105(a) of the Housing Act of 1949, to provide for the rehabilitation or redevelopment of the urban renewal area by nonprofit organizations, including eligible borrowers as defined in this Act, as well as by private enterprise.

Availability of urban renewal property

Section 203. Amends section 107 of the Housing Act of 1949 to permit the sale of any real property held as part of an urban renewal project to an eligible borrower as defined in this Act at fair value for use in the provision of new or rehabilitated housing.

Rehabilitation loans

Section 204. Amends section 312 of the Housing Act of 1964 to authorize rehabilitation loan assistance in the project areas of eligible borrowers conducting home ownership programs under the Act.

The Republican Home Ownership Plan

(This preliminary memorandum has been prepared by Senator Charles H. Percy (R.-Ill.) to describe the Republican Home Ownership Plan. Other Members of Congress sponsoring the National Home Ownership Foundation Act are not necessarily committed to the support of every proposition contained herein.)

PURPOSES OF THE PLAN

Basically the plan has seven purposes:

1. To promote the improvement of the

declining urban and rural areas of the Nation;

2. To encourage the provision of decent housing for the inhabitants of those areas;

3. To advance the opportunity for and enjoyment of equity ownership in housing by the inhabitants of those areas;

4. To inspire new self-help efforts by individuals and meaningful decision making by local neighborhood organizations;

5. To bring together into one coordinated effort local housing, education, training, employment and related supporting programs;

6. To encourage a new spirit of community at the neighborhood level;

7. To mobilize America's private enterprise system and its religious organizations, educational institutions, labor unions, foundations and professional, civic and rural organizations and associations in employing their strengths and resources toward the achievement of these ends.

HOMEOWNERSHIP

Home ownership is both a product of and an important means of encouraging certain values among which are:

1. Human dignity and self-esteem
2. The motivations to achieve
3. A feeling of security and "roots"
4. Individual and community responsibility and stability
5. The physical preservation, improvement, and maintenance of residential neighborhoods
6. The encouragement of participation and leadership in community activities

One premise of the act is therefore that the opportunity for home ownership should be made available to families whose present incomes and circumstances do not permit them to become home owners.

COMPREHENSIVE PROGRAM

The mere signing of papers does not transform a slum tenant into a home owner, except in the legal sense. Becoming a home owner begins with the fundamental steps toward achieving earning power sufficient to carry a mortgage, and includes specific preparation for meeting the responsibilities associated with home ownership. A sound home ownership program should therefore include access to, or provide directly, such components as:

1. Adult basic education, including counseling in practical subjects like job interview techniques and application completion.
2. Training in job skills for which there is an identifiable local need.
3. Assistance in obtaining suitable and productive employment.
4. Continuous counseling with employee and employer to ensure advancement in skills, income, and opportunities on the job.
5. Counseling of the entire family in the responsibilities of home ownership, including financial obligations, maintenance, insurance, taxes, home economics and credit buying.
6. Encouraging the families to take part in worthwhile community activities and to help others achieve their full potential.

PRIVATE SECTOR INITIATIVE

The responsibility for a national program to help presently lower-income families to become home owners properly lies with the private sector, including both the private enterprise system and the so-called "Independent Sector"—churches, unions, foundations and nonprofit associations. Government has a role to play; but it should be one primarily of stimulus, insurance, guarantee, and reinforcement, rather than direct execution and control.

SELF-HELP AND LOCAL INITIATIVE

Any program created to help lower income families achieve increased economic security, dignity, and self-esteem should recognize the essential principle of self-help, through which every person can best develop to the fullest his inherent potential as a human being. Having earned something for oneself has a far more important and salutary effect on the individual than having been given something. Similarly, any effort to improve a declining neighborhood or rural area should be based on a meaningful involvement and decision making by the residents themselves, working together with others seeking the same goal. Plans imposed from above, however well-intentioned, can never substitute for a plan developed in a neighborhood by the people who live there.

THE CREDIT GAP

Although hard data are difficult to obtain, it is generally agreed that there exists today a comparative unavailability of credit on reasonable terms in declining urban and rural areas. When credit is tight, such areas are inevitably the first to suffer. The result of this credit gap is that property owners have little real opportunity to obtain funds for improving their property. This, of course, makes it increasingly difficult to arrest the further decline of the area.

THE NATIONAL HOMEOWNERSHIP FOUNDATION

To bridge this credit gap and to achieve the other purposes of the plan, a private, nonprofit National Home Ownership Foundation is chartered by Congress. The Foundation would in many ways seek to do for the inhabitants of slums and declining urban and rural areas what the establishment in 1916 of the Federal Land Bank did for farmers: provide a specialized lending institution to bridge a credit gap in a manner tailored to the needs of its clients. Governmental encouragement for the creation of such a private financial institution is in accord with the recommendations of the President's Committee on Federal Credit Programs, which in 1962 reaffirmed the desirability of thus avoiding the substitution of public for private credit.

THE FUNCTIONS OF NHOF

The functions of NHOF are essentially two: to arrange for or provide credit for home ownership programs where it cannot now be obtained on reasonable terms, through a Home Ownership Loan Fund; and to arrange for or provide the technical assistance needed by local sponsoring organizations ("eligible borrowers") for conducting such programs successfully, through a Technical Assistance Service.

THE POWERS OF NHOF

The NHOF is deemed to be a corporation organized under the provisions of the District of Columbia Nonprofit Corporations Act. Thus while NHOF would actually be created by Act of Congress, it would be vested with corporate powers as if it were a D.C. Nonprofit Corporation. In addition, it would have the specific powers conferred upon it in the charter.

TAX STATUS OF THE NHOF

Contributions to the NHOF would be deductible for income tax purposes. The NHOF would, however, be subject to normal State and local property taxes and assessments, and the interest on its obligations would be taxable income to the recipient.

COOPERATION WITH EXISTING INSTITUTIONS

The policy of the NHOF would be to make maximum use of existing public and private agencies, institutions, firms, consultants and programs. The NHOF would exist not to duplicate or compete with comparable sources of credit or assistance, but to help clients make the best use of them. Where existing institutions and programs are inadequate to meet specific needs, the NHOF could, however, act on its own to meet those needs.

THE BOARD OF DIRECTORS

The Board of Directors would consist of 18 persons serving, in general, for three year terms. Six of the 18 would be appointed by the President of the United States, with the advice and consent of the Senate. Initially, the remaining twelve would be appointed by a special Ad Hoc Commission of Congress. Subsequently, however, the clients of the Foundation—the "eligible borrowers"—would have a voice in the selection process, to ensure that the Board remained responsive to their needs. Of the twelve non-presidential appointees, two each would be chosen from the fields of finance, business generally, labor, State and local public agencies, and housing and community development, and two from the public at large. At no time could more than two members of the Board be regular employees of the Executive Branch of the Federal government.

ELIGIBLE BORROWERS

The foundation's clients are termed "eligible borrowers". They are autonomous local groups of three types:

1. Local nonprofit housing associations or corporations
2. Housing cooperatives
3. Limited dividend corporations formed to provide housing.

A public corporation designed to provide housing could presumably qualify as a local nonprofit housing association.

HOME OWNERSHIP PROGRAM

The term "home ownership program" is defined in the act to mean a program conducted by an eligible borrower concurrently to:

1. Make available low cost housing for sale to individual buyers or cooperators
2. Assist the prospective buyers to achieve economic security and to accept the privileges and responsibilities arising from equity ownership in housing; and
3. Conduct or arrange for such related activities as may be necessary to promote community participation and development in the neighborhoods or areas affected.

THE TECHNICAL ASSISTANCE SERVICE (TAS)

The TAS would be the component of the Foundation engaged in helping eligible borrowers initiate, develop and conduct home ownership programs. Its functions would be:

1. To assist in the formation of local nonprofit housing associations or cooperatives;
2. To locate, arrange for, or provide to eligible borrowers the technical and managerial assistance and personnel necessary to the development of local home ownership programs;
3. To assist eligible borrowers in securing the participation of local business firms, financial institutions, religious organizations, educational institutions, labor unions, foundations and professional and civic organizations and associations, local public agencies, and all other such groups in home ownership programs;
4. To assist eligible borrowers in obtaining the mortgage financing, insurance, and other elements needed for conducting programs of housing construction, rehabilitation, or improvement;
5. To arrange or make interim planning loans to eligible borrowers;
6. To assist eligible borrowers to obtain, through both public and private channels, the access to supporting programs in the fields of training, employment and counseling, and other related programs necessary to the success of a home ownership program sponsored by an eligible borrower, and to assist such borrowers in establishing such supporting programs when feasible and necessary;
7. To arrange for or provide training for persons in the skills needed in administering local home ownership programs;
8. To encourage research and innovation and collect and make available such infor-

mation as may be desirable to further the purposes of this Act; and

9. To perform other services of similar nature in order to further the purposes of this Act.

The Technical Assistance Service would be financed initially by a $3 million Federal seed money grant (part of which would be used for the general organization expenses of the Foundation). Subsequently TAS would be financed through contributions from private and public sources. A further Federal grant would require a new Congressional authorization.

Although no part of the funds raised by the Foundation through the sale of its bonds could be put at the disposal of the TAS, provision is made, where appropriate, for charging for the technical assistance expenses provided to the eligible borrower, which expenses would be a direct cost of providing housing and thus eligible for amortization.

THE HOMEOWNERSHIP LOAN FUND (HOLF)

The HOLF would be the component of the Foundation engaged in making loans to eligible borrowers to finance their home ownership programs—in essence, a bank. HOLF would be financed by the sale of up to $2 billion in debentures, bearing yields competitive with other bonds of similar terms and security. The bonds would not be tax exempt, but would carry a Federal government guarantee against default. For this privilege the Foundation would pay a guaranty fee of up to ¼ of one percent. A similar guarantee of private investment is presently in effect in the Latin American low income housing program administered by the Agency for International Development.

HOLF would be required to carry its own reserve against losses, equal to at least three percent of its outstanding loans. This reserve ratio is somewhat more conservative than that of the Federal Housing Administration.

In case HOLF defaulted on payment of interest or principal on a debenture, the bondholder would receive a special exchange debenture, which would be fully guaranteed as to principal and interest by the United States. If HOLF defaulted on the exchange debenture, the holder would present it to the Treasury for payment, and the Treasury would succeed to the bondholder's rights.

LOAN POLICY AND CRITERIA

Before making a loan, HOLF would have to be satisfied that the program to be funded, in addition to being economically sound, complied with a number of criteria.

1. The proposed home ownership program must be initiated and actively supported within the affected neighborhood or area.

2. The eligible borrower must be conducting, or otherwise arranging for, supporting programs in such fields as training, employment, credit counseling and budget management as needed to enable lower-income families to assume the privileges and responsibilities of home ownership.

3. Residents of the neighborhood or area involved must to the maximum extent feasible be given first preference in buying or acquiring equity in the dwelling units to be made available as a result of the loan.

4. Families residing in the neighborhood or area and participating in the home ownership program shall to the maximum extent feasible have primary responsibility for recommending families for participation in such program.

5. Residents of the neighborhood or area involved must to the maximum extent feasible be given first preference for taking advantage of job training and employment opportunities to be created as a result of the loan.

6. Prospective home owners shall to the extent feasible be given the opportunity to contribute the value of their labor as equity in their dwellings.

7. The home ownership program shall be of a scope and magnitude large enough to to achieve:

a. A substantial, positive and visible impact on the physical, economic and social conditions in the neighborhood or area; and

b. Reasonable overhead costs per dwelling unit produced.

8. The eligible borrower must demonstrate that it has involved in the home ownership program persons and associations from business, finance, labor, education, the professions, and from other appropriate associations, organizations, and institutions, in addition to people from the neighborhoods or areas most directly affected.

9. Wherever a program includes demolition or extensive rehabilitation of inhabited dwellings, the eligible borrower must make arrangements for the relocation of the inhabitants, either on a permanent basis, or temporarily until such time as the improved housing can be made available to them.

10. The eligible borrower shall make every reasonable effort to obtain local financial support and coinsurance for its home ownership program; shall assist each prospective home buyer to obtain mortgage financing through existing local lending institutions; and shall provide direct mortgage assistance only to those prospective home buyers who are unable to obtain and afford mortgage financing from such existing local lending institutions.

11. The eligible borrower must demonstrate that sufficient professional counsel and administrative and managerial skill are available to assure that the program will be capably and prudently conducted and will further the purposes of this Act.

12. In the case of a participating home buyer subsequently wishing to sell his housing unit, the eligible borrower shall have a first purchase option at fair market value, to be exercised or assigned to further the purposes of this Act.

13. In the course of planning and developing its program, the eligible borrowers shall have consulted with the appropriate Federal, State and local public agencies.

14. The principal obligation of the loan shall not exceed the amount estimated by the Foundation to be the necessary current cost of the completed property or project, including the land and existing structures thereon; the proposed physical improvements; utilities within the boundaries of the property or project; architects' fees; taxes and interest accruing during construction; and other miscellaneous charges incidental to construction; and in no event shall such loan exceed the amount estimated by the Foundation to be the cost of the completed physical improvements on the property or project, exclusive of off-site public utilities, streets, and common areas.

15. The eligible borrower shall make every effort to produce safe, suitable and decent housing in compliance with local code requirements at the lowest possible cost to each home buyer, and give due consideration to design features that will be functionally and esthetically satisfying to residents.

16. The amount of any mortgage loan to any person participating in the home ownership program shall not exceed $12,500, except such limit shall not exceed $15,000 in any geographical area where cost levels so require, as determined by the Foundation.

17. The home ownership program shall comply with such other reasonable criteria as the Board may prescribe. The interest rate at which loans would be made to eligible borrowers would be set by the Board, taking into account such factors as the Board may determine. The Board would also establish minimum down payments or similar contributions to be made by prospective home buyers.

HOW THE PLAN MIGHT WORK

There is sufficient flexibility in the legislation to permit many procedural variations. The following is offered as a typical example:

1. A local nonprofit community organization, the "Northside Community Improvement Corporation, (NCIC)" decides to embark on a program to acquire shells and dilapidated housing in its neighborhood for rehabilitation and sale to neighborhood families.

2. NCIC goes to the Technical Assistance Service of the Foundation for help in planning and developing program. TAS may locate housing experts locally to consult with NCIC; or contract with an existing national group, such as Urban America, to assist NCIC; or send its own expert to NCIC. With this technical assistance, NCIC develops its home ownership program, including the location or creation of the supporting educational and social components needed to enable prospective home buyers to acquire the capacity for home ownership.

3. When the program is under way to the Foundation's satisfaction, NCIC makes application for a loan from the Home Ownership Loan Fund. HOLF, working with the TAS, first determines that whether a reasonable arrangement can be made with local lending institutions or other sources of credit. If not it then issues a commitment for a mortgage loan to cover the properties to be sold under the program.

4. Armed with the commitment, NCIC exercises options on buildings to be rehabilitated, lets construction contracts to home builders, and produces the planned number of units for sale. During the construction period the Foundation may make advances for construction financing.

5. When the units are ready for occupancy and the prospective buyers have shown over the preceding months that they are prepared for ownership, the NCIC sells the units produced to the individual families. If a prospective buyer can obtain conventional local financing, he does so, pays for the unit in cash, and executes a mortgage with the local lending institution.

6. If the buyer cannot obtain or afford conventional local financing, he executes a "coupon mortgage" with NCIC for the unit. This mortgage carries with it a page of interest coupons, like a bond, but in decreasing amounts over the life of the mortgage. (Actually, the "coupons" might well be adapted to electronic data processing equipment.) The coupons would represent amounts reflecting a portion of the monthly interest that would be paid by the Treasury. The remainder of the monthly interest would be paid by the home buyer, who would in effect enjoy a below market rate, although the mortgage itself would be a market rate mortgage.

7. In repayment of its loan from the HOLF, NCIC returns to HOLF the cash and mortgages received from individual buyers, essentially ending its direct financial involvement in the program.

8. HOLF now holds the mortgages. It may retain them and authorize a local agent—perhaps NCIC—to manage collections. To replenish its loan funds, HOLF could sell its accumulated mortgages on the private secondary market.

9. Whoever the mortgagee may be, each month he presents the appropriate coupon to the Treasury or its agent for redemption. The mortgagee thus receives the full market interest on the mortgage—part of it through the buyer's monthly carrying charge payment, the remainder directly from the Treasury.

10. When the Treasury redeems the coupon, it simultaneously posts the amount thereof to what amounts to a revolving charge account in the name of the home buyer, much as American Express posts charges to its credit card holders.

Each year the adjusted gross income of the home buyer (including amounts earned by his immediate household) is checked by the Treasury against a repayment threshold which takes into account size of family and local housing costs. If the home buyer's adjusted gross income is in excess of the repayment threshold, he is billed for repayment according to a gradual sliding scale based on the income in excess of the repayment threshold. Eventually, if the home buyer's income continues to rise over the years, a point will be reached where the net effect of coupon and repayment will be a reduction in the accumulated interest payments made by the Treasury over the years. The repayment provisions would continue in effect so long as any balance remained in the account in the buyer's name, regardless of whether he still occupied the particular home.

In this manner a home buyer who is initially too poor to afford a full interest rate may be helped to own a home; if his income subsequently rises, he repays the government investment in him. If he never makes good economically, he is not liable to the Treasury for the interest paid on his behalf. It is not expected that all home owners would eventually retire their entire account in this way, however.

REACH BACK

One of the interesting features of the plan is its provision for "reach back"—a means whereby a family who has made it out of poverty can reach back to help those who are still struggling to achieve the same goal.

The principle is exhibited by the repayment provisions for home owners whose income subsequently rises to middle income levels. The repayments made by such home owners does not just go back into the general revenues of the Treasury, but are earmarked for the same fund from which the original interest assistance payment was made. This, in effect, the repayments by successful home owners are applied directly to help other aspiring home owners at an earlier stage in the process. By this means the repaying home owner can share the feeling of reaching back to help those less fortunate than himself.

RECOVERY IN CASE OF SALE

In case a home owner subsequently desires to sell his home, the eligible borrower may exercise a right of first refusal. If it thus desires, the eligible borrower may reacquire the property at the fair market price and resell it or assign it to another family on its waiting list for a home in furtherance of the purposes of the act. In any case, if the home buyer realizes a capital gain on the sale of the property, the Treasury would have the right to recover any accumulated interest subsidy out of the after tax capital gain. This provision is to prevent a subsidized resale windfall for the buyer.

HOMEOWNERSHIP INSURANCE PROTECTION

To protect the home buyer against foreclosure if his income is temporarily interrupted due to forces beyond his control, the plan calls for the establishment through the private insurance industry of a special program of mortgage payment insurance. Under this program, monthly payments would be met by the insurer for some specified period when illness, disability, natural disaster, or recession layoff prevented the home owner from making the payments. A premium would be charged, and extended payment or similar devices used to make the program actuarially sound. The fact that these home owners have had special counseling and preparation as a result of having participated in a home ownership program, and their strong desire to become home owners evidenced over a period of months prior to obtaining their home, would indicate that the risks involved in this type of group insurance might not be as expensive as it might seem on first glance.

CONTINUING COUNSEL

Once the sale is complete, the eligible borrower would continue to counsel the new home owners and their families to enable them to take maximum advantage of opportunities and to manage their investment effectively and wisely. An important part of this continuing counseling would be education in credit buying, especially in home improvements, to prevent the exploitation of relatively inexperienced home owners by unscrupulous salesmen.

COADJUVANT AGREEMENTS

One particular method of financing a local home ownership program is the coadjuvant ("co-helper") agreement. Under such an agreement a local lending institution wishing to make a high visibility loan to finance a local home ownership program would put up a part of the required funds directly and use the remainder to purchase obligations of the Foundation. From the proceeds of this bond sale the Foundation, by pre-arrangement, would make the loan to finance the remainder of the local program.

The advantage of this arrangement is that the local lender would have up to 90% of his investment in guaranteed HOLF debentures, and yet have sufficient equity risked in the program to ensure close support and supervision of the eligible borrower, in addition to the assistance provided by the Foundation.

DEPOSITING THE RESERVE ACCOUNT

Under the reserve requirement, the Foundation would have to keep reserves equal to 3% of its outstanding obligations as a guaranty fund against loss. Ordinarily such reserve funds would be invested in government securities. Under this plan, however, preference would be given to depositing the reserves (amounting to up to $60 million) in banks and lending institutions which have loan policies furthering the purpose of the act. That is, a bank or savings and loan which is making rehabilitation loans in a slum area could get a large cash deposit from the Foundation, which would encourage it to make more loans of the same kind. This is considered to be a much more valuable use of reserves than immobilization in government securities. The Foundation would, of course, require assurances from the depositary institution as to its sound policies and financial integrity.

SWEAT EQUITY

Among the criteria to be used for making a loan is the provision that prospective buyers may have, to the extent feasible, the opportunity to contribute their labor as "sweat equity" in financing their home. This opportunity is generally far greater in the case of new construction in rural areas than of central city rehabilitation, and there are some limitations to its use. Where applicable, however, it affords a home buyer an opportunity to invest his labor in his home, and at the same time to feel that the product is very much his own. Care would have to be taken, of course, that home buyers did not impede the operations of contractors engaged to complete the project.

INDIGENOUS LABOR

It is the intent of the plan that people from the neighborhood or area have first chance at training and jobs that might be created in the program. Whether or not a contractor would agree to accept neighborhood trainees, and under what terms, would be a factor for the local eligible borrower to consider when awarding the construction contract. Presumably, if an eligible borrower placed high value on the employment of neighborhood workers, a contractor willing to accept such workers would have an advantage in bidding for the contract.

RURAL HOMEOWNERSHIP PROGRAMS

While much of the discussion of this plan has been in terms of cities, there are numerous opportunities for its implementation in rural areas. The Foundation could assist and fund a rural self-help housing project as easily as a central-city program. Such projects are currently under way in a number of rural areas, including California, Florida, New Jersey, and South Dakota. An eligible borrower could be a local Farm Bureau, Grange, or other similar organization.

PROTECTION OF PUBLIC INTEREST

A number of devices ensure protection of the public interest in the operations of the Foundation.

1. Congress would charter the Foundation and retain the exclusive and explicit power to alter or amend its terms, and to dissolve the Foundation if it saw fit.

2. The Foundation would be required to submit an annual report to Congress, the President, and the public, recounting its activities in detail.

3. One third of the Board of Directors would be appointed by the President of the United States, with the advice and consent of the Senate.

4. The Foundation would be required to adhere to the General Accounting Office audit and reporting requirements as if it were a mixed ownership government corporation. In this respect the Foundation would operate under closer public scrutiny than even the Federal Reserve System.

5. The limits on the amount of debentures the Foundation could issue could be raised only by act of Congress.

6. The amount appropriated for interest payment assistance would be subject to annual Congressional appropriations.

It is felt that these provisions, in addition to the blue ribbon composition of the Foundation's Board, offer assurance that the Foundation would continue to adhere to the purposes and policies spelled out in the legislation. At the same time, there is a very substantial amount of flexibility for private management to make the Foundation's program efficient and successful.

COST OF THE LEGISLATION

The first year the Federal government would make a $3 million grant to cover the organizational expenses of the Foundation and supply some seed money for the Technical Assistance Service.

The authorized interest payment assistance for the first year would be $10 million. If the Treasury paid an average of 3% in interest assistance, this could generate up to $333 million in housing.

The second year authorization would be an additional $20 million in interest payment assistance, making a total outlay of $30 million. This would generate up to an additional $667 million in housing.

The third year authorization would be an additional $30 million, making a total outlay of $60 million. This would generate up to an additional $1,000 million in housing.

All appropriations would be subject to annual action by Congress.

ANTICIPATED ADVANTAGES

1. The plan would for the first time make the advantages of home ownership available to families who, because of their present economic status, cannot become home owners.

2. The plan would make a major contribution to the redevelopment and restoration of presently declining and blighted areas in both large and small cities.

3. The plan would increase the opportunities for basic education, job training, counseling, etc. for lower income families as part of an effective, integrated program.

4. The plan would help private enterprise to create vitally needed jobs in housing rehabilitation and other fields for previously unemployed and underemployed persons.

5. The plan would increase business opportunity for and make technical assistance available to small local contracting firms, many of them minority group owned.

6. The plan, by placing primary reliance on the private sector of the economy, would encourage new non-governmental efforts to meet human needs.

7. The plan would be attractive to lenders because it promises a competitive yield and no risk, in addition to its social and philanthropic appeal.

8. The plan would lead to additional tax revenue through the enhanced stability and earning capacity of the families involved.

9. The plan would operate to discourage social distintegration, vandalism, riots, and insurance losses by making possible a significant increase in resident-ownership and by generating in neighborhood residents a new sense of responsibility and personal aspiration.

10. The plan would encourage once-poor families to participate in community development activities and to help others advance along the same path.

11. The plan would generate new business for local lending institutions from whose funds contractors could finance the rehabilitation, and who could be called upon to service the resulting mortgages.

12. The plan, by opening up a mass market for housing rehabilitation products and techniques, would stimulate technological advances in those fields.

13. The plan would provide an attractive alternative to the growth of additional public housing and rent subsidy programs.

CONCLUSION

Of absolutely crucial importance to any such program is the central element of home ownership. For a man who owns his own home acquires a new dignity. He begins to take pride in what is his own, and pride in conserving and improving it for his children. He becomes a more steadfast and concerned citizen of his community. He becomes more self-confident and self-reliant. Becoming a homeowner transforms him. It gives him roots, a sense of belonging, a true stake in his community and its well-being.

Helping those who are now poor to advance to responsible home ownership is not a task to be underestimated. Many obstacles—not the least of which is the ingrained suspicion of the hard core poor themselves—will be encountered. But the time has now come for home ownership—whether single family homes, condominium units, or cooperative—to be made available to every aspiring American family that seeks it and can benefit from it. This home ownership plan is no more than an attempt to mobilize the private sector, with government reinforcement at crucial spots, to make America increasingly a nation of home owners.

This memorandum clearly does not cover every aspect of the Home Ownership Plan. Nor does it attempt to suggest that the plan as presented in legislation is anywhere close to perfection.

Rather, this memorandum is an attempt to elucidate some of the important aspects of the proposal, in the hope that full discussion and deliberation may eventually produce a polished product worthy of broad support.

Comparison—National Home Ownership Foundation plan and FHA programs

[221(h) refers to Sullivan amendment FHA mortgage insurance for sales housing (1966); 203(m) refers to proposed Ribicoff FHA mortgage insurance program for sales housing (1967); NHOF refers to proposed Percy National Home Ownership Foundation program]

Program	Type of units	Eligible owners	Insuring agency	Method	Insurance premium (percent)	Government aid	Recovery feature	Mortgage marketability
221(h)	Single family only	Within public housing occupancy limits.	FHA	Rehabilitation only	0 -1	FNMA special assistance	No	FNMA only.
203(m)	do	Within sec. 221(d)(3) occupancy limits.	FHA	New and rehabilitation.	¼-1	do	No	Do.
NHOF	Single family, cooperative, condominium.	"Unable to obtain and afford" local conventional financing.	NHOF	do	¼	Treasury interest payment assistance.	Yes	Privately marketable.

NOTE.—221(h) projects may be conducted only in communities having a "workable program" for urban renewal. Only NHOF program supplies technical assistance and requires supporting programs to prepare buyers for homeownership.

Mr. JAVITS. Mr. President, I shall not detain the Senate long.

I join with the unanimous Republican side in saying a word about the National Home Ownership Foundation Act introduced today by the junior Senator from Illinois [Mr. PERCY] and other Republicans.

Mr. President, the great significance of this legislation, with all respect to its contents, of which I approve and in which I have joined and, indeed, joined in developing and working with the Senator from Illinois in following it up, is an expression of a private enterprise concept in which I have faith that Congress for a very long time to come will make a great achievement. I think it is an achievement for the country and for all of us. It will bring the whole Republican side with respect to housing back to the concepts of former Senator Taft.

It will be remembered that former Senator Taft was a cosponsor in the Taft-Ellender-Wagner housing bill.

I had the honor of shepherding that bill through the House. I was a very junior Member in the House of Representatives at that time.

That measure became law in 1949. It contains a promise in which the most prominent Republican of his time, aside from President Eisenhower, joined.

That promise was for a decent, safe, and sanitary home for every American. We have fallen badly behind in respect of this promise.

Slums and ghettos are building up faster than we can build housing.

It is tremendously refreshing to see a new Senator, fresh from business experience, by means of the diligence, force of character, and creativity with which he waged his campaign in Illinois, follow up on his campaign promise to have the whole Republican side in the Senate help to create initiative and cooperation between business and private enterprise and the government for the purpose of endeavoring to provide homeownership.

Mr. President, the Senator from Illinois [Mr. PERCY] is the first not to claim a millennium for this bill. The Senator knows, as well as all of us know, that we have a long way to go in trying to deal with the slums and ghettos. However, this is a very promising and intelligent idea. It proceeds upon the right principle, which is to marshal private enterprise forces of the country in back of it.

I must say that I think the country has every reason to take enormous satisfaction that this has occurred.

The Senator was very kind to mention the fact that I have been working for a long time on a proposal that a business corporation take an important hand in the war on poverty. I continue to work on this matter. It is an immense project. But if I never get anywhere with it—though I hope I will—and the concept has inspired such efforts as those of the Senator from Illinois today, so constructive and so forward looking, I shall be deeply grateful.

In addition, I believe it will stimulate Senators on this side of the aisle to look now into the other problems, such as the problem of renovation, to which I have directed my attention in the hope of making a constructive contribution.

Finally, I have emphasized the benefit to the country of the Republican side taking this position, because I know that neither the junior Senator from Illinois nor I nor any other Senators are interested in a sterile or a strictly partisan act. We are making a proposal which, under the leadership of the minority leader, the senior Senator from Illinois [Mr. DIRKSEN], we hope, with the generosity with which we have from time to time espoused proposals coming from the Democratic side, may be accepted and enacted into law as a very important contribution to the major problem facing the country domestically—the crisis of the cities. It is in that spirit, Mr. President, that I speak today.

Mr. JORDAN of Idaho. Mr. President, I wish to congratulate our distinguished colleague, the junior Senator from Illinois, for his speech today, introducing what I believe will be legislation of far-reaching consequence.

The National Home Ownership Foundation Act is a thoroughly practical form of a notably imaginative idea. I commend the Senator for the exceptional job he has done in putting this proposal together. The plan which seemed initially impressive in concept now appears equally impressive in detail.

The measure represents a thorough effort and, I believe, a successful one to anticipate conceivable objections and abuses in the implementation of an idea with which it would be difficult for anyone to quarrel.

The bill is a product of ingenuity and innovative thought. Yet, fundamentally it is a mechanism to rejuvenate time-less values. I am greatly attracted by the emphasis on self-help and private sector involvement. But, more than that, I am excited by the breadth of the plan's implications. It is an attack on poverty, on crime, on apathy, on ignorance. It seeks to mobilize community activism toward the solution of community problems. It is designed as an instrument for the enhancement of human dignity.

I am very proud to be among those who have joined in cosponsorship of this proposal. The National Home Ownership Foundation Act is a thoughtful, responsible, and sincere attempt to provide initiative in an area where initiative is needed.

I am profoundly hopeful that the manifest merits of the bill will outweigh any partisan considerations and that hearings will be scheduled at an early date.

Mr. HRUSKA. Mr. President, I am pleased to associate myself with the remarks of the junior Senator from Illinois and to join him in cosponsorship of this imaginative and progressive legislation.

I commend him for his splendid statement and congratulate him for the commonsense soundness of his approach to the difficult problem of housing for low-income families.

The Senator's concept has appealed to me for three particular reasons. The first is a long-held conviction recently reinforced by testimony before the Senate Government Operations Committee that low-income families want to be freed from the paternalistic beneficence of the Government. They want to earn their keep, pay their own way, own their own homes.

But in order to break out of the vicious circle of deprivation, they need help to help themselves. This bill offers that help.

The second reason the proposal of the Senator from Illinois has caught my attention is that it is closely related to a program which the able and dedicated mayor of Omaha, Mr. A. V. Sorensen, has been pursuing, without Federal assistance of any kind.

Under Mayor Sorensen's leadership and with a quarter-million-dollar grant from an Omaha foundation, the Omaha Redevelopment Corp. has been established, a nonprofit corporation which has for its purpose the purchase and rehabilitation of substandard housing. In testimony before the Senate subcommittee last summer, Mayor Sorensen said:

> I think we are going to be able to show private industry that they can do the thing that the Mayor is trying to do in Omaha and that they can do this job and make money.

The third reason I support the National Home Ownership Foundation Act is because of its emphasis on local control and local administration.

Again I am reminded that when Mayor Sorensen appeared before the Senate subcommittee last August, he described himself as the "most frustrated mayor in all America." And much of his frustration, he testified, came from running what he called "the Federal obstacle course."

He told the subcommittee:

> We know how to solve our problems in Omaha . . . We know how to rebuild our streets. We know how to rebuild our sewers. We know how to fight the war on poverty. We know how to build low income housing.

Surely, there is no lack of know-how at the local level. Freed of tortuous passage over the Federal obstacle course, freed of complete dependence on public funds, freed of much of the redtape jungle of bureaucracy, the mayors of America, working in partnership with private enterprise, can make significant progress toward the solution of the housing problem; and the vehicle provided by the proposal of the junior Senator from Illinois will go a long way in that direction.

Mr. CASE. Mr. President, I am glad to join in sponsoring Senator PERCY's bill to provide homeownership opportunities for low-income families.

The bill seeks to use fully the resources of private enterprise in making such housing available. In this it is in line with the philosophy permeating the rent supplement program. It is clear that only through combining the efforts and resources of the public and private sectors can we mount a successful attack on urban slums.

As Senator PERCY has told the press, there are aspects of his bill which undoubtedly will need perfecting. I welcome his flexibility of mind on this score, for there are certain aspects of the measure which raise questions in my mind.

We must be sure, for example, that the bill's provision permitting families participating in the program to choose their neighbors in no way weakens its equal opportunity clause. It would be a ghastly irony if the Percy program were to be used to perpetuate racial segregation or white or Negro ghettos.

The implications of the proposed authority for mortgage guaranties by insurance companies and waiving of antitrust law provisions to that end, need, I think, to be fully explored.

I hope in the course of committee consideration of the bill stress will be put on the role of the program in the rehabilitation of existing housing. This, I know, is the intent of the principal sponsor, and I should like to see it spelled out by the committee in a way that makes it clear it is one of the cardinal provisions and the purpose of the measure.

Mr. BOGGS. Mr. President, it is a pleasure to join as a cosponsor of the bill to charter a National Home Ownership Foundation and to associate myself with the remarks of the junior Senator from Illinois [Mr. PERCY].

Although the practical purpose of this bill is to build or rehabilitate homes that low-income people can own, the ultimate purpose is to help in the building and rehabilitation of the owners themselves. This larger purpose, of course, affects the future well-being of our Nation as a whole.

As has been well said, homeownership can help develop human dignity and self-esteem; and it is these goals which underlie the great significance of the legislation now introduced.

I am also impressed at the balanced effort involved in achieving the aims of the homeownership plan.

The Federal Government has a role. It sets up the foundation, guarantees the debentures, provides the seed money, makes technical assistance available, and assists in carrying out training and education programs.

The local community has a role. It is called upon to establish a local association to work with the prospective homeowners.

Private business has a role. It can compete in the effort to build or rehabilitate the homes.

And the prospective homeowners themselves have a role. They are not the recipients of charity. They are called upon to make either a modest down payment in money or a down payment in the form of their personal labor. Additionally, they are to be part of self-help and self-improvement community programs.

Carrying out this program involves an opportunity to participate on the part of community leaders from business, labor, education, civic, finance, church, and other groups.

This plan could well be used in my own State in our largest city, Wilmington, and in other communities including rural areas as well. It is not a panacea for urban ills—there is no such thing—but it is a positive, well thought-out approach which has the additional advantage of making immediate and widespread action possible once the legislation is enacted.

I congratulate Senator PERCY for his energetic leadership in devising this program and also in coordinating the effort to build support for it.

Mr. PROUTY. Mr. President, I have today joined with others of my Republican colleagues, and particularly with the junior Senator from Illinois [Mr. PERCY] in cosponsoring the National Home Ownership Foundation Act.

It seems to me that this program, if enacted by the Congress, is going to prove singularly effective among the various efforts which seek to help the poor and to clean up and replace our slums.

Thousands of families in our city slums and declining rural areas yearn for the dignity and self-esteem that can come from homeownership. They have the capacity to earn enough to meet modest mortgage payments. What they need is the motivation to start them moving up the economic ladder. Homeownership can give them that motivation.

One very distinct advantage which this program has over other proposals is that here, the Government would guarantee against excessive risk, but not move in and run things. This is vastly preferable to present programs based on public housing and rent subsidies.

Under this program, lower income families showing promise of becoming responsible homeowners would have part of their mortgage interest advanced by the Federal Government. Later, as their incomes rise, they would gradually repay the Government assistance. The repayment funds would then be used to help other families just starting in the program.

Mr. President, this Foundation can,

and I am sure will, be of great service to my State of Vermont. I say this, because the Foundation will work in rural areas, which cover the greater portion of Vermont, as well as in the Nation's urban slums. The proposal which we have introduced today does not discriminate against any segment of the Nation's poor by requiring that funds be distinguished for the area of the country where they will be used.

Mr. President, I cannot conclude without first paying tribute to the architect and chief sponsor of this legislation, our colleague and good friend, the junior Senator from Illinois [Mr. Percy]. I am proud that he invited me to be a cosponsor of this bill. It is a most commendable first effort. It speaks well of what we may expect from the junior Senator from Illinois.

Mr. President, I am delighted to be associated with the Senator from Illinois in this effort, and I am pleased that so important a piece of legislation is identified with so many Senators from the Republican side of the aisle.

Mr. RIBICOFF. Mr. President, the distinguished Senator from Illinois [Mr. Percy] has introduced a major piece of legislation today. His proposal to establish a National Home Ownership Foundation represents literally months of research, patient consultation and hard work. He deserves the commendation of all of us, because he has demonstrated again that the Senate can act as an innovative institution, proposing constructive solutions of its own to the problems of our society.

I am sure that Senator Percy's legislation will receive the most serious and careful consideration of all of us. It is heartening evidence that the concern for urban America—which is a concern for the future of all America—is a growing, urgent, and pervasive force in our Government.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and at the request of the majority whip I ask that Senators be notified that this will be a live quorum.

The PRESIDING OFFICER (Mr. Hollings in the chair). Senators will be so notified.

The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 88 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Morse
Morton
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Gruening], and the Senator from Oklahoma [Mr. Monroney] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], and the Senator from Mississippi [Mr. Stennis] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Oregon [Mr. Hatfield] is absent because of the death of a friend.

The Senator from California [Mr. Murphy] is absent because of illness.

The PRESIDING OFFICER (Mr. Hollings in the chair). A quorum is present.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. LONG of Louisiana obtained the floor.

Mr. PROUTY and Mr. NELSON addressed the Chair.

Mr. LONG of Louisiana. Mr. President, I yield to the Senator from Vermont.

Mr. PROUTY. Mr. President, yesterday while reading in the Congressional Record the report of the debate on the two social security amendments to H.R. 6950, introduced by the distinguished senior Senator from New Hampshire [Mr. Cotton] and myself, I ran across a statement by the distinguished junior Senator from Louisiana [Mr. Long] which troubled me more than a little.

For my good friend the junior Senator from Louisiana had expressed the view that certain remarks made by me during the course of the debate might be interpreted to mean that he was wholly indifferent to the needs and problems of our elderly citizens.

Mr. President, nothing could have been further from my mind. I know that my friend from Louisiana is a man of inordinate compassion. Also, I am familiar with his great record of achievement in support of legislation designed to help those who somehow have been excluded from the benefits of our affluent society.

Mr. President, the junior Senator from Vermont would be the last to imply and the first to deny that the junior Senator from Louisiana was anything other than a kind, humane, and able public servant, whose dedication to the public welfare could never be questioned.

As the highly responsible chairman of the great Committee on Finance he must consider the question of Federal revenues in its totality and, therefore, cannot indulge himself in the luxury of complete concentration in certain areas which may be of particular interest to him.

I was absent from the Chamber when the Senator made the statement to which I have referred. Had I been present, I immediately would have made it unmistakably clear that nothing I had said earlier should be construed as suggesting that the junior Senator from Louisiana was callous or indifferent to the plight of elderly citizens, or to the problems of any other segment of our population.

Mr. President, I am proud to have been associated with Russell Long in many of his efforts to improve the lot of those who find themselves on the bottom rung of the ladder of economic security. I can assure him of my support for such endeavors in the future.

Mr. LONG of Louisiana. Mr. President, I am deeply grateful to the Senator from Vermont for the kind statement he has just made.

It is a strange experience for me—an advocate of public welfare—to find myself chairman of the great Committee on Finance. I have long advocated that we do a great deal for the needy, the poor, the aged, and for orphan children.

There were other chairmen of the Committee on Finance—men like Walter George, Eugene Millikin, and Harry Byrd. They had the responsibility of trying to find the money to pay for all the projects I supported. It is therefore a strange experience for me, as chairman of that committee, to have to find ways to pay for them when now it is the other fellow who offers such amendments—because, for years, I did it myself.

I know that the Senator's heart beats for the aged, for schoolteachers, and for all those who have been neglected. He has made many valiant fights in their behalf. I will certainly try to cooperate with him. I feel the same way about it that he does. But, when one becomes chairman of the Committee on Finance, he has to take a second look at how to get the money—which was never my problem prior to the time I became chairman.

I appreciate the Senator's good intentions. Let me say to him that we will bring a social security bill before the Senate. And, shall welcome again the opportunity to consider his amendments, because he genuinely has the interests of the aged, the needy, and the poor at heart.

It was with a heavy heart that I voted against his amendments on the day before yesterday.

Mr. PROUTY. Mr. President, I well understand the——

Mr. LONG of Louisiana. I appreciate the Senator's kind statement.

Mr. PROUTY. I well understand what the Senator has said. I can appreciate the position that he is in as chairman of that great committee.

Mr. DIRKSEN. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. Mr. President, this morning we had some colloquy with the Senator from Louisiana concerning prospects for a vote today and, of course, on the matter of timing, which is of concern to many Senators.

Some Senators have reservations for planes, and others are coming back into town. But it occurs to me that 3 o'clock would be as good a time as any to vote on the amendment which the distinguished Senator from Louisiana offered last night before the Senate adjourned.

Therefore, if it is in order now, and with the concurrence of the distinguished majority leader, I ask unanimous consent that not later than 3:30 o'clock p.m., the Senate take a yea-and-nay vote on the pending Long amendment.

Mr. LONG of Louisiana. Mr. President, I would be willing to agree to that, if we can have a gentlemen's agreement that there will be a slow rollcall. Frankly, some Senators have to leave town, and others are trying to come into town. I have in mind one particular Senator who is making a valiant effort to be here, because he wants to vote on this matter. If we could have an understanding to vote at 3:30 o'clock, and that there will be a slow rollcall—one which the clerk will be able to call rather leisurely, so that it would take, perhaps, 30 minutes to do—I would be willing to agree; otherwise, I would have to ask for 4 o'clock. But, I would be willing to agree on that basis, and, then, divide the time equally. Then, those who have to leave town can be recorded and get on board their airplanes, and those who are coming into town will have an opportunity to make it.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. So far as I am concerned, the Senator has that assurance.

Mr. GORE. Mr. President, reserving the right to object, I have no question about the rate at which the clerk will call the roll, but I would certainly want to reserve the right to call for the regular order after the rollcall has been completed.

Mr. LONG of Louisiana. I do not quarrel about that.

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Without objection, the time will be divided equally with the vote to come not later than 3:30——

Mr. MANSFIELD. Begin.

Mr. DIRKSEN. Mr. President, I merely make this suggestion——

Mr. MANSFIELD. Let us get the agreement first.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I make the suggestion to the clerk that it be a deliberate rollcall. There is such a thing as stretching it out to 5 o'clock.

Mr. LONG of Louisiana. No, we will not go until 5 o'clock. It will not go that long. It might last as long as 10 minutes after 4. [Laughter.]

Mr. DIRKSEN. I trust not.

Mr. WILLIAMS of Delaware. No, no, we will not do that.

Mr. MANSFIELD. No, that is on the final result.

Mr. LONG of Louisiana. I thought we had an understanding to make it possible for those who are making every effort to be here in time to have an opportunity to vote. We are talking about a slow rollcall, and that would be all right with me. I think we understand each other. I hope that we do.

Mr. DIRKSEN. Let us say, with all deliberate speed.

Mr. LONG of Louisiana. Yes, we will move ahead with all deliberate speed.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield 15 minutes to the Senator from Wisconsin [Mr. Nelson].

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 15 minutes.

Mr. NELSON. Mr. President, we have been considering this bill for approximately 3 weeks now here on the Senate floor. This has been made necessary because the Senate has, in effect, constituted itself as a committee of the whole Senate to consider the Presidential Campaign Fund Act of 1966.

In my estimation, this is something which should have been done by the Finance Committee, but the decision of the Senate has been to the contrary and so we have considered the matter from many diverse viewpoints day after day in our discussions here on the Senate floor. I would have prefered Senate Finance Committee consideration of this bill, but I have tried to abide by the apparent decision of the Senate to consider this subject matter here on the floor.

I have listened carefully to the various proposals and suggestions that have been made to the amendments which the Senator from Louisiana [Mr. Long] offered in an attempt on his part to meet the valid points which have been raised in the floor discussions of this very difficult problem.

In presenting this amendment, he has maintained, as he has outlined to the Senate on several occasions before, four basic objectives.

I might interject at this point to say that I have felt for a long time that something ought to be done about the financing problem. I am not sure what the perfect answer is, if there is one, and I would hope that there would be, later on, further and extensive hearings by the Finance Committee. I would like to see some extensive consideration of the idea of allowing a straight tax deduction for a taxpayer to make modest contributions to campaigns. Nevertheless, that is not the proposition that is before us at the moment.

First, in his amendment, Senator Long is trying to be sure that a man of modest means has as good an opportunity as a man of substantial means in running for President.

Second, in his amendment, he is trying to be sure that presidential candidates have sufficient funds available to them for an orderly presentation of the issues so that the electorate will have an opportunity to find where they really stand on all of the issues of the day.

Third, the Senator from Louisiana wants to be sure that the financing for the presidential candidates is adequate so that they will not have to seek private contributions and so that no one can say or think they have a right to influence the decisions of the President or the members of the executive departments because they were major contributors.

Finally, he is limiting the amendment to presidential elections exclusive of primaries and exclusive of congressional elections. It is limited in this fashion not because there are not problems in the other areas but because it is essential that we tackle the presidential aspect first and after that, when we develop experience, we can see what action needs to be taken with respect to congressional elections.

The amendment which the Senator from Louisiana introduced yesterday would provide for the Honest Election Act of 1967. Senators will find, if they turn to page 3 of the amendment, lines 13 to 15, that this is effective for the most part for taxable years ending after June 30, 1967. This is the same date that the Gore-Williams amendment used as the termination date for the Presidential Election Campaign Fund Act of 1966. So the amendment picks up where the other amendment left off.

This amendment, as shown on page 2 of the amendment, maintains the right of individuals with income tax liability to designate $1 of their taxes for the presidential election campaign fund. However, as under the Presidential Election Campaign Fund Act, these amounts so designated can be spent only under conditions set forth in a formula similar to the Presidential Election Campaign Fund Act of 1966. This formula will be explained in just a moment.

One of the principal objections raised to the existing act in the floor debate has been the charge that this act left too much authority in the hands of the national committee organization as such. The charge was also made that prospective candidates might have trouble because those having control of the committee apparatus before the election could influence the outcome of the convention itself by making commitments as to how the funds would subsequently be spent.

I have never been sure that this was a valid point but, nevertheless, the amendment meets it by providing that the distributions out of the trust fund are to go to the candidate or his authorized agent. As can be seen on page 3 of the amendment, lines 17–20, no individual who is serving as an officer, member, or employee of the national committee or of a State or local committee of a political party may be appointed by a presidential candidate as his authorized agent for this purpose.

Another point around which much of the floor debate has revolved is the safeguards which are provided with respect to the use of the funds distributed to the candidates or their agents under the Presidential Election Campaign Fund Act. The distinguished junior Senator from Connecticut [Mr. Ribicoff] presented, and the Senate adopted, an amendment limiting the purposes for which these fund disbursements can be used. At the time this was under consideration, the senior Senator from Tennessee raised questions with respect to the Ribicoff amendment. An attempt has been made to meet the points raised. If Senators will look at page 5 of the amendment, they will see that the funds under the amendment can be used only for six purposes. This differs from the earlier Ribicoff amendment in that salaries are not included. It also differs from the earlier Ribicoff amendment in that all of the distributions must be expended exclusively for these six purposes. It further provides that all of the distributions must be spent for expenses incurred after August 31 of the presidential year.

I believe, if Senators examine the six categories of expenses on page 5, they will agree that they are all essential presidential election campaign fund expense categories for which expenditures must be made if the issues are to be made clear to the electorate. The six categories are concerned in general terms with the various communication media as a way of presenting the candidates views on the issues to the public. The categories are also concerned with his own and related traveling expenses on his campaign and with expenses for research and analysis. Certainly, all of these are essential, proper expenditures by a presidential candidate.

The formula that I referred to for the distribution of funds to the presidential candidates is essentially the same in the case of major parties as that contained in the present law. In other words, the distribution to each major party—those receiving more than 15 million votes—will be $1 multiplied by the total number of popular votes cast in the prior presidential election of all major parties, divided by the number of major parties, with this amount then being decreased by $5 million.

In other words, in 1968, since there were approximately 70 million votes cast in the last presidential election, the distribution to each of the two major parties would be one-half of $70 million, or $35 million, reduced by $5 million for a net distribution to each party of $30 million.

The amendment does make, however, some significant changes in the treatment of minor parties. Both the press and to some extent some Senators have suggested that minor parties were discriminated against since, if they had no prior experience, they could not share in the distribution of funds and, therefore, had to achieve their first relatively significant success without participation in the funds distributed under this act.

I have studied this problem quite carefully and believe that the amendment has a good answer to this problem. First of all, it accepts the Williams proposal to lower the number of votes required for participation in the fund from 5 million to 2 million in the case of minor parties. Second, it incorporates what I refer to as an advance payment feature available only to these minor parties. Senators will find this feature of the bill on page 8, beginning with line 16. Paragraph 3 provides that the minor party can receive a payment based upon the current election as distinct from the prior election if this results in a greater payment than would be available based upon its showing at the prior election. In other words, in those cases where it had no prior election experience, a minor party would receive a payment equal to $1 multiplied by the number of popular votes in excess of 2 million it received in the current election. This payment would be available to it immediately after the election as soon as its votes were determined.

During the floor debate the junior Senator from Texas [Mr. TOWER] suggested that a minor party candidate was still at a disadvantage because he could not receive payments until after the election. This problem is met in the amendment to the full extent that seems to me to be possible by the feature contained on page 10, line 5, of my amendment, which provides that a minor party presidential candidate may assign to any person who lends him money to defray his campaign expenses part of the payments which he may receive immediately after the election. Where this is done, paragraph 2 on page 10 provides that the Comptroller General can repay this loan directly to the person who has supplied the advance funds for the minor party presidential candidate.

As in an earlier amendment which Senator LONG of Louisiana presented, the current amendment provides stiff penalties for misuse of funds. Senators will find on page 13, beginning with line 17, specific provision for repayment into the general fund of the Treasury of any amounts the Comptroller General finds were improperly paid. In addition, unless the candidate shows that this misuse was due to reasonable cause and not to willful neglect, the payment must also be accompanied by an additional amount equal to 25 percent of the misspent amount. Criminal penalties are provided beginning on page 17 of the amendment of up to $10,000 in fines or imprisonment for 5 years, or both, where the candidate or his authorized agent knowingly and willfully use or authorize the use of these distributions for any purpose but the properly authorized purposes.

Provision is also made, as would have been provided by an earlier amendment considered in connection with this bill, for reports to Congress by the Comptroller General as to the expenditures of each candidate, showing the amounts paid to each presidential candidate, the detailed listing of the different purposes for which the funds were spent, and the amount of repayments required with respect to each candidate and the reasons for the repayments.

Still another criticism of the existing law has been the contention that this act does not comply with the provision of present law limiting contributions and expenditures by any committee to $3 million. It has previously been explained why these disbursements did not come under the existing law limitation. However, to clarify this point, Senators will find on page 17 of the amendment exclusion of these disbursements from the trust fund from the $3 million limitation in existing law.

It will be recalled that the senior Senator from Delaware, in one of his perfecting amendments, added amendments dealing with the Federal Corrupt Practices Act. One of his changes would have extended the reporting requirements of this act to committees operating on behalf of congressional or presidential candidates solely within a single State. He also extended the act to cover expenditures in connection with primaries, as well as general elections. This so-called single State rule has been applied in the amendment to committees operating on behalf of presidential candidates. It has been limited in this manner under the amendment because only these expenditures are germane to the subject of presidential election campaign fund expenditures. Since this amendment does not deal with primaries, naturally this reporting requirement is not extended under the Corrupt Practices Act to primaries. As far as I am concerned, these are features which are wholly unrelated to the Presidential Election Campaign Fund Act and are not properly within the jurisdiction of the Finance Committee or properly added as amendments to a Finance Committee bill.

Nevertheless, it might be pointed out that the amendment in no way removes the Williams amendment from the bill and, therefore, the broader provisions in his amendment still remain in the investment credit restoration act before us.

The amendment presented represents the best possible efforts on short notice to meet the various problems which have been raised with respect to the Presidential Election Campaign Fund Act of 1966. I do not believe that the floor of the Senate is the best way to iron out all of the problems of an act of this type. For that reason, I believe that if the amendment is adopted, that it still would be desirable for the Finance Committee to hold hearings on this matter and see whether further refinements are not desirable. Should this amendment be adopted and incorporated in the bill passed by the Senate, Senator LONG of Louisiana has given assurances to the Senate that hearings will be held by the Finance Committee on possible modifications in this act and that the hearings will be held soon enough so that the Senate will have full opportunity to work its will on this act in this session of Congress.

To me, the failure in the past to provide public funds for presidential campaigns has been a major shortcoming in our democratic process. It is essential that we devise a means of being sure that Presidents do not have their elections financed largely by contributions of the wealthy, from those with axes to grind or from the big money interests in our society. It is important that they owe their election only to the citizens generally and not to any limited segment of it. This is government for all the people and not just for the elite or privileged few.

I never thought the bill which became law last year had all of the answers in it. When you are pioneering a new path through a wilderness, you cannot expect to start with a city street, curbs, gutters, and all. Further legislation will be needed. However, let us break the vicious circle of inaction which has persisted in this area for a period of more than 10 years. The repeal of the Presidential Election Campaign Fund Act would lead to this same morass again. In the past, those who wanted to restrict contributions and require publicity have always found that others opposed this on the grounds that it would limit the funds available for campaigns. Answers to these problems can only be resolved after there is assurance that sufficient funds will be available for campaigns.

It has been said that we should repeal this act so we can get the reforms that are needed. It is suggested that this is the carrot needed for the stick proposed to be added at some future time. I think this overlooks the fact that the carrot precedes the stick in the case of the donkey and should in this case too. If we repeal this act, I do not know how many years will elapse before action is taken. Congress now has an act to start with and we are all willing to improve it. I urge the adoption of the Long amendment.

The PRESIDING OFFICER. The Senator's 15 minutes have expired. Does the Senator from Louisiana yield further time?

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Montana [Mr. METCALF].

Mr. METCALF. I thank the Senator.

Mr. LONG of Louisiana. May I say, Mr. President, before yielding, that I am delighted to see the Senator from Montana here. I know he has been ill. But, being the courageous man I know him to be, he would not want the issue to be voted upon without having an opportunity to speak.

Furthermore, Mr. President, I hope that Senators noticed the editorial concerning this matter in the Washington Post today. It said the matter deserved study by the committee, and suggested that the Metcalf plan—the idea of sending out a voucher and letting each individual contribute to the candidate of his choice—would perhaps emerge as the best suggestion to date.

I say further that I should like to vote on the issue of whether there should be any plan at all. That is why I am offering the amendment. But, as I have previously stated, I would be happy to support a motion to recommit, so that the Senator's plan could be studied and that when the Senate acts—and the Senator from Montana is a member of the committee—we would have the benefit of the Senator's advice and of a study of the possibilities of the Metcalf suggestion.

I yield to the Senator from Montana.

Mr. METCALF. I thank the Senator from Louisiana. I am grateful for his kind words. I did lose a little weight. It was a hard way to lose it, but I had some to lose.

I am very sorry that I could not participate in this debate over the last few days. I should have liked to make some contribution. I was grateful, this morning, for the editorial which the Senator from Louisiana has mentioned.

Mr. President, I have suggested a proposal whereby, when a person checks the appropriate square on his return, he will get back from the Government a voucher which will show that he has made a contribution, which he may by designation contribute to the political party or candidate of his choice.

In these days when we are sending every single return to be handled by computers, certainly this is the time to start a program such as I have suggested. The voucher would come back to the individual, and he could send it to any organized, official campaign organization. He could send it to the Republican National Committee, he could send it to the Democratic National Committee, or he could participate in the primaries by sending it to regular committees for candidates in that area.

He could, if he wished, wait until after the convention, when he had ascertained who would be the candidates of his party for President, and could then determine whether he wanted to make the contribution. Or he could send it to a Member of Congress, a regular committee for a Member of Congress, or a Member of the Senate.

We have already decided, by the adoption of the Long measure that is the law today, that we agree it is a good thing for the rank and file to participate in contributions to campaigns. We have decided that it is a good thing to have a broad base for campaigns.

I think that that principle is something that both the opponents and proponents of the Long substitute have agreed to. It is a good principle. It is a principle that we must adopt if we are going to continue to have democracy in these days of costly campaigns. Campaign financing is coming to a time when we will either have to have newspaper, radio, and television companies contribute free time to campaigners and candidates, or will have to have some way by which to raise money so that a person may participate in election campaigns without being a millionaire or a multimillionaire.

Campaign financing in a presidential campaign is very difficult. The financing is such that it is necessary to raise large sums of money for nationwide television network broadcasts.

The same is true also in a campaign for the House of Representatives or the Senate. In a presidential campaign, contributions are received from individuals, large corporations, labor unions, the American Medical Association, chambers of commerce, and other groups, which are so diverse and so widespread in a presidential campaign that they do not have the effect they might have in a State or in a district which is controlled by perhaps a labor union, a corporation, or some other group.

There should be an opportunity to contribute also to a campaign for the Senate or the House of Representatives.

Under my proposal, a person could indicate that he wants to contribute. He could wait until after the convention, and if his candidate was not nominated, he could say: "Well, I am going to contribute to my congressman or to the senatorial campaign in my State."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield 1 additional minute to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana is recognized for 1 additional minute.

Mr. METCALF. Mr. President, I should like to develop this matter much further. I should like to have hearings on my proposal. I should like to have presentations made before the committee. I should like to argue the matter.

I am already aware that a good many of my ideas are subject to change. There should be some provision such as that suggested by the Senator from Maryland [Mr. TYDINGS]. Congress should have some control over this matter.

A man named Lar Daly campaigned in Montana and other places in a presidential campaign years ago. There should be controls so that such an eccentric individual would not be permitted to be financed by Federal contributions.

The only way in which my proposal or any other proposal could work would be to adopt the concept and principle that we have agreed to adopt. There is urgency and need for amendment and clarification and change, as the Senator from Louisiana has agreed, so as to bring about the immediacy of hearings and a chance for me and for all others to present our ideas.

I thank the Senator from Louisiana.

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. GORE. Mr. President, we are, I believe, about to reach the end of a historic debate, one that has dealt with a vital function of our society—the election of public officials.

For long there has been a crying need for election law reform. A great deal of attention has been focused during this debate upon the need for the provision of adequate funds to conduct political campaigns.

A need of equal, if not greater, importance is to regulate the making and the use of private campaign contributions and to prevent use of money from improper sources in the conduct of election campaigns.

In my view, the public attention focused upon this problem, the congressional attention given to this problem, the attention of the press upon the need for action brought about by this debate has created a political climate more conducive to enactment of a comprehensive election reform law than we have ever had before.

An amendment is pending. Because of understandings which will be revealed in short order, in which I have participated, I shall not speak at length against the pending amendment.

I have felt that the first step toward enactment of a genuine election reform law was the repeal of the Presidential Election Campaign Fund Act of 1966, because I regard it as an unsound and unworkable measure which would stand as a barrier, as an obstacle, to election law reform.

With the pending amendment, we have come the full circle. We are back where we were last October, in the closing hours of the session. The pending amendment is 20 pages of technical language, which has not had the benefit of committee consideration, which was not available in print until early today, and which cannot under the circumstances receive the detailed consideration which a subject so important requires and deserves.

I should like to point out briefly that most of the basic defects of the 1966 law are contained in the pending amendment. In some respects it is even more faulty. I should like to catalog some of the defects.

No. 1: It would provide a vast amount of money without adequate safeguards, without protection of the public interest, and without protection against the usurpation of the public will. It places no limits whatsoever upon private contributions, and would commingle in presidential campaigns private money with public money, taxpayers' money with private political money, from whatever sources, however questionable.

It creates a danger for the political party structure. The pending amendment, in my view, poses a greater danger than the 1966 act. The 1966 act provides that this large sum, estimated at $60 million, would be paid into the treasury of the two major political parties.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GORE. I ask that I may proceed for 2 additional minutes.

The pending amendment provides that this public money shall be paid either to the candidates for President or to the agents of the candidates for President, and then it provides that such agent shall not be an official of a political party. What Senator wishes to vote for that measure?

I point out that on page 9 there is a nullity. I shall not go into detail, but if Senators will examine the amendment, they will find a reference to a section in the amendment which does not even exist. Yet, at 3:30 we will be called upon to vote on a bill of 21 pages. I have read it. I demanded a copy last night. My staff and I have examined it word for word. But no committee has done so. And I daresay not too many Members of the Senate have had an opportunity to do so. It seeks to deal only with the presidential campaign. Are candidates for President the only candidates for public office who need attention, who need financial assistance in political campaigns? Is the office of President the only office in our system that needs the protection of law?

Mr. President, this is piecemeal approach. What we need is what I hope out of this we shall get—a thoroughgoing election law reform that will make some adequate provision to protect the public interest. And what is the public interest? It is that the election of public officials is a public matter in which the vital interest of our Republic is inexorably fixed.

I shall vote against the pending amendment, but because of a motion which is soon to follow, I shall not speak further against it.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. GORE. I believe my time has expired.

Mr. METCALF. I yield myself 1 minute.

Will the Senator yield?

Mr. GORE. I yield.

Mr. METCALF. In connection with the point made by the Senator from Tennessee about the amendment to a provision that is not in the bill, it is a printing error, I am informed, and it should be 204(b) instead of 204(d).

Mr. GORE. I do not make a major point of this. But the same error has appeared in previous drafts. I have been aware of it.

Mr. METCALF. I completely concur in many of the things that the Senator from Tennessee has said. We must have some way to control these expenses. We must have some way to require public participation in elections for Senators and Representatives. We must have some way to do many of the things that the Senator from Tennessee has suggested. But it seems to me that because of emergency and immediacy, the way to do it is to leave this concept of public participation on the books, and then the Senator and I can go to work in the committee—and the chairman has said that he will conduct hearings—and correct this situation.

Mr. GORE. As the Senator knows, I have frequently said that the 1966 act operates as a hindrance instead of an inducement. But if it can be repealed at a date certain, and if time is allowed in which a committee can act, then I would be agreeable to that.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, we only have 6 minutes remaining. We cannot yield.

Mr. WILLIAMS of Delaware. Mr. President, last year President Johnson said:

> Public confidence in the election process is the foundation of public confidence in government.

I do not believe that any truer words have ever been spoken.

As has been pointed out in the debate in the last few weeks, I believe we all recognize that there is a need for a revision of our present election system. There is a need for some kind of legislation which would encourage and foster the participation of a greater number of people in the election process. I believe we have a general agreement, regardless of how we approach it, that we need some method of helping to finance these campaigns other than through contributions on the present basis.

Both President Kennedy and President Johnson made constructive suggestions when they recommended a provision by which each individual could contribute up to, we will say, $100 to the party or to the candidate of his choice. But I believe that inherent in the arguments that have been advanced throughout the years by President Kennedy, President Johnson, President Eisenhower, and all those who have been advocating this proposal, is the fact that in order to get a greater participation on the part of a large number of individuals, the average man, you have to give to that man the right to make his contribution to the party of his choice or to the individual candidate of his choice. That is the foundation of our Government.

Certainly, if a man wishes to start a third party he has a perfect right, under our democratic system, to do so.

If his friends want to contribute to his support they have that right under our system, and we must defend that right.

I believe that the most important part of any election reform act that might be passed would be that we protect and safeguard the right of every individual in America to select the individual candidate he wishes to support and to make his contribution accordingly. Under the proposal which is now pending before the Senate, it is suggested that we check off $1 on each tax return. If a taxpayer checks off $1, it means that as an American citizen he wants to contribute $1 toward the political process. If he is a member of the Democratic Party, he must contribute an equal amount to the Republican Party. Under this bill, if George Wallace or anybody else wanted to run, they would have a perfect right to run under our American system. However, that same man who wants to contribute to the party of his choice must contribute to every third party.

Conceivably, there could be a candidate who was running and protesting the war in Vietnam or our policies.

As a citizen, I would resent the fact that in order to contribute to the party of my choice, I would have to contribute to a candidate with whom I was in strong disagreement. If such a proposal were to be left on the books, we would not have accomplished anything.

Mr. President, a further point that I wish to make is that there are absolutely no restrictions as to the reporting methods, or how the money will be handled. It is proposed under one section that the money will be turned over to a manager and that he would distribute it under the provisions and guidelines outlined in section 204(d). However, upon reading the bill, there is not to be found a section 204(d). They left that out and they have no section 204(d). Therefore, he would distribute the money as he saw fit. There is no restriction under the law.

If we are going to do the job, it should be done after careful study and hearings at which representatives of the two major parties, or any opposing party can testify, and where the Comptroller General, who is a key factor in operations under the proposed measure, would likewise be able to testify on the acceptability of the proposals. That should be considered. Thereafter, a bill could be reported out to the Senate, after a reasonable amount of hearings.

Mr. President, I shall not belabor the Senate because we are hoping to approach the vote. However, I again refer to the three previous Presidents who have all pointed out the complete inadequacy of our existing laws.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 3 minutes.

Every one of three Presidents—President Eisenhower, President Kennedy, and President Johnson—has insisted that with any measure to raise or help to raise campaign funds there must be accompanying guidelines and a reporting system which would require adequate accounting for the funds. Mr. President, that is equally important, if not more important, than it would be to pour $30 million into each party's so-called slush fund under the control of any one individual of either party.

It is most important that we do get some reforms of our existing law, but in getting those reforms we must make sure that we improve the law and not take a major step backward, as would be the case under the proposed amendment.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Let us vote.

Mr. METCALF. Mr. President, I ask unanimous consent that there be a quorum call without the time being charged to either side.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. HOLLAND and **Mr. GORE** addressed the chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, reserving the right to object, I think that there should be in the RECORD a firm statement of what is proposed to be done, regardless of the outcome of this vote. I do not know. I want to know before I cast my vote on the proposed amendment.

Mr. METCALF. I hope that in the 6 minutes remaining on our side the Senator from Louisiana [Mr. LONG] will again reaffirm the position he has affirmed all along: There will be hearings, whatever the outcome. There will be hearings and a determination as to all of these propositions in the Committee on Finance.

Mr. HOLLAND. Mr. President, still reserving the right to object, I have not heard any Senator say whether conditions will be imposed on this recommittal as to the time in which the measure shall be reported. I have not heard any information as to when the investment tax credit proposals shall be reported back, if that is part of the program, without the encumbrance of all the things that have been offered or voted upon. I have not had any assurance as to what is to be done after this vote, and I think the Senate is entitled to have that information.

Mr. METCALF. The Senator from Louisiana [Mr. LONG], who is the chairman of the committee and the proponent of the amendment, will return momentarily to the Chamber and speak for the amendment. I suggest that the Senator from Florida might propound his request to the Senator from Louisiana at that time.

Mr. DIRKSEN. Mr. President, I can answer the question of the distinguished Senator from Florida.

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes.

The vote that comes now will be on the amendment offered by the Senator from Louisiana last night before the Senate adjourned. It is a very long amendment. It was not in print at the time, and it was not in print until this morning.

Mr. HOLLAND. I understand that much. What happens after that?

Mr. DIRKSEN. Mr. President, it is my understanding, and, of course, the distinguished majority leader can speak for himself, but he does have in mind offering a motion to recommit that will contain some restrictions and he will make that proposal after we complete the vote on the instant amendment.

Mr. HOLLAND. I have no doubt it will be a good proposal, but I do think that those of us who are going to vote on this amendment should know what is going to happen, regardless of the outcome of the vote on the amendment.

Mr. MANSFIELD. Regardless of the outcome, the motion to recommit will be made by me.

Mr. HOLLAND. Will it carry a provision for reporting back of the investment tax credit measure at an early date?

Mr. MANSFIELD. It will.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana [Mr. METCALF] for a quorum call without the time being charged to either side?

Mr. METCALF. It is understood that we will start to vote at 3:30. Our side has 6 minutes remaining.

Mr. WILLIAMS of Delaware. I would not object to the request with the understanding that it does not extend the vote beyond 3:30.

Mr. METCALF. That is understood and it is understood that the Senator from Louisiana [Mr. LONG] will have 6 minutes, or whatever time is remaining.

It is understood that the voting will begin at 3:30, regardless.

Mr. WILLIAMS of Delaware. That is right.

Mr. DIRKSEN. We will suspend the quorum call and the voting will start not later than 3:30.

Mr. WILLIAMS of Delaware. If the Senator from Louisiana does not get 1 minute, that is his hard luck.

Mr. METCALF. If he does not get here until 3:29 he will have 1 minute to address the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana [Mr. METCALF] that there be a quorum call with the time not charged to either side? The Chair hears no objection and it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY of New York. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the Senator from New York.

Mr. KENNEDY of New York. I need only 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. KENNEDY of New York. Mr. President, I rise again in opposition to the amendment of the Senator from Louisiana.

I have had the opportunity to study the amendment. I have followed the debate very carefully. I have spoken on this problem on several occasions in the Senate. I think that the analysis of the bill offered by the Senator from Louisiana shows, really, that the amendment, which is supposed to be an improvement over the legislation in the Long bill which was passed last year, in many areas, is far, far more dangerous.

I would hope that the Senate would turn it down.

I think that the concept of a presidential candidate having the right and the authority to turn over $30 million to his agent is a most dangerous precedent and would give unequal authority and power not only to a presidential candidate but also to those who might be his associates or his intimates.

This is a dangerous precedent especially for political parties and I hope that the Senate, in its wisdom, will turn it down.

I understand, from my conversations with the Senator from Tennessee, that there might be some efforts made, after the vote on this matter is taken, to return the whole question to a congressional committee which would report on election reforms.

I think that would be most worthwhile. I do not believe there is any area which needs greater attention than this. I believe that the atmosphere has been created, by the efforts made by the Senator from Delaware [Mr. WILLIAMS] and the Senator from Tennessee [Mr. GORE], to bring about the necessary reforms in a vital and significant area of our national life.

LET US KEEP POLITICAL FINANCING VOLUNTARY

Mr. TOWER. Mr. President, in the Senate's haste last year to pass the Foreign Investment Tax Act and adjourn an already prolonged 89th Congress, it agreed to a proposal which, I believe, jeopardized our free electoral system and opened up a Pandora's box of moral interpretations and legal problems.

This law, which has drawn a great deal of criticism, was passed as title III of the Foreign Investors Tax Act, which itself was given the nickname, the Christmas tree bill. Title III is entitled the "Presidential Election Campaign Fund Act of 1966."

In practice, the act authorizes the financing of presidential election campaigns with funds from the U.S. Treasury. This money with political destinations is to be drawn from a fund set up by the Secretary of the Treasury with income tax revenues. Taxpayers will find a check-off box on their income tax forms by which they can direct the Treasury Department to deduct $1 from their tax payments as a political contribution.

In my opinion, this Campaign Act has much more potential for violence to our independent political institutions. A detailed reevaluation of the law is needed, and I am hopeful that it is what can be accomplished.

In effect, the Campaign Act would be an invitation to the taxpayer not to bother too much about candidates and their qualifications.

It relieves the would-be political contributor of the responsibility of deciding which political party he wishes to support. It relieves him of the responsibility to review the issues of the day and to support the party which best represents his views. It relieves him of the responsibility of studying the candidates and of weighing and comparing their abilities and talents. It thus discourages the making of value judgments by contributors and it encourages political mediocrity.

What I would call the Pandora's box feature of the act is its tendency to further engage the bureaucracy in politics. No matter how concretely the formula is set out in the legislative language and no matter how safe the guidelines may appear now, I doubt whether there is anyone who will not concede that the precedent of bureaucratic involvement in politics is further entrenched by this act.

Congressional investigating committees have turned up many instances of bureaucratic involvement in politics. The precedent established here is not bureaucratic involvement in politics, but in campaign financing.

Although a ceiling of $1 is now set for each taxpayer as a voluntary checkoff, it will surprise no one when, in a few years, this is found to be inadequate and Congress will be asked to enlarge the section and the amount, and there will be further erosions of the right of individual Americans to make personal decisions concerning their contributions to political parties.

It is said that campaigning is expensive, and so it is. I do not, however, think we should take the lid off political spending, as we have taken it, as it looks at times, off governmental spending. The financial effect of title III is to increase the ability of both political parties to wage increasingly expensive campaigns. Both are now bound by the balance sheet; by a certain reluctance to go too close to the edge of bankruptcy. There is no doubt in my own mind that in a few years $1 checkoff contributions under the act would be found too meager to do the job. Politics has away of working like that: the pilot plan of today is the vital and necessary program of tomorrow—at ten times the price.

Political campaigns do not cost a given amount. Actually, it is only on a comparative basis that political fundraising has meaning. With a well-stocked "war chest," a party in this situation could do much to outsell, and outshout, the opposition. As contributors, all Americans must have the opportunity to withhold financing at the first sign that elected officials are not living up to the standards expected of them.

Serious as the implications of the act may be, there is none more serious than the implication that political parties are the arms of government. Political parties are not Government agencies. In order to serve the best interests of the American people, such parties must be understood and remain as essentially private organizations, notwithstanding that fact that parties must seek the widest possible membership and seek to interest and influence the greatest possible number of people.

Strong and independent political parties are necessary to check and review and warn of dangerous trends in the bureaucracy of government. Political parties are watchdogs and the louder they bay, the safer we are.

The Presidential Election Campaign Fund Act is simply another example of the fallacy of thinking of parties as public institutions. They are private organizations seeking to influence public actions.

At the time of the passage of Public Law 89-809, of which the act is a part, the able Senator from Delaware [Mr. WILLIAMS], the ranking minority member of the Committee on Finance, sought to delete this particular title. His motion was narrowly defeated 33 to 39.

Amendments offered by the distinguished Senator from Tennessee [Mr. GORE] and Senator WILLIAMS of Delaware to the investment credit bill gave us the opportunity to review the Campaign Fund Act among adverse complications. After a quite detailed review, such adverse complications were recognized by a majority present and voting.

The matter is once more before us, just a few days later. Hopefully, the Senate will again see fit to support Senator WILLIAMS of Delaware and Senator GORE.

Mr. LONG of Louisiana. Mr. President, I am convinced that good government comes about when we finance campaigns with small contributions. In my judgment, nothing could be fairer than a $1 contribution which every taxpayer would be encouraged to make.

The suggestion has been made that the $1 finance both major parties, so that no matter who wins, whether it be a Republican or a Democrat, the winning candidate would not have to make any commitments which would separate him from his own conscience, would not have to commit himself to the moneylenders or to the defense contractors, would not have to make any special promises to the monopolists in this country, and would not have to promise anything to any industrial group, labor union, or anyone else.

It has been suggested, why not contribute that money to the party of our choice. Let me say, that is how I started out with this proposal.

I felt that we should do it that way, but it was the judgment of the committee that few people would really know at the time they made the decision if they wished to contribute to the Democratic or the Republican Parties. Therefore, if we contributed $1, 50 cents would go to the Republican Party and 50 cents to the Democratic Party so that both sides could be heard, so that both sides could communicate with the voters. That is what we are talking about here—the right to communicate with the people.

We are also talking about the right to have campaign transportation paid for. This last item is very important, Mr. President. I have talked with some people who were familiar with Harry Truman's experience in 1948—when he got to Boston and did not have enough money to move the Truman train out of Boston. A nationwide plea was made to find some money to move the train out of Boston, and they were successful in that. The train got as far as Topeka, Kans., and then they did not have enough money to move the train out of Topeka.

Someone told me that Harry Truman spoke to the man who had been his partner in the haberdashery business and said to him, "Please help me find enough money to move my train out of Topeka." This man went and mortgaged his home and also tried to find every last nickel that he could to move old Harry out of Topeka to the next town. Then Harry had to go on to the next stop and plead for money again.

Mr. President, I have no doubt that the man who presently occupies the White House can find enough money to finance a campaign.

But, Mr. President, there will be another Harry Truman some day. There will be another Andy Jackson. There will be another Bob LaFollette. There will be another Theodore Roosevelt. There will be another Abraham Lincoln. They will need this bill so that they can fight for what is right without having to sell their souls to be President.

If I prevail on this vote, I will support the majority leader in a motion to recommit the bill, conduct hearings, and let everyone be heard.

Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry——

Mr. WILLIAMS of Delaware. No.

The PRESIDING OFFICER. Under the previous agreement, that request cannot be made until the time is concluded.

Mr. LONG of Louisiana. Mr. President, I can suggest the absence of a quorum on my own time.

The PRESIDING OFFICER. The Senator from Louisiana has 1 minute remaining.

Mr. LONG of Louisiana. Mr. President, I have got a minute. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Illinois has 3 minutes remaining.

Mr. LONG of Louisiana. Mr. President, I am not using his time. I am talking about using mine.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry—a parliamentary inquiry—I was on my feet before that bell began to ring.

The PRESIDING OFFICER. The Senator from Louisiana has the floor, and he has the right to call for a quorum with 1 minute remaining to him.

Mr. LONG of Louisiana. Call the quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. LONG of Louisiana. Mr. President, I object. I insist on the absence of a quorum. I demand that the clerk call the roll.

Mr. WILLIAMS of Delaware. Mr. President, we have 3 minutes left on this side of the aisle. Will the Senator from Illinois yield to me?

Mr. DIRKSEN. Yes; I yield.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. LONG of Louisiana. I want a quorum call in this Chamber.

The VICE PRESIDENT. The Senator from Louisiana can always call for a quorum.

Mr. LONG of Louisiana. Mr. President, I object to calling off the quorum.

The VICE PRESIDENT. The Chair states most respectfully to the Senator that the Senator from Delaware asked unanimous consent that the order for the quorum call be rescinded, and——

Mr. LONG of Louisiana. I object to that.

Mr. WILLIAMS of Delaware. Mr. President, there was a unanimous agreement, and we still have 3 minutes.

The VICE PRESIDENT. The Senator from Delaware asked unanimous consent that the order for the quorum call be rescinded. There was no objection. The Chair waited to hear whether there was any objection, and the Chair heard none. The Senator from Louisiana can ask for a quorum.

Mr. WILLIAMS of Delaware. Mr. President, under the unanimous-consent agreement, as I understand it, the vote was to begin at 3:30 o'clock. We have 3 minutes left on this side of the aisle. I understand that I have been recognized; is that not correct? We have a right to use our time before a quorum is called.

Mr. DIRKSEN. I have yielded to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Yes.

Mr. LONG of Louisiana. Mr. President, I did not hear the Senator from Delaware make his request. I do not agree. We do not get unanimous consent when Senators do not agree to it. I do not agree that the call for the quorum be called off.

Mr. WILLIAMS of Delaware. I am trying to comply with the unanimous-consent agreement which is that we begin to vote at 3:30 o'clock.

The VICE PRESIDENT. Will the Senator please withhold for a moment? Let the Chair inform the Senator from Louisiana that if the Senator from Louisiana did not hear the request of the Senator from Delaware to rescind the order for the quorum, the Chair did hear it, and waited, in the hope that if there was any objection, it would be heard.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

Mr. WILLIAMS of Delaware. Mr. President, a point of order. The hour of 3:30 o'clock having arrived, all time should now be yielded back.

The VICE PRESIDENT. The clerk will call the roll for a quorum.

The assistant legislative clerk proceeded to call the roll and Mr. AIKEN answered "nay."

The VICE PRESIDENT. This is a quorum call.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MANSFIELD. Was not an agreement made that we would start voting at 3:30?

The VICE PRESIDENT. The quorum call had been started. The Senator from Vermont had answered. We cannot interrupt a quorum call unless there is unanimous consent to call it off.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to rescind the order for a quorum call.

Mr. LONG of Louisiana. I object.

Mr. DIRKSEN. This is never going to happen again. In good faith I am requesting ——

Mr. LONG of Louisiana. I object.

The VICE PRESIDENT. The clerk will continue to call the roll.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry. I ask unanimous consent that the quorum call be rescinded.

Mr. LONG of Louisiana. I object. I want a quorum call. I want a quorum in the Chamber. I object.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MANSFIELD. Is it not a true statement of fact that at about 3:20 the Chair was asked if the vote would begin at 3:30 and the Chair answered "yes"?

The VICE PRESIDENT. The Chair must advise the distinguished majority leader that a quorum call is in progress, and until the call is completed the Senator cannot make a parliamentary inquiry.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

Mr. LONG of Louisiana. I object to any further inquiry.

Mr. LAUSCHE. There has been no response to the quorum call.

Mr. MANSFIELD. Call the quorum.

The assistant legislative clerk resumed the call of the roll, and the following Senators answered to their names:

[No. 89 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Morse
Morton
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The VICE PRESIDENT. A quorum is present.

Mr. LONG of Louisiana. Mr. President——

The VICE PRESIDENT. The Senator from Louisiana.

Mr. LONG of Louisiana. I ask unanimous consent that 3 minutes be accorded to those in opposition to my amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I surrender the time.

The VICE PRESIDENT. Under the previous unanimous-consent agreement, the Senate will now vote on the amendment of the Senator from Louisiana. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORTON (when his name was called). On this vote I have a pair with the Senator from California [Mr. MURPHY]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. PROUTY (when his name was called). On this vote, I have a pair with the Senator from Alaska [Mr. GRUENING]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. RUSSELL (when his name was called). On this vote, I have a pair with the Senator from Mississippi [Mr. STENNIS]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. McCLELLAN (after having voted in the negative). On this vote, I have a pair with the senior Senator from Mississippi [Mr. EASTLAND]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING] and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Mississippi [Mr. STENNIS] are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Idaho [Mr. CHURCH], would each vote "nay."

Mr. KUCHEL. I announce that the

Senator from Oregon [Mr. HATFIELD] is absent because of the death of a friend.

The Senator from California [Mr. MURPHY] is absent because of illness and his pair has been previously announced.

If present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "nay."

The result was announced—yeas 46, nays 42, as follows:

[No. 90 Leg.]

YEAS—46

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Dodd
Ellender
Harris
Hart
Hartke
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Jordan, N.C.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smathers
Sparkman
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—42

Aiken
Allott
Baker
Bennett
Boggs
Brooke
Byrd, Va.
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Miller
Morse
Mundt
Pearson
Percy
Scott
Smith
Spong
Symington
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—12

Church
Eastland
Fulbright
Gruening
Hatfield
McClellan
Monroney
Morton
Murphy
Prouty
Russell
Stennis

So the amendment, as modified, of Mr. LONG of Louisiana was agreed to.

Mr. MANSFIELD. Mr. President, I send to the desk a motion and ask for its immediate consideration.

The VICE PRESIDENT. The motion will be stated.

Mr. DIRKSEN. Mr. President, may we have order, so that everyone can hear the motion?

The VICE PRESIDENT. The Senate will be in order. The attachés will please be orderly. Conversation in the galleries will cease.

The legislative clerk read the motion, as follows:

MOTION

I move that H.R. 6950 be recommitted to the Committee on Finance with the following instructions:

1) To report back forthwith provisions which relate to restoring the investment tax credit and a provision providing for an expiration date of July 31, 1967 on the Presidential Campaign Fund law of 1966.

2) To report back within six weeks provisions with respect to the Presidential Campaign Fund law of 1966.

The provisions of the bill to be reported forthwith are as follows:

That sections 48(j) and 167(1)(3) of the Internal Revenue Code of 1954 (defining suspension period) are each amended by striking out "December 31, 1967" and inserting in lieu thereof "March 9, 1967".

SEC. 2. Section 46(a)(2) of the Internal Revenue Code of 1954 (relating to limitation on investment credit based on amount of tax) is amended—

(1) by striking out subparagraphs (B) and (C) and inserting in lieu thereof the following:

"(B) for taxable years ending before January 1, 1968, 25 percent of so much of the liability for tax for the taxable year as exceeds $25,000, or

"(C) for taxable years ending after December 31, 1967, 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000."; and

(2) by striking out the next to the last sentence and inserting in lieu thereof the following: "In applying subparagraph (C) to a taxable year beginning before January 1, 1968, and ending after December 31, 1967, the percent referred to in such subparagraph shall be the sum of 25 percent plus the interest which bears the same ratio to 25 percent as the number of days in such year after December 31, 1967, bears to the total number of days in such year."

SEC. 3. Section 48(a)(2) of the Internal Revenue Code of 1954 (relating to property used outside the United States) is amended by inserting before the semicolon at the end of subparagraph (B)(i) "or is operated under contract with the United States".

SEC. 4. The amendments made by the first section and section 3 of this Act shall apply to taxable years ending after March 9, 1967.

SEC. 5. The Presidential Election Campaign Fund Law of 1966 expires on July 31, 1967.

Mr. PASTORE. Mr. President, may we have order?

The VICE PRESIDENT. The Senator from Rhode Island has requested order, and the Chair requests order.

Mr. MANSFIELD. Mr. President, for 13 days the Senate has been bogged down in a bill which has been cluttered with numerous amendments, none of which are actually germane, although all of them—under the indulgent rules of the Senate—can be considered so technically. I have voted against some of these amendments and for some of these amendments, one of the latest being the McGovern amendment on a reduction on frozen beef and veal imports. There is a general feeling in the Senate that all of these amendments will be knocked out in conference. The fact is that the place to give serious consideration to all of these proposals—meritorious or not—is in committee, where adequate and detailed hearings can be held and where the committees charged by the Senate with responsibility for considering such legislation will be able to carry out that function with dignity, decorum, and dedication.

The distinguished Senator from Rhode Island [Mr. PASTORE] made a good point on yesterday when he called the Senate's attention to the shoddy procedure which we have been following for all too long in the course of this debate. He was joined by several other Members on both sides of the aisle, and, in effect, they all stated that it was time for the leadership to assume its responsibility. That responsibility can be assumed and will be assumed, but it cannot get anywhere unless the Senate as a whole supports the course which the leadership advises by giving the leadership its consent. We have, in my opinion, been acting like school boys and prima donnas—and I include myself in those categories—in the matter supposedly under discussion and debate. It is time—long past the time—that we act as Senators of the United States; that we get down to bedrock and apply ourselves to the fundamental question of the legislation reported by the Committee on Finance under the chairmanship of its distinguished chairman and with, I believe, the unanimous concurrence of that committee.

For 13 days now, the Senate has been considering H.R. 6950, which initially just restored the investment credit and accelerated depreciation. During that time, however, I rarely heard mentioned the investment incentive proposal. The Senate has been preoccupied with other matters. It has discussed oil depletion and meat imports. It has strongly debated an excise tax reduction, a social security program, and a medicare expansion. It has adopted a long-sought-after education tax credit, more liberal social security age criteria, and new guidelines under the Corrupt Practices Act. And finally, much of the time has been spent, first, in rewriting and then in repealing altogether, the Election Campaign Fund Act of 1966.

Today we again commenced to rewrite the Election Fund Act, and in effect repeal the repeal we adopted last week. This measure is truly a Christmas tree bill, as unseasonable as it may be at this time. The business community is in a quandary as to what the Congress and particularly the Senate will do on the basic measure to restore the investment credit.

The time for action on the part of the leadership has arrived. It is for these reasons that I moved to recommit the pending measure with the instructions which have been announced already to the Senate.

Since my return from Montana 2 weeks ago, I, like all Members in this body, have given a great deal of thought to the issue of public assistance to the financing of elections. I have discussed with both proponents and opponents of the presidential campaign fund law the question of a special committee or the Committee on Finance handling this matter.

The chairman of the Committee on Finance has successfully steered through Congress one proposal on financial assistance to presidential campaigns—that proposal legitimately came from his committee. The financing method suggested then, and indeed, most of the variations proposed since, all affect the tax structure. They are clearly within the dominion of the Committee on Finance. It is my belief, therefore, that the matter should be returned to that committee, responsible not only for the financing of elections but also for the original impetus in this field.

Over the years, many campaign funding proposals have been made. But Congress and the Nation generally have always found other matters of more apparent priority until last year, when the Senate, under the forceful and excellent leadership of the Senator from Louisiana [Mr. LONG], the chairman of the Committee on Finance, made a judgment of great moment—that national campaigns require public financial support. History will recount that the distinguished Senator from Louisiana [Mr. LONG] broke the logjam of inattention and led the forces in the first successful effort to bring sanity and wisdom to the problem of financing national elections.

With him, the senior Senators from Delaware and Tennessee [Mr. WILLIAMS and Mr. GORE] deserve great praise for assisting in focusing the attention of the Senate and the Nation on this most important issue.

It is almost unanimous in this body that while the law passed last fall was a significant start, it was not enough—that the establishment of a source of money simply does not answer all of the questions raised. What is needed now is a set of safeguards to insure that campaign money is properly obtained and spent, to make certain that the basic intent of the law is carried out.

Last year's swift action and the debate these past 3 weeks have focused the attention of the Senate, the executive branch and the electorate generally on the real need for public participation to offset the astronomical costs of elections. Even further, attention was focused on specific provisions and possible ramifications of the present law. The need for public participation to help finance elections is no longer a cause celebre—it is an accomplished fact. But the suddenness of its accomplishment has burdened us with the additional responsibility to insure that funding is properly implemented, that funds are not misused or misapplied.

Many approaches to provide safeguards have been discussed these past 3 weeks. The proposal of my colleague from Montana [Mr. METCALF] has great merit—in essence it would expand the base of the public participation concept to cover election costs other than those incurred on the national level. It would preserve for each voter the voluntary choice of which candidate should receive his contribution. It seems to incorporate the best features of the present law and of the tax credit plan—proposed on many occasions in the past. Some Senators have recommended that the start last fall should be expanded to permit a $100 deduction on income tax returns. The administration and the senior Senator from Delware [Mr. WILLIAMS] both proposed such a deduction plan in the last Congress. Others claim that the present law should be changed drastically in other ways—that significant additions must be added to the law to insure the proper application of public funds, and certain guidelines have been proposed on the floor to improve this facet of the law.

All Senators seem to agree on one key fact—that some refinement is in order. The distinguished manager of the bill, the prime mover behind our achievement to date, agrees. So the issue now appears to be whether the present law without amendments is better than no law at all. The Senate decided that issue last week and again today. The Senate emphatically said that a law is needed, that the start made last year was significant but alone and without safeguards it could create more harm than good. We must abide by that decision.

My own personal opinion on the merits of the law is that last fall we removed the most significant obstacle to achieving the desired result of relieving the exorbitant costs of a national campaign. Congress went on record as authorizing significant amounts of money, in excess of $60 million at the most—more likely $2 to $3 million if one wants to be practical—to finance a presidential campaign. Our work now is to insure that the commitment we made last year to defray political expenses with public funds is best suited to alleviate the pressures of increasing campaign costs and to insure that the vital institutions of our Government are perfected by this commitment of public funds. I agree with the manager of the bill and others that strict safeguards are necessary. We must not permit the misuse of these public moneys to discipline members of either of our two great political parties simply because of disagreement with specific programs or policies of the parent national party. Each of our two great political parties presently accommodates the full spectrum of political thought in this country. To me this is not only the foundation of the two party system, it is the strength of our Government and a basic reason for this country's stability. I am convinced that the application of public funds to political parties requires the strictest safeguards to insure that much needed financial assistance to the parties will not change or dilute the fundamental character of the parties themselves.

With election costs mushrooming, Congress must insure that the Presidency, and public office generally, remains open to the poor man as well as the rich. Congress now has that opportunity. But in preserving an open pathway, we must also make certain that the basic control for the choice remains with the electorate. We must insure that however desirable we consider the existing two party system, we do not preempt the creation of a viable political party other than those that exist today.

If this motion is adopted, work on an election funding proposal will be done in committee, where it belongs. It will be done this session of Congress. With that assurance, further efforts to modify the present campaign fund law, on each tax bill which comes before the Senate this year, would hopefully be foreclosed. By placing an expiration date on the existing law, the momentum gained this week on this issue will not be lost. There will be no relapse of interest—no dilation of the sharp focus generated these past weeks. The Senate Finance Committee will be mandated by the Senate to respond to the chairman's announced strong desire to obtain early consideration of the proposals and to bring back to the floor this session of the Congress its further recommendations.

While they are provocative, the proposals offered thus far have indicated the impossibility of attempting to create on the floor the type of law apparently a great majority of this body thinks wise.

I hope the Senate will adopt this motion.

Mr. CURTIS and Mr. LONG of Louisiana addressed the Chair.

Mr. MANSFIELD. I yield to the Senator from Nebraska.

Mr. CURTIS. I thank the distinguished Senator.

As I understand the language of the motion it would recommit the bill with instructions to report back the provisions relating to the restoring of the investment credit.

Mr. MANSFIELD. The Senator is correct.

Mr. CURTIS. My question is: There was one amendment adopted in the Committee on Finance which related to investment credit. It might be said that it does not relate to the restoring of the investment credit, but it is a part of the deliberations of the Committee on Finance and treatment within the committee of this measure. I refer to section 3. It was offered by the distinguished Senator from Georgia [Mr. TALMADGE].

Is it the intention of the distinguished majority leader that the Committee on Finance, should this motion carry, report back a bill carrying all the substance concerning the investment credit that they had in the bill when it was reported to the committee?

Mr. MANSFIELD. The Senator is correct.

Mr. CURTIS. And it is not the intention, by the narrowness of interpretation of this language, that we here on the floor of the Senate invade the work already done by the Committee on Finance and strike out any amendment that they had in the bill when they reported it to the Senate?

Mr. MANSFIELD. The Senator is correct.

Mr. CURTIS. It is not aimed against the Talmadge amendment?

Mr. MANSFIELD. It is the bill reported by the Committee on Finance to the Senate.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana [Mr. MANSFIELD] has the floor.

Mr. MANSFIELD. I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, being well aware of the burden of leadership and the necessity of this institution to have wise, able, and effective leadership, I expect to support the motion of the distinguished majority leader.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. Mr. President, last year, at the request of the President——

Mr. LONG of Louisiana. Mr. President, I object to speeches. The Senator can yield for a question.

Mr. CLARK. I shall ask the following question.

Mr. MANSFIELD. I yield for a question.

Mr. CLARK. Does the Senator from Montana intend that the Committee on Finance, in its considerations, should give appropriate recognition and consideration to the bill introduced by me at the request of the President of the United States last year and reintroduced by me with amendments a few days ago, which was referred to the Committee on Rules and Administration?

Mr. MANSFIELD. I would assume so.

Mr. CLARK. Does the Senator from Montana agree that it might be within the cognizance of the Committee on Finance to consider a bill introduced by me a week ago, and referred to the Committee on Commerce, as to how to finance television and radio time in elections?

Mr. MANSFIELD. I would assume so, but the decision would have to be made by the Finance Committee.

Mr. CLARK. Does the Senator agree that those of us who would support that kind of action should have the opportunity to appear as witnesses before the Finance Committee?

Mr. MANSFIELD. I have no doubt that the chairman of the committee would welcome such advice.

Mr. CLARK. I thank my friend, the Senator from Montana.

Mr. SCOTT. Mr. President, will the Senator from Montana yield for a question?

Mr. DIRKSEN. Mr. President, I have to yield, since I am restricted only to a question under the rule, as a result of the interposition of my distinguished friend from Louisiana.

Mr. LONG of Louisiana. As a result of the rules.

Mr. DIRKSEN. Yes, it is the rule, so we must abide by the rules.

Is it true, let me ask of the Senator from Montana, that the motion to recommit provides for the expiration of the existing statute, sometimes referred to as the Long Presidential Campaign Financing Act, so that it will expire on the 31st day of July 1957? Yes, 1967.

Mr. MANSFIELD. Yes, that is correct. But the purpose behind it would be, let me say to my distinguished friend, the chairman of the committee, not to point a pistol at his head but, instead, to assure consideration by the Senate as a whole, legislation which the distinguished chairman has already promised to consider and report within a 6-week period. By adopting the course I suggest, however, I believe the Senate would be given the opportunity to strengthen and refine a bill, which everyone, so far as I am aware, agrees needs improvement. The adoption of this course, at the same time, would insure that such an improved bill could be acted upon at the earliest possible time.

Mr. DIRKSEN. Is it true that the distinguished majority leader, minority leader, and the distinguished Senator from Tennessee [Mr. GORE], and the distinguished Senator from Delaware [Mr. WILLIAMS], made every possible effort to find common ground and finally determined that this would be the best approach to get this proposal back to committee, to strip it of irrelevant amendments and report it back in a decent time so that the Senate could act on investment credit?

Mr. MANSFIELD. That is true. I also consulted with the distinguished chairman of the committee who recommended to me that a motion to recommit be made.

Mr. DIRKSEN. Is it not true, also, that we were quite agreed that, if necessary, we would make the provision for the Finance Committee, under the rule, to have jurisdiction further to entertain this question of presidential campaign financing, in the hope that prior to the expiration date of July 31, it could come into the Senate with a bill and if that bill were adopted it would take the place of what is presently on the statute books which would expire on the 31st of July?

Mr. MANSFIELD. That is correct. The joint leadership has indicated that it would give every assurance to the Senate for prompt consideration of such a measure. It would be my hope that a measure of that kind would contain the so-called election tax fund which was incorporated last year and which is still on the books. It is our hope and expectation that by this procedure we can best assure the Senate that the amendments considered so vital to this law will be enacted before the expiration date of the law.

Mr. DIRKSEN. Mr. President, while I do not particularly share all the premises of my distinguished friend, the majority leader, I concur in what he seeks to do in the motion to recommit, and I wholeheartedly support it.

Mr. SCOTT. Mr. President——

Mr. LONG of Louisiana. Mr. President, Mr. President——

The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. MANSFIELD. I yield to the Senator from Pennsylvania for a question.

Mr. LONG of Louisiana. The Senator yielded for a statement. That is yielding the floor.

Mr. SCOTT. I wish to ask the Senator from Montana a question, and I expect to be recognized.

Mr. PASTORE. Mr. President, may we please have order?

The VICE PRESIDENT. The Senate will please be in order. We will have orderly procedure in the Chamber. The Senator from Montana has the floor. The Senator from Pennsylvania wishes to address a question to the Senator from Montana. Does the Senator from Montana yield to the Senator from Pennsylvania for a question?

Mr. MANSFIELD. Yes, Mr. President. I yield to the Senator from Pennsylvania for a question.

Mr. SCOTT. I thank the Senator from Montana. I intend to proceed with my question.

I should like to ask the Senator from Montana if he would advise the Senate, after final disposition of this matter, what the prospects are for bringing up the Appalachian bill?

Mr. MANSFIELD. If and when this matter is disposed of, the next order of business, one or two things removed at the most, would be the Appalachian bill.

Mr. SCOTT. I thank the Senator from Montana.

Mr. LONG of Louisiana. Mr. President, Mr President, I move to reconsider——

Mr. HOLLINGS. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield to the Senator from South Carolina for a question.

Mr. LONG of Louisiana. Mr. President, I thought I had been recognized. I sought recognition, and thought I had been recognized, but I will yield once more. I will sit down again.

The VICE PRESIDENT. The Senator from South Carolina may proceed.

Mr. HOLLINGS. Mr. President, on behalf of my colleague [Mr. THURMOND] and myself, we had submitted—but there is no time to consider—an amendment on textiles. Would the Senator from Montana suggest a unanimous-consent request to have it printed in the RECORD and have it referred to the Committee on Finance so that it could be considered?

Mr. MANSFIELD. I would be delighted to request it, if the Senator cannot make that request under the rule.

Mr. HOLLINGS. Would the Senator from Montana make that request for me? He can make it for me.

Mr. MANSFIELD. I am happy to make that request for the Senator from South Carolina, and I do so request.

The VICE PRESIDENT. Without objection, the request is granted.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield to the Senator from Delaware for a question.

Mr. WILLIAMS of Delaware. The only reference to the Presidential Campaign Act, which is supposed to be in the bill when it comes back is the termination date of July 31; is that not correct?

Mr. MANSFIELD. That is correct, but I would hope that the Presidential Campaign Act would be considered and would be——

Mr. WILLIAMS of Delaware. Oh, yes.

Mr. MANSFIELD. Would be retained in the bill which would be reported.

Mr. WILLIAMS of Delaware. When the committee considers it, will it also consider the various proposals, including the Presidential Campaign Act? Whatever it reports will depend upon what the committee wants to do and what the Senate wants to do with it, will it not?

Mr. MANSFIELD. That is correct.

Mr. SMATHERS. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield to the Senator from Florida for a question.

Mr. SMATHERS. As I understand this request, it is not intended, is it, by the Senator's request, that this be an effective way to finally get to the date of July 31 and not having had any action by the Finance Committee, effectively, at that point, it kills the so-called Long campaign provision? That is not the intention of the Senate, is it?

Mr. MANSFIELD. That certainly is not the intention. I want to see it retained. I want to see amendments adopted and the present law refined and improved in such a way that the Senate as a whole strongly endorses the measure. I believe we must do our utmost to preserve the sanctity of a measure of this kind, to insure that necessary protections are to incorporated to make certain that necessary safeguards are installed.

Mr. SMATHERS. The Senator, as I understand it, because of his belief, as he has expressed it, the leadership will cooperate in getting a bill before the body of the Senate which has to do with the financing of presidential campaigns by contributions such as that suggested by the Senator from Louisiana.

Mr. MANSFIELD. You have our word for it and even more, I, personally, will do every thing in my power to see that the bill, once reported, received the highest priority.

Mr. DIRKSEN. Mr. President, I ask the Senator to yield, in order to ask for the yeas and nays.

Mr. LONG of Louisiana. Mr. President, I object to that.

The VICE PRESIDENT. Objections is heard.

Mr. ANDERSON. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield to the Senator from New Mexico for a question.

Mr. ANDERSON. A moment ago a question was asked, what the effect would be under the previous amendment submitted by the Senator from Pennsylvania. The majority leader said that it would be considered——

Mr. MANSFIELD. By the committee. In committee.

Mr. ANDERSON. So that the first part of it would be reported?

Mr. MANSFIELD. No. These are proposals which he has introduced and he wondered if they would be heard in the Finance Committee when the election financing measure is considered. I told the Senator from Pennsylvania that I assumed they would be. I am confident they would be.

Mr. LONG of Louisiana. Mr. President, I had hoped that I would have the privilege of entering a motion to reconsider, and that it would be in order then to move that motion, but as I have been denied that right by my majority leader—which is all right with me——

Mr. MANSFIELD. The Senator from Louisiana has been denied no rights by me.

Mr. President, I ask unanimous consent that the motion which was agreed to be reconsidered and I would hope that the Senate would give me that much consideration.

Mr. ERVIN. Mr. President, I object.

The VICE PRESIDENT. Objection is heard.

Mr. DIRKSEN. Mr. President, I move to lay on the table——

The VICE PRESIDENT. Objection was heard.

Mr. MANSFIELD. Mr. President, will the Senator from North Carolina give me that consideration?

Mr. ERVIN. Mr. President, I withdraw my objection.

The VICE PRESIDENT. The objection is withdrawn.

Mr. DIRKSEN. Mr. President, I move to lay on the table——

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote.

Mr. MONTOYA. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I fear that there has been a misunderstanding here. It saddens me to the depths of my heart to find that to be the case. I told Senators—and I say this in all good conscience and good faith—that I would recommit the bill, and that I am perfectly willing to agree to hold hearings and bring before the Senate the best judgment on this matter the Finance Committee can muster for the Senate to study and consider. I promise faithfully that will be the case. I would support a motion to bring the Long Act before the Senate, even if it repeals it. I am willing to do it as soon as the committee can meet. I am willing to start hearings on Monday, even before the President can tell us what he thinks should be done about that matter.

Mr. President, I cannot agree to repeal what I think is the best thing we did in the whole Congress. Call it pride of authorship; call it anything one wants to; but having fought for it 1 week, and then for 2 more weeks, and won the battle, I cannot agree to this proposal.

I would be willing to agree to anything reasonable, to put it on another bill, anything that would permit us, without prejudice, to resolve this issue. I promise to cooperate. The Senator——

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield for a question.

Mr. MANSFIELD. Did not the Senator approach me and ask me to make a motion to recommit if the Long amendment failed to pass?

Mr. LONG of Louisiana. I did, yes; and what I had in mind was that we would report out nothing but a tax credit bill and see if we could keep it to that.

Mr. MANSFIELD. Will the Senator yield further?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. Is not my present motion in effect the same thing I called to the Senator's attention a week ago Monday or Tuesday on my return from Montana?

Mr. LONG of Louisiana. The Senator from Montana did just that. The Senator remembers how I reacted.

Mr. MANSFIELD. It seems to me the Senator has changed his mind in the last several days.

Mr. LONG of Louisiana. It is my suggestion that we discuss it. I would be willing to do anything within reason. I cannot agree to what the Senator has suggested. I could give a thousand alternatives that I could agree to. I wish the Senator would do me the courtesy to at least discuss the matter with me and discuss it with those who have a different point of view before he insists on the motion.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. I intend to insist on the motion, because I think there comes a time in the life of the leader when he has to produce or get out. I think we have wasted too much time on the measure. As far as I am concerned, I hope no one gets the idea that I value the leadership above all else, because I do not; but I do have my responsibility as a Senator, and I intend to carry out my responsibility. When I came back from Montana I was told the Senator from Louisiana would accept that proposal at that time, in no uncertain terms. It is my understanding that in the last 2 or 3 days he has suffered a change of heart. Evidently I must have misunderstood what was passed on to me. If I did, I am sorry. But, as far as the motion is concerned, it will stand.

Mr. LONG of Louisiana. I regret very much that the Senator feels that way. I suppose I am going to have to discuss the matter for a while, and in due course I will be glad to——

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield for a question only; yes.

Mr. PASTORE. What is the Senator from Louisiana to lose, inasmuch as the provision expires on the last day of July 1967, which gives the Senator at least 3 months to come back with an amendment which is similar to the amendment the Senator just proposed, and which passed by a vote of 46 to 42? What does the Senator have to lose?

Mr. LONG of Louisiana. The Senator has stated that the bill we worked so hard to put on the statute books expires on July 31 of this year. I have enough friends to talk that long. I was hoping the Finance Committee would be permitted to conduct hearings and recommend the best bill we could work out. That is what I was hoping for. I would be willing to agree to that.

Mr. PASTORE. Is it not a fact that the Senator just drastically modified that law, which was passed last year, by the amendment the Senator proposed? So he has compromised his position. The Senator has, by that compromise, admitted that there should be a modification. Why is not the Senator agreeable to working out that modification in the committee, coming out with it, and we will consider and debate it, and pass it by the same vote of 46 to 42?

Mr. LONG of Louisiana. I would like to do that. I would love to do that. But if we enact a law to repeal one that is already on the books, it will be extremely difficult to get anything back on the books. At that point, anybody who does not like it can talk it to death. As long as we cannot get 67 votes for cloture, we cannot pass it.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield for a question.

Mr. SMATHERS. If the majority leader saw fit to withdraw the portion which causes the expiration of the law on July 31, 1967, but still had the balance of his provision in, whereby it would go back to the committee which would report back in 6 weeks, the Senator would not fight that; would he?

Mr. LONG of Louisiana. No.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I must admit that I do not intend to withdraw that section, because I do not want to see a filibuster start again. There would be a filibuster on one side or the other, no matter what we did. This way we cut it sharp and clean. I think the Senate should take this action, get hearings underway, where a bill can be considered judiciously and at great length, within the period allocated and that such a bill would become law before July 31, 1967.

Mr. LONG of Louisiana. That is what I would love to do. I would be perfectly willing and happy to say we will report back in 6 weeks on the Presidential Election Campaign Fund Act. We could report a particular bill, amend some House-passed bill, or do whatever the committee decides to do. That is perfectly agreeable to me. But I cannot agree to accept just one rider on the bill—a rider that I am most interested in—not as chairman or manager of the bill.

If we are going to put irrelevant riders on the bill, I would like to have the Ribicoff amendment on it, because that is a good amendment. I would like to have the Byrd amendment on it, because I think that is a good amendment. I would like to have an amendment on it to help the cattle raisers, because that is also a good amendment. If we are going to put irrelevant riders on the bill, fine; let us just fill it up with amendments. I have one to simplify the Internal Revenue Code.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Yes, for a question.

Mr. MANSFIELD. Is the Senator aware of the very strong possibility that, if this matter is not faced up to at this time, we face the possibility of its being tacked on to every tax bill or most of the tax bills that will be coming out of the Finance Committee this year and next year?

Mr. LONG of Louisiana. I am aware of that possibility. May I say I would pray that I might have had the chance to discuss this matter with my distinguished leader before he made the motion. I suppose he did not discuss it with any one, because if he had shown anyone the courtesy of discussing it, he would have discussed it with me. I am willing to cooperate in almost anything, but I cannot cooperate with this. I have to do what I can to protect my rights, until such time as I can have the ear of my distinguished leader, have his sympathetic consideration, and have a chance to talk to him about the problem. Then, I will be glad to cooperate on whatever we can work out. I am not adamant or obstinate. My distinguished leader is the fairest man I have ever known in my life.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. I thank the Senator for the compliment. Did I not say to the Senator 2 weeks ago what I intended to do?

Mr. LONG of Louisiana. The Senator did, about 2 weeks ago. I did not know he had this particular motion in mind. I thought he had a different motion in mind. I am sorry. When a misunderstanding occurs between a man who is trying to be as fair as I am and a man who is as kind and sympathetic and considerate as my majority leader, it is just because, somehow, people fail to communicate clearly with one another.

May I say that I will go the extra mile if the Senator will go an extra mile; but the Senator from Louisiana pleads with his leader to let us think about this matter and give some thought to it and try to work it out so both sides can save what they consider essential. If we agree to work it out on that basis, I am perfectly willing to discuss the matter.

Mr. President, Senators may as well go ahead and get their airplanes, because I am going to make a speech.

Mr. MILLER. Mr. President, is it the Senator's position that all of these amendments ought to go off, that there be no amendments at all?

Mr. LONG of Louisiana. My position is that if business wants the investment credit—and I am beginning to doubt whether they really do—we ought to go ahead and pass the 7 percent investment credit bill, period. We ought to take all these other things and study them, conduct hearings, consider everybody's ideas and everybody's amendments, and work out the best bill we can. Then, having done the best we can, we will bring it out to the floor of the Senate and let any Senator offer any amendment he wants to offer.

Then we will know we have the best thoughts and the best ideas of all interested Senators. We will know we have done the best we can with the problem, and we will be legislating in a thoughtful and intelligent way.

May I say concerning this campaign fund financing matter that I personally do not think we will ever get a bill back on the statute books, if we repeal what we have there now.

But I pray for the day when the Senator from Tennessee [Mr. Gore] will be willing to sit down with the Senator from Louisiana [Mr. Long], with the Senator from Connecticut [Mr. Ribicoff], the Senator from New Mexico [Mr. Anderson], the Senator from Maryland [Mr. Tydings], and the Senator from New Hampshire [Mr. Cotton] and we can all give their best suggestions as to what they think is wrong with what we have, and how we can improve on it.

I pray for the day when the Senator from New York [Mr. Kennedy] will come to us and say, "Here is how I think you can correct the bill; this is what I think is wrong with it, and here is how it can be corrected." I pray for the day when the Senator from Rhode Island [Mr. Pastore]—who made a better speech for President Johnson than he did for himself; the man who was the keynote speaker for the Democratic Party at its last National Convention—will come to us and say, "This is what I think is wrong, and here is how we can work it out."

Then, after all of us have given our best thoughts and our best efforts to the solution of this problem, I hope we can wipe the slate clean. What we now have is a very good law. Senators would be surprised how good it is, if they will actually study it. But if any Senators are disturbed that some particular mischief could occur, we can put on an amendment to guarantee that it will not happen. I do not believe there is any basis for such fears; a man would be put in the penitentiary for what Senators have expressed they fear. But what we have on the statute books now guarantees that we will legislate in this area. If we take it off, we may never do so.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from New Mexico.

Mr. ANDERSON. Did I hear some suggestion that there might be a filibuster if the Senate did certain things?

Mr. LONG of Louisiana. Yes.

Mr. ANDERSON. Was there also a suggestion made that the Senator might do certain things if other Senators filibustered? We could pass a portion of the bill, the tax credit portion, which I should like to get done.

Mr. LONG of Louisiana. Yes; I would be perfectly content to do that. From my point of view, I would be willing to do anything within reason. If Senators would just talk to me and clear with me and cooperate with me, they would find me willing to meet them more than halfway.

Mr. President, probably the most thoughtful editorial I have seen recently on this matter is in the Washington Post today. Here is a newspaper which has excoriated the Senator from Louisiana, but in today's editorial, entitled "Way Out for the Senate," they suggest that the Senate should do just about what I think we ought to do—take what we have got and move on from there.

The editorial says:

> When any course of action leads into a hopeless tangle, often the best way out is to back off and start over again. So it is with the Senate's current muddle over the 1966 campaign financing law. The Senate recently voted by a slender margin to repeal this act by means of a rider on the Administration's 7 per cent investment credit bill. The success of the venture has encouraged the attachment of additional riders to a point where the vital tax-relief measure is imperiled. A new start is clearly in order.
>
> One escape route would be the acceptance of Senator Long's bid for reversal of the vote on the repeal rider.

That is exactly what we have done. We have voted to reverse it.

The PRESIDING OFFICER (Mr. Mondale in the chair). Will the Senator suspend for a moment, until order is restored?

The Senate will be in order.

The Senator may proceed.

Mr. LONG of Louisiana. The editorial continues:

> Another would be a motion by the Senate leadership to strip the investment credit bill of all extraneous amendments.

I would be willing to agree to that.

> A third would be tacit agreement that all this excess baggage be tossed out without protest when the bill goes to conference.

I would be willing to agree to that.

Mr. DIRKSEN. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield to the Senator from Illinois for a question only.

Mr. DIRKSEN. Mr. President, insofar as my distinguished friend from Louisiana can tell now, does he anticipate there will be any vote on the motion to recommit tonight?

Mr. LONG of Louisiana. Not any time soon; no, sir.

Mr. COTTON. Mr. President, will the Senator yield for another question?

Mr. LONG of Louisiana. For a question only; yes.

Mr. COTTON. Does the distinguished Senator contemplate a vote tomorrow? I ask that question simply because some of us wish to make plans.

Mr. LONG of Louisiana. I cannot tell

the Senator. I would like to reach some understanding with Senators, but until we can clear the matter up, I think the best thing to do is make my speech. That will take a few hours. I would say that if the Senator has something to do between now and tomorrow, he would be safe to go ahead and take his trip, and come back.

Mr. COTTON. I could not be back by tomorrow.

But we will not vote tonight?

Mr. LONG of Louisiana. That is right; the Senator can count on that.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield for a question.

Mr. HOLLAND. The Senator remembers, does he not, that the Senator from Florida has held up his hands throughout this long fight?

Mr. LONG of Louisiana. Yes, I do.

Mr. HOLLAND. The Senator remembers that a little while ago he said he could complete the hearings on this election matter in 6 weeks, does he not?

Mr. LONG of Louisiana. Yes; I made that statement.

Mr. HOLLAND. The Senator knows that under the proposed motion by the leadership, there would be 100 days in which to work out the matter, time for both hearings, reports, and debate on the floor?

Mr. LONG of Louisiana. What I object to is——

Mr. HOLLAND. Exactly 100 days, is what there will be.

Mr. LONG of Louisiana. The law would be a dead letter if this bill passed according to the instructions here, and that is why I cannot agree to them.

I would be willing to agree, may I say to the Senate, to bring a bill in here about campaign financing and let the Senate work its will. I would be glad to do that.

Mr. HOLLAND. One further question. Am I correctly informed that the Senator, the distinguished chairman of a great committee, already has in that committee some House tax bills? In reporting any of them out, he could attach the work of his 6 weeks of hearings on this particular subject to one of those tax bills; could he not?

Mr. LONG of Louisiana. Yes; the Senator is entirely correct, we could do that.

Mr. HOLLAND. Mr. President, I do plead with my distinguished friend to go along with his leadership in this matter. While I have gone a long way with him, and will continue to go as far as I can, I could not go with the Senator in opposing the motion of the leadership, because I have thought for a long time we were getting hopelessly embroiled in this discussion, and hopelessly tied down with extraneous amendments on this bill. I believe that the way pointed out of this matter by the majority leader, who is certainly the friend of his distinguished helpmate, the majority whip, is a way by which we can get the whole matter straightened out, and I hope my distinguished friend from Louisiana will reconsider his position, and go along with his own leader.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. May I say to the distinguished Senator from Florida that I certainly hope I can do what he asks; and I say to the Senate that I will do anything I think I can properly do. But I do not surrender easily when I have my heart in something.

Mr. ANDERSON. Will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from New Mexico.

Mr. ANDERSON. Did the Senator from Louisiana make it plain that he would be perfectly willing to accept the 7-percent investment credit in the shape it now appears in the Senate bill?

Mr. LONG of Louisiana. Yes, I did. I hope that is clear.

Mr. ANDERSON. Did the Senator also make it clear that if all these extraneous amendments were struck out, he would be glad to support the bill?

Mr. LONG of Louisiana. Yes. I am willing to go either way. I am willing to take the bill as reported by the Finance Committee or I am willing to follow through with what has just been agreed on, and vote it on through the Senate. I am ready to vote now on either of these propositions.

I would be willing to take the bill to conference right now, the way it stands, but some Senators voted with me on the previous rollcall with the understanding that we were going to conduct hearings and that we were going to give them another chance to vote on the matter.

We are going to do it, if I have my say about it, but I fear that if we surrender the ground we have gained now we might never be able to get this measure to a vote again.

That being the case, I am willing to give up on my end if the other fellow will give up on his end. However, it must be mutual.

Mr. ANDERSON. Mr. President, does the Senator realize that he has suggested these very good proposals concerning elections, to which he must make reservations?

Mr. LONG of Louisiana. As far as I am concerned, I am willing to split the difference right now or at any time in the next 6 weeks. We can vote up or down, yes or no, on a bill to either replace, change, amend, or do anything that is desired with the Long Act—the Presidential Campaign Fund Act.

I am willing to that now. However, I am not willing to agree to give up my advantages unless the other fellow is willing to give up his advantages.

I hope that, when I am asked to give up my advantages, the other fellow will give up his advantages. If he puts down his weapons, I will put down my weapons. However, I will not surrender mine when the other fellow is still holding his.

As much as I would like to cooperate, I could not surrender on those terms. I will do everything that I can to urge that my part of this measure be considered.

Let me continue with this article. It pretty well states my thought on this matter. It reads:

> This would necessarily entail modification of the Long Act on campaign financing by separate legislation. Almost everyone, including Senator Long, seems to agree that amendments are imperative, and they will have to be adopted by the present Congress before the law goes into effect next year. Senator Long is preparing amendments to offer as a substitute for the repealer adopted by the Senate, but it is extremely difficult to legislate on so complex a subject on the floor of the Senate. The best course would be to lop off all the riders on the investment credit bill and start afresh on campaign-financing legislation.

We are willing to do that. I agree with what the editorial says.

The editorial reads further:

> In our view, new hearings should be promptly held.

I am willing to agree to that.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield for a question.

Mr. MAGNUSON. Mr. President, is it true that the Senator said the other day on the floor to the Senator from Washington that he has long advocated the tax-deduction feature of this proposal and that he would, insofar as he could as chairman of the committee, hold immediate hearings in this period of time on the tax-deduction feature of the measure?

Mr. LONG of Louisiana. I would be glad to do that. I would be glad to hold hearings so that the matter might be studied.

Mr. MAGNUSON. That would be part of the hearings.

Mr. LONG of Louisiana. That would be part of the whole package, to get the recommendations of everybody and their thoughts and work it out so that everybody could be heard.

The editorial reads further:

> In our view, new hearings should be promptly held. The door should be opened not only to the amendments proposed by Senator Long but also to substitutes such as the Metcalf plan and the proposed tax credit and tax deduction for small campaign contributions. As we have previously noted, there is much promise in the plan of Senator Metcalf to let each taxpayer indicate on his return a desire to give $1 to the candidate of his choice. The Treasury would issue to such taxpayers $1 vouchers which could be given to a candidate or party and redeemed only by them. The device would completely eliminate the appalling problem of fair distribution of campaign funds by the Government. It would also cut through the chief danger in the present act—of placing enormous public resources at the disposal of one or a few party chieftains.
>
> We are confident that Senator Long and his colleagues can come up with an infinitely better plan than the present law if they are willing to review the entire problem.

I am willing to review the entire problem. We have a good staff on the Finance Committee. The President has advised us. The Treasury Department has been advising us. We have the Joint Committee on Internal Revenue Taxation staff working with us. We can draft the entire bill and work it out the best way we can.

The editorial continues:

> Meanwhile it would be highly desirable if the Committee on Privileges and Elections would put together a bill to reform campaign-fund reporting and to modernize the

> Corrupt Practices Act. With a little cooperation between the Finance and Elections Committees, a major blow could be struck for clean elections. But the Senate will have to back up a little before it can hope to move forward toward these objectives.

Mr. President, that is exactly what I suggested. We would put the whole thing back in the committee and give the committee the right to report what it wants to report. Then we would study the campaign financing, the enforcement problem, the Ribicoff election amendment, and step by step we would work on them until we had done what the Senate has a right to expect from one of its most responsible committees.

Prof. Jasper B. Shannon, of the University of Nebraska, wrote a book "Money and Politics" published in 1959 by Random House, Inc. The following are excerpts from that book in which Professor Shannon pleads the cause of Government payment of political campaign expenses and particularly discusses something that sounds very much like a tax checkoff of $1 per taxpayer:

> Is it too much to ask the state (taxpayers) to spend considerable sums to advance the art of politics both for leaders and voters? If this reasoning is sound, the approach to lessening the problems raised by the abuses of money in politics is for the state to furnish means by which parties and politicians can present their views of policy and value as well as their personalities before the voters in the best medium calculated to develop intelligence. This is no novel proposal. In fact Theodore Roosevelt offered the idea more than a half century ago in an annual message to Congress. His full statement needs to be read:
>
> "Under our form of government voting is not merely a right but a duty, and, moreover, a fundamental and necessary duty if a man is to be a good citizen. It is well to provide that corporations shall not contribute to Presidential or National campaigns, and furthermore to provide for the publication of both contributions and expenditures. There is, however, always danger in laws of this kind, which from their very nature are difficult of enforcement; the danger being lest they be obeyed by the honest, and disobeyed by the unscrupulous, so as to act only as a penalty upon honest men.
>
> "Moreover, no such law would hamper an unscrupulous man of unlimited means from buying his own way into office. There is a very radical measure which would, I believe, work a substantial improvement in our system of conducting a campaign, although I am well aware that it will take some time for people so to familiarize themselves with such a proposal as to be willing to consider its adoption. The need for collecting large campaign funds would vanish if Congress provided an appropriation for the proper and legitimate expenses of each of the great national parties, an appropriation ample enough to meet the necessity for thorough organization and machinery, which requires a large expenditure of money. Then the stipulation should be made that no party receiving campaign funds from the Treasury should accept more than a fixed amount from any individual subscriber or donor; and the necessary publicity for receipts and expenditures could without difficulty be provided."
>
> Five years later, when running for President as a Progressive, Roosevelt wrote privately:
>
> "I am with you on the question of the State paying the election expenses right away now. I have always stood for that course as the only one to give the poor man a fair chance in politics."

That is Theodore Roosevelt speaking, Mr. President.

I resume quoting:

> When the case has been put so strongly the question arises, why has no action been taken? The reasons are several. First, how would amounts be rationed among the parties? Would each party receive the same amount? How about splinter parties? This problem is almost identical to that of allocation of radio and television time in states where these media are owned by public corporations. In Great Britain the rule is to restrict time to the parties offering as many as fifty candidates. This is action designed to maintain the two party system and can possibly stand on its own merits. There are probably other means of avoiding this dilemma. First, a public corporation can be created with representatives of both parties and a sufficient number of outstanding citizens composing the board of control which could administer the funds appropriated to it and make rules acceptable to the parties particularly interested. A second means is to allow the voters themselves to determine how their money shall be spent. The large number of income taxpayers suggests a method of achieving this end. Let Congress appropriate to political parties, for example, one dollar for each income-tax payer who is willing to signify the party of his choice. This could be done simply on a detachable coupon on each income tax return. There are between forty and fifty million taxpayers. Let us suppose that ten million people authorized a dollar to the Democrats and ten million to the Republicans. This would place each party on a permanent basis for operating each year. It could insure organization in each state of a party body seeking to advance the interest of an opposition party as well as the dominant party. Ultimately this might develop party organizations in each county in the United States. Support for permanent organizations certainly should enliven politics at the grass roots level and might eliminate one party counties which is something of a norm in American political life.
>
> Undoubtedly the objection of too much power in the hands of the national and state party committees would be raised. Perhaps the enhanced power in the party organization would induce closer harmony between party membership in Congress and the party outside. This reinforces the argument for a party council representative of elected party officials and of the party organization. The more parties become cohesive the more likely they are to be able to present coherent bodies of policy rather than have the drift which so frequently emerges from a temporary coalition of private interests. With budgets of ten millions of dollars the parties might be on a par with the better financed pressure groups. Undoubtedly, much more than these sums is spent by the interest groups operating separately.
>
> The suggestion offered here does not contemplate compulsory giving to the parties. From the taxes of those taxpayers who do not choose to assign a dollar to their respective parties a similar sum could be appropriated to a public corporation set up as outlined above. This body might be called the Adult Political Education Corporation. The Corporation could receive gifts from private foundations or from individuals including sums for setting up an endowment. The purpose of the Corporation would be to stimulate public discussion, debate, and intelligent interest in public affairs. It might even sponsor "give-away" programs on the basis of knowledge of civic facts rather than the miscellany of isolated facts so popular on radio and television projects. A corporation with ten or twenty million a year at its command might go a long way in inventing imaginative means for eliminating some of the public apathy so prevalent with regard to political matters.
>
> It is clear that smaller parties would have sums only in proportion to the number of income-tax payers willing to authorize their dollars to go to the lesser parties. This device would serve both as a barometer of taxpayer reaction and as an incentive for keeping the older parties abreast of popular feeling. A dramatic rise in funds for a third party would be a warning to the older parties to keep attuned to voter reactions.
>
> The question of handling such funds in the nominating process offers complications but surely the payment of minimum sums towards defraying the expenses of delegates to national conventions would alleviate a condition where either the well-to-do or persons with "contacts" in unions or business are the most likely delegates. Selection as delegates could be opened to more persons of average means or less.
>
> The party primary has a set of problems all of its own. Certainly the national party could appropriate some of its funds to be used in holding debates, discussions and round-tables among its adherents where candidates for nomination would have free time to display their personalities and policy suggestions before party followers. If the national party had a platform of policies, it might require as a condition of participation in these meetings an acceptance of party ideology. Undoubtedly there will be grave objection to this proposal from devotees of states' rights, but some unity of policy is necessary to national party cohesion. This might enable the parties to discourage some of the extremists who embarrass all parties on occasion.
>
> Of course, this is a bare outline of what could be done. All novel suggestions are open to criticism as to detail of operation. This one is only meant to point a possible way over what has been regarded as an insuperable barrier to appropriation of public funds for party purposes. It goes without saying that as a condition of acceptance of such funds the parties would set up the best technical type of financial accounting and auditing of all funds with financial reports open to all parties, and to the press and other representatives of the media of communication. The present provisions for publicity do not guarantee publicity. A public corporation such as suggested here could buy time to report upon the financial activities of all parties, thereby ensuring the maximum of publicity rather than the present minimum.
>
> Of course, there is the objection that this would constitute the use of public funds for political purposes. It is self-delusion to think that this is not the case now. Certainly the method outlined here is only to do directly and overtly what is now done indirectly and covertly. A good case can be made for the proposition that the sums spent in this manner would represent a very great reduction in the cost under the present arrangement to taxpayers and consumers. Parties might still collect additional sums but they would not be reduced to dire penury as is the case presently. The gain of confidence in our democratic political institutions could certainly represent an invisible asset of great proportions.
>
> When new bodies of thought and new trends of belief unfold they are likely to make themselves manifest either by public propaganda or underground subversion. Jefferson's view that they should be in the open where reason can combat error still seems sound. Had not the unions been able to finance the Labor party in Norway the workers would have manifested their desires somehow, perhaps by revolution.
>
> In Russia, Lenin and Stalin so perverted ends to means that 'forceful expropriation'—bank robbery in blunter parlance—was employed to get funds for the Bolshevik party. Elaboration of comment upon such a dan-

gerous course is scarcely necessary. Lenin probably used German money to advance the Russian Revolution in 1917. This illustrates the confusion of means and ends to which desperate and determined leaders may resort.

Aside from the danger of subversion, there is another persuasive reason for public action. The unique position of the press whose freedom is guaranteed by the Constitution and whose income is underwritten in part by government in the form of low postage rates shows that adult civic education is already subsidized. Some well known chain publications receive almost as much in postal subsidies annually as might be appropriated to either of the major parties under the plan outlined here. In an age of technology, with a rapidly expanding and changing social order, it is doubtful whether leaving the chief channels of political power (parties) to the accident of financial benevolence or vested interest is a safe national policy.

Finally, inflation and other factors are narrowing the avenues of entry into the professions. The initial capital costs are so great that independent business opportunities are fewer. The farm no longer offers an outlet as the high price of land and of capital equipment lessens the prospects for independence in this traditional area of free enterprise. If, as seems likely, the doors to a political career are closed by growing expensiveness, the people and governmental services will suffer. A growing "alienation of choice," as the sociologists call it, may lead to further "fatalism of the multitude" as James Bryce described a mass tendency long ago.

The population of the United States will be 200,000,000 within a decade. Already 100,000,000 persons are eligible to vote. This is fifty times greater than the number when mass parties really started with John Quincy Adams and Andrew Jackson. Certainly the policies of the United States government are more than fifty times more complex. Technology will accelerate this complexity with more than arithmetical progression in the future. Surely an industrial society cannot afford to be self-conscious about everything but its politics. Opening the doors in politics to the best talent available does not seem unreasonable. The opportunities for rationalization of the policy making process are enormous and nowhere more so than in the region of money in national politics.

It is probably time for a reconsideration of the entire area of the state's relation to party. Inhibitions upon party conduct set up really to control corporations and subsequently expanded to regulate trade unions, need to be reevaluated to see if they are outmoded. If, as has been suggested, the American economy is one of countervailing power perhaps the opposing forces should be permitted to operate with greater freedom in politics. If trade unions are able to offset the power of large units of capital by the concentration of large numbers of small sums, as has happened on a smaller scale in Norway and to an extent in Great Britain, there is little need to pass laws governing contributions of funds in a vain effort to regulate and thereby drive underground much of party activity. Outlawing so much of party work may make the entire party process seem unsavory.

A long time student of campaign finance has declared that the Hatch Act might correctly be called "an Act to Promote Pernicious Political Activities." She concludes:

"It defeats its own purpose by encouraging decentralization, evasion and concealment. Worst of all it makes difficult if not impossible that publicity which is essential to full understanding of who pays our political bills—and why."

The Corrupt Practices Act appears ineffective in at least one of the states where regulation of campaign funds originally started. The use of voluntary committees has made a hollow shell of formal party structure and a mockery of legal limits on expenditures by candidates and formal party organizations.

Two-thirds of the states have passed legislation prohibiting corporations from contributing while one-sixth have placed similar restrictions upon trade unions. It would be worthwhile to compare the practices in states with and without such regulatory laws. Only one-fourth of the forty-eight states make it illegal to solicit campaign contributions from state employees. In two of the states having such prohibitions the practice of collecting funds from employees is still rife according to reliable reports.

Local and municipal employees are relatively unprotected, though cities are generally better off than counties. The situation existing in Kentucky today, both on state and county levels, was aptly described by Theodore Roosevelt more than sixty years ago when he wrote:

"There is no meaner species of swindling than to blackmail them (employees) for the sake of a political organization. . .

"Moreover, it is the poorest and most helpless class who are most apt to be coerced into paying. . . . Another thing to be kept in mind in dealing with these cases of political blackmail, is that really but a comparatively small portion of the funds obtained goes to the benefit of the party organization. A certain proportion gets lost in the transit, and when the collecting officers and clubs are of low character this proportion becomes very large indeed. The money that is collected is used, in the great majority of cases, not to further the welfare of the party as a whole, but to further the designs of certain individuals in it, who are quite as willing to use the funds they have obtained against their factional foes in their own organization as against the common party foe without."

In light of this situation, substantiated by the critical judgments of careful scholars as well as the fact that both Norway and Sweden, after thoughtful investigation, rejected any regulation of party finance, a long range reappraisal is in order. Denmark has not found it necessary to investigate the feasibility of such action. It would seem both timely and appropriate for a body similar to the Hoover Commission to make a survey resembling the *Report of the Broadcasting Committee*, 1949, in Great Britain. The membership of the commission should include legislators, active and retired politicians, judges, and scholars in political science and economics. Most, if not all, inquiries made prior to the present have been motivated in great measure by the desire for partisan advantage. Given the power of subpoena a select committee might do for this area of politics what the Temporary National Economic Committee did for economics in 1938–39. A detailed investigation on this scale should inquire into the relation of legislation on campaign funds to the uniquely American anti-trust policy.

Now, Mr. President, it might be well to consider some of the erroneous statements which have been made on this subject by Senators, and to analyze those statements and rebut them. For example, in his statement yesterday, the distinguished Senator from Tennessee criticized amendment No. 167 in nine respects. In virtually every instance, his criticisms either are unfounded or they are based upon a misunderstanding of the operation of the amendment.

I should like to respond to his statement. First, he raises the question of examinations of 70 million tax returns. Similar thoughts were expressed last week by the Senator from Delaware and by the minority leader. I stated then, and I repeat now, that unlike the procedures involved in verifying tax deductions and credits, the tax checkoff requires no special examination of the return and no audit. Today, all tax returns are subject to mathematical verification. This takes place at the same time information on the tax return is being transferred to magnetic tape for further data processing. A single press of a key on the data processing machine is all that is needed to record the $1 tax checkoff.

The individual making the mathematical verification can instantly tell whether the taxpayer is entitled to the checkoff since it is predicated upon "the tax shown on the return." If the return shows no tax, then the tax checkoff would not be valid and it would not be recorded on the magnetic tape.

Because of the persistence of this argument, however, I have asked the Treasury Department to give me a report of the administrative difficulty they would have. I have that report here. It shows that, contrary to the views expressed by the Senator to whom I have referred, there is no administrative difficulty involved in the tax checkoff. Let me just read the letter at this time.

Dear Senator Long: This is in reply to your request for the views of the Treasury Department concerning administration by the Internal Revenue Service of the tax return check-off provision of the Presidential Election Campaign Fund Act.

The Internal Revenue Service advises that administration of this provision would not involve the audit of a taxpayer's return since the check-off is effective if the return shows a liability as filed without regard to subsequent audit adjustments.

Under existing procedures every income tax return is processed so that necessary information is recorded in the Service's automatic data procesing system. Tabulation of the total number of check offs appearing on individual income tax returns would be made as part of this existing procedure of return processing. Therefore, it would not involve additional cost or expense of any consequence. Nor would it require any modification of existing return processing and auditing procedures.

Sincerely yours,

Joseph W. Barr,
Acting Secretary.

There we have it, Mr. President. We have heard the argument day after day after day for the last 2 weeks that the Department would have to take out these returns, and it would cost a fortune to study everybody's tax return. All the employee has to do is press a button, and it costs virtually nothing to do that. So that letter lays to rest that argument. I am sure that if this debate continues, we will hear that argument made again, as if this letter had never been read and we had not heard from the Secretary on it.

Second. The distinguished Senator from Tennessee suggests—

> There is no real effective prohibition against privately financed expenditures even for the purposes listed in the amendment.

This observation is erroneous. The amendment starts off by requiring the candidate to certify in advance that neither he nor his authorized agent nor any individual or organization over which he has control will incur campaign expenses in excess of the amount for which he is entitled to payment under this act. He must also certify that no contributions for these purposes have been accepted or will be accepted by him or his authorized agent or individual or organization over which he has control. If payments for the specified purposes are made to a candidate in excess of the limits fixed by the amendment or in excess of the actual expenditures incurred by the party, the amount in excess must be restored to the Treasury. That is a control.

If the Comptroller General who is going to audit all the expenses related to a presidential election determines that any part of the Federal money was used for any purpose other than to defray the costs incurred for the items specifically listed in the statute and there was no reasonable explanation for their diversion, then the amendment imposes a 25-percent penalty. That is a control.

In addition to this repayment and this civil penalty, the amendment makes it a crime to use Federal payments for any purpose other than to defray the costs incurred for the goods and services specified in the amendment. That is a control.

In addition to these controls specifically written into the amendment, there are two more important controls. One of them is the watchful eye of the Comptroller General and the Advisory Board established to assist him. This Board will have members from each political party who will oversee the campaign expenses of both parties and the methods used in conducting the campaigns. The second built-in control is the fact that the candidate is not going to want to do anything that will bring disrepute to himself during the election. This built-in honesty is another important control.

Third, the distinguished Senator from Tennessee has stated that the amendment would involve the commingling of public and private funds. For the reasons I have already described this cannot happen. Public money can only be used for the purposes designated in the statute and private money may not be used for these purposes. Private money may be used only for purposes for which public money is not made available. The amendment says this in no uncertain terms and provides both civil and criminal penalties for violations.

Fourth. The distinguished Senator from Tennessee indicates there is no limit on the amounts which may be contributed by individuals or groups to a presidential campaign. The amendment attacks this problem in two respects: It requires any committee, whether operating in a single State or in several States, to report to the Clerk of the House the amount of any contributions it receives for the presidential election and any support it gives or expenditures it makes for presidential elections. Most importantly, however, by making sufficient public funds available to the candidates to put on an adequate campaign for the Presidency, the need for raising large amounts of money from private sources vanishes. Under the amendment, private money may not be used for paying any part of the great bulk of goods and services that are needed in a presidential election.

Fifth. The distinguished Senator from Tennessee stated again that a party might solicit and raise funds sufficient to pay all its campaign expenses including those which are actually paid from public funds.

I have already answered this allegation once, but I shall do so again. Private contributions may not be used to pay the campaign expenses which are reimbursable under the amendment. The amendment specifies the items for which public money may be expended and public money may not be used for any other expenses of the campaign. The items that are specified for reimbursement under the amendment constitute the great bulk of campaign expenditures which have been reported in the past.

Since these items would now be paid with public funds, there would be no reason for a political party to solicit contributions for these purposes. Of course, if the candidate chooses to pay for his campaign with private contributions, no public money would be available to him. He has that choice. The candidate could not make a profit under the amendment as the distinguished Senator suggested, but by freeing private contributors from the added pressure of national party fundraising, greater amounts would become available to those soliciting funds for senatorial, congressional, and gubernatorial elections.

Sixth. The distinguished Senator from Tennessee suggested that there are no criteria for determining whether a given expense was associated with the presidential campaign or with the campaign for some other office. The principal criterion in these instances is commonsense. However, to guide the Comptroller General in his determinations, the Senate Finance Committee wrote into its report on last year's act a paragraph which applies equally to this new act. This paragraph deals with the issue raised by the distinguished Senator, and I should like to quote it at this point:

> To preclude any of the presidential election campaign fund from being used for other than the campaign expenses of candidates for President and Vice President, no reimbursement will be made for any item related to a candidate for any office other than President or Vice President. For example, if a Presidential or Vice Presidential candidate should make a joint political appearance with a candidate for another public office and a substantial purpose of the Presidential or Vice Presidential appearance is to further the candidacy of the other candidate, no reimbursement for such joint appearance will be allowed.

With the possibility of the expenses for the joint appearance being paid without the necessity of burdening or soliciting private contributions, candidates would be encouraged to fix the joint appearance in such a way that there would be little question as to whether its purpose was to further the candidacy of the presidential nominee or to aid the election of some other candidate.

Seventh. The distinguished Senator from Tennessee suggests the amendment does not resolve the danger of centralized control of political party structure in this country. Actually, it deals with this matter in a very effective way. Under the amendment, not 1 red cent of public money can go into the party coffers. The amendments states in crystal clear language that only a candidate or his authorized agent may receive the Federal payments from the Treasury. It also states in unambiguous terms that no individual who is serving as an officer, member, or employee of the national committee of a political party or of a state or local committee may be appointed as the authorized agent of any candidate. These perfections in the amendment grew out of discussions which took place in the Senate last week. The party mechanism itself cannot control any of the Federal funds. They must be handled directly by the candidate outside of party control.

Eighth. The distinguished Senator from Tennessee raises his old chestnut again that we should not undertake any reform until we can accomplish absolute, total, 100-percent reform. Do not do anything until you can get to heaven, and you have got to get there from here in one jump. And without dying, you understand. That is the Senator's program.

Such an argument simply ignores reality. We have to learn to crawl before we can walk and we have to walk before we can run. By building in reform of the presidential election, we can set precedents which can be extended on into other campaigns. And the amendment does set precedents. It provides the broadest revision of the Federal Corrupt Practices Act—insofar as it relates to presidential elections—that has occurred since the act was passed more than 40 years ago. By this reform, single State committees soliciting contributions or making payments or otherwise supporting a presidential election are required to report all their activities to the Clerk of the House of Representatives.

Heretofore, presidential elections have been free of the Corrupt Practices Act requirements, but under my amendment, they would no longer be immune. The amendment itself, which provides a new way of financing political campaigns free of the suspicion of misconduct in government, is a tremendous reform. The experience gained here will be invaluable as Congress proceeds in the future to consider reforms in other elections for Federal office. I want to make it clear that so far as I am concerned, we have absolutely no jurisdiction in the Committee on Finance to go further in the direction of reform than I propose in this amendment. Only the presidential election is before us, and the amendment covers it like a blanket.

Ninth. The distinguished Senator from Tennessee observes but does not comment on the fact that the new amendment provides a specific appropriation of the amounts designated by taxpayers. Appropriation of Federal money is a proper function for Congress, and that is all that is being done in this amendment.

I was pleased to read in the remarks of the distinguished Senator from Tennessee that he views my amendment as "a modest improvement" of last year's act. I treasure even this limited concession of the Senator very highly and I commend him for the statement, which I know comes hard to someone who has opposed this issue so vigorously.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, I should like to discuss this matter at considerable additional length, but I should like also to see if we can reach some understanding about the matter overnight.

I therefore move, under the previous order of yesterday, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 47 minutes p.m.) the Senate adjourned until tomorrow, Friday, April 21, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 20, 1967:

AGENCY FOR INTERNATIONAL DEVELOPMENT

R. Peter Straus, of New York, to be an Assistant Administrator of the Agency for International Development.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows: Maj. Gen. Frank Joseph Sackton, O30553, U.S. Army, in the grade of lieutenant general.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 20, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Lord, who shall abide in Thy tabernacle? who shall dwell in Thy holy hill? He that walketh uprightly and worketh righteousness, and speaketh the truth in his heart.—Psalm 15: 1–2.

O God, our Father, who art never far from any one of us, for in Thee we live and move and have our being, help us to be aware of Thy presence, to walk in the way of our faith and to receive Thy love which daily is offered to us. Give to us such a regard for truth, such a desire for guidance, and such a readiness to love that we may go beyond all doubt and discouragement and center our minds on Thee for Thou wilt keep him in perfect peace whose mind is stayed on Thee.

There are times when we do not know what to do, yet something must be done. Help us to pray—not will it help me only but will it be a benefit to others and to our country; not is it for my good but is it for the good of everyone; not is it expedient but is it right. O God, help us to do what is right. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

PROTECTION OF OUR FLAG

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, like most citizens of this country, I am appalled at the demonstrations in New York City and other areas of our country. It is terrifying to see the way our American flag and our American way of life are being desecrated, and with apparently little, if any, action to stop it.

For the sake of the freedom of the majority and for the cause for which our young men are dying in Vietnam, this sort of thing, in my opinion, must be curtailed.

I am very concerned that no penalty exists for mutilating the U.S. flag, with the lone exception of within the District of Columbia. Title IV, section 3 of the code sets forth the penalties for mutilating physically or casting contempt by word on the flag within the District of Columbia. I am introducing a bill to amend title IV, section 3 of the code to extend its provisions to every State in the Union. In addition, my bill would up the maximum fine for violating this statute from the present $100 fine or 30 days imprisonment or both to a fine not exceeding $1,000 or by imprisonment for not more than 90 days, or both.

As a representative of the people and of justice, I will do all in my power to see that something is done to restore some form of personal integrity, national responsibility, and basic Americanism. It is mighty discouraging to try to win a ball game when your own cheering section is rooting for the other team.

SUBCOMMITTEE ON RIVERS AND HARBORS OF THE COMMITTEE ON PUBLIC WORKS—PERMISSION TO SIT

Mr. DORN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Rivers and Harbors of the Committee on Public Works may sit next week during general debate in the House.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

COMMITTEE ON APPROPRIATIONS—PERMISSION TO FILE PRIVILEGED REPORT

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, April 21, 1967, to file a privileged report on the Department of the Interior and related agencies appropriations bill for 1968.

Mr. REIFEL. Mr. Speaker, on that I reserve all points of order.

The SPEAKER. The gentleman from South Dakota reserves all points of order.

Is there objection to the request of the gentlewoman from Washington?

There was no objection.

ANTIPOVERTY FUNDS NEVER LEFT UNSPENT

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, on Monday, April 3, I made reference to plans by local poverty officials to disburse unspent Federal antipoverty funds on dinner meetings in order to avoid having to return this money to the Office of Economic Opportunity. Just 2 days later there appeared in the CONGRESSIONAL RECORD a detailed report by the comptroller of the city of New York on the fiscal tangles of Haryou Act, Inc., an organization formed to help young persons in central Harlem. The scandals which have characterized this organization's handling of finances have been published in all the papers, and I wish here to note only the very last item in the comptroller's statement of cash receipts and disbursements of funds, including Federal moneys, by Haryou Act. This item, involving a masterful typographical error, reads "Unexpected balance—$38,943.74." This is one of those Freudian slips which inadvertently tells the truth. Any balance, left unspent, in an antipoverty program would indeed be "unexpected," and, of course, I am sure will be spent immediately.

THE LATE KONRAD ADENAUER

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I sent to the President the following telegram, which reads as follows:

> The proper homage you pay to the late Konrad Adenauer by attending funeral services in Germany next week provides a long-needed opportunity for personal consultation with chiefs of state in western Europe.
>
> Your plan to meet with the new German Chancellor, Mr. Kiesinger, is highly commendable, but I respectfully urge you to seek also a discussion with French President de Gaulle.
>
> A gesture of friendship is not a sign of weakness, and the meeting would be reassuring to people throughout the free world who prize unity.
>
> In view of difficulties and what seems to be a widening rift between France and the United States, neglect of this opportunity for presidential consultation would not go unnoticed by friend and foe.
>
> Whatever the real reasons for the rift, the severity of the crisis has provoked emotional outbursts on both sides of the Atlantic. Unchecked, this tide of bitterness may destroy in a short time the friendship built up over two centuries between these oldest allies and cause difficult new problems throughout the Atlantic alliance. We find increasingly each day that France is

> enormously important to the alliance and therefore to the United States.
>
> As President of the United States, you are the ex-officio leader of the alliance, and it seems logical and proper for you to take this initiative.
>
> PAUL FINDLEY,
> *Member of Congress.*

PELLY SPONSORS NATIONAL HOMEOWNERSHIP ACT

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I am today introducing legislation that will stimulate the building and lumber industries of the great Pacific Northwest, while helping to ease the serious housing problem of the country. This would be accomplished by creating a National Home Ownership Foundation to be nonprofit, charitable and educational, and operated by a board of directors. The building and lumber industries are vital to the economy of the Pacific Northwest, and while the economy in Seattle and the Northwest indicates continued gains in many areas, the homebuilding industry has, for a long time, been in a decline. This has been of great concern to me, especially in the face of the obvious need for adequate housing in the Seattle area and the Nation. The National Home Ownership Foundation Act, which I am cosponsoring with Senator CHARLES PERCY and the gentleman from New Jersey [Mr. WIDNALL], will greatly aid these industries and also go a long way in achieving the goal of a decent home and suitable living environment for every American family. These would be accomplished with private capital, under my bill, instead of by costly Government handouts. I strongly stress the stated purpose of this bill, "that the primary responsibility for generating a rebirth of the declining urban and rural areas of the Nation properly lies with America's free enterprise system, and that the role of Government should be one of stimulus, guarantee, and reinforcement, rather than execution and control." The State of Washington is experiencing a crisis in homebuilding, coupled with a tremendous population increase caused by other industrial expansions. Mr. Speaker, I firmly believe this program will accomplish, with private capital and individual initiative, more than any administration suggestion of the past 7 years.

PROXY PICKETS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, one of the rights guaranteed under our Constitution is the right of petition. But yesterday in the mail there was circulated an item announcing "proxy pickets." This announcement relieves an individual from the privilege to picket himself.

Here is what it says on the inside:

> Do you have a gripe against the President, the Congress or someone else in Washington?
>
> Would you like to say "Thumbs Down" to a particular policy? or, for that matter, "Thumbs Up"?
>
> Is it inconvenient for you to express your opinions effectively? If so, let Proxy Pickets handle everything for you.
>
> Proxy Pickets offers a unique service to interest groups, organizations and individuals.
>
> A two-hour demonstration can be quite effective; a longer one could be truly impressive. We will organize a full-scale demonstration for you, including marchers and placards with slogans and messages suitable to your cause.
>
> Located in the Nation's capital, Proxy Pickets enjoys close proximity and easy accessibility for demonstrations at the White House or on Capitol Hill. Our demonstrations are well-organized; we will take care of all details including required arrangements with the local police department.

On the other side of the pamphlet, the Members will note what the rates are:

> Five picketers for one hour only costs $17. We will give you 50 picketers for one hour for $154.
>
> Larger demonstrations and additional services available upon special arrangement.

Mr. Speaker, I recognize the constitutional right of freedom of expression and I am most happy to exercise that right. But, Mr. Speaker, I question the right to advertise for the purpose of inciting to riot and organizing a conspiracy in violation of the law and the individual rights of all free people.

CRITICISM OF THE DEPARTMENTS OF STATE AND TREASURY ON THEIR TREATMENT OF THE BALANCE-OF-PAYMENTS PROBLEM

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, the question is, "Who won the war, Daddy? I mean the Second World War."

The answer is that, while the United States was on the winning side, our State Department and our Treasury Department have just made it clear how to snatch defeat from the jaws of victory.

There is no doubt that we have a balance-of-payments problem. One way to continue that problem is to continue our approximately 350,000 troops in Europe.

As Senator MANSFIELD has pointed out—CONGRESSIONAL RECORD of February 24, 1967, at page 4437.

> United States support of our military forces in Western Europe, now comprising between five and six divisions, costs approximately $2½ billion a year, and about $1 billion of that ends up as a dollar deficit and eventually a further drain upon our gold reserves.

Now come our State and Treasury Departments with the most absurd solution to this problem by having the German Bundesbank purchase and hold medium-term U.S. bonds to cover the foreign exchange outflow.

So we have come full circle.

We won the war and our defeated enemy buys our bonds to help support us. We borrow money from Germany so we can keep our troops in Europe.

What kind of victory, if the defeated enemy becomes our international banker? Alice in Wonderland would have had a perfect setting in our State and Treasury Departments.

HALT DESECRATION OF U.S. FLAG

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the Nation has been shocked on several occasions this past week as demonstrators have desecrated the flag of the United States at public meetings.

Such actions are an insult to the people of the United States and especially to our men in Vietnam who are giving their lives to protect our freedom and our way of life.

Presently there is no Federal law against these acts except for one which concerns only the District of Columbia. All 50 States have laws concerning the desecration of the national flag but these laws vary greatly.

The demonstrations of last week indicate that steps should be taken immediately to keep our national standard from becoming disgraced.

I hope my colleagues agree with me and will take speedy action to enact into law the bill which I am introducing today to make the desecration of our national flag a Federal crime.

HATCH ACT REPORT

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, as you know, Congress established during the 89th Congress the Commission on Political Activity of Government Personnel. This Commission, of which I am privileged to be a member, is authorized to make a full and complete investigation of the Hatch Act. One phase of the study will consist of a series of public hearings to be conducted here in Washington, Atlanta, Boston, Chicago, Dallas, and San Francisco. The hearings in Washington will be held on May 15–18 beginning at 10 a.m., room 457, Senate Office Building.

Many of my colleagues have expressed considerable interest in the problems of Hatch Act restrictions; therefore, I cordially invite each of you to testify at our hearings here in Washington or at the other cities. You may wish to submit a statement for the record instead. If you desire to appear as a witness before the Commission, please inform Lawrence Mann, counsel, or Jon Linfield, executive secretary, phone 382-1826, suite 306, 1111 20th Street NW., Washington, D.C. 20036.

Hearings on the appropriations for the Commission's study were held yesterday by the Subcommittee on Independent Offices. In my statement to the subcommittee, I expressed the necessity to make a complete study. The Hatch Act has existed for more than a quarter century without having had major study such as this undertaken. It will likely be many more years before another in-depth study. It is essential that the report by the Commission be one in which the President and Congress will have confidence. I trust when the appropriations measure comes before the House for a vote my colleagues will appreciate the need to make the study, and give the appropriation its full support.

HEARINGS ON BILLS TO PROHIBIT DESECRATION OF THE FLAG

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, the Committee on the Judiciary, through its Subcommittee No. 4, of which I am chairman, has scheduled hearings on bills to prohibit desecration of the flag to begin on Monday, May 8, 1967, at 10 a.m., in room 2141, Rayburn House Office Building.

The subcommittee wishes to afford all interested persons the opportunity of submitting their views on this legislation.

Persons desiring to testify or to submit statements relative to this subject should address themselves to Mr. Benjamin Zelenko, subcommittee counsel, room 2137, Rayburn House Office Building, Washington, D.C.

THE COMMITTEE ON FOREIGN AFFAIRS—PERMISSION TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE A REPORT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO FILE CERTAIN REPORTS UNTIL FRIDAY MIDNIGHT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Friday, April 21, to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE LATE HONORABLE KONRAD ADENAUER

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 443) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the House of Representatives of the United States of America has learned with profound sorrow of the death of His Excellency Konrad Adenauer, former Chancellor of the Federal Republic of Germany, and sympathizes with the people of the Federal Republic of Germany in their loss.

Resolved, That the President of the United States be requested to communicate this expression of sentiment of the House of Representatives to the Government of the Federal Republic of Germany.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. The gentleman from Oklahoma [Mr. ALBERT] is recognized for 1 hour.

Mr. ALBERT. Mr. Speaker, the death of the great former Chancellor of the Republic of Germany, Konrad Adenauer, has taken from the free world one of its most eminent sons; a man of 91 years of age whose life was as distinguished as it was long. Konrad Adenauer will be remembered forever for his peerless leadership in restoring order, prosperity and world respect to postwar Germany and for his forging and nurturing of Germany's ties to the Western World. Konrad Adenauer was one of the giant oaks of this century whose death has left a vacant space against the sky of the free world. This friend of America, this friend of freedom everywhere was a symbol of the vitality and courage of the German people.

It is, I am sure, the sense of this House and of the Congress that the President of the United States, as he attends the funeral of Chancellor Adenauer, convey to the German people the profound sense of loss that the American people share with them and our continual dedication in his memory to our Atlantic partnership. The House and the Congress unanimously grieve over the loss of this great man.

Mr. Speaker, I now yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, the world has lost a remarkable man, one of the great statesmen of the post-World War II era, in the death of Chancellor Konrad Adenauer, of West Germany.

Here was an individual the entire world respected. Here was a man who led his nation, the 50 million people under his direction in a divided Germany, back into the family of free world countries and out of the ruins and degradation of the bloodiest war the globe has ever seen.

Above all, Konrad Adenauer was a man of character. He was an uncompromising idealist and a man of tremendous moral fiber.

It may not have been generally recognized, but it was because of leadership exerted in the great cause of human justice that Konrad Adenauer made his country eligible to reenter the family of nations after the Nazi horrors perpetrated during World War II and the Hitler regime.

In 1952, Dr. Adenauer negotiated compensation agreements with Israel and the world Jewish community. It was this act, more than any other, which gave West Germany the right to stand again with the free nations of the world and ask that its voice be heard. To his great credit, Dr. Adenauer was looked upon as a friend of the Jews.

It was under Dr. Adenauer, too, that West Germany entered the North Atlantic Treaty Organization and built an army as part of the forces arrayed against the Soviet Union in Europe today. It was under Dr. Adenauer's leadership that West Germany helped form the European Coal and Steel Community and the European Common Market.

Dr. Adenauer led postwar West Germany into an era of unparalleled prosperity. He was the first chancellor of the reborn Federal Republic of Germany. This was the more remarkable because he was 73 years old when he assumed the office of Chancellor—an age when many men are content to sit and meditate.

"Der Alte," as he was fondly called by many, was a most able individual who not only loved political authority but knew how to use it for the best of purposes. He was a firm and successful diplomat, a world politician of great skill. When his life ended, an era ended with it.

Dr. Adenauer did not see the fulfillment of his vow that Germany would be "united again in peace and liberty." But his contributions to the strength of the Free World will never be forgotten by freedom-loving people everywhere.

On Saturday, border policemen will carry Dr. Adenauer's body from his home in Rhöndorf to Bonn over the route he used to take to his office in the Bundestag.

The hearts of men of good will throughout the world will travel that same route, for we are all mindful that a man who loved freedom and labored valiantly in the cause of peace has departed from us.

Mr. ALBERT. I thank the distinguished minority leader.

Mr. MORGAN. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I yield to the distinguished chairman of the Committee on Foreign Affairs.

Mr. MORGAN. Mr. Speaker, as members of this hemisphere, it is particularly fitting that we pause to honor the memory of the great democratic leader of Germany, Konrad Adenauer, who has just passed on.

Adenauer was no friend of the Nazis. He and his wife suffered imprisonment at their hands, and he narrowly escaped the death of an extermination camp. Fortunately, he lived to lead the restoration of Germany from the ruin of war and tyranny to prosperity and the stability and peace of democracy.

History will record him as one of the truly great of his time, one who strove mightily for reconciliation and binding ties with the West. Konrad Adenauer's career reached its peak at an age when most men have retired from active pursuits. He was 73 when he became the Federal Republic's first Chancellor, and he governed until he reached the age of 87. Adenauer has been described as an autocrat by some, but his devotion to the ideals of freedom and democracy cannot be challenged.

In his passing, the people of the United States and of all other free countries have lost a man who won our lasting regard and affection. We remember his sufferings under Hitler, and his skilled and relentless pursuit of his goals when he was again able to serve in public office after the war. He was a practical politician in the finest sense of the term, and the democratic system he helped build in Germany may well prove to be one of the key factors in future world stability. To his family and to his people, we offer our sincere condolences tempered with the respect and regard we must share with them for the achievements of this great statesman.

Mr. ALBERT. I thank the distinguished gentleman from Pennsylvania.

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Bolton] may extend her remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. BOLTON. Mr. Speaker, the world has lost a very rare man in the death of Adenauer of Germany yet surely, we have not lost his great spirit. We really have a wonderful example before us and would do well to examine into it, grateful for every one of his 91 years. We all too often consider that a person's usefulness is ended at 62 or 65 years of age. Certainly Mr. Adenauer has shown us that if you live right, you live long. During the last magnificent years of his long life he did for his country the absolute impossible. He raised Germany from the depths to new heights. Could a young man have done as much?

None of us can live forever—that we know. Few if any of us here today will leave so far reaching an influence filled with the quiet strength, the inexhaustible faith, the dauntless courage that rebuilt his people. For myself I feel deeply privileged to have lived in his era, to have felt the kindness and understanding of his handclasp, the compassion in his keen eyes.

I join with all here to extend my sympathy to his family, his loved ones, hoping that a great joy may be theirs in the magnificence that was the deeply loved man so affectionately called Der Alte by a venerating people.

Mr. ADAIR. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I yield to the distinguished gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, it is certainly altogether fitting and proper that we here today pay tribute to the memory of a very great man, Konrad Adenauer.

Konrad Adenauer came into power, as previous speakers have pointed out, at an age when most men are thinking in terms of laying down their burdens and responsibilities.

However, Mr. Speaker, through the years that followed, Konrad Adenauer carried a great share of the burdens of a great nation.

He found his beloved fatherland disrupted, in a state of international disrepute, and suffering economic and fiscal chaos. When he laid down the burdens of office, he left his beloved country with an economy which was amazingly strong, although it was still not a united country. The part of his fatherland over which he had control was governed well and with a strong but equitable hand.

So we as Americans here today pay tribute to a man who gave much of himself to rebuild his country, to rebuild the continent of Europe, and to contribute to the pursuit of peace, for which we all long and pray.

Mr. ALBERT. Mr. Speaker, I yield to the gentlewoman from New York [Mrs. Kelly].

Mrs. KELLY. Mr. Speaker, the passing on of Chancellor Konrad Adenauer is a sad occasion, and it is most appropriate that the House of Representatives should express, on behalf of the people of the United States, our sympathy to the people of Germany.

We in the United States will always be indebted to Konrad Adenauer. The role he played not only in the reconstruction of Germany after World War II but in the evolution of Western Europe in the postwar era has contributed significantly to the transformation which has occurred not only in the material well-being of Europe but also in the policies and the outlook of the European governments.

That the United States today has a friend and ally in the German Federal Republic is due in no small degree to the breadth of vision and the statesmanship of Chancellor Adenauer.

I am sure that the United States and the German Federal Republic will continue to build on the foundation which he did so much to establish.

Many of the problems which have confronted the United States and the German Federal Republic are still unsolved. Nevertheless, I am sure that our common interests are such that we will succeed in dealing with them, and that the work begun by Konrad Adenauer will continue to flourish.

Mr. Speaker, I had the good fortune to have met with Chancellor Adenauer on many occasions and I know my life is better for having known him. I am sure he will be happy in his eternal home.

Mr. ALBERT. Mr. Speaker, I yield to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Speaker, I thank the distinguished majority leader for yielding.

Mr. Speaker, in the death of Konrad Adenauer, Germany has lost a great leader and Europe a statesman of vision.

Der Alte believed very deeply in a Germany dedicated to humanity and deeply steeped in democratic values. All that the Nazis stood for was repugnant to Dr. Adenauer, and through every act as Chancellor he gave earnest to this by leading Germany back from disgrace into a new era.

He made it possible to start an effort of conciliation and conscience with Israel through a program of restitution and reparations that was important. More than this, Chancellor Adenauer cared particularly about the young men and women of Germany, and his hope in particular, I believe, was that they would turn to Europe and to the democratic ideals for which he believed and for which so many Europeans have stood.

Dr. Adenauer as Chancellor, in my judgment, will rank with Monnet, Schuman and De Gasperi as one of the architects of a Europe that is emerging, a Europe dedicated to personal freedom and unity in the interest of all mankind.

I believe all of us in this House can extend our deepest respects and condolences to all the people of Germany, and I believe that Chancellor Adenauer's example of conviction of principles will lead to a new era for Germany and a brighter day for all of Europe.

This morning's New York Times carries a tribute to Dr. Adenauer as the lead editorial. Under unanimous consent, I am inserting the editorial in the Record:

[From the New York Times, Apr. 20, 1967]

KONRAD ADENAUER (1876–1967)

Konrad Adenauer led West Germany back from ashes and disgrace to respectability, prosperity and power; but any assessment that stopped there would miss the most important point. The old Rhinelander may have been a "good German," but first of all he was a "good European," an honored member of a distinguished company.

Der Alte's priorities were fixed, his goals were clear; and he pursued them skillfully and relentlessly. Whatever he said in political campaigns, whatever his Soviet-bloc detractors charged, the first among those goals was not the reunification of Germany. He sought above all to bind West Germany to the West with links so strong and numerous that no successor in any circumstance could sever them and again turn Germans aggressively eastward.

In pursuit of that objective he was almost prepared to bury the very identification of Germany in a federal European union, but he was a practical politician who put first things first. His ideal was a European union tied to a North American partner in the larger framework of an Atlantic alliance and community. But he saw reconciliation and partnership between France and Germany as the cornerstone for any edifice of European unity, and he worked at this so assiduously that the term "Paris-Bonn axis" came into diplomatic currency even before the flowering of his friendship with Charles de Gaulle.

In his single-mindedness and the inflexible stance he assumed toward East Germany and the Soviet Union he resembled John Foster Dulles, whom he trusted and whose passing in 1959 grieved and worried him. This rigid posture led some of his allies later to see him as an obstacle in the path of an evolving *détente* with the Soviet bloc.

Whatever the historians may conclude on

these questions, it is fair to say this: The very qualities that made Der Alte a great leader for a fledgling Federal Republic in the phases of postwar reconstruction, Cold War floodtide and the waxing of the European Community spirit ill-equipped him for a thaw in East-West relations and a greater degree of political relaxation in Europe. His political touch gradually eroded, he lost his absolute majority in 1961 and was ushered out gently in 1963 by the Christian Democratic Union that he long had ruled without challenge, unable at the end even to block the choice of Ludwig Erhard as his successor.

His suspicions of his American ally, strong since the death of Dulles and the retirement of Eisenhower, mounted as Washington strove for limited agreements with Moscow to ease the dangers of nuclear war. In adversity, he moved even closer to de Gaulle, concluding the Franco-German treaty during his last year in office and modifying his own ideas of the European union to preserve the Paris-Bonn axis. He could only have been unhappy at the new overtures to the Soviet bloc, with dilution of the Hallstein Doctrine by a grand coalition in Bonn that includes his old Socialist foes.

Here was an astonishing man and a fabulous career, the crest of which was reached at an age when most men are dead or long retired. Dr. Adenauer, let it be remembered, had reached his majority before Bismarck died in 1898. He had been Mayor of Cologne for sixteen years before Hitler came to power in 1933 and threw him out prior to sending him and his wife to prison. He became the Federal Republic's first Chancellor at 73, and before he stepped down at 87 he had governed for a span equal to the life of the Weimar Republic.

As a "good European," he will rank with Monnet and Schuman, Spaak and De Gasperi. The Europe they envisioned and worked for may yet become reality.

As a "good German," he restored to his people a desperately needed stability and confidence. He was an autocrat, his own kind of "Iron Chancellor"; but if the democratic system that he helped to found endures, and if Germany survives in freedom, he will be remembered for as long as Bismarck and with vastly greater affection.

Mr. ALBERT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Speaker, a giant tree in the forest of world statesmen has fallen.

Konrad Adenauer was one of the towering political personalities of our times, the builder of a new world of usefulness and service and progress for Germany and the German people after the wreck that Hitler had brought.

Reserved for him is a high niche in history. The grief in his passing is felt by all Americans. The German Government and people will find in the presence of President Johnson at the funeral services a true expression of the universal and very sincere sympathy of all the American people.

Mr. Speaker, I speak in a special sense for the older generation who found in Konrad Adenauer a bulwark of confidence in themselves when a younger generation in a rush for power and position was forcing thousands of unhappy men and women prematurely into unwanted retirement.

When I came to this distinguished body at the age of 67 to begin my service here, Konrad Adenauer at 73 years of age was at the commencement of his brilliant career as Chancellor of Germany. He continued his leadership well into his eighties with vigor, clarity, and the firm direction of one who derived his strength and his will from the vexing problems of earlier years, problems that to a lesser spirit might have seemed without hope of solution.

As one 6 years his junior, and finding in Konrad Adenauer commencing his brilliant career at 73 and pursuing it with ever-increasing brilliance well into the 80's an inspiration and a strength, I feel that I can speak in this time of grief with fidelity for the older generation of Americans.

I speak as the oldest Member of this body, I feel, for all the men and women of the United States of America standing on the western slopes of life, near the setting sun, and for them I say, Mr. Speaker, that among them is not a dry eye.

I never met Konrad Adenauer. I was in Europe early in his career as Chancellor and he graciously had granted me an appointment, but events beyond control stepped in. The Honorable Barnet Hodes, a former corporation counsel of Chicago, accompanied me with a mission from the mayor of Chicago to convey to the Chancellor the every good wish of the government and the people of Chicago. It was a deep disappointment to Mayor Daley, to Mr. Hodes, and to me that a sudden demand for the Chancellor's presence elsewhere forced a cancellation of the appointment.

Mr. ALBERT. Mr. Speaker, I yield to the gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. Mr. Speaker, I am pleased to join my colleagues in paying a final tribute to Dr. Konrad Adenauer, a man known, respected and loved by peoples throughout the world. Certainly, any student of Foreign Affairs will recognize him as one of the greatest of our world political leaders—if not the greatest.

As one of the Members of Congress whose grandparents came from Schleswig-Holstein, I am proud to observe the recognition our House of Representatives is giving this great statesman, by the eulogies rendered and the adoption of the pending House Resolution. My father and his father would be equally proud to have me make these remarks.

In evaluating the character and qualifications of this great man, one immediately places him in the same category of all the outstanding leaders of American history—George Washington, Thomas Jefferson, Abraham Lincoln, Theodore Roosevelt and Dwight David Eisenhower.

Who would doubt that during the major crisis period in German history, he was truly "the father of his country." During his terms as Chancellor, he implemented Jeffersonian principles in improving the structure of the Federal Republic of Germany.

His efforts to improve the lot of the Jewish community in Germany and throughout the world will go down in history as paralleling the leadership of another "tall and straight" man, Abraham Lincoln, in providing freedom for an oppressed people.

Recently it was my privilege to visit the Fatherland of Dr. Adenauer to address the Society of Professional Foresters of Germany. I traveled through and saw first hand, the world renowned Black Forest and the outstanding conservation programs carried out and continued during the Adenauer administration. Certainly, this reminds us in America of Teddy Roosevelt and his conservation leadership.

Another great American with German extraction presented a similar image to the world. Dwight D. Eisenhower is now and has been respected and loved by the same overwhelming majority of the world's population that today is paying its respect to Dr. Adenauer.

This image, in my judgment, can best be described as fair, firm, and factual in their relationship and dealings with the family of nations.

I have observed the actions of these two great men during the time immediately following World War II.

The decisions made, at a critical time in our world's history, by these two great men, no doubt will be recorded as the turning point in the rejection of totalitarianism in all countries of the world and to establish a trend toward expanded freedom of oppressed peoples everywhere.

Mr. Speaker, I represent the district in California where the tallest trees in the world grow—redwood country. They stand in grandeur, unparalleled for beauty and the majestic impression they leave on the persons privileged to see them.

Konrad Adenauer will continue to stand in grandeur, straight and tall. Just as these magnificent redwoods will remain the outstanding species in the family of trees, Dr. Adenauer will be remembered as one of the world's greatest statesmen—a redwood giant in the forest of world political and humanitarian leaders.

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, with the death of "Der Alte" Konrad Adenauer, the world has lost a great and good leader. Americans are mourning his death because of the many fine Germans who have lauded his world influences and because of the stability and commonsense he gave to Germany.

My father, Gerhardt Schwengel, and my mother, Margaret Stover Schwengel, were both natives of Germany. They were born in the province of Oldenberg near Westerstede and, like Adenauer, were fortified and motivated by moral lessons that came from deep religious convictions. With these qualities and the desire to find a better opportunity for their family, my parents came to the United States soon after the turn of the century—coming with a religious German, Baptist background, they were well prepared for citizenship in this country. Fortunate were they that they settled in northern Iowa where they could find a favorable atmosphere to continue making contributions through the tilling of the soil and through helping with the development of American culture.

Like so many Americans, I was fortunate to have parents of this kind of background. They instilled in all of their children great feelings for and appreciation of the moral values and with this a good understanding of the basic freedoms. They also imparted to me an everlasting interest in the rich heritage of this country that came from Germany. Because I see in Adenauer many similar characteristics to my own interest, I will, like so many Americans, sense a great loss of world leadership.

My father, throughout his life, maintained an avid interest in Germany and her problems. Like Adenauer, my father was very disturbed about the rise of Hitler and the resulting tragedy for Germany and the world.

After I came to Congress, I had the good fortune to meet "Der Alte" Konrad Adenauer when he addressed the Senate on May 28, 1957, and again when he appeared briefly before the Senate on April 13, 1961.

We talked about Germany and conversed in the German language. He knew well the area of the Fatherland from which my parents came and recognized our family name.

Konrad Adenauer was a great man. His leadership in wartorn Germany rekindled in all of us a hope for a peaceful Europe and a Germany dedicated to the basic freedoms.

"Der Alte" led Germany through a most difficult time. Under his leadership a strong economy grew again in Germany. He helped build and mold a government of laws, based on the true principles of freedom. For this he will be remembered and for this he should be praised.

When Konrad Adenauer addressed the U.S. Senate in 1957, he said:

> The first principle, the guiding motive of our policy is freedom . . . Our second goal is peace . . . The third basic principle of our policy is unity.

On that memorable day the then Chancellor of Germany concluded:

> Political action is the art of bringing to life those concepts which have been recognized as the ethical foundation of justice. Freedom, peace, unity—these are the aims of our policy, a policy designed to give effect to the great ideals that determine the progress of humanity.

These are the words of a man who knows of tyranny, war, and disunity. His words carry with them the wisdom of experience. What he uttered in the Senate Chamber in 1957 serves us well today. Freedom, peace, and unity—those words are a message for mankind. They provide the only basis for a world in which all peoples can live together in harmony to build a better life.

Mr. Speaker, I am glad to associate my remarks with all who are this day paying tribute and especially with those of the Hon. Don H. Clausen, of California, with whom I have visited and, who, like myself, feels a special kinship to the people of Germany and who had through the years felt the tragedy of wrong leadership under Hitler, and who rejoiced with the advent of Konrad Adenauer.

Mr. ALBERT. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. Gallagher].

Mr. GALLAGHER. Mr. Speaker, I join my colleagues in our expression of sympathy on the death of Dr. Adenauer.

The death of "Der Alte" takes from the world scene one of the most influential and respected figures of the post-World War II era. Dr. Adenauer, the architect of German reconstruction, had the vision of Goerte combined with the fundamental realism of one who lived through Nazism and the East-West developments after the war.

The fact that President Johnson is flying to Rhöndorf for Dr. Adenauer's funeral is significant of the deep respect the American Nation holds for the courage, dignity and compassion of that great man.

The friendships that Konrad Adenauer formed during his years of leadership in Germany crossed every political and ideological boundary, and yet he never lost sight of his dream of a united Germany and a strongly allied Europe.

During my trip to West Germany during the Berlin crisis of 1962, I was deeply impressed by Dr. Adenauer's thorough understanding of the conflict and his readiness to take any step to ease the tension, while at the same time reaffirming with the United States the importance of West Berlin.

Mr. Speaker, we in the Congress, and particularly the members of the Foreign Affairs Committee, should feel a deep sense of personal loss. But I sincerely feel that Dr. Adenauer's contributions to the world and towards world peace will continue as the ideas he formulated and left with us and the spirit he has left within the German people multiply and expand.

I think it eminently correct and fitting that a resolution expressing the respect and sense of loss we share today with the people of Germany. One of the great men of our times has passed from the arena. His great dream was a world at peace. It is a dream that we all dream and hope will come true. Because of Doctor Adenauer's leadership, I believe we have moved closer to making the dream a reality. His life spanned the nonturbulent years of this planet's history and yet he never lost hope. We are the beneficiaries of the legacy of his hope, and the world is richer because he passed that hope to those who survive him.

Mr. ALBERT. Mr. Speaker, I yield to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCormack].

Mr. McCORMACK. Mr. Speaker, the world pauses to mourn the passing of one of the great leaders of the postwar world—a man who has made his mark and an outstanding contribution on the constructive aide in the pages of history, the late Konrad Adenauer of Germany.

I had the pleasure of meeting this great gentleman on one of his visits to Washington. He was a humble man—a kind man—a man of strong and firm convictions—which the record of his life clearly shows.

Konrad Adenauer was a great friend of our country. He was a true ally. Under his leadership his nation and his people have become deep and lasting friends and true allies of our beloved country.

He believed in the establishment of close and lasting ties between the nations of North America and the nations of Western Europe. He was one of those who played a very important part in the building of the Atlantic community in which the United States, Germany and Western Europe have worked so closely together for their mutual best interests.

Konrad Adenauer was a man of deep faith. He made a profound impression upon not only those who knew him personally but upon people throughout the entire religious world.

My various colleagues have adequately referred to specific contributions made by him; so I shall not reiterate what they have said. But as we survey the distinguished 90-odd years of the life of this great statesman, we can only marvel at the richness and strength of his character.

I saw the rise of the Hitler movement, and I was one of those who tried to warn our people, but my voice was like a voice in the wilderness. But Konrad Adenauer was in Germany. He was on the battlefront faced with immediate danger to himself. During the rise of the Hitler movement he spoke out strenuously against the Nazis, objecting to them on intellectual and moral grounds.

During the Hitler era Adenauer was imprisoned twice. Just imagine that amazing courage and moral conviction. He was imprisoned twice, in 1934 and in 1944, and he was subjected to harassment from the Gestapo. But he refused to compromise his ideals and he emerged from that period of German history ready to lead his country back to an established and respected place in the world community. Like all of us, he was a human being, but those qualities of mind that he possessed, as evidenced by his life and his accomplishments, will always, as I have said, occupy prominent pages in the history of man, not only because of what he did for his own country in rebuilding it and providing great leadership during the reconstruction, but also for the rich qualities of a mind that could only emanate from a deep moral belief and a deep moral origin.

Today we pay tribute to his genius, to his perseverance, to his vigor, and to his full contribution to the defense of liberty.

As a Member of the House and as Speaker of the House, while I regret the fact of his passing on requires the offering of this resolution, I know that I express the sentiment of all my colleagues in saying that we are very happy and very proud to recognize the great accomplishments of this outstanding statesman in the unanimous passage of the resolution which is pending before the House.

Mr. WHALLEY. Mr. Speaker, I want to join with my colleagues in paying tribute to the memory of Konrad Adenauer.

All of us share the profound loss which his death brought to the German nation.

He was, without doubt, the personification of the finest qualities of the great spirit of that nation.

And he was, also, the spiritual father

of modern Germany; a stanch advocate of freedom and of strict morality in international relations.

He neither forgot, nor tried to ignore, the terrible excesses of nazism. He believed that the German nation had to make amends for them. At the same time, he did not dwell on the terrible past, but tried with all his heart to build for the future.

He was a true friend, and a valuable partner in the colossal task of rebuilding the war-torn Europe and laying the foundations for mutual security and peace.

His support of NATO, and his willingness to work with us, and with all other countries dedicated to the cause of freedom were instrumental in making possible a very great period in the history of the North Atlantic community.

We mourn the passing of Konrad Adenauer—and we extend to the people of his nation, whom he had served so well and so long, our deepest sympathy.

Mr. RUMSFELD. Mr. Speaker, former Chancellor Konrad Adenauer, who founded the postwar Federal Republic of Germany, has died at the age of 91. I join with the hundreds of millions of people in the free world in expressing my sympathy to his family, his friends and his countrymen.

In his 14 years as Chancellor, Mr. Adenauer brought his country from the rubble of a devastating war to the substance of a country rebuilt and prospering. He stood firm against nazism in the political chaos of a stormy decade. His numerous accomplishments establish his permanent niche in the catalog of great world leaders.

Mr. LUKENS. Mr. Speaker, with the passing of Konrad Adenauer, the world, as well as Germany, lost a dynamic, capable and youthful—if anyone at 91 could be called youthful, certainly "Der Alte" could—leader of the highest humanity.

Should any country produce a man such as Dr. Adenauer, that country could only profit from such a citizen. When Europe was on its postwar course of great question and indecision, giants of integrity and leadership were needed, and Dr. Adenauer was such a giant. When the German Republic needed to move, he proved the catalyst to incite such motion. The world knows its loss, the world mourns a friend's passing, while acknowledging its pride in his having been counted as a friend.

Mr. KEITH. Mr. Speaker, I join my colleagues in paying tribute to the outstanding statesman who not only restored his country to a position of respectability and power but also worked for the establishment of European unity.

Chancellor Konrad Adenauer will be missed and mourned throughout the free world. The memory of the man who opposed tyranny in any form and strove to create a strong Atlantic partnership will live on in the hearts of those who cherish freedom. Hopefully, the Europe envisioned by the Federal Republic's first Chancellor will become a reality, and Konrad Adenauer will be remembered as one of the most illustrious sons of Germany.

Mr. DOLE. Mr. Speaker, I wish to join the 357 other Members of the House of Representatives in expressing deep sadness at the death of Konrad Adenauer, the great leader of the Federal Republic of Germany and the Western World, and in requesting that our condolences be conveyed to the Government and people of the Federal Republic of Germany.

Mr. WHITENER. Mr. Speaker, in the death of Dr. Konrad Adenauer the United States has lost a wise and stanch friend, and the world has lost one of its greatest statesmen.

Winston Churchill compared Dr. Adenauer to Otto von Bismarck, the great Chancellor of Imperial Germany. Bismarck and Adenauer will be remembered as two of the greatest German leaders. Both led their nation to greatness.

Bismarck and Adenauer were quite dissimilar, however, in character. Bismarck forged a Germany based upon his philosophy of blood and iron. The Iron Chancellor was a man of war; Adenauer, a man of peace.

To Adenauer was given the task of lifting his people from military, economic, and political defeat. He was 73 years old when he assumed the post of Chancellor of the Federal Republic of Germany.

Through his undaunted efforts and the example of his personal life he gave new hope to the German people and a will to rebuild the German nation from the ashes left by the Nazi defeat. Through his leadership the German people were to overcome the effects of a devastated economy, a divided country, and Communist pressure.

The great German nation today stands as a monument to the character, the statesmanship, and the genius of Konrad Adenauer.

When he laid aside the burdens of his office in 1963, I think one of the greatest compliments he received was from former Prime Minister David Ben-Gurion of Israel. Ben-Gurion said of Adenauer that he was a man "who will be remembered in German and European history as one of the great statesmen of our time."

President Eisenhower said of him that he was a "towering international figure from whose wise counsel and keen analyses of international problems I have profited immeasurably."

Former President Truman said of Adenauer that—

> He is one of those extraordinary men who took over leadership at a decisive moment of history.

President Kennedy wrote him in 1963 that—

> Germany today is respected by all free nations as a champion of peace and freedom for you have created in your own land a stable, free, and democratic society which stands in sharp contrast to the repression still enforced on so many of your countrymen. To them you have given both help and hope, rightly refusing to accept as permanent the unnatural division of your nation, capital, and people.

"The vanquished must have patience," Chancellor Adenauer said upon assuming the leadership of his country. His philosophy of patience, his Christian character, and his devotion to freedom were the lamps which lit the pathway by which he led Germany from darkness into light.

Churchill has left us, and now Konrad Adenauer has passed into eternity. No one can take their places, but the contributions they made to peace and freedom will be remembered through the ages.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the resolution before the House.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 357, nays 0, not voting 76, as follows:

[Roll No. 70]

YEAS—357

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Cabell
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Cohelan
Colmer
Conable
Conte
Conyers
Corbett
Corman
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Devine
Dickinson
Donohue
Dorn
Dow
Dowdy
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Ford, Gerald R.
Fountain
Fraser
Friedel
Galifianakis
Gallagher
Garmatz
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kazen
Kelly
King, Calif.
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McFall
Macdonald, Mass.
MacGregor
Madden

Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Rumsfeld
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Sikes
Sisk
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zion
Zwach

NAYS—0

NOT VOTING—76

Ashmore
Barrett
Berry
Blatnik
Burton, Utah
Byrnes, Wis.
Cahill
Carey
Clark
Clawson, Del
Collier
Cowger
Cramer
Dawson
Dent
Derwinski
Diggs
Dingell
Dole
Downing
Foley
Ford, William D.
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gardner
Gettys
Goodell
Gray
Green, Oreg.
Gurney
Hardy
Hawkins
Hébert
Jacobs
Jones, N.C.
Karth
Kee
Keith
Kirwan
Long, La.
McDonald, Mich.
McEwen
McMillan
Machen
May
Moore
Morris, N. Mex.
Nedzi
Nichols
O'Neal, Ga.
Patman
Pepper
Pirnie
Pool
Resnick
Riegle
Rivers
Ronan
Rooney, N.Y.
Roudebush
Roybal
Ruppe
St. Onge
Scheuer
Shriver
Skubitz
Smith, Iowa
Teague, Tex.
Tuck
Udall
Watkins
Williams, Miss.
Younger
Zablocki

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

IMPORTATION OF DAIRY PRODUCTS

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, the importation of dairy products is increasing at an alarming rate. These imports have increased from about 0.9 billion pounds in 1965 to 2.7 billion pounds in 1966.

The dairy farmer finds it increasingly difficult to stay in business. In Ohio, it has been determined that the dairy farmer gets a return of about 60 cents an hour for his labor. If such a condition long exists, few dairymen will be left in Ohio. As a matter of fact, dairy herds are disappearing at a rate that could be disastrous.

No relief has come to the dairy farmer under existing law, or Executive order. I, therefore, have joined more than 115 colleagues in the House in introducing legislation to further restrict the imports of dairy products.

AUTHORIZING DISPOSAL OF NICKEL FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5786) to authorize the disposal of nickel from the national stockpile.

The Clerk read the bill, as follows:

H.R. 5786

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately sixty million pounds of nickel now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The **SPEAKER.** Is a second demanded?

Mr. ARENDS. Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER.** The gentleman from Massachusetts [Mr. PHILBIN] is recognized for 20 minutes, and the gentleman from Illinois [Mr. ARENDS] will be recognized for 20 minutes. The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, H.R. 5786 provides for the release of 60,000 pounds of nickel from the national stockpile.

In January of this year, the Office of Emergency Planning reduced the stockpile objective for nickel from 50,000 short tons, an objective established in 1963, to 20,000 short tons. This bill would provide for the disposal of all excess nickel in the national stockpile above this new objective.

Because of the substantial reduction in the objective, we thoroughly went into the matter of whether this reduction would impair national security. We realize that the stockpile is solely for the purpose of providing us with the minerals needed in order to wage a war and to effect a recovery therefrom. But, in recognizing this fact, we also must take into cognizance that there is no need to stockpile materials above the required objective. In fact, it is also our duty and the duty of those in the Administration, to dispose of materials above the stockpile objective in a way so as not to disrupt markets. Obviously, the best time to do this is when there is a shortage of the material in the marketplace. I think the action taken by the Armed Services Committee in reporting this bill out is certainly in accordance with the principles established by the law and reflects an honest effort to protect the national defense needs but not to hoard unnecessary materials.

I believe we went into the national security requirements as thoroughly in this hearing as we have on any hearing relating to the disposal of materials from the stockpiles. Let us look at the record:

A representative of the Office of Emergency Planning, that agency charged under the law with the determination of stockpile requirements, testified that the stockpile objective for nickel was reduced on January 13, 1967 from 50,000 to 20,000 short tons. He further told the subcommittee that while most of the assumptions and considerations used in their 1962 review were still in effect, there were three basic differences.

First, the percentage of Canadian output coming to the United States has been rising slowly in recent years and the recent review assumed a somewhat higher share of Canadian production being shipped here than was previously assumed. This represents an improved supply outlook.

I think the Congress should note that in World War II, the United States received 81 percent of Canada's production, and in Korea, the United States received 66 percent.

Second, the estimate of savings from conservation and use limitations was made more severe in the 1967 review. This step, which was taken only after discussions with industry technicians, represented a deduction on the requirement side of the balance. In the review, they have reduced the requirements for plating 15 percent of the 1966 consumption. By contrast, during Korea, the OEP reduced the use for nickel for plating 65 percent.

Third, and most importantly, the OEP did not provide a reserve against what they term a concentration hazard in their latest study. This difference alone accounts for substantially all of the 60-million-pound reduction in the new stockpile objectives. Concentration hazard discounts or reserves have been provided in the studies of 18 stockpile materials. It was applied in those instances where a plant or supply source in the United States or Canada accounted for 25 percent or more of the estimated requirement of a material in the first mobilization year. The theory behind this discount is that there is an undue risk involved in that the plant might be sabotaged, destroyed by fire or lost as a result of some natural disaster.

In these instances, the OEP has increased the deficit otherwise calculated by the amount of the plant's production for the estimated period of time it would take to establish the facility.

Approximately 1 year ago, the Director of the Office of Emergency Planning requested the National Academy of Sciences to establish an ad hoc committee to examine the validity of this so-called "concentration hazard" discount. This ad hoc committee reported on October 31, 1966 stating that the general idea of employing discount factors to reflect geographic and/or production concentrations was valid. However, the committee recommended that OEP, before applying the discount, should determine whether the company owning the plant or plants had substitute capacity which could take place in the event the plant was destroyed.

In the case of nickel, the projected supply from the major refinery of International Nickel Co., located at Port Colborne, Canada, had been discounted for the first year of the 3-year emergency planning period because of its dependence on electric power from the Niagara power complex. The OEP inquired of the International Nickel Co., and then they personally determined that the company had sufficient refining or sintering capacity located at its Copper Cliffs, Ontario, and Thompson, Manitoba plants to almost compensate for the loss of the Port Colborne capacity. Therefore, they have continued to discount the capacity of Port Colborne but have substituted the capacity at Copper Cliffs for it and established a new objective at 20,000 short tons.

We were given assurances by the Office of Emergency Planning that the Department of Defense concurred in the disposal as had the Department of Interior, Department of State, Department of Commerce, the U.S. Tariff Commission and the General Services Administration. Obviously the assumptions as to the length of the war period, the manpower forces that they are going to work with, are supplied by the Department of Defense, but the actual computation based on these submissions are made by the OEP.

In addition to a representative of the OEP, we also heard from representatives of the General Services Administration and the Department of Commerce, who also urged the release of this metal.

We then discussed the matter with the vice president of the International Nickel Co. who verified the increased and additional capacity of their plants located in Canada.

Mr. Speaker, we in the Congress after having assured ourselves as to the accuracy of the statements presented to us, do not have the competence to substitute our judgment over the advice of experts in this field.

But there is another major reason why the subcommittee and the Armed Services Committee concurred in this legislative recommendation and that is, because the President has the authority under the Defense Production Act to curtail nondefense use of nickel whenever he deems it to be in the national interest so to do.

I think we are all aware that the use of nickel has quadrupled over the past 5 years in nondefense industries and that capacity has been increasing in Canada and in New Caledonia to provide for this additional usage. So, the end result is that this increased capacity for nickel can be converted for defense usage whenever it is in the national defense.

It was with this realization that the Armed Services Committee agreed to release nickel from the stockpile. I think in doing so we are acting not only prudently but wisely. Never in my life have I been barraged by so much correspondence from users of any commodity as I have by the consumers of nickel, and the great bulk of the correspondence has come from those who need nickel for defense-rated orders.

I am happy to inform the Congress that the disposal plan for nickel envisions 50 million of the 60 million pounds to be released under this bill will go for defense-rated orders. The remainder will be sold to alleviate hardships in nondefense industry.

Is it prudent to hoard if we do not need the material? Is it wise to force national defense suppliers to go to the so-called gray or black market and pay exorbitant prices for nickel only to have the cost of such nickel charged against Government contracts?

I agree with the able and distinguished members of my subcommittee who filed separate views in this matter in that the principal reason for the very existence of the stockpile is to protect us in case of war and emergency. But recognizing the productive capacity in Canada alone will be approximately 470 million pounds of nickel this year and that by 1970 it will be approximately 550 million pounds which can be diverted if necessary to national defense needs, I do not feel that we are endangering our national security by this release.

The average acquisition cost of nickel that we are releasing is approximately 56 cents per pound. The current market price for nickel is 84½ cents per pound. The Government will stand to make approximately $17 million on this transaction.

Mr. Speaker, I strongly urge the passage of this bill.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I yield to the gentleman.

Mr. MONAGAN. Mr. Speaker, I rise in support of H.R. 5786 which is similar to legislation I introduced (H.R. 8066) providing for the release of 60 million pounds of nickel from the national stockpile.

As Representative of a highly industrialized district, I have been besieged by requests of assistance from industry due to the shortage of nickel. In the 89th Congress, I sought to relieve this shortage by sponsoring legislation which was ultimately enacted into law to provide for the release of 24.5 million pounds of nickel from the national stockpile. This release which has been exhausted reduced the stockpile to the 100-million-pound level deemed necessary for national defense. Since that time, the Office of Emergency Planning has revised the stockpile objective so that there is now a 60-million-pound excess.

Since such an excess exists, I urge the adoption of H.R. 5786 to relieve this Nation's industry from the impact of the worldwide shortage of nickel.

I take this opportunity to urge adoption of H.R. 5786 and, also, to commend the chairman of the Armed Services Committee [Mr. RIVERS] and the chairman of the subcommittee which initially recommend its approval [Mr. PHILBIN] for their prompt action on and approval of this important piece of legislation. Their efforts will prove beneficial to the national economy and we can all be grateful for their astute and sound leadership in this matter.

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I rise in support of H.R. 5786.

Like my colleagues who filed separate views, I, too, am vitally concerned with stockpile objectives. The very reason for the stockpile is to protect us in the event of war and the recovery therefrom. Therefore, this is the first consideration that the Armed Services Committee should take into account when we are considering any disposal from the stockpile. I can understand that this reduction in objective from 50,000 tons to 20,000 tons is a matter over which reasonable men may disagree.

Nevertheless, I sat through the subcommittee meetings on the disposal of nickel, and I questioned rather intensively the witnesses from the Office of Emergency Planning, the General Services Administration, the Department of Commerce, and industry witnesses representing both the consuming and producing segments, and I am convinced that the recent reduction of the stockpile objective from 50,000 short tons to 20,000 short tons will not impair national defense.

I base that reasoning on two factors: One, the increase in the productive capacity currently in being and the planned increases in productive capacity which will result from expansion of plants in Canada and New Caledonia as well as the new productive facilities being created in Minnesota. Secondly, I think it is highly significant that the President has authority under the Defense Production Act to curtail nondefense use of nickel whenever he feels it is in the national interest to so do.

Like the distinguished chairman of our subcommittee, Mr. PHILBIN, I, too, have been barraged by mail from friends of long standing, pleading for a release of nickel from the stockpile so that they can fill orders for the Defense Department.

I feel confident that the increase in capacity as outlined by the representatives of both Government and industry will actually be accomplished by January of 1968 so that production will equal consumption. In the meantime, we will have alleviated not only great hardship in industry but also reduce the cost of the end products to the Government.

You may be assured that I would deplore, however, and would publicly denounce any efforts to use the stockpile as a means of budget manipulation if the action taken thereunder would impair national defense.

On the other hand, I can see nothing wrong with the policy of selling off surplus commodities and putting the funds into the National Treasury whenever we are assured that the material is surplus to our national defense needs. In a previous occasion on the floor of this House, I have expressed my concern regarding certain actions taken by the President in releasing copper and aluminum in order to drive prices down or as a means of controlling inflation. In this instance, however, as in all stockpile bills reported by the Armed Services Committee, I am convinced that the only thing the committee has considered is whether or not it is safe to release the excess materials without jeopardizing future national security requirements.

All things considered, I believe it is in the best national interest to release the 60 million pounds of nickel. I urge your support of this bill.

Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. Gubser], a member of the Committee on Armed Services.

Mr. GUBSER. Mr. Speaker, I recognize the good faith of the majority of the committee and those who have spoken in behalf of this bill, but with equal good faith, and in service of my own conscience, I find it necessary to express myself in opposition to the passage of this bill.

The bill would reduce the stockpile of nickel to 20,000 short tons, less than a 5-month supply.

For a moment let us explore the real purpose of the national stockpile. It is not to supply the needs of industry for the manufacture of consumer goods. It is not to cut back on budget deficits by bringing revenue into the general fund of the Treasury—and that is where the proceeds from these sales go. It is not for the purpose of regulating inflation and controlling economic factors, such as price levels; it is not for the purpose of making a profit.

The stockpile is for one purpose and for one purpose only, and that is to assure this country an adequate supply of strategic metals if and when we need them for national defense purposes or in the event of an emergency. In good conscience I must say that this purpose is not being served by reducing the stockpile to a mere 5-month supply. It is justified on the basis that a potential increase in production—not a present increase, not one that is in being, but one that is expected—will provide enough supplies of nickel ore so that we can have what is required for the national defense with a 20,000-short-ton stockpile.

The reason the administration gives for a disposal now is that a favorable price can be had in today's marketplace. This is decisionmaking for profit and not service of the true purpose of a stockpile.

I contend that if the purpose of the stockpile is to be saved, and if we are not to defile and pervert it, an increased productive capacity should be in being before we take the chance of cutting back to a paltry 5-month supply of a metal which is so strategic that it is necessary for jet engines, for electroplating, the manufacture of aircraft frames, and in a dozen different vitally needed defense operations.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I just want to commend the gentleman for bringing these matters to the attention of the House. If this policy, is continued, we will find ourselves in the same position with regard to nickel that the country finds itself with respect to copper and our defense stockpile, where we have a very, very limited supply of that commodity. If a national emergency arises, we are in trouble.

Mr. GUBSER. Mr. Speaker, I thank the gentleman and I agree with him precisely. At the present time we are using 8 million pounds of nickel per month in defense-rated orders. Some people will say 90 percent of this release will go to defense-rated orders, but this confuses the issue, because the release in turn releases the same amount for the production of consumer goods. So the purpose of this release is to help out the market in the production of consumer goods, not the national defense.

I question—and I question in good faith, even though the testimony was unanimously against me—whether or not this 20,000-short-ton supply is the proper one. In 1954, the stockpile objective was 450,000 short tons. In 1963, it went down to 50,000 tons, and this would take it down to 20,000—less than a 5-month supply.

These are human decisions. We got caught short in World War II and in Korea for want of strategic materials. That is why the stockpile was set up. Should human judgment be stretched to the point where we have a reduction from 450,000 short tons in less than 12 years to 20,000 short tons—only a 5-month supply?

Mr. Speaker, I believe that this defiles and perverts the very purpose of the stockpile, and it should not be allowed.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, how much nickel is used in the Lyndon Johnson Great Society "funny money" program?

Mr. GUBSER. In reply to the gentleman from Iowa, it is my understanding that that is a different type of nickel and not the type which is involved in this disposal.

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Dellenback] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DELLENBACK. Mr. Speaker, the reasoning of the minority of the Committee on Armed Services, as set forth in Report No. 187 in connection with H.R. 5786 and as presented in brief on the floor today by the gentleman from California [Mr. Gubser], appears to me logical, in order, and persuasive.

It is for the reasons expressed that I intend to vote against this measure. In the event that it should pass this body, I express my earnest hope that the other body of this Congress will carefully consider the reasoning of this minority of the Committee on Armed Services in its deliberations on this measure.

May we never have occasion to face a national crisis of the type that could well cause this body to regret most bitterly passage of H.R. 5786.

Mr. PHILBIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. Randall].

Mr. RANDALL. Mr. Speaker, I rise in support of the bill H.R. 5786. As a member of the subcommittee I can assure the membership of the House that every disposal from stockpile is subjected to stringent tests by our subcommittee before it is favorably considered. First we hear witnesses from the Office of Emergency Planning, and these witnesses are cross-examined very thoroughly.

This particular bill was reported out because it is felt that, with new sources of production, there would be ample supply of nickel. At this time I wish to pay tribute to the diligence of the chairman of our subcommittee. When we consider any stockpile disposal he applies not one but three or more tests against the provisions of the bill. The paramount test, the acid test, is: Will this disposal of materials from the stockpile in any way adversely affect the national security or our defense posture? That is paramount to everything else. That test is applied to every disposal bill before all else.

This bill has met that test, on the best evidence of knowledgeable witnesses who presented themselves for our questioning.

Beyond this paramount consideration, there is consideration given whether the disposal will affect the industry favorably or adversely and how it will affect the economy, of the country and then, of course, finally whether this disposal is timed right to get the best price for the materials not needed in the national stockpile.

This bill has met all of the tests that were applied. That is the reason it is before the House today. The Armed Services Committee would not approve a bill that would be adverse to our defense posture.

Again I commend my chairman Mr. Philbin for his diligence and careful consideration of disposal of materials from the stockpile to make certain they will affect in no adverse way our national security.

Mr. PHILBIN. Mr. Speaker, I have no further requests for time.

The **SPEAKER** pro tempore (Mr. Albert). The question is on the motion of the gentleman from Massachusetts that the House suspend the rules and pass the bill H.R. 5786.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on H.R. 5786.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file certain privileged reports.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PROVIDING FOR THE PARTICIPATION OF THE DEPARTMENT OF THE INTERIOR IN THE CONSTRUCTION AND OPERATION OF A LARGE PROTOTYPE DESALTING PLANT IN CALIFORNIA

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 439 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 439

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 207) to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 207, the Committee on Interior and Insular Affairs shall be discharged from the further consideration of the bill (S. 270), and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 207 as passed.

The **SPEAKER** pro tempore. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 439 provides for consideration of H.R. 207, a bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes. The resolution provides an open rule with 2 hours of debate. After passage of H.R. 207, the Committee on Interior and Insular Affairs shall be discharged from further consideration of S. 270, and it shall be in order to move to strike out all after the enacting clause of the Senate bill and amend it with the House-passed language.

The purpose of H.R. 207 is to authorize the Department of the Interior, through the Office of Saline Water, to participate financially in the construction and operation of a large dual-purpose plant for sea water conversion and nuclear power generation. The plant will not be a Federal undertaking. It will be built and, for the most part, financed by the Metropolitan Water District of Southern California in partnership with a group of public and private electric utilities serving the southern California market area. The installation is designed to produce 150 million gallons of fresh water per day and approximately 1,800 megawatts of electric power in the ultimate stage. The total financial participation by the Federal Government in this undertaking amounts to $72.2 million—$57.2 million to be provided by the Department of the Interior and $15 million to be provided by the Atomic Energy Commission. Legislation to authorize the Atomic Energy Commission participation has already been enacted, and H.R. 207 relates only to the Department of the Interior participation. The $57.2 million to be provided by the Department of the Interior, through the Office of Saline Water, is keyed to the value of information and data to be gained from construction and operation of the plant and will take the form of a purchase of technology and operating experience.

This is another step in an attempt to consolidate our efforts and through cooperation to progress, we hope, in the area of desalinization of sea water.

Mr. Speaker, I urge the adoption of the resolution to permit the Committee on Interior and Insular Affairs to proceed with debate on this matter.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Missouri.

Mr. HALL. For clarification of the record and for this Member's information, I may have misunderstood, but I understood the gentleman to state that this was not a Federal project. I have read the report, the hearings, and the bill, but is it not a fact that because of the participation of the Atomic Energy Commission and because of the benefits that are expected to be derived from this continuing experiment by the Secretary of the Interior that we are putting $57.2 million in taxpayers' funds into this? Is that not correct?

Mr. SISK. I may say to the gentleman that we are putting that much in from the Department of the Interior and are also putting in $15 million in addition to that from the Atomic Energy Commission. So actually you would have in toto a Federal investment of a little over $72 million. I think it would be fair to lay that out on the table. It is true. These are contributions that are being made by the Federal Government. Of course, what we hope is that it will bring about research and development, and improvement, and so on, that can be valuable to the entire country.

In essence, what I am saying about it not being a Federal project is that there are substantial other moneys that will be involved. I believe the total project runs to something like $400 million or $500 million. The majority of that money will be put in by the Metropolitan Water District of Los Angeles, by private utilities, and others. They believe in this project, and naturally feel an assurance of a recovery of benefits from it, or else they would not be willing to put this money up.

Mr. HALL. If the gentleman will yield further, this gentleman believes in the fallout that comes from research and development, and I am not questioning that. I am vitally interested, though, in whether or not this is a quasi or a semi or a partial Federal project. I did not want the record to go as understanding that it was not. If I understand the gentleman correctly, that is. Second, I wonder if the gentleman can advise this Member if there are any strings or controls attached to the proposed legislation whereby with this input of $72.2 million of taxpayers' money we can expect to retrieve benefits. Is there a reclaimer or a reverter clause for this portion of the funds and a preferential copyright, so to speak, as to what benefits might be derived from the public research and development and further experimentation to all the peoples of the United States of America?

Mr. SISK. I would like to answer that and then later yield to the distinguished gentleman from Colorado, the chairman of the Committee on Interior and Insular Affairs as well as a member of the Joint Committee on Atomic Energy. He has a double-barreled knowledge of this.

I would first like to say that there are certain requirements in which the Federal Government would have free entry into this island and into the operation at all times.

Now, Mr. Speaker, at this point I would like to yield to the gentleman from Colorado for such comments as he might care to make on this particular point.

Mr. ASPINALL. I wish to state that this is a partnership operation, the gentleman from Missouri is correct when he states that there is a quasi-relationship of a Federal project. I think what the gentleman from California intended to convey is that there would be no ownership in the facilities by the Federal Government. It would be owned only by the other parties to the partnership. What is to be gleaned from this operation is the technology and the know-how that comes out of designing this kind of a plant for research and the development production that will result. What the Federal Government gets out of it is not only the know-how at the time it is going on, but it is the release to the public of everything that is done at this particular installation.

Mr. Speaker, there will be nothing done here which will be withheld from the public. All of it will become the property of the people of the United States.

Mr. HALL. Mr. Speaker, if the distinguished gentleman from California [Mr. Sisk] will yield further, might I ask the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. Aspinall], after thanking the gentleman for this complete explanation; under the proposed bill which this resolution makes in order what portion of the Federal contribution is going—or is proposed to go—for the construction of this new manmade island?

Mr. ASPINALL. Mr. Speaker, if the gentleman from California will yield further——

Mr. SISK. Yes; I am happy to yield further to the gentleman from Colorado [Mr. Aspinall].

Mr. ASPINALL. Mr. Speaker, permit me to say that this contribution will be for the construction of the desalinization facilities and not for the construction of the island involved.

Mr. Speaker, this money is to be used in this manner—a part for the design of the saline water project, a part for the construction work, and a part for operation and maintenance during the time provided.

Mr. HALL. I understand.

Mr. ASPINALL. A part or a portion of this money will be used in the general development of the saline water program itself.

Mr. Speaker, the other facilities provided are to be built through moneys coming from other sources rather than from Federal governmental sources.

Mr. HALL. Mr. Speaker, will the gentleman yield for one final question?

Mr. SISK. I shall be glad to yield further to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I would like to follow through on my original question, will there be contained herein any reverter clause with reference to this island under the concept of riparian rights or under the concept of Federal participation—will the Federal Government have access to it and, if so, for how long?

Mr. ASPINALL. Mr. Speaker, will the distinguished gentleman from California yield further?

Mr. SISK. Yes, I am happy to yield further to the gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, the Federal Government will have the right to participate in the operations of the plant so long as this plant is operated. Federal Government representatives will have the freedom to go out to look over these properties and to see what is being done. However, there is no reverter clause to the Federal Government insofar as the ownership of the island itself is concerned. The island itself will be constructed and controlled through the use of moneys other than moneys furnished by the Federal Government. Most of the construction expenses, not only for the saline water plant itself, but also for the powerplant facilities will be furnished by private utilities in partnership with public utilities, rather than by the Federal Government. These will be owned by the people furnishing them. Mr. Speaker, all that we are proposing through the adoption of this legislation is that we will invest for research and technology involved in this particular research program of making potable water out of sea water.

Mr. HALL. Mr. Speaker, if the gentleman from California will yield further——

Mr. SISK. Yes, I yield further to the gentleman from Missouri.

Mr. HALL. If, assuming, the desalination waterplant fails—and I certainly hope it does not—because I know of an instance wherein our committee, the Committee on Armed Services of the House, sought to replace such an operation by lifting out an operation of this type to be used elsewhere due to a certain crisis—but should it fail, in a purely hypothetical case, the property then established in the sea, as I understand it, off the now normal coast of California, does not belong to the Federal Government but would, in fact, belong in toto to these private people who back this construction; is that correct?

Mr. ASPINALL. Mr. Speaker, if the gentleman from California [Mr. Sisk] will yield further, if the gentleman from Missouri means that for the construction of the island to take place there must be a permit issued by the Atomic Energy Commission, then the gentleman from Missouri is correct. The property will belong to the State of California or the entities in this instance under the control of the State of California.

Mr. HALL. Mr. Speaker, I thank the gentleman from California [Mr. Sisk] for yielding.

Mr. SISK. Mr. Speaker, I urge the adoption of the resolution and reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 439 provides an open rule with 2 hours of debate for the consideration of H.R. 207.

This measure, H.R. 207, authorizes the Department of the Interior, through the Office of Saline Water, to participate financially in the construction and operation of a large dual-purpose plant for sea water conversion and nuclear power generation. It will be built and, for the most part, financed by the Metropolitan Water District of Southern California in partnership with the Southern California Edison Co., San Diego Gas & Electric Co., and the City of Los Angeles Department of Water and Power.

The installation is designed to produce 150 million gallons of fresh water per day and approximately 1,800 megawatts of electric power in the ultimate stage. The total cost of the combination nuclear power and desalting plant is $400.4 million, which would be shared as follows: Department of Interior, $45.7 million; Atomic Energy Commission, $15 million; Metropolitan Water District, $126.7 million; and the three utilities above mentioned, $213 million. In addition, the Department of the Interior will contribute $11.5 million toward operation and maintenance of the desalting plant.

This plant will have important relationship to the water problems of the Lower Colorado River Basin, including southern California—the most critical water problems of the Nation. The basin States and the Federal Government have been searching for years for acceptable means of water augmentation for this water-short area. Up until now, desalinization costs have been prohibitive, but feasibility studies on which this proposal is based indicate that the cost of desalted water at the plant site—a manmade island offshore from Bolsa Chica State Beach in Orange County—will be approximately 22 cents per thousand gallons, well below the previous aim of the Office of Saline Water for 38 cents per thousand gallons.

The amount which the utilities will pay is equal to the estimated cost of a single purpose, two-unit, power-only plant of the same general type. In other words, the cost which Metropolitan will pay, with assistance from the Federal Government, is the incremental cost of adding the desalting works to the project. The present target date for the first phase of the projects, including segments of both desalting and powerplant, is 1973.

Mr. Speaker, I urge the adoption of the rule and I reserve the balance of my time.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. Gonzalez].

(By unanimous consent, Mr. Gonzalez was granted permission to speak out of order.)

Mr. GONZALEZ. Mr. Speaker, I wish to express my appreciation to the members of the committee and the chairman for permitting me this time to speak out of order.

Mr. Speaker, the reason I desire to speak out of order is so that I may enlighten the Members of the House as to a very historical date that will be commemorated and which will take place tomorrow because, Mr. Speaker, 131 years ago something happened that had a marked effect on the national destiny as well as on the destiny of the State of Texas, and for its statehood which ultimately came into being.

Mr. Speaker, in Texas we will be commemorating San Jacinto Day tomorrow. This is a day that commemorates the victory by Sam Houston over the army commanded by General Santa Anna, an occurrence which eventually led to the independence of the Republic of Texas and to creation of the establishment which eventually joined with the Union.

This was a very definitely heroic action on the part of a band of patriots who took up arms in defense of the basic constitutional rights of the day. Sam Houston and his men were actually fighting for the restoration of the Constitution of 1824—the Mexican Constitution of 1824 which had been suspended by General Santa Anna.

The rest, of course, is history.

Mr. SISK. Mr. Speaker, I have no further requests for time.

I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. JOHNSON of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 207) to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. JOHNSON].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 207, with Mr. GALLAGHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. JOHNSON] will be recognized for 1 hour and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 1 hour.

The Chair recognizes the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I yield such time as he may require to the gentleman from Colorado, the chairman of the full committee [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, simply and succinctly speaking, this legislation provides for an authorization of the expenditure of $57.2 million in furtherance of our program to make potable and usable water out of sea water.

The questions to be answered today have to do with the worthwhileness and the feasibility of the Federal Government joining in a partnership for the purposes stated—for the purpose of undertaking with private enterprise and with other public interests and some agencies of local government, in a scientific program that means so much to the peoples of the world generally and to the United States in particular.

Although questions having to do with the operation of the Office of Saline Water are in order in this particular discussion this afternoon, we must keep in mind that the authorization bill for the Office of Saline Water will be before this body in a very short while, a bill having been reported out of the Committee on Interior and Insular Affairs.

This legislation provides for research and studies that will be carried on in harmony with the work of the Office of Saline Water. But it is a separate operation within itself.

Keep in mind also that the Office of Saline Water works under contract procedures. The personnel of the Office is less than 200 and the money that we have appropriated and expended heretofore, almost $100 million, has been used largely in payment of contract services by different groups and individuals who are working for the Office of Saline Water.

Mr. Chairman, through the present fiscal year, Congress has appropriated, over the last 15 years, roughly $100 million for saline water research and development. While there has been no real breakthrough, so far as cost reduction for desalted water is concerned, and this has been a disappointment, there has been steady progress in refinement of desalting processes and in hardware development. Without neglecting basic research or abandoning our hope for truly low-cost water in the future, we have reached a point in the development of one process where we are ready to test it on a large-scale basis for reliability of operation and for determining the actual costs of water production. This is the multistage flash evaporation process which is the most promising process for large-scale conversion to emerge from our 15 years of research and development.

Mr. Chairman, this legislation involves a partnership arrangement for building and operating a large multistage flash desalting plant in combination with nuclear power. Fortunately, the Federal Government has the opportunity to participate financially in this arrangement and acquire the technology and operating experience without having to build a federally owned plant.

This dual-purpose plant for sea water conversion and nuclear generation will be built by the Metropolitan Water District of Southern California in partnership with a group of public and private utilities serving the southern California market area. The total plant cost will be about $400 million, with the Office of Saline Water contributing not more than $57.2 million pursuant to the provisions of H.R. 207 and the Atomic Energy Commission contributing $15 million pursuant to legislation enacted in the last Congress. The overall project consists of two nuclear powerplants, a desalting plant, and related buildings and equipment, all to be located on a 40-acre manmade island offshore from Bolsa Chica State Beach in Orange County, Calif., which will be connected to the mainland by a 2,800-foot trestle causeway.

This project and this legislation authorizing Federal participation therein stems from an engineering feasibility study prepared under a contract between the Metropolitan Water District and the United States, with both sharing in the cost of the study. The feasibility study was conducted by the Bechtel Corp. of San Francisco which found the project physically and economically feasible, with desalted water at plant site costing approximately 22 cents per thousand gallons or $71 per acre-foot.

This plant will not be a high-risk plant from a technical standpoint because it will be based on solid engineering data that have been obtained through design studies and upon evaluations of data obtained from a number of other installations—the first San Diego multistage flashplant operations, the test results that will come from the operation of the Clair Engle 1-million-gallon-per-day multistage flashplant which is presently under construction, and the test results from a 17-million-gallon-per-day module, the construction of which will be initiated in the near future. The Clair Engle plant is expected to be in operation 3 years before the Metropolitan Water District plant is started and the module in operation for 2 years. The construction of the 150-million-gallon-per-day plant in stages will permit the basic desalting technology to be proved out and disseminated in such a way that each successive increment will incorporate the improvements gained through experience with the preceding unit.

Mr. Chairman, the committee held full and complete hearings on this legislation and received no testimony in opposition to the bill. The Department made a good case for the need for the technology and for Federal participation in this project. The committee is convinced that the technology and operating experience, which otherwise can be obtained only by construction of a federally owned plant, is needed in furthering the objectives and goals of the saline water conversion program, and that the cost of $57.2 million is not excessive.

Since this is the first large-scale desalting plant, the desalted water costs will be meaningful for the first time. They will be figures against which the cost of other means of augmenting the water supplies of the Southwest may be compared. In other words, the information and data obtained from Federal participation in this plant will become an important factor in westwide water planning.

The amendments which the committee added to the legislation were adopted in order to protect the Federal investment as well as the non-Federal entities involved in the project and in order to provide assurance that the committee and the Congress will be kept fully informed with respect to the final partnership arrangement and the progress of construction and operation of the project.

Mr. Chairman, H.R. 207 is meritorious legislation and I urge its approval. Mr. Johnson, chairman of the subcommittee handling the legislation, will discuss the bill in more detail.

Mr. SAYLOR. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Chairman, I rise in support of H.R. 207, a bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes.

The purpose of the bill is to authorize the Department of the Interior, through the Office of Saline Water, to participate in the construction, operation, and maintenance of a saline water conversion plant. The plant will be a dual-purpose desalting and nuclear power generating facility, principally financed by the Metropolitan Water District of Southern California, in partnership with a group of public and private electric utilities serving the southern California market area. The bill authorizes a Federal contribution toward both the capital investment costs and the operation and maintenance costs in the sum of $57.2 million through the Office of Saline Water and $15 million to be provided by the Atomic Energy Commission. The plant when completed is designed to produce 150 million gallons of fresh water per day, or 168,300 acre-feet per year, from the Pacific Ocean and generate 1,500 megawatts of electrical power.

H.R. 207 proposes that the Department of the Interior join in this effort creating a Government and industry partnership as a logical and necessary step in advancing the program to achieve low-cost desalting of water. By joining this partnership, significant advantages, not otherwise obtainable, are available to the Federal Government. It would not be necessary for the Office of Saline Water to seek funds for an all-Federal construction of a large distillation plant in order to prove out the engineering feasibility and economics of the multistage flash distillation process. Difficulties associated with the future disposal of a Government-owned plant are avoided. The significant advantages in favor of participating in this project are: First, a ready market exists for the products of the metropolitan water district plant; and second, the proposed plant is fitted into a realistic water need situation and affords the best practicable way to demonstrate the technological and economic feasibility of desalting water while gaining public acceptance and confidence in desalting as a dependable source of water supply.

The participation of $57.2 million by the Office of Saline Water is comprised of $45.7 million toward capital costs of the project and $11.5 million toward annually recurring operation and maintenance costs. These figures represent very little in the way of research and developments costs when compared with other Federal programs. The Department of the Interior has recommended that its participation in this project is in the form of purchasing needed technology and operating experience to advance the saline water conversion program.

The point that should be understood here is that the total Federal contribution of $72.2 million only represents one-sixth of the total capital costs involved in the construction and operation of this dual-purpose plant. Under the proposals advanced by the participants, the power utilities will finance, own, and operate the two nuclear reactors and condensing turbines, and the metropolitan water district will finance, own and operate the desalting plant and back-pressure turbine. The total estimated cost of this dual-purpose plant is $400.4 million which will be shared by the participants in the project.

The amount of money to be spent by this legislation is not substantial when compared to the advantages to be gained from participation in this project. While it may be true that the Office of Saline Water has not developed a new process for the desalinization of water in 15 years, this fact should not stand in the way of progress in this field. The Department of the Interior through the Office of Saline Water has recognized the tremendous advantages obtainable by participating in this project and has requested the authority to participate. The Office of Saline Water considers participation in this project a major breakthrough in advancing the technology and operating experience of large distillation plants. If this is so, then the authority to participate in this project should be granted.

The construction plans call for the metropolitan water district plant to be built in two phases. The first stage will involve the construction of the initial 50-million-gallon-per-day evaporator train, with ancillary facilities such as the conveyance system to accommodate the output of the full-sized plant. The second stage will involve construction of two additional 50-million-gallon-per-day evaporator trains, with the remaining ancillary structures needed to complete the total capacity of a 150-million-gallon-per-day desalting plant.

In the meantime, the Office of Saline Water will have had the opportunity to coordinate and implement into the metropolitan water district project the technology and operating and maintenance experience from the 1-million-gallon-per-day Clair Engle plant and the 17-million-gallon-per-day test module. These latter plants will have been operating approximately 2 to 3 years prior to the construction of the first phase of the metropolitan water district project.

From these facts it is obvious that the Office of Saline Water is not jumping from a planned program of development to a one-shot or crash program. This is really an orderly process of development which fits perfectly into the original time frame of the Office of Saline Water and the Department of the Interior.

Mr. Chairman, some people term this an "iffy" proposition which is being sold to the Congress. I submit this is not the case and such an approach fails to recognize the basic facts that in any scientific effort there exists the element of chance that the results will not prove out as originally anticipated. On the other hand, if Congress must require all scientific efforts to prove out before Federal assistance is obtained, then we have reached the point where progress through scientific research and development has been stopped.

Certainly there is the question of whether or not this project will produce 150 million gallons of potable water per day. This I cannot deny. But, unless the Department of the Interior is authorized to participate in this endeavor, how can we have a way of applying the knowledge and experience already at hand, unless it be done at a much greater cost to the Federal Government?

I submit to my colleagues that if the project does prove to be as feasible as the reports anticipate, then the utility of our conduct in approving this legislation far outweighs the magnitude of the risk involved.

I must also state that the people of southern California have a stake in this legislation. A most important stake indeed, because it is the people of southern California who will be required to pay the rates charged for the water and electricity produced by the facility.

Mr. Chairman, the market for the water and power to be produced from this facility is available, the people of southern California are willing to accept the risks and burdens involved, and the opportunity to advance the Federal Government's desalting program in partnership with private industry is available now. I know of no better time to approve this legislation than at this time when the cost and risk to the Federal Government is at a minimum.

Those of us who live in the arid West have long acted as if we had a corner on water shortage problems in the United States. Unfortunately, during the past few years water shortages have ceased playing regional favorites. The problems have become national in scope.

The water crisis experienced in the East during the past 2 years magnifies the need for the bill before us today. In the years to come sea water desalting will cease to be considered a solution only where a desert borders on an ocean. Water rationing in New York shows that traditional water supply methods may no longer be adequate to supply the total answer to the needs of growing population centers. The variety of engineering, economic, and political problems posed by these conventional systems require serious consideration of water supply augmentation by desalting techniques in many areas of the Nation. We need to develop the technology for large scale desalting so that it may take its place in the water supply picture.

There can be no question as to the timeliness of this project and the necessity that it move forward without delay. We cannot, in the face of our recurring water crises, permit our saline water program to continue at a relaxed and leisurely pace. It is now time that it undertake a bold experiment and to pioneer on a large scale. The opportunity afforded by the project proposed in this bill challenges our saline water program to offer not only the technology of desalting on a large scale but, of much greater importance, forces it to match the economic competition of alternative sources.

This is one of the mandates given to the Office of Saline Water by the Congress. We are presented with a unique situation to see if the technology now in use in many small plants throughout the world can find a proper place in helping to meet the water needs of the second largest city in the United States and the metropolitan area which surrounds it. While the major benefit of this plant to the Federal Government and the metropolitan water district is unquestionably to develop desalting technology so as to demonstrate its potential use, its immediate benefits to southern California also contributed toward convincing the metropolitan water district that it should participate in the effort by investing more than twice what the Federal Government proposes to contribute, plus bear the risk of price escalation and other cost increases.

In furnishing an emergency supply not subject to the natural hazards of the massive aqueduct systems importing water into southern California, particularly where they cross some of the largest and most active earthquake faults in the world, in the enhancement of water quality through mixing distilled water with our existing waters which have a high mineral content and in the supplying itself of an appreciable amount of water, the benefits are substantial.

But the future of desalting as a factor in meeting California needs in the years to come, and how big a factor it is likely to be, is at the heart of this bill from metropolitan's standpoint. Southern California is now faced with planning for its next increment of water, its present water projects geared to meet its needs until the year 1990. Beginning in that year more water than can be furnished by the formidable California State water project must be available. If we must continue to build our immense aqueducts, we must go to sources at far greater distances than its 600-mile length with commensurate increases in cost and the additional hazards and problems in their construction and operation. The fear of other areas that the Southwest is about to rob them of their birthright might be put to rest, or at least deescalated considerably, by demonstrating that desalting can be technically feasible and economically justified on a large scale. But in order to make that decision on alternatives, this project must be undertaken now for the decision must be made in the seventies. All these local considerations, of course, also will be relevant considerations to other areas of the country in the context of their own specific water problems.

Of particular advantage to the Federal Government will be operation of this plant as an integral part of a major water supply system demanding high efficiency and dependability under actual operating conditions in meeting real water needs. The major plant program must move out of the laboratory and into competition with other systems. The three major electric utilities and Metropolitan have many years of successful experience in meeting the needs of some 10 million people and the advantages of working with large highly experienced staffs with the resources and flexibility to meet constantly changing conditions. These capabilities will be vital contributing factors in the success of this plant.

With the many sophisticated Federal research programs underway today, the development of new technology in water may lack excitement and publicity value. But its value to our citizens, our industry and our cities cannot be underestimated. And with our renewed consciousness of our water problems, this investment by the United States to meet the water needs of the millions more people we will have within the next generation will prove to be one of our wisest expenditures.

I hope you will support this bill. We should not miss this opportunity, under such advantageous circumstances, to serve our national policy objectives by developing an important area of technology at minimum Federal cost.

Mr. Chairman, one thing ought to be made crystal clear at this point in the discussion. It is that Uncle Sam is not buying nuts and bolts and hardware, real estate, or any other physical thing under this piece of legislation. The United States of America is seeking to learn how effectively and economically to obtain fresh water in very large amounts at particular places where it is badly needed.

As the gentleman from Colorado indicated, there are a number of places in the United States where this quantity of fresh water is badly needed. Not only that, there are many—very many—places around the world where this quantity and larger quantities of fresh water are very desperately needed. Not too long ago, I saw a projection map of the areas of the world where the most severe armed conflicts have occurred during the two decades since World War II. The areas of conflict in more than half of these cases were the arid areas of the world.

So the United States has not only an internal interest in achieving this kind of technology but also an external interest, one which in the end may have quite a bit to do with achieving peace in the world.

If we figure that we are fighting a $24-billion-a-year war in Vietnam, and figure that for perhaps $57.2 million we can obtain some technology which may avoid one or two, or even three, four, or five more of that kind of conflicts in the future, then this commences to look like a pretty good investment.

The project before us happens to be out in California. Why does it happen to be out there? It happens to be out there because California is, first, the fastest growing area of the country; and, second, the area which traditionally has had to pioneer the augmentation of inadequate local water supplies.

It so happens that by the year 1990 in southern California we are going to have to get a whale of a lot of water from some place, in amounts in the tens of millions of acre feet a year. It is going to be costly water. It will have to come 600, 700, or 800 miles from some place, if it is brought in by conduits. It will be costly water if it is desalted out of the next-door ocean.

One or the other, or a third or fourth, alternative for the supply of water will have to be selected on the basis of which is the most economical.

One could say, "You do not need the water now. Wait until 1990 to figure out this desalting." We cannot wait. We must have the technology in hand to move projections ahead to get water by 1990. That does not mean to start building in 1990. The building will start by 1980.

The project before us is not going to be on the line, producing hard information, until about 1975, so it is timely to start it now.

The chart on my left, which was presented to the Committee on the Interior and Insular Affairs in May of 1965, almost 2 years ago, shows the intended plans of the Office of Saline Water for a stage-by-stage development of ever-larger desalting plants.

This chart was put together on the basis that it would be a Government-financed development. Gradually the OSW and other agencies of Government would have put up great sums to obtain this incremental step-by-step increase in technology of water desalting. In the 24 months since this chart was presented to the Committee on Interior and Insular Affairs, this cooperative arrangement out in California was put forward. It became readily apparent that it offered an opportunity to jump in technology from a million-or-so-gallons-a-day plant up to 150 million gallons, thereby saving the expense of the hardware and the equipment involved in the incremental effort. Not only will the cooperative arrangement save that expense, it also will spare Uncle Sam the necessity and expense of supplying the heat source to supply the desalting demonstration. This is a very considerable saving.

Here in the cooperative project all that Uncle Sam will do is come in purely on a precentage of the desalting side. The heat sources, the nuclear reactors and so forth, will be paid for by non-Federal agencies.

As a matter of fact, in this total project only about 15 percent of the money is to be put up by the Federal Government, to purchase that intangible thing known as technology, information, and "know-how." Roughly 30 percent of the overall cost of the project, which is somewhere between $400 and $500 million, is going to be put up by the Metropolitan Water District of Southern California, a public agency. About 55 percent will be put up by three public and private utilities; the Southern California Edison Co., the San Diego Gas & Electric Co., and the Los Angeles Department of Water and Power.

When we can get the public and private utilities together, and can get the electric and water utilities together, and can get the local and Federal agencies all together on one major project, we must know it is a pretty darned good deal, or we could never put such a complicated structure together in the first place.

We are here today to put the final cap on it. Last year this Congress without a lot of argument and without a lot of debate understandingly put up the $15 million that the Atomic Energy Commission requested for its part to hook the nuclear reactor up for the purpose of desalting. I expect that today Congress in its infinite wisdom will again overwhelmingly do this last final legislative act that is needed to insure undertaking this very important, very imaginative, and very, very productive type of activity and insure its being carried on for the benefit of the American people and probably for the benefit of all the rest of the people in the world as well. We know the knowledge here gained and the demonstrations here made and the facts here proved can indeed change man's arid environment into something that is livable and something in which he can live at peace with his neighbors because he does not have to fight any more over a scarce water supply. All of this will add up to a tremendous return to the American people on their investment.

Incidentally, this is an investment which is completely without risk. The risk of escalation and labor troubles and all of the other risks that are inherent in a project like this are being assumed by the people out in California, not the U.S. Government.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. Mr. Chairman, I rise to compliment the gentleman in the well for making his statement in support of this legislation. He has certainly demonstrated his leadership in providing a diversified water supply for southern California.

Mr. Chairman, I want to express my support and urge enactment of H.R. 207, a bill to authorize the development of a desalination plant in California.

This Nation has delayed far too long in investigating the potential for the conversion of salt water to drinking water. Water is one of our most important resources and will become more so as our numbers grow. The Pacific Southwest is in dire need of new water supplies, as are many other areas throughout the country. We must look, in part, to the technology of the future to provide those necessary supplies.

California has been a leader in the modern development of its water resources, but even so, it can only come up with sufficient water to meet its needs until about the year 2020. After that, it will have to turn to means not presently available, such as desalination, to provide water, and we cannot wait until we need them to try to experiment and develop them.

The massive California water plan is a testament to the foresightedness of California's leaders, but it will need to be supplemented in the future, and I believe we should act now to implement a program that will be of value to the entire Nation.

We must not, however, forget the need to continue the rapid development of our water resources through conventional means. I should point out, Mr. Chairman, that we now have rivers with vast water supplies that can be developed, and we should proceed as rapidly as possible to construct the necessary facilities.

The Upper Eel River complex in the First District of California is expected to generate nearly a million acre-feet annually of exportable water. That water is needed, and I feel work on the Upper Eel is proceeding much too slowly. In addition to providing water supplies to the arid Southwest, the contemplated developments will provide the north coast with much-needed flood control and important recreational benefits. I trust we will not overlook the importance of these types of work when considering the fascinating new aspects of water supply.

I wish to commend the Committee on Interior and Insular Affairs and its fine chairman, the distinguished gentleman from Colorado [Mr. Aspinall], for its thorough, but speedy, consideration of the bill, and I would also like to say that its passage is enhanced by the leadership of Senator Kuchel in the Senate.

Mr. HOSMER. I thank the gentleman for his remarks.

In closing I want to express my appreciation to my colleagues on the Committee on Interior and Insular Affairs who come from other States, from far in the East and far in the Northwest, with some of whom we have had battles over water and other matters but who, almost to a man, joined in enthusiastic support of this fine project.

Mr. JOHNSON of California. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. Holifield], the ranking member of the Joint Committee on Atomic Energy.

Mr. HOLIFIELD. Mr. Chairman, I want to express my appreciation and thanks to the members of the House Committee on Interior and Insular Affairs and to its chairman, the gentleman from Colorado [Mr. Aspinall], and to the subcommittee chairman, the gentleman from California [Mr. Johnson], for holding the hearings and bringing forth this bill which has these provisions in it.

I can say that I agree to everything that my colleague, the gentleman from California [Mr. Hosmer], has just told the House. I do not want to be repetitive in my statements. However, there are certain things that I think we can say. That is, probably the greatest need at this time in the world from the standpoint of peacetime needs is the development of adequate supplies of fresh water for the arid areas of the world. This needs comes about because we are using three times the amount of water per capita that we used only 20 years ago. It comes about because of the decreased flows in some of our rivers. We all know about the dropping of the level in Lake Michigan which is imperiling the water supplies of the great metropolitan area of Chicago. We know with respect to the estimates made 30 years ago about the flow of the Colorado River, with the primitive methods they had to estimate the flow, that either those methods of estimation were wrong or there has been a steady decrease in the amount of water going down the Colorado River.

This, too, Mr. Chairman, is important. A number of the States in the Far West—the Upper Basin States and the Lower Basin States—are involved because that great water tributary brings to millions of people who now live in those States and to around 10 million people who live in the southern portion of California—their very life's existence in the form of water. This pertains both to agricultural, industrial, and domestic uses.

I might say, Mr. Chairman, very proudly, that the great State of California has not been adverse to expending its own money and to making its own commitments toward the development of additional water supply. We expended only a few years ago about $500 million in order to construct the metropolitan district water canal, a canal wide enough for two automobiles to drive down, and to provide the canals and the lift over the mountains. If we had to expend that amount of money today in order to provide the same facilities and services it would mean the expenditure of about $1 billion or $1.25 billion in order to bring this water to southern California.

So, Mr. Chairman, not only have natural water supplies diminished in certain areas of the country, but the population is increasing.

Mr. Chairman, the population experts say that by the year 2000, this Nation will advance from 195 million people to around 275 million people, or almost double.

Mr. Chairman, the same experts say that the State of California will go from a population of 19 million people at the present time to around 36 million or perhaps 37 million people, again almost double.

Mr. Chairman, when one considers the amount of water used by each individual in the home, and the amount of industrial use, which is about 560 gallons daily per capita, for instance, as well as the amount of water used in agriculture—and when one considers this increase in population, one is going to have to look for water wherever one can find it. One will have to pay for it. One is going to have to pay more for it than that benefit which he derives from natural rainfall.

Mr Chairman, at the present time we are developing all of the natural sources of water supply and are following the most prudent and efficient procedures for the transference of natural water which it is possible for us to follow.

Mr. Chairman, the State of California passed a $1.7 billion bond issue in order to bring water from that portion involving northern California down to that portion of southern California. This illustrates the intense necessity and immediacy of the problem.

Mr. Chairman, we are preparing now for this tremendous increase in population. However, when all is said and done and when present methods and supplies are exhausted, we still would not have enough water for this further projected increase of population.

So, Mr. Chairman, we naturally look to that great body of water which covers three-fifths the earth's surface, salt water oceans. Therefore, we must ascertain as to how to bring this inexhaustible water supply which now exists in the oceans to the people in potable quality and quantity.

Mr. Chairman, this is what we propose to do through the enactment of this bill, this great proposal which is now pending before us today.

Now, Mr. Chairman, a breakdown on the cost factors indicate that the entire project will cost about $444 million. The utilities will bear of that cost about $257 million. The metropolitan water district will bear about $126 million. The Federal Government an amount which was approved last year and this year of about $72 million.

Mr. Chairman, we propose to use the Federal part of this money to bring about the secondary use of this steam from the nuclear powerplants involved in this project.

Permit me again, Mr. Chairman, to say that the nuclear power is not being subsidized by the Federal Government. However, we are going to try to hook that up and coordinate it with the various water development installations and as a result thereof we will have flash distillation of sea water and produce water at an estimated cost of a little less than 22 cents per 1,000 gallons.

Most desalination processes now in use today run from around 80 cents per thousand gallons, I would say, to perhaps $1.25 or $1.50 per thousand gallons. And there are certain areas on the earth, like the island of Aruba down here in the Caribbean, where they are paying over $1 per thousand gallons for the water that they use for all purposes on that small island.

So when we come down to it we are going to have to pay what we have to pay for the water necessary for vegetable and human life, so we want to make that just as cheap as possible.

By cooperating in this partnership with the private utilities, electrical utilities and this great metropolitan water district which furnishes water for about 70 different municipalities and entities that use their water, we are going to be utilizing a great capital investment on their part of roughly $375 million. This is to be connected to the desalting experiment project which the Federal money is to be used for. We are going to find out if we can move down from 80 cents and a dollar a thousand gallons to 22 cents a thousand gallons.

This is still expensive water in terms of comparison with natural water, but it is a giant step forward, it will be cutting to one quarter the present expense of making salt water potable. So this is a giant step of a 3-to-1 decrease in the cost of water.

We are going to build this in three different individual modules of 50 million gallons per day each. When we complete the first module then we will learn from the first module. Then when the second module will be built we will be able to put in the improvements that have been learned from the first module into the second module. After that we will build the third module, so that we will have a capacity of 150 million gallons of water a day. This is enough water for a city the size of San Francisco.

Just to give you some idea, this 150 million gallons of water will not only be good water, it will be 100-percent pure water. And that is another problem we have in California when we get water from the Colorado, and when we get water from northern California; that water comes to us with a very high mineral content—in some instances two or three times what we should have for potable water. By mixing this water with the same amount of the regular water we get in our aqueducts, we are going to be able to cut in half the mineral content of the combined water.

Also by providing this water to the chemical plants and industries such as that we can obviate the necessity of a costly demineralization process that we have with natural water which we have to distill, in order to secure pure water to supply our chemical processing plants. And we will learn with them. We will be paying for technology. To those who advocate not getting into this field let me just tell them, as my colleague has said, we are spending $24 billion a year in Vietnam, and we are spending $5 billion or more in the space program, while here we are talking about the spending of $72 million over a period of several years for something that is of important potential benefit not only to the people of California, but this is going to be the test project which will be used as a model all over the world. And as we build the succeeding plants we are going to be building better plants, and we are going to be able to bring down the cost of fresh water from saline water, just as we brought down the cost of kilowatts in the nuclear reactors, starting with an initial cost of around 90 to 100 mills per thousand kilowatts we brought it down to around 4 mills per kilowatt. So we are going to bring down the cost of desalinating salt water, and we are going to be able, I believe, within the next decade to bring water to the people of the United States—and this does not mean only salt water, it means the conversion of brackish water which is in existence in many of our interior States, and which is a source of nonusable water at this time, but which will become usable. So that the use of brackish water in many of our interior States which is needed for irrigation, domestic, and industrial purposes will also be possible through this process of purification.

Not only will the people of our own country reap the benefits of this scientific and technological project that we are putting into motion today, but the people of the whole world will benefit.

When you consider that the population of the world was estimated to be about 250 million people at the time of Christ and that it took 1,830 years to reach 1 billion, and then it took 100 years to go to 2 billion people. And then it took 30 years to go from 2 billion people to 3 billion people. The estimates of the population experts are that by the year 2000 if population trends continue as they are today, the population will go from 3 to 6 billion—it is going to be doubled in 35 years in the whole world.

When you just consider the meaning of these population figures and the meaning in terms of food to feed the population and in terms of the water they need to drink and in terms of the needs for industrial water and water for purposes of agriculture—when you just consider those things alone, you can see that today we are embarking upon a truly pioneer project which will bring inestimable benefits for all areas of the world that can afford to put in these great plants.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. EDMONDSON. I hesitate to interrupt the gentleman in what I believe is one of the most eloquent arguments for this bill that I have heard. I know the gentleman is an articulate spokesman on this program and I want to take this opportunity to commend him for what he has done in connection with it and also to take off my hat figuratively speaking, to the chairman of the full committee, the gentleman from Colorado, the Honorable WAYNE ASPINALL, and to the chairman of the subcommittee, the gentleman from California, the Honorable HAROLD JOHNSON, and to other members of the subcommittee who have labored so well and so constructively on this legislation.

I agree 100 percent with the gentleman, that this piece of legislation may in the long term and in its range and scope be one of the most important bills that this Congress acts upon in the 2 years that the 90th Congress will be sitting.

I want to associate myself with the gentleman in support of this legislation.

Mr. HOLIFIELD. I thank the gentleman for his kind remarks. I certainly agree with him in the praise that is due to the members of this committee for the wonderful work they have done in this field.

Mr. MILLER of California. Mr. Chairman will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. MILLER of California. Mr. Chairman, I would like to join the gentleman from Oklahoma in what he has said about the gentleman from California who is now addressing this committee from the well of the House and also in paying my compliments to the gentleman from Colorado [Mr. ASPINALL].

Mr. Chairman, this is one of the most far-reaching things in these times of exploration and discovery. This is a part of the whole area of scientific discovery that we must look forward to in this country if indeed we are going to live in the future with the advantages of these new discoveries as we have lived in the past.

I think it is high time that we do undertake a project such as this to pave the way for those that will have an indispensable need in the future.

Mr. HOLIFIELD. I thank my colleague, the gentleman from California, for his contribution.

Mr. SAYLOR. Mr. Chairman, I yield to the gentleman from California [Mr. REINECKE].

Mr. REINECKE. Mr. Chairman, I think what we are discussing here today is something far more than just an investment in a nuclear powered desalting plant and electrical generating station.

I think we are talking about a very fundamental philosophy about what we are going to do about our water supply and for that matter its effect upon the entire national and international scene.

This legislation should be a matter of interest to the entire body because certainly the benefits from this legislation will be available to the entire country. We might say they are also getting a bargain because they are not investing any money in this bill, beyond the Federal investment, while the people of southern California are investing five-sixths of the cost of the bill.

The water situation of this country is something we hear a good deal about. Frequently, we are told it is in extreme shortage and then other people tell us it is not in such extreme shortage.

One might think perhaps that people tend to overdramatize this problem at times. But I think we must consider all of this very seriously and look not just to a singular source but to all sources of water available to us.

We have to capture natural water and this has been the classical source of water throughout history.

I think that this Congress and through the Committee on Interior and Insular Affairs is doing a good job.

While I do not necessarily agree with

everything that they are attempting to accomplish, nevertheless I say at least they are trying to solve this problem.

The question of weather modification is one that must become a matter of paramount importance in our minds. This is a method that might lead to a most major source of water available to this country by the turn of the century.

Antievaporation measures are another method which should be investigated extensively, and I am sorry to say that very, very little is being done in this area at the present time.

Waste water reclamation and reusage of sewage water could be our most important source of water in the next 25 or 30 years. We have a great deal of water if we would simply put waste water into use, or simply reuse five or six times, as we should, the water that is available to us that is presently in the pipeline, so to speak; we would have adequate water supplies. Conservation fits hand in hand with reuse of water, and I believe this stands for itself. The wasteful use of irrigation water consumes 75 to 90 percent of our available water supply—yielding only 10 to 15 percent of our national income.

Finally, we come to the subject of desalting. We have been desalting water for a long time aboard ships. It has been costing us a great deal. The Office of Saline Water has, throughout the past 15 years, been attempting, not too successfully, to accomplish the objective which we are seeking here today. I doubt very much that I would support this program if this were a complete Federal project, but in view of the fact that this is a very unique situation, particularly to the extent that only one-sixth of this money comes from the Federal Treasury and that five-sixths comes from the metropolitan water district, from the Southern California Edison Co., from the San Diego Gas & Electric Co., and from the Los Angeles Department of Water and Power, it should provide good assurance to the Congress that what we are doing here today has a better than an even chance of success.

I have been critical of these projects for a great deal of the time I have been in Congress. I intend to continue to be critical. But I believe because of this wonderful cooperation we are finding between the non-Federal and the Federal agencies in this case that the 15- to 16-percent Federal contribution is justified.

Another unique situation with respect to this bill is the fact that the area or the site location is a willing location. I am sure many of you men who have talked about nuclear radiation in your hometown have found the emotional response that frequently comes therefrom.

Another asset that I believe is unique in this particular legislation is the fact that not only is the water marketable but so is the power. Bear in mind that we are not just talking about a desalting project, but we are going to generate 1,800 megawatts of power in addition. That is a great deal of power. It will operate primarily as baseload power, and as such is not easily disposable without a very large power market. In fact, the Office of the Director of Saline Water has indicated that this may be a limiting factor in desalting plants of the future. He indicated that if it were not for the Northwest intertie, we might have trouble disposing of this power.

The local utilities have demonstrated their interest in buying this power, and again I feel this affords a unique characteristic.

Mr. Chairman, this project represents a giant step forward. I urge the Committee to consider this legislation seriously. I urge the Committee to support it, and I also urge the Committee to remain critical of the progress of this project as well as other projects in the desalting field, because while this program represents a 150 times greater project in output of product than any project to date in the desalting area, I nevertheless feel that we must be careful that we do not authorize these projects faster than we can equitably take advantage of the technology learned therefrom. I urge my colleagues to support this bill.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. PETTIS].

Mr. PETTIS. Mr. Chairman, those of us who have grown up and worked in the Southwest are very sensitive to any proposal involving water. This is especially true of those now living in portions of southern California where the availability of a suitable water supply is so vital to future prosperity and development. I wish, Mr. Chairman, to join my distinguished colleagues in supporting H.R. 207.

Usable water from this proposed plant will ease the projected water shortage of a large area of southern California. Technical know-how resulting from construction and operation of this prototype plant will be of inestimable value to our Nation and to peoples whose only ultimate source of usable water is the sea. I believe that the investment is one which our Nation must make sooner or later. I think the best time is now.

This project will not only benefit the Far West—but people all over the world who are in need of water; for the technology which will flow from this project will help us provide for all mankind.

Mr. JOHNSON of California. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Chairman, I join my colleagues in expressing our appreciation to the great Committee on Interior that has brought this very timely matter before the House, and for the careful consideration they have given it, and for the expeditious manner in which they have handled this legislation.

I say the expeditious manner, because I believe the first thing we must give our concern to is the timeliness of this legislation. I join particularly in the remarks given here in the well by my colleague from California [Mr. HOLIFIELD), because he has put his finger on the timeliness of this project. He brought to the attention of this House that population is going up, that the water use per person has risen three times per person in the last 20 years, and it is also going up, while the natural water supply of the world is going down.

We have to think seriously of equating these two situations: The growth of population on the one hand, and the diminution of water on the other. The fresh water supply is fixed by natural conditions, so we must husband and manage that water so life will continue on this globe.

It is a massive problem. No small undertaking is going to be able to solve it, so we have here a large undertaking that is being engaged in by the Government and by those in the public and private sector who see this problem and live with it every day: the utility companies.

Do the Members realize that 70 to 80 percent of the population of this country is living at this time along the shores of the two great oceans that wash our Nation and along the Gulf of Mexico? This axim is true around the world, that the population tends to concentrate along the ocean front. So is it not rather important that we direct our attention to this problem at the places where we are going to have the greatest concentrations in this growth of population and in this growth of the use of water?

I believe all of us present in the House—and those who are visiting in the gallery—should give thanks to this committee because they have been considering the problem.

In a sense we on earth are astronauts. Does that surprise anyone? Have we ever thought of ourselves as astronauts? Probably not. But think about it for a minute. We are on a projectile out in space, just as surely as we are sitting here. We are on such a large projectile that gravity allows us to live on our capsule instead of inside of it. But we have the same problems as do the two or three men who are going to be within those capsules we are going to place on the moon. We have the same problems. We have just so much air and so much water and so much food available to us. We have to keep it in good condition so that it will sustain life.

We have to have pure air, just as surely as do the astronauts. We have to have potable water, just as surely as they do, and we are running out of it. We are earthbound astronauts, and we have to be considering what we are going to do to sustain life.

Is Mr. HOLIFIELD correct when he tells us that we are going to have 6 billion people on this projectile in space? No, we are not—not if we continue as we have until now, because there will not be enough fresh water and there will not be enough fresh air. We have to recycle and replace what we have. Think about it.

We were told, when we were put on this world, "You are here to take dominion. Take over and manage. You will multiply and replenish on this world."

Now we are living in a time when we had better start replenishing, when we had better start putting back into the fresh condition that which we found and befouled.

This project before us today is one step in that direction. We are going to start recycling the water that goes into the oceans to lie there and salt into spoilment so far as human use is concerned.

We are going to be recycling on this globe just as surely as it is necessary for the astronauts in their capsule to recycle the water to keep it available.

That is why it is important that we go after this project now.

Now let us ask: Why should the project be placed here? Why should it be in the spot chosen in California?

The reason why is that it is economical. This involves economics, because there we find the great concentration of the population already paying a high price for water with a high use of electricity. We can combine these two. We can get an economic utilization in this great experiment and can prove once and for all whether we do stand on the threshold of the place where we can bring down the price of reclaimed water from the sea, on a competitive basis to that of water brought in from other sources to these great belts of population along the oceans.

So that is the reason why this place is the place which has been selected. Most particularly, it was selected at the very point we proposed to put this island, as the gentleman from California [Mr. HOLIFIELD] pointed out, because there we are able to make a tie-in with the water which now comes from the Colorado River, which has a very high mineral content. We can put this 100-percent pure water from the desalinization plant in at the Diemer facility, where the mixture and the purification of Colorado River water must take place, and save additional money, because we will not have to filter out the minerals but can merely mix in the new 100-percent pure ocean water which has come from the desalinization plant.

This is the reason why we are at the place we are now discussing.

It seems to me there has been a very ample demonstration that this is of great moment not only to the parochial point at which it is to be placed but of great moment to the people of the United States and to the people of the world, who stand at this moment in history, when man has to start thinking about the recycling of what is in the natural environment, so that it can sustain life and so that we can look realistically at a projection of the growth of the population.

Now let us turn to more specific considerations. In understanding the meaning of passing H.R. 207, we must take into account three separate points. First, we must be acquainted with the nature of the entire Bolsa Island project, its impact on the area it will serve, and its importance to future similar undertakings. Second, we must be aware of the extent of the commitment Congress is making to the overall project. Third, we must determine how this commitment will substantially assist the Federal Government's desalinization research and development program.

Southern California's progressive Metropolitan Water District initiated various feasibility studies on the problems of water desalinization in early 1959. The need for new sources of fresh water for the southwest's burgeoning population, agricultural and industrial requirements prompted the Metropolitan Water District to consider desalting water on a large scale as a serious possibility. In 1964 the Interior Department's Office of Saline Water indicated interest in the Metropolitan Water District desalinization studies, and offered to help finance, with the Atomic Energy Commission, a comprehensive engineering study on the feasibility of building a large prototype desalting plant. The Bechtel Corp. of San Francisco was selected to do the engineering study. By the end of 1965, Bechtel had completed its studies and made its recommendation on the feasibility of the project. The recommendations were optimistic.

During the period of the Bechtel study, three southern California utilities, Southern California Edison, the Los Angeles Department of Water & Power, and San Diego Gas & Electric, approached Metropolitan Water District with a joint proposal. The utilities were interested in building in concert with the desalting plant two nuclear-fueled powerplants. The feasibility of the proposal was included in the Bechtel study which endorsed the dual-purpose concept of the project.

A NEW ISLAND IN THE OCEAN

The result of the Bechtel study is a joint venture between the Metropolitan Water District of Southern California, the Office of Saline Water of the Department of Interior, the Atomic Energy Commission, and the southern California utilities previously mentioned. At a cost of more than $400 million these agencies will by 1975 have operational the world's largest desalting plant, and the only one operated from energy produced by nuclear-fueled powerplants that are part of the same facility.

Bechtel recommended as the site for this project a location in the Pacific Ocean one-half mile off the shore of Bolsa Chica Beach, in Orange County, Calif. A manmade island with a surface area of 40 acres will be constructed in a manner that will make it safe from earthquakes and rough sea. The island will be connected to the mainland by a two-lane causeway. Once House approval is gained, construction of the island can begin early next year.

The desalting plant will be the project of the Metropolitan Water District. Construction, maintenance, and operation of the plant will be partially financed by the Office of Saline Water and the Atomic Energy Commission. However, Metropolitan Water District will pick up the major share of the costs, and future income will be gained from the revenues of the sale of water produced by the plant. The desalted water is expected to be competitive in price. The cost to desalt water in this project will be less than past experiences because of the dual purpose nature of the program. Less energy will be required in this dual-purpose plant because both energy consumers are within the same facility. Thus, less energy is required to produce the power and desalt water than if they were produced in separate facilities. As a result, energy costs are cheaper, thereby scaling down the costs of the water.

The real uniqueness of this project is that for the first time desalted water can be produced on a competitive basis with other sources of fresh water. It has been estimated that desalted potable water produced from this project will cost approximately 22 cents per 1,000 gallons. If this price can be maintained after construction and initial operation it will prove that desalted water can be produced at a competitive price.

The desalting plant will be constructed in two phases. The first phase will produce 50 million gallons of water daily. The second phase will add an additional capability of 100 million gallons daily. The expected date of final completion is 1975.

The two powerplants will be entirely financed by the three utilities. No Federal funds will be used. The two plants will be able to produce a combined megawattage of 1,430. Or, in other words, they will be able to produce enough electrical power to meet the needs of 2,000,000 people.

The nuclear energy used as a source of power does not present any hazards to the area. In fact, it is a clean burning fuel which will eleminate attendant problems of air pollution that usually accompanies fossil-fuel-burning power plants. There are now more than 300 nuclear reactors in operation within the United States, including 15 used to produce power. The neighborhoods adjacent to these reactors have not been the subject of any dangerous accidents.

The water at its immediate point of discharge back into the ocean will be 20 degrees warmer than the prevailing ocean water temperature of the area. This will not, however, in any way be detrimental to the marine life of the area. In order to protect the marine life around the plant, careful controls will be maintained. No nuclear pollutants will be dumped into the ocean, nor will any of the circulating sea water returned to the ocean be in contact at any time with the nuclear fuel or other nuclear components.

The impact Bolsa Island will have on the immediate Orange County area will be extremely beneficial. The Huntington Beach-Seal Beach-Sunset Beach complex has been the scene of a rapidly expanding population. Providing the needed services and facilities for this population will be greatly enhanced by the project.

The Orange County Harbor District is already giving consideration to plans that will expand small boat harbor and marina facilities. Access channels are being tentatively located. Expanded beach and park facilities are being contemplated.

The entire area will be the recipient of many economic benefits. The generation of jobs and allied industries will have a most beneficial effect. In all probability, we can expect property values to increase, generating new sources of revenue for schools and other service and recreational facilities.

In a poll I conducted last year, more than 85 percent of the residents of the area who responded indicated their support of the Bolsa Island development.

THE FEDERAL COMMITMENT

The last remaining hurdle to overcome in making Bolsa Island and all it means a reality is the approval by the House of

Representatives of the legislation now being considered. Earlier this year the Senate gave its overwhelming approval to a similar bill.

The Federal commitment to Bolsa Island is twofold. First, the Atomic Energy Commission has been authorized by the 89th Congress to spend up to $15 million on the project. The AEC's interest in the project relates to developing the technology necessary to make peaceful uses of nuclear energy systems adaptable for purposes other than the generation of electricity. Using nuclear energy in large scale desalting projects is one of the goals of the AEC.

The second part of the commitment is encompassed in the legislation we are considering today. The bill before us authorizes the Office of Saline Water to spend $57.2 million on the project. This brings the total Federal commitment up to $72.2 million.

Of the $57.2 million we are being asked to authorize today, $45.7 million will be spent over the next 8 years in costs directly related to the construction of the desalting plant. Eleven and a half million dollars of the authorization will be applied toward the operation and maintenance of the facility.

The Federal Government's share of the $400-million-plus cost of the island compares with the other participants as follows:

[In millions]	
Federal Government	$72.2
Metropolitan Water District	126.7
Utilities (Los Angeles Water & Power, Cal Edison, San Diego Gas & Electric	213.0

THE BENEFITS

What are we purchasing with our share of the cost? Our return for the Government's contribution will be in the form of invaluable technological data. On a cost-purchase indicator the $57.2 million contributed is geared to the value of information that will be gained from construction and operation of the dual-purpose nuclear power and water desalting plant.

The information that will be obtained from this project is not comparable to the information that will be gained from various demonstration desalting projects in which the Office of Saline Water is now engaged. The nature of the Bolsa Island project is substantially different from the small pilot projects of the Office of Saline Water.

The Bolsa Island project is the world's first large-scale desalting plant. It is the first plant that is fitted into a definite water need situation. It is the first plant to utilize the dual-purpose facility and use nuclear fuel to provide power. And it is the first plant that has the potential of keeping the price of desalted water competitive with other sources.

The experience and information gained from participating in a project of this quality will be of substantial benefit in the Federal Government's desalting research and development program. In addition, the Office of Saline Water will have the opportunity:

(1) To propose experiments in a ready-made setting and to participate in their conduct;

(2) To furnish and prove out the reliability of the state of the art and the technical parameters for plant design and construction growing out of findings of the on-going Office of Saline Water research and development program;

(3) To provide review assistance and advice during design, procurement, construction, and operation periods;

(4) To develop information on the character, composition, and performance of fabricated materials and tubing;

(5) To receive periodic reports on plant design, construction, and operation; and

(6) To use, publish, and permit others to use all data and information resulting from the design, construction, operation, and maintenance of the desalting plant, including substantial rights under patents granted based on work on the project." (H. Rept. #180.)

Participating in a partnership arrangement with public and investor-owned utilities provides an advantageous situation. First, it substantially decreases the amount of money the Federal Government must spend to obtain an equivalent quality of data. Too much money would otherwise have to be spent by the Government on facilities not directly related to the interests of OSW but necessary for total functioning of the dual-purpose facility. Second, any comparable plant built by the OSW would not have the benefit of nuclear power. Thereby the plant would already be outdated. Third, Government participation "with profit and product-oriented organizations" will more likely produce realistic assessments of performance.

It is important to stress that while Bolsa Island will not be using any new techniques in its desalinization process, its uniqueness is still there. The plant will be unique in that it is applying presently refined desalinization techniques on a large scale and showing that substantial amounts of water can be desalted and passed along to the consumer at economical prices. In this perspective Bolsa Island represents an economic breakthrough in desalinization.

Finally, the facility will be an important part of southwest water planning. The fact that the dual-purpose plant will be able to desalt water at an economical price will make wide scale desalinization as a means of water augmentation in the water-scarce Southwest a serious consideration in the discussions of the regional water planners. The plant, by assisting in producing from all sources a surplus of water in the area adjacent to it, will allow water planners flexibility in water redistribution considerations.

LEGISLATION STRENGTHENED

The amendments that were added to H.R. 207 in committee have strengthened the legislation. Keeping Congress adequately advised of the progress of the project will be the major effect of the committee amendments, and this certainly is a praiseworthy goal.

If one allows himself some reasonable daydreaming he can visualize immense possibilities if the Bolsa Island project proves as successful as we now anticipate. Areas of the world now starved for fresh water can bloom. Agriculturally productive land can be increased manyfold. Portions of the world now considered waste can provide a new frontier for productivity and profit.

Bolsa Island is an immense enterprise 40 times the largest existing plant, whose success promises immense rewards. The only remaining approval needed for this great undertaking must come from the House of Representatives. I have no doubt that approval will be granted today—overwhelmingly.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. WYATT].

Mr. WYATT. Mr. Chairman, being from the Northwest I am enthusiastically in support of this bill. In fact, in January of this year I introduced the bill.

With the eyes of the people in the Southwest already looking in every direction for water, I feel we in the Northwest cannot simply be negative. I think we must be sympathetic and helpful wherever we can in assisting with the solution of water problems in the Southwest area. I certainly have no illusions that this is the answer to the big problems that we all know exist in the Southwest, but potentially I think this plant, once in operation could be a real help and a long step in the direction of finding the answers. We will not likely know how accurate the predictions are that we can produce 22-cent water, particularly in a quantity running to 150 million gallons a day, until this plant is built and is in operation. This gives us an unparalleled opportunity to make the effort with a minimum of Federal investment which represents only approximately 17 percent of the total cost. The fact that private industry and local municipalities are willing to invest over $350 million encourages me to believe that the forecast of water costs and amounts produced will be accurate.

Mr. Chairman, I would like to urge in the most serious way that my colleagues support this bill.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to H.R. 207, a bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant and for other purposes.

The purpose of the legislation is to authorize the Department of the Interior, through the Office of Saline Water, to make a grant-in-aid and a gift to the State of California and the metropolitan water district, in the sum of $57.2 million, for the right to participate in the construction and operation of a large dual-purpose desalting and nuclear power generating plant. Yes, gentlemen, it is a gift of the taxpayers' money because not one cent of the total Federal contribution of $72.2 million will be repaid to the Treasury of the United States.

Let me point out to the Members of this House, that this bill represents the most "iffy" piece of legislation ever referred to this House by the Committee on Interior and Insular Affairs during my 18 years of service on that committee. If the Federal Government contributes a total of $72.2 million toward the capital costs of constructing this dual purpose plant, then the other participants will proceed with the plan. If the Federal Government fails to contribute the $72.2 million then the other participants do not intend to construct this project. If the legislation passes there is no assurance except the iffy feasibility study, that guarantees the dual-purpose features will work. It has never been done before, either by the Office of Saline Water or anyone else. Then, if the 50 million gallons per day phase works, the second 50 million gallon per day phase is entered into. If those two phases operate properly then they proceed to the third 50 million gallon per day stage. If all three stages operate at optimum efficiency then it will produce 150 million gallons per day of potable water. If the project can efficiently produce 150 million gallons of water per day, then the estimated cost of the water is 21.9 cents per thousand gallons. And remember this: even that is an estimated cost. Yet the Office of Saline Water has not in 15 years developed the technology and operating experience in a desalting plant which will produce 1 million gallons of desalted water per day.

Mr. Chairman, the Department of the Interior and the Office of Saline Water have continuously come before the Committees on Interior and Insular Affairs of the House and Senate and enthusiastically proposed a planned program of research and development to obtain low-cost water by desalinization. I have supported that program and will continue to do so, so long as the program remains the program approved by the Congress. However, I cannot support any deviation from the program approved by the Congress for fear of being uncooperative of political expediency. I have endeavored to accept and exercise my public trust by opposing legislation which in my judgment is wrong and to approve legislation which is beneficial to this Nation and its people.

H.R. 207 represents a deviation from the program outlined by the Office of Saline Water to the Committee on Interior and Insular Affairs and the Congress which has approved that program. When the Office of Saline Water sought authority to participate in the feasibility study of a large-scale desalting and electric generating plant, the Office of Saline Water explicitly informed the members of the Committee on Interior and Insular Affairs that such authority, if granted, was not a future commitment of the Federal Government to participate in the construction and operation of such a plant. Upon approval by the Congress granting authority to participate in the feasibility study, the Department of the Interior, through the Office of Saline Water, set in motion the procedure and series of events which were designed to require Federal participation in the results of that feasibility study.

In effect, Mr. Chairman, the Department of the Interior and the Office of Saline Water has effectively put Congress "in a corner" so to speak. The question now being asked in the Department is, how is Congress going to get out of this one? I know of no better way to get out of "the corner" than to vote down this legislation.

Let me assure my colleagues in this House that if this legislation is passed, the program of the Office of Saline Water will return to the chaos in which it was found only a few short years ago. In a few short years the Office of Saline Water was brought from chaos to an orderly program of research and development. Passage of this legislation will mark the first departure from that program. Already, there are signs that the Office of Saline Water program is moving into various areas with no semblance of planning and orderly development. On March 27, 1967, the Office of Saline Water awarded a contract for the design and construction of a dual-purpose plant in Saudi Arabia totaling $6,330,000. The Saudi Arabian plant will proposedly produce 5 million gallons of water per day and 50 megawatts of power and is expected to go into operation in the summer of 1969.

On April 13, 1967, a press release from the Atomic Energy Commission reveals that the International Atomic Energy Agency, Mexico, and the United States Desalting Study Group at the close of its third session on April 7, 1967, is considering the feasibility of a 1-billion-gallon-per-day dual-purpose desalting and power generating facility to be in operation by the mid-1970's, and sited to serve the area north of the Gulf of California, including Arizona, California, and Mexico.

On February 21, 1967, a leading producer of sea water desalting equipment and a worldwide leader in sea water desalting released information that the sea water desalting capacity in operation throughout the world will jump to 1 billion gallons per day by 1972—5 times more than the experts were predicting just a few years ago. It would appear from this information that private enterprise has become sophisticated in the art of desalting water to the point where Federal assistance is no longer required.

Now, does not it appear rather ridiculous that in view of these 5-million- and 1-billion-gallon-per-day plants, Congress is now being asked to spend a total of $72.2 million for a 50- to 150-million-gallon-per-day plant for the purchase of needed technology and experience? The question really is, "Who's fooling whom?" when the facts clearly are that the Office of Saline Water has not in 15 years established or developed a new process for the desalting of water, nor has the Office of Saline Water been able to put together a plant which will produce a minimum of 1 million gallons of desalted water per day.

Passage of H.R. 207, will further provide the opportunity for the Office of Saline Water to embark on a one-shot or crash program to insure that all efforts are channeled into the successful operation of the Metropolitan Water District project. If the Office of Saline Water is successful in this project, then the next step will be that the technology and experience gained by participation in the Metropolitan Water District project warrants the participation of the Office of Saline Water in future similar projects. If we pass this legislation today, can the Congress deny a request for similar projects off the coast of Arizona or New York?

Mr. Chairman, I find only three reasons advanced by the Department and the Office of Saline Water as the justification for Federal participation in this Metropolitan Water District project. They are: First, that Federal participation purchases needed technology and operating experience to advance the saline water conversion program and is keyed to the value of the information and data to be gained as compared to the cost of alternative programs. I find no merit to this position in light of the failure of the Office of Saline Water to develop a new process for the desalting of water and the failure to construct and operate a demonstration plant of a 1 million gallon per day capacity. On the other hand, I find the Office of Saline Water awarding contracts and participating in the design and construction of 5 million and 1 billion gallon per day plants; second, that Federal participation in this Metropolitan Water District project will result in less cost to the Federal Government as opposed to an all federally financed project. I find no merit in this position also, in view of the facts that the dual-purpose features of this project make it economically feasible, because the type of nuclear reactors to be utilized are commercially available. This argument falls flat when examined in light of the present facts indicating that private enterprise has reached the point where it must study and plan for the construction and operation of such projects without Federal participation; and, third, that the Metropolitan Water District project is fitted into a definite water need situation. Passage of H.R. 207 will actually provide surplus water for southern California. Testimony before the committee positively states that, "this is not an increment of supply needed for the period of time between now and 1990. It is an additional surplus between now and 1990, and the project is being entered into for research and development for future decisionmaking, not to obtain a small increment of water."

Participation in the metropolitan water district project will involve a total Federal contribution of $72.2 million. Of this amount, the Department of the Interior, through the Office of Saline Water, will contribute $57.2 million and the Atomic Energy Commission will contribute $15 million. As all of my colleagues know such expenditures are supposed to be reflected in the Federal budget. The Office of Saline Water has stated that when this project was first planned it was estimated that a reasonable breakdown for the Office of Saline Water contribution to capital costs would be $8.0 million for fiscal 1968, $9.5 million for fiscal 1969, $9.5 million for fiscal 1970, and $8.7 million for fiscal 1971, and the remaining $10 million in fiscal 1972.

The Office of Saline Water has since then recast expenditures on the basis of new timetables to spread the capital contribution over a 6-year period rather than 4 years. This reduces the contribution during the first 2 years, adding these expenditures at the end of the first phase. On the basis of the recasting of expenditures, the requested appropriation for fiscal 1968 will be $2 million instead of $8 million. For fiscal 1969 it will be $8 million instead of $9.5 million and so on.

In view of the fact that the Bechtel study was completed in December of 1965, I find this juggling act by the Office of Saline Water to indicate a "haste makes waste" type of planning. I would ask my colleagues to think about this project and determine whether or not it constitutes essential domestic spending by the Federal Government. I think it does not. But, let me quote to you the response made by the Department of the Interior and the Office of Saline Water regarding changes required by this legislation.

H.R. 207 requires that the Office of Saline Water be permitted to participate in the Metropolitan Water District project without regard to the act of August 2, 1946—60 Stat. 809—which contains a general prohibition against making advance payments on Government contracts.

When questioned on this point the Department and the Office of Saline Water responded:

> Since the participation of the Department of the Interior in the Metropolitan Water District project will be more in the nature of a grant-in-aid rather than a procurement of property and services, and since we will not realize the full return of the technology which we are purchasing until after the plant is in operation, it could be construed that our participation during the course of construction constitutes making advance payments in violation of the law.

Mr. Chairman, I have attempted to point out for my colleagues that there is no justification for Federal participation in the Metropolitan Water District project. I hope that my colleagues have reached the same conclusion. I urge my colleagues to vote against the passage of H.R. 207.

Now, Mr. Chairman, 2 years ago, the members of the House Committee on Interior and Insular Affairs had great hope for the Office of Saline Water. A new man, Mr. Di Luzio was selected to be its head, an outstanding engineer with an excellent background. He came before our committee and laid out a program as to how he felt the Office of Saline Water could proceed to provide potable water from sea water for the American people and at a low cost.

Mr. Chairman, the first thing he said was that he wanted the Office of Saline Water to build a plant designed to produce 1 million gallons per day. Well, Mr. Chairman, this has been the same program which we have heard about since 1952 when the Congress of the United States set up the sum of $2 million with which to undertake this research and development into the problem of producing potable water from sea water. We are approximately $100 million later in giving or making available money to the Office of Saline Water for research and today they do not have one plant—demonstration or otherwise—which will produce 1 million gallons a day.

Mr. Chairman, during the hearings on this bill the Director came before our committee and told us that they have not built a single plant which will produce 1 million gallons per day. However, between now and sometime in 1971, when all of this hardware is going to be installed, and if they can build a plant that will produce 1 million gallons, and if all of the technology which they say exists have solved this problem, then they can build a plant which will produce 17 million gallons a day, and if that plant works then he said we might bring into being a plant which will produce 50 million gallons a day.

If they then produce a plant which produces 50 million gallons a day, and it works in the first stage of the California project and if all of the other things work out then we might build a plant that will produce 150 million gallons a day.

Is this the kind of legislation this committee wants to pass? If the House Committee on Interior and Insular Affairs and the members of the committee believe that all of the research that has gone on for 15 years from 1952 down to now has not produced the first unit, how can they expect to go into a crash program and authorize the plant we are asked to participate in today?

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, I think it should be made clear to the House that the gentleman from Pennsylvania is among those who have led in the earnest desire to solve water problems through the use of any available science. His opposition to this bill and my opposition to this bill is based simply on the fact that we are here trying to jump a long, long step—in fact, many long steps—in the logical development of the knowledge, the techniques, and the operations which the Office of Saline Water itself says must still be accomplished in its on-going program. In other words, the gentleman's appeal, and my view, is simply for some logic. All of the tears which have been shed in behalf of this program I believe not only hide that logic but complicate the problem of desalinization that we have.

Mr. Chairman, I thank the gentleman for yielding.

Mr. SAYLOR. I want to thank my colleague.

Mr. Chairman, the statement that this is a grant-in-aid to the State of California is not my statement. This is what Mr. Di Luzio said with regard to this program:

> Since the participation of the Department of the Interior in the MWD project will be more in the nature of a grant-in-aid rather than a procurement of property and services, and since we will not realize the full return of the technology which we are purchasing until after the plant is in operation, it could be construed that our participation during the course of construction constitutes making advance payments in violation of R.S. 3648—

Which is existing law. Now these statements are in the record if anybody wants to examine them.

I want to see the Office of Saline Water produce potable water from any source at low cost. But I would like to see them do it in some systematic manner. Until the Office of Saline Water can come forward and show positive results, I think we are foolish to throw this amount of money into this kind of project which will not go forward unless the Federal Government participates.

I hope that this bill is rereferred to the House Committee on Interior and Insular Affairs.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. HOSMER. I think the portion of the discussion that the gentleman from Pennsylvania had with the gentleman from Ohio deserves some further comment, because it was based on an assumption that in all development projects you have to have a step by step incremental type of development from one size to the next larger size; to the next larger size, and so on.

Mr. SAYLOR. I will just say to my colleague that that is not so. I just got through saying that it was not so. I just said if they can show some advancing steps and show that they have gained some technology that I was not one who was going to insist that every one of those steps take place. All I want them to show is that they have made the first step. So far we do not even have that.

Mr. HOSMER. As the gentleman well knows, there are scores of successful desalting plants in operation in various parts of the world. So we do know that water can be desalted.

Mr. SAYLOR. I might say to my colleagues, we know that.

Mr. HOSMER. Mr. Chairman, will my colleague yield?

Mr. SAYLOR. I will just say to my colleague, if he wants to make a statement like that, we have been desalting water ever since man was first able to take a kettle and boil water. That is nothing new. We have done that on board ships at sea for more than a century. So to say there are desalting plants is correct, but they do not produce water at the price they say they are going to be able to do it in this bill.

Mr. HOSMER. Mr. Chairman, would the gentleman like to yield so that I can make the rest of my statement?

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of California. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. VAN DEERLIN].

Mr. VAN DEERLIN. Mr. Chairman, as a cosponsor of this legislation, I commend it to my colleagues as an essential step forward in one of the most important water programs presented to Congress in recent years.

The Bolsa Chica plant will be expensive, but the value of the technology can be more than commensurate. I would also like to point out that the contemplated Federal investment toward design and construction of the plant, while large, represents less than 15 percent of the total of $444 million that will be spent. The Metropolitan Water District of Southern California, the Los Angeles

Department of Water and Power, the San Diego Gas & Electric Co. and the Southern California Edison Co. have committed themselves to put up the bulk of the money, about $380 million.

Our water shortage is becoming so critical that we are simply running out of time for leisurely reflection about the merits of bold projects, like the one we are considering today. We must act now. In many areas of the world, there is simply not enough water to go around.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. VAN DEERLIN. I yield to the gentleman from California.

Mr. HANNA. The gentleman is certainly well acquainted with the background of this legislation. I would like to ask this question: Does the gentleman think that if we pursued the logic of the gentleman from Pennsylvania when we undertook the Manhattan project, for example, when all we had to start with was a formula on the blackboard at the University of Chicago, would we have been able to get the atomic bomb? That would seem to follow, if the gentleman's logic is correct. Is it possible that we would have made our entry into the space age and the space race with the Russians if we had followed the gentleman's logic step by step?

Mr. VAN DEERLIN. We would still be right here on terra firma, I believe.

Mr. HANNA. Since the gentleman has also followed the factual developments here, does he agree with the statement of the gentleman from Pennsylvania that there are no plants producing 1 million gallons of water a day?

Mr. VAN DEERLIN. I surely yield to the gentleman from Pennsylvania in much expertise, but I am indebted to Government publications for the fact that we have a plant at Freeport, Tex., which reached 1 million gallons a day. And I am aware that in the first experimental plant at Point Loma in southern California they had reached 1 million gallons a day at the time Castro turned off our water down in Guantanamo. We took this same equipment from San Diego to Guantanamo, and immediately increased its output by 50 percent. I believe the latest report is that it has passed a million gallons per day at Guantanamo, due to more favorable temperature conditions for this sort of operation.

Mr. HANNA. In the gentleman's experience, is it unusual and unique that the Government of the United States has found much profit and great acceleration in working in partnership between itself and private enterprise, which contains the real heartbeat of technological advance?

Mr. VAN DEERLIN. The gentleman has put his finger squarely on one desirable phase of this legislation with which I, of course, would agree thoroughly.

In southern California, we have fully developed our local water supplies. Every additional drop to meet our rapid population growth must be imported from somewhere else.

Desalting the ocean's briny waters could furnish us with a viable alternative to importation. But we need concrete information about this promising new process, so we can properly compare it with the more traditional methods of providing water. Operation for an extended period of a desalting plant of substantial capacity is the only reliable source of cost data to make such a comparison. Possible economies resulting from an increase in the size of desalting units can be proven only through the experience of operating a sizable plant.

I am especially proud of the role my district is continuing to play in helping to advance the new and vital technology of desalination. A federally funded desalting plant and test center is under construction in my district at Chula Vista where the San Diego Gas & Electric Co., one of the participants in this project, is already deeply involved. The San Diego test program will provide a technological basis for the much larger plant which H.R. 207 would help finance.

I do not believe there can be any question as to the value of the Government's investment and interest in this project. In the Saline Water Act, Congress directed the Government to acquire the kind of technological expertise which the Bolsa Chica plant would provide. I particularly commend to you the endorsement of the distinguished chairman of the Interior and Insular Affairs Committee. Mr. ASPINALL's substantial background and knowledge of the saline water program is the best test of whether the Federal Government will receive an adequate return for its contribution.

The new plant will provide the boldest venture yet in man's eternal quest for new supplies of fresh water. It deserves the support of all of us, because a breakthrough in production techniques will help meet a world crisis.

Mr. JOHNSON of California. Would the gentleman from California [Mr. VAN DEERLIN] request another minute for further questioning by the gentleman from California [Mr. HOLIFIELD]?

Mr. VAN DEERLIN. Mr. Chairman, I would make such a request.

Mr. JOHNSON of California. I yield to the gentleman from California [Mr. VAN DEERLIN] 1 additional minute.

Mr. VAN DEERLIN. I yield to my colleague from California.

Mr. HOLIFIELD. About 2 years ago I visited the island of Areba in the Caribbean, and I was told that they were producing desalted water at a cost of about $1 a thousand gallons, and, if I am not mistaken, they were producing close to 5 million gallons a day down there. So I believe the gentleman from Pennsylvania is just not informed on this particular phase of the matter.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. VAN DEERLIN. I yield to the gentleman from Pennsylvania for a reply.

Mr. SAYLOR. The Assistant Secretary of the Interior, Mr. Di Luzio, came and gave us those figures. He said, "Now, there have been plants built which will produce 1 million gallons," but as far as he was concerned, they were not good plants producing a million gallons a day, because you could not put them on the line and keep them operating at that rate 365 days a year.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman from Pennsylvania yield me a little time for continuing this discussion?

Mr. SAYLOR. I yield myself 3 minutes.

Mr. HOLIFIELD. I do not take this time to argue with the gentleman, but I believe we are producing close to 2.25 million gallons a day at Guantanamo with the Point Loma plant which was transferred from San Diego. Remember this, that outside the Guantanamo plant, all these plants that have been built have been demonstration plants. They have not been supposed to go on the line as operational plants continuously.

They are changing them all the time. They are modifying them, and they are trying new experiments—circulatory piping, and pumping, all the different facets that go into it. It is quite complicated. It is more complicated than the gentleman has explained to the House. There are the different methods by which they intend to increase the production of this fresh water. I believe the gentleman's figures are incorrect.

Mr. SAYLOR. I will say to my friend from California that we took the installation from Point Loma down to Guantánamo Bay. When it was built, it did not come up to specifications, and it did not furnish 1 million gallons. The Navy took it down to Guantánamo Bay and increased its size by about three times and they spent about $10 million more than had been spent by the Office of Saline Water, and today it operates intermittently.

Mr. HOLIFIELD. But it does furnish the major water supply for the military operation there.

Mr. SAYLOR. It is a major source of water for our Guantánamo Bay operation and the naval base there.

Mr. HOLIFIELD. Correct.

Mr. SAYLOR. But it has never produced water for the price it was supposed to have done in California, and it has never produced water for that price in Guantánamo Bay.

Mr. HOLIFIELD. If the gentleman will yield further, I will admit its price is high, and this is the very reason why we are attacking the problem on this scale, because the Bechtel Corp.—which is a substantial corporation in California and throughout the United States—believes, and they have testified to this, that the size of the plant contemplated will produce water for 23 cents a thousand gallons. We cannot say it is true without trying it out. But that is the point of all experimental problems, to prove the feasibility studies at an actual price. I will not say it will be done every day, because there will be bugs to be taken out, and a better plant will be built later. This is how we have to go about proving anything, as far as I know, which is of an experimental and developmental nature.

Mr. SAYLOR. Under date of April 13, the U.S. Atomic Energy Commission issued a press release with regard to a study group which they had down in

Mexico. Frankly, they indicate that they will produce a billion gallons a day.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SAYLOR. I yield myself 3 additional minutes, and I yield to the gentleman from California.

Mr. HOLIFIELD. That is right. This is a step toward obtaining what we would hope will be economic. I will never say to the House that 22 cents a gallon is competitive with the present sources of natural water, but the present sources of natural water in many parts of the United States are limited and are becoming more limited. Even in Lake Michigan the water is falling, and the people in Chicago are worried about their supply of natural water. So I believe we should take these steps forward, a step at a time, and ultimately we may achieve competitiveness.

Mr. SAYLOR. I would like to have the Office of Saline Water start this plant and have them produce a million gallons.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from California.

Mr. HOSMER. Here we have, Mr. Chairman, a very respected publication called "Water Desalinization Report," and I have the issue of April 20, 1967, which bears on this point. This discusses the report made at the American Chemical Society's annual meeting in Miami Beach a couple of weeks ago. This report was on the 1,000,000-a-day desalting plant at Eilad, Israel which produces 1 million gallons a day. The plant went into operation December 21, 1965, and to the period ending December 30, 1966, a little over a year, it produced 349 million gallons. This plant was built by the Baldwin-Lima-Hamilton Co. of the United States of America. It is a million gallon a day plant in operation for over a year at 93 percent of capacity. The only time it was down, and the only reason it did not produce 365 million gallons in 365 days, was because of scheduled down times, along with periods of zero water demands.

The engineer in charge said, "I have actually seen pure distilled water spilling over the tops of the storage tanks."

If the gentleman thinks this is any mysterious, shaky, brokendown technology of 1 million gallons a day, I am sure he is mistaken.

As I tried to say before, the extrapolation from 1 million to 150 million gallons a day is quite straightforward in this type of development activity. There are certain types of scientific development activity, such as a large increase in the power density of a nuclear reactor, in which the required extrapolations are limited. In the case of extrapolations on the increase in the capacity of a water desalting plant, they are strictly linear. There is no mystery. They are unlimited in extent.

Therefore, as a consequence, I believe the gentleman from Pennsylvania and the gentleman from Iowa, who had doubts about being able to scale up to this size, should be reassured by the straightforwardness of the technology.

I thank the gentleman from Pennsylvania for his gracious yielding.

Mr. JOHNSON of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the chairman of the full committee.

Mr. ASPINALL. I thank the gentleman.

Mr. Chairman, it should be borne in mind that what we are proposing here is a new program of a dual purpose plan for nuclear energy working in harmony with a desalinization program.

Much has been said about the facilities of the Office of Saline Water not being able to work continuously. This is true. This is a part of the research program of the Office of Saline Water.

We should keep in mind that most of the trouble has to do with scaling, with scales formed within the tubing which carries the hot brine to and fro within the installation. This scaling is a part of the research program. It has been and will be carried on, as this is authorized and the program goes forward.

Another thing should be kept under consideration; that is, when we talk about 22 cents per thousand gallons of water, we are talking about 22 cents per thousand gallons of pure water, without any minerals whatsoever, or in such small quantity that it is difficult to measure them. When this potable water is mixed with water containing minerals, then we have a better water as compared with the water containing minerals than otherwise would be true, and the water then becomes cheaper than 22 cents per thousand gallons, which we would have from this plant if we succeed in our efforts.

Mr. JOHNSON of California. Mr. Chairman, the distinguished chairman of the full committee has outlined briefly what is involved in this legislation. I shall discuss the provisions of H.R. 207 in a little more detail.

This legislation authorizes the Department of the Interior, through the Office of Saline Water, to participate financially in construction and operation of a dual-purpose plant for seawater conversion and nuclear power generation. As Chairman ASPINALL pointed out, this plant will not be a Federal undertaking. It will be constructed and operated by the Metropolitan Water District of Southern California in partnership with the Department of Water and Power of the City of Los Angeles, the Southern California Edison Co., and the San Diego Gas & Electric Co. This dual-purpose plant is designed to produce ultimately 150 million gallons of fresh water per day and approximately 1,800 megawatts of electric power. The total financial contribution by the Federal Government in this undertaking amounts to $72.2 million, of which $15 million, to be provided by the Atomic Energy Commission, has already been approved by the Congress, and $57.2 million to be provided by the Office of Saline Water, would be approved by the enactment of this legislation. The $57.2 million, which this legislation provides, is keyed to the value of information and data to be gained from construction and operation of the plant and will take the form of the purchase of technology and operating experience.

The basis for this legislation and for Federal participation in this project is the findings and recommendations of a feasibility study conducted by the Bechtel Corp., of San Francisco, pursuant to a contract between the metropolitan water district and the United States. The Bechtel studies combined with a proposal from the utilities to participate in the project resulted in a recommendation that the project be constructed. Negotiations between the metropolitan water district on the one hand and the Department of the Interior and the Atomic Energy Commission on the other resulted in an agreement on Federal financial participation in the undertaking and a decision by the metropolitan water district to proceed with the project. A "Memorandum of Understanding" has been executed and, in anticipation of approval by the Congress of this legislation, all parties involved in this proposed project are continuing their studies and are working together on procedures to be followed in getting construction underway.

The multistage flash desalting process which is to be used in this plant has been judged to be the most advanced and the most promising process for meeting large-scale water needs. The Office of Saline Water has concentrated its greatest effort and expenditures on this process in recent years. This is the process which was used in the Point Loma plant which the Navy transferred to Guantanamo and which is being used in the Clair Engle replacement plant of improved design. This is also the process which is being used in the 17-million-gallon-per-day module, the construction of which is just starting. The technology which has been gained and which will be gained from all these plants will be the basis for the final designs of the metropolitan water district plant. In other words, research in connection with this process has advanced to the point where a large-scale plant is desirable to test reliability of operation and to determine the actual cost of conversion.

The only practical alternative to the Federal Government acquiring this needed technology through participation in this undertaking would be construction of a federally owned plant. There are many advantages to acquiring the technology through this partnership arrangement. First and most important, it can be obtained at much less expense. The Government contribution will be strictly for desalting, thereby giving maximum technology per dollar. Second, the Federal Government stays out of the water supply business while the plant is fitted into a definite water-need situation. The construction of this plant as a part of the existing water supply system would not only afford an opportunity to observe the application of technology to actual conditions but it will gain public acceptance and confidence in desalting as a dependable source of water supply.

Since the $57.2 million contributed by the Office of Saline Water is for the purpose of purchasing technology and operating experience, OSW must participate in all phases of the design, construction and operation of the project. The Office of Saline Water will furnish technical parameters for the desalting plant design and construction based on information and data developed through its overall research and development program. It will also provide review assistance and advice during design, construction, and operation of the plant. The Office of Saline Water may even assist in the procurement of materials and the acquisition of specialized services. It will be granted the right to propose experiments and participate in their experimental operation and the right to use for publication all technological data and information resulting from the design, construction and operation of the plant, including rights under patents granted based on work on the project. Since the return to the Federal Government is exclusively in the form of data, it is important that a precise definition of the obligation upon the contracting parties to generate and supply information and data in form and quality to satisfy Government requirements be agreed upon and understood by all contracting parties. One of the recommendations of the committee is that the Office of Saline Water establish at an early date a clearly defined data collection program.

Chairman ASPINALL has briefly described the proposed project which consists of two nuclear powerplants, a desalting plant, and related buildings and equipment located on a 40-acre manmade island. The two nuclear powerplants will utilize nuclear reactors of the commercially proven light water type. There is no Federal contribution to the nuclear powerplants. The Atomic Energy Commission contribution is related to acquiring technology in connection with the interface problems between desalters and nuclear reactors. The desalting plant will be fed with steam from the back pressure turbine generator unit. A multistage flash evaporator system will be utilized in each of three 50-million-gallon-per-day evaporator trains. The desalting plant will be built in two phases—the first phase to develop 50 million gallons per day; the second phase, 100 million gallons per day.

The island will be built by laying protective courses of concrete tribar or similar material along the periphery, and using hydraulically dredged sand to fill the enclosed area. The surface elevation of the island will be not less than 20 feet above mean water level. The trestle causeway will not only provide a two-lane access road and walkways but will also support the desalted water pipeline and high voltage transmission cables.

The Southern California Edison Co. and the San Diego Gas & Electric Co. will jointly own one of the 750-megawatt nuclear powerplants and the Los Angeles Department of Water and Power will own the other. The metropolitan water district would own the desalting works, the back pressure steam turbine generator, the island, and the causeway. Each owner will separately finance the cost of the facilities owned by it with the Federal assistance going to the metropolitan water district.

The total estimated cost of the dual-purpose project is $400.4 million. The Federal contribution toward this construction cost is $60.7 million, including $45.7 million from the Office of Saline Water and $15 million from the Atomic Energy Commission. In addition, the Office of Saline Water will contribute $11.5 million toward the operation expenses of the desalting plant, making the total contribution of $57.2 million from the Office of Saline Water which is provided for in this bill.

The cost of the project to the metropolitan water district is estimated at $126.7 million and the cost to the utilities is estimated at $213 million, not including transmission lines.

As the chairman has stated, the committee amended the bill in certain respects to protect the interests of all entities involved and to keep the committees and the Congress informed with respect to the status of progress on the project. One amendment makes the Federal contribution contingent upon the parties concerned obtaining, prior to the start of construction of the island, a construction permit from the Atomic Energy Commission for construction of the nuclear reactors on the island. Preconstruction planning activities can proceed with Federal assistance, but there can be no start of construction of the island itself until the permit has been obtained. The contract between the Metropolitan Water District and the Secretary of the Interior must be transmitted to the Congress 45 days before its execution. This will permit its examination to be sure that the objectives and purposes of the act are met and that the interests of the United States are adequately protected. Other amendments adopted by the committee provide for permanent right of access to the island by Federal officials during the life of the project and for an annual detailed report each year to provide the committees and the Congress with full information on the status of the project and results obtained from plant operation.

Mr. Chairman, the Committee on Interior and Insular Affairs, after full hearings and thorough study of this legislation, recommends its enactment. Similar legislation has already passed the other body. I urge approval of H.R. 207 as amended by the committee.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield on that point?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. HOLIFIELD. Mr. Chairman, I want to make it clear what my understanding is, and to get verification of it, that there is no duplication of expenditures between the AEC and the Office of Saline Water. Each one has its specific task to perform in this partnership enterprise; is that not true?

Mr. JOHNSON of California. That is true.

Mr. HOLIFIELD. I also wanted to stress the point that the metropolitan water district is putting $126 million of their own money, they have the bonds for it, into this project, and they are putting it in knowing that this water is going to cost about 22 cents a gallon, but they are willing to put $126 million into the water side of this project because of their belief that the technology will be improved as time goes on, and that it will furnish a valuable supply of water for millions of people who live in this area.

Mr. JOHNSON of California. That is quite true.

Mr. HOLIFIELD. So that they are not dependent upon the Federal Government. I have the different costs in the figures given me here, and it is around 13.7 percent, it may run a little higher than that. I have heard the figure of 17 percent used, but my table shows 13.7 percent.

The utilities, 57.9 percent, and the MWD, 28.4 percent. Is that true?

Mr. JOHNSON of California. Correct, as given to the committee when the committee was in progress.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, I believe it should be definitely understood that there is no money in this whole program, including the money that was authorized in the last Congress as the contribution of the Atomic Energy Commission, that is to duplicate or further the work on the nuclear reactors. Rather, the assistance will apply to the dual purpose aspects of the project, the siting and related design of the total facility, and the coupling of the desalting plant with the back pressure turbine and the nuclear powerplants. That is where the Atomic Energy Commission will be functional. This will be entirely new as far as research is concerned. This information is taken from the statement of Commissioner Ramey of the AEC.

Mr. JOHNSON of California. This is correct.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. GROSS. Why is there no provision for repayment of the money invested by the Federal Government in this project?

Mr. JOHNSON of California. I will say to the gentleman the matter was thoroughly discussed during the hearing and, as stated by the Assistant Secretary of the Interior, Mr. Di Luzio, he was satisfied that the data and the technology and know-how that would come from this project would be worth all of the money that the Federal Government was putting in. They were going to use this particular plant for additional technology and know-how at the time of construction, and when the first 50 million gallon plant was built they would know much more about it after it was in operation, and then when they went into the next phase of it to the 100 million gallon plant, the data and the technology and the know-how that would result would be worth every nickel the Federal Government has put in.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. ASPINALL. Mr. Chairman, following the suggestion of the gentleman from Iowa, and all of us know of his desire to protect the Treasury of the United States as much as possible, but if we follow his suggestion it would be like asking for the return of all the money that we have spent in the space program, or the money we have spent on the National Institutes of Health programs. All of these programs are pure research programs, and the knowledge gained thereby belongs to the public itself. Is that true?

Mr. JOHNSON of California. That is true.

I might say further, if the gentleman will allow me, that this is the largest undertaking of any type that our Office of Saline Water has moved into. We have spent approximately $100 million so far in this particular agency of government, and the amount of money that is going to go into this will give them more in the way of technology and know-how to move along with the overall program and do the job. The Federal Government does not want to operate any of these facilities. They merely want the right to develop the technology, and the know-how, to bring the cost of such water down within reason so that we can augment the water supplies from either sea water or brackish water.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. GROSS. The gentleman from Ohio mentioned the space program. I was not aware that there was any expectation of making a profit from the space program or even approach the costs expended in the space program. I do not believe it is a very good comparison.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. ASPINALL. I originally was from Ohio so I will accept that origin by my friend from Iowa.

This is in search of potable water for the use of the people of the United States of America. This is a research program within itself. This is not to furnish cheap water to the people of the area concerned or of Los Angeles. They do not pay as much for their water that they have as this water will cost.

What I said a while ago was that the mixing of waters produced by a desalinization plant with waters that they have does not make it out of reason, so far as the cost of the water for their people is concerned.

The CHAIRMAN. The time of the gentleman from California has expired.

Does the gentleman from Pennsylvania desire to yield time?

Mr. SAYLOR. No, Mr. Chairman.

Mr. LUKENS. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. Kupferman] may extend his remarks at this point in the Record and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KUPFERMAN. Mr. Chairman, as a member of the Interior and Insular Affairs Committee and of its Subcommittee on Irrigation and Reclamation, I support this legislation although I recognize there are valid objections.

In the committee report, No. 180, will be found my statement expressing additional views on the subject, as follows:

Additional Views of Theodore R. Kupferman

There is a great deal to be said for the minority view, and I might, under other circumstances, concur in such view. However, I believe that the great need for the development of pure water and pure water sources not only in the West and Southwest, but throughout the United States, and its dependencies, militates in favor of some more activity in the area of desalinization, even though imperfect as indicated by the minority view.

Having recently viewed a desalinization plant on St. Croix in the Virgin Islands, and seen water actually imported by boat from Puerto Rico to the Virgin Islands because of shortage, and remembering also the water shortage experienced by New York City in 1965, I have concluded that, regardless of the limited specific benefit of the desalinization plant here involved, the overall picture can justify participation in the construction and operation of this dual-purpose desalting plant.

Mr. LUKENS. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. Bell] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BELL. Mr. Chairman, as a sponsor of this important legislation, I rise in its support. H.R. 207 would authorize what I feel to be one of the most critical undertakings by Government and private industry.

Those of us who live in the West are only too familiar with the challenge of water conservation. Unfortunately, the droughts of the past 2 years have brought a poignant awareness of the problem to the East.

In effect, we are asked to authorize Government purchase of invaluable desalination technology that will accrue from the construction and operation of the 150-million-gallons-per-day plant. It will not be a Federal undertaking. It will be built and, for the most part, financed by the Metropolitan Water District of Southern California in partnership with a group of public and private electric utilities serving the southern California market area. Of the $400.4 million project cost, the Federal Government will contribute only $72.2 million. A small price to pay for what may prove to be the desalination breakthrough we have been seeking for so long.

As a cosponsor of the so-called Colorado River Basin project, I am well aware of the need to explore on a regional basis every avenue in seeking relief for the water crisis. The Bolsa Chica plant will play an important role in the effort. Feasibility studies of the project indicate that desalination costs may very well be competitive with other methods of augmenting water supplies including importation.

And it should not be overlooked that the huge dual-purpose plant will provide an estimated 1,800 megawatts of electricity for the ever expanding demands of southern California.

I am confident that steps have been taken to guarantee a transfer of all data and technology to the Federal Government for application in future projects in other sections of the country.

Mr. Chairman, we cannot afford not to take this next important step toward a solution to a challenge that man must meet to survive.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to participate in the development of technology for a large-scale desalting plant by providing financial, technical, or other assistance to the Metropolitan Water District of Southern California for the design, development, construction, and operation of a water treatment and desalting plant to be constructed as a part of a dual-purpose electrical power generation and desalting project in the southern California area.

Sec. 2. Before providing any assistance as authorized by this Act, the Secretary shall first determine that the value of the anticipated technical knowledge and experience in desalting to be derived from his participation in the construction and operation of this facility will be not less than the amount of such assistance.

Sec. 3. In order to provide the assistance authorized by this Act, the Secretary may enter into a contract with the metropolitan water district to cover such periods of time as he may consider necessary but under which the liability of the United States shall be contingent upon appropriations being available therefor.

Sec. 4. There is hereby authorized to be appropriated not to exceed $57,200,000 to carry out the purposes of this Act.

Mr. SAYLOR (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that it be open to amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 2, line 8, after "may" insert ", without regard to the provisions of Revised Statutes 3648,"

On page 2, line 9, strike out "metropolitan water district to cover" and insert: "Metropolitan Water District of Southern California containing such terms and conditions as he deems appropriate and covering".

On page 2, line 12, add the following language: "No such contract, however, shall be executed by the Secretary until 45 calendar days after it has been transmitted to the President of the Senate and the Speaker of the House of Representatives, which 45 days shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment for more than three days to a day certain or an adjournment sine die. The contract shall provide that any finanical assistance by the United States under this Act toward the construction of the Bolsa Island or the facilities thereon shall be contingent upon the parties concerned obtaining, prior to the start of construction of the Bolsa Island, a construction permit from the U.S. Atomic Energy Commission for the construction of the nuclear reactors on the said island. The contract shall also provide that the United States, its officers and employees shall have a permanent right to access to said island and the desalting project located thereon for all official purposes."

On page 2, after line 12, insert a new section, as follows:

"SEC. 4. The Secretary of the Interior shall report to the President of the Senate and the Speaker of the House of Representatives on or before March 1 of each year on his operations under this Act and on the results obtained by the United States from participation in the desalting and electrical power generation project pursuant to this Act."

Page 2, strike out all of lines, 13, 14, and 15, and insert the following:

"SEC. 5. To carry out the purposes of this Act, there are authorized to be appropriated not to exceed $57,200,000, which shall remain available until expended."

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL: On page 2, line 8, after the period, add "Should the desalting plant be successful and result during its lifetime a profit to the State of California or the participating corporation, the U.S. Treasury will be paid for its grant; at an annual rate to be determined by the Secretary of the Interior, to include interest rates equal to the cost rate of such sums to the U.S. Government."

Mr. HALL. Mr. Chairman, this is a very simple amendment. It simply makes ordinary sense and provision for recoupment and repayment of this investment for research, power sales, and desalted water provided by taxpayer funds.

Mr. Chairman, I pointed out during the discussion of the rule which makes this consideration in order, that there is only a right of continued access to the proposed Bolsa Island and there is no privy information developed from such research nor is there any recoupment of fees from sale of power or water. This is a dual-purpose plant. It is not for desalination alone.

I realize that this amendment, too, is "iffy," as indeed is the entire bill, as pointed out by the gentleman from Pennsylvania in his minority report and in his opposition to H.R. 207 in the well.

But there is additional fallout from this research, if indeed that is all it be, in the form of power, which I am sure will be consumed and distributed locally. We have been working for technical know-how in desalination for many years. During World War II we developed, as I have said before here, chemical desalination of water for use in the hospital ships, strangely enough, by a major in the Quartermaster Corps. This is within the art of the feasible. We are not against research, but why not return to the Federal taxpayers part of the money which we expect and which the Metropolitan Water District of Southern California is willing to invest this same amount, predicated upon anticipated success?

As stated in the hearings and in the report, only the original $3 million of this $57.2 million is budgeted. This is a year in which we should all look to economy and austerity because of the no-win, nondeclared war halfway around the world, and we must not pay too much for dead water, albeit distilled water, in which fauna and flora and animals will not grow until livened up and intermixed with natural water containing nitrogen, algae, and other biooxygen chemical and potable animal agencies of nature.

Mr. Chairman, I would hope that this portion predicated upon the success of the plant, would be accepted as a return to the deserving taxpayers.

Mr. ASPINALL. Mr. Chairman, I rise in opposition to the proposed amendment. I do so with reluctance because I know that the gentleman from Missouri is always trying to protect the taxpayers, and I join him in his desire, at least, if not in his method, of trying to do it in this particular instance. This is a research program. There is no question about that. The Federal Government heretofore has never asked for the return of any of its money that it spends on research, and that has to do with whether it is basic research or applied research.

Not only that, we are dealing here with a nonprofit organization as such, the Metropolitan Water District of the City of Los Angeles, State of California. I think the gentleman himself perhaps gave the greatest argument against his amendment when he suggested that it was so "iffy." I think it would cost perhaps more to find out the answers to the "ifs" in this particular matter than any particular benefit that might come to the taxpayers, under the gentleman's amendment in the event of success. It seems to me if we are going ahead with the program where better than four-fifths of the money is being furnished by public utilities in the State of California and by private utilities of the State of California, as their contribution, then we should provide that this research information, whatever it may be, shall be open to the people of the United States because of the money that they have expended for this information.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to my dear friend, the Speaker of the House.

Mr. McCORMACK. Under the bill the Secretary of the Interior would enter into a contract with the Metropolitan Water District of Southern California. Private interests are also involved and would be connected with the contract. In the operation of the project under that contract the Secretary would be required to protect the interests of the Government and also the general public. He has broad authority and broad power to do so.

As I understand, it is the intent of this committee that with this broad power to make contracts in this very important field, not only for ourselves, but for the whole world—and this is one of the most important activities I know of, and I have been interested in it for many years—the Secretary of the Interior will protect the interests of the Government and also see that the general public is protected, if it results in the desalinization of water that is economically feasible.

Mr. ASPINALL. The Speaker is correct in his understanding of this legislation, and for the reasons stated—and which the Speaker stated—I believe the amendment should be voted down.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman's yielding this additional time, and I shall not take much time, but I simply want to submit that section 2, on line 3 of page 2, states:

> The Secretary shall first determine that the value of the anticipated technical knowledge and experience in desalting to be derived from his participation in the construction and operation of this facility will be not less than the amount of such assistance.

I would hope—and this is exactly why I submitted this amendment at this particular point—that the interests of the taxpayers and of all of America will be protected in this return of benefit, so that it will not all fall to southern California alone.

I agree with the Speaker that if the Secretary of the Interior is doing his job both as Secretary and as a member of the Cabinet, he would determine this before he involved or encumbered the $57 million—but I fear that it will be encumbered.

Mr. ASPINALL. This is the language to which the Speaker referred. And I know of no other instance where an amendment such as my friend from Missouri offers has ever been placed upon the administrative responsibility of the Secretary.

Mr. HALL. I sure believe it is time that we try.

Mr. HOSMER. Mr. Chairman, I rise in opposition to the amendment and with all due respect to the gentleman from Missouri, actually this contract is going to be with the Metropolitan Water District of California, which is a public agency and a nonprofit outfit anyway, and it cannot have any profit. So the amendment is going to act on nothing.

But what really disturbs me about the gentleman's amendment is the fact that there is not any great outpouring of the Treasury's money here to give something to California. The Interior Department is going, for its amount of money, to get a quid pro quo return for it. The Secretary has to find out that he is going to get that before he actually lets loose of a cent of the money. So there is no question of somebody's unearned profit. There is no question that the U.S. Government is not going to get in this deal what it went in to get, in the first place, and what it is putting up its money for.

I just cannot reiterate too many times that the allegation that this is any kind of grant-in-aid, or giveaway, or anything similar, is totally in error. This is a way for the United States of America to get some important information and get it at a lot cheaper cost than if it went out all by itself and spent about nine times this amount of money on a single plant to get it. When the country can get it for much less by cooperating with a lot of people who are going to be doing this, it is sane and sensible to do so.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, is it not correct—may I ask my friend from California—that we have placed in this legislation the demand that we have the contract for 45 days, for purposes of examination in order to protect the interests of everyone? If this committee and this House has any confidence in the Committee on Interior and Insular Affairs—and I believe it does, and I believe it has shown its confidence heretofore—we will see to it that the provisions of this legislation are adhered to.

Mr. HOSMER. That is entirely correct. This already is tied up about as tight as anybody can tie it.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, the thing that disturbs me is the philosophy advanced by our friend from Missouri [Mr. HALL]. We are spending about $16 billion a year of Federal money in research and development, in all phases of scientific research and development. Nowhere have I found any provision that the result of that research and development be charged against any industry. As a matter of fact, we go so far the other way from the situation prevalent in the British Government. The British Government claims patents on research and development paid for by the British Government, and then they charge royalties for the use of the patents involved. Here in the United States—and I believe this is a very important thing to understand—every dollar's worth of research and development that we buy, every value that comes out of it, is made free to the people of the United States, to all of industry.

This would give to all of industry access to the latest technology so that in future services to the people and to the Government they could have access to the advanced technology without having to pay royalties, the taxpayers having paid for it in the beginning.

What is now preferred is a new philosophy, which I believe is a dangerous philosophy, because we might well try to attach it to all types of research and development, and I can see all kinds of trouble in connection with that.

Mr. HOSMER. I quite agree with the gentleman, and I believe the traditional American practice he has described has been one of the large contributing factors to the high standard of living we have had in our country, higher than that of any other country in the world.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

I merely want to say that if this debate continues much longer California is going to be giving each of us a quart of blood, instead of the Federal Government doing anything for California.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

The gentleman from California, or anyone who reads the bill or listens to the amendment, knows full well that the repayment to the Government is predicated upon a profit from the sale of power and from the sale of water by these corporations, not from any research which might be involved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. HALL].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 207) to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes, pursuant to House Resolution 439, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SAYLOR. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SAYLOR. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. SAYLOR moves to recommit the bill (H.R. 207) to the Committee on Interior and Insular Affairs.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SAYLOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 315, nays 38, not voting 80, as follows:

[Roll No. 71]

YEAS—315

Abbitt
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Cohelan
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cramer
Culver
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dole
Donohue
Dorn
Dow
Dowdy
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Ford, Gerald R.
Ford, William D.
Fraser
Friedel
Galifianakis
Gallagher
Garmatz
Gathings
Giaimo
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Pa.
Griffiths
Gubser
Gude
Hagan
Halleck
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kazen
King, Calif.
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyros
Laird
Landrum
Leggett
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McFall
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Mize
Moore
Morgan
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Poff
Pollock
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Quillen
Randall
Rees
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rostenkowski
Roush
Ruppe
Ryan
Sandman
Satterfield
St Germain
Schadeberg
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Staggers
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tiernan
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Walker

Wampler
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zion

NAYS—38

Abernethy
Ashbrook
Bolton
Bow
Broyhill, N.C.
Burke, Fla.
Cleveland
Fountain
Gardner
Gross
Grover
Haley
Hall
Hunt
Jonas
Kyl
Langen
Lennon
Minshall
Montgomery
O'Konski
Ottinger
Pike
Price, Tex.
Railsback
Rarick
Reid, Ill.
Roberts
Roth
Rumsfeld
Saylor
Scherle
Smith, N.Y.
Springer
Stanton
Thompson, Ga.
Wydler
Zwach

NOT VOTING—80

Ashmore
Barrett
Berry
Betts
Byrnes, Wis.
Celler
Clark
Clawson, Del
Collier
Cowger
Cunningham
Dawson
Dent
Dickinson
Diggs
Dingell
Downing
Fino
Foley
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gettys
Gibbons
Green, Oreg.
Gurney
Halpern
Hansen, Wash.
Hawkins
Hébert
Herlong
Jacobs
Jones, N.C.
Karth
Kee
Keith
Kelly
Kirwan
Latta
Long, La.
McDonald, Mich.
McEwen
McMillan
Machen
May
Monagan
Moorhead
Morris, N. Mex.
Nichols
Nix
Olsen
O'Neal, Ga.
Passman
Pirnie
Poage
Pool
Resnick
Rivers
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roybal
St. Onge
Scheuer
Schneebeli
Skubitz
Smith, Iowa
Tuck
Tunney
Udall
Vander Jagt
Watkins
Watts
Williams, Miss.
Willis
Younger
Zablocki

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Byrnes of Wisconsin.

Mr. Kirwan with Mr. Betts.

Mr. Ashmore with Mr. Dickinson.

Mr. St. Onge with Mr. Halpern.

Mr. Rooney of New York with Mr. Fino.

Mr. Moorhead with Mr. Watkins.

Mr. Monagan with Mr. Frelinghuysen.

Mr. Williams of Mississippi with Mr. Younger.

Mr. Zablocki with Mr. Pirnie.

Mr. Machen with Mr. Collier.

Mr. Celler with Mr. Keith.

Mr. Clark with Mr. Fulton of Pennsylvania.

Mr. O'Neal of Georgia with Mr. Cowger.

Mr. Foley with Mr. Del Clawson.

Mr. Resnick with Mr. McDonald of Michigan.

Mr. Gettys with Mr. McEwen.

Mr. Fuqua with Mrs. May.

Mr. Dingell with Mr. Schneebeli.

Mr. Jacobs with Mr. Cunningham.

Mr. Watts with Mr. Berry.

Mr. Tuck with Mr. Roudebush.

Mrs. Kelly with Mr. Vander Jagt.

Mr. Barrett with Mr. Skubitz.

Mr. Morris of New Mexico with Mr. Latta.

Mr. Nichols with Mr. Gurney.

Mr. Ronan with Mr. Long of Louisiana.

Mr. Rosenthal with Mr. Dawson.

Mr. Smith of Iowa with Mrs. Green of Oregon.

Mr. Gibbons with Mrs. Hansen of Washington.

Mr. Fulton of Tennessee with Mr. Herlong.

Mr. Jones of North Carolina with Mr. Passman.

Mr. Karth with Mr. Hawkins.

Mr. Dent with Mr. Rivers.

Mr. Kee with Mr. McMillan.

Mr. Downing with Mr. Udall.

Mr. Pool with Mr. Tunney.

Mr. Roybal with Mr. Diggs.

Mr. Scheuer with Mr. Nix.

Mr. Rooney of Pennsylvania with Mr. Olsen.

Mr. **BURTON** of Utah changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The **SPEAKER**. Pursuant to the provisions of House Resolution 439, the Committee on Interior and Insular Affairs is discharged from the further consideration of the bill S. 270.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. JOHNSON OF CALIFORNIA

Mr. **JOHNSON** of California. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. JOHNSON of California moves to strike out all after the enacting clause of S. 270, to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes, and insert in lieu thereof the provisions contained in the bill H.R. 207, as passed, as follows:

"That the Secretary of the Interior is authorized to participate in the development of technology for a large-scale desalting plant by providing financial, technical, or other assistance to the Metropolitan Water District of Southern California for the design, development, construction, and operation of a water treatment and desalting plant to be constructed as a part of a dual-purpose electrical power generation and desalting project in the southern California area.

"SEC. 2. Before providing any assistance as authorized by this Act, the Secretary shall first determine that the value of the anticipated technical knowledge and experience in desalting to be derived from his participation in the construction and operation of this facility will be not less than the amount of such assistance.

"SEC. 3. In order to provide the assistance authorized by this Act, the Secretary may, without regard to the provisions of Revised Statutes 3648, enter into a contract with the Metropolitan Water District of Southern California containing such terms and conditions as he deems appropriate and covering such periods of time as he may consider necessary but under which the liability of the United States shall be contingent upon appropriations being available therefor. No such contract, however, shall be executed by the Secretary until forty-five calendar days after it has been transmitted to the President of the Senate and the Speaker of the House of Representatives, which forty-five days shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment for more than three days to a day certain or an adjournment sine die. The contract shall provide that any financial assistance by the United States under this Act toward the construction of the Bolsa Island or the facilities thereon shall be contingent upon the parties concerned obtaining, prior to the start of construction of the Bolsa Island, a construction permit from the United States Atomic Energy Commission for the construction of the nuclear reactors on the said island. The contract shall also provide that the United States, its officers and employees shall have a permanent right to access to said island and the desalting project located thereon for all official purposes.

"SEC. 4. The Secretary of the Interior shall report to the President of the Senate and the Speaker of the House of Representatives on or before March 1 of each year on his operations under this Act and on the results obtained by the United States from participation in the desalting and electrical power generation project pursuant to this Act.

"SEC. 5. To carry out the purposes of this Act, there are authorized to be appropriated not to exceed $57,200,000, which shall remain available until expended."

The **SPEAKER**. The question is on the motion offered by the gentleman from California [Mr. JOHNSON].

The motion was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 207) was laid on the table.

CHANGING NATURALIZATION STATUTES

Mr. **RODINO**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **RODINO**. Mr. Speaker, one of the most rewarding experiences for me as a Member of the U.S. Congress is the opportunity to prove that every person in this great land of ours can turn to his Representative in Congress for aid when it is needed.

Conversely, the saddest experience I witness in the Congress is that cry for help from a person lost in a maze of Federal statutes and no relief can be uncovered. There is nothing one can do with a defective statute except to change it. Recently I received an anxious plea from a father and mother and their four children, ages 8, 10, 18, and 19—a plea asking me to find something in the law which would permit the fifth child, a 17-year-old girl, to be naturalized as a U.S. citizen along with the other six members of the family. Unfortunately, there is no such provision in the law.

The Immigration and Nationality Act provides that foreign-born children derive U.S. citizenship upon the naturalization of their alien parents, if the children are still under the age of 16 years. This provision is found in section 321. Thus, the youngest children will become citizens the same day their parents are naturalized.

Furthermore, the law provides that a person who is at least 18 years old is eligible to file his or her own petition for naturalization. Thus, the two elder children can become naturalized citizens on their own petition. The 17-year-old girl, through absolutely no fault of her own will be deprived of becoming a U.S. citizen on the same day as the other members of her family, simply because of an oversight in existing law. She is too old to derive citizenship through her parents' naturalization and not old enough to file her own petition for naturalization.

It is true that the young girls' parents, after becoming citizens, can file a petition for her naturalization, but the present law deprives a child of the opportunity of becoming a U.S. citizen at the same time as her parents, brothers, and sisters.

I introduce legislation today to correct this void in our naturalization statutes by making it possible for a child to derive citizenship through the naturalization of a parent or parents up until their 18th birthday.

I send my warm congratulations and sympathetic apologies to this family that has prompted this legislation and who has looked longingly for American citizenship. I trust this legislation can be expeditiously considered by the committee and by the House.

THE PROBLEM OF LSD AND MARIHUANA

Mr. KYL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KYL. Mr. Speaker, in the autumn of 1966 a Washington teenager stopped on a public street of another large city, to listen to an unkempt man talk compellingly about freedom and psychedelic drugs. The youngster was sufficiently impressed to be drawn to the man. They talked, privately. Later, in a nearby store, the youngster was approached unexpectedly by the "freedom preacher." After a rather lengthy discussion, the adult sold 10 LSD capsules to the lad.

This was the start of one chapter in a story which offers a sobering lesson to Americans everywhere. It involves an alarming number of District of Columbia youngsters, and their experiences with the dangerous drugs, marihuana and LSD. This story could happen anywhere.

It became obvious early this spring that a problem of considerable magnitude had developed. The Youth Aid Division and the Narcotics Bureau of the Metropolitan Police were called first at the request of a parent whose very young daughter had had a violent physical reaction after using LSD. After a brief preliminary investigation, a special team was detailed to examine the situation more thoroughly. The team interviewed dozens of teenagers, in the company of their parents. It is my opinion, Mr. Speaker, that the Department has performed its total task in a most exemplary fashion through this affair.

The details which I relate were given to me by parents who had asked officers if there was someone in some position of authority, but outside the Department, to whom they could talk. They wanted to help families in other places. They were worried and concerned. Something had happened to them and their youngsters "which they never dreamed could happen." Those to whom I talked were shaken. They were surprised.

Consider the parents who found their otherwise exemplary offspring had been spending large sums of money for drugs or those who found unexpected sums of surplus cash. Shocked? How do you feel when you find your child of 13, or 16 has "smoked the pipe" or the "joint" on 10, 20, or 60 occasions, at an average price of $5 a smoke?

Now there were parents who apparently were nonchalant, expressing the thought that this was simply "curiosity of intelligent youngsters." I am certain some were just curious. But smoking marihuana 50 and 60 times should satisfy a lot of curiosity.

There has been a lot of discussion about the belief that marihuana and LSD are not habit forming. And I do not argue the point here. But, according to the kids, at least one of the adult pushers laced his "grass" with opium without informing the purchaser. This is an ever present danger. Had this investigation not proceeded expeditiously, someone could have been hooked—not on marihuana, but on the heavy stuff about which there is no doubt.

Worse, however, is the fact that the most innocent experimenters obviously realized they were acting in the clandestine fashion of unsavory characters. They knew they were violating the law. Still worse, they knew they were contributing to one of the lowest creatures of criminal society—the adult who pushes dangerous drugs and narcotics on children.

Almost all those about whom I have personal information can now see the error, though the realization "came hard" for some. One young lady begged to work with police to help in incriminating the pusher, and she had parental permission. However, District of Columbia police regulations forbid use of juveniles as informers or agents or to otherwise furnish original information for prosecution.

As a group, these were not youngsters known to the police because of previous involvement in any form of antisocial behavior. They could be categorized as "normal to bright" and some were "brilliant." They were not poor. This is no game for the poor. LSD sells normally for 1 cent a microgram or $2.50 a usual dose. More usually it brings $5 a pill. One youth paid $100 for nine pills, another $108 for 10. Marihuana lists at $15 an ounce, $250 to $300 per "loaf." It is higher in small quantities—one-half ounce for $5, and it comes in "nickel and dime" bags which in trade terminology means $5 and $10 bags.

What reactions had been derived? Largely the experience was disappointing. Several said it was "nothing," but the "nothing" led in some cases to repetitions in vain hopes that "something" might happen. There is a suspicion that pushers had possibly sold some completely harmless weeds for the high price. There were reports of violent physical reactions—nausea, dizziness, loss of visual and mental acuity. And, for some, there came an "awareness." For a few there were "visions" and "unusual feelings." No one of my confidants felt there had been any real value in the experiences. A few still harbor the question of "how wrong" is the use of dangerous drugs, even when inevitably attended by violations of law.

I am personally concerned about at least two broad aspects of this problem. In our present society it becomes increasingly difficult for parents and children to have proper communications even in complete families which live without want. In each specific case, I can find increasing freedom of action coupled with decreasing personal responsibilities. There is increasing permissiveness without compensating judgment.

And here again is that all too frequent symptom of our collective illness—the thought that if we do not believe a law is right, there is nothing wrong with breaking that law. There is a kind of premium in disobedience.

These are the kinds of problems we cannot shoot down from a distance. We simply must take the time for personal involvement, not as doctor, lawyer, merchant, or Congressman, but as people, and as parents. Far too many of us live in a society but not with it. The family group is too much group and not enough family.

Our national behavior problems deserve our best collective deliberations and actions, but these will come to naught if we do not rededicate ourselves to individual involvement to the extent we can know what is happening, and why and what we must do. The human being is still an individual. He cannot be measured in feet and pounds. And the answers to his problems do not come in words and dollars.

WHERE ARE YOU, SECRETARY FREEMAN?

Mr. BATTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BATTIN. Mr. Speaker, during this past month, my compassion for the American farmer has increased because the Secretary of Agriculture has chosen to treat me as he has been treating them. He has ignored my request for help and consideration. On March 29, I wrote Mr. Freeman a letter concerning consolidation of several Agricultural Stabilization and Conservation Service offices in my State and asked him to review his decision to eliminate these elected bodies. My question to the Secretary was: "Under what authority were these offices ordered closed and what alternative do you offer the people who elected the ASCS officials for this extremely necessary service?"

Mr. Freeman either has no answer to this question or he has chosen not to reply.

In the meantime, 36 people who took the time to write letters and 15 others who sent telegrams—so immediate was their need for help—and five others who telephoned me are waiting for a reply from the Secretary. These people who have contacted my offices are not the only ones concerned with this problem. They are spokesmen for hundreds of farmers and ranchers who will lose the services of these offices. Mr. Freeman's decision to close these offices was, in a minor way, much like deciding that a county was too small to have a board of county commissioners and so would have to use commissioners from a neighboring county. ASCS officers are local people who are elected by their neighbors to coordinate conservation programs. They are a vital part of the agricultural economy.

So if the Secretary's decision to consolidate these services in four counties is allowed to stand, the farmers and ranchers in the affected areas will lose their representation on the ASCS boards.

In Montana, where large counties sometimes have very few people, these farmers will have to drive up to 100 miles to consult ASCS offices that were within 10 miles of their farms.

The personal touch that has worked so well in making the ASCS offices an effective part of scientific farming will be sacrificed for a doubtful economy.

ASCS officials, who should know, have informed me that these moves will not save any money or, if at all, very little. Surely the advantages of having an office nearby and the availability of officials who know the land, people, and problems of an area is worth more than the meager savings the Secretary's action will bring.

CONGRESSMAN HORTON SPONSORS NATIONAL HOMEOWNERSHIP PLAN; CITES EXPERIENCE OF "BETTER ROCHESTER LIVING, INC."

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, today is a proud day for those of us who believe in the capacity of all levels of government to cooperate with private groups in bringing a higher quality of existence to the lower income residents of America's inner cities.

Programs enacted during the last two Congresses to cure the ills of our cities have had some success in motivating Americans to provide financial and personal assistance to the less fortunate through federally run programs, and I have supported many of these programs. One thing we have failed to do, however: that is to effectively and sufficiently involve local and private groups in this great task. Because these programs have for the most part been directed from Washington, some incentive for local and private initiative has been lost. In addition, the "grant-in-aid" nature of many of these programs has failed to motivate those people who are the objects of this assistance—the urban poor themselves.

It is understandably difficult to motivate a person, and to instill in him hope for a better future when his life has been a history of unfulfilled hopes and bleak surroundings. I believe, and I am joined by a host of our colleagues in both bodies in this belief, that the tangible and measurable goal of homeownership, when placed within the reach of a low-income family, will be more than sufficient to effect an attitude of self-improvement in all aspects of the family's existence.

The bill I am cosponsoring today, originated by my good friend Senator CHARLES PERCY, is intended to mobilize private and local as well as Federal resources, in order to bring homeownership to thousands of low-income families who today find themselves in the rut of frequent unemployment and rented, slumlike surroundings.

Mr. Speaker, I am fortunate in representing the city of Rochester, N.Y., which has a very successful, privately run homeownership plan already in operation. Better Rochester Living, Inc., has been in existence for over 2 years. It is similar to the plan I propose in that a family's work in rehabilitating the dwelling it is purchasing is applied toward the purchase price. So far, by applying a limited commercial line of credit and FHA 25-year loans, Better Rochester Living has been able to arrange purchases of homes for nearly 100 lower income families in Rochester's inner city. This project, which was begun with $40,000 in contributions from Rochester industry and churches, has had untold beneficial results in the lives of participating families. Marked improvements in children's study habits have been made possible by providing a home atmosphere of sufficient size and quality. Some families have been able to eat meals together on a regular basis for the first time, enhancing child-parent relationships and the family structure generally. Also, charged with the responsibility of maintaining and paying for a home, the family breadwinners have found steady employment which fully utilizes their productive skills. These workers, generally, have shown improved reliability and productivity since they were given the incentive of owning their own home.

I cite the experience of Better Rochester Living only as a means of showing what one small group, without adequate financing and large-scale private or government cooperation, has been able to accomplish. Under the program which I am sponsoring, groups like this, which have the advantage of Federal and local government participation, will spring up in every American city, enabling thousands of heretofore forgotten citizens to build a new and independent life in homes of their own.

ACID MINE DRAINAGE AND STREAM POLLUTION

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, recently there has properly been a great deal of concern about the problem of our streams and rivers being contaminated by manmade wastes. Unfortunately, mining, an industry basic and essential to this country's existence, has been a significant contributor to this contamination.

One of the most troublesome and widespread forms of stream and water contamination resulting from mining operations has been that of acid pollution. This acid water is caused by groundwater or water from streams seeping into mine dumps or abandoned mine workings and remaining in contact with certain minerals, primarily iron disulfide, for prolonged periods of time. The result is the creation of an acid water which, in sufficient concentration, is lethal to fish and plant life.

A little-realized aspect of this problem is its extent. Generally stream pollution from mine drainage is thought to be confined to the eastern coalfields of Appalachia. However, recent surveys show that 6,000 miles of streams and 15,000 acres of impoundments in 20 States are affected by acid pollution. It is not, therefore, entirely a local or regional condition although the Appalachia coalfields do account for a major portion of the overall acid pollution problem.

As would be expected, a number of active research projects are now underway to devise means of controlling or eliminating the pollution of our waterways by acid mine drainage. One of the leaders in this activity has been the College of Earth Mineral Sciences, Pennsylvania State University at University Park, Pa.

An excellent summary of the progress that has been made to control the acid pollution of our waterways and of the research that is now underway was contained in two articles recently appearing in Mineral Industries, published by Pennsylvania State University. Because this material is one of the most complete and comprehensive summaries yet developed on the problem of acid mine drainage, I shall insert the articles in the RECORD. It is urgent that all scientists and engineers involved on projects dealing with this subject, and particularly those to which Office of Coal Research and other Government appropriations have been directed, have an opportunity to familiarize themselves with this study.

Mr. Speaker, I call attention to this paragraph in the introduction to the study:

> It is not even realistic to assume that we should now cease mining coal as a solution to mine drainage problems, since we have the legacy of the past mistake and an immediate and long-term need for the coal industry. Radioactive wastes accompanying atomic power generation and the more taxing problem of safely disposing of these wastes for thousands of years to come should sober our thinking in regard to the role of coal today and in the immediate future.

It is time that this observation receive public notice. I deplore attempts to persuade the American public that air and water pollution will be eliminated if coal and oil are replaced with the atom in electric generating plants. Electric utilities planning coal-fired stations should not be continually harassed with the idyllic but illusory proposition that the atom is the answer to pollution problems.

In the years ahead the spiraling power

requirements of this Nation will welcome al the energy that nuclear fission can provide, but it is unwise to rush the reactor program beyond the levels of safety and reason and to the detriment of proven and available fossil fuels. As of now the potential danger from a single nuclear plant is far greater than all the hazards—actual and suspected—associated with coal in the lifetime of the industry.

The Pittsburgh Press of February 22, 1967, reporting on a meeting of the American Nuclear Society's Pittsburgh section, printed this quotation from Dr. Joseph Weaver, past chairman of that section:

> The very worst thing that could happen is that the pressure inside the reactor's core—which contains rods of uranium fuel with cooling fluid, usually water, circulating around them—could force a pump or a metal bolt through the outer steel or concrete shield, which is called the containment.

The Press continued:

> Through that hole in the containment would spray the cooling fluid, which is full of radioactive particles.
>
> This atomic spray might descend on the surrounding community somewhat like fallout from a nuclear blast.
>
> And as the highly-heated water shoots out of the reactor's core, the atomic fuel is left high and dry, generating intense heat through radioactive decay but without the circulating water to cool it.
>
> "The uranium would then melt and possibly vaporize, leaking more radioactive particles into the atmosphere," said Dr. Weaver.
>
> "Because no one has yet come up with a universally-accepted way of measuring the probability of accidents like this happening, the Government does not feel it is ready to allow reactors to 'integrate' with urban communities."
>
> If it could be demonstrated that the probability of these accidents was close to zero, the ACRS (Atomic Committee on Reactor Safeguards) would give a green light to urban-centered reactors.
>
> Dr. Weaver said nuclear physicists and engineers from the Government, academic community and private industry generally agree the chances of a piece of metal pump or a bolt shooting through the containment like a missile are just about nil.
>
> "In fact, most of the reactors now in operation have more costly safety equipment than they realistically need," added Dr. (C. Rogers) McCullough (a former member of ACRS).

I will accept Dr. Weaver's statement that the chances of an accident as described are just about nil. But did not most of us assume that the chances of a fatal on-the-ground accident involving our astronauts were entirely nil?

Let us hope that there will never be an accident at a reactor within hundreds of miles of a population center. Meanwhile, until the atomic power plant is thoroughly tested over a reasonable length of time, let us not take any chances with our air and water supply near metropolitan areas, for an accident could contaminate both air and water and render a wide periphery uninhabitable for years. Any spillage upstream from a large city could infect the water supply of millions of human beings.

No, Mr. Speaker, "almost nil" is not enough. When the chances of a reactor accident are definitely nil, then it will be realistic to nominate the atom as the ideal fuel for eliminating air and water pollution—if, in the interim, science has developed a method of safely disposing of the atomic wastes referred to by the Pennsylvania State University authors in the article below. Long before that time, however, basic research on acid mine drainage and on sulfur oxide combustion will have provided the answers to these problems.

The articles from the Pittsburgh Press and Mineral Industries follow:

[From the Pittsburgh Press, Feb. 22, 1967]

NUCLEAR REACTOR SAFETY STRESSED BY SCIENTISTS—PUBLIC MUST BE EDUCATED, FORMER AEC-AIDE SAYS HERE

(By Ralph Hallow)

One of the most stubborn problems facing nuclear scientists these days is strictly nontechnical in nature.

The problem is overcoming public misunderstanding about their work.

People think this way:

"I personally have nothing against nuclear power reactors. It's just that if one was in my neighborhood it would drive property values down and might blow us all up."

Dr. C. Rogers McCullough, a former member of the Atomic Energy Commission's Advisory Committee on Reactor Safeguards (ACRS), detailed the problem and pointed out that nuclear reactors don't blow up in the first place.

SPEECH GIVEN

He explained how safe they are at a meeting last night of the American Nuclear Society's Pittsburgh section at Carnegie Institute of Technology.

Dr. McCullough said the ACRS prohibits private industry—or the Federal Government, for that matter—from building reactors in urban areas.

"The safety standards imposed by ACRS are too conservative, but we don't yet have the technical data available to tell us where they could be relaxed," said Dr. McCullough, who is technical director of Southern Nuclear Engineering Co.

BLAST "IMPOSSIBLE"

One problem he and other members of the society face is that a segment of the public still confuses an atomic reactor with an atomic bomb.

It is physically impossible for a reactor—unlike a uranium or hydrogen bomb—to lapse into an uncontrolled nuclear reaction (explosion), no matter what kind of accident is suffered by the reactor, he said.

Dr. McCullough explained that a reactor is simply a device for generating electric power in many cases more cheaply than conventional power plants which burn coal, natural gas or fuel oil to heat water into steam which in turn powers the turbines that produce electricity.

Reactors built by Westinghouse Electric Corp., General Electric Co. and other firms and now in operation in sparsely-populated areas of the country have so many safety factors that they could be moved into Pittsburgh and other cities in complete safety, says the society.

According to Joseph Weaver, past chairman of the Pittsburgh section:

"The very worst thing that could happen is that the pressure inside the reactor's core—which contains rods of uranium fuel with cooling fluid, usually water, circulating around them—could force a pump or a metal bolt through the outer steel or concrete shield, which is called the containment."

FLUID RADIOACTIVE

Through that hole in the containment would spray the cooling fluid, which is full of radioactive particles.

This atomic spray might descend on the surrounding community somewhat like fallout from a nuclear blast.

And as the highly-heated water shoots out of the reactor's core, the atomic fuel is left high and dry, generating intense heat through radioactive decay but without the circulating water to cool it.

"The uranium would then melt and possibly vaporize, leaking more radioactive particles into the atmosphere," said Dr. Weaver.

"Because no one has yet come up with a universally-accepted way of measuring the probability of accidents like this happening, the Government does not feel it is ready to allow reactors to 'integrate' with urban communities."

NEAR ZERO REQUIRED

If it could be demonstrated that the probability of these accidents were close to zero, the ACRS would give a green light to urban-centered reactors.

Dr. Weaver said nuclear physicists and engineers from the Government, academic community and private industry generally agree the chances of a piece of metal pump or a bolt shooting through the containment like a missile are just about nil.

"In fact, most of the reactors now in operation have more costly safety equipment than they realistically need," added Dr. McCullough.

Several society members in the audience pointed out that even when the ACRS decides reactors can safely be installed in or near cities, the general public may still oppose them as neighbors—"out of fear and ignorance."

Dr. McCullough said it would be up to the Government and industry to educate the public about the safety and desirability of nuclear power.

[From Mineral Industries, December 1966]

MINE DRAINAGE: ABATEMENT, DISPOSAL, TREATMENT—PART 1

(By Russell R. Dutcher, E. Bruce Jones, Harold L. Lovell, Richard Parizek, and Robert Stefanko)

INTRODUCTION

A number of active research projects concerning mine drainage have been undertaken over the years treating various aspects of mine drainage problems and the findings published. Despite this, Pennsylvania and many other states still are plagued with mine drainage which pollutes many rivers and ground water reservoirs. This indicates that either our research efforts, although of value, have been insufficient in scope or the solutions found have not been put into operation through broad management programs. If the former is correct and problems still remain to be solved, then the initiation of new research, demonstration projects, and administrative implementation of existing solutions to these problems is justified. In short, fresh approaches should be welcome, for it obvious that no one solution will apply in all cases to the problem at hand, or if it does, it may not be the most economical.

It is not even realistic to assume that we should now cease mining coal as a solution to mine drainage problems, since we have the legacy of the past mistake and an immediate and long term need for the coal industry. Radioactive wastes accompanying atomic power generation and the more taxing problem of safely disposing of these wastes for thousands of years to come should sober our thinking in regard to the role of coal today and in the immediate future.

While the mining industry has concerned itself with mine drainage in the past, recent legislation in Pennsylvania has accented the problem. Reclassifying "acid" mine drainage as an industrial waste and prohibiting its disposal into any stream, clean or polluted, were the two basic changes in the new Clean Streams Bill that caused a reappraisal of an old and perplexing problem. With millions of gallons of mine water containing ferrous sulfate and ferric hydroxide being discharged annually in amounts of acidity varying from 50 to 20,000 ppm, research has been accelerated in an attempt to obtain a solution to the problem.

Iron disulfide, FeS_2, associated with the enclosing rock strata as well as being present in the coal seam itself, undergoes chemical change in the presence of air and water, resulting in the formation of "acid water".[1] While there is some disagreement as to the exact mechanism, the following reactions are generally accepted:

$$2FeS_2 + 2H_2O + 7O_2 \rightarrow 2FeSO_4 + 2H_2SO_4 \quad (1)$$

$$4FeSO_4 + H_2SO_4 + O_2 \rightarrow 2Fe_2(SO_4)_3 + 2H_2O \quad (2)$$

$$Fe_2(SO_4)_3 + 6H_2O \rightarrow 2Fe(OH)_3 + 3H_2SO_4 \quad (3)$$

There is no typical "acid" mine water, and it is a more complex solution than the above equations would indicate. Not only does the ferrous to ferric iron ratio vary, but pH is not a true indicator of total acidity. Additional ions such as silica, aluminum, manganese, calcium and magnesium are present, as well as autotrophic bacteria, which are thought to accelerate the formation of acid.

While coal associated iron disulfide usually is isolated from oxygen and water in its natural environment in the earth, deep-mining the coal seam removes support from the overlying strata and induces caving, while strip-mining physically disrupts the strata. An influx of water and air, together with the exposure of additional acid-producing materials, provide all the necessary conditions for the above reactions to occur. Even then, if the water could be removed from the mine, immediately, acid water need not be produced. Unfortunately, caved areas become inaccessible and back-filled areas provide for easier movement of water, and over-flow or through-flow becomes the major contributor of "acid" mine water. It becomes obvious that any cessation of mining activity would aggravate the problem since, at least in active mines, water is pumped or drained regularly and thus exposure time is minimized.

ANTIPOLLUTION MEASURES

It would seem that a four-pronged attack is necessary to alleviate polluted mine drainage. First, for active mines an immediate abatement program is absolutely essential, for nowhere is that old adage "an ounce of prevention is worth a pound of cure" more appropriate. In any event, it is probably not possible economically to eliminate completely all "acid" water formation. Therefore, the second method of attack—water treatment—becomes very important. It is in this area that the greatest research efforts have been expended, although still falling far short of what is necessary.

It may well be that for many situations, the third possibility, the disposal of acid mine water, might prove more economical; or perhaps it might be used in conjunction with some treatment process. The fourth aspect of the problem—watershed management—looks more to the future, although there are some immediate benefits possible from the manipulation of ground and surface waters.

IMMEDIATE ABATEMENT

Contaminated mine water formation can be reduced by utilizing mining systems that will minimize the amount of water inflow into the mine, or by arranging the mine workings in such a manner that the inflow can be removed from the mine as quickly as possible. In all probability both of these approaches could be employed simultaneously for a given mining system.

Partial extraction to avoid caving to water-bearing strata would minimize the inflow of water. In addition, it would permit better collection and control of the water to divert it from the mine, for one of the major problems associated with caving techniques is that there is no control of the drainage patterns once the abandoned workings become inaccessible.

However, the economic and conservation aspects of partial mining must be weighed against any potential water benefits. Furthermore, the hazards of possible mine fires through spontaneous combustion must be considered. In many coal fields the systematic pulling of pillars with controlled caving is the only way that excessive rock pressures are relieved and the excavations maintained. It is interesting to note that recent legislation in Pennsylvania with respect to mine water and subsidence might be driving the mine operator to partial extraction as a short-term solution. For long-term benefits to the Commonwealth, this may only be the most expedient answer and not the most satisfactory one.

There are other novel aspects to the abatement program that might prove to be far more satisfactory, although at present they are largely in the "thinking" stage. For instance, it has been suggested that a chemical that will coat the sulfides and thus inhibit acid formation be placed in the ground water in a mining area. The availability of such a chemical, its possible side effects, and its economy must carefully be explored. Further, more has to be known about hydrology to achieve the most effective chemical dispersion. Another abatement possibility would be an attempt to grout off or intercept ground water in a mining area *before* it enters the mine. In Britain experimental attempts are being made to drain overlying strata prior to caving. No doubt considerably more can be done with abatement techniques, but much research is necessary.

DISPOSAL METHOD

Established methods

Subsurface disposal involves removing unwanted materials from their original environment and placing them in isolated subterranean zones. Permanent removal of undesired liquid water generally is accomplished by using injection wells to transport the material to the disposal horizon.

The petroleum industry first employed subsurface disposal in the early part of the twentieth century to dispose of oil field brines.[2] During the past ten years other industries have adopted this method to dispose of manufactured wastes, and injection wells are presently being used in the drug, chemical, steel, and paper manufacturing industries.[3] Radioactive material from nuclear plants also is being injected into disposal wells.

Injection wells are drilled from the surface to a geologic formation previously selected as the disposal zone.[4] They are drilled and completed in the same manner as gas and petroleum wells, and waste travels down the well through a non-corrosive injection tube. Surface facilities associated with injection wells consist of a waste gathering and storage system, filtering equipment, and one or more pumps. Multibarreled displacement pumps are generally used for this purpose.

The rate at which a disposal well can accept fluid depends upon the fluid properties, rock properties, the size of the well and the pressure gradient in the system. Pumps provide the pressure necessary to push the waste into the disposal zone. The necessary injection pressure may be calculated from the following relationship:

$$P_1 = P_f - P_s + P_1$$

Where P_1 = Injection pressure from pump
P_f = Well bottom formation pressure
P_s = Pressure of fluid column in well
P_1 = Friction loss in injection tube.

Formation pressure (P_f) cannot be measured until the well has reached the disposal zone and, even then, an accurate measurement is not always possible.

However, an estimate can be made by multiplying the well depth by the geologic pressure gradient. The generally accepted pressure gradient is one pound per square inch pressure per foot of depth. The fluid column pressure (P_s) can be calculated from the well depth and the fluid density. Friction loss (P_1) can be calculated from well depth, injection tube material and size, and the flow rate. Flow rate into the disposal formation is usually not directly proportional to injection pressure. At higher pressures, incremental pressure increases result in a proportionately greater flow rate.

If it becomes desirable to increase flow rate for a given pressure, the formation properties may be altered. Several methods of well stimulation are practiced in the petroleum industry to achieve a more efficient well,[4] such as hydraulic fracturing, nitro-shooting, well perforating, and acidizing. Hydraulic fracturing is the most popular of these methods.

Geologic factors

The main factor to be considered when contemplating the establishment of a disposal well is the presence of the proper geologic formations. The disposal formation must have a large enough storage capacity to contain the total volume of fluid that will be injected during the life of the well. This capacity depends upon the area and thickness of the formation and upon the effective porosity of the formation. A disposal formation should also be surrounded by relatively impermeable rocks to prevent migration of the waste away from the disposal zone. The disposal zone itself, however, should be very permeable to allow rapid flow of the waste away from the well with a minimum expenditure of pumping energy. Finally, a potential disposal zone should not contain usable ground water or any economic fuel or mineral deposit that could be contaminated by the waste.

Waste characteristics

The experience of companies using injection wells has shown that wastes which are to be injected into porous beds ideally should have the following properties:

1. A pH less than the formation water
2. No suspended solids
3. Low viscosity
4. Low metal content
5. High specific gravity
6. No self-polymerizing materials
7. No dissolved gases
8. No bacteria

The waste should also be chemically stable and compatible with the formation rock and fluids. The main concern in injecting wastes into a porous formation is the possibility of plugging the disposal zone. Recovery of a plugged well is expensive and time consuming.

Exploratory efforts—Experimental well

Acid mine water, while having a low pH and viscosity and containing no self-polymerizing materials, does not meet the stated criteria. Of particular concern are the presence of suspended solids, bacteria, dissolved gases, and concentrations of iron. Polluted mine water is not chemically stable and its compatibility with the formation will not be known until samples of the rock and connate water are available. It was felt that these problems, although difficult, were not insurmountable and could not be solved.

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[1] Vonder Linden, K. and R. Stefanko, *Subsurface Disposal of Acid Mine Water*, Preprint 151st Nat. Mtg. A.C.S., Symposium on Fossil Fuels and Environmental Pollution, Pittsburgh, March, 1966.

[2] Anonymous, *Subsurface Salt-Water Disposal*, American Petroleum Institute, Dallas, Texas, 92 pp., 1960.

[3] Donaldson, E. C., *Subsurface Disposal of Industrial Wastes in the United States*, U.S. Bur. Mines Info. Cir. 8212, 34 pp., 1964.

[4] Stefanko, R., K. Vonder Linden, and J. G. Tilton, *Subsurface Disposal of Acid Mine Water by Injection Wells*, Special Research Report No. SR-52 to Pennsylvania Coal Research Board, The Penna. State Univ., 70 pp., August, 1965.

The bituminous coal fields of central and western Pennsylvania lie in a region of well stratified sedimentary rock. Principle rock types are sandstones, limestones, shales, siltstones, and claystones, all varying in areal extent and thickness. Shales, siltstones, and claystones are very impermeable rocks and, therefore, are generally ruled out. The two remaining rock types, if occurring in large enough bodies, can be considered potential disposal reservoirs.

Many sandstone beds are quite thick, underlie large areas, and often have high porosity and permeability values. Fluid flow through a standstone brings the liquid into intimate contact with the rock, causing a maximum amount of contact between the waste and the formation. The sandstones in question are largely silica, a comparatively non-reactive substance.

Limestones generally exhibit lower permeability and porosity than sandstones and are often partially dissolved by ground water, thus forming a series of subterranean channels. Fluid flow in these channels is similar to that in an irregular system of pipes, and although formation to fluid contact is minimal, the extent of the fluid migration is difficult to determine. Limestone is calcium carbonate, a more reactive compound than silicon dioxide.

General geologic structural information is available for many of the larger rock units in central and western Pennsylvania, while detailed lithologic information is very limited, with cores being unavailable. However, in this area extensive drilling has been conducted for gas and oil, and drillers' logs are available. While it was realized that these do not always have the desired accuracy, it was thought that sufficient information might be available for a feasibility study. Considering all the information available, it seemed that the "salt sands," the Homewood and Connoquenessing sandstones, were an excellent potential disposal zone for the part of the Commonwealth where they are brine saturated. These formations were chosen because:

1. Many polluted mine water discharge points are present.
2. No producible amounts of natural gas or any other petroleum product have been found.
3. The salt sand formation water was reported to be a mineralized brine under nearly hydrostatic pressure.
4. Drillers' logs of wells indicate high porosity and permeability values.
5. Drillers' logs also indicate adequate formation thickness over a large area.
6. The "salt sands" are vertically bordered by impermeable shales.
7. The shallow depth of these formations (about 1500 feet) would not require the use of excessive pumping pressures.

This feasibility study is contained in a Special Research Report (SR–52) to the Commonwealth Coal Research Board.

An area in southwestern Pennsylvania was selected as a site for actual drilling of an injection well. Water from an existing mine was available for this full scale test. Subsurface contour maps prepared for the area indicated that the "salt sands" were approximately 130 feet thick at the proposed well site and were covered by about 1400 feet of overburden. The exact site was located so the well would penetrate the center of a large pillar in the mine, while all surface facilities were considered adequate.

Well development

The well was cable-tool drilled to a depth of 1302 feet, caliper and formation density logs were run, and a seven-inch casing was set and cemented in place.[5] Diamond core drilling (2 5/16 in.) then proceeded from the 1302 foot level to 1588 feet, and the interval was then reamed to a diameter of 6½ inches. The cores revealed that only an 80 foot thickness of salt sands existed compared to the expected 130 feet. Furthermore, the caliper log revealed that the interval from 1342 to 1351 feet, occupied by two beds of claystone, had spalled considerably. Visual examinations of the cores revealed that the salt sands were not as high in quality as had been expected with many shale striations. Analyses of cores for porosity revealed that these values were much lower than had been expected. Geologically then, the disposal zone was not nearly as favorable as drillers' logs had suggested.

Well testing

Despite the minor disappointments of low porosity values and thinness of sandstone units, a fresh water testing program was conducted. Fresh water was injected into the entire uncased interval of the well. Over 48,000 gallons of water entered the well at flow rates ranging from 100 to 220 gpm. Pumping pressures for these rates were considerably higher than expected, ranging from 1500 to 1940 psi.

Therefore, a decision was made to hydraulically fracture the uncased part of the well following this initial injection test in an effort to lower pumping pressures. The well was fractured, open hole, using approximately 30,000 gallons of fresh water and 34,000 pounds of 20–40 mesh sand. Fracture pressure was 1600 psi for a flow of 1500 gpm. The well was allowed to back flow following this treatment.

Radioactive beads were injected with the "frac" sand. A radioactive log run on the well following the fracture treatment indicated that a horizontal fracture had occurred at a depth of 1508 feet.

Following this, another fresh water injection test was performed. A total of 15,942 gallons was injected during a 1½ hour period. The pumping rate was 150 gpm and the pressure ranged from 1750 to 1800 psi. The well was allowed to back flow following this test. The water was initially clear, but later became cloudy. Upon close inspection it became apparent that this cloudiness was caused by suspended silty particles. This phenomenon raised the possibility that these particles were clogging the sand face.

Attempts to bail down the well revealed that frequent bridging, or plugging, of the hole was occurring below the 1350 level. Claystone from the spalled zone, indicated by the caliper log, was identified as the cause but results of efforts to cement off the spalled zone were inconclusive. A third injection test that followed involved a total of 46,200 gallons of fresh water pumped at rates from 105 to 250 gpm with pressures from 1800 to 2000 psi. Very little pressure fluctuation was observed for the various flow rates used in this test.

It was decided that perhaps more selective hydraulic fracturing of a narrower and more promising zone might prove fruitful. Since the cores revealed that the interval from 1480 to 1520 feet was the most permeable and porous, this zone was isolated, hydraulically notched and fractured. Unfortunately, a vertical fracture bridged the packer which was used at the top of the zone for isolation. This fracture orientation allowed the injected water to enter the formation, bypass the packer, re-enter the well bore above the packer and flow to the surface. Two attempts were made to reset the packer at a higher elevation in an effort to isolate the entire fracture, but both were unsuccessful. Irregularities in the well bore prevented the moving of the packer to a higher elevation and the test was halted.

Further work on the well ceased following this test; it was covered with a vented cap and allowed to remain full of water. The decision to halt the work was brought about by the conclusion of all parties involved that any further well stimulation would be futile and that a pumping pressure of nearly 2000 psi would be required to inject 150 gallons of acid mine water per minute into the well. The higher capital and operating costs at these high pressures precluded further development of this process at this time.

Summation of test

The major disappointment in this investigation was the comparatively small amount of sandstone penetrated by the well and its poor hydrologic properties, and this factor undoubtedly affected the pumping pressures in the injection tests. In this instance, what was thought to be sufficient information in the initial phase of the investigation proved to be unreliable under test. In any undertaking of this type, decisions should be based on accurate information. If reliable geologic data are not available, a core-drilling program must first be performed at any proposed injection site.

Perhaps the most significant finding of this study was the discovery that it was possible to inject water into the salt sands at the rate necessary to dispose of the available discharge. However, insufficient water was pumped into these formations to determine the long-term effect of this practice. Also, the compatibility of mine water with connate water and the formation rock was not established during the abbreviated testing program.

TREATMENT

Mine drainage waters which escape from a mining operation, either an active deep mine, a stripping operation, or an abandoned operation of either type, have various levels of soluble pollution components as previously discussed. It must be stressed that the development of polluted mine drainage results from a natural phenomenon and that mining operations have increased the volume and level of pollution of these waters. Although the Clean Streams Act of 1965 classifies mine drainage as an industrial waste, no action is now required for drainage originating from abandoned mines. This area is under constant study and is certain to be important in the not too distant future. Thus, in terms of today's conservation movements and the fulfillment of existing legislation, it becomes essential to consider remedial processes. An annotated bibliography covering the various aspects of mine drainage has been developed and is currently being maintained.[6] [7]

One idea suggested as a remedial process would be to dilute the drainage waters to such an extent that they have negligible effect on subsequent receiving streams. Actually, this process now occurs daily in nature; however, the volumes are so great that adequate dilution sources are unavailable. The economic capability of developing an adequate collection system prior to dilution also seems unrealistic. In addition, such a process does not always eliminate the unsightly conditions which develop during collection.

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[5] Stefanko, R., K. Vonder Linden, and J. G. Tilton, *Development and Testing of an Injection Well for the Subsurface Disposal of Acid Mine Water*, Special Research Report No. SR–60 to The Pennsylvania Coal Research Board by The Penna. State Univ., 1966, (in press).

[6] Beery, W. T., *Mine Drainage Abstracts*, Bituminous Coal Research and the Pennsylvania Department of Mines and Mineral Industries, October, 1964.

[7] Anonymous, *Supplement to Mine Drainage Abstracts*, Bituminous Coal Research and the Pennsylvania Department of Mines and Mineral Industries, October, 1965.

The approach currently available is to treat these mine waters in such a fashion that the pollutants are removed from the waters or are rendered innocuous.

Water quality

When one considers the treatment of any water, it is necessary to establish a product quality requirement. In Pennsylvania specifications have been established for active mining operations and are being developed for discharges resulting from coal preparation plant operations. These requirements include:

(1) The pH must be in the range of 6 to 9.

(2) The alkalinity must exceed the acidity as defined.

(3) The iron content must not exceed 7 milligrams per liter.

Development of such criteria is most difficult. All natural streams contain various levels of soluble components which may limit their use for certain purposes. Metabolic and toxicity requirements are not fully established either for man, aquatic plants or animals. Industrial water requirements vary widely. The control of pathogenic organisms usually is not a factor. There are many uncertainties about the levels of mineral pollutants that may be acceptable in streams. For example, calcium sulfate, a very common pollutant and one that would exist in an essentially saturated condition in any mine drainage treatment waters in which lime has been used as a neutralizing agent, exists with considerable uncertainty as to its toxicity. Authorities differ regarding the effect of water containing calcium sulfate in that some consider the "toxicity" level to be in the neighborhood of 200 parts per million, while others feel that is can be as high as the saturation point which approaches 3,000 parts per million.

The development of a system of stream zoning which would define quality in terms of anticipated usage appears the most reasonable approach to a criterion. In the absence of a zoning system, criteria cannot be realistically established. The removal of all dissolved solids is a practical impossibility and probably an undesirable goal, since upon returning such waters to the streams they will again achieve a certain level of impurities from soluble constituents in strata through which they pass. A vital consideration in development of quality requirements involves treatment costs. The higher the quality of product required, in general, the higher the treatment costs. The decision then must represent a social policy which is indicative of the cost the sociological group is willing to pay for maintaining the given level of water purity. The Pennsylvania regulations appear to have been selected on a somewhat arbitrary basis considering a level of water quality which will permit normal plant and aquatic life metabolism.

Treatment processes

When considering the development of any treatment process, a thorough understanding of the characteristics of the pollutants is essential. The main pollutant of most coal mine drainage is ferrous iron which may exist in concentrations up to at least 5,000 parts per million. The acidity associated with mine water acts in most respects as free sulfuric acid and by standard titration tests will range to values in excess of 10,000 parts per million $CaCO_3$. The acid response is believed to originate primarily from the "hydrolysis" of dissolved salts. The use of pH as an indicator of mine water quality is most misleading. It is at best a qualitative indicator, but should not be relied upon as significant in indicating the extent of pollution. Less frequently considered are other pollutants, usually in much lower concentrations. These include aluminum, magnesium, manganese, sodium, and chloride. A second type of mine drainage water which receives little attention, contains little or no acidity. In fact, it is commonly alkaline due to a bicarbonate content and can contain appreciable quantities of iron. The treatment of such waters involves completely different considerations although it should be less costly.

Another characteristic of mine drainage pollution which cannot be ignored is its instability in regard to changing concentration resulting from surface water seepage, variations in rainfall, caving conditions within mines, and the intersection of long-abandoned deep mines with later strip operations. There is a constantly changing concentration of the pollutant arising from the oxidation of ferrous iron by oxygen originating from the air to form various insoluble iron compounds which coat the bottom of any receiving stream. These many variable factors make the planning of any treatment process especially complex. In addition to the problems concerned specifically with the water, concepts of treatment become further complicated in selecting the location of a treatment facility. In many areas which develop mine drainage, the drainage will seep from several locations within a relatively small area, and since the coal measures in Pennsylvania cover such a large geographical area, a large number of receiving streams become involved. Thus, future decisions must establish whether small treatment plants or a centralized treatment plant following water collection should be employed. This overall problem is complicated by whether or not the treatment is to be carried out by an individual company, a governmental agency or an interagency authority. The gathering of the waters to deliver to a common destination can be very intricate, possibly requiring extensive pipelining and even pumping costs. In many of the active mining locations today it is necessary to remove water from the mine. In fact, as was discussed earlier, improved mining practices would suggest prompt removal of any waters developed in the mine as rapidly as possible, again requiring water-gathering networks and pumping to the surface for treatment.

There is no question that processes and technology now exist which permit purification of these waters; however, their practical application within the existing industrial and social structures pose more difficult problems. As shown in Table 1, various water treatment approaches can be considered. Included in this listing are systems which dispose of the water rather than actually treat it. Some systems would be expected to be more adaptable to those waters where the level of pollution is relatively minor and can be controlled with the very minimum of treatment. There are huge volumes of water which could be so-classed. This discussion, as with most developments today, is more concerned with those waters containing higher levels of pollution.

TABLE 1.—*Mine drainage water treatment methods*

CLASS I: DEMINERALIZING METHODS

a. Ion exchange
b. Reverse osmosis
c. Electro-dialysis
d. Electroplating
e. Flash distillation
f. Freezing

CLASS II: ALKALI NEUTRALIZATION METHODS

a. Hydrated or calcined lime
b. Limestone
c. Magnesium hydroxide
d. Dolomite
e. Potassium permanganate
f. Sodium hydroxide
g. Potassium hydroxide
h. Ammonium hydroxide
i. Sodium sulfide
j. Phosphate

CLASS III: OTHER SPECIFIC CHEMICAL PROCESSES

a. Solvent extraction
b. Ozone
c. Coal reaction
d. Solid adsorption
e. Anaerobic reconversion
f. Microbiological oxidation
g. Aeration

CLASS IV: PARTICULATE MATTER CONTROL

a. Lagooning
b. Filter

CLASS V: GEOLOGICAL—GEOCHEMICAL—BIOLOGICAL METHODS

a. Deep well disposal
b. Water table management
c. Drainage field disposal
d. Field spray
e. Water management—lagooning, aeration, flow control
f. Bacteriostatic
g. Mine sealing

The treatment of such waters falls into two main areas. Those cited in Class I essentially provide techniques which remove all constituents soluble in the water. The pollutants are rejected as a very high salt-content brine or, when carried to the ultimate as a solid, transportable material. They are characterized by the production of a very high quality water product. In general, such processes, regardless of the mode of application and cost credits such as water and power production, appear to be relatively costly and complex in development. Their application may become essential in areas of domestic and industrial water shortage. The other group of procedures, Class II, is basically a chemical treatment and generally results in the removal of the pollutants from the system as an insoluble precipitate. These systems are characterized by a water product high in soluble salts, though usually of an innocuous nature. The waste products from neutralization processes, regardless of the method of solid-fluid separation applied, are difficult to de-water and retain significant quantities of water, in some cases up to 98%, so that disposal costs involve handling not only the solids but also huge quantities of water.

All processes described under Class I and Class II thus create a further waste product. As experience and research in treatment of mine waters develops, it is becoming increasingly evident that the disposal of these waste products will emerge as a major problem. The selection of disposal sites must result in neither obnoxious appearance, nor have further pollution potential. Fortunately, the sludge developed by all alkaline neutralization appears to be relatively inert in most mine drainages, although acid waters which are high in chlorides may tend to return them into solution. There is no known use for these sludges. Obviously disposal methods for the brines from Class I processes are yet to be devised.

There is very little industrial experience from which operating concepts can be developed. In 1964 the Pennsylvania Coal Research Board initiated a research program which has considered many of the processes cited in Table 1. The results have been described and are available from that agency. In the past, essentially all treatment of mine waters that has occurred has been limited to the addition of small amounts of lime in those instances where the water has been used in coal benefication, with the neutralization being carried out as an anticorrosion measure rather than to develop a purified water product.

Lime treatment

Currently there is a lime neutralization plant treating about 150,000 gallons of mine water a day in operation at the Jones and Laughlir Corporation Thompson Shaft Bore

Hole No. 5 near Beallsville, Pennsylvania.[8] [9] This organization has been issued a permit to dispose of the sludge in abandoned underground mine workings. The plant includes a 750,000 gallon holding lagoon, a 150 gallon per minute neutralization unit, and a 35 by 160 foot settling basin. The mine water is treated with lime to reach a pH between 8.0 and 8.5.

In the eastern part of Pennsylvania, the Blue Coal Company has been adding hydrated lime directly to waters pumped from their underground workings, with the treated water reporting to a large settling lagoon before discharge. The most complete engineering data that are available have resulted from a portable lime-treatment plant termed "Operation Yellowboy" developed by the Pennsylvania Department of Mines and Mineral Industries.[10] These data cover studies made at locations throughout Pennsylvania and are comprehensive, including treatment costs ranging between $0.087 and $1.09 per 1000 gallons.[11] [12] Recent news reports and technical papers would suggest that most mining operators are contemplating some form of lime treatment as an approach to meeting the recently developed Pennsylvania water treatment requirements. In fact, the Manual and Guidelines developed by Pennsylvania state regulatory agencies are based upon lime treatment processing.

An aspect of alkali neutralization processes involving oxidation of the ferrous iron to the ferric state with oxygen is not fully understood in all its ramifications, as required in plant design and operation. Three parameters are effective in controlling this reaction, although others are undoubtedly involved: (1) pH-acidity of the system, (2) temperature, and (3) ion concentrations (Fe^{II}, Fe^{III}, SO_4^{-2}, dissolved oxygen, etc.). The oxidation rate is very slow at pH values below 3.8 and increases rapidly by factors of several hundred fold as the system becomes alkaline. An interesting phenomenon is observed in laboratory studies in alkaline systems which indicate an incubation period is required for oxidation. Possibly some intermediate complex is formed which thus involves several reactions to complete the cycle. Certainly the mechanism is more complex than would first be apparent, and cannot be wholly disassociated from the hydrolysis of ferrous and ferric sulfate. (13, pp. 41–46) The temperature response is most important since mine waters are commonly discharged near 50°F, while most plants would visualize out-of-door operations with no planned temperature control. The design and operation implications of this variable have been discussed by Barthauer.(14) The concentration effects have been given little consideration and are most important because of the widespread variation in the existing waters. There is reason to believe that certain species of autotropic bacteria may play a role in these reactions. Other problems not fully detailed involve the composition, solubility properties and settling rates of the iron compounds formed in the alkaline systems.

Treatment with a coal product

Three research studies aimed at the treatment of mine water have been in progress for the past two years in the Department of Mineral Preparation at Penn State. The first of these studies developed the concept of the potential use of coal to treat mine water, despite the association of pyrite with coal and the role pyrites play in the origin of mine drainage pollutants. There is some basis to anticipate that coal may improve water quality. Anthracite is successfully used as a filter medium; it may have characteristics of molecular sieves; sulfonated bituminous coals have ion exchange properties; and some coals will react with sulfuric acid under rather mild conditions. Analyses of water discharges from certain coal preparation plants which use make-up water from acid streams indicate improvements with regard to acidity and iron content. Preliminary laboratory studies indicated that if mine water is treated with coal, the pH increases and the acidity and iron content is reduced. Consequently, further studies were initiated to establish the mechanism of such an observed response to permit more practical development of the phenomenon. The addition of the coal to the mine water produces an extremely complex system for study because of the variability of both of these components.

It appears that there are three mechanisms which might be operative in such a process: (1) a reaction between the water pollutants and the alkaline minerals in the coal; (2) a physical transfer of the pollutants from the water to the surfaces of the coal particles, possibly with chemical bonding; and (3) an actual reaction of the pollutants, especially any free acid with the organic components of the coal. A detailed study [13] has established that the first mechanism accounts for most of the observed response.

This study established that coals will react with coal mine drainage to decrease acidity and remove iron. The acidity and iron can be reduced to negligible proportions. Calcium carbonate in the coal was the primary reactant with the sulfuric acid. Some neutralization may also be attributed to soluble alkalies. The iron removal is believed to result from the precipitation of ferric hydroxide-ferric hydroxy sulfate when the pH is raised above 4.0 by the neutralization reaction in the presence of coal fines.

The magnitude of the response of coal mine drainage to coal is dependent upon various coal properties including its composition, mining and processing history, and its particle size. It also varies with the coal-to-water ratio and reaction time. The most significant coal composition characteristic affecting this response is the available calcium carbonate content. Natural fine sizes of coal, which tend to be higher in mineral matter, are most reactive. The most reactive size fraction was minus 200 mesh, with the reaction decreasing as the particle size increased, although some reaction still occurred in sizes larger than 65 mesh. The neutralizing ability of coal increases as its concentration and the reaction time increase. In the mine waters tested using Pittsburgh seam coal all of the iron was removed and the greatest decrease in acidity occurred in the first five minutes. However, continued responses are observed over a period of at least sixty minutes.

Although the use of coal to treat coal mine drainage by the reaction studied does not appear feasible as a general water beneficiation process, it can have advantages in certain situations. The capability of a coal to improve the quality of mine drainage water can be established relatively simply by two tests. One of these, developed during the studies, involves taking a sample of mine water whose acidity is known, and treating a 100 milliliter sample of the water with 10 grams of the coal to be tested. A definite size consist of the coal is used and the reaction is allowed to proceed for a period of ten minutes. After filtration the water is again analyzed to establish its acidity or alkalinity content. The results can then be expressed in terms of the pounds of coal required to treat a given volume of water. Associated with this empirical test is a more theoretical value based upon determining the total calcium content of the coal and the CO_2 content by standard procedures.

More recent research indicates that a more extensive reaction between pollutants in mine drainage and the organic constituents of coal is potentially possible, and additional research is in progress under sponsorship of the United States Department of Interior, Water Resources Office, to develop this concept further.

Experimental treatment plant

Another major study is in progress at Penn State under the sponsorship of the Pennsylvania Coal Research Board. This is an interdisciplinary study whose object is to design, construct, and operate a treatment plant over a period of at least one year to acquire engineering and operating data involving such processes. The process selected by the sponsor will involve neutralization. A site has been selected north of Clearfield, Pennsylvania, employing water being discharged from abandoned deep mines. The plant will have a capacity between 500,000 and 1,000,000 gallons per day. The main concept of this study will be to develop a plant which will be highly versatile in terms of the basic unit operations involved, allowing extensive accumulation of data under variable operating conditions, including the variation in quality of the water, as well as variation in the flow over a year's period.

It is expected that the plant will be more highly instrumented than any plant proposed to date. The purpose will be primarily to collect data; however, it is considered that in practice instrumented plants will be highly desirable to provide adequate safeguards in maintaining the quality of the water discharged, as well as to minimize labor costs.

Natural treatment

The third study which has been developed is concerned with naturally-occurring, in situ processes of water management, such as mixing of several mine water streams, lagooning, aeration in the course of stream flow by available elevation drop and flow through existing strata. It is conceived that combinations of such processes could be controlled to enhance iron mineral dropout and acidity reduction. Such a study is complex to design and carry out. The accumulation of significant data must of necessity be carried out over a long period of time. Our studies, which are modest, are of a preliminary nature. They were initiated in the field and have not been developed to the point where data could be accumulated more rapidly in the laboratory.

A detailed study was initiated in the New Liberty, Pennsylvania, area, where several streams of varying levels of pollution intersect prior to entering a larger stream which is called the Moshannon Creek. At various locations along these streams, flow measurements and water quality analyses have been carried out over a period of months and the data are being analyzed in an attempt to understand the naturally-occurring phenomena. These data show that both iron dropout and acidity reduction occur to a significant degree over relatively short distances and suggest that with proper control these natural occurrences could be encouraged. Potential impact of the preliminary data developed in these studies on the beneficiation of polluted waters, especially from abandoned mines, suggests encouragement for further, immediate and enhanced study. They have also posed a most intriguing technical question: in the laboratory or treatment plant air oxidation of ferrous iron proceeds very slowly in mine waters which are highly acidic; why then, do similar types of waters from heavy deposits of "yellowboy" in stream beds within relatively short distances after emerging from abandoned mines?

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[8] Anonymous, Solution to Mine Drainage Problem Proposed by J and L, *Limeographs*, vol. 32, 31 pp., January, 1966.

[9] Steinman, H. E., *Acid Mine Water Neutralization*, American Mining Congress, Pittsburgh, Pennsylvania, May 8–11, 1966.

[10] *Authorized under Pennsylvania Act 43A. Contracted to the Dorr-Oliver Company. Reports are available from the Pennsylvania Department of Mines and Mineral Industries, Harrisburg, Pennsylvania.*

[11] Anonymous, *Operation Yellowboy—Mine Drainage Treatment Plans and Coal Evaluation*, Special Report from Dorr-Oliver, Inc. to the Pennsylvania Coal Research Board, June, 1966.

[12] Maneval, D. R., Technical Development of Systems for Controlling Pollution by Acid Mine Waste, *Proceedings of the International Water Conference of the Engineers Society of Western Pennsylvania*, November, 1966.

[13] Reese, R. D. and H. L. Lovell, *A Study of the Reactions Between Coal and Coal Mine Drainage*, Special Research Report No. SR–54 to the Pennsylvania Coal Research Board by The Penna. State Univ., 179 pp., November, 1965.

[14] Barthauer, G. L., Mine Drainage Treatment—Fact and Fiction, *Coal Age*, pp. 79–82, June, 1966.

The concepts summarized in these paragraphs suggest that in the design and operation of water treatment plants there are unexplained technological problems, and probably as these plants are constructed and begin operation many additional problems will develop, which at the present time are not anticipated.

Immediate and positive steps are to be taken to design and operate various types of treatment plants, especially in Pennsylvania, to meet the requirements of existing regulations. The magnitude of the problem that is facing the coal industry and water control agencies is still not fully realized, especially in terms of its economic and sociological implications.

[From Mineral Industries, January 1967]

Mine Drainage: The Hydrological Setting—
Part II

THE WATERSHED

A knowledge of watershed characteristics and the hydrogeological and geochemical setting should afford a new vantage point from which to consider mine drainage problems. This is appropriate since the drainage basin represents the basic planning, development and management unit in hydrology.

This approach permits mine drainage problems in Pennsylvania to be given a broad overview appraisal in terms of seriousness, unique or general character, and location. Defining regions as to the present and potential future economic impact of mine drainage on Pennsylvania and adjacent states is necessary if we are to be able to select areas where treatment will result in the greatest benefits for the lowest cost. Problem areas may be divided into two categories: first, where management will reclaim or protect watersheds for the least cost, stretching existing reclamation dollars to achieve rapid results; and second, where maximum involvement will be required on a continuous basis involving a far greater cost. Although one might think that such a classification has already been made in detail, the seasonal and daily variation of water quality in relation to stream flow has not yet been established on a watershed to watershed basis. This type of information is necessary when one realizes that the absence of certain aquatic species in a given reach of river may equally result from either water quality exceeding the toxic limit for only one hour during a year or for the entire year. If water quality management requires a design to protect against an occasional pollution event it is an entirely different problem from that needed to provide for continuous treatment. Water quality frequency graphs showing percent of time various quality levels are likely to be equalled or exceeded for each station would indicate the seriousness of pollution observed during the period of record and would aid in making decisions for water management.

Recently the United States Geological Survey and United States Public Health Service have established continuous water quality monitoring stations in cooperation with various state and other federal agencies. Together with existing stream gauging stations, these represent inroads on the problem; nevertheless, these observations will have to be broadened to include other basins and existing gauged basins will have to be subdivided into working sub-units. These sub-units should include drainage areas with common geohydrological and geochemical characteristics relevant to mine drainage pollution. The extent and nature of mine drainage pollution must be outlined for each, as well as extent of mining, date mined, mine practice, number and location of strip and deep mines, and future mining potential.

Continuous flow and water quality measurement stations will have to be established for each drainage unit to define the hydrological and chemical regime of the watershed. In many cases, this will mean that new basic data collection stations would have to be established at selected sites. An appreciation of the detail required may be gained by reviewing the Pennsylvania Department of Health's study on Slippery Rock Creek, Pennsylvania.[1]

Before new and costly management schemes are initiated, over and beyond present legal requirements, water quality indices should be established to determine the level of abatement and the treatment or control required, bearing in mind that the standards for water quality might well vary regionally as a result of local demands and problems. These may include biological requirements, quality requirements for industrial, municipal and recreation uses, and esthetic values. If a watershed must serve all of these uses, then quality requirements to achieve the lowest tolerance limits must be selected. This is not as simple as it seems. For example, quality requirements for fish may depend more upon the tolerance limits of elements in their food chain rather than upon the fish themselves or their tolerance at various stages in their life cycle. More basic research will be required to find definitive answers to such problems.

As indices are being established, and as drainage units are defined, avialable and new methods of controlling, abating, preventing, and disposing of mine drainage must be considered within the context of their effectiveness and cost. The unique geohydrological and geochemical setting of one region may favor methods of watershed management which differ from those used in an adjacent watershed. Once technological alternatives best suited to each region have been determined, quality standards established, and benefits evaluated, engineering cost estimates can be made for the design, construction, maintenance, and operation of such management works.

To select proper alternatives sociological and political factors as well as costs and technological advances must be considered. Mine drainage problems in Pennsylvania are far from simple. For example, they include: (1) defining and demonstrating methods of controlling mine drainage from both active and abandoned strip and deep mines, and acidic drainage derived from the refuse and coal processing plants; (2) evaluating the success or failure of earlier attempts to do the same; (3) determining the social, economic, political, educational, and technical problems associated with mine drainage, and (4) appraising gaps in knowledge gained from previous work, and any resultant shortcomings.

Regardless of available manpower and funds, research interests, equipment, organizational responsibilities that influence group research, and the relevance of work completed to date, we have reached a time when more research effort must be applied to the overall problem. This research effort must be expanded to the field scale, and adequate instrumentation and control must be provided to evaluate the success or failure of these demonstration studies. Aside from the previous work of the U.S. Bureau of Mines, Bituminous Coal Research, Inc., Department of Health of the Commonwealth of Pennsylvania, National Coal Association, Mellon Institute, Ohio Department of Health, private consultants, various coal companies, universities and other governmental groups cited by Lorenz,[2] the subsurface disposal of acid mine water by injection wells, and the design, construction and operation of a mine drainage neutralization plant, both of which were cited in Part I of this article, represent examples of field oriented demonstration projects. Other important broad scale field investigations include the study of the influence of strip mining on the hydrological environment of parts of Beaver Creek Basin, Kentucky,[3] and the joint federal-state control program in the Pennsylvania anthracite region.[4] More demonstration projects beyond the pilot plant stage must be established to test the validity of existing corrective measures or to develop new ones, not only to solve problems in previously mined areas, but also at active mines. As of January 1, 1967, legislation in Pennsylvania demands that active coal companies dispose of or treat their mine drainage to meet specified water quality requirements. Hopefully, methodology will be available to these operators by this date to enable them to cope with their problems even though pollution by mine drainage will still result from abandoned mines.

The demonstration projects should be selected to represent the end member conditions to be expected under various geohydrological settings. Each demonstration project must have a preconceived research design aimed at isolating variables and testing concepts and hypotheses selected for evaluation. Many conclusions drawn from previous work should be further tested and proven prior to their forming the sole basis for the expenditure of vast sums of money. The pattern, nature and frequency of measurement comprising the monitoring network must be worked out to determine whether or not a remedial measure has in fact had the predicted result. This point cannot be overstressed for very little is actually known about the cause and effect relationships where remedial measures have been applied at the field scale.

It has been said that most problems are of an economic nature. Perhaps this is true in the case of treating polluted mine drainage. In looking to the future the economics of the problem must not be minimized. The watershed can serve a very useful purpose in approaching this overall question of acid mine drainage; however, it does not help particularly to view the difficulties solely from a legal, social or economic angle. These elements do not necessarily follow watershed boundaries. Thus, in the overall approach, watersheds may well be the basic physical planning units, but when the social and legal sciences are to be included then planning units may have different boundaries.

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[1] Anonymous, *Report on Pollution of Slippery Rock Creek,* Pennsylvania Department of Health, Bureau of Environmental Health, Division of Sanitary Engineering, Pub. No. 8, 76 pp., 1965.

[2] Lorenz, W. C., *Progress in Controlling Acid Mine Water, A Literature Review,* U.S. Bur. Mines Info. Circ. 8080, 40 pp., 1962.

[3] Collier, C. C., *Influence of Strip Mining on the Hydrologic Environment of Parts of Beaver Creek Basin, Kentucky,* U.S. Geol. Surv. Prof. Paper 427–B, 1962.

[4] Dierks, H. A., W. L. Eaton, R. H. Whaite, and F. T. Moyer, *Mine Water Control Program, Anthracite Region of Pennsylvania,* U.S. Bur. Mines Info. Cir. 8115, 63 pp., 1962.

MANAGEMENT OF MINE DRAINAGE AND THE GEOLOGICAL SETTING

Little has been written concerning the roles of the soil profile, the soil moisture and ground water reservoirs in the formation of acidic type waters, which influence water quality during its migration from recharge areas to areas of ground water discharge. The importance of dilution and neutralization reactions between mine drainage of an acidic nature and native ground water or the inter-reaction between mine drainage and aquifer and non-aquifer materials is not fully understood. Mine drainage eventually becomes neutralized as it is mixed with surface water down watershed. However, this fact offers little consolation to those who live along polluted reaches of the same watershed. Biesecker and George[5] concluded from their work that the mixture of alkaline streams with mine drainage waters eventually neutralizes all acid streams in the Appalachia region. As an example they cite the badly polluted upper Ohio River drainage basin above and below the confluence of the Allegheny River. The addition of Allegheny water, together with other more alkaline tributaries downstream, accounts for improved water quality. This is not surprising in view of the hydrogeologic and geochemical conditions found in various drainage basins. Figure 1, from Biesecker and George,[5] shows areas where the bicarbonate concentration of surface water exceeds, or is less than, 50 parts per million. Again this shows the somewhat regional nature of the problem. If one superimposes these same sampling points on the geologic map of Pennsylvania, they fall in areas where $CaCO_3$ in the form of limestone, limestone and dolomite pebbles and rock flour contained in glacial till, lake sediments and outwash deposits, and $CaCO_3$ contained in calcareous shales and as cement in sandstones is at least present near the land surface. With further review these regions can be shown in part to outline areas where Pennsylvania age rocks were deposited in marine, brackish, and fresh water environments. This is especially important since acid forming minerals are generally more abundant in marine and brackish sediments associated with coal beds rather than in fresh water sediments. Also $CaCO_3$ concentrations are generally higher in fresh water sediments (excluding marine limestones).

Williams and Keith[6] attempted to relate total sulfur distribution in coal to geologic factors on a regional level. They showed that the Lower Kittanning coal exhibits regional variations in sulfur content which are statistically related to regional changes in overburden, areas of marine overburden being higher in sulfur than continental areas. The Upper Freeport coal, overlain entirely by continental beds, showed no significant regional variation. If acid potential or acid formation derived from these strata correlate with some aspects of sulfur distribution, environmental mapping will prove highly significant. Williams[7] has shown that shales above the Mercer, Lower Clarion, Upper Clarion and Middle Kittanning coals are of both marine and continental origin. As a major start on the problem Williams has provided maps that show the regional distribution of environmental rock types above each of the major coal beds in western Pennsylvania.

From the work already completed it may be possible to predict areas of relatively high and low sulfur concentration in coals and roof rocks and as a result also indicate areas of high or low acid potential. In addition, detailed mapping may be warranted to define variations in sulfur distribution, and in particular, indicate which sulfur is responsible for the acid and iron content of mine drainage. Reidenouer[8] investigated factors influencing the local sulfur variation in three selected coal seams and related it to the physical and chemical conditions of the original peat swamp. His study, confined to outcrops of 1,000 feet or less in length, was of the Clarion coal at the Krebs Mine near Clearfield, Pennsylvania, and two benches of the Lower Kittanning coal in a railroad cut near Curwensville, Pennsylvania. A close correlation was found between sulfur distribution and the proximity of samples to topographic lows in the coal swamp floor. In two cases the highest sulfur values were related to channels where coal deposition was influenced by paleotopography.

Current work being conducted under the sponsorship of the Coal Research Board of Pennsylvania Contract Number CR–66 confirms that sulfur concentrations are highly variable both vertically and horizontally in other areas, and that a carefully selected sampling plan will have to be followed to estimate the pollution potential of unmined strata. The significance of a stratigraphic approach to define acid potential was given by Hanna and Brant.[9] That the variability in sulfur distribution may be predictable once the paleoenvironment in which it was formed is understood was shown by Reidenouer.[8] However, detailed studies of other settings will be required to establish widespread application of this and similar work. Therefore, studies of the character and distribution of sulfur bearing minerals, in particular, pyrite and marcasite, must be continued on a regional and local scale, coal measure by coal measure, because vertical and horizontal distribution of sediments accompanied changes in environments of deposition which varied in time and space. Knowledge of these depositional environments and mapping of the distribution and acid potential of coal and associated strata will allow for the geochemical classification of mining regions referred to earlier. To establish the criteria for such mapping is one of the objects of the study above mentioned, i.e. the Pennsylvania Coal Research Board Contract CR–66.

Knowledge of the distribution of sulfur bearing minerals in advance of mining may dictate an alteration of the mining methods to minimize pollution problems. Selective stripping, removal, and safe burial of high sulfur materials should be possible under certain schemes of mining.

In areas where alkaline surface and ground waters are present, there is hope that mine drainage can be treated and neutralized by water resources management. This would include regulating the flows of either mine waters or impounded alkaline waters to achieve the desired quality of water in regions where the chemical characteristics of mine drainage and receiving waters indicate that such action would offer a reasonable alternative.

The dilution and buffering potential of acid water by waters containing various concentrations of HCO_3 has been discussed by Barnes and Romberger.[10] They show, for example, that 100,000 gallons of bicarbonate free water with pH of 7 would be required to dilute 1000 gallons of mine drainage with a pH of 3 to achieve a final pH of 5. They present equations which may be used to determine the amount of diluent necessary for neutralization to take place where various amounts of bicarbonate are present. A series of seven diagrams have been prepared using different concentrations of bicarbonate which give the initial and final pH relations as a function of dilution.

Although alkaline waters are not always available in mining regions, this management scheme can be applied in the lower reaches of a watershed when all other possibilities of solving the problem at the mine appear impractical. Thus, water quality in the lower Susquehanna River could undoubtedly be improved by manipulating the alkaline tributaries upstream, such as Bald Eagle and Spring Creeks. Dams to impound alkaline waters need not be built exclusively to store surface water. Larger volumes of water can be stored behind smaller dams when both ground water and surface water are impounded. A rise in lake level at the outlet of a carbonate valley, for example, will raise the adjacent regional water table, and hence store billions of gallons of water within previously unsaturated rocks. These dams would flood limited surface areas with low evapotranspiration losses and could be readily recharged because of the high recharge potential of carbonate rocks.

It is not uncommon to see an alkaline bank and a mine drainage polluted bank along a reach of the same river. This condition affords a barrier to aquatic life well below a point where favorable quality would be achieved if both waters were mixed. Engineering works could be designed, however, to achieve mixing just below the confluence where mine drainage enters alkaline rivers, such as that along the Susquehanna. Constructing these works in the form of concrete baffles and raceways, would represent a legitimate use of water resources management funds once the decision was made to use existing and future engineering works for mine drainage control as well as for recreation, flood control, and water supply. This would require that the location and character of such works take into consideration control of mine drainage from abandoned mines as one justification for the project in advance of its design and construction.

In view of the potential value of watershed management techniques in controlling water that may ultimately become mine drainage, this type of preventive measure should not be neglected in basin planning where it will serve to increase the multipurpose objectives of such projects. Existing engineering works should also be reviewed to determine whether or not modifications can be made in structures. This, in turn, must be weighed against the long term benefits that would accompany the correction of pollution.

In other instances mine drainage bypasses strata which might alter the composition of wastes under natural conditions if given the opportunity to do so. Ground water runoff and surface discharge are limited by precipitation, evapotranspiration losses, ground water recharge, surface drainage characteristics, and the storage and transmissive character of rock strata. On the other hand, a variety of engineering pursuits, including mining operations, can greatly alter the surface water and ground water recharge and runoff characteristics of drainage basins, often allowing mine drainage to bypass the available treatment media. Outlets to deep mines such as shafts, haulage ways, and collapsed overburden constitute zones of increased or nearly infinite permeability when compared to original strata. There is neither time nor opportunity for neutralization reactions when mine waters escape from free drains. Availability, amount, and distribution of neutralizing strata should be considered in the geohydrological and geochemical classification cited earlier. Where they are present, surface waters can be brought into contact with these strata by discharging them into abandoned mines which discharge alkaline waters (such a project is underway at the Barnes and Tucker mine near Barnesboro, Pennsylvania). Other possibilities are to divert surface water to appropriate strip mines, inject waters to deeper aquifers by wells and shafts and even irrigate adjacent uplands. This is the reverse of hauling tons of limestone to the neutralization site. Neither the available sites where these methods can be tried nor the problems associated with this method of treatment have been outlined or investigated in detail. The near surface Vanport limestone of Western Pennsylvania may offer such neutralization sites.

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[5] Biesecker, J. E., and J. R. George, *Stream Quality in Appalachia as related to Coal Mine Drainage, 1965*, U.S. Geol. Surv. Circ. 526, 27 pp., 1966. [Map showing areas not included in RECORD.]

[6] Williams, E. G. and M. L. Keith, Relationship Between Sulfur in Coals, and the Occurrence of Marine Roof Beds, *Econ. Geol.*, vol. 58, pp. 720–729, 1963.

[7] Williams, E. G., Marine and Fresh Water Fossiliferous Beds in the Pottsville and Allegheny Groups of Western Pennsylvania, *Jour. of Paleo.*, vol. 34, pp. 908–922, 1960.

[8] Reidenouer, D. R., *The Relationship Between Sulfur Distribution and Paleotopography in Three Selected Coal Seams of Western Pennsylvania*, unpublished M.S. Thesis, The Penna. State Univ., 196 pp., 1966.

[9] Hanna, G. P., and R. A. Brant, Stratigraphic Relations to Acid Mine Water Production, *Proceedings of the Seventeenth Industrial Waste Conference*, Eng. Extension Series No. 112, Purdue University, pp. 478–492, 1962.

[10] Barnes, H. L. and S. B. Romberger, *Chemical Aspects of Acid Mine Drainage*, (in press).

Aside from establishing methods of evaluating the probable quality of mine drainage in advance of mining, the magnitude of the overall future problem must be reviewed. In some cases, this may discourage mining in certain areas in view of the long term responsibility the miner now has as a result of recent legislation. Kinney[11] has shown the influence of mine drainage pollution on fish habitats in Pennsylvania and West Virginia. Biesecker and George[5] indicate that there is a striking relationship between Kinney's data and coal production by each state in Appalachia. A rough approximation of the mine drainage problem by 1980 might be obtained in a similar manner by comparing past coal production and present quality of surface and ground waters against projected future coal production and potential water quality. This should be done to insure that regional abatement facilities are not under-designed for the problem that may arise if other abatement measures fail. Interim solutions may be acceptable by water resource planners so long as they are part of a long range program and have not become obsolete for other reasons.

Knowledge of the geohydrologic setting within each drainage unit would be particularly useful when considering the ground water reservoirs' role in transporting and neutralizing mine drainage after it has penetrated the ground water reservoir, and also in accounting for the source of high alkalinity in some streams. The relative position of sources of alkalinity and mine drainage within the ground water flow regime should be of importance in assessing ground water pollution by mine drainage and in establishing the role of the ground water reservoir as a potential treatment media. If $CaCO_3$ occurs in the direction of ground water flow and ground water has already become contaminated, the neutralization media may become coated with basic hydrated oxides of iron, hydrated ferric sulfate, or calcium sulfate which eventually may armor the media and either stop or retard neutralization. On the other hand, if the ground water has attained sufficient alkalinity ahead of the pollution site, the neutralization process can continue. Barnes and Romberger[10] indicate that this same principle may be used to treat water in advance of its inflow to a mine. They state that where the hydrologic system is simple, inflow may be treated with limestone or, preferably, dolomite to establish a buffering capacity to counteract acid while reducing the rate of acid formation since catalyzing bacteria do not thrive at near neutral pH's. Under favorable conditions the bicarbonate content for limestone or dolomite saturated water may be 500 ppm with a pH of above 8, which would afford a considerable buffering capacity.

These considerations should be helpful in locating disposal sites for waste materials associated with coal, since tailings are generally high in pyritic sulfur.

More can be achieved during the mining operation to minimize or prevent acid production by directing waters from pyritic-bearing deposits. Diversion trenches, hedge hopping ravines to convey surface water away from mine sites, drainage ditches, etc., have been described by Lorenz.[2] In some cases dewatering in advance of mining may provide water of suitable quality to meet municipal and industrial water requirements. Ground water development must exceed the recharge rate if dewatering is to be successful and for associated strata to be dewatered by removing water from storage.

With appropriate geologic and hydrologic information, the number and spacing of wells, the amount of water to be pumped, and the time necessary to achieve dewatering can be predicted in advance of mining. To accomplish this the following information should be obtained: thickness, distribution, and geometry of all aquifer and non-aquifer units, coefficients of vertical and horizontal permeability and storage capacity of all rock units in and adjacent to coal beds, distribution and character of recharging and "no flow" hydraulic boundaries such as rivers, fault-zones, stratigraphic pinch outs, etc., hydraulic potential distribution between and among aquifer and non-aquifer units, and the area to be mined. These data can be obtained from the initial boring program used to outline the coal resource and from relatively few additional borings. Where numerous hydrologic units are present and where beds are heterogeneous in character, electrical analog models can be used to predict the time rate of water level decline as a function of time, pumping rate, as well as the number and spacing of wells throughout the mine district. The cost of constituting these models will probably be small in comparison with the benefits derived (Walton and Prickett.[12])

At the end of mining, two alternatives are available: the dewatering process can be continued as long as there is a use for the water, or the mine can be allowed to flood. This latter may or may not prevent the oxidization process, and this should be established in advance of abandoning the mine, otherwise dewatering will provide only a temporary solution during mining. Where two or more levels are mined, water quality derived from each may vary. Under ideal field conditions, such as at the mines at Barnesboro, Pennsylvania, acid water and alkaline water mix naturally underground so that the final drainage is satisfactory. This might not have been the case had the two waters been discharged separately to the land surface.

Finally, mined regions should be reviewed carefully to determine the potential uses of a new resources, namely, the scarred landscape. To produce features such as contour trenches, deep shafts and vast underground openings would be prohibitively expensive were it not for the coal extracted. What new uses can be made of these features? Many shallow strip mines occur in areas where mine drainage is not a problem, and many mines make excellent reservoirs when excavated below the water table. These can be used for boating, fishing, swimming, or fish propagation. They could also be exploited as tourist attractions, and as building sites for homes. Although Pennsylvania has an abundance of scenic countryside, reservoirs are few and far between. In glaciated areas of the midwest, even the rough land created by mining provides a relief from the monotonous flatlands. In some regions these areas are being exploited in their present form. Existing legislation in Pennsylvania should be made more flexible to allow for new and beneficial uses of abandoned mines.

Abandoned strip and deep mines should be considered a potential new resource. Where they are adjacent to rail lines or major highways they can be used to store or dispose of liquid wastes which accumulate in urban areas and, with proper shipping incentives, sites distant from population centers might be used for this purpose. Strip mines in uplands could be sealed to store vast quantities of municipal water supplies for towns in adjacent valleys, thus eliminating the need for costly storage tanks. Since existing laws do not allow for such variances, they may well be short-sighted. Chemicals, oil and other fluids might also find a new home in these excavations, including deep mines, since the evapotranspiration losses from deep underground "mine" reservoirs are nil. In poorly drained metropolitan areas, deep mines could also be used to dispose of excess storm or flood waters. Combined with power generation possibilities, these falling waters could generate electricity during peak demand periods. During low demand periods, the water might be pumped for ultimate disposal. Such a project is presently being considered in the Chicago region, where an excavation would have to be made solely for this purpose. Where mines are already available, this management scheme may well be competitive. Deep mine waters of *favorable quality*, or waters that are treated to meet quality standards, may be pumped to augment low flows of nearby rivers. Billions of gallons of water are presently available in existing abandoned deep mines.

Aside from water quality, mining has had a significant influence on the regional hydrology of many watersheds. In retrospect, surface runoff should be less because of infiltration and ground water storage capacities, which are increased through mining. When settlement is completed collapsed roof rock will alter the permeabilities and porosities in deep strata and the recharge potential to these strata.

CONCLUSION

Many ideas have been incorporated herein, some already confirmed by considerable research, while others are rather unconventional, and even preliminary work on them has not yet been done. Many statements will arouse controversy among workers in the field; and, in fact they have already done so among the present authors reflecting their own divergent opinions about some of the ideas set forth in this article. This reflects the fact that there are two basic approaches necessary to alleviate water pollution. These are first, the implementation of procedures presently available, although they are perhaps not completely satisfactory, and second, a continued effort to arrive at more permanent solutions. Thus, if some of the ideas that have been stated here stimulate thinking along pioneering lines, then the goals of the authors have been achieved. It is recognized that controversy exists and that this is a healthy situation so long as we direct our arguments toward ultimate solutions rather than merely indulging in criticism.

The advent of new laws in many states which dictate, or soon will, water quality standards, has imposed upon all citizens the responsibility of caring for one of the most valuable resources any nation can have—water. Like any abundant resource, the seemingly endless supply of water has led to abuses. We are now paying for these abuses in both hardships and in dollars. It is, therefore, imperative that the present generation, including lawmakers, industries, cities, the scientific community, and the general citizenry, pay heed to past mistakes, learn from them, and act cooperatively so that future generations will not inherit an even greater problem than that facing much of the country today.

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[11] Kinney, E. C., *Extent of Acid Mine Pollution in the United States Affecting Fish and Wildlife*, U.S. Fish and Wildlife Service, Circ. 191, 27 pp., 1964.

[12] Walton, W. C. and T. A. Prickett, Hydrogeologic Electric Analog Computers, *Proceedings Amer. Soc. of Civil Eng.*, vol. 89 (Hy6), November, 1963.

THE SCOURGE OF VENEREAL DISEASE

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I have today introduced a joint resolution asking for a maximum effort to help eradicate and ameliorate the scourge of venereal disease which yearly grows worse in this country and throughout the world.

In my own area, radio station WINS, a part of the Westinghouse Group of Stations, has been a leader in calling this great plague to the attention of the public. They are to be commended for it.

They have done this in association with the American Social Health Association, whose president, S. Dale Furst, Jr., and executive director, Earle Lippincott, have furnished me with the findings of the joint statement by his American Social Health Association in conjunction with the American Public Health Association, the American Venereal Disease Association, and the Association of State and Territorial Health Officers, on the subject of "Today's VD Control Problem."

The list of membership on the committee statement is indeed an impressive one and follows:

COMMITTEE ON THE JOINT STATEMENT 1967

William L. Fleming, M.D., Chairman.

Colonel Franklin L. Bowling, MC, Chief, Military Public Health and Occupational Medicine, Department of the Air Force.

C. S. Buchanan, Secretary-Treasurer, American Venereal Disease Association.

Arthur C. Curtis, M.D., President, American Venereal Disease Association.

William J. Dougherty, M.D., Director, Bureau of Preventable Disease, New Jersey Department of Health.

William L. Fleming, M.D., Chairman, Department of Preventive Medicine, University of North Carolina.

Franklin M. Foote, M.D., Commissioner of Health, Connecticut Department of Health.

Albert E. Heustis, M.D., Secretary-Treasurer, Association of State and Territorial Health Officers.

John C. Hume, M.D., Associate Dean, School of Hygiene and Public Health, The Johns Hopkins University.

John M. Knox, M.D., Director, Department of Dermatology, Baylor University, College of Medicine.

Granville W. Larimore, M.D., Executive Committee, Council on Environmental and Public Health, American Medical Association.

Commander Harry H. Levine, MC, USNR-R, Department of the Navy.

Earle G. Lippincott, Executive Director, American Social Health Association.

Berwyn F. Mattison, M.D., Executive Director, American Public Health Association.

T. Lefoy Richman, Assistant Executive Director, National Commission on Community Health Services, Inc.

Lt. Colonel Donald J. Strand, MC, Chief, Environmental Hygiene Branch, Department of the Army.

Milton Terris, M.D., President, American Public Health Association.

Conrad Van Hyning, Consultant, American Social Health Association.

Jules E. Vandow, M.D., Director (Research & Development), Office of Research Program, Planning and Evaluation, New York City Department of Health.

John H. Venable, M.D., President, Association of State and Territorial Health Officers.

Bruce Webster, M.D., Chairman, Executive Committee, American Social Health Association.

The signed recommendations are also herewith enclosed:

RECOMMENDATIONS

A slight reduction in the reported national incidence of primary and secondary syphilis occurred in fiscal year 1966. This should be the signal for an intensified attack in order to bring about a progressively rapid reduction of incidence. Particular emphasis should be given in those geographical areas where rates are still increasing or remaining stable.

The growing magnitude of the gonorrhea problem demands that aggressive action be taken to bring it under control. This requires the diligent work of all private physicians who treat infected patients and of all state and local health departments.

In school and community, increasingly effective programs of education about the venereal diseases must be developed to support these efforts.

Research to develop new approaches to control, including immunizing agents for both syphilis and gonorrhea, may be essential for the eradication of these diseases.

Therefore, we, the undersigned, recommend:

I. That the Congress appropriate $17,500,000 for VD control in fiscal 1968 to provide: an intensified program to reduce the incidence of infectious syphilis faster; the initiation of an active campaign against the serious menace of gonorrhea, with incidence exceeding that of 1950.

That the estimates of the cost of such programs submitted by state and city health officers for this *Joint Statement* be considered by the Administration and the Congressional Committees on Appropriations in determining the federal appropriation for 1968.

That the recommended appropriation of $17,500,000 be allocated as follows:

$11,500,000 for maintaining the VD control program at its present level;

$2,500,000 for intensive pilot studies in the control of syphilis;

$2,000,000 for initiating a total campaign against gonorrhea;

$1,500,000 for expanding research, professional training and public education, with one-half million of this allocation earmarked for medical training of professional personnel.

(NOTE.—In the event that federal aid to states for VD control in fiscal 1968 is to be made available only under the provisions of the "Comprehensive Health Planning and Public Health Services Amendments of 1966", the Sponsors of the *Joint Statement* recommend that the current federal, state and community VD programs for control of the venereal diseases be considered as coming within the provisions of the section on "Project grants for health services development" in which provision is made for "providing services to meet health needs of . . . national significance."

Further, that State Authorities, in submitting applications for grants under the provisions of this Act, make adequate provision for maintenance of successful VD control programs in their states and communities, and for strengthening and intensifying them as urged in this *Joint Statement*, during a period in which guidelines may be changing.)

II. That physicians in private practice, who treat a majority of persons infected with primary, secondary and early latent syphilis and gonorrhea in the U.S., report all cases for follow-up study as recommended by their professional organizations, and that the American Medical Association, the American Osteopathic Association and the National Medical Association take even more initiative in promoting cooperation of private physicians in efforts to control the venereal diseases.

III. That a follow-up study to the 1962 National Study of VD Incidence be made in 1967 to determine as accurately as possible the number of venereal disease cases treated by private physicians; and that the study be so designed as to identify factors which would improve the reporting of these cases to health departments.

IV. That in those states where adequate legislation does not yet exist, laws or health department regulations be established requiring that all laboratories, public and private, report all positive laboratory findings relating to syphilis *by name* to the health department having jurisdiction; that in states now having this requirement, state and city health departments implement complete adherence to it by all laboratories.

V. That since statistics indicate that forty per cent of all infectious syphilis cases in the United States in fiscal year 1966 were brought to treatment as a result of epidemiology, health departments and physicians in private practice accept, jointly and separately, the responsibility for complete application of the syphilis epidemiologic procedure for obtaining the names of persons who have been exposed to syphilis and bringing to treatment those found to be infected.

VI. That since the application of epidemiological (preventive) treatment to all adequately identified sex contacts exposed to infectious syphilis who are clinically and serologically negative upon initial examination is now approved by the vast majority of state health departments, every effort be made to close the gap between policy and practice as a means of preventing the further spread of syphilis.

VII. That the Joint Commission on Hospital Accreditation again consider as an accrediting factor the reinstatement of serologic tests for syphilis on all routine hospital admissions. (Automation in performing serologic tests for syphilis is now in developmental stages, and when perfected should reduce the costs of tests materially.)

VIII. That in view of the increased number of men in the Armed Forces, military and civilian health officials attempt to improve present good cooperation by establishing a joint commission to review, initiate and take follow-up action on measures designed to minimize further venereal disease infection among both men in the Armed Forces and their contacts in the civilian community.

IX. That state and local departments of education assure the inclusion of effective VD education in the school curricula at appropriate grade levels, and that state and city health departments assist schools in the provision of teaching materials and in the preparation of teachers; that in view of the sharply increasing incidence of venereal diseases among teenagers, VD education in the schools be implemented well and rapidly.

X. That community programs of information and education about the venereal diseases be further promoted by national, state and local civic, religious, and professional groups, and that they lend their continuing support to the inclusion of VD education in the schools.

XI. That Surgeon General of the Public Health Service establish a Commission of Experts to study and evaluate present approaches to the control of the venereal diseases in the U.S. and in other countries, including the efficacy of penicillin prophylaxis now in use in other countries; that the Commission attempt to expedite development of new and more effective methods of control, including possible antibiotic prophylaxis; that it explore the status of existing research efforts in immunology of the venereal diseases and stimulate a major expansion of such research through the allocation of federal funds and the encouragement of contributions by private foundations.

XII. That since the venereal diseases are a world-wide problem, an International Conference on venereal disease be held within the next two years for the purpose of assessing the current status of the control of syphilis and gonorrhea on a world-wide basis and of bringing about an exchange of new approaches to control and of new developments in research; that this project be proposed by the Surgeon General of the U.S. Public Health Service to the World Health Organization, United Nations Children's Fund, the International Union against the Venereal Diseases and the Treponematoses and other international organizations working in the cause of VD control.

The New York Times news item of Thursday, March 2 on these recommendations follows:

CONGRESS URGED TO PUSH VD FIGHT—$17.5-MILLION REQUESTED BY HEALTH ASSOCIATIONS TO COMBAT DISEASE RISE—TEENAGE INCIDENCE UP—STATISTICS INDICATE DROP IN SYPHILIS BUT AN INCREASE IN RATE OF GONORRHEA

(By Jane E. Brody)

Leading American health authorities, citing a steady increase in the incidence of venereal disease—particularly among teenagers, requested yesterday that Congress appropriate $17.5-million to combat this public health problem.

This amount represents approximately a $7-million increase over annual Congressional appropriations for venereal disease control in the last three years.

The request was made in a joint statement prepared by the American Public Health Association, the American Social Health Association, the American Venereal Disease Association and the Association of State and Territorial Health Officers, with the cooperation of the American Medical Association.

The statement, addressed to Congress and appropriate Congressional subcommittees, calls for as complete an attack against gonorrhea as the nation is waging against syphilis.

INCREASE IN GONORRHEA

It makes the point that although there was a 3.3 per cent decrease in reported cases of infectious syphilis in 1966 compared with 1965, cases of gonorrhea had increased 8 per cent. Last year, reported cases of syphilis numbered 22,473 and of gonorrhea 334,949.

The associations said that gonorrhea presented a particularly difficult public health problem because women could have the disease and not know it and because antibiotic-resistant strains of gonorrhea bacteria were growing in number.

The situation is considered most serious among teen-agers, the associations reported. Teenage cases of syphilis rose 12.4 per cent in 1964 and 1965, although the national incidence for all age groups combined remained almost constant.

Furthermore, the report noted, "the rate of infection per 100,000 among the 15 to 19 year old age groups for both infectious syphilis and gonorrhea was more than double the rate for all age groups combined in 1965"—24.2 compared with 11.6 per 100,000.

ONE OUT OF 250

"At least one out of every 250 teen-age boys and girls was infected with gonorrhea in fiscal year 1966," the report states, adding that "since actual incidence of infection among all age groups is considered to be four times the reported incidence, the figures presented here considerably understate the seriousness of the problem."

The figures, and the recommendations derived from them, were based on a national survey of state health officers in more than 100 major urban areas and upon statistics of the Public Health Service.

In the 20 to 24 age range, the associations found, approximately one out of every 100 young men and women contracted gonorrhea in 1965.

According to the recommendations, the $17.5-million appropriation should be allocated as follows: $11.5-million for maintaining the venereal disease control program at its present level; $2.5-million for pilot studies in syphilis control; $2-million for initiating a "total campaign" against gonorrhea, and $1.5-million for further research, professional training and public education.

The enormity of the problem, and the fact that our youth at large are so greatly affected, calls for immediate action.

While my resolution, which follows, calls on the Department of Health, Education, and Welfare for its maximum effort, it is the Congress itself that must lead the way in setting the goal, appropriating the money, and having the foresight and courage to speak out in the Nation on the subject, regardless of sensibilities:

H.J. RES. 520

Whereas gonorrhea was the major infectious disease in the United States during 1966, with three hundred and thirty-four thousand nine hundred and forty-nine cases reported (if one excludes streptococcal sore throat and scarlet fever which are reported together); and next to measles with two hundred and three thousand cases, syphilis follows with one hundred and ten thousand one hundred and twenty-eight reported cases; and

Whereas one of every two hundred and fifty teenagers (fifteen to nineteen) was reported to have contracted venereal disease in 1965 nationally, and the astounding rate of one of every twenty-five teenagers was so reported in health statistics from one important metropolitan area; and

Whereas antibiotics and casefinding methods which could eliminate VD are available, yet so little or so poorly used that the number of reported venereal disease infections per year increased from three hundred and thirty-six thousand eight hundred and twenty-one in 1958 to four hundred and forty-five thousand and seventy-seven in 1966; and

Whereas the control and elimination of venereal diseases requires greater public awareness, as well as better voluntary and public health programs of education, research, casefinding, and treatment: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Department of Health, Education, and Welfare undertake a maximum effort to ameliorate and eradicate this disease in conjunction with State and local authorities.

THE THREATENED RAILROAD STRIKE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the American people face the grave possibility of a crippling railroad strike. The strike would adversely affect the lives of each and every citizen. In this serious situation our people have the right to expect that their Government will exercise its lawful powers to protect the public interest.

The railroads are semipublic in nature. At some point their operations cannot be left to private determination, and become of valid public concern. It is infinitely preferable that the relations between management, employees, and the public be conducted on a purely private basis. Only when the necessities of public well-being are involved should the Government invoke its powers and act in the manner which circumstances prescribe.

The Government has already taken the first step in accepting its responsibility. The Congress, acting on President Johnson's request, has extended the "cooling off" period for 20 days. It acted only at the last possible moment. The 20 days gives the disputing parties a little more time for concentrated and serious consideration of their problem or problems.

Now the President has taken one more step in the hope of furthering a private solution to the dispute. He has appointed an exceptionally capable mediation team which offers its services to the disputing parties.

The quality of this mediation team is proportional to the gravity of the situation. Every man on it is experienced, impartial, honest, of unquestioned integrity, and completely devoted to the public good.

I want to congratulate the President on enlisting a panel of such high character. I also want to express my hope that the disputants will accept the services of the panel in the spirit in which those services are offered.

The additional cooling off period is rapidly drawing to a close. While the Government has done all that it thought expedient up to the present time, there is still no certainty that it has been enough to avoid a strike. We must search, therefore, while there is still a little time, for further possibilities. Three of these suggest themselves at this time. There may be others, and if so, they should be advanced speedily. The three which I have in mind are:

First. If the railroads and the unions seriously wish the settlement of labor disputes to remain a purely private affair, they must find some common ground of agreement within the extra 20 days given them.

Second. The mediation board must come up with some proposal which will be acceptable to the unions and to the railroads, and which the general public will endorse as fair and just.

Third. If neither of these works, the Federal Government must take control of the railroads and operate them until such time as labor and management can agree on matters now under dispute. It is my proposal that during the period of Government control, control shall be exercised by a special three-man board appointed by the President, with full power to make all managerial decisions; and further, that all proceedings relating to the railroads before a Government department or agency, in which the railroads are applicants, be halted until the railroads are returned to private hands; and further, that all labor organizations be enjoined against issuing any official directive that might cause, or tend to cause, any cessation in the operations of the railroads.

HAWAII'S TALENTS USED TO CREATE FOREIGN CONSUMER DEMAND FOR AMERICAN GOODS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, it is with a sense of pride that I take the floor at this time to inform this House that my State of Hawaii has played and is continuing to play an important part in the development of a new program under the sponsorship of the Department of Commerce, designed, in some degree, to reverse the outflow of gold.

Last October the Bureau of International Commerce asked the Hawaii Visitors Bureau to organize a group of six Hawaiian performers for an "America Weeks" promotion in the De Bijenkorf Department Stores in Holland. My Dutch friends tell me that the name means "the beehive," and our fine performers helped to turn the stores in Amsterdam, Rotterdam, and The Hague into beehives of activity.

The Hawaiian performances attracted so many people and so much attention that the Commerce Department has again turned to the Hawaii Visitors Bureau for assistance in Sweden, Switzerland, and Belgium this spring. Once again, the people of Hawaii have responded, and some of the most popular and best-known performers in the Islands will be attracting customers to "America Weeks" sales of U.S. merchandise in 24 European stores.

This new program, began in the spring of 1966 with a series of three retail promotions in France, and was quickly followed up with events in Germany, England, and Holland.

It is exclusively designed to promote overseas sales of U.S. consumer goods. Four times in less than a year the Hawaii Visitors Bureau in Honolulu has been called on to furnish beautiful girls and talented performers from Hawaii to attract Europeans to special sales of U.S. merchandise in continental department stores.

This kind of program is not entirely a new idea. Several countries, including England, France, and Italy, have been assisting "national" promotions which featured their merchandise in other countries. We have all seen American department stores offering special promotions of merchandise from abroad. Many of these stores have received advertising allowances from the country in which the goods originated.

The program at the Department of Commerce is different, however. There is no cash advertising allowance, but Commerce provides the stores with promotional assistance not readily available through normal commercial channels.

First, the store must qualify for support. Working with the Foreign Service, a store submits a proposal to Commerce—usually about a year ahead of the planned promotion. Store officials describe the kind of merchandise they expect to buy and approximately how much, though the exact amount will depend on what their buyers can find when they come to this country to shop. When the Bureau of International Commerce is satisfied that the proposal meets certain Commerce criteria—that the purchases and promotional plans are adequate for an effective "America Weeks" promotion—Commerce agrees to support it.

This support consists of two things: First, Commerce helps the foreign buyers contact potential sellers in the United States, after telling the store what categories of merchandise have been selling well in other promotions. Commerce usually requires that the store enter into an agreement with a buying office in this country, to get the professional merchandising assistance needed. It is very easy for an overseas store to underestimate the complexity of this great country as a source of supply. Also, many of our producers have not yet begun to export their merchandise in the same aggressive, intelligent manner that they sell at home.

Second, recognizing that the professional merchants abroad are the best judges of what will attract customers to their stores, the Bureau of International Commerce asks them what kind of promotional assistance is required. This might be fine arts, Wild West exhibitions, outstanding fashion shows, space exhibits. So far, Hawaiian performers from the Paradise Isles of the Pacific have been one of the most popular attractions. The Bureau of International Commerce requires only that the attraction be available at a reasonable cost and that three characteristics are present:

First. It must be recognizably American;

Second. It must be sufficiently general in nature to appeal to a large number of people; and

Third. It must be of sufficiently high quality to reflect creditably on both the store and the United States.

Usually the promotion will employ a specific theme, such as "Aloha Hawaii," which will be used by the Globus Stores in Switzerland beginning April 22. Whatever the theme and whatever the type of promotional assistance offered by the Bureau of International Commerce, "America Weeks" normally feature merchandise from all over the United States. Just a partial list of the kinds of merchandise that have been featured in recent promotions includes: Furniture, textiles/linens, housewares, men's, women's, children's, and infants' ready-to-wear; food products, outdoor furniture and equipment, cosmetics, piece goods, notions; cleaning materials, books and publications, casual wear for men, women, and teenagers; glassware, kitchen gadgets, bathroom accessories, women's handbags, bathing suits, paperware, and greeting cards.

Many products introduced during these promotions become standard inventory for the store and keep selling long after the promotion is over.

Foodstuffs frequently are a major classification in these promotions. The Bureau of International Commerce has been working closely with the Foreign Agricultural Service of the Department of Agriculture, which operates a similar program for major food chains throughout the world. I am informed that communication and cooperation between the two agencies have been excellent.

Another feature of virtually all "America Weeks" promotions is the travel promotion which encourages the people to "Visit the U.S.A." Many stores award free trips to the United States through a contest or drawing, and we in Hawaii are always happy to see visitors from abroad.

One aspect of this program which I find particularly interesting is the effort the Bureau of International Commerce makes to involve private enterprise to the maximum extent possible. Even companies whose products are not ordinarily sold through department stores are encouraged to find ways of participating. For example in the Rotterdam store last fall, an American sports car was a good customer attraction. All stores operating "America Weeks" promotions are urged to consider new and imaginative ways of showing unusual or little known facets of Americana.

The Bureau of International Commerce would also like to see American cities and States take an active role in these promotions. Obviously, the store running the promotion must decide whether a particular attraction fits its theme and will attract customers. But as Americans, I am sure we would all like to see the maximum number of customers visit these overseas stores, and buy U.S. merchandise during "America Weeks." It is my suggestion, therefore, that private industry and local governments in this country examine for themselves the possibility of selling their products and telling their stories through the "America Weeks" program of the Commerce Department.

It is a proven fact that the "America Weeks" program does sell American consumer products. The four promotions supported by Commerce in fiscal year 1966 resulted in $2.5 million in purchases by the participating stores. During the first half of fiscal year 1967, the five promotions completed—two in Germany and the one in The Netherlands, England, and Denmark resulted in purchases of $1,550,000. This spring, "America Weeks" promotions are being held in Switzerland, Belgium, and Sweden and purchases for these will amount to about $1 million. In total, we expect that over $5 million in export sales will have resulted from this program in fiscal years 1966 and 1967 at a cost to the U.S. Government of less than $219,000. Thus, we are indeed getting a high return on our investment.

This new initiative is just one facet of President Johnson's broad-gage efforts to expand exports and help reduce our international balance-of-payments deficit. As one whose attention to this program has been called only recently, I commend the Bureau of International Commerce for the quiet yet effective way in which it has carried out its responsibility.

PRESIDENT JOHNSON, UNFAIR CRITICS, AND HISTORY

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper editorial.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, President Johnson has had more than his share of unfair criticism and personal abuse from his critics. We have all heard these scurrilous attacks that question everything from the President's integrity to his patriotism and devotion to country.

All responsible Americans will reject such wild charges and blatant appeals to emotion. But the fact is that President Johnson is experiencing nothing very unique. There are always those among us who, over the long years, have directed a steady stream of vilification against practically every incumbent President.

I dare say that one measurement of a President's strength and greatness could be made by evaluating the ferocity of the attacks made against him.

This same point has been made in an interesting article by James Marlow, AP news analyst, who had surveyed the Presidents and their critics since Washington's administration, and found—not surprisingly—that nearly all of our great Presidents have suffered unfairly at the hands of their critics. They called Washington everything from a crook to stepfather of his country, and at one step he considered resigning because of these scurrilous attacks. Under unanimous consent I insert this article into the RECORD:

JOHNSON CRITICS "MILD," HISTORY REVEALS—HIS PREDECESSORS ENDURED MUCH MORE

(By James Marlow)

WASHINGTON.—Critics in and out of the press badgered and inflamed him all through his presidency. He was called a crook, and much besides. He was ridiculed as the "stepfather" of his country.

He kept quiet about it most of the time in public. In private, with his aides, President George Washington exploded, hesitated about a second term.

UNCONTROLLED PASSIONS

One of those closest to him, Thomas Jefferson, later to get his own dose of criticism when he became president, told how the fed-up Washington let go at a Cabinet meeting.

Washington, Jefferson wrote, was in one of those passions he couldn't control, regretted his failure to resign, and said "by God, he had rather be in his grave than in his present situation."

President Johnson gets worked up about the critics, too, in and out of the press. He has been blamed for many things, including a "credibility gap." But much of it is mild compared with what some of his predecessors had to take.

CONSIDERED A CALAMITY

President John Adams said that if he believed his critics he would be the "meanest villain in the world." But his successor, Jefferson, that staunch defender of freedom of speech and of the press, even got hit by Adams who considered him a calamity.

Jefferson, besides the now familiar "hypocrite," was accused of practically everything from fathering illegitimate children by his slave women to worse.

Shrewd Andrew Jackson wooed the press, and even had three newsmen in his "kitchen cabinet." No good. He got it, too. He was called a murderer and adulterer. President James Buchanan took so much criticism he considered himself the happiest man in the country when his term was up.

LINCOLN NAME CALLERS

His successor, Abraham Lincoln, was called everything from being a baboon to being illegitimate. One hostile newspaper rejoiced at his assassination. The president who followed Lincoln, Andrew Johnson, was called a drunk, starting with day of his inauguration.

President U. S. Grant had the drunk label tagged on him, too. President Theodore Roosevelt got along with individual newsmen but he resented criticism from wherever it came, and it came often.

That didn't deter him from doing the same to his successor, Woodrow Wilson. Roosevelt wrote for magazines after leaving the White House. Once, when Wilson hesitated about sending troops into Mexico, Roosevelt said he "kissed the blood-stained hand that slapped his face."

When Wilson, three days after a German U-boat had sunk the Lusitania, spoke of "being too proud to fight," Roosevelt called him a "Byzantine logothete"—meaning a high-placed clerk for an emperor—backed by "flubdubs" and "molly-coddles."

Roosevelt himself was described by an Englishman as a combination of "St. Paul and St. Vitus." President Herbert Hoover, like Johnson, was charged with a "credibility gap." President Franklin D. Roosevelt got it from cranks and critics throughout his three-plus terms.

Among other things he was called a Communist, worse than Stalin, and a mama's boy who never earned a dime on his own. President Harry S. Truman didn't take it quietly, like Washington. He hit back.

IKE ESCAPES LIGHTLY

He called one critic an "s.o.b." and threatened to beat up a music critic who said his daughter's voice was flat. Dwight D. Eisenhower, a war hero before his presidency, wasn't immune, either. But, compared with those before him, he escaped lightly.

It may seem comical now but President John F. Kennedy was called an "extremist." He had a thin skin, spent time trying to track down the origin of criticisms. Once he said wryly: "As I make my views clear on these issues, then, of course, increasingly some people are not going to approve of me."

Other presidents were left out of this account but not because they were not criticized. There wasn't enough room.

PRESIDENT JOHNSON, UNFAIR CRITICS, AND HISTORY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I concur in the remarks made a moment ago by the distinguished gentleman from Ohio [Mr. HAYS]. I believe that all Americans, regardless of their political affiliation, look with misgiving upon the torrent of unfair criticism that has been directed against the President of the United States from dubious quarters. Some of the language used at a meeting in the city of New York last week was, to say the least, outrageous.

The President of the United States has the most difficult job on earth. He is the leader of the free world. Constructive criticism is one thing, personal and destructive attack quite another thing.

In the reports that have come back from the meeting in Latin America last week, there have been glowing accounts of President Johnson's success in that undertaking.

And the President has just announced he will go to Europe next week to attend the funeral of the late great leader of the German Republic.

The gentleman from Ohio is quite right. The only way apparently for a President not to be vilified is to do nothing. I say to the gentleman, probably the most criticized President in the history of the United States was certainly one of the greatest, the distinguished President Lincoln, who was the founder of the Republican Party.

THE 167TH'S AIRLIFT GROUP

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, early in March 1967, the military appropriations bill was before the House. In the interest of economy, the Defense Department had suggested that a number of the Air National Guard units be deactivated. Some of us made strong protests. The bill as finally passed on March 8, 1967, becoming Public Law 90–5 after approval by the President, provided for the retention of the Air National Guard units for 1 year.

Those of us from the State of West Virginia are very proud of our unit, the 167th, stationed at Martinsburg. Recently it received international recognition. The case for the unit is very admirably put in an editorial appearing in the Martinsburg Journal, a newspaper published in Martinsburg, on April 11, 1967. I place the editorial in the Record as a convincing argument for the continued usefulness of these Air Force units throughout an indefinite future:

THE 167TH'S HIGH HONOR

Martinsburg's 167th Military Airlift Group is to be congratulated for the "international" honor it received over the past weekend in the presentation to it of the DeBrier Cup, for "operational excellence" during the year of 1966.

This cup was won in competition with all other units of the 21st Air Force, Military Airlift Command. The "international flavor" of this honor comes from the fact that the 21st Air Force operates from the Mississippi River east to Calcutta, India, somewhat more than half way around the world.

The winning of this award should provide even more evidence that the 167th should be continued as an operating unit of the Nation's Armed Forces.

U.S. Representative Harley O. Staggers, in addressing the officers and men of the 167th at the airport Sunday, summed it up probably better than anyone else when he stated that "this honor you have received today speaks louder than anything I or any other member of the Congress or anyone else can say in showing to the Pentagon that the 167th should continue in operation."

Earlier, at a luncheon at the hotel, Major-General Winston P. Wilson, chief of the National Guard Bureau in Washington, also came forth with some compelling facts when he said that the 167th and other Air National Guard units during the current war in Southeast Asia while still not formally mobilized has been operating at 60 percent of its full active duty capability at only 23 percent of the cost. He then added the remark that these kinds of statistics are treated with great importance in the Pentagon today.

General Wilson also brought out the point that the 167th Military Airlift Group in its trained personnel represents an investment that would require the expenditure of $28,000,000 to replace.

When a decision is finally made as to whether the 167th is to remain activated, this decision, he said, should be based on the capabilities of the hundreds of trained men involved and not on the "hardware" the unit uses. In other words, these trained men of the 167th can just as easily be transferred to something such as an aeromedical mission or air commando flying. The type of plane they fly is not really important. What is important is the fact that the 167th represents more than 600 highly trained men whose services the government cannot afford to lose.

Again, our congratulations to our "citizen soldiers" of the 167th Military Airlift Group.

WARSAW GHETTO UPRISING

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, we are all familiar with the atrocities committed by the Nazi regime during, and before, World War II. More than 20 years have passed since the German war machine was brought to a halt. Yet historians and authors continue to remind us of the lessons to be learned from the heinous acts committed during Hitler's rule.

Although many religious and national groups suffered under Hitler, none suffered more than the Jewish people. This irrational prejudice, when translated into action, led to the extermination of at least 6 million Jews during the war years.

Following this genocide, a verse from Kipling's "Recessional"—"Lest we forget"—became a slogan for the survivors. These words are emblazoned on many a monument and may be found in numerous publications as a rallying cry—almost a plea.

As I have stated, our problem is not one of forgetting, but rather, that even when reminded of the fate of these innocent people, we are not sufficiently empathetic or aware of the extent of brutality and bestiality which characterized the Nazis in their treatment of the Jews. This inadequacy is partially due to our remoteness from the incidents. The most heartrending book cannot possibly portray the horror and cruelty borne by the victims and survivors. However, allowing for these limitations, we should remain ever mindful of past instances of gross inhumanity, because history can repeat itself.

Today I wish to reflect on one of the most cruel, extensive, and systematic Nazi campaigns to exterminate the Jews. April 19 marked the 24th anniversary of the Warsaw ghetto uprising. On that day, in 1943, the 40,000 Jews imprisoned in the ghetto made a final effort to resist Nazi tyranny and regain the liberty denied to them by their oppressors.

In October of 1939, shortly after the beginning of World War II, Poland fell to the Germans. At that time, there were over 3 million Jews living in Poland; of these, 330,000 lived in Warsaw. The Nazis began a program of isolating the Jews into "educational" camps, expropriating most of their assets, restricting them from working in key industries, dealing with "Aryans," traveling without permits, and worshiping as a community. Jewish people, according to the Nazi philosophy of the superrace, were less than human. Like animals, they were branded. All Jews above the age of 12 were forced to wear a Star of David on their clothing, which was bitterly called a badge of shame. In effect, Polish Jews were tyrannized in every sphere of activity.

As a means for facilitating the mass annihilation of the Jews, the Nazis intensified their concentration policy. In October of 1940, the Nazi Governor of Warsaw decreed that all Jews in the city were to move into a designated zone of the city. This settlement was to be carried out immediately, with no allowances for transporting personal possessions. The boundaries of the ghetto were gradually shifted inward so that the area comprised only 100 square city blocks. To crowd and worsen living conditions even more, the Nazis uprooted Jewish families throughout Poland and moved them into the ghetto.

At first, the inhabitants of the Jewish sector were permitted to travel freely outside of their area for professional purposes. This freedom did not last long, for in November the Nazi officials sealed off the 500,000 inhabitants of the ghetto with a 10-foot brick wall and barbed wire fences.

Ninety-five percent of the population was unemployed. Sanitation facilities were either obsolete or nonexistent. Without farmland, the Jews were dependent upon their captors for food supplies. Each person was rationed a mere 184 calories per day. Starvation and typhus epidemics were rampant.

Despite their miserable lot and the demoralizing experience of witnessing thousands of cases of insanity, suicide, and "natural deaths," the brave Jewish people attempted to live as normally as possible.

Amidst Nazi activities of terrorizing and betraying the Jews, a host of voluntary aid and cultural programs sprang up. Public medical services and soup kitchens alleviated some of the disease and starvation, though these situations were by no means brought under control. Children took part in organized games, sports clubs, a library, and even schools, though most were maintained clandestinely. For adults, an underground series of courses in art, music, and literature was offered. There was cultural entertainment, including art exhibits, poetry readings, musical concerts, and theater. There was a remarkable secret society which compiled archives for posterity consisting of documents, diaries, memoirs, photographs, and newspapers. The tremendous value which the Jews placed on cultural development, regardless of their suffering, is summed up in this excerpt from the hidden documents found after the war:

> We want to continue living and remain free and creative people. Thereby we shall stand the test of life. If our lives are not extinguished under the thick layers of ashes, it will be the triumph of humanity over inhumanity; it will be proof that our life force is stronger than the will of destruction.

The intelligentsia were idealistic, preferring to attempt to foster the cultivated life they had led previously. Alongside this group, another group, as early as the winter of 1941, began trying to recruit members for a resistance group. Few agreed with them. In the first place, the Jews were not armed. Moreover, they were fearful of the Nazi principle of "collective responsibility," which threatened the Jews with massive reprisal if even a minority refused to obey them.

It was not long before the warnings of the militants were validated. Hitler found that the attrition rate from isolation and starvation was not as effective as he had anticipated. The only way to liquidate a people determined to live was by direct and brutal murder.

On July 22, 1942, the ghetto inhabitants were told that they were to be "resettled in the East" in labor camps. By orders of the Nazi Governor, 5,000 Jews were to be marched off to the "Umschlagplatz," a square on the edge of the ghetto near the railroad tracks. They were lured by promises of 7 pounds of bread and 2 pounds of marmalade and by guarantees that every family would be able to remain together. Most of the

Jews were skeptical, but eventually some 40,000 demoralized people were snared by this bait.

As the daily quota was raised first to 7,000 and later to 10,000, all illusions of hope vanished. The true destination of the railway cars leaked back into the ghetto. The trains stopped at Treblinka, Auschwitz, and other concentration camps, and the final path led into the gas chamber.

Many attempted to avoid being herded into the "Umschlagplatz," but they were forcefully evicted from their homes. Those who challenged the police were dragged out of their hiding places and beaten at best; others less fortunate were shot immediately. Even those people who worked for Nazi firms and those wealthy enough to bribe their captors were not exempted. With the exception of a short lull in August, the terror and evacuations lasted from July until early October. During that period, the Nazis deported and massacred over 300,000 Jews. Allowing for the thousands who had died of starvation or disease, the number of inhabitants remaining in the ghetto is approximated at 50,000, or one-tenth of the original population.

All optimism and hope for survival disappeared. The atmosphere in the ghetto was strained and tense as the prisoners awaited their inevitable demise. At the same time, however, a remarkable spirit spread through the Jewish community.

During the summer purge, a group of Zionist youths had formed an underground movement, the Jewish Fighter Organization—ZOB. The inhabitants of the ghetto were extremely diverse in terms of age, background, and ideological orientation. Yet they were being systematically liquidated by a prejudiced and barbaric regime because they shared one common characteristic: they were Jewish. Faced with no alternative to death, they united with an unprecedented determination to resist the Nazis to their death. Ultimately the elements of the ZOB represented all of the Jewish organizations in the ghetto.

While deportations were suspended, the ZOB feverishly built up its organization and contacts with the outside. By the end of October, 1942, the ZOB controlled the ghetto. An underground press released propagandistic leaflets which leaked out of the ghetto, soliciting help. A few arms were donated by the Polish People's Guard, the "Aryan" underground movement. However, for the most part, weapons were bought for exorbitant prices by agents who traveled to and from the ghetto through underground sewers. Twenty-two guerrilla units were formed and trained. An intricate network of tunnels and attic passageways was constructed from house to house. Thus, the Jews were prepared for the inevitable confrontation.

The first active resistance occurred on January 18, 1943, when the SS troops entered the ghetto to deport the remaining Jews to extermination camps. To their surprise, they were met with an attack of gunfire from all sides. The armed struggle lasted 4 days, and the Germans retreated.

Now the Jews knew it was only a matter of time before the Germans would return en masse. Their intuition was correct, for on February 16, Himmler ordered the complete destruction of the ghetto.

After the January resistance, the ZOB intensified its operations. A minimal amount of money was allocated to food; most of their funds were used for buying arms. With the full support of the 40,000 remaining inhabitants, the ZOB perfected its tactics. The entire ghetto was divided into districts with drilled squads and a commander for each post.

On the evening of April 19, 1943, the enslaved Jews in the Warsaw Ghetto observed their last Passover. The next morning, the Nazis began their "final solution" to the ghetto problem.

The picture of the Nazi onslaught is pathetic. Thousands of SS detachments surrounded the ghetto and rolled in on tanks and cars mounted with machineguns. One of the most moving accounts of the struggle tells of the joy of a group of ZOB fighters who destroyed a Nazi tank by dropping a kerosene-filled bottle on it. Against the heavy, modern artillery of the Nazi troops, the Jews immediately began to defend themselves with their scarce and homemade weapons.

For a week the Jewish fighters fought in an organized manner throughout the ghetto. From their hidden posts they were able to inflict heavy casualties on the Nazis. As a result, the savage Nazis changed their tactics. Unable to rout out the Jewish guerrillas, they began attacking the points of resistance one by one with grenades, flame throwers, cannons, machineguns, and incendiary bombs from the air. The Jews responded by setting fire to German factories and ammunition depots in the ghetto.

Now the ghetto was a blazing inferno. Thousands of Jews were immolated in their attics; others fell to their death. Many retreated to the sewers, which the Nazis flooded or filled with gas. Unknown numbers committed suicide. Thousands more were buried under the falling beams and bricks of burning buildings.

Fighting lasted for 44 days, when finally there were no more of the exhausted and starving Jews to resist the Nazi elite forces. Only mounds of smoldering rubble were left where once 500,000 Jews had been enslaved. Gen. Jurgen Stroop, the Nazi army commander assigned to liquidate the ghetto, reported back to Hitler:

> The former Jewish quarter of Warsaw is no longer in existence. There was a Jewish district in Warsaw.

The handful of Jews who were not killed or captured joined other resistance groups. From them, we get our accounts of this heroic uprising.

The question may be asked, "Why did the remaining 40,000 Jews in the Warsaw ghetto engage themselves in a battle that was clearly suicidal?" The answer is a tribute to the dignity of a people condemned to die by a bigoted, irrational, maniac. Rather than go to the gas chamber, they chose to meet their death in active defiance to the oppressive forces which had tortured them for 3 years. By being the first group to rise up against the Nazi regime openly, they set a courageous example for resistance in other ghettos and inspired their fellow Jews to unite in their struggle for freedom.

Mr. Speaker, the rubble remains in Warsaw where once there was a brave and desperate community. It is a monument to the worst single massacre perpetrated by the Nazi regime. In commemorating the uprising of the Warsaw ghetto, I wish to pay my deepest respects to the tragic victims of this holocaust. Let us continue to be aware of the past and potential consequences of prejudice, lest we forget.

NASA'S SUPPRESSION OF THE PHILLIPS REPORT

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, as a member of the Committee on Science and Astronautics, I am surprised and dismayed at the difficulty our committee has encountered in receiving information concerning the Apollo tragedy from the National Aeronautics and Space Administration.

During the hearings held by our committee, it was revealed that some 13 months before the Apollo fire Maj. Gen. Samuel Phillips, Apollo program director, submitted a report to the president of North American Aviation which was highly critical of that company's performance in carrying out the contract to construct the Apollo spacecraft. It was in a North American capsule that the three astronauts lost their lives on January 27.

When asked to produce the Phillips report, NASA refused. With much reluctance, the committee was finally allowed to be shown a summary of the Phillips report. The summary coincides so closely with the deficiencies found by the Apollo Review Board that it is hard to believe that these deficiencies did not contribute directly to the accident.

In spite of the obvious relevance of the Phillips report to the committee's investigation of the Apollo tragedy, NASA still refuses to allow the committee to have the Phillips report. This lack of candor and unwillingness to cooperate with the committee has led the New York Times to suggest that NASA might stand for "never a straight answer."

But, Mr. Speaker, we must have straight answers. No agency of government must be allowed to put itself above the Congress. As the representatives of the American people, we have a solemn obligation to insure that tax money is well spent and that American lives are protected. These two issues are inherent in the Apollo investigation. If we are hindered in our investigation, there will be no way to guarantee that the factors which caused the Apollo tragedy will be corrected. NASA by its refusal to cooperate is doing a grave disservice, not only to itself but to the American people. The Congress must be given all the facts, including those which may be embarrassing to NASA and its contractors.

On April 19, the New York Times wrote an excellent editorial which criticizes NASA for its failure to reveal the full facts concerning the Apollo tragedy. The editorial correctly concludes:

> It is obviously the obligation of the investigating Congressional Committees to obtain all the evidence irrespective of the wishes of any of the principals.

I include the editorial at this point in the RECORD:

RETICENT NASA

The National Aeronautics and Space Administration has always cultivated an image of openness and candor with the American people. It habitually sends its rockets skyward before an army of reporters and television cameras, in contrast to the Soviet Union's habit of hiding its failures and publicizing only its successes.

It is a new, and rather shocking, NASA image that is being projected by the current Congressional investigations into the Apollo tragedy. One would have expected that NASA would make available every possible bit of relevant information. But in fact NASA has thus far refused to make public the Phillips report on defects in the work on Apollo carried out by North American Aviation a year and a half ago. And NASA Administrator James E. Webb declined to tell a Senate committee publicly whether he had ever considered canceling North American's Apollo contract. His excuse is that such disclosure might destroy the "intimate and confidential" nature of NASA's relationships with its contractors.

But Mr. Webb is a public servant answerable to the people of the United States, and not to his contractors. This is an investigation that concerns lives, not money. The Space Administration cannot afford even to raise the suspicion that it may be covering up evidence relevant to the deaths of the three astronauts. Mr. Webb certainly does not want to reinforce the view of cynics who insist that NASA actually stands for "Never A Straight Answer."

It is obviously the obligation of the investigating Congressional committees to obtain all the evidence irrespective of the wishes of any of the principals.

THE NEW, NEW, NEW REPUBLICAN HOUSING PROGRAM

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection?

Mrs. SULLIVAN. Mr. Speaker, with great fanfare, including televised, klieg-lighted press conference, the Republican Party has today unveiled its much-heralded "Percy plan" for solving the housing ills of the Nation. I am indeed flattered that an amendment I sponsored to the Housing Act of 1966, and which was quietly inserted in the bill by the bipartisan unanimous action of the subcommittee last year, now stands as a prototype for a bold, imaginative, new, new, new approach to establish the progressive image of the Republican Party.

There is only one thing about all of the hoopla and publicity which worries me. It is that the new, new, new Percy plan, endorsed by the overwhelming majority of Republicans in both the House and Senate, and which is essentially the 1966 Sullivan amendment in some new Madison Avenue raiment, may be seized upon as an excuse for not appropriating sufficient funds this year to carry out the housing laws we already have on the books.

I cannot complain about the resourcefulness of the junior Senator from Illinois in seizing upon someone else's good idea for making homeownership possible for low-income families. After all, I did the same thing. And we both got the idea from the very same source: a public-spirited, nonprofit, community-minded group of citizens in St. Louis, Mo., who formed the Bicentennial Civic Improvement Corp. several years ago to buy up and rehabilitate deteriorating housing in neighborhoods which could still be saved and then assisting deserving, highly motivated families to buy them on very generous financing terms.

WHAT IS GOOD ABOUT IT IS ALREADY LAW—WHAT IS NEW MAY NOT BE FEASIBLE

The difference is, of course, that by the time the Percy plan was conceived as a prospective national program for ending blight and giving poor families a stake in their own housing solution, the basic idea had already become law and was in the process of being implemented by the Johnson administration.

Republican members of the Subcommittee on Housing of the House Committee on Banking and Currency were extremely cooperative in helping me write the basic approach into law last year—it was a unanimous action concurred in by Representatives WIDNALL, FINO, DWYER, and HARVEY of Michigan last year, as well as by all of the Democrats on the subcommittee headed by Representative BARRETT—so I never attempted to try to make it a partisan Democratic issue. By the same token, however, the bold, imaginative, new, new, new Republican Percy plan, in its basic essentials, can hardly be regarded as a partisan Republican one.

As was brought out in our subcommittee hearings this morning, what is good about the Percy plan is already law, and what is new about it may or may not be remotely feasible.

SUBCOMMITTEE WILL GIVE NEW BILL CAREFUL ATTENTION

There is virtually nothing about the homeownership features of this plan which cannot be put into operation right this minute under existing law. The main point of departure seems to be an attempt to turn over to a foundation, without effective Federal regulation or supervision, programs which are now under the responsibility of the Federal Housing Administration—FHA—which has had more experience in the promotion of homeownership among the American people than all of the private groups in the country combined.

Nevertheless, as the ranking member of the Housing Subcommittee, I am sure we will be willing to give the Republican bill careful attention, and evaluate the extravagant claims which have been made for it in the cold light of subcommittee inquiry and review.

Present law provides for $20,000,000 of FHA mortgage insurance—now available by Presidential directive—to lend money at 3 percent interest to nonprofit organizations such as the St. Louis Bicentennial Civic Improvement Corp. to buy and rehabilitate old housing and then sell it, also at 3-percent financing, to families in the same income group as those eligible for either public housing or rent supplements.

The only objection voiced by the sponsors of the new, new, new Republican Percy plan is that $20 million is not nearly enough to provide the financing for a home for every low-income family in America which might like to have its own home. Very true.

ST. LOUIS BICENTENNIAL CIVIC IMPROVEMENT CORP. NOT A MERE LIST OF LETTERHEAD NAMES

However, the implication that we can instantly start a mammoth home-buying program for every family in the country which might want a home is certainly not truth in housing.

The thing which makes the St. Louis experiment so successful is that the sponsoring nonprofit organization is not a mere list of letterhead names lending their prestige to a community effort. They are men from business, industry, and the religious community who have devoted endless hours of their own time to screening the applicant families, working with them, guiding them, sometimes discipling them, in order to teach these families about the responsibilities of homeownership and to help them upgrade their living standards and their economic opportunities.

This is not a staff responsibility alone, or even primarily. The members of the board of directors of the organization—busy people in their own jobs—have put themselves also into this volunteer, social development project with zeal and tireless energy. If you can find enough leaders in each community to be willing to give so much of their time as well as their knowledge and experience and wisdom and human kindness to such a project, then and only then, can you have a program as successful as our pioneering one in St. Louis. So this program must be launched on a trial-and-error, pilot basis, rather than as a swinging publicity venture or partisan political gimmick.

HOMEOWNERSHIP PROGRAM ENACTED LAST YEAR MUST BE TESTED FIRST

As I understand the background, a top executive of one of our major corporations in St. Louis, who is also on the board of the Bicentennial Civic Improvement Corp. and is a wholehearted booster of this fine program, was the evangelist or missionary who interested Mr. PERCY in the St. Louis experiment while he was running against Senator Douglas last fall. Obviously, the junior Senator from Illinois was impressed by the St. Louis experiment, as he has freely acknowledged. I am glad he feels it can be made into a much broader program.

But, at the possible risk of being labeled a reactionary, or standpatter, I would like to suggest that we test out the brandnew Federal program which is just going into effect under my amendment —section 221(h)—and make sure it works before trying to inflate it prematurely into an overgrown, wishful-thinking substitute for rent supplements, cooperative housing, and the other programs to help rescue our cities from decay.

I hope nothing I have said here, Mr. Speaker, is taken as criticism of any of the Republican Members for introducing Percy bills. I am delighted to see such widespread interest in the serious problem of urban housing needs. The success we have enjoyed up to now in creating machinery to solve the problem can be attributed largely to the bipartisan cooperation of the members of the Subcommittee on Housing, first under former Congressman Albert Rains, of Alabama, and now under Congressman WILLIAM A. BARRETT, of Pennsylvania. Unfortunately, the Republicans on our subcommittee are often very much alone on their side of the aisle in support of some of our courageous housing proposals, so perhaps this indicates a new day of more general cooperation among their colleagues on the other side. I hope so.

ON HIGHWAY BEAUTIFICATION—SMALL BUSINESS PROPOSES BILLBOARDS FOR MOTELS

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to proceed for 1 long minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I will be delighted to yield in my 1 long minute.

Mr. LAIRD. Mr. Speaker, I would like to compliment the gentlewoman from Missouri for the very fine remarks she made with regard to the Widnall bill. I understand I cannot refer to the other body and the gentleman in the other body who is cosponsoring the bill with the gentleman from New Jersey, but the assurance of the gentlewoman that this bill will receive prompt and favorable consideration is welcome news for all of us on this side of the aisle. We thank her for her cooperation.

Mr. CRAMER. Mr. Speaker, I may say I am glad to see that a tremendous amount of support is being given to the Widnall-Percy-Cramer bill.

Mr. Speaker, I ask for this time in order to discuss another matter, but I am glad to have the opportunity to mention that as well.

The Subcommittee on Roads of the Public Works Committee is presently holding hearings with regard to the $1.8 billion highway beautification bill. It appears that the administration's attitude on this, as on many other things, is "Do not do as I do but do as I say." And to add to this already confused matter, I find that the administration is saying different things through different agencies. According to the administration's present proposals, of the 1.1 million signs in America we are supposed to eliminate, 1,014,000. I had called to my attention a very interesting pamphlet from the Small Business Administration entitled "Starting and Managing a Small Motel." I want you to know how the SBA tells you to run a small motel:

> Undoubtedly the most extensively used form of motel advertising is the sign or billboard beside the highway. It serves as a motel's introduction to the greatest number of potential guests—

Mr. Speaker, is this the Johnson administration speaking on this matter? I must assume it is because this is being quoted from a publication they are sending out in answer to how to manage a small motel.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The time of the gentleman from Florida has expired.

Mr. CRAMER. Mr. Speaker, I asked unanimous consent to proceed for 1 long minute. However, I now ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, quoting further from this booklet, I read the following:

> Thousands of owner-managers say their very existence depends directly on the signs doing their intended task.

Then, Mr. Speaker, what do they recommend with respect to signs? I refer the Members of the House to page 47 of this same booklet in which there is stated:

> Many motel operators find it to their advantage to start their sign "campaign" about 250 miles from the motel—the average day's drive for most travelers. Average highway speed is about 50 miles an hour, so a sign every 50 miles will remind travelers of your business once an hour. Your biggest sign should be the last one, the one closest to your motel (even in sight of it).

Mr. Speaker, this is what the Small Business Administration says should be done in the way of advertising. However, the proposed Department of Transportation standards permit only three signs on any one highway and a maximum of 10 signs on all highways.

I wonder if what one is supposed to do under the Beautification Act in order to obtain the absorption of one billboard per every 50 miles is to shift from highway to highway, and even then you never get to five signs as recommended through that process.

I would suggest that the attitude of the Johnson administration is, "If I have not said it recently, forget I said it."

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PROGRAM FOR THE BALANCE OF THIS WEEK AND FOR NEXT WEEK

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time in order to inquire of the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], the schedule for the remainder of this week and the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have finished the legislative business for this week.

The legislative program for next week is as follows:

Monday is District of Columbia Day and there are eight bills scheduled for consideration. Those bills are as follows:

H.R. 824, District of Columbia Canine Corps; H.R. 828, to provide criminal penalties for obscene telephone calls; H.R. 2824, survivor benefits for widows of police and firemen; H.R. 2897, to equalize retirement benefits for police and firemen; H.R. 3931, to amend the Charter Act of the Conference of State Societies; H.R. 3973, to exempt from licensing physicians and dentists employed by District of Columbia government; H.R. 7417, the Administrative Procedure Act; and H.R. 3370, to regulate the practice of podiatry in the District of Columbia.

Tuesday there is scheduled for consideration House Resolution 42, "to provide for joint sponsorship of bills."

Wednesday there is scheduled the Department of the Interior and Related Agencies Appropriations Act for fiscal year 1968.

For Thursday there is scheduled H.R. 2508, a bill to provide Federal standards for congressional redistricting, under a closed rule, with 2 hours of general debate. Of course, Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time and that any further legislative program may be announced later.

Mr. Speaker, it is my understanding that Tuesday and Wednesday are religious holy days which some of the Members of the House are expected to honor.

For that reason, I ask unanimous consent that any rollcall votes on all except procedural matters and rules may be put over from Tuesday, April 25, 1967, and Wednesday, April 26, 1967, until Thursday, April 27, 1967.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Well, Mr. Speaker, reserving the right to object, this would not affect any rollcall accruing from legislation considered on Monday?

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Iowa yield?

Mr. GROSS. I yield to the distinguished majority leader.

Mr. ALBERT. No; this does not apply to Monday.

Mr. GROSS. And would it be too much to ask the gentleman from Oklahoma again what bills are scheduled for consideration on Tuesday next?

Mr. ALBERT. The bill to provide for the joint sponsorship of bills. It is a House resolution from the Committee on Rules.

Mr. GROSS. And on Wednesday?

Mr. ALBERT. On Wednesday is the Department of the Interior appropriation bill.

Mr. GROSS. I thank the gentleman. Is there any indication that we will be considering a certificate of election anywhere or at any time in the near future?

Mr. ALBERT. I have no knowledge on the subject.

Mr. GROSS. The gentleman is aware there is a certificate of election to be issued in an election held in New York State?

Mr. ALBERT. All I know is they have not finished processing it.

Mr. GROSS. I will ask the gentleman if the certificate of election has been received?

Mr. ALBERT. It has not been received.

Mr. GROSS. I wonder if the gentleman could give us any idea as to when we might receive this omnibus bill from the other body, the tax incentive bill which has now been loaded down with everything including the kitchen sink?

Mr. ALBERT. The gentleman is asking for powers of prophecy that I do not possess.

Mr. GROSS. I thank the gentleman for yielding. I am sorry the gentleman does not possess those powers.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT OVER TO MONDAY, APRIL 24

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. RIEGLE. Mr. Speaker, on rollcall No. 70, on House Resolution 443 today, a resolution in memorium to the late Konrad Adenauer, I was unavoidably detained because of official duties elsewhere. Had I been here I would have voted to support this resolution.

NATIONAL HOME OWNERSHIP ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KEITH. Mr. Speaker, I am proud to join many of my colleagues today in introducing a major piece of novel and comprehensive legislation. The National Home Ownership Foundation Act, designed to offer lower income citizens an opportunity to own a home, delegates the responsibility for attacking the many problems in the urban and housing field to the private sector. It embodies the philosophy that the primary responsibility for regenerating declining residential areas lies with America's free enterprise system. The benevolent, bureaucracy-ridden big brother approach to our urban and housing problems, which favors the costly but limited model cities plan, assumes that the low-income citizen is incapable of self-motivation and in need of constant surveillance, advice, and assistance.

The legislation which we are introducing today is based on a firm belief in the pride and self-esteem which homeownership can produce. The homeowner, having invested his time, his money, and his labor in his residence, is motivated to take part in community activities and assume a responsible role in maintaining the quality of the neighborhood.

The National Home Ownership Foundation Act would create an 18-member Board, composed of top figures from all fields of American life. The Board would raise mortgage money through the sale of Federal bonds at competitive private capital market rates. This money would be made available, through nonprofit neighborhood corporations, to lower income citizens unable to afford conventional mortgage financing. The local corporation would also be responsible for selecting potential homeowners, overseeing the provision of suitable housing for them, and counseling the participants in matters pertaining to homeownership, such as employment, financing, and family planning.

With the exception of an initial "seed fund" of $3 million provided with Federal funds, the financing of the nonprofit corporation's activities would be done through private channels. The Federal Government would provide, when necessary, repayable interest subsidies on the mortgages.

In my view, the National Home Ownership Foundation Act is superior both financially and philosophically to the administration's reliance on rent supplements, public housing, and the model cities program, which could cost $685 million this year alone, and yet affect only a few communities. Under the new plan being introduced today, there would be an initial Federal outlay of $13 million in repayable interest and seed money. Just $10 million in interest subsidy loans could generate $333 million worth of private investment in housing under this plan. Other private investment will also be involved, as the bill specifies that private financing resources must be used whenever possible. In addition, once the activities of the Foundation have begun to arrest the decline in deteriorating residential areas, private rehabilitation efforts will be stimulated.

Mr. Speaker, the free enterprise approach to the problems in housing and urban matters, embodied in the National Home Ownership Foundation Act, offers a truly workable alternative to cumbersome, inefficient programs dependent upon Federal control, execution, financing, and management. A new private-public partnership, with the Government backing up efforts and financing by the private sector, would attack the vital problems of rebuilding deteriorating residential neighborhoods and providing decent homes for their inhabitants. The National Home Ownership Foundation Act provides a mechanism for bringing the resources of the private sector to bear on problems that can no longer be approached in piecemeal fashion.

FRANCE, NORMALCY, AND ECONOMIC STORM SIGNALS

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the noted columnist John Chamberlain in a column which appeared March 25 in major newspapers dealt with European trends, the risk of bridge building to the Communist world and the proposals of a veteran foreign policy observer, Clarence K. Streit.

Here is his perceptive column:

FRANCE SIGNALS A RETURN TO "NORMALCY"

The French, in backing off from Gaullism in the recent parliamentary elections, have signaled to the world that one more milestone has been passed in the West European return to what Warren G. Harding called "normalcy." There are many who welcome this as evidence that the new generation in France as elsewhere is transcending the Cold War and concentrating on local issues. But it could be that the transcendence is more apparent than real.

Among those who think so is *Clarence Streit,* the veteran former New York Times newsman who has been laboring these many years to make the West safe against any Cold War adversary by an unchallengeable Union of the Western democracies.

What impressed Streit during a recent tour of West European capitals was the drift toward the old idea that the separate European nations could find safety in a complex system of local understandings, and all of them vulnerable to an economic crash similar to the collapse of the Austrian Kreditanstalt in the early '30s.

The resurgence of leftist parties in France at the expense of the center and the Gaullist right-of-center groupings doesn't exactly portend a return to the old Popular

Front which Leon Blum, the Socialist, headed. But it does indicate that France may be hankering for the "normalcy" of playing the power game both internally and externally.

It is one more bit of evidence that Europe is essentially anarchic. For those who cherish individual differences, the will to resist coercion is a wonderful thing. But as Streit insists on pointing out, the individual is safe against the erosion of his rights only in a federation that can protect its borders.

Europe is reverting to a modern version of the old city state mentality that ruined ancient Greece and led to the rise of Rome as a coercive empire.

Streit quotes Helmuth Schmidt, a Socialist member of the Bundestag in Germany. "The trouble isn't only in France," says Schmidt, "it's everywhere."

De Gaulle has been trying to save France from depression by combining national sovereignty with a return to the gold standard. As Streit says, this was the Paris policy 40 years ago.

In the early '30s France quarreled with Washington over the war debts; now it is quarreling over NATO and the alleged conquest of Europe by the dollar. The French have been trying to combine a detente with West Germany with a new understanding with Kosygin.

Well, in the old interwar period there was a Locarno Pact between France and Germany, a series of French alliances with Poland, Czechoslovakia, and Rumania. The middle was played against the East, and vice versa.

But when the world depression hit, the middle (Hitler's Germany) turned to the East (the Nazi-Soviet Pact), and the reliance of the West European countries on a system of balancing counterweights simply flopped.

Analogies are admittedly untrustworthy, for no periods are ever precisely the same. The current danger is not that armies will start marching, it is that the capitalist nations will cut their own throats by falling into monetary disarray.

In the '30s an economic crash in the United States was followed by world monetary collapse. This time the international monetary collapse could come first: The American dollar is shaky because of the adverse U.S. balance of payments, the British pound is in trouble because of the inefficiency of British factories in producing for export, and the French, in effect, are helping to turn gold into a sterile thing.

Since John F. Kennedy's death Lyndon Johnson has had exactly 18 minutes in face-to-face discussion with Charles de Gaulle. No wonder the drift is toward the fragmentation of the '30s.

"Bridge building" to the East won't help if the world at the western approaches to the bridges is to become a depressed world, for in that case the Communist idea will simply crowd over the bridges without a shot being fired.

NATIONAL HOME OWNERSHIP FOUNDATION ACT

Mr. **LUKENS**. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. PIRNIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **PIRNIE**. Mr. Speaker, it is with deep satisfaction that I today join in the House sponsorship of the National Home Ownership Foundation Act. This measure is both dynamic and unique and represents a major Republican initiative in the critical and sensitive field of housing and urban affairs.

The seed for the proposal was first planted by the distinguished junior Senator from Illinois and while he is the prime sponsor—and therefore deserving of special mention and praise—the act has been carefully studied during its development by several of us, in both Chambers, who believe that one of our country's foremost goals should be a decent home and suitable living environment for every American family.

The legislation is neither a dressed-up version of old ideas that never quite caught fire nor is it a hastily conceived potpourri of giveaways, it is the product of a year's intensive study and research based, in large measure, on successful pilot projects in several communities across the land.

Under the proposal, a congressionally authorized National Home Ownership Foundation would raise $2 billion in private funds through the sale of bonds in order to provide mortgage assistance to lower income Americans unable to afford and obtain conventional mortgage financing. Technical assistance, budget counseling, job training and employment opportunities would be stimulated and provided under the program.

The specifics of the act include:

The creation of a National Home Ownership Foundation, whose 18-member Board would include top figures from the fields of finance, labor, business, nonprofit activities and local and State governments. Six of the members would be selected by the President. The other members would be chosen originally by a select joint congressional commission and their replacements by the foundation board in cooperation with the participating local neighborhood corporations to be formed. No more than two could be Federal officials.

A $2 billion mortgage fund raised by the Foundation through the sale of bonds at competitive private capital market rates. Mortgage money would be directed to those lower income citizens unable to afford and obtain conventional mortgage financing. It is principally geared to the needs of those earning between $3,000–$6,000 per year, depending upon the area of the country. There is not presently a home loan program—public or private—available to the majority of families in the low income range.

The requirement of the establishment of nonprofit neighborhood corporations, cooperatives or limited dividend corporations to oversee the rehabilitation of housing units, the selection of potential homeowners, and the training and counseling of participating families. The local organization would be expected to reflect both the neighborhood and include local business, civic, professional, religious and labor leaders.

A technical assistance service which would aid the local corporations in planning projects, in locating job training and employment through existing public and private channels, and in the counseling of potential home buyers. Moneys to conduct the program would be raised privately, with volunteer services relied upon from the private sector.

Where necessary, a subsidy by the Federal Government on the interest payments only, which would be repaid later by the home buyer as his income increases.

The development, in conjunction with private insurance companies, of a plan to insure mortgage payments against sudden disability, loss of job and similar impairment to financial capacity which are not the fault of the home purchaser.

From the moment several months ago when I first heard about the plan I was enthused about the prospect of having the energy and resources of the private sector mobilized for public good, fortified by the guarantees and limited guidance of the Federal Government.

The measure contemplates an initial Federal outlay of $13 million in repayable—with interest—starting money, to get the act off the ground. At no time will the annual cost exceed $60 million, but a fraction of the yearly price tag envisioned for already approved—but less comprehensive—Federal programs such as the model cities plan which this year alone is expected to cost $685 million.

In contrast to the model cities program, which will reach a very limited number of our urban areas, the home ownership plan would be available and practical for every city in the country.

For example, in my own congressional district, Utica, Rome, Oneida, Canastota, Herkimer, and Little Falls, to name a few, are doubtful qualifiers for assistance under model cities. However, under the act I am cosponsoring, they could establish one or more community organizations and commence immediately to rehabilitate neighborhoods which are in need of help. This, coupled with urban renewal and civic betterment projects presently in process would represent a complete, instead of a partial, redevelopment effort.

It is time something meaningful was conceived for the areas of our country not in the major metropolis category. These smaller areas, though confronted with the same types of problems as the New Yorks and Chicagos, have been dwarfed by the urban giants and, unfortunately, have been relegated to the fine print on the bottom of the priority page for Federal-aid programs. What they need and deserve is a program which will equalize their opportunity to better themselves. The Home Ownership Act is such a program and merits our wholehearted support.

However, there are other more basic reasons for advancing this proposal. These are perhaps best described by a statement of purpose found in the bill. It reads: "that home ownership can make an important contribution toward promoting human dignity and self-esteem, the motivation to achieve, the conservation and improvement of residential neighborhoods and community stability, responsibility and participation."

At the very core of the plan is the concept of helping people to help themselves—this is the most essential element of all. Many times I have stated that I prefer the helping hand to the handout for I do not believe there is any great dignity in a dole or any pride in a subsidy. Only as individuals lessen their total reliance upon society will society be able to rely upon them.

GAO TO INVESTIGATE FEDERAL BUILDING IN CLEVELAND, OHIO

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the General Accounting Office has today advised me that it will investigate the contractual and construction procedures involved in the new $32 million Federal office building in Cleveland, Ohio.

It is good to know that GAO, which commands the respect of the taxpayers for its integrity, efficiency, and conscientious efforts to protect their tax dollars, is going to seek answers to the many perplexing questions which have arisen over this multimillion-dollar structure.

I am today forwarding to GAO the following letters from Mr. John O. Tomb of Cleveland, Ohio. His comments to General Services Administration sum up succinctly and intelligently the overall reaction I am receiving from Cleveland residents for my efforts to get the facts on the table.

Under leave to extend my remarks, I include Mr. Tomb's correspondence:

CLEVELAND, OHIO, *April 18, 1967.*

Hon. WILLIAM E. MINSHALL,
Washington, D.C.

DEAR MR. MINSHALL: I believe you will be interested in the letter I have just written to Mr. Knott of the General Services Administration, a copy of which is attached.

In keeping with the last paragraph of my letter, I have forwarded copies to our two Ohio senators and to Mrs. Bolton.

I hope you will keep up your laudable efforts to knock some sense into the people at GSA. There certainly is no excuse for the casual, callous attitude they have displayed recently.

Sincerely,

JOHN O. TOMB.

APRIL 18, 1967.

Mr. LAWSON B. KNOTT, Jr.,
Washington, D.C.

DEAR MR. KNOTT: As one of the many taxpayers who gets stuck with the cost consequences of the bumbling inefficiency and stupidity of the General Services Administration—as evidenced so eloquently by the incredibly mismanaged job you are currently doing of putting up the Federal Office Building in Cleveland—let me add my word of support to the comments expressed recently by Representative William E. Minshall. In addition, let me express my disagreement with the efforts of your subordinates to justify the unbelievably incompetent construction job that I have been witnessing out my window for the past 18 months.

If anybody ever needed any basis for damning condemnation of governmental bureaucracy, you certainly have provided it to us right here in Erieview. Instead of using the Federal Office project as a showplace to illustrate how government construction can contribute to improving the building standards of our country, you—and the contractors you hired and now seem so anxious to defend in the face of overwhelming examples of inefficiency and incompetence—have simply reinforced the point of view (that I happen to believe is too readily accepted in our country) that anything the government does is bound to be shoddy and inefficient.

It seems clear that if you and your staff had the slightest bit of interest in increasing the standards of construction on government projects, you would have reacted to Representative Minshall's recent criticism with something a lot more thoughtful, objective, and constructive than the whitewash comments issued by your subordinates. These were so incredibly naive as to automatically and immediately cast doubt on the objectivity of your inspectors—to say nothing of their personal integrity.

I am so disgusted with the self-serving way that GSA has handled this entire matter that I am forwarding copies of this letter to our senators and congressmen. I am asking them to use the GSA's gross indifference to its inefficient operations and its obvious lack of interest in objectivity as the basis for a thoroughgoing investigation of your operations by the General Accounting Office. I hope this leads to a complete overhaul of both the management structure and personnel of GSA.

Sincerely,

JOHN O. TOMB.

REPUBLICAN POLICY COMMITTEE URGES BASIC REFORM IN THE ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, in 1965, and again in 1966, the Republican Members of the House of Representatives expressed grave concern regarding the broad sweep of the proposed elementary and secondary education legislation. We were concerned that under the loosely drawn provisions of this legislation, the education effort in this country would be divided, overlapping, and wasteful. We were concerned that the State agencies and local school authorities would be deprived of authority to shape educational programs to meet local needs. Centralization of power in the Federal Government was a theme that ran through the key sections of the legislation.

It has now become apparent that all too often the Federal support intended to improve elementary and secondary education has been used to undermine State and local initiative and responsibility. The administrative burdens and the Federal controls under the Elementary and Secondary Education Act have been increased each year. Today, the U.S. Office of Education administers approximately 30 different programs in the field of elementary and secondary education. The total authorizations for these programs are well above $3 billion. This proliferation of programs has thrust upon school administrations, questionnaires, and accountings. The heavy hand of the Federal Government in the process of educational decisionmaking grows ever heavier.

It is absolutely essential that the unwarranted intrusion of the Federal Government into the local educational systems be eliminated. The administrative conplexities and overload which accompany this intrusion must be removed. Educator after educator has testified that the present system of categorical grant-in-aid programs is at the root of the problem. Under this system, Federal control has been maximized and an educational program determined by local priorities could not be established.

We believe that in the education field, as well as in many other fields, a system of Federal tax-sharing would provide the essential funds without the many controls and administrative complexities that presently accompany Federal programs. This type of reform cannot be accomplished in this bill. However, as an initial step in this direction, the Republican members of the Education and Labor Committee have recommended that H.R. 7819 be amended to provide block grants to the States for education purposes. These grants would replace the multiplicity of categorical grant-in-aid programs. If this is done, States and local communities would receive the financial assistance that they need without the Federal controls and dictation that has proven to be the greatest weakness of the present elementary and secondary education program.

Virtually all major groups in elementary and secondary education are opposed to placing in the hands of the U.S. Commissioner the sole power in title III to determine which applicant school districts are to receive funds and which educational purposes are to be favored in their use. The $500 million authorization in title III is a gigantic carrot by which the U.S. Commissioner of Education can "coax" local school systems and even entire States to adopt educational practices currently favored by a few individuals in the U.S. Education Office. It is not enough that the Commissioner of Education has professed a desire to turn over this program to State administration at some unspecified date in the future. State administration of the program should begin now. Title III projects must be consistent and coordinated with overall State educational plans and programs. This cannot be done as long as the control remains in the U.S. Office of Education.

Once again, this bill does nothing to correct the inequitable formula for distributing title I funds to local school districts. Funds continue to be scattered indiscriminately among both wealthy and needy school districts. Under the present system, State education agencies are unable to channel the money to the areas of greatest need. The proposed study of the formula's obvious defects is an acknowledgment of this serious problem. The jerry-built distribution formula in title I must be abandoned and the formula advanced by the Republican members of the committee must be adopted.

We are opposed to a National Teacher Corps recruited and controlled by the Federal Government. Without question, there is a need to increase efforts for the recruitment and training of teachers for problem schools. However, these efforts should be made at the State and local level and not be controlled by a Federal bureau. The Federal Government should not be the agent for the recruitment, selection, assignment, and compensation of teachers.

We believe that teacher training for problem schools, the prime objective of the Teacher Corps, should be handled as a part of other on-going programs. For example, title XI of the National Defense Education Act authorizes institutes for teachers who are engaged or preparing to engage in teaching in such schools. In fiscal 1966 and 1967, 1,046 such institutes were arranged with 43,591 teachers participating. This highly successful program should be further expanded to meet the pressing need for additional training in this most difficult area. Moreover, title V of the Higher Education Act authorizes the Commissioner of Education to initiate fellowship programs which he could specifically design to prepare teachers for problem schools.

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. QUIE. Mr. Speaker, our separate views of H.R. 7819—Report No. 188—the bill to extend and amend the Elementary and Secondary Education Act of 1965—11 of my colleagues and I outlined a program to continue most of ESEA after June 30, 1968, through the method of block grants to the States. This will be offered as an amendment to the committee bill, H.R. 7819.

I have today introduced a bill—H.R. 8983—which is very close to the precise amendment we shall offer, in order that all Members and other interested persons might have a further opportunity to examine it prior to debate on H.R. 7819. The bill, and the amendment to be offered, is designed to continue in a better form every impetus toward educational improvement gained under ESEA.

Colleagues who do not serve on the Education and Labor Committee have raised a number of basic questions concerning the proposed amendment, which I shall briefly undertake to answer.

First. Will programs for deprived children be reduced?

No; the amendment will provide that not less than one-half of the block-grant funds allotted to any State for any year shall be used for special programs for educationally deprived children in attendance areas having a high concentration of such children.

Second. Will these programs continue to benefit private school children?

Yes; the block-grant amendment continues all of the benefits of the present act for pupils and teachers in private schools. No State plan could be approved unless it met the following requirements:

> (2) *provides that, to the extent consistent with the number of educationally deprived children attending private elementary and secondary schools in school attendance areas selected for special programs, provision will be made for including special educational services and arrangements (such as, but not limited to, dual enrollment, educational radio and television, mobile educational services and equipment, and other special educational arrangements) in which such children can participate;*
>
> (3) *provides that arrangements (whether through the State educational agency or some other State agency or commission) for the distribution of library resources, textbooks, laboratory and other instructional equipment, and audiovisual equipment and materials for the use of teachers and pupils shall include provisions for the loan of such resources, textbooks, equipment and materials on an equitable basis for the use of teachers and pupils in nonpublic schools.*

Third. Could a State ignore or shortchange private school pupils and teachers who presently benefit from ESEA programs?

No; at least 50 percent of the funds in any State must be used for special programs for educationally deprived children in which arrangements for the participation of children enrolled in private schools must be included; in fact, our amendment spells out the extent of such arrangements more fully than does the language of the present ESEA, consistent with the often-expressed intent of Congress. Also, at least 7 percent of such funds must be used for the provision of textbooks and other instructional materials for the use of pupils and teachers in both public and private schools; under our amendment—unlike ESEA—such materials could include laboratory and other instructional equipment on a loan basis for the use of private school pupils and teachers.

Fourth. But what would happen if a State could not legally provide for the loan of textbooks, instructional equipment, and materials for private school pupils and teachers?

In such case the amendment provides a "by-pass" mechanism, similar to that in the school lunch program, whereby the U.S. Commissioner would arrange for such loans of textbooks, materials, and equipment in that State on an equitable basis from the funds allotted to that State.

Fifth. Would your amendment in any way affect enforcement of title VI of the Civil Rights Act?

Absolutely not. The Civil Rights Act would apply to these grants under a State plan in exactly the same way as it applies to all other Federal grants for education, most of which are administered through a State plan.

Sixth. Which ESEA titles would be included in the block grants?

Title I, special programs for educationally deprived children; title II, textbooks and library resources; title III, supplemental educational centers; and title V, aid to State educational agencies. Title VI—assistance for the education of handicapped children—would be continued as a separate program exactly as proposed in the committee bill. Title IV is an amendment to the Cooperative Research Act and is also unaffected.

Seventh. Does your amendment mean that the programs authorized by these titles would be discontinued?

No. On the contrary, authority for them would be extended on a continuing basis, rather than for a year or two as proposed in the committee bill, but each State would be free to establish its own priorities for the use of funds among these programs, and have added flexibility to devise new programs to meet needs not anticipated in ESEA, and do so through a single State plan submitted to the U.S. Commissioner of Education, rather than through a whole series of separate applications.

Eighth. What changes would the amendment make in the Elementary-Secondary Act in fiscal 1968?

None. States and school districts would not have sufficient time to adjust their planning for the coming school year. Advance planning is necessary to the success of any program, and the new block grants would be authorized for the year beginning July 1, 1968.

Ninth. What level of funding do you propose?

Initially, for fiscal year 1969, $3,000,000,000 would be authorized. This represents about $200,000,000 less than the maximum total authorizations of the programs it would replace—but would still be over a $1.5 billion increase in the amount President Johnson has requested for these programs for fiscal year 1968. We feel that the authorization is adequate in view of the present level of funding. However, the block-grant program would represent massive savings in administrative costs to the schools, which also must be considered.

Tenth. On what basis would these funds be allocated among the States?

The funds would be allocated on the basis of the most acceptable formula thus far utilized for educational programs—the one used for nearly 10 years in the National Defense Education Act without a complaint from any State. The formula simply allocates the funds on the basis of the relative number of children of school age and the relative income per child of school age in each State, which is the best simple measure of every State's relative need for Federal educational funds. The formula limits the income factor so that the "wealthier" States are not too heavily penalized and the "poorer" States not too heavily rewarded; but it does recognize that some States have less financial ability than others to support education.

Eleventh. Then you do not use the old 1960 census figures as in title I of ESEA?

No. The title I "formula" has been a terrible mess; we would use the latest available population and income figures regularly supplied by the Department of Commerce. Under the existing title I formula, funds are being distributed this year on the basis of data gathered in 1959 which in many instances is completely outmoded. The data for our formula would be current and accurate.

Twelfth. Would southern and border

States receive less money under the block grants than under the committee bill?

No. That might be true if the Quie-Perkins amendment to ESEA of last year had not been suspended by the committee bill. But the committee bill suspends this amendment until every penny authorized for title I has been appropriated—an unlikely event in the normal course of things—which means that even the 1969 authorization remains at less than $1.5 billion, and that the total probable ESEA authorization for 1969 would be less than $2.6 billion. Every State except New York and the District of Columbia would receive far more funds under the block-grant amendment.

Thirteenth. Is there not the danger, in some States, that inner city schools in major urban areas, or of impoverished rural schools, might be treated unfairly in the distribution of the funds?

No. Actually, the distribution of funds within each State would be far more responsive to the most urgent educational needs than under the existing act, which tends to scatter funds into every school district. The amendment would require that the State plan for the use of the funds "contains assurances that the highest priority in the use of the funds, will be given to local educational agencies which are experiencing the greatest educational difficulties because of such factors as: (A) heavy concentrations of economically and culturally deprived children, (B) rapid increases in school enrollment which overwhelm the financial resources of a local educational agency, and (C) geographic isolation and economic depression in particular areas of the State." The Commissioner simply would not approve a State plan which ignored such factors in the distribution of funds.

Fourteenth. Would not this block-grant approach decrease the load of paperwork and administrative redtape engulfing our schools?

Definitely, and save tens of millions of dollars for education in the process. Under title III of ESEA alone, thousands of local applications are funneled into the U.S. Office of Education which would be eliminated and represented in a single State plan. Moreover, each separate program in ESEA has its own multitude of regulations, guidelines, applications, justifications, cutoff dates, accounting, and so forth, which could be handled far better under a single State-administered plan of attack on educational problems.

Fifteenth. Is this a new approach you are taking?

Not essentially. The State plan device has operated for 40 years in distributing funds under the Vocational Educational Act, and for nearly 10 years under the National Defense Education Act, as well as under a host of other Federal programs. In fact, it is the device used under ESEA for title II, V, and VI. We would simply combine a number of programs under one State plan.

Sixteenth. What does this mean in terms of Federal control of education?

It greatly lessens the opportunity for unwarranted Federal interference in our schools. Every time we add a new categorical Federal grant with a new set of guidelines we enormously increase the Federal leverage in our schools; by reducing the number of such grants by combining them in a single plan devised by the States to meet State needs, we greatly reduce the chances of undue Federal influence. Our proposal would significantly reduce the power of the U.S. Commissioner in local school decisions.

The following chart shows the estimated distribution of funds for fiscal 1969 under the block-grant amendment, and under the committee bill—assuming an appropriation for title I of less than $2.6 billion for that year.

Estimated distribution of funds for titles I, II, III, and V of ESEA under the block-grant amendment and under the committee bill for fiscal 1969

	Estimated State amounts under block-grant amendment	Estimated State amounts under the committee bill (assuming appropriation of less than $2,400,000,000 for title I of ESEA)
United States and outlying areas	$3,000,000,000	$2,238,341,663
50 States and the District of Columbia	2,910,000,000	2,181,835,132
Alabama	74,984,127	51,965,823
Alaska	4,113,410	4,549,108
Arizona	30,283,668	19,951,479
Arkansas	39,088,258	30,445,818
California	206,119,222	181,722,136
Colorado	31,768,327	21,587,225
Connecticut	$28,098,959	$23,611,979
Delaware	6,390,385	5,919,383
Florida	88,597,972	59,046,544
Georgia	88,063,650	59,341,568
Hawaii	11,671,947	6,436,742
Idaho	14,094,094	6,802,646
Illinois	119,475,294	109,113,471
Indiana	76,079,751	41,706,963
Iowa	44,191,479	32,070,380
Kansas	35,134,269	22,207,141
Kentucky	62,954,095	45,644,537
Louisiana	78,535,534	58,530,530
Maine	17,471,949	8,929,164
Maryland	50,996,592	35,748,619
Massachusetts	60,738,670	41,650,808
Michigan	132,509,268	79,364,961
Minnesota	61,379,507	43,627,769
Mississippi	52,013,966	45,147,131
Missouri	64,100,525	51,602,194
Montana	12,277,485	8,482,009
Nebraska	23,124,793	14,322,760
Nevada	4,506,765	3,800,320
New Hampshire	10,254,911	5,179,760
New Jersey	70,052,005	60,914,038
New Mexico	23,384,655	16,942,846
New York	164,309,713	234,499,112
North Carolina	100,797,585	76,607,298
North Dakota	13,340,319	9,718,395
Ohio	159,489,128	85,023,863
Oklahoma	40,586,581	30,351,664
Oregon	29,127,896	18,853,730
Pennsylvania	157,773,688	110,350,130
Rhode Island	11,211,904	9,267,608
South Carolina	56,841,559	42,222,430
South Dakota	14,122,708	11,555,930
Tennessee	74,748,791	50,112,584
Texas	198,291,363	134,737,327
Utah	21,925,807	8,597,931
Vermont	7,260,951	4,640,418
Virginia	77,159,025	52,955,306
Washington	43,028,933	26,494,049
West Virginia	36,279,296	25,930,941
Wisconsin	67,615,259	38,575,842
Wyoming	5,899,625	4,446,151
District of Columbia	6,734,337	10,686,262
Outlying areas	90,000,000	56,506,531

The text of the bill follows:

H.R. 7819

A bill to amend the Elementary and Secondary Act of 1965 to continue the authorized programs after June 30, 1968, through block grants to the States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Block Grants Amendment Act of 1967."

PART A—DURATION OF AND AUTHORIZATION FOR PROGRAMS

SEC. 101. (a)(1) Section 201(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(2) Section 201(b) of such Act is amended by striking out "$150,000,000 for the fiscal year ending June 30, 1968: but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$150,000,000 for the fiscal year ending June 30, 1968."

(b)(1) Section 301(a) of such Act is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(2) Section 301(b) of such Act is amended by striking out "$500,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof the following: "$500,000,000 for the fiscal year ending June 30, 1968."

(c)(1) Section 501 of such Act is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(2) Section 501(b) of such Act is amended by striking out "$50,000,000" and inserting in lieu thereof "$65,000,000".

(d)(1) Section 601(a) of such Act is amended by striking out "during the fiscal year ending June 30, 1967, and the succeeding fiscal year,".

(2) Section 601(b) of such Act is amended by striking out "$150,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: "$150,000,000 each for the fiscal year ending June 30, 1968, and the succeeding fiscal year".

(e) Section 706(b) of such Act is amended by inserting after "June 30, 1968," the following: "and for the fiscal year ending June 30, 1969,".

(f)(1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968".

(2) Section 15(15) of such Act is amended by striking out "1962–1963" and inserting in lieu thereof "1963–1964".

(g) Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out "1968" wherever it occurs and inserting in lieu thereof "1969".

PART B—BLOCK GRANTS TO THE STATES FOR CONTINUING EDUCATIONAL PROGRESS

SEC. 102. (a) Title VII of such Act is redesignated as title VIII, and the sections redesignated accordingly, and all references to any such section in that or any other law, or in any rule, regulation, order, or agreement of the United States are amended so as to refer to such section as so redesignated.

(b) Such Act is further amended by inserting a new title VII as follows:

"TITLE VII—BLOCK GRANTS TO THE STATES FOR CONTINUING EDUCATIONAL PROGRESS

"Authorization on continuing basis

"SEC. 701. (a) To the end of enhancing the fundamental capability of the several States to make effective progress in meeting educational needs, and to carry forward the type of programs initiated under other Federal educational legislation without the administrative difficulties inherent in a proliferation of categorical Federal grants, the

Commissioner is authorized for the fiscal year ending June 30, 1969, and for each succeeding fiscal year, to make grants to the States for the broad purposes set forth in this part, and it is the intent of Congress that these grants will replace those authorized under titles I, II, III, and V of this Act.

"(b) For the purpose of making grants under this part there is hereby authorized to be appropriated for the fiscal year ending June 30, 1969, the sum of $3,000,000,000, and for each of the succeeding fiscal years such sums as may be necessary to assure continued educational progress.

"Allotment of funds

"SEC. 702. (a) (1) From the funds appropriated to carry out this title for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine and, first, shall allot such amount among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs under this title, and then may use reserved funds for the purpose of making grants and contracts for special projects and educational planning as provided in section 707. From the remainder of such sums the Commissioner shall allot to each State an amount which bears the same ratio to the amount of such remainder as the product of—

"(A) the school-age population of the State, and

"(B) the State's allotment ratio (as determined under paragraph (2)), bears to the sum of the corresponding products for all the States.

"(2) The "allotment ratio" for any State shall be 100 per centum less the product of (A) 50 per centum and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the United States, except that the allotment ratio shall in no case be less than 33⅓ per centum or more than 66⅔ per centum. The allotment ratios shall be computed by the Commissioner on the basis of the most recent satisfactory data available to him from the Department of Commerce.

"(3) For the purposes of this part—

"(A) The term 'child of school age' means a member of the population between the ages of five and seventeen, both inclusive.

"(B) The term 'United States' means the fifty States and the District of Columbia.

"(C) The term 'income per child of school age' for any State or for the United States means the total personal income for the State and the United States, respectively, divided by the number of children of school age in such State and in the United States, respectively.

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

"USES OF FEDERAL FUNDS

"SEC. 703. Grants under this part may be used, in accordance with applications approved under section 704, for—

"(1) programs and projects (including the acquisition of equipment and, where necessary, the construction of school facilities) which are designed to meet the special educational needs of educationally deprived children, and which give the highest priority to school attendance areas having high concentrations of such children;

"(2) the provision of library resources, textbooks, laboratory and other instructional equipment, and audio-visual equipment for use in the elementary and secondary schools of the State;

"(3) the establishment and operation of supplementary educational centers to serve broad educational needs by involving the educational, cultural, and artistic resources of communities and by conducting experimental and innovative programs related to regional and national programs of educational research and development;

"(4) the strengthening of State leadership and supervision provided through the State educational agencies, and the initiation of comprehensive educational planning to identify and attack educational problems on a continuing basis;

"(5) the provision of educational testing and counseling and guidance services in elementary and secondary schools;

"(6) the improvement of in-service teacher education programs, and the encouragement of efforts to improve the recruitment of teachers, particularly for service in inner-city and isolated rural schools which experience problems of recruitment;

"(7) programs designed to improve educational opportunities for children in State institutions for the handicapped, or for neglected or delinquent children; and

"(8) other programs designed to strengthen and improve elementary and secondary education in the State and to promote equal educational opportunities.

"State plans and applications

"SEC. 704. (a) Any State which desires to receive payments under this title shall submit to the Commissioner, through its State educational agency, a State plan which—

"(1) sets forth a program for expending funds under this part for the purposes described in section 703 and indicates the probable allocation of funds for these general purposes;

"(2) provides that (A) not less than 50 per centum of the funds allotted or reallotted under section 702 for any fiscal year shall be used to fund programs and projects to meet the special educational needs of educational deprived children (as provided by section 703(1)), and (B) not less than 7 per centum of the funds allotted or reallotted under section 702 for any fiscal year shall be used for the provision of library resources, textbooks, laboratory and other instructional equipment, and audio-visual equipment (as provided by section 703(2));

"(3) provides that, to the extent consistent with the number of educationally deprived children attending private elementary and secondary schools in school attendance areas selected for special programs under section 703(1), provision will be made for including special educational services and arrangements (such as, but not limited to, dual enrollment, educational radio and television, mobile educational services and equipment and other special educational arrangements) in which such children can participate;

"(4) provides that arrangements (whether through the State educational agency or some other State agency or commission) for the distribution of library resources, textbooks, laboratory and other instructional equipment, and audiovisual equipment and materials for the use of teachers and pupils shall include provisions for the loan of such resources, textbooks, equipment and materials on an equitable basis for the use of teachers and pupils in nonpublic schools;

"(5) contains assurances that the highest priority in the use of funds under this title will be given to local educational agencies which are experiencing the greatest educational difficulties because of such factors as: (A) heavy concentrations of economically and culturally deprived children, (B) rapid increases in school enrollment which overwhelm the financial resources of a local educational agency, and (C) geographic isolation and economic depression in particular areas of the State;

"(6) provides that any local educational agency or other applicant for assistance under this title which is denied such assistance may have an opportunity for a hearing before the State educational agency;

"(7) sets forth policies and procedures designed to assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of State, local, and private school funds that would in the absence of such Federal funds be made available for library resources, textbooks, and other printed and published instructional materials, and in no case supplant such State, local, and private school funds;

"(8) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to any other public agency) under this title; and

"(9) provides for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

"Payments to States

"SEC. 705. (a) From the amounts allotted to each State under section 702 the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(b) In any State which has a State plan approved under section 704(b) and in which no State agency is authorized by law to provide library resources, textbooks, laboratory and other instructional equipment, audiovisual equipment and materials, or other printed and published instructional materials for the use of children and teachers in any one or more elementary or secondary schools in such State, the Commissioner shall arrange for such testing and for the provision on an equitable basis of such library resources, textbooks, or other instructional materials for such use and shall pay the cost thereof for any fiscal year out of that State's allotment.

"Public control of library resources, textbooks, laboratory and other instructional equipment, audiovisual equipment and materials, and other instructional material and types which may be made available

"SEC. 706. (a) Title to library resources, textbooks, laboratory and other instructional equipment, audiovisual equipment and materials, and other printed and published instructional materials furnished pursuant to this title, and control and administration of their use, shall vest only in a public agency.

"(b) The library resources, textbooks, laboratory and other instructional equipment, audiovisual equipment and materials, and other printed and published instructional materials made available pursuant to this title for use of children and teachers in any school in any State shall be limited to those which have been approved by an appropriate State or local educational authority or agency for use, or are used, in a public elementary or secondary school of that State.

"Special project grants

"SEC. 707. (a) From the funds reserved in accordance with the provisions of section 702, the Commissioner is authorized (1) to make grants to State educational agencies to pay part of the cost of experimental projects for developing State leadership or for the establishment of special services which hold promise of making a substantial contribution to the solution of problems common to the State educational agencies of all or several States, (2) to arrange for interchanges of personnel between the United States Office of Education and the several States (as provided by section 507 of the Elementary and Secondary Education Act of 1965, the provisions of such section being incorporated herein by reference), and (3) after consultation with the appropriate State educational agency or agencies, to make grants to or contracts with public and private agencies, institutions, and organizations for projects for the improvement or expansion of educational planning on a regional, interstate, or metropolitan area basis.

"(b) Payments under this section may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine, except that payments to a private agency, institution, or organization conducted for profit shall be in accordance with a contract for specified services.

"Legislative intent

"SEC. 708. It is the intent of Congress in enacting this title that the States shall have utmost freedom, consistent with certain basic requirements, to use the appropriated funds for the improvement and strengthening of elementary and secondary education within each State by meeting educational needs which the State determines are most urgent. Accordingly, the Commissioner is directed to administer the program in such a manner as to reduce the amount of paperwork, justifications and negotiation required of applicants and to expedite the transmission of funds to the States. To that end, questions of the intent of the legislation are to be resolved by broad, rather than narrow, interpretations and, whenever possible, in favor of the programs proposed by the State.

"Administration of State plans

"SEC. 709. (a) The Commissioner shall not finally disapprove any application submitted under section 704, or any modification thereof, without first affording the State educational agency submitting the application reasonable notice and opportunity for a hearing.

"(b) Whenever the Commissioner, after reasonable notice and, opportunity for hearing to the State educational agency administering a program under an application approved under this title, finds—

"(1) that the application has been so changed that it no longer complies with the provisions of section 4(a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State educational agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

"(c) All laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of any project under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—176a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this clause, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C 133z-15), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"Judicial review

"SEC. 710. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of an application submitted under section 704(a) or with his final action under section 709(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

EXCEPTION TO FINDINGS OF THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, a few days ago my good friend, the gentleman from New York [Mr. ROONEY], rose to protest some of the findings of the President's Commission on Law Enforcement and Administration of Justice—page 9448 of the RECORD of April 13.

I am entirely in sympathy with his statement. I, too, take particular exception to paragraphs in the report which cast unwarranted aspersions on the great body of loyal American citizens who pride themselves on their Italian ancestry.

I think it is most regrettable that certain sections of the report unfortunately convey to the reader an impression that the bulk of organized crime being unleashed against the American public is the total responsibility of Italians and Italian-Americans.

I refer specifically to the paragraph on page 192 of the report which states that—

> Today the core of organized crime in the United States consists of 24 groups operating as criminal cartels in large cities across the Nation. Their membership is exclusively Italian, they are in frequent communication with each other, and their smooth functioning is insured by a national body of overseers.

This does a great injustice to the millions of law-abiding, hardworking, and liberty-loving Americans who glory in their Italian birth or lineage.

JOHN ROONEY called to the attention of this body an impressive list of famous Italian-Americans which reads like the pages devoted to the membership of the hall of fame. We could do well to remind ourselves of these famous men.

I, too, have had the good fortune to have been intimately associated with a large and thriving Italian-American population. I know firsthand what men and women of Italian background have contributed to my own district and to my State. I value also the close friendship I have had over the years with many of the great Italian-American leaders who have so consistently given of themselves and their resources to make this a richer and a finer country.

Truly, Mr. Speaker, it ill behooves any group, public or private, to act in any way which would detract from the esteem which all Americans have for their fellow citizens whose Italian forebears chose this country as the one in which they desired to establish themselves.

When I think of the lasting contributions which the sons and grandsons of Italy, dating from the days of Columbus over the years to those of today, have made, I feel humble and sincerely grateful to this magnificent segment of our population.

As I work day by day with forward-looking leaders of this body and the Senate, whose names clearly identify their Italian background, I am constantly reminded of the great service rendered by this host of public servants—men of stature all.

Though we are of different political parties, I have great admiration and respect for Ohio's Anthony Celebrezze, now serving as our Federal judge, who distinguished himself as mayor of the city of Cleveland and as Secretary of the Department of Health, Education, and Welfare.

Another outstanding Ohioan is the Honorable Michael DiSalle who served as our Governor, and also in various Federal positions of great responsibility.

One could recite a long list of other names, men and women of Italian background, who have served the State of Ohio. In my own district I think of John Rossetti, a distinguished judge in Stark County, and Leroy J. Contie, Jr., who has served as solicitor for the city of Canton and in many other civic and political leadership positions. My good friend Ben Marconi has an enviable record in public service. And going back just a few years, I recall the late Louis DiSantis, one of Canton's most distinguished citizens, a leader in our community both in the business world and in charitable activities.

Mr. Speaker, I could list organization after organization composed wholly of Italian-Americans, all demonstrating a positive and impressive denial that this country's citizens of Italian descent are criminally inclined or have a corner on crime.

I think this body owes it to our fine citizens upon whom an unwarranted aspersion has been cast, to take appropriate action to see that all biased and discriminatory statements which stigmatize any particular segment of our population are quickly and completely removed. Because of this unwarranted blot placed against the character of a great and noble group of trusted, God-fearing, loyal Americans, we need all to reaffirm our affection for and our trust in our Italian-American friends, and we might well reassure them of our deepest appreciation for the countless gifts which they and those who came before them have made to this country.

Let us all rededicate ourselves to the demanding task of reducing crime and in apprehending and punishing the lawless. Let us join together without regard to party lines in enacting the soundest measures possible to guarantee the safety of our homes, our streets and our communities. But let us assure ourselves that in doing all these essential and urgent tasks, we be equally on guard to avoid any generalization or any specific allegations which unjustly cast a shadow of doubt upon the character and good name of our loyal and patriotic citizens no matter what may be their ethnic background.

PRESIDENT FOLLOWING VOTERS' MANDATE

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, the administration's recent action, in releasing an additional $1 billion of Federal construction funds, shows that the President is following the election returns and accepting to a degree the voters' mandate against bureaucratic economic controls.

The heavy Republican gains in the 1966 elections are responsible for the administration's about-face and at least temporary abandonment of its program for a regimented economy.

Before the election, Mr. Robert Kintner was brought into the White House and assigned the responsibility of preparing broad measures to combat runaway inflation, such as price and wage controls, rationing, high interest rates, restricted credits, and a super-duper "big brother" computer to keep tabs on every American from cradle to grave.

The slump in stock exchange quotations, soaring prices, lagging pay rates, labor revolt against administration guidelines, housewives' boycotts of supermarkets, low farm prices and high food costs, all combined to produce a massive repudiation of the administration at the polls.

In particular, Republican gains of 47 seats in the House of Representatives, and the election of Republican Senators and Governors in hitherto "safe" Democratic states, compelled the administration to backtrack, so now the President is in present retreat from his 1966 blueprint for an entirely managed economy and a 100-percent regimented nation.

WAY TO END POLITICAL ARMTWISTING OF FEDERAL EMPLOYEES

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. NELSEN. Mr. Speaker, I am today introducing a bill to prevent illicit shakedowns of Federal employees for political contributions. In the main, this would be accomplished by giving the Civil Service Commission full power to punish Hatch Act violations among high-level political appointees who are presently answerable only to their departmental or agency superiors.

As the law is currently written, wrongdoers in the "excepted" or schedule C and supergrade positions have immunity from Hatch Act punishments for all practical purposes. The Civil Service Commission can investigate all infractions, of course, but can move against only those personnel in the classified service or on the lower rungs of the Federal service.

By the Civil Service Commission's own admission:

> There is no language in the Hatch Act that fixes responsibility for the enforcement of the prohibitions against the political activity of Federal officers and employees.

Instead, present practice divides enforcement between the Civil Service Commission and the employing agency which means, in effect, that the Commission assumes enforcement powers only over the employees in the so-called competitive civil service while the employing agency maintains enforcement jurisdiction over the excepted service employees—which includes schedule C political appointees and supergrade positions.

This double standard must be eliminated for the protection of all Federal employees as well as the public interest. As of now, lower grade Federal employees falling into the rank-and-file classified service can be severely punished for the same illegalities which provide promotional plums to others.

Mr. Speaker, leaving the punishment responsibility for Hatch Act violators in the hands of political allies within an employing agency is like asking mice to guard the cheese. Such a situation invites trouble. It tempts enthusiastic party supporters in Government to pressure those employees under their supervision for political campaign contributions and favors. We have seen this happen increasingly as the Federal work force has expanded.

My bill would end this division of enforcement responsibility along with its inherent weakness and discrimination by fixing complete enforcement responsibility with the Civil Service Commission for all Federal employees alike. We estimate it would affect at least 370,000 employees in the Federal service who are in a position to collect funds from their subordinates and coworkers in the various agencies and still—practically speaking—avoid the legal consequences because the Civil Service Commission has no jurisdiction over them.

When I first introduced this bill last year, I pointed out the dire need for it is illustrated by a classic case which I watched develop. I brought to the attention of the Civil Service Commission a well-documented case of illegal political fund solicitation in the Rural Electrification Administration of the Department of Agriculture. Both the CSC and the FBI investigated and found the charges to be correct. There were four employees of the REA involved—three in the excepted service and one in the lower classified category. The CSC drew up charges against the one classified employee over which it had jurisdiction. The statement of charges resulted in the resignation of that employee. However, the three other offenders in the excepted service remained unscathed because the authority charged with enforcement, the Secretary of Agriculture, refused to move against them even though the CSC and the FBI substantiated the charges. We have reason to believe that the classified employee may have been acting under orders from his superiors in the excepted service who—sad to relate—did not also feel the ax.

Obviously, legislation such as I am introducing would serve to correct inequities of this kind, and would help to improve the quality of our Federal service.

I might also mention, Mr. Speaker, as a member of the 12-man Commission on the Political Activity of Government Employees now studying the Hatch Act, I also plan to recommend this proposal to the Commission.

A BILL TO RELIEVE THE POSTMASTER GENERAL OF RESPONSIBILITY FOR DETERMINING MAILABILITY UNDER THE CONGRESSIONAL FRANK

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I am today introducing legislation to put a stop to executive censorship of congressional mail.

My proposal would transfer the power to police the use of the congressional frank from the Post Office Department where it now lies to the Senate Committee on Rules and Administration and the House Committee on House Administration.

As I am sure my colleagues are aware, it is presently the responsiblity of the Post Office Department to collect postage on congressional correspondence when, in their opinion, the congressional frank has been used improperly; that is, for the mailing of material which is not on "official business."

To me it is quite obvious that the Post Office Department as an arm of the administration is using its power to collect postage as a tool for the censorship of congressional mail. Whether a letter to a congressman's constitutent is or is not "official business" has been left entirely up to the discretion of the postal authorities. In the exercise of that discretion, executive censorship of congressional mail has developed.

To illustrate my objection to present practices, I will place a copy of the Post Office Department's proposed guidelines for the use of the frank in the RECORD at the conclusion of this statement.

I suggest that such guidelines are an improper interference with congressional responsibility by the executive branch. According to the view there taken by the Post Office Department, a Congressman writes on "official business" when he reports to his constituents regarding his opinion of the merits of legislative proposals so long as he does not "characterize the proposal as being supported by one of the political parties or a fraction thereof."

The postal pronouncement continues:

> Also included in official business is the reporting of actions taken by the Federal Government, . . . However, reference to the political allegiance of officials . . . would not be considered official business.

Telling a Congressman what he can and cannot say about Government programs or actions in his correspondence with his constituents is censorship plain and simple. The Congress certainly would not even think about censoring the executive mail and the executive branch has no business censoring the mail of the Congress.

Discriminatory enforcement by the administration of these censorship regulations is an open secret in Washington. My bill is designed to put a stop to these practices; I welcome the support of my colleagues in upholding the prerogatives of the Congress against intrusions by the executive.

The Post Office Department's proposed guidelines follow:

NEWSLETTERS UNDER THE CONGRESSIONAL FRANKING PRIVILEGE

INTRODUCTION

The Post Office Department is required to determine whether mail has been sent improperly under the frank. When it finds this has occurred, the Department is charged with responsibility for collecting the postage which should have been paid (C.G. Dec. No. 128938, dated August 16, 1956). Within the Department this function is lodged with the General Counsel.

The Department does not undertake to determine whether a franked mailing contains matter which may not properly pass through the mails under the frank except when a complaint is received by the Department or when a member of Congress requests a ruling on matter he is considering mailing. The General Counsel will advise members on request when they are doubtful about a particular proposed mailing.

Newsletters may be sent as franked mail by a Congressman when they conform to the requirements of either of two laws—these are Sections 4161 or 4163 of Title 39, U.S. Code (see appendix, attached). Under Section 4161 a newsletter is frankable when it is exclusively "Correspondence on official business" and under Section 4163 when it is "a part of the Congressional Record" or a speech or report contained in the Congressional Record.

Part 1. Section 4161—Correspondence

Correspondence on "Official Business" is that in which the member deals with the addressee as a citizen of the United States or constituent as opposed to the relationship of personal friend or the relationship of candidate or prospective candidate and voter.

Thus, a *Congressman writes on official business when he reports to his constituents regarding his views on the merits of legislative proposals* which have been and may be brought before the Congress or its Committees. *However, the characterization of an individual proposing, supporting or opposing legislation are not considered to be correspondence on official business. This is also true when a proposal or the opposition to it is characterized as supported by one of the political parties or a fraction thereof, but characterizing a proposal or opposition thereto as that of the Administration would be written "official business."*

Also included in official business is the reporting of actions taken by the Federal Government, including matters related to joint Federal and State programs. In addition, comments on the desirability, wisdom or correctness of decisions of the Federal Government or other governments administering federal programs would be within the scope of official business. However, reference to the political allegiance of officials or to comments made by them in political subjects or campaigning would not be considered official business.

Appeals for political support, references to what a member expects to do in the next Congress sent out before an election, discussion of a prior campaign, discussion of a coming political campaign, reference to campaign opponents as such are all matters beyond the official business concept.

Presentation of a member's biography or biographical material concerning the member or his wife or other member of his family, greetings from members of the Congressman's family, as well as reports on how or where the member or his family spends time other than in performing his official function are all outside official business. The foregoing, however, does not preclude a member from expanding a complimentary close by reference to the season or the like when it is clear that it is a part of the closing.

Questionnaires and the tabulation of results of questionnaires are within "official business" when they cover subjects which are official business. However, a member may not use his Congressional frank for the return of completed questionnaires or of other matter to him.

It is regarded as official business to advise members of the public to register and vote and to afford information as to how and where and when to register or vote so long as there is no intimation as to the manner in which the votes should be cast.

Pictures may be used in newsletters when the purpose is to illustrate the text, and may include pictures of the type usual in the newsletter heads of members. However, pictures which are of such size as to lead to the conclusion that their purpose is to advertise the member rather than to illustrate the text are not "official business."

Part 2. Section 4163—Congressional Record

Any newsletter which is a verbatim reprint of an item which has appeared either in the body or appendix of the Congressional Record is frankable even though its content would not be regarded as official business in Part 1 above.

However, prior appearance in the Congressional Record of a phrase, sentence or paragraph used in a newsletter is not sufficient to make that portion of the newsletter frankable under Section 4163 unless the quotation is identified by a citation to the Congressional Record.

In the past the Department has permitted pictures illustrating the text of Congressional Record reprints despite the fact that pictures are not permitted in the Record. However, the Department has concluded that pictures cannot be considered to be a part of the Record or of the speech or report in the Record, and, therefore, may not be accepted under Section 4163. On the other hand, if they would fall within the description of "official business" in Part 1, they may be included.

APPENDIX

Sec. 4161. Official correspondence of Vice President and Members of Congress

The Vice President, Members and Members-elect of Congress, the Secretary of the Senate, and the Sergeant at Arms of the Senate until the thirtieth day of June following the expiration of their respective terms of office, may send as franked mail—

(1) matter, not exceeding four pounds in weight, upon official or departmental business, to a Government official; and

(2) correspondence, not exceeding four ounces in weight, upon official business to any person.

In the event of a vacancy in the office of Secretary of the Senate or Sergeant at Arms of the Senate, any authorized person may exercise this privilege in the officer's name during the period of the vacancy.

NOTE.—Public Law 88–277, approved March 7, 1964, provided that each Vice-President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him under his written autograph signature in connection with his preparations for the assumption of official duties as Vice President. The law provides for reimbursement to the postal revenues in amounts equivalent to the postage.

Revision Note.—Based on 39 U.S.C., 1952 ed., § 327.

Because of definition of "Members of Congress" appearing in section 4151 of this title the words "Delegates and delegates elect" and "Resident Commissioner from Puerto Rico" are eliminated. Reference to sending "free through the mails" are omitted in view of section 4167 of this title.

While section 327 does not fix the date upon which the right of a Member of Congress to use the frank on official correspondence will expire, it is the consistent administrative construction that the right to use the frank was to continue for a period of nine months after the expiration of the terms of office of the Members. This conformed to the period of time provided in section 329, title 39, 1952 edition. When the 20th Amendment to the Constitution became effective providing for only one meeting of Congress every year commencing on January 3, the "9th month" provision in section 329 permitted continuation of the use of the frank only until the 30th day of September following the expiration of the term of Members. In 1957 (see section 4164 of this title) section 329 was amended to provide June 30 as the date upon which the right to use the frank would expire. The date June 30 is used therefore in this section to conform to this history and long standing administration construction.

Changes are made in phraseology.

Sec. 4162. Public documents

The Vice President, Members of Congress, the Secretary of the Senate, Sergeant at Arms of the Senate, and the Clerk of the House of Representatives, until the thirtieth day of June following the expiration of other respective terms of office, may send and receive as franked mail all public documents printed by order of Congress.

Revision Note.—Based on 39 U.S.C., 1952 ed., § 326.

Because of definition of "Members of Congress" appearing in section, 4151, reference to "Senators, Representatives, Delegates and Resident Commissioners" were omitted.

Changes are made in phraseology.

Sec. 4163. Congressional Record under frank of Members of Congress

Members of Congress may send as franked mail the Congressional Record, or any part thereof, or speeches or reports therein contained.

Revision Note.—Based on 39 U.S.C., 1952 ed., § 325.

Because of definition of "Members of Congress" appearing in section 4151, reference to "delegate" and "Resident Commissioner from Puerto Rico" is omitted. Reference to "free of postage" is omitted in view of section 4167 of this title.

Changes are made in phraseology.

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I am pleased to join with my colleagues in sponsoring the homeownership bill.

The bill, designed to make homeownership available to low-income groups, is designed to encourage individual initiative and responsibility through pride of ownership and active participation in community affairs. With the growing number of ghettos and get-rich-quick landlords preying on low-income groups, this proposal may well provide the breakthrough for thousands of American families who are both isolated and insulated from the mainstream of our society.

The Federal Government acts as the catalyst in this program, providing the "seed" money to encourage individual and community involvement. The proposal and the method of implementation is complicated on paper, but very simply it boils down to this—the Federal Government will provide the right-of-way, the communities will pave the road and have complete responsibility for maintaining it.

WALTER LIPPMANN ON THE CREDIBILITY GAP

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, Walter Lippmann has long been known for his penetrating commentary on contemporary issues. He has recently addressed himself to the credibility gap in two articles which appeared in the Washington Post.

Mr. Lippmann traces the opening of this gap in the present administration and concludes:

> The great consensus is quite distinct and separate from the false consensus which is achieved by manipulating opinion in order to erase opposition to the will of the leader.

The complete texts of the two articles follows:

The Credibility Gap—I

(By Walter Lippmann)

In order to avoid the embarrassment of calling a spade a spade, newspapermen have tacitly agreed to talk about "the credibility gap." This is a polite euphemism for deception, rather like the habit of our Victorian grandparents who spoke of limbs when they were too shy to speak of legs. The phrase has been invented during the Johnson Administration and it is quite significant that nothing like it seems to have been needed before. In its exact meaning the "gap" is as Mr. Henry L. Trewhitt of the Baltimore Sun has put it "the degree of refusal by the public to accept at face value what the Government says and does."

It goes without saying that if this gap is wide, the country is in the perilous position of not believing that it can trust its Government.

Every experienced newspaperman knows quite well,—as James Reston points out in his penetrating new book "The Artillery of Peace"—that there is an inherent conflict between public officials and reporters. But, so far as I know, there has never been a time when the President and the working press distrusted each other so much as they do today. The current conflict has become abnormally acute, and the relations between the Johnson Administration and the press are unique, differing not only in degree but in kind from the normal tensions between responsible officials and free journalists. The conflict today has degenerated to the point where there is no longer much pretense that the news is not being manipulated in order to make the Congress, the newspapers, the networks, and the public at large support the President. The only question is supposed to be whether the manipulation works, how successfully the President and his officials and his press officers can operate.

The credibility gap today is not the result of honest misunderstanding between the President and the press in this complicated world. It is the result of a deliberate policy of artificial manipulation of official news. The purpose of this manipulation is to create a consensus for the President, to stifle debate about his aims and his policies, to thwart deep probing into what has already happened, what is actually happening, what is going to happen.

In its press relations the Administration does not hold with the fundamental American principle that true opinion arises from honest inquiry and open debate and that true opinion is necessary to free government. For this Administration, the right opinions are those which lead to consensus with the leader, and to create such true opinion it is legitimate to wipe out the distinction between patriotism and patrioteering and to act on the assumption that the end justifies the means.

The credibility gap opened in the first weeks of President Johnson's tenure. It was early December 1963, and the first big official business before him was the completion of the next year's budget, which had been begun by President Kennedy. At his first press conference on Dec. 7, 1963, "reporters came away with the impression" says Mr. James Deakin of the St. Louis Post Dispatch that "the new budget would be between 102 billion and 103 billion."

But at Mr. Johnson's second press conference, eleven days later, the President said that the expenditures would be "substantially 99 billions" which was the amount of the Kennedy budget. A few days later, says Mr. Deakin, "the news spread that the new budget would be 100 billion dollars, give or take 2 per cent either way."

But when the 1965 budget was actually submitted to Congress, it was down to 97.7 billion—which was under the Kennedy budget. By this technique, which used to be known in psychological warfare as razzle-dazzle, the President projected an image of himself as a thrifty man who turned out lights in the White House and who spent less than President Kennedy.

Thus the credibility gap opened before the President (in February 1965) announced the first publicly visible actions reversing his campaign pledges and making the war in Vietnam an American war. This reversal has greatly widened the credibility gap. Being unwilling to admit that he has changed his policy, Mr. Johnson has persistently manipulated the official news of war and peace. When he was escalating the war he has covered it with gestures about peace. In the process there has been damaged deeply the credibility of the Pentagon about the size of the American commitment, the size of the American and civilian casualties, and about the costs of the war.

There has been damaged also the credibility of the State Department on the conduct of the war. Thus in August 1964, Hanoi sent word to the United Nations that their representatives would meet with ours in Rangoon. The Administration ignored the offer.

In September, Secretary Rusk replied to a question about whether it was possible to have a negotiated settlement of the war. He said, "Let me first say that I don't know of any negotiations now going on anywhere, overt or covert, about a settlement in South Vietnam." He made no reference to the North Vietnamese offer. Until U Thant, in the following February, revealed what had happened, the State Department kept up the fiction that no offer to talk had been made by Hanoi.

Credibility Gap—II

(By Walter Lippmann)

In my first article I argued that the tension between President Johnson and the working press is different in kind, not merely in degree, from the normal sparring matches between officials and reporters. There are today two causes which reenforce each other and have united to break down confidence in the candor and reliability of the Government. One of these causes is that Mr. Johnson is a pathologically secretive man. The other is that he believes in his right to manipulate the news in his own political interest and does not hold with the American tradition about the importance of an independent press.

In regard to Mr. Johnson's secretiveness, experienced White House reporters tell tale after tale of the President's reluctance to agree to a firm schedule, to disclose his intention of going to the ranch—even to Mrs. Johnson—until the last possible moment.

From the public standpoint there are perhaps two instances that have hurt Mr. Johnson more than any other. The first was his claim until the final hour of the Democratic Convention that he had not made up his mind about who would be his Vice President in 1964. Even at the time, no one believed this. The other was after his Asian trip last fall. All the reporters on the trip were told on two or three occasions that the President would return and enter into a whirlwind campaign, and political leaders were alerted for his visit. At the last moment the

President decided not to go. When he was asked at the news conference later why he had canceled the trip he went into a long attack on newspapermen for having said that he would make the trip.

In order to impose a rule of secrecy on his high officials, the President has had to suppress their normal tendency to explain and justify the programs and policies they have devised and advocated.

In his book on the press Mr. Reston quotes an attempt by Mr. Bill Moyers to make sense out of the President's secretiveness: "It is very important for a President to maintain up until the moment of decision his options, and for someone to speculate days or weeks in advance that he is going to do thus and thus is to deny to the President the latitude he needs in order to make, in the light of existing circumstances, the best possible decision."

Mr. Reston thinks that this "philosophic idea . . . has some disturbing possibilities." It has indeed. In order to maintain the President's "options" the Congress and the public are deprived of the right to deliberate on a course of action. In exactly this way the Nation has been committed to a big war about which nothing was debated and explained while the President's secretly chosen decision was handed down by fiat.

Thus the compulsive passion for secretiveness coincides with a lack of understanding and a consequent disrespect for free journalism. In constructing a Constitution the Founding Fathers were agreed that men could not be trusted with unlimited power, and that therefore the only way to prevent tyrannical and arbitrary government was to set up within the government a mechanism of checks and balances. An essential principle in the American scheme of things is, therefore, that the President, the Senate, the House, the courts are chosen in different ways, are chosen for different terms by differing electorates or appointing powers. It was intended from the beginning that these separate powers should check and balance each other, and in this way prevent irrational and undesirable ambitions and impulses from dominating the country. What lawyers call the adversary principle is the principle of the American governmental system.

When the Founding Fathers had finished their labors, they soon realized that enlightened opinion was thoroughly imbued with such distrust of unlimited power, that it distrusted the Federal Government as a whole. In order to obtain ratification of the Constitution there had to be added to it ten amendments which are known as the Bill of Rights. The first of these amendments denied to the Federal Government the right to make laws abridging the freedom of the press. Why? Because of the conviction of the time that the adversary principle must be applied also to the Government as a whole in order to prevent tyranny and arbitrariness.

Thus the tension between elected officials and the working press is not a deplorable inconvenience to the President. It is at the very heart of the American system of Government. For in the absence of this tension it may be perfectly possible for an elected official to use his official powers to manipulate the press and to prevent it from making an independent audit of the conduct of affairs.

The Founding Fathers were men of the world. They realized quite well that governments cannot deliberate in the marketplace and that in dealing with foreign powers there is need, as I think Madison put it of "secrecy and despatch." No responsible newspaperman denies this. Quite obviously there is no such thing as the absolute and unlimited right of the newspapers to publish anything and everything and at any time. The genius of the American system is to check and balance all forms of absolutism including that of the majority and including that of the press.

In the relationship between the Government and the press there exists a system of checks and balances: officials are able to withhold information and newspapers are able to ferret out information and publish it. These opposing powers check and balance one another, and result in a tolerable and workable adjustment.

The fundamental assumption in the American system is that the individuals concerned, officials, voters, newspapermen, understand and believe in the system and mean to make it work. This is the great consensus by which the Republic operates.

The great consensus is quite distinct and separate from the false consensus which is achieved by manipulating opinion in order to erase opposition to the will of the leader.

SUPPORT OUR BOYS IN VIETNAM

Mr. LUKENS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LUKENS. Mr. Speaker, on May 13, 1967, in New York City a "Support Our Boys in Vietnam" parade is scheduled.

The effect of the pacifist demonstrations has undoubtedly adversely affected the morale of our GI's and encouraged the aggression of the Vietnamese Communists.

It would be impossible to estimate the lives lost or injuries sustained by our boys resulting from less than the highest morale. Surely Ho Chi Minh knows he cannot win a military victory, but is relying upon the U.S. citizens reacting and causing a withdrawal of our forces. He is so confident that he is massing forces and arms just north of the demilitarized zone for a possible invasion. This is also indicated by our stepped-up air efforts. It is ironic that the pacifists "for the sake of humanity" in their statements and activities actually are causing more bloodshed and slaughter.

The pacifist is a very definite minority, but has been enthusiastic in his cause. People supporting our boys have been responsible, quiet Americans who work hard and pay their taxes, expect justice, and live up to responsibility.

This is a time for the quiet American to demonstrate his support of our boys in Vietnam. The GI needs to know that the tremendous majority of Americans are supporting him all the way. It is time that all Communists learn this, too.

I urge very American to endorse and, if possible, to participate in this parade. Our boys need and deserve our total support.

NATIONAL HOME OWNERSHIP ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Bush] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BUSH. Mr. Speaker, I commend the distinguished gentleman from New Jersey [Mr. Widnal], on his introduction of the National Home Ownership Act. This legislation is a bold, imaginative approach to our efforts to provide low-cost housing to the less fortunate in our country. It is dynamic in that it unleashes the creativeness of the private sector of our economy on a national problem which the public sector has not been able to solve alone.

Every American dreams of owning his own home. This bill gives him this opportunity. He will have a group of his own local citizens working on the solutions of his own problems. These local citizens will know the local area where adequate housing is needed; they will know what jobs exist in the community; they will know that the skills of the less fortunate are and what training programs are needed to help this individual find and retain a job; and they will keep his pride intact as he plots his career with the final knowledge that his American dream of a home of his own can finally become a reality.

Mr. Speaker, I commend this legislation to the Congress in the hope we can help our less fortunate citizens in making their dream come true. As the vice chairman of the Republican Task Force on Job Opportunities, it is our group's challenge to offer constructive solutions to problems such as these. We are hopeful the Home Ownership Act will become public policy and not just Republican policy.

THE GREAT SOCIETY'S WONDROUS "WAR" BUDGET

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Chamberlain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, a recent article in the April 1967 Reader's Digest by Charles Stevenson entitled "The Great Society's Wondrous 'War' Budget" contains a good deal of timely information and commonsense about the state of Federal finances. This is certainly refreshing and encouraging reading in view of the budgetary crisis which the Government presently faces. A close study of the situation indicates that there could be a budget deficit in fiscal 1968 of some $18 billion.

This may well be a conservative estimate for with the President's budget message only a few weeks old already there are reports that spending levels are exceeding administration estimates. In view of the inflation that we have experienced in recent months it is essential to the welfare of all citizens, and particularly those on modest fixed incomes, to support the efforts for greater economy in Government.

Mr. Stevenson's article can be of great help in this regard and I commend it to the attention of my colleagues and the American people:

The Great Society's Wondrous "War" Budget

(By Charles Stevenson)

Five years years ago a 34-year-old California supermarket manager was looking forward to the day when he could earn more that $7000 for his family of four. Today he makes $8400, but his federal income tax is now $840. His Social Security taxes have nearly doubled, to $277. The tax on his home is up nearly 50 percent. The most insidious levy of all—inflation—has further cut his income. Result: his hard-earned $1400 pay raise has been slashed by $918, a loss of 63 cents on the dollar, and his family must live on an after-taxes real income of $6092.

Millions are even harder hit. A person who made $5000 in 1956 now requires nearly $6000 just to stay even; the $7500 family now must have almost $9000. In Arizona, a retired couple trying to get by on an inflation-ravaged pension find that their tax bite is bigger than ever. In Texas, a senior is forced to leave college: "With taxes and inflation, the money I earned during the summer just won't cover the bills anymore."

Inflation has ballooned living costs at the highest rate of increase in nearly a decade. To buy a 1965 dollar's worth today takes $1.10 for milk, $1.08 for medical services, $1.06 for bread, $1.05 for restaurant meals.

"For God's sake, please, no more taxes," a constituent implores an Indiana Congressman. "We can't pay for the whole world."

New Squeeze. Despite all this, President Johnson wants Congress to squeeze another $5.5 billion a year out of already hard-pressed individuals and businesses, principally by adding six cents to every dollar they now pay in federal income taxes. And to pull in another $4.1 billion, he seeks additional Social Security levies which would eventually extract up to $1252 per employe.

This at a time when surveys reveal that householder confidence in the economy is the lowest since the 1958 recession. Even to propose more taxes in such a period, says Dr. Paul McCracken, University of Michigan economist, would be an additional "depressant, a restraint on the economy." Asserts Beryl Sprinkel, economist and vice president of Chicago's Harris Trust and Savings Bank: "We're playing with dynamite to propose a tax increase." And, the most frightening statement of all, from William F. Butler, vice president-economist of the Chase Manhattan Bank: "We could well find ourselves with both a recession and inflation at once." Small wonder that polls by the Opinion Research Corp. show that 71 percent of all Americans call for a cut in federal spending rather than face the prospect of any increase in taxes.

Mr. Johnson says the income-tax hike will give our "fighting men in Vietnam the help they need." If that justification were sound, no American could oppose it. However, the President's Budget for the 1968 fiscal year to begin July 1 shows big domestic-spending increases which will more than drain off all this "war" cash.

He explains that the additional payroll taxes are needed to pay for higher Social Security benefits in behalf of "an adequate income, a decent home and a meaningful retirement for each senior citizen."[*] Yet much of these additional Social Security taxes would go to bail out federal agencies for their lending operations, which cover everything from FHA mortgages to student loans. Incredibly, these sums show up in the President's Budget as *reductions* in spending!

"The President's budgetary policies contain gimmicks which conceal the true costs of the Great Society and make his deficits look smaller," observes Sen. John J. Williams, of Delaware. Indeed, Senate Finance Committee experts have determined that, except for bookkeeping trickery, the Budget would disclose a planned deficit of $14.419 billion for fiscal 1968 even with tax increases—$18.869 billion without.

Read as far as page 413 of the Budget and you discover that the programmed Gross Expenditures of Government Administered Funds for the next fiscal year will amount to $210.222 billion. You also find that whereas President Johnson intends to spend $5.5 billion more for defense, including the Vietnam war, he simultaneously plans that outlays for civilian activities shall soar $27.084 billion higher than in fiscal 1966. This increase alone is about double what the cost of running the entire government was in the top year of the New Deal. There has been nothing like it in history.

More Money for DHUD. "I have reviewed these programs carefully," President Johnson reassured Congress. "Waste and nonessentials have been cut out. Reductions or postponements have been made wherever possible."

As these words echoed through the Capitol, the Department of Housing and Urban Development (DHUD), to take only one example, was announcing grants by the wholesale. They included funds to "beautify" Berkeley, Calif., with a municipal putting green, new tennis courts and a refurbished rose garden; to landscape the city hall at Overland Park, Kans.; to bestow a decorative fountain on Kingsport, Tenn.; and to construct a "two-acre lagoon" at El Centro, Calif. And why not? The President has tucked away $127 million in his Budget, nearly doubling the funds now available to DHUD for this category of unconscionable wartime spending.

Vulnerable Areas. "Nonsense," says Rep. Tom Curtis, of Missouri, ranking Republican on the Joint Economic Committee, to cynics who contend that Congress cannot cut the Budget. "If the public will give us the same support that the President's vested interests exert, we can carve away well over what $5.5 billion of new 'war' taxes would raise without doing a bit of damage." He and others agree that the following are just a few of the vulnerable areas:

Farm Fat. The ever expanding Agriculture Department has become so thoroughly unpopular that a *Farm Journal* poll indicates that only one in ten of the nation's farmers now supports its programs. And the American Farm Bureau Federation, representing the vast majority of organized farmers, has demanded an end to "the whole sorry mess of government farm controls, direct subsidy payments and price manipulations." Nevertheless, Secretary of Agriculture Orville Freeman's budget has been hiked to $6.255 billion—a $296-million increase that accompanies, ironically, a sharp decline in the nation's farm population—and a 1400 increase in the department's employes.

The President claims that the Commodity Credit Corp., the agency supposed to "stabilize, support and protect" farm income, will cost taxpayers $3.626 billion in fiscal 1968. But, buried in the Budget's 1316-page appendix are figures showing that the CCC will end the year with an accumulated deficit of $9.837 billion—an increase of more than $1.3 billion over fiscal 1967.

Educational Gadgetry. The Great Society asks another $5.2 billion for education, a $622-million jump. The biggest single expense is for the new Title I elementary- and secondary-school program, which President Johnson says is bringing "the full benefits of education to children of low-income families."

Yet all across the country one prosperous community after another has been allocated federal tax funds appropriated in the name of poor children. Even high-income Grosse Pointe, Mich., received $117,500. By Washington's figuring, Beverly Hills, Calif., merited $82,875, but school officials turned down the money. They could locate only eight children from six poor families.

Evidence mounts that the entire school-aid apparatus is so choked with new money from Washington that shockingly few real gains result. Recently a University of Chicago researcher found most big money providing "just gadgetry." A White House advisory group described projects as "piecemeal, fragmented efforts."

Cities and Housing Extravagance. President Johnson's urban programs are "outmoded, inefficient and directionless," says Sen. Abraham Ribicoff (D., Conn.), chairman of the Senate Subcommittee on Executive Reorganization and an original enthusiast for the legislation. Moreover, DHUD, which administers 60 programs, frequently overlapping those of other agencies, has $16.571 billion left from prior years. Yet into this sieve President Johnson wants to pour $3 billion more, half again as much as it is getting in the current fiscal year.

Nearly two billion of this new money would go to the scandal-ridden urban-renewal and housing program, which was originally aimed at building housing for low-income citizens but which has provided, among other things, a bird refuge on the Atlantic Coast; a rebuilt beach for a New Jersey resort town; recreational facilities with restaurant, promenade and marina for the Newport, R.I., high-society vacationland; plus a tract for an aerospace research center in Boston.

The Poverty Mess. Office of Economic Opportunity (OEO) poverty warriors are ladling out $59,500 for a Spanish-language animated cartoon for slum-dwellers, one of 11 films costing $400,000. In Westchester County, N.Y., one of the nation's richest, 119 OEO undertakings cost $5,264,519. Rep. Edith Green (D., Ore.) finally wrung a begrudging admission out of officials that Job Corps costs had hit $9120 a year per trainee.

The poverty war clearly faces a crisis of competence. "I would rather have 50 to 100 more competent administrators for the war on poverty than another $100 million for it," said Secretary of Labor W. Willard Wirtz. Nevertheless, the President is demanding another $2 billion, a 30-percent boost, for this fiscal circus.

Swollen Bureaucracy. Nothing is more blatantly swollen than the federal payroll. On December 2, 1965, after a press briefing at the LBJ ranch, the New York *Times* proclaimed: "President Backs a Cut in U.S. Jobs—Approves Plan to Retire 25,000." Yet seven months later 187,506 more new workers were on the rosters—an average of 1300 hired every working day. A new Executive Order proclaimed a freeze in midsummer 1965, but by the year's end 100,000 more bureaucrats were hired, at a cost of $800 million. Now the President's Budget says that another 40,400 will come aboard in strictly non-war agencies at still another $323,900,000 of cost to the taxpayers.

These are just samples, and no one knows better than Rep. Frank Bow, of Ohio, ranking Republican on the House Appropriations Committee. "Whatever they tell you," he says, "scratch beneath the surface of any agency, from foreign aid to space programs to HEW, and you'll find extravagance—and expenditures we can do without."

Shattering Awakening. Congress is now in a mood to take stock of federal spending because of a shattering awakening. People are realizing that the whole federal grant-in-aid welfare state is disorganized and calamitously uncontrolled. The system keeps 2,600,000 federal employes busy in 150 Washington bureaus and in some 400 regional offices, but the machinery is so stalled by overlapping and duplication that it can only sicken taxpayers who must pick up the tab. Sen. Robert Kennedy, of New York, says that untangling this thicket of aid programs is the most serious problem in the government today.

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[*] Paradoxically, the President's proposed income-tax "reforms" would punish many older victims of the Administration's inflation, by further curtailing their existing exemptions and deductions for age. He would also tax their now-exempt Social Security benefits.

For example, programs for the disabled are scattered among 28 agencies, bureaus, divisions and commissions. Fifty-seven separate programs have been set up for vocational and job training, 35 for housing, more than 20 for transportation. A New York agency had to spend three months and $150,000 preparing an application for $200,000 in planning funds.

A potent warning is issued by Maine's Democratic liberal Sen. Edmund Muskie, a past supporter of many of these programs and now chairman of the Senate subcommittee that has probed furthest into this mess. "Merely piling up new federal programs on old ones and scattering more federal money in diverse directions are not going to help community development," he says.

Walter Lippmann, long a staunch supporter of federal assistance programs, now insists that a pause is desperately required. "The complex of welfare measures has become unmanageable," he says bluntly. "No one wishes to stand up and say he is opposed to schools, hospitals, aid to the poor and the like. But there is a wide revulsion against the expanding and heavy-handed role played by the federal government."

Says Sen. Charles Percy, of Illinois, "It's time we started solving problems instead of just throwing money at them." Senate Majority Leader Mike Mansfield agrees: "I would hope to see the beginning of a major reexamination of what we have done in legislation during the past few years."

At the Crossroads. The moment for decision is at hand. Great responsibility falls on the taxpaying public. Confides one House member: "I'm waiting to hear from constituents who really want to lower outlays as I do, especially for projects back home." But even as Congress seeks to take stock, lobbyists from special interests ranging from aerospace industries to the organized mayors of America are plugging for more appropriations. Skilled armies of budget boosters are urging their members to write Washington. Right now the ultra-liberal Americans for Democratic Action is campaigning for additional billions for its pet domestic programs. All the while the Administration itself is turning on the heat, with Treasury Secretary Henry H. Fowler attacking Budget critics for having nothing to offer except the "time-tested cliche of cutting federal spending."

These and other pressures can quickly turn Congressional economy talk into mere lip service unless men and women across the land respond now and mobilize a massive demand for fiscal common sense, for getting their money's worth from government. If citizens do nothing, they will have only themselves to blame as ever larger tax levies and the hidden cost of inflation are sliced out of their pay checks to underwrite governmental failures like those discussed here. Or they can *act*, both thinking Republicans and Democrats, conservatives and liberals. They must act *now*. That means *you*, sitting down and writing to your Representative and Senators and to the House and Senate Appropriations Committees. It means discussing the subject with *your* neighbors, organizing, getting them to write, too. Nothing less than a deluge of individual, thoughtful letters can give our legislators the needed backing to insist upon more effective, frugal government.

House Appropriations Chairman George Mahon, of Texas, has laid the issue squarely on the line: "Congress is not going to practice restraint," he says, "unless the message comes through *loud* and *clear* from the people."

WHY GOD MUST GO

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, during the 50 years of its existence the Communist movement throughout the world has battered the forces of religion more severely than any other totalitarian scourge in all history. In 1965 and 1966 subcommittees of both the House and Senate issued reports concerning the treatment of religion in Communist countries, detailing the many and clever devices used by the militantly atheistic Communist officials to erase religious influences among the people.

The Soviets and the Communist leaders of other countries know full well that those with a deep religious faith are a major obstacle to the goal of world domination. Perhaps no better example of this can be found recently than a column by the columnist, Ray Cromley, which appeared in the Palm Beach Times of November 12, 1966. It is entitled "Religion Aids South Viets," and is a graphic illustration of the vital role played by the powerful force of religious belief in the life and death struggle in Vietnam. The column follows:

(By Ray Cromley)

RELIGION AIDS SOUTH VIETS

Au Giang, South Vietnam.—In their own secret documents, the Communist Viet Cong have outlined how they can be defeated.

Note the following message. It was written as part of a report from a Communist whose job it is to supervise activities of the party over a wide southern area of Vietnam. The report was to the party superiors. It was not intended for non-Communist eyes.

In this document, the Red VC official talked of his many successes in consolidating important areas of South Vietnam for the Communist cause.

But he notes one major failure which concerned him deeply.

"In the area of . . . the enemy succeeded in building five hamlets strictly controlled by religious people and we have not been able to infiltrate these hamlets.

"The enemy has been attempting to turn the areas of . . . and . . . into large religious centers.

"The attitude of these religious people toward our cause has been cool and we have not been able to reach them.

"While the enemy has been scheming to win the religious elements of the population, our action in this field has been weak. Almost all of the religious Vietnamese people have joined either the Catholic Youth, the Self-Defense Corps or the Civil Guard.

"They have been equipped with far superior weapons; they have a special status and are commanded directly by (religious men) and (have American aid).

"Our religious compatriots have been closely united.

"Our efforts to win them over to participate in the revolution has met with many difficulties."

In travel through rural South Vietnam in 14 provinces this reporter has come to the same conclusion.

In communities where the people themselves have a strong and dynamic sense of religion, the Communists make no headway.

This reporter has been to hamlets in South Vietnam where the Communists have attacked time and again, only to give up in despair.

This is true not only of Christian hamlets. There is anti-Red strength in vigorous Hoa Hao areas in the far south, in Cao Dai hamlets in the west and in areas where Buddhism is in the heart, not ceremonial only.

The so-called Buddhist demonstrations in central Japan some time back should not be confused with religious strength. This was Buddhist political—not religious—leadership. It was a small group. There was Communist influence in some activities.

When the Communists say they have not been able to penetrate areas where religion is strong, they mean they have failed where the local people have a deep sense of religious family religious discussions—as distinct from areas in which religion is largely ceremonial rather than of the heart.

NATIONAL SECRETARIES WEEK

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Reinecke] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. REINECKE. Mr. Speaker, once again this year we set aside a special week to honor the more than 1,500,000 professional secretaries in the Nation. The week of April 23 through 29, will be marked by special activities of the local chapters of the National Secretaries Association. These will include speaking engagements in high school business classes, before business and management groups, and business schools. This week will mark the great contribution of the secretary to the educational, professional, and civic growth of her community.

As Members of Congress, we should take this occasion to give special recognition to the great army of secretaries who keep our own offices going. I want to give special recognition to my fine staff: Mrs. Elizabeth Seeley, our office manager; Mrs. Mary Lingle, my personal secretary; Mrs. Hannah Margetich, correspondence secretary; and Mrs. Jackie Gerachis, our caseworker. They go above and beyond the call of duty. We thank you, ladies.

BEGGAR'S BOWL TAKES PLACE OF LIONS AS SYMBOL OF INDIA

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, people think of our country as affluent with every hope for endless expansion and growth toward a more perfect society. It would seem that for the American citizen there would be nothing to do but accept our good fortune and be grateful.

However, occasionally we are uncomfortably stirred when we read an article like the following one by Chesly Manly, of the Chicago Tribune, which I submit below for the Record. It would be hard to imagine Americans dying of starvation or sleeping in the streets for lack of shelter. It would be unacceptable for the American public to have their Government react as incompetently as is the Government actually facing this horrible situation.

I would like to call to my colleagues' attention the genuine folly of what is transpiring in India. People are starving—and the administration is spending money on heavy industry. The Congress Party, though on the decline as a result of last year's election, still has extensive grassroots access to millions of people—and their leadership is, in the mildest terms, corrupt. Prime Minister Gandhi's Cabinet is now first being provoked to intensive action—and it responds with a series of unrealistic 5-year plans which do little more than absolve the consciences of those who are responsible.

There must be changes, and by this I mean several things: a more equitable distribution of economic resources, a shift in emphasis from heavy industry to agricultural and consumer products, a reevaluation of India's parochial position toward free enterprise possibilities, and, most important, a more rational and concerted effort toward solving the overwhelming problem of population control.

We give a substantial amount of foreign aid to India. It is, therefore, this country's right and duty to encourage these necessary reforms. To those who cry "American intervention," I say if it be to save lives and create humane living standards, then let us wear our guilt with pride. I would like to enter here in the RECORD the first of a series of pieces by Mr. Manly on India. I think this whole country owes him a debt of gratitude for presenting India's plight in such a forthright fashion.

The article follows:

BEGGAR'S BOWL TAKES PLACE OF LIONS AS SYMBOL OF INDIA

(By Chesly Manly)

(NOTE.—Chesly Manly, roving correspondent for The Tribune, has just completed a tour of India and a study in depth of its many critical problems. In this, the first article of a series, he gives a first-hand report on the almost unbelievably sordid living conditions he found in the major cities despite the 7½ billion dollars in food and economic aid provided by the United States.)

NEW DELHI, INDIA, April 15.—In Calcutta, Kipling's "packed and pestilential town," vehicular traffic moves at an average speed of 4 miles an hour. There is a melee of trams, buses, trucks, taxis, rickshaws, bicycles, pedestrians, and aggressive beggars, whose insistence is menacing when they descend upon hapless foreigners stalled in taxis or cars.

There is a din of horns and shouted imprecations in a dozen tongues. Brown-skinned breathing skeletons sitting on the sidewalks, apparently too weak to stand, stare insensately at this bedlam. They are ignored by Indians in the traffic struggle, whose attitude seems to be "everyone for himself and the devil take the hindmost."

FORCED BY GOATS TO WALK

When this reporter was certain that the situation could not be more hopeless, half a dozen Bengalis in loin cloths undertook to herd 200 small goats down Bentinck street, past the not-so-Grand hotel. That was the end. It was time to get out and walk, in spite of the wilting heat.

Everything about India today was symbolized in this Calcutta street scene: the chaos and confusion; the seeming absence of any purpose or sense of direction; the animal-like selfishness and indifference to human suffering; the juxtaposition of stone age and 20th century phenomena; the begging bowl held out to foreigners, which seems more appropriate as a national emblem for this country than its three proud Ashoka empire [274 to 236 B.C.] lions standing back to back.

WORSE OFF DESPITE AID

The United States has poured food and economic aid totaling 7 billion 517 million dollars into this bottomless abyss. Yet responsible Indians agree and the government's own reports show that the masses are worse off than they were when socialist centralized planning, with financial aid from the United States and other countries, began in 1951.

Annual per capita income increased 28 per cent, in terms of 1948–49 prices, from 1951 to 1965, according to the government's statistics, but was still only 421.5 rupees [$56.20 at the official rate of 7.5 to 1].

The income of upper and middle class Indians increased substantially, but the wealth gap in this country is one of the greatest in the world and the poor get poorer as the rich get richer. Moreover, inflation, aggravated by severe drouths in the last two years but due also to deficit spending and other government policies, has increased the cost of living 100 per cent above the 1951 level.

SLEEP ON SIDEWALKS

George Fernandez, a leader of India's opposition Samyukta Socialist party in the lok sabha [house of the people], says 3 million people in Bombay, out of a total population of 5 million, live and sleep on the sidewalk pavements or in jhuggies [crude shelters made from scrap tin, cardboard, and any other materials the poor people can scrounge].

If poverty is that bad in Bombay, it is worse in Calcutta, India's largest city. This reporter, arriving in Calcutta from Dum Dum airport at 1 a.m., saw thousands of people asleep on the sidewalks, lying so close together in some places that one would have to walk carefully to avoid stepping on them.

Jayaprakash Narayan, one of India's most respected statesmen, said in a recent speech that 40 million people out of a total population of 52 million in Bihar state, northeastern India, face possible starvation. He described people in the famine areas as "living corpses." These areas are in Bihar and the eastern part of Uttar Pradesh. According to Upendra Nath Varma, a minister in the Bihar government, 157 persons already have died of starvation in the Gaya district alone.

CAUSES OF FAMINE

Narayan, who is affectionately called J. P., ascribed the famine to a combination of causes, including the natural calamity of two severe droughts in succession; unpreparedness by the state governments, both controlled by the Congress party before the February elections, and "long neglect of agricultural production and wrong and faulty policies" on the part of the central government, which has been a monopoly of the Congress party since independence from Britain in 1947.

This elder statesman's broadside against the government can hardly be ascribed to partisan political motives. He was a close friend of Mahatma Gandhi and one of the founders of the Congress party, altho he was later associated with the dissident Congress Socialist group. In recent years he has kept out of politics and devoted his full time to voluntary relief work. He is India's Herbert Hoover.

He attributed India's economic stagnation, massive unemployment, and grinding poverty in cities to over-emphasis on heavy industry in the government's successive 5-year plans.

Without increasing agricultural production, he said, there can be no real base for industrialization, no raw materials for the industries and no markets for their products. Yet, when the United States and other countries aiding India insist that priority should be given to agriculture instead of putting money into a fifth or sixth government steel mill, he said, Indian politicians and some newspapers complain about interference in India's sovereign affairs.

Narayan said the Indian people, by and large, have become "stone hearted and insensitive to human misery."

He denounced lavish wedding feasts and other extravagant entertainments for rich people in the cities and contrasted this self-indulgence and indifference to human suffering on the part of Indians to the self-sacrificing attitude of India's benefactors in other countries. The Christian missions of India have contributed generously, but there has been no similar response from Hindu and Buddhist groups, he said.

PAPERS ATTACK PARTY

India's leading newspapers attack the Congress party and Indian politicians collectively in terms suggesting that, whatever else may be said about this country, India at least has a free and vigorous press. They charge that Mrs. Indira Gandhi tied herself in knots with a cabal of self-serving and inept ministers when she became prime minister in January, 1966, just as her father, the late Jawaharlal Nehru, had done.

If corruption in the central and state governments is half as prevalent as the newspapers say it is, it must be extraordinary, even for Asia. An editorial in the Hindustan Standard of Calcutta charges that the "Establishment," meaning the Congress party, has "thrived on shortage and control, rich sources of profiteering and patronage."

Correspondents of other newspapers, who speak the local languages and have the confidence of the people, report that food grain intended for famine relief is diverted into the black market by local politicians, whom they describe as "human ghouls."

Such remarks about India's government and politicians as "Congress self-righteousness, hypocrisy, and cant," "humbug, pretense, and cant," "the stench of decay," "pervasive dry rot," "Moral insensibility," "crafty, calculating poseurs with a dehydrated outlook on life," etc., are common in the editorials of the Times of India, the Indian Express, the Hindustan Times, the Statesman, and other leading papers.

Morarji Desai, India's new finance minister and deputy prime minister, disclosed that on March 20, when he presented the interim budget for 1967–68, that the deficit for the 1966–67 financial year, which ended March 31, would be 3.5 billion rupees [466.6 million dollars], instead of the government's original estimate of only 320 million rupees. This was an increase of about 1,000 per cent. The country was told nothing about this shocking increase in the deficit until after the elections.

M. R. Masani, leader of the moderately conservative Swatantra [Freedom] party, warned that India is on the verge of economic collapse and in great danger of chaos and violence.

DESAI ADMITS REASONS

Desai, himself, who is more conservative than Mrs. Gandhi and most of the other Congress leaders, acknowledged that food shortages, a heavy increase in imports, and deficit spending had produced an inflationary spiral of prices and wages and cost of living allowances for government employes, which required more deficit spending. He promised drastic action to restore financial stability, but India's editors and parliamentary correspondents saw no reason for hope that the government would reduce spending and taxes and relax controls to stimulate private enterprise.

Some American officials in India contend that a new sense of urgency and realism is evident in the policies and plans of the central government and that its announced goals for the fourth and fifth 5-year plans are not impossible.

The major goal of the fourth plan, which was supposed to begin April 1, 1966, but now has to be overhauled because of inadequate resources, is to end India's dependence on food assistance from abroad by the end of 1971.

SEEK BIRTH RATE DROP

This is to be accomplished, according to the planners, by increasing agricultural production and by "family planning" programs to reduce the growth rate of India's population, which has passed the 500 million mark. The second major objective is to "attain and sustain an adequate rate of economic growth so as to eliminate the need for external economic assistance by 1976," when the fifth 5-year plan will end.

Many well-informed Indians say one would have to be uncommonly optimistic and naive to count on achievement of these aims by the present Congress party government or any mixed-bag coalition, including the Communists and Socialists, that might succeed it. These skeptics ascribe the new slogans and manifestations of serious concern to a panic reaction by Mrs. Gandhi and her ministers to the February elections and to the painful realization, which has finally sunk in, that the United States cannot go on feeding India.

The prime minister campaigned as Indira Nehru Gandhi, thus seeking to exploit the Gandhi-Nehru mystique which has kept the Congress party in power since independence and blinded not only Indians but American Indophiles and others thruout the world to the sordid political realities of this country. The Congress party, Mrs. Gandhi asserted in her campaign speeches, is India. Her repudiation by the people was overwhelming and humiliating. As one distinguished editor remarked, 60 per cent of the voters said, "If this is what Congress rule means, to hell with it."

GETS 40.9 PERCENT OF VOTE

Altho the party has a fairly comfortable majority in the lok sabha, with 282 of the 520 seats [54 per cent], it received only 40.9 per cent of the popular vote in all the lok sabha constituencies. Before the elections, all of India's 17 states were ruled by Congress party governments except Kerala, where a communist regime had been deposed by the central government under a constitutional process called president's rule. Now there are non-Congress governments in eight of India's 17 states, including such big states as Madras, West Bengal [Calcutta], Bihar, and Uttar Pradesh. Rajasthan would have a non-Congress government if president's rule had not been imposed, in highly irregular circumstances, to prevent it. In all the state assembly contests, Congress candidates polled 40.11 per cent of the total vote.

India's food imports, mainly from the United States on concessional terms, were increasing annually before the 1965–66 drouth. Imports of cereals increased from 3,495,000 tons in 1961, to 7,462,000 tons in 1965, altho India's production of food grains in 1964–65 [88,398,000 tons] set an all-time record.

HUGE IMPORTS CONTINUES

In 1965–66 India produced 72 million tons of food grains and imports in 1966 totaled 10 million tons, of which 8.3 million came from the United States. Production for 1966–67 is estimated at a maximum of 78 million tons and import requirements this year are estimated at a minimum of 10 million tons.

So far this year, the United States has agreed to supply 3.6 million tons, including 1.6 million which had been committed but not delivered in 1966. These shipments will be completed by June 1. Congress also has authorized further shipments of 3 million tons after June 1, provided the same amount of food aid is granted by other countries.

"Even our planners have admitted that there is a vast imbalance in the Indian economy between agricultural and industrial development," says an article in the Times of India. "This is the result of our government's preoccupation with steel and heavy industries, which is so incessant that such plants are almost treated as temples of a new materialistic faith.

"The climate for free enterprise must be considerably improved if we intend to brighten the economic environment. The country has all the enterprise and human labor it needs, but these tremendous forces cannot be brought to fruition when free enterprise is anathema to the government."

That seems to be India's main problem.

OUR FLAG: PRECIOUS SYMBOL OF U.S. SUFFERING AND PRIDE

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Myers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MYERS. Mr. Speaker, a disturbing incident in my own district this last week has served to emphasize the need for immediate action on legislation which will make it a Federal offense to desecrate the American flag.

A bearded 31-year-old English professor at Indiana State University in Terre Haute, Ind., burned an American flag in front of his freshman English class. According to witnesses, he declared that what he was burning was merely a piece of cloth and a stick.

University President Dr. Alan C. Rankin has since relieved the Canadian citizen of his duties on grounds of unprofessional conduct pending an investigation.

Unfortunately, a new law approved by the Indiana General Assembly, which provides a maximum penalty of a year in jail and a $1,000 fine for desecration of the U.S. flag, will not take effect until this summer.

My colleague, the gentleman from Indiana [Mr. Roudebush], has been attempting for 2 years to get Federal legislation on the books making it a crime to desecrate the flag.

The Roudebush bill, H.R. 1207, has been bottled up in the Judiciary Committee despite repeated oral and written requests for action from the gentleman from Indiana [Mr. Roudebush]. It was encouraging to note that the committee this week decided to consider the legislation and it is my hope the members will act favorably on this important matter.

I believe all of us detest such public displays of disrespect for our national emblem.

The flag is a symbol of all that we cherish in this great country. Thousands of our finest young men are carrying this flag into combat in Vietnam in an effort to preserve these freedoms.

I would like to share with you the words of Mr. Lawrence Sawyer, editor of the Terre Haute Star, who wrote the following editorial after the flag-burning incident on the Indiana State University campus:

Our Flag: Precious Symbol of U.S. Suffering and Pride

As we travel through life we learn, sometimes with difficulty. We learn the value of family ties, school and business friendships, of moral codes and solidarity behind them. We live by a complicated accumulation of these values, and we are guided by their symbols.

We are guided, for instance, by a cross or a six-pointed star along a path of religious, moral and social values. We are reminded of a precious national heritage by a Flag with red stripes and 50 white stars on a field of blue.

When we look at this Flag we think of the religious values—and they were from many sects—that went into the making of our nation. We think of the wars that we believed necessary to preserve the nation and the values that go with it.

We think of the many thousands of men who gave their lives to preserve all that the nation comprises—and all that the flag symbolizes. Of course there is much more.

We learned that a nation could not continue half slave and half free.

We believe that we cannot be safe when a most cruel tyranny, expressed by communism, tries to extend its rule over all the world.

We believe in the brotherhood of men as children of God—yet by this we may mean different things. We want to save all this, and so today hundreds of our young men die each week in a far-off jungle country. Even one would be too many, but we do not feel we have a choice.

When we look at the Flag we remember these young men.

So it is that we do not feel a young university instructor—and we doubt very much that he intended any harm—can have learned much of life when he burns such a Flag in his classroom and says he does this merely to a piece of cloth.

Instructor Scott A. Chisholm, it is beyond your power, as Lincoln said at Gettysburg, to add or detract from the symbolism of this Flag. You could not do this to your own national flag, with its maple leaves. There you have the symbol of a country which honors the Queen and is loyal to Commonwealth, but which felt the necessity of its own flag to express its identity.

If you do not yet know these and other things about symbolism, Mr. Chisholm, it would seem you would have difficulty imparting the vital truths to your students.

But as we said at the start, as we travel through life we learn. We hope you have learned too.

We hope you have learned we love the Flag and the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

THE PEOPLE OF THE NINTH DISTRICT OF TENNESSEE EXPRESS THEIR VIEWS

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Kuykendall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, I would like to take this opportunity to place in the RECORD the results of the questionnaire which was recently sent to 123,000 homes in the district I have the privilege to represent, the Ninth District of Tennessee. I am proud to report on the keen interest the people of Memphis have in their Government as shown by the tremendous return of more than 13 percent of the questionnaires sent out. Although we have had to call a halt and proceed with the tabulation, the questionnaires are still being returned and I want to assure those people who have yet to return them that their views will be given very careful consideration even though our tabulation of the results has been virtually completed.

Some mention should also be made of the care with which people answered the questions. The many fine added comments in accompanying letters indicated how much thought was given to the very serious issues faced by the Congress and the Nation.

The attitude of the people of Memphis about the war in Vietnam is not the least in doubt as 80.5 percent said we should win the war by increasing our military efforts. Only 5.7 percent felt we should continue our present course, and only 6.2 percent felt we should withdraw.

An interesting division of sentiment is shown on the question of lowering the voting age to 18—57.6 percent were opposed to this change, but 42.4 percent favored it. On my own proposal to allow a tax credit for parents and students to help pay college expenses, an overwhelming majority of 76.2 percent support this measure.

Mr. Speaker, the complete tabulation of the questionnaire follows:

RESULTS OF DAN KUYKENDALL QUESTIONNAIRE: NINTH DISTRICT, TENNESSEE

1. What should we do about Vietnam?

(a) Continue our present course: 5.7%.

(b) Mount a strategically sound effort for military victory: 80.5%.

(c) Hold key positions and try to negotiate a settlement: 7.6%.

(d) Withdraw as soon as possible: 6.2%.

2. What should be done about the Administration's projected nine billion dollar deficit?

(a) Adopt its recommended 6% surtax on personal and corporate income tax: 3.1%.

(b) Eliminate unnecessary foreign aid and domestic spending: 94.5%.

(c) Impose Federal wage, price and credit controls: 2.4%.

3. Do you think the "War on Poverty" has been worth the cost? Yes, 5.7%; no, 94.3%.

4. Do you favor Secretary McNamara's proposal that all American youths be drafted for two years of Federal military or civilian service? Yes, 57%; no, 43%.

5. Should the voting age be lowered to eighteen? Yes, 42.4%; no, 57.6%.

6. Should a tax credit be allowed parents supporting students in college? Yes, 76.2%; no, 23.8%.

7. (Mark one):

Do you favor removing the ceiling on earnings of persons receiving social security or veterans pensions: 61.3%.

Do you favor increasing the amount a person may earn without losing benefits: 33.3%.

Neither: 5.4%.

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I am pleased to join with the distinguished gentleman from New Jersey [Mr. WIDNALL] and the other Members of the House who are introducing the National Home Ownership Foundation Act today.

This bill represents a major new Republican initiative in the housing and urban field. The goals of this legislation encompass, first, new private sector initiative in meeting the Nation's urban and rural housing needs; second, homeownership opportunity for aspiring lower income families; and, third, self-help, initiative and decisionmaking at the community level.

Mr. Speaker, under this proposal a congressionally authorized National Home Ownership Foundation would raise $2 billion in private funds through the sale of bonds, in order to provide mortgage assistance to lower income Americans unable to afford and obtain conventional mortgage financing.

The major features of this legislation include—

The creation of a National Home Ownership Foundation, whose 18-member Board would include top figures from the fields of finance, labor, business, nonprofit activities and local and State governments. Six of the members would be selected by the President. The rest would be chosen originally by a select joint congressional commission and their replacements by the Foundation Board in cooperation with the participating local neighborhood corporations. No more than two could be Federal officials.

A $2 billion mortgage fund raised by the Foundation through the sale of bonds at competitive private capital market rates. Mortgage money would be directed to those lower income citizens unable to afford and obtain conventional mortgage financing. A reserve fund to cover potential losses would be required. The bonds would be backed by a secondary Federal guarantee to make them marketable.

The requirement of the establishment of nonprofit neighborhood corporations, cooperatives, or limited-dividend corporations to oversee the rehabilitation of housing units, the selection of potential home owners, and the training and counseling of participating families. The local organization would be expected to reflect both the neighborhood and include local business, civic, professional, religious, and labor leaders.

A technical assistance service which would assist the local corporations in planning projects, in locating job training and employment through existing public and private channels, and in the counseling of potential home buyers. Moneys to conduct the program would be raised privately, with volunteers' services relied upon from the private sector.

Where necessary, a subsidy by the Federal Government on the interest payments only, which would be repaid later by the home buyer as his income increases.

The development, in conjunction with private insurance companies, of a plan to insure mortgage payments against sudden disability, loss of job and similar impairment to financial capacity which are not the fault of the home purchaser.

Mr. Speaker, the philosophy behind this approach is perhaps best described in the statement of purpose found in the bill. It reads as follows:

> That home ownership can make an important contribution toward promoting human dignity and self-esteem, the motivation to achieve, the conservation and improvement of residential neighborhoods, and community stability, responsibility and participation;
>
> That the primary responsibility for generating a rebirth of the declining urban and rural areas of the Nation properly lies with America's free enterprise system, working together with religious organizations, educational institutions, labor unions, foundations and professional and civic organizations and associations; and that the role of government should be one of stimulus, guarantee, and reinforcement, rather than execution and control.

The bill contemplates an initial $13 million in Federal repayable interest subsidy and at no time will the cost exceed $60 million per year. Most of this amount eventually will be repaid. This compares favorably, both financially and philosophically, with the Johnson administration programs stressing housing, rent supplements and a model cities program which will reach only a few communities at a cost of over $685 million per year. Mr. Speaker, a $10 million Federal interest loan can generate $333 million worth of private investment in housing under this approach.

Nor will this be the only private investment involved. The Foundation and local corporations must at all times make original use of existing local private mortgage financing available. In addition, private rehabilitation efforts will be stimulated in our Nation's deteriorating neighborhoods once the Foundation's activities begin to arrest the decline in these areas.

Mr. Speaker, this bill is the product of the hard work and countless hours put in by the distinguished gentleman from New Jersey [Mr. WIDNALL], and the junior Senator from Illinois [Mr. PERCY]. They deserve the credit for putting together this sound and sensible approach to the problems of urban and rural housing in America. These two distinguished lawmakers deserve our praise and congratulations.

This bill has been through countless consultations with experts in the fields of industrial and mortgage banking, housing and urban development, and legislative draftsmanship. I am pleased to join with the more than 70 Republican Congressmen and Senators who are sponsoring this legislation. We firmly believe that the American people will look with favor on a free-enterprise approach which stresses the dignity of the individual, the means of motivating him to assume the obligations of a responsible citizen and the vital role that must be played by private initiative and the private sector of our economy.

DEPARTMENT OF AGRICULTURE INSPECTION OF REINDEER MEAT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. Pollock] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. POLLOCK. Mr. Speaker, I have today introduced a bill to add reindeer to the list of animals included in the Federal Meat Inspection Act. The present list of animals includes cattle, sheep, swine, and goats. Other animals cannot be inspected by the Department of Agriculture unless reimbursement is made for Government inspection expenses incurred. The purpose of my bill is to allow the Department of Agriculture to inspect reindeer meat at Government expense.

Mr. Speaker, we have heard much and debated long about the so-called war on poverty. Billions of dollars of Federal money have been spent to uplift the poor. I am well aware of the deplorable condition of some of our fellow Americans because in my State live some of the poorest people in the United States—the Alaska native. The people who inhabit western Alaska and the Arctic coast are a fine and industrious people. They are also living in such desperate poverty that compared to their condition Appalachia is wealthy and affluent. All the poverty programs and Federal aid flowing from Washington will not help these people unless jobs can be created bringing a cash income to the small isolated settlements in which these people live. To date the Alaska native, in transition from a subsistance way of life to a cash economy, has been unable to find sufficient work to support his existence in Western culture. The results are a disgrace to this country.

My bill to provide for Federal inspection of reindeer meat can help close this "job gap." There is a definite market for reindeer meat sufficient to create a significant number of jobs. The development of the industry would benefit our native citizens in their own villages. This is a tremendous advantage since prospects for other types of employment are small in the villages. Due to the present extreme poverty no money exists to pay the Government for the costs of inspecting the slaughtered meat. Without inspection the meat cannot be marketed.

It would be a small cost to the Government to shoulder this inspection. By creating jobs, the need for poverty money in these areas would be reduced and the funds spent would be more effective.

Rarely does an opportunity come along for Government, in its traditional role, to so effectively create jobs for a small amount of investment. In this case it would strike at the central problem of one of the worst pockets of poverty in this country. For these reasons Mr. Speaker, I hope the Congress will favorably consider this legislation, and do so at the earliest possible moment in this session of Congress.

The text of the bill follows:

H.R. 8982

A bill to amend the Act of March 4, 1907, to authorize the Department of Agriculture to conduct a regular program of inspection of reindeer meat

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight," approved March 4, 1907, is amended as follows:

(1) The fourth, fifth, sixth, ninth, tenth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, and twenty-second paragraphs under the center heading "BUREAU OF ANIMAL INDUSTRY" are amended by inserting "reindeer," immediately after "swine," each place it appears in such paragraphs.

(2) The eighteenth paragraph under such center heading is amended by inserting "reindeer," immediately after "pork,".

(3) The twenty-fourth paragraph under such center heading is amended—

(A) by inserting "reindeer," in subparagraph (a) immediately after "swine," each place it appears in such subparagraph;

(B) by inserting "———carcasses of reindeer," in subparagraph (b) immediately after "swine,";

(C) by inserting "———carcasses of reindeer," in subparagraph (c) immediately after "swine,".

THE NATIONAL HOME OWNERSHIP FOUNDATION

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am very pleased to join with my colleagues, Representative Bill Widnall and Senator Charles Percy, and many others in introducing a bill to authorize a National Home Ownership Foundation. This congressionally authorized Foundation would make private funds available through the sale of Government-guaranteed bonds for mortgage assistance to lower income Americans unable to obtain such assistance through conventional means. In addition the Foundation, through its autonomous local branches, would provide technical assistance service and counseling in obtaining job training and employment to the potential home buyer.

Mr. Speaker, this proposal calls for a challenging new approach toward alleviating poverty in our cities. It emphasizes development of the individual's potential and maximizes the utilization of the tremendous private resources available. Equally important, Government plays a minimal role. Although the proposal being set forth today is in many respects pioneering on a national scale, it has been tested, and in fact inspired, by several locally run private pilot projects.

One of the projects which provided inspiration for the national homeownership plan was initiated in St. Louis by the Bicentennial Civic Improvement Association. This project has been in operation since 1963 and was founded by Rev. Father Joseph M. Kohler, and Rev. Father John Shocklee of St. Bridget's of Erin Parish, 2401 Carr Street in St. Louis. Through last summer, the project has placed 52 families in units which have been purchased and completely rehabilitated. A staff member of the Bicentennial Improvement Association related in a letter of last summer:

> I can say that our experience as far as the families go has been excellent. There are no school dropouts in our families. They pay property tax whereas before they received tax benefits and various aid programs. They now have jobs whereas before they did not. The families are living together and maintaining their homes whereas before they did not live together and had no home to maintain.

The purpose of the national homeownership plan is to multiply this experience many times across the Nation.

Great commendation should be accorded to my colleague from the St. Louis area, Representative Lenore Sullivan. Mrs. Sullivan has worked closely with the Bicentennial Civic Improvement Association, and recently through her extensive efforts, was able to secure the enactment of an amendment in the Housing Act of 1966 which would provide FHA funds for some projects eligible under this bill. Mrs. Sullivan's amendment has often been referred to as a provision for FHA demonstration projects in homeownership. Some of the distinctions between her amendment and the national homeownership plan are that the latter seeks to rely on private resources properly secured rather than FHA mortgages purchasable only by the FNMA corporation at often less than the market rate. FHA has also been reluctant to extend loans to extreme poverty areas, and when they have, the time involved for processing has often been extensive. Nevertheless, her initiative in this area should be recognized, and both approaches examined in depth.

JOINS IN INTRODUCING NATIONAL HOME OWNERSHIP ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am pleased to join my Republican colleagues today in introducing the National Home Ownership Act, which has been developed by Senator Percy and Representative Widnall.

Through a National Home Ownership Foundation, this legislation would encourage private enterprise and nonprofit organizations to generate mortgage money—using private capital—that would be available to lower income families to enable them to own their own homes. The Foundation would also encourage the local organizations to render the technical assistance that is necessary to make actual ownership a reality. The Federal Government would contribute financially in terms of an interest subsidy but private effort is the principal thrust of the measure.

It is important that we make every opportunity available to those Americans who have been denied the chance to participate in our tradition of pride in homeownership, a tradition that brings with it a community spirit and sense of participation in local affairs. Often, because of the difficulty in obtaining mortgages through the usual channels or inability to meet the necessary credit requirements, many lower income families have never thought it possible to own their own homes.

This measure, in my judgment, represents a significant Republican initiative in dealing with expansion of individual homeownership. However, assisting disadvantaged Americans to live in their own homes will not solve the problems of the ghetto and the need to rebuild our inner cities as a whole. These are multifaceted problems and require comprehensive solutions, including more and better schools, adequate recreation facilities, and lasting job opportunities—as well as decent housing. In addition to my endorsement of this proposal, I will continue to support strongly such programs as rent supplements and model cities which are attempting to provide the other types of assistance that our urban areas require.

INTRODUCING COMPANION BILL TO THOSE PROPOSALS WHICH SEEK TO LIMIT THE INFLUX OF DAIRY PRODUCTS ON OUR DOMESTIC MARKETS

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCLURE. Mr. Speaker, today I am introducing a companion bill to those proposals which seek to limit the influx of dairy products on our domestic markets. The bills already introduced are perfectly acceptable to me, but I have decided that unless every Member of Congress concerned about the future of agriculture introduces a similar measure, there will be no hearings by the Ways and Means Committee, nor will the administration offer more than pious words.

The executive branch can act when it wants to, and Mr. Johnson is not known for shyness. Why is the President so reticent about helping the dairy farmer?

Even the Attorney General was able to get a Federal restraining order against certain milk holding actions only 1 day after filing suit, and yet it took Secretary Freeman months before urging the President to take action.

But Mr. Johnson has failed to limit dairy imports, and congressional action now becomes imperative.

Congressman Langen has told us that since the dairy crisis began, over 6,000 dairy farms have been lost. We have heard that our farm surpluses have nearly vanished. And they say that a world food crisis is upon us.

If we are to save the family farm system, Congress must act now. I urge all of my colleagues who have not yet introduced bills to limit dairy imports to do so now.

INTER-AMERICAN DEVELOPMENT BANK

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Goodell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GOODELL. Mr. Speaker, in recent weeks, the development of Latin America has been in the fore of U.S. foreign policy dialog. Thousands of words have been spoken and written on the subject by expert and amateur observer alike. Some have viewed the area through rose-colored glasses, seeing only the accomplishments that have been made. Others point only to the failings. To be sure, there are both.

It is sometimes difficult to differentiate fact from fiction when assessing developmental progress, and then to place that which is factual into its proper perspective. In a recent address to the Pan American Society of the United States, Felipe Herrera, President of the Inter-American Development Bank, discussed in a concise and objective manner the development of the Latin American economy in terms of its problems and prospects.

In his discourse, Mr. Herrera places particular emphasis on the need for a Latin American common market. In his opinion the creation of such a market would—

> Create larger internal markets; give rise to new sources of investment capital; produce better conditions for assimilation of technological advancement; improve foreign private investment opportunities; increase the effectiveness of multilateral and bilateral foreign participation in the economic growth of the entire Latin American area; and, serve as a powerful incentive to overall economic activity in the region.

Mr. Speaker, I strongly recommend that all Members and interested Americans study the text of Mr. Herrera's remarks and for that reason I insert it into the Record at this time:

Latin American Economic Development: Problems and Prospects

(Address prepared by Felipe Herrera, president of the Inter-American Development Bank, for delivery to the Pan American Society of the United States, Plaza Hotel, New York City, Apr. 10, 1967)

"We hope that the countries whose development is less advanced will be able to take advantage of their *proximity* in order to organize among themselves, on a broadened territorial basis, areas for concerted development: to draw up programs in common, to coordinate investments, to distribute the means of production and to organize trade. We hope also that multilateral and international bodies will discover the ways that will allow peoples which are still underdeveloped to break through the barriers which seem to enclose them and to discover for themselves, in full fidelity to their own proper genius, the means for their social and human progress."

I have quoted from the Papal Encyclical issued a few days ago on the problem of economic development in the world of today. This message would seem to have been addressed directly to Latin America at this crucial moment in the relationships among Latin American nations and peoples. It would also appear to place a very special responsibility on our regional organizations to assist in the transformation of basically isolated communities into multinational cooperative units.

Our Bank, the Bank of the Americas, the Inter-American Development Bank, has now become—not only as a result of circumstances, but through independent conviction and action as well—the Bank for Latin American Integration. Our nations search for their true destiny, a destiny based on adequate material and social conditions, and on the projection of their rightful influence and proper image in the world community. Our experience and philosophy point to the hastening of Latin America's economic and political integration as a powerful lever to ensure the success of this task in entering this final third of the twentieth century.

Therefore, we find it extremely fitting, as we recall our ties of Hemispheric solidarity, to refer to the problems which lie ahead, and the ways in which they can be solved through a joint Latin American effort.

To understand why the answer to the problems of underdevelopment south of the Rio Grande lies to an increasing degree in more advanced forms of economic integration, we have only to consider the evolution of our growth rates, investment figures and factors determining foreign trade.

PROBLEMS OF GROWTH AND INVESTMENT

Yearly per capita income in Latin America averaged $350 in 1965, a figure which compared favorably with other developing areas of the world. Moreover, the fact that income levels for the region as a whole have risen by *one-third* over the last 15 years is evidence of genuine improvement in economic and social conditions. But, Latin America's growth rate has been lower than the average 42 per cent improvement achieved by the world as a whole during the same 15-year period. It has been even more strikingly eclipsed by the 52 per cent improvement attained by the industrialized countries.

We are now in the closing years of what the UN has termed the "Decade of Development." Unfortunately we find that the great goals of the Sixties remain unsatisfied, that the progress of underdeveloped nations has not been dramatically quickened, that the gap between the rich and the poor nations of the world has not been narrowed. Prosperity during the first five years of the "Development Decade" has been confined chiefly to the industrialized countries where the average citizen today earns some $175 more a year in real income than he did in 1960. Improvement in Latin America during the same period was only $40. These increases reflect an annual growth rate of 4 per cent in the highly developed nations, compared to less than 2 per cent in Latin America.

To understand the reason for these differences, it is necessary to examine the process of capital formation in Latin America. During the 1960–65 period, investment rose by only 3.3 per cent a year. This should be compared with the highest population growth rate in the world—now roughly 2.7 per cent per year. As a result, little more than one half of one per cent is being added annually to the capital stock available, on the average, to each Latin American.

We are seeking to build more factories to provide needed jobs; to expand and improve farming to feed a growing population and maintain an essential export trade; to supply the 12 million classroom seats needed yearly for the minimum education requirements of our children; and, to provide such basic services as electricity, water, and transportation to accommodate the 7 million new inhabitants added annually to the Latin American population. It has become customary to advocate Latin America's industrialization as a means of bringing a substantial segment of the population—one million persons per year—into the industrial labor market. If the creation of each new industrial job requires a minimum average additional investment of $5,000 and we advocate bringing one million persons into the industrial labor market, then at least five billion dollars yearly is needed in new over-all investment in the manufacturing sector. Today we still stand 25 to 30 per cent short of this figure. This is one of the reasons why Latin America is now confronted with the specter of millions of unemployed or under-employed men and women.

The proportion of Latin American resources allocated to capital formation is dangerously low. Other highly dynamic societies, such as Israel, Japan and West Germany, seeking new economic horizons allocate 25 per cent or more of their gross national product to investment for national development. In Latin America, the proportion is only 16 per cent.

Latin America urgently needs to mobilize its own resources. This, along with the necessary international cooperation, will solve its current development problems through a vigorous effort in the area of capital formation. The current investment rate of 3.3 per cent a year must be doubled if progress in per capita income growth is to meet the minimum targets established in the Charter of Punta del Este, that is to say, 2.5 per cent per year. To accomplish this requires the marshaling of a complex mixture of political, economic, and technological factors.

The accomplishment of this task, however, does not depend only on Latin American ability to mobilize their own resources, but it also depends on external factors, especially the fluctuations of international commerce.

IMPACT OF FOREIGN TRADE

Expanding foreign trade has traditionally brought periods of surging growth in Latin America. But trade has been declining, and this is one of the fundamental reasons for the present low investment rate. Despite so-called "inward growth," based primarily on industrialization, Latin American nations still rely heavily on traditional exports of basic commodities. Development will be hindered if these exports fail to find receptive international markets or if the interchange of goods and services is made on unfavorable terms.

Growth in export trade for the world as a whole over the last decade averaged 8 per cent each year; for Latin America it was only 4 per cent. Latin American participation in world trade has declined from 9 per cent ten years ago to less than 6 per cent currently.

It is encouraging, on the other hand, to observe how the continent has been moving toward greater internal economic cohesion and integration. Intraregional trade has risen considerably in the last five years, with new commercial arrangements resulting in the Central American Common Market and the Latin American Free Trade Association. In 1961 trade within Latin America accounted for only about 8.6 per cent of total volume; by 1965 it had jumped to 14 per cent; and the figures for the past year are expected to go even higher. Skeptics should note that these figures are ahead of the pace set by Europeans during the first five years of the European Common Market and the European Free Trade Association.

As a consequence of the growing weakness of the external sector in Latin America over the past decade there has been an escalation in the region's foreign debt. Dollar obligations on longer than one-year terms were $4.3 billion in 1955; by the close of 1965, they had risen to $11.6 billion. This is reflected in the growth of annual servicing of the foreign debt, which in 1955 constituted only 5 per cent of the value of exports and by 1965 reached 15 per cent of that value. Forty per cent of the external financing received by Latin America during this time was for operations designated as "compensatory," which in essence were designed to furnish our economies with resources which our own development effort was unable to provide. It is a revealing fact that 47 per cent of the total indebtedness of Latin America matures in less than five years.

Fortunately, over half of the region's external debt incurred during the last five years is specifically for economic development so that resultant growth forces, particularly the resulting improvement in the balance of payments, enable the countries to pay on their own.

Authorizations from bilateral and multilateral agencies for economic development during the 1960–65 period averaged close to $1 billion annually, considerably more than the $340 million yearly average for the previous five-year period. Over 60 per cent of the development loans to Latin America in the latter period came from multinational agencies, with an important share coming from the Inter-American Development Bank.

The greater participation of international public sources in Latin America's development has had the important effect of offsetting the decline of direct foreign private investments. In this connection the drop in investments in the Venezuelan petroleum industry was particularly significant. But even disregarding this important element there was an appreciable decline in foreign private investments from the one five-year period of 1956–60 to the period 1961–65 from $670 million yearly in 1956–60 to $380 million yearly in 1961–65.

THE NEED FOR A COMMON MARKET

In view of the limiting factors noted—our low rate of capital formation and the weakness of our foreign trade sector—enlarging our local markets would seem to be a logical course to follow. Patterns of consumption directly determine the volume and diversification of production, and also create the resources required to expand private enterprise and ensure adequate transfers of resources to the public sector. It is common knowledge that a country's prospects for self-sustained growth are based on a growing national market and on a promising export trade.

This brings us to the most significant objective of Latin American economic development today: the creation of a *common market* that will create larger internal markets; give rise to new sources of investment capital; produce better conditions for the assimilation of technological advancement; improve foreign private investment opportunities; increase the effectiveness of multilateral and bilateral foreign participation in the economic growth of the entire Latin American area; and, serve as a powerful incentive to overall economic activity in the region.

In order to modernize its economy, Latin America should first diversify its primary production and expand its industry, undertakings which call for the application of modern technology, large capital investments, and a degree of division of labor and of specialization which are beyond the narrow confines of the presently limited national markets. One of the development problems of Latin America is that its limited means are being misspent on the establishment of economic activities which are geared to the restricted markets and are, therefore, economically unsound. Such industries can only survive under the umbrella of protective systems. The integration of present national markets in Latin America would, consequently, provide the competitive spur so that industrial enterprises would be forced to increase efficiency, improve quality and lower costs.

There are numerous concrete instances showing the advantages which would be derived from the development, on a regional plane, of some basic sectors of the Latin American economy.

The steel industry in Latin America provides a concrete illustration: output has risen from 500,000 tons of steel in 1940 to over 8 million tons today—maintaining during the period 1955–65 a spectacular growth rate of 10 percent per annum. Economies of scale will greatly affect the investment effort needed to maintain, and, if possible, accelerate this growth rate in future years in an effort to catch up with ever-increasing demand. If Latin American countries continue to follow a policy of establishing their own individual steel plants, total resources, which must be devoted to this sector by the region as a whole, might in the long run be two or even three times as high as the cost of installing large-scale plants. The investment required to build a plant with an annual capacity of 100,000 tons of laminated steel from iron ore would be about $700 a ton, while the unit investment for a plant 15 times greater with a capacity of 1,500,000 tons would be nearly 60 percent lower, or only $300 per ton.

Similar advantages are apparent in handling the future development of the petrochemical, fertilizer and other large industries on a regional rather than on a national scale. And it seems hardly necessary to emphasize the soundness of sharing, on a multinational basis, the high cost of investments in modern systems of communication and transportation.

Integration becomes most imperative in raising the present levels of technology and science in our countries. Although the absorption of knowledge and experience can be a difficult and costly process for small, underdeveloped countries, nevertheless it is imperative to make fast progress in this area since the technological gap separating Latin America from the industrialized countries grows steadily wider. In this connection, it should be pointed out that the United States invested in scientific and technological research and development $20 billion in 1965, or 3 percent of its gross national product.

A recent Conference of Science and Technology as Applied to Latin American Development recommended that the Latin American countries devote on a sustained basis between 0.7 and 1.0 percent of their national incomes to scientific and technological research. This goal represents a substantial and ambitious increase compared with the totally inadeqaute current efforts and expenditures in that field.

The Latin American technological lag is reflected in labor productivity. The average production capacity of a Latin American worker is scarcely between 15 and 30 per cent of the yield registered by his counterpart in countries where science and technology are intensively applied to increase productivity. Moreover, hardly 10 per cent of Latin America's economically active population is employed in enterprises, usually foreign firms which have relatively high technological standards.

Latin America must benefit from the transfer of scientific and technological progress which the world today makes possible. But, for maximum results, a regional approach appears imperative. We should be capable of absorbing scientific and technological advances without changing our identity. The task should be far easier through the creation of a comon market of science and technology in Latin America. Only in this way will we be able to establish the great centers of research, the founding of which today is virtually impossible because of limited national resources; there is no other way to offer the men we train for higher development responsibilities the possibility of encountering within the vast panorama of an integrated Latin America the incentives they seek today through emigration.

IMPORTANCE OF THE "PROPOSAL OF THE FOUR"

Exactly two years ago this day, in view of the slow progress of the Latin American Free Trade Association and the fact that several Latin American countries were still unaffiliated with either that system, or the Central American Common Market, it appeared advisable to re-examine our situation with regard to the overall process of economic integration.

So, in response to a timely request by the President of Chile, a proposal for the creation of the Latin American Common Market, authored by Raúl Prebisch, José Antonio Mayobre, Carlos Sanz de Santamaría and myself, was submitted in April 1965 to the Presidents of all the Latin American republics.

This document underscored, first of all, the need for political decisions at the highest level and maintained that the formation of such a market was dependent upon the efforts undertaken on the national level, while at the same time, it would serve as a means of strengthening and accelerating those efforts.

In connection with *trade policy*, the document recommended that a mechanism be adopted for the gradual and automatic reduction of customs duties, the progressive elimination of quantitative and other nontariff restrictions, the establishment of a common tariff vis-a-vis the rest of the world, and the institution of a system of preferences for the Latin American countries in their trade relations.

Also proposed was a *regional investment policy* which would involve the adoption of programs for developing the larger industries on a regional scale. These plans would lead in the next few years to a series of sectoral agreements. In the overall policy, emphasis would be placed on infrastructure investments relating to transportation, communications, and power generation and supply. It was recommended that this policy be implemented preferably in the relatively less developed countries and any others where problems might be created by the integration process. It was pointed out that this would require a large volume of multinational public resources, which could be channeled through the Inter-American Development Bank.

Monetary and financial policy measures were suggested, and attention was drawn to the need for fostering balanced development and equitable participation in the benefits of integration. A criterion was established for reciprocity extending beyond the scope of strictly commercial agreements, and the Latin American entrepreneur was urged to assume a larger role in the integration effort. It was proposed that a system be provided to promote the preparation of studies and projects within the framework of the regional market. In addition, *institutional formulas* were proposed to facilitate the operation of the common market, especially the establishment of a Council of Ministers, representing all the member nations, to give policy guidance, and an executive authority for the operating of the common market.

Substantial progress has been made since that time, particularly in the development of a coherent body of doctrine concerning Latin American integration, including a definition of the basic goals of the common market. A Council of Ministers has been established within LAFTA as the supreme organ of the Association.

Venezuela and Bolivia have recently joined LAFTA. The Central American Common Market is engaged in discussions with Panama to devise a suitable formula for its joining that movement. And measures have been agreed upon to secure closer ties between LAFTA and the Central American Common Market.

For its part, the Inter-American Development Bank has established the *Preinvestment Fund for Latin American Integration* and the *Institute for Latin American Integration (INTAL)*. The Fund was created to finance studies and the preparation of projects contributing to more rapid Latin American integration, and will constitute an effective instrument of promotion. The Institute is responsible for conducting research, training personnel, advising the member countries and the Bank itself in matters of integration, and promoting the dissemination of ideas and studies.

We should also stress the evident popular support the integration process is commanding. Anyone visiting Latin America today, anyone reading its press, listening to its political and intellectual leaders, talking to its businessmen or trade union leaders, cannot fail to observe that integration is no longer a vague concept discussed solely by experts; rather, it has become a topic of general interest. The periodic meetings of entrepreneurs, bankers and university officials; the efforts within political parties to incorporate the aims of integration into their platforms, and the existing Latin American Parliament, are also forceful expressions of the vitality of this movement.

The consensus is that we need economic development in Latin America as the only possible means to improve the living standards of our people. But the role that Latin America will play in the future depends not alone on the economic strength it could acquire but on the possibility of building a community of nations with rediscovered identity, bound by common objectives in the international sphere and joined by the manifest expression of cultural and historical roots.

THE FORTHCOMING PUNTA DEL ESTE MEETING

The Meeting of Presidents will begin within the next few hours in our sister republic of Uruguay. Although the lengthy process of apparent vacillation and difficulties entailed in the preparation of this meeting may have discouraged many observers, the eventual adoption of a carefully considered agenda to serve as a basis for discussion and decisions at the highest political level of the Inter-American system has been a positive and promising result.

Having had the privilege of participating, along with some of my colleagues at the Inter-American Bank, in the technical preparation of this meeting, I can testify to the lofty spirit of cooperation that enabled the governments and international organizations to gradually reconcile their views over the long months of political and technical negotiations. It was concluded from these negotiations that in the new effort to promote sustained, autonomous Latin American development, the highest priority should be assigned to the establishment of an economic community which, drawing on the experience acquired through existing arrangements, could evolve within a specified period into a common market system.

Many of the recommendations we have cited from the *Document of the Four* were based on facts that should serve as a basis for decisions of outstanding political significance by the chiefs of state. It is obvious that the agreements reached, despite the natural differences of attitude between nations exhibiting varying degrees of development and even of structures, will be based on more advanced circumstances and conditions than those prevailing two years ago: on the one hand, Latin America has made practical progress toward economic integration and, on the other, the concepts as to the proper nature, outlook and forms of a common market have come into much sharper focus.

THE COMMON MARKET IS NOT AN ALTERNATIVE TO ESSENTIAL NATIONAL EFFORTS AND SOCIAL REFORMS

Nevertheless, the creation of a common market gives rise to objections of a different type. Some argue that regional integration of Latin America must give precedence to national and social integration in each of its countries. This view tends to underestimate the capacity and strength of interaction between both these approaches to the same problem. The internal conquest of the vast "new frontiers" in many areas still outside the mainstreams of the national economies, will be greatly facilitated by infrastructure works designed on a regional scale. Therefore, the two efforts must be viewed as complementary to each other and carried out simultaneously whenever possible.

Those who contend that regional integration is an alternative willfully sponsored to distract public opinion from the pressures for social change and for social and economic integration within each country, seem to have forgotten the lessons of history.

The process of unification that created nation-states, both in Italy and in Germany during the last century demonstrated the direct influence of the broadening of economic spaces on the creation of greater social mobility and the extinction of stratified socio-economic structures. The very lessons that may be drawn from the experiences of your own country are extremely illuminating.

There can be no doubt about the vigorously stimulating factors for change involved in the free circulation of goods and services, together with men and ideas, all throughout broader economic spaces. Neither can it be doubted that desintegration and isolation are the best ground for survival of the anachronistic vested interests.

In short, economic integration is one of the basic tools in the intensive effort to modernize not only the system of production but also the economic and social structure of the Latin American countries. For integration is not an alternative, but rather a supplement and a stimulus to the internal reforms that must be made without delay in each country so as to extend the benefits of economic and social development to the great majority of the people.

Furthermore, the integration process must not lead our countries to diminish their efforts to mobilize their local financial resources in greater volume and on more suitable conditions. Let us not forget that between 1961 and 1965 Latin America increased its tax collections in real terms by 24 percent. Nor should we forget the success of many of our countries, particularly those nations enjoying greater monetary stability, in attracting a growing volume of savings through their banking and financial systems.

INTEGRATION AND EXTERNAL CORPORATION

Our progress toward a common market system will continue to require the attraction of foreign resources, which are essential to supplement our low rates of domestic capitalization. In our opinion, this process can be facilitated by a broader, more stable economic space engaged in more dynamic trade. We will need external support, primarily on a multi-national basis, for certain specific tasks involved in the general task of creating a Latin American Common Market.

The Inter-American Development Bank has during the past year acquired valuable experience in financing projects with a well-defined multinational content, in promoting regional trade in capital goods and in encouraging research and preinvestment studies that can lead to investments that will help to form the regional infrastructure needed to intercommunicate our countries more effectively.

In his recent message to Congress President Johnson stated his administration's recognition of the importance of Latin American economic integration and proposed the establishment of a special *integration fund* to assist Latin America toward this goal. He also proposed additional funds for the Inter-American Bank for multinational projects of the nature we have been discussing tonight. We feel that this is the most specific and pragmatic means of manifesting the interest already shown by distinguished government and private leaders of the United States in such action.

Ladies and gentlemen: Your society has served as a permanent sounding board for the changes resulting from the shifting course of Inter-American relations. It has always been receptive to the inevitable changes inherent in Latin American progress. We are now, to paraphrase Winston Churchill, "not at the beginning of the end, but at the end of the beginning."

We 250 million Latin Americans seek to transform our separate republics into a cohesive community that will ensure the well-being and freedom of man. And in a world in which new nations, formerly on the margin of history, are destinated to play a leading role, we seek to contribute our experience of 150 years.

The realization of these aspirations will ensure Pan-Americanism of a scope and content for which we have striven for many decades. We will no longer be a group of nations forced by geography to share the same hemisphere. We will be members of an effective and creative partnership of Anglo-Saxon Americans and Latin Americans based on a greater economic and political balance that will eliminate once and for all the innate tensions and frustrations between rich and poor members of the same family.

The Pan American Society, which includes men from all our nations, men representing every one of their activities and philosophies, is called upon to play an outstanding part in helping to create the climate of understanding and good will required for this ambitious undertaking. Concerning the challenge I should like to recall the timely words of Bolivar in inviting the Latin American nations to attend the Congress of Panama and in warning them about the consequences of the inability to create their own commonwealth of nations:

"If Your Excellency be not moved to adhere to it, I foresee immense delays and harm at a time when the motion of the world puts everything in haste, and may do so to our detriment."

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I have introduced today, H.R. 8820, a bill to create a National Home Ownership Foundation with authority to assist lower income American families to become homeowners, and enabling them to assume the obligations of homeownership.

An identical bill S. 1592 was introduced today in the Senate by Senator CHARLES H. PERCY, Republican of Illinois. I am pleased to report that at the present time the House bill has the cosponsorship of 106 other Republican House Members, including the minority leadership, and the Senate bill all 36 Republican Senators. I want to make it clear at the outset, however, that we consider this a bipartisan proposal, and we would welcome cosponsorship by members of the majority party. We appreciate the expressions of interest already received regarding the bill.

Following my remarks I will include the full text of the bill and a section-by-section analysis. The pertinent points will be dealt with in my comments, and I hope to answer some of the questions that might be raised concerning the program.

FINDINGS AND PURPOSES

Homeownership has been an American tradition from the very beginning of the Nation's history. It remains today as a fundamental reason for the stability, economic vitality, and community concern evidenced by our society and our people. The homeowner has a stake in his community, a motivation for living up to his potential. I have seen the initiative taken by new homeowners, both in this country and in Latin America. It can produce an amazing change in both property and people.

Yet there is a large group of Americans, of low and moderate income, who do not have available to them the homeownership option. Either they are considered a poor credit risk by existing lending institutions, or they cannot find housing within their price range, or the area in which they live is a deteriorated or declining neighborhood thought unsuitable for mortgage investment.

Instead they remain in a renter status, for this is the only alternative open to them. They see no possibility for change in their status as renters, whether their landlord is a private owner or a public authority. The lack of motivation is readily apparent.

It is fundamentally the purpose of this bill, therefore, that there is an unmet need for mortgage financing and home purchase assistance, that this is most appropriately handled by private funds, private initiative, and the mobilization of private talents, at the national and neighborhood level. The role of government should be, in our opinion, that of stimulus, guarantee, and reinforcement, rather than execution and control.

THE NATIONAL HOME OWNERSHIP FOUNDATION

The bill incorporates a private, nonprofit National Home Ownership Foundation to provide a focal point for a national effort. The 18-member Board of Directors from private life, for the most part, is appointed originally by the President and a congressional ad hoc commission. As the original terms expire, only the six appointed by the President continue to be so appointed. The rest are drawn from nominations by the Board as approved by participating local organizations. The Foundation is specifically directed to make primary use, wherever possible of existing private and public resources to meet the purposes of the act.

The Foundation reports to the Congress on its activities on an annual basis, and is subject to the audit of the General Accounting Office.

TECHNICAL ASSISTANCE SERVICE

Too often, present programs designed to interest nonprofit groups in the housing field, fail to attract as much support as necessary to make a national impact because of the lack of supporting services to these local organizations. This bill seeks to cure this defect by authorizing the Foundation to carry out a technical assistance service. In large measure, the service will locate existing private or public sources, which may be unknown to the local organization. The service will also itself provide assistance for planning, organization, and the supporting programs necessary to enable many lower income people to take on the obligations of homeownership.

Funds for this purpose, with the exception of part of an original $3 million Federal "seed money" grant, will be raised from private sources. Volunteer service from knowledgeable people in the business, construction, professional, labor, education, homebuilding, and other related fields will be enlisted.

FINANCING THE FOUNDATION'S MORTGAGES

The Foundation, through the sale of bonds, is authorized to raise $2 billion in mortgage funds. This money cannot be used for any other purpose. Before issuing the bonds, the Foundation will consult with the Treasury to avoid any adverse impact on the economy by the timing of the sale of its bonds. A Federal guarantee will rest behind the Foundation's debentures. From consultations with experts in the industrial banking field, we are confident that these bonds will be marketable.

There are many reasons why, in my opinion, the point at which the Federal guarantee is necessary will never be reached. First, there is the experience of private pilot programs indicating that well-counseled low-income families are good mortgage risks. This same counseling and assistance will be available under this proposed program.

Second, the quality of the members of the Board of Directors, and their obvious interest in preserving their own professional reputations, will provide a stabilizing influence in the conduct of the program. Third, coinsurance and coadjuvant agreement features will help share the risk.

Fourth, the Treasury is authorized to require a fee for the Federal guarantee of the obligations, and that fund will be used prior to any actual Federal commitment in case of losses. Fifth, the fact that these structures being rehabilitated will appreciate in value, will tend to cut losses on foreclosure and resale.

Finally, the Foundation is directed to maintain a reserve fund equal to 3 percent of the outstanding loans, a figure far above that found necessary to meet FHA defaults.

THE LOCAL ORGANIZATION

Loans and technical assistance will be provided to and through "eligible borrowers," defined as local nonprofit corporations, cooperatives, and limited dividend corporations. The stress is on both neighborhood involvement and on the advisory assistance of local leaders in the business, labor, civic organizations, and religious communities. Loan policy makes it quite clear that efforts must meet the satisfaction of those to be assisted, avoiding one of the present conflicts in our present urban renewal and housing programs. It should be noted, in passing, that neither the local organizations nor the Foundation have any powers of eminent domain.

Loans to either an eligible borrower to conduct the rehabilitation of housing, or to the individual home purchaser cannot be made if existing financial institutions within the community can and are willing to meet the demand. When an economically viable plan of action has been presented, the Foundation will assist the local organization which will in turn assist the potential home buyer to gain skills and knowledge necessary to meet the obligations of homeownership.

INTEREST SUBSIDY AND REPAYMENT

Besides the Federal guarantee on the Foundation bonds, and the initial seed money, a repayable interest subsidy will be required in many cases. The mortgages themselves will bear a market rate of interest, so as to be salable by the Foundation in the private money markets. The difference between that market rate and the interest paid, along with the full amount of the actual loan, by the home buyer, will be met by a Treasury payment to the holder of the mortgage. An ingenious system of mortgage coupons, to be turned in by the mortgageholder, makes this possible.

At no time will the amount of subsidy per year exceed $60 million. The first year contemplates only $10 million. Repayment will be made by the home buyer as his income reaches a specific amount of the income levels associated with the existing FHA 221(d)(3) program in his area of the country. He will be billed by the Treasury Department as his gross income, on his tax returns, reaches this threshold figure. Whether he remains in ownership of the original dwelling or not, his account will remain open with the Treasury until repaid. Yet the figure to be repaid is modest enough to avoid being a disincentive to improving his financial status. A recovery system in case of sale is also provided.

HOMEOWNERSHIP INSURANCE PROTECTION

Earlier this year, President Johnson directed that a study be made of how the Federal Government might become involved in a mortgage payment insurance program. In contrast, the National Home Ownership Foundation Act specifically directs consultation by the Foundation with America's private insurance industry to seek homeownership insurance protection. Our approach goes to the question of insuring monthly payments against curtailment of income because of death, disability, layoff, or other factors beyond the home buyer's control. We are confident that a private answer to this can be found which will benefit not only those purchasers under the National Home Ownership Foundation Act, but eventually all home buyers.

In addition, the bill makes certain changes in the urban renewal laws to permit the nonprofit homeownership approach to play an active role in urban renewal project redevelopment. This will be particularly important as the effect of the Widnall amendment to last year's Housing Act is felt. That amendment directs that in all residential renewal projects, a substantial supply of low and moderate income housing must be provided. Clearly the Foundation program would be of great assistance in meeting this requirement, a goal that many cities in the past have been unable to meet.

COMPARISON WITH EXISTING PROGRAMS

It has been suggested that the National Home Ownership Foundation Act duplicates existing programs, particularly a possible homeownership approach under section 221(h), enacted last year. That section's program was described by President Johnson in his poverty message as "a low-income housing-ownership pilot program." Its authorization is only $20 million. It is dependent upon purchase of its 3 percent mortgages by the Federal National Mortgage Association. Without that authority, private financial institutions would not lend money and have not done so. In turn, FNMA uses its special assistance funds borrowed from the Treasury for the purchases. No part of the 3 percent or more interest subsidy is ever recovered. Most of the program's efforts are based on lease with option to purchase agreements. It involves none of the neighborhood approach, technical assistance, or counseling functions of the National Home Ownership Foundation Act.

The time for pilot programs has passed, particularly those based on Federal control and Federal funds. They have a usefulness in directing us to programs of broader national impact. The National Home Ownership Foundation Act itself owes a great debt to private efforts in a number of areas of the country that have proved the validity of our approach. It is time for a major initiative in the homeownership field, an initiative which is embodied in the National Home Ownership Foundation Act.

The analysis follows:

H.R. 8820

A bill to charter a National Home Ownership Foundation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Home Ownership Foundation Act."

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds—

(1) that the general welfare and security of the Nation and the health and living standards of its people require accelerated progress toward the goal of a decent home and suitable living environment for every American family;

(2) that homeownership can make an important contribution toward promoting human dignity and self-esteem, the motivation to achieve, the conservation and improvement of residential neighborhoods, and community stability, responsibility, and participation; and that the opportunity to achieve homeownership should now be made available to every American family that desires it and which has or can develop the capacity to accept its responsibilities;

(3) that the primary responsibility for generating a rebirth of the declining urban and rural areas of the Nation properly lies with America's free enterprise system, working together with religious organizations, educational institutions, labor unions, foundations and professional, civic, and rural organizations and associations; and that the role of government should be one of stimulus, guarantee, and reinforcement, rather than execution and control;

(4) that essential to the effort to promote a renewal of the declining urban and rural areas of the Nation is a genuine and meaningful involvement of the people of those areas themselves, working together with others seeking the same goal;

(5) that advancement of low income citizens toward increased independence, dignity and self-esteem requires implementation of the principle of self-help by which every person may develop to the fullest his inherent potential as a human being;

(6) that there exists today a comparative unavailability of mortagage finance funds in declining areas; and that the most appropriate method for increasing the availability of credit upon reasonable terms in such areas is the creation of a private financial institution, thus minimizing the need for the substitution of public for private credit;

(7) that any program designed to combat the many interrelated problems of the slum must be a program in which education, training, employment, housing, health, recreation, and commercial and industrial development are similarly interrelated;

(b) It is the purpose of this Act to promote the improvement of the declining urban and rural areas of the Nation; to encourage the provision of decent housing for inhabitants of those areas; to advance the opportunities for and enjoyment of equity ownership in housing by the inhabitants of those areas; to inspire new self-help efforts by individuals and meaningful decision making by local neighborhood associations in improving their conditions and environments; to bring together into one coordinated effort local housing, education, training, employment and related supporting programs; to encourage a new spirit of community at the neighborhood level; and to mobilize America's private enterprise system and its religious organizations, educational institutions, labor unions, foundations and professional, civic, and rural organizations and associations in employing their strengths and resources toward the achievement of these ends.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Foundation" means the National Home Ownership Foundation.

(b) The term "Board" means the Board of Directors of the National Home Ownership Foundation.

(c) The term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any of the possessions of the United States.

(d) The term "local public agency" means any State, county, municipality, or other governmental entity or public body, or two or more such entities or bodies, authorized to sponsor, conduct, or engage in programs of housing or community development.

(e) The term "local nonprofit housing association" means any nonprofit organization or corporation authorized by law to sponsor, conduct, or engage in programs of housing or community development in any State.

(f) The term "cooperative" means a nonprofit cooperative ownership housing corporation or trust authorized by law to engage in the construction, rehabilitation, or management of dwellings, the occupancy of which is or will be restricted to members of such corporations or beneficiaries of such trust.

(g) The term "limited dividend corporation" means a limited distribution mortgagor authorized by law to engage in the construction, rehabilitation, or management of housing, which has entered into a regulatory agreement with the Foundation with respect to sales prices or rents, charges, rate of return, and methods of operation.

(h) The term "eligible borrower" means a local nonprofit housing association, cooperative, or limited dividend corporation as herein defined.

(i) The term "homeownership program" means a program conducted by an eligible borrower concurrently to:

(1) make available low cost housing for sale to individual buyers or cooperators;

(2) assist the prospective buyers of such housing to achieve economic security and to accept the privileges and responsibilities arising from equity ownership in housing; and

(3) conduct or arrange for such related activities as may be necessary to promote community participation and development in the neighborhoods or areas affected.

(j) The term "section 221(d)(3) income limit" means the maximum income which a family residing in a particular area may have in order to qualify as a low- or moderate-income family for purposes of section 221(d)(3) of the National Housing Act.

TITLE I—NATIONAL HOME OWNERSHIP FOUNDATION

Creations and powers

SEC. 101. (a) There is hereby created a body corporate to be known as the "National Homeownership Foundation" (hereinafter referred to as the "Foundation") which shall be deemed to be a corporation without members organized and established under the provisions of the District of Columbia Nonprofit Corporation Act, with all the rights, powers and responsibilities thereof. This title shall constitute the articles of incorporation and charter of the Foundation, which shall not be an agency or instrumentality of the United States Government. The Congress expressly reserves the exclusive right to alter or amend this charter. The Foundation shall have succession until dissolved by Act of Congress. The Foundation shall maintain its principal office in the District of Columbia, and may establish agencies or offices in such other place or places as it may deem necessary or appropriate in the conduct of its business.

(b) No part of the net earnings of the Foundation shall inure to the benefit of any private person, and no substantial part of its activities shall be carrying on propaganda, or otherwise attempting to influence legislation. The Foundation shall not participate or intervene (including publishing or distributing statements) in any political campaign on behalf of any candidate for public office. The Foundation shall be a charitable and educational foundation within the meaning of section 170 of the Internal Revenue Code, relating to corporations contributions to which are exempt from Federal income taxes.

(c) No employee or officer of the Foundation shall receive compensation in excess of that received by the Secretary of Housing and Urban Development.

(d) In furthering the purposes of this Act, the Foundation shall make maximum use of existing public and private agencies, institutions, firms, consultants, and programs.

Board of Directors

SEC. 102. (a) The Foundation shall have a Board of Directors consisting of eighteen members, one of whom shall be elected annually by the Board to serve as Chairman.

(b) There is hereby established an Ad Hoc Commission for the appointment of the twelve private members of the Board. The Commission shall be composed of the Vice President of the United States and the Speaker of the House of Representatives, who shall serve as cochairmen; the majority and minority leaders of the Senate and the House of Representatives; and the chairmen and ranking minority members of the Committees on Banking and Currency of those bodies. Within thirty days after the date of enactment of this Act, the Commission shall meet and shall appoint twelve persons to the Board. Of the twelve persons so appointed, two shall be from among representatives of finance; two from among representatives of business generally; two from among representatives of organized labor; two from among representatives of State and local public agencies; two from among representatives of nonprofit organizations actively involved in the fields of housing and community development; and two from among representatives of the general public. The Board shall make appointments to fill vacancies caused by the death or resignation of such private members, and each such appointee shall be chosen to represent the same category as his predecessor.

(c) Within thirty days after the date of enactment of this Act, the President of the United States shall appoint six public members of the Board, by and with the advice and consent of the Senate. The President shall make appointments to fill vacancies caused by the death or resignation of such public members, by and with the advice and consent of the Senate.

(d) The term of each member of the Board shall be three years, except that—

(1) of the private members first taking office, four shall serve as designated by the Ad Hoc Commission, for terms of three years; four for terms of four years; and four for terms of five years; and

(2) of the public members first taking office, two shall serve as designated by the President, for terms of three years; two for terms of four years; and two for terms of five years.

Any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed.

(e) Upon the expiration of the term of a public member of the Board, the President shall appoint a successor, by and with the advice and consent of the Senate. Upon the expiration of the term of a private member of the Board, the Board shall propose a nominee for appointment. Such nominee shall be chosen to represent the same category as his predecessor. The name of each person so nominated shall be submitted for confirmation to the eligible borrowers who have sponsored projects for which a mortgage loan has been made by the Foundation. Each eligible borrower may cast votes favorable or opposed to each such nominee in a number equal to the number of dwelling units transferred by it to individual resident owners or cooperators as a result of a program for which the mortgage loan or loans were made by the Foundation during the three-year period ending on the last day of the last month prior to the month in which the term in question expired. A nominee so proposed shall be considered appointed provided he does not receive negative votes comprising an absolute majority of all votes eligible to be cast by all eligible borrowers. If an absolute majority of the votes eligible to be cast by all eligible borrowers is cast in opposition to such nominee, his name shall be withdrawn and the Board shall make additional nominations until a member is qualified. Members of the Board, however appointed, shall be eligible for reappointment.

(f) At no time shall more than two members of the Board be full-time employees of the executive branch of the Federal Government.

Officers and advisory committees

SEC. 103. (a) The Board shall elect the President of the Foundation, who shall be the chief executive officer and who shall serve for a term of three years; and all other executive officers and all employees shall be directly responsible to him. The Board shall also cause to be appointed a secretary, a treasurer, and such other officers as may be necessary to properly conduct the business of the Foundation, and shall provide for filling vacancies in such offices.

(b) The Board shall appoint such advisory committees as it deems desirable for advising it as to the policies and procedures of the Foundation.

Liability for taxes

SEC. 104. All real property and tangible personal property of the Foundation shall be subject to State or local taxation to the same extent according to its real value as other similar property is taxed, and any real property shall be subject to special assessments for local improvement.

Penalties

SEC. 105. (a) The Foundation shall have the sole and exclusive right to use the name "National Home Ownership Foundation".

(b) Any person who willfully violates the provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding $1000.

General Accounting Office audit and report

SEC. 106. (a) The financial transactions of the Foundation shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files and all other papers, things or property belonging to or in use by the Foundation and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. The audit shall cover the fiscal year corresponding to that of the United States Government.

(b) A report of each such audit shall be made by the Comptroller General to the Congress not later than January 15 following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and shall include a statement of assets and liabilities, capital and surplus or deficit; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep Congress informed of the operations and financial condition of the Foundation, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The report shall also show specifically any program, expenditure or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President and to the Foundation at the time submitted to the Congress.

Annual report

SEC. 107. Not later than one hundred and twenty days after the close of each fiscal year the Foundation shall prepare and submit to the President and to the Congress a full report of its activities during such year.

Technical Assistance Service

SEC. 108. (a) The Foundation shall assist eligible borrowers, at their request, in initiating, developing, and conducting homeownership programs in furtherance of the purposes of this Act. To provide such assistance the Board shall create within the Foundation a Technical Assistance Service, which shall be authorized—

(1) to assist in the formation of local nonprofit housing associations or cooperatives,

(2) to locate, arrange for, or provide to eligible borrowers the technical and managerial assistance and personnel necessary to the development of local homeownership programs;

(3) to assist eligible borrowers in securing the participation of local business firms, financial institutions, religious organizations, educational institutions, labor unions, foundations and professional and civic organizations and associations, local public agencies, and all other such groups in homeownership programs;

(4) to assist eligible borrowers in obtaining the mortgage financing, insurance, and other elements needed for conducting programs of housing construction, rehabilitation, or improvement;

(5) to arrange or make interim planning loans to eligible borrowers;

(6) to assist eligible borrowers to obtain, through both public and private channels, the access to supporting programs in the fields of training, employment and counseling, and other related programs necessary to the success of a homeownership program sponsored by an eligible borrower, and to assist such borrowers in establishing such supporting programs when feasible and necessary;

(7) to arrange for or provide training for persons in the skills needed in administering local homeownership programs;

(8) to encourage research and innovation and collect and make available such information as may be desirable to further the purposes of this Act; and

(9) to perform other services of similar nature in order to further the purposes of this Act.

(b) No part of the proceeds from the sale of obligations of the Foundation authorized by section 109 shall be used to finance the activities of the Technical Assistance Service: *Provided*, That the Board shall establish criteria for determining the fair value of services rendered to an eligible borrower by the Technical Assistance Service and, to the extent appropriate, may include such value as a part of the expenses of an eligible borrower includable in a loan pursuant to section 109 of this Act.

Homeownership loan fund

SEC. 109. (a) The Foundation is authorized to issue commitments to make, and to make, loans to eligible borrowers to enable them to conduct programs for the rehabilitation or construction of safe, decent, low-cost housing in furtherance of the purposes of this Act. To make such loans the Board shall create within the Foundation a homeownership loan fund (hereinafter referred to as the "Fund" into which shall be deposited the proceeds of obligations issued pursuant to this section, except as otherwise herein provided.

(b) The Foundation is authorized to issue bonds, debentures, and other similar obligations having such maturities and denominations and bearing such rate or rates of interest as may be determined by the Board to be redeemable at the option of the Foundation before maturity in such manner as may be stipulated in such obligations; but in no event shall any such obligations be issued if, at the time of such issuance, and as a consequence thereof, the resulting aggregate amount of its outstanding obligations under this section would exceed $2,000,000,000. The Foundation may purchase in the open market any of its obligations outstanding under this section at any time at any price.

(c) Prior to offering for sale any obligation described in subsection (b), the Foundation shall consult with the Secretary of the Treasury as to the effect such sale would have on the national economy, taking into account the prevailing fiscal and monetary policies of the United States. If the Foundation subsequently offers such obligations for sale without the agreement of the Secretary of the Treasury, the Secretary may make a report in writing to the Foundation, to the President, and to the Congress stating the ground for his disagreement.

(d) The failure of the Foundation to make any payment due under or provided to be paid by the terms of any obligation issued by the Foundation under subsection (b) shall be considered a default under such obligation, and, if such default continues for a period of thirty days, the holder thereof shall be entitled to receive debentures upon assignment, transfer, and delivery to the Foundation of the obligation in default. The principal amount of such debentures shall be equal to the unpaid principal of the defaulted obligation, plus any interest due and unpaid thereon, or in some lesser amount as initially agreed upon by the Foundation and the purchaser, the terms of such agreement being clearly specified in the original obligation. Debentures issued under this subsection shall be executed in the name of the Foundation as obligor, shall be signed by the Chairman of the Board by either his written or engraved signature, and shall be negotiable. Such debentures shall bear interest at a rate determined by the Board at the time the defaulted obligation was issued, but not to exceed the rate of interest applicable to the defaulted obligation, and shall mature three years after the first day of July following the maturity date of the defaulted obligation in exchange for which such debentures were issued. Such debentures shall be paid out of the reserve account established pursuant to subsection (f), shall be fully and unconditionally guaranteed as to principal and interest by the United States, and such guaranty shall be expressed on the face of the debenture. In the event the Foundation fails to pay upon demand when due, the principal of, or interest on, any debenture so guaranteed, the Secretary of the Treasury shall pay to the holder or holders the amount thereof which is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and thereupon, to the extent of the amount so paid, the Secretary of the Treasury shall succeed to all the rights of such holder or holders. Any difference between the amount of debentures to which the holder of the defaulted obligation is entitled and the aggregate principal amount of the notes issued to such holder, not to exceed $50, shall be adjusted by the payment of cash by the Foundation. The Foundation may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued under this subsection. Debentures so purchased shall be cancelled and not reissued.

(e) The Secretary of the Treasury may require the payment by the Foundation of a guaranty fee, payable monthly, of up to and including one quarter of one percent on the unpaid principal balance of all obligations of the Foundation.

(f) The Foundation shall carry to a specific reserve account for losses amounts equal to not less than 3 per centum of the aggregate declining balance of such loans. The Foundation shall make such chargeoffs on account of depreciation or impairment of its assets as the Board shall require from time to time. Moneys in such reserve account shall be kept in cash or on deposit or invested in the United States Government obligations. In managing such reserve account, the Foundation shall give preference to making deposits in those financial institutions actively engaged in making loans or otherwise carrying on activities in furtherance of the purposes of this Act.

(g) All obligations issued by the Foundation under this section shall be lawful investments, and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority and control of the United States or any officer thereof.

Loan policy and criteria

SEC. 110. (a) Loans from the Fund shall be made only to eligible borrowers, and only when the following criteria have been met to the satisfaction of the Foundation:

(1) The proposed homeownership program must be initiated and actively supported within the affected neighborhood or area.

(2) The eligible borrower must be conducting, or otherwise arranging for, supporting programs in such fields as training, employment, credit counseling, and budget management as needed to enable lower income families to assume the privileges and responsibilities of homeownership.

(3) Residents of the neighborhood or area involved must to the maximum extent feasible be given first preference in buying or acquiring equity in the dwelling units to be made available as a result of the loan.

(4) Families residing in the neighborhood or area and participating in the homeownership program shall to the maximum extent feasible have primary responsibility for recommending families for participation in such program.

(5) Residents of the neighborhood or area involved must to the maximum extent feasible be given first preference for taking advantage of job training and employment opportunities to be created as a result of the loan.

(6) Prospective homeowners shall to the extent feasible be given the opportunity to contribute the value of their labor as equity in their dwellings.

(7) The homeownership program shall be of a scope and magnitude large enough to achieve—

(A) a substantial, positive and visible impact on the physical, economic and social conditions in the neighborhood or area; and

(B) reasonable overhead costs per dwelling unit produced.

(8) The eligible borrower must demonstrate that it has involved in the homeownership program persons and associations from business, finance, labor, education, the professions, and from other appropriate associations, organizations, and institutions, in addition to people from the neighborhoods or areas most directly affected.

(9) Wherever a program includes demolition or extensive rehabilitation of inhabited dwellings, the eligible borrower must make arrangements for the relocation of the inhabitants, either on a permanent basis, or temporarily until such time as the improved housing can be made available to them.

(10) The eligible borrower shall make every reasonable effort to obtain local financial support and coinsurance for its homeownership program; shall assist each prospective homebuyer to obtain mortgage financing through existing local lending institutions; and shall provide direct mortgage assistance only to those prospective homebuyers who are unable to obtain and afford mortgage financing from such existing local lending institutions.

(11) The eligible borrower must demon-

strate that sufficient professional counsel and administrative and managerial skill are available to assure that the program will be capably and prudently conducted and will further the purposes of this Act.

(12) In the case of a participating homebuyer subsequently wishing to sell his housing unit, the eligible borrower shall have a first purchase option at fair market value, to be exercised or assigned to further the purposes of this Act.

(13) In the course of planning and developing its program, the eligible borrowers shall have consulted with the appropriate Federal, State, and local public agencies.

(14) The principal obligation of the loan shall not exceed the amount estimated by the Foundation to be the necessary current cost of the completed property or project, including the land and existing structures thereon; the proposed physical improvements; utilities within the boundaries of the property or project; architects' fees; taxes and interest accruing during construction; and other miscellaneous charges incidental to construction; and in no event shall such loan exceed the amount estimated by the Foundation to be the cost of the completed physical improvements on the property or project, exclusive of off-site public utilities, streets, and common areas.

(15) The eligible borrower shall make every effort to produce safe, suitable and decent housing in compliance with local code requirements at the lowest possible cost to each homebuyer, and give due consideration to design features that will be functionally and esthetically satisfying to residents.

(16) The amount of any mortgage loan to any person participating in the homeownership program shall not exceed $12,500, except such limit shall not exceed $15,000 in any geographical area where cost levels so require, as determined by the Foundation.

(17) The homeownership program shall comply with such other reasonable criteria as the Board may prescribe.

(b) The interest rate at which loans shall be made to eligible borrowers, and the portion of the interest on loans made to individual homebuyers to be redeemed by the Secretary of the Treasury pursuant to section 113, shall be determined by the Board.

(c) The Board shall establish minimum down payments or other similar contributions to be made by the prospective homebuyer or person seeking to acquire equity in a dwelling unit.

(d) Loans made for projects in any one State shall not exceed in the aggregate 12½ percentum of the aggregate amounts of the obligations authorized to be issued under this section.

Coinsurance

SEC. 111. The Board may establish procedures to achieve coinsurance of Foundation loans by eligible borrowers by requiring such borrowers to purchase obligations of the Foundation in an amount not to exceed five percent of the amount of the Foundation loan to the borrower. Obligations so purchased may be held by the Foundation, and may be attached by the Foundation or other lawful creditor in case of default by the borrower. Such obligations shall be returned to the eligible borrower at such time as it retires or otherwise extinguishes its debts to the Foundation.

Coadjuvant agreements

SEC. 112. The Foundation may enter into a coadjuvant agreement with any private individual, corporation, or institution, or with any State or local public agency. Under such agreement the Foundation shall use the proceeds from such sale of obligations issued pursuant to section 109(a) to make a loan to an eligible borrower for a home ownership program in a neighborhood or area as specified by the purchaser of such obligations; and such purchaser shall concurrently make a loan to the eligible borrower in an amount no less than 10 per centum of the amount so loaned by the Foundation: *Provided, however,* That under no circumstances shall a loan be made by the Foundation to other than an eligible borrower in accordance with the provisions of section 110. Such coadjuvant agreement may include provisions for reinsurance by the Foundation of the loan made by the coadjuvant individual, corporation, institution, or public agency.

Mortgage coupon redemption authority

SEC. 113. (a) The Secretary of the Treasury is hereby authorized to make, and contract to make, payments for the redemption of interest coupons accompanying the mortgage of a person purchasing or otherwise building an equity in a home or dwelling unit through a program financed by the Foundation. As determined by the Foundation, pursuant to section 110(b), the value of each such coupon shall reflect the difference between the market interest rate for the mortgage and the interest rate to be paid by the mortgagor, *Provided, however,* That interest thus paid by the Secretary shall be at a rate not in excess of the annual rate of interest determined, by the Secretary at the request of the Board, by estimating the average market yield to maturity on all outstanding marketable obligations of the United States at the date of the loan or loan commitment made under section 109(a), and adjusting such yield to the nearest one eighth of one per centum; nor shall such payments be contracted for or made for a period in excess of thirty years.

(b) Upon redemption of each such coupon the Secretary of the Treasury shall post the amount thereof to an investment account identifiable as to the mortgagor. The aggregate amount thus paid shall be reported monthly to the Foundation, and the total amount so paid shall be set forth in the annual report of the Foundation.

(c) For the purpose of making payments under this section there is hereby authorized to be appropriated to a revolving fund to be established by the Secretary of the Treasury such sums as Congress may deem necessary. The aggregate amount of contracts to make such redemption payments shall not exceed amounts approved in appropriations Acts, and payments pursuant to such contracts shall not exceed $10,000,000 per annum prior to July 1, 1968, which maximum dollar amount shall be increased by $20,000,000 on July 1, 1969, and by $30,000,000 on July 1, 1970.

Repayment of investment

SEC. 114. (a) The Secretary of the Treasury is authorized, under regulations to be prescribed by him, to assess any person in whose name an investment account has been established pursuant to section 113 of this Act for the purpose of reducing and extinguishing the balance in such account. The amount to assessed shall be computed by the Secretary and shall equal the sum of—

(1) 5 per centum of any part of the adjusted gross income of such persons for the previous taxable year which exceeds 80 per centum, but which does not exceed 90 per centum, of the 221(d)(3) income limit for the area in which such person resides; plus

(2) 10 per centum of any part of such income which exceeds 90 per centum, but which does not exceed 100 per centum, of such income limit; plus

(3) 15 per centum of any part of such income which exceeds such income limit. The amount thus received shall be credited against the cumulative amount posted to the account of such person pursuant to section 113. Such assessments shall be made annually with respect to each person described in this section so long as a balance remains in his account.

(b) The amounts received by the Secretary of the Treasury pursuant to this section shall be deposited in the revolving fund established pursuant to section 113 and shall be available for expenditure for the purposes of that section.

(c) Each person in whose name an investment account has been established pursuant to section 113 shall at all times have the right of reducing or extinguishing the balance in such account by direct payment.

(d) The Secretary of Housing and Urban Development shall furnish upon request to the Secretary of the Treasury such information as may be needed for the determination of the 221(d)(3) income limits for all areas in which mortgages have been or are to be financed by the Foundation.

(e) The Secretary of the Treasury shall make regulations to adapt the provisions of this section to require the comparable repayment of investment by participants in a cooperative housing program for which a loan has been made pursuant to section 110.

(f) For the purposes of this section, the adjusted gross income for any taxable year of any person in whose name an investment account has been established pursuant to section 113 shall be equal to the sum of the adjusted gross incomes for such year of each individual (other than minor) residing in and comprising the household of such person.

Recovery in case of sale

SEC. 115. In case of a mortgagor in whose behalf interest payments have been made pursuant to section 113 transfers ownership of his equity to another person (other than the eligible borrower exercising its right of first purchase as specified in section 110(a)(12)), the Secretary of the Treasury shall, under regulations to be prescribed by him, place a lien on the mortgaged property in an amount equal to the current balance in the account of such mortgagor established pursuant to section 113(b), or the amount of the taxable long term capital gain arising from such transfer, whichever is the lesser.

Homeownership insurance protection

SEC. 116. (a) The Foundation shall seek to arrange with the Nation's private insurance industry for the establishment at the earliest practicable date of a program of insurance protection against mortgage foreclosures for the benefit of mortgagors who are participants in a homeownership program for which loans and technical assistance have been made available through the Foundation. Such insurance program shall be designed to protect mortgagors against foreclosure due to curtailment of income resulting from factors beyond their effective control including such factors as death, disability, illness, and unemployment (particularly, unemployment during a period in which an involuntarily unemployed homebuyer is participating in a program of education and training to qualify for new employment requiring additional skills). Such insurance program shall be designed to be actuarially sound through the use of premiums, fees, extended or increased payment schedules, or other similar methods.

(b) Ary combination of insurance companies, investment institutions, or other institutions or persons may join together to form a corporation or other joint enterprise which as its sole purpose and activity provides home ownership mortgage insurance protection to mortgagors as described in this section. Such combination shall not be deemed to be a combination or conspiracy in restraint of trade under the Act of July 2, 1890 (the Sherman Act), as amended (15 U.S.C. 1–7); nor shall the formation of a corporation to effectuate the purposes of this section be prohibited by section 7 of the Act of October 15, 1914 (the Clayton Act), as amended (15 U.S.C. 18)

(c) The Foundation is authorized and directed to report to the Congress within one year after the date of enactment of this Act as to its success in establishing this program, and to make any recommendations it may deem desirable.

Equal opportunity

Sec. 117. No person shall on the grounds of race, color, religion or national origin, be excluded from participating in, be denied the benefits of, or be subject to discrimination under any program or activity financed or otherwise assisted by the Foundation.

Initial grant assistance

Sec. 118 (a) The Secretary of Housing and Urban Development is authorized to make grants to the National Home Ownership Foundation (1) to assist such Foundation in meeting initial organizational and operating expenses, and (2) to provide initial captal to finance activities of the Technical Assistance Service pursuant to section 108 of the National Home Ownership Foundation Act.

(b) There is authorized to be appropriated not to exceed $3,000,000 for the purpose of providing financial assistance under this section. Appropriations authorized under this subsection shall remain available until expended.

TITLE II—AMENDMENTS TO OTHER ACTS

Amendments relating to financial institutions

Sec. 201. (a) The sixth sentence of paragraph seventh of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting before the comma after the words "or obligations, participations, or other instruments of or issued by the Federal National Mortgage Association" the following: "or debentures or other obligations of the National Homeownership Foundation".

(b) Section 5200 of the Revised Statutes, as amended (12 U.S.C. 84), is amended by adding at the end thereof the following:

"(14) Debentures or other obligations of the National Homeownership Foundation shall not be subject to any limitation based upon such capital and surplus."

(c) The first paragraph of section 5(c) of the Homeowners' Loan Act of 1933, as amended (12 U.S.C. 1464(c)), is amended by inserting before the semicolon following "any political subdivision thereof" the following: "; or in debentures or other obligations of the National Home Ownership Foundation".

Urban renewal—Local determination

Sec. 202. Section 105(a)(ii) of the Housing Act of 1949 is amended by adding immediately preceding the semicolon the following: ", or nonprofit organizations including eligible borrowers (as defined in section 3(h) of the National Home Ownership Foundation Act)".

Availability of urban renewal property

Sec. 203. Section 107 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(c) Upon approval of the Secretary and subject to such conditions as he may determine to be in the public interest, any real property held as part of an urban renewal project may be made available to any eligible borrower (as defined in section 3(h) of the National Home Ownership Foundation Act) for purchase at fair value for use by such purchaser in the provision of new or rehabilitated housing in accordance with the provision of the National Home Ownership Foundation Act."

Rehabilitation loans to homeowners

Sec. 204. Section 312(a) of the Housing Act of 1964 is amended by adding after "an urban renewal area" the following: ", a project area under the National Homeownership Foundation Act,".

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT—SECTION BY SECTION ANALYSIS

Section 1: Short title: "National Home Ownership Foundation Act".

FINDINGS AND PURPOSE

Section 2(a). Findings of Congress include reinforcement of determination to achieve the goal of a decent home and suitable living environment for every American family, which can be achieved through the economic and psychological values of home ownership.

Section 2(b) states the purposes of the act, which stress the need to provide a mechanism through which private sector energies may be directed to solving housing problems. Encouragement of a new spirit of community at the neighborhood level, in a coordinated effort to help potential home owners help themselves is stated as a purpose of the bill.

DEFINITIONS

Section 3 defines terms used in the Act; "eligible borrower" is defined to mean a local non-profit housing association, cooperative, or limited dividend corporation.

TITLE I. NATIONAL HOME OWNERSHIP FOUNDATION

CREATION AND POWERS

Section 101(a) incorporates a private Foundation with corporate powers. Congress reserves the exclusive right to alter or dissolve the Foundation.

Section *101(b)* provides that the Foundation shall be a nonprofit charitable and educational foundation, contributions to which are tax-deductible under section 170 of the Revenue Code.

Section 101(c) provides that no officer of the Foundation shall receive compensation in excess of that received by the Secretary of HUD.

Section 101(d) provides that the Foundation shall make maximum use of existing public and private agencies, institutions, firms, consultants, and programs in furthering the purposes of the Act.

Board of Directors

Section 102(a) establishes a Board of 18 members.

Section 102(b) establishes a Congressional Ad Hoc Commission to appoint 12 initial Board members.

Section 102(c) authorizes the President to appoint the remaining six initial members of the Board, with the advice and consent of the Senate.

Section 102(d) specifies three year terms, except that the initial members shall have three, four, and five year staggered terms. Persons appointed to fill vacancies shall serve only for the unexpired terms.

Section 102(e) prescribes subsequent appointments to the Board. The President continues to appoint six directors. When the term of one of the remaining twelve directors expires, the Board nominates a successor, whose appointment may be prevented by a qualified vote of those organizations which have been financed by the Foundation.

Section 102(f) provides that no more than two members of the Board can be full time employees of the Executive Branch of the Federal Government.

Officers and advisory committees

Section 103(a) provides for the President and other officers of the Foundation.

Section 103(b) provides for the establishment of advisory committees.

Liability for taxes

Section 104 makes the Foundation's property subject to State and local taxation and assessments.

Penalties

Section 105 makes it a misdemeanor for any person to misuse the name of the Foundation.

General Accounting Office audit and report

Section 106 subjects the financial transactions of the Foundation to GAO audit and report requirements, as if it were a mixed ownership government corporation under 31 USC 857–8.

Annual report

Section 107 requires the Foundation to make an annual report to the President and Congress.

Technical Assistance Service

Section 108(a) authorizes the Foundation to establish a Technical Assistance Service to help local organizations conduct home ownership programs. The Service is authorized to—

Help get local organizations started;

Help them obtain qualified administrative personnel;

Help them involve a broad range of local people, companies, and organizations in their programs;

Assist them in obtaining financing and insurance;

Arrange or make interim planning loans;

Help local organizations gain access to existing public; and private supporting programs in training, counseling, etc., or to start their own program if necessary;

Arrange for or provide training for program administrators;

Encourage research and innovation and publicize the findings;

Perform other similar services

Section 108(b) prevents the use of the Foundation's loan money for financing technical assistance services, but authorizes the inclusion of the value of appropriate services in the eventual mortgage loan.

Home ownership loan fund

Section 109(a) authorizes the Foundation to establish a Home Ownership Loan Fund.

Section 109(b) authorizes the Foundation to issue up to $2 billion in debentures to capitalize the Loan Fund.

Section 109(c) requires the Foundation to consult with the Treasury prior to offering debentures for sale.

Section 109(d) provides for a Federal guarantee of the Foundation's debentures. In case of default, the procedure is adapted from statutory Federal Housing Administration procedures for redeeming insured mortgages which are in default.

Section 109(e) authorizes the Secretary of the Treasury to require a fee for the Federal guaranty of the Foundation's obligations.

Section 109(f) requires the Foundation to maintain a reserve account equal to three percent of its outstanding loans.

Section 109(g) makes obligations of the Foundation lawful investments for Federally-controlled trust funds.

Loan policy and criteria

Section 110(a) sets forth the criteria that must be met before the Foundation may make a loan. Involvement of community organizations and project area residents, and maximum impact of the project on the community are stressed in the loan criteria. Additionally, a Foundation loan should be issued only if other financial institutions are unable to make the project loan. (Criteria are set forth in Section 110(A)(1) to 110(A)(17).

Section 110(b) provides that the interest rate at which loans shall be made to eligible borrowers and the portion of the interest payable by the Treasury on loans to individual home buyers shall be determined by the Board.

Section 110(c) authorizes the Board to establish down payment standards.

Section 110(d) limits loans in any one State to 12½% of the Foundation's total debenture authorization.

Coinsurance

Section 111 authorizes the Board to require an eligible borrower to purchase Foundation bonds, to be held in escrow by the Foundation as a reserve against foreclosures in the borrower's project.

Coadjuvant agreements

Section 112 authorizes the Foundation to enter into agreements with local lending institutions, investors or public agencies, whereby it may accept up to ten-elevenths (90.9%) of the risk on a local project specified by the local institution, investor, or public agency.

Mortgage coupon redemption authority

Section 113(a) authorizes the Secretary of the Treasury to contract to make payments to mortgagees for the redemption of interest coupons accompanying mortgages executed as a result of a Foundation loan. The value of the coupon would reflect the difference between the market rate and the lower rate to be paid by the mortgagor. The rate the Secretary could pay would be limited by the average market yield to maturity on all outstanding marketable obligations of the United States. There would be a thirty year limit on coupon payments.

Section 113(b) directs the Secretary of the Treasury to post all amounts thus paid on behalf of mortgagors to an account in each mortgagor's name, and to report to the Foundation the aggregate amounts posted each month.

Section 113(c) authorizes appropriations to the Treasury for making coupon payments. The aggregate amounts of contracts to make redemption payments shall not exceed amounts approved in appropriations Acts, and payments pursuant to such contracts shall not exceed $10 million in Fiscal Year 1968, increased by $20 million in Fiscal Year 1969, and increased further by $30 million in Fiscal Year 1970.

Repayment of investment

Section 114(a) authorizes the Secretary of the Treasury to assess persons whose incomes have risen substantially for the purpose of reducing the balance in their account as established by section 113. The amount of the assessment is determined by a formula set forth in Section 114(a)(1) to 114(a)(3).

Section 114(b) permits the amounts thus collected to be expended on a revolving fund basis to assist additional mortgagors.

Section 114(c) gives mortgagors the right to extinguish their accounts at any time.

Section 114(d) provides for information for making determinations required by this section.

Section 114(e) authorizes regulations for applying this section to participants in cooperative housing programs.

Section 114(f) defines adjusted gross income for purposes of the section.

Recovery in case of sale

Section 115 provides for the recovery by the Treasury, out of the proceeds from the subsequent resale of a housing unit whose purchase was aided by the interest coupon payments, of the balance in the account of the home buyer as established by section 113(b), or of the amount of the taxable long term capital gain, whichever is the lesser.

Home ownership insurance protection

Section 116(a) directs the Foundation in cooperation with the private insurance industry to seek to arrange a program for insuring the monthly payments of participating home buyers against curtailment of income due to factors beyond his control, such as death, disability, or recession layoff.

Section 116(b) exempts cooperative efforts by insurance companies to establish such a program from the provisions of the Sherman and Clayton Acts.

Section 116(c) directs the Foundation to report to Congress on its success in establishing this program on a private basis, with such recommendations as it may deem desirable.

Equal opportunity

Section 117 prohibits discrimination on account of race, color, religion or national origin in any program or activity financed by the Foundation.

Initial grant assistance

Section 118 authorizes the appropriation of not to exceed $3 million for the purpose of meeting initial organizing and operating expenses, and of providing initial funding for the Technical Assistance Service.

TITLE II. AMENDMENTS TO OTHER ACTS

Amendments relating to financial institutions

Section 201(a) amends the National Banking Act (12 USC 24) by authorizing national banks to deal in the obligations of the Foundation.

Section 201(b) amends the National Banking Act (12 USC 84) by authorizing national banks to purchase obligations of the Foundation in excess of 10% of their unimpaired capital stock and 10% of their unimpaired surplus.

Section 201(c) amends the Home Owners Loan Act by authorizing federal savings and loan associations to buy and sell the debentures or other obligations of the Foundation.

Urban renewal—Local determination

Section 202 permits an urban renewal plan, in order to meet the requirements of section 105(a) of the Housing Act of 1949, to provide for the rehabilitation or redevelopment of the urban renewal area by nonprofit organizations, including eligible borrowers as defined in this Act, as well as by private enterprise.

Availability of urban renewal property

Section 203 amends section 107 of the Housing Act of 1949 to permit the sale of any real property held as part of an urban renewal project to an eligible borrower as defined in this Act at fair value for use in the provision of new or rehabilitated housing.

NATIONAL HOME OWNERSHIP FOUNDATION ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Broomfield] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, I am pleased to join in sponsorship of the National Home Ownership Foundation Act.

In my views, the concepts incorporated in this bill go far beyond simply providing adequate housing for those in need of a decent place to live.

If this approach becomes law, as it should and must, it will become the vehicle for the correction of a great many other social and economic ills which have plagued a portion of our population for far too long.

There can be little doubt that many Federal programs which started out with high ideals and clear-cut goals have over the years wandered pretty far from the path of original intent.

One example has been the Federal urban renewal program, originally begun as a means of providing decent housing for the economically deprived in our Nation.

But instead, urban renewal in too many communities on too many occasions has been a convenient and efficient means for the serving of eviction notices on the poor.

Rather than a tool to help people in need find a decent home, urban renewal has too often been used as a weapon against those people the program is supposed to help.

We know that since the inception of urban renewal as a Federal program 18 years ago, it has failed to provide adequate housing for low- and middle-income groups.

Not only has the program failed to assist in this prime function, but it has actually made the situation worse.

In the 18 years of its existence, urban renewal has shown a net loss in housing. In other words, it has destroyed more homes than it has created.

And in far too many instances, that housing which has been built under urban renewal has been far out of reach of the displaced families.

Right after World War II, we know of the aimless search for a home by the millions of displaced persons who wandered Europe and Asia.

What we have failed to observe is that urban renewal has often created a new kind of displaced person in our urban areas, families which have moved many times to get out of the way of Federal urban renewal programs.

In my view, the National Home Ownership Foundation will end this displacement of families and give them the means to own their own homes.

It will place the emphasis upon involvement, upon self-help, upon building from the base up rather than imposing orders from the top down.

It will give families a stake in their future. It will provide the potential homeowner with the technical assistance he might need not only to obtain financing, but to actually build a portion of his home himself.

The cost is not high as dollars are figured here in Washington. First-year cost would come to about $13 million which, in turn, could generate more than $350 million in new housing.

I regard the National Home Ownership Act as more than simply a housing bill. It is a chance, an opportunity, a promise which can be fulfilled rather than a shattered hope.

We have the opportunity to give opportunity to those most in need. I urge my colleagues to study the provisions of the National Home Ownership Act carefully, and to give this bill their wholehearted support.

JOINS IN INTRODUCING NATIONAL HOME OWNERSHIP ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Don H. Clausen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, it is a pleasure for me to join my colleagues today in the introduction of the National Home Ownership Act, a bill that embodies some of the most imaginative thinking that has ever come before the Congress as a solution to a national problem of major proportions.

The legislation being introduced today is the culmination of many months of work by the sponsors of this bill. I have spent many hours with our good friend, the distinguished gentleman from New Jersey [Mr. WIDNALL], and I think we have come up with a program that can bring about a badly needed, dynamic housing program of benefit to all Americans.

This proposal will provide the opportunity for many of our citizens in the lower income groups to realize the pride of homeownership. I believe this legislation will go a long way toward accentuating the positive aspects of our American principles and at the same time will help every individual in this country gain the most cherished possession of all—a home and the security and peace of mind that it provides.

It is also important to note that this legislation will give our Nation's housing construction industry a needed boost. This point is especially important in light of the recent siege of tight money which was caused by the manipulative fiscal policies of this administration and which has not been at all beneficial to the people of America concerned with improving their housing situation.

The severe downturn in the construction trades caused by these policies has hit hard at many areas which are extremely responsive to trends in housing construction. These areas have been forced to accept extremely high unemployment.

While the administration's fiscal policies have caused severe inflationary problems throughout much of the Nation, we on the north coast of California have been beset with what can probably be best described as "depressionary." Our area is very dependent on housing construction due to the importance of the forest products industry and we are still suffering high unemployment even though interest rates are starting to lower somewhat. The unemployment average in northern California was well over 10 percent with individual counties showing rates up to 20 percent. This must be reversed and I believe enactment of this legislation will help.

In my judgment, there has been too much emphasis on public sector involvement in direct financing of housing and not nearly enough consideration given to how we can help the private financial institutions resolve our housing problems. Our continuing objective must be to provide incentives for private institutions to handle the overwhelming majority of our housing problems. This is consistent with the philosophy that has made America great.

This legislation deserves the earliest consideration by the Congress and I hope it will get it. It departs from the policy of the Federal Government attempting to spend great sums of money to accomplish desirable goals which could be obtained through the private sector with a subsequent reduction of the overwhelming burden that is now being foisted upon the American taxpayer.

This legislation embodies that philosophy and has great merit. I would like to see it passed in this Congress so we can get the program underway extending its benefits to our citizens.

TRIBUTE TO ADM. HOWARD A. YEAGER

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. McCLORY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCLORY. Mr. Speaker, on Friday, April 14, 1967, it was my privilege to be the reviewing official at the Recruit Training Command graduation review, U.S. Naval Training Center, Great Lakes, Ill. My eyes were on the brilliant spectacle of hundreds of the Nation's finest young men, but my thoughts reverted to the last such honor I had known on these very grounds, during the 89th Congress.

Then I had stood there in the company of Rear Admiral Yeager, Commandant of the 9th Naval District. He was my friend, a resident of the 12th Congressional District which I represent, and an honored member of the North Shore community to which he gave his wholehearted civic support. Adm. Howard A. Yeager had relinquished his rank as a vice admiral in 1963 in order to accept the command of the country's largest naval district, the 9th. A Navy man with 40 years' service behind him, he was looking to the future and considered this to be his last service assignment before retirement.

From a midshipman who entered Annapolis in 1923, Admiral Yeager had climbed the ladder of achievement: junior officer on battleships and destroyers, more training, then engineer and instructor in the Naval Academy, fleet commander, amphibious warfare expert, commander of amphibious forces, Pacific Fleet, Commandant, 9th Naval District, and a glimpse of retirement a few days ahead. His activities had not gone unnoticed by his country or its allies. France decorated him with the Legion of Honor and Great Britain conferred on him the Order of the British Empire. The United States gave him military medals for combat valor, and civic groups presented honors for patriotism, recognition as one of the "10 most important people in the State of Illinois," and an elementary school in North Chicago, Ill., had been named for him—in his lifetime

Now Adm. Howard A. Yeager was gone—beyond sight and sound, and I was here—bereft of a friend. Only a month ago yesterday, I thought, since they laid him to rest with full military honors, at Annapolis, where the waters of Chesapeake Bay will whisper a lullaby forever. A tragic holocaust had snuffed out his life, destroyed his home, and fatally injured his beloved wife.

These thoughts were racing through my mind, Mr. Speaker, but my lips were acknowledging the presentation of the brigade. The voice seemed to ring out loudly against my hushed memories: "Very well, Seaman Recruit Chapman, proceed with the review."

The review of the lads whose boot training was underway when Admiral Yeager left us, the recruits to whom he had hoped to say goodbye on April 1, the day set for his retirement. It would have been a proud day, a stout goodby, and the salute of men to a man.

The rhythm of marching feet pulsated but my memory was hearing a bit of verse—long forgotten and only half-recalled now:

> Home is the sailor, home from the sea,
> And the hunter home from the hill.

Hundreds of hands snapped upward in a salute that will never be forgotten. And neither will we forget Vice Adm. Howard A. Yeager, Mr. Speaker.

This review is for him.

NATIONAL HOME OWNERSHIP FOUNDATION ACT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. QUILLEN. Mr. Speaker, it is my great pleasure to join more than 100 of my colleagues in introducing the National Home Ownership Foundation Act.

This is truly a landmark piece of legislation, and the wide and outstanding support that it has obtained in both the House and Senate makes this day one of the proudest in our history.

I congratulate and salute Congressman WIDNALL and Senator PERCY who have been the instruments with which this major legislation has been constructed and refined.

By bringing this legislation to the attention of the Congress, we are giving evidence once again to the confidence that we have in the strength and abilities of our people. Through the establishment of this Foundation, the private sector will be able to assist the Nation's urban and rural housing in ways never dreamed of. The homebuilding industries, and the many, many related industries, would receive a tremendous boost, and in turn we would have a healthy and progressive economy.

At the same time, low-income families would once again have the opportunity to become participants in the good life, rather than dependent on it. Once again, the problems and responsibilities—and the successes—would be shared to the greatest extent by the local communities that are in the most direct contact with each individual situation.

Mr. Speaker, I am extremely proud to associate myself with the authors and other supporters of the National Home Ownership Foundation Act, and I earnestly urge that we go forward as quickly as possible to enact this legislation, for we have no right to delay and thus deny our people the great benefits that will result from this act.

SUPPORTS TODAY'S LEGISLATION FOR CONSTRUCTION OF PROTOTYPE DESALTING PLANT

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. Berry] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BERRY. Mr. Speaker, I am very happy to support legislation before the Congress today to provide for the construction of a prototype desalting plant. This legislation moves the country's five saline water pilot plants, including the facility in Webster, S. Dak., into their second phase of operations.

The purpose of this second or "test" phase is to actually investigate the economic feasibility of removing salts and minerals from water on a large production scale.

The Webster, S. Dak., saline water conversion plant will continue to play a key role in this search for new sources of fresh water, a search which is being expanded by this legislation.

I have talked at some length with the man greatly responsible for our efforts in this field, Assistant Secretary of the Interior Frank DiLuzio, who said the Webster facility has a long life and an important part in investigating the economics of water purification.

The $678,000 Webster facility was originally designed to test the electrodialysis process whereby water is charged with electric current and circulated between membranes to remove salt content.

The main goal now is to obtain a greater flow of water through the treatment plant for the same amount of electric current. Research at Webster is also centered around ways to standardize the process so different varieties of brackish water can be treated without special alterations.

Standardization will also lower the costs of converting to fresh water. At present the process costs approximately $1.18 to $1.20 per thousand gallons of water treated. Uniform techniques and pretreatment of the water could cut that cost in half.

This legislation marks the start of an important new chapter in our efforts to provide enough water for a nation which is demanding billions of new gallons each month. It is gratifying to know that South Dakota has a crucial part in the search.

DUBIOUS DATA POISONING CAR INSURANCE SYSTEM

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Cahill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CAHILL. Mr. Speaker, pursuant to my concern with the failure of the insurance industry to provide adequate automobile liability coverage, I should like to insert an article by Robert W. Lucas, which has been published by newspapers of the Gannett group. The article points up several of the obstacles which have rendered regulations of the insurance industry by State commissions ineffective.

(The article follows:)

[From the Times-Union, Rochester, N.Y., Apr. 13, 1967]

Dubious Data Poisoning Car Insurance System

(By Robert W. Lucas)

Washington.—There must be thousands of insured motorists today who are not turning in valid claims for automobile collision damages above deductible levels.

They are afraid that their insurance rates will be raised or that their car insurance will be canceled.

There must be thousands more who are outraged when their insurance agent insists on settling patently false and possibly blackmail claims rather than fight them through the courts.

The agent is not necessarily doing this by choice. The insurance companies know what court proceedings cost—even to win, much less to lose. So the emphasis is upon settlement and not a contest.

There is no way of knowing what the volume of unfiled claims is. But if the insured driver is paying a premium rate based on the actual estimate of the average cost of accidents in a given area, plus something for the underwriters' expense and profits, every legitimate unfiled claim is pure gravy to the insurers.

Offsetting this are the non-valid claims, of course. They too, have risen. And even though they may be disallowed or compromised downward, they impose burdens of expense.

All of this seems to be poisoning the whole automobile insurance system in this country—or at least infecting it with some ugly implications of bad faith and deplorable public relations.

Nor do I believe that the responsibility or blame, if any, for this rests solely with the insurance industry, the legal fraternity, or the driving public—although all are cast as villains from time to time.

The system itself is not meeting the demands being placed upon it.

Massachusetts, as do New York and North Carolina, has compulsory auto insurance, and it is now undergoing the agony of replacing it with an entirely new theory and system.

With every driver required by law to carry insurance, the rates in this New England commonwealth shot into outer space—especially in Boston, which to other than a lifelong Bostonian is a motorist's psychedelic dream.

Massachusetts is struggling with an effort to wipe out both the system of insurance now in effect and its compulsory feature, and to replace it with a new idea—car insurance embodying stated indemnities not dissimilar to the system of workmen's compensation.

More than one legislative committee, exploring alternatives in states where motorists are beefing about car insurance, is eyeing this plan, and other revolutionary insurance concepts.

A major obstacle to reform of auto insurance is the ignorance that hampers those trying to understand the problem.

That ignorance results because the records that are kept on auto insurance—the experiences of both the insurer and the insured—are kept state-by-state. And those records are scanty, unilluminating and mostly unavailable.

Those who are opposed to any change in existing practices, or those who resist vigorously any probe by Congress, play the reports of one state off against another.

If one state insurance commissioner, with complete regulatory powers over insurance companies, imposes stringent regulations to correct what he finds to be arbitrary, inequitable or discriminatory practices he is promptly criticized as a "politician" who is maneuvering for votes. His disclosures are thus discounted.

Possibly the greatest handicap to shedding light on the inadequacies of the present insurance system is inherent in the competitive character of the business.

The hundreds of companies presently underwriting more than 80 million car insurance policies offer hundreds, and I would guess thousands, of "plans" or options to the insured driver. The companies pursue a great variety of underwriting practices, limitations, guidelines and regulations—some good and some bad.

Most of the companies selling car insurance to the American motorist are but weakly regulated by most of the states except in rates. And the rates themselves, although subject to final approval by state authorities, are generally tied to a cost-benefit ratio, with the insurance companies supplying the statistics.

Again, this is not to challenge the integrity of the system or those who make it up. But it is to point out the incredible difficulties facing anyone who is trying to pinpoint its effectiveness; to decide whether the public interest throughout the nation is being served; to determine whether state regulation is meeting in a reasonable way the demands of public convenience and necessity.

I personally do not see how the facts the public needs to frame meaningful answers to these questions can be obtained short of a full-scale inquiry by the Congress of the United States.

FISCAL AFFAIRS OF THE DISTRICT OF COLUMBIA

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, today I am introducing a resolution in the House of Representatives which calls for a complete and thorough study of the fiscal affairs of the District of Columbia. Such a study is long overdue. There is a desperate need for an up-to-date review of the fiscal situation here. We need a complete reevaluation of the tax structure in the District of Columbia, and we need to reexamine the amount and nature of the Federal payment to the District.

My resolution provides that experts in the fields of municipal and State finance, along with others qualified in the area of urban problems, would serve on a commission to make the study. This Commission would be asked to make recommendations based on their study.

The consideration of the District appropriations bill yesterday on the floor of the House pointed to the great need for the study I am proposing. We simply need more adequate information on which to base our decisions for making District appropriations.

Questions which must be answered are the following:

First. Is the tax burden in the District of Columbia equitable? Should changes be made?

Second. Is the Federal payment to the District sufficient in light of the responsibilities the District is asked to bear?

Third. What are the immediate fiscal needs of the District?

Fourth. What are the long-range needs?

Fifth. What measures should be taken to insure adequate financing for the needs of the District of Columbia?

In the District of Columbia at the present time there are a number of organizations and groups making plans for the development—and the redevelopment—of the city in all kinds of areas and problems facing the District. There are so-called master plans for everything here. The study I propose would examine all of these propositions and relate them to the fiscal situation. Thus, effective priorities could be set and a total program, based on sound financial considerations, mapped out.

The resolution calls for a 24-member Commission to be made up of four U.S. Senators, four U.S. Congressmen, the national committeeman and national committeewoman of the District of Columbia Republican and Democratic Parties, nine to be appointed by the President, the District Superintendent of Schools, the Secretary of Health, Education, and Welfare, and a representative of the Department of State.

Those appointed by the President should represent business, labor, law enforcement, municipal affairs, government finance, urban renewal, and mass transportation.

The Commission is asked to report by March 1, 1968.

NO DIMINUTION OF PAY FOR RETIRED OFFICERS

Mr. LUKENS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Kupferman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, under the authority of the Dual Compensation Act of 1964—Public Law 88-448—all retired members of the uniformed services may now accept civilian employment by the Federal Government. However, this law places a limitation on the amount of retired pay that retired commissioned officers and warrant officers of a regular component may receive while receiving civilian salary from the Federal Government for employment in a civilian office.

The act provides that a retired commissioned or warrant officer of a regular component of the uniformed services who holds a civilian office under the Federal Government shall receive the full compensation of the civilian employee, plus the first $2,000 officer-retired pay, plus one-half of the remainder, if any.

Whenever retired pay of the uniformed services is increased to reflect changes in the consumer price index, the $2,000 exemption in the formula—for reduction of retired pay—will be increased by the same percentage. For example, on December 1, 1966, all retired military personel received a 3.7 percent cost-of-living increase in retired pay. Thus, the initial exemption now amounts to $2,074. Future increases in retired pay will cause this figure to continue to change.

The following are exempt from the provisions of the reduction in pay limitation: First, retired regular officers and warrant officers whose retirement was based on disability resulting from injury or disease received in line of duty as a direct result of armed conflict or caused by an instrumentality of war and incurred in line of duty during a period of war; second, retired regular commissioned and warrant officers employed on a temporary, part-time, or intermittent basis for the first 30 working days in which they serve under that appointment, and third, retired regular commissioned and warrant officers employed in civilian offices on 30 November 1964, who elected to remain subject to the exemption or limitation on pay applicable to their office on that date—title 5, United States Code, section 5532.

The Retired Officers Association, among others, believes that the provision in the act reducing the retirement pay of a regular officer by one-half of the excess of his retirement pay over $2,000 should be repealed. In support of this position, James W. Chapman, colonel, U.S. Air Force, retired, and Legislative Counsel to the Retired Officers Association, in a letter dated July 28, 1965, to Charles L. Schultze, Chairman, Cabinet Committee on Federal Staff Retirement Systems, Washington, D.C., stated:

> There is no similar restriction on reserve officers who accept Federal civilian positions, nor on any regular or reserve member who was retired while serving as an enlisted member, even though he is advanced to officer status on the retired list and thus draws retired pay as an officer. Therefore, the loss of pay constitutes an unjust discrimination against retired commissioned and warrant officers of the regular components of the Uniformed Services.
>
> Also, and very importantly, it continues to militate against the acceptance of Federal employment by retired regular officers and thus in many instances deprives the Government of the possibility of obtaining the best qualified person for certain critical and hard to fill positions. Removal of the pay restriction will put the Government in a position to compete on a fair basis for employment of all skilled individuals and will prevent a waste of highly trained manpower.

I have, accordingly, introduced today a bill to amend title 5 of the United States Code to provide that retired officers of the uniformed services shall not suffer diminution of pay while holding civilian positions or offices with the Government of the United States or District of Columbia.

A SELECTED EXTENDED TENURE PERSONNEL PROGRAM FOR THE ARMED SERVICES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. Hall] is recognized for 30 minutes.

Mr. HALL. Mr. Speaker, one of the most apparent problems facing the Armed Forces today is the tremendous turnover in personnel, especially in the critical skills area. Much of this problem is the result of early retirement permitted by tradition and regulation. The average age of military retirees is 43 to 44 years. Many of these retirees must be replaced with highly trained individuals. As a result, approximately 17 percent of the service's manpower is always tied up in training. In prescribing a remedy for this situation, I am introducing legislation today that would establish a selected extended tenure personnel program and which in turn would create a new category of military personnel. This legislation is similar to, but an improvement on a bill I introduced in the 89th Congress.

Officers, warrant officers and enlisted men would be eligible for SETP. To qualify for the program the applicant must be eligible for retirement or to be retired. He must volunteer for the program, relinquish any further consideration for promotion, and be willing to accrue no further seniority in grade.

Jobs or assignments to be available through this program will be identified by the Secretary of each military service or department. A special board, established by the respective Secretaries and composed of officers, warrant officers, and enlisted men of higher rank than the applicant will have the duty of determining which volunteers for the SETP program are to be accepted. The number of personnel participating cannot, at any time, exceed 5 percent of the services' strength.

Mr. Speaker, perhaps the most desirable characteristic of this proposed bill is that SETP will encourage skilled military personnel to continue their careers. As a result, these valuable individuals in some of whom the Government has invested fantastic amounts of money for training will not be lost to the civilian world. The civilian world makes demands and it has rights and prerogatives as to these trained people—but not in the flowery part of their service or the best years of their life after complete training. Many would gladly settle for an option of starting a second career in civilian life if they could live at home and be assured of tenure and educate their children in the colleges of their choice.

The program, while serving this valuable function for the Government, will also be very attractive to the men themselves, who do not relish the thought of embarking on a second career. Many persons who are approaching retirement age would prefer to remain in the service if they could establish a permanent residence, stabilize their children's education, and settle down with their families.

This legislation would provide the means through which men, who have devoted years of patriotic service to our Nation, could continue the skills they have acquired in the Armed Forces to mutual advantage. At the same time, they could take up permanent residence without fear of rotation or being constantly transferred. I emphasize, Mr. Speaker, it is voluntary and optional.

Many retirees are failing to find jobs which even partially utilize the skills and experience they gained, at great cost to the Government. This problem will increase as World War II retirees continue their exodus from the services. The armed services logically should be able to use the skills of their retiring people better than most other employers, especially new ones. Certainly mandated and menial civil service jobs are not the answer.

In conclusion, Mr. Speaker, the selected extended tenure personnel program could obviously serve a valuable function for the armed services and the Nation. The personnel involved would be much better satisfied with their work, extensive training provided by the Government would be utilized to the fullest possible extent, and tax dollars would be saved for the American public in the amount of up to $437,500,000 annually.

Mr. Speaker, I commend it to the consideration of all of our colleagues.

Last year favorable reports were received from the service departments by the chairman of the Committee on Armed Services to whom, I presume, this will be referred.

I hope that there will be speedy hearings on this worthwhile piece of legislation.

CLEVELAND LEADER CALLS FOR PRIVATE AND INDUSTRIAL LEADERS TO RAISE $5 MILLION TO HELP SAVE THE CITY AND ITS PEOPLE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN], is recognized for 60 minutes.

Mr. FEIGHAN. Mr. Speaker, Sunday I attended the Human Relations Award dinner of the National Conference of Christians and Jews, which was held in Cleveland. One of Cleveland's many distinguished citizens, Ralph M. Besse, the board chairman of the Cleveland Electric Illuminating Co., received the award. He is and has been an articulate and active champion of the rights of men. He was honored for "sincere, positive, and compassionate leadership in education, interreligious and interracial affairs." Of the approximately 1,800 people who attended this affair, I suggest that to the last man, everyone felt no one person could be more deserving of the National Conference of Christians and Jews Human Relations Award.

In his acceptance speech, Mr. Besse proposed a farsighted plan to restore justice for all and to "redeem a lost generation and properly develop a new one." He outlined a 10-point program for the betterment of the city, with reference to the poor and minority groups. He asked that a $5 million fund be raised at once to help meet challenging problems. The imagination and breath of vision of his address is evident upon reading. The text of his remarks follow:

Acceptance Speech of Ralph M. Besse, Chairman of the Board, the Cleveland Electric Illuminating Co., at the Human Relations Award Dinner of the National Conference of Christians and Jews, Cleveland, Ohio, April 16, 1967

I am moved beyond my ability of expression at being selected as a symbol to honor the efforts of the very large number of people who give wholeheartedly of their minds, their efforts, their time and their substance to achieve for their fellowmen the objectives of the National Conference of Christians and Jews. This hall is filled with such people tonight.

We are here in great numbers, I am sure, because this Conference and its sister organizations have revealed to us the stark reality of intolerable injustice concentrated in the core cities of every metropolitan area in America.

It is a race-related injustice attributable to many failures. We have been unable to communicate objectively to either race the complete truth about the problem.

We have been unable to plan far enough in advance to prevent deterioration and have restricted our action largely to after-the-fact attempts at restoration.

We have been unable to develop the full strength adequate for the tasks assumed either in the independent agencies or in the governmental departments working on the problems.

We have been unable to coordinate the activities in the field. We have been unable to mobilize the total force needed to solve the problem.

As a consequence we have in all of our great cities and in Cleveland, community construction and reconstruction problems in the billion or multibillion dollar zone and two great people problems—the redemption of a lost generation and the proper development of a new one.

But there is one great constructive thing we have been able to do. We have finally alerted the entire leadership of the nation to the nature and magnitude of the problem, and we have developed in most of them a real concern for solutions.

Those of you here tonight are among the group who share that concern. In fact, this is probably the most complete assembly of such concerned Clevelanders that we are apt to have this year.

And so, if I may, I would like to convert this assembly for a very few minutes into a committee for justice in Cleveland and outline a 10-point program of what we must do to restore this city to its historic role of leadership in human affairs.

Five of these proposals involve increased effort in programs already established. Two involve substantial revision of existing programs and three involve the establishment of new programs.

First: We must expand and intensify our efforts to eliminate racial and religious discrimination. We must do this not only at the hiring gate but also in our promotional practices, our union admission rules, our housing practices and our political thinking.

Second: We must accelerate our total educational program with strong emphasis both on bringing central city schools up to decent standards and on programs for the preschool youngster, the dropout, and the functionally illiterate adult. The hope that the lost generation can still be redeemed rests largely on our ability to qualify the unemployed for jobs.

Third: We must hasten the establishment of both the health facilities and the health programs that move the opportunity for health care for people in the inner city a little nearer the lifetime standards of everyone in this room.

Fourth: We must promptly establish recreation facilities available the year round for both children and teenagers in order to substitute a positive helpful constructive activity in human relations for the negative atmosphere of the streets.

Fifth: We must provide the city services that are required for a decent neighborhood. Every central city area must be made cleaner, brighter and safer. This calls for adequate financing of the city to take care of garbage and rubbish and rats and lights and litter and criminals.

These five steps are expansions of activities now in being, none of which are adequate in design, scope or effectiveness in spite of the fact that hundreds of people and scores of organizations are pouring their hearts out to stem the tides of destruction.

Sixth: We must revise our welfare program. For more than one third of this century we have assumed that a public welfare check given to illiterate people in poverty living with almost no semblance of a normal home life would enable them to extract themselves from their environment. The continuance of the same families through two, three and four generations of welfare existence in an environment that seemingly grows worse generation by generation ought to be enough to convince us that the system is wrong. What's wrong is this: there has been no substantial effort made to develop a substitute for the missing constructive influences of a normal home. By the time many of the children of this environment reach the schools it is too late for the schools to save them. An increase in welfare funds—desirable as it is—will not change this. A new system which provides a teaching and training atmosphere in a climate of health and cleanliness and decency must be developed or the next third of a century will find us with the same problems that we have today and more people involved.

Seventh: In addition to expanding the construction of homes by the Metropolitan Housing Authority and the restoration of effectiveness in urban renewal activities and building code enforcement, both of which I hope are underway, we must revise our non-profit housing procedures. The non-profit housing corporation was designed to permit a community to help in solving the massive housing problem which every big industrial city has. In Cleveland, the Mayor tells me there are at least 25,000 houses which need rehabilitation. Others fix the number as high as 40,000. It is highly desirable that the community participate in this rehabilitation but under the present system the Washington procedures are unworkable from two standpoints. First, they are too complex, require too much time and involve too much red tape. Second, the formula does not provide full reimbursement for the rehabilitation cost. From $1,000 to $3,000 per house must be added as a local subsidy if non-profit housing rehabilitation is to be completed. When we consider that there are at least 25,000 houses involved, $2,000 subsidy per house would require $50 million in addition to the Federal underwriting. Such money is not available locally nor is there any reason why this community should specially provide such funds. The very concept of public housing is based on the fact that only the Federal government can supply enough funds to do this job. If the desirable goal of community participation in rehabilitation is to be added to Federal funding, the law must be amended to become workable.

Three new things must be established in the community. The first of these—#8 in the program—is the establishment of a continuing professional objective communication program in two broad areas. The most important area is in the poverty communities. Here we are being out-communicated by the extremists. We must establish a system which will enable every person in the hard core group to make his individual wants known in a personal confrontation where rapport has been established by a representative of an agency that can give constructive help. This can be done through the organizations in the poverty areas providing we finance it.

The other area which needs systematic objective communication is the white community where myths must be exploded, achievements reported, and the hard fact explained that cities, like apples, cannot remain half rotten and half sound. The problem is everybody's problem.

The second new thing we need to establish —#9 in the program—is a method of coordinating the various public and private activities of the city which are designed to solve the inner city problems. No one in the city at the moment has the responsibility to call together and coordinate the independent and governmental agencies which are working on the specific problems which must be solved if the central city is to be improved. It is the curse of size and complexity that coordination diminishes as activities multiply. An intelligent society, however, surely can develop the mechanism to solve this problem. It will require a small but representative board with status, influence and concern. Cleveland has such people.

Finally, item 10—we must fund the local share of the cost of getting these things done. Some of these steps can be funded adequately only through the taxing power of governments. These include public education, basic welfare, public housing, city services and some other things.

But tax money alone is not enough. There are and must be many local action programs in order to insure the local participation essential to solutions. These must be financed. Our foundations are overwhelmed with requests which they cannot honor in spite of the merits of the proposals. It is utterly impractical to have a separate campaign for the funds which are needed for a multitude of programs ranging from a few hundred dollars to many hundreds of thousands of dollars. Accordingly, I propose that the community raise a specific new money fund of $5 million over and above the other funds we now provide to the community to be used over a three-year period as directed by a representative community board instructed to determine priorities and allocate and disperse the funds to achieve the priority goals. This sum is not just pulled out of the air. I have consulted with a dozen well-informed people about it. It is minimal for the job we have to do.

There is presently no existing mechanism to raise this amount of money and I propose to call together a group of community leaders to develop the mechanism.

That is the 10-point program. Whether we boldly join in solving our city's problems or meanly shun the responsibility to assume our just share of the burden is more than a test of our sense of justice and our portion of humaneness: it is a test of the validity of democracy. Lincoln said that if this nation ever fails it is more likely to fail from internal weakness than from external attack.

If failure is to begin within this nation, let it not begin here.

There is within this room such force that naught could dissuade us if, with all the zeal of which we are capable, we united our strength and will to restore equal justice for all within our city.

I, for one, have not lost faith in American processes. I believe we can do these things. I believe we will do them. I believe it is possible, here and now—in the words of the martyred Latimer—to "light such a candle by God's grace . . . as . . . shall never be put out."

Mr. Speaker, Mr. Besse's remarks were well received by all those present at the banquet and, indeed, by the community at large. This is indicated by editorials in Cleveland's two leading newspapers, both of which follow:

[From the Cleveland Press, Apr. 17, 1967]

A FOCUS FOR GOOD

Like a skilled social surgeon, Ralph Besse probed meticulously at the cancer consuming this city last night.

"We have been unable to communicate objectively to either race the complete truth about the problem," he said in accepting the National Conference of Christians and Jews' 1967 human relations award.

We have been unable to prevent deterioration of both the physical city and the human beings who live in it "and have restricted our action largely to after-the-fact attempts at restoration."

And it hasn't worked. Now Besse, indefatigable striver for better race relations, suggests a $5,000,000, 10-point program that would be a focus for these persons who want to save the community.

Besse points out there is no present mechanism for raising the money to launch direct action programs in the stricken ghetto areas of this city.

The $5,000,000 program would be in addition to current foundation funds. It is a minimum amount, says Besse, who investigated the problem before he came up with this sum.

Through this direct action program Besse would hope to "out-communicate" the extremists in the poverty neighborhoods and destroy the malignant myths that persist in the white areas.

Besse ticked off the familiar troubles: the fatherless families, discriminatory employers and unions, wretched housing, insufficient welfare funds, ghetto neighborhoods.

"Cities, like apples, cannot remain half rotten and half sound,'' he warned. Even as he spoke the fruits of our community neglect were clearly heard and seen along E. 150th St., Superior and Euclid Ave., and other sectors of the Hough Area front.

[From the Plain Dealer, Apr. 17, 1967]

TEN POINTS TO GROW ON

Most men who win honors give graceful thanks and bow out.

Not Ralph M. Besse. Last night he took his human relations award from the National Conference of Christians and Jews and used it as a signal to launch a strenuous new drive for better human relations.

His 10-point program is full of fire power. It is a broad battle plan to smash slums, to burn out the rotten fruits of race discrimination, to raise bogged-down welfare, housing and human rehabilitation efforts out of the mire and restart them.

During nearly a year of harsh experience, trying to cope with the aftermath of the Hough riots, Besse has acquired plenty of sidewalk wisdom to add to his administrative talent, which made him board chairman of the Cleveland Electric Illuminating Co.

There is not enough room here to analyze each of his 10 points. We think all 10 should be printed in bold-face type to be framed and hung on every interested citizen's wall—at eye level.

Besse's first five points pepper the weak spots of existing programs: job discrimination, second-rate schooling, thin health service, scanty recreation and dirty housekeeping of poor people's areas.

Dozens of our editorials have agreed with those in advance.

His five new points deserve both attention and action.

Welfare: Not just a handout but more teaching and training.

Housing: Simpler, better-subsidized rehabilitation.

Communication: Better contact between Negro and white, between hard-core poor and agencies.

Harmony: Public and private efforts must be co-ordinated.

Money: Funded private cash, $5 million, allocated where a small, hard-hitting board sees it is most needed.

Besse's program will be talked about a long time. It demands long-term action. We invite everyone to get involved in it.

As Besse says, whether one joins this call or shrugs it off is for this city "a test of the validity of our democracy."

Mr. Speaker, Secretary of Health, Education, and Welfare John W. Gardner was the principal speaker at the banquet honoring Ralph Besse. Secretary Gardner stressed the American commitment which he said was not to affluence or power but "to the liberation of the human spirit, the release of human potential, the enhancement of individual dignity." Everything else in this country, he said, was a means to those ends.

In addition, the Secretary said it was necessary for us to create new concepts of cooperation, "a creative federalism between the national capital and the leaders of local communities." He emphasized that the old system of weak State and local government and casual communications between them and Washington was disappearing.

Certainly, the Secretary's address is one which concerns all of us.

The text of his address follows:

REMARKS BY JOHN W. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

I can't believe that there is really very much disagreement among Americans as to the kind of society we want.

We want—

A society in which every young person can fulfill the promise that is in him;

A society in which every person, old or young, can live his life with some measure of dignity;

A society in which ignorance and disease and want will tyrannize no longer;

A society of opportunity and fulfillment.

But if those are our objectives we have some problems to solve.

The problems are real. There are a great many comfortable citizens who would rather not believe that, but it is true. Some of my more complacent friends are startled when I recite the grim statistics of one or another problem. They are startled, for example, when I tell them that ten other nations have infant mortality rates lower than ours, the lowest being barely half of ours, and that our high rate is due to conditions among the poverty-stricken segments of our populace.

Believe me, I understand those Americans who wish they didn't have to be reminded of such problems. I understand the joys of complacency. But down that path lies the decay and ruin of this great Nation.

A generation doesn't have much choice in the problems that the forces of history throw in its lap. It does have a choice as to whether it will face those problems honestly.

Influential citizens of the sort who fill this room tonight will have a major voice in deciding how honest this generation is going to be.

There is a certain confusion about values today. I encounter a lot of people who aren't sure what they believe in, or what there is to believe in any more; who have not achieved any mature perspective on the problems we face as a nation; who feel alone in their perplexities.

As a public official I'm in no position to help such people in their crises of personal belief, but I can remind them that as citizens they owe allegiance to a set of values that is deeply rooted in our history.

My present job gives me a very special view of this Nation. I see children being taught, sick people being cared for, the aged being helped, the disabled retrained; I see people working to erase the ill effects of discrimination; I see health research going on; schools and colleges expanding; young men and women being prepared for careers in science and scholarship and the arts.

And I see the people in and out of government who make that whole part of American society work—teachers, nurses, businessmen and labor leaders who play roles of community leadership, doctors, ministers, social workers, housewives who do volunteer work in their local hospitals, college students who tutor children in the slums and all those who give generously or help raise money for good purposes.

Why do they do these things? Why do they do them with such conviction? To answer that is to say something about what I like to think of as the American commitment, which is not to affluence, not to power, but to the liberation of the human spirit, the release of human potential, the enhancement of individual dignity. Those are the great themes of our life as a people. Everything else is a means to those ends.

Unfortunately, a good many of our fellow citizens do not honor those ends. But many others do. Many live by the American commitment and live to further that commitment.

It can be honored only by deeds. The Scriptures say "At the day of Judgment it will be asked not, Did you believe, but were you doers or talkers only?"

The hard thing about being doers and not talkers only is that we can't walk away from the difficult, often painful tasks that face us. If we say one thing and do another, then we are dealers in illusions and not a great people.

We face problems—

Of alleviating poverty;

Of doing justice to Negro Americans;

Of redesigning our cities;

Of controlling the pollution of our natural environment;

Of learning how to educate deeply deprived children;

Of creating a genuinely humane environment for aging Americans;

Of raising our schools to a new level of quality;

Of bringing about drastic improvement in State and local government.

We are tackling every one of those problems today. And when I say we I don't just mean we in the Johnson Administration, though we are working hard at it—I mean "we the people of the United States." People from every part of this Nation, in every walk of life are tackling those problems. I know because I work with such people day in and day out.

They come from all walks of life. Their occupational labels don't really matter. They constitute the brotherhood of those who care enough about the American commitment to do something about it. It is an army without banners, and its campaigns are not reported on the front page—but it is marching.

Every time a teacher strives to give honest individual attention to some child, she is advancing the cause. Every time an employer seeks to create the working environment in which individual employees can flourish and grow, he is helping. Every time a mother provides the special combination of love and instruction that makes for early intellectual growth, she is doing her bit. Every time a labor leader strikes a blow for equal employment opportunity, he is doing his share.

In short, anyone can contribute and I must say I count the contribution as a measure of the man or woman.

I don't want to know what your religion is or what political party you belong to or what philosophy you profess. I just want to know what you have done lately about the basic American commitment.

That commitment is deeper than political parties. It has to do with a powerful current that runs beneath the surface of American life down through the years and decades and generations—and we must keep it running strong.

What we must seek is a society in which every individual has a chance, and no individual is irreparably damaged by circumstances that can be prevented.

Each person is of value.

That defines the purpose of our efforts. That's the purpose of all our trials and errors, and seeking and finding. It's to enhance the individual human being. That's easy to lose sight of, especially when we're talking of huge government programs, but *their* only legitimate purpose is to create the conditions in which individual lives may be lived humanely. And that includes your life and mine.

When pollution of our natural environment advances at an alarming rate, it affects the quality of your life and mine.

When schools deteriorate, go on split sessions, or can't find adequate teachers, it affects your life and mine.

It isn't easy to live the good life in an enormously crowded and complicated world. A lot of rich as well as poor people are finding that out.

We pass laws and design government programs to try to deal with complexity and to protect individuals from the buffeting of forces that they themselves cannot control. But we should never forget the central purpose of laws and government in a free society—that is to make the world manageable so that the individual human being may have the maximum amount of freedom to grow and develop, to choose and to be what he has in him to be. That's the star by which we should set our course. That's what our Nation is about.

Now let me talk practicalities. If we are to cope effectively with the grave problems facing us we are going to have to seek some new solutions. We aren't doing too well with some of the old solutions.

The astonishing thing about some of the best of recent legislation is that it implicitly recognizes the requirements of innovation. The Economic Opportunity Act is an example. It does not hand us a neat solution to poverty. It gives us authority and money to go out and look for a solution.

It is a hunting license. It is a mandate to proceed with the difficult process of social change. It goes without saying that in such a search for solutions there will be both successes and failures, triumphs and mistakes.

The best of the new legislation (in whatever field) permits experimentations. One of the most useful ways of doing this is to permit the testing in a few places of innovations that may or may not prove more widely useful. These are the so-called "demonstration grants."

No recent legislation illustrates the point more dramatically than the Model Cities Act voted by the Congress last year. It is sufficiently broad in conception and flexible in language so that it gives us a wide-open opportunity to tackle the 25 year job of reshaping our cities.

Whether we—and by we I mean all of us in and out of government—have the imagination and guts and wisdom to seize that chance remains to be seen.

In the fields of health and education, as in the other fields mentioned, we have sought and obtained legislation that will permit us to experiment. And such legislation simply throws the creative challenge back to the States, the cities, the universities, the school districts and the other institutions that must finally do the experimenting. Which is as it should be. Whatever made us imagine that by passing a law we could spare ourselves the creative effort involved in significant change?

And since the challenge is—and always must be—thrown back at least in part to the local level, that level must be equal to the challenge.

For more than three decades now, the American people, through their elected representatives, have chosen consistently to strengthen their Federal Government. And yet they have never intended (and do not now intend) that their Federal Government should become all powerful. Anyone who knows the grassroots of this country knows that very well.

It is in clear recognition of this that President Johnson has said that the Federal Government should conduct its activities through partnership with the States, with the cities and with the private sector, rather than through self-aggrandizement and self-sufficient operations.

The most interesting question before the nation today is how we can make these partnerships work, how we can construct them so that they *are* in fact mutually respecting partnerships, how in short we can seize this opportunity to preserve and enhance the dispersed power and initiative that has contributed so much to American vitality.

The weakness in Creative Federalism at the moment is that *most* State and local governments do not have the vitality and competence to play their role in an effective partnership with the Federal Government. Most of them have never been strong. Today we can no longer afford that deficiency.

The old system of weak State and local government, minimum coordination, and casual communications among Federal, State and local levels is dying. We are busily constructing a new system and what it will look like when we get done no one knows.

Some of us know what we want it to look like. President Johnson expressed it three years ago at the University of Michigan when he said: "The solution to our problems does not rest on a massive program in Washington, nor can it rely solely on the strained resources of local authority. It requires us to create new concepts of cooperation—a creative federalism—between the national capital and the leaders of local communities."

To create those new concepts of cooperation and to make them work is an exacting task.

If we can devise a pattern of Federal-State-local relations that provides a new solution to the old problems of centralism vs. pluralism; if we can find a means of enabling the American people to act as a nation in response to their most pressing problems and at the same time keep the dispersion of power and initiative we value so highly; if we can do these things, we will have contributed importantly, in our generation, to the art of governing a free society.

I believe that the nation would also benefit greatly by a revival of local leadership *outside* of government.

My concern extends far beyond the effective carrying out of government programs. Revival of local leadership—in and out of government—is the only road to the revival of community. Modern life has had a destructive effect on local communities, and on our sense of community—and has thereby eliminated something that most of us need very much.

We need the stability that comes from a coherent community. We need the assurance of identity that comes from knowing and being known. We need a context of acquaintance and loyalty into which we fit. We need a sense of obligation to others. Perhaps more than anything else, we need a sense of participation.

I emphasize this because it has to do with what may be, after all, the most critical problem ahead of us—the relation of the individual to society.

We all know the symptoms that arise from failures in that relationship: feelings of alienation, anonymity, loss of identity, an oppressive sense of the impersonality of the society, a loss of any sense of participation or of any social context in which participation would have meaning.

The sufferers from those symptoms would feel better if they could believe that their society needed them. And the irony is that their society needs them desperately. But the need cannot be adequately expressed in rhetoric from Washington, nor can the invitation to lend a hand with the society's problems be effective until it is made real at the local level. That's the only level at which most people will ever be able to participate in any meaningful way.

That's why our goal must be a society that is vital in all its parts, not just at the center but in every State and city, in every university and school district, a society in which every individual feels that there is a role for him in shaping his local institutions and local community.

So in closing, I want to come back to the need for local leadership—in and out of government. I don't know of any local area without an abundant supply of men and women with the talent, energy and character necessary for leadership. But rarely are those men and women directly concerned with the root problems of their cities or towns.

Almost all of them are in industry or in the universities, a few in independent professional practice. And of course they are deeply wrapped up in their special fields. Some find time for extracurricular community work, but too often such work does not go to the heart of the problems that are wracking the towns and the cities and the nation.

The plain fact is that all over this country today trouble is brewing and social evils accumulating while our patterns of social and professional organization keep able and gifted potential leaders on the sidelines. It will be a sad end to a great enterprise if the epitaph for our society turns out to read, "All the best people bemoaned the quality of leadership but none sought to lead."

Don't let it happen here.

Mr. Speaker, response to Mr. Gardner's comments was enthusiastic and immediate, as this editorial from the Plain Dealer demonstrates.

Each Man's Right To Grow

That was a brass tacks sermon John W. Gardner delivered here last night. He said America's commitment is to give every person every chance to grow and develop to his best, his utmost self.

Gardner got down to raw, everyday deeds which succeed or fail to give that freedom to each child, each adult, each aged person. Gardner, the secretary of health, education and welfare, is a very practical intellectual.

"Anyone can contribute," he said. "A teacher strives to give honest individual attention to a child. An employer seeks to create the working environment in which employes can flourish and grow. A mother provides love and instruction that makes for early intellectual growth. A labor leader strikes a blow for equal employment opportunity."

Government too is only a means "to make the world manageable so that the individual human being may have the maximum amount of freedom . . . to choose and to be what he has in him to be. That's what our nation is about."

Here Gardner jabbed an accurate finger into one of Cleveland's sorest spots.

Lack of strong local leadership is spoiling the whole pattern of "creative federalism."

Washington sets up well-meant programs to lead Americans out of their jungle of slums, of air and water pollution, of ignorance, of sickness, of discrimination and poverty.

But what good are those programs unless some strong leaders take command in the cities, each to lead his own community out of its sector of this modern wilderness?

Weak, wandering leaders disconnect the federal program's hopes from the grass roots. This power failure, this short-circuiting of the American commitment can be fatal.

Young people become alienated as communities become mere heaps of unrelated human atoms. Everyone needs to belong, to play his part in the local community's main effort.

"Revival of local leadership—in and out of government—is the only road to the revival of community," said Gardner.

"I don't care what your religion is or what party you belong to or what philosophy you profess," he told the National Conference of Christians and Jews.

"I just want to know what you have done lately about the basic American commitment."

The National Conference of Christians and Jews has consistently brought big-caliber thinkers to its platform here. Last night's thoughtful message from Gardner upheld that splendid standard.

Mr. Speaker, previous to the banquet, a luncheon was held in the Gold Room of the Sheraton-Cleveland Hotel. It was sponsored by Mr. and Mrs. Thomas Vail, Judge and Mrs. Anthony J. Celebrezze, Mr. and Mrs. A. M. Luntz, and Mr. and Mrs. Thomas L. Boardman. Mr. Vail is the publisher and editor of the Plain Dealer. Sixth Circuit Judge of the U.S. Court of Appeals Celebrezze is former Secretary of Health, Education, and Welfare. Mr. Luntz is chief executive officer and treasurer of the Luntz Iron & Steel Co., and Mr. Boardman is editor of the Cleveland Press.

The entire affair sponsored by the National Conference of Christians and Jews was a success. I have spoken before of the great work done in Cleveland by the National Conference of Christians and Jews in the Congressional Record, March 8, 1967, pages 5934–5935. At that time I recounted the history of the conference and many of the worthwhile projects which it sponsors. The conference is "a most worthwhile organization devoted to spreading the concept of human brotherhood."

REAL REFORMS OF CAMPAIGN FINANCING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. Mathias] is recognized for 15 minutes.

Mr. MATHIAS of Maryland. Mr. Speaker, today I am introducing three bills to provide for constructive, comprehensive reforms of political campaign financing. The first bill would repeal the Presidential Election Campaign Fund Act of 1966. The second and third measures would establish a realistic, responsible, and workable program which explicitly couples tax incentives for small contributors with effective requirements for reporting and public disclosure of all expenditures and private contributions.

Throughout our national history, our free elections system has been the bulwark of our Republic. It has given us a forum for free expression, a channel for competition among economic and social groups, and a peaceful path for progress in tumultuous times. The clamor and confusion of American elections have proven to be one of the greatest stabilizing forces in our society, for the electoral process, at all levels of our government, provides an outlet for social tensions and an entry point for new ideas which might otherwise be directed along destructive routes.

During the past two centuries, we have seen a remarkable advance of the suffrage, through the gradual abolition of property qualifications, racial discrimination, and restrictions based on sex. Although we have not yet achieved full democracy in fact, we are fast approaching the day when every adult American, regardless of his or her race, social or economic class, and place of residence can enjoy full participation in our democracy.

While we have so extended the right to vote, we have also greatly altered the ways in which we vote. Mass communications have revolutionized American campaigns. We pioneered among all democratic nations in the political uses of television and direct mail, techniques which now are studied and introduced in other nations, most notably France. But during this decade we have moved past those efforts, into the new era of the punchcard and the poll, or pretested issues, programed candidates and prepackaged campaigns. These new techniques are tremendously expensive. They are glamorous. And to me they are extremely frightening.

Mr. Speaker, the "new politics" has already had three serious effects on our political life. First, while democracy at the ballot box has been greatly expanded, paradoxically the actual conduct of campaigns has become further and further removed from the average citizen. Of course thousands, probably millions, of Americans actively work in one campaign or another. But our increasingly national system of communications has removed decisionmaking in the most important campaign, that for the Presidency, from local arenas to the national stage. Moreover, the issues and atmosphere established during presidential campaigns already have great impact on individual senatorial and congressional elections, and are having an increasing effect on State contests as well, especially as local, and State candidates feel more and more compelled to adopt the expensive, mechanized techniques of broadcasting, mailing, and polling.

Second, the high cost and intricate structure of campaigns has the potential for discouraging many of our finest citizens from entering political life at all. It is no longer true that any man or woman has an equal chance to run for office in America. The opportunity is now shadowed by demands for an efficient organization, for speechwriters and public relations aids, for television shorts, radio spots, billboards, buttons and brochures, for caravans and neighborhood campaign headquarters, and above all for the funds required to compete. In some parts of the country, it is still possible to succeed with a modest campaign, but in many areas a venture into electoral politics seems to promise only a fast trip into debt. The general quality of the freshmen in the 90th Congress is, happily, evidence that many intelligent, public-spirited Americans are still willing to take the chance, but I am not convinced that we will be so fortunate indefinitely, if the present system continues and compounds.

Finally, the "new politics" has acquired, with some justification, an air of professionalism, amorality, and even cynicism which has hardly increased public confidence in public officeholders or in our institutions of government. Of course occasional dishonesty, lack of candor and conscious manipulation of issues have been alleged throughout our history, and are in some respects the price we pay, from time to time, for the freedom we have maintained. But in this difficult and subtle period, we cannot afford votes of no confidence in our executives and legislators.

Mr. Speaker, the House has already taken one progressive step this year by voting to establish a standing Committee on Standards of Official Conduct to develop a realistic and enforceable code of ethics for Members of the House. It is now time for us to take another major step, by passing legislation to lessen the burdens of campaign financing and to require full, timely public disclosure of the sources and uses of campaign funds.

Of course last year, in one of the 89th Congress' most hectic and unwise performances, one system of campaign financing was put on the books. In my judgment, however, the Presidential Election Campaign Fund Act would not solve any of our problems, but rather would compound them. The demerits of this slush fund program have been widely discussed, in the press and in extensive debate in both bodies.

Briefly, as now on the books, the act would provide huge sums—up to $30 million—for each national committee for use in presidential campaigns alone. It does not provide sufficient supervision or restrictions on the use of these tremendous sums. By restricting sizable subsidies to the two major votegetters, it places third parties at a substantial disadvantage. By dividing funds according to parties' expenditures, rather than according to the preferences of contributors, it denies taxpayers any real chance to direct their dollars to the parties and candidates of their choice.

By pouring public funds into only two funnels, those of the national committees, it could seriously unbalance our entire political pyramid. Finally, it does nothing to assist the myriad candidates for congressional, State, and local office who frequently have greatest difficulty obtaining adequate funds, and who are most susceptible for undue influence by large contributors.

Mr. Speaker, the current situation in the other body, and the large number of amendments which have been offered there, dramatize the lack of satisfaction with this act among even its principal advocates. In my judgment, our best course is not to try to improve bad legislation piecemeal, but rather to repeal this measure and start over in an orderly way, benefiting from our recent debates and building on the momentum we now have.

I am convinced that any reforms, to be effective and constructive, should include the following elements:

First, provisions encouraging individuals to contribute directly to the party or political committee of their choice;

Second, a system of partial public support which extends at least to all Federal campaigns, and can potentially reach further to embrace State and local campaigns as well;

Third, requirements for full and prompt public disclosure of private contributions and committees' expenditures, in a manner which promotes public review and understanding of the cost and organization of campaigns;

Fourth, adequate overall supervision by an appropriate body, to insure uniform standards and efficient enforcement of the laws.

Two of the bills I am introducing today would achieve all of these objectives. The first is a slightly modified version of the Ashmore-Goodell bill, approved by a subcommittee of the House Administration Committee last fall and reintroduced this year by its principal sponsors and other Members. I feel that the gentleman from New York [Mr. GOODELL] and the gentleman from South Carolina [Mr. ASHMORE] deserve great credit for their initiative in developing this bipartisan measure, which is a thoughtful and constructive bill making vast improvements in our entire system of regulation of campaigns.

In general, this measure would revise the Corrupt Practices Act to extend its coverage to primaries and nominating conventions, and to modernize its limitations on spending by individuals. Title II of the bill would establish the Federal Elections Commission and require all political committees active in Federal elections, or in more than one State, to file with the Commission detailed statements of organization and reports of contributions and expenditures. Title III would require every candidate for Congress, and every elected Senator and Representative, to file reports disclosing the receipt of gifts and honorariums.

I have made one significant addition to this generally excellent measure, by adding a new section which authorizes the Federal Elections Commission to receive, process, audit, and publish reports on any statements or financial reports voluntarily submitted by campaign committees and organizations which are not required to comply with the provisions of the act. Since the mandatory reporting provisions of the act are necessarily restricted to committees involved in Federal elections or interstate activities, this amendment, while not requiring any compliance with the act by intrastate committees, would expressly permit the Commission to process reports from such committees if they are voluntarily made.

The importance of this amendment is its relation to the second bill I am offering today. This measure would provide a Federal income tax credit covering one-half of the amount of any political contribution up to $20, in the case of an individual taxpayer, and up to $40 in the case of a husband and wife filing a joint return. A number of my colleagues have also introduced bills providing tax relief, through full or partial credit or deduction, to offset contributions to all or some political committees. Many of these proposals, however, restrict eligible contributions to those made to national or State party committees.

The unique feature of my bill is that it would cover contributions to all political committees which comply with the reporting requirements of the Election Reform Act. This provision would obviously embrace all interstate committees, including both national committees, national third party organizations, and special groups organized for nationwide operations in one election or in support of one group of candidates. It would automatically cover all committees operating in elections for the House and Senate, since they would be required to comply with the Election Reform Act. Finally, it could also cover those State and local committees, including both regular party organizations and one-candidate or special-purpose groups, which elect to file statements and reports with the Commission in accord with the modified version of the Election Reform Act which I have outlined above.

The effect of this legislation on all interstate and Federal election committees would be to require them to disclose their receipts and expenditures, according to uniform regulations, and to permit them in return to encourage small contributions with the incentive of a 50 percent tax credit. The effect of the legislation on State and local committees would be to encourage them to make similar disclosures as the price of offering their contributors similar tax relief. In this regard, I might note that, while it would be imprudent, and possibly unconstitutional, to require such intrastate committees to meet Federal standards, it does not appear inappropriate to ask voluntary compliance with such Federal disclosure standards as a prerequisite for indirect support from Federal funds.

Mr. Speaker, under the rules of the House these bills will be considered by two separate committees. I believe, however, that they should be evaluated as a single proposal, one which would combine the carrot of tax relief with the stick of public disclosure. I feel that this is the best way to begin to reform campaign financing, in a manner which both encourages citizens to support the party of their choice, and insure that the public will know what is being done.

THE PRESIDENT'S LEADERSHIP AT A HISTORIC CONFERENCE

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, the American people are proud of the President's performance at Punta del Este. They are proud because they share his belief that the United States is anxious to be full partners in the social and economic development of this hemisphere.

The historic conference at Punta del Este was a success. I believe that we will build on the trust, good will, and understanding achieved among the heads of state in the months and years to come.

We did not go to Punta del Este as bankers or credit counsellors—but as friends of Latin America, committed to their strength and security in the community of nations.

As a result, I think there is greater awareness of our resolve to work as partners and to be responsible and trusted neighbors.

I am glad to report that the overwhelming sentiment of our Nation's press agrees that this conference was successful and gives credit to the one man—above all others—who helped to make it so: Lyndon B. Johnson.

Under unanimous consent I insert a random sampling of these editorials in the Record:

[From the Cleveland Plain Dealer, Apr. 16, 1967]

Self-Help in Latin America

Success of the latest Inter-American Conference at Punta del Este will depend on future action by Latin American leaders.

The area's presidents, after meeting together, always have promised to bring about a better life for the masses of Latin Americans.

This time, spurred by the dynamic presidents of Chile and Peru, there seems to be better hope of forthcoming economic and political reforms. The surface solidarity of the presidents at the conference, barring Ecuador, was encouraging. There was an attitude of self help.

President Johnson's participation was limited, comparatively. He had few financial gifts to proffer at this meeting because the United States Senate put a temporary lock on the purse strings. This had the effect of forcing the Latin American nations to do more active planning. This was good. While the United States can help these nations develop, through financial and technical aid, there are limits to U.S. involvement.

The United States trade volume with Europe is enormous. The U.S. is closer, by heritage to Europe. The cultural differences between the United States and Latin American countries often are formidable.

President Johnson could not commit this nation to significantly increased aid in dollars while he was at Punta del Este. But latest Alliance for Progress reports show that economic growth in Latin America barely has been keeping pace with the rising population. Before the United States thinks of a common market with Latin America, before larger shares of U.S. markets are conceded, there must be much stiffer internal reforms in Latin American countries.

After this sixth Punta del Este conference, the onus for action is squarely on those South of the U.S. border.

[From the Atlanta Constitution, Apr. 15, 1967]

Success at Punta del Este

The Punta del Este conference of Latin American heads of state was a success. Its only contention came as a result of President Johnson's inability to offer specific terms of aid. This was prevented by congressional action just before the conference began, in moves initiated by Sen. Fulbright.

At any rate, the presidents of the American republics approved a declaration of purpose and an "action program" designed to achieve economic integration—a common market—for the Americas. Bolivia was the only nation not represented at the meeting.

The presidents proclaimed "the solidarity of the countries they represent and their decision to achieve the fullest measure the free, just and democratic social order demanded by peoples of the hemisphere."

In summary, the declaration contained the following points:

"Latin America will create a common market. The President of the United States, for his part, declares his firm support for this promising Latin-American initiative.

"We will lay the physical foundations for Latin-American economic integration through multinational projects so as to open the way for the movement of both people and goods throughout the continent.

"We will join in efforts to increase substantially Latin-American trade earnings.

"We will modernize the living conditions of our rural populations, raise agricultural productivity in general and increase food production for the benefit of both Latin America and the rest of the world.

"We will vigorously promote education for development."

If this program can be carried out, productivity of the world's fastest-growing population can be increased. It is significant, although offered substantial American aid, the countries have agreed to do so much on their own. In fact, the conference ended with praise for Mr. Johnson for not coming with promises of sackfuls of new money and pleading instead for more than lip service to their new projects of economic integration and help.

Should the program proceed, Latin American economic development can be speeded up by years. It is yet to be demonstrated, however, how programs of land reform and aid for the masses of the poor will be effected. Also is evidence of a strengthening of the Alliance for Progress.

[From the Boston Globe, Apr. 15, 1967]

Mr. Johnson Steps Lightly

Inasmuch as he is President of the United States, President Johnson had been expected by some of his hosts to arrive at the now ended conference of the presidents of American republics with what some of the delegations described as sacks full of money.

He did not, thanks largely to the Senate Foreign Relations Committee which refused to give him what amounted to a check for $1.5 billion. Thus, a U.S. President, for the first time at any economic conference in years, left not one dollar behind nor even the unconditional promise of dollars to come. And the strange part of it is, Mr. Johnson, formerly at least, was more or less acclaimed for it by the other presidents. The conference had been billed as Latin America's own. It was just that, and, if most presidents were disappointed, they did not put their disappointment into words.

There was some disgruntlement, of course, such as the Ecuadorian president's not entirely unjustified complaint that the United States, now spending billions in Vietnam, has done more for its defeated enemies in World War II than for its neighbors and allies in this hemisphere.

But Mr. Johnson was firm. The criterion he laid down was both new and stern. The contributions which he hopes Congress may authorize in the future will not be niggardly, in his planning, but they will be based on tangible performance of the pledges which the other governments had made to help themselves and to institute real, rather than showcase, social reforms, especially land reform.

Mr. Johnson sounded for all the world like a rich uncle who is closely watching the behavior of his nephews. This could have been upsetting, except that it was accepted in the spirit in which it was meant. The President's rhetoric was free-flowing, but he was careful to predicate his promises on the Congressional debates to come, and, since the Latin American presidents can read the Washington dispatches, too, they knew ahead of time that Mr. Johnson is not exactly a favorite of Sen. Fulbright's committee.

The President pledged that, if the Latin American republics create the common market they have said they intend to create, he, in turn, will ask Congress for a fund to ease their transition to an integrated economy. He promised to ask Congress for other grants as well—all of them conditional—for the Inter-American Bank, for preferential tariff advantages, for agricultural and health programs, for education, for an inter-American science and technology foundation, for exploring the possibilities for the peaceful uses of atomic energy, for establishing Alliance for Progress Centers at colleges and universities in the United States.

Some conference observers have spoken disappointedly of the absence of any illusions of immense success.

But this is good. The world has had enough of its illusions blasted. The conference faced some of the harsh realities of international life. There is progress in that.

[From the New York Post, Apr. 17, 1967]

Footnotes to Punta del Este

After a fitful campaign of several years' duration, in which there were more defeats than victories, the leaders of the Alliance for Progress in Latin America returned to Punta del Este to regroup.

This was a wartime conference of allies, in many ways, and there was no spirit of defeatism or retreat about it. On the contrary, some promising new tactics were agreed on and a sense of comradeship and confidence was generally evident.

The most significant element in that spirit is the surging determination of a new generation of progressive Latin American leaders that their people shall become masters of their own fates, directors of their own destinies. This common purpose may mean infinitely more, at this point, than a common market.

President Johnson's sympathetic statements during the conference and his practice of the pragmatic, personal diplomacy at which he is expert reflected a successful effort by the U.S. to re-identify with that purpose.

He and the other Presidents now know each other somewhat better and there is renewed hope that they may understand each other better. The U.S., even with a limited aid commitment to Latin America, cannot play down its economic influence in the region—its huge investments and the export markets it now furnishes are too great—but the influence can be used far more constructively and creatively.

In the years since the first Punta del Este conference, great gulfs opened up between promises and performance, between Presidents and peasants. Most of them are still widening otday. The contribution of the second Punta del Este conference will be measured by its success or failure in bridging them. It is much too early to assert that we have made a real breakthrough in the basic war between the "haves" and "have-nots" of this continent.

[From the Louisville, Ky., Courier Journal, Apr. 17, 1967]

Punta del Este Turned Out Well

Surprisingly, given the context of the meeting, the conference at Punta del Este has turned out well. The Senate may even have done President Johnson a favor by showing his fellow delegates that our governmental theory of checks and balances really works.

The declaration of aims that crowned the conference is an inspiring one, even if it does to some extent reiterate the unfilled promises of previous gatherings. And although the Senate Committee on Foreign Relations refused to approve a fixed sum of money for the President to promise his colleagues of Latin America, this does not mean that the senators will refuse to go along with his moderate pledges to secure aid for the objectives of the conference.

Indeed, these objectives are what the committee has been urging as applicable to all recipients of foreign aid. They embody a willingness at least to aim for more self-sufficiency, wider trade, improved education, health and housing. With all of these things the committee in general and Senator Fulbright in particular, have usually been in sympathy. It has been the seeming lack of effort on the part of our negotiators to insist on them that the committee has criticized in the past.

While most of the goals, particularly the idea of a common market, must be far in the future, this conference seemed to express a common purpose and a note of unified aspiration that bodes well. If the narrow nationalisms of the past can be merged in some unified effort for the future, then the United States not only should but must furnish all the material aid and moral support it can to help it succeed.

[From the Hartford Courant, Apr. 16, 1967]

Latin American Hopes

President Johnson's statement that he left the conference of American Presidents at Punta del Este "in good heart" happily seems to be a good deal more than diplomatic rhetoric. Even before he went to Uruguay last week, statistics showed that considerable progress in economic development and general living conditions has been achieved since the historic beginnings of the Alliance for Progress six years ago.

Now, in a declaration that is intended as a blueprint for further advances, Latin American heads of state envision a common market in 1985, and important self-help programs in further economic integration, in education, health and technological exchange. If not much time was spent on social reform directly, President Johnson apparently sees this phase of the Alianza dream prospering as the economic situation prospers. In all events, he reminds that economic and social development is a task not for sprinters but for long-distance runners—not to the swift but the strong. And he never said a truer word in optimism or in caution.

But what seems extremely encouraging about not only the conference but the overall picture was the almost fierce pride of self-dependence that ran through the sessions. The Presidents ended by praising Mr. Johnson for not coming to Punta del Este with sackfuls of money, and for pleading instead for more than lip service to new projects for self-help. Small Ecuador does not feel quite the same way, as its interim President, Otto Arosemena Gomez, heatedly pointed out. But as for the rest, the tenor of their discussions was for mutual cooperation and self-aid. And since this was a point on which Congress had been plainly concerned before Mr. Johnson went to Uruguay, such determination not to rely more and more on the United States is as encouraging as it is intrinsically important.

As always, the proof of the pudding will be in the eating—quite literally better eating for the people of Latin America, among other things. One may especially hope that President Johnson is correct in feeling that social reform—one of the two chief aims of the Alianza—will somehow go hand in hand with economic advance. Actually, more concrete thought will have to be given to this matter eventually. But by and large the Punta del Este sessions at the moment appear to merit Mr. Johnson's description of being "extremely valuable."

[From the Baltimore (Md.) News American, Apr. 18, 1967]

Milestone in Uruguay

The summit meeting at Punta del Este in Uruguay was not the unqualified success hoped for by some optimists. Yet it certainly was no failure.

Agreement by leaders of 18 Latin-American nations to establish a Common Market in the area, and to work more closely together to achieve other joint social and economic progress, was undeniably an event of historic importance.

Refusal by Ecuador to sign the pledge of mutual cooperation toward these goals dramatized an undercurrent of South American dissatisfaction with the United States role. Many delegates privately agreed—and with good reason—that the U. S. has woefully ignored their need for massive aid, and even at the conference failed to pledge them the assistance they will require.

On the other hand, this nation also failed to get all it wanted. This final joint declaration contained no reference of the Communist threat to this hemisphere. The U. S. also originally had urged that the long-sought Latin American Common Market be speeded to become operative within 10 years, instead of the 1985 target date fixed at the summit meeting.

Despite the disappointing behind-the-scenes compromises, and the open criticism of the U. S. expressed by Ecuador, the conference ended in a general show of harmony. This in itself was a remarkable achievement, considering vast differences and the intense nationalism that have kept Latin-America divided so long.

What will come of the summit meeting remains to be seen. At best, as President Johnson pointed out, the long and difficult road to hemispheric unity is one that will require the stamina and dedication of long-distance runners.

All concerned will have to prove in acts which will be difficult that their pledges are not mere words. For our part, the U. S. must begin to show in more tangible ways that it realizes the tremendous importance of the task.

If all work together, the fine words proclaimed at Punta del Este can be translated into reality. It is the goal of hemispheric cooperation originally envisioned by the great South American liberator, Simon Bolivar, and it is a goal worth many sacrifices.

A spread of Cuba's communism could be the price of failure.

[From the Providence Journal, Apr. 17, 1967]

A New Tariff System

President Johnson has pledged as emphatically as he possibly could at the Punta del Este summit conference that the U.S. will strive to gain worldwide tariff concessions for developing nations.

Mr. Johnson couldn't have addressed a more appreciative forum. The depth of the prosperity gap in Latin America has few rivals except in the most distresed corners of Southeast Asia and Africa. The leaders who listened to the President are thoroughly familiar with the latest international trade figures that show how the poor nations are getting a smaller and smaller slice of world trade.

Major revisions of tariff policies among the advanced industrial nations is of the utmost urgency. Projections of a decade ago by economic commissions and panels of trade experts, figuring the development rate among poor nations, were much to optimistic. National economies, notably in South America, have been hopelessly outdistanced by the sharply increased birth rate. Food production, rather than booming as was expected under the stimulus of aid, has lagged.

There should be no illusions that a whole new system of tariffs among advanced nations will change all this. But a handful of industrial nations, with a small fraction of the world's population which consumes more than half of the world's output, must face up more squarely than heretofore to the moral overtones of international trade talks.

This imbalance in wealth need not forever worsen. Most obviously, poor commodity-producing nations should be spared sharp price declines for their exports. If production cutbacks are the answer, then impoverished countries with fledging industries need markets in the U.S. and Western Europe. Perhaps Australia offers a shining example of a more liberal trade policy over the import of semimanufactured products of developing nations.

Progress elsewhere will come when a halt is called to the footdragging over flimsy questions like: "What is a developing country?" Hopefully, President Johnson's call for action at Punta del Este will put aside unreasonable cautions over trade concessions to underdeveloped countries.

THE LATE HONORABLE CHRISTIAN A. HERTER

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, in February of this year, our colleague, Bill Bates, of Massachusetts, led the tributes paid to our late distinguished colleague in this House, Christian A. Herter. At that time, I was unable to add my praise of this most distinguished American who served his State and our Nation in many responsible posts in public service, culminating with his appointment by former President Eisenhower as Secretary of State.

For 50 years, Christian Herter gave of his energies and talents in the service of our country, and I am proud to have known him and to have shared his friendship. Even after his tenure as Secretary of State, 1959–61, under President Eisenhower, Christian Herter once more answered the late President Kennedy's call to serve again, this time as our Nation's Special Representative for Trade Negotiations. He worked diligently and with dedication to make our current Kennedy round negotiations in Geneva a success, and our country is indeed in his debt.

The fact is, Mr. Speaker, that it was Christian Herter and the late Will Clayton who joined together in early 1962 to write a proposed liberalized trade policy for our country—a policy that was outward looking and progressive—and a policy which was carried forward with the enactment that year of the Trade Expansion Act of 1962. It was an honor for me to work with Secretary Herter and Will Clayton to help engender congressional and public support for passage of the Trade Expansion Act; they contributed immeasurably to the success of the hearings on our Nation's economic and trade policies which I directed in December 1961, as chairman of the House-Senate Subcommittee on Foreign Economic Policy.

Secretary Herter always evinced a spirit of cooperation with our allies, and he gave of his time and his energy and his full talents to the advancement of our Nation. He began his career as an attaché in the American Embassy in Berlin in 1916–17 until the United States entered World War I. He was assigned to the American delegation to the peace negotiations at Versailles. Later he was an Assistant to Secretary of Commerce Herbert Hoover for 5 years. For 12 years he was a noted member of the Massachusetts State Legislature, and for the last 4 years of his service, he was speaker of the house. For 10 years, from 1943 to 1953, he represented his district and State as a Member of this House, Mr. Speaker, and he brought honor and credit to this body by his good works here. Following his service with us, he was elected Governor of his own State of Massachusets and served until 1957. Then President Eisenhower appointed him Under Secretary of State. Two years later, he succeeded the late John Foster Dulles as Secretary of State, where he served admirably and well.

With men of the caliber, dedication, and wisdom of Secretary Herter, regardless of which political party they profess, we need have no fear for the future of the United States. He was a soldier in the service of his country, and I am proud to salute him on this occasion. It is said, Mr. Speaker, that many are called, but few are really chosen. I believe that Christian Herter answered every call to serve his country, and he was one of those "chosen" to achieve progress for the United States. We all are in his debt, and this House and this Nation are finer places because he dwelt among us for so many years. May God rest his soul and care for his family.

PITTSBURGH IN TRANSIT

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, for 3 days this week, more than 1,000 urban transportation experts from seven States and 25 foreign countries met in my home city of Pittsburgh at the second International Conference on Urban Transportation.

The Pittsburgh industrialists who underwrote the $185,000 cost of the conference brought the experts in to guide them in their plan to make Pittsburgh the "transit capital of the world."

The implications for Pittsburgh and the Nation of this plan were pointed out in an editorial in the Pittsburgh Post-Gazette of April 18, 1967. Under leave to extend my remarks, I insert the editorial at this point in the RECORD:

PITTSBURGH IN TRANSIT

Major American cities are strangling as vehicular congestion grows. Traffic planners grapple desperately with the problem, but their "solutions" are palliatives which serve only to delay the crisis. It would seem there is only one way out of the metropolitan morass—an efficient system of urban transportation.

Happily, Pittsburgh industrialists and business executives are aware of the urgency of the situation and are preparing to take energetic action to meet it. The Second International Conference on Urban Transportation, now being held here, will explore the complex problems of mass transit. As in earnest of their deep interest in the possibilities of providing rapid transit for densely populated urban areas, local industries have allocated $185,000 to underwrite the conference.

More than 1,000 delegates from all parts of the world will hear leading authorities in the field of urban transportation discuss the subject in all its aspects. Engineers will present plans for improved rapid transit systems. Bankers and economists will probe the mysteries of their financing and organization.

Pittsburgh industrialists concerned with urban transportation cannot be accused of timidity. Their aims is simply to make Pittsburgh the "Transit Capital of the World." It might be objected that the antiquated mass transit system of this city could prove an insuperable barrier to the achievement of supremacy in this field. But the group of industrialists sponsoring the ambitious program regard this circumstance as a challenge. They will be able to fashion a modern super-efficient rapid transit system without being hobbled by the necessity of building on an existing system.

The creation of a modern system here would be the primary step to establishing Pittsburgh as the world's foremost producer of rapid transit equipment and hardware. Needless to say, the economic benefits to Pittsburghers would be incalculable. Pittsburgh would reassert its leadership in heavy industry. District businesses and industrial workers would reap huge rewards in the form of profits and wages.

Perhaps the most grateful beneficiary of such a plan would be the weary commuter. After all, the primary objective of any modern transit plan should be to make his journey to and from work as speedy and pleasant as possible. Frederick J. Close, program chairman and board chairman of Alcoa, has put the matter very simply: "If we can't figure out the easiest way to get to and from home, to and from school, or whatever, it's a sad commentary on the human being."

HOMEOWNERSHIP FOR LOW-INCOME FAMILIES

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BARRETT. Mr. Speaker, last year the Subcommittee on Housing and the Committee on Banking and Currency were most pleased to be able to enact into law a new FHA program to encourage homeownership by low-income families by providing a long term loan at a 3-percent interest rate to nonprofit corporations to provide these families with rehabilitated sales housing.

Mr. Speaker, the author and chief architect of this program which has so much potential to help our poor families with their housing problems is our respected colleague, the gentlewoman from St. Louis, Congresswoman LEONOR K. SULLIVAN. She deserves the lion's share of the credit for this excellent new program and, under unanimous consent, I insert at this point in the RECORD an article describing the new program and Mrs. SULLIVAN's role in its achievement by Mr. Hugh L. Morris which appeared in the Sunday Bulletin in Philadelphia on April 16:

UNITED STATES HELPS LOW-INCOME FAMILIES TO BUY HOUSES

(By Hugh L. Morris)

WASHINGTON.—The Federal Housing Administration has put into effect a key part of President Johnson's program to determine if low-income families have the desire and the ability to buy standard homes and to keep them in good shape.

Under the plan, families with incomes low enough to make them eligible for public housing may be helped to buy single-family homes which have been rehabilitated up to minimum local code conditions for safety and soundness.

Prices of the re-done homes will be kept within reach of the families through the help of non-profit organizations such as churches and labor unions and with Federal mortgage money made available at subsidized interest rates.

Technically, the program is called FHA Section 221(h), and unofficially it is known as the Sullivan plan because it was introduced as legislation last year by Rep. Leonor Sullivan (D-Mo), a member of the housing subcommittee.

Mrs. Sullivan said the program had been successfully tried in St. Louis and held great promise for achieving in all cities the joint objectives of rebuilding blighted residential areas and providing standard housing for poor families.

While the Administration wavered between opposition and lukewarm endorsement, Mrs. Sullivan sold Congress on the plan and it became part of the 1966 housing law.

Still the Administration balked over using the program because it involved a subsidized interest rate, but it was put into effect within a week after the President announced it as part of a "low-income housing-ownership pilot program."

"For many American families home ownership is a source of pride and satisfaction, of commitment to community life," President Johnson said. "Some families with low but steady incomes have become the owners of decent, modest homes.

"Their well-maintained homes are often in the midst of slum areas. They are frequently surrounded by substandard homes owned by absentee landlords, where poor families pay rent in amounts much higher than would have been required for ownership of a modest home."

Here is where the Sullivan plan fits in.

The program is intended to encourage rehabilitation of housing for low-income families in stable neighborhoods or to assist in the improvement of a neighborhood through rehabilitation in order to create a stable environment.

Nonprofit sponsors such as churches and labor unions may obtain a direct Federal loan at 3 percent interest to buy and rehabilitate enough dwellings to make an impact on the area—at least five reasonably close to each other.

When they have been renovated, they will be resold to families who have incomes within the public housing range but are acceptable credit risks.

In its regulations, FHA spelled out that the families must "have acceptable credit characteristics evidencing satisfactory credit behavior and the ability to manage income."

In making this determination, FHA said, consideration should be given to the guidance which will be provided by the nonprofit sponsor and to recent evidences of improvement from marginal credit patterns of the past.

The family must put up at least $200, all of which can be applied in payment of settlement costs. The mortgage will be a government loan at 3 per cent interest without an FHA mortgage insurance premium, which will reduce monthly payments about one-fourth below what they would be on an FHA-insured mortgage at 6 percent.

If the family cannot afford to keep the house, it can be sold to another qualified family at the subsidized rate or to any buyer on regular mortgage terms.

CHAIRMAN PATMAN ADDRESSES NATIONAL HOUSING CONFERENCE

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BARRETT. Mr. Speaker, last week, the National Housing Conference met in Washington and once again dramatized the need for greater efforts to meet the Great Society's goals in housing and urban and rural development.

One of the principal speakers at this event was our distinguished colleague, Representative WRIGHT PATMAN, chairman of the Banking and Currency Committee. Mr. PATMAN's remarks are an excellent exposition of the country's failings and accomplishments in the field of housing during 1966.

In his usual forthright manner, Mr. PATMAN calls attention to the fact that mistaken monetary policies drastically curtailed the construction of needed housing in the past year. As Mr. PATMAN notes, new housing starts dropped to 1.2 million in 1966 at a time when the country required a minimum of 2 million new units just to keep up with current demand.

Our colleague from Texas correctly places the blame for this slowdown on the Federal Reserve System's high interest, tight money policies.

Mr. PATMAN's speech clearly established the need for the Nation to get on with its housing and its development programs in both the urban and rural areas. In unmistakable terms, he calls for greater effort to upgrade all of these programs.

Mr. Speaker, I place Mr. PATMAN's speech in the RECORD and commend it to my colleagues:

REMARKS OF HON. WRIGHT PATMAN, CHAIRMAN, HOUSE BANKING AND CURRENCY COMMITTEE, TO THE NATIONAL HOUSING CONFERENCE, WASHINGTON, D.C., APRIL 9, 1967

Good afternoon, ladies and gentlemen. I am happy to be back speaking to your fine group again this year.

Last year, when I met with you at this same conference, the housing industry was just beginning to feel the squeeze of tight money and high interest rates. At the time, I warned you that the Federal Reserve's squeeze would put the entire housing industry through one of the most severe crises it had ever faced.

You people know very well what happened through the remainder of the year. By the end of December, new housing starts had dropped to 1.2 million, the lowest level since 1957. This was 300,000 housing starts below the 1965 figures. And all of these drops came at a time when we needed at least two million new starts in 1966 just to keep up with the current demand.

It will be years before we know just how much damage the Federal Reserve did to the future of housing, urban development, and rural development in 1966. Today, luckily, we meet at a happier time with interest rates on their way down and with the supply of money increasing.

Yes, the Federal Reserve Board has belatedly recognized that it made a most grievous error on December 6, 1965, when it raised interest rates 37½%. It is at long last trying to correct its mistakes. In the process, of course, the Board and some of its propagandists are attempting to re-write history. They are attempting to hide the mistakes of that infamous day—December 6, 1965—and appear as the low interest heroes of 1967.

This is the same old process that we have been going through ever since 1951, when William McChesney Martin took over as chairman of the Federal Reserve Board. The cycle is the same—the Federal Reserve tightens money, raises interest rates, until the economy skids into a recession or a depression. Then, long after the damage is done, they scurry around, cleaning up their mistakes, and finally lowering interest rates. During Martin's term, this up and down process has cost the American people at least $200 billion in excess interest charges.

Before they recognized their mistakes this time, they caused a severe recession in the housing industry, and a slightly lesser downturn in the automobile industry. Other areas of the economy were weakened by this same high interest, tight money policy and it will be some time before we know just what damage the Federal Reserve did to the economy.

In many ways, the Federal Reserve outdid itself in 1966. It actually brought on recessions in parts of the economy at a time when we were in an almost full-scale war in Southeast Asia. Now, I am no admirer of the Federal Reserve, but I am amazed at their ability to cause recessions in a war-time economy. It proves that the Federal Reserve can cause recession and depression, at any time, at any place, and under any circumstances. Nothing stops them—not even a war.

I know that those of you interested in good housing and redevelopment projects feel easier today as a result of the prospect for lower interest rates. But, how long will it be before you are placed in the high interest wringer again? The Federal Reserve has—through its seized independence—the power to do that at any time and you can rest assured that your industry will be put into another tailspin at some future date.

So long as we have a Federal Reserve System operating independently of the policies of the Congress and the Administration, the housing industry as well as the rest of the economy will be facing instability and constant ups and downs. Only basic reform of the Federal Reserve System, which would make it responsive to the people and their elected representatives, will cure the situation. With the memory of 1966 so fresh, I hope sincerely that this conference will speak out for this type of reform. This is the only way that you can be assured of constant, stable progress in the housing field.

And as this group knows, progress in the housing field has been all too slow. Thirty years ago, President Franklin D. Roosevelt, in his second inaugural address, said that one-third of the nation was ill-housed. Since that time, we have spent billions of dollars and enacted all types of housing programs. Yet, we still have at least one-fourth of this Nation inadequately housed.

We are not moving fast enough to wipe out city slums and to redevelop the rural areas of this great Nation. The lag in our housing and development programs can be traced in large part to the stagnating influences of the Federal Reserve System. Each period of tight money and high interest rates has slowed housing construction, creating more and more shortages, and more and more slums. During the Eisenhower Administration, we faced three long periods of stagnation created by the Federal Reserve, and again in 1966, we suffered through a major slowdown brought on by misguided monetary policies.

The Federal Reserve System, as it has been operating over the past fifteen years, has cost this country billions and billions of dollars in lost resources. The country has paid a tremendous price so that the bankers could have a Federal Reserve System to their liking.

I commend groups like yours for making great efforts to bring adequate and decent housing to all Americans. Your efforts have been invaluable in the progress that has been made in this field since the New Deal days. It is just too bad that you have not had the cooperation which you deserve from the managers of our monetary policies. It is too bad that the Congress has allowed the Federal Reserve to seize its independence and has failed to accept its responsibility in the field of monetary policy.

Too often, the Congress has given the country great housing programs, wonderful urban and rural development projects, only to allow the Federal Reserve to take it all away with some stupid monetary decision demanded by the banking community. That's what happened on December 6, 1965.

So, my friends, I would like to talk to you today with great and glorious hopes for the future of housing programs. But that would be misleading, for you know as I do, that these hopes are as tenuous as the whims of the handful of banker-oriented people in the Federal Reserve System.

We might as well face the facts. Under our current monetary system, William McChesney Martin has much more to say about housing than the Secretary of Housing and Urban Development Robert C. Weaver. We have reached a sorry state where all of our great national programs apparently must go hat in hand, to the money managers at the Federal Reserve. Of course, this is contrary to the law, but this is the result of allowing the Federal Reserve to seize its so-called "independence".

Despite the severe handicaps created by the uneven tempo of monetary policy, much has been accomplished in the housing field in the last few years. I think that the Committees on Banking and Currency on both sides of the Capitol can take pride in their efforts to meet the housing and development needs of the country.

The Johnson Administration, I am convinced, is deeply aware of our housing and urban development needs. The Housing Acts of 1965 and 1966 clearly illustrate this fact.

The 1965 Housing Act created a number of new programs. These include the rent supplement program which will add to our efforts to provide decent housing for low income families—and it should be emphasized that this program is designed to add to our present efforts, *not to supplant them in any way*. The response from private groups which have applied under this program has been most encouraging and in the years ahead many low income families will enjoy the benefits of this law.

The 1965 Act also inaugurated a greatly-needed program of matching grants to communities to meet basic water and sewer needs. Already a huge backlog of applications from thousands of communities, large and small, throughout the country has built up attesting to the urgent need for aid in this field.

The 1965 Act also carried the largest authorization ever made for urban renewal grants and funds to carry other programs for a four year period.

In 1966, the Congress enacted landmark legislation in the Model Cities Act. This far-reaching and imaginative approach to community problems is one of the most ambitious efforts ever undertaken to meet the needs of our towns and cities. Its enactment involved many months of hard work by the Committee on Banking and Currency and by the Congress. The Administration has requested the full $400 million authorized for this program and with those funds we can break new ground in combatting blight and improving the lives of our people.

The 1966 Act also made a major change in the low rent housing program by authorizing the lease or purchase of private dwellings for use as low rent housing. The flexibility thus given to the public housing program represents a challenge to local housing authorities to make the most of this opportunity to provide additional housing for the underprivileged.

The New Towns concept embodied in the 1966 Act is of vital importance. This part of the Act may give us a new push towards a really meaningful development program in rural areas.

Taken together, these two bills make the 89th Congress one of the most important in our history in the field of housing and urban development.

Much of the credit for these accomplishments should go to my distinguished colleague from Pennsylvania, Representative Bill Barrett, who is Chairman of the Housing Subcommittee. Bill worked long and hard on these bills and did a magnificent job. Next week, Mr. Barrett's Subcommittee will open hearings on the Housing Bill for the 90th Congress, H.R. 8068, which I know is of great interest to all of you here.

In the present year, the authorizing legislation for new programs is likely to be less controversial while some of the really tough battles will shift to the appropriations process and the fight to get full funding for programs authorized by the 89th Congress.

For well over three decades, the National Housing Conference has been a vital force in the efforts to get the housing legislation our country needs and your support will be needed this year as greatly as ever. It would indeed be a tragedy if the great new programs we have put on the statute books are rendered impotent through failure to fund them adequately.

The fight for funds is never easy in light of the heavy competition for available money. Unfortunately, the enemies of these great housing programs are always coming up with some new scheme to block proper financing.

Currently, we have the Republican-hatched scheme of sending huge blocks of Federal tax money back to the states. The Republican leaders are wildly beating the drums for this plan, apparently in hopes of currying political favor with some Governors and local political machines.

The GOP is very vague about the plan, but figures like $5 to $10 billion per year have been bandied about. It takes no great expert to know that there is no surplus in the budget in the foreseeable future. So just where do our Republican friends plan to get the $5 to $10 billion to give to the state politicos?

Where will it come from? Will it come out of the money earmarked for housing? From old-age assistance? From Veteran's benefits? From the Poverty Program? From the Highway Program? How many of these programs will the Republicans scuttle to come up with the money for the states?

In effect, the Republicans are suggesting that we dismantle—cannibalize—the Federal Government, piece by piece, and ship it to the 50 states. This is exactly what their scheme means. This is a foolhardy, cockeyed idea born out of obvious political desperation.

I hope groups like yours which recognize the need to finance these Federal programs will take a strong stand against this raid on the U.S. Treasury—against this scheme to cannibalize the Federal Government.

The forward-looking positions of the National Housing Conference have done much to shape policy in the housing field for a number of years. I recently looked over a copy of your 1967 legislative proposals. This is indeed an impressive document and I am sure that it will be invaluable to both the Congress and the Administration in the consideration of legislative priorities in the 90th Congress.

I am happy to see that your organization has recognized the critical need to do more in the field of rural housing and small town development. This is an area that has been largely forgotten and which has taken a back seat as the country has atempted to solve its vast urban needs.

However, the needs of the urban, suburban, and rural areas are inevitably linked together. They cannot be successfully separated. The solution must be nationwide. And this means that we are going to have to take immediate steps to upgrade our rural development efforts.

It requires no great imagination to realize that the migration of rural poor adds vastly to the problems of an urban community. The rural poor—often lacking the skills required in an urban community—quickly become another statistic on the city's unemployment rolls. They crowd into areas where housing and public facilities are already in short supply, and where available resources are being vastly over-utilized.

There have been predictions that by 1980, between 75% and 85% of the nation's population will be living in less than 2% of our land area. To me, this seems to be a fantastic waste and a tragic misuse of resources. As our population grows, we must make wider and more sensible use of all types of natural resources, including land, water and air. This means that we will have to redevelop, revitalize, and build up our rural areas and small towns. The answer is not an endless crowding into already overcrowded urban centers.

The rural areas and the small towns are badly in need of help. As many of you know, about half of the nation's poverty is in rural areas, although this section of the country contains less than one-third of the population.

The small towns have many difficulties that are unique to their size. Most metropolitan cities have large, well-qualified staffs, equipped to coordinate development activities and to discover just what Federal programs are available. Most rural communities simply do not have this type of manpower to draw on in pursuing their development goals. To overcome this problem, I am proposing that there be established a "Small Town Administration", designed to coordinate Federal community development programs for small towns. This administration could be established in any one of a number of departments or agencies—Housing and Urban Development, Agriculture, or the Small Business Administration.

The coordination provided by such a "Small Town Administration" could well mean the difference between success or failure in rural development projects.

As part of this upgrading of rural development activities, I would also like to see consideration of a "Federal Public Works Bank" for community developent efforts in small towns. This would help provide the credit that is so often lacking in these areas. Such a "bank" could operate as a guarantee program, very similar to that now provided for housing. In short, this Federal Public Works Bank could be a lender of last resort for the small community sincerely pursuing a development program.

Such a Federal Bank is necessary because the commercial banking system has refused to make money available for this type of development. Of course, this is typical of the banking community. Through the years, many Federal credit programs and Federal banks have been established out of necessity after the commercial banks had refused to meet the credit needs. This has been particularly true in rural areas where farmers have, for years, been dependent on the Farm Credit Administration, and such institutions as the Federal Land Bank and the Farmers Home Administration for credit.

This is part of the history of every Federal credit program—they came into being because the commercial banking system laid down on the job and refused to serve the little people who needed credit the most. The banks have always taken the easy route—the more profitable loans to big business. That is why we need something like a Federal Public Works Bank for rural areas, just as we have needed Federal credit in the housing field.

A third proposal which I would like for you to consider, is the establishment of a "Model Small Towns Program". This could be designed along the general outlines of the urban "Model Cities Program" enacted by the last Congress.

In our efforts to put life into rural development, many Federal agencies can be successfully enlisted. Particularly, there should be close coordination between the Small Business Administration activities and those of agencies dealing with the broader question of community development. Community development and business and industrial development must move hand in hand if we are to have true progress in the small town.

I hope that the National Housing Conference will put its imagination and skills to work in solving the critical problem of rural development. You can perform a great public service by undertaking this effort.

Again, thank you for inviting me here this afternoon. This is a great gathering and I wish you well in your programs for 1967.

THE HOSPITAL EMERGENCY ASSISTANCE ACT OF 1967

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OTTINGER. Mr. Speaker, in the 89th Congress I introduced legislation—H.R. 15969—which would provide the first program of direct emergency Federal aid to critically overburdened and obsolescent hospitals in this Nation.

At that time, I released a report prepared by the Public Health Service showing that 143 hospitals serving 97 communities in 30 States and Puerto Rico were in such critical condition that they were unable to provide the medical service their communities urgently needed. A summary of the report appeared in the CONGRESSIONAL RECORD, volume 112, part 11, pages 14351–14352, in conjunction with my remarks at the time of introduction of my bill.

The response from hospital officials and concerned citizens was overwhelming. Any of my colleagues who wish to learn of the plight of our Nation's hospitals as expressed in the words of the people who run them, may read a selection from the scores of letters of support I received which was inserted in the CONGRESSIONAL RECORD, volume 112, part 20, pages 27053–27054.

Strangely enough, in the face of the irrefutable evidence of their own study, and the moving response from hundreds of hospitals, the reaction of the officials of the Department of Health, Education, and Welfare and the Public Health Service can only be described as tepid.

Not that they denied the existence of the crisis or need for the program. How could they when their own studies confirmed it? No; they conceded it—and apparently chose to ignore it.

On February 2, 1967, I again introduced this legislation with certain modifications and improvements growing out of my discussions with experts in the field. I was joined by several of my colleagues in the House and by Senators MAGNUSON and TYDINGS. Again we have been deluged with letters of support from hospital officials and concerned citizens. It is easy to see from the care and effort that has gone into these letters that the legislation is vitally important to the hospitals and to the health and welfare of our citizens.

But, what is the reaction of the Federal officials charged with responsibility for the medical services of the Nation?

When Dr. William H. Stewart, the Surgeon General of the United States, appeared before the House Interstate and Foreign Commerce Committee to explain the Public Health Service's programs to improve and strengthen needed medical service in the Nation, I asked him about the problem.

I know that my colleagues will be pleased to hear that a year after the publication of Public Health Service report describing the critical hospital situation, the head of the Service acknowledges that there is, in fact, a problem.

In answer to a question pointing specifically to the Public Health Service study and asserting that there is a critical shortage, Dr. Stewart acknowledged:

> This is correct. There are those hospitals with 90 percent (average occupancy) and during this season it gets worse because of the respiratory infection diseases.

And what positive program does the Surgeon General advance to meet it? What comment does he have upon the emergency provision that concerned Representatives and Senators MAGNUSON and TYDINGS have advanced?

The Surgeon General refused to support any program to provide immediate relief for hospital shortages he had just acknowledged to be critical, maintaining that long-term studies were needed to determine the most advantageous long-term hospital investments. He summed up, saying:

> In the President's message, he said he was going to call a national commission on this whole problem of facilities for delivering health services.

Virtually as he was speaking, the New York Times was reporting that victims of minor strokes were waiting 3 weeks for admission to hospitals in New York and coronary cases faced delays of 6 to 12 hours. I am sure that these patients, waiting in corridors and anterooms for care, will be relieved to know that their plight will be studied by a commission—if they live long enough.

To be sure, long-term studies of hospital shortages are needed and desirable of future programs. But we can afford to let people die in the corridors in the meantime?

One aspect of the problem that the Surgeon General felt needed more study was the distribution of hospital services in a community. He offers stricken Americans an option.

> If one looks at the total resources available as all of them—

He said—

> you may be able to balance some of the problems here where you have one hospital that is overcrowded and another one that is not quite so crowded.

An extremely reasonable point, except for the fact that the availability of alternative services is one of the factors that the Public Health Service study took into account in determining whether a hospital situation was critical or not. In fact the report really dealt with critical areas, rather than hospitals.

Mr. Speaker, Americans deserve better. The millions that we spend on research, the millions invested in cooperative planning in partnership in health and other "togetherness" efforts are as chaff before the wind if we cannot get the treatment to the people.

When an area of this Nation is struck by natural disaster—flood, fire, storm, or earthquake—we no longer leave them to shift for themselves, nor do we suggest a commission to study the problem. Why? Because so many would die. What we do is to give the emergency aid that is needed where it is needed.

Inadequate and overcrowded hospitals are becoming the rule rather than the exception—and the surging advances in medical science and technology are being overshadowed by the fact that increasing numbers of people cannot receive even the simplest medical aid because of the inadequate space and facilities. Even the seriously ill are now often denied immediate lifesaving treatment.

The Hospital Emergency Assistance Act of 1967 will help to alleviate this critical shortage.

If the Federal bureaucracy of health will not make available to the Congress and the people the information that is needed to support action, then we will have to rely upon the newspapers and the people who are involved on-the-spot in the beleaguered hospitals. If this same Federal bureaucracy fails to provide leadership in meeting the challenge, then Congress will have to. I insert a selection of letters and authoritative news reports in the RECORD so that my colleagues can understand the scope of the problem and the need to act:

[From the New York Times, Apr. 9, 1967]

WAITING LISTS, EVEN FOR ACUTE CASES, GROWING AT PRESTIGE HOSPITALS HERE

(By Martin Tolchin)

The victim of a minor stroke was placed on a three-week waiting list for admission to a prestige hospital in the Bronx. A Manhattan physician reports that acute coronary cases face a delay of 6 to 12 hours for admission to a prestige Manhattan hospital. The administrator of a prestige Brooklyn hospital reports a one-to-two-week admission delay for patients requiring breast surgery, for diabetics out of control, and for victims of slight congestive heart failures.

"The pressure on all hospitals in town for acute emergency admissions is greater now than at any time in my recollection," said Dr. Lewis S. Thomas, dean of the New York University School of Medicine and a member of the city's Board of Health.

"This is an important problem," Dr. Thomas added, "and medically the consequences [of delay] are bad."

The shortage of hospital beds is caused by the high occupancy rate of the better hospitals. University medical centers and the better voluntary hospitals report occupancy rates of more than 90 per cent. The occupancy rates of all hospitals have increased by about 3 per cent in the last year, with the highest increases reported by the better hospitals.

The lengthened delays have been attributed by many hospitals to Medicare and Medicaid, the Federal and state programs of reimbursement for health care of the elderly or medically indigent. Others, including New York Hospital, a voluntary institution said that the delay in patient admissions had not been materially affected by the programs.

New York Hospital reported an eight-week delay in the admission of what it considered "urgent" cases, such as non-acute gall bladder cases. A prominent internist who asked not to be identified, said that delays in these cases "make surgery more difficult."

The physician said that patients with small strokes should be hospitalized immediately for "complete and exhaustive neurological diagnostic studies," adding: "These studies may produce findings that can be preventive or even lifesaving," he added.

At Montefiore Hospital, a voluntary institution in the Bronx, "98 per cent of emergencies are admitted within eight hours—we break our backs," according to Irving Gottsegen, associate director. The delay in nonemergency cases has risen from two to three weeks before Medicare to six to ten weeks now, he said.

"This delay goes counter to the best interests of the patient," Mr. Gottsegen said. "In the case of a malignancy, and it's a case of a biopsy, a delay could create a serious situation."

Mr. Gottsegen said that the hospital's elderly population had increased from 29 percent to 37 per cent since Medicare.

Mount Sinai Hospital, a voluntary hospital in Manhattan, reported that delays in the admission of elective cases had risen from 6 weeks last year to 10 or 11 weeks, according to Dr. S. David Pomrinse, medical director. He said that the hospital's elderly population had remained stable, but attributed the increased hospital census to Medicaid.

The Hospitals Department reports that the patient population in the 21 municipal hospitals has declined in the last year. An average of 400 fewer patients daily are treated in the municipal hospitals, according to Robert Derzon, first deputy Hospitals Commissioner.

The 21 municipal hospitals are being investigated by six government agencies as a result of allegations of widespread disrepair and chronic shortages of staff and equipment. The hospitals also are plagued by a shortage of nurses, with only 3,200 registered nurses for 8,500 positions.

An 8 per cent increase in one year of patients 65 and over was reported by the Associated Hospital Service of New York for the 215 hospitals with 50,000 beds in the 17-county area served by the association. This means that 42 per cent of the patients are over 65.

Before Medicare, the percentage of elderly patients increased by 1 per cent annually, according to James C. Ingram, vice president of the organization in charge of hospital reimbursement. Also, the hospital stays of older persons are generally longer than those of younger persons, thus lowering hospital discharge rates. For example, Montefiore reported 80 fewer discharges in October than in the same month a year ago.

An over-all 3 per cent increase in hospital utilization in New York City hospitals was reported by Joseph Peters, vice president of the Hospital Review and Planning Council of Southern New York. The council previously maintained that the city had 1,000 unnecessary beds.

"We're no longer saying we have too many beds," Mr. Peters said. "We have enough to meet our needs."

Mr. Peters noted that the increase was unevenly distributed, with a decrease in patients in municipal hospitals and an increase in patients in voluntary and proprietary hospitals. Voluntary hospitals are private, nonprofit institutions. Proprietary hospitals are private, profit-making institutions.

A prominent internist stressed that luck was an important factor in getting a patient admitted to a prestige hospital. Hospitals are less crowded before holidays (when more patients are discharged), and the length of the waiting list varies from day to day, he said. It also helps if the patient's disease is one in which the hospital is especially interested.

This physician said that he often would arrive at the bedside of an acute coronary case and call the prestige hospital where he has privileges. He would ask how long the emergency list was, and if more than four patients were ahead of him, he would then call one of three proprietary hospitals at which he also has privileges.

"Sometimes it's worth while waiting for the large hospitals," the physician said. "You're frank with the patient, and let him decide. There's something to be said for getting a few hours rest at home before going to the hospital."

"If a patient can't wait," he said, "you call an ambulance and take him to any good, voluntary hospital. The doctor's privileges become secondary. The patient is handled by a private doctor on the hospital staff, with your approval, and is transferred to your hospital as soon as a bed becomes available."

[From the New York Times, Apr. 11, 1967]

Nine Hundred and Ninety-Four Violations Found by City in Manhattan Hospital Survey

(By Martin Tolchin)

Manhattan's leading private nonprofit hospitals, including major medical centers, were reported yesterday to have widespread repair and safety problems just as the 21 municipal hospitals do.

Charles G. Moerdler, City Buildings Commissioner, reported that the first comprehensive inspection of the borough's 52 hospitals revealed 994 violations—462 in voluntary institutions, 506 in the eight municipal hospitals and 26 in proprietaries.

The report revealed also that prestige institutions had widespread peeling paint and plaster, piles of debris, leaky ceilings, defective fire escapes and locked exits, among other hazards.

Grant Adams, executive director of the United Hospitals Fund, an organization of voluntary hospitals, asked to comment, said:

"We've known for some time that New York City's voluntary hospitals are fast approaching a crisis, and that one of the major causes of this crisis is the serious underfinancing of hospitals. This has forced hospitals to delay improvements in plant, equipment, and necessary repairs."

THREE KINDS OF HOSPITALS

A voluntary hospital is a private, nonprofit institution. A proprietary hospital is a private, profit-making institution. A municipal hospital is city-owned.

Mr. Moerdler said that "all of these hospitals have suffered years of neglect and abuse, which has taken a terrible toll."

Bellevue Hospital, a 2,500-bed city institution, had the most violations, Mr. Moerdler said. The 190 violation items included peeling paint, broken windows, defective fire escapes and other deficiencies now being investigated by six Government agencies surveying allegations of widespread disrepair in all 21 municipal hospitals.

Less predictable were the 46 violation items listed at the private Columbia-Presbyterian Medical Center. These included peeling paint, defective doors, leaks, obstructed fire passage, locked gates and doors and other hazards. A press representative of the center said that he had not seen the report.

Thirty violations reported at Mount Sinai Hospital, a private institution, included peeling paint and broken plaster; defective exit doors; defective incinerator doors; rusty fire escapes; locked exit doors; storage obstructing stair halls; defective elevators and skylights.

A press spokesman for the hopital said: "We're proud of our engineering department and its preventive maintenance program. But with 28 buildings, inspectors will always find violations."

Flower-Fifth Avenue Hospital, also private, had 28 violation items, including obstructed corridors, peeling paint, obstructed exits, defective doors, and defective sprinkler heads. A hospital spokesman was unavailable for comment.

Voluntary hospitals with more than 20 violation items were Columbus; Joint Diseases; Manhattan Eye, Ear and Throat; Rockefeller Institute; Roosevelt and St. Luke's. Only six hospitals had no violations; St. Clare's, Gracie Square, Regent, Jewish Home and Hospital for the Aged; Italian Parkway and the 9 East 91st Street Hospital.

Mr. Moerdler, who said that he had conducted the inspection at the request of Joseph V. Terenzio, Hospitals Commissioner, commented:

"In the old days, the practice was to find the problems and hide them under the rug. The Mayor's instructions are that the problems are to be faced and solved, not hidden."

GREENVILLE GENERAL HOSPITAL,
Greenville, S.C., February 17, 1967.

HON. RICHARD L. OTTINGER,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN OTTINGER: Thank you kindly for your prompt and informative letter of February 9 relative to HR 4773.

Your understanding and concern for meeting the growing crises of inadequate and over-crowded hospitals is greatly appreciated. The proliferation of federal and other programs has created a demand for hospital services beyond the capacity of many hospitals to provide such services. Medical care programs designed to enhance and introduce new services are needed, of course, in order that the gap between medical knowledge and what is available may be shortened. However, introduction of new service programs must necessarily include parallel consideration for adequate and sufficient facilities. All elements of a program must be evaluated to assure an effective and efficient plan. You are to be commended for your insight into a real national hospital dilemma.

I wish to state some pertinent information regarding our particular situation at Greenville General Hospital:

a. The South Carolina State Plan lists Greenville General Hospital with 556 general care beds excluding psychiatry (25 psychiatric beds). Of the 556 beds, there are 359 (64.5%) which are non-conforming according to USPHS minimum standards, leaving only 197 conforming beds.

b. Greenville General Hospital actually has 600 beds in use excluding psychiatry. In addition, another 34 beds have been set up in nonpatient areas.

c. During the month of January 1967, Greenville General Hospital had from 5–40 patients per day in non-patient areas.

d. Greenville General Hospital had a high adult census of 644 on January 26, 1967.

e. Greenville General Hospital has had an average adult occupancy rate over 90% for several months.

f. Greenville General Hospital had an average occupancy rate for medical and surgical floors of 95.2% for the last three months in 1966. Some nursing units frequently experienced over 100% occupancy during this period.

g. Fourteen new doctors entered private practice in Greenville County during 1966.

h. In 1966, Greenville County had a population of 230,000. The medium projection for 1970 is 256,000.

i. Greenville General Hospital now serves a medical market population of approximately 500,000 people. Approximately 25% of our admissions come from surrounding counties in the Piedmont Region of South Carolina and parts of North Carolina, Georgia and Tennessee.

j. Before July 1, 1966, Greenville General Hospital averaged 90 patients per day over 65 years of age. Now we are averaging 130 patients per day over 65 years of age. We have experienced an increase of 44% in Medicare patients since July 1, 1966.

k. In 1965, there were 14,900 people in Greenville County over 65 years of age. The medium projection for 1975 is 21,100 people in the County over 65 years of age.

l. Greenville General Hospital has waited for Hill-Burton funds for three years and it may still be one or two years before federal funds will become available. Local funds are available but quite limited.

There is one point in HR 4773 on which I would like an interpretation. Under Section 9(d), the Bill reads: "The terms 'expansion' and 'renovation' mean the alteration, enlargement, or remodeling of existing buildings, including initial equipment, architects' fees, and necessary furnishing, but does not mean construction of new hospitals." My question is if an existing nonconforming hospital or a portion of the hospital can become conforming according to USPHS minimum standards only by replacement rather than remodeling, would your Bill authorize replacement of existing facilities and at the most appropriate location? In our situation, the Board of Trustees has purchased another site near the existing hospital for all future expansion as it has been determined inappropriate to expand further at this site.

I have written to our Representative, Honorable Robert T. Ashmore and our Senators, Honorable Strom Thurmond and Honorable Ernest F. Hollings to express our interest in your Bill and request their support for its passage.

Sincerely,

WILLIAM L. YATES,
Director of Planning Services.

PARK FOREST, ILL.,
March 13, 1967.

HON. RICHARD L. OTTINGER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN OTTINGER: Thank you for your letter of March 2, 1967 and the material concerning H.R. 4773, the "Hospital Emergency Assistance Act of 1967."

Your bill is certainly a step in the right direction and will go a long way toward a sensible program of providing health care to our people.

However, I feel that the extent of this act must be much larger. A total appropriation of $58 million would allow the construction of approximately 3,000 hospital beds. In my own State of Illinois alone the urgent need for additional beds is 2,783; and the need for modernization is for another 8,105 beds. The above data are taken from the Illinois State Survey and Plan for the Construction of Hospital and Medical Facilities for the fiscal year 1967.

Using the data for my State of Illinois the total urgent bed need is 10,888. Based on population data we note that Illinois has about 5% of the United States population. Thus, projecting the bed need data of 10,888 additional beds over the entire nation we could assume a bed need in excess of 200,000 beds at an estimated cost of $4 billion.

While this amount may appear staggering I strongly feel that this investment in the nation's health is justified. A program of this impact is likely to fire the imagination of a great many people and it should thus be possible to rally necessary support.

May I mention that during the second session of the 89th Congress, H.R. 13198 was under consideration and provided approximately $1 billion in grants, direct loans, and guarantees of loans for the modernization of our hospital system.

I do hope that you will find it appropriate to introduce such legislation.

With all best wishes for the success of your program.

Respectfully,

PAUL H. WEBSTER.

SOUTHWEST COMMUNITY HOSPITAL,
Berea, Ohio, March 1, 1967.

Hon. RICHARD L. OTTINGER,
House of Representatives,
Washington, D.C.

DEAR SIR: I have learned of legislation you have introduced recently entitled "Hospital Emergency Assistance Act".

My opinion is that this legislation has merit and could be most helpful to hospitals.

The cost of building has become astronomical for many reasons; building code regulations by state and city governments; advances in medical and hospital care which requires very highly trained, costly employees and extremely sophisticated equipment and procedures; high wages of building employees; high cost of building materials; the need for modernized, extensive service areas; the requirements of the national, state and city licensing and approval agencies; plus many other pressures and requirements from the medical, nursing profession and the community.

This hospital is confronted with building a new 250 to 400 bed hospital at a new, hospital-owned site to meet population growth which has doubled since 1956. This project is a part of community approved development plans by the Regional Hospital Planning Board of Northeast Ohio.

The project may cost as much as $12,500,000. Hill-Burton funds may be available not to exceed $3,000,000. The hospital will have available $3,000,000. Up to $2,000,000 may be available from borrowing at high interest rates and probably would be required to be paid off in 20 years or less. The problem confronting this hospital is raising from some source the additional $4,500,000 to $5,000,000.

The hospital now operates 180 beds. Surveys and planning programs indicate that to build additions to the existing hospital is not wise because it represents an inadequate base for an expanded building and the site is too small. Additional land is not available at the present site.

I wish to encourage you to pursue the legislation proposed as necessary to the future development and improvement of the hospital "system" in the United States.

Very truly yours,

LEE S. LANPHER, *Consultant.*

CATV AND THE COPYRIGHT LEGISLATION

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OTTINGER. Mr. Speaker, since the passage of the new copyright bill (H.R. 2512) by the House last week, including my amendment which struck out section 111, I have received a number of inquiries about how my amendment affects application of copyright protection to CATV transmission. The record apparently was not sufficiently clear on this point, and I take this opportunity to try to clarify the situation.

Section 101 of H.R. 2512 clearly includes all CATV transmission within the purview of copyright protection afforded by the legislation.

Section 111, stricken by my amendment, contained certain exemptions from this copyright coverage. By striking section 111, all CATV transmissions were left subject to the bill's copyright coverage. This is so regardless of the outcome of the appeal of the decision in *United Artists Television, Inc.* v. *Fortnightly Corp.*, 255 F. Supp. 177, in the U.S. District Court in New York.

The decision in United Artists Television, Inc. against Fortnightly Corp., affects only application of the 1909 copyright law—title 17, United States Code—to CATV. The court found that even under this old statute, to be superseded by H.R. 2512, CATV transmissions were fully covered. The outcome of the appeal will determine only the liability of CATV for copyright infringement under the 1909 law, and will have no bearing whatsoever on application of H.R. 2512 to CATV transmissions. The discourse in the RECORD of the debate on H.R. 2512 on this subject is subject to the unfortunate interpretation that the district court decision and the appeal will affect application of H.R. 2512 to CATV. This is erroneous and there was no intent that this should be the case.

In my remarks of H.R. 2512 and my amendment striking section 111, I intended merely to point out the existence of the pending litigation with respect to the application of the 1909 statute to CATV. The issue I presented to the House, however, was whether during the period that may elapse before the Committee on Interstate and Foreign Commerce considers overall regulation of CATV and the Judiciary Committee considers any pertinent copyright provisions in connection therewith, CATV should be left fully exempt from copyright coverage as proposed by the gentleman from North Carolina [Mr. WHITENER], and the gentleman from West Virginia [Mr. MOORE], or whether during this interim CATV should be fully covered as would be the effect of my amendment.

Passage of H.R. 2512 with my amendment means that, should it become law in its present form, all CATV transmissions subject to its provisions will be included within its protections.

NEED TO REVISE SELECTIVE SERVICE LAW—L

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, at least 80 percent, and perhaps more of the military personnel are performing services that are very similar to jobs in the civilian economy. A table for the enlisted military personnel skill structure for fiscal 1965 showed the following:

Occupation designation:	Percent of total
Electronics	14.1
Other technicians	7.6
Mechanics	24.5
Crafts	7.2
Services	11.6
Clerical and administrative	19.3
Ground combat	14.4

As we can see, most of the military personnel are engaged in transportation, supplying, bookkeeping, housing, maintenance, overhaul, warehousing, feeding, and overhead. Even with the Vietnam war, I doubt very much whether the percentage of the ground combat troops within the total military structure has risen considerably.

Many of the tasks done by servicemen, however, can be performed by civilians. The Military Establishment is slowly moving in the direction of replacing military personnel with civilians. Assistant Secretary Morris had reported that plans were implemented in the fall of 1965 to release 74,300 military personnel for combat-type assignments by substituting 60,500 civilians. As a result of this, some 13,800 military jobs were eliminated.

Mr. Speaker, I believe that if this program would proceed more vigorously, military manpower needs, through the elimination of unnecessary personnel, could be reduced significantly, and the cost factor could be cut substantially.

WAR ON POVERTY

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HOLLAND. Mr. Speaker, I have been hearing a good deal lately about the alleged "unpopularity" of the war against poverty. Our Republican friends have issued a press release in which they speak of totally dismantling the present program in order to "revive the hopes of the poor and the confidence of the American people." And some of my colleagues on this side of the aisle have expresesd to me their fears that the poverty program is in "deep trouble" in this 90th Congress. I admit, Mr. Speaker, that if we accept the Republican program and tear apart the most imaginative and inventive effort this country has ever made to cope with the problem of poverty, the poor are in "deep trouble." But before we tear down what has been in operation only for 2 years, before we dismantle what we have not yet had time to evaluate, we ought to take a look at the real public reaction to the poverty program.

This reaction, program by program, is a most encouraging one. Not only have the poor themselves drawn new hope from this program, but the very industrial firms and business groups whose outlook and objectives our Republican friends usually echo so faithfully have expressed their confidence in the program—and in related programs to aid those Americans who have not shared equally or fairly in the affluence that has characterized our Nation in recent years.

A recent news story in the Wall Street Journal—a publication not usually thought of as adhering to the tenets of liberalism—demonstrates widespread acceptance of the poverty program, not only as a concept, but as a demonstrably workable reality, on the part of business leaders ranging from the president of the New York Stock Exchange to the National Association of Real Estate Boards.

Another news story—appearing on April 16 in the New York Times—shows how community acceptance of Job Corps centers has grown extremely rapidly.

And yesterday, a number of our colleagues took the floor of this House to express their confidence in the poverty program.

It seems to me, Mr. Speaker, that our Republican friends, in their understandable search for an issue, have decided that if they can say loudly enough and long enough that the poverty program is in trouble, it may come true. The implied threat in their press release, that if the Congress fails to adopt their program to "overhaul"—or keelhaul—the poverty program, they will vote to kill it outright, must be taken seriously. But our Republican friends should also be on notice that they are not necessarily speaking for the American people in their determination to use the problems of America's poor as a political football.

Under unanimous consent I include the newspaper articles to which I had reference at the end of these remarks, as follows:

[From the Wall Street Journal, Apr. 19, 1967]

NEW ALLIES FOR L.B.J.—VARIED MOTIVES IMPEL MANY FIRMS TO SUPPORT GREAT SOCIETY PROGRAMS—JOB CORPS VIEWED AS SOURCE OF LABOR; RENT SUBSIDIES ATTRACT BUSINESS BACKING—A POWERFUL LOBBYING FORCE

(By Alan L. Otten)

WASHINGTON.—"We're in an automobile assembly plant in New Jersey, and I want to tell you about a fellow who's working here now," declares an oft-repeated radio commercial.

"His name is Jackson, Ernest Jackson. Ernest is something of a celebrity. He's the one-thousandth graduate of the Kilmer Job Corps Center in New Jersey to be placed. Ernest now earns over $200 a week. Not bad for a fellow who dropped out of school in the 11th grade. At Kilmer, a lot of young men are being changed from untrained dropouts to skilled craftsmen."

The sponsor of this commercial is not the Federal Government's Job Corps program but International Telephone & Telegraph Co. ITT operates the Kilmer center, and its commercials plug both its own success and that of the Job Corps.

By now, the increasing involvement of private business in public welfare, education, housing and other Great Society programs is well-known; less widely noted, though, is the fact that many companies, particularly the big ones, have become public advocates for the programs they're taking part in or may gain by. Thus, business is turning into an important force for pushing embattled domestic proposals through Congress. The Job Corps is only one of these.

BACKING RENT SUBSIDIES

In Pittsburgh, Action-Housing Inc., a housing rehabilitation group that is an offshoot of a development fund financed by 24 major banks and businesses, takes a public stand that the new Federal rent subsidy program attacked by Congressional conservatives is essential to provide decent housing for the poor.

Prestigious utility presidents, department store owners, bankers and other businessmen are lining up to lobby for generous appropriations for the Administration's "Model Cities" program, while Congressional conservatives aim to slash the proposed funds.

Sometimes business leaders adopt such stances simply because their companies get direct dollars-and-cents benefits from a program, finding new markets for their products or services—much as many firms have long gained from defense and space procurement. Sometimes the interest is less direct: Learning new techniques, acquiring a source of trained manpower, protecting an investment in a slum neighborhood.

Occasionally the business support may stem from a fatalistic feeling that Federal initiatives can't be blocked anyhow and that it's wise to stay on Lyndon Johnson's good side. Or there may be an "if-you-can't-lick-'em, join-'em" approach that reasons business had better seek a voice in shaping programs likely to move ahead anyway.

Whatever the reason, the business support is eagerly welcomed by the Administration.

At the least, it's taken as a sign that a substantial segment of business will continue to give political sustenance to President Johnson and the Democratic Party.

SWAYING LEGISLATORS

More important, though, it comes at a time when Administration requests for new money and new authority are meeting stout resistance in the more conservative 90th Congress. Businessmen can sway legislators whom union representatives, welfare leaders and Democratic lobbyists can't hope to reach.

"Business is what's going to save us," says a White House man. "Business leaders won't be able to change really conservative Senators and Congressmen, but they surely can have impact on some of the more moderate Republicans and Democrats who might not be for us otherwise."

Moreover, the increased business backing coincides with disarray in the traditional Democratic lobbying alliance. The party's big-city machines have crumbled. The Meany-Reuther split and white protests against Negro gains undermine the unity and effectiveness of labor lobbyists. The increasingly splintered civil rights movement no longer swings much weight in behalf of Johnson legislative goals. "The support from business couldn't come at a better time," concludes one high-ranking Administration official.

KEEPING A LIST

Adds an executive of the Housing and Urban Development Department, which expects to benefit from business support for many of its programs: "Each agency has gradually developed a list of firms interested in its field. The Treasury Department, for example, has a blue-ribbon list of businessmen who supported the President's tax policies. We don't keep them turned on all the time, but we know how to turn them on to write letters or make phone calls or testify when necessary—for our own programs or for programs of other agencies."

Probably the most conspicuous business-backed Great Society venture is the Job Corps, which draws backing not only from large companies running the Corps' camps but also from others getting a crack at workers trained in them.

A parade of corporate executives, including General Electric Co. Chairman Gerald Phillippe and Hotel Corp. of America President Roger Sonnabend, testified for the Corps at last year's Congressional hearings. More recently, in February, antipoverty chief Sargent Shriver summoned executives of corporations and other organizations that operate Job Corps centers to a two-day conference in Texas to study ways of improving the program, which won a new ringing endorsement from the group.

A resolution approved at the Texas gathering declared "that we express our support for the objectives of the Job Corps program and pledge the skills and resources of our organizations to its further progress in creating educational opportunities for the disadvantaged youth of the nation." The signers, sure to impress wavering Congressmen, include top officials of Radio Corp. of America, U.S. Industries Inc., Xerox Corp., Burroughs Corp., International Business Machines Corp. and Litton Industries Inc.

"In terms of the economic benefit or payout," said Litton Chairman Charles B. Thornton, "and in terms of savings in the cost of relief, crime and institutional care, there is very much in it for us as businessmen and as responsible members of society."

What's more, a number of business leaders have lobbied with Congressmen on behalf of the Job Corps, some going to Capitol Hill straight from the Texas meeting. And when Nation's Business, the monthly magazine put out by the U.S. Chamber of Commerce, recently ran an editorial attacking the Job Corps, the reply defending the program came not from Mr. Shriver but from R. L. Hale, manager of Westinghouse Electric Corp.'s systems operations division; Westinghouse operates one of the Corps' training centers.

A MESSAGE FROM MONTGOMERY WARD

To broaden the business support, leading businessmen have recorded radio ads urging others to back the Job Corps effort. "I am Robert E. Brooker, president of Montgomery Ward & Co., with a message for all American businessmen, large or small," declares one commercial. "Our business is to serve the public. We rely on well-trained employes in many areas of the merchandising industry—retail sales, automotive maintenance and repairs, warehousing, office management. . . . We at Montgomery Ward have learned that the Job Corps is helping to prepare young people to be productive members of our expanding economy. . . . Remember, when the Job Corps trains, the employer gains."

Similar appeals have been aired by Edgar Kaiser, president of Kaiser Industries Corp., ITT President Harold Geneen; and New York Stock Exchange President Keith Funston.

The Model Cities program now headed for a Congressional appropriations battle also seems to be benefiting mightily from business backing. Last year, just before a crucial House vote, the White House managed to line up 22 leading bankers and businessmen to declare that "America needs the Demonstration Cities Act." The list included such weighty names as Henry Ford II, David Rockefeller, Morgan Guaranty Trust Co. Chairman Thomas Gates, New York Central Railroad President Alfred Perlman and Standard Oil of California Chairman R. Gwin Follis. The White House expects to marshal similar support for the program this year.

HUD Secretary Weaver has been busily reminding lumber companies, paint manufacturers and similar companies of the direct financial stake they have in Federal aid for building and rehabilitating low-cost housing. "Perhaps the most important point we have been making to business and industry," he said in a Washington speech this week, "is that the private profit motive and the national interest can merge at exactly the point of the greatest urban need—and that is help for low-income families."

LOOKING FOR BENEFITS

Despite their traditional fervor for economy in Government, individual businessmen have never been reluctant to back Federal programs directly helpful to their own balance sheets: Roads or ship channels to improve their access to raw materials or to markets; airline and shipping subsidies; home mortgage guarantees. In today's business backing of Great Society efforts, there's often the same sort of direct-benefit expectations.

Thus producers of audio-visual materials lobby for enlarged aid for education. Electric and gas utilities strongly support the Federal-state program to spur Appalachia's economy; a spokesman for them testified before the Senate Public Works Committee recently in support of the Administration's bill to extend and expand the program, and the utility men stand ready to buttonhole key House members if necessary.

Railroads, including the Pennsylvania, and rail equipment manufacturers such as Westinghouse Air Brake Co. have been influential in starting and expanding Federal aid for development of rail transit for commuters. "Pennsy was able to reach people we never could have hoped to get," a White House man reports.

Many companies are in Government programs to develop future profit potentials. "The key phrase is new markets and new techniques," says one Administration man. "Everyone is looking for these, and they think their involvement in Government programs can help.'

Certainly many Job Corps contractors have been diversifying into the educational field; new training techniques developed at the centers can be applied in their private business. Government-aided tenement rehabilitation effort by U.S. Gypsum Co. and other building material companies involve experimentation with new types of wallboard, heating systems and other products that may find private buyers later on.

SEEKING STABILITY

Some firms supporting the Model Cities program have a less obvious stake than selling paint or wallboard; department stores, utilities, banks and transit companies want to protect their large investments in central cities through rehabilitation of slum areas. Many of these companies have a similar stake in job-finding, health care, education and other programs to help Negroes and other urban poor; not only do these programs create or preserve customers, but perhaps they may also avert property damage from rioting and looting by dissatisfied slumdwellers. "Most big business has a real stake in community stability," a spokesman for one of the mayors' organizations asserts.

Often, business and other groups participate in and support certain Federal programs for fear of more drastic Federal action. Thus, the National Association of Home Builders and National Association of Real Estate Boards support the Administration's Model Cities and rent subsidy programs not only for the obvious reasons—to stimulate building activity and to get more houses for poorer people—but also to help kill off straight public housing.

"The rent supplement program, if adequately funded, can be the most successful approach yet devised to provide badly needed housing for millions of low-income families," the Home Builders told the Senate Appropriations Committee last year.

SAVING THEIR OWN MONEY

Some industries back Government programs at least partly so they won't have to pay the bills themselves. When paper companies back Federal grants to local governments for new waste treatment plants to combat water pollution, they can't help reckoning that if the taxpayer doesn't pay for these new plants, the paper companies themselves may have to.

Certainly, though, the changed business attitude toward Great Society programs must be attributed in part to conviction of the need for Government action. Many large companies are now headed by a new breed of corporate manager—not men owning and running companies they built themselves, but rather production experts, salesmen, lawyers, engineers and other professional types. Many of these men have been in Government or served as Government consultants; they are not terrified that business will inevitably be swallowed up in any business-Government partnership.

Some of them honestly see a Federal role in many areas that business can't fill. Early this year Henry Ford urged businessmen to "support rather than oppose well-considered Government programs to accomplish what Government can do and business can't do."

"There are many tasks that business can't do well," Mr. Ford said, "because it has neither the resources, the abilities, nor the incentive."

[From the New York Times, Apr. 16, 1967]

JOB CORPS BASES GAIN ACCEPTANCE—MOST AIDES OF COMMUNITIES NEAR CENTERS NOW APPROVE

(By Joseph A. Loftus)

WASHINGTON, April 15.—Most Job Corps centers are now rated as assets to their neighboring communities.

That is a change of opinion in many cases. Community relations had been one of the Job Corps' most threatening problems.

William P. Kelly, director of the Job Corps, which is one of the training programs in the campaign against poverty, wrote to mayors, police chiefs, editors and Chamber of Commerce officers about a month ago.

He asked for a "Frank and honest appraisal" of how the center near them had benefited their community, how the young people participated in community affairs, how they engaged in community projects, and how the center had proved to be a good neighbor.

Mr. Kelly was pleased enough with the responses to make them available.

Camp Breckinridge, which virtually started off with a riot in August, 1965, and frightened a half-dozen communities in Kentucky and Indiana, is one of the examples of improved community relations.

POLICE CHIEF IS PLEASED

Charles West, Police Chief of Henderson, Ky., wrote that the Breckinridge center "has benefited our community not only from the monetary standpoint, but it has brought to this city some of the finest people I have ever met and I sincerely hope they remain here. The center has definitely proven to be a good neighbor."

Mayor J. Earle Bell of Morganfield, Ky., wrote that Breckinridge "has added many fine citizens to our city who are to us now just home folks."

The responses of newspaper executives and employes were, on balance nationally, favorable to the Job Corps centers, but in certain instances the newspaper people were sour minorities among the local observers.

In the case of Breckinridge, for example. Mayor Charles Pryor Jr., of Sturgis, Ky., wrote that "we have had no difficulty with corpsmen on their visits here." But E. C. Calman Jr., editor of The Sturgis News, said "you got to be joking" about the center's good neighbor qualities.

"It's a classic example of Government waste, misuse of funds and poor management all the way. Should be abolished" he said.

Camp Kilmer, in Edison, N.J., had been in difficulty with neighboring communities, too, but John C. Beitz, Chief of Police in Piscataway, N.J., wrote that "since July, 1966, relations between this community and the Kilmer Job Corps center have improved tremendously."

NOT A "WELCOMING"

Kenneth W. Michael, editor of The Evening News in Perth Amboy, N.J., agreed that there had been improvement in local relationships since new disciplinary measures were adopted last July, but he commented that "presently, the attitude of the residents of Edison Township toward the center has been one of enduring rather than welcoming."

The corps has 120 centers. Opinions were solicited from four persons in each of 71 communities near 35 of these centers. These included all the urban centers then in full operation—10 men's and 13 women's—and 12 conservation centers.

The 284 requests for opinions brought 111 replies. Seventy-eight supported the program; one expressed strong opposition; six were generally negative without stating opposition; 26 were either simple acknowledgments of the director's letter or indicated that the community was too remote from the center to measure any impact.

There were no replies dealing with two urban centers, Camp Atterbury in Indiana and a women's center in Huntington, W. Va.

Of the 78 supporting letters, corps officials said 17 indicated that there had been apprehension or a negative attitude prior to the establishment of the center, and that present support was based on actual experience.

COMMUNITY WORK A FACTOR

The replies indicated that community relations had improved not only because of stricter discipline but also because of contributions the corpsmen had made to communities by cleaning up parks and other facilities, assisting in emergencies, repairing toys for children. A reciprocal social, recreational, and religious integration of corpsmen and local residents was also cited.

Walter E. Nolte, president of the Lincoln, Neb., chamber wrote.

"The young people in the centers have participated in community affairs to the limited extent that such groups are able to enter into the rather tight social and civic enterprises of a community like Lincoln.

"Suffice it to say that the instances in which the corpsmen have cooperated in such civic events as the centennial opening and their work with Lincoln Community Council agencies have made for themselves some friends and admirers where possibly there were objectors to the program before."

Tyler Munford of the The Urban County Advocate in Morganfield, Ky., wrote that the Breckinridge center "has been a tremendous aid to our local economy" because "many of our people are employed there."

"LABOR IN LEARNING"

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, 53 years ago today, a massacre occurred. It was not of Indians by the U.S. cavalry; the event is hardly deemed worthwhile inserting in the American history books offered to American children.

I am referring to the Ludlow massacre of April 20, 1914, in which 19 persons, including two women and 11 children, were gunned down by the Colorado Militia and a private security agency. These 19 persons were miners and members of their families living in a tent camp at the site of a mine operated by Colorado Fuel & Iron Co., at Ludlow.

Mr. Speaker, an interesting article on the lack of fair treatment of the contributions to our American life by organized labor appears in the March 1967 issue of Steel Labor, publication of the United Steelworkers of America. This article is based on "Labor in Learning," an intensive study by Will Scoggins, of the faculty of El Camino College, in California.

Mr. Scoggins' study was centered on textbooks used in the 11th and 12th grades of Los Angeles schools. He documents the extent of misleading information spread in textbooks about the labor movement in use every day.

Mr. Speaker, I ask unanimous consent to insert in the Record at this point the text of "Forgotten History," from the March 1967 issue of Steel Labor, and the text of the conclusions of Mr. Scoggins' study.

Forgotten History

Unions do not receive fair nor adequate treatment in high school textbooks.

This long-held contention by union members and officials has been supported by two recent studies of textbooks. One textbook study in California stated:

What is included in the textbooks "invites, encourages and even demands an anti-labor position from the reader." In another study of the teaching of industrial relations in high schools, Cornell University Professor Robert Doherty concluded:

"There is no question in my mind . . . that by and large students receive an inadequate often distorted and sometimes biased picture of the role of labor unions and the practice of industrial relations."

The California study of textbooks in the 11th and 12th grades of Los Angeles schools was made by Will Scoggins for the Institute of Industrial Relations at the University of California in Los Angeles. Scoggins teaches at El Camino College in California.

In his study, Scoggins examined the treatment of unions in 33 textbooks—18 history books, 10 books on government and five on American problems.

Scoggins found, for example, that "strikes are usually portrayed as exceedingly violent and accomplishing nothing." Very little, if any, attention is paid to the economic causes of strikes or that more than 95 per cent of all labor-management agreements are reached without strikes.

His study of the textbooks led Scroggins to the following conclusions about the Los Angeles textbooks:

1. They are "almost totally lacking in anything that could offend, or excite, the white, middle-class youngster who may read them."
2. Not a single labor topic, except industrial vs craft unions, was adequately described or explained in the majority of textbooks.
3. Not a single U.S. History text did more than mention the political activities of unions—"despite the fact that the very educational institution the student now occupies is, at least in part, a result of such activities" on behalf of free public schools.
4. Only two history books went beyond mentioning the all-important labor-management practice of free collective bargaining.
5. Students were led to believe that poverty has been largely eliminated by the superior productivity of the American economy, and the accumulation of great fortunes is prevented by the levying of 92 per cent taxes on high incomes.
6. None told the student about the public employment service, a service he will most likely to have need of shortly after graduation.
7. None told the students about disability insurance.
8. None made a case for public assistance programs.

Scoggins closely examined what the textbooks had to say on strikes and lockouts, political activity of unions, injunctions, such labor legislation as the Wagner Act and the Taft-Hartley Act, so-called "right-to-work" laws, collective bargaining, automation, social-economic welfare legislation, individual and corporate income taxes, government and the economy and the productivity of labor.

One textbook ("The Story of Our Land and People") had this to say about strikes: "During a strike, everybody loses: workers, owners and the general public."

Another ("West's Story of Our Country") said this about strikes: "In many ways, the workers suffer more from a strike than anyone else . . . The general public suffers, too. Strikes are a wasteful way of settling disputes."

"In virtually every textbook analyzed," Scoggins wrote, "the emphasis on violence during work stoppages is extremely pronounced, and graphic illustrations reflect this point."

In "Our American Republic," a cartoon is reproduced from the National Education Association Service showing two big thugs whose names are "Strikes" and "Rumors of Strikes" beating up a very small, helpless man whose name is "Public Welfare." In the background, a man called "Congress" comes to the rescue, carrying a large paddle called "Tighter Labor Laws." The caption for the cartoon is "Won't They Ever Learn?"

As for the books' treatment of unions' political activity, Scoggins said he searched in vain "for a recognition in some form" that unions and their members have made "indisputable contributions toward establishing some of the laws and institutions which are now generally considered basic to a democratic society."

"In only two of the textbooks analyzed," he noted, "the author mentions that a young state legislator in Pennsylvania, Thaddeus Stevens, in 1832, pushed through the first practical, successful, tax-supported school bill in the U.S., with workingmen's backing."

Scoggins also pointed out that less than one-fourth of the History, Government and Problems books gave an adequate description of an injunction.

A majority of the textbooks gave inadequate treatment to the Wagner Act and 7(a) of the National Industrial Recovery Act although, Scoggins observed, the student should know that "these laws were passed to correct practices widely offensive to the civil rights of employes" such as blacklisting, the yellow dog contract and the use of labor spies, he added.

In addition, only three of the 33 books adequately explained some of the basic rights of workers—the right to organize a union and to bargain collectively with their employer.

On so-called "right-to-work" laws, Scoggins found that 20 of the 33 textbooks avoided any mention of laws banning the union shop.

Since collective bargaining "is the accepted policy of the United States by law," Scoggins wrote that he felt collective bargaining should be given sufficient space to contrast it with the more violent character of past American labor-management relations.

The founding Statement of Policy in the Wagner Act, still unchanged, asserts: "It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate those obstructions . . . by encouraging the practice and procedure of collective bargaining and by protecting the exercise of workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment . . ."

More than three-fourths of the History texts analyzed are silent on the procedures and practices of collective bargaining, and well over half of the Government and American Problems texts are inadequate in their handling of the subject, Scoggins found.

The textbooks either skip the subject of automation or treat it briefly despite its importance to students as future employes, Scoggins noted.

As for social-economic welfare legislation, he stated there "is an implication found in some books that any welfare legislation is tantamount to charity and a handout."

In treating the government's role in the economy, Scoggins said such a role is an accomplished fact and the students should have a knowledge of what part government spending plays in their economic lives. However, he found that regulatory agencies are given extensive treatment but in very few books did he find even a mention of the Government's positive actions in contributing to the economy—the subsidizing of new industries, the grants of aids, the loans, the research and development funds, the protection for private enterprise."

Scoggins also found that most of the textbooks skipped the fact that rising wages and the standard of living of American workers have been made possible because of the "extra-ordinarily high labor productivity." Seldom does the reader find an explanation that the rising productivity of labor may justify a raise without actually increasing the cost of manufacture.

"Most often one finds that the account of rising wages for American labor are simply the result of great power and coercion brought to bear by labor unions, and that quite naturally management will respond by raising the prices of products," Scoggins stated.

But if textbooks make labor look bad, he noted, they "manage to err" on the side of making the rich look good. One textbook observes that "if a taxpayer earns over $200,000 in a given year, he must pay federal income taxes of over $156,000 plus 91 per cent of the excess over $200,000." The text manages to ignore tax loopholes which enable those in the $200,000-or-so tax bracket to pay far less than the text indicates. Nor does it mention the fact that a man with $1 million income pays only about 26 per cent of that amount in taxes by taking advantages of loopholes.

He also noted that most textbooks stress the wealth of the U.S., especially compared to Russia. He cited one text, in disputing a claim by Karl Marx that workers would become poorer and poorer, which asserted: "Quite the contrary has actually happened. The economic gap between workers and owners has narrowed almost to the point of extinction, especially in the U.S."

So you didn't know you were making as much as Roger Blough!

LEGACY OF M'CARTHYISM—FEAR IN THE CLASSROOM

Will Scoggins also had some observations to make about the teachers in the high schools in Los Angeles County who taught the subjects covered in his study. He said he found a "good deal of real fear present among teachers." Although the era of McCarthy may have ended, "the influence of the John Birch Society, or other intensely interested groups in the communities' schools, certainly has not," he wrote.

He observed that the "political opinion of the teacher, if strongly held, is perhaps more important in shaping the content of instruction than the course of study, the textbook, the amount of material available, or even the teacher's immediate knowledge of his subject." He found that "an overwhelming number of teachers did not know that it was the public policy of the U.S. government to encourage collective bargaining." One teacher told Scoggins "these kids from labor homes are radicals and bordering on Communists."

CONCLUSIONS

(Conclusions from "Labor in Learning," published by the Institute of Industrial Relations, University of California, Los Angeles)

I began this study with an observation and a question. The observation was that the overwhelming majority of non-college bound high school graduates become, within the first year after graduation, members of the work force—drawing their livelihoods from somebody's employ. The question asked what these young people are taught about what it means to be an employee. The students are primarily the progeny of middle-class parents; and as a result of a generation of relative affluence (and, of course, of child labor laws brought about largely by labor's insistent pricking of the legislative conscience), they have had, at most, only a vicarious acquaintance with the actual workings of the economy. What they know of labor, social legislation, and the government's increasing participation in that economy has, I assumed, most likely come from newspapers, family conversation, friends' wonderings, and, presumably, the schools of their neighborhoods. I chose to investigate the last of these sources, using analyses, interviews and questions, and perhaps even some speculation.

The U.S. History, U.S. Government, and American Problems textbooks now in use in high schools in the county of Los Angeles are extremely varied in title but remarkably similar in format and content. They are glossey, attractive, colorful, simple to read, and almost totally lacking in anything that could offend, or excite, the white, middle-class youngster who may read them. As in the old-fashioned romantic novel, the forces of light and of darkness are pitted against each other, but only in the dim past of the eighteenth and nineteenth centuries. In those distant times, these books admit, tempers flared and violence erupted, but by the powerful and persuasive (and almost totally mysterious) workings of superior American statesmanship on both sides of any possible controversy, and by an overwhelming faith in law and order, the crises passed and the millennium approached. About the only stain remaining on this otherwise immaculate image is the problem of getting big business and big labor to understand that they must now work together as a team in the public interest. And this problem is surely solvable by the impartial intervention of the national government to act as arbiter—without, of course, disturbing the free enterprise system, or the right of labor to organize and bargain collectively. Poverty has been largely eliminated by the superior productivity of the American economy, and the accumulation of great fortunes is prevented by the levying of 92 percent taxes on high incomes. No foreign ideology has ever succeeded in seducing the American from his devotion to private enterprise, individual initiative, and personal responsibility, and the power and wealth of America today is positive proof of the superiority of these convictions.

Not a single labor topic, except industrial vs. craft unions, was adequately described or explained in the majority of the textbooks. Not a single U.S. History text did more than mention the political activities of unions, both historically and presently—despite the fact that the very educational institution the student now occupies, is, at least in part, a result of such activites. Only two history texts went beyond mentioning the all important labor-management practice of free collective bargaining. None told the student about the public employment service, a service he will most likely have need of shortly after graduation. None told him of disability insurance. None made a case for public assistance programs.

By a perusal of today's textbooks, few students will be diverted from the "great man" theory of history. George Washington launched the nation, Madison was the "father of the constitution," Jackson gave the masses the right to vote, Lincoln freed the slaves, F.D.R. saved the nation during the Depression, and, if you please, Samuel Gompers created the American labor movement. The history of the nation is portrayed as the work of earlier-day Matt Dillons and men from U.N.C.L.E., who single-handedly stood against hosts of wrong and, naturally, triumphed. There is little to indicate that collective action or mass pressure may often have forced the "great man" to act in the manner now considered great to keep his elected office. And there is most certainly very little which will apprise the student of the techniques employees have historically used to become members of the middle class, a class to which most high school students seem to aspire.

The teacher of the social studies, who works from these textbooks, is himself a highly mobile product of the lower middle class who has achieved middle-class comfort and laid claim to professional status. He has done the first by hard work at more than one job and the second by presumption. His formal education in industrial relations is almost nonexistent, and he regards any acquaintance with labor unions as vaguely damaging to his image. He sees himself as mildly liberal but associates the concept with Jefferson rather than with Walter Reuther. His teen-aged charges often baffle and enrage him. He despairs of breaking through their peculiar adolescent barriers and their comfortable complaisance. He has little faith in himself, and even less in his colleagues, to rouse his students to high-minded idealism. He is tired.

In summary, this study has revealed serious shortcomings in the textbooks' treatment of the labor movement and social-economic security legislation. Textbooks overgeneralize; they distort the import of labor's role in the history of the American success; they may even exaggerate that success itself in the hope of satisfying ardently patriotic boards of education; they may be too fervent in their proclamations of the middle-class ethic of accumulation and consumption. But, even, so, they do contain some basic facts. The student can learn something of labor's past and even of labor's present; he can learn the details, if not the spirit, of such relatively noncontroversial subjects as the Social Security Act.

What is also most distressingly missing in the classroom is not just the basic information. It is the will to teach the subject of labor and the will to learn it. The liberal teacher, tired and sometimes even cynical, too often believes that labor has reached the "dry rot" stage, that its evangelism is gone, its earlier promise of a brighter tomorrow largely fulfilled. The conservative teacher, circumspect and sometimes even suspicious, more often believes that labor is "too big" and a dangerous threat to the economic stability of the nation. And both men are apt to believe that the presently alleged misdoings of James R. Hoffa are representative of the American labor movement today.

A large number of today's young people are undoubtedly conservative and even given to authoritarian direction, if that direction includes the security of a clean, well-paid occupation with professional status. They are unrealistic about their prospects and about the problems they will encounter. But, apart from their haircuts and their dating habits, they seem to reflect their parents' thinking almost exactly; and from a cursory perusal of polls, one gathers that the parents' thinking on the subject of labor is almost identical to the teachers'.

So, I have come full circle: from all parts of the perimeter echoes the opinion that labor is in trouble; its "image" is tarnished, its contribution misunderstood. Among those people who have been most obviously elevated by the historic successes of labor, the people who now call themselves "middle class," disillusionment and distrust seem to be hardening into apathy and hostility. The teachers, the students, and most certainly the textbook publishers are apparently mirrors of the public opinion. And the public opinion of labor today is not high.

My original observation is correct and obvious to any adult now employed and perhaps threatened by the encroaching labor force of the high school graduates. The answer to my original question, in spite of questionnaires, interviews, check lists and tally sheets, remains equivocal. Young people are being taught, albeit with a melodramatic emphasis, what it meant to be an employee in the crafts or laboring class—up to 1935. They are not being taught, at least in their social studies classes, information which can realistically be applied, and which I deem vital, to their contemporary expectations of entering the work force.

THE FEDERAL FINE ARTS AND ARCHITECTURE ACT CAN BEAUTIFY OUR PUBLIC BUILDINGS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REUSS. Mr. Speaker, I am introducing today H.R. 8991, to foster high standards of architectural excellence in the design of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings. The Senator from Maine [Mr. MUSKIE], is today introducing an identical bill in that body.

My bill would provide for Federal public buildings and post offices in the 50 States the same sort of expert advice on design and decoration, and on selection of architects and artists, that the Fine Arts Commission gives for Federal structures in the Capital.

The bill establishes a Public Advisory Panel on Architectural Services in the General Services Administration. The General Services Administrator is directed to appoint to the panel for 3-year terms at least 12 architects from persons in private life, professionally engaged in architecture, landscape architecture or city planning, and at least six representatives of allied fields, including painting—at least two, sculpture—at least two, the decorative arts and crafts, and interior design.

This provision gives statutory recognition to the substantially identical panel now existing in the General Services Administration by Executive order. The Chairman of the panel is to be the Commissioner of Public Buildings Service, General Services Administration.

The Chairman of the National Endowment for the Arts is charged with the duty of recommending panel members to the General Services Administrator. In turn, the Chairman of the Endowment is directed to consult with the National Council on the Arts, and with the various advisory panels of the National Endowment for the Arts in preparing lists of nominees. The General Services Administrator is also directed to give due consideration to nominations submitted by established national organizations in the fields of art and architecture.

The duties of the Public Advisory Panel on Architectural Services, with respect to all Federal buildings and post offices outside the District of Columbia, are to recommend to the General Services Administrator and to the Postmaster General criteria for selecting architects and artists for public buildings and post offices; to review design standards and guides; to advise the Administrator and the Postmaster General in the selection of architects and artists for buildings designated by the Administrator or the Postmaster General as nationally significant; and to advise the Administrator or the Postmaster General with respect to the acceptability of architectural designs or works of art proposed for individual projects.

The bill would not interfere in any way with the duties of the Fine Arts Commission within the District of Columbia. The bill sets up the separate Public Advisory Panel on Architectural Services under the General Services Administration, rather than using the Fine Arts Commission, because the members of the Fine Arts Commission are fully occupied with their concerns in the District of Columbia. It would be an impossible burden for them to advise concerning Federal buildings and post offices to be built outside Washington.

The second major feature of the bill, section 4, authorizes the appropriation of a cumulative fund to acquire and maintain works of art for Federal buildings and post offices outside the District of Columbia. The amounts authorized are equal to 1 percent of the amount appropriated during the preceding fiscal year for design and construction of public buildings outside the District of Columbia.

By administrative order, the General Services Administration has, since 1963, permitted funds not to exceed one-half of 1 percent of the estimated construction cost of a Federal building to be used for works of art "if the architect-engineer recommends some form of art embellishment, and if the limit of cost indicates some measure of funds available."

Projects carried out recently or under design include interior fountain sculpture in the Federal office building in St. Louis; a ceramic title mural in the Federal office building in Cincinnati; carved wood panels in the courthouse and Federal office building in Denver; interior and exterior mosaic murals at the customhouse and Federal office building in Los Angeles, and stained glass panels in the courthouse and post office in Gainesville, Fla.

The 1-percent cumulative fund to be set up by the bill has three major advantages over existing projects.

First. The continuing threat that highly desirable artistic embellishments will be squeezed out of a building because of other cost problems would be avoided, since the funds for works of art would not be tied to the cost of specific building projects, as at present.

Second. The fund would also allow a decision to include works of art at the earliest stage of planning. The artist could be selected at the beginning and would work with the architect throughout the design and construction of the building to assure that the artistic embellishment would be an integral part of the building and not something stuck on as afterthought.

Third. The fund would allow the Administrator of the General Services Administration and his advisers flexibility to make larger allocation of funds for art for Federal buildings where beauty is of particular importance. Thus, much more than 1 percent of the construction and design cost might be allocated for the acquisition of a major art work or works for a Federal building that would be a landmark in the center of one of our cities. On the other hand, use or location might dictate little or no spending for art in other buildings. In all cases, the amounts allocated would be determined according to expert judgment of the need for artistic embellishment, rather than by a procrustean formula.

As we look at the Federal buildings around the Nation, we must conclude sadly that all too often we have not built well because we have neglected the delight that comes from works of art and from outstanding architecture.

Little attention and money has been devoted to adorning Federal public buildings outside the District with appropriate works of art. During the depression, the New Deal gave hungry artists jobs and put murals and other art works in public buildings. But the United States soon slipped back into its old ways.

Recent Presidents have concerned themselves with the architecture of Federal buildings, and with what their appearance can say to us and to the world about America. President Johnson has pointed out that—

> A scene of beauty can enlarge man's imagination and revive his spirit.

This thought should be our watchword as we provide for better art and architecture in Federal buildings.

The text of the bill follows:

H.R. 8991

A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes to be known as the Federal Fine Arts and Architecture Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the purpose of this Act to provide—

(1) for the maintenance of high standards of architectural design and art for public buildings and post offices outside the District of Columbia; and

(2) a program for the acquisition and preservation of suitable works of art for public buildings and post offices outside the District of Columbia.

SEC. 2. For the purposes of this Act—

(a) The term "Administrator" means the Administrator of General Services.

(b) The term "public building" shall have the same meaning as is provided in section 13 (1) of the Public Buildings Act of 1959.

SEC. 3. (1) The Public Advisory Panel on Architectural Services is hereby established in the General Services Administration. The Administrator shall appoint to the Panel at least twelve (12) distinguished architects from among persons in private life professionally engaged in architecture, landscape architecture, or city planning, and at least six (6) distinguished representatives of the fields of art allied to architecture, including painting (two members, of whom one shall be experienced in mural decoration), sculpture (two members, of whom one shall be experienced in sculpture related to the architectural environment), the decorative arts and crafts (one member), and interior design (one member), and such appropriate representatives of the Federal Government as the Administrator may desire to serve ex officio. The Commissioner, Public Buildings Service, General Services Administration, shall be chairman of the Panel.

(2) The Administrator shall appoint the public members of the Panel from nominations submitted to him from time to time by the Chairman of the National Endowment for the Arts, who shall recommend at least three persons for each position in a professional field for which a public member is to be appointed. The Chairman of the Endowment, in preparing lists of nominees, shall call upon the National Council on the Arts and the Endowment's advisory panels covering the fields of architecture, painting, sculpture, the decorative arts and crafts, and interior design, for advice and assistance, and shall give due consideration to any nominations submitted to the Endowment by established national organizations in the respective professional fields of art and architecture.

(3) Each public member of the Panel shall serve for a term expiring in one of the first three years succeeding the year in which he is appointed, as designated by the Administrator at the time of appointment, subject

to the limitation that not more than one painter and one sculptor may have a term scheduled to expire in the same calendar year. No public member of the Panel shall be eligible for reappointment for a term beginning less than two years after the expiration of his third consecutive term.

(4) Each public member of the Panel shall receive compensation at the rate of $50 per diem for each day on which he is engaged in the performance of his duties as such, and shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

(5) In order to insure that Federal public buildings outside of the District of Columbia, and buildings leased to the United States for use by the Post Office Department, outside the District of Columbia, may be enhanced by beauty, dignity, economy, utility, and suitable works of art, the Panel shall have the following functions:

(a) Develop and make recommendations to the Administrator and to the Postmaster General as to criteria for the evaluation and selection of, and contractual relationships with, architects for public buildings and Post Office buildings, and with artists for works of art related to the total design concept of such buildings.

(b) Review General Services Administration design standards, criteria, guides and procedures and recommend to the Administrator and to the Postmaster General any necessary or desirable changes to further the objectives and purposes of this Act.

(c) Advise the Administrator and the Postmaster General in the selection of architects for the design of nationally significant buildings designated by the Administrator or by the Postmaster General, and of distinguished artists recommended by the architect of such building or by the Panel to work with the architect at the early planning stages.

(d) Review and advise the Administrator or the Postmaster General with respect to the acceptability of architectural designs or works of art proposed for individual projects designated by the Administrator or by the Postmaster General.

(6) Meetings of the Panel shall be at the call of the Chairman or by request of three or more public members. The Panel shall maintain such records as are necessary and render such reports and submit such recommendations as may be requested by the Administrator or the Postmaster General or otherwise considered by the Panel as necessary to discharge its responsibilities under this Act. With the approval of the Administrator or the Postmaster General specified functions of the Panel may be performed by subpanels designated by the Administrator or by the Chairman of the Panel.

SEC. 4. The Administrator and the Postmaster General are authorized to acquire and maintain works of art for public buildings or for post offices, respectively, outside the District of Columbia. In addition to any amounts otherwise authorized, there is hereby authorized to be appropriated for this purpose in each fiscal year, to remain available until expended, an amount equal to 1 per centum of the total amount appropriated for the preceding fiscal year for the design and construction of public buildings outside the District of Columbia. The Postmaster General shall endeavor to secure a similar level and quality of works of art for buildings outside the District of Columbia leased to the United States for use by the Post Office Department.

SEC. 5. The Panel shall provide recommendations to the Administrator and to the Postmaster General concerning the artists and works of art under Section 4. The Panel may, where appropriate, recommend to the Administrator and to the Postmaster General, respectively, the holding of competitions for the selection of artists and of designs or models of works of art.

THE TEACHER CORPS A VITAL TOOL IN DEVELOPING HUMAN RESOURCES

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WOLFF. Mr. Speaker, today across the Nation children who have never felt the challenge to learn, and with it the hope to aspire to more than the poverty of their parents' lives, children who have never been given a headstart, or even a decent break, are passing through the barriers of ignorance into a new realm of personal growth and responsibility because of the dedicated efforts of a new kind of teacher.

This is the work of the Teacher Corps which has already proven its incalculable value to the lives of culturally deprived children, as a stimulus to our entire school system, and as a vital tool in developing the resources of our Nation.

A program as potent, as successful as this, whose results are new hopes, new talent, and new lives of service, must not and, I trust, will not, be allowed to end in this Congress because of shortsighted economy.

APPRECIATION TO RESCUE MISSION ALLIANCE OF SYRACUSE, N.Y.

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HANLEY. Mr. Speaker, in our press to provide for the needs of those among our people who are less fortunate or are disadvantaged, we of the Congress seem to sometimes lose sight of what private organizations without any Federal tax moneys are doing for people imprisoned by poverty. And in this regard I would like to share with you some observations about one such community organization which happens to be celebrating its 80th anniversary this week of April 16. I am speaking of the Rescue Mission Alliance of my hometown of Syracuse, N.Y.

One night in 1887, in a small basement store sandwiched between a restaurant and a Chinese laundry, the newly formed rescue mission held its first meeting. And there under the motto "No Creed But Christ; No Law But Love," began a story of help to needy people which continues into tomorrow.

For many of those early years the founders of the rescue mission concentrated on a traditional format of Bible reading, sermons on temperance and morality, and on providing a bed and hot meal for stranded and needy men. In those days, too, was forged the spirit of dedication which has persevered through times of mockery, indifference, and adversity and which has guided the mission in its life of service to men and the community.

The mission progressed in its work and in its importance to the people of Syracuse and it soon became common to see the mission barge *Good News* plying the waters of the Erie Canal or to hear the mission brass band as it gathered a crowd for a curbside meeting. Steadfastly holding its course, the mission provided for the sick and the weak through one phase of development to another, from boom times to bust and depression. Always the same intention and guiding spirit—to serve God by serving man—was kept in mind by those who directed the mission.

The mission continues today, through the eight services provided to people living in the inner city areas and to those unable to cope with the problems of life in modern society, to exert its influence on the community. Even in a time when there are great amounts of money being dispersed through welfare and antipoverty programs, the work of the mission is as involved and as vital as when it began its struggle some 80 years ago.

The mission lodging house provides shelter and food for homeless and transient men and for migrant workers and for men suffering from some personal handicap which decreases their ability or which erodes their desire to live in our competitive society. This physically secure environment plus access to counseling and to religious exercises and an active work therapy program does much to restore the men's personal dignity and self-motivation and leads ultimately to return to normal life.

The mission workshop, besides aiding resident workers to learn a skill, aids as many as 80 physically, socially, or mentally handicapped persons daily with job rehabilitation and with steps to outside employment. Here many find a road to economic independence where their ability, not their disability, is cultivated and find, often for the first time in their lives, that there is a real chance for them to live on their own.

The Helping-Hand Stores and Thrift Shops supply budget-minded shoppers with clothing and furniture renovated by handicapped workers and thus enable low-income families to fulfill needs they otherwise could not afford. These shops also are one of the basic sources of money for the support of the workshop which is totally self-sustaining.

An integral part of the rescue mission program is the neighborhood missions which are the spiritual centers serving the needy people of the community by offering a helping and understanding hand together with guidance toward good citizenship through spiritual and character-building activities. These are the front lines for the mission and are situated in the areas being served to offer ready access to all seeking help and consolation.

The family service provides counsel and guidance and direct aid to families in need, including food, clothing, and employment. This is perhaps one of the most vital programs of the mission as it involves the basic social structure of the family with all its personal and community ramifications. It is here that the mission demonstrates its advantage over other types of public assistance in being able to involve itself in the very roots of the many problems of the poor—all of which in one way or another relate to the lack of strong family ties and identity. It is here that the mission can suggest and provide a bedrock upon which to begin reclamation of human lives. In effect, the mission seeks to create a new sociability in the poor and disadvantaged by creating the "new man" of spirit as preached in the Gospel.

Many see this part of the program in its surface features as the prelude to the work of some newly formed antipoverty projects, and indeed with its preschool child care, teenage activities, and adult programs it does proximate other projects. But to the mission workers who began this phase of their ministry 42 years ago it was just another stage in the centuries-old Christian war on poverty.

The mission, through its Youth and Children's Center, its Boys Council, and its summer camping program, provides constructive health and recreational opportunities along with a spiritual atmosphere in which to build a strong Christian foundation for today's youth. This base then is expanded to acquaint the boys and girls with the responsibilities of citizenship and adulthood.

Thus, we have in Syracuse a vital, active ministry which involves itself in the problems of the people without regard for religious denomination, race, or ethnic background.

As important as its work is, the mission is also distinguished for its leadership body. If the program can be said to be the expression of any group, it is the result of the carrying out of the consciences of many of the leading community leaders in Syracuse. These are the men who compose the board of trustees and the advisory council and who are the main supports of the mission both morally and financially. We are indeed fortunate to have in our city men who are as willing to act as they are to speak—men like Donald W. Darrone, president of the board of trustees, and like Clarence L. Jordan, executive director of the mission. It is under their guidance that the mission is able to meet its obligations to the people whom it serves. It is with their encouragement that other community leaders and public and private groups contribute in the general effort to provide the necessary money and talents to help those who cannot help themselves.

The rescue mission has not had an untroubled history in Syracuse and is even now in the midst of a campaign to finance purchase of a building to replace a storage and shop facility which was destroyed by fire last July. But even with this setback, the mission presses onward toward its centennial celebration.

Perhaps Syracuse is about to see the mission enter a new phase in its relationship to the people whom it serves and this may well be the trend in all its activities in the balance of this decade. There is a growing feeling that the mission has not been active itself in promoting self-help projects among the disadvantaged and has not been as concerned with doing what the poor themselves wanted as with doing those things which some nonpoor body decided was best. Mr. Clarence Jordan feels that this is an area which will be developed in the near future to effect a greater exchange of ideas between the people and the mission as to the types of programs which the people think are most necessary and beneficial. The day of the charity dole from the wealthy is not acceptable to the mission—there must be a true Christian sharing and helping. With this in mind, Mr. Jordan suggests that some area committees will be formed to work with the mission boards in planning and guiding any future projects.

The Rescue Mission Alliance may not have all the answers to the terrible plight of poverty, but in its 80 years it has demonstrated a capacity for hard and determined work on behalf of the less fortunate, it has made visible contributions to the alleviation of the symptoms of the poor and to the reconstruction of the lives of those unable to make it on their own. The mission tells a glowing story worthy of tribute of men and women dedicated to helping others in the true spirit of Christianity—because they care.

But how can anyone who has not experienced the work of the mission appreciate the way it really helps the people who participate in its activities? How can you or I know what it means to a child of the slums to see a lake and a forest stream, or for a mother to see her family together again, or for a man to realize that he has returned from the brink of despair and has begun the road back to life in the world around him? We probably never will fully understand the impact that the mission program has on its people, but we can appreciate the fact that a real and evident good comes from its work. In any language or culture this is laudable and meritorious, and I would like to join with the whole of Syracuse and Onondaga County in thanking the rescue mission for its work and in wishing it many more years of successful fulfillment.

FIAT PLANT IN RUSSIA

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Rees] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REES. Mr. Speaker, in recent days we have heard some criticism of President Johnson's policy of building bridges to Eastern Europe. The proposal to participate in the Fiat plan to build an automobile plant in Russia has been singled out. I would like to set the record straight on some facts concerning the Fiat proposal.

First. The Fiat plant in the Soviet Union will be built whether the United States participates or not.

Second. U.S. participation, through the Eximbank, amounts to less than 10 percent of the total cost.

Third. The $50 million worth of machinery and equipment which the Fiat company seeks to purchase from American manufacturers are also available from a number of Western European sources.

Fourth. The machinery and equipment are primarily those used for the production of light automobiles.

Fifth. As the Central Intelligence Agency has pointed out, this first step by the Soviet Union toward meeting the consumer needs of its citizens in the field of private transportation can only lead to further commitment of Soviet resources in this sector of their economy. They will need to produce steel, tires, and gasoline. They will have to build highways, gas stations, garages, restaurants, motels, et cetera. Commitment of their limited resources for these purposes cannot help but be in our long-term interests.

Sixth. The credits will be made available to Italian financial institutions and at customary market terms.

Seventh. No military or intelligence organization within the U.S. Government has taken the position that supplying the machine tools will adversely affect our national security.

Eighth. Every item considered for export under the Fiat proposal will be subject to scrutiny under the Export Control Act, with its strict safeguards and review procedures.

Mr. Speaker, in the face of these hard and uncontestable facts, I do not see how anyone can rationally portray the Fiat proposal as being contrary to our national interests.

MAJOR GENERAL TOFTOY, A GREAT AMERICAN

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Jones] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, our Nation has lost one of its dedicated space pioneers, the father of the Army's guided missile system, and a truly great American, Maj. Gen. Holger N. Toftoy.

We were pleased and honored to be able to count General Toftoy as a resident of our district for the many years he headed the Army's guided missile activities at the Redstone Arsenal in Huntsville, Ala. His unstinting efforts for the growth and development of north Alabama endeared him to the hearts of all citizens there.

But the entire Nation owes tribute to General Toftoy for his unceasing work to advance the Army's missile systems. It was in this field that he engaged his considerable talents, ability, and knowledge in both technical and administrative endeavors.

General Toftoy is due a major credit for the recruiting of German rocket scientists to this country. Their technical abilities, along with his own expertise, speeded the success of the United States in the missile field.

As a first-rate soldier, General Toftoy distinguished himself in service in Europe during World War II. He was decorated with the Bronze Star, the Legion of Merit, and the Army Commendation Medal.

It was during the war that he used his technical skills to invent an underwater system of mine control.

After the war, the first U.S. rocket flight was executed under his command as chief of the Rocket Branch of the Research and Development Division of the Ordnance Corps.

During the early 1950's he urged launching of a missile program and the Army's famous Redstone missile was developed under his guidance.

General Toftoy's exceptional abilities were recognized as the Nation's missile program grew and he was assigned progressively more responsible posts with the program.

He served as director of the Ordnance Missile Laboratory at Huntsville and then was commanding general of Redstone Arsenal in Alabama from 1954 to 1958. He then served as commanding general of the Aberdeen Proving Ground in Maryland until his retirement in 1960.

His rare combination of technical and administrative ability, his perseverance in pushing for development of missile systems, his unselfish service to his country—all were outstanding traits of General Toftoy, admired and respected by those of us who knew him. Time will not erase our memory of his dedication and achievements.

Tomorrow he will be buried with other heroes of our Nation at Arlington National Cemetery.

To his family, I offer my deepest personal sympathy at his death.

MORE 3-DAY HOLIDAY WEEKENDS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GIBBONS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I am today joining in sponsoring legislation to shift the dates of four of our national holidays so that they will be observed each year on a Monday, which now occurs only on Labor Day.

This change would provide four more 3-day holiday weekends making possible longer family recreational trips and increased tourist activity. It would also reduce the disruption in many businesses caused by midweek holidays and would no doubt stimulate new business for hotels and motels, transportation facilities, recreational activities, and a host of others.

Under the proposed legislation, Washington's Birthday would be celebrated on the third Monday in February; Memorial Day on the last Monday in May; Independence Day the first Monday in July; and Veterans Day on the second Monday in November.

Mr. Speaker, there is strong support for this legislation. A survey conducted by This Week magazine revealed that 90 percent of those polled favored changing some of our holidays. A similar survey by the U.S. Chamber of Commerce showed that 85 percent favored the change.

I hope this proposal is promptly considered by the House. I feel it is in the best interest of all of our people.

COMMUNIST ORIGIN AND MANIPULATION OF VIETNAM WEEK

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. EDWARDS of Louisiana. Mr. Speaker, on March 31, the Committee on Un-American Activities released a report entitled "Communist Origin and Manipulation of Vietnam Week." This 55-page document spelled out, step by step and fact by fact, the beginnings and the development of the New York and San Francisco demonstrations of April 15 against the war in Vietnam, and also the campus demonstrations that took place during last week.

The report was widely publicized in leading newspapers throughout the country. It did much, I am certain, to alert the Nation to what could be expected at the Vietnam week demonstrations organized by the Student Mobilization Committee and the Spring Mobilization Committee. Persons who had read the report, packed as it is with facts about Communist manipulation of these demonstrations, were not surprised that an American flag and draft cards were burned, that the Sheep Meadow in New York City smelled of burning bananas, that more Communist literature of all types was probably distributed during the April 15 demonstrations than on any other occasion in the history of our country, and that our President, our Secretary of State, Secretary of Defense and our Government in general were denounced and vilified by the speechmakers at the rallies.

Just a few weeks ago, I and other Members of the House heard the Committee on Un-American Activities and its work attacked on the floor.

In my view, the facts reported by newspapers in all parts of the country about the demonstrations I have referred to prove beyond question the accuracy of the committee's report and the care with which it was prepared. However, I do ask, Mr. Speaker, permission to place in the RECORD at this point comments on the committee report written by two nationally syndicated and highly respected columnists—David Lawrence in his column of April 4, and James J. Kilpatrick in his column of April 16.

[From the Evening Star, Apr. 4, 1967]

RED LINK TO VIET PROTESTS SEEN

(By David Lawrence)

A big furor was stirred up by the "liberals" recently when it was discovered that the Central Intelligence Agency was paying some of the expenses of student groups which, while abroad, obtained information concerning Communist operations in various countries. But there is a strange silence when the House Committee on Un-American Activities reports to the public that "every major, large-scale demonstration against the war in Vietnam which has taken place in this country has had all-out Communist support."

Rep. Edwin E. Willis, D-La., who is chairman of the committee, goes even further as he describes the link between the Vietnam demonstrations in this country and the Soviet government. He declares:

"We must face the fact that certain activities are being carried out in this country by persons who are not dedicated to the principles of our form of government and who use the claim and mask of dissent for no other reason than to try to conceal the fact that their allegiance is to a power other than that of the United States government."

In the foreword to the report, Chairman Willis does not mince words. He says that deliberate deception "is not dissent, but conspiracy" and that the "underhanded attempt to manipulate public opinion" in the United States and stifle full and open debate by pressure tactics is the true objective of Communist-inspired movements in this country.

The report gives the names of individuals connected with Communist-front organizations in the United States who have been the principal force behind the project known as "Vietnam Week," which is to begin on next Saturday, April 8. The committee says flatly that the conference at which the "Vietnam Week" was planned "was instigated and dominated by the Communist party USA and the W. E. DuBois Clubs of America." It adds:

"Communists are playing dominant roles in both the student mobilization committee and the spring mobilization committee. Further, these two organizations have unified their efforts and are co-operating completely in their purpose of staging on April 15 the largest demonstrations against the war in Vietnam ever to take place in this country."

The House committee, moreover, doesn't hesitate to criticize Dr. Martin Luther King for his decision to assist the movement. The committee says:

"Dr. Martin Luther King's agreement to play a leading role in the April 15 demonstrations in New York City, and his freeing Rev. James Bevel from his key position in the Southern Christian Leadership Conference to head up the spring mobilization committee, are evidence that the Communists have succeeded, at least partially, in implementing their strategy of fusing the Vietnam and civil rights issues in order to strengthen their chances of bringing about a reversal of U.S. policy in Vietnam."

Congressional committees are criticized from time to time for delving into controversial questions. But there never has been such a persistent effort to abolish a committee as has been witnessed in the last 10 years in connection with the efforts of many Communist-inspired groups to bring about the abolition of House Committee on Un-American Activities.

Chairman Willis points out that there are many persons who are participating in the anti-Vietnam war demonstrations who do not really know that they are aiding the purposes of the world Communist movement. He says:

"As Justice Frankfurter indicated (in a 1961 decision of the Supreme Court), the

Communists make it a practice to try to enlist, and seem to have great ability in enlisting, in support of their projects persons who would not give their support if they knew the full truth about them."

The committee report concludes that, if the instigators and organizers of "Vietnam Week" are successful in turning out large numbers of people for the demonstrations in New York and San Francisco, this can be attributed primarily to the Communists and will be an indication of their strength and the extent to which they are able "to influence and manipulate non-Communist Americans."

[From the Evening Star, Apr. 16, 1967]

"Vietnam Day": An Exercise in Subversion

(By James J. Kilpatrick)

Two weeks prior to yesterday's "Vietnam Day" demonstrations, the House Committee on Un-American Activities published an excellent white paper reviewing and exposing the antecedents of the peacenik protest.

In the nature of things, sad to say, the committee's report received scant attention. Campus intellectuals, New Leftists and professional pinks have done so effective a job of smearing the committee that HUAC's papers tend to be discredited before they are read.

It is a pity that the committee's measured, temperate, and heavily documented report of March 31 was not more widely heard. For the committee established, beyond cavil, that plans for yesterday's demonstrations were Communist dominated from start to finish. These protests were about as spontaneous as an exercise in close-order infantry drill.

Now, this is not to say that a great many sincere pacifists and non-Communist liberals were not active in the sponsorship. The committee's point, which it supports with overwhelming evidence, is that the pacifist students were recruited for these marches primarily to further the aims of the Communist party. It is true that none of the officers of the final Mobilization Committee is a Communist. It is equally true that these officers were placed in their positions by the avowed Communists who were running the show.

"Vietnam Day" in New York and San Francisco had its genesis in a proposal last spring by Bettina Aptheker for a nationwide student-faculty strike in protest against American involvement in Vietnam. No doubt surrounds her position. In an open letter to fellow students at Berkeley, she asserted in November, 1965, that "I have been for a number of years, I am now, and I propose to remain a member of the Communist Party of the United States."

Bettina's original idea, advanced in the journal of the Communist-front DuBois Clubs of America, was to stage the strike in September. This failed to jell. She then organized a planning committee to put together a December meeting in Chicago. Among her 32 co-sponsors were three fellow-members of the DuBois Clubs, three members or officials of the radical Students for a Democratic Society, and a couple of hold-overs from the old Free Speech Movement at Berkeley.

By early fall, Bettina and her friends were able to mail out 20,000 copies of a printed appeal for support. Their list of sponsors grew to 282 names. The "Chicago Peace Council," an organization created in the summer of 1965 by a mixed group of Communists, pacifists, and New Leftists, became the vehicle for action.

Roughly 250 persons attended the Chicago conference on December 28–30. The delegates came from 16 States, Puerto Rico, and Canada, and from 49 colleges and universities. Among those manning the registration desk was Joel Britton, Chicago organizer for the Socialist Workers Party (the Trotskyist Communists). Three Communist organizations set up literature tables. Among these was the Progressive Labor Party (PLP), the Peking-oriented faction of the U.S. Communist movement.

The PLP was not altogether happy with the outcome. One of its delegates wrote in the party's official publication that the Chicago conference "was dominated by the Communist Party of the United States, the DuBois Clubs, and the Young Socialist Alliance." Other delegates disagreed with Bettina's idea for a student strike; they doubted that sufficient anti-war sentiment could be organized on enough campuses to make a respectable showing. On the final day of the conference, a decision was reached to stage a "Vietnam Week" instead.

While all this was going on in Chicago, a parallel "Spring Mobilization Committee" had been organized by 150 persons attending a meeting in Cleveland. By the PLP's own description, this too was "a coalition of Communist Party revisionists, Trotskyites, and liberal-pacifists." Arnold Johnson, public relations director of the Communist Party, was a sponsor. So was Bettina herself. Al Richmond, executive editor of the West Coast People's World, became a leading promoter.

In January, these twin streams merged in a Student Mobilization Committee with offices in New York, Berkeley, Los Angeles, Chicago, Cleveland and Nashville. Behind a camouflage of sponsoring organizations, the Communist role began to disappear. Publicly, at least, the ball passed to so prestigious a figure as Martin Luther King.

No one who troubles to read the House Committee's report will be deceived by the false front of pacifist liberalism erected in front of "Vietnam Day." In its origin, planning and execution, this exercise in subversion was a put-up Communist job.

A WORD ABOUT THE QUIE BILLS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Zablocki] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, today I wish to say a word about the bills introduced by the gentleman from Minnesota [Mr. Quie], which would substitute block grants to the States for the administration's elementary and secondary school program.

That word is "disaster."

As one who long has been working for an equitable share of educational assistance for those schoolchildren who chose to attend nonpublic schools, I believe the present system, enacted by Congress in the Elementary and Secondary Education Act, provides a practical and effective—if partial—answer to an important national problem.

The Quie bills would destroy that system for an untested, untried formula which has never had 1 day of committee hearings. Instead, its proponents amend it on the run from day to day in order to meet the growing number of legitimate criticisms about its effects. Constant amending has given the Quie bills a kind of "now-you-see-it, now-you-don't" quality.

No amount of manipulation, however, can obscure the wrecking-bar approach which this proposal would take to the present system—a system which generally has proved workable and effective in providing assistance to schoolchildren regardless of the kind of school they choose to attend.

In my home State of Wisconsin, for example, there have been demonstrable benefits under the present program. All schoolchildren have benefited from textbooks and library resources. Those children in greatest need have, in addition, been able to obtain such services as remedial reading, speech therapy, and science education.

The Quie bills can provide no assurance that those programs could or would be continued under a formula which would channel funds through the State education agencies. Given the State constitution in Wisconsin and the traditional views of State education authorities toward the nonpublic schools, thousands of our children might once again be disinherited.

It is my understanding that similar situations exist in at least 33 other States of the United States.

After the long years through which many have fought for recognition of the rights to public assistance to children attending nonpublic schools, the setback implied by the Quie proposals would indeed be tragic.

At the same time, in fairness, it must be noted that the Quie proposals contain a provision which I myself have long supported and on which I have authored legislation.

Under section 703(2) of the Quie bill of April 20, provision is made for giving the use of laboratory, audiovisual and other such instructional equipment to non-public-school children and teachers. Ownership would remain in public hands.

My bill, H.R. 8203, would do essentially the same thing while keeping the laboratory and special equipment programs under title III of the National Defense Education Act, as they are now.

H.R. 8203 is designed to close the "defense education gap" caused by the fact that public schools are given Federal grants to buy such equipment, while nonpublic schools are eligible only for loans of 10-year duration at about 4 percent interest annually.

As a result of title III programs, nonpublic-school children have benefited from less than 2 percent of Federal funds spent in this area—and that in loans only.

They have been seriously shortchanged in this important area of defense-related education.

Since title III of the National Defense Education Act lapses in 1968, however, it now seems appropriate to provide such equipment to all schoolchildren through an amendment to title II of the Elementary and Secondary Education Act.

Although the Quie bills have included such an amendment, there are no assurances that it could ever be implemented under the block-grants approach.

I am, therefore, currently preparing legislation which would amend title II of the Elementary and Secondary Education Act to add laboratory, audiovisual, and other special instructional equipment to the textbooks and library resources which already may be provided to both public- and non-public-school children.

I propose to offer this measure as an amendment to the administration-supported, committee version of the Elementary and Secondary Education Act, when that legislation is brought to the floor of the House for debate and a vote.

I am confident that my colleagues will see the wisdom of this amendment and will overwhelmingly approve a change designed to erase an existing inequity in Federal school aids.

TONAWANDAS QUALITY STUDENTS, 1967

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DULSKI. Mr. Speaker, my esteemed colleague, the Honorable HENRY P. SMITH III, who represents the 40th District of New York, delivered an excellent and meaningful address at the Tonawandas first Quality Student Banquet on April 17 at the Downtowner Motor Inn in North Tonawanda, N.Y.

The Tonawandas quality program, sponsored by the Tonawandas Industrial Expansion Corp., was designed to focus attention on excellence in the Twin Cities which lie to the north of our great city of Buffalo. A unique combination of raw materials, machines, techniques and management produce quality products in the Tonawandas. But the vital ingredient in this process is the quality employee.

As part of this program, 90 quality students, who combine the best in scholarship, character, leadership and service in North Tonawanda, Bishop Gibbons, Tonawanda, and Cardinal O'Hara High Schools, were honored with citations and awards. It is meant to impress outstanding young people and their parents that industry in their hometown cares about them and hopes they will will continue their quest for quality, and seek careers in their home community.

The need for quality today cannot be overemphasized and Congressman SMITH has portrayed this very well in his address, which follows:

ADDRESS TO THE TONAWANDAS QUALITY STUDENTS, 1967, BY HENRY P. SMITH III

My young friends and my older friends—quality all of you—good evening.

I am greatly honored and mightily pleased to be asked to speak to you tonight, my friends, and neighbors, at this dinner honoring the Tonawandas Quality Students of 1967.

I salute you outstanding young men and women, I salute your parents and your teachers, I salute all those who have had a part in bringing about this program tonight in recognition of another aspect of Tonawandas Quality.

Two years ago, we in the Tonawandas were thrilled, cheered and excited when the Tonawandas Industrial Expansion Corporation decided that our own people and the world ought to be reminded of the great quality which exists here in these two cities— in our people, in the living, in our products—and reminded also that the right of any community to progress and grow in the sharp competition of today depends, in the final analysis, on the quality of her people and the quality of the jobs they do. First came the Tonawandas Quality Trademark, which is now well known in Western New York and whose familiar black and gold symbol has been appearing with ever greater frequency throughout the world as our quality products go forth to all lands. Then last year came the Tonawandas Quality Trade Fair cosponsored by the Junior Chamber of Commerce—and weren't we amazed at the tremendous inventory of quality products made right here in the Tonawandas? And now, tonight, we honor you young people who have done and are doing an outstanding job in and for your high schools in scholarship, leadership, service and character. And, in honoring you, we also honor your schools and their faculties which we think are doing a quality job in secondary education: North Tonawanda, Bishop Gibbons, Tonawanda and Cardinal O'Hara High Schools.

In talking about quality, as we are, and I am sure you have already gained that impression, I want to pass an accolade also to the patrons who are supporting this Quality Student Program. Last night as I read the list of 60 patrons, and probably there are even more by this time, I paused a moment on each one and thought briefly about what I knew about that particular company or that particular man or woman and what kind of a job each was doing in and for this community. I was amazed again at our resources, and it gave me a great sense of pride in our cities, because here was quality right down the line. Try it! Listen:

Applied Design Co., Inc., Balling Brothers, Inc., Battenfield Grease & Oil Corp., Benman Co., Bennett Lumber Corp., J. C. BeVier Inc., Bogold Brothers, Bisonite Company, Inc., Buffalo Pumps Division of Buffalo Forge, Buffalo Slag Co. Inc., Cady Metal Fabricating Inc.

Canlake Petroleum Corp., Clover Industries Inc., Columbus McKinnon Corp., Continental Can Co. (both the Fibre Drum Division and the Paperboard and Kraft Paper Division), Cramer Industrial Supplies Inc., DeGraff Memorial Hospital, Durez Division of Hooker Chemicals, The Exolon Co., International Filler Corp., International Paper Co., Jenss Department Stores Inc., Joyce Plumbing & Heating Inc., J. & A. Keller Machine Co., Inc.

Manhardt Advertising Co., Manufacturers & Traders Trust Co., Marine Midland Trust Company of Western New York, Hugh McLean 3rd, Midland Asphalt Corp., H. J. Mye Lumber Corp., National Grinding Wheel Co. Inc., National Gypsum Co., National Manufacturing Corp., R. B. Newman Fuel Corp., Niagara County Savings Bank.

Niagara Cutter Division of Bollier-Damerell. Niagara Mohawk Power Corp., Niagara Savings & Loan Association, Pepsi-Cola Niagara Bottling Corp., George F. Phillips, Jr., Pirson Auto Parts Inc., Remington Office Systems Division of Sperry Rand in both Tonawanda and North Tonawanda, Riley Gear Corp., River Road Lumber Co. Inc., Riverside Chemical Corp.

Roblin Steel Corp., St. Mary Manufacturing Corp., Science Kit, Inc., Service Steel Division, Shanco Plastics & Chemicals, Inc., Sterling C. Sommer Inc., Spaulding Fibre Company Inc., Tonawanda Electric Steel Casting Corp., Tonawanda Iron Division of Standard Sanitary, Tonawanda Publishing Corp., Tonawandas Labor Council, Trinity Tools Inc., and the Wurlitzer Co.

Did you conjure up a picture of those plants, of those people? Doesn't it stagger the imagination to think of that great block of quality producers and doers who are integral parts of our own communities and whom we usually take for granted in our day to day living? I stumbled on this exercise, but I recommend that each of us should do it occasionally. It's good for our pride of place! And see how many more neighbors you can think of to add to this great list!

Well, what is this elusive thing called quality? Perhaps I can illustrate it with a story about what it is not. Perhaps you have heard the story of the paratroop training sergeant and the young recruit about to take his first jump from a plane. The sergeant told him he was to jump, wait five seconds and then pull the ripcord on his main parachute. "This chute has been packed by army specialists", said the sergeant, "and it will open 99 times out of 100. But, just in case it doesn't, wait another ten seconds and then pull the ripcord on your auxiliary chute. And don't worry! We'll have a truck there at the jump zone when you land to take you back to camp. Now, have you got everything straight? Okay—go!" And out the door went the recruit. He counted 5 seconds and pulled the ring on his main parachute. Nothing happened! He counted another 10 seconds and pulled the ring on his auxiliary 'chute. Again nothing happened! "Doggone it", said the boy, "that's the Army for you! Nothing ever works right. Probably that darn truck won't be there either."

Well, this is a story of non-quality. And it sometimes has its non-funny parallel. Three brave men died recently in the Apollo spacecraft, and the intimations are that they died because somebody goofed. The wiring or some other component was not installed as carefully as it should have been. A job was done in a slipshod manner, and men's lives were lost and our tremendously costly space program was set back because of it.

Quality is reliability, it is alertness, it is self-pride, it is integrity, it is sensitivity to people and things around you, it is caring. It is work, it is digging, it is stick-to-itiveness, it is not giving up, and it is akin to genius in that it, too, requires the capacity for taking infinite pains. But it is imagination, too, and excitement and questing for better ways of doing things. It is living life in the most exciting and wonderful way life can be lived. You young people who have already exhibited quality in your scholarship, your leadership, your service and your character are lucky and blessed because you have already tasted the pride which comes of doing a job well and you have caught a glimpse of what this nation and this world might be like and will be like as more and more of us became dedicated to doing a quality job in whatever we may be doing.

These businesses and industries and people who are honoring you tonight are saying that they have places for you right here in the Tonawandas and hope, when your formal schooling and your formal training are done, that you will come back here to your home towns to continue the quest for quality which they have pursued so splendidly. Industry spends millions in the search for quality. Defense contractors operate under a great "Zero Defects" program set up by the Defense Department, whose sole aim and purpose is to save immense amounts of money and time by cutting out waste and by people trying to do the job right the first time. The search for quality is never-ending.

Because you practice quality in scholarship, leadership, service and character, you are entering the most exciting time in the history of man with a definite advantage over those who haven't yet learned how satisfying it is to do a good job. The Wright brothers flew their first crude airplane less than 8 years before I was born, and now we traverse our expansive land in 5½ hours while watching a movie. Astronauts have walked in space for over 2 hours while their spacecraft orbited the earth once about every 95 minutes. The Russians and the United States have each placed a machine on the Moon that sends back pictures through space to us. Man has sent his rockets to Mars and beyond and is reaching toward the stars.

Within the last 50 years, man's knowledge and technical know-how has increased at an awesome rate. 95% of all the inventors and engineers who ever lived are now alive. Man has unlocked the infinite power and energy of the atom to give promise of a golden life for all mankind which is dizzying to contemplate. In order to happen at all, these things required people to do their jobs well—quality was demanded—and received.

The great question about our golden future is: can man control *himself*—his greed, his lusts, his selfishness? Can mankind reach the heights of an abundant life for all without falling into the abyss of thermonuclear annihilation? Will he learn to live in peace under world law? Will he learn that "Love thy neighbor!" and "Do unto others as you would have others do unto you!" are not merely high-sounding sentiments, but are absolute imperatives for you and for me and for each one of God's children if this world is to stay alive? Will you dedicate youreslves to *service* to your fellow man, whether such service be in business, in science, in politics and government, in feeding the hungry, in teaching, in healing, in protecting the weak, or in whatever you may do? If you will, you will indeed make good on the promise of being quality people which you have thus far so convincingly shown.

May God bless you in your quality living!

GOOD NEWS FOR ALL YOUNG CRIMINALS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, there was good news for all young criminals in yesterday's Washington Post. The Attorney General and the Civil Service Commission have decided that future applicants for Federal jobs need not list on their applications the times they were arrested or convicted prior to age 21. It will also not be required any more to list arrests after age 21 if not convicted.

This is an interesting theory on how to obtain more Federal employees and undoubtedly it will work. I suppose it would be old fashioned or unsophisticated of me to raise any question about the quality of employee this will bring to the Federal service. I am tempted to suggest that all tests concerning ability be dropped also, but I would not, for fear someone will take me seriously.

The public heralding of this new sickness appeared in Jerry Kluttz' column in these words:

[From the Washington Post, Apr. 18, 1967]

ARREST RECORD QUERY DROPPED

(By Jerry Kluttz)

Federal job applicants need to list only convictions, not arrests, on Form 57, the Government's standard job application form.

Also, any offense committed under age 21 that was handled by a juvenile court or under a youth-offender law no longer needs to be listed.

ADAM AND ALICE IN WASHINGTON POST-LAND

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I try valiantly to keep posted on the goings on in that cloud-cuckoo land inhabited by the editorial writers of the Washington Post, but as Alice was wont to say, things get curiouser and curiouser and it takes me a little longer than I would like to piece together the parts of their contradictions.

The most recent example of their Wonderland philosophy is their position on what the Congress should do about Senator DODD and former Congressman POWELL. "The Senator," says the Post in an editorial on April 18, "should resign and take himself from the national stage." Former Congressman POWELL, on the other hand, who has been convicted by the courts, should be seated and we in the House should be ashamed of ourselves.

I have no official information on what the Senator from Connecticut might or might not be guilty of, but I do know that he has never been pronounced guilty by any court in the land. On the other hand, as a member of the House Administration Committee which investigated the former Congressman from Harlem, I am fully aware of the misappropriations of public funds and other abuses of office POWELL is guilty of. This, in addition to those crimes he has been convicted of in court.

The contrast of position by the editorial staff of the Post is good for a laugh or two and I hope the other Members get a kick out of it. Fortunately, no one pays any attention to their whining, but their gymnastics are amusing to watch.

The two editorials follow:

RESIGN

Senator Thomas J. Dodd has so diminished his power and influence by his private acts and public explanations of them that there is not much he can do for his country. There is one thing he can do, and he should not delay doing it until even that is beyond his reach.

His selfish exploitation of his friends to enhance his personal wealth, maintain his political place and enrich his private life, as revealed by his own admissions entitles him to universal contempt. He is a disgrace to the Senate. He is a liability to his State. He is an embarrassment to his colleagues. He is an encumbrance to anything he embraces.

If he stays in the Senate, his endorsement will be the worst misfortune that can befall any legislative measure. Whenever he rises to speak, his reputation will stand beside him, like Banquo's ghost. The sponsor of every good legislative proposal will live in the constant terror that it will be overtaken by the fatal indictment of his endorsement.

What the Senate does with him or to him is now almost irrelevant. To every practical intent the seat he occupies is empty. Nothing the Senate does can put life back into a ghost as irrevocably lost to the political living as though he had been overtaken by corporeal calamity. His daily presence in the Senate is a pain-inflicting spectacle. He stands a veritable monument to many of the frauds, frailties and flaws in our public life. The very sight of him must wound every man of sensibility and patriotism who has the capacity to reflect upon the curious follies of our elective system.

The Senator alone can end this daily anguish which the citizenry must endure as long as he remains in public life. Let him have mercy upon himself, who is indeed in need of mercy. Let him have mercy upon his countrymen, who by this final public act might be awakened to some mercy. Let him quietly take himself off the national stage and end a spectacle that is becoming an obscenity.

HARLEM'S LOW-KEY RESPONSE

The irony of Tuesday's election is that a well-known Bimini fisherman was chosen by a district which he cannot visit, without being arrested, to sit in a body which has denied him a seat. In the circumstances voters had good reason for apathy, and that is what they registered at the polls. Although Mr. Powell got 86 per cent of the vote cast, the 27,900 ballots marked for him contrast with the 61,287 votes he received last November. His district in Harlem had a population of 431,330 in 1960.

Though the returns must be read as an expression of the wishes of New York's 18th Congressional District to restore Mr. Powell to the House of Representatives, the mandate is certainly less than overwhelming. Many potential voters may have stayed at home because they saw no real alternative to Mr. Powell and yet did not care to vote for a Congressman so scarred by corruption. The least that can be said is that the voters have spoken in a low voice.

What will be the response of the House? It could, of course, reject Mr. Powell again or it could adopt the seat-and-censure formula recommended by the Celler Committee, allowing the discredited Congressman to take his seat, with censure and restitution of the congressional funds he misused, pending possible action by a grand jury. Whatever turn the case may take, Mr. Powell's return to Washington, if any, will be somewhat short of triumphal.

In our view the seat-and-censure formula is most appropriate, without prejudice to what a grand jury may do. It would make allowance for the fact that the House is just now getting around to setting up standards of conduct that its members must comply with in order to retain their good standing. It would relieve the feeling of many of Mr. Powell's constituents, however unwarranted, that he has been harshly dealt with because of his race. And it would doubtless be as strong a deterrent to further abuse of power and misuse of funds in the House as another vote of exclusion.

Incidentally, a vote to seat the Harlem Democrat on a contingent basis would doubtless guarantee the adoption of a stiff code of official conduct and might also guarantee the creation of a strong committee to enforce it.

PRESIDENT JOHNSON'S MANPOWER PROGRAM FOR AMERICA

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. THOMPSON of New Jersey. Mr.

Speaker, a so-called Republican study group has issued another of its familiar distorted attacks on the Democratic administration. This time the subject is job training and manpower development.

I have not yet read the entire report, but quotes from it are so incredibly unreal that I wonder what country and what administration the Republican National Committee is talking about.

The Democratic administration which brought unemployment down from 6.6 percent—where Republicans left it—to 3.6 percent, is now being accused by this Republican study group of not meeting unemployment head on.

The Democratic administration which has atacked the root causes of unemployment, discrimination, poverty, segregated education, and the deterioration of our cities, is now accused of having no comprehensive approach to structural and hard-core unemployment.

The Democratic administration which has reached into the American work force to teach new skills and trades to men who had lost hope of being economically useful, is now accused of not developing new skills in the labor market.

This is the kind of Alice in Wonderland opposition now being waged against President Johnson by men who never had his vision and his determination to really do something about unemployment.

One of the major objectives of President Johnson's manpower policies has been to meet skill shortages. Existing training programs—through such avenues as the Manpower Development Training Act, the U.S. Employment Service, the apprenticeship system, and the Federal-State vocational education agencies—have all been mobilized to help employers throughout the country staff hard-to-fill job vacancies. New approaches have been developed to help meet urgent needs. Large-scale recruitment and training programs have been initiated, for example, to meet shortages of skilled metalworkers and health-service personnel. Many agencies of Government are using new training approaches to make use of underutilized manpower in meeting skill shortages. The successes have been evident from coast to coast.

Since the Kennedy-Johnson administration was voted in by the people in 1961, unemployment has fallen by almost 2 million.

The country has added almost 12 million new nonfarm jobs.

With profits, income, and national output high, the record of the last 6 years shows a dynamic economy expanding for a longer period and at a stronger pace than ever before in our history.

Contrary to Republican claims that President Johnson's manpower programs have not been effective, administration efforts have already made visible dents in the problems of the unemployed, the unskilled, and the underemployed.

By the end of 1966, under the Manpower Development and Training Act, through the Kennedy-Johnson administrations:

Half a million unemployed and underemployed workers were enrolled in Manpower Development and Training Act training courses. Of the 270,000 trainees thus far completing courses, three out of every four have gone on to private employment.

One hundred and twenty thousand individuals received or were receiving on-the-job training with private employers.

Manpower Development and Training Act training programs are getting to those who need them most—to the long-term unemployed, to the nonwhites, to the unemployed youth.

The Economic Opportunity Act has also been a highly effective tool for job training. In 1966 alone: 300,000 part-time or summer jobs were provided to boys and girls under the Neighborhood Youth Corps; the Job Corps provided work and training for thousands of the poorest most disadvantaged young people—half of them without even a fifth-grade reading education; the college work-study programs helped almost 200,000 men and women stay in college.

By the end of 1966, Manpower Development and Training Act and OEO programs were providing work and work-training opportunities to about a million persons a year.

Far from failing to meet problems of unemployment, as our Republican friends charge, this administration has moved vigorously to overcome them. And we have gone beyond that to lift the poor and the hopeless and the underprivileged to a new level of confidence and hope. And we have had and welcomed the support of many far-seeing, humane Republican colleagues.

Not content with any easy victories—and knowing that there are none in this battle—the Johnson administration has moved to mount a massive employment program in the slums and depressed areas of our cities and rural towns.

President Johnson has asked the Congress for $135 million for this concentrated employment program. But, in anticipation of congressional approval, the Labor Department, the Office of Economic Opportunity, and the Department of Health, Education, and Welfare have already forged ahead with programs to provide jobs in the next 6 months for some 30 to 40 thousand disadvantaged youths and adults.

This is only part of the manpower success record of the Johnson administration. It is helping those who want to work, to do so at the highest level of their capabilities.

Large investments have been made by President Johnson in manpower programs. But they have been made primarily in people and not in things. That is the secret of Democratic success. Republican rhetoric cannot overcome that kind of success.

As for coordination of manpower programs, that is one of the major goals of this administration. President Johnson and the Congress are giving the highest priority to fostering realistic cooperation between national and State manpower planning programs. Although there is much ground to cover, we are proud that substantial progress has been made in achieving workable job training at the local level.

The administration welcomes constructive criticism and positive suggestions. But we reject Republican attempts to dismantle hopeful opportunity programs or confuse their basic purposes. We stand on the excellent employment and training record of the last 6 years—the Kennedy-Johnson years. We ask the American people to compare these years with the dreary Republican eras of the 1930's and the 1950's.

POSTMASTER GENERAL O'BRIEN ASKS $5 BILLION TO MODERNIZE DEPARTMENT

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. CAREY. Mr. Speaker, the tremendous job that must be done to build a postal service capable of meeting the economic, educational, and social needs of the Nation was candidly stated by Postmaster General O'Brien when he said it would take $5 billion to equip the Post Office to handle efficiently our great volume of mail. The Postmaster General is, above all, a realist. I think most Members of this Chamber know Larry O'Brien well enough to know that he would not use a figure like $5 billion unless he firmly believed that is what is needed to do the job as the job should be done.

And that belief is based on what Mr. O'Brien has seen in 17 months as Postmaster General—17 active months as the head of the world's biggest communications network. In those 17 months Postmaster General O'Brien has repeatedly demonstrated his concern over the condition of our mail delivery system and his determination to improve postal service.

That determination has led him to launch a major program to modernize and mechanize the postal service. And that determination has led him to propose that the Post Office be removed from the President's Cabinet and converted into a nonprofit Government corporation.

The Postmaster General's efforts to thrust his tradition-bound Department into the midst of 20th-century technological and management practices have aroused tremendous interest and raised many questions about the postal service. Many of those questions, including what the costs would be, were answered by the Postmaster General in an interesting and informative interview published April 16 in the New York Times. I commend this article to the attention of any of my colleagues who may not have seen it and I insert it in the RECORD at this point:

O'BRIEN PRICES MODERN POSTAL SERVICE AT $5 BILLION

WASHINGTON, April 15.—Postmaster General Lawrence F. O'Brien believes that it will take annual expenditures of a billion dollars for five years to equip the postal service to handle efficiently the increasing volume of mail.

This is the first time that the Postmaster General has publicly put a price tag on his department's over-all need for modernizing post offices, for new post offices, and for new equipment, including computers and mail-sorting machinery.

In addition, the Postmaster General remains convinced that his own Cabinet-level post must be abolished and the functions of his department turned over to a non-profit corporation.

Mr. O'Brien believes that both the commission and Congress should review the present postal rate structure, which gives a wide variety of preferential rates to certain senders of mail. He says, however, that the postal system must continue to subsidize some categories of mail for "public service" reasons.

These and other views—including some sharp comments on the present ability of the railroads to ship the mail—were given in an interview with Robert B. Semple Jr. of The New York Times, recorded yesterday in Mr. O'Brien's office.

Following are questions and answers from the interview:

Q. Some Congressmen have already argued that the kind of institution you've proposed will be less responsive to the public interest than the present department.

A. At the moment, as you know, certain categories of mail—second and third class mail, for example—receive lower rates. My proposal would give Congress the opportunity to preserve the public service of our operations by establishing formulas, category by category, determining what payments should be made by the various classes of mail. The Congress would then give the corporation a lump sum payment for the public service functions performed by it. The corporation's main source of income, of course, would be the income from its services.

Q. Would you recommend the elimination or alteration of any of the public service categories that now exist—rates paid by publications, religious and charitable institutions and the like?

A. The commission appointed by the President to review all aspects of the postal service will undoubtedly review our public service functions in great depth. I want it clearly understood, however, that I envision this as a nonprofit corporation that plays a key role in public service.

Q. In effect then, what you're recommending is another public service institution, with some preferential categories, but a much more efficient one than you have now?

A. That is generally correct. We have a key role to play in public service but we must also modernize.

Q. In short—to ask the broadly philosophical question that is often asked of the Post Office—you think it's correct for the Post Office to encourage certain religious or philanthropic activities, and the dissemination of information through newspapers and magazines.

A. I certainly do.

A BUSINESSLIKE OPERATION

Q. Then is it fair to say that you would oppose those people who have suggested that the entire operation be put on a strictly businesslike basis with everyone paying his own way?

A. I would in those terms, because I can see the Post Office Department in the form of a corporation ultimately providing both a public service as well as a superlative basic service to the American people—and doing both in a businesslike way.

Q. Let's assume the Presidential commission comes in with a recommendation similar to yours, leaving it up to Congress to establish new formulas for the categories of mail. Do you think that 100 Senators and 435-odd Congressmen are going to be able to agree on which groups get the subsidies? Or is the task going to be so staggering that they will throw their hands up and leave the system as it is now?

A. A proposal such as I have presented will entail a great deal of study. That is the President's view, as you know. His Executive order specifically stated that the commission should secure the views and attitudes of the Congress, the mail users, the postal employe organization and the general public. I feel very sincerely that the Congress will approach this with an open mind. I have talked to any number of Senators and Congressmen and they have expressed to me interest in this and as far as I can determine they are interested in being helpful to the department's future.

Q. What about the unions? You now deal with 12 different unions. They do not have the right to strike, but they do have substantial leverage over the department through publicity and their allies in Congress which controls the department's spending. Your proposal would free the department from the necessity of returning each year to Congress for the bulk of its appropriations. Won't the unions see this as a threat to their influence?

A. Well, the representatives of the unions have expressed to me, on many occasions, considerable concern about our problems. They are as interested as I am, in my judgment, in improved postal service. The immediate reaction of the employes has been one of willingness to thoroughly and fully explore this matter with us and the Presidential commission. I should also point out that under a corporate setup they would enjoy rights of collective bargaining—a right that most Americans enjoy today—they would enjoy better opportunities for advancement, and they would finally have the tools—the equipment, for example—that they need to carry on the job. As for bargaining, one kind of possibility would be the relationship that presently exists between the Tennessee Valley Authority and its employes.

Q. Can T.V.A. employes strike?

A. No, they cannot.

CITES GOOD RELATIONSHIPS

Q. But you're suggesting that even in the absence of that ultimate weapon that their relationships have been good and productive from the employes' point of view.

A. The record clearly suggests that they have.

Q. Let's turn briefly to present operations, on the assumption that you're going to have to continue with this department until some other solution is arrived at. One of the major problems you've mentioned—a problem you expect the corporate structure to solve—is the problem of raising money for capital improvements. Your present annual budget is over $6 billion. About 80 per cent of this is payroll. What percentage goes to new buildings and new machinery?

A. In 1961, it was 3 per cent. In 1962, 2.6 per cent. In 1967, it was 2.4 per cent. Our proposed 1968 budget calls for 4.1 per cent. We are making progress but the fact of the matter is that it is inadequate at best.

Q. How does that compare with private organizations of comparable size—such as the American Telephone and Telegraph Company and other major industries?

A. In 1961, A. T. & T. had an investment rate of 32 per cent. In 1963, it was 32.8 per cent. In 1966, 34.6 per cent. So it is obvious in comparison with A. T. & T. that we have had an incredibly low rate of capital investment. This situation in the Post Office cannot be tolerated any longer. It has made a major contribution to the overall deterioration of our plants—our post offices and facilities—and this in turn has caused us great difficulty in moving the mail.

Q. Do these disparities also exist in the field of basic research—such as research into new types of machines for sorting and canceling and distributing the mail more efficiently?

A. The percentage of our appropriations earmarked for research and engineering have been very minimal—intolerable in terms of major corporate activities in this country.

TOO OLD FOR NEW EQUIPMENT

Q. How much of your present plant is obsolete?

A. Currently, we have 2,500 major facilities that were built before 1940. Those facilities amount to nearly 90 per cent of all our space in Federal buildings. And remember: It's not just that these are badly located, away from major traffic patterns, or badly equipped, with inadequate loading space. One of our worst problems is that many of these buildings are so old that the floors simply cannot bear the weight of our new equipment—in some cases we can't put the new machines in there.

Q. What would it take to put your post offices in first class shape?

A. I would say purely as a rough guess that it would take about a billion dollars a year for at least five years in order to pull ourselves up by our bootstraps.

Q. How does this compare with what you've asked the Congress for this year?

A. We've asked for $300-million for modernization and the House of Representatives has already approved almost all of this amount. Compared with past budgets, this looks like a giant step forward. Actually it represents inching ahead, conceivably keeping our head above water.

Q. You've said several times that the department is in a "race with catastrophe." Can you visualize mail service actually coming to a sudden halt?

A. That possibility exists. But we have done some important things that at least diminish that possibility. One is the establishment of 552 sectional centers to centralize the flow of mail, especially zip-coded mail. Another is zip code itself. The fact that one-third of our mail was zip-coded prevented the Chicago mail crisis of last October from becoming worse than it was. Zip code is on a voluntary basis for first class users, but because 80 percent of our first class mail is business mail we're working arduously to convince the business people of America to utilize zip code also on first class mail. It is now mandatory for second and third class mail, but we hope to get all our fellow Americans—Mr. Brown and Mrs. Smith—using it because our new equipment is geared totally now to zip code and the future of this service is to a great extent tied into the ultimate full use of zip code. Over-all, 65 percent of our mail today is zip-coded, and that includes 51 percent of first class mail.

LOW PER-UNIT COST

Q. Has the zip code requirement caused mail senders—the big mailers—much hardship?

A. There has obviously been a considerable investment in the private sector in the machines necessary to comply with our mandatory requirements in second and third class mail. However, the Treasury Department has found that they can deliver 250 million Social Security checks, their annual number of checks, fully zip-coded, and that the cost to convert to zip code was approximately $100,000. So that indicates that per unit it's relatively low-cost and, to a great extent, it's a one-time cost for five or 10 years. In any case, zip code has been critically important in terms of moving the mails, I would hesitate to suggest what the future might bring without it.

Q. What other ideas do you have in mind—ideas similar to zip code—that might improve service?

A. We have several plans in this general area under consideration. We have inaugurated our program-planning-budgeting system. And we see in the future many potential steps that could be taken to improve the flow. Ultimately we will need some standarization of envelopes. And we're actually studying the possibility that the day will come when it will not be necessary to use stamps. All of this is under intense study here.

Q. Would you need Congressional authorization to make such changes?

A. Yes, we would.

Q. Is mail service better or worse than it's been before?

A. I would say that when you consider that our mail volume exceeds the mail volume of the rest of the world—ours is 80 billion pieces a year—and when you consider that the size of the nation presents intricate problems, we are providing relatively good service in comparison with other mail services across the world. But I should also quickly add that we are not providing the kind of mail service that we are capable of providing. I can't believe that we can make the kind of breakthroughs we are making in health, science, and social improvements and not at the same time resolve the problem of mail service.

Q. In a Congressional hearing last week, you placed some of the blame for erratic postal service on the transportation industry.

A. Yes, I did, and I attempted to emphasize it, because I think it needs emphasizing. The fact of the matter is that on many, many occasions the postal service is blamed for breakdowns and failures that are beyond our control. These breakdowns are deplorable, and need corrective action. We're moving strongly in this area. Since Jan. 1 we have imposed some very strong penalties.

Q. How many railroads were involved?

A. There were nine railroads penalized since Jan. 1, and the penalties amounted to $127,500.

Q. Is this a new emphasis in the department?

A. Oh, this represents a considerable change in the department's approach to this problem. Of course, there are valid reasons, internally, for a service breakdown on a given railroad. But a situation such as the one involving the train from New York to Albany, which showed 28 delays during a 30-day period, is certainly intolerable from our point of view.

CRITICAL OF RAILROADS

Q. Over the past 30 years, there has been a decline in the number of railroad cars transporting mail, from approximately 10,000 to fewer than 900. Do you see a further decline in the use of railroads and a proportionately greater use of airlines and trucks?

A. I think the railroads could halt this decline and perhaps increase their activities with us if they took a hard look at the possibilities of mail transportation, bulk mail and the rest. But under the current situation the railroad decline will probably continue. We currently spend about $630-million on transportation alone, about 10 per cent of our budget. We are the largest users of transportation in the world. But the railroad portion of our transportation dollar used to be in the high 60 per cent. Our projection into 1968 is about 43 per cent. I think the railroads will serve themselves well at this point if they had a study—equal in intensity to the study we've recommended of the Post Office Department—of their transportation procedures. I am in no sense antirailroad. But it is beyond my understanding why the railroads will allow their participation to deteriorate at the rate it has without coming forward with suggestions that might provide us with service we need, and in turn provide the railroads with additional revenue.

Q. There has been some resistance among your unions to some of the new automation techniques, including zip codes. For example, the letterhead of one of your largest unions, the clerks, does not carry a zip code identifying its own headquarters. Do you think you can successfully carry out the kind of mechanization you seek when you've got dissension in the ranks?

CALLS DISSENSION MINIMAL

A. There may be dissension in the ranks but I think it's minimal. I recall that when we announced our $100-million accelerated mechanization program a year ago, several of our associate unions expressed concern that the program meant that we were anticipating drastic reductions in employment. Now, however, I would say that there is a good solid understanding among these people that what we are attempting to do is provide their members with the modern tools to which they are entitled. There have been occasions when it has concerned me that a local union official in some community will write a letter to the editor opposing zip code or suggest to patrons that they not use it. But I must emphasize from my observations that there has been very little of this.

Q. You don't, in other words, plan to achieve a net reduction in your work forces through these new techniques?

A. No. There is no contemplation whatsoever that there would be any decrease in the level of employment. But these new techniques will at least help us slow our rate of growth. If we weren't proceeding as we are, we would need 300,000 more employes today. By the 21st century, you and I and every American would be employed on a full-time basis by the Post Office Department. We would all be delivering the mail.

CURB OUR VANISHING PASSENGER RAIL SERVICE

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Giaimo] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GIAIMO. Mr. Speaker, last Congress, I introduced H.R. 15723, to amend the provisions of the Interstate Commerce Act relating to the discontinuance of passenger train operations and to impose an 18-month moratorium on the discontinuance of any passenger service by rail. I am reintroducing this legislation today because I fear that an increasing number of passenger service discontinuances threatens to undermine an important segment of our national transportation system.

I call attention to the fact that between 1955 and 1965, the average miles of road operated by class I railroads for passenger purposes declined from 120,711 in 1955 to less than 80,000 miles in 1965. This represents more than a 65-percent decline in passenger service miles per carrier. This rapid decline of our rail services can be attributed in large part to passage of the Interstate Commerce Act Amendment of 1958, section 13(a). The Congress enacted this measure to assist railroads in obtaining discontinuances. Unfortunately, this provision of the 1958 legislation has been abused by carrier services.

My legislation will remedy this situation. It provides that petitions to discontinue or alter passenger service will be granted only after the Interstate Commerce Commission conducts a panel hearing at which the railroad must establish that its discontinuance action will not constitute an undue burden upon interstate commerce or adversely affect the public. I have also provided for an 18-month moratorium on all actions for discontinuance of railroad services following the enactment of my bill. This will provide sufficient time to insure that the public interest will receive adequate representation through the newly established Department of Transportation.

Mr. Speaker, the transportation crisis is at hand. If we are to meet the responsibility we declared in the preamble to the Interstate Commerce Act, then we must act now to curb our vanishing passenger rail service.

CONSTRUCTION OF PROTOTYPE DESALTING PLANT IN SOUTHERN CALIFORNIA

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Tunney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I would like to rise in support of H.R. 207, a bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant in southern California.

Southern California has one of the most critical water shortage problems in the Nation. Something must be done to insure that this area has an adequate supply of water for continued future growth. This desalting plant is one answer to the serious water shortage which has reached the critical point in the Lower Colorado River Basin and particularly southern California. I urge my colleagues here today to approve this greatly needed project.

It will be primarily financed by the Metropolitan Water District of Southern California with the assistance of public and private utility companies, and the Department of Interior. The project is designed to produce 1 million gallons of fresh water per day and about 1,800 megawatts of electric power.

This project will pave the way for future progress in the use of sea water to help satisfy our growing requirements for water and to insure future generations an adequate water supply .

THE DRAFT SYSTEM

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Willis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, this morning I wrote a letter to our esteemed colleague, the chairman of the Armed

Services Committee. I believe it important that Members of the House be informed of why I did so.

As chairman of the Committee on Un-American Activities, it has come to my attention that an organization called the Vietnam Draft Hearings Committee has been formed with headquarters in Brooklyn, N.Y. As all of us know, there has been much controversy of late about our present draft system. Criticisms of it have been made; suggestions have been advanced for changing it in one form or another; it also has been proposed that it be abolished altogether. The Armed Services Committee will shortly hold hearings at which all views on the draft will be presented.

All of us know, too, that the Communists and various radical and anarchistic groups in this country are doing everything they can to weaken and undermine this Nation and our Armed Forces generally, to sabotage our effort to resist Communist aggression in Vietnam and to arouse dissatisfaction with the present draft system. I do not mean to imply by this that any person who criticizes the present system or advocates the elimination of the draft is to be considered Communist or pro-Communist or as having aided the Communists. Most critics of the draft are obviously not such. I am merely pointing out that, in promoting their interests as opposed to the interests of this country, the Communists have seized upon the draft as an issue on which to agitate and propagandize.

That, as a matter of fact, is the reason for the creation of the Vietnam Draft Hearings Committee. Its purpose is to discredit and to disrupt the forthcoming hearings of the Armed Services Committee on the draft. According to a release of the organization, it held a meeting on April 11 at which it decided to call for a demonstration at the Armed Services Committee hearings on May 8. The group now plans to send demonstrators to Washington from New York City, Boston, Philadelphia, Newark, Chicago, and other areas. They will arrive in Washington by bus on Sunday, May 7, and hold workshops on various forms of action that can be utilized to weaken our effort in Vietnam and our military forces and the draft.

The following day, May 8, these demonstrators will invade the hearing room of the Armed Services Committee to demonstrate, agitate, and disrupt. A representative of the Vietnam Draft Hearings Committee has said:

> We expect several thousand students and others to appear at the Committee hearings, insisting that our testimony be heard.

The press release published by this organization states in reference to the planned hearing-room disruption:

> This demonstration is not symbolic, it is not a march down an otherwise empty street. It is a direct confrontation, with the whole nation watching, between those who have alternative and universal ways of drafting people for a vastly stepped up war throughout South East Asia and we who demand: U.S. Get Out of Vietnam Now! End the Vietnam Draft for Everyone!

The press release refers to the chairman of the Armed Services Committee as a "racist"—a tag Communists have also tried to pin on me and other Members of the House. It vilifies the President and Members of the House and Senate. It and a flyer published by the group are loaded with typical Communist allegations about the draft, the war in Vietnam, and our Government.

I am afraid, Mr. Speaker, that if these plans are carried through successfully, another committee of the House will be plagued with a riotous hearing. The chairman will be compelled to have spectators and/or witnesses ejected from the hearing room. There will be cries of brutal police treatment. There will be allegations that the hearings are a disgrace to the Congress.

The Committee on Un-American Activities has had much experience with planned, calculated Communist disruption of its hearings. Not only the Communists and their fellow travelers, but a few Members of this House have implied that these riotous hearings were the committee's fault. It is my hope that, subsequent to May 8, no one will try to pin the blame for what takes place on the Armed Services Committee or its chairman, and particularly that no Member of the Congress will make a comment of any kind that could be construed as a criticism of the Armed Services Committee. Needless to say, I hope that the same will apply when the Committee on Un-American Activities holds hearings in the future which are deliberately disrupted by disloyal, calculating Communists.

The draft hearings to be held in the first weeks of May by the Armed Services Committee are vitally important hearings. They concern the interests of all the people of this Nation. For this reason, they should not be delayed or postponed and should be public so that all the people of this country will have the full and immediate benefit of what they reveal.

I know the chairman of the Armed Services Committee well enough—as all of us do—to know that he will not call off his hearings and that he will proceed with his original plan that they will be held in public because the Nation will be best served in that way.

All committees of the Congress desire to have orderly hearings which reflect the prestige and dignity of this body. At the same time, however, when we know that certain elements have planned to turn a hearing into a riot or wild demonstration, we cannot bow down, yield, or cowtow to them by calling off the hearings or going into a secret session. Despite the allegations that will be made by some, the overwhelming majority of the American people know, without question, that these disruptions are not the fault or the work of the committee in question, but of totalitarian elements in our society who despise freedom and every government and institution that stands for it.

The Committee on Un-American Activities has been faced, time and time again, with the situation that now confronts the Armed Services Committee. We have weighed the issues carefully and proceeded in a manner that is known to all. I am confident that in this case the Armed Services Committee will do the same and that, in doing so, it will have the complete and unqualified support of this House and of the American people.

The flyer and press release mentioned above follow:

The Vietnam Draft Hearings Committee in a meeting April 11 called a demonstration at the Congressional hearings on the draft Monday May 8. The demands of the demonstration will be "No Draft for Vietnam," and "U.S. Get Out of Vietnam Now."

A spokesman for the Committee said, "We expect several thousand students and others to appear at the Committee hearings, insisting that our testimony be heard."

A leaflet published by the Committee says:

"During the first three weeks in May, the House Armed Services Committee, under the chairmanship of the racist Rep. Mendel Rivers (D-S.C.), will hold hearings to decide on a new draft law. Their goal is to come up with a new law that will enable them to draft with ease an increasing number of young men. Recent escalations in the war by the U.S. and many "hints" show that the U.S. may be, barring a "deal", planning an invasion of North Vietnam. To do this at least one million more soldiers will be needed.

"All the draft schemes that will be presented to the Rivers' committee—whether put forth by LBJ or RFK, Democrat or Republican, Department of State or 'Defense'—only further drag us into an unjust war of oppression against the Vietnamese people. For us—worker, student or soldier—the war only means death, rising taxes and profits, anti-strike laws and the turning of campuses into semi-military bases. It only profits business, which makes super-profits off the war.

"This demonstration is not symbolic, it is not a march down an otherwise empty street. It is a direct confrontation, with the whole nation watching, between those who have alternative and universal ways of drafting people for a vastly stepped up war throughout South East Asia and we who demand: U.S. Get Out of Vietnam Now! End the Vietnam Draft for Everyone!"

The demonstrators will begin arriving in Washington Sunday, May 7. They will participate in workshops on various aspects of the antiwar movement. These will include struggles against university complicity with the war, summer projects, and high-school organizing.

Buses will bring demonstrators to Washington from New York City, up-state New York, Boston, Philadelphia, Newark, Chicago and other areas.

DEMONSTRATE AT DRAFT HEARINGS IN WASHINGTON, MAY 7, 8—DEMAND NO DRAFT FOR VIETNAM

During the first three weeks in May the House Armed Services Committee, under the chairmanship of the racist Rep. Mendel Rivers (D-S.C.), will hold hearings to decide on a new draft law. At these hearings, with nationwide publicity, the government will review all sorts of draft schemes. None of these will challenge the basis of the U.S.'s aggressive war in Vietnam or the draft. All of these are aimed at further confusing these issues in the American people's minds.

WHY HEARINGS ARE IMPORTANT TO GOVERNMENT

There are two central reasons right now for all the phony contortions the government is going through over revising the draft law. Firstly, it wants to placate the growing opposition to the war and the draft by setting up a seemingly "fairer" draft. The government falsely thinks it can quiet the American people's opposition to the war by more "equally" drafting them for that war. There can be no just draft for an unjust war. And secondly, if the U.S. can't make a deal in Vietnam, then a land invasion of the North becomes very possible. To do this at least 1 million more soldiers will be needed. A new draft law that can easily feed that many young men into the Army is what they are after.

Many different schemes are being put forth by LBJ and RFK, Democrat and Republican, Department of State and Defense. All of these schemes only further drag the American people into a war of oppression against the Vietnamese people who are fighting for their freedom and economic, political and cultural independence. This oppression is not in the interests of American students, workers or soldiers. For them the war can only mean death, rising taxes and prices, anti-strike laws, and the turning of campuses into semi-military bases. It only profits business, which makes super-profits off the war.

DRAFT USED TO SPLIT OPPOSITION TO WAR

The government attempts to split the opposition to the war by playing people off against each other so that they won't unite against it. They try to split Black from white, worker from student. They realize that only an alliance of these forces could defeat them. The 2-S student deferment (which won't last long anyway if North Vietnam is invaded) is class discriminatory. We oppose it. We don't want anyone getting out of the draft at someone else's expense. We demand that no one—white or Black, student or worker—be drafted for Vietnam.

DEMONSTRATE AT HEARINGS IN WASHINGTON, MAY 8

For all these reasons and realizing that these hearings are going to be closely watched by all Americans, who see the outcome as effecting their lives materially, we call on all students and working youth to join us in Washington to demonstrate before the American people for our demands: *U.S. get out of Vietnam now! End the Vietnam draft for everyone!*

Only these demands—not any of the phony schemes to end the war or alternatively or universally draft us—are in the interests of the American people.

This demonstration will give the anti-war, anti-draft movement a sharp focal point to organize local activities around after the Spring Mobilization. Unlike the Mobilization, this will not be a symbolic march down an otherwise empty street. It will be a direct confrontation, with the nation watching, between those who have alternative and universal ways of drafting people to fight in Vietnam and those who demand no draft for Vietnam and that the U.S. get out now. Millions will side with us. They will see the draft as the point where the war most sharply comes into conflict with their interests. Our demands coincide with their interests.

WORKSHOPS, RALLY, SUNDAY, MAY 7

Workshops will be held on Sunday, May 7 at 1 P.M. in Washington (place to be announced) on organizing: 1) Against University cooperation with the war and the draft—CIA, Dow, Army recruiters; ranking; war contracts; 2) Against the draft in general; 3) High Schools; 4) Worker-student alliance against the war; and 5) Summer community projects against the war.

Before workshops will be overall discussion of war and its effects. Other ideas for workshops welcome. The demonstration and the local organizing leading up to it (rallies, dorm work, etc.), and the workshops should stimulate and excite many who feel isolated to organize.

Vietnam Draft Hearings Committee in New York phone (afternoons) 924-8848 (area 212). Write: 307 Eastern Pkwy, Bklyn, NY. Busses are being arranged. There will be housing—bring bedding.

Demonstrate: Monday, May 8.

AMISTAD DAM

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DE LA GARZA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, down on the Rio Grande, the U.S. southern borderline, construction is underway on big Amistad Dam—amistad means "friendship"—aptly named because it is another major step in the splendid relations between the two countries.

The joint United States-Mexico Boundary Commission has authority over the Rio Grande and, therefore, understandable jurisdiction over the dam's construction. The Commissioner of the U.S. section is Joe F. Friedkin, the rare combination of expert engineer and administrator. His latest report on the Amistad Dam construction is so outstanding that I thought all might be interested in hearing about it:

Joint construction by the United States and Mexico of Amistad Dam on the Rio Grande near Del Rio, Texas-Ciudad Acuna, Coahuila, is 67 percent complete starting the 28th month of construction.

On the United States side, the work is 64 percent complete. Principal features of work underway and quantities completed include:

	Percent
Foundation excavation, 756,000 cubic yards	100
Embankment placement, 4,506,000 cubic yards	83
Rock structural excavation, 1,108,000 cubic yards	92
Concrete placement, 508,000 cubic yards	58

The first stage of construction by the United States, which included the initial river diversion and placement of concrete in the spillway and overflow portions of the dam on the United States side, was completed in 1966. Currently and during the next 8 months, the United States will continue work on the embankment, intake and outlet facilities, and non-overflow portions of the dam on the United States side and in installing penstock gates, hoists, and trashrack.

On the Mexican side, the work is 70 percent complete. Principal features of work underway and quantities completed include:

	Percent
Foundation excavation, 1,878,000 cubic yards	100
Embankment placement, 6,269,000 cubic yards	98
Rock structural excavation, 1,057,000 cubic yards	100
Concrete placement, 228,000 cubic yards	28

Relocation of the cofferdam to permit second stage diversion and Stage Two construction was completed in 1966, and excavation is completed in the spillway stilling basin. Concrete placement for the spillway and overflow portions of the dam on the Mexican side is currently underway and will continue for the next 8 months to complete Stage Two work.

Construction is scheduled such that storage of water may begin in May 1968, and the dam completed in the spring of 1969.

The United States work is being performed by a combine of four United States contractors, Perini-Leavell-Jones-Vinnell, and the work in Mexico, by the Mexican contracting firm of La Victoria y Asociados, S.A.

REAR ADM. JOHN HARLLEE'S SPEECH TO PROPELLER CLUB IN BROWNSVILLE, TEX.

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DE LA GARZA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, Rear Adm. John Harllee, U.S. Navy, retired, is Chairman of the Federal Maritime Commission—and he does a good job. He gets around to see the people who are concerned with the operation of the Maritime Commission.

Yesterday, he was down in the 15th Congressionad District of Texas, which I am privileged to represent. Admiral Harllee addressed the Propeller Club in Brownsville, Tex. Since Admiral Harllee made such a splendid speech, I thought the membership might be interested in reading what he had to say.

The speech follows:

Gentlemen, President Al Roser, I am happy to be back in Texas where my heart is. This is the first time we have been in Brownsville; however, we have heard many things about your city from my good friend and your great Congressman, Kika de la Garza, who invited us to visit your port. I want to say that Congressman de la Garza is doing an outstanding job for you in Washington and sends you his best regards.

I have also heard much about your growing port and city from my friend, John Stillman, a New York and Washington lawyer, whose great grandfather, Charles Stillman, helped found and incorporate Brownsville in 1850.

Our family roots are deep in the history of Texas. My wife, Jo-Beth Carden Harllee, was born in the neighboring port of Galveston and my mother, Ella Florence Fulmore Harllee, was born and raised in Austin. The Fulmore Junior High School in Austin was named after her father, who was County Judge of Travis County and head of the School Board there.

My great great grandfather, Sterling C. Robertson, commanded a company at the Battle of San Jacinto and was a signer of the Texas Declaration of Independence and Constitution. He was also a Texas Ranger. His nephew, George Campbell Childress, was Chairman of the Commission which wrote the Texas Declaration of Independence, and he also made the suggestion that the Lone Star be the emblem for Texas. I have always been extremely proud of my Texas heritage.

We are interested in helping you in every way we can. I believe that I am the first Chairman of the Federal Maritime Commission to visit your port.

Basically the United States has two maritime interests. The first relates to the American flag merchant marine, which is necessary for national defense purposes and for trade purposes. The second has to do with exporters, importers, and consumers and their interest in our trade and commerce, most of which is carried in foreign flag ships.

With regard to the first of these fields, the Maritime Administration of the Department of Commerce handles the direct promotion of the American merchant marine with:

(1) Operating differential subsidy;
(2) Construction differential subsidy;
(3) Care of the reserve fleet;
(4) A research and development program;

(5) Title XI, low interest mortgages, which assists operators in making ship purchases and a number of other promotional aids; and

(6) Training of officers for the merchant marine.

The Federal Maritime Commission, of which I am Chairman, handles another interest of the United States in maritime matters, the one which has to do with the welfare of exporters, importers and consumers, in other words, the general public. The Federal Maritime Commission is an independent quasi-judicial agency completely separate from the Maritime Administration of the Department of Commerce. Its five Commissioners are appointed by the President with the advice and consent of the Senate and its Chairman is designated by the President. It is certainly in the interest of the public of this nation to have a strong merchant marine and I will develop later how I believe we help in that connection.

The interest of the United States Government in exporters, importers, and consumers may seem to be the same as its interest relating to the American flag merchant marine. However, it is not exactly the same, because, in the first place, foreign ships carry most of our commercial cargo and in the second place, even in the case of American flag ships a high freight rate (and most American flag liners are in conferences and charge the same freight rates as the foreign ships) may be good for the American merchant marine but it is not necessarily good for exporters, importers and consumers. Of course the freight rates should be high enough to make possible a healthy merchant marine.

The importance of the interest of the United States Government in world trade and in exporting is underlined by the increasing emphasis which must be placed on export expansion. Our country spends billions of dollars on foreign aid on military exports overseas and on foreign travel by American citizens. In order to maintain the necessary favorable balance of payments situation it is essential that the United States have a favorable balance of trade, i.e., higher total exports than imports. Of course, imports are also important because they, in many instances, supply the raw materials for exports and in other cases supply needed products to consumers. Furthermore, foreign countries cannot pay for our exports unless we import from them.

Export expansion also makes a significant contribution towards solving the recurring unemployment problem in our economy.

Another aspect of the concern of our Government in maritime affairs is the welfare of the public of our offshore states and territories such as Alaska, Hawaii, Puerto Rico, Guam, Virgin Islands and Samoa. Ocean transportation to these areas is conducted by American flag lines, but, again, a balance must be struck between the welfare of the steamship lines for which high freight rates might be good and the welfare of the millions of people in those states and territories for whom high freight rates are not necessarily good.

Another way of summing up the function of the Federal Maritime Commission is to say that its concern is with our oceanborne trade and commerce. Nevertheless, we firmly believe that the Commission does help the American merchant marine because we believe that by removing artificial impediments to trade and commerce and by ensuring fair competition that trade is stimulated and more cargo becomes available. We believe that if cargo is available that the American merchant marine can do well under conditions of fair competition. However, I must admit that Americans in general and American businessmen in particular do not like government regulation and that it is an extremely difficult job, to which we are dedicating ourselves, to convince them by actions more than by words, that fair regulation is helpful and not harmful.

In order to accomplish the purposes of the regulation which I have described, we at the Commission must concern ourselves with carriers, terminals, freight forwarders, shippers and to a lesser extent travel agents.

With regard to the carriers, the steamship lines in international trades started way back in the 1870's to group themselves into what are known as conferences. These conferences fix freight rates and establish conditions of carriage by agreement among competing carriers. This is not compatible with the Sherman Anti-Trust Act and the Clayton Amendment and does violence to the basic American philosophy of competition and free enterprise, which most of us believe made this nation so strong economically. However, after an investigation which lasted from 1912 to 1916, and after two other investigations which were conducted simultaneously from 1958 to 1961 the Congress decided that the history of the international steamship industry was such that without agreement on rates there would be cut-throat competition and chaotic conditions, which would result in instability and in damage to exporters and importers, as well as to steamship lines. This situation was caused in large part by the widely varying costs of operating ships under different flags. The difference in the standards of living and, therefore in wages, as well as in almost all other costs (including the cost of ships) between the different nations of the world, are too well known to require any amplification.

The basic concept the Congress had in enacting the Shipping Act, 1916, and amending it in 1961 was that steamship conferences were beneficial to both shippers and carriers and, therefore to the general public, but that they should not be allowed to utilize such predatory tactics as to drive all the independents or nonconference lines out of trades. The Congress and the laws it enacted envision competition, or the possibility of competition, by one or more nonconference lines acting as a natural inhibitor on excessively high freight rates and poor services. The utilization of rate disapproval by the Federal Maritime Commission or its predecessors was envisioned only as an extreme measure to be used in the rarest of cases.

The regulation of conferences is an extremely delicate task, because of the great difficulty of maintaining a balance between strong, healthy conferences and some independent competition or, at least, the possibility of it. Highly experienced steamship men think that it is impossible to maintain such a balance but I believe that it really has been maintained, generally speaking.

We regulate conferences by insuring that they carry out such functions as the following:

(1) Self-policing. Rebates and other malpractices resulting in unfair competition occur more abroad than in the United States. Some foreign nations take a different view of these practices than we do, but the major maritime nations are gradually beginning to share our views as to the desirability of fair competition. These malpractices can be much more effectively dealt with by self-policing bodies than by a Government body alone, although we do the best we can in this regard. The self-policing agencies are required by our law, but the form and operation of them are decided upon by the steamship lines and their own mutual self-interest.

(2) Just and reasonable procedures for handling shippers' requests and complaints.

(3) Fair and reasonable rules concerning admission, expulsion and withdrawal from conference membership. There was a time when the American flag steamship lines and some others had difficulties getting into some conferences. In many trades conferences had a grip on the trade, and this meant that carriers which could not get into the conference could not get into the trades.

(4) The right of independent action in agreements between conferences. The Congress felt it important that shippers not be faced with one huge conference covering all trades everywhere which would have power which was so excessively great as to be contrary to the public interest.

(5) Dual rate contracts. The conferences, in order to be able to give adequate service on a trade route have for many years utilized dual rate contracts which permit shippers who agree to ship exclusively on conference vessels in a particular trade to receive lower freight rates, usually about 15% lower, than other shippers. However, one of these had what the Supreme Court of the United States judged to be too predatory an effect, and was ruled illegal in 1958 by the Supreme Court. Since that time, dual rate contracts were legalized by Congress from year to year and in 1961 were made lawful by statute, but only on condition that they included eight specific and one general safeguard for shippers. These provisions of the law not only protect the shippers themselves, but also provide for the possibility of nonconference lines entering trades in which adequate service is not rendered by the conferences.

(6) Publication of tariffs (lists of freight rates). Both conferences and nonconference lines are required to make their tariffs public to give 30 days' advance notice of increases in rates, although reductions are effective when filed.

The above measures were added to the Shipping Act, 1916, by the Bonner Act, Public Law 87–346 in 1961. They are not all of the methods of regulation of conferences used by the Federal Maritime Commission. They do, however, constitute a fair sampling of the regulation we are required by the shipping statues to exercise.

Our type of regulation, or for that matter any Governmental activity whatsoever in connection with the international shipping conferences is considered by the great maritime nations of Western Europe and Japan, who are in many respects our best allies in the world today, to constitute totally unwarranted and highly objectionable unilateral Governmental interference in international business. On the other hand, our laws are simply designed to see that the ofttimes great power of the steamship conferences is not used in a manner discriminatory against American steamship lines, sea ports, or exporters or are detrimental to the commerce of the United States or contrary to its public interest. It must be emphasized that the laws do not provide that the conferences must act in a manner favoring the United States; only that they must not act in a manner detrimental to the United States. It is our view that those who come to the shores of the United States and engage in an exceedingly profitable commerce should observe its laws, particularly in view of the fact that these laws provide for fair competition and justice for all. We believe Americans are entitled to a square deal and can do well if they get it.

Lengthy negotiations with the maritime nations of Western Europe and Japan have, in my opinion, resulted in much progress in reaching pragmatic understanding and mutually acceptable solutions to our problems despite our differences in philosophy.

The Federal Maritime Commission performs another type of carrier regulation; namely, that of the domestic offshore carriers which operate between the continental United States and Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam and Samoa. Although people generally travel to those places by air, practically all of the goods consumed in those areas are transported by ships, as are the goods produced in those areas. The Commission has a more direct rate making power on these trade routes; specifically the power to set maximum and minimum rates—a public utility type of rate regulatory power. It is easy to see the importance of our operations both to the carriers and to the public of the areas concerned.

We also regulate ocean freight forwarders, who constitute a vital American industry concerned with getting cargo from place to place as travel agents get people from place to place. We have recently published our final freight forwarder rules after many revisions to improve them in the light of industry experience and we have completed a licensing program. These rules and the licensing program were called for by Public Law 87-254, enacted late in 1961. I have been informed that the freight forwarders of Brownsville are satisfied with the rules. If any of you here are not happy with them I will be glad to discuss them with you.

We regulate 400 ocean freight terminals, but there has been less need for our activity in this connection here in the Gulf than elsewhere.

In order to assist shippers in their efforts to obtain favorable rates from conferences and steamship lines in our foreign trade, the Federal Maritime Commission, in coordination with the Department of Commerce has published a pamphlet entitled "Ocean Freight Guidelines for Shippers." This booklet sets forth the Commission's regulatory authority and discusses the ways in which shippers can obtain necessary adjustments in ocean freight rates. Copies of this booklet are available to anyone who desires it. I will be glad to discuss in further detail with any shippers present how the steamship lines and the Commission can help them.

Now let me get back to the American Merchant Marine. There are five ways in which I believe we help it and you who are representing American flag carriers here. They are:

(1) *There has been a tremendous increase in cargo carried by the American Merchant Marine* since the activity of the Federal Maritime Commission which was revitalized in 1961 for regulatory purposes and separated from the Maritime Administration of the Department of Commerce with its promotional functions. We certainly do not claim credit for all or even most of this increase, but I do believe that removal of monopolistic perversions and artificial impediments to trade by the Commission and its heavy assistance to exporters and importers has played some helpful role in this increase in trade.

(2) *Protection of the American Merchant Marine from discrimination by foreign governments* in accordance with Section 19 of the Merchant Marine Act of 1920. The Commission and its predecessors have moved effectively in this direction in the past. Consequently, during the past year there has been very little occasion to use of the statutory powers the Commission has to prevent discrimination against the American Merchant Marine.

(3) *Fair treatment of American flag steamship lines by conferences.* This subject has already been discussed.

(4) *Relationships between freight forwarders and the steamship lines.* In certain cases some freight forwarders have control over vast amounts of cargo and in other cases steamship lines may exercise a degree of control over freight forwarders. It is in the interest of both, and in the public interest, that there be fair play between them. I believe that this is, by large, being accomplished by the licensing program and by our implementation of the freight forwarder legislation with the rules mentioned above.

(5) *Relationships between carriers and terminals.* The Commission desires to minimize regulation here, as everywhere else, to what is necessary in the public interest. This is evidenced by the fact that the Commission has not requested power to set maximum and minimum rates for terminals, although some have advocated this. Nevertheless, as in the case of the freight forwarders, a referee is often necessary and the Commission acts as that referee.

I am convinced that the Shipping Act, 1916, as amended in 1961, and the other statutes which we administer are good laws. As soon as we at the Commission become convinced that these statutes should be changed in any way, we will certainly take action to recommend changes and I believe that the Congress will, in the future, as it has in the past, listen very carefully to changes which we might request.

It is perhaps well, in considering our laws and the implementation of these laws by the Commission, to look at the overall results in terms of the legality of our action, which is sometimes questioned by foreigners as well as by Americans; the growth or decrease of our oceanborne trade and commerce; and the welfare of the industries we regulate.

We have, of course, sustained some court defeats, but our victories in the Federal courts outnumber those defeats six to one.

Our oceanborne trade and commerce increased from some 25 billion dollars in 1960 (before the revitalization of regulation and the formation of the present Commission) to about 32 billion dollars in 1965.

Insofar as we can determine, the profits of the steamship lines we regulate have increased to all-time, peace-time highs during the past few years. This is not to say that they are making as much money as many other industries or that they do not have a problem about replacing their ships. Nevertheless, we cannot detect signs of regulation hurting their overall income.

This is a great port, truly, the greatest shrimp port in the world and one of the leading cotton ports of the nation; and there is no port farther south in the United States; nor any with a better climate; nor more beauty. You have much to be proud of.

I hope you will invite us back again.

MOVEMENT OF TRUCKS BETWEEN MEXICO AND THE UNITED STATES

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DE LA GARZA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, with your permission, and that of my colleagues, I would like to discuss for a few minutes, a problem which exists on the border country between the United States and Mexico. This involves the movement of trucks and other commercial vehicles between our two countries. For some background, let me state: The treaties and other international agreements in force between the United States and Mexico do not appear to have any bearing upon the operation of trucks or other commercial road vehicles. Although both the United States and Mexico ratified the Convention on the Regulation of Inter-American Automotive Traffic, signed December 15, 1943 (61 Stat. 1129), the ratification by Mexico was subject to the following reservations:

[Translation]

1. The approval which the Government of Mexico gives is limited to the transit of private motor vehicles in which the owners or members of the owners' family, or friends are transported for nonprofit purposes.
2. Vehicles used for public service in transporting merchandise shall continue to be governed by the provisions of Mexican substantive law.

In view of these reservations made by Mexico in its ratification of the 1943 Inter-American Road Traffic Convention, and in the absence of any other international agreement between the United States and Mexico bearing upon for-hire or commercial road traffic, it appears that the regulation of such traffic in Mexico is subject entirely to the domestic law of Mexico and in the United States subject to the domestic laws of the United States, hence the several States, in our case, the State of Texas.

I do not know how the other border States handle this matter, but I am cognizant of the fact that the State of Texas will license any Mexican-owned truck to operate in Texas. This is provided in several ways giving the greatest possible opportunity to our neighboring country. They may secure a 24-hour permit for the nominal price of $2. There is also a 30-day permit which they can utilize to carry agricultural products for a fee of one-twelfth of the regular annual fee provided for Texas trucks, and finally any Mexican truck may pay the regular annual fee and operate within the State of Texas provided they comply with the requisites of the Railroad Commission of Texas and the Interstate Commerce Commission. Therefore, it can be readily seen what Texas allows.

Now with regard to entry of United States trucks into Mexico, article 152, part I of the Law on General Lines of Communication of Mexico reads in pertinent part as follows:

> . . . for the utilization of roads under federal jurisdiction in the exploitation of public transport services, it will be necessary to obtain a concession from the Ministry of Communications and Public Works (now Communications and Transport) and authorization of such concessions shall be subject to the following criteria: I—They may only be granted to Mexicans by birth and to companies composed of same in conformity with the laws of the country. In no case may they be granted to companies whose capital is totally or partially represented by bearer shares.

The Mexican Government has interpreted this legislation to mean that foreign truck and bus companies cannot be licensed to operate on Mexican highways, and in-transit vehicles must receive prior authorization to enter and transit Mexican territory.

I know Mr. Speaker, that this is a matter which falls within the realm of the executive department of our Government, but since it is of such great importance to a segment of our population, and to the economic development of our area, that I must make representations on their behalf.

I, therefore, most respectfully request the appropriate executive agencies to initiate talks with Mexico to consider this matter, or if they have already initiated such talks, that they be pursued with diligence and insistence on our part. This is a matter of justice and reciprocity, and an agreement between our two countries concerning the travel of commercial vehicles, would be a further step, in the spirit of El Chamizal, to further cement the bonds of friendship which exist between our two peoples.

To our friends from Mexico, should my humble words reach beyond the walls of this Chamber, I very respectfully urge you to accept the representations of our Government in this behalf, when such are made, and in the event that overtures in this respect have already been made, I most respectfully urge you to continue the dialog with the due urgency which this matter deserves. I speak to you as a friend who knows and I hope understands your problems, and this is not an insurmountable task, it is in my estimation most simple, it is a matter of reciprocal action concerning the avenues of communication between our two countries. I firmly believe and have consistently worked toward the opening of every possible road of communication between our two countries, for it is in this manner that we become better acquainted, that our bonds of friendship grow firmer and we are more able to serve the peoples of our respective countries, and allow them to pursue without obstruction their own desires to extend their personal and business associations in such a way as would be an asset to the civic, cultural, and economic development, not only of our border country, but of our two nations.

In conclusion, I, therefore, again most respectfully request our two governments to initiate, and if already initiated, then to continue the exploration of a suitable agreement in this particular, with the necessary safeguards for the integrity and sovereignty of each government, but nonetheless, with the insistence on reciprocal action, which is a matter of justice and equity for all concerned.

A FOLLOWUP ON THE INTERNATIONAL COOPERATION YEAR

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FASCELL. Mr. Speaker, in the fall of 1965, I was delighted to sponsor a resolution designed to facilitate more effective participation by the United States in the activities of the International Cooperation Year. That resolution received overwhelming support from the Congress.

Later that year, I was honored to head an official delegation from the U.S. House of Representatives to the White House Conference on International Cooperation.

That Conference was the scene of some of the most stimulating and fruitful discussions I have ever been privileged to attend. It also produced over 400 recommendations for improving U.S. participation in various international activities.

In the report which the House delegation submitted to the Congress, we had recommended that the President provide for a systematic follow-up to the White House Conference by establishing a committee or some other appropriate instrument to review and help implement the recommendations which emanated from that meeting.

We also recommended that the Congress, on its part, continue its active interest in this matter to insure that the effort which went into the preparation and holding of the White House Conference may not have been expended in vain.

The subsequent appointment by President Johnson of a committee composed of Director of the Bureau of the Budget, Dr. Charles L. Schultze, and Special Presidential Assistants Walt W. Rostow, and Joseph A. Califano, Jr., fulfilled the first part of our recommendations.

I should add that Mr. Raymond D. Nasher, of Dallas, Tex., who served as the Executive Director of the White House Conference, has been ably assisting the White House Committee with the discharge of its duties.

The accomplishments of the White House Committee are first beginning to receive public notice.

Not long ago, President Johnson made a statement on the follow-up to the International Cooperation Year. His statement details the accomplishments of the White House Committee and of our Government as a whole in putting into action various reforms and improvements recommended by the White House Conference.

I believe that the membership of the House will be interested in that report. I am delighted to place it in the Record at this point.

President Johnson's statement follows:

Statement by the President on the International Cooperation Year Program

In late November of 1965, as part of this country's International Cooperation Year (ICY) program, I convened the White House Conference on International Cooperation. The Conference brought together more than 5,000 American leaders who exchanged views with people in the government and produced over 400 recommendations in thirty reports dealing with specific subject areas for international cooperation. On August 1, 1966, I appointed a White House Committee to oversee a review of the ICY recommendations. This Committee, which has continually advised me on actions taken on these recommendations, has now completed its work.

It is with great pleasure that I can report that action has been taken or is now in progress in fields covered by about three-fourths of the more than 400 recommendations. Others are being subjected to further study. Fewer than 10% are considered to be impractical at this time.

This is a splendid example of cooperation between private citizens and their government. It confirms what I said when I called the Conference: that "international cooperation is no longer an academic subject; it is a fact of life."

The ICY recommendations in the time ahead will continue to guide us. A number of the issues they dealt with are high on our agenda of business at this moment:

War on Hunger. The ICY reports brought out the critical interrelationship between the supply of food and rapid increase of the world's population.

In recognition of these problems, we made major adjustments last year in our Food for Peace Act and other laws. In my message to the Congress this year, I reaffirmed our intention to make the present food emergency in India the occasion for all nations to launch a new, continuing international campaign against hunger. The Congress approved the resolution to commit the United States to share fully in this effort to meet India's remaining food grain deficit.

World Weather Watch. The ICY reports recommend active U.S. participation in the development of a World Weather Watch—an international system to observe the world's atmosphere and to communicate and analyze worldwide weather data rapidly and efficiently.

For centuries man's inability to predict weather far enough ahead has caused incalculable human suffering and property damage from storms, floods, and other natural disasters. The Congress of the World Meteorologcial Organization is meeting this week to consider plans for the World Weather Watch. The proposed system will, through international cooperation, lead to improved weather forecasting and protection of life and property and deserves the wholehearted support of the American people. I am instructing our representatives to the meeting to pledge the full and continuing participation of the United States in this important endeavor.

Outer-Space Treaty. The ICY reports urged an international agreement to assure the exploration and use of outer space solely for peaceful purposes.

On January 27 of this year the United States signed such a treaty with the Soviet Union and more than 60 other nations. Hearings are now under way in the Senate on the question of U.S. adherence.

Moratorium on Anti-Ballistic Missiles. The ICY reports recommended a U.S.-USSR moratorium on new deployment of systems for ballistic-missile defense.

We are taking no actions to deploy ABM's, pending the outcome of discussions with the Soviet Union. Responding to our initiative, Chairman Kosygin has confirmed the willingness of his government to discuss the question of both offensive and defensive systems.

U.S.-USSR Consular Convention. The ICY reports called for ratification of this convention to provide greater legal protection to our citizens visiting the Soviet Union.

In response to my request, the Senate has now given its advice and consent and I have ratified and confirmed this treaty as a constructive step in our policy of "bridge-building" with Eastern Europe.

East-West Trade Relations. The ICY reports pointed to the necessity for new ground rules to liberalize U.S. trade with Eastern Europe countries.

I have recommended to the Congress early passage of the East-West Trade Relations bill as an essential move in this direction.

New Directions for Foreign Assistance. The ICY reports recommended continued commitment of substantial U.S. resources to foreign assistance, with emphasis on changed foreign assistance policies, strengthening of technical assistance and greater utilization of private resources in assistance programs.

In my message of February 9, I asked the Congress to enact a new Foreign Assistance bill based on six guiding principles: 1. self-help; 2. sharing costs with other nations; 3. encouragement to regional development; 4. emphasis on agriculture, health and education; 5. protecting our balance of payments; and 6. improved administration. Early enactment of that bill is essential to an effective foreign assistance program.

A Non-Proliferation Treaty. The ICY reports called for the early conclusion of a treaty to prevent the spread of nuclear weapons.

We are continuing to press our negotiations with other nations for a non-proliferation agreement, recognizing this problem as one of the most urgent of our times.

These are only a few of the outstanding recommendations in the ICY reports on which the Government is seeking completed action.

The White House Committee which over the past eight months has been evaluating these recommendations was chaired by Director of the Bureau of the Budget, Charles L. Schultze. Other members were my Special Assistants, Walt W. Rostow and Joseph A. Califano, Jr. The Executive Director of the White House Conference and also Chairman of the ICY Committee on Urban Development, Mr. Raymond D. Nasher of Dallas, Texas, also served as a member.

In order to make sure that action does not end here, I am sending a memorandum to the heads of those departments and agencies that took part in the ICY program, directing them to take specific further actions as required and to continue the dialogue with interested citizens. I have also asked Mr. Schultze to work with the agency heads in order to assure action on and attention to the recommendations.

It has long been my conviction that those of us in Government can greatly profit by a continuing and frank exchange with people in business, education, other professions, and in civic life. For this reason, at my direction, there have been appointed in the State Department alone during the past year seven citizens' committees including over 125 individuals to serve in an advisory capacity. The ICY program has convinced me there can be no substitute for this dialogue in a vital democracy. The White House Committee's review indicates that this sort of contact can be an extremely useful part of the regular business of government. It is one of the best ways to keep the people and their government close to each other.

I again express my gratitude to all those who participated in the ICY program. The future of mankind demands ever increasing international cooperation. It must become a way of living—a way that will lead to better living for all peoples.

TEACHER CORPS WINS CONVERTS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Wright] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WRIGHT. Mr. Speaker, this June we will celebrate a birthday—the beginning of the field operations of the National Teacher Corps.

In its first year the Teacher Corps has reinforced the proposition that the teacher is cornerstone and mainstay of American education.

Although many of the Corpsmen are not yet fully qualified teachers, they have been exposed to the rigors and challenges of the toughest classrooms the Nation has to offer. And they have stood the gaff well. They have proved that personal commitment goes a long way in reaching that strange and little understood child who is openly rebellious of society and frequently contemptuous of himself and his surroundings.

The Corps these past 12 months has not only won the hearts of students, but the ungrudging praise of many a school superintendent, principal, and teacher who had been predisposed to be critical. Many, who a year ago questioned the merit of the Teacher Corps, are now among its stanch supporters.

One western school superintendent, who speaks of his district's teacher-interns with paternal affection, told an Office of Education representative that "the Corpsmen's idealism has rekindled a lost spirit in us old cynics. They're so committed they have recommitted us."

In a recent survey conducted by the National Education Association, 79 percent of school superintendents polled planned to ask for additional Corpsmen for the coming school year and plan to seek replacements at the conclusion of the initial 2-year cycle.

The overwhelming majority of these local people indicated that their regular teaching staffs were grateful for the assistance of the Teacher Corps interns. They found corpsmen more motivated than the usual novice.

I think that these endorsements clearly suggests our course of action. We must support the President's request and expand the Teacher Corps to 3,700 by September 1967.

Countless national studies have shown that the best teachers are least inclined to seek assignments in the worst but neediest schools. We have in the Teacher Corps a ready body of trained and dedicated people—we cannot afford to lose them.

TWENTY THOUSAND ACRES MARKED FOR CLEARANCE

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, it is a pleasure to bring to the attention of my colleagues a new publication from my district, the Wrecking and Salvage Journal—a monthly report which was initiated in March of this year at Braintree, Mass. I am sure that this much-needed outlet will be of value to the important and expanding wrecking and salvage industry.

I would like to include here an article written by Robert C. Weaver, Secretary of the Department of Housing and Urban Development, for publication in the April issue. I feel that this represents the high standards which we can expect from future editions:

Twenty Thousand Acres Marked for Clearance

(By Robert C. Weaver)

Washington, D.C.—I welcome this opportunity of addressing myself to the wrecking and salvage industry through this new journal devoted to their interests. I think that the U.S. Department of Housing and Urban Development and this industry have some things in common.

You have two sides to your business. One is that of wrecking—of tearing down what is no longer needed or wanted. The other is that of salvage—of saving and rescuing that which has value and of restoring it to profitable use.

In our Department, in the job of helping urban centers create desirable areas where blight and slums now exist, we also have two sides to our business.

We, too, have a job of tearing down—of helping to rid cities of dilapidated structures and worthless areas that stand in the way of decent living and a healthy environment for our people.

But we also have another side to our task—the job of salvage, of saving structures and areas of our cities that can be saved, and of restoring the fabric of the community itself.

Since the urban renewal program began in 1949, we have been engaged in large-scale renovation of our cities. Throughout the first decade of this program, we relied largely on clearance of extensive areas in our communities. It was the quick, the expedient way of ridding ourselves of the worn-out debris that has accumulated in vital parts of our communities.

The wrecking and salvage industry has played a large role in this clearance process. Since 1949, a total of some 24,000 acres have been cleared, and some 190,000 structures, containing 375,000 living units, have been eliminated.

But the clearance process alone is not sufficient to save our cities. There is another, far larger, job of salvage, of rehabilitation and restoration. And it calls for the fullest and most efficient use of our modern technology.

Over the past six years, we have been steadily, redirecting our program activities toward increased efforts to save worthwhile sections of our cities, rather than destroy or neglect them. Under President Johnson, we have acquired new means, through legislation over the past two years, to help our cities and private industry to do more of this.

The most massive and significant of the programs aimed at saving our cities is one that we are just getting under way. This is the Model Cities program which President Johnson signed into law late in 1966. It is the most comprehensive large-scale attack on urban blight that has ever been conceived. It may embrace as much as 10 percent of a large community's population. It encompasses not only the physical reconstruction of an area. but also concentrated treatment of human needs and problems through every program and means at hand.

It is directed at blighted areas that are primarily residential, and its objective is to reestablish the area as a viable, desirable part of the community, not to tear it down and start over again.

This, nevertheless, will unavoidably entail a substantial amount of clearance on a selective basis. It will be necessary to remove worthless structures, and open up areas for parks, schools, recreation, community needs, for which space does not now exist in these sections.

The steel ball and the bulldozer will still be needed for we have much worthless debris to be cleared away. Some 20,000 additional acres in renewal areas are marked primarily for clearance.

But clearance has now become a part of a larger attack on urban blight. It will be used in conjunction with the even larger job of rehabilitation, on a selective basis. It is a case of getting rid of rotten apples in order to save the good ones.

How best to use our great technology to do the job of reclaiming and preserving good areas as well as clearing out the bad will take experiment and innovation.

In this Message on Urban and Rural Poverty in March this year, President Johnson reemphasized the importance of rehabilitation as the "key to many of our successful urban renewal programs" and proposed steps to "find the best ways to tap the enormous market that exists in rebuilding our cities and to bring the most modern systems and the most advanced technology to this urgent task."

Industry is already applying its ingenuity to the problem. HUD is helping to finance one highly promising experiment in applying modern technology methods and equipment to the rehabilitation of old but structurally sound tenements and row houses in New York City. By perfecting such techniques we can preserve the large stock of older housing that our communities need and that we cannot afford to destroy.

We believe this is but one idea of many that can be developed with our industrial know-how to make rehabilitation a feasible and economic fact. The job of restoring good housing in the community is a large one. But it is one that must be done.

We will need the wrecking and salvage industry to help do this job, just as we need them for clearance. We will need its technology, its modern equipment, its trained skills, and its resourcefulness. I want particularly to enlist its imagination and support in the new and greater challenge of the future.

THE NATIONAL YOUTH SCIENCE CENTER, CASCO BAY, PORTLAND, MAINE—A DECADE OF SERVICE TO AMERICA AND ITS YOUTH

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. KYROS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KYROS. Mr. Speaker, I would like to call attention to a unique educational project which over the past decade has proven its worth to America and its youth.

Seven years ago this date, my predecessor from the First Congressional District of Maine, noted in the proceedings of the 86th Congress, second session, the name of an individual and an idea he conceived. The idea was the National Youth Science Center. The man, David L. Lukens, an industrial executive.

Today the National Youth Science Center, whose base of operation is "Science Island," a 200-acre tract on Great Diamond Island in scenic Casco Bay just off Portland, Maine, has achieved a national record of academic excellence and is well on its way to recognition as a valued national institution.

First of its kind in the Nation, the objective of the National Youth Science Center is to find America's able youth in the formative secondary school years—15 to 18—and provide opportunity, guidance, and inspiration to become able and dedicated scientists and engineers.

The center is an annual science education-camping experience, where high-ability students meet their academic peers during the summer months in an invigorating New England setting. Here in a tension-free atmosphere, the students take part in a stimulating program which includes basic laboratory techniques, research, study, and recreation.

The genesis, development, and growth of the National Youth Science Center may well be a classic example of how an American institution is rooted. In this true-to-life saga, one finds a large measure of ingenuity, a humble start, years of hard work, and the foresight and faith of a number of individuals in a pioneer youth education program.

It started in 1956, prior to Sputnik I, when an overzealous housekeeper complained to the SPCA and her employer, Mr. Lukens, a South Orange, N.J., industrial executive, that Mr. Lukens' teenage son, Jeff, had dissected a frog.

The boy's father, seeking a method to channel the bright youngster's talents, hit on the idea of a youth science center where the boy could perform his experiments and receive guidance under competent scientists and educators.

Mr. Lukens then consulted and discussed the idea with Dr. Vannevar Bush, then chairman of the Massachusetts Institute of Technology, who was trying to alert the Nation to its lack of trained scientists and engineers and the danger of Russia's surpassing America in certain areas of scientific research. Dr. Bush's prophecies came into dramatic realization when the Russians later launched Sputnik I.

To implement the idea it took some 3 years of planning and legwork, during which time hundreds of educators, scientists, and top executives were contacted for suggestions on the program so that a practical and firm foundation would be built.

With the aid of Dr. Bush and later Dr. Mervin J. Kelly, then board chairman of Bell Telephone Laboratories, the National Youth Science Foundation was formed to finance the center. The founding group, in addition to Mr. Lukens, included Carl Gilbert, chairman, Gillette Co.; William C. Jordon, Jr., banker; Charles Shipman Payson, chairman, Vitro Industries; George L. Pew, industrialist; and Dr. E. Gifford Upjohn, chairman, Upjohn Pharmaceutical Co.

To give the project direction, a knowledgeable group of individuals—educators, scientists, and industrialists—including four Nobel prize winners, agreed to serve on the board of directors. Chairman is Dr. Edward Calvin Kendall, who won the Nobel prize for the codiscovery of cortisone.

Other members of the original board included Prof. Percy William Bridgman, Harvard University physicist; Dr. Harold A. Edgerton, psychologist; Dr. Milton Harris, chairman, American Chemical Society; Dr. Mervin J. Kelly; Prof. John H. Northrop, chemist, University of California; Dr. Dickinson W. Richards, medical doctor, college of physicians and surgeons; George P. Sutton, research engineer and former president, American Rocket Society; Dr. Wernher von Braun, physicist and director, George C. Marshall Space Flight Center; and Dr. Paul Dudley White, well-known Boston heart surgeon.

NEED FOR THE CENTER

There is an acute need for motivational programs such as the National Youth Science Center. There are some 13 million impressionable young Americans between 15 and 18 years of age in public and private high schools. Included in this group is a small percentage ranging from one-half to 5 percent of students gifted with high or superior intellect. This is the group the National Youth Science Center seeks to expose to its environment.

A major problem of high intellect students is that they seldom have opportunity to meet their academic peers. In many instances this results in a withdrawn or arrogant personality. At the center it is a wholesome experience when a student, often for the first time, meets his academic equal or superior, swaps experiences and forms lifelong friendships.

In this respect future plans call for the NYSC to invite high-ability students from foreign countries to participate in the annual summer sessions. This would considerably advance the great American need for international good will and person-to-person communication and understanding. These high-ability foreign students in the near future will be capable of doing important work and influencing the policies of their respective countries.

In many cases the guidance counselors at the secondary school level are not thoroughly familiar with career opportunities in the burgeoning and comparatively new marine sciences. Thus the NYSC fills a void in acquainting and guiding students in these fields.

THE PROGRAM

It is not enough for an educational project to have a lofty aim. At the National Youth Science Center, a detailed, well-thought-out program achieves its objective only by a demanding step-by-step curriculum.

At the center, the future scientists work on projects of their own choice, individually or in teams, swap scientific information and opinions with their fellow students, and indulge in cultural and physical pursuits designed to produce well-rounded individuals.

Little attempt is made to engage in formal classroom teaching. Emphasis is on giving unstintingly of one's self, thus inculcating the embryo scientist with the center's creed, "It is not the accumulation of knowledge but what is done with knowledge that counts."

The current program emphasizes marine biology and the other oceanology disciplines. These expanding sciences have need of able biologists, chemists, geologists, and other professional scientists and engineers. Several years ago the Navy lauded the work of the NYSC and donated a 65-foot diesel boat to implement the program.

SELECTION OF STUDENTS

Student selection is based solely on ability and potential to become an able scientist.

No student can attend the National Youth Science Center by paying for admission if his intellect does not warrant entrance. Nor will any qualified youngster be turned down due to lack of funds as long as the Foundation finances permit.

Any boy or girl within the age limits, regardless of color or creed, can apply as a candidate for admission simply by writing to the National Youth Science

Foundation, Post Office Box 131, South Orange, N.J.

SELF-SUSTAINING PLAN

We are particularly proud of the fact—

Mr. Lukens states—

> that although the National Science Foundation, a government agency, gave us a partial grant for two sessions, we were able to continue our annual program for eight consecutive years through private funding. Moreover, we are building a year-round educational and research center with an operational plan not dependent on government subsidy.
>
> This is in marked contrast to the attitude of many educators and administrators, who believe the only way to do anything is through a government grant. No government money—no project!
>
> Of course, in many cases government aid is a requisite to the start of a project but the recipients of these grants should not be wholly dependent on their continuance for operation of an annual program. In the old and proven American free enterprise tradition, individual ingenuity and initiative should be able to devise a means of continuing a needed and worthy undertaking.

LABOR DEPARTMENT BECOMES ANTILABOR

Mr. RARICK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, organized labor, without its right to collective bargaining, seniority, progression, recall, and job security is but a dues-paying social club.

However, the strong hand of the Federal Government is even now casting its control over labor unions with the obvious goal of destruction of organized labor and in its place the establishment of a national labor force at the mercy of intellectual bureaucrats.

The plan is rigged so as to use the contractors as frontmen to catch the blame while behind the scenes, justifying their activity by title VII of the Civil Rights Act of 1965, is the Department of Labor, its offspring the Office of Federal Contract Compliance and the Office of Equal Employment Opportunity. Their guided objective can but be destruction or organized labor and the full control of a national labor force.

Using the tactics of a civil rights organization, these Federal agencies feel they can justify all controls and intervention under their guidelines to abolish segregation—it matters not that the laws are being followed—what counts is that they claim the law is not being adhered to. Their real power is controlled use of the taxpayers' money, the teamwork of the Federal judiciary and the U.S. Attorney General's office.

This is the way the "keep-'em-on-the-run" scheme works. The contractor is told that to continue receiving any Federal business, he must renegotiate his contract with the Office of Federal Compliance. The renewed contract is a stepped-up guideline providing for policies and provisions that cannot be accepted by any labor union. In the new Federal contract the employer is told he must refuse to comply with any collective bargaining contract provisions conflicting with the Government contract.

Should the union refuse to accept the Federal guidelines the employer is further required to prevent or restrain his workers including, if necessary, proceedings under the National Labor Relations Act or title VII of the Civil Rights Act. Picketing, striking, or walkout is forbidden, according to the new Labor Department policies.

The Labor Department has now become antilabor.

Already numerous labor leaders have found themselves under the gun. Papermill unions, plumbers unions, and typographical unions have been told the Federal agencies—not their rank and file members—run their respective union halls. Already they have experienced the alien non-American feeling of "Federal spies" in their midst.

Consider this example of a negotiated contract between the Office of Federal Contract Compliance and a national employer last month here in Washington, D.C.

The employer's union, by the way, having recently been lauded by the Jimmie Roosevelt Committee on Human Rights as exemplary in equal employment opportunity.

Obviously the social mechanics have now progressed on their equality timetable to where they feel sufficient muscle to demand compensatory benefits, guaranteed job opportunities, and advancement, and actually political priority for their select crowd.

This employer's workers are organized. They have negotiated and operated under a collective bargaining contract which protects the job security and individual rights of the employer. But the Federal agency contract requires changes in the existing agreement or arrangement with the union which differs with the intended plans of the Federal contract. Where does this leave the union and workers? Exploitation by big business is now replaced by exploitation by their own Government.

Further, if the employer has trouble with his union he is to take the initiative to stop any strikes or walkouts by "institution of proceeding under the National Labor Relations Act and title VII of the Civil Riots Act."

Examine a few of the other provisions of the new Office of Federal Contract Compliance contract:

First. No aptitude, intelligence or other employment tests.

Second. Application records to be kept by race and if any applicant not hired—the reason.

Third. Program of recruitment from minority groups with specified number of announcements in press and on the radio.

Fourth. All applicants rejected because of failure to pass intelligence tests to be notified to reapply.

Fifth. Affirmative program for hiring and placement of minority group applicants.

Sixth. Merger of progression lines, seniority to be on total plant basis.

Seventh. Affirmative program for promotion of minority employees.

Eighth. All locker room assignments in alphabetical basis.

Ninth. Additional onsite training for minority group employees for transfer or promotion.

The Office of Federal Contract Compliance credits its highhanded dictates against the union men on Executive Order No. 11246, dated September 24, 1965, which is here reproduced for reading:

EXECUTIVE ORDER 11246—EQUAL EMPLOYMENT OPPORTUNITY

Under and by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

PART II—NONDISCRIMINATION IN EMPLOYMENT BY GOVERNMENT CONTRACTORS AND SUBCONTRACTORS

Subpart A—Duties of the Secretary of Labor

SEC. 201. The Secretary of Labor shall be responsible for the administration of Parts II and III of this Order and shall adopt such rules and regulations and issue such orders as he deems necessary and appropriate to achieve the purposes thereof.

Subpart B—Contractors agreements

SEC. 202. Except in contracts exempted in accordance with Section 204 of this Order, all Government contracting agencies shall include in every Government contract hereafter entered into the following provisions:

"During the performance of this contract, the contractor agrees as follows:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

"(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

"(4) The contractor will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

"(5) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

"(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of Sept. 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

"(7) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of Sept. 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided, however,* That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

SEC. 203. (a) Each contractor having a contract containing the provisions prescribed in Section 202 shall file, and shall cause each of his subcontractors to file, Compliance Reports with the contracting agency or the Secretary of Labor as may be directed. Compliance Reports shall be filed within such times and shall contain such information as to the practices, policies, programs, and employment policies, programs, and employment statistics of the contractor and each subcontractor, and shall be in such form, as the Secretary of Labor may prescribe.

(b) Bidders or prospective contractors or subcontractors may be required to state whether they have participated in any previous contract subject to the provisions of this Order, or any preceding similar Executive order, and in that event to submit, on behalf of themselves and their proposed subcontractors, Compliance Reports prior to or as an initial part of their bid or negotiation of a contract.

(c) Whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or an agency referring workers or providing or supervising apprenticeship or training for such workers, the Compliance Report shall include such information as to such labor union's or agency's practices and policies affecting compliance as the Secretary of Labor may prescribe: *Provided,* That to the extent such information is within the exclusive possession of a labor union or an agency referring workers or providing or supervising apprenticeship or training and such labor union or agency shall refuse to furnish such information to the contractor, the contractor shall so certify to the contracting agency as part of its Compliance Report and shall set forth what efforts he has made to obtain such information.

(d) The contracting agency or the Secretary of Labor may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals, with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, color, creed, or national origin, and that the signer either will affirmatively cooperate in the implementation of the policy and provisions of this Order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the Order. In the event that the union, or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement and such additional factual material as the contracting agency or the Secretary of Labor may require.

SEC. 204. The Secretary of Labor may, when he deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including any or all of the provisions of Section 202 of this Order in any specific contract, subcontract, or purchase order. The Secretary of Labor may, by rule or regulation, also exempt certain classes of contracts, subcontracts, or purchase orders (1) whenever work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved; (2) for standard commercial supplies or raw materials; (3) involving less than specified amounts of money or specified numbers of workers; or (4) to the extent that they involve subcontracts below a specified tier. The Secretary of Labor may also provide, by rule, regulation, or order, for the exemption of facilities of a contractor which are in all respects separate and distinct from activities of the contractor related to the performance of the contract: *Provided,* That such an exemption will not interfere with or impede the effectuation of the purposes of this Order: *And provided further,* That in the absence of such an exemption all facilities shall be covered by the provisions of this Order.

Subpart C—Powers and duties of the Secretary of Labor and the construction agencies

SEC. 205. Each contracting agency shall be primarily responsible for obtaining compliance with the rules, regulations, and orders of the Secretary of Labor with respect to contracts entered into by such agency or its contractors. All contracting agencies shall comply with the rules of the Secretary of Labor in discharging their primary responsibility for securing compliance with the provisions of contracts and otherwise with the terms of this Order and of the rules, regulations, and orders of the Secretary of Labor issued pursuant to this Order. They are directed to cooperate with the Secretary of Labor and to furnish the Secretary of Labor such information and assistance as he may require in the performance of his functions under this Order. They are further directed to appoint or designate, from among the agency's personnel, compliance officers. It shall be the duty of such officers to seek compliance with the objectives of this Order by conference, conciliation, mediation, or persuasion.

SEC. 206. (a) The Secretary of Labor may investigate the employment practices of any Government contractor or subcontractor, or initiate such investigation by the appropriate contracting agency, to determine whether or not the contractual provisions specified in Section 202 of this Order have been violated. Such investigation shall be conducted in accordance with the procedures established by the Secretary of Labor and the investigating agency shall report to the Secretary of Labor any action taken or recommended.

(b) The Secretary of Labor may receive and investigate or cause to be investigated complaints by employees or prospective employees of a Government contractor or subcontractor which allege discrimination contrary to the contractual provisions specified in Section 202 of this Order. If this investigation is conducted for the Secretary of Labor by a contracting agency, that agency shall report to the Secretary what action has been taken or is recommended with regard to such complaints.

SEC. 207. The Secretary of Labor shall use his best efforts, directly and through contracting agencies, other interested Federal, State, and local agencies, contractors, and all other available instrumentalities to cause any labor union engaged in work under Government contracts or any agency referring workers or providing or supervising apprenticeship or training for or in the course of such work to cooperate in the implementation of the purposes of this Order. The Secretary of Labor shall, in appropriate cases, notify the Equal Employment Opportunity Commission, The Department of Justice, or other appropriate Federal agencies whenever it has reason to believe that the practices of any such labor organization or agency violate Title VI or Title VII of the Civil Rights Act of 1964 or other provision of Federal law.

SEC. 208. (a) The Secretary of Labor, or any agency, officer, or employee in the executive branch of the Government designated by rule, regulation, or order of the Secretary, may hold such hearings, public or private, as the Secretary may deem advisable for compliance, enforcement, or educational purposes.

(b) The Secretary of Labor may hold, or cause to be held, hearings in accordance with Subsection (a) of this Section prior to imposing, ordering, or recommending the imposition of penalties and sanctions under this Order. No order for debarment of any contractor from further Government contracts under Section 209(a)(6) shall be made without affording the contractor an opportunity for a hearing.

Subpart D—Sanctions and penalties

SEC. 209. (a) In accordance with such rules, regulations, or orders as the Secretary of Labor may issue or adopt, the Secretary or the appropriate contracting agency may:

(1) Publish, or cause to be published, the names of contractors or unions which it has concluded have complied or have failed to comply with the provisions of this Order or of the rules, regulations, and orders of the Secretary of Labor.

(2) Recommend to the Department of Justice that, in cases in which there is substantial or material violation or the threat of substantial or material violation of the contractual provisions set forth in Section 202 of this Order, appropriate proceedings be brought to enforce those provisions, including the enjoining, within the limitations of applicable law, or organizations, individuals, or groups who prevent directly or indirectly, or seek to prevent directly or indirectly, compliance with the provisions of this Order.

(3) Recommend to the Equal Employment Opportunity Commission or the Department of Justice that appropriate proceedings be instituted under Title VII of the Civil Rights Act of 1964.

(4) Recommend to the Department of Justice that criminal proceedings be brought for the furnishing of false information to any contracting agency or to the Secretary of the Labor as the case may be.

(5) Cancel, terminate, suspend, or cause to be cancelled, terminated, or suspended, any contract, or any portion or portions thereof, for failure of the contractor or subcontractor to comply with the nondiscrimination provisions of the contract. Contracts may be cancelled, terminated, or suspended absolutely or continuance of contracts may be conditioned upon a program for future compliance approved by the contracting agency.

(6) Provide that any contracting agency

shall refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any noncomplying contractor, until such contractor has satisfied the Secretary of Labor that such contractor has established and will carry out personnel and employment policies in compliance with the provisions of this Order.

(b) Under rules and regulations prescribed by the Secretary of Labor, each contracting agency shall make reasonable efforts within a reasonable time limitation to secure compliance with the contract provisions of this Order by methods of conference, conciliation, mediation, and persuasion before proceedings shall be instituted under Subsection (a)(2) of this Section, or before a contract shall be cancelled or terminated in whole or in part under Subsection (a)(5) of this Section for failure of a contractor or subcontractor to comply with the contract provisions of this Order.

Sec. 210. Any contracting agency taking any action authorized by this Subpart, whether on its own motion, or as directed by the Secretary of Labor, or under the rules and regulations of the Secretary, shall promptly notify the Secretary of such action. Whenever the Secretary of Labor makes a determination under this Section, he shall promptly notify the appropriate contracting agency of the action recommended. The agency shall take such action and shall report the results thereof to the Secretary of Labor within such time as the Secretary shall specify.

Sec. 211. If the Secretary shall so direct, contracting agencies shall not enter into contracts with any bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of this Order or submits a program for compliance acceptable to the Secretary of Labor or, if the Secretary so authorizes, to the contracting agency.

Sec. 212. Whenever a contracting agency cancels or terminates a contract, or whenever a contractor has been debarred from further Government contracts, under Section 209(a)(6) because of noncompliance with the contract provisions with regard to nondiscrimination, the Secretary of Labor, or the contracting agency involved, shall promptly notify the Comptroller General of the United States. Any such debarment may be rescinded by the Secretary of Labor or by the contracting agency which imposed the sanction.

PART IV—MISCELLANEOUS

Sec. 401. The Secretary of Labor may delegate to any officer, agency, or employee in the Executive branch of the Government, any function or duty of the Secretary under Parts II and III of this Order, except authority to promulgate rules and regulations of a general nature.

Sec. 402. The Secretary of Labor shall provide administrative support for the execution of the program known as the "Plans for Progress."

Sec. 403. (a) Executive Orders Nos. 10590 (January 19, 1955), 10722 (August 5, 1957), 10925 (March 6, 1961), 11114 (June 22, 1963), and 11162 (July 28, 1964), are hereby superseded and the President's Committee on Equal Employment Opportunity established by Executive Order No. 10925 is hereby abolished. All records and property in the custody of the Committee shall be transferred to the Civil Service Commission and the Secretary of Labor, as appropriate.

(b) Nothing in this Order shall be deemed to relieve any person of any obligation assumed or imposed under or pursuant to any Executive Order superseded by this Order. All rules, regulations, orders, instructions, designations, and other directives issued by the President's Committee on Equal Employment Opportunity and those issued by the heads of various departments or agencies under or pursuant to any of the Executive orders superseded by this Order, shall, to the extent that they are not inconsistent with this Order, remain in full force and effect unless and until revoked or superseded by appropriate authority. References in such directives to provisions of the superseded orders shall be deemed to be references to the comparable provisions of this Order.

Sec. 404. The General Services Administration shall take appropriate action to revise the standard Government contract forms to accord with the provisions of this Order and of the rules and regulations of the Secretary of Labor.

Sec. 405. This Order shall become effective thirty days after the date of this Order.

Lyndon B. Johnson.

The White House, *September 24, 1965.*

[F.R. Doc. 65-10340; Filed, Sept. 24, 1965; 4:18 p.m.]

The President's Executive order is stretched out from title VII of the Civil Rights Act of 1964 which defines "discriminatory practices" in section 703 as follows:

Discrimination Because of Race, Color, Religion, Sex, or National Origin

Sec. 703. (a) It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire or to discharge any individual or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

(b) It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin, or to classify or refer for employment any individual on the basis of his race, color, religion, sex, or national origin.

(c) It shall be an unlawful employment practice for a labor organization—

(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin;

(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, or national origin; or

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

A reading of the Civil Rights Act as passed by Congress is hazy but certainly does not grant the authority to proceed as far as the Department of Labor has set sail. This "block building" on questionable foundations has delivered labor into the hands of the devil.

Consider the new crew of the Equal Employment Opportunity Commission task force committed by its remarks to "get this agency moving" on a series of industry-wide attacks on discrimination. The new breed has been educated to believe that anything goes as long as it is camouflaged by its racist cry of discrimination.

The master destroyer in charge of this unionism destruction is Stephen W. Shulman, age 34, who does not understand labor and probably never worked for a living in his life.

On his activist staff are Gordon Chase, age 34, promoted from the Agency of International Development; Eric Springer, age 38, from the University of Pittsburgh; David Shefrin, age 39, formerly with ABC-TV; and Peter Robertson, age 31.

They hope to be financed by $7.2 million of your tax dollars and command 424 employees to promote bias on the job and to "rev-up" the faked civil rights agitation to divide our people. And the operation is being pulled off very smoothly.

In fact, they deny being antilabor. They put out the propaganda line that they are after the Nation's employers. Possibly like other theoretical intellectuals they cannot see any further ahead than to believe their own conversation. Most employers are now unionized and in jamming Federal compliance of equalitarianism down the employer's throat, it is the workingman who suffers.

And there you have it. Coming from the color of a social law enacted with workingmen's funds, the theatrical production financed by workingmen's taxes—a clear-cut conspiracy is underway to abolish organized labor.

And who can say these unelected rulers will not succeed. We have seen the havoc caused by guidelines and raw power displayed by Executive orders in every other field of human endeavor. The military is controlled and our public education nationalized. Then, why not destroy labor and make it jump at the every personal wish of "big brother government."

Tomorrow, no strikes permitted—the next year no pay increases and eventually full equalization of all labor by removal of such petty distinctions as craft unions, pay scales, and fringe benefits.

Labor will be thrust from unionism under the profit motive of capitalism to full exploitation and slavery by a complete national socialism under political control.

It is late, but never too late to be heard. The collective voices of workingmen are the strength, the prosperity, and the liberty of America. If only they can see through this legal mumbo-jumbo, and take unified action before the chains fall completely into place.

PEACE MEANS WAR

Mr. RARICK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, many letters and talks contain references to the literary monstrosity prepared by the tax-free foundation, Carnegie Endowment for International Peace, entitled "Apartheid and United Nations." Few have seen the volume or had the opportunity to read and grasp the seriousness of the analysis which calls a calculated risk of

war and killing to achieve the organization's interpretation of peace.

I would like for all to have available at least chapter 8 of this book entitled "A Summation," and include it here following my remarks:

CHAPTER 8—A SUMMATION

(By Amelia C. Leiss)

When this analysis was conceived, it was hoped that light might be shed on three broad questions about the possible use of United Nations coercive action in resolving the issues of *apartheid* in South Africa and of South West Africa. First, was coercion feasible? Second, what would be its function? Third, would it be appropriate for the United Nations? In this final chapter, we shall explore the insights revealed in previous chapters.

THE FEASIBILITY OF COERCION

The word "feasible" has meaning at several different levels. In its narrowest sense, the question might be whether the coercive measures and steps discussed in Chapters 5, 6 and 7 are within the capacities of the states that would be called upon to take them, and whether they are within the powers of the UN to institute. In this sense, the answer to the question of feasibility would clearly seem to be affirmative. Even the most far-reaching of the military measures described in Chapter 7 would not over tax the capabilities of the UN membership assuming the cooperation of certain key members. And while the imposition of some of the more comprehensive economic measures identified in Chapter 6 would be costly, again to certain states in particular, much greater costs have been borne by many of these states and their peoples when the causes for which they were endured seemed sufficient. Even these costs could be made more bearable and their burden more equitably shared if the decision to employ economic measures against South Africa were accompanied by a system of compensations to those most adversely affected.

Again taking this narrow meaning of feasibility, such measures as are described in previous chapters of this analysis are feasible from the point of view of the constitutional capacity of the United Nations. The organization is equipped in Chapter VII of the Charter with the power to decide on a comprehensive range of diplomatic, economic, and military measures to meet threats to the peace, breaches of the peace, and acts of aggression; and in Article 94, paragraph 2, it has similar power to enforce compliance with judgments of the International Court of Justice. Furthermore, Article 2, paragraph 7, of the Charter, which prohibits UN intervention in matters essentially within the domestic jurisdiction of member states, excludes from that prohibition enforcement measures under Chapter VII, that is, when the Security Council has determined that a threat to the peace exists, even if it originates in a domestic situation. And both the Council and the General Assembly can recommend such coercive steps to member governments, as they have done in the South African case.

But taking this narrow view of the meaning of feasibility does not yield particularly useful insights into the question of the feasibility of coercive action by this United Nations, with this membership, in these situations. An added crucial element in determining feasibility is the will of the UN membership—and given the nature of the problem one might well say the will of certain key members. Not only is the will of the permanent members of the Security Council necessary to a decision to undertake collective measures, but also, as has been argued in Chapters 6 and 7, their cooperation is probably essential to the implementation of many of the forms of coercive economic and military action.

At the present moment, it is a matter of fact rather than judgment that at least three permanent members of the Council—France, the United Kingdom, and the United States—are not prepared to agree to any wide-ranging coercive action through the UN, whether as formal collective measures or as recommendations to be implemented by member states. At the same time they have agreed to recommend steps that go beyond exhortation and condemnation—for example, in recommending an embargo on arms shipments to South Africa.

In Chapter 1 we have suggested a number of developments in South Africa and elsewhere that would affect the political will of these states to agree to support UN coercive action against South Africa. And in Chapter 4 we have examined some of the new elements that will be added to the problem when the International Court delivers its judgment in the South West Africa cases. It would be shortsighted to assume that the present unwillingness of the Western powers to agree to such action is not subject to change. At the same time, those who think of feasibility exclusively in terms of capacity are probably taking an equally shortsighted view of the problem. Put simply, UN coercive action will be feasible when and if those states with the capacity to carry it out make the political judgment that it is required.

THE FUNCTION OF U.N. COERCIVE ACTION

In several chapters in this analysis, we have explored facets of the question of the objectives—in South or South West African terms—that UN coercive action might be intended to serve. Stated in most general terms the objective in South Africa might be described as inducing or forcing the government of South Africa to remove racial barriers to full and equal participation in the political, social, and economic life of the country. For some, an appearance of willingness on the part of the Republic government to move in this direction might be sufficient; to others the goal might not have been accomplished until such a non-racial society was an accomplished fact.

The point to be made here is that the ultimate purpose of UN coercive action would not be to isolate South Africa diplomatically, to damage or destroy its economy, or to inflict military defeat on it. It is important, of course, to analyze the extent to which the means available to the UN could have these effects. But any analysis that stopped at this point would be largely irrelevant to the central question of whether isolating South Africa diplomatically, damaging its economy, or defeating it militarily would lead to the creation in South Africa of the kind of society that would be the ultimate objective of the UN.

On this central question there is no clear answer. Judgments differ as to the reactions of all segments of South African society to a determined program of UN coercion. Judgments differ as to the fragility of the South African economy and the degree of unity of purpose and action that might be expected from the international community in taking collective action against South Africa. And judgments differ not so much about the kind of military resistance of which the South African armed forces would be capable but as to the strength of the political will of the government and those to whom it is responsible to resist to the full.

Nothing in this analysis suggests that there are easy or sure answers to these questions. They are, in a real sense, beyond analysis. The most that can be done is to explore, as we have tried to do, what would be the result of a South African decision to take all actions within its capacity to circumvent and resist UN action. And, particularly in the economic field, we have found many ways in which South Africa could negate or soften the impact of many forms of economic restriction. Just as the question of the feasibility of UN coercive action becomes, basically, a matter of the political decision of the major UN members to act, so the question of the effects of that action in bringing about desired change in South Africa becomes in essence a question of the political will of the South African government and, in the first instance, its white supporters.

The objectives of UN efforts to enforce compliance with a judgment of the International Court of Justice in the South West Africa cases are, in theory at least, distinct from the UN's objective in the *apartheid* case. While it is possible that the goal of UN action would be to cause a change in the philosophy of the Republic's administration of the Mandated Territory, it may be at least as likely that the goal would be to enforce the Republic's acceptance of some kind of UN presence in the territory—whether to administer it directly or to oversee closely South African administration. Should the decision be made to resort to collective measures for purposes such as these, one would have to assess anew the extent to which the means available to the UN would be effective in compelling or inducing South African acceptance of them. It would seem reasonable to assume that, however valuable the territory may be to them economically and however important to their present defense plans, the South African government and the white electorate would not be prepared to make the same degree of sacrifice to retain unsupervised control of South West Africa, that they might be prepared to endure for the retention of the political and economic power they at present enjoy in the Republic.

The matter of reaching judgments on the functions of UN collective measures against South Africa—for either the purpose of eliminating *apartheid* or for objectives related to South West Africa—is complicated by three factors that have been touched upon in this analysis. The first is that, with the issue of *apartheid* in the Republic unresolved, collective UN measures against the Republic to attain limited South West African goals would be extremely difficult to control politically and to keep limited. The second is that while there may be general agreement on a broadly stated objective, some states and groups of states will no doubt have in mind more specific national or ideological goals. The third complicating factor is that the goals that states may be seeking to achieve by the use of coercion through the UN may not be related to the future of South Africa or South West Africa at all, or only remotely related. The objective might be an intermediary one of persuading South Africa to enter into serious negotiations about South West Africa or about altering its own political structure. Some states may even conclude that to them the political cost of inaction is too high. In a sense, therefore, a UN decision to act might be a goal in itself to which analyses about the utility of the means employed to obtain a desired goal within South Africa or *vis-a-vis* South West Africa would be of secondary or no significance.

In short, there are no neat intellectual mechanics to aid the policy maker in arriving at judgments about UN coercion and the UN's goals in South Africa. This is not to suggest that efforts to understand the elements that belong in the equation are not valuable. It does suggest that in this as in other policy questions, there are a formidable number of unknowns and unknowables and, in the final analysis, policy may be formed by events and arguments unforeseen as well as by those anticipated and analyzed in advance.

THE APPROPRIATENESS OF U.N. COERCION

The entire focus of this analysis has been on that point in history and decision at which the issues of South and South West

Africa and the availability to the United Nations of certain coercive powers intersect. When we have examined questions of the nature of South African society or the futures that some South Africans see for their country, we have done so because of their importance in understanding the nature of the problems posed at this historic juncture. When we have examined in some detail the economic, strategic, and political stake of the United States and United Kingdom in South Africa, we have done so because of the key position these states hold in making decisions about UN action and in carrying them out. At this point in this summation, we shall turn to examine the issues that are posed for the present and future of the United Nations by what its members decide to do in the South and South West African cases.

We shall look here at four broad issues. Two of them bear on the capacity of the United Nations and the organized international community to grow and to discipline itself in a peaceful orderly manner. These are the issues we shall label the limits of UN intervention and the rule of law. The other two issues may bear on the present capacity of the UN to survive and to play a central role in controlling and ameliorating major threats of this and coming decades. These are the problems of human rights and the nature of UN collective measures.

THE LIMITS OF UNITED NATIONS INTERVENTION

The formal limits of United Nations intervention as spelled out in Article 2, paragraph 7, of the Charter have never been relevant to the question of South West Africa, had dubious relevance to the question of the treatment of peoples of Indo-Pakistani origin in the Republic, and are not now cited as prohibiting UN action on the question of *apartheid* in the Republic by any but South Africa and Portugal. Clearly there are few things more "essentially within the domestic jurisdication" of a state than its relationship to its own citizens, its constitutional form, and its laws, and administrative and judicial procedures. Yet these are the features of the present South African system that are under assault and that a majority of the UN insist be changed.

To raise the question here of the limits of UN jurisdiction is not to call into question the validity of the action that the UN has taken to date on the question of *apartheid* in South Africa. Some states may continue to doubt whether particular types of resolutions do not intervene in inadmissable ways. However, a majority of UN members have found, either in other obligations undertaken in the Charter (such as those on human rights), in the unique character of the South African system, in the threat the system poses for the peace of Africa and the world, or in special definitions of the point at which UN action becomes "intervention," ample grounds to affirm the UN's authority to condemn the South African system of *apartheid*, to recommend what system should replace it, to recommend the procedures by which it should be dismantled, and most recently to recommend certain steps that states might take to bring pressure against the South African government to change.

Nevertheless the question must be asked: What will be the impact on the capacity of the United Nations to grow and to enhance its authority if it demonstrates that it can not only discuss and pass judgment upon a member's social system but also change it by force?

THE RULE OF LAW

Many hope to see develop a more peaceful and stable world in which differences between states are resolved through the orderly application of law rather than through the threat or use of force. This they see as the only alternative to the present precarious peace that rests in the last analysis on the ability to wage war. Respect for international law and the sanctity of the judgments of the International Court of Justice are not just values that are embodied in the UN Charter—they are the fundamental building blocks of a more orderly and safer international community.

In the cases of South and South West Africa, the question of the rule of law arises in many ways. Thus some deplore as a "double standard" the fact that the non-aligned states could, at the same meeting, adopt both a resolution calling for the strongest economic collective measures to compel South Africa to change its racial policies and a resolution that read:

The Conference, considering that foreign pressure and intervention to impose changes in the political, economic and social system chosen by a country are contrary to the principles of international law and peaceful coexistence, requests the Government of the United States of America to lift the commercial and economic blockade against Cuba.[1]

The states participating in this conference, of course, would vigorously reject the charge that there is any inconsistency in these two positions since the situation in South Africa is totally different from that in Cuba. The same charges of dualism could be made and denied with respect to US–Belgian action in the Congo as compared with African support of the Stanleyville rebels; or Indian action against Goa compared with Chinese incursions into India; or US bombings in North Vietnam compared with Israeli reprisal raids against Syria or the UAR.' We do not want to enter here into debate as to the merits of either side of these controversies, nor do we suggest that inconsistency, if it does exist, is the monopoly of any single state or group of states. The question remains whether those who hope for a world regulated by the universal application of the rule of law and who counsel states with grievances to submit to the long and difficult discipline of international judicial procedures can make a persuasive case for their cause if the major powers are not willing, in the final analysis, to use all means at their disposal to see to it that the judgments of the International Court are respected and complied with?

HUMAN RIGHTS AND COLLECTIVE MEASURES

In this and the following section, this chapter will examine the questions that are, in this author's view, the two horns of the South African dilemma for the United Nations: on the one hand, the high goals set for the organization on matters of human rights and the obligations members have undertaken in this regard, and, on the other hand, the crude tools available to the UN and the international community generally to effect them.

In the Preamble to the United Nations Charter are the words:

"We the people of the United Nations—determined . . . to promote social progress and better standards of life in larger freedom, and for these ends . . . to employ international machinery for the promotion of the economic and social advancement of all peoples."

The opening Article of the Charter lists among the purposes of the organization:

"To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." [Article 1, paragraph 3]

Article 55 spells this out still further:

"With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote: . . . universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

And in Article 56, the members of the United Nations undertake the obligation "to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55." While there may be differences of view about the kind of action the UN can or should take in cases where violations of this obligation are charged, there can be no doubt that human rights are legitimate UN concerns and that members have accepted an obligation to promote them.

It was as a denial of human rights in one of its most pernicious forms, racial discrimination, that the treatment by the white minority government of South Africa of its non-white majority was first raised in the United Nations. But since 1946, the world in which the South African system exists has become one in which many differences of race and color coincide with divisions between former colonial powers and former colonies, between old nations and new nationalisms, and even between the old Communists and the new. It is the haunting fear that divisions along these lines will harden into a racial bi-polarity that has transformed the problem of *apartheid* into one that touches upon the present and future peace of the world. As one observer has put it, we may have avoided World War III between the West and the Soviet Union only to find ourselves destroyed in a conflict between races in World War IV.

Those who press for vigorous and decisive action *now* to put an end to *apartheid* base their arguments on the belief that this issue, while certainly not the only injustice, racial or other, in the world, is the one most likely to be the catalyst to bring just that kind of racial conflict about. Secretary-General U Thant, addressing the Algerian National Assembly in February 1964 said, in specific reference to South Africa:

There is clear prospect that racial conflict if we cannot curb and finally eliminate it, will grow into a destructive monster compared to which the religious or ideological conflicts of the past will seem like small family quarrels. Such a conflict will eat away the possibilities for good of all that mankind has hitherto achieved and reduce men to the lowest and most bestial level of intolerance and hatred. This . . . must not be permitted to happen.[2]

There are few today who would not agree that the South African situation is dangerous, and that the prospects outlined above are reasons for its being so. The question is how the United Nations can effectively respond to the situation. Such questions are not confined to the international realm. In the speech cited above, the Secretary-General added:

"The disease [of racial discrimination], however, must be treated as a most dangerous form of sickness rather than as a reason for retaliation and violence—that is, with restraint, with the greatest care and with the firm belief that racists are human beings, albeit mentally ill, who must be rescued and cured from the affliction that they sometimes do not even recognize. The ailment must be diagnosed, its course noted, its virulence isolated, prescribed for and all possible cures tried. Otherwise hate will breed hate and violence will breed violence in a disastrous and vicious circle. . . .

"[I] appeal to all Africans to view this problem as a world problem to be solved at all costs, and peacefully if possible. I do not feel hesitant in appealing, even to the victims of prejudice, for restraint and understanding in dealing with it, for nothing less will do, if we are to make a new world which will fulfill the promise of all our generous ideals and of our immense possibilities. . . .

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[1] *Conference of Heads of State or Government of Non-Aligned Countries, Cairo, October 1964, Programme for Peace and International Co-operation*, Document NAC-11/HEADS/5, 10 Oct. 1964, pp. 12–13, 18.

[2] United Nations Press Release SG/SN/3/Rev. 1., 4 Feb. 1964.

"I do not mean to suggest for a moment that firmness, indomitable resolution and a determined will to victory are not essential in this struggle. I only ask that every action, every attitude, every expression of opinion or sentiment be weighed carefully both with the ultimate end and with the terrible risks in view. I say this with the interest of both African and non-Africans in mind.[3]

Can the United Nations deal effectively with this blatant denial of human rights, particularly since its powers under Article 55 and 56 are extremely limited? If not, what role has it to play in a future in which the major questions threatening international peace and stability may crystallize along racial lines?

THE NATURE OF COLLECTIVE MEASURES AND THE NATURE OF THE UN

Chapter VII of the UN Charter, which grants the Security Council the power to decide upon diplomatic, economic, and military measures that all members of the UN are obliged to support, opens with Article 39:

"The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide upon what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security."

Those who wish to employ collective measures against the Republic are asking for a determination that the *apartheid* system in South Africa does constitute a basis for Security Council decision under this article.

The arguments as to whether the terms of Article 39 are now applicable to South Africa have been described in the opening chapter of this report. But the question of employing coercive action is a much more fundamental one. In both the League of Nations Convenant and the United Nations Charter—and in the instruments of such regional security organizations as the Organization of American States and the Arab League—the coercive powers given the organizations appear to be designed to maintain or restore the *status quo* against attempts to change it by force.

In its Charter, by interpretation, and through subsequent agreements such as the Italian Peace Treaty, the United Nations has been given some major innovative roles that had not previously been granted international institutions—in the process of nation-building, in the process of decolonization, in modernizing traditional economies. In other words, the United Nations has been an instrument of change in a rapidly changing world. But so far, it has operated as an instrument of peaceful change. Those who press upon it a role of forcing the creation of a just society in South Africa call upon it to depart on a new path. The concept of using U.N. collective measures to enforce change, whether among states or within them, would chart a new course for the United Nations.

THE BASIC UNITED NATIONS DILEMMA

The United Nations and those who want to see it survive, mature, and grow are thus caught in a dilemma of major proportions. Should the organization be used to coerce South Africa, its new-found powers may frighten many of its friends. And the process of coercion holds hazards of splitting the organization's membership into the very two racially-oriented camps that all responsible people seek to avoid. Dissensions such as those that developed in the course of the Congo operation, which are probably in good measure responsible for the present deadlock in which the organization finds itself, would without question be present in even more damaging form in the course of any large-scale UN effort to use coercive action to rid South Africa and the world of *apartheid* or to effect a solution to the South West African problem.

On the other hand, the incapacity of the United Nations to deal with this question of intense and passionate concern to new nations and to people everywhere who are concerned with justice and racial equality may well convince them of the essential irrelevance of the United Nations to their own basic needs and interests. The result could only be the decline of the UN brought by the very states that probably need it most, or its actual disintegration should others reach Indonesia's conclusion and follow it out of the organization.

These of course are the extremes, but they are not beyond possibility. In a very real sense, the issues are not the limited ones of South Africa's social system or its policies in South West Africa; the issue is the future of the United Nations.

ADDRESS BY THE VICE PRESIDENT AT SECOND INTERNATIONAL CONFERENCE ON URBAN TRANSPORTATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. Moorhead] is recognized for 15 minutes.

Mr. MOORHEAD. Mr. Speaker, it was my great privilege on Tuesday of this week to hear the Vice President of the United States, the Honorable Hubert H. Humphrey, address more than 1,000 delegates to the Second International Conference on Urban Transportation in my home city of Pittsburgh.

Mr. Humphrey caught the attention of delegates from seven States and 25 nations by charging:

> Many American cities, large and small, are helping to destroy transit by the way in which they habitually think of transit. They are helping to foreclose its future by assigning it unreasonable and impossible tasks.

The Vice President then challenged his listeners by asserting that "above all, our cities must first decide what urban mass transportation really is"—an enterprise for profit, an instrument for achieving equal opportunity, part of the cost of business and industry, or one of the fixed costs of living in a city?

If transit experts do not "get to the soul of this subject," he warned, they will be forever dealing with urban transportation crises "after the fact."

Noting that "the fate of the city and the fate of transportation are closely interwoven," the Vice President offered a variety of suggestions for the planning of future mass transit systems and for the revival of existing systems.

The Vice President's recommendations were stimulating and challenging, and I urge my colleagues to read his speech, which I insert in the Record at this point:

Remarks of Vice President Hubert H. Humphrey at the Second Annual International Conference on Urban Transportation, Pittsburgh, Pa., April 18, 1967

All of us, individually, have an idea in the back of our minds—a mental picture of what America would be like under the best of all possible circumstances.

One of the great shocks of maturity is the discovery that other persons' definitions of that truly happy society are so much different from our own.

We encounter perfectly law-abiding people whose values are at opposite ends of the scale. That, of course, is what self-government is all about. We have to harmonize many discordant views. If we couldn't do that, this society of ours would tear itself apart.

Should it seem to you almost miraculous that that isn't happening all of the time, perhaps we should bless the memory of some very wise men who assembled in Philadelphia, in the year 1787.

In transportation terms, there are always strong and valid differences of opinion on what is good or bad for a given city. In a sense, each transportation investment, with private or public funds, represents the victory of an idea.

But sometimes the opposing ideas are fairly evenly matched. Then what occurs is like a page out of the military history of Ancient Greece, in which it was customary, when two armies had fought to a draw, for each army to erect its own victory trophy on the same battlefield.

Thus, the skyscraper office building downtown represents a monument to public transportation, while the suburban shopping center epitomizes private transportation.

There has been a continuing and unequal struggle between the motorist and the transit rider to determine the character of the city. When viewed as a conflict of interest between city and suburb, the demands appear irreconcilable.

For, the logic of the highway user would convert downtown real estate into a great parking lot. And the logic of the transit advocate would require city-like densities of population in the suburbs.

Such extreme positions, if politically sustained, would place your government in the position of supporting contradictory ideas. Our highway program might then be depicted as giving one group of citizens less and less of a stake in the future of the central city, while, at the same time, our public housing program would be binding another group of citizens ever more closely to that future. I cannot accept this interpretation.

Whatever the short-run divergence of social interests, cities and their suburbs have a long-term community of economic interests. I believe that when public investments within a metropolitan area attempt to meet those interests equitably, they will in time cease to be articles of separation.

The fact is that, in national terms, urban transit is today a declining industry.

It is declining absolutely in cities of under 500 thousand population. It is declining relatively in the larger cities.

Urban mass transit represents a gross investment of approximately 4 and one quarter billion dollars. It would be a tragedy to see that investment dwindle and go down the drain. For great as the economic loss might be, the social loss would be incalculable.

And yet, ironically, I feel that many American cities, large and small, are helping to destroy transit by the way in which they habitually think of transit.

They are helping to foreclose its future by assigning it unreasonable and impossible tasks.

Above all, our cities must first decide what urban mass transportation really is.

Shall we look upon transit as a for-profit enterprise?

Shall we look upon transit as an instrument for equal opportunity?

Shall we regard it as a service to commerce and industry, in other words, a cost of doing business?

Or again, should we perhaps view transit as one of the fixed costs of living in a city?

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[3] *Ibid.*

The cities of America have to decide this question. It is not an abstract, philosophical question. For the answer has a direct bearing on decisions as to who shall pay for this service and in what way.

If, for example, a community should decide that public transit is a cost of doing business, then perhaps public transit should be free—as the elevators in a building are free. In this case, the expenses might be met by an annual levy on non-residential real estate.

Or, to follow this line of thought a little further, let us say that a community decides that it wants public transit to serve as a social equalizer.

A simple illustration: The Watts area in Los Angeles has poor public transportation to the major employment areas of the city. Some researchers found that the one-way trip from home to a job in those areas would usually take 1½ hours via a succession of busses. According to this study published in Christianity and Crisis, unless a person had a car—which a lot of poor people don't have—there was physically no way to get from Watts to one of the major employment areas by the start of the work day.

Now, let's say Watts was given some express bus routes, subsidized so the fares could be very low. Might there be an effect on the employment rate there? I suspect so.

This view of urban transit as a social equalizer is by no means irrelevant to the future of cities.

More and more industry has been moving to the outer edges and suburbs of the city. In the meantime, the people most in need of employment remain in the central city. How will those people get to those jobs?

If problems such as this one must be dealt with by transit people, after the fact, then I believe that transit is indeed being destroyed by a habit of thought.

Our urgent necessity is to begin thinking about urban mass transportation in such a way as to make a difference in eventual outcomes.

It would be folly to create the new and wonderful urban transport facilities that are within our technical capacities, if in the end, people choose not to live or work in central cities.

We have to get to the soul of this subject. We have to find out what people really want, and what people will really use, and what people are really willing to invest in with their tax dollars.

In the future, I suspect, urban travel consumption patterns will vary a great deal more than they now do, from city to city.

I say this hopefully, out of deep respect for the individuality of most large cities, which I would not only like to see preserved but reflected in the transportation policy decisions made by those cities. Consider the variety.

There are cities dominated by a single industry, like Detroit.

There are cities with very diversified industry, like Chicago.

There are ocean port cities, like New York.

There are governmental cities like St. Paul and Albany.

There are health and retirement centers, like Miami.

There are cities with major historic attractions, like New Orleans and Washington, D.C.

There are religious communities. There are cities of the plains . . . cities of the mountains . . . river cities like St. Louis and Memphis . . . sprawling cities like Los Angeles.

You cannot tell me that these special characteristics will disappear in 20 or 30 years, and that a single transportation scheme will fit all of them.

The more I examine urban mass transportation problems in this metropolis and that metropolis, the more convinced I become that there are no standardized solutions.

A city adapted to landscape limitations, as Pittsburgh, for example, may continue to use existing trolleys for decades, simply because the town is built in valleys favoring radial residential patterns.

A San Francisco may continue to use cable cars into the indefinite future because they do work on steep hills and they have a high sentimental value.

A New York may stand pat on its subways, because you might as well think of Manhattan as one colossal building with its elevators running horizontally.

Then, let us think of the new cities that are yet to be built in this country.

These could be planted in the wide open plains and grow to a half million population in 10 years if some new economic basis were to be discovered.

Or they could be the new, totally planned communities that are put into orbit around a central city.

Or they could be partially below-ground cities around major airports such as Dulles.

Obviously, when you build a community from scratch, there are opportunities to create new transportation patterns, such as pedestrian towns, or compact, self-contained skyscraper cities.

I think it likely that the new satellite towns of the future will adopt many different strategies to minimize congestion problems of commuters.

I wish them all well, and I think they should always be able to come to the appropriate federal agencies for technical assistance, and planning grants and loans. I only hope, when that happens, that we in the government will have the courage to encourage those new approaches.

Abstractly, the basic reality of transportation is that it is a derived function.

And the basic fact of an urban environment is that it is a calculus of rapidly changing relationships.

When you combine the two formulas, you discover that urban transportation is affected by more factors than it can ever hope to influence.

A zoning decision, for example, in a small satellite town may do more to alter the pattern of metropolitan travel than a multimillion dollar investment in new transit equipment.

A slight adjustment in farm policy can drastically alter the characteristics of a city's labor pool, along with its transportation requirements.

The adoption of a local payroll tax or a sizable reduction in property assessments might, in a short time, change the volume and direction of rush-hour traffic.

It seems to me that antibiotics and racial prejudice and FHA loans and birth-control pills can make as tangible a contribution to urban mass transportation as geography, technology, and eminent domain.

That contribution may be largely unpredictable and uncontrollable but not entirely so.

It poses an immensely complicated problem, demanding not intelligence alone but patience as well, and subtlety and flexibility.

These qualities are not always joined with entrepreneurial skill and civic patriotism.

Yet any city's long-range transportation planning which ignores social factors, or gives them insufficient weight, will be at their mercy.

The Johnson-Humphrey Administration and the 89th Congress responded to the needs of urban areas by two creative and historic measures: The formation of the Department of Housing and Urban Development in 1965 and the formation of the Department of Transportation in 1966.

These two departments have already begun a discussion of how they can best work together in solving urban transportation problems.

This discussion, will be of particular interest to this conference. For it should, and I believe, will lead to the enlargement and refinement of federal resources now available to improve local transportation systems.

President Johnson, in his Transportation Message of last year, stated that although HUD bears the principal responsibility for a unified federal approach to urban problems, it would need the counsel, support and cooperation of the Department of Transportation on matters affecting the intra-city movement of goods and people. He has asked the Secretaries of the two Departments to recommend to him, within one year after creation of the Department of Transportation, the means and procedures by which this cooperation can best be achieved. And President Johnson meant cooperation not only in principal but in practical effect.

Some analysts have suggested that future federal funds allocations to urban transportation facilities should include a new factor—the encouragement of coordination and reciprocities between the city and its suburbs.

In this connection, I anticipate a very fruitful cooperation between Secretary Weaver and Secretary Boyd. Especially in the great port cities and air-land traffic centers, the two Departments share heavy responsibilities with state and local governments.

As a matter of fact, all our future transportation decisions must reflect a more complex involvement in urban conservation goals. There is a growing appreciation of the fact that the efficiency of intercity transportation is inseparable from the efficiency of urban transportation facilities.

Airport access is the most conspicuous example, these days.

But long-distance trucking terminals, and rail yards and bus depots, and ports and harbors, are all dependent on ancillary services.

They especially depend on the existence of a rational and smoothly functioning local distribution system.

For, if the internal traffic conditions of a community become unmanageable, commerce and industry will seek to bypass the town.

Obviously, the fate of the city and the fate of transportation are closely interwoven. In the field of transportation, constant change has been the rule of life. Change has resulted from technological innovation.

Change has resulted from competition. Change has resulted from shifts in locations of people and industry. Change has resulted from alterations of consumer preferences, from new life-styles, from new aspirations of the individual, from higher standards of expectation.

Like all services, transportation has learned that, in order to survive, it must change. The cities of America are profoundly involved in the same patterns of change.

Because, historically, our great cities have all arisen at the transfer points of transportation; and they will flourish or decay as urban transportation improves or deteriorates.

It is your responsibility, and mine, to insure that the changes which occur, from this day forward, will continue to be changes for the better.

AUTHORIZATION FOR THE SECRETARY OF TRANSPORTATION TO REGULATE THE SAFETY OF OPERATION OF NATURAL AND OTHER GAS PIPELINE FACILITIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ADDABBO], is recognized for 15 minutes.

Mr. ADDABBO. Mr. Speaker, I am today introducing a bill to authorize the Secretary of Transportation to regulate the safety of operation of natural, manufactured, and other flammable gas pipeline facilities, thus providing the authority for comprehensive safety regulation of all modes of transportation within a single Federal agency.

The President this year, in his consumer message, pointed up the urgent need for legislation in this field. The tragic gas explosion and fire in my congressional district on January 13 of this year which has been referred to as "the miracle of Friday, the 13th" points up the dangers which lie just below the surface in so many areas.

Section 1(1)(b) of the Interstate Commerce Act now defines the term "carrier" to pipelines other than natural gas and water. The bill I am today introducing would amend the definition of "carrier" in 18 U.S.C. 831 to include natural gas, manufactured gas, or other flammable gas pipelines. This will have the effect of making sections 832 to 835 of title 18 applicable to gas pipelines, the only carrier of explosives or other dangerous articles by land presently beyond the scope of Federal safety regulations.

My bill would extend safety regulatory authority to gas pipeline transportation with a system of minimum regulation. This would not preempt the States from adopting more stringent safety standards not compatible with Federal standards, nor restrict the regulatory authority of the Federal Power Commission under the Natural Gas Act.

This bill, while giving the Secretary of Transportation authority to prescribe standards, also gives him authority to permit State agencies or independent contractors to certify the results of inspection, for Federal safety regulation purposes. This provision thereby reduces the number of Federal inspection personnel which would otherwise be required.

The bill makes full provision for consultation with the Federal Power Commission.

The bill I am today introducing is identical to S. 1166, generally referred to as the administration bill on gas pipeline safety. Hearings are now underway in the Senate Committee on Commerce. I include the statement I have made to the Senate committee in support of this legislation which I commend to your attention:

STATEMENT BY HON. JOSEPH P. ADDABBO BEFORE COMMITTEE ON COMMERCE, U.S. SENATE, APRIL 20, 1967

Mr. Chairman, I have read the testimony of Transportation Secretary Alan Boyd on this bill to prescribe safety regulations for the transportation of natural, manufactured, and other flammable gas by pipeline. He outlined many reasons why the safety of natural gas pipeline looms as a pressing problem this Congress must help to solve.

Two of the five major gas fires in the first quarter of this year were in my home State, one in the Congressional District which I represent. In both instances, many of the reasons why gas pipeline safety legislation is needed was manifest.

Natural gas is normally a safe, economical and vital utility serving more than 37 million Americans. But it requires proper handling to remain safe. Proper handling in this case centers on the condition of the pipelines that carry gas from company to consumer.

In the Queens fire in my district, the gas leak came from an antiquated drip valve which is needless to a natural gas system. This faulty piece of equipment should have been replaced or modified in 1952 when manufactured gas was replaced in the system by natural gas.

In the Hastings, New York, fire we do not know the exact cause of the leak. But we do know that the pipe was over 50 years old, a sewer line supported by concrete blocks had been constructed across it—and that this was the point of the explosion's origin.

There are over three quarters of a million miles of gas pipeline in this country today. Some of it has been in the ground since 1886. Some is of unknown age and condition. None is subject to uniform safety standards which are uniformly enforced.

It is vitally important that we go beyond the industry-imposed safety regulations which apply mainly to new pipelines. It is the lines already in the ground that are making the grim headlines.

Natural gas pipeline safety is so basic to the general welfare of the American public that it should not take a series of disasters to prompt congressional action. We recognized our responsibility as far back as 1893 when the first Federal railroad safety appliance act was passed. We cannot forget it today.

Population density is increasing at a high rate and the mileage of gas gathering, transmission, and distribution lines is increasing accordingly. The absence of adequate and effective safety regulation of gas pipeline stands as a glaring exception to the efforts of government to insure that all modes of transportation will function in a manner which protects the public interest in safety.

The industry collectively has taken a significant step in promoting safety by adopting the Code of the United States of America Standards Institute for Pressure Piping. This is a voluntary Code providing a concensus of informed engineering judgment as to minimum construction safety standards. Unfortunately, the Code is neither mandatory nor enforceable.

Also, it does not apply to pipeline already underground. Existing pipeline has not had the benefit of new advances in construction technology. Consequently, the older pipe has a greater potential for danger.

The public's interest is so great in this field of safety in terms of risk to human life and property that it is imperative to establish uniform and enforceable standards that would apply to designing, constructing, maintaining and operating natural gas pipelines.

We cannot forget, however, the role natural gas has played in the unprecedented growth of this nation. The industry has met many of its responsibilities in a very distinguished manner.

But, I believe active support and cooperation by government and industry in formulating and implementing adequate safety standards will best serve the overall public interest.

I commend the President's natural gas pipeline safety proposals for seeking to achieve the greatest amount of support and cooperation by industry that is possible.

I urge that the legislation implementing these proposals be passed as soon as possible. The Americans public cannot afford a delay.

CONGRESSMAN CLAUDE PEPPER'S PROPOSAL FOR AMENDING THE SOCIAL SECURITY ACT, PART II, H.R. 7378

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. PEPPER] is recognized for 30 minutes.

Mr. PEPPER. Mr. Speaker, Wednesday, April 12, I addressed this body regarding my proposals for amending the social security and medicare programs. At that time, I outlined my program, which I felt is vital and necessary in carrying out a more effective social security program for all the people of this country. I mentioned that I would like to submit a more detailed description of what my 20 proposals would accomplish and the need for their enactment. Also I was recently pleased to see that one of the outstanding newspapers in this country, the Miami News, editorialized in support of my proposals to aid our senior citizens, and those less fortunate persons in my State and the Nation.

Mr. Speaker, I, therefore, have unanimous consent to read into the RECORD a detailed description of my Social Security Amendments Act of 1967, H.R. 7378, as well as the editorial which appeared in the Miami News of April 17:

REPRESENTATIVE CLAUDE PEPPER'S SOCIAL SECURITY PROGRAM, H.R. 7378, II

The Congress has done much in the past for so many of our senior citizens. As a result of the enactment of the Social Security Act in 1935 and the subsequent amendments adopted by Congress, older Americans no longer have to live with the shadow of the poor house hanging over them. Because we have adopted and improved the social security program nearly 23 million people have an income that they otherwise would not have. For many of these people the receipt of a social security benefit spells the difference between hunger and enough to eat. There is, however, still much that ought to be done. President Lyndon B. Johnson has proposed a number of changes in the social security program, and I support the broad scope of these changes. I feel though that there is still more that we can do to improve the lot of our less fortunate citizens. Because there is still much to be done I have introduced H.R. 7378.

When introducing this legislation to improve the Social Security System, I felt I was concerning myself with the more than 17 million Americans over 65, who are being treated as second class citizens in the terms of job opportunities and in housing and in health and welfare of the "good life." I also have concerned myself with the many millions who are disabled or widowed and orphaned.

Our Senior Citizens face serious and continuing problems in employment, housing, medical care, education, pension, and in the meaningful use of their retirement years. We in the Congress should give special attention to these problems, and this is why I offer H.R. 7378, especially in view of the fact that our Senior Citizen population will grow to more than 20 million persons by 1970.

We, the Congress, have an obligation to discover new means of dealing with the problems of our Senior Citizens. We have a responsibility for finding new avenues of approach to their problems and to finding new ways to bring their needs to the attention of the Congress and the country.

So this is why I feel that the greatest challenge facing this Congress is how to construct a sane and rational Social Security Program. We all too often talk about the need for improving the standards of living of our older people, of our disabled, of our orphaned and of our widowed; how often, though, do we do something constructive? Not as often as we ought to. When I was in the Senate I was honored in 1943 to become the Subcommittee Chairman on Wartime Health and Education of the Senate Committee on Education and Labor. It was this Committee that recommended a national program of hospital and medical care insurance. So you can see that I have been intimately connected with the long history of this type of legislation and felt we passed a historic milestone in the progress of America when President Johnson signed this bill into law on July 20, 1965.

I have assembled into one bill, H.R. 7378, 20 proposals that I have advocated throughout the years but which have not yet been adopted by the Congress. These 20 proposals are each designed to promote and improve the welfare of some of our disadvantaged citizens. Each proposal can stand by itself and if enacted would provide a better life for a citizen who through no fault of his own is less fortunate than some of us. And, while each proposal can be meshed with the others, I offer this bill not a single program that has to be enacted as a unit. Rather I offer it as a series of changes that are needed to improve the welfare of the American people.

An across the board increase in all social security benefits of 20% with the minimum benefit for worker being increased from $44 to $75.

When Secretary of Health, Education and Welfare, John W. Gardner, testified before the Committee on Ways and Means, he said that there are now 15 million social security beneficiaries living in poverty and that enactment of the Administration's social security program would take 1.4 million of these people out of the poverty group. This, to me, is fine, but is this as far as we can go? I would like to see all of the people who now live in poverty have their incomes increased so that they are no longer so poor that they can not afford the basic necessities of life. Therefore, I have in my bill recommended a little more than President Johnson has recommended. I believe that this mighty Nation, this wealthy Nation, has a duty to see to it that no person who has worked and supported himself all of his life should reach retirement age without an adequate income.

Today the average social security benefit paid to a retired person is only $84.54 and the benefit paid to a wife is only $43.89. I think there is no one in this country who can consider that an adequate income. This though, is the average income for many people. For many people, in 1963, 80% of those who got social security benefits, the monthly social security benefit is all there is; there is no other income.

To help these people, I have introduced legislation calling for a 20% benefit increase across-the-board and a minimum monthly benefit of $75 for a retired or disabled worker.

An automatic increase in social security benefits whenever the cost of living rises by 3% or more.

One of the worst threats to the financial security of a retired person is inflation. The retired person has no way to increase his income to meet rising costs of living. As prices go up his standard of living goes down. Rising productivity, rising standards of living, and the concomitant rising prices, can mean a higher standard of living for the working man. For the retired person the effect is often just the opposite. The older he gets, the poorer he gets. In an effort to cure this we in Congress have in the past increased social security benefits from time to time. Our changes, though, have always been too late, and sometimes, perhaps, too small. Long after prices and the cost of living goes up, we have increased benefits.

I think it is possible to do better. And that is why I have introduced legislation that would provide for automatic increases in social security benefits when the cost of living rises. Under legislation that I have introduced, whenever the cost of living rises by as much as 3%, social security benefits would be increased by the same percentage as the rise in the cost of living. This legislation would mean that every 3 months the Secretary of Health, Education and Welfare would be required to see how much prices have gone up, and as soon as they have gone up at least 3%, benefits would be increased. There would be no more long waits for the increase. Increased benefits would follow increased prices as quickly as it is possible for people to get the checks in the mail.

Whenever social security benefits are increased, the increase should not cause any veteran to lose any part of any pension being paid to him by the Veterans Administration.

Providing benefit increases for people getting social security benefits is just one part of the problem. Making sure that the increases in social security benefits voted by the Congress mean a real increase in income is another part of the problem.

Many veterans get a pension from the Veterans Administration in addition to their social security benefits. The Veterans law are written in such a way, though, that an increase in social security benefits can mean a reduction in the pension paid by the Veterans Administration. The payment of the pension is conditioned on the amount of the veterans income and all but 10% of the amount of his social security benefits is used in determining how much income he has. Under the law, the less income a veteran has the higher his pension. As a result, any increase in his social security benefits could result not only in a decrease in the veterans pension but in a decrease in his total income.

The legislation I propose would relieve this problem. It will provide that any part of the 20% benefit increase I advocate, as well as any future increase in benefits, shall not be counted in determining a veteran's income for purposes of determining his eligibility to a pension.

I realize that the Committee on Ways and Means may not want to consider this legislation on the grounds that it is subject to the jurisdiction of the Committee on Veterans Affairs. I have therefore introduced this as separate legislation and that bill has been referred to the Committee on Veterans Affairs. I do, however, feel that it is part of the total social security picture. For this reason I have included the provision in the Social Security bill also.

A person who works should not have his social security benefit reduced because of his earnings.

Information obtained from the Social Security Administration shows that as of January 1966 (the latest date for which figures are available) there were 1.5 million people who lost some or all of their social security benefits because they had enough ambition to work. In my long association with the social security program I have always thought that the idea of the social security program is that while people work they pay social security taxes so that when they reach retirement age they can get benefits. I have thought that these benefits should be paid as a matter of right in contrast to welfare payments that are paid when there is a showing of need. The earnings test in the social security program is little more than a means test. It's a means test though that operates only on those who find it necessary to work. It does not apply to the people whose incomes are so large that they do not need to work. A man for example may have an income of $25 or $30 thousand a year from interest and dividends and get all of his benefits. On the other hand, a man whose only income is from his own work will lose some or all of his social security benefits if he earns over $1,500, or over $1,680, if the Administration's proposals are enacted.

I think that I should point out that the earnings test in both the present Social Security Act and in the Administration's proposals is designed in such a way that the man with the smallest benefit will lose all of his benefits before the man with the larger benefit.

This, to me, is a tax on the poor, the ambitious poor who are trying to support themselves through their own efforts. And, the tax rates are high. Under both the Administration's proposal and the present law the tax is 50% of the first $1,200 above the exempt amount ($1,500 under present law and $1,680 under the Administration's proposal) and 100% above that up to the annual amount of the social security benefit.

I believe that we should permit all of our retired people a free option; if they want to work they should be free to do so, if they want to live on their social security benefit, they should be free to do so. This is an area in which I think the Federal Government has no right to interfere. To assure that there will be no Federal interference in this area, to assure that retired people will have a free choice in deciding whether to work, the legislation I propose would eliminate the earnings test from the Social Security Act.

Benefits for men should be based on the number of years a man works before age 62 just as benefits for women are under the present law.

We hear a lot today about the rights of women and how they would like to have equal rights with men. And, this is an idea that I favor with all my soul. There is, though, at least one area in which the ladies have got ahead of the men, and I would like a little equality here to. This is one area in which the men deserve what the ladies have got.

In 1961 the Social Security Act was changed in a way that was supposedly intended to put men on a par with women. In that year the law was changed to provide for the actuarial reduction of benefits paid to men at age 62. Under this measure the period for computing benefits and insured status for men is based on the period ending at age 65 rather than the period ending at age 62 used for women. In effect, this provision adds the 3-year period between 62 and 65 as "penalty" years that reduce the benefit amount paid to a man and his dependents. This action was taken for reasons of cost rather than for retirement policy considerations. In fact, experience since then has shown that had retirement policy considerations been the major consideration, Congress would have made the provision for men identical to that for women. The Social Security Administration figures show that at the present time about one-half of the people are under 65 when they get their first social security check.

By continuing present policy, we are exacting a heavy penalty from those male workers who are unable to continue working until they are 65 years of age, either because of physical handicaps or because their job has disappeared in a mobile labor market. We are exacting a penalty on people whose meager skills have prevented them from enjoying the higher wages which many people enjoy.

To correct this situation, I have introduced legislation that would provide for men the same benefit and insured status computation rules that exist in present law for women.

People who become disabled before age 31 should qualify for disability insurance benefits if they worked one-half the time from age 21 up to the time they became disabled.

All too often when we think of social security we think of it as a program for the older people; we forget that many young people have a right to expect protection under the program for themselves and their families. One of the most important forms of protection that the younger people have a right to expect is disability insurance. However, as the law is now, the very youngest group of workers cannot expect to get this protection. Under the law disability benefits are not payable until after you have worked at least 5 years under the program. This means that a young man who starts working at, say, 22 and who becomes disabled at age 25 cannot get disability insurance benefits for himself or for his family. On the other hand, should he die at age 25, benefits would be payable to his widow and his children.

This provision just does not make sense to me. I believe that the purpose of paying disability benefits is to provide an income for the man, and his family, who becomes so disabled that he is no longer able to continue working to support his family. It seems to me that if benefits can be paid to the widow and children of a man who has died, disability benefits should be payable, based on the same amount of work, to the man who becomes disabled.

Accordingly, I have introduced legislation that would make the work requirements for disability insurance more nearly like the requirements for retirement or survivors insurance. Under my legislation, disability insurance benefits would be payable on the basis of a young person's earnings if he worked in social security one half of the time from age 21 to age 31.

The special benefits paid to people age 72 and over who are not insured should not be reduced because of the payment of any other public pension or benefit.

Last year the Congress provided—and I might say very wisely—for paying social security benefits to people who are now over 72 and who will be 72 in the next few years even though those people had little or no social security coverage. This provision, though, does not pay social security benefits to many retired State and local people.

The benefits paid under this provision are not very big—only $35 a month. But then neither are the pensions paid to these older retired public employees.

I think it only fair that these benefits should be made available to retired public employees. The legislation I have introduced will make the benefits available to these public employees.

Benefits should be paid to a widow while her child is between the ages of 18 and 22, if he is attending school.

Another of the provisions added by the historic 1965 amendments made an important change in the cash benefits program on behalf of our young people when they provided that children entitled to benefits could continue to receive them beyond the age of 18 and up to age 22 if they were attending school. Prior to that enactment the children of deceased, disabled, or retired persons were eligible for benefits only if they were under 18 and equal benefits were payable to mothers with such children in their care.

The Report of the Committee on Ways and Means indicated that the reason for making this change was that the child who was attending school after age 18 was every bit as much a dependent as his younger brother.

Unfortunately, however, the 1965 legislation continued the cutoff for the mother's benefit when her youngest child reaches 18 even though the child continues to receive a benefit because he is attending school. I therefore propose that this feature of the law be changed so that where the mother's benefit is cut off when her youngest child reaches 18, she will continue to receive benefits as long as her child is in school or to his 22nd birthday.

The report of the Advisory Council on Social Security, made in January 1965, which recommended the change made by the 1965 amendments took the position that the mother's benefit should not be continued because, in their view:

"Where the only child is age 18 or over there is not the same reason to pay mother's benefits since there is no need for the mother to stay home to care for the child."

I fail to understand why, suddenly on the 18th birthday of her youngest child, there is no longer any need for the mother to stay at home. I fail to see why the rationale we used to continue that child's benefits if he is in school because he has been denied the support of his father's earnings will be furthered by reducing the family's social security income—suddenly and arbitrarily—by half. It seems to me that the income provided by continuing the mother's benefit, along with the child's, may very well be a very important factor in enabling the child to continue his education.

I believe that the legislation I have introduced to pay mothers benefits even though the only child getting benefits is over 18 and attending school will make a real contribution toward permitting more children to continue their education.

Benefits should be paid to disabled widows at any age.

Several times I have mentioned the 1965 Advisory Council on Social Security. In its report the Council recommended a number of changes in the social security program that I had advocated for a long time. Some of the Council's recommendations were enacted in 1965; others have not been given even serious consideration. One of the most significant recommendations of the Council that is still not a part of the social security program is the recommendation to pay social security benefits to disabled widows. In making this recommendation the Council said:

The Council believes that the disabled widow, like the widow who is aged 62 or over or the widow who has a child of the deceased worker in her care, needs benefits when her husband dies. The Council therefore recommends that benefits be paid to the widow so disabled that she cannot work—provided, however, that she was disabled at the time of her husband's death or before her youngest child reached age 18, or within a limited period after either of these events.

"The widows who would be protected are those who, when their husbands die, suffer a loss of support and who, because they are disabled themselves, have no opportunity to work and thus to substitute their own earnings for that loss of support."

I am in wholehearted agreement with this recommendation and I have introduced legislation that would permit the payment of benefits to a widow who is disabled at the time her husband dies or who becomes disabled after he dies and before she has a chance to earn disability insurance for herself.

Benefits should be paid to people at age 55 who have a disability that prevents them from working at their regular jobs even though they are not totally disabled.

As people grow older they find it more difficult to obtain work even when they are in the best of health. However, a person who has a difficult job may find that a relatively minor disability will cause him to lose his job. Employers consider him too old to train for another job. When he tries to get unemployment compensation he is told that, because of his health, he can not be considered available for work and no unemployment compensation is payable. When he goes to the social security office and asks for disability insurance benefits, he is told that, while he cannot work at his regular job, he is able to perform substantial gainful employment. Again no benefit is paid to him.

I believe this is the sort of situation we ought not to tolerate. Our laws should recognize the real world in which people live and work. A man who becomes so disabled that he can not continue to do his regular job at age 55 is generally no more capable of going out and getting a job than is his younger more severely disabled brother who the Social Security Administration determines is not able to perform substantial gainful services.

In keeping with my long-held belief that laws should be written to take account of the situations in which people live and that social security benefits should be paid when it is reasonable to assume that a class of people will not be able to continue to earn their living through work. I have, therefore, introduced legislation that would provide for the payment of disability insurance benefits to people 55 and over who have disabilities that are not severe enough to qualify them for benefits under the present Social Security Act provided that the disability is one that prevents them from continuing in their regular job.

The benefits due a person who has died should be paid with a minimum of red tape to his family when the amount is less than $1,000.

Up to 1965 when a social security beneficiary died, any benefits that were payable to him at the time he died could be paid to him with a minimum of red tape. The 1965 amendments, however, provided that where the benefit due at the time a person died was no more than one month's benefit, it could be paid to the surviving spouse. If there was no spouse, or if the amount was more than one month's benefit, it has to be paid to the legal representative of the beneficiary's estate. As a result many people find that they can not collect the benefits due because the only estate left by the beneficiary is a small sum in unpaid social security benefits and the cost of probating the estate would be more than the amount of the unpaid social security benefits. At the present time the social security administration has over 91,000 cases in which the benefits payable at the time a person died can not be paid. Over 32,000 of these cases involve amounts of less than $50.

It seems to me that we in Congress have a duty to make it possible for the Social Security Administration to pay the amounts due in all of these cases. We have a duty to make it possible to do this with a minimum of fuss and red tape. Accordingly, I have introduced legislation that provides that any amount due when a person dies will, if the amount is not more than $1,000, be paid to the relatives of the deceased beneficiary according to a schedule of priorities in the law. Where the amount is over $1,000, it would be paid only to the representative of the deceased's estate. This, to me, seems a reasonable interpretation of the intent of the legislation enacted in 1965.

Medicare benefits would be paid to people who get disability insurance benefits.

As a long-time advocate of medical insurance for the aged, I was extremely happy to see that after 20 years of considering the subject, Congress at last passed a hospital and medical insurance program in 1965. As good as the program enacted in 1965 is, it can, as we all know, stand further improvement and expansion. A major and urgent change would be to provide hospital and medical insurance for disabled people getting social security benefits. Frankly, I was disappointed that a provision to do this was not included in the 1965 legislation. I am encouraged, though, by the thought that President Lyndon B. Johnson has seen fit to recommend that these benefits should be provided as part of the Administration's 1967 social security program. I have believed for a long time that a disabled person has as many, if not more, problems in meeting the cost of his medical care as an older retired person. It is, I think, only fair and just that we provide hospital and medical insurance under the social security program for the disabled as quickly as possible.

Transportation of a person to get needed health care should be paid for under Medicare.

Another improvement that could be made in the medical insurance program is not very large in the context of the whole medical insurance program. It is, however, of greatest importance to some few people. The law provides that some of the services that will be paid for can be given outside of the persons home. However, the law does not provide for the payment of the cost of getting the sick person to the place where the treatment will be given. For many of these people the cost of getting to the services is more than they can afford. Therefore, they do not get the treatment. I think the law should not provide benefits that people cannot afford to realize. Therefore I have introduced legislation that would permit the Social Security Administration to pay the cost of transporting sick people to places where they can get the treatment they need.

State and local government employees who are not covered under Social Security should get medicare if they want it.

In discussing social security benefits we sometimes forget this unique relationship of State and local government employees to the program. Their coverage comes about through an agreement between the State and the Social Security Administration. Most of these agreements were made before medical insurance was available under the social security program. I believe that the State and local employees who are not covered under the social security program should not reach age 65 and find that they can not get the medical benefits that are available to most of the rest of the population. I have therefore introduced legislation that would permit an employee of a State or local government who is not eligible for social security benefits to get the hospital and medical insurance benefits provided under the social security program. This program would be voluntary and if a State decided to enter into this part of the program an individual who was not covered under social security for cash benefits could, when he reaches 65, obtain the medical benefits. The State or local government would, of course, have to pay the hospital insurance taxes that would have been payable had the individual been covered under social security.

Federal grants should be provided to the State to help pay the costs of the State general assistance program.

A serious gap in our public assistance programs exist because Federal funds are not available for general assistance as they are for other welfare programs. As a result the poorer States find that they have to devote either an unconscionably large part of their income to general assistance or cut back on the assistance they provide. In some States there is no Statewide general assistance program. The Federal Government supplies funds to help the States provide assistance to the needy aged, to some needy children and their mothers, to the disabled and to the blind. It seems only logical to me that the States should be helped in furnishing assistance to everyone who needs help regardless of whether or not they fit into some specially defined group. The needs of the poor who are 55 are just as great as the needs of those 65 and over. The needs of the child over 18 are often just as great as the need of the child who is under 18. It makes no sense to limit Federal participation to those in one group and not to those in another. Accordingly, I have introduced legislation that would provide for full Federal participation in the furnishing of funds to assist the States in the operation of their general assistance programs.

Disability insurance benefits should be payable to a person who worked for one year just before he became disabled.

In order to qualify for disability insurance under the social security act it is necessary to work for at least 5 years. I know of no way to guarantee that a person will not become disabled in the first 5 years that he works. And, since we can not guarantee a person that he will not become disabled in the first 5 years that he works, I think there is real need to provide the protection of the disability insurance program as quickly as practical after a person begins to work. Social Security taxes, a part of which go to pay the costs of the disability insurance program, are taken out of the first pay; there is no waiting until the fifth year of employment. If one were to buy a disability insurance policy from a private insurance company, it would cover him within a reasonably short time after he paid the first premium. Of course, to make sure that he was not disabled at the time he took out the policy, there might be some restriction on payments in the period immediately after he took out the policy. I think the Federal program can do no less than would be done under a private insurance policy. The legislation I have introduced would therefore provide that a person could become entitled to disability insurance benefits as soon as he has worked in employment covered under the social security act for four quarters, that is, about one year.

A disabled person should be paid an additional $100 a month for any month in which he needed a person to provide him with regular care and attention.

For some time now I have thought that a serious gap exists in the protection provided by the disability insurance program in cases where people who are so disabled that they need constant care and attendance. I refer not to those who need the full-time care of a nurse, but to those who are so helpless that they can not even get a glass of water for themselves, those who need someone to help them turn the pages of a book or someone to lift their food to their mouths. The average disability insurance benefit being paid today is only $98 a month. This amount is really too little to even support a disabled person who does not need regular care and attendance to say nothing of helping him pay for someone to come in and help him with the basic acts necessary to survival. I believe that we ought to provide a person who is in so difficult a situation with some help in paying for the care and attendance he needs so desperately.

The legislation I have introduced provides that whenever a person who is getting social security disability benefits needs regular care and attendance his social security benefit will be increased by $100 a month. This, I think, is the very least we can do for people in so terrible a situation.

Social Security benefits should be paid to the aged dependent parents of retired or disabled workers just as they are now paid to the dependent parents of workers who have died.

I have never understood why the Social Security Act provides for paying social security benefits to the dependent parent of a worker who has died but does not provide for the payment of benefits to the dependent parent of a retired or disabled worker. I do not know by what logic you can distinguish the plight of one parent from the other. When a worker's income stops, whether it be because of death, retirement or disability, his ability to contribute to the support of his parent is diminished. If the retired son can no longer contribute to the support of his mother, there is as much reason to pay her social security benefits as there is when he has died.

I believe that the true spirit of the social security program requires that benefits be paid to the dependent parent of a retired or disabled worker just as they are paid to the parent of a worker who has died. In this connection, I would point out the recommendation of President Lyndon B. Johnson to pay benefits to the dependent parents of retired or disabled workers would not pay the same benefits that are now paid to the parents of deceased workers. Where the worker is alive, the benefit would be limited and in some cases the parent would not get any benefit because other members of the workers family were also entitled to benefits. This would not be the case under the legislation I have introduced to pay benefits to the dependent parent of a retired or disabled social security beneficiary.

The services of any person licensed by a State to practice a healing art should be paid under the medicare program.

The present social security law does not give a completely free choice in the selection of the practitioner that a person can be treated by if he is to have his expenses covered under the medical insurance program. I believe that if a person is to get the most out of his medical treatment he should have an absolutely free choice in determining who will treat him. When he knows his choice is free and not limited by what the Social Security Administration will pay for, he will have greater confidence and get greater advantage from his treatment. If he wishes to go to a physician, he should be able to go; if he wishes to go to a naturopath, he should be able to go. The only limitation in his choice I think is justifiable is to see that he gets a reputable practitioner, one licensed by the State to practice one of the healing arts. In keeping with this longheld belief, I have introduced legislation to amend the definition of physician in the Social Security Act so that it will include anyone who is licensed by the State to practice a healing art so long as he is practicing within the scope of his license.

Medicines prescribed by a doctor should be paid for under medicare.

Another of my disappointments with the medical and hospital insurance program enacted in 1965 was its failure to provide for the payment of prescribed drugs under the voluntary medical insurance plan. As fine as the present program is, I know that it can not give real security to the older American until there is a provision for the payment of prescribed drugs. I believe most people would acknowledge the failure of the program to provide generally for the payment of prescription drugs as the most significant gap in the protection of the medical insurance program.

All of the studies that I have seen on the costs of drugs show that drugs are major expense for people over 65. People over 65 spend more than three times as much for drugs as those under 65 spend. And for everyone who has a prescription filled there are others who cannot afford to have a needed prescription filled. This is not the way to treat our older citizens and I have introduced legislation to provide for the payment of prescription drugs under the medical insurance program.

Adoption of these proposals would be a big step toward a better way of living for many many underprivileged people. We, as a Nation and as individuals, have the duty and the ability to make these changes. These are changes that we can afford.

And, in this connection I would point out that a Nation as wealthy as this has no need to tax the benefits that it pays to the aged, the disabled, the widowed and the orphaned.

While I have applauded many of the things that President Lyndon B. Johnson has done, there is one proposal of his that I must object to. The proposal to tax social security benefits and to do away with the special income tax provisions that relate to the income of aged people. A proposal of this kind has no place in any social security program and I hope that it will not be in the Social Security Amendments of 1967 when the Congress sends them back to the President for his signature.

[From the Miami (Fla.) News, Apr. 17, 1967]

Johnson, Pepper Plans: Social Security Changes Benefit Floridians

Dade's Rep. Claude Pepper has advanced sweeping changes in major components of the Social Security system which go beyond President's Johnson's legislation, now before the House Ways and Means Committee.

Under either proposal, a much improved economic status is in store for the 893,000 senior citizens in Florida and millions more across the nation. (Dade County has 140,000 beneficiaries.)

Representative Pepper, long a champion of social welfare causes, proposes an across-the-board increase of 20 per cent in all benefits, where the Johnson Administration is asking 15 per cent. The Pepper plan also suggests minimum monthly benefits be raised from $44 to $75, $5 more than the House Committee is talking about. The idea ties in an automatic increase when the cost of living rises by 3 per cent or more.

The economic prospects for Florida alone are staggering. Under the present law, some $865 millions will be paid to the state's retirees next year. If H.R. 5710, the Johnson program, is enacted, benefits for Floridians would reach nearly $1.5 billions and Congressman Pepper's plan naturally would raise this total even higher.

Liberalization of the present Social Security System is sorely needed. President Johnson said in a message to Congress last Jan. 23: "Benefits are grossly inadequate. Although this keeps 5.5 million aged persons above the poverty line, more than five million still live in poverty. A great nation cannot tolerate these conditions."

Representative Pepper responded that "the Congress has an obligation to discover new means of dealing with these problems" and his 20-point program is an outgrowth of many months' study.

One point to be reconciled is the financing of either plan. Under H.R. 5710, the 4.4 per cent payroll tax to which employe and employer each contribute would rise to 5 per cent in 1969 and even higher by 1987. The tax applies to the first $6,600 of annual salary and H.R. 5710 proposes to raise this to $7,800 and eventually $10,800.

Representative Pepper told the House Committee that a limit may have well been reached on the tax upon employe and employer and a new source of revenue is sorely needed. Several fiscal experts will offer their suggestions to the committee shortly for financing the Pepper plan.

Not to be overlooked, of course, is the rapid growth of Medicare, both in the state and nation. Florida now has 712,000 senior citizens qualified for Medicare and benefits in this area alone reach $3.5 millions each week in the state.

The Florida Legislature at this moment is considering an extension of participation in the federal-state medical program under Title 19, designed specifically for indigent patients. Medicare however has grown to such proportions that some states have found the cost of state cooperation too great to bear and this is a field which needs careful exploration before a majority of state welfare funds are committed.

By the same token, one cannot forget President Johnson's message that "we should look upon the growing number of older citizens not as a problem or a burden for our democracy, but as an opportunity to enrich their lives, and, through them, the lives of all of us."

AMERICAN FLAG BURNED IN TIMES SQUARE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. Murphy] is recognized for 5 minutes.

Mr. MURPHY of New York. Mr. Speaker, last Sunday when I looked at the front page of my morning newspaper, I was greeted with a picture of a mob of people happily burning the American flag in Times Square. When I read the accompanying article I further learned that some people in the mob had displayed and carried the flag of the National Liberation Front, the political arm of the Vietcong.

To say I was sickened and enraged would be a gross understatement; to me the American flag is the symbol of this country's greatness. To say I was surprised, however, would be an overstatement; although I did not expect anything as serious as desecrating the American flag or flying the flag of an enemy, I have concluded that such irresponsible behavior is a trademark of this pathetic minority of people who take to the streets to denounce their country's own policies.

On that same front page, not far from the photograph of the American flag being burned, was an article on the Vietnam war. I think this more than anything showed the real irony and tragedy of the demonstration. The irony is that our young men in Vietnam are fighting and dying for the same principle which allows people to demonstrate against the war. By burning the flag, the dissenters are destroying the very symbol of their freedom to dissent. The tragedy is that the antiwar protest, and especially the burning of our flag, may well prolong the very war the demonstrators are supposedly trying to stop.

Any antiwar demonstration will give Hanoi the false impression that the United States is wavering in its determination to see the war to a just and honorable conclusion. The burning of our flag and the display of the Vietcong flag can only give encouragement to that incorrect impression. We would probably draw the same conclusion if such an incident occurred in Hanoi.

The right to dissent is one of the oldest and most cherished rights which all Americans possess. If it is sometimes used in a childish and irresponsible manner, it is one of the prices we pay for being a free democracy. But the desecration of the American flag transcends the question of individual rights; the American flag—any American flag—is the property of all Americans. While an individual may have a right to dissent, he also has the responsibility not to infringe on the rights of others in doing so. By burning an American flag, an individual is destroying property that belongs to millions of other Americans, and thus is violating the rights of those millions.

This, I think, is the real principle involved. It is no less than the distinction between right and responsibility, between the right of the individual and the rights of the majority. While the majority must allow the individual to dissent, it is not obligated to let the individual violate the rights of others.

But the flag burning and the display of the Vietcong flag go beyond the question of the right to dissent. We are a nation at war; it is not a declared war, but men are dying just the same. While orderly dissent may be tolerated, incidents as serious as those occurring last weekend clearly give support to the enemy and therefore should not be allowed. We need legislation to prohibit such incidents.

There are State laws which prohibit desecration of the flag, but they are generally weak. The only Federal statute is that which applies to the District of Columbia. What we need is a strong national law to indicate that this is truly a national concern.

I have recently introduced a bill—H.R. 1003—aimed at this problem. A number of my colleagues have introduced similar bills. I urge the Congress to consider them all, and to pass legislation which would prevent such disgraceful and harmful incidents as those we read about a few days ago.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Murphy of New York, for April 21 to May 2, 1967.

Mrs. Sullivan, for April 21 through April 27.

Mr. Hanna, for April 21 through April 27, 1967.

Mr. Berry (at the request of Mr. Gerald R. Ford), through April 28, on account of official business.

Mr. Younger (at the request of Mr. Gerald R. Ford) on account of illness.

Mr. Frelinghuysen (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Tenzer, for Monday, Tuesday, and Wednesday, April 24, 25, and 26, inclusive, on account of religious holiday.

Mr. Kee (at the request of Mr. Albert), for today, on account of official business.

Mr. Gibbons (at the request of Mr. Albert), for today and tomorrow, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Whitener, for 30 minutes, Tuesday, April 25.

Mr. Feighan (at the request of Mr. Albert), for 60 minutes, today; and to revise and extend his remarks and include extraneous matter.

The following Members (at the request of Mr. Lukens) to revise and extend their remarks and include extraneous matter:

Mr. Mathias of Maryland, for 15 minutes, today.

Mr. Kupferman, for 60 minutes, on Wednesday, May 3.

Mr. Moorhead (at the request of Mr. Rarick), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Addabbo (at the request of Mr. Rarick), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Cohelan (at the request of Mr. Rarick), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. PEPPER (at the request of Mr. RARICK), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. MURPHY of New York (at the request of Mr. RARICK), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. DORN and to include extraneous matter.

Mr. SAYLOR to revise and extend his remarks made today in the Committee of the Whole on H.R. 207 and to include extraneous matter.

(The following Members (at the request of Mr. LUKENS) and to include extraneous matter:)

Mr. EDWARDS of Alabama.
Mr. BOB WILSON.
Mr. GROVER.
Mr. MIZE.
Mr. TAFT.
Mr. SNYDER.

(The following Members (at the request of Mr. RARICK) and to include extraneous matter:)

Mr. STUCKEY.
Mr. MURPHY of New York.
Mr. KEE.
Mrs. KELLY.
Mr. NIX.
Mr. MINISH.
Mr. HANNA.

ADJOURNMENT

Mr. RARICK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Monday, April 24, 1967, at 12 o'clock noon.

OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 90th Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (2 U.S.C. 25), approved February 18, 1948: ROBERT O. TIERNAN, Second District, Rhode Island.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

671. Communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims and judgments rendered against the United States (H. Doc. No. 109); to the Committee on Appropriations and ordered to be printed.

672. A letter from the Deputy Secretary of Defense, transmitting the annual report on Reserve Forces, pursuant to the provisions of section 279, title 10, United States Code; to the Committee on Armed Services.

673. A letter from the Chairman, District Unemployment Compensation Board, government of the District of Columbia, transmitting the Annual Report of the District Unemployment Compensation Board for the year 1966, pursuant to the provisions of section 13(c) of the District of Columbia Unemployment Compensation Act; to the Committee on the District of Columbia.

674. A letter from the Comptroller General of the United States, transmitting a report of Government-wide review of the administration of certain statutory and regulatory requirements relating to architect-engineer fees; to the Committee on Government Operations.

675. A letter from the Under Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation titled the "Vocational Rehabilitation Amendments of 1967"; to the Committee on Education and Labor.

676. A letter from the Assistant Administrator for Program, Agency for International Development, Department of State, transmitting a report on the programing and obligation of contingency funds, pursuant to the provisions of section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

677. A letter from the Treasurer, American Chemical Society, transmitting the Annual Report of the American Chemical Society for the calendar year 1966, pursuant to the provisions of Public Law 75-358; to the Committee on the Judiciary.

678. A letter from the Attorney General, transmitting the Department's second annual report, pursuant to the provisions of Public Law 89-197; to the Committee on the Judiciary.

679. A letter from the Assistant Administrator for Program, Agency for International Development, Department of State, transmitting the annual report containing the information required by section 634(e) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG: Committee on Rules. House Resolution 444. Resolution providing for the consideration of H.R. 7819, a bill to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes (Rept. No. 197). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 824. A bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia (Rept. No. 198). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 828. A bill to provide criminal penalties for making certain telephone calls in the District of Columbia; with amendment (Rept. No. 199). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 2824. A bill to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivor benefits (Rept. No. 200). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 2897. A bill to equalize the retirement benefits for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability; with amendment (Rept. No. 201). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 7417. A bill to prescribe administrative procedures for the District of Columbia government (Rept. No. 202). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. H.R. 3399. A bill to amend section 2 of Public Law 88-240 to extend the termination date for the Corregidor-Bataan Memorial Commission (Rept. No. 203). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 3973. A bill to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists employed by the District of Columbia; with amendment (Rept. No. 204). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 3931. A bill to amend the act of April 3, 1952; with amendment (Rept. No. 205). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Alabama:

H.R. 8818. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 8819. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 8820. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ADAIR:

H.R. 8821. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ANDERSON of Illinois:

H.R. 8822. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ARENDS:

H.R. 8823. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BELL:

H.R. 8824. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BETTS:

H.R. 8825. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BIESTER:

H.R. 8826. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mrs. BOLTON:

H.R. 8827. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOW:

H.R. 8828. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROOMFIELD:

H.R. 8829. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROTZMAN:

H.R. 8830. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROWN of Michigan:

H.R. 8831. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROWN of Ohio:

H.R. 8832. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROYHILL of North Carolina:

H.R. 8833. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BURTON of Utah:

H.R. 8834. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BUSH:

H.R. 8835. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BUTTON:

H.R. 8836. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CAHILL:

H.R. 8837. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CARTER:

H.R. 8838. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CEDERBERG:

H.R. 8839. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CHAMBERLAIN:

H.R. 8840. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. DON H. CLAUSEN:

H.R. 8841. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CONABLE:

H.R. 8842. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CONTE:

H.R. 8843. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CORBETT:

H.R. 8844. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CRAMER:

H.R. 8845. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CURTIS:

H.R. 8846. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. DELLENBACK:

H.R. 8847. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. DERWINSKI:

H.R. 8848. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. DUNCAN:

H.R. 8849. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mrs. DWYER:

H.R. 8850. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ERLENBORN:

H.R. 8851. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ESCH:

H.R. 8852. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ESHLEMAN:

H.R. 8853. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. FINDLEY:

H.R. 8854. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. FRELINGHUYSEN:

H.R. 8855. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. GERALD R. FORD:

H.R. 8856. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. GOODELL:

H.R. 8857. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 8858. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAMMERSCHMIDT:

H.R. 8859. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HANSEN of Idaho:

H.R. 8860. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARVEY:

H.R. 8861. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mrs. HECKLER of Massachusetts:

H.R. 8862. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HORTON:

H.R. 8863. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HUNT:

H.R. 8864. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. KEITH:

H.R. 8865. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. KING of New York:

H.R. 8866. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. KYL:

H.R. 8867. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. LAIRD:

H.R. 8868. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. LATTA:

H.R. 8869. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. LLOYD:

H.R. 8870. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. McCLORY:

H.R. 8871. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. McCULLOCH:

H.R. 8872. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. McDADE:

H.R. 8873. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MacGREGOR:

H.R. 8874. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MAILLIARD:

H.R. 8875. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MATHIAS of California:

H.R. 8876. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MATHIAS of Maryland:

H.R. 8877. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MAYNE:

H.R. 8878. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MESKILL:

H.R. 8879. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MICHEL:

H.R. 8880. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MINSHALL:

H.R. 8881. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORSE:

H.R. 8882. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORTON:

H.R. 8883. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. NELSEN:

H.R. 8884. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. PELLY:

H.R. 8885. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. PIRNIE:

H.R. 8886. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. POLLOCK:

H.R. 8887. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. QUIE:

H.R. 8888. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. QUILLEN:

H.R. 8889. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. RAILSBACK:

H.R. 8890. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. REID of New York:

H.R. 8891. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. REIFEL:

H.R. 8892. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. RIEGLE:

H.R. 8893. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. REINECKE:

H.R. 8894. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. RHODES of Arizona:

H.R. 8895. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROBISON:

H.R. 8896. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. RUPPE:

H.R. 8897. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. SANDMAN:

H.R. 8898. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCHWENGEL:

H.R. 8899. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. SMITH of New York:

H.R. 8900. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. SNYDER:

H.R. 8901. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. SPRINGER:

H.R. 8902. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. STAFFORD:

H.R. 8903. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. STEIGER of Wisconsin:

H.R. 8904. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. TAFT:

H.R. 8905. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and currency.

By Mr. VANDER JAGT:

H.R. 8906. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. WAMPLER:

H.R. 8907. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. WHALEN:

H.R. 8908. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. WILLIAMS of Pennsylvania:

H.R. 8909. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. WYATT:

H.R. 8910. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. WYDLER:

H.R. 8911. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BLANTON:

H.R. 8912. A bill to amend the Service Contract Act of 1965 to exclude from such act contracts with the Post Office Department, the principal purpose of which is the transportation, handling, or delivery of the mails; to the Committee on Education and Labor.

By Mr. BRASCO:

H.R. 8913. A bill to amend the Older Americans Act of 1965 so as to extend its provisions; to the Committee on Education and Labor.

By Mr. BROTZMAN:

H.R. 8914. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain expenses of providing higher education; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 8915. A bill to amend title 38 of the United States Code to provide a monthly clothing allowance to certain veterans who, because of a service-connected disability, regularly wear a prosthetic appliance or appliances which causes exceptional wear or tear of clothing; to the Committee on Veterans' Affairs.

By Mr. BUCHANAN:

H.R. 8916. A bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas; to the Committee on Education and Labor.

H.R. 8917. A bill to amend section 4(e) of the Fair Labor Standards Act of 1938 to require the Secretary of Labor to investigate the effect of foreign competition on domestic employment when a complaint is filed by an employer or labor organization; to the Committee on Education and Labor.

H.R. 8918. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. BURKE of Florida:

H.R. 8919. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAMBERLAIN:

H.R. 8920. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 8921. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

By Mr. COLMER:

H.R. 8922. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. CONYERS:

H.R. 8923. A bill to amend section 3571(b) of title 39, United States Code, with respect to work schedules of annual rate regular employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 8924. A bill to relieve the Postmaster General of responsibility for determining mailability under the congressional frank, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H.R. 8925. A bill to prohibit mutilation and desecration of the national flag; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H.R. 8926. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. de la GARZA:

H.R. 8927. A bill to amend section 3 of title 4 of the United States Code to prohibit the mutilation of the flag anywhere in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 8928. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. DIGGS:

H.R. 8929. A bill to regulate the business of debt adjusting in the District of Columbia other than as an incident to the practice of law; to the Committee on the District of Columbia.

By Mr. EDWARDS of Alabama:

H.R. 8930. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 8931. A bill to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad; to the Committee on House Administration.

H.R. 8932. A bill to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 8933. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8934. A bill to exclude U.S. Route No. 22 from Haafsville to Easton, Pa., from being on the Interstate System and to provide for the designation of an alternative route; to the Committee on Public Works.

By Mr. ESCH:

H.R. 8935. A bill to amend the Higher Education Facilities Act of 1963, to permit construction of student health centers; to the Committee on Education and Labor.

By Mr. FALLON:

H.R. 8936. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAM D. FORD:

H.R. 8937. A bill relative to age discrimination in employment; to the Committee on Education and Labor.

By Mr. FULTON of Pennsylvania:

H.R. 8938. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival and continued success of newspapers; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 8939. A bill to amend the provisions of the Interstate Commerce Act relating to the discontinuance of passenger train operations and to impose an 18-month moratorium on the discontinuance of any passenger service by rail; to the Committee on Interstate and Foreign Commerce.

By Mr. GIBBONS:

H.R. 8940. A bill to provide for uniform annual observance of certain national holidays on Mondays; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 8941. A bill to reconstitute the Federal National Mortgage Association as an independent corporate instrumentality of the United States, to enable it to deal in conventional mortgages, and to provide otherwise for its further development as a secondary market facility; to the Committee on Banking and Currency.

H.R. 8942. A bill to provide for the further development of the Federal National Mortgage Association as a secondary market facility, to enable it to deal in conventional mortgages, and for other purposes; to the Committee on Banking and Currency.

H.R. 8943. A bill to provide assistance to students pursuing programs of higher education in the field of law enforcement; to the Committee on Education and Labor.

H.R. 8944. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. GOODLING:

H.R. 8945. A bill to amend the Internal Revenue Code of 1954 to increase, for 1968 and 1969, the personal income tax exemptions of a taxpayer from $600 to $800, and to provide that for taxable years beginning after 1969 such exemptions shall be $1,000; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 8946. A bill to amend title 10 of the United States Code to establish a selected extended tenure personnel program so as to permit the retention in the Armed Forces of certain highly skilled officers, warrant officers, and enlisted personnel and, in this manner, reduce personnel costs and increase efficiency in the Armed Forces; to the Committee on Armed Services.

H.R. 8947. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mrs. HANSEN of Washington:

H.R. 8948. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HARSHA:

H.R. 8949. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 8950. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HENDERSON:

H.R. 8951. A bill to allow writing or printing on envelopes, wrappers, or other covers in which copies of second-class publications are mailed; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

H.R. 8952. A bill to exclude U.S. Route No. 22 from Haafsville to Easton, Pa., from being on the Interstate System and to provide for the designation of an alternative route; to the Committee on Public Works.

By Mr. JONES of Alabama:

H.R. 8953. A bill to amend the act of November 21, 1941 (55 Stat. 773), providing for the alteration, reconstruction, or relocation of certain highway and railroad bridges by the Tennessee Valley Authority; to the Committee on Public Works.

By Mrs. KELLY:

H.R. 8954. A bill to promote private U.S. participation in international organizations and movements, to provide for the establishment of an Institute of International Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KING of New York:

H.R. 8955. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 8956. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 8957. A bill to amend title 5 of the United States Code to provide that retired officers of the uniformed services shall not suffer diminution of pay while holding civilian positions or offices with the Government of the United States or the District of Columbia; to the Committee on Post Office and Civil Service.

By Mr. LEGGETT:

H.R. 8958. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. LONG of Maryland:

H.R. 8959. A bill to amend the act of October 10, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 8960. A bill to provide for the return of obscene mail matter; to the Committee on Post Office and Civil Service.

By Mr. McCLURE:

H.R. 8961. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. McCULLOCH:

H.R. 8962. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. MACDONALD of Massachusetts:

H.R. 8963. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 8964. A bill to establish a program of dairy import regulation; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 8965. A bill to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer; to the Committee on the District of Columbia.

By Mr. MATHIAS of Maryland:

H.R. 8966. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

H.R. 8967. A bill to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Ways and Means.

H.R. 8968. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for contributions made by individuals to certain political committees; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 8969. A bill to provide more economic, efficient, and effective implementation of the various Federal loan and grant-in-aid programs to improve the quality of urban and rural life through improved comprehensive development planning, programing, and coordination among and between Federal agencies, States, regions, metropolitan areas, and local governments, and to encourage greater coordination between States and their political subdivisions in the planning and programing of Federal loan and grant-in-aid programs, and for other purposes; to the Committee on Government Operations.

By Mr. MEEDS:

H.R. 8970. A bill to establish the North Cascades National Park and Ross Lake National Recreation Area, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MESKILL:

H.R. 8971. A bill to amend title II of the Social Security Act to permit an individual receiving benefits thereunder to earn outside income without losing any of such benefits; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 8972. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 8973. A bill to amend section 201 of the Agricultural Adjustment Act of 1938, as amended, in order to require the Secretary of Agriculture in certain cases to make complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs, and practices relating to the transportation of farm products; to the Committee on Agriculture.

By Mr. MURPHY of New York:

H.R. 8974. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. NELSEN:

H.R. 8975. A bill to provide for Civil Service Commission enforcement of section 9 of the Hatch Act with respect to all officers and employees of Federal agencies; to the Committee on House Administration.

By Mr. O'NEILL of Massachusetts:

H.R. 8976. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PATTEN:

H.R. 8977. A bill to improve intergovernmental cooperation and grant-in-aid program administration; to assist State and local governments in strengthening their staffs by improving personnel administration and extending merit principles and by providing support for training of public employees; to permit temporary assignments of personnel between Federal and State and local governments, and for other purposes; to the Committee on Education and Labor.

H.R. 8978. A bill to establish in the Department of Health, Education, and Welfare a program of grants and fellowships to improve the education of students attending institutions of higher education in preparation for entrance into the service of State, local, or Federal Governments, and to attract such students to the public service, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER:

H.R. 8979. A bill to provide for a national program of flood insurance; to the Committee on Banking and Currency.

H.R. 8980. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 8981. A bill to amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants; to the Committee on Education and Labor.

By Mr. POLLOCK:

H.R. 8982. A bill to amend the act of March 4, 1907, to authorize the Department of Agriculture to conduct a regular program of inspection of reindeer meat; to the Committee on Agriculture.

By Mr. QUIE:

H.R. 8983. A bill to amend the Elementary and Secondary Education Act of 1965 to continue the authorized programs after June 30, 1968, through block grants to the States; to the Committee on Education and Labor.

By Mr. QUILLEN:

H.R. 8984. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

By Mr. RARICK:

H.R. 8985. A bill to give farmers an additional month in which to meet the requirement of filing a declaration of estimated tax by filing an income tax return for the taxable year for which the declaration is required; to the Committee on Ways and Means.

By Mr. REIFEL:

H.R. 8986. A bill to clarify the tax status of American Indians; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 8987. A bill to strengthen and improve Federal programs of assistance for preschool, elementary, and secondary education by combining and extending authorizations, by providing for effective State administration, and by authorizing a flexible program of grants on a continuing basis; to the Committee on Education and Labor.

H.R. 8988. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

H.R. 8989. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 8990. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 8991. A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act; to the Committee on Public Works.

By Mr. RODINO:

H.R. 8992. A bill to amend sections 320 and 321 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8993. A bill to amend title 4 of the United States Code in order to increase the penalty for certain acts against the flag of the United States and for other purposes; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 8994. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 8995. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services/covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 8996. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 8997. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. SMITH of California:

H.R. 8998. A bill to amend section 3 of title 4, United States Code, relating to the use of the U.S. flag, making its provisions applicable outside the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. SPRINGER:

H.R. 8999. A bill to amend the public health laws relating to mental health to extend, expand, and improve them, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 9000. A bill to amend the Internal Revenue Code of 1954 to provide an amortization deduction, based on a 36-month period, for air pollution control facilities; to the Committee on Ways and Means.

By Mr. STEIGER of Arizona:

H.R. 9001. A bill to include prepared or preserved beef and veal within the quotas imposed on the importation of certain other meat and meat products, to reduce the percentage applied to certain aggregate quantity estimations used, in part, to determine such quotas from 110 percent to 100 percent, and for other purposes; to the Committee on Ways and Means.

By Mr. STEPHENS:

H.R. 9002. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9003. A bill to amend the Appalachian Regional Development Act of 1965 to extend its coverage to six additional counties in Georgia; to the Committee on Public Works.

By Mr. ULLMAN:

H.R. 9004. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 9005. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. VANDER JAGT:

H.R. 9006. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 9007. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 9008. A bill to expand and improve existing law and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. WALKER:

H.R. 9009. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

H.R. 9010. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. WHALLEY:

H.R. 9011. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 9012. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance benefits payable to them under such title; to the Committee on Ways and Means.

H.R. 9013. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

By Mr. WILLIAMS of Mississippi:

H.R. 9014. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 9015. A bill to reimburse owners of vessels of the United States for losses and costs incurred incident to the seizure of such vessels by foreign countries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KUPFERMAN:

H.J. Res. 520. Joint resolution to hasten elimination of venereal diseases, now an urgent contagious disease problem, worldwide; to the Committee on Interstate and Foreign Commerce.

H.J. Res. 521. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 522. Joint resolution requesting the President to proclaim the month of May 1967 as National Home Improvement Month; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J. Res. 523. Joint resolution requesting the President to proclaim the month of May 1967 as National Home Improvement Month; to the Committee on the Judiciary.

By Mr. BARRETT:

H.J. Res. 524. Joint resolution requesting the President to proclaim the month of May 1967 as National Home Improvement Month; to the Committee on the Judiciary.

By Mr. HANLEY:

H.J. Res. 525. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.J. Res. 526. Joint resolution to establish a commission to conduct a study of the adequacy of the financial resources available for the operation of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. WHALEN:

H.J. Res. 527. Joint resolution to authorize the President to proclaim the week beginning June 11, 1967, as National Engineering Technicians Week; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H. Con. Res. 318. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. EDWARDS of Louisiana:

H. Con. Res. 319. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. EILBERG:

H. Con. Res. 320. Concurrent resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. KEE:

H. Con. Res. 321. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. BRASCO:

H. Res. 445. Resolution authorizing Members of the House of Representatives to employ during each summer one additional student congressional intern; to the Committee on House Administration.

By Mr. DULSKI:

H. Res. 446. Resolution authorizing the printing as a House document a report on "Improved Manpower Management in the Federal Government, Examples for the Period July–December 1966," and that 11,000 be printed for use by the Committee on Post Office and Civil Service, House of Representatives; to the Committee on House Administration.

By Mr. CONTE:

H. Res. 447. Resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

149. By the SPEAKER: Memorial of the Legislature of the State of New Mexico, relative to amending the draft laws to allow a more equitable selection from disadvantaged minority groups; to the Committee on Armed Services.

150. Also, a memorial of the Legislature of the State of Nevada, relative to limiting imports of butterfat or nonfat milk solids; to the Committee on Ways and Means.

151. Also, a memorial of the Legislature of the State of Wisconsin, relative to the granting of relief from the general cutback in Federal highway aid; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 9016. A bill for the relief of Luigi Lo Mascolo; to the Committee on the Judiciary.

H.R. 9017. A bill for the relief of Salvatore Costanza; to the Committee on the Judiciary.

By Mr. BRINKLEY:

H.R. 9018. A bill for the relief of Capt. William H. Washburn; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 9019. A bill for the relief of T. Sgt. Peter Elias Gianutsos, U.S. Air Force (retired); to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 9020. A bill for the relief of Lee Duk Hee; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9021. A bill for the relief of Calegero Di Maggio; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 9022. A bill for the relief of Dr. Maria del Carmen Ortiz y Gomez; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9023. A bill for the relief of Armando Belmonte; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 9024. A bill for the relief of Marjorie E. Woodward; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 9025. A bill for the relief of Wen Shi Yu; to the Committee on the Judiciary.

By Mr. REES:

H.R. 9026. A bill for the relief of Carol Phillippa Wettlaufer; to the Committee on the Judiciary.

By Mr. WOLFF (by request):

H.R. 9027. A bill for the relief of Floris Maud Walker; to the Committee on the Judiciary.

H.R. 9028. A bill for the relief of Faithlyn Norma Wilson; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

National Secretaries Week

EXTENSION OF REMARKS
OF
HON. JOHN M. MURPHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 20, 1967

Mr. MURPHY of New York. Mr. Speaker, every year since 1952, the last full week of April has been set aside for the observance of Secretaries Week. Wednesday of that week is highlighted as Secretaries Day.

The National Secretaries Association (International), in cooperation with the U.S. Department of Commerce, originated Secretaries Week to bring recognition to all secretaries and to inform the public of the secretary's contribution to the educational, professional, and civic growth of the community. It also serves to remind secretaries of their responsibilities to their employers and to their profession.

Secretaries Week is officially acknowledged by Federal, State, and municipal governments, usually by the issuance of official proclamations decreeing that this week shall be officially known as Secretaries Week.

Special committees are established throughout NSA to formulate programs to make Secretaries Week ever more meaningful to secretaries and to the business community. In keeping with the professional objectives of the association, chapters of NSA sponsor during Secretaries Week special educational activities such as seminars, workshops, and study groups—available to members and nonmembers alike. Additional recognition is gained for the secretarial profession during the week through public appearances of NSA members at meetings of civic, educational, and professional groups, as well as through open meetings for all secretaries and other special membership events.

The theme for Secretaries Week is "Better Secretaries Mean Better Business," and all programs and publicity material are geared to emphasize the message conveyed by this theme.

"The Old Reliables" of the 9th Division Cover Themselves With Glory in Vietnam

EXTENSION OF REMARKS

OF

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. MIZE. Mr. Speaker, as president of the Kansas State Society this year, I had the rare privilege of honoring men of our fighting forces as Kansans of the Year. At our annual dinner-dance, we had representatives of the Army, Navy, Marine Corps, and Air Force accept letters of commendation and appropriate plaques in behalf of all their Kansas buddies who are fighting for our cause in Vietnam.

Since so many of the men who are fighting in Vietnam have trained at Fort Riley, Kans., our society felt obliged to send letters of recognition to the commanding officers of the 1st Infantry Division, the 9th Infantry Division, and the II Field Force. Indicative of what this heartfelt gesture meant to the men out there is expressed in a letter which we received in response from Maj. Gen. George Eckhardt, commanding general of the 9th Infantry Division.

Under leave to extend my remarks, I wish to include a copy of the letter which other Kansans and I signed and sent to General Eckhardt and his men, and follow this with the wonderful letter we received from him, knowing full well that every American will be proud of the way these men are performing their duties. The letters follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 1, 1967.

Maj. Gen. GEORGE S. ECKHARDT,
9th Infantry Division,
San Francisco, Calif.

DEAR GEORGE: Tonight, April 1, the Kansas State Society of Washington, D.C., held its annual dinner-dance in Washington. Our Kansans of the Year awards were made in honor of the Kansans who have been upholding the honor of this country on the battleground of Viet-Nam. We had Viet-Nam returnees from the Army, Air Force, Navy and Marine Corps accept plaques and letters of commendation in behalf of all the Kansans of each branch who are a part of our Viet-Nam forces.

On such an occasion, our first thoughts are of you and your men, so many of whom are from Kansas, and we hasten to let you know that the award takes on its full significance only when it embraces the individual contributions all of you have made to this cause.

To this end, my fellow Kansans and I subscribe to this testimonial of appreciation and with it we say Godspeed, good wishes and a fervent prayer that you'll do what has to be done and will be returning soon to your families and friends.

Bless you!

Sincerely,

CHESTER L. MIZE,
President,
Kansas State Society of Washington, D.C.

DEPARTMENT OF THE ARMY,
HEADQUATERS 9TH INFANTRY DIVISION,
APO San Francisco.

Hon. CHESTER L. MIZE,
House of Representatives,
Washington, D.C.

DEAR CHET: I have your recent letter in which you were kind enough to include a testimonial signed by members of the Kansas State Society of Washington, D.C.

I deeply appreciate this most thoughtful gesture. I plan to publicize the testimonial in our Division newspaper, and I can assure you that every member of the 9th Infantry Division will be equally as appreciative.

From what you've read, and seen on television, of our activities here, you can probably judge that I am extremely pleased with the performance of my "Old Reliables." When we left Fort Riley, I had every confidence that our young soldiers—most of them with only months of training—would give a good accounting of themselves, but their performances on such operations as Junction City and Enterprise, show them to be soldiers on par with the most experienced Division in Vietnam. My pride in them is unbounded, and I hope that the people of Kansas share this pride with me. All of the operations planned by the 9th Division are named after cities and towns in Kansas, and all of our actions are designed to bring honor to these places, as well as to ourselves.

This testimonial by the Kansas State Society is, to me, another indication that the people of Kansas have not forgotten the 9th Infantry Division. We, in turn, fondly remember our training days there, and the kindness shown us by the fine people of that great state.

I will appreciate your passing on the members of the Society my thanks, and the thanks of the Old Reliables, for this demonstration of their regard.

Sincerely,

G. S. ECKHARDT,
Major General, U.S.A.,
Commanding.

Miss Doris Steinhardt, New York State Homemaker of Tomorrow

EXTENSION OF REMARKS

OF

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. GROVER. Mr. Speaker, Miss Doris Steinhardt, a student of the Farmingdale Senior High School in my district, has been chosen the New York State winner of the Homemaker of Tomorrow contest and will receive a $1,500 scholarship from the General Mills Corp. This young constituent of mine was the winner over 37,000 senior high school girls in 791 New York State high schools.

In this day when we all have read so much of the difficulty that young people have adjusting to the pace of life, when we constantly hear challenged the values of America, it is most gratifying to know that within your own area there is a young lady with the intelligence and ability of Doris Steinhardt. Miss Steinhardt has also received the honor of being the salutatorian of her class and a member of the National Honor Society.

I wish to take this opportunity to point with great pride to this young woman who is a product of the school system of Farmingdale. She is a tribute not only to her parents but to the teachers of the Farmingdale schools who have instilled into her the sense of responsibility that has enabled her to win this fine award. It would seem to me that when young women of this caliber are developed by our public schools that it is concrete proof that our current investment in education is paying fine dividends.

The 50th Anniversary for National Coal Association

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. KEE. Mr. Speaker, 50 years ago this Sunday, April 23, Woodrow Wilson's Secretary of War, Newton D. Baker, wrote a letter which was to trigger the birth of the National Coal Association.

Several days earlier, on April 7, 1917, our Nation issued a proclamation of war against Imperial Germany. Gen. J. J. Pershing was named to command the American Expeditionary Force, and the doughboys began sailing for war-torn Europe.

In the 2 weeks since America had entered the war, production was soaring, but threats of shortages and rationing were everywhere. On April 23, War Secretary Baker wrote to Mr. F. S. Peabody, president of Peabody Coal Co. of Chicago. He said:

MY DEAR MR. PEABODY: It gives me great pleasure to inform you of your appointment by the Council of National Defense to serve on a committee to advise with Commissioner Baruch, Chairman of the Advisory Commission's Committee on Raw Materials, Minerals and Metals, for the purpose of increasing the output of coal at the mines, and in cooperation with the Transportation Committee of the Advisory Commission, to accelerate the movement of coal to points where the need is greatest.

I hope that it will be agreeable and convenient for you to accept this appointment.

From this letter and Mr. Peabody's appointment, and from the Wilson administration's request, the National Coal Association was founded in Washington one day after the first detachment of the American Expeditionary Force landed in France. Created by the U.S. coal industry with the aid and advice of the Federal Government, NCA was to mobilize an industry which supplied two-thirds of the Nation's fuel.

The industry, led and inspired by its association, answered the administration's request and the Nation's demand. The National Coal Association not only lived up to its commitment in the First Great War, but has continued for the past five decades to provide low-cost fuel and power, scientific and technological innovations, and industrial leadership to the Nation.

For this reason, Mr. Speaker, I introduced House Concurrent Resolution 315 in the House of Representatives to designate the week beginning June 18, 1967, as National Coal Week, in honor of the golden anniversary of the founding of the National Coal Association.

As the Representative of the Fifth Congressional District of West Virginia, I salute the National Coal Association for its accomplishments and vital contributions to our Nation.

Anniversary of the Warsaw Ghetto Uprising

EXTENSION OF REMARKS

OF

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. MINISH. Mr. Speaker, today, April 20, concludes a week's observance of the heroic Warsaw ghetto uprising of 24 years ago. It is fitting that people everywhere who believe in justice and brotherhood pay tribute to the Warsaw ghetto victims who symbolized the best and noblest qualities of mankind.

The Warsaw Ghetto Uprising Commemorating Committee of Essex County, N.J., representing 50 organizations, conducted a highly impressive commemoration program at the Weequahic High School Auditorium, Newark, N.J., on Sunday, April 16, at 7 p.m. Approximately 2,000 persons, including leading representatives of our State and local governments, attended this significant event. The program included addresses by prominent members of the rabbinate, two choral presentations, a dramatic reading of "Babi Yar," a cello recital, songs of the ghetto, and a candlelighting and memorial service.

The following message was sent by me to the notable assembly:

APRIL 16, 1967.

Mr. IRVING DOLGOW,
Warsaw Ghetto Uprising Commemoration, Weequahic High School Auditorium, Newark, N.J.:

I am most sorry that prior commitments that I am obliged to keep precludes my joining the notable assembly gathered to commemorate the 24th anniversary of the heroic Warsaw ghetto uprising. Time and distance cannot dull the memory of this shocking tragedy, one of the most infamous acts against humanity in history. The uprising epitomized both the most glorious and most dastardly deeds of which man is capable. The dignity, courage, and resolute spirit of the victims of the Nazi nightmare will live forever in the minds of all freedom loving people. As we commemorate the heroism of those who resisted to the end the forces of evil and terror, let us rededicate ourselves to building a society in which there is no oppression, in which all men can live in peace, harmony and justice. My warmest greetings and best wishes go to the sponsors of this significant event and all present whose attendance signifies their allegiance to the noble principles that animated the Jews of the Warsaw ghetto twenty-four years ago. Kindest personal regards.

JOSEPH G. MINISH,
Member of Congress.

Sad Anniversary for Americans of Armenian Descent

EXTENSION OF REMARKS

OF

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. NIX. Mr. Speaker, April 24, 1967, is a sad anniversary in the lives of hundreds of thousands of Americans of Armenian descent, for this day marks the 52d anniversary of the ruthless Turkish massacres of the Armenian people.

In 1915, the Turks set out to exterminate the whole Armenian Christian population within the Ottoman borders. Systematically, the Turks first killed the writers, teachers, clergymen, and leaders of the Armenian people. Then the able-bodied young men were brutally murdered and the young women enslaved. The remaining men, women, and children were marched barefooted and hungry toward their ultimate destruction in the remote deserts of Der-El-Zor.

Others were marched to Ankara, which was renamed the Red City because it was drenched with blood of innocent Armenians who were systematically stripped of their valuables right down to the gold fillings in their teeth, then brutally murdered by scimitar-wielding Turkish horsemen.

When the carnage was over, 1,500,000 martyrs had been slain and another million had been ruthlessly torn up from their ancient homeland, stripped of their real and personal belongings, and deported to the desolate deserts to die.

But the crime did not stop here, for the Turks were not satisfied with the mere death of millions; their purpose was to obliterate every trace of the 3,000-year-old Armenian civilization. Universities, libraries, churches, and monastaries were burned to the ground, and irreplaceable antiques, paintings, books, and relics were destroyed.

Not an Armenian alive today, has been left untouched by these massacres. Grandparents, mothers, fathers, children and even newborn infants were among the murdered. Whole families were wiped out with a single blow, and a new word came into the vocabulary—genocide—coined to describe the Turkish efforts to destroy an entire race.

The Armenians are perhaps the oldest of the civilized races in western Asia and were the first nation in the world to accept Christianity as their state religion. From time immemorial, the Armenians have been an industrious and peaceful people. In my own city of Philadelphia, Armenians have distinguished themselves in the business world and in the civic and cultural world. They are the descendants of the victims, and in many cases they are the victims themselves—the lucky ones who escaped. They came to this country with nothing, asked nothing, yet lived to distinguish themselves and produce children who are now taking their places as responsible and fruitful citizens.

An Armenian question exists.

The Germans have made, and continue to make, reparations to the Jews, who too suffered extermination. Similar reparations should be made to the Armenians.

Further, nights of terror still exist for many Armenians in Turkey, who have been unable to leave for the safety of the United States. Without warning, they are subjected to tax-collection nights which usually means the seizing of their property which is auctioned off to waiting militia.

Mr. Speaker, I ask that every Member here who has a conscience and a heart look seriously at the Armenian question and ask how it can be solved.

Valdosta High School Band

EXTENSION OF REMARKS

OF

HON. WILLIAMSON S. STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. STUCKEY. Mr. Speaker, I would like to take this opportunity to talk about an outstanding group of young people who live and go to school in the Eighth Congressional District.

The group to which I am referring is the Valdosta High School Band. This band, under the outstanding direction of our band director, Frank Butenschon, came to Washington as one of many bands from all over the United States to participate in the annual Cherry Blossom Festival. And, they went back to Valdosta with the first-place trophy for the most outstanding marching unit with 75 or less members.

Mr. Speaker, I believe that participation in band activities is a valuable experience for our young people. They learn how to work together as a team, and each and every student learns that it is his individual effort that means the success of the group.

Our group from Valdosta High School did not represent their school or their band alone. They represented the city of Valdosta, the Eighth Congressional District, and the State of Georgia when they won this fine honor.

And Mr. Speaker, I am proud of the recognition that the outstanding young people of Valdosta, under the excellent direction of Mr. Butenschon, have brought to our Eighth Congressional District.

The Endless Search for a Policy

EXTENSION OF REMARKS

OF

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. EDWARDS of Alabama. Mr. Speaker, our distinguished colleague representing the First Congressional District of Washington, Mr. THOMAS M. PELLY, is a most diligent, dedicated, and persistent member of the Committee on Merchant Marine and Fisheries.

Over the past several years the gentleman from Washington [Mr. PELLY] has labored hard and long to alert this Nation to the crisis which is now upon us because of the deterioration of the U.S. merchant marine.

If his positive proposals of these years had been adopted or even given serious consideration by the administration we might have averted the present serious problem.

One of the main points Congressman PELLY has made is the need for a real policy for the upgrading of the U.S. merchant marine. He stated this need effectively in remarks delivered yesterday here in Washington before the maritime trades department seminar.

I include the text of his remarks here and trust they will be given the attention they deserve:

REMARKS OF HON. THOMAS M. PELLY, REPRESENTATIVE OF WASHINGTON, MEMBER OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES, APRIL 19, 1967

The excellence of the competitive two-party system of government was demonstrated yesterday. This was when Members of both parties appeared before the House Rules Committee in bi-partisan support of legislation to provide authorization authority to the House Merchant Marine and Fisheries Committee and the Commerce Committee of the Senate so they can hold public hearings on the needs of the ailing American Maritime industry and establish guidelines and point up a program to meet its needs. Nevertheless a vigorous and vigilant minority assures against majority arm twisting and placing Members under wraps to support Administration policy or lack of policy.

Today, as a member of the Minority Party, I would like to demonstrate the value of the two-party system. I wish to speak frankly on the shocking condition of the American maritime industry owing to the dilatory actions of the current Administration.

I believe that the record of this Administration will clearly show that it has willfully refused to implement and to properly administer the letter and the spirit of our shipping laws. Instead of activity, we have been subjected to inactivity. Instead of leadership, we have experienced an endless series of fruitless studies which have had only one end product—seeds of uncertainty from which to harvest further study. Like Diogenes' endless search for an honest man, the Administration appears to have become stalemated in its own search for consensus.

It is now approaching two and a half years since the President said in his State of the Union Message of January 1965 that he would ". . . recommend . . . a new policy for our merchant marine". Where, I ask, is this promised policy? As one newspaper observed only last month:

"Since the first promise was made by President Johnson of a new maritime policy, the United States has slipped from first to sixth place in size of its active fleet; from sixth to 14th in ship construction. And the number of new ships to fly the American Flag is almost negligible."

What is particularly damning in the Administration's attitude is the fact that we have on our statute books a law which was enacted to avoid this current abysmal condition of American shipping—the Merchant Marine Act of 1936. The very first title of that Act states that we *shall* have a Merchant Marine sufficient to carry ". . . a substantial portion of water-borne export and import foreign commerce of the United States . . .". Former Secretary of Commerce Luther Hodges once stated ". . . I believe the Congressional declaration of (this) policy should be interpreted to mean we should consider a *50%* objective as a goal in determining whether we have a merchant marine sufficient to carry (such) 'a substantial portion . . .' ". Today the American Merchant Marine carries slightly more than 7% of this water-borne commerce.

The same Act directed that this and other Administrations should construct all new vessels in American yards in carrying out the objectives of the Act. Again, I am sure of no concerted effort by the Administration in this direction. Rather, last year and again this year, its leading maritime spokesmen have been hinting at the construction of vessels for American registry in foreign shipyards.

The net result is that while the world merchant fleet has increased slightly more than 60% in the last fifteen years, the American privately-owned fleet has *decreased* by slightly more than 24%. Today, the privately-owned American Merchant Marine consists of about only 900 ships, and about ¾ of those are 20 years or older. In addition, only a little more than 10% of these 900 ships have a speed of 20 knots or more.

Too frequently, we have been deluded into complacency by misleading statistics such as those reflecting that we possess the largest Merchant Marine in the world. This is accomplished by "padding" the figures by including vessels in our National Defense Reserve Fleet. But even if these ships are included, the implication is grossly misleading. Only last week before the Senate Commerce Committee, the Acting Maritime Administrator indicated that of about 1200 ships in the Reserve Fleet almost 45% of them are candidates for the scrap pile. Another 25% are military auxiliaries and presently unavailable to the commercial industry. Taking into account some 160 vessels that have been reactivated for Viet Nam, the net result is that we have only 200 ships remaining in the Reserve Fleet in an available status. How many of these 200 ships could be pressed into service is doubtful. A close associate of mine, who is a Naval architect and who has had an opportunity to inspect some of these Reserve Fleet ships, has advised that hull plates have so deteriorated as to render their safe operation highly suspect. Incidentally, I believe $358 million, the amount the Administration proposes for jumboizing these old reserve ships is a typical McNamara mistake. This money should go for construction of new, fast, and modern ships.

What is even more alarming is to consider the prospect of the availability of Reserve Fleet ships within the time frame of the 1970's. Almost all of these ships are now over 20 years of age. By 1975, they will be from 30 to 35 years of age and will be almost totally obsolete and useless. We may also find that by the 1970's the operational capabilities of Reserve Fleet ships will be limited to excursions between New York City and Staten Island as a result of the most liberal and shocking policies of the Johnson Administration in taking old unused ferry and passenger boats in exchange for ocean-going vessels.

It is most unfortunate that we appear to have so rapidly forgotten the lessons of history. For example, in the first 180 days of World War II, more than 500 American ships were sunk. By comparison with today's active fleet, this would mean better than a 50% reduction in our operational shipping capability. It certainly leads one to question whether adequate consideration is being given to both the submarine and merchant shipping capabilities of our present "cold war" competitors.

What is sorely needed is a reasonable and adequate level of new ship construction. If only ½ of 1% of the more than $130 billion budget were allocated to ship construction, we probably could build more than 50 ships a year. Yet we appear to be wedded to that unlucky number of 13 ships a year.

As an alternative, we have the Secretary of Defense proposing to build his own Merchant Marine in the form of Fast Deployment Logistics ships. Secretary of Transportation Boyd, at the same time, is "hinting" at a so-called "new" maritime program. Frankly, I can readily understand why the Secretary of Transportation was reported ill and unable to appear before the Senate Commerce Committee last week, since I was a little ill myself over the inadequacies of his proposals. I now understand that as an added inducement to buy this so-called "new" program there are some reports that the kitty is to be sweetened by increasing proposed new ship construction to 30 ships a year. I would suggest that along this line someone in the Administration give thought to utilizing ½ of the $2 billion being sought by the Secretary of Defense to subsidize 100% the McNamara FDL program. These funds alone would be sufficient to start us on correcting our current block obsolescence problem.

What is perhaps most ironic, if not pathetic, about the current condition of our maritime industry is the fact that our positions have not changed appreciably in more than half a century. In an article entitled "Shall We Give Up the Ship?", which was carried in the Saturday Evening Post of February 15, 1916, the author, Mr. Herbert Quick, observed:

"The administration says: 'Let us authorize the building of naval auxiliary vessels by the Government.' The Republicans say, most of them, but not all by any means: 'Put us in power and we will by means of subsidies stimulate the building of merchant vessels which will serve as naval auxiliaries.' "

This is essentially what is now at issue if you examine the underlying issues generated by Secretary McNamara's proposal to construct 30 or more Fast Deployment Logistics ships.

In conclusion, I would urge that you pay heed to the demonstrated benefits of unity and cohesiveness. Perhaps we would do well to emulate this national trait of some of our foreign competitors such as Japan. As Helen Delich Bentley, maritime editor of the *Baltimore Sun*, observed in her column of April 10th: "The thoughts of every segment—steamship operators, shipyards, shippers, and workers—are aimed toward one goal—to help Japan." Let us, too, unite to help advance the cause of the American Merchant Marine.

We should stand by our guns and continue the fight begun in the last Congress—

(1) To establish an independent Federal Maritime Administration; and

(2) To vest in the House Committee on Merchant Marine and Fisheries, and its counterpart in the Senate, the Committee on Commerce, jurisdiction over legislation which would authorize appropiations for Maritime Administration programs.

Above all, we should thoroughly examine any and all proposals and their possible impact upon the industry. In no event should we accept anything less than a program of 50 new ships a year for five years to be constructed in American shipyards by American labor. The battle is about to be joined, and the time is now, to effectively prepare to wage war, the outcome of which will have far-reaching implications on our future stature as a maritime nation. I assure you I will be fighting for these obligations.

Shipping: Our Achilles' Heel in Foreign Trade

EXTENSION OF REMARKS

OF

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. BOB WILSON. Mr. Speaker, the sad plight of our merchant marine should grieve every one of us. America has become a third- or fourth-rate power on the shipping lanes of the world.

An effective voice of protest against this disgraceful state of affairs is the ranking Republican on the Merchant Marine and Fisheries Committee, our colleague from California, the Honorable WILLIAM S. MAILLIARD.

I include as a part of my remarks a recent article by him in the San Francisco Business magazine:

SHIPPING: OUR ACHILLES' HEEL IN FOREIGN TRADE

(By Congressman William S. Mailliard)

Foreign trade is a significant and growing factor in the American economy. The United States today is the largest trading nation in the world, and accounts for more than 16 percent of the world's imports and exports and six percent of our gross national product.

Since the end of World War II, we have been exporting and importing an ever-increasing portion of our total consumable merchandise. The proportion of the value of general cargo to the total value of our trade is growing. But, the most striking characteristic of our trade is the dramatic shift in its patterns.

The United States has gone from a nation with a raw materials surplus to one with a deficit. Our economy consumes almost half the world's production of raw materials, and of the seventy-odd materials classified as strategic, we are dependent upon overseas sources for more than sixty. Our oil consumption alone is better than thirty-five percent of the world's total. In recent months, we have even imported magnesium—a metal vital in military aircraft production—from Soviet Russia.

More than 95 percent of the United States' foreign trade is moved by ship. In 1965, our ocean-borne commerce alone was valued in excess of $30 billion. By 1985, it is estimated that the value of this trade will have doubled to about $60 billion. Ships are, therefore, the hand-maiden of trade now and in the foreseeable future. Together, ships and trade have played a significant role in the economic development of our country.

Ships are the trade tools for entry into foreign markets disposing of the excess of finished products from our manufacturing complex. Shipping also is the artery through which flows the vital raw materials to feed and nuture this same industrial complex. Yet American shipping today is the Achilles' Heel of our nation's economy.

As American trade has expanded, the participation in that trade by American shipping has, in sharp contrast, steadily and markedly declined. The sad, albeit true, fact is that American flag shipping transports less than eight percent of our vital foreign trade. While our participation in the carriage of finished goods may be substantially better than this figure indicates, the preponderance of our commerce, especially vital raw materials, is transported in ever-increasing quantities aboard foreign-flag vessels.

Our own Merchant Marine consists principally of over-age vessels. More than three-quarters of our fleet consists of ships twenty years or older and teetering on the precipice of competitive oblivion. It is under constant threat from a foreign-controlled insurance market of being assessed premium surcharges—both for cargo and hull insurance—because of its age. In the vital category of tanker vessels alone, our fleet is by far the oldest among major maritime nations with an average ship age almost double that of the world fleet. It is a privately owned fleet which is growing smaller each succeeding year because of age and resulting deterioration.

Yet while we are consistently losing ground in ship capability—both qualitatively and quantitatively—other nations are forging ahead to meet the challenge at sea resulting from the increasing tempo of technological change in vessels, and their utilization in the product-distribution flow. Only now are we starting to rouse ourselves from prior years of apathy and preoccupation with our domestic market to look into the problems of international competition. The situation is, or should be, alarming to all our citizens, especially to those dependent upon trade for their livelihood now and in the years to come.

We are today in a position of almost total dependence upon foreign-flag shipping. Any serious dislocation in the availability of foreign-flag shipping cannot help but have a disastrous effect upon our ability to engage in foreign trade, with serious ramifications falling upon the American economy. It has happened in the past; it can happen in the future.

We have turned our backs upon the forewarnings by such leading statesmen as Thomas Jefferson, who once observed that: "The marketing of our products will be at the mercy of any nation which has possessed itself exclusively of the means of carrying them; and our policy may be influenced by those who command our commerce. . . ."

This ominous warning is doubly significant today. We are becoming increasingly dependent on foreign shipping capability to market our production. But, also more importantly, we have placed even greater reliance upon foreign ships to supply the machinery of that production with necessary raw materials.

The noted English economist, John Maynard Keynes, wrote that: "War has several causes. Dictators and others such . . . find it easy to work on the natural bellicosity of their peoples but, over and above this . . . are the economic causes of war, namely, the pressure of population and the competitive struggle for markets. It is the second factor, which probably played a predominant part in the 19th century, and might again. . . ."

The validity of this observation and the forewarning of Jefferson has not been lost upon the Union of the Soviet Socialist Republic.

The Russians presently are bending every effort to make the Soviet Union a major maritime power. Its ships are of modern design and of recent construction. About one-half of its merchant ships are under five years of age. The preponderance of its fleet is less than ten years old. These ships are now and will be in the future playing a vital role in the extension of Russian influence around the globe.

As noted in the recently published study by the Applied Physics Laboratory, University of Washington, entitled, "A 1966 Survey of Russian Merchant Shipping": "The economic development of the Soviet Union and the other Socialist states, and the growing role they play in international economic relations are creating a new alignment of forces in world trade. At a time when our own merchant fleet is shrinking and ships placed under 'flags of convenience' are drifting toward registries of European countries, the appearance of . . . Russian ships increasingly darkens an already somber picture."

In his Economic Report to the Congress of January 26, 1967, the President of the United States noted, concerning trade, that: "We should have the ability to adopt our policies to whatever political circumstances or commercial opportunities may present themselves."

The adaptation of policies alone, however, will be of little avail to take advantage of trade opportunities if we lack the tools of trade—fast, modern merchant ships. It is the qualitative and quantitative lack of these requisite tools of trade—ships—which constitutes our Achilles' Heel in foreign trade.

The present condition of the American Merchant Marine borders upon being a national disgrace. Yet, American foreign trade shipping relies upon the federal government for survival. Therefore it behooves the President to replace words with deeds and move to bring about a much-needed and long-overdue revitalization of the American Merchant Marine. American shipping once assumed a vital role in our foreign trade. It should be given an opportunity to do so again in the future.

Queen City Area on the Move

EXTENSION OF REMARKS

OF

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. TAFT. Mr. Speaker, on Saturday, April 22, 1967, Cincinnati, Ohio, will take a giant step into the future. A colorful parade will celebrate the opening of the Queen City's new underground parking facility. But the parade marks much more than the opening of a garage. It signifies Cincinnati's first step into the future—the Queen City has truly become an "area on the move."

When the new underground garage was first discussed, there were those who doubted whether it would ever materialize. On Saturday they can join the ranks of the "believers." What was once a dream has become a reality and can stand as a symbol for other ambitious projects.

There is, of course, much to be done. But Cincinnati's redevelopment program will succeed because the Queen City is fortunate to have dedicated, determined leaders who understand the necessity of rebuilding a city to prepare for the challenges of tomorrow. In housing, urban renewal, transportation, education, recreational facilities, and other areas there are programs underway, planned, and desired. If Saturday's area-on-the-move parade means anything, it means that the job will be done.

Questionnaire

EXTENSION OF REMARKS

OF

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. SNYDER. Mr. Speaker, I recently sent somewhere between 75,000 and 80,000 questionnaires to residents of the Fourth Congressional District of Kentucky. The response was gratifying—I have received returns in excess of 10 percent and returns continue to trickle in daily. For the benefit of my colleagues, I include a tabulation of the responses:

1. What would you do about the war in Vietnam?

(a) continue our present course of only bombing selected military targets; or

	Percent
Yes	5
No	18
No reply	77

(b) Mount a strategically sound effort for military victory, as recommended by the Joint Chiefs of Staff; or

Yes	78
No	4
No reply	18

(c) hold key positions and try to negotiate a settlement; or

Yes	10
No	13
No reply	77

(d) withdraw as soon as possible

Yes	11
No	13
No reply	76

2. Do you favor President Johnson's request for an increase in income tax through a 6% surcharge to finance Great Society Programs in addition to the war in Vietnam?

Yes	5
No	93
No reply	2

3. Do you favor a plan whereby a substantial portion of Federal taxes would be returned to the States with no strings attached?

Yes	65
No	31
No reply	4

4. Increases are planned for Social Security benefits as well as a raise in Social Security taxes. Should Congress (a) raise benefits so as to only cover the increased cost of living; or

Yes	68
No	11
No reply	21

(b) grant a flat raise of approximately 20%?

Yes	18
No	26
No reply	56

5. Do you favor raising the amount retired workers may earn without losing Social Security benefits?

Yes	80
No	17
No reply	3

6. Do you favor Federal regulation of the right to buy or own a gun?

	Percent
Yes	41
No	57
No reply	2

7. Would you favor wiretapping under court control in cases involving the security of the Nation?

Yes	87
No	10
No reply	3

8. Do you favor a law making it a Federal crime to cross a state line for the purpose of inciting a riot or other violent civil disturbance?

Yes	93
No	5
No reply	1

9. Do you favor cross-city busing of school children to correct racial imbalance?

Yes	4
No	95
No reply	1

10. Would you vote for the President's proposed increase in postal rates to reduce the Post Office deficit?

Yes	46
No	51
No reply	3

11. Where industrial plants install anti-air and water pollution facilities, would you approve granting them a tax credit as an offset against the cost thereof?

Yes	65
No	30
No reply	5

12. Do you favor expanding trade with the Soviet Union and other Communist bloc countries?

Yes	26
No	68
No reply	6

13. Do you favor the sale of wheat and other commodities to Russia or other Communist countries?

Yes	28
No	66
No reply	6

14. Should Congress enact legislation outlawing strikes against the Government?

Yes	64
No	30
No reply	6

15. Should Congress appropriate money for rent subsidies?

Yes	3
No	92
No reply	5

The number of people who responded with additional comments far exceeded my expectation. The people generally seem to be more concerned with the matters of Vietnam, the seating of Adam Clayton Powell and postal rates than with perhaps any of the other matters now facing the Nation.

Question No. 1 dealing with Vietnam is rather decisive. Most people checked only one of the four possibilities as can be seen by the return and they conclusively indicate that they believe this country can accomplish and should accomplish a military victory immediately.

Question No. 3, which deals with the return of a substantial portion of Federal taxes to the States, shows a margin of approximately 2 to 1 in favor of such a proposition. However, when all of the comments and reservations are considered, it must honestly be said that the thinking is probably not as conclusive in the minds of the people as the "yes" and "no" answers might indicate.

Question No. 10 involving postal rates drew as many comments as did the Vietnam question and the overwhelming response was to the effect that first-class mail should not be increased until other classes pay their own way. Many people, for instance, would check "no" and then comment "raise third- and fourth-class mail only"—while others might check "yes" and comment "but not on first-class mail." While the "yes" and "no" answers here appear to be fairly close, a reading of the comments leaves no doubt but that the overwhelming majority of my people do expect a more substantial increase in the classes other than first-class mail.

No question appeared in regard to the seating of Adam Clayton Powell, since that matter had been voted on in the House prior to my questionnaire reaching my people. His participation in the special election did precipitate a vast number of comments and it is clear that the people of the Fourth Congressional District of Kentucky do not believe that there has been any substantial change of circumstance shown—and they do not believe Mr. Powell should be seated.

On the other questions, I would say that the "yes" and "no" responses are consistent with the comments.

Anniversary of the Warsaw Ghetto Uprising

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mrs. KELLY. Mr. Speaker, 24 years ago, on April 19, 1943, the Jewish people imprisoned in the Warsaw ghetto by the Nazi regime gallantly and desperately chose to resist their oppressors in a final struggle against overwhelming odds.

For the 40,000 Jews remaining in the ghetto by April of 1943, spring was a time of death. However, death was not a foreign concept to them. They were the survivors of some 400,000 people who, because of their religious preference, had been forcefully herded together by the Nazis in 1940 into an area of 100 square city blocks, separated from the "Aryan" Warsaw by guarded brick walls 100 feet high, topped with barbed wire. They had seen their fellow worshippers die from starvation and disease. Even so, the bulk of them had been carted off in freight trains to be resettled in "labor camps," as the cunning Nazis phrased it. What really awaited them was the gas chambers of Treblinka and other extermination camps.

As murders and demands for deportees increased, and as the degree of protection afforded by labor certificates and wealth diminished, tension intensified among the ghetto inhabitants. Hope and passive resistance were no longer relevant or effective. A decree had been handed down from Himmler: the Warsaw ghetto was to be made "Judenrein"—purged of Jews.

At this point Jews of all ages, backgrounds, and ideological persuasions united to form the Jewish fighter organization—ZOB. Resolving to resist the enemy to the end, this underground group set itself to the task of smuggling arms into the ghetto, eliminating all Jews who collaborated with the Nazis, building an underground labyrinth of shelters and bunkers, and generally preparing themselves for confrontation with the Nazis.

The first active resistance occurred on January 18, 1943, when the SS troops entered the ghetto to effect the final extermination of the Jews. To their surprise, they were met by armed ZOB defenders. After 3 days of fighting, the Nazi forces retreated, leaving behind several dozen dead.

The January resistance was only a preview of what was to come. Realizing that the Nazis would return in greater numbers and in more savage fashion, the ZOB improved its organization and training while continuing to smuggle and manufacture weapons.

The Warsaw ghetto uprising was sparked by renewed demands for thousands of Jews for deportation. On April 19, armed German forces surrounded the ghetto and marched in to crush the last inhabitants. Again they were surprised, for now every Jew within the walls was determined to resist so long as a spark of life remained in him.

The ZOB fought the Nazis openly until April 23. Then the modern artillery and reinforced troops of the Nazis began to drive the hungry and exhausted Jews underground. Their homemade weapons were becoming less effective, forcing them to resort to guerrilla warfare and to fight from subterranean positions. These tactics did not last long. The Nazis, eager to complete the liquidation, began to bomb and burn every house and undergound shelter. Thousands of Jews died as their homes and bunkers became infernos. Those who did not suffocate or burn to death were shot as they attempted to escape.

The fighting lasted for 44 days. For the Jews, the uprising was clearly suicidal. Less than a handful escaped. Yet they had anticipated and accepted their doom. Thus the Jews of the Warsaw ghetto will always be remembered as heroes. They dared to be the first subjected people to resist the bestial Nazis openly; and they inspired subsequent defiance by others.

In recalling the fate of these brave victims, perhaps we may prevent any atrocity of this type from ever occurring again.

Student Drivers Excellent

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. DORN. Mr. Speaker, all of my five children attend public schools in South Carolina and ride to school on buses driven by student drivers. Part of each year they also attend school in Virginia in an area where they ride to school on buses driven by older drivers. It is our observation that the student drivers are very alert, responsible and the equal, if not the superior, of the older drivers.

In South Carolina the safety record of student drivers has been excellent. Not one child has been lost while riding a bus since 1953. This is an outstanding record and a tribute to the student drivers of South Carolina. I am extremely hopeful that Secretary Wirtz will remove the driving of school buses from the classification of "hazardous occupation," and will permit our student drivers to continue.

I am writing Secretary Wirtz today. A copy of my letter is as follows:

Congress of the United States,
House of Representatives,
Washington, D.C., April 20, 1967.

Hon. Willard Wirtz,
Secretary, Department of Labor,
Washington, D.C.

Dear Mr. Secretary: It is my understanding that the driving of school buses has been classified as a "hazardous occupation". This classification would preclude the driving of school buses by high school students under the age of eighteen.

Mr. Secretary, all of my five children attend the public schools in South Carolina and ride to school on buses driven by student drivers. Part of each year they also attend school in Virginia in an area where they ride to school on buses driven by older drivers. It is our observation that the student drivers are very alert and responsible, and are the equals, if not the superiors, of the older drivers.

Allowing students aged eighteen and under to drive school buses has effected great savings to the states which utilize their services, while at the same time, has provided much needed compensation for the drivers.

Mr. Secretary, this letter is to urge that the driving of school buses should not be defined as a "hazardous occupation". It is my belief that student bus drivers make a contribution to our education program that must not be overlooked.

Sincerely,
Wm. Jennings Bryan Dorn,
Member of Congress.

Mr. Speaker, the General Assembly of South Carolina unanimously adopted the following resolution urging Congress to amend the law so as to permit high school students under the age of 18 to drive school buses:

A Concurrent Resolution of the General Assembly of South Carolina Memorializing Congress To Amend the Law so as To Permit High School Students Under the Age of Eighteen To Drive School Buses

Whereas, the United States Secretary of Labor, Willard Wirtz, has defined the driving of school buses as a hazardous occupation, thereby establishing as an unlawful act the driving of school buses by high school students under the age of eighteen; and

Whereas, the State of South Carolina is presently using high school students, some of whom are under the age of eighteen, as drivers of school buses and they have proved to be safe and responsible drivers who have effected savings for the State of South Carolina while at the same time receiving needed compensation for their services; and

Whereas, it is believed that the Congress of the United States should amend the definition of the words "hazardous occupation" or otherwise amend the law of the land so as to permit high school students under the age of eighteen who are capable of safe and responsible driving to be occupied as drivers of school buses. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the Congress of the United States is hereby memorialized to amend the law by defining "hazardous occupation" so as to exclude school bus driving or otherwise amend the law so as to permit high school students under the age of eighteen who are capable of safe and responsible driving to be occupied as school bus drivers.

Be it further resolved that a copy of this resolution be sent to the two United States Senators from South Carolina, to each member of the United States House of Representatives from this State, to the Clerk of the United States Senate and the Clerk of the United States House of Representatives.

State of South Carolina, in the House of Representatives, Columbia, South Carolina, March 31st, 1967.

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the South Carolina House of Representatives and concurred in by the Senate.

Inez Watson,
Clerk of the House.

Support Our Servicemen Week

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 1967

Mr. HANNA. Mr. Speaker, I wholeheartedly endorse the designation of the week of May 29 through June 4 as "Support Our Servicemen Week." It is indeed appropriate that this 1 week be set aside, clearly identified, as a time for giving proper recognition to the more than 3⅓ million men and women who defend our Nation throughout the world. The sacrifices that these individuals are making, the hardships they bear, and the difficult assignments they face must not go unnoticed.

SENATE

Friday, April 21, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of our spirits, we turn to Thee for refuge from the noise and hurry of the world about us.

We thank Thee for all fair memories and living hopes—our times are in Thy hands. O Lord, we would have it so.

We do not ask to see life's distant scenes—one step enough for us. Enough for us the blessed assurance that Thou art the love that will not let us go.

Thou art the love that never forgets,

the light that never fails, and the life that never ends.

Hear Thou our prayer as out of the depths we cry, as we climb the world's great altar stairs which slope through darkness up to Thee—and in dangerous days may we still be able to utter in glad and grateful confidence, "Though an host should encamp against me, my heart shall not fear."

The Lord is my light and my salvation; the Lord is the strength of my life; of whom shall I be afraid?

We thank Thee for human kindness, for hope that shines undimmed, for faith that is dauntless, and for all the qualities of high personality that cannot be bought.

Let Thy beauty, O Lord, be upon us, that our spirits may be radiant as in Thy strength we face the perplexities of these troubled days.

So may Thy kingdom come and Thy will be done in all the earth.

In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Byrd of West Virginia, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 20, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT OF NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to transmit the first annual report of the National Advisory Council on Extension and Continuing Education.

As this report points out, extension and continuing education—once the neglected stepchild in the American educational system—has now become a vital part of that system. Benefiting 25 million citizens each year, continuing education is helping to meet the needs of America's adult population. It recognizes that education is a continuing process that does not end when the student leaves the classroom.

The Federal role in supporting continuing education began more than a century ago. As our society evolved and became more complex, the Federal effort intensified. Today, through federally supported programs, we can cite these examples of progress:

American adults, denied the opportunity to learn when they were young, are being taught to read and write.

The poor and the unemployed, through special education and training, are being given a chance to stand on their own two feet.

Scientists, engineers, doctors, dentists, and teachers are improving their skills and keeping up with the latest technological advances.

Employees at all levels of government are being trained to serve the public better.

These extensive efforts are complemented by our recent efforts under title I of the Higher Education Act of 1965 to bring colleges and universities into local communities to conduct seminars and other programs on issues of great concern. Under this program we are focusing the intellectual resources and research facilities of higher education on problems affecting the daily lives of every citizen—from health and housing to transportation and recreation.

In its first year alone, the program reached every State in the Nation, with 300 colleges and universities participating. In fiscal 1968, this number will almost double.

The attached report of the National Advisory Council on Extension and Continuing Education details much of this progress and recommends a number of steps to strengthen continuing education in America.

After consultation with the Council, the administration developed and submitted to the Congress legislation to improve our continuing education programs under title I by:

Extending the program for another 5 years.

Enabling smaller colleges and universities to continue to participate.

Providing additional funds for experimental projects.

I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 21, 1967.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 270) to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 5786) to authorize the disposal of nickel from the national stockpile, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 5786) to authorize the disposal of nickel from the national stockpile, was read twice by its title and referred to the Committee on Armed Services.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Byrd of West Virginia, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Byrd of West Virginia, and by unanimous consent, the Committee on Aeronautical and Space Sciences was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate go into executive session to consider the nomination of Jonathan Davis.

The motion was agreed to, and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Anne C. Freeman, to be postmaster at Lebanon, Conn., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nomination.

FARM CREDIT ADMINISTRATION

The legislative clerk read the nomination of Jonathan Davis, of Massachusetts, to be a member of the Federal Farm Credit Board, Farm Credit Administration.

The PRESIDING OFFICER (Mr. Byrd of Virginia). Without objection, the nomination is confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONVENTION WITH BRAZIL FOR THE AVOIDANCE OF DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive J, 90th Congress, first session, the convention between the United States of America and the United States of Brazil for the avoidance of double taxation with respect to taxes on income, signed at Rio de Janeiro on March 13, 1967, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the Record.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The convention was referred to the Committee on Foreign Relations, and the President's message is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention between the United States of America and the United States of Brazil for the avoidance of double taxation with respect to taxes on income, signed at Rio de Janeiro on March 13, 1967.

I transmit also, for the information of the Senate, the report of the Acting Secretary of State with respect to the convention and the copies of letters enclosed therewith.

The primary purpose of the convention is the same as that of income tax conventions now in force between the United States and numerous other countries; namely, to eliminate as far as practicable double taxation resulting from the taxation of the same item or items of income by both countries and to establish procedures for mutual assistance in the administration of income taxes. Many of its provisions are identical in substance if not in form to provisions in existing conventions. It contains, however, certain provisions that have no counterparts in tax conventions of this country presently in force. Those provisions, designed to facilitate trade and investment, have been formulated particularly for inclusion in income tax conventions with developing countries. Of particular importance in this respect are the provisions in article 7 relating to investment credit, the purpose and effect of which are explained at some length in the enclosed report. In brief, a resident or corporation of the United States owning at least 25 percent of the voting power of an eligible corporation making investments in machinery and equipment in Brazil would be allowed a credit against U.S. taxes otherwise due equal to 7 percent of the cost of such machinery and equipment, as specified, placed in service during the taxable year.

As customary in income tax conventions, the convention with Brazil contains provisions relating to exemptions or credits with respect to taxes on various types of income, including commercial and industrial profits, dividends, interest, royalties, income from real property, compensation for personal services, remuneration received by teachers, remittances or certain other payments to students and trainees, and governmental salaries, wages, pensions, annuities, or similar benefits. The convention also contains customary provisions regarding cooperation between the officials of the two countries for the exchange of information and for limited assistance in collection.

The convention has the approval of the Department of State and the Department of the Treasury.

I recommend that the Senate give early and favorable consideration to this convention with Brazil.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 21, 1967.*

LEGISLATIVE SESSION

On request of Mr. BYRD of West Virgina, and by unanimous consent, the Senate resumed the consideration of legislative business.

RESOLUTION OF NEW MEXICO HOUSE OF REPRESENTATIVES

Mr. MONTOYA. Mr. President, the 28th legislature, first session, of the State of New Mexico, has met in Santa Fe. The State house of representatives has adopted a memorial protesting expansion of Cannon Air Force Base bombing range in Roosevelt County.

Mr. President, I ask unanimous consent that the resolution be printed in full at this point in the RECORD and that it be referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on Armed Services, as follows:

MEMORIAL

A memorial protesting expansion of Cannon Air Force Base bombing range in Roosevelt County

Whereas, the United States Air Force proposes to expand its existing bombing range in Roosevelt County of this state to encompass some 20,720 acres of deeded land; and

Whereas, the existing bombing range now consists of 5,600 acres of deeded land and the proposed expansion would take in another 15,120 acres of deeded land; and

Whereas, approximately 6,000 acres of this land is irrigable farm and ranch land important to the agricultural economy of this state because of the general scarcity of such irrigable land; and

Whereas, such purchase will not only prove a hardship to the farm families now living on such land, regarding their relocation and possibly their readjustment in other vocations, but will also remove such land from the tax rolls of the county; and

Whereas, among the vast holdings of land by the federal government in New Mexico there are many thousands of non-productive, non-irrigable acres within fifteen or twenty minutes flying distance which might prove more suitable for bombing purposes;

Now, therefore, be it resolved that the Congress of the United States and the United States Air Force be urgently and respectfully requested to halt the further expansion of the Cannon Air Force Bombing Range in Roosevelt County at the expense of productive deeded farm land; and

Be it further resolved that a copy of this memorial be sent to each member of the New Mexico Congressional Delegation and to the Honorable Harold Brown, Secretary of the Air Force.

Signed and sealed at the capitol, in the city of Santa Fe.

[SEAL] BRUCE KING,
Speaker of the House.
ERNESTINE D. EVANS,
Secretary of State.

RESOLUTION OF THE SENATE OF NEW MEXICO

Mr. MONTOYA. Mr. President, the 28th legislature, first session, of the State of New Mexico, has met in Santa Fe. The State Senate of New Mexico has adopted a memorial requesting the Congress of the United States to amend the draft laws to allow a more equitable selection from disadvantaged minority groups.

Mr. President, I ask unanimous consent that the resolution be printed in full at this point in the RECORD and that it be referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on Armed Services, as follows:

SENATE MEMORIAL 28

A memorial requesting the Congress of the United States to amend the draft laws to allow a more equitable selection from disadvantaged minority groups

Whereas, the minority groups in the state of New Mexico have been economically and educationally deprived and few of the young men in these groups can afford to attend college; and

Whereas, without a college deferment from the draft, these young men are inducted into the armed forces, or to avoid the draft, volunteer for other branches of the armed forces; and

Whereas, New Mexico's largest minority group consists of Americans of Spanish descent and constitutes some twenty-nine percent of the population of the state; and

Whereas, approximately sixty-nine percent of all inductees from New Mexico are of Spanish extraction; and

Whereas, of fifty-eight New Mexicans killed in Vietnam during 1966, twenty-five were Americans of Spanish descent; and

Whereas, it is apparent that persons with disadvantaged backgrounds are more likely to be drafted, which is discriminatory and contrary to the principle of equality;

Now, therefore, be it resolved by the Senate of the State of New Mexico that the congress of the United States is requested to amend the draft laws to allow a more equitable selection from disadvantaged minority groups; and

Be it further resolved that copies of this memorial be sent to the speaker of the United States house of representatives, the president pro tempore of the United States senate and the New Mexico delegation to the United States congress.

Signed and sealed at the capitol, in the city of Santa Fe.

[SEAL] E. LEE FRANCIS,
President, New Mexico Senate.
JUANITA PINO,
Chief Clerk, New Mexico Senate.

JOINT RESOLUTION OF THE LEGISLATURE OF NEW MEXICO

Mr. MONTOYA. Mr. President, the 28th legislature, first session, of the State of New Mexico, has met in Santa Fe. The State house of representatives has adopted a memorial requesting the New Mexico congressional delegation to support any proposed legislation which would return to the State any portion of Federal income taxes collected by the United States.

Mr. President, I ask unanimous consent that the resolution be printed in full at this point in the RECORD and that it be referred to the appropriate committee.

There being no objection, the joint resolution was referred to the Committee on Finance, as follows:

MEMORIAL

A joint memorial requesting the New Mexico congressional delegation to support any proposed legislation which would return to the State any portion of Federal income taxes collected by the United States

Whereas, the cost of state government has escalated tremendously within recent years; and

Whereas, the greatest need for expenditures is in the areas of welfare, public health and education, which can best be administered on the local level; and

Whereas, the federal government has preempted most sources of tax revenue; and

Whereas, it has been proposed by many members of Congress that approximately ten percent of the total amount of income tax collected be returned to the state governments for their purposes:

Now, therefore, be it resolved by the legislature of the State of New Mexico that the New Mexico congressional delegation be urged to support any proposed legislation designed to return a portion of the federal income tax collected by the United States to the respective state governments; and

Be it further resolved that copies of this memorial be transmitted to each member of the New Mexico congressional delegation.

Signed and sealed at the capitol in the city of Sante Fe.

Bruce King,
Speaker of the House.
E. Lee Francis,
President of the Senate.

Attest:

Ernestine D. Evans,
Secretary of State.

JOINT RESOLUTION OF LEGISLATURE OF NEW MEXICO

Mr. MONTOYA. Mr. President, the 28th legislature, first session, of the State of New Mexico, has met in Santa Fe. The State legislature has adopted a memorial relating to the Bureau of Land Management and protesting the withdrawal of certain lands from all appropriations under the public land laws.

Mr. President, I ask unanimous consent that the resolution be printed in full at this point in the Record and that it be referred to the appropriate committee.

There being no objection, the joint resolution was referred to the Committee on Interior and Insular Affairs:

Senate Joint Memorial 11

A joint memorial relating to the Bureau of Land Management and protesting the withdrawal of certain lands from all appropriations under the public land laws

Whereas, the bureau of land management has filed an application for withdrawal of all public lands which are valuable or prospectively valuable for geothermal steam from all appropriations under the public mineral leasing laws; and

Whereas, the bureau of land management desires the withdrawal for the protection and conservation of natural resources, including geothermal steam resources, and the mineral and other resource values in the lands; and

Whereas, the withdrawal of these lands is not in the best interest of the state of New Mexico;

Now, therefore, be it resolved by the Legislature of the State of New Mexico that protest to the withdrawal of all public lands which are valuable or prospectively valuable for geothermal steam from all appropriations under the public land laws is hereby made; and

Be it further resolved that copies of this memorial be sent to the secretary of the interior, Washington, D.C. Bureau of Land Management, Department of Interior, Washington, D.C. 20240, and to the New Mexico delegation to the congress of the United States.

Signed and sealed at the capitol, in the city of Santa Fe.

[SEAL] E. Lee Francis,
President, New Mexico Senate.
Bruce King,
Speaker, House of Representatives.

JOINT RESOLUTION OF NEW MEXICO LEGISLATURE

Mr. MONTOYA. Mr. President, the 28th legislature, first session, of the State of New Mexico, has met in Santa Fe. The State legislature has adopted a memorial requesting the President of the United States to restore the cutback and to oppose any future reduction in New Mexico highway fund allocations.

Mr. President, I ask unanimous consent that the resolution be printed in full at this point in the Record and that it be referred to the appropriate committee.

There being no objection, the joint resolution was referred to the Committee on Public Works, as follows:

Memorial

A joint memorial requesting the President of the United States to restore the cutback and to oppose any future reduction in New Mexico highway fund allocations

Whereas, highway safety is of vital concern to New Mexico citizens, and official state figures disclose that an estimated one hundred two lives have been saved on already completed interstate highways, and it is estimated that completion of our interstate system in New Mexico will result in one thousand eighty fewer accidents and two hundred fewer deaths annually; and

Whereas, large segments of New Mexico have been declared economically depressed areas with recent statistics disclosing that gain in per capita income in our state is the lowest in the union, and curtailment or cutback in highway construction has already resulted in the discharge of hundreds of employees directly employed by the industry and its suppliers with consequent reduced money flow, reduced tax revenue and a chaotic economic situation which is certain to result; and

Whereas, the state of New Mexico has, in the past, expended the maximum amount of available federal funds for highway construction and the imposition of the proposed cut-backs will cause a sixty-one percent reduction of available funds in the last half of 1967, and moneys must be allotted for planning and preliminary engineering from the remaining thirty-nine percent thus leaving even less available for construction with the result that grave delays will be encountered along with the inevitable continued loss of life and limb, together with increasing economic depression for the citizens of our state;

Now, therefore, be it resolved by the Legislature of the State of New Mexico that the president of the United States, the Honorable Lyndon B. Johnson, is urged and implored to immediately restore the cut-back in our New Mexico highway fund allocations and to oppose any other future reductions; and

Be it further resolved that a copy of this memorial be transmitted to the president of the United States, to each member of the New Mexico congressional delegation, to the president of the United States senate, and to the speaker of the United States house of representatives.

Signed and sealed at the Capitol, in the city of Santa Fe.

Bruce King,
Speaker of the House.
E. Lee Francis,
President of the Senate.
Attest: Ernestine D. Evans,
Secretary of State.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. Mansfield):

S. 1601. A bill to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

S. 1602. A bill to create a Northwest Regional Services Corporation to provide a central location for various training centers and programs, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Metcalf when he introduced the above bills, which appear under separate headings.)

By Mr. CURTIS:

S. 1603. A bill to amend title II of the Social Security Act to provide that a woman need not have been married to a man for any particular period of time prior to his death in order to qualify as his widow for benefit purposes if he was a member of the Armed Forces drawing combat pay when he died; to the Committee on Finance.

(See the remarks of Mr. Curtis when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

THE 50TH ANNIVERSARY OF LANGLEY RESEARCH CENTER IN VIRGINIA

Mr. BYRD of Virginia. Mr. President, I send to the desk a resolution and ask that it be appropriately referred. The resolution concerns the 50th anniversary of the establishment of the Langley Research Center in Virginia.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). The resolution will be received and appropriately referred.

The resolution (S. Res. 111) was referred to the Committee on Aeronautical and Space Sciences, as follows:

Whereas the calendar year 1967 marks the fiftieth anniversary of the establishment of the Langley Research Center;

Whereas the Langley Research Center at Hampton, Virginia, was for a quarter of a century the only United States laboratory engaged in aeronautical research;

Whereas the Langley Research Center, then a facility of the National Advisory Committee on Aeronautics, provided the basis for revolutionizing airplane design;

Whereas aeronautical research carried on at the Langley Center led to the development of high speed propeller-driven aircraft and the development of supersonic transport;

Whereas the Langley Research Center was the birthplace of Project Mercury—the first United States manned space flight program; and

Whereas the Langley Research Center is one of the major research facilities of the National Aeronautics and Space Administration engaged in significant programs of advanced research and technology including, among others, investigations relating to the launch vehicles, the safe return to earth of Apollo, and landing sites on the moon: Now, therefore, be it

Resolved, That the chairman of the Committee on Aeronautical and Space Sciences is authorized to request the Administrator of the National Aeronautics and Space Administration (1) to appoint a committee to consider appropriate ways and means of celebrating during 1967 the fiftieth anniversary of the Langley Research Center of the National Aeronautics and Space Administration, and (2) submit to the Committee on Aeronautical and Space Sciences at the earliest practicable date a report of the activities of the committee appointed by him pursuant to this resolution.

AUTHORIZATION FOR CONTINUING WORK IN THE MISSOURI RIVER BASIN

Mr. METCALF. Mr. President, on behalf of myself and my colleague, the majority leader [Mr. Mansfield], we are today introducing, at the request of the executive department, a bill to increase the authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

Two matters have arisen resulting in the need for additional funds. One is the work begun on the Tiber Dam of the Lower Marias unit and the second is the initiation of work on the transmission line.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1601) to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior, introduced by Mr. Metcalf (for himself and Mr. Mansfield), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

GLASGOW AIR FORCE BASE, GLASGOW, MONT.

Mr. METCALF. Mr. President, I ask unanimous consent that I be permitted to speak for 10 minutes in the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, on behalf of my distinguished colleague, the senior Senator from Montana [Mr. Mansfield], I send to the desk, for appropriate reference, legislation designed to share with the Nation the vast resources of a Montana defense facility—Glasgow Air Force Base, Glasgow, Mont. Secretary of Defense Robert McNamara has announced that on June 30, 1968, Glasgow Air Force Base will be closed as a Department of Defense facility.

This base is one of the newest and most modern in the entire Defense Establishment. It is not new in the sense of having "new tar paper" over old buildings. In fact, the entire base reflects modern design of permanent buildings that are capable of maximum use with minimum cost of maintenance and repair.

The complex of the base is a totally self-contained community including schools, church, housing for both individuals and families, recreation, training, and related resources. It could be a community of nearly 10,000. Because of the magnitude of Glasgow Air Force Base and in view of the many urgent national needs that it can serve, we are offering this legislation. The facility is too big for the local community, the county, or the State.

The taxpayers of the Nation have invested some $100 million in Glasgow Air Force Base and its 13,500-foot runway and associated aviation facilities and equipment and housing, schools, shops, hangars, warehouse, roads, water system, and other utilities and services. Replacement of these resources, all constructed within the past 10 years, would cost substantially more than that amount.

This is not the first military base to be closed; nor will it be the last. In every instance of base closure, there has been great effort by local, county, State and Federal leaders. In the case of Glasgow Air Force Base there are some distinctly unique factors that require this legislation.

From an economic point of view, Montana simply cannot use the huge base effectively. The replacement value of the base and its various elements exceeds the estimated total general fund income for the State of Montana over the next 2 years.

With imaginative and resourceful planning, Glasgow Air Force Base can become a valuable national asset instead of a local problem. Consultation with local, county, State, regional, and nation—industry, government, and educational leaders all point to a variety of possible uses for the base. These suggested uses include—

A residential vocational-technical high school and 2-year, postsecondary, technical institute.

A national education laboratory and demonstration center for testing and researching teaching methods, materials and training aids in the vocational-technical field.

Adult education and entire family rehabilitation, education, and retraining.

Training programs in health professions and related careers.

Aviation training—pilot, mechanic, electronic technician.

An inland Federal records center.

A storage site for strategic and critical materials.

A national training institute for local, county, and State officials.

A Federal crime prevention training center.

Indian training and employment.

A Western Hemisphere educational center.

An air cargo center.

A foreign trade zone.

A supersonic transport training center.

An aircraft noise and sonic boom research facility.

A transportation safety research, testing, and experimentation center.

An industrial development complex attracting new industry.

Any or a combination of some or all of these uses can be accommodated at Glasgow Air Force Base.

Throughout the Nation there is growing recognition of urgent national needs for training workers, young and old alike, and providing decent housing for the less fortunate, and giving entire families an opportunity to learn new and marketable skills. Montana, with the help and cooperation of the Congress, can make available a resource that will help people throughout the country.

Many businesses find themselves critically short of skilled workers. Skills of many workers have been outdated by automation or other technological developments. Relocation of industry, shifts in market demands, and foreign competition have further complicated the labor market. In addition, there has been a steady decline in the number of jobs where physical strength and untrained minds are accepted. Further, there has been a rapid rise in the number of jobs requiring perfected skills and advanced education. The population of older workers continues to grow, but the skills and experience they possess are not commensurate with the dynamic changes in job requirements. This bleak picture is clouded, further, by the realization that an unusually large number of untrained and inexperienced young adults will be entering the work force this next decade.

Every member of our society has the right to live a productive, meaningful, and fulfilling life. To deny this right is to create and intensify the social and economic drain on the country. This drain could seriously jeopardize the Nation's growth and development and stifle human initiative where it is needed most. Educational failure will increase the cost of unemployment and public welfare and decrease our potential national economic output by billions. Moreover, such failures deny the full benefits of our society to all its members, which is contrary to our democratic way of life.

In a statement to the Senate on February 6 of this year, the senior Senator from South Dakota [Mr. Mundt] pointed out that the Federal Government has a clear interest in understanding what factors make for rapid economic development in certain areas of the country and slow economic development or bring even stagnation in others. Senator Mundt said:

> The Government should ascertain, after measuring both the costs and the advantages, what degree and procedures of economic and population development would be the optimum for various areas of the country—what would be the most efficient use of our resources.

On April 6, Senator Mundt called for the establishment of a Commission on Balanced Economic Development. As I understand the concept, it appears to be a worthwhile approach to a difficult and important problem. In fact, it is related to the same type of analysis that leads to our wish to make the greatest possible use of Glasgow Air Force Base resources.

My distinguished colleague, the majority leader, and I are basically conservationists. We introduce this legislation to help make wise use of our most precious resource—human resources. We hope, with the cooperation of the Congress and the executive branch, to establish the Nation's first National Center for Human Resources Development—a comprehensive occupational education facility. This legislation will permit the wise use of a military base for civil purposes. It will avoid the customary cannibalization of valuable resources. It will make possible a combination of cooperative efforts of management and operations, using the best possible mixing of resources of all levels of government with the private sector of our economy.

What we seek is an experimental approach to the use of one component of the Nation's arsenal of destruction. Can the tools and systems of destruction be converted to goals and methods of instruction? Should we continue to dispose of surplus and excess defense property in the customary manner, losing opportunities to convert such resources to immediate humanitarian civilian needs?

The Tennessee Valley Authority was an experiment in marshaling natural resources with a combination of Government and private sector needs, services, and management. Even critics of TVA admit that it has exceeded expectations of service to the Nation.

This legislation which we propose will establish a Northwest Regional Services Corporation, which will make it possible to convert defense systems, now obsolete, to a much more pervasive war—the war on ignorance and unemployment. This legislation will help the Nation to combine the best elements of the private sector with the public resources now available. We will be able to serve thousands of people throughout the land. We will make wise use of existing resources.

I ask unanimous consent that the Northwest Regional Services Act be printed in full at this point in the Record.

The **PRESIDING OFFICER**. The bill will be recevied and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1602) to create a Northwest Regional Services Corporation to provide a central location for various training centers and programs, and for other purposes, introduced by Mr. Metcalf (for himself and Mr. Mansfield), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 1602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Northwest Regional Services Act".

Sec. 2. It is the purpose of this Act to provide a central location for various training centers and programs which will enhance the social, cultural, and economic well-being of all the people of the United States, in particular the Northwest region of the United States, thereby contributing to the national interest and improving and strengthening the commonweal.

Sec. 3. There is hereby created a body corporate to be known as the Northwest Regional Services Corporaton (hereafter referred to in this Act as the "Corporation"). The Corporation shall have perpetual succession unless dissolved by Act of Congress.

Sec. 4. (a) Upon determination of the Secretary of Defense that Glasgow Air Force Base, Glasgow, Montana, is no longer needed for military purposes, he is authorized and directed to transfer to the Corporation all right, title, and interest of the United States in and to the property (real, personal, and mixed) of such Air Force base.

(b) Prior to the transfer of the property provided for in subsection (a) of this section, the Corporation shall establish plans to carry out the provisions of this Act. Upon completion of such transfer, the Corporation shall proceed to implement such plans as soon as practicable.

Sec. 5. (a) The Corporation is hereby authorized and directed to establish, within the area transferred to the jurisdiction of the Corporation pursuant to section 4 and using the facilities presently established within such area to the extent possible, the following training centers and programs:

(1) a manpower development and training center for programs similar to those authorized by the Manpower Development and Training Program Act of 1962, particularly emphasizing training which is not financially feasible at a local level including, but not limited to, training for pilots, mechanics, practical nurses, medical technicians, and related fields;

(2) an industry training and job training center for employable individuals, including Indians;

(3) a center for training workers in relevant automatic data processing techniques, including, but not limited to, repair, installation, and programing;

(4) a senior citizen rehabilitation and training center designed to help train and orient older citizens for less active work and retirement activities;

(5) a residential vocational technical institution at the secondary and post-secondary school level which would provide education and training for individuals, including education and training for individuals from the Canadian provinces upon assessment of appropriate charges.

(6) a center for training adults to become teaching aids;

(7) a center for training medical teams in giving rural and emergency helicopter and airlift type medical services;

(8) an experimental center for educational research on the handicapped, underprivileged, and economically deprived.

(9) an educational television instruction center with special emphasis on developing instructional programs and techniques for the economically deprived and handicapped;

(10) a family training center for Indians who are ready and willing to leave the reservation and who appear to be able to adjust to environmental change;

(11) a law enforcement and crime prevention institute, including research and training facilities;

(12) a family rehabilitation and retraining center for alcoholics and narcotic addicts;

(13) an institute to train local, State and Federal officers and employees in various programs designed to improve intergovernmental relations and programs administration;

(14) a Department of Transportation safety research, testing, development and standards center;

(15) an air and water research and testing facility;

(16) a supersonic transport and instrumented sonic boom testing range;

(17) a jet aircraft noise abatement test, research and standards development center, jointly sponsored by the Department of Transportation, National Aeronautics and Space Administration, the National Science Foundation, Department of Defense, and the aerospace industry;

(18) an airport testing facility using cold and hot weather construction techniques and standards and other programs using available environmental factors to attain national standards;

(19) a supersonic transport training center;

(20) an industrial complex in which private industry shall be encouraged to locate not only to provide employment for persons in the region but also to supply needed goods and services;

(21) an educational research and demonstration facility, eligible for grants under section 4 of the Cooperative Research Act, which would specialize in vocational and technical education and other resident education;

(22) a national center for human resources development, including a comprehensive occupational education facility; and

(23) any other programs which are within the purposes of any Federal law and are carried out in cooperation with the department or agency of the United States administering such law.

(b) The Corporation is authorized and directed to enter into agreements with departments and agencies of the United States to provide the training centers and programs authorized by section 5(a) of this Act to the extent particular Acts authorize such departments and agencies to conduct such training centers and programs. Any such agreement shall be in accordance with the particular Act authorizing the training center or program, except that the training centers and programs under section 5(a) of this Act are to be considered as additional authorizations without any requirement for providing matching funds.

(c) The Corporation may enter into agreements with private individuals, associations, corporations, foundations and other organizations, and Federal, local and State governments to execute the program provided for in section 5(a)(23) of this Act. The Corporation is authorized to assess appropriate charges and other costs for the use of property or other facilities and services provided in carrying out such program.

Sec. 6. (a) The Corporation shall have a board of directors (hereafter referred to as the "board") consisting of three members who are citizens of the United States. The members shall be appointed by the President, by and with the advice and consent of the Senate, on the basis of distinguished public service and without regard to political affiliation. In appointing the members of the board, the President shall designate the chairman.

(b) The board of directors shall exercise all powers necessary to carry out the functions of the Corporation.

(c) The term of office of each member shall be five years except that—

(1) the terms of the members first taking office shall expire as designated by the President at the time of appointment, one for a term of one year, one for a term of three years, and one for a term of five years; and

(2) any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall serve for the remainder of such term.

(d) Vacancies in the board, so long as there are two members in office, shall not impair the powers of the board to execute the functions of the Corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Each member of the board shall receive compensation at the rate prescribed for level V of the Executive Schedule under section 5311 of title 5, United States Code.

Sec. 7. The Corporation shall have a general manager who shall be the chief executive officer of the Corporation and who shall discharge such duties as the board shall direct. The general manager shall be appointed by the board without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and he shall receive compensation at a rate to be fixed by the board of directors, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates, but such compensation shall not be in excess of the maximum rate for GS–18 of the General

Schedule under section 5332 of title 5, United States Code.

Sec. 8. The general manager shall, in accordance with such policies as the board shall from time to time prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act. Such appointments shall be without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such compensation shall be without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual so appointed shall receive compensation in excess of the maximum rate prescribed for GS–17 in the General Schedule of section 5332 of title 5, United States Code.

Sec. 9. The Corporation shall have the following powers:

(1) to adopt, alter, and use a corporate seal;

(2) to adopt, amend, and repeal bylaws, rules, and regulations governing the manner of its operations, organization, and personnel, and the performance of the powers and duties granted to or imposed upon it by law;

(3) to sue and be sued in its corporate name, except that nothing herein shall be construed to exempt the Corporation from the application of sections 517, 547, and 2679 of title 28, United States Code;

(4) to have the priority of the United States with respect to the payment of debts out of bankrupt, insolvent, or decedent's estates;

(5) to acquire by purchase, lease, condemnation, or in any other lawful manner, any personal property, tangible or intangible, or any interest therein; to hold, maintain, use, and operate the same; to provide services in connection therewith, and to charge therefor; and to sell, lease, or otherwise dispose of the same at such time, in such manner, and to the extent deemed necessary or appropriate by the board for the conduct of the business of the Corporation and to carry out the corporate purposes, except that any disposition of personal property shall be made in accordance with the Federal Property and Administrative Services Act of 1949, as amended;

(6) to construct, operate, lease, and maintain buildings, facilities, and other improvements, on the property transferred to it pursuant to section 4, as may be required to carry out the purposes of this Act, and to charge for the use of the foregoing;

(7) to accept gifts or donation of services or personal property, tangible or intangible, in aid of any of the purposes of the Corporation;

(8) to obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $100 per diem:

(9) to enter into contracts or other arrangements, or modifications thereof, with State and local governments, any agency or department of the United States, or with any person, firm, association, or corporation, and such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(10) to determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to the provisions of this Act and other provisions of law specifically applicable to Government Corporations;

(11) to make advance, progress and other payments which the board deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529);

(12) to execute, in accordance with its bylaws, rules, and regulations, all instruments necessary or appropriate in the exercise of any of its powers;

(13) to settle and adjust claims held by the Corporation against other persons or parties and claims by other persons or parties against the Corporation; and

(14) to take such action as may be necessary to carry out the powers conferred upon the Corporation.

Sec. 10. For purposes of venue in civil actions, the Corporation shall be deemed a resident of the judicial district of Montana.

Sec. 11. The Corporation, its property, franchises and income are hereby expressly exempted from taxation in any manner or form by any State, county, or municipality, or any subdivision thereof.

Sec. 12. (a) The board shall have the power to make and amend such reasonable rules and regulations as it deems necessary, in the interest of safety or to carry out the purposes of this Act, governing the protection of property and the conduct of persons on any area within the jurisdiction of the Corporation.

(b) Whoever knowingly and willfully violates any rule or regulation prescribed under subsection (a) of this section shall be fined not more than $500 or imprisoned not more than six months, or both.

Sec. 13. (a) Any employee of the Corporation appointed to protect life and property on any area within the jurisdiction of the Corporation is authorized and empowered—

(1) to arrest under a warrant within the limits of the jurisdiction of the Corporation any person accused of having committed any offense against the laws of the United States, or against any rule or regulation prescribed pursuant to this Act, within such jurisdiction;

(2) to arrest without a warrant any person committing any such offense within the jurisdiction of the Corporation in his presence; and

(3) to arrest without a warrant, within the jurisdiction of the Corporation, any person he has reasonable grounds to believe has committed a felony within the jurisdiction of the Corporation.

(b) Any employee having the power of arrest as provided in subsection (a) of this section may carry firearms and such other weapons as the board may direct or by regulation prescribe.

Sec. 14. There is hereby authorized to be appropriated to the Corporation such sums as may be necessary to carry out the provisions of this Act.

SOCIAL SECURITY SURVIVOR BENEFITS FOR WIDOWS OF SERVICEMEN KILLED IN ACTION

Mr. CURTIS. Mr. President, it has become apparent that the Federal Government must liberalize its rules for the payment of social security survivor benefits for widows of servicemen killed in action.

For this reason, I introduce for appropriate reference a bill which would eliminate the requirement that a woman be married to a man for at least a year to qualify as his widow for benefit purposes if he was a member of the Armed Forces drawing combat pay when he died.

The 1-year rule has a worthwhile purpose as a general rule, but it discriminates unfairly against young married men who are sent to Vietnam to fight.

An example of this was called to my attention recently by a Nebraska serviceman who read in a newspaper about the case of Judy Hodgkins of San Diego, Calif., the widow of a marine war hero. Her husband, Sgt. Guy Hodgkins, was killed while leading a battle in Vietnam 5 days before their first wedding anniversary.

Senators will be interested to know that the Navy Cross was presented to Mrs. Hodgkins, but she was denied survivor benefits because she and Sergeant Hodgkins had not been married a year.

Representative BOB WILSON, of California, has introduced in the House a bill similar to the one I am introducing in the Senate today. Representative WILSON has also introduced a private bill in the House to make Mrs. Hodgkins eligible for survivor benefits.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1603) to amend title II of the Social Security Act to provide that a woman need not have been married to a man for any particular period of time prior to his death in order to qualify as his widow for benefit purposes if he was a member of the Armed Forces drawing combat pay when he died, introduced by Mr. CURTIS, was received, read twice by its title, and referred to the Committee on Finance.

NOTICE OF CHANGE OF DATE OF PUBLIC HEARING ON COPYRIGHT REVISION BILL

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I wish to announce that the hearing on S. 597, announced for Thursday, April 27, has been rescheduled for Friday, April 28, in room 3302, New Senate Office Building, commencing at 10 a.m.

ORDER OF BUSINESS

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOUTHEAST ASIA AS RELATED TO FUTURE FREEDOM OF PEOPLE OF THE UNITED STATES IS NOT WORTH THE LIFE OF A SINGLE AMERICAN

Mr. YOUNG of Ohio. Mr. President, it is most unfortunate but true that in Western Europe and throughout Asia, the United States is regarded as an aggressor nation. It is most unfortunate that fine, young Americans—half a million of them—are fighting a land war in southeast Asia.

Millions of Americans regard this as President Lyndon Johnson's personal war; a war he apparently cannot end; a war which we are fighting in a little country 9,000 miles distant from our shores; a war we are fighting alone, without allies, except for 50,000 soldiers from the Republic of Korea whose presence in Vietnam was secured only after our President added $100 million per year to the foreign aid given to the Republic of Korea. The ROK forces were, of course, transported to Vietnam on American ships. These soldiers are paid and maintained by us. In addition, the same sort of deal was made by our President with the Republic of the Philippines, and 2,000 noncombat Philippine engineers were sent to Vietnam.

Students of American history know that we termed as mercenaries the Hessians who were transported to America on English vessels to fight against the colonials seeking freedom from England. Lord North, for King George III, paid the Duke of Hesse-Kassel thousands of pounds for the use of thousands of his soldiers. In other words, they were bought and paid for by King George III to help suppress the rebellion of the American colonies. These Hessians were termed mercenaries by the patriots who fought and won our Revolutionary War. History has a way of repeating itself, and its lessons are slowly—if ever—learned.

Vietnam is a small area, half the size of some of our States. It is of no strategic or economic importance whatsoever to the defense of the United States. The United States was not attacked in southeast Asia. We suffered no aggression from any enemy as we did at Pearl Harbor. No interest of our Nation has been jeopardized or imperiled in southeast Asia. The late great President John F. Kennedy said:

> To claim that Vietnam is a bastion defending the United States is ridiculous.

Mr. President, my view that Vietnam is not vital to the security of the United States is shared by many responsible generals in our Armed Forces. Gen. Matthew Ridgway, former Chief of Staff of our Armed Forces, and Gen. James Gavin, who was Chief of U.S. Army Plans and Operations at the time of the French military disaster at Dienbienphu, have publicly opposed our adventure in Vietnam. They have urged that we cease bombing North Vietnam and withdraw our forces to coastal enclaves. Both were outstanding generals and men of achievement in civilian as well as military life. Both have offered sound advice about Vietnam—advice which unfortunately has not been heeded by administration officials or by the present members of the Joint Chiefs of Staff.

In addition, Gen. David M. Shoup, former Commandant of the Marine Corps, and one of our finest military leaders, made some very pertinent remarks on our involvement in Vietnam, last May 14. In that speech General Shoup stated his position very clearly:

> You read, you're televised to, you're radioed to, you're preached to, that it is necessary that we have our armed forces fight, get killed and maimed, and kill and maim other human beings including women and children because now is the time we must stop some kind of unwanted ideology from creeping up on this nation. The place we choose to do this is 8000 miles away with water in between. . . .
>
> Surely a decision to get this nation into the predicament we're in . . . must have been based on an all inclusive study by those with the greatest of clairvoyance. And there must have been a time-table depicting the untenable position and irreparable effects upon this nation at the end of 5, 10, 15, 50 years, else our government could not have chosen the present course of action. If such an estimate of the situation was not made, our leaders have been derelict in their duties and responsibilities. If it was done, the public should be informed. I ask you, have you read or been instructed about any time-table of disaster for this nation and her world position if we hadn't done and weren't doing what we are in South East Asia today? I haven't. . . .
>
> I want to tell you, I don't think the whole of South East Asia, as related to the present and future safety and freedom of the people of this country, is worth the life or limb of a single American.

Mr. President, I endorse wholeheartedly the views of Gen. David Shoup, who is certainly well informed, and who arrived at these conclusions after a great deal of experience and thought.

Let us recall once more how we became so deeply involved in Vietnam. In reality, we are the inheritors of a colonial war fought by the French after World War II, seeking to continue their oppression of nationals of what is now North and South Vietnam, Cambodia, and Laos.

France, from 1946 to 1954, fought in southeast Asia to reestablish its lush and profitable Indochinese empire. France, in the 19th century, with modern weapons against bows and arrows and spears, invaded what is now Vietnam and due to modern technology, conquered that vast area now called North and South Vietnam, Cambodia, and Laos, and established and maintained over the years its colonial empire, enriching France by oppression and robbery of the nationals of southeast Asia. French aggression paralleled the aggressions of the British Empire and German Empire in China and was in the pattern of the aggression and conquest of India by the English. Following 9 years of struggle in which the French losses were severe, and culminating on May 7, 1954, when Dienbienphu was overrun and 12,000 soldiers of the French Foreign Legion and some Moroccans surrendered, the French Government withdrew all of its forces—more than 200,000. The French admitted defeat by the forces of the National Liberation Front, then called Viet Minh but now termed Vietcong. Has that nation lost face by reason of this? No, indeed.

Even while Vietnam was essentially a French problem, the United States supported the French effort through military aid. High U.S. officials at the time even urged that we supply France with nuclear weapons for use in Vietnam. Fortunately, President Eisenhower, who first agreed to commit our airpower to combat to relieve Dienbienphu and to drop American paratroopers, was prevailed on by Anthony Eden, who expressed shock and horror over the very thought of the United States committing its Armed Forces to a land war in southeast Asia. Also, wiser counsel from congressional leaders, including Senator RICHARD RUSSELL, of Georgia, presently chairman of the Armed Services Committee of the Senate, and the then Majority Leader Lyndon B. Johnson, prevailed.

Following that time, we sent in military advisers; and on the day that President Eisenhower left office, January 20, 1961, there were only 685 military advisers advising the forces of the Saigon government and frequently fighting with the armed forces of South Vietnam in the ugly civil war that was raging there.

In 1954, following the French withdrawal, our advisers who were sent to Vietnam became the only outsiders, the only non-Vietnamese intruders, in that area. What had formerly been the French Indochinese empire was divided by the Geneva accords into Vietnam, Cambodia, and Laos, with North Vietnam, a nationalist Communist area, separated temporarily from South Vietnam at the 17th parallel. The Geneva agreement specifically stated that this was not a boundary but was a temporary demarcation line separating nationalist Communist North Vietnam from non-Communist South Vietnam. This separation was established at the 17th parallel, with a demilitarized zone extending both north and south a distance of 6 miles.

It was provided in the Geneva accords that it would be under the control and supervision of the International Control Commission consisting of representatives of Poland, India, and Canada. The late John Foster Dulles, at that time our Secretary of State, approved the Geneva agreement but refused to sign it for the United States. He also promised the same thing that the Geneva agreement specified, that elections would be held throughout all Vietnam to elect a President and to reunify the country. It was repeatedly stated that this was a temporary demarcation line and was not to be considered as a national boundary.

Our CIA, operating at Michigan State University and elsewhere, brought Diem from the United States. He was established as President of South Vietnam. He exercised dictatorship powers, and with his brother and sister-in-law, Madam Nhu, ruled with an iron hand. He and his brother were overthrown in a coup, which is quite the custom in South Vietnam. Then they were murdered, as had been hundreds of Vietnamese who had opposed the Diem rule during the short period he was in power, and who were arrested and then disappeared.

Historically, there has never been a North Vietnam and a South Vietnam. The Geneva agreement specified that elections should be held throughout Vietnam in 1956 in order to reunify the country.

Following the action of our puppet President Diem in Saigon, who called off the promised elections, civil insurrection erupted in South Vietnam. The President and the council of ministers of the Saigon government, installed by our military advisers and CIA, did not permit a fair election. The rulers ruthlessly sought to eliminate opposition by imprisonment, torture, and execution. The forces of the National Liberation Front, whose president is a Saigon lawyer, who was not and is not a Communist, rebelled against the oppression of the Saigon government.

The Washington Post recently reported that Pentagon figures "prepared by the military command in Saigon are used by Defense Secretary McNamara to help assess the war." It may be surprising to some but the facts are, according to this authentic report, that the Vietcong strength in South Vietnam has been climbing steadily. This despite the fact that our bombing has caused a marked reduction in the number of men infiltrating from the north.

Last year the Pentagon estimate was that 239,000 VC were fighting against the Americans in South Vietnam. The present strength of the VC in South Vietnam is 287,000. Very definitely, infiltration from the north has decreased in recent months. Very definitely, the bulk of the VC fighting in the Mekong Delta were born and reared in South Vietnam. Our Defense Department has definitely stated that infiltration from north of the demilitarized zone has decreased to a very marked extent in recent months. Yet, the forces of the VC fighting us in the Mekong Delta and elsewhere in South Vietnam have increased due to recruiting in that area. This McNamara report proves that the recruiting in South Vietnam of the forces fighting our soldiers there has been far more successful than our officials have predicted or care to admit. This is a startling refutation of the claim administration officials have been making that infiltration from the north across the demilitarized zone at the 17th parallel has resulted in increasing the strength of the VC in the Mekong Delta, south of Saigon.

Unfortunately, today American forces are doing practically all of the fighting in the Mekong Delta and suffering all of the casualties. The friendly South Vietnamese forces, so-called, or ARVN forces are doing little except to desert by the thousands month after month.

Mr. President, if free elections were permitted in South Vietnam today—if any dissent were permitted by allowing neutralist or militant Buddhist candidates to campaign freely—it would become clear that a great number of Vietnamese desire not victory but peace and civilian rule. Unfortunately, it is our intervention which now presents one of the greatest obstacles to the fulfillments of those desires. Let us hope for an early peace, accomplished with the help of United Nations or International Control Commission officials.

THE VAGUE "UNCONSTITUTIONAL" CHARGE RAISED AGAINST HUMAN RIGHTS CONVENTIONS—MUST BE ANSWERED—LVII

Mr. PROXMIRE. Mr. President, in my daily efforts to win Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery that have been bottled up in the Committee on Foreign Relations for years and years, I have tried to respond to the vague and unspecified charges that these conventions were "unconstitutional."

No bill of particulars has been presented by the critics however. I have waited in vain for any reasoned argument to which I could respond. Simply the charge by itself—"unconstitutional"—this is a most grave charge to level at any treaty or legislative proposal. The charge "unconstitutional" imputes to the proponents of the proposal under attack—many of whom have sworn to support and defend the Constitution of the United States—either a diabolical design or almost treacherous negligence.

Instead of attempting to refute the nebulous charges of "unconstitutionality" which have never been articulated, I shall attempt to present positively the constitutional case for the Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

Our Constitution contains four separate relevant references to the power of making treaties. Article II, section 2, grants to the President the power to ratify treaties with the consent of the Senate; article III establishes the Constitution, laws, and treaties made under the authority of the United States as "the supreme law of the land"; article III, section 2, gives jurisdiction of cases arising under our treaties to the Supreme Court; and article I, section 10, forbids the States to enter into treaties.

In *U.S.* v. *Arizona*, 120 U.S. 479, *Missouri* v. *Holland*, 252 U.S. 416, and *U.S.* v. *Belmont*, 301 U.S. 324, these provisions have been uniformly interpreted as granting distinct and sole treatymaking power to the Federal Government.

Of course, this power is not unqualified or unlimited. In *Geofry* v. *Riggs*, 133 U.S. 258, the Court stated:

> It would not be contended that the treaty extends so far as to authorize what the Constitution forbids; or a change in the character of the government or in that of one of the states, or a cession of any portion of the territory of the latter without its consent. . . . But with these exceptions it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country.

The Court, in Missouri against Holland, emphasized the authority of the Federal Government in the treaty process when it stated:

> The powers of the states . . . set no limit to the treaty-making power.

The States are considered to have entered into a union to expedite foreign relations and in this respect are not completely sovereign.

If we are going to have any true form of national policy or any international standing, reason dictates that we must speak with one national voice, and not 50.

Mr. President, I have begun today and I shall continue in the next few days with my presentation for the constitutionality of the Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery. It is my hope that these statements will help to remove one more irrational block in the path of Senate ratification of the human rights conventions.

A COMPARISON OF LIBRARIES IN UNITED STATES AND U.S.S.R.

Mr. METCALF. Mr. President, it is appropriate during National Library Week to compare the free access to libraries in this country, and the wealth of information in them, to restrictions on scholars in the Soviet Union. I ask unanimous consent to insert at this point in the RECORD an interesting article, "Report on Visit to Lenin State Library—Moscow," by George Flory, which points up the contrast.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REPORT ON VISIT TO LENIN STATE LIBRARY—MOSCOW

(By George Flory)

The incident I am going to relate makes a point which I am sure will not require any lengthy elaboration. Specifically, it concerns a visit a friend of mine paid to the Lenin Library in Moscow in the early autumn of last year. This institution is reputed to contain one of the largest book-collections in the world and certainly the largest in the U.S.S.R. Its praises have been sung by innumerable Soviet commentators and reechoed by many Western observers. My friend's purpose in visiting this institution, as I shall presently explain, was to find out what books, pamphlets, manuscripts and the like are available on a certain subject of recent history. By inference, it will be possible to conclude that the same situation prevails with regard to similar or related subjects.

I had an especial interest in Spain and the Spanish Civil War, and upon hearing that my friend was going to the Soviet Union as a member of the Comparative Education Society, I asked her to stop in at the Lenin Library in Moscow in order to find out what books were available there in that field. I needed this information for an extensive research project on the history of the Spanish internal conflict. She promised to help me to the best of her ability. For, although she is a teacher of foreign languages, including Russian, she has always been greatly interested in history, especially the history of recent times.

Thus, as soon as she had a free afternoon during her stay in Moscow, she hurried to the Lenin State Library which is located in the center of the city. It is a new spacious, column-decorated building which can not fail to impress any fair-minded observer. Happy to be able to carry out my request my friend walked up the wide staircase to the Library office and asked for admission to the catalogue room.

She immediately found out that this was not a simple matter. She had to make a formal application, establish her identity by means of documentation, declare the purpose of her visit, etc. Of course, she knew the freedom of access to library facilities (except to archives, rare books, manuscripts and the like) which is prevalent in America is undoubtedly unique in the world. But since she had only one afternoon (or two at the utmost) to carry out what she thought was to be a lengthy and elaborate inquiry, she was annoyed by the red tape required to visit no more than the catalogue room. She also soon realized that the system of "checkpoints" in effect at the Lenin Library not only enables the authorities to know exactly who the reader is and how long he is going to stay but also pretty well where he is at any particular time. Because she had a feeling that her motives for wishing to examine the files on the Spanish Civil War might be questioned, or at least cause additional delay, she stated that she was going to work on a Gorky theme—something she intended to do for herself if the time permitted. Her "purpose" as given was approved and she was handed the precious little black booklet.

After passing through repeated "checkpoints," where her personal information was again carefully recorded, she walked up the steps leading to the general catalogue room. The sight that greeted her was indeed impressive: rows upon rows of catalogue card cabinets, with studious men and women, both young and old, busily consulting them. Throughout the vast hall an atmosphere of quiet concentration prevailed.

She quickly looked for and found the drawer with the label "Isp," the Russian abbreviation for "Ispania," Spain. It was at this point that she experienced the first shock: the entire file on Spain, in all its aspects (history, geography, ethnography, folk-lore, etc.) contained no more than about twenty-five books. And then came the second traumatic experience: the entire material on the Civil War in Spain, one of the most tragic and fateful events in recent history, consisted of the following titled: *O. Volozhin, Spain and the Struggle against Fascism,* (1936); *Spain—A Colony of German Fascism,* 1941, a Collection of Essays; *The Spanish Communist Party and its Struggle against Fascism,* an Anthology (1938).

These three books were all that was available on the subject of the Spanish Civil War! And that in a library which contains "20,000,000 books, magazines and complete files of newspapers in all the languages of the Soviet Union and seventy foreign languages, (as well as) 2,000,000 manuscripts . . . and which acts as an inquiry, loan and reference center throughout the U.S.S.R."[1] This meager number of books on the Civil War in Spain might be contrasted, let us say, with the thirty-odd volumes available at the school where my friend is teaching, which, being mainly a technical University, offers only a few courses in European history. It should be also juxtaposed to the approximately 3,000 books, pamphlets, manuscripts, etc., which are available in Western libraries—this according to no less an authority than Hugh Thomas, the author of a highly competent and well-documented account of the Spanish internal conflict (*The Spanish Civil War,* (Harper and Brothers, New York, 1961).)[2]

In other words, as far as the Soviet authorities were concerned, Spain in any of its facets was not important, while the Spanish Civil War, being a "negative," even embarrassing subject, was practically obliterated from the shelves of the largest and most comprehensive library in the U.S.S.R.

I have no doubt that a similar fate has befallen other "negative" subjects: the initial Soviet Failure in China, the Greek Civil War, the short, but glorious history of the democratic Georgian Republic in the Caucasus, the accounts of the social-democratic regimes of the Scandinavian countries and many other events and circumstances. Of course, entirely absent (except for vituperative declarations) are works on the "fallen angels" of the Communist doctrine. Imagine anyone trying to do research on Leon Trotsky in the Soviet Union!

As I contemplated the meager results of my friend's visit to the Lenin Library, the thought occurred to me that the truth as we know it, as it has been aspired to and fought for since the beginning of civilization, does not exist in a police state, whether of the right or the left. What does exist is merely the ruling party's or the dictatorship's interpretation of facts and events, in other words, the Party line. It was clear that my friend would have to tell me that there was nothing worthy of my attention in the Soviet libraries. But it was certain, that, fortunately, everything worthwhile on my subject, all that I could use or needed, was available in the free countries of the Western world. For, unlike the citizens, students and scholars of the Communist orbit, we have the facilities, as well as the right, to search out the truth and, having found it, to pursue it to its glorious and liberating conclusion.

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[1] *The World of Learning,* 1960–61 (European Publishers, London, 1961) pages 942–943. The latest information from Soviet sources is that there are now 22 million volumes in the Lenin State Library (*Uchitel' skays Gazeta* (Teachers' News), Moscow, issue of June 30, 1962).

[2] Thomas, Hugh: *The Civil War in Spain,* 1936–1939 (gathered and annotated by Robert Payne), review in the *New York Times, Book Review Section,* April 29, 1962, p. 14.

PROPOSED MERGER OF AMERICAN BROADCASTING CO. AND INTERNATIONAL TELEPHONE & TELEGRAPH CO.

Mr. METCALF. Mr. President, an important issue raised by the proposed merger of American Broadcasting Co. and International Telephone & Telegraph is the danger that ITT will attempt to influence ABC news coverage so that it may receive favorable treatment in stories involving its vast international business interests. This danger is one of the issues being considered by the Federal Communications Commission in hearings on the merger which are now in progress.

Mr. President, a recent Wall Street Journal article suggests that ITT is indeed hypersensitive to adverse publicity, and will go to great lengths to receive favorable treatment in the news media. The article tells of ITT complaints about coverage in the New York Times and the Washington Post, as well as an attempt by ABC to influence wire service coverage of the merger. ABC, is of course, a large wire service client.

I ask unanimous consent that a copy of the Wall Street Journal story, "Managing the News?" by Fred L. Zimmerman, which appeared on April 17, 1967, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MANAGING THE NEWS?—FCC PONDERS QUESTION RAISED BY ITT–ABC MERGER PROPOSAL

(By Fred L. Zimmerman)

WASHINGTON.—International Telephone & Telegraph Corp., like most big companies, is perpetually itchy about its public image. Lately, though, ITT has been scratching mighty hard.

The company's controversial plan to take over American Broadcasting Co. is being reexamined now by the Federal Communications Commission. One explosive question at the FCC hearings is whether ITT, because of its wide-ranging business interests here and abroad, would tamper with ABC's news coverage if the greater glory of the parent company were deemed at stake.

In view of ITT's promises that this will never happen, the company's involvement in press coverage of the merger proposal itself is worth remarking. These unreported activities of the past few weeks establish not only that ITT is extremely sensitive about news reports concerning the company but that it will make unusual efforts to shape the reports to its liking.

Some people, including one influential Government man whose views will have a bearing on the merger's fate, consider these activities relevant to the question of whether ITT might ever be inclined to view ABC News as simply a cog in its image-making machine.

Says FCC Commissioner Nicholas Johnson, a vigorous critic of the merger: "ITT, as the owner of ABC, constantly will be faced with the conflict between its profit-maximizing goals—indeed, obligations to shareholders—which characterize all business corporations, and the duty to serve the public with free and unprejudiced news and public affairs programing."

ITT's experience could provide a lesson for other companies engaged in the inexact art of press relations. It's clear from talks with Washington reporters that the company's news-management efforts have backfired.

"It's incredible that guys like this want the right to run ABC's news operation," says one operator, relating the irate call his editor got from ITT about his news story.

"We've been dissatisfied with some of the coverage," counters an ITT public relations man. "Some of it has been incomplete and unfair."

The intensity of ITT's complaints has varied with the merger plan's vicissitudes. The companies announced the proposal in February 1966. It was considered by the FCC at a two-day hearing last September and was approved by a 4-to-3 vote last December. The Justice Department's antitrust division petitioned the FCC last January to reopen the case, and last month the commission voted to hold the further hearings taking place last week and this.

FEBRUARY PEAK

ITT's press lobbying seems to have hit a peak in February, when the commission was deliberating whether to reopen the proceedings. Late that month, an ITT official told an interviewer he and other ITT officials had been complaining to the New York Times, The Wall Street Journal, the Washington Post, and United Press International about various news stories concerning the merger. ABC, it's understood, had complained to the Associated Press and also to UPI.

The complaints were made through calls and letters to reporters and editors, and at meetings with editors here and in New York. Occasionally factual inaccuracies were alleged, but more often the complaints were that reporters weren't writing balanced accounts or were obtaining information from unreliable sources.

New York Times reporter Eileen Shanahan says two ITT representatives came to see her in January to complain about a news article and to suggest "in imperious tones" that the next morning's Times carry the full text of a long FCC order issued that day that was critical of the merger.

A third PR man telephoned her another day to criticize a page-one article that morning and to say the subject "wasn't worth a story." The report concerned the filing of evidence against the merger by the Justice Department the night before. The ITT official further "questioned my integrity and that of the Times," Miss Shanahan says. He denies that, saying he merely had "objected to one or two sentences" in the article.

Washington Post reporter Morton Mintz says ITT first complained to him last November about a story he had written. On a later occasion, an ITT publicist called him to suggest coverage of a Congressman's speech that was favorable to the merger proposal. Mr. Mintz says that, when he replied he was busy with other matters and didn't intend to cover it, the ITT man asked to speak to J. R. Wiggins, the editor and executive vice president. Mr. Mintz, describing ITT's actions as "rather unusual," says his editor hasn't ever mentioned the subject.

ITT and ABC officials are known to have complained to editors of United Press International about various stories written by two UPI reporters. A UPI reporter said he considers one of the calls "an obvious economic threat," in view of ABC's role as a big customer of UPI's radio and television news reports.

Another time, an ITT aide suggested to a UPI reporter that he write a story, "knocking down" a Wall Street Journal report quoting antitrust authorities as saying it was safe to assume the Justice Department would go to court to stop the merger unless the FCC reopened the case. The UPI man declined the suggestion.

The night the FCC announced it was delaying the effective date of the merger to consider new evidence from the Justice Department, an ABC official is understood to have called the Associated Press in New York to complain about a story moving on its news wire from Washington. The Washington reporter was in the middle of his sixth paragraph when ABC's request that the first paragraph be changed was relayed to him. He refused to change it.

PRACTICE ISN'T NEW

That a company should seek to influence news coverage of its activities isn't unique, but veteran Washington newspapermen consider the extent and intensity of ITT's efforts extraordinary. A hallmark of big companies like ITT is a sophisticated PR policy. Their press agents employ the suave softsell, knowing ("I used to be a newspaperman myself") that if they push too hard they'll alienate the journalists they're trying to influence. But there's been no polish or subtlety about ITT's campaign; it's been a frontal assault.

The larger significance of ITT's maneuverings is debatable. The company can argue that its efforts to alter the news coverage of the merger proposal have no relation to the way ABC News would report events in which ITT had an economic interest. But FCC Commissioner Johnson thinks "the number of potential conflicts is endless":

How to report Government space and defense policies, when defense and space contracting account for 40% of ITT's domestic income;

How to report truth-in-lending legislation, when ITT operates at least three finance-company subsidiaries.

How to report foreign affairs, when ITT derives more than half its earnings from foreign investments. (Here is Harold S. Geneen, chairman and president, at the 1966 annual meeting: "We now employ over 200,000 persons in more than 50 countries, representing an extensive involvement and responsibility in the economies and societies of the countries in which we operate.")

These and similar questions will be thoroughly explored this week as the FCC hears testimony from journalism experts and company officials. During later oral argument before the seven commissioners, the news-control issue likely will be a major topic, too.

ITT DENIAL

ITT has categorically denied it would influence the news policies of ABC. In a letter to the commission last summer, ITT said: "ABC will operate as a substantially autonomous subsidiary. As we have stated in the applications, the broadcasting operations of ABC will be kept separate from other ITT operations and the operations of ABC as a licensee will be performed unaffected by commercial, communications or other similar interests of ITT."

Leonard H. Goldenson, president of ABC, testified last week that he's been assured by ITT officials that they share his determination to build ABC News "to the point where it has no peer in the industry." With the financial resources available to ABC after the merger, Mr. Goldenson said, "I will see to it that it is done." He noted that Elmer Lower, president of ABC News, currently has unquestioned authority over news-program content, and after the merger his decisions still "wouldn't have to be cleared with anybody."

Similar declarations come from James C. Hagerty, an ABC vice president who was White House Press Secretary under President Eisenhower. Mr. Hagerty, who expanded the ABC news staff by hiring many top newsmen and significantly increased its stature within the news fraternity, stated in an interview last week that he would resign if he ever thought ITT was influencing ABC's news policies.

"There would be mass resignations," Mr. Hagerty predicted. "Anyone who thinks otherwise just doesn't understand the news profession . . . proud and dedicated people who won't stand for monkey business."

A policy decision that smacked of censorship "would only have to happen once, and then we'd be ruined," Mr. Hagerty said. "The word would get out immediately, and we'd never be trusted again. I could no more tell John Scali or Bill Lawrence (two of ABC's Washington reporters whom Mr. Hagerty hired) to go soft on a story than I could fly to the moon." Indeed, newsmen are notoriously cantankerous about such matters. Examples abound, one being Howard K. Smith, who resigned from CBS News in a dispute over news policy—and was promptly hired by ABC News.

The FCC, undecided about the merger, tends so far to accept the company's promise of a hands-off attitude toward ABC News. In approving the merger last December, the commission majority said it relied "upon the multifold assurances on this record that the freedom of ABC's programing from the intrusion of considerations stemming from ITT's numerous and important non-broadcast interests will be zealously and effectively protected by every available means." The majority added that all the "assurances and representations on this point were persuasive and we accept them as credible."

Maybe those promises will, indeed, be sufficient to preserve the network's news integrity. But if ITT ever succumbs to the temptation to try tampering, it can be hoped the company will find ABC's newsmen as resistant to news management as are the reporters and editors who have been covering the merger case.

FELLOWSHIP IN CONGRESSIONAL OPERATIONS FOR EXECUTIVES

Mr. METCALF. Mr. President, for a number of years, the American Political Science Association and the Civil Service Commission have cooperated in an executive development program known as the Fellowship in Congressional Operations for Executives. This program brings together journalists, political scientists, international leaders, and career Federal employees who participate in a variety of assignments designed to develop their knowledge and understanding of congressional operations.

Speaking of the value of this program for Federal officials, President Lyndon B. Johnson on September 15, 1965, said:

> No Government official can be completely effective if he does not understand the role of Congress in our Democracy.

I have had a succession of fine young men and women work in my office as a part of this fellowship program. Each one has been an outstanding example to me and to members of my staff. Currently, the American Political Science Association congressional fellow in my office is Mervin K. Strickler, Jr., of the Federal Aviation Agency. On March 22, 1967, Charles Yarbrough, writing in the Washington Star in his column "On Wings," wrote of the growth of aviation and Mervin Strickler's contributions to aviation and education. I ask unanimous consent to insert this article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GENERAL AVIATION STILL CLIMBING

(By Charles Yarbrough)

You don't have to be very old to remember the certain amount of awe which surrounded the man with a pilot's license.

Aviation progress seems now to be reaching for the point where you begin to wonder who doesn't have one—and why.

The Federal Aviation Agency has recently reported that the issuance of more than 238,000 airman certificates in 1966 constitutes a new annual record and a 32 percent increase over those issued in 1965.

Student pilot licenses accounted for 54 percent of the total and the figure of 129,180 student tickets put the category over 100,000 for the first time in private flying history. Private pilot licenses totaled 44,464—up 27 percent.

The monthly report of general aviation aircraft production from Aerospace Industries Association shows delivery of 1,019 during February and marked the 17th consecutive month that deliveries have exceeded 1,000 units.

Last year, the industry delivered almost 16,000 airplanes—about eight times the number of aircraft in use by all the domestic airlines combined.

For the industry, even this kind of success isn't enough.

As an example of continued inducement, Piper, which pioneered the $5 "introductory flight lesson" plans to renew it this year after robust results in 1966.

Cessna also will continue a similar program.

Last year's offers brought a flood of acceptances from zero-time, would-be pilots and it inundated the supply of aircraft as well as instructors. The moral is, "start early."

Piper has dealerships at Manassas, Va., and Friendship Airport; Cessna at the Montgomery County Airpark; at Hyde Field, Clinton, Md., and Prince Georges County airport.

One of the men responsible for generating new interest and reviving old enthusiasm among younger aspiring pilots will be honored April 1 for his "outstanding contributions to aerospace education of the nation's youth."

He is the Federal Aviation Agency's Mervin K. Strickler, Jr., an FAA Congressional Fellow, serving on the staff of Senator Lee Metcalf of Montana.

As special assistant for aviation education in the FAA, Strickler developed programs which increased the agency's participation in aviation education by providing services and materials to schools, colleges and teachers.

He lives with his wife, a son and daughter in Hillcrest Heights.

For his long and enthusiastic work in the field, he will receive the Frank G. Brewer Trophy in ceremonies at Tucson, Ariz., during the annual banquet of the National Aerospace Education Council.

Mr. METCALF. Mr. President, because of the great interest in the congressional fellowship program, I wish to share some of the basic information about it with Members of the Congress. Those who are fortunate enough to be selected for the program participate in activities which include:

Attendance at an intensive and comprehensive orientation program on the legislative branch conducted by the American Political Science Association in preparation for later work assignments.

Full-time work assignments in the offices of Congressmen and Senators and with staff members of congressional committees.

Participation in weekly seminar meetings with leading congressional, governmental, and academic figures.

From these and other related experiences, the participants in this program obtain:

A thorough knowledge of the organization of Congress.

A well-balanced understanding of the legislative process and the factors and forces which influence it.

Some congressional perspective of national objectives and executive branch operations.

A sound grasp of the scope and variety of congressional responsibilities and their relationship to the total process of government.

It is my privilege to serve as a member of the Congressional Fellowship Advisory Committee. Other members of this committee include:

Dr. Max Kampelman, Washington attorney, chairman.

Mr. Ben Bagdikian, contributing editor, Saturday Evening Post.

Mr. David S. Broder, correspondent, Washington Post.

Hon. William M. McCulloch, Representative from Ohio.

Dr. Mark Ferber, University of California.

Hon. Orville L. Freeman, Secretary of Agriculture.

Hon. John W. Macy, Jr., Chairman, U.S. Civil Service Commission.

Hon. Hugh Scott, Senator from Pennsylvania.

Hon. Morris K. Udall, Representative from Arizona.

I ask unanimous consent to insert the list of the 1966–67 congressional fellows, with an indication of their background and where they are currently assigned.

There being no objection, the list was ordered to be printed in the Record, as follows:

American Political Science Association

CONGRESSIONAL FELLOWS, 1966–67

Political Scientists

Ernest A. Chaples, Jr., Ph. D candidate in political science, University of Kentucky, Office of Rep. James H. Scheuer, Democrat, of New York.

James T. Murphy, Ph. D candidate, University of Rochester, Office of Senate Public Works Committee.

Morley Segal, assistant professor of political science, California Office of State College, Hayward, Office of Sen. Thomas H. Kuchel, Republican, of California.

Clarence N. Stone, assistant professor of political science, Emory University, Office of Rep. William B. Widnall, Republican, of New Jersey.

James E. Underwood, Ph. D candidate, Syracuse University and political science instructor, Union College, Office of Rep. Benjamin Rosenthal, Democrat, of New York.

Journalists

Loren F. Ghiglione, former reporter for Claremont (Calif.) Courier and Washington (D.C.) Post, presently at Yale University, Office of Rep. Frank Thompson, Democrat, of New Jersey.

Stephen B. Goddard, city hall reporter, Hartford (Conn.) Times, Office of Sen. Joseph S. Clark, Democrat, of Pennsylvania.

Harry A. Lenhart, Jr., on leave from Cleveland (Ohio) Plain Dealer, presently at University of Wisconsin, Office of Rep. James G. O'Hara, Democrat, of Michigan.

Wesley G. Pippert, reporter, United Press International, Chicago, Office of Rep. Morris K. Udall, Democrat, of Arizona.

William E. Shands, assistant news editor, Redwood City (Calif.) Tribune, Office of Sen. Walter Mondale, Democrat, of Minnesota.

Roger Summers, courthouse and political reporter, Fort Worth (Texas) Star-Telegram, H Office of Rep. Hale Boggs, Democrat, of Louisiana.

Harrison J. Ullmann, science and medical writer, Indianapolis Star, Office of Sen. Joseph D. Tydings, Democrat, of Maryland.

Psychologist

Monroe Friedman, associate professor of psychology, Eastern Michigan University, Office of Sen. Philip A. Hart, Democrat, of Michigan.

FEDERAL SERVICE FELLOWS

Kenneth E. Black, Regional supervisor (in Oregon), Dept. of the Interior. Office of Rep. Laurence J. Burton, Republican, of Utah.

Warren A. Blight, Assistant to Administrator, Soil Conservation Service, Dept. of Agriculture. Office of Sen. George McGovern, Democrat, of South Dakota.

James E. Briggs, Political and Economic Officer, Office of Central American Affairs, Dept. of State. Office of Sen. Fred R. Harris, Democrat, of Oklahoma.

John C. Chester, Placement Officer, Bureau of European Affairs, Dept. of State. Office of Rep. Peter Frelinghuysen, Republican, of New Jersey.

David O. Cochran, Information Specialist, Scientific and Technical Information Division, Dept. of the Army. Office of Sen. Joseph M. Montoya, Democrat, of New Mexico.

David M. Cohen, Program Analyst, Community Action Program, Office of Economic Opportunity. Office of Rep. William D. Ford, Democrat, of Michigan.

Thomas J. Creswell, Assistant to the Associate Administrator, Office of Personnel and Training, Federal Aviation Agency. Office of Manpower Subcommittee, House Post Office and Civil Service Committee.

Daniel J. Donoghue, Real Estate Officer, Division of Construction, Atomic Energy Commission. Office of Sen. Thomas J. Dodd, Democrat, of Connecticut.

Martin A. Dyer, Management Analyst, Social Security Administration, Dept. of Health, Education, and Welfare. Office of Sen. E. L. Bartlett, Democrat, of Alaska.

Clifford P. Hackett, African Area Personnel Office, Office of Personnel and Training, United States Information Agency. Office of Rep. Donald M. Fraser, Democrat, of Minnesota.

Arthur B. Jebens, Director of Management Research, Office of the Secretary, Dept. of the Interior. Office of Intergovernmental Relations Subcommittee, Senate Committee on Government Operations.

John A. Jennings, Administrative Officer, Central Intelligence Agency. Office of Rep. Glenard P. Libscomb, Republican, of California.

William H. Kenworthey, Research Analyst, National Security Agency. Office of Rep. Gerald R. Ford, Republican, of Michigan.

William E. Kriegsman, Inspection Specialist, Division of Inspection, Atomic Energy Commission. Office of Rep. Donald Rumsfeld, Republican, of Illinois.

Walter T. Lloyd, Administrative Officer, Central Intelligence Agency. Office of Sen. Charles W. Percy, Republican, of Illinois.

Lloyd F. Miller, Chief, Organization and Management Branch, Management Analysis Division, Agency for International Development. Office of Sen. William B. Spong, Jr., Democrat, of Virginia.

Mrs. Joyce S. Petersen, Position Classification Specialist, Dept. of the Treasury. Office of Rep. Florence Dwyer, Republican, of New Jersey.

Donald F. Seaton, Jr., Manager, Apollo Management Systems, Apollo Program Office, National Aeronautics and Space Administration. Office of Rep. Charles A. Mosher, Republican, of Ohio.

Samuel Selkow, Regional Program Officer, Peace Corps. Office of Sen. Ralph W. Yarborough, Democrat, of Texas.

Mervin K. Strickler, Jr., Special Assistant for Aviation Education, Federal Aviation Agency. Office of Sen. Lee Metcalf, Democrat, of Montana.

Rene D. Tegtmeyer, International Patent Specialist, Office of International Patent Affairs, Dept. of Commerce. Office of Rep. Thomas B. Curtis, Republican, of Missouri.

John Whitelaw, Jr., Special Assistant to the Assistant Secretary, Smithsonian Institution. Office of Sen. Edmund S. Muskie, Democrat, of Maine.

ASIAN CONGRESSIONAL FELLOWS

Fazlur Rahman Khan, Pakistan, Section Officer, Ministry of Law and Parliamentary Affairs. Office of Sen. Clifford P. Hansen, Republican, of Wyoming.

Le Thuc Lan, South Viet Nam, Ph.D. candidate, Faculte de Droit des Sciences economiques, University of Paris, France. Office of Sen. Claiborne Pell, Democrat, of Rhode Island.

Chong Il Park, Korea, Legislative Analyst, Legislative Research Bureau, Korean National Assembly. Office of Rep. William Broomfield, Republican, of Michigan.

N. Parameswaran Nair, India, Professor, Department of Politics, University of Kerala. Office of Sen. Gale W. McGee, Democrat, of Wyoming.

Buhukutumbi S. Raghavan, India, Deputy Secretary, Ministry of Home Affairs. Office of Rep. Albert H. Quie, Republican, of Minnesota.

Bertram Senaka Bandara Tittawella, Ceylon, Lawyer. Office of Rep. James C. Corman, Democrat, of California.

THE WAR IN VIETNAM

Mr. ERVIN. Mr. President, David Lawrence made some thoughtful comments upon the war in Vietnam in his column entitled "Overlooking the Obvious on War," which appeared in the Washington Star on April 13, 1967. I ask unanimous consent that such comments be printed at this point in the body of the Record.

There being no objection the comments of Mr. Lawrence were ordered to be printed in the Record, as follows:

Overlooking the Obvious on War

(By David Lawrence)

The biggest mistake made in conducting international affairs is the tendency to ignore realistic facts and "overlook the obvious." Associated Press and United Press International dispatches from Washington have just informed the country that the Soviet Union and Red China have reached an agreement to assure the steady flow of Soviet war materials to North Vietnam.

Even after this news became known, State Department officials were urging Congress to pass measures to improve trade relations with Communist-bloc countries in Eastern Europe.

Yet the government's own intelligence sources abroad have reported that "some sort of tripartite understanding" has been reached between Hanoi, Peking and Moscow. Whatever their ideological differences, they now have come to the conclusion that they must stand together against the United States.

The North Vietnamese have been getting small arms and light equipment from China for some time, but they depend on Russia for such items as MIG jet fighters and antiaircraft missiles. Most of these supplies are going by sea, but some of the more important items connected with missile operations are being shipped overland.

According to international law, every nation may trade with either side in a war but takes the risk of having its trade interrupted and war supplies seized and confiscated as contraband.

The United States has taken no steps to halt Russian vessels or the ships of any of the other countries which are steadily moving in and out of the port of Haiphong. The obvious fact is that Red China and the Soviet Union are helping to kill Americans in Vietnam and are preventing the Hanoi government from entering into peace negotiations.

Sen. Bourke Hickenlooper (R-Iowa) said

during the hearings of the Senate Foreign Relations Committee on Tuesday:

"It appears we have fooled around too long, and now the Russians and Chinese are getting back together on logistic support for North Vietnam."

All this is making American military men more and more unhappy about the way their operations have been restricted. Certainly the bulk of Soviet support which is going by sea—particularly all the oil as well as deckloads of military trucks—could be prevented from being landed at Haiphong. Also, supply lines north of Hanoi could be bombed. If the armed services of the United States are not given the right to fight the war as it should be fought the conflict in Vietnam may go on for years.

One point being raised by opponents of a blockade is that no actual state of war has been declared by Congress. But there are many precedents in international law for the interception of arms and munitions without any declaration of war. As recently as 1962, during the Kennedy administration, the United States Navy stopped and searched Russian vessels which were suspected of carrying equipment for the Communist missile bases in Cuba. Congress had not passed any resolution specifically authorizing this action.

Similarly, during the Korean War, although the Congress of the United States had not declared a state of war, the United States Navy was employed along the entire Korean coast to prevent any kind of sea traffic from reaching the northern part of that country, which was held by the Communists.

The Vietnam casualties are continuing to mount. Military men privately are expressing concern that they should be expected to win a war without being given the right to employ essential military tactics—namely, to bomb all supply lines of the enemy and intercept at sea any shipments of war materiels.

What is puzzling is that the Congress of the United States has not taken recognizance of the Soviet and Red Chinese activities in supplying war materiels to the Hanoi government. There are many members who feel that a resolution condemning the action would be a warning to both Red China and the Soviet Union. It would tell them that all the conventional weapons and tactics of war would be employed to stop assaults against the American Army and Allied troops as they seek to protect the territorial integrity of the Republic of South Vietnam.

SEABEES OF THE NAVY

Mr. ERVIN. Mr. President, this year of 1967 marks the 25th anniversary of the U.S. Navy Construction Battalions, known to all of us as the famed Seabees of the Navy.

The indomitable Seabees, like the minutemen of Concord, came forth at a time of great national peril in World War II. By the end of that war, 250,000 Seabees had built more than 400 advanced bases in the Atlantic and the Pacific.

Their audacity and ingenuity captured the imagination of all Americans, and they became part of this Nation's proud military history.

Today, Seabees are again earning an honored place in our hearts as they serve as construction battalions and civic action teams in Vietnam.

The stories of courage and dedication of present-day Seabees will go into the history books, as did those of their predecessors, as shining proof of how they live up to their confident slogan "Can Do."

In recognition of the 1967 Seabees silver 25th anniversary, Gov. Dan Moore, of North Carolina, recently proclaimed Seabee Day in North Carolina.

I ask unanimous consent to have the text of this proclamation entered in the RECORD, at this point of my remarks.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

STATEMENT BY NORTH CAROLINA GOV. DAN MOORE

In response to a request from the United States Naval Reserve, I am pleased to call attention of the citizens of North Carolina to the time, early in 1942, when the future security and life of our nation were in critical danger, and the United States Navy Civil Engineer Corps formed its now famous Construction Battalions, officially designated and popularly known as SEABEES. Their dedicated service enabled the armed might of our nation and its allies to prevail over the tremendous force of our enemies in World War II, and again in the Korean action. Today, backed up by a strong and vitally energetic Naval SEABEE Reserve, these men on active duty still are being used for the protection of our country.

Therefore, I am pleased to designate March 5, 1967, as Seabee Day in North Carolina and I commend the observance as being a worthwhile endeavor.

DAN MOORE.

RALEIGH, *January 27, 1967.*

THE APPOINTMENT OF JUSTICES TO THE U.S. SUPREME COURT

Mr. ERVIN. Mr. President, in a very thoughtful statement on the Supreme Court, Mr. J. Nathaniel Hamrick, a North Carolina attorney, has related certain weaknesses of the Court which are causing many Americans distress, particularly the method of selecting a new Justice. Mr. Hamrick's concern is that some means should be devised to insure that only the best qualified people serve on the Court rather than continuing the present method which often results in appointments for political purposes and not for judicial excellence.

The competence of just five men has become so important to the fate of our Nation that the time has arrived when, I feel, we must reexamine our present method of selecting Supreme Court Justices. We have lingered far too long under the spell of the Court as a sacrosanct branch of the Government; and I hope there will be more constructive suggestions, such as the statement of Mr. Hamrick's, on this controversy which surrounds the Court.

Mr. Hamrick's article is excellent, and his suggestions are provocative; I recommend it to the Senate with the hope that it will generate thought and creative dialog on this important problem.

Mr. President, I ask unanimous consent that the article, entitled "The Court," written by Mr. J. Nathaniel Hamrick, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE COURT

(By J. Nat Hamrick)

The storms of controversy now raging around the Supreme Court are undermining the foundation of public confidence which is so essential to its successful existence. All storms have causes and the ones battering at the Court are no exception.

When the Federal Government was created, its activities were far removed from the every-day lives of the people. It had no power to levy direct taxes, few laws were passed that directly affected the people, its officers were not chosen by direct vote and the decisions of the Court rarely touched the life or the livelihood of any individual.

Over the years the activities and the power of the Federal Government have expanded until it is now in almost daily contact with all of us. It taxes us directly, tells us how long we can work, what we must pay for the labor of others, what we can plant on our farms and for what price it can be sold. It is attempting to provide for our old age and to shelter and control us to a degree undreamed of by its founders.

As the role of the Federal Government has changed and increased, the Supreme Court has rendered decision after decision directly affecting the daily lives of every citizen. Of course, as the Justices interpret the broad provisions of the Constitution and apply them to specific cases and particular laws they sometimes alter the basic law of the land as set forth in the Constitution and in previous decisions of the Court.

The point at which a particular decision ceases to "interpret" and begins to "legislate" or "amend" is somewhat hard to establish. Being subject to all the prejudices and frailties of the human race we tend to label as "amendment" those decisions with which we do not agree and to approve as "interpretation" those decisions with which we do agree. However, even if we approve of the result of a particular decision we must never forget that the wisdom of nine men can never equal that considered, deliberate, wisdom of the whole people which produced the Constitution.

No matter how just our cause we must never allow a "wild growth by interpretation" to devour the right and the duty of the whole people to amend or refuse to amend their Constitution; for such an uncontrolled growth could easily consume the very Constitution it purports to interpret and take away the very freedom that great document was created to protect.

Few of us realize how far the word "interpretation" has permitted the Justices to swing the compass of America as they follow their individual stars of ideal justice or climb their own stairways of ambition. For instance, by the Commerce Clause, the Constitution granted to congress the power ". . . to regulate Commerce with Foreign Nations, and among the several States and with the Indian Tribes;". The Supreme Court has "interpreted" this clause to empower The Congress to enact criminal penalties, which the Courts could impose on a farmer who exceeded his grain allotment even though all his grain was fed to his livestock on his own farm. This final result was reached in a step-by-step "interpretation" which began by "interpreting" the Commerce Clause as giving to the Federal Government the power to regulate the conditions under which goods must be produced when those goods later moved into interstate commerce; and ended with the "interpretation" that any production anywhere affected interstate commerce (no matter how local the production or consumption) and therefore, under the Commerce Clause the Federal Government could impose criminal penalties upon the farmer, who for his own use on his own farm, raised more grain than the congressionally empowered administrators had allotted to that farm.

Even though this particular line of decisions permitted Congressional extension of Federal Power by a rather strained "interpretation" of the Commerce Clause, nevertheless the real extension was by Congress.

However, without any Congressional Mandate the Justices took the equal protection clause of the Fourteenth Amendment which reads, "nor (shall any state) deny any person within its jurisdiction the equal protection of the laws." And "interpreted" this language to require that each State so structure its legislative houses that each legislator represent the same number of people,—one man-one vote. This, in spite of the fact, that the Constitution which created the Court itself provided for a House of Representatives whose members are elected from Districts based on population and for a Senate whose members are selected from geographic areas; and, in spite of the fact, that in one State, at least, a majority of the voters in every county approved a plan in which the upper house of the legislature was not based solely on population.

They took that part of Article One of the Bill of Rights of the Constitution which reads, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof;" and "interpreted" it to require that prayer in public schools be prohibited.

They took that part of Article Six of the Bill of Rights of the Constitution which reads, "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, . . . and to have the Assistance of Counsel for his defense," and "interpreted" it to require that counsel be appointed for an accused not only when he is tried but also as soon as he is charged with a crime.

All these "interpretations" by the Supreme Court were made in the face of Article Ten of the Bill of Rights of the Constitution which specifically provides, ". . . the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;" and in the face of George Washington's stern warning in his Farewell Address, that:

"The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. . . . If in the opinion of the people the distribution or the modification of the constitutional powers be in any particular wrong, let it be corrected by amendment in the way the Constitution designates. But let there be no change by usurpation; for though this, in the one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

The Supreme Court has changed very little over the years. The Justices are appointed by the President with the advice of the Senate—just as they were in 1791. They hold office for life—just as they did in 1791. Their decisions are still the Supreme Law of the land.

During these same years both the Executive and the Legislative branches of the government have undergone many changes. No longer are Senators elected by the legislatures of the States—nor does the President now have the power to fill vacancies in the Senate. No longer is the ballot granted or denied on the basis of race, sex, color or the ownership of property. No longer is the candidate with the largest number of votes elected President and the candidate with the next largest number of votes elected Vice President. No person may now be elected President more than twice. These and many other changes have brought the Executive and the Legislative branches of our government closer to a citizenship which grows wiser, better educated and more responsible with each passing generation. The Supreme Court alone remains an isolated—secluded tribunal which many citizens feel is a sort of super-government reaching into their daily lives, controlling their activities and yet, in a constitutional democracy, completely beyond any sort of control.

In view of the changes constantly taking place in our country, perhaps we should look at the Court, examine its problems—their causes—and see whether or not a more efficient method of selection, a more equal geographic division, a more limited tenure and stricter qualifications for the Justices would help that tribunal to emerge from its cloistered seclusion and take its place as a modern and respected branch of our government.

With malice towards none, we must admit that under the present system men have often been appointed to the Court either for political or personal reasons, and with little regard for their excellence in the law or their proven ability as judges. At times men have been appointed in an effort to bend the Court to the will of the particular Chief Executive or to make the Court more "liberal" or more "conservative".

If we are to preserve the three departments of our government the Judiciary should not be limited or controlled by either the Executive or the Legislative branch. However, since the Court is made up of men with all their human frailties, ambitions and prejudices it should not be completely without control. Both the Legislative and the Executive branches are checked by the Court and balanced by the electorate. But under our present constitution, the only check on the Justices is their conscience and the only balance their minds.

Ours is a wonderful and diverse nation springing from many great races and divided into different sections, each with its own beloved way of life. We differ in our manners, our customs, and even in the way we speak our language; yet each section has contributed much to America and is entitled to have its voice heard in the councils of the nation and in the chambers of the Supreme Court. We have eleven circuits in our federal judicial system, each with definite geographical boundaries. We should select one Justice from each Circuit so that these eleven Justices could speak with the voice of all America.

All of us, whether we be Justices or laymen, saints or sinners, have our own peculiar personalities instilled into us by our parents, our teachers, our friends and our own thoughts and experiences. We are all subject to the frailties and imperfections of mankind and no robe, no title, nor any concept of judicial freedom can change this fact. These prides and prejudices will color every decision of our lives whether it is a personal or a judicial decision. When we are in positions of power all, except the very greatest among us, tend to give more sway to these ingrained traits of personality—witness the numerous dissents and widely divergent views often expressed by members of the present Court. The longer we are permitted to exercise that power the more unyielding we become.

When this position of power is one which has great control over our nation, as has the Supreme Court, we find that the judgment of a few men, sometimes only five, is permitted to set the course and control the direction of America. No man or group of men should occupy such an important position for life. We should therefore, select each Justice for a definite term and limit the number of terms anyone may serve in this high office.

All men have ambition and when the desire to achieve a particular objective becomes a living, driving force within a man he is likely to compromise other obligations and duties in order to achieve that particular desire. Justices of the Supreme Court are no exception to this rule. Decisions rendered by the Court often have strong political overtones and a vote or an opinion may well endear or alienate a Justice in the eyes of the electorate. If a Justice has future political aspirations, as some may well have, he will be tempted to use his vote or write an opinion in a way calculated to build his political fortune. This temptation should be removed by making any person accepting a seat on the Supreme Court bench thereafter ineligible for any office of trust or profit in the United States except selection for another term as a Justice of the Supreme Court. In order to free the Justices from the press of financial necessity and in order to attract our best legal minds to the Supreme bench the salary of each Justice should continue for the duration of his natural life, whether he serves one or more terms on the Court.

A Justice of the Supreme Court should be a man who possesses a clear and fair mind and a willingness to hear, to listen and to consider before reaching a decision. He should be a man who believes in a government of law and not of men; a man who, when he looks down from the bench cares not whether the litigants are Republicans or Democrats, Liberals or Conservatives, white or black, Protestant or Catholic, Christian or Jew.

Many qualities which have carried a man forward in other fields may stand in the way of his success as a Judge. Overriding personal ambition, an inability to see any way but his own—or a devious political mind which seeks to be all things to all people are but a few of the personal characteristics which make an otherwise highly successful person completely unsuited to judging. Often the extent to which a man is willing to indulge these characteristics does not fully reveal itself until he is on the bench and free to have his own way. Therefore, while it is true that some very eminent Justices had no previous judicial experience, it is still impossible to tell whether an individual will do well as a judge until we have looked at his record of judging. Appointments should, therefore, be limited to those individuals whose ability and integrity as Judges can be carefully examined before they are selected as Justices of the Supreme Court.

The Justices should not be appointed by the Executive because we would surely find ourselves in the same position of the Colonists, when they declared in the Declaration of Independence that the King had . . . "made Judges dependent on his will alone for the tenure of their offices and the amount and payment of their salaries . . ." They must not be selected by direct vote of the people because their desire to obtain or to keep a seat on the Supreme bench might cause them to allow the Constitution to be driven away by the winds of political expediency. They must be selected by some group capable of evaluating their record and watching over their performance.

No one knows the ability, the integrity, the temperament and the stamina of Judges better than those Justices sitting on State Appellate Courts who day in and day out read and evaluate the record of each Judge in their State. As they go about their daily tasks they get an accurately documented picture of every Judge whose cases are appealed to their Courts. They know his intellect, his ability, his temper, his partiality and his devotion to justice. In short they know each one as a Judge—as no other man or group of men could possibly know them. These Justices also write opinions, make decisions, and daily discharge their duties as Justices. By these acts they are known, their reputations established and their stature measured. To what more competent group could we entrust the selection of Justices of the Supreme Court.

Once selected, each Justice would know that a competent, responsible group of professionals were evaluating his record, watching his conduct, reading his decisions and deciding whether or not his discharge of his duties as a Justice of the highest Court in the land merited their continued approval.

We should, therefore, direct that in those ten circuits comprising states, the Justices of the Chief Appellate Courts of the States comprising each Circuit meet in convention and by secret ballot nominate and elect an individual from their Circuit to serve as a Justice of the Supreme Court of the United States.

In the identical manner, and at the same time, the Justice to be selected from the Circuit of the District of Columbia should be selected by the Chairman of the Judiciary Committee of the United States Senate, and the ranking minority member thereof; the Chairman of the Judiciary Committee of the House of Representatives, and the ranking minority member thereof and the Chief Judge of the Circuit Court for the District of Columbia.

Such a modern Court could move forward with the mainstream of America without breaking through the dikes which protect our dearly bought and long cherished freedom.

Amendment

Article Two, Section Two, of the Constitution of the United States shall be amended by deleting therefrom that portion of the second sentence which reads, "Judges of the Supreme Court".

Article Three, Section One, of the Constitution of the United States shall be repealed. The Justices of the Supreme Court now serving under this Article shall receive their present salaries for the remainder of their natural lives, but their terms of office shall expire and the Supreme Court shall cease to exist at the same instant the Justices of the Supreme Court of Appeals complete the taking of their oaths of Office.

The Judicial power of the United States shall be vested in one Supreme Court of Appeals and in such inferior courts as are now established by the Congress and as the Congress may hereinafter from time to time ordain and establish.

The Supreme Court of Appeals shall be composed of eleven Justices, one from each of the geographical areas designated by the law as a circuit of the United States Court of Appeals on January 1, 1964; the length of the terms to be served by the original Justices shall be:

The Justice selected from the District of Columbia, 3 years.

The Justice selected from the First Circuit, 4 years.

The Justice selected from the Ninth Circuit, 4 years.

The Justice selected from the Second Circuit, 4 years.

The Justice selected from the Third Circuit, 4 years.

The Justice selected from the Eighth Circuit, 5 years.

The Justice selected from the Fourth Circuit, 5 years.

The Justice selected from the Seventh Circuit, 6 years.

The Justice selected from the Fifth Circuit, 6 years.

The Justice selected from the Sixth Circuit, 6 years.

And, thereafter, each Justice shall be selected for a term of six years and shall be eligible for re-election for two additional terms of six years each but no more. The Justices shall select one of their number to serve as Chief Justice for such term as they may designate.

No person shall be eligible for appointment as a Justice unless he has previously served as a Judge of a Court of general jurisdiction, either trial or appellate, or both, in the area from which he will be selected for at least six years prior to his selection as a Justice. Provided that the judicial service of the Justice from the Circuit of the District of Columbia may have been acquired by his services as a Judge on any Court of general jurisdiction of a State of the United States or both.

Every Justice of the Supreme Court of Appeals shall thereafter be ineligible for any office of trust or profit in the United States or of any State. Provided, however, that each Justice shall receive full salary for the period of his natural life, regardless of the length of his service as a Justice unless he be lawfully impeached and removed from the Court in which case his salary shall terminate.

At Eleven o'clock a.m. on the third Monday after this Amendment has been ratified by three-fourths of the States; and, thereafter at Eleven o'clock a.m. on the twelfth Monday prior to the date upon which the term of a Justice shall expire, and not later than Eleven o'clock a.m. on the second Monday following the death, resignation or impeachment of a Justice, the Justices of the Chief Appellate Courts of the States in each area where the selection of a Justice is necessary, shall meet and by secret ballot select some qualified person to serve as a Justice of the Supreme Court of Appeals. These meetings shall be held in the most centrally located appellate court-room in the area from which the Justice is to be selected and shall be presided over by the Senior Chief Justice present. The vote to nominate and the vote to select a Justice shall be by secret ballot.

The three persons having the largest number of ballots cast for their nomination shall be voted upon for their selection; and, the one obtaining a majority of the ballots cast shall be selected. If no one of the three obtain a majority of the ballots cast the names of the two receiving the largest number of the ballots cast shall be re-submitted and the one receiving the majority of the ballots then cast, shall be selected.

In the identical manner and at the identical time set forth in the preceding paragraph the Justice from the Circuit of the District of Columbia shall be selected by the chairman of the Judiciary Committee of the United States Senate and the ranking minority member thereof. The chairman of the Judiciary Committee for the House of Representatives of the United States and the ranking minority member thereof; and the Senior Circuit Judge from the Circuit Court for the District of Columbia. The person so selected may be a resident of any State or territory of the United States.

The presiding officer or any of the Chief Justices present shall immediately certify to the President of the United States and at the same time release to the public the name of the person so selected to serve as Justice.

At Eleven o'clock a.m. on the second Monday following his selection as a Justice each person so selected shall present himself at the Supreme Court Building in Washington, D.C., where he shall take the oath of office and immediately thereafter enter upon his duties as a Justice of the Supreme Court of Appeals of the United States.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I aks unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

EUROPE AND THE NEXT GENERATION

Mr. MANSFIELD. Mr. President, at Northwestern University on April 17 of this year, an address was delivered by the senior Senator from Massachusetts [Mr. Kennedy]. The title of the address was: "Europe and the Next Generation."

I believe a great deal of material in this speech is worth the consideration of the Senate and the Congress and the American people. The speech covers a number of subjects which are of prime and important interest.

I ask unanimous consent that this speech by the distinguished Senator from Massachusetts be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Europe and the Next Generation

Seven years ago, President Kennedy offered as the theme of his campaign "Leadership to Meet the Challenge of the Sixties." Many of these challenges, such as the recurrence of recession, the deficiency in our defenses, the indifference of government to health and education and civil rights, have been met. In other areas, we have fallen short of what we wished to do. But now we must begin to look at the Seventies—to a new decade, with new problems and new possibilities; to a time that will see growing affluence and growing congestion, greater education and greater automation, and changing patterns around the world.

The man who is elected President of the United States next year must begin, in his term, to deal with the challenges of the Seventies. He and his successors must be in touch with the young generation of today. By 1975, half the people in this country will be under twenty-five and almost 40 per cent of the voters will be under thirty. No one will be able to fully serve the public without understanding the young, for it is their world and their responsibilities that will be coming to the fore.

So, in this spirit, I would like to look at some of the critical problems that will face us in the next ten and twenty years. I am going to make some proposals tonight. I do not want them interpreted as policies for today. They are long range suggestions which could be accomplished over a period of years.

In the field of foreign policy, our primary aim during the 1970's should be to try to end the cold war that has dominated world politics for the past twenty years. Based on the changes that have taken place in recent years, and the forces in motion in the world, I think there is a good chance to do this without endangering in any way the interests of our own country. But we can only do it if we begin to put aside outmoded policies, and adopt new ones which, without sacrificing security, lessen tensions and moderate differences between nations.

In no part of the world have events outrun our policies faster than on the continent of Europe. The growing prosperity of Western Europe, the new strength of nationalism, the increasing independence of the countries of Eastern Europe, the changes within the Soviet Union itself and the enormous growth of trade between Eastern and Western Europe have changed the nature of the issue facing us. For the first time since World War II, we are at a point where we can see the possibility of achieving lasting peace and stability, on the continent which has been the center of all the major wars of the modern world. But to do this, we, and the nations of Europe themselves, will have to re-examine policies based on past fears, and modify some of the arrangements, made in times of tension, which now perpetuate tension.

In thinking about foreign policy, our people tend to be able to focus on only one area at a time. Today, it is Southeast Asia—indeed, just one country in Southeast Asia. But just five or six years ago, Europe was the center of our attention. It was the only place in the world where American armies faced Russian armies across a border. In Berlin, the place of the critical confrontation, the question was whether the Russians would allow the East Germans to cut off our access to that embattled city. If so, should we send a military convoy down the Autobahn, even at the risk of incidents that could escalate into war? The situation was serious enough that President Kennedy called up National Guard Reserve troops, to reinforce our soldiers in Europe.

Vast changes have taken place since then. With trade between East and West Europe reaching $8 billion a year, with Eastern nations opening up diplomatic relations with West Germany, with an increasing feeling of European identity, especially on the part of the young, the Iron Curtain, as Winston Churchill saw it in 1946, has changed. It is now a grillwork through which the natural ties between industrial states on the same continent are reasserting themselves. Technology is uniting Europe more strongly than ideology can divide it.

With the exception of East Germany, Russia has no more satellites, in the sense the term was used for so long. Rumania has defied her, as did Yugoslavia and Albania years ago. Czechoslovakia has proposed Eastern European military arrangements that exclude the Soviet Union. To keep her troops in Europe, Russia has been forced to negotiate status-of-forces agreements, not unlike the ones we have around the world. Where she used to be able to commandeer the production of Eastern Europe for her own use, Russia now sends her raw materials to Hungary and Czechoslovakia and Poland, to supply their growing industries.

The Western Alliance has also changed, from the time when a weak and weary Europe subordinated herself willingly to American policies, in return for economic aid and military protection. Again and again, the nations of Western Europe have shown their desire to follow their own course, in their own way, as their economies grow in strength and the threat from the East recedes.

It is easier, in foreign policy, to react to obvious dangers than to seize new opportunities. Nevertheless, the changes that have occurred in Europe offer a significant chance for the achievement of permanent peace and stability. Every nation in Europe, whether democratic or Communist, feels a period of peace and stability would be in its interest. Each of them is more concerned at this point with developing itself internally than with exporting revolution or reaching for new territory. For these reasons, there is a better chance to stabilize relations in Europe, over the next generation, than in ahy of the many troubled parts of the world.

To look ahead to what steps can be taken to achieve this, the United States should have a clear conception of the kind of European structure that would be best. I think it would be one in which all nations, from the Irish Sea to the border of Asia, have relations with each other, free of tensions and restrictions and in which the unification of Europe could proceed in the political sphere as it has in the economic and technological spheres. A Europe with a reunified Germany, in which Germany is assured about her own security, and is no longer considered a threat to the security of her neighbors; a Europe in which the arrangements left over from World War II, such as the presence of Foreign troops in Berlin, were no longer needed; a Europe in which NATO and the Warsaw Pact could be dismantled because the threats which brought them into being no longer existed; a Europe in which the nations could provide for their own security, jointly or individually, backed by American and Russian nuclear guarantees, so that neither nation would have to station troops outside her borders.

In short, the ultimate goal would be a detente between ourselves and the Soviet Union in which European countries could freely join. This would be the final liquidation of the cold war.

All of this is a long way off. But the changes and adjustments that look in this direction, which are already happening on an *ad hoc* basis, should be pursued as part of a deliberate policy.

The United States would do well to change its tactics in pursuit of some of its goals. One example is European unification. It was one of the goals Congress wrote into the preamble to the Marshall Plan. We pushed a common market as early as 1949, and an all-European army in the early 1950's. We favor European unification, even though it could harm us economically, because it is in the interest of peace.

But I wonder whether unification might not come sooner if we stopped pushing it so hard. I am inclined to think that efforts to tell the Common Market and our military allies whom to admit, what multi-lateral defense arrangements to accept, have harmed unification rather than helped it.

To Western Europeans, our plans for their integration look too much like an attempt to maintain American dominance in European affairs, at a time when it is not only dispensable, but strongly resented. The most disruptive elements of European nationalism flourish on our efforts to impose our will.

Pushing unification also impedes our longer-range goals. As long as it looks as though we are trying to maintain a dominant role in Western Europe, Russia will not want to loosen its ties with Eastern Europe. The more monolithic Western Europe becomes, the more difficult it will be for the Eastern nations to make desirable accommodations with the West, economic and political. In all these ways, further American efforts to impose a greater unity on Europe could easily prove counter-productive. They should not be pursued as vigorously as they have been in the past.

We should realize that the countries of Europe are anxious to keep their national identities, and strong enough to do so. Thus, political unification will proceed much more slowly than the economic unification of nations doing more and more business with each other; sending migrant workers into each other's countries, East as well as West; discovering a growing mutual interest in commerce and trade, spurred by the demands of the new technology that knows neither national borders nor ideological differences.

While the security of Europe is still properly the concern of the United States, the unification of Europe should be left to the Europeans themselves. As President Kennedy said in Frankfurt in 1963, "The choice of paths to unity of Europe is a choice Europe must make." They should work out their further steps toward integration on their own, assured of our help if they ask for it, but secure in the knowledge that we do not wish to dominate the arrangements they make.

We should also reassess our own military role in Europe, including the extent of our troop commitment and the role that can best be played by NATO. The NATO military alliance was extremely effective in meeting the dangers posed by the Russia of Stalin. Its military arrangements came into being after the Communist attack in Korea, at a time when Russia had almost 200 divisions in Eastern Europe and the threat of a Soviet invasion on the ground was considered very real. NATO's original strategic purpose was to hold off the numerically superior Communist forces from overrunning Europe to the English Channel, until American atomic air power could be brought into play against Russian cities. NATO was an effective deterrent. It gave the Soviets a very real risk to balance before starting an invasion. It has helped keep the peace for over fifteen years.

But to Western Europeans, the possibility of a Russian invasion is considered very remote. Even those who feel Russia might still start a war under appropriate circumstances agree that the real deterrent to such a move, and the most effective way of combatting it, is through American nuclear weapons, which we hold independent of NATO. Charles DeGaulle would not have removed France from the NATO military organization, and that organization from France, if he felt NATO as now constituted was essential to the defense of his country.

NATO is today important to the defense of Europe. It will remain so, in the short-run, unless the Western European countries perfect an adequate defense system of their own; or until, in the long run, threats to European security no longer exist. But if the United States continues to perpetuate a NATO geared to a kind of war Europe thinks will never come, it is bound to slow the stabilization and normalization we seek. We have, for example, realized that a NATO without nuclear weapons cannot meet the defense needs of today. But our efforts to incorporate nuclear weapons into the NATO structure have raised the unjustified but nevertheless real fear of a nuclear-armed Germany.

Heavy American participation in NATO assures continued Russian participation in the Warsaw Pact, and vice versa. The gradual, mutual thinning out of the troops of both countries is thus delayed.

NATO has served us well, but as presently organized, it is better suited to yesterday's dangers than tomorrow's opportunities. We should take a fresh look at NATO. We should ask ourselves whether we still believe Russia is interested in a military attack on Western Europe, and whether it would come in a way to which NATO as presently constituted could effectively respond. We should ask whether, by keeping the American force as such a large part of NATO arrangements, we do not make it easier for European countries to reduce their armies and defense budgets, as most of them have been doing; whether, by forcing them to offset our military purchases in Europe by buying goods here, we are not discouraging them from developing their own weapons; whether by designing the major NATO defense concepts in the Pentagon, rather than in the European capitals, we are taking an initiative they should take themselves; and whether the results of these policies may not, in the long run, be against the military interests of the NATO countries themselves.

As to troops, General Eisenhower has said we could fulfill our commitments in NATO with two divisions instead of the present six. This could be accomplished, over a period of time, as the Soviets agree to thin out their troops from Eastern Europe, or it could be done if and when the Western European countries build up their forces, so as to achieve the same protection without so much American participation. And we could further assure our allies through a dual-busing system, through which the troops return to the United States leaving their equipment in Europe. In the event they were needed, our airlift capability could speed them back to their bases before an enemy could reach the bases themselves.

So far I have advocated less American involvement in Europe, in the fields of unification and military affairs. But it would be a grave mistake to turn our backs on Europe, or forget her during our crisis in Asia. Knowing where to press and where to relax is the essence of leadership in foreign policy. There are several initiatives our country can take which would do much to create the kind of European structure we want.

First, we should exert our leadership to get agreements designed to lessen tensions and the possibility of war—agreements such as the non-proliferation treaty. In that connection I want to commend Vice President Humphrey for the efforts he made on his recent trip, not only to talk sense on nonproliferation, but to assure the Europeans that our involvements in other parts of the world do not mean we have downgraded the importance of Atlantic partnership. He did a very fine job.

In a treaty of non-proliferation, nations that have nuclear weapons promise not to introduce them into countries that do not; and non-nuclear powers promise not to receive or develop them.

The non-proliferation agreement now being slowly negotiated is valuable on its own, representing as it does the most significant step toward arms control that we and the Soviets have taken together. But it would have additional benefits for stability in Europe. It would greatly reduce the fear of a revived, militaristic and nuclear-armed Germany—an unjustified fear in my judgement, but one which is still used to erect barriers to the normalization of Europe. Even if the final treaty exempts a future European nuclear force, the fear would have no basis. The force would be composed of British and French weapons with mutual assistance and a share of control by Germany and the other nations. Thus, German use of them would be checked by some of her former enemies. And even if non-nuclear nations were allowed to develop nuclear energy for peaceful uses, under inspection, the vital part of non-proliferation—the control of arms—would remain. In fact, American and Russian technicians could even be made available to the non-nuclear countries in their development of peaceful uses, so that they would not be put at a technological disadvantage if in the future nuclear technology becomes important to economic progress.

I hope this treaty, taken with the Test Ban Treaty of 1963, can be just the first two steps in a pattern of planned and safe disarmament. Further steps should include reducing American and Russian reliance on nuclear weapons in our defense establishment and a way for nuclear powers to guarantee non-nuclear powers against aggression and nuclear blackmail. Our leadership in these areas will help every nation in the world.

Secondly, we should support efforts to take the sting out of the East-West conflict in the middle of Germany. This is still the primary danger point in Europe, a place where relations remain at Cold War temperatures. While the goal of our policy should be the reunification of Germany, we should realize that before this must come an evolutionary process. It must begin with greater contacts between the two parts of Germany. It will grow as they recognize the mutual benefit from closer relations in trade and traffic and cultural relations. Reunification is necessarily the last in a long line of relaxations and mutual accommodations on the continent of Europe. As a practical matter, reunification must await the withdrawal of foreign troops from Germany. Withdrawal cannot come until the East-West confrontation in Germany, with its perpetual danger of armed conflict, disappears. That confrontation can best be moderated if the two parts of Germany begin to talk to each other and work with each other.

I realize that West Germany finds itself in a difficult situation in its attempts to insure its own security while looking toward a peaceful European settlement. Its approaches to East Germany have so far been rebuffed. It is surrounded by sensitive nations with long memories. West Germany deserves our support in the important new initiatives it has proposed to ease tension in the middle of Europe, and in its feeling that better relations with the East does not mean acceptance of Germany's division, but brings eventual reunification closer.

There are distinguished experts on Eastern Europe who feel that if the West freezes out East Germany, its old-line Stalinist policies will be so embarrassing to the rest of Eastern Europe that they will eventually seek to abolish it as a separate entity. I do not think this is necessary. The weakening of East Germany through massive defections of its people to West Germany was ended by the wall in Berlin. East Germany has gained in prosperity in recent years. We can take the calculated risk that, she, as the other Eastern countries have done, will throw off some of the fixtures of Communism as she rises economically.

We have nothing to fear from an East Germany which finds it can do better for itself by having more ties with the West. The history of the other former satellite countries shows that this is the way relaxation can happen. And it is the best route to the vital goal of reunification.

In the meantime, we should react properly to any disturbance that does grow out of the confrontation in Germany. There is always the danger that one closed checkpoint, one stopped convoy, one plane strayed across a border, could cause an incident, which could trigger a crisis, which, in turn, could wash away all the progress that has been made toward normalization over the past six years.

We cannot tell when this might happen, nor can we prevent it. If in fact an incident represents a real threat to the security of West Berlin, we should respond to it as such—and we should keep a military capability on hand to do so. But the Soviets do not seem to be as interested in challenging the West in Berlin as they were in Khrushchev's time. If we are careful to separate East German interests from Russian interests, we can distinguish between what is merely an incident and what is a serious challenge to our legal rights and to West Berlin's freedom.

We are in a much more fluid situation in relation to the nations of the Communist world. We can have a difficult confrontation in Vietnam, but we can still establish consular relations, and work together on such important security issues as nuclear proliferation and the question of anti-ballistic missiles. We did not let Syngman Rhee sabotage the truce in Korea by letting the prisoners of war escape. Nor should the Soviet Union allow a desperate East German Government to trigger a new Berlin Crisis which could drag Europe back to the 1950's.

Third and finally, we should continue to build bridges to Eastern Europe, of the kind President Johnson spoke of in his historic address of last October, and of the kind Senator Thruston Morton and Senator Percy have called for on the Republican side. The liberation of the people of Eastern Europe from the most repressive features of life under Communism has come, not by armed intervention or internal revolution, but by the gradual working of the leaven of freedom within their societies. They will continue to remove the shackles of central planning simply because industry and commerce can work so much better without them. They will seek out their own road toward social and economic development, because they have traditionally asserted their own identity as nations. Our task is to make it possible for them to look West as well as to the East for commerce and trade and friendship, as this development proceeds.

We should support the widest possible contacts between the nations of East and Western Europe. Perhaps they could join in the organization for European Cooperation and Development. Perhaps we could help create a new international fund to underwrite economic undertakings between East and West. There is a special need for greater contacts between the Eastern European countries and West Germany. Only the free flow of businessmen, artists and tourists and the realization of the benefits from commercial and cultural contacts can gradually erase the image of a militaristic and ravanchist Germany, so strongly cultivated in Eastern Europe today by those who would keep the nations of Europe separate and hostile.

We welcome the kind of improvement that has taken place in relations between West Germany and Rumania. But I would hope that the barriers might begin to fall, as well, in the much more difficult impasse between West Germany and Poland. The recent position taken by the Catholic bishops of Poland, favoring such contacts was courageous and enlightened on their part, and a hopeful beginning.

Our own businessmen need to be liberated from the many restraints we have put on their dealings with Eastern Europe. We should allow more joint enterprises, more liberal licensing policies, and new types of private international arrangements, such as the recent arrangement by which Fiat of Italy will build autos in Russia, using machine tools made in the United States. The most-favored-nations clause of our trade act should be extended to all the nations of Eastern Europe. They should be eligible for the Food for Peace Program. All these steps would take advantage of their new preoccupation—not with fostering an international political movement, but with making progress at home.

I would hope these steps need not await the end of the war in Vietnam, although as a political matter it is hard to justify untying economic restrictions with countries so actively supplying an enemy. All these steps should be taken cautiously. We are not interested in improved economic conditions if they only consolidate in power regimes which still practice political repression. But the bridges we build to promote a healthy national independence will eventually cause political changes in Communist nations. And there is no doubt that treating these nations as independent of the Soviet Union helps them become more independent of the Soviet Union.

In the early days of our country, the major goal of American foreign policy was to stay out of Europe's internal affairs. A hundred and fifty years, and two wars fought for her freedom and ours, have now brought us full cycle, to a point where less involvement and direction by us, and more support of European initiatives, would serve the needs of both our continents. Europe will probably always be closest to our lives of all the foreign continents, because of our common history and culture and political systems. She should be in the center of our concern—not in the backwash. But if that concern counsels restraint on our part, we should exercise it.

The ending of the Cold War in Europe will not solve all her problems. It will not insure representative regimes in Eastern Europe, or democracy in Russia, or an end of the fear of Germany, or of any of the difficulties posed by the scars of history and the independent course of proud and nationalistic states. But it *will* bring to an end the conditions that brought us to Europe in the first place. It will lessen the number of enemies we have in the world. It will allow us to concentrate more resources in parts of the world that desperately need our aid and leadership. And most important, it will allow Europe to turn some of its resources to the help of the less developed nations of the world. For this is where the crucial struggle for freedom and humanity is going to be in the next generation, and neither the U.S. nor

Europe are giving them the help that they must.

Henry Wadsworth Longfellow once said: "Look not mournfully into the past. It comes not back again. Wisely improve the present. It is thine. Go forth to meet the shadowy future, without fear, and with a manly heart." That is your challenge, as tomorrow's generation, in Europe and throughout the world. I hope you will take it up with zest and with courage.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(At this point, Mr. BYRD of West Virginia assumed the chair.)

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. LONG of Louisiana. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WILLIAMS of Delaware. Mr. President, if this is going to be a live quorum, I suggest that the clerk start calling the roll, and we can send out notice.

The assistant legislative clerk resumed the call of the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

WEST GERMAN TRADE MISSION IN PEKING

Mr. BYRD of Virginia. Mr. President, the New York Times of Friday, April 14, 1967, published an article in regard to the West German trade mission to Peking to discuss arrangements for building a $196 million steel rolling mill in China. The project is to be financed by a consortium of German, French, and Belgian concerns—but the German share will be officially underwritten by the West German Government.

The New York Times article states that the Bonn government's involvement with Communist China is a matter of strictest secrecy in Bonn. The article further states:

> A top level government official who was asked about the relationship said he knew about it but could say nothing.

I repeat for emphasis: He knew about it but he could say nothing.

I resume quoting from the article:

> The gingerly approach is believed to be part of a complicated strategy conceived by the new coalition Government of Chancellor Kurt Georg Kiesinger.

Mr. President, the Senate will recall that during the last session, nearly a year ago, the Senate adopted a resolution in regard to the proposed steel plant for Communist China. I wish to read into the RECORD at this point the resolution which was adopted by the Senate at the last session.

RESOLUTION

> Whereas the Government of West Germany has given official approval and financial backing to a deal under which a consortium headed by a West German firm, and including firms of other Western European countries, will supply steel plants to Communist China;
>
> Whereas this action can result only in a strengthening of the warmaking capability of Communist China;
>
> Whereas over two thousand Americans have died aiding the South Vietnamese to resist Communist aggression from the North and our military leaders report that the bulk of the war material used by the Vietcong against our troops is supplied by Communist China;
>
> Whereas a quarter of a million American troops are stationed in West Germany to protect that country from Communist invasion; and
>
> Whereas billions of dollars have been spent in foreign aid to enable West Germany and other Western European countries to rebuild their economies in order to maintain their freedom: Now therefore be it
>
> *Resolved*, That it is the sense of the Senate (1) that the action of the Government of West Germany in strengthening the warmaking capability of Communist China is a grave blow to the common defense of the free world; (2) that even if West Germany and other Western European countries do not see fit to aid this nation in its current struggle to resist Communist aggression they should refrain from extending aid to the aggressors, and (3) that the cause of freedom can only be won if those nations which enjoy it maintain some semblance of unity in purpose and deed.

Mr. President, that is the resolution which was adopted by the Senate at its last session. As a result, very little has been heard since that time in regard to the steel deal between West Germany and Communist China.

Mr. President, I believe that the adoption of that resolution by the Senate last year served an excellent purpose. Were it not for that resolution, action would have been taken before this time on that steel plant.

Mr. President, it is disturbing to me to read the article published in the New York Times that the Government of West Germany has sent a trade mission to Peking to discuss arrangements for a $196 million steel rolling mill.

It is even more serious to the United States today than it was a year ago. A year ago, there were approximately 200,000 Americans in Vietnam. Today, there are 438,000 Americans in Vietnam.

Last year, we suffered 35,000 casualties in Vietnam.

In 1967, if the present casualty rate continues as it has for the past 3 months, we will suffer 65,000 casualties in Vietnam.

Mr. President, the President of the United States plans to go to Germany very shortly to attend the funeral of that great German patriot, and that great patriot of the free world, Konrad Adenauer.

I know that all Americans wish our President a most safe trip. It is appropriate for him to attend the funeral of Konrad Adenauer.

I note from television, press and radio, that the President plans to meet with Chancellor Kiesinger after the funeral.

I should like to express the hope on the floor of the Senate that the President will take this opportunity to bring up the matter of the steel rolling mill for Communist China with Chancellor Kiesinger, I hope he will invite the Chancellor's attention to the action which was taken on the floor of the Senate last year in officially protesting any such action being taken on the part of West Germany.

The point is that the German Government, by official action, is underwriting this steel plant. Yet the German Government is an ally of the United States—and we have 225,000 American troops in Germany to protect the Germans from Communist Russia.

I would hope, too, that our President will point out to Chancellor Kiesinger that while America is deeply involved with resources in Vietnam, which is important, it is our manpower that concerns Americans most. We are deeply concerned about what happens to our manpower in Vietnam.

The President should forcefully point out to the German Chancellor that any official underwriting on the part of the West German Government of a steel rolling mill for Communist China at the same time that American soldiers are being killed in South Vietnam would be a grave blow to the common defense of the free world.

The PRESIDING OFFICER (Mr. INOUYE in the chair). The time of the Senator from Virginia has expired.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, one of the great failures of the administration in the struggle in Vietnam has been the inability of the administration to obtain effective help from other Asian nations, as well as from our allies. That is what disturbs me so much when I read that the West German Government is sending an official trade mission to Red China for the purpose of working out a deal—with the official backing of the West German Government—to provide additional steel facilities for that country.

Mr. President, again I wish to express the hope that our Commander in Chief, when he goes to West Germany, will bring this very important matter to the official attention of the West German Government.

DRUGGED AMERICANS

Mr. BYRD of West Virginia. Mr. President, I am greatly distressed by the increasing numbers of unpalatable reports concerning the spreading usage of drugs, of one sort or another, as an adjunct to America's social scene. It is an ugly commentary on the moral climate of this Nation when literally every day one reads accounts of the growing use of marihuana, LSD, and drugs of varying degrees of strength by the young people of our Nation. But it is not alone among America's younger generation that one sees such habits being formed, for, unfortunately, there are evidences of increasing drug usage scattered at all levels of our society.

It is sickening to note the apparent indifference of the general public to the degeneration in moral standards which such inclinations and practices clearly reveal.

In recent testimony before a Senate Appropriations Subcommittee, Narcotics Commissioner Henry L. Giordano stated that "the dangerous rise in illicit marihuana traffic" is causing his Bureau to devote more and more of its efforts to marihuana investigation. He testified that these increasing demands on the Federal Narcotics Bureau were requiring him to request $290,000 more for operations during fiscal year 1968 than was appropriated for fiscal year 1967.

He pointed out that marihuana violations have doubled in the past 2 years and that the fearful aspect of the increase is the great potential of graduating from use of marihuana to the use of narcotics. In seeking a 1968 budget of $6½ million for the Narcotics Bureau, the Federal Narcotics Commissioner stated that his particular concern is the apparent fact that the increased traffic in marihuana is reaching college-age groups and economic levels which were relatively drug free previously.

This testimony deepened my sense of alarm, already fully aroused by the growing numbers of official Federal files on young narcotics users, as well as the open reports circulated by newspapers, in television reports, and by other news media.

Thus Commissioner Giordano confirmed, ominously, what a news account had reported of youthful activity in Georgetown, a historic and fashionable residential area of the Nation's Capital City. In a section of Georgetown labeled the "Strip," where teenagers hang out in great numbers, it is said that "marihuana is king." Indeed, one teenager, in talking to the reporters who prepared the article, entitled "The Strip Lights Up," published in the April 2 issue of the Sunday Star, Washington, D.C., unabashly stated:

> Marijuana has replaced the old six-pack of beer. The stuff's all over. About 80 percent of the kids who hang out regularly on the Strip have smoked it.

But insiders on the Georgetown Strip scene also reveal that drugs more powerful, much more powerful and dangerous in potentialities, than "pot"—the current label for marihuana—are sought after and, often, are just as available in this fashionable and historic suburb of the Nation's Capital. One so-called acid head, the titling given to users of LSD, has openly reported that about 10 percent of the Strip frequenters are users of LSD. That new and powerful drug provides a "kick." Those who use LSD, or to use the vernacular, "take a trip," suffer aftereffects from the hallucinatory drug that may require hospitalization for a period of months or years.

So terrible are its potential aftereffects that it has been called "the most dangerous drug around today," by the Director of the Bureau of Drug Abuse Control of the Federal Food and Drug Administration.

But the ugliness of the situation is compounding. Recently, at the highly respected Ivy League college, Princeton University, the Press Club reported that some 15 percent of the university's 3,200 undergraduates have experimented with drugs, marihuana, hashish, and LSD. This estimate, furthermore was called by the president of Princeton University—according to the Press Club statement—"a reasonable one."

This report was carried in the April 9 column, "Around the Nation," published by the Washington Post.

Yet another episode, "Pot-smoking Student Leader Won't Resign," was detailed in the April 10 issue of that same newspaper. That report I found truly scandalous, for it related that the student body president of a large midwestern State university not only admitted openly to using marihuana, but stated that he had no intention of resigning his position as leader of the school's 14,000 students. Although subsequently I read that he did eventually depart, it was noted that there was criticism in some quarters that he was being unduly restricted by being put under pressure to remove himself from the campus.

And anyone who thinks these are isolated instances should do as I have done, just pick up your daily newspaper and read at random. You will find articles such as these which have appeared successively in recent issues of the Washington, D.C., Post:

April 13: "Two Youths Convicted in LSD Sales; Judge Delays Sentencing 30 Days."

April 15: "Seven Arrested, Seven Sought on Narcotics Charges."

April 21: "Three Ex-Coeds Indicted in Narcotics Case."

In these articles, one notes that there is recurrent mention of the use of LSD, among other drugs, of course. But it is the drug LSD which has been singled out as having a strange popularity among American young people. As a result, it is reported that hospital admissions of persons with acute LSD-induced psychoses are on the increase. Dr. James L. Goddard, Commissioner of Food and Drugs, is reported to have said:

> Medically unsupervised use of LSD is analogous to playing "chemical Russian roulette."

It is a fearful situation to have confronting responsible Americans—the threat of wide segments of our young people maturing into adults as drug users, as marihuana addicts, as LSD trip-takers.

While on one hand Federal officials point pridefully to the fact that "through grants, loans, and opportunities to work on the side, any student now can handle the combination expenses of any college in the country," other Federal and public officials warn of greatly increasing incidents of drug usage.

I am wondering if our American leaders, our families, our churches, our schools, and our social leaders, are perhaps not failing our young people by putting improper emphasis on the wrong goals for them to achieve. Where is the emphasis on the moral values as compared with the emphasis on the material values?

It is a terrible thought that, in providing for greater access to higher education, our Nation may be providing for greater access to a lifetime of drug addiction for our young people. Yet such access appears to be all too real, as revealed by these articles which I have collected during just this one month of April 1967.

I ask unanimous consent that this group of newspaper articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Star, Apr. 2, 1967]

The Strip Lights Up: Marihuana Is the Thing With Georgetown's Teeny Boppers

(By Michael Adams and James Sterba)

They call it "pot" or "grass."

We call it marijuana.

And if you are a teen-ager from west of Rock Creek Park or from a white suburb in Virginia or Maryland, all you need to do is hang around M Street in Georgetown for a couple of weekends and you will make contact with it and learn how to "turn on" with the rest of the group.

"It's like everybody has pot," said the 16-year-old, high school junior from Spring Valley.

The frantic "teeny boppers" and the older, more sophisticated "hippies" who regularly spend a good bit of their lives along the Strip all discuss marijuana endlessly, almost all try it, and a vast majority are regular users.

Although these tuned-in, turned-on regulars comprise only a minority of the several thousand people who brush elbows on the Strip on any weekend night, the gaudy, carnival-like atmosphere is built around them.

According to a young man who is probably the best-connected marijuana buyer in "white" Washington, and whom we shall call Bill Jones:

"Marijuana has replaced the old six-pack of beer. The stuff's all over. About 80 percent of the kids who hang out regularly here have smoked it."

Law enforcement officials avoid so specific an estimate, but they agree that the use of pot is increasing and is much more prevalent than the public suspects.

Probably the easiest place in Metropolitan Washington for the white teen-ager to make a friend who can provide him with marijuana is in any one of a dozen teeny bopper hangouts along the nine-block stretch of pavement reaching from Key Bridge down M Street NW to Wisconsin Avenue and then up Wisconsin to O Street.

That is the Strip, with its youth hangouts that "make it" with wild bands, weird lighting and weekend revels dedicated to a type of living that is larger than life. Or it's small delicatessens where you sit around, watch people and "cool it."

Right now, marijuana is king. But an insider's look at the colorful Strip reveals that drugs much more powerful and dangerous than pot are just as sought after there and, often, just as available, although the owners of teeny bopper and hippy haunts do all they can to discourage the use of drugs in their establishments.

The use of diet pills (amphetamines) and sleeping pills (barbiturates)—consumed alone, with alcohol or in combination with each other—is the biggest thing on the street.

"Nearly 100 percent of the regulars on the Strip have tried amphetamines or barbiturates," Jones said. "And this can be extremely dangerous."

LSD ON THE RISE

The newest and perhaps the most dangerous kick on M Street today, however, is the gradual increase in LSD-use among teenagers.

"About 10 percent of the kids on the Strip have already used LSD," according to Jones, himself an "acidhead." He adds that LSD use "should reach outrageous proportions in a few months."

A powerful hallucinatory drug taken orally, LSD is capable of producing in those who take it without proper knowledge, supervision and emotional stability, "a paranoid reaction that . . . in some cases, can hospitalize users for a period of months or years," according to Dr. Jerome Levine of the National Institute of Mental Health—one of the nation's foremost medical authorities on the subject.

"It is the most dangerous drug around today," said John Finlator, director of the Bureau of Drug Abuse Control of the Food and Drug Administration. He, Levine and experienced "acidheads" admit that no one understands what makes the powerful hallucinogen influence the human mind in the bizarre way that it does.

For the afficionados, the Georgetown Strip is the only place to "live." They spend all their available time there—whenever possible on week nights and always on weekends. They know every sidewalk crack.

The teeny-bopper regulars live at home. The older regulars—"hippies"—often have their own apartments on the Strip, or over near Dupont Circle.

If you know "what's happening," if you are "tuned in," it matters little whether you wear long hair and dirty bluejeans or a crewcut and tie. You are a regular.

TO DO IT RIGHT

If you are 15, and from Arlington, you have probably heard that Georgetown is a place where adults stay out of your way.

If it's time to escape the restrictions of home, even for a night, and you want to do it right:

Put on your zip-up-the-back, high-top boots, rumpled corduroys and wide gold-buckled belt. Then the dizzy-flowered psychedelic shirt that glows in the dark over a black tee-shirt. Wire spectacles. And on top of it all, a double-breasted blue coat with Salvation Army buttons that fits like a glove and makes you look like John Lennon or Bat Masterson.

"What a groovy coat," says the girl. "Wow, you're a hippy."

The teeny-hopper boys cluster around the upside-down "Open" sign in front of the Corral, dressed in uniforms like yours and sports long haircuts.

"I like long hair on boys," says a 16-year old brunette from Alexandria. "I mean, it hides the ugly faces."

You venture into the Corral, that hyperfrenetic youth center that has lost its liquor license and now knows that every one of you is a dollar in the box. So, step in.

Two super-groovy bands—one in the cellar—and luminous green and orange footprints on the tables, ceilings and walls. Tired Coke machines hug the walls and psychedelic lights splash on and off in maddening irridescent color and in time to the beat. You are there. Then you leave.

Because you're new on the Strip. You don't know anyone. You are lonely.

WALKING THE ROUNDS

So, like the other kids, you walk. You walk, and you walk. From the Corral past the Crazyhorse (which still has a liquor license and checks ID cards). You walk to Wisconsin and M and look up at the Farmers and Mechanics Bank with its gold dome. 9:30.

The streets are jammed with cars. Somebody blats, "Hey kid, why don't you get a haircut. Fag."

You walk up the west side of Wisconsin Avenue with your thumbs in your belt, up to O Street, and across to the new Georgetown Peoples Drug.

Inside, at the snack bar at the back of the store, you sit and try to strike up a conversation with some of the other teeny-boppers. But they're way ahead of you, and very impressed by their own daring of "making it."

At the magazine rack, a proper-looking Georgetown matron glares at your uniform and hair. "It's a sick, sick, sick world," she tells her husband. He nods.

Back outside. Long strides down Wisconsin Avenue past the Georgetown Theater, the Little Tavern, and Britt's Cafeteria. M Street, again, and the Gold-Dome Bank, then to the Corral, then the Peoples, and back—a half dozen times.

Finally, at Wisconsin and M, a beautiful hippy chick smiles at your Bat Masterson-Salvation Army coat, and you know that if you walk by her three more times you can say, "Hi."

And suddenly you feel full of love and cool, and right at home as you head back to the Peoples.

That is the beginning. So, you hang around the next night and then the next weekend. You make new friends. Your hair gets longer.

BUT NOT TONIGHT

Finally it happens. You are sitting in Britt's, which opens at midnight, and one of those friends you met by nodding on the first day, standing around on the second, and chatting on the third, sits down next to you.

Thirty minutes later, after discussing everything from the Jefferson Airplane to "Tim" Leary, the philosopher of LSD, you know where to get some grass, but not tonight.

By now, though, you have something to offer. You have a few dexedrines from the medicine cabinet at home.

"Take three 'dex' and a couple of beers and you get absolutely smashed." Everybody knows that.

Your new friend wants to "pop" one. You give him the dex expecting a favor in return. He swallows it.

Sure enough, the next night you are invited to go to Montrose Park behind Dumbarton Oaks to "toke up" some pot. You pass around the pipe with its little screen in the bottom to keep small particles from clogging the stem. They don't know this is your first time. You don't ask questions and try to learn fast.

You take the pipe, drag slowly and deeply. The smoke burns your throat. But you hold it in because that's what everyone else does. Then you pass the pipe to the guy in the sportcoat next to you. He's not out of place, you know. You've discovered that he's your friend and a regular pothead.

The pipe comes around to you three times—nothing happens. No giant spiders, you don't even feel sexy. Maybe you can't get high. Everyone else is starting to loosen up a little. Their jokes sound funnier.

You puff again—but still nothing but an effect similar to drinking a half bottle of good wine, except it's different. Wait a minute. Yes, you are more sensitive. The girl's blouse is brighter. But this can't be the whole thing. You thought it was wilder. Try some more. You never thought it was like this. But before you've figured it out, the session is over and everyone leaves.

ONCE YOU'RE ACCEPTED

From now on things move pretty quickly for you.

"Once you're accepted by the group, it's very easy to get grass," says a 14-year-old.

Soon you have learned how to turn on with everything—pot, pills, airplane glue, baked banana peel scrapings, and nutmeg. You think you can spot a "Narc" a block away. You have a chick. And you can "cool it" in all the right places, especially at home.

You are "hip."

Within a few months, you may get tired of M Street, as many teeny-boppers do. You might even get a haircut and revert to your Ivy League clothes. By this time it doesn't matter.

Your marijuana connections on M Street are solid. And you discover that your buddy has started supplying pot to his friends at the school.

But, perhaps for you the Strip has more to offer, something more exciting. That would be LSD.

Soon you have tried it, haven't ended up in a hospital, and consider yourself a King of the Strip. Many of the kids there admire you because you are among that elite 10 percent of the teeny-bopper regulars on M Street who have "really escaped."

LSD is the growing thing on the Strip. Heroin, on the other hand, is out. It, morphine and opium—all physically addicting opiates—have few friends on M Street.

"If I ever hear of anybody pushing heroin down here, I'll turn him in," said Jones, who fears and avoids the opiates.

Unlike the situation at 14th and T Streets NW, where heroin is king, LSD is the "status" drug for teeny-boppers. It is still hard to come by, however, and the user is still the exception.

So for most of the young regulars marijuana is the thing. It is available and its use carries more status than mere pill-taking.

PEDDLERS AT SCHOOLS

While the contacts that can lead to a marijuana supply are most often made on the Strip, the actual distribution is much more widespread. The pretty little teeny-bopper who first learns about the attractions of "pot" in Georgetown often soon finds that it is less dangerous and much simpler to get a supply through a classmate at her suburban high school.

"I don't use pot," one 17-year-old who attends a private school confided. "I just buy the stuff from an acquaintance so I can distribute it to my friends."

"We have a peddler in Falls Church High School," reported another 17-year-old. "Maybe 30 or 35 students get it from him."

From a student at Montgomery Blair High School in Silver Spring:

"It's very, very easy to get. Just the other day, I was offered some by friends of mine."

A student at Western High School in Georgetown:

"One kid got busted last year, had his name in the paper and this supposedly became the pot center of the area. This is just not so. It's sort of casual. If you want it, you can get it."

Students from other schools tell similar stories, and often, if pressed, can provide you with marijuana.

While many parents, principals and law enforcement officials still believe that marijuana use in the white community is restricted to a few M Street "weirdos" or Dupont Circle "beatniks," the truth is that these individuals constitute only the most obvious examples of a white, drug subculture that permeates the entire metropolitan area.

It should be emphasized, however, that the whole town is not "turning on."

It is generally agreed that illegal drug use in Washington is far less than in many other urban areas. And although teen-agers occasionally do "turn on" in their Georgetown haunts, but this is the exception rather than the rule. Most "pot" parties occur off the Strip—in townhouses to the north while parents are away or in pine-paneled recreation rooms of split-level suburbia where the gang gathers because mom and dad don't want them hanging out with the "beatniks over there on M Street."

The attitude of the operators of the Georgetown establishments is typified by Yves Hentic, one of the owners of Yonder's Wall, a shop that stocks everything from loud posters, buttons and psychedelic toys to drug-taking accessories like wheat straw cigarette papers and rolling machines. He recently tongue-lashed some teeny-boppers after smelling the strong pungent odor of burnt marijuana.

He quickly opened some windows and lit incense to dispose of the smell. Hentic's business is booming to the tune of more than

$1,000 a week, and, he said, "I have too much to lose to have any drug use in here."

Jones is a member of the older elite of the Strip. How does he live?

Very high. "We go through about a kilogram of marijuana a month at our house," he brags.

A kilogram will make about 2,000 marijuana cigarettes, which would sell for a dollar each on M Street if he wanted to "push" them to teeny-boppers. He doesn't.

Instead, he wraps all but his house "stash" of pot in plastic bags and stores it in a park near the home he rents in a fashionable neighborhood from a high-ranking government official currently out of the city.

Northwest parks, he says, are good hiding places, and had a fire raged through Glover Archbold Park last week, all of Northwest Washington might have gone on an all-day marijuana high.

"A REALLY HIGH MASS"

"This is the last of two kilos," explained Jones' friend David as he sifted a jar of marijuana with a vegetable strainer for a fine blend.

"The stuff in tinfoil is really valuable," he said. "It's treated with DMT—like LSD except you get a shorter, more intense high. My girl friend scored it."

A few minutes later in the kitchen, he sprinkled his siftings into a bowl of Betty Crocker fudge brownie batter.

"This is for breakfast before going to Palm Sunday Mass. It'll be wild—trumpets, singers, wild colors. And we'll be freaking out in the back—a really high mass."

On the night before, a dozen young people had smoked David's marijuana in his apartment. His 15-year-old brother, visiting from New York, was a beginner.

"What a letdown," he told the others who were sitting around a candle on the floor. "You're all crazy, this stuff is just psychological."

After a few more tokes on the pipe, he was waving a flag, saying, "BBBBbbbb. Hey look at this helicopter. BBBbbb." He still denied being high.

"Awww, naughty, naughty—look at this bunch of addicts." This from Jones who was pretending to be shocked as he entered the room with his date.

"Friends, you'll rot in the gutter."

Everyone laughed and Jones and his date started smoking.

The mocking continued.

"Ah, I feel like flying out of the window—Life magazine," said David. "I know those addicts—they shoot marijuana into their arms and smoke LSD."

"Hey, hey, what do you say, send a roach to LBJ," chanted a wire-spectacled girl.

Later, Jones flicked the lights on and off and several others made jerking movements causing a strobe, oldtime movie effect.

Two hours later, everyone piled into a car for the Janus theater and a late-night showing of psychedelic movies.

"You know," said one coed, "that's what I like about blowing grass. Everything is beautiful. I can't see this booze scene—loud, somebody throws up and there's a fight. And it's smelly and dirty. I don't see that bag anymore."

"BUILDS THEIR EGOS"

What do Jones and his group have to say about the M Street teeny-boppers?

"All they do is sit around and discuss their big drug habits and try to stare down adults. It builds their egos.

"A leader down there is, say, a high school dropout. And hanging around with grass is a good way for him to become a leader. By offering grass, his prestige skyrockets.

"It takes nothing. You have to have talent to be a great athlete, artist, musician, or what have you. These are the things in school which make you a leader. Any kid can pick up a roach.

"What's really sad is that these kids think they are getting good grass. They're getting the worst stuff. The prices are outrageous.

"And the pills, frankly, are a waste of time. Take tranquilizers—these things are really dangerous. You have to be sort of manic-depressive to use them.

"If a kid has a bad heart, and he doesn't know it and eats pills, it's all over. He can die.

"I wouldn't recommend LSD to anyone. But it's worse for these kids because they get really bad acid, mixed with other drugs, or they take too much.

"With an overdose, maybe the only thing you feel or hear is your heart beating. You think it's going to stop. You panic. And then you are really in trouble.

"The whole thing with these kids is that if you are one of the gang, you take drugs. You can get hurt bad, yet you feel forced into taking them. You know—Billy is with the gang and they say, 'Come on, have some.' Billy doesn't want any, but he takes them or he's a square. Tomororw, he might be a vegetable."

FEDERAL, DISTRICT OF COLUMBIA LAWS

Possession of marijuana is against both the federal and district law. Penalties range up to 10 year prison terms.

Under federal drug abuse laws, the manufacture, distribution and sale of LSD is banned here under federal law. There is currently no law against possession of the drug, but it can be confiscated from individuals.

"We want to add LSD to our list of dangerous drugs," said Inspector Scott Moyer, head of the Morals Division of the Metropolitan Police Department. "Even the Food and Drug Administration didn't back us up."

Black-market amphetamines and barbiturates are also banned here. Offenders can receive a maximum of 10 years in prison.

The laws exist but an undercover study of marijuana traffic into Washington shows they have little scare value for most suppliers and users, who know suspended sentences or probation are nearly always in order for first offenders.

"Most of the marijuana being sold outside the hard stuff (heroin) areas," said Moyers, "is handled by those we can't call the criminal element.

"The people don't feel like criminals . . . this makes an enforcement problem," he said.

Asked how much marijuana is consumed in Washington, Moyer replied:

"You tell us. We have no idea," said Moyer.

NO MYSTERIOUS PUSHERS

There are no mysterious trenchcoat clad pushers on this side of town. A connection may be a dropout who lives near Dupont Circle and travels to New York's East or West Village bimonthly. Or he can be a collegian who lives in Georgetown and buys in large amounts on his yearly trip to Mexico.

In Mexico, good grass sells for $85 a kilo or less, bad grass for $35 or $40.

"Getting it across the border is no problem," said Bill, a frequent importer. "They just aren't looking for it. I put it in the tires of my car."

Six tons were seized at the Mexican border during the last fiscal year. Who knows how much got through?

"Generally, you are pretty safe shipping to Washington from a town near the border," Bill said.

LSD SUPPLIES

Illicit LSD is supplied to Washington and the rest of the country mainly from California.

"There is some good stuff being made illegally in the country," said one expert. "It's machine stuff, and each tablet contains exactly 250 micrograms.

That is the standard amount that an acidhead will use to make a trip.

Most of what is being made is bad acid.

"If you take a bigger dose, you usually go higher and it takes longer to come down," said Dr. Levine. And if you run into trouble on the way up or down, watch out.

What is sold on M Street as a 250 microgram cube may, in truth, contain 900 mics. Or it may be nothing but sugar.

"And they pay outrageous prices for it," said a member of the LSD-championing Neo-American Church.

"A good price for acid is about a penny a mic," he explained. "On M-Street, a badly dosed, 250-mic tablet or cube often costs from $5 to $7."

"These kids pay through the teeth."

As for the illegal traffic in barbiturates and the amphetamines, Finlator has this to say:

"This country manufactures about 6 billion amphetamines and 5 billion barbiturates a year. From the manufacturer to the patient, a drug changes hands 10 times or more. It gets stolen; it gets diverted. Fly-by night companies produce the drugs for illegal sale."

His agency and the local police try to keep check on the traffic in pills. It is a forbidding task.

Finlator admits that Washington is "big" in numbers of illegal pill pushers. "But it isn't a town of big pushers," he adds. "The pushers are all little people."

Because of police orientation to hardcore addicts in the city's ghettos, their approach to the bright white teen users sometimes fails.

CAUGHT BY FATHER

For example, one Harvard-bound 16-year-old boy from Chevy Chase had his Georgetown friends roaring with laughter as he related his recent tangle with the police. His well-to-do father had discovered him making arrangements for a marijuana purchase.

"He rushed into my bedroom and said, 'Son, this is going to hurt me more than it will hurt you.' You know the bit. And then he called the cops. Two rushed right over.

"They were right out of Dragnet—identical black raincoats. They talked to Dad. I listened. It was going to be the big scare scene.

"They asked, 'Do you have a pipe?' I said 'Yes.'

"They asked me how I felt after I smoked it. I said it made me dizzy, and that I didn't like it—I lied." Laughter.

"I really cracked up when they asked about 'the Acid.' They actually called it 'the Acid.'"

Everybody laughed. Anybody hip simply calls it "Acid."

"Then they told about how I was on my way to becoming an addict and how I could end up in a gutter somewhere. I looked scared.

"About halfway through, my father who was out of the room, rushed in yelling, 'I don't want you to spare my reputation. I just want you to teach him a lesson.' I was humble."

The next day, the youth said, he got the same "routine" at the police station.

"I said I was cured, naturally, and swore off the stuff."

Last weekend, the boy was smoking pot again.

Most middle and upper class users believe that the use of marijuana is not any more dangerous than the use of alcohol.

Even among teeny-boppers on the Strip, arguments that a "reefer" for kicks is the first step toward hopeless addiction are simply laughed at.

Henry Giordano, head of the Federal Narcotics Bureau of the Treasury Department, said his agency's problems have been compounded "because we seem to have a lot of people today trying to convince our youth that there is nothing really wrong with marijuana."

Yet, what Giordano calls the "marijuana problem," others call the "marijuana hoax."

Many top medical and government authorities tend to side with the hippies at times in discounting the dangers of pot.

The President's Commission on Crime has questioned the notion that marijuana use leads to heroin addiction:

"There are too many marijuana users who do not graduate to heroin. . . . Moreover there is no scientific basis for such a theory." The commission recommended an intensive study of the drug.

ATTITUDE DIFFERENT

The Bureau of Drug Abuse Control, has 235 agents on the nation's streets in an attempt to halt illegal traffic in abusive drugs. But Finlator considers his staff more educators than policemen.

"Our whole attitude is different. My job is to get the message about drugs across through education—to let the kids know what they're getting into without all the propaganda.

"We're not after the user. He doesn't mean anything to us. We're interested in the big operators, the people who make money off of abused drugs.

"We don't say, 'Don't take drugs.' We say, 'Find out what you are playing around with before you really get hurt.'

"Three years ago, we didn't know what LSD was," said Finlator. "But the mass media smelled a story, and it was a big story. Of course, it was sensationalized, we were misquoted a lot and people who have never taken it were telling stories about their experiences under it."

Dr. Levine does not condemn legitimate research with LSD or even the isolated use of marijuana.

He does, however, believe that using any drug for kicks is bad, and particularly bad if the drugs become the "whole center or focus" of a user's life.

That can happen. A teeny-bopper from Gordon Junior High says it this way:

"The guy we are talking about, he's never going to do anything. All he thinks about is pot. He says he doesn't really care about pot, that he can do without it. But every weekend, that's all he does is look for pot, trying to find out where he can buy some."

Glossary for the Strip

(*Members of the drug subculture are adding some words to the American vocabulary. Here are a few:*)

Acid—LSD. An "acidhead" is an LSD user.

Bag—Routine, habitual way of doing things.

Dime—$10 worth of marijuana.

Cool it—To act ordinary, calm.

Freak out—Reaction to any unusual experience.

Grease—This group includes mostly semi-educated youths who show little interest in anything but their motorcycles.

High—The result of taking drugs.

Hippie—Usually 16-year-olds and up who are experienced drug users and more sophisticated than their teen-age counterparts.

Narc—Narcotics Squad detective or federal agent.

Nickel bag—A small quantity of marijuana, which sells for $5 and usually provides enough for 8 or 10 cigarettes.

Pot—Marijuana, also called "grass."

Pothead—Marijuana user.

Roach—Butt of marijuana cigarette; by some, any thinly rolled cigarette.

Score—To buy drugs.

Source—Any drug supplier.

Straight people—Drug world outsiders.

Stash—A hidden drug supply.

Teeny-bopper—12-to-16-year-olds, who in unorthodox attire, hang around M Street discussing rock 'n roll, drugs, and mostly themselves.

Toke up—To drag on a marijuana-filled pipe.

Trip—The result of taking LSD or other hallucinogens.

"I Was Very, Very Bored"—A Teeny Bopper's Story

She is a pretty 16-year-old from a well-to-do suburban home. She is intelligent, and her blonde hair hangs straight down to the middle of her back.

A marijuana user for about a year, she gets along reasonably well with her parents and has never been in trouble with the police or school officials. She attends a private school and plans to teach after she finishes college.

In many ways a typical M Street teeny-bopper, she tells her story:

"At school, I was very, very bored. I just wanted something different. That's how it started.

"A girl who lives near us started taking me to M Street on Saturday afternoons, before the Corral lost its liquor license . . . and they had the afternoon thing where they charged kids 50 cents to get in and everybody had to leave at 5 o'clock who was under 18.

"At first, we went down to this restaurant and did nothing, but the bands would come in there from the Corral and the Crazy Horse. And sometimes we would go dance.

"I met a whole different lot of people . . . and then I started dating this one boy.

"The boy used to go over to this place where they grew out in the back yard.

"You know, and they would help the guy cut it—and slip a little aside.

"Then we had it one Saturday at another boy's house who lives in Georgetown a couple of blocks up from the Corral.

"But the first time I really got high was about eight months ago. A girl friend of mine got some pot and came over . . . she's 14 . . . and two boys were here. We drove into Washington . . . to Monroe Park. She had about a "dime."

"We were there about an hour or so . . . We used a pipe . . . Then we drove home.

"The other times, it was just at people's houses . . . when their parents were gone.

"I would never use LSD. I just think there's not that much known about it. I don't even know anyone who has (used LSD), except a girl friend's boy friend.

"The way I feel right now, I just don't want to.

"With me, sex and smoking pot just don't go together. I lost my virginity last year . . . with a boy I met on the Strip.

"This was in the afternoon. We were just at somebody's house. There was a whole bunch of people—a lot of them I didn't know.

"We just went up in a bedroom. I just didn't kind of care.

"But right now, I'm just not ready to go out and jump into bed with anybody or anything like that. It didn't really mean anything.

"It never happened when we had been smoking (pot). There was no connection between the two.

"But with many, like the kids over there now, they just feel that making love is a part of it . . . but it's just all a big, put-up thing with status and everything else.

"The last time I went over to the Strip was . . . several months ago. Now I have no interest in going over there. It just sort of bores me.

"It's just gotten so that there are so many other (new) people over there. I'd rather not fool with them. Right now, I'm just sort of realizing what those people are.

"Pot is a big thing to them . . . just a big status thing . . . they get high for other people to see them.

"I just can't see going over to Georgetown every weekend. There's more to do than that."

"I'd take pot over drinking any day. The girls at school are really straight. They go out with guys, mostly local college guys, and get drunk on the weekends. And they come back smashed and sick and everybody tells about their great evenings. It's really stupid. They throw up and stuff. This is their big thing.

"Oh, yes. I still smoke pot."

[From the Washington Post, Apr. 9, 1967]

Drugs at Princeton

Princeton, N.J.—The Princeton University Press Club said that some 15 per cent of the University's 3200 undergraduates—or about 480 of them—have experimented with drugs—marijuana, hashish and LSD.

The estimate was called reasonable by Princeton President Robert F. Goheen and Dr. Willard Dalrymple, director of University Health Services, the Press Club said.

But Dalrymple regards as a bit high the Press Club survey figure indicating that about 10 per cent of undergraduates have used some drug more than once and intend to use it aagin.

[From the Washington Post, Apr. 10, 1967]

Pot-Smoking Student Leader Won't Resign

Ames, Iowa, April 9.—Flames of controversy and scandal burned on the Iowa State University campus today following a promise by the student body's marijuana-smoking president that he would not resign as leader of the school's 14,000 students.

Student Senate President Don Smith told a meeting of 1000 students, who sometimes booed him and sometimes cheered, that he had "no intention of resigning" despite a 750-signature petition to impeach him.

Smith, 21, a civil engineering major, admitted last week that he uses marijuana. His statement appeared in the Iowa State student newspaper in a story that revealed he and two reporters for Life magazine attended a "pot" (marijuana) party near the campus.

[From the Washington Post, Apr. 21, 1967]

Three Ex-Coeds Indicted in Narcotics Case

Three former University of Maryland coeds arrested in a narcotics raid four months ago were indicted yesterday by a Prince George's County grand jury for possession of marijuana and two psychedelic drugs, LSD and DMT.

Indicted were Carole P. Snow, 19, Francine Jo Caruso, 19, and Janet Dooley, 18, all of 6032 42d ave., Hyattsville. According to a University spokesman, none of the girls are registered as students this term, although no disciplinary action was taken against them.

Last week a Circuit Court judge refused to suppress evidence obtained in the 2:30 a.m. raid on their apartment Dec. 9, thus clearing the way for presentation of the case to the grand jury. In a written opinion, Judge William B. Bowie rejected the defense argument that the search was illegal, upholding the right of police to make a "surprise entry" in narcotic cases.

Also seized in the early morning raid were what police identified as two Vietcong flags, a copy of the Communist Manifesto and assorted peace buttons.

Judge Bowie said in his decision that these items were taken because police "concluded that there was a conspiracy to overthrow the Government." Bowie ruled that the police had no right to remove these articles and ordered that they be returned to the girls. The Judge said there did not appear to be an anti-Government conspiracy.

Also indicted yesterday was Richard A. Leonard, 24. who escaped from the County Jail on March 25 by squeezing through the bars of his cell window. Leonard was captured five days later at a relative's apartment in Bladensburg.

He was being held for trial on several charges, including grand larceny, narcotics possession and carrying a concealed weapon, at the time he broke out of jail.

The grand jury, which recessed yesterday after a four-day session, returned 37 indictments. It will reconvene May 1, at which time it is expected to hear testimony on suburban Maryland's title escrow snarl.

[From the Washington Post, Apr. 15, 1967]

SEVEN ARRESTED, SEVEN SOUGHT, ON NARCOTICS CHARGES

(By Alfred E. Lewis)

Seven persons were arrested here yesterday and seven others were being sought on warrants charging them with violations of the Marijuana Tax Act or the Dangerous Drug Act.

Federal and local Narcotics Squad agents said the arrests climaxed a two-month investigation designed to ensnare prime distributors of both marijuana and the hallucinatory drug LSD hereabouts—especially among area high school and college students.

Taken into custody at various locations—some of them at their places of employment—were:

Lewis Peatross, 53, of 3327 11th st. nw. Doris M. Clements, 20, of 1113 Bellevue st. se., Spencer O. Sharp, 24, of 1308 Clifton st. nw.; Dwight W. Tolliver, 22, of 712 Maplewood ave., Takoma Park; Leonard Alston, 28, of 3427 Baker st. ne., and Pete Head, 33, of 322 Varnum st. nw.—all charged with Marijuana Tax Act violations.

Charged with violation of the Dangerous Drug Act was Alvin J. Harris, 18, of 2007 O st. nw. He was released in $500 bond after his case was continued in General Sessions Court to May 18.

In a raid described as related to the roundup of drug suspects, three persons were arrested in an establishment at 1780 Hobart st. nw. James W. Allen, 25, and Willie L. Yellowday, 18, were charged with selling whisky and keeping it for sale. Daniel Bethel, 18, of 3142 17th st, nw., was charged with being present in an illicit establishment. Allen and Yellowday gave the raided premises as there home addresses.

Agents said an undercover man, working most of the time in beatnik guises, secured most of the information and evidence on which the arrest warrants were based.

[From the Washington Post, Apr. 15, 1967]

"TRACE" OF MARIHUANA NO CRIME, COURT SAYS

(By Michael Drosnin)

A Prince George's County judge ruled yesterday that possession of a "trace" of narcotics is not sufficient grounds for conviction in drug cases.

Departing from established Maryland legal precedent, Circuit Court Judge Samuel W. H. Meloy freed a 24-year-old Washington man charged with possession of marijuana.

Meloy said the prosecution must prove that a defendant in a narcotics case had a "usable quantity" of the drug.

Yesterday's ruling paralleled a District of Columbia Court of Appeals decision last month which reversed a heroin-possession conviction on the same grounds.

RULING NOT BINDING

Unlike the District decision, Judge Meloy's ruling on the circuit level is not binding on other courts in the County or in the rest of Maryland.

State's Attorney Arthur A. Marshall, Jr., labeled Meloy's decision "unfortunate" and said it was "inconsistent with Maryland law."

Marshall said that he would attempt to appeal the "question of law" raised in the decision, but that the ruling precluded further prosecution of the defendant, William Randolph Smith.

The State's Attorney conceded that it would be "unusual" if a high court agreed to hear an appeal challenging the legal reasoning.

Meloy's decision came on a defense motion for a directed verdict of acquittal after the State had rested its case.

ANALYST TESTIFIES

A Federal Bureau of Narcotics chemical analyst had testified that debris found in Smith's jacket pocket contained "traces" of cannabis, the active agent in marijuana.

"There may be a new interpretation here today by this member of the bench," said Meloy, in granting the acquittal motion.

"I am mindful of the fact that perhaps this decision can be criticized as impending enforcement of narcotics laws," he continued. "But I am also mindful of the fact that in the United States today a man is innocent until proven guilty."

Meloy said that he had "no sympathy for narcotics pushers" but that if the quantity of a drug found "cannot be sold, or if it cannot be administered, if it cannot be dispensed, then it would appear to me that (it) would not be sufficient to warrant a conviction."

Smith, of 1723 Lamont st. nw., is now serving a 16-year jail sentence in connection with an armed robbery conviction returned Feb. 13.

He has also been indicted on two counts of kidnaping, two counts of committing unnatural sex acts, burglary, and two additional counts of armed robbery.

[From Washington Post, Apr. 13, 1967]

TWO YOUTHS CONVICTED IN LSD SALES; JUDGE DELAYS SENTENCING 30 DAYS—JURY OUT 20 MINUTES

(By Jim Hoagland)

A General Sessions jury convicted two teenage youths yesterday in Washington's first prosecution for selling LSD, a hallucinogenic drug.

The jury deliberated for only 20 minutes over evidence presented in the three-day trial of Raymond M. Frank, 19, of 3224 S. Stafford St., Arlington, and Claude D. Jones, 18, of 3712 Columbia Pike, Arlington.

Frank and Jones were accused of selling ten capsules of LSD to undercover detective Robert I. Bush for $100 on Nov. 27 in a downtown Washington restaurant.

Judge Charles W. Halleck delayed sentencing the youths for 30 days and ordered the Court's Probation Department to make a report on the youths.

"This is going to be one of the most difficult sentences I have ever had to impose," Halleck said.

"I can send them to jail for a year. I could use them as an example to the rest of the members of the psychedelic community, to show these long-haired ne'er-do-wells who are ruining Georgetown and Dupont Circle that the Court and this society have come to the end of their tether as far as patience is concerned.

"A year in jail would sharply jolt these people who think this is the smart thing to do. My guess is such a sentence would send home a lot of the sweet young things from Virginia who are getting involved in this because their parents don't know where they are, or don't care," Halleck said sternly.

But, Halleck said, the youthfulness and backgrounds of the youths also indicated they might profit from probation. Jones said his father is a Foreign Service officer stationed in Paris, and Frank's father, who was in court, is a lawyer.

"I'm afraid, though, that if I put them on probation, the word will go back it's all right to do this and get caught, because all the Court is going to do is slap you on the hand and let you go," Halleck said.

Both youths claimed that they were trapped into the sale by a man named Franklin Miller, whom they identified as a police informer. They testified that Miller enticed them into getting LSD for him, and then selling it to Bush.

The defendants said they took part in the transactions as a favor to Miller.

EFFECTS OF CRIPPLING SUPREME COURT DECISION

Mr. BYRD of West Virginia. Mr. President, FBI Director J. Edgar Hoover has for years warned that American officialdom is mollycoddling criminals and releasing unreformed hoodlums to prey anew on society and that bleeding hearts, particularly among the judiciary, are so concerned with the rights of criminals that they become indifferent to the rights of law-abiding citizens.

In a speech in Chicago, Ill., on November 24, 1964, he said:

> We must have judges with courage and a high sense of their duty to protect the public and to adequately penalize criminals if we are to stop the spread of serious and dangerous crimes against society. We must adopt a most realistic attitude toward this critical problem. We have tried the lenient approach and it has failed.

I believe that Mr. Hoover must have had in mind some such situation as that discussed in the article in the Washington, D.C., Post this morning, "Miranda Rule Voided 72 Maryland Confessions," in which it is pointed out that at least 72 self-confessed felons—including murderers and rapists—are free in Baltimore because the Supreme Court's Miranda decision made it impossible to use their confessions to convict them, according to testimony before a Senate judiciary subcommittee this week.

This report merely covered one city in the United States. It is chilling to think what may be the total downgrading effect upon law enforcement across the Nation as a result of the crippling Miranda decision by the Supreme Court.

I ask unanimous consent that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MIRANDA RULE VOIDED 72 MARYLAND CONFESSIONS

At least 72 self-confessed felons—including murderers and rapists—are free in Baltimore because the Supreme Court's Miranda decision made it impossible to use their confessions to convict them, the city's prosecutor told a Senate Judiciary subcommittee yesterday.

The testimony by Baltimore State's Attorney Charles E. Moylan brought a request from Sen. John L. McClellan (D-Ark.), chairman of the subcommittee, for a detailed study of the cases in an attempt to determine the ruling's nationwide impact.

Moylan, president of the Maryland State's Attorneys Association, said a survey of 500 felony cases pending in Baltimore at the time of the Miranda decision showed that 72 were lost in court or dropped by the State because of it, "though we had a confession that could have been admitted under pre-Miranda standards."

JUNE DECISION

The decision last June barred use of confessions obtained from suspects who had not been given detailed warning of their rights. The cases surveyed were those in which police investigation began before the decision and the trial was held after.

"Then there are today some 70 self-confessed murderers, rapists and other criminals loose on society as a result of the Miranda decision in the Baltimore area alone?" McClellan asked.

He told Moylan to find out how many of the 72 "have since been arrested or committed crimes. Then we can take this figure as a kind of criterion to find the impact this decision is having around the country."

Since Miranda, Moylan said, "we have seen in Baltimore and Maryland virtual elimination of confessions. Without the use of confessions we are handicapped to an extent that is absolutely frustrating law enforcement."

The hearing produced testimony on two bills, both introduced by McClellan, that would permit greater use of confessions and wiretaps.

Moylan said that, while his office has used wiretaps only six times in the last four years, he felt they were "a useful tool and very definitely needed."

COMPANY CONFIRMATION

Maryland law provides elaborate safeguards for use of court-authorized wiretaps, Moylan said, but he has used them sparingly because of strong opposition and lack of cooperation from the Chesapeake and Potomac Telephone Co.

A telephone company spokesman later confirmed this. "We do not engage or install wiretap equipment and do not cooperate in their operation, either for Federal or local agencies," he said.

Earlier William Cahn, Nassau County N.Y., prosecutor and president of the National Association of District Attorneys, testified that his office obtained court permission for 147 wiretaps in 1965. He offered case histories on hundreds of wiretap cases and said prosecution of organized crime would be impossible without their use.

Sen. Edward M. Kennedy (D-Mass.), commented that "the material you present demonstrates that the nature of the threat posed by organized crime is very compelling."

KENNEDY ROUND NEGOTIATIONS—AGRICULTURE

Mr. SYMINGTON. Mr. President, reliable information has come to us with respect to the current agriculture negotiations now going on at the Kennedy round.

I plan to talk further on these negotiations on Monday. In the meantime, however, I ask unanimous consent that the information obtained appear at this point in the RECORD.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

1. CONDITIONS OF ACCESS

The official EEC offer remains to bind its self-sufficiency ratio (SSR) at 90% for three years—this means that 90% of the EEC grain needs will be supplied from within and 10% can be imported. As the ECC now produces only 85% of its consumption, 90% SSR is a poor offer. Moreover, based on present consumption levels at an 85% SSR commitment, the Common Market would be importing 11 million tons of grain. Actually it now imports about 17 million tons and exports about 6 million.

Prospects of negotiating favorable access arrangements with the United Kingdom are dim. They want a substantial cushion above present consumption level of 63%.

2. LEVEL OF PRICES

The price negotiations will be very difficult, but will probably come out no less than $1.70 and no more than $1.75 a bushel for United States Hard Red Winter Ordinary Wheat f.o.b. Gulf. The United States opening proposals was for $1.85 to which both United Kingdom and Japan objected.

3. FOOD AID PROGRAM

The question of including a food aid program in the grains agreement is still open. The United Kingdom supports inclusion of 4 million tons; the EEC, 3 million tons. Japan is against inclusion of food aid. The United States is pushing for at least 6 million tons.

4. BASING POINT AND PRICE DIFFERENTIALS

Exporters have basically agreed on a minimum and maximum price schedule for wheats based on average relationships during the past four years between representative shipping points.

The United States and Canada have abandoned efforts to provide a price floor and have agreed to inclusion of representative prices for consultation—if no agreement is reached after 5 days of consultations, then each exporter would be free to price its wheat competitively.

5. FEED GRAIN PRICES

The United States has stated a minimum international price for feed grains is unacceptable—if EEC and UK persist on this point, the United States would have to conclude no grains arrangements is possible, but would be willing to explore other means for establishing prices on feed grains.

REWRITING PRESIDENT KENNEDY

Mr. BYRD of West Virginia. Mr. President, often one finds remarks in a newspaper that appear especially apropos current trends in political climate. I found such an editorial, entitled "Rewriting President Kennedy" in this morning's Washington, D.C., Post.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REWRITING PRESIDENT KENNEDY

This is a season when thousands of Washington visitors will visit the grave of John F. Kennedy, where they will see neatly engraved in a great granite block a spirited and stirring declaration from the President's Inaugural Address.

They ought to be aware, as they read its brave words, how some of the very custodians of the Kennedy legend have joined with many contemporary figures, to amend this bold declaration of American purpose.

The visitors will read in the imperishable stone: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

There is a sector of American society now engaged in rewriting this brilliant sentence so as to make it read quite differently. The following bowdlerized version shows the original text in Roman letters and the amendments in italics:

"Let every nation know, whether it wishes us well or ill, that we shall pay any price, *unless it involves the serious curtailment of some domestic program strongly supported by a national pressure group of great power and influence,* bear any burden, *except increased taxes, a decline in our balance of payments, or any individual inconvenience inconsistent with our rising standards of living,* meet any hardship, *except those involving service in the armed forces of the United States, or the expenditure of funds to sustain armed forces operations,* support any friend, *unless that friend is located in Asia, Southeast Asia, Africa, the Middle East or Latin America,* oppose any foe, *unless that foe has means and weapons so that it cannot be resisted without military risk,* to assure the survival and the success of liberty."

Most of the great, singing and luminous phrases of history have suffered similar slow erosion by the kind of cautious editing required to bring them into conformity with the practical and safe necessities of the political and literary executors of statesmen and authors. Thank goodness the original remains embedded securely in granite, so that it will continue to lift the hearts of those who read it, even though time and politics amend it so as to make it conform to current requirements.

IMPOSITION OF MINIMUM WAGE CONTROLS ON AGRICULTURAL EMPLOYEES

Mr. THURMOND. Mr. President, when the latest amendments to the Fair Labor Standards Act were before the Senate, it was pointed out by me and by other Members of this body that the application of minimum wage provisions to agricultural employees would have a very severe impact. As a matter of fact, prior to Senate consideration of that particular bill, I discussed this matter, which I entitled "Farmers in the Squeeze," in my weekly newsletter dated September 6, 1965. One of the points which I made in that newsletter was that—

> The imposition of the wage and hour controls on agriculture will further decrease the amount of farm employment and drive more and more farmers out of business.

Mr. President, I ask unanimous consent that the entire newsletter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, unfortunately, the predictions which were made at that time concerning the effects of minimum wage controls have come true. Farmers are indeed feeling the squeeze from the minimum wage law. The Greenville News, of Greenville, S.C., carried a story in its Monday, April 17, edition, entitled "Wage and Hour Law Causes Some Pinch on South Carolina Farms." This article points out that farm employment is decreasing and is likely to decrease further in the future in an effort to get around the harsh economic effects of the minimum wage law.

Mr. President, this state of affairs has its worst effect upon the marginal employees who have no training other than to perform farm labor and who are being turned out of their job. I ask unanimous consent that the article from the Greenville, S.C., News, also be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. THURMOND. Mr. President, I have received numerous petitions from different farm groups from across the State detailing the difficulties which have arisen from trying to apply minimum wage controls to farmworkers who have heretofore worked on a piece-rate basis. To quote from the petitions:

> If the farmers . . . are required to pay the minimum wage for piece work, the resulting increase in the price they will have to have for their commodities will result in higher food costs and a decline in acres planted to some of these commodities. The persons who will really suffer from the implementing of the minimum wage act as written will

be the farm workers who will become unemployed as a result of changes in farming practices forced upon the landowners.

Mr. President, I ask unanimous consent that the text of one of these petitions be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. THURMOND. The seriousness of this problem convinces me that Congress should reopen this matter and hold hearings on the impact this law is having on our already hard-hit farmers. Hearings should be held to invite all interested parties to give their views, and amendments to this law should be considered and adopted.

EXHIBIT 1

[From STROM THURMOND reports to the people, Sept. 6, 1965]

FARMERS IN THE SQUEEZE

U.S. agriculture is saddled with a paradox: the farmer is producing more and enjoying less.

Poor harvests, the historical curse of those who till the soil, is not the problem of U.S. farmers. In the last 40 years, agricultural productivity of each farm worker has increased 500%. One American farm worker feeds more than 2½ times the number of people he did 20 years ago. The increased productivity of U.S. industry has been outstripped by farming by 2½ times.

The increased productivity has not been balanced, however, by proportionate rewards for the farmer. Since 1950, the farmer's share of the dollar for which his food products have sold in the market place has declined by 10%. During the same period, the ratio of the farmer's production costs to his gross income has increased 10%.

The consequences of the squeeze are reflected in the 11% increase in cropland in the last decade. Even more significant is the decrease in the number of persons engaged in farm work. Since 1930, the annual average of farm labor employment has been cut in half. In 1965, it is estimated that the number of persons engaged in farm work will decrease by 8% from the level of 1964.

The full implications of this squeeze are not confined to the economic areas, but they spill over into the political sphere as well. Declining rural population emboldened the Supreme Court to pronounce its "one man, one vote" rationale, upon which was based the court's drive to reapportion State legislatures. The extent of the changes in rural population on the national political scene is illustrated by the successful resistance to date of all efforts in the Congress to impose some reasonable limits on the Supreme Court's attempt to play "upset the fruitbasket" with the political structure of the United States.

Already, there are evidences that forces are at work in the Congress to enact legislation which will make the farmer's lot even worse. This year, progress has been made on legislation which would take the first step toward bringing agriculture under the National Government's wage and hour controls.

The wage and hour control laws of the National Government were designed to meet the conditions of industrial employment. Historically, it has been acknowledged by the Congress that the nature of agricultural employment is fundamentally different; and therefore, it is impractical to subject farm employment to the controls designed for industrial labor.

Several factors make it both inappropriate and impractical to apply wage and hour controls to agricultural employment or even to most of the related fields of agricultural processing. Such employment, in the first place, is seasonal. Labor requirements multiply in planting, and particularly, in harvest seasons of specific crops. No amount of management planning and foresight can eliminate or even minimize the necessity for peaks and valleys in the curve of farm labor requirements. Additionally, farm labor is of such a nature that a substantial portion of it can be performed by unskilled, or marginal workers. These two factors are responsible for the fact that most farm workers are not regularly attached to the nation's labor force. Almost half of those who are employed in farm work are employed for less than 25 days. Almost one-third are students working part-time.

In the face of such factors, the House Labor Committee has reported a bill which would subject a portion of farm labor to wage controls and agricultural processing to both minimum wage and hour controls. This "meager" beginning follows the pattern of the "gradualism" approach used in the past to expand the bite of the wage and hour law.

The imposition of wage and hour controls on agriculture will further decrease the amount of farm employment and drive more and more farmers out of business.

Unless the American public rises up and puts a stop to the efforts to make the farmer pay penalties for his efficiency, the horn of plenty which has blessed the American society may, in the future, be found only in the history books.

Sincerely,

STROM THURMOND.

EXHIBIT 2

[From the Greenville, S.C., News, Apr. 17, 1967]

WAGE AND HOUR LAW CAUSES SOME PINCH ON SOUTH CAROLINA FARMS

COLUMBIA.—Farming operations in South Carolina now are feeling the pinch of recent applications of the wage and hour law and are beginning to react to them.

There is a general tightening up of labor usage and an acceleration of the movement to mechanized farming to minimize labor requirements.

Although some uncertainty may exist about individual application or interpretation of the law, many farm operators apparently prefer to play it safe and are trimming operations or labor.

Reactions range from an indicated 30 per cent cut in Beaufort County's vegetable crop to the Edgefield County comment, "this law will make a tremendous impact on the agricultural economy of this county."

A sampling of comment from Clemson University Extension Service county agents over the state shows what's happening.

"This has resulted in a reduction in the labor force, especially in the unskilled and less productive workers," says Orangeburg's County Agent J. C. King. "It has also resulted in more planning to employ production practices that reduce labor requirements."

Larger machinery and equipment is being purchased, King adds, and there is "greater interest in chemical and mechanical weed control, soil testing, higher rates of fertilization, field layouts, subsoiling, and no-cultivation farming for certain crops."

Down in Colleton County, some farmers apparently are quitting cotton farming because of the pinch from higher wages. County Agent J. R. White Jr. says: "Farmers carrying on sharecrop operations are very concerned about the effects and unless their cases are declared free of the law, several have indicated that they will discontinue their farming operations.

"Some of the larger cotton farmers who have been paying their hoe hands by the day are making the decision to discontinue cotton farming," White says.

The Beaufort vegetable crop report came from County Agent W. J. Johnson with the comment: "Effects are being felt in Beaufort County. There is an indication that there will be about a 30 per cent reduction of vegetable production in the county as a result of the wage and hour law changes."

Charleston County's B. S. Lawrimore noted a similar reaction: "From all indications this law will have some effect on certain farmers. Several have indicated that they will decrease their acreage in certain truck crops."

And in Edgefield County, J. W. Gilliam reported: "County farmers are very much concerned over the minimum wage law. This law will make a tremendous impact on the agricultural economy of this county. The meaning of the law was discussed with the directors of Edgefield County Farm Bureau. The group passed a resolution supporting any action taken to relieve some of the pressure put on farmers by this law."

EXHIBIT 3

A PETITION TO SENATORS THURMOND AND HOLLINGS AND CONGRESSMAN MCMILLAN RELATIVE TO PIECEWORK FARM LABOR AS AFFECTED BY THE MINIMUM WAGE LAW

The farmers of Williamsburg County are deeply disturbed over the effects of the application of the Minimum Wage Law to piece work farm labor. Williamsburg County has an annual income from crops requiring this type of hand labor amounting to $16,157,000. In most instances, machines have not been developed which can take the place of this labor.

There is a declining number of individuals available to perform this type labor and these individuals are in need of this employment for livelihood or for supplemental income in order to stay off the relief rolls and pay their own way in society. Certainly many of these piece work employees earn wages equal to or in excess of the minimum wage. However, there is not an adequate supply of quality labor and in order to get the crop harvested, the less able can be put to gainful employment. Many of these individuals have little or no education or training and are, therefore, unsuited for any employment in the area other than that of farm hand labor. If the farmers of Williamsburg County are required to pay the minimum wage for piece work, the resulting increase in the price they will have to have for their commodities will result in higher food costs and a decline in acres planted in some of these commodities. The persons who will really suffer from the implementing of the Minimum Wage Act as written will be the farm workers who will become unemployed as a result of changes in farming practices forced upon the land owners. Also likely to suffer will be the consuming public as a result of decreased supply of vegetable and fruit crops and resulting increased prices. Not only will the unemployed farm laborer become dependent upon the welfare or other public programs, but also the farmers will be forced to plant crops lending themselves to mechanizations and which are already in more adequate supply. Considering the sociological, as well as the economic standpoint, it seems in the best interest of Williamsburg County, the state of South Carolina, and the nation, that these unskilled, untrained laborers be permitted to maintain their self respect and their right to work for a wage that is based on their ability to perform. Piece work lends itself to this arrangement more so than any other means of employment.

We, the farmers of Williamsburg County, do therefore, respectfully petition that you use your influence and that of your office to eliminate from the Minimum Wage Law the inclusions of piece work pertaining to farm labor.

PRESIDENT JOHNSON, SEATO, AND A LASTING PEACE IN ASIA

Mr. INOUYE. Mr. President, it is said that nations as well as men come to know their true friends only under conditions of adversity.

Today, the Honorable Paul Hasluck, Foreign Minister of Australia—a true friend of the United States—presented to the 12th meeting of the Council of Ministers of SEATO one of the most lucid and passionate defenses of American foreign policy in Vietnam which I have read in many months.

Mr. Hasluck's main contention is that the United States is making every responsible effort to bring about a lasting peace in Vietnam, and is shouldering the major share of the burden in that conflict.

Mr. Hasluck rightly reviewed a number of facts of American foreign policy which some critics easily overlook—the United States has made its contribution in such a way that—

> Today . . . there are nations in all continents of the world . . . who owe the fact that they have remained independent to the readiness of the United States to shoulder its due share of responsibility for keeping the peace . . .

We too often forget how true this is and how much our President is responsible for such aid to other nations.

Mr. Hasluck pointedly declared that we must be cautious in Vietnam in accepting the word "peace" at face value. It must be a real peace. A peace that lasts. A peace which is not a prelude to another aggression. A peace under which men can fight for the peace if it is endangered.

In short, the United States, Australia, and all the members of SEATO and the free world must not accept cheap and easy solutions in Vietnam or in any other land where freedom is threatened.

I ask unanimous consent to have printed in the RECORD the text of this remarkable address by the Honorable Paul Hasluck, M.P., Foreign Minister of Australia. It is a testament to the perseverence of President Johnson in seeking an honorable peace. It is a testament to all men who are willing to stand up for the cause of freedom wherever it is challenged.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SOUTHEAST ASIA TREATY ORGANIZATION—12TH MEETING OF THE COUNCIL OF MINISTERS

(Speech by the leader of the Australian delegation, the Right Honorable Paul Hasluck, M.P., at the opening session, Washington, April 1967)

On behalf of the Australian Government I should like to express our pleasure at being once again associated with our fellow members of SEATO in an annual discussion of the problems we all face, of the progress made and the best ways of co-operating to achieve the objectives of SEATO.

It seems to us appropriate that the SEATO Council should meet in Washington this time since it is the United States which is carrying the greatest share of the burden of combatting the present aggression in South East Asia.

We regret the absence of France. Australia respects the position of France in the world, her varied international experience and the contribution made in past ages to the progress of civilization. We are glad to hear that the absence of France on this occasion does not imply any intention to withdraw from SEATO. France has already contributed its proportion of the cost of the SEATO headquarters and has already voted in support of the next year's budget of the Organisation.

I draw attention to this matter at the outset because of the view which Australia takes of the purpose of SEATO and the nature of its work. The phrase "peace is indivisible" was true when trouble was most likely to break out in Europe. It is no less true when the most immediate threat to world peace is in Asia. SEATO has a special role and to some persons it may seem to be a limited role, but it is a necessary role as part of the whole effort of effective peace-keeping throughout the world.

I want to say something very plainly. In the whole effort of peace-keeping the United States of America, by reason of its power and its acceptance of the responsibilities of power, is doing what it can to keep the peace of the world. Whether it be through its many bilateral security treaties or its participation in regional security arrangements, the United States has made its contribution in such a way that today there are nations in all continents of the world—and not only those who are members of security pacts—who owe the fact that they have remained independent to the readiness of the United States to shoulder its due share of responsibility for keeping the peace—and by independence I mean that these nations have remained in control of their own foreign policies, including the ability to choose to be neutral, and have survived.

Yet this task does not belong to the United States alone. The task of peace-keeping and the great and urgent preliminary business of giving a guarantee of security to nations that otherwise would not have it are a common concern and should be a shared responsibility.

What happens in the SEATO area affects people in other lands. Conversely, what happens in the region is itself affected by global events and by the relationships between nations over those global events. We hear talk of peace. Let us face the reality that the working out of a just and enduring peace—a peace that will not be such as to destroy the liberty of millions of people but a peace that has some prospect of lasting long enough to enable the nations all to get on with their main task of making life better in human terms for their peoples—cannot be brought about by the endeavours of any single nation, however powerful, and will not have a sound prospect of lasting unless all great powers have a mind to help at the task.

Let us look again at the great population growth in Asia. Look at the revolutionary changes of life in Asia. Look at the signs in the independent countries of Asia of the way in which, in spite of many man-made stresses and strains and great natural difficulties, a new dynamic and progressive Asia is emerging. Look at the great opportunities in Asia. Look at the way in which success in the attempts at human advancement in Asia will have an effect on the welfare of peoples in all continents. Look at the dreadful distress and the impossible burdens for all mankind if that attempt in Asia should end in failure and confusion. Look at the fact that the area where the relations of the great powers are most under strain is Asia and that relationships with the Peking Government are rising to a crisis. Look at all these things and try to deny one further proposition; lack of interest in Asia today is isolation in its most feckless form. Withdrawal from or lack of interest in Asia are very close to being withdrawal from or lack of interest in world affairs.

There is one further point that I would make in this connection. The dramatic and critical events in Vietnam have tended to obscure the fact that the security of the region is a matter wider than the events in Vietnam. The danger that is being faced there is similar to the danger that is ever constant but only less immediate in other countries. For example, the security of Malaysia and Singapore and the prospects of peace in the Indian Ocean region as well as the Pacific region are vital for the progress and welfare of millions of people and for the continued independence of many governments. Some of these countries may be outside the SEATO region and, except indirectly, may not be affected by SEATO commitments, but leave this area empty or lessen the strength of its present security and the hopes of security and peace will leak away through an ever-widening gap. These are tasks which lie on all nations who do not fade into isolationism or choose neutralism on the great issues of the world today.

How do I see the issue which I call great? Those of us who live in this region—all of us—have hopes as great as any men that the welfare of our own peoples and of our neighbours can be advanced and that progress can be made in keeping with the purposes of the United Nations Charter for friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. We who live in the region know that underlying all of the problems of co-operation between nations and the advancement of the welfare of peoples in Asia there are still basic problems of security and political stability. It is still necessary to remove fear from many of the independent countries of Asia before they can give their whole attention to the great tasks of political, social and economic advancement.

In many countries in the immediate present there is need for political stability so that economic and social changes can be made and such countries know that political, social and economic changes have to go hand in hand or they will not go at all. The choice of political systems and of forms of government are matters for the people of each country themselves. Protection of their freedom of choice is one of the great issues of foreign affairs in many parts of Asia today and at the present time that issue presents itself chiefly for newly-independent countries as a question whether the ending of colonialism shall be succeeded by a new imperialism—whether the tutelage of the colonial powers of the past shall be replaced by the stern and rigid guidance of a Communist neighbour in the present. In dealing with questions of security—and in essence this is the removal of fear and the protection of the freedom of political choice—the aid of non-Asian powers in co-operation with the nations and peoples of Asia is required and the purpose of SEATO is to help make such co-operation possible.

The effectiveness of SEATO depends in a large part on the capacity of its members to meet their obligations. No nation can meet its obligations unless it develops and maintains its capacity to do so. In the view of Australia Western European nations who are interested in a continuing part in world affairs are required to play a continuing role in Asian affairs. This is a necessity for them in their own interests if they are to continue to take any significant role in world affairs either on the side of peace-keeping or of economic co-operation.

I do not want to seem to apply this argument solely to any particular nation of Western Europe. This is an argument which we have impressed particularly on the British Government when discussing with them their policies east of Suez, for we have presented the case as not being just a wish for continued association between Britain and Australia in the security of countries for which Britain has had a long-standing responsibility but as a necessity for Britain in Britain's own interest and as a clear alternative to a new isolationism which we do not believe the British would seek.

It is in keeping with this view that Australia has taken part in Asian affairs. Our work in SEATO is not the whole of our work. With many other nations we are co-operating in an effort to advance social and economic conditions and to promote co-operation between nations throughout the whole of Asia. Besides the contribution we are making to Vietnam we are assisting the security of the region by the contribution of forces to Malaysia and since 1964 we have been providing defence aid to Malaysia in the form of equipment and training. Singapore also is receiving assistance. As recently announced, we have decided in principle to continue with defence aid for a further period and will despatch a technical mission shortly to discuss the most effective forms of new assistance.

I turn now to Vietnam. In compliance with our obligations under SEATO as interpreted by our own Government following a request from the Government of South Vietnam for assistance in its resistance to Communist aggression Australia is giving military support. Since we last met in Canberra Australia has increased its commitment of forces by establishing an Australian task force including two infantry battalions and support units and by deploying air force units and a guided-missile destroyer. In addition we have reviewed our civil aid programme so as to bring about a considerable increase.

The most significant features of the situation there as we see it are, firstly, that the military outlook for the Allies has improved and there is today no possibility that North Vietnam and its instrument, the National Liberation Front, can succeed in their aggression. It may take a long time but we shall not flag.

Secondly, there have been many efforts for peace and many disappointments in the lack of response from Hanoi. In some quarters there seems to be a disposition to believe that one-sided action by the United States Government could bring peace in Vietnam. Some people appear to believe that if it surrendered unconditionally, if it abandoned those who have depended on it and who are supporting its effort to resist aggression and if it was false to the sacrifice of those who for many long years have painfully tried to maintain freedom in Vietnam and have given their lives in that cause, it would bring peace. It might bring a sort of peace. But it would not be a just peace. It would not be a peace with which an honourable man could live. It would not be a peace that would last but would be only a prelude to further aggression. Freedom is truly gone when one is not even free to defend it.

We who are in government are aware, as persons outside government may not be aware, of the ready response of the United States Government to all attempts by others to bring about a cessation of hostilities and of the frequent initiatives that the United States has itself taken in order to try to promote discussions leading towards peace. Australia, too, desires an end to this conflict. One lesson to be learned from past experience is that we need to clear our minds in this fog of talking about peace. We need to be far more exact than most public commentators are in the use of terms such as "truce", "pause", "cease-fire" or "settlement". We need to recognise that in the procedures of negotiation and in the substance of what is being negotiated we have to keep clearly in mind that the objective is to bring about conditions that will be conducive to a secure and just peace that will also be a lasting peace. Nor should we assume too easily that the attainment of such a settlement will be a formality or will not require difficult negotiations. We believe that while there may be value in distinguishing between negotiations which bring about a cease-fire and negotiations that concern the real substance of the matters at issue in Vietnam, we should not imagine that success in negotiating a cease-fire will be the end of the matter or that the terms under which a cease-fire is achieved can be isolated from the harder negotiations which might follow.

The third point I wish to make about Vietnam concerns the heartening progress that has been made with political reforms in the country and with the attempts at reconstruction and the betterment of life for the people. With the adoption of the report of the Constituent Assembly there is now a prospect of early elections and a movement towards a government representative of the people. In many respects progress has been made in social and economic reform and present leaders of the nation have dedicated themselves to continue this major effort. In making that effort they are receiving increased assistance on the civilian side from their Allies.

The Australian Government's assistance in the defense of South Vietnam, in keeping with its SEATO obligations, is firm. We are reinforced in our stand because since the last meeting of the SEATO Council the Australian people have reaffirmed through their vote in a general election their support for the Australian Government's policies and actions in South East Asia.

HAWAII SALUTES U.S. NAVY SEABEES

Mr. INOUYE. Mr. President, the Seabees of the Navy, the builder-fighters of the famed naval construction battalions, this year celebrate their 25th anniversary.

The year 1967 is also the 100th anniversary of the Navy Civil Engineer Corps, whose officers lead the Seabee battalions and teams in action.

In World War II, Seabee construction feats caught the imagination and earned the gratitude, of all our people. It was then that a new, typically American slogan entered our hearts—"Can do," said the Seabees, and do they did, from the beaches of the Mediterranean to the farflung islands of the Pacific.

Today, in Vietnam, these builder-fighters again are helping our Armed Forces and the people of a friendly land who desperately seek peace and freedom.

We, of Hawaii, know the Seabees well, for they are always ready to help us, and our island neighbors throughout the Pacific, when natural disasters strike and when construction miracles are needed.

In recognition of the 1967 Seabee silver 25th anniversary, Gov. John A. Burns, of Hawaii, recently proclaimed Civil Engineer Corps-Seabee Week in Hawaii.

I ask unanimous consent that the text of the proclamation be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

HAWAII SALUTES U.S. NAVY SEABEES—PROCLAMATION

Whereas, on March 2, 1867, one hundred years ago, the Congress of the United States authorized commissioning of civil engineers as officers of the U.S. Navy, thereby establishing the Navy's Civil Engineer Corps; and

Whereas, the Navy's builders and fighters, the famed Seabees, were authorized officially on March 5, 1942, a quarter of a century ago. During World War II the Seabees, under command of Civil Engineer Corps Officers, built vital advance bases throughout the Pacific Ocean area and contributed immeasurably to the ultimate defeat of Japan; and

Whereas, today the Civil Engineer Corps Officers and the Seabees are supporting the war effort in Vietnam by building facilities for our armed forces and those of allied troops. The Seabees also are building in Antarctica, in Europe and in other areas of the Pacific. Recently, the Hawaiian Reserve Construction Battalions provided help to the people of Samoa by repairing damage inflicted by a storm; and

Whereas, Civil Engineer Corps Officers are directing and supervising a billion-dollar construction program in the Pacific Ocean Area, including deep-draft ports, airfields, cantonments and transportation facilities, as well as many civilian projects. Many of these installations will be of great economic value to the Vietnamese when peace returns; and

Whereas, the records of Seabee and Civil Engineer Corps accomplishments reflect great credit on these organizations and on the entire Naval establishment.

Now, therefore, I, John A. Burns, Governor of the State of Hawaii, proclaim the week of February 27–March 5, 1967, as Civil Engineer Corps-Seabee Week and call upon all our citizens to honor the proud heritages of these organizations, and to join with me in extending congratulations on their anniversaries.

Done at Iolani Palace, Honolulu, State of Hawaii, this 23rd day of February, 1967.

JOHN A. BURNS.

NATIONAL SECRETARIES WEEK

Mr. RIBICOFF. April 23–29 will be National Secretaries Week. It arrives in the midst of the National Secretaries Association — International — silver anniversary year. The association's silver anniversary will be highlighted by the local chapters on Secretaries Day, Wednesday, April 26. The theme for Secretaries Week is: "Better Secretaries Mean Better Business," and it is sponsored by NSA.

The purpose of National Secretaries Week is to bring recognition to all secretaries for the vital role they play in business, industry, education, government, and the professions; it was originated to inform the public of the secretary's contribution to the educational, professional, and civic growth of the community. It also serves to remind secretaries of their responsibilities to their employers and to their profession.

Since the origin of the National Secretaries Association 25 years ago, it has grown to be the world's largest association of business women in one profession. NSA now has approximately 25,500 members in 580 chapters in the United States of America, Canada, and Puerto Rico, and affiliates in Mexico, Panama, Argentina, the Bahamas, Curacao, Finland, and Hong Kong.

National Secretaries Week activities of many chapters of the association include speaking engagements before business and management groups, high school business classes, and business schools.

I want to join in saluting the secretaries of America whose hard work, talent, and patience keep America moving.

I also wish to salute the selection of

Mr. Malcolm Baldridge, president of Scovill Manufacturing Co., of Waterbury, Conn., by the National Secretaries Association — international — as International Boss of the Year.

KAREN KAY PESARESI, HOMEMAKER OF TOMORROW

Mr. CARLSON. Mr. President, I am pleased to announce that Karen Kay Pesaresi, an 18-year-old high school senior of Manhattan, Kans., was chosen Homemaker of Tomorrow in a nationwide contest sponsored by General Mills, of Minneapolis.

Karen, the daughter of Mr. and Mrs. Karl Pesaresi, of 810 Moro Street, Manhattan, Kans., was chosen from an original field of 580,000 senior high school girls in nearly 15,000 of the Nation's high schools and 51 finalists representing each State and the District of Columbia.

This 18-year-old senior showed that good management is the most important ability the homemaker can possess.

As a result of winning the contest, Karen was awarded a $5,000 scholarship by General Mills.

Every Kansan is proud of Karen, who represents thousands of our American girls.

STALLED KENNEDY ROUND

Mr. SYMINGTON. Mr. President, on Monday, April 24, at the end of the morning hour I plan to make a short talk entitled "The Kennedy Round—Will the American Farmer Be Sold Out?"

In this connection I ask unanimous consent that an article entitled "Stalled Kennedy Round Apparently To Continue Past Deadline Into May—Extension Indicated by Postponing of Session of Common Market—Gloom at Tariff Talks Spreads," published in today's Wall Street Journal, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Stalled Kennedy Round Apparently To Continue Past Deadline Into May—Extension Indicated by Postponing of Session of Common Market—Gloom at Tariff Talks Spreads

Geneva.—The Kennedy Round tariff-cutting talks will apparently continue into May despite attempts to resolve the deadlocked negotiations by April 30.

The tipoff to the extension came yesterday when the Common Market said it would delay its Council of Ministers meeting scheduled for early next week until May 2. It's clear that Jean Rey, chief negotiator for the Common Market, feels more time is needed to study offers from other countries and prepare his own recommendations for the six-nation bloc.

Nations participating in the talks are due to begin filing "positive offers" soon with the secretariat of the General Agreement on Tariffs and Trade, under whose auspices the Kennedy Round is being held. The talks are so named because the legislation authorizing U.S. participation was passed during President Kennedy's administration. The positive offers, sometimes referred to as "near final" offers, are the first substantial ones to be made since November 1964.

Most delegates here still express hope that the Kennedy Round will be successful, but there is no denying the growing pessimism. The Common Market has refused to alter its position on a number of matters, particularly chemicals and foodstuffs. Some observers conjecture that this is simply a bargaining tactic, but one European, noting that it would take days to work out details of any agreement in these areas, termed the last-minute negotiations "dangerous."

U.S. legislation to participate in the Kennedy Round expires June 30 and it's feared that even the two months from the old April 30 deadline isn't enough to prepare and implement tariff agreements. The task will become impossible unless accord is reached during the first week or 10 days of May, some sources say.

THE REAL ROBERT S. McNAMARA

Mr. INOUYE. Mr. President, Secretary of Defense Robert S. McNamara is truly a man for all seasons in Washington. He has been called the most powerful man in history because of his direction of our Military Establishment, and his very name is often enough to raise the hackles on some of our Senate and House colleagues. But in many quarters he is known for his compassion and understanding.

Mrs. Tomi Knaefler, a Honolulu Star-Bulletin reporter, came to Washington to seek out the real Robert S. McNamara. I ask unanimous consent that the account of her 20-minute interview with the Secretary be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Reporter Finds McNamara Warm, Human, Not Computer

(Note.—Star-Bulletin reporter Tomi Knaefler is on a tour of the Mainland doing a series of stories on some of the nation's famous men and some of the nation's common men. While in Washington she got an exclusive interview with Secretary of Defense Robert S. McNamara, a rare accomplishment for any journalist. In this penetrating and human study, one of the world's most powerful men tells of his philosophy of his job and of his life.)

(By Tomi Knaefler)

Washington.—A few days before arriving here, I wrote to a friend, Jack Teehan, former Honolulu newspaperman now in Washington, and ended my note with:

"By the way, Jack, could you arrange an interview for me with Defense Secretary McNamara."

Teehan, now press secretary to Hawaii's U.S. Senator Daniel K. Inouye, first laughed, and then shuddered and finally cussed at my general ignorance: Didn't I know that a personal interview with McNamara is even harder to get than a cashew in a can of Planter's peanuts?

Once here, the problem was put to Senator Inouye, a member of the Senate Armed Services Committee.

The senator raised his brows a bit and then reached for the telephone.

"How are you, Mr. Secretary," he started. And then: "I have a reporter here from the Honolulu Star-Bulletin who would like to meet you . . . Fifteen minutes . . . 5:45? . . . Yes, she'll be there . . ."

I couldn't believe what my ears heard. Neither could Jack.

I told the senator I'd only believe it when I actually saw the secretary face to face.

The senator made arrangements for a pass and transportation to the Pentagon, a spin away from the capitol dome and a yawn across the Potomac River.

CAUGHT IN RUSH-HOUR TRAFFIC

Of course, I missed my arranged ride and the resulting panic ballooned with each passing minute as I discovered the impossibility of getting a cab in the peak going-home traffic.

The only possibility was for Jack to drive me and even this hope appeared to wane as our car stood at standstills en route.

Jack tried to relieve my jitters by kidding me about writing a story on "the day I stood Secretary McNamara up."

Finally, the granite gray of the Pentagon loomed into sight. Its pencil-slim antennas poked into the tattle-tale gray sky of Washington's dusk.

Jack assured me I still had some seven minutes before the appointed time as we swing in front of the squat but massive structure that is the Pentagon.

As I tumbled onto the flight of stairs, a man in a brown suit came forward to meet me "in a burnt orange dress," which was my pre-arranged identification mark.

He led me through two layers of heavy doors and up an escalator. There, to the left of the top was a black-and-white sign over a doorway: "Secretary of Defense."

My escort conferred with a pretty, young, blonde receptionist wearing the gray-blue uniform of the Air Force. Her sleeves sported two V's centered by a star.

The waiting room was warmly plain with green leather chairs upon a beige carpet and lighted by several glowing lamps.

NERVOUS, PALMS PERSPIRE

My palms began to perspire and I confided to the receptionist:

"Here it is, my big moment, and I'm ready to cry. My black bra is peeping out from the low back cut of my dress and my stocking just sprouted a bumper crop of runs. I'm really nervous."

"Don't be," she smiled. "He's very nice. Really, very nice."

I asked her what it was like working with the secretary, whom a McNamara gadfly had once accused of having a "chrome-plated heart."

She said: "This is a wonderful place to work. He's very nice."

"Is he a perfectionist?" I asked and she replied: "Yes and no. We have standard procedures and we follow them. I've been here only six months."

She said the secretary was "very hard-working." He arrives at the office between 6 and 7 six days a week and begins the day with a working breakfast. The office day ends between 6 and 7 each night.

Just then, a youthful-looking man in a navy blue suit appeared and introduced himself as Phil Goulding, assistant secretary of defense for public affairs.

"I'm terribly nervous," I said.

He laughted. "He won't bite you. You'll enjoy him."

WANTS TO QUOTE M'NAMARA

Goulding asked whether I planned to write a non-attribution story or whether I planned to quote the secretary directly. I told him I wanted to quote the secretary as I sought to do a personal, rather than an issue-oriented story.

In that event, he explained, the secretary would want to review the quotations before the story is printed.

He further explained the secretary would be "more relaxed" and less on guard in a non-attribution interview.

I said, no, I still preferred to quote the secretary and agreed to the prescribed prepublication review.

With the agreement, Goulding led me through an inner secretary's office, which opened immediately onto a spacious rectangular room. A sweeping first glance picked up a blur of flags, desk, chairs, telephones, paintings, warmly lit lamps and beige carpeting.

My eyes zeroed unto a huge portrait in oil on one wall. Almost in the same instant, I spotted him:

Robert McNamara, one of the most powerful and controversial figures in the world today, was leaning at a 50-degree angle over his large walnut desk, piled with papers.

This is the man who sits in a position of vast, far-reaching power.

This is the man who wins the highest praise from the President.

This is the man who moved from a middle class, California public school background, to a Phi Beta Kappa college sophomore, to a "whiz kid" president of Ford Motor Company and 42 days later was named the nation's eighth Secretary of Defense.

As soon as we entered the room, the study of the man etched in serious thought sprang alive.

A SMILE AND A HANDSHAKE

McNamara walked briskly forward with a sunburst of a smile and a swift offer of a firm, comforting handshake.

"Sit down. Sit down," he motioned toward to green leather chair flanking his desk. I sat there while Goulding adjourned to a seat near the window.

"Honolulu . . . ," the secretary spoke, the welcome smile still lingering on his slightly tanned face. "I'd like to be there right now."

When told that could be arranged, he laughed heartily. "I wish I could."

McNamara has been in Honolulu many times for strategy conferences or en route to such conferences.

I told him I wanted to by-pass the world-shaping issues for now and, instead, wanted to know what he was like.

Again he laughed, crossed his shirt-sleeved arms together and said: "I guess you'll need to observe me for that."

What I observed was a trim, tall, well-proportioned figure—the type that probably doesn't show a bulge on a diet of layered chocolate cake.

It was easy to imagine him as a skier, mountain climber and avid tennis player that he is.

It was easy, too, to believe that he loves literature, philosophy, music, as well as the challenge of cost-efficiency gobble-de-gook, which he does.

PENETRATING EYES

The bookish look—it was all there: The severely combed hair from the square forehead to the back of the neck and the penetrating eyes behind old-fashioned silver-rimmed glasses.

The penetrating eyes were declared 4-F, but that didn't stop him from becoming a statistical expert for the Air Force during World War II.

The McNamara eyes penetrate brightly even as they crinkle in a ready laugh or an easy smile.

There is a quality about his eyes—at once warm, and yet, with a hint of potential glint that could shred a mountain into a hill.

His eyes have been described variously as blue, dull gray and hazel. I didn't notice the color. I was much too absorbed by other facets within them.

I observed, too, a tiny blotch of white on his red-black-gray striped tie, perhaps, a dripping from a creamed soup he may have had for lunch.

The tie, held by a small clasp, complemented charcoal and white-flecked trousers, finished off with black socks and shoes.

The composite appearance matched that of a Y.M.C.A. executive or a friendly drug salesman.

I was compelled to preface my next remark with:

"I may be wrong, but . . . . . . the image I have of you is that of a tremendously efficient, tremendously unyielding computer."

QUITE AN EXAGGERATION

McNamara's smile was still around, but the edges were showing a bit now.

Warmly, but firmly, he said: "That's quite an exaggeration.

"I do deal with money and men and pieces (the hardware) and because I do, I need to work in the most efficient way possible. They require a measure, a standard of measure."

I later recalled what he had told a New York Times reporter once: "I just work hard. I do what I can do to intelligently direct the activities for which I have responsibility. I have to have high standards and I aim to fulfill my oath of office. I must deal in specifics, not generalities."

The secretary stared at his desk for a brief moment and said:

"It's perfectly absurd. It always annoys me to be compared with a computer."

I felt somewhat sorry for bringing up the subject and I thought of Senator Inouye's evaluation of the secretary:

"He's brilliant and he's also a very warm person. People may not realize it, but even with all the important problems that he has to tackle, the secretary does get involved in the problems of the private first class."

I asked McNamara's what, then, is his vision of man, his vision of society.

HIS VISION OF SOCIETY

Without a moment's hesitation, he responded:

"Man is a creature of god—god with a small g, almost.

"Man has the capacity for rational behavior and, most of all, the capacity for non-rational behavior. Emotions. Faith. Higher than by reason alone.

"For this reason alone, I object to the thought that one can run life by computers alone. We can't now and we can't ever. That will never be.

"My vision of society is that society exists for the advancement of man—men as individuals. And because of that, there is room in society for dissent. Dissent such as we have against the present governmental policy (in Vietnam).

"Dissent must be tolerated if we hope to achieve a society of individuals. We can't stop opposing thoughts."

I re-read previous statements that he had made to the Associated press that he and his staff were willing to listen to all points of view before reaching a conclusion, but once a decision is made, then, "By God, I expect everyone to fall in line. You can't run a military organization with divided authority—or any other kind of organization."

I asked the secretary for a further vision—how much longer must we endure this seemingly endless arms race that is so much a part of life today. How many more centuries will men have to live this way?

VOICES OPINION ON ARMS RACE

The secretary began at an easy pace:

"The arms race has gone on for thousands of years. It can be dampened down, but it cannot be stopped in our lifetime."

And then, his words picked up speed, considerable speed—if he'll pardon the expression—like a computer afire.

It became impossible for me to follow the pregnant flow.

That, I guess, is a minor example of the documentary mastery that has both dazzled and irritated Congress in the past seven years.

That, I guess, offers a glimpse into the McNamara mind, which has been described as a "beautiful instrument, free from leanings and adhesions, calm and analytical."

He spoke of the nuclear test ban treaty, the proposed non-proliferation treaty for all nations and the hoped-for negotiations with Russia regarding an agreement on anti-ballistic missile system (A.B.M.S.) projections to combat the offensive offense of intercontinental ballistic missile shots (I.C.B.M.)

Those treaties and negotiations, he said, "help dampen down the arms race.

"We can't achieve everything significantly in the next few years. But, through such efforts, we can make substantial progress in reducing the rate of advance in the arms race."

He pointed out such agreements involve "taking risks to avoid risks . . . and we must look at both sides of the equation. There are net advantages to both sides and both sides have risks."

JUNGLE OF PENTAGON TALK

As his crisp mind moved swiftly through a barrage of thoughts, I commented that when he spills over into this jungle of Defense Department talk, I can no longer follow him.

This, I said, may, perhaps, be a major reason why people like me feel we've abdicated our control to him; to the technocrats who can no longer be understood.

McNamara appeared sad-eyed.

He said, still warmly and still patiently: "We've made tremendous efforts to increase the public's understanding of our national defense program."

He swiveled his chair a few inches and reached for a thick document on a table behind him, weighted with an assortment of reading material.

"This," he said, patting the document. "This is the sort of thing we've published to increase the public's understanding. It was never done before. We've made tremendous efforts in this area so that the public can understand what is and what is not in the public interest."

Again, I felt sorry for brushing upon a sore point.

I asked: "You feel, then, that this feeling of abdication is quite unjustified?"

"I think so. Yes," he said solemnly.

He continued: "I think when special interests are hurt in favor of the national interest, it, then, looks as though we operate arbitrarily."

CLOSING OF MILITARY BASES

"For instance, when we closed the military bases, that hurt special interests.

"We deluge the public with material to clarify the fact that our actions are in the national interest."

I thought sadly that this gap in communications will probably get worse instead of better as technology spirals ever upward.

Then, I wondered aloud whether there was any place for emotions in the secretary's decision-making that could conceivably dictate the life or death of American society and possibly other societies in the illogical logic of today's nuclear world.

McNamara leaned over his desk:

"I try to step out of it. One can't keep emotions out completely. But, I do try to disassociate my personal emotions in making a national decision. But, you can't keep emotions out entirely."

While I paused to look over my notes, the secretary eased into his chair and allowed the memory of a pleasant past emotion to play on his face.

He recalled an occasion 30 years ago, after graduating from the University of California with an undergraduate degree in philosophy and economics and before working toward his master's degree in business administration at Harvard and marrying his former college classmate.

I WAS A SAILOR IN HAWAII

"I was a sailor in Hawaii," he grinned. "I was 20. I worked aboard the Dollar Lines and then a Matson freighter.

"I recall vividly how beautiful the dawn was as we came in to Honolulu at 4 or 5 a.m.

"A friend and I wanted to go to the Dole Pineapple Company.

"I remember getting pineapple juice instead of water from the tap.

"I thought that was sheer heaven on earth.

"My uncle (Raymond West) was then a vice-president of Dole.

"So, you see, I have close ties with Hawaii."

As he spoke of the memory many dreams ago, I couldn't resist asking:

"What are your dreams made of? Do you dream of missiles or aircraft or mushroom clouds?"

The secretary squeezed his arms together. He grinned from one side to another.

His penetrating eyes de-penetrated. They twinkled instead.

HE LAUGHED, BUT DIDN'T TELL

He burst into an over-warm laugh and he teased:

"I'm not going to tell you. No, I'm not going tell you."

Abruptly, he stood up and extended his hand-shaking hand with his characteristic eyeball-to-eyeball look.

I worried about having wasted his time and wondered what the 20 or so minutes invested in the interview was worth in dollars. Probably thousands.

"It was so nice of you to come to see us," he said as cordially as a host at home.

He praised Senator Inouye richly as a "wonderful senator. I respect his integrity and ability. And, he is a wise man."

As I turned to leave, McNamara was already visibly in gear to return to his work on the desk that once belonged to General John J. Pershing.

I read the inscription under the dominating portrait. It identified James Forrestal, the nation's first Secretary of Defense who fell to his death from a hospital tower building.

MEMO LEFT BY FORRESTAL

It was Forrestal who left behind a memo with these lines copied from Sophocles:

"Worn by the waste of time—comfortless, nameless, hopeless save in the dark prospect of the yawning grave."

I chilled at the thought.

I preferred to remember what one writer had said of McNamara—that despite the grueling task, the nightmare responsibilities and the blistering criticism, this leader of the defense band is actually having a ball, relishing the very challenge of challenges.

I walked out of the Pentagon into the growing darkness of Washington with an elated feeling of having met a remarkable, responsive human being.

—Remarkable for his tenacious grip of the classic tradition of reason.

—Responsive as occurs in cuddling or caring or loving life in the classic human tradition that can never be duplicated by a computer. Never. No, never.

And so I cast a womanly intuition: There is hope in the first portion of the following expression voiced by a publisher about the "Men of the Pentagon:"

"At its very best, the Defense Department can be a powerful, compassionate answer to an international plea for protection.

"At its worst, it is a sort of low-grade, gold-plated zoo."

ALASKA'S LIQUEFIED NATURAL GAS FOR JAPAN—A GRATIFYING PRODUCT OF INDIVIDUAL INITIATIVE IN THE UTILIZATION OF A NATURAL RESOURCE

Mr. GRUENING. Mr. President, it is with great pleasure I invite the attention of the Senate to an extremely welcome action of the Federal Power Commission in approving applications filed by Phillips Petroleum Co. and Marathon Oil Co. for export to Japan of liquefied natural gas to be extracted from the enormous reserves of the North Cook Inlet and Kenai gasfields of Alaska. This approval by the Federal Power Commission clears the way for one of the most exciting development projects ever undertaken in Alaska.

Alaska's great resources of petroleum and natural gas have been widely explored during the last 10 years. The oil and gas industry has become a vital factor in the economy of the State. This new, bold plan of two oil companies to liquefy our natural gas and export it to Japan will be one of the most effective means of utilizing this great resource. It is also of great interest as an example of foreign trade developed between a single State and a foreign country which will contribute significantly to an improvement in the U.S. balance of payments.

The contract which Phillips Petroleum and Marathon concluded with the Tokyo Electric Power Co., Inc., and Tokyo Gas Co., Ltd., is for a term of 15 years from June 1, 1969. As planned, deliveries will commence the latter part of 1969. Under terms of the contract approximately 930 billion cubic feet of gas from the Kenai fields will be produced, liquefied in a large liquefaction plant to be built on the Kenai Peninsula and shipped to Japan aboard two large ships at dock facilities to be constructed close to the plant. The gas will be transported to Yokohama where it will be unloaded into the facilities of the Japanese buyers.

This new industrial development will certainly be a welcome stimulant to the economy of Alaska. The expansion of exploration activities, the construction of production facilities and transportation facilities necessary to the operation will mean more jobs for Alaskans, more families moving to Alaska, more money in circulation, more taxes to the State of Alaska, and increased income to the State of Alaska from royalties paid on oil and gas produced from fields discovered on lands belonging to the State of Alaska.

I congratulate the imaginative creators of this important development for Alaska, and on behalf of Alaskans I express our best wishes for success in this venture.

CURTIS REPORTS ON INTERNATIONAL NEGOTIATIONS ON DAIRY PRODUCTS, MEATS, POULTRY, AND FRUITS AND VEGETABLES IN THE KENNEDY ROUND

Mr. MILLER. Mr. President, as a congressional delegate for trade negotiations appointed under the Trade Expansion Act of 1962, Representative THOMAS B. CURTIS, of St. Louis County, Mo., has provided a unique and exceptional service by reporting extensively on the trade negotiations in the Kennedy round as they have been developing. His most recent report has to do with items of very great interest to many Members of this body; dairy products, meats, and poultry, in particular.

In a report given to the House on April 13, Representative CURTIS described the international negotiations in these important areas. He also discussed some of our own policies with regard to them. I recommend this report to my colleagues who have an interest in these important agriculture items and who also wish fully to understand how the trade negotiations, now drawing to a close at Geneva, affect American interest in these agriculture products.

Mr. President, I ask unanimous consent that Representative CURTIS' report be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE KENNEDY ROUND AND THE FUTURE OF U.S. TRADE POLICY—AN EVALUATION OF PROGRESS AND ISSUES IN THE SIXTH ROUND OF TRADE NEGOTIATIONS UNDER THE GENERAL AGREEMENT ON TARIFFS AND TRADE

(Remarks of Hon. THOMAS B. CURTIS, congressional delegate for trade negotiations, in the House of Representatives, April 13, 1967)

PART II—AGRICULTURE NEGOTIATIONS CONTINUED—DAIRY PRODUCTS, MEATS, POULTRY, FRESH AND CANNED FRUITS AND VEGETABLES, AND TROPICAL PRODUCTS

Mr. Speaker, the first part of this evaluation and report on the current trade negotiations drawing to a close at Geneva dealt with one group of agriculture products, grains, in which there is some hope for achievement. But for some of the products which I will discuss today there is much less chance that any achievements will result from the Kennedy Round. For others of these products there may be chance for meaningful bargains.

The explanations below indicate that an essential reason for difficult international negotiations in the major sectors of dairy products, meats, and poultry is the extent to which governments have interposed in domestic agricultural economics, without having developed the proper economic policy tools to do so. In the first part of my report I discussed the degree to which government involvement in grains production had weighed on the negotiations—that in fact an initial United States proposal was that all nations agree to remove government subsidies and controls. My own interest in this objective is demonstrated by my introduction of a bill to accomplish this for U.S. domestic grains programs.

Once again, emphasis on the European community

Instead of a big step being taken toward increased efficiency in agriculture production, Western Europe is moving in the opposite direction through the labyrinthine trade barriers now being created in the common agriculture policies of the European Economic Community.

Thus again, in this part, as in the earlier part of my report, the focus of much of the discussion will be on the European Community's farm polices.

DAIRY PRODUCTS

The international dairy products sector is one of the sectors least amenable to negotiations in the Kennedy Round. The reason is the unusual amount of interference in domestic dairy production by almost all governments. My purpose in this section will, therefore, be to explore the problems of our own troubled dairy sector, and in this light to examine world dairy sector problems and the negotiations on dairy products in the Kennedy Round.

Import statistics provide an initial, though limited insight into the problems of the U.S. dairy economy. From .9 billion pounds milk equivalent in 1965, U.S. dairy imports rose to 2.7 billion pounds in 1966. Until 1965 imports were stable at an average yearly level of about .8 billion pounds. The largest elements of this recent increase were butterfat sugar products such as "Junex" (a concentrate used largely to make ice cream), fresh cream, Colby and other cheese. But there are increases of imports in other categories.

These increased imports have brought complaints of injury from U.S. producers and have resulted in bills in Congress to increase quotas on dairy imports across the board. A table showing imports by major categories from 1963 through 1966 follows. (Data referred to will appear in the text as printed in the Congressional Record).

Imports small in relation to production

What is the proportionate role of imports in the United States dairy economy? Statistics show that imports in terms of milk equivalent are a small percentage of domestic production. In 1966 imports were 2.7 billion pounds milk equivalent compared to U.S. production of 120.2 billion pounds. It is hard to see how increased imports could be the major problem facing the dairy industry even though there appears to be certain loopholes in U.S. quotas under Section 22 of the Agriculture Adjustment Act that permit Colby cheese and butterfat sugar concentrates to escape the quotas.

These loophole imports have a dislocating effect on small producers of cheese. In the New York Times of March 27, 1967, Douglas Kneeland reported after an interview with a medium-sized cheese manufacturer in Almena, Wisconsin, that imports of cheddar cheese substitutes were severely hurting his markets. He pointed out that the National Farmers Organization milk strike worsened the squeeze on the cheese manufacturer, who would be less able to compete with imports if the cost of his manufacturing milk increased.

The loophole argument

The argument that there are loopholes in the present application of Section 22 to milk products is shown by data on imports of Cheddar and Colby cheese. Cheddar cheese is controlled by quota, Colby is not, yet the two are nearly interchangeable in manufacturing uses. In the table above it can be seen that Colby cheese imports have increased dramatically, whereas Cheddar imports increased when quotas were temporarily expanded early in 1966, but have remained relatively slight nonetheless.

Another "loophole" argument relates to imports of butterfat and milk solids in formulations made, it is alleged, specifically to evade the quota. Junex, only one of at least half dozen such products, is butter in liquid forms mixed with sugar and some milk solids. Thus Junex is a form of butterfat. It can be seen in the above table that butterfat in several forms is restricted from importation by Section 22 quotas. That Junex can enter hors-quota means that it is a loophole in the general effort to restrict butterfat imports. Thus Colby cheese is to Cheddar cheese as Junex is to butterfat.

Imports not the problem

But on the whole, and without the benefit of detailed study of this problem, the proposal that all dairy imports should without reference to further facts and argument be more strictly controlled lacks an element of good sense. A further sobering factor is that for the types of cheese under quota, imports in 1966 were actually less than imports in 1951, the year the quotas were imposed. Since 1951, U.S. production of the same cheeses increased from 1.2 billion pounds to 1.74 billion pounds. There has been no flexibility in the U.S. quota system, as there is in U.S. meat quotas, that would allow gradual increases in quotas in proportion with increased domestic consumption.

A note on U.S. section 22 quotas

The United States maintains its import quotas on dairy products, and several other products, under Section 22 of the Agriculture Adjustment Act as amended. Section 22 permits quotas to be imposed after certain procedures have been followed to determine the need for such quotas, including study and recommendation by the Tariff Commission. The purpose of the quotas is to prevent imports from benefitting from high U.S. support prices. There is no reason why the Government should have to pay to take foreign supplies off the market.

Such quotas are allowable under GATT Article XI if production of the commodity protected by quota is being controlled. The U.S. is not controlling its production, rather, milk production has been increasing quite rapidly. This is the reason why the U.S. sought an initial waiver, and why it submits to annual review of its quota programs in the GATT. And it is the only country with such quotas to undergo such review. Japan, the United Kingdom, and the EEC all have similar quota programs for which they have not bothered to request a waiver.

The need for thorough analysis of the American dairy economy

Violent producer reactions to the economic problems confronting them, evidenced by wholesale milk dumping, signal the presence of fundamental economic problems in our dairy industry. There is a real need for impartial economic analysis to put the problems of the U.S. dairy industry more clearly into focus.

The Wisconsin Farm Bureau has cited the statistic that 84 dairy farmers a week were leaving Wisconsin farms. The dairy business does not seem to have brought adequate remuneration to compensate dairy farmers for the costs of doing business. It is estimated by the Agriculture Department that the return to the farmer is only about 50 cents an hour, and there has been an incentive to sell cows. In 1966, higher beef cattle prices coupled with dry weather and below average pasture conditions resulted in a low yield of milk production and dairy herds taken to slaughter. Combined with generally increased off-farm opportunities, where dairy farmers in some areas were purportedly being solicited by industries needing good labor, 1966 proved to be a year of real change for the dairy industry, both in the milk manufacturing and fluid milk sectors.

The Administration has now moved to cut off imports of items in the loophole categories. On April 3 the President requested the Tariff Commission to begin study of the problem. It is likely the Tariff Commission will recommend that the loopholes be closed. One troublesome element in the import area will be then removed.

But there is need for far more profound study. The Tariff Commission might have been requested to study the conditions of competition throughout the dairy industry, so that some broader analysis would be made available. This is necessary because it appears that the more fundamental problem is not an overabundance of imports put production incentives that have in the past several months resulted in excess milk production. In fact, analysis might show that the lower consumer prices now prevailing have resulted from greater production, and are possibly the root cause of milk dumping.

Proposal for a national study commission

To understand and deal with these quite serious and disturbing problems I recommend that a National Study Commission on the Dairy Economy be created to study and recommend solutions for the problems of the American dairy economy.

Among the problems the Commission might study are the following: The milk shed and milk marketing system, which some allege is conducive to monopolistic pricing. Another is how to organize farm production in order to provide adequate incomes for dairy farmers. The Commission could also profitably study the means by which dairy farming can become most efficient in terms of returns on capital and benefit to consumers.

One of the key elements of the U.S. dairy economy is the maintenance of our unequalled fluid milk supply system. The United States has been unusually fortunate in the development of its dairy products industry. We are perhaps the only nation with a fluid milk economy that can provide fresh and pure fluid milk in abundance in every part of the nation. To do so requires initial hygenic treatment and transportation, often over long distances, under hygenic conditions—costly undertakings. We need to study the costs of maintaining our fluid milk standards and the higher costs that maintaining those standards imposes on our manufactured milk products. This is the area in which we find the real cost differences between foreign and domestic production of manufactured milk products.

Domestic problems are international problems also

These are some of the elements of U.S. dairy economy that have made it difficult for the United States, and for other countries, to engage in international negotiation to provide more competitive conditions for international trade.

EEC common agriculture policy for dairy products

The EEC's farm program for dairy products has concentrated on finalization of the dairy common agriculture policy, which was initiated in November 1964. The transition period will end on April 1, 1968, when common prices will come into effect. The community-wide common milk price will be $4.67 per hundred pounds by that date.

Dairy production is important in the EEC: milk and milk products and dairy animals provide nearly one-third of EEC farm income. Milk alone is the most important source of farm income in the Community. The CAP on milk and dairy products thus has great economic and political importance.

The dairy CAP is founded on the price system that applies to grains—target prices protected by variable levies. Milk is the most important item in the CAP as it is the base for all dairy products. Thus the big initial effort of EEC dairy farmers was to achieve a high target price for milk. As a result the final target price is $.25 above that recommended by the EEC Commission to the Council of Ministers. So, starting from pre-CAP prices of between $3.54 to $4.76 per hundred pounds in various member countries, the EEC common milk price will end at $4.67 at dairy per hundred pounds.

Huge butter surpluses

To achieve the transition to the high common price by 1968 there has been a constant price rise which has resulted since 1964 in very large stored butter surpluses. To simplify the application of target prices to dairy products (including 400 kinds of cheese) all dairy products have been broken down into fourteen groupings for each of which a representative product, or "pilot product", has been chosen and from which levies for other items in each group are derived from the pilot product.

Proof of economic distortion: surplus and export subsidy

Increased prices have brought increased dairy production and surpluses. France, particularly, has a great latent capacity to produce and during the past two years French producers have responded to higher prices, by producing 11% more milk in 1966 than in 1964. Dutch production during the same period rose over 5%.

In order to help dispose of high-priced surpluses an ingenious export subsidy program has been devised, based on the so-called "free-at-frontier" price. Every two weeks the Commission sets the free-at-frontier price, which in theory equals a representative price for competing imported dairy products.

But, in fact, EEC free-at-frontier prices are more likely to be equal to the lowest world offering prices. For example, in the case of butter, EEC free-at-frontier prices in recent months have consistently been below prices on the London market, which accounts for 75–80% of total free world butter trade. In mid-December the EEC free-at-frontier prices for butter in London ranged from $3.38 to $.45 per pound.

The difference between the internal target price and the often very low free-at-frontier price is the element of EEC subsidy payment. Current export subsidies on butter paid by member states range as high as two-thirds to three-fourths of domestic wholesale prices, allowing some EEC countries to offer butter around the world at $.25 per pound.

Nonetheless stocks of butter have shot up. On July 1, 1966, butter stocks were at record levels with holdings in the six totalling 361 million pounds compared to 325 million pounds a year earlier, and an average of 243 million pounds for 1962–64.

Current projections conservatively placed the EEC milk surpluses at 2% of total production or 3 or 4 million pounds by 1970. Revised EEC estimates of dairy production published in the December 12, 1966, *Foreign Agriculture* bulletin of the Agriculture Department indicated that the exportable dairy products surplus will reach 1.8 million metric tons. These stocks will overhang international markets and threaten their stability because there will be pressures to unload or dump them through export subsidies.

Kennedy round negotiations

Against this background New Zealand has been pressing in the Dairy Group of the Kennedy Round for some sort of world agreement that would contain many of the elements that appear in the proposed grains agreement. A subcommittee of the Trade Negotiations Committee of GATT, which has 16 members: Argentina, Australia, Austria, Canada, Denmark, EEC, Finland, Japan, New Zealand, Ireland, Norway, Poland, Sweden, Switzerland, the United Kingdom and the United States. But there is such lack of agreement among the participants that in spite of a GATT Secretariat attempt to draft an agreement, there has been very little progress.

The dairy sector has importance because a few GATT participants, particularly New Zealand and Australia, depend on dairy exports. Without the promise of something to be gained these countries will have a reduced stake in the negotiations. The United States would be happy to see some acceptable progress because, as the focal point of much of the export interest of exporting countries, we would like to open EEC and other markets to dairy products to take the pressure off our own market. The U.S. would also have to be ready to review our own restrictionist policy toward imports.

But it would seem impossible for one country to liberalize dairy imports unless all do, and indeed, liberalization seems not to be the proper focus of negotiating efforts. Rather, the focus of world negotiations effort should be to enforce responsible surplus disposal policies and allow truly efficient producers to sell in world markets.

Looking around us, we see that the efficient producers like Australia and New Zealand are in danger of being forced out of their export markets by those who irresponsibly subsidize exports. The United States has produced surpluses, but it has stored them. When it has sold them under subsidy for commercial export, it has done so only in time of shortage and with moderation. Instead of dumping, the thrust of our disposal effort has been through donable programs both foreign, and, as in the case of school milk programs, domestic. We have even used military forces feeding as an escape hatch for dairy surpluses.

The record cited above shows that the EEC has on the other hand gone to unusual lengths to dump its surpluses to the detriment and disruption of efficient producers and the world market. It is against such subsidized exports that the U.S. needs its Section 22 quotas. Indeed, countervailing levies should be applied as permitted by U.S. law (the Tariff Act of 1930) and the General Agreement on Tariffs and Trade, to prevent sales of subsidized farm and manufactured products in U.S. markets.

Access and subsidy

The negotiations now revolve around two central questions: 1) how do efficient producers maintain access to their foreign markets in competition with subsidized exporters, and, 2) how do nations that find it necessary for political reasons to subsidize domestic production responsibly control and dispose of the excess production that results.

The dairy sector negotiations do not at this, eleventh hour, promise any solution of these two pressing problems. The interest of the United States is clearly in promoting world policies to allow efficient producers to keep and develop export markets, and in importing whatever quantities it can to benefit American consumers, without disrupting the supported domestic dairy economy.

But inertia dominates the international scene. There has been little progress to speak of in the dairy negotiations in part because there are but a few participants who want a change in the international status quo, and New Zealand has not concentrated its fire on the EEC, which clearly is a stumbling block because of its huge surpluses. Instead, it seems that increased access to the United States market has been the main objective, and U.S. Section 22 quotas on dairy products, clearly a minimal form of protection in comparison with the dairy policies of the EEC have become a whipping boy.

Conclusion—What purpose in international dairy negotiation?

If, as is likely, the Kennedy Round cannot change world dairy production and trade, it has at least provided a base for future negotiation in an area where problems are bound to get worse before they get better. But the political will must exist in order to bring international change.

This account of dairy trade shows the dairy sector as a case study of what happens to international trade when governments take control of national farm sectors. It demonstrates how difficult it is to conduct international negotiations when such conditions exist.

John O. Coppock, in his book published for the Council on Foreign Relations in 1961, titled "Atlantic Agricultural Unity: Is It Possible?" explained this thought well when he said on pp. 30–31:

". . . . 'cleaning up' agriculture and its pricing so that it can take its place in a generally competitive system, in which useful things tend to be produced in places where they can be produced most efficiently, requires a great amount of national housecleaning. Not very much can be accomplished by international negotiation so far as agricultural specialization is concerned at this point. Some people are destined to eat relatively cheap foods and some are going to eat expensive foods for some time to come, because past national policies have so dictated. Those policies cannot be changed radically simply by exposing them in an international forum.

"What can be done internationally at this time is to agree that farming should be brought back into a real, international economic world by some progressive steps in the direction of a unified market. It will take a long time, but the time to start is now, and the place to start is in national legislatures."

MEAT

The U.S. interest in negotiations on meats is to remove pressure on U.S. markets by imports from Ireland, Australia and New Zealand. But, because the U.S. has only incidental export interest, these exporters must be ready to take the initiative of pressing forward negotiations. Again, the focal point of the negotiations is the EEC.

The role of Argentina

Argentina is a major world exporter but Argentina's markets are primarily the European Community and the United Kingdom. Argentine beef, indeed, beef from any country south of Mexico, is not sold in the United States because of U.S. regulations against hoof and mouth disease.

Argentine beef is, therefore, not salable in the United States, but is salable in the Community, which is not concerned with this problem, in part because of the nature of the European hoof and mouth control program. In Europe cattle are innoculated to make them immune from the disease, therefore, imported beef will not infect their animals. In the United States, cattle found with hoof and mouth disease are eradicated. Humans do not contract hoof and mouth disease.

In the negotiations the United States would like to do what it can to help Argentina. Argentine beef is being gradually excluded from the Community market. In the United Kingdom, another Argentine major market, domestic meat production is being expanded at artificial prices, and the remainder of the market is left open to all sellers, and imported meat is sold there at dumping prices. Japan also has a closed market for meat.

Thus, the United States, the largest market for meat imports, becomes the most desirable market because there are no unusual restrictions and because of good prices obtainable here. But Argentina cannot sell to the U.S., and it is, therefore, "locked into" selling to the United Kingdom and the EEC, neither of which are "good" markets. Australia, in much the same position vis a vis the United Kingdom and EEC as Argentina, is forced out of the EEC and U.K. by Argentine exports, and therefore sells to the U.S.

World production and trade

The United States leads the world in production of red meat (beef, veal, pork, mutton, lamb and goat meat) at 19.7 billion pounds in 1965. The USSR was second with 16 billion pounds, and France, West Germany, Argentina and Brazil followed in that order.

The largest exporters of red meat are Australia and Denmark which each exported 1.5 billion pounds in 1965. Argentina was third with 1.14 billion and New Zealand fourth with 1.11 billion. These four countries accounted for 58% of world exports. By comparison U.S. red meat exports of 111 million pounds are insignificant. But, we have become the world's biggest exporter of livestock byproducts, such as tallow, animal glands, hides and skins, variety meats, and lard.

One of the smallest exporters, the U.S. is the largest importer of beef with 942 million pounds of imports in 1965, and the U.S. is a large importer of ham. The United Kingdom is second largest beef importer, and the largest importer of pork and mutton and lamb.

EEC import restrictions

The Community's market is the focus of the interest of the exporters—Argentina, Australia, Denmark, New Zealand and Ireland. According to statistics in the December 27, 1966, edition of the Common Market Farm Report, EEC imports of cattle and beef products from all non-member countries were $198.4 million in 1958, $180.9 million in 1961, $496.1 million in 1964, and $567.4 million in 1965, or about 10% of the EEC's agricultural imports in 1965.

The United States has little interest in the Community as a market, although there is a potential market in the EEC for U.S. beef. According to statistics compiled by the Bureau of Census, U.S. exporters of beef and veal to the EEC were $64,000 in 1962, $169,000 in 1963, $1.3 million in 1964, $2.6 million in 1965, and $900,000 in 1966. But these exports, particularly in 1964 and 1965 were the result of EEC internal shortages rather than low-priced U.S. products. In 1964 the EEC lost many head of cattle as a result of a bad winter and other conditions. Thus, in 1964 and 1965 the EEC needed meat and may not have enforced its restrictions strictly.

For beef and veal the EEC has developed a unique variation of the variable levy system of border protection called the guide price system.

The guide price, on which the pricing system is based, is set at a level considered by the Community to be remunerative to its meat producers. It is not a guaranteed price but a price at which governments are to aim in any given year and from which the intervention price and the variable levy are derived. The system also incorporates tariffs. On April 1, 1968, the common guide price will come into effect and a common external tariff will be set at 16% for live cattle and 20% for red meat.

The guide price system explained

The guide price system works as follows. When the weighted average of domestic prices exceeds the guide price by 5%, customs duties only are applicable to the import. When the weighted average of domestic prices falls below the guide price, a supplementary levy is added to the import duty to bring the price of the import even with the guide price. Thus, the supplementary levy is equal to the difference between the guide price, and the import price plus customs duty. Finally, when the weighted average of domestic prices is anywhere between the guide price and 105% of the guide price, *half* the supplementary levy is added to the duty.

Trade in beef and veal between member states of the EEC will also be regulated by the guide price system until April 1, 1968. The levy vis a vis EEC members is, however, lessened automatically by 5%, which gives member states a preference within the Common Market.

The guide price system is complicated, and extremely restrictive, according to the Argentine exporters who have experience dealing with it. Outsiders can enter the EEC market at relatively low prices if the EEC producers are continuing to get high prices on the market for their meat, but these prices have been lowered. The worst effect of the system is the uncertainty it creates about the cost of the exported meat when it reaches the EEC.

PROSPECTS

The EEC itself projects that by 1970 it will require imports of 431,000 metric tons of beef and veal, in order to fill the "consumption gap". Department of Agriculture Economic Research Service Bulletin 139 of February 1966, agreed that "in the years after 1966 meat consumption is likely to continue to rise . . . In contrast, beef production is likely to remain below trend for some time as production recovers from the recent decline. Consequently, for several years EEC meat production will probably not be able to narrow appreciably the consumption gap—and meat imports will remain high."

The U.S. meat import quota

The U.S. and other major exporters of the Meat Group would like to obtain through negotiations a meat agreement whereby other major meat importers would provide access to their markets comparable to that given meat exporters to the U.S. market under the U.S. flexible quota system.

The U.S. Meat Import Law (P.L. 88–882) passed in 1964, applies to fresh, chilled, or frozen beef and veal, mutton, and goat meat. During the past three years, 87% of U.S. imports of these meats were of this kind, the remainder largely canned meat plus small amounts of sausage. In 1965 92% of the chilled and frozen meat imported was beef, and the remaining 8% was mutton, veal and goat meat, in that order.

The U.S. Meat Import Law provides that the total amount of meat imported into the U.S. during any calendar year after 1965 should not exceed 725 million pounds except as this quantity is increased or decreased in accordance with changes in domestic commercial production of these meats. Thus, there is a factor for growth of imports in relation to growth in consumption, a factor that is not present in U.S. dairy quotas.

How the flexible U.S. quota system works

This base quantity—725.4 million pounds—represents the average annual quantity of imported meat during the five years 1959–1963. By comparison, average U.S. production of the same meats was 15.7 billion pounds during the same period.

The U.S. law also specifies how the quota amount should be fixed. For example, for calendar 1964, 1965 and 1966, U.S. commercial production of beef, veal, mutton and goat was an average of 19.3 million pounds, or 22.7% more than the 1959–1963 average.

To calculate the quota quantity for 1966, for example, the base quantity of 725.4 million pounds was multiplied by 1.227 allowing a resulting quota of 890.1 million pounds. Then the quota quantity is multiplied by 110 to arrive at a "trigger amount" of 979.1 million pounds. The trigger amount must be reached before the quota comes into effect. In 1966, imports of meat subject to the act were about 823 million pounds. Foreign meat purchases by U.S. forces in Europe and Southeast Asia are not included in these figures.

The trigger amount estimated by the Secretary of Agriculture for 1967 is 995 million pounds, on a base quota of 904.6 million pounds.

Are U.S. meat quotas unwarranted?

The United States meat import quota limit has not yet been reached by imports. In a sense the U.S. quota can be characterized as a mild defensive measure to ensure against imports that might "disrupt" the U.S. market. Given the world market conditions described above it is probably desirable that the quota remain in application. The United States is the only producing nation that does not support its producers, yet all over the world the conditions of production and marketing are highly regulated. It would indeed be unfair to let United States producers be seriously injured by meat imports. The U.S. meat import quota is not offensive in practice and in fact may be a good defensive measure, though the circumstances in which it was enacted prevented thorough study of the import problem and understanding of its causes.

Balance of U.S. advantages

The status quo in world meat trade is distinctly harmful to the exporting countries, and the United States. Clearly the guideprice system has hurt exporters. According to the Government of Argentina, the guide price system has almost demolished the EEC as a meat export market, with the partial result that Argentine meat exports are directed at the United Kingdom market, which in turn forces Australian beef away from the U.K. into the U.S. Thus the U.S. interest is clearly involved. According to a note delivered by the Government of Argentina to the EEC representative in Buenos Aires, "the excessive increase in the guiding prices for 1966/67 would inevitably have substantial adverse repercussions as affecting Argentine sales of beef to the EEC countries . . ." to the "point that exports of beef and veal from this country to the EEC countries are today virtually at a standstill."

What is causing the gravest apprehensions in Argentina is the "increasing severity, exceeding all reasonable bounds, of the regulation and mechanisms by means of which imports of beef by the European Common Market countries will be controlled."

The U.S. should, therefore, try to assist in efforts to alter the EEC system through negotiation so that Argentine access is maintained, and it should try to increase exporters' access to other markets like Japan. Thus the United States' interest is not as an exporter, but as a producer and importer that wants to continue to import but does not want to become the only unregulated world market, and, therefore, bear the burden of the uneconomic practices of other importers.

The negotiating situation

As in grains and dairy products, there has been established under the GATT Trade Negotiations Committee a Meat Group, which includes Argentina, Australia, Austria, Canada, Denmark, EEC, Japan, New Zealand, Ireland, Norway, Poland, Sweden, Switzerland, the United Kingdom, the United States, Uruguay, and Yugoslavia. The discussions have focused on beef and veal (excluding variety meats), but have not included pork. They seem to have narrowed now to frozen beef.

The initial effort in the negotiations was to obtain a world market agreement. Initiative for this effort came from the European Community, which wanted to establish a world reference price system, or a system based on the so-called montant de soutien. As in other areas, therefore, the EEC did not essentially observe the objective of the negotiations which was to achieve greater expansion of trade, not to create world commodity arrangements.

Other participants rejected the reference price system, and negotiations have not, therefore, progressed on the basis of the idea of a world arrangement. The United States has proposed that other importers grant access to their markets comparable to that the U.S. gives under its flexible quota system. This approach would have satisfied the objectives of Australia and Argentina and of the United States. As a result of the failure to achieve this, Argentina and Australia have been engaging in bilateral negotiations with the EEC and Japan which, it is believed, hold some hope for assuring their access to these markets. If these negotiations promise to provide access for these two countries and, therefore, to relieve import pressure on U.S. markets, the United States should attempt to further them.

EEC sanitary regulations—A potential nontariff barrier

Negotiations with the EEC have met with a special problem: Community sanitary regulations regarding imported meat. According to the Special Representative for Trade Negotiations at hearings of the Senate Select Committee on Small Business in September, 1965, EEC will require that other countries satisfy these regulations to the letter. This would create an impossible situation. Ambassador Roth said:

"We . . . allow other countries to have regulations that would be of equivalence, would be equally effective. But they do not have to be exactly the same. And, therefore, we are currently having discussions with the Community on this, because if they insisted that our sanitary regulations have to be exactly the same as theirs, this would create an impossible barrier to trade."

The EEC Council of Ministers has not discussed the Commission's proposed sanitary regulation. In the meantime, the U.S. must bend every effort to obtain formal assurance from the EEC Commission and from the member committees that U.S. and other countries' sanitary regulations, that at least have equivalent effect, will suffice. The U.S. has only a small export interest in meats, but it is worth protecting and encouraging.

TEMPERATE ZONE PRODUCTS

With the completion of my account of the grains, dairy, and meat sectors I have disposed of those items where the tactical approach of the agriculture negotiations has been exclusively sectoral, conducted in negotiating groups convened to discuss a single product.

Yet many agriculture products, in several of which the United States has a very large export interest, remain. These are handled for negotiating purposes through the GATT Committee on Agriculture, another subgroup of the GATT Trade Negotiations Committee. The range of commodities actually treated in this committee is entirely dependent on the offers tabled and exceptions are held in secret by the negotiators, and so the commodities to be negotiated in this Committee are not supposed to be known. But, it is nonetheless well understood that the U.S. offered duty reductions on a very extensive list of its agricultural imports.

Products other than grains, dairy, meat, and "temperate" products are handled in the tropical products group, which I will also discuss below. As it is true in the grains, dairy, and meat sectors, the EEC common agriculture policies are the single greatest area of U.S. interest and concern in the Kennedy Round negotiations on these temperate products as well as tropical products.

Items of U.S. export interest

Among the items of greatest U.S. trade interest worth discussing here are poultry, fruits and vegetables and preparations thereof, and "sugar added" to canned and frozen fruit and fruit juices. Various types of EEC market organization apply to these products. Fruits and vegetables fall under the reference price system, a variation of the true variable levy system that I have not yet explained, as does poultry. Tobacco, in which the U.S. has a large export interest might, it is reported, be threatened by creation of a common agriculture policy (CAP) based on a system that would give EEC producers a deficiency payment to encourage them to take EEC leaf tobacco off the market. Though the EEC is not the only market for U.S. exporters of the above products, it is a major market. And because the EEC presents the greatest difficulty for improving or even maintaining U.S. exports of these items, much of the following discussions will again focus on the trade restrictive practices of the EEC. I can only assure readers that this emphasis is fully justified.

POULTRY

By 1962 the economic efficiences of U.S. poultry production had resulted in large and increasing volumes of inexpensive poultry exports to the countries of the European Economic Community. There a large market, deprived, particularly in West Germany, by high prices, responded voraciously.

Per capita poultry consumption in the Common Market countries had increased almost twice as fast as in the U.S. between 1955 and 1960, but even by 1960 it was still less than half of per capita consumption in the United States.

Substantial U.S. export interest

United States poultry exports to the world, according to Agriculture Department data, totalled $57.4 million in 1961; $83.8 million in 1962; $54.2 million in 1963; $63.5 million in 1964; $55.3 million in 1965; and $58.4 million in 1966. Almost all of the increase in 1962 was accounted for by imports to West Germany. West German poultry imports jumped from $22.2 million in 1961 to $52.6 million in 1962, then fell back to $22 million in 1963. At the same time that the share of the West German market held by the U.S. dropped from 31% in 1961 to 19% in 1963, the share of the five other EEC members increased from 31% to 49%. The discrimination has particularly affected U.S. exports of whole "broilers" which accounted for nearly two-thirds of our trade with the EEC prior to the poultry CAP, and totalled only about 4 million pounds in 1965. U.S. trade interest in chicken parts and turkeys remains.

The poultry levies were the first instance in which the effects of the long-awaited common agriculture policy were witnessed, and it was a shocking experience indeed. The President of the United States was compelled to take compensatory action as provided under the General Agreement on Tariffs and Trade. But the damage was not undone by U.S. compensatory action—U.S. poultry exports to the Community have dwindled steadily, as the "great" chicken war of 1962 has been succeeded by the "second" chicken war of 1965 to the present. Today, U.S. export markets are threatened not only by subsidized foreign sales in third markets but by possible new restrictions on our markets for chicken parts in the Community.

The "sluice-gate" system for poultry

The common agriculture policy applied to poultry and eggs is enforced at the border by the *sluice-gate price system. This system* also is used to protect pork and a variation of it, to protect fresh fruits and vegetables. Totally the system applies to about 19% of EEC agricultural imports and may be extended to apply to more. On July 1, 1967, intra-community restrictions will disappear, and there will be a common market between members on pork, eggs and poultry based on the sluice-gate system.

For the outsider the sluice-gate price is a minimum import price, a price below which imports would automatically "disrupt" the domestic market. There are several elements in the EEC sluice-gate price system that make it different from the true variable levy and the guide-price systems. The entire "levy" under the sluice-gate system is made up of three parts: the supplemental or variable levy component; the fixed "incidence of feed grains" component, and the "EEC preference" component. The sluice-gate price itself is theoretically based on prices of the most efficient producers.

The supplemental levy is charged only when imports arrive at the border with freight and insurance included in the cost and are cheaper than the sluice-gate price. The "incidence of feed grains" is the remainder obtained after subtracting the cost of feed grains in the EEC market from feed grain prices on the world market. The third tariff component, the "EEC preference", is a fixed tariff designed to ensure a margin of preference to Community producers. This margain will be set at 7% of the sluice-gate price applied in the previous year.

How the sluice-gate system works

In the theory the system works as follows. When the c.i.f. price of the import is above the sluice-gate price, only the fixed "tariff" components, i.e. the incidence of feed grains and the EEC preferences, are applied. When the c.i.f. price is below the sluice-gate price, the supplemental or "variable" levy is applied to bring the c.i.f. price up to the level of the sluice-gate price where it is further *increased by the two fixed tariff components.*

But in practice the system has come to be applied differently. Under the system, as initially applied, importers soon began to price their exports so that the c.i.f. price would exactly coincide with the sluice-gate price. Importers knew that if the c.i.f. price was cheaper the levy would be applied to raise the price to the sluice-gate level. They decided that they, rather than the Community, would take the difference. Thus the sluice-gate price on which the system was based quickly became artificial, and the EEC found it necessary to find a new basing price. They chose the Danish export price, which had become the most competitive because of Danish attempts to retain their old EEC markets by continually lowering their price. Because . . . the sluice-gate price was then based on the Danish price it kept falling too, squeezing out U.S. poultry imports.

History of the poultry wars

The attached table summarizes the effect of the sluice-gate price system on U.S. poultry and egg export to the EEC in 1960:

U.S. exports of poultry to the European Economic Community

[In millions of dollars]

	1960-61	1961-62	1962-63	1963-64	1964-65
Broilers and fryers	16.5	38.2	13.1	12.7	7.0
Stewing chickens	6.1	10.9	4.4	7.8	4.6
Turkeys	5.3	1.2	7.9	9.6	12.8
Canned poultry [1]	1.3	1.7	1.6	3.0	3.9
Other	5.9	5.9	3.2	2.7	3.0
Total	35.1	65.9	30.2	35.8	31.3

[1] The tariff on canned poultry is bound under GATT at 21 percent ad valorem.

Source: USDA, "Foreign Agricultural Trade of the United States."

It can be seen from this table that U.S. exports to EEC have been severely restrained. Not only has the U.S. lost EEC sales, so also has Denmark. West Germany's suppliers are now other EEC members, primarily the Dutch, whose broiler shipments to West Germany climbed from 85 million pounds in 1963 to nearly 200 million pounds in 1966, or 70% of German broiler imports, as compared to 37% in 1963. EEC members supplied 92% of the West German imports by 1966.

Effect of U.S. retaliation

That the United States took compensatory action against the EEC poultry levies consistent with the General Agreement on Tariffs and Trade is well known. Acting on the advice of a GATT panel that the value of U.S. trade affected by the restrictions on poultry amounted to $26 million, the President, under authority in Section 102 of the 1962 Trade Expansion Act and in accord with Article XXVII (3) of the General Agreement itself, proclaimed that tariff concessions made under trade agreements on brandy, trucks, dextrine and potato starch were suspended. Under the most-favored-nation principle these suspensions or increases of duty applied to all suppliers of these items. But it was made clear at the time that the tariff concessions were suspended, not withdrawn, and that they can be reinstated when access for U.S. poultry is restored.

The drawback of this type of retaliatory action is that it does not hurt the foreign sector being protected from imports and does not help the domestic industry being harmed. U.S. retaliatory action didn't improve U.S. poultry access, instead, it in a sense "wiped the slate clean". The EEC outlandish poultry levies and internal policies remain in force. The U.S. retaliatory action principally hurt sales in the U.S. of Volkswagen buses and helped U.S. bus manufacturers. The tough U.S. stand has certainly not altered the attitude of the EEC toward subsidizing its poultry exports, unfairly preempting third country poultry export markets, and thoroughly disrupting the traditional patterns of world trade in poultry.

The politics of glut

The result of the poultry CAP, the exclusion of low-price imports, and the maintenance of high internal prices, has been ungovernable surplus and market disruption, and, in France, even rioting.

Shielded by the import levy, and further encouraged by rapid technological advances, broiler output in the Community has expanded rapidly. West German broiler production nearly quadrupled since 1962, Netherlands production increased three times, and French poultry meat production grew by about 100,000 metric tons in 1966 alone, or by one-fourth over the previous year's production. Italian production almost doubled from 1962 to 1966.

Production surges combined with low rates of increase of domestic consumption have resulted in decreasing prices to producers. Netherlands has become the most competitive supplier. Even so, prices to Netherlands producers dropped to about $.18 in the fall of 1966, while export prices fell only to about $.32 in Germany after payment of the German duty and a turnover tax. This price is lower even than German producers can offer. It is well below the $.39 the French can offer in Germany. The result is that German and French producers in particular have lost their biggest internal market, and they have generated large surpluses. To dispose of these surpluses export subsidy programs using the most offensive system, automatic subsidies, have been launched.

Overproduction brings export subsidy, subsidy brings world market disruption

In 1966 German broilers were exported to Switzerland for the first time under a subsidy of over 9 cents a pound, which was increased by a "temporary" amount of 4.5 cents a pound. Thus German, French, Netherlands, and Belgian exporters are now permitted to pay a total of 13.6 cents, 11.3 cents, and 10.7 cents a pound respectively on subsidized exports to non-members.

And Danish exporters, in order to keep their markets against low Dutch, French, and Belgian prices of 20 to 21 cents per pound offered in the Swiss and Greek markets, have been forced to lower their export prices and raise the home market fee levied on domestically consumed poultry. As a direct result, between 1962 and 1966 the U.S. share of Swiss poultry meat imports declined from 51% to about 7% and from 51% to 12% of the market in Greece.

After much deliberation, the U.S. response was to subsidize its exports to Swiss and other markets. No U.S. export subsidies were paid in 1966, however, and because of higher U.S. prices the spread between the U.S. price and foreign prices became so great that the cost of the subsidy would have been too great. Now, however, U.S. poultry prices seem to be weakening. There may again be pressure from U.S. producers to subsidize poultry exports. This should not be done without first considering what U.S. policy in the farm sector should be after the Kennedy Round.

How the consumer suffers—A better EEC policy

Much of the chaos in the EEC poultry market would probably have been avoided had consumer prices been kept low. This is reflected in consumption patterns. Most probably German and other EEC producers could have experienced growth of domestic markets had they kept import charges reasonable and had they passed on production cost reductions to consumers. Instead, consumer price levels have been increased under the poultry CAP by about 5 cents a pound since mid-1962, production has expanded rapidly and surpluses have been relieved by subsidized exports, to the great disadvantage of the U.S. and Denmark. The EEC consumer has borne the high cost of subsidy and protection, much to his disadvantage.

The story of the poultry market is an old one in essence. It is a case study of economic inefficiencies that can result when policy is dictated by a misguided conception of the national interest as deference to the short-term interests of farm sectors.

Negotiating deadlock

The EEC market situation is reflected in the nature of the EEC Kennedy Round offers on poultry and eggs, which it finally tabled as late as December 22, 1966. The EEC offer, which I cannot describe in detail here, was made entirely in terms of its own system. It does not represent any dollar value to the United States; it does not reduce the level of protection.

The United States has represented to the Communty that this is not an acceptable offer, either in commercial terms, or in terms of the agreed objectives of the Kennedy Round negotiations.

The Community attitude toward U.S. poultry exports is perhaps demonstrated by the French position on U.S. chickens. France will not permit importation of our chickens allegedly—and amusingly—because they believe they carry hormones damaging to the health and virility of the Frenchman. This fear is based on U.S. feeding practices which use antibiotics and hormones to produce large, healthy chickens. This claim, which cannot be proven, has been a meaningful psychological other-than-tariff barrier. As a point of fact, the U.S. poultry industry has refrained from using any hormones that could have such harmful effects.

What U.S. objectives should be

The U.S. objective is to obtain sufficient reduction in the total amount of EEC protection so as to make our poultry competitive again in EEC markets. We should also want to make an agreement that would enable us to cease subsidizing our own exports to third markets by minimizing and controlling, or "binding" the element of export subsidization permitted by the EEC, if it is not possible to obtain agreement that there will be no export subsidization at all. Other non-EEC exporters who subsidize exports should be included in such an agreement.

Effective rates of protection provided by the sluice-gate system for at least West Germany, as expressed in percentages, are now very high—unconscionably high. For example, the percentage equivalent duty for broilers is 50%, for stewers is 70%, for chicken backs and necks is 100%. Simple economics should dictate to the Community the wisdom of modifying its CAP on poultry to introduce lower consumer prices and more efficient use of resources in the farm sector.

The U.S. does not ask for any type of favored entry. We ask to be allowed to compete for commercial markets in strong, industrialized economies. We do not subsidize our own poultry production. It is efficient because it has become highly scientific. There can be no valid argument that it is necessary to subsidize EEC poultry because U.S. poultry production is artificially competitive.

The EEC defense to U.S. and other nations' criticisms is that the sluice-gate price system has encouraged greater Community production, which acts as a dynamic income factor within the Community, creating more imports than it displaces in the long run. However, this argument is not borne out by the evidence. Facts are that it has encouraged an over expansion of production in the Community.

A second argument is that the U.S. has more than compensated for its loss in the poultry import market through its augmented exports of feed grains used to feed poultry in Europe. This may be true, but it is at best a superficial and meaningless argument. A country should have the opportunity to export any product which it produces efficiently.

The goal of all nations' import and export policies should be to introduce greater economic efficiency in the flow of trade and the use of economic resources. We cannot seek to justify extreme distortion in one area because it produces profits in another. The Kennedy Round should be seen as an incentive to fair competition, based on production efficiencies, and these considerations should apply to poultry trade as well as to trade in all other farm commodities, and in industrial products.

FRUITS AND VEGETABLES

United States exports of fruits and vegetables and preparations thereof are a very substantial part of total United States agricultural exports. In 1965, exports of both were $468 million and in 1966 exports were $491 million.

Rapid economic growth and increased purchasing power in Japan and Western Europe have stimulated the demand for fruits in these areas, but increased self-sufficiency in *EEC fruit production has limited the* expansion of United States exports. Further, fruit production for export has been increased by Australia, South Africa, Japan, Spain, Italy, France, Greece, Argentina and Chile, thus narrowing the United States market.

Improved transportation and increased purchasing power in the industrialized countries have encouraged United States exports of vegetables and preparations. Canada continues to be the best foreign market for our vegetables because of its proximity. Exports of canned fruits and canned vegetables declined from 1965, fruits declined by $7.5 million and vegetables by $3.6 million, as a result of poor crops in 1964–65.

European Economic Community as market for U.S. production

After Canada, the European Economic Community is the biggest importer of United States fruits and vegetables. European Economic Community imports from the United States were $91.1 million in 1962; $97.3 million in 1963; $84.5 million in 1964; $99.6 million in 1965 and $87 million in 1966. Of total EEC imports of fruits and vegetables, estimated at $480 million in 1964, the United States had a large share, about one-quarter.

Fruits and vegetables accounted for only about 8% of the Community's agricultural imports in 1964–65. The EEC can supply its consumption needs in vegetables but will not be able to do so in fruits. In the period 1962–63, EEC vegetable consumption was less than production; fruit production was about 3 million tons less than consumption. Thus, if market conditions in the EEC are allowed to prevail, a good market for foreign suppliers will continue.

EEC common agricultural policy for fruits and vegetables

The CAP for fruits and vegetables, established by Community Regulation 23, is the reference price system, a variation of the sluice-gate system described above as it applies to poultry.

Initially, the Community did not intend to adopt price controls and import controls for fruits and vegetables. But, in demonstration of the theory that Community policy seeks the highest common denominator of protection among its members, the reference price system was adopted on July 1, 1965, at Italy's insistence. As part of the Community agreement in December 1964 on the unified grains price, Italy extracted from her partners an agreement in principle to strengthen the reference price system in order to provide greater protection for her fruits and vegetables.

There remains strong opposition to higher fruit and vegetable prices in Benelux and Germany, but the modifications introduced in the system in 1965 have in fact resulted in higher prices. Thus the future possibility that compensatory levies will be applied to United States and other imports becomes greater, especially because the method of calculation of the reference price contains a built-in upward bias if the system is to effectively increase consumer prices in the EEC.

Nature of the reference price system

The "reference price" in the system for fresh fruits and vegetables plays a role similar to the sluice-gate price in the common agriculture policies for pork, eggs and poultry—it is a minimum import price.

The reference price is calculated on the average price over a three-year period in those producer markets in the Community where price levels are the lowest.

If a product is imported at a price lower than the reference price a levy is added equal to the difference between the reference price and a calculated entry price for the imported product. This price is based on previously recorded prices in certain EEC internal markets in previous days.

The system operates in such a way that the exporter can never know the amount of the levy that will be added by the time the import reaches the EEC. And the levy is discriminatory—that is, it does not apply across the board to all imports of the item from all countries, only to the "offending" shipments. To date levies have not been applied to U.S. exports.

Therefore, the system as now operated violates Article I of GATT requiring that signatories adhere to the most-favored-nation rule. This situation has implications which are troublesome for the United States. Were we to act to eliminate this illegal discrimination the levy would no doubt be applied to all imports. Then, it is feared, we would be caught in the same position in which we find ourselves in poultry. Low cost Mediterranean suppliers of fruits would take the role of Denmark in the system, and we would be squeezed out of our markets.

How U.S. exports will be affected

Fresh fruits of primary U.S. export interest are oranges, lemons, grapefruits and apples. Grapefruits are excluded from the reference price system but the other three fruits are included. In no case has a compensatory levy under the reference price system been applied to a shipment of these fruits, though it is thought that at one point during the summer of 1966 the import price of the U.S. lemons actually fell low enough to trip the trigger on the system and allow a compensatory levy to be imposed.

But the EEC did not take this step. It is not even known with certainty that the U.S. price fell below the reference price. Though the landed duty-paid prices of U.S. lemons are normally higher than those of Italy, a favorable reputation and internal shortages in the EEC market have enabled the United States to sustain its high-volume sales. Of course, the essential reason why compensatory levies have not been used is that prices of U.S. fruit delivered in the EEC markets are normally higher than Community prices.

The position of U.S. Exporters, as represented by the U.S. National Fruit Export Council, is that the reference price system, if not illegal and contrary to the letter of GATT, is certainly contrary to its spirit. The system produces uncertainties as to what the landed duty-paid costs of agricultural imports will be, and as a practical matter will likely lead to diminished agricultural imports into the Community from non-EEC sources.

The reference price system for fresh fruits and vegetables requires such an extensive market information system that for importers to know market conditions would require the U.S. (and other interested governments) to maintain a data collection agency as extensive as that of the Community. What this means for trade negotiations is important. It means that, though the EEC might give us bindings on reference prices we could never know whether the EEC is in practice observing its commitments.

Further, GATT tariff negotiation agreements are not suited to dealing with flexible, ever-changing systems. Traditionally they register negotiated changes in fixed percentage figures only. So GATT does not police its own agreements.

Still another drawback is that the "alarm clock" of the international trading system, the commercial traders themselves, will not realize the causes of changes in prices. They might not sound the alarm to their governments because they might tend to acept certain costs as costs of doing business.

Negotiations in the Kennedy Round

It has been reported in the press that the EEC offer, tabled as late as December 22, 1966, is to bind in GATT the reference prices for 1966/68, increased by about 9%.

This offer cannot be considered satisfactory. In effect it consists of a binding of the reference prices, but only temporarily, and only after they have been increased by 9% to make them more likely to rise above import prices perhaps, it is reported, as a "sop" to Italy.

The offers are again made entirely in terms of the EEC system, a system which is not acceptable under GATT rules, nor acceptable in economic terms. If the United States cannot succeed in modifying the system in a meaningful way perhaps the best course would be to indicate to the EEC that it will be necessary to seek redress under GATT.

Such action is possible in the fruits and vegetables sector because in the Dillon Round the U.S. obtained bindings on EEC rates of duty on all fruits and vegetables except lemons. If the amount of the levy rises above 14% then the EEC would in effect be violating these bindings and it would be possible for the U.S. to seek redress in GATT.

The United States is an efficient producer of fruits and vegetables. There are no support programs, though on occasional and infrequent instances when there have been unusually heavy crops government has purchased to prevent glut. The threat to the U.S. producer's export market in the EEC is evident and unwarranted.

SUGAR ADDED

Closely related to the fresh fruits and vegetables sector is the problem of proposed variable levies on "sugar added" to canned, frozen, or preserved fruits and fruit juices imported by the EEC. This is a difficult and complex problem, and it relates to an issue unsolved in the Dillon Round. It is of importance for U.S. agriculture because it affects U.S. exports amounting to about $40 million a year.

U.S. export stake and good potential

United States exports of canned fruit to the Community were led by peaches with a value of $14.6 million in 1965, canned pineapples worth $9.9 million and canned fruit cocktail exports worth $7.1 million. All canned fruit exports were valued at $35.9 million in 1965, and exports of frozen cherries rose from almost nil in 1964, to $847,000 in 1965 with estimates of good growth potential.

Other European countries levy duties on sugar added but they are not excessive. Sweden levies a duty of 43 cents per pound of sugar added only to fruit juices, and the United Kingdom has a minimal charge, as does Norway. The dutiable treatment of sugar added therefore becomes a real problem only with relation to the European Community.

Threat of future injury

In August 1966 the Commission announced that an additional duty would be levied on sugar added, and that the duty would be in the form of a variable levy. The Community has never finalized the proposal: it remains a shadow in the background. Were it to be finalized, present fixed import duties would be converted into variable levies which would be responsive to changes in the world price of sugar. This would be highly destructive to U.S. export trade, since the exporter would never be able to calculate the rate of levy applicable to his fruit when it reached European ports.

Some Dillon round leftovers

In brief the sugar added problem is as follows. In the Dillon Round the United States attempted to negotiate with the EEC the rate of duty that would apply to sugar added to canned and frozen fruit and juices. The EEC wanted to generalize the taxation of sugar added, at that time used only by Benelux, to all the members of the Community, and it wanted to tax the sugar added to that canned fruit at the full rate by which it taxed imported sugar, or 80% ad valorem, instead of the graduated rates provided for under the Benelux tariff.

The result of negotiations in the Dillon Round was that the sugar added taxation was generalized and incorporated in the common external tariff (CXT) and that the 80% rate was agreed to be applied to the sugar added, in exchange for an element of "tolerance" of 6% of the sugar added to natural sugar in canned fruit, and a reduction by several percentage points in the common external tariff on certain items.

"Sugar added" explained

The EEC has never applied the 80% ad valorem rate to the sugar added content of imported canned and frozen fruit and fruit juices, in spite of the fact that it could have done so. If it were to do so, the result would be a relatively slight increase in the ad valorem equivalent of the duty on canned fruits. For example, the increase on a case of canned fruit cocktail with 13% sugar added above the natural sugar content would be from about 25% to about 27% ad valorem.

If the variable levy were also to be applied then the ad valorem equivalent of protection would be about 33% for the same case of canned fruit cocktail. This would be an effective increase of about 8 percentage points and it would be a variable levy. The effect on U.S. exporters would be serious.

The reason for the increase in the latter example is found in the amount of the variable levy. The levy is calculated on the difference between the EEC threshold price and the world price at any given moment in time. This difference, when assessed on the amount of the sugar added in the case of canned fruit, would yield a larger duty. It will certainly do so if internal support prices for sugar in the EEC remain as high as they have been. Its result would be that U.S. processors, besides paying the U.S. price for each pound of sugar in a case of fruit would also have to pay an additional element representing the difference between the world price and the EEC price of the same sugar.

U.S. negotiating position

The U.S. fruit industry stands to be harmed by the EEC proposal. The U.S. fruit and vegetable industry and the canning industry are not supported by U.S. domestic farm policy. It is an efficiently operated, economical industry. Therefore, Europeans cannot make a case that their protective devices are somehow justified by the existence of U.S. supports which artificially stimulate U.S. production and therefore exports.

The United States seeks a reduction in the present duty which is bound at 25%, and an exemption from levies of a reasonable tolerance reduction in trade barriers, rather than accept the EEC system, the U.S. interest would most clearly be to invoke remedies under GATT, even given the drawbacks of item-by-item retaliation. The effect of the variable levy on sugar added in each case would be an effective increase of CXT rates bound to the United States on a most-favored-nation basis and formalized in the Dillon Round of GATT negotiations. Other countries maintain barriers on U.S. canned fruit exports. Canned fruit cocktail has been a particular problem in the past with the United Kingdom.

NEW EMPHASIS ON TRADE NEGOTIATIONS WITH DEVELOPING COUNTRIES

Awareness in the United States of the need to shape future GATT trade negotiations to encompass trade problems of less developed countries (LDCs) resulted in Congress enacting new authority in the 1962 Trade Expansion Act for this purpose. The new provisions enabled the United States to enter negotiations with the LDC's to increase their exports, but also allowed a certain flexibility in the requirement for reciprocal concessions from the LDC's themselves.

Authority to negotiate specially on tropical products (sec. 213)

The new authority for treatment of LDC trade is contained in Article 213 of the Trade Expansion Act (P.L. 87–794) relating to tropical agricultural and forestry commodities. It provides that for articles for which the President determines that more than one-half of the world production is grown between 20 degrees north latitude and 20 degrees south latitude, the President can reduce the U.S. rate of duty by more than 50%, upon certain conditions.

The conditions are: (1) that the like article is not produced in significant quantities in the United States; (2) that the EEC "has made a commitment with respect to duties or other import restrictions which is likely to assure access for such article to the markets of the European Economic Community," and that such access given by the EEC must be *comparable* to the access the United States give the article, and (3) that EEC will accord the same degree of access for the products of all free world countries. A further provision in the 1962 Trade Act was that reductions of tariffs under Section 213 need not be staged over a five-year period, a "staging" that is required for other tariff reductions.

Section 213 therefore had a dual purpose. By giving the United States the power to allow certain LDC exports to enter the market duty-free without staging, it would pressure the Community to give such exports similar treatment. Second, it would have negated discrimination against nonmembers of the Community's Yaounde Convention, the treaty under which eighteen African countries have become economically associated with the European Community.

Tariff Commission narrows scope of negotiable tropical products

Section 213 directed that the President act on the advice of the Tariff Commission when determining that items in the U.S. Tariff Schedule were subject to negotiated reduction under the Section 213 authority. When it made its determination, the Tariff Commission applied the criteria in the law strictly. Only 36 tariff items, of relatively small trade value, were determined to be eligible for Section 213 negotiation. These were published in the so-called "public list" in October 1963. A list of these tropical products follows, including U.S. rate of duty and amount of import trade in each item in 1964. (Data referred to will appear in full in text as printed in CONGRESSIONAL RECORD; following is abbreviated list.)

Dasheens, Coconut Meat, Brazil Nuts, Cashews, Cashew Apples, Guavas, Papayas, Copra, Kapok Seed, Palm Nut Kernels, Palm Oil, Balsams, Gum Arabic, Tonka Beans, Vanilla Beans, Hardwood, Split Bamboo, Coco Leaves, Clove Oil, Cornmint & Peppermint Oil, Patchouli Oil, Sandalwood Oil, Vetivert Oil.

The narrowness of the tropical products (Section 213) list minimized one of the great chances to increase access for LDC primary products and eliminate EEC discrimination in favor of its associated African countries. Certainly Congress intended that Section 213 be used in a meaningful way. The fault probably lies in the Trade Act's definition of "tropical products," not in the Tariff Commission's "stingyness." The usefulness of Section 213 is further limited by the EEC's present unwillingness to grant equivalent concessions to LDC's, and its reluctance to abandon its trade preferences for its African associates.

Five-percent authority—Section 205

Another Trade Expansion Act authority that is being used to help the developing countries is Section 205, which allows the President to reduce to zero ad valorem (or ad valorem equivalent) rates of duty of not more than 5 percent.

Such reductions to zero must be staged over five years. In cases where the U.S. negotiators have had a choice they have made offers under Section 213 rather than Section 205 because the former allows immediate reduction to zero.

Apart from these two provisions, the Trade Expansion Act limits the President to using his authority to reduce most U.S. rates of duty by 50 percent. This authority of course applies to the bulk of the U.S. offers. The fourth and only remaining negotiating authority given the President by Congress was the power to reduce duties to zero when 80 percent of the trade in any item was accounted for by the EEC and the United States combined. The applicability of the latter authority was considerably constricted by the failure of Britain's application for membership in the Community.

These reductions are, of course, unconditionally applied to all free world countries. And the more generous these tariff reductions the more the LDC will benefit.

Full reciprocity not required from LDC's

One of the fundamental ground rules of the negotiations as they relate to the developing countries is that "full" reciprocity from them for concessions made to them, will not be required. This rule is expressed in the Ministerial Resolutions of GATT Contracting Parties in May 1963 and May 1964.

It would be legally impossible for the United States to negotiate reductions in its tariffs, under any of the three types of authority given by the Trade Expansion Act, without receiving an element of reciprocity, or mutuality of benefit. This requirement is expressed in Section 102 of the Trade Expansion Act, which states that the purposes of the Act are, *"through trade agreements affording mutual trade benefits,* to . . . conclude negotiations." [Emphasis added.]

Thus the President is required in all trade negotiations under the Act to achieve *mutuality of trade benefits.* There is no requirement for dollar-for-dollar reciprocity, but mutuality" has been strictly interpreted as "reciprocity." Interestingly, the Trade Expansion Act, considered much more flexible than previous "reciprocal trade" legislation, was the first of the series of trade agreements acts since 1934 to contain any language specifically requiring mutuality *or* reciprocity, though these acts were construed to require rather strict reciprocity.

The meaning of reciprocity for developing countries

Reciprocity for the negotiations with most countries under the 1962 Trade Act has been defined strictly: in its bargaining with industrialized nations the United States demands fully reciprocal balances of concessions calculated on a country-by-country basis. But there is no attempt to demand reciprocity sector-by-sector, or item-by-item. But in the case of the developing countries, the requirement for mutuality of trade benefits has been applied in general terms, as it is expressed in the law. Mutuality of trade benefit *vis-a-vis* LDC's will not be strictly applied. Nor will it mean free gifts without payment by LDC's. There are definitely concessions LDC's can make without damaging their infant industries or their economic development programs.

Toward a meaningful "action program" for LDC's

These Trade Expansion Act provisions show the seriousness with which the United States approached LDC trade problems in preparing for new negotiations. The formative stage of the sixth tariff negotiation round, which included bilateral discussions and other contacts, was culminated by the Ministerial Meeting of May 1963, which established some basic guidelines for the negotiations, and also included resolutions relating to developing countries' participation.

The effort made by the developed countries in the Ministerial meeting of May 1963 was certainly a conscientious one—to all appearances a genuine effort to remove restrictions on LDC trade through GATT. The commitments then made by the advanced countries at ministerial level put the signatories and the GATT on the line definitively to act on behalf of LDCs.

The Ministers of the GATT member countries, including the EEC agreed in May 1963 that in the trade negotiations every effort shall be made to reduce barriers to exports of the less-developed countries, but that the developed countries cannot expect to receive reciprocity from the less-developed countries.

A year later at the May 1964 ministerial level meetings of the GATT Trade Negotiations Committee (TNC)—the steering committee for the negotiations—the Ministers resolved again that "every effort would be made to reduce barriers to exports of less-developed countries, and agree that their consideration should be borne particularly in mind in the approach to the question of exceptions.

At the 1964 meeting the TNC also agreed that "the contribution of the less-developed countries to the overall objective of trade liberalization should be considered in the light of the development and trade needs of these countries."

This important commitment implied that in seeking some kind of reciprocal concessions from LDC's in return for measures taken on their behalf, developed countries would not insist on trade concessions that could damage "infant industries" or other development projects.

The problems of obtaining even general mutuality of concessions from LDC's will be discussed further below. LDC's have been hesitant to specify what they can offer—but the United States at least will have to require by law some elements of reciprocity for concessions made. It is doubtful that the United States would have legal authority to make broad tariff concessions and waive all claims to reciprocity in negotiations with the LDC's.

The 1963 GATT "action program"—Promise for meaningful progress

To complement the Ministerial Resolutions, at the May 1963 meeting of Ministers, all the developed contracting parties except the EEC pledge themselves to implement the following specific measures to aid developing countries. They promised a brave new world for LDC trade:

(1) No new tariff or non-tariff barriers should be erected by industrialized countries, particularly for the 193 products identified as the most important for LDC's. And those barriers that discriminated against certain LDC's while preferring others would be eliminated.

(2) Quantitative restrictions (quotas) that are inconsistent with the General Agreement should be eliminated by May 1964, and in special cases, no later than December 1965.

(3) Tropical products shall be granted duty-free entry to industrialized countries by 1966.

(4) Industrialized countries shall "agree to eliminate" tariffs on primary products important to the trade of LDC's.

(5) Industrialized countries should urgently prepare a schedule for reduction and elimination of tariff barriers against manufactured and semi-manufactured LDC exports, up to at least 50 per cent of the present duties, by May 1966.

(6) Industrialized countries shall progressively reduce internal charges and revenue duties on products mainly produced in LDC's, with elimination by December 31, 1966.

(7) Each July, industrialized countries maintaining above barriers shall report to the GATT Secretariat on how they have implemented these decisions and their proposed future measures of abrogation.

(8) Other measures on behalf of LDC's should urgently be considered.

The scope and effect of the GATT Action Program was lessened from the outset by the failure of the EEC to accept it. The EEC refusal was, of course, motivated by its special relationships with its Associated African Countries, a relationship redefined and extended in the Yaounde Convention of 1963. Nonetheless industrialized countries agreeing to the Action Program made meaningful commitments. Their fulfillment of these commitments would have generated great pressure on the EEC to generalize its preferences for the Associated African Countries. But the great promise of the Action Program has not been fulfilled. Its provisions have been only partially, when at all, observed.

EEC preferences for Africans

To discuss briefly the question of EEC preferential relationships with Africans is important here because it has deep implications for U.S. trade relationships both with Latin American countries and will all other developing countries. The EEC preferential system can be seen in several lights. It is possible to argue that it is an arrangement bringing great benefits to the eighteen African countries which have obligated themselves to the association. It is also possible to present the Association as a preferential outgrowth of an economic unit that itself discriminates against non-members, and to charge that this association distorts world trade relationships. For these reasons I will look more closely at the EEC–African relationship here.

Provisions of the Yaounde Convention

The so-called "Associated Overseas Countries" (AOC's) extended their earlier association with the EEC in the Yaounde Convention, signed in July 1963. The Convention perpetuates a system of association which has been in force for some of the eighteen associated countries for at least five years, when many of them were still colonies or territories dependent on France. It establishes trade and aid measures which provide an incentive for these countries to remain in association with the EEC. This has made the association very attractive to non-associated African countries, and so negotiations are under way between the EEC and Nigeria, Kenya and Uganda and three other African countries.

In the trade field the Yaounde Convention in general stipulated that the EEC shall apply to the associated countries the same uniform and reduced duties and/or quantitative restrictions that exist among themselves, and shall provide preferential access to EEC markets for AOC tropical products. Duties on such products have now been reduced to zero on a preferential basis favoring the AOC's. In return, the African states agreed to reduce gradually their barriers to EEC exports.

Another aspect of the convention provides EEC financial aid and technical assistance to its associated countries through the European Development Fund (EDF). The Convention provides that assets totalling about $730 million will be provided the African countries during the five years of the agreement, $680 of which are to be outright grants, and the remainder to be low interest loans for use in stabilizing the prices of the AOC's tropical exports. Such commodity loans are granted in periods of low economic activity and repayments are made when world prices for major commodities rise above the average level. The African producers' incomes are in this way somewhat stabilized on the basis of average world prices. Other facets of the complex aid program established under the EDF are a fund for agricultural diversification, and loans intended to make associated countries' products competitive in EEC markets.

Explicit discrimination results

The result is a closely interwoven set of economic relationships that discriminates against the rest of the world: EEC exports have favored access to associated African countries, and AOC products receive favored treatment in EEC markets. Such a relationship has deep economic consequences and therefor cannot help but have profound political consequences.

First, the Associated African countries are bound in more than just an economic sense to the EEC. To some extent, charges of European neo-colonialism are justified. Second, LDC's outside the association are caused to agitate bitterly to try to obtain equal treatment. They have made repeated entreaties to the EEC itself, with the strong moral and diplomatic support of the United States. But these efforts have been to little avail. Latin American countries in particular have demanded the EEC give them equal treatment, and have asked for special compensatory trade and tariff relationships with the United States.

The Latin reaction is that of the orphan who finds himself virtually disarmed in the absence of parental protection. This feeling in part explains the Latin craving for a system of preferences with the United States, in which we would agree to extend tariff preferences to Latin American products sold in our markets. For Latin countries this seems to be a way of achieving equal status with the EEC's Association African countries.

Thus we find that the association agreement of the EEC, in existence for many years and now well entrenched, generated pressure for additional arrangement by other countries, and that its continued existence prejudices the case for preventing new arrangements, and for removing existing ones, unless some bold new approach is attempted.

Australian preferences—A bad omen for multilateralism

A new chapter in the movement toward preferential areas of the "bad" type is the Australian scheme of preferential tariffs for imports of certain specified manufactures from all developing countries. This is the first such arrangement preferentially favoring manufacturers. It was a breach of the most-favored-nation principle for which Australia won a waiver from GATT without any effort to justify the arrangement in terms of Article 26. The Australian preferences scheme is of unlimited duration and lacks safeguards for the trade rights of other countries. The United States was the only GATT member to have the courage to vote against the Australian waiver request, though Japan, Sweden, and other countries abstained, or voted yes with certain qualifications.

The Australian scheme is highly conditional and may result in no benefit to developing countries at all, because it is of limited scope and is based on a tariff quota plan. Tariff quotas will be totally worth only $15 million and apply to only a limited range of products, which are not necessarily important in terms of their export potential.

The preferential tariff quotas will apply only to the LDC's that "need" the preference in order to compete in the Australian market. This is necessarily a judgmental determination. The Government of Australia will then be allowed to determine what products from what countries can enter duty-free to fill the preferential quota. It seems that no consistent criteria for doing so have been developed, nor is there assurance even that all countries certified for the preferences will be treated alike.

Thus, in practice the Australian scheme will therefore likely be highly discriminatory both among LDC's themselves and among their products.

Potential damage to the preferred developing countries

For example, Chile, a major advocate of the Australian scheme, might find that its exports of certain steel mill products quality in 1966 for preferential entry, and the volume of such exports to Australia grows under the stimulus of new Australian demand. By 1969 let us say that the volume of these exports grows to the point that Australia determines that Chile no longer needs the preference because it can compete. The preferential tariff quota would then be allotted to other suppliers, and Chilean steel exports would be taxed at the old tariff rate. Chile would find itself with idle new capacity and no market.

It will be up to the LDC's themselves, of course, to determine whether they can live with such a scheme. In the case of Chile's hypothetical steel exports to Australia, the steel manufacturers and workers who suddenly find themselves divorced from their special Australian market and are yet unable to compete in the world economy with their new productive capacity, will determine whether the scheme has helped or hurt them.

Even those countries that supported strongly the waiver for the Australian scheme had some reservations about it, but they applauded it as an imaginative solution. LDC's were willing to accept even limited benefits that might well have the effect of diverting the trade of developed countries or even some LDC's to allow greater access for LDC products in the Australian market. Several countries hailed the Australian scheme as the first step toward a more generalized system of global preferences to favor the exports of the developing countries. A precedent has now been set.

What accomplishments for developing countries at the Kennedy round?

The Kennedy Round will not be the forum in which we solve the trade problems of the developing countries. The facts above show that the U. S. began with good intent to try to allow greater access to developed-country markets for LDC tropical exports, only to find that the authority in Section 213 of the Trade Expansion Act was not as extensive as some intended it to be, and that the European Community will prevent the full use of the authority by not meeting the Act's requirement that it grant access equal to that granted by the United States. A reason for EEC unwillingness is its special relationship with African countries that is discussed above.

Another limiting factor on the usage of the Section 213 authority is the inability or unwillingness of the developing countries to make offers of some kind in return for U.S. offers. The same applies to the use of the authority in Section 205 and also in cases where we have made offers under the 50% negotiating authority.

Thus the Kennedy Round has demonstrated the difficulties of achieving expanded conditions of access to European markets for the products of the developing countries. The GATT Action Program is now acknowledged to be less than completely fulfilled.

To some extent the signatory countries, including the U.S., have implemented the obligations they took under the Program, but there has been no comprehensive GATT review of compliance to my knowledge, and this should certainly be done.

However, the Kennedy Round has been a positive beginning for the developing countries. To the degree that industrialized nations can among themselves cut tariffs on a most-favored-nation basis, the less developed countries will also benefit. If the Kennedy Round is "successful", it will almost surely result in an expansion of world economic activity from which LDCs will also benefit.

New forces at work in world trade

But there are new forces at work in world trade, as shown in the above description of EEC preferential relationships with its African associates and by the discussion of the Australian preference system, the influence of which is felt beyond the Kennedy Round. The purpose of the discussion was to provide insights into the nature of these new forces in world trade, forces that will have to be taken account of by U.S. foreign economic policy.

LDC trade problems will become a major U.S. concern after the Kennedy Round and will require much greater attention from Congress than they have received to date. In the report on U.S. cotton textile import policy, CONGRESSIONAL RECORD, volume 112, part 16, pages 20966–21003, I described what seemed to be economic forces at work that had not been taken account of in present U.S. cotton textile policy. Neither Congress nor the Executive has studied these problems adequately. I would argue that the commodity agreement approach to the problems of stabilizing—and also supporting—LDC primary-product exports is an improper approach. Instead of the latter, I have put forward some ideas about how properly structured futures markets bring about orderly markets and price stabilization without price support. There should be more recognition of the contribution of futures markets to this objective.

I would conclude by recommending several guidelines that seem now to be appropriate for U.S. policy in this area. One of them is that all non-tariff barriers to consumption of LDC products in industrial markets be reviewed to be certain they are fair and are serving a proper economic or social function. Another is that developed countries' tariffs that are differentiated so as to discourage the processing of raw materials by the producing countries be phased out and when possible removed. Cotton textile restrictions seem to be a good case in point. Another is that private foreign investment be allowed to play its fullest possible role in the industrial development of LDCs by limiting the U.S. and other aid programs strictly to areas where private investment is inappropriate. Another is that LDCs increase the purchasing power of their individual citizens, and another that they improve their ability to sell their products abroad, create more economic conditions within their own markets, and between each others' markets.

Conclusion to agriculture section

In the preceding analysis I pointed out the areas in which improvement in offers by the other major participants are necessary before successful negotiations can be completed. There seems to be little possibility of achieving "acceptable conditions of access in furtherance of a significant development and expansion of agricultural trade" in dairy, meats, and poultry. There is some chance for progress in fresh and canned fruits and vegetables.

In all above areas except perhaps tropical products one thing stands out most clearly: governmental interference in domestic agriculture sectors produces distortions that make international negotiation on these problems extremely difficult.

Balance and reciprocity

On entering the Kennedy Round the United States made a commitment not to conclude industrial bargains without concluding meaningful agriculture bargains. The question whether that commitment will be satisfied at the conclusion of the bargaining as it is now progressing, is still an open question, but a very difficult and delicate question. The mathematical calculation of reciprocity or balance between what is given and what is received in trade negotiations is almost impossible to make accurately. The present U.S. administrators of the reciprocal trade negotiations have given impressive evidence that they have considered reciprocity important from the start of the negotiations, and that they are now engaged in calculating as nearly and as fairly as possible the balances of concessions. In doing so they have in fact been criticized by those who believe that because mathematical precision in calculating reciprocity is unattainable, it is not worthwhile to attempt. And there are those who question even the notion of reciprocity.

Reciprocity as a theoretical concept must continue to be important in trade negotiations, and difficult determinations of the balances must necessarily be left to those who have the most competence to make them. And in agriculture negotiations as well as industrial negotiations the balance must be struck fairly—the United States cannot afford to pay with industrial concessions for agriculture offers that are unimportant or even meaningless in trade terms. There must be a significant improvement of these offers as now tabled.

Further sections of report

This section concludes my discussions of the agriculture sector of the negotiations. The next sections will deal with the industrial negotiations. They will include discussion of iron and steel, cotton textiles, chemicals, pulp and paper, and aluminum. There will be discussions of the so-called "technology gap," and of antidumping in the succeeding sections.

LIBRARY WEEK RECALLS HOOSIER LITERARY HERITAGE

Mr. HARTKE. Mr. President, this week we pay a well-deserved tribute to the Nation's libraries. By taking note of National Library Week, we not only give recognition to the invaluable services these institutions perform, but call attention to these services that more profitable use may be made of them.

Three years ago President Johnson remarked that "the library is the best training ground for enlightenment that rational man has ever conceived." The library, it is true, is not so much a repository as a rich resource.

Libraries and the people of Indiana, I feel, are especially attracted to each other. I do not know that the people of our State use libraries more than the people of any other State. However, we do know that Indiana writers have contributed proportionately more to library shelves than writers of most other States.

The people of Indiana have a reputation for being articulate and outspoken, and Hoosier authors abound. George Ade, the Indiana humorist, once told the story about the eastern writer who came to Indiana to lecture. In his introductory remarks, the speaker took note of Indiana's fame as an abundant source of good literature and invited any authors who might be in the audience to join him on the platform. There followed a great commotion as the entire audience rose and shuffled forward.

Residents of Indiana today enjoy a rich literary heritage. More than a thousand Hoosiers have had books in print and dozens of these have gained lasting national reputations. Few poets in our Nation's history have been better known than James Whitcomb Riley. Lew Wallace wrote "Ben Hur" some 87 years ago, yet the story lives today. Booth Tarkington won not one, but two Pulitzer Prizes for fiction, and his name and novels became household words across America. Who can forget Rex Stout's adventurous Nero Wolfe, or Ernie Pyle's poignant stories of men at war?

In his book, "A History of Indiana Literature," Arthur Shumaker notes that "good literature has constantly gushed from the well springs of Indiana and has been produced nearly as regularly as corn and cut limestone." From the pioneer poet John Finley to today's far-out fiction writer, Kurt Vonnegut, Hoosiers in a steady stream have taken to the pen.

Exactly why Indiana writers seem to produce more than other States is not known. But they do, and there are figures to prove it. In 1947, the new librarian at Purdue University, John N. Moriarty, decided to look into Indiana's literary reputation. He made a list of all the best-selling books in the past 40 years and assigned points to States based on the author's residency. The results were startling.

Moriarty explains his findings:

> We took the period from the turn of the century to the beginning of World War II, and assigned the score of ten for each top best seller during those years. The second novel on the list was scored as nine, the third as eight and so on. The birthplace of each author was then ascertained (foreign-born authors were ignored as not of interest for this study and co-authors were divided equally if two states were involved). The various states were then credited with the total score of the authors born in them. And Indiana, during the forty years checked, was second state in the union, and a fighting second at that. The top ten were:
>
> 1. New York, with a score of 218
> 2. Indiana, with a score of 213
> 3. Pennsylvania, with a score of 125
> 4. Virginia, with a score of 102
> 5. Kentucky, with a score of 94
> 6. Missouri, with a score of 80
> 7. Ohio, with a score of 73
> 8. Michigan, with a score of 70
> 9. Minnesota, with a score of 67
> 10. California, with a score of 64
>
> Rather an amazing result in view of the fact that New York's population—and therefore the potential authors of best sellers—averaged almost four times that of Indiana during the forty-year period analyzed.

On the occasion of National Library Week, it is fitting to list those Hoosiers who have contributed most to the library shelves of the Nation. Drawing up an honor roll of this sort is always hazardous. Inclusions as well as omissions can cause controversy. So let us say that the following list of writers are among those who have gained national recognition and who have added luster to the Hoosier literary heritage. Each name is followed by the title and publishing date of one of the author's best-known works:

Alice and Phoebe Cary, *Poems of Alice and Phoebe Cary* (1849).

Edward Eggleston, *The Hoosier School-Master* (1871).

Lew Wallace, *Ben-Hur* (1880).

James Whitcomb Riley, *The Old Swimmin' Hole* (1883).

Mary Hartwell Catherwood, *The Romance of Dollard* (1889).

Charles Major, *When Knighthood Was In Flower* (1899).

Maurice Thompson, *Alice of Old Vincennes* (1900).

George Ade, *Fables In Slang* (1900).

George Barr McCutcheon, *Graustark* (1901).

Caroline Krout, *On the We-a Trail* (1903).

William Vaughn Moody, *The Fire Bringer* (1904).

Gene Stratton Porter, *Freckles* (1904).

Meredith Nicholson, *The House of A Thousand Candles* (1905).

George Cary Eggleston, *Blind Alleys* (1906).

John T. McCutcheon, *Congressman Pumphrey* (1907).

Kin Hubbard, *Abe Martin's Sayings and Sketches* (1915).

Albert Beveridge, *Life of John Marshall* (1916–1919).

Evaleen Stein, *Child Songs of Cheer* (1918).

Theodore Dreiser, *An American Tragedy* (1925).

Claude G. Bowers, *Beveridge and the Progressive Era* (1932).

Margaret Bruner, *Midstream* (1940).

Charles Scoggins, *Lost Road* (1941).

Ernie Pyle, *Brave Men* (1944).

Marguerite Young, *Angel In the Forest* (1945).

Ross F. Lockridge, Jr., *Raintree County* (1948).

Emily Kimbrough, *The Innocents From Indiana* (1950).

Elmer Davis, *But We Were Born Free* (1954).

Jeannette Covert Nolan, *George Rogers Clark, Soldier and Hero* (1954).

McCready Huston, *The Saving Grace* (1954).

William E. Wilson, *The Raiders* (1955).

Rex Stout, *All Aces: A Nero Wolfe Omnibus* (1958).

Kurt Vonnegut, Jr., *Cat's Cradle* (1963).

Dale Burgess, well-known Hoosier newsman, devoted a chapter to Indiana writers in his recent book, "Just Us Hoosiers, and How We Got That Way." He, too, is at a loss to explain Indiana's prolific literary productivity. But he offers a suggestion.

The precise cause—

He says—

of Hoosiers' urge to write—news, novels, poems, lyrics or whatever—is not known. Maybe it's something in the drinking water.

ARTHUR GARDNER

Mr. SYMINGTON. Mr. President, recently many of us noted with sorrow the death of an outstanding citizen of this town who held the rank of Ambassador in the Government of the United States, and who had a legion of devoted friends.

Above all else, Arthur Gardner was a patriotic American; therefore I was very glad to read recognition of him and his career in a recent edition of The Editor's Notebook, written each week by one of the Nation's foremost newspapermen, John S. Knight.

I am one of many who will miss him; and Mrs. Symington and I express deep sympathy to his gracious wife Suzy and his family.

I ask unanimous consent that the remarks of Mr. Knight, "A Prophet Scorned," be inserted at this point in the Record.

There being no objection, the editorial comment was ordered to be printed in the Record, as follows:

[From the Editor's Notebook, Apr. 16, 1967]

A Prophet Scorned

The death last week of Arthur Gardner, ambassador to Cuba during the first Eisenhower administration, recalls the warnings about Fidel Castro which he gave to the State Department then headed by the late John Foster Dulles.

Mr. Gardner, an industrialist with no previous diplomatic experience, consistently contended that United States security should be the basic consideration of Cuba policy. *He conceded that Batista was a ruthless dictator, yet pointed out that the Cuban leader was also not only anti-communist but a fast friend of the United States.*

According to the New York Times, Mr. Gardner's views were based upon information that Castro was courting Moscow and, once in office, would form some kind of alliance with the Soviet Union. He urged the United States to obstruct Castro's bid for power, lest we find ourselves with a Moscow-oriented state 90 miles from Florida.

This prophetic appraisal of things to come was disregarded by the State Department's Latin American desk. Mr. Gardner maintained in later years that his protests never came to the attention of Secretary Dulles or President Eisenhower.

My own information is that State Department underlings scoffed at Mr. Gardner's warnings because they thought he was "too friendly" with Batista, and therefore not objective in his thinking.

This may well have been the case but, as it turned out, Ambassador Gardner was right and the State Department wound up with egg on its face.

Mr. Gardner served his country well. What a pity that John Foster Dulles, the avowed enemy of communism, wasn't listening.

WIRETAPPING AND ELECTRONIC SNOOPING

Mr. CANNON. Mr. President, the question of wiretapping and electronic snooping continues to be one of the foremost issues facing this Congress and the subject of most helpful and revealing hearings before the Judiciary Subcommittee of which the distinguished Senator from Missouri [Mr. Long] is the chairman.

It is no secret that public revulsion against these practices continues to grow, and I sincerely hope that this reaction will serve as a catalyst for legislation in this area which has been sorely needed since 1938.

I ask unanimous consent that an editorial on this subject, published recently in the Las Vegas, Nev., Sun, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Las Vegas Sun, Apr. 9, 1967]

Congress Wrestles With Proposals on "Bugging" Issue

Disclosure of widespread telephone tapping and electronic eavesdropping by federal investigators has placed a number of government prosecutions in jeopardy, including several politically sensitive cases. The Department of Justice admits that federal agents have obtained evidence by using practices frowned upon by the courts. Meanwhile, the Johnson administration has launched a serious drive in Congress to clear up the legal ambiguities now surrounding wiretapping and bugging.

Hearings opened on both sides of Capitol Hill last month on an administration-supported measure which would outlaw all wiretapping and eavesdropping, public or private, except when the security of the nation is involved. As the investigations resumed, attention centered on the debate between supporters of tight controls and the many law-enforcement officials who claim that eavesdropping is a useful and even necessary investigative tool, especially in the drive against organized crime.

The government's admission that federal agents had engaged in illegal eavesdropping was made last May in a tax-evasion case involving Fred B. Black, Jr., a lobbyist and associate of Robert G. (Bobby) Baker, former secretary of the Senate majority. Since then, the Department of Justice has admitted eavesdropping by Federal Bureau of Investigation and Internal Revenue Service agents in 14 additional cases. Because evidence obtained through wiretapping and some types of bugging is inadmissible in federal courts, new trials have been ordered in several cases. Other prosecutions have been dropped.

The full extent of the government's past use of wiretapping and bugging may never be known. Internal Revenue Commissioner Sheldon S. Cohen, for example, declined on April 4 to give a Senate subcommittee information on IRS wiretapping. He claimed the information had not been completely tabulated. Cohen did testify that his service "halted illegal and improper eavesdropping in July 1965."

Wiretapping, interception of a telephone communication, and bugging, which utilizes a microphone, do not have the same legal status, although many authorities believe that the two should be treated alike. Since wiretapping was first employed in the late 19th century, a debate has raged over whether the practice violates the Fourth Amendment to the Constitution, which protects against "unreasonable searches and seizures," or the Fifth Amendment, which assures that no persons shall be compelled "to be a witness against himself."

The Supreme Court, in its first decision on the question, ruled in 1928 that telephone conversations were not protected by the Fourth Amendment because a tap was neither a physical trespass nor a seizure of tangible materials. Congress moved into the area six years later. The Communications Act of 1934 provides that no person not authorized by the sender "shall intercept . . . and divulge or publish" any telephone communication. But the Department of Justice interpreted the law as forbidding disclosure of information gained by wiretapping, not the wiretapping itself. In 1940, the government instituted a policy of wiretapping in national security cases. But each tap was to be authorized by the Attorney General.

In contrast, bugging is not covered by any federal law. However, some Supreme Court rulings do apply to this form of surveillance. Court decisions have generally turned on whether officers illegally obtained access to their listening post or committed a trespass in the course of eavesdropping. In 1942, for example, the Court held that use of a detectophone placed against an office wall did not violate the law. But in 1961 the tribunal ruled that use of a spike mike which penetrated the wall of a house was illegal.

The American public long has been aware that federal agencies and local police forces engage in extensive wiretapping and bugging. But the average American probably was unaware of the extent of electronic surveillance until the past few years when it was revealed by several extensive congressional investigations. Wiretaps and bugs are employed not only by federal agencies concerned with national security, such as the FBI, but by such offices as the Food and Drug Administration.

In addition, police forces employ numerous wiretaps, including taps on public telephones, industrial and business spying on competitors, employees, and customers has become alarmingly common. And thanks to the development of devices that are small and inexpensive, snooping by private investigators, jealous mates, and the just plain curious has increased rapidly.

Congress will consider a number of proposals dealing with the problem during its current session. Relatively few legislators and officials want to outlaw wiretapping and bugging entirely. But many agree with President Johnson that private use of eavesdropping devices should be forbidden and that public use should be restricted to national security cases.

A second school of thought, which is gathering support, holds that federal and local authorities should be authorized to engage in eavesdropping when investigating major crimes, such as kidnaping, murder and organized crime. Virtually everyone, however, agrees that the present uncertain state of the law should be resolved.

Bills of interest in this area will be described in a following editorial.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, in accordance with the previous order, I move that the Senate stand in adjournment until 11 o'clock Monday morning next.

The motion was agreed to; and (at 1 o'clock and 40 minutes p.m.), in accordance with the order of April 19, 1967, the Senate adjourned until Monday, April 24, 1967, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate April 21, 1967:

U.S. Patent Office

Don D. Andrews, of the District of Columbia, to be an Examiner in Chief, U.S. Patent Office, vice Leo P. McCann, resigned.

Isaac G. Stone, of Massachusetts, to be an Examiner in Chief, U.S. Patent Office, vice Joseph C. Manian, resigned.

Frederick M. Strader, of Maryland, to be an Examiner in Chief, U.S. Patent Office, vice Melvin H. Friedman, resigned.

George A. Gorecki, of Maryland, to be an Examiner in Chief, U.S. Patent Office, vice Manuel C. Rosa, resigned.

In the Navy

The following-named midshipmen (Naval Academy) to be permanent ensigns in the Line of the Navy, subject to the qualifications therefor as provided by law:

Jack G. Airlie, Jr.
James H. Aldrich, Jr.
Robert P. Allen
Richard O. Amber
Isaiah H. Ambrose, III
Harald Andersen
Stephen M. Andres
Thomas M. Apple
William G. Applegate, III
Wayne G. Arendas
Sheldon C. Arey
Charles E. Armentrout
Richard L. Armitage
Frank H. Armstrong, II
Robert J. Armstrong
John W. Atkins, III
Leman J. Aunchman, Jr.
Ross S. Bagully
Roger L. Bakkila
Louis J. Balestra, Jr.
William T. Ballantine, Jr.
Cletus S. Banwarth, Jr.
Kenneth P. Barausky
Joseph H. Barker, III
Rose P. Barkhurst
George W. Barnes, III
David A. Barre
James W. Barrett
William G. Bartz, Jr.
Gary B. Bastian
John "C" Bates, Jr.
Richard A. Baum
Harold E. Baumberger, Jr.
Bradley K. Beaver
Ashley J. Beavers
Charles J. Beers, Jr.
Jefferey R. Beinbrink
William E. Belden, Jr.
David H. Below
Keneth C. Belisle
Calvin L. Bender
Michael R. Bennett
Donald J. Bezdek
Edward B. Blackwood
Thomas J. Blair
Ronald J. Bliss
Lowell D. Boaz
Michael R. Bolier
Lawrence R. Bonnville
Charles K. Bortell, Jr.
Roland T. E. Bowler, II
Michael F. Brady
Gary F. Brake
Wesley R. Brandt
Richard T. Brantigan
Richard C. Branum
Willis C. Braswell, Jr.
Charles C. Bream, III
Edward J. Brennan
John R. Brereton
Charles W. Brewer
Ronald T. Brino
William T. Broadhurst
Curtis W. Broussard
Charles E. Brown
James R. Brown
Patrick J. Brown
Terrence W. Brown
Burlie A. Brunson
George R. Bryan, III
Richard R. Brydges
Charles C. Buchanan, Jr.
Gerald F. Buckley
John C. Burch
Peter C. Burggren
Alan D. Burkhart
Joseph M. Burns
Thomas F. Burns, Jr.
William R. Burns, Jr.
Thomas G. Burton
James D. Buttinger
George J. Butvilas, Jr.
Ellis A. Caldwell
William M. Calhoun
Gary S. Calnan
Robert B. Campbell
David W. Candler
Charles R. Cannady
Roy D. Capshaw
Guide J. Carloni
Martin W. Carlson, Jr.
Jess S. Carter
William E. Carver, Jr.
Steven L. Case
Robert W. Cassell, Jr.
Joseph J. Castoro
Frederick F. Cazenave, Jr.
John C. Chehansky
Alan G. Chesterman
Rene J. Chicoine
John A. Chmura, Jr.
Thomas A. Christopher, Jr.
David E. Church
Donald W. Church
Bartlett L. Clark
James T. Claxton
William J. Clevenger
John H. Cline
Roy E. Clymer, III
Timothy M. Cohane, Jr.
Martin K. Collins
Richard J. Collins
Herbert P. Colomb, Jr.
James L. Conn
William L. Connell
Frederick W. Conroy
James P. Conway
James B. Cook, II
Jon L. Cook
James M. Coon
Douglas L. Cooper
Gerald J. Corcoran
Vincent H. Corry
Dennis B. Costello
James L. Cottingham
John B. Cotton
Hugh R. Couch
Martin L. Cover, III
Curtis J. Cowgill III
Daniel C. Coyle, Jr.
David M. Crabtree, III
John St. C. Chaighill
William C. Cray
Barton S. Creed
Robert J. Crockett
William "V" Cross, II
John "C" Crouse
Richard B. Cuciti
Michael P. Currie
Robert M. Cutter
Peter V. Dabbieri, Jr.
James A. Dall
John C. Daly
Gerard E. Daniels
Joseph S. Daughtry, Jr.
William A. Dautel
Samuel A. Davey
Marshall J. David, Jr.
David W. Davis, III
Richard R. Davis
John W. Davison
Rudolph J. DeAtley
Thomas R. Decker
Bernard J. DeGeorge, Jr.
Charles M. DeGruy
Francis A. Del Balzo, Jr.
Stephen D. DeLesie
Harold R. Demarest, Jr.
Paul J. Derocher, Jr.
Gary L. Detter
Richard C. Deuter
Dorel J. Dewar, Jr.
John D. Diesing, Jr.
Richard E. Dill
Harry G. Dittmann
Carl L. Dobson
John L. Donga
John J. Dooley, Jr.
John M. Dornstetter
Curtis R. Dose
Donald A. Downing
Gregory F. Dreyer
William M. Dubbs, Jr.
Walter W. Dukiet, Jr.
James E. Dulin
James M. Edwards
Michael "M" Egnotovich
Peter R. Eisenhauer
Larry R. Elliott
Walter M. Elliott
Donald G. Emmons
Robert H. English
Alan F. Erdelen
Robert M. Evans
William A. Evans, IV
Glenn E. Ewing
Karl Eysenbach
Douglas E. Faber
Steven J. Fagan
Richard C. Falerni
Joseph Z. Fandey
Richard A. Fantauzzo
Michael J. Farlow
Leroy A. Farr
Richard K. Farver
Dennis J. Faulds
Herbert C. Fauth
John J. Feehan, Jr.
Charles D. Felling
William P. Fenstermacher
Timothy J. Ferguson
Richard J. Field
H. John Filose
David C. Finch
Kenneth W. Findley
Dale A. Fink
David H. Finney
Edwin C. Finney, Jr.
Robert D. Fischl
Stephen W. Fisk
Justin W. Fitzgerald
Bennie L. Fletcher, III
David B. Fletcher
Stewart H. Fonda, III
Jay D. Fontaine
Ray A. Fortney
David D. Fox
Donald R. Fraser
Larry W. Frawley, Jr.
James M. Frazier
Michael L. Fray
Robert C. Friel
Eldon J. Fry
Richard G. Fuerst, Jr.
William A. Gaffney
Philroy C. Gale, III
David A. Garner
Wallace R. Garrison, II
Christopher G. Gates
Carl E. Gatlin, Jr.
William K. Gautier
William W. Gay, III
Frederick J. Geiger
Donald D. Geismar, Jr.
David L. Gentile
William S. Gibson
Delbert W. Griffin
Henry C. Giffin, III
Arthur J. Gilbert
Dennis B. Gillease
Richard D. Glasow
Michel D. Glerum
John W. Goldschmidt
David C. Gompert
Kenneth A. Goodwin
Richard J. Gordon
Joesph D. Gorman
Ritchie W. Gouk
Robert J. Graff
John M. Graham
Robert L. Gramer
Brent L. Gravatt
Stephen V. Gray
Bartis E. Greenoe
Charles F. Greer
John M. Griffin
Garry V. Grofcsik
Robert P. Groncznack
John C. Guibert, III
John C. N. Guibert, III
Dennis G. Hackathorn
George W. Haggerson
Dennis F. Haley
Mark C. Haley
Kenneth A. Hall
Richard B. Hall, II
William L. Hall
Elmer J. Halley, Jr.
Stephen M. Halupa
William H. Hamilton, Jr.
Edward R. Hamm
John N. Hannon
James A. Hansen
Kenneth P. Hansen
J. Patrick Hanson
Rockne P. Harmon
Sidney L. Harrell
Daniel J. Harrington, IV
John P. Harrington
Wilding G. Harris, Jr.
Thomas G. Harrison
Jeff R. Hart
Robert E. Hawthorne, Jr.
Joel B. Heaton
Frederick J. Hebdon
Thomas M. Hedderson
Donald C. Hefkin
James A. Heimer
Alfred G. Heinemann, III
Samuel J. Henderson, III
Wayne O. Henry
James M. Hensley
Edward L. Herring
Loris E. Hester, Jr.
Frank F. Hewitt
Harold W. Hickman, Jr.
John H. Hickok
James G. Hicks
George A. Hiduk
William M. Hill, Jr.
John K. Hobbs
Gary W. Hodak
Timothy J. Hoffman
Stephen T. Holl
William E. Holland
Toby H. Hollander
Richard K. Holman
Jon D. Holzapfel
Walter W. Honour, Jr.
Edward B. Hontz
Noel P. Horn
Richard P. Howe, Jr.
Andrew J. Hudak
John B. Hudson, Jr.
Calvin W. Huey
Dwight S. Hughes
Robert G. Hughes
William Idsinga
John P. Inman
Stephen S. Israel
Gerald K. Jacobs
John Jakucyk
Ronald R. Jauch
Charles H. Jeffries, II
Mark K. Jensen
Eric H. Johnson
Gordon J. Johnson
Hiram J. Johnson, Jr.
James H. Johnson, Jr.
Jeffrey B. Johnson
Joseph T. Johnson
Laurence E. Johnson
Ronald R. Johnson
William D. Johnson
William J. Johnson
Richard H. Johnston, III
Thomas D. Johnston
Allan C. Jones
Thomas R. Jones
David H. Julier
Lawrence S. Julihn
John F. Junek
Paul E. Kanive
Arthur P. Kealy
Raymond M. Keating
Lawrence T. Keegan
Michael B. Kelley
William C. Kellum
Dennis P. Kelly
Monroe Kelly, III
Robert B. Kelly, Jr.
Thomas R. Kent
Edward A. Kerins, II
John J. Kieley, III
Jerome M. Kirchberg, Jr.
Richard W. Kirtley
Harold B. Kluckhohn, Jr.
Harry G. Knight, Jr.
James D. Knox
Thomas C. Knudson
John W. Kopp, Jr.
Sergei M. Kowalchik
Bernard S. Kozuch
Steven B. Kramer
Richard F. Krapohl
Dennis A. Kreps
Joseph J. Krol, Jr.
Richard L. Kumer, Jr.
Bruce R. Lakefield
Charles R. Lakin
Richard H. Lambert
Richard J. Lambert
Robert E. Lang
Thomas P. Lange
Jerome P. LaReau
Robin C. Larson

Edward J. Laskowski
John D. Lasswell
John C. Lawler, Jr.
Peter C. Lawson, II
Allen E. Lawver
John P. Lay
George B. Lear, Jr.
Thomas C. Leiser
Donald B. LeMaster
Peter F. Leon
John W. Leonard
Raymond D. Leonard, Jr.
David C. LeRoy
Miles A. Libbey, III
Richard D. Lichtermann, II
Bo G. Lindfors
Douglas W. Lindquist
Robert J. Linnander
Adam K. Llewellyn
Peter T. Logan
James R. Lohse
Marc A. Lonesk
Peter A. C. Long
Steven K. Long
Robert L. Lowell, Jr.
Dennis C. Lucas
Walter G. McBride
Dana G. McCarthy
William J. McCarthy, IV
Robert A. McCleery
William T. McCluskey
Jon F. McComas
Bryan D. McCormick
William L. McCracken
Michael S. McCrary
Van L. McCullough
Robert F. McFarland
Dennis V. McGinn
Alfred L. McGlothlin
Clarence V. McIntosh, Jr.
James A. McKinney, II
Richard M. McNeal
Michael H. McNeely
James D. McQueen, Jr.
William J. McSherry, Jr.
Richard R. MacDonald
John C. Macidull
Lewis D. Madden
Thomas C. Markley
William C. Markley, III
Norman A. Marks
Gregory S. Marshall
John K. Marshall, II
Allen W. Martin, Jr.
John R. Martin
Michael D. Martin
Tim D. Martin
Dante R. Marzetta, II
Frederick J. Masterson
David A. Materna
Walter R. May, Jr.
Michael Mazurczak, II
Richard J. Meade
Timothy M. Meehan
Calvin L. Meek
Arthur J. Meinhold
Edward D. Meintzer
Michael R. Merickel
Kenneth Mere
Lawrence W. Meyer
Richard W. Mies
Andrew T. Mihok
Warren J. Millard
Charles Q. Miller
Peter E. Misiaszek
Anthony E. Mitchell
James F. Mixon
Robert L. Moeller
Billy R. Moffett
Sidney A. Mohsberg, III
Ernest W. Moldenhauer, Jr.
Anthony V. Monaco
Donald D. Mondul
Randall C. Monson
Paul D. Moore
Richard W. Moore
Thomas W. Moore
Timothy B. Moore
Robert C. Morehead
Larry L. Morris
John Morton, III
Frank A. Mueller, Jr.
Daniel B. Mulligan
Edmund C. Munger
James L. Murphy, III
Douglas M. Murrell
Robert P. Murrian
Robert L. Mushen, II
John E. Mutty
George P. Nanos, Jr.
Robert J. Natter
Harold D. Naylor
Basil E. Neal, Jr.
Joseph A. F. Neal, Jr.
Kermit W. Neuman, Jr.
Thomas R. Newell
David J. Nielson
Alan L. Nilsen
William L. Norris
Kenneth D. Norton
Robert C. Nosco
William S. Novak
John O. Nuzzo
David L. Nydegger
Thomas J. O'Connor
Douglass C. Ogden
Justin J. O'Hara
Robert E. O'Hare
Michael S. O'Hearn
Earl R. Ohman, Jr.
Wayne L. Olsen
William E. Olsen
Richard C. L. Olson
Stephen R. Olson
John E. O'Neill
Neal H. Oshire
Christopher S. Ott
Wesley G. Overton
Greg O. Owens
David F. Palmer
Roger Paradis
Howell J. Parry, Jr.
Leonard H. Passmore
Bob R. Patton, Jr.
Michael E. Paulk
John S. Payne
Jeffrey A. Peck
Myrden J. Pellegrin, Jr.
Russell E. Pelot, Jr.
Charles W. Penque, Jr.
John E. Pepper
David R. Perkins, III
Thomas W. Perkins
James M. Perley
William S. Perry
James S. Peters
William F. Peters, Jr.
Michael D. Peterson
Gordon L. Pettus
John F. Pfeiffer
Jean P. Phelps, Jr.
Stephen A. Phillips
Lawrence R. Pigeon
Franklin A. Pinegar, Jr.
Philip J. Polk
Barry Pollara
Richard D. Poole
David L. Pope
Robert B. Pothier
Judson W. Potter
James S. Potts
Charles S. Prahl
Richard A. Pratt
Michael J. Preis
Don G. Priest
Antonio J. Principi
Thomas N. Pritchett
Charles S. Prouty
Richard H. Purnell
Vincent S. Putiri, Jr.
Charles M. Pyetski
Stephen T. Quizley, Jr.
Eugene M. Quinlan
John H. Quinlan
Richard D. Raaz
Bernard B. Racely
Robert L. Ramsay, III
John O. Rasmussen
Gary H. Reid
Richard P. Renka
John G. Renwick
Howard R. Renzi
William S. Richbourg, Jr.
John P. Richman
Almon D. Rivers
Thomas F. Robbins
Raymond M. Roberson Jr.
Kenneth L. Roberts
Hulan P. Robertson
Michael D. Robertson
Robert L. Rodgers
Jack W. Roe, Jr.
Donald R. Roesh
Dennis G. Rogers
Louis Romano, Jr.
Frank E. Rook
John J. Root
Charles J. Rosselle
Bruce W. Rossing
John V. Rosney
Roger G. Ruppert
William T. Russell
Dennis F. Rutledge
Ronald E. Ruys
John R. Ryan
Norbert R. Ryan, Jr.
Robert R. Ryan, Jr.
Scott W. Ryan
Joseph F. Sabatini
Michael W. Samuels
John J. Sandlin
David J. Santoro
Joseph C. Sariscak
Wayne F. Savage
John C. Scalzo
James P. Schear
Thomas K. Scheber
Charles A. Scherck
David R. Scheu
Eldon C. Schierman
Paul F. Schissler, Jr.
Merril E. Schlegel, II
Joseph B. Schmitt
Thomas M. Schodowski
Harvey L. Scholz
Joseph T. Schwanebeck
Stephen A. Schwarting
David C. Scott, Jr.
Johnstone M. Scott
Richard T. Scott, Jr.
Robert F. Scott
James L. Seelinger
John R. Selmer
Allen W. Semple, Jr.
John T. Sheldon
Ralph C. Sheldrick
Wesley M. Sherer
Robert J. Shields, III
Bernard L. Simonsen
Michael R. Singleton
Sidney M. Skjel, Jr.
Robert W. Skrotsky
James T. Slaughter, II
Andrew K. Sloan
Gordon R. Sloat
Edward J. Smith, Jr.
James L. Smith
Michael J. Smith
Raymond C. Smith, Jr.
Peter F. Smullen
Robert T. Sollenberger
Thomas A. Sommers
Wesley R. Soper
William H. Sorensen
Thomas W. Southworth
Oliver K. Spears, III
David J. Spisso
Patrick G. Staeheli
Francis J. Stanek
Jonathan W. Stanley
Theodore H. Stearns, Jr.
William C. Stedfield
Joseph F. Stephens
David R. Stevens
Blair W. Stewart, Jr.
William M. Stremmel
Richard A. Strickland
Arthur D. Struble, III
Paul K. Sugrue
John G. Sullivan
Timothy J. Sullivan
Michael G. Surdyk
Donn C. Surpless
Mahlon R. Sutton, II
Michael R. Svendsen
Roy J. S. Swanberg
Robert A. Szalay
Gary D. Tabbert
Russell J. Tadych
James A. Tamplin, Jr.
David J. Tate
William H. Tate
James M. Taylor
George H. Thompson
Patrick C. Thompson
Robert D. Thompson
William E. Thompson, Jr.
Alan R. Thornton
Robert S. Thurlow
John E. Till
John H. Tisdale
Richard L. Tolotti
Larry P. Torgerson
Robert P. Torres, Jr.
Warren E. Traub, Jr.
Kurt M. Trautman
Robert E. Treis
Jose E. R. Trujillo
Allan W. Tullock
Bruce L. Turner
Kenneth L. Tuttle
Paul E. Tuttle, Jr.
Chancellor A. Tzomes
Garth A. Van Sickle
Henry J. Vance
Walter D. Vandivort
Frank A. Varasano
Edward W. Verdery
Robert A. Vincent
William C. Vivian
Lyndon R. Vivrette
George C. Volkman, II
Karl F. Volland, Jr.
Gary M. Voorheis
Ronald D. Waddell
Donald P. Waid
James G. Wakeman
Charles H. Walker
Harold A. Walker
Weymouth D. Walker, Jr.
Thomas J. Waller
Edward M. Walsh, Jr.
Peter R. Walton
Christopher H. Ward
Paul C. Ward
Robert E. Warrington
Gary C. Wasson
Deskin D. Waters
Robert S. Waters
William A. Waters
Paul V. Watkins, Jr.
Anthony Wayne
Pierre C. Webb
Robert A. Weeks
Daniel F. Welch
Keefer D. Welch
Linton Wells, II
James E. Welsch
Terrill J. Wendt
William D. West
Charles T. White
Craig C. L. White
Peter L. White
Robert P. White
James R. Wickes
Samuel C. Wicks
Don B. Wigington, Jr.
Walter L. Wilkening
Alfred J. Wilkinson, Jr.
Jack B. Williams, Jr.
Robert C. Williamson, Jr.
Barry S. Willis
Gerald D. Wills
Peter R. Wilson
Wayne B. Wilson
Timothy P. Winters
William A. Wise, III
James B. Witherspoon, Jr.
Theodore C. W. Witt
Hugh D. Wolcott
Jack E. Womack, Jr.
Danny Wong
James A. Wood, II
John R. Wood, Jr.
Stephen R. Woodall
Bruce A. Wright
Clinton E. Wright
David E. Wright
Gary E. Wright
John T. Wright
Vernon E. Wright
George W. Yankoupe
Jeffrey A. Young
John J. Young
Peter A. Young
Terry A. Young
Gene H. Zaiser
Thomas M. Zinkand
Richard C. Zino

The following-named midshipmen (Naval Academy) to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

David Baker
William D. Bays
George P. Beamer
David C. Byers
Samuel Davis, III
Lloyd B. Embry
Richard Frye
George W. Garret
Richard D. Griffen, Jr.
Thomas G. Griggs, III
Maurice A. Harkins, Jr.
Robert Havasy
Henry Heffler
James A. Kutsko
Dale E. McQuinn
Thomas R. Nelson
Alonzo R. Overson
Roger E. Rathbun
David L. Rost
Thomas J. Samolis
Donald G. Tabb, Jr.

The following-named midshipmen (Naval Academy) to be permanent ensigns in the line or Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

Stanley C. L. Ellinwood
Walter H. Newton, Jr.
Emmett B. Ross

The following-named midshipmen (Naval Academy) to be permanent ensigns in the Civil Engineer Corps of the Navy, subject to the qualifications therefor as provided by law:

Peter R. Antoniak
Leonard P. Guy, III
William J. Hanley
Ronald F. Holcombe
Max A. Werner, III
Alfred L. Wynn

James T. Reilly (cadet, West Point) to be a permanent ensign in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (cadets, West Point) to be permanent ensigns in the Civil Engineer Corps of the Navy, subject to the qualifications therefor as provided by law:

Richard H. Rice, Jr.
Michael W. Shelton

The following-named (Naval Reserve Officers' Training Corps candidates) to be permanent ensigns in the line or Staff Corps of the Navy, subject to the qualifications therefor as provided by law:

Christopher C. Baum
Darrell W. Campbell
James L. Chadwick
Robert R. Copeland
Robert A. Engelman
David S. Good
Daniel E. Graham
Hampton C. Hager
Gregory H. Hermann
Norman A. Hills
Peter F. Hollings
Walter E. Hughes
Kenneth A. Johnson
Alfred A. Jones
Dennis J. Kakol
Robert A. Kramer, Jr.
Darian P. Korab
Robert A. A. LaChance
David C. Linnen
Merek E. Lipson
Joseph L. McAdams, Jr.
Dennis L. McCroskey
Roland M. McLean
Lee J. Mathers
William M. Meaney
Edwin L. Oswald
Peder H. Otterson
Robert T. Pearson
Melvin R. Redford, Jr.
James H. Robinson
Gary W. Rovetto
Jerold Russell

Robert David Russell
Richard E. Ryberg, Jr.
Robert E. Scally
Don B. Scott
Michael V. Sholders
Don C. V. Shurtz
Douglas W. Swanson, Jr.
Joseph Z. Taylor, Jr.
Joseph B. Terry
Don L. Tilseth

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Joe R. Adams
Dennis J. Adams
Ronald A. Alasin
Kenneth E. Allen
Joe G. Arnold
Clarence Q. Bannister
Floyd A. Barron
Charles K. Bates
Robert D. Berg
Richard E. Blake
Robert C. Blanchard
George R. Blodgett
Joseph D. Brett
James W. Briscoe
Joseph P. Brodeur
William A. Brown
Carroll D. Byrd
Joseph W. Caldwell
William P. Carlin
John A. Celmer
Louis M. Champa, Sr.
Dennis A. Chaney
Wilbur E. Chesnut
Edwin A. Clarke
Stephen R. Cleal
Harold L. Cooper
David M. Craig
James R. Craig
King J. David
James S. Dawson, III
James R. Dimock
David L. Doss
Charles O. Douglas
Llewellyn R. Drake
Keith C. Forbes
Leon K. Fossum
Theodor B. Frostad
Robert D. Fulghum
Alan W. Garrison
Bryant W. Giffin
Robert P. Gililland
Darold P. Greene
Lawrence M. Gorham
Thomas F. Green
John D. Grimes
Michael F. Hagen
Rayford E. Hammond
Charles E. Harden
William A. Harmes
Billy W. Harmon
Douglas C. Hatcher
Robert L. Hayes
John T. Heinzel
Jerry L. Heitzman
Royal F. Hendrix, III
Jimmy L. Herriford
Edwin M. Hewlett
Raymond C. Highsmith, Jr.
David G. Hill
William B. Hill
Robert E. Hoffman
Arvid L. Holmberg
James A. Hopson, VI
Ralph M. Howell
Douglas D. Huffaker
Alvin N. Humphreys
Joseph T. Jackson, Jr.
Frederick T. Jacobs
Vernon M. Johns
Lairy A. Johnson
Richard L. Keefer
Gary R. Keller
Thomas W. Kerr
Nelson J. Kick, Jr.
Gary "J" Kinnison
Theodore Koopman
Larry R. Knapp
Larry L. Krause
Henry A. LaBate
Max R. Lambert
Bobby B. Lantrip
Bobby R. Lawson
Robert E. Lee
James T. Leffew
Joseph Lemus, Jr.
Edgar B. Lewis
James A. Lifgren
Larry D. Linn
Allan B. Lund
Lawrence C. McBride
Virgil F. McCaleb
Eugene D. McCann
Jerry W. McCormack
Robert L. McDowell
James W. McGowan
James T. McHatton
Samuel P. McIntyre
William H. Manker, Jr.
William P. Marquis
William M. Marshall, Jr.
James P. Martin
Patrick G. Martin
Dennis C. Marvel
Herbert W. Merrill, Jr.
John Mitnik
Kenneth W. Morge
Darryl R. Moyers
Adolf Neumann
James A. Nichol
Thomas M. Nicholson
Robert N. Norris, Jr.
Leonard J. Nosal
Jabes A. Onder
John M. Parrish
Darl P. Patrick
Bernard W. Patton
Leo E. Peter, Jr.
James A. Phelan
Bruce R. Philpott
James W. Piehl
William L. Poole
Bill R. Preece
Ronald J. Priscilla
Kenneth A. Proctor
Michael G. Ralston
Edward A. Ramsey
Joseph H. Rasfeld
Gerald J. Reape
Daniel O. Richey
Charles W. Riley
Charles K. Roby
Charles P. Roddy
Alfred D. Roeske
Charles B. Rowland
George A. Sanders
Robert J. Schwechten, II
Phillip C. Scott
James G. Shaddix
Gordon L. Skaar
William H. Smith
Donald J. Spellman
Michael F. Spengel
Phillip R. Spruiell
Robert L. Stewart
James D. Stults
Harold C. Tarbox, Jr.
Benton D. Thomas
Richard J. Tauber
Terrence L. Tinkel
Robert D. Wakefield
Walter H. Wease, Jr.
John C. Whitcraft
James H. Wiggins
Terrill D. Williams
William R. Wilson, Jr.
Joseph G. Woods
Robert D. Work
George T. Wyckoff
Frederick L. Youngblood
Merle J. Zacharias
Howard E. Zahn

The following-named civilian college graduates (dental intern program) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Jay L. Chiles
Harold E. Coulston, Jr.
Oliver M. Harmon
Robert E. Lamb
Jerry A. Rensch

The following-named Naval Reserve Officers (dental intern program) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Cary A. Behle
Bruce G. Belvin
Michael E. Starling
John S. Ostrowski
Charles M. Bowden, Jr.
Robert J. Chapman
George C. Cholaki
David E. Dodrill
Robert W. Jack
William P. Dunn, Jr.
Dan L. Watt
Richard O. Falb
Robert T. Nicoll, III
Norman J. Nagel
Thomas C. Graves
Richard L. Ingraham
Jeffrey S. Woodson
Henry P. Worrell
Thomas A. Hagedorn
Gerald L. Hartman
Thomas J. VanBladel
Larry E. Kingsley
William C. Lee, Jr.
James J. Valace
Kevin L. McBride
Gary L. Smith
Bobbie J. Barber

The following-named civilian college graduates (dental intern program) selected as alternates, to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Edward L. Acree
Steffen R. Wellstein
Robert L. Loeb
Robert B. Julius

The following-named Naval Reserve officers (dental intern program), selected as alternates, to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Wallace F. McArthur
David C. Hillson

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Barry Benn
William E. Greeley

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Alan P. Bickenbach
William T. Coggeshall
James J. Shanley
Alan G. Sirmans
Donald E. Vagt

The following-named (Naval Reserve officers) to be permanent lieutenant commanders and temporary commanders in the Medical Corps of the Navy, subject to the qualifications as provided by law:

George L. Miller
Keith S. Muntz
Ernest C. Reed, Jr.

William J. Storz, Jr. (Naval Reserve officer) to be a permanent lieutenant commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Paul H. Farrier, Jr.
James C. McGlamory

The following (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Robert Crafts, Jr.
Arthur L. Speck
James F. Stover

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Robert G. Addison
Richard H. Adler
Dean B. Barnhouse
Charles J. Benninger, III
Joseph B. Blood, Jr.
William H. Campbell
John T. Chambers
Robert L. Donnell
Frank L. Dwinnell, Jr.
Harry T. Friebel
John M. Garrison
James G. Geisinger
Richard K. Goodstein
Gary C. Graham
Michael A. Habib
David S. Harrer
Thomas M. Harris
James M. Heaster
Leon C. Hodges, Jr.
David N. Holt
Patrick J. Houston
Merwood M. Jones
Samuel V. Just
David M. Kerr
Errol R. Korn
William F. Kosch, III
Michael R. Lachowicz
James W. Landes
Maynard F. Lang
James F. Lyons
Daniel J. Marnell
Robert E. Mastin
Dale B. Mattheis
Clarence O. Maxey
Bruce M. McDonald
William C. Milroy
James F. Morgan
George L. Negron
David D. Parker
Wade Rademacher
Marshall S. Redding
Sam J. W. Romeo
Larry G. Rotert
Maurice H. Rowell, Jr.
Piero F. Sandri
Max Savin
Osbey L. Sayler
Joseph M. Seventko, Jr.
Gene P. Swartz
Robert Tankel
Harvey Thalblum
Herbert M. Todd
Mark E. Truckses
Thomas D. Utterback
Francis X. VanHouten
Leo J. VanKeulen
Jon E. Wallestad
Jerry O. Weaver
Joseph W. Weaver
Richard A. Wiklund
Dennis D. Wilken
Theodore G. Williams
Warren F. Woodworth

Richard J. Seeley (Naval Reserve officer) to be a permanent lieutenant commander and a temporary commander in the Medical Corps of the Navy in lieu of permanent lieutenant and a temporary lieutenant commander as previously nominated to correct grade, subject to the qualifications therefor as provided by law.

The following-named (U.S. Navy officers) to be reverted to permanent chief warrant officers W-4 in the Navy, subject to the qualifications therefor as provided by law:

Bernard F. Clausen
William D. Hughes
John C. McIlwaine

The following-named (U.S. Navy officers) to be reverted to permanent chief warrant officer W-3 and temporary chief warrant officer W-4 in the Navy, subject to the qualifications therefor as provided by law:

Walter E. Buck, Jr.
Robert B. Goodman
Alden M. Hutchinson
Charles Nuanes

Warren W. Hamilton, Jr., for permanent promotion to the grade of commander in the Medical Corps of the Navy.

Robert H. Cave, Medical Corps in the U.S. Navy, for temporary promotion to the grade of lieutenant commander in the Medical Corps, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

Line

Bloom, John L.
Deer, Robert
Goodgame, Billy D.
Kafasis, Nicholas P.
Petrovic, William K.
Stamper, Russell C.

Supply Corps

Griffin, Leonard C., Jr.
Hephner, Patrick J.

IN THE MARINE CORPS

The following-named (Army Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Conway, Blair P.
Crew, Randolph E.
Mitzel, Michael F.
Haskins, Steven W.
Lovely, Francis B., Jr.
Delones, Robert C.

The following-named (U.S. Military Academy graduate) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Ellzey, Michael B.

La Jon R. Hutton for permanent appointment to the grade of first lieutenant and temporary promotion to the grade of captain in the U.S. Marine Corps, pursuant to the provisions of title 10, United States Code, section 1211.

The following-named (meritorious noncommissioned officer) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Schillinger, Charles W.
Trout, Benjamin H., II

The following-named (staff noncommissioned officer) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Moe, Robert E.

The following-named (commissioned warrant officers/warrant officers) for temporary appointment to the grade of first lieutenant in the Marine Corps for limited duty, subject to the qualifications therefor as provided by law:

Brewer, Patrick R.
Clark, Adrian L.
Conner, Gerald H.
Cook, Loy E.
Costlow, Walter E.
Darrow, Marvin L.
Flournoy, William E.
Groom, Robert W.
Johnson, Stephen J., Jr.
Keil, Richard L.
Knox, Charles, Jr.
Ludwig, Robert M.
McCarthy, William J.
Moody, John E.
Reeder, Edmond W.
Riley, Martin J., Jr.
Rowe, Clark H.
Russell, Robert H.
Smith, Lake Jr.
Woodson, Duane L.

The following-named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps for limited duty, subject to the qualifications therefor as provided by law:

Alvarez, Robert L.
Bare, Harry E.
Boudreaux, Ervin J.
Bounds, Jack B.
Carson, Edgar M.
Carver, Richard J.
Cecchetti, Mario E.
De Long, Samuel T. J.
Dominguez, Joe
Dunacusky, Joseph G., Jr.
Durie, Charles W.
Frye, Harold E., Jr.
Gordon, Donald E.
Gravenor, Randall W.
Hawbaker, Lowell D.
Hicks, Grady L.
Johnson, George H., Jr.
Jukoski, Alexander P.
Juneau, John E.
Lambert, Carl E.
Lemieux, Joseph R. E. N.
Lewis, Fred M.
Libby, Frederick A.
Lippe, Ralph
Maxik, Bernard J.
McGuire, Donald E.
McLaughlin, Richard S.
Meads, Walter S., Jr.
Owens, James E.
Raub, Leonard D.
Reffelt, Edwin L.
Ripperger, Robert K.
Rogers, Joe G.
Sanfratello, Johnie A.
Scarangello, Anthony F.
Scott, James P.
Stabile, Anthony D.

The following-named (U.S. Naval Academy graduates) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefore as provided by law:

Anderson, Timothy J.
Artmann, Rufus A., Jr.
Bacon, Paul C.
Baker, David L.
Barber, John C.
Beaty, David C.
Boivin, John A.
Brahmstadt, Clifford A.
Brookes, Richard C.
Buchli, James F.
Campbell, James C.
Carver, Howard C., III
Cathey, Michael R.
Charles, Roger G.
Christian, Leslie A.
Clatworthy, Raymond J., III
Cornetta, Ronald J.
Culver, William L.
Delong, Michael P.
Donnelly, William R., Jr.
Earl, Robert L.
Ehmer, James S.
Eisenbach, Charles R., II
Ellis, Dalton R., Jr.
Etter, William P., II
Foresman, James L.
Foulkes, Richard R.
Glynn, Daniel M.
Goebel, James A.
Goodwin, William G.
Gordon, Adrian J.
Hapke, Norman F., Jr.
Hart, John T.
Heely, Edwin D.
Heinemeyer, Klaus Peter
Hepp, Edward J., Jr.
Holihan, Robert J.
Holtzclaw, Gary E.
Howard, Patrick G.
Hudson, Richard B.
Isbell, Robert P.
Isbell, William P.
Johnson, Russell L.
Kalish, William R.
Kettner, Alan A.
Kieffer, John A., Jr.
Kunkel, Richard H., Jr.
Langston, Michael D.
Lewis, Edward G.
Lister, Dennis L.
Matus, John F.
McConnell, Paul R.
McCormack, Orval W.
McKee, Donald S.
McNeece, James R.
Meltzer, Max C.
Millen, John C.
Mills, Edward H.
Morgan, Michael D. L.
Nelson, William J., Jr.
OBrien, John J., Jr.
ORourke, Robert J.
Pace, Peter
Philip, George, III
Pruiett, Ronald E.
Ptack, Kenneth R.
Robitaille, Joseph A., Jr.
Roll, Raymond A.
Roth, Michael G.
Samaras, George N.
Scivicque, Richard S.
Selden, Jules B.
Shaw, Dennis R.
Sheahan, William J., III
Shields, Michael F.
Slough, John J.
Stoll, Ronald M.
Toppelberg, Alan S.
Trompeter, Thomas R.
Tuttle, Robert E.
Vetter, David A.
Weiss, Thomas J.
Wilkerson, Thomas L.
Williams, Michael J.
Williamson, John T.
Wright, Henry A.
Zahn, George A., Jr.

The following-named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Acly, Peter A.
Alexander, William S.
Allen, Joe E.
Anderson, Gary K.
Anuszewski, John W.
Ashman, John W.
Bank, John D.
Barnes, Robert C., Jr.
Beeler, Park L., II
Begun, Lawrence C.
Bently, Jon R.
Black, William R.
Boillot, David A.
Bradstreet, Bernard F.
Brodrick, Steven P.
Brown, David T.
Broz, Charles F.
Budd, Paul D.
Burton, Ronald L.
Buechler, Robert J.
Calderas:, John, Jr.
Champe, Charles R.
Colt, Peter L.
Connor, Michael C.
Cooper, C. Richard, Jr.
Cress, John R.
Daigle, Paul R.
Dakin, William E., Jr.
Dalia, George C., Jr.
Davis, Crane
Davis, William P., II
Decker, Andrew P.
Deggendorf, Terrence T.
Devylder, Edgar P., Jr.
Doyle, Kevin M.
Dunn, Charles C.
Eckenrode, David J.
Engelman, Robert A.
Ertwine, Carl H.
Ewing, James J., Jr.
Faro, David R.
Feltner, Jonathan P.
Ferguson, Michael J.
Finneran, Patrick J., Jr.
Fitzgerald, Kenneth W
Freiherr, Stephen P.
Friese, William P.
Fuller, James R.
Gazdayka, John R.
Gernert, Royce G.
Gettman, James A.
Gibson, Carl R.
Gingrich, David M.
Goslin, Gary J.
Graves, Terrence C.
Greenfield, Charles A.
Grischkowsky, Roger S
Gustafson, Grant P.
Hadar, Steven P.
Hagan, John R.
Hager, Hampton C., Jr.
Hansen, Robert W.
Harrington, Patrick J.
Haughey, David W.
Hayes, John E.
Henry, Floyd P.
Higgins, William R.
Holmes, Michael
Howe, Dennis K.
Hudock, John M., Jr.
Huntington, Frederick L.
Hutchinson, Robert H.
Ingram, Thomas M.
Jackson, Charles B.
James, Albert E., Jr.
Jones, Stuart C.
Kadolph, Harold D.
Karch, John F.
Kehrli, Bruce A.
Kirkpatrick, William J
Knestrick, Martin E.
Kuhrtz, Steven G.
Kurth, Richard C.
Kuzniewski, Gregory S.
Kyle, Albert S.
Lancaster, John A.
Lawson, John F.
Lewis, James T.
Linkous, Harry A., III
Lipson, Merek E.
List, Robert W.
Lloyd, Robert M.
Lovett, Connie B.
Lyman, Donald R.
Macknis, John F.
March, Donald F.
Masters, John H., Jr.
McAtee, Keith C.
McCarver, Dennis M.
McGaughey, George L., Jr.
Metli, Richard
Morrow, Michael K.
Moyher, Cyril V.
Munyon, William H.
Murphy, Edward J.
Narney, John K.
Neal, Richard O.
Nelson, Jan H.
Nelson, Robert R.
Newlin, Robert B.
Nickerson, Douglas W.
Norton, Raymond J.
Nyderek, Joseph M.
O'Shaughnessy, Edward M., Jr.
Oswald, Edwin L.
Packard, Robert A., Jr.
Parker, Paul D., II.
Peake, David B.
Pearson, Thomas R., Jr.
Peterson, Paul W.
Polnaszek, David A.
Pribbenow, Merle L.
Radcliffe, Harry Q.
Randall, David S., Jr.
Reed, Nathaniel H.
Reilly, Thomas L.
Renaghan, Joseph F.
Roberson, Larry E.
Roepke, Craig S.
Rowen, Charles G.
Sammons, Jack L., Jr.
Sanborn, James C.
Sandberg, Michael B.
Scheer, Donald A.
Schmid, John A.
Schroeder, Karl R.
Seagraves, James F.
Shaw, Stephen C.
Smaldone, Joseph P.
Smith, Clinton A.
Smith, Michael D.
Snocker, Frederick G.
Steel, Charles
Stephien, Edward R.
Steury, Jack E.
Stocker, Norman R.
Sullivan, John J., Jr.
Sute, John R.
Tait, Robert, Jr.
Tarbet, Dale M.
Taylor, Joseph Z.
Tehan, William J.
Terry, Joseph B.
Titcomb, Warren S.
Toeniskoetter, Charles J.
Toyama, Thompson R. T.
Tritsch, John B.
Tucker, Courtney L.
Ulrich, Carl W.
Waller, Robert W.
Warford, Charles F., Jr
Warren, Clifford B., III.
Weir, David E.
Welsh, Joseph R., Jr.
Williams, James G.
Wilson, Bruce B.
Wojtasek, James D.
Wolfe, Charles E., Jr.
Wroblewski, Ronald J. P.
Wzorek, James F.
Zimmerman, Jeffrey M.

The following-named officer of the Marine Corps for temporary appointment to the grade of first lieutenant subject to the qualifications therefor as provided by law:

Rogers, Robert D.

CONFIRMATION

Executive nomination confirmed by the Senate April 21, 1967:

FARM CREDIT ADMINISTRATION

Jonathan Davis, of Massachusetts, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for a term expiring March 31, 1973.

WITHDRAWAL

Executive nomination withdrawn from the Senate, April 21, 1967:

POSTMASTER

Anne C. Freeman to be postmaster at Lebanon, in the State of Connecticut.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 24, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He leadeth me in the paths of righteousness for His name's sake.—Psalm 23: 3.

Eternal God, our Father, whose love never lets us go, whose patience never lets us down, and whose justice never lets us off, hear us again as we offer unto Thee our morning prayer. We come out of a sense of need, out of a conviction that Thou art with us, and we would find our confidence and our courage in the support of Thy sustaining strength.

We pray for light upon our way, love along our path, and life amid the daily duties of our demanding day. Center our lives and the lives of our people around faith rather than fear, around justice rather than injustice, and around high principles rather than low prejudices. Strengthen us where we are weak, hold us firm when we would fall, steady us when we start to slip, and lift us up when down we go.

Remind us of the integrity which has undergirded our Nation, the freedom which is our rich heritage, and of our faith in Thee which has made and still makes our Nation great and strong. Lead us in the paths of righteousness for Thy name's sake. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 20, 1967, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries.

AUTHORITY FOR THE SPEAKER TO DECLARE A RECESS ON APRIL 28, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Friday, April 28, 1967, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting Gen. William C. Westmoreland, U.S. Army, commander, U.S. Military Assistance Command, Vietnam.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDING THE ACT OF JUNE 30, 1954, AS AMENDED, PROVIDING FOR THE CONTINUANCE OF CIVIL GOVERNMENT FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. ASPINALL submitted a conference report and statement on the bill (S. 303) to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes.

CONGRESS SHOULD STEP UP PROGRAMS FOR WATER AND SEWAGE FACILITIES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am today introducing legislation to increase the authorization for basic water and sewage facilities from $200 million to $1 billion. This new authorization would become effective in the next fiscal year, beginning July 1.

Mr. Speaker, this new authorization would provide funds for programs under section 702 of the Housing and Urban Development Act of 1965. This section authorized the Department of Housing and Urban Development to make grants up to 50 percent of the cost of water and sewage facilities in cities of more than 10,000 population. This section also authorized HUD to make grants up to 90 percent for such facilities in towns of less than 10,000 population.

The development needs of our cities, small towns, and rural areas are critical. Certainly the existence of good basic water and sewage plants and related facilities are essential if these development programs are to succeed.

Mr. Speaker, one of the greatest backlogs of public need is in this area. This has been a growing development gap and one which our cities and small towns have been unable to close. The situation was heightened in 1966 when high interest rates and tight money prevented many municipalities from voting and selling bonds for the construction of water and sewage plants.

As a result, the Department of Housing and Urban Development has a backlog of about $4 billion in requests for grants for this type of facility. At present, authorizations would allow appropriations of only $200 million for fiscal year 1968, beginning on July 1. Obviously, Mr. Speaker, this authorization is much too small to make any meaningful dent in this backlog.

Outlays for water and sewage facilities require tremendous blocks of capital which local governments are simply unable to find. As a result, other development programs, such as housing, industrial expansion, urban and rural development, and other similar programs are deferred or canceled. The enactment of a meaningful program of Federal grants for water and sewage facilities will unlock local initiative in these other development areas and move the country forward.

Therefore, Mr. Speaker, I am convinced that the $1 billion authorization which I propose will be paid back to the country many times over as a result of new activity which these facilities will create.

EXPRESSION OF SORROW OVER LOSS OF RUSSIAN COSMONAUT

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I, as I am sure is true of all Americans, share the sorrow of the Russian people caused by the loss of one of their cosmonauts this morning.

The Russians have a good space program, and we have a good space program, but so long as we deal so much in the unknown we will have more accidents. I am very thankful that we have brave men who will risk their lives to improve the lot of mankind, be they Russians, Americans, or whoever they are.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I join the distinguished gentleman from Texas [Mr. TEAGUE] in his expression of sorrow over the death of one of Russia's brave pioneers of space. The gentleman from Texas is a very active and important member of the Committee on Science and Astronautics and chairman of both the Subcommittee on Manned Space Flight and Space Oversight. When he speaks, he speaks the sentiments of all those in Congress interested in the exploration of outer space. He also expresses the sentiments, I am sure, of all Americans when he says we join the people of Russia in their bereavement over the death of one of their bravest sons. Like our own astronauts, the Russian cosmonauts are blazing new trails. They are the heroes of the skies and when one of them falls, the whole world mourns. I am sure I speak the sentiments of all Members of the House when I say we extend our deepest and most heartfelt sympathy to the widow and children of Cosmonaut Komarov in their time of sadness.

CORREGIDOR-BATAAN MEMORIAL COMMISSION

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 3399) to amend section 2 of Public Law 88-240 to extend the termination date for the Corregidor-Bataan Memorial Commission, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—the bill provides $20,500 for continuation of the Corregidor-Bataan Memorial Commission; is that correct?

Mr. ZABLOCKI. If the gentleman will yield, that is correct, for 1 year.

Mr. GROSS. May I have the assurance of the gentleman from Wisconsin that this will be the end of the Commission, by the end of November of 1968?

Mr. ZABLOCKI. The gentleman has that assurance.

Mr. GROSS. And the end of expenditures for this purpose?

Mr. ZABLOCKI. That is correct.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to

the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3399

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of Public Law 88–240 (77 Stat. 477) is amended to read as follows:

"SEC. 2. The Corregidor-Bataan Memorial Commission shall cease to exist upon completion of the construction authorized by this Act, or on November 6, 1968, whichever shall first occur."

Mr. ZABLOCKI. Mr. Speaker, H.R. 3399 simply extends the life of the Corregidor-Bataan Memorial Commission from May 6, 1967 to November 6, 1968.

This bill was passed by the Committee on Foreign Affairs on April 20, 1967, and *has been placed on the Consent Calendar for May 1, 1967. This is uncomfortably* close to the May 6, 1967 expiration date. Therefore, the reason I am asking unanimous consent to bring H.R. 3399 up at this time is to allow sufficient time for legislative action in the Senate. This *additional week should prevent the life* of the Commission from expiring while legislative action is being completed in the House and in the Senate.

As explained in the report accompanying this bill, the construction of the memorial authorized by Public Law 88–*240 has been delayed because the United* States was unable to obtain reasonable bids in March 1966. It was necessary to rebid the construction and a contract has now been awarded.

The Department of State has strongly urged that this Commission not be allowed to die before it fulfills its task. To do so might be a matter of embarrassment to the United States and the Philippines, as well as grounds for a possible misunderstanding. The Commission's Philippine counterpart is continuing to function and should have a single point of contact with the United States to resolve the numerous problems that will arise during the construction now underway.

The total additional cost for operating this Commission during the remainder of the extended period covered by this bill is estimated at $20,500.

Mr. Speaker, I urge the adoption of H.R. 3399.

Mr. SELDEN. Mr. Speaker, I rise in support of H.R. 3399, which will extend the life of the Corregidor-Bataan Memorial Commission for an additional period of about 20 months, to November 6, 1968.

Mr. Speaker, the continuation of this Commission, in my view, is extremely important because the memorial which was authorized by Public Law 88–240 is now under construction, and it is essential that there be a focal point, which this Commission represents, for clearing the various problems that always arise during construction periods.

This Commission was created by an act of Congress in 1953 with the assigned function of cooperating with the Philippine Government in planning a memorial on Corregidor that would be a fitting tribute to the sacrifices of the Americans and Filipinos who fought there and on Bataan. A companion Commission, known as the Philippines National Shrines Commission, was created by the Philippine Government.

The plans for the memorial that finally evolved from the work of these two Commissions was a modest proposal that it is estimated will cost the United States approximately $1,500,000. Under these plans, Corregidor will be transformed from the state of ruin into which it had fallen to a simple but dignified memorial area comparable to Saratoga or Gettysburg. The site will be consecrated ground. Other improvements will include the erection of historical markers, *the restoration of sites such as the* famous Malinta Tunnel, the repair of roads, the installation of facilities for electricity and water, and a small pavilion that will serve as a tourist center, house an auditorium and serve as a *repository for historical documents.* Twin flagpoles will be erected at the highest point on the island from which flags of both countries would fly and be illuminated at night. The Philippine Government is prepared to accept its share of responsibility including *arrangements for guards, for adequate* transportation to the island, and for collaboration with the United States in the production of a documentary film that will put in perspective the story of Corregidor.

In the initial request for bids in March *1966, the Commission was unable to obtain* a response within the available funds. The process of rebidding the construction of the proposed memorial has delayed it for about 1 year, which is the primary reason for the request for the extension of the Commission's life. I have been a member of the Commission almost since its inception. Therefore, I am aware of the unavoidable delays and the efforts on the part of the Commission to move this memorial construction along as rapidly as possible.

I do not believe that the Commission should be allowed to expire before the functions assigned it by the Congress have been completed and, therefore, Mr. Speaker, I urge the approval of H.R. 3399.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that I may extend my own remarks, that the gentleman from Alabama may extend his remarks, and that any other Member who so desires may extend his remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ENFORCEMENT OF THE OIL POLLUTION ACT

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to *the request of the gentleman from New* York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, recently it was revealed that the Clean Water Restoration Act of 1966 is partially unenforceable.

This law—which went into effect last November—was meant to strengthen the Oil Pollution Act of 1924, by imposing more stringent penalties on violators.

The Oil Pollution Act was confounded *by this amendment, however, as it limited* its enforcement to cases where the offender was "willfully or grossly negligent" in discharging oil.

As a result, it has now been discovered, attorneys of the Justice Department have *not filed even one case against owners of ships that were oil pollution violators* since the Clean Water Act became effective 5 months ago.

The situation is both unintended and regrettable.

The 1924 law actually was more *effective before the 1966 Clean Water Act* was passed. In its original state, the Justice Department had only to prove that a discharge of oil came from a certain ship and then the shipowner could only avoid prosecution by proving in turn that the escaped oil resulted from an *accident or was an emergency.*

When the Oil Pollution Act was amended last year, it was not the intent of Congress to weaken the enforcement provisions of the act, and I am today introducing legislation to remedy this unintended result.

My amendment is intended to repair enforcement difficulties of the Clean Water Act, and would forbid any careless or accidental discharge of oil into navigable waters. The Clean Water Act was intended to do this in the first place.

I propose this amendment at a time when the whole country is aware of the damage oil discharged into navigable waters can cause—when the recent *Torrey Canyon* disaster and the Cape Cod oil slick are foremost in our minds.

In my home area of Buffalo, N.Y., an oil slick has jeopardized both Buffalo Harbor and the Niagara River.

I hope the 90th Congress will recognize the urgency involved in passing this bill, or one like it.

Certainly I know it was not the intention of this House or the other body to weaken the provisions of the Oil Pollution Act. To remedy this defect I have today introduced legislation, and I hope we can consider it at this session.

Mr. GARMATZ. Mr. Speaker, will the gentleman yield?

Mr. McCARTHY. I will be glad to yield to the chairman of the committee.

Mr. GARMATZ. I might say as far as oil pollution is concerned, there is a meeting in London on May 4 and 5 of the IMCO, which is the International Maritime Consultants Organization. Our committee will have a representative over there to see what is going on and follow the meetings right on through.

Mr. McCARTHY. I thank the distinguished chairman of the Committee on Merchant Marine and Fisheries.

EMERGENCY STRIKE LEGISLATION NEEDED

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I want again to address the House on the problem of emergency strike legislation. The possibilities of a national railway strike now, or a trucking or airline strike at other times, are almost too frightening to consider, but nevertheless we have got a railroad dispute staring us in the face.

The news media this past weekend carried reports that negotiators mediating the railroad dispute have reached an impasse.

It seems to me that Congress will again be faced with the problem that came before it less than 2 weeks ago, and frankly, not to squarely face this problem would be less than responsible.

What concerns me now is the fact that, in light of recent labor disputes in both the trucking and railroad industries, there has been some harsh legislation introduced. I do not wish to indict the persons supporting any of the approaches I am going to mention because I believe everyone here has dealt with this problem in good faith. But at the same time, I am convinced that many of the approaches recommended destroy collective bargaining and the entire framework of our national labor policy.

The railroad dispute will quite possibly rear its head again early next month. I am hopeful that it can be settled by the parties involved. However, I am fearful that if it is not settled, some of the solutions recommended in pending legislation will be grabbed in desperation and enacted as permanent laws. The railway dispute is too much upon us to be dealt with on anything other than an ad hoc basis.

Many of you are familiar with my bill, H.R. 5638. I have spoken of it to you from this floor, and I have been in correspondence with all of you on the subject. I know that the members of the Interstate and Foreign Commerce Committee are fully aware of the bill.

Even so, I am shocked that we, the Congress, have quietly wallowed in our lackluster vacuum and let the problem grow to crisis proportion.

I would be less than honest to try to tell you that we are solely responsible for a labor policy that brings nearly every transportation dispute to the Halls for settlement. The executive department, by its inaction to propose any guidelines for new laws that could deal with strikes that threaten to cripple the country, has become our "partner in sin" in this matter.

This foot dragging should not be allowed to continue, and I call upon the chairman of the House Committee on Interstate and Foreign Commerce to schedule immediate hearings on legislation designed to correct these abuses.

It is surprising and shocking to realize that nothing has been done and, quite frankly, Mr. Speaker, I believe the time is running out.

I do know that the able chairman of the Commerce Committee has told me that hearings would be set if no settlement is made in the railway strike and the issue is returned to Congress.

But, no matter whether this particular dispute is resolved or not, the basic problem will still be with us. This is reason enough to give our attention to considering a well-thought-out and reasonable course of action.

I realize full well the complexities and technicalities of this matter. This is no legitimate reason to simply agonize and hope the problem will go away.

The problem will not vanish like so much grease on a shirt when bleach is added to the wash water. It is going to take the kind of action that only this legislative body can give it.

Everyone in this Congress knows that our Commerce Committee chairman is a fair and courageous American, and that he will give all sides a good and fair chance to present their case. But we have got to get with it. The hour is late and the public interest demands it.

Mr. Speaker, I would also like to review the provisions of my bill in order to show how it is the only type of approach which will preserve the cornerstone of collective bargaining and present a workable solution to crippling strikes.

The bill amends section 10 of the Railway Labor Act. It preserves the present process up to and including the Federal Mediation Board.

As is the case now, the Mediation Board is empowered to give notification to the President if a dispute between a carrier and its employees is not adjusted under earlier provisions of the act, and, if in the judgment of the Board, such a dispute "threatens substantially to interrupt interstate or foreign commerce to a degree as to deprive any section of the country of essential transportation."

At this point, my proposal would add new procedures to deal with whatever problem arises.

After receiving notification from the Mediation Board, the President would have the discretion to take either of two approaches:

He could appoint a nonbinding Emergency Board with powers virtually identical to those given the Emergency Board under present law or he could announce his intention to establish a binding arbitration board, termed a Special Board.

If, at this stage, the President elects to appoint an Emergency Board, he may appoint as many disinterested individuals to the Emergency Board as he deems desirable and necessary. The President may, also, in his discretion, charge the Emergency Board with the responsibility to make a statement of the facts of the dispute and/or recommendations for the settlement of any or all of the matters in dispute.

Within 60 days after the appointment of the Emergency Board, or such date as he may specify—but not to exceed 60 additional days—if the dispute has not been settled, the Board shall report to the President, and for 30 days after this report is made, there will be a 30-day cooling-off period during which there will be no change, except by mutual agreement, in the working conditions out of which the dispute arose.

After this cooling-off period, the President may exercise any or all, or none of three alternatives:

First. He may transmit the report of the Emergency Board to Congress for such action as he may recommend.

Second. If the report includes recommendations for settlement, the President may provide by executive order that these recommendations shall serve as the working conditions for a period not to exceed 120 days.

Third. He may notify the parties of his intention to establish a Special Board.

I may note at this point that the Special Board I just mentioned can be initiated by the President immediately after the notification by the Mediation Board and its procedures have been utilized.

At whichever point the President announces his intent to establish a Special Board—if he ever does decide to do so—the parties have 10 days from the announcement to select members of a Special Board which will have authority to make a final and binding determination of matters in dispute. The parties may also establish procedures for the Board, and ascertain the matters in dispute which shall be determined by the Board.

If the parties fail to establish the Special Board, the President shall appoint three members of the Board, one member shall be appointed by the representatives of the employees and one shall be appointed by the carriers involved. In reaching its determination, the Special Board may, in its discretion, adopt the recommendations of the Emergency Board, and shall take into consideration all relevant information surrounding the dispute.

The Special Board would make and publish its determination within 60 days after its appointment except that the President may extend the period for not more than an additional 60 days. With certain exceptions, the determination of a Special Board would be final and binding upon the parties for the period described by the Special Board, as long as the period does not exceed 2 years. The decision of the Special Board shall be enforceable by proceedings in the U.S. district courts.

The determination of a Special Board may be set aside only by application of a party to the Board proceedings, and only on the grounds that the determination was based on fraud or corruption, or was not in accordance with section 10 of the act or with the Constitution. In no event would the reviewing court have jurisdiction to review or set aside a determination of a Special Board on the ground that rates of pay, rules, or working conditions prescribed were not just and reasonable.

Now let us look at the alternatives available. The easiest answer here is to do nothing. If we allowed the present law to stand, Congress would continue to be brought into every serious dispute, and in light of the growing complexity of our society, I know they will be successively more difficult.

That is not the problem, though. The problem is that collective bargaining would be the innocent and invariable victim of such action. If the parties feel that congressional intervention is the final step in every serious nationwide labor dispute, then all efforts at bargaining will lapse, and the parties will concentrate their efforts in lobbying pressure.

Another suggested approach is that of "finality." Under this scheme, compulsory arbitration would be keyed in at the end of every process of negotiation and mediation. In other words, it would be a procedure unquestionably at the end of the line whenever there is a bargaining standoff in a serious dispute.

Under this plan, I feel the parties would lose their incentive to bargain. Possibly at least one of the parties would feel that they would get a more favorable result under arbitration and accordingly, they would not be truly interested in bargaining prior to arbitration.

As Secretary Wirtz has said on this point, compulsory arbitration not only eliminates strikes, it also eliminates bargaining. Furthermore, I feel that the choice of only one abrupt remedy to cover the tremendous scope of disputes is inadequate.

Many of these same objections apply to the plan to create a permanent labor-management court. Once the jurisdiction of the court is invoked, I feel that the parties would be removed from the bargaining arena and that a voluntary settlement would be most unlikely.

In light of these proposed alternatives, I restate my firm conviction that the need is for further procedures which enable continued bargaining in an atmosphere conductive to good-faith negotiation, which give the President a choice of procedures and allows him to tailor the remedy to fit the situation, and finally which secludes the nature and even the existence of that ultimate step of governmental intervention which would conclusively settle the dispute.

President Johnson has said to negotiators that the public occupies a third seat at the bargaining table. I think it is time the law took cognizance of that fact.

The power to act in serious disputes must lie somewhere. I think that responsibility should rest in the Chief Executive. I am aware of the argument that a Presidential choice of procedures might cause the parties to neglect bargaining with each other, directing pressures on the White House on which route to select. In light of all the circumstances, I think this argument is without merit. I realize that there are weaknesses to this approach, but I submit that the alternatives are much worse.

It should be remembered, however, that the President does not shoulder this responsibility alone. He may make the choice to take direct action by Executive order or he may refer it to the Mediation Board or the Special Board. He can also refer disputes to Congress for whatever action this body thinks best.

Mr. Speaker, I enjoin upon this body the need for our active consideration and participation in arriving at a workable solution to this vexing problem.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I would be glad to yield to the gentleman from Illinois.

Mr. ARENDS. The gentleman from Texas is bringing up a very important matter and something which is of great concern to all of us. I remember and remind the gentleman that a year ago the President in his state of the Union message told us he would send up legislation on this. We have been sitting here and waiting for it ever since. I am not sure that it is a matter for the committee, because we have been waiting here for the President to send this legislation up.

Mr. PICKLE. I would say to the gentleman from Illinois the fact that they have not submitted a report is simply an indication that this is a highly technical and involved matter. I understand they will have a report out in the next week or two. I hope it is true. There has been foot dragging but the fact that there has been foot dragging down the street does not mean there has to be any more here. You and I must shoulder the responsibility, too, I will say to the gentleman.

BLEAK TIME IN THE HISTORY OF COLLECTIVE BARGAINING

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, apropos of what the gentleman from Texas just said, this is a bleak time in the history of collective bargaining.

President Johnson has reported that his Special Mediation Panel—made up of three distinguished citizens—has developed a reasonable formula which would avert a nationwide railway strike.

But the unions and the carriers have rejected the Panel's proposal. And a crippling shutdown of a major segment of our transportation system is only 8 days away.

The situation that now faces us is not only tragic, but unnecessary as well.

I have observed many wage disputes between labor and management during my years in the House of Representatives. Yet seldom, if ever, have I seen a situation such as this, where both parties are so close to agreement, yet so unwilling to take the last, short step together.

In his message to Congress on April 10, President Johnson stated that:

> The differences which remain in this dispute are important. But they are slight when compared with the price to the country and to these parties from a suspension of rail service.

If that statement was true then, it is doubly true today. The economic and social consequences of such a strike have not lessened. But the differences between the disputing parties have. The President's Special Panel has worked long and diligently, favoring no party but the public interest. The Panel has reported that the parties are not far apart; that:

> The matter is one of dollars and cents alone and the real differences between the parties in our judgment are not great.

In view of this, and in view of the seriousness of the situation, I call upon both labor and management to put aside their differences and consider the national interest as a whole. I call upon them to accept the Panel's reasonable recommendations.

All that is now needed is the will to settle.

That will must be the order of the day.

Mr. BOGGS. Mr. Speaker, yesterday, President Johnson carried to Europe with him the added burden of a threatened nationwide railway strike.

The President is to be commended for the tireless efforts that he and his Special Mediation Panel have made to avert such a strike. The Panel reports that it has brought labor and management so close together that their differences are now a matter of "dollars and cents." In my opinion, only a thread now separates them.

Yet, as close as they are, both parties have reached an unyielding deadlock, and neither appears willing to give an inch. A strike is only 8 days away.

I sincerely hope that the unions and management can be made to understand that their unreasonable positions are posing a grave threat to the well-being of this Nation.

It is obvious that we cannot afford a strike. It is also obvious, at least to me, that neither of the disputing parties can afford the consequences of bringing such a strike about.

Collective bargaining remains the best way to settle these disputes. And it remains one of the strongest pillars of our free enterprise system.

If both parties will understand this, they will serve not only their Nation's interest, but their own interests as well.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

INTERNATIONAL CLAIMS SETTLEMENT ACT AMENDMENTS

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, I am today introducing, by request of the executive branch, legislation proposing to amend the International Claims Settlement Act of 1949, as amended.

The proposed amendments are necessary in order to enable the Foreign Claims Settlement Commission to effect an orderly disposition of payments arising out of recent claims settlement agreements with Yugoslavia, Rumania, and Bulgaria.

In addition the proposed legislation contains provisions which bear on the disposition of the funds remaining in the Italian claims program, and propose various technical changes in the existing statutes.

I should like to mention at this point that during the last Congress, the Subcommittee on Europe of the Committee on Foreign Affairs considered similar legislation and reported it with amendments to the full committee.

As chairman of the Subcommittee on Europe I felt that it was incumbent upon me to introduce this new legislation requested by the executive branch. I am doing it today.

The text of the bill being introduced is as follows:

H.R. 9063

A bill to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Claims Settlement Act of 1949, as amended, is further amended as follows:

(1) Subsection (f) of section 4, title I, is hereby amended to read as follows:

"(f) No remuneration on account of services rendered on behalf of any claimant in connection with any claim filed with the Commission under this title shall exceed 10 per centum of the total amount paid pursuant to any award certified under the provisions of this title, on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be fined not more than $5,000 or imprisoned not more than twelve months, or both."

(2) Subsection (b) of section 7, title I, is amended by inserting "(1)" after the subsection letter, and adding at the end thereof the following paragraph:

"(2) The Secretary of the Treasury shall deduct from any amounts covered, subsequent to the date of enactment of this paragraph, into any special fund, created pursuant to section 8, 5 per centum thereof as reimbursement to the Government of the United States for expenses incurred by the Commission and by the Treasury Department in the administration of this title. The amounts so deducted shall be covered into the Treasury to the credit of miscellaneous receipts."

(3) Paragraph (1) of subsection (c), section 7, title I, is hereby amended to read as follows:

"(1) If any person to whom any payment is to be made pursuant to this title is deceased or is under a legal disability, payment shall be made to his legal representative, except that if any payment to be made is not over $1,000 and there is no qualified executor or administrator, payment may be made to the person or persons found by the Comptroller General to be entitled thereto, without the necessity of compliance with the requirements of law with respect to the administration of estates."

(4) Subsection (c) of section 8, title I, is amended by inserting the phrase ", prior to the date of enactment of the amendment of this paragraph," immediately after the word "covered" and before the word "into", and by inserting "(1)" after the words "section 7(b)" and before the words "of this title."

(5) Section 8, title I, is hereby further amended by adding at the end thereof the following subsection:

"(e) The Secretary of the Treasury is authorized and directed out of sums covered, subsequent to the date of enactment of this subsection, into any special fund created pursuant to this section to make payment on account of awards certified by the Commission pursuant to this title with respect to claims included within the terms of a claims settlement agreement concluded between the Government of the United States and a foreign government as described in subsection (a) of section 4 of this title, as follows and in the following order of priority:

"(1) Payment in the amount of $1,000 or the principal amount of the award, whichever is less;

"(2) Thereafter, payments from time to time on account of the unpaid principal balance of each remaining award which shall bear to such unpaid principal balance the same proportion as the total amount available for distribution at the time such payments are made bears to the aggregate unpaid principal balance of all such awards; and

"(3) Thereafter, payments from time to time on account of the unpaid balance of each award of interest which shall bear to such unpaid balance of interest, the same proportion as the total amount available for distribution at the time such payments are made bears to the aggregate unpaid balance of interest of all such awards."

(6) Section 302, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Secretary of the Treasury shall cover into each of the Bulgarian and Rumanian Claims Funds, such sums as may be paid by the Government of the respective country pursuant to the terms of any claims settlement agreement between the Government of the United States and the Government of such country."

(7) Section 303, title III, is amended by striking out the word "and" at the end of paragraph (2), and by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and immediately thereafter, the word, "and".

(8) Section 303, title III, is further amended by adding at the end thereof the following new paragraph:

"(4) Pay effective compensation for the nationalization, compulsory liquidation, or other taking of property of nationals of the United States in Bulgaria and Rumania, between August 9, 1955, and the effective date of the claims agreement between the respective country and the United States."

(9) Section 304 of title III is amended by inserting "(a)" after the section number and adding at the end thereof the following subsections:

"(b) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on August 9, 1955, which arose out of the war in which Italy was engaged from June 10, 1940 to September 15, 1947, and with respect to which provision was not made in the treaty of peace with Italy: *Provided,* That no awards shall be made to persons who have received compensation in any amount pursuant to subsection (a) of this section or under section 202 of the War Claims Act of 1948, as amended, or to persons whose claims have been denied by the Commission for reasons other than that they were not filed within the time prescribed by section 306.

"(c) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on September 3, 1943, and the date of enactment of this subsection, against the Government of Italy which arose out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, in territory ceded by Italy pursuant to the treaty of peace with Italy: *Provided,* That no awards shall be made to persons who have received compensation in any amount pursuant to the treaty of peace with Italy or subsection (a) of this section.

"(d) Within thirty days after enactment of this subsection, or within thirty days after the date of enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under subsections (b) and (c) of this section, whichever date is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed with the Commission, which limit shall not be more than six months after such publication.

"(e) The Commission shall certify awards on claims determined pursuant to subsections (b) and (c) of this section to the Secretary of the Treasury for payment out of remaining balances in the Italian Claims Fund in accordance with the provisions of section 310 of this title, after payment in full of all awards certified pursuant to subsection (a) of this section.

"(f) After payment in full of all awards certified to the Secretary of the Treasury pursuant to subsections (a) and (e) of this section, the Secretary of the Treasury is authorized and directed to transfer the unobligated balance in the Italian Claims Fund into the War Claims Fund created by section 13 of the War Claims Act of 1948, as amended."

(10) Section 306, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) Within thirty days after enactment of this subsection or the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 of this title, whichever is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed under paragraph (4) of section 303 of this title, which limit shall not be more than six months after such publication."

(11) Section 310, title III, is amended by adding at the end of Subsection (a) thereof the following paragraph:

"(6) Whenever the Commission is authorized to settle claims by the enactment of paragraph (4) of section 303 of this title with respect to Rumania and Bulgaria, no further payments shall be authorized by the Secretary of the Treasury on account of awards certified by the Commission pursuant to paragraphs (1), (2), or (3) of section 303 of the Bulgarian or Rumanian Claims Funds, as the case may be, until payments on account of awards certified pursuant to paragraph (4) of section 303 with respect to such Fund have been authorized in equal proportion to payments previously authorized on existing awards certified pursuant to paragraph (1), (2), and (3) of section 303."

(12) Section 316, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Commission shall complete its affairs in connection with the settlement of claims pursuant to paragraph (4) of section 303 and subsection (b) and (c) of section

304 of this title not later than two years following the date of enactment of such paragraph, or following the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 and subsections (b) and (c) of section 304 of this title, whichever is later."

TO DESIGNATE APRIL 28-29, 1967, AS "RUSH-BAGOT AGREEMENT DAYS"

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the resolution (S.J. Res. 49) to designate April 28-29, 1967, as "Rush-Bagot Agreement Days," and ask unanimous consent for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would ask the gentleman from Colorado [Mr. ROGERS] if now, or in the future, it is anticipated that the adoption of this resolution will result in any expenditure on the part of the Federal Government?

Mr. ROGERS of Colorado. Mr. Speaker, will the distinguished gentleman from Iowa yield?

Mr. GROSS. Yes, I yield to the distinguished gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Speaker, I can assure the gentleman from Iowa [Mr. GROSS] that the adoption of this joint resolution does not contemplate the expenditure of any Federal moneys as a result of this celebration.

Mr. GROSS. It does not involve any funds whatsoever?

Mr. ROGERS of Colorado. Mr. Speaker, if the gentleman from Iowa will yield further——

Mr. GROSS. Yes, I yield further to the gentleman from Colorado.

Mr. ROGERS of Colorado. It does not involve any Federal funds whatsoever.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 49

Whereas the Rush-Bagot Agreement was signed on April 28-29, 1817, providing for naval disarmament between Canada and the United States along the Great Lakes and Lake Champlain; and

Whereas this agreement is still in existence one hundred and fifty years later, making it the oldest arms limitation treaty in effect in the world today; and

Whereas Canada and the United States share the longest unfortified boundary in the world as a result of such agreement; and

Whereas the commemoration of the signing of such agreement would serve as a reminder of the lasting friendship between Canada and the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating April 28-29, 1967, as "Rush-Bagot Agreement Days" and inviting the Governors of the several States and the chief officials of local governments and the people of the United States to observe such days with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TAX-INCENTIVE DEVELOPMENT ACT TO STRENGTHEN SMALLTOWN AMERICA

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, I am today introducing a bill to provide for increased job opportunities and employment—the Tax-Incentive Development Act of 1967—a bill that can mean much to our cities, large and small, by creating employment opportunities in our smaller cities.

Several of my colleagues are also introducing similar bills.

This bill provides tax incentives to induce business to locate in smaller communities—a proposal that has the endorsement of many officials in our Government.

This bill will offer:

An added 7 percent credit, in addition to the investment credit now under suspension—for machinery and equipment investment, and

Accelerated tax amortization of investment in industrial and commercial facilities, including land, over a 60-month period, to industry locating new or branch plants in small town and rural America.

It is my hope that this bill will assist small town and rural areas to develop their resources and their people and provide jobs and employment opportunities to our young people and others who want to live at home.

A recent poll shows that 50 percent of our people want to live in rural America.

Our major cities are caught in a population strangulation—our small towns are caught in a population decimation.

Their problems are interrelated and intertwined.

By providing jobs and opportunities in our small towns, our young people will be encouraged to channel their talent and their creativity into their own communities, rather than into major cities to compete with residents of those cities for jobs.

The Washington Post said in a recent editorial:

> The country cannot accept as inevitable the further concentration of rural refugees in its large cities . . . The neglect of this problem is rapidly producing two nations—one a rural wasteland and the other an urban slum.

President Johnson, in a major policy address in Dallastown, Pa., on September 3 last, said:

> The cities will never solve their problems unless we solve the problems of the towns and smaller areas.

And he concluded:

> Modern industry and modern technology and modern transportation can bring jobs to the countryside rather than people to the cities.

That is the objective of this bill—that is what we hope to accomplish.

Mr. Speaker, I want to make it clear that the purpose of this bill is to bring the benefits of an expanding economy to rural and smalltown America—there is a specific clause which prohibits the pirating of industry from another section.

My bill simply provides an added tax incentive to industry that locates a new plant or branch plant in smalltown and rural America—and it deserves strong support.

JEWISH OPPRESSION

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, today marks the commencement of the Passover season, sacred to Jews the world over, commemorating the flight of the Jews from their persecutors in Egypt.

It is a sad fact that in this day and age Jews are still suffering oppression in certain countries of this world.

One of the worst offenders is the Government of the Soviet Union. For many years now it has denied to Jews fundamental civil and religious rights accorded other groups. Alone among Soviet nationalities, Jews are denied schools and other institutions necessary for the perpetuation of their heritage. They are forbidden formal and official contacts with coreligionists in other countries. Jews are not even allowed any form of nationwide federation of congregations or clergy. And this is only a partial listing of the Soviet practices toward Jews which violate fundamental human rights.

For this first day of Passover, a joint statement has been released signed by 300 Members of the House of Representatives, condemning Soviet suppression of Jewish religious, cultural, and spiritual life. I am proud to be a signer of that statement and to have played a role in its preparation and in obtaining such widespread support for it. It is particularly significant that the signers—185 Democrats and 115 Republicans, from every State in the Union—represent all shades of opinon, and that the list includes our honored Speaker, Mr. MCCORMACK, the majority leader, Mr. ALBERT, and the minority leader, Mr. FORD, as well as the chairman of the Foreign Affairs Committee, Mr. MORGAN, and the ranking minority member of that distinguished committee, Mrs. BOLTON.

I have no doubt that such diversity reflects the widespread bipartisan American sentiment against the repressive Soviet policies. It is our devout hope that such an expression of strong disapproval of the Soviet Union's discrimination against the Jewish people will help to awaken the sensibilities of the Soviet Government to the worldwide condemnation of its policies in this respect and exert a positive influence for improvement.

The list is not closed, and those Members who have not yet indicated their support for the statement are cordially invited to do so.

The joint statement and list of signers, as of noon today, follow:

Statement of Members of the U.S. House of Representatives on Soviet Jewry

The undersigned Members of the House of Representatives of the Congress of the United States associate themselves with their fellow citizens and people of good will throughout the world in condemning the suppression of Jewish spiritual and cultural life in the U.S.S.R. The evidence presented by the American Jewish Conference on Soviet Jewry leaves no room for reasonable men to doubt that the government of the U.S.S.R. continues to pursue a program calculated to destroy the means of Jewish cultural and spiritual survival, and to break the will of Soviet Jewry to live as Jews. Such a practice not only violates fundamental human rights, it is contrary to the guarantees of Soviet law and asserted policy.

Alone among Soviet nationality groups, Jews are forbidden the schools and other institutions of Jewish learning, teaching and publishing, that are required if the heritage of Jews is to be perpetuated. Alone among major religious groups in the Soviet Union, Jews are forbidden the right to have any form of nationwide federation of congregations or of clergy. Alone among major religious groups in the Soviet Union, Jews have no formal and official contacts between Soviet Jews and their co-religionists abroad. A systematic campaign of initimidation inhibits them from openly protesting these inequities.

Premier Alexei Kosygin declared recently that all citizens, including Jews, are free to leave the Soviet Union to join their relatives abroad. We await translation of those words into deeds.

These inequities imposed on Soviet Jews must be protested by everyone who values human rights of all individuals and all groups everywhere.

E. Ross Adair (Ind.)
Brock Adams (Wash.)
Joseph P. Addabbo (N.Y.)
John B. Anderson (Ill.)
William R. Anderson (Tenn.)
Mark Andrews (N. Dak.)
Frank Annuzio (Ill.)
Thomas L. Ashley (Ohio)
Wayne N. Aspinall (Colo.)
William H. Ayres (Ohio)
Walter S. Baring (Nev.)
William A. Barrett (Pa.)
William H. Bates (Mass.)
James F. Battin (Mont.)
Page Belcher (Okla.)
Alphonzo Bell (Calif.)
Charles E. Bennett (Fla.)
Tom Bevill (Ala.)
Edward G. Biester, Jr. (Pa)
Jonathan B. Bingham (N.Y.)
John A. Blatnik (Minn.)
Ray Blanton (Tenn.)
Hale Boggs (La.)
Edward P. Boland (Mass.)
Richard Bolling (Mo.)
Frances P. Boland (Mass.)
Francis P. Bolton (Ohio)
John Brademas (Ind.)
Frank J. Brasco (N.Y.)
Jack Brooks (Tex.)
Donald G. Brotzman (Colo.)
Clarence J. Brown, Jr. (Ohio)
Gary Brown (Mich.)
George E. Brown, Jr. (Calif.)
James T. Broyhill (N.C.)
Joel T. Broyhill (Va.)
John Buchanan (Ala.)
J. Herbert Burke (Fla.)
James A. Burke (Mass.)
Lawrence J. Burton (Utah)
Phillip Burton (Calif.)
George Bush (Tex.)
Daniel E. Button (N.Y.)
James A. Byrne (Pa.)
John W. Byrnes (Wis.)
Earle Cabell (Tex.)
William T. Cahill (N.J.)
Hugh L. Carey (N.Y.)
Bob Casey (Tex.)
Elford A. Cederberg (Mich.)
Emanuel Celler (N.Y.)
Frank M. Clark (Pa.)
Donald D. Clancy (Ohio)
Don H. Clausen (Calif.)
James C. Cleveland (N.H.)
Jeffery Cohelan (Calif.)
Harold R. Collier (Ill.)
Barber B. Conable, Jr. (N.Y.)
Silvio O. Conte (Mass.)
John Conyers, Jr. (Mich.)
Robert J. Corbett (Pa.)
James C. Corman (Calif.)
William C. Cramer (Fla.)
John C. Culver (Iowa)
Glenn Cunningham (Nebr.)
Emilio Q. Daddario (Conn.)
Dominick V. Daniels (N.J.)
John W. Davis (Ga.)
William L. Dawson (Ill.)
Eligio de la Garza (Tex.)
James J. Delaney (N.Y.)
John R. Dellenback (Oreg.)
John H. Dent (Pa.)
Edward J. Derwinski (Ill.)
Charles C. Diggs, Jr. (Mich.)
John D. Dingell (Mich.)
Harold D. Donohue (Mass.)
John G. Dow (N.Y.)
John Dowdy (Tex.)
Thaddeus J. Dulski (N.Y.)
Florence P. Dwyer (N.J.)
Bob Eckhardt (Tex.)
Ed Edmondson (Okla.)
Don Edwards (Calif.)
Jack Edwards (Ala.)
Joshua Eilberg (Pa.)
Marvin L. Esch (Mich.)
Edwin D. Eshleman (Pa.)
Frank E. Evans (Colo.)
George H. Fallon (Md.)
Leonard Farbstein (N.Y.)
Dante B. Fascell (Fla.)
Michael A. Feighan (Ohio)
Paul Findley (Ill.)
Paul A. Fino (N.Y.)
Daniel P. Flood (Pa.)
Thomas S. Foley (Wash.)
Gerald R. Ford (Mich.)
William D. Ford (Mich.)
L. H. Fountain (N.C.)
Donald M. Fraser (Minn.)
Samuel N. Friedel (Md.)
Richard Fulton (Tenn.)
Don Fuqua (Fla.)
Nick Galifianakis (N.C.)
Cornelius E. Gallagher (N.J.)
Edward A. Garmatz (Md.)
Tom S. Gettys (S.C.)
Robert N. Giaimo (Conn.)
Sam Gibbons (Fla.)
Jacob H. Gilbert (N.Y.)
Charles E. Goodell (N.Y.)
George A. Goodling (Pa.)
Henry B. Gonzalez (Tex.)
Kenneth J. Gray (Ill.)
Edith Green (Ore.)
William J. Green (Pa.)
Martha W. Griffiths (Mich.)
James R. Grover, Jr. (N.Y.)
Gilbert Gude (Md.)
G. Elliott Hagan (Ga.)
James A. Haley (Fla.)
Seymour Halpern (N.Y.)
Lee H. Hamilton (Ind.)
John Paul Hammerschmidt (Ark.)
James M. Hanley (N.Y.)
Richard T. Hanna (Calif.)
George V. Hansen (Idaho)
Julia Butler Hansen (Wash.)
William Henry Harrison (Wyo.)
James Harvey (Mich.)
William D. Hathaway (Maine)
Augustus F. Hawkins (Calif.)
Ken Hechler (W. Va.)
Margaret M. Heckler (Mass.)
Henry Helstoski (N.J.)
Floyd V. Hicks (Wash.)
Chet Holifield (Calif.)
Elmer J. Holland (Pa.)
Frank J. Horton (N.Y.)
Craig Hosmer (Calif.)
James J. Howard (N.J.)
William L. Hungate (Mo.)
John E. Hunt (N.J.)
Edward Hutchinson (Mich.)
Donald J. Irwin (Conn.)
Andrew Jacobs, Jr. (Ind.)
John Jarman (Okla.)
Charles S. Joelson (N.J.)
Harold T. Johnson (Calif.)
Robert E. Jones, Jr. (Ala.)
Joseph E. Karth (Minn.)
Abraham Kazen Jr. (Tex.)
James Kee (W. Va.)
Hastings Keith (Mass.)
Edna F. Kelly (N.Y.)
Carleton J. King (N.Y.)
Cecil R. King (Calif.)
Horace R. Kornegay (N.C.)
Theodore R. Kupferman (N.Y.)
Dan Kuykendall (Tenn.)
Peter N. Kyros (Maine)
Melvin R. Laird (Wis.)
Odin Langen (Minn.)
Sherman P. Lloyd (Utah)
Clarence D. Long (Md.)
Speedy O. Long (La.)
Donald E. Lukens (Ohio)
Richard D. McCarthy (N.Y.)
John W. McCormack (Mass.)
Joseph M. McDade (Pa.)
Jack H. McDonald (Mich.)
Robert C. McEwen (N.Y.)
John J. McFall (Calif.)
Torbert M. Macdonald (Mass.)
Clark MacGregor (Minn.)
Hervey G. Machen (Md.)
Ray J. Madden (Ind.)
Charles McC. Mathias, Jr. (Md.)
Robert B. Mathias (Calif.)
Spark M. Matsunaga (Hawaii)
Lloyd Meeds (Wash.)
Thomas J. Meskill (Conn.)
George P. Miller (Calif.)
Wilbur D. Mills (Ark.)
Joseph G. Minish (N.J.)
Patsy T. Mink (Hawaii)
Chester L. Mize (Kans.)
G. V. Montgomery (Miss.)
William S. Moorhead (Pa.)
Thomas E. Morgan (Pa.)
Thomas G. Morris (N. Nex.)
F. Bradford Morse (Mass.)
Rogers C. B. Morton (Md.)
Charles A. Mosher (Ohio)
John E. Moss (Calif.)
Abraham J. Multer (N.Y.)
John M. Murphy (N.Y.)
William T. Murphy (Ill.)
Lucien H. Nedzi (Mich.)
Robert N. C. Nix (Pa.)
Barratt O'Hara (Ill.)
James G. O'Hara (Mich.)
Alvin E. O'Konski (Wis.)
Arnold Olsen (Mont.)
Thomas P. O'Neill (Mass.)
Richard L. Ottinger (N.Y.)
Edward J. Patten (N.J.)
Thomas M. Pelly (Wash.)
Claude Pepper (Fla.)
Carl D. Perkins (Ky.)
Jerry L. Pettis (Calif.)
Philip J. Philbin (Mass.)
J. J. Pickle (Tex.)
Otis G. Pike (N.Y.)
Richard H. Poff (Va.)
Howard W. Pollock (Alaska)
Joe R. Pool (Tex.)
Melvin Price (Ill.)

Robert Price (Tex.)
David Pryor (Ark.)
Roman C. Pucinski (Ill.)
Graham Purcell (Tex.)
Albert H. Quie (Minn.)
Tom Railsback (Ill.)
William J. Randall (Mo.)
Thomas M. Rees (Calif.)
Ogden R. Reid (N.Y.)
Ben Reifel (S. Dak.)
Ed Reinecke (Calif.)
Joseph Y. Resnick (N.Y.)
Henry S. Reuss (Wis.)
George M. Rhodes (Ariz.)
John J. Rhodes (Ariz.)
Donald W. Riegle, Jr. (Mich.)
Ray Roberts (Tex.)
Howard W. Robison (N.Y.)
Peter W. Rodino, Jr. (N.J.)
Byron G. Rogers (Colo.)
Paul G. Rogers (Fla.)
Fred B. Rooney (Pa.)
Benjamin S. Rosenthal (N.Y.)
William V. Roth (Del.)
Richard L. Roudebush (Ind.)
J. Edward Roush (Ind.)
Edward R. Roybal (Calif.)
Philip Ruppe (Mich.)
William F. Ryan (N.Y.)
Fernand J. St Germain (R.I.)
William L. St. Onge (Conn.)
John P. Saylor (Pa.)
Henry C. Schadeberg (Wis.)
James H. Scheuer (N.Y.)
Richard S. Schweiker (Pa.)
Fred Schwengel (Iowa)
George E. Shipley (Ill.)
Garner E. Shriver (Kans.)
B. F. Sisk (Calif.)
Henry Smith III (N.Y.)
James V. Smith (Okla.)
William Springer (Ill.)
Robert T. Stafford (Vt.)
Harley O. Staggers (W. Va.)
J. William Stanton (Ohio)
Tom Steed (Okla.)
Sam Steiger (Ariz.)
Robert G. Stephens, Jr. (Ga.)
Samuel S. Stratton (N.Y.)
W. S. Stuckey (Ga.)
Leonor K. Sullivan (Mo.)
Robert Taft, Jr. (Ohio)
Roy A. Taylor (N.C.)
Charles M. Teague (Calif.)
Herbert Tenzer (N.Y.)
Fletcher Thompson (Ga.)
Frank Thompson, Jr. (N.J.)
Robert O. Tiernan (R.I.)
John V. Tunney (Calif.)
Morris K. Udall (Ariz.)
Lionel Van Deerlin (Calif.)
Guy Vander Jagt (Mich.)
Joseph P. Vigorito (Pa.)
Joe D. Waggonner, Jr. (La.)
Jerome R. Waldie (Calif.)
E. S. Johnny Walker (N. Mex.)
G. Robert Watkins (Pa.)
Charles W. Whalen, Jr. (Ohio)
J. Irving Whalley (Pa.)
Richard White (Tex.)
William B. Widnall (N.J.)
Lawrence G. Williams (Pa.)
Larry Winn, Jr. (Kans.)
Lester L. Wolff (N.Y.)
Jim Wright (Tex.)
Wendell Wyatt (Oreg.)
John W. Wydler (N.Y.)
Sidney R. Yates (Ill.)
John Young (Tex.)
Clement J. Zablocki (Wis.)
Roger H. Zion (Ind.)

CONGRESS SHOULD TAKE ACTION TO AVERT PARALYZING TRANSPORTATION STRIKES

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I was very interested in the discussion that has ensued today about the dangers of paralyzing transportation strikes. It is very true, as the gentleman from Illinois pointed out, that more than a year ago our President took note of this problem and said he was going to send down proposals. What strikes me as very curious is that this Congress has not taken any initiative in this period of more than a year to study the problem and come forth with recommendations on its own.

Insofar as I know the only hearing held on the problem of strikes consisted of about 5 minutes of discussion by the Committee on Interstate and Foreign Commerce recently at the time of the impending railway strike.

I will be glad to yield to any Member of this body who can point to any discussions, any hearings, or any consideration that the Congress has given in the last year to this problem of strikes.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. PICKLE. Is the gentleman familiar with the bill that I have introduced, H.R. 5638?

Mr. FINDLEY. I am not. But I will ask my friend if he has had any hearings on it?

Mr. PICKLE. I have sent copies to your office and all Members' offices in the last 60 days trying to engender some support and discussion on this. But I do not believe I have heard from the gentleman as to his support or opposition to it.

Mr. FINDLEY. I will say to the gentleman, I do not happen to be on his committee and if I was, I certainly would support him. I just wonder if he has some channel through which he can get the leadership to give consideration to his bill.

Mr. PICKLE. In my opinion, hearings should be held on this subject and they should have been held.

Mr. FINDLEY. I agree with the gentleman.

Mr. PICKLE. I have called on the chairman of the committee today to call for hearings on this. I said in my remarks which I have extended, that the chairman said if this strike is not settled now, he would immediately start hearings. My point is that regardless of whether the strike is settled, and it would have to be on an ad hoc basis, we ought to hold hearings on this general subject now.

Mr. FINDLEY. I certainly agree with the gentleman, and I hope he succeeds.

Mr. PICKLE. To that extent I will say the gentleman is correct.

Mr. FINDLEY. I compliment the gentleman and I hope he will secure enough support from both sides of the aisle and get action on this.

Mr. PICKLE. I thank the gentleman.

The SPEAKER. The time of the gentleman from Illinois has expired.

NATIONAL RAISIN WEEK SPEECH

Mr. MATHIAS of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATHIAS of California. Mr. Speaker, this is my first opportunity to invite the attention of the Members to an observance with which I have long been familiar as a resident of the San Joaquin Valley of California.

I refer to National Raisin Week. April 23 to 29 marks not only the 58th anniversary of National Raisin Week, but the continuance of the oldest—and perhaps most famous—national food week in the country.

Through the years, the distinguished Congressman from Fresno, Calif., Representative BERNIE SISK, has told the Members during National Raisin Week of the history and growth and importance of America's raisin industry. He has documented the contribution of the raisin industry to the economy of California and the Nation. And he has suggested that raisins have also contributed to the ever improving standard of health of our fellow Americans and of people in other lands.

On Wednesday, April 26, through the courtesy of the California Raisin Advisory Board, Congressman SISK and I will be privileged to offer the Members raisin pie dessert at lunch in the House dining room. We do so not only to remind you that this is National Raisin Week but to give you a chance to learn firsthand that raisins are a taste surprising treat.

We are confident that the hard working members of your staffs will enjoy the raisins in the sample packs distributed today to each Representative's office. Raisins, of course, are famed as an energy producing food, but I will leave it to you to judge whether they have noticeably increased the output of work in your offices.

Despite the promise implicit in the title of a smash stage and film musical comedy, the Nation's raisin industry has not succeeded since its birth 94 years ago without really trying.

On the contrary, long before the advent of cars and Avis, it tried harder. It is still doing so. Because it must.

For the raisin industry, success is a matter of holding even on per capita consumption—something a great many farm products have not been able to do. Holding a constant per capita rate of use means, of course, that sales grow as fast as the population does.

How have raisins managed to hold their own in the per capita consumption race? With the boom in convenience foods, the accompanying decline in home baking, and the mushrooming number of food products on the supermarket shelves, many once-popular food items have fallen by the wayside. Others have held their markets only by drastic price cuts.

Not so raisins. Why?

Many food industry leaders are convinced the broad marketing advances set by raisins can be attributed almost entirely to the aggressive, industrywide promotional program of the California Raisin Advisory Board.

In recent years the board has conceived and promoted a highly effective marketing concept; namely, that raisins should join forces with as many related foods as possible, including the new processed and baked convenience items. This approach has paid handsome dividends for raisins.

In the late 1950's, for example, per capita consumption of raisins dropped to 1.4 pounds, partly as a result of several short-crop years. However, recent figures from the U.S. Department of Agriculture indicate that raisins are now being consumed at the rate of 1.6 pounds per person per year. This has been accomplished without any reduction in the price received by the raisin industry. Just the opposite. Price records of the Raisin Administrative Committee show bulk raisins brought 11 to 11½ cents a pound 10 years ago, compared to 16½ to 18 cents in the past two seasons.

Essentially, the California Raisin Advisory Board's program is one of constant research and development, supported by merchandizing assistance to bakeries, supermarkets, and manufacturers of raisin products to make it convenient and more profitable for them to use more raisins.

Happily for the raisin industry, raisins themselves are well suited for use in a great many food items. One survey conducted by the Advisory Board noted at least 190 items in a grocery store that had raisins in them.

Another plus factor enjoyed by the raisin industry is profitability of the product. A grocery trade organization conducted an independent survey which indicated that raisins return $15.50 per annual dollar invested, compared to the average of $4.84 for dry groceries.

Dollar sales per shelf foot are critically important to any grocer, independent, or chain.

A recent study made in six representative stores, covering 8 weeks of sales, sharply confirmed the sales potential of what the industry calls the "amazin' raisin."

In dollar sales per shelf foot, dried fruit ranked sixth; ninth in unit sales per foot. Raisins rated first among dried fruit for dollar margin per foot and accounted for 40 percent of dried fruit sales. Moreover, in this study, raisins again proved that instead of hurting other sales, they suggest other foods and promote the sale of additional items.

Conceding these most helpful factors, however, I think that the raisin industry of California's San Joaquin Valley and the California Raisin Advisory Board can take major credit for the industry's growth and success.

It is an industry that thinks imaginatively, acts boldly, and plans for tomorrow.

Recognizing that today's busy homemaker likes her convenience foods and has become accustomed to less time at a hot stove, the California Raisin Advisory Board has created literally hundreds of ways for her to add the taste surprising treat of raisins to simple but exciting dishes.

A good deal of that effort is directed to teenagers and the young married, to assure that tomorrow's mothers know how to use raisins—lots of raisins—for their family's enjoyment—and good health.

Maybe the next 94 years will prove that California's raisin industry is going after the wrong market. But I would not bet on it. Any industry that can suggest 25 ways to eat a raisin has got to continue growing and prospering.

I am proud to salute the 100,000 raisin growers, packers, and employees—who are California's and America's raisin industry—during this 58th annual National Raisin Week.

GRANTS FOR ARTS AND HUMANITIES

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and to include pertinent extraneous material and tabular matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I submit the following for the consideration by my colleagues when the appropriation bill for the National Foundation for Arts and Humanities is taken up.

Mr. Speaker, on Wednesday of this week the House of Representatives will consider the appropriations bill for the National Foundation on Arts and Humanities. A great hue and cry has been raised by some people to the effect that the Appropriations Committee's action in recommending $3.5 million instead of the $6 million budget requested will somehow cause us to lose ground in the cultural struggle to win the hearts and minds of men. I fail to see how grants to study the history of the comic strips plays any part in this struggle, but I do know that there are substantial sources or non-Government funds available to the academic communities. It seems somewhat ludicrous for liberals to criticize the reduction in the Government's own program when so many private foundations are continually contributing to the arts and humanities.

This week end every Member of Congress received a copy of the Ford Foundation Annual Report of 1966. This is only one of numerous foundations that make grants to benefit the arts and humanities. The Ford Foundation report shows that the Ford Foundation approved grants totaling $87,901,937 in 1966 for the arts and humanities. I include these grants at this point in the CONGRESSIONAL RECORD.

The Ford Foundation Annual Report of 1966

Humanities and the arts	Changes during the fiscal year	
	Grants (reductions)	Payments (refunds)
Symphony orchestras:		
Bank of New York, as trustee for the following[1]	$58,750,000	$58,750,000
American Symphony, New York City ($1,000,000)	500,000	50,000
Atlanta Symphony ($1,000,000)	750,000	100,000
Baltimore Symphony ($1,000,000)	750,000	100,000
Birmingham Symphony ($600,000)	200,000	30,000
Boston Symphony ($2,000,000)	500,000	
Brooklyn Philharmonia ($250,000)	75,000	15,000
Buffalo Philharmonic ($1,000,000)	750,000	100,000
Chicago Symphony ($2,000,000)	500,000	
Cincinnati Symphony ($2,000,000)	500,000	100,000
Cleveland Orchestra ($2,000,000)	500,000	100,000
Columbus Symphony ($500,000)	100,000	20,000
Dallas Symphony ($2,000,000)	500,000	100,000
Denver Symphony ($1,000,000)	750,000	100,000
Detroit Symphony ($1,000,000)	500,000	100,000
Festival Orchestra, New York City ($350,000)	75,000	15,000
Florida Symphony, Orlando ($500,000)	100,000	20,000
Fort Wayne Philharmonic ($250,000)	75,000	15,000
Hartford Symphony ($1,000,000)	350,000	50,000
Honolulu Symphony ($750,000)	350,000	50,000
Houston Symphony ($2,000,000)	500,000	100,000
Hudson Valley Philharmonic, Poughkeepsie ($250,000)	75,000	15,000
Indianapolis Symphony ($2,000,000)	500,000	100,000
Jacksonville Symphony ($250,000)	75,000	15,000
Kalamazoo Symphony ($500,000)	100,000	20,000
Kansas City (Mo.) Philharmonic ($1,000,000)	750,000	150,000
Little Orchestra, New York City ($350,000)	75,000	15,000
Symphony orchestras—Continued		
Bank of New York, etc.—Continued		
Los Angeles Philharmonic ($2,000,000)	$500,000	$100,000
Louisville Orchestra ($500,000)	200,000	20,000
Memphis Symphony ($400,000)	100,000	20,000
Milwaukee Symphony ($1,000,000)	250,000	50,000
Minneapolis Symphony ($2,000,000)	500,000	100,000
Nashville Symphony ($500,000)	200,000	20,000
National (Washington, D.C.) Symphony ($2,000,000)	500,000	100,000
New Haven Symphony ($500,000)	100,000	20,000
New Jersey Symphony, Newark ($500,000)	150,000	20,000
New Orleans Philharmonic ($1,000,000)	750,000	134,400
New York Philharmonic ($1,000,000)	500,000	100,000
North Carolina Symphony, Chapel Hill ($750,000)	250,000	50,000
Oakland Symphony ($1,000,000)	350,000	50,000
Oklahoma City Symphony ($600,000)	150,000	30,000
Omaha Symphony ($400,000)	100,000	20,000
Philadelphia Orchestra ($2,000,000)	500,000	100,000
Phoenix Symphony ($600,000)	250,000	44,480
Pittsburgh Symphony ($2,000,000)	500,000	100,000
Portland (Ore.) Symphony ($1,000,000)	250,000	50,000
Puerto Rico Symphony, San Juan (no trust participation)	375,000	
Rhode Island Philharmonic, Providence ($350,000)	150,000	15,000
Richmond Symphony ($500,000)	150,000	20,000
Rochester Philharmonic ($1,000,000)	750,000	150,000
Sacramento Symphony ($500,000)	200,000	20,000

See footnotes at end of table.

The Ford Foundation Annual Report of 1966—Continued

Humanities and the arts	Changes during the fiscal year	
	Grants (reductions)	Payments (refunds)
Symphony orchestras—Continued		
Bank of New York, etc.—Continued		
St. Louis Symphony ($2,000,000)	$500,000	$100,000
San Antonio Symphony ($1,000,000)	750,000	150,000
San Diego Symphony ($500,000)	100,000	20,000
San Francisco Symphony ($2,000,000)	500,000	100,000
Seattle Symphony ($1,000,000)	750,000	100,000
Shreveport Symphony ($350,000)	75,000	15,000
Syracuse Symphony ($750,000)	250,000	50,000
Toledo Orchestra ($500,000)	150,000	20,000
Tulsa Philharmonic ($500,000)	100,000	20,000
Utah Symphony, Salt Lake City ($1,000,000)	500,000	100,000
Wichita Symphony ($500,000)	150,000	20,000
Other artistic resources:		
Ballet training and resources:		
Boston Ballet, Inc.	300,000	148,000
City Center of Music and Drama (New York)		200,000
City Center Joffrey Ballet	500,000	330,000
Houston Foundation for Ballet		
San Francisco Ballet Company		64,400
School of American Ballet		400,000
School of the Pennsylvania Ballet Company	450,000	325,000
Utah Ballet Society		35,000
Civic opera development:		
Baltimore Civic Opera Company		
Central City Opera House Association (Colorado)		35,000
Chautauqua Opera Association (New York)		20,000
Cincinnati Summer Opera Association		20,000
Connecticut Opera Association		20,600
Fort Worth Civic Opera Association		20,000
Houston Grand Opera Association		30,000
Kansas City Lyric Theatre (Missouri)		15,000
New Orleans Opera House Association		30,000
Opera Association of New Mexico		31,000
Opera Company of Boston	195,000	
Opera Guild of Miami		20,000
Opera Society of Washington (District of Columbia)		71,300
Seattle Opera Association	100,000	
Spring Opera of San Francisco		
Symphony Society of San Antonio		30,000
New York Pro Musica Antiqua: Production of early music and musical dramas		11,000
Professional training in music:		
Manhattan School of Music		
Peabody Institute of Baltimore		156,000
Resident theater program:		
Alley Theatre, Houston	1,400,000	137,500
American Shakespeare Festival Theatre and Academy, Stratford (Conn.)		98,400
California, University of (theatre group)		
Minnesota Theatre Company Foundation, Minneapolis (Tyrone Guthrie Theatre)		
Mummers Theatre, Oklahoma City	535,000	
Washington Drama Society (Arena Stage, Washington, D.C.)	896,450	
Tamarind Lithography Workshop: Development of lithographic art		
Theatre Communications Group: Cooperative program among nonprofit theaters		147,000
Development of individual talent:		
Advancement of creative aspects of music in the public schools:		
Music Educators National Conference	250,000	475,000
Virginia State College	85,000	21,250
Young Audiences, Inc.		144,000
Grants-in-aid and fellowships:		
Administrative interns	(1,071)	63,716
Arts reporters, editors, and critics	(4,660)	25,730
Concert soloists		3,500
Marlboro School of Music		35,000
Poets and writers associated with theaters and opera companies	(18,750)	8,300
Programs for other talented individuals		16,338
North Carolina School of the Arts Foundation: Professional and academic training	1,500,000	250,000
Performances of works commissioned for concert artists receiving grants-in-aid:		
Denver Symphony Society		
Indiana State Symphony Society		
Pittsburgh Symphony Society		
Scholarships in independent art and music schools:		
Art Academy of Cincinnati		5,000
Art Association of Indianapolis		4,000
Development of individual talent—Continued		
Scholarships in independent art, etc.—Continued		
Art Institute of Chicago		$32,000
Art Students' League of New York		28,000
Atlanta Art Association		
California College of Arts and Craft		9,000
California Institute of the Arts:		
Chouinard Art School		4,000
School of Music		4,000
Cleveland Institute of Art		1,000
Cleveland Institute of Music		8,000
Columbus Gallery of Fine Arts		4,000
Cooper Union		7,000
Corcoran Gallery of Art		5,000
Cranbrook Gallery of Art		6,000
Dayton Art Institute		4,000
Juilliard School of Music		34,000
Kansas City Art Institute		
Layton School of Art		4,000
Manhattan School of Music		30,000
Mannes College of Music		8,000
Maryland Institute		
Memphis Academy of Arts		4,000
Minneapolis Society of Fine Arts		
Museum of Fine Arts (Boston)		19,000
New England Conservatory of Music		
Otis Art Institute		4,000
Peabody Institute of Baltimore		13,000
Pennsylvania Academy of Fine Arts		11,000
Philadelphia College of Art		15,000
Portland Art Association		
Pratt Institute		19,000
Rhode Island School of Design		30,000
San Francisco Art Institute		15,000
San Francisco Conservatory of Music		4,000
Society of Arts and Crafts (Detroit)		4,000
Worcester Art Museum		4,000
Whitney Museum of American Art: Staff travel to select works by contemporary American artists for exhibition in New York	$155,000	
Experiments, demonstrations, and studies:		
American Federation of Arts: Films for school art curriculum	511,500	
American Place Theatre: Readings and productions of new plays		80,000
City Center of Music and Drama (New York): Production of contemporary operas	100,000	125,000
International Council of Museums: Study of European artists and institutions		18,000
Juilliard School of Music: Book by Micheal St. Denis on theatrical training	22,500	22,500
Nelson Gallery Foundation (Kansas City, Mo.): Catalog of Chinese paintings	13,237	12,237
Yale University: Research in acoustical design	80,000	
The humanities:		
American Council of Learned Societies: Programs to advance scholarship in the humanities		567,000
American Historical Association: Bibliographies of British civilization		6,000
Conferences on humanistic study groups:		
Bowdoin College	36,500	36,500
Fordham University	(9,719)	(9,719)
Johns Hopkins University	36,000	36,000
Cooperative program with regional liberal-arts colleges to strengthen the humanities:		
Duke University	200,000	170,000
North Carolina, University of	200,000	170,000
Council on Library Resources: Research on library problems		1,000,000
Folger Shakespeare Memorial Library: National Shakespeare Anniversary Committee	(29,050)	
Rutgers University: Scholarly publication by the university press		13,000
Texas, University of: National literary translation center		
Special institutional grants:		
Carnegie Hall Corporation (New York): Stage renovation and improvement	200,000	200,000
Lincoln Center for the Performing Arts:		
City Center of Music and Drama		243,782
Juilliard School of Music		197,069
Metropolitan Opera Association		
Philharmonic Symphony Society of New York		316,052
Total, humanities and the arts	87,901,937	69,252,335

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[1] Figures in parentheses in this column represent endowment funds held in trust by the Bank of New York, to be matched by the orchestras; principal of the endowments will be distributed in 1976. Figures in the other columns are direct grants, made in addition to the endowments, and are payable over a 5-year period on a nonmatching basis.

RUSSIAN SPACE DISASTER

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I wish to extend my sympathy and the sympathy of our Committee on Science and Aeronautics to the widow and orphaned children of the Russian astronaut, Col. Vladimir Komarov, who just suffered a disaster comparable to our own tragic one.

Space is still a hostile environment in which to operate. But when men give their lives to those things they believe are right and in the interest of their country, whether they are friends or foe, I think it fitting that we recognize it. So I do want the RECORD to show our sympathy for the widow and her children.

While I am on my feet, Mr. Speaker, I would also like to call the attention of the Members of the House to the fact that while we had a disaster, our present Surveyor, operating on the moon, is an outstanding success in the space program.

NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION, ANNUAL REPORT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 110)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed.

To the Congress of the United States:

I am pleased to transmit the First Annual Report of the National Advisory Council on Extension and Continuing Education.

As this report points out, extension and continuing education—once the neglected stepchild in the American educational system—has now become a vital part of that system. Benefiting 25 million citizens each year, continuing education is helping to meet the needs of America's adult population. It recognizes that education is a continuing process that does not end when the student leaves the classroom.

The Federal role in supporting continuing education began more than a century ago. As our society evolved and became more complex, the Federal effort intensified. Today, through Federally supported programs, we can cite these examples of progress:

American adults, denied the opportunity to learn when they were young, are being taught to read and write.

The poor and the unemployed, through special education and training, are being given a chance to stand on their own two feet.

Scientists, engineers, doctors, dentists and teachers are improving their skills and keeping up with the latest technological advances.

Employees at all levels of government are being trained to serve the public better.

These extensive efforts are complimented by our recent efforts under Title I of the Higher Education Act of 1965 to bring colleges and universities into local communities to conduct seminars and other programs on issues of great concern. Under this program we are focusing the intellectual resources and research facilities of higher education on problems affecting the daily lives of every citizen—from health and housing to transportation and recreation.

In its first year alone, the program reached every State in the Nation, with 300 colleges and universities participating. In fiscal 1968, this number will almost double.

The attached report of the National Advisory Council on Extension and Continuing Education details much of this progress and recommends a number of steps to strengthen continuing education in America.

After consultation with the Council, the administration developed and submitted to the Congress legislation to improve our continuing education programs under title I by—

Extending the program for another 5 years.

Enabling smaller colleges and universities to continue to participate.

Providing additional funds for experimental projects.

I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 21, 1967.*

DISTRICT OF COLUMBIA BUSINESS

The **SPEAKER**. This is District of Columbia day. The Chair recognizes the gentleman from Texas [Mr. DOWDY].

EXPANSION OF CANINE CORPS

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 824) to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 824

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, **That the Commissioners of the District of Columbia, acting through the Chief of Police of the Metropolitan Police force of the District of Columbia, are authorized to acquire, train, and maintain as many dogs as may be necessary to be used in connection with law enforcement in the District of Columbia.**

Mr. HALL. Mr. Speaker, I move to strike the requisite number of words.

The **SPEAKER**. The gentleman from Missouri is recognized.

Mr. HALL. Mr. Speaker, I rise only to ask the gentleman, in support of this bill, which is a necessary bill, whether or not it is open-ended or there is any restriction on either the numbers or the amount of expense that could be used in this man-dog team, which is presently estimated at $2,390.

Mr. DOWDY. The Police Department estimates that no more than 25 new dogs will be acquired for training and added to the corps each year. The amount to be appropriated is left to the discretion of the Appropriations Committee.

Mr. HALL. I appreciate the gentleman's answer, which is quite satisfactory. As I understand it, this same legislation did pass in the 89th Congress.

Mr. DOWDY. The gentleman's understanding is correct.

Mr. HALL. Mr. Speaker, I yield back the balance of my time.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of this bill is to authorize the expansion of the Canine Corps of the Metropolitan Police force as the need for such expansion may develop.

The use of dogs in urban police work originated in Belgium more than 50 years ago, and has since spread to many other countries. Today, more than 40 police departments in the United States are utilizing dogs in patrol work, and the number is increasing very rapidly.

The Canine Corps was first established in the District of Columbia in December 1959, and on April 19, 1960, six dogs went on the streets of the city with their handlers. By the end of that year, the number had increased to 20 such teams, and today the corps consists of some 80 teams on the streets and 11 more in training, for a total strength of 91.

PERFORMANCE OF THE CANINE CORPS

The types of work performed by these man-dog teams, and the effectiveness of the Canine Corps as an arm of the Metropolitan Police Department, are presented by the following statistics for the calendar year 1966. During this period, an average of 80 man-dog teams patrolled the streets of the Nation's Capital each month, and they responded on a total of 7,365 calls:

Type of work performed by dogs	Assignment	Resulted in arrest
Tracking	115	3
Open seeks	143	34
Building seeks	301	84
Chasing	19	16
Deterrent	87	52
Articles searched for and found	80	
Stolen cars recovered	110	

During the year 1966, a total of 944 felony cases and 2,395 misdemeanor cases were cleared by the use of the Canine Corps. A breakdown of actual arrests made in six major categories of crime, with dogs and without the use of dogs, is the following.

Offense	Arrests		
	Dogs used	Dogs not used	Total
Housebreaking	153	127	280
Robbery	43	141	184
Assault	37	98	135
Larceny	15	95	110
Carrying deadly weapon	26	88	114
Rape	3	2	5

From these figures it is seen that more than one-third of the arrests made in connection with these crimes were accomplished with the aid of dogs during that year.

In addition to their actual participation in these arrests, the dogs of the Canine Corps have proved invaluable on many other occasions by the deterrent effect of their mere presence at the scene of actual or potential trouble. The dogs' keen sense of smell enables them to locate fugitives hiding in buildings, junkyards, and other places where the policemen would otherwise have a most difficult and dangerous task in apprehending them.

Your committee is informed that for

several reasons any program of expansion of the corps cannot be made to proceed too rapidly. First, the recruitment and selection of the dogs must be accomplished carefully and deliberately. Then the training itself takes 14 weeks, and the nature of the training work forbids too large groups. In this connection also, each dog is assigned to one particular man, and this patrolman and his dog must be trained together. Thus, any rapid acceleration in the training program would take too many patrolmen off their regular beats at one time, to the detriment of law enforcement in the city. In addition, each man-dog team in service must be brought back for 1 day of refresher training every 2 weeks. For these reasons, the Police Department estimates that no more than 25 new dogs can be acquired, trained, and added to the corps each year.

Thus far, all the dogs in the Canine Corps have been donated, and thus have cost the Police Department nothing. However, if the contemplated program of expansion necessitates the purchase of any of the new dogs, it is estimated that they may cost as much as $250 each. An item of expense is involved in the fact that the policemen who handle these dogs must transport them daily in their own cars, and also must keep the dogs at their homes. This calls for fenced yards and extra cleaning. Also, most of the work of these policemen must be performed at night. For these reasons, these men are paid additional compensation in the amount of $580 per year. With the exception of a few sergeants who perform this duty, all the officers who serve as dog handlers are grade 2 technicians.

The cost of training and adding a man-dog team to the Canine Corps is presently estimated at $2,390. This includes the handler's extra compensation, and the food and veterinary care for the dogs, but not any cost of purchase.

Enactment of this proposed legislation would provide legislative authorization for such expansion of this corps, which has proved such an invaluable asset to law enforcement in the District of Columbia, as future needs may dictate.

This bill is identical to H.R. 1935 of the 88th Congress—House Report No. 76—and to H.R. 1064 of the 89th Congress—House Report No. 19—both of which passed the House.

The following letter, written by the Commissioners of the District of Columbia during the 88th Congress, expresses their endorsement of this proposed legislation.

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE,
Washington, February 25, 1963.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

MY DEAR MR. MCMILLAN: The Commissioners of the District of Columbia have for report H.R. 1935, 88th Congress, a bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia. The bill authorizes the acquisition of as many dogs as may be necessary for police use. The police force now has approximately 70 dogs, most of which are on active duty. Some are still in training.

The Commissioners recognize that the man-dog teams of the Canine Corps of the Police Department have compiled an excellent record of crime detection and prevention since they first appeared on the streets of the District of Columbia in 1960. The corps was originally established on an experimental basis with five man-dog teams. With the concurrence of the congressional appropriation subcommittees the corps was continued on this basis through the fiscal year 1961. Fifty man-dog teams were authorized for fiscal year 1962 and 75 for fiscal year 1963.

The Commissioners have recommended an increase of 25 dogs in the budget for fiscal year 1964.

Therefore, the Commissioners recommend the enactment of this legislation.

The Commissioners have been advised by the Bureau of the Budget that, from the standpoint of the administration's program, there is no objection to the submission of this report to the Congress.

Yours very sincerely,
F. J. CLARKE,
Acting President, Board of Commissioners, District of Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the bill just passed and any other District of Columbia bills which are considered today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

OBSCENE TELEPHONE CALLS

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill—H.R. 828—to provide criminal penalties for making certain telephone calls in the District of Columbia.

The Clerk read the bill, as follows:

H.R. 828

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it shall be unlawful for any person to make use of telephone facilities or equipment in the District of Columbia (1) for an anonymous call or calls if in a manner reasonably to be expected to annoy, abuse, torment, harass, or embarrass one or more persons; (2) for repeated calls, if with intent to annoy, abuse, torment, harass, or embarrass one or more persons; or (3) for any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent.

(b) A violation of this section shall be deemed to have occurred at either the place at which the telephone call was made or the place at which the telephone call was received.

(c) Whoever violates this section shall be subject to a fine of not more than $500 or to imprisonment for not more than twelve months, or both.

(d) Any person arrested, indicted, or otherwise charged with violating this section shall be requested by the court to take a pretrial mental examination, at a mental hospital designated by the courts, and all costs of such examination shall be paid by the Government.

(e) Nothing in this section shall be deemed to affect the application of section 927 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, sec. 24-301), to any person arrested, indicted, or otherwise charged with the violation of this section.

With the following committee amendment:

On page 2, strike out lines 7 through 11, and substitute thereof the following:

"(d) The court may in its discretion order any person arrested, indicted, or otherwise charged with violating this section to undergo a pretrial mental examination, at a mental hospital designated by the court. All costs of such examination shall be paid by the Government."

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS to the committee amendment: On page 2, line 18, strike the period and add the following after the word "Government": "of the District of Columbia."

Mr. DOWDY. Mr. Speaker, if the gentleman will yield, I would have no objection to that.

Mr. GROSS. Mr. Speaker, did I understand the gentleman to say he would have no objection to the amendment?

Mr. DOWDY. No objection, Mr. Speaker.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

The SPEAKER. The question is on the amendment of the gentleman from Iowa [Mr. GROSS] to the committee amendment.

The amendment to the committee amendment was agreed to.

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL to the committee amendment: On page 2, line 17, after the word "court." insert "The court will order such an examination on demand of the person arrested, his attorney, or responsible next of kin."

Mr. HALL. Mr. Speaker, this is a very simple amendment. It simply makes pre-judicial determination of unsoundness of mind, a two-way street. In other words, Mr. Speaker, it simply allows the same thing for the accused and the apprehended that the court may determine. This is in line, Mr. Speaker, with an overall bill for consideration of those of unsound mind and for admission to Federal hospitals which I have had in the last two Congresses and resubmitted in the well of the House recently. It simply gives the accused and the apprehended, or his attorney under the due process of law guaranteed by the Constitution, or his next of kin, the right to request that the courts have an examination by those qualified in mental examination, submit the evidence, and determine before the fact that he is of sound or unsound mind.

This is a two-way street, Mr. Speaker. I hope that the gentleman will accept this additional sentence in this particular paragraph.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Texas.

Mr. DOWDY. I will say that I really doubt that this language is required for the purpose, but I would have no objection to it being written into the bill.

Mr. HALL. I certainly appreciate this, Mr. Speaker. Inasmuch as the gentleman has accepted the intent of the amendment, I yield back the balance of my time.

Mr. GROSS. Mr. Speaker, will the gentleman from Texas yield for about 30 seconds?

Mr. DOWDY. Mr. Speaker, I move to strike the last words and yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am very much in favor of this legislation, but I think there is one minor thing we have overlooked. We mention it in the report, but make no mention of it in the bill, and that is decoy telephone laws. Would the gentleman think that that was covered as well as obscene calls and harassment calls?

Mr. DOWDY. I did not understand the gentleman on the kind of calls.

Mr. GROSS. Decoy calls, that is a burglar calling as a matter of decoying.

Mr. DOWDY. Mr. Speaker, I do not know how we would reach that, I will say to the gentleman.

Mr. GROSS. We would provide punishment for the call for the obvious purpose of burglary, a person obviously calling to decoy the police or to decoy an individual.

Mr. DOWDY. Mr. Speaker, would the gentleman think this would be covered under these words: "For repeated calls, if with intent to annoy, abuse, torment, harass, or embarrass one or more persons."

Mr. GROSS. Mr. Speaker, I do not believe any of those provisions, in answer to my friend from Texas, goes precisely to the question of decoy calls.

I will not belabor this, but I will hope the gentleman will give it further consideration and perhaps do something in conference, if it is meritorious.

Mr. DOWDY. If it is necessary, I will be happy to do it. I would think the kind of calls the gentleman is talking about would rather go into the scheme of actually being part of the burglary itself, and the person who was taking part in that would be an accomplice at least in the commission of the burglary. We will check on that, however.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

The SPEAKER. The question is on the amendment offered by the gentleman from Missouri [Mr. HALL] to the committee amendment.

The amendment to the committee amendment was agreed to.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 828 is to provide criminal penalties to persons found guilty of making certain telephone calls in the District of Columbia.

The bill makes it unlawful for any person to make use of telephone facilities or equipment in the District of Columbia for the following purposes:

First. For an anonymous call or calls if in a manner reasonably to be expected to annoy, abuse, torment, harass, or embarrass one or more persons;

Second. For repeated calls, if with intent to annoy, abuse, torment, harass, or embarrass one or more persons; or

Third. For any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent.

The bill further provides that a violation shall be deemed to have occurred either at the place where the telephone call was made, or at the place where the call was received.

The bill subjects violators to a fine of not more than $500 or to imprisonment for not more than 12 months, or both. The laws of Maryland and Virginia impose similar penalties.

Present District of Columbia law—District of Columbia Code, section 22-1121—a disorderly conduct statute, provides a maximum penalty of $250 fine, or 90 days' imprisonment, or both, but it is not specifically directed to the offenses referred to in the bill. It does not furnish a good base for prosecutions of offenders contemplated in the reported bill, as it has proven difficult for the prosecution to prove that telephone calls of the kind referred to herein are a violation of that law.

The bill as introduced further provides that a pretrial mental examination shall be requested by the court of any person arrested, indicted, or otherwise charged with violating the above provisions, such examination to be at a mental hospital designated by the court, and the cost thereof to be paid by the Government. This has been amended as hereinafter stated.

Finally, provision is included in the bill to assure that nothing in the enforcement of the bill will affect the application of the provisions of the District of Columbia Code with respect to insane criminals and to the commitments thereof.

BACKGROUND

There is hardly a Member of Congress who has not heard complaints from his secretary or staff members who have been the victims of obscene, annoying, or harassing telephone calls at some time or other.

According to information filed with your committee, an increasing number of perverts, burglars, and just plain cranks are using the telephone to plague Washington area residents—particularly women.

Police and prosecutors throughout the area report hardly a day goes by without at least one complaint of an obscene call, some of them involving obscene messages to women, others decoy calls by burglars.

Between 34 and 40 cases a month are under active investigation by the telephone company's security force. Counted as one case is the caller who has given the same shockingly indecent spiel to a hundred or more women.

Washington residents, unprotected by any kind of law against telephone harassment, face this pattern of cases:

A pervert posing as a doctor was believed to have made more than 50,000 calls throughout the area over a period of several years before his recent capture, in nearby Maryland. His spiel: Telling women that their husbands had visited him for delicate medical help and asking them numerous intimate questions.

A university's telephone switchboard was tied up so completely that all school business came to a halt because of one family's domestic crisis. The man got 20 of his friends to keep calling the university where his wife worked. They said nothing, simply breathed into the telephone, but no other calls could come through.

Two District firms—a moving company and a barbershop—nearly went out of business through telephone harassment directed not at the firms but at some employee. In both cases, calls swamped telephone facilities.

A current trap for the unwary is the telephone survey. It is used by both burglars and perverts in the District.

The perverts use the survey to entice the housewife into carrying on an innocent conversation before the caller moves into obscenity.

Police believe burglars are employing the survey technique to "case" a house without running any risk of being spotted. Cited as a typical example is the housewife's response to the seemingly innocuous questions of a caller posing as a TV market analyst.

The bill has the support of the U.S. Department of Justice, the Metropolitan Police Department, the local telephone company, and other groups.

PRECEDENT

This bill is identical to H.R. 10497 of the 89th Congress—House Report No. 1132—which passed the House on October 11, 1965, except for the amendment as reported above.

AMENDMENT

The committee's amendment to this bill was requested by the Board of Commissioners of the District of Columbia, and provides that the court may order a person arrested for violation of this act to undergo a pretrial mental examination, rather than merely requesting that he do so as provided in the bill as introduced.

Following is the letter from the Board of Commissioners of the District of Columbia under date of March 20, 1967, expressing their approval of this proposed legislation, as amended:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, March 20, 1967.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

MY DEAR MR. MCMILLAN: The Commissioners of the District of Columbia desire to report on H.R. 828, 90th Congress, a bill "To provide criminal penalties for making certain telephone calls in the District of Columbia."

Subsection (a) of the bill makes it unlawful for any person to use telephone facilities or equipment in the District of Columbia (1) for an anonymous call or calls if in a manner reasonably expected to annoy, abuse, torment, harass, or embarrass one or more persons; (2) for repeated calls, if with intent to annoy, abuse, torment, harass, or embarrass one or more persons; or (3) for any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent.

Subsection (b) provides that a violation of the bill shall be deemed to have occurred at either the place where the telephone call was made or at the place where the telephone call was received.

Subsection (c) makes a violator subject to a fine of not more than $500, or to imprisonment for not more than twelve months, or both.

Subsection (d) provides that any person arrested, indicted, or otherwise charged with violating the bill "shall be *requested* by the court to take a pretrial mental examination, at a mental hospital designated by the court, and all costs of such examination shall be paid by the Government." (Emphasis supplied.)

Subsection (e) provides that nothing in the bill shall be deemed to affect the application to any person arrested, indicted, or otherwise charged with violating the bill, of section 927 of the Act approved March 3, 1901 (D.C. Code, sec. 24-301), providing for commitment to D.C. General Hospital of persons charged with offenses and suspected of being of unsound mind.

The existing District of Columbia disorderly conduct statue (D.C. Code, sec. 22-1121) provides in part that whoever, with intent to provoke a breach of the peace, or under circumstances such that a breach of the peace may be occasioned thereby, acts in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to others, shall be fined not more than $250 or imprisoned not more than 90 days, or both. This provision of the disorderly conduct statute on occasion has been used to prosecute persons who by using a telephone annoy or harass other persons with anonymous, repeated, or obscene and lewd calls. The Commissioners are informed, however, that as a practical matter it has been very difficult for the prosecution to prove that such calls, by such means, constitute a violation of the disorderly conduct statute.

Maryland and Virginia have statutes which prohibit the type of conduct made unlawful by the bill. Both statutes provide for a fine of not more than $500 or imprisonment up to twelve months, or both. See Article 27, § 555A, Annotated Code of Maryland (1964); § 18.1-9 and 238 Code of Virginia (1950); and § 18.1-238.2, Code of Virginia (1964 Supp.).

Accordingly, the Commissioners believe the bill is needed for the purpose of providing an effective means of dealing with the kind of activity prohibited by it. However, they suggest that subsection (d) of the bill might be made more effective were it amended to read as follows:

"(d) The Court may in its discretion order any person arrested, indicted, or otherwise charged with violating this section to undergo a pretrial mental examination, at a mental hospital designated by the court. All costs of such examination shall be paid by the Government."

The Commissioners urge enactment of the bill.

The Commissioners have been advised by the Bureau of the Budget that, from the standpoint of the Administration's program, there is no objection to the submission of this report to the Congress.

Sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners, D.C.

Mr. GALLAGHER. Mr. Speaker, for almost 2 years now I have been trying to get some effective legislation on the law books to protect the citizens of the District of Columbia from obscene and harassing telephone calls. During the 89th Congress, the District of Columbia Committee, behind the able leadership of the distinguished gentleman from South Carolina, favorably reported, and the House later unanimously passed, my bill to raise the penalties for obscene phone calls made within the District. The bill is before us again today.

Last year, when my bill reached the Senate, the District Committee began hearings, but for some reason suspended the inquiry after only 1 day of testimony. Subsequently there was introduced a Senate bill to place Federal penalties on obscene telephone calls made in interstate commerce. The bill, however, neglected the District of Columbia, the main area of my original concern.

Since it appeared that the Senate District Committee had deferred to the Senate Commerce Committee on this legislation, I introduced an amended version of the Senate bill which included the District under its provisions. In the end, the Senate passed a bill similar to my second bill making it a Federal crime to make an obscene phone call in interstate commerce or within the District of Columbia.

At the end of the 89th Congress, the House had passed my bill to raise penalties on calls made within Washington, and the Senate had passed a bill including interstate calls as well as District of Columbia calls. In effect, therefore, no law resulted.

Mr. Speaker, this exact same situation is going to result this year unless the Congress can reach an understanding. The Senate Commerce Committee has reported out a bill similar to the one it passed last year. Today, we in the House are considering legislation affecting the District alone.

My sincere concern is for the residents of the District of Columbia who have been denied adequate protection from the pranksters and perverts who continuously abuse the telephone lines. Although it appears that protection is also needed in regards interstate telephone calls, the real problem, and the problem which seems to me most pressing today, is the calls made in the District.

Mr. Speaker, the communications industry has made commendable and effective efforts during the past 2 years to develop methods of apprehending obscene phone callers. But without effective penalties, the deterrent effect of such methods shrinks proportionately. Today, the usual penalty in the District is a $10 disorderly conduct fine. The bill before us today raises that penalty to a $500 fine and/or 12 months in jail. This punishment is more in line with the penalties exacted by our neighboring States of Virginia and Maryland.

In addition, the apprehended obscene phone caller will be offered psychiatric help, which in many cases is desperately needed and desired. This bill is a strict, yet enlightened, approach to combat the growing menace.

I am sincerely hopeful that the Senate will act on this legislation before us today. We need protection in the District now. The question of interstate calls is a separate question and can be dealt with apart from this bill. It would be most unfortunate for some imagined rivalry to prevent the Senate from acting to help protect the citizens of our Nation's Capital. I have no doubt that with speedy action by the Senate we can have this law enacted before the summer. In any event, I remain hopeful, and the menacing calls continue.

The **SPEAKER.** The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PENSIONS FOR WIDOWS OF RETIRED DISTRICT OF COLUMBIA POLICEMEN AND FIREMEN

Mr. DOWDY. Mr. Speaker, I call up the bill—H.R. 2824—to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia, who married such officer or member after his retirement, may qualify for survivor benefits, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2824

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a)(3) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4-521(3)) is amended to read as follows:

"(3) The term 'widow' means the surviving wife of a member or former member if—

"(A) she was married to such member or former member (i) while he was a member, or (ii) for at least two years immediately preceding his death, or

"(B) she is the mother of issue by such marriage."

(b) The amendment made by this Act shall apply with respect to any surviving wife of a "member" (as that term is defined in subsection (a)(1) of the Policemen and Firemen's Retirement and Disability Act) or former member irrespective of whether such wife became a "widow" (as that term is defined in such amendment) prior to, on, or after the date of the enactment of this Act, except that no annuity shall be paid by reason of the amendment made by this Act for any period prior to the first day of the first pay period beginning on or after July 1, 1967.

Mr. HALL. Mr. Speaker, I move to strike the last word.

I should like to ask the gentleman who supports the bill a question. I must say that I am in support of it also, provided we can find out how many widows are estimated to be affected.

Mr. DOWDY. Mr. Speaker, if the gentleman will yield, I would say there is no way to estimate that.

Mr. HALL. Is part of the problem because the widow could have become a spouse after the fireman or policeman had retired?

Mr. DOWDY. That is correct.

Mr. HALL. Second, I ask the gentleman, what is the estimate of cost?

Mr. DOWDY. There has been no estimate of cost.

Mr. HALL. Is that for the same reason, that it would be impractical to figure? Will there be a diminishing cost per year?

Mr. DOWDY. I do not know that that would be true. Under the present law a surviving widow cannot draw benefits unless she were married to the policeman or fireman at the time of his retirement. This will provide that if she were married to him for at least 2 years immediately preceding his death, or if she is the mother of issue of such marriage, she could draw benefits.

This would continue into the future. It would not apply just to those presently retired, but would apply to future retirees.

This is the same as was passed by the House last year. We passed this as a part of another bill.

Mr. HALL. I will say to the gentleman that I certainly am in favor of the bill being applicable if the widow is indeed the mother of issue of the retiree. I believe there can be no question about that.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. This measure passed the House of Representatives last year and was deleted in conference due to the fact that widows of veterans who were married after their retirement were not entitled to survivors benefits unless they had been married 5 years prior to the death of the veteran.

The measure should no longer be objectionable because, as I understand it, the same provision is pending right now in the Congress, as a result of action of the House Committee on Veterans' Affairs, for a veteran who has been married for 1 year after retirement, so that the widow would be entitled to benefits.

Mr. HALL. I believe that is the provision which passed the House under the veterans legislation the other day, now pending in the other body.

In the opinions both of the gentleman from Texas and of the gentleman from Virginia, I discern that this is entirely in the interest of equity and justice, compared to other benefits we give to our veterans' widows. I strongly support it.

Mr. KYL. Mr. Speaker, I move to strike the requisite number of words.

I should like to call the attention of the gentleman from Texas to a situation of which he is undoubtedly aware.

In the general area of benefits for police and firemen, the area of salaries, I believe the gentleman is fully aware of the fact that the morale of the police force of the District of Columbia is at a very low ebb, for reasons we need not enumerate at this time.

In the general pay legislation which is pending, it seems to me there is a possible source of further discontent, because under that proposal we would increase rather dramatically the wage of the starting policemen and of the ones who are at the top of the heap in the Police Department, and leave out to a large extent those officers who have been members of the force for a number of years—those who are between those two levels.

Mr. DOWDY. That is the pending legislation, and there was such legislation in the last Congress.

Mr. KYL. Has there not been a proposal by the administration for further adjustments in the salary?

Mr. DOWDY. I say, I think there is such a bill pending in the present Congress, though it is not before my subcommittee. I do not know whether hearings have been held on it up to the present date.

Mr. KYL. There is another matter concerned in that proposal which has come to the Hill, which I hope that the committee may take cognizance of, and that is this: Under that proposal there would be a large number of detectives who have achieved that rank through seniority and by passing examinations for qualification who would be faced with probably going back to the rank of uniformed policemen even though they had achieved their present rank through their own diligent efforts and service. I would hope that the committee may take a look at that legislation so that we do not destroy this standard.

Mr. DOWDY. I am sure it will be looked at. I believe that this bill is before the subcommittee of which the chairman is the gentleman from North Carolina [Mr. WHITENER]. He is here and might have some comments to make on it.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. KYL. I will be glad to yield to the gentleman.

Mr. WHITENER. I will say to the gentleman that we have been making a very thorough study of morale, retention, and recruitment, and also of proposed crime legislation. I can assure the gentleman that based upon past experience in our subcommittee and in the full committee, whatever pay legislation may be brought out will be equitable to all ranks. We are concerned about recruitment and morale and all of the other problems which have been so dramatically unfolded in hearings before the subcommittee. It would be rather improvident to undertake at this time to state to the gentleman what will be forthcoming because our studies have not been completed.

Mr. KYL. I thank the gentleman for his comments.

Mr. GROSS. Mr. Speaker, I move to strike the necessary number of words.

Mr. Speaker, I was shocked to read in the paper this morning a statement attributed to Commissioner Tobriner, who is credited with having issued an order to the Chief of Police, Mr. Layton, that he, the Chief of Police, cannot recruit policemen from two or three States, one of them being North Carolina and another, I believe, Tennessee. At least, one of the States was North Carolina. I think this is a slander on the people of the States which he mentioned. I hope that the Committee on the District of Columbia in their legislation dealing with the recruitment of police—and the gentleman from North Carolina [Mr. WHITENER] just mentioned the consideration of recruitment legislation—will call Mr. Tobriner before the Committee on the District of Columbia and find out why the citizens of any State of the United States are unqualified out of hand to serve in the Police Department of the District of Columbia.

I wonder if this rule will apply to the recruitment of police dogs for the District of Columbia; whether Mr. Tobriner would say that dogs cannot be recruited from certain States in the South for service in the Washington Police Department.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am pleased to yield to my friend from North Carolina.

Mr. WHITENER. I have not read the story to which the gentleman refers, but I would not be surprised at such statements being made, because it seems a great deal of what goes on in public around here is for the benefit of those who professionally seem to hate the South. I can only say as a North Carolinian that perhaps one of the reasons North Carolina was included would be that it would be very difficult, I think, to talk any intelligent North Carolinian into leaving North Carolina to come here where the head of the government makes such statements about our State.

Mr. Speaker, it may be that the gentleman to whom this statement is attributed does not want great policemen and so, probably, for that reason, he has excluded those who might be recruited from the great State of North Carolina.

The statement attributed to Commissioner Tobriner is unjustifiable. I cannot imagine why one in high position would express such prejudice against the citizens of the great State of North Carolina. Perhaps he will realize the error of his position without delay. If not, there will be a change in policy by the Congress, in my opinion.

Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, the gentleman from Iowa [Mr. GROSS] raised a question a moment ago regarding a statement made by the President of the Board of Commissioners of the District of Columbia with reference to recruitment, and the exclusion of residents of certain States from the recruitment practices by the Metropolitan Police Department. I believe something further should be said about this problem.

One of the difficulties that we have faced as we have conducted hearings and had investigations made on the morale, recruitment, and law enforcement problems was the attitude of those in leadership in the District government. A great deal of the morale problem, according to our expert who looked into the matter, as well as from comments that we had in testimony from the Police Association of the District of Columbia, resulted from the attitude of the President of the Board of Commissioners toward the entire police organization.

I am not one to engage in attacks upon anyone. I am sure the gentleman to whom I refer is sincere in his attitude. But, I must say that I believe he was sincerely wrong in most of his expressed attitudes toward the police in the District of Columbia. We will not have in my judgment a high morale situation in the District of Columbia in the law enforcement field until there is a changed attitude at the top in the District of Columbia government.

When a kind word is said by the President of the Board of Commissioners about the police he always seems to accompany it with a threat that if they make one misstep the full weight of the District government is to fall upon that individual policeman's head.

This has been a very disturbing thing to members of the Police Department. It has been a disturbing thing to those of us who have tried so diligently to improve law enforcement in the District of Columbia.

The statement to which the gentleman from Iowa [Mr. Gross] referred, in my judgment, would constitute another hammering of a nail into the head of those who are trying to do something about the morale problem and building up of the Police Department.

I was delighted that here today we have passed legislation again expressing the attitude of the Congress on the canine corps. We have had testimony before our subcommittee which indicates that the President of the Board of Commissioners or someone in authority has set upon a pattern of destroying the effective operation of the canine corps. Passage of the legislation relating to the canine corps clearly expresses the will of Members of the House.

Mr. Speaker, I do not know just who is applying the pressure which brings about these unfortunate statements from the District building. I do know that such statements are doing so much to destroy the existing police department and its morale, and are preventing effective recruitment.

This is a very serious matter. Crime in the District of Columbia is all out of proportion and it is continuing to grow. The situation will not be helped in any way by unwise and foolish statements either by Members of Congress or by appointed officials in the District of Columbia government.

I would hope that the zeal for publicity would subside down at the District building and that dislike for certain regions of the country on the part of some misguided individuals will not further affect in a harmful and deleterious manner the performance of their very important duties in the Nation's Capital.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I am glad to yield to the gentleman.

Mr. HALEY. I would like to associate myself with the remarks of the gentleman from North Carolina and would just say I do not think that Mr. Tobriner has enough practical sense to come in out of the rain.

Mr. WHITENER. Well, sir, I do not know about that, but he is president of the District Commission and his statements do seem to attract headlines. I would hope he would think them through in the future before he makes them. Otherwise, we may have a continuing shower of crime in the District of Columbia that will envelop all of us.

Mr. Speaker, I yield back the balance of my time.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 2824 is to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such an officer or member after his retirement may qualify for survivor benefits under the Policemen and Firemen's Retirement and Disability Act.

REASONS FOR LEGISLATION

Under existing law, if a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia marries subsequent to his retirement, upon his death his widow is not entitled to any pension whatever. Your committee is of the opinion that this is an injustice and should be corrected.

Accordingly, H.R. 2824 provides that in the event that a retired such officer or member marries after his reitrement, his widow will be entitled to the same full benefits as provided in subsection (a)(3) of the Policemen and Firemen's Retirement and Disability Act to which she would be entitled had she married the officer or member during his active service. It is specified, however, that in order to qualify for such pension the widow must have been married to such officer or member for at least 2 years prior to his death, or that she be the mother of issue by the marriage. This bill is patterned in general after similar provisions of civil service law as applied to classified Government workers.

This bill is identical to a provision in title II of H.R. 15897 of the 89th Congress, a bill to amend the District of Columbia Policemen and Firemen's Salary Act. This bill passed the House on June 27, 1966, but that provision was subsequently deleted by House and Senate conferees.

The reason for this action was that it came to the attention of the conferees that a similar provision in present law pertaining to widows of retired veterans contains a 5-year minimum for the length of such marriage before the widow can qualify for a pension. This created some doubt as to the propriety of the 2-year minimum which this provision in H.R. 15897 would have imposed in the case of widows of retired District of Columbia policemen and firemen. However, your committee is informed that on March 20, 1967, the House of Representatives amended S. 16 so as to decrease the minimum period of marriage for widows of retired veterans from 5 years to 1 year, and that Senate action on this amendment is now pending. Hence, it would appear that the 2-year minimum period for widows of deceased District of Columbia policemen and firemen, as proposed in H.R. 2824, is well within comparable limits of similar legislation.

Your committee feels that this proposed legislation will correct an inequity of long standing, and commends it to this body for favorable action.

Mr. BROYHILL of Virginia. Mr. Speaker, I am pleased indeed to urge the support of my colleagues in the House for the bill H.R. 2834, which is identical to H.R. 7356 which I introduced last March 16.

The purpose of this proposed legislation is to provide that the widow of a retired member of the Metropolitan Police Department or the Fire Department of the District of Columbia, who married the member after his retirement, be entitled to an annuity if she had been married to the retiree for at least 2 years prior to his death or is the mother of issue by the marriage.

Under present District of Columbia law, such a widow is entitled to no benefits whatever. I regard this restriction as archaic and fundamentally unfair, and submit that it should be corrected within the limitations imposed by this bill, at once.

In veterans' retirement and survivor benefits legislation, there is presently a 5-year minimum period for the marriage, when contracted subsequent to the veteran's retirement, and this fact persuaded House and Senate conferees to drop this provision last year from H.R. 15897, a bill to amend the District of Columbia Policemen and Firemen's Salary Act. However, this impediment now appears to have been removed, since the House has recently approved a bill which will decrease this minimum period to 1 year for veteran retirees' marriages.

For these reasons, it is my opinion that this legislation is in the public interest and should be approved.

The **SPEAKER** pro tempore (Mr. Albert). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed, and read a third time, and was read the third time.

The **SPEAKER** pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EQUALIZED BENEFITS FOR DISTRICT OF COLUMBIA POLICEMEN AND FIREMEN

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 2897) to equalize the retirement benefits for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole, as amended.

The **SPEAKER** pro tempore (Mr. Albert). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2897

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each officer or member of the Metropolitan

Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, or the United States Secret Service who has been retired under the provisions of the fourth paragraph of section 12 of the Act of September 1, 1916 (39 Stat. 718), as in effect prior to October 1, 1956, during the period beginning before October 1, 1956, and continuing through July 1, 1967, and who is receiving maximum disability benefits under such paragraph for injury received or disease contracted in the line of duty, shall, on and after the first pay period which begins July 1, 1967, have his retirement benefits computed and paid in accordance with the provisions of subsection (g)(1) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4–527(1).

(b) Nothing in this Act shall be deemed to reduce the relief or retirement compensation any person receives, or is entitled to receive, from the District of Columbia on the date of enactment of this Act.

With the following committee amendment:

On page 1, strike out lines 3 through 9, and on page 2 strike out lines 1 through 9, and insert the following:

"That (a) each officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, or the U.S. Secret Service who has been retired during the period beginning before October 1, 1956, and continuing through July 1, 1967—

"(1) under the provisions of the fourth paragraph of section 12 of the act of September 1, 1916 (39 Stat. 718), as in effect prior to October 1, 1956, and

"(2) on the basis of a disability which was rated at 100 per centum at the time of his retirement,

shall, on and after the first pay period which begins after July 1, 1967, have his retirement benefits computed and paid in accordance with the provisions of subsection (g)(1) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4–527(1)."

The committee amendment was agreed to.

PURPOSE OF BILL

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 2897, as amended and reported, is to provide that former members of the Metropolitan Police force, the U.S. Park Police force, the White House Police force, the U.S. Secret Service, and the District of Columbia Fire Department who were retired prior to October 1, 1956, for disability which was rated at 100 percent at the time of their retirement, shall have their annuities computed on the same basis as are those for members who retired for disability subsequent to that date.

BACKGROUND

From 1916, when the Policemen and Firemen's Relief Fund was first established by act of Congress, until 1957, there was never any disparity in the pensions paid to retired members of the Fire Department and the several police forces in the District of Columbia, or to their widows and dependent orphaned children. All who retired at the same rank and with the same length of service received equal amounts, regardless of changes in contribution rates.

In 1957, however, this long-established policy was abandoned by the enactment of Public Law 85–157, which amended the Policemen and Firemen's Disability Act to provide substantial increases in the annuities for those members retiring after October 1, 1956, and for their widows and orphaned children, but provided no increases whatever for annuitants who had retired prior to that date, nor for their surviving dependents.

HISTORY OF LEGISLATION

Because of the hazards and vicissitudes incident to service in their police and fire forces, members of this committee and many of their colleagues in the House have long felt that this discrimination in the annuities for retirees from these services, and for their surviving dependents, is unfair and should be eliminated. In fact, at the time of the enactment of the amendments to the Policemen and Firemen's Disability Act in 1957, it was recognized by some Members of Congress that some adjustment to the pensions of older retirees should be the subject of future legislation.

Accordingly, in the 86th Congress a bill, H.R. 3735, to restore the traditional uniformity to all such annuities, regardless of the date of retirement, was passed by the House. The Senate passed this bill with an amendment providing that the annuities of the former members who retired prior to October 1, 1956, would be increased by 10 percent, rather than being made equal to those of the later retirees. The House agreed to this amendment, but despite this modification the bill was vetoed on September 24, 1959.

This effort was resumed in the 87th Congress. S. 1528, identical to the bill as vetoed in the previous Congress except for the deletion of a provision for retroactivity of increases in pensions for surviving dependents of deceased former members, was approved by the Congress but also was vetoed, on September 22, 1961.

By that time, the plight of many of the widows and dependent children of deceased members who had retired or died prior to October 1, 1956, had grown particularly difficult by reason of the very meager annuities to which they were then entitled, and which were inadequate to cope with the steadily rising cost of living. In recognition of this problem, this committee reported S. 1918 on August 8, 1962, extending the benefits of the 1957 amendments to the Policemen and Firemen's Disability Act to all widows and orphaned dependent children of deceased members on a nonretroactive basis. The bill was approved on August 24, 1962, and became Public Law 87–601.

NEED FOR LEGISLATION

Prior to October 1, 1956, a member of the Police or Fire Departments who retired by reason of disability incurred in line of duty was entitled to an annuity not to exceed 50 percent of his last annual salary. Such a member retiring after that date for disability incurred in line of duty, however, receives an annual pension computed at 2 percent of his last annual salary per year of service, with a minimum of 66⅔ percent and a maximum of 70 percent.

Your committee feels strongly that this situation is a gross injustice, and that at least those older retirees who were rated at 100 percent disability by the Retirement Board, and who thus sacrificed their health and their earning ability in the performance of their hazardous service, are richly entitled to the same annuity benefits as all other retirees in similar circumstances, regardless of their date of retirement. Furthermore, your committee is convinced that the Equalization Act of 1923, which bases all District of Columbia Police and Fire Departments retirees' pensions upon increased salaries whenever there is a salary increase for these forces, does not provide truly equitable treatment by any means for these older totally disabled members, as long as there remains a disparity of from 16⅔ percent to 20 percent in their annuity rates as compared with those of their brothers in service who retired after October 1956. These men faced the same hazards of service, suffered the same loss of physical ability to earn their living as did those who retired under the same circumstances at a later date, and are now facing the same high costs of living. Under these circumstances, it is the view of your committee that the existing difference in the amounts of their annuities should be eliminated, as a matter of simple justice.

PROVISIONS OF THE BILL

For these reasons, your committee urges favorable action on H.R. 2897, which provides simply that members of the various Police forces and the District of Columbia Fire Department who retired prior to October 1, 1956, for disability incurred in line of duty and which was rated at 100 percent under the Veterans Manual at the time or their retirement, shall have their annuities computed on the basis of the formula provided by the 1957 amendments to the Policemen and Firemen's Disability Act which have been in effect since October 1, 1956. This provision is to be effective on and after the first pay period, which begins after July 1, 1967.

This would increase the pension of such a retiree from the present figure of 50 percent of his last annual salary, as adjusted under the Equalization Act of 1923, to a minimum of 66⅔ percent and a maximum of 70 percent of such salary, depending upon his length of service.

As introduced, H.R. 2897 was identical to a provision in title II of the bill H.R. 15857 of the 89th Congress, a bill to amend the District of Columbia Police and Firemen's Salary Act, which passed the House on June 27, 1966. That provision, however, was subsequently deleted from the bill by House and Senate conferees.

This action by the conferees resulted from a misunderstanding that existed when the language of the provision was drafted. At that time, it was the impression of your committee that a policeman or fireman who was retired for disability prior to October 1, 1956, and who was receiving the maximum allowable annuity of 50 percent of his last annual salary, had been granted this maximum annuity by reason of having been rated by the Retirement Board as 100 percent disabled under the standards of the Veterans Manual. For this reason, the provision in question was so worded as to grant the more liberal benefits to all members of these forces retired for disability prior to October 1, 1956, and receiving the maximum annuity—50 percent—for such disability. This language would have affected the annuities of some 748 older retired members, which some of the conferees felt would pose a problem.

Recently, however, your committee has learned that members of the Police and Fire Departments who retired for service-incurred disability before October 1, 1956, were awarded the maximum annuity rate of 50 percent if they were rated under the Veterans Manual to be at least 50 percent disabled. Thus, the same rate of pension was granted for disability rated anywhere from 50 percent to 100 percent. In view of this information, your committee amended H.R. 2897 to specify that the more liberal retirement benefits will be authorized only for those older retirees whose disability at the time of retirement was rated at 100 percent, which had been their original intent.

An examination of the personnel files of the members of these police forces and the District of Columbia Fire Department who are presently receiving annuities by reason of retirement for disability of various degrees incurred in line of duty prior to October 1, 1956, reveals that there are some 726 annuitants today, but that only 192 of these were rated under the Veterans Manual at 100 percent disability at the time of their retirement. Thus, not more than 192 retirees will be affected by this proposed legislation, and it is estimated that the cost involved for the first full fiscal year will be approximately $280,000. This cost will of course diminish in the years thereafter.

Mr. BROYHILL of Virginia. Mr. Speaker, I wish to express my wholehearted support of the bill H.R. 2897, the purpose of which is to correct in part an injustice of long standing with respect to former members of the Metropolitan Police Department and the Fire Department of the District of Columbia who retired prior to October 1, 1956. This proposed legislation provides for such members who retired for service-incurred disability rated at 100 percent the same rates of annuity as are provided for those who retired for disability after the date of October 1, 1956.

Until 1957, when the Congress enacted major amendments to the Policemen and Firemen's Disability Act, effective as of October 1, 1956, there had never been any disparity in the annuities paid to retired members of these forces or to their surviving dependents. These amendments, however, established for the first time a very considerable difference between the amounts granted to those who retired prior to October 1, 1956, as compared to the annuities of those who retired thereafter.

I and some of my colleagues on the District of Columbia Committee have felt strongly that this action was basically unfair, and we have made persistent efforts to remove this differential and to restore the traditional equality of treatment to all such retirees and their dependents. Bills were passed by the Congress in the 86th and 87th Congresses, which sought to restore this equality to some degree, but both were vetoed. In the late stages of the 87th Congress, however, we did succeed in enacting Public Law 87-601, which equalized the pensions of widows and dependent children of the earlier retirees who had died. To this day, however, nothing has been accomplished to equalize the annuities of the retired members themselves.

The bill H.R. 2897, which is identical to H.R. 7355 which I introduced on March 16 of this year, seeks to provide what I consider a very meager minimum of justice, by equalizing the pensions of only those members of the Police and Fire Departments who retired prior to October 1, 1956, for disability incurred in line of duty and which was rated by the Retirement Board under the provisions of the Veterans Manual at 100 percent.

At present, these older disabled retirees are entitled to an annuity of 50 percent of their last annual salary. However, the policeman or fireman who retired after October 1, 1956, for any degree of disability draws an annuity computed at 2 percent of his last annual salary per year of service, with a minimum of 66⅔ percent and a maximum of 70 percent. Considering that these men faced the same dangers and hazards in their daily work, and are now beset by the same rising costs of living, this situation in my opinion is totally inequitable. In this bill we are not asking the full equalization of pensions which we believe to be justified, nor even equal treatment of all who retired by reason of disability. We merely want to obtain for the earlier retirees who were totally disabled in service and thus have sacrificed at least to a large degree their ability to earn a living, the same financial reward as is presently granted to their brothers in service who retired after the magical date of October 1, 1956, for any degree of disability whatever. Obviously, many of these latter are capable of earning a living in some other line of work.

I am informed that at present, there are approximately 820 former members of the Police and Fire Departments who retired prior to October 1, 1956, living and drawing annuities. Of this number, some 726 were retired for disability of various degrees, which is eloquent testimony to the extreme physical dangers which these men faced in the performance of their daily duties. Further, 192 of these men were rated at the time of their retirement as being 100 percent disabled. These are the men whose annuities would be increased by this proposed legislation by from 16⅔ percent to 20 percent.

As I have stated, Mr. Speaker, I do not consider this legislation to be adequate, by any means, to eliminate the injustice which I feel was done to these retired policemen and firemen in the amendments of 1957. From the standpoint of practicality, however, in the light of our experience in the 86th and 87th Congresses, I wholeheartedly commend this legislation for favorable consideration by my colleagues in the House as at least a minimum of just treatment for these gallant public servants who gave so much of their lives and their health for the benefit of the citizens of the District of Columbia.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND CHARTER ACT OF CONFERENCE ON STATE SOCIETIES

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 3931) to amend the act of April 3, 1952, as amended.

The Clerk read the bill, as follows:

H.R. 3931

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to incorporate the Conference of State Societies, Washington, District of Columbia", approved April 3, 1952 (66 Stat. 37), is amended as follows:

(1) The first section of such Act is amended by striking out "by the name of 'Conference of State Societies, Washington, District of Columbia' " and inserting in lieu thereof "by the name of 'National Conference of State Societies, Washington, District of Columbia' ".

(2) Section 18 of such Act is amended by striking out " 'Conference of State Societies, Washington, D.C.,' " and inserting in lieu thereof " 'National Conference of State Societies, Washington, District of Columbia,' ".

With the following committee amendment:

On page 1, strike out lines 7 through 11, and substitute in lieu thereof the following:

"(1) The first section of such Act is amended by striking out "by the name of the 'Conference of State Societies, Washington, District of Columbia' " and inserting in lieu thereof "by the name of the 'National Conference of State Societies, Washington, District of Columbia' "."

The committee amendment was agreed to.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purposes of H.R. 3931 is to amend the charter act of the Conference of State Societies, H.R. 4467, approved April 3, 1952, Public Law 82-293—66 Stat. 37—in order to change its name to "National Conference of State Societies."

The Conference of State Societies was incorporated by the 1952 act referred to, for the purposes of promoting friendly and cooperative relations between the various States and territorial societies in the District of Columbia, to foster, participate in and encourage educational, cultural, charitable, civic and patriotic programs and activities in the District of Columbia and surrounding communities, and to act as contact agent with the States for carrying out State and national programs.

Today its membership includes 52 active State societies, including Guam and Puerto Rico, with approximately 60,000 persons belonging.

Because or the broadening of the scope of the activities of the Conference of State societies, it has requested this legislation to change its name to National Conference of State Societies.

The Commissioners of the District of Columbia, in a letter to the chairman dated March 23, 1967, stated that they have no objection to the enactment of this legislation.

No opposition to it has been expressed to your committee.

Letter from the Conference of State Societies requesting this legislation, are made a part of this report, as follows:

CONFERENCE OF STATE SOCIETIES,
Washington, D.C., April 19, 1967.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The following background material is offered for your information in respect to H.R. 3820 and H.R. 3931 amending P.L. 293, Eighty-Second Congress, Chapter 131, Second Session (H.R. 4467), April 3, 1952.

"Section Two, Purpose of Corporation, The purpose of this corporation shall be to promote friendly and cooperative relations between the various state and territorial societies in the District of Columbia and to foster, participate in and encourage educational, cultural, charitable, civic and patriotic programs and activities in the District of Columbia and surrounding communities, *to act as contact agent with states for carrying out state and national programs.*"

"Section Four, Headquarters and principal offices of the corporation shall be located in Washington, District of Columbia, but the activities of the corporation shall not be confined to that place *but may be conducted throughout the various states and territories of the United States.*"

Current membership consists of fifty-two active societies, including Guam and Puerto Rico, whose aggregate totals approximately sixty thousand persons. Direction is provided by a governing board comprised of one delegate from each society. Management is provided by an Executive Committee comprised of delegate officers who are elected annually for terms of one year. An annual audit of "nonprofit" funds is made by an independent Certified Public Accountant in accordance with principles and procedures applicable to commercial corporate transactions and a report is submitted to the House Judiciary Committee as required by the act.

In the past three years, the Conference has engaged in charitable, educational and cultural activities of international scope. Most recently, the Grand Ball of the National Cherry Blossom Festival, held at the Pan American Union, Washington, D.C., joined together all of the Americans in a program of considerable importance. It is the belief of the Executive Committee, therefore, that sufficient justification exists to warrant an official change in name which will truly reflect organizational status and activity.

Your kind consideration in this matter will be gratefully appreciated.

Sincerely,

ROBERT J. SCHISSELL, *President.*

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

TO AMEND THE HEALING ARTS PRACTICE ACT

Mr. DOWDY. Mr. Speaker, I have been requested—and have acceded to that request—not to call up today for consideration H.R. 3973, the next bill scheduled for consideration.

ADMINISTRATIVE PROCEDURE ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (H.R. 7417) to prescribe administrative procedures for the District of Columbia government, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 7417

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "District of Columbia Administrative Procedure Act".

OTHER AUTHORITY

SEC. 2. This Act shall supplement all other provisions of law establishing procedures to be observed by the Commissioners and agencies of the District government in the application of laws administered by them, except that this Act shall supersede any such law and procedure to the extent of any conflict therewith.

DEFINITION

SEC. 3. As used in this Act—

(1) the term "Commissioners" means the Board of Commissioners of the District of Columbia, or their designated agent;

(2) the term "District" means the District of Columbia;

(3) the term "agency" includes both subordinate agency and independent agency;

(4) the term "subordinate agency" means any officer, employee, office, department, division, board, commission, or other agency of the government of the District, other than an independent agency or the Commissioners, required by law or by the Commissioners to administer any law or any rule adopted under the authority of a law;

(5) the term "independent agency" means any agency of the government of the District with respect to which the Commissioners are not authorized by law, other than this Act, to establish administrative procedures, but does not include the several courts of the District and the District of Columbia Tax Court;

(6) the term "rule" means the whole or any part of any Commissioners or agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of the Commissioners or of any agency;

(7) the term "rulemaking" means Commissioners or agency process for the formulation, amendment, or repeal of a rule;

(8) the term "contested case" means a proceeding before the Commissioners or an agency in which the legal rights, duties, or privileges of specific parties are required by any law (other than this Act), or by constitutional right, to be determined after a hearing before the Commissioners or before an agency, but shall not include (A) any matter subject to a subsequent trial of the law and the facts de novo in any court; (B) the selection or tenure of an officer or employee of the District; (C) proceedings in which decisions rest solely on inspections, tests, or elections; and (D) cases in which the Commissioners or an agency act as an agent for a court of the District;

(9) the term "person" includes individuals, partnerships, corporations, associations, and public or private organizations of any character other than the Commissioners or any agency;

(10) the term "party" includes the Commissioners and any person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in any proceeding before the Commissioners or an agency, but nothing herein shall be construed to prevent the Commissioners or an agency from admitting the Commissioners or any person or agency as a party for limited purposes;

(11) the term "order" means the whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) of the Commissioners or of any agency in any matter other than rulemaking, but including licensing;

(12) the term "license" includes the whole or part of any Commissioners or agency permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission;

(13) the term "licensing" includes process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification, or conditioning of a license by the Commissioners or an agency;

(14) the term "relief" includes the whole or part of any Commissioners or agency (A) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy; (B) recognition of any claim, right, immunity, privilege, exemption, or exception; and (C) taking of any other action upon the application or petition of, and beneficial to, any person;

(15) the term "proceeding" means any process of the Commissioners or an agency as defined in paragraphs (6), (11), and (12) of this section; and

(16) the term "sanction" includes the whole or part of any Commissioners or agency (A) prohibition, requirement, limitation, or other condition affecting the freedom of any person; (B) withholding of relief; (C) imposition of any form of penalty or fine; (D) destruction, taking, seizure, or withholding of property; (E) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees; (F) requirement, revocation, or suspension of a license; and (G) taking of other compulsory or restrictive action.

ESTABLISHMENT OF GENERAL PROCEDURES

SEC. 4. (a) The Commissioners shall, for themselves and for each subordinate agency, establish or require each subordinate agency to establish procedures in accordance with this Act.

(b) Each independent agency shall establish procedures in accordance with this Act.

(c) The procedures required to be established by subsections (a) and (b) of this section shall include requirements of practice before the Commissioners and each agency.

OFFICIAL PUBLICATION

SEC. 5. (a) The Commissioner shall publish at regular intervals not less frequently than once every two weeks a bulletin to be known as the "District of Columbia Register," in which shall be set forth the full text of all rules filed in the office of the Commissioners during the period covered by each issue of such bulletin, except that the Commissioners may in their discretion omit from the District of Columbia Register rules the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if, in lieu of such publication, there is included in the Register a notice stating the general subject matter of any rule so omitted and stating the manner in which a copy of such rule may be obtained.

(b) All courts within the District shall take judicial notice of rules published or of which notice is given in the District of Columbia Register pursuant to this section.

(c) Publication in the District of Columbia Register of rules adopted, amended, or repealed by the Commissioners or by any agency shall not be considered as a substitute for publication in one or more newspapers of general circulation when such publication is required by statute.

(d) The Commissioners are authorized to publish in the District of Columbia Register, in addition to rules published under authority contained in subsection (a) of this section, (1) cumulative indexes to regulations which have been adopted, amended, or repealed; (2) information on changes in the organization of the District government; (3) notices of public hearings; (4) codifications of rules; and (5) such other matters as the Commissioners may from time to time determine to be of general public interest.

(e) This section shall become effective thirty days after the date of approval of this Act.

PUBLIC NOTICE AND PARTICIPATION IN RULEMAKING

Sec. 6. (a) The Commissioners and each independent agency shall, prior to the adoption of any rule or the amendment or repeal thereof, publish in the District of Columbia Register (unless all persons subject thereto are named and either personally served or otherwise have actual notice thereof in accordance with law) notice of the intended action so as to afford interested persons opportunity to submit data and views either orally or in writing, as may be specified in such notice. The publication or service required by this subsection of any notice shall be made not less than thirty days prior to the effective date of the proposed adoption, amendment, or repeal, as the case may be, except as otherwise provided by the Commissioners or the agency upon good cause found and published with the notice.

(b) Any interested person may petition the Commissioners or an independent agency, requesting the promulgation, amendment, or repeal of any rule. The Commissioners and each independent agency shall prescribe by rule the form for such petitions, and the procedure for their submission, consideration, and disposition. Nothing in this Act shall make it mandatory that the Commissioners or any agency promulgate, amend, or repeal any rule pursuant to a petition therefor submitted in accordance with this section.

(c) Notwithstanding any other provision of this section, if, in an emergency, as determined by the Commissioners or an independent agency, the adoption of a rule is necessary for the immediate preservation of the public peace, health, safety, welfare, or morals, the Commissioners or such independent agency may adopt such rules as may be necessary in the circumstances, and such rule may become effective immediately. Any such emergency rule shall forthwith be published and filed in the manner prescribed in section 7 of this Act. No such rule shall remain in effect longer than one hundred and twenty days after the date of its adoption.

FILING AND PUBLISHING OF RULES

Sec. 7. (a) Each agency, within thirty days after the effective date of this Act, shall file with the Commissioners a certified copy of all of its rules in force on such effective date.

COMPILATION OF LAW

(b) The Commissioners shall keep a permanent register open to public inspection of all rules.

(c) Except in the case of emergency rules, each rule adopted after the effective date of this Act by the Commissioners, or by any agency, shall be filed in the office of the Commissioners. No such rule shall become effective until after its publication in the District of Columbia Register, nor shall such rule become effective if it is required by law, other than this Act, to be otherwise published, until such rule is also published as required in such law.

COMPILATION OF RULES

Sec. 8. (a) As soon as practicable after the effective date of this Act, the Commissioners shall have compiled, indexed, and published in the District of Columbia Register all rules adopted by the Commissioners and each agency and in effect at the time of such compilation. Such compilations shall be promptly supplemented or revised as may be necessary to reflect new rules and changes in rules.

(b) Compilations shall be made available to the public at a price fixed by the Commissioners.

(c) The Commissioners must publish the first compilation required by subsection (a) of this section within one year after the effective date of this Act and no rule adopted by the Commissioners or by any agency before the date of such first publication which has not been filed and published in accordance with this Act and which is not set forth in such compilation shall be in effect after one year after the date of enactment of this Act.

DECLARATORY ORDERS

Sec. 9. On petition of any interested person, the Commissioners or an agency, within their discretion, may issue a declaratory order with respect to the applicability of any rule or statute enforceable by them or by it, to terminate a controversy (other than a contested case) or to remove uncertainty. A declaratory order, as provided in this section, shall be binding between the Commissioners and the agency, as the case may be, and the petitioner on the state of facts alleged and established, unless such order is altered or set aside by a court. A declaratory order is subject to review in the manner provided in this Act for the review of orders and decisions in contested cases, except that the refusal of the Commissioners or of an agency to issue a declaratory order shall not be subject to review. The Commissioners and each agency shall prescribe by rule the form for such petitions and the procedure for their submission, consideration, and disposition.

CONTESTED CASES

Sec. 10. (a) In any contested case, all parties thereto shall be given reasonable notice of the afforded hearing by the Commissioners or the agency, as the case may be. The notice shall state the time, place, and issues involved, but if, by reason of the nature of the proceeding, the Commissioners or the agency determine that the issues cannot be fully stated in advance of the hearing, or if subsequent amendment of the issues is necessary, they shall be fully stated as soon as practicable, and opportunity shall be afforded all parties to present evidence and argument with respect thereto. Unless otherwise required by law, other than this Act, any contested case may be disposed of by stipulation, agreed settlement, consent order, or default.

(b) In contested cases, except as may otherwise be provided by law, other than this Act, the proponent of a rule or order shall have the burden of proof. Any oral and any documentary evidence may be received, but the Commissioners and every agency shall exclude irrelevant, immaterial, and unduly repetitious evidence. Every party shall have the right to present in person or by counsel his case or defense by oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Where any decision of the Commissioners or any agency in a contested case rests on official notice of a material fact not appearing in the evidence in the record, any party to such case shall on timely request be afforded an opportunity to show the contrary.

(c) The Commissioners or the agency shall maintain an official record in each contested case, to include testimony and exhibits, but it shall not be necessary to make any transcription unless a copy of such record is timely requested by any party to such case, or transcription is required by law, other than this Act. The testimony and exhibits, together with all papers and requests filed in the proceeding, and all material facts not appearing in the evidence but with respect to which official notice is taken, shall constitute the exclusive record for order or decision. No sanction shall be imposed or rule or order or decision be issued except upon consideration of such exclusive record, or such lesser portions thereof as may be agreed upon by all the parties to such case. The cost incidental to the preparation of a copy or copies of a record or portion thereof shall be borne equally by all parties requesting the copy or copies.

(d) Whenever in a contested case a majority of those who are to render the final order or decision did not personally hear the evidence, no order or decision adverse to a party to the case (other than the Commissioners or an agency) shall be made until a proposed order or decision, including findings of fact and conclusions of law, has been served upon the parties and an opportunity has been afforded to each party adversely affected to file exceptions and present argument to a majority of those who are to render the order or decision, who, in such case, shall personally consider such portions of the exclusive record, as provided in subsection (c) of this section, as may be designated by any party.

(e) Every decision and order adverse to a party to the case, rendered by the Commissioners or an agency in a contested case, shall be in writing and shall be accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of the conclusions upon each contested issue of fact. Findings of fact and conclusions of law shall be supported by and in accordance with the reliable, probative. and substantial evidence. A copy of the decision and order and accompanying findings and conclusions shall be given by the Commissioners or the agency, as the case may be, to each party or to his attorney of record.

JUDICIAL REVIEW

Sec. 11. Any persons suffering a legal wrong, or adversely affected or aggrieved, by an order or decision of the Commissioners or an agency in a contested case, is entitled to a judicial review thereof in accordance with this Act upon filing in the District of Columbia Court of Appeals a written petition for review, except that orders and decisions of the Board of Zoning Adjustment, Commission of Mental Health, Public Service Commission, Redevelopment Land Agency, and the Zoning Commission shall be subject to judicial review in those courts which review the orders and decisions of those agencies on the day before the date of enactment of this Act but such judicial review shall be in accordance with this Act. If the jurisdiction of the Commissioners or an agency is challenged at any time in any proceeding and the Commissioners or the agency, as the case may be, take jurisdiction, the person challenging jurisdiction shall be entitled to an immediate judicial review of that action, unless the court shall otherwise hold. The reviewing court may by rule prescribe the forms and contents of the petition and, subject to this Act, regulate generally all matters relating to proceedings on such appeals. A petition for review shall be filed in such court within such time as such court may by rule prescribe and a copy of such petition shall forthwith be served by mail by the clerk of the court upon the Commissioners or upon the agency, as the case may be. Within such time as may be fixed by rule of the court the Commissioners or such agency shall certify and file in the court the exclusive record for decision and any supplementary proceedings, and the clerk of the court shall immediately notify the petitioner of the filing thereof. Upon the filing of a petition for review, the court shall have jurisdiction of the proceeding, and shall have power to affirm, modify, or set aside the order or decision complained of, in whole or in part, and, if need by, to remand the case for further proceedings, as justice may require. Filing of a petition for review shall not in itself stay enforcement of the order or decision of the Commissioners or the agency, as the case may be. The Commissioners or the agency may grant, or the reviewing court may order, a stay upon appropriate terms. The court shall hear and determine all appeals upon the exclusive record for decision before the Commissioners or the agency. The review of all administrative orders and decisions by the court shall be limited to such issues of law or fact as are subject to review on appeal under applicable statutory law, other than this Act. In all other cases the review by the court of administrative orders and decisions shall be in accordance with the rules of law which define the scope and limitations of review of administrative proceedings. Such rules shall include, but not be limited to, the power of the court—

(1) so far as necessary to decision and where presented, to decide all relevant questions of law, to interpret constitutional and statutory provisions, and to determine the meaning or applicability of the terms of any action;

(2) to compel agency action unlawfully withheld or unreasonably delayed; and

(3) to hold unlawful and set aside any action or findings and conclusions found to be (A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; (B) contrary to constitutional right, power, privilege, or immunity; (C) in excess of statutory jurisdiction, authority, or limitations or short of statutory jurisdiction, authority, or limitations or short of statutory rights; (D) without observance of procedure required by law, including any applicable procedure provided by this Act; or (E) unsupported by substantial evidence in the record of the proceeding before the court. In reviewing administrative orders and decisions, the court shall review such portions of the exclusive record as may be designated by any party. The court may invoke the rule of prejudicial error. Any party aggrieved by any judgment of the District of Columbia Court of Appeals under this Act may seek a review thereof by the United States Court of Appeals for the District of Columbia Circuit in accordance with sections 11-321, 17-101, 17-102, 17-103, and 17-104 of the District of Columbia Code.

PURPOSE OF BILL

Mr. DOWDY. Mr. Speaker, the purpose of the bill is to provide an Administrative Procedure Act for the District of Columbia, covering the more than 93 administrative governmental agencies operating in the District, and the laws which those agencies administer.

The bill makes mandatory the establishment by the District of Columbia Commissioners for themselves and for all of their subordinate agencies, rules governing the formal and informal procedures prescribed or authorized by the bill, and likewise requires that each independent agency of the District establish such rules for itself.

It is designed to meet the long-admitted need in the District of Columbia for the reform of administrative process and the achieving of uniformity of administrative rules and rulemaking procedures—paralleling the adoption by the Congress of the Federal Administrative Procedure Act covering the Federal administrative agencies.

Nineteen States have enacted similar legislation.

This bill is identical to H.R. 7067 of the 89th Congress, as approved by the House on July 26, 1965—House Report 646.

This legislation is the result of many years of careful work by a number of lawyers in your committee and in the District of Columbia. It has the endorsement of the District of Columbia Bar Association, as well as of the State division of the Administrative Law Section of the American Bar Association.

Full hearing was accorded interested parties by Subcommittee No. 4 on July 6, 1965.

PROVISIONS OF THE BILL

In essence, the bill has three primary features:

I

First, it provides for the compilation and publication in the District of Columbia Register of all rules and regulations of the administrative agencies of the District of Columbia which are currently in effect. In addition, it would require that prior to the adoption of any rule, or the amendment or repeal of any rule, a notice of such intended action must be published in the District of Columbia Register. The bill thus would afford interested persons the opportunity to submit data or facts on proposed rules or changes in administrative rules before final action is taken by the agency.

Your committee was advised that 14 of the 22 boards and commissions under the jurisdiction of the District of Columbia Department of Occupations and Professions alone had no procedural rules at all. Among rules that are published, it is claimed that many contain "little or no exposition of one's rights, few procedural details, inadequate references to the availability and types of hearings, no hint as to appellate review, vague or incomplete statements as to applicable standards, and no references to statutory citations."

II

The second major purpose of the bill is to provide the opportunity of a hearing for all parties in "contested cases," as specifically defined in the proposed bill, and to require that a transcript of the record be kept in all such cases. In addition, the bill would minimize the possibilities of an agency relying on information dehors the record in reaching a decision in a contested case. While the bill is not as explicit as the Federal Administrative Procedure Act in curtailing opportunities of ex parte consultations, it should suffice until trial and error shows that it does not go far enough.

Under the present procedure within the Department of Inspections and Licenses, for example, when a hearing is requested by a licensee or an applicant for a license, the Department transmits the record to the Board of Appeals and Review, but does not forward to the Board, "confidential intradepartmental or interdepartmental correspondence or documents or information of a confidential nature." These it transmits, instead, separately to the Assistant Corporation Counsel who represents the Department of Inspections and Licenses in the particular case and on whose advice the Board most surely will heavily rely.

In recent years, the press has reported that there have been a number of complaints made by applicants who were denied, or had revoked, licenses as pawnbrokers, cabdrivers, automobile salesmen, and practical nurses, to mention just a few, on the grounds that the particular licensing board or commission concerned based their denial or revocation on evidence not found in the record before the agency. Under H.R. 7417, this could not be done.

Similarly, recent complaints have been voiced that the Board of Zoning Adjustment and the Zoning Commission have, on occasion, based their decisions on some hidden reservoirs of alleged facts or knowledge not set out or referred to in the record of the proceedings before the agency.

III

The third important general purpose of the bill is to provide for a uniform means, whereby the final determination of any agency, other than certain rules or decisions expressly excepted by other provisions of the act, may be reviewed in court in accordance with traditional standards, as enunciated in the decisions of the Supreme Court of the United States and the other Federal courts of appeal, controlling judicial review of administrative action.

Although the judicial review of the decisions of many agencies of the District of Columbia government now is provided for, or at least, permitted, it is not systematized, and in other instances no clearly defined avenue or channel of judicial review of administrative action is established. Certainly, the Congress will agree that unless parties and litigants have judicial recourse they are, in practical effect, at the mercy of the administrative agencies to whom they must come in seeking vindication or important personal and property rights.

For example, in a zoning decision of some interest, the U.S. District Court for the District of Columbia ruled that the denial of a petition to rezone must be accompanied by findings of fact justifying the reversal, *Donovan* v. *Clark*—222 F. Supp. 634 (D.C., 1963). The Donovan decision thus reaffirmed and applied an elemental principle of fair administrative procedure so far as appeals from decisions of the Zoning Commission to the district court are concerned. However, because of the variety of review channels that exist for appeals from actions of the many various boards and agencies of the District of Columbia, there is no insurance, in the absence of an overall statutory requirement, that the principle that requires administrative findings to accompany administrative decisions will be protected in all future cases.

The Commissioners of the District of Columbia concede the need for the reform of the administrative process in the District. However, they do not consider that the representations of the bar association and other groups, complaining existing administrative practices and procedures, establish a public demand or need for an Administrative Procedure Act for the District. Through the Corporation Counsel's Office, they urge that such reforms as are needed can be achieved by rules or orders of the Commissioners, or by the agencies themselves, thus obviating the need for legislation.

Admittedly, some of the conditions complained of have been remedied, in part of the issuance of rules of procedure in some instances where none existed before.

But while there has been improvement in rulemaking and the promulgation thereof, during the past 10 years of advocacy of reforms in District of Columbia administrative procedures, there has been no improvement in, and the Commissioners are powerless to provide, uniform judicial review, or judicial review of and appeals from quasi-judicial agencies. For example, decisions of the District of Columbia Board of Appeals and Review—to which administrative appeals lie from the various constituent agencies within the District of Columbia Department of Licenses and Inspections—must be brought to the U.S. District Court for the District of Columbia. On the other hand, within the District Department of Occupations and Professions there are a significant number of constituent boards, commissions, and committees from whose rulings appeals lie to several different courts and, in at least one case, must be brought to the Board of Commissioners themselves, whose action purports to be final—2 District of Columbia Code, 1305 (1961). We have listed the specifics of this statutory maze in the footnote.[1]

Only Congress, through a bill such as H.R. 7417, can unravel such complexity and simplify the review procedures in question.

BACKGROUND

Since 1965 legislation similar to the reported bill has been introduced, considered, and modified in an effort to prescribe definite administrative procedures for the District of Columbia government.

The adoption by the Congress in 1946 of the Federal Administrative Procedure Act—60 Stat. 237—covering the Federal administrative agencies, set the pattern for many of the States to follow. Thus far, the following 19 States have adopted a State Administrative Procedure Act, or portions thereof; guaranteeing minimum standards of fair administrative procedure: Arkansas, California, Georgia, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Missouri, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, West Virginia, Wisconsin, and Virginia.

The reported bill is based upon the model act for administrative procedures in the States, approved by the National Conference of Commissioners on Uniform State Laws. However, it has been modified and adjusted by the Administrative Law Committee of the District of Columbia Bar Association, and by subcommittees of your committee, to embrace the functions of the District, which opperates sometimes as a State, sometimes as a city, sometimes as both. Obviously, all the provisions of the usual model State Administrative Procedure Act may not successfully be applied literally to the varied operations of the many different administrative agencies in the District of Columbia. Hence, the model act has been revised in many respects to meet local conditions, so the reported bill is well developed and provides a comprehensive District of Columbia Administrative Procedure Act.

CONCLUSION

The need for an Administrative Procedure Act for the District of Columbia to reform administrative process has been established to the satisfaction of your committee.

The District must achieve uniformity of administrative rules and rulemaking procedures and insist on a common, published repository of such rules, so that the person affected by them, as well as his attorney, may learn at least of their existence.

The time for enactment of such a law as H.R. 7417 is now.

The arguments advanced in opposition to the bill are the same arguments which were advanced by the Federal administrative agencies in opposition to the enactment of the Federal Administrative Procedure Act.

Only the Congress can resolve the issue and by a bill such as H.R. 7417 guarantee in the day-to-day operations of an administrative agency those procedures due any litigant.

Your committee believes the reported bill will improve orderly communications between the public at large and the agencies of the District of Columbia government. It would formalize needed procedures and end the informal, across-the-counter type of actions which have characterized too many decisions of some agencies of the District and resulted in too many complaints to and hearings by your committee in years past.

The passage of this bill, your committee believes, should increase the confidence of the public in the operations of administrative agencies of the District of Columbia and thereby add to administrative efficiency, to the benefit of all concerned. The confidence of the public and the bar can only be captured and retained if there are provided definite, objective, statutory standards of fair administrative procedure to guide, and if necessary to control the administrative powers of rulemaking and adjudication, and to assure a full right to judicial review when such powers have been abused or exercised in an unlawful manner.

The approval by the Congress of H.R. 7417 is therefore urged.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider, was laid on the table.

REGULATING THE PRACTICE OF PODIATRY IN THE DISTRICT OF COLUMBIA

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill—H.R. 3370—to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3370

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to regulate the practice of podiatry in the District of Columbia", approved May 23, 1918 (40 Stat. 560), as amended (sec. 2–705, D.C. Code, 1961 edition), is amended by designating the first paragraph as subsection (a), by redesignating the second and third paragraphs as subsections (b) and (c), respectively, and by adding at the end of the second paragraph, redesignated herein as subsection (b), the following: "The Board of Podiatry Examiners may, in its discretion, waive both the written and oral tests or either such test and accept in lieu thereof the satisfactory completion by an applicant of an examination given by the National Board of Podiatry Examiners: *Provided,* That such applicant shall pass a practical examination given by the Board of Podiatry Examiners: *Provided further,* That in exercising its discretion to waive the written and oral tests or either such test the Board of Podiatry Examiners shall satisfy itself that the examination given by the National Board of Podiatry Examiners was as comprehensive as that required in the District of Columbia. Notwithstanding the foregoing provisions of this subsection, the Board of Podiatry Examiners may, in its discretion, require an applicant to satisfactorily complete an examination which supplements the examination given by the National Board of Podiatry Examiners."

SEC. 2. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners, or in any office or agency under the jurisdiction and control of said Board of Commissioners, may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

Mr. HALL. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I simply rise to compliment the gentleman from Texas, and the committee as a whole, and the minority Members in bringing this legislation to the floor, and their patience in so doing, and their being so forebearing over the past several District days in not calling this until certain determinations could be made.

Mr. Speaker, I have here from the president of the District of Columbia Podiatry Society, Dr. Edward Ganny, under date of April 21, 1967, a statement which I would ask unanimous consent to be inserted in the RECORD following the remarks that I will conclude at this time.

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[1] Review by Court of Appeals of the District of Columbia, final review by the Court of Appeals for the District of Columbia Circuit: Board of Barber Examiners for the District of Columbia, sec. 2–1110: Commission on Licensure to Practice the Healing Art in the District of Columbia, sec. 2–129; Physical Therapists' Examining Board, sec. 2–463; Practical Nurses' Examining Board, sec. 2–434.

Revocation by District Court for the District of Columbia upon motion of the Board: Board of Dental Examiners, secs. 2–311, 2–312; Board of Podiatry Examiners, secs. 2–701, 2–708; Commission on Licensure to Practice the Healing Art in the District of Columbia, sec. 2–213; Nurses' Examining Board, sec. 2–407.

Review by Court of Appeals for the District of Columbia Circuit: Board of Examiners and Registrars of Architects, sec. 2–1028.

Appeal from revocation by Court of Appeals of the District of Columbia: Board of Examiners of Veterinary Medicine, sec. 2–810.

Review by Court of Appeals of the District of Columbia: Board of Pharmacy, sec. 2–606.

Appeal to the Board of Commissioners only and purporting to be final: District of Columbia, Board of Cosmetology, sec. 2–1305.

Review by District Court for the District of Columbia: District of Columbia Board of Registration of Professional Engineers, sec. 2–1809; Real Estate Commission, sec. 45–1409.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, it has become apparent with the cooperation of the committee that this National Board of Podiatry Examiners examines on a basis of discretionary reciprocity with the District of Columbia podiatrists. Second, that they are well organized and led in that this requires not only 4 years of education, but a basic science examination at the end of the second year, ordinarily in the podiatry school, and then a final or fourth-year examination involved in the clinical purposes.

This is indeed according to the Podiatry Society of the District of Columbia, recognized in many of our States, in fact, the majority of them, as being generally a more severe and a more self-controlling and proving examination than the various States or the District of Columbia has.

Therefore being interested only in the maintenance of quality care to individuals I have absolutely no further reservation about this bill, but commendation for the committee on the manner in which they have handled it.

Mr. Speaker, as I said, I rise simply for the purpose of commending them.

Mr. Speaker, the statement to which I referred earlier is as follows:

DISTRICT OF COLUMBIA
PODIATRY SOCIETY,
OFFICE OF THE SECRETARY,
April 21, 1967.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HALL: We earnestly request your support for House Resolution No. 3370, introduced by Mr. McMillan, which "amends the the practice of podiatry in the District of Columbia" to recognize the National Board of Podiatry Examinations" in lieu of the "local board's own theoretical examinations for licensing of podiatrists in the District." The National Board examination consists of two parts—Part I:

Part I, which includes comprehensive examinations in the basic sciences, such as anatomy, histology, embryology, bacteriology, bio-chemistry, chemistry, pathology, pharmacology, materia medica, physiology, hygiene and public health, generally is taken near the end of the student's second year.

Part II, which covers the fields of dermatology, syphology, jurisprudence, ethics, economics, orthopedics, foot gear podistric medicine, physical medicine, therapeutics, podiatry-chiropody, hospital protocal, radiology, foot pathology, diagnosis, surgery and anesthesia, is usually taken near the end of the student's fourth year of study.

National Board Examinations in Podiatry are now recognized in 27 states and British Columbia.

The Podiatry Society of the District of Columbia, annually submits a list of five well qualified members who are considered by the D.C. Board of Commissioners for appointment to any existing vacancies on the D.C. Board of Podiatry Examiners.

Our sincere thanks.

Respectfully,
EDWARD GANNY, DSC,
President of D.C. Podiatry Society.

Mr. DOWDY. Mr. Speaker, the purpose of this bill (H.R. 3370) is to provide the District of Columbia Board of Podiatry Examiners with the discretionary authority to accept the written theoretical examination given by the National Board of Podiatry Examiners to virtually all graduates of the recognized podiatry colleges, in lieu of the local Board's own theoretical examinations for licensing of podiatrists in the District. However, a satisfactory performance on a practical demonstration test administered by the District of Columbia Board will continue to be required of all applicants for such license.

The National Board of Podiatry Examiners consists of 12 members, representing such nationally recognized professional organizations as the Federation of Podiatry Boards, the American Podiatry Association, and the American Association of Colleges of Podiatry. In addition, 13 groups of prominent educational testing specialists assist the national board in the development of its testing program, which is presently recognized and accepted in 19 States and by the Army and the Navy.

Your committee is advised that the District of Columbia Board of Podiatry Examiners favors the adoption of the national board theoretical examinations as the standard for licensing of podiatrists in the District because this examination, by reason of its national scope and character, offers a uniform and consistent measure of academic professional qualification. Also, the resources available to the national board make possible a rapid processing of these tests, and the early reporting of the results to the applicants. Further, all expenses incident to the preparation and administration of these tests are sustained by the National Board of Podiatry Examiners.

We are advised that the examination given by the national board is at least as comprehensive and as difficult as that conducted by the District of Columbia Board. However, this bill charges the District of Columbia Board with the responsibility of satisfying itself that this continues to be the case; and the Board is empowered in its discretion, to require any applicant to supplement his national board examination with whatever further theoretical test or tests the Board may deem advisable.

PRECEDENT

H.R. 6350, which was passed by the House on July 23, 1963, and which was approved on August 19, 1964—Public Law 88-460—extended an identical discretionary authority to the District of Columbia Board of Dental Examiners, enabling them to accept a national board examination in connection with the licensing of dental hygienists in the District of Columbia.

Your committee is of the opinion that this same authority should be granted with regard to the licensing of podiatrists in the District of Columbia, for the same reasons; namely, the elimination of a needless duplication of theoretical testing with a consequent saving of time and expense on the part of the District of Columbia Board, and also the alleviation of needless hardship on the part of applicants who may have been out of school for some years and yet can demonstrate professional competence by satisfactory performance on the practical demonstration test, which would still be required of all applicants.

HEARING

At a public hearing conducted on February 28, 1964, no opposition was expressed to the enactment of this legislation. This bill is identical to H.R. 9962 of the 88th Congress, which was passed by the House on March 9, 1964—House Report No. 1223—and also to H.R. 1699 of the 89th Congress, approved by the House on February 8, 1965—House Report No. 22.

The following letter, written on January 10, 1967, expresses the D.C. Commissioners' renewed endorsement of this proposed legislation.

GOVERNMENT OF THE DISTRICT OF
COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., January 30, 1964.

Hon. JOHN W. MCCORMACK,
The Speaker, U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: The Commissioners of the District of Columbia have the honor to submit herewith a draft bill to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended.

Existing law requires that the District of Columbia Board of Podiatry Examiners give an applicant for license as a podiatrist certain examinations consisting of practical demonstrations and written and oral tests. The Board has determined that the examination given by the National Board of Podiatry Examiners is at least as comprehensive and exhaustive as the tests given by the District of Columbia Board of Podiatry Examiners. The National Board of Podiatry Examiners is composed of 12 members, of whom 6 represent the Federation of Podiatry Boards, 3 represent the Council on Education of the American Podiatry Association, and 3 represent the American Association of Colleges of Podiatry. Assisting the national board in developing its examinations are 13 groups, each consisting of 3 or 4 members and including outstanding examiners or educators in various fields covered by the examinations. The national board examinations cover the following fields: anatomy, histology, embryology, bacteriology, biochemistry, chemistry, pathology, pharmacology, materia medica, physiology, dermatology, syphilology, jurisprudence, ethics, economics, orthopedics, footgear, podiatric medicine, physical medicine, therapeutics, podiatry-chiropody, hospital protocol, radiology, foot pathology, diagnosis, surgery, and anethesia. The U.S. Army and the U.S. Navy accept the national board examination in considering applications for commissions in those services. The national board program is recognized by the following States: Arkansas, Hawaii, Idaho, Iowa, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Montana, Missouri, Nebraska, New Hampshire, New Mexico, North Dakota, South Carolina, West Virginia, Wisconsin, and Wyoming.

The Commissioners recommend the amendment of the Podiatry Act so that the District Board of Podiatry Examiners may in its discretion, waive both the written and oral tests or either such test of an applicant for license as a podiatrist who holds a certificate from the National Board of Podiatry Examiners, providing such person successfully passes the practical examination administered by the District Board of Podiatry Examiners.

It is expected that the examination conducted by the national board is to be at least as comprehensive as that conducted by the District Board. However, since this might not always be the case, the bill requires that the District Board, in exercising its discretion in waiving the written or oral test or both such tests, satisfy itself that the examination given the applicant by the national board was at least as comprehensive as that required in the District of Columbia.

The acceptance of the examination conducted by the National Board of Podiatry Examiners will benefit the District as well as the applicant. By reason of their national character, the national board examinations have a tendency to provide a uniform and consistent measure of the qualifications of persons seeking licensure. The composition of the examination tends to reflect the teaching of the theory of podiatry on a nationwide basis. The resources in personnel and equipment available to the national board make possible the rapid evaluation and dissemination of the results of the examinations. The expense of printing the examinations, furnishing materials, securing administrators and proctors, and payment of shipping charges and all other costs involved in the testing program are sustained by the national board.

The Commissioners are informed that the District of Columbia Board of Podiatry Examiners will have complete freedom in connection with interpreting the national board grades, and that there is no objection to the District Board's supplementation of the national board's examinations with any other examination deemed necessary to fulfill District requirements.

Section 2 of the bill is intended to coordinate the proposed amendment of the act of May 23, 1918, as amended, with the requirements of Reorganization Plan No. 5 of 1952, relating to reorganization of the government of the District of Columbia.

The Commissioners anticipate no increased cost to the District as a result of the enactment of the bill.

Very sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners,
District of Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELEMENTARY AND SECONDARY EDUCATION ACT—QUIE OFFERS MISLEADING FIGURES TO GARNER VOTES

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, the gentleman from Minnesota, Representative QUIE, in introducing his third substitute to H.R. 7819, the Elementary and Secondary Education Amendments of 1967—the bill to extend the Elementary and Secondary Act of 1965—inserted in the CONGRESSIONAL RECORD for April 20, 1967, a table purporting to show the comparative distribution of funds among States under the Elementary and Secondary Education Act as now constituted and under his proposed amendment. According to Mr. QUIE, all States except New York and the District of Columbia would benefit from the block grants proposed by the Quie substitute. However, the claim of increases reflected in Mr. QUIE's table is utterly false.

The major fallacy in Representative QUIE's statistics is that he compares authorizations for the block-grant substitute with what he imagines the administration will request in appropriations for fiscal year 1969. An honest comparison of amounts States would receive under two alternative proposals should compare like with like, authorization with authorization.

The attached table compares authorizations under the Quie substitute with authorizations under the four titles of the Elementary and Secondary Education Act which it would replace.

Several things are clear from this table. First, the $3 billion lump-sum figure in the Quie substitute is actually a substantial decrease in Federal assistance to elementary and secondary education—a cut of $281.5 million from the existing authorization.

Second, 25 States would receive substantially less money under the Quie substitute than they would receive under ESEA. The Department of Defense Overseas Schools and the Bureau of Indian Affairs Schools would be excluded altogther. The States thus hurt include all the Southern and border States, with the exception of Maryland, and some of our Nation's biggest and most populous States—New York, California, Illinois, New Jersey, and Texas, for example. It is precisely these States—States with low per-pupil expenditures for education or States with the largest numbers of educationally disadvantaged children enrolled in school—which need Federal assistance the most.

The table referred to follows:

Comparison of authorizations under H.R. 7819 as approved by the House Committee on Education and Labor and under the proposed substitute by Representative Quie (H.R. 8983), fiscal year 1969 [1]

	Committee bill	Quie bill	Net gain or loss (col. 2 minus col. 1)
United States and outlying areas	$3,281,467,883	[2] $3,000,000,000	$281,467,883
50 States and the District of Columbia	3,198,470,325	2,910,000,000	288,470,325
Alabama	106,719,767	74,984,127	31,735,640
Alaska	5,467,596	4,113,410	1,354,186
Arizona	25,664,306	30,283,668	4,619,362
Arkansas	65,786,875	39,088,258	26,698,617
California	208,855,676	206,119,222	2,736,454
Colorado	26,914,439	31,768,327	4,853,888
Connecticut	26,705,283	28,098,959	1,393,676
Delaware	6,897,339	6,390,385	506,954
Florida	94,349,862	88,597,972	5,751,890
Georgia	118,208,361	88,063,650	30,144,711
Hawaii	8,308,769	11,671,947	3,363,178
Idaho	10,360,644	14,094,094	3,733,450
Illinois	127,666,495	119,475,294	8,191,201
Indiana	55,880,401	76,079,751	20,199,350
Iowa	44,788,350	44,191,479	596,871
Kansas	30,089,487	35,134,269	5,044,782
Kentucky	87,489,613	62,954,095	24,535,518
Louisiana	97,811,654	78,535,534	19,276,120
Maine	14,643,927	17,471,949	2,828,022
Maryland	43,129,420	50,996,592	7,867,172
Massachusetts	49,776,056	60,738,670	10,962,614
Michigan	95,459,641	132,509,268	37,049,627
Minnesota	58,866,056	61,379,507	2,513,451
Mississippi	99,529,772	52,013,966	47,515,806
Missouri	$72,835,424	$64,100,525	$8,734,899
Montana	11,162,661	13,277,485	2,114,824
Nebraska	23,072,816	23,124,793	51,977
Nevada	4,197,514	4,506,765	309,251
New Hampshire	6,762,289	10,254,911	3,492,622
New Jersey	70,762,078	70,052,005	710,073
New Mexico	22,277,154	23,384,655	1,107,501
New York	286,213,671	164,309,713	121,903,958
North Carolina	150,361,444	100,797,585	49,563,859
North Dakota	14,648,447	13,340,319	1,308,128
Ohio	110,928,936	159,489,128	48,560,192
Oklahoma	47,998,215	40,586,581	7,411,634
Oregon	23,349,587	29,127,896	5,778,309
Pennsylvania	141,557,132	157,773,688	16,216,556
Rhode Island	11,097,377	11,211,904	114,527
South Carolina	89,735,037	56,841,559	32,893,478
South Dakota	16,517,657	14,122,708	2,394,949
Tennessee	103,901,688	74,748,791	29,152,897
Texas	222,871,660	198,291,363	24,580,297
Utah	10,975,409	21,925,807	10,950,398
Vermont	6,627,603	7,260,951	633,348
Virginia	89,751,592	77,159,025	12,592,567
Washington	32,580,281	43,028,933	10,448,652
West Virginia	48,384,092	36,279,296	12,104,796
Wisconsin	52,157,299	67,615,259	15,457,960
Wyoming	5,381,307	5,899,625	518,228
District of Columbia	12,992,076	6,734,337	6,257,739
Outlying areas	82,997,558	90,000,000	7,002,442

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[1] Estimated authorizations based on:

Title I, estimated 5 to 17 population; low-income factor, $3,000 per annum; AFDC 1965; estimated ADA handicapped children (January 1967); estimated migratory children of migratory workers (FTE 1965); juvenile delinquents (January 1967); dependent and neglected children (January 1967); estimated children 5 to 17 in foster homes supported by public funds (January 1967); and 50 percent State or national average estimated CE per pupil in ADA 1966-67 (except migratory children). Estimated authorizations for administration are 1 percent of estimated authorization for programs or $150,000, whichever is greater. Amount for outlying areas estimated at 2½ percent 50 States and District of Columbia amount.

Title II, estimated distribution of $150,000,000 to the 50 States and District of Columbia on the basis of total public and estimated nonpublic K to 12 enrollment, fall 1966. Amount for outlying areas estimated at 3 percent of 50 States and District of Columbia amount.

Title III, estimated distribution of $500,000,000 to the 50 States and District of Columbia with a basic allotment of $200,000 and the balance distributed 50 percent on the basis of the 5 to 17 resident population, July 1, 1965, and 50 percent on the basis of total resident population, July 1, 1965. Amount for outlying areas estimated at 3 percent of 50 States and District of Columbia amount.

Title V(A), estimated distribution of $56,000,000 with 15 percent ($8,400,000) withheld for special projects, 2 percent ($952,000) of the balance withheld for outlying areas, and the remainder ($46,648,000) distributed (a) 40 percent ($18,659,200) among the States in equal amounts and (b) 60 percent ($27,988,800) distributed on the basis of the total K to 12 public school enrollment, fall 1966.

[2] Estimated distribution of $3,000,000,000 with 3 percent reserved for the outlying areas and the balance distributed on the basis of the State products of (1) fiscal year 1968-69 NDEA allotment ratios which are based on total personal income per school age (5 to 17) child for 1963, 1964, and 1965 with allotment ratio limits of 33⅓ and 66⅔ percent, and (2) estimated 5 to 17 populations, July 1, 1965.

AMERICAN TRADITION IS NOT TO "TURN TAIL AND RUN"

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Bolton] may extend her remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. BOLTON. Mr. Speaker, so many people are trying to tell us we have to stop the war. They burn their draft cards, they burn the flag; they do all kinds of things we used to consider only a traitor would do.

It was like seeing a new sun go up to have a telegram from one of my constituents whom I shall not name as I have not had time to contact her to ask her permission—but this is what she wired me:

> We may not "demonstrate" in public, nor make speeches with such "dramatic" embellishments as burning draft cards, but regardless we far outnumber those who advocate "peace without honor." Americans have a tradition of finishing what we do—we've never "turned tail and run," and we certainly do not want to start now.

A BILL TO ESTABLISH A U.S. DIPLOMATIC ACADEMY

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CRAMER. Mr. Speaker, I am today reintroducing a bill to establish a U.S. Diplomatic Academy in the Department of State to be known as the John Foster Dulles Diplomatic Academy for Peace. The courses at this academy would be designed to adequately train young men and women to become officers and employees in the diplomatic service of the United States. The courses would equal the curriculum prescribed for the granting of a baccalaureate degree, and would specifically include education and training in all aspects of communism and the science of counteraction to communism.

Mr. Speaker, the world today is a far different world than it was 100, or 50, or even 10 years ago. Scientific and technological advances have brought nations so close that distance is immaterial, and communications are instantaneous. The geography of the world has changed, and new nations have come into existence with new desires of nationalism and self-determination. All of this has exposed the great lack of knowledge and understanding of one nation of another, of the things we have in common, but more important of the differences, in needs, wants, and ideologies. We are, in effect, sitting in each others backyards, yet, with the exception of a few experts on international politics, we know very little about each other.

It is essential, now more than ever, that we concentrate our efforts on the science of peace and diplomacy—that we provide more of our people who are involved in international affairs with the special tools and methods necessary for the waging of peace through effective, skilled diplomacy. This is no less a science than that of waging war. Since 1802, when the U.S. Military Academy at West Point was established, we have trained young men in the science of war. It is just as necessary that we now establish the means to train our young people in the science of peace and all that it involves.

My bill would provide that the Secretary of State set up an academy and appoint a staff to include a superintendent, a dean of the academic board, a dean of students, and such professors needed to carry out the purposes of the act.

Students between the ages of 17 and 21 would be nominated and appointed in much the same manner as that used at our military academies and would include a certain number of students from Canada, the American Republics, and the Republic of the Philippines. An oath of allegiance would be required of all students. They would receive the same pay, allowances, and emoluments as is now provided for cadets at the U.S. Military Academy.

A Board of Visitors to the Academy, composed of the chairman of the Senate Foreign Relations Committee, the chairman of the House Foreign Affairs Committee, three Senators, four Members of the House, and six persons designated by the President, would visit the Acadamy annually and submit a written report to the President and the Congress.

Mr. Speaker, I am hopeful that the need for adequately trained people to meet the present and future requirements of our diplomatic service will be realized, and that my bill will be given favorable consideration.

STANISLAW MIKOLAJCZYK

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, last December 13 an outstanding free world political leader, former Prime Minister of Poland Stanislaw Mikolajczyk, died in neighboring Chevy Chase, Md.

At the time of his death Mr. Mikolajczyk was serving as president of the Polish Peasant Party and was honorary president of the International Peasant Union, an organization he had organized 18 years ago.

Mr. Mikolajczyk should have died in a free Warsaw rather than an exile from the tyranny now prevailing in his homeland, Poland. Unfortunately, the power of the Soviet Army, not the will of the Polish people, prevails today behind the Iron Curtain.

The spring 1967 issue of the International Polish Union publication will be a special issue honoring this great Polish patriot and international peasant leader. Mr. Speaker, I insert in the Record excerpts from an article which will appear in that spring publication, written by Mr. Robert B. Soumar, managing editor.

A Great Leader

Stanislaw Mikolajczyk was born in German Westphalia, but he spent half of his unusually interesting and tense life living abroad. Perhaps his love of his nation grew even greater as a result of having to pass so many years outside of Poland. His father was a miner in Westphalia. As a child, Mikolajczyk's parents told him about the land of his forefathers. The stories seemed like fairy tales, and he dreamed of the day he could return to his people and to the land. This dream soon came true. His family went back to the German-held Poznan province and bought a small farm. At last they possessed a piece of Polish land. Throughout his life Mikolajczyk was concerned with the problems of the Polish village. The problems of the Polish village paralleled the aims of the Polish nation: to live again in an independent and democratic Poland, where the Polish peasant, the backbone of Polish patriotism, could live freely and with dignity.

Mikolajczyk died in the United States. But thousands of miles away, millions of peasants from the Baltic to the Adriatic prayed fervently for the peace of his soul. In defiance of the communist government, these people, yearning for freedom, celebrated masses for Mr. Mikolajczyk in cities and villages throughout Poland. For East Central European people, Mikolajczyk remains a symbol of the unending peasant struggle against communism and for peasantry's political, economic and social freedom. East Central European peasants feel, however, that the death of the valiant leader is an immense and irreparable loss for the people and for the cause of their liberty.

Besides paying tribute and honor to the great statesman, the free world press emphasized Mikolajczyk's tragedy: his lifelong struggle for a free and democratic Poland, and a better lot for Polish and world peasantry—a struggle still unfinished at his death.

At the end of World War I the young Mikolajczyk fought as a volunteer in the revolutionary struggle for independent Poland. Two years later he fought the Bolshevik invaders.

Although his prewar political ascendancy in Poland was rapid and spectacular, his major role in Polish and world politics came during World War II.

WORLD WAR II

1939. Again it was a fateful hour for Poland. As an enlisted soldier, Mikolajczyk defended his country against Nazi hordes. From the defeated Poland, he made his way to Paris where he assumed the duties of Vice-President and Acting President of the Polish National Council (Polish Parliament) in exile. The President of the Council was the famous piano virtuoso and great Polish patriot, Ignace Paderewski.

After the defeat of France, Mikolajczyk reached Great Britain and became a Vice-Premier and Minister of the Interior of General Sikorski's Polish government in London. When General Sikorski was killed in the Gibraltar plane crash in 1943, Mikolajczyk became the Polish Government's Prime Minister. He headed the government during the war period, a very crucial period for Poland. In its obituary on Mikolajczyk the London Times praised his balanced judgment and democratic views, and went on to note the high esteem in which he was held by the allied leaders.

As Prime Minister of the London Polish government, Mikolajczyk was faced with great moral responsibility. It was the Polish nation that first took arms against Nazi aggression and with unbelievable bravery and terrible human and material sacrifices continued to fight the occupation forces. Hundreds of thousands of Polish guerrillas harassed the German army. Millions of Poles had been massacred and Mikolajczyk was sending Polish divisions to fight side by side with victorious Allied armies. But what would be the recompense for all these sacrifices on the part of the Polish people? Would their own allies deprive them of the taste of victory? Would they be deprived of the right to rebuild an independent Polish state? Mikolajczyk faced such a situation and the coming events filled him with alarm.

The tension between two uneasy allies—Poland and Soviet Russia—was rising and the unfortunate fate of Eastern Central Europe was already taking shape. Exiled Poles in London were facing a very difficult situation and Mikolajczyk's political struggle extended to a multitude of fronts. Soviet Russia, then Poland's war ally, had made a pact with the Nazis only a few years earlier in which Nazi Germany and Soviet Russia agreed to eliminate the Polish state and divide it between themselves. There was the tragedy of the Katyn massacre of 10,000 Polish officers by the Soviets. Then came the fateful Warsaw uprising against the retreating Nazi army so cruelly sabotaged by Stalin. A quarter of a million Polish people—the cream of Polish democratic leadership—perished in Warsaw. and the city remained a mass of ruins.

It became very clear that the Soviets were playing a false game. Mikolajczyk's government and the Polish people ceased to be masters of the destiny of their country. The Western allies were defending their own interests and were blind to the fact that their interests were exactly parallel to the interests of Poland and other East Central European nations. Mikolajczyk, in spite of all reverses, struggled heroically to keep Poland, just liberated from the Nazis by the Red Army, from becoming a communist state.[1] Before the Yalta Conference he went to Washington and pleaded with President Roosevelt, warning him of the new Soviet danger. He was in frequent contact with Churchill and went to Moscow twice to see and negotiate with Stalin.

The major issue at the notorious 1945 Yalta Conference dealing with the East European question was the problem of Poland. Poland and Mikolajczyk were the focal points of controversy between Roosevelt, Churchill and Stalin. For Stalin the problem was clear: victory for Mikolajczyk would mean a democratic Poland and the defeat of Stalin in his plans to communize Eastern Central Europe. President Roosevelt and Prime Minister Churchill finally yielded to Stalin's stubborn stand and Mikolajczyk, his London government and the Polish nation lost. At Churchill's insistence, Stalin agreed that Mikolajczyk could be a member of the Polish Provisional Government of National Unity dominated by the communist so-called "Lublin Committee". In his memoirs Churchill said that the Lublin Poles were mere pawns of the Russians; yet he urged Mikolajczyk to join the provisional government.[2]

Mikolajczyk finally consented to go to Poland. He knew the danger of his enterprise only too well. During the War the Polish underground helped his son to escape from a Nazi concentration camp and smuggled him to London. Mikolajczyk's wife spent the war in Nazi concentration camps. She was finally liberated by the American army and came to London. Mikolajczyk left his wife and son in Great Britain and went alone to Poland to lead the struggle against the communists.[3]

RETURN TO POSTWAR POLAND

In the communist-dominated coalition government, Mikolajczyk became Deputy Prime Minister and Minister of Agriculture. His return to Poland was the return of a glorious son and saviour. He became a legendary figure, a symbol for all the forces that wanted to save Poland from communism. The communists were a small group of conspirators. But all the physical and moral strength of the Polish nation was powerless against them. Although Mikolajczyk's popularity was immense and he had behind him a powerful peasant party which represented the great majority of voters, Mikolajczyk soon realized that he could not control the instruments of power. As in other parts of Eastern Central Europe, the communists, following the classical advice of Lenin, took over all power-controlling positions in the government. The masters of Poland were the Soviet Army and police, and the Polish communists who controlled the Polish army and police and the administration of the country.

Mikolajczyk also realized that as a member of a communist-dominated coalition government, his hands were tied. Violence and subversion were the communist tools in the election campaign. The outcome of the 1947 elections was falsified by the communists. In protest, Mikolajczyk resigned as a member of government and went into resolute open opposition. In doing so, he was attempting the impossible. In exposing the communists as traitors to Poland, he became at the same time an outspoken critic of the Soviet takeover. The communist terror, the burning of villages, the arrests, intimidation and even murder of his most active supporters made Mikolajczyk's position less and less tenable. He fought the Red tide until it overwhelmed Poland in the fall of 1947. When he learned that he was to be arrested and executed, Mikolajczyk escaped to the West. His flight was the only alternative to awaiting a death sentence from a Polish military court.

MIKOLAJCZYK IN EXILE

In 1948, Mikolajczyk, reunited with his wife and son in London, chose Washington, D.C. as the seat of his manifold activities. After his arrival in the United States, he wrote a series of 40 articles entitled: "The Coming Russian Terror", which was published by more than 200 newspapers in both Americas, Europe and Asia. He wrote a book, "The Rape of Poland" which has been published in a number of languages.

Mikolajczyk organized his Polish Peasant Party in exile with regional organizations in the United States, Canada, Great Britain, France, Belgium, the Netherlands and Germany, Scandinavia, Switzerland and later in Latin America and Australia. All these organizations, along with the peasant underground in Poland are still a very active homogeneous body, and Mikolajczyk's program continues to be its moral and political guide.

In 1948 Mr. Mikolajczyk was elected the first President of the International Peasant Union, an exile organization of agrarian parties from ten Soviet-captive countries. In 1950 he became President of the Polish National Democratic Committee.

PRESIDENT OF THE INTERNATIONAL PEASANT UNION

It is difficult to describe in only a few lines those sixteen years of effort by the indefatigable President of the International Peasant Union. He was a tireless and eloquent spokesman against communist tyranny, a staunch advocate for the cause of democracy and the unity of nations in East Central Europe.

The International Peasant Union was formed twenty years ago with an impressive, European-wide organization. Its central office was in Washington, D.C., but branch offices were located in New York, London, Paris, Rome and Munich and, in addition, there were regional councils in other European cities. The free world press and democratic political organizations welcomed the enterprise with great interest. The vehement reaction of the communists and immediate attacks on the organization underscored its importance.

The prewar predecessor of the I.P.U. was the International Agrarian Bureau in Prague, popularly known as "Green International". Members included agrarian parties from nineteen European nations. The peasant parties' organized prewar struggle against communism and any form of unrepresentative dictatorial government was a valuable heritage for the new organization. It gave the International Peasant Union the needed prestige in the free world.

Mr. Mikolajczyk, as the President of the International Peasant Union, assisted by Dr. George M. Dimitrov, its Secretary General, members of the organization's Central Committee, political representatives, officials and I.P.U. publications, made full use of this political advantage. Enriched by his postwar experiences in Poland, where he fought so bravely against communists, he was the leader best qualified to stir resistance behind the Iron Curtain. Mikolajczyk was largely responsible for organizing the Polish resistance to communism and it is a movement which is still dramatically alive.

The I.P.U. brought the message and knowledge of conditions behind the Iron Curtain to those in the free world, and especially to developing nations in Asia, Africa and Latin America, who were in danger of becoming victims of communism.

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[1] When Mikolajczyk escaped from Poland in 1947 he described his struggle for independent Poland in his book: "The Rape of Poland", published in the U.S.A. and translated into a number of languages. Churchill, commenting to Mikolajczyk on the book, declared: "You wrote bitter things about me, but I cannot say that all of these were not true. My duty was to advise you from the point of view of British interests, and you had a choice to follow the advice or not." Churchill's remark was quite cynical, but such remarks are often the rule in international politics.

[2] The Yalta agreements and Mikolajczk's and Poland's tragedy were extensively reported in postwar literature. Churchill in his war memoirs and Mikolajczyk in his book "The Rape of Poland" dealt with the problem thoroughly.

[3] From the great number of letters of sympathy sent to Mr. Mikolajczyk's son, Marian, and to the International Peasant Union, the letter of W. Averell Harriman, U.S. Ambassador-at-Large is pertinent to the abovementioned problem:

DECEMBER 15, 1966.

DEAR MR. MIKOLAJCZYK: I am distressed to learn of your father's death. I have known and worked with your father since the days in London, first when he was Deputy Prime Minister under General Sikorski and later as Prime Minister of the Polish Government in exile. I have ever been impressed by his courage, patriotism and devotion to his ideals.

We went through many trying times together in Moscow attempting to negotiate with Stalin an agreement for the independence of Poland. Unhappily none succeeded. I saw him just before he left Moscow to go to Warsaw to assume the position of Deputy Prime Minister in the coalition government. He told me then that although he had grave concern over the good faith of the Soviets and of the Polish communists, and feared that the attempt at a coalition would not work, he felt that the chance had to be taken for the possible protection of the freedom of the Polish people. He told me as I said goodbye and wished him well, "You may never see me again."

He escaped before he was arrested and carried on gallantly, loyal to his commitments to his people.

I greatly valued my association with him over the years and will ever respect his memory. He exemplified the finest qualities of Polish gallantry.

I send you and the members of your family my deepest sympathy in your great loss.

Sincerely,

W. AVERELL HARRIMAN.

Since its foundation, the International Peasant Union's main objective has been and still is to help the East Central European people to freedom. Broadcasts to countries behind the Iron Curtain have greatly helped the morale of the resisting peasantry. The organization developed an extensive publication activity. Bulletins, documents, booklets, memoranda and manifestos addressed to peasants of Asia, Africa and Latin America in English, French, German and Italian were sent to 22 overseas countries. Conferences and round-table discussions dealing with problems of communism, the democratization of Eastern Central Europe and the reconstruction of its agriculture, have been held in various parts of the free world. Naturally the organization participated in the efforts of the European Movement. Representatives of the International Peasant Union have been speakers at the Congresses of International Federation of Agricultural Producers and Confederation of European Agriculture.

The I.P.U. Congresses are held each second year in various cities of the United States and Europe. They are attended by free world political leaders from the United States, Europe and Asia.

Mr. Mikolajczyk and the International Peasant Union were ceaselessly attacked by the communists. It is the best proof of his and the organization's popularity among the Soviet captive nations from the Baltic to the Adriatic.

Mikolajczyk was often attacked in the free world as well, mostly by those who failed to understand the problems and dangers of communism. Ten years ago, the situation in Poland was explosive. There was the Poznan uprising, and evidence of unrest in Hungary (which later became a revolution). When Gomulka came to power in Poland, the Western world was unduly optimistic, hoping that miracles would happen and that freedom for the East European people was just around the corner. While preparing for the memorable Fifth Congress of the International Peasant Union in Paris, (the Congress was held during the Hungarian Revolution) Mikolajczyk warned that credit for the upheaval in Poland should go to the resisting Polish nation. No credit should go to the Polish Communist Party, nor to Gomulka. "Gomulka was put in power in Poland to save Poland for communism and for the Soviets," declared Mikolajczyk. For this evaluation of the situation in Poland, Mikolajczyk was strongly attacked by the West and by Polish exiles. But Mikolajczyk knew Gomulka well. Gomulka saved Poland for communism and no other communist leader is so trusted in Moscow. Gomulka became a counselor on all major international moves of the Soviet leaders. This is one example of how Mikolajczyk faced the reality of a situation, and, when attacked by East or West, relied upon his own moral strength.

DID MIKOLAJCZYK FIGHT IN VAIN?

When he decided to join the coalition government led by the communists—as related heretofore—he knew very well that he had little chance of saving Poland for democracy. Only his great courage, immense popularity in Poland and love for his people led him to try his chances in post-war Poland.

But Mikolajczyk, in his two and a half years of a really heroic struggle showed the Polish people the way. Helped by the Catholic Church, he organized the peasants' resistance into a force which still miraculously opposes its enslavement. The communists were unable to force the peasants into collectives and the peasantry is at present the backbone of the Catholic Church's remarkable resistance to communism. Could the collectivized peasants support so staunchly the present successful Church resistance against communist regime? Certainly not.

MIKOLAJCZYK'S FAREWELL

Even in the final months of his life when he was gravely ill, the fate of his people was uppermost in Mikolajczyk's mind: In celebration of the millennium of Poland's Christianity, his broadcast to the Polish people shortly before his death echoed grief and melancholy over the fate of his country and his hope for its better future.

Mikolajczyk spoke with unusual emotion:

"This year we celebrate a rare occasion—a millennium of Christian Poland. A millennium is a very long period of time. Many generations have passed. Our nation has lived through great victories and disasters, ascents and falls, pride and shame, dignity and humiliation, joy and suffering, hope and despair. Thus the centuries have formed and shaped our national character and our national spirit within the framework of Christian principles and ideology. . .

"The reception of Christianity in Poland was a very wise move on the part of Mieszko I. It protected Poland from extermination by Germany and opened the way to progress and civilization—a civilization in which the Church played a large role. . .

"My people of Christian Poland, wherever fate has thrown you, no matter how bitter your life is, no matter what work you do or will do, do not be led astray by the Communist hypocrites. Always try to learn the truth at its source and not from lying Communist propaganda. Persevere by the side of your leaders; leaders who fight for the freedom of Poland in difficulty and danger. . .

"A free Poland will rise, and a free people will undertake to build a just motherland for all her children. And in this Poland, the people will create a "Government of the people, by the people, and for the people", as Abraham Lincoln did for the American people. Happiness and joy will return to our country. The nightmare of Communist tyranny will disappear and man will once again become his neighbor's brother. . .

"The Green Banners, decorated with the picture of Our Lady of Czestochowa that are denied to us today, will again flutter over Polish soil. The work-hardened hands of the peasants will again lower the banners to honor those who risked their lives and fought with dignity for freeedom and justice. . .

"The Peasant Festival in Poland was always a great day. Hundreds of thousands of peasants, carrying green banners adorned with images of Mary, the Mother of God, and carrying golden ears of wheat and clover, flocked to the churches all over Poland.

"Joy filled the hearts of the peasant masses. Despite want and distress, the breath of spring and the sight of nature awakening to a new life brought hope to their hearts. The peasant huts were decorated with bundles of sweet flag and the fragrance of meadows' flowers filled the air. . .

"I am speaking to you with joy . . ."

But Mikolajczyk's voice was feeble and broken, and the broadcast was his last message to his people. Last December 13th Mikolajczyk's heart failed and the struggle of the great Polish patriot came to an end. The masses which were celebrated for Mikolajczyk all over Poland were the message of the Polish people that Mikolajczyk's heritage remains the Voice of Free Poland.

Mr. Speaker, this great patriot for the cause of freedom, Stanislaw Mikolajczyk, did not see, within his lifetime, the fulfillment of this dream of restoration of freedom to Poland and other enslaved nations behind the Iron Curtain but he left a rich legacy. The memory of his personal sacrifice and perseverance will remain an inspiration to the millions of people still struggling to end the tyranny of communism.

May he rest in peace. May his memory be honored for all those who continue the great struggle for freedom. May the Lord bless and keep him.

SOCIAL SECURITY AMENDMENTS OF 1967

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. DENNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DENNEY. Mr. Speaker, today I am introducing a bill, H.R. 9036, to be known as the Social Security Amendments of 1967. This bill provides for an 8-percent across-the-board benefit increase retroactive to January 1 of this year. This is the maximum amount possible without the addition of further burdens on wage earners through an increase in the payroll tax.

The bill also contains an automatic increase in benefits to compensate for advances in cost of living. Since wage increases usually precede or are coexistent with advances in other cost-of-living factors, the gain in additional covered workers near the maximum social security wage base would not necessitate increase in cost as a level percentage of payroll. My bill provides that whenever the Consumer Price Index rises by 3 percent or more in a calendar quarter, there would be a corresponding increase in benefit income.

To encourage recipients to help themselves through outside earnings, H.R. 9036 would raise the allowable outside earnings from $1,500 to $2,400 a year without loss of social security benefits.

Mr. Speaker, the time to act is now because our senior citizens have watched their fixed pensions, annuities, savings, and social security benefits shrink in purchasing power because of inflation. This plan will allow for a realistic increase in benefits without further jeopardizing the financial integrity of the system.

BILL FOR SVETLANA NOW UNNECESSARY

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the good—though somewhat tardy—judgment of the State Department in admitting Svetlana Stalina to the United States on a temporary but indefinite visa has now made academic my private bill to grant her political asylum. Accordingly, Mr. Speaker, I have written the chairman of the House Judiciary Committee indicating that further action on H.R. 7600 is unnecessary.

Many of us in the Congress felt that when Miss Stalina requested asylum in the United States, it should have been automatically extended to her. Certainly this action would have been in keeping with our traditions.

To have denied her refuge in the United States might have had unpleasant consequences if at some future time another controversial figure in a Communist country sought asylum in the United States. Miss Stalina may have no wish to be a pawn in the cold war and her wishes should be respected. To make a circus out of her decision to leave the Soviet Union would not go unnoticed among those who seek solitude in their asylum.

I would not want this opportunity to pass without expressing my personal appreciation to George Kennan, who volunteered to serve as intermediary between Miss Stalina and our State Department. Ambassador Kennan has performed outstanding service to this Nation in his 40-year career as a member of the Foreign Service. At one time he was our Ambassador to the Soviet Union and later to Yugoslavia. His major contribution to our foreign policy was the doctrine of containment which he proposed to the President in 1948. In volunteering for this difficult responsibility, he demonstrated again his willingness to serve the best interest of the United States.

HIGHWAY BEAUTIFICATION

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, the Wisconsin Legislature has directed that its resolution urging the reconsideration and amendment of the Federal Highway Beautification Act of 1965, Senate Journal Resolution 21, be brought to the attention of the Congress of the United States.

With the permission of this body, I am attaching the official notification of this action, signed by William P. Nugent, chief clerk of the Wisconsin Senate, and a copy of the Wisconsin Legislature's joint resolution, and I respectfully include them to be printed in full:

WISCONSIN LEGISLATURE,
SENATE CHAMBER,
Madison, April 18, 1967.

Hon. HENRY C. SCHADEBERG,
Representative in Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN SCHADEBERG: Upon direction of the Wisconsin State Legislature I am transmitting to you a copy of Senate Joint Resolution 21, memorializing Congress to reconsider and amend the Federal Highway Beautification Act of 1965 (Public Law 89-285) for the purpose of making it more flexible and workable.

This Resolution was adopted by both Houses of the Wisconsin Legislature.

Sincerely yours,
WILLIAM P. NUGENT,
Chief Clerk, Senate.

SENATE JOINT RESOLUTION 21

Memorializing Congress to reconsider and amend the Federal Highway Beautification Act of 1965 (Public Law 89–285) for the purpose of making it more flexible and workable

The legislature of the state of Wisconsin enthusiastically approves and is desirous of co-operating in carrying out the general plan for roadside beautification under the Federal Highway Beautification Act of 1965, the objectives of which are primarily the same as Wisconsin's long established and continuing program to construct and maintain highways that serve and attract our resident population and many tourist guests. Nevertheless after careful study it appears that the means and methods prescribed by the act for achieving its goals, including the proposed rules and standards for its administration, not only completely change or nullify historic Wisconsin methods of controlling roadside outdoor advertising, but pose an economic and financial impact so adverse to highway construction and roadside control in Wisconsin as to make compliance therewith untenable; and, on the other hand, noncompliance therewith will result in a severe retardation of the Wisconsin highway construction and improvement program. The reasons for this are patent.

Heretofore and for many years in Wisconsin, billboards, junk yards and unsightly structures along the interstate highway system have been controlled by legislative zoning under the police power. The Federal Highway Beautification Act of 1965 requires that states conforming to the act must control the same along both the interstate and federal primary systems, and fails to permit an exemption for local control within incorporated areas, thereby increasing the number of miles which would have to be controlled in Wisconsin from about 460 to 6,000 miles, affecting approximately 44,000 billboards and 451 junk yards. It further requires that such controls must be exercised not later than January 1, 1968, by removing about 40,000 of these billboards, which would be rendered illegal under the federal act, upon payment of just compensation to the owners thereof and also to the owners of the land on which they are maintained, and by screening and landscaping the junk yards or, in the alternative when that cannot be done successfully, removing them after just compensation has been paid to the owners. This in itself would be an insurmountable undertaking by the state, but the real dilemma is that the cost of such control program will approximate $20,000,000 of which Wisconsin will have to pay one fourth, and that the entire $5,000,000 plus an undeterminable amount for future cost of such controls will be diverted from construction of Wisconsin highways to the beautification program. Not included in these figures are the undetermined amounts necessary to control areas where no signs presently exist or for signs installed after the passage of this act on October 22, 1965.

Another unpalatable phase of the federal act is that if a state conforming thereto fails to meet the deadline or elects not to conform in effecting such controls it will forfeit 10% of its otherwise allotted federal highway construction aids annually until it complies.

Now, therefore, be it Resolved by the senate, the assembly concurring, That for the purpose of seeking to improve the workability of the Federal Highway Beautification Act of 1965 to make the act sufficiently flexible to better recognize the variations in conditions between states, to minimize so far as practicable the wholesale nullification or revision of historic state legislation governing control of roadside billboards and junk yards, to give the right to exempt control within incorporated areas, to give states further time in which to meet deadlines for accomplishing effective control of roadside billboards and junk yards, and to enable states to exercise control over roadside billboards and junk yards by legislative zoning under the police power as an alternative to condemnation or payment of damages, the legislature of the state of Wisconsin memorializes the Congress of the United States to reconsider and amend the Federal Highway Beautification Act of 1965 accordingly; and, be it further

Resolved, That a copy of this resolution be sent to each house of the Congress and to each Wisconsin member thereof.

ANALYSIS BY THE LEGISLATIVE REFERENCE BUREAU

This Joint Resolution requests the Congress of the United States to reconsider and amend the Federal Highway Beautification Act of 1965 for the purpose of making it more flexible to meet the conditions of the several states and particularly to enable states to control roadside advertising and junk yards by legislation instead of paying damages for removal thereof and to extend deadlines for accomplishing effective control of advertising and junk yards along federal highways under the act.

KAREN PESARESI, MANHATTAN, KANS., NAMED 1967 ALL-AMERICAN HOMEMAKER OF TOMORROW

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. MIZE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MIZE. Mr. Speaker, it was a proud day for Kansas last Thursday when Miss Karen Pesaresi, an 18-year-old high school senior from Manhattan, Kans., was named the 1967 Betty Crocker All-American Homemaker of Tomorrow.

Karen was chosen from an original field of 580,000 senior girls representing nearly 15,000 of the Nation's high schools. She became the State finalist for Kansas and competed with 50 other winners representing each State and the District of Columbia. She will receive a $5,000 scholarship from General Mills, the sponsor of the program.

It was my pleasure to meet Karen and her teacher chaperone, Mrs. Tyra Davis, last week when a reception was held in Washington for the 51 finalists. They then went to Colonial Williamsburg, Va., where Karen's selection as the All-American Homemaker of Tomorrow was announced.

All those who met Karen and visited with her at the reception know that this honor went to a deserving young lady. She will wear her title well and she will be an inspiration to all other young ladies who see homemaking as one of the greatest of callings a woman can follow. My colleagues and I salute her and wish her well as she becomes even better qualified as a homemaking expert through her studies at Kansas State University in her hometown of Manhattan.

In order that all my colleagues can know about the sterling qualities of Karen Pesaresi, I include with my remarks an account of her background and training which appeared in the Manhattan, Kans., Mercury.

The account follows:

The 1967 All-American Homemaker of Tomorrow is the daughter of Mr. and Mrs. Karl Pesaresi, 810 Moro, Manhattan. She has two brothers, Karl, 20, and Walter, 16. An honor student throughout junior and senior high school at Manhattan High, she ranks in the upper five percent of her class of 331, has participated in numerous extra-curricular activities—including Future Homemakers of Tomorrow and several musical activities and groups—and represented her school at Kansas Girls State.

Music plays a big part in her life. She has taken piano lessons for 11 years, teaches piano herself, and is a three-time superior winner at the National Federation of Music Clubs Junior Division Festivals. She has also received "one" ratings at the State Music Festival.

In addition to other piano work, she sings in Manhattan High's "Pops" Choir—a select group of 23 boys and girls—and in the school's Robed Choir and the First Presbyterian Church choir, and is a violinist in the school orchestra. She has been awarded three music scholarships to the Sherwood Music School Summer Seminars in Chicago.

Miss Pesaresi lists cooking—"even though I used to hate being in the kitchen"—housecleaning, and sewing as her favorite homemaking duties. She has been making many of her own clothes in recent years.

Elaborating on her feeling that good management is a homemaker's greatest asset, she says, "A woman in the home must be well-organized and able to manage everything from time to money to energy. If, in addition, she has a career, the problem of management increases. The well-organized homemaker will be an asset to her family and friends."

Miss Pesaresi has been saving most of the money she earns through piano teaching and her part-time job at a dress store for her education. She plans to major in home economics at Kansas State University, and go on to graduate school. Her choice of a major was influenced by what she describes as the "practicality" of a home economist.

National awards in the annual Betty Crocker Search for the American Homemaker of Tomorrow, now in its 13th year, are made on the basis of scores in a written homemaking knowledge and attitude examination taken by all participants in early December and personal observation and interviews of state winners during an Eastern tour climaxed by the awards dinner. This year's tour included Washington, D.C., and Colonial Williamsburg.

MRS. TOM BUCHANAN, WASHINGTON, KANS., NAMED TOP KANSAS WOMAN JOURNALIST OF THE YEAR

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Mize] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MIZE. Mr. Speaker, it pleased me to note that Mrs. Tom Buchanan of Washington, Kans., has been named the Kansas Woman Journalist of the Year by the Kansas State University chapter of Theta Sigma Phi, national honorary society for women in journalism.

Mrs. Buchanan is a columnist and a part-time assistant on her husband's paper, the Washington County News. She was chosen by previous winners of the award and received the recognition for her accomplishments in community and writing fields.

Mrs. Buchanan has combined the raising of a family of five children with her newspaper work. She has previously received the first place award in a National Federation of Press Women feature story contest and has also won the group's award for editorials, news stories, publicity, her weekly column, and for advertising writing.

The Kansas Woman Journalist of the Year graduated with honors from Sterling College in 1950 where she was editor of the yearbook and president of the student government board.

Knowing Mrs. Buchanan and how she has reared her fine family, while at the same time making a significant contribution to journalism in Washington County and the State of Kansas, I join in recognizing her for her achievements. I commend Theta Sigma Phi for naming her Kansas Woman Journalist of the Year.

PROTECT FISHERIES RESOURCES OF THE CONTINENTAL SHELF

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEITH. Mr. Speaker, today I am introducing legislation designed to protect the fisheries resources of the Continental Shelf from indiscriminate use of underwater explosives. As presently written, the law requires private firms who want to conduct underwater seismic tests for purposes of oil exploration, to obtain a license from the Secretary of the Interior. The job of the Secretary is to see that marine life and other marine resources are adequately protected while the search for oil goes on.

A disturbing gap in the law, Mr. Speaker, is the omission of Government agencies from the requirement of permission from the Secretary. Agencies such as the National Science Foundation, it appears, could conduct underwater blasting for experimental purposes, without any concern for fish and shellfish resources in the area. Since the Secretary of Interior has been given responsibility in our Government for protection and development of all underwater resources, it seems only fitting that the law should apply to public agencies as well as private.

While it would not interfere with the military departments in their carrying out of overriding defense responsibilities, my bill would bring other Government agencies under the supervisory authority of the Secretary of the Interior. Licenses would be issued to these agencies for underwater seismic work on the same basis, and under the same protection, as they are to private firms. I believe, Mr. Speaker, that this measure will serve to promote development of new underwater riches, while conserving and protecting those which we already have.

The text of the bill is as follows:

H.R. 9062

A bill to amend the Outer Continental Shelf Lands Act to require certain agencies of the United States to obtain authorization from the Secretary of the Interior before undertaking geological and geophysical explorations in the outer Continental Shelf

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Outer Continental Shelf Lands Act (43 U.S.C. 1340) is amended—

(1) by striking out "Any agency of the United States" and inserting in lieu thereof "Any military department of the United States, any other department, agency, or instrumentality in the executive branch of the United States government authorized by the Secretary,"; and

(2) by adding at the end thereof the following new sentence: "As used in this section, 'military department' means the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Coast Guard.".

PRIVATE PENSION PROGRAMS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, for many years, public and private policy has been concerned with the welfare of the American worker and his family, both during and after he has completed his working life. Concern in providing financial support for the aged has been exemplified in our country through the development of various institutional arrangements, the most prominent and well known of which is the Federal old-age, survivors, and disability insurance system, which is more commonly known as social security. Over nine out of 10 workers, totaling over 80 million persons, are now covered or eligible for coverage. Over 90 percent of the persons now turning 65 are eligible for benefits and this figure has been increasing yearly. Up to date, social security has been successful in carrying out the intent evidenced by the Congress in providing a basic floor of protection to assure the aged worker and his family of freedom from want.

One of the greatest developments in our post-World War II economy has been the tremendous expansion and acceptance of the idea of personal income spreading. Income spreading consists of taking the income a person is likely to receive during his lifetime and spreading it forward for expenditure purposes to the earlier years from the anticipated earning years and spreading it backward for expenditure, again from the earning years to the years of retirement. It consists of taking the income during the earning years and pooling it with other people's income against the common risks to income stability which may result from misfortune such as a premature death, or a debilitating accident or sickness. Finally, it consists of permitting erratic income resulting from the nature of a man's talents and hence to his type of employment to be "equalized" in respect to the Federal income tax's graduated rates.

All of these factors which bear upon income spreading have seen remarkable development in the post-World War II years in our society. Pensions and retirement systems are examples of spreading income into the future from the earning years to the years of retirement. Insurance, whether it is life insurance, health insurance, accident insurance, or otherwise, illustrates the pooling and spreading of income to protect against common risks. Consumer credit, which is in essence a post-World War II development, is an example of spreading income forward in anticipation of later earnings. Consumer credit, I might add, is finally being recognized, as it should be, as a method of saving in itself, as well as a means of providing the needs at the time they are needed of the new and young families for the home and consumer durables. I might digress a little further to point out that consumer credit for education, which on a large scale is a relatively new development, is one of the wisest capital expenditures a person can make based on his anticipated future earnings.

Congress, to a large extent, has followed the obviously sound policy that the workers of this country should be encouraged to adequately provide for their superannuation beyond the basic floor provided by social security to the extent that each person feels is reasonably adequate for his particular circumstances, through a combination of personal thrift and investment, through insurance, and through private retirement programs. In 1942, Congress provided an impetus for private retirement plans by clarifying the tax treatment of such plans in the Internal Revenue Code. In the years following, business and labor responded with great initiative. Today well over 25 million people are covered under private pension plans, and estimates are that by 1980 total coverage will exceed 42 million employees. Equally important is the growth that private pension plans have experienced. In 1950 less than 10 million employees were covered in plans with some $12 billion in assets. Today, the assets of these plans are approaching $90 billion.

The retired employee is now assured of greater independence in the twilight of his life, with greater freedom of choice as to where he lives, how he spends his money and the manner in which he lives. Employers benefit through higher worker morale and an expanded market for goods and services among the retired. The working employee has a greater sense of security, both in terms of his retirement years and in terms of the knowledge that he can devote the fruits of his labor today to the education and development of his family, knowing that his elders are more secure. But on top of all this, the Nation's elderly are becoming a more positive force in the economy rather than placing a burden upon it, particularly to the extent that the retirement programs derive their benefit payments from invested savings and their earnings. Further, these savings provide the financing for a great deal of the economic growth in the society.

Private retirement programs were given a further boost with the passage of H.R. 10, which represents the culmination of the efforts of my former colleague from New York, Mr. Keogh, and others to extend private retirement-plan coverage to a group consisting of 20 million self-employed and their employees on a basis comparable to that offered those employees by others.

Today, the capabilities of the private sector to provide adequate income spreading programs to accommodate our elderly citizens is being seriously challenged on several fronts. Like many of the highly successful accomplishments of our society, the rapid growth of private pension programs has been accompanied by certain difficulties, not the least of which is the entrance of the Federal Government into the retirement field. The administration is presently pushing proposals in social security which would encroach upon an area which can be more capably handled by the private sector and which, being a pay-as-you-go system, can neither provide the same amount of benefits nor the pool of savings to finance future economic growth for the society that the private funded programs can.

The President has requested increases in social security benefits averaging some 20 percent and corresponding increases in supporting payroll taxes. These benefit increases far exceed the increase required to keep pace with inflation. The President's proposal would therefore greatly expand social security as a retirement program. It would break the traditional and sounder policy that social security provide merely a base or floor income in retirement years. If implemented, it could be the first step toward the development of social security alone as a complete retirement program, substantially supplanting private savings and private pension programs. If there were no better way to provide for the retirement of our senior citizens, I would favor the expansion of our social security program to do the job. It can be a fundamentally sound system for providing income assurance against indigency among the aged. However, it has, even today, grown beyond its original purpose of protecting against and eliminating indigency past 65 and in the process changed some of its basic assumptions and so endangered its fundamental soundness.

The expansion of the social security program can be justified neither on the basis of providing more adequate retirement for the aged nor on the basis that it is a welfare program. There are better and more appropriate vehicles for both of these purposes. Social security cannot properly be developed as a welfare program as it does not incorporate a true needs test. As such, it justifies its benefits on the basis of the needs of a few. This is the basis on which the program has expanded through the years; it is the basis on which Medicare was added to social security.

By pushing social security further into the retirement business, the greater efficiency and flexibility that attach to pension or retirement programs in the private sector are ignored. The returns to the individual per dollar contributed, both by himself and his employer, are greater under a private program than under social security or any other Government retirement program. The money funded in the private programs is more efficiently managed and more wisely and fruitfully invested. Funding is in fact absent from the social security system. The funds on hand are barely sufficient to meet benefit payments for 1 year. Such funding as does exist in Government programs can only be invested in sterile rather than living investments; namely, Government bonds. Further, there is a healthy competition among fund trustees and fund managers. There is a healthy competition among companies and among unions to provide better benefits under more imaginative programs. This competition works continuously to improve private programs.

Other challenges to the operations of the private pension programs are directed at specific aspects of the programs. Criticisms have been directed principally at funding policies among the programs, at vesting and portability provisions in the plans, at the management and financial policies and practices followed in administering the plans, and at the insurance or lack of insurance for plan participants against the loss of vested rights from the termination of pension plans or from the loss of fund investments.

In January of 1965, the President's Committee on Corporate Pension Funds submitted a report on private employee retirement plans. The report suggested a need to regulate the specific terms of the pension arrangement between the employer and employee on the basis that the present arrangements did not properly protect the participant's rights under pension plans and tended to reduce labor mobility. The report contended that inadequate vesting and portability provisions in many plans tended to tie the worker to his employer and subjected him to the loss of his pension if his employment should terminate either voluntarily or involuntarily. The report contended that many plans were inadequately funded and did not provide the participants with sufficient insurance against loss due to the termination of plans.

The Subcommittee on Fiscal Policy of the Joint Economic Committee of the Congress held hearings in April and May of 1966 on private pension plans. The subcommittee delved extensively into the specific provisions of many of the large pension plans and heard further testimony from Government officials. The subcommittee notably did not hear directly from representatives of the many smaller pension plans and did not hear from the various banks, insurance companies, and so on who act as trustees of fund assets. During the hearings, Secretary of Labor, W. Willard Wirtz, indicated that his Department was conducting a number of research projects relating to private pension plans and including studies on the funding of the plans, the reasons for the termination of private plans, and other areas.

As a result of the Joint Economic Committee hearings, the committee staff prepared a report, entitled "Old Age Income Assurance: An Outline of Issues and Alternatives," which suggested as a primary alternative some rather radical departures from our present public policy on retirement programs, which now provides for a limited or base social security "retirement" system with a superimposed structure of private programs. The report suggested that this present setup be replaced by a needs-related program, which would convert the existing tax exclusions and exemptions for the aged to tax credit equivalents and would eliminate the public assistance payments we have now, and by a work-related program comprising a two-tier social security program consisting of a basic compulsory plan and a voluntary supplementary plan. The tax credit idea is intended to provide the aged with a guaranteed annual income. Private pension programs could merge under the proposal with the Government-run voluntary supplemental plan or operate independently but preferably under Government regulations similar to those recommended by the President's Committee.

Hearings were held in March of 1965 by the Subcommittee on Employment and Retirement Incomes of the Senate Special Committee on Aging relating to the extension of private pension plan coverage. As a result of the hearings, the subcommittee reported their findings and made a number of recommendations on the extension of private pension plans. Most of the recommendations dealt with amendments to the tax laws covering the self-employed. Some of these recommendations were incorporated in the Keogh bill. The subcommittee also recommended consideration of the recommendations of the President's Committee on Corporate Pension Funds in the light of their effect in promoting the expansion of private plans and recommended that the President's Committee study ways in which private pension plans may be extended.

A few months ago, the Treasury Department issued proposed new regulations—announcement 66-58—governing the qualifications of private pension plans for tax deductions on corporate contributions made under the plans. Most significantly the proposed regulations provided for a new formula for integrating private programs with social security. Under the new formula, many companies would be required to pay either larger pensions to those with low incomes or provide for reduced pensions for those with moderate and high incomes. Because of the large number of comments received on the proposed regulations, the Treasury Department formed an advisory committee in January of this year to study the problem further.

More recently, President Johnson proposed that the financial administration of the private plans be regulated and included this proposal in his message on consumer protection. Also, a rather comprehensive bill was introduced in the Senate on February 28 by Senator JAVITS, which would establish a Pension and Employee Benefit Plan Commission to administer provisions establishing minimum standards and regulations on vesting, funding, management, and reinsurance, and creating a voluntary program on portability.

A number of other bills relating to private pension plans have been introduced in the 90th Congress including S. 69 which provides for a study of pension portability, H.R. 686 which provides for the insurance of private pension benefits, H.R. 688 and S. 186 which deal with the tax benefits on pension plan contributions, H.R. 692 and S. 1255 which relate to reporting under the Welfare and Pension Plans Disclosure Act, H.R. 4462 which would require the vesting of benefits in private pension plans within 10 years, H.R. 1119 which requires the submission of records relating to pension plan stock purchases, and S. 1024 which relates to the fiduciary responsibilities of pension plan management.

These criticisms and proposals regarding private pension plans raise a number of important and fundamental issues involved in public policy in this area. The most basic issue raised involves the relationship between government and the private sector in providing for the retirement of our aged. I will review what I said before because I feel that this issue is most important. It is essential that we develop the private pension plan as the primary source of retirement for the aged beyond the floor provided by our present social security system. This course insures the individual the freedom to choose the type of retirement provisions he desires and a means to provide for them, it provides for a program which is more flexible and adjustable for individuals and groups with varying needs and circumstances, and finally, it provides the most efficient and economically desirable process for providing for the retirement of our senior citizens. I would actually like to see our emphasis of private retirement programs carried one step further by providing that each individual be given the option of choosing between participation in the social security system or establishing his own program which as a minimum must provide at least the benefits he would receive under social security—just as is presently provided for the Federal civil service employees. I have introduced legislation which would accomplish just such a thing—CONGRESSIONAL RECORD, March 7, 1967, pages 5729–5731.

The proposals to regulate the specific terms of the pension arrangement raise some delicate issues relating to the optimum steps which may be taken to promote the advancement and effectiveness of private pension programs. On the one hand, these programs should both protect the rights of the individual participants by providing for vesting and portability on a reasonable basis and provide for ample safeguards against the loss of vested benefits. In protecting the participants' rights, consideration should be given to preservation of the mobility of our labor force and to the free utilization of the financial assets of the funds for their own benefit and that of the general economy. On the other hand, the employer and employee, either individually or through his union organization, should be free to negotiate, to a large extent, pension arrangements the same as other terms of employment such as salary, vacation, insurance, hospital and medical benefits, and working conditions are negotiated. The employer should be free to utilize his pension arrangement to attract and hold employees. Both employer and employee should have the flexibility to design pension arrangements according to their particular situation and circumstances, such as the other employment benefits provided, the nature of the work, the status and the size of the employer and the industry and so on. These two basic considerations on both hands should be carefully balanced against each other in formulating any regulations to control private pension programs. Both sides of the picture should be carefully reviewed so that these plans may continue to develop and improve. Care should be taken to see that regulations and controls do not discourage the establishment of new programs covering additional workers. Excessive requirements as to funding and vesting and reinsurance may only make it difficult for new plans to start with reasonable contribution rates and with provision for adequate retirement benefits, and difficult for existing plans to expand their benefits and coverage.

Funding and vesting are different animals in mushrooming new industries and in declining old industries and in stable long-term growth industries. Equity and fairness do not require that an employee get back everything that he or his employer contribute when he terminates his employment after several years, but merely that he get what he bargained for under informed, noncoercive, and fair bargaining procedures. Not all employers can afford early vesting.

Finally, before any regulations are imposed upon private pension programs, the need for regulation should be clearly established and the extent of the regulation should be commensurate with the need. Regulations which are directed at remedying abuses by a minority should not hamstring or work hardship on those who already do or would comply with the standards set.

The plans of many employers already conform to many, if not all, of the standards suggested for private pension programs. For example, every study of pension fund management to date, including the 1961 report to the Commission on Money and Credit and the 1965 President's Committee report indicate that such funds have been well managed and that most abuses that have been reported in employee benefit funds have been in the area of health and welfare funds that were nonqualified under the Internal Revenue Code and handled by individual trustees. The great majority of qualified private pension funds are administered by banks and trust companies as corporate trustee or as agent for individual trustees and these are staffed by experienced personnel schooled in the high traditions of fiduciary responsibility, backed by financial integrity and supervised by several National and State governmental agencies. Another substantial segment of private pension plans are funded through arrangements with life insurance companies and these too are managed by the same type of experienced personnel and are supervised by regulatory authorities. The 1965 report to Congress of the Labor Department under the Welfare and Pension Plans Disclosure Act indicates that in 1965 only four indictments were brought by the Justice Department under title 18 of the United States Code, dealing with embezzlements, kickbacks, and false reporting. Many standards for the handling of pension funds have already been established under the Internal Revenue Code, the Welfare and Pension Plans Disclosure Act and Federal and State laws in regard to banking, insurance, and trust law. These existing controls and checks and the relatively low level of abuse in the financial management of private pension plans should dictate the type and scope of any regulation imposed. The establishments, where the need exists, of the minimum standards at levels which are reasonable in relation to varied circumstances and situations throughout all our industries and which provide for ample flexibility for the negotiation of pension arrangements is a desirable goal. However, it is my hope that in any study conducted by the Congress on private pension plan legislation be one of objective inquiry and not subjective questioning designed to serve a preconceived and uninformed opinion.

In spite of the work of the President's Commission on Corporate Pension Funds and the additional studies of the Labor Department and the studies performed by the Congress, such as the hearings of the Joint Economic Committee in 1966, there needs to be considerably more data obtained and a much more developed dialog on this subject before the Congress can determine the best course of action to follow. We in the Congress have not heard, for instance, in any precise terms and from those who are best informed, such as the trust and insurance companies administering private pension programs, what the impact of minimum standards on vesting and funding would be on currently unfunded plans with relatively long vesting requirements. What would be the costs and benefits of such plans if certain minimum standards were established? How could presently existing and potential plans exist or develop under such controls? What type of portability formulas for transferring retirement credits could be developed and how could they best be administered? All of these questions and many more must be answered before we can intelligently carry the dialog forward to fruition.

The bills introduced by Senator JAVITS and others may hopefully lead to a thoughtful development of the facts and issues and a resolution of the problems in this area. The future of the private pension plan as a moving force in our economy and as an efficient mechanism for providing for retirement is at stake.

In considering legislation which would regulate private pension programs, thought must be given to coordinating the scheme designed for these programs not only with social security but also with legislation in other related areas such as unemployment compensation laws, the Manpower Development and Training Act, and the proposed Human Investment Act, particularly with respect to providing for those workers over 45 or 50 who lose their jobs before they are eligible for retirement, the pension programs for the self-employed, and our tax laws relating both to private pension plans and the tax structure for the aged. The interrelationships among these areas is discussed to some extent in my dissenting minority views at page 79 in the report of the Committee on Ways and Means on H.R. 15119, the Unemployment Insurance Amendments of 1966.

One of the significant areas which is not adequately provided for under legislation to date relates to the problems of the preretirement worker over age 45 to 50. Technological advances, including automation, and other factors leave many of our preretirement workers over this age with obsolete skills. In many cases these people cannot be retrained for comparable jobs in other skills. In other cases, comparable jobs or jobs which they can handle physically are unavailable. Where these workers are capable of being retrained in usable skills and where their retraining is economically practical, the Manpower Development and Training Act, the proposed Human Investment Act, and other programs are designed to provide much of the need in this area. However, there is no satisfactory provision made to assist the workers who cannot be retrained or otherwise employed. Unemployment compensation, as it should be, is limited to providing temporary relief for the worker who can find further employment. For the worker who cannot find a job this compensation only briefly delays his problem.

Welfare is not an appropriate answer for the worker who may have savings, investments, and other assets which would disqualify him under a needs test until they have been eaten away. In effect, the worker in this category is no longer employable in comparable work and has been forced into early retirement. In most cases, these workers have credits under social security and in many cases under private pension programs and in varying extents savings and investments in some cases. However, these credits are not usable until a later age and savings in most cases will not stretch over the remainder of the worker's life or even until he is eligible for a pension.

The most appropriate remedy for the worker in this situation lies in provisions for early retirement. This worker has lost his wages because of age or because of a disability by virtue of age and is threatened with indigency. This is the very case that our old-age, survivors, and disability insurance program was intended to cover. This is the appropriate case for the early utilization of credits under pension programs. The bulk of the workers in this category will have substantial credits under social security. Legislation both in the social security and pension areas which reflects the needs in this area merits careful consideration in the Congress along with any study of retirement legislation.

A second problem confronting the older preretirement worker is the difficulty he experiences in finding employers who are willing to utilize his skills during the relatively short worklife that he has remaining. Presently, pension plans qualifying for special tax treatment, may not defer the coverage of new employees for more than 5 years. New employees, who are near retirement therefore must be covered by qualified pension plans within 5 years even where they may be entitled to substantial pensions in connection with previous employment. The cost to the employer in providing coverage for these people may discourage hiring or reduce the employees preretirement compensation in wages below that which he requires. In these situations, where the new employee is already entitled to pensions under previous employment, employers should be able to negotiate pension coverage freely so long as the employee's pension credits are above a certain level. Portability of pension credits would provide one solution to this situation. The problem needs further study, however.

The problems relating to late retirement should be considered at the same time we look at early retirement. In this connection it is important that we consider the process by which the wage earner emerges into retirement status. Just as the newcomer does not always enter the work force abruptly or at any particular age the retiring worker does not always assume retirement status abruptly or at a specific age, such as 62 or 65. Many persons are ready for retirement or desire retirement at a relatively early age. Others are capable of and desirous of working into their later years. In many cases the transition from working to retired status is appropriately performed by a gradual process where the worker moves from full employment to part-time employment to full retirement over a number of years. Age 65 or age 62 are not magic numbers which automatically signal retirement. They are average retirement ages which provide a benchmark for actuarial computations and for establishing retirement program policies.

Our social security system is not readily or properly adaptable to provide the flexibility necessary for providing for gradual retirement at varying ages. The system is designed to insure, albeit social insurance, the wage earner against the loss of wages due to full retirement or disability. As such, the earnings limitation in the system cannot be eliminated so as to provide equitably for late and gradual retirement. Similarly, the law, in its present form as a partially social program, cannot, at reasonable costs, equitably provide for adequate, early retirement. On the other hand, private pension plans are adaptable for these purposes. Most private plans presently permit earnings after retirement. Many of them provide for much earlier retirement than the social security system. It is essential that this type of flexibility be preserved in the retirement system we design.

These are just a few of the problems involved in Federal retirement policies which need review in Congress.

I have discussed this subject in a number of previous speeches including a talk on "Pensions and Employee Benefits" before the American Pension Conference in New York, in 1962, which appears in the CONGRESSIONAL RECORD, volume 109, part 1, page 304. In most instances that I have discussed social security, I have discussed it in relation to the whole pension picture. The current hearings in the Ways and Means Committee on H.R. 5710 contain numerous references which I made to the role of social security in our retirement programs. In introducing H.R. 6697, which provides for a voluntary retirement system in lieu of social security, I included a previous talk entitled "Politics Can Destroy Social Security." This appears in the CONGRESSIONAL RECORD of March 7, 1967, pages 5729–5730.

It is my hope that an expanding and in depth dialog will progress on the role that private pension plans, social security, and all of our retirement programs should play in a comprehensive retirement program for the elderly.

THE NO-WIN WAR

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, reporting on U.S. losses of aircraft in Vietnam to date, an Associated Press release of April 22 stated:

> The United States has lost 1,300 planes and 808 helicopters through combat and accidents in the Vietnam war, U.S. military headquarters reported Saturday.

Of the 1,300 planes lost, 500 were lost in combat over North Vietnam and 107 were shot down in South Vietnam. The remaining 621 planes were lost in both North and South Vietnam to nonhostile causes such as accidents and operational mishaps.

Of the 808 helicopters destroyed, 334 were shot down by enemy fire, five in North Vietnam and the remaining 329 in the south, with 474 helicopters lost to accidental crashes or destroyed on the ground by mortar and guerrilla attacks.

It is depressing enough to view these figures in the light of our present "building bridges" policy with the Soviet Union and the other Communist nations who supply the North Vietnamese with the vital supplies of war. But we here at home cannot possibly sense the reaction of those who put their lives on the line in Vietnam.

The cold tabulation of aircraft losses referred to above can never approach the sense of loss of even one of its pilots. How one such pilot, whose aircraft is no doubt listed in the figures above, felt about the Vietnam war, was graphically reported by Carolyn Barta, in the Dallas Morning News of April 15. Capt. Brooke M. Shadburne, a U.S. Marine Corps helicopter pilot, who was killed on April 5 during an evacuation of wounded, was concerned about dying in vain in a no-win war. For those who agree with his views, these words from a State Department pamphlet of 1961 entitled, "How Foreign Policy Is Made," are pertinent:

> We are a government "of the people, by the people, for the people." This means that all decisions ultimately must pass the test of public acceptance. This also means that periodically the people avail themselves of their right to change the men through whom they govern themselves.
>
> This is an important fact in our foreign relations. It puts the world on notice that America is capable of continually revitalizing its leadership with fresh, new, and vigorous men, armed with a clear mandate from the people.

I include the article, "Pilot Worried About Dying in Vain in No-Win War," in the RECORD at this point:

PILOT WORRIED ABOUT DYING IN VAIN IN NO-WIN WAR

(By Carolyn Barta)

Gordon Shadburne looked Tuesday at the University of Plano building that will be named in honor of his brother, and at a letter written before the brother was killed in Vietnam.

"Thanks in advance for writing a story about my brother," he said. "If the public becomes aware that we must make a policy of going into Vietnam to win, then his life will have meant something, and his death will not have been in vain."

Capt. Brooke M. Shadburne, U.S. Marine Corps helicopter pilot who was killed in Vietnam April 5 during an evacuation of wounded, was concerned about dying in vain for a "no win" war.

In a letter to Gordon and his mother, Mrs. Helen Shadburne of Plano, postmarked March 19, Capt. Shadburne wrote of his frustration at having to fight a "no win" war, his concern for his young family in Houston and his ideas on how to win the war.

He wrote of the party-going general, and in contrast the tragedy of pathos of the victims of the Vietnam nightmare.

"For close to a month now, I have been flying the commanding general of the entire Marine forces, both ground and air, in Vietnam, I have ferried every dinner guest, carried or observed everyone that dropped in for an interview.

"I have carried him to all his social functions and to all the visits he has made to operating units. And to this date, I haven't seen any effort being put into the war.

"What war?" Capt. Shadburne asked.

"It's a little hard to believe until one goes into the hospital to help hand out the Purple Hearts every week and you see the legless, armless, eyeless cripples. I saw one guy who will have to have his neck in traction, flat on his back the rest of his life.

"Big handsome guy, he could move his eyes and talk—and that is all. The rest of his life.

"What life?"

Capt. Shadburne wrote about soldiers who are "waiting to get hit by new Russian weapons while the general attends the New Year's sports festival, traveling the half mile of good road by helo (helicopter), not car—a helo that could have guns and rockets on it and be supporting the ground forces."

The 27-year-old pilot explained in his letter that he is "not one to jump to conclusions." But, after a summer and a winter in Vietnam and 600 combat missions, Capt. Shadburne offered a few recommendations for ending the war which seems, instead, he said, to have become a game:

"Cut off all of North Vietnam's sources of supply by sea, air and land.

"Bring them to their knees to stop the inflow of men and arms to South Vietnam.

"Make a huge, ruthless, mighty sweep through South Vietnam to clean out the remaining diehard, and by then underfed and under-supplied VC guerrillas.

"Then and only then, rearm, train and supervise the Arvin (Army of the Republic of Vietnam). Teach the children, aid the homeless, help in agrarian reform. Only then will it do any good."

"The moves outlined sound harsh," Capt. Shadburne wrote, "but so is being shot through the chest with a Chi Com AK47 in South Vietnam.

"And the irony of it all," he added "is that if we took a truly firm stand we would be respected as a nation."

Capt. Shadburne wrote of the "fun new rules of the game" which say that helicopter pilots and mechanics get to return to Vietnam after six months duty in the States.

He said he couldn't see "coming back after six months stateside to this kind of war. I plan to turn in my regular commission resignation next month and hope they will buy it.

"As it stands now, the world is my oyster. All I've got to do now is return long enough to open it."

Capt. Shadburne's oyster won't be opened. But the University of Plano hopes that it will honor his death by helping other young men and women to open their own worlds.

The university will grant a scholarship each semester to a political science major, and will offer scholarships to Capt. Shadburn's three youngsters, who are not yet of school age.

Friday, at 3:30 p.m., the University of Plano will dedicate its liberal arts building to Capt. Shadburne, naming it "Brooke Shadburne Hall."

THE ADMINISTRATION'S "FEAR GAP"

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Minnesota [Mr. QUIE], is recognized for 15 minutes.

Mr. QUIE. Mr. Speaker, the administration has been spreading misinformation in an attempt to block passage of the Republican-sponsored plan to allocate Federal aid to elementary and secondary schools, incorporated in my measure, H.R. 8983, to amend the administration's measure, H.R. 7819, to extend the Elementary and Secondary Education Act—ESEA—through the 1968–69 school year.

The credibility gap of the administration is only too well known. Now the administration has resorted to a "fear gap" to try to avert its first major defeat in the 90th Congress. The misinformation the administration has circulated about the effect my measure would have on pupils in private schools has produced the fear. Mr. Speaker, the administration has deliberately misinterpreted the Republican-sponsored measure because the administration fears a defeat on this legislation would be a major blow and set a pattern which would be followed through Congress this year in other legislation.

The Republican plan, laid out in detail in the April 20, 1967, Congressional Record, has attracted widespread support. It would return Federal funds to States through block grants rather than categorical grants. This would result in more efficient use of Federal aid to elementary and secondary school pupils.

Mr. Speaker, my plan would not take benefits away from private school pupils, as the administration has caused to be circulated in widespread rumors. The Republican plan continues all the benefits of the present law for private school students.

Children in private schools must be included in the program. No State plan could be approved unless it met requirements designed to safeguard private school children, because the funds must be used for the benefit of students both in public and private schools to the extent consistent with the number of children attending each. This is exactly the same as provided in the Elementary and Secondary Education Act.

My proposal includes another safeguard, the so-called bypass mechanism. If a State could not legally provide for the loan of textbooks, instructional equipment and materials for private school pupils and teachers, the U.S. Commissioner of Education would arrange for such loans on an equitable basis from the funds allotted to the States. This is exactly the arrangement which works successfully in the present Elementary and Secondary Education Act.

It is also claimed that the funds under the Republican block grant amendment would no longer be utilized for educationally deprived children to the extent that it has heretofore. This also is not true, since at least 50 percent of the funds going to States must be used for special programs for educationally deprived children. This would mean $300 million more for educationally deprived children than is presently the case.

Mr. Speaker, I regret the administration has chosen to try to manipulate private school administrators by planting the seeds of fear that children in those schools would lose Federal benefits if the Republican-sponsored measure became law.

This latest maneuver is typical of the cynical disregard for fact which has come to characterize the operations of the administration. The administration is trying the same power play in order to defeat the Republican plan to save the faltering war on poverty. The administration has been planting false rumors the Republicans only want to kill the war on poverty, which is 180 degrees removed from the truth. The Republicans want to make the war on poverty truly effective.

Mr. Speaker, a recent story uncovered the fact the present administration is spending at least $425 million a year for public relations. With nearly a half a billion dollars at their disposal, it is easy to understand how the administration can mount huge campaigns whenever any of its programs are threatened, as in the case of the amendments to the Elementary and Secondary Education Act.

We who present constructive alternatives to administration proposals, whether in aid to education or the war to end poverty, can only continue to present the truth. The truth is, relative to the Elementary and Secondary Education Act, that the Republican plan is sound and will bring more benefits to pupils in both private and public schools.

TEACHER CORPS ENDORSEMENT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Wolff] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLFF. Mr. Speaker, continued education has become an essential but highly burdensome expense for many teachers today in order to keep their present job or to meet the ever more stringent requirements for advancement. Certainly the cost of these additional courses represent for the teaching profession a justifiable and necessary business expense and as such should be accorded its proper place as a tax exemption. Our teachers are unfortunately underpaid as it is and so I urge my colleagues to support a bill I introduced today to make our tax structure more equitable by letting them deduct such expense including certain travel, from their gross income for tax purposes.

FEDERAL SUPPORT TO HIGHER EDUCATION

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Perkins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PERKINS. Mr. Speaker, recently some splendid remarks on Federal support to higher education were delivered to the Mason-Dixon district annual conference of the American College Public Relations Association, by Mr. Leo S. Tonkin, president of Leo S. Tonkin Associates, Inc., a respected Washington educational consulting organization.

The remarks of Mr. Tonkin were notable for their clarity and constructive suggestions in dealing with the complex area of involvement of higher education institutions in federally supported programs of community service and international activity.

I commend the reading of this speech by all those interested in the role of higher education in America.

The speech referred to is as follows:

Federal Support for Higher Education: Some Considerations and Caveats

I was delighted when my good friend, Jim Butler of The Johns Hopkins University, invited me to speak to you today. For one thing, I welcome the opportunity—however short-lived—to leave a sometime frenzied Washington and revisit this historic and splendid community of Williamsburg. For another, there was given to me an opportunity to discuss with you some of the new directions in the Federal Government's support of higher education, and to raise some considerations and caveats about your possible involvement with federal programs.

All of you have concerned yourselves at one time or another with the relationship of your institution to the Federal Government, and with the difficult questions of federal involvement with higher education generally. Few of you need to be reminded that the federal commitment is enormous and varied—or that it steadily grows larger and more complex. As the United States Office of Education is now celebrating its centennial, we might refresh our memory about the magnitude of the Government's effort.

The Office of Education tells us that today it administers a $4 billion budget, involving over 75 educational programs. We've come a long way from the post Civil War days of the first Commissioner, Harry Barnard, whose first budget was less than $19,000! Of this $4 billion, probably 40%, or $1.6 billion, is directly devoted to institutions or students of higher education. I will merely mention some of the recent authority for this financial assistance.

One very important source of construction funds for institutions is the Higher Education Facilities Act of 1963. In Fiscal Year 1967, ending June 30, 1967, Congress provided more than $722 million to carry out the purposes of the Act. Over one-half billion was earmarked for outright grants to aid the construction of undergraduate and graduate academic facilities; $200 million was made available for construction loans.

Federal support for educational research activities is of growing importance to higher education institutions. Is your school interested in curriculum research or in the training of educational researchers? If so, you probably know of the millions of dollars allocated to such research and training under the amended Cooperative Research Act. Are your school's interests directed toward library research, education media research, or research on education of the deaf? There are laws authorizing federal support for each of these.

In addition, there is nearly $30 million currently available to support research and development centers which will tackle major problems of education. It was perhaps inevitable that the Office of Education should recently borrow a page from the Department of Defense and call for proposals to establish educational *policy* research centers. There are now "think tanks" in education's future!

Financial assistance for students derives from two major pieces of legislation—both of them administered by the Office of Education—the Higher Education Act of 1965 and the National Defense Education Act. Under the former, $112 million was appropriated for educational opportunity grants to enable promising high-school graduates of exceptional financial need to attend college. $134 million was made available for payments to college students from low income families who are working part-time for the college. And $43 million was provided to pay the costs of interest and insurance on student loans provided through commercial lenders.

The National Defense Education Act appropriation for fiscal 1967 includes $190 million for student loan funds, and $2 million for loans to educational institutions unable to meet the matching requirements of the student loan program. Thousands of students in this nation are the grateful and better-trained beneficiaries of this form of aid.

I might note, in regard to Federal support of students in higher education, that the Office of Education is not the only supplier of student support. In 1964, I compiled a report for the House of Representatives Select Committee on Government Research entitled

"Federal Student Assistance in Higher Education." In that study, using 1962–63 data, we found that over 300 Federal student support programs existed and these programs were administered by some 30 separate federal agencies. While the largest area of support programs, as expected, derived from NDEA student loans, the next largest area of funding stemmed from Government research and development grants to colleges and universities. When a faculty investigator is chosen to perform a research project, he very often picks a number of student assistants, and this form of support was surpassed only by National Defense student loans. It would be interesting to see what this situation is today in 1967.

So much for just a few of the outstanding public laws aiding higher education.

NEW DIRECTIONS

I turn to the question, "What is new about the Federal involvement?" What, we may ask, are the underlying concerns of Congress as it continues to elaborate upon an already complex and sometimes confusing pattern of public laws?

Historically, one may depict a pattern of *selective* Congressional response to the educational needs of a nation challenged to fulfill its potential at home and to maintain a position of pre-eminence in the community of nations. One is tempted to view in this fashion the enactment of the multitude of public laws aiding higher education since 1960. But this view of things would overlook an important new direction in the philosophy and exercise of governmental authority.

I suggest to you that in recent years, the U.S. Congress has shown a strong inclination to deal with the *totality* of problems affecting this nation at home and abroad. It is no longer content to leave things as they have been or are likely to be without governmental action. Let me discuss this more inclusive, activist orientation of Congress—first, in the domestic context of our urbanized society, and second, in the context of responses to the world at large.

In the communities of this nation, the presence—to cite but a few contributing factors—of pollution, unemployment, poverty, crime, discrimination, inadequate transportation, substandard or overcrowded housing, and the lack of adequate educational and cultural resources, has led to crises and disaster. You need no examples from this speaker to remind you. The youth in our cities seem often to have been made the unwitting victims of a hostile society before, during, and after their formal educational experience. Too often, the result is a destroyed or severely debilitated capacity for productive, creative adult life, and either a denial of or substantially diminished opportunity for participation in the rewards of citizenship.

Faced with this panoply of problems, Congress has developed an intense concern with the well-being of our *society*, and communities. This concern translates itself into an array of laws which focus upon social ills in the common effort to root out and eradicate them. Virtually all these laws look to *creativity* and *innovation* in diagnosing and remedying social ills. Nearly all of them rely upon the anticipated results of research in the problem areas.

And so we come back to the institutions of higher education in America, upon whose abilities to innovate and create in response to the public need, the success or failure of these new laws depend. Let me illustrate.

By enacting a national program of supports and incentives for the several States under the State Technical Services Act of 1965, Congress evidenced its concern that advances in science and technology be made available to American business, commerce, and industry. It was left to the States, in cooperation with universities, communities, and industries, to aid in the diffusion and use of such advances by providing pertinent technical services for both new and established business, commerce, and industrial establishments.

All accredited institutions of higher education in a participating State are invited to submit proposals for providing technical services under the Act, including the sponsoring of industrial workshops, seminars, training programs, extension courses, demonstrations, and field visits designed to encourage the more effective application of scientific and engineering information.

Title I of the Higher Education Act of 1965 is designed to assist in the solution of "community problems" through the involvement of community service programs of colleges and universities. Institutions of higher education are looked to for performance of educational services, the conduct of educational research programs, and the programs of continuing and extension education for adults.

Title IIA of the Economic Opportunity Act of 1964 authorizes the Community Action Program. The avowed purpose is to help communities mobilize their resources for a coordinated attack on poverty and its interrelated causes and symptoms. Institutions of higher education are eligible to apply for a grant for the development, conduct, and administration of a community action program. Perhaps more important, under the Act, they are eligible for grants to *train* the specialized *personnel* who will be implementing such action programs; and, they are eligible for grants or contracts for *research* and *demonstrations* relating to poverty and avoidance of it.

In another field of endeavor with special meaning to our communities, one finds the Juvenile Delinquency and Youth Offenses Control Act of 1961, which provides grants for projects that will demonstrate techniques and methods which, it is hoped, will make a real contribution to the prevention or control of juvenile delinquency and youth offenses. Colleges and universities are among those eligible for assistance. Further, the same law provides for grants to train personnel who are working with delinquent youth; university-based training centers; curriculum development, and workshops, institutes and seminars are among the supported activities. The educational orientation is obvious. I might add that this law expires with the close of the current fiscal year. Proposed legislation will provide for continuation and expansion of these demonstration and training grant programs, as well as grants for facilities and other aids.

A related effort is underway because of the Law Enforcement Assistance Act of 1965. Any university interested in establishing a degree program in police science may apply for a grant that will enable it to achieve this result. The recent report of the President's Crime Commission will very likely stimulate additional and broader supports for higher education institutions in the battle against crime.

Government support for the humanities was focused in 1965 with the enactment of the National Foundation on the Arts and the Humanities Act. Previously, the Office of Education had administered programs of support, under laws, such as the Cooperative Research Act, the National Defense Education Act, and the Fulbright-Hays Act of 1963. Additional help was furnished scholars through the facilities, services, and incomparable resources of the Library of Congress and the Smithsonian Institution.

Now, for the first time, however, there is express recognition by Congress, to quote from the Act, that "the encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiatives, is also an appropriate matter of concern to the Federal Government." In addition to enlarging the responsibilities of the Office of Education with respect to education in the arts and humanities, a new agency, the National Endowment for the Humanities, was authorized to award fellowships and grants to institutions or individuals for training and workshops in the humanities, and to foster by grants or other means, public understanding and appreciation of the humanities.

In response to the legislative mandate, the Endowment has defined three initial objectives. To borrow from its First Annual Report:

> "The third objective . . . is the improvement of the teaching of the humanities in schools, colleges, and universities and also among the public at large in order to infuse our present activities with the wisdom that is the product of the humanistic outlook. This is probably the most important of the objectives. . . , since it brings the humanities to bear on important questions; but it is also the most difficult to accomplish. It is necessary that inspiring teaching in schools and colleges excite the initial interest of citizens in the whole subject of man and his activities and their best expression."

Once more the relationship of the university to the public interest is at the very heart of the new commitment to a better society.

I suspect enough has been said of the role institutions of higher education are being asked to play in the carrying out of national purpose, as exhibited toward our communities. Congress says, in effect, that considerations of national interest compel the declaration and definition of broad policy objectives which will make for better communities, as well as the financial support of such objectives. But the new ideas, the new applications of knowledge, the actual assistance to the community, and in a word, the success of such efforts, hinge upon the capabilities of our nation's colleges and universities. Upon their willingness to respond to the urgent problems of a free society hinges the ultimate realization or defeat of the American experiment in democracy.

It is but a small step to the articulation of such objectives in America to the realization that this nation and its institutions of education have a mission of similar importance and urgency beyond the confines of the national borders. Indeed, the American scholar has been invited from that proverbial "ivory tower", into the "workshop" of America and the "vineyards" of the world. As Marshall McLuhan says: "The university is fast becoming not an isolated bastion but an integral part of the community. Eventually, nearly every member of a community may be drawn into its affairs." Or as Thorstein Veblen has noted:

> "The university is ideally and in popular apprehension a corporation for the cultivation of the community's highest ideals and aspirations."

The point to remember is that in the breadth of the American vision, the scholar's community is no longer circumscribed by his academic walls but now extends into our society and the community of mankind.

INTERNATIONAL EDUCATION

In our international society, education is of dominant importance. Since the end of World War II, federal assistance to students, scholars, and schools has accelerated the training of specialists in foreign languages, area studies, and the problems of emerging nations. The State Department, USIA, and AID have played key roles in making this assistance so effective. In 1965 alone, it is estimated that nearly 4,000 faculty members were assisted while studying or engaged in research abroad, or applying their skills to the problems of emerging nations. About

18,000 students studied abroad at foreign institutions of higher education. Nearly 100,000 foreign students and scholars were either studying or teaching at our own schools.

The International Education Act of 1966 splendidly builds on these earlier programs of assistance. It gives a new thrust to programs of assistance at the undergraduate and graduate levels. It provides new central direction for the government's commitment to the cause of international education. I want to read to you the introductory words employed by Congress in the International Education Act, because I believe you will find them both meaningful and hopeful. Here they are:

"The Congress hereby finds and declares that a knowledge of other countries is of the utmost importance in promoting mutual understanding and cooperation between Nations; that strong American educational resources are a necessary base for strengthening our relations with other countries; that this generation and future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their intellectual capacities in all areas of knowledge pertaining to other countries, peoples, and cultures; and that it is therefore both necessary and appropriate for the Federal Government to assist in the development of resources for international study and research, to assist in the development of resources and trained personnel in academic and professional fields, and to coordinate the existing and future programs of the Federal Government in international education, to meet the requirements of world leadership."

How does the Act operate to translate the declaration of purpose into tangible results? The answer is found in Titles I and II of the Act. Title I authorizes new institutional supports for international education in our colleges and universities. At the undergraduate level, a program of grants is authorized to help institutions plan, develop, and implement broad programs to strengthen and improve instruction in international studies. Suggested elements of these programs include teaching, research, and curriculum development; expansion of foreign language courses; overseas training of faculty; student work-study-travel under university supervision and planning; and visiting faculty and scholars.

At the graduate level, support is authorized for the establishment, strengthening, and operation of Centers of Advanced International Study. These centers will stress research and training in international aspects of professional and other fields of study. Any institution of higher education is eligible for such grants, but the apparent intent of Congress is to place public money with those universities which already have made an investment in programs for which support is asked.

Title II consists of amendments to three other education laws—NDEA, HEA, and the Mutual Educational and Cultural Exchange Act of 1961. In each instance, the law has been altered to broaden support of existing education programs by the addition of international dimension.

The authorized financial support for the Act includes $1 million for FY 1967, $40 million for FY 1968, and $90 million for FY 1969. I must regretfully add, however, that, so far, no funds have been appropriated pursuant to these authorizations.

The administration has sought to remedy this situation by requesting a supplemental appropriation of $350,000 to implement the Act this fiscal year. In addition, the President has requested in FY 1968 a $36.5 million appropriation for the International Education Act which includes $5.9 million in grants for undergraduate studies, and $13 million for graduate studies under Title I.

This is a very commendable response to the realities of the world we live in and the role of the United States in that world. The involvement of this country in international affairs has never been greater, or more significant, than today. More and more over the past twenty years, the information and advice of authorities in such fields as economics, food production, industrial planning and development, education and health, are essential to our nation's foreign policy, not to mention the growth of stable democracies in the underdeveloped regions of the world.

It is clear that more must be done to strengthen the capacity of our higher education institutions to provide the types of support deemed essential by the Federal Government. That is why the principles of support enunciated in the International Education Act are so commendable. Now that the legal basis for support is embedded in public law, let us hope that appropriations will follow without delay.

I suggest *now* is the time to "Get involved!" in the cause of international education. If, as President Johnson has said, "The spread of learning must be the first work of a nation that seeks to be free", then those of you entrusted with this task must work creatively to assure that the new ground plowed by the International Education Act bears fruit. I speak for no interest when I suggest that you exercise your right to be heard before the Congress to secure the much-needed appropriation for this Act.

The very distinguished Chairman of the U.S. Senate Subcommittee on Education, Wayne Morse, clearly asks for your ideas and support in a recent statement to the American Association of Junior Colleges:

"Many of us believe and have acted on our belief that Washington, D.C., has no monopoly upon wisdom in the field of education legislation. Many of us feel quite strongly that initiatives for programs should arise from and be modified by the educational community of this nation."

Now is the time you should be creatively involved in planning now the future of international education studies at your campus. While the orientation of the Act is toward the international community, its impact is clearly domestic. Thus, the task of planning is yours, and the results of this planning will be in daily evidence on your campus. Indeed, the spirit of international learning and the advancement of knowledge are the only sensible and effective ways to achieve the peace and stability that we all so desperately seek in our troubled world.

LONG-RANGE PLANNING AND COORDINATION

For a moment, let us turn to some considerations about your institution's involvement with Federal programs. In my experience as a planning consultant and a federal relations adviser to educational institutions, I have found that *long-range planning* and *program coordination* are essential to the schools' well-being.

One of the finest things the Federal aid programs have done is spark in-depth and long-term thinking about the institution—its needs, and its goals. There is a need for much more of this kind of thought. For if you seek involvement with Federal programs, and hope to obtain public funds, and more importantly, if you wish to preserve an independent frame of reference for the values and traditions of the institution, you must be able to define the proper relationship of the federal program to the overall objectives of the school.

Such planning, of necessity, directs you to the best use of federal funds, as well as to the sorting out and weighing of alternative futures for the institution. Once you have set your objectives and articulated your needs, then you may proceed to match them as well as possible to appropriate funding programs. In this way, your academic mission is protected; the philosophy and values of the institution remain your own.

On the need for long-range planning, therefore, my advice to you would be to emulate the wisdom of the great French Marshal, Lautaugny, who once said to his gardener: "I want you to plant that tree tomorrow." And the gardener said, "It won't bear fruit for a hundred years." "In that case," said Lautaugny, "plant it this afternoon." That is how I feel about your long-range planning—start it *today*!

The other aspect of your involvement which merits close attention is coordination of effort. When you get to the point of considering a particular Federal program, take care to learn if other university activities may be germane, and whether other departments and personnel could usefully be involved. Checking and consulting with others in advance is much more effective than trying to smooth ruffled feathers at a later date! This kind of coordination is, or probably should be, the express responsibility of an academic planning officer at your institution.

Another area for coordination is with the community and geographic area served by the institution. Much of the community-oriented legislation requires cooperation with local and regional groups having similar interests; in any event, it makes good sense to pursue a policy of cooperation with such groups.

Finally, by your awareness of the community thrust of much federal aid legislation, you will tend to consider designing federally-supported projects with an eye to extending the benefits to the largest number of citizens of the community. For example, the National Endowment for the Humanities provides grants for research in the humanities. With some careful thinking about the objective of the Endowment such as that of imbuing the public at large with humanistic values, you should be able to envision the involvement of, say, the young children in the community who may otherwise never have exposure to cultural opportunities. This is coordination of effort in the public interest as well as your own.

To summarize, let me merely state for you five points of inquiry which are raised by my office concerning every proposal for federal funding of interest to our client institutions:

First, does this proposal serve an academic need?

Second, does this proposal meet any community need?

Third, is this proposal effectively related to other school activities?

Fourth, what funds may be available for the proposed project and what are the strings attached?

Fifth, have alternative projects been considered and priorities consciously set?

CAVEATS

This is the perfect place to raise some strong *caveats* about the entire government—higher education aid picture. Just as overextended supply lines are the plague of any field army, so an overextension of academic involvements can disrupt the educational goals of your school. It *is* possible to overcommit your strengths and talents to the needs of the community or the Federal Government and thereby dissipate or dilute the effectiveness of those resources required for the primary mission of your institution.

Perhaps David Henry, President of the University of Illinois, best sums up the feeling here by saying:

"Many institutional representatives are concerned that although colleges and universities have not been sufficiently and directly enough assisted in their main job of teaching, research and public service, new projects (which will draw heavily upon the resources of higher education for implementation) have had a higher priority than these perennial activities."

It would be unfortunate, indeed, should the students and scholars of your school be the victims, rather than the beneficiaries, of community involvements.

I have carefully avoided till now any suggestion that higher education is a partner with the Federal Government in the pursuit of programs to benefit the nation. Personally, I think the term is rather overworked and abused. There are many cases of no genuine partnership at all.

Too often, a Federal program prompts a school to follow a new direction which it had never planned or hoped to follow until the advent of the program.

Too often, a Federal program is keyed to expansion of the student body of the school, with the result that an unwitting recipient of funds must admit more students than in its own judgment was desirable or feasible for the nature and resources of the institution.

Too often, the grantee under a Federal program is required to carry on with a project long after Federal funds are available, with the result of a sudden ballooning of financial burden after several semesters of assistance.

And too often, a Federal program forces the recipient school to commit its own scarce funds in satisfaction of matching requirements, when these dollars could be better employed elsewhere. As Frederick Bolman, Director of Special Programs of the ESSO Education Foundation, has wisely noted, "The most genuine need for Federal investment may lie where the least ability to match exists." Sadly, Federal matching requirements work to the most frequent disadvantage of those of our smaller and developing institutions that need the funds the most.

In short, too often there arises an *incompatible commitment*. The promise of Federal dollars is sometimes a lure for the unsuspecting.

At this point, some might say, if the Federal program is not in the school's best interests, then it shouldn't apply, it shouldn't get involved.

To say this would be a tortured oversimplification of a very real dilemma for many schools.

First, it is virtually impossible for a college or university not to assume some responsibility both for service to the nation's communities and the education of its youth. No school can afford to ignore the new interest of the Government and the pressing needs of our society. Our nation and its communities urgently rely upon higher education for new responses to the problems of America and the world beyond. Douglass Cater, Special Assistant to the President, wisely says: "The university which seeks to reclaim an image from the past or to retreat behind campus walls and 'make its garden grow' will be sadly out of tune with the times."

Second, the problem of federal program participation diminishes as the institution defines its long-range interest. As you project your school's future, you invest the school with an identity that permits a rational response to opportunities for Federal funding. The more you recognize the needs and travails of your community and world, the more surprised I suspect you will be as to how much your institution can contribute to their amelioration and solution, and this will be truly meaningful education to your students.

Third, all of us know that community and public support are essential merely to keep the doors of academia open for business. A school needs money to survive, and state and federal dollars provide a splendid source of that increasingly hard to find capital funding.

The problem then is how to become a stronger educational institution even while one accepts the responsibility of community service and seeks federal support in the process. How does the institution maintain a *true* partnership in league with the Government?

THE SHARED-INTEREST APPROACH

The burden clearly rests on those of you charged with the responsibility for development of the institution. That burden is to implement a shared-interest approach between the Government and the school in whatever program involvement you may choose. Insist to the full extent possible upon a program structure which fosters the educational interests of your school even while it benefits the community.

It is highly likely that the school would plan to do this sort of thing in any case; it is, therefore, asking little of the school to envision similar community involvement when it develops a proposal for federal funds.

Now, admittedly, many of the new programs authorized by law do not allow such a shared-interest approach. And this is wrong. More and more institutions of higher education, almost of necessity, are sacrificing educational quality on the one-way street to community involvements.

The Federal programs would be less onerous to the academic community if they were made more rewarding to the affected institutions. It is up to you to insist on true support for your school and faculty when you accept increased community service. This holds for community service in the international as well as the national sense.

I might note here that a very sensible federal statutory provision in this regard is contained in Sec. 700.15 of the Regulations of the State Technical Services Act. That provision reads:

"Federal financial assistance under the Act or the regulations in this part may be granted to any designated agency or participating institution in support of a technical services program presently funded by State or other non-Federal sources and operating therein when such program is modified or expanded in light of the objectives of the Act."

This indeed encourages a shared-interest approach to educational involvement via Federal dollars. All parties concerned can benefit—the school might receive funding for an on-going, already budgeted program if it ensures that its offering is modified or more closely attuned to the intent of the Act. The Government benefits by getting a needed job accomplished. The community benefits by having expanded interest accorded its problems by the local educational institutions.

Through testimony to Congress, through active participation in policy formulation with the administering agencies, through your own planning and designing of balanced projects, in all these ways, you can strive to read some life and substance into the idea of a mutually productive relationship between the Federal Government and American higher education.

The task is a challenging one. There are signs that it is being done—but nowhere near the level of accomplishment which is now required. Take up the challenge in the months and years to come. Federal funding holds promise of building stronger institutions of education, a better America, and a more stable, peaceful international community. Realization of the promise depends on America's educational leadership to respond with creative and innovative programs that will occasion increased and truly beneficial support from our federal government.

THE TEACHER CORPS IN DANGER

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOLLAND. Mr. Speaker, this morning the Washington Post ran an excellent editorial on one of the most inspiring and moving experiments this country has undertaken during these exciting years. I refer to the Teacher Corps, a program by which the same spirit of dedication and selfless public interest that made the Peace Corps a worldwide success can be directed toward this country's needs for teachers, especially in those areas in which there are large concentrations of disadvantaged youngsters.

Six years ago, John F. Kennedy asked the people of America to ask what they could do for their country. People of all ages responded with an enthusiasm and a disregard for personal profit which thrilled us all. Young people in particular, but not young people alone, volunteered in great numbers for the Peace Corps, and brought to the people of the developing nations concrete proof that Americans were interested in helping them. The same willingness of Americans to give of their time and their energies to help their own fellow citizens has been demonstrated in the VISTA program, and in the initial response to the Teacher Corps.

Shortly, the House will be considering the Elementary and Secondary Education Amendments of 1967—a bill which will, if enacted as reported, continue the Teacher Corps program. We are also on notice that we will be asked to pass judgment on a Republican substitute, advanced by my good friend, the able and distinguished gentleman from Minnesota [Mr. Quie]. One effect of his substitute will be to bring to a halt the Teacher Corps experiment for the foreseeable future.

I think this would be, for the excellent reasons which the Post editorial sets forth, a deeply tragic decision for this House to make. The Teacher Corps needs all the support it can get. I hope our friends on the other side of the aisle will reconsider their plans to wipe out the Teacher Corps.

I ask unanimous consent that the editorial to which I referred be printed at the end of these remarks.

Teaching Teachers

Congress ought to give thoughtful consideration to a report just released by the National Advisory Council on the Education of Disadvantaged Children. The report is an appraisal of the Teachers Corps during its first year of operation; and it is strikingly enthusiastic about the performance and the potentialities of this fledgling group in a period when it was peculiarly handicapped by problems of organization and by inadequate funds. At the same time, the report is something more: it is an insightful discussion of the special problems of teaching "disadvantaged" children.

A major educational challenge confronts the country. Public school systems in every major city are flooded today with the flotsam of a vast new migration—from rural areas to urban centers. Many of these migrants, uneducated, even illiterate and accustomed to agricultural employment, are wholly unequipped for participation in an industrial economy; and often, in consequence, they find themselves crowded into decaying neighborhoods, unemployed, exploited and desperate. Their children, often, are in a real sense disinherited—deprived of any cultural stimulation or any incentive to learn.

It is for these children that the schools must today undertake a special task—a task analogous to but different from the task accomplished by the public schools at the turn of the century in making the melting pot a reality for the children of the migrants from Europe. "For centuries," the report of the Advisory Council observes, "schools have dealt almost wholly with students who have valued learning and have come to school in search of it. Among the children with whom the Teacher Corps works, the first task is not so much to *teach* them as to *reach* them, in order to persuade them that they can learn—and that learning can be useful, interesting and rewarding."

The Teachers Corps recruits idealistic and committed young college graduates who want to do this specialized and difficult type of teaching; and it trains them for the task in participating universities and in the public schools of disadvantaged neighborhoods which have asked for their help. During the past school year, some 1200 Corps members have served in 275 schools in 111 school districts in 29 states, serving in each case at the invitation of a local school system. Usually they work in teams of three to ten interns, headed by a team leader who is an experienced teacher. They are subordinates of the local school authorities, conforming to local rules and practices, paid at a rate equal to that received by the least experienced teachers in the local school district.

The Teachers Corps brings with it not only specialized training and some fresh ideas; even more significantly it brings the ardor of dedicated young people. It has made a great beginning; it can, if it gets the chance, render even richer service in the future. But it will be obliged to go out of business entirely by the end of June unless Congress quickly votes to extend its life and to give it the supplemental appropriation it needs to carry on through the summer. No better investment could be made toward the education of the disadvantaged.

ADULT BASIC EDUCATION AUTHORIZATION—H.R. 7098

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mrs. MINK. Mr. Speaker, on March 13, 1967, I introduced a bill, H.R. 7098, to provide a $10 million supplemental authorization for adult basic education for fiscal 1967. At that time, I fully expressed my concern over the need for a supplemental because of the peculiarity in funding of this program. Many States did not have sufficient time to submit fully developed plans in 1965, the first authorization year, and the bulk of the ABE appropriations for that year was carried over to be added to the 1966 allocation. Thus most States had a higher level of expenditures in 1966 than are possible with only the normal funding in 1967, and this unfortunate situation has already caused elimination of important facets of ongoing adult basic education activities.

The dire effects of this reduction of funds available in 1967 is well described in a summary compiled by Mr. James Le Vine, administrator for adult education in the Hawaii Department of Education, and submitted to me by Mrs. E. Leigh Stevens, chairman of the Adult Education Advisory Council in my State. I ask unanimous consent to insert this compilation in the RECORD at this point as an illustration of the importance of a supplemental ABE appropriation for 1967.

STATE OF HAWAII,
DEPARTMENT OF EDUCATION,
Honolulu, Hawaii, March 13, 1967.

To: Mrs. E. Leigh Stevens, Chairman, Adult Education Advisory Council

From: James Le Vine, Administrator, Adult Education

Subject: *Reply to Questions in Your February 27 Letter from Rep. Patsy Mink.*

Q–1. *What is the program for $114,819 federal allocation?*

A–1. Enrollments in adult elementary classes were 3,750 in FY 1964; 3,949 in FY 1965 and 10,006 in FY 1966. On the strength of enrollment increases and expected expansion of federal fund availability, 14 federally-funded positions were added to our staff last year. Cost of these positions for fiscal 1967 is $117,981. The federal allocation of $114,819 will almost (not quite) cover the cost of the 14 positions. State funds are presently supporting all other costs of the program including hourly pay of part-time teachers and supervisors, operating expenses of 57 centers on 6 islands and free books for ABE and NYC students. Current program data for first half FY 1967 is shown in attached Exhibit 1.

Q–2. *What is the program the $10 million supplemental would support?*

A–2. Help maintain and reimburse existing program. In November-December 1966, when we learned that $114,819 was to be our PL 89–750 allocation for fiscal 1966–67, we informed our Board of Education that to maintain the then-existing level of ABE program and personnel until June 1967 would require $100,000 more than had been allocated by federal and state sources combined. To avoid a drastic cutback, the Board authorized us to "borrow" the amount from D.O.E. reserve funds with the understanding we effect all possible savings.

Accordingly, we have stopped all expansion, cancelled 6 planned teacher-training workshops, left vacant our ABE Program Specialist position (Phyllis Hole left in November), cancelled placement of 2 ABE teachers at Oahu Prison, increased the mininum size of ABE classes, depleted our reserves of textbooks; curtailed travel, mileage, staff conferences and supervisory visits; postponed opening a new school center (Hauula) and belayed plans for a summer session.

Q–3. *Request for breakdown of A.E. budget.*

A–3. See Exhibit 2, 2A.

Q–4. *Listing of kinds of courses* (*services*) *Federal ABE funds made possible.*

A–4. (1) Previously only elementary grades 1–6 were tuition free. Now all elementary classes to grade 8 are free, including free books. New classes include Preparation for 8th grade diploma, Pre-high school remedial reading, speech improvement, arithmetic; ungraded adult elementary classes, sign language, basic parent education (courses tailored to local needs such as child care, consumer education, etc.), experimental classes such as teaching reading through sewing, teaching spelling through typing.

(2) A pilot language lab. facility was installed at McKinley.

(3) An "independent study center," using programmed instruction under teacher supervision is under way in Kailua library. This is an ungraded class with flexible scheduling in which students can enter and exit without reference to traditional semesters or class hours.

(4) With capability of paying a small rental fee where necessary, several churches and other private buildings are being utilized for daytime classes.

(5) *Added funds for school supervisory* staff have made it possible to operate numerous small branch centers (see Exhibit 1) in housing projects, hospitals and out-of-the-way places on all islands, bringing educational opportunity closer to the people needing it.

(6) A pilot ETV program "Operation Alphabet," five one-half hour programs per week, is under way aimed at teaching the 3 R's to people who can understand and speak English but cannot read and write. Plans and production is also under way, to add another one-half hour per week of locally produced programming.

(7) In coordinating with Operation Alphabet, special classes for newcomer ethnic groups (Samoan) utilize a Samoan teacher or aide to follow up on the ETV lessons.

(8) Special classes have been designed and operated in cooperation with local NYC and other anti-poverty groups to serve a variety of special needs. Additional services of the D.O.E. have included free testing, special instructional materials, classroom equipment for use in a non-school facility, etc.

Q–5. *Number of planned programs curtailed* (*abandoned*) *due to reduced FY 67 budget.*

A–5. See A–2. Major items:

Two full time ABE teachers for Oahu Prison.

Local teacher training workshops and plans for U.H. Summer Institute.

New school center, Hauula (full time principal and steno).

Summer session ABE classes.

State ABE Program Specialist (position being left vacant).

State Conference of ABE program administrators.

All school centers told in December to stop recruitment beyond number of classes they had in first half of 1966. Estimate 30–40 classes were thus curtailed.

Family-life program (State Program Specialist and steno. to develop new program).

Q–6. *What programs will have to be dropped if we only receive $114,819 federal money in FY 1967?*

A–6. No existing classes will be dropped in the remainder of FY 67. State deficiency appropriation is underwriting current service needs (less curtailed activities) as explained in A–2 and A–5.

Q–7. *How much additional funds needed in remainder of FY 67 to continue present level of services?*

A–7. Approximately $100,000 would be needed to repay the advance (deficiency appropriation) the State is providing to keep the program intact.

Q–8. *If the supplemental appropriation for ABE is not approved, what services will be curtailed for next four months?*

A–8.

	Est. amount
Reimbursement to State for deficiency approp	$100,000
Teacher training (in-service & U.H.)	3,000
Summer session ABE classes	50,000
State ABE Program Specialist vacancy	3,000
State Conference ABE Program Administrators	600
Reserve supplies ABE books	5,000
Program reviews, supervision, evaluation (6 islands)	700
	162,300

INCREASED INCOME TAX EXEMPTION PROPOSED

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, 20 years ago Congress provided for a personal income tax exemption of $600. In theory, this amount was the minimum needed for a decent standard of living and was not to be taxed.

Maintaining an adequate standard of living on $600 a year in 1947 was, I suspect, extremely difficult. In 1967, it is impossible.

Over the last 20 years, the cost of living has risen 50 percent. The price of bread has nearly doubled. Milk costs 38 percent more than in 1947. The price of apples is up 70 percent.

Today we are fighting a war on poverty based on the supposition that a family of four cannot live on less than $3,000 a year. A family earning less lives in poverty.

But the personal income tax exemption has not been changed. The result is an absurd situation. We say, on the one hand, that a family of four requires a minimum income of $3,000, yet we exempt only $2,400 of that income from Federal taxes.

Mr. Speaker, the $600 exemption is out of touch with reality and it should be changed.

Increasing the personal exemption to $1,200, as I am proposing, would place our income tax structure on a more up-to-date basis. Such action would eliminate the inequities resulting in part from today's unrealistically low exemption.

In dollar terms, a change in the personal exemption would mean substantial savings to families in lower tax brackets. For example, a family of four, earning $8,000 a year and claiming a standard deduction, would save $418 from their tax bill if the individual exemption were doubled.

Mr. Speaker, I am today introducing legislation which would increase the individual income tax exemption to $1,200. I hope my bill, or similar legislation, will be considered this year.

SPEAKING OUT FOR THE PRESIDENT'S VIETNAM POLICY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RESNICK. Mr. Speaker, the noisy minority have had its say. Now is the time for the vast, quiet, and responsible majority to be heard.

This is the point of an excellent editorial that appeared recently in the Lawrence, Mass., Eagle-Tribune. I commend this newspaper for its courageous and thoughtful editorial stand.

The fact is that those who protest America's involvement in Vietnam accurately reflect only one aspect of the majority's thinking—namely, the overwhelming desire shared by all Americans to find peace in Vietnam.

But what is the best path to peace?

Is peace achieved by continual sniping at President Johnson?

Is peace achieved by irresponsible charges and by such outrageous acts as burning our flag or marching the Vietcong's banner down Fifth Avenue?

The Eagle-Tribune rightly notes that—

> The dissenters, the harassers of the President, actually are prolonging the war they oppose. Thus, they seem to be defeating their purpose, unless they think they can persuade the President to bow to their will.

The right to protest is basic in a democratic society. But the right to be taken seriously rests upon the merits of the argument.

The American people have soundly rejected extremists on both sides of the Vietnam arguments. Our people reject those who call for a U.S. withdrawal just as strongly as they reject those who want to dangerously escalate this war:

Instead, the people stand with the President and his policy of seeking an honorable solution to the conflict, while defending the security and freedom of the people of South Vietnam.

But the time has come for the responsible citizens in our midst to shed their silence and speak out to defend the policies that make sense and hold the best possibility of leading to peace.

I ask unanimous consent to insert this timely and important editorial from the Eagle-Tribune in the Record.

Let the President Know

No American President in wartime, since Abraham Lincoln valiantly coped with a divided nation in the War Between the States, has been so cruelly harassed as President Johnson by bitter foes of his policy among the American people.

Americans traditionally in time of foreign war stand solidly and firmly behind their President and the government he personifies, but not now.

Even in the Congress loud voices are raised against the Vietnam War policy. Such conspicuous senators as the majority leader, Sen. Mansfield, the chairman of the Foreign Relations Committee, Sen. Fulbright, and of course that ambitious junior senator from New York, speak out again and again against the Administration's policy.

The noisy reformers eager for all the tax money Washington can collect so they can spend it to reform the domestic scene and all the civil rights advocates and demonstrators attack the President for his war policy. Draft-dodging students join in the hostile chorus and of course the beatniks who are either innate or professional protesters.

Prof. Galbraith, accepting the chairmanship of Americans for Democratic Action, reduced dissent to the lowest level when he based it on danger to the Democratic Party in the President's policies. The Rev. Dr. Martin Luther King undertook to raise it to the level of a nation-wide revolution of civil disobedience. Secretary General Thant of the United Nations persistently encourages harassers of the President and promotes throughout the world distrust of and hostility to American purpose by calling for what amounts to American surrender.

Effect of these performances, in the name of noble dissent but contemptuous of the need for unity in a time of crisis, is the portrayal for American enemies in Moscow and Peking and Hanoi and anywhere else they happen to be influential of a great nation divided by a great issue.

Clearest effect of this portrayal of division is to convince the enemy that the United States will quit. Thus the dissenters, the harassers of the President, actually are prolonging the war they oppose. Thus they seem to be defeating their purpose, unless they think they can persuade the President to bow to their will. Galbraith's warning of political danger could have been principally an appeal to the political mind of the President.

Indeed, the persistent harassment of the President makes sense only in terms of the opinion that the President can be harassed into a change of policy of the kind they demand.

There is a fact that they ignore and that the enemy does not see. These harassers of the President constitute a noisy minority. The great majority of the people stand with the President as in foreign wars they have always stood with the man in the White House. They recognize the commitment to South Vietnam, they recognize the danger to the United States of a Communist victory in South-east Asia, they understand the President's military purpose to convince the enemy that he cannot win and that therefore he should consent to negotiations for peace. But they recognize that no peace is tolerable that does not prevent the Communist conquest of South Vietnam and that therefore the enemy must be made to accept such a peace.

In this situation, a great American need is declarations to the President of support from the great but silent rank and file. The President needs encouragement, he needs to know that the people are behind him in his quest for peace with honor. An unceasing flow of letters from the people to the President is in order during this ordeal he is undergoing because of noisy, unpatriotic dissent.

THE HOPALONG CASSIDY OF THE REPUBLICAN PARTY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RESNICK. Mr. Speaker, last week's newspapers quoted the Hopalong Cassidy of the Republican Party, Governor Romney, as saying that there is a "better way than L.B.J. and the people know it."

Very clever. It rhymes. It is short. And it is memorable. We will probably be hearing a lot more of it in the months ahead.

In fact, it may very well take its rightful place someday in the hall of fame of Republican slogans.

Remember that great example of campaign alliteration: "Free Speech, Free Press, Free Soil, Free Men—and Fremont"?

And who can forget "Win With Willkie"?

Or Thomas E. Dewey's perceptive analysis of the public sentiment in 1944: "Time for a Change"? Now there was a slogan. Governor Dewey was back at it again in 1948 with a new slogan: "Biggest House Cleaning in History." Unfortunately—for him—he neglected to say whose house should be cleaned.

And who can forget dear old Dick Nixon's catchy bit of political euphemism: "Experience Counts"? It might have counted, too, if President Eisenhower had been able to think of just one major decision that Mr. Nixon had participated in. He asked for a couple of weeks to come up with one—but to my knowledge he never did.

And, of course, every American over 10 still remembers Barry Goldwater's contribution to the hall of fame: "In your heart you know he's right." That may have been the most honest Republican slogan of them all. He was so far to the right that the public could not see him.

So now we have a new face on the political scene—and a new slogan: "There is a better way than LBJ." I congratulate Governor Romney. To me, that is every bit as good as, "Life, Liberty, and Landon"—and I predict it will be just as effective.

The Republicans have certainly proven that they are the party of slogans. If that is the way they want it, it is fine with me. The Democratic Party is content to be the party of ideas.

PUBLIC SUPPORT FOR THE PRESIDENT'S WAR AGAINST POVERTY PROGRAM

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RESNICK. Mr. Speaker, the American people overwhelmingly support the President's war against poverty. They do so knowing that in America in the 1960's there is simply no justification for perpetuating the forces which keep a minority of our people from realizing their hopes and ambitions.

We have learned an important lesson: namely, that it is not enough for most Americans to have the opportunity to go as far as their talents can take them. But we must enlarge this opportunity to give every American a chance.

The Office of Economic Opportunity is working toward these noble ends. I believe that they are doing a credible job in an area where progress is slow and often difficult.

But our people understand that the progress we seek will not happen overnight—there are simply no miracles in the difficult struggle to eliminate conditions of poverty from our land.

Yesterday I received a copy of a resolution adopted by the National Board of the Citizens' Crusade Against Poverty. The board is headed by three distinguished Americans—Mr. Walter Reuther, Rabbi Richard G. Hirsch, and Mr. Robert S. Benjamin. I wish to share this resolution with my colleagues in the House and with all the American people. For it says all that must be said about our unwavering commitment to win the war against poverty and to push ahead—against all political obstacles placed in our path—to accomplish our purpose and create a better America for all Americans.

I ask unanimous consent to insert this resolution, adopted on April 11, in the RECORD.

CITIZENS' CRUSADE AGAINST POVERTY

(Resolution on the war against poverty adopted at the meeting of the National Board April 11, 1967, Washington, D.C.)

We commend the President for sending to Congress a bill to amend the Economic Opportunity Act and strengthen the role of the Office of Economic Opportunity in the over-all War Against Poverty.

However, we are distressed to hear from some quarters attacks on the fundamental purposes and methods of the Office of Economic Opportunity. Some want to dismember this agency, tearing apart its vital parts and programs and indiscriminately transferring them to other agencies. Others would dilute or eliminate the Community Action Program, the most creative and dynamic experiment in the national strategy to overcome poverty.

In the light of these criticisms we would like the nation to recognize that a program of such ambitious goals could not be undertaken without problems. In social experimentation, just as in scientific experimentation, errors of judgment are inevitable. However, criticism, where valid, should not become a pretext for eliminating or destroying the effectiveness of an approach that is fundamentally sound.

We therefore reaffirm the Citizens' Crusade Against Poverty's strong support of the War Against Poverty in general and of the Economic Opportunity Act in specific.

We support the principle of a separate and independent Federal agency responsible for coordinating the over-all attack on poverty. To protect its integrity and assure its effectiveness, this agency should be retained within the Executive Office of the President.

We support the strengthening of the Community Action Program as a primary instrument for the re-creation of "communities," and the mobilizing of local public and private groups for planning and administering a comprehensive and coordinated attack on poverty. We urge that funds for the Community Action Program, including its especially commendable programs for agricultural workers and Indians, be greatly increased.

We reaffirm the principle of "maximum feasible participation", urge its incorporation in other programs, and support its implementation through flexible funding of independent grass roots organizations. This principle recognizes for the first time the importance of giving the poor a meaningful voice in planning and administering programs designed to serve their needs and vests within local communities greater responsibility and initiative for local poverty programs.

We commend the Administration for recommitting our nation to the eradication of urban and rural poverty. In the light of the magnitude and urgency of the task, we call on Congress to provide a substantial increase of funds over the request of $2.06 billion.

Firmly believing that the eradication of poverty is essential to the achievement of a democratic society and to the fulfillment of our American heritage, we call upon the nation, both public and private sectors, to expand substantially its commitment of energy and resources to the War Against Poverty.

NEED TO REVISE SELECTIVE SERVICE LAW—LI

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I question whether the Military Establishment is making full utilization and maximum use of the potentialities and talents of its available personnel. A study by the Comptroller General of the United States in 1964 estimated that about 35,000 trained enlisted personnel were misassigned throughout the Army, with the result that $48.7 million in training costs had been wasted. The study concluded that these personnel were not utilized in duties commensurate with their military or civilian training and/or experience because of a personnel management system that generated misassignments. Some examples of improper assignments that were found, are as follows:

1. A serviceman entered military service in 1950. In 1951 he attended the Army Medical School and was trained as a medical specialist which requires knowledge of ward and clinic management; routine care of patients; emergency treatment procedures; and the ability to read and interpret medical records, charts, and diagnostic reports. The serviceman received "excellent" efficiency ratings in performing these duties. In September 1960 he was assigned to the noncommissioned officers' club at Fort Lawton, Washington, as a cook-mess steward and was working there at the time of our review. The Army is currently training additional medical specialists at a cost of over $1,000 per student.

2. A serviceman attended school for about 8 weeks and was trained as an automotive repairman. He was assigned to Fort Devens, Massachusetts, and performed duties as an automotive repairman for about 5 months. In August 1962 he was assigned to the duties of a mail clerk even though his unit was not authorized a mail clerk in its table of organization. The Army is currently training automotive mechanics at several schools at an estimated cost of $1,400 each.

3. A serviceman enlisted in the Army in February 1961 for schooling as a construction draftsman. This specialty involves drawing working plans for the construction of bridges, airfields, roads, etc. He completed the course, receiving an efficiency rating of "excellent," and was assigned to Fort Belvoir, Virginia. Because there were no openings in his occupation, he was assigned to the duties of a clerk-typist. During an interview, the serviceman expressed a desire to have remained in the occupation for which he had enlisted. During fiscal year 1964 the Army has scheduled construction drafting courses of 9 weeks each for more than 400 individuals at an estimated cost of $1,200 per student.

4. A serviceman received 12 weeks of training in aircraft maintenance during 1961. He served overseas as an aircraft mechanic for 13 months and received an "excellent" efficiency rating. Upon his return to the United States, he was assigned to Fort Leavenworth, Kansas. Because that installation already had more aircraft mechanics than were needed, he was assigned to the duties of a clerk-typist. The Army, worldwide, is short of personnel with aircraft maintenance training and is currently training additional aircraft mechanics at a cost of about $2,000 each.

5. Prior to entering the Army in October 1961, a serviceman had earned a college degree in building construction and had worked as a civilian for 3 years with the United States Army Corps of Engineers where he performed the duties of a draftsman and

construction inspector. Upon completion of basic military training, he was assigned to Fort Belvoir, Virginia, for on-the-job training as a construction draftsman which involves drawing working plans for the construction of bridges, airfields, roads, railroads, piers, buildings, and heating and ventilating systems. Upon arrival at Fort Belvoir in January 1962, the serviceman was assigned to the duties of a clerk and subsequently to those of a clerk-typist. We interviewed the serviceman to determine what duties he was performing and whether he had ever been utilized as a construction draftsman. The serviceman stated that his principal duties were typing, filing, and a little drafting. During fiscal year 1964 the Army has scheduled construction drafting courses of 9 weeks each for more than 400 individuals at an estimated cost of $1,200 per student.

ADDITIONAL EXAMPLES OF IMPROPER UTILIZATION OF ARMY ENLISTED PERSONNEL

(NOTE.—Military training is printed in roman; duty assignments are printed in *italic.*)

FORT BELVOIR, VA.

Construction draftsman (8 weeks): *Clerk-typist.*

Clerk-typist (8 weeks): *Truck driver.*

Medical specialist (12 weeks): *Personnel clerk.*

FORT DEVENS, MASS.

Ordnance supply specialist (10 weeks): *Light vehicle driver.*

Aircraft maintenance (5 weeks): *Truck driver.*

Automotive maintenance (8 weeks): *Cook.*

Aircraft maintenance (4 weeks): *Field communications crewman.*

Clerk-typist (8 weeks): *Hobby shop.*

FORT LEAVENWORTH, KANS.

Aircraft maintenance (13 weeks): *Clerk-typist.*

Aircraft maintenance (13 weeks): *Military policeman.*

Military policeman (8 weeks): *Physical activities specialist.*

Radar repairman (20 weeks): *Data processing repairman.*

FORT HUACHUCA, ARIZ.

Electronic instrument repair (12 weeks): *Clerk.*

Clerk (8 weeks): *Radar repairman.*

Field radio repairman (25 weeks): *Administrative specialist.*

ADPS programing specialist (10 weeks): *Light vehicle driver.*

FORT SILL, OKLA.

Tracking and plotting radar operator (8 weeks): *Clerk.*

Clerk (8 weeks): *General supply specialist.*

General supply specialist (10 weeks): *Wheel vehicle mechanic.*

Automotive repairman (14 weeks): *Duty soldier.*

Lithographic plate making (7 weeks): *Military policeman.*

Clerk (8 weeks): *Printers helper.*

Construction draftsman (8 weeks): *Personnel specialist.*

FORT LAWTON, WASH.

Clerk (8 weeks): *Light vehicle driver.*

Light vehicle driver (8 weeks): *Missile crewman.*

Medical specialist (7 weeks): *Personnel clerk.*

Machinist (12 weeks): *Missile crewman.*

FORT HOOD, TEX.

Aircraft mechanic (5 weeks): *Cook.*

Cook (8 weeks): *Infantryman.*

Track vehicle mechanic (10 weeks): *Personnel clerk.*

FORT RILEY, KANS.

Automotive recovery specialist (7 weeks): *Lifeguard.*

Missile systems repairman (7 weeks): *Clerk.*

Track vehicle mechanic (10 weeks): *Truck driver.*

Engineer parts specialist (14 weeks): *Physical activities specialist.*

Mr. Speaker, the Comptroller General's study found that the basis of the Army's system of assigning personnel to specific installations is the assumption that all personnel already assigned there are performing the duties of their primary military occupational specialties. Improper utilization of personnel by installation and unit commanders, however, negates the effectiveness of this system. For example, the data available to assignment authorities may indicate that a vacancy exists in a unit because no personnel were assigned with the occupational specialty needed for that vacancy. An individual with the necessary qualifications would therefore be assigned to that unit or installation. If the installation commander, however, is already utilizing another enlisted man, without the proper training, in that vacancy, this fact would not be reflected in the data available for assignment purposes until the occupational specialty of the misassigned enlisted man is changed to agree with his duties. Thus, when the newly assigned specialist reports to the installation, there is no vacancy in his specialty, and he is assigned duties other than those for which he is trained and at that point two men are misassigned.

While these practices were observed in 1964, there is no reason to believe that they have been corrected. On the contrary, I fear that misassignments probably are as great or even greater today than they ever have been.

Mr. Speaker, failure to utilize skilled personnel in occupations in which they have been trained or have had prior civilian experience results not only in unnecessary training costs, but also, in immense manpower waste. The proper utilization of servicemen should have appeal to the Defense Department economists, for this would result in tremendous financial savings. Furthermore, by increasing the efficiency of the Armed Forces, military manpower needs can be reduced substantially, so much so, that I seriously doubt whether the 2.7 million figure cited as a minimum requirement for the 1970's is a sacred one.

WARSAW GHETTO

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, before I talk about the Warsaw ghetto, I think it would be appropriate to consider the conditions out of which the uprising of 1942 emerged. It is important, I think, because the Warsaw uprising lives with us, not only as history but as a meaningful experience in the ongoing relationship between the Jewish people and the non-Jewish world. The question naturally comes to mind of whether society has changed in such a fashion that there will never again be the oppression that drove men to the desperate acts which were performed in Warsaw 25 years ago. I fear there is evidence that the changes which have transpired in the past quarter century have not been so profound that we can relegate the Warsaw ghetto uprising to history and leave it there.

I am thinking specifically of the news from Germany, the Soviet Union and even Poland. In Germany, the signs indicate that hatred is again on the rise. A neo-Nazi party is actively campaigning for support. It is not powerful and we can only pray that it will not become powerful. But it is there and it has a substantial number of loyal followers, who propagate the notion that Nazi Germany really didn't behave so badly during World War II and that Auschwitz and Treblinka are just the fiction of anti-German pamphleteers. In the Soviet Union, there are equally disquieting signs. The Jewish religion is suppressed. Jews are denied the rights given other citizens. Jews cannot emigrate to Israel. And the existence of anti-Semitism in Poland can still be documented today. For instance, the recent dedication of a monument at Auschwitz in memory of Nazi victims, found the Polish Prime Minister, himself a survivor of Auschwitz, devoting his 40-minute speech solely to the resurgence of neonazism in West Germany. The only official speaker to mention the Jewish martydom was a French Jew who spoke in French and whose views were not translated into Polish.

I am not suggesting that we are on the threshold of another wave of the kind of conditions that produced the Warsaw uprising. But I remind you of these events to convey to you that this anniversary is not simply a day of memoriam but must also be an occasion to renew vigilance. Let us enjoy what we have today in the Western World but let us not forget that we are Jews and, being Jews, that we must forever be alert to the presence of hate, the kind of destructive hate that we must resist. The kind of hate from which came that great epic of Jewish heroism, the Warsaw ghetto uprising.

After the conquest of Poland in 1940, the Germans were cognizant of two factors in their approach to the Jewish question.

First, a latent anti-Semitism already existed in Poland. Non-Aryans were tolerated but not accepted into the larger Polish community; often they were socially ostracized.

Second, the wisest tactic to be used against an enemy was "divide et impera," divide and rule. By exploiting Polish contempt of the Jew, the Germans hoped to turn Christian Pole against Jewish Pole and vice versa. If the appeal to base emotions was not sufficient, the Germans had another device ready: the death penalty to any Pole who aided or sheltered a Jew.

The Germans also had a strategy outlined for the Jews. Cleverly and systematically, they allowed the Jews to believe they were safe within their community in the Warsaw ghetto; life would go on as before. Classes were held, plays were staged, factories bustled with activity. More than that, the Germans even permitted a Jewish government, the Judenrat, and a Jewish police force, something that had never been known before in Poland.

A witness to the scene, Marie Syrkin, observed in her memoirs that "to some the ghetto even appeared as a shelter," stating that some who had escaped from Warsaw to Soviet territory, "returned to the Warsaw ghetto of their own accord. They had heard that an autonomous Jewish community had been set up in Warsaw."

Or another writer, Mary Berg, describes her reaction to the Jewish police force after 5 weeks in the ghetto:

> I experience a strange and utterly illogical feeling of satisfaction when I see a Jewish policeman at a crossing—such policemen were completely unknown in pre-war Poland.

Conditions, however, were hardly idealistic and more people began to realize this with each passing day. Jews numbering 400,000 were living in cramped and squalid quarters. Food supplies ran short, typhoid fever began to spread, nerves and fear reached new heights. The slightest provocation to the Germans meant instant death. Help from Polish friends was slow in coming—an occasional package thrown over the ghetto wall, a forged document, a temporary shelter. One factor remained constant—death, whether it was from starvation or disease or bullets. In 1942, a new element was introduced: mass evacuation of the Jews. Between July and October of 1942, about 30,000 Jews were transported to Treblinka, Auschwitz, Belsen, and Majdanek.

Any illusions the Jews once held about their fate or about German policy were now dissipated. Several people had escaped from the concentration camps and came back to relate the horror they had seen. The policy of appeasement was useless. If death had to come it was best to meet it head on and to die fighting rather than to submit passively. Suddenly, the young men took over the leadership of the remaining Jews in the ghetto. They knew no lethargy and recognized no self-delusion. In a manifesto to the world, the Jewish fighting organization declared:

> Every doorstep in the ghetto has become a stronghold and shall remain a fortress until the end! All of us will probably perish in the fight, but we shall never surrender. We, as well as you, are burning with the desire to punish the enemy for all his crimes, with a desire for vengeance. It is a fight for our freedom as well as yours; for our human dignity and national honor, as well as yours. We shall avenge the gory deeds of Auschwitz, Treblinka, Belsen, and Majdanek!

The Jewish fighting organization assembled the young and the strong, drilled them in defense and guerrilla tactics, dug out a system of tunnels and communication centers. All was done clandestinely, in the night, when no German dared to enter the labyrinth of the ghetto.

The will to fight had been awakened, what was direly needed next was weapons. A strong spirit was not enough to stop German tanks, Molotov cocktails might.

Weapons were bought, stolen, borrowed and then smuggled into the ghetto. Rifles sitting at the sides of German officers in barbershops were pilfered from underneath their noses. Hidden caches of arms were uncovered by resistance groups in forests and brought back into the ghetto. The Jewish fighting organization appealed to the Polish underground resistance, the Polish Government-in-exile, the Allies, the United Nations, everyone they could think of. They hoped that once resistance to the Germans commenced within the ghetto, all of Warsaw would respond to the spark and take up arms against the common enemy, the German.

The 60,000 Jews of the Warsaw ghetto were to be sorely disappointed. The Polish underground felt the time was not ripe for a large-scale resistance. Without adequate preparations and planning, resistance at this point could mean the destruction of all Warsaw. To risk the lives of so many to bolster the morale of the last remaining Jews in the ghetto was too great a cost. At best, the Poles could supply the Jewish fighting organization with some of their arms, some of their men, and as much psychological support as possible. Leaflets were issued and distributed through the underground. A Council for the Assistance to the Jews was established. These were all good measures but they were not enough.

The Polish Government-in-exile issued protests and the Allies signed a declaration denouncing Hitler's actions. Documents, however, would not save the remaining Jews in the ghetto.

On April 19, 1943, when the Germans entered the ghetto to finish their evacuation of all the Warsaw Jews, not passivity but a hail of bullets greeted them. The small number of Jews, poorly armed and new to the methods of war staged a last valiant stand which was to cost the Germans lives, morale, and prestige. A daily average of 30 German officers and 1,190 men were involved in the month-long operation, well equipped with tanks, guns and grenades against only handfuls of Jewish youth, equipped with homemade bombs and stolen guns. Tens of thousands of civilians were holed up in shelters fearfully awaiting the outcome. General Stroop was infuriated by this new development—the ghetto was to be razed to the ground. Planes shelled the crumbling walls from above, German engineers set buildings ablaze from below. By May 1943, Stroop could report with satisfaction that the Warsaw ghetto no longer existed.

Physically, the Jews were indeed vanquished, spiritually they had conquered. They had shown that the human spirit, despite horror and shock and disillusionment, could not be broken. Somewhere a will to fight, an optimistic vein lived on.

That optimistic vein, that will to live on in spite of grief and disappointment, these are the qualities that have enabled the Jewish people to survive 2,000 years in an inhospitable world. The Warsaw ghetto, 25 years ago, recalls many ages of cruelty. It also recalls many ages of determination and hope. The Warsaw ghetto must be a reminder that, no matter how comfortable life may appear, there is a lurking danger which may sweep every comfort away. It is only by remembering we are Jews, being alert to both the glories and menaces of holding on to Judaism in a non-Jewish world, that we will continue to survive as a people and to thrive.

"THE BITTER HERITAGE"

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, there has been a great deal of discussion about the history of our involvement in Vietnam. Recently Prof. Arthur Schlesinger, Jr., published a brief volume entitled "The Bitter Heritage" in which he went to some effort to disassociate the late President Kennedy from our present policy. In my judgment there has been a fundamental identity of principles from President Kennedy to President Johnson and I was pleased to see this continuity emphasized in a review of Professor Schlesinger's book in the New Leader, May 8, 1967, by Prof. I. Milton Sacks, of Brandeis University—one of the Nation's two or three outstanding authorities on Vietnam.

Mr. Speaker, under unanimous consent I place this item in the RECORD at this point:

CONTAINMENT IN THE POLYCENTRIST SIXTIES

("The Bitter Heritage Vietnam and American Democracy 1941–1966," by Arthur M. Schlesinger Jr., Houghton Mifflin. 126 pp. $3.95. Reviewed by I. Milton Sacks, Associate Professor of Politics, Brandeis.)

Arthur Schlesinger's *The Bitter Heritage* is not so much a book as a broadside in the domestic political controversy over Vietnam. Those looking for a work of history will not find it here; the author himself has specified elsewhere that "it is too soon to expect an authoritative account of the evolution of American policy toward Vietnam." Instead, he has chosen to provide a partisan analysis of the Vietnam war and some prescriptions, loosely defined as "De-escalation," for ending it. So it is as a pamphleteer, who with more than a trace of zeal attempts to disassociate President John Kennedy from the indictment, that he advances a scathing critique of American policy which is only partially mitigated by qualifying phrases.

The analysis rests on the fundamental proposition that the American commitment to South Vietnam is a self-created one. History, according to Schlesinger, reveals that we have always been beset by "illusions" which "continue to mislead us" in dealing with Southeast Asia. The "logic of our own history . . . prescribes two tables of priorities for the United States—one based on strategic significance, the other on cultural accessibility. And by both standards Western Europe and Latin America are the parts of the world which matter most to the United States." He then speculates that: "We could survive the subjection of Asia, Africa, the Middle East, Eastern Europe or Polynesia by a hostile power or ideology, but if either Western Europe or Latin America were organized against North America, our position would be parlous indeed. And Western Europe and Latin America are the parts of the world to which a common intellectual tradition gives us a hope of reciprocal understanding."

In view of these words, one may wonder why Schlesinger so scornfully rejects the label of "neo-isolationist" which he says the "Administration has called the critics of its Vietnam policy." All the more so, since he approvingly quotes Walter Lippmann, who has specifically repudiated his own previous "one-world" concepts to denounce the alleged "global messianism" of current American policy makers.

In any event, from these premises, the rest of the argument flows easily. In World War II, President Franklin D. Roosevelt (correctly or mistakenly, it is not clear) regarded it a vital American interest to stop the threat to Southeast Asia of a "powerful militarist state dedicated to the establishment of the Greater East Asia Co-Prosperity Sphere." Once that threat disappeared, "an internal revolt of Vietnamese nationalists, even if led by Communists" did not in Schlesinger's view "threaten all Southeast Asia." Thus we are said to have mistakenly supported the French, exaggerated the danger of Chinese intervention, invented the fallacious domino theory, and after the French defeat and withdrawal drawn a line which no "vital strategic interest required . . . be drawn where it was." In fact, Schlesinger speculates that "Had Ho taken over all Vietnam in 1954, he might today be soliciting Soviet support to strengthen his resistance to Chinese pressure, and this situation, *however appalling for the people of South Vietnam*, would obviously be better for the United States than the one in which we are floundering today." (Italics mine—I.M.S.)

This is based on a provocative new theory that the "containment of national Communism in the polycentrist sixties will be very different from the containment of international Communism in the monolithic forties. . . . The most effective bulwark against an aggressive national Communist state in some circumstances may well be national Communism in surrounding states." He stops short of suggesting that the creation of such states should become a prime objective of American policy.

Returning to the realities of South Vietnam, Schlesinger notes that once the U.S. was mistakenly committed there in the aftermath of Geneva 1954, it supported President Ngo dinh Diem. He proved to be incompetent, but his misdeeds were concealed from a preoccupied President Kennedy who "accepted the cheerful reports from men in whom he had great confidence." Then an American President, having honestly promised in the 1964 election campaign not to send American boys to Asia, was driven to repudiate his pledge because he "apparently" had not allowed for "continued decay in the military situation." The bombing of North Vietnam and the increase of American troops in South Vietnam (unhappily already numbering over 15,000 in President Kennedy's day) was begun in February 1965 to avert "total collapse," although one simply does not know if the situation "was really all that grave . . . actuality or myth."

President Johnson says he seeks a negotiated settlement, but he is wedded to a bombing policy that seemingly has no justification at all other than "transient" effects, we are told. Worse still, the President has surrendered his options to the workings of "the escalation machine," which inevitably will lead to war with China, "direct Soviet entry into the war in Vietnam," and even nuclear war. Needless to add, the Vietnam war has also divided the American people, liquidated the promise of the Great Society and raised the spectre of the revival of McCarthyism. In the final chapter matters turn out to be better than portrayed, however, and Schlesinger ends on an upbeat note in the true American lecture style.

Unfortunately, in presenting his current view of American policy toward Vietnam, Schlesinger appears to have forgotten what he forcefully wrote only a short while ago. In his personal memoir, *A Thousand Days*, he attributes Hanoi's 1960 intervention in the South to the fact that "the success of Diem's economic policies convinced Ho Chi Minh that he could not wait passively for the Diem regime to collapse." The present book simply refers to the belated character of Ho Chi Minh's 1960 intervention in the South as being due to the unreliability of the Vietnamese guerrillas in 1958. In this book, too, President Kennedy was fooled by optimistic 1962 reports from American officials. In *A Thousand Days* the Australian Communist writer W. T. Burchett, was cited to show that 1962 was "Diem's year" and that "The American advisers and the helicopter war had increased the cost of guerrilla action, and the Vietcong almost reached the point of giving up in the Mekong delta and withdrawing to the mountains."

And if we are to understand Schlesinger's current view about the strategic importance of Laos and Vietnam, what are we to make of his earlier treatment of Laos in *A Thousand Days*? "For Laos had an evident strategic importance. If the Communists gained possession of the Mekong Valley they could materially intensify their pressure against South Vietnam and Thailand. If Laos was not precisely a dagger point at the heart of Kansas, it was very plainly a gateway to Southeast Asia. . . . It was essential to convince the Pathet Lao they could not win and to dissuade the Russians from further military assistance. In view of the pacifist inclinations of the Royal Laotian Army, moreover, it would be hard to induce the Pathet Lao to call off the war. . . . But as the Pathet Lao moved forward, it became a question whether Moscow could turn the local boys off even if it wanted to. In any case, the United States had no choice but to stiffen its position, whether in preparation for negotiation or for resistance."

President Kennedy then chose to send in the troops. Why was that gesture not "overcommitment," a move toward "land war in Asia" or any of the other pitfalls invoked against our policy in Vietnam?

Indeed, why was it necessary at that time for President Kennedy to affirm that "Moscow must not misjudge the American determination to stop aggression in Southeast Asia," or the height of wisdom to assert, "We must never be lulled into believing that either power (Russia or China) has yielded its ambitions for world domination. . . . I trust the United States has learned that it cannot ignore the moral and ideological principles at the root of today's struggles." Has Schlesinger really forgotten the considerations which led President Kennedy to emphasize American limited war capabilities?

Anyone reading only this book would never know that Schlesinger had earlier concluded, as a final judgment on President Kennedy: "No doubt he realized that Vietnam was his great failure in foreign policy." Nor is Schlesinger's position any clearer when one looks back at the introduction he wrote for *The Politics of Escalation in Vietnam*, whose thesis he now apparently accepts uncritically. At that time he said of the authors, "They do not, in my judgment, give due weight to military necessities that at times have rendered an enlarged American role imperative, nor do they always see that negotiation gestures out of Hanoi can be exercises in political warfare too. . . ." Would that this sentence had found a place in *The Bitter Heritage!*

Nor is it helpful in understanding the Vietnam situation for Schlesinger to resurrect the old chestnut about the military: "The Joint Chiefs of Staff, of course, by definition argue for military solutions. They are the most fervent apostles of 'one more step.' That is their business, and no one should be surprised that generals behave like generals." It is particularly unhelpful when he goes on to cite General Ridgeway, General Gavin and others where it suits his purpose and finally to ask, "Why had our military leaders not long ago freed themselves from the omnipotence of air power, so cherished by civilians who think war can be won on the cheap?"

All of this is not to deny that there is much of value in Schlesinger's indictment. We are in a difficult situation in Vietnam and he has correctly identified many errors made in the past that plague us today. But one is forced to deplore his failure to practice what he preaches. He quite properly "hates to see intellectuals and liberals preparing the way for a new McCarthyism by debasing the level of public discussion and substituting stereotypes for sense and rage for reason." Why then attack Dean Rusk for believing in the monolithic character of Communism when the State Department has not held that view for a number of years?

Of course, Schlesinger offsets the logic of some of his own positions by opposing simple withdrawal and recognizing that "military action plays an indispensable role in the search for a political solution." He even goes so far as to affirm that "We must have enough American armed force in South Vietnam to leave no doubt in the minds of our adversaries that a Communist government will not be imposed on South Vietnam by force."

But the main thrust of his arguments, unfortunately, stems from his basic position that our commitment in Vietnam was wrong to begin with, and that all of our actions should be guided by George Kennan's judgment that "There is more respect to be won in the opinion of this world by a resolute and courageous liquidation of unsound positions than by the most stubborn pursuit of extravagant or compromising objectives." The debate Schlesinger has joined will find its ultimate resolution in the future as a consequence of the sacrifices that brave Americans are making in the defense of South Vietnamese freedom, and peace and stability in Southeast Asia. We shall all see whether in accomplishing that objective, we have indeed won more respect in the opinion of the world.

ROBERTSON: 20 YEARS AS CHIEF PAGE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. MONTGOMERY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, the office of the Doorkeeper of the House of Representatives under the direction of William M. "Fishbait" Miller has a very capable and efficient staff. It is my pleasure to call to the attention of the Members a recent article in the Roll Call commending a very important and capable staff member, Turner Robertson, majority chief House page:

ROBERTSON: 20 YEARS AS PAGE

(By Lorraine Petty)

Turner N. Robertson, celebrating his 28th year on Capitol Hill, says the House Page System hasn't changed much, in the 20 years he has served as Minority and Majority Chief Page.

There are still exactly 50 pages, although the current group is a little older. They still run errands for House Members and they still work long hours and follow the same procedures, under the supervision of Robertson and Tom Tear, present House Minority Chief Page.

But Robertson, after these twenty years, may see major changes in the page system. The Congressional Reorganization bill, now before the House, would require pages to be high school graduates. House pages now must be at least high school juniors. If the measure is passed, the Capitol Page School would be phased out, as present pages graduate.

Lack of after-hours supervision and long working hours for the young boys, plus Congressional reluctance to authorize spending for a new school-dormitory, led to the new minimum age proposal.

Critics say unexpected problems may result from raising the age, without increasing the number of pages.

At 18, they point out, boys are usually either headed for college or the draft. Finding page applicants then might be difficult.

Others wonder whether college students could spare enough time to work the long hours required by Congress. Current pages go to classes from 6:45 AM to 9:45 AM and are on duty the rest of the day until the House adjourns. Even part-time college students couldn't arrange such early class hours. Two shifts of 50 pages each, might be necessary if college students were used.

Some critics also suggest college students might not be quite as enthusiastic about performing menial tasks.

The tasks, according to Robertson, have remained the same, over the past 20 years, but the workload has increased. The physical number of pieces of legislative materials has increased and pages now cover a wider territory since the Rayburn HOB and the New Senate Office Building were built. "Service is still satisfactory," says Robertson, "but not as quick."

Pages duties include placing under each Member's chair, copies of the Congressional Record and all bills, reports, hearings and other materials related to legislation up each day for House consideration. Thereafter, pages await the call of House members, who ask them to pick up and deliver a vast assortment of items (all within the Capitol Hill complex).

Robertson, who supervises the 30 pages serving Democratic House members, came to Capitol Hill April 6, 1939. For the next 10 years, he held a series of patronage jobs under Rep. John H. Kerr (NC).

Then House Minority Leader Sam Rayburn (Tex) appointed him Chief Minority Page on Jan. 1, 1947. He became House Chief Majority Page when Rayburn was made Speaker; then reappointed by current Speaker John W. McCormack (Mass).

A number of his former charges became Members or Hill aides. Rep. David Pryor (Ark) was once a page under Robertson's supervision, as was former Rep. Jed Johnson (Okla). Robertson also recalls two Congressional staffers who were once in his charge—Lee McElvain (Aspinall, Colo) and John Henry (Pryor, Ark).

THE CUBAN HOAX AT EXPO '67

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FASCELL. Mr. Speaker, during the next few days, newspapers throughout the country will focus attention on the opening of Expo '67, the World's Fair marking the Canadian centennial. One exhibit which is bound to attract much attention is that sponsored by the Castro Government of Cuba. Indeed, in yesterday's New York Times, an article by John Lee pointed out that U.S. citizens visiting the fair can "enjoy Havana cigars or Cuban rum drinks" even though the purchase of such items "either for consumption in Canada or import into the United States would constitute technical violation of a law prohibiting trading with the enemy."

Communist bloc nations have in the past used such international exhibitions for propaganda purposes; Expo '67, to be sure, will be no exception and, in fact, will offer the Cuban Government its first opportunity to show off its wares at an exhibit of this type in the free world. A poignant statement by Mr. Inocente Andrés Collazo Toledo has been brought to my attention. It concerns, among other things, the outright deceit which has been employed by the Castro regime in assembling its exhibit.

Mr. Collazo formerly served as the representative of Cuban Chartering Enterprises in London, a post he had held since January of 1964. His responsibility in that post was to charter free world vessels for the Cuban sea trade—not an easy task in view of the effectiveness of the Maritime Administration's blacklisting and the boycott action of Western Hemisphere dockworkers against vessels involved in the Cuban trade.

Last month Mr. Collazo asked for—and was granted—political asylum by the U.S. Embassy in the British capital. In the aforementioned statement, given to the Economic Research Bureau of the Movimiento Unidad Revolucionaria, he points out that, while he was serving in London, he came into contact with a Cuban official whose mission in London was to purchase stereo components to be displayed at the Montreal fair as Cuban-manufactured consumer items. The deceit is further compounded by the fact that not even the wood for the cabinets to house the stereo equipment is of Cuban origin; the latter was purchased in the Congo. Thus, a non-Cuban item will be displayed as if it were entirely of Cuban manufacture.

Worse still is the fact that to the casual observer it will appear that such items are available to all Cuban citizens. This could not be further from the truth. As Mr. Collazo states:

> The government will display a number of Cuban products [which] the Cuban people have never heard of.

Mr. Speaker, I believe all of our colleagues should take time to read Mr. Collazo's statement as its scope is much broader than just Cuban participation at Expo '67. He confirms the effectiveness of our policy of virtually isolating Cuba economically and, at the same time, he adds emphasis to the widely held belief that the Cuban economy is in a completely chaotic state. I trust that all of our colleagues will afford themselves the opportunity of reading the statement by Mr. Collazo.

Mr. Collazo's statement follows:

STATEMENT

My name is Inocente Andrés Collazo Toledo and in January 1964 I was appointed CUFLET (Cuban Chartering Enterprise) Representative in London, England, a position I held until March 1967, when I defected.

When I left Cuba in January 1964 I left behind a bad situation, both in the political aspect and in the economic aspect, but some of us still doubted that this was the end of the Revolutionary promises we had heard; some of us still had some hope.

In December 1965 I returned to Havana for a two month vacation and this is when I realized how bad things really were, because although reports reaching me in London described the situation, they fell short of the real picture I had the opportunity to see.

Scarcity was widespread. Little food and less variety even among Cuban crops, no shoes, no cloth. I arrived in Cuba just after Castro's announcement about the free exit; he had said in September that all those who wanted to leave the country could do so without fear of reprisals and that he would set up facilities in Matanzas province in order that those having relatives abroad could be picked up.

I guess that Castro had figured that a few thousand would take advantage of his offer, but I am sure he never realized what the true situation was. From his point of view, it would be an embarrassing situation for the United States, but his offer became a boomerang that came back and hit him. For a moment it seemed that everyone was going to leave, so the government started to make it tough for those who wanted out.

These measures were not even popular with government officials, because everyone had some relatives who had applied for exit permits and papers and who had therefore been fired from his job. For one, I had the opportunity of getting a close look at these measures as my own sister had applied for an exit permit and I witnessed the treatment she received from the authorities. For example, when they went to her home to make the inventory of the furniture she was kicked out of the place and not even the food on the stove was she allowed to take with her as she left. The government officials shouted at her when after interviewing her to see if she wanted to remain, she refused and insisted on leaving. Thank heavens she was able to reach the United States and now, after more than three years we have been reunited here in Miami.

I returned to London completely frustrated with the Revolution and convinced that whatever hopes or even dreams I had had before were impossible. I was sorry for all those left behind in Cuba. By February 1967 I had reached a determination: I had to break loose from the Cuban government and I would ask for political asylum from the United States Embassy. It had taken me some time to reach this decision. I had had my doubts and I had been concerned for the uncertainties of the immediate future. But, I could not postpone abandoning my post any longer. I had to take this step, and now I am very happy to have taken it.

This is a summary of the mental processes through which I went before defecting and about the present tyranny that enslaves the Cuban People. I could of course mention its evils, its constant abuses, and its disregard for the dignity of man. I suppose that every one of my fellow countrymen who reach freedom can write a book of his own about this, so I will not extend myself on this subject. However, I am more than happy to answer any questions along this line.

With regard to the economic situation of Cuba, there are a number of facts I came across during the time I was CUFLET Representative in London. I will not refer to all of them, but I will point out some and later on I will be more than pleased to answer related questions.

CUFLET

My task was to charter free world vessels for the Cuba sea trade in order to cover the deficit resulting from the shortage of Cuban and Communist Bloc vessels to handle the volume of trade, and I can add that my task was not an easy one.

The number of shipping firms that are willing to deal with the Cuban government is very limited. The measures taken by the U.S. Government through the "Black List" set up by the Maritime Administration of the U.S. Department of Commerce is felt throughout the free world shipping circles.

The boycott action decreed by the dockworkers of this Hemisphere against vessels flying the colors of countries involved in the Cuba trade has also had its effects. As soon as the boycott started some British shipping firms that were at the time considering the possibility of entering into the Cuba sea trade, but that also had regular routes to Latin America, cancelled any such plans.

Another source of harassment are the reports on the Cuban economic situation and free world shipping with Cuba released by Cuban exile organizations. For example, I had the opportunity of seeing several of the newsletters and releases of Unidad Revolucionaria, especially those concerned with shipping. I remember that when Unidad Revolucionaria put out the exposé about Tsavliris shipping firm that firm called me and said: "Here, look at what your friends from Miami keep sending us". Tsavliris is one of the very few free world shipping firms presently chartering vessels to the Cuban government, and thanks to this trade he (Georgios Tsavliris) has been able to expand his maritime business, because after starting out with only two or three vessels he now operates about 12 and has started a salvage enterprise with bases in Greece and the Azores.

When I was in London, most of the charters were made with the following companies: Tsavliris (Tsavliris Shipping Ltd.), Frangistas (Franco Shipping Co. Ltd.), Vlassopulos (Vlassopulos Ltd.), Livanos (John Livanos & Sons Ltd.), Purvis Shipping (Purvis Shipping Co. Ltd.), and Walter Runciman & Co.

Up to 1965 I handled almost 100% of the charters made by the Cuban government through the London CUFLET office. But after that, one of the Greek shipping firms (Frangistas) started to deal directly with CUFLET's Havana office. My experience was that these types of operators charge 20 to 30% over the current charter prices, thus making money at Castro's expense since he has to depend on them for trade transport even if they charge more and even if they use old World War II vessels that suffer constant breakdowns like in the recent case of the Newglad and Newmoat—both belonging to Tsavliris—while on their way to the Persian gulf in December 1966.

Things are worse. I already had received news in London about the measures taken by the Greek government against shipowners and captains of vessels involved in the Cuba sea trade, and to my understanding the owners and captains of the following Greek vessels have been brought to Court: Irene, Barbarino, Alice, Pantanassa, Roula Maria, Sofia, Tina, Eftychia, Andromachi, Kyra Hariklia, Nikolas F., and Nikolis M.

Just as I defected I heard that Frangistas was trying to back away from the Cuba sea trade despite the fact that in 1966 he had visited Havana personally and had promised that the vessels he would be receiving from the Soviet Union would be placed in charter to CUFLET, as was the case of the first one, the Eftychia.

MAMBISAS

Through my work with CUFLET I came in contact with Mambisas (the official Cuban government shipping enterprise). Mambisas has its European offices in Rotterdam, Holland, but they came to CUFLET in London for freight and charters, because many of their return trips to Cuba from the far East were made in ballast.

The new Spanish-built vessels have helped out, but to our surprise, they suffered numerous breakdowns. Further, the defection of 42 officers and crewmembers (including 6 Masters and 10 Chief Engineers) has jeopardized the operation of the merchant fleet.

The Cuban government has been unable to train qualified personnel to replace the officers who have defected. A good example on how this affects the enterprise is the problem with the diesel and fuel oils. Fuel oil is cheaper, much cheaper, than diesel oil; yet, the Cuban vessels have to use diesel oil because their engineers are incapable of operating the ship with fuel oil.

The present partial solution adopted by Mambisas has been to hire eight Soviet Masters, eight Engineers, and fifteen Mates to operate the Cuban vessels.

TRADE

I am no economist or trade expert, but having been three years in London in a Cuban government enterprise I was able to come across numerous government officials who went by and sat with me for a while. And on these occasions we would discuss Cuba. Besides, my trips to Cuba gave me a good insight.

The Cuban economy is in chaos. Let me tell you how things are played up for propaganda purposes. I remember that in 1965 when I was in Havana the authorities were getting ready to hold the Tri-Continental Conference. The government was very busy tidying up the main streets through which the delegates would be taken: La Rampa, Malecón, Galiano, Reina, Monte, Belascoain, and others. It was more or less what they do in Hollywood in the pictures. The set was a facade. The few products available were displayed in the shop-windows, and when no products were available huge revolutionary posters in gay colors were the substitute. You should have seen the streets a block away—empty as ever.

A similar show is the one that the Cuban government is now attempting to put up at the Expo 67 fair in Canada. The government will display a number of Cuban products the Cuban People have never heard of. I met an official who had gone to England to purchase some "Garrard" record-player equipment with which to build several consoles and display them as part of Cuban export products.

To give you an idea about the whole situation, let us take the case of the record-players. The equipment will be purchased in England and even the wood will be imported and for this purpose the Cuban government is now holding talks with Congolese officials (Brazzaville). Hardly a Cuban industry.

Of course, coffee, meat, lobster, fruits, and vegetables—not available for consumption in Cuba—will be available.

It is my own conclusion that Cuban government officials—with the exception of Castro—are convinced that the sugar industry will be unable to pull the country out of the economic crisis, so they are attempting to export anything as long as it means a hard currency revenue: meat (to Italy and Spain), lobsters, fruit and vegetables, furniture, coffee, and the record-players. Not to mention sugar and tobacco.

From talking with other Cuban officials I also concluded that no one knows where the government is heading, nor do they understand what is happening nor what will happen in the future. Perhaps they are too close to see reality. Perhaps they are too much involved in their daily work.

Luckily, I am out of there!

THE TEACHER CORPS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, recently, a poor youngster in Dade County, Fla., was asked what he thought of a class run by members of the Teacher Corps.

"I like it in that class," was the child's reply. "I'm smarter in there."

That comment from a problem student in a low-income school in Florida illustrates some of the findings of a recent study of the Teacher Corps conducted by the National Advisory Council on the Education of Disadvantaged Children.

The Council has found:

> Positive warm personal rapport between adult and child is invariably an element in the disadvantaged child's success in the classroom.

This "rapport" is the secret ingredient in the success of the Teacher Corps. The main value of the Corps, according to the Council:

> It is an instrument for harnessing the idealism of an unusual group of young people who, but for the Corps, would never have been drawn to the teaching profession. In apparent contrast to the majority of certified teachers, these young people prefer to work with the special challenge of disadvantaged schools. Through the Teacher Corps, they can put their dedication and their abilities to work in the service of the Nation, the school, and the needy child.

The findings of this national study were graphically depicted in schools in my own State of Florida. A newspaperman working for the Miami Herald described a Teacher Corps man in Dade County as "so excited about teaching you'd think he invented it."

They may not have invented teaching, but they have helped many children discover "how to feel smarter in class."

Each Teacher Corps project in the Nation can show they have succeeded, show where their zeal has excited young minds into accepting the challenge of learning for the first time.

Soon to come before us is the legislation that would enable Teacher Corps men to carry on this invaluable work, and to go into more of the slum schools in our blighted neighborhoods. I would encourage my colleagues to think of the Corps not as a faceless fellowship program, but a dedicated army of young teachers who want to reach these problem children and show them that the way out of their poverty is by learning.

> The National Teacher Corps—

Says the Advisory Council's report—

> is too badly needed and too promising to be either discontinued or treated as a tempo-

rary stopgap. Of all the present investments of public effort, few are likely to yield so large a return.

Mr. Speaker, I insert at this point in the RECORD a copy of a letter from Mrs. Janet Dean, president, Dade County Classroom Teachers Association. Mrs. Dean's letter indicates the strong support that the National Teacher Corps is receiving among its colleagues.

The letter follows:

DADE COUNTY CLASSROOM
TEACHERS' ASSOCIATION, INC.,
April 10, 1967.

Congressman CLAUDE PEPPER,
Cannon House Office Building,
Washington, D.C.

DEAR SIR: I would like to share with you our concern for the future of the National Teacher Corps. Perhaps I can best do this by bringing you to date on the contribution being made by the NTC teams here in Miami.

Florida has only ten of the special NTC teams—seven in Dade County and three in Broward—working in conjunction with the School of Education at the University of Miami. Every indication that we have points to the success of these special teaching teams. We feel that one of the most valuable contributions made by the program is the experience and training it provides for the intern teacher—training that is not available in any school of education. Student teachers generally learn how to teach the middle-class child. In general, teaching texts are also pointed toward the average middle-class student. As a result, no teacher is ever really prepared for what he will find in teaching the disadvantaged child and few for the gifted child.

The intern teachers we now have in the NTC program in Dade County tell us they are getting superb training. Even more important perhaps, the teachers of the classes from which the children who work with the NTC teams are selected, tell us the real test of success is met. We have learned that the real test is not what happens in the special class, but what happens when the child returns to his regular classroom. A second grade teacher in one of our Dade County Schools sent fourteen of her pupils to the NTC classes. She said, "When they returned, ten were able to continue with the regular studies while four continued to need special attention. But the biggest change has been in the children's attitude. They are much more interested in learning." One of the children who had attended a special NTC class said, "I like to be here. I'm smart in here."

This change in attitude about himself may be the most important contribution any teacher can make to a child who is not successful in school or in society. We are becoming increasingly aware that the difficulty in learning to read is just one part of the complex problem the teacher faces when working with the disadvantaged child. We find that before he can learn to read, he must learn to value reading and before he can value reading, he must learn to value himself.

President Johnson's proposal to extend and enlarge the Teacher Corps is very heartening to all of us who are concerned with and about children. I would urge you to do whatever possible to support the expansion and funding of the National Teacher Corps.

The Dade County Classroom Teachers' Association appreciates your support of education. You will be pleased to know that our present membership of 7,800 continues to make us the largest local association in the nation and I am sure I send the good wishes of our membership to you as I send my own.

Sincerely,

JANET DEAN,
President.

A REPORT ON THE JOB CORPS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GIBBONS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GIBBONS. Mr. Speaker, Tom Campbell, publisher of Iron Age, the national metalworking weekly, has spent considerable time and effort studying the Job Corps. He has visited a number of centers and talked with both officials and Job Corps enrollees. His editorial and article, "Industry and Job Corps Salvage America's Rejected Youth," presents a comprehensive look at the Job Corps.

I urge all Members to read these articles, which follow:

THE JOB CORPS PAYS OFF: BY RE-CREATING HUMAN DIGNITY!

(By Tom Campbell)

If you are hidebound in your opinion that industry and government can't work together in some areas, forget this piece. And don't read the one inside on the Job Corps either.

But if you believe in miracles, be with us for a little while. If you don't believe what you read at least you will be shaken up. That we guarantee.

Perhaps your first thought was—as was ours—that the Job Corps was a mammoth leaf-raking boondoggle. Most of us let it go at that. Some columnists, editors, hatemongers, youth detractors and hostile people condemned something they knew nothing about.

We had a second thought. It stemmed from the lucky breaks we had along the road of life since 1923. Then, Herb Graham, chief inspector at the Southside plant of Jones & Laughlin Steel Corp. (who later was research vice president) gave us our first chance. Since then we have known hundreds of men who would have said, "Hire that guy?" But he did; and we got our start.

Later, Dr. Donald A. Laird, Psychology Dept., Colgate University told us, "Tom you can always break into print if you chew hell out of something 'different.' If you have a message based on fact and good will, chances are few—if any—will listen to you." It's still true today.

We checked, interviewed, read thousands of words, saw copies of letters from Corpsmen, looked over the guys running the show, analyzed the budgets, threw quickies at the brains of the setup, made several fellows miserable, changed our own ideas often—and came away convinced.

We were convinced that something that should not have happened—according to sterile, formal and prejudiced rules—not only happened, but it worked. And man, if something works to the benefit of all, don't flyspeck it, argue with it or waste time trying to discredit it. If you do, you will find your "listeners" are "out to lunch."

In case you didn't know it, top industrial companies have contracted to make the Job Corps a success. With the help of government Job Corps people, American industrial giants have succeeded in giving dignity, jobs and a purpose to society's castoffs.

The success has been so strong spiritually—as well as economically—it is living proof of modern day miracles.

INDUSTRY AND JOB CORPS SALVAGE AMERICA'S REJECTED YOUTH

(The Job Corps has been called everything from a boondoggle to a Federal reform school. And, from past experience, was a predictable failure. But it isn't a failure—for one reason: People.)

(By Tom Campbell[1])

"The Job Corps has been called the greatest sociological experiment of the century. This project not only teaches marketable skills, but also creates an entirely new environment for dropouts . . . The Federal government, I believe, was wise in soliciting industry to help in solving that particular problem. We have the capital, the manpower, the skills, technology and the desire to get the job done." (Harold S. Geneen, president ITT.)

Take a youngster 16 to 21 years old. He (or she) is a dropout and unemployed. He (or she) probably comes from a broken family—or no family at all. Maybe a police record is involved. He (or she) may be alienated or hostile—or both.

Who cares? Few people, if anyone. Schools want him to conform. Society calls two strikes against him right off the bat; and watches like a hawk. Many companies spurn him—and naturally he spurns them. In many cases we studied, he rejects himself.

Someone Cares. He hears about the Job Corps. Its camps are, in most cases, run by the biggest corporations in the nation. The United States Employment Service looks him over. He gets accepted.

He or she is cleaned, screened and told what's what by a counselor who has been picked by the company and approved, aided, and briefed by the Job Corps.

Now, someone does care—maybe for the first time. This is his first real chance to be salvaged. Or as Vice President Humphrey says, "It may be his only and last chance."

Industry's Role. The boys go to one of 11 major camps, each run by a civilian contractor; of these, nine are large business companies, one is a joint university-company venture and the other is run by a state agency. Unique, eh? Especially when one is led to believe that universities are interested in youth?

The girls go to one of 14 camps or centers, most of which are run by American business companies. Both the men's and girls' camps are urban organizations.

In addition to these are conservation camps where $38 million dollars in conservation has been accomplished already. And besides conservation, these boys are taught trades and educated.

"It is still too early to judge, but we assume, based on our experience, any reasonable degree of success of the Job Corps program will be one of the best investments America could make."

And, "70% of these boys at Camp Parks came from families on relief. Furthermore, 40% of their grandparents were also on relief. If we can break that cycle and can make them tax producers, instead of tax consumers, we have added greatly to the strength of America." (Charles B. Thornton, board chairman, Litton Industries.)

Stick-to-It Rate. Of this major group of society's "we-don't-want-them," about 70% stick to the Job Corps until "graduated." They are trained for a trade, reach for a high school diploma (and get it), become a forester, return to school, go to work for the Corps or join the Service. Recently a fellow classed as a stupe by his former pals, his former school, and by many others, landed a job as cook for a large Corps camp. Today he makes more than his dad, is happy and is completely salvaged.

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[1] Inside for the Story:

For nearly all of his working life, Tom Campbell has earned his living only one way—by knowing people; knowing what motivates them and why; knowing how they'll react and why; in short, knowing them from the inside—not just the outside.

He spent seven years in industrial and employee relations with Bell Telephone Company of Pennsylvania. This only whetted his appetite for people. He has spent the last 31 years writing about them for Iron Age. And along the way, he has been active in various youth groups.

The result of all of these experiences is this intensely personal report on the Job Corps.

Latest figures compiled (and audited) a few weeks ago show: 4637 or 73% of the Corpsmen have jobs because of rehabilitation and teaching at the camps; 1115 or 18% are in the Service and 594 or 9% went back to school after being upgraded by the Job Corps.

PROFILE OF A TYPICAL ENROLLEE ENTERING THE JOB CORPS

Education: Reading score: 4.7 grade level; Years of school: 7

Health: 80% have never seen a Doctor or Dentist; 7 lb underweight.

Previous Behavior: 63% no previous record; 27% minor anti-social behavior; 10% had 1 serious conviction.

Family Pattern: 45% from broken home; 65% from family where head of household unemployed; 50% from families on relief.

Earning Capacity: 90% unemployed; 10% employed at an average of 80¢ hour.

About $140 million worth of contracts held by leading business companies are now in effect. A profit of around 4.5% is realized after the bugs are out. A hardnosed accounting department in the Office of Economic Opportunity goes over the bills and budgets of the Job Corps with a fine tooth comb—and a magnifying glass. Result: an outfit as tightly run as any business.

The Dropouts. *Before I forget;* many will want to know what happens to the 30% "lost" souls who can't make the grade in the Job Corps? Remember all Job Corps acceptances were taken off the bottom of the totem pole—white and non-white. Here's a rundown on the dropouts:

1. *Sixty percent of the dropouts were* indirectly helped by their short stay in the Corps. They either went back to school or got a job as a result of their short "adoption."

2. Thirty percent of the dropouts were referred to proper psychiatric, psychological or hospital centers. Half have been salvaged *and are on their way to becoming* taxpaying members of society; something that wouldn't have happened if they hadn't joined Job Corps in the first place.

3. Of the remaining 10% of Job Corps dropouts, most had eye, teeth and medical corrections and are now telling their sisters and brothers, "Maybe I didn't make the grade, but if you have any sense or guts you better stay in school or you will wind up an outcast and a complete failure."

Personal Approach. One good reason why the Job Corps has such a personal and practical communication with former Corpsmen is due to Dr. David Gottlieb, an associate director of Job Corps. He flits in and out of camp after camp—and doesn't miss a trick.

This guy is trusted and liked by the entire Corps. Some people in education don't care too much for Dr. Gottlieb because of his unorthodox teaching ideas. (He got his Ph.D. in Sociology so as not to upset his educated family, almost all of whom were big domes and successful Ph.D.'s and what have you.)

Dave sees that Corpsmen are trained, taught and cared for at their learning pace and as individuals. That's the main difference between the JC and school.

In the latter you toe the mark as a member of the "group". If you don't, you get the can tied to you, pushed ahead because of physical size or get disgusted and drop out of school. When you do that you are a dead duck, an outcast and a ready pigeon for the police blotter, skid row, drug addiction or human degradation.

From the Top, Down. Dr. Gottlieb ought to know this. He was a dropout himself. Before he went back to school (and eventually got his degrees, wrote books about kids, and became a down-to-earth consultant on youngsters) he went through what they go through: Broke, a bum, a seaman, a cook or a job at anything that made a few bucks. So he knows all the "things" to expect—and correct.

What's that you say? "Why didn't—or doesn't industry come out and yack about its success?"

Some do. But they were scared stiff—at first. They worried about the effect on their image, etc.

But Litton Industries, General Electric, Westinghouse, U.S. Industries, IBM, Federal Electric, Thiokol, RCA, Burroughs, Xerox and others are 100% for JC. They ought to be: They learned how to make it work. Their originial top kicks are strong for it and they can't let go of a tiger—if they wanted to.

Implicit Trust. About the "horror"stories and the "scandals" and the fights, etc? What would you expect from a group that society as much as told to go to hell and burn? Dandies?

You can match the small minority of JC troublemakers (who come out okay in the end) with any underprivileged, privileged or overprivileged group in San Francisco, Rochester, Pittsburgh, Cleveland or any other "nice" place. I know. I've been there.

When I went to the main headquarters in Washington, to shake out some of the answers to the questions I had about the Job Corps project, one thing stuck out: The informality and the implicit trust the various people had in each other.

FANCY—AND FACTS

Certain myths and errors have grown up around Job Corps during the past two years. Here are the most common errors and the facts.

1. The high cost of Job Corps training.

Fact: Present costs range from $6090 for nine months (the average length of stay) to $8120 for a year; next year, these will drop to $5825 and $7765. These costs include everything—capital costs, administration, food, clothing, transportation, medical and dental care, pay and allowances. Common *misstatement is that Job Corps costs more* than college. However, college tuition is only about a third of the cost of a year's college education, with rest made up by grants and endowments. College tuition does not cover many items included in Job Corps costs.

2. Job Corpsmen don't stay in the program.

Fact: More than 70 out of every 100 complete their training. Retention rate is remarkable in view of dropout history of Job Corps volunteers and compares favorably with other school programs.

3. Corpsmen riot and are in constant trouble with the law.

Fact: The arrest rate for all Job Corpsmen since program began is about 3.5%, which compares with the national average of 6.5% for this age group. The number of "incidents" involving Corpsmen and women has been relatively low but any fracas involving them gets undue attention in press.

4. Corpsmen shouldn't get legal service in case of trouble.

Fact: Job Corps believes its volunteers are entitled to the same basic protection of bail and representation as all other Americans. Bail is paid for by the Corpsmen; maximum limits are set on legal fees and Corpsmen also pay part of this.

5. Job Corps staff members are paid unusually high salaries.

Fact: Job Corps salaries are carefully scrutinized. It must be remembered that Job Corps teaching is year-round, often week-long, with few fringe benefits and no tenure, compared with 9 to 10 month years of conventional teachers.

6. A new program is not needed; let the regular schools do it or have industry train them.

Fact: Most Job Corps volunteers are youngsters that regular schooling could not reach for one reason or another. Completely new techniques and materials are needed to teach them. Many require reading and arithmetic teaching before they can be taught work skills; most need to be taught proper work habits and attitudes, and need the motivation to go on.

7. There are plenty of jobs; let these youngsters find them.

Fact: Uneducated and undereducated, untrained, these young people do not have the tools to find and hold meaningful, regular work. Less than 10% had worked before coming to Job Corps, although nearly all had looked. Most worked short-term or part-time jobs. Without Job Corps or a similar program, most of these young people would remain on the human slag heap, winding up on welfare or in a correctional institution. The modest investment in these young people will be repaid many times over when they become working, taxpaying, self-sufficient citizens.

"I think that jobless youth is a problem that belongs to America—not to government, not to education, not to charities; but to America as a whole As a consequence, I think that part of that responsibility rests squarely on industry.

"It seems to me that economically, any investment to get these youngsters off the street, and proud of themselves, and earning, is certainly worthwhile for all of us." Thomas J. Watson, Jr., board chairman, IBM.

Most unusual. After 31 years in the reporting business, this struck me as quite unusual in either government or business.

So much did this bother me—in view of the concrete evidence of the success now being realized—that I bugged Dr. Gottlieb unmercifully. The air was pretty hot for a while.

The truth was finally out. Dr. Gottlieb, his bosses in Washington, and the counselors and head guys in the camps do what they think is best. They're not hamstrung by a set of fancy rules made up by someone in an ivory tower.

This applies even to the public affairs department—*another name for public relations.* Most of the guys and gals there are former hard-nosed newspaper people who give you what you ask for. There wasn't anybody sitting on their shoulders Okaying what they said—or asking them why they said it, and why they let an outside reporter run ragged through their department.

Analysis of the first 5,000 placements: [1]

	Percent
Occupations	70.1
Professional, technical, managerial, etc.	3.1
Clerical	7.2
Service	12.6
Farming, fishery, forestry, etc.	5.2
Processing	3.6
Machine trades	8.0
Bench work	6.5
Structural work	14.4
Armed Forces	20.2
School	9.7

[1] Average hourly wage of those on jobs is $1.71 per hour, compared with 80 cents an hour by the less than 10% who worked before coming into the Job Corps.

About 60% of those placed in jobs came from the men's urban centers.

Good—or Else. It was pretty clear to them that your reporter was going to write as he saw it.

But there still was some ingredient that was responsible for the thing that made the project click. It was true that some Senators tried to put the blocks to the Job Corps—because of integration—but this failed. It's true that Vice President Humphrey not only knew what was going on, but he put the full weight of his office and that of several Senators squarely behind the project.

What Makes It Click. After about 3½ hours of sweaty yakkity yak, we found the missing ingredient. Sergeant Shriver—the top bananaman—decided early in the game that the Job Corps could never get off the ground if it was bogged down by griping, partisan criticism and some good old political torpedo activity.

Mr. Shriver knew his way around before he hit the government. He was smart enough to realize that if he took full heat from newspapers, reporters, Congressmen, and those who would rather die than see integration, the Job Corps idea would not only work, but business companies could get the bugs out and realize a payoff.

Seeing Is Believing. A visitor who knows his onions can sense that his particular project has a minimum amount of fly-specking instructions and ruses set up by people who wouldn't know a person from a hole in the ground—especially the kind of rejects they get into the Job Corps.

You have to see it to believe it. Once you read hundreds of letters from fellows who a year ago didn't amount to a hill of beans to themselves or society, you are sure business and government can cooperate on any project which requires fresh, new, and trial-and-error thinking.

The test: Does it work? The answer: After a thorough check by this writer. Yes!

THE TAX-FREE FOUNDATIONS WAR

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RARICK. Mr. Speaker, last week, in extension of my remarks, I obtained leave to print chapter 8 of the ignominious prowar report against Africa, devised by the Carnegie Foundation for International Peace.

While this foundation is tax free and contributes nothing to relieve the tax burden borne by our people, it is not hesitant in calculating how much tax money and even the number of casualties—American boys—we should sacrifice in any military measures against our friends in South Africa.

If this anti-American front can use its billions, without being a good taxpayer, to tell us where to spend our money and get our boys killed, something smells in New York and Washington, D.C.

This outfit has also dreamed up the new educational TV monster—also tax free. What will it teach—hate Africans and where to do war to appease its insatiable appetite? Congress needs to act, and fast, to eliminate these alien foundations from tax exemption and to investigate warmongering activities. They are a danger to freemen the world over—hiding behind such a fancy title as "International Peace." Andrew Carnegie would turn over in his grave if he were to see the shenanigans being suggested against the people by these "police state liberals."

I include the appendix to the Carnegie booklet on "Apartheid" be printed following my remarks:

Appendix—Collective Military Measures: Some Calculations

In Chapter 7, figures were cited as to the estimated costs of various kinds of collective measures and as to estimated casualties. The manner in which these estimates were derived are described in this Appendix.

COST ANALYSIS

Cost estimates of a contemplated operation would be an essential part of the overall planning by a United Nations force staff. Each operation would have to be examined in minute detail in order to arrive at aggregative cost data. These in turn could be used for assessment purposes. Admittedly any cost analysis would rely heavily upon past experiences and involve many crude estimates. Nevertheless, some attention to costing is necessary to appreciate the magnitude of financial resources required. Furthermore the costs themselves would be an element in the policy formulation stage.

In this section, cost data of a *type* blockade force and a *type* military force will be estimated. Ascertaining the costs of all contemplated operations would be beyond the purposes of this study.[1]

The United States experience in the Cuban quarantine provides an illustrative example to formulate criteria for blockade costs against South Africa. These figures are crude estimates of the costs incurred by the United States during the entire period of the Cuban quarantine. According to Admiral Anderson, Chief of Naval Operations during the period, "some 180 ships were directly involved at the height of the Cuban operation."[2] The total estimated cost of the naval operations (including naval air units) for the 28 days in which the quarantine was in effect was approximately $44,500,000.[3] *The New York Times* estimated that the warships actually on station during the blockage period included 3–5 aircraft carriers and a total of 40–50 other warships.[4] (The differences between the *Times* account and that of the *Hearings* was presumably in the number of auxiliary and support ships involved. The 180 ships probably refers to the total ships, including support and auxiliary vessels.)

It is interesting to note that the Cuban coastline is approximately 1,600 miles (that of South Africa, approximately 1,800 miles). The blockade was a partial one, e.g., a quarantine that was essentially a stop-and-search operation to prevent contraband cargoes from entering Cuban waters. Several other factors should be borne in mind. Cuba is located a very short distance from the continental United States. Bases and other facilities were already in existence for the staging and maintenance of military units. And, of course, the Cuban quarantine was an action by a cohesive national military force. The ability of the Cuban military forces to retaliate or contest the blockade was quite limited.

A more detailed cost estimate of individual ships and naval aircraft, in conjunction with the overall cost of the Cuban operation, will assist analysis of a South African operation. The figures are annual operating costs of the vessels, including estimates of support by other vessels, and are based on the assumption that the vessels are prepared for sustained combat operations.[5]

Type of vessel	Cost per year	30 days (cost)	120 days (cost)
Carrier	$14 to $17 million (average $15 million)	$1,250,000	$5,000,000
Destroyer	$2 to $3 million (average $2 million)	208,000	832,000
Submarine	$2 to $4 million (average $3 million)	250,000	1,000,000
Attack transport	$2 to $3 million (average $2½ million)	208,000	832,000
Support ship	$2 to $6 million (average $4 million)	333,000	1,332,000
Cruiser	$6 to $10 million (average $8 million)	666,000	2,664,000

Operation costs for naval aircraft including support of and readiness for sustained combat operations are as follows:

Fighter/bomber (jet aircraft) $300,000 to $600,000 per year aircraft (average $450-000)

30-day period $37,500

120-day period $150,000

In Chapter 7 it was estimated that a force of 50 or more warships with 300 aircraft would be needed for blockade purposes. Using the above figures, the following costs would be applicable:

	Time frame and cost	
	30-day	120-day
Type vessel:		
50 warships to include—		
4 aircraft carriers	$5,000,000	$20,000,000
3 cruisers	1,998,000	7,992,000
33 destroyers	6,864,000	27,456,000
10 submarines	2,500,000	10,000,000
Aircraft: 300 aircraft (includes approximately 100 for air blockade)	11,250,000	46,000,000
Total	27,612,000	111,448,000
Total, 6-month naval and air blockade period	165,672,000	

According to one study, $8–10 per day would be required to maintain one United Nations soldier on a day-to-day basis. The same study notes "Moreover, if the Force were committed, its expenses would certainly leap upwards—depending on the location and level of activity—and costs might go as high as double the 'cheapest' figure."[6] The cost (direct and indirect) of maintaining troops of modern armies varies from $15–20 a day per man.

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[1] Estimates used for computation of force costs are individual judgments based upon a variety of sources. They are dependent upon analysis of overall costs and interpolation of results. These estimates are very crude figures which only serve to focus attention upon the problem of costs and to suggest possible ranges of magnitude.

[2] U.S. Congress, House of Representatives (88th Cong.), Subcommittee of Committee on Appropriations, *Hearings, Part 2*, (Washington, D.C.: G.P.O., 1963) p. 254.

[3] *Ibid.*

[4] *The New York Times*, 23 Oct. 1962.

[5] The cost figures used in the table are consolidations and averages from numerous public sources.

The cost of the military operation in the Congo averaged approximately $10 million a month.[7] Oversimplifying the cost figures and assuming there was an average of 15,000 troops on duty, the cost per day per man averages $20. These Congo costs, it must be recalled, were for a peacekeeping operation. In sustained operations, involving direct combat between military forces (both regular and irregular forces), a certain percentage of casualties and replacements in both men and materiel would have to be expected.

The following cost estimates are based upon a range of figures utilized by Cannon and Jordan, the Congo operation, and published reports of naval and air operations. These cost estimates are for ground troops employed in a type of direct intervention discussed in Chapter 7.

Ground troops	Time frame (days)	Sustained operations		
		$15 per day	$20 per day	$30 per day
30,000 (assault force)	30	13,500,000	18,000,000	27,000,000
60,000 (followup force)	30	27,000,000	36,000,000	54,000,000
3,000 (air assault)	30	1,350,000	1,800,000	2,700,000
Total ground forces, 93,000	30	41,850,000	55,800,000	83,700,000
Total ground forces, 93,000	120	166,400,000	223,200,000	334,800,000

	30-day period[1]
Naval and air units:	
60 warships and 300 aircraft (identical to blockade forces with addition of 10 destroyer-type vessels)	$29,692,000
45 attack transports	9,360,000
30 to 40 support vessels (average 35)	11,655,000
Total naval and air units	50,707,000
Support aircraft:	
200 transport aircraft[2] (direct assault)	990,000
Require 3,000 total flying hours for direct assault and approximately 3,000 total flying hours for 30-day period (30-day support)	990,000
Total support aircraft cost	1,980,000

[1] A 30-day time frame is used here as being the best indicator of costs for the variety of naval vessels involved. It is recognized that types of naval support and aircraft support will change as an operation progresses. It is also recognized that the size and composition of a force have been greatly oversimplified for the purposes of this study.

[2] Cost of transport aircraft is computed from U.S. Congress, House of Representatives (88th Cong.), Subcommittee of the Committee on Appropriations, *Hearings, Part 4,* (Washington, D.C.: G.P.O., 1963), p. 781. This document lists the cost of two typical transport aircraft as follows: C124A—3,270 flying hours for total statistical cost of $1,063,338. This averages to $325 per flying hour; C130E—77 flying hours for a total statistical cost of $26,109. This averages $340 per flying hour. The cost for the computation here is $330 per flying hour.

Thus to mount an entire direct intervention operation would require $94,537,000 for a 30-day period.[8]

There are many variations of the force concept employed for the cost estimates. Furthermore, there is a wide range of cost factors which are highly dependent upon the nature of the operation—the intensity of combat, the reaction of opposing forces, and individual nations' cost requirements. To reiterate, this cost analysis is for one type of force and is based on very crude estimates for purposes of adding another element to the overall appreciation of the effort and resources required to conduct military operations.

Another factor must be borne in mind in considering the significance of the cost analysis. These costs are based upon the assumption that most of the forces would come from a single power, or at least powers that have the capability of mounting an operation and have a certain degree of homogeneity of equipment and requirements. If forces were composed of various smaller national contingents, the costs would greatly increase; a longer build-up period, including training, re-equipping, and base facilities would be required. With a major power or powers supplying troops, naval, and air units, the build-up period would be kept to a minimum and costs reduced.

Casualty estimates

The following are the calculations on which the casualty estimates[9] used in chapter 7 were based:

Assault Period up to 15 days: Total per day, 240 personnel; total 15-day period, 7,200 personnel (a percentage of these personnel would be returned to duty).

Consolidation period 15 to 120 days (after assault period): Total per day, 180 to 360 personnel; total 105-day period, 18,900 to 37,800 personnel (a percentage of these personnel would be returned to duty).

WASHINGTON STAR HAILS PISCATAWAY PARK BARGAIN

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MACHEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MACHEN. Mr. Speaker, the Washington Evening Star long has been recognized for its outstanding editorial policy on conservation and in this special field the Star speaks with a clear and progressive voice.

Today the Star reiterates its consistent support of the cooperative Federal-private landowner pilot program to save the view from Mount Vernon at Piscataway Park. I applaud the Star's editorial, "Potomac Bargain," for its recognition of how significant a bargain completion of Piscataway Park would be because of the 168 donated scenic easements protecting more than 1,190 acres and the large donations of scenic land to the Government.

I highly recommend the Star's editorial of Tuesday, April 25, 1967, to my colleagues:

POTOMAC BARGAIN

In the absence of a last-minute rescue, the long, carefully developed campaign to preserve the Potomac shoreline across from Mount Vernon as a lovely natural park is apt to be scuttled tomorrow in the House. And if that occurs, Congress will be allowing an extraordinary bargain to slip down the drain.

The threat is created by the House Appropriations Committee's inexplicable failure to recommend a $2.7 million expenditure representing the federal government's modest share in the venture. Two foundations, displaying a good deal more foresight than the committee, have generously offered to contribute 500 acres of the expensive shoreline to the government. About 170 individuals have also agreed to donate scenic easements vital to the conservation. These offers will expire, however, unless Congress this year purchases other strategically necessary portions of the proposed Piscataway Park—at a cost that is only a fraction of the true value.

Representative Machen, who has worked in behalf of the park for more than a year, pledges, if necessary, to carry on the fight in the Senate. The actual decision, however, may well be made in the House. Surely, in voting the massive $1.3 billion Interior appropriation bill, some way can be found to salvage this important item while there still is time.

ARMENIAN MASSACRES OF 1915

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, modern man often points with pride to the social and technical accomplishments achieved through his ingenuity and intelligence, but amid the progress and growth of his material world are many appalling examples of man's inhumanity to man. One of the most horrendous of these shameful acts in the 20th century began in 1915 when the Ottoman Empire of Turkey cruelly annihilated the Armenian population that had lived peacefully in Anatolia for centuries. Genocide of a whole ethnic community is not one of the

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[6] Lt. Col. Charles A. Cannon, Jr., and Lt. Col. Amos A. Jordan, USA, in William R. Frye, *A United Nations Peace Force* (New York: Oceana Publications, Inc., 1957), p. 167.

[7] Lyman M. Tondel, Jr. (ed.) *Legal Aspects of the United Nations in the Congo,* (New York: Oceana Publications, Inc., 1963) p. 47.

[8] Based on $15 per man per day.

[9] Department of the Army, *FM 101–10,* Staff Officers Field Manual, Part 1 (Washington, 12 February 1959), pp. 336–338. This publication contains statistics that can be utilized for estimating casualties under various combat conditions. The statistics used for the estimates in his paper are as follows:

Average daily admission rate per 1,000 from all causes

Combat conditions:	*Infantry divisions*
Heavy	8
Average	4
Light	2

The statistics are based on experience gained from World War II and Korea. These estimates will vary based upon intensity of combat, enemy capabilities, training of troops, etc. Consequently they should be used with caution.

modern inventions we should hope to pass on to future generations.

Fearing European intervention on behalf of the subject Armenians, the Ottoman authorities decided to dissolve the problem by destroying the Armenian communities. On April 24, 1915, the first arrests of Armenian leaders took place, thus depriving the Armenians of any leadership that might have rallied them to resist the cruelties to follow. The remainder of the Armenian nation was then subjected to murder, starvation, and dispersal until almost 2,000,000 people had been removed from Turkey. Families were separated, men were assassinated, women were abducted for the pleasure of the Sultan's soldiers, and whole villages were destroyed and their occupants removed to hostile environments where they were left to die of disease and starvation. Before it ended, modern history's first genocide had killed nearly 1,000,000 Armenians and relocated an equal number to foreign lands. In 1 short year, an ancient nation had been virtually decimated to a point close to extinction.

Today, there remain a few Armenian communities in Syria, Lebanon, Jordan, and Iraq in addition to the few survivors in Turkey. Russia proudly boasts of its independent Armenian nation made up from the 1915 survivors who fled northward during the holocaust, but these people have only traded one dictator for another. But the Armenia of 1914, a nation of 2,000,000 people, can never be reconstructed. This nation remains in the hearts of its few scattered people and in the memories of all civilized men who abhor genocide.

On this anniversary of the Armenian massacres, let us remember not only the victims of ruthless murder but also the inhuman hatred that threatens all minorities.

QUOTA PROPOSED FOR FROZEN STRAWBERRIES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Ullman] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I am pleased to join with my colleagues from the State of Oregon [Mrs. Green, Mr. Wyatt, and Mr. Dellenback] in recommending legislation today to correct a serious agricultural problem which is threatening the health of the domestic strawberry industry. Under the sponsorship of Senators Wayne Morse and Mark O. Hatfield, similar legislation is being presented today in the Senate.

Our bill will impose a quota on imports of processed, prepared, and frozen strawberries. Each year the quota will limit strawberry imports to 20 percent of the average annual consumption in the United States for the preceding 5 years.

The impact of this legislation is not limited to the State of Oregon. Indeed, strawberries are grown commercially in 28 States, and the National Association of Frozen Food Packers has participated in recommending this action.

Strawberry imports have increased dramatically in the last decade. In 1966, there were imports from Colombia, Sweden, The Netherlands, and Poland—but primarily the domestic market was invaded by Mexico.

During the period 1955 to 1959, Mexican exports of frozen strawberries into the United States averaged 13 million pounds annually. From 1960 to 1964, this average rose to 32 million pounds. In 1965, approximately 50 million pounds of frozen Mexican strawberries entered this country. Last year the total reached 82.8 million pounds, for a 60-percent increase in a single year.

There are many reasons for the Mexican success. Labor costs, both in the fields and in processing, are about 10 percent of comparable costs in the Pacific Northwest. Sugar prices are about half the U.S. average, and containers are also cheaper in Mexico. American farmers and processors cannot compete with the cut-rate labor, sugar, materials, and selling prices of the imported product.

The rapid growth of the Mexican strawberry industry may be attributed almost exclusively to expanding exports to the United States. Faced with this competition, it is apparent that the strawberry industry of the United States needs some assurance that its domestic market will not be completely disrupted if it is to remain in business.

The 20-percent formula we have recommended is a reasonable one. The annual average disappearance of frozen strawberries in the United States for the most recent 5-year period is 272.06 million pounds. During this same period, imports of frozen strawberries from Mexico have averaged 44.5 million pounds annually. In the light of these statistics, an annual quota of 50 million pounds—or about 20 percent—would appear to guarantee a significant market for the Mexican product.

Rather than raise duties to extravagant heights, we have chosen instead to adopt the quota approach. The 20-percent formula will enable foreign exporters to share our growing domestic markets, and at the same time prevent rapid domination of those markets to the detriment of American producers and processors. In the event of a declining market situation, the quota approach holds foreign strawberry imports to a reasonable level.

Mr. Speaker, we have attempted to present a bill today which will assist a domestic industry in maintaining its marketplace, without seriously disrupting friendly trade with our neighbors. We are hopeful that the strawberry import quota legislation will accomplish this goal.

RUSSIAN JEWS HELD IN BONDAGE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, it is very fitting today, as Jews the world over start observance of Passover, that we here take note of the plight of the Jews held in bondage in the Soviet Union. That bondage, while not as physical as that inflicted upon the ancient Jews by the Pharaohs, is every bit as cruel and persistent. The Communists in direct violation of their own constitution have driven Jews from the arts, business, the military, and public life. They have forbidden the printing of sacred books and teachings, thus making it difficult for Jewish fathers to pass on their heritage to their own children.

The current Jewish pogrom in Russia started with Stalin when before the war he purged the Rusisan Army officer corps of Jews. After the war, despite devout and loyal service by thousands of Jews, Stalin continued his vicious campaign. His death did not lessen the tragic circumstances of Russian Jewry as the persecution continued in each succeeding regime.

Tonight as devout Jews open their Passover ceremonies they will not only be marking the freedom of their ancestors from the persecution of the Pharaohs. They will be praying, too, for the deliverance of their brethren in Russia. We, too, must join in those prayers, just as we must speak out against this abomination, this travesty on the fundamental laws of humanity which is taking place in the Soviet Union. It is fitting and proper that Americans of all faiths join together in expressing their indignation at the persecution of the Soviet Jews. In good conscience there is no other course of action.

Mr. Speaker, 2 years ago I introduced, and this body subsequently passed, a resolution expressing the sense of Congress with respect to the persecution by the Soviet Union of persons because of their religion. I would like to quote that resolution—it is still very much the sense of Congress and all America:

> That it is the sense of Congress that persecutions of any persons because of their religion by the Soviet Union be condemned, and that the Soviet Union in the name of decency and humanity cease executing persons for alleged economic offenses and fully permit the free exercise of religion and pursuit of culture by Jews and all others within its borders.

CRITICAL SITUATION IN SOUTH VIETNAM

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. Wolff] is recognized for 15 minutes.

Mr. WOLFF. Mr. Speaker, we are on the verge of a momentous decision—whether we should escalate the war another step. It has been officially stated that because of the buildup of enemy forces some steps must be taken to beef up our contingent in South Vietnam. For this reason General Westmoreland has already asked for more troops, and according to reports, which seem to have been well inspired, he wants two divisions more, or about 100,000 men. And this is the decision with which the President is confronted.

Mr. Speaker, some information has come to me which bears on this question, which is before us and before the Nation. And I felt that it was my duty to impart it to my colleagues here, and to the Nation. For it seems appropriate that, on the eve of this tremendous decision, of whether to escalate or not, we should examine carefully the options that are before us.

I have evidence which leads me to believe that one of the factors causing there to be a need for additional troops is the decline in the morale and a serious breakdown in the South Vietnamese Army; and the cause for this is political, not military. It has come to my attention through private Vietnamese sources that there is a desperate power struggle going on in Saigon between Premier Ky and General Thieu. It is aggravating, and perhaps at the bottom of this deterioration in morale. It has particular significance in the sensitive I Corps area around Hue. The struggle between Ky and Thieu involves the Presidency. We should have no quarrel with this development, since it would be a normal process of democracy; except that the fight among the generals seems to have had a chaotic effect upon our military effort.

The chronology of events appears to be as follows: It is reported that sometime last month there was a meeting of the South Vietnamese military, at which time it was decided that General Thieu, not Premier Ky, would be the military's candidate for the Presidency. Premier Ky was angered by this development, his first reaction was to declare that any person intending to stand for the Presidency should not remain in the Army. General Thieu apparently takes the view that withdrawing from the Army would be withdrawing from a power base, and was therefore unwilling to resign. Premier Ky's next move was to form a commission ostensibly to investigate corruption among Army officers, and under this guise proceeded to arrest members of the military who were apparently loyal to General Thieu. General Thieu then formed a counter commission to investigate corruption, and he has also been arresting officers. And thus we have a struggle which has begun to split asunder the South Vietnamese Army and severely affect its morale and efficiency. This has had severe repercussions in the I Corps area. Here is an area which our Marines were so much on top of a year ago that they were able to go off on expeditious of pacification. And that was with even less troops in the area. Recently the U.S. Army has had to rush troops to reenforce the Marines. We have had to evacuate civilians from villages to Hue. And within 2 miles of the American military headquarters at Quang Tri, the Vietcong staged a raid and were able to liberate a great many prisoners. The Vietcong have become immensely successful at their guerrilla tactics. On April 8 it was reported that two South Vietnamese brigades were overrun. According to information passed on to me, these brigades actually surrendered to the enemy because the effect of the political in-fighting has been so bad it destroyed the will of the troops to fight.

Thus we are confronted with a situation in which the South Vietnamese Army is loosing ground, not so much because of the superiority of enemy troops, but because of local demoralization caused by a political struggle. The situation is disastrous. And something must be done to halt this deterioration, and to restore the morale and purpose of the Nationalists.

There is another factor which is impending, which might make matters worse. On the 23d of May there will be a celebration of the birthday of Buddha. All sorts of arrangements are being made for that occasion, and demonstrations by the Buddhists are anticipated. Moreover, the Saigon government has asked for a truce for that day, and possibly an indefinite extension of the truce. I am concerned about the posture from which we would negotiate if there is a deterioration in our position until that date.

Because I think this is a matter of great interest to the Members here, I have invited a certain Vietnamese whose record is impeccable. He was a very popular and effective commander in the I Corps area. He came to international prominence because he brought peace to the area at the time of the Buddhist uprising in Danang and Hue. He was later made to resign by Premier Ky. But he has always been popular with the peasants, and particularly the Buddhists. He also has the confidence of the Marines. His name is Gen. Nguyen Cahn Thi, and I have invited him to Capitol Hill tomorrow at 2:45 in the Speaker's Dining Room to talk with my colleagues about the serious situation that has developed in the I Corps area, the area that he once commanded, in the hope that he might shed some light on the question that is before us.

FARM LABOR POLICY UPHELD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, some of those who insist that American agriculture has suffered in the transition from foreign to domestic farm labor have charged that American farmers are swarming to Mexico where the going is easier.

I think it is significant that the California Farmer, a publication which takes every opportunity to attack the administration's farm labor policy, has published in its March 18 issue an article showing that Mexican agriculture is not harming American farmers and that California growers had better think twice before moving to Mexico.

The carefully researched article quickly states a simple conclusion:

> If you can't make a go of farming in California, you'll never strike it rich in Mexico.

Conversations with growers, distributors, and agricultural officials in the Culiacan area of Mexico—the heart of the winter vegetable area—showed that the success of Mexican agriculture depends largely on the success of American crops. If the United States has poor crops, Mexicans come out well; if the United States has good crops, Mexican growers cannot begin to compete.

Besides being handicapped by high shipping costs to get their produce to the United States and low yield per acre, Mexican growers do not enjoy such cheap labor as some would have us believe. The writer points out that it is not unusual for hired hands working in the tomato crop—which accounts for two-thirds of the produce shipped to the United States—to receive $1.75 a day.

I think these facts have deflated yet another argument of critics of America's farm labor policy. Therefore, I would like to insert into the RECORD this article showing that American agriculture is suffering no threat from our neighbor to the south:

MEXICO—LAND OF PROMISE—IF YOU'RE LUCKY

(By Alton Pryor)

You're thinking of moving your farming operation to Mexico?

If so, you might be well-advised to hang onto your homestead until you've surveyed the situation from every angle. In a mere five days' investigation of the Culiacan area of Mexico, where the winter vegetable deal flourishes, *California Farmer* feels it uncovered sufficient information to determine that Mexico doesn't necessarily house the coveted golden egg.

When boiled down to the bare truth, the information we garnered seemed to lead to a simple conclusion: "If you can't make a go of farming in California, you'll never strike it rich in Mexico."

This is not to say that money is not being made in the vegetable industry in Mexico; some growers and distributors have managed highly successful deals, but not, we feel, at the expense of the U.S. industry.

And, for every dollar made, there is very likely one lost, for it is not uncommon for an enthusiastic grower to go south, only to come back with his "tail between his legs," so to speak. It's a risky business and the problems are great.

Certainly, our statement that growers in the U.S. aren't suffering because of Mexican imports is counter to virtually all of the news stories which have circulated in this State. But we feel we can justify the statement, and intend to do so.

This writer interviewed a host of growers, distributors and agricultural association officials, and no matter whom we talked to, our figures always seemed to add up to the same sum: "If the U.S. has a short crop, then there is money in Mexican produce; if the U.S. has a big crop, Mexican growers fall on their faces."

To illustrate this point, let us quote Walter Holm, one of the more successful distributors of Mexican produce in Nogales, Arizona, and also a financial backer of a Mexican growing operation.

"It costs from $2 to $2.25 just to get a lug of tomatoes to the border, and this doesn't include growing costs," Holm said. These costs were verified by every other person and agency we consulted.

Consequently, when growing costs are considered, a grower has to get at least $3.10 for a 3-layer lug of tomatoes to break even.

Angus MacKenzie, a buyer for Coast Marketing Company, which also has a financial arrangement with a Mexican grower, probably put this into proper perspective with this: "The cost per acre of growing in Culiacan is a lot less per acre, but not less per package."

MacKenzie should know whereof he speaks, because his firm also has a tomato operation in San Diego County. While San Diego growers can boast yields of 2000–2500 boxes per acre, he said, growers in Culiacan must content themselves with 500–600 marketable lugs.

Culiacan growers harvest more than the 500–600 boxes mentioned, but, because of a self-imposed restriction, cannot ship any fruit which grades below 85 per cent U.S. 1.

Even if it weren't necessary to cull so heavily, Mexican growers would not reap the yields that San Diego growers experience. For one thing, as Angus MacKenzie explained, "In Mexico, we're growing in the winter. We have cold nights. The vines can be loaded with blooms and we get three cold nights in a row and they are all knocked off."

There is a reason for the heavy culling other than the restriction of the growers themselves, and this is the distance the fruit must travel to reach its ultimate destination.

There is a 2-day period from the time the fruit is picked until it reaches the border at Nogales and is sold. Fruit which could easily reach a major market in good condition from San Diego, would deteriorate considerably with this added waiting period.

The culled tomatoes aren't a complete loss, as they are sold on the Mexican domestic market, but can hardly be considered a profitable operation. The West Mexico Vegetable Distributors Association at Nogales figures that only 40 percent of the tomatoes harvested meet U.S. No. 1 shipping requirements.

The other 60 per cent, classified as No. 2's and culls, are sold on the domestic market for 8.00 to 12.50 pesos (64 cents to $1.00 U.S. currency). This includes the cost of the crate which is about 32 cents in U.S. money.

Tomatoes account for about two-thirds of the produce volume shipped into the U.S. from Mexico, with cantaloups running second, but considerably lower in number than tomato shipments.

The Mexican crop comes off at the same time Florida is harvesting vegetables, and therein lies the success or failure for growers in Mexico.

If Florida has a good year, it doesn't matter what Mexican growers do. They can't compete. It's when Florida experiences a serious setback, such as a major freeze, that Mexican production comes into play.

And then, this imported production is not grabbing markets from Florida growers. They are merely shipping what Florida is unable to produce. It's a matter of supply and demand.

Labor is plentiful, and compared to American standards, is considered cheap. Even this might be disputed when you consider an operation like Horacio Campana's and his three partners.

Campana said they farm 600 hectares, or the equivalent of 1500 acres. For the 7-month growing season, it is necessary to employ 800 persons. A tractor driver earns 30 pesos a day, while a woman tying tomatoes to poles can make from 20–25 pesos per day. A peso is equivalent to eight cents American.

If you figure that each of these workers puts in 25 days a month, earning an average of $1.75 per day, it doesn't take a mathematician to see that the total labor bill comes to a sizable $245,000 a year, and this is a conservative estimate.

Mexican growers have many problems which U.S. growers don't face, such as acquiring machinery and parts (and at exorbitant prices), added freight and export duties just to get the produce into the U.S., and difficulty in acquiring packing materials.

All of these things will be explored in future installments.

At the same time, we do not want to underrate the tremendous potential of the west coast of Mexico as a supplier of vegetables.

Certainly the potential is there and should, we feel, be explored. As Carlos Brennen, who operates a packing house and works with a Mexican growing operation, said, "Mexico has the potential to feed the entire North American continent." But certainly this is not an overnight development.

While the importing of fruits and vegetables from Mexico might appear to be a one-way street, nothing could be further from the truth.

According to the U.S. Department of Commerce, in 1964, Mexico bought $1,023,000,000 worth of goods from the United States. During the same year, Mexican sales to the U.S. were $600,000,000.

In our next installment, we will take a closer look at a Mexican growing operation, detailing some of the problems we mentioned previously. In future installments, we will concentrate on some of the costs involved.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Mailliard (at the request of Mr. Arends), for the period April 24 through April 27, on account of official business.

Mr. Roybal (at the request of Mr. Albert), from April 20, 1967, through April 28, 1967, inclusive, on account of official business (attendance at the second session of the Latin-American Interparliamentary Conference in Montevideo, Uruguay).

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Schadeberg, for 15 minutes, on Wednesday, April 26; and to revise and extend his remarks and include extraneous matter.

Mr. Moore (at the request of Mr. Button), for 30 minutes, on April 25; and to revise and extend his remarks and include extraneous matter.

Mr. Quie (at the request of Mr. Button), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Patten), to revise and extend their remarks, and to include extraneous matter:)

Mr. Wolff, for 15 minutes, today.

Mr. Cohelan, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Evins of Tennessee in two instances.

Mr. Pucinski.

Mr. St. Onge.

(The following Member (at the request of Mr. Button) and to include extraneous matter:)

Mr. Dole.

(The following Members (at the request of Mr. Patten) and to include extraneous matter:)

Mr. Celler.

Mr. Eilberg in two instances.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 6 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 25, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

680. A communication from the President of the United States, transmitting an amendment to the request for appropriations for the fiscal year 1968 for the Atomic Energy Commission (H. Doc. No. 111); to the Committee on Appropriations and ordered to be printed.

681. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 37, United States Code, to authorize travel and transportation allowances to members of the uniformed services authorized leave from isolated posts; to the Committee on Armed Services.

682. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period July 1 to December 31, 1966, pursuant to the provisions of Public Law 79–520; to the Committee on Armed Services.

683. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report on the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia for the month of March 1967, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1967 and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

684. A letter from the Comptroller General of the United States, transmitting a report of procurement of critically needed missile fuel under adverse conditions from a sole-source supplier, Department of the Air Force; to the Committee on Government Operations.

685. A letter from the Comptroller General of the United States, transmitting a report of air transportation provided dependent children of Department of Defense personnel between the continental United States and overseas areas, Department of Defense; to the Committee on Government Operations.

686. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

687. A letter from the Secretary of the Interior, transmitting the determinations relating to the rearrangement and equalization of the construction repayment due the United States from the various irrigation contractors for their respective shares of the costs of the water storage works on the Milk River project in northern Montana, pursuant to the provisions of 73 Stat 584; to the Committee on Interior and Insular Affairs.

688. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to permit tacking citizen ownership of vessels for trade-in purposes; to the Committee on Merchant Marine and Fisheries.

689. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend section 510(a) (1) of the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

690. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 6, 1967, submitting a report, together with accompanying papers and illustrations, on a survey of Soquel Creek, Santa Cruz,

Calif., authorized by the Flood Control Act approved July 3, 1958; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of April 20, 1967, the following bill was reported on April 21, 1967:

Mrs. HANSEN of Washington; Committee on Appropriations. H.R. 9029. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 206). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted April 24, 1967*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DULSKI: Committee on Post Office and Civil Service. Report on manpower utilization at military installations in Far Eastern and Western European countries (Rept. No. 207). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: committee of conference. S. 303. An act to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes (Rept. No. 208). Ordered to be printed.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 6133. A bill to authorize appropriations for the saline water conversion program, to expand the program, and for other purposes; with amendment (Rept. No. 209). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3631. A bill to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain plated streets, alleys, and strips of land (Rept. No. 210). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XIII, pursuant to the order of the House of April 20, 1967, the following bill was introduced on April 21, 1967:

By Mrs. HANSEN of Washington:

H.R. 9029. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

[*Submitted April 24, 1967*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 9030. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BOLAND:

H.R. 9031. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 9032. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in areas having high proportions of persons with low incomes, and for other purposes; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 9033. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BYRNES of Wisconsin:

H.R. 9034. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 9035. A bill to provide for the establishment of a U.S. Diplomatic Academy; to the Committee on Foreign Affairs.

By Mr. DENNEY:

H.R. 9036. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, with subsequent cost-of-living increases, and to increase the amount an individual is permitted to earn without loss of benefits; to the Committee on Ways and Means.

By Mr. WILLIAM D. FORD:

H.R. 9037. A bill to provide an improved charter for Economic Opportunity Act programs, to authorize funds for their continued operation, to expand summer camp opportunities for disadvantaged children, and for other purposes; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 9038. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. HULL:

H.R. 9039. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. IRWIN:

H.R. 9040. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in areas having high proportions of persons with low incomes, and for other purposes; to the Committee on Ways and Means.

By Mr. KEE:

H.R. 9041. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. LATTA:

H.R. 9042. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 9043. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 9044. A bill to provide incentives for the establishment of new or expended job-producing industrial and commercial establishments in areas having high proportions of persons with low incomes, and for other purposes; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 9045. A bill to provide Federal financial assistance to public agencies and institutions and to hospitals and other private, nonprofit organizations to enable them to carry on comprehensive family planning programs; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA of Michigan:

H.R. 9046. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 9047. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. PATMAN:

H.R. 9048. A bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.R. 9049. A bill to amend section 3 of title 4 of the United States Code to prohibit the mutilation of the flag anywhere in the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 9050. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 9051. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 9052. A bill to amend the Internal Revenue Code of 1954 to curb the leasing by local governmental units of certain industrial and commercial facilities for private profitmaking purposes at rentals below their fair rental value; to the Committee on Ways and Means.

By Mr. WIGGINS:

H.R. 9053. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 9054. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 9055. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 9056. A bill to provide for financing the construction of public buildings, and for other purposes; to the Committee on Government Operations.

H.R. 9057. A bill to authorize the Administrator of General Services to construct, operate, and maintain a parking facility in Jacksonville, Fla.; to the Committee on Public Works.

By Mr. DELLENBACK:

H.R. 9058. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. DOWDY:

H.R. 9059. A bill to amend the District of Columbia Unemployment Compensation Act to provide that employer contributions do not have to be made under that act with respect to service performed in the employ of certain public international organizations; to the Committee on the District of Columbia.

By Mr. EVINS of Tennessee:

H.R. 9060. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in areas having high proportions of persons with low incomes, and for other purposes; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H.R. 9061. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 9062. A bill to amend the Outer Continental Shelf Lands Act to require certain agencies of the United States to obtain authorization from the Secretary of the Interior before undertaking geological and geophysical explorations in the Outer Continental Shelf; to the Committee on Interior and Insular Affairs.

By Mrs. KELLY (by request):

H.R. 9063. A bill to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McCARTHY:

H.R. 9064. A bill to amend the Oil Pollution Act, 1924; to the Committee on Merchant Marine and Fisheries.

By Mr. MULTER:

H.R. 9065. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in areas having high proportions of persons with low incomes, and for other purposes; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 9066. A bill to amend the Housing and Urban Development Act of 1965 to increase the amount of the annual appropriations authorized thereunder for grants for basic water and sewer facilities; to the Committee on Banking and Currency.

H.R. 9067. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in areas having high proportion of persons with low incomes, and for other purposes; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 9068. A bill to amend the Internal Revenue Code of 1954 to provide an additional deduction with respect to a student for whom a personal exemption is allowed the taxpayer; to the Committee on Ways and Means.

By Mr. RIVERS:

H.R. 9069. A bill to amend section 140a of title 10, United States Code, relating to adjustments of retired pay and retainer pay of members and former members of the Armed Forces to reflect changes in the Consumer Price Index; to the Committee on Armed Services.

By Mr. TALCOTT:

H.R. 9070. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 9071. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. WHITENER (by request):

H.R. 9072. A bill to authorize the Commissioners of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. WYATT:

H.R. 9073. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.J. Res. 528. Joint resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

By Mr. POOL:

H.J. Res. 529. Joint resolution providing for the establishment of a National Letter Carriers Week; to the Committee on the Judiciary.

By Mr. EILBERG:

H. Con. Res. 322. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Res. 448. Resolution extending the commendation of the House of Representatives to Keep America Beautiful, Inc.; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. Res. 449. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

152. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to the national cemetery system; to the Committee on Interior and Insular Affairs.

153. Also, memorial of the Legislature of the State of Arkansas, relative to the reading of the Holy Bible and public prayer in our public schools; to the Committee on the Judiciary.

154. Also, memorial of the Legislature of the State of California, relative to the issuance of a commemorative postage stamp honoring Walt Disney; to the Committee on Post Office and Civil Service.

155. Also, memorial of the Legislature of the Territory of Guam, relative to the status of Guam as a true part of the United States; to the Committee on Interior and Insular Affairs.

156. Also, a memorial of the Legislature of the State of Wisconsin, relative to amending the Federal Highway Beautification Act of 1965; to the Committee on Public Works.

157. Also, memorial of the Legislature of the State of Wisconsin, relative to preventing the interstate Pecatonica River from flooding annually in the plains of southwestern Wisconsin; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 9074. A bill for the relief of Kaneaki Kamei; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 9075. A bill for the relief of Mr. Sassanvash Haghighi; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9076. A bill for the relief of Gertrudes Cabagungan; to the Committee on the Judiciary.

H.R. 9077. A bill for the relief of Joan Caponong; to the Committee on the Judiciary.

H.R. 9078. A bill for the relief of Eufrosina Garrido; to the Committee on the Judiciary.

H.R. 9079. A bill for the relief of Conchita Tan Orgiles; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 9080. A bill for the relief of Federico de la Cruz-Monz; to the Committee on the Judiciary.

H.R. 9081. A bill for the relief of Dr. Josefina Esther Kouri-Barreto de Pelleya; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 9082. A bill for the relief of Mrs. Pearl C. Davis; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 9083. A bill for the relief of Mr. Ioannis Koumbis; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 9084. A bill for the relief of Pablo Gregorich; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 9085. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; to the Committee on Interior and Insular Affairs.

H.R. 9086. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 9087. A bill for the relief of Matyas Hunyadi; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 9088. A bill for the relief of Pasquale Fuda; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 9089. A bill for the relief of E. Christian Des Marets, Sr.; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 9090. A bill for the relief of Yoichiro Matsumura; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 9091. A bill for the relief of Earl J. Weckman; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 9092. A bill for the relief of Maria Adelaide Soares Aguiar; to the Committee on the Judiciary.

H.R. 9093. A bill for the relief of Julio Low; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 9094. A bill for the relief of Georgios Andreas Minakakis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

69. The SPEAKER presented a petition of Henry Stoner, Portland, Oreg., relative to a change of format in printing the Congressional Record; to the Committee on House Administration.

SENATE

Monday, April 24, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear Father of us all, we begin another day, another week in this Chamber of high office, seeking Thy guidance.

We are grateful for the faithfulness and sincere work of these Members of the Senate of the United States who seek to be good leaders of the people. The many tasks, the sacrificial time, the important small acts of office consistently conducted do not reach the headlines. But, they serve mankind and Thee. Bless these leaders in all of their work.

We continue to pray for the peace which seems not to be part of our understanding at this moment of history. Give to our President, his advisers, and all leaders the insight to find the way for peace in Vietnam. Be with those who suffer and die in this conflict even today.

Enlighten with Thy spirit this day all people of responsibility. We pray in the Master's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the

Journal of the proceedings of Friday, April 21, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, transmitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **PRESIDENT** pro tempore laid befor the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

RECOGNITION OF SENATOR TYDINGS

The **PRESIDENT** pro tempore. Under the order of Wednesday, April 19, 1967, the Chair recognizes the Senator from Maryland [Mr. TYDINGS].

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield to me briefly?

Mr. TYDINGS. I am delighted to yield.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the Legislative Calendar be waived, under rule VIII.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to routine morning business, which will be transacted at the conclusion of the address by the distinguished Senator from Maryland [Mr. TYDINGS] be limited to 3 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR SYMINGTON AND SENATOR ALLOTT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning business, the distinguished Senator from Missouri [Mr. SYMINGTON] be recognized for 30 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. I ask unanimous consent that following the address of the Senator from Missouri, the distinguished Senator from Colorado [Mr. ALLOTT] be recognized for 1 hour.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The **PRESIDING OFFICER** (Mr. HARRIS in the chair). Without objection, it is so ordered.

A TRIBUTE TO ASSOCIATE JUSTICE TOM C. CLARK, UPON THE OCCASION OF HIS RETIREMENT

Mr. TYDINGS. Mr. President, on February 28, an announcement was released to the press by Mr. Justice Tom C. Clark, announcing his pending retirement, upon the news that his son, William Ramsey Clark, had been designated Attorney General of the United States.

The career of Tom C. Clark as Associate Justice of the United States is closing on a note of high principle, consistent with the spirit and the life record of the man himself. The designation of William Ramsey Clark, the son of Justice Clark, to serve as U.S. Attorney General presented the prospect of cases brought by a son before a court of which his father was member.

This would not be an unprecedented situation, and a judge of high principle might be able to decide a case on its merits regardless of who presents the arguments for one side or the other. The picture of a Supreme Court Justice ruling on cases in which his son is counsel for the Federal authorities might, however, grate upon the public conscience, and the image of justice must be unsullied by even the possibility of bias.

The decision of Justice Clark to retire is, therefore, beneficial to the spirit of impartiality that should invariably be associated with the actions of the Supreme Court and, indeed, the actions of any court of justice.

By stepping down at this juncture, Justice Clark is once again responding to that sense of principle which has motivated his action from the beginning of his career to the present day. In all he has done, he has demonstrated an adherence to principle that has won for him the respect of this Nation, not only as a public figure and as a justice, but also as a man.

Tom Clark entered the world as the member of a family thoroughly identified with public affairs. His grandfather and father were well-known lawyers, active in community matters and in Democratic party politics. Following his formative years, he attended Virginia Military Institute, from which he transferred to the Army, serving as a sergeant during World War I.

Following the war, Tom Clark attended the University of Texas, obtaining his B.A. in 3 years and his law degree in 1 more year, graduating in 1922. Admitted that same year to the Texas bar, he joined his father's law firm and quickly established himself as one of the leading legal experts in the State.

In 1927, Tom Clark left private practice to enter the office of the district attorney of Dallas County. In 5 years at this position he tried many cases and never lost a case before a jury. In 1932, he returned to private practice, but in 1937 was appointed to the Department of Justice, as Special Assistant to the Attorney General of the United States. In this capacity he was first assigned to the Bureau of War Risk Insurance, and in 1938 he was transferred to the revitalized Antitrust Division, where he specialized in cases concerning violations of the marketing and wage-hour laws. A year later he was sent to New Orleans to take charge of the field office there, and a few months after that he was named Chief of the Antitrust Division's west coast offices. There, he launched a completely successful campaign to end price fixing in the lumber and oil industries.

Thereafter, Mr. Clark became First Assistant to the Assistant Attorney General in the Antitrust Division, and in May 1942 was placed in charge of the War Frauds Unit of the Department of Justice. In this position, he worked closely with the Special Senate Committee Investigating the war program, better known as the Truman Committee, handling many prosecutions based on facts unearthed by then Senator Harry S. Truman and his committeemen.

In March 1943, Tom Clark became Assistant Attorney General in charge of the Antitrust Division. During the 5 months in which he held the post, the Antitrust Division was exceedingly active, as was the War Frauds Unit. In August 1943, when Clark became head of the Criminal Division, he took the War Frauds Unit along with him; and as of June 1944, Clark's staff had reportedly won 92 percent of its war frauds trials. On occasion, Assistant Attorney General Clark appeared personally before the Supreme Court, taking a special interest in civil rights and peonage cases. After 8 consecutive years in the Justice Department, Mr. Clark was appointed U.S. Attorney General in May 1945, by President Harry Truman, to succeed Francis Biddle. World War II was still in progress when Clark assumed office, and many war-time matters were waiting to be solved. Black markets, repatriation of enemy aliens, and wartime tax evasion all received considerable attention, with Clark in command.

When the war ended, the Justice Department turned to the questions of demobilization, the termination of war-derived authority by the Government, and the protection of veterans' rights. In all these areas the Department performed brilliantly under Clark's direction.

Under the guidance of Attorney General Clark, the chief concern of the Justice Department at the close of the war was to guarantee that during the reconversion period there was no promotion of monopoly while new enterprises were being formed and the Government was disposing of surpluses. At all times, Tom Clark worked against monopoly, taking with him, into the Attorney General's office, all the fire he had for years displayed as an attorney on the Department staff.

In August 1949, Tom Clark was appointed to the U.S. Supreme Court, and his performance soon demonstrated the wisdom of that appointment. His calm demeanor and moderating influences were obviously beneficial to the functions of the Court.

In 18 years on the Court, Justice Clark has been generally regarded as a member of the conservative element on many controversial issues. Not so, however, in numerous cases involving individual liberty, to which he is sincerely dedicated as a man of the law. Of all his opinions as a Supreme Court Justice, Tom Clark will be best remembered, perhaps, for those concerning civil rights, in which he was a champion of equal rights for all citizens.

Though the responsibilities of the Supreme Court place heavy demands on the time and attention of its members, Tom Clark has found opportunities to make additional valuable contributions to the law by encouraging the improvement of judicial administration. Even before his chairmanship of the American Bar Association Section on Judicial Administration in 1957–58, Justice Clark had been working to provide in-service training for judges to help the courts cope with the rising tide of litigation in the Federal courts and in the States.

It was primarily as the result of Tom Clark's work that in 1961 the Joint Committee for Effective Administration of Justice was formed to spearhead a 3-year effort to foster important programs for judges and courts. Probably the proudest achievement of Justice Clark's work in this area was the birth of the National College of State Trial Judges located in Reno, Nev., which has, for the past several years, presented seminars and workshops for trial judges from coast to coast. Providing the judiciary with resident study courses as well, the National College will stand as a landmark on the road to improved judicial administration.

Mr. President, during recent years many of the decisions of the Supreme Court have been unpopular with some sectors of our political thinking. During this same period of time, Mr. Justice Clark has done much to preserve untarnished the image of the Supreme Court. His constant efforts to improve the quality of justice dispersed in our courts, his appearances before bar associations across the land, his wholehearted devotion to improved judicial administration, and his continuing encouragement of the appointment of better-qualified judges—all have earned him a place among those who have contributed most to our system of justice.

I can recall so well that years ago, when I was president of the Junior Bar Section of the Bar Association of Baltimore City, the section sponsored a Law Day banquet. Our U.S. Senators, the mayor, and the Governor had tried unsuccessfully to get important members of the judiciary to speak. When we approached Mr. Justice Clark and told him how important our Law Day banquet was to us, and that it was being sponsored by all the lawyers of the association to dramatize the importance of government under law, Mr. Justice Clark accepted our invitation.

This willingness to travel and speak on behalf of justice under law has manifested itself time and time again, across the United States. When a junior bar association, a senior bar association, or a civic group interested in improved justice, needed encouragement, needed a shot in the arm, needed leadership or advice, it was always Mr. Justice Clark who was not too tired after a long day to board a plane and fly halfway across the United States to promote the cause of better courts or better judicial administration.

Today we are facing crises all over the United States by reason of the backlog of litigation. Mr. Justice Clark, busy as he is, can still find the time to telephone the heads of our great charitable foundations to encourage their support of studies, workshops, and programs aimed at better judicial administration. Busy as he is, he can still find time to appear personally to encourage the bar associations and the courts to work toward improving the judicial machinery which must handle the ever-increasing caseloads.

We sincerely hope, Mr. President, that the retirement of Justice Clark from the bench will not mark his withdrawal from this important field of endeavor. At this time especially it is necessary that such leadership as he has furnished in the past be continued for the encouragement of progress in the field of judicial administration.

As a lawyer, as a Justice Department official, Cabinet member, and jurist on the highest Court in the land, Tom Clark has proven himself a crusader. And as a contributor to the forward motion of the democratic process, he stands among the forefront of Americans today.

Mr. President, I have a letter and a statement from the distinguished Senator from Missouri [Mr. Long], who could not be here this morning. I ask unanimous consent that the letter and statement of the Senator from Missouri may be printed in the Record at this point.

There being no objection, the letter and statement were ordered to be printed in the Record, as follows:

U.S. Senate,
April 21, 1967.

Hon. Joseph D. Tydings,
U.S. Senate,
Washington, D.C.

Dear Joe: Regret I will be away from Washington on Monday morning when you pay tribute to Supreme Court Justice Tom C. Clark.

Would appreciate it, however, if you would insert the enclosed statement which I have prepared at the conclusion of your statement.

Kindest personal regards.

Sincerely,

Edward V. Long,
U.S. Senator.

Statement of Senator Long of Missouri

It is a real honor to join with the Senator from Maryland [Mr. Tydings] and my other colleagues in paying tribute to the outstanding public service of Supreme Court Justice Tom C. Clark.

As a Justice Department attorney, Assistant Attorney General, Attorney General and a Supreme Court Justice, he has achieved a 30-year record of dedicated public service which is unsurpassed. He has given freely of his time to help the American people understand and appreciate the role of the judiciary and particularly the Supreme Court in our constitutional system. He has consistently contributed to the improvement of our courts and the legal profession. He has been instrumental in advancing and preserving freedom and equality in our nation. America has grown stronger through his service.

It is a privilege and an honor to know Tom Clark and he is going to be missed on our nation's highest court. However, knowing Tom Clark, his retirement will only mean a changing of hats. He will undoubtedly continue to serve the American people and the cause of justice. I wish him the very best.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I appreciate very much the remarks made by the distinguished Senator from Maryland this morning in regard to the outstanding services of Justice Tom Clark.

Although I am not an attorney in my own right, I have had an opportunity on many occasions to become closely associated with Mr. Justice Clark in many fields of enedavor outside of the legal profession. He is a man with a great heart and a man of deep integrity who is interested in the welfare of the citizens of this Nation. He has been most generous with his time and his talents wherever problems of the less fortunate were affected.

I know personally, as has been mentioned by the distinguished Senator from Maryland, of the continued efforts of Mr. Justice Clark in behalf of people who are handicapped and this particularly true with handicapped children. For instance, it has been my privilege to serve with him for years as a member of the board of the Institute of Logopedics at Wichita, Kans. I know of the time and effort he has given in behalf of this institution which deals with the problems of retarded children. Our State and our Nation are greatly indebted to Mr. Justice Clark in his efforts in this field, and in many other fields.

I have always had the highest regard for Tom Clark as a Justice of the Supreme Court of our Nation. It has always seemed to me that he was a balance wheel on this, the highest Court in our land.

I appreciate the comments of the Senator from Maryland and want to associate myself with his remarks about this distinguished jurist, outstanding citizen, and great humanitarian.

Mr. TYDINGS. I thank the Senator from Kansas.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BAYH. Mr. President, I wish to second the complimentary remarks of my distinguished colleague from Kansas [Mr. Carlson] with respect to the remarks which have been made by the distinguished Senator from Maryland. The Senator from Maryland is to be complimented for taking the initiative to bring to this body and to the country renewed emphasis if, indeed, and I think it is important that such an emphasis should be made on the great contribution which Justice Clark has made to the legal processes in this country. I think it is particularly appropriate that my friend, the Senator from Maryland, should speak in this role inasmuch as he is a member of the Committee on the Judiciary. As chairman of the subcommittee on which he serves so diligently—in which all of us owe him a debt—he has been in the forefront of the crusade to modernize judicial procedure. It is in this capacity that he brings a particular degree of expertise to the analysis of the record and accomplishments of Justice Clark.

Mr. President, it is with great honor and personal pleasure that I join my colleagues today in paying tribute to Tom Clark, Associate Justice of the Supreme Court of the United States.

In announcing recently his intention to retire from the bench, Mr. Justice Clark demonstrated once again his inherent sense of fairness and his deep devotion to judicial ethics, for the reason Tom Clark is leaving the bench of the highest court in the land was to avoid any suggestion of conflicting interests when his son, Ramsey, became Attorney General of the United States.

When President Johnson announced that he was nominating Ramsey Clark to become Attorney General, and when Tom Clark announced at the same time that he would leave the Supreme Court, most of us, I think, greeted the news with understandably mixed emotions.

On the one hand, we were delighted that an outstanding and brilliant legal advocate would be joining the President's Cabinet. On the other hand, we felt deeply the impending loss to the Nation of a Justice who has demonstrated both wisdom and understanding over the years.

Mr. President, 18 years ago when Lyndon Johnson was a member of this body, he supported the nomination of Mr. Justice Clark with words that ring with prophecy today. This is what Senator Lyndon B. Johnson said in 1949 before the Senate Committee on the Judiciary:

> For a number of years I have known Mr. Clark and his family personally. The close friendship has afforded me an opportunity to understand and appreciate Mr. Clark's personal traits and characteristics, which, I believe, embrace the distinctions of intellectual integrity, consistency, rare courage, and complete honesty so essential to the character of a Supreme Court Justice. Some other men may equal Tom Clark in these components of character, but no other man within my acquaintance excels Tom Clark.
>
> Mr. Clark's consistency his ability to divorce the cause of justice from the ties of sentiment, his warm compassion for and understanding of the problems of our present-day society are indicative of a true judicial temperament. For most of his public-service career, Mr. Clark has been an advocate, not a judge, but his advocacy has been wise and reasonable, not bigoted and ruthless; this further commends him as a man qualified for the bench. Advocacy has been his duty and responsibility and he has discharged that obligation well; the experience gained in this service will enhance his value as a jurist.
>
> Insofar as his capacity is concerned, Mr. Clark's public record is a remarkable testament to his stature. He has advanced steadily as his colleagues and superiors have recognized that his intellectual capacity exceeded the challenge of the office assigned to him. Because of this, I believe no happier union of challenge and capacity could be made than confirmation of Tom Clark for the position as Associate Justice of the Supreme Court of the United States.

Mr. President, Mr. Justice Clark was assigned as Circuit Justice to the Seventh Judicial Circuit in which my State of Indiana is included. I have been frequently questioned by the lawyers of Indiana on my opinion regarding the necessity of his resignation in light of his son's promotion to the position of Attorney General.

Many of my constituents, and members of the bar, in Indiana saw fit individually to petition the Justice to reconsider and to retain his position on the bench. This, it seems to me, is testimony to the high regard in legal circles which Mr. Justice Clark is held by jurists, lawyers, and legal scholars in my State.

Mr. President, I must say that I share the same feelings and the same concern. Knowing Justice Clark as I have had the privilege of knowing him, and also the younger Ramsey, now Attorney General, I can think of no two individuals in the same family who could separate their family's ties when arguing, perhaps, different positions in the chamber of the Supreme Court, as well as these two men could have—had this relationship continued and had Justice Clark not taken it upon himself to resign.

With respect to Justice Clark's serving in his capacity in the seventh circuit, I have noticed about Justice Clark what my colleague from Maryland pointed out in connection with the Maryland bar. Justice Clark has taken unto himself the seventh circuit and has guided, directed, and counseled its members. He has particularly felt it is an important obligation of the members of the Nation's highest judicial tribunal to develop and maintain inspiration within the younger members of the legal profession.

Thus, he has journeyed throughout the seventh circuit, speaking on law days, at law commencement activities, or wherever his services were requested.

I might also add my personal experience on the Subcommittee on Constitutional Amendments, where I have had the opportunity to read and read and reread many important decisions. I find a great deal of agreement with the philosophy expressed by Justice Clark, and even in those areas where I might not agree with him, certainly his logic is clear and penetrating.

Thus, I should like to reiterate the remarks which have been made by my friend, the Senator from Maryland, and to say on behalf of myself and the citizens of my State of Indiana, that I express our thanks to Mr. Justice Clark for his long and devoted service to the United States. No doubt he will miss the Supreme Court and its historic and momentous work; but if it be any comfort to him, we will miss him much more.

I thank the Senator from Maryland for yielding to me.

Mr. TYDINGS. Mr. President, I thank the Senator from Indiana for his comments. Continuing along the lines suggested by the Senator from Indiana, I might reiterate that as our Nation has grown in population, the problems of court administration have been compounded and the rate of litigation has increased tremendously. Justic Clark has seen this problem looming on the horizon and has been doing something about it. He realizes well that justice delayed is frequently justice denied. Too often delay in trial favors the rich, the prosperous, the giant corporations, and frustrates the efforts of less fortunate litigants to secure their rights.

Mr. President, some 144 years ago, the 5- to 10-year delays in litigation before the courts of England almost brought about the toppling of a British Government. Commenting upon these scandalous delays in 1823, the Edinborough "Review" reminded British subjects that, in a democratic system, kings, ministers, the army, and the Royal Navy—all existed to insure the citizen, any citizen, his right to present his case and his cause to the judges who sat at Westminster.

These comments about the need for prompt and speedy justice apply today, and because they do, Mr. President, I also would like to call to the attention of my colleagues that Mr. Justice Clark has, on his own, inspired two of our leading charitable foundations to finance the National College of Trial Judges. This is a college set up to train county-level trial judges from across the United States, and to give them the benefit of the techniques, the knowledge, and the experience of the leading trial judges.

Such a college cannot fail to have an important impact upon the availability of speedy justice, even at the local level. The college is certainly highly valued in my own home county, Harford County, where our circuit court judge, Hon. Harry Dyer, has told me that the National College of Trial Judges has done more to promote justice than any other institution he knows of.

Again, this college is but one example of the many contributions to the bar and to the public that Mr. Justice Clark has made outside the realm of ordinary service as a Justice of the Supreme Court of the United States.

Mr. McCLELLAN. Mr. President, I join with my colleagues who have preceded me this morning in paying tribute to Associate Justice Tom Clark of our Supreme Court who is, we are advised, soon to retire because of the elevation of his son to the position of Attorney General of the United States.

I think it is unique and certainly a great tribute to both father and son that the son, the Honorable Ramsey Clark, has followed his father in filling this highly important Cabinet position.

When the Associate Justice was Attorney General, he distinguished himself as an able administrator of the criminal laws of our land. Since he has been a member of the Supreme Court, he has participated in many decisions that have made their contributions to, and have had their influence upon, the sustaining of law and order in this country.

The distinguished Supreme Court Justice, in some of the 5-to-4 decisions which are today almost universally criticized and have had the effect of shackling law enforcement officials in the discharge of their duties because they favor the criminal element of this Nation to the disadvantage of society—we find him generally to be on the side of law and order. He strongly defends the rights of society which are today under vicious attack by those elements that are apparently dedicated to the pursuit of crime as a way of life.

I certainly commend Associate Justice Clark for the stand he has taken on the side of right and against the crime menace that is spreading across our land.

I say without any reservations or equivocation that, in my judgment, it is tragic that more of the Justices did not share his view and join with him in the dissenting opinions he has written in some of these important 5-to-4 decision opinions. Had they done so, the dissenting opinions would have become majority opinions and the majority opinions, as so expressed, would be the law of the land today instead of some of the crippling decisions that are now having an adverse effect upon law enforcement and are, in my judgment, markedly contributing to the increase in crime in this country.

I say this notwithstanding and without apology to our former Attorney General who said, in effect, that the turning of criminals loose without any punishment has no impact upon the increase in crime. In my judgment, it is not "unutterable nonsense" to say that the turning loose of self-confessed criminals contributes to the increase in crime and thus further endanger the security of society.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LONG of Louisiana. Mr. President, I compliment the Senator from Arkansas for the magnificent job he has done in trying to restore the strength of our Republic.

The Senator is, in my judgment, 1,000 percent right when he says that as a result of the Supreme Court rulings, it is virtually impossible to punish a culprit for his crimes. To say that it does not have anything to do with the increase in crime is patently ridiculous.

Mr. McCLELLAN. If punishment for a crime is not a deterrent, the whole theory of punishment for crime is wrong. Punishment should be abolished if it is not a deterrent and does not serve to prevent crime.

It is ridiculous and absurd to say that the turning loose of self-confessed criminals such as those who have committed murder, rape, robbery, and assault—has no psychological influence on those who are criminally inclined.

Mr. LONG of Louisiana. The old saying is: "Spare the rod and spoil the child."

Mr. McCLELLAN. We are not only sparing the rod, but by means of the Supreme Court decisions, we are also sparing the right and the duty to interrogate persons about crimes. The Supreme Court has proclaimed that a suspect cannot even be asked about a crime without first providing him with a lawyer if the suspect wants a lawyer.

The Constitution of the United States makes no such provision. It merely provides that a man shall not be compelled to give evidence against himself in a criminal case. There is no criminal case pending, even though a crime may have been committed, until a charge is made.

Mr. LONG of Louisiana. The impression that I have gained is that, whether it is a matter of teaching a child or an animal, the psychology is the same. When they do something wrong, we explain to them that they have done something wrong and must pay a price for it, however mild the censure may be. It cannot be merely conversation. It may be just a simple matter of saying that they cannot go to the picture show that afternoon, but at least there must be some action to chastise a person for wrongdoing so that we will encourage him to do the right thing thereafter.

Mr. McCLELLAN. I am criticizing the decisions of the Court, because they are directed against law enforcement officials who are trying to enforce the law, to ferret out crime, to ascertain who committed the crime, to apprehend the criminal, and to interrogate him with respect to his conduct.

We cannot, of course, compel a man to be a witness against himself. However, the opportunity should be given to any man suspected of crime, or suspected of having any knowledge of how a crime was committed or who committed it, to cooperate as a witness and tell the law enforcement officials what he may know and give them any information he may have that would aid the law enforcement officials in the performance of their duties.

When this vacancy occurs, when the distinguished Associate Justice Clark has actually retired—and I believe I voice the sentiments of millions and millions of Americans who are concerned today—let us hope that the President of the United States, in his wisdom and under his authority, will nominate someone to the Supreme Court who has a deep conviction about the fundamental principles of our land. Let us hope it is someone who will adhere to and interpret the Constitution and its fundamentals as written and as intended by the Founding Fathers. The nominee should not be someone who will seek, by some mechanism of rhetoric, to read into the Constitution words that are not there and meanings that were never intended in order to accomplish the unfortunate results we are today experiencing. The downgrading of our dedicated law enforcement officials who are trying, under most difficult conditions, to perform their duties—to bring about safe streets and crime control as sought by the President in legislation he has proposed—should not have occurred.

Mr. President, we will never have safe streets and crime control, no matter how many laws are enacted, unless the police of this country—unless the arresting officials—are given an opportunity to interrogate those who may have some knowledge that a crime has been committed. To say that those having knowledge of a crime cannot be interrogated until the State furnishes them a lawyer, is carrying concern for the alleged rights of the accused to the extreme and to the detriment of law enforcement in this country.

I hope the President will take these considerations into account when he sends to the Senate a nomination of someone to fill the vacancy that will regretfully occur by reason of the retirement of the distinguished Associate Justice Tom Clark.

Mr. HRUSKA. Mr. President, Tom Clark has announced that he will retire from the U.S. Supreme Court by no later than the end of the present term in June. His place on the bench of our highest Court will be difficult to fill. The country can be solaced in that it has not lost a father, but instead gained a son. Ramsey Clark's appointment as Attorney General filled the father with pride. Tom Clark's career has made his Nation proud.

In his 18 years with the Supreme Court, Justice Clark has emerged with the reputation as a moderate, in the finest sense of the word. Moderation embodies the rule of reason. This is the approach of Tom Clark.

He has been called the traveling salesman of justice because of his extensive travels each year in efforts to improve the Federal and State judiciary. It is good that Justice Clark will continue this work. It has been announced that he will chair a special committee of the American Bar Association to survey the ethics of lawyers.

Justice Clark has recognized that there is no erosion of the separation of powers when Congress acts to change a decision of the Supreme Court. Indeed, this is the duty of Congress. Tom Clark in dissent has at times called upon the legislative branch to undo what he regarded as an improper ruling.

I hold Justice Clark in the highest regard. I am deeply sorry that he has decided to retire, but understand his reason. The President is faced with an awesome task in nominating a worthy successor by and with the advice and consent of the Senate.

Mr. YARBOROUGH. Mr. President, I certainly share the high opinion of Justice Tom Clark that has been expressed by the junior Senator from Maryland. Justice Clark's service has been distinguished both by his superb performance of his official duties and his continuing work for the betterment of the judicial process. If Justice Clark cannot be swayed from his announced intention, and does retire from the Bench this year, I shall wish to call to the attention of the Senate a much fuller account of the notable career of Justice Tom Clark at the appropriate time.

Mr. TOWER. Mr. President, I would like to take this occasion to pay tribute to Mr. Justice Tom C. Clark, of Texas, upon the occasion of his coming retirement from the Bench of the U.S. Supreme Court. As an observer of the American judiciary, over the past few years, I have come to admire and respect Tom Clark for his calm, considered judgment and his basic concern for justice, at the expense of partisan advantage. He will certainly be missed.

For many years a lawyer with the Justice Department, Tom Clark rose to prominence, originally, as chief of the west coast branch of the Antitrust Division. In this capacity he ended price fixing in the west coast lumber industry. As coordinator of all the Federal agencies concerned in the lamentable evacuation of the Japanese from the west coast, in 1942, he won distinction for humane behavior under inhumane circumstances. Promoted first assistant to the Assistant Attorney General in the Antitrust Division, he served in the exposure of numerous frauds against the Government arising out of contracts for war materials. Promoted once again to head the Criminal Division, he enforced, with fairness and determination, priority orders, price control, rationing, and food allocation laws.

Following 8 years in the Justice Department and several in the capacity of president of the Federal Bar Association, Tom Clark became U.S. Attorney General, in May 1945. Black markets and monopolies were the chief targets of Justice Department activity throughout his tenure as Attorney General. In August 1949 he was appointed to the U.S. Supreme Court, and the decision was indeed a proper one.

In 18 years on the Court, Tom Clark has been regarded as one of the conservative element, insofar as many controversial issues are concerned. Even in the matter of congressional reapportionment, he came out against full acceptance of the one-man, one-vote dogma, declaring that if one house of a State legislature met the population standards, the other might "include some departure from it—on some rational basis."

As an independent thinker, Justice Clark established himself early in his career on the Supreme Bench. When called upon to vote in the 1952 steel seizure case, he was confronted by the choice of siding with the President who had appointed him, or of following his conscience. True to his traditions, he had no choice but to vote his conscience.

And as a final note, closing out his career, he chose to retire the moment that his son became U.S. Attorney General, to prevent the impression that the Court and the Justice Department had any kind of family tie.

The action was typical of Mr. Justice Tom C. Clark, of Texas—a man of principle and a tribute to his State.

Mr. KENNEDY of New York. Mr. President, Daniel Webster once wrote that "Justice is the great interest of man on earth." To Justice Tom Clark, these words embodied a way of life and throughout his long and distinguished governmental career—a career which all of us hope has not yet reached its culmination—his every action was directed at the fulfillment of this principle.

In his more than 18 years on the Supreme Court, Justice Clark has written over 200 majority opinions. Many of them have had an enormous impact on the course of American life; but to me, three of his most monumental opinions were written during the time that I was Attorney General of the United States.

For it was during those years that the Supreme Court excluded illegally seized evidence from State trials, barred racial discrimination on any property leased from a State agency, and more carefully defined the first amendment's guarantees of religious freedom. That Tom Clark wrote the majority opinions in these cases should surprise no one. For each of these decisions fit well with his conception of a just constitutional government guaranteeing individual liberty and fundamental freedom against state interference.

And it was during these same years that the Supreme Court handed down some of its most important and far-reaching opinions in the struggle to combat unjust mergers, price fixing, and unfair corporate dealings. In the forefront of that struggle was Tom Clark whose efforts to prevent illegal business operations dated back to 1938 when he first joined the Antitrust Division of the Department of Justice, a Department he was later to head. To Tom Clark the preservation of legitimate business competition was a fundamental necessity if individual entrepreneurs were to survive and America were to remain a land of equal opportunity for all.

February 28, 1967, must certainly have been a proud, yet sad day for Justice Tom Clark. On that day, his son, William Ramsey Clark, was appointed U.S. Attorney General—a position which Justice Clark had held 22 years earlier. Simultaneously, Justice Clark announced his intention to retire from the Supreme Court. He knew that personal considerations would never affect or alter his decisions as a judge. But he worried about what the American public might think and whether his position might make his fellow Justices uncomfortable. His decision to retire from the Supreme Court was the choice of a man of conscience and humility—a man who has always prized honor and principle far more than fame. Such men are hard to find and I therefore add my sentiments to those of my Senate colleagues in urging Justice Tom Clark to remain active in the Government he has served so well for these decades and to continue his leadership on behalf of a better and more just America.

Mr. HART. Mr. President, there can be no joy in the antitrust camp in seeing Associate Justice Clark leaving the Supreme Court, where he has served so well.

As anyone familiar with his background with the Department of Justice might have suspected back in 1949, when he ascended the Bench, antitrust enforcement has had an understanding friend in the highest Court of the land this past 18 years.

This does not mean that he always upheld the Government's position. One need only remember the Times-Picayune case to counteract that implication. However, fairness requires acknowledging Justice Clark's fairness. This was apparent in the newspaper case. And we who feel that antitrust is simply the rules of fairplay for the game of competition must feel that his insistence in the Times-Picayune case that restraint of trade be demonstrated—and in the Tampa Electric case that a real probability of a lessening of competition be shown—did help to maintain the fairness of antitrust.

If those two cases might be cited as examples of Justice Clark taking the muscle out of the antitrust laws, there is a long list of other opinions which put more muscle in.

In fact, a recent survey of the 84 antitrust decisions since 1953 showed that two-thirds of them were written by four Judges—including Justice Tom Clark.

It might be well to mention a few of his opinions:

In National Dairy, he wrote the opinion sustaining the validity of the criminal provisions of section 3 of the Robinson-Patman Act against the charge that it was unconstitutionally vague.

In the Dean Foods case, he sustained the power of the FTC to seek and gain injunctive relief in merger cases.

In International Boxing Club, he wrote an opinion sustaining the violation and defending the decree calling for strong relief to break up monopolization of boxing.

In Bowman Dairy, he wrote the majority opinion which explored the cost justification defense in section 2(b) of the Robinson-Patman Act.

There is no question that the man who started in 1937 as a trial attorney in the antitrust Division of the Department of Justice has left his construction mark on the antitrust law for the past 30 years. The clearest impressions, of course, were left during the 18 years on the Supreme Court.

He is being deservedly praised today for his many accomplishments. He should be—it seems to me—thanked by every businessman in the United States. For in a land where the constant cry is "Antitrust law is too vague," Justice Clark has done his effective best to erase some of the vagueness and pencil in certainty—and fairness.

Justice Clark will be remembered gratefully by students of constitutional government for so long as our system continues. And the probability that our system will succeed, not just survive, is the greater because of the loyalty and learning of Justice Tom Clark.

Mr. KENNEDY of Massachusetts. Mr. President, it is a pleasure for me today to join in the tributes being offered to Supreme Court Justice Tom C. Clark.

In his 18 years on the Court, Justice Clark has handed down a distinguished series of opinions marking fully his belief in the right of all Americans to equal opportunities in life. No issue of the day is of greater moment for the future of America—for the strength of her institutions, for the continued well-being of her people, and for her stature as a world leader.

Justice Clark, in his opinions and statements from the Bench, has left no doubt on where he stands on the issues presented to the Court. This singleness of purpose could come only from a man who has a firm vision of American society, a vision grounded in nearly 40 years of public service both as Attorney General, and in the legislative branch, culminating in service as a member of the highest Court in the land.

Justice Clark is noted in legal circles

as an outstanding leader in the cause of streamlining judicial administration. Court congestion is today perhaps the most serious problem facing our judicial system. It is responsible for long delays in giving every citizen access to the courts and benefits of justice. I am sure that when Justice Clark steps down at the end of this term, he will give the lawmakers and the judges in this country the full benefit of his experience and wisdom in helping to streamline this country's judicial machinery.

Justice Clark, presently chairman of the American Trial Lawyer's Student Advocacy Advisory Committee, has recognized our great need for increasing both the numbers and the training of our trial attorneys. We must always heed the need to bring to our law students the experiences our highest judicial officers have had in administering the system which our students are studying. Only then can our legal system continue to be responsive and modern.

We will all miss Justice Clark's presence on the Supreme Court.

Mr. TYDINGS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded

The PRESIDING OFFICER. Without objection, it is so ordered.

ON A COLLISION COURSE WITH CATASTROPHE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an editorial which appeared in the Washington Sunday Star, of April 23, entitled "On a Collision Course With Catastrophe."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Sunday Star, Apr. 23, 1967]

ON A COLLISION COURSE WITH CATASTROPHE

Time is running out for the United States postal system. As Postmaster General Lawrence F. O'Brien warned a Senate subcommittee the other day, a catastrophic logjam such as hit Chicago last October "could happen in any post office."

Volume will total 80 billion pieces of mail this year, compared to a mere 5 billion for the entire Soviet Union. We not only account for more mail than all other nations combined, but our mere rate of annual increase, 3 billion pieces, is a third the total volume of France.

The present postal system simply isn't equipped to handle a problem of this magnitude. Its physical plant is outmoded, its staffing handicapped by a hoary tradition of political patronage, and its deficit-ridden finances a nightmare of congressional interference.

The truth is that Americans are guilty of a culture lag in their attitude toward the mails. They insist on 20th century service but complacently accept the notion that the department is a political power base, useful for dispensing local postmasterships. The public demands that only the most modern management techniques be used in the Defense Department, for example, but still clings to the theory that the Post Office can be run along Jim Farley lines.

Oddly enough, a political technician has now set out to dispute the notion that the Post Office should be operated this way. Mr. O'Brien, a shrewd manager of President Kennedy's 1960 campaign and subsequently a White House adviser to President Johnson, wants to get the department out of politics, away from congressional meddling, and even away from the White House. He is literally talking himself out of a job if his plan goes through.

The O'Brien plan, unveiled at a meeting of magazine publishers here early in April, can be summarized briefly. It would remove the Post Office Department from Cabinet status, set it up as a non-profit government corporation, and operate it with a board of directors appointed by the President and confirmed by Congress. A professional executive would manage the corporation.

As part of this package, the corporation would be given a clear set of rules on the "percentage of cost of coverage for postal services," so that future changes in rates would be made on a fixed formula basis. In other words, the corporation would have a precise idea of how much its free services for congressional franking privileges and so on would be reimbursed out of the Treasury, and how much it could charge the public for regular mail.

Such a drastic reorganization of the postal system may seem a startling and hazardous venture into an unknown area. But in fact similar proposals are under study in Britain and Canada, and the government-owned corporation is nothing new.

The most conspicuous example is the Tennessee Valley Authority. The TVA Act of 1933 created a self-supporting government corporation.

In contrast to the Post Office Department, whose current deficit totals $1.2 billion, TVA is repaying money to the Treasury for the appropriations it received in its early days for dams.

There are those who will argue that this is a false analogy, that an electric power system in seven states can't be compared with delivering the mail nation-wide. They will point out that the problems faced by the Post Office have no parallel in any other industry.

Certainly no one will dispute the magnitude of the Post Office task. But oddly enough, right alongside this creaking government service with its deficits and delays has grown a flourishing private industry in one area, the delivery of packages. Testimony last year before the Senate Post Office Committee revealed that one firm, United Parcel Service, grew from zero in 1951 to 300 million parcels in 1965. Another, Railway Express Agency, since 1960 has raised annual tonnage of shipments from 1.4 million tons to 1.8 million, a 23 percent gain, and has added 126 terminals and 18,436 vehicles.

Hopefully converting the postal system to a corporation, free of congressional interference, would give a professional manager the freedom that private industry seems to translate into profits and better service.

Much has been said about the Post Office manpower troubles, mounting work load, and low morale. But as Postmaster O'Brien sees it, the real crunch comes in lack of working space.

The system's physical plant is "inadequate, badly located, and aging," he declares. Nearly 90 percent of post office space is in buildings constructed before 1940. For years, the department has skimped on new buildings and machinery, setting aside 2.4 to 4.1 percent of its budget. (By contrast, American Telephone and Telegraph ploughs roughly 33 percent every year into capital investment.)

Mr. O'Brien thinks it will take about $5 billion spread over the next five years to modernize the department's buildings. Yet the House recently cut $10.8 million out of a $55.8 million budget request for new buildings next year.

The crisis focuses on buildings for several reasons. This is where the automation is planned to speed up mail handling and reduce costs. But many of the existing buildings cannot be converted. Their floors are too weak for heavy machinery, their layouts are not compatible with an efficient flow of work, and the plants are often in downtown sites strangled by traffic.

Mr. O'Brien's proposed corporation could issue bonds for new buildings and pay off the debt by rental income. The way things stand now, Congress dictates the final budget for buildings, just as it does for pay rates, number of employees, postal rates, and hiring of postmasters. And the system isn't working.

In recent months a number of proposals have been made in Congress to change some aspect or another of the postal department. Some of these are worthy; the Senate recently enacted a bill which would abolish patronage in hiring of postmasters.

But these are piecemeal solutions.

As Mr. O'Brien observes, "I think the effort to patch a fabric so full of holes is yielding diminishing returns." No less than a revolution will cure this ailing system.

A presidential commission is now studying proposals to overhaul the Post Office, and is expected to report within a year. In the meantime Chairman Joe Pool of a House subcommittee on postal facilities will open hearings next month on the O'Brien plan. Already there are indications that key House members are hostile to the program and the loss of congressional control it would mean. But until somebody comes up with a better idea, Congress had better take the Postmaster General seriously. The system, as he correctly warns, is in a race with catastrophe. His solution makes more sense to us than anything else that has been suggested.

POINTLESS PROTEST

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an editorial which appeared in the April 23 Washington Sunday Star entitled "Pointless Protest."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POINTLESS PROTEST

The Committee of 100 Ministers, representing a cross-section of this city's most respected Negro clergymen, has made just the right response to Julius Hobson's harebrained campaign for a May 1 boycott of the public schools.

Instead of abandoning schools and exposing school children to use as "political pawns," the ministers said, District parents should devote themselves to the "urgent task of seeking to improve the quality of education."

The distinction is between a constructive positive course and one wholly negative. The boycott scheme was born just after the reapportionment of School Superintendent Hansen, which Hobson had noisily opposed. The ministers recognize, however, that protest must serve some useful purpose in order to be worthwhile. In this case, no purpose is served and the form of protest is thoroughly deplorable.

No administrative or teaching "reforms" of any substance are likely to be made by the school board until the Columbia Teachers College study of the local school system is finished this summer—despite the board's desire for changes. No amount of protest is apt to change that situation. As to money, the debate this week on the city budget disclosed a substantial awakening of congressional interest on the whole question of the District's school needs. This is an interest, however, which needs to be nurtured, not discouraged. And in this as in any other context, the sorry spectacle of empty classrooms on schools days could do only harm.

COLLEGE TAX CREDIT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record an editorial which appeared in the Washington Sunday Star, of April 23, entitled "College Tax Credit."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

College Tax Credit

The proposal approved in the Senate to give a tax break to parents with children in college is a move in the right direction.

There may have been a time when a college education could be treated as a luxury, something reserved in the main for children of wealthy parents. This, of course, is no longer true, if it ever was true. Higher education today is a matter of great importance, not only for the individual but also for the nation. And this is true not only of "rich kids," but for youngsters at every level of our society, economic and otherwise, who can qualify for college.

From the parental point of view, however, the cost of a college education has been spiraling and it will go higher. Without help, the inevitable result will be no room in a great many family budgets for the higher education of children who want to go to college, who ought to go to college, and who would be more useful citizens if they did go.

The tax credit proposal is on the modest side—a maximum of $325 a year per student. Smaller credits would be allowed for those with incomes above $25,000 a year and none for those whose incomes exceed $57,000. For the vast majority of Americans the $325 figure would be applicable. This is not a great deal, but it would help.

On the other side of the coin would be an immediate revenue loss to the Treasury. This is not inconsequential. But if the projections are correct, the government in the years ahead would recapture all or even more of its interim revenue loss from higher taxes paid on higher incomes by college-trained men and women. We think the House should go along with this Senate project.

SUMMER: A CITY PROBLEM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record a column, by Mary McGrory, which appeared in the Washington Sunday Star, of April 23, entitled "Summer: A City Problem."

There being no objection, the article was ordered to be printed in the Record, as follows:

Summer: A City Problem

(By Mary McGrory)

Henry James said it was the loveliest word in the English language, but "summertime" has become a symbol for trouble in America's cities.

Last year, half-a-dozen large cities were swept by the fires of racial violence. This year, it is glumly agreed, things could be worse. Dr. Martin Luther King, the foremost Negro leader, has prophesied turbulence. Mayor John V. Lindsay has begun making plans to avert riots in New York City, which, largely due to his efforts, escaped in 1966.

Race relations, which were bad last summer, has deteriorated.

The expulsion of Adam Clayton Powell Jr. of New York from the House of Representatives has solidified anti-white sentiment. The myth that he was the idol of the janitors and the maids of his race has been exploded.

Negroes are watching with unnerving intensity for the resolution of the case of Sen. Thomas J. Dodd of Connecticut, who has been accused of misuse of campaign funds. If he is let off with a pat on the wrist, Negroes say they will have new proof that there are, as Howard University President James M. Nabrit charged last March, "two laws in this country—one for white and one for black."

The most ominous development of all has been the sight of Dr. King making common cause with Stokely Carmichael against the Vietnam war. For President Johnson, King's opposition would be bad enough. But for him to be allied with the most extreme elements in the civil rights movement has caused the utmost consternation at the White House.

The Nobel Peace Prize winner has declared that the war "is destroying the soul of the nation." His associates say that King did not bring the war against the war into the slums. They aver it was already on, and that he assumed leadership lest it fall into the hands of Carmichael and other "black power" advocates who counsel resistance to the draft.

To add anti-war protest to civil rights unrest is, nonetheless, to some of Dr. King's best friends, to be putting a match to shavings.

Even before this grim prospect developed, the Federal government had been tooling up the programs which King has charged have been robbed by the concentration on Vietnam.

Vice President Humphrey is in charge of coordinating numerous projects, many of them financed by poverty program funds which were slashed in Congress. The swimming pool allowance was, for example, wiped out.

He has already written to the mayor of every city of any size, telling them what remains available by way of federal financial help and giving them information on their cities which they may not have.

The Department of Health, Education, and Welfare has, for instance, made a survey of summer camps and found an average vacancy rate of 25 percent. The vice president is suggesting to mayors they take steps to put slum children in the empty bunks.

The President in February sent a message to Congress in which he urged a national "Share Your Summer" conference to encourage more fortunate families "to open their vacation homes to disadvantaged children for part of the summer."

The Labor Department is concentrating on hard-core unemployment cases and has set a goal of summer jobs from 20,000 to 40,000 for youths between 15 and 21.

The difficulties of reaching disadvantaged and totally disoriented youth were illuminated at a hearing of the Cities Committee at which officials of the building trades testified.

The officials held to their contention that their antidiscrimination program has been 99 percent successful. Their case was statistically shattered when Sen. Robert F. Kennedy, D-N.Y., pointed out that in Cleveland, a city with a Negro population of 17 percent, a union had found only 22 Negroes worthy of being taken into apprentice training.

One of the officials countered that a carpenters union wishing to do the decent thing, offered to train a hundred boys. They were prepared to teach the illiterate to read and write and offered to pay them $2.25 an hour.

"They wound up with eight," he reported. "They wouldn't stay. You can't force a boy to train who doesn't want to learn."

In Philadelphia, the Rev. Leon Sullivan, who runs one of the most successful poverty programs in the nation, found that it was better to induce the neighborhood to contribute to training programs, so that if a boy dropped out, he had an irate contributor to face.

Responsible government officials know there is not time or money available to reconcile the sullen and estranged Negro youth described by A. Philip Randolph, the venerable civil rights leader. But they hope that they can persuade antipathetic mayors like Locker of Cleveland and Yorty of Los Angeles that a show of concern is imperative if law and order is to be maintained in the slums this summer.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the unanimous-consent agreement previously entered, the Senate will now transact routine morning business, under the 3-minute rule.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Export-Import Bank Insurance and Guarantees Issued in Connection With U.S. Exports to Yugoslavia

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia, for the month of March 1967, not previously reported, totaled $1,206,238; to the Committee on Appropriations.

Authorization of Travel and Transportation Allowances to Certain Members of the Uniformed Services

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 37, United States Code, to authorize travel and transportation allowances to members of the uniformed services authorized leave from isolated posts (with an accompanying paper); to the Committee on Armed Services.

Report on Strategic and Critical Materials Stockpiling Program

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on strategic and critical materials stockpiling program, for the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on Armed Services.

Amendment of Section 510(a)(1) of the Merchant Marine Act, 1936

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend section 510(a)(1) of the Merchant Marine Act, 1936 (with accompanying papers); to the Committee on Commerce.

Permission for Tacking of Citizen Ownership of Vessels for Trade-In Purposes

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to permit tacking of citizen ownership of vessels for trade-in purposes (with accompanying papers); to the Committee on Commerce.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on Government-wide review of the administration of certain statutory and regulatory requirements relating to architect-engineer fees, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on air transportation provided dependent children of Department of Defense personnel between the Continental United States and overseas areas, Department of Defense, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of critically needed missile fuel under adverse conditions from a sole-source supplier, Department of the Air Force, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

Determinations Relating To Rearrangement and Equalization of Construction Repayments Due the United States From Various Irrigation Contractors on the Milk River Project, Montana

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, determinations relating to rearrangement and equalization of construction repayments due to United States from various irrigation contractors for their respective shares of the costs of the water storage works on the Milk River project in northern Montana (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Activities Under the Law Enforcement Assistance Act of 1965

A letter from the Attorney General, transmitting, pursuant to law, a report on activities under the Law Enforcement Assistance Act of 1965, dated April 1, 1967 (with an accompanying report); to the Committee on the Judiciary.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. Monroney and Mr. Carlson members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Tennessee; to the Committee on Government Operations:

"Senate Joint Resolution 34

"A resolution petitioning the Federal Government for more latitude and discretion in the state's use of monies returned by the Federal authorities

"Whereas, It is the policy of the Federal Government to appropriate large sums of money for specific programs within the states and to require the states likewise to appropriate large sums of money for the programs specified by the Federal Government; and

"Whereas, It is increasingly the policy of the Federal Government to promulgate rules, regulations and guidelines setting forth in extreme detail the requirements for administering the programs contributed to; and

"Whereas, The needs, circumstances and resources of the states differ greatly; and the attempt to provide details of program administration applicable to all the states can cause inefficient use of the state's money and does cause the use of this state's money not in accord with the priority of need;

"Now, therefore, be it resolved by the Senate of the Eighty-fifth General Assembly of the State of Tennessee, the House of Representatives concurring, That the President of the United States of America and the Congress of the United States are most respectfully petitioned and requested to consider whether a more efficient use of monies returned to the states could not be obtained if the states were given more discretion in the application of the monies; and whether it is indeed necessary or desirable for the federal authorities to promulgate and require adherence to such great numbers of regulations and guidelines for the state administration of federally assisted programs.

"Be it further resolved, That the Secretary of the State of Tennessee shall furnish a copy of this resolution to the President of the United States of America, to the President of the Senate and to the Speaker of the House of Representatives of the Federal Congress, and to each member of Congress from the State of Tennessee.

"Adopted: April 11, 1967

"———— ————,

"Speaker of the Senate.

"———— ————,

"Speaker of the House of Representatives,

"Approved: 4–13/67.

"———— ————,

"Governor."

A resolution of the Senate of the State of Washington; to the Committee on Interior and Insular Affairs:

"Senate Resolution Ex. 39

"Whereas, Construction of the Satus Dam has been under study since 1920; and

"Whereas, Reports on this important irrigation, flood control, water supply, recreation and fisheries enhancement project have been made as recently as 1964 by the U.S. Bureau of Indian Affairs; and

"Whereas, New federal water resource project standards relating to recreational benefits from such projects open up new means of providing for these functions; and

"Whereas, The Department of the Interior and the Bureau of Indian Affairs have placed a low priority on this development, which is important if full development of our water resources on the Yakima River system is to be obtained; and

"Whereas, The Satus Dam would provide irrigation for some 14,000 acres of lands now dry, would store 64,600 acre-feet of water and greatly augment low flows for fish and wildlife enhancement and recreational purposes; and

"Whereas, This project has widespread community support and its construction is urged by local soil and water conservation districts, farmers, sportsmen, valley chambers of commerce and the Yakima Tribal Council;

"Now, therefore be it resolved, That the Secretary of the Interior immediately complete a comprehensive re-evaluation of the irrigation, flood control, fish and wildlife enhancement, low flow augmentation and recreational benefits of the project and place it before the Congress for authorization at the earliest possible date;

"Be it further resolved, That copies of this resolution be sent to President Lyndon B. Johnson, the President of the United States Senate and the Speaker of the House of Representatives; Senators Warren G. Magnuson and Henry M. Jackson, Congresswoman Catherine May and the other members of the Washington Congressional delegation.

"I, Ward Bowden, Secretary of the Senate, do hereby certify this is a true and correct copy of the resolution adopted on April 14, 1967.

"Ward Bowden,

"Secretary of the Senate."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Interior and Insular Affairs:

"SJR 29

"A joint resolution relating to the National Cemetery System

"Be it resolved by the legislature of the State of Alaska:

"Whereas figures compiled by the Department of Defense for the fiscal year 1966 show that of the 4,873 servicemen who lost lives in the fight for freedom in Vietnam during the period, 873 or 20.4 per cent were buried in national cemeteries; and

"Whereas, although one in five were actually interred in national cemeteries, many more would probably have also been buried in a national cemetery had there been available space near the home of next of kin; and

"Whereas over the past three years there has been a determined effort on the part of some federal agencies to sharply curtail or do away altogether with any further provision for national cemeteries; and

"Whereas present day burial expenses are sufficiently high without placing on the veteran's and serviceman's dependent the added cost of purchasing a burial plot; and

"Whereas the burial allowances of the Veterans Administration and that provided under Social Security are far too meager to provide for the last rites of most veterans and servicemen; and

"Whereas it is perfectly evident that the present administration is determined to end the national cemetery system just as soon as present facilities are exhausted and this procedure is a rank departure from the long-time precedent that veterans who have served their nation in time of war are entitled to burial sites provided by the United States Government;

"Be it resolved that we strongly urge the Congress of the United States to take such action as necessary to forestall the present plans of the Bureau of the Budget and the administration, and to oppose the position of the Department of Defense which supports the administration's policy of no further expansion of the national cemetery system, with the exception of the Arlington National Cemetery, as many national cemeteries have already exhausted available space and several others are scheduled for closing this year; and be it

"Further resolved that the Department of Defense be requested to establish an adequate and permanent national cemetery system to make national cemeteries available with burial spaces for all U.S. military servicemen and women who are entitled to the same, and wish to be interred there.

"Copies of this Resolution shall be sent to the Honorable Lyndon B. Johnson, President of the United States; the Honorable Carl Hayden, President Pro Tempore of the Senate; the Honorable John McCormack, Speaker of the House of Representatives; the Honorable Robert S. McNamara, Secretary of Defense; the Honorable Charles L. Schultz, Director, Bureau of the Budget; and the Honorable E. L. Bartlett and the Honorable Ernest Gruening, U.S. Senators and the Honorable Howard W. Pollock, U.S. Representative members of the Alaska delegation in Congress."

Two resolutions of the Legislature of Guam; to the Committee on Interior and Insular Affairs:

"RESOLUTION No. 187 (1–S)

"Relative to respectfully requesting the President of the United States and the Congress of the United States to put on notice the United Nations that Guam is not a non-self-governing dependency of the United States but a true part of the United States and as such is of no concern to that world organization, the people of Guam having freely and voluntarily associated themselves with the United States, accepting with gratitude American citizenship and participating with all other Americans in the life of the nation

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas, the territory of Guam was originally acquired by the United States as part of the war spoils generated by the Spanish-American War and thus was for many years a colony of the United States wherein the people had no voice in the administration of the island and played no part in the American commonwealth; and

"Whereas, despite the lack of self-government and the colonial status of the island and its residents, the people, nevertheless, during the Second World War when the territory was occupied by forces hostile to the United States for almost three years, demonstrated a real knowledge of the ideals of American democracy and a true loyalty to the American nation, which loyalty was rewarded by the United States shortly after the end of the war by the grant of American citizenship and local self-government to the people of Guam; and

"Whereas, despite this grant of citizenship and self-government, the people of Guam have been advised that the United Nations still considers Guam a non-self-governing dependency, i.e., a colony, of the United States and as such expects the United States to account to the United Nations as to Guam's progress toward independence, and since this notion of the United Nations that the people of Guam are somehow wards of the United Nations and not part of the United States is one highly repugnant to the people of Guam who have fought, bled, and died for the United States not as colonials under duress but as patriotic Americans; now therefore be it

"Resolved, that the Ninth Guam Legislature does hereby on behalf of the people of Guam respectfully advise and request the President of the United States and the Congress of the United States to put on notice the United Nations that the territory of Guam is not a colony of the United States but is part of the American commonwealth and that, accordingly, the United Nations has no jurisdiction over, nor any legitimate interest in the internal affairs of Guam or in its relations with the rest of the United States, the facts upon which such notice should be based being, among others, the following:

"1. That the grant of U.S. Citizenship to the residents of Guam was long requested by the people of Guam prior to its actual extension and that therefore this U.S. citizenship was a free choice of the people of Guam and not given against their wishes;

"2. That as citizens of the United States, the people of Guam can travel freely anywhere else within the United States as can any other citizen and can obtain passports to travel elsewhere in the world, again as freely as other American citizens; that, accordingly, a large number of locally born citizens no longer reside in Guam but elsewhere in the United States where they, like all other citizens, vote in national and federal elections and otherwise fully participate in the life of the Nation;

"3. That although the residents of Guam, while living in Guam, cannot vote in national elections, for years neither could the residents of Washington, D.C., and neither can expatriate Americans living overseas who maintain no stateside residence, and thus the lack of a vote in a national election does not mean that the people of Guam are any less U.S. citizens than the others who can vote;

"4. That although the people of Guam do not presently elect their chief executive, **neither do the people of Washington, D.C., and in any event legislation is now pending** which will undoubtedly soon give Guam the right to choose its own chief executive;

"5. That the community of Guam has per capita lost more of its men in the Vietnam Conflict than any other American community, and this fact is a source of great pride to the people of Guam, whose young men have volunteered in large numbers to join the American Armed Services, hardly the action of a colonial people, but instead the expression of patriotic Americans desiring to help defend not their colonial master but their own country; and be it further

"Resolved, that the people of Guam do further state that although for the foregoing reasons they deny any jurisdiction of the United Nations over Guam, they nevertheless are willing to clear this matter up for all time by submitting the question to a local referendum if such be the desire of the Congress or the President, although for the compelling reasons stated hereinbefore, in the opinion of the people of Guam such a referendum is not only unnecessary but to a considerable degree insulting to the memory of the countless Guamanians who have died for their country, the United States of America; and be it further

"Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable Lyndon B. Johnson, President of the United States, to the Honorable Hubert Humphrey, President of the Senate, to the Honorable John McCormack, Speaker of the House of Representatives, to the Honorable Arthur Goldberg, United States Delegate to the United Nations, to the Honorable Henry M. Jackson, Chairman, Senate Committee on Interior and Insular Affairs, to the Honorable Wayne N. Aspinall, Chairman, House Committee on Interior and Insular Affairs Committee, to the Honorable A. B. WonPat, Guam's Washington Representative, and to the Honorable Manuel F. L. Guerrero, Governor of Guam.

"Duly and regularly adopted on the 7th day of April 1967.

"F. T. RAMIREZ,
"Legislative Secretary.
"J. C. ARRIOLA,
"Speaker."

"RESOLUTION No. 189 (1–S)

"Relative to respectfully requesting the Senate of the United States to confirm the appointment of Manual F. L. Guerrero as Governor of Guam

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas, President Lyndon B. Johnson, on his recent trip to Guam to preside over the Guam conference on the progress of the Vietnam War, upon his arrival in Guam, dramatically announced that on the plane ride from Washington to Guam, he had signed the commission reappointing the Honorable Manuel F. L. Guerrero as Governor of Guam, and that appointment is now pending in the United States Senate; and

"Whereas, Manual F. L. Guerrero has become the first appointed governor under civilian administration to serve out his full four-year term, which establishes that he has served honorably and successfully as Governor of Guam and that he can continue to do so in the future, and until provision is made for Guam to elect its own governor; and

"Whereas, the present incumbent has been employed in one capacity or another by the Government of Guam for practically his entire adult life and has unique knowledge of, and experience in, the Executive Branch of the Government of Guam and therefore is an ideal choice as appointed Governor of the territory of Guam; now therefore be it

"Resolved, that the Ninth Guam Legislature does hereby on behalf of the people of Guam respectfully request and memorialize the Senate of the United States to confirm the appointment of the Honorable Manuel F. L. Guerrero to a second term as Governor of Guam; and be it further

"Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable Lyndon B. Johnson, President of the United States, to the Honorable Hubert Humphrey, President of the Senate, to the Honorable Henry M. Jackson, Chairman, Senate Committee on Interior and Insular Affairs, and to the Honorable Manual F. L. Guerrero, Governor of Guam.

"Duly and regularly adopted on the 7th day of April 1967.

"F. T. RAMIREZ,
"Legislative Secretary.
"J. C. ARRIOLA,
"Speaker."

A concurrent resolution of the legislature of the State of Arkansas; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION 5

"Pertaining to banning of Bible reading and public prayer in our public schools

"Whereas, recent decisions of the United States Supreme Court have banned the reading of the Bible and public prayers in our public schools; and

"Whereas, other public officials in high places have given support and endorsement to the decisions of the Supreme Court; and

"Whereas, the decisions of the Supreme Court and the statements of a number of public officials have tended to confuse the public and have supported the philosophy that this Nation should ban in its public life the existence of and faith in God Almighty; and

"Whereas, this Nation was founded on the philosophy of freedom of religion and religious worship, and the strength of this Nation through its many troubled years has been fortified by the strong expression of belief by most of the people of this country of faith and dependence upon Almighty God, now, therefore

"Be it resolved by the House of Representatives of the sixty-sixth General Assembly of the State of Arkansas, the Senate concurring therein,

"That this Resolution is adopted in protest of the decisions of the United States Supreme Court, and the expressions of officials in high public positions, supporting the philosophy of banning the reading of the Holy Bible and public prayer in our public schools, it being recognized that each citizen should not be denied his freedom of worship, yet it being further recognized that the vast majority of the people should not be denied the right to refer to the Holy Scripture or commune with Almighty God in prayer in their public affairs and public life.

"Be it further resolved that upon adoption hereof a copy of this Resolution shall be furnished by the Secretary of State to the Chief Justice of the United States Supreme

Court and to the Speaker of the House of Representatives and the President of the Senate of the National Congress.

"MERLIN R. COCKRILL, Jr.,
"Speaker of the House.
"MARVIN BRITT,
"President of the Senate."

A joint resolution of the Legislature of the State of California; to the Committee on Post Office and Civil Service:

"ASSEMBLY JOINT RESOLUTION No. 12

"Relative to the issuance of a commemorative postage stamp honoring Walt Disney

"Whereas, Walt Disney brought laughter and joy into the lives of millions by the truly original and humorous antics of Mickey Mouse, Goofy, Donald Duck, Dumbo, Bambi, and scores of others; and

"Whereas, Born in Chicago, Illinois, in 1901, his family moved to Missouri where he spent most of his boyhood on a farm, where he began sketching animals and, by the age of 15, he concluded his formal education and began his career in the business world; and

"Whereas, From his imagination and factory of drawing boards, Walt Disney fashioned the most popular movie stars ever to come from Hollywood and created one of the most fantastic entertainment empires in history; and

"Whereas, From the first seven-minute cartoons, Walt Disney became the first man to use Technicolor and to mix animation with live action and pioneered in making feature-length cartoons; and

"Whereas, A pioneer in feature length color cartoons, Walt Disney popularized nature films and later expanded into adventure, comedy, and musical productions; and

"Whereas, Honored with over 900 awards from organizations and governments around the world, he was awarded the United States' highest civilian decoration, the presidential Medal of Freedom, and was proposed for the 1964 Nobel Peace Prize; and

"Whereas, Walt Disney's creative talents have earned him 31 Academy Awards and 5 Emmy Awards during his illustrious, 43-year career; and

"Whereas, Disney's restless mind created one of the nation's greatest tourist attractions, Disneyland, a 160-acre tract of amusement rides, fantasy spectacles, and recreated Americana, which was described by Walt Disney simply as "the world's happiest place" and which will survive as an enduring monument to the genius of its creator; and

"Whereas, Walt Disney was involved in plans for what he called his biggest, most ambitious project yet, Disney World, a multimillion-dollar park in Florida similar to Disneyland, and also being planned was a year-round recreation facility in the Sequoia National Forest; and

"Whereas, Although he leaves many reminders of his presence, Walt Disney will be missed by the millions of children and adults who were entertained by this great man; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Postmaster General of the United States to issue a commemorative postage stamp honoring Walt Disney; and be it further

"*Resolved,* That the Chief Clerk of the Assembly is directed to send copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Postmaster General of the United States, and to the members of the Citizens Stamp Advisory Committee of the United States Post Office Department."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION

"Whereas, the Legislature of the State of Hawaii enacted Act 3, Session Laws of Hawaii 1965, which provided that public buildings and facilities insofar as feasible will be constructed in such a way as to be accessible to and usable by the physically handicapped; and

"Whereas, Senator E. L. Bartlett of Alaska has introduced in the Senate of the United States a bill (S. 222) to insure that public buildings financed with federal funds shall be designed and constructed so as to be accessible to the physically handicapped; and

"Whereas, Congressman Charles Bennett of Florida has introduced a similar bill (H.R. 6589) in the Congress of the United States; now, therefore,

"Be it resolved by the House of Representatives of the Fourth Legislature of the State of Hawaii, General Session of 1967, with the Senate concurring, that it give its full support to the measures presently pending in the Senate and Congress of the United States relating to construction of federal buildings so as to be accessible to the physically handicapped; and

"Be it further resolved that Hawaii's congressional delegation be urged to support said measures to the best of their ability; and

"Be it further resolved that duly authenticated copies of this Concurrent Resolution be forwarded to the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of Hawaii's congressional delegation, Senator Hiram L. Fong, Senator Daniel K. Inouye, Congressman Spark M. Matsunaga and Congresswoman Patsy T. Mink."

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Public Works:

"SENATE JOINT RESOLUTION 21

"Memorializing Congress to reconsider and amend the Federal Highway Beautification Act of 1965 (Public Law 89–285) for the purpose of making it more flexible and workable

"The legislature of the state of Wisconsin enthusiastically approves and is desirous of co-operating in carrying out the general plan for roadside beautification under the Federal Highway Beautification Act of 1965, the objectives of which are primarily the same as Wisconsin's long established and continuing program to construct and maintain highways that serve and attract our resident population and many tourist guests. Nevertheless after careful study it appears that the means and methods prescribed by the act for achieving its goals, including the proposed rules and standards for its administration, not only completely change or nullify historic Wisconsin methods of controlling roadside outdoor advertising, but pose an economic and financial impact so adverse to highway construction and roadside control in Wisconsin as to make compliance therewith untenable; and, on the other hand, noncompliance therewith will result in a severe retardation of the Wisconsin highway construction and improvement program. The reasons for this are patent.

"Heretofore and for many years in Wisconsin, billboards, junk yards and unsightly structures along the interstate highway system have been controlled by legislative zoning under the police power. The Federal Highway Beautification Act of 1965 requires that states conforming to the act must control the same along both the interstate and federal primary systems, and fails to permit an exemption for local control within incorporated areas, thereby increasing the number of miles which would have to be controlled in Wisconsin from about 460 to 6,000 miles, affecting approximately 44,000 billboards and 451 junk yards. It further requires that such controls must be exercised not later than January 1, 1968, by removing about 40,000 of these billboards, which would be rendered illegal under the federal act, upon payment of just compensation to the owners thereof and also to the owners of the land on which they are maintained, and by screening and landscaping the junk yards or, in the alternative when that cannot be done successfully, removing them after just compensation has been paid to the owners.

"This in itself would be an insurmountable undertaking by the state, but the real dilemma is that the cost of such control program will approximate $20,000,000 of which Wisconsin will have to pay one fourth, and that the entire $5,000,000 plus an undeterminable amount for future cost of such controls will be diverted from construction of Wisconsin highways to the beautification program. Not included in these figures are the undetermined amounts necessary to control areas where no signs presently exist or for signs installed after the passage of this act on October 22, 1965.

"Another unpalatable phase of the federal act is that if a state conforming thereto fails to meet the deadline or elects not to conform in effecting such controls it will forfeit 10% of its otherwise allotted federal highway construction aids annually until it complies.

"Now, therefore, be it

"Resolved by the senate, the assembly concurring, That for the purpose of seeking to improve the workability of the Federal Highway Beautification Act of 1965 to make the act sufficiently flexible to better recognize the variations in conditions between states, to minimize so far as practicable the wholesale nullification or revision of historic state legislation governing control of roadside billboards and junk yards, to give the right to exempt control within incorporated areas, to give states further time in which to meet deadlines for accomplishing effective control of roadside billboards and junk yards, and to enable states to exercise control over roadside billboards and junk yards by legislative zoning under the police power as an alternative to condemnation or payment of damages, the legislature of the state of Wisconsin memorializes the Congress of the United States to reconsider and amend the Federal Highway Beautification Act of 1965 accordingly; and, be it further

"Resolved, That a copy of this resolution be sent to each house of the Congress and to each Wisconsin member thereof."

REPORT ENTITLED "CONSTITUTIONAL AMENDMENTS"—REPORT OF A COMMITTEE (S. REPT. NO. 191)

Mr. BAYH. Mr. President, from the Committee on the Judiciary I ask unanimous consent to submit a report entitled "Constitutional Amendments," pursuant to Senate Resolution 193, 89th Congress, and ask that it be printed.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). The report will be received, as requested by the Senator from Indiana.

REPORT ENTITLED "LABOR RACKETEERING ACTIVITIES OF JACK McCARTHY AND NATIONAL CONSULTANTS ASSOCIATED, LTD."—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 192)

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations, I submit a report of the Permanent Subcommittee on Investigations, entitled "Labor Racketeering Activities of Jack McCarthy and National Consultants Associated, Ltd."

This report concerns a series of hearings which was held during 1966 relating to the role of labor relations consultants in the important field of collective bargaining between management and labor. The subcommittee examined the activities of a labor consultant named Jack McCarthy, his associates in the firm of National Consultants Associated, Ltd., and a number of other persons who were involved with him in labor-management matters. These included labor union officials who were dominated or strongly influenced by McCarthy.

Testimony and documented evidence disclosed a number of dubious practices and outright abuses engaged in by McCarthy and his associates. This report describes a series of schemes through which McCarthy and those close to him acquired substantial personal profits, while at the same time the legitimate objectives of trade unionism were undermined and union members were deprived of rights and privileges which should have been safeguarded by existing laws.

The investigation showed that Jack McCarthy and his associates engaged in *a number of corrupt and dishonest practices* which are summarized as follows:

First. "Sweetheart contracts" were negotiated between employers, who were represented by McCarthy and his consulting firm, and seven local labor unions *which McCarthy dominated* or *controlled*.

Second. "Labor peace" was purchased for clients of National Consultants Associated, Ltd., through the procurement of various services which were operated by relatives, associates, or friends of McCarthy.

Third. Loans to union officials on questionable terms were arranged by McCarthy and a union official named Daniel Kapilow, who was McCarthy's partner in a firm called Linsan Trading Co.

Fourth. Union welfare funds were misused by McCarthy and Kapilow, who loaned assets of the funds to their own company while they were trustees of the funds.

Fifth. McCarthy and Kapilow, while they were trustees of a welfare fund, purchased a house in the name of McCarthy's mother which subsequently served as headquarters for the union and its benefit plans. The transaction ultimately will provide McCarthy's mother with a windfall profit of about $45,000.

Sixth. Dental and optical benefit plans for union members furnished high profits to McCarthy and others, but provided few if any benefits to the union members whose funds were used to pay for the operation of the plans.

Mr. President, it should be noted that, on March 20, 1967, by action of a Federal grand jury in this Southern District of New York, Jack McCarthy and Louis Basis, his partner in the consulting firm, were indicted on 38 counts of violations of section 302 of the Labor Relations Act of 1947 and section 504 of the Labor-Management Reporting and Disclosure Act. The announcement of the indictment by Robert M. Morgenthau, U.S. attorney, stressed that the Government's case against McCarthy and Basis evolved from information disclosed in the subcommittee's hearings, and that the indictment was the first such action to be brought under section 504 of the Labor-Management Reporting and Disclosure Act.

Testimony in our hearings showed that McCarthy, while he was still business agent for Local 1430 of the International Brotherhood of Electrical Workers, received monthly payments from Louis Basis. The money came from business firms represented by Louis Basis and National Consultants Associated, Ltd., in the negotiation through Jack McCarthy *of collective bargaining agreements with* Local 1430. McCarthy was at that time a partner in National Consultants Associated, Ltd., even though he was still an official of Local 1430. McCarthy was also indicted for failing to file reports of his activities as a labor-relations consultant under the provisions of the Labor-Management Reporting and Disclosure Act and was further charged with failing to report the payments made to him by the business firms through his partner, Louis Basis.

The exposure of the activities of these persons through the subcommittee's investigation and their subsequent indictment should ultimately prove to be beneficial to the rank-and-file members of the unions and to the business firms in*volved. I consider the result of this in*quiry, Mr. President, an excellent example of the subcommittee's accomplishments in the labor-management field during the past dozen years.

The members of the subcommittee, however, express in this report certain recommendations that we hope will produce other important and long-lasting results, particularly in the enactment by the Congress of the legislative proposals that we believe are appropriate and necessary.

The first of these measures seeks to strengthen and clarify the regulations of the Labor-Management Reporting and Disclosure Act relating to the role of labor-relations consultants. The subcommittee recommends the enactment of legislation which would amend the existing statute by:

First, requiring all union officials to report annually to the Department of Labor any and all income from and transactions with labor relations consultants;

Second, requiring all labor relations consultants to report fully about their receipts and disbursements; and

Third, providing criminal penalties for violations in conflict-of-interest situations between labor consultants and union officials.

The foregoing proposals have been included in S. 1250, a bill to amend the Labor-Management Reporting and Disclosure Act which I introduced in the 90th Congress and which was cosponsored by Senators Ervin, Muskie, Mundt, and Curtis.

The subcommittee also recommends that the Congress give careful consideration to measures which have been introduced to revise and strengthen the Welfare and Pension Plans Disclosure Act by providing additional safeguards for the participants and beneficiaries of employee-benefit plans. I introduced S. 1255 in the 90th Congress for this purpose, and a similar bill, S. 1024, has been introduced on behalf of the administration. Senator Javits also has introduced a bill, S. 1103, which proposes requirements for protecting employee benefit trust funds.

Mr. President, the principal provisions of the legislative proposals I have referred to are needed to deter and eliminate the kinds of corruption and dishonesty which have been demonstrated in our hearings and summarized in this report. It is my hope that Congress, *after due examination of these measures,* will recognize their worthy objectives and enact them into law.

Mr. President, I ask unanimous consent that the report be printed, together with the individual views of the Senator *from New York [Mr. Javits].*

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Arkansas.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CASE:

S. 1604. A bill to amend the Oil Pollution Act, 1924, with respect to the *definition of the term "discharge"; to the Committee on* Public Works.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 1605. A bill for the relief of James L. Wheeler; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 1606. A bill for the relief of John (Giovanni) Denaro; to the Committee on the Judiciary.

By Mr. HART:

S. 1607. A bill to provide local grant-in-aid credit for urban renewal project in Garden City, Mich.; to the Committee on Banking and Currency.

S. 1608. A bill to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.; to the Committee on Labor and Public Welfare.

By Mr. MOSS:

S. 1609. A bill to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 1610. A bill for the relief of Donna Sue Mendieta Gensemer; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself, Mr. Bennett, Mr. Curtis, Mr. Dominick, Mr. Fannin, Mr. Hansen, Mr. Hatfield, Mr. Hickenlooper, Mr. Jordan of Idaho, Mr. Miller, Mr. Prouty, Mr. Scott, Mr. Thurmond, and Mr. Williams of Delaware):

S. 1611. A bill to require annual approval by the Congress of aggregate amounts of expenditure authorizations contained in general appropriation acts; to the Committee on Government Operations.

(See the remarks of Mr. Allott when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 1612. A bill to authorize the Secretary of the Interior to carry out a program of restoration and development of migratory waterfowl habitat in the Middle Rio Grande Valley, New Mexico, in furtherance of the purposes of the Migratory Bird Treaties with Canada and Mexico; to the Committee on Commerce.

By Mr. MORSE (for himself, Mr. HATFIELD, Mr. JACKSON, Mr. MAGNUSON, Mr. HOLLAND, Mr. SMATHERS, Mr. JORDAN of North Carolina, and Mr. MURPHY:

S. 1613. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Finance.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

TO AMEND THE OIL POLLUTION ACT OF 1924

Mr. CASE. Mr. President, I introduce, for appropriate reference, an amendment to the Oil Pollution Act of 1924, as it was amended by Congress last year.

The purpose of my amendment is to delete a single word slipped into the act by a House-Senate conference committee in the dying days of the 89th Congress, and to restore language approved by the Senate.

This one word has made the law's provision prohibiting the spillage of oil in inland or territorial waters virtually unenforceable. The crippling effect was accomplished by changing the definition of oil discharge as spelled out in the 1966 Senate amendment to the act. Under the new law the Government must prove that a vessel was "grossly" negligent in any case involving a discharge of oil.

This, I am told authoritatively, has placed an almost impossibly onerous burden of proof on the Federal Government. As a result, the Justice Department recently disclosed, according to the April 16 New York Times, that it has not filed a single oil pollution case in the inland and territorial water category since the law was amended last November 3. Previously, Justice says, it prosecuted about 100 or more cases a year.

The crippling of the Oil Pollution Act leaves our shores virtually defenseless against the tanker which dumps oil at sea.

Within recent days, stretches of the New Jersey coastline and the beaches of Cape Cod were fouled by oil. Off the shores of New Jersey alone, hundreds of helpless sea birds have been killed by the massive oil slicks. Apparently only a lucky tide, which seems to have carried the oil out to sea, has spared New Jersey the same fate that befell the English and French coasts from the sunken tanker *Torrey-Canyon*.

Amending the Oil Pollution Act, as my bill would do, is only one step that must be taken to protect our shores from oil pollution.

For one thing, I believe the Coast Guard must institute systematic oil pollution patrols in territorial waters.

The Coast Guard has advised me that it does not conduct such patrols at present, relying for its information on happenstance sightings made and reported by military or civilian ships and planes moving about on other business.

I am bringing this situation to the attention of the Coast Guard and am asking that patrols be undertaken as quickly as possible.

For another thing, I agree with Theodore R. Rogowski, an assistant solicitor for water pollution control in the Department of the Interior, that the Corps of Engineers should take a broader view of its enforcement authority under the Refuse Act, another means for controlling water pollution, and "be vigorous in recommending prosecution under that act."

If either the Corps of Engineers or the Coast Guard find themselves unable to carry out their responsibilities for effective enforcement of these antipollution acts because of lack of funds, theirs is also the responsibility to ask Congress for the necessary appropriations. As a member of the Senate Appropriations Committee, I stand ready to assist in providing additional funding.

We want no *Torrey Canyon* incidents off the New Jersey or Massachusetts coasts, or any other coastal portion of the United States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1604) to amend the Oil Pollution Act, 1924, with respect to the definition of the term "discharge," introduced by Mr. CASE, was received, read twice by its title, and referred to the Committee on Public Works.

AMENDMENT OF SMALL RECLAMATION PROJECTS ACT OF 1956

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to amend the Small Reclamation Projects Act of 1956, to provide that projects may be qualified for loans which would now supply water mainly for irrigation but which might, during the course of their 50-year loan repayment period, be used primarily to supply water to residential or industrial customers. A similar bill has already been introduced by the Representative from California [Mr. TUNNEY], in the House of Representatives.

During the 10 years the small reclamation loan program has been in operation, numerous projects have been qualified for assistance on the basis they are needed today to provide water primarily for irrigation, although it was possible that someday they might be used primarily to supply residential and industrial water.

However, in the last few months it has become evident that the Department of the Interior is developing a new interpretation of this provision of the law, and is holding that projects would not qualify if, during the course of the loan repayment period, these projects might be used primarily for other than irrigation purposes. This interpretation is killing the loan applications of some very worthy projects, and holding up the applications of others.

Just recently, for example, I was informed that the loan application of the Roy Water Conservancy Subdistrict, in my own State of Utah, has been returned unapproved because of this problem. I also understand that the application of the West San Bernardino County Water District was held for the same reason for months before that approval was given. I have heard further that the Colorado River Water Conservation District proposed to develop a much-needed project on the White River in western Colorado but were informed that it could not qualify for a small reclamation projects loan because more water would be used to support important industrial development than was required for irrigation, both of which are essential in developing the economy of the area. Numerous other irrigation projects which involve municipal or residential water supply are under consideration, and may never be developed, or may be turned down, on the basis of the new philosophy which is developing in the Department of the Interior.

These projects are now subject in the Department to what I will call the great guessing game. They will be approved or disapproved on the basis of someone's guess as to what type of development will take place in the future in the area in which the projects are located.

I am aware that population projections for regions, States, counties, and cities are accepted tools of our planners. However, I defy anyone to make a completely reliable projection of the conditions which will exist in a given 1,000-acre area, or even in a 10,000-acre agricultural area, 50 years from now. Yet that is what the Department of the Interior is trying to do.

The projects which basically are affected by this new philosophy are those which would be located near to centers of population. The areas in which they would be built are now still primarily agricultural, and more water is needed now for agricultural pursuits. However, it is entirely possible that some of the service areas they cover will be converted into residential areas in time. Yet because this is the case, these projects are denied loan funds now.

Why is it not good business to plan a system for agricultural use now which can be gradually converted to municipal and industrial use if urbanization of the area makes this desirable? Why should we not do the comprehensive planning necessary now to supply today's needs, and be ready for tomorrow's when they come?

If we do not make some provision of this type of development in the Small Reclamation Act, many small projects which we need now will not be built, since there is no other place such a project can go for financing. It is difficult to obtain sufficient financing from private sources because undeveloped or partially developed areas have little or no bonding capacity. And there are no other Federal programs for which they can qualify.

Let me make it clear, of course, that I am not talking about grants or subsidies for these projects, but about loans which will be fully repaid, with interest.

Mr. President, I was the sponsor of the bill the Congress enacted last session which improved and extended the

Small Reclamation Projects Act of 1956, and allowed this very successful program to continue.

At the time my bill was under consideration, the problems I have discussed today had not arisen. We in the Congress were not aware of the change of policy about to take place in the Department of the Interior.

So it now becomes necessary to amend the Small Reclamation Projects Act again. We must not let technicalities hold up or hobble this vastly important program. We should take the Department of the Interior out of its great guessing game. We should move ahead on all fronts and in all ways to develop our water resources—it is foolish and shortsighted to do otherwise.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 1609) to amend the Small Reclamation Projects Act of 1956, as amended, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

IMPOSITION OF IMPORT LIMITATIONS ON PREPARED OR PRESERVED STRAWBERRIES

Mr. MORSE. Mr. President, on behalf of myself and Senators Hatfield, Jackson, Magnuson, Holland, Smathers, Jordan of North Carolina, and Murphy, I wish to introduce a bill designed to establish a strawberry import quota. This measure would impose limitations on the amount of prepared or preserved strawberries which could be imported annually into this country. The limitation would be set at 20 percent of our annual strawberry consumption.

This bill is important to Oregon in particular because Oregon is second only to California in the quantity of strawberries produced yearly in the United States for domestic consumption. It is identical to a bill introduced on the House side by Congressman Al Ullman, of Oregon.

Oregon produces approximately one-fifth of the total U.S. fresh and processed strawberry crop. In figures this is 97,150,000 pounds worth $16,936,000 yearly. The U.S. strawberry crop total for 1966 was approximately 469 million pounds worth about $105 million.

American strawberry growers, however, are faced with an enormously expanding Mexican strawberry crop as well as increased imports from Canada and Poland.

Imports of fresh Mexican strawberries have jumped from a negligible total in 1955 to 11,747,000 pounds in 1966. Frozen strawberry imports have gone from about 11,600,000 pounds to 82,825,000 pounds in the 11-year period.

Markedly lower labor costs, both in the fields and in the packing plants, and lower sugar prices have helped this rapid growth of the Mexican strawberry industry.

In a speech I gave February 10 at the Seventh Annual Mexico-United States Interparliamentary Conference I noted the growing political pressure in the United States to impose such quotas as these.

I noted that it was suggested that the members of both delegations urge their respective Governments to consider the desirability of a voluntary agreement which, for the next few years, would limit Mexican imports of strawberries, both fresh and canned, to the 1966 level, or a small percentage above that level with the provision for subsequent participation by Mexico in the growth of the U.S. market.

This bill will work toward that goal.

Mexican strawberry imports now total about 94 million pounds or slightly more than one-fifth of total U.S. production.

Because imports would be allotted under this measure on the basis of a previous share of the market it is unlikely the Mexican strawberry import level would drop substantially. The bill is designed, however, to prevent heavy increases which would seriously jeopardize the economic situation of strawberry growers throughout the United States.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 1613) to impose import limitations on prepared or preserved strawberries, introduced by Mr. Morse, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Finance.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE COLORADO RIVER BASIN PROJECT—AMENDMENT

AMENDMENT NO. 173

Mr. ALLOTT (for himself and Mr. Dominick) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 1242) to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes, which was referred to the Committee on Interior and Insular Affairs and ordered to be printed.

AMENDMENT OF CLEAN AIR ACT—AMENDMENTS

AMENDMENTS NOS. 174 AND 175

Mr. RANDOLPH. Mr. President, late last week the President announced a vastly expanded program for research and development in control of sulfur emissions from fuels. This new program, which envisages a supplemental appropriation for fiscal year 1967 of $4.2 million, will require an additional authorization for fiscal year 1968 of $15 million. Added to the previously requested expansion in monetary authorization for air pollution this will bring the fiscal year 1968 funding level to $99 million.

Mr. President, ordinarily an amendment to a matter pending before the Subcommittee on Air and Water Pollution would be introduced by the distinguished chairman of the subcommittee, Senator Edmund S. Muskie, who has directed the major congressional efforts to secure effective air and water pollution control legislation for the past 5 years. Senator Muskie is unavoidably absent today. He has asked that I introduce this amendment, knowing of the concern of both my constituents and the people of the United States for early development of effective methods to control the emissions of sulfur into the atmosphere.

The control of sulfur emissions from fuels combustion is today primarily a matter of spending sufficient funds to achieve a desired goal. This fact is recognized by the fuels industry, both coal and oil, by the people responsible for the Federal air pollution control program, and by scientists and others with whom I have spoken. It is not a question of hopefully developing a method of control. It is, in fact, absolutely essential that effective control devices and methods be developed at the earliest possible date. The economy of the country is integrally related to its ability to produce an abundant supply of cheap electricity. In his letter accompanying the proposed amendment, Secretary of Health, Education, and Welfare John W. Gardner, stated that selection of low sulfur fuels for certain areas offers only a temporary solution. And this solution will be a painful one for the coal industry and must be used only when the public health is threatened.

I ask unanimous consent to insert the letter in the Record.

At the same time, we are charged with a continuing responsibility to assure maximum protection of the public health from air pollutants of any kind. Therefore, I repeat it is essential that we immediately engage in a crash development progrgam to provide technically and economically feasible methods of controlling sulfur emissions from fuels combustion. I welcome the President's support in this matter and I congratulate him for this demonstrable evidence of his desire to secure effective air pollution control without undue economic dislocation. If the chairman of the subcommittee, Senator Muskie, were here today, he would fully endorse this position.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Health, Education,
and Welfare.

The President,
U.S. Senate,
Washington, D.C.

Dear Mr. President: The Air Quality Act of 1967, transmitted to the Congress on January 30, 1967 and now being considered by the Congress, is a matter of highest priority, if we are to continue the battle for clean air. It represents our concern for the serious threat to American health caused by polluted air.

Since the transmittal of the President's Message on "Protecting Our National Heritage," several events have occurred which make it necessary to accelerate the attack on one of the major air contaminants requiring more complete control—sulfur oxide.

The recently published "Air Quality Criteria for Sulfur Oxides," the recommendations of the conferees in the New York-New Jersey abatement action, and other findings and conclusions of prominent scientists, lead us to the inescapable conclusion that we must move more rapidly and effectively in reducing the levels of sulfur now present in the atmosphere over many of our metropolitan areas.

At the same time, it has become obvious that present technology is inadequate to deal fully with all aspects of the sulfur problem.

While it is true that selection of low-sulfur fuels for use in certain critical areas will offer a temporary solution, it is clear that we must substantially accelerate our research and development activities in three major areas: 1) Removal of sulfur from fuels, 2) process removal of sulfur from burning fuels, and 3) control of sulfur gases in the stack. Several promising approaches are available, and more rapid development to full-scale application is necessary.

We have discussed this problem with representatives of the coal and oil industries and with interested Federal agencies. We are all in agreement with the vital importance of an expanded and accelerated research and development program.

I am therefore recommending that the proposed Air Quality Act of 1967 be amended to increase the authorization for the fiscal year ending June 30, 1968, from $84 million to $99 million; the additional $15 million would be made available for research and development in control of sulfur omissions from fuels.

Enclosed is an amendment to the proposed Air Quality Act of 1967 to carry out this recommendation.

We are advised by the Bureau of the Budget that enactment of the Air Quality Act of 1967 with this amendment would be in accord with the program of the President.

Sincerely,

——————,
Secretary.

AMENDMENT TO DRAFT BILL, THE AIR QUALITY ACT OF 1967

In section 7, strike out "84,000,000" and insert in lieu thereof "99,000,000".

Mr. RANDOLPH. Mr. President, I send to the desk an amendment to amendment No. 154 which I proposed earlier this month as an amendment to S. 780, the Air Quality Act of 1967.

The measure which I now recommend would authorize the Secretary of Health, Education, and Welfare to establish Regional Air Quality Commissions in interstate regions. This measure differs from Section 108 as proposed in S. 780 in three major respects.

First, my proposal would, I believe, provide for more effective local and State participation and thus more cooperation between levels of government.

Second, the proposed amendment would invest the Commission itself with more authority by providing that the Commission rather than the Secretary would make the final determination regarding the air quality standards of the region.

Third, the proposed amendment substitutes for the cease and desist authority of the Commission which would be authorized by S. 780 the same enforcement procedure that is involved in abatement of interstate pollution in other sections of the Air Quality Act. In the absence of compelling reasons for such an extension of the Federal authority—which reason have not yet been advanced by administration witnesses in our hearings—I feel it is the prudent thing to retain a uniform procedure in all interstate pollution abatement actions.

The PRESIDING OFFICER (Mr. BAYH in the chair). The amendments—Nos. 174 and 175—will be received, referred to the Committee on Public Works, and will be printed.

AMENDMENT OF CLEAN AIR ACT—AMENDMENTS

AMENDMENT NO. 174

Mr. RANDOLPH submitted an amendment, intended to be proposed by him, to the amendment No. 154, intended to be proposed by himself, to the bill (S. 780) to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes, which was referred to the Committee on Public Works and ordered to be printed.

AMENDMENT NO. 175

Mr. RANDOLPH (for himself, Mr. MUSKIE, and Mr. COOPER) submitted an amendment, intended to be proposed by them, jointly, to Senate bill 780, supra, which was referred to the Committee on Public Works and ordered to be printed.

NOTICE OF HEARING ON NOMINATION OF WILLIAM W. SHERRILL, OF TEXAS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold a hearing on Tuesday, April 25, 1967, on the nomination of William W. Sherrill, of Texas, to be a member of the Board of Governors of the Federal Reserve System.

The hearing will commence at 9:30 a.m. in room 5302, New Senate Office Building.

Persons desiring to testifying or to submit statements in connection with this nomination should notify Mr. Lewis G. Odom, Jr., staff director, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., telephone 225-3921.

NOTICE OF HEARINGS ON FEDERAL JURY SELECTION BILLS (S. 383, S. 384, S. 385, S. 386, S. 387, S. 989, S. 1319)

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a hearing for the consideration of S. 383, S. 384, S. 385, S. 386, S. 387, S. 989, and S. 1319. These bills would provide improved judicial machinery for the selection of Federal juries.

The hearing will be held at 2 p.m. on Tuesday, May 2, 1967, in the District of Columbia hearing room, room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 49) to designate April 28-29, 1967, as "Rush-Bagot Agreement Days."

WE MUST NOT FIGHT FIRE WITH FIRE

Mr. McCARTHY. Mr. President, an article by the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], appeared in the New York Times on Sunday, April 23, 1967. It is a most thoughtful and searching inquiry into the ideological approach of the United States to foreign policy and international involvement, and I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE MUST NOT FIGHT FIRE WITH FIRE

(By J. W. FULBRIGHT)[1]

Underlying the controversy about the Central Intelligence Agency and its clandestine relationships with private organizations is a larger question about our basic philosophical stand as a nation. Do we, or do we not, subscribe to the great Kantian categorical imperative—of which Prof. Henry Steele Commager recently reminded the Foreign Relations Committee—"Never treat any human being as a means but always as an end," and "So conduct yourself that you might generalize your every action into a universal rule"?

These are ideal rules; few if any men can live up to them fully, but most Americans accept them as standards to which they aspire. They are implicit in our Constitution and in our traditions, both of which put limits on the use of power so as to protect certain rights of the individual. The essential purpose of our system—of federalism, checks and balances and the Bill of Rights—is not efficiency in the use of power but limitations on it, or, to put it another way, the acceptance of that degree of inefficiency in the conduct of government which is essential to protect the individual. At the core of the system is the belief that the human individual is an end, not a means; and that means, in order not to destroy the ends they serve, must be morally compatible with them. If we stand for anything in the world, it is this idea.

Within the last generation our country has been moving away from these values. More and more, we have been treating political philosophy—more exactly, the defense of our own political philosophy and hostility to Communism—as an end in itself, to which, with increasing frequency, it is deemed necessary to subordinate the freedom and dignity of individual men. More and more, in fear of having an ideology in which power is wielded arbitrarily imposed upon us, we have been imposing a degree of arbitrary power upon ourselves, passively if uneasily accepting half-true explanations of necessity, emergency and defense, while the wielders of power reassure us with a perversion of Lord Acton's maxim, something to the effect of: "Power, it is true, corrupts, but I am incorruptible and can be trusted to wield power with voluntary benevolence and restraint."

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[1] J. W. Fulbright (D., Ark.) heads the Senate Foreign Relations Committee.

I do not believe we have been undermining traditional values capriciously or because our leaders have become seized with the lust for power. The decisions which have led us in a direction away from rather than toward the fulfillment of our national values have been made, for the most part, by good and honest men. Good faith, however, is not the same thing as good judgment, and the fact that our policy-makers have not consciously sought to unbalance traditional constitutional relationships, and the traditional values that underlie them, does not mean that they have not, inadvertently, done so. The tremendous pressures imposed upon our policy-makers by the cold war, by the worldwide commitments of the United States and by the permanent, terrifying possibility of the destruction of our country by nuclear weapons have had a corrosive, undermining effect on the very values we are trying to defend.

In an environment of danger and anxiety ends have been confused with means. As Professor Commager said in his testimony before the Foreign Relations Committee: "The reason we are trying to win the contest with Communism is precisely because we want the triumph of the open mind, the triumph of freedom, the triumph of the unimpeded investigation of every scientific, every moral and philosophical question, and if we corrupt that process at the very outset, we may win the contest with Communism and lose the purpose for which we are contesting."

Prior to the Second World War—despite the use of spies in the Revolution, in the Civil War and in the First World War—our Government had never engaged in large-scale, organized secret intelligence activities. Being believers in popular government, we wanted no part of that sort of thing, and being relatively secure and isolated, we did not have to engage in the kind of intrigues which we associated with the Bad Old World of Europe.

World events and the growth of American power have altered this outlook. Implicit in our rejection of isolationism, however, is something more than an acknowledgment of altered circumstances. There seems also to be an assumption, rooted in a curious contempt for the past, that outmoded practices are bad practices and that changed circumstances are improved circumstances.

In more concrete terms, at some point in the process of acknowledging the necessity for world involvement, for huge military expenditures and far-flung intelligence activities, we seem also to have become persuaded that the taking on of these activities has been a positive good rather than a regrettable necessity. The result of this subtle but extremely significant extension of our attitude toward isolationism is that, in rejecting *practices* which have become outmoded, we have also gone far, without being very conscious of it, toward rejecting the *values* in which those practices were rooted.

Trying to make a virtue of necessity, we have come close to regarding our vast military establishment, our worldwide intelligence network and our deep involvement in the affairs of foreign nations as good things in themselves. The very word "isolationism"—or the more commonly heard "neo-isolationism"—has become, like "appeasement," a pejorative, a word that is used not to describe but to condemn a point of view.

It has become almost impossible, therefore, to introduce certain salient points into the current discussion, such as that American isolationism was a very wise policy in its time, that it has now become impractical but not necessarily undesirable and, most important of all, that being largely obsolete does not mean that it is entirely obsolete. Indeed, the term "isolationism," insofar as it connotes minding one's own business, still makes a good deal of sense in a good many places. Or, to make the point still another way, the fact that we cannot help being involved in some people's affairs does not mean that we ought to be involved in everybody's affairs.

A whole new intellectual community has arisen in our country, dedicated to the development of an ever more sophisticated global strategy. These scholars have introduced new concepts such as "graduated deterrence," the "balance of terror," "acceptable levels of megadeaths," all measurable with a fine precision by the playing out of "war-game scenarios." It all sounds so fascinating, so modern, so antiseptic that it is easy to forget that what is being talked about, coldly and scientifically, is the prospect of the most hideous carnage in the history of the human race.

Implicit in much of the thinking of the strategic intellectuals is a rejection, indeed a contempt, for traditional values. Federalism, checks and balances and the primacy of domestic civilian pursuits, insofar as they are thought of at all, are thought of as quaint anachronisms. In an age of conflict, the conduct of conflict becomes an end in itself, its needs claiming primacy over the ends for which it was undertaken. Thus, $70-billion a year for weapons must have priority over a modest little "war" against poverty; the military obligation of the young must have priority over their education.

It is, I believe, this loss of interest in the traditional values of American democracy that has alienated so many of our younger generation. Still believing in Jeffersonian principles, they have sensed and are deeply offended by their elders' reversal of ends and means. Underlying their protest and dissent, even when it takes extravagant forms, is the belief in the individual as an end not a means. And as the gap between practice and traditional values widens, so does the gap between generations, generating in the young that terrible feeling of inability to make their ideas and convictions understood—a feeling which is not just an affliction of youth but of moralists in an unbelieving age.

The American people are not given to half-hearted undertakings. Whatever the undertaking, even if it is something we do not especially need, we want the biggest, the best and the most of it—and we usually succeed. So it was with industrial and agricultural development and the exuberance of our effort has made us the richest nation in the world. And so it has been with war: Starting as an "example" for the world, a nation which, in President Wilson's phrase, was "too proud to fight," we have become the foremost fighter of the 20th century, the architect of victory in two world wars, the inventor and thus far the only user of the atomic bomb, and we are now participating in our fourth major war of this century.

So also has it been with the craft of intelligence. Prior to the Second World War American intelligence was amateurish and inadequate. Now, in keeping with our tendency to throw ourselves into things with a certain extravagance, we have, with due respect to the Russians, what is probably the most powerful and extensive intelligence network in the world. So extensive have the secret operations of the C.I.A. become all over the world that in 1963 former President Truman, who had created the C.I.A. 16 years before, wrote: "For some time I have been disturbed by the way the C.I.A. has been diverted from its original assignment. It has become an operational and at times a policy-making arm of the Government. . . ."

The crucible in which this vast secret apparatus was formed was the cold war. Emerging from the greatest war in history with a total victory that we expected to be followed by a new, civilized world order under the aegis of the United Nations, we Americans were shocked and disillusioned by Stalinist Russia's betrayal of its wartime agreements, as a result of which we found ourselves plunged into a bitter new struggle characterized by penetration, subversion, ideological propaganda and externally supported civil war. We were, there is no doubt, cruelly betrayed.

We decided thereupon, as Allen Dulles once explained, to "fight fire with fire." Through the Truman Doctrine, the Marshall Plan and the NATO treaty we saved Western and Southern Europe from what may or may not have been but was plausibly feared at the time to be a Stalinist design for the conquest of Europe. (These enlightened policies might accurately be characterized as fighting fire not with fire but with *water*.)

Beyond them, however, we mastered and practiced the techniques of the enemy. To a degree that is only just becoming known to the American people, we learned how to plant spies; we learned how to penetrate, subvert and overthrow foreign governments, and, most astonishing of all, we even developed a network of secret agents within our own society. As so often in the past, we have proved ourselves to be more than a match for an enemy in fighting him with his own weapons; we have indeed fought fire with fire and the flames have spread farther than anyone could have expected. And now the question must be asked: What is the difference between one kind of fire and another, between Communist fire and American fire?

All this was done under the authorization of two unprecedented pieces of legislation, the National Security Act of 1947, which created and defined, very broadly, the intelligence and "other functions" of the C.I.A., and the Central Intelligence Agency Act of 1949, which exempted the C.I.A. from the disclosure provisions regarding personnel which apply to other Government agencies and vested in the Director of Central Intelligence the power to spend money "without regard to the provisions of law and regulations relating to the expenditure of public funds."

So sweeping a grant of power is not in keeping with our traditions; one might even call it "un-American." The fact that it was enacted for the sole and express purpose of defending American traditions in the cold war does not alter the fact, as Thomas Jefferson noted in 1819, that "whatever power in any government is independent, is absolute also."

What matters about the recent disclosures concerning the C.I.A., and its relations with private organizations such as the National Student Association, is not the individuals involved or allegations about their "guilt" or "innocence," but the ideas and values involved and the standing of those ideas and values in present-day America.

The fair evaluation of any human act requires that due account be taken of the time and circumstances in which the act took place. I believe that if I had been a student leader in the late nineteen forties or early fifties, and if an apparently important Government official had approached me confidentially and told me that I had a unique opportunity to perform a patriotic duty by accepting funds from a secret Government source in order to have something done that I thought needed to be done anyway, I would have found it difficult indeed to turn such a proposal down.

I would have found it difficult because in those early days of the cold war, when Russia was still ruled by Stalin, Communism seemed clearly to be an extremely menacing aggressive force, one which used student meetings as one of many instruments in a centrally directed design for conquest. I would also have found it difficult to turn the proposal down because of my confidence in the democratic purposes of my Government and, in addition, being inexperienced, I would hardly have felt qualified to challenge the view of an apparently important Government representative on a matter of national security. Only from the perspective of the mid-sixties, when Communism is no longer a centrally directed international conspiracy, and when, for good reason, we have learned to be skeptical about some of the things our Government says and does, does it seem clear that the leaders of the National Student Association would have been well-advised to refuse any association with the C.I.A.

It is more difficult to understand why succeeding leaders of the N.S.A. maintained the secret association through the fifties and into the sixties, and it is more difficult still to understand why labor unions, leading universities and supposedly philanthropic, tax-exempt foundations undertook extensive, secret functions on behalf of the C.I.A. Clearly, all of the private individuals and Government officials involved knew—or should have known—that what they were doing was inconsistent with democratic principles of free inquiry and representative government. The most plausible explanation is that those who infringed on these principles did so in the conviction that they were discharging a higher patriotic duty, that, in making *exceptions* to democratic procedure, they were helping to defend democracy.

This viewpoint is not without merit. There are times when it is necessary to violate principle for the sake of principle; it is done upon occasion in the Senate, by honest and principled men. The danger, of course, is that expediency, like alcohol and tobacco, easily becomes a habit.

That, I believe, is what happened in the case of the C.I.A. and its clandestine associates: Exceptional behavior became conventional behavior. The clear evidence of that transition's having been made is the apparent equanimity with which most Americans have accepted the recent disclosures. I have talked to a number of people in recent weeks who have said that they favor what the C.I.A. and its private affiliates have been doing, that these organizations, after all, have been fighting against Communism and that, therefore, they regret only that it has all been spoiled by public disclosure.

Conflict is a great leveler. The longer it goes on, the more undiscriminating people become in their choice of weapons; the more they find it necessary to set aside principle for the sake of principle; the more, therefore, antagonists come to resemble each other. It is for this reason that "fighting fire with fire" is not only bad morals but bad policy as well: It tends to undermine the very purpose for which it was undertaken. It has not yet, thank God, made us a police state, but it has brought us closer to it and, what is even more alarming, to greater public acceptance of certain practices associated with a police state—secret policy making, unchecked executive power, subversion of foreign Governments, bugging and spying and wiretapping against our own people—than we have ever been in our history. All this, let it be stated again, is being done for the express purpose of defending ourselves against an enemy who is our enemy precisely because he engages in all of these practices.

The problem could be easily resolved, at least in principle, if we could simply lay down a rule that the end never justifies the means, that our policy must always be open and honest and made in accordance with constitutional procedure. The trouble is that that is probably not possible; there are times of supreme emergency, involving matters which are literally matters of life and death—for example, the missile crisis of 1962—when the President must act decisively, immediately and secretly. We are compelled, therefore, to lay down a qualified rule, a rule to the effect that the end almost never justifies the means, that our policy must almost always be open and honest and made in accordance with constitutional procedures.

Such a rule leaves room for human judgment and, with it, for human error. That is unfortunate but it need not be fatal. The American constitutional system has never functioned automatically; it has always depended for its successful functioning on a degree of voluntary restraint on the part of each of the three branches of the Government in the exercise of their respective powers.

The principal significance of the C.I.A. disclosures is the indication of a lack of restraint on the part of the executive in the conduct of foreign relations and the passive acceptance of unchecked executive power by the Congress and a large portion, probably a majority, of the public. If we are to restore that restraint in the exercise of power without which our constitutional system cannot function, we must begin by a candid recognition of the extent to which we have resorted to expediency in our rivalry with the Communist countries.

The association between the C.I.A. and the National Student Association was a clear case of cold-war expediency. It was obvious by the late nineteen-forties that the Russians were using international student meetings and youth festivals as occasions for cold-war propaganda and for efforts to influence the uncommitted. It was obviously desirable, and it remains desirable, for American students to participate in such meetings in order to make a case for—but even more important, to set an example of—freedom of thought and expression.

But while American participation in international student meetings is desirable, it is not essential. I may be missing something somewhere but I have the very strong feeling that international youth congresses and festivals are not nearly as important as the N.S.A. and its C.I.A. benefactor have thought. Since it has always been unlikely that either Russian Communists or American democrats could convert the other, presumably the importance of these meetings has been the opportunity which they offered to sway the minds of the uncommitted. It seems to me that the minds of the uncommitted would have had to be fairly feeble to be permanently won over to one ideology or the other by flattery, oratory and hoopla in the course of a youth congress.

The thought presents itself that the people the young Soviet and American activists were flattering were themselves. I have the further strong feeling that the kind of student exchange that has real significance, the kind that deeply and permanently influences the minds of the young, is the kind that brings students to a foreign country for a year or more of study, the kind that takes place in classrooms and libraries and international living centers, the kind that very seldom makes the news.

Even if it be granted, however, that there is real value in the participation of young Americans in international student meetings, by no stretch of the imagination can these be regarded as the kind of life-and-death matter which might, on rare occasion, justify the circumvention of democratic procedure. And yet that is exactly what the C.I.A., with the full approval of its political superiors, did. By secretly financing the international operations of the N.S.A., it usurped the constitutional authority of the Congress to authorize and appropriate public funds—the spirit, that is, if not exactly the letter of that constitutional authority, in light of the extraordinary financial powers given to the C.I.A. by the Central Intelligence Agency Act of 1949.

The C.I.A. affair is only the most recent manifestation in a long-term trend toward executive predominance in foreign policy. The source of this trend is crisis. In the past 25 years American foreign policy has encountered a shattering series of crises and inevitably, or almost inevitably, the effort to cope with these has been executive effort, while the Congress, inspired by patriotism, importuned by Presidents and deterred by lack of information, has tended to fall in line behind the executive. The result has been an unhinging of traditional constitutional relationships; the Senate's constitutional powers of advice and consent have atrophied into what is widely regarded as, though never asserted to be, a duty to give prompt consent with a minimum of advice.

It is worth recalling a few of the landmarks along the road to virtually unchecked executive predominance in foreign policy:

In 1940, President Roosevelt made his destroyer deal with Great Britain by executive agreement even though it was a commitment of great consequence and a clear violation of the international law of neutrality, so much so that Sir Winston Churchill later wrote that it had given Germany the legal right to declare war on the United States. It was, however, an emergency and Congress did not protest.

In 1950, President Truman committed the United States to war in Korea without the authority of Congress. The war was said to be a United Nations police action and therefore not a war in the traditional sense. In addition, it was contended that, because the police action was limited, a declaration of war would be awkward, possibly leading to the expansion of the conflict, and finally, it was contended that the President had the power to take the country into war under his authority as Commander in Chief and under the inherent authority of the Presidency. Finding these arguments persuasive, the Congress did not protest until the war settled into a stalemate and the opposition party saw the opportunity to make an election issue of it.

In recent years, Congress has exercised no more than a ceremonial role in decisions to commit American armed forces overseas. This role has consisted in the adoption of sweeping resolutions, perfunctorily debated and hastily enacted under conditions of extreme urgency, under circumstances in which any extended debate or deliberation would have been considered a sign of domestic dissension in the face of a foreign enemy and, therefore, unpatriotic. The resolutions concerning Taiwan, the Middle East and the Gulf of Tonkin were submitted to the Congress for the purpose of avoiding internal controversy of the kind President Truman encountered over the Korean war—that is to say, for the executive's convenience and not because any of the Presidents concerned regarded himself as lacking the authority to commit American forces abroad. In adopting each of these resolutions, Congress abdicated its constitutional authority over the decision to declare war.

It is argued by certain political scientists that the authority of Congress to declare war has become obsolete in the nuclear age and has passed into the hands of the executive. But this should not alarm us unduly, they say, because the check and balance formerly provided by the Congress are now provided by diversities within the executive branch.

"This," in the words of the distinguished historian Ruhl J. Bartlett, "is an argument scarcely worthy of small boys, for the issue is not one of advice or influence. It is question of power, the authority to say that something shall or shall not be done. If the President is restrained only by those whom he appoints and who hold their positions at his pleasure, there is no check at all. What has happened to all intents and purposes, although not in form and words, is the assumption by all recent Presidents that their constitutional right to conduct foreign relations and to advise the Congress with respect to foreign policy shall be interpreted as the right to control foreign relations."

How can the constitutional imbalance be redressed? I strongly believe that the Congress should undertake to revive and strengthen the deliberative function which it has permitted to atrophy in the course of 25 years of crisis. Acting on the premise that dissent is not disloyalty, that a true consensus is shaped by airing differences rather than by suppressing them, the Senate should again become, as it used to be, an institution in which the great issues of American politics are contested with thoroughness, energy and candor. Nor should the Senate allow itself to be too easily swayed by executive pleas for urgency and unanimity, or by allegations of "aid and comfort" to the enemies of the United States made by officials whose concern with such matters may have something to do with a distaste for criticism directed at themselves.

It is sometimes useful and occasionally necessary for Congress to express prompt and emphatic support for the President on some matter of foreign relations. It seems to me, however, that we have gone too far in this respect, to the point of confusing Presidential convenience with the national interest. It is perfectly natural for the President, pressed as he is to make decisions and take action in foreign relations, to overemphasize the desirability of promptness and unanimity. But the Senate has its own responsibilities, and however strongly feelings of patriotism may incline it to comply with the President's wishes, a higher patriotism requires it to fulfill its constitutional obligation.

As part of a broader effort to redress the constitutional imbalance in foreign policy the C.I.A. should be brought under effective Congressional oversight. The technical means by which this is accomplished is not of critical importance. What is wanted is the will and determination of Congress to place checks on the power of the intelligence establishment and to make it truly accountable.

The dilemma posed by the C.I.A. is that, while we cannot do without secret intelligence activities in a world of armed powers, these activities can never wholly be reconciled with the values of our free society. Under the pressures of the cold war we have gone far indeed toward permitting the intelligence agency, and the executive in general, to exercise unrestrained powers over our foreign relations and, to an alarming degree, over important areas of our domestic life as well. So far has this trend advanced that the values of our society are now endangered by the means invented for their defense. That is the core of our dilemma: As long as we adhere to these values—and particularly to the Kantian imperative that a man must always be treated as an end and not as a means—we cannot give ourselves over to the fighting of "fire with fire" without jeopardizing the very values we are resolved to defend.

Whatever we do to try to resolve this dilemma, whatever we do to defend our national values, we ought never to forget that the foremost safeguard of these values is the American Constitution. It can be changed, when it is found wanting, by the means designated in the Constitution itself. But, in the words of Washington's great address: "Let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."

WATER AND AIR POLLUTION MUST BE ABATED WITHOUT DELAY

Mr. YOUNG of Ohio. Mr. President, one of the most pressing domestic problems confronting Americans is pollution of the air and pollution of our lakes and rivers.

The distinguished junior Senator from Wisconsin [Mr. Nelson], former Governor of Wisconsin, has offered most meritorious and greatly needed legislative proposals to conquer pollution of water and air. His proposals include giving industry in all our States tax benefits to spur efforts of management to end air pollution by factory smoke and water pollution by industrial wastes.

Scientists have estimated that air pollution alone resulted in nearly $12 billion damage last year and will cause that much or even greater damage this year. Air pollution blights pine trees, kills orchards, is ruinous to grapevines, corrodes metals, weakens fabrics, discolors paints, etches glass, cracks rubber, and spreads its filth over everything. The injury to health and the shortening of lives of millions of Americans cannot be calculated. We have observed snow blackened by soot and housewives' wash on the line stained with filth from factories.

Instead of wasting $40 billion as our warlike generals are urging by surrounding 50 American cities with antimissile missiles it would be far better to spend $12 billion to end air and water pollution.

Ohioans surely recognize the importance of overcoming water and air pollution, perhaps even more than residents of other States. Nowhere is the tragedy of pollution and destruction more evident than in Lake Erie, a 250 mile-long and 60 mile-wide sea which is sick and dying. Within a few years, Lake Erie, already one of the world's largest cesspools, will be unable to support almost any form of marine life. Man has taken a sparkling blue lake extending from Michigan to New York State and northerly to the Canadian shore, and turned it into a primeval swamp.

In the 2,600-square-mile heart of the lake, all the oxygen is gone, all the fish and other desirable aquatic life are dead; and the only survivors are bloodworms, sludgeworms, and bloodsuckers.

If the tragedy of Lake Erie is repeated in the other Great Lakes—as it well may be—the great industrial cities of America would be the victims of the greatest natural resource disaster in modern times.

Every day the problem intensifies as relentless flows of industrial waste, inadequately treated sewage, and other obnoxious contaminants pour into the world's largest fresh water source. The economic well-being of more than 25 million people living in the eight States bordering the Great Lakes is seriously threatened.

No longer may fishing enthusiasts enjoy productive excursions to many favorite lake areas, for polluted waters have caused many species of fish to die and disappear altogether from the lake. Today only one high-quality fish, the perch, is abundant and the total number of perch has been decreasing in recent years.

The commercial fishing industry on Lake Erie has been greatly curtailed by excessive contamination. During recent years five species of fish have been eliminated from the lake. During the past decade the total catch from the U.S. waters of Lake Erie has declined 45 percent. The loss in terms of dollar return is staggering.

More than 2,600 square miles of Lake Erie's center is already dead and unable to support desirable forms of animal life. Obnoxious plant growth which cannot be seen without the aid of a microscope in healthy waters abound throughout the lake in 50-foot lengths clogging municipal water intake valves and discoloring the precious drinking water of thousands of Ohio citizens. Much of it finds its way ashore to rot on the beaches.

Mr. President, much more must be done to prevent the destruction of our great inland water system. The Federal Government must help the States clean up polluted rivers and lakes by providing the money necessary for the construction of adequate sewage treatment plants. More money is needed for research to discover ways of controlling the discharge of pollutants into our rivers and lakes and to find ways of reclaiming pollution-burdened waters. Industry discharges twice the amount of waste into our water as do all of our cities combined. Industrialists must be encouraged or directed to construct abatement facilities. Also, we must be firm in the enforcement of established water quality standards.

The Senator from Wisconsin [Mr. Nelson] deserves the utmost praise for proposing stiffer laws and this investment for a cleaner America and healthier Americans. It is unconscionable to continue to allow our air and our water to be contaminated and polluted beyond redemption. Now is the time for concerted, coordinated efforts to overcome once and for all these enormous problems.

THE VAGUE "UNCONSTITUTIONAL" CHARGES AGAINST HUMAN RIGHTS CONVENTIONS MUST BE REFUTED—LVIII

Mr. PROXMIRE. Mr. President, I rise today to continue my daily efforts to win Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

Three of these conventions have been in the Committee on Foreign Relations for 4 years, and the Convention on Genocide has been there for 18 years.

I address myself again today to refuting the vague charges of "unconstitutional" which have been raised in some quarters against these conventions. Nothing more is mentioned, simply the nebulous and nefarious charge "unconstitutional."

There has been no testimony presented before the Foreign Relations Subcommittee responsible for three of these conventions questioning their constitutionality.

There has been no substantive case presented citing areas of conflict between these conventions and our Constitution.

The only general charge against these conventions which I have been able to uncover is the word "incitement" in the Genocide Convention. There seems to be a challenge that direct and public incitement to commit genocide is a suppression of our constitutionally guaranteed freedom of speech. The term "incitement" has a well-defined meaning in

American legal history. Incitement to mutiny, incitement to riot are clearly understood, so why should incitement to commit genocide present an insurmountable problem? No answer has been forthcoming.

I agree that there are certain topics and issues which are, by nature, domestic and consequently not proper subject for treaties. However, human rights are not simply a domestic problem. Human rights and world peace are manifestly interdependent.

If human rights were solely a domestic matter, then why have 70 countries demonstrated their concern by ratifying the Convention on Genocide including virtually every major country in the world, and, indeed, all but three of the 51 countries that chartered the United Nations?

There is another argument that runs along these lines: these conventions are not traditional subject matter for treaties. There is no reference to "traditional" in the Constitution. Our understanding of "traditional" must be necessarily flexible. Otherwise, how could the Senate be about to consider shortly a treaty on outer space?

A more appropriate understanding of the proper subject matter for treaties would be those subjects which are of international concern.

I believe human rights clearly fall under that definition. I believe further that the Senate should ratify the Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery without further delay. Ratification is consistent with our Constitution and demanded by our national tradition.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). Without objection it is so ordered.

Mr. LONG of Louisiana. Mr. President, what I intend to say does have reference to the minority leader [Mr. DIRKSEN], the senior Senator from Delaware [Mr. WILLIAMS], and the majority leader [Mr. MANSFIELD]. I think it would be well if the Senator from Illinois [Mr. DIRKSEN] and the Senator from Delaware [Mr. WILLIAMS] were notified. It would not be necessary to notify the Senator from Montana [Mr. MANSFIELD] because I have discussed the matter at length with him and I have explained what I am going to say here. On that basis I would feel that his presence would not be necessary, although it may be that the other two Senators might feel they should be notified when I discuss this subject. Before I proceed with the matter I am going to put another matter or two in the RECORD in order that these Senators may be present when I speak on the subject, if they care to do so.

THIS SIDE OF TREASON

Mr. LONG of Louisiana. Mr. President, a very thoughtful editorial appeared in the Shreveport Times of April 12, 1967, entitled "This Side of Treason." The editorial was extremely critical of Martin Luther King, Stokely Carmichael, Floyd McKissick, and those other so-called Negro leaders who have taken a position which makes it very difficult for this Nation to stand its ground before the world and fight the battle against Communist tyranny.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THIS SIDE OF TREASON

As perhaps the top leader of the civil rights movement in this country, Martin Luther King long ago was given a status of virtual sainthood by the "liberal establishment." National network news broadcasters have held him literally above reproach and so have vote-conscious national office-holders.

But this situation may be changing. The immaculately liberal New York Times, for example, recently found that King was mortal after all and had made, said this newspaper, "an error." This is not exactly a ringing accusation, but in left-wing circles any criticism of King is the equivalent of a Marine finding fault with the American flag. Other "liberals" have voiced similar criticism.

What did King do to merit a word of criticism from the very temple of liberalism? What he did was make a speech that placed him at the far, far left end of that element which opposes the Vietnam war to a point just this side of treason.

In this speech, one that had all the sick, sick phraseology of the fever Left, King likened U.S. military efforts to those of Hitlerite Germany testing "new medicine and new tortures in the concentration camps of Europe"; damned America as "the greatest purveyor of violence in the world today"; and in the whole course of his remarks found not one word of criticism for the aggressor regime in Hanoi. It was a speech that no Hanoi script-writer could have surpassed.

In the past, those who worried about radicalism in the civil rights movement have been told, time and again, that they were lucky to have a "moderate" like Martin Luther King in the forefront of this drive. King's claim to "reason" and moderation was extremely doubtful then—his "non-violence" too often became violent—but now the head of the Christian Leadership Conference, the largest rights movement, is marching with the Carmichaels and the McKissicks, all in lockstep with those shadowy elements battling any and all resistance to Communist aggression.

King, of course, bases his opposition to the war on the theory that it is depriving the Negro of his welfarist due; that it is taking away financial resources that would otherwise be spent on his advancement in various programs. The American people won't buy this excuse; in fact, welfarism is growing in spite of the war effort.

What Dr. King may well have done, with this savagely anti-American speech, is set in motion his own ultimate decline. For the American people eventually reject extremism in all its forms, right or left, and cleave to courses somewhere around the middle.

But there is something much more important to consider here than the fate of Martin Luther King; this is the effect his anti-war stand will have on the mood of Hanoi. Since King represents the nation's largest civil rights group—indeed he has been held up as the leader, or idol, of the whole movement—the Communists are more likely than not to take his violently anti-war view as that of the whole Negro population of the U.S.

This, of course, would be a mistaken assumption on the part of Hanoi. But it is on such false assumption that Hanoi has built its resolve to maintain aggression. Statements such as the one delivered by Martin Luther King have convinced the leadership of North Vietnam that most Americans either oppose the war or want it ended at any price; that in time the American people will force their government to abandon a winning struggle. These myths, it is believed by most objective experts, sustain Hanoi in war.

So it is that Martin Luther King and others like him are perhaps responsible for something far more tragic than the radicalization of the civil rights movement.

THE DESEGREGATION ORDER

Mr. LONG of Louisiana. Mr. President, the Shreveport Times of April 7, 1967, published a very well-considered editorial expressing the point of view which I believe to be the prevailing point of view of at least 70 percent, and perhaps 90 percent or 100 percent, of the people in the northwest Louisiana area with regard to the desegregation order of the Circuit Court of Appeals

Mr. President, I ask unanimous consent that the editorial may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DESEGREGATION ORDER

The federal Circuit Court of Appeals Order that public schools must be completely desegregated in every phase of their employment and their activities—whether involving classroom instruction or extra-curricular functions—by the time school opens next fall is preposterous.

It stems, of course, from the original 1954 decision and 1955 Rule of the United States Supreme Court holding compulsory segregation unconstitutional. *The Times* steadfastly has held that the original Supreme Court decision was itself unconstitutional and, thus, that all subsequent federal court rulings under it are unconstitutional.

However, District Judge Ben C. Dawkins Jr. had no other course to follow but to issue his Order putting the Circuit Court's Order into effect.

The Caddo Parish School Board and its administrative staff have no course to follow except adhering to the Order to the maximum of their ability to do so. Parents of children entering school next fall have no alternative, either, as of now.

Of course, the Circuit Court's ruling is being appealed to the United States Supreme Court. No one can forecast with certainty what that Court will do about anything, except that it nearly always upholds any lower court ruling hastening and increasing desegregation of public schools.

The Supreme Court could refuse to hear the appeal, thus letting the Circuit Courts ruling stand as issued. Or, it could hear the appeal and uphold the Order in full or in part, or knock it down. The latter certainly is not likely. It may be, however, that the Court will want to hear the case and then will specifically make the Circuit Court's ruling final and applicable to all schools and school districts anywhere in the nation where desegregation is involved.

It is not likely that the Court will delay very long on whatever action it decides to take—it rarely does where desegregation is an issue.

Thus, the only course that school boards and parents involved can plan, as of now, is full compliance with the Court Order.

For the School Board, the task of carrying out the letter of the Order by next fall may become an absolute impossibility. For example, in Caddo parish, Negroes have so many fine and new and magnificent schools for their children that these parents have shown a definite and direct inclination to keep their children in the fine new schools rather than integrate into old schools not so well equipped for either classroom instruction or extra-curricular activities.

Further, when it comes to desegregation of faculties, it is possible that the School Board literally may be unable to find white teachers willing to teach in certain integrated schools that are predominately Negro.

The federal Court of appeals Order demands integration not only of every grade—including kindergarten—but among all employees from janitors to principals in the entire school system.

There is just one thing for both white and Negro leadership and white and Negro citizenry to remember—as we pointed out in connection with the equally preposterous decision of Attorney General Ramsey Clarke to send federal registrars here, while admitting there was no discrimination in voting registration in Caddo; the "law", which in this case means federal court Orders, must be obeyed to the best of our ability, no matter how much we may dislike it.

VOTE IN VIETNAM

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Vote in Vietnam," which appeared in the Shreveport Times of April 8, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VOTE IN VIETNAM

In spite of Communist terror and kidnappings, the South Vietnamese people went defiantly to the polls, voting in heavy numbers to fill local offices. A drop of rain, or less, often is sufficient to keep Americans away from the ballotbox. In Vietnam, the exercise of democracy requires raw courage.

More such elections are scheduled in the near future. South Vietnam will vote for a president, vice-president, and the upper house of the national Legislature on September 1. The lower house of the Legislature will be elected on Oct. 1.

Provisions for all these elective offices were made in the new South Vietnamese Constitution, which was promulgated only recently. Authored by a 117-member Constituent Assembly, which was elected in nation-wide voting last September, the Constitution calls for what is a more or less presidential form of government, balanced off with a strong, two-house legislature and an independent judiciary.

Contrary to all those gloomy predictions, South Vietnam now has a constitution, freely-elected local officials, and the prospect of a representative government modeled on the American system. Within the past year, the country has experienced the first two free elections in its history.

But the really incredible aspect of these gains is that they have come in the middle of a violent guerrilla war in which Communist forces have opposed every move, no matter how small, with all the considerable terror at their command.

American cynics have declared all along that it could not be done; that the Constituent Assembly could never agree on a constitution and, even if it did, the military government would veto it. Well, the assembly did come up with the document and the government has promulgated it and scheduled elections under its provisions.

There is a long way to go yet, but much has been accomplished in South Vietnam—politically as well as militarily.

A PERSONAL STATEMENT OF SENATOR LONG OF LOUISIANA

Mr. LONG of Louisiana. Mr. President, I would like to address myself to a point of personal privilege involving the kind of thing that occurs when people fail to understand one another, which sometimes leads people to think that someone is taking advantage of them. So far as I am concerned, my view has always been that on any vote, I would be willing to pair any absent Senator, if it is within my power to provide a pair, giving it myself, or finding someone, to make it possible to record the vote of one who is necessarily absent, provided the other side would be willing to do the same thing. But, I am not willing to fight by the Marquis of Queensberry rules while the other side is fighting by the London prize ring rules. I believe that advocates of the sport of boxing recall the difference between the two. Under the London prize ring rules, men fought with their bare fists. Under the Marquis of Queensberry rules, they fight with gloves.

A man can be hurt a lot more and cut far worse from bare fists than from gloves. It is hard on the man using bare fists, but it is harder on the man receiving the blows.

Furthermore, under the Marquis of Queensberry rules, one hits the man above the belt—it is a foul to hit below the belt—but under the London prize ring rules, as I understand them, there is practically no such thing as a foul, and a man could be hit anywhere.

Well, Mr. President, I am willing to play by either set of rules, but I want to be sure that we are both playing by the same set. On that basis, I would be willing to abide by them.

Mr. President, the Senate has been voting on amendments to repeal the Presidential Election Campaign Fund Act. On one occasion, I lost by about six votes and on another occasion I won by about four votes. As a practical matter, my count on both occasions showed that if every Senator had been in his seat, I would have prevailed by a vote of 50 to 50, with the Vice President breaking the tie in my favor.

On the first occasion, we entered into a unanimous-consent agreement to vote. On that occasion, I gained the impression that those on the other side of the aisle knew where the Democratic absentees were. I did not know where the Republican absentees were. We got only one pair from our absentees. My impression is that the Republicans had practically all their absentees paired. I would have merely to debate a motion to reconsider for a few moments, but a number of Republican Senators had commitments which required them to leave town. The absentee situation would have been about even. I would have won by simply delaying for another 15 minutes voting on a motion to reconsider.

On the second vote, it was my turn to win on absentees. I had been working hard to get absentees into town. This time, I think I did a better job than the other fellow to get my absentees here. But, once again, I did not know who their absentees were; but they apparently had some idea who mine were.

I am willing, on any rollcall vote, any time the other fellow is willing to tell me in advance that he will pair my absentees if I will pair his, to let every Senator be recorded as present and voting; but I am not going to play by rules where the other fellow gets five votes on me by absentees when he knows where my absentees are, but I do not know where his are.

Therefore, I am willing to play by any set of rules that they suggest.

Let me refer to the CONGRESSIONAL RECORD of April 20, 1967, beginning on page 10303, in which the Senator from Illinois [Mr. DIRKSEN] asked unanimous consent that the Senate vote at 3 o'clock.

Mr. President, I had been doing my best to get Democrats back from all parts of the world, to get the Senator from Maryland [Mr. BREWSTER] back from Ireland; to get the Senator from Florida [Mr. SMATHERS] back from the Bahamas where he was enjoying a much needed rest for his health; to get the Senator from Wyoming [Mr. MCGEE] back from Wyoming; and to find various other Senators and get them into the Chamber.

In particular, I wanted to get the Senator from Mississippi [Mr. STENNIS] back to Washington from New York, where he was making a speech in favor of more investments in his State of Mississippi, which was a very fine service the Senator was rendering.

In my judgment, the Senator from Mississippi [Mr. STENNIS] could not possibly get here before 10 minutes after 4 o'clock of that day, when it was suggested by the Senator from Illinois [Mr. DIRKSEN] that we vote at 3:30 o'clock.

Let me say that on the previous day I had agreed to the yeas and nays, when a unanimous-consent agreement was entered at that time from the other side, and I was told that they were no longer interested in a unanimous-consent agreement, that they had other Senators to clear it with. I said that I had no objection. I said that was all right with me. But as a practical matter, that left me in the position where I had made a standing offer of a unanimous-consent agreement, otherwise I would not have agreed to it. I was not in a position to tell Democratic Senators to return to town, knowing for some time that there would be a vote the following day, and when it would be. I did not oppose it. I have no complaint about that. They were within their rights. So it was suggested that we vote at 3:30 o'clock. I made it clear that 4 o'clock would be an ideal time for the vote, that I had a particular Senator in mind—the Senator from Mississippi [Mr. STENNIS]—and that, therefore, if we began the vote at 4 o'clock it would run until about 4:15 or 4:20, and he would be here. But I suggested that if the opposition had people who had to leave town, we could start the rollcall at 3:30 o'clock and if we took our time about it those who had to catch airplanes could be on them and be gone.

We would try to hold that rollcall long enough so that those who were returning here could get their votes recorded. I would try to accommodate those who were here and who had to leave, if they would accommodate Senators on my side who were trying to get here. That was what, in effect, was said.

The **PRESIDING OFFICER.** The time of the Senator from Louisiana has expired.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The **PRESIDING OFFICER.** Without objection, the Senator from Louisiana may proceed for 5 minutes.

Mr. **LONG** of Louisiana. Senators know that one way we try to hold a rollcall open while an absent Senator is trying to get to the Chamber is for Senators to stand up and ask the Chair if they have been recorded and, if so, how were their votes recorded, and so forth. When that happens, it is, of course within the rules for the Senator to stand up and demand the regular order and stop that kind of procedure, so that the vote will then be announced immediately.

On page 10303 of the RECORD of April 20, Mr. GORE of Tennessee stated as follows:

> Mr. President, reserving the right to object, I have no question about the rate at which the clerk will call the roll, but I would certainly want to reserve the right to call for the regular order after the rollcall has been completed.

So that one of the tactics available to me, to continue the rollcall, to continue making it a gentleman's agreement, had thereby been taken away from me by the Senator from Tennessee before agreement was ever entered into.

I said:

> I do not quarrel about that.

Keep in mind that I thought we still had that gentleman's agreement, that we would call the roll slowly.

In the next paragraph Mr. DIRKSEN states:

> I make the suggestions to the clerk that it be a deliberate rollcall. There is such a thing as stretching it out to five o'clock.

I had agreed to accommodate their Senators. At this point, the minority leader began to squeeze me for accommodating my Senators to get them in here to vote.

The Senator from Delaware [Mr. WILLIAMS] said:

> No; no, we will not do that.

Meaning that we would not go until 5 o'clock.

I said:

> No; we will not go until 5 o'clock. It will not go that long. It might last as long as ten minutes after four.

Mr. DIRKSEN said:

> I trust not.

Then Mr. WILLIAMS said:

> No, no, we will not do that.

Thus, Mr. President, having explained what my problem was and offering to enter a unanimous-consent agreement, thinking that we had a gentleman's understanding, the gentleman's agreement was taken away from me, as will be noted by reading the bottom page on 10303.

To continue, Mr. MANSFIELD said:

> No; that is on the final result.

I said:

> I thought we had an understanding to make it possible for those who are making every effort to be here in time to have an opportunity to vote.
>
> We are talking about a slow rollcall, and that would be all right with me. I think we understand each other. I hope that we do.
>
> Mr. DIRKSEN. Let us say, with all deliberate speed.
>
> Mr. LONG of Louisiana. Yes; we will move ahead with all deliberate speed.

I talked to the Vice President. He said, "Why don't you suggest the absence of a quorum?"

I discussed it with the Parliamentarian. He told me I clearly had the right, when I had 1 minute remaining, to suggest the absence of a quorum. That is what I did.

While I was discussing the merits of what we were going to vote on; with the Senator from Texas, the Senator from Delaware, without my hearing it—I do not say he played a trick on me—asked that the quorum call be called off.

The Vice President said, "Without objection, it is so ordered," and I had to make an effort to get the quorum call underway.

Mr. President, the Constitution of the United States says one can have a call for a quorum any time any Member of this body says there is not a quorum in this Chamber. There was no quorum. It took some time to ascertain that there was a quorum here. The Constitution of the United States gives any Senator that right. If I had wanted to be deceitful, I could have asked another Senator to insist on there being a quorum, without anyone being able to impugn my motives.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. **LONG** of Louisiana. I ask unanimous consent to have 3 additional minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **LONG** of Louisiana. So I asserted the right that every Senator has under the Constitution of the United States to insist that there be a quorum present. To suggest otherwise would lead to a situation where the Senate could agree to vote at a given hour, with only two Senators present, perhaps, or even one. So the Senate had no right to act. I insisted that there be a quorum.

The minority leader implied at that time that I had not kept faith. May I say I was doing what was my right under the rules. Let me say that the other side did not keep faith when they did what they were doing. They were hedging. When we are in a situation where, if every Senator votes, the result will be 50–50, a Senator is not in a position at that time to let them vote their way. He has to make sure that they vote his way, too.

Mr. President, I have made my proposition. I repeat it. I made the proposition that any time those on the other side want to lay all their weapons on the table, then we will go by the same rule book. We will pair every absentee if they give me notice. I will do the same way. But it has to be reciprocal. It has to be fair. Both sides have to agree not to take advantage of the other man and that we will play by the same rule book. When we do that, there will be no trouble.

I have seen misunderstandings between Senators. May I say there is no Senator with whom I have had difficulty on this side. I regret I had difficulty with one on the other side. But I would be willing, now, or at any time in the future, to pick any reasonable man on either side to arbitrate the differences between me and another Senator, to arbitrate whether he had taken advantage over me or I over him. I would not take unfair advantage of anyone. So I would hope no one would take unfair advantage of me.

Mr. **WILLIAMS** of Delaware. Mr. President, under the rules any Member of the Senate has a right to ask for a quorum call after all time has expired. However, under the manner in which we have operated, heretofore, under unanimous-consent agreements, either the time is used or yielded back before the quorum call. I am not now questioning the ruling of the Chair as rendered last Thursday. The Vice President made the ruling. It stands. I am not challenging it, but I point out what the situation is under this new ruling. We often give consent to vote after 10 minutes to each side. Under this new procedure I could take my 10 minutes, use 9½ minutes, suggest the absence of a quorum, and thereby use the other Senator's 10 minutes.

If we are to operate under that procedure we are going to destroy the possibility of any future unanimous-consent agreement arrangements; it does have its advantages. I am not quarreling with it; in fact, I may like this new ruling. I pointed out that at that time we had 3 minutes left that we wanted to use. The quorum call should have been withheld until all time had been used or yielded back. At that time it would have been in order to have a quorum call. The Senator from Louisiana should know the rules of the game.

But last Thursday the Vice President rendered a different interpretation of the old ruling, and his new ruling stands until reversed.

The **PRESIDING OFFICER.** The Chair has been involved in conversation with the Parliamentarian on the point of the Senator from Delaware. If the Senator from Louisiana wants to speak on the point, he may proceed.

Mr. **LONG** of Louisiana. Mr. President, this RECORD will show that after a quorum was demanded, I myself asked, as shown on page 10309, that 3 minutes be accorded to those in opposition to my amendment. The Senator from Illinois [Mr. DIRKSEN] said, "I surrender the time."

There was no effort to deny any Senator his rights. I did not want to be denied my rights. I was denied mine. But I do not want to be accused of being in bad faith, when I am trying to explain my problem, thinking that we have a gentleman's agreement. Next thing, the Senator from Illinois [Mr. DIRKSEN] suggests that we not have a very slow call. Then I suggested how much time it should take. Having said that, in the same column, on page 10303 of the RECORD, the Senator from Delaware [Mr.

Williams] said, "No, no, we will not do that."

I did the best I could to protect myself under the rules. The Senator is not complaining about their right to protect their rights. I had a right to suggest the absence of a quorum under the rules. I do not want to deny anybody his rights, but I do not want to be denied my rights, either, and I want to play by the same rule book that they are using.

Mr. WILLIAMS of Delaware. Mr. President, all time on the amendment had not been used or yielded back. Furthermore, the suggestion was that the rollcall run to 5 o'clock. I never heard of an hour and a half rollcall. It was suggested we should let it run until 15 minutes after 4. Again I repeat that I am not quarreling about the new ruling of the Chair. It has its advantages and will work the same way for both sides. Under this new ruling regarding quorum calls when there is a unanimous consent, one side can use up his time and then call for a quorum and use up the other side's time, and put that side at a disadvantage. But we are all on an equal footing.

Frankly, I may even like the ruling of the Chair. In any event, the Chair has made the ruling. It works equally and with equal fairness to both sides. Let us keep it as a part of the rules of the Senate. But I point out it is a different method from that under which we have operated before, and that should be understood.

Mr. LONG of Louisiana. Mr. President, I wanted a 4 o'clock vote, the opposition wanted a 3 o'clock vote. I said I would be willing to settle for 3:30, provided the rollcall ran past 4 o'clock. I stated 10 minutes after 4 as the time at which I would be willing to have the Chair announce the result of that vote. It is right there in the Record. When I stated that, I was not asking for a vote at 5 o'clock. I was asking for a rollcall lasting 40 minutes, so those Republicans who wanted to leave could be away by 3:30, and so I could have a Senator who was in New York City, looking after the interests of his State, back here in time. I could not get him back in time, but I got him a pair. He was a very distinguished Senator. He was doing good work for his State.

I do not want to be accused of being in bad faith when I am trying to protect my rights. They want to be protected in their rights, and I want to be protected in my rights, but they should not play by a different rule book. If the other fellow wants to hedge on me, I will want to be able to hedge on him.

The PRESIDING OFFICER. Is there further morning business?

Mr. WILLIAMS of Delaware. Mr. President, I merely wish to emphasize that no one has questioned the motives of the Senator from Louisiana or suggested that he acted in bad faith. I know of no one who has made such a suggestion. I observe, like Shakespeare's queen, that the Senator "doth protest too much, methinks."

Mr. LONG of Louisiana. The Senator was saying I had broken faith. I had not. I did what I thought I had to do under the circumstances, but I do not think I took any greater advantage of the other fellow than he took of me. That is all I have in mind.

The PRESIDING OFFICER. Is there further morning business?

MAYOR NICOSIA FIGHTS AIR POLLUTION

Mr. BAYH. Mr. President, as the American public is alerted to the dangers of pollution, which threatens to destroy the quality of our environment, individual citizens and industrial corporations have begun to display encouraging signs of concern for the air we breathe and the water we drink. American technological know-how and inventiveness are now being directed toward a solution of these problems. The public interest demands effective pollution control programs—Federal, State, and local.

One such dramatic effort by local officials is now being made in East Chicago, Ind., under the leadership of a unique public servant—Mayor John Nicosia, M.D. The role of vigilant guardian of the public health is not a new role for Dr. Nicosia, who had a distinguished medical career before turning to public service.

Recently an article entitled "MD-Mayor Fights Air Pollution," published in the American Medical Association News, described the effective work which this Indiana mayor is doing to help to reduce air pollution in his area. I ask unanimous consent that this brief but interesting story be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

M.D.-Mayor Fights Air Pollution

The mayor of East Chicago, Ind., John B. Nicosia, MD, says the town's citizens thought he was joking when he said he was going to do something about air pollution.

During his first three years in office, Dr. Nicosia proved he was not joking. Today East Chicago is setting an example for the rest of the country.

Politics is a bit distant from the practice of medicine in the usual sense, but the mayor is also proving another responsibility of the medical profession in politics, and he believes the idea is beginning to spread.

Steel Center: East Chicago is the home of Inland Steel Co. and Youngstown Sheet and Tube Co., which operate a total of 48 open hearths. Faced with the growing air pollution problem, Dr. Nicosia negotiated agreements with each of the steel producers to eliminate the pollutants by 1973.

The pact with Youngstown calls for a completion date in 1971, and the Inland plant is to be converted by 1973, according to the 1965 agreement.

"We have been given indications they will be finished much sooner than that," Dr. Nicosia said. "They are changing over as soon as equipment is made available to them."

30 Years in Practice: The physician, who entered politics after 30 years of practice, stressed that this is by no means a problem confined to the Chicagoland area.

"One must understand this is a worldwide problem," he said. "We don't intend for them (industry) to do the job overnight. There is equipment to be built. But as long as they show they are doing their job, we feel like they are doing a good job."

However, it was not always so easy to see results, he said.

"They weren't too receptive to the idea in the beginning, but then we were able to resolve it," he said. The two steel companies are spending some $60 million in the conversion program.

Studies Under Way: Dr. Nicosia said East Chicago is now making studies on oils and chemicals to determine exactly what pollutants are found in the atmosphere, and working with other industries in pollution control.

The city of East Chicago is now in the process of revising its air pollution department, and Dr. Nicosia said this is going to comprise all areas of pollution in one program which is being duplicated in other nearby cities.

"We are working in close contact with Gary, and the city of Chicago," he said. "We now have 27 sampling stations around the area here which before we did not have."

The program now includes a laboratory with technical equipment, qualified operators, a sanitary engineer, and is operated with local and federal funds.

"They thought at the beginning when I said I was going to do something about it, I was kidding," Dr. Nicosia said. "I have never been more serious about anything in my life. If I do anything, I am going to conquer this thing.

"I cannot be buffaloed out of this thing because I happen to know just what the conditions are. I know just how detrimental the conditions are and it is not going to stop now because of politics."

How It Began: What got the mayor started in this drive?

"I had been eating this stuff for over 30 years," he said of the dirty air. "But unfortunately, I was in no position to do anything because of the political influences.

"When I decided to take the challenge, I felt with God willing, if I had an opportunity to win, I certainly was going to do something about it."

DEATH OF MALCOLM H. BRYAN, FORMER PRESIDENT OF FEDERAL RESERVE BANK OF ATLANTA

Mr. TALMADGE. Mr. President, Georgia was saddened last week by the passing of Malcolm H. Bryan, former president of the Federal Reserve Bank of Atlanta.

Georgia has indeed lost one of its most outstanding citizens and most brilliant economists. He was my friend, and I join his many other friends, associates, and loved ones in mourning his death.

The April 20 edition of the Atlanta Constitution contains a very fine editorial tribute to Malcolm Bryan, written by Jack Tarver, president of the Atlanta newspapers. I ask unanimous consent that Mr. Tarver's column be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

His Genius Was Unique

"Unique."

That's the word William McChesney Martin Jr., chairman of the Board of Governors of the Federal Reserve System, had for Malcolm Bryan, former president of the Federal Reserve Bank of Atlanta, who was buried here yesterday.

"Many men have made many contributions to the System over the years," Martin said at the time of Bryan's retirement a little over a year ago. "But Malcolm's role as a member of the Conference of Presidents and more particularly as a member of the Open

Market Committee was absolutely unique. There's just no other word for it."

Such praise from the taciturn Martin, a man little given to overstatement of anything—including the state of the economy—for most men would be tribute enough. But for Malcolm Bryan, I prefer also to recall a conversation with a brilliantly perceptive mutual acquaintance, Pedro Beltran, former head of the Central Bank and subsequent premier of Peru.

"You know my friend, Mac Bryan?" he asked when first we met. "Do the people of Atlanta and the South realize what a veritable economic genius you have living in your midst?

"They sent an economic mission from your country to help mine," he went on. "I had only to meet with them a couple of times to realize most of them were pedantic hacks. But Bryan . . . what a mind. He knew more by instinct than most of them by study. I would say to him, 'Why don't we do so-and-so?' and he would say 'No-o-o, wouldn't work.' I would ask 'why?' and he would say, 'I can't explain it now. I just know it wouldn't work. Let me sleep on it and I'll explain it in the morning.' Next morning, sure enough, he could tell you—A, B, C—why it wouldn't.

"Listen," Beltran explained. "You ever sail a boat? In sailing, there come certain situations of wind and current when there is not time to think or reason. The true sailor handles the boat instinctively. Malcolm is that way about economics."

It was a simile—and a compliment—I liked. When I repeated it to Malcolm, he grunted.

Bryan could take a compliment—or a critique—without a break in stride. I found out about the latter shortly after appointment to the board of HIS bank when, thinking to make a contribution in the one area for which experience had equipped me, I dared to venture a less than obsequious analysis of some of the bank's publications.

"That Farm Credit Bulletin, for instance," I ventured. "Some months I have the feeling the bank gets it out merely because the time has come around for it again."

"I don't mean to offend you, Mr. Tarver," came the prompt reply. "But as a subscriber, I am emboldened to say that many days I have exactly the same feeling about your newspapers."

Unique. Bill Martin had the right word for Malcolm Bryan.—JACK TARVER.

MARTINSBURG MONSTER

Mr. BYRD of West Virginia. Mr. President, my home State of West Virginia has gained some substantial benefits from the computer age. One computerized activity of much national value and a high degree of sensitivity is located within the State. It is discussed in an editorial entitled "National Publicity," published in the Martinsburg, W. Va., Journal of April 20, 1967, and it concerns the national computer center of the Internal Revenue Service, in Martinsburg, which annually receives publicity for its important part in our Federal income tax operations.

West Virginians are proud of the "Martinsburg Monster" and hope that its nickname is affixed in a comradely spirit.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NATIONAL PUBLICITY

As the deadline for the annual payment of federal income taxes has come and gone, the city of Martinsburg this year has again received more than its share of publicity.

This is because of what is now nationally known as the "Martinsburg Monster", the Internal Revenue Service's national computer center located in our community.

An example of this publicity was a story Sunday in the New York Times which opened with the comment that "Martinsburg is just a small city in Berkeley County, W. Va., unless you happen to be a taxpayer. If you belong to this not-very-exclusive group of citizens, Martinsburg should take on a great deal of added importance at this time of year, for it is the home of the Internal Revenue Service's National Computing Center." The lengthy feature story, with picture, then goes on to mention Martinsburg several other times in telling how computers are now scanning everyone's tax returns and how, suddenly, people are starting to make more complete returns than heretofore.

Probably no other small governmental agency, only some 300 persons being employed, could have brought so much national publicity to our community.

Whether everybody will agree the publicity is particularly favorable, is a matter of personal opinion but we should all take some pride in the fact that this "small city" is at least helping to keep the American people honest because honesty has long been considered one of our national virtues.

Even those who might feel some slight dislike to having the term "monster" tacked onto our community's name can at least take some solace in the old adage that we don't care what they write about us as long as they spell our name correctly. Thus far we haven't seen it written "Martinsburgh," even though this was a common practice some 100 years ago even on some of our own maps.

Maybe the Chamber of Commerce could come up with some slogan such as, "Martinsburg, The City That Made America Honest."

FHA INSURANCE OF SEASONAL HOMES

Mr. HART. Mr. President, earlier this year I reintroduced a bill, S. 842, to authorize FHA insurance of seasonal or "summer" homes.

The Wall Street Journal of April 20, 1967, contains a brief article entitled "Summer Home Building May Help Spur Housing-Start Totals Nationally."

I ask unanimous consent that the article, which underscores the economic potential of this market, be printed in the RECORD. It is my hope that the Subcommittee on Housing, of which the able Senator from Alabama [Mr. SPARKMAN] is the chairman, will consider my bill when he schedules consideration of other housing bills.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUMMER HOME BUILDING MAY HELP SPUR HOUSING-START TOTALS NATIONALLY

Overall private housing starts in the first quarter were down 22% from last year, but some resort area builders were optimistic. "We should be up 30–40% from last year," says an official of Cedar Timber Buildings in Marengo, Ill. He says more people are occupying "summer" homes year-round because of better roads in his area. "A year ago we had no business; now we have 40 orders," says Virgil Kirby, sales manager of Anchor Homes, which builds homes in Northern California.

Other builders are more subdued. James Hobbs, president of the House of Cedar in Walworth, Wis., says his inquiries are double last year's but "people are waiting to see how interest rates move." Realtors in the Atlanta area likewise say they've noted a pick-up in summer home interest, "but savings and loans here are reluctant to finance second homes until money loosens up more," says one.

Summer new-home prices are running ahead of last year as material and labor costs climb. Rental prices rise, too. One Cape Cod realtor reports rental boost of about 10% in his area.

CRISIS IN THE MAILS

Mr. BREWSTER. Mr. President, a recent article in U.S. News & World Report emphasized the coming "Crisis in the Mails." The article was followed by an interview with the Postmaster General, Lawrence F. O'Brien.

The article describing the current situation is a graphic description of what has happened, and what can happen in the near future. I have made no secret of my own belief that a monumental logjam will develop soon, unless steps are taken to improve the situation.

The interview with Mr. O'Brien goes into some detail on the Postmaster General's proposal to abolish his own job, although I have no doubt that Larry O'Brien's many talents will be used in some other high position if his present job is abolished.

Not all Senators agree with the Postmaster General's proposal. But it is a fresh and challenging idea in a Department which has been notably slow to adjust to reality. It certainly deserves the careful attention of all Senators.

I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles was ordered to be printed in the RECORD, as follows:

CRISIS COMING IN THE MAILS: POSTAL SERVICE AT BREAKING POINT

The word "catastrophe" is being used by Lawrence F. O'Brien, Postmaster General, to describe what lies ahead for the mails unless drastic change occurs.

Postal service is pictured as being at the breaking point in a number of key cities right now. Let another pile-up occur, such as the one in Chicago in October, 1966, and the blow is expected to fall.

The Post Office is a 6-billion-dollar operation. Its employes total more than 700,000. Each day, 200 million pieces of mail go through the post offices, creating what has been called the biggest logistical problem in the world.

Mail volume is up to 80 billion pieces annually and is rising at the rate of 3 billion more pieces a year.

This whole vast system operates under rigid rules and restrictions laid down by Congress—subject to few independent decisions.

Management, surrounded by limitations upon its freedom of action and decision making, lacks both the authority and the executive personnel to handle the task imposed upon it.

Broaching a new plan. It is this situation that has led Postmaster General O'Brien to suggest that the Post Office Department be taken out of the Cabinet, established as a nonprofit Government corporation and operated as a business.

The idea is discussed in an interview with Mr. O'Brien on page 59. A subcommittee of the House will open exploratory hearings on May 23.

Sought in a corporate structure are flexibility, more and better management, a construction program financed by private capital, more research and development.

The alternative is thought by experts to be continued deterioration in a mail service that is vital not only to communication between people, but to large parts of private business.

William M. McMillan, Assistant Postmaster General in charge of operations, reports:

"We have 300 to 400 large post offices that are overloaded now. New York, Chicago, Los Angeles, San Francisco, St. Louis, Kansas City, Baltimore, Philadelphia, Washington, Cleveland and Brooklyn are among them.

"We have severe problems in Pittsburgh, Cincinnati, Milwaukee, Indianapolis. Des Moines is a real problem. Memphis, Tenn., is extremely critical. It's a strategic point where we have woefully inadequate space.

"Los Angeles and San Francisco are subjected to extremely heavy north-south traffic. We're also watching Omaha and Oklahoma City carefully.

"Birmingham, Ala., is another danger spot. Down there, they're even using former rest rooms in the railroad station to handle mail."

On April 14, Mr. O'Brien told a Senate Appropriations subcommittee that 2,530 post offices were built before 1940. Over all, he said, the Post Office plant is "appallingly inadequate."

Finding good workers is said to be a chronic problem. At the end of 1965, when the Government was offering federal employees bonuses to retire, the Post Office lost 20,000 top supervisors.

On any day of the year, the Department is breaking in between 70,000 and 80,000 new employes. And when labor-saving devices are introduced, there is almost always trouble with the unions.

Financing is described as a perpetual headache. "We are always operating on the thin edge," said Frederick C. Belen, Deputy Postmaster General. "In 1961, we had to apportion our money so closely that if each post office had worked 16 seconds longer we would have been over our appropriation allowance."

Sword of Damocles. Hanging over the heads of postal officials is the daily threat of a breakdown.

"What happened in Chicago last year is a perfect example of what we can run into," said Mr. McMillan.

"There is no guarantee that we can't get hit the same way in any big post office in the country at any time. And if we get hit in two or three offices at the same time, we're in serious trouble.

"If Dallas and Atlanta went down together, for instance, the whole Eastern part of the country would be paralyzed. When mail is delayed at strategic points, you get a tremendous chain reaction."

Chicago is not the only place where the Post Office has had trouble.

Postal clerks got a scare in San Francisco during the Christmas rush of 1965, when outward-bound military mail began to pile up at an alarming rate. There was no real tie-up, but it called for emergency measures. The local postmaster had to scour the town for manpower to move the mail.

Dallas and Fort Worth got caught in a jam in 1963. Believing the holiday rush to be over, these post offices had laid off most of their temporary help just before Christmas.

But the mail that poured in the week after Christmas turned out to be heavier than that of the week before. Hundreds of temporary employes had to be recalled to cope with the emergency.

New York City, where the daily mail volume equals that of all of Great Britain, is said to be a continual problem.

"It's the unforeseen that creates a mail crisis," Mr. McMillan said, "like the time when two things happened at once in New York—a printers' strike and a new city tax on mailers.

"Suddenly, normal New York mail showed up originating in Chicago—millions of pieces. Chicago normally handles 16 to 18 million pieces a day.

"Overnight, it was called on to work upward of 21 million pieces. That's what gets you into trouble."

Trouble shooting. When trouble begins, there is a scramble.

"We don't have any set emergency plan because we're planning all the time to prevent emergencies," Mr. McMillan said. "Mail priorities remain the same in any situation. That means that first-class mail, airmail and 'red tag' newspapers and news magazines are always handled first.

"When a logjam develops, I send out a team of trouble shooters from Washington—my top mail handlers. Twenty-six went to Chicago during the crisis there. Some stayed until the end of January. But if we had gotten into another jam at the same time Chicago was piled up we would have been stuck.

"The cream of the crop was out there. I didn't have anyone else to send anywhere."

In spite of everything, postal officials will tell you that the U.S. mail service has improved over the last two years. They say deliveries are faster and more consistent, and that mail is not costing as much per piece to handle.

But people still complain about the mail service. Businessmen point out they now have to do a lot of their own sorting, and that costs will go up again when the new rates go into effect.

Everyone who has anything to do with mail from the President on down, seems to agree with Postmaster General O'Brien that, unless some basic changes are made soon, the U.S. postal system is headed for disaster.

Now a Commission To Study Mail Problems

President Johnson has appointed a commission of 10 prominent Americans to make "the most searching and exhaustive review ever undertaken of the structure and organization of the Post Office Department."

Headed by Frederick R. Kappel, former chairman of the American Telephone & Telegraph company, the commission is expected to report within a year. Other members:

George Baker, *dean, Harvard Business School.*

David Bell, *vice president, Ford Foundation.*

Fred Borch, *president, General Electric Company.*

David Ginsburg, *Washington, D.C., attorney.*

Ralph Lazarus, *president, Federated Department Stores.*

George Meany, *president, AFL–CIO.*

J. Irwin Miller, *chairman, Cummins Engine Company.*

W. Beverly Murphy, *president, Campbell Soup Company.*

Rudolph A. Peterson, *president, Bank of America.*

How To Head Off Mail Crisis—Interview With Postmaster General O'Brien

(The way out of the postal mess, according to Postmaster General Lawrence F. O'Brien, is to turn the Post Office into a corporation with freedom to run the mails in a businesslike manner. In this exclusive interview with staff members of "U.S. News & World Report," he explains how such a corporation would work.)

Q. General, why are you suddenly warning the country that there might be a catastrophic breakdown in mail service?

A. You have to go back to the basics on this. Just envision for a moment the Post Office Department's closing down for a week. If that ever occurred, it would be real catastrophe for the nation. It would take months, maybe years, for the economy to readjust.

Mail service is extremely meaningful to modern business, which is increasingly based on automated billing by mail. All Government agencies depend heavily on us. We touch every American family directly, daily.

So, getting out the mail is not a mundane, routine thing. Yet the postal service is the victim of an attitude that the Post Office Department has always muddled through, and always will. In the federal bureaucracy, the Post Office Department has been traditionally low man on the totem pole.

The time for that has passed. We find ourselves today with a mail volume that exceeds the mail volume of the rest of the world—80 billion pieces a year. But we still have basically the same facilities Postmaster General Jim Farley had in the late 1930s, when there was one third as much mail to carry. This has set the stage for catastrophe.

Q. Are you speaking literally when you talk about catastrophe?

A. Yes. We've had experiences on several occasions since I've been Postmaster General where we were put to the test of keeping our head above water in maintaining the daily flow of mail. We had a taste of what can happen in Chicago last autumn. The Chicago post office is the largest in the world. It has close to 20,000 employes under one roof. It was erected across the railroad tracks in downtown Chicago, and in the 1930s that was the appropriate location.

Very, very little has changed in that facility in the past 30 years. But nearly everything else has changed. Planes and trucks have replaced trains to a very great extent. The whole concept of a modern postal service has changed drastically.

So Chicago is a good example of this fundamental problem of inadequate facilities that have been allowed to deteriorate in the midst of daily challenges for increased mail service—which have not been met.

Q. Do you fear a recurrence of the Chicago mess?

A. Possibilities of a Chicago-type crisis at all times. We must be as alert as we can to anticipate these problems, and we have taken steps to try to do so. For example, the major mail users in Chicago are now contacted in advance on a regular basis to determine the future flow of mail into the Chicago post office.

But bear this in mind: When I was assigned to this task, I was mandated by the President of the United States to provide superlative postal service to the American people. I think we have made progress. We are inching ahead. In my judgment, considering all aspects, we are providing reasonable postal service. But we are not providing the postal service that is in the American tradition.

Q. How could a postal corporation, such as you have proposed, improve service?

A. First of all, it would provide the opportunity for massive investment in facilities and in general modernization through the sale of bonds. This would provide us with capital investment that would certainly move our program of modernization much, much more rapidly than we are able to do under the current structure.

Secondly, in a corporate setup, the income would be direct to the postal department—not only income from services rendered, but also the income from Congress on subsidized services. Part of our plan is that Congress would reimburse the postal corporation for losses on mail that Congress determined should be subsidized as a public service.

The combination of current income directly funneled into the corporation along with capital investment through the sale of bonds would obviously bring you to a position where you could operate the Post Office in a modern business sense.

NEEDED: 5 BILLION DOLLARS

Q. How much capital investment is needed to modernize the Post Office, nationwide?

A. I would anticipate an investment in facilities and mechanization at the rate of probably a billion dollars a year for five years.

Q. How does that compare with present improvement programs?

A. We now have a 100-million-dollar mechanization program that is on target in the current fiscal year [ending June 30], and we anticipate the possibility—because the House has already acted—of adding to that a 300-million-dollar modernization program during the next fiscal year [starting July 1].

So we are moving ahead, inch by inch. But for every inch of progress we have gone through a battle that has been awfully time-consuming.

We currently have the kind of co-operative effort that is needed to bring about progress, in Congress. But both the Congress and the Department are operating under the framework of a structure that is, to a great extent, archaic—and the record proves it—because this Department now has to be treated, appropriations-wise and otherwise, as any other department of Government, and yet it is unique in the magnitude and nature of its problems.

Q. With a corporation, could you be more efficient in day-to-day operations?

A. Of course. You would have stability in management, which would be on a career basis, comparable to private corporate management.

You would have opportunities for employes, in promotions and other areas, that do not exist now. Just one aspect I could cite is the present residency requirement that currently exists in many cases [a general rule that postal employes must be residents of an area before they can be appointed to certain jobs]. This could be eliminated in a corporate setup.

We would also have the chance to do long-range planning, with some certainty. We can and do make long-range plans now. But can we do it with a certainty that we can see it through?

Q. Who would run the postal corporation?

A. A board of directors, who in turn would select the management-level people to carry out the functions.

Q. Would these directors have the same authority over a local postmaster that a board of directors in a business enterprise has over a branch manager? Could they hire and fire without regard to civil-service rules?

A. I'm going to leave specifics such as that to the determination of the commission that President Johnson has appointed to study my proposal. But I say this:

As I envision it, in the postal corporation you would have management teams reaching out to the regional and local-management level, and all our postmasters are managers. Our regional directors are managers.

In our present framework, I am attempting daily to provide more management authority to these people who at the moment have management responsibility but in many situations do not have the opportunity to carry out this responsibility. So I assume that the commission appointed by the President will certainly look into this matter in detail.

Q. Would the corporation directors set pay rates for postal workers, rather than having pay determined by Congress, as at present?

A. I think the corporation would be given a great deal of leeway in this area. Let me cite a situation that exists that I think requires attention:

We have standard postal salaries across the nation without regard to regional differences in cost of living or other factors. I think the corporation could well be in a position to establish salary levels by regions, or conceivably on the basis of postal volume in certain communities. There would be considerable leeway there.

WHO WOULD SET RATES

Q. How about rates? Would the corporation set the price of stamps, and rates for second and third-class mail?

A. I envision that this corporation would establish rates on the basis of a formula that would be adopted by the Congress and presented to the corporation.

Q. Preserving the public-service concept for some classes of mail—

A. That's correct. The Congress would make the determination as to what percentage of cost should be met by postal charges, in each category of mail. There would be, therefore, clear guidelines, and the corporation would have the responsibility to maintain the rate structure within those guidelines. So you would have an ongoing, relatively permanent, rate formula.

Now, you have to keep remembering that, first of all, the Congress would have to authorize creation of this corporation. Secondly, the Congress would make the determination as to what degree of public service the corporation should maintain. And thirdly, the Congress would determine what kind of a rate structure the corporation would function under.

We must also remember that the Congress, at any time, could alter these formulas. Or, indeed, the Congress, at any time, could repeal legislation that created the corporation.

Q. In your own thinking, do you visualize the postal corporation as operating at a net profit, over all?

A. No, I do not. I specifically stated in my proposal that I conceive this corporation to be a public service.

Q. In the end, will a postal corporation cost the public more money? Would it be a more-expensive mail service for some uses?

A. I can't envision its costing the public more money in the sense of mail service being more expensive, because what I do envision is a modern postal service and postal establishment, made possible by the corporation.

I think postal employes—we have 700,000 of them—are certainly, at a minimum, entitled to the modern tools to carry on their work. They are entitled to opportunity for promotion and improved working conditions.

All of this can add up to a much more effective postal service.

I want to go back again to the point I made earlier, that we are making progress in this Department. I don't want that fact to be overlooked.

As I said, we are getting a high degree of co-operation now from the Congress. In the final analysis, the members of Congress are the members of our "board of directors." These men have had a great interest in the Department, a concern about it and an attitude of complete co-operation with the executive branch in moving ahead.

But I do think that many members of the Congress clearly see that something must take place at this time to insure the future of postal service, and that the current structure is inadequate.

Q. Do you think Congress is in a mood to give up the power and influence represented by control over postal appointments, including postmasters?

A. I think the overriding mood of the Congress is that good government is good politics. That's why the response to my corporation proposal has been largely favorable, both within the Congress and among the public. Time has passed by many of the traditional concepts of political patronage.

Q. Would corporation employes be in the civil service?

A. That will have to be determined by the presidential commission. Whether the employes, all of them, would be under civil service or a similar system, the fact is that, as I see it, they would have collective-bargaining opportunities, promotion opportunities, benefit opportunities to a greater degree than now.

In addition to that, the employes would—I repeat—have modern facilities and modern tools, so the monotony and fatigue aspects of current employment could be greatly reduced.

Q. Would employes of the postal corporation have the right to strike?

A. That is another matter that will have to be considered by the presidential commission. I just simply refer to an existing Government corporation—the Tennessee Valley Authority—where the employes do not have the right to strike but do have collective bargaining, with several AFL–CIO unions involved. And it's my understanding that the record of employe-employer relations has been outstanding in TVA.

So whether they're under civil service or not, whether they have the right to strike or not, are all matters to be considered by this commission.

Generally speaking, what I'd like to see is the evolvement of a concept that would insure that they would have promotional opportunities far beyond what exist currently, that they would have salary-improvement and fringe-benefit-improvement opportunities far beyond what exist currently, and that they would have working conditions greatly improved over the working conditions they presently have.

Q. How many unions do you now deal with?

A. We have 12 unions. Seven of these unions have national contracts with us.

Q. Would you expect fewer unions, with a corporation?

A. There again, that's a matter for this intensive study that's going to take place. These unions that exist in the postal service have been established for a long time. They are responsible unions. They have a great interest in the Department.

I have attended many union conventions. And when you say "dedicated" employees—in truth, over all, the employes of this Department are dedicated, and they have my sympathy when it comes to some attitudes that exist toward them among the public, some of the neglect of their problems that has occurred over a long, long period of time, and some of the failures to recognize the service they render.

The spokesmen for these unions are responsible people. I've negotiated with them. And I appreciate the fact that the union leadership has reacted to my proposal with an attitude of, "We will not dismiss it out of hand. We will not make comments adversely concerning it. We will await the full review of exactly what this would mean in a corporate sense."

Q. Do you think the corporation might eliminate some post offices that are too small, or no longer justified because of population shifts?

A. Well, certainly, if the corporate concept was to succeed and the superlative service that the President and I seek was to be brought about, there would have to be a great deal of authority and responsibility placed in the corporation and its board of directors.

I again remind you: This proposal could become an Administration proposal only after the presidential commission reports, and you must understand the commission is not limited just to reviewing my proposal. The commission has a mandate to review the Post Office Department in all its concepts—and all views of the unions, the Congress, mail users, and private citizen will be considered by the commission.

Q. Where does the present system seem most inefficient? Is rural free delivery, for example, a concept that needs to be reexamined?

A. I think that all functions of the Department need to be intensively examined.

Q. On the corporation's bonds: Would the Government guarantee them?

A. We would just, at this point, suggest that this corporation should have the right to go into the market and sell bonds.

Q. Can you give us any idea how many postal workers you'll need by, say, 1975?

A. That's a projection I would just have to guess at. Our experts feel that, if we hadn't made the progress we did make in recent years, we would currently need 300,000 more employes than we have.

You must remember, the postal employe in America is far more productive than in any other nation in the world. Someone has said to me, however, that if we pursue this present course of inching ahead, and do not make the giant steps that we deem essential, we could get to the year 2000 and have every American a postal employe.

PROGRESS IN AUTOMATION

Q. Are you getting automatic equipment that really works?

A. We have proven hardware that is being manufactured now at a satisfactory pace. We've put it to a pretty good test with our 100-million-dollar program this year. It was a tight schedule. And we're going to meet that schedule item by item.

I might add that includes our data-processing system we contracted for just last year. We have a target of full installation of this computer equipment in the 75 leading post offices by November of 1968. Despite the competition for this sort of equipment in the nation today, I'm pleased to tell you that, as of this moment, we're assured we will be on target.

So we have found we can go into the marketplace and bring about this type of mechanization at a rather rapid rate.

Our problem has been that we have a great deal of meaningful, proven equipment, but we are considerably restricted in the amount of investment we can make. For example, I would say that on optical scanners—they're still in the test stage, but moving along very well—instead of talking about eight or 10 optical scanners, I'd like, at this point, to be talking to you about getting 60 or 75 optical scanners. This is another instance of a basic fundamental problem. We need that capital to invest, and move far more rapidly into modernization than we are moving.

Q. Is ZIP code important?

A. I would be derelict if I did not point out to you that no matter what happens to my corporation idea, or any other proposal, the key, in the final analysis, to the future of the postal service is the use of ZIP codes.

ZIP code is here to stay.

We now have 65 per cent acceptance of ZIP code across the country. We must do better. It is not mandatory, as you know, in first-class mail—and that is in the American tradition—but we're pleased with the progress that's being made.

The Advertising Council has worked arduously with us in this area. Many groups, such as the Magazine Publishers Association and our mail-users councils, have done a tremendous job in this area. But it is essential that the American people as a whole accept and use ZIP code.

Paralleling acceptance of ZIP code, of course, we must have the mechanization to fully utilize ZIP code.

SPEEDING FIRST-CLASS MAIL

Q. If you get this mechanization, will people, sooner or later, have to accept some changes in the way they handle their own personal mail? In other words, with optical scanners, will you have to, sooner or later, require people to use ZIP code on their first-class mail?

A. Well, ZIP code is now mandatory in second and third-class mail. And the acceptance of it is moving very well in first-class mail. Eighty per cent of our mail in this country can be generally termed "business mail"—including Government and the business community generally. But I want Mr. Brown and Mrs. Smith to join us in the use of ZIP code on a voluntary basis—and they will. We are improving our situation, and it is going along extremely well.

Neither do I want Mr. Brown and Mrs. Smith a few years from now to say: "Mr. Government, I have complied with your request. I'm using ZIP code, but I don't find that I get improved mail service"—because we did not modernize our Department to fully utilize the ZIP code that people had voluntarily started using at our request.

Q. Will people have to print addresses so they can be read by scanners, and use envelopes of certain sizes?

A. The optical scanner currently is geared to read printed and typed envelopes. We find, again, that about 80 per cent of our envelopes in this country are printed or typed. We are continuing to refine the scanner so that it will read handwriting. That's our ultimate goal for the scanner.

Concerning envelope sizes: We can see in the future that there will have to be some standardization to insure maximum movement of the mail through our mechanical equipment.

But all of this will in no way fetter our fellow Americans in making use of our service. I think that this nation—which can carry on as it has in so many areas, such as education, scientific research, health—certainly can reach a point where we can validly claim we are providing to our fellow Americans superlative postal service.

I cannot for one moment believe we're not capable of doing it. But I do insist that, under the existing framework, we'll be inching ahead, not making giant strides.

What I hope the presidential commission will conclude is that I am generally correct in assuming that superlative postal service is possible, and that my corporation proposal is meaningful.

While it is not necessarily the sole answer to the future of the postal service, I am convinced it's the best answer.

BRITAIN SEEKS A POSTAL CORPORATION, TOO

LONDON.—British postal authorities, like their counterparts in the U.S., have decided that a Government bureaucracy simply cannot cope with growing mountains of mail.

Under a Labor Government plan scheduled to come before Parliament later this year—

The British Post Office will be reconstituted as a nonprofit corporation with two separate branches, one for carrying the mail and the other for operating telephone and telegraph services, which are functions of the Government in this country.

A board of directors will run the corporation like a business enterprise. The board will set rates, decide what services to offer or wipe out, appoint postmasters, fix pay rates and promotion policies.

The 400,000 employes will be removed from civil service. Their 20 associations and unions will have to reorganize and, it is hoped, will merge into a few organizations. Wages and working conditions will have to be renegotiated.

The corporation's directors will answer to a member of Parliament serving as Post Office Minister. He will control general policy, but leave operational decisions up to the directors. Parliament will have to approve the corporation's budget each year.

Many of the proposed changes were recommended by an American management-consultant firm. The basic aim is to let postal officials handle their problems, their workers, and customers with some of the freedom and flair that a private enterprise uses.

This approach now is being promoted by a Labor Government that is dedicated to the ideals of socialism—but is up against the practical problems of increasing mail volume and runaway postal costs.

HELP-A-YOUTH PROGRAM IN SPRINGFIELD, OHIO

Mr. LAUSCHE. Mr. President, hardly a day passes without our hearing of another federally sponsored youth training program becoming so deeply involved in the bureaucratic quagmire that it has either collapsed or has been wholly ineffective.

In the meantime, more and more we hear of youth and adult training programs sponsored solely by philanthropic groups and industries meeting with remarkable success and surpassing their original goals and at no cost to the taxpayers.

In October of 1965, I placed in the RECORD a newspaper article dealing with a help-a-youth program at Springfield, Ohio, initiated by Mr. Harry Rittoff, chairman of the board of David's Gloves, Inc., of that city. That was 1½ years ago. I have now received a letter from Mr. Carl Trautman, director of this project, in which is made a brief progress report.

Mr. President, what the people in Springfield and Clark County have done to help the youth of that area is utterly amazing. I commend them.

I ask unanimous consent that Mr. Trautman's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HELP-A-YOUTH PROJECT,
Springfield, Ohio, April 17, 1967.

MR. RAY M. WHITE,
Administrative Assistant to Senator Lausche,
U.S. Senate Building, Washington, D.C.

DEAR SIR: In view of the fact that Senator Lausche was instrumental in having the work of the "Help-A-Youth Project" placed in the Congressional Record, we feel duty bound to report to you, and thru you to Senator Lausche, the results of one and one-half year's operation.

As stated in the attached press release of October 3, 1965, the Help-A-Youth Project is the culmination of a desire, on the part of Mr. Harry Rittoff, Chairman of the Board of David's Gloves, Inc., to help solve the dropout problem of boys and girls of Springfield and Clark County schools by finding part-time jobs after school hours and to assist those who were out of school to find full-time jobs and take their place in society.

This project was established as a result of several meetings in the home of Mr. Rittoff when, following discussions, a plan of procedure was adopted, an advisory committee appointed (as shown in the column on the side of this letterhead), and a director appointed. Our project started October 4, 1965, not knowing how we would be received by employers and the public, but with a firm resolve that everything that could be done would be done to make this a success.

Fortunately the local press and radio stations, thru editorials, articles, photographs, and spot announcements, gave to the project a most enthusiastic publicity and advertising campaign which from the first day on removed all doubts as to the success of our project. The first day approximately one hundred applications for work were taken and also three orders from employers for seven job openings were called in. Our first month of operation finished with seventeen boys and girls finding jobs.

Two points were settled at the beginning by Mr. Rittoff:

1. This was his project and all financial help was assumed by Mr. Rittoff. In fact, on two occasions his friends asked to help financially, by contributing several thousand dollars. This request was refused and checks returned.

2. This project under no circumstance was to be connected with Federal or Local Government Agencies. Having been asked by Federal Agencies to unite with them, again such a request was refused.

The office cooperates with City, County and Parochial Schools thru the counsellors; we work with all the local courts—Common Pleas, Juvenile, and Municipal. Also extend service to the Ohio Youth Commission in assisting those boys and girls on parole. No effort is left untouched to help the applicants and employers in this program. We work also with the churches and other religious organizations.

Every month a report of current activities is made and placed in the hands of our Advisory Committee, the press, radio and Chamber of Commerce; to governors of several states, as well as to large law and banking firms thruout the United States.

As a result of these reports being sent thruout the United States, requests have come to our office from governors and political subdivisions of several states, for information as to the feasibility of establishing such a program in their respective community.

Our results for one and one-half year's service is as follows:

1. From October 4, 1965, to October 5, 1966, our first year in business, jobs were found for 353 of our applicants. Approximately 80% were for part-time jobs and 20% for full-time jobs. The part-time jobs were filled by students after school hours.

2. Since October 5, 1966, an additional 173 applicants have been placed on jobs. Our goal is for 400 plus in our second year. Our total so far, to April 14, is 526 placements.

3. Our applicant file now numbers between 2500 and 3000 applications. Total number of employers who have given us orders approximate 200. The office has received repeat orders from a majority of these employers.

Indeed we are truly grateful for the results attained. We are also mindful of the fact that the results are due to the help and interest of the press and radio, and also to the confidence placed in us by our applicants, by industry and business. For this confidence, we are indeed appreciative.

This is our report to you, Senator Lausche, for your confidence and interest. The Help-A-Youth Program of Springfield, Ohio proves that things can be accomplished without government aid.

We feel that this is what it means to be a True American by serving our fellow man and if in any way our program is of interest to other communities, this office will be most happy to serve.

On behalf of Mr. Rittoff, the Project and our office, please accept our humble thanks, Senator Lausche.

Respectfully,

CARL TRAUTMAN,
Director, Help-a-Youth Project.

HELP-A-YOUTH PROJECT,
Springfield, Ohio, April 3, 1967.

Our March report shows quite an improvement both in orders, number of job openings and placements. Three of our orders also indicates Spring has arrived as these orders are for approximately 50 boys to work in city parks and at Ferncliff. Other orders include country clubs, industrial plants and hospitals.

There were 66 working days in the first quarter of the year of 1967 and in that period we have found jobs for 76 of our applicants.

The office is quite optimistic that we shall show an increased amount of activity during the Spring and Summer months both in number of orders received and placements made.

Your director contacted those which we served last year for yard work and agriculture work and apparently we will again be called upon for 1967 summer work.

The activities and results for March are as follows:

Number of orders received	29
Number of openings	45
Number of Referrals Made	62
Number of new registrations	68
Number of telephone calls	65
Additional interviews	71
Calls on employers	45
New hires	32

Assurance has also been given the office that contractors will use our services for some of the big Government contracts that are in progress.

Again our sincere thanks to all who have made this project a succesful one.

Respectfully,

CARL TRAUTMAN,
Director.

PRIZE-WINNING ESSAY BY SARA PARKER, 4-H CLUB MEMBER FROM MILLEN, GA.

Mr. TALMADGE. Mr. President, this week a number of outstanding Georgia young people are in Washington as delegates to the National 4-H Conference. It is indeed a pleasure to welcome them to the Nation's Capital and to wish them a most interesting and informative visit here.

We are all very proud of the splendid work being done by members of the 4-H group, and I am particularly proud of the leadership and accomplishments of Georgia's members of this organization which has done so much to develop the minds, bodies, and character of our young people.

One of Georgia's 4-H club members, Miss Sara Parker, of Millen, Ga., has written a very fine essay, "What I Have Learned in 4-H Club Work," on her experiences. She is to be complimented for this very fine presentation.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

WHAT I HAVE LEARNED IN 4-H CLUB WORK

(By Sara Parker, Millen (Jenkins County), Ga.)

When I joined the 4-H Club in the 5th grade, I had no idea of the many joys and experiences that were to come. One of the reasons I joined is that I live on a farm, and 4-H is a good opportunity for rural boys and girls.

After my first year I knew that this club was for me. It gave me the opportunity to work with other boys and girls, to develop skills and attitudes, and to gain knowledge. Gradually I sensed a change.

When I was a 5th grade 4-H'er, my Mother was teaching school, so the responsibility of cooking fell on my sister, Jane, and me. But then Jane went to college and I was left to take her place. Because of the training received in 4-H I was able to help prepare well-balanced meals for my family.

By using correct cooking methods, I found that foods I cooked would taste and look better. I have learned to prepare food that is in season. By doing this the food was of higher quality and also more economical. Food-nutrition has been my main project for seven years. During these years I have worked hard, but it has been fun and rewarding.

I have learned that a balanced diet includes the recommended amounts of food from each of the basic four food groups every day. I learned that the total quantity in daily food should be related to an individual's needs on the basis of age, sex, size, and activity. I have begun to understand that the daily habit of eating from the four food groups helps to build muscles, supply energy, and to give a feeling of liveliness and a "glow", and helps each child to grow at his or her own best possible rate. I have learned to purchase substantial foods with attention to economic ways to provide good food in daily family living. My nutrition project has played an important part in the protection of the family's health. As a result of good nutrition practices the physical fitness of the family has improved.

Because of 4-H I have been able to tell others about the importance of a properly prepared and nutritious breakfast through pamphlets, news articles, filmstrips, exhibits, and demonstrations. This project also sparked my interest in the welfare of people around me.

Dairy foods have always been of interest to me. It was convenient for me to learn the process of milk from the cow to the table since my father owns a dairy. I have tried to tell others the importance of dairy foods to the daily diet by demonstrations, radio and TV programs, exhibits, talks, and by sending 175 letters to 4-H'ers on drinking milk. I am happy to be alternate State Dairy Foods winner. I have developed an appreciation of the values of dairy products in relation to the general diet and health. I have acquired an understanding of different ways of using dairy food products and have developed skill in their preparation.

I have learned the scientific areas in nutrition. At camp I took a Fun and Food course which told me how science plays its role in the kitchen. By performing many science experiments at school and home with foods, I have learned the properties and actions of various foods. My food tests have demonstrated the presence of nutrients in samples of foods.

Through the study of Food-Nutrition I have acquired an interest in the field of home economics, and I have considered it a profession. 4-H has played a major role in influencing me in this direction.

The wide variety of 4-H projects besides Foods and Nutrition gave me the opportunity to satisfy my diversified interests. They are Leadership, Gardening, Health, Food Preservation, Recreation, Forestry, Clothing and Landscaping. Through my 4-H projects I have learned how to make decisions. I have learned how to set goals and how to make a plan for reaching my goals. Through 4-H projects I have learned effective use of time, energy, money. 4-H projects and activities have helped me test my own interests and career possibilities.

In 4-H I have developed many valuable traits which will benefit me as a leader in our society. My 4-H projects have helped me to develop leadership abilities by planning and presenting radio programs, giving demonstrations and talks to 4-H and civic clubs, and by serving on committees. Being on radio and TV gave me poise, self-confidence, and initiative. Participating on nine 4-H Sunday Programs has made me have a greater awareness of life. Taking part on the program at the Forestry Luncheon at State 4-H Congress, which is when District winners compete for state honors, was a rewarding experience. Assisting with District rallies was a service to those present who were being trained as county officers.

As president of my local and county club for two years and District reporter, the most important rewards received were assuming responsibility, being of service to others, and developing leadership skills. The 4-H'ers of Georgia have placed their faith in me as a state officer, to lead them through the coming year. I have a challenge placed before me and I hope to meet this challenge, putting forth all effort and courage I have.

The 4-H Club has offered to me an adventure in accepting responsibility. When I first joined the 4-H Club, I was given certain responsibilities that required me to continually use my mind. As an experienced 4-H'er, I am challenged in the field of responsibility not only in my home but in my county, District, and State. Through the responsibility of Junior Leader I have received the satisfaction that comes from seeing eager little people for the first time trying to excell in something and succeeding.

The 4-H program has given me the opportunity to learn how to be a good citizen through democratic practices. I have learned that a good citizen's responsibility is to himself, to the group, to local, state, national and international affairs. 4-H has trained me to assume these responsibilities in a free society. As a part in the Citizenship Ceremony at the State 4-H Citizenship Council, it impressed upon me the importance of one's loyalty to his country.

The IFYE program is one of the ways 4-H has tried to better the relations with other countries. By being host to an Argentinian IFYE I learned about other ways of life.

Although 4-H is the only organization that still contains the word "work" in its name, I have found that 4-H Club Work isn't all work and no play. 4-H has brought me more social contacts. I have learned new games and dances, and I have learned more social grace. Through contacts I have made all over the state through camp, District, and State Council I have made valuable friendships. I have enjoyed working with others on bake sales, fair exhibits, 4-H windows, 4-H Sunday programs and 4-H radio programs.

4-H has instilled in me the desire to reach out and grasp those things that are good and challenging. I have been encouraged to continue learning every day. I feel there is no substitute for the influence of 4-H in my life . . . It means a great deal to me.

CAPT. BROOKE SHADBURNE, OF TEXAS, DEAD IN VIETNAM

Mr. TOWER. Mr. President, when I was last in Vietnam, I flew across a large part of the Marine Corps' area of responsibility with Gen. Lewis Walt and his helicopter pilot, Capt. Brooke Shadburne, of Texas.

I was deeply grieved to learn later of Captain Shadburne's death on April 5 while flying a medical evacuation mission. He was an outstanding young officer; a credit to his family, community, and Nation. In recognition of his sacrifice to the cause of liberty, the University of Plano, in Plano, Tex., has named a building after him, and political science scholarships have been established in his name.

This is a fitting memorial to a dedicated American who felt strongly that a firm U.S. effort against Communist tyranny is necessary, particularly in southeast Asia.

I ask unanimous consent that there be printed in the RECORD selected excerpts from a letter Captain Shadburne wrote home shortly before his death. I commend them to the attention of all Senators.

There being no objection, the excerpts from the letter were ordered to be printed in the RECORD, as follows:

LETTER FROM CAPT. BROOKE SHADBURNE, FEB. 28, 1967

DEAR MOM AND GORDO: Hi all after another long lapse in correspondence. I have a couple days slack because I pulled a muscle in my back and I've been too stiff and sore to fly—actually it's been a pretty good break and I'm feeling pretty good too.

Tonight I am sitting on my cot with a 3' length of plank leaned up against the side of the hut for a back rest. I have a cold Korean Crown beer beside me and my tape recorder is playing some soft modern jazz like slow paced and melodic chamber music played on the snares and a sax—*gee I love music.* You truly won't be able to believe your ears when I return with the HiFi I am going to buy and the music I am going to have recorded. Also I will have the facilities for recording everyone else's best music. I've decided the name of the house I am going to build some day will be (paraphrased) *"The House With a Song in Its Heart."* Can you neatly summarize that in French, Italian or Latin?—to give it a little sex/snob appeal and also make it shorter. Either song *at* its Heart or Song *in* its Heart. Anyway—Mom your last letter got here in 6 days which is about average for my mail. Two days seems also unbelievable from here to Dallas to you.

I think you know I'm not one to jump to conclusions. In fact I didn't even make any policy criticisms until of late. I STRONGLY BELIEVE one should not go off half cocked and with only half the story! Well now I've seen both winter and summer in Viet Nam. As a UHIE pilot I have worked very closely with the Korean Marine Corps, Arvin Army, Rangers and Armor units, USMC Recon. Units and regular ground troops also US Army Special Forces. I've flown and worked from the DMZ down to and into the Army controlled II Corps area to the South and west to Laos. Security permits me saying more but I have covered the area. I have worked hand in hand with both Troop and cargo helos and all of the attack jets as well.

Nite before last S. Viet Nams second largest city DaNang had about 130 rockets fired at it from a position not more than 5 miles from our large air base there. The Russian made rockets killed 13 US and gravely wounded close to 40 more, an untold number of Viet civilians were killed when 5 rockets landed in their little tin and Thach village and completely flattened and burned it. 5 miles from the runway—with Russian rockets.

It's a little hard to believe until one goes into the hospital to help hand out the purple hearts every week and you see the legless, armless, eyeless cripples. I saw one guy who will have to have his neck in traction flat on his back the rest of his life. Big handsome guy, he could move his eyes and talk—and that is all! the rest of his life. What life? These people are sitting waiting to get hit by new Russian weapons while the General attends the New Year's Sports Festival. Traveling the ½ mile of good road by *helo*, not car. A helo that could have guns and rockets on it and be supporting the ground forces.

As I see it what we are currently trying to do is gradually expand our THOR (Tactical Area of Responsibility) so that we control the people inside that area. We then give them tin to rebuild a model vill. and a school. Gradually the idea is to push out the VC, educate the children, prove that we are good white people not bad like the French, and help them establish moderate agrarian reforms. Sounds Great but ½ mile south of our Marble Mountain Air Facility helo base at DaNang there is a tiny vill typical of so many many thousand in the area. Within the last year It has "lost" two mayors. The first was kidnapped. The second was killed along with his family. The present one had his young sons fingernails pulled out one by one—he is still Mayor. Today there was a 3 year old girl in the hospital, daughter of an ex town chief; The chief and his wife were beaten and killed in view of the child and then the little girl was beaten beyond recognition with rifle butts and left for dead. She is disfigured but still alive in our hospital—at 3 years old. How can we educate during the day? How can we expect a stable government when we only own the day and at nite the VC come in with a new Russian Submachine gun to cast their *own brand of veto* to any local election. They extract their rice tax, grab the youth for recruits and by day—who is to know, they wear black PJ's and straw hat like everyone else. Stable, Educated, Reformed—we can't win hearts! lets win a war! Basically: 1) cut off ALL of North Viet Nams sources of supply sea, air, land. 2) Bring them to their knees to stop the inflow of men and arms to S. Viet Nam. 3) Make a huge *ruthless*—in terms an Asian can understand—mighty sweep through S. Viet Nam to clean out the remaining die hard—and by then underfed and under supplied V.C. gurellas. 4) Then and only then rearm, train and supervise the Arvin. Teach the children, aid the homeless, help in agrarian reform. Only then will it do any good! And soon we truly will have an ally that could be considered the cornerstone of freedom in South East Asia.

To Expand on each point a little 1) A) Stopping all international commerce would be easily accomplished by simply putting a Cuba style blockade by Haiphong harbor. Stop their air by letting one flight of F-4's destroy the runway at Hanoi. Road supplies from China could be slowed if not stopped if we concentrated the same effort on them as we do on the Ho Chi Minh Highway (Trail) in the south. Any sane observer knows that it would be impossible for N. Viet Nam to ship supplies south without external resources. The main Sea route could be cinched off without a shot fired. B) We should stop ALL commerce with pro communist Nations aiding N. Viet Nam. and we should threaten a total Boycott of all Nato Nations trading with N. Viet Nam. How long would it take France or Britain or Canada to decide we are more valuable economically than N. Viet Nam?! The moves outlined sound harsh but so is being shot through the chest with a Chi Com AK-47 in S. Viet Nam! And the Irony of it all is that if we took a truly firm stand we would be *Respected* as a nation. Our largest criticism, for which we are so constantly attuned, would undoubtedly come from the lunatic fringe from within.

Step #2 Bring them to their knees—with No external aid this step would not take much but to hasten it and bring it down to weeks versus months we could (1) concentrate on all the MIG's *sitting* on the ground. Knock out the 100 or so MIG 17's and the 20+ MIG 21's and render the airfield unusable by jets which could all be accomplished by a few flights of our attack aircraft. Then knock out SAM sites Object to *destroy their Anti Air capability* Once accomplished run in our *BOMBERS* B-52's B-58's Some of our remaining B-47's that haven't been junked (with nothing to replace them.) Run in the Bombers and put *tons* of bombs in on every possible military target, It is *insane* to delegate to a single engine *jet fighter*, that is designed for speed Not load carrying, the task of *bombing*. That is why we have *bombers*. (those that haven't been junked by the Pentagon whiz Kids in favor of ICBM's or IRBMs—where are the missils now?) And–OR better yet—rather than risk another single aircraft over North Viet Nam's murderous anti aircraft fire—use *Naval Gunfire* as we did during and prior to most of the Pacific island invasions. Practically every military target in N. Viet Nam is within range of the batttleships 16" guns and their 2000# projectiles. You say there are no more battleships, they were considered obsolete 15 years ago? But No, there are several in moth balls and for the price of the aircraft lost *in a single day* they could be refitted and rearmed—and Not cost a single life. Two ships working 12 hr shifts replenished at sea and given sea cover by some PT's and destroyers and air cover by a single aircraft carrier could lob 2000 pound projectiles to any target in and around Hanoi or Haiphong. How long could they take 24 hr bombardment? and we wouldn't be risking a single man!! I venture to say they would crawl to us with white flag in hand shortly after they found out our battleships could be replenished at sea and never break stride! With no supplies coming in and 24 hr heavy bombardment how many troops would be rushing off to "liberate" the south?

Step # 3 clean out the South. Once the VC were truly cut-off from a supply of manpower, food, medicine and arms Charlies would have his back to a wall—stand and fight with what little he had on hand an then die, or give up. Many thousands came over last year. How many more would come over if they knew all supply and support was cut off? Then an aggressive War No holds barred sweep through S. Vietnam would make "good" V.C. out of the remaining few die hards. I would venture to say 10% or less of the US personnel were currently doing 90% or more of the actual combat in S. Viet Nam. If an aggressirve drive were started the Saigon USO would probably have to stop language lessons for a week. The General would probably have to cancel a dinner engagement or two with the Major or the visiting firemen might get the organdy vice red carpet treatment for a few weeks. All efforts would have to be pointed to winning a military war—not friends.

Then step # 4 one secure—*rebuild* as only America can do once we have beaten someone to a pulp, bring in the Peace Corps, US Aid, State department, Education, Economics, transportation etc.—etc. to *Rebuild educate* and *stabilize* on a firm (if bare) foundation. Leave a division or two in country to watchdog the activities and assign them as a primary mission the training and academic and political education of the S. Viet Armed Forces. Once trained give them some good tools for their trade and training to use them. In 15 years they, like Korea today, will or could be a strong blocking force against the Chinese Communist hordes in the North. Truly the potential is there but what are we doing to realize it?

There I got carried away, Mom I hope I haven't rambled along too much. It all seems pretty clear in my mind but on paper I tend to get flamboyant—I truly do feel the truth in what I have written. For instance the battleships we already have could do the same job as all the expensive jets and more expensive pilots we are losing today. And blocking the Harbor—who would stop us? Its almost laughable. No one would dare stop us! All we've got to do—is to do it.

PROGRESS TOWARD ELIMINATING WATER POLLUTION IN INDIANA

Mr. BAYH. Mr. President, I am proud to report that the State of Indiana has been making excellent progress toward the eventual elimination of water pollution. The 1967 session of the Indiana General Assembly enacted three significant statutes which should do much to help achieve the goal of clean water in my State.

One of the State's most respected public servants, Mr. Blucher A. Poole, who for 36 years has been a leader in efforts to reduce water pollution, estimates that Indiana could make its lakes, reservoirs, and larger streams fit for swimming in 5 years and that Statewide "clean water" could be achieved in 10 years with an expenditure of approximately $400 million.

In a column written by Fremont Power, the Indianapolis News on April 19, reviewed State action in eliminating water pollution and reported on Mr. Poole's prediction of future progress. In view of the significance of this program and as a tribute to the excellent leadership by Blucher Poole in this field, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Clean Water: He Doesn't Blink An Eye

(By Fremont Power)

In 36 years of public service with the State Health Board, Blucher A. Poole has achieved a reputation for calm, effective frankness.

He is no bug-eyed, come-lately zealot jumping into a problem like stream pollution, let us say, with an assertion that it'll be cleaned up tomorrow or he'll run everybody out of town.

Poole knows that neither would really be possible.

And so when he says that Indiana can make its lakes, reservoirs and larger streams (large enough for water skiing) fit for swimming in five years, the observation is worth attention.

POLLUTION LIKE SIN

Stream pollution for so long was something like sin: It is standard to be against it but the hopes of totally conquering it are, shall we say, variable.

Now it appears, we are on the verge of real gains in pollution control.

Not that it won't be costly, Poole points out. He estimates that achievement of clean water will require a 10-year expenditure of $400 million by municipalties and industry, which share about equally the blame for pollution.

"And that could be a bad guess," said the state director of environmental sanitation on the expenditure estimate.

Nor will it ever, he feels, be possible to return Indiana water to a state of "pristine purity."

"Not with five million people and industry," he explained.

But the prospect for ending dangerous pollution is in sight.

While it didn't raise the amount of money spent by the health board in this area, the last Legislature did show signs of getting serious about what has become something of a scandal, both here and across the country.

STATE FACES UP

1. Poole points to three significant legislative actions: Appropriation of $8.6 million to pay a 25 per cent state share of the cost of updating municipal sewage treatment plants. The Federal government, so long as its appropriations last, is committed to a 50 per cent share, leaving local government with only the final 25 per cent to pay.

2. Authorization for the State Health Board to license both municipal and industrial waste treatment plant operators. (Indiana thus becomes the only state to certify industrial waste disposal operators.)

3. Exemption of industry from personal property tax on waste disposal plants.

"This removes," Poole said, "some of the reluctance of industry to spend money."

JUNE 30 DEADLINE

Behind these state actions is a 1965 Federal law which gives states until June 30 to adopt pollution control standards acceptable to the interior secretary and to adopt implementation plans.

The alternative is correction of pollution in interstate waters by the Interior Department.

Indiana is in line and apparently on the move.

Normally, the Indiana Stream Pollution Control Board has been issuing 15 or 16 orders a year to water polluters to correct their dereliction.

"If we could get that up to 30 a year, we'd have the wheels rolling," Poole said.

SIR THOMAS MORE—MAN OF THE RENAISSANCE

Mr. HART. Mr. President, the pages of history—being as voluminous as the centuries have made them—offer many examples of an ideal for any public servant who seeks one. But anyone making up a list of possibilities would have to number near the top the name of Sir Thomas More, the man of the Renaissance.

He combined not only the requisite qualities of leadership and integrity but added a list of others of impressive length: humor, scholarship, courage, humanism, eloquence, and culture.

First the Broadway play and now the movie, "A Man for All Seasons," have reminded many who first learned of this great philosopher-statesman back in school of how applicable his thoughts can be to modern days.

The printed program for the movie contains a brief—but truly eloquent—summary of Sir Thomas More and his principles placed against the background of our time. This eloquent reminder of this historic figure was written by the distinguished senior Senator from Connecticut [Mr. Dodd], and today I invite the attention of all Senators to it.

Mr. President, I ask unanimous consent that the article in the program, entitled "The Man," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Man

(By Thomas J. Dodd, U.S. Senator)

Thomas More, Man of the Renaissance . . . scholar and statesman . . . a man of kindness, humor and compassion . . . a man in whom the best of human qualities were fused into greatness by the fire of principle . . . a man who set his conscience against the will of a king, and lost.

But what is he to us? What relevance can the life and death of this 16th Century humanist have for 20th Century man, gifted now with knowledge far beyond the ken of Thomas More, armed at last with the means to fulfill or destroy his planet?

The times in which Thomas More lived and died were not unlike our own. It was an age of intellectual and political ferment, an age of clashing arms and ideas. The western world was divided into quarreling states, spending its strength on internal conflict while barbarism threatened to engulf it from the East. Christianity itself was fragmenting, and all the feudal institutions that had borne Europe safely through the Middle Ages were being swept away in the great tides of Renaissance and Reformation.

The scholars of the Renaissance had rediscovered the ancient world of Greek and Roman civilization at the very hour in history when the seafarers of Europe were discovering the New World of the Americas, and western society was never to be the same again. From the one came an explosion of ideas, of scientific and humanistic knowledge of social and religious change; from the other, an explosion of political freedom that echoes around the earth to this day.

The parallel is startling. Western civilization is threatened once again by Eastern despotism, materialism and jealous nationalism have divided its inner councils, and men everywhere are re-examining the values and institutions by which they have lived for centuries. The explosion of scientific knowledge in our generation enables modern man to look back to the beginnings of life on this planet, while at the same time we reach out into space to explore the New Worlds of our universe.

The tragedy of Thomas More was that in the court of Henry VIII, he stood alone in his belief, that everything for which he gave his life was rejected by King and countrymen. He had stumbled on the crucial issues of western society, on man's desperate need to free himself from economic and political despotism, but he failed utterly to influence his time. He failed to avert the bloodshed of Henry's religious revolution, and he failed to stem the onrush of Thomas Cromwell's greedy commercialism. It was not until a century later, after a bloody era of civil war, that the threat of tyranny was finally lifted from England and More was vindicated.

But in his failures, More triumphed. The ideas and ideals he championed have stirred the minds and hearts of western man for more than four centuries; they have come down to us intact, as fresh and meaningful to our generation as they were to his.

We know a great deal about Thomas More, from his own voluminous writings and from the commentaries of contemporary writers who witnessed his epic struggle with the throne from front-row center. We even have a portrait done from life by Holbein of More in his middle years, the face grave and faintly ascetic, yet lighted by a trace of the inward-turning humor that characterized his public and private life.

Thomas More was a humanist, deeply concerned with the wretched condition of the common man in 16th Century England, and he looked forward to a great society in which poverty could not exist. A man of modest means, he kept his wife Alice in constant distress over the generosity of his private charities, and his public condemnations of those who used the power of wealth to exploit the poor have roused the consciences of social reformers from his day to ours. As clearly as any social scientist today, he saw the fatal relationship between poverty and crime and ignorance.

Again and again, he told men to stretch their imaginations, not to reconcile themselves to the inevitability of social evil, but to retain the vision of what might be.

One of the greatest Christian martyrs of all history, he remained a layman to his death—a layman who lived a life of humble piety in the riotous court of the Tudors, and who wore a hair shirt for all his adult years. Religion, faith in the goodness of God and its ultimate triumph, was the dominant force in his life. Yet, as the King's Chancellor he concerned himself with the worldly problems of population balance, foreign trade, treaties of commerce, military alliance with the Continent, and the maintenance of international peace so that all peoples might be left free to enjoy the good life. As Chancellor, his central characteristic was a combination of loyalty to his country and loyalty to western society, which he saw as a bastion against the tyranny of the East.

He was firmly wedded to the principle that power should be used only to execute right and justice, that positions of power must somehow be converted into structures of right if men are to give them enduring support. At the cost of his head, he invoked that principle even against his strong-willed monarch.

Soon after his fall from royal favor, More was called upon by Thomas Cromwell, who had replaced him as Chancellor and wanted his advice on how to deal with the tempestuous Henry.

"Master Cromwell," said More, "you are now entered into the service of a most noble, wise and liberal prince; if you follow my poor advice, you shall in your counsel-giving unto his Grace ever tell him what he *ought* to do, but never what he is *able* to do."

Thomas More was a unique combination of scholarly taste and practical experience, of humanistic accomplishment and civil service to an extent unmatched by any English leader with the sole exception of Winston Churchill, who followed him in the King's Ministry by some four centuries. He is remembered as much for his human qualities as for his saintliness, for the humorous irony that salted his eloquence, for the remarkable warmth of his family life, his zest for classical learning. Unhesitatingly he reached back into antiquity, into the writings of Socrates and Plato, of Cicero and Tacitus, for solutions to the new problems that confronted a world emerging from medievalism into the modern age. Here was the living stuff of war and tyranny and revolution, of politics and morals, of justice and power, of all the weighty issues that confronted the world of Thomas More as they confront us today.

More was a leader in the revival of learning and the broadening of popular culture brought on by the Renaissance. In spite of his preoccupation with public affairs, he remained one of the foremost scholars of his age, and his closest friends were drawn from the intellectual elite of England and the Continent. He carried that love of learning into his home, where he insisted that his three daughters receive the same classical education as their brother. Only his wife Alice, that doughty pragmatist, held out against the encroachment of science and the classics in the More menage. More himself finally gave up efforts to instruct Mistress Alice in science, complaining humorously that "she could see no difference between the world and the wheel, since both were round."

We see him then as a very human man who would be quite at home in the politics, the professions and the arts of England or America today. A man who loved his books and his family circle; a man who loved God but found in himself no vocation for the priesthood; a man trained in the law and drawn reluctantly into the King's service in full awareness of its perils; a man who was willing to be silenced by his King but who shunned a martyr's death. Above all, this was no man who courted the scaffold.

Why then did Thomas More refuse the Oath that would validate King Henry's claim to spiritual supremacy of the Church of England and thereby condemn himself to a traitor's death?

There is no rhetoric to the martyrdom of Thomas More, no dramatic gestures. One is not tempted to surmise that vanity, fanaticism or stubbornness led him to mortal defiance of the Bishops, the Parliament and the King of his realm. In the Tower of London, where he waited 15 months for his execution, we find the Renaissance Man withdrawn into his last inner citadel, where he would yield nothing of Thomas More.

He who had set the authority of the state so high throughout all the years of his service, gave his life as witness to the fact that there are things the state cannot command.

We have no need to guess at his reasons. Here is no stained-glass figure from a medieval cathedral but a flesh-and-blood man whose life is as well documented if he had died but yesterday. We have his reasons from his own mouth, as he faced his judges and delivered the great plea for man's conscience in language as relevant to our times as to his:

"Ye must understand that in things touching conscience every true and good subject is more bound to have respect to his said conscience and to his soul than to any other thing in all the world beside."

Thomas More might have died in his bed, rich in honors and blest with royal favor, had he so chosen. Never was a man better qualified by training and influence to frame an honorable compromise. All but a handful of England's nobles and churchmen had bowed to the king's will; those who had refused had been disemboweled as traitors, and More had no burning desire to meet with the torturer.

He was offered ample opportunity to strike a bargain that would satisfy his monarch and salve the conscience of a lesser man. There was no dearth of powerful friends who urged him throughout his long imprisonment to take that course. Indeed, he was under constant pressure by friend and foe alike to abandon his stand for the sake of his family and his career, for the opportunity to continue the great and good works of his life.

He chose instead to die.

The choice between conscience and expediency is not peculiar to the age of Thomas More. It is a choice that must be made by all men, of all the seasons, of all generations, by men in private as well as public life.

Ours is a difficult season, a season troubled by materialism, injustice, conflict and national rivalry, but not really so different from the season of this Renaissance Man. The fundamental choice between conscience and expediency is no more difficult for the individual and the nation than it was four centuries ago. But the death of Thomas More bears witness across the barrier of time that the choice is always difficult but always inevitable if man is to go forward.

In the early morning of July 6, 1535, Thomas More died for *his* conscience, and in the dying he quickened a fire that still burns wherever men yearn to be free.

Forbidden by his king to proclaim his cause from the scaffold, Thomas More asked simply for the prayers of the bystanders and then, in the final moment of life, delivered his own epitaph in words that resound through all the seasons of man:

"I die the King's good servant, but God's first."

THE PRESIDENT, PEACE DEMONSTRATIONS, AND AMERICA'S CLEAR RESPONSIBILITY

Mr. MONTOYA. Mr. President, I wish to commend the newspapers which have put into perspective the Vietnam peace demonstrations erupting around the country.

A large number of newspapers have rightly noted that these protesters share with President Johnson a fundamental desire to find a peaceful solution to this conflict.

But unlike the President, the protesters refuse to face the truth. The United States did not start this war; the Communist forces did. And we are determined to uphold our commitments to the people of South Vietnam until the Communists negotiate with us to solve this problem honorably and peacefully.

The overwhelming majority of Americans stand firmly with President Johnson.

Our people will not be misled by blatant appeals to emotions. They will not be seduced by exhortations that are totally irresponsible.

Our Nation provides the freedom to protest and be heard. But our people reserve the right to scorn wild and malicious tactics that seek to divide the Nation and belittle our leaders.

The President has made clear our responsibilities in Vietnam. And our Nation is determined to meet them honorably until peace can be won.

I ask unanimous consent to have printed in the RECORD a sampling of editorial opinion on the demonstrations and responsible behavior during this difficult period.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From Newsday, Apr. 18, 1967]

PROTEST AND RESPONSIBILITY

More than 100,000 persons were in New York this past weekend to join in a protest against the war in Vietnam, and many of them plan to travel next month to Washington to take part in a similar demonstration.

There is no question about their right to assemble peacefully to register protest. It is basic. The Rev. Martin Luther King Jr., who led the rally, described the people who joined in the protest as "by and large patriotic Americans." This, too, is hard to dispute. But there are many disturbing questions surrounding this demonstration and others like it.

The seriousness of some of those who participated can be questioned. It is hard to believe that those who daub their bodies with poster paint as part of a protest against the war in Vietnam are really serious. This fringe element surrounds many antiwar demonstrations. Although the "kooks" are a minority in the antiwar movement, their presence lends weight to the most serious question that can be directed to the demonstrators. Simply stated it is this: Are the demonstrations responsible?

The vast majority of those who marched this past weekend have the franchise. They participated in the elections that chose the government whose policies they protest. Nothing bars them from telling their representatives in Washington how they feel about the war in Vietnam.

Is taking to the streets in large numbers the best way to inform their representatives? And once these representatives are aware of the dissenting point of view, how long can taking to the streets be meaningful? In other words, how far should a minority go in pressing its point of view? This minority has gone very far, and it shows no signs of recognizing the fact that the administration's policies in Vietnam have the backing of the majority of the American people.

The worst result of this unrelenting protest is its impact on the government of North Vietnam. Commenting on the demonstration this past weekend in New York, Secretary of State Rusk said: "I'm concerned . . . that the authorities at Hanoi may misunderstand this sort of thing . . . We do not know whether Hanoi is sufficiently sophisticated to understand that this is not the way the American people come to their decisions and that these demonstrations will not affect the conduct of the war."

Rusk has reason to feel concern. In the current issue of Newsweek, Senior Editor Arnaud de Borchgrave quotes North Vietnam's top military man, Gen. Vo Nguyen Giap, as telling a visiting diplomat: "We are witnessing the beginning of the end." De Borchgrave explains that Giap sees the protests in the U.S. as an exact parallel to the defeatist activity on the French homefront just before the fall of Dienbienphu.

One of the most disturbing elements in this past weekend's demonstration was the leading part played by civil rights leaders and the manner in which they have been injecting racial overtones into the antiwar protests. Stokely Carmichael, leader of the Student Non-Violent Coordinating Committee, called the Vietnam war "racist," and took a stand against the draft. Even more disturbing is the role played by the Rev. Dr. King. Using his civil rights prestige, he is moving to assume a position of leadership in the antiwar movement. We agree with the board of directors of the National Association for the Advancement of Colored People, which called the Rev. Dr. King's move a "serious tactical mistake."

No one questions the right of the antiwar protestors to demonstrate. But in the light of the effect on the war in Vietnam, we question the wisdom of the demonstrations.

[From the Baltimore (Md.) News American, Apr. 19, 1967]

U.S. PEACE DEMONSTRATORS PROLONG VIET WAR

(By Kingsbury Smith)

PARIS, April 19.—The Vietnam war will probably be prolonged at least another 18 months as a result of the latest pacifist demonstrations in New York and San Francisco.

Such is the belief of European diplomats who follow closely the events in North Vietnam and Red China.

These diplomats think the turn-out of over 100,000 people in New York last Saturday in support of the anti-war demonstration will encourage Hanoi to believe the American home front is eroding just as the French home front eroded at the time of Dien Bien Phu.

It will, the diplomats believe, strengthen Hanoi's conviction that if the Communists hold out long enough, American public opinion will force the United States government to pull out of Vietnam.

Diplomatic advices from Hanoi indicate the North Vietnamese regime has been greatly encouraged by reports of the size of the pacifist demonstrations, especially in New York. News of the demonstrations was prominently displayed in the North Vietnamese newspapers, and the people were led to believe that 300,000 demonstrators participated in the New York parade, instead of the 125,000 police estimate. Communist reports also estimated the San Francisco demonstrators at over 100,000 instead of the 20,000 estimate given by police authorities.

Whether it's wishful thinking or lack of reliable information, the North Vietnamese leadership has been interpreting recent events in America as evidence that a majority of the American people are opposed to continued U.S. involvement in the Vietnam war.

These events include the publicly expressed opposition by Senators Robert F. Kennedy and J. William Fulbright to continuation of bombing of North Vietnam, as well as the polls showing a decline in President Johnson's popularity because of America's deep involvement in the war.

* * * * *

[From the Washington (D.C.) Daily News, Apr. 19, 1967]

CLIMATE FOR KILLERS

As usual, the violent anti-Vietnam, anti-United States demonstrations aimed at both President Johnson in Latin America and endured by Vice President Humphrey in his recent swing around Europe have aroused considerable indignation thruout the United States.

There have been the usual cries of "ingratitude" for the aid and billions poured into both continents. It's an old story.

But why do we Americans expect Europeans, Asians, Africans and Latin Americans (and, maybe before long, Martians) to treat our nation's leaders with any more respect than we ourselves show them?

We ought to face up to the fact that anti-U.S. demonstrators abroad take their lead from our home-grown dissidents.

If Vice President Humphrey was met thruout Europe by crowds crying "murderer" and if crowds in Montevideo yelled "Assassin" at the President, both men—when they make public appearances in the United States—are only too familiar with hostile local crowds chanting, "Hey, Hey, LBJ, how many kids have you killed today?"

Why should we expect Europeans or Latin Americans to adopt a higher standard of conduct than the Harvard students who shouted down Secretary McNamara?

How can we expect foreigners to place a higher value on our conduct than, say, Dr. Martin Luther King who describes the use of "new" American weapons on the peasants of Vietnam as a counterpart of the Nazi use of "new medicine and new tortures in the concentration camps of Europe?"

Why should we be surprised that Lord Bertrand Russell is organizing a kangaroo court of European intellectuals to try this country and its president for "war crimes" with which Dr. King, an American citizen, already charges us?

In a current magazine article Lewis S. Feuer, sociology professor at the University of Toronto (and former teacher of Philosophy at Berkeley), takes apart the American "intellectual elite."

"No president in American history has evoked the animosity of intellectuals as Lyndon Johnson has," he says, and adds:

"Today, the intellectual elite has been rendering paeans to 'MacBird,' with its crude innuendo that the President fomented the assassination of John F. Kennedy. To them it is of small moment that the play emanates from a circle which has been trying to discredit the Warren Commission report; indeed, the author's husband was an investigator in a group looking for such evidence in Dallas."

It is not freedom of speech that's in question here. It is responsibility of speech that is at issue. All these scurrilous and libelous attacks and implications—on home ground—all this is creating an atmosphere in which another assassination is possible.

The neurotic loner or psychopath who killed the 35th President of the United States is not the only psycho in the nation. There is being fostered in this country an unprecedented climate of reckless abuse and hostility—by relatively small but highly articulate groups across America—that can trigger a repetition of the awful events in Dallas.

It is we—not outsiders—who are doing this to ourselves and our country.

[From the Baltimore (Md.) News American, Apr. 20, 1967]

MARCH TO NOWHERE

The "peace marches" held during the weekend in New York and San Francisco certainly provided much encouragement in Hanoi.

North Vietnam's leaders have always considered "anti-war" sentiment in the United States to be their ace-in-the-hole, and are convinced this will one day cause the U.S. to "get out of Vietnam," as the paraders' banners demand.

The tragedy of this is that Hanoi is hypnotized by the world-wide propaganda generated through such marches, and believes they represent the wishes of the majority of the American people. This is simply untrue, unless every sampling of public opinion on the subject is inaccurate, which is unlikely.

Hano's ace-in-the-hole, therefore, is a grim joker.

Unquestionably, few of those who marched can be categorized as "disloyal" Americans in the sense they are deliberately treasonable to their country. They are convinced they are acting in their country's interest. And they have the right to such a view, even though we disagree with them vehemently.

The marchers might consider the fact, though, that "protest" marches such as are freely undertaken in the U.S. would not be permitted in Hanoi or Peking or Moscow, although there are surely persons in those cities who disagree with their government's policies.

An inexcusable aspect of the marches is their total lack of objectivity. None of their banners or chants include demands that Hanoi or the Vietcong "stop-the-war." The demands are solely for a unilateral U.S. cessation of hostilities, as if only the U.S. were doing the shooting in Vietnam. Communist attacks on Vietnamese civilians are ignored.

Some of this one-sided attitude could be rationalized if the marchers consisted solely of youthful, uninformed, and unwashed beatniks. But the parades included, in New York at least, several contingents of professional people from whom more thoughtful judgment can be expected.

It is reasonable to assume, however, that the marchers' ranks do include a segment of determined, dedicated Communists who skillfully and energetically seek to manipulate such events to advantage of the USSR and, perhaps, Red China. The disloyalty of such elements is brazen and self-evident.

Perhaps the greatest tragedy of the marches, though, is in the invective they hurl at President Johnson.

The marchers ignore the fact that President Johnson has engineered the greatest program of social legislation in the nation's history. Most of the measures he has sponsored—among them Medicare, civil rights, education, and the War on Poverty—find vociferous champions among the marchers themselves.

But the marchers revile LBJ, condemning him in crude terms for a war that was begun by Hanoi and is continued by Hanoi in the face of repeated American attempts to negotiate a settlement. In doing so, the marchers display a pathetic lack of political maturity.

They should grow up.

A SALUTE TO COL. CLARE F. FARLEY

Mr. BARTLETT. Mr. President, on June 16 of this year, the Corps of Engineers will be having its 192d birthday, while Alaska celebrates its centennial.

Without the corps, I doubt much that Alaskans would be in a mood to be blowing out 100 candles on their birthday cake.

The tasks assigned the Alaska district office at Anchorage following the Good Friday earthquake in 1964 were formidable. They proved, however, not to be overwhelming, because once more the corps proved its worth.

Shortly after disaster struck, I spoke in the Senate, telling the story, as of that date, June 16, of the Alaska district and its role in Alaska's recovery. I ask unanimous consent that the speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

NINETEEN DECADES OF SERVICE

Mr. BARTLETT. Mr. President, several thousand miles lie between Bunker Hill and south central Alaska, and 189 years separate that first severe battle of our American Revolution from the harsh reality of this country's worst earthquake. But there is a strong bond between the two events in our history which tested man's courage and gave him confidence to conquer his enemy.

The bond linking events bridged by almost 19 decades was established when George Washington on June 16, 1775, named as this country's first engineer Col. Richard Gridley who fortified the American position at the Battle of Bunker Hill. June 16, 1964, finds Colonel Gridley's engineering heirs doing battle for Alaska's recovery.

From the days of its beginnings to the present, the Corps of Engineers as it gathered strength has reaped many honors. Not to be forgotten are the difficult tasks assigned to the Corps in World War II, such as construction of artificial harbors, temporary docks and airfields, clearing of beachheads and other actions performed under enemy fire. Surely a great contribution to victory was the Bailey Bridge created through joint efforts of American and British engineers to ease the crossing by troops and equipment of major rivers during the war. Combat found engineers fighting as infantry, especially at the Battle of the Bulge. The engineers served well in war; they serve well in peace.

We in Alaska have had many occasions to mark our gratitude to the Corps of Engineers. Here is a land, strategically located, 586,000 square miles in size including 10 million acres of inland water acres. Through this land flow mighty rivers, the Yukon and the Kushokwim, the Copper and the Sustina, and others. Alaska's shores are washed by the Pacific Ocean, the Bering Sea, the Chukchi Sea, the Arctic Ocean and the Beauford Sea. Alaska is a vast peninsula and its economy in great measure is dependent upon the fishery resources of these waters. And, in turn, our fishermen in need of safe anchorage have found refuge in small boat harbors built under the supervision of the Corps of Engineers.

The corps has had many opportunities to assist when the Alaska spring begins with the breakup of ice on our big rivers. This is the time of floods and high waters. This is the time when through the aid and cooperation of the Army, Air Force, and Navy, the corps puts to practice its authority to relieve such situations. Within the past 3 weeks, in addition to all the tasks it is performing in the wake of Alaska's earthquake, the corps fought floods and performed evacuation of flooded areas. Some 550 Alaskans were moved from flood-threatened areas to rescue centers by the Alaska district of the corps through use of Army and Air Force helicopters. Ninety of these people were moved from Stevens Village on the Yukon and 460 from villages on the Kuskokwim. Over 100 aerial reconnaissance flights were made by hydraulic engineers employed by the Alaska district during breakup. The corps under its authority in such situations to call upon locally available military personnel and equipment asked the Navy to drop 25,000 pounds of bombs to blast out ice jams. The bombing was a major factor in saving the community of Bethel from flooding and alleviating flood damage elsewhere on the Kuskokwim. The Yukon required little bombing this year except at the mouth of the south channel to ease flood threats to the village of Alakanuk and vicinity.

These are examples of how the activities of the corps touch the lives of Alaskans and assist in their problems. These are the kind of aids which Alaskans have long known and appreciated, as have other Americans in similar circumstances throughout our country.

The military construction work performed by the corps in Alaska has been considerable. Large-scale construction did not start until the early 1940's. First begun under the jurisdiction of the Quartermaster General, the work was transferred to the Chief of Engineers at the end of 1940. It was then that work began on Ladd Air Force Base near Fairbanks and Fort Richardson at Anchorage, on the 1,600-mile Alaska Highway and airstrips in the Aleutian Islands. At the same time under the jurisdiction of the Seattle District Engineer construction of airfields and garrisons started at Yakutat and Annette Islands in southeastern Alaska.

After January of 1941 when the district engineer at Seattle was given the responsibility for War Department construction in Alaska an area office was established at Anchorage. During the period between 1940 and 1946 Alaska military construction totaled $1 billion.

Following World War II representations made for a separate Alaska office were successful, and the Chief of Engineers on April 9, 1946, signed the general order creating the Alaska District, and on May 1 the district began active operation with headquarters at Anchorage. Its first assignment was to carry on the military construction undertaken in World War II. In 1949 civil works responsibilities were added to the initial mission, and the first project in this category was started, the survey of all water resources of Alaska. Major projects of the district's military program have included construction of Army and Air Force bases, troop and family housing, the Haines-Fairbanks pipeline, the DEW line extensions, BMEWS and aircraft and warning stations, Nike-Hercules sites, and Alaska's first nuclear powerplant at the Army base of Fort Greely.

These military construction and civil public works programs have played large roles in Alaska's economic development. Improvement and maintenance of Alaska's navigable waters have aided the fishing and lumbering industries. The potentials of Alaska's hydroelectric energy estimated at upward of 18 million kilowatts of prime power, have been studied and advanced by the Alaska district.

But the biggest task and the most meaningful the Alaska District has been called upon to undertake was assigned by nature when on March 27 at 5:36 p.m., south central Alaska time, the earth rolled and heaved and cracked for seemingly endless minutes, and the huge waves came and then receded and took with them docks and canneries and breakwaters, all vital, almost all destroyed. And the land tilted so that some areas dropped several feet and others rose. A massive reconstruction effort was ordered by President Johnson with initial and considerable assistance coming from his disaster fund administered by the Office of Emergency Planning under the direction of its extremely able and dedicated Director, Edward A. McDermott.

The Alaska district was assigned the task of rebuilding the public sector using OEP disaster funds and in some cases funds available to the corps. The work being accomplished by contract and by the corps itself includes repair of access roads, power and communication cables, water systems and sewers, demolition of buildings, clearing of massive rubble, repair of schools and harbor facilities, and many more. All of this presents a tremendous challenge to skill, to organization, to efficiency, to endurance. Lt. Gen. Walter K. Wilson, Jr., the corps' 42d Chief of Engineers, Col. Kenneth T. Sawyer, Alaska's district engineer, and all those who work with them are meeting this challenge magnificently.

In recognition of this contribution to Alaska's reconstruction and for past services rendered and as a salute to the 189th anniversary of the Corps of Engineers, Alaska's Gov. William A. Eagan has proclaimed this day U.S. Army Corps of Engineers' Day in the 49th State. I ask unanimous consent to have the Governor's proclamation printed at this point in the RECORD as I take this opportunity to add my congratulations and thanks to the Corps of Engineers as it turns toward its 20th decade of service to this country.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

"Whereas the U.S. Army Corps of Engineers will celebrate its 189th birthday on June 16, 1964; and

"Whereas for 95 years the Corps of Engineers have been active in Alaska in many fields including construction and improvement of Alaska's harbors, navigation channels, and flood control projects; and

"Whereas with the advent of World War II, the Corps of Engineers constructed under extremely adverse conditions, the Alaska Highway, linking Alaska with the first 48 States; and

"Whereas the Corps of Engineers also supervised construction of the Nation's northern defense system on Alaskan soil; and

"Whereas the Corps of Engineers responded speedily and efficiently in rendering assistance to earthquake stricken south-central Alaska; and have diligently pursued plans and activation of a reconstruction program designed to get Alaska's economy back in normal channels: now, therefore,

"I, William A. Egan, Governor of the State of Alaska, in recognition of the achievements of the U.S. Army Corps of Engineers, hereby proclaim Tuesday, June 16, 1964, as U.S. Army Corps of Engineers' Day in Alaska and urge all Alaskans to pay recognition to the Corps of Engineers, U.S. Army, both uniformed and civilian, for the tremendous task they have achieved in planning, construction, and maintenance programs in the State of Alaska, as well as throughout our Nation.

"In witness whereof, I have hereunto set my hand and caused the Seal of Alaska to be affixed, this 3d day of June in the year of our Lord, 1964.

"WILLIAM A. EGAN,
"Governor.

"Attest:

"HUGH J. WADE,
"Secretary of State."

Mr. BARTLETT. Mr. President, the Alaska district, at the time of that speech, was headed by Col. Kenneth T. Sawyer, who did a superlative job. Shortly after my June 1964 speech, Colonel Sawyer was assigned as Deputy Chief of Staff, Logistics, at the U.S. Military Academy at West Point. Alaskans will always be grateful to him for his brilliant service in our time of crisis.

Alaskans were again fortunate in that Col. Clare F. Farley was assigned as district engineer to replace Colonel Sawyer. He came on duty in August of 1964, and now that duty is soon coming to an end. Alaskans will welcome his successor, Col. Ernest L. Hardin, Jr. However, they will say goodby to Colonel Farley with deep regret mixed with affection and gratitude.

Since his graduation from West Point 24 years ago, Colonel Farley has served in Iowa, New York, and Kansas; and attended the War College in Carlisle, Pa. After his commissioning in 1943, he saw service in Europe during World War II and was a platoon leader of combat engineers landing on Omaha Beach on D-day, June 6, 1944. He also saw service in the Korean war when he served with the 2d Engineer Combat Battalion of the 2d Infantry Division. On leaving Alaska this coming summer he will be assigned to Washington headquarters to serve in the Directorate of Topography and Military Engineering.

Most assuredly, Colonel Farley and those who work with him have earned the respect and appreciation of Alaskans. During the 3-year period of Colonel Farley's jurisdiction, some $175½ million worth of projects were underway, including those scheduled for award through August of this year. This includes 126 earthquake restoration projects valued at $50½ million, 30 civil works projects valued at $10,367,000, 222 military construction projects worth $103,748,000, and 14 other contracts for such agencies as the Public Health Service and the Atomic Energy Commission in the amount of $10,937,000.

Work connected with the earthquake provided restoration of schools, hospitals, water supply and other utility systems, airfields, harbors, docks, and public buildings. Major projects included the buttress in downtown Anchorage, a new waterfront in Seldovia and Cordova, the new railroad and harbor complex in Seward, and a complete new city for Valdez, as well as new harbor and dock facilities in Homer and Kodiak. Emergency school repair and utility work were accomplished for the beginning of school and the onset of cold weather in 1964, and the remainder of the emergency work was completed by 1966.

At the same time, the district carried on its major construction program for both the Army and the Air Force. At more than 50 locations, from southeastern Alaska to the Arctic Coast, to St. Lawrence Island, and to Shemya and Attu, projects were constructed. Among the more significant undertakings in this program are the Whittier-Anchorage pipeline and tunnel now under construction, new hangars for both the Air Force and the Army, the protection of the Air Force installation at Galena from the Yukon River's destructive potential, and major family housing additions at Fort Greely, Elmendorf Air Force Base, and Fort Richardson. This year, with the authorization to undertake additional work, the district will initiate 80 new military projects before the end of June.

In its role as a major construction agency available to all elements of the Federal Government, the district has undertaken and completed work for the Defense Atomic Support Agency in connection with the successful underground nuclear test on the Aleutian Island of Amchitka. At Fairbanks, on the site of the University of Alaska, the district completed in record time a water pollution laboratory for the U.S. Public Health Service, and is now completing the Arctic Health Research Center facility. Urban renewal work has also been undertaken in Valdez, Cordova, Kodiak, and Seldovia, in addition to the buttress in downtown Anchorage. At present, the district is participating in both engineering and construction supervision for the work being done by the Atomic Energy Commission in Alaska.

Of prime importance to the State of Alaska, the civil works program of the corps is now underway and gathering momentum. The small boat harbor at Sitka is completed, a major hydropower project at Snettisham in southeastern Alaska will be placed under construction this year, and lesser projects have already received initial approval. More than 20 other potential facilities for improved navigation, production of hydroelectric power, flood control, and beach erosion are under study by the district. The favorable results anticipated from some of these investigations will provide Alaska with the improvements needed to keep pace with our growing population and dynamic economy.

I imagine that Colonel Farley will never again face the challenges which have been his during his Alaska service. He met them all head on; he accomplished much. We will miss him.

INVITATION TO GO FISHING IN WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, the April 20 issue of the Roane County Reporter, of Spencer, W. Va., contains a poetic invitation to go fishing in West Virginia, phrased by Mr. Roy Lee Harmon, poet laureate of West Virginia, which I wish to pass on to the Members of the 90th Congress.

I ask unanimous consent that the poem be printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

TROUT FISHING INVITATION

(By Roy Lee Harman, poet laureate of West Virginia)

When Spring walks down the far-flung hills
  With flowers in her hair,
Forsake the hurried pace which kills,
  And laugh at every care.

Go fish a West Virginia stream
  Where fighting trout leap high;
Go share an angler's fondest dream
  And watch your troubles die.

I claim that every fishing trip
  Will lengthen out life's span;
It makes the darkest problems dip
  For any fishin' man.

The trout are there, so take your fill
  Of blessed fishin' fun
Within this land of dale and hill
  Beneath a friendly sun.

Just put those pills upon the shelf
  And grab your fishing gear,
Go land a mess of trout yourself
  In water crystal clear.

The trout streams sing . . . so let your soul
  Echo the glad refrains;
Today peace is an easy goal,
  It's fishin' time again.

BUSINESSMEN SUPPORT POPULAR ELECTION OF THE PRESIDENT AND VICE PRESIDENT

Mr. BAYH. Mr. President, the National Federation of Independent Business, Inc., an organization having 232,338 members in the 50 States and the District of Columbia, has announced the results of a nationwide poll of its members on the question of whether the electoral college should be retained or direct popular election should be substituted as a means of choosing the President and Vice President.

The poll was conducted on the basis of Senate Joint Resolution 2, which I introduced on January 11, 1967, for myself and several other Senators. This amendment proposes doing away with the archaic system of electing our chief executive officers in favor of the democratic principle of popular choice.

It is gratifying to me to learn that the members of the National Federation of Independent Business, Inc., all of whom are independent business proprietors, overwhelmingly endorsed this proposal. The poll showed 75 percent in favor, 18 percent opposed, with 7 percent undecided.

It seems to me, Mr. President, that this is yet another indication of the widespread support of this proposal among people from all walks of life. Other diverse groups whose members have indicated similar support include the United Auto Workers, the U.S. Chamber of Commerce, and the American Bar Association.

Another poll, which was previously conducted by the distinguished junior Senator from North Dakota [Mr. BURDICK], showed that approximately 90 percent of the State legislators throughout the Nation favored direct election of the President and Vice President.

This evidence indicates that the people want to elect their President in the same way they now choose practically all other government leaders, whether it be township trustee, county supervisor, mayor, Governor, or Senator. It is time that Congress answered this apparent mandate.

Mr. President, I ask unanimous consent to have printed in the RECORD a release describing the poll and its results as conducted by the National Federation of Independent Business, Inc.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS, INC.,
Washington, D.C., April 24, 1967.

Insofar as the nation's independent business proprietors are concerned, the electoral method of electing a President of the United States should be scrapped in favor of the election being based on a majority of the popular vote by the population as a whole.

This is reflected in the result of a nationwide poll just completed by the National Federation of Independent Business on Senate Joint Resolution No. 2, by Senatoi Birch Bayh, Ind., which would amend the constitution to affect this change in the method of electing.

The results show 75 per cent in favor, 18 per cent opposed, with 7 per cent undecided.

In Indiana the vote was 79 per cent in favor, 17 per cent opposed, with 4 per cent undecided.

This proposed change in the national election law is expected to create a great deal of interest. The opposition viewpoint appears to base its position on the belief that such a method would destroy the two-party system and open the door for formation of other parties.

Supporters, who contend the present system weakens the smaller states claim that 90 per cent of the respondents to a poll conducted among 8,000 state legislators want a change in the present method, and also that the American Bar Association has called the present system "archaic and dangerous."

Do you favor presidential election by majority popular vote of the people?

[State breakdown figures]

State	Percent		
	In favor	Against	Undecided
Alabama	81	14	5
Alaska	80	15	5
Arizona	76	20	4
Arkansas	77	17	6
California	75	19	6
Colorado	77	16	7
Connecticut	77	17	6
Delaware	79	16	5
Florida	80	16	4
Georgia	70	22	8
Hawaii	76	21	3
Idaho	78	17	5
Illinois	74	19	7
Indiana	79	17	4
Iowa	74	18	8
Kansas	76	18	6
Kentucky	66	25	9
Louisiana	73	21	6
Maine	82	14	4
Maryland	77	15	8
Massachusetts	79	16	5
Michigan	73	20	7
Minnesota	79	13	8
Mississippi	83	11	6
Missouri	76	18	6
Montana	75	20	5
Nebraska	76	18	6
Nevada	82	12	6
New Hampshire	75	17	8
New Jersey	74	18	8
New Mexico	77	16	7
New York	75	18	7
North Carolina	75	19	6
North Dakota	80	15	5
Ohio	76	17	7
Oklahoma	82	13	5
Oregon	78	15	7
Pennsylvania	77	16	7
Rhode Island	81	15	4
South Carolina	75	18	7
South Dakota	82	14	4
Tennessee	75	17	8
Texas	78	18	4
Utah	74	20	6
Vermont	75	23	2
Virginia	71	21	8
Washington	77	17	6
Washington, D.C.	83	11	6
West Virginia	71	24	5
Wisconsin	79	14	7
Wyoming	74	20	6

COLUMBIA POINT NEIGHBORHOOD HEALTH CENTER

Mr. KENNEDY of Massachusetts. Mr. President, some of the most significant and promising antipoverty activity in Massachusetts is underway at the Columbia Point housing project in Dorchester, just outside of Boston. The Columbia Point neighborhood health center has become a national model for similar health centers in other cities across the country, but it is only one of several closely related projects which are helping Columbia Point residents to help themselves out of poverty.

An article by Sherry Petchul in the Christian Science Monitor of March 23 describes the equally successful Patricia M. Hassett day-care center at Columbia Point, which combines the attributes of comprehensive day care services with those of a year-round Headstart program. This is a program which is proving to be of enormous benefit and importance to parents and to the entire Columbia Point community, as well as to the 65 little children who are enrolled in the center program.

Mr. President, I think Miss Petchul's article has a good deal to say about the importance of the economic opportunity programs to poor communities.

I ask unanimous consent that it be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEAD START: DAY CARE BOLSTERS FAMILIES

(By Sherry Petchul)

BOSTON.—"In the willows where the warm breezes blow, chee-rump," hums a naptime record for children whose world is the Columbia Point, Dorchester, housing project.

Some of the 65 three- and four-year-olds at the Patricia M. Hassett Day-Care Center at Columbia Point use their imaginations to extend this world.

"I have a cow."

"You do?"

"I keep it in the front yard."

A rule at the project forbids pets.

DAYCARE CENTER BUSY

The staff at the day-care center, delegated as one of Boston's five year-round Head Start centers, works hard to give the children real experiences beyond the limited housing-project environment.

The children visited a downtown store to see the Christmas decorations. They bought ingredients and made cranberry-orange relish for their mothers. They've had rides on the subway and, on the swan boats in the Public Garden.

One class, working on a transportation unit, has been to Logan Airport and actually boarded a plane.

Unlike many day-care centers, where supervision and baby-sitting are the only services, the full-time center at Columbia Point emphasizes education, health, and social service.

GOALS SHARED

"Day care involves, these three components in order to serve families and children well," says Sibley Higginbotham, executive director of Associated Day-Care Services, which administers the center.

He adds, "A good day-care program, a good Head Start program, and a good educational program have a lot of the same goals."

Head Start objectives include health checks; school preparation involving reading readiness, ability to work and play within the group, and acceptance of adult guidance; parent involvement in the children's education; and community participation in the project.

The four classes at Columbia Point, grouped basically by age, are handled by four professional teachers and four aids from the community.

HELPING START READERS

Reading readiness activities include everything from field trips to extend awareness to a child matching letters from a felt board with his own name printed by the teacher. In one class, it meant drawing out a child who didn't talk for two months.

The Columbia Point center has a "uniquely strong social-work component," according to Mr. Higginbotham. Two full-time social workers, a case worker and a group worker, contribute to the center's goal of "100 percent social service."

Mrs. Marilyn Kalis, the center's group worker, meets with two groups of mothers once a week. They may discuss budgeting, marital adjustments, or the problems of living in a housing project.

Mrs. Marliyn Kalis, the center's group director, has a meeting open to all of the mothers once a month. "I take my cues from what the parents want," she says. At Christmas the mothers learned to knit and made stockings for their children. A child librarian visited to talk about children's books.

DEATH OF A RUSSIAN COSMONAUT

Mr. KENNEDY of Massachusetts. Mr. President, I know I speak for all Americans when I rise to express the feeling of great sadness I have over the death this morning of Vladimir Komarov, the Russian cosmonaut.

Komarov was a dedicated space pioneer and a courageous man. The 40-year-old cosmonaut, a veteran space pilot who orbited the earth in 1964 was grounded by Soviet space doctors shortly after that flight because he had a heart murmur. But 5 months after an operation to restore his health, and despite the doubts of Soviet medical officials, Komarov was back in physical trim and, according to Soviet news agencies, the No. 1 Russian cosmonaut.

When earth-bound man attempts such a bold undertaking as space flight, with its inherent dangers, known and unknown, there are certain to be great tragedies. We Americans know the full measure of this tragedy in the recent loss of three of our own astronauts. But it is a mark of the courage and dedication of these space pioneers that they press on in their unparalleled adventures with enthusiasm.

John Donne said it very well 350 years ago:

> No man is an island, entire unto himself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friends or of thine own were; any man's death diminishes me, because I am involved in mankind.

Cosmonaut Komarov's death is a tragedy, a tragedy which I know is felt by peoples everywhere.

NATIONWIDE RAILROAD STRIKE CANNOT BE TOLERATED: LABOR AND MANAGEMENT HAVE DIRECT RESPONSIBILITY TO ACHIEVE A SETTLEMENT IN PUBLIC INTEREST

Mr. RANDOLPH. Mr. President, despite sincere efforts of the President of the United States, the Congress, and three of the Nation's most experienced mediators, the railway unions and the carriers seem unable to reach an agreement at this time which would avert a disastrous rail strike just 8 days from now.

President Johnson has announced that, although the disputing parties are separated by only dollars and cents, no settlement has been reached.

This is a time for the national interest to be served—and under the circumstances a week is adequate time in which to serve the national interest by negotiating a settlement.

We all know the consequences of a nationwide strike. In his announcement Saturday, President Johnson declared:

> The cost is incalculable—food shortages would occur, health hazards would develop, factories would close and workers across the nation would be idled. Our prosperity would be seriously imperiled. Beyond this, the impact of a railroad stoppage on our efforts to support the 500,000 valiant servicemen in Southeast Asia make it abundantly clear that a strike at this time cannot be tolerated.

As I said in the Senate on April 11, my home State of West Virginia would be among the first to feel the catastrophic effects of a complete shutdown of the five railroad systems serving our people, our industry, and our commerce. The general economy of West Virginia would be staggered from the direct results of coal and rail stoppages alone. To then add to the economic chaos the impact of a railroad strike on the chemical, steel, and glass industries would be to compound the problem into economic catastrophe and widely spread human suffering.

The President's statement of April 22, 1967, was a strong and sobering one, and the conditions which would grow out of a general rail strike in West Virginia would be intolerable. The public interest must be served and the public must be protected.

I am pleased that the President's three-man panel of competent and dedicated mediators testified before our Senate Committee on Labor and Public Welfare today in an open and candid discussion of the crisis the Nation faces in the threat of a railroad shutdown. It was gratifying to hear that the panel is now drawing recommendations to the President as to what additional action the members of that distinguished group believe will be necessary to prevent a strike and to achieve a fair and just settlement in this case.

But I sincerely hope that further action by the President or by the Congress will be unnecessary. I hope that labor and management will go back to the conference table and settle this matter themselves. Hence, I am in complete agreement with the resolution reported by our Labor and Public Welfare Committee today.

The PRESIDING OFFICER (Mr. BAYH in the chair). Is there further morning business?

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 20 minutes during the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE KENNEDY ROUND—WILL THE AMERICAN FARMER BE SOLD OUT?

Mr. SYMINGTON. Mr. President, the Kennedy round of the trade negotiations will be ending in a matter of a few weeks. It will then be up first to the administration, and later the Senate, to evaluate the results of those negotiations and decide what has been accomplished.

These decisions will have major import to many areas of trade, for two reasons none more important than those affecting agriculture.

First, U.S. agricultural exports have moved ahead more rapidly than any other export item since the early 1960's; and we must be certain that the outcome of these negotiations provide an opportunity for continued maintenance and growth in these agricultural exports. This is important to farmers, to the agribusiness complex, and to our total economy.

Second, in that these agricultural exports play a vital role in the continuing unfavorable balance-of-payments problem, the results of the Trade Expansion Act are important to all Americans.

Since the early 1960's, each year U.S. agriculture has set new export records year after year. Let me cite a few facts and figures.

U.S. agricultural exports today are at an alltime high of some $7 billion annually. That is slightly over one-fourth of the Nation's total exports—agricultural and industrial combined—and an increase of more than 50 percent since 1960.

This Nation now exports the output of one in every 4 harvested acres, with the total area that produces for export about 80 million acres, seven times the total harvested acreage of my own State of Missouri.

Exports bring the American farmer 17 cents of every market dollar he receives, or almost twice as much as a dozen years ago; in other words, the export contribution to domestic farm income has almost doubled during that period. In addition, these exports have naturally expanded income by a substantial amount through the strengthening of farm prices across the board.

We have three agricultural export commodities of billion-dollar size—wheat, oilseeds, and feedgrains; and soon we will have our first billion-dollar customer—Japan.

The progress in agricultural exports in the 1960's will go down in history as a great achievement, not the least of which is the healthful effect on our country's balance of payments.

From a trade balance point of view, we are doing much better in our agricultural trade than in our industrial trade. As example, in the calendar year 1966, the United States had a total favorable trade balance of $3.6 billion; and of that total the agricultural trade balance accounted for $2.4 billion, two-thirds of this favorable margin.

Since 1960, dollar exports of farm products have totaled $29.1 billion, which, along with $1.8 billion in "avoided expenditures" through the use of foreign currencies acquired under Public Law 480, gave a total of $30.9 billion in dollar earnings from agricultural exports to apply against the dollar drain. Without agricultural exports, our serious international finances would be in critical shape.

This extraordinary growth in farm exports is the result of careful planning and aggressive execution of programs incident to market development. Secretary Freeman and his associates in the Department of Agriculture had the foresight to recommend legislation first in feed grains, then wheat, and more recently in cotton which led to the development and expansion of our export markets for agricultural commodities. The Congress then approved new agricultural programs which largely eliminated surpluses and also enabled our major commodities to be priced competitively in the world markets. The programs in wheat and feed grains have proved themselves, and cotton is moving in the same direction.

Some of the success of this program has been spectacular, for instance, the building of feed grains into the largest export dollar earner this country has, exceeding even the largest industrial export item—motor vehicle and tractor parts.

Excellent work has been done in Japan on behalf of wheat, soybeans, and tallow; in Western Europe on rice, fruit, and soybeans; and in cotton all around the world. Effective farm product promotion has also been accomplished through trade fairs abroad, particularly in the case of processed food.

Nevertheless these imaginative promotional efforts are about powerless unless the doors to trade are kept open; and that is why the success of the Kennedy round is so important.

Perhaps the most famous example of what happens when trade doors are slammed in our face is the so-called poultry war with the European Common Market; a war which began when our poultry industry, through diligent promotional work, opened up a growing and lucrative business in broiler chickens in Western Europe, principally West Germany.

After the formation of the Common Market, the German market for broilers was virtually closed to the United States. This was done through a system of levies designed to freeze out outside suppliers and build up the domestic production.

After long but fruitless protests, the United States took retaliatory action by suspending trade concessions on certain European products shipped to this country. Among them were trucks, brandy, and potato starch.

An obvious drawback to this development is that the U.S. action, although the only one available to us, did nothing to help American poultry farmers. They lost this important new market.

As it turned out, the poultry producers and consumers of the Common Market countries also lost. Overprotection brought an overproduction that has proved disastrous to poultry prices throughout the area. At the same time, poultry consumption in Europe failed to grow as expected, because nothing was done to keep retail prices low.

In other words, consumers are currently bearing the cost of the excessive market protection extended to the farmers of the European Common Market. It is vitally important to the entire U.S. economy that the Kennedy round give American farmers assurance that the doors of foreign trade will be open to them. That can only be accomplished by obtaining meaningful agricultural trade arrangements with the Common Market in the present Kennedy round negotiations.

The European Common Market is the world's largest importer of farm products. It takes over $11 billion worth a year, of which more than $1.5 billion worth has been coming from the United States. That is close to one-fourth of all the export markets of our farmers.

Today the big question is grain.

Last year, the Common Market bought $650 million worth of grain from the United States. Most of this was feed grain—corn and grain sorghum.

This trade has now been rendered more uncertain as a result of the Common Market countries expanding grain production. The market's system of high internal grain prices could, if unchecked, close that market to the grain exporters of the world. That is what the U.S. negotiators at Geneva are working to prevent—just this occurrence—so as to keep this market open to U.S. growers of wheat, corn, and grain sorghums.

We have a big stake in other product areas, as well—meat, fruits and vegetables, vegetable oils, dairy products, poultry, tobacco, and others.

As the Kennedy round negotiations move into their final days—virtually their final hours—let us all be alert to just what is at stake for both our farmers and all the people of our Nation.

Secretary Freeman has spearheaded the American farmers' fight for access to world markets. He has traveled abroad repeatedly and has spoken out publicly and privately in Europe, Asia, and Latin America in behalf of reduction of foreign trade barriers in order to attain the freest possible flow of agricultural products among the producing and consuming peoples.

The Kennedy round, conducted under the Trade Expansion Act of 1962, can set the stage for true growth in world farm trade for many years to come. It will determine whether the great natural advantages of this Nation as a food producer are turned to our benefit, or sacrificed to protectionism in other lands.

Now the moment of truth is at hand.

The problem is a relatively simple one. Will our negotiators sell our farmers down the river? Will they compromise the European market outlets that our farmers have developed on a competitive basis?

Mr. McGOVERN. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. Mr. President, I am glad to yield to the able Senator from South Dakota, one of the foremost agricultural authorities in the Senate, and hope he agrees with the comments I just made.

Mr. McGOVERN. Mr. President, I assure the Senator from Missouri that I not only agree with the statement he has delivered on the Senate floor today, but I also regard it as one of the most crucial and important statements that have been made in the Senate this year.

The Senator speaks to some of the most fundamental questions affecting not only the future of American agriculture, but also the capacity of America to carry out its commitments in many areas of the world.

The Senator has spoken with great cogency about the relationship of our agricultural prosperity to the open markets in Western Europe and the importance of keeping those markets open on an expanded basis to the products we produce on our farms and ranches across the country.

Beyond that, the Senator has warned us of the close relationship that an expanded agricultural trade plays in maintaining our balance of payments.

I think the Senator from Missouri has given more careful thought and attention to this whole problem of the relationship of trade, and particularly our agricultural trade, to our balance of payments and then, in turn, the relationship of our balance-of-payments position to our capacity to carry out our commitment to the world than any other Senator.

The Senator is an expert in this very complicated field. He has demonstrated here in his statement today a capacity to reduce complex problems to simple English in a way that, I am sure, will be understood by everyone who reads the statement.

I would like to ask the Senator if, considering the fact that we are carrying a disproportionate share of the load in granting food assistance to the developing world—some of it under an outright grant basis and some on a conditional sales basis—he thinks we can continue to carry that kind of load if our commercial markets in Western Europe are cut off?

Mr. SYMINGTON. Let me first thank the Senator for his kind but undeserved remarks, especially because they come from one who, as I mentioned, is an authority in this field.

My answer to his question would be "No." As I understand it, our negotiators hoped to have what might be termed a "pool" of $10 million of agricultural products. That proposed figure was heavily cut to less than one-third of the original amount.

I say to the able Senator that I would much prefer to handle foreign aid with food rather than dollars. When we do it with the former we have more assurance that the aid will get to the place for which it is intended. We also improve the income of the American farmer through eliminating surpluses.

I agree with the Senator. If I may extend his thought—and let him correct me if wrong—I think the time has come when the American people have to decide whether we can continue to carry on so many unilateral financial policies without ultimately running into even deeper fiscal and monetary problems.

In connection with the Common Market negotiations we have done our best, ever since World War II, to promote the economic stability and the prosperity of those countries. Nevertheless it would appear from recent reports that they are desirous of establishing the type and character of quotas, or variable levies, which, regardless of the price at which we would be willing to sell, will make it impossible for Americans to move agricultural products into those countries in Europe.

Mr. McGOVERN. Mr. President, I think the Senator is in almost a unique position as far as his committee experience in the Senate is concerned. He served for a number of years on the Committee on Agriculture and Forestry and served with great distinction on that committee. In recent years, he has had the opportunity to serve on the Committee on Foreign Relations where he has been able to sharpen his own insight and understanding of the close relationship between our commitments abroad and our food-producing industry here at home.

Beyond that, his service on the Armed Services Committee has given him a special insight, I think, into our security problems around the world.

I quite agree with him that we cannot discharge those obligations, we cannot continue to carry the lion's share of the development assistance programs around the globe and the security commitments we have made unless we have a strong, favorable balance-of-payments situation. Certainly, agricultural trade is absolutely crucial to that.

I commend the Senator for his very important statement. I hope it will be widely and thoughtfully read.

Mr. SYMINGTON. Mr. President, the Senator is very kind. I do thank him.

THE ROLE OF THE CONGRESS AND THE POLITICAL VITALITY OF STATE GOVERNMENT—ADDRESS BY SENATOR KUCHEL AT WAYNE STATE UNIVERSITY

Mr. AIKEN. Mr. President, on April 6, the senior Senator from California [Mr. KUCHEL] made a very fine address at Wayne State University in Detroit.

The title of the address is: "The Role of the Congress and the Political Vitality of State Government."

The Senator from California made many very interesting observations in the address.

I ask unanimous consent to have the speech of the Senator from California printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE ROLE OF THE CONGRESS AND THE POLITICAL VITALITY OF STATE GOVERNMENT

(Text of address by U.S. Senator THOMAS H. KUCHEL, of California, Wayne State University, Detroit, April 6, 1967)

I deem it a high honor to participate in this series of lectures in dedication of the Wayne State University Law Center. Yours is a great educational institution, rendering an ever larger service to society, meanwhile adding great luster to the State of Michigan, and the city of Detroit. I serve in the Senate with two respected and able citizens from this area. Philip A. Hart and Robert P. Griffin are my friends, and I pay to each my sincere respects as I come to their State. I am privileged to call your great Governor, George Romney, my friend. He is highly respected all across the country, and is an acknowledged leader of my political party.

"Detroit" is the catchword of modern industrial progress. Your best known product, the American automobile, has revolutionized our society. For a third of a century, my State of California has long been your best customer. Motorcar transportation is here to stay, although I recall Sir Winston's words: "I have always considered that the substitution of the internal combustion engine for the horse marked a very gloomy milestone in the progress of mankind."

We meet together representing, as we do, opposite ends of a vital chain of human activity to consider the rules of our society in this fast moving final third of the Twentieth Century. In my opinion, the great power of a representative system of government, like our own, is its sure instinct for citing public problems and meeting public needs. And it is the people who shape the instinct in their representatives, and who create the power. It is their government, and, over the long haul, it is responsive to their needs.

Any discussion of our American society, and of any of its governmental segments must keep squarely in view the full scope of human initiative as it may unfold in the public or the private components of our economic life, in government or in business and industry, in the college campus or the labor unions, in tax-exempt foundations or the church. If the Bureau of Reclamation chooses not to build a reservoir with its hydroelectric power potential, the Corps of Engineers may decide to do so, and if neither does, a privately owned utility may take up the challenge, or the most affected community may do so. Or it may be all the other way around. Government may do what private enterprise fails or refuses to do. If NASA rejects a research project, the Ford Foundation may fund it. If a county welfare organization cannot or does not add another needy family to its list, a labor union may step in to help. The total democratic society, for all its faults, is quite responsive to public needs in this modern existence, where improving techniques for communication give us constantly more information about our neighbors across the street or around the world. If human virtue has not become visibly stronger with the passing of time, there is certainly, in this present era, far more reason to apply what virtue we have in seeking to respond properly to society's needs.

There have always been those who would undersell the effectiveness of American democracy. In the Nineteenth Century, Lord Macaulay wrote that the democratic aspects of American life "will produce fatal effects if they shall last until North America has two hundred inhabitants to the square mile." Macaulay foresaw a rapid population increase resulting from unrestricted immigration; he saw the closing of the frontier and the occupation of all available land. He predicted that Americans would eventually have to choose between "civilization and liberty", because our political system provided little defense against tyranny. "Your Constitution," he wrote, "is all sail and no anchor."

Thomas Babbington Macaulay, favored of Queen Victoria, author of "Horatio at the Bridge", failed to recognize the prowess and the determination of the citizens of American democracy. He didn't take the trouble to visit America. His fashionable aristocratic Victorian prejudices against democracy were unsullied by objective study.

This was not true of Macaulay's French contemporary, Alexis de Tocqueville, who traveled extensively in the United States and who saw the effects of democracy in almost every aspect of life and who commented on many of them, including an asseveration that democracy had a benign effect on both love and virtue. De Tocqueville concluded his work with a testimonial to the superiority of American women as the main strength and prosperity of America. He found democracy a very positive force, indeed.

De Tocqueville was, on balance, an optimist. Macaulay foresaw calamity. And, perhaps, they were both right.

The population surge is with us, the frontier is closed, the land is filling up—and, yet, our American democratic system has been, and shows every prospect of continuing to be, highly effective, highly flexible, and highly responsive in meeting the nation's needs.

In the last century there began a trend, like it or not, in American business and industry towards merger and consolidation. The independent businessman has had to fight for his existence. That he still succeeds is a tribute to him and to his willingness to deal with current problems in a progressive, forward-looking way. I think the evolution of American government has followed somewhat the same pattern. Problems, long considered "local", began to run *across state lines. A strong federal executive,* accepting the new challenge, sped by the states—in part because of the laggards. The pendulum was swinging. Effective action began to come at the national level. In the last century this process became increasingly marked. Let us examine it from the beginning.

Our Founding Fathers wrote the American Constitution relying on the assumption that our people were largely pastoral and, therefore, to a large extent, immobile. They should not be faulted for failing to envision Messrs. Ford, Dodge, Durant et al. Thomas *Jefferson saw a nation of farmers.* With the vast untapped treasure of land to the west across the Alleghenies, there seemed no reason to assume for the foreseeable future there should be any significant challenge to the fulfillment of his ideal. Indeed, through most of the Nineteenth Century, while the frontier remained open, succeeding waves of western migration substantially repeated the settlement experience of earlier colonists in Virginia, New York and the Middle West.

Nothing is more remarkable than visiting a rural Iowa town founded in the late Nineteenth Century where a New England church with its white steeple stands by the side of a green common—the very landscape of Vermont or Massachusetts. In California and Oregon settlements grew in this pattern with the same inculcation of morality and education, the same architectural emphasis, almost the same landscape.

Through the Nineteenth Century this system worked well, but for one great flaw—the inequalities among men accepted in the so-called "three-fifths compromise" and in the continuation of human slavery in the southern states. A nation founded on the proposition that all men are created equal could not tolerate these contradictions. There could be no forward progress until they were expunged.

Compromise failed to remove this flaw from our Constitutional system. Thus, the one great weakness in our Federal structure was atoned by Civil War, a bloody conflict whose aftermath was to alter forever the Jeffersonian dream.

One important aftereffect was the growth of my own political party—dedicated to the principle that racist contradiction must be rooted out and to the proposition that democratic government is a cipher if it fails to meet clear public issues. Republicans of the late Nineteenth Century saw that the basic principles of the Constitution were correct, but they saw, too, that the whole context of our society had changed from agriculture to industry, and from rural to urban life. The 1860's had demonstrated how the field of action is shifted to the Federal level whenever any group of states, even a minority, refuse to join in facing major national issues.

The pattern of government following the Civil War revealed almost a fear of leaving issues to the mercy of the states. Succeeding amendments to the Constitution not only took power away from the state legislatures, such as the election of Senators, but also transferred major functions to the Federal Government. Examples were the 16th Amendment, authorizing a Federal income tax, and the 18th Amendment, prohibiting the manufacture and sale of alcoholic beverages. By contrast, almost all other Constitutional amendments have been directly related to extending our democracy—suffrage for women, abolition of the poll tax, or perfecting our Executive system—Presidential disability, limitation on Presidential terms of office.

Today, we are neither pastoral nor immobile. The frontier is closed; there is no more available free land to support a purely agricultural economy. Less than 6.4% of our population now live on farms. The nation has become industrialized and urbanized.

The very rate of population growth will have a profound effect on our Federal system. By the year 2000, it is predicted that there will be 40 to 50 million people in my State of California. At today's rates of 450,000 people per Congressional district, our State's House delegation would be around 100. The probabilities are that the House would not wish to increase materially its present ceiling of 435 members. Perhaps, the population per district might simply double.

My sympathies and compassion pour out for my California successors in the Senate three decades hence. How will each one *answer his mail? On highly controversial* issues, my mail from home runs into thousands per day. Californians are extremely prolific letter writers. What a nightmare to envision the letter writing proliferation of the next generation or two. Even with a staff of 40 or 50 or 60 people, my successor at the turn of the century would be hard put mechanically, let alone intellectually, to answer his mail and see even a fraction of the hundreds of constituents who, after an hour's jet travel, would descend upon his office. When would he be able to do any thinking? How would he find time to research and study and try to arrive at sound judgments?

We are reaching a point in our development when the national legislative branch must free itself from every time-consuming, unnecessary encumbrance which prevents legislators from dealing with the great issues facing our country.

Congress still continues to be city council for the District of Columbia, a chore, however important, it should have delegated to citizens of our capital city long ago.

Private immigration bills continue by the hundreds to clog Congressional calendars each session.

Rules of procedure, I speak here of rules in the Senate, need to be thoroughly overhauled to prevent the frustration of the public interest by obstructionists. Quite aside from eliminating the filibuster, we need to require a little greater relevance in debate, and to write in a little greater assurance against one or two men tying the whole Senate up in knots—which takes place more frequently when the Congress tries to come to grips with the major issues of our society.

Earlier this year, the Senate passed a bill providing for appointment of Postmasters by the Executive Branch, a worthy step, which I hope the House may approve. You would be surprised at how much time can be consumed today, in both the House and Senate, over a Postmaster controversy.

I think Congress must give consideration to delegating its less vital prerogatives to executive agencies so that it may turn its attention, fully and unhurriedly, to the issues of life or death which will continue to plague mankind until the millennium arrives.

Today, while the Congress continues to deal with a broad spectrum of minor matters, practically any issue can be said to be within the proper and legal sphere of action of the Federal Government. The Supreme Court in *United States vs. Darby* interpreted the Interstate Commerce Clause to include any economic activity "affecting commerce." In the famous *Wickard vs. Filburn* decision, the scope of regulation was extended to include agricultural produce raised and consumed on the same farm. The Court reasoned that "the conflicts of interest between the regulated (sic) and those who advantage by it are wisely left under this system to resolution by the Congress under its more flexible and responsible legislative process." Even by a strict interpretation of the Constitution, those who disagree with some of the Court's rulings would have to concede to the Federal Government great power today, because virtually every item of domestic concern in some way flows over state borders.

We are today vitally concerned with problems, *such as the purification of air and* water, quantities not circumscribed by fixed boundaries. In the past we have left such matters to nature, but we do so now at our peril. The Chairman of the Atomic Energy Commission, a distinguished Californian, Dr. Glenn T. Seaborg, recently told a Senate Committee that Man must give up the belief that he is "conquering" Nature. Rather, he must now settle for "co-existence." In these new battles to avoid suffocation and desiccation, to enjoy the bounty which every man thought was free until a few years ago, the boundaries of the states have increasingly less relevance.

More important, men are on the move. In California an average family moves every four years, or less. As men move across state lines, there is an increasing need for national standards to regulate conditions of work on a uniform basis. If one state allows for cheap labor while another has fair standards, then labor will move from one state to the other or business in the latter state will be faced with unfair competition. The work of the Congress in providing nationally uniform laws to remove this inequity may actually reduce the mobility of manpower—a factor which in the long run all states might be thankful for.

Whenever the states refuse to take action, the venue for resolution of the issue moves to Washington. If one state has inadequate laws to protect the working man, if its educational system is years behind the times, if its public health establishment has neither modern standards or equipment nor trained technicians, the citizens of that state will be encouraged to emigrate. No state has more experience with that problem than my own. As if following Lord Macaulay's warning, my State of California has increased in population density so that all but 4 million people of the total 19 live within major urban areas. In 1900 there were 67 acres per man in California; today there are 5 or less. The State budget is over $5 billion per year.

When I inquire about a proposed bill, whether on wages and hours, or on health or education, the staff members of the Senate committees frequently respond that the national standards which the new law would provide are patterned after those of my own State. I can think of many reasons for moving to California, but one of them that is rarely mentioned is that, by and large, we have good State government. This asset in addition to its other charms has brought our State a bounty of population—and at substantial cost.

Mobility has created inequality among the states. It is paradoxical that the inactive states have benefitted by losing their population, simply because their costs go down. I am not in favor of so-called equalization provisions in grant-in-aid measures to encourage expenditures by these states, unless they are balanced by a so-called "maintenance of effort" clause requiring recipient states to make full and ample use of the money for the intended public benefit.

The crucial task before our people today is to make our Federal system, including governments at both the national and state levels, effective and complementary. Ours is now a system of "shared responsibility". In this relationship, the Federal Government has grown strong. Many, but not all, of the states have prospered, and built good state government systems. But there is indeed a problem of equity in bringing laggards forward.

Our system of dual sovereignty does not envision two levels of government working at cross purposes. It rests on the novel theory of the division of responsibilities. That is still its working principle. The task of our age is to maintain the vital distinctions—recognizing that with increased mobility and communication, the practice of government, like all other forms of human activity, cannot be confined to the neat divisions of the past.

Both national and state administrations have a common interest in good and effective government. Today's challenge is to specify this common interest while maintaining the necessary distinctions, which continue to play a vital role in the checks and balances of our democratic system.

I would agree with those who feel that the tendency toward concentration of power at the center can be overdone, but I do not believe that there is any substitute for a strong uniting force in Washington. President Eisenhower's Commission on the National Goals put this problem fairly: "Those who value the virtues of decentralization, which writ large are virtues of freedom, need not scruple at recognizing the defects of those virtues. The defects are principally the danger that parochial and private interests may not coincide with, or give way to, the nation's interest. The necessary cure is effective national leadership."

There are steps that Congress and the White House can take to improve the effectiveness of the Federal-State relationship and to encourage the vitality of state governments to make them more responsive to public needs.

First, I would urge a greater use of elected representatives in Washington as channels to make known the needs of State administrations. In the early days of our Constitution, Senators were regarded as "ambassadors" from their states. This theory was changed with the system of direct elections of Senators by the people. The Senator is now responsible directly to his constituents, but he has a duty to consult with the leaders of his State on matters affecting the interests of their common constituency. I have long accepted this as a basic responsibility, to be discharged without reference to partisan cause.

It is far more important in the priorities of a Senator's duties to represent accurately the needs of his state than to deal with the thousands of petty matters, such as I have described above, which have come down over the years as vestiges of a less complicated era.

Second, I would suggest the establishment of an intergovernmental personnel system recognizing that career government service, at any level, stands on a par with other professional activities. This could be a joint state-federal activity. The principal object should be to train government administrators so that they may move from one government agency to another. This would encourage flexibility. It would also provide a means of terminating bureaus which become themselves political constituencies long after their utility to the public has passed. The elimination of aged bureaus is a major problem. The failure to deal forthrightly with it is one of the causes of unnecessary growth at all levels of government.

A cadre of trained administrators capable of accepting assignments either at the state or Federal level would also help to increase understanding and a common knowledge of joint problems. Today, many officials in state government have the same general areas of interest and responsibility as their colleagues in Washington. The neat divisions of the earlier Federal system are blurring. The problem of air pollution or water supply, for example, cannot be ignored by a state official any more than by a member of Congress.

Third, I would leave a broad revenue base for the states. As a former State Controller of California, I have long believed that the best revenue system is a sharing of the tax base rather than of the revenues themselves. Traditional state revenue sources, such as inheritance taxes, were invaded by the Federal Government during World War II on what was then called a "temporary" basis. The ground so seized has not been returned. I believe it would be far wiser to look first to this and other sources from which the states may generate their own income.

The revenue sharing proposals now before the Congress would dangerously enshrine a high level of the progressive income tax and limit the feasibility of reducing that tax both as a spur to the economy and as an initiative in the private sector. A blanket return of revenues to the states would not necessarily encourage state action or initiative—particularly if one of our goals is to reduce the number of Federal controls placed on monies put at states' disposal.

Furthermore, I do not believe that states should be made dependent on shared Federal revenue. This would distort the traditional system of responsibility of state governments and make them less responsive to the public will, rather than more, which is, after all, our goal.

There will always remain ample need for grant-in-aid programs, particularly where grants-in-aid are needed to support Federal activities. A clear example is the impacted school aid program, which relates directly to the number of children attending public school whose parents are employed at national defense establishments.

There must be, however, a thorough review of grant-in-aid programs both to establish a tight system of priorities and to place limits on the suasion Washington can exert on the states through them. Some Federal encouragement of state action is undoubtedly necessary, particularly where states are falling behind in important areas, such as health and education. I am devoted to the principle of local control, which, incidentally is clearly written into every Federal education statute in what is known in the legislative trade as the "Taft Catechism". But Federal money should not be the precursor of Federal management. If that were to happen, we would have to abandon our Federal system altogether. In the 90th Congress I have joined a number of my Republican colleagues in introducing legislation to initiate a review of grant-in-aid programs and to provide that no program be authorized for more than five years.

In the same vein I would oppose short circuiting state governments by direct Federal grants to local agencies. The states ought not to be circumvented.

The emphasis in improving our Federal system must be a positive one. Little is to be gained by the kind of "revolution of the states" now discussed in terms of calling a Constitutional Convention made up of special state delegations, other than those in the Congress. I have favored some of the proposals suggested for such a convention, but I do not believe that the merits of any of them justify re-opening the basic issues of the national compact, as we have interpreted them since 1789.

What is needed is a strengthening of the Federal partnership. We have come a long way from the Articles of Confederation. Forward progress has been made in Washington and in the capitols of many of the states. The task is to continue that effort by finding ways of working together, and by bringing all states forward so that they may discharge their responsibilities in the modern world. In 1789, at Philadelphia, the Founding Fathers asked the fundamental questions of democracy. They wrote the answers into the Constitution. The overwhelming majority of Americans adhere to its precepts. Our Federal system is no longer a precise division between national and state government, but a complex partnership, joined to respond to issues of the Twentieth Century. Its vitality is not only a matter of fundamental American philosophy but of practical American politics.

INVESTMENT TAX CREDIT

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the morning hour is concluded. The Chair lays before the Senate the unfinished business, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The Senate resumed the consideration of the bill.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER. Under a previous unanimous-consent agreement, the Senator from Colorado [Mr. ALLOTT] is to be recognized at this moment, to speak for 1 hour. In his absence, the Chair recognizes the Senator from Louisiana.

Mr. LONG of Louisiana. I shall yield to the Senator when he arrives, if he desires to deliver his speech.

LEGISLATIVE OVERSIGHT INVESTIGATION OF TRADE MATTERS

Mr. LONG of Louisiana. Mr. President, on March 3, I announced that the Committee on Finance soon would begin hearings in the nature of a legislative oversight investigation into all matters relating to the administration of our trade laws and of the policies underlying these laws. To my knowledge, this sort of investigation have never been conducted by a congressional committee since the trade agreements program was initiated in 1934.

Import interests are disadvantaged in many areas of our trade laws. Similarly, there are many areas where domestic interests are disadvantaged. It is the hope of the committee that all these areas be explored, so that when the time comes for new trade legislation to be taken up, we will be forearmed with data pinpointed directly at the issues.

The April 1967 issue of the "United States-Japan Trade" features an appraisal of the proposed Finance Committee hearing. This appraisal, entitled "Attack on Liberal Trade Due in Senate Probe," suggests the hearing is wholly protectionist motivated.

In order to set the record straight, let me state that the hearing grows out of December 1966 request by the majority leader that Senate committees spend more time this year reviewing the operation of laws already on the books and making oversight investigations into their operations. This is the real reason for the hearing.

My position on trade matters, and, indeed, the position of many members of the Committee on Finance, was ably expressed by the distinguished Senator from Florida [Mr. SMATHERS], who presided at a recent hearing of the committee, during which our trade policies and the Kennedy round were discussed. Senator SMATHERS closed that hearing by admonishing Special Trade Representative William M. Roth to insist on a fair reduction in foreign tariff and nontariff barriers in return for opening our markets to further international competition. Senator SMATHERS stated to Ambassador Roth:

> You should stoutly defend our market, the greatest market on earth, from those who are unwilling to strike a fair bargain with us.

The forthcoming Finance Committee hearings are not going to be conducted in an atmosphere of protectionism. To the contrary, they are going to be conducted with a view toward detected defects which hinder the smooth operation of our trade and tariff laws.

As we move into discussions of a new approach to trade policy to replace the expiring Trade Expansion Act, I will be guided by the principle stated by Senator SMATHERS—that the advantages of freer trade can come only if concessions on all sides are truly reciprocal.

I ask unanimous consent that the article I have referred to and the statement by Senator SMATHERS be printed at this point in the RECORD.

There being no objection, the article and the statement were ordered to be printed in the RECORD, as follows:

ATTACK ON LIBERAL TRADE DUE IN SENATE PROBE

In what might be considered a portent of rising protectionist feeling in Congress, the Senate Finance Committee announced early in March that it would soon begin a review of U.S. trade policy. The Committee announcement said that the review would cover such matters as possible shortcomings in trade legislation, methods of reporting trade statistics, valuation and dumping practices, procedures for aiding workers and industries harmed by excessive imports, methods of expanding U.S. exports and the role of the Tariff Commission.

One of the reasons for suspecting a protectionist tinge to the forthcoming review is that the Committee announcement was apparently based on a memorandum circulated within the Senate by Senator Dirksen which was highly critical of many aspects of U.S. trade policy. The Dirksen memorandum argued that the U.S. has not received reciprocity in its trade agreements negotiations; that the Executive branch has misled the Congress with respect to the U.S. balance of trade; and that there has been a one-sidedness in applying existing legislation which has reduced its protective benefits to U.S. producers.

The memorandum goes on to criticize the abolition of peril point provisions in the Trade Expansion Act and to characterize the escape clause and adjustment assistance provision of the Act as totally inoperative. The Office of Emergency Planning is criticized for converting the national security provisions of the Act into a dead letter; the Tariff Commission is accused of failing to keep Congress fully informed of developments in the trade field; and the Treasury Department is accused of non-administration of the Antidumping Act, underevaluation of imports and failure to impose countervailing duties on subsidized trade coming into the U.S.

Later in March, the Republican leadership of Congress issued a statement endorsing the Finance Committee's proposal for a review of the trade agreements program. After noting that U.S. balance of trade has been declining in recent years and that a number of domestic industries have suffered under liberalized trade policy, the statement added that the current Trade Expansion Act must be amended to correct these difficulties. The protectionist mood of both the Finance Committee's call for hearings on trade policy and the Republican leadership's statement would seem to be more representative of current Congressional attitudes toward trade than the strong endorsement of liberal trade contained in the recent report of the Joint Economic Committee.

Senator SMATHERS (presiding). Mr. Ambassador, I want to close this hearing with this statement: With the Kennedy Round approaching its climax, many people fear American negotiators may thrust forward for an agreement at any price. Such a "panic" approach to trade negotiation would lead to lopsided U.S. concessions. While it is difficult to argue that advantages do flow from freer trade, I believe you must agree that they can come only if concessions on all sides ar truly reciprocal. The U.S. objectives in the postwar period were largely to restore devastated economies of Europe, either through trade or aid. Trade policy became closely alined with aid policy and, perhaps, we gave up more than we got.

Today the European nations and the free Asian nations have recovered. Their economies are bustling and their manufacturers and producers can compete with any in the world. But now the United States is in trouble. Our balance of payments has been unfavorable every year since 1958.

The American share of world exports is diminishing while our imports are increasing. Our trade balance is kept favorable only because our statistics fail to tell the whole story, and improperly attribute foreign aid sales of agricultural commodities as competitive international transactions.

In these changing times you, Ambassador Roth, as our chief trade negotiator, should insist on a fair reduction in foreign tariff and non-tariff barriers in return for opening our markets to further international competition. You should stoutly defend our market, the greatest market on earth, from those who are unwilling to strike a fair bargain with us.

Look at the bargain closely and coldly, and agree to it only if we get as much as we give. Don't trade off a horse and accept a rabbit. Don't trade off a barrel of wheat for a biscuit.

If agriculture does not get a fair shake there should be no agreement.

One final word. U.S. agriculture, which accounts for $6.8 billion of our total exports of $29.9 billion last year, would suffer a serious setback of you agree to industrial commodities without tying the arrangements to an adequate commitment on agricultural products.

The committee wishes you good luck and particularly good judgment from this point on.

We will stand in recess.

Mr. Roth. Thank you, Mr. Senator. I will take the statement to heart. It was a good one.

(Whereupon, at 12:30 p.m., the committee recessed, subject to call of the Chair.)

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, if the Senator from Colorado [Mr. Allott] would permit me to do so, I should like to suggest the absence of a quorum at this time, but if the Senator desires to proceed immediately, I shall yield the floor.

Mr. ALLOTT. I am happy to yield at this time, with the understanding that I will be recognized following the quorum call.

Mr. LONG of Louisiana. I ask unanimous consent that after ascertaining the presence of a quorum, the Senator from Colorado [Mr. Allott] be recognized.

The PRESIDING OFFICER (Mr. Hollings in the chair). Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 91 Leg.]

Aiken
Allott
Bartlett
Bayh
Bennett
Boggs
Byrd, W. Va.
Church
Curtis
Dominick
Ellender
Gruening
Hansen
Harris
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, Idaho
Long, La.
Magnuson
Mansfield
McCarthy
McIntyre
Metcalf
Montoya
Morse
Morton
Moss
Pell
Randolph
Russell
Scott
Sparkman
Stennis
Talmadge
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. Clark], the Senator from North Dakota [Mr. Burdick], and the Senator from Missouri [Mr. Long] are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd], the Senator from North Carolina [Mr. Ervin], the Senator from Tennessee [Mr. Gore], the Senator from Indiana [Mr. Hartke], the Senator from North Carolina [Mr. Jordan], the Senator from Wyoming [Mr. McGee], the Senator from Minnesota [Mr. Mondale], the Senator from Maine [Mr. Muskie], and the Senator from Connecticut [Mr. Ribicoff] are necessarily absent.

Mr. HICKENLOOPER. I announce that the Senator from Tennessee [Mr. Baker], the Senator from Massachusetts [Mr. Brooke], the Senator from New Hampshire [Mr. Cotton], the Senators from Illinois [Mr. Dirksen and Mr. Percy], the Senator from Michigan [Mr. Griffin], the Senator from California [Mr. Kuchel], the Senator from Iowa [Mr. Miller], the Senator from Kansas [Mr. Pearson], and the Senator from Maine [Mrs. Smith] are necessarily absent.

The Senator from California [Mr. Murphy] is absent because of illness.

The PRESIDING OFFICER. A quorum is not present.

Mr. LONG of Louisiana. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Anderson
Bible
Brewster
Cannon
Carlson
Case
Cooper
Dodd
Eastland
Fannin
Fong
Fulbright
Hart
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Lausche
McClellan
McGovern
Monroney
Mundt
Nelson
Pastore
Prouty
Proxmire
Smathers
Spong
Symington
Thurmond
Tower
Williams, N.J.
Yarborough

The PRESIDING OFFICER. A quorum is present.

ANNUAL APPROVAL BY CONGRESS OF AGGREGATE AMOUNTS OF EXPENDITURE AUTHORIZATIONS IN GENERAL APPROPRIATION ACTS

Mr. ALLOTT. Mr. President, at the request of the President we are hopefully about to repeal the suspension of the 7-percent investment tax credit. I supported its repeal, but in light of the fact that the action to suspend the tax credit was only taken late last year, and that in October it was clothed in an aura of the greatest urgency, I believe that a review of the fiscal and monetary policies of the administration is not only in order, but perhaps overdue.

Facts are facts, and they have to be faced. The facts concerning the administration's fiscal policies—and I use the word policies advisely, because they are many and contradictory—make it difficult for a reasonable person to find direction in them, and what is worse, it makes it nearly impossible for the reasonable person to make any sort of plans based upon them. These on-again, off-again policies are wreaking havoc with the economic and financial planning of not only business, and farmers, but also the wage earner.

The effects of these "now you see it, now you don't" policies are more obvious with respect to business and farmers than they are to the wage earner, but, nevertheless, the effects on the wage earner are no less real. The slowdown of plant expansion will unquestionably have a direct effect upon the demand for labor both in construction and in operation, and while the repeal of the suspension is intended to speed up plant expansion, the uncertainty that has been endangered will have a dampening effect—at least for a while. For what some have called planned economy, it seems to be displaying a singular lack of planning.

Look at the record since 1961. According to the fiscal 1968 cash budget, since 1961 defense spending has risen $29.1 billion, but nondefense spending has risen fully $43.8 billion.

In the same period, Federal Government civilian employment has risen by 474,000 to a present grand total of 2,881,000. That is Federal employment alone.

This year, the President is asking for a $5.5 billion increase in defense spending, and a $6.1 billion increase in nondefense spending.

Finally, since 1964 alone, we have chalked up more national debt than in the entire 10-year depression period of 1931–41.

The distinguished Senator from Delaware [Mr. Williams] recently noted that under this administration, President Johnson—in the years 1964, 1965, 1966, and 1967—has spent a total of $40½ billion more than the Government has taken in. And, by the end of fiscal year 1968 the indications are, and I believe, that the 5-year deficit may exceed $58 billion.

This is an average deficit of $10 billion a year; an average of $800 million a month; or $40 million a day, on the basis of a 5-day workweek.

Carrying the figures a little bit further, it comes to $5 million per hour. That is not what we are spending. That is how fast we are going deeper in debt—$5 million an hour.

THE UNITED STATES—A COUNTRY IN DEBT

How did we dig ourselves into this hole? Apologists for these policies come to us and say it is because we are fighting a war. But, this does not square with the facts because, as I have mentioned, nondefense spending has gone up so much more than defense spending, and it has gone up so much more quickly.

Look at the facts. Two years ago appropriations were increased over the strong protests of Republicans in both the Senate and the House—by some $13 billion. A year later, that figure was topped by about $25 billion. And now the administration wants us to add another $21 billion to that.

It is a fact that the country is growing, and that more people are demanding more and better services. True. But we have had only six balanced budgets since 1930. The reason for that, I submit, is that neither the President nor the Congress has shown the kind of restraint that in many cases could have been exercised. It just is not possible to raise enough tax dollars to pay all the bills that 200 million people can run up, given half the chance.

So, we have been using a credit card and we have had to raise our national debt ceiling 10 times as a result.

In May 1964, our debt ceiling stood at $315 billion. Since then we have had to raise it to $324 billion, then $328 billion, then $330 billion, and in February of 1967 to $336 billion. What is worse, we will have to raise the debt ceiling again this year. Treasury officials have already hinted that they will be back in May. The word ceiling in this context has about the same meaning as it does to an astronaut.

Interest costs on the national debt represents the largest single expenditure—outside of national defense—in the entire administrative budget.

For fiscal year 1967, the Government now estimates that direct interest on the public debt—which excludes interest paid by the Federal agencies—will amount to $13.5 billion, increasing to $14.2 billion in fiscal 1968.

This $14 billion interest charge is more money that we spend for the Department of State; the Department of Labor; the Department of the Interior; the Department of Justice; the Department of Commerce; the Department of Agriculture; the Atomic Energy Commission; and the entire District of Columbia; all put together.

THE PRESIDENT'S BUDGET

I said earlier that the budget could stand a certain amount of review. Actually, we have a problem here in deciding which budget to talk about.

Should we talk about the $135 billion "administrative" budget?

Or the $144 billion "new obligational authority" budget?

Or the $169 billion "national income accounts" budget?

Or the $172 billion "cash payments to the public" budget?

Or do we want to talk about the "super-cali-fragi-listic" $210 billion "gross expenditures of Government-administered funds" budget?

That is the grand total of what the Government will spend in fiscal 1968.

In any event, the most commonly discussed budget is the $135 billion "administrative" budget. So, for the time being I will stick with that one. Briefly, the President says we will bring in about $127 billion in taxes, spend $135 billion, and end up with a deficit of precisely $8.096 billion.

Actually, I like to call this a "but that's if" budget. Let me show you what I mean.

The President said our deficit for fiscal 1968 would be $8.096 billion.

But, that is if we pass into law the President's request for higher taxes. Should we not raise taxes, we will not receive that extra $4.7 billion the President is counting on, and our deficit will be $12.796 billion.

But, that is if we increase postage rates, as the President asks. Should we not increase postage rates, we will not receive the $700 million the President is counting on, and our deficit will then be $13.496 billion.

But, that is if we further accelerate corporate tax payments, as the President asks. Should we not further increase corporate tax payments, we will not receive the $800 million the President is counting on, and our deficit will then be $14.296 billion.

But, that is if we sell off more Government assets in the form of participation certificates, as the President asks. Should we not, we will not receive the $5 billion the President is counting on, and our deficit will then be $19.296 billion.

But, that is if the general performance of the economy this year does not vary significantly from the economic assumptions underpinning the budget.

In short, we had better bring in $126.9 billion in taxes this year or else we will be further up the fiscal creek.

PARTICIPATION CERTIFICATES

But, if we do not bring in $126 billion, the President will come up with a new gimmick to cover up the red ink.

Perhaps the best example of this is the "participation certificate." In 1966, the Democrat-controlled 89th Congress enacted—over united Republican opposition—the Participation Sales Act. This act authorized the Federal National Mortgage Association to sell what they call "participation certificates" in Government financial assets. But, the proceeds from these sales are not counted as Government receipts. Instead, they are counted as a reduction of expenditures.

So, every time the Government goes further into debt through the sale of these participation certificates, expenditures are reduced on paper by a corresponding amount. Because of this, administrative budget expenditures reported for the month of January 1967 will be understated by $1.1 billion simply because $1.1 billion worth of participation certificates were sold in that month. And since they are counted as a reduction in spending, the debt ceiling becomes even less meaningful.

It is pretty hard to explain to any man of commonsense how a sale of national assets constitutes a reduction in expenditures.

Worse, the interest rates the Government offers on these participation certificates are sky-high. In June 1966, the first issue of $530 million worth of participation certificates were offered at interest rates ranging up to 5.75 percent.

This additional pressure on the financial market last year pushed interest rates across the country to their highest level in 40 years. And this is what happened:

Total private borrowing, lifeblood of an expanding, dynamic economy, dropped more than $22 billion during the last half of 1966. Corporate borrowing alone dipped $5 billion.

The shriveling money market meant there were fewer houses bought, a sharp decline in the building industry, and fewer jobs. About $14.4 billion for mortgages was available up to June 30, but only $10.2 billion for the rest of the year.

Consumer credit shrank by over $1.5 billion during the second half of 1966, dropping from $7.8 billion to $6.2 billion.

During the first half of the year, bank loans totaled $11.4 billion, but during the second half fell off to $8.7 billion.

Borrowing by State and local governments also fell off during the second half—from $6.4 billion to $5.1 billion. As a result, school construction slumped, highway and street building slowed, and other improvements planned by State and local bodies stalled.

All in all, 1966 was a bad year for nearly every segment of the economy under the administration's high interest policy.

Eventually, a temporary moratorium had to be declared on the issuance of any additional certificates because they were driving up interest on all Government borrowing. Republican opposition to the Participation Sales Act was vindicated.

At this point, the administration decided something new had to be added to make the certificates more readily salable at lower interest rates. A well-timed opinion from the Attorney General, dated September 30, 1966, which concluded that these participation certificates were now backed by the full faith and credit of the United States, served this purpose.

With the Attorney General's opinion as a basis, arrangements were made to sell a second issue of $1.1 billion in January 1967. It was the obligation of the United States—not the so-called beneficial interest in a pool of assets—that was being sold. In short, the buyer could not care less what assets of the Government his certificates were now participating in.

WHAT PRICE DECEPTION?

At precisely this point, what is perhaps the ultimate of all gimmicks enters into the picture. For more than 30 years, administrations of both parties had limited the investment of social security trust funds to U.S. Treasury obligations, but no longer.

Of the last issue of $1.1 billion worth of participation certificates offered for sale on January 5, 1967, the Secretary of the Treasury purchased a total of $500 million for the social security and other trust funds.

But, fiscal manipulators asked themselves, "why stop with the social security trust fund?" As Senators know, there are numerous other trust funds readily available for such so-called investments.

The last sale of these participation certificates broke down like this: $100 million from the national service life insurance trust fund; $50 million from the Federal hospital insurance trust fund; $50 million from the railroad retirement trust fund—I am sure our railroaders in this country will be glad to hear that one—$100 million from the unemployment trust fund; $100 million from the civil service retirement and disability trust fund; and, $100 million from the Federal old-age and survivors trust fund.

As my Republican colleagues on the House Ways and Means Committee said:

These fiscal manipulations serve no useful purpose other than to conceal from the American people the magnitude of the public debt and the true budget of expenditures. What price deception! What is the price the American people will be forced to pay for this deception?

An estimated $5 billion worth of participation certificates will be sold in fiscal year 1968. As a result, some well-established programs appear to be costing less when in actuality they are costing more. Take education, for example. It is listed at $2.7 billion in the 1968 cash budget, which appears less than its amount for fiscal 1966. But then, add back the $1.8 billion in college loans slated for sale, and you get $4.5 billion. My point here is that even for a valid, needed, much desired Federal program, this kind of gimmickry tries to give the appearance that we are spending less, when actually we are spending much, much more.

In fiscal 1967, the administration will spend $161 billion and end up with a deficit of $6.2 billion, but eliminate participation certificate sales and we find we are spending $164.6 billion, with a true deficit of $9.8 billion.

CREDIBILITY

What can we believe? Whom can we believe?

In September, the President asked for a quick removal of the incentive tax credits for capital business investment, and this 15-month suspension was enacted in October. In March, 5 months later, he wants the credits given back.

The chaos created is far more hurtful to the small businessman that it is to the large. It is not just a headache for the board of directors, either. It goes far beyond that—to affect many, many jobholders and their families.

One wonders if the new economists are playing with the economy, just to see how much punishment it can take.

Any decision to spend money for expansion—and through expansion create more and better job opportunities—is not taken lightly. Such decisions involve a multitude of separate and highly complex factors, each of which must be weighed carefully. Most certainly, the tax question is one of these factors.

There must be some certainty as to just what tax rules are applicable in order to make a decision. In the present government climate, forecasting must be done not in terms of years, or months, but almost daily prophecies as to what to expect.

In January, the President's economic advisers told the Congress that all is well in this year 1967 in spite of clear evidence of an economic slowdown. In March, the President called a news conference to tell the country the economy is listing a little.

Will there be a surcharge tax this year? Who knows? And who can tell? Chairman WILBUR MILLS, of the House Ways and Means Committee, is now hinting that there cannot be a tax increase by July 1 as the President originally requested. For one thing, the President has not sent up the formal tax proposal yet. And the delay means a delay in hearings and in House action.

So then an administration spokesman hints that maybe the tax increase will be postponed until September 1. But he is not sure. And neither are we in Congress sure.

We do not know what the true economic situation is. But, in these circumstances, it is even more difficult to figure out whether there will be an upturn or another setback in the economy.

BUDGET NOT A SOUND ECONOMIC DOCUMENT

The budget is no longer a sound economic document. It is no indicator of the way things are moving.

How can a budget which is so iffy, so contradictory, be counted on by the business community?

We cannot really tell from this budget how much the Government will spend in fiscal 1968; because, in 1966 the original budget indicated $99.7 billion, but, with supplementals, we actually spent $107 billion.

Again, in 1967, the budget projected expenditures of $112.9 billion, but, actually, expenditures will be $126.8 billion.

Will we be spending $135 billion this year, as the budget projects, or will it be $145 billion—or $150 billion—or $160 billion?

THE GOLD OUTFLOW

Without definitive and effective corrective action, these problems have a way of becoming worse and more wearisome simply by the passage of time. Nowhere is this more evident than in our gold loss since the late 1950's.

In the past 8 years, world gold stocks have grown from $39 billion to over $43 billion, but what has happened in the United States?

I realize that this is no revelation to the administration, since the gold drain has been going on for a long time. Yet, nothing has been done to stem the tide or to increase our gold reserves. The drain on our gold reserves became critical in 1961. In that year, outflow of gold exceeded 22 million ounces—about $800 million worth—while imports were a mere 1.6 million ounces, or about $56 million worth. Since then, there has been some tapering off of the outflow of gold, but the problem remains unabated.

In 1949, U.S. gold reserves stood at about $24.4 billion, whereas they are now only about $13.2 billion—a drop of $11.2 billion.

What corrective measures has the administration proposed?

The only gold legislation that has enjoyed the administration's stamp of approval was the measure passed in 1965 which removed the requirement for 25 percent gold backing on Federal Reserve deposits. I take pride, Mr. President, that I voted against that measure.

This kind of "solution" is no solution at all; it merely postpones the decisions that will have to be made, and at the same time increases the danger.

Many of us on the Interior Committee, as well as other Senators who are concerned over this matter, have sponsored gold legislation designed to increase our domestic production of this vital commodity. A great variety of approaches to our deplorable gold situation have been advanced. But, what has been the result of all of this legislative effort? In a word—nothing. The Treasury Department and the administration have responded to these constructive proposals with either stony silence or the usual all-encompassing statement of opposition: that it could result in "instability of the dollar."

There are those who have suggested that we remove the gold backing from our currency in the mistaken belief that it would have little effect upon our economy and the stability of the dollar. One is prone to ask, "What stability?" In fact, about 3 weeks ago S. 1307 was introduced by the senior Senator from Pennsylvania [Mr. CLARK] which, if enacted, would have this direct effect.

I disagree with this thesis, but, judging by what has happened in the past 2 years—namely, the debasing of our coinage and the removal of the gold cover from Federal Reserve deposits—it would appear that this is the direction in which we are heading. If, as has been indicated by Treasury officials, the mere discussion of the gold situation has an unsettling effect upon foreign dollar holders, what will happen to the stability of the dollar when we completely remove the gold cover? I can assure you that such action will not have my support, because, in my opinion, such action would lead to complete financial chaos in this country. It would lead eventually, as we are approaching it now, to complete freedom of the printing press, and the only limitation would be the amount of paper on which to print currency.

In 1963, we repealed the Silver Purchase Act, over my strong objections, and the Treasury Department stopped issuing silver certificates. I am now informed that a proposal has been made and may soon be considered which would remove the last vestige of silver support for our currency.

In 1965, the cupronickel sandwich coin was substituted for the silver coin, again over my strong objections. Dimes and quarters became completely silverless, while the 50-cent piece, a coin which is seldom seen, had a reduced silver content—from 90 percent to 40 percent.

From this coin-clipping alone, the administration has picked up an extra $2 billion in the last 2½ years.

I recall questioning the Secretary of the Treasury about this matter 2 years ago in hearings before the Subcommittee on the Departments of Treasury and Post Office of the Committee on Appropriations. At that time he estimated the Department would pick up in seigniorage as much as $3 billion to $4 billion. When I asked him about the operation of Gresham's law, that people would put the good money in their pockets and hold onto it, he said there was no possibility of that. Yet, considerable silver has come out of circulation so that instead of coming up with $3 billion or $4 billion worth of seigniorage by the Treasury, they have come up with $2 billion. At any rate, even though authorized by Congress, I say that it is an immoral act of Government.

EFFECT OF GOVERNMENT FISCAL ACTIVITIES

None of this would be quite so disheartening if the impact of Federal fiscal activities was not so gargantuan. Today, the Federal Government owns 34 percent of the land, buys 23 percent of what is produced, contracts for 30 percent of all construction, generates one-quarter of the Nation's electrical power, and hires directly or indirectly one-fourth of the people in this country.

Uncle Sam takes 67.2 percent of all taxes collected, but, in spite of this, the Federal debt has grown to be 3.5 times larger than the total debt of all the States combined.

Today, one out of seven people working is on a Government payroll. The cost to us taxpayers: $60 billion a year. That is more than the United States was laying out for national defense until this year.

In America today, there two Government employees for every salesman; five for every farmer; 10 times as many as all doctors, dentists, and nurses put together.

My point here is that Federal Government activity today is so immense—and involves such enormous quantities of money—that every single American family is affected whenever the administration engages in some form or another of new fiscal experiment.

Government trust funds, in particular—like social security, railroad retirement, GI life insurance—have grown too huge for the public to ignore any longer. Their income and outgo is not counted as part of the $135 billion administrative budget. Yet trust funds are growing much faster than the administrative side of the budget.

From fiscal 1957 to 1966, administrative outlays rose from $69 billion to $107 billion, a 55-percent increase. But, in the same period, trust spending rose from $12.9 billion to $34.9 billion, a jump of 170 percent.

For fiscal 1968, the President has asked for an administrative budget of $135 billion and $44.5 billion for trusts. If Congress approves, trust spending will have almost doubled just since 1961—from $22.8 billion to $44.5 billion.

All told, the Government's trust funds have grown from assets of $9.5 billion in 1941 to $69 billion in 1966. Such a large, built-in market for Government securities makes it easier for the administration to borrow money from itself. About 20 percent of the national debt, as a matter of fact, has been borrowed from the trust funds.

This is one of the reasons we have been so upset with sales of participation certificates to trust funds. The market here is so big, it is almost an outright invitation to make spending appear smaller each year by borrowing from various trust funds.

In the past 4 years, the most outstanding characteristic of this country has been the never-ending and increased volume of the demands for more and more money and greater and greater Federal spending. Almost without exception, groups representing every conceivable object of the Federal bounty have demanded more, and groups heretofore unattached to the Federal Treasury have successfully made the connection. As a result of this increased demand competition for the Federal dollar has become much more intense. This competition will further intensify as the realization begins to crystallize, that the Federal dollar cannot support all.

Acquiescence to all these demands has pushed up Federal expenditures during the period 1965–68 nearly 2½ times as fast as during the period 1961–64. The administrative budget increase during the 1965–68 period has averaged nearly $13 billion per year. If it continues at this rate our annual administrative budget will just about double in 10 years. I do not think that we can continue to maintain such a rate of growth in Federal spending. If we do, we will have to find new sources of revenue—either new taxes or increases in old taxes. With $14.2 billion per year already tied up in paying interest on the national debt and the cost of other fixed commitments rising, deficit financing will continue to diminish our ability to reduce expenditures in the future. By continuing to accrue huge deficits each year, we block ourselves in so that budgets in the future will have to be very large, making future tax reductions less probable.

It would be well for the taxpaying public to remember that nearly 70 percent of the Federal income tax receipts come from personal income taxes. Consequently, reductions in the personal income tax rate will have a profound effect upon Federal revenues.

Tax increases or decreases have perhaps the greatest impact upon the middle-income family, those with incomes between $7,000 and $15,000 annually. According to 1965 figures—the latest figures available—the middle-income family filed 38 percent of the income tax returns, but paid 42 percent of the total personal income tax paid to the Treasury. A tax increase or decrease has almost an immediate effect upon consumption of consumer goods and investments, and therefore, upon the general level of the economy. Tax policies which affect this group should be most carefully weighed because of their impact upon the economy.

Despite the fact that we enacted legislation in 1964 which reduced personal income taxes and have not yet taken action to restore the earlier higher rates, the average family has suffered a sizable increase in its total tax bill. According to Department of Commerce figures, the average family had an income of $6,010 in 1956. It was up to $9,000 by 1966, an increase of just under 50 percent in 10 years. While these are impressive figures the increase in the total tax bill—Federal, State, and local—is even more impressive.

This same average family paid a total of $1,400 in taxes in 1956, but by 1966 the average family was paying $2,768 in Federal, State, and local taxes—an increase of 98 percent.

So, of the $2,990 increase income, $1,368 of it was absorbed by increased taxes.

Also, the average family's purchasing power was further diluted by increases in the cost of living. During this same period the Consumer Price Index increased by 17.3 points—from 94.7 to 112.0 with 1957–59 average equaling 100.

Taking the 1956 average family income of $6,010 and deducting from it the total tax bill of $1,400, the average family had $4,610 of spendable income in 1956 dollars. Applying the Consumer Price Index to this figure, that same average family had a spendable income of $4,860 adjusted to the 1957–59 base. Then, taking 1966 average family income of $9,000 and deducting from it the total tax bill of $2,768, the average family had $6,232 of spendable income in 1966 dollars. Again applying the Consumer Price Index to this figure, we find that the average family's income is reduced to $5,564 adjusted to the 1957–59 base. Consequently, based upon the only really comparable figures which portray the average family's financial condition, we find that the nearly $3,000 increase in income is diminished to only a $704 increase in spendable income, and this is in spite of a sizable cut in personal income taxes enacted in 1964.

With 62 percent of the personal income taxes being paid by those earning less than $15,000 per year, increases in such taxes should be considered more in the light of being a last resort to raise needed revenue. We should look first to reducing Federal expenditures.

Some may say, "Oh, that is the easy way." I beg to differ. I believe that we have been proceeding along the easy way—that is to accede to every request for the Federal dollar and make no attempt to place priorities on our spending. Fiscal restraint is not easy, because it requires someone to say no. It is easier to say, "Yes" to everyone's request for funds without regard to the merit of the proposal and let the next administration wrestle with the problem of setting the Nation's finances in order.

I am prone to remark at this point that if Congress ever adopts a song for itself, it should consider the old song, "I Just Can't Say No," which I believe came from the show "Oklahoma." I believe that this administration can be characterized as being filled with men to whom the word "yes" comes too easily—almost automatically. The applicant for Federal money seldom hears "a discouraging word."

Since the administration has failed to exercise fiscal restraint, it falls upon the Congress to do so. But Congress has not equipped itself properly. The executive branch has its Bureau of the Budget which acts as a focal point for all requests for funds by the various departments and agencies. Through the Bureau of the Budget, the President looks at the total Federal spending requirements and can place a top limit upon it, requiring the Bureau of the Budget and the departments to adjust their programs and spending accordingly. However, once the budget is received in Congress it is dissected into 13 separate appropriation bills and is never again looked upon as a whole.

These 13 separate appropriations bills wend their way through the appropriation process at varying speeds. Some become law before the end of the fiscal year while others do not emerge until fall—months after the first bill was signed. It is difficult to conceive of the whole when looking at only one of its 13 parts—and looking at each part several months apart from the other.

This is the need that the bill I introduced today attempts to satisfy. It will require that Congress adopt a joint resolution approving the aggregate amount contained in those separate bills before the money would be available for expenditure. We would then review not only the merits of individual programs, but the total amount of new funds to be provided as against expected total income for the fiscal year.

Actually, Mr. President, sizable sums which the Congress acts on would be left outside the scope of this bill, for practical reasons. Appropriations of trust funds would not be covered, nor would retirement of debt. Deficiency and supplemental bills would also be outside this bill's coverage, simply because it would not be practical to hold up the whole appropriations process until we were assured that no further funds would be required in any program. The "continuing resolution" under which the various agencies continue to function until the appropriations procedure is completed would also be excluded from the bill's coverage.

But the bill would at least cover the bulk of our appropriations, and would oblige us to consider the budget requests in relation to anticipated income for the year. Even more importantly, it would enable us to review our action on the earlier passed bills in light of what action we take on later bills. I think it would be informative both to the Congress and to the citizens of the United States.

While this procedure is somewhat similar to that followed by my State of Colorado, and several other States, because the Colorado Legislature is required to look at its total appropriation since the State constitution prohibits appropriations in excess of tax receipts, the Federal Government has no such limitation. However, such a limitation, except during extreme emergency conditions, may not only produce very desirable results with respect to our fiscal balance, but also might not be inappropriate. I am confident that a much higher degree of fiscal responsibility would result. Our constituents would soon demand it if each new demand on the Federal Treasury was equated with an increase in taxes. Under such circumstances, only the most meritorious programs would be given easy approval. Others would have to prove themselves, and rightly so.

In these times of ever-expanding demands upon the Federal dollar, I believe that every Member of Congress has not only a right, but more importantly, a duty to look at the total appropriation figure, as approved in the separate bills, and to decide whether this is the amount we really want to spend in light of expected revenues, the state of the economy, and many other relevant factors. My bill will provide that opportunity and impose that obligation.

Mr. President, on behalf of myself and Senators Bennett, Curtis, Dominick, Fannin, Hatfield, Hickenlooper, Hansen, Jordan of Idaho, Miller, Prouty, Scott, Thurmond, and Williams of Delaware, I send to the desk a bill to require annual approval by Congress of aggregate amounts of expenditure authorizations containing general appropriations, and ask that it be appropriately referred.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

The bill—S. 1611—to require annual approval by the Congress of aggregate amounts of expenditure authorizations contained in general appropriation acts, introduced by Mr. Allott (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator yield to me before making that request?

Mr. ALLOTT. I am happy to yield to the distinguished majority leader.

EXECUTIVE SESSION—TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE INCLUDING THE MOON AND OTHER CELESTIAL BODIES

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session for the purpose of considering Executive D, 90th Congress, first session, Executive Calendar No. 15.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to the consideration of Executive D., 90th Congress, first session, a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies. which was read the second time, as follows:

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies

The States Parties to this Treaty,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be carried on for the benefit of all peoples irrespective of the degree of their economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as the legal aspects of the exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between States and peoples,

Recalling resolution 1962 (XVIII), entitled "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space", which was adopted unanimously by the United Nations General Assembly on 13 December 1963,

Recalling resolution 1884 (XVIII), calling upon States to refrain from placing in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or from installing such weapons on celestial bodies, which was adopted unanimously by the United Nations General Assembly on 17 October 1963,

Taking account of United Nations General Assembly resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considering that the aforementioned resolution is applicable to outer space,

Convinced that a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, will further the Purposes and Principles of the Charter of the United Nations,

Have agreed on the following:

ARTICLE I

The exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.

Outer space, including the moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law, and there shall be free access to all areas of celestial bodies.

There shall be freedom of scientific investigation in outer space, including the moon and other celestial bodies, and States shall facilitate and encourage international co-operation in such investigation.

ARTICLE II

Outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

ARTICLE III

States Parties to the Treaty shall carry on activities in the exploration and use of outer space, including the moon and other celestial bodies, in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

ARTICLE IV

States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner.

The moon and other celestial bodies shall be used by all States Parties to the Treaty exclusively for peaceful purposes. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration of the moon and other celestial bodies shall also not be prohibited.

ARTICLE V

States Parties to the Treaty shall regard astronauts as envoys of mankind in outer space and shall render to them all possible assistance in the event of accident, distress, or emergency landing on the territory of another State Party or on the high seas. When astronauts make such a landing, they shall be safely and promptly returned to the State of registry of their space vehicle.

In carrying on activities in outer space and on celestial bodies, the astronauts of one State Party shall render all possible assistance to the astronauts of other States Parties.

States Parties to the Treaty shall immediately inform the other States Parties to the Treaty or the Secretary-General of the United Nations of any phenomena they discover in outer space, including the moon and other celestial bodies, which could constitute a danger to the life or health of astronauts.

ARTICLE VI

States Parties to the Treaty shall bear international responsibility for national activities in outer space, including the moon and other celestial bodies, whether such activities are carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried out in conformity with the provisions set forth in the present Treaty. The activities of nongovernmental entities in outer space, including the moon and other celestial bodies, shall require authorization and continuing supervision by the appropriate State Party to the Treaty. When activities are carried on in outer space, including the moon and other celestial bodies, by an international organization, responsibility for compliance with this Treaty shall be borne both by the international organization and by the States Parties to the Treaty participating in such organization.

ARTICLE VII

Each State Party to the Treaty that launches or procures the launching of an object into outer space, including the moon and other celestial bodies, and each State Party from whose territory or facility an object is launched, is internationally liable for damage to another State Party to the Treaty or to its natural or juridical persons by such object or its component parts on the Earth, in air space or in outer space, including the moon and other celestial bodies.

ARTICLE VIII

A State Party to the Treaty on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and over any personnel thereof, while in outer space or on a celestial body. Ownership of objects launched into outer space, including objects landed or constructed on a celestial body, and of their component parts, is not affected by their presence in outer space or on a celestial body or by their return to the Earth. Such objects or component parts found beyond the limits of the State Party to the Treaty on whose registry they are carried shall be returned to that State Party, which shall, upon request, furnish identifying data prior to their return.

ARTICLE IX

In the exploration and use of outer space, including the moon and other celestial bodies, States Parties to the Treaty shall be guided by the principle of co-operation and mutual assistance and shall conduct all their activities in outer space, including the moon and other celestial bodies, with due regard to the corresponding interests of all other States Parties to the Treaty. States Parties to the Treaty shall pursue studies of outer space, including the moon and other celestial bodies, and conduct exploration of them so as to avoid their harmful contamination and also adverse changes in the environment of the Earth resulting from the introduction of extraterrestrial matter and, where necessary, shall adopt appropriate measures for this purpose. If a State Party to the Treaty has reason to believe that an activity or experiment planned by it or its nationals in outer space, including the moon and other celestial bodies, would cause potentially harmful interference with activities of other States Parties in the peaceful exploration and use of outer space, including the moon and other celestial bodies, it shall undertake appropriate international consultations before proceeding with any such activity or experiment. A State Party to the Treaty which has reason to believe that an activity or experiment planned by another State Party in outer space, including the moon and other celestial bodies, would cause potentially harmful interference with activities in the peaceful exploration and use of outer space, including the moon and other celestial bodies, may request consultation concerning the activity or experiment.

ARTICLE X

In order to promote international co-operation in the exploration and use of outer space, including the moon and other celestial bodies, in conformity with the purposes of this Treaty, the States Parties to the Treaty shall consider on a basis of the equality any requests by other States Parties to the Treaty to be afforded an opportunity to observe the flight of space objects launched by those States.

The nature of such an opportunity for observation and the conditions under which it could be afforded shall be determined by agreement between the States concerned.

ARTICLE XI

In order to promote international co-operation in the peaceful exploration and use of outer space, States Parties to the Treaty conducting activities in outer space, including the moon and other celestial bodies, agree to inform the Secretary-General of the United Nations as well as the public and the international scientific community, to the greatest extent feasible and practicable, of the mature, conduct, locations and results of such activities. On receiving the said information, the Secretary-General of the United Nations should be prepared to disseminate it immediately and effectively.

ARTICLE XII

All stations, installations, equipment and space vehicles on the moon and other celestial bodies shall be open to representatives of other States Parties to the Treaty on a basis of reciprocity. Such representatives shall give reasonable advance notice of a projected visit, in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited.

ARTICLE XIII

The provisions of this Treaty shall apply to the activities of States Parties to the Treaty in the exploration and use of outer space, including the moon and other celestial bodies, whether such activities are carried on by a single State Party to the Treaty or jointly with other States, including cases where they are carried on within the framework of international inter-governmental organizations.

Any practical questions arising in connection with activities carried on by international inter-governmental organizations in the exploration and use of outer space, including the moon and other celestial bodies, shall be resolved by the States Parties to the Treaty either with the appropriate international organization or with one or more States members of that international organization, which are Parties to this Treaty.

ARTICLE XIV

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Treaty.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force and other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE XV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party to the Treaty on the date of acceptance by it.

ARTICLE XVI

Any State Party to the Treaty may give notice of its withdrawal from the Treaty one year after its entry into force by written notification to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.

ARTICLE XVII

This Treaty, of which the English, Russian, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of Washington, London and Moscow, this twenty-seventh day of January one thousand nine hundred sixty-seven.

For the United States of America:
  Dean Rusk
  Arthur J. Goldberg
For the United Kingdom of Great Britain and Northern Ireland:
  Patrick Dean
For the Union of Soviet Socialist Republics:
  A. F. Dobrynin
For Chile:
  Radomiro Tomic
For Mexico:
  Hugo B. Margáin
For China:
  Chow Shu-kai
For Italy:
  Sergio Fenoaltea
For Honduras:
  Ricardo Midence Soto
For Ethiopia:
  Tashoma Haile-Mariam
For Ghana:
  Abraham Benjamin Bah Kofi
For Cyprus:
  Zenon Rossides
For Canada:
  A. Edgar Ritchie
For Bulgaria:
  Dr. Luben Guerassimov
For Australia:
  John Keith Waller
For Denmark:
  Flemming Agerup
For Hungary:
  János Radványi
For Iceland:
  Petur Thorsteinsson
For Czechoslovakia:
  Dr. Karel Duda
For Japan:
  Ryuji Takeuchi
For Romania:
  Petre Balaceanu
For Poland:
  Zdzislaw Szewczyk
For Tunisia:
  Rachid Driss
For New Zealand:
  Jack Shepherd
For Colombia:
  Hernan Echavarría Olozaga

For Finland:
Olavi Munkki
For Panama:
Ricardo M. Arias E.
For Laos:
Khamking Souvanlasy
For Greece:
Alexander A. Matsas
For the Philippines:
José F. Imperial
For Turkey:
Melih Esenbel
For Yugoslavia:
Veljko Micunovic
For Afghanistan:
Dr. Abdul Majid
For Argentina:
Alvaro C. Alsogaray
For the United Arab Republic:
Mostafa Kamel
For Haiti:
Arthur Bonhomme
For Luxembourg:
Maurice Steinmetz
For Viet-Nam:
Bui Diem
For Venezuela:
Enrique Tejera-Paris
For the Federal Republic of Germany:
Heinrich Knappstein
For Israel:
Avraham Harman
For El Salvador:
Ramon de Clairmont-Dueñas
For Thailand:
Sukich Nimmanheminda
For Sweden:
Hubert de Besche
For Ecuador:
Gustavo Larrea
For Togo:
Robert Ajavon
For the Dominican Republic:
Hector Garcia-Godoy
For Switzerland:
Felix Schnyder
For Burundi:
Clément Samberia
For Ireland:
William P. Fay
For Cameroon:
Jospeh N. Owono
For Indonesia:
Suwito Kusumowidagdo
For Bolivia:
Julio Sanjines-Goytia
For Botswana:
Zachariah Keodirelang Matthews
For Lesotho:
Alberto S. Mohale
For Korea:
Hyun Chul Kim
For the Congo (Kinshasa):
Cyrille Adoula
For Uruguay:
Rubin A. Alejandro Chelle
For the Central African Republic:
Michel Gallin-Douathe
For Rwanda:
Celestin Kabanda
For Nicaragua:
Guillermo Sevilla-Sacasa

Mr. CHURCH obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield to me, without losing his right to the floor?

Mr. CHURCH. I yield.

Mr. MANSFIELD. Mr. President, how long does the Senator think it will take to explain the pertinent parts of the proposed treaty?

Mr. CHURCH. Mr. President, I should think that the opening statement should take approximately 30 minutes.

Mr. MANSFIELD. I thank the Senator.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending treaty occur at 2:30 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, at that time, the yeas and nays will be asked for.

I thank the distinguished Senator from Idaho for yielding to me.

The unanimous-consent agreement reduced to writing, is as follows:

> *Ordered*, That the Senate vote at 2:30 p.m. on Tuesday, April 25, 1967, on the resolution of ratification of the Treaty on Outer Space (Ex. D, 90th Cong., first sess.).

Mr. CHURCH. Mr. President, it is my privilege to commend to the Senate for its advice and consent the Outer Space Treaty which the Committee on Foreign Relations has reported out favorably. The draft treaty before the Senate establishes the general principles which will govern the activities of states henceforth in the exploration and use of outer space.

The subject matter of the treaty is indeed awesome. We are here adopting rules to govern the activity of the United States and other nations in the infinite void of space. Man's technical ingenuity and restless curiosity have catapulted him well on the way to the moon and our sister planets. Man's law-making genius must keep pace, not only to ensure that the exploration and use of space proceeds in an orderly and productive fashion, but in order to minimize the possibility that national activities in space will add to grievances on earth. This is a major objective and a noble purpose.

We in the Senate, for our part, must weigh the adequacy of the provisions of the draft treaty in terms of the goals it sets forth. We must consider its relation to U.S. objectives. Finally, we have the grave responsibility to judge whether the arms control provisions of the treaty meet our strict standards of national security.

I

However novel this treaty may seem, its most essential aspect is not new at all, but familiar—as familiar as humanity. As man steps into space, the most important possessions he carries with him are his own nature and heritage: his civilization, his ideas of law and justice, his earthly structure of sovereign yet interdependent nations, and his powers of creation and discovery.

Today, with our infinite capacity for magnifying disasters, it would be tragic if law-making capacity fell behind scientific invention. The Outer Space Treaty before us is some reassurance that the gap can be closed. Mankind entered the space age with a unique sense of what he was starting. The slate was clean, and we knew it; we had the capability of writing the wrong history, and we knew that.

In our own Nation, this awareness was shared by leaders in both political parties, in the executive branch, and in the Congress. This Senate, this Congress, was acutely aware of the problems and potentials. In 1958, Congress enacted the National Aeronautics and Space Act in which it declared that—

> It is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.

It is to the great credit of our system of government that the spirit of bipartisanship has consistently prevailed in the development of our space effort, particularly in its international aspects. Close cooperation between all branches of Government concerned meant that the United States has spoken with one voice. The institution of providing congressional advisers to the U.S. Representative to the United Nations Outer Space Committee, and the careful and continuing consultations over the years has meant that the Outer Space Treaty is the product of a continuing process of cooperation between the legislative and executive branches.

The effective working of this system was well exemplified in November of 1958, when the then Democratic Majority Leader of the Senate, Lyndon B. Johnson, speaking on behalf of the Republican administration of President Dwight D. Eisenhower, told the United Nations that:

> Today, outer space is free. It is unscarred by conflict. No nation holds a concession there. It must remain this way. We of the United States do not acknowledge that there are landlords of outer space who can presume to bargain with the nations of the Earth on the price of access to this domain.
>
> We must not—and we need not—corrupt this great opportunity by bringing to it the very antagonism which we may, by courage, overcome and leave behind forever if we proceed with this joint venture into this new realm.
>
> We know the gains of cooperation. We know the losses of the failure to cooperate. If we fail now to apply the lessons we have learned, or even if we delay their application, we know that the advances into space may only mean adding a new dimension to warfare. If, however, we proceed along the orderly course of full cooperation we shall, by the very fact of cooperation, make the most substantial contribution toward perfecting peace.

II

The philosophy expressed in that speech in the fall of 1958 blossomed into two major antecedents of the pending treaty. The first was a statement, delivered separately by the United States and the Soviet Union that each would not station or otherwise place weapons of mass destruction in orbit around the earth, on the moon or other celestial bodies. The United Nations welcomed these expressions of policy and urged that it be made generally applicable. Several months later, the General Assembly of the United Nations adopted a declaration of legal principles to govern activities in space.

There are two other sources of the space treaty which bear mention here. One was the Antarctic Treaty of 1959, which inspired the inspection and scientific cooperation provisions of the space treaty. The Antarctic Treaty in addition demonstrated one very important fact: an area could be defined, quarantined from the usual products of competition among States, and dedicated to peaceful pursuits and scientific cooperation. There is no doubt that the Antarctic Treaty—a major accomplishment of the Eisenhower administration—has worked. There have been no violations. Inspections have been carried out without incident and in full compliance with the treaty.

The success of the Antarctic Treaty provided a sound basis for aiming at something bigger, when the consequences for the future might be greater and more far-reaching. But the problem remained of assuring ourselves that other parties were complying. Here, the experience of the Limited Test Ban Treaty was drawn upon. In that treaty, we decided to rely upon our own unilateral capabilities to detect compliance by others. We were able to develop our monitoring technology to provide high confidence that we knew what the other side was doing. Similarly, in the Outer Space Treaty, our capacity to monitor has kept pace with the potential threat. This is a critical point involving national security. The considered judgment of our top military men was essential. The conclusion reached by the Joint Chiefs of Staff was that we can rely on our unilateral capabilities to monitor the no-bombs-in-orbit provision. The security of the United States will be fully preserved.

III

With this as a background, President Johnson on May 7, 1966, urged that work begin on a treaty and asked our Ambassador to the United Nations, Arthur J. Goldberg, to undertake the task. After preliminary and encouraging discussions in New York with the Soviet Union, the United States suggested that the Legal Subcommittee of the United Nations Outer Space Committee undertake the task of negotiation. The subcommittee met for 4 weeks last summer in Geneva and resumed discussions, public and private, in New York during the fall. I had the honor of being a member of the U.S. delegation during the 21st General Assembly. One of the high points of that Assembly, indeed, one of the high points in the history of the United Nations, was the announcement by President Johnson last December that agreement had been reached on a treaty.

In a resolution sponsored by 43 countries, the General Assembly endorsed the treaty. Signing ceremonies took place last January in Washington, London, and Moscow. At last count, 79 countries have signed and submitted the treaty to the ratification process.

IV

The resulting treaty is impressively comprehensive in defining broad areas of concern and articulating general principles to deal with them. Its preamble cites its sources and some of its goals. The treaty's intention echos the policy declared by Congress. The first sentence of article 1 stipulates that—

> The exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.

This philosophy of openness and broad applicability permeates the treaty.

The reasons for the treaty's universal importance are worth elaboration. Basically they fall into three related groups: those concerned with international peace and security, including arms control; those concerned with rules for the future direction of the newest age of exploration; and those concerned with the responsibilities of the space powers to the nonspace nations and the world community as a whole.

In the field of international peace and security the importance of the treaty is obvious. This is the most significant arms control development since the conclusion of the Limited Test Ban Treaty in 1963.

Because they are clear and well known, I shall not dwell in detail on the peace and security measures of the treaty. They start in article I, which announces the principle of openness by stating that "there shall be free access to all areas of celestial bodies." Total openness, especially in conjunction with the other provisions of the treaty, should make clandestine warlike preparations on celestial bodies impossible.

Article III stipulates that activities in outer space, including celestial bodies, shall be carried on in the interest of maintaining peace and in accordance with international law and the Charter of the United Nations. Of particular relevance are the Charter's provisions regarding the uses of force and the obligation to settle disputes peacefully.

Article IV spells out restrictions in more detail. It prohibits the orbiting of weapons of mass destruction in space or their stationing in outer space in any manner. Weapons of mass destruction are forbidden on the moon and celestial bodies, which are reserved for peaceful purposes only. Certain specified military activities are prohibited, such as weapons testing and military maneuvers. Article IV makes clear that it does not restrict the use of military personnel or equipment on the moon for peaceful purposes.

Article XII carries forward the guaranty of open access and describes procedures under which representatives of one state may ensure that other states are complying with these restrictions. Such assurance is, clearly, of pivotal importance. The provisions for consultation and notice are clearly and wisely designed to assure the safety of personnel and in no way describe the right of veto.

There are no comparable inspection provisions with respect to objects in orbit. The treaty, however, places no restriction on our right to observe. It guarantees freedom of access to all parts of space. Thus we must rely on our unilateral capability to monitor compliance by other parties. Our capability in this respect has been thoroughly reviewed by our very best military authorities. We have been clearly and forthrightly assured that we prefer to rely on our own monitoring capabilities and that we can do the job. I am, therefore, satisfied that our national security is in no way jeopardized by the lack of an inspection provision for orbiting objects.

These arms control measures will, I believe, be a significant contribution to maintaining the peace. Of equal importance in the long run will be the draft treaty's general principles designed to guide the peaceful development of outer space.

Under the treaty, exploration should result neither in conquest nor in harm to the interests of others, but in international scientific advancement. Article I states this in general terms, and article IX stipulates that states shall avoid harmful infringement on the rights of other parties, and will enter into consultation as appropriate.

Space discoveries will lead not to division of spoils but to an adventure for all mankind, for the second article rules out territorial sovereignty. This means that exploration in space can never lead to extension of territorial domains. Astronauts will indeed be envoys of all mankind, as stressed in article 5. They will be assisted and promptly returned if they should land in the territory of another state.

Articles VIII states that parties are liable for damages caused by space launchings. Article VII will facilitate the long, frustrating, and expensive process which an individual citizen must ordinarily go through in pressing a claim against a foreign government.

Article V places an obligation on all parties unconditionally to assist and protect astronauts and return them to their countries if they should land in distress elsewhere than planned.

Article IX obliges parties to the treaty to refrain from harmful experiments.

All of these points, I should think, would be of interest to every country, including those with no plans for a space program. In addition, however, the treaty contains several features especially directed at those who are not, for the moment, in a position to undertake activities in space. The nonspace countries were well represented on the committee which negotiated the treaty. I should like to note briefly the points which relate to the responsibility of the space powers toward the world community as a whole.

Many such points are summarized in article I, a portion of which I have already quoted. Article I also stipulates that "Outer Space, including the moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind," adding that there shall be freedom of scientific investigation and that international cooperation shall be facilitated and encouraged. This is an important provision for a state which has no space program in 1967 but which may have one at some future time.

The treaty also has a provision which should be of immediate interest to every scientist, whether or not he comes from a country with a large space program. In article XI, parties "agree to inform the Secretary General of the United Nations as well as the public and the international scientific community, to the greatest extent feasible and practicable, of the nature, conduct, locations, and results" of activities in outer space. This provision describes the reporting practices which the United States has followed from the beginning of its space program. Surely those of us fortunate enough to participate in the first groping explorations of space should share our scientific findings with the rest of the world.

Finally, article X, dealing with tracking facilities, was put into the treaty at the insistence of the Soviet Union. Initially, the Soviet Union appeared to be seeking a free ride from countries which have granted tracking facilities to the United States. The final version provides no such free ride. It is clear from article X and the history of the negotiations that the provision is no substitute for bilateral agreement between the Parties concerned for the establishment of a tracking facility.

V

It is clear, I believe, from a review of its text, that the draft treaty deals with the important problems of space exploration which we can perceive and define today. It is most important to the United States, with our legitimate concern for the good opinion of mankind, that we go forward in space with the approval and support of all. It is also most important that the treaty be consistent with our space program and contain clear advantages to the United States. The draft treaty meets these tests.

The treaty will inhibit a new and dangerous area of weapons deployment.

Our security is promoted because space exploration will proceed in an orderly fashion and atomic weapons will be banned from space. General Wheeler and Deputy Secretary Vance were clear and unequivocal in support of the treaty and in their confidence that the security of the United States is protected and, indeed, enhanced by the treaty.

The treaty further ensures that our astronauts will be assisted and safely and promptly returned. We will be informed of phenomena in space which may affect the safety of astronauts. Property rights in space vehicles are guaranteed and provisions made for their return.

Outer space and celestial bodies will be free and open to all. No one may tell us that we cannot traverse a particular segment of space. No one can exclude us from a portion of the moon or other celestial body.

The Outer Space Treaty therefore clearly advances the interests of the United States. In broader terms, it will facilitate international cooperation in outer space activity, and not just between the space powers. Perhaps as important will be the increased participation of those powers who have not yet developed a full-fledged space program, yet have much of significance to contribute to future activity in space.

VI

Considering the Outer Space Treaty as it relates to the foreign relations of the United States, it is highly encouraging that a treaty of such significance can be concluded during a period of severe international crises. Vietnam intrudes into and distorts many aspects of international relations today. It speaks well of the political maturity of the United States and the Soviet Union that despite their very serious differences, efforts to find areas of accommodation can be pursued to success. This is no small achievement. The arms control provisions in the treaty will place a clear limitation on future deployment of weapons. Weapons in orbit are not presently a practical weapon. But can anyone doubt that one day modern technology may make such a weapon a reality? Thanks to this treaty, we and our progeny will be spared the grim prospect of nuclear weapons ever-circling in space.

There is one aspect of the treaty which has been little mentioned, and deserves comment. This treaty is the product of a careful, deliberate law-making process pursued in the United Nations by many countries. The United Nations was an ideal forum for such a comprehensive, multilateral effort. That the goal was pursued purposefully, quietly, and successfully is a source of gratification for the supporters of the United Nations and a tribute to the skills and dedication of Ambassador Goldberg and his colleagues. It offers encouragement that the United Nations may indeed evolve into an organization where the great issues troubling the world can be met and resolved. The United Nations has seen many setbacks, many failures. Critics of the United Nations have dwelt on these, and often with justice. Indeed, the United Nations must do better. However, proportionate attention—if we are to preserve our perspective—should also be given to the organization's landmark achievements. This treaty is one. It is a genuine triumph for the United Nations and carries out the promise which so many found in its charter over 20 years ago. The United Nations deserves its full measure of credit.

VII

To summarize, the draft treaty before us marks the first major step in developing a system of law for man in space. As such, it is a historic milestone which tells us how far we have gone, and hints at how far, and in what direction we must go. The treaty, therefore, is the beginning, not the end of the lawmaking process. As such, the Outer Space Treaty is wise in its conception.

It is practical in its particulars.

It advances the basic interests of the United States in outer space.

It protects and enhances our security.

It promotes the cause of international peace and cooperation.

It, therefore, meets the basic tests to which this body must submit a treaty. I, therefore, urge that the Senate give its advice and consent to ratification of the Outer Space Treaty.

Mr. FULBRIGHT. Mr. President, I rise to urge support of Executive D, 90th Congress, 1st session, the Treaty on Outer Space. This treaty was signed at Washington, London, and Moscow on January 27, 1967. The signatories are the United States, the U.S.S.R., Great Britain, and 76 other nations. The signing of the treaty followed its unanimous endorsement by the United Nations General Assembly on December 19, 1966.

The treaty was sent to the Senate on February 7. On April 14 the Committee on Foreign Relations, without a dissenting vote, ordered the treaty favorably reported.

The Treaty on Outer Space has its roots in the Antarctic Treaty of 1959, which was designed to reserve Antarctica exclusively for peaceful purposes, and in a long record of interest within the United Nations in the peaceful exploration of outer space. Building on the record of interest and some accomplishment, President Johnson on May 7, 1966, proposed the discussion of a space treaty begin. After consideration of draft treaties offered by the United States and the Soviet Union, an agreement on the provisions of the treaty we now have before us was reached in December of 1966.

Before turning to the treaty itself, I wish to commend Ambassador Goldberg for the skillfully conducted negotiations which characterized the United States role in the drafting of the treaty. It is also important to note that the treaty on outer space has the strong, unqualified support of the entire executive branch, including the Department of Defense and the Joint Chiefs of Staff. I also wish to take this opportunity to note that the senior Senators from Vermont and Tennessee [Mr. AIKEN and Mr. GORE] served with distinction as congressional advisers on the United Nations Committee on Peaceful Uses of Outer Space. I should also like to congratulate the Senator from New Jersey [Mr. CASE] and the Senator from Idaho [Mr. CHURCH] on their very fine performances as members of the U.S. delegation to the 21st General Assembly of the United Nations.

In the broadest of terms, the treaty on outer space has two basic objectives: first, to establish general guidelines for international behavior in the exploration of outer space and, second, to prevent outer space from becoming an arena of military competition.

In furthering the first objective, the treaty is designed to assure the freedom of scientific investigation of outer space, to guarantee free access to all areas of celestial bodies, and to prohibit claims of national appropriation. The treaty also urges the parties to share the benefits of space exploration. To achieve its second objective, the treaty we are considering today seeks to prevent military competition in outer space by obliging the parties not to place nuclear weapons in orbit around the Earth. The treaty also bars nuclear weapons and other instruments of mass destruction from outer space, including the celestial bodies. At the same time, I should like to make it clear that these restrictions will not prevent the use of military personnel or equipment in the U.S. space efforts.

Finally, the treaty guarantees inspection rights to installations and space vehicles on celestial bodies. Considerable publicity, and some opposition, has been stimulated by the fact that these inspection rights do not apply to objects in orbit. I will return to this important question of inspection of orbiting bodies in a moment.

The duration of the treaty is open-ended. It may be amended when a majority of the parties accept the proposed amendment. However, it should be stressed that amendments are only binding on those states party to the treaty who accept them. There is no possibility that the United States, therefore, will be forced to accept an unpalatable amendment to the treaty. It should also be noted that any states party to the treaty may withdraw after 1 year of notification of intent to do so. Mr. President, I will not discuss the minor points in the treaty. Senators have before them the President's message, the hearings before the Committee on Foreign Relations, and the committee report. I believe this information will cover most of the minor points adequately. I will concentrate instead on several questions that attracted the attention and interest of the committee.

During the hearings questions were raised as to whether some of the general statements of principles embodies in the treaty were vulnerable to misinterpretation. As evidenced by the committee approval without dissenting vote, these concerns were dispelled by the testimony of the witnesses and by clarification of the committee's understanding of these issues in the committee report. Nevertheless, I wish to review briefly the two questions of interpretation that attracted interest: the provisions of the treaty regarding the desirability of sharing the results of international space activities, and those provisions establishing international liability in outer space.

First, the treaty states that the exploration of outer space "shall be carried on for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development." The committee raised the question whether this language might imply a fixed obligation on the part of the United States to share the scientific results of its space activities. After listening to administration witnesses, we concluded that the treaty included no such specific obligations. Nevertheless, I wish to report the committee's understanding of this provision by noting that it is the committee's understanding that nothing in this treaty diminishes the right of the United States to determine how it shares results of its space activities.

The second main concern centered on the nature and extent of the international liability assumed by the United States under article VII. After a thorough discussion of this complex question with administration witnesses, we came to the conclusion that article VI pertains only to physical nonelectronic damage that space activities may cause to the citizens or property of another state. I wish to make the committee's position here quite clear. A separate convention on international liability in space activities is needed to establish rules for determining liability and creating a formal means of resolving differences.

The Committee on Foreign Relations has been given the unqualified assurance of the administration that such a convention will be negotiated and brought before the Senate.

Mr. President, I do not wish to overemphasize the importance of this treaty. The specific requirement it levies on the signatories are modest. Indeed, it could be argued that it is unnecessary to outlaw military activities in outer space, since apparently neither the Soviet Union nor the United States have any intention of extending their military competition into outer space. Nevertheless, I believe the history of the Antarctic Treaty and other arms control efforts suggests that it is easier to prevent an arms race than to slow or stop such a race once it begins. For example, we face such a problem in the antiballistic missile issue, where both superpowers may find themselves developing a missile system which they neither want nor need, but will defy arms controls once the race begins.

The case for ratifying this treaty is, in my view, bolstered by our experience with the Antarctic Treaty of 1959. Senators will remember that considerable opposition was expressed to this earlier treaty. I think it is significant, therefore, that the Secretary of Defense during his testimony before the Committee on Foreign Relations on the Outer Space Treaty spoke of "the outstanding success of the Antarctic Treaty of 1959." Mr. McNamara went on to say, "Since the Antarctic Treaty became effective there has been no hint, no suggestion, that any party was not living up to the terms of that treaty in all respects."

So I believe that the Treaty on Outer Space is part of an emerging pattern which may be of great importance. I refer to the growing international acceptance of the idea of preventing an arms race from commencing, rather than limiting our efforts to desperate—and often futile—attempts at controlling an arms race once it begins. The United States in accepting this treaty is giving up nothing; but we will gain the chance, and it may be no more than a chance, to prevent tomorrow's arms race in outer space.

I urge the Senate to approve the treaty. While it is a small step, I believe it is a significant step toward the reconciliation of the differences which have caused so much harm and at such great expense to this and all other countries during the last 20 years.

Finally, I again wish to express my appreciation for the assistance given in the hearings and in the deliberations of this body by the Senator from Idaho [Mr. Church].

Mr. CHURCH. I thank the distinguished chairman of the Committee on Foreign Relations for the welcome words of support he has given to this treaty, and for the interest that he has consistently shown while the treaty was under consideration, and during this period of its consummation.

I concur with the Senator from Arkansas that this is a significant step in the right direction, on a road on which we have a long way yet to travel before we reach a safer and saner world.

The PRESIDING OFFICER. If there be no objection, the treaty will be considered as having passed through all of its parliamentary stages up to and including the presentation of the resolution of ratification, which the clerk will state.

The legislative clerk read as follows:

***Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, signed at Washington, London and Moscow on January 27, 1967, on behalf of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics (Executive D, Ninetieth Congress, first session).**

LEGISLATIVE SESSION

On request of Mr. Byrd of West Virginia, and by unanimous consent, the Senate resumed the consideration of legislative business.

AMENDMENT OF THE COMMUNICATIONS ACT OF 1934

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 184, S. 375.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 375) to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report—No. 189—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Purpose and Summary of Legislation

The purpose of this bill is to make it a Federal offense to make certain obscene or harassing telephone calls in interstate or foreign commerce or within the District of Columbia.

S. 375 provides for a fine of not more than $500 nor imprisonment for more than 6 months, or both, for anyone who, by means of telephone communications in the District of Columbia or in interstate or foreign commerce—

(*a*) Makes any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent; or

(*b*) Makes a telephone call, whether or not conversation ensues, without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person at the called number; or

(*c*) Makes or causes the telephone of another repeatedly or continuously to ring with intent to harass any person at the called number; or

(*d*) Makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number.

The same penalty is applicable to whomever knowingly permits any telephone under his control to be used for any purpose prohibited by this section.

NEED FOR LEGISLATION

Obscene and harassing telephone calls have become a matter of serious concern. The telephone, despite its many benefits in our daily business and personal lives, unfortunately provides a ready cloak of anonymity to the sort of person who can somehow derive satisfaction or pleasure from frightening other people. This cloak has been availed of by such people in various ways. The telephone may ring at any hour of the day or night, to produce only a dead line when answered. Sometimes the caller will merely breathe heavily and then hang up. Sometimes he will utter obscenities.

And, recently, a new and most offensive form of harassment has been devised. Families of servicemen are called and given false reports of death or injury, or even, hard as it is to believe, are gloatingly reminded of the death of a son or husband in service.

The depth of this vicious practice can best be illustrated by the following examples submitted by the Department of Defense. To prevent further harassment of the families mentioned, the names of personnel and families concerned have been deleted at the request of the Defense Department:

"Prior to departure for Vietnam in the early part of July 1966, a U.S. Air Force technical sergeant was telephonically contacted by persons unknown to him, and who urged him not to go to Vietnam. He was also called derogatory names. Since the sergeant's departure for Vietnam, his dependent wife has received numerous anonymous telephone calls, calling her a warmonger and other derogatory names and making reference to her husband's service in Vietnam. One of the remarks is as follows: "If you keep flying the American flag we will come over there and cut you to ribbons.' All the calls were made during the hours of darkness. On one occasion, when she was preparing to take her pet dog to the veterinarian for an emergency at 0435, as she was leaving the house, two men drove rapidly past her, threw a beer bottle at her, and called her a warmonger.

* * * * *

"In October 1966 the mother of a marine wounded in action in Vietnam received about six telephone calls at her Pittsburgh, Pa., home. The caller said nothing but played martial music, sometimes accompanied by sounds of heavy breathing or apparent shouted military commands.

* * * * *

"The parents of a marine killed in action in Vietnam received three telephone calls in November 1966 at their Washington State home. The caller asked on each occasion 'How do you like having your son killed in Vietnam?'

* * * * *

"In early December 1966, the wife of an airman stationed in Okinawa received a phone call at her residence allegedly from a Sergeant Miller, of Seymour-Johnson Air Base. Miller asked her to identify her husband which she did. Miller then stated that her husband had been killed in an explosion on Okinawa and that he and the chaplain planned to visit her in a few hours. Several hours later, after she had informed relatives and associates of the news, Miller called again and stated he had the final details of the incident including the fact that there were no remains and that she could go ahead with a memorial service for her husband. The Kadena Red Cross requested verification of her husband's death on December 6, 1966, at which time the Red Cross was informed that her husband was alive. Prior to this call (August or September 1966), the airman's wife had received 'mash' calls from a man in Randleman who requested that she go out on a date with him."

* * * * *

It is quite evident that the dimensions of the problem are large and still growing. The Bell Telephone System, which provides more than 80 percent of the Nation's telephones, received over 531,000 complaints from March through December 1966 concerning abusive telephone calls that threaten or harass the recipients. It received some 46,000 complaints of such calls in March 1966. Subsequently, the number reached a high of some 68,000 such complaints in August 1966. Some 51,000 complaints of such calls were received in December 1966.

A telephone company witness testified that most of the calls are probably intrastate but indicated that it is only after an investigation of a complaint has been successfully completed that the telephone company is able to classify offending calls as intrastate or interstate. It should not be overlooked that these figures deal with complaints actually received by the telephone companies. It is to be assumed that many such calls are made which never become the subject of such a complaint.

Some remedies do exist at the present time. Thirty-eight States have statutes, varying somewhat in content, but generally prohibiting the making of various types of obscene, harassing, or annoying telephone calls. These specific laws, many of which are of recent origin, appear to be helping. Eleven of the twelve remaining States currently have before them proposals to outlaw abusive calling. The telephone companies' right to discontinue service where making such calls violates company tariffs is probably also of some value. And it is to be hoped that telephone company publicity given to the problem and how they will serve customers who receive such calls will have a beneficial effect on the problem. But no Federal law deals with the problem (except 18 U.S.C. 875(c) prohibiting interstate communication containing a threat of personal injury and 18 U.S.C. 837(d) prohibiting use of the telephone to make threats of damage to certain property or threats to persons seeking to make specified uses of such property) and the witnesses before your committee generally agreed that Federal legislation directed to such abusive calls in interstate commerce is desirable to close the "interstate gap." This is a logical approach in view of the fact that the Federal Government has undertaken under the Communications Act of 1934 to establish a comprehensive scheme or regulation of the telephone system. Federal legislation dealing with interstate abusive calls should also simplify prosecutions of interstate calls by permitting them to take place where it may be convenient for the witnesses. In this regard, 18 U.S.C. 3237, would permit prosecution of such offenses in any district in which the offense was begun, is continued, or is completed.

COMMITTEE HEARINGS

S. 375 was introduced by Senator John O. Pastore, chairman of your committee's Subcommittee on Communications. Hearings on S. 375 were held on February 16, 1967, by the Subcommittee on Communications.

Congressman Van Deerlin of California testified before the subcommittee of his concern with the growing problem of telephone harassment and stated that he had introduced an identical bill, H.R. 1422, in the House. He related that he had learned firsthand what it's like to be the target of abusive telephone calls. After receiving a series of such calls at his Washington home in January 1967, he reluctantly took an unlisted number. One such call occurred when his 13-year old daughter took a call from an anonymous person who used obscenities in threatening to kill her and her brothers and sisters.

Rosel H. Hyde, Chairman of the Federal Communications Commission, testified that, while enforcement of any such legislation would appropriately be the responsibility of the Department of Justice, the Commission was in full accord with the committee's efforts to deal more effectively with the problem of obscene and harassing telephone calls as set forth in S. 375 and strongly supports its enactment. He recalled an instance of a call to his home when his wife said: "I am certainly glad it wasn't Marilyn—our daughter—who received that call," because it was a revolting type of call that no one should be subjected to.

Brig. Gen. William W. Berg, Deputy Assistant Secretary of Defense for Military Personnel Policy, presented the views of the Department of Defense. General Berg testified that the Department of Defense strongly supports this legislation. In his May 1966 testimony he indicated that a spot check of only nine representative military bases in the United States to get some idea of the magnitude of the general problem of obscene and harassing telephone calls turned up approximately 500 reported cases of all types during the preceding year at those installations. Some 87 of those were incidents of harassment of about 50 military families related to military operations overseas, mostly in connection with service in Vietnam. Those contacts were mostly by telephone but also included letters, postcards, telegrams, and even face-to-face visits. General Berg indicated there has been a slight drop in the number of such cases since that time and attributes this to your subcommittee's earlier hearings on this subject and to the high degree of cooperation provided by the telephone industry. General Berg indicated the Department of Defense welcomes and will strongly support any legislation which promises a measure of protection to the members of our Armed Forces and their families from these vicious and despicable acts. He stressed the impact of such acts on the morale and wellbeing of our servicemen and their families, particularly as they relate to our military operations in Vietnam and elsewhere.

Mr. Hubert Kertz, operating vice president of the American Telephone & Telegraph Co., appeared on behalf of the Bell System telephone operating companies. Mr. Kertz referred to his previous testimony in which he had given the committee helpful explanations of some of the techniques used by telephone companies to identify the telephone lines from which abusive calls originate. Other techniques he had thought it best not to disclose publicly lest the information make it easier for annoyance callers to avoid detection.

Three basic detection devices are used. One is a tone set, a box equipped with an on-and-off switch and connected by a wire to the annoyed customer's telephone. When a crank call is received, the customer flips the switch which places a 20,000-cycle tone on the circuit and also activates an alarm in the central office, alerting a switchman on duty to start tracing the call. This tone cannot be heard by either party to the telephone call. Another device is a pen register attached to the line of a prime suspect in a crank-call case.

The instrument records the number called and the time of the call. A third device acts as a computer in the central office and puts the calling number, called number, date, and time on a punchcard.

Mr. Kertz testified that these detection techniques have grown more sophisticated as telephone switching systems have become more complex and that the Bell System is continually working on better and quicker ways of making line identifications.

Mr. Kertz stressed the Bell System's national advertising campaign to offer assistance to any victim of such calling within its operating areas. He outlined the company procedures followed in cases of abusive calls, stated that all successful prosecutions are publicized for their deterrent effect, and testified that local law enforcement authorities have been most cooperative and extremely helpful in investigating these cases.

Mr. Kertz testified that existing State and local criminal legislation is of great help to the telephone companies in their attempts to eliminate abusive calls. He stated that in the areas served by the Bell System the courts convicted 358 abusive callers during 1965 and 788 abusive callers in 1966.

He emphasized that the Justice Department is not brought into a situation of this kind until after the technology of the Bell System companies has determined that an interstate call, as contrasted with an intrastate call, of an abusive nature has been made. He testified that such technology is not a bugging or monitoring device to overhear or record conversations, but is an electronic technique to register on tape the time of day and the called telephone number made on a particular line.

He stated that the Bell System believes Federal legislation will have a deterrent effect on potential offenders and would be of practical advantage to the telephone companies in attempting to deal with abusive calls. Mr. Kertz specifically endorsed legislation along the lines of S. 375.

Adm. William C. Mott, executive vice president of U.S. Independent Telephone Association (USITA), a trade association composed of some 2,300 telephone companies, testified in support of the legislation. Admiral Mott stated that a Federal statute prohibiting obscene or harassing telephone calls in interstate or foreign commerce should have a deterrent effect on the making of such calls and might further set an example for those States not now having statutes or whose statutes might need revision.

He testified that one added reason for the necessity for Federal legislation in this area is the increased usage of what is known as WATS (wide area telephone service) line for making an interstate call. WATS is a fast-growing service and national in scope. There is no individual charge for messages and in that respect it is similar to local telephone calling.

Mr. Paul Rodgers, general counsel, National Association of Railroad & Utilities Commissioners, expressed the view that State legislation in 38 States deals adequately with intrastate threatening or harassing telephone calls and 11 States now have specific legislation under consideration to deal with this matter. He testified that Chairman Ben T. Wiggins, of the NARUC Committee on Communications Problems, plans to present to his committee a model State bill dealing with this problem. The language of his model State bill will closely parallel the language of S. 375.

He testified that S. 375 will complement the State activity and NARUC supports its enactment to combat the making of such calls in interstate or foreign commerce.

Senator Edward B. Long of Missouri and Congressman Cornelius E. Gallagher, of New Jersey, submitted statements placed in the record supporting the enactment of S. 375.

CONCLUSION

There can be no doubt that the increase in these vicious and cruel attacks over the telephone must be reversed by legislative action. Your committee believes that passage of this legislation will aid in deterring obscene and harassing telephone calls generally and will provide an appropriate remedy to reach those calls made within the District of Columbia or in interstate or foreign commerce. The loophole which exists today because of the lack of a Federal law covering this subject matter will be closed. The enactment of this legislation will serve the public interest.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 375) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Communications Act of 1934, as amended, is further amended by adding at the end thereof the following new section:

"SEC. 223. OBSCENE OR HARASSING TELEPHONE CALLS IN THE DISTRICT OF COLUMBIA OR IN INTERSTATE OR FOREIGN COMMERCE.—Whoever by means of telephone communication in the District of Columbia or in interstate or foreign commerce—

"(a) makes any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent; or

"(b) makes a telephone call, whether or not conversation ensues, without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person at the called number; or

"(c) makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number; or

"(d) makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number; or

Whoever knowingly permits any telephone under his control to be used for any purpose prohibited by this section—

"Shall be fined not more than $500 or imprisoned not more than six months, or both."

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. CHURCH. Mr. President, if there is no further business to come before the Senate this afternoon, in accordance with the order entered on Wednesday, April 19, 1967, I move that the Senate stand in adjournment until 11 o'clock a.m.. tomorrow.

The motion was agreed to; and (at 3 o'clock and 8 minutes p.m.) the Senate adjourned until tomorrow, Tuesday April 25, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate April 24, 1967:

COAL MINE SAFETY BOARD OF REVIEW

Dennis L. McElroy, of Pennsylvania, to be a member of the Federal Coal Mine Safety Board of Review for the term expiring July 15, 1972, vice Edward Steidle, term expiring.

FEDERAL RESERVE SYSTEM

William W. Sherrill, of Texas, to be a member of the Board of Governors of the Federal Reserve System for the unexpired term of 14 years from February 1, 1954, vice Charles Noah Shepardson, resigned.

EXTENSIONS OF REMARKS

Four Hundred Pennsylvanians

EXTENSION OF REMARKS

OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 1967

Mr. EILBERG. Mr. Speaker, I have recently learned that some 400 young men from the Commonwealth of Pennsylvania have died since January 1966, fighting Communist aggression and defending freedom in Vietnam.

I would like to pay tribute to these men who have given their lives for a cause halfway around the world. And I would like to offer whatever consolation can be offered to their families, for if the loyalty and devotion to duty of these men belong to their country, their loss is felt most deeply by their loved ones.

I have called them men when many of them really were boys. And I referred to the cause of freedom halfway around the world. Freedom anywhere in the world remains an integral part of our own.

Mr. Speaker, it may be presumptuous of me to want to list the names of all 400 in the RECORD. But I would dearly love to include the names of nine who lived in the Fourth Congressional District of Pennsylvania, the district which I represent, the northeast part of Philadelphia. In this small way I hope the memory of their courage will live on in the RECORD of the Congress which owes them much.

Pfc. George W. Abey, son of Mr. and Mrs. George W. Abey, 7809 Whitakes Street, Philadelphia, Pa.

LCpl. Charles L. Isley, III, Marine Corps, son of Mr. and Mrs. Charles L. Isley, Jr., 5946 Hasbrook Ave., Philadelphia, Pa.

LCpl. Frederick G. Lynch, Jr., Marine Corps, son of Mr. and Mrs. Frederick G. Lynch, Sr., 999 Lardner Terrace, Philadelphia, Pa.

Cpl. Stephen P. Miller, Marine Corps, son of Mr. and Mrs. Peter A. Miller, 9581 Cowden St., Philadelphia, Pa.

Cpl. Anthony J. Nigro, Marine Corps, son of Mrs. Naomi Juisto, 12134 Sweet Briar Road, Philadelphia, Pa.

Sp4 Frank J. Nostadt, Jr., Army, son of Mr. and Mrs. Frank J. Nostadt, 7527 Whitaker Ave., Philadelphia, Pa.

Sgt. Sofford S. Pye, Army, husband of Mrs. Judith Ann Pye, 2626 Hemlock St., Philadelphia, Pa.

Pfc. William Wilknowsky, Jr., Army, husband of Mrs. Gloria L. Wilknowsky, 75117 Totresdale Ave., Philadelphia, Pa.

A2c. Ronald C. Kinsky, Air Force, son of Mr. and Mrs. Charles J. Kinsky, 7146 Lawndale Ave., Philadelphia, Pa.

Passover Season

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 1967

Mr. PUCINSKI. Mr. Speaker, I would like to take this opportunity to extend my greetings to those of my constituents of the Jewish faith. The Jews, throughout the world, are now celebrating the Passover season.

Not so very long ago, many American Jews were subjected to discrimination and religious prejudice. However, the work and accomplishments of the Jewish people in America could not be ignored. They were an enormous part of our American heritage and helped to broaden and better the lives of all Americans. Those who preach anti-Semitism are considered by Americans today as belonging to a lunatic fringe.

I joined with my colleagues in Congress in signing a statement this week, condemning the suppression of Jewish spiritual and cultural life in the Soviet Union. The Soviet Union is presently severely restricting the religious life of the Jewish people. Jews in Russia are forbidden to establish any nationwide federation of congregations or clergy.

It is my hope that this statement with the signature of 284 Members of Congress, may make the Soviet Government aware that we here in America strongly disapprove the Soviet Union's policy toward the Jewish people. It is my further hope that the Soviet leaders will amend their present policy and permit the people of the Jewish faith freedom to engage in their religious practices with no state discrimination.

It is time now for men to repudiate all forms of religious persecution, realizing what wise men have long known, that men of all nations and creeds are brothers.

Law and Order Must Prevail

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 1967

Mr. EVINS of Tennessee. Mr. Speaker, all of us are concerned over the continued outbreaks of violence and disorder in our major cities.

If this trend continues, our democratic society will be weakened—because it is the cement of law and order which holds our free society together. We must rededicate ourselves as Americans to the principles of law and order that are the foundation of our Nation.

In this connection, because of the interest of my colleagues and the American people in law and order, I include my weekly newsletter, Capitol Comments, in the RECORD.

The newsletter follows:

LAW AND ORDER MUST PREVAIL

(By JOE L. EVINS, Member of Congress, Fourth District, Tennessee)

It has become increasingly evident in recent weeks that forces and influences are at work in our country which are tearing at the very foundation of our democratic society. These disrupting forces and influences are manifest in the violence, demonstrations, lawlessness and unrest which have been too much in evidence in many sections of our Nation.

The lawlessness in Nashville, Louisville, Chicago and in many other of our big cities in recent weeks—if continued—will serve to undermine our system of laws. The cement of law and order must prevail to hold our democratic society toegther.

This Nation and its people traditionally have lived within the law—because to live outside the law is to live in a world of chaos, anarchy and disorder. This country was founded on a system of law and order—respect for law and order—and it is time we rededicated ourselves to these principles.

Our Nation was formed so that a democratic people could live together in peace and harmony, each engaged in his pursuit of happiness. Our society was formed in order that our people could think for themselves, govern themselves, fulfill themselves—in a land of freedom and liberty within the framework of law and order.

The only successful way to achieve these goals is to strive for personal objectives in a society of law and order. This Nation has made great progress in providing opportunities for our people—and the resort to violence and force leads to distrust and apprehension, and reacts strongly against further progress and advancement. Thomas Jefferson once said: "The execution of the laws is more important than the making of them."

Where law ends, tyranny begins.

Where order ends, anarchy begins.

Certainly there are conditions in our Nation that must be corrected—and this must be done at all levels, local, state and national. Great strides are being made in improving education, providing better housing, and in creating jobs and opportunities for all our people.

America became the greatest Nation in the world under a system of laws. With a disregard for law and order, our country would be weakened. Let us rededicate ourselves to the maintenance of law and order in our land and thus insure that freedom and liberty will be preserved, promoted and perpetuated.

Textile Imports

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 1967

Mr. DOLE. Mr. Speaker, several weeks ago a number of my colleagues expressed on the floor of the House their concern over rising levels of textile imports to the United States. The Members of Congress from Kansas are especially concerned with the drastic rise in wool textile imports since the close of World War II and the consequent disappearance of many of our wool textile plants. We know that this contraction has been caused to a large extent by the inability of these mills to meet the unfair competition from countries such as Japan and Italy, where wages and production costs are much lower than ours.

This problem affects all segments of the industry, including the wool growing segment. Wool growers in Kansas, as well as other States of the Nation, are concerned when they see their domestic markets shrinking and with the prospect that if wool textile imports are not held at reasonable levels they may eventually lose their only outlet for domestic wool; namely, the domestic wool manufacturers.

The concern of the entire Kansas delegation was expressed in a letter to President Johnson on April 18, 1967. Mr. Speaker, I insert this letter at this point in the RECORD:

U.S. SENATE,
Washington, D.C., April 18, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The Kansas congressional delegation would like to join with the many other members of Congress who are urging prompt implementation of the expressed policy of the Administration for reasonable limitations of imports of wool products.

While Kansas is not a wool manufacturing state, one of our agricultural products is wool. Our growers have no outlet for their wool except through our domestic mills. Since World War II some 300 domestic wool textile plants have disappeared, along with 60 per cent of key manufacturing machinery and tens of thousands of jobs.

Mr. President, in 1964 when you stated that imports of wool products must be held at reasonable levels and that the industry should be restored to good health, the volume of wool textile imports had reached 22 per cent of our production. However, this past year the ratio increased to 27 per cent. In some categories such as worsteds, knitwear and wool shirts, we are advised that import concentration is in the range of 50 per cent.

From your address to the agricultural groups who met with you at the White House a few weeks ago, we know that you share our concern for the well-being of agriculture as well as our wool textile industry. If wool textile imports continue to decimate our domestic mills, domestic wool growers in Kansas and the other 49 states (all of which produce wool) will have no market for their raw wool production.

Therefore, Mr. President, in the interest of our entire U.S. wool industry, we strongly urge the Administration to do everything possible to insure that wool textile imports are held at reasonable levels.

Sincerely,

ROBERT DOLE.
CHESTER L. MIZE.
GARNER E. SHRIVER.
JOE SKUBITZ.
LARRY WINN, Jr.
FRANK CARLSON.
JAMES B. PEARSON.

National Conference of State Societies—OAS

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 1967

Mr. KEE. Mr. Speaker, I should like to call to your attention a recent event which I believe exemplifies public effort to further the worthy mission and goals of the Organization of American States. The notable occasion was the grand ball of the National Cherry Blossom Festival sponsored by the National Conference of State Societies and held for the first time in the Hall of the Americas, Pan American Union, Washington, D.C., April 4,

1967. An attendance of over 800 distinguished persons represented all of the States of the Union, the Commonwealth of Puerto Rico, the Territory of Guam, and most of the Latin American countries. The entire court of princesses, as selected by State societies, military escorts, and beautiful young Latin American girls in native costume were presented to the 1966 festival queen, who flew into Washington from Chattanooga University, Tenn. The queen, Miss Adele Geraghty, was honored by the presence of His Excellency Dr. Savillia-Secasa, Ambassador representative of Nicaragua; dean of the diplomatic corps and OAS Council Chairman, His Excellency Dr. Ritter-Aislan, Ambassador representative of Panama, and Senora Ritter, who were seated adjacent to the throne. The spectacular pageantry was enhanced by the music of the Chilean Folklore Singers, Sonny Seixas Latin Orchestra, and the U.S. Drum and Bugle Corps. Television celebrities Miss Inga Runvould and Mr. Mac McGarry of WRC–TV officiated as mistress and master of ceremonies.

The well-chosen remarks of National Conference President Robert James Schissell, of Nebraska, which introduced the main presentation event, are considered most descriptive of conference background and objectives. Mr. Schissell said:

> For over a century State Societies have functioned in our great Nation's Capital, bringing together those whose lives were influenced through past residence in their home State. The result was a rewarding experience for many individuals representing the fields of Government, business, the arts and communications. Noted public officials have served and are currently serving as leaders of their respective State organizations. The President of the United States, Lyndon B. Johnson, in fact headed the Texas State Society while serving in the United States Senate.
>
> So great was the impact of these groups on the social and cultural life of Washington that in the year 1952, the Congress chartered the National Conference of State Societies to "promote friendly and cooperative relations between the various State and Territorial Societies in the District of Columbia, and to foster, participate in, and encourage educational, cultural, civic, and patriotic programs and activities." On this occasion, the Grand Presentation Ball, the Conference has fully accomplished its educational and cultural mandate by joining all of the Americas within the international scope of the Cherry Blossom Festival.
>
> This evening we are gathering in a magnificent building, rich in tradition, the House of the Americas and the permanent seat of the Organization of American States. For over 140 years the peoples of this hemisphere have been working together, in a cooperative fashion, toward peace, understanding and a better relationship. The OAS embodies today the aspirations of 440,000,000 Americans from Alaska to the southern-most tip of Argentina, and its outstanding achievements in the political as well as the economic and social fields are world history. It is therefore appropriate tonight in the presence of this distinguished representation from all states of the hemisphere, and in the spirit of the Cherry Blossom season, we salute the OAS and the Inter-American System on its 77th Anniversary, and express our hope for the continued success of its worthy mission.

The highlight of the evening was receipt of a telegram communication from honorary chairman HUBERT H. HUMPHREY, Vice President of the United States, and read to the audience by his sister, the charming, vivacious Frances Humphrey Howard, who served as vice chairman.

Mr. HUMPHREY's message read:

> From Western Europe, I send warmest greetings to your gala Cherry Blossom Princess Presentation Ball. I have asked my sister to bring this message of pride and pleasure from afar. Best wishes for a joyous evening to one and all. My congratulations to the attractive Princesses and special thanks to the National Conference of State Societies. Hubert H. Humphrey.

Subsequent to his return from Europe, Mr. HUMPHREY kindly forwarded an autographed program to each of the court. Inasmuch as the majority of the 1967 princesses are currently attending college, it is believed that this fine gesture on the part of the Vice President will stimulate academic interest in the Organization of American States. Great personal interest in Latin America was expressed by all who witnessed the ball pageantry.

Serving the occasion were the Honorable CHARLES H. WILSON, Member of Congress, chairman of the ball; His Excellency, Dr. Jose A. Mora, Secretary General, OAS, honorary first vice chairman; his Excellency Raul Diez de Medina, Ambassador representative of Bolivia, honorary vice chairman; the Honorable SANTIAGO POLANCO-ABREU, Resident Commissioner, Commonwealth of Puerto Rico, honorary chairman; the Honorable F. Joseph (Jiggs) Donohue, District of Columbia, honorary vice chairman; His Excellency, Mr. Sol M. Linowitz, Ambassador representative of the United States to the OAS Council, honorary vice chairman; the Honorable JOSEPH MONTOYA, U.S. Senate, honorary vice chairman; the Honorable JAMES KEE, Member of Congress, honorary vice chairman; and Mrs. Rush D. Holt, chairman, princess committee.

President Johnson and Vice President Humphrey Carry Nation's Worldwide Responsibilities

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 1967

Mr. EVINS of Tennessee. Mr. Speaker, President Johnson and Vice President HUMPHREY are traveling extensively on missions of peace and good will, which are necessary and essential because of the Nation's position of world leadership.

President Johnson today is in West Germany, attending the funeral of former Chancellor Adenauer, to be followed by discussions with West German leadership.

Vice President HUMPHREY recently visited a number of European nations and President Johnson recently has attended the Latin American Conference and the Manila Conference of Asian Nations, among others.

In this connection, because of the interest of my colleagues and the American people in this matter of foreign policy and our international responsibilities, I ask unanimous consent that my newsletter, Capitol Comments, be inserted in the RECORD.

The newsletter follows:

THE PRESIDENT AND THE VICE PRESIDENT TRAVEL EXTENSIVELY AS UNITED STATES EXERCISES WORLD LEADERSHIP RESPONSIBILITIES

> The position of world leadership held by the United States again has been clearly demonstrated in recent weeks and months as President Johnson and Vice President Humphrey have traveled to Asia, Europe and South America as goodwill ambassadors and to exercise the responsibilities of this nation's leadership in world affairs and the promotion of peace.
>
> The President last week attended a Latin American hemispheric conference in Punta Del Este, Uruguay in South America, to strengthen our Good Neighbor Policy—initiated by Cordell Hull—and to reassure our friends in this hemisphere of our continuing concern for their growth and progress. This nation's Alliance for Progress with South American nations is a part of the general effort to stop the onrush and spread of Communism by assisting these nations in eliminating conditions that provide seed beds for the growth of Communism.
>
> The Vice President last week flew to Germany, Italy, Great Britain, Belgium, France and other European nations where in his visit he sought to strengthen the bridges of friendship with our European allies. He also has visited Canada earlier this year.
>
> President Johnson recently played the major role in the Manila Conference of free Asian nations—and has twice met in Guam in the Pacific recently with representatives of South Vietnam and our military and civilian leadership from Saigon to discuss the progress of our effort to halt Communist aggression and promote accord and peace. En route from the Manila Conference, President Johnson went on to Vietnam to visit our fighting men there and to reassure them and our allies of our determination to stand firm and to halt Communist aggression.
>
> Responsibility rests heavily upon the shoulders of our country as the most powerful nation in the world. In this modern world, with transportation and communications cutting distances constantly, events in any part of the world can have an effect upon our future. Each development must be studied and evaluated—and appropriate action taken.
>
> President Johnson and Vice President Humphrey are striving constantly to bolster the cause of freedom in the world and their journeys to the far ends of the earth emphasize the concern and importance to our nation of developments everywhere.
>
> It is significant that communism finds little support in nations that are healthy economically. Our technology and our agricultural and industrial know-how are assisting undeveloped nations in building strong foundations for democratic governments.

Representation of the District of Columbia in Congress

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 1967

Mr. CELLER. Mr. Speaker, on April 20, 1967, I addressed the Democratic

Central Committee of the District of Columbia on the subject of representation of the District of Columbia in Congress. Under leave to extend my remarks in the RECORD, I am pleased to include my statement and the text of House Joint Resolution 396, which I introduced on March 7, 1967, to amend the Constitution to provide for such representation.

REPRESENTATION OF THE DISTRICT OF COLUMBIA IN CONGRESS

I cannot tell you how pleased I am to be here with you tonight, and so to have this opportunity to talk to you about the constitutional amendment which I introduced to provide for one Representative from the District of Columbia in the House, and for such additional representation in the House and Senate as Congress may from time to time prescribe.

I consider this to be one of the most significant pieces of legislation before the House in the 90th Congress and I propose to have hearings before the full Judiciary Committee in a matter of weeks so that this proposal can move forward. I am not for one moment under the illusion that this will be an easy task. I am depending on people like you to give me and other like-minded Members every assistance you possibly can.

I need not tell you that opposition to this proposal will come from quarters who will hide the real reason for their opposition behind superficial arguments like—

(1) This is the Nation's capital and should remain in a special status;

(2) The people in the District are not really interested in having a Member in the House;

(3) We have committees in the House and Senate which can adequately look after the interests of the people of the District;

(4) Two committees in Congress can provide better representation than one Member out of 435 and, hence, a Member would be superfluous;

(5) The committees plus the Commissioners should suffice to protect the residents of the District;

(6) Let's not disturb the unique position of the District; and

(7) Taxes for the inhabitants of the District would increase, and so forth and so on.

I will not seek tonight to demolish each of these arguments. I think you know the answers as well as I do. I want to point out, however, a few very interesting facts. The population in the District, as indicated by the 1960 census, was 763,956. Based on the same census, we find that the average Congressional district is composed of 410,000, based on population count. No reason exists why 410,000 people living outside of the District are entitled to representation, and the 763 odd thousand people of the District are not. Significantly, Alaska was made a State with only 226,167 and Hawaii was made a State with 632,772.

The major prohibition, of course against representation in Congress for the District of Columbia lies in the Constitution. This we propose to remove. The Constitution does provide in Article 1, Section 8, that

> The Congress shall have power . . . to exercise exclusive legislation in all cases whatsoever, over such District, (The District of Columbia) not exceeding ten miles square, as may by cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States.

Article 1, Section 2 states that "No person shall be a Representative . . . who shall not, when elected, be an Inhabitant of that State in which he shall be chosen." The District of Columbia is not a State. Article 1, Section 3 requires that the Senate shall be composed of two Senators from each *State*. Once this constitutional amendment has passed the House and Senate and been ratified by the legislatures of three-fourths of the States, these provisions will not be applicable.

We must note that in the Committee on the District of Columbia in the House there are twenty-five members, only three of whom comes from States adjacent to the District. The chairman of the committee is from South Carolina. There is one member from Mississippi, two members from Illinois, two members from New York, one member from Texas, one member from North Carolina, one member from California, one member from Michigan, one member from Georgia, one member from Florida, three members from Minnesota, one member from Washington, one member from Indiana, one member from Wisconsin, one member from Ohio, one member from Virginia, two members from Maryland, one member from Kansas, and one from Arizona.

On the Senate committee, we have one Senator from Nevada, one from Oregon, one from New York, one from Maryland, one from Virginia, one from Vermont, one from Colorado, and one from Kentucky. There we have it, all around the mulberry bush, far and near, but the District stands in "splendid isolation"; that is, splendid isolation from representation in the House of Representatives or the Senate, but not isolated from all the needs and aspirations common to all the districts in the United States.

No home rule, no representation in national legislation—and it was only by dint of the hardest kind of labor that the people of the District of Columbia gained the right, the privileges, and the duty to vote for the President and Vice President of the United States.

Of course, if representation is a valueless thing, a hollow word, then why bother with representation for all the other areas of this vast country. Back in 1802, the inhabitants of the City of Washington and the District of Columbia could have a mayor and counsel; in 1812, the District of Columbia could have a mayor, a board of aldermen, and a board of common council to be elected by ballot, all of which elected officials were to be residents of the District.

All of that has long since changed. In what way have the people of the District of Columbia changed, that now it shall be presumed, and is presumed, that they can only exist as political wards of Congress?

Many is the time when a resident of the District of Columbia walks into my office, seeking advice and help. Were I to undertake all the chores requested of me by the residents of Washington, it might preempt all the time I must give to my own constituents; and what is true of me is true of all other Members of Congress. What recourse do I have but to send a supplicant to the District of Columbia Committee? Yet no one on the District Committee comes from the District of Columbia.

I need not belabor these points here. I had best save my ammunition for those who need convincing—and there are far too many who do! The argument I hear more often than any other is that the people of the District are not really interested in having representation in Congress. They must be convinced otherwise and this is part of your job. If you have friends in areas outside of Washington, let them make their wishes known to their Congressmen. We need every newspaper editorial we can get in *all* parts of the country; we need radio programs, television programs, magazine articles which will reach beyond the confines of this district, for the irony of it all is that the fate of this constitutional proposal will depend upon the will and whim of Members of Congress whose constituencies are far removed from this area.

If I make such a program seem difficult, I do so only because of my knowledge that the responsibilities of Members of Congress are so great, that the demands upon their time are so heavy, that it is understandable that a large chasm of indifference lies between the introduction of this proposal and its final enactment, and then upon its ratification by three-fourths of the States. If I exaggerate the enormity of the task, then I say, "Far better this exaggeration than to under-assess the difficulties." In that direction lies failure.

When I proposed the amendment granting the vote to the District in the Federal election of President and Vice President, I learned this lesson—one does not take justice and right and fair play for granted. These are earned by work, more work, and still more work.

Again I assure you that there will be hearings, that I will press with all the energy at my command for the adoption of this constitutional proposal. I believe that we will succeed if we want it badly enough, and as you know from my record, I do not brook failure easily.

The first proposal to give representation to the District of Columbia in the House of Representatives was introduced in 1877 in the 45th Congress. Shall we not say that we have waited long enough for this proposal to become a reality?

Thank you.

The text of the Joint Resolution follows:

H.J. RES. 396

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE—

"SECTION 1. The people of the District constituting the seat of Government of the United States shall elect at least one Representative in Congress and, as may be provided by law, one or more additional Representatives or Senators, or both, up to the number to which the District would be entitled if it were a State.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 3. This article shall have no effect on the provision made in the twenty-third article of amendment to the Constitution for determining the number of electors for President and Vice President to be appointed for the District."

Armenian Sacrifice—A Lesson for Today

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 1967

Mr. ST. ONGE. Mr. Speaker, April 24 marks the anniversary of the greatest single disaster in the history of the Armenian people. It was on that date in 1915 that the Turks commenced the wholesale deportation of its Armenian population of 1,750,000 to Syria and Mesopotamia. Despite pledges of loyalty, the Turks claimed the Armenians comprised a dangerous foreign element and used this as a pretext for an outrageous act of genocide. The operation was conducted with extreme barbarity and brutality, and it is estimated that 600,000 Armenians died or were massacred en route with only one-third escaping deportation.

On the anniversary of this senseless, sad, and tragic event, let us honor the memory of those martyrs of the proud and ancient Armenian people whose lives were so needlessly sacrificed. While we cannot bring them back to life, we can, however, best memorialize them by following the lessons this catastrophe has taught, and we can also rededicate our own actions in remembrance of them.

First, let us realize the basic worth of all men. This is nowhere more evident than in the history of Armenia. Throughout the centuries the Armenian people have suffered enormously as a buffer zone between rival empires, yet its people have created and maintained a marvelously rich culture. Its architecture is distinguished by great diversity and holds an important place in the history of medieval art. Armenian sculpture and painting were known from before the Christian era, and as early as the 10th century Armenian carving was renowned for its decorating effect in the Church of the Holy Cross which was situated on an island in Lake Van.

The crafts of Armenia likewise have long been recognized, especially those of the gold- and silver-smiths and weavers. In addition, this venerable race developed and kept its own language, church, and literature. The present-day inheritors of this culture, who have immigrated to the United States, have brought these same gifts of creativity with them and we are the richer for it.

Second, let us recognize that man's inhumanity to man does not find a more debased expression than in senseless and unreasoning racial prejudice and injustice. History has consistently demonstrated that the first step to any nation's destruction has been the recourse to ethnic bigotry, prejudice, and the deportation or slaughter of minority groups.

Third, in memory of those who died in this terrible tragedy, let us vow to put aside racial animosity wherever it exists and go forward to preserve and uphold human dignity and existence whether threatened by disease, famine, or genocide.

Medical Mission Sisters

EXTENSION OF REMARKS
OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 24, 1967

Mr. EILBERG. Mr. Speaker, a team of 700 women dedicated to medical assistance in developing countries has its American headquarters in Philadelphia. Trained as doctors, nurses, pharmacists, technicians, administrators, secretaries, and so forth, these women, known as Medical Mission Sisters, operate hospitals in the 13 countries of Asia, Africa, and Latin America. Their aim is to give professional medical care, in its full scope, including surgery and obstetrics, and to educate local people in nursing, midwifery, and other paramedical services.

The Medical Mission Sisters were one of the voluntary agencies honored by President Johnson on December 12, 1966, for their work in Vietnam. Speaking for the President, Vice President Humphrey said:

> Throughout the years, the compassion of our people—by individuals, by private groups, such as are here represented today, and by our Government—has brought comfort to people in distress in many countries and under many and difficult circumstances.

Representing the Medical Mission Sisters were Sr. Virginia Sayers, M.D., of Toledo, Ohio, and Sr. Karen Gossman, of Louisville, Ky., administrator of Holy Family Hospital, Qui Nhon, South Vietnam. This hospital, started by the Medical Mission Sisters 6 years ago, has cared for over 100,000 Vietnamese people, many of them refugees.

Washington, D.C., was the birthplace of the Medical Mission Sisters in 1925. They were founded by a 33-year-old woman, Anna Dengel, M.D., with another doctor and two nurses. Dr. Dengel had worked for several years in northern India, where she had been overwhelmed by the vast medical needs of Muslim women whose religious and social situation would not allow them to be treated by male doctors. Realizing that a group of dedicated women, professionally equipped to give complete medical care, could make a much greater contribution than her own individual efforts, Dr. Dengel returned to Europe and the United States for help. For a number of years the Sisters concentrated their efforts on India. As the group grew in numbers, the Sisters spread out into other countries. Now they are in Vietnam, Indonesia, the Philippines, Jordan, Venezuela, and six countries of Africa, besides India and Pakistan.

Some of the American girls who join the Medical Mission Sisters already have professional training. The others are educated by the Sisters. As the medical standards keep rising, more and more specialization is necessary. This month Sr. Miriam Paul Klaus, M.D., of Louisville, Ky., will be installed as a fellow of the American College Obstetricians and Gynecologists, the first Sister to receive this honor. She is now practicing her profession at the Medical Mission Sisters' 150-bed Holy Family Hospital in Dacca, East Pakistan. Sr. Frederic Niedfield, M.D., of Brooklyn, Sr. Matthias Zimmerman, M.D., of Fort Loramie, Ohio, and Sr. Austin Jung, M.D., of Cincinnati, Ohio, are all fellows of the American College of Surgeons, and are practicing in India and Pakistan. Several others of the society's 50 doctors are also board-qualified in various specialties.

> When you're the only doctor around, and a woman is brought in from a village after three days of labor with a ruptured uterus, you *have* to know just what to do, and do it quickly—

Says Sister Mary Luke Gray, M.D., of West Hartford, Conn., who has just passed the exams that make her a diplomate of the American Board of Obstetrics and Gynecology, and will return to Pakistan.

The Sisters consider their training schools one of their most important contributions to the countries in which they work.

> We can't work like a hundred people—

Says Sr. Bernarda Bilsborough, a medical technologist who has spent nine years in Venezuela—

> but we can train a hundred people to work with us.

Last year, when the University of Zulia in Maracaibo, Venezuela, decided to open a school of nursing, they asked the Medical Mission Sisters to take charge of it. In Ghana, West Africa, they were asked by the Government to undertake the training of all the midwives in the Brong-Ahafo district.

The Medical Mission Sisters' work is financed through voluntary contributions and by help from the people of the countries in which they work. They report that it is a day-to-day struggle to make ends meet, and in some cases their work is severely limited by lack of resources. For example, the Government of Ghana has just upgraded nursing education to a state-registered nurses program. There are only two schools in the country qualified to give this type of training. The Brong-Ahafo district, where the Medical Mission Sisters operate a 100-bed hospital in Berekum, needs one of these schools of nursing for the benefit of its 600,000 residents. The Ghanaian Government has asked the Sisters to undertake the project, which would necessitate a 25-bed addition to the hospital and classrooms and dormitories for the students. The Government itself is unable to contribute toward it at this time. The Sisters have a promise of help from Misereor (an organization of German bishops in connection with the German Government), but still lack $200,00 to make the project possible.

The American Province of the Medical Mission Sisters is headed by Sister Miriam Hoover, at 8400 Pine Road, Fox Chase, Philadelphia. Over half the Sisters in the society are American. Other nationalities are Dutch, Indian, English, Filipino, and Indonesian. Working together for the people in developing countries, they try to show the brotherhood of man.

SENATE

Tuesday, April 25, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God who art the hope of all the ends of the earth: Amid the tragedy of a broken world, at noonday facing the tasks of a new week, in deep humility of spirit we would ascend the altar stairs of this hallowed shrine of our faith in spiritual verities. Before we talk of the Nation's good we would lift our needy hearts to the Nation's God, for in Thee we trust.

Grant unto us that greatness of vision which shall match the vast patterns of this creative day. Save us from setting narrow limits upon our responsibility to our fellow men. May no pettiness in our patriotism rob us of the ruling passion to sacrifice all for the common good. May we never hesitate when the choice is between honor and self-interest. Bring us, we pray Thee, to an enduring peace, when justice shall roll down like the waters and righteousness as a mighty stream.

We ask it in that name above every name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 24, 1967, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 824. An act to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia;

H.R. 828. An act to provide criminal penalties for making certain telephone calls in the District of Columbia;

H.R. 2824. An act to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivor benefits;

H.R. 2897. An act to equalize the retirement benefits for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability;

H.R. 3370. An act to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended;

H.R. 3399. An act to amend section 2 of Public Law 88-240 to extend the termination date for the Corregidor-Bataan Memorial Commission;

H.R. 3931. An act to amend the act of April 3, 1952; and

H.R. 7417. An act to prescribe administrative procedures for the District of Columbia government.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 824. An act to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia;

H.R. 828. An act to provide criminal penalties for making certain telephone calls in the District of Columbia;

H.R. 2824. An act to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivor benefits;

H.R. 2897. An act to equalize the retirement benefits for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability;

H.R. 3370. An act to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended;

H.R. 3931. An act to amend the act of April 3, 1952; and

H.R. 7417. An act to prescribe administrative procedures for the District of Columbia government; to the Committee on the District of Columbia.

H.R. 3399. An act to amend section 2 of Public Law 88-240 to extend the termination date for the Corregidor-Bataan Memorial Commission; to the Committee on Foreign Relations.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection with routine morning business be limited to 3 minutes, after the speeches by the distinguished Senator from South Dakota [Mr. McGovern] and the distinguished Senator from West Virginia [Mr. Randolph].

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR McGOVERN

The PRESIDENT pro tempore. Under the order of Wednesday, April 19, 1967, the Senator from South Dakota [Mr. McGovern] is recognized for a period not to exceed 1 hour.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator from South Dakota yield me 3 or 4 minutes, with the time not to come out of his time?

Mr. McGOVERN. I yield.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

TRIBUTE TO SENATOR MARGARET CHASE SMITH—50TH HONORARY DEGREE

Mr. MANSFIELD. Mr. President, over the weekend our distinguished colleague, the senior Senator from Maine [Mrs. Smith], one of the ranking Senators in this body, received her 50th honorary degree from Bates College in the State of Maine. I take this occasion to extend my congratulations and best wishes to Senator Smith for a well-deserved honor and also to Bates College for having the perspicacity and judgment to recognize the talents and contributions of the distinguished Senator from Maine.

In the House of Representatives, in which she preceded me, our offices used to be next to one another. I received much in the way of advice and counsel from Representative Smith, and I have continued to be the recipient of her wisdom in my 15 years in the Senate.

After the completion of a quarter of a century of public service in the Congress of the United States, Senator Smith has made a record of which she can be proud. She has maintained her integrity, her tolerance, and her understanding of problems and people. She is one not easily swayed after she has studied the facts and made up her mind. Her contributions to the Republic have been many and lasting. They furnish the living monument which she has built over the years and this monument stands straight and tall in the annals of this legislative body.

Again my best wishes and congratulations—and I know I speak for the Senate as a whole—to the senior Senator from Maine for a record of real accomplishments and a job well done.

Mr. AIKEN. Mr. President, on Saturday, April 22, the Senate was signally honored when the senior Senator from Maine [Mrs. Smith] received her 50th honorary degree from Bates College in Maine. I was very happy to read the remarks of the president of Bates College, Thomas Hedley Reynolds, when he conferred that degree, because he left Vermont to become president of Bates College. His remarks were partially as follows:

> Margaret Chase Smith: What could be more appropriate for a recent immigrant from Vermont than to have the privilege of conferring a degree on an indomitable Yankee whose credo is thoroughly understood on the other side of New England and across the world. For your honesty, for your courage, for your simplicity, we honor ourselves in conferring upon you this degree. Therefore, by the authority vested in me by the Board of Trustees, I confer upon you the degree of Doctor of Laws with all of the rights, privileges, and obligations which here and everywhere pertain to this degree.

I do not think that anything I could say would add much to what my fellow Vermonter, who is now president of Bates College, said in presenting the degree to Margaret Chase Smith except to say that we are all extremely proud of this new honor which has come to her. I ask unanimous consent to have printed in the Record the citation which accompanied the honorary degree.

There being no objection, the citation was ordered to be printed in the Record, as follows:

> Mr. President, it is my honor to present Margaret Chase Smith, United States senator from the State of Maine.
>
> In a college which from its founding has

declared itself for the principle of equal educational rights for women, it is always gratifying to commend careers which justify this historic commitment, and especially so in the case of Mrs. Smith, who has brilliantly excelled in a field long held as a monopoly of men, and still so dominated.

Born in Skowhegan, Margaret Smith began a career as a newspaperwoman and business executive, before successfully running for her late husband's congressional seat in 1940. Three times returned to the House of Representatives, she won a place in the Senate in 1948, by the largest plurality in the history of Maine politics. Overwhelmingly reelected in every contest since, she is now the only woman ever to have served four elected terms in the Senate. Her seniority has brought her many responsible committee assignments, and she speaks with an increasingly influential voice in public affairs. Her nomination for the presidency of the United States in the Republican convention of 1964, while unsuccessful, did serve both to demonstrate the stature she has within her party, and to serve notice that even the highest political office is considered attainable by a woman.

Mrs. Smith's long and unbroken voting record in the Congress has always been distinguished by a refreshing independence, and shows both a philosophic consistency and a sincerity that transcends party designations. This record of independent wisdom was memorably foreshadowed as early as 1950, when in her first major address in the Senate, she bravely proclaimed her now-famous "Declaration of Conscience" against irresponsible members of her own party engaged in acts of slanderous defamation under the protection of Congressional immunity.

For a long and honorable career in the public life of this nation, and for the inspiration her example has given to men and women alike, I am proud to present Margaret Chase Smith, for the degree, Doctor of Laws.

THE JAPANESE AMERICAN CITIZENS

Mr. MANSFIELD. Mr. President, during the Second World War a great injustice was done to a group of Americans who in dedication, devotion, and patriotism were exceeded by none. I refer to the long and shameful record of discrimination against the Japanese, both foreign and native born, until recent years. They were discriminated against in not being able to become naturalized citizens until 1952. They could not own land in California until a statute of that State was declared unconstitutional in 1952. After Pearl Harbor they were discriminated against still further even though the records show that there has never been a single case of sabotage or espionage, either in Hawaii or on the mainland of the United States.

The Japanese Americans, above all other groups, proved their loyalty to the United States to the extent that the most decorated Army outfit of the United States of the Second World War was the famed 442d Regimental Combat Team, which was composed almost entirely of Nisei. In this respect, may I call the attention of my colleagues to one of our very own, the Honorable DANIEL K. INOUYE, a former Congressman of the United States and now a Senator of the United States, representing Hawaii. DAN INOUYE enlisted in the 442d Regimental Combat Team as a private, engaged in some of the most bloody encounters in the Second World War, lost an arm, earned a battlefield promotion, numerous decorations for bravery, and is now a captain in the U.S. Army Reserve. Incidentally, the motto of this fighting outfit was "Go for Broke," which means "all the way." There is no more dedicated, more patriotic, or more devoted citizen than our outstanding colleague, and I applaud him and his comrades for their many contributions to our country and for their devotion to its principles. They have overcome many handicaps imposed on them without their consent, but they have emerged unscathed.

Earlier this month, the U.S. Supreme Court, by an 8-to-0 vote, decided that the U.S. Government owes $10 million to 4,100 Japanese Americans whose savings were confiscated as "enemy property" 25 years ago. I applaud this decision, but it is only partial compensation for the shame which is this Nation's because of the wholesale uprooting and detention of well over 100,000 Japanese Americans who were guilty of no crime and who were treated with great disrespect and great shame. I know something about these detentions because several thousand Japanese Americans were sent to Fort Missoula, Mont. In that unhappy period I was a member of the faculty of the University of Montana and was one of those who sat as a judge to determine what should be done about these fellow countrymen of ours. I am happy to say that insofar as we were concerned in Montana, they were treated with dignity, respect, and consideration. Yet it is a sad memory.

It would be my hope that the Supreme Court would now make a judgment on whether the mass evacuation was legal and justified so that an incident of this kind would never again occur in the history of the Republic unless completely justified and on solid legal ground.

Mr. President, I ask unanimous consent that an editorial in the latest issue of Life magazine, entitled "Epilog to a Sorry Drama," be inserted in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EPILOGUE TO A SORRY DRAMA

The last quiet act in a shameful drama—the wholesale uprooting and detention of 112,985 people who were guilty of no crime—was performed this month in Washington. By an 8-to-0 vote, the Supreme Court decided that the U.S. government owes $10 million to 4,100 Japanese-Americans whose savings were confiscated as "enemy property" 25 years ago.

The decision recalled a page from our past which may be unknown to many of the young Americans who today are concerned with civil rights. It's not something we talk about very much. But perhaps we should, lest we and they grow too complacent about rights we like to think are already well established.

By Dec. 7, 1941, America—and particularly the West Coast—had a long record of discrimination against Orientals. Japanese were ineligible to become naturalized citizens until 1952. A California statute (declared unconstitutional in 1952) prevented Japanese from owning land. But on Dec. 7 came the sneak attack on Pearl Harbor, and there soon spread a pervasive, often irrational, fear of the people in our midst who shared the heritage of the enemy and whose faces set them apart. The Japanese-Americans were treated as enemy aliens, despite the fact that the majority of them—the more than 70,000 "Nisei," or members of the second generation—were born in this country and were thus American citizens.

For the first two months after Pearl Harbor the atmosphere on the West Coast was relatively calm. But as Singapore fell, and as reports of Japanese submarines operating off the coast spread, the West Coast felt its own security from sabotage threatened. Some congressmen, state officials and newspapers began to play on the fear and prejudice.

On Feb. 19, 1942, President Roosevelt signed an executive order giving the military the authority to move the Japanese-Americans off the West Coast. On a few days' notice they were ordered to dispose of their property (many of them lost everything they had; their total loss was estimated at $400 million) and were assigned to "relocation centers"—villages of tar-paper barracks behind barbed wire. Most stayed there until 1945, although thousands were allowed to resettle elsewhere in the U.S. before then.

The official rationale for the evacuation was "military necessity." Yet, even though this could not have been foreseen at the time, the fact is that not a single case of sabotage or espionage involving a Japanese-American was ever established. It is a high tribute to the Japanese-Americans' determination to prove their loyalty to the U.S. that one of the most decorated American Army units of the war was the famed 442nd Regimental Combat Team, manned largely by Nisei.

Today the Japanese-Americans who lived through the ordeal of relocation are remarkably free of bitterness. The Nisei and their children have been conspicuously successful in almost every area of American life. Yet a sorry memory remains. Wartime certainly justifies moving against individuals suspected of sabotage or espionage, and it was probably practical to move enemy aliens from the neighborhood of vital defense installations. But it was wrong to detain indiscriminately thousands of people, without charge or trial, and it is regrettable that even in making restitution, the highest court has not passed judgment on whether the mass evacuation itself was legal and justified.

Mr. LONG of Louisiana. Mr. President, will the Senator from South Dakota yield to me?

Mr. McGOVERN. Mr. President, I ask unanimous consent that I be permitted to yield to the Senator from Louisiana [Mr. LONG], the Senator from Kansas [Mr. CARLSON], and the Senator from Delaware [Mr. WILLIAMS], without their time being taken out of the time allocated to me.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I wish to congratulate the majority leader for the dramatic statement he has made about the Japanese-American citizens, particularly with reference to DAN INOUYE and the magnificent record of the 442d Regimental Combat Team.

I am familiar with that outfit, and the marvelous record made by those people had much to do with causing me to change my vote to favor Hawaiian statehood, when I became aware of the fine contribution that men like DAN INOUYE had made for their country.

I do not believe the Senator from Montana fully explained the origin of the term "go for broke." I believe it is a term that one would use in gambling, where one would put everything he had on the line and throw the dice for everything he had left on earth, and he would "go for broke." He either goes broke or he wins.

That is the way those young men felt. They either won for their country or they died. That is what they had in mind. Qualitywise they were, perhaps, America's best fighting unit, with the possible exception of the "Green Berets" or the Army Special Forces, but I doubt whether the Special Service Forces had a better record than the 442d Regimental Combat Team, in light of the courage it displayed.

Mr. President, I recall that not a single man surrendered and that only one man was captured by the enemy, and he had been so badly injured that he was unable to fight any longer.

The record of the 442d Regimental Combat Team is among the finest records in combat anywhere.

TESTIMONIAL DINNER AND PRESENTATION OF HERBERT HOOVER AWARD TO SENATOR HAYDEN

Mr. LONG of Louisiana. Mr. President, it was my pleasure to attend a testimonial dinner yesterday evening in honor of the Senator from Arizona [Mr. HAYDEN], at which the distinguished President pro tempore of the Senate was given the Herbert Hoover Award.

The dinner in honor of the distinguished Senator from Arizona was one of the most enjoyable evenings that I have had in years. I learned many things about the Senator from Arizona that I had never known before. I learned about CARL HAYDEN's record, starting with the days when he was the treasurer of his county, the sheriff of his county, and a football player for Stanford University. I learned many other things about him that I had not known before.

Mr. President, on behalf of myself and the Senator from New Jersey [Mr. WILLIAMS], I ask unanimous consent to have printed in the RECORD a statement delivered by the distinguished Senator from Arizona [Mr. HAYDEN].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR CARL HAYDEN IN ACCEPTANCE OF THE 1967 HERBERT HOOVER MEDAL FOR DISTINGUISHED SERVICE, APRIL 24, 1967

Mr. Golden, Secretary Gardner, Secretary Rusk, Secretary McNamara, Fellow Senators, Members of Congress, Mr. Pulliam, President Sterling, Ladies and Gentlemen of the Press, and My Friends:

I was 17 years old when I graduated from the Arizona Territorial Normal School at Tempe, Arizona, in June, 1896. My father, who was a well educated man, decided that I should go to Stanford University. In September, when I presented my Normal School records to the Registrar, he informed me that I had only eight entrance credits and twelve were required for admission to the University. He then softened the blow by saying that I would be permitted to register as a special student and that I could remain as long as I made a passing grade in all my classes, every hour, every semester.

It is needless to say that I did not take Latin, Greek, or mathematics. I devoted my time to courses in economics, history and English. The only exception was a course in elementary geology under Doctor John Casper Branner.

I came to the University wearing a cowboy hat and corduroy trousers. I lived in Encina Hall and nobody paid any attention to me. After some time, I wrote to my mother saying that if she wanted her boy to look like other boys she should send me some money. When it came, I went to San Francisco, where I obtained skin-tight pants, high roll-down collars, and all the other things that a young man then should wear. Immediately afterwards, I received invitations to visit fraternity houses, all of which were declined. I remained a "barbarian" so long as I was a member of the student body.

When I came to the University, I weighed about 130 pounds, so I went to the "gym" to build up my weight, where Tom Storey put me to pulling up chest weights. I tried the track, but my legs were too short to be a sprinter or a hurdler. I later got on the football second team where I played center. In time, I weighed 180 pounds.

In my junior year, I played in a practice game against the Olympic Athletic Club in San Francisco. The opposing center was a big, bull-necked man. When I had my head down as I passed the ball to the quarterback, he placed his big hands on my head and twisted my neck. So, when his head was down, I hit it with my knee and knocked him groggy. I then reflected on his ancestry and told him that he must play like a gentleman.

After that, we got along very well and at the end of the game, when I went to the showers, I asked who was that fellow who played against me. To my surprise, I then learned that he was Jack Monroe, who had fought in Butte, Montana, with Jim Jeffries, who soon afterwards became the heavyweight world champion prize fighter.

I did not take part in another practice game in San Francisco, when the mistake was made of bringing along the first Stanford axe. When the game was over and we were leaving the grandstand, the axe was handed to me to take back to the campus. I only had a few companions with me and we had not walked very far when we were surprised and surrounded by a mob of students from Berkeley. We put up a good fight. I knocked one man down with my fist, but they overpowered us and got away with the axe.

Based upon information that the axe could be found in a fraternity house, I went over to Berkeley one night with some others and raided the place, but our search disclosed that it was not there. After a lapse of years, I was pleased to learn that, as a token of good will, the axe was returned to Stanford.

Antony Henry Suzzalo, who afterwards became President of the Washington State University, was for a time my roommate in Encina. We were members of a Debating Society, and were chosen to represent Stanford in both the Intercollegiate and Carnot Debates. He was a natural orator and I doubt if I could have made either of them without his help.

In 1899, I came home for Christmas. My father became ill and passed away in February, 1900. I had to take charge of his flour mill, general merchandise store, and some farm properties so I could not return to Stanford. Later, I had an opportunity to turn over the mill at a good rental which made it possible for my mother to go to Palo Alto with my two sisters who became students at the University.

In 1904, I was selected at a Territorial Convention in Tucson to be a delegate to the Democratic National Convention held in St. Louis, Missouri, to nominate a candidate for President. I was made the Chairman of the delegation and performed my duty by standing on a chair and saying in a loud tone of voice, "Arizona casts four votes for William Randolph Hearst."

After I came home, I decided that I wanted to be the Sheriff of Maricopa County; but, when I went to the County Convention in Phoenix, the old political heads said that Tom Stout had been a good Sheriff and was entitled to a second term. They then offered me the nomination to be the County Treasurer and I accepted. During my two years as Treasurer, paper money was looked upon with disfavor. I counted out 20-dollar gold pieces to pay the quarterly salaries of all the County officials.

I was elected to be the Sheriff in 1906, and again in 1908. It was a profitable office. I received 30 cents a mile whenever I or my deputies had to travel anywhere in the Territory of Arizona to serve a warrant or papers in a civil suit. The travelling that we did was on horseback or on railroad trains. I could not persuade the Board of Supervisors to buy me an automobile for official use.

It was not until Arizona was admitted into the Union on February 12, 1912, that I turned over the Sheriff's office to my successor, Jefferson Davis Adams.

While I was the County Treasurer, I was elected to be the Captain of Company C, National Guard of Arizona, at Tempe. We cleared off the sagebrush from a thousand-yard rifle range and, by target practice, in the course of time, about half of the Arizona Rifle Team at the National Rifle Matches at Camp Perry, Ohio, consisted of members of my Company. With them, I became a fairly good rifleman—good enough to shoot a possible at 900 yards.

I was at Camp Perry for the third time in the fall of 1911, when I read in a newspaper a statement by President Taft that when Arizona adopted a Constitution it could become a State. I left for home, and with the support of only one weekly newspaper, I won the Democratic nomination for Member of Congress over two very able opponents, and was elected in December, 1911.

Without any legislative experience, I became a Member of the House of Representatives on February 19, 1912. When Congress was about to adjourn, Dorsey W. Shackelford, a Member from Missouri, gave me some good advice by saying, "When you go home you will be a Congressman; but you have not yet learned how to be one. Shake hands as you go along the streets, but if anyone stops to ask you about some piece of legislation, say that you must go on to keep an appointment. If you stop and talk to him, he will soon find out that you do not know any more than he does."

I have served in the Congress during the Administrations of ten Presidents, the first of whom was William Howard Taft. He was a kindly man, and put me at ease when I went to the White House to see him. I have often thought that if his son, Senator Robert Taft, had been fortunate enough to inherit his father's friendly manner, he might have become the Presidential candidate that he so much wanted to be.

I was an ardent supporter of Champ Clark, but he could not secure the required two-thirds majority to obtain the nomination for President at the 1912 Democratic National Convention in Baltimore, where Woodrow Wilson became the Party's choice. During his eight years in the White House, President Wilson secured the enactment of the Federal Reserve Act, the Clayton Antitrust Act, and tariff reform legislation—all of which was of benefit to our Nation. He not only had to bear the burden imposed upon him by the first World War, but also to suffer the failure of the Senate to ratify the Peace Treaty which he had negotiated in Paris.

Warren Gamaliel Harding became President in 1921. I went to see him at the White House with the late Dwight B. Heard, where we urged that money be provided for construction of a hospital in Phoenix to care for the many veterans of the first World War, suffering from tuberculosis, who were seeking to benefit by the dry climate of Arizona. He gave us no encouragement by saying that his medical advisors were of the opinion that tuberculosis could be cured in one place just as well as another.

Upon the untimely death of President Harding in San Francisco, in August, 1923, Vice President Calvin Coolidge came to the White House, and during the next five years I had several occasions to talk with him there. President Coolidge was a typical Yankee trader. I never asked him to do anything for me without his asking me to support legislation that he wanted to be enacted.

Herbert Clark Hoover became the next occupant of the White House, and I shall have more to say about him later.

When Franklin Delano Roosevelt became President on March 4, 1933, the Nation was at the bottom of what was called the "Great Depression." Business was stagnant and thousands of men were out of work. President Roosevelt used the radio to bring hope that ways could be found to restore prosperity.

I was then the Chairman of a Senate Committee which authorized appropriations for Federal aid to the States for the Construction of highways, which the States were required to match. At the White House, I suggested to the President that a good way to provide the much-needed employment would be to make highway construction funds available without requiring the States to match the money. He wanted to know what it would cost and I said 400 million dollars. He then asked how I had arrived at that figure and I said that I had telegraphed to all of the State Highway Departments, asking how much they could spend. President Roosevelt then said, "Go tell Bob Wagner to put it in the relief bill," which the Senator from New York did. Four hundred million dollars at that time was equal to twice that much money today.

After Harry Truman came to the Senate in 1935, it did not take us long to become good friends. The way in which he conducted the work of the Senate Committee appointed to investigate the cost of World War II munitions gained him a national reputation.

As Vice President, he had adjourned the Senate on the afternoon of April 12, 1945, and had stopped to talk to me, when he was called to the telephone to be advised of the death of President Roosevelt. He went from the Capitol to the White House where he took the Oath of Office.

As Chairman of the Inaugural Committee, on January 20, 1949, I escorted him up Pennsylvania Avenue from the White House to the Capitol to again take the Oath of Office as President of the United States. I am confident that he will go down in history as one of our great Presidents.

General George C. Marshall appeared before the Senate Committee on Appropriations in 1939. The German Army had invaded Poland and he wanted money to finance maneuvers in order to test the ability of officers to command men in battle.

We provided him with the money, and as a result of the Louisiana maneuvers, General Marshall picked General Walter Krueger, who led the real fighting all the way across the Pacific under Douglas MacArthur. His other selection was General Dwight David Eisenhower, who became the Commander of the American Forces in Europe.

I became well acquainted with President Eisenhower during his eight years in the White House. I opposed him on some domestic issues, but supported him in our relations with foreign nations. I was helpful to him when he needed help and we became good friends.

I got to know John Fitzgerald Kennedy when he came over to the Senate from the House of Representatives in 1953. He always gave me good attention when I went to the White House. At my suggestion, he appointed an Ambassador to a small Nation, and also acted promptly on my recommendation as to who should be the Chief of the United States Forest Service. His untimely death came as a great blow to all of us.

I became acquainted with Lyndon Baines Johnson when he was a Congressman from Texas. As a Member of the Senate Committee on Elections, I joined in counting the ballots which determined that he had been elected to be a Senator from Texas in 1948. I was glad to work with him when he became the Democratic Majority Leader in the Senate. Our long-time friendship has not abated since he entered the White House.

I now return to Herbert Hoover who, in 1928, became the 31st President of the United States. At the age of 17, he came from Salem, Oregon, to become a member of the first or Pioneer Class to graduate from Stanford University. He studied geology and mining engineering under Doctor Branner, and graduated in May, 1895. He worked his way through college by selling newspapers, and later became the manager of the football team which paid him a salary.

One day I saw a tall girl in a red dress walking across the Quad, and decided that I wanted to know more about her. I later learned that her name was Nan Downing and that she and Lou Henry graduated in the same class from the Los Angeles Normal School, and that they were both Kappas. I afterwards learned that in 1899, Herbert Hoover came from London to California to marry Lou Henry and take her with him to China.

As the Sheriff of Maricopa County, I delivered some convicts to the Territorial Prison at Yuma, and then went over to Los Angeles to capture Nan Downing. She was with me in Washington in 1917, when Herbert Hoover was appointed by President Wilson to take charge of the Food Administration. As a mining engineer, his activities took him to many parts of the world and he had made a million dollars before he was 30 years old. He later gained a world-wide reputation by the administration of food relief in Belgium to the hungry in Europe who were suffering as a result of the first World War. He knew only a few people in Washington, and it was through Lou and Nan that I first met him.

In 1920, Congressman Phil Swing of California joined with me in sponsoring an Act to create a Commission to apportion the water of the Colorado River among its seven basin States. We prevailed upon Mr. Hoover, whom President Harding had appointed to be Secretary of Commerce, to become Chairman of the Commission.

In 1922, he held hearings in each of the seven States, at the conclusion of which he expressed to me his disappointment because none of the States would agree to any division of the water. I said to him, "You are not a politician. This is an election year and when the election is over, if you will call a meeting of the Commission, you will get an agreement." He called a meeting of the Commission in Santa Fe, and the Compact was signed on November 24, 1922—about two weeks after election day.

When, on August 2, 1927, President Coolidge said, "I do not choose to run," Secretary Hoover took his word for it and set out to capture the Republican nomination for President, and the following year went on to defeat Al Smith for the highest office in the land.

As I review Mr. Hoover's philosophy, I find no fault in his ideals. His faith in the American economic system was founded on his own outstanding record as an enlightened business man. All the unanswered questions on the State of the Union during the 1920's had accumulated until, by 1932, they demanded answers at once. The times were against President Hoover.

His strength of character permitted him to endure the disappointment of a crushing political defeat. When, in the 1940's, he was called upon to head the Hoover Commission to study the efficiency of our Government, it was a tribute to Mr. Hoover, as a man, as an idealist, and a dedicated public servant.

I am pleased that Stanford University has memorialized President Hoover through this Distinguished Alumnus Award, and I am indeed honored to be this year's recipient of it.

I thank you.

CAREER SERVICE AWARDS PROGRAM

Mr. CARLSON. Mr. President, last Friday evening, April 21, the National Civil Service League held its 13th annual Career Service Awards program. The Career Service Awards program is a public service of the National Civil Service League designed to promote efficiency in government by—

Recognizing 10 career public employees for significant contributions; encouraging others in government service to pursue excellence; promoting public appreciation of quality in government; stimulating able young people to choose careers in government.

The recipients of the National Civil Service League's Career Service Awards, inaugurated in 1955, represent the best in public service.

The success stories of the 10 career civil servants who won the Career Service Awards of the League give an inkling of the jobs open to able young people in government today. But there's much more to the story. Their successes, adventures, rewards, satisfactions—though admittedly not typical—are shared by hundreds of thousands of other public employees. And more than 9 million people who staff National, State, and local government share these rewards today in every kind of occupation. They range from managing and manning thousands of social services to the frontiers of space.

This year's awardees are:

Philip N. Brownstein, Assistant Secretary for Mortgage Credit and Federal Housing Commissioner and Urban Development.

Horace D. Godfrey, Administrator, Agricultural Stabilization and Conservation Service, Department of Agriculture.

Arthur E. Hess, Deputy Commissioner, Social Security Administration, Department of Health, Education, and Welfare.

Donald G. MacDonald, Director, U.S. AID Mission to Vietnam, Agency for International Development.

William H. Smith, Deputy Commissioner, Internal Revenue Service, Department of the Treasury.

Dr. O. Glenn Stahl, Director, Bureau of Politics and Standards, Civil Service Commission.

David D. Thomas, Deputy Administrator, Federal Aviation Agency.

Dr. Floyd LaVerne Thompson, Director, Langley Research Center, National Aeronautics and Space Administration.

Barbara McClure White, Associate Director, U.S. Information Agency.

Dr. Marjorie J. Williams, Director, Pathology and Allied Sciences Service, Veterans' Administration.

At the program honoring these awardees, the president of the National Civil Service League, Mortimer M. Caplin, presided. The banquet was attended by outstanding leaders in government, business, and career employees.

I ask unanimous consent to place the program in the Record at this point.

There being no objection, the program was ordered printed in the Record, as follows:

Sheraton-Park, *April 21, 1967.*

Program

Presiding: Mortimer M. Caplin, President, National Civil Service League.

Invocation: The Reverend Frederick Brown Harris, Chaplain, The U.S. Senate.

Presentation of Colors: Military Color Guard.

Dinner music: Ted Alexander.

Entertainment: U.S. Air Force Pipe Band.

Introduction, Don K. Price, Dean, John Fitzgerald Kennedy School of Government, Harvard University, Board of Directors, National Civil Service League.

Address: The Honorable John W. Gardner, Secretary of Health, Education, and Welfare

Message from the President of the United States: The Honorable John W. Macy, Jr., Chairman, U.S. Civil Service Commission.

Awards Presentation: Bernard L. Gladieux, Chairman, Board of Directors, National Civil Service League.

OPPORTUNITIES FOR PUBLIC SERVICE THROUGH CAREER SERVICE

Mr. CARLSON. Mr. President, an outstanding address was delivered by the Honorable John W. Gardner, Secretary of Health, Education, and Welfare, in which he stressed the opportunities for public service through the career system.

I ask unanimous consent that Secretary Gardner's speech be made a part of these remarks.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks[*] by John W. Gardner, Secretary of Health, Education, and Welfare

I have followed the work of the National Civil Service League for at least twenty years and have enjoyed close friendship with many of its leaders.

Long before I came to Washington Bun Gladieux, John Macy and others approached me to speak at this annual ceremony, but it was not easy for me to get down from New York for the occasion. After several tries, they decided they had better move me down here where I'd be more readily available.

I'm proud to be a part of this ceremony. I bow to the award winners. Each of them has in extravagant measure the requisites for high performance—talent, motivation and character.

And they have so much more. Imagination. Versatility. The breadth that enables them to look beyond the conventional definition of their jobs. The courage and stamina to buck the system—as it must be bucked by everyone who hopes to make a significant contribution. Impatience with the obstacles that all human organization throws in the way of decisive action.

As we contemplate these exceptional individuals we can take either of two attitudes. We can sit back complacently and say what a wonderful system we have that produces such great people. Or we can say, "Why doesn't the system produce more—far more—of this calibre?" Of course, we should say both, but most of you know me well enough to guess that I'm going to emphasize the latter. Self-congratulation should be taken in small doses. It is habit-forming, and most human institutions are far gone in addiction.

In my view we do *not* have an adequate supply of candidates for top leadership in government.

To begin at the beginning, despite recent improvements recruiting practices are still not sufficiently imaginative. The Civil Service formed its habits and attitudes, its regulations and practices, in a time when talent was not scarce. Today every institution in our society is competing fiercely for its share of the flow of talent, and those who approach the task without aggressiveness and imgination are bound to lose.

The Federal Government needs its full share of the best and brightest of each generation.

Of course, skillful recruitment cannot stand by itself. Government cannot attract nor hold the best young men and women unless it can offer suitable career opportunities. This involves a variety of considerations, not the least of which is adequate pay. Clarence Darrow once successfully defended a lady in a legal suit, and she said afterward "How can I ever show my appreciation?" Darrow said "My dear, ever since the Phoenicians invented money there's been only one answer to that question."

The plain fact is that at the higher levels we are still not paying the kind of salaries that will enable us to hold our own in the competition. In an earlier day, only business firms paid substantial salaries. Government, the universities and nonprofit groups all paid modest stipends, and all competed on equal terms for the men or women who wanted to devote their lives to intellectual, cultural or public service pursuits. But today the leading universities and nonprofit organizations have frankly recognized that they must pay for gifted people—and they pay handsomely.

Sooner or later the Federal Government is going to have to face up to the competition, particularly in those fields in which talent is acutely scarce. For that reason I'm delighted that the President has appointed a commission under the able chairmanship of Frederick Kappel to come up with recommendations.

Another area in which we may expect important progress is career development. We waste talent scandalously by failing to develop it after recruitment, by letting good people wander into blind alleys, by allowing once effective men and women to get into ruts, by failing to retain people whose skills are outdated.

Career development still stands as a great frontier for all who are seriously interested in the conservation of human talent.

We need more and better training programs, and a higher percentage of our people in those programs. We need far greater flexibility of assignment and reassignment. In a day when recruitment of trained and experienced technicians and subprofessionals is increasingly difficult, we need to learn to "grow our own" so to speak.

We're on our way to learning these things. As all of you know there has been a lot of movement under the great leadership of John Macy. His new Executive Assignment Program holds great promise. And today the President announced another major step in career advancement efforts.

But a tougher and more complex task awaits us. The personnel function must be more broadly conceived and must become a matter of direct concern to line managers. Many line managers are not now using to the maximum the opportunities and choices that already exist within the system—opportunities for training, reassignment, special salary provisions and so on.

The average operating official rarely concerns himself with personnel beyond the hiring of his immediate associates. The failing is not unique to government. I know an industrial executive who shows the most meticulous concern for the quality of the iron ore going into his steel mill and no concern at all for the quality of the human material that runs the mill.

Someday it will be recognized that skilled attention to the supply, quality and development of the men and women who make up an organization is the most critically important factor in the effectiveness of the organization.

Much of the most crucial work of developing personnel must be done by line supervisors. Personnel development properly conceived, properly executed, must be a part of the very texture of the day's work.

We have so many other tasks. We must strive to make careers in large organizations individually satisfying. We must make government a hospitable environment for innovators, for those who question assumptions.

But we could talk all evening about the principles involved in creating healthy and vital organizations and still fall short of accounting for the emergence of such remarkable individuals as we are honoring tonight.

Much of their performance is traceable to personal attributes—motivation, attitudes, values. Intangibles, to be sure, but not wholly beyond description or cultivation.

My friend Caryl Haskins, who is president of the Carnegie Institution of Washington, points out that scientists are "problem-seekers." Unlike most of the rest of mankind, who regard problems as something to be avoided, the scientist goes out and looks for them. If he cannot manage things so that his life is an endless succession of problems, he counts himself a failure.

It seems clear to me that this pattern is the optimum life for man. And the ordinary citizen is far better fitted for such a life than he realizes.

Of course, most men throughout history have spent their lives desperately trying to solve problems they did *not* seek out, and failure to solve those problems has all too often meant trouble, tragedy and death. It is hardly surprising that men have come to think of happiness as a cessation of problems.

But a true cessation of problems would be the beginning of death for a society or an individual. We aren't constructed to live in that kind of world. We are problem-solvers by nature—and as Caryl Haskins would put it, problem-seekers, problem-requirers.

So much so that when the problems of the real world aren't pressing in upon us, we invent artificial problems, such as how to reduce our golf score.

Golfers and scientists have quite a lot in common. They both face problems of their own choosing. And they take frank delight in the never ending *process* of trying to solve the problems they have chosen.

That's living.

I was talking with a friend about this view of life once, and he said, "Aren't you making life seem a little like the task of Sisyphos?" In the legend, as you remember, Sisyphos was condemned to push a great stone to the top of the mountain, and just as he reached the top it would slip from his grasp and roll to the bottom and he would have to push it up again—and so on for all eternity. But the late Charles Curtis pointed out that it was the monotony, not the futility, of the task that made it punishment. If he could have rolled a different stone each time, or the same stone up different mountains, or if he could have experimented with improved ways of rolling it, it might not have been so bad. Certainly, as Curtis pointed out, it would have been better than just loafing around Hades.

Recreational games are, of course, the least exciting games. Walter Bagehot said "Business is really more agreeable than pleasure;

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[*] Prepared for delivery at the 13th Annual Career Service Awards Banquet, National Civil Service League, Sheraton-Park Hotel, Washington, D. C., Friday, April 21, 1967, 6:30 p.m.

it interests the whole mind, the aggregate nature of man more continuously and more deeply. But it does not *look* as if it did."

He was right. And there are activities even more exciting than business, because they engage even *more* fully the intellectual resources and values and social motivations of man, e.g., science, teaching, governing. Surely, the activities engaged in by our award winners compare favorably with the most exciting of recreational games. Those activities involve companionship, novelty, risk, chance-taking, skill, teamplay, competition and all the other attributes of diversion. And they mean something.

What could be more satisfying than to be engaged in work in which every capacity or talent one may have is needed, every lesson one may have learned is used, every value one cares about is furthered.

No wonder such men and women commonly overwork, pass up vacations and neglect the less exciting games such as golf.

It is one of the amusing errors of human judgment that the world habitually feels sorry for such overworked men and women—and doesn't feel a bit sorry for the men and women who live moving from one pleasure resort to the next. As a result, the hard workers not only get all the real fun but all the sympathy too; while the resort habitues scratch the dry soil of calculated diversion and get roundly criticized for it. It isn't fair.

I hope I have convinced you that these men and women whom we are honoring tonight are among the luckiest people we know, and have little need of the rewards offered by our recognition.

But if they do not strictly need this ceremony, we do. The society does. Every society must for its own good celebrate the qualities it values most highly, and ceremonially recognize the men and women who embody those qualities.

That is our purpose tonight.

THE TAX BILL MESS

Mr. WILLIAMS of Delaware. Mr. President, the New York Times of April 24 contains an excellent editorial entitled "The Tax Bill Mess." The editorial strongly recommends that the Senate proceed immediately to restore the tax credit and repeal the election campaign law at the earliest possible moment.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objections, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 24, 1967]

THE TAX BILL MESS

The Senate was supposed to act speedily on President Johnson's request for restoration of the 7 per cent investment tax credit to spur business spending. But the bill containing this simple and timely measure has been bogged down by a number of extraneous amendments. It has been delayed also by Senator Russell Long's strenuous efforts to preserve the new controversial law to finance Presidential elections through taxpayer contributions that he sponsored and that the Senate has voted to repeal.

The whole messy procedure bears an unseemly resemblance to the Senate's tax antics last fall, when it finally approved a long-overdue proposal to provide fairer treatment for foreign investors only after adding a long string of dubious amendments that earned it the title of the "Christmas Tree Bill."

Again this time, there was no real debate over the series of special-interest concessions that were tagged on at the last minute or of Mr. Long's provision for subsidizing election campaigns. Mr. Long has made patchwork attempts to meet objections to his loosely worded campaign law and has offered them as an amendment to the bill to restore the investment-tax credit.

Representative Wilbur D. Mills, chairman of the House Ways and Means Committee, has criticized the Administration for favoring frequent tax changes, pointing out that last year's suspension of the investment-tax credit followed by this year's request for its restoration has not been "a very happy chapter in the nation's fiscal history." Unquestionably, the Administration's timing should—and could—have been better. Its forecasting record and its policy recommendations have been badly flawed. But its poor showing does not excuse Congress's incredible performance on taxes.

Far from supporting the case for less frequent tax changes, the Administration's failure and Congressional fumbling substantiate the case for frequent tax changes. Admittedly the President will have to get much better economic advice than he has been getting. But if forecasting is improved and appropriate tax changes sought, the most good could be accomplished by giving discretionary authority to the President to raise and lower taxes.

The Administration has not requested such authority and Congress is not, at the moment, likely to give it. But the Senate can make a contribution by ending its confusion on taxes. It could do so by restoring the tax credit and repealing the election campaign law at the earliest moment. It could then take time to compose a workable bill for financing campaigns and to formulate other tax proposals in the public interest.

SPOTLIGHT ON CAMPAIGN SPENDING

Mr. WILLIAMS of Delaware. Mr. President, the Washington Evening Star yesterday published an editorial entitled "Spotlight on Campaign Spending." The editorial points out the merit of my amendments to the Corrupt Practices Act which are now a part of the present bill and suggests their retention by the Senate.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Apr. 24, 1967]

SPOTLIGHT ON CAMPAIGN SPENDING

The outlook for the tax incentive bill remains uncertain in the Senate. If any more amendments are added, the measure seems destined for a veto. Perhaps the best solution for Senate leaders is to kill the whole package and begin anew.

But before this measure vanishes from sight, the public should be made aware of a noteworthy amendment by Senator Williams of Delaware which was actually approved some days ago. It would go a long way toward cleaning up our stealthy ways of financing national elections.

The Williams proposal sought to amend the Corrupt Practices Act by requiring any committee formed within a state or the District and supporting a national candidate to make public all its finances. It would have also applied the act to primaries.

The way things stand now, a kind of charade goes on every election year. National committees are limited to spending $3 million a year, senatorial candidates to $25,000 and House candidates to $5,000. Obviously this does not reflect what actually goes on; professionals may exaggerate in saying it takes a million dollars to run for the Senate, but certainly it takes far more than $25,000. And the way candidates cope with the problem is through local committees, which don't have to report their spending.

This is the first time that such fund-disclosure legislation has advanced so far in Congress. A previous measure introduced by Senator Clark of Pennsylvania was defeated in the Senate Rules Committee last year without benefit of hearings. It is a tribute to Senator Williams' skill and doggedness that the idea surfaced on the Senate floor this month and that it won by a 48 to 42 vote.

Whatever the fate of the rest of the bill, this particular clause was both sensible and much-needed.

THE LESSONS OF VIETNAM

Mr. McGOVERN. Mr. President, before delivering the prepared text of my remarks on Vietnam, which were completed several days ago, I wish to make a few comments that are prompted by recent developments. For several years, a number of Senators, including the majority leader [Mr. MANSFIELD], the chairman of the Foreign Relations Committee [Mr. FULBRIGHT], the most senior Republican Senator from Vermont [Mr. AIKEN], and other Senators have warned against our escalating troop commitment to Vietnam. These Senators, myself and others have predicted that each new escalation of forces on our part would lead to a further escalation on the other side, thus setting the stage for a larger and bloodier war on the Asian mainland. One of the difficulties in this formula is that in this kind of guerrilla war, 10 additional soldiers from our side can be offset by one soldier on the other side, which gives them an enormous advantage in a war of attrition. This is the very course that most of our best generals have warned against for many years.

The predictions and the warnings of our generals and the Senate critics have proved to be largely correct.

The glittering military solutions of the war hawks on the other hand, have proved to be wrong.

Now in their frustration, the hawks are trying to blame the failure of their policy on their critics.

I do not blame General Westmoreland for his speech in New York, because obviously he is doing, whether in Vietnam or in New York, exactly what he is told to do by his Commander in Chief.

From General Westmoreland on down, we have in Vietnam our finest soldiers and marines. They are brave men, and they have fought with valor and distinction, as American fighting men have always fought. This only adds to the heartache of those of us who feel that these brave men are in Vietnam because of the shortsightedness of our political and diplomatic policymakers.

In trying to imply that it is American dissent which is causing the Vietnamese opposition to continue the war, the administration is only confessing the weakness of its own case by trying to silence its critics and confuse the American people.

It is not the impact of the dissent on Hanoi that worries the administration;

it is the fact that the dissenters have exposed the contradictions, the falsehood, and the resulting credibility gap which surrounds administration policy.

Hanoi knows very well that America is not going to surrender or withdraw from this war.

Hanoi knows very well that not a single U.S. Senator has advocated either U.S. surrender or U.S. withdrawal.

What we have advocated is that the administration quit widening the war; that the administration quit sending more and more American boys to do the job that ought to be done by Asian boys.

Although we have opposed sending American men to Vietnam, we have not urged withdrawal of those men until a satisfactory settlement has been negotiated.

Frustrated by the failure of the escalation policy to produce anything other than a bloodier war as we warned it would do, the administration is now trying to blame their failure on those who have warned them all along that they were playing with fire.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. LONG of Louisiana. Some of us think that there is more to fear than a bloodier war; that a Communist victory, a Communist takeover in southeast Asia, particularly if it led to Communist expansion elsewhere, would be a much greater disaster than a bloodier war in Vietnam.

While we deplore the cost to us of fighting this war, some of us feel that what a defeat in Vietnam would mean is a much greater price to pay for victory than our present sacrifice.

We have not lost the war; we plan to win it.

Mr. McGOVERN. I intend to develop the case against that line of reasoning later on. I will say quickly that it is my conviction that the course we are now following is one that is most likely to draw down the Chinese Communists into southeast Asia. This has been one of the fears I have shared with other Senators from the beginning; that we will miss an opportunity in southeast Asia to encourage the kind of fracturing of the Communist world that has taken place in Central and Eastern Europe, and might take place in southeast Asia if it were not for our policy which tends to unite the Communist countries.

If the Senator will be patient, I shall develop that point in more detail.

Mr. LONG of Louisiana. May I suggest that it is somewhat unfair to develop an argument to a point of ridiculousness; I am sure the Senator is not going to suggest the sooner we let the Communists take over the world, the sooner they will stop killing American troops.

Mr. McGOVERN. I am not suggesting that, I am suggesting that the policy we have followed in southeast Asia plays into the hands of the Chinese Communists, and no one is happier about our being bogged down in Vietnam than the leaders in Peking.

Knowing full well the political hazards involved in questioning the Administration's wartime policy, I can only warn again today that the new level of escalation marked by our bombing of the North Vietnamese airfields has brought us one step closer to a major war involving the legions of China and backed by the enormous firepower of Soviet Russia.

Thus, I do not intend to remain silent in the face of what I regard as a policy of madness which sooner or later will envelop American youth by the millions in a war without end.

Mr. President, our deepening involvement in Vietnam represents the most tragic diplomatic and moral failure in our national experience.

The mightiest nation in history—a nation with a glorious democratic tradition based on the dignity and brotherhood of man—is, with allegedly good motives, devastating an impoverished little state and ravishing the people whose freedom we would protect. In the process we are sacrificing many of our bravest young men, wasting valuable resources, and threatening the peace of the world. We are being pulled step by step into a jungle quicksand that may claim our sons and the sons of Asia for years to come. This is the path of which the late Douglas MacArthur said:

> Anyone who commits American forces to a land war in Asia ought to have his head examined.

If the war continues on its present course, our dreams of a Great Society and a peaceful world will turn to ashes. Vietnam is degenerating into a defeat for America whether we "win" or "lose" on the battlefield; indeed, the more complete our military conquest, the more tragic our real loss may become.

What will we have really won if we succeed at long last in killing enough Vietnamese to bring us victory on the battlefield?

I have no doubt about the capacity of this greatest and most powerful of all countries eventually to score a military decision of sorts in Vietnam.

Shortly before he was killed with a U.S. Marine unit in Vietnam, the learned Bernard Fall, whose expertise on southeast Asia was, in my opinion, unequaled, had an interview in Saigon with a reporter named Bronson P. Clark. I should like to read one paragraph from that interview:

> "The one overwhelming fact about this situation," Fall told me, "which makes all considerations of ideology or politics pale, is the enormous might of American firepower." Operation Cedar Falls in the Iron Triangle twenty miles northwest of Saigon was fresh in his mind: "It looked like giant steel claws had raked the jungle." He spoke of the ground effect of fourteen consecutive B–52 raids which the triangle had received during the operation. "But remember, when it was all over the Vietcong struck again and from the Iron Triangle. That is the real story of this war. The Americans can destroy but they cannot pacify. They may 'win' the war but it will be the victory of the graveyard."

Our policy in Vietnam has been rationalized by a crude misreading of history and a distortion of our most treasured ideals. There was no American interest, no issue of political freedom, no moral imperative that called for sending our troops and bombers into Vietnam. Freedom is worth fighting for, but it cannot be achieved through an alliance with unpopular forces abroad that deny freedom. Communism is a force hostile to American ideals, but we do not meet its challenge by forcing an American solution on a people still in search of their own national identity. Mao Tse-tung may have claimed that "power grows out of the barrel of a gun," but that has not been the chief source of American power in the world, and it does not answer the basic yearning of the people of Asia. After all the dead are counted—American and Vietnamese—and the countryside is laid waste, what will we then have accomplished? Could it be that having sown the wind, we shall reap the whirlwind?

We fight in Vietnam, not for any enduring objective; rather, we fight because of a highly questionable notion that this is the only honorable course. Implicit in our Vietnam involvement is an assumption that we may be ordained to settle the struggles and determine the ideology of the people of Asia.

We fight, also, perhaps, to save the professional reputation of policy planners who have recommended a series of steps, each one seemingly prudent and restrained, yet each one inexorably setting in motion the next step to a larger war. Our policymakers have inadvertently placed American power in opposition to basic forces, including the currents of revolutionary nationalism and social ferment convulsing much of Asia. Our course has run afoul of the desire of many of the Vietnamese people to escape outside interference, whether French, Japanese, Chinese, or American. We seem to be trying to demonstrate that American power can enable unpopular, incompetent regimes in Saigon to offset a widespread insurrection; that bombing bridges, roads, and oil depots—and now the airfields of North Vietnam—will somehow compensate for the weak government in the south.

For years we have been told that some new show of American strength would bring the other side to the negotiating table. Instead, a Vietnamese civil conflict has been transformed gradually into a cruel international war. Our leaders talk about stopping aggression from the north, but this was a struggle among groups of Vietnamese until we intervened.

We seem bent upon saving the Vietnamese from Ho Chi Minh even if we have to kill them and demolish their country to do it. As the native people survey bombed-out villages, women and children burned by napalm, rice crops destroyed, and cities overrun with our military personnel, they are doubtless saying secretly of the Vietcong guerrillas and of the American forces, "A plague on both your houses."

The responsibility for our present predicament in southeast Asia cannot be placed on any one man or on any single administration or agency of government. Its roots go back more than 20 years to embrace four administrations as well as Congress and the American public.

Senators must bear a portion of the blame for the drift of our policy in Vietnam—for we have been slow to speak clearly or even to ask hard questions about obvious contradictions, poor intelligence, and false prophecies involving the highest officials of our Government. Dissent in Congress and the Nation has been sharp and frequent in recent years, but it has come late in the day.

Many of the Senate's most influential members, including the chairman of powerful committees, have believed for years that the United States made a serious mistake in intervening in Vietnam—first by trying to defeat the Vietnamese independence struggle led by Ho Chi Minh against imperial France, and second, by fostering a divided Vietnam leading to civil conflict after the expulsion of the French. Yet, upon this privately admitted error a strange syllogism has been constructed:

First. The United States erred in entering and enlarging the Vietnamese struggle.

Second. We are, nevertheless, now deeply involved in that struggle.

Third. Therefore, we have no recourse except to see it through at any cost, or force the other side to negotiate on our terms.

It is a strange piece of logic, indeed, which holds that, once committed to error, we must compound the error by more of the same medicine, to salvage the original mistake. It would seem more reasonable, having accepted the premise of error in our involvement, to avoid further widening of the war while devoting our most imaginative efforts to finding a way to end the killing.

Before we take any further steps toward a larger war—and I notice in the press that our commander is said to be asking for considerably more troops in Vietnam—or before we undertake any new ventures of this kind elsewhere in the world, I would hope that we will reexamine the assumptions which have involved us in what I believe to be a mistaken course.

Perhaps the only positive benefit that may come from an otherwise melancholy venture is for us to see the errors of this one clearly enough to avoid being drawn into another one.

To assist in stimulating such a reexamination, I make the following indictments of our Vietnam policy:

First. Our Vietnam policymakers have distorted history to justify our intervention in a civil conflict supposedly to defend a free nation against external aggression from another nation; actually we are backing a dictatorial group in Saigon against a competing group backed by a dictatorial regime from the north.

Second. Our Vietnam policymakers are unwittingly advancing the cause of communism while seeking to contain it.

I do not see how anyone can controvert that statement in view of the developments of the last few weeks, which seem to indicate a cementing of the once splintered Communist bloc.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, is it not significant also that neither Russians nor the Chinese have to date committed a single soldier to combat; whereas our own men are bleeding there, we have lost some 10,000 fine young Americans killed in combat, 50,000 wounded, crippled, left armless or legless, the enemy—so-called—has not put a single soldier into the war? So I think the distinguished Senator from South Dakota is quite right when he says we are not weakening communism; we are aiding it. We are weakening ourselves; and for what purpose?

Mr. McGOVERN. I think the Senator's point is well taken. Looking at it from the standpoint of naked power, doubtless the Communist leaders in Peking must find some cause for joy in our being bogged down in Vietnam, where they can sit on the sidelines and see the enormous drain on American resources, at very little cost to their position. I think that is why some of the most thoughtful generals in our country, including General Ridgway and General Gavin——

Mr. GRUENING. And General MacArthur.

Mr. McGOVERN. And General MacArthur have warned against the very situation into which we are now being drawn, because this plays into the hands of the Communist world.

If the situation were reversed and massive forces from the Communist world were bogged down in some tiny quarter of the globe, I am sure many of our military strategists would view that situation with considerable pleasure, knowing the other side was dissipating its resources without any substantial involvement on our part.

So I think the point can be established that the course we are now following is the one most likely to reunite the Communist bloc and to cement what was once a fracturing of the Communist bloc.

I do not think it is too late to turn back. I do not paint a hopeless situation here. But I would hope we would not view the situation in Vietnam so narrowly that we lose sight of the world picture. The United States is a world power, with commitments around the globe, and to sacrifice our overstrength for one tiny section of the world, where the situation is so complex and confusing, seems to me to be an act of folly.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. McGOVERN. Yes; I yield to the distinguished Senator from Arkansas, chairman of the Foreign Relations Committee.

Mr. FULBRIGHT. The Senator has said he did not think it was too late. I wonder what justification he has for believing it is not too late when we consider the speech yesterday of General Westmoreland, who was brought back here to talk to the leading newspapermen of the United States; the talk of General Greene in Detroit; the fact that General Westmoreland is going to speak to a joint meeting of Congress. There is to be a special luncheon for him. I was invited to a briefing at the Pentagon this morning on the same subject.

Why does the Senator think it is not too late and why does the Senator think there is the slightest possibility that our Government will not proceed to a total, all-out victory in Vietnam?

Mr. McGOVERN. I must say to the Senator that I am a little apprehensive about it. I like to think that the door to negotiations has not been slammed shut by the administration; but I think each act of escalation, including the request for more and more troops, makes it that much more difficult.

Mr. FULBRIGHT. The Senator said it was not too late, and I hoped the Senator would indicate any reason for the slightest hope that there remains any intention at all to entertain any negotiating at all short of surrender. Does he have any reason to believe that?

Mr. McGOVERN. I certainly cannot develop a case that would convince the Senator beyond doubt. The thrust of my remarks this morning is to warn against the direction we are now taking, because it is the very direction that the Senator from Arkansas has been warning against for the last 2 or 3 years.

Mr. FULBRIGHT. In connection with that last point, if we proceed with this course, do we leave any alternative to the powerful Communist countries but to draw together because such a course is a real challenge to them?

Mr. McGOVERN. I am afraid that will be the result of the policy of escalation—that each new commitment on our part leads to a greater effort on the other side; and I frankly do not see how either the Russians or the Chinese can sit silently and watch one of their allies being destroyed. They remember the lessons of Munich, too. They have the problem of saving face and they have obligations. It is very hard for me to understand the apparent ease with which we keep pushing up the level of our forces and bombers, knowing full well—and our policymakers must know—that it could lead to massive Chinese or Russian intervention, which would, in effect, be world war III.

Mr. FULBRIGHT. My administrative assistant told me a moment ago he heard on the radio that the Chinese allege that a U.S. plane was shot down over China. Did the Senator hear that?

Mr. McGOVERN. I have not heard of it.

Mr. FULBRIGHT. I am not sure whether the report says it was shot down or shot at, but it had to be in the Chinese airspace in either event. I am not sure they said it was shot down. It seems to me that one of the most ominous aspects of escalation is the almost inevitable joining together and drawing together of the Chinese and Russian and the other Communist countries to resist this all-out attack on North Vietnam.

Mr. McGOVERN. One of the things that disturbs me is that so many times the highest officials in our Government explain to us why we cannot follow a certain course lest it lead to the dangers that the Senator has referred to, and then, almost before those words have died away, they turn around and do the very things they warned us would be disastrous.

If the Senator will permit me, I would like to read a couple of paragraphs from this morning's Washington Post that underscore the point I am trying to make. I am reading from the first page of the Washington Post of this morning:

> In answer to a question, Westmoreland said he was "delighted" at the news of yesterday's American raids on airfields in North Vietnam. Earlier, Sen. Charles H. Percy (R-Ill.) expressed his "strong dissent" to the wisdom of these attacks.
>
> Percy told an Associated Press panel the bombing was "exactly opposite" the policy both the State Department and the Defense Department had advocated as recently as last week.
>
> Percy said "the State Department told my office only last Friday" that attacking the Mig bases would "only force the North Vietnamese to move their planes to Chinese bases" and thus "bring us one step closer to Chinese involvement in the war."
>
> Percy said the Defense Department told his aides there was no military necessity for attacking the bases, because the United States has lost only 11 planes to enemy aircraft since the start of the war.
>
> But Westmoreland contended that the Mig attacks had been a hazard to American pilots and said there was a clear military advantage to forcing them to operate from Chinese bases where "their reaction time will be increased."
>
> Asked about the dangers of Chinese or Russian intervention, the General said, "From a military point of view, we should be prepared for any contingency."

It seems to me that this is just one of a series of apparent contradictions and reversals in administration policy that, if not confusing to the enemy, is certainly confusing to the American people.

Mr. FULBRIGHT. I thought it was right remarkable that Mr. PERCY had the courage to dissent, in view of the criticism General Westmoreland voiced about Senators yesterday. The general seemed to think it very unpatriotic to take any different view from that of the administration, did he not?

Mr. McGOVERN. That was the apparent implication of the general's statement. I wish to add, if the Senator will permit me, that I do not think it is fair to blame General Westmoreland for what he does or what he says, either in New York or Vietnam, because, presumably, he is a soldier who is carrying out the orders of his Commander in Chief.

Mr. FULBRIGHT. I agree with the Senator completely. He is a good soldier.

I have just been handed an Associated Press dispatch from Saigon, which reads as follows:

> Communist China said today its Air Force shot down two U.S. fighter planes in a dogfight just over the Chinese border from North Vietnam, but in Saigon a U.S. spokesman denied the claim, broadcast by radio Peking.
>
> The broadcast said the U.S. planes, identified as F4Bs, "invaded Chinese air space."
>
> "I have no indication that any aircraft 'Invaded Chinese air space' and that any aircraft were shot down," said a U.S. spokesman in Saigon.

He did not say they were not; he just says, "I have no indication they have been shot down."

The dispatch continues:

> "I can find absolutely nothing to substantiate this. I can find no report that would even remotely relate to this."
>
> A denial to a Communist broadcast by the U.S. command is rare. Normally, the command refuses to comment in any manner on claims by Hanoi or Peking or other Communist outlets.
>
> Radio Peking said the dogfight took place yesterday.

That was the same day we attacked the airfields, was it not?

Mr. McGOVERN. That is correct.

Mr. FULBRIGHT. It continues:

> The planes flew into China's Kwangsi Province, a Chinese Air Force unit immediately engaged them and "destroyed both of them," the broadcast said.
>
> It proclaimed the battle an "important victory" for Communist Party Chairman Mao Tse-tung's proletarian cultural revolution—a purge of anti-Maoists in China.

Of course, there have been reports similar to that before, which I believe were eventually admitted, were they not?

Mr. McGOVERN. That is right. The Senator is correct.

Relative to the problem of trying to understand just what the limits of our policy are, I think the Senator will recall that last June, just before we hit Hanoi and Haiphong the first time, Gen. Harold K. Johnson, who is the Army Chief of Staff, delivered a speech in which he made this statement:

> It would be foolish to expand the war and destroy North Vietnam's economic and military capabilities, since this would only double the price of the war, because the United States would have to ultimately rebuild what it had destroyed.

Of course, it was only 3 or 4 days later that we began doing exactly what General Johnson said it would be foolish to do. It seems to me that that kind of contradiction and reversal of policy leaves all of us confused as to where we are heading. If one could be sure that there was a carefully thought-out and rational policy, and that our policy planners knew exactly what they were doing, we might be worried and apprehensive about it, but at least we would know where we stood. But when each new pronouncement is reversed a few days later, it leaves one wondering just where we are headed.

Mr. FULBRIGHT. I do not wish to delay the Senator any further. I only say I compliment him. I think this is one of the best and most thoughtful speeches I have heard on this subject.

Mr. McGOVERN. I thank the Senator.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. GRUENING. I also wish to join in congratulating the Senator from South Dakota on his excellent speech. I have a question concerning the remark he just made that General Westmoreland, being a soldier, was not free to say what he believed, or had to follow a certain line. While it is true that he has to obey orders as a military man, his expressions certainly must be his own. I notice that in the address to the Associated Press in New York, he said:

> What we have is not a civil war, it is a massive campaign of external aggression from North Vietnam.

There is a great deal of evidence, of course—convincing evidence—that that is not correct and that the United States has taken sides in a civil war. For example, we have, as rather striking evidence, the statement of the distinguished Senator from Ohio [Mr. YOUNG], who is now presiding over this body. In a speech to the Senate on February 6 of last year, after his return from southeast Asia, he made the following statement:

> This is a civil war going on in Vietnam. Before I visited Southeast Asia, it had been my belief that all of the Vietcong fighting in South Vietnam were communists and infiltrators from the North. But I had not been in Vietnam for more than 4 days—and during that period of time, I was in every area of Vietnam—when almost immediately I observed very definitely that we were involved in a miserable civil war in the steaming jungles and rice paddies of South Vietnam.

Then he went on to say:

> I learned from General Westmoreland that the bulk of the Vietcong fighting in South Vietnam were born and reared in South Vietnam. I learned from General Stillwell and other Generals that 80 per cent of the Vietcong fighting the Americans and the South Vietnamese in the Mekong Delta south and west of Saigon were born and reared in that Mekong Delta area. This is a civil war in which we are involved.

I think it is unfortunate that General Westmoreland, who has apparently been brought back here to pep up morale at home, and to counter the rising tide of opposition to this war, should fall into the oft asserted and now discredited fallacy that this is not a civil war, especially when the distinguished Senator from Ohio heard from General Westmoreland's own lips, when Senator YOUNG was in southeast Asia a year ago, that it was a civil war. I think an explanation of these two conflicting statements from the same source is desirable.

Mr. McGOVERN. I wish to say to the Senator, perhaps somewhat in defense of General Westmoreland, that at least he seems to understand that the war is not going to be won by the bombs dropped in the north. He is calling again for more troops on the ground in the south. which would seem to imply a recognition on his part that he knows that it is in the rice paddies of the south where this war, if it is ever resolved, will be resolved.

The best established Vietcong stronghold in Vietnam, as the Senator knows, is a thousand miles away from the North Vietnamese boundary, in the Delta country of the south. That is where their greatest strength lies, and where it has been for many years. I think General Westmoreland recognizes that more clearly than some of those who seem to think that just by obliterating everything north of the 17th parallel, we can eventually resolve this conflict.

Mr. GRUENING. Yet General Westmoreland is approving this bombing that took place of the Mig airports yesterday; so that would seem to be contrary to the view the Senator ascribes to him that this war will be won on the ground in South Vietnam.

Mr. McGOVERN. I think that again comes back to the fact that the general is, after all, a soldier, who has a boss, the same as the rest of our soldiers. I have tried to make clear, in my remarks earlier, that I have nothing but the highest admiration for General Westmoreland and our other forces who are there, however much I might deplore the political and diplomatic decisions which sent them into the Vietnamese jungle.

Mr. President, I have given two of my indictments concerning our Vietnamese policy. I continue with the others, which are:

Third. While orally calling for negotiations, we are practicing military escalation and diplomatic rigidity in such a fashion as to foreclose negotiations.

Fourth. Our policymakers have frequently misled the American public, the result being a serious loss of credibility for the U.S. Government.

Fifth. We are wasting human and material resources needed for the revitalization of our society.

Sixth. We are jeopardizing essential U.S. foreign policy interests, including a promising improvement in East-West relations.

Seventh. We bypassed the United Nations until the 11th hour and have disregarded the opinion and the sensibilities of the international community.

Eighth. We are weakening America's moral position and beclouding American idealism.

Ninth. We are creating at home a climate of intimidation designed to silence dissent and meaningful discussion of policy.

This is a grave indictment. I will summarize briefly the facts and arguments which substantiate these charges.

First. The historical rationalization of our Vietnam intervention is based on the Munich analogy or "the domino theory." At Munich in 1938 the Western allies failed to stand up to Hitler's demand for a piece of Czechoslovakia. The result of this surrender was a series of aggressions leading to World War II. In Vietnam—so the theory goes—we are faced with another Hitler in the form of Ho Chi Minh, or perhaps Moscow or Peking working through Ho Chi Minh. If only Ho or his backers can be stopped in Vietnam, we will have averted another Munich and saved mankind from world war III.

As one of our soldiers was reported to have said, according to a newspaper in my State:

> We are fighting in Vietnam so we won't have to have foxholes and barbed wire entanglements on the Main Street of Aberdeen, South Dakota.

It is said that if we do not crush Ho, his control of Vietnam will topple such other dominoes as Laos, Thailand, Cambodia, Burma, the Philippines, and perhaps India, Pakistan, Australia, and Japan, and then on to Hawaii and San Francisco. We are left to wonder how a flotilla of Vietnamese or Chinese junks is going to get by the 7th Fleet en route to San Francisco.

This, I think, is a piece of historical nonsense. There is no analogy between Munich and Vietnam, and countries are not dominoes.

Hitler was a madman commanding the world's mightiest military machine—a machine with the mobility, the offensive power, and the assigned mission of leaping across national frontiers until the world was conquered. At Munich, he directly threatened Czechoslovakia, a highly developed democratic state that was ready to fight for its survival with any indication of Western support.

Ho Chi Minh, doubtless guilty of many sins, has nevertheless devoted most of his public life to winning independence for his country. A confirmed Marxist, he is more significantly an ardent nationalist, bound less by the claims of international communism than by Vietnamese nationalism. He is far less interested in what Peking or Moscow want, than he is in what he wants for his own country.

During World War II he stood with the United States against the Japanese and assisted American flyers shot down over Japanese-held jungle areas. With the end of World War II, he resisted French efforts to regain colonial control of his people. After 8 years of fighting, he defeated the French and emerged a national hero. At the Geneva Conference of 1954, he agreed to end the fighting, withdraw his forces north of a temporary cease-fire line at the 17th parallel, and await an election 2 years hence that doubtless would have led to his election as leader of a united Vietnam. President Eisenhower has written that in 1954 after expelling the French, Ho had the support of at least 80 percent of the Vietnamese people, both north and south.

But the promised elections were blocked by Premier Ngo Dinh Diem whom we were instrumental in installing in South Vietnam. Of equal significance—and this is sometimes lost sight of—Diem cut off all trade and other relationships with North Vietnam and ruthlessly suppressed his internal opposition.

I remember that the late Bernard Fall, whom I referred to a while ago, said that the cutting off of trade between the north and south had as much to do in causing the conflict that eventually developed as anything else.

This was the background for the Vietcong revolt in the south, aided by Ho Chi Minh from the north. Although marked by bloodshed and violence, it is scarcely analogous to Hitler's attempted global conquest in moving against international frontiers with a mighty military machine. The insurrection in Vietnam grew out of local conditions which pitted one group of Vietnamese against another. Even if there had never been such a country as China, the probability is that that revolt would have taken place.

Ho Chi Minh heads one of the smallest and most impoverished states in the world. Neither in capacity nor by inclination can he be seriously seen as a Hitler-type conquerer threatening the security of America and the world.

As for the falling dominoes that are said to be marked for "wars of liberation" elsewhere in Asia and therefore seems to be the rationalization for the enormous commitment we are making there—it is clear that the challenge to them is not a Hitler or a Ho from the outside, but their own domestic political, economic, and social problems. A country that builds a government responsive to the needs of the citizenry—that faces up to the internal problems of misrule, injustice, and human misery need have little fear of falling victim to a "war of liberation." A government that ignores these fundamental concerns of its people as the dictators of South Vietnam have done is headed for trouble and does not deserve to be saved—indeed, it probably cannot be saved—by American soldiers.

The late Winston Churchill, who predicted the subsequent aggression of Hitler if he were not stopped at Munich, just as clearly warned in 1954 against any intervention in Vietnam by Britain or the United States. He saw no analogy between Ho and Hitler and flatly rejected the appeal of Secretary of State Dulles in the spring of 1954 that Britain and the United States should intervene against Ho on the side of the French. It is regrettable that the world did not listen to Churchill before Munich; it is also regrettable that we did not follow his warning against the Vietnam intervention.

One final note of irony in the Munich fallacy is the testimony by our ally in Saigon, General Ky, that his only political hero is Adolf Hitler.

Second. To contain Communist Chinese influence and power in Asia, we have set up a series of unpopular dictators in Saigon. Ignoring Vietnam's deep-seated historic opposition to China, we have assumed that since Ho Chi Minh was a Communist, he must therefore be a tool of Peking or Moscow.

Mr. President, it is an uncontested historical fact that for a thousand years the people of southeast Asia have resisted the Chinese more than any other outside power.

Actually, the most powerful force moving in Vietnam as elsewhere in Asia is nationalism—not international communism. Ho Chi Minh left to his own devices might have united the Vietnamese as an effective buffer against Chinese penetration of southeast Asia. U.S. policy, far from containing Peking or Moscow, is most likely to draw outside Communist power and influence into southeast Asia. It may even reunite the feuding Communist world.

Since I wrote that statement, there has been all kinds of evidence compiled by our best observers, that that is exactly what is happening. The war is reuniting Peking and Moscow in a common policy with reference to southeast Asia.

The destruction of South Vietnamese villages by American bombers and the growing occupation of city and countryside by American forces raises the unpopular specter of a Western-style occupation again and plays into the hands of Communist propagandists all over Asia. In the north, American bombers are pounding away at the North Vietnamese economic and industrial strength. The resulting chaos or vacuum is hardly calculated to provide a formidable barrier to Chinese penetration.

Third. Our diplomacy before, during, and after the Geneva Conference of 1954 has been narrow and self-defeating. For years we made no effort to negotiate or even offer to negotiate an end to the violence. When Ho Chi Minh indicated in 1964 to the Secretary General of the United Nations, U Thant, that he was ready to talk about a settlement, we rejected this opportunity as we rebuffed other peace feelers before and since. The Johnson administration has insisted it is prepared to embark on "unconditional discussions." Thus, on April 27, 1967, President Johnson said:

> I will talk to any government, anywhere, any time *without any conditions*, and if they doubt our sincerity, let them test us.

When tested, however, as it has been on a number of occasions, the administration has insisted on conditions—and pretty harsh ones at that. Some of the conditions would, in effect, virtually require the prior capitulation of the other side. This was the central fact that emerged from President Johnson's celebrated letter to Ho Chi Minh in February, a letter which far from representing a new and more moderate approach to peacemaking was, in fact, a hardening of our previous position in terms of the conditions we demanded of Hanoi.

Fourth. The American people have been given in the past decade a bewildering array of false assurances, contradictory interpretations, and mistaken predictions about Vietnam. We were assured that our role would be limited to an advisory function—that this was a war which the Vietnamese people must win or lose. Time after time, top administration officials contended that this was basically a political struggle that could be decided in Saigon's favor only if the government there could draw together enough grassroots support to offset the guerrillas. We were repeatedly assured that American troops and bombers could not solve that problem and in fact would make it worse. For example, speaking on June 12, 1966, just a few days before the first bombing of Hanoi and Haiphong, the U.S. Army Chief of Staff, Gen. Harold K. Johnson, said:

> It would be foolish to expand the war and destroy North Vietnam's economic and military capabilities since this would only double the price of the war because the United States would have to ultimately rebuild what it destroyed.

Yet, only days later, we began doing exactly what General Johnson had said it would be foolish to do. Repeatedly, administration spokesmen have explained in vigorous terms the limits of our policy and our operations in Vietnam only to have those limits abruptly exceeded before the previous words had died away. Defense Secretary Robert S. McNamara and Secretary of State Dean Rusk's major pronouncements on the war have been marked by one consistent quality—they have all proved to be wrong.

In the 1964 presidential campaign, millions of Americans rejected Senator Goldwater's prescription for victory in Vietnam through bombing, jungle defoliation, and a major escalation of American forces. President Johnson and his top Cabinet officers built a convincing case against bombing and the escalation of American ground forces. "We seek no wider war" was the winning slogan of 1964.

Yet, the mandate for peace of 1964 has been translated into the Goldwater prescription on the installment plan. Little wonder that the administration is faced with a credibility gap as wide as the Grand Canyon.

If one were to attempt a balance sheet on the costs and benefits of our Vietnam venture, high on the cost side would be the planting of doubt and resentment leading to a loss of faith in Government on the part of many of our people, especially the youth. One of the invaluable sources of national strength is the capacity to enlist the enthusiastic support of the young for essential national interests. To blunt that enthusiasm and vital faith in the reliability and fundamental honesty of our Government is a grievous blow to a democratic society.

Fifth. There are other incalculable costs to America and to the world that stem from Vietnam. We are now pumping Federal funds into the war effort at a rate of over $2 billion monthly. This is a serious drain on our balance of payments, our dollar, and our fiscal health. It represents money urgently needed to rebuild our decaying, explosive, riot-ridden city slums; to strengthen educational, recreational, and employment opportunities in rural America; to clean up our polluted rivers and streams. It would be ironic, indeed, if we devote so heavy a proportion of our resources to the pacification of Vietnam that we are unable to pacify Los Angeles, Chicago, and Harlem.

Sixth. It may be that the greatest cost of our Vietnam involvement is its regrettable impact on other vital foreign policy interests of the United States. The improved relations with the Soviet Union that followed the sobering Cuban missile crisis of 1962 gave promise of a detente between the world's two great nuclear powers. Likewise, the fragmentation of the international Communist bloc opened the way for new U.S. initiatives. The reaction against heavy-handed Chinese interference in Africa, Indonesia, and elsewhere suggested further opportunities for a sensitive, flexible U.S. policy. In eastern Europe, the so-called Soviet satellites have seemed to beckon for better relations with the West. Progress toward nuclear control was promised by the limited test ban treaty of 1963.

All of these hopeful and challenging foreign policy opportunities have been threatened or thwarted by the fast-deepening U.S. preoccupation with the war in Vietnam. Our policy planners, the Congress, and the American people are devoting so much energy and attention to one tiny corner of southeast Asia that we tend to lose sight of the fast-changing global panorama that is unfolding before our eyes.

Seventh. The United States was founded by men who declared our national independence with "a decent respect for the opinions of mankind." Our Nation 170 years later, took the lead in establishing the United Nations to preserve the peace. On several occasions we worked through United Nations channels to meet international crises—the Arab-Israel conflict, the Suez crisis, Korea, the Congo, Cyprus, Kashmir, and Yemen. But in Vietnam, we have plunged in alone with only a belated reference to the United Nations.

The United Nations Charter commits us to seek the settlement of disputes through the international machinery of that organization. Our SEATO treaty commits us only to confer with the other treaty signatories on possible action. Yet, in the name of a vague international commitment we fight on in Vietnam with no backing from the United Nations, no broad SEATO support, and, indeed, little support from any source other than a few small states heavily dependent upon our favor. The only important power publicly backing our Vietnam course is Britain which is dependent upon American support for maintenance of the pound. Even in this instance, Prime Minister Harold Wilson has disassociated his government from our bombing of Haiphong and Hanoi.

Eighth. America's greatest asset in the world has been our democratic tradition, our concept of human dignity, and a humane society devoted to peace. But Vietnam presents a different view of America. Here the world sees America intervening with massive military power—napalm, artillery, and bombing—on a scale heretofore used only against Nazi Germany and Tojo's Japan in the 1940's. American actions in Vietnam, however well intentioned, do not square with the image of America that the world has traditionally admired.

In November of 1965, I visited a civilian casualty hospital in Danang near the site of one of our largest airbases in Vietnam. The poorly equipped wards were jammed with terribly burned, broken and torn men, women, and children, innocent victims of our bombs, napalm, and artillery. They lay silently—two persons on each cot—their pained eyes following me as I walked from bed to bed. I wondered that day, as I do now, if this great Nation of ours has the right to make so costly a decision on behalf of another people who have already suffered so grievously.

Ninth. Our course in Vietnam does not square with the conscience of the judgment of many thoughtful Americans. But as the tempo of the battle increases and the martial spirit rises, the dissenter will need to draw deeply on his courage. Our official spokesmen have demonstrated a growing resentment toward the doubter and the dissenter. The impression is being created that while freedom of conscience and expression are desirable theoretical principles, they are too dangerous to practice in wartime. Even when the claims of top level officials prove to be groundless or contradictory, the pressure is on to accept the next pronouncement without question. To challenge the soundness of our policy judgments is more and more being equated with "letting down the boys in Vietnam" or giving aid to Hanoi. It is almost as though we are fighting so intently to secure freedom in Vietnam that we are willing to sacrifice it in America. It is still a regrettable truism that truth is the first casualty in wartime. Yet, it is in times of national crisis and conflict that America most urgently needs men who will speak out with maximum candor.

For my own part, I reject the assumptions that lie behind our involvement, and I regret each new step toward a deeper involvement. Before we take those fateful additional steps that may lead to Armageddon, I recommend now as I have in the past, but with a new urgency and a deeper concern, that we:

Stop the bombing, north and south, end search and destroy offensive sweeps, and confine our military action to holding operations on the ground. Bombing the north has failed to halt or seriously check the flow of troops to the south and may, in fact, have prompted a much greater war effort by Hanoi. Secretary McNamara himself told a Senate committee:

> I don't believe that the bombing . . . has significantly reduced (nor would reduce) the actual flow of men and material to the South.

In the south, our bombs have killed or maimed countless numbers of innocent people and alienated others whose support we covet. A defensive holding action in the south as advocated by Generals Gavin and Ridgway could be pursued while determined efforts are being made to negotiate a cease-fire. It is the bombing of North Vietnam that presents the greatest obstacle to a settlement and greatest danger of involving Russia or China in the war.

We should clearly state our willingness to negotiate directly with the Vietcong with some recognition that they will play a significant role in any provisional government resulting from a cease-fire and a negotiated settlement.

We should use what influence we have to encourage a more broadly based civilian government in Saigon—a government willing to start discussions with the other side looking toward arrangements to end the war.

We should advocate an international presence to police a cease-fire, supervise elections, provide an umbrella for the resettlement of Vietnamese concerned about their safety, and arrange for the withdrawal of all outside forces and the conversion of military bases to peacetime uses.

The path to sanity and peace in southeast Asia will not be easy. The ways to a larger war is enticing and simple. But before we make that choice, let us recall the words of Virgil:

> Easy is the descent to Hell; night and day the gates stand open; but to reclimb the slope and escape to the outer air, this indeed is a task.

But if we can accomplish that task, we should use the Vietnam experience as a guide to future policy. The enormous destruction of life and property in Vietnam, both American and Vietnamese, will have served no useful purpose unless we learn well the lessons that this tragic conflict can teach us. Those lessons, I believe, include the following:

First, conflicts of this kind have historical dimensions which are essentially political, economic, and psychological; they do not respond readily to military force from the outside. Surely, the military might of the United States can subdue little Vietnam, south and north.

But is this what the struggle is all about? I think not. We are confronted in Vietnam with an indigenous guerrilla force that has enjoyed the sympathy or the complicity of much of the local peasantry. The ineffective and unpopular regimes of Saigon have not earned the confidence of their subjects. Urgent priorities, of which land reform is probably the most important, have been ignored. Thus, the destruction of the military power of the guerrillas and of North Vietnam leaves fundamental political and economic problems still festering to set the stage for future conflict or continued tyranny and injustice.

Second, in the future the United States should avoid committing its power to internal struggles of this kind. The factors involved are so complex and confusing that it is beyond the capacity of an outside nation to know which group deserves support and which opposition. In spite of the administration's strenuous efforts to picture the situation as a war of aggression from the north, it is essentially a civil conflict among various groups of Vietnamese. The Vietcong control is strongest in the delta country of the south a thousand miles from North Vietnam and that control is exercised by indigenous forces who enjoy the cooperation of the local peasantry.

Such internal disputes should be fought out by the competing groups without outside interference, or be referred to the United Nations. We have no obligation to play policeman for the world and especially in Asia, which is so sensitive to heavy-handed interference by even well-meaning white men.

Third, unpopular, corrupt regimes of the kind we have been allied with in Saigon do not deserve to be saved by the blood of American boys. Local governments that have done a good job usually have the confidence of the local citizens. They ordinarily do not have a guerrilla problem and when they do, their own people are loyal enough to the Government to take care of the guerrillas instead of depending on us to do that for them.

Even if one assumes that we are faced with a battle for power between Ho Chi Minh of the north and Marshal Ky of the south, there is no clear issue here of black and white or tyranny and freedom. Ho is a Communist tyrant, but does Marshal Ky with his admiration for Adolf Hitler represents the kind of ideals and morality that American men should die for?

I have never regretted my service as a bomber pilot in World War II when we stopped the madmen Hitler, Mussolini, and Tojo. But I do not believe that Vietnam is that kind of testing ground of freedom and free world security. It is a confusing civil conflict with no real certainty as to the issues at stake. I do not want to see my son or other boys die in that kind of doubtful struggle.

Fourth, those who believe that American military power has an important role to play in the Pacific should return to the once-accepted doctrine of our best generals that we should avoid committing American soldiers to the jungles of Asia. Our power in the Pacific is in naval and air strength as a deterrent against aggression. Local governments must deal with their own guerrilla problems.

Fifth, Congress must never again surrender its power under our constitutional system by permitting an ill-advised, undeclared war of this kind. Our involvement in South Vietnam came about through a series of moves by the executive branch—each one seemingly restrained and yet each one setting the stage for a deeper commitment. The complex of administration moves involving the State Department, the CIA, the Pentagon, AID, and various private interests—all of these have played a greater role than has Congress. Congress cannot be very proud of its function in the dreary history of this steadily widening war. That function has been very largely one of acquiescence in little-understood administration efforts. The surveillance, the debate, and the dissent since 1965, while courageous and admirable, came too late in the day to head off the unwise course charted by our policymakers.

For the future, Members of Congress and the administration will do well to heed the admonition of Edmund Burke, a distinguished legislator of an earlier day:

> A conscientious man would be cautious how he dealt in blood.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. FULBRIGHT. A moment ago, the Senator from South Dakota made the point that Members of the Senate were slow to recognize what was going on in Vietnam—I know that I am one of those to whom he referred, and properly, I may add—having been too slow to recognize the war and to do anything about it to warn the country. But I submit that one of the reasons, through these years—for 3 or 4 years in my committee, at least, and I am sure in others—we were given a very different story about the attitude of the administration, and even about what was going on in Vietnam, from what proved to be the truth. As a matter of record, I wish to point that out. It never occurred to me, as chairman of the committee, back in 1963 or 1964, that our policy would ever become what it is today or that the war would be allowed to grow as it has.

As the Senator has pointed out, the whole purpose of the presidential campaign in 1964 was to make this point—that the Democratic Party and this administration were committed to no wider war. I campaigned, and I am sure the Senator did, on this basis.

It is quite natural, believing that, that we could not have been given warnings about what would result if the war was made wider, because we believed it would not be made wider, we believed the war would be restricted and a peace would, we hoped, be negotiated. We believed that if the war were restricted, about the only logical conclusion would have been a negotiated settlement. Am I correct?

Mr. McGOVERN. The Senator's point is well taken.

I involved the Senate in my statement about responsibility for our policy in Vietnam in an attempt to be magnanimous about the matter. I believe that all of us have some responsibility for the course our country has been following. I certainly do not single out the Senator from Arkansas for any criticism. He has been the leader of the national dissent, and I believe the point he makes is well taken. Members of Congress have been misled as to administration policy.

Mr. FULBRIGHT. I have often said, both on and off the floor of the Senate, that the action taken on the Tonkin Gulf resolution, which was considered in my committee—I did not originate it; I did not write it; it was written downtown—was taken under the false impression that there was no intention to do what has been done.

Mr. McGOVERN. I agree with the Senator and I am going to be very cautious about ever again voting for such a resolution.

Mr FULBRIGHT. When we look back, it is easy to say that was a foolish thing to do, and I agree that it was foolish to have taken the resolution on faith. But I submit that it would have been extremely difficult, under the conditions existing at that time, to have raised the question that this resolution would lead to the situation we are now in; because it would have been going directly against the assurances of the then President of the United States and the candidate for reelection, would it not?

Mr. McGOVERN. The Senator's point is well taken.

Mr. FULBRIGHT. I believe this fact should be kept in mind when we consider what the role of the Senate has been. The role of the Senate is always secondary to any Chief Executive. But if the Senate is not given the facts on which to make judgments, it certainly is at a great handicap in making correct judgments.

Mr. McGOVERN. I agree with the Senator.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. KENNEDY of New York. I join with some of my colleagues in commending the Senator from South Dakota on the speech he has made today.

I believe it is a very courageous speech. In my own analysis of the situation, and supported by the polls, the position the Senator from South Dakota is taking is not a popular position in the United States. The fact that he will run for political office in 1968, the fact that he makes this speech on the floor of the Senate and takes on these added political problems—these facts cause me to believe that this is one of the most courageous speeches delivered in the Senate since I became a Senator. There is no hedging. There is no effort to avoid the issues or to avoid the questions. He talks about the mistakes that have been made in the past, and I believe quite rightfully. He does not point to any one President or any one administration.

As I said in my speech about a month ago, the war is the responsibility of all of us, including myself. In any event, the Senator points that out and makes recommendations as to what can be done in the future—which, in my judgment, takes much courage. I commend the Senator from South Dakota.

I was interested in the remarks of the Senator from South Dakota as well as the Senator from Arkansas [Mr. FULBRIGHT] regarding the steps that have been taken during the last week by the United States, and how this action might drive the Soviet Union and Communist China together again.

I had a visitor, a rather important visitor, from the Soviet Union during the last week, and he spoke about the Berlin crisis of 1961 and the Berlin crisis of 1962.

He admitted quite frankly that those two efforts by the Soviet Union had driven the allies and NATO countries—France, Germany, the United States, and England and other countries—very closely together, in a way that they had not been in the past. He said that is what is happening in southeast Asia today. He said:

> Through the efforts of the United States, you are accomplishing what we thought was impossible, because you are bringing Communist China and Russia back together again.

I was interested in the statement of the Senator from South Dakota about the destruction in South Vietnam and the casualties. There was a report in the newspapers last week by a representative of the United States that civilian casualties in South Vietnam are about 50,000 a year, and that is a low figure. That is a tremendous responsibility for all of us. These are not civilian casualties in a country that we are fighting against; these are civilian casualties in a country we are allegedly fighting for. These casualties represent men, women, and children who are not involved in the armed services of their country, who are wounded, or die, or are maimed at least partly because of the actions of the United States. Again, this is a tremendous responsibility for our consciences, as public officials and as Americans. Whether we are doing all we should have been doing and can do in this connection, I believe, is a most serious matter.

Describing the Roman campaigns of many years ago, Tacitus, one of their generals, said, "We made a desert and we called it peace."

I believe that what the Senator from South Dakota has said here bears on this very question: if what we are trying to do in Vietnam is to bring about a peace through military action, which is really going to bring about destruction of Vietnam and the people.

I have read a description of the beginning of the First World War which begins with the serving of an ultimatum by the Austro-Hungarian empire on Serbia. The Austrians foresaw only a small Balkan war. But the reaction of the Russians at that time was that we cannot have the Balkans dominated by a central power. The Germans thought they could not allow the Russians to mobilize without German mobilization; and then came the confrontation which brought about the deaths of millions of people, the downfall of empires, the rise of the Soviet State, in fact, the destruction of the world order of the early 20th century.

In the beginning of the war, there was great celebration in Berlin, Paris, and to a lesser extent in Moscow and other capitals. It was said, "We are finally going to war; our manhood is going to be served, and we are going to teach our adversaries a lesson as to which side they are going to be on." But after 3 or 4 years of death and destruction, there was no celebration.

I know in war a country is under strain and stress, and that once our countrymen are being shot at, it is appealing to automatically support that effort and not criticize. I think the courage of the Senator from South Dakota is to be commended. Not that he has all of the answers, because nobody has all of the answers. He has come to the floor of the Senate and touched the conscience of this body and reminded the people of the United States that war is not always the answer, that killing people is not always the answer to our problems, that violence is not the answer; and that for rational men there might be some other solution.

Bolivar once said that we have wars because of the failure of human wisdom. I know that the Senator from South Dakota will try to bring a little wisdom into our deliberations.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGOVERN. Mr. President, I ask unanimous consent that I may proceed for 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. I wish to thank the Senator from New York for his stirring words, which mean a great deal to me, and particularly what he had to say about the courage involved in dissent in time of war. I especially appreciate those words coming from the Senator from New York who has himself demonstrated great courage not only on this issue but on many other issues.

I am sure it is a hazardous course for anyone to question our policy at a time when we are committed to battle. More and more I suspect an effort will be made to equate any reservation we might have about our military policy in Vietnam, with letting down the troops.

It is my feeling that the most damaging way that we could let down the troops in Vietnam is to quit speaking about a course that we think is leading toward the destruction of tens of thousands of American boys on the Asian mainland. This, it seems to me, is the end result of pursuing the course the administration is now on.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. KENNEDY of New York. I do not want to take more of the Senator's time. However, is it not really inevitable that after the events of last week, our adversaries in that part of the world will have to take other steps themselves? As surely as we are standing here the Soviet Union, Communist China, and North Vietnam will have to react to what we have done by acting themselves.

Mr. McGOVERN. This was predicted, a few days ago, by our State Department and the Department of Defense.

Mr. KENNEDY of New York. Is it not also inevitable, as surely as we are standing here, that when they take that stand our leaders will then appeal to the American people and say, "We cannot accept that and we have to react," and thus appeal to patriotism and love of country. Is that not as sure to happen as we are standing here today?

Mr. McGOVERN. I do not see any other possibility.

Mr. KENNEDY of New York. We will

take that further step, and they, in turn, will have to take still more steps.

If we trace the history of the world is it not a fact that that is how the destruction of mankind is ultimately arrived at? To say that a third world war in that part of the world is inevitable, is an overexaggeration. But the fact is that we are certainly moving toward a serious escalation and it is clear from the events of the past weeks that that is going to continue from our side and our adversaries.

(At this point, Mr. Scott assumed the chair.)

Mr. McGOVERN. I think the Senator's point is supported by history. In the early 1950's, when our troops crossed the 38th parallel in Korea, that brought a million Chinese soldiers into the war and thousands of Americans men were killed. It seems that we are repeating the same mistakes all over again in a more dangerous situation.

Mr. FULBRIGHT. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. I yield.

Mr. FULBRIGHT. I wish to emphasize that last point. If the war is widened to include the Chinese, then the question of compromise becomes quite a different one. Vietnam is a small country, which the Senator described so well. Our honor, really, is not involved in the war in Vietnam in anything like the same way it would be if we were to become engaged in war with China or Russia. Is that not true?

Mr. McGOVERN. I think the Senator is absolutely correct. I have often wondered how we could justify the enormous commitments we have made already to Vietnam unless somewhere in the back of the minds of our policymakers they have thought that we are really fighting China. Has the Senator ever had that concern?

Mr. FULBRIGHT. Yes. This has been one of the confusing aspects of discussion in the past. There has been a kind of ambivalence as to who is the enemy. At one time the enemy is Ho Chi Minh, at another time we are restraining China.

The Senator will remember in our committee hearings last year when we had members from the administration discuss this matter, we got the impression the administration thought they were justified in being in Vietnam because we were ultimately restraining China. Now, however, they have begun to talk about the terrible aggression, the overt, unprovoked aggression by North Vietnam and apparently that is the principal reason for our involvement. In recent weeks, there has been little said about restraining China, not nearly so much as there was a year ago. The administration seem to try to justify the war on the basis of repelling aggression from North Vietnam. The Senator has already dealt with that point, as to the distinction between aggression and civil war. The Senator has history on his side, there is no doubt about that. The best authorities, not a part of any administration, but objective observers, all to the best of my knowledge, agree with the Senator as to the historical background of the war.

But the reason this is so critical, and the reason the Senator's speech is so important is that here, at the last moment, I am afraid, I am not sure that the war for total victory can be turned back. That is why the Senator said a moment ago——

Mr. McGOVERN. I would say to the Senator that I am not sure, either.

Mr. FULBRIGHT. He thought it might be turned back. I have the feeling, in turn, that bringing General Westmoreland to Washington to make speeches and to meet with us, is a final drive for a vastly enlarged manpower commitment and a great drive for a military victory. But, I think it is helpful that the Senator is so courageously making this great effort to give a final warning, a warning that if the administration follows that course, it is very likely that the war will be enlarged to include the Chinese, and probably the Russians, and we will then be in the third world war.

Then, there will be no turning back. The Senator from South Dakota and the rest of us, probably, will not have the nerve to say anything. There will be a clampdown on any kind of disagreement with official policy, because the war will be so serious, then, that there would be no alternative but to go along. There would not be much point in discussing it any further.

Mr. McGOVERN. I think that the Senator's points are well taken. There is an article in the Washington Post this morning which deals precisely with that point, written by George Wilson. Mr. President, I ask unanimous consent to have it printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Lausche in the chair). Without objection, it is so ordered.

Mr. McGOVERN. The article makes the same point which the Senator does. Let me quote one paragraph:

> North Vietnam's leaders must make the decision whether to risk further attacks—

Referring to the attacks on the airfields yesterday—

> or negotiate with Red China to permit use of Chinese airtrips for their Migs.
>
> The new bombing raids thus could force Hanoi into greater dependence on China. It also would limit the time the short-ranged Vietnamese jets could spend in the air over their own country. North Vietnamese planes already use an air base in China, 225 miles northwest of Hanoi.
>
> The United States, faced with North Vietnamese Migs flying out of Chinese bases, would have to decide whether to pursue fleeing planes into China. Another question is whether bases in China should be bombed.

Thus, there is no end to the escalation except a major war. As the Senator from New York just said, this is the way big wars always get under way. They start off with some duke being assassinated, or some guerrilla taking a shot at a village chief, and from there on the escalation begins. It seems to me that it is being raised to another dangerous new level. The bombing of the air bases raises all these questions to which I have just alluded, accompanied by reports that General Westmoreland is requesting 50,000 more troops. I expect that before that request is acted on, there will be a news release saying that they have already sent 30,000 or 40,000 troops that we did not know about.

Mr. FULBRIGHT. I have no doubt. That is what happened last year.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the Senator from South Dakota may be allowed to proceed for 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, will the Senator from South Dakota yield to me?

Mr. McGOVERN. I am happy to yield to the Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, I compliment and congratulate the distinguished Senator from South Dakota on the magnificent and logical address he is making. I have listened to every word of it, and I desire to advert to the same general subject.

General Westmoreland, who has been our commanding officer in Vietnam for 3 years, has now returned to the United States.

He is coming to Washington to seek, as has been stated, further escalation of our intervention in the civil war in Vietnam.

I am thankful to the distinguished Senator from Alaska [Mr. Gruening] for referring to the fact that we are involved in a civil war in Vietnam. When I was in South Vietnam, not only did General Westmoreland make the precise statement to me that the bulk of the Vietcong fighting in Vietnam were born and reared in South Vietnam, but Gen. Richard Stillwell also informed me, somewhat to my surprise at that time, that 80 percent of the Vietcong fighting in the Mekong Delta, which is south and west of Saigon, were born and reared in that area. If that does not make it a civil war, I do not know what does.

It is unfortunate that General Westmoreland is absenting himself from Saigon when, within a matter of a few hours our Ambassador, Deputy Ambassador, senior advisers on political and economic matters and several area commanders will be new men. Stability and continuity need emphasis with this changing of the guard, one would think. I regard General Westmoreland as a highly competent general officer, but perhaps it would have been better to postpone his visit to the United States.

General Westmoreland, of course, will further compound this mistake by making a greater mistake in calling for 50,000 or 100,000 more American soldiers in Vietnam, and for increased bombings of North Vietnam. All this at a time when we are proposing to transfer from West Germany to Vietnam more than 200 airplanes and their crews on the statements of General Westmoreland that such reinforcements are sorely needed.

Furthermore, in recent weeks, there has been a definite downturn in the progress of the fighting. The facts are that just south of the DMZ zone, at the 17th parallel, American forces, under the great field leadership of a fighting general, Lewis N. Walt, have been hard pressed. It is said that forces of North Vietnam, numbering in the thousands, are poised for infiltration across the DMZ zone. That may be an exaggeration. I do not know. There is also talk of building a sort of Maginot Line or Chinese Wall across the southern part of the DMZ zone. It has been necessary to send additional Army units to reinforce our marines now fighting there. It would seem to me that General Westmoreland is really more urgently needed in his command post at this time than in Washington lobbying for additional forces and urging an escalation of the war. Very likely he is in this country at this time largely for propaganda purposes.

If the President yields to his urgent requests and those of the Joint Chiefs of Staff for 100,000 or 50,000 additional fighting men, does that mean that additional draftees will be sent into combat in South Vietnam, following only 4 months of training, while four divisions of highly trained soldiers, most of them career men, are leading the "good life" in West Germany with their wives, and, with their officers who never had it so good, living with their families and servants? There are presently more than 250,000 highly trained American fighting men stationed in western Europe. For the most part they are volunteers. They are well trained and ready for combat service.

We have, of course, the finest fighting men in the world in Vietnam at the present time, and their morale is of the highest. They are the cream of the crop. However, what justification is there for sending draftees to Vietnam while career soldiers are enjoying plushy European assignments? It seems that at the very least those soldiers who have reenlisted one or more times—who have chosen the Army, Navy, or Air Force as a career—should be called upon for combat duty in southeast Asia before draftees are assigned to Vietnam, except in cases where the special skills of these career men are urgently needed elsewhere, if there are such cases.

It is a fearful thing to add another 100,000 fighting men to combat in the ugly civil war in Vietnam, which we have allowed to become an American war. It is a fearful thing also that Americans generally have reason to doubt that our leaders are striving to their utmost to bring about a cease-fire and an armistice. It is a highly questionable tactic when our Commander in Chief says we are willing to end the bombing of North Vietnam provided the Hanoi government immediately and at the same time ends infiltration into South Vietnam. We are saying by this sort of a message to Ho Chi Minh that if he immediately stops infiltrating men and supplies—and I emphasize the word supplies—to his forces in South Vietnam—in other words, if he abandons those forces—we would stop our bombing of North Vietnam for a certain period in order to afford those of the Hanoi government the opportunity for a conference. We did not state that we, at the same time, would stop supplying our forces in Vietnam or increasing their number.

Furthermore, our leaders have never yet stated explicitly that the National Liberation Front, or Vietcong, may be represented at a future peace conference by independent delegates along with the delegation of the Saigon government and delegates of the Hanoi government and of the United States. Secretary of State Dean Rusk has claimed he really desires a cease-fire and an end to the killing of American GI's and incidentally the killing and wounding of VC in huge numbers and also men, women, and children living in both North and South Vietnam who are being killed daily, many by our napalm bombing. If so, then what has he to fear by agreeing that the U.S. offer to send six delegates to be seated at a conference table in any Asiatic city along with six delegates from the Saigon government, six from the Hanoi government and six representing the National Liberation Front, whose leader is a Saigon lawyer who is not a Communist? There would be 12 delegates representing our Nation and the Saigon government and 12 delegates representing the VC and Hanoi government. If our leaders in the executive branch of the Government are manifesting good faith and really seeking peace, what is wrong with following this procedure or a similar one?

Rather than calling General Westmoreland home at this time to lobby for further escalation of the war, administration leaders would do well to part company from their "warhawk" military advisers and make greater efforts toward seeking a cease-fire and an armistice in Vietnam.

I again compliment the distinguished Senator from South Dakota for rendering a real and needed public service today.

Mr. McGOVERN. I thank the Senator from Ohio for his helpful comments.

Mr. GRUENING and Mr. HOLLAND addressed the Chair.

Mr. McGOVERN. I promised to yield to the Senator from Alaska.

Mr. GRUENING. One of the very important aspects of the speech of the Senator from South Dakota was his analysis of the so-called efforts to achieve negotiations with our adversaries in southeast Asia which are put forward as being desperate but unsuccessful attempts on the part of the administration to bring those adversaries to the negotiating table but that they have refused adamantly to give any signal to help that situation come about. Senator McGovern feels these allegations are not true. There is indeed another side to this story and that side should be told; namely, that we have consistently made it impossible, or next to impossible, at the moment when there was a signal—and there have been quite a few—for them to negotiate.

I ask unanimous consent that a very comprehensive article by the well-known journalist, Theodore Draper, which appears in the current issue of the New York Review of Books entitled "Vietnam: How Not To Negotiate," which tells another side of the story, and one which should be told, be included at the conclusion of the Senator's remarks. It is desirable that this important article be printed there, because it is supplementary to and amplifies the point he has made as to why there have been no negotiations. It is not true that the other side has adamantly refused to come to the negotiating table. They have given signals, some of which we have ignored, and at other times when those signals have been given, we have made it impossible for those negotiations to come about by actions which are described in Mr. Draper's article. This is an important part of the picture. These obstacles to negotiation, coupled with our continuing escalation, may well result in bringing China, or Russia, or both, into the war. I fear our policy may make that imminent. I hope not. But the fact is that we have made it next to impossible for the other side to come to the negotiating table when those signals had been made.

The PRESIDING OFFICER (Mr. Montoya in the chair). Is there objection to the request of the Senator from Alaska?

Without objection, it is so ordered.

(See exhibit 1.)

Mr. McGOVERN. I appreciate the Senator's comments. I read the article to which he has referred. It is a carefully written, thoughtful, and, in my opinion, irrefutable case. Mr. Draper is a brilliant, highly capable student of international affairs.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senator from South Dakota be granted an additional 10 minutes. I have some questions I would like to ask him.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HOLLAND. Without commenting on the Senator's speech in any detail at all, I am going to ask the distinguished Senator if it is not true that it is helpful rather than hurtful to have General Westmoreland here in our Nation, as the commander of our troops in South Vietnam for nearly 3 years, to make his appearance before the news chiefs of the Nation at New York, to come down here and make an appearance before a joint session of the Congress, as I understand it, to be available to be summoned by the Senate Foreign Relations Committee, if they wish to hear him, to be summoned by the Senate Armed Services Committee, of which the Senator from Ohio is a part, if they wish it.

It seems to me it is a very good thing. The Senator from Ohio, I think, made it very clear he understands that General Westmoreland came here at the behest, at the request, and with the permission of the Commander in Chief, the President of the United States. I think we all know that is the case.

How better could the actual facts in this matter be communicated to the American public than by the coming of General Westmoreland here? That seems to me to be a very fine development, which I approve and applaud. How else could the people get a better understanding of what goes on in that remote country than by having General Westmoreland come back to report?

Mr. McGOVERN. Let me say to the Senator that before he came into the Chamber, I made it perfectly clear that as far as I personally was concerned, I was not criticizing General Westmoreland in any way. I think we all understand he is here carrying out his orders, the orders of his Commander in Chief. He is a good soldier, I am sure, who obeys the commands and follows the policies that are laid down by his superiors. I have no criticism of the general in any fashion. I think he is doing the job that he was ordered to do.

I do question his judgment that the reason Hanoi is staying in the war is because of dissent in the United States. I think that is completely mistaken and misleading. It would be just as easy to say—and I believe this with all my heart—that Hanoi knows very well that the United States is not going to surrender or withdraw from this war. We have a half million men over there, and we are building up our forces all the time, and stepping up the war on a day-by-day basis.

But they have been fighting for 25 years. They are a very determined people; and the experts who have studied this war most closely, for whose judgment I have the greatest respect, have pointed out all along that the more pressure we put on them, the more they will resist. That is perfectly natural. The Senator knows from previous wars that people who believe in their cause, as I am convinced the other side does in this war, are not going to pick up their guns and run away because we put pressure on them.

So I think the general has misread the real reason for the resistance on the other side. A good many of us predicted exactly the kind of resistance they have demonstrated. We predicted that if we escalated the war in the south, they would respond with more troops from the north. We predicted that if they were hit from the air, since they have no air force of consequence, they would retaliate on the ground, which is the only way they can retaliate.

I predict further that if we continue to push this war toward the Chinese borders, with perhaps the bombing of their airfields, that country will be involved a short time later. So it is not a question of criticizing the general for doing his job, but of criticizing the policy which he is trying to execute.

Mr. HOLLAND. Mr. President, the Senator from Florida does not think that General Westmoreland is a Charlie McCarthy, to come over here and tell the people of this country what someone else wants them to hear. I believe General Westmoreland will tell our people, Congress, and any committee by which he is summoned—and I hope he will be summoned by the Committee on Foreign Relations, and the Committee on Armed Services of the Senate, and similar committees of the House of Representatives—what he honestly believes. I know he will state the truth.

Mr. McGOVERN. May I interrupt the Senator?

Mr. HOLLAND. I think any examination of his record will indicate that he is the kind of man who cannot be directed to say something he does not believe in.

Mr. McGOVERN. If the Senator will——

Mr. HOLLAND. I think he will state very fully what he does believe in. My own feeling is that he is in a much better position to know what he is talking about, when he tells us that the trouble in Vietnam is being greatly accentuated by the criticism here on the home front, than are we who are here at this great distance, and who are hearing every day the persuasive voices of our brethren here in the Senate and elsewhere trying to make it very clear that the rest of us are all wrong, and that they are right; that the President is all wrong and that they are right; that General Westmoreland is all wrong and that they are right; that the Joint Chiefs of Staff are all wrong and that they are right; that Henry Cabot Lodge and other statesmen whom we have all known a long time, and in whom we have great confidence, are all wrong, but they are right.

My own feeling is that the general comes from a vantage point at which he has had the very best chance to observe what goes on there, and what are the soundest reasons for the recalcitrance and the adamant position of the North Vietnamese. I think we all ought to welcome his coming, and should look to him to tell us what he believes, and pay a great deal of attention to it. I hope that the Senator from South Dakota and my other fellow Senators will all adopt that point of view. If we cannot get a truthful report from our own commander in the field, who has been there at the risk of his life every minute for about 3 years, and who is permitted to come over here so that he can communicate with his fellow citizens in the United States; if we cannot welcome him, believe in him, and take some comfort from what he tells us, and in some degree formulate our opinions upon what he tells us, as the best possible observer, I think we shall have passed up a tremendously good opportunity to get a much clearer view of what is happening over there than we have had heretofore.

I personally welcome his coming. I think it was a wonderful thing for him to come, and so far as I am concerned, I think the President was completely right in approving his coming. I do not think that the President could any more tell him what to say and get him to say it, if he did not believe it, than he could tell the Senator from South Dakota what to say—and I know that no man living could tell him what to say or put words in his mouth. I know that no man living could put words in the mouth of the junior Senator from Ohio, and tell him what to say and get him to say it, or in the mouth of the Senator from Alaska, or in the mouth of the Senator from Arkansas, because I have much respect for their independence.

But I personally think that they are very wrong in questioning the value of General Westmoreland's comments.

Mr. McGOVERN. Will the Senator yield at that point?

Mr. HOLLAND. I think that he knows much better than any of us can possibly know what are the real fundamental reasons for the adamant and unyielding position of Ho Chi Minh and the North Vietnamese.

I thank the Senator for yielding.

Mr. McGOVERN. If the Senator will permit me to comment, I have not even hinted here today any criticism of General Westmoreland's coming to the United States. It is fine with me that he is over here. The only suggestion I made is that he presumably is following the policy of our Government. My remarks are directed at the Commander in Chief and the administration. If the general is not following the policy of our Government, if we have a Westmoreland policy and a Johnson policy, we are in even worse shape than I thought.

The Senator will remember that the last time we had a prominent general come back from Asia with his own policy somewhat different from that of the White House, he got fired. I am thinking about General MacArthur in the Korean war.

I think the presumption is that while General Westmoreland may believe in what he is doing, it is also quite clear that he is carrying out administration policy.

I will say to the Senator that I was somewhat startled when I was in Vietnam in late 1965, at a time when top administration officials were saying that our policy was one aimed at negotiation, and that we wanted to arrive at negotiations as soon as possible, to hear every single general officer that I talked with in Vietnam saying they were opposed to negotiations, that negotiations would be a disaster, that it would leave the Vietcong in control of the country. That disturbed me at the time. I have never said anything about it, because I was frankly a little embarrassed to see that kind of inconsistency between what our generals were saying to Senators who were visiting in Vietnam and what the President was telling us, both publicly and privately, here at home.

Mr. HOLLAND. Mr. President, if the Senator will yield, I think he has demonstrated in what he has just said the fact that generals can be independent. Generals can have opinions of their own and state them frankly.

Mr. McGOVERN. Does the Senator——

Mr. HOLLAND. And that generals will state what they believe. I think that is what General Westmoreland will state. Just because he happens to accord, in the main, with the position of the President, does not mean any more that he is taking directions from the President than that the President, perhaps, is following the advice he gets from him and from others.

I think he is a good one to give advice. The point I am making is that while I did not hear, and I am sorry—I am sure I was the loser by not having a chance to hear them—all the remarks of the able Senator, I did hear some of the interruptions by two or three Senators, and I gathered the impression that they were very much out of humor with General Westmoreland's coming, that they thought he was somewhat of a Charlie McCarthy, and was saying what someone else told him to say.

I think he is very much like the other generals the Senator from South Dakota talked to in Vietnam. I think he is too used to serving his country to come here and say what somebody else tells him to say, if he does not believe it. As far as I am concerned, I think this is a wonderful opportunity for our country to get a clearer, closer picture and view of what is happening there.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. HOLLAND. I see the Senator from Arkansas is on his feet. I hope he will summon General Westmoreland to appear before the distinguished committee which he heads, and I hope that the Senator from Ohio, who, while not the chairman of his committee, is a very valuable member of the Committee on Armed Services, will use his utmost persuasive influence to achieve that same result, and have General Westmoreland appear before that committee.

I think the more rapport we can get, the more advice we can get from a man like General Westmoreland, who is reported to me by the men whom I know best in the service—including one I have known ever since kindergarten days—as being one of our best soldiers and most conscientious Americans at the present time. I want to hear what he says.

I believe he is a good American. I believe that he will tell us what he believes from the bottom of his heart and that his information is based upon a much clearer chance to observe than the Senator from Florida has had, or than any of his brethren in the Senate have had, to observe the actual facts.

Mr. LAUSCHE. And he is not running for reelection anywhere.

Mr. McGOVERN. Anyone who runs for reelection for or against the war in Vietnam is doomed to be disappointed. This is not an issue to be exploited for political purposes.

No Senator who has spoken here today has directed his remarks at reelection. Speaking out on the issues involved in Vietnam, pro and con, is very hazardous, and the Senator knows that.

Mr. LAUSCHE. Is it not a fact that the President of the United States is in a most dangerous position because he is carrying out his honest judgment—the following out of his honest judgment on Vietnam has made him politically weak?

Mr. McGOVERN. What does the Senator from Ohio think the rest of us are doing but carrying out our honest judgment?

Mr. LAUSCHE. It is one thing for the President to say that we cannot pull out of Vietnam; it is another thing for others to say that we should pull out. The President is being plagued and hit from every side.

Mr. McGOVERN. No Senator is suggesting that we pull out of Vietnam. Not a single Senator has suggested that.

Mr. LAUSCHE. The Senator says that we should not pull out. What does he propose?

Mr. McGOVERN. I recommend, and have recommended for 3 years, that we stop widening the war and the sending of more and more American men in an effort to end a problem that has to be settled by the Vietnamese people.

Mr. LAUSCHE. Would it not be better to pull out than to let our men sit there and be mowed down by the fire and the bullets of the North Vietnamese? I reaffirm that rather than have our men sit there it would be better that we pull out.

Mr. McGOVERN. The course I have recommended is the course that is best calculated to save the lives of American men in Vietnam.

The course the Senator from Ohio has recommended is the course designed to lead to a larger war and to the loss of more life on both sides.

Mr. LAUSCHE. I have not recommended any course. However, the Senator recommends that we stay there. I insist that if our men are to be required to stay there, we must stop the movement of troops and equipment from the north.

I would not stand by for one moment and watch equipment and troops coming in from the north mowing down our men and then tell them: "You stay there. We will not protect you."

That, in my judgment, is not the course to follow.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. McGOVERN. Mr. President, I yield to the Senator from Florida first; I shall then yield to the Senator from Idaho.

Mr. HOLLAND. Mr. President, I am grateful to the Senator for yielding. The Senator from Florida did not rise to create any inflammatory conditions on the floor of the Senate. He rose to make it perfectly clear that he feels that the coming of General Westmoreland to speak to his own people—his fellow countrymen whom he has served all his life since he graduated from West Point—is a wholesome and healthy thing. It is naturally designed to give us the clearest view and the best and most dependable information which we could possibly have.

The Senator from Florida gained the impression from the colloquy to which he listened after he came to the Chamber that there was another position, to the effect that General Westmoreland ought to be back in Vietnam.

I think it is important now for our people to understand better this situation in Vietnam. When the General comes and tells us that the things that are happening here are making it more dangerous for the half million men we have there, I think he is entitled to be heard.

I am going to listen with great confidence to what he says. He has a much better vantage point than we have had. His life has been long in danger, every minute. He has had a much closer chance to know what the facts are.

I hope that we will utilize his presence by having him appear before our committees and give us the benefit of all the information he has.

Mr. President, I thank the distinguished Senator. I am not mad at anybody. I think that having General Westmoreland here will be a grand opportunity for us to gain more information on the subject.

Mr. President, I ask unanimous consent that the lead editorial in the Evening Star of today, entitled "Westmoreland's Appeal," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WESTMORELAND'S APPEAL

In his address to the Associated Press managing editors, General Westmoreland was calling for two things—understanding of the war in Vietnam and support on the home front. It was an admirable performance, one which should inspire confidence in the man who is responsible for the direction in combat of some 435,000 Americans.

This general is not a wishful thinker. "The end," he said, "is not in sight. I foresee, in the months ahead, some of the bitterest fighting of the war."

But General Westmoreland also spoke with confidence in our "battlefield capability." The problem as he sees it no longer involves danger of a military defeat. A military victory is beyond the reach of the Communists. He is concerned, however, with the attitude of some Americans.

"The magnificent men and women I command in Vietnam," he said, "have earned the unified support of the American people." But a noisy minority denies them this unified support. And our troops "are dismayed, as I am, by recent unpatriotic acts here at home. This, inevitably, will cost lives—American, Vietnamese, and those of our other brave allies."

General Westmoreland knows, of course, that it is impossible to ban anti-war demonstrations in this country. Even as he spoke to the editors, demonstrators were marching in front of the hotel, one of them carrying a placard which read: "Westmoreland Wanted for War Crimes."

What can be done, however, and what General Westmoreland evidently hoped to do, is to isolate the peaceniks by appealing to the patriotism and the good sense of the American people.

The same thing is true of the address to the Economics Club of Detroit by General Wallace M. Greene, Jr., commandant of the Marine Corps.

A great many, perhaps most, Americans are uneasy and unhappy with the war in Vietnam. But they also know that there is no easy way out. And as they come to realize that such shameful episodes as the recent demonstrations in New York and San Francisco serve no better purpose than to encourage the enemy and prolong the war, we think they will listen to the General Westmorelands and the General Greenes, not to the shrill, irrational clamor on the American Left.

Mr. FULBRIGHT. Mr. President——

Mr. RANDOLPH. Mr. President, reserving the right to object, and I shall not object——

The PRESIDING OFFICER. Will the Senator from Arkansas make his request?

Mr. FULBRIGHT. Mr. President, I wanted to have an additional 10 minutes. I understood that the Senator from West Virginia had gone to lunch and was in no hurry. I was told that by one of his staff.

Mr. RANDOLPH. Mr. President, nobody has been authorized to say that. I have been waiting here.

The PRESIDING OFFICER. Is there objection?

Mr. RANDOLPH. Mr. President, I would like it clearly understood that the Senator from West Virginia is very easy to accommodate. However, I have been waiting for an hour and 15 minutes, and I had an order, just as the distinguished Senator from South Dakota had an order.

We all have commitments that we have to adjust to. We have a vote scheduled for 2:30 this afternoon.

Some seven other Senators are joining with me in the subject that we shall discuss.

Mr. President, I shall not object.

Mr. McGOVERN. Mr. President, I will make my remarks as brief as I can.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I want to make one point to correct the impression of the Senator from Florida that there was any criticism of General Westmoreland. There was none whatever, from any point of view. As a matter of fact, I think he inadvertently has rendered a great service.

It is quite clear to me, although no one has said so in such words, that the very fact that General Westmoreland is here and made the kind of speech he did, plus the kind of speech that General Green made, that there is not the slightest doubt that all the pressure is on and in the eyes of the President the war is going on to a military victory. These events are more revealing than anything else that has been done.

I agree with the Senator from Florida that it is much more likely that the administration has now come around to the views of General Westmoreland than the reverse. I think he is saying what he thought.

Mr. McGOVERN. I agree with that statement.

Mr. FULBRIGHT. I do not know how the Senator from Florida can think that General Westmoreland knows more about the psychology of dissent on Ho Chi Minh than many other citizens. I do not understand that the general has any pipeline to Ho Chi Minh or possesses any special qualifications, in Vietnam or anywhere else, to interpret the political significance of the voice of people who have a different view from that of the administration.

I do not admit that. I think that General Westmoreland knows what goes on in his jurisdiction. But merely because the general is a great general, I do not accept him as an authority on all subjects. He is a general, and I am not quite ready to admit that only generals know anything about human relations or diplomacy or other nonmilitary activities.

I do not accept him as an authority in every respect.

There is a legitimate difference of opinion as in our best course of action as a nation. It is quite clear, however, that there is a growing implication that dissent will lead to charges of disloyalty and muddleheadedness and then finally to implications of treason. This, I fear, is one of the last times that anybody will have courage to say anything else about the war.

Mr. HOLLAND. Mr. President, it would be incomprehensible to me that anybody should accuse any of my distinguished friends of disloyalty or treason because they have a different opinion than others.

Mr. FULBRIGHT. They are already doing it.

Mr. McGOVERN. The Senator will agree that they are coming pretty close to that.

Mr. HOLLAND. Mr. President, I have assured my good friend on the floor, privately and publicly, that I have respect for people who have convictions and speak them. However, I call attention to the fact that General Westmoreland has access to all of the information that has been adduced from interviewing prisoners of war and defectors from the Vietcong and from North Vietnam, and there are thousands of these. Which of us has access to any of those sources, which are multifarious?

To my view, the Commander in Chief, who has been the responsible party for evaluating everything in the field, not only is entitled to have an opinion as to what is most responsible for the adamant attitude of North Vietnam, but also, he probably has the best possible opportunity to have the correct view. At any rate, I believe it is a great service to our people to have an opportunity to hear General Westmoreland, and it will help to clear up these difficulties.

I again say that I hope that my distinguished friend, the Senator from Arkansas, who always keeps an open mind, will invite General Westmoreland before his committee. I hope the Committee on Armed Services will do the same. I hope we will all feel free to have conferences with General Westmoreland, because I think he is a very fine gentleman as well as a great commander, and he is certainly a patriotic American.

Mr. FULBRIGHT. There is no question about that.

Mr. HOLLAND. I believe that his point of view will be the most valuable contribution to the thinking of our people on the home front that we have had in a long time.

Please pardon me for intervening again. I rose in the beginning to make that point, and not to question anybody's attitude.

INVESTMENT TAX CREDIT

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the clerk will report.

The ASSISTANT LEGISLATIVE CLERK. A bill—H.R. 6950—to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The Senate resumed the consideration of the bill.

THE LESSONS OF VIETNAM

Mr. McGOVERN. I wish to make two brief observations on the remarks of the Senator from Florida. First, we have the time-honored tradition of the civilian supremacy over the military, which I, for one, hope we never surrender; and, second, let us not forget that even a great general can be wrong.

General MacArthur, in my judgment, was every bit as great a general as is General Westmoreland. Both are great generals. But General MacArthur had access to the same kind of information that the Senator from Florida says is available to General Westmoreland. General MacArthur was on the home ground, he was involved on the scene, and he assured our President that if he had the authority to take American forces into the Yalu River area, the Chinese would not intervene.

Nevertheless, the Chinese came in, a million strong, and we paid an enormous price in blood and treasure because of that miscalculation on the part of a very fine general.

I yield to the Senator from Idaho.

Mr. CHURCH. I thank the Senator. I commend the Senator for the courage and the candor of the statement he has made today.

I was dismayed to hear the senior Senator from Ohio [Mr. LAUSCHE] intimate that the Senator from South Dakota's position may be somehow related to the fact that he is up for reelection. If there is one thing that should be clear—and all of us know it in our hearts—it is that it takes a great deal of political courage to express a dissent over national policy once the country has become involved in war.

There is safety and even favor to be gained by marching in step. But there is obvious political danger involved in expressing dissent. And to try to turn that situation around is little less than appalling to me. So I commend the Senator from South Dakota for his courageous speech.

I should like to ask the Senator two or three questions concerning the bombing, the scope of which has been enlarged in the past 24 hours.

How long has the bombing been going on? Approximately 2 years? Is that not correct?

Mr. McGOVERN. The bombing began in the south, I believe, on February 9, 1965, and began in the north about a week later. As I recall, it was February 16 or 17 of 1965. So is has been in progress, in both the south and the north, for a little over 2 years.

Mr. CHURCH. As I recall, the stated objectives of the bombing, announced at the time, were two: first, to interdict the supply lines from the north, and thus to cut down on the amount of men and material being infiltrated into South Vietnam; second, to bring pressure to bear upon Hanoi, to persuade Ho Chi Minh to come to the conference table, and thus to terminate the war. Is that not correct?

Mr. McGOVERN. The Senator is correct. Those were the stated reasons at the time.

Mr. CHURCH. Now, the bombing has gone on for 2 years. What have been the results as acknowledged by spokesmen for the administration itself? First, has the supply of men and material from the north been substantially reduced? Is it not true that actually the supply of men and material has increased during the period of the bombing, rather than having been reduced?

Mr. McGOVERN. My understanding is that at the time the bombing was started in North Vietnam, 400 North Vietnamese regulars were reported to be south of the 17th parallel. I believe it was said that there was one battalion of the 325th Division of the north. There was some conflict even about that. I remember reading reports that we were not sure it was an organized North Vietnamese unit, but they later settled on the figure of 400 men.

Today it is my understanding that a good many thousands of North Vietnamese regulars are fighting in the south. I am not sure what the figure is. but certainly many, many times the number who were there when we started the bombing 2 years ago to shut off the infiltration.

Mr. CHURCH. So, on the record, the bombing has failed to accomplish its first objective. Is that not so?

Mr. McGOVERN. The Senator is correct.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CHURCH. I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. As to the second objective, has there been any indication whatever, since the bombing commenced, that it is breaking the will of the Hanoi government to persist in the prosecution of the war?

Mr. McGOVERN. Quite the contrary, I believe there has been a hardening of the attitudes of Hanoi toward negotiation.

Harrison Salsbury, who was in North Vietnam—which is not true of General Westmoreland or of any of our field commanders—and other on-the-spot observers have reported that the bombing is doing what bombing usually does: it is hardening the will of those under attack.

Mr. CHURCH. Can the Senator recall any war in which the will of a country has been broken by an aerial assault alone, where bombing in fact has produced the result that we are apparently seeking for it in North Vietnam?

Mr. McGOVERN. The only example might be the atomic bombing of Japan, where the shock was so enormous that it literally paralyzed the Japanese. But no one is suggesting that we use that approach against the guerrilla fighters in Vietnam.

Mr. CHURCH. Wherever conventional bombing has been used in the past, as in Korea, as in Germany in the Second World War, bombing alone has never resulted in either breaking the morale of the bombed people, or destroying the resolve of the bombed government, to persist in its prosecution of the war. Is that not true?

Mr. McGOVERN. The Senator is correct. Certainly, that was true with the bombing of Britain, and with the bombing of Nazi Germany and other countries in World War II.

Mr. CHURCH. In fact, is it not true that it was possible for Hitler to retain control of Germany in a most astonishing fashion until there was nothing left of Germany but the black, smoking, twisted ruins of Berlin, that he remained in charge until he put a pistol to his own head, underground in his bunker in Berlin? And, it was only at that moment, the moment he took his own life, that he stopped being dictator of Germany.

Mr. McGOVERN. The Senator is correct.

Mr. CHURCH. And is it not true that one of the reasons for this remarkable feat ascertained afterwards, was the unifying effect that the bombing had in holding the German people together under Hitler until the Allied armies actually occupied Germany?

Mr. McGOVERN. The Senator is absolutely correct.

Mr. CHURCH. Well, that is the record of the past, and I believe it testifies to the force of the argument that the Senator from South Dakota has made on the floor this afternoon.

Mr. McGOVERN. I appreciate the comments of the Senator from Idaho.

I feel badly about delaying the delivery of the talk by the distinguished Senator from West Virginia [Mr. RANDOLPH]. I appreciate his courtesy in yielding the additional time.

Mr. President, I ask unanimous consent to have printed in the RECORD several articles and editorials supporting my speech.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

FLAT-OUT WAR WINS IN WEST VHTNNNG

(By Arthur Hoppe)

It was in the 38th year of our lightning campaign to wipe the dread Viet-Narian guerrillas out of West Vhtnnng when a dispute arose on how best to save that beleaguered nation for democracy.

Some strategists favored bulldozing a 200-yard-wide "Death Strip" between West Vhtnnng and East Vhtnnng. And some strategists favored declaring the entire border province of Whar Dat a "Free Kill Area" in which anything that moved would be blasted.

It was the U.S. military commander, Gen. Zipp K. Zapp, whose clear thinking resolved the issue. "Both plans have merit in our unending struggle to save our beloved allies," he said thoughtfully.

"So let's stop talking and start doing."

"Do which, sir?" said an aide.

"Do both, damn it," said Gen. Zapp.

And so it was that the entire province of Whar Dat was bulldozed flat and declared a "Free Kill Death Strip Hands Up Don't Move Democracy-Loving Area."

Naturally, such an ambitious undertaking was not accomplished without some carping. Indeed, the provincial governor of Whar Dat, Gen. Ngo Mahn Ngo, dictated an eloquent letter of protest to his Premier, Gen. Hoo Dat Don Dar. Unfortunately, the letter was never transcribed as Gov. Ngo succumbed to an uncontrollable urge to scratch his left ear while seeking a phrase. This drew an immediate response from 42 Strategic Air Command bombers. And Ngo Mahn Ngo was ngone.

This ended the protest movement in Whar Dat. In fact, it ended all movement.

"I am proud to report that the province of Whar Dat, for the first time in 38 years, is entirely free of Viet-Narian guerrillas and thus secure for democracy," Gen. Zapp reported proudly to the President. "Please color it red, white and blue on your map."

"I think you've found a way out of this scrape we're in," said the President jubilantly. "Keep scraping."

Thus it was that the bulldozers ground forward to the next province, Opp Krik, and scraped that clean, too. Victoriously moving on, they had flattened half of West Vhtnnng by the next January. Everyone was delighted with the new strategy.

"This is getting to be the cleanest war we ever fought," the Army said happily.

"Our pilots have not mistakenly bombed a friendly village in months," the Air Force said happily.

The only person who wasn't absolutely delighted was Premier Hoo Dat Don Dar. "I'm not complaining, mind you," he said, "but the Loyal Royal Palace is sure getting filled up with my poor relations from what used to be the sticks."

He said that just before the bulldozers smashed through the East Portico.

And so it was that peace and total victory came at last to West Vhtnnng. Our President himself in a broadcast to the surviving Vhtnnngian people summed it all up.

"We have honored our commitment to stem the tide of communism in Asia," he said, "and make your beloved Vhtnnng safe for democracy."

There was no question that the President's stirring words would have met with heartfelt applause from the grateful survivors. But none of the seven wanted to make the first move.

[From the Saturday Evening Post]

COME HOME WITH THAT COONSKIN

The essence of democracy is that the citizens of a nation shall have the right to vote on the major issues confronting them. The essence of our tragedy in Vietnam is that no such right has ever been exercised, either in Vietnam or in the United States. In South Vietnam. where the last elected leader was murdered three years ago, our 36-year-old protégé, Marshal Ky, recently presided over an "election" that provided only for "respectable" candidates to join in writing a still unwritten constitution. In our own country, where the Congress has not been consulted about its constitutional duty to vote on a declaration of war, the inability of the people to express their free choice has been even more astonishing.

Two years ago, when there were only 23,000 American "advisers" serving with the Vietnamese, and when we still adhered to John F. Kennedy's statement that "in the final analysis it's their war," Barry Goldwater horrified a great many people by advocating such drastic measures as bombing Communist bases in North Vietnam. The Democrats promptly produced television commercials strongly implying that a vote for Goldwater was a vote for World War III. "We are not about to send American boys nine or ten thousand miles away from home," said President Lyndon Johnson, "to do what Asian boys ought to be doing to protect themselves." Yet no sooner had Americans cast their votes for, among other things, peace, than President Johnson adopted the Goldwater policy as his own. Now that he has sent more than 300,000 American troops to "do what Asian boys ought to be doing," now that 5,630 of them have been killed, now that we are dropping more tons of explosives on Vietnam than we dropped on Europe or the Pacific during World War II, now that we have drifted into a major war, every public-opinion poll shows the American people baffled and dismayed. And as always, baffled and dismayed people favor totally contradictory policies. Thus a Gallup poll last month showed that a majority favored escalating the fighting, but a majority also favored greater peace efforts, and a majority feared the whole struggle would end in stalemate. As for a free election, however, no matter how analysts try to assess the recent off-year balloting, the basic fact is that the American people, like the people of Vietnam, haven't had a chance to vote. No alternatives were proposed, and there was no way to vote for or agaihst that murky collection of improvisations known as "President Johnson's current policy."

For connoisseurs of the presidential "style," it was fascinating to watch Lyndon Johnson scoop up a handful of "allies," along with an army of reporters and TV camermen, and whisk off to Manila for a series of pre-election meetings billed as a "conference." It was fascinating, too, to see him and the camermen stage a "secret" trip to Vietnam, so that the President could tell the troops to "come home with that coonskin." But the Manila communiqué that concluded all this was a restatement of all our illusions—not the least being the illusion that the enemy consists of raccoons. Once again, the war was presented as a matter of enemy "aggression"—as wars always are—and the so-called "allies" promised to withdraw all foreign forces within six months after "the other side withdraws its forces to the North, ceases infiltration, and the level of violence thus subsides."

It would be easy if everything were so simple, if it were a matter of "the other side" just going away. According to official U.S. figures, however, the number of North Vietnamese regular troops in South Vietnam amounts to about 50,000—no more than the force of South Koreans we have shipped into Vietnam, and only a fraction of the number of American troops involved. And if we are talking not about regular troops but "infiltrators," we might begin by shipping South Vietnam's Premier Ky back to his native North Vietnam, and then we might welcome North Vietnam's Communist Premier Pham Van Dong back to his native south.

The theory of "aggression" is, in short, virtually worthless. Vietnam is one country, torn by the agony of civil war, and the major outside intervention is our own. We can justify this, of course, as all great powers justify their use of force—by claiming that might makes right. We can claim that we have a right to assert our military power to protect our access to Southeast Asia—or anywhere else. We can claim that we have a right to veto who will govern South Vietnam—or anywhere else. We can claim that we have a right to kill anyone who stands in our way.

There is a long and distinguished tradition in America that can best be summed up in Stephen Decatur's celebrated toast: "Our country! . . . may she always be in the right; but our country, right or wrong." True to that tradition, a whole generation of American youth has proven once again that this nation can produce fighting men who are second to none in their courage, skill, determination and loyalty. But this is also a tradition that applies to other centuries and other countries, to the foolish Charge of the Light Brigade, "theirs not to reason why," and to the suicidal fanaticism of the Kamikaze pilots of Imperial Japan, and just possibly to the Viet Cong as well. It is thus a tradition that not only has created great heroes but has sent millions to die for false causes.

It is a tradition whose whole merit depends, finally, on the nature of "our country," and the country to which Stephen Decatur took his pledge was one that claimed "its just powers derived from the consent of the governed." We have come a long way since then, and we have come that way partly because "our country, right or wrong" does not mean "our president, right or wrong," and because the great issues that rise to divide a nation have ultimately been resolved by a combination of moderate leadership and the popular vote. There is in any true nation a great natural resource known as patriotism, and presidents and kings and generals have always exploited it to carry out their plans for good or ill. But patriotism is not a justification for everything, nor was the world designed to suit our convenience, and in due time we all learn to judge our leaders by the wisdom and justice of their causes, not by the amount of blood they shed in their quest for shining victories.

Raids on Migs Raise Major Questions

(By George C. Wilson)

The first United States attacks on operating Mig bases in North Vietnam raised major military and political questions yesterday for both Washington and Hanoi.

President Johnson, now that he has approved attacks on the Hoalac and Kep airfields, could order bombing of the other active Mig bases as a further indication of U.S. determination.

North Vietnam's leaders must make the decision whether to risk further attacks or negotiate with Red China to permit use of Chinese airstrips for their Migs.

The new bombing raids thus could force Hanoi into greater dependence on China. It also would limit the time the short-ranged Vietnamese jets could spend in the air over their own country. North Vietnamese planes already use an air base in China, 225 miles northwest of Hanoi.

The United States, faced with North Vietnamese Migs flying out of Chinese bases, would have to decide whether to pursue fleeing planes into China. Another question is whether bases in China should be bombed.

The Pentagon said yesterday that Air Force F-4 fighter-bombers destroyed "up to nine Migs" on the ground at Hoalac while Navy planes were credited with hitting 19 to 20 Migs at Kep. This, according to the latest Pentagon estimate, leaves North Vietnam with between 90 and 120 Migs of various types, including some modern Mig 21s.

Both the bombed air fields are near Hanoi—Hoalac 19 miles west of the city and Kep 37 miles northeast. Still untouched are the North Vietnamese Mig bases at Phucyen and Gialam near Hanoi, Catbi at Haiphong. Baithuong down the coast from Haiphong near Thanhhoa was bombed while it was under construction.

Military leaders would have preferred bombing all the operational Mig fields at once rather than let the North Vietnamese concentrate their anti-aircraft defenses at the untouched bases.

But President Johnson, evidently preferred to escalate the war more gradually.

If the United States does hit the other Mig bases in the coming weeks, Hanoi would have little choice but to move its Migs into China.

But the Mig is basically a defensive fighter—a plane the Russians designed to intercept enemy bombers. As such it has comparatively short range. Moving its bases farther away from Hanoi and Haiphong would reduce the time it could stay up over those cities to harass U.S. fighter-bombers.

In fact, the defensive character of the Migs long had been an argument for not bombing their bases. They were not related to the infiltration from North to South Vietnam but were for national defense, according to this argument.

Another argument against bombing the Mig fields was that the fighters were not enough of a nuisance to justify the international complications of such an action.

Just three weeks ago—on April 3—Defense Secretary Robert S. McNamara said the Mig bases had been spared "to avoid widening the war."

He added: "We think that at least under present circumstances, and this belief can change as time goes by, but we think under present circumstances the loss in U.S. lives will be less if we pursue our present target policy than they would be were we to attack those airfields. It is always a balancing of gains and losses in terms of U.S. lives and U.S. political objectives."

When asked what had changed in the Vietnam War since April 3 to justify the bombing of the Mig fields, a Pentagon spokesman would not go beyond this statement: "The actions speak for themselves. The possibility of strikes against air fields has never been ruled out."

Pentagon figures show no big change in recent Mig successes against U.S. planes. As of yesterday, Migs had shot down 11 of our planes and the U.S. had bagged 40 Migs.

The Joint Chiefs and Staff have argued the Mig bases should be bombed because the fighters interfered with bombing raids. The menace was not measurable just in U.S. fighters downed, they said. The presence of Migs, the chiefs argued, often forced U.S. fighter-bombers to jettison their bombs so they could maneuver in a dogfight. Also, Migs often forced U.S. planes into murderous anti-aircraft fire.

Some military leaders—like retired USAF Gen. Curtis E. LeMay—contend Mig fields in China should be bombed if the planes there support the Vietnam War. The argument is that there should be no sanctuary like there was in Korea. But the bombing of Chinese airfields would appear to be one of the last steps the President would take.

He already has intensified international problems with the bombing of the two Mig fields. Besides the China involvement, the bombing has now confronted Russia with the problem of keeping North Vietnam supplied with Migs.

There is the possibility that the tit-for-tat character of the war may prompt Russia to give North Vietnam better aircraft with improved missiles for knocking down U.S. planes.

Already there have been reports that North Vietnamese pilots are training in the Soviets' SU-7 fighter—more modern than the Mig 21s believed in North Vietnam before yesterday's raid.

Another worrisome possibility is that Russia, in response to yesterday's escalation, may decide to supply North Vietnam with other modern arms, like surface-to-surface missiles which could be fired from miles away into tightly packed U.S. air bases like Danang.

Is There a Way Out of the Vietnam War?

(By Harrison Salisbury)

I strongly suspected before I arrived in Hanoi that the North Vietnamese authorities would not have taken what was for them the giant step of authorizing my visa unless they had decided that the time had come for active exploration of the possibility of peace-by-negotiation in Southeast Asia. I departed from Hanoi with that suspicion transformed into positive conviction. No other sensible interpretation could be placed on the conversations which I had with the Premier and other North Vietnamese officials.

It was apparent that the war was approaching one more of those crossroads which had marked its development over the years. It could proceed in one of two totally opposed directions: down the arduous but productive path of negotiation toward settlement and peace; or it might be precipitously escalated and carried far beyond Vietnam, suddenly to embrace vast areas of Asia or the world. This evaluation was not contained in what anyone in Hanoi was prepared to say publicly. In fact, even in private there was a tendency to fall away from declaring explicitly what was expressed implicitly. But that North Vietnam was prepared to explore actively and seriously the possibility of bringing hostilities to an end was no longer a matter of doubt.

What had produced this attitude in Hanoi? Certainly I had not found that our bombing had achieved this result. I thought that a circumstance far more dangerous to Hanoi, and quite probably to the world, lay in the background of the changed thinking. That circumstance was the chaos in China. In Hanoi one felt the hot breath of the Peking crisis like a fiery draft from a suddenly opened furnace. The events in China were like some terrible charade. Everyone's attention was riveted on them. Everyone knew the fateful consequences which might flow from them. But no one knew how to influence them.

A year earlier I did not believe Hanoi had been especially eager for negotiations with the United States. At least I did not think that North Vietnam was then prepared to talk in terms of a settlement which would have been acceptable to the United States. Earlier than that, I believed, negotiations would have been even less productive.

Going back over the course of events from 1945—the struggle against the French, the victory at Dienbienphu, the Geneva settlement, and the gradual transition from political struggle to warfare—it seemed to me that Hanoi's ambition had undergone great changes. In the early period, and probably as late as 1958 or 1959, I thought that the North Vietnamese and other Asian Communists, with Chinese encouragement, had been thinking in grandiose terms. They had dreamed of the creation of a great Asian Communist movement which would have the sympathetic guardianship of Peking. Peking would help with ideological support, material means, and possibly even the kind of logistic and tactical support which had helped General Giap to succeed at Dienbienphu. The fulcrum of the movement would be Vietnam. There was every reason for Hanoi to think that political evolution in Vietnam favored the North and specifically favored Ho Chi Minh, who then (and now) was the only national leader which the country possessed. Communism or quasi-Communism might then readily spread from Vietnam and possibly from Indonesia to Malaya and to Vietnam's companion successor states of French Indochina, Cambodia and Laos.

This has been a dream and possibly more than a dream in those years. But with the steady rise of conflict within the Communist world this goal had begun to appear less and less realistic. By the early 1960s, I believed, it must have seemed quite impossible. By this time the polemics between the Soviet Union and China had begun to affect the world Communist movement radically, and no Communist regime was more caught in the middle than that of North Vietnam.

During this period, however, it was still possible for Hanoi to dream of political domination of Vietnam or at least a close working partnership with the South under National Liberation Front leadership. There had not been demonstrated up to that time (nor to the present) any political vitality in the Saigon Government which was likely to last once the war ended or the United States removed its props. The inauguration of the American bombing offensive had not changed Hanoi's evaluation of the probable outcome in Vietnam. It still seemed that Hanoi and the Front would survive long after Marshal Ky or his successors had vanished.

The bombing would make it harder for Hanoi and the Front. It would prolong the struggle. It would cost North Vietnam most, if not all, of the restricted socioeconomic gains achieved since establishment of the regime. But the gains were not essential, and the losses would not be decisive. The country was still too primitive, too poorly developed. Even if all the industries, all the improvements were destroyed, even if all the towns and cities were wiped out, the country, its essential peasant life and rice culture, would endure. There was nothing about the bombing of the North which, in the long run, was likely to add to the political viability of Saigon. On the contrary, in the end the results would be the same except that the North Vietnamese would suffer more, the casualties would be higher, the losses greater.

On the other hand, the United States would also suffer. It would begin to cost America a great deal to maintain its war effort. Those members of the Hanoi Government who took ideological guidance from Peking did not think this was at all bad. They shared the view of the Peking Marxists, who held that the more places in the world in which the United States could be mired down in grinding, endless, expensive, frustrating conflict in formerly colonial areas, the more the United States would be bled, the more its resources would be expended, the greater the burden on its social and political structure, the more intense the strain on its relations with other nations, and the greater the political defeat for the United States through loss of world support, particularly among the former colonial peoples, who possessed the majority of global population, who dominated the United Nations, and who in the future would have to be reckoned with.

China was playing the long game. It was counting on the Vietnam war as the first in a series of skirmishes in which the United States would be entrapped. When enough United States forces had been tied down in Asia, in Africa, and in Latin America, Peking would come out on top. It was an attractive theory. It would require decades to work out. But Asia had more time than anything else. Eventually this strategy might involve the United States in war with China. But that, too, would be endured. Indeed, the Chinese had already worked out the tactics whereby they believed they could survive American nuclear attack.

Here the strategy of Peking and that of Hanoi showed a remarkable concordance. Ho Chi Minh talked about the inevitable escalation of the United States war effort. He and his associates noted how we had first bombed only a little way above the 17th parallel, then gradually widened out until the whole country was attacked. At first we did not hit Hanoi and Haiphong. Then gradually we moved on the two big cities. Eventually, Ho contended, the worst would happen—Hanoi and Haiphong would be attacked in a systematic and sustained fashion. But, he insisted, this would not mean the end, North Vietnam would retire to its caves and its jungles and struggle on for ten, twenty, fifty years and finally the United States would be defeated. Long before that another thing would have happened. The volunteers would have come into the war—the manpower of China and possibly of the Soviet Union and of Eastern Europe which stood ready to come to Hanoi's call.

Did Ho really think that events would take this course—that the destruction of his country, the involvement of all the Communist world, was virtually certain? Possibly not. Quite possibly he thought that the prospect of total involvement would, in time, bring the United States to discuss terms acceptable to the Communists. But now history had taken a turn which not even the least sanguine North Vietnamese had anticipated. The brooding quarrel between the Soviet Union and China had boiled over. The consequences already were disastrous for the orderly conduct of North Vietnam's defense. Month by month and week by week the problem grew more grave. North Vietnam was spending more effort now trying to maintain relations with its two great neighbors, trying to keep the flow of supplies coming through, than on any other aspect of the war. And the possibility daily heightened that graver disaster lay ahead.

China could at any moment erupt into civil war, which would mean the diminution or cutoff of the supply route. The intraparty conflict in China might reach such bitterness that one faction would halt supplies or close the roads. The Chinese already were hampering the movement of Soviet goods. They might stop them entirely. The conflict between Moscow and Peking might move into the open warfare. This would make deliveries impossible.

Any one of these combinations might produce the worst of consequences for North Vietnam. The country and its leadership might be drawn into the intra-China dispute through the simple fact that so many of Ho's associates had intimate relations with the Chinese. Many in his entourage had connections as close with Peking as they had with Ho. Suppose Peking thought that Soviet influence was coming to the fore in Hanoi—might it not instruct its friends in Hanoi to intervene? Might Peking already have intervened through third parties to try to affect Hanoi's policies?

It was possible the Chinese would try to confront Ho with a *fait accompli* and subvert his government if they thought he was beginning to side with the Soviet Union. In their present hysteria almost any act of Hanoi's could be interpreted in Peking as hostile to China or pro-Soviet. Hanoi had stated flatly that it would not receive "volunteers" from China or any other Communist state except in certain specific instances and only when it called for them. But could Ho be certain that Chinese "volunteers" would not suddenly pour over the frontier in response to a demand from a member of the North Vietnamese Government acting on the instruction of Peking?

There was not a diplomat with whom I talked in Hanoi who was not sensitive to these potentials. They had changed the whole aspect of Hanoi's attitude toward peace and negotiations. There was not a diplomat from Eastern Europe with whom I talked who did not strongly favor negotiations at the earliest possible moment. Not all of them favored this course because of fear of China. Many had strongly favored it before the Chinese crisis. But the Chinese crisis strengthened their feeling that the war represented a grave fissure in the world political structure, that it created a situation which under the stress of events in Peking might lead the world to nuclear catastrophe.

A nuclear war, they pointed out, was regarded with horror by all the world—except Peking, which had prepared a strategy for dealing with the nuclear devastation of China. Peking, they noted, was talking about the inevitability of American nuclear assault, the wiping out of Chinese nuclear centers, the destruction by nuclear weapons of all China's large cities. Peking thought this would merely create a trap (killing, incidentally, possibly 300 million Chinese) into which the United States would fall. Because, said Peking, after the bombs had done their work the Americans would still have to enter the nuclear-poisoned countryside and seize the land, and there they would find the Chinese, 400 million strong, emerging from caves and bunkers, ready to fight with primitive bombs and grenades at a range of 200 yards or so—closer than America's technology could be effectively employed.

The European Communists were familiar with this Chinese thinking. They were chilled by it and by the consequences it might bring to themselves and to Southeast Asia. I could not find many North Vietnamese who relished the idea, but they were so accustomed to talking of protracted war, of retreating into the hills, of fighting through decades while the Americans exhausted themselves, that the prospect did not fill them with so much horror. But I did not believe that Ho wished to lead his country down that avenue. I thought that he and his leaders had taken the measure of what the next year was likely to bring. And the year after that. It must look to them that the chances for bringing more strength into a negotiation in 1968 were less than the chances in 1967. Beyond 1968 lay more and more grave question marks.

I did not know whether Moscow, in seeking to free its hands of the China crisis and in its hopes of uniting the West in a common front against Peking, had sought to persuade Hanoi of the desirability of negotiation. Perhaps not. The Russians had found themselves in a delicate position vis-à-vis Hanoi and the Communist world. Every Communist knew Moscow had no deep interest in Vietnam. Everyone knew Moscow wanted the war settled. But that made it difficult for the Soviet Union to take a direct hand. Possibly, with the rapid deterioration in Peking, Moscow had finally spoken more directly.

Whatever the event, now, at this late hour, Hanoi was interested in talking terms. But even so there was a grave impediment. It could not talk openly or directly lest this provoke the very intervention and reprisals by the Chinese of which it was most fearful. At a hint that Hanoi was ready to talk peace Peking was apt to intervene forcibly—by closing the frontier and cutting off supplies, by bringing political pressure to bear within the North Vietnamese Government, or by sending in the "volunteers" to shift the balance back toward war.

I had felt before going to Hanoi that the only effective method of exploring the possibilities of negotiation was by private, completely secret talks, far from the spotlight of world opinion. It was not hard to see the futility of publicized techniques. Some efforts occurred while I was in Hanoi. The British Foreign Secretary, George Brown, made a public appeal for talks, putting the weight of his stress on Hanoi. He added for good measure the suggestion that the talks be held in Hong Kong, oblivious of the fact that the Chinese two days earlier had charged that Hong Kong was a base for the aircraft carriers whose planes were bombing North Vietnam. It was incredible bumbling. Or possibly it was not intended seriously except to ease the pressure on the Labor party at home to take some action toward ending the war.

The Pope made appeals and U Thant made appeals. None of these received a very enthusiastic welcome in Hanoi. There had been suggestions that General de Gaulle might make a good mediator. There was no doubt in my mind that de Gaulle was well regarded in Hanoi. But the attitude of the North Vietnamese officials suggested that they much preferred such a delicate business to be carried on without the intervention of third parties. They had had considerable experience in the past—a bit more than I was aware of when I was Hanoi—of the difficulty of making and maintaining contacts with the United States. Publicity was the one thing they did not want. The intervention of a third party merely increased the possibility of a leak, with the unpleasant consequences which might follow.

The talks could not stand publicity. Of this I was certain. The North Vietnamese had to see the light at the end of the tunnel before they started down the passageway. Until they could feel, privately, that there was a real possibility of an agreement they could not afford public negotiations. Because the moment they entered public negotiations they could expect the China route to be cut and they could expect active Chinese efforts to upset the talks. This would be fatal unless they knew that they were going to be able to reach a peace agreement. If they started out on negotiations and failed, they would find themselves in a critical situation, compelled to renew the war against the United States but with their principal source of supply cut and the possibility that their government might have been severely weakened internally.

They had other fears, which paralleled the fears with which the United States approached the idea of negotiation. They feared that if they started to talk, their people would be convinced that peace would inevitably follow. If the talks stalled and war was resumed, it would not be possible to restore the remarkable fighting morale which they now had and which constituted their chief resource against the powerful United States. They did not have many assets and they did not feel they could jeopardize this one. They also feared that if they entered talks without a clear notion of the agreement which lay at the end, the United States might utilize the period of negotiations to increase its force levels in the South and prepare for resumption of hostilities when the talks came to an inconclusive end. This fear paralleled two great fears of the United States—that if bombing once halted it would not be possible (because of public opinion) to resume it and that the North might enter into talks simply to utilize the period for reinforcement and regrouping, which would then enable it to emerge from a deadlocked negotiation in a far stronger position.

These were the dangers which lay in the minds of the North Vietnamese and the Americans as they gingerly approached the idea of negotiations. The only way in which they might be removed was for each side to attempt an exploration in complete secrecy. They would have to see what each side was prepared to do; whether the ingredients of a deal existed. This was by no means certain. But the possibilities could be assessed through this process. I recommended it strongly to Hanoi, speaking as an interested observer. I had no diplomatic role. Anything I said was said just as an American newspaperman who happened to be in Hanoi. Therefore I could talk with a freedom which a diplomat would not possess. The same held true on the other side. When I returned to the United States, it was possible for me to talk to Washington with the same frankness and lack of reserve that had marked my conversations in Hanoi.

It seemed obvious both in Hanoi and in Washington that each side was aware of the critical moment which had arrived. If the turn toward negotiation were not taken, what was the alternative? On Hanoi's side, the deterioration of the situation in its rear would bring an inevitable turn toward radical expedients. On the American side, the pattern surely would follow the channel of escalation to higher and higher force levels. What specifically would we do? I was in no position to guess. But the speculation in military quarters had been fairly precise: intensification of bombing, sustained air attacks on Hanoi, blockade or bombing of Haiphong, land operations north of the 17th parallel, amphibious landings in the Gulf of Tonkin—all of the ominous developments which would produce the entry into the war of the "volunteers." Chinese volunteers.

The options were epochal. Peace or a land war, very possibly a nuclear war, witn China. Possible Soviet intervention. To say that events had arrived at a turning point was an understatement.

I returned from Hanoi convinced that a settlement of the Vietnam war by negotiations lay within our grasp. I was convinced it would not be easy to negotiate, and I was by no means convinced that we were prepared to understand or undertake this difficult and complex task. But that the ingredients of a settlement—one which would be viable, enduring, and relatively favorable to our objectives in Asia, at least as I understood them—now had come within reach I had no doubt.

This, I must say, came as something of a surprise to me. I had explored the ground in Southeast Asia with some care only a few months earlier, in the late spring and early summer in 1966, in a trip which led me all around the periphery of China. I had gotten the impression then that the establishment of a secure and comparatively stable Southeast Asia might be impossible on terms which Washington would consider acceptable. As I understood our objectives in Southeast Asia, they comprised the following:

We had no desire to overthrow the Communist regime of North Vietnam. We accepted the continuance of Ho and his successors in that country.

We had no territorial aspirations in Vietnam and none in Southeast Asia. We had no desire to remain in South Vietnam or any part of Vietnam.

We desired the establishment in South Vietnam of a viable regime which would not be Communist-dominated, Communist-oriented, or Communist-threatened, but we did not insist that this regime be necessarily that which now held power in Saigon.

We desired to reduce the Communist threat to all Southeast Asia and to increase the security of the area, particularly that of Laos, but we had not spelled out specific aims so far as this point was concerned.

We were prepared, once peace and stability had been restored, to withdraw our armed forces and to offer economic and technical assistance on a massive scale, which would help to create the material foundations for a rapid advance in standards of living and development.

We were prepared to assist in cooperative multi-nation projects such as the Mekong River development.

If these were, in fact, our objectives in Southeast Asia it seemed to me, on the basis of my conversations with representatives of the Hanoi Government and of the National Liberation Front, that with hard bargaining we could come reasonably close to fulfilling them.

So far as the public record went, the chief difficulty concerned the future status and regime of South Vietnam. The problem centered on Hanoi's support of the Front as the appropriate spokesman for the South. We did not recognize the Front, although, we had said cryptically that there would be "no difficulty" about a place for the Front at the negotiating table. The existing Saigon Government of Marshal Ky was our ally-of-record, and while we had not committed ourselves to perpetuating his regime, our inclinations naturally went toward the Saigon Government, with all its faults rather than the Front, with which we had done mortal combat.

Was there room for maneuver on this point? I suspected there was, although I did not expect the Front or Hanoi to put this on the public record or even to agree to it in the first round of private discussion. But both sides had publicly agreed that they would back a "coalition" government. The Front had spelled this out to include members of South Vietnam's Constituent Assembly and some members of the Ky Government (but not Ky). We had not gone so far, but the Saigon Government had at least intimated that it looked toward a coalition. The sentiment for a coalition certainly was strong among members of the Constituent Assembly.

The problem here was balance. Who would have the majority? Was there some nonaligned or moderate figure around whom a coalition government might be constructed? Would a coalition government possess durability or would it, even if headed by a non-Communist, quickly fall apart or succumb to Communist intrigue? We did not wish to see repeated in Southeast Asia the history of Eastern Europe's postwar coalition governments, which quickly fell under Communist pressure.

I believed that the vital ingredients of the Liberation Front program (at least as described in Hanoi)—a mixed economy, free rights for all parties, neutral foreign policy, no alliances—would permit construction of such a government. Its stability could be insured by United States economic aid, guarantees by Asian powers and the Great Powers, and guarantees by Hanoi. There was an armory of factors which could be utilized to give the structure strength if it possessed the vital ingredient of political virility.

What about the North? It seemed clear that the moment was appropriate to restore the North to the situation which had been envisaged by the Geneva agreements, to try to cut its military links to Peking and to Moscow. The divisions within the Communist world favored such neutrality. It would ease the pressures on Hanoi enormously. Of course, Hanoi, even more than Saigon, would require guarantees. Not only of support (against Chinese intervention) but of economic aid and assistance in rehabilitation.

The situation had developed in an appropriate manner for the achievement of aims which had been far beyond the horizons of possible diplomacy a year earlier. It was an unequaled opportunity for the United States, one which might not recur and which might slip away in certain eventualities, such as the reduction of political tensions in Peking or a rapprochement between Peking and Moscow, both of which might occur.

But establishment of neutralized regimes in Saigon and Hanoi would be only the start. It seemed to me that Laos represented an equally dangerous problem. Laos had become a mere fiction—a land which was in the hands of an uncertain number of guerrilla operations, some sponsored by the United States, some by the Communists, and some of purely Laotian origin.

Unless Laos could be quieted and sanitized, the whole theater of struggle might simply shift westward from Vietnam, with the warriors of the CIA and the Chinese International going at it hammer and tongs (or hammer and sickle). This would undermine the area dangerously. Cambodia had managed to stay out of the war, but it needed economic and probably political support as well. Thailand would be in trouble if it lost its burgeoning war-boom prosperity. Many considerations dictated the creation of a strengthened International Control Commission with a broader mandate and genuine powers not merely to police these countries but to aid and guide development. What political form this might take I did not know, but it should not lie beyond the competence of American diplomacy to establish a structure in Southeast Asia which would make the region a going concern.

This would create what the United States had so long hoped for—a strong and viable Southeast Asia, resistant to the spread of Chinese influence and Chinese Communism. Certainly China was going to be a power in the area. It always had been. It was unrealistic to suppose it could be shut out. But if we built on the strong factors of nationalist sentiment such as had been invoked in North Vietnam, such as would surely develop in South Vietnam—the same force which had caused Indonesia to throw off the Chinese and the Communists—we would see emerging not a series of poor, weak client countries, not a region dependent into infinity upon a huge American military garrison and the expenditure of United States funds, but a progressive group of countries, internally strong and resolutely independent. Independent of us. Independent of China. A healthy Asia, it seemed to me, must be an independent Asia.

This was the chance which had been created by the unexpected developments in Peking and their repercussions in Hanoi. It might well be the chance of a century. But I was not certain that Washington could grasp the opportunity. Washington was tired and Washington was stale. Washington, I feared, was filled with too many men who had committed themselves to so many past mistakes that they lived only for some crowning disaster which would bury all the smaller errors of the past. Washington was filled with politicians who were concerned with what would bring in votes in the next election or what would discomfit a possible election opponent. In that atmosphere it was difficult to get men to indulge in imaginative statesmanship. Too many were afraid to take a chance. The old policy might be a mistake. It might lead to catastrophe. But change was dangerous and uncertain. And there were competing counsels.

For instance, there was the military. The military, not unlike the French who had been there before, had not had a good time in Vietnam. Their record was poor, partly because it was not a situation which yielded readily to the application of military power and partly because the politicians were always trying a teaspoonful of this, a teaspoonful of that. When a general finally got the dose increased to a tablespoonful, this was not enough and he should have recommended a swig. No general won glory by telling his President to turn the job over to the diplomats. So they called for more of whatever it was and hoped for the best. If the Vietcong were stubborn this year, maybe double the force next year would do the job.

I was told when I was still in Hanoi by someone who had been very recently in Saigon that the American military establishment there would not accept negotiations at this time, no matter what Hanoi said. "They think they have Hanoi on the run," said this man. "They are not going to quit now. They want to pour it on. If it is poured on hard enough, there won't be any Hanoi to bother with."

I didn't know if that accurately reflected the thinking of the American military establishment in Saigon, but I encountered this line in some quarters in Washington on my return. The reasoning was simple. If Hanoi was in trouble, if China was about to blow up, if the North Vietnamese were about to lose their supply line—why talk to them? They will have to crawl to us later on. Let's hit them with all we've got.

From the standpoint of total military victory I found a grim honesty in this argument. But—and this was a large "but" to my way of thinking—this policy led straight to the confrontation which was most dangerous of all—confrontation with China's land forces, and quite possibly involvement with the Russians. We might crush Hanoi only to find ourselves locked in a fatal nuclear embrace which would eliminate all problems in Vietnam by eliminating the world of which Vietnam was a part. I thought this to be a counsel of utmost recklessness. But, of course, its advocates never mentioned the cataclysmic potentials. They limited themselves to talk about clobbering Hanoi. But, curiously, Hanoi could have been clobbered at any time in the last two years. And it had not been. Why do it now when Hanoi was ready to talk peace? A strange way to reason. Or so I thought.

But perhaps there lay behind this reasoning a hidden factor which governed our whole Southeast Asian strategy. Or a half-hidden factor, one which was often discussed by the Pentagon strategists and the ideologists of war-game theory, the men who created the logical structure against which much of our strategic air policy was elaborated. This was the line that the real enemy in Southeast Asia was not North Vietnam: It was China. We were there not because we worried much about the regime in Saigon or that in Hanoi but to draw a line against China. This was what much of Asia thought.

I had heard this thesis advanced in Asian capitals in the summer of 1966. The Asians simply did not believe that the United States was investing the sums we were putting into Vietnam, or the manpower we were stationing there, or the enormous bases we were building in South Vietnam and Thailand simply to fight Ho Chi Minh. No. China was the objective. That was the way they calculated it. Some thought we were trying to provoke China so that we would have an excuse to bomb it, to destroy its nuclear facilities. After all, had not some of our generals proposed that line? Did it not possess a certain grim sense? If we were going to fight China ultimately, would this not be a good time to do it—before China got too strong, when we could still be sure of knocking out its atomic production centers?

If this was, indeed, our basic, secret, unstated strategy, if Vietnam was a holding operation or a maneuver to try to draw in China, if we were going through the motions of fighting North Vietnam but really were preparing for an assault on China, then, of course, the question of peace in Vietnam became moot. What was the point of it? It would run counter to our genuine intentions and would make it more difficult to cope with China.

For those who believed along these lines—and I had no doubt that many thoughtful men in the Pentagon and perhaps some not-so-thoughtful men in the Senate shared these ideas—there was nothing more strongly to be resisted than talk of peace or of ending the conflict in Vietnam. Each time peace talk arose it must be strongly rebuffed. We must not take yes for an answer. We might indulge in a little rhetoric to soothe the ruffled feelings of the world. But we must not let it interfere with the war. This must be remorselessly present and escalated to the limit. China must be compelled to intervene. According to this thinking, the very thing which Hanoi most feared—the possibility of Peking's moving volunteers over the frontier—was devoutly to be hoped for since this would enable us to trigger the nuclear offensive which would eliminate China from the map.

It seemed preposterous to suppose that men like President Johnson, Secretary Rusk, or Secretary McNamara considered the war in such terms. I had no doubt that they were as eager as anyone to find a solution. But they were also determined that it would be a solution which would stand the test of time and trouble. They did not wish, having made so major a commitment of American treasure and manpower, having so deeply staked their prestige and reputation, to enter a cul-de-sac which would lead to another Pamunjom nor to embark upon a negotiation which would create a ramshackle settlement from which would emerge the next world crisis.

Skepticism was natural. Outright antagonism was another thing. There seemed to me to be one great difficulty about getting talks going. Both the United States and North Vietnam were still in the ring. Neither side was staggering toward collapse. The dangers which Hanoi envisaged were dangers of the future, not the present. In such a situation it was difficult for either side to give the ground which would make compromise possible.

Yet it was plain that the situation had reached precisely the point of development at which the most effective kind of solution could be achieved. It was not easy to end a war, and it was remarkably difficult to end one without laying the trail for a new war only a few years in the future. This we had done in our settlement of World War I. It was the ruthless terms ruthlessly imposed on the Central Powers which set the stage for World War II. It was not convinced that the unconditional surrender imposed upon Germany and Japan at the end of World War II did not contain the seeds of World War III, although this might have been averted by the extraordinary aid rendered by the United States. Yet in Europe many observers felt that if World War III came, Germany would again be the instigator and that the cause would lie in the World War II settlement.

We now were at a striking point in history in Southeast Asia. Hanoi had not been defeated. The United States had not been defeated. Each was conscious of the strength of the other. Each had suffered. But not irretrievably. We could, therefore, if we utilized our instincts for statesmanship, construct a settlement which would have the elements of equity, honor, and reasonableness which might endure.

Were we to follow the course of obliterating Hanoi, of hitting it with everything in the book, of driving North Vietnam back to the caves, would we not create a vacuum—even if we escaped nuclear war with China and/or the Soviet Union? Might we not then find ourselves with nothing but a vast gray land in which not even Marshal Ky would manage to reign supreme? What of neighboring Laos and Cambodia? Would not total defeat in Vietnam, even if obtainable, create a situation in which for a hundred years we would be committed to maintain costly and numerous garrisons to police the marches of the devastation which we had created, the vast and ever-growing jungles, uninhabited by man, beast, or bird, which would be our inheritance? These speculations arose inevitably as one pondered the alternatives.

To my way of thinking the arguments ran strongly toward an effort at negotiation. The task of negotiating a durable Southeast Asian settlement was difficult. But it was a fascinating one, the kind to evoke a challenge to any diplomat, the kind which would be a monument to the statesmanship of the man who accomplished it, something far beyond the transient trivality of so many postwar diplomatic settlements. This could be the foundation for a whole new epoch in Asia, one which would contribute to the strength and stability of a world which would endure whatever passing crises might come to China or even to India.

I hardly needed to think about the consequences which would flow from it: the release of American energies and resources to cope with the problems of Latin America and Africa, to turn once again to the raveled threads of Europe, to the critical negotiations over the atom, to the détente with Russia, to the world population explosion, and, finally, to the problem of China itself.

Perhaps those generals were right who believed that the only way to deal with China was to atomize it. But I thought that there must be another way. China was the world's most talented nation, the reservoir of more human skills than any other existent, a people of infinite capabilities, possessor of the world's longest history and most complex culture, inventor of so many of the great technologies of the human era. Was it true that we could not find a way to live with China? Must the globe be turned into a poisonous desert because of China? I did not believe so. Surely America's heritage, Yankee ingenuity, and the democratic imagination of our great people could devise a better course.

EXHIBIT 1

VIETNAM: HOW NOT TO NEGOTIATE

(By Theodore Draper)

The Vietnam war again seems bound to become dirtier, larger, and costlier on both sides. It may even have passed the point of no return and may settle down as a grim, pestilential "protracted war," the Chinese Communist equivalent of the old-fashioned "war of attrition." If so, the fatal turning point came in February 1967, preceded and followed by weeks of fancy diplomatic footwork, false hopes, and phony peace formulas.

As each move and maneuver comes into the news, it tends to live a life of its own, undefiled by previous moves and maneuvers. Yet, as every historian knows, history is not made that way, and it is necessary to put the pieces together to understand any one of them. The fate of the Johnson-Ho Chi Minh correspondence in February or of Secretary-General U Thant's new three-point peace plan in March cannot be understood by itself, divorced from the events which led up to it or the consequences that flowed from it. Both these episodes and others in the recent past needs to be seen in a somewhat larger historical perspective if they are to be rescued from providing more pretexts for waging an even more brutalizing and destructive war.

The most striking and peculiar aspect of the latest turn of the war is that both sides seemed to be coming closer to a basis for negotiation just before the United States made the decision in February to intensify and broaden the scale of the attack on North Vietnam. The form of the complex, deceptive, and promising diplomatic maneuvers resulted in large part from the "negotiating positions" which both sides had previously taken. To see these positions clearly, it is necessary to go back about two years.

The basic North Vietnamese position went back to the four-point program enunciated by Premier Pham Van Dong on April 8, 1965. This had called, in substance, for (1) withdrawal of all United States military forces from South Vietnam, (2) neutralization of both South and North Vietnam, (3) settlement of South Vietnam's internal affairs "in accordance with the program" of the National Liberation Front and (4) peaceful reunification. Pham Van Dong had offered it as "the basis for the soundest political settlement of the Vietnam problem." If this basis were "recognized," he said, "favorable conditions" for the peaceful settlement of the problem would be created and an international conference "along the pattern of" the Geneva conference of 1954 could be reconvened.[1]

On the surface, none of these four points appeared to be an insuperable obstacle to some form of peaceful negotiations. In his testimony before the Senate Foreign Relations Committee on February 18, 1966, Secretary of State Rusk said that the United States could accept three of the four points, the first, second, and fourth. The only exception he took was to the third, which he called "the core of the Communist position." In order to make it totally unacceptable, however, Secretary Rusk had to engage in one of his most tortuous intellectual exercises.

Instead of being content, for diplomatic purposes, to view the disputed third point as meaning no more and no less than what it said, he chose to reinterpret it according to the original NLF program of December 1960, issued in the heyday of Ngo Dinh Diem's regime. By this means Secretary Rusk sought to convince the committee that Pham Van Dong's third point implied prior recognition of the National Liberation Front as "the sole spokesman for the people of South Vietnam," which "hence should control them." Yet the earlier document had merely called for the overthrow of Diem's regime and its replacement by a broad "coalition government." Mr. Rusk leaped from the 1965 point to the 1960 program to arrive at the utterly gratuitous conclusion that Hanoi had really demanded the acceptance in advance of the NLF "as the sole bargaining representative of the South Vietnamese people."[2] In reality, the December 1960 program was such a lengthy, diffuse, and essentially moderate political mosaic, carefully contrived to appeal to the greatst number and variety of anti-Diem elements, that it could have been used as a basis of negotiations without committing anyone to anything very much in advance.[3] Unfortunately, no one on the committee seemed to know the documents intimately enough to challenge the Secretary's fanciful exegesis.

In its own propaganda, the NLF had styled itself "the only genuine representative of the fourteen million South Vietnamese people," a type of claim even democratic politicians have been known to make. But Pham Van Dong had made the issue the NLF's nebulous "program," designed to be all things to all men, rather than its organizational status. Only after the bombing of North Vietnam had gone on for almost a year did Ho Chi Minh demand that the United States "must recognize the NLSV as the sole genuine representative of the people of South Vietnam and engage in negotiations with it."[4]

Whatever significance this hardening of the North Vietnamese position may have had in 1966, it was not at issue in 1965 except to the extent that American diplomacy chose to give the most extreme interpretation to Pham Van Dong's third point, the only one that ostensibly stood in the way of accepting all four as a basis of negotiations. And even for that purpose, it would have been necessary for Secretary Rusk to reinterpret the third point in terms of later rather than earlier Communist statements.

It may be suspected that the real reason for straining at this point was less semantic than military. In April 1965, the United States feared the total collapse of the South Vietnamese military front. Experience has shown that diplomatic negotiations, whatever their "basis" may be, tend to reflect the relative positions of power. This is, in my view, reason enough to explain American reluctance to engage in negotiations at that time. The American ability to bring its own overwhelming military power quickly into the balance, however, may easily have given the Communist side pause and forced it to settle for much less than the existing balance of forces within South Vietnam seemed to indicate. In any case, negotiations in the first half of 1965—the last time they might have taken place in a relatively restrained atmosphere—would have demanded that both sides be content with something short of "victory." Instead, the impression was created of irreconcilable positions that were virtually mirror images of each other—of a National Liberation Front that claimed to "represent" all the people of South Vietnam, and of a National Liberation Front that represented virtually no one in South Vietnam.

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[1] The full text of the four points first appeared in *The New York Times*, April 14, 1965, and this version may be found in *The Viet-Nam Reader*, edited by Marcus Raskin and Bernard B. Fall, pp. 42–43. The problem of correctly interpreting or even translating the third point is discussed in George McTurnan Kahin and John W. Lewis, *The United States in Vietnam* (Dial, 1967, p. 210). They report that the Chinese version would have made the third point completely innocuous. A literal English translation of the text used by the *Jenmin Jih-pao* (People's Daily), the official Peking organ, of April 14, 1965, reads: "According to the program of the Southern National Liberation Front, the affairs of the South must be settled by the Southern people themselves without foreign interference." Of such stuff are diplomatic imbroglios sometimes made, when there is no will to get together.

[2] *The Vietnam Hearings* (Vintage Books, 1966), pp. 246–247.

[3] The December 20, 1960, "action program" of the NLF called for a "broad, national, and democratic coalition government composed of representatives of every sector of the population, various nationalities, political parties, religious communities, and patriotic personalities." It wanted to "abolish the present constitution of the Ngo Dinh Diem dictatorial government and with universal suffrage elect a new National Assembly. Freedom of expression, press, assembly, association, travel, religion, and other democratic liberties will be promulgated. Religious, political, and patriotic organizations will be permitted freedom of activity regardless of beliefs and tendencies," etc. The entire document may be found in Douglas Pike, *The Viet Cong* pp. 344–47, who devotes an entire chapter to tracing the various changes in the NLF's programmatic efforts (pp. 344–71). There is a somewhat different but similar translation in Bernard Fall, *The Two Viet Nams*, pp. 449–53. It may be argued that the NLF program was democratic window-dressing to lure the greatest number of anti-Diem opponents; it cannot be argued that it was an outright bid for sole Communist control. Secretary Rusk refers to the NLF program as announced from Hanoi on January 29, 1961, instead of using the more usual date, December 20, 1960, when it was first issued.

[4] Ho Chi Minh, Letter to World Communist leaders, dated Hanoi, January 24, 1966.

II

The American negotiating position can be traced back to April 1965. Until that time, the United States did not really have a negotiating position because it did not believe in negotiations as a means of ending the war. As late as April 2, Secretary of State Rusk spoke disparagingly: "What is there to be negotiated? Who is going to negotiate, and to what end?" He complained that what was missing was "some private contact that indicates that a satisfactory basis of settlement can be found." A British correspondent asked: "You've had silence, completely?" To which Mr. Rusk seemed to give an affirmative, if somewhat ambiguous, answer: "No indication that—despite a number of contacts of various sorts—no indication that Hanoi is prepared to leave Laos and South Vietnam alone." In this period, the United States position, as expressed by Mr. Rusk, was to look for an "indication," or what he had previously called a "crucial element," from Hanoi "to stop doing what it is doing and what it knows it is doing against its neighbors." This attitude was a corollary of the State Department thesis, adopted publicly in February 1965, that North Vietnam was and had always been the cause of the trouble in South Vietnam. Instead of negotiating, Mr. Rusk merely advised North Vietnam to stop "what it is doing." It was this approach which had doomed Secretary-General Thant's efforts at the end of 1964 and the beginning of 1965.

On April 7, only five days after Secretary Rusks' brush-off of possible negotiations, President Johnson abruptly inserted in his speech at Johns Hopkins University a passage which put him on record in favor of "unconditional discussions."[5] The same words were used in the US reply the following day to an appeal from seventeen nations for negotiations without preconditions. It was not clear whether "discussions" were the same as "negotiations," but the important word seemed to be "unconditional."

At this point, a French initiative gave Secretary Rusk an opportunity to reveal just how unconditional this unconditional offer was. In May 1965, Foreign Minister Couve de Murville confidentially told a group of correspondents in Paris that North Vietnam had signified a willingness to talk without conditions, but that he had found Washington unreceptive to the news. At a press conference on August 27, Secretary Rusk was asked about reports that President de Gaulle was waiting for the right moment "to personally negotiate an end to the Vietnam war." The question was raised: "Would we welcome any such efforts by de Gaulle?" After remarking, somewhat acidly, that neither side had "nominated attorneys in this field," as if that were the issue, Mr. Rusk went on to give some insight into what he considered to be "unconditional discussions." He said that he was waiting for a "key signal" to turn up, and that his "antennae" had not yet picked it up. Thus, it appeared, the "unconditional discussions" were dependent on a prior condition that Mr. Rusk's antennae should pick up a "key signal," the nature of which he coyly refused to reveal. At least something new had been added to the language of diplomacy—the conditional unconditional.

From this and other statements and incidents later that year—including Eric Sevareid's disclosure of the late Adlai Stevenson's troubled conscience over the State Department's handling of U Thant's peace efforts—the US negotiating position in 1965 was made unmistakably clear. First, the impression was created early that year that there was nothing, and no one with whom, to negotiate. Second, the other side was outbid with what seemed like a most magnanimous commitment to engage in "unconditional discussions." Third, the unconditional was gradually conditioned to mean that the United States had to be previously convinced of the other side's intention to be "serious" and "meaningful." Fourth, this in turn depended on Secretary Rusk's "antennae" receiving a "key signal" in advance. Fifth, the "key signal" was nothing less than the other side's precedent undertaking "to stop trying to impose their will by force on South Vietnam," that is, to agree to unilateral renunciation of the armed struggle. No doubt mere words would not have carried conviction with Mr. Rusk and the enemy would have had to satisfy some test of deeds to get the "key signal" through to his antennae.

As long as this was the United States negotiating position, all efforts to arrange for negotiations were bound to fail because the missing "crucial element" and "key signal" were designed to give the United States what it wanted in advance as the price of so-called negotiations. Whether a different policy might have let to meaningful negotiations in 1965 is another question. But at least the United States would not have stood in the way. And, as a fringe benefit, we would at least have been spared some peculiarly irritating double talk.

III

In 1966, the key issue increasingly became the cessation of American bombing of North Vietnam. The more destructive the bombing, the more determined the North Vietnamese were to stop it before entering into anything resembling negotiations.

But the United States again demanded a price, this time for stopping the bombing, and henceforth the American negotiating position hinged on the concept of "reciprocity." Throughout 1966, American spokesmen tried to define this accordion-like term. Secretary Rusk tended to stretch it the most. He usually demanded that the "other side" had to give up its "aggression" or "abandon [its] attempt to take South Vietnam over by force" in return for a cessation of the bombing. In the summer of 1966, President Johnson seemed to put forward a more concrete condition. He said that the United States had offered to stop the bombing immediately "if they will stop sending troops into South Vietnam." This seemed to imply that North Vietnam did not have to withdraw troops, but the President went on to observe that the South Vietnamese could not decide the kind of government and country they wanted "while armed troops from North Vietnam are waging war against their people and against their villages," which suggested that he expected far more than a cessation of North Vietnamese reinforcements in exchange for a cessation of the bombing.

The various formulas employed in this period were sufficiently vague to give North Vietnam considerable leeway in making known its decision to satisfy the American demand, but the essence of that demand was never left in doubt—the abandonment by North Vietnam of the struggle for power in the South. If, as the United States claimed, the North was responsible for that struggle, the withdrawal of the North was equivalent to its total abandonment. While much ink and breath were wasted over such questions as which side had to make the first move, whether the North demanded permanent as well as unconditional cessation of the bombing, and how the North could convince the United States of its "serious" intentions, the "key signal" had not changed and was well understood by both sides—Communist abdication in the struggle for power in South Vietnam. The United States was deliberately vague because it was less interested in the form than in the substance, and because it preferred to treat the struggle for political power as if it were merely a foreign military aggression.

Toward the end of 1966, another effort was made to break through the diplomatic impasse. According to the most circumstantial report, United States Ambassador Henry Cabot Lodge met on December 2 and 3 with the Polish representative on the International Control Commission, Ambassador Janusz Lewandowski, at the home of the Italian ambassador in Saigon. As reported by Robert H. Estabrook in the Washington *Post*, Lodge asked Lewandowski to set up "contacts" with Hanoi. On or about December 4, Estabrook wrote, Polish Foreign Minister Adam Rapacki sent back word that Hanoi had agreed to unconditional talks on the ambassadorial level in Warsaw, and Washington was asked to send a special representative for this purpose. Before the talks could be held, however, the American bombing offensive was suddenly stepped up. On December 13 and 14, a railway yard only six miles from the heart of Hanoi and a trucking depot only five were heavily attacked—the first time President Johnson had permitted the bombing of targets so close to the city limits of the North Vietnamese capital. For the next two weeks, a debate raged whether these attacks had caused widespread damage to civilian areas.[6] Far more significant perhaps, but still unknown to the general public, was the fact that the bombings had abruptly cut short a seemingly promising peace approach. Oddly, almost the same thing had occurred in somewhat similar circumstances exactly a year before.[7]

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[5] The circumstances tend to support the assertion of Rowland Evans and Robert Novak that the reference to "unconditional discussions" was "a last-minute concession to the Peace Bloc that amazed those who had seen the earlier version of the speech" (*Lyndon B. Johnson; The Exercise of Power*, New American Library, 1966, p. 544).

[6] It took almost two weeks for American officials to admit officially that the bombings had caused civilian casualties as well as widespread damage to civilian areas, and then only after *The New York Times* of December 27, 1966, had published Harrison Salisbury's eye-witness report of such damage. At this time, American officials still stressed that the bombs were aimed at "military targets" only but that civilian casualties were incidental, unavoidable, and, above all, not "deliberate." On December 30, 1966, the military correspondent of *The New York Times*, Hanson W. Baldwin, disclosed that "United States ordnance is being expended in North and South Vietnam at an annual rate of about 500,000 tons, somewhat more than the Army Air Forces expended against Japan in the Pacific during World War II." At this rate, which soon rose sharply, the problem arises whether the inevitability of the consequences are not more important than the deliberateness of the motivation. One who fires a machine gun into a crowd in order to kill a single person can hardly protest that he did not mean to injure anyone else "deliberately"—especially if he misses his intended victim, as sometimes happens in the bombing of military targets. The indirect but unavoidable by-products of a course of action cannot be exempted morally. The same problem is raised by Viet Cong terrorists, but the moral equation here is, to my mind, complicated by two questions: (1) whether the terror and counter-terror of Vietnamese against Vietnamese should be put on the same level as the violence and counter-violence of a foreign power against Vietnamese, and (2) whether the scale of destructiveness of a few mortar shells balances that of a sustained downpour of 1000-pound bombs. The *scale* of destructiveness cannot, in my view, be disregarded in this consideration of "moral double bookkeeping." If the Nazis had exterminated 600 or even 6000 Jews, it would have been an unmitigated moral crime but it would not have been a

The December 1966 incident was handled in a most peculiar way. At a news conference on February 2, 1967, President Johnson gave the impression that the "other side" had shown little or no interest in any steps toward peace. At one point he said that he was not "aware of any serious effort"; at another that there were no "serious indications"; and at still another that they had "not taken any [step] yet." On February 4, the day after the President's interview was published, interested sources enabled Estabrook to divulge the story of the December overtures in the Washington *Post*. That same day, confirmation that something unusual had been going on came fram Walt W. Rostow, the President's Special Assistant. Professor Rostow refused to comment directly on the Washington *Post's* version on the ground that "this is an extremely interesting and delicate phase in what is or might turn out to be a negotiating process." But then he, too, made "serious" the key word in the American attitude to such situations: "Nothing has yet happened that would justify us as saying we have a serious offer to negotiate." One would be justified in interpreting these words to mean that some kind of "pre-negotiating" moves had been going on, and that some sort of "offer," serious or not, had been made.

Finally, on February 7, Prime Minister Harold Wilson told the House of Commons that he knew all about "events in December" relating to what he referred to as "Polish discussions," whose failure he attributed to "a very considerable two-way misunderstanding," the nature of which he did not specify. The Australian Communist journalist Wilfred G. Burchett later disclosed that "first contacts for talks" had been "foiled" by the bombings of December 13–14.[8] If, as Prime Minister Wilson claimed, the breakdown had been caused by a "misunderstanding," the question still remained why, with so much at stake, it could not have been rectified and the "Polish discussions" somehow reinstated.

For a time, indeed, it seemed that such an effort was being made. Until the end of 1966, the main obstacle seemed to be Hanoi's four points, despite the incongruity that three of them were acceptable to the United States and the only objectionable one had to be given the most extreme and arbitrary interpretation to make it unacceptable. Early in January 1967, however, the Hanoi leaders apparently made an attempt to remove the four points as the main source of confusion and disagreement. In an interview with Harrison E. Salisbury on January 3, Premier Pham Van Dong referred to them as matters for "discussion" rather than as "conditions" prior to negotiations. At the same time, Secretary-General U Thant made known his view, after two weeks of behind-the-scenes probing, that the only thing which stood in the way of peace talks was the question of unconditional cessation of the United States bombing of North Vietnam. The reduction of the problem to this one point seemed to bring both sides closer than ever before to some kind of accommodation. In his press conference on February 2, President Johnson was asked, "Are you prepared at all to tell us what kind of other steps the other side should take for this suspension of bombing?" The President replied, "Just almost any step." Though he had previously stressed the word "serious" rather than "any"—another accordion-like use of terms—the latter received much publicity and seemed to narrow the gap to a merely formal gesture. In any event, a reply soon came from North Vietnamese Foreign Minister Nguyen Duy Trinh. Through Burchett, who had not anticipated such a concession,[9] the North Vietnamese made known that "if the bombings cease completely, good and favorable conditions will be created for the talks." That this was intended by Trinh as a response to the President was shown by the following remark: "President Johnson said he was only awaiting a sign. Well, he's had the sign." [10]

Pressure steadily mounted, during the first two weeks of February, for the United States to respond to this "sign." Senator Robert F. Kennedy, who had been silent on the subject for several months, returned from Paris on February 4, amid reports that he had brought back with him a new North Vietnamese "peace plan." The story was later traced to a "leak" in the State Department, and the "peace plan" turned out to be a secondhand version by a French Foreign Ministry official. Nevertheless, Mr. Kennedy made known that he was critical of the official United States negotiating policy, as a result of which a heated, if not sulfurous, meeting took place between him and President Johnson on February 6.

The following day, on the eve of an agreed-upon four-day Têt (lunar new year) truce. Pope Paul VI sent messages to President Johnson, President Ho Chi Minh, and South Vietnamese Chief of State, Nguyen Van Thieu, urging them to find ways to end the war. The response from the first two were not encouraging. On February 8, President Johnson stressed that the United States could not be expected "to reduce military action unless the other side is willing to do likewise" and consider a "balanced reduction" in military activity. Ho Chin Minh insisted, in an answer made public on February 13, that "real peace" could be restored in Vietnam only if the United States "put an end to their aggression in Vietnam, end unconditionally and definitely the bombing and all other acts of war against the Democratic Republic of [North] Vietnam, withdraw from South Vietnam all American and satellite troops, recognize the South Vietnam National Front for Liberation and let the Vietnamese people settle themselves their own affairs." Though there was nothing new in either of these public postures, the Pope's intervention at this moment was not without significance.

On February 8, as the military truce in Vietnam went into effect, Soviet Premier Kosygin arrived in London for talks with Prime Minister Harold Wilson. On that same day, Kosygin pointedly referred to Nguyen Duy Trinh's offer to negotiate in return for a cessation of bombing, and gave it his blessings. He saw fit to offer the same advice the following day. Since the Soviet leaders had previously refrained from injecting themselves publicly into the North Vietnam-United States negotiating problem, this deliberate repetition represented a new policy. There is reason to believe that the Soviet leaders decided to back publicly North Vietnam's new one-point negotiating position because they had had something to do with bringing it about. According to Burchett, it was "open knowledge that a number of Socialist-bloc countries were urging such a move over a year ago," but the North Vietnamese leaders had resisted on the ground that it would have been regarded as a sign of weakness by the United States and would have invited an intensification of the bombing.

IV

Most important, a letter from President Johnson to President Ho Chi Minh, dated February 2, was delivered to a North Vietnamese representative in Moscow on February 8. The letter was not made public until March 21, and therefore it could not be directly related by outsiders to anything said publicly in the intervening time. Yet its contents enable us to reconstruct more clearly the kind of thinking that went into the making of American policy before February 8.

By that date, it had become perfectly clear that the North Vietnamese negotiating position had been reduced to its irreducible minimum. There was no doubt in President Johnson's mind what it was, because he explicitly stated it in his letter—"direct bilateral talks with representatives of the United States Government provided that we ceased 'unconditionally' and permanently our bombing operations against your country and all military actions against it." He noted that this position had been confirmed

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moral enormity on the scale of 6,000,000. Hiroshima has shaken the conscience of the world not because a bomb was used but a bomb of unprecedented destructiveness. If there is no moral distinction between a terrorist and an atomic or nuclear bomb, we have already prepared the ground, psychologically and morally, for using weapons of unimaginable destructiveness.

[7] On November 11, 1965, two well-known Italian visitors to Hanoi, one of them the former Mayor of Florence, Giorgio La Pira, were received by Ho Chi Minh and Pham Van Dong. They came away with what they regarded as a statement of two conditions considered necessary by the North Vietnamese for peace negotiations: (a) a total cease-fire in North and South Vietnam, without the prior evacuation of any United States troops, and (b) acceptance as the basis for negotiations of the 1954 Geneva Agreements, which the Vietnamese chose to regard as embodied in Pham Van Dong's four points of April 8, 1965. The latter lent itself to the interpretation that the North Vietnamese wanted to reduce the four points, only one of which was disputed by the United States, to the Geneva Agreements, the return of which the United States had already accepted. On November 20, the Italian message was communicated to President Johnson by Italian Foreign Minister Amintore Fanfani. Instead of seizing the opportunity to see whether a cease-fire and a reapplication of the Geneva Agreements could bring the two sides together, the United States took two weeks to reply. On December 4, Secretary of State Rusk sent Fanfani a letter raising questions about the Italian version of the Hanoi offer, including a disagreement with the contention that the four points constituted an "authentic interpretation" of the Geneva Agreements, and asked Fanfani to get further clarification from Hanoi. On December 13, Fanfani informed Rusk that such a communication had started on its way to Hanoi five days earlier. On December 15, before any reply could be received, United States planes for the first time bombed and destroyed a major North Vietnamese industrial target, a thermal power plant fourteen miles from the key port of Haiphong. And that was the end of that interesting and delicate phase of what was or might have turned out to be a negotiating process, to use Professor Rostow's later words. (The Fanfani correspondence may be found in the *Department of State Bulletin*, January 3, 1966, pp. 11–13.)

[8] Washington *Post*, February 8.

[9] In a letter dated October 29, 1966, Burchett had expressed extreme pessimism with respect to a possible basis for negotiations. Previously, he said, the North Vietnamese leaders had not demanded prior withdrawal of any American forces as a condition of negotiations, but the continued build-up had convinced them that some "concrete acts" of withdrawal would be necessary. (*War/Peace Report*, November 1966, p. 5).

[10] Washington *Post*, February 8. Curiously, the otherwise similar version of Burchett's article published in *The New York Times*, February 8, 1967, does not contain the second sentence. Trinh had first broached this line to Burchett in an interview on January 28, 1967.

in the last day by "serious and responsible parties"—one of them, no doubt, Premier Kosygin.

The next point of particular interest in President Johnson's letter is why this proposal could not be accepted. It gave two reasons: a halt in the bombing would tell the world that discussions were going on and impair their "privacy and secrecy"; and North Vietnam would use the halt to "improve its military position." The American counter-proposal was then put forward to get around these seemingly dire eventualities.

"I am prepared to order a cessation of bombing against your country and the stopping of further augmentation of US forces in South Vietnam as soon as I am assured that infiltration into South Vietnam by land and by sea has stopped. These acts of restraint on both sides would, I believe, make it possible for us to conduct serious and private discussions leading toward an early peace."

The question which will be long debated is whether this counterproposal was justified by the two reasons given for making it necessary. If an unconditional cessation of the bombing would have given away the projected discussions and impaired their privacy and secrecy, would not a cessation of the bombing plus demonstrated North Vietnamese cessation of infiltration have resulted in exactly the same thing? Would anyone have been deceived any more by North Vietnamese acceptance of the United States terms than United States acceptance of North Vietnam's terms? The first "difficulty," then, could hardly be taken seriously.

The second objection raised by President Johnson was more troublesome—but only if one side used it exclusively against the other. Both sides were capable of improving their military positions in South Vietnam, if they so desired, with or without bombing of North Vietnam. Moreover, the transport facilities of the United States forces were vastly greater than those of North Vietnam. Indeed, the Têt truce was actually used by both sides to bring in new equipment and troops. United States officials charged that North Vietnam made an unprecedented effort to move arms and supplies into the South.[11] But US Air Force officials in Saigon reported that US cargo planes had carried a one-day record of 2762 tons of equipment to US troops on February 8, the first day of the truce and the very day President Johnson's letter was handed to Moscow. The total for February 8–10 was 7042 tons of equipment and more than 17,000 troops delivered by the Air Force alone.[12] One wonders what the United States would have done and how its citizens would have felt if the positions had been reversed and they had read the following report from the official French news agency in *Le Monde* of February 12–13, 1967:

"SAIGON, Feb. 11.—While American agencies call attention to a considerable intensification of road, railroad, river and sea traffic in North Vietnam, press correspondents could affirm on Friday [February 10] on the Saigon-Tay Ninh road that the American commissariat also took advantage of the Têt truce to increase troop resupply in combat rations as well as arms.

"Long rows of trucks belonging to military transport companies were lined up on the North-West road. They were protected by tanks and helicopters flying at tree level. In the area of Tay Ninh, enormous trucks or towing tractors brought shells for 105 mm. and 155 mm. guns to the American units stationed on the periphery of the Vietcong's Zone C."

Thus, at worst, the United States was quite capable of holding its own in the improvement in the relative military position. It might have made more sense for North Vietnam to worry about what the United States could do to improve its military strength in the South, in the event of negotiations based wholly on a halt of bombing in the North. Only the United States, in fact, was by this time capable of mounting large-scale offensives on the ground in the South. On February 22, more than 25,000 United States and South Vietnamese troops were able to launch a major offensive, "Operation Junction City," in "War Zone C," northwest of Saigon near the Cambodian border, no doubt with some of the materiel brought in during the Têt truce. By this time, whatever their resupply efforts were, the North Vietnam-Viet Cong forces were not capable of mounting a remotely comparable military effort.[13]

On March 15, President Johnson himself bore witness to the fact that the enemy's tactics had been adapted to "a war of infiltration, of subversion, of ambush; pitched battles are very rare and even more rarely are they decisive." It was almost certainly true that North Vietnam would try by all means to improve its military position during the truce and thus endanger more American lives; it was questionable whether North Vietnam could improve its position so much or so unilaterally as to change the balance of military power in South Vietnam; and it was extremely doubtful whether fewer American lives would be lost by risking an improvement in North Vietnam's military position to get negotiations than by risking negotiations to prevent an indefinite extension of the struggle.

President Johnson's letter of February 8 did not reach Ho Chi Minh in Hanoi until February 10. While Washington was waiting for an answer, other voices made themselves heard. On February 10, Secretary-General U Thant urged an "indefinite and unconditional extension" of the truce and renewed his three-point plan, "starting with an unconditional end to the bombing of North Vietnam," which, he said, could "bring about a favorable climate for peaceful talks between the parties." Before the four-day truce ended, Premier Kosygin and Prime Minister Wilson asked for an extension of two days, which was granted. Presumably they would not have asked for it if they had given up hope. On February 12, the last day of the now six-day truce, Republican Senator Jacob K. Javits of New York, a serious and thoughtful legislator, came out in support of "unconditional cessation" of the United States bombing of the North. The next day, Sunday, Neil Sheehan of *The New York Times* noted, "diplomatic activity appeared to be intense" and senior United States officials in the White House and State Department spent the afternoon in their offices.

February 12 was apparently the day of decision. For on February 13, President Johnson announced the resumption of "full-scale hostilities," including the renewed bombing of North Vietnam. He blamed the decision on the Hanoi Government which, he said, had used the truce for "major resupply efforts of their troops in South Vietnam."

Thus, it appears, only three days elapsed between the time Ho Chi Minh received President Johnson's letter in Hanoi and the President's decision to resume the fighting and bombing. Ho Chi Minh's reply to the letter had nothing to do with the decision because it was not sent until two days later, February 15. Indeed, Ho Chi Minh's reply may have been influenced by the President's decision, not vice versa. The "resupply" of North Vietnamese troops was admittedly not a violation of the truce, which had merely called for a temporary halt to the fighting. Both sides, as we have seen, were using the cease-fire to bring in men, arms, and supplies, as they were legally entitled to do; it is hard to imagine that the United States was not able to do at least as well as North Vietnam in this respect.

Ho Chi Minh's reply of February 15 was obviously intended to influence world opinion rather than to persuade President Johnson. Most of the reply charged the United States with aggression and war crimes. Toward the end, however, one section was devoted to conditions for restoring peace and in other to a basis for direct talks, the two apparently treated in different terms. To restore peace. Ho demanded that the United States should "definitively and unconditionally" stop the bombing of North Vietnam and all other acts of war against North Vietnam; withdraw all United States and "satellite" troops from South Vietnam; recognize the South Vietnam National Liberation Front; and permit the Vietnamese people to settle their own affairs. To initiate direct talks between the United States and North Vietnam, he repeated only the first demand.

Other questions which will be long debated are whether three days were long enough to wait for Ho Chi Minh's reply, whether North Vietnam's "resupply efforts" were sufficient reason to resume hostilities, and whether they should have been resumed without warning Ho Chi Minh how long the United States was willing to wait. The manner in which the entire exchange was handled suggests that both sides were responding more to outside pressures than to their inner convictions. It had taken its allies more than a year to get North Vietnam to agree to a one-point negotiating position, namely, cessation of the bombing. The United States was constrained to make some gesture at the start of the Têt truce and the Wilson-Kosygin meeting in London.[14] The tenuousness of the President's reasoning for rejecting cessation of the bombing, the precipitancy of his decision to resume hostilities, and the almost immediately enlarged scale of those hostilities did not give the impression of a man whose heart was in successful peace negotiations. Indeed his letter of February 8 seemed a gauntlet flung before an opponent to make him accept terms which he had already declined to accept, and which would have put him at a disadvantage. The Johnson-Ho Chi Minh leters of February 1967 were designed to stake out positions rather than to come to terms with a reality that neither party was yet prepared to accept. They were not the first or the last moves of their kind, and they can only be understood with reference to what had gone on before as well as what would come after them.

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[11] This may have been one of the greatest hoaxes of the war, and one of the greatest derelictions of the American press. With the exception of *I. F. Stone's Weekly*, I have seen no serious questioning of the propaganda handed out by the Department of Defense to justify the resumption of the bombing. As reported in *U.S. News & World Report* of March 27, 1967, a lavish briefing at the Pentagon on March 17, 1967, was said to demonstrate: "While US bombers were grounded from February 8 through February 11, the Communists made hay in the North, moving a staggering volume of arms, equipment, food and supplies toward infiltration routes into South Vietnam for use against American and Allied forces." The tonnage moved from North to South was first given as 35,000 tons and then reduced to 23,000 tons, all based on "photographic and visual sightings" from the air. As I. F. Stone pointed out (March 27, 1967), the reporting was incredibly sloppy; the Pentagon spokesman did not go farther than to claim a knowledge of "Resupply Activities Within North Vietnam," and there was no evidence that any of the trucks sighted had moved out of the North; there was no way of identifying whether the trucks carried military supplies or not; and it was even admitted that some of the supplies were non-military and "not all bound for South Vietnam." Since the scare stories about the North Vietnamese "resupply efforts" were crucial to the resumption of the bombing, which was crucial to all the subsequent events, a thorough examination of this dubious justification for breaking the truce is by now long overdue.

[12] *The New York Times*, February 6, 1967; *Newsweek*, February 13, 1967; *The New York Times*, March 13, 1967; *Time*, March 17, 1967.

[13] On January 17, 1967, in an address at Washington, D.C., General Earle G. Wheeler, chairman, Joint Chiefs of Staff, declared: "Where regimental attacks were once common, and division attacks clearly pended [in 1965], we now find ourselves fighting mostly companies and battalions. We estimate that their battalions are now averaging only one day's fighting per month. And where once the enemy could sustain combat for a month at a time, as in the Ia Drang, he now hits and runs to avoid disaster." If this was the state of the enemy's forces in mid-January, it is hard to imagine that three or four days of resupply efforts, which the United States could more than match, would have made all that difference only three weeks later.

V

Suddenly, after all the meetings and letters and go-betweens, the war broke loose again, and more destructively than ever before.

The resumption of hostilities was on not only a full but also a new scale. On February 22, United States artillery for the first time fired across the demilitarized zone into North Vietnamese territory. On February 26, United States warships for the first time shelled supply routes in North Vietnam on a continuing basis without restrictions. On February 27, United States planes for the first time began to mine North Vietnam's rivers. On March 10, United States bombers for the first time attacked a major industrial plant in North Vietnam, the iron and steel combine at Thainguyen, 38 miles north of Hanoi. The military decisions for this raid were made in mid-February, but unfavorable weather conditions and technical preparations had delayed the operation itself for about three weeks. Subsequent attacks on this and other industrial installations made clear that the new US bombing policy was intended to destroy the economic foundation or "infrastructure" of North Vietnam's military capability.

The thinking behind this "escalation"—a forbidden word for a familiar fact—began to emerge in statements that were probably less guarded because they were made before the Johnson-Ho Chi Minh correspondence came out publicly. On February 27, President Johnson described, with uncharacteristic understatement, the three new military actions of the preceding five days as a "step up" and "more far-reaching." He restated the logic of every turning point in these terms: "Our principal objective is to provide the maximum deterrent to people who believe aggression pays with a minimum cost to us and to them." As always, the "maximum deterrent" and "minimum cost" had been forced up to higher and higher levels.

Though he had not concealed his misgivings, Senator Robert F. Kennedy waited until March 2, after the peace efforts had failed and the new United States military policy had gone into effect, to make known his views in some detail. He first associated himself with "nearly all Americans" who, he said, were determined to remain in Vietnam "until we have fulfilled our commitments." He saw the United States "at a critical turning point," instead of having just passed one, and he offered a three-point program, which might have had greater relevance a few weeks earlier. He proposed that the United States should offer to halt the bombings and give North Vietnam a week to start negotiations; to negotiate for a limited period, while the military forces on both sides remained substantially the same; and to seek a final settlement which would permit "all the major political elements," including the National Liberation Front, to participate in choosing a new national leadership and future course in South Vietnam. It was obviously a compromise plan which, according to Senator Kennedy, had to be accepted as a whole; it did not satisfy the North Vietnamese demand for "unconditional" cessation of the bombing; it provided against an indefinite prolongation of negotiations; it merely tried to put to the test the previous intimations by the Northern Foreign Minister, Nguyen Duy Trinh, and Soviet Premier Kosygin that the way to break the deadlock was to exchange some form of a bombing halt for some form of negotiations. Nevertheless, Senator Kennedy's proposals were officially knocked down as fast as he set them up, and he himself came under attack as if he were serving the Communist cause or attempting to overthrow the American system.[15]

More significant perhaps than anything said by Senator Kennedy were the official reactions to his words. One line was taken by Secretary of State Rusk. He tried to blunt the effect of the Kennedy speech by declaring that the United States had already made "substantially similar" proposals without result. If this had been the case, Senator Kennedy could hardly have been attacked for making his proposals; the only thing apparently wrong with them were lack of originality and Ho Chi Minh's disapproval; Secretary Rusk could, in effect, enter a plea of innocence only by pleading guilty to the Senator's alleged sins. The first impulse of the State Department was evidently to embrace the Senator's proposals to death.

When the Johnson-Ho Chi Minh correspondence became known, Secretary Rusk's line of defense seemed to have been based on the assumption that the truth would never—or only after a long delay—come out. President Johnson's proposal of February 8 and Senator Kennedy's plan of March 2 were not "substantially similar"; the essential difference lay in the President's insistence on a military condition for halting the bombing and the Senator's insistence on halting the bombing without military conditions. Even before the facts were known, the Senator protested that Secretary Rusk had distorted both positions by endowing them with a fictitious similarity. But then the Senator himself went too far by implying that he had been willing to accept the North Vietnam-Kosygin offer; in fact, he had, for better or worse, substituted three points for their one; the Kennedy position might have been mathematically calibrated to stand somewhere between Nguyen Duy Trinh's approach of late January and President Johnson's proposal of February 8.

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[14] One of the more curious aspects of this period has been the ignoble spectacle of a Labour Prime Minister running interference for Lyndon Johnson's foreign policy. After assiduously playing the role of middleman, Prime Minister Wilson declared on February 14: "It is true that one gesture by North Vietnam, which could have cost them nothing in terms of security or even face, could have set in motion events which could have led to peace." Was this "gesture" something other than what President Johnson demanded of Ho Chi Minh in his letter of February 8, namely, the halt of North Vietnamese "infiltration" into South Vietnam? If it was more or less the same thing, could it be described as costing North Vietnam nothing, not even a loss of face? And if it was much less, why did the February 8 letter ask for more? Moreover, Mr. Wilson went to the trouble of justifying intensified American suspicions on the ground that "there were massive military movements by North Vietnam aimed at securing a military advantage" during the Têt truce, but he did not find it necessary to say anything about massive American military movement. *The Times* (London) of February 15, 1967, said that only Mr. Wilson and Foreign Secretary George Brown know the "secret" of what Mr. Wilson was talking about in his mysterious allusions to the required North Vietnamese "gesture" and other references. If Mr. Wilson was right, incidentally, it would seem to have been fitting for him to ask, not only why North Vietnam did not make this "gesture," but also why the peace of the world should be jeopardized for something that would not even have caused North Vietnam to lose face. Surely Mr. Wilson owes his party, his people, and the world an explanation.

[15] A column by Kenneth Crawford in *Newsweek*, March 20, 1967, was entitled "Henry A. Kennedy?" It sought to give the impression that Senator Kennedy's role in 1967 was similar to that of former Vice President Henry A. Wallace, who had permitted the Communists to become "his managers, manipulators and all-out partisans" in his unsuccessful bid for the presidency in 1948. Mr. Crawford argued that, in spite of some apparent differences in the criticism of the official policy by the two men, "in domestic political terms it amounts to the same thing." To identify Kennedy with the Communists, Crawford had to mislead himself or his readers into believing that "Kennedy attracts the New Left," which had actually been trying to expose the Senator as a political opportunist and false liberal, more dangerous even than the outright reactionaries. Crawford's column was not the most extreme example of the genre but it showed that, by March 1967, even the most cautious and circumscribed proposal to settle the war by negotiation was beginning to bring out the worst in American politics and journalism even in relatively respectable quarters. If anything, Senator Kennedy had opened himself to the charge that his proposals were both too little and too late.

In *The Reporter* of March 23, 1967, the editor chose to interpret the Kennedy speech as if it were the signal for an incipient civil war between, as he put it, "The Two USAs." The editorial accused the Kennedy "family" of plotting to impose on the United States "its own Bonapartism that aims at permanent power" and to induce the United States to give "itself and its power of decision to the enemy it is facing in Vietnam." Even an overheated imagination might find it difficult to consider the Kennedys powerful enough to hand over the United States to Ho Chi Minh. But the war had brought on such an unhealthy political climate in the United States that treason, defeatism, dictatorship, and a new stab-in-the-back legend could be read into this speech, so carefully modulated and so long delayed that it was almost defused politically in advance. To make Senator Kennedy feel better, perhaps, the editorialist put Secretary-General U Thant, whom he scorned rather than pitied, and Pope Paul VI, whom he pitied rather than scorned, in the same camp. The moral would seem to be that, if this could happen to Robert F. Kennedy, it could happen to anyone—all in the name of "freedom" and "that America which has its leader in Lyndon Johnson." This editorial constituted the most extreme effort thus far to whip up a wartime hysteria. Significantly, it did not come from a right-wing organ, possibly because the Republicans were somewhat inhibited from making such an effort by the temptation to cash in on a peace move in the presidential election of 1968 as Eisenhower had succeeded in doing for them in 1952.

The differences were soon spelled out more sharply. On the day of Senator Kennedy's speech, Democratic Senator Henry M. Jackson of Washington, who had become a chief Administration spokesman on the war, was able to produce a letter from the President demanding an "equivalent action" from the other side as the price to end the bombing. On March 9, President Johnson was asked what the "military quid pro quo and reciprocal action" might be, and his reply compressed in a few sentences the accordion-like ambiguities and contradictions of his peculiar diplomacy:

"Just almost any reciprocal action on their part. We have said that we would be glad to stop our invasion of North Vietnam if they would stop their invasion of South Vietnam. That we would be glad to halt our bombing if they would halt their aggression and their infiltration."

In one sentence, he seemed to be demanding almost nothing in return. In the very next sentence, he seemed to be asking for almost everything. Perhaps inadvertently, he told more than he intended by referring to the new phase of American policy as an "invasion of North Vietnam equivalent in kind to the North Vietnamese "invasion" of South Vietnam. At another point in the same press conference, he spoke as if stopping the bombing were the same as stopping "half the war," by which he meant the American half.

Further insight into the new policy came in a major address by President Johnson in Nashville, Tennessee, on March 15. In it he reincarnated the "domino theory" in one of its many manifestations by maintaining that "the defense of Vietnam held the key to the political and economic future of free Asia."[16] He again demanded "reciprocal concessions" and made reciprocity "the fundamental principle of any reduction in hostilities." He hotly accused his critics of "moral double bookkeeping" because they did not equate Viet Cong terrorism[17] with United States bombing. He referred contemptuously to what he called the recent "flurry of rumors of 'peace feelers,'" as if there had not been any reality to them at all.

But the most curious section of the speech had a bearing on both President Johnson's letter to Ho Chi Minh of February 8—which had not yet been released—and the dispute with Senator Kennedy. The President stated the question that the Senator had been asking: "Why don't we stop bombing to make it easier to begin negotiations?" The answer, he said, was "a simple one." To show how simple it was, he recapitulated the three times that the United States had stopped its bombing—five days and twenty hours in May 1965, thirty-six days and fifteen hours in December 1965 and January 1966, and five days and eighteen hours in February 1967. After this recital, he summed up triumphantly: "They have three times rejected a bombing pause as a means to open the way to ending the war and going to the negotiating table."

From this one might have gathered that the President would have been delighted with North Vietnam's change of heart at the end of January 1967 and its Foreign Minister's open bid for negotiations in exchange for a cessation of the bombing. It would have seemed, as Senator Kennedy pointed out, that this had been the United States position during the first two bombing pauses but not during the third. President Johnson, however, plainly implied that it had still been the United States position the third time, during the Têt truce from February 8 to 12, because he bracketed all three together without distinction. But six days later, it became known that this was precisely the position the United States had explicitly rejected in President Johnson's letter of February 8 to Ho Chi Minh. In it he had gone to the trouble of giving two reasons, good or bad, why the United States could not accept the formula of "stop bombing" for "begin negotiations." Instead, he assured his Nashville audience that "Hanoi has just simply refused to consider coming to a peace table." Even Ho Chi Minh's letter of February 15 did not justify such an excessive distortion of Hanoi's position: Hanoi had certainly *considered* coming to a peace table—on its own terms, perhaps, but that was no less true of Washington.

VI

Meanwhile, however, the United States uncompromising rejection of prior cessation of the bombing of North Vietnam unexpectedly paid off in an unexpected quarter. On March 14, 1967, Secretary-General U Thant submitted a new three-point plan which clearly reflected concessions to the American position. For more than two years, he had steadfastly maintained that only unconditional cessation of the bombing could lead the way to a settlement; now he was merely content to mention it in passing as a "vital need," but to leave it out entirely as a practical consideration. His old Point One—cessation of the bombing of North Vietnam—was replaced by a new Point One: "a general standstill truce" without supervision. Old Point Two—substantial reduction of all military activities in South Vietnam—was replaced by new Point Two: "preliminary talks" between the United States and North Vietnam. Old Point Three—participation of the National Liberation Front or Viet Cong in any peaceful settlement—was replaced by new Point Three: "reconvening of the Geneva Conference." A favorable reply was received from the United States on March 18, though it deviated from the Secretary-General's proposal in two ways which might have, in any case, proved troublesome. First, it implied that it was not enough for both sides to agree to a cease-fire, and instead demanded preliminary discussions to decide how it would be carried out; second, it required that the South Vietnamese government, but not the National Liberation Front, would have to be "appropriately involved throughout this entire process." A North Vietnamese spokesman unequivocally rejected the new plan on March 27.

Secertary-General Thant's new plan was only a distant relative of his old one, in spite of his claim that it was merely an "adaptation." The latter had implied that the Vietnamese struggle was essentially a civil war which could be settled by primarily concentrating on South rather than on North Vietnam. This was the essential meaning of the first and third points in the former formula. The new plan, in effect, shifted the emphasis from the South to the North and pitted North Vietnam against the United States in the crucial first steps toward a settlement; it provided for the South Vietnamese on both sides a role only in "a future formal conference"; it thus inferentially endorsed the American thesis that the key to the war and the peace was in the North.[18]

Even the South's Premier Nguyen Cao Ky did not like the way the United States had taken over the peace as well as the war strategy: "We hear too much about President Johnson's talking to Ho Chi Minh," he said on March 28, "but what about the South?"

In any event. Thant's new plan was doomed because it was based on seemingly formal equality between unequal forces, resulting in unequal consequences. Without a prior cessation of the bombing. North Vietnam was still placed in the position of agreeing to terms with a gun at the temple. The relatively compact, traditionally organized American military forces could easily be regrouped and supplied during a cease-fire; their morale was likely to rise in the absence of combat. The Viet Cong guerrillas were by their very nature difficult to coordinate especially if North Vietnam did not control them as much as the United States wanted to believe; their morale was bound to fall in the absence of combat. The North's regular troops in the South ran the risk of becoming hostages, cut off hundreds of miles from their home bases, scattered in jungles and forests. The only conceivable *modus vivendi* for an effective cease-fire in the peculiar South Vietnamese circumstances would have required a physical separation of the two sides, amounting to *de facto* division of South Vietnam into regrouping zones—a form of provisional partition which the United States had many times ruled out. The very nature of guerrilla warfare made an old fashioned cease-fire, based on some fixed line, incongruous. The Viet Cong guerrillas and even the North Vietnamese regulars cooperating closely with the guerrillas could not be made to "stand still," suddenly and indefinitely, without risking their disintegration as a fighting force, a danger not faced by the US troops. Since Thant's new plan was introduced at a very late date, after the diplomatic breakdown of the preceding two months and the exacerbation of the bombing against key North Vietnamese economic centers, already largely or partially destroyed, the time was not propitious for another effort which on its face posed almost insuperable practical problems and represented a sharp political shift in favor of the United States position. In the end, this initiative did no good and merely compromised the Secretary-General.

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[16] By 1967, the "domino theory" was in such disrepute that even Secretary of State Rusk felt called upon to disavow it, saying that "there's no need for something called the domino theory" (*Department of State Bulletin*, January 30, 1967, p. 169). But evidently there was still a need for various and changing paraphrases of the theory.

[17] Mr. Johnson said: "Tens of thousands of innocent Vietnamese civilians have been killed and tortured and kidnapped by the Vietcong." Four days later, a report from Saigon stated: "New US official figures show that Vietcong terrorists have killed 11,967 civilians and kidnapped 40,988 in the last nine years" (The Washington *Post*, March 19, 1967). Presumably only the killed did not survive their ordeal. In nine years, the annual average was 1330; some may not have been so "innocent." This figure would have to be equated with the United States bombing in North and South Vietnam, heavier than the bombing of enemy territory in Europe in World War II at its peak. And it would be necessary to take into consideration that political "terrorism" does not have the same cultural roots or stigma in all countries.

[18] The shift in U Thant's position is one of the more perplexing phenomena of this period. In the first days of March 1967, Mr. Thant conferred with two North Vietnamese government officials in Rangoon; he later revealed that he had orally presented them with the new three-point plan which he wrote down for the first time on March 14. On March 5, Mr. Thant returned to the United States. As of March 7, Raymond Daniell, *The New York Times*' UN correspondent, wrote that Mr. Thant had "returned from his talks in Burma 'more convinced than ever' that cessation of the raids 'is an absolute prerequisite' to bringing Hanoi to the conference table" (*New York Times*, March 8, 1967). In his press conference on March 28, at which he made public his *aide-mémoire* of March 14, Mr. Thant still expressed this view in his introductory remarks. At one point he said that "I have never ceased to consider that the bombing of North Vietnam constitutes an insurmountable obstacle to discussions." In reply to a question, he reiterated that "I still maintain that a cessation of the bombing of North Vietnam is an imperative necessity to create conditions for peaceful talks." In the *aide-mémoire* itself, however, the "absolute prerequisite," "insurmountable obstacle," and "imperative necessity" were watered down to a "vital need," and, in any case, left out of the new three points. The question is how Mr. Thant could bring himself to bypass the cessation of the bombing in the points themselves if it was an "absolute prerequisite," and "insurmountable obstacle," or an "imperative necessity" to get to the conference table. One gets the impression that at his press conference on March 28, Mr. Thant tried to have his cake and eat it, too; he may not have changed his mind about the need for a cessation of the bombing but, for some reason, he saw fit to change his practical proposals, which received most of the publicity and earned him the gratitude of those who had formerly execrated him most.

At the United States-South Vietnam conference on Guam on March 20–21, Premier Nguyen Cao Ky may have blurted out, as he had done before on other matters, what "negotiations" and an "honorable peace" were really supposed to mean. On the first day of the meeting, he exhorted the Americans to intensify and enlarge the war against North Vietnam even more, and then proceeded to explain:

"We must convince Hanoi that its cause is hopeless. Only then will Hanoi be ready to negotiate. Then, when we do negotiate, we must, Mr. President, work for an honorable peace."

A power which has been bludgeoned into hopelessness is, of course, in no position to "negotiate." It can only come to the "peace table" to beg for crumbs from the victor—if it chooses to beg. A one-way "honorable peace" is merely a gentle circumlocution for one side's victory. Premier Ky was not the only one to misuse these terms, but he did it somewhat more crudely and clearly than did others. In any meaningful negotiation, both sides must be able to bargain from a position of some strength, though they may be strong in different ways, as in the bargaining power between private corporations and trade unions. The Japanese came to a "peace table" aboard the USS *Missouri* in September 1945, but they were in no sense capable of negotiating. A "peaceful settlement" may be a total surrender as well as a mutual compromise which by its very nature cannot be totally satisfactory to either side or totally unsatisfactory, either. The issue was not whether Premier Ky had the "right" to demand that the United States should batter North Vietnam into virtual surrender for him; it was rather that these words—"negotiation" and "peace" and "honor"—were misused so much that they portended the opposite of what they seemed to convey. The chief victims of this systematic abuse of language were not the leaders in Hanoi, who knew just what would happen to them if they tried to "negotiate" with a hopeless cause; the main effect, if not the purpose, was to pollute the political stream in the United States with words that said one thing and meant another.

At the core of the American case, making meaningful negotiations difficult, if not impossible, was the concept of "reciprocity." It became the leitmotif of official American policy in 1966–67, though it was another word that lent itself to different interpretations. When President Johnson asked almost plaintively on March 9, 1967 for "just almost any reciprocal action on their part," it seemed to mean any kind of North Vietnamese response, even of a purely symbolic character. Yet when he went on, almost in the same breath, to demand that North Vietnam should stop its "aggression and infiltration," he implied that he expected something that he considered to be a more or less equivalent or analogous response. On March 15, he made reciprocity "the fundamental principle of any reduction in hostilities," and again seemed to be using the concept in the second, more inconclusive and far-reaching sense. When his February 8 letter to Ho Chi Minh was made public on March 21, the latter interpretation could no longer be questioned. The letter concretely defined reciprocity as: the United States to halt the bombing of North Vietnam and stop further augmentation of its forces in South Vietnam; and North Vietnam to provide assurance that its infiltration forces in South Vietnam by land and sea had ceased. Clearly, when President Johnson called on February 2 for "just almost any [step]," and on March 9 for "just almost any reciprocal action," he had not intended these words to be taken literally.

But—and this was the critical question—what could "reciprocity" mean between a strong, rich power like the United States and a weak, poor power like North Vietnam?

In February 1967, for example, the United States and allied foreign forces in South Vietnam numbered: United States, more than 400,000; South Korea, 45,000; Australia, 4,500, New Zealand, 360—a total of more than 450,000. The North Vietnamese forces in the South were estimated at about 50,000. President Johnson's proposal of February 8 amounted, in effect, to freezing the forces on both sides in the South in return for a cessation of United States bombing in the North but not in the South. By stopping all movement to the South, which was undoubtedly what would have been required, North Vietnam could not even have maintained the forces which it already had in the South because it could not provision them by plane and ship, as the United States was able to do. Just as the United States felt that it could not accept any offer which might discourage or demoralize its South Vietnamese wards, so the North Vietnamese leaders doubtless felt the same way about their own troops and protégés in the South.

President Johnson, it should be noted, did not offer a military truce or ceasefire in the South in exchange for halting the bombing of the North. In the event of a total cessation of the fighting in both North and South, the freezing of the numbers in the South would not have mattered so much. But if the war in the South went on unabated, with the North Vietnamese troops cut off from their sources at home and the United States committed only to a limitation of men but not materiel, the latter factor would have become increasingly decisive in the further conduct of the war. On the American side particularly, firepower rather than manpower counts. Thus, morally, numerically, and materially, the proposal of February 8 was palpably unequal because the sides were so unequal.

The United States was, in effect, doing what General James M. Gavin (Ret.) warned against in his testimony before the Senate Foreign Relations Committee on February 21—using the bombing of the North as a bargaining instrument. The bombing had been initiated in February 1965, primarily to bolster the South Vietnamese government's faltering morale. At that time, according to Secretary of Defense McNamara, North Vietnam's regular troops in the South had numbered only about 400, and the bombing could not have been justified on the ground that it was necessary to interdict their lines of communication with the North.[19] First came the bombing, and then came an escalation of the war on both sides, which provided the major justification for the bombing. In February 1965, the bombing of the North represented a desperate United States effort to save the South Vietnamese forces from defeat; in February 1967, it represented an offensive effort to bring about North Vietnam's defeat. After two years of bombing which had unilaterally changed the pre-1965 rules of the war, the North Vietnamese and United States conceptions of "reciprocity" were understandably different. North Vietnam could not stop bombing the United States in exchange for a similar courtesy on the part of the United States in North Vietnam. The price the United States demanded was in South Vietnam, where the advantages and disadvantages on both sides were so different that the concept of "reciprocity" was far from the simple numerical arrangements that President Johnson proposed on February 8.

A cessation of the bombing of North Vietnam was vital to the latter precisely because it had nothing to exchange for it in the North or in the United States and could pay for it only by reciprocating unequally in the South. The bombing was so important to the bargaining position of the US that President Johnson had, perhaps excessively, referred to it on March 9 as if it were the United States' entire "half the war," or as if its half depended on it. For the United States, the bombing was an infinitely extensible threat. In January 1967, Secretary McNamara told a Senate committee; "I don't believe that bombing up to the present has significantly reduced, nor any bombing that I could contemplate in the future would significantly reduce, the actual flow of men and materiel to the south." When this was established, the United States stepped up its bombing the following month to reduce North Vietnam's industrial base to a mass of rubble. At best North Vietnam could retaliate only against South Vietnam, which is considered part of its own country, not against the United States, which it considered its main enemy. Germany's indiscriminate bombing of Britain in late 1940 was answered with equally indiscriminate and even more punishing bombing of Germany later in the war. But the positions of the United States and North Vietnam were so different that nothing comparable could take place.

VII

The United States escalation of February 1967 invited North Vietnam to step up and enlarge those tactical operations for which it and its South Vietnamese partners were best suited, such as terrorism. For anything more, North Vietnam was dependent on China and Russia, especially the latter. As soon as United States bombing raids were resumed on North Vietnam that month, Soviet President Nikolai V. Podgorny pledged the Soviet Union to continue to provide North Vietnam and "the South Vietnamese patriots" with the necessary assistance. Later Soviet statements promised to meet United States escalation with escalating Soviet aid. The most recent turning point, then, was almost as much a form of pressure on the Soviet Union as on North Vietnam. Indeed, for some time, United States policy makers had been watching the increasing Soviet aid to North Vietnam with mixed feelings: it gave North Vietnam more and more effective arms for fighting American troops, but it also gave the Soviet Union a larger place in North Vietnam's military planning and capability. Secretary Rusk's unusual solicitude for Soviet sensibilities was not without its pragmatic calculations. In January 1967, before the truce and resumption of the bombings on a larger scale, he had commented favorably on the "prudence" of the present Soviet generation and had commended it to the Chinese. Two months later, he inferentially exculpated the Soviet leaders from responsibility from North Vietnam's obduracy. "They cannot tell Hanoi what to do," he said. "The problem of peace out there is with Hanoi." [20] He even seemed to associate the United States and the Soviet Union in order to emphasize the "great gulf which exists between all of us and Hanoi." Considering the enormous importance which Soviet-bloc aid to North Vietnam had assumed, these were singularly amiable intimations of how he regarded the Soviet role in the war, at least for public consumption.

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[19] On April 16, 1965, Secretary McNamara stated that "evidence accumulated within the last month," that is, since late March, had confirmed the presence in the northwest sector of South Vietnam "of the 2nd Battalion of the 325th Division of the regular North Vietnamese Army," and he estimated the size of the battalion "on the order of 400 to 500 men" (*Department of State Bulletin*, May 17, 1965, pp. 750 and 753). On June 16, 1966, in an address at Yeshiva University, Senator Mike Mansfield declared: "When the sharp increase in the American military effort began in early 1965, it was estimated that only about 400 North Vietnamese soldiers were among the enemy force in the South which totaled 140,000 at that time." The Pentagon soon confirmed that it was the source of Senator Mansfield's figure (Ted Knap, Washington *Daily News* June 28, 1966). The strange and persistent efforts by Secretary of State Rusk to blow up the North Vietnamese "invasion" to at least the proportions of an entire division by January 1965 in the face of both Secretary McNamara's and Senator Mansfield's testimony are dealt with at length in my forthcoming book, *Abuse of Power*.

But if the Soviets could not tell Hanoi what to do, they still had to tell themselves what to do. By giving North Vietnam so much aid since 1965, they had committed themselves more and more deeply to preventing the North from collapsing just as the United States had committed itself to the South. The United States's favorable appreciation of the Soviet role had been based on the well-founded assumption that the Soviet leaders were not happy about expending so much of their country's substance in North Vietnam and risking another confrontation with the United States. The Soviets had clearly influenced Ho Chi Minh and his colleagues to come down from their four points and to rest their negotiating case wholly on a cessation of the bombing. When this had proved unsatisfactory from Washington's point of view, the next step was to hope that the Soviets might put even more pressure on North Vietnam to accept something resembling President Johnson's February 8 version of "reciprocity," or to get the Soviets to induce North Vietnam to back down in some other way. As some influential political figures in Washington saw it, the Soviet Union was caught in a most disagreeable dilemma in its relations with the United States, North Vietnam, and Communist China. This thinking was openly expressed by the Johnson Administration's spokesman, Senator Jackson, in the Senate on February 24, soon after United States artillery for the first time shelled North Vietnam across the demilitarized zone:

"There are some reasons for thinking that the Soviet leaders would prefer a settlement. The bombing of the North, for example, is probably a source of embarrassment, for it demonstrates that the Soviet Union cannot prevent the United States from bombing a brother Communist state. One can surmise that the Russians are having to do a lot of explaining in other Communist capitals. For Moscow's situation in Vietnam puts in doubt what she could do to protect the interests of other Communist states if they sometime found themselves in similar jeopardy. In this sense, the bombing of North Vietnam has political significance—control over it is one of the few political assets and bargaining levels we have in encouraging the Russians to pressure Hanoi to de-escalate militarily and to negotiate.

"It must also be a source of some worry to the Soviet rulers that their aid to Vietnam, particularly in connection with their anti-aircraft defense system, is steadily mounting.

"At the same time, however, without Russian aid and support Hanoi would probably be unable to sustain its efforts, and the Russians are therefore partly responsible for the prolongation of the war."

We have here a strange combination of giving the Soviets credit for wanting a settlement, of gloating over them for not being able to do anything about the bombing of North Vietnam and of holding them partially responsible for our predicament. It typifies the temptations into which the United States had been led by its disproportionate investment in the Vietnamese war. In a peculiar way, the United States seems to be faced with a variety of frustrations in South Vietnam at the same time that it is able to do almost as it pleases to North Vietnam. So long as the American leaders consider the bombing to be one of their few assets and bargaining levers, they are bound to try to extort as high a price as possible for it in the guise of "reciprocity." Senator Jackson was quite right to suggest that the bombing of North Vietnam is the United States trump card—and that is why the game has become so dangerous. The bombing is the one thing that can be most easily and destructively intensified and enlarged to increase the pressure on North Vietnam and enhance the embarrassment of its allies. The power at the disposal of the United States is so great and so unprecedented that the only questions are how much power it is willing to use and how much punishment North Vietnam is willing to take. Inescapably, the more punishment North Vietnam is willing to take, the more power the United States is willing to use. The more power the United States uses, the less difference it makes how much more power it will use, for beyond a certain point, degrees of destructiveness begin to lose their meaning.

This is the vicious circle which was set in motion by transferring the main arena of the war from South to North Vietnam and by deciding to use bombing to impose the will of the United States on North Vietnam. The only way to break the circle is to halt the bombing and reconsider the problem of South Vietnam on the basis of genuine reciprocity—among the Vietnamese. Once the United States threw its weight into the balance, there could be no meaningful reciprocity, unless a great Communist power reciprocated on behalf of North Vietnam. Instead of bringing peace nearer, this concept is more likely to bring about a Vietnamese edition of the 1962 missiles crisis in circumstances far less favorable to the United States. In 1962, the United States could claim to be directly threatened by offensive missiles only 90 miles from its shores; in 1967, the United States is not directly threatened, and cannot appeal to world opinion on that ground; and it is inviting two or more to play at its own game. The escalation of the war *in* Vietnam is bound to bring about an escalation of war *over* Vietnam. Those who wish to taunt or goad the Soviets, if not the Chinese, to put up or shut up are living in a fantasy world if they think that the Cuban precedent will necessarily be followed in Vietnam. On the contrary, there has been and continues to be a stubborn underestimation of how far the Communists can go to escalate their side of the war. And if the war *over* Vietnam in some form materializes, will it be another instance of the "politics of inadvertence"?

When one gets away from each individual move and maneuver, and views them as a whole over the past two years, the guidelines of American policy emerge quite clearly—to separate North Vietnam from the Soviet Union, and to separate North Vietnam from the Viet Cong in the South. Even if the United States were successful in either or both of these objectives, the war in the South would admittedly still go on, though certainly not on the vast scale as at present. But neither of these objectives has been achieved; on the contrary, North Vietnam is likely to get more Soviet aid, and the North is likely to gird itself for an even more determined effort in the South, escalating whatever it can escalate. Ironically, the United States itself made it more difficult for North Vietnam to abandon the South by attributing such preponderance to the Northern role in the South. The American propaganda line first maintained that the war in the South could not go on without the North's "aggression," and then insisted that the North should get out of the South. This line was conceived to justify U.S. bombing of the North, but it does not help to facilitate the North's withdrawal from the South. The main thing that has been achieved by the recent diplomatic maneuvers is what Washington considers to be a more favorable public-relations ambience for making the war bigger, bloodier, and beastlier. This is the transcendent triumph of Johnsonian diplomacy which the American press has recently been celebrating. Recent events have demonstrated that outsiders are not capable of ending the war in South Vietnam. Their own interests and need to save face have infinitely complicated the indigenous difficulties. The best chances for peace probably lie with the Vietnamese themselves. The more patriotic or nationalistic among them, on both sides, will not forever tolerate this orgy of destruction which was started to save them and which will end by leaving little or nothing to save. The decisive impulse for peace, in some way not yet perceptible, may have to come from the Vietnamese themselves.

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[20] Consistency has never been Secretary Rusk's hobgoblin. In 1965, he insisted that Hanoi owed so much to Peking that it was virtually the latter's prisoner or puppet. In 1967, Hanoi owed even more to Moscow but could not be told "what to do."

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. Montoya in the chair). Pursuant to the order previously entered, the Senator from West Virginia [Mr. Randolph] is recognized for 30 minutes.

Mr. BYRD of West Virginia. Mr. President, will my colleague from West Virginia yield briefly?

Mr. RANDOLPH. I am happy to yield to my colleague from West Virginia.

ORDER FOR RECOGNITION OF SENATOR McCLELLAN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the vote on the treaty this afternoon, the senior Senator from Arkansas [Mr. McClellan] be recognized for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

BENZENOID CHEMICAL INDUSTRY IMPORTANT TO AMERICAN ECONOMY—PENDING TRADE NEGOTIATIONS UNSATISFACTORY TO MANAGEMENT AND WORKERS IN 42 STATES—SENATOR RANDOLPH AND OTHER SENATORS JOIN IN OPPOSITION TO ABANDONMENT OF THE AMERICAN SELLING PRICE SYSTEM

Mr. RANDOLPH. Mr. President, the administration's approach to trade negotiations involving the American selling price system of customs valuation has been a matter of considerable concern to many Members of the Senate and House of Representatives. Among the products covered by this system are benzenoid chemicals, manufactured by 116,000 workers in 42 States. In West Virginia 7,000 workers in this particular industry will be adversely affected if the ASP system is abandoned by the United States.

The U.S. special representative for trade negotiations, Ambassador William M. Roth, has announced that he is discussing with our foreign trade partners the abandonment of this system of customs valuation during the Kennedy round of trade negotiations in Geneva. I remind Senators that this has been the traditional basis of valuation for benzenoid chemicals. Although Ambassador Roth indicates that he will not present Congress with an established fact, his actions unfortunately seem not to have comported fully with what I believe to be—and I speak with measured words—his promises to Congress.

Last October members of the West Virginia congressional delegation wrote to the President expressing strong opposition to the abandonment of the American selling price method of customs valuation on the ground of the severe economic injury that would be caused to the industry and workers in our State by low-labor-cost foreign imports. In acknowledging our letter, the President's Office stated that our correspondence would be brought to Ambassador Roth's attention. For the next 2 months, although Ambassador Roth's discussions on ASP continued at Geneva, we failed to receive any information from him or from his staff.

On January 15, 1967, I wrote to Ambassador Roth, asking that the conclusions in the Tariff Commission's report of October 3, 1966, assessing the economic impact of the proposed conversion from the American selling price system, be made public.

I felt that through the publication of these conclusions, industry and its workers could learn of the outcome of an investigation in which they participated and cooperated.

Ambassador Roth requested the Tariff Commission's investigation under section 332 of the Tariff Act of 1930, which, to my knowledge, contains no language restricting the public release of the Commission's conclusions. Indeed, that section requires the Commission to release "all the information at its command" to the President, the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate.

My only request was that Ambassador Roth release the conclusions of the Tariff Commission with respect to economic impact; I did not request all of the information in the report or any of the confidential underlying data.

In his reply to my letter, which was, I think, a tardy reply—the reply came nearly a month after the letter had been sent—Ambassador Roth stated that the Tariff Commission's conclusions would not be "meaningful" and were "hardly intelligible without access to the confidential business information upon which the Commission relied and which could not under any circumstances be disclosed."

Ambassador Roth did state that the Tariff Commission had reached conclusions with respect to economic impact on "each and every item and sub-item of the Tariff Schedules of the United States, which the Tariff Commission has proposed as part of the conversion of the ASP system with respect to benzenoid chemicals and rubber-soled footwear."

Mr. President, it is difficult for me to conceive that those in our Government familiar with the industries involved, in the States that I have mentioned—covering 116,000 workers, 7,000 of these workers in West Virginia, and also the producers of the products themselves—would not be able to understand the conclusions of the Tariff Commission.

Indeed, it would seem more appropriate for Ambassador Roth to release the Commission's conclusions, in order that those parties who would be most affected by the abandonment or alteration of our present system could make independent judgments with respect to whether the Commission's conclusions are meaningful and intelligible.

Mr. President, I ask unanimous consent that the letter to the President, and the correspondence which I entered into with Ambassador Roth on this issue, be printed in the Record at this point.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Public Works,
October 21, 1966.

The President,
The White House.

Dear Mr. President: We, the undersigned members of the West Virginia Congressional delegation, wish to communicate to you our deep concern over the possible elimination of the American Selling Price method of customs valuation.

We believe it necessary to underscore the importance of the American Selling Price method of customs valuation to the continuing prosperity of West Virginia and the Nation as a whole.

The synthetic organic chemical industry in West Virginia employs over 13,000 workers, and over 7,000 of these are directly involved in benzenoid production. The Department of Labor's statistics indicate that the national average annual earnings of each synthetic organic chemical worker exceed $8,000. Consequently, the benzenoid chemical industry contributes approximately $56,000,000 to the direct annual wages of these benzenoid workers in West Virginia, as well as providing additional income for supporting industries.

It is our belief that removal of the American Selling Price system will result in substantial increases in imports of benzenoid chemicals, such as dyes. The National Council of Importers in presenting its case to the Tariff Commission admitted that demand for benzenoids was relatively inelastic and that any tariff action which resulted in a decrease in duty would cause price erosion of at least 90% of the decrease. In short, the present U.S. market prices of these chemicals, which yield a relatively modest profit in comparison with other industries, would fall. In the case of dyes, a majority of the domestic industry's production will be classified for tariff purposes in a new category (TSUS 406.50J) on which protection will be reduced by over 30%. The Tariff Commission proposed this classification in order to comply with "the request of the Special Representative" and "sound standards of tariff nomenclature". (TC Publication 181, p. 55, July 25, 1966)

We are concerned that the Special Representative did not allow the Tariff Commission to propose separate rates for products made in the United States and products made only abroad. If the object of the Commission's investigation was to provide truly equivalent connected rates of duty, the Special Representative's request should have given it enough latitude to do so.

We feel that the West Virginia industry and its workers will not be able to withstand the assault of low-cost benzenoid imports that will take place if the American Selling Price method is abandoned. Moreover, there are serious questions concerning the adequacy of the hearing afforded the domestic industry before the Tariff Commission under the Special Representative's restrictive instructions.

Realizing your dedicated efforts for the people of West Virginia and Appalachia, we respectfully request that there be no abandonment of the American Selling Price method, which would adversely affect the economy of our region.

Sincerely,

Jennings Randolph,
U.S. Senator.
Robert C. Byrd,
U.S. Senator.
Harley O. Staggers,
Member of Congress.
John M. Slack,
Member of Congress.
Ken Hechler,
Member of Congress.
Arch A. Moore,
Member of Congress.

January 15, 1967.

Hon. William M. Roth,
Deputy Special Representative for Trade Negotiations, Executive Office of the President, Washington, D.C.

Dear Ambassador Roth: On October 21, 1966, the West Virginia Congressional delegation wrote to the President expressing its strong opposition against the abandonment of the American Selling Price method of customs valuation. In acknowledging our letter, Mr. Michael Manatos stated that this correspondence would be brought to the attention of the Office of Special Representative for Trade Negotiations.

While I have failed to receive any communication from your Office with respect to ASP during the past two months, I understand that it has been the subject of extensive discussions by your negotiators and by foreign governments at the GATT negotiations in Geneva. Furthermore, I have reviewed a copy of Ambassador W. Michael Blumenthal's December 8 speech at Kronberg, Germany, in which, among other things, he offered to negotiate away ASP for "a good arrangement" which would be submitted to the Congress for approval. In view of your Office's publicized position that no decison has as yet been made concerning the abandonment of ASP, I am concerned over this effort to continue to offer ASP as a bargaining counter with our foreign trading partners. Indeed, Ambassador Blumenthal's remarks could possibly be viewed as indicative of a willingness to sacrifice the economic vitality of the West Virginia benzenoid chemical industry for trade concessions of unknown value to other industries in other parts of the United States.

I have received information which points to the benzenoid industry being forced to transfer plants and jobs abroad as a result of the lower tariffs embodied in the Tariff Commission's proposed converted rates of duty.

Regardless of one's point of view on the merits of ASP, it seems that the members of Congress and the people affected need to know the facts. I understand that on October 3, 1966, the Tariff Commission sent a report to you assessing the economic impact of its converted rates. Although this report may contain confidential information, it appears that conclusions can be released without violating any restrictions. Therefore, I sincerely request that you make public the conclusions of the Tariff Commission's report. The twenty-two domestic chemical producers and three labor unions that offered evidence to the Commission in September should have the right to learn of its conclusions, and to bring other evidence to light if necessary.

I note that there is no provision in section 332 of the Tariff Act of 1930 (19 U.S.C. Sec. 1332) under which the Commission's investigation was conducted, that restricts the release of the Commission's conclusions. Subsection (d) thereunder provides that the information collected by the Commission is for the assistance of the President and the Congress. Although subsection (g) only requires the Commission to release "all information at its command," to the President, the Committee on Ways and Means of the House, and the Committee on Finance of the Senate, other members of Congress and the people affected should have at least a summary report of the Commission's conclusions which is certainly less than "all" relevant information.

If the Administration intends to seek legislation dealing with ASP during the next Congress, the Tariff Commission's October 3 report should be released now before its conclusions become suspect as outdated. As you know, economic conditions change rapidly within an industry, and those affected must be given the opportunity to collect the relevant data needed to make informed decisions. It is hoped that your Office is not placed in the position of releasing the Tariff Commission's conclusions at the eleventh hour, when Congress is asked to consider this subject next year. Ambassador Blumenthal's Kronberg speech indicates the abandonment of ASP is now being considered and therefore all relevant information should be made public.

I considered the treatment of the American Selling Price question a matter of utmost importance to the industry and workers of West Virginia, and respectfully ask your cooperation for an immediate open discussion of this vital problem.

With my genuine appreciation for your attention to this letter and with very best wishes, I am

Truly,

JENNINGS RANDOLPH.

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS, EXECUTIVE OFFICE OF THE PRESIDENT,

Washington, February 14, 1967.

Hon. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: Thank you for your letter of January 16, 1967, in which you make several points concerning our treatment of the issue of the American selling price (ASP) system of customs valuation as it relates to benzenoid chemicals.

First, you urge that the conclusions of the Tariff Commission's report to the President of October 3, 1966, concerning ASP be made public. We requested this report of the Tariff Commission, at the direction of the President, in a letter of July 27, 1966. Our letter specifically requested that the Commission report its advice in confidence.

My first reaction to your proposal is that I seriously doubt whether disclosure of the conclusions of the Tariff Commission would be of any value. As you acknowledge in your letter, much of the Tariff Commission's report consists of confidential business information. Indeed, such information was, to a very large extent, the basis upon which the Tariff Commission reached its conclusions. These conclusions are stated in a summary form with respect to each and every item and sub-item of the Tariff Schedules of the United States which the Tariff Commission has proposed as part of the conversion of the ASP system with respect to benzenoid chemicals. These conclusions are not meaningful, and indeed hardly intelligible, without access to the confidential business information upon which the Tariff Commission has relied and which could not under any circumstances be disclosed. Accordingly, while I fully understand your desire that there be as much public understanding as possible about this complex problem, I frankly think that to disclose only the conclusions of the Tariff Commission would create confusion and misunderstanding.

More importantly, I would emphasize that it was in accordance with a principle established by the Congress itself in enacting the Trade Expansion Act of 1962 (TEA) that we requested the Tariff Commission's report to be confidential. Section 221 of the TEA requires the Tariff Commission to advise the President of the probable economic impact of tariff reductions which the President is considering for purposes of a trade negotiation. The legislative history of section 221 clearly anticipates that this advice shall be confidential. This point is explicitly made in the reports of both the Senate Finance Committee and House Ways and Means Committee on the bill that became the TEA.

The advice given by the Tariff Commission on the probable economic impact of converting the ASP system is of exactly the same nature as its advice under section 221 of the TEA, and our letter therefore provided that it should be confidential. I should add that our letter in effect constituted a Presidential request under Section 332(g) of the Tariff Act of 1930 and was so treated by the Tariff Commission. Under that section the President may impose whatever conditions he wishes upon the disclosure of reports prepared for his use.

The policy of the Congress concerning the confidentiality of economic advice prepared by the Tariff Commission for a trade negotiation is based upon a concern for the U.S. negotiating position. As our negotiating partners well know, the advice of the Tariff Commission with respect to the probable economic impact of reducing tariffs has a considerable bearing on the offers that we made and the manner in which we bargain on the basis of such offers. Accordingly, disclosure of even the conclusions in any report of the Tariff Commission dealing with probable economic impact could not fail but tip the hand of our negotiators in Geneva. The other countries would then have a good idea of the likely limits of our negotiators' authority, thus depriving our negotiators of a considerable amount of bargaining leeway—leeway which is often quite necessary in exacting the maximum offers from other countries.

This would be equally true if the United States were to offer a conversion of the ASP system. Accordingly, in the light of Congressional policy and the rationale for that policy which seems very sound, I do not believe the conclusions of the Tariff Commission's report should be made public so long as there is a possibility that we may make a formal offer on ASP in the Kennedy Round.

I should add that since receipt of the Tariff Commission's report of October 3, 1966, we have continued our practice of keeping in close touch with the representatives of the Synthetic Organic Chemical Manufacturers Association, which is, as you know, the trade association representing the benzenoid chemical industry. These periodic meetings have permitted them to keep us abreast of current developments in the industry and have also given us an opportunity to exchange views on all aspects of the problem of ASP. I think these representatives will confirm that these meetings have been mutually profitable.

Second, you express concern that we are continuing to offer ASP as a bargaining counter with our foreign trading partners in order to obtain trade concessions of unknown value to other industries in other parts of the United States. It is quite true that since last spring we have been discussing the issue of ASP with other countries in Geneva. In doing so, however, our policy has consisted of the following elements. First, the discussions in Geneva are purely an exploration of what might be feasible, and they in no way constitute a formal offer on the part of the United States, or even a commitment to make such an offer at some future date. Second, our trading partners must indicate the nature of what they might be willing to pay for a conversion of ASP before the United States will decide whether or not to offer such a concession on ASP. Third, we will not recommend to the President a course of action which, in the light of our intensive inquiry into the economics of ASP, would not permit the benzenoid chemical industry to make an adequate adjustment to new import competition. Fourth, any negotiation on ASP must be on the basis of a separate reciprocal package unrelated to the general Kennedy Round agreement, so as to avoid making the latter conditional upon implementation of the ASP agreement.

Fifth, with respect to benzenoid chemicals, any concession by the United States on ASP would require significant liberalization of the protection now imposed by the EEC, in particular, upon its imports of chemicals. Sixth, any ASP agreement would require implementing legislation by the Congress. Ambassador Blumenthal's recent speech on ASP in no way departed from any of these elements of our policy with respect to ASP.

Finally, I want to stress that we are very conscious of the legitimate concern which you and other members of the Congress have expressed about the possible impact of eliminating the ASP system on firms and workers in the benzenoid chemical industry. Since receiving the report of the Tariff Commission, we and the other interested agencies have conducted an intensive inquiry into this question. I think I can assure you that we are considering the question of economic impact without commitment or prejudgment. For we are determined to make as objective and thorough an exploration of this question as possible before recommending to the President whether or not the United States should offer a concession on the ASP system in the Kennedy Round.

Sincerely yours,

WILLIAM M. ROTH,
Acting Special Representative.

FEBRUARY 27, 1967.

Hon. WILLIAM M. ROTH,
Acting Special Representative, Office of the Special Representative for Trade Negotiations, Washington, D.C.

DEAR AMBASSADOR ROTH: Thanks for your letter of February 14, concerning the American Selling Price System (ASP) of customs valuation. Your detailed response to my communication of January 16 is appreciated. However, I am disappointed that you are not willing to make public the conclusions the Tariff Commission reached after two hearings on ASP.

Your letter states that the Commission's conclusions which are given for each item and sub-item for the tariff schedules are "hardly intelligible" and "not meaningful" without access to confidential data. You also recognized that if a separate package on ASP is negotiated in the Kennedy Round, it will require implementing legislation by the Congress. Should you proceed with the plans as you have outlined in your letter, members of Congress will be placed in a most difficult situation. We will be asked to review and pass on a legislative proposal with respect to ASP without indispensable information.

You note that you will not recommend to the President any course of action on ASP which would not permit the benzenoid industry to make an "adequate" adjustment to new import competition resulting from abandonment of ASP. Congress, I believe, will not only request but will be entitled to more than this assurance. A thorough analysis of ASP will require, at the least, access to the Tariff Commission's conclusions and the non-confidential data.

As with prior Presidential decisions under the Escape Clause and the Antidumping Act, I assume that in connection with his decision on ASP the President will be interested in the Commission's conclusions. (I am particularly familiar with the Tariff Commission's procedure of releasing public reports of their conclusions in Escape Clause investigations.) On the ASP issue, the Tariff Commission was given responsibility for proposing converted rates of duty and for assessing the economic impact of those rates. If the Commission's conclusions can be made public in Escape Clause and Antidumping Act investigations, in which the question of economic impact or injury is dominant, why can they not be made public in the ASP investigation? Since the Tariff Commission finds a way to disclose meaningful and intelligible conclusions in these investigations, I suggest that such a report could be released on ASP.

In reviewing matters pertaining to concessions that may be negotiated on ASP, the Congress will be concerned both with the impact on investments and jobs, and with the reciprocal benefits that are supposedly offered. I do not see how Congress can approach either question realistically without benefit of the conclusions of the Tariff Commission following its hearings on ASP.

I am confident that the conclusions would be meaningful to the members of Congress. Certainly, with the assistance of your office and other government agencies and with the aid of industry officials, we would be able to understand and analyze the Commission's conclusions on ASP.

You have not dispelled the very real concern, expressed by many members of Congress, that we will be faced with a *fait accompli*, if ASP is negotiated. In your prepared statement before the Subcommittee on Foreign Affairs on February 15, you note that "Discussions on chemicals continue to center on the question of whether or not the United States will negotiate on the elimination of the American Selling Price System of customs valuation." If "discussions on chemicals continue to center . . . on the elimination of ASP", it seems to me that ASP, even as a separate package, will be a hostage (to use your term) to the authorized negotiations under the TEA, and we will be faced with a *fait accompli*.

As a second reason for refusal to make the Commission's conclusions public, you utilize the authority of the Trade Expansion Act of 1962 (TEA), specifically Section 221. Your letter cites the confidential nature of Tariff Commission reports under that section as a basis for your request that the ASP investigation report be confidential. I would remind you—and you have recognized these points on many occasions—your office has no legislative authority to negotiate on ASP; ASP must be on the basis of a separate reciprocal package unrelated to the general Kennedy Round agreement; and, indeed, ASP is, from the Congress' point of view, outside the scope of the TEA and Kennedy Round. For these reasons, your actual request for the Tariff Commission's investigation was made under Section 332(g) of the Tariff Act of 1930, which does not appear to contain the same legislative history as Section 221 of the TEA. As I pointed out in my letter of January 16, the express wording of Section 332(g) of the Tariff Act, requires the Commission to release "all information at its command" to the Committee on Finance of the Senate, as well as to the President. In view of these facts, I frankly do not understand or agree with your reliance upon the legislative history of the TEA which contains no provisions for negotiation of ASP.

You further state that publicizing the Commission's conclusions would impair the U.S. negotiators' position by revealing data that would give away the "likely limits" of our negotiators' authority, and that the advice of the Tariff Commission with respect to the probable economic impact of reduced tariffs has a considerable bearing on the offers that would be made. I must again note that final authority for an agreement on ASP rests with the Congress—this is your limit. It may well be that substantive consultation with the Congress on the issues of ASP, and not just on procedures, could benefit your negotiating position by stressing what the Congress believes to be your limits and what Congressional reaction would be to a particular ASP package and what Congress would consider a reciprocal concession. In any event, you have noted that it has been U.S. policy to make the maximum proposal at the outset in order to encourage maximum offers from our bargaining partners. Under these circumstances, it would seem that the other countries already know the "limits" of the U.S. negotiators' authority. Assuredly, we do not desire to undercut our negotiators or our trading position, but it is my belief that the U.S. position on ASP has been revealed by our negotiators. It is my feeling that open discussion with the industry and the Congress, when Congress has the final authority for approval, would be more beneficial to all concerned.

As you are aware, on June 29, 1966, the Senate passed Senate Concurrent Resolution 100, expressing the sense of the Congress that the President should not enter into any trade agreement affecting ASP before obtaining prior legislative authority. You have apparently chosen to ignore this Resolution and to continue ASP negotiations (or "discussions"). On June 30, 1966, you wrote to the Congressional delegates to the GATT, promising to keep the Congress "fully informed at every step." You also stated:

"Before the President decides whether or not to offer a modification of the ASP system, two public hearings will have been held. This will permit the Congress, as well as interested private parties, to consider the issues regarding any possible modification of the ASP system."

The question of the economic impact of the Tariff Commission's converted rates—the question answered in its conclusions—is at the very heart of the ASP issue. I do not see how we can be kept informed in a meaningful way if we do not have essential facts for arriving at a judgment.

You state also that you have exchanged views with the domestic industry on "all aspects of the problem of ASP." It is my understanding, however, that the industry has not been informed of any conclusions of the Tariff Commission nor has it been informed as to any conclusions which your office may have reached after review of the Tariff Commission's conclusions. The industry has not been advised as to what proposal has been tabled as the working hypothesis nor have there been discussions as to what steps can be taken to assure that the industry can make an "adequate" adjustment to new competition after the abandonment of ASP.

I am, of course, gratified that you are conscious of the legitimate concern which the members of the Congress have expressed about the impact of eliminating the ASP system on firms and workers in the benzenoid chemical industry. You state that your office has conducted an intensive inquiry into this question. We will be called upon to make an intensive inquiry into the question before acting on any implementing legislation; in that connection it will require all of the data that would permit it to arrive at reasonable and sensible conclusions. I seriously doubt that members of Congress will accept your office's conclusions in lieu of the Tariff Commission's.

In summary, my deep concern is based upon a seeming conflict in what you have promised with respect to the ASP issue and what in fact is taking place. You have promised to keep the Congress fully informed, but refuse to release any information concerning the economic impact of abandoning ASP. You have promised not to present a *fait accompli*, but your negotiators continue to negotiate for "reciprocal" concessions and you are concerned lest the limits of their negotiating authority be disclosed.

In light of these facts I respectfully request that you reconsider the refusal to make public the conclusions of the Tariff Commission and I urge that these conclusions be made available now.

With my sincere thanks for your attention to this matter and with best wishes, I am

Truly,

JENNINGS RANDOLPH.

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS,
EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, March 20, 1967.

Hon. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: Thank you for your letter of February 27, 1967, concerning the Tariff Commission's confidential report on the probable economic impact of eliminating the American selling price (ASP) system through a conversion of ad valorem rates. After a careful consideration of your letter, I continue to feel that the conclusions in this report should not be made public. I should, however, like to comment on some of the points made in your letter.

You state on the first page that, if an agreement on ASP is brought back to the Congress, a thorough analysis of ASP will require access to the Tariff Commission's conclusions and non-confidential data. If the Congress is asked to consider legislation to implement an ASP agreement, I would expect that the Ways and Means and Finance Committees would request the Tariff Commission in the customary way to submit a full report on the agreement, including all the pertinent information which it could make available. In this way, the Congress would obtain the maximum assistance from the Tariff Commission at the time when it was most useful and valuable.

At the top of the second page, you ask why, since the Tariff Commission's conclusions are made public in escape-clause and antidumping investigations, its conclusions on the probable economic impact of eliminating the ASP system could not similarly be made public. As I indicated in my previous letter, negotiating considerations make disclosure of its conclusions highly inadvisable. Such considerations are absent in the case of an escape-clause or antidumping investigation, which leads to the consideration of unilateral action.

On the second page, you also state that I have not dispelled the very real concern that the Congress will be faced with a *fait accompli* if an agreement on ASP is concluded. Your statement is apparently based on the fact that discussions on chemicals continue to center on the elimination of ASP. Our essential point is that any ASP agreement will be a separate, self-contained, and self-balancing agreement, the implementation or non-implementation of which will therefore have no impact whatsoever upon the Kennedy Round agreement of reciprocal tariff concessions. In this way, we believe that the Congress will be able to consider the agreement on its merits and without constraint of any kind.

At the top of the third page, you indicate that, since the Tariff Commission's report was requested by the President under section 332(g) of the Tariff Act of 1930, the Senate Finance Committee is apparently in a position to demand that the Tariff Commission release the report to the Committee as well. It is my understanding, however, that insofar as investigations and reports are concerned, section 332(g) provides that such investigations and reports may be requested by the President or by the Ways and Means or Finance Committee or by either branch of the Congress. This section in no way provides that a confidential report requested by one may be demanded of the Tariff Commission by another. Could the President, for example, require the Tariff Commission to submit to him its report on valuation requested by the Senate Finance Committee prior to its release by that Committee?

On the third page, you also express your belief that the U.S. position on ASP has been revealed by our negotiators and that open discussion of the issue would be more beneficial to all concerned. The point I made in my previous letter is that publication of the Tariff Commission's conclusions would tend to undercut our negotiators' position, at whatever stage the negotiations on ASP may have reached. The important question is not whether the U.S. position on ASP has or has not been revealed—keeping in mind that such a position may vary during the course of the negotiations, but rather the negotiating advantage the other countries would gain from having a sense of the likely limits of our final negotiating position on ASP.

You quote on the fourth page our statement that we have been exchanging views with the domestic industry on "all aspects of the problem of ASP", and then point out that the industry has not been informed of the Tariff Commission's conclusions, nor of our conclusions, nor of what proposal has been tabled in Geneva. In referring to "all aspects of the problem of ASP", I meant to the extent permitted by negotiating considerations. No industry has had access to the Tariff Commission's conclusions on the probable economic impact of reducing tariff protection nor to our proposals in Geneva. At the same time, I would point out that, within these limits, no industry has been kept more fully informed of both our own thinking and the developments in Geneva. It is my impression that the representatives of the domestic industry would agree with this.

Finally, at the bottom of the fourth page, you state that your deep concern is based upon a seeming conflict in what we have promised with respect to the ASP issue and what in fact is taking place, especially as regards keeping the Congress fully informed and avoiding a *fait accompli*. As to keeping the Congress informed, we are hoping that the six Congressional Delegates and, in particular, the delegates from the Senate Finance Committee, will be able to attend whatever negotiating sessions are held with respect to ASP. Prior to doing so, they are certainly entitled to have access to any final position papers with respect to the negotiation of ASP, including the specific elements of our negotiating position. As to avoiding a *fait accompli*, I can only stress that we are deeply aware of the consequences of concluding an agreement that is in any way tied to the overall Kennedy Round agreement. We are therefore determined that any ASP agreement we sign will be concluded as a totally separate agreement and on the basis of a clear understanding with our negotiating partners that we will not and cannot guarantee its approval by the Congress.

Sincerely yours,

WILLIAM M. ROTH,
Acting Special Representative.

Mr. RANDOLPH. Mr. President, it is my belief, as stated in my reply to Ambassador Roth, that reliance upon section 221 of the Trade Expansion Act of 1962, in support of the position that the conclusions of the Tariff Commission be held confidential, is, frankly, not realistic.

It is untenable. It attempts, frankly I think, to sidestep the issue because it seems to me it is clear from the legislative history of section 332 of the Tariff Act of 1930, that Congress designated the Tariff Commission as its agent to assess the economic impact of proposing changes in tariffs on valuation practices. Ambassador Roth would have Congress' agent keep from Congress and from the Senate the conclusions in an investigation made on behalf of its principal.

Now, Mr. President, the implications of Ambassador Roth's reply and of his conduct with respect to the negotiation of the American selling-price basis of valuation are that Congress should only have an ex post facto voice in the making of tariffs or the altering of American valuation practices.

There are few Members of the Senate, I believe, who would or could agree with the position of Ambassador Roth on this matter.

I also direct attention to the fact that after the passage of Senate Concurrent Resolution 100 last year, which was intended to express the sense of Congress that the United States should not enter into any trade agreement affecting the American selling-price system of customs valuation before obtaining statutory authority to implement such an agreement, Ambassador Roth promised to keep us "fully informed at every step." He stated in a letter, dated June 30, 1966, to the congressional delegates to the GATT:

> Before the President decides whether or not to offer a modification of the ASP system, two public hearings will have been held. This will permit the Congress, as well as interested private parties, to consider the issues regarding any possible modification of the ASP system.

I have asked Ambassador Roth how he expects Congress to be kept, as he said, "fully informed at every step," when he refuses to release the conclusions of a 3-month Tariff Commission investigation into—and I press this point—the economic impact of abandoning the American selling-price system.

I think that his reluctance to release the conclusions raises an inference that the conclusions are not favorable to the course of action which the Ambassador wishes to follow.

The distinguished minority leader [Mr. DIRKSEN], the distinguished majority whip [Mr. LONG], the distinguished Senator from Indiana [Mr. HARTKE], the distinguished Senator from Georgia [Mr. TALMADGE], and the distinguished Senator from Connecticut [Mr. RIBICOFF], have all objected to the U.S. receipt of the short end of the stick in international trade negotiations. It is my belief that Congress should not and cannot be cajoled and coerced into surrendering its American selling-price system under an ad referendum approach, as Ambassador Roth seems to indicate he will continue to follow. This approach was followed by the United States in the recent Automotive Agreement with Canada, and I was much impressed by the comments of the senior Senator from Indiana [Mr. HARTKE] concerning the adverse economic effects of that agreement.

We have heard from Ambassador Roth that little progress is being made during the Kennedy round in obtaining agricultural concessions from the European Economic Community. Perhaps, if Congress had been given the opportunity to determine whether ASP should be traded at Geneva, we might have requested as a "reciprocal concession" the end of the highly protectionist practice of the EEC in imposing variable agricultural levels, while terming the EEC's agricultural offers "retrogressive."

Ambassador Roth, nevertheless, appears willing to sacrifice the interests of the American benzoid chemical industry which is an important industry, I repeat, to the States that I have listed and to the 116,000 workers in those States, I speak again of the 7,000 employees in this industry in West Virginia.

I believe that Ambassador Roth appears willing to sacrifice the interests of the American benzoid chemical industry without granting the industry or Congress the privilege of learning the conclusions of the Tariff Commission.

Congress needs the assurance that our negotiators will represent the American people in demanding truly reciprocal concessions from our foreign trading partners.

In addition, the industries and workers involved are entitled to this relevant information on what I have stressed is the economic impact concerning the concessions Ambassador Roth is, apparently, about to offer on ASP.

Mr. President, I have been much distressed about this matter. I spoke at the outset of the concern of the membership of the Senate and House, but I am much more distressed over this recent refusal to release the Tariff Commission conclusions. I would predict that any ad referendum agreement on the ASP system will have serious difficulty in receiving the approval of the Senate.

Mr. President, may I inquire as to how much time I have remaining?

The PRESIDING OFFICER. Eleven more minutes remain to the Senator from West Virginia.

Mr. RANDOLPH. I thank the Chair.

At this point I yield to my distinguished colleague from Texas [Mr. YARBOROUGH].

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from West Virginia for yielding to me. I should like to compliment him for the firm stand he has taken in defense of the American selling price system. His penetrating analysis of the issue demonstrates a particular awareness of and concern for the unfortunate consequences that would inevitably flow from ASP removal.

I would also like to compliment the Senator from Connecticut [Mr. Ribicoff] for his excellent presentation to the Synthetic Organic Chemical Manufacturers Association at their monthly luncheon meeting in New York last week. In his speech he warned of the potential harmful effects that separate unauthorized negotiations in the Kennedy round could have on the role of Congress in shaping future U.S. trade policy.

According to the New York Times, the U.S. negotiating team is favorably disposed toward a proposal whereby the United States would reduce our tariffs on all chemicals by 50 percent in return for a mere 20-percent reduction by the Common Market and the United Kingdom.

This is part of a so-called compromise proposal that was submitted by the Secretary General of GATT, Sir Eric Wyndham-White, in an effort to break the negotiating stalemate in chemicals. The other half of the compromise involves American selling price and the method of achieving its repeal. Not only would American selling price be scrapped—the United States would have to agree to a 20-percent ceiling on all its chemical tariff rates. Many benzenoid chemical products are now protected by a much higher rate, especially those with a high labor-cost content, which places the domestic industry at a competitive disadvantage vis-a-vis the European and Japanese industries.

As I have said, that is due to the higher labor costs and the higher standard of living of Americans.

Only if the Congress agreed to provide implementing legislation for this "separate package" abolishing the American selling price would the Common Market agree to reduce its tariffs on chemicals by an additional 30 percent for a total reduction of 50 percent.

They ask us to reduce our tariffs by that amount.

In view of these alarming reports and in view of the tremendous importance of the American selling price to thousands of benzenoid chemical workers in our State, the Texas delegation has sent two letters to the President urging that he instruct his special trade representative to abandon negotiations on American selling price.

I read at this point the first of the letters, signed by me and by my colleague from Texas in the Senate, and by some 20-odd Representatives from Texas, dated October 18, 1966, and sent to the President at the White House:

Dear Mr. President: We wish to bring to your attention our grave concern over the attempt of your Special Trade Representative to make an agreement that would destroy the American Selling Price system of import valuation. You are, of course, aware of the extensive benzenoid chemical industry in our state and the fact that it could not exist without the protection afforded it by ASP.

In the State of Texas there are over 26,300 workers engaged in the production of synthetic organic chemicals. Of this number, approximately one-half are primarily involved in benzenoid production. We fear, and the evidence submitted the Tariff Commission by the domestic industry as well as by importers justifies that fear, that removal of ASP might well liquidate these jobs. We believe this fact alone is sufficient cause for strong opposition to any trade agreement eliminating ASP.

It is further our belief that a viable and durable benzenoid industry is in the national interest. Our Government should take every precaution to avoid a repetition of historical unfair competition as occurred prior to World War I. You will recall how German producers managed to destroy our benzenoid chemical industry through predatory pricing practices.

I interpolate to say that if the American selling price were removed, it would reinstate for the European producers the same competitive disadvantage to the American industry that occurred prior to World War I.

I continue to read from the letter:

During the Tariff Commission hearing, requested by your Special Trade Representative to determine an equivalent rate of conversion and to estimate the probable economic impact of conversion and a 50% reduction therein, the domestic industry offered evidence to show that if the conversions and then 50% tariff reductions are made, over 95% of U.S. benzenoid imports would enter at prices at least 20% below present U.S. levels. Indeed, it was conservatively estimated that conversions alone would effectively reduce the average benzenoid tariff level by one-third.

Aside from the disastrous economic consequences to Texas and the entire nation, we find the method being used by your Special Trade Representative to eliminate ASP highly improper. Since 1934, Congress and the Executive Branch have worked hand-in-hand in the trade area. This partnership whereby the Executive requests prior authority from Congress to conclude trade agreements is time-tested and should be honored.

We would welcome an opportunity to discuss this matter further should it be your wish.

That is the letter of October 18, 1966, addressed by the Members of the Texas delegation in Congress to the President at the White House, which was followed by another letter dated April 14, 1967, addressed by my colleague in the Senate and myself and basically all the Members of the Texas delegation in Congress, two or three of whom we did not have time to reach, calling attention to the letter of October 18, 1966, in which was described the disadvantage which would accrue to the domestic chemical industry by the proposal being made to our representative in the Kennedy round of negotiations.

I ask unanimous consent to have printed in the Record at this point both letters addressed by the Texas delegation in Congress to the President at the White House.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Appropriations,
October 18, 1966.

The President,
The White House, Washington, D.C.

Dear Mr. President: We wish to bring to your attention our grave concern over the attempt of your Special Trade Representative to make an agreement that would destroy the American Selling Price system of import valuation. You are, of course, aware of the extensive benzenoid chemical industry in our state and the fact that it could not exist without the protection afforded it by ASP.

In the State of Texas there are over 26,300 workers engaged in the production of synthetic organic chemicals. Of this number, aproximately one-half are primarily involved in benzenoid production. We fear, and the evidence submitted the Tariff Commission by the domestic industry as well as by importers justifies that fear, that removal of ASP might well liquidate these jobs. We believe this fact alone is sufficient cause for strong opposition to any trade agreement eliminating ASP.

It is further our belief that a viable and durable benzenoid industry is in the national interest. Our Government should take every precaution to avoid a repetition of historical unfair competition as occurred prior to World War I. You will recall how German producers managed to destroy our benzenoid chemical industry through predatory pricing practices.

During the Tariff Commission hearing, requested by your Special Trade Representative to determine an equivalent rate of conversion and to estimate the probable economic impact of conversion and a 50% reduction therein, the domestic industry offered evidence to show that if the conversions and then 50% tariff reductions are made, over 95% of U.S. benzenoid imports would enter at prices at least 20% below present U.S. levels. Indeed, it was conservatively estimated that conversions alone would effectively reduce the average benzenoid tariff level by one-third.

Aside from the disastrous economic consequences to Texas and the entire nation, we find the method being used by your Special Trade Representative to eliminate ASP highly improper. Since 1934, Congress and the Executive Branch have worked hand-in-hand in the trade area. This partnership whereby the Executive requests prior authority from Congress to conclude trade agreements is time-tested and should be honored.

We would welcome an opportunity to discuss this matter further should it be your wish.

Sincerely yours,
Ralph W. Yarborough, Omar Burleson, Earle Cabell, Bob Casey, John Young, John Dowdy.
Jim Wright, Wright Patman, W. R. Poage, Joe Pool, E. de la Garza, J. J. Pickle.
Richard White, Lera (Mrs. Albert) Thomas, O. C. Fisher, George H. Mahon.
Lindley Beckworth, Olin Teague, Ray Roberts, Henry B. Gonzalez, Graham Purcell, John Tower.

U.S. Senate,
Committee on Appropriations,
April 14, 1967.

The President,
The White House,
Washington, D.C.

Dear Mr. President: As you will recall, we wrote to you on October 18, 1966, expressing our concern over the attempts of your Special Trade Representative to negotiate a trade agreement that would include abolition of the American Selling Price system.

In our letter we recited as justification for the retention of ASP the large number of benzenoid chemical workers in the State of Texas whose jobs are dependent on adequate tariff protection, the need for a viable and durable domestic benzenoid chemical industry as a hedge against predatory European chemical cartels, and the need for a continuation of cooperation between Executive Departments and the Congress in the field of international trade.

We had hoped that our expression of concern, along with the concern of other members of Congress, would prevent negotiations in this area by your Special Trade Representative. However, the events of the past six months have proven this hope illusory.

Your Special Trade Representative, after receiving the Tariff Commission's report of the probable economic consequences of ASP conversion and a 50% rate reduction, refused to disclose publicly or to interested Members of Congress the conclusions of the Commission's investigation. The Tariff Commission's conclusions must immediately be disclosed else the Congress and the American people will be denied the opportunity to obtain the facts necessary to judge the merits of your Special Trade Representative's position.

Most disturbing of all, however, are the reports appearing in the press concerning negotiating proposals for chemicals in the Kennedy Round and the supplemental ASP "separate package". In both the *New York Times* and the *Washington Post* it was reported that your Special Trade Representative was favorably disposed toward a so-called "compromise" whereby the U.S. would agree to reduce its chemical tariffs in the Kennedy Round by 50% in exchange for a mere 20% reduction by the EEC and the United Kingdom. Only if the Congress agreed to provide implementing legislation for abandoning ASP would our trading partners further reduce their chemicals by 30%. Furthermore, the U.S. would be forced to agree to a 20% ceiling on all chemical tariff rates under the terms of the reported compromise.

The imbalance in the Kennedy Round portion of this compromise proposal attempts to make the Congress ultimately responsible for the success or failure of chemical tariff reductions in the Kennedy Round, depending on whether or not it provides the implementing legislation for abolishing ASP. This "gun-to-the-head" approach is indefensible and we are disturbed over the press reports that it has been favorably considered by your Special Trade Representative. Also, the placing of a 20% tariff ceiling on categories of competitive benzenoids that are now protected by much higher tariff rates would insure the quick destruction of a large segment of the benzenoid chemical industry and thousands of jobs.

We hope that you will carefully weigh our thoughts on this crucial issue and instruct your Special Trade Representative to forego further negotiations on ASP. It would be unfortunate for the Congress to be placed in a position of unalterable opposition to a negotiated agreement.

Sincerely yours,

Ralph Yarborough, John Young, John Tower, Olin Teague, O. C. Fisher, J. J. Pickle, George Bush, George Mahon, Richard White, Ray Roberts, Bob Price.
Bob Casey, E. de la Garza, Earle Cabell, Omar Burleson, Graham Purcell, Jim Wright, John Dowdy, Wright Patman, H. B. Gonzalez, Joe Pool.

Mr. RANDOLPH. Mr. President, I am grateful for the positive approach which the Senator from Texas has taken in this important matter. I am not sure the Senator from Texas used the employment figure. I may have missed it in his speech, which was informative and helpful. I know that in Texas 27,000 workers presently are employed in the synthetic organic chemical industry.

Mr. YARBOROUGH. I used the figure 26,300, as of last October. It is probably near 27,000 now.

Mr. RANDOLPH. Of the 42 States that have this type of production, Texas is a very important segment.

I think it is important that those of us who are discussing this subject impress on the Members of the Senate and the Congress and the citizenry of our country that the total value of production last year of benzenoid chemicals was approximately $3.5 billion in the United States.

I should like to point out in 1966 we had imports of approximately $166 million of benzenoid products from other countries. This was an increase of about 30 percent over the imports of 1965.

In the face of that fact, I say to the Senator from Texas and my other colleagues, that increase certainly was bad enough. What will happen now if we abandon ASP? The bars will be literally let down to an influx of products that will cause deterioration of this industry in the United States.

Mr. YARBOROUGH. I congratulate the distinguished Senator from West Virginia for pointing out how important this domestic production is to the United States in terms of its value of $3.5 billion and its jobs for 116,000 American workers. But I point out that what is of greater importance to the people of the United States is that we would go back to conditions as they existed in the period prior to World War I, when there was a virtual monopoly of American markets by European producers in the chemical industry. That was money flowing out of the United States.

If this proposed tariff adjustment—so called—becomes a part of the Kennedy round of negotiations now going on, not only would it result in a great loss to this American industry, but it would result in imports of $3.5 billion being taken away from the domestic chemical industry. We are worried today about the outflow of gold. It is nothing like it would be if the European producers take over the American market as was true in the period before 1917. At that time we had a comparatively primitive economy. Today we have a vast industrial economy which uses many chemicals. It would result in a further deterioration of our gold supply, as well as a loss of jobs and a loss of American markets. This domestic industry should not become the captive of the European chemical industry.

That is exactly the situation American industry would be in; and once they got that monopoly back, as they had it in 1914, for example, the American consumer would pay through the nose. That is, American industry, this great industry of ours, the greatest industry in the world, would, in my opinion, if this round goes through, within 3 days be paying through the nose to European industry, to the tune of billions and billions of dollars a year, for these basic and valuable chemicals.

I thank the distinguished Senator.

The PRESIDING OFFICER. The time of the Senator from West Virginia has expired.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that I may be permitted an additional 5 minutes. I believe the distinguished Senator from South Carolina [Mr. THURMOND] wishes to comment on this matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I am pleased to have the opportunity to join with my colleagues on the Senate floor in discussing the matter of the American selling price, known as ASP, valuation for imports of benzenoid chemicals. I want to associate myself with the remarks made by the distinguished senior Senator from West Virginia [Mr. RANDOLPH] and state that in my judgment it would be extreme folly to eliminate this method of evaluation.

Last fall, the entire membership of the South Carolina congressional delegation, in a letter to the President, raised their objections to negotiations leading to the elimination of ASP. As we told the President in that letter, there are almost 4,000 workers employed in the synthetic organic chemical industry in South Carolina. Of this total, over half are directly engaged in the production of benzenoid chemical products. Abandonment of the ASP system of import valuation would unquestionably result in the destruction of this vital industry and the employment opportunities it provides.

There is a valid historical reason for the existence of an American selling price valuation as it applies to benzenoid chemicals. It was originally established to prevent unfair competition from low cost, cartelized foreign producers. The United States has seen our industry wiped out because of the predatory pricing practices just prior to the outbreak of World War I. European business practices have in reality changed little since that time, and the abandonment of the ASP system of import valuation could once again mean the death of our domestic benzenoid chemical industry.

The action of the President's special trade representative so far in this matter has run counter to the expressed interest of the U.S. Senate. In the 89th Congress, the Senate overwhelmingly adopted Senate Concurrent Resolution 100, thereby expressing its view that the President should not enter into a trade agreement affecting the ASP system of tariff valuation before obtaining the authority to do so from the Congress. Yet, the President's special trade representative, Ambassador Roth, according to the accounts from Geneva, has continued to hold out ASP as a negotiating point in the Kennedy round. Ambassador Roth is acting presumptuously in doing so, and other of his actions as related by the senior Senator from West Virginia follow the same pattern.

It is past time that trade negotiators for the United States consider the interests of American jobs and business in their negotiations. The secrecy and stealth with which this entire matter has been conducted presents a striking example of what is wrong with our foreign trade policy. The negotiators for the United States have made every attempt to keep the U.S. industry representatives from being aware of what is being offered and on what basis negotiations are proceeding. In sharp contrast to this, the European negotiation teams are made up of industry representatives along with government officials. No concessions are made by the European negotiators without the advice and counsel of these industry representatives.

Once again, I want to say that I am pleased to join in this discussion. I look forward to continuing to work in this matter in the interests of job security for the workers in the benzenoid chemical industry and in the interests of a healthy chemical industry for the United States.

Mr. RANDOLPH. Mr. President, I commend the able Senator from South Carolina for his contribution to the discussion of this very serious problem. The industry and its workers are vitally concerned. We have heard that the negotiations which are now in progress are not going very well, for the United States of America, at least in this industry and perhaps in others.

Mr. President, I wish the Record to indicate that approximately 11 Senators have indicated an intense interest in this subject. Some of those Senators have had commitments that they necessarily, because of the time situation, have had to meet, and cannot be present on the floor. Others, however, besides those Senators who have spoken, will address themselves to this subject; and it is my hope that there will be additional speeches, because the Record should reflect that those Senators are equally alarmed over the course of present negotiations. I yield to the Senator from Pennsylvania [Mr. Scott].

Mr. SCOTT. Mr. President, the Senator from West Virginia is absolutely correct in insisting that the Tariff Commission report evaluating the impact of the removal of the American selling price be made available to the Members of this body whose constituents would be affected by such a move.

The Commonwealth of Pennsylvania has one of the largest concentrations of manufacturing facilities in the coal tar and coal tar chemicals industry, of which dyes and dye intermediates are the most important part. The elimination of the American selling price method of valuing imported dyes would have very serious consequences for the people of Pennsylvania and the Nation.

I am in complete agreement with the Senator from West Virginia in his remarks here today. I urge the members of the Tariff Commission and the President to be forthright in making available this important report to the Senators who have spoken here today and to others who have an interest in this problem.

I ask unanimous consent that a letter I wrote the Honorable William M. Roth, Special Representative, Office of the Special Representative for Trade Negotiations, dated April 24, 1967, be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., April 24, 1967.

Hon. William M. Roth,
Special Representative, Office of the Special Representative for Trade Negotiations, Washington, D.C.

Dear Ambassador Roth: No doubt you are aware of the vital concern in the Congress over the present situation at the Kennedy Round trade negotiations. Some have described that situation as a picture of dense fog surrounded by swirling mist. But granted the necessary atmosphere for successful negotiations, there remains a disturbing background, especially as to the matter of the American Selling Price and the tightly-held Tariff Commission Report of October 3, 1966.

I am familiar with the reasoning behind the confidential nature of this Report. But I strongly question the course which has been taken in regard to its ASP-coal tar chemical industry aspect. Unauthorized negotiation is apparently taking place on the basis of a secret report on possible economic effect of this very negotiation. I can well understand that one would want to go to the conference table well-armed and with no disclosures to the other side. But not having seen the Report, we can conclude at the very least only that the findings as to coal tar chemicals are in question. Then why should we not strongly protest *any* discussion of ASP-coal tar chemicals at Geneva? We are told that coal tar chemicals will be protected in any event along the lines of the protection found to be necessary and proper in the Report. But we have not seen the Report—so, finally, the snake bites its tail to make a circle.

The coal tar chemical industry is vital to our Nation and to our Commonwealth of Pennsylvania. I would be derelict in my duties if I did not question a procedure which threatens to eliminate that industry. I cannot make blithe assumptions that all goes well. I must reluctantly conclude that under the present circumstances any ASP negotiation agreement which would be presented to the Congress for approval would be illegitimate issue best not begotten.

I think this situation dictates release of the Tariff Commission findings as to the coal tar industry.

Sincerely,

Hugh Scott,
U.S. Senator.

Mr. RANDOLPH. I thank the distinguished Senator from Pennsylvania [Mr. Scott]. At this point I yield to my colleague, the Senator from Georgia [Mr. Talmadge].

Mr. TALMADGE. Mr. President, I would like to commend my friend from West Virginia for his forthright presentation of the American selling price issue. As a member of the congressional delegation to GATT who has closely followed this issue from the beginning, I recommend his remarks to every Senator as a correct statement of the issue.

Georgia no less than West Virginia has a vital stake in the American selling price system. Chemicals now compose the second largest industry in Georgia, a substantial percentage of which fall into the benzenoid category. Loss of ASP will not only result in transfer of many of these plants and thousands of jobs abroad, it will also mean loss of Georgia's two rubber footwear plants, plus her prospects for future investments.

Last year I joined with Senator Ribicoff and others in cosponsoring Senate Concurrent Resolution 100, which was intended to express the sense of the Congress that no agreement affecting the American selling price system be entered into by our trade negotiators without obtaining prior authority from the Congress. Although this resolution was approved overwhelmingly by the Finance Committee and subsequently passed by the Senate with only one dissenting vote, negotiations on ASP are still being pressed. Also, I might point out that the entire Georgia congressional delegation joined in a letter last fall to the President stressing the importance of ASP to the jobs and investments of the benzenoid chemical and rubber footwear industries and urging that negotiations be discontinued.

In view of the unreasonableness of the European negotiating offers in the chemical sector, which suggests to me that they have no honest interest in the elimination of ASP other than for tactical purposes, I submit that it would be wiser to withdraw ASP from negotiations in the Kennedy round and subject it to a long and careful study by both the Congress and the administration.

Mr. RANDOLPH. The Senator from Georgia is knowledgeable in trade matters, an expertise he has developed as a member of the Finance Committee. I am grateful for his cogent comments and support.

Mr. JORDAN of North Carolina. Mr. President, a little while ago the Senator from West Virginia [Mr. Randolph] presented a well-documented and well-reasoned statement in support of retention of the American selling price system in connection with our current trade agreement negotiations, and I fully concur in his views.

As my good friend from West Virginia has effectively pointed out, the Special Trade Representative has shown little apparent interest in the express will of the Senate throughout the American selling price controversy, despite passage last year of Senate Concurrent Resolution 100 which clearly put the Senate on record in opposition to any modification of the American selling price system in absence of a prior delegation of such authority by the Congress. Any way you look at it, if this is indeed his attitude, it would seem to put the Special Trade Representative on a direct collision course with the Senate.

Furthermore, I cannot understand why he has refused to comply with requests of Senators to disclose publicly the conclusions reached by the Tariff Commission in its assessment of the probable economic consequences of elimination of the American selling price system. His justification for treating the Tariff Commission's conclusions as being confidential do not appear to be warranted. I deem it vital to the domestic industries concerned that these conclusions be made available to them at the earliest possible time, so that they may prepare to defend themselves as well as to inform the Congress when the time comes for it to consider any international agreement which would abolish the American selling price system.

The State of North Carolina has an important stake in this issue because of its growing benzenoid chemical and rubber-footwear industries, both providing substantial employment and economic activity in my State, and I am afraid severe damage will be done to these industries if the American selling price system is abandoned. I ask unanimous consent that the letter from the North Carolina congressional delegation to the President, dated October 12, 1966, urging that no trade agreement for elimination of the American selling price system be entered into, be printed in the RECORD immediately following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., October 12, 1966.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The undersigned Members of the North Carolina Congressional Delegation herein indicate our respectful opposition to any international commitment the result of which would be the abandonment of the American Selling Price method of customs valuation. The system now in use has made it possible for North Carolina to develop an important benzenoid chemical industry, and the abandonment of that system would put it in jeopardy.

More than 3,000 workers are employed in North Carolina organic chemical plants and 1,500 of these are directly involved in benzenoid production. We are interested in safeguarding the jobs of these workers and in maintaining this industry in a healthy condition.

The United States Tariff Commission has been studying this problem and our information is that in its interim report the Commission has proposed a set of converted rates of duty which would apply if the ASP is abandoned. We are further advised that this would result in a tariff reduction of more than 30% on the majority of domestic dye production. Moreover, the reduction in tariff protection would not even be spaced over a five-year period, as is the case with respect to other tariff reductions negotiated under the Trade Expansion Act. The benzenoid industry in North Carolina can ill afford any tariff reduction even if it should be spaced over a five-year period; and it certainly cannot stand a 30% reduction imposed at one time. The abandonment of ASP will in our judgment have a disastrous effect upon this important industry in our State.

We have been informed that the New Jersey and Pennsylvania Congressional Delegations have expressed to you views similar to those we submit herewith. We also understand that Congressman Peter W. Rodino, Jr. has requested an appointment with you to discuss this problem and we would like an opportunity to attend if you grant him a conference and thus indicate our support for maintaining the ASP.

Respectfully,
Sam J. Ervin, Jr., B. Everett Jordan, Walter Jones, L. H. Fountain, David N. Henderson, Harold D. Cooley, Ralph J. Scott.
Horace R. Kornegay, Alton A. Lennon, Charles R. Jonas, James T. Broyhill, Basil Whitener, Roy A. Taylor.

Mr. RANDOLPH. I thank the capable Senator from North Carolina for his informative and helpful statement. The people of North Carolina as well as West Virginia and other States have a significant interest in maintaining the present system of valuation on benzenoid chemicals.

Mr. HOLLINGS. Mr. President, I have listened with interest to the very instructive remarks made by the Senator from West Virginia and others on the American selling price system. Let me say at the outset I fully endorse the view that our trade negotiators should not proceed to negotiate on ASP without first obtaining statutory authority to do so from the Congress. I also support the contention that the special trade representative should make immediate public disclosure of the Tariff Commission's conclusions on the probable economic consequences of ASP removal. The latter step is made imperative by considerations of fairness to the domestic benzenoid chemical and rubber footwear industries, and the need of Congress to have all relevant information at hand before making its decision on so crucial an issue.

In the State of South Carolina there are approximately 4,000 workers engaged in the production of synthetic organic chemicals. Roughly half this number are benzenoid chemical workers who will be forced to join the ranks of the unemployed if the American selling price system is jettisoned in Geneva.

Last year, fearing such a consequence, the entire South Carolina delegation joined in a letter to the President urging that no agreement be entered into for removal of ASP. I ask unanimous consent that the letter, which incidentally was never replied to, be printed in the CONGRESSIONAL RECORD at this point.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 13, 1966.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We, the undersigned members of the South Carolina Congressional delegation are compelled to raise our voices in opposition to abandonment of the American Selling Price system of import valuation. South Carolina can ill-afford to lose its benzenoid chemical industry which would be the inevitable consequence of ASP removal.

The total number of workers employed by the synthetic organic chemical industry in South Carolina is 3,819. Of this total, over half are directly engaged in production of benzenoid chemical products. Inadequate tariff protection such as proposed by your Special Trade Representative can only result in the destruction of this vital industry and the many employment opportunities it generates.

We respectfully refer you to the voluminous evidence presented the Tariff Commission by the domestic industry wherein it is shown conclusively that a conversion of ASP to export value and a 50% reduction in the tariff will simply enable foreign producers to price domestic producers out of existence. Indeed, in the Tariff Commission's report of July 25, 1966 it is admitted on page 53 that "no schedule of converted rates could be devised which would provide for future imports 'protection' equivalent to that afforded by the ASP system".

While we recognize that the making of international trade agreements is the sole responsibility of the Executive Branch, we also recognize that the welfare of a major domestic industry and its workers is a responsibility shared by the Congress and the Executive. Since it is inescapable that severe economic dislocations will flow from elimination of ASP, we believe that the Congress should be free to measure beforehand the extent of probable damage to the benzenoid industry unrestrained by an unwise international commitment not of its making.

We understand that other delegations have similarly expressed themselves in regard to ASP elimination. We would like to add that we, too, would welcome an opportunity to discuss this matter further.

Sincerely,
STROM THURMOND,
U.S. Senate.
DONALD RUSSELL,
U.S. Senate.
WILLIAM JENNINGS BRYAN DORN,
Secretary.
JOHN L. MCMILLAN.
L. MENDEL RIVERS.
ROBERT T. ASHMORE.
TOM S. GETTYS.
ALBERT W. WATSON.

Mr. President, I sincerely hope that the President and his new special trade representative, Ambassador Roth, will take careful note of the attitudes expressed here today and be guided by them in our future trade negotiations in Geneva.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Pursuant to the order heretofore entered, the time of the Senator from West Virginia has expired. The Senate will now proceed with the transaction of routine morning business.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 49) to designate April 28–29, 1967, as "Rush-Bagot Agreement Days."

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

William W. Sherrill, of Texas, to be a member of the Board of Governors of the Federal Reserve System.

By Mr. BARTLETT, from the Committee on Commerce:

David A. Carter, and sundry other officers, for promotion in the Coast Guard.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FULBRIGHT (for himself, Mr. DIRKSEN, Mr. RANDOLPH, and Mr. HARTKE):

S. 1614. A bill to amend section 5 of the Federal Alcohol Administration Act to provide a definition of the term "age" as used with respect to the labeling and advertising of whisky, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1615. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,000; to the Committee on Finance.

(See the remarks of Mr. HARTKE when he

introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 1616. A bill to amend section 202 of the Housing Amendments of 1955 to authorize loans to private nonprofit organizations to finance certain cultural facilities, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. KENNEDY of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S. 1617. A bill to provide for the conveyance of certain mineral interests of the United States in approximately 263.2 acres located near Columbia, S.C., to Rockie Realty, Inc., and Robert F. Lindsay, the joint owners of such property; to the Committee on Interior and Insular Affairs.

By Mr. HILL:

S. 1618. A bill to amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants; to the Committee on Labor and Public Welfare.

By Mr. McINTYRE (for himself and Mr. BREWSTER):

S. 1619. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

(See the remarks of Mr. McINTYRE when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S. 1620. A bill to prohibit the burning, defacing, mutilating or trampling of the flag of the United States, with intent to degrade or cast contempt upon such flag, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF HEARINGS ENTITLED "FEDERAL ROLE IN URBAN AFFAIRS"

Mr. RIBICOFF submitted the following concurrent resolution (S. Con. Res. 23); which was referred to the Committee on Rules and Administration:

S. CON. RES. 23

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations two thousand additional copies each of parts 1 through 6, inclusive, of the hearings entitled "Federal Role in Urban Affairs," which were held by that committee during the Eighty-ninth Congress, second session.

AMENDMENT OF SECTION 5 OF THE FEDERAL ALCOHOL ADMINISTRATION ACT TO PROVIDE A DEFINITION OF THE TERM "AGE"

Mr. FULBRIGHT. Mr. President, for myself, the Senator from Illinois [Mr. DIRKSEN], and the Senator from West Virginia [Mr. RANDOLPH], I introduce, for appropriate reference, a bill to amend section 5 of the Federal Alcohol Administration Act to provide a definition of the term "age" as used with respect to the labeling and advertising of whisky, and for other purposes.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1614) to amend section 5 of the Federal Alcohol Administration Act to provide a definition of the term "age" as used with respect to the labeling and advertising of whisky, and for other purposes, introduced by Mr. FULBRIGHT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Federal Alcohol Administration Act (27 U.S.C. 205) is amended by adding at the end thereof the following new paragraphs:

"As used in subsections (e) and (f), the term 'age' means, in the case of any American type whisky produced on or after July 1, 1936 (other than corn whisky, straight corn whisky, blended corn whisky, and a blend of straight corn whiskies), the period during which, after distillation and before bottling, such whisky has been kept in charred new oak containers.

"In prescribing standards of identity for the purposes of subsections (e) and (f)—

"(1) the designation of any whisky produced on or after March 1, 1938, as 'rye whisky', 'bourbon whisky', 'wheat whisky', 'malt whisky', or 'rye malt whisky' shall be prohibited unless after distillation and before bottling such whisky has been kept only in charred new oak containers, and

"(2) the designation of any whisky bottled on or after July 1, 1938, as 'straight' (other than straight corn whisky) shall be prohibited unless it has been kept in charred new containers for a period of not less than twenty-four calendar months."

THE $600 INDIVIDUAL INCOME TAX EXEMPTION IS OBSOLETE

Mr. HARTKE. Mr. President, today I am offering a bill to increase the individual exemption from income taxes to $1,000 from its present level of $600. I do so because the $600 figure is now unreal and obsolete for its purpose. Since that figure was first adopted the cost of living has increased by 40 percent. To expect the American taxpayer to provide the basic minimum necessities of life for himself, his wife, and his children on $50 per month each is as unrealistic and antiquated as crossing the Atlantic in a sailing vessel.

What is the basic purpose of these exemptions?

There have been differing views, but probably the most common view, and the one to which most of us hold, is that taxes should not be applied to the income of persons until their minimum basic needs have been allowed for. It was in 1948 that the last change in the amount of the exemption was made. At that time it was increased from $500 to $600, the $500 rate having been adopted in 1942 under wartime need for increased tax income, a reduction from $750. Thus we have never returned even to the prewar situation, let alone modernize the tax exemption in accord with more recent cost of living changes.

In 1947, the Treasury Department produced a study of individual income tax exemptions, which included as an appendix a consideration of "Function and Purpose of Individual Income Tax Exemptions." Under a section discussing minimum living standard there appears this paragraph:

> According to a widely accepted view, the exemption should be at least adequate to cover some minimum essential living costs, such as the amount required for reasonable maintenance. It is conceded that the adjustment of exemptions to living costs may not be exact and that under emergency conditions it may be necessary to go below ordinary minima. For the long run, however, it is to be regarded as essential to exempt amounts required to maintain the individual and his family in health and efficiency.

You will note that the Treasury, in this wartime era, spoke of going "below ordinary minima" as only a temporary procedure, that it might be necessary "under emergency conditions." Certainly those emergency conditions have long since passed, the economy has prospered, the cost of living has risen drastically—but the $600 remains where it was 20 years ago.

Under the concept of the income tax, with the exemption's purpose being that of allowing an untaxed minimum for health and efficiency, says the Treasury study:

> Ability to pay does not commence until a point is reached in the income scale where the minimum means of life have been obtained.

What is that minimum means of life today? How does it compare with the minimums left untaxed for the average American family?

In 1948, when the $500 was lifted to $600, a family of four had an exemption of $2,400. But these were 1948 dollars. To be equivalent, because of dollar inflation alone, moderate as it has been year by year, the sum would now need to be $3,288, or $822 per person.

But what were average incomes like in those days? Fortunately, wages are not only much greater today, but living standards—acceptable minimums for family life—are also much greater. This is reflected in the study now being made by the Department of Labor, to be released later this year, measuring the income needed for a family of four. This is a revision of the work produced in the fall of 1959 dealing with city worker's family budget estimates. That budget measured the needs of a family of four—an employed husband aged 38, a wife not employed outside the home, and two school-age children, a boy of 13 and a girl of 8. It was not a luxury or ideal budget, but was described as one presenting a "level of adequate living according to standards prevailing in large cities of the United States in recent years."

Although the new Labor Department study is not yet out, there is an estimate on the same basis, made by the AFL–CIO Department of Research and published in the AFL–CIO October 1966 American Federationist. As an example of the kinds of items calculated, the budget, like the earlier one, assumes for the husband the purchase of one suit every 2 years, five shirts a year and not quite two pairs of shoes annually. The wife's dress allowance is 3½ new dresses a year, one of them a housedress. Housing is assumed to be a rented house or apartment with five rooms and bath, whose standards are those set by the American Public Health Association and the U.S. Public Housing Administration. The budget allows not for new cars but for the purchase of a used car every 3 years—and for only 74 percent of most city families; calculations for New York, Philadelphia, and Boston were for car ownership by only half the families.

Updating the budget and applying it to current costs, the research done by the labor group revealed that for a family such as that described, the cost of food for this four-member family would average in 20 major cities, $2,005; housing, $1,512; clothing, $604; medical costs, $400. The total overall cost for this city worker's family budget came to $6,797.

Other economic studies have placed the needs of families in the same general range within the last 2 or 3 years. For a 2-person family, the same calculations give a minimum of $4,690, and for a family of five, with the oldest child not over 16, the total budget comes to $8,020.

This, of course, is considerably more than the amount that many thousands and even millions of families have as income; $3,000 is often cited as the poverty line. Yet our present $600 exemption provides only $2,400 deductible for a family of four. A $1,000 exemption for four persons would still be more than 50 percent below the family budget I have been noting.

We have been concerned in recent weeks about achieving equity in the tax structure as it applies to businessmen. They have spokesmen whose voices are heard, and I have no objection to that—we need the views of the business community when we attempt to provide a reasonable and desirable tax structure as it affects business. But there is a need for equity to the small- and middle-sized income person, the individual and the family, as well—and they have no vocal organization to speak for them. We in the Congress, and particularly those of us who have responsibilities in the Finance Committee for the tax structure, as well as those of us who sit on the Consumers' Subcommittee so recently established in the Commerce Committee, must be the initiators and the guardians of the welfare of the unorganized common man.

The times have changed. This is no longer 1948, and a lot has happened to the economy in the last 20 years to make features of that era outmoded. Outmoded certainly is the $600 exemption, unrealistic, inequitable, an undeserved penalty for the taxpayer who is in the lower brackets. To refer once more to the Treasury paper I have cited:

> Perhaps the major function of the exemptions is to determine minimum levels of income subject to tax.

We are in all too many instances today taxing the poor, those whose incomes are below the income level needed for adequate living standards of decency, perhaps even for some who are below the income level which we designate as that of poverty. It is time we stopped taxing the poor and gave them an equitable share in the prosperity of the Nation. An exemption of $600 per person—I might remind you also that until 1939 it was $1,000 for a single person and $2,500 for a married couple without children—an exemption of $600 per person is unrealistic and unfair. It should be changed to $1,000.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1615) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,000, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF SECTION 202 OF THE HOUSING AMENDMENTS OF 1955

Mr. KENNEDY of Massachusetts. Mr. President, I introduce, for appropriate reference, a bill to amend section 202 of the Housing Amendments of 1955. The bill would authorize loans to private, nonprofit organizations to finance the construction or improvement of museums, theaters, and other similar facilities to be used for cultural or educational purposes.

This bill is an outgrowth of an amendment I offered last session to the Demonstration Cities and Metropolitan Development Act of 1966, which, in modified form, became section 1009 of that act. It authorized loans to public bodies for the construction of various types of cultural facilities under title II of the Housing Amendments of 1955.

Under that title, the Federal Government extends credit through the Land and Facilities Development Administration of the Department of Housing and Urban Development for the construction of basic public works, and now cultural facilities, directly to those municipalities which cannot otherwise obtain credit on reasonable terms and conditions. In 1965, loan approvals under this program totaled 106, for $76.4 million. Ninety percent of the loans were to towns of under 5,000 in population, and they covered such projects as hospitals, harbor and dock projects, sewers, water and gas distribution systems, airports, municipal buildings, nursing homes, fire stations, golf courses, swimming pools, street improvements, and parking facilities.

The amendment I offered last session authorizing loans for cultural centers, being a very recent addition to the statute, is not yet reflected in any meaningful way in HUD's program statistics.

Loans under the public facilities program can also be made to any private nonprofit corporation to finance the construction of works for the storage, treatment, purification or distribution of water, or the construction of sewage, sewage treatment, and sewer facilities, if such works or facilities are needed to serve a smaller municipality or rural area, and there is no existing public body able to construct and operate such works or facilities. The existing legislation, then, authorizes loans to private, nonprofit corporations, but restricts their use to water and sewer facilities. The loans to municipalities, however, can be used for much broader public purposes, including cultural facilities.

Mr. President, the bill I offer today would correct this disparity in the law. Cultural facilities, such as science museums, serve a distinct public purpose, a very important public purpose. Millions of schoolchildren visit museums every year, and there they see their schoolbook learning come to life in exhibits and displays. It is my firmly held belief that these museums, and other similar cultural facilities, should be eligible to receive public facilities loans whether they are municipal or private, nonprivate institutions, or analogy to the eligibility of both types of institutions for water and sewer facilities loans under the public facilities loans program.

The need for such assistance is clear. The National Endowment for the Arts has prepared, at my request, a short memorandum outlining the nature of more than 200 requests for assistance for cultural facilities which it has been unable to meet. It makes clear that this number is only a very small percentage of the total demand, because of the repeated statements by the chairman of the endowment, Roger Stevens, that such requests cannot be met. The memorandum does not give a geographical breakdown of the requests for assistance, but it is my understanding that cities and towns of all sizes from all parts of the country are represented.

A specific illustration of the need for broadening the public facilities loan program is provided by the situation of the Museum of Science in Boston, Mass. The museum, widely recognized as one of the world's finest, is situated on State land. This makes it ineligible, under Massachusetts law, for a regular mortgage loan. It is a private corporation, which makes it ineligible for grant or loan funds under existing Federal programs. Yet the museum needs an estimated $8 million for expansion of its capital plant and facilities, and has embarked, under the vigorous leadership of its director, Bradford Washburn, upon a fundraising campaign. During the course of this campaign, which is halfway toward its goal, the estimated costs of the expansion have risen by more than 10 percent. If the Museum of Science had been able to receive a loan, under the public facilities loan program, for part of the cost of the expansion, then it would not be faced with the steadily rising cost of the expansion, because it could have begun construction earlier, repaying the loan as the fundraising campaign had its success.

The Boston Museum of Science is not an isolated example; hundreds of cities in the United States have similar institutions facing similar problems of capital expansion financing.

Mr. President, I want to emphasize one point: that this bill neither requests nor requires any increase in authorization or appropriation. Loans under the public facilities program are estimated by the administration at $30 million for 1967 and $50 million for 1968, and since my bill would only correct an internal inconsistency in the existing legislation, I do not think there need be any expansion of the already-authorized $600 million Treasury borrowing which finances the program.

Our growing number of community cultural groups have the talent and the resources to provide for our citizens wide educational and cultural opportunities. These groups are, however, plagued with inadequate facilities which cannot meet the ever-rising demands for space. We must, where we can, encourage the expansion of cultural activities, and the bill I offer today is a firm step in that direction.

Mr. President, I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks the text of the bill, the memorandum from the National Endowment for the Arts and a letter from Mr. Bradford Washburn, the director of the Boston Museum of Science.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, memorandum, and letter will be printed in the RECORD.

The bill (S. 1616) to amend section 202 of the Housing Amendments of 1955 to authorize loans to private nonprofit organizations to finance certain cultural facilities, and for other purposes, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1616

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That section 202 (a) of the Housing Amendments of 1955 is amended—

(1) By striking out "and (2)" and inserting in lieu thereof "(2)"; and

(2) by striking out the period at the end of the first sentence and inserting in lieu thereof the following: ", and (3) to make loans to private nonprofit organizations to finance specific projects for the construction, reconstruction, or improvement of museums, art centers or galleries, theaters or other centers for the performing arts, and other similar facilities to be used for cultural or educational purposes."

SEC. 2. Section 202(f) of the Housing Amendments of 1955 is amended by striking out "subsection (c)" and inserting in lieu thereof "subsections (b) (4) and (c)".

The memorandum and letter presented by Mr. KENNEDY of Massachusetts is as follows:

MEMORANDUM PREPARED BY THE NATIONAL ENDOWMENT FOR THE ARTS AT THE REQUEST OF SENATOR EDWARD KENNEDY, INDICATING THE NATIONWIDE DEMAND FOR ASSISTANCE FOR CULTURAL FACILITIES

In communities throughout the nation, people are beginning to re-examine their public priorities and to recognize that cultural activities should be at the core of community life, rather than on its periphery. Inevitably, there is a growing demand for the facilities which will house and make possible the development and growth of these activities and, which will provide badly-needed space for exhibition and display.

When the National Foundation on the Arts and the Humanities Act was passed, it included a provision stating that projects which could be supported under this Act might include "rental, purchase, renovation, or construction of facilities, purchase or rental of land, and acquisition of equipment." The result has been a steady stream of inquiries addressed to the National Endowment for the Arts from groups interested in renting, building, buying, or expanding structures to house cultural activities. Because of the Endowment's small budget ($6 million in fiscal 1967, one-third of which went to state arts agencies), it has not been in a position to support projects of this kind, and there is little likelihood that it would be able to do so in the future unless its authorization and appropriation are multiplied many times over.

In the last Congress, an effort was made to open an alternate source of aid for cultural facilities by extending the public facilities loan program to private, non-profit groups such as museums, community theatres, local arts councils, etc.

This effort was not successful, because many members of Congress apparently felt that such an amendment would change the basic character of the public facilities loan program, which was devised to assist small communities with limited credit resources in constructing needed public works. It should be pointed out, however, that the program already applies to private non-profit corporations established to run public sewer and water systems in areas where communities do not have the manpower and administrative resources to do the job.

Since we do not have a tradition of public support of cultural activities in the United States, it is not surprising that most of the expressions of interest in assistance for building or buying structures for cultural purposes have been addressed to the National Endowment for the Arts by private, nonprofit organizations. There are some 40,000 community theatre groups in this country, some of them with the potential to become vital forces in the cultural lives of the cities and towns in which they are located and most of them making do in grossly inadequate quarters. It should come as no shock that the most frequently repeated inquiry addressed to the National Endowment for the Arts is: Can you provide us with funds to build a cultural center?

The following summary of private, nonprofit groups who have made inquiries relating to the purchase, rental or construction of museums, cultural centers, theatres, and other cultural facilities indicates that the awareness of community need for these facilities is growing across the board, coming not only from community theatre organizations, but from chambers of commerce, fraternal orders, and citizens groups.

The cultural explosion about which we hear may simply be the light of new awareness breaking in upon many minds throughout the country, but it is a movement which does this nation honor and indicates that we are at last realizing that without adequate recognition and support of culture, we cannot yet claim to have the high civilization we are so manifestly capable of developing. It is particularly important that we find means of supporting the arts in smaller communities, in order that the children and young people of those communities will have opportunities for developing creativity which are as rich as the opportunities that abound in our great cities. That there is a thirst to do this is illustrated by the following summary of inquiries regarding support for cultural facilities which have been received by the National Endowment for the Arts.

Cultural centers (performing, including rehearsal and workshop facilities): Inquiries have been received from 17 community arts councils; seven community threatre groups; a citizens organization in a retirement community; a chamber of commerce; a music conservatory; a school of the performing arts, and four organizations representing several performing arts groups.

Cultural centers (visual, including galleries, studios, etc.): Inquiries have been received from 36 community arts associations, two community arts councils and a chamber of commerce.

Theatres: Of the many inquiries relating to construction of theatres, the bulk—56, including two asking about funds for renovation—have of course come from community theatre groups; three from children's theatre groups; four from community arts councils; one from an adult education association; one from a light opera association; and one from a school of arts.

Museums: We have received two such inquiries from historical societies; eight from historical societies; eight from community arts associations; six from existing art museums which need additions; one from a community art center; two from community arts associations interested in sponsoring children's museums; one from a children's theatre which wishes to add to children's museum, and one from a community arts council.

Mixed uses: Here there are many variations. For instance, a music festival association wishes to build a theatre, concert hall and art gallery; an Indian tribal association wishes to build a performing and visual arts center; a citizens group inquiries about funds for educational facilities and recording studio; two community arts centers are interested in adding theatres, arts schools and workshops; a community arts association wishes to construct a gallery and craft shops; another wishes to build a museum and art school; two community theatre groups inquire about funds for visual and performing arts centers; a community arts council wishes to build a theatre and art school; two existing community centers want to add theatre, museum, school of the performing arts and library; five community arts councils express interest in sponsoring visual and performing arts centers; and another wishes to sponsor a cultural center combined with a historical museum.

Historic preservations: Of five inquiries relating to renovation and use of historic structures for the visual or performing arts, two have come from community arts associations, one from a community theatre, and two from community arts councils.

One inquiry from an opera association relates to the renovation of a historic opera house.

Miscellaneous: There have been two inquiries regarding funds for construction of art schools—one from a youth organization, one from a community art association. Four inquiries have related to the construction of libraries—two from museums, one from a community arts association, and one from a music camp. Another music camp wishes to expand its facilities, and a fraternal order asks about funds for construction of a music camp. A community arts association wishes to construct a memorial monument; a community arts council inquiries about funds to build a band shell; a community theatre group inquiries about funds to build an amphitheatre; a school of music and arts wishes to add teaching and performing facilities, and finally, a ski resort development corporation wishes to add a summer art center in order to become a year-round resort.

Such inquiries, of which these are examples, continues to be received by the Arts Endowment, although the Endowment's Chairman, Roger L. Stevens, has stated publicly on many occasions that funds for the above purposes are not presently available from the Endowment due to its limited budget. The twenty-six private citizen members of the National Council on the Arts, which is advisory to the Endowment, determined that this present policy should be adopted. Thus, the examples described above are believed to represent only a small percentage of the needs for the construction or improvement of arts facilities across the nation.

The Endowment is certain that a much greater volume of requests for assistance in this area would be received, if the Endowment was in a position to encourage such applications as part of its announced programming.

MUSEUM OF SCIENCE
AND HAYDEN PLANETARIUM,
Boston, Mass., February 13, 1967.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: I am delighted to hear that you plan to propose legislation which would make it possible for museums and other cultural institutions to borrow funds from the federal government for the construction or improvement of their capital plant on a long-term low-interest basis.

The availability of such funds to both private and public cultural and educational institutions might well lead to a highly significant renaissance of these facilities all over our country.

The extraordinary growth of our population, and at the same time the great increase in interest by a vast cross-section of the public in science, art and history, is taxing the facilities of virtually all of our museums to the bursting point.

Meeting this clearly-demonstrated need for expansion promptly and effectively inevitably involves large capital costs for both additional exhibit-space and adequate parking facilities. And, to meet these needs promptly, either requires large capital fund campaigns or very substantial borrowing—frequently by institutions which cannot do either because of limited local resources on a crash basis—or lack of adequate collateral for a typical mortgage loan.

Our own problem is highly relevant:

A year and a half ago we estimated a need of $8 million to increase the size of our plant to meet a clearly demonstrated and urgent need—and there are few needs more urgent today than inspiring our youth toward meaningful careers in science and re-educating our adult citizens so that they will be able to perform intelligently and effectively in a world dominated by incredible and constant scientific change and advance.

We would have liked to borrow most or all of this $8 million, construct and equip the needed additions to our plant at once, and get them open to the public, which needs them so much.

However, we are situated on State property, so we cannot take out a mortgage loan—and, even if we could, the current rates would probably have made this imprudent for us. We are also, like many others, a private educational corporation so, under present statutes, the government cannot either loan or appropriate funds to help us—even though this is easy to demonstrate to be in the public interest.

We are proceeding to raise these funds through a capital campaign and have secured slightly over half the needed sum—and during the period that we have done this, our goal has inflated better than 10% away ahead of us.

Our capacity to raise funds for this project is easy to demonstrate and we do not seek a federal handout. However, we would like to be able to accelerate our expansion as rapidly as possible through a federal loan which would be repaid as rapidly as gifts and bequests for this purpose were received.

Legislation which would permit such a procedure would prove to be an incredible boon to our museums, both public and private, just as it already has been to our colleges. And I am inclined to think that it would be of particular value to scores of smaller rural museums as well as to our larger city ones.

There is nothing more costly or inefficient today than deferred piecemeal plant construction.

Congratulations on spear-heading this vitally important legislation. I hope that your efforts will meet with speedy success.

Ever sincerely,

BRADFORD WASHBURN,
Director.

CAREER INCENTIVES FOR CERTAIN PROFESSIONALLY TRAINED OFFICERS OF THE ARMED FORCES

Mr. McINTYRE. Mr. President, for myself and the Senator from Maryland [Mr. BREWSTER] I introduce, for appropriate reference, a bill to amend titles 10 and 37 to provide career incentives for certain professionally trained officers of the Armed Forces.

This bill was passed by the House of Representatives in the last session, and arrived here in the Senate too late for action.

The purpose of this bill is very simple. It is to provide pay and rank benefits for those officers of the Armed Forces who have received professional training and degrees which are required in order to perform their military duties. Such officers would include attorneys, optometrists podiatrists, pharmacists, and psychologists, among others.

Right now, we are considering sweeping changes in our selective service laws, changes which might make it even more difficult than at present to recruit the professionally trained men needed by the Armed Forces. This bill would, in my opinion, make it much easier to obtain the needed services of these skilled men.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1619) to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces introduced by Mr. McINTYRE (for himself and Mr. BREWSTER), was received, read twice by its title, and referred to the Committee on Armed Services.

LEGISLATION MAKING IT A CRIMINAL OFFENSE TO BURN OR MUTILATE A U.S. FLAG

Mr. THURMOND. Mr. President, I send to the desk a bill making it a criminal offense to burn, deface, mutilate, or trample upon the flag of the United States. I ask that this bill be printed in the RECORD at the conclusion of my remarks and appropriately referred. While this bill has the same purpose as other bills that have been introduced, it has some distinctions which in the long run may prove to be of the utmost importance.

The incidents which took place in Sheep Meadow of Central Park in New York City are well known and do not require any further elaboration. It will suffice to say that the burning and mutilating of the flag of the United States made that a day of infamy for our Nation. The depravity which brought this about stands in stark contrast to the patriotism and bravery of their fellow countrymen serving in Vietnam in the forefront of the battle for freedom.

This Nation has a history of tolerating and even encouraging dissent and criticism of public officials and actions of the Government. As a matter of fact, I, myself, feel no compunction against criticizing certain actions of my Government when in my judgment criticism is in the public interest. However, a line must be drawn on dissent somewhere this side of open and callous destruction of one of the cherished symbols of all the ideals for which our country stands. To openly burn the flag of the United States is the act of a traitor and certainly transgresses the bounds of responsible dissent.

In my judgment, it is an unfortunate oversight that Congress has never seen fit to pass legislation making such acts a violation of Federal law. It should be a Federal offense to defile the symbol of our Federal Union of States. I am pleased, however, to note that there seems to be an interest in Congress in moving ahead on legislation of this nature. There have been several bills introduced in both the Senate and the House of Representatives, and in the interest of focusing attention on this subject, I have introduced this bill here today.

The bill I am introducing is a carefully conceived proposal designed to stand the test of any assault upon its constitutionality before the highest Court of our land. There is no question but that the first conviction obtained under the terms of any bill of this nature passed by Congress will be appealed all the way up to the Supreme Court.

The tradition of free speech, which has always been closely guarded in our country, demands the most delicate safeguards against transgressing first amendment rights. For this reason, my bill is limited to physical attacks upon the flag, rather than to statements directed toward the flag. My own personal feelings are that inflammatory acts and defamatory statements directed toward the U.S. flag are equally reprehensible. Nevertheless, constitutional problems can be avoided by limiting the application of the bill to burning, defacing, mutilating, or trampling upon the flag. Considering the present makeup of the Supreme Court, and decisions of recent years in this area, it would appear to be wise to so limit the terms of the bill.

In addition to this distinction, my bill prevents Federal preemption of the field and the striking down of similar State acts. Every State in the Union, and the District of Columbia, have laws forbidding mutilation of the flag. At least two States have established no penalty for violating the provisions of their law, however. The penalty in other States varies from fines of $5 to $2,000, and imprisonment of 10 days to 1 year. Congress should not negate State laws on this subject as was done in the field of internal security, and section 2 of my bill prevents this from occurring.

The penalty I propose is a fine of not more than $1,000, or imprisonment for not more than 1 year, or both.

Publicly burning or otherwise mutilating the flag of the United States is a very serious matter. The oversight of not having a Federal law which would be applicable nationwide already on the books should be remedied forthwith. This bill represents an attempt to accomplish the purpose and yet withstand the sure-to-come court test on the question of its constitutionality.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1620) to prohibit the burning, defacing, mutilating, or trampling of the flag of the United States, with intent to degrade or cast contempt upon such flag, and for other purposes, introduced by Mr. Thurmond, was received, read twice by its title, and referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(a) chapter 33 of title 18, United States Code, is amended by inserting at the end thereof a new section as follows:

"§ 714. Burning, defacing, mutilating or trampling upon the flag of the United States

"(a) Whoever, with intent to degrade or cast contempt upon any flag of the United States or any officer or action of the Government of the United States, burns, defaces, mutilates or tramples upon any such flag, or publicly displays or causes to be publicly displayed any such flag, knowing the same to be damaged by fire, defaced, mutilated, or trampled upon shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

"(b) The term 'flag of the United States', as used in subsection (a), shall include any photograph, likeness, or representation, in any size, or in any substance, reasonably calculated to convey the impression that the same is a photograph, likeness, or representation of any flag of the United States."

(b) The analysis of chapter 33 of title 18, United States Code, is amended by inserting at the end thereof the following:

"§ 714. Burning, defacing, mutilating or trampling upon the flag of the United States."

Sec. 2. The enactment of this Act shall not be construed as indicating an intent on the part of the Congress to prevent any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or American Samoa from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of the enactment of this Act.

CHANGE OF REFERENCE

Mr. **HARTKE.** Mr. President, I ask unanimous consent that the bill (S. 1384) to establish the Office of Legislative Attorney General, previously referred to the Committee on Rules and Administration, be discharged from that committee, and be referred to the Committee on the Judiciary. I have spoken with the chairmen of both committees, and this is satisfactory with them.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. **BYRD** of West Virginia. Mr. President, at the request of the Senator from Wisconsin [Mr. Nelson], I ask unanimous consent that the name of the Senator from Ohio [Mr. Young] be added as a cosponsor of the bill (S. 1282) to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes, at its next printing.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **BYRD** of West Virginia. Mr. President, at the request of the Senator from Wisconsin [Mr. Nelson], I also ask unanimous consent that, at its next printing, the names of the Senator from Oregon [Mr. Morse], and the Senator from Ohio [Mr. Young], be added as cosponsors of the bill (S. 1283) to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **BYRD** of West Virginia. Mr. President, on behalf of the Senator from Minnesota [Mr. McCarthy], I ask unanimous consent that the name of the Senator from South Carolina [Mr. Hollings] be added as a cosponsor of the joint resolution (S.J. Res. 54) proposing a constitutional amendment relative to equal rights for men and women, at the next printing of the joint resolution.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

GEN. W. C. WESTMORELAND'S SPEECH TO THE ASSOCIATED PRESS

Mr. **THURMOND.** Mr. President, on yesterday the commander of the U.S. Military Assistance Command, Vietnam, Gen. William C. Westmoreland, delivered an outstanding address before the annual luncheon meeting of the Associated Press in New York. General Westmoreland's prepared address and his response to the questions which followed his prepared remarks constitute a ringing endorsement of the necessity for the United States to bring about a successful conclusion to the war in Vietnam.

There is much food for thought contained in his observations. His strong stand adds another star to his outstanding performance in leading our troops under the most trying of circumstances. All citizens of the State of South Carolina, and indeed the Nation, are justly proud of this man and his performance and accomplishments in Vietnam.

I ask unanimous consent that the text of General Westmoreland's remarks, as well as the questions and answers which followed, be printed in the Record.

There being no objection, the address and comments were ordered to be printed in the Record, as follows:

TEXT OF GENERAL WESTMORELAND'S REMARKS AT AP MEETING

(New York, *April 24.—Here is the text of Gen. William C. Westmoreland's speech on Vietnam Monday to the annual meeting of the Associated Press:*)

A COMMANDER'S VIEW OF THE WAR IN VIETNAM

Almost 40 months ago I last visited this hotel just before leaving for duty in Vietnam. I came by to see my friend, Gen. Douglas MacArthur.

Gen. MacArthur said to me: "I see you have a new job. I know you realize that this new assignment carries with it great opportunities, but it also is fraught with hazards."

I now wonder whether this occasion is an opportunity or a hazard.

The situation in Vietnam has been accorded the most intensive news coverage in history. As a result, every American should have, by this time, his own image of the war. How accurate is this image? Do most Americans fully appreciate the character of the war and its complexity? Today I hope to contribute to better understanding.

What kind of a war is being fought in Vietnam? How is it being fought? How is the battle going? And what lies ahead? These questions I will address.

The Vietnamese—and we, their allies—are involved in a total undertaking—a single, all-pervading confrontation in which the fate of the people of Vietnam, the independence of the free nations of Asia, and the future of emerging nations—as well as the reputation and the very honor of our country are at stake. At one and the same time, we must fight the enemy, protect the people, and help them build a nation in the pattern of their choice.

THE REAL OBJECTIVE

The real objective of the war is the people. If the enemy could take Saigon, or the heavily populated areas of the Delta, or both, the war would be over—without negotiation or conference. He lost this chance two years ago, and I can promise you that his military tactics alone will not win him another opportunity. Yet, despite his staggering combat losses, he clings to the belief that he will defeat us. And through a clever combination of psychological and political warfare—both here and abroad—he has gained support which give him hope that he can win politically that which he cannot accomplish militarily.

Many myths about the Vietcong still persist—and I hope I can dispel some of them here and now.

The doctrine of conquest in South Vietnam is from the book of Mao Tse-tung. It is the standard three-phase pattern—the combination of subversive political cells, guerrilla units, and conventional military forces.

Between 1954 and 1963, political cells, trained and directed from North Vietnam, were installed throughout South Vietnam. At the same time, Hanoi directed that the Vietcong begin recruiting and organizing guerrillas, and training them in terror tactics.

By late 1964 the combination of enemy political-guerrilla warfare and governmental instability in the south resulted in a decision by Hanoi to enter the decisive, and final, phase. Vietcong companies were formed into battalions, regiments and divisions, and North Vietnamese army units began to infiltrate covertly to the south.

ON HANOI'S TERMS

Never at any time during those 10 years of subversion, terror and attack did Hanoi relax its control over its war against the people of South Vietnam. The goal of this aggression was then, and still is, the conquest of the South—reunification on Hanoi's terms.

What we have is not a civil war. It is a massive campaign to external aggression from Communist North Vietnam.

The political cells have created an enemy pseudo-government that still pervades many villages and hamlets. The guerrillas wage constantly, mostly at night, the cruelest kind of war—terrorism—civilians are shot, bombed and mutilated as examples to those who might resist or defect, or simply because they are leaders.

A typical example of Vietcong terror took place shortly before I left Vietnam. During the early morning hours of April 16th, the Vietcong attacked a hamlet 20 miles north of Saigon. Among the victims were five revolutionary development team members. Three of them were women. Their hands were tied behind their backs and they were shot through the head.

During the last nine years, 53,000 Vietnamese—a large share of them teachers, policemen, and elected or natural leaders—have been killed or kidnapped. Translated to the United States, that would be more than 600,000 people, with emphasis on mayors, councilmen, policemen, teachers, government officials and even journalists who would not submit to blackmail.

At the other end of the war spectrum, we have fought, in the south, during the past year, major elements of eight North Vietnamese regular army divisions. We have captured thousands of weapons and large stores of ammunition and equipment that have been transported from North Vietnam.

In summary: The Vietcong is not a legitimate nationalist movement. It is a movement organized, controlled and supported by the Communist government of North Vietnam. What support it gets from the people of South Vietnam is largely the result of terror, intimidation, and murder of those individuals who oppose it.

Two years ago South Vietnam was on the verge of defeat. The enemy's main force units were attacking with increased intensity from hidden bases and sanctuaries. The government of Vietnam had arrived at a crossroad. It was a question of honoring a longstanding commitment by the Government of the United States to a young nation fighting for its freedom, or defaulting to the aggressor. Our President reaffirmed our commitment and made the courageous decision to stand firm—to stay the course. This meant using whatever military and economic power was necessary.

Once we had major forces ashore we began to look for the enemy, and he was not hard to find. Major battles ensued; they were bitter and bloody. But in them we learned that the enemy had little regard for human life and, for propaganda purposes, will turn losses and defeats into absurd claims of victory.

During the last year and a half we have sought out the enemy, caught him off guard, fought him before he was ready. For a time he stood and fought and we punished him severely. Now he is becoming more difficult to find. We have invaded his elaborate and widely scattered base areas—some of them built over a period of 20 years.

Working closely with the Vietnamese forces we have moved into many of the populated and productive areas which formerly provided supplies and recruits to the enemy.

INFILTRATION IS COSTLY

We have turned the enemy's ambushes against him and we have learned how to draw him into an ambush. We have sent our deep patrols to find him. He has been punished by B52 strikes and unparalleled close support from our tactical air, artillery and naval gunfire. And on land and sea we have made his infiltration costly.

Although the military picture is favorable, I emphasize the fact that we have no evidence to indicate that the enemy is slowing his invasion from the north, or that he is breaking up his major units and scattering them about, or that he has given up his plans to try to inflict major defeat upon us. He is taking great casualties and he does have logistics problems, but his leadership is good and his men are tough and tenacious. He needs a victory for political, phychological and morale purposes, and he will continue to strive for one.

So the end is not in sight. The enemy can hide in the jungles and mountains of South Vietnam where we cannot reach him without major effort. He rests and regroups, trains and replenishes in hidden camps and supply areas in regions along the borders of neutral countries and the demilitarized zone which he overtly violated almost a year ago. He continues to recruit and train guerrillas for use as guides and intelligence agents for his main force units and for sabotage and terror. So we must be prepared for more bitter fighting in days to come.

Before leaving the military situation, I must honestly say that I am concerned about cease-fire proposals. In other wars, a cease-fire was an acceptable condition; but, in this war, inevitably it will be a military advantage to the enemy and a detriment to our side. This is because of the clandestine character and covert methods of the enemy. Traditionally he has used covertly cease-fire periods to reinforce and resupply his units, and to strengthen and realign his political posture.

One of the regrettable facts of war—any war—is that casualties are not confined to the military forces involved. These are civilian casualties in Vietnam and there are of constant concern to me, my commanders and men. But, civilian casualties do not result from indiscriminate use of our firepower. They are caused by mechanical failure or human error. This is in sharp contrast to the Vietcong policy of calculated attacks on civilians.

Never in the history of warfare have so many precautions been taken by men in combat. We cover an enemy-held area with leaflets and loudspeaker broadcasts warning of impending attack. We do not permit an air strike or artillery fire on a moving column of enemy until Vietnamese officials give approval. Every possible precaution is taken to avoid casualties among civilians. Never has a nation employed its military power with such restraint.

Now a word about the Vietnamese armed forces.

I have worked with the Vietnamese military for more than three years, and I have learned to understand and admire them. A look at their record in combat, as well as in political administration, reveals an exceptional performance, when all is considered. During the last three years I have seen them literally hold the country together. Despite their military background they have taken long strides toward developing democratic processes and institutions. They fought the enemy guerrillas and main forces alone, until our arrival, and, during that time, they were expanding their forces to the limit that their manpower and economy could support. Except for the continental army of our early years, never before in history has a young military force been subjected to such a challenge. In my book, the Republic of Vietnam armed forces have conducted themselves with credit. As I tour the country several times each week, I am encouraged by the obvious improvement in the morale, proficiency and quality of their fighting forces.

STANCH ALLIES

Today the Republic of Vietnam armed forces are working and fighting side by side with their allies—the Koreans, the Australians, the New Zealanders, the Thais and the Filipinos, as well as the Americans, and they have earned the confidence of these staunch allies.

The Vietnamese armed forces and the Vietnamese people are aware of and appreciate our support. They know we have assisted them for 12 years in the development of their military organization.

More important to the Vietnamese, I think, is the fact that our American servicemen are eager to help them build schools, dispensaries, and other things of lasting value to their communities. These civic action projects, voluntarily undertaken by our troops and those of our allies, are inspiring to behold.

A young corporal undertakes the support of a Montagnard family whose breadwinner has been assassinated. An American squad or platoon adopts a hamlet, bringing to its people the material things they need and the spiritual uplift which will help them to self-sufficiency. Many communities in Vietnam are living a better life because of the encouragement and help our troops have given to them. A true missionery zeal among our troops is common place and is one of the unique characteristics of this war.

I am constantly impressed by the concern for the lives of others shown by the men of my command. As I travel among them, and I see their courage against the enemy and their compassion toward their friends, I am inspired by their example.

I would like to tell you more about the men of my command. Today your soldiers, sailors, airmen, marines and coast guardsmen:

Are better educated than before.

Are better informed.

Have traditional American ingenuity and initiative.

Are better physical specimens.

Have high morale.

And understand what the war is all about.

They know that they are helping to stop the spread of commmunism in Southeast Asia and to give the people of South Vietnam a freedom of choice. They have been given a job, and they are doing it well, and with pride . . . and they are dismayed, as I am by recent unpatriotic acts here at home.

Who are these men? They are mostly youngsters representing every State of the Union—from the farms, the cities, the factories and the campuses. They are the sound product of America's democratic society. They are the sum of our educational system, our medical science and our communications. Their excellent morale results from knowledge of their jobs, sound military policies, professional unit leadership, and unprecedented material support. Their medical care is superb, their food is excellent and their mail is cerefully handled. Shortages have been few and of short duration.

FORWARD WITH CONFIDENCE

As an individual, this fighting man is a tough, determined professional in battle one day, and next day, a sensitive, compassionate friend helping the Vietnamese people. He is a fighter, a thinker, and a doer. He has seen—at first hand—Communist subversion and aggression at work; he has acquired a deeper appreciation of the importance of freedom. And from his ranks in the years ahead will come the confident, alert, intelligent citizens and leaders who will make this nation's future greater than its past.

With fighting forces like these, a commander cannot help but look forward with confidence as he views the military situation.

But I am mindful that the military war in South Vietnam is, from the enemy's point of view, only part of a protracted and carefully coordinated attack, waged in the international arena. Regrettably, I see signs of enemy success in that world arena which he cannot match on the battlefield. He does not understand that American democracy is founded on debate, and he sees every protest as evidence of crumbling morale and diminishing resolve. Thus, discouraged by repeated military defeats but encouraged by what he believes to be popular opposition to our effort in Vietnam, he is determined to continue his aggression from the north. This, inevitably, will cost lives—American, Vietnamese, and those of our brave allies.

I foresee, in the months ahead, some of the bitterest fighting of the war. But I have confidence in our battlefield capability. And I am confident of the support we and our allies will continue to receive from our President and from the Congress.

The magnificent men and women I command in Vietnam have earned the unified support of the American people.

Thank you.

Gen. Westmoreland answered written questions submitted at the annual meeting of the Associated Press. Following is a partial text of the questions and answers:

Q. Gen. Westmoreland, have you asked the Pentagon for more troops and how many?

A. As commander of our American armed forces in Vietnam, it is needless to say I am constantly studying our troop requirements. I continuously analyze the situation. I submit my requests from time to time, my desires, my estimates to my senior military headquarters. I have been getting troops in considerable numbers during the past year. They are continuing to arrive. The number of troops that will ultimately be needed is a matter that will have to be studied in consideration of many factors—our estimate of the enemy's capabilities and intentions, the economy of South Vietnam. Because as we deploy troops to go ashore we per se put pressure on their economy and this is a factor that has to be considered. These matters and these factors will have to be reviewed at our senior levels in Washington. Needless to say, the discussions that have taken place are privileged and, as a matter of military security, I cannot give you any definite number as to my estimate of the number of troops that will be required.

BOMBING OF AIRFIELD

Q. Would you comment please on the bombing today in North Vietnam, an airfield there. What happens if the Migs take sanctuary in Red China?

A. I was delighted to learn that the Mig airfields have been bombed, at least two of them today. This was a military target on which was based aircraft that had been used offensively against our fighter-bombers. It is true that Migs could take sanctuary in China, as they did during the Korean War, but the Migs would be at a disadvantage operating from those bases compared with those in North Vietnam. The reaction time would be increased and they would therefore become a lesser threat to our fighter-bombers, and the jeopardy to our very fine Air Force and Navy pilots would be reduced.

CASUALTY STATISTICS

Q. There are daily statistics of the number of Vietcong killed, but serious doubt about the body count announced of those that have been killed. What is your view please of the accuracy of this count?

A. Over a period of over three years, I have given this matter considerable personal attention. It is my judgment that the casualty figures that we estimate or state that we have inflicted on the enemy are accurate, perhaps conservative. True enough, there could be from time to time some exaggeration. There could be some double counting of casualties, but in my opinion this is more than offset by those enemy troops that are killed by artillery or air strikes that we never know about. Also we do not claim credit, in estimating or assessing casualties of the enemy, those that die of wounds. So all factors considered, I feel that the figures that you receive that are announced by my headquarters in Saigon are definitely accurate and I believe on the conservative side when all factors are considered.

POLITICAL ASPECTS OF WAR

Q. Could you run this war without political help and could you win this war if given a free hand in military decisions?

A. As a military man, this is a bit of an awkward question. I think it is impossible in view of the nature of the war, a war of both subversion and invasion, a war in which political and psychological factors are of such consequence, to sort out the war between the political and the military. Political factors must be considered, they must be considered in selecting targets. They must be considered in our actions involving nearby so-called neutral countries. They must be considered in the means that are used in pursuing the war. The reason for this is not only because of the complexity but also because of our national policy to confine this war to that of a limited war, and this means that from time to time the means are limited. And that policy has been made loudly clear: that it is not our intention to expand the war. We want to keep it as a limited war and therefore political factors have to be considered and the decisions involved are necessarily above my levels. Since I deal in military factors, I am responsible only for fighting the ground war in South Vietnam and only that air war in the so-called expanded battle area.

SINO-SOVIET INTERVENTION

Q. What is the possibility of escalation of the war bringing in Red China and Soviet Russia and how effective would they be if they did come in?

A. This is a very difficult question to speculate on. To a military point of view I think we should be prepared for any contingency. Of course the USSR is providing equipment to North Vietnam primarily in terms of air defense, weapons and systems. The Communist Chinese are providing support in the form of transportation units and some antiaircraft weapons but primarily infantry-type weapons to support the North Vietnamese army and Vietcong main force units. I think this boils down to whether the USSR and Red China feel that the threat to their formal government and their territory is of such consequence that they could hazard the risk that would necessarily be involved.

VIETCONG FIGHTING SPIRIT

Q. The Vietcong are regarded, generally, to have fought well against us for quite some time. To what do you attribute their spirit?

A. The Vietcong, organized, directed and commanded from Hanoi, have placed good emphasis on political indoctrination. As a matter of interest, their training program for their units devotes more time to political indoctrination than it does to military training. This indoctrination is well done. Of course, it is backed up by a ruthless cadre that use strong-arm methods that are required to keep their troops in line.

Now, this so-called cadre, or leadership, are excellent. They have been well trained and indoctrinated and they are committed. However, we have noted a number of recent trends that are encouraging. We are picking up more prisoners, more defectors coming in, and the rate seems to be increasing in a very encouraging way. We learn that many of the rank and file of these units would like very much to defect, to come in under the government of Vietcong's amnesty program, the so-called Chieu Hoi program. But the cadre control them so tightly that they cannot get away. We also know that there is considerable friction between the North Vietnamese leadership and the South Vietnamese, the Vietcong. North Vietnamese leaders are playing more and more a role in the South. The leadership in Hanoi is by their action putting in their own leadership, apparently because they do not trust some of the South Vietnamese leadership, and there is definite friction between these two regional groups.

The number of defectors that we have received has been multiplying by a factor of two for the last couple of months, and, hopefully, this trend will continue.

The number of senior defectors that are coming in is encouraging. Whereas a year ago defectors were primarily confined to the lower ranks, now we are getting some of the senior officers. I talked to one the other day, a senior officer, and he told me that many members of the large headquarters that he served before defecting would like very much to defect, but they have not been able to find a way. The control by the North Vietnamese leaders was of such consequence that they could not make the break.

SOUTH CAROLINA SALUTES U.S. NAVY SEABEES

Mr. THURMOND. Mr. President, the year of 1967 marks a dual anniversary: The 25th for the U.S. Navy Seabees and the 100th for the Navy Civil Engineer Corps.

Led by the Corps officers, the Seabees today are adding a new dimension to the motto they have made so famous as the "can do" construction battalions of the U.S. Navy.

Today in Vietnam, Seabee battalions are supporting our armed forces and the Vietnamese people in freedom's fight for liberty and eventual peace in Asia.

Again, as they did in World War II, the Seabees are accomplishing construction miracles in building roads and highways through jungle and coastal terrain. They are creating deepwater posts where none before existed. Airstrips, warehouses, base camps, storage areas are resulting from the initiative, dedication, and heroism of these builder-fighters who labor so tirelessly and well under the ever-present challenge of enemy surprise attack.

It is 25 years and three wars since creation of the first Seabee detachment in World War II. It is a quarter of a century of blood, beaches, bulldozers, and bridges that has made the Seabees what they are today—the best construction outfit in the business.

In recognition of the 1967 Seabee silver 25th anniversary, Gov. Robert E. McNair, of South Carolina, recently proclaimed Seabee Day in South Carolina.

I ask unanimous consent to have the text of this proclamation printed at this point in the Record.

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

The Civil Engineer Corps was founded in 1867 to provide engineering and construction support to the Navy and the Nation. Early in 1942 the Civil Engineer Corps officers organized the Construction Battalions to provide the Navy with uniformed construction forces. Officially designated and popularly known as Seabees, they have established themselves firmly with the military establishment as the "Can Do" outfit.

Today, wherever the interests of our Nation require, the knowledge and ability of the Navy's Civil Engineer Corps officers and Seabees are being used for the protection of the American people.

March 5, 1967, has been named Seabee Day. I encourage South Carolinians to pay tribute to the gallantry and accomplishments of the Navy Seabees especially on this day, and extend best wishes to all active, reserve, and veteran Seabees.

ROBERT E. MCNAIR,
Governor of South Carolina.

THE NEED FOR A GREATER FEDERAL CONTRIBUTION FOR CHILD WELFARE SERVICES

Mr. DODD. Mr. President, I wish to express my support for extending and expanding the child welfare services program, as it is proposed in title II, part 3 of the administration's social security bill.

This proposal provides that the Federal Government pay up to 75 percent of additional expenditures for personnel and for the costs of training personnel for child welfare services.

In 1966, total expenditures for child welfare services were close to $400 million. Federal funds accounted for only about 10 percent of this amount.

Personnel and training costs amounted to $142 million. Only $39 million were Federal funds, the remaining $103 million coming from State and local sources.

I think a statement before the Committee on Ways and Means of the House of Representatives by Secretary John W. Gardner of HEW puts the need for more funds in perspective. He said as follows:

> The present law requires states to make child welfare services available in all counties by 1975. To the extent feasible the services must be provided by trained child welfare staff. But the funding authorizations presently in the law preclude the Federal Government from sharing in the additional cost of these requirements.
>
> One-third of the Nation's counties do not have the services of a full-time child welfare worker, and only one-sixth of all child welfare caseworkers have social work degrees.
>
> The number of workers has increased from about 8,700 in 1962 to about 14,000 in 1967. States are trying to improve the quality of their staff through both in-service training programs and educational leave. But 16,000 more child welfare workers will be needed by 1975 in order to meet the requirement of the law.

In my own State of Connecticut, approximately 8,000 children are committed to the guardianship of the State welfare commission as neglected or uncared for. Approximately 1,500 of these children are under protective services, and 6,500 children are in placement in foster homes or institutions.

From State funds alone, for this group of children, Connecticut spends over $9 million for their care, and over $1 million for personnel.

The Children's Bureau grant to Connecticut for child welfare services, however, for the year 1967–68 is a mere $500,000.

A more equitable sharing of the cost of care for this disadvantaged group of children would make it possible for my State to develop and support a much more adequate range of services.

Today more than ever before, the need for the expansion of Federal support for child welfare services is critical.

The deprived and disadvantaged child today, often without adequate parental care, often unwanted, for whom we try to find substitute care, either in foster home or institutions, needs our help. He needs it desperately and it is in our own self-interest to give it.

For the children who are poorly prepared today for parenthood and responsible citizenship, produce the next generation of the neglected and unwanted.

In order to avoid this vicious and continuous tragedy, we must insure that these children are provided with adequate help and serviced by competent staff people.

And we must increase Federal support. I hope we will do so this year.

A VISIT TO MARION—MODERN, MAXIMUM SECURITY

Mr. HRUSKA. Mr. President, recently it was my privilege to visit the Federal Correctional Institution at Marion, Ill. Accompanying me on that trip was Myrl Alexander, the distinguished Director of the Bureau of Prisons, and Mr. Bill Billotte, the veteran crime reporter of the Omaha World-Herald.

We were given a thorough briefing by Warden J. A. Mayden and his dedicated and competent staff. We learned firsthand why Marion has the worldwide reputation of not only being the most modern of the maximum security institutions, but the best run as well.

Marion is the replacement for Alcatraz, or "the Rock" as it was known during the days of the prohibition era gangsters. While security measures are every bit as effective as those of the Rock, there the resemblance ends. The inmate population consists overwhelmingly of the same kind of "incorrigibles" who used to be in residence at the Rock. Yet the whole arsenal of rehabilitative and training techniques are being employed to help rebuild the lives of the 500 inmates.

While effort is great, progress toward rehabilitation is painfully slow, for it must constantly be remembered that these men, most of whom have been transferred in from other institutions because of their inability to get along, are among the "toughest customers" to be found anywhere. Thus, procedures and practices must be adapted for this setting. For example, work release is rare. But far advanced techniques are in daily use, such as the use of a video tape recorder in inmate interviews by the resident psychiatrist. And a wide range of educational and vocational activities are being employed.

However, it would be pointless for me to engage in an extended description of the visit. Mr. Billotte has written an excellent series of articles for the World-Herald which describe, with the professional skill of a distinguished journalist, what we observed there.

A few years ago, before Alcatraz was discontinued as a Federal correctional institution, he visited there and reported his observations in a similar series of news accounts.

They assisted him in making of his present commentary an even more keen and valuable analysis.

Mr. President, I believe that this series is worthy of the attention of the Senate. Accordingly, I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Omaha World-Herald, Mar. 28, 1967]

PRISON CONCEPT CHANGES VASTLY—HIGH GRAY WALLS MISSING AT MARION, ILL., FACILITY

(First of a series)

(By Bill Billotte)

MARION, ILL.—How does the new top maximum security prison of the Federal system 10 miles from this southern Illinois city compare with Alcatraz, which for 28 years was the nemesis of the biggest egos in the criminal world?

They are completely different:

This was apparent from the time a plane swooped out of a fog over the slag piles at a strip mine on the edge of the small airport until our group left two days later.

In the plane were Senator Roman Hruska, ranking Republican member of the Senate subcommittee on Federal prisons; Myrl E. Alexander, director of the Federal Bureau of Prisons, and this reporter.

SOLID ROCK

The rest of the trip to the prison was made in a car in a drizzle.

Nine years ago this reporter journeyed to "The Rock," as Alcatraz was called. At that time the trip was completed in a prison launch. The solid rock of 12 acres was 1½ miles out in San Francisco Bay.

It rose out from mist in the shadow of the Golden Gate Bridge like an ominous etching against the slate-gray sky.

This was the same trip Al Capone and 52 other criminals made August 22, 1934, when it became known that Capone's influence had reached into the prison at Atlanta, Ga.

Big Al swaggered into his cell boasting that he could take everything Alcatraz could dish out.

RUSTIC SCENE

He shuffled out four years later, never to be a threat to law enforcement authorities again. He couldn't take the anonymity of being just another number.

As our car arrived at the Marion prison, 15 deer could be seen grazing peacefully in sight of the buildings, which are in the center of one thousand acres of rustic land deeded to the Bureau of Prisons from the Crab Orchard National Wildlife Refuge.

"Sometimes you can see 45 to 50 of them grazing out there," Prison Director Alexander said.

The next surprise was the absence of the gray walls that enclose nearly all state and Federal prisons.

Instead there are double 30-foot-high chain fences. They have crossbars of barbed wire which extend inward so they would be directly over the head of any one trying to scramble to the top.

NERVOUS NATIVES

Between the two fences, 12 feet apart, are several inches of white crushed limestone. The limestone reflects the floodlights at night. The fences are anchored in concrete four feet deep.

When nervous natives sought to have walls erected they were reassured by the precautions taken at the prison.

"If any one is able to dig underneath," a prison official said at the time, "he would almost deserve his freedom."

He also pointed out that a wall would have added $1,250,000 to the 12-million-dollar cost. The fences were erected for 200 thousand dollars.

The first stop was the administration building. Here beautiful green plants grew from containers. In a corner of the lobby was a display of pictures painted by inmates, leather work and other objects that would have sold at a good price in a good department store.

NOT STRANGERS

Waiting in an office was a short, stocky man with a tanned face and the eyes of a man who has spent most of his adult years keeping men in custody.

He is Warden J. A. Mayden. He and Prison Director Alexander greeted each other casually, having met in a half dozen Federal prisons across the country.

Standing near by was Associate Warden Robert Gary, a slim man with gray beginning to fleck his brown hair. He looked as though he was carrying no more weight than when, as a marine, he fought on Iwo Jima.

After briefing Senator Hruska, who was making his first visit to this prison, regarded as the most modern in the world, the warden and his associate started down the hall back to the lobby.

After signing at a desk, they passed through a steel grill that opened automatically and they walked several steps. Another grill opened. From now on it was top security.

[From the Omaha World-Herald, Mar. 29, 1967]

NEW PRISON'S PUSHBUTTON SECURITY IS ANYTHING BUT LAX

(Second in a series)

(By Bill Billotte)

MARION, ILL.—A visitor to this sparkling new prison in Southern Illinois grows perplexed as he enters its maximum security section.

Where are the guards, who in Federal prisons are known as correctional officers, at each steel gate that separates the prison sections?

Why aren't there sounds of shoe leather scuffling on cement as you walk down the long corridors?

Where are the horizontal steel bars on the outside of the windows which when the sun is right, throw shadow reminders to the inmates that they are serving time?

What happened to the ominous prison-gray paint and the tiers of cells with the narrow, enclosed walks on the outside?

Where are the prison-gray uniforms on the inmates? Where are the shattering sounds of whistles, bells and sirens that regulate activities in the usual prison?

These questions and others occur to those seeing this ultra-modern prison for the first time.

NOT LIKE "ROCK"

This is far from the physical restraints visible from the moment a visitor or new inmate stepped onto the dock at Alcatraz before it was closed in July, 1963.

When a launch docked, it was moored with heavy chains. An officer would signal another in a tall tower and he would send a key sliding down a cable. The key would be used to secure the lock on the chain. Then it would be pulled back up to the tower.

The prisoners were counted every 25 minutes, day and night. There were no trusties. Tear gas bulbs set in the ceiling of the dining hall hung over the prisoners' heads. All the security buildings were located on a crest with a steep road circling up to that peak.

The control rooms were grim cubicles with 2½-inch, bullet-proof glass and closed gun ports which could be opened only from the inside. Pistols, machine guns and tear gas were locked in a vault accessible only from the main control room.

Outside, as if Nature was on the side of the authorities, freezing riptides swirled around the 12 acres of rock.

WHERE'S SECURITY?

But at Marion, as the inspecting party composed of Warden J. A. Mayden, Senator Roman Hruska of Nebraska, Federal Prison Director Myrl E. Alexander and Associate Warden Robert Gary walked over the vinyl-covered floors in up-to-date workshops, and through the huge dining room with its pastel-colored chairs at individual tables, Associate Warden Gary said to this reporter:

"You're wondering about the security, aren't you?"

"You guessed it, let's look it over."

Mr. Gary led the way to a control center where three correctional officers were at work over a complicated electronic panel.

Located in the center of the main building, they could see nine of the 12 steel gates that control all sections of the prison in the three corridors.

On closed-circuit television the officers could watch any one approaching the gates. They pick up on the screen Senator Hruska, the warden and Mr. Alexander. As the touring party neared a gate a control officer would press a button and the heavy gate would slide open.

"This control center is used during the daylight hours and does most of the control work necessary in running a tight security prison," Mr. Gary explained. "But the overall control center is on the roof."

QUICK CHECK

He explained that no prisoner is allowed to walk unescorted from one place to another. A correctional officer is responsible for each of the men working under him. The moment he notices that a prisoner is not where he should be he notifies the control center.

Mr. Gary said if the receiver is off any telephone in the prison for more than 20 seconds without the dial being used to get a number, an investigative party is sent to find out if the caller is having trouble. All calls out of the prison must go through one center.

Prisoners are called over the loudspeaker system by name, not numbers. Sirens, bells and whistles are not used.

Entrance to the message center on the roof must be gained through three heavy, solid steel doors.

To get into that center, it is necessary to ascend a winding steel staircase behind a steel door just outside the maximum security section, which is off the main lobby of the administration building.

The steep staircase ends at a steel door which in turn leads to another steel door which must be opened electronically by the officer on duty inside.

SLAMS GATE

Here again is the complicated panel, electronically operated. But there is a difference. At an alarm signal the officer can press one button that will slam every gate in the prison within seconds.

On the board is a square of lights shaped like the prison, electronically connected with the high fences that surround it.

L. D. Wilson, the officer on duty, explained that if an inmate attempting to escape grabs hold of the barbed wire at the top of the fence with an instrument or his hand, one of the lights on the panel flashes on.

The light will inform the officers the exact section of the fence that is being tampered with. In addition an officer, walking in the 12-foot space between the double fences, checks them carefully once on each eight-hour shift to find if they have been worked on by a convict.

SIX TOWERS

There are six red telephones in the prison —one each for Warden Mayden, Mr. Gary, the correctional officer captain, the message center, the control center and a fire house. A call over any of them can close the prison like a steel trap.

Hovering over it all are the 60-foot watch towers, one at each corner of the prison and one on each side of the center. Here is the only place where guns are permitted.

[From the Omaha World-Herald, Mar. 30, 1967]

"LOSS OF FREEDOM IS ENOUGH"—TOP WARDEN'S GOAL: RECLAIMING

(By Bill Billotte)

(Third of a series)

MARION, ILL.—What manner of man is a career penologist who, as director of the Federal Bureau of Prisons, is ready to lay his reputation on the line that the new prison here is the pioneer of corrective institutions of the future?

Rugged-featured but soft-spoken, gray-haired Myrl E. Alexander, 57, has 36 years of experience in the network of Federal prisons across the country which he now heads.

A chain-smoker, he tells anecdotes well and will talk of prison reform any hour.

Mr. Alexander said his dislike of the physical punishment of inmates stems from an incident that occurred when he reported to a deputy warden in a Federal penitentiary to learn what his duties were to be.

"FORGET IT"

"I was a kid of 21 years desperately trying to get a job during the depression," Mr. Alexander recalled. "I had studied social work and was interested in working in the parole field."

Mr. Alexander said the deputy warden, a dandy with a swagger stick, minced no words in letting him know he wasn't about to welcome a new guard in the system who had training in social work.

"He motioned me to follow him and he led me to a cell and opened the door," Mr. Alexander said. "There, blinking in the light that suddenly flooded in on him, was an inmate. He was handcuffed to a bar in his cell that was so high his toes barely touched the ground. The deputy warden then asked me why I didn't go home and forget about taking a prison job."

Mr. Alexander said that although he did not intend to stay permanently in prison work he did not like being pushed out of a job which he had taken a Civil Service test to get.

On August 28, 1964, Mr. Alexander replaced J. V. Bennett, who retired after 28 years as director of the Bureau of Prisons. Mr. Alexander previously had served as his assistant.

RECLAIMING

The new director of prisons is confident that increasing effort will be placed on the reclaiming of younger criminals and in correcting the conditions that may have contributed to their decisions to live outside the law.

He said nine-tenths of the toughest criminals in the country are 30 years or younger.

None of the convicts in the new prison 10 miles outside of Marion is over 30. The inmate population is 491 now, although the prison has a capacity for seven hundred.

Only 91 of the inmates, none of them considered high escape risks, were sent directly to the prison. They perform the outside maintenance work.

As at Alcatraz, the four hundred being held under top security conditions were sent to this prison because they were unable to get along and progress satisfactorily in other Federal institutions.

ENOUGH

There is no trustie system at Marion, but inmates can win their way to better jobs and can go as far in education as their efforts will take them.

Mr. Alexander said he has always believed that depriving a convicted man of his freedom is punishment enough; that once a man is serving time all efforts should be devoted to getting him ready to return successfully to the outside world and convincing him that it is the only intelligent road to take.

He approves of designing prison buildings to avoid grimness. Between the buildings are landscaped courts.

Also different from other prisons are the high, vaulted roofs of the library, chapel, gymnasium and dining rooms.

The kitchen could be the envy of a top-flight New York hotel. His chef is Food Service Administrator Mike Love, who said: "You've got trouble in any prison if the food is bad."

ON TRIAL

The chapel is a marvel of acoustics. Built on circular lines, it has long, thin columns of colored glass.

Mr. Alexander warns the staff at the prison that the eyes of the penal world are on this institution and it is the staff's responsibility to see that the experiment does not fail.

The Marion prison has been in operation for two years without an escape from inside the maximum security section.

A few of the outside maintenance inmates, however, have walked off the job. Two convicts tried to ram a truck through a gate and failed.

[From the Omaha World-Herald, Mar. 31, 1967]

Modern Prison Spawned Crime Studies at Nearby Southern Illinois University

(Fourth of a series)

(By Bill Billotte)

Marion, Ill.—A surprising offshoot of the building of the 12-million-dollar prison near here is the effect it has had on Southern Illinois University in Carbondale, 20 miles away.

A crime center there seems destined to become as important to correctional institutions as the Federal Bureau of Investigation Academy has to those engaged in law enforcement.

When Myrl E. Alexander, director of the Federal Bureau of Prisons, was seeking a site for the ultra-modern prison that was to be the humane answer to Alcatraz, he decided to stop at the university.

That was in 1959.

"I went in to talk to the president, Delyte Morris," Mr. Alexander recalls, "intending to spend about 15 minutes, but I stayed three hours. President Morris caught fire at the idea of having a prison of the future near the university.

"He decided on the spot that 'I am going to create a center to work in the field of crime, delinquency and corrections if the prison project goes through.'"

This was done, and Southern Illinois, a hundred-year-old school that started out as a state normal college, is now getting visitors interested in crime prevention and correction from all over the world.

AIMS

Charles C. Feirich, of President Morris's staff, and Robert J. Brooks, of the center staff, explained the center's aims to Nebraska Senator Roman Hruska and other visitors.

In a near-by room 17 correctional officers were taking a nine-week course. They came from Nebraska, Oklahoma, Missouri, Tennessee, Kentucky, Texas, Wisconsin, Lousiana, Minnesota, the Dakotas and other states.

From the Nebraska Penal Complex was Lieut. Robert Parratt who will head the training section for guards in Lincoln.

"All of our personnel will take a refresher course under Lieutenant Parratt," Warden Maurice Sigler said. "There will be no exceptions, and that includes me."

Maj. Gen. Nematollah Nassiri, Iran's national police chief, said he had learned more about corrections in 48 hours at SIU than he expected to learn on his entire 10-week United States trip.

K'o-Wang Mei, dean of the School of Police Science at Taipei, Taiwan, was equally impressed.

One of the project coordinators is Frank Sorenson, who holds three degrees from the University of Nebraska, two in school administration.

JOINED GANG

In a continuing contract with the Agency for International Development of the State Department, the center provides two 18-week courses in penology and corrections for overseas personnel. Since the contract's inception in 1962, participants have come from Asia, Africa, Latin America, Europe, the Philippines and the United Arab Republic.

The center is deeply concerned with finding the reasons and cures for juvenile delinquency.

One of the most interesting studies in this field has just been completed by Leon R. Jansyn, Jr., a staff member.

Some years ago Mr. Jansyn practically joined a tough gang of kids, from 14 to 16 on the South Side of Chicago. They were called the Dons.

"Twenty-six of the 60 members of the Dons were adjudged by the county courts to be delinquents at one time or another," Mr. Jansyn said.

RETURNED

For two years Mr. Jansyn roamed with the Dons, meeting with them on street corners, in their favorite eating places and in some of the store fronts the members managed to rent as club rooms from time to time. Taking meticulous notes, he got to know the Dons and their girls' "auxiliary" well.

Not long ago, he returned and located as many of the gang as he could find. He said 80 per cent managed to miss a life of crime. What type of jobs were many of them holding?

"Many had become policemen or truckers," Mr. Jansyn said.

Mr. Jansyn was asked why he thought the former Dons had changed.

"I could find no specific reasons," he said. "They apparently decided through being corrected by authorities and by some wisdom gained from maturity that there were no lasting gains to be made by a senseless flouting of the laws of society."

[From the Omaha World-Herald, Apr. 2, 1967]

Alcatraz Product of a Tough Time; Marion Product of a Desire To Help

(Last of a series)

(By Bill Billotte)

Marion, Ill.—The new Federal prison here and Alcatraz, penologists believe, were both products of their times.

Alcatraz was opened in 1934 as an outraged nation clamored for an all-out war on big time crime.

Agents of the Federal Bureau of Investigation were armed for the first time during the same year after powerful hoods, spawned during the Roaring Twenties, killed several agents.

The agents, with J. Edgar Hoover, insisting they become experts in the use of firearms, hit back hard. One kingpin of the underworld after another fell in a shower of bullets or found himself behind bars.

With some indications that the money and influence of the top gangsters was reaching into prisons, it was decided that the Federal Government would establish an isolated no-nonsense prison.

The answer was the old Spanish fortress located 1½ miles out in the choppy waters of San Francisco Bay—the Rock.

REASON SOUGHT

It accomplished its purpose. Not once in the 28 years that hard case criminals were confined there was there evidence inmates had made a successful escape to the mainland although some who braved the riptides were found dead. One was found exhausted and almost frozen on the San Francisco shoreline.

Again attention is focused on a growing national crime rate.

But the trend has been, particularly in the last dozen years, seeking out reasons for crime and attempting to institute reforms in reformatories and prisons.

Penologists declared that any man determined to make his stay in prison count should have the opportunity to learn a trade, procure an education up to and including the college level and be given any psychiatric help needed.

In explaining the concept of the new Marion prison it was stated:

"The new Marion institution has a threefold mission—the safe custody of Federal prisoners and their rehabilitation, research into the causes and cure of delinquent behavior.

"These considerations and the requirement for strict economy of construction and operation are inherent in its unique design.

"Adequate provision has been made for a well-balanced treatment program encompassing diagnosis, social casework, educational and vocational training, industrial employment, individual and group counselling, medical and psychiatric services and religion."

TROUBLE OVER

When Alcatraz closed it was decided not to send any of the Rock's alumni to Marion. A prison official said the notorious hoods were getting old, their trouble-making days were behind them and there would be no trouble accommodating them in Atlanta, Leavenworth and McNeil Island.

They said that one time Public Enemy No. 1 Alvin Karpis was then "a mellow old man." He was sent to McNeil Island.

At the Marion prison, Senator Roman Hruska and Federal Prison Director Myrl Alexander sat in on a session of the prison reclassification board which meets twice a week.

The man under consideration was 28 years old and has been in custody for seven years. Originally sentenced for armed robbery he had gotten into a fight at Leavenworth that resulted in the death of another inmate.

This earned him a ticket to Marion with the hopes that he could some day earn his way out again.

Since arriving at Marion he had completed work in 22 college subjects, had changed from a defiant prisoner to one who was now getting along with corrective officers and others in the prison population.

EARNED RIGHT

One by one the members of the board gave their reactions to the inmate's request. Correction officers, the man's case worker, a doctor, prison officials all joined the discussion.

It was finally decided the inmate had earned the right to take another step up the ladder—a slight relaxation in security and a few more privileges.

After the inspection of the prison had ended, Senator Hruska at a gathering of the top echelon of the prison officials complimented them on what he had seen.

He said that improvements in the prisons of the future were inevitable and that, no doubt, the activities at Marion would be one day recognized for the pioneering effort that it is.

Then he touched upon some of the handicaps the law enforcement officers are working under in an attempt to slow the national crime rate. He mentioned the Escobedo and Miranda decisions specifically.

"You have to get them here before you can help them," he said.

DESECRATION OF THE FLAG

Mr. CANNON. Mr. President, the vast majority of the American people have been shocked, saddened, and disgusted by recent desecrations of the American flag.

Unfortunately, there is no existing Federal legislation to protect our flag. That situation should be remedied promptly.

Ours is a nation which prides itself on free speech and free assembly. But a small minority recently has tried to expand these freedoms into license of the most shocking and degrading character. Desecration of the American flag is a national disgrace, and the American people are outraged.

It is a genuine tragedy that we must focus attention on legislation to protect the flag, but recent events illustrate that action is needed.

The national commander of the Veterans of Foreign Wars of the United States, Leslie M. Fry, of Reno, Nev., spoke out on this issue yesterday saying:

> Last weekend an American Flag was burned during a so-called peace march in New York City. This revolting scene to the great majority of Americans was seen on television and in their Sunday newspapers. More recently a professor at an Indiana University burned the flag before his students and was dismissed by the school administration. These occurrences must not be allowed to continue. Most of the states have legislation, but many do not have any punishment for flag desecration. With some five hundred thousand American men serving in Vietnam—giving their lives daily for the symbol of their nation—we must have legislation to protect our flag. . . . The American people and the press will be watching Congress on this issue. It is a tragedy that we have to think about legislation to protect our flag. But, unfortunately, not all people in the nation have the love and respect for the flag that the vast majority of Americans have . . . . Now is the time for legislation to protect our flag. This is the will of the American people.

Mr. President, it is indeed the will of our fellow Americans that this source of national embarrassment and outrage be ended. There are many ways in which protest can be manifested, but flag desecration goes far beyond decency, commonsense, and constitutional safeguard. Legislation is needed now, and I hope that Congress will respond quickly.

INVESTMENT TAX CREDIT RESTORATION

Mr. SCOTT. Mr. President, the first amendment added to the investment tax credit restoration bill—H.R. 6950—was for the purpose of repealing the political campaign fund law. The Senate voted 48–42 for repeal. But the administration and its spokesmen on the Senate floor have stubbornly refused to accept the will of a majority of the Members. They have tried to load this bill down with many other amendments with the hope of having it sent back to committee, or of having it rejected when the House reconsiders the Senate version. Such tactics are not conducive to good legislation. The public and the press have not been fooled by these time-wasting maneuvers.

The following editorial appeared in the Philadelphia Sunday Bulletin of April 23, 1967. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Cut Out the Comedy

> In a regrettable display of irresponsibility some members of the U.S. Senate are loading an important piece of tax legislation so heavily with political sugar plums that the core measure itself seems likely to collapse.
>
> The legislation subjected to this assortment of "riders" is one designed to restore tax incentives to business investments which were suspended temporarily in 1966 as a curb against inflationary pressures. To this bill, backed by the Administration and already approved by the House of Representatives, the Senate added an amendment repealing an ill-conceived presidential campaign financing law enacted in indecent haste at the close of the last session of Congress. This is the law that would give each party as much as $30 million, without restraints or safeguards, for their 1968 presidential campaign under a tax return check off.
>
> Until this point the Senate was acting in a responsible fashion. The repeal proposal was debated fully and senators actually reflected general public opposition to the campaign financing scheme.
>
> Backers of this political fund law, however, have since welcomed every possible additional amendment. Their strategy is clear. They want to so overload the tax incentive bill that members will decide finally to kill it completely or at least strip it of all amendments including the campaign fund repealer.
>
> Further compounding the confusion was a later vote which repealed the presidential campaign fund repealer plus another legislative move designed, according to Senate leaders, to void the campaign fund measure—just temporarily.
>
> What makes all of this even more regrettable is that some of the amendments may well be worthwhile. One provides a liberalization of Social Security benefits. Another grants tax credits to those supporting college students. The Senate's action brings undue rejoicing from many who urged such legislation, unaware of the background maneuvering.
>
> It is time, as one member demanded on the floor, for the U.S. Senate to "cut out the comedy." It represents, as Senator Hugh Scott (R–Pa) noted, a cruel deception of the public as well as "a scandalous waste of time."
>
> The tax incentive restoration is worthy. So is the repeal of the campaign financing law. These should be put through. The other proposals, however worthy, should not be used in a callous political maneuver. They should be considered separately, on their merits.

THE SWORD UNSHEATHED AGAINST EVIL IS A GOOD SWORD

Mr. TALMADGE. Mr. President, our colleague and beloved Chaplain of the Senate, Dr. Frederick Brown Harris, recently wrote an excellent column published in the Washington Star which stands as an irrefutable answer to those who contend that the U.S. involvement in Vietnam and our military efforts there amount to aggression which goes against the teachings of God.

Our military forces in Vietnam are there to defend the cause of freedom just as our armed might has gone to battle for this worthy cause throughout the history of our Nation. As Dr. Harris so eloquently pointed out:

> That sword unsheathed against evil was a good sword.

Dr. Harris' newspaper column was reprinted in the April 24 edition of U.S. News & World Report. I bring it to the attention of the Senate and ask unanimous consent that it be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

"The Blade of a Righteous Sword"

> (*The Reverend Martin Luther King has been saying that the United States is "the greatest purveyor of violence in the world today." Some other clergymen echo that view as they condemn the war in Vietnam.*
>
> (*What is the religious justification of the right of self-defense against aggression? Dr. Frederick Brown Harris, who opens the Senate's sessions with prayer, wrote recently in the "Washington Star" an answer, entitled "The Blade of a Righteous Sword." Below is the text of the article.*—David Lawrence, *Editor.*)
>
> (By Dr. Frederick Brown Harris—*Chaplain, United States Senate*)
>
> There is nothing inherently good or bad about a sword. The quality of sharpened steel may depend on whether it is in the hands of a surgeon or a bandit. Earth's greatest Teacher admonished, "Put up your sword; for he that takes it shall perish by it." That sword was drawn in anger and vengeance. It was a bad sword. But Jesus also said, "I am not come to bring peace, but a sword." That sword unsheathed against evil was a good sword. All depends upon the purpose for which the blade is to be used.
>
> Without swords, coerced men are compelled to cry peace when there is no peace and to surrender the most heavenly things to the most hellish forces. There is a sword bathed in heaven. If swords are in the hands only of those who cannot be trusted with them, then the only peace possible between the lion and the lamb, which, it is prophesied, shall some day lie down together, is for the lamb to lie down inside the lion. There are present-day appeasers of evil who would label that arrangement peace. But a peace dictated by unethical force is the peace of slaves.
>
> A nation must be strong to make its word for peace effective. A peace gained by constant retreat because of the threatening blackmail of superior force is not peace, but war. It will be a day of mourning for all the free world if ever our nation, whose potential force is the greatest, refuses to back to the hilt its belief in universal brotherhood and to use its terrible swift sword against aggressors ready to pounce on new victims.
>
> There always is enough bad in the world to shatter any dream of an ethical peace, unless that ill will has a restraining fear of the power of organized good will. To weaken the national striking power is to vote to make it inevitable that the democracies shall be forced to do the bidding of oral perverts who have been allowed to fashion a preponderance of swords.
>
> Of course, force never is the last word. At best, it but clears the way for the constructive agencies of friendship, good will and cooperation to do their healing work, so that at last swords can be turned into plowshares. But when you face men who have put the state on the throne, instead of God, you cannot conquer them by kindly example or a friendly smile. No gentle charms can stay the fangs of the cobra when it is ready to strike. To allow callous deviltry—whenever it is powerful enough—to trample righteousness into the mire at will, while the forces of good stand impotently by, is a tragic travesty of justice and judgment.
>
> In England, before World War II, a group of influential clergymen, ignoring Germany's rearmament, led a movement utterly to renounce the sword of defense.
>
> Declaring they were willing to risk all on meeting Hitler's threat with understanding and good will, they secured hundreds of thousands of signed pledges of a virtual refusal to take up arms. That futile policy,

sincerely followed, helped to bomb the churches of which these preachers were the ministers and to fill the land with lamentations for the mangled and the dead. That crusade was a definite factor in Britain's unpreparedness when the foe struck. Time tragically proved it was no hour to exchange a clean sword for an olive branch.

In America, a man stood up in a free pulpit to preach. He quoted detached sentences from the Christ whose hand held the lash when His Father's House was made a den of thieves, and whose eyes were often as a flame of fire. The preacher declared that evil, no matter how diabolical, was never to be resisted with any physical weapons. Rhetorically, he asked, "What has a sword ever accomplished worthwhile?"

In a pew was a worshiper in whose heart was an aching void and in whose home was a Gold Star, speaking of the valor of a young crusader who marched forth with a righteous sword and came not back. At the church door, following the service, that worshiper said to the clergyman: "I can tell you one thing that the righteous sword has done."

"What?" asked the minister.

Replied the listener with deep feeling: "The sword in the hand of those who have resisted militant evil has given you the right to stand here today and to proclaim your convictions without fear of being liquidated."

The one who had publicly said that rampant evil was never to be resisted by force paused for a moment and then acknowledged, "I am afraid I cannot refute that."

There is no refutation in God's world and man's for the flash of the righteous sword!

WE NEED MORE NAVAL GUNFIRE IN VIETNAM

Mr. HANSEN. Mr. President, Saturdays' New York Times carried further comments by a prominent military leader with respect to the need for additional naval gunpower in the waters off the coast of Vietnam.

According to the April 22 Times, in an article written by R. W. Apple, Jr., at least eight more destroyers have been requested by Adm. Roy L. Johnson, Commander of the U.S. Pacific Fleet.

Admiral Johnson also revealed that he had asked Washington for additional heavy firepower—either cruisers with 8-inch guns or battleships with 16 inchers.

Asked whether he would prefer battleships or heavy cruisers, the Admiral replied, "Both," according to the newspaper account.

Mr. President, in a speech delivered April 12, I called for the recommissioning of at least two battleships. I am pleased to note in the Times account that Secretary McNamara is reported to be studying the possibility of reactivating one of the battleships now in the mothball fleet, and that a decision is expected later this year. I sincerely hope this decision will be in the affirmative, not only because of the tremendous firepower the 16-inch guns with their 2,700 pound, 24-mile range shells could supply, but because of the double psychological impact that could be realized through the use of our capital ships.

Not only would the psychological impact be significant upon the enemy troops in the field who would be subjected to around-the-clock, all-weather naval gunfire, but the decision to recommission a battleship would be a sign of commitment permanency not easily misconstrued in Hanoi.

There have been several observations that Hanoi is reasonably convinced, because of the well-publicized minority expressions of the few war dissenters in the United States, that we may soon tire of the war in Vietnam. Apparently, the public opinion surveys indicating support of the principle of stopping Communist aggression in Vietnam have not been as readily reprinted in Communist journals as have the often irresponsible utterances of the dissenters.

In any event, I ask unanimous consent that the New York Times article to which I have alluded be printed in the RECORD following my comments. I repeat my opinion expressed on the 12th of this month that the recommissioning of battleships and their use in Vietnam could save many lives: in the air, by hitting targets now consigned to airpower; on the ground, by softening up areas of infantry conflict; and on our ships, by giving us naval gunfire that is beyond the range of the relatively small caliber counterbattery fire available at the present time to Communist forces in Vietnam.

I think these considerations are overriding, even at the high cost of reactivating and crewing a battleship, and I sincerely hope that the Pentagon will delay not one day longer than is absolutely necessary in determining that we ought to have our capital ships on line in the waters off Vietnam.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MORE SHIPS ASKED FOR VIETNAM WAR—PACIFIC FLEET CHIEF SAYS EIGHT DESTROYERS ARE NEEDED

(By R. W. Apple, Jr.)

SAIGON, SOUTH VIETNAM, April 21.—Adm. Roy L. Johnson, commander of the United States Pacific Fleet, said tonight that at least eight more destroyers were needed for the war in Vietnam.

Speaking at a news conference here, Admiral Johnson disclosed that he had asked the Defense Department to send him another squadron, consisting of eight ships, as soon as possible.

Five squadrons are permanently assigned to the Pacific Fleet, and a sixth—drawn from the Atlantic Fleet—has been added temporarily because of the war. Of the 46 to 50 "tin cans" included in these units, about 30 are assigned, on a rotating basis, to duty in waters east of Vietnam.

The destroyers perform a number of functions. Some are assigned to the bombardment of the South Vietnamese coast. Others are involved in Operation Sea Dragon shellings of North Vietnam while still others are attached to the task force of aircraft carriers in the Gulf of Tonkin as a defensive screen.

ATLANTIC DUTIES NOTED

Asked where the additional ships could be obtained, the admiral replied:

"The logical place would be the mothball fleet—ships that have been retired from service. You can't just denude the Atlantic, even though they don't have a war going on at the moment. They have contingency responsibilities."

Admiral Johnson conceded that most of the destroyers now in mothballs would have to undergo modernization to serve off Vietnam. They are mostly World War II ships whose communications and gunfire control systems are considered antiquated.

Although he declared that the Navy could fulfill its responsibility here with the ships now deployed in the gulf and in the South China Sea, Admiral Johnson said this could be done only by risking excessive wear-and-tear on the ships and the possibility of deteriorating morale.

Many of the destroyers are at sea three months out of four.

Admiral Johnson also said, in response to questions, that he had asked Washington for additional heavy firepower—either cruisers with 8-inch guns or battleships with 16-inchers. Secretary of Defense Robert S. McNamara is reported to be studying the possibility of reactivating one of the battleships now in the mothball fleet. A decision is expected later this year.

Asked whether he would prefer battleships or heavy cruisers, the admiral replied: "Both."

SOVIET SHIPS AT HAIPHONG

Admiral Johnson, who watched from the deck of the aircraft carrier Coral Sea the launching of planes for yesterday's strikes against power plants in Haiphong, said there were Soviet ships moored within two miles of the main targets.

He said that he was aware of the political repercussions that might have resulted if stray bombs had struck these ships, but added: "I have enough confidence in the professional skills of our aviators that the possibility never really worried me."

The 61-year-old officer, himself an aviator, reported that there had been no substantial change in either the type or number of Soviet ships entering Haiphong Harbor in the last six months. He said the traffic was "steady and heavy."

But he indicated that fewer vessels of neutral nations seemed to be calling at Haiphong.

Discussing other problems faced by naval forces in the Vietnam conflict, Admiral Johnson said the loss of highly trained technicians, particularly electronics specialists and gunnery experts, was hampering the performance of some ships.

"We still accomplish our mission," he asserted, "but because so many of these skilled people fail to re-enlist, we find it necessary to spend a lot of time in a combat situation giving on-the-job training."

ROBERT SARNOFF ASSESSES BROADCASTING

Mr. HARTKE. Mr. President, the Committee on Commerce is today continuing its hearings on S. 1160, the Educational Television Act of 1967.

Television has hardly reached its majority as yet. It is still a relatively new and far from fully developed medium. Many of its pioneers are still among us.

One of these is the president of the Radio Corp. of America, Robert W. Sarnoff. Mr. Sarnoff was recently honored with the Gold Medal of the International Radio and Television Society. On that occasion, held in New York, he spoke about the communications industry, discussing three main forces which will require consideration in the future—new technology, social and economic pressures, and Government regulation.

I ask unanimous consent that Mr. Sarnoff's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ROBERT W. SARNOFF, PRESIDENT, RADIO CORP. OF AMERICA, GOLD MEDAL AWARD DINNER, INTERNATIONAL RADIO & TELEVISION SOCIETY, NEW YORK CITY, MARCH 9, 1967

This award tonight has special meaning for me. It comes from you who are my associates, competitors and friends—with whom I have worked, fought and argued over the years in the interests of broadcasting and the public. It also recalls the early years of this organization, when I had the good fortune to serve as your first president. It reminds me, too, that you bestowed your first medal on a man widely recognized as the "father of broadcasting"—who, incidentally, happens to be my father.

So this gathering has some aspects of a family reunion. On such an occasion, it is not uncommon to reminisce about the past and speculate about the future.

I recall growing up in an environment where communications was more than a mere household word. It filled the atmosphere. And it has been very much a part of me ever since—through military service, peacetime publishing, and nearly two decades with NBC—from the threshold of black-and-white television to the explosion of color.

Finally, from the vantage point of RCA, I have been able to gain a broader perspective of communications, ranging over the whole universe of the electron—from education and graphics to televised close-ups of the moon.

During this past year, I have discovered still another perspective. I have found that the monumental NBC crises that I faced daily on the sixth floor of the RCA Building take on a new significance when viewed from the 53rd floor. Up there, I regard them simply as problems.

Tonight, however, as a former broadcaster now deeply immersed in total communications, I want to share with you some thoughts on the prospects ahead. To begin with, all of us must think in revolutionary terms if we hope to grow and prosper. In the next two decades our individual businesses will become vastly different—whether broadcasting, advertising, publishing, filmmaking, or any other phase of the information industry.

Three main forces will exert major influence upon us, on communications in general, and broadcasting in particular. What are they? You know them well.

One is new technology, erasing the distinctions that separate today's communications media—and altering what we do and how we do it.

Another is familiar social and economic pressures, generating new demands and opening new markets for information in every form.

The third is government regulation. In the past this has been important to the growth of communications. No less is it essential as we approach the more complex requirements of tomorrow.

The effects of these forces may at times appear obscure. Nevertheless, the opportunities opened to us by them are almost limitless.

History teaches two basic lessons about changing communications technology. First, it profoundly influences all social, political and economic institutions by providing more effective means of spreading broadly the information and culture of a society among its members. Second, each major communications breakthrough is viewed with suspicion or resisted by guardians of the older technology. This is because it fragments traditional controls over knowledge, and popularizes information.

For example, the advent of movable type triggered the first great communications breakthrough of the modern era. While resisted vigorously by the scribes and scholars, printing led to the mercantile and industrial revolutions of Europe, and to the establishment of political democracy as we know it.

Broadcasting was the second great communications breakthrough. It has been criticized and condemned in turn by the guardians of print. Nevertheless, broadcasting has opened new channels of information and entertainment to everyone. It has brought massive change, breaking down age-old social, cultural and racial barriers.

Now we stand at the threshold of the third great breakthrough, whose effects are only dimly foreseeable. The complete synthesis of computers, graphic systems, broadband channels and satellites will result in a capability and flexibility able to erase time and distance.

Modern technology is making vast and rapid changes in communications' three principal elements—channels, terminals and users.

Capacity will grow through advances in all forms of communication channels. By the early 1970's, satellites will be capable of carrying 20 times the traffic of those now in orbit. Refinements in microwave circuits and coaxial cables will vastly expand their usefulness. And within the next two decades we can expect lasers to offer virtually limitless capacity.

Terminal equipment is becoming so versatile that information in its various forms—voice, record, picture and data—will be handled interchangeably and simultaneously. As a result, the traditional separate distinctions in communications systems will disappear.

The most dramatic impact will be felt in the home, as the average citizen becomes a new user of advanced technology. Today, the home is a primitive communications center connected with the outside world by two-way telephone and one-way radio and television. Tomorrow, it will be transformed into a highly sophisticated electronic information center. It will be able to communicate by two-way voice, sound, picture and data with other homes, businesses, libraries, banks and major communication service centers.

To broadcasting, the new communications technology will bring a substantial increase in the number of stations and channels, through development of broadband cable and microwave, as well as conventional VHF and UHF. It will make possible program distribution via satellite, initially to stations, eventually to unattended transmitters and ultimately, where conditions warrant, directly to the home. And it will provide the means for greatly expanded program production through miniaturized and highly mobile equipment.

This is the threshold, I repeat, upon which we now stand.

In addition to new technology itself, social and economic developments at home and abroad leave little doubt of the pressing need for the expanded services that the developing Information Revolution will bring.

Growing affluence and leisure time are already generating new demand for varied entertainment and information services. The shift to a younger population and the lengthening of the educational process are increasing the currently enormous strain on our teaching and learning facilities. Today, education is a lifelong pursuit for engineers, scientists, physicians, teachers, businessmen and many others. Tomorrow, we will all be students for life—relying on electronics in the home, the school and the office for nearly all our informational needs.

The Information Revolution will develop rapidly in this and other advanced countries. Ultimately, it will spread to other parts of the world. The resulting global exchange of intelligence will stimulate new tastes and interests, create new markets, and hasten economic and social progress everywhere.

The increasing complexity of communications will inevitably entail greater government regulation. This is the third and, perhaps, least predictable force for change. It is time to recognize that such regulation is a necessity in today's growing society. It should, however, be designed to play a constructive role in helping to encourage further progress in communications.

We can readily recall examples of the positive exercise of government power to achieve ends beyond the reach of industry alone. The government adopted final standards, first for monochrome, then for color television. It has sought to maintain equitable rationing of the spectrum for all communication services. It created the all-channel legislation to assist the development of UHF. And now it is wrestling with the complex problems created by satellite communications.

We can, of course, point to other less constructive uses of government power—the dangers of proposals rooted in abstractions rather than in practicalities. One example is the suggestion that limits be set on the advertising expenditures of individual companies. This appears to be based on the theory that competitive advertising may lead to a monopolistic advantage in the marketplace. Another is the recurring government pressure on programming. Here regulation would do serious harm, for programs grow out of an endless and complex interplay of trial and error, expression and taste, professional judgment and public response.

We can only guess at the course that government regulation will take. Its initiatives will depend on the views of a changing group of regulators whose individual philosophies may differ as sharply in the future as they do now.

Yet, by our clearly distinguishing between the harmful and the helpful in government actions, we in the business of communications can make our viewpoint felt. By recognizing the creative role of government, by identifying the problems that lie beyond the scope of industry, we can encourage government to create the environment in which we can sharpen the thrust of our own efforts to advance the public interest through growth and progress.

Let us take a case in point:—proposals for developing non-commercial television. These call for government resolution of difficult policy issues. The major question, it seems to me, is twofold. First, what should be the function of such a service? Second, how can it best be financed to assure an adequate and stable source of funds?

Instructional, or truly educational television, defines itself. Non-commercial television, on the other hand, is more difficult to define. Perhaps we can find no better definition than that in the Carnegie Commission Report: a program service that is not "appropriate or available for support by advertising." This it calls "public television."

To clarify the function of non-commercial television, it is helpful to consider the function of commercial television. Our present commercial service is directed to the total audience rather than to any particular segment or level of taste. Its programming is patterned on a kind of proportional representation. It is built on a base of broad-appeal entertainment, because this is what most of the people seek most of the time. But it also includes a substantial measure of news and public affairs programming, as well as some specialized entertainment, informational and cultural fare.

Advertisers also seek to reach the total public, and their needs generally tend to coincide with the social responsibility of serving the widest audience spectrum. Naturally, this means more for the majority than for the minority. This broad service aptly fits the purpose of the Communications Act to develop a system for "all the people," just as it fits the statutory standard of "the public interest."

This service for the entire public is, therefore, truly "public television."

The service described by the Carnegie Commission, on the other hand, is better identified as "non-commercial television." For that adjective precisely describes both its program objectives and its means of support. It would focus, as the Carnegie Commission declared, on the type of programs neither appropriate nor available for advertising support. It would meet those special needs that cannot be entirely fulfilled by a commercial television system intended to serve the total audience.

Although non-commercial television may attract only a small fraction of the audience, its value cannot be measured in those terms alone. It should be judged by the same yardsticks applied, for example, to specialized theater, magazines and books of limited appeal. In other words, it should be measured by the vitality of its service to minority interests. For these are the interests which often constitute the vanguard of experimentation and achievement in the sciences, arts and humanities. The results of such efforts often find their way to the majority of the people, helping to enrich and elevate the quality of life.

We must never forget that majority and minority interests are not separate, monolithic elements in American society. They are constantly interchanging. Let me repeat, what serves the cultural interests of the minority tends ultimately to serve the majority.

True, there are some who question whether non-commerical television will develop a genuinely significant service within its own framework. The best answer to that question, I believe, is to provide it with the opportunity it has never had to test its full promise.

There are others who question whether government funds should be used to support a service that may attract only a minority of the public. But, if the true value of non-commercial television rests on what it can contribute indirectly and ultimately to all of American life, which I believe it does, then it merits the broadest-based financial support.

In my judgment, the basic financial requirements of a non-commercial system can best be met by general government revenues. I believe this would provide the needed assurance of adequate and stable financial support on a permanent basis. Such financing is consistent with the valid principle of the broadest public support, and does not preclude additional support from individuals and other private sources.

The additional objective of insulating program content from political or other pressures is a worthy, and indeed, an essential one. I believe it is possible to develop appropriate safeguards against such influences without compromising the principle of the broadest-based public support.

Recently, President Johnson, in a message to Congress, recommended important steps toward the full development of a noncommercial broadcast service. At the same time, he emphasized the need to keep its programming absolutely free from government interference. I agree wholeheartedly with both of those objectives!

The President left open for later decision, the method to be proposed for long-term financing. Whatever the source of financing finally agreed upon, I am convinced, that a soundly-based non-commercial television system should be considered a vital national objective, in view of its great potential for the further enrichment of American life.

If it succeeds, the service it renders will be distinctive. There will be, undoubtedly, a degree of overlap with the programming of commercial television. Commercial broadcasters should welcome this competition. It can serve as a gauge for some aspects of their own programming and a testing ground largely precluded by the economics of their medium.

At the same time, the commercial broadcaster must not think that this new service will relieve him of the obligation to program for the total audience. If he ignores minority interests and confines his programming to the most popular, he will narrow the reach of his service, lessen its value to advertisers, and lose the flexibility to change with changing tastes.

Non-commercial television is only one of the many prospects opening through the expansion of communications. Multiplying channels will bring the challenge of new competition and the opportunity for new services. The potentials will range from prerecorded programs for home video tape machines to television set print-outs of general news or specialized information.

As the Information Revolution gains momentum, broadcasters will find it necessary to reassess their own role. Otherwise, they will court the fate of those railroad men who were so preoccupied with laying rails and selling seats that they failed to recognize their involvement in the larger and radically changing business of transportation.

If we may judge from the pioneering spirit broadcasters have demonstrated in the past, you will take a wide and venturesome view of what lies ahead. You will seize every real opportunity to meet emerging public interests through emerging resources and facilities. You will not hesitate, where necessary, to move beyond the conventional limits of broadcasting into the larger realm of the new services created by the Information Revolution.

I am confident that the days of the pioneer are not over for us. They are just beginning!

I am sure, in fact, that the excitement of exploring these challenging and rewarding new frontiers will match what we experienced when television itself was young.

I urge you, as broadcasters, to think in revolutionary terms—not as guardians of the old, but as pioneers of the new!

A REVIEW OF THE 1963–64 WHEAT SALE TO RUSSIA

Mr. PEARSON. Mr. President, one of the major issues before the 90th Congress is the proposed East-West Trade Relations Act, which is designed to provide the framework for expansion in the volume of trade between this country and the Soviet bloc nations.

Any proposed change in our policy of trade with Communist nations demands careful study and serious debate. This is particularly true in this instance because of the situation in Vietnam. More is involved here than purely economic considerations. Such a proposed change cannot be isolated from our overall foreign policy goals and the means by which we hope to achieve those goals.

As a part of my own study and analysis of this issue, it was my thought that it would be useful to review the 1963–64 sale of American wheat to the Soviet Union. Most in the Senate today are familiar with that event and, many took part in the debate which preceded the sale.

However, the sale was highly controversial and it is often useful, I think, to restudy such an event after the passage of time has cooled the emotions of the moment and after more of the relevant facts are known.

I thought that such a review would be particularly useful in my own case because, in all frankness, I must recall that I was not able at the time to reach a hard and clear conviction as to whether it was right and proper that the wheat sale be consummated.

I have found this study to be useful. And even though there is little likelihood of additional wheat sales to the Soviet Union in the near future, the events surrounding the 1963–64 sale do have a general bearing on the forthcoming hearing and it seemed worth while to review the highlights here today.

In 1963, quite unlike the situation today, we had a large surplus of wheat on hand. This surplus had begun to build up with the termination of the Korean war despite considerable effort by the Government to control production. This large surplus not only served to depress farm prices, but also, of course, was extremely expensive in terms of tax revenues needed to meet storage and handling costs. In sharp contrast to the surplus situation in the United States, the Soviet Union was continuing to experience great difficulties in producing sufficient quantities of wheat and other agriculture products to meet domestic needs and to maintain her rather large export commitments. Thus, with conditions continuing to worsen, the Soviet Union, in the summer of 1963, began to negotiate for purchase of wheat from Western nations, particularly Canada and Australia. The announcement of these purchases, totalling $700 million, aroused considerable interest in this country and a number of groups began to argue that the United States should change its trade policies with the Soviet bloc nations.

Despite speculation that Russia also wanted to buy wheat from the United States, President Kennedy's announcement in October that the Soviets intended to purchase American wheat came as a considerable surprise. And the administration's decision to issue "validated" licenses required for such a transaction touched off a vigorous debate in Congress and across the country.

The administration set the following conditions for possible wheat sales: The sale would be concluded by private American grain traders at world prices, drawing wheat from open market channels which would then be replaced by grain drawn from the CCC, thus reducing Government-owned surpluses; payment to be in U.S. dollars or gold, cash on delivery or normal commercial credit; export licenses would be granted only on conditions that commodities be used only in the Soviet Union and Eastern Europe; at least 50 percent of the wheat sold would be carried in American ships if they were available; no single American firm would be permitted an excessive share of sales.

Mr. President, the principal arguments raised in favor of the sale can be summarized as follows:

First. A substantial sale would reduce existing wheat stocks, thus reducing Government storage and handling costs and, in turn, strengthening domestic wheat prices.

Second. The sale of wheat might lead to further sales to Russia in such related areas as fertilizer plants and farm machinery.

Third. The sale would help to reduce our balance-of-payments deficit and relieve the growing pressure on our gold supply.

Fourth. Such a sale would be an appropriate sequel to the ratification of the test ban treaty in the sense that it could help to build mutual confidence between the two nations.

Fifth. Since our allies in the free world were selling wheat to Russia, the withholding of our wheat would not seriously affect the overall Soviet supply situation.

Sixth. It would cause an important share of the Soviet's gold or dollar exchange to be expended for food rather than for arms and heavy industry.

Seventh. It would aid America's standing as a humanitarian people, permitting no one to say that we withheld wheat we didn't need ourselves and denied food to a hungry people even though their ideological beliefs were in sharp conflict with our own.

Eighth. It would dramatize to the world the superiority of America's family-farm free enterprise agriculture.

The principal arguments raised in opposition to the sale can be summarized as follows:

First. The sale of wheat would help to shore up the inefficient system of collective farming, in effect, serving to subsidize the Russian economy and enabling the Soviet Government to continue to export its own grain on "a business as usual" basis to other Communist nations and to Latin America and elsewhere for the purpose of political penetration.

Second. By selling wheat to the Soviet Union, we would enable its Government to concentrate their own resources on military hardware and spectacular space exploits.

Third. The sale would be unpopular among the American people.

Fourth. If such wheat has to be sold at world market prices—roughly $1.30 per bushel—rather than domestic prices around $1.80 per bushel—this would involve the export of a subsized commodity to other than friendly nations and the "Latta Amendment" to the Agricultural Act of 1961 states that it is "the policy of the Congress to expand foreign trade, and in no manner to make available any subsidized agricultural commodity to any nation other than such friendly nations."

Fifth. Any sale of wheat in large quantities would, in all likelihood, involve the extension of credit. This, in turn, would run contrary to the Johnson Act of 1934 which prohibits the extension of loans by private U.S. citizens of other than short term—6 months—credits to countries—including the U.S.S.R.—that have defaulted on their debts to the United States.

Sixth. It is morally wrong to sell to the enemy.

Seventh. There should be no deal without significant concessions from the Soviets such as withdrawing support from Cuba.

Eighth. The sale would cripple U.S. ability to persuade other countries to restrict their trade with Cuba and the rest of the Communist bloc.

Mr. President, wheat is not classified as a strategic commodity. Therefore, one may note, sales to the Soviet Union were not banned by the terms of the Export Control Act of 1949, although the law did require the administration to issue a special validated license for each individual sale. However, the legality of the sale was challenged by several because of the provisions of the Agriculture Act of 1961 and the Johnson Act of 1934 as noted above.

But the Attorney General ruled that the Latta amendment to the Agriculture Act of 1961 was a policy declaration that Congress intended to be considered by the executive, but not binding upon the President. As to the Johnson Act, the Attorney General ruled that deferred payment or normal commercial credit terms did not constitute loans under the act's provisions and it was, therefore, not applicable in this instance.

The debate in Congress focused on the question of whether credit should be extended to the Soviet Government, because it was generally assumed that the Soviets would not be able or willing to pay cash on delivery. It was anticipated that the Soviets would request an arrangement similar to the Canadian purchase which involved one-fourth of the total price in cash on delivery, one-fourth in 6 months, one-fourth in 12 months and the final one-fourth in 18 months.

Under the Attorney General's ruling the administration argued that the extension of normal commercial credit was legal and took steps to authorize the Export-Import Bank to guarantee short term credits should the Soviets ask for such an arrangement. An amendment was offered in the Senate on November 14 to the foreign aid authorization bill prohibiting the Export-Import Bank, as an agency of the Federal Government, from guaranteeing the payment of any obligations incurred by a Communist country in connection with the purchase. A move to table the amendment failed by 40–46, but on November 15 the amendment was withdrawn and then offered as a separate bill—S. 2310—and referred to the Banking and Currency Committee. After the hearings the bill was reported unfavorably, 8–7, and on November 26 was tabled by a vote of 57–35.

A similar provision was successfully added to the foreign aid authorization bill in the House. This provision was then eliminated by the Senate Appropriations Committee and sustained on the Senate floor by a vote of 52–32. The difference between the House and Senate was settled by a conference committee report stipulating that a Government guarantee of credits extended to Communist countries should be provided only if the President determined that he considered such action to be in the national interest, and so notified the Senate and the House to that effect.

On February 5, 1964, President Johnson did notify Congress that he determined it to be in the national interest for the Export-Import Bank to support with guarantees the sale of U.S. farm products to the Soviet Union, Bulgaria, Czechoslovakia, Hungary, Poland, and Rumania.

As finally concluded, the wheat sales to Russia were different in several respects than what had been originally anticipated. First, the actual volume of wheat sold was less than half the volume that the administration had originally predicted. The first sale by the Continental Grain Co. for 37 million bushels was concluded in January, followed by two sales by Cargill, Inc., for 28.5 million bushels. The sales totaled 65.6 million bushels for a dollar value of $140.2 million.

Second, contrary to original expectations, the Soviets did not ask for credit, but made full payment in American dollars upon delivery.

Third, less than 50 percent of the grain was actually shipped in American vessels. The Continental Grain Co., had asked for and was granted a waiver of the 50-percent requirement because of insufficient U.S.-flag ship capacity. However, as a result of the administration's action granting the waiver, the International Longshoremen's Association, the Seafarers International Union, and the National Maritime Union declared a boycott against further wheat shipments to the Soviet Union unless the 50-percent requirement was met. On February 25, 1964, President Johnson issued an Executive order calling for enforcement of the 50-percent rule, with no waivers, on all future shipments. As a final result, 38 percent of Continental's shipments and a little more than 50 percent of Cargill's shipments were carried in American-flag ships.

Mr. President, what were some of the concrete results of these two sales? First, it should be noted that because the actual sales were relatively small, the impact on either the American economy or the Russian economy was not of major significance. However, the measurable economic gains to the United States were as follows:

First. Our balance of payments was benefited by a cash inflow of $140 million.

Second. At that time it was costing the Government about 26.2 cents a bushel for storage and handling of surplus wheat. Thus, the removal of 65 million bushels resulted in an annual saving of $17 million. The administration estimated that CCC-owned wheat at that time was being held for an average of 5 years. Thus the long-term savings in storage and handling costs may have totaled as much as $85 million, and, therefore, offset the export subsidy payments which totaled $44 million. This export subsidy, it should be remembered, goes to the American farmer and not to the purchasing nation.

Third. The U.S. shipping industry received an estimated $13 million from the transportation of wheat sold to the Soviet Union, thus strengthening profits and wages.

Fourth. The fact that domestic surplus was reduced probably had a strengthening effect on domestic prices, but because the sale was not of major volume the effect on American prices was probably slight.

Beyond this, it is extremely difficult, of course, to determine the precise effects of the sales. However, because the Soviet Union had to sell gold in London to buy dollars for the purchase, this helped indirectly to take some of the pressure off the drain on our own gold supplies. Furthermore, it cut into the Russian gold and dollar reserve, reducing the amount available for subversive activity or for the purchase of heavy equipment to be used in industrial and military expansion.

Whether or not the sale was as significant a propaganda victory as many had argued cannot really be determined. I inquired of the U.S. Information Office as to whether they could make a judgment on this and they were unable to do so. On balance, however, the sale was probably a propaganda plus for the United States.

The task of attempting to assess the possible disadvantages associated with the sale is even more difficult. The fact that American wheat was imported did, of course, make it easier for the Soviet Union to maintain adequate supplies within the country and also, by the same token, made it possible for her to continue to export wheat and other grains. However, in this respect it is to be noted that the Soviet Union could probably have obtained equivalent amounts of wheat from other sources had the United States refused to sell.

Again, while it is impossible to obtain concrete evidence, it does appear that the American wheat was used within the domestic economy. In this respect, let me quote from a speech before the Southern Bakers Association in September 1964 by Prof. J. A. Shellenberger, of Kansas State University, who spent some time in the Soviet Union in connection with the sale:

> All evidence at Soviet ports seemed to indicate that United States wheat was being loaded into boxcars for rail shipment to the interior of the country. The concern for stones, glass, or weed seeds or any other contamination in the wheat would indicate that much of it was going to collective farms, state farms and rural communities where the wheat would be milled with little or no cleaning. Since about 30 percent of the total flour production in the Soviet Union is done in large well-equipped mills, it is obvious that, if the wheat were being received by these mills with their elaborate cleaning process, there should be no problem. The fact that they were much concerned about objectionable objects in wheat leads to the conclusion that much of the wheat was probably not going to the larger milling systems, but was going to the small communities where approximately 70% of the wheat is milled into flour for the dark types of bread which are produced.

Whether or not the United States would have been in a stronger position to influence the trade policy of our allies with the Soviet bloc nations had we refused to authorize the sale is the type of after-the-fact question which simply cannot be answered with any precision. But given the overall record of the past decade the possible impact of a refusal on our part would have to be estimated as marginal at best.

Mr. President, in conclusion, it must be said that the wheat sale did not generate all the economic and political gain that the advocates at the time argued. Nor did it produce all the undesirable consequences that the opponents feared. And I suppose that this type of generalized assessment is about the best one can make of this type of complex situation. One concrete conclusion is warranted, however; in the strictly economic terms it was a satisfactory business transaction.

THE BALTIC STATES: A CASE STUDY OF MODERN DAY COLONIALISM IN EUROPE

Mr. DODD. Mr. President, colonialism is today rejected and condemned by all those who value freedom and the right of all peoples of self-determination.

The United Nations calls for universal self-determination of all peoples. The subjugation of one people by another any place in the world should stimulate all those who have pledged to uphold the charter to take the necessary steps to implement the principle of self-determination.

Yet, as a document recently prepared by the Americans for Congressional Action to Free the Baltic States points out:

> It is noticeable that the United Nations avoids any actions that might touch upon the most brutal case of colonialism, terror, and even genocide which the Soviet Union has been and is perpetrating in Europe and Asia.

The United Nations has taken steps, for example, to prevent the flow of goods of Rhodesia. It has considered that the present government of Rhodesia represents "a threat to the peace," and that steps must be taken to bring that government to what the United Nations would consider to be a proper position.

Yet, the United Nations has done nothing with regard to the peoples of the Baltic States who have lived under Communist tyranny for many years.

One argument against such action presents the view that since the occupation of Estonia, Latvia, and Lithuania have lasted for such a great length of time, that it is no longer valid to call for the reestablishment of self-determination for these countries. To this argument, the document replies:

> If self-determination rested on the immediacy of claims, or if the right to self-rule lessened in direct proportion to the duration of foreign rule, then there could be no question of independence for Asia or African states, where foreign colonial governments have existed for a longer time than in the Baltic States.

We must not forget that the 89th Congress unanimously adopted a resolution denouncing the barbarous action of the Soviet Union in the Baltic States and demanding the restoration of self-determination to this region. Are these empty words, or are they a commitment to policy? This is the question which those who are vitally concerned with the freedom of these peoples are now asking.

If our commitment to freedom for those enslaved under communism is meaningless, then we must ask ourselves if we are sincere when we say that our commitment in the world is truly one on behalf of human dignity, and against colonialism.

And to those who believe that colonialism must be fought in Rhodesia with trade embargoes, I would ask: Why is it that you urge increased trade with the Soviet Union, the nation which has enslaved the peoples of Estonia, Latvia, and Lithuania?

I wish to share this important statement with Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE BALTIC STATES: A CASE STUDY OF MODERN-DAY COLONIALISM IN EUROPE

"All people have the right to determine the form of their national existence."—DEAN RUSK, *Secretary of State.*

The principle of universal self-determination of peoples, espoused by many leaders of the free world, is worked into the fabric of the Charter of the United Nations, and forms the basis for UN actions.[1] The hope is that mankind might live in lasting peace and freedom; but it is a hope impossible to fulfill while any people is under the duress or occupation of another, regardless of the nature of this force; imperialist, colonialist, communist, or fascist. It is to their credit, therefore, that the colonial powers of Europe have followed these ideals of the United Nations and have given up their empires, so that ever-new nations have sprung up in Africa and Asia as the peoples there have realized their right of self-determination.

Because independence for some has whetted the appetites of all, any remaining instances of foreign rule—within these two continents—are immediately brought to debate in the United Nations; in certain cases, sanctions have been voted. This road to freedom must be supported for all nations, for then one could hope that the era of colonialism and oppression would end very soon. It is, however, noticeable that the United Nations avoids any actions that might touch upon that most brutal case of colonialism, terror and even genocide which the Soviet Union has been and is perpetrating in Europe and Asia. The free nations of the world, or at least some of the major ones, have not formally accepted these serious breaches of international law, often refusing diplomatic recognition to the occupation governments. The United States in particular has consistently held to its position that "all people have the right to determine the form of their national existence"; nevertheless, it has contented itself with formal declarations, making no attempt to rectify this abuse of human rights, and up to the present time there has been no indication whatsoever that the United States might demand an end to colonialism in Europe. All those who earnestly desire a lasting but emphatically just peace may therefore derive great satisfaction from the fact that the 89th Congress of the United States—representing, after all, the will and desires of nearly 200 million people—has unanimously adopted a resolution denouncing the barbarous action of the Soviet Union in the Baltic States and demanding the restoration of self-determination to this region.

The text of the resolution is as follows:

"Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

"Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious developments; and

"Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

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[1] The Charter (Chapter I, Article 1) of the United Nations marks the goals of the United Nations as (roughly) international peace, *national self-determination,* and individual rights and freedoms.

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

"Whereas it has been the firm and consistent policy of the Government of the United States to support aspirations of Baltic peoples for self-determination and national independence; and

"Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), that the House of Representatives of the United States urge the President of the United States—

"(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

"(b) to bring the force of world opinion to bear on behalf of the restoration of these rights of the Baltic peoples."

(House Concurrent Resolution 416 was adopted by the House of Representatives by a record vote of 298 yeas to no nays on June 21, 1965, and unanimously passed the United States Senate on October 22, 1966.)

Even serious political thinkers, concerned with this situation, have asked if the occupation of Estonia, Latvia and Lithuania has not lasted too long to make valid any claims on the re-establishment of self-determination. However, this case may not be thought of in such terms. Only if the occupation of these countries and the obliteration of their independence were a local and isolated phenomenon that took place twenty years ago and bears no relation to other events could it be so. If self-determination rested on the immediacy of claims, or if the right to self-rule lessened in direct proportion to the duration of foreign rule, then there could be no question of independence for Asian or African states, where foreign colonial governments have existed for a far longer time than in the Baltic states. Furthermore, the occupation of the Baltic states by the Soviet Union is not an isolated circumstance in history but, rather, one of the chain of events caused by the rise of red imperialism in Russia and by its relentless march across the continents of Europe and Asia. Note that in 1920 communist armies overtly and covertly destroyed the independence of the Ukraine, then of Byelorussia, Georgia, Turkmenia and many other nations with valid claims to self-determination; in the process they killed millions of human beings who had but desired to be free and decide their own futures.

Rather remarkably, in this original expansion the Soviet forces could not break the determination and resistance of the Baltic states and Poland, and in 1918 Estonia, Latvia and Lithuania—having had true and distinct national cultures for centuries—declared themselves independent republics.

The new states showed a capacity for self-reliance, and rapidly achieved stable and equitable economic and political conditions, building from the ruins of World War I.

The Soviet Union, in peace treaties with these countries, renounced its territorial claims forever, and recognized their right to self-determination; however, the period designated as "forever" did not last long at all, and the Soviet Union began preparations for an attack upon these countries, preparations which are well-documented. The first real opening came when the Soviet Union secured the "friendship" of Nazi Germany with a non-aggression pact agreeing on cooperative annexation of all possible territory.

"On August 23rd, 1939, the Soviet leaders concluded a 'non-aggression pact' with Hitler (Molotov-Ribbentrop pact). According to a secret protocol to this pact Estonia, Latvia and part, later the whole, of Lithuania, Finland and some other areas of Eastern Europe were given over to the Soviet 'sphere of influence.' While World War II was absorbing the attention of the world, the Soviet Union thought it proper to collect its rewards." (Council of Europe Report on the Baltic States, Doc. 1173, August 23, 1960.)

Events progressed rapidly: in 1939 the Soviet Union forced the Baltic states to permit Soviet military bases within their frontiers, meanwhile reaffirming its absolute lack of territorial claims; on October 11, 1939(!) General Serov of the State Security Service signed a secret instruction for the deportation of anti-Soviet elements to Siberia upon the occupation of the Baltic states; on June 13, 1940 a platoon of Soviet military crossed the Latvian frontier and attacked a frontier guard station, burning it, and killing several men and women; on June 15, 1940 Molotov, then the President of the Soviet of Peoples' Commissars, denounced the Baltic states for their aggressive intentions and issued an ultimatum; within the terms of this ultimatum, the Soviet army had occupied the Baltic states by June 17, 1940.

In order to cover up this international crime, puppet parliaments were elected in all three Baltic states. Only one list of candidates, approved in Moscow, was permitted, and those filing other lists were arrested. Through courtesy of Soviet officials in London, results were published a day before the election.[3]

As ordered by their Soviet superiors, these parliaments, without one opposing voice, renounced the independence of their countries. Thus were the Baltic states "welcomed" into the Soviet Union as constituent Soviet republics: Lithuania on August 3, Latvia on August 5 and Estonia on August 6, 1940. These rapacious activities of the Soviet Union have been clearly and thoroughly noted from the beginning:

Sumner Welles, Under-Secretary of State, declared on July 23, 1940:

"During these past few days the devious processes whereunder the political independence and territorial integrity of the three Baltic Republics—Estonia, Latvia, and Lithuania—were to be deliberately annihilated by one of their more powerful neighbors, have been drawing rapidly to their conclusion. From the day when the peoples of these Republics first gained their independence and democratic form of government, the people of the United States have watched their admirable progress in self-government with deep and sympathetic interest. The policy of this Government is universally known. The people of the United States are opposed to predatory activities, no matter whether they are carried on by the use of force or by the threat of force. They are likewise opposed to any form of intervention on the part of one State, however powerful, in the domestic concerns of any other sovereign State, however weak. These principles constitute the very foundation upon which the existing relationship between the twenty-one sovereign republics of the New World rest. The United States will continue to stand by these principles, because of the conviction of the American people that unless the doctrine in which these principles are inherent once again governs the relations between nations, the rule of reason, of justice, and of law—in other words, the basis of modern civilization itself—cannot be preserved."

Winston S. Churchill:

"We have never recognized the 1941 frontiers of Russia . . . they were acquired by acts of aggression and shameful collusion with Hitler. The transfer of the people of the Baltic States to Soviet Russia against their will would be contrary to all the principles for which we are fighting this war, and would dishonour our cause . . .

"The deadly comb ran back and forth, and back again, through Estonia, Latvia, and Lithuania. There were no doubts however where the right lay. The Baltic States should be sovereign independent peoples."

Dwight D. Eisenhower:

"The Soviet Union, in violation of solemn treaty agreement, seized control of the Baltic Republics of Estonia, Latvia and Lithuania, and then, after having illegally incorporated these countries into the Soviet Union, proceeded to deport and liquidate great numbers of their citizens. These wrongs of aggression and terror have left a profound impression on the American people. It is reflected in our steadfast policy of continuing to recognize the diplomatic representatives of the independent Baltic States and in our cherished hope that these countries shall again live in freedom."

John F. Kennedy:

"All of us . . . must be faithful to our conviction that peace in Europe can never be complete until everywhere in Europe men can choose, in peace and freedom, how their countries shall be governed."

It is evident that these contemporary leaders of the free world were more than able to see and describe the crimes of the Soviet Union in international relations.

Facts and events permit us to state with certainty that:

The Soviets rule the three Baltic countries from the Kremlin by colonization, genocide, deportation, and by total denial of any real freedom.

The puppet governments of the Baltic states are completely directed by Moscow.

Imported foreign populations dominate the large cities.

Thousands upon thousands of Estonians, Latvians and Lithuanians have been deported and resettled in Siberia, Kazakhstan, and other remote and underdeveloped areas.

From Estonia, the Soviets deported, in the first year of their occupation (1940–41), 10,205 persons, half of them women.

From Lithuania, in several deportations, the Soviets removed 35,000 persons.

From Latvia, in the first year of occupation, over 34,000 persons were deported, many of them women and children.

All through the years of Soviet occupation, this genocide of the Baltic people continues. The informed estimate is that the Soviets have, by now, deported over 500,000 Estonians, Latvians, and Lithuanians, scattering them all over the remote provinces.

The chief aim of Soviet education in the Baltic states is producing efficient slaves, obedient to the regime.

Any tendency to national self-assertion or personal independent thinking is cruelly eradicated, even among Communist party members.

Religious life in the Baltic states is down to the catacomb level. Bishops are arrested, deported, silenced. The clergy is spied upon and persecuted. Faithful are submitted to public derision for their steadfastness, and lose their jobs for holding to their beliefs.

No religious publications are allowed at all. No religious education is permitted before the age of eighteen, when the Soviets promote atheism as the state religion. Anyone attempting to practice religion is "betraying his honor and conscience."

In no sense can this chain of crimes be vindicated by international law.

After the First World War, the newly independent Eastern European nations were immediately concerned with safeguarding their freedom by forming a defensive alliance against future encroachment on them by their big neighbors east and west. A hoped for mutual assistance bloc of nations from the Baltic to the Black Sea failed to materialize, largely due to the diversity of size and interests of the states involved; the greatest and final obstacle arose over the Polish-Lithuanian conflict concerning Vilnius. Of all the attempts at creating a common defense policy, only a Latvian-Estonian alliance, ratified in November, 1923, survived.

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[3] The charge of rigged elections is a very common one, and usually difficult to prove, since both the passage of time and the flurry of action in the present set up smoke screens to obscure the truth. When, as happened in 1940, the Soviets tip their hand, it is a rare and enlightening vision of reality.

The Baltic republics signed non-aggression pacts with the Soviet Union in 1926 and 1932. Similar pacts were concluded with Nazi Germany in the spring of 1939. These were of no avail. In 1936 Stalin's lieutenant, Zhdanov, announced in a speech the Red Army's readiness to widen Russia's window to the West in the direction of the Baltic states. With Hitler coming to power in Germany, the postwar period of reasonable security for the Eastern and Central European nations had come to an end. In 1939 Hitler selected Poland as his next target of aggression. The exigencies of war led Britain and France to seek a common front with the Soviet Union; indeed, even before the shooting began, Soviet aid was sought to discourage Hitler's aggressions. Later, however, it turned out that the Kremlin had been simultaneously and secretly negotiating with Germany. Soviet demands in both sets of negotiations centered on special arrangements, or "guarantees" regarding Poland and the Baltic states. Poland was not prepared to grant the Red Army rights of transit through its territory in advance of war, but the Baltic states were fearful of the Soviet concept of "indirect aggression" (which they rightly considered to be a pretext put forward by Moscow to occupy them at will when the time was ripe), and gave in.

Soviet apologies, that the occupation of the Baltic republics in 1940 was justified by Russia's concern for self-protection, are contradicted by the fact that her armed forces were already stationed on Baltic territories, in accordance with the treaties of October, 1939; besides Hitler's intention of attacking the Soviet Union was far from evident at that time. Even granting validity to later Soviet fabrications as to why it was necessary to occupy the Baltic countries while Russia was at peace with Germany, no explanation is offered for Estonia, Latvia, and Lithuania being still in colonial captivity, long after the menace of German aggression has been eliminated. Moscow, surely, had no legal justification, other than the law of the jungle, for imposing on the hapless Baltic nations unwanted revolutionary social changes shaped on the Soviet pattern. While both France and Great Britain have compromised by recognizing the de facto incorporation of the Baltic states into the Soviet Union, Germany's stand, with the Hitler-Stalin agreement looming in the background, is interesting.

According to Dr. Boris Meissner, one of the outstanding authorities on Eastern European affairs, a German-Soviet Russian covenant of January 10, 1941 on border regulations was never ratified owing to the outbreak of the German-Russian war some months thereafter. Thus Germany has never recognized the Soviet annexation of the Baltic States "de jure"; and the present Bonn government adheres to this fact in relation to Baltic nationals.[3]

The Soviet occupation and genocide of the Baltic states interferes grossly with any attempts to insure some form of lasting stability to the world. In fact, it can be argued that the restoration of self-determination to Estonia, Latvia, and Lithuania is a sine cua non for the restoration of a meaningful and universally accepted system of international law; for, without question, even the term, international law, has fallen into abuse and disrepute by just such inconsistencies in application as those cited above. Without such repair to the relations of the international community, the aspirations of the most-well-meaning advocates of world peace will come to naught! A number of statesmen have expressed themselves on this issue. John Foster Dulles, then Secretary of State, said:

"We wish to assure the people of Lithuania, Latvia and Estonia once more that they are not forgotten. The United States still aspires, in the words of the Atlantic Charter—'To see sovereign rights and self-government restored to those who have been forcibly deprived of them.' "

And Senator Roman L. Hruska of Nebraska has noted that:

"In 1940 Lithuania was declared by the Communists to be a component of the Soviet Union. The United States has never recognized this forced incorporation of Lithuania or the other two Baltic states, Estonia and Latvia."

The extent of Soviet crimes in the Baltic states and the way they have been—and are being—committed has also been recognized in resolutions sponsored in the United States Congress by Senators Everett McK. Dirksen, Thomas Dodd, Frank J. Lausche; Representatives Richard J. Derwinski, Donald M. Rostenkowski; and many others. The concluding paragraph of Senator Dirksen's resolution states:

"The United Nations should conduct free elections in the Baltic States under the direct supervision of the United Nations and sit in judgment on the Communist counterparts of the Nazi war criminals convicted at the Nuremberg trials."

Reading these comments by distinguished statesmen, we have to recall that a "bold and positive political offensive by the United States and the entire free world" was urged by the Select Committee of the House of Representatives (83rd Congress) to Investigate the Incorporation of the Baltic States into the Soviet Union. To this we might add that such an approach would prevent a Communist takeover of more and more nations, with an ultimate danger to the entire world. The events of the past twenty years have shown this to be no exaggeration. It has, therefore, been heartening to see the United States Congress support this manner of thinking quite clearly and unmistakably:

"I am happy to present and I strongly support House Concurrent Resolution 416. I am only sorry that the action, which I am confident we shall take today, was not taken many years ago."—Rep. John S. Monagan (D.-Conn.).

"I do want to commend the great statesman from Connecticut (Mr. Monagan), for the long, hard work that he has put in on this legislation and also extend to that marvelous woman from New York (Mrs. Kelly), the chairman of the Subcommittee on Europe, and to all the members of that subcommittee my congratulations for and my appreciation of the mastery and dedicated job that they have done in preparing of the resolution we have before us, a resolution that calls upon world opinion to place the stamp of odium upon the oppressors and captors of the Baltic States."—Rep. Barratt O'Hara (D.-Ill.).

"I am pleased to have cosponsored this resolution, Mr. Monagan, and you have the thanks of the Members of this body. You have the support of both Democrats and Republicans alike."—Rep. Cornelius E. Gallagher (D.-N.J.).

"I am pleased to support this resolution."—Rep. Edward J. Derwinski (R.-Ill.). (CONGRESSIONAL RECORD, vol. 111, pt. 10, p. 14135.)

It should be understood clearly that this piece of approved legislation (H. Con. Res. 416) was not sponsored as: an emotional vehicle of satisfaction for those fostering this bill; a redundant reiteration of moral support for the Baltic states' question; a reiteration of the official policy of the United States of not recognizing the Soviet occupation and incorporation of the Baltic states.

Those who sponsored this legislation recognized that the passage of this Resolution by the House and the Senate requesting the President of the United States to urge certain actions in behalf of Lithuania, Latvia and Estonia does not immediately guarantee that the Administration and the State Department will so proceed. The passage of the bill does, however, facilitate the following results:

1. Immediate pressure in the form of mandate from the U.S. Congress can be brought to bear on the State Department, showing vast support by the American people for the Baltic States.

2. With this resolution, it is more likely that this question will be raised on the agenda of the Committee of 24 investigating colonialism, or on the agenda of the General Assembly.

3. American and world attention and public opinion can be brought to bear on the Baltic states' dilemma; attention should focus on the illegal and inhumane actions of the Soviet Union, such as forcible incorporation, denial of human and religious rights, etc.

4. Immediate reaction can take place in the Soviet Union fostering action in favor of the Baltic states, for every totalitarian system, especially the Soviet Union, is extremely sensitive to world opinion and, in this case, to American public opinion. The Baltic states could partake of some of the advantages of the continuing satellite controversy and the receding of Soviet influences in Eastern Europe.

It is understood that the State Department has the right to raise the question at its own discretion without any resolution from the Congress. The point is that it has not done so, aside from occasionally alluding to the Baltic states in controversial exchanges between the United States and the Soviet Union at the United Nations. This Resolution may offer an impetus to action by the State Department, much more so because it has the support of the citizens of the United States.

The implementation of such a resolution is the business of free men everywhere. The kind of world that future generations will find in their heritage will depend in large part on the strength of indignation that the Baltic case generates—not just because the sum total of good in the world would be increased by alleviating the suffering of three nations and by preventing their destruction, but also because the pressing of this case requires a moral conviction, practical will, and a sharp delineation of principles that would illumine and clarify all relations among men and nations thereafter.

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SENATOR CARLSON CASTS LIGHT ON MAILING QUESTIONS

Mr. BOGGS. Mr. President, the distinguished Senator from Kansas [Mr. CARLSON] last week delivered a highly significant address commemorating Direct Mail Day to a large audience of major New York mailers.

Senator CARLSON, who understands the problems of the postal service as well as any man who has ever sat in this body, cast a great deal of light upon several aspects of the business of direct mail which have been widely misunderstood.

In his address, Senator CARLSON gave his listeners the benefit of his perspective and wisdom concerning the controversy on postal rates. His remarks deserve the close attention of his colleagues in the Senate.

It is a pleasure to commend Senator CARLSON for his valuable and continued efforts in behalf of an improved postal service. I ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR FRANK CARLSON, NEW YORK DIRECT-MAIL ADVERTISING, NEW YORK HILTON HOTEL, NEW YORK, N.Y., APRIL 19, 1967

Mr. Chairman, distinguished guests and friends: I put special emphasis on the word "friends," because I do consider you my friends, and I presume you think of me in the same way, or you wouldn't have invited me here today.

Seriously, I cannot see why any informed person should not feel friendly to the Direct Mail industry. You represent—in my opinion—one of the major segments of our entire American free enterprise system.

I understand that your industry spent two and a half billion dollars last year in preparing, printing and mailing your product to the American people. I am also informed that the material you sent through the mails generated more than 40 billion dollars in total sales last year.

That, ladies and gentlemen, is a significant slice of the Gross National Product. If we didn't already have a Direct Mailing Industry we would have to invent one to keep the economy moving.

There are 275,000 Third Class Mailing permits in the United States today. Permits are owned by such diverse groups as the Boy Scouts of America, Dr. Billy Graham, every charitable organization in the land, every corporation, every State Government, the whole spectrum of our social and political life.

The United States Government itself is the largest user of Third Class Mail. And judging from the samplings I have seen, some of the largest users of Third Class Mail are those very people who attack it the most!

Personally, I think of Third Class Mail as the small merchant's medium of advertising—the man in the small town, the independent store owner in a residential neighborhood and so on. It is a medium which he can afford. It permits him to pin-point his market and direct his message only to those most likely to respond to it.

Obviously, the small merchant cannot afford to buy space in a large metropolitan daily or to buy time on a major television station. And if he could afford it, he would be wasting his money if he did use these media.

Third Class mail is an advertising tool he needs and should have. If we were to take that tool away from him we would virtually be driving the small businessman out of his store and limiting the merchandising field to the huge chain stores which can afford Big League Advertising.

The small independent merchant is having a tough enough time as it is. Let's not drive him to the wall by making his most effective means of advertising inaccessible to him.

I also get seriously annoyed by the way some editorialists imply that third class mail advertising is irresponsible—unreliable, and somehow, crooked. After all, the Post Office Department employs about 1,200 Postal Inspectors who are charged with the duty of keeping the mails clear of fraud—false claims and statements—obscenity and so forth.

If an irresponsible operator violates the law, he goes to jail. The mails are thoroughly and rigorously policed.

Who polices the other types of advertising? If a man makes a false advertising claim on television or radio, he might get a slap on the wrist from the Federal Trade Commission—and be free to commit the offense again the next day. The penalties are nowhere near as severe—and the standards for accuracy and truthfulness are not nearly so high.

Then there is the rather foolish charge that Third Class Mail is a useless medium of advertising—it's a waste of the advertiser's money—it just clutters up the mails and accomplishes nothing.

Look at the growth figures for this type of mail. They tell the story of its effectiveness.

Bulk mail—third class—was created by the Congress in 1928 in response to a request from, not the advertising people of the United States, but from the Post Office Department itself! The Department needed something in the way of low-priority mail material to keep the work force occupied between peak hours.

By 1964, the volume in this type of mail had risen to 4 billion pieces a year. In the succeeding 21 years—despite severe rate raises, and despite the constant attacks of its critics—it has grown 500 percent, up to 20 billion pieces a year, and it is still growing, still performing a service for the Post Office—for the people, for the economy, and for the people who use it.

So now we come down to the present situation. What's going to happen in 1967?

The Post Office Department has asked us in Congress to raise the rates on Third Class Mail—the single piece rate—by 31 percent.

As you already know, in the area of bulk-non-profit third class mail, they are proposing a 52 percent increase in the rate from the current 1.25¢ to 1.9¢. This percentage increase is completely and totally out of line with the increase recommended in any other category.

Of course, this increase will hit those who can least afford it. It is in every sense a regressive tax. Most religious non-profits now are barely keeping their heads above water, and this will certainly not help them any. Thousands of fund raisers throughout the country depend almost entirely on bulk, third class mail to bring their message to their donors and prospective donors. The funds generated from these mailings go directly into helping those who need help the most—and this is done without the giant waste that the poverty program has given us.

These proposed rates would hurt everyone concerned. The small merchant would find this medium of advertising too expensive for his use. Many of the large users would be driven into first class mail, and this would cause real panic in the Post Office. If every piece of third class mail sent out by the larger users of the mail were suddenly sent by first class—and had to receive the personal preferential treatment that first class letters receive—the mail crisis of last October and November would look like a minor mishap.

There will be a rate increase in this Congress. Everything else has gone up, and postage rates eventually must rise also. But it should be a rate increase—moderate and equitable—designed to do the most good for the nation and the least harm to the users of the mail.

And there will be no rate Bill until after we have held extensive and exhaustive hearings, and have heard all the witnesses—pro and con—and have weighed their arguments dispassionately and thoroughly.

I have been through many rate hearings and I must confess that our efforts, as legislators, to make sound judgments has been hampered by the Department's Cost Ascertainment Reports.

It is my opinion that the present system should be abandoned and a new one formulated. Unless we gather statistics which are useful and truthful, it will never be possible to readjust postage rates fairly. I am very hopeful that the Senate Post Office Committee will conduct a searching study of the Cost Ascertainment System this year.

Think for a minute how illogical is the contention of the latest Cost Ascertainment Report that it cost 5.383 to handle a first-class piece of mail and 5.126 to handle a third-class piece of mail.

Labor is the principal cost in operating the Post Office. That labor is involved in the manual handling of pieces of mail. This gathering knows that there are eleven principal handlings of first-class mail—that in the case of third-class mail nine of these are performed by the mailer himself.

Under the new ZIP code regulations the bulk mailer must break his mail down to 552 sectional centers and to countless thousands of numbers in single coded and multi-coded cities. This scheming of the mail is a very expensive task. It must now be performed by the bulk mailer. Should you not be given credit for performing the Post Office's work? I say yes. I say that the savings are very great and that the Cost Ascertainment figures are wrong when they state that it cost 5.126 to handle a third-class piece of mail.

There are other phases of the Administration's bill which disturb me very much. What, for instance, will the "nonmachinable" mail language have on you and other postal patrons. The surcharges proposed are—in my judgment—destructive.

The postal committees will want to give this particular section of the bill a careful looking at. The bill also proposes that the minimum rate on books be advanced from ten cents to sixteen cents—a hike of sixty percent.

I think it extremely unfair that a girly-girly magazine should be charged only 3.4¢ a pound and the Bible 16¢ a pound. This just does not make sense.

Another section of the bill seeks to do away with the sampling technique by denying the minimum piece rate to certain products of industry delivered through the mails to consumers. Should we do away with this tried and tested method of introducing new products to the American consumer? I do not believe so.

I notice that our good friend Jack Cole of the Mail Advertising Corporation of America has gone to the expense of re-printing in an attractive format the language of the Postal Policy Act of 1958.

The soaring language of that document, the Magna Carta of the Post Office, should be read and re-read by every citizen. It tells what the Post Office is—its contribution to culture, education, commerce and communication. I was proud to be the co-architect of that Statute.

While re-affirming Congress' responsibility for establishing postal policy, it removed from the backs of business users of the mail the burden of paying for subsidized and non-postal services. Without that law, the Administrations' rate bill would be seeking $1.2 billion in new revenue rather than $825 million.

The Department needs more money but money alone will not cure the ills of the postal service. That service—so close to all the people—is so vital to our free enterprise system that the Congress of the United States must and will find ways to make it work more efficiently.

We cannot abandon our responsibility in this field. The needs of the people are best understood by their elected representatives.

The recent Niagara of press comment about the Department's failings has overlooked the many, many good points about the service. In spite of Doomsday statements by many, the mail is getting delivered. The good points of the service are being overlooked. Let us build on those good points. We are the most ingenious and creative people in the world. The challenge of a better postal service can be met successfully if we all set our talents to the task.

I want to interpose a personal note at this point. The users of Third Class Mail have been abused lately because they employ a lobbyist in Washington. It's true, they do—they employ Harry Maginnis who is most effective and highly respected.

* * * * *

We sometimes don't agree with him—or with you, whom he represents—but we know he is an honest man, an informed man, and an able man, who is doing a first class job for the people who employ him.

But to get back to the rate controversy. I must tell you that the constant bickering, mud-slinging, and name-calling among certain users of different classes of mail have become most distasteful and, I think, self-destructive.

There is room in our nation for every class of mail and our nation's economy is dependent on a free and expanding use of the mails.

In the field of advertising the dollar is big enough to accommodate all media. No one should try to monopolize the entire dollar.

And, of course, nobody is going to do that. Third Class Mail is here to stay. It is too effective an instrument to be abandoned.

If third class rates go up, then the advertisers are going to have to rearrange their budgets. That means they will have to cut down the allotment for newspaper, magazine and radio and television advertising to meet the rising costs of direct mail advertising.

Before concluding, I feel I should comment briefly on the recent proposal of Postmaster General Lawrence F. O'Brien to abolish the Post Office Department and erect in its place a Government-owned, non-profit postal corporation.

I am very fond of Larry O'Brien and I think he is an excellent Postmaster General. I am a little nonplused by this proposal, however.

Actually, the proposal is not entirely new. Something like it was discussed in the First Congress, when it was a matter of debate whether or not it was proper in a Republic to have a Government-owned postal service.

In 1859, a Bill to abolish the Postal Establishment actually came onto the floor of the House for debate and a vote. It was rejected as being "inexpedient".

The Hoover Commission, in 1947, recommended something like the O'Brien proposal. The idea has been discussed—off and on—for years.

But, it has never gotten anywhere.

Surely, I agree, the postal service needs improving. I agree also that the present system of managing the postal system is cumbersome and inefficient. It needs some streamlining and modernizing.

* * * * *

The postal service should—and must—belong to the people. The Congress—with all its faults—represents the people, and we do our best to protect their interests in the Post Office. If we were to relinquish our control, who would represent the average citizen in maintaining the quality of this vital service?

The social mission of the Postal Establishment is incalculable. It touches almost every citizen in our land almost every working day of the year. It is the basic system of communications upon which our free institutions depend and, in a very real way, our freedom itself depends on it too.

Congress has—time and time again—decreed that the Post Office is a service institution and should be run for the benefit of all the people. Congress made this official policy in 1794, and then in 1844; and very strongly in 1851, in 1930, in 1958, and in 1962.

I see no reason to throw the wisdom of the ages onto the trash heap and declare the Post Office to be a computerized, bloodless, dehumanized public corporation.

We have seen too many useful services curtailed or eliminated in the name of sterile economy in the past that were under Congressional control.

What can we expect if Congressional control were removed entirely, and the fate of the postal service were left up to the efficiency experts and the accountants?

It is my personal opinion that the service would wither away to a mere shadow of itself.

Everyone has the hard word for the postal service—and sometimes the service deserves it. Certainly, in most respects, the service is far less satisfactory on a local level than it was when John Wanamaker was Postmaster General from 1889 to 1893.

But, despite our aggravation, our frustration, our distress, the postal service is the fabulous invalid of our civilization. We hear constantly news of its imminent demise—but somehow—it always survives, recovers and even prospers.

We had an ugly situation in the Mid-West—and particularly in Chicago—last autumn. We survived it. The crisis was caused because of short sighted policies which denied a sufficient wage to postal employees—enough to attract and retain talented people in the service.

There was, and is, a shortage of capable career people and there will always be a shortage until the Congress, and the Department, and the Bureau of the Budget, and the Civil Service Commission learn that they are going to get the quality of service and the quality of employee they are willing to pay for.

The postal service is the most human institution in our government. The Department can spend millions of dollars on developing and producing new machines—and it should do this—but it is never going to eliminate the human element, it is never going to replace that loyal, dedicated, underpaid human being who trudges through the streets of our cities bringing the daily mail to our door steps.

I have said that postage rates will have to be raised—within reason—this year. But I also want to say that there is a great deal of nonsense spoken about the so-called postal "deficit." Certainly we should try to keep the gap between revenues and expenditures as narrow as possible.

But those who talk about the so-called deficit never seem to realize that the Post Office Department still returns to the Treasury 85 percent of its operating cost.

What other agency of Government—except the Department of the Treasury—comes anywhere near the record. But who ever talks about the Department of Commerce "deficit"—the Department of Interior "deficit"—the State Department "deficit"?

The so-called postal deficit of the Post Office Department—about 15 percent of its total expenditures—represents an investment by all the people of America in the basic form of communication upon which our entire social, economic, political life is built.

I cannot think of any investment our people make which yields such enormous returns.

SENATOR ERVIN SPEAKS AT THE UNIVERSITY OF WISCONSIN

Mr. NELSON. Mr. President, the Nation and the Congress are becoming increasingly aware of the dangerous and unjustified curtailment of the individual liberties of Government employees.

Stories have become known of Government workers who are forced to buy savings bonds, are subjected to extensive questioning concerning their personal lives and beliefs, and who are subjected to many other forms of more subtle and ingenuous harassment.

The distinguished chairman of the Subcommittee on Constitutional Rights, Senator SAM ERVIN, is making a courageous effort to reverse this serious and undesirable trend. He has introduced S. 1035 which would curtail such activities by agencies of the U.S. Government.

Senator ERVIN recently delivered the keynote address to the third annual civil liberties conference, sponsored by the Institute of Governmental Affairs of the University of Wisconsin at Milwaukee.

In his speech, entitled "Privacy and Employment," Senator ERVIN eloquently sets forth the need for immediate legislation in this field.

I ask unanimous consent that the text of Senator ERVIN's speech be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PRIVACY AND EMPLOYMENT

(An address by the Honorable SAM J. ERVIN, JR., U.S. Senator from North Carolina, and chairman, Senate Subcommittee on Constitutional Rights, April 15, 1967, Conference on "The Right of Privacy," Institute of Governmental Affairs, the University of Wisconsin, Milwaukee, Wis.)

If anyone nurses a doubt that employees of government as well as those in private industry are concerned about invasions of privacy and unwarranted surveillance, he has only to examine some of the reports of indignities sent daily to the Constitutional Rights Subcommittee. They range from the ludicrous to the pathetic.

There were the ladies in the Akron, Ohio, post office who couldn't go to their restroom two hours a day because a male charwoman had been hired to clean it.

Then there was the civilian employee of the Navy in Washington who wrote:

"You may think some of these supervisors take a tough line.

"You haven't been in the Navy Finance Center, Munitions Building, Washington, where the methods engineers monitor the women's restrooms to chalk up how many minutes it takes to do what becomes necessary!"

And one can sympathize with the employee who in the same agency can't blow his nose, because:

"Two eagle-eyed monitors, sitting in front of a division, will keep an eagle eye on all activities. If you blow your nose, it is chalked up under 'personal.' In addition, there are 12 cards indicating each type of activity, (such cards to be interchanged for each act) which are taped to the employee's desk. These must be in full view and are monitored every 15 minutes by the 'eagle eyes.'

"If I were not within months of retirement, I would sign my name."

If I were that employee, I think I should have retired long ago.

Then, there were the ladies—single and married—who were subjected to a survey by their supervisors, asking if they were pregnant.

In another instance, a recent proposal for a "computer-pool" of all official information on all citizens in a New England community raised spectres of increased government surveillance over citizens too frightening to speculate. This computer system, it is reported, would contain everything from a library card to a welfare application. Since all city agencies would pool their information, the system could, according to the report, also "determine if a fire broke out near a convicted arsonist's home, or, if hubcaps were reported missing on an afternoon that a known juvenile delinquent had been a truant from school."

Then there is the Defense Department directive which has been a subject of concern for some years and which has been prominently featured recently in civilian employees newsletters. It states:

"A number of our citizens unwittingly expose themselves to unfavorable or suspicious appraisal which they can and should avoid. This may take the form of an indiscreet remark; an unwise selection of friends or associates; membership in an organization whose true objectives are concealed behind a popular and innocuous title; attendance at and participation in the meetings and functions of such organizations even though not an official member; or any of numerous other clever means designed to attract support under false colors or serving to impress an individual with his own importance.

"It is advisable to study and seek wise and mature counsel prior to association with persons or organizations of any political or civil nature, no matter what their apparent motives may be, in order to determine the true motives and purposes of the organization in question. The simple principles of good citizenship require that all enthusiasm for well-sounding functions be tempered with the wisdom of full knowledge of the real forces and aims behind them, so that well-meaning citizens will not be unwittingly led into aiding and promoting forces which are contrary to their own basic beliefs."

To talk about official invasions of "privacy" today is to talk about nothing more nor less than the American form of constitutional government, and the limitations of government power over the citizen.

It is appropriate that we meet in the State of Wisconsin to discuss this subject, for the people of this State have made signal contributions to the concepts and practice of good government throughout this century. Among your distinguished representatives, Congressman Henry Reuss has labored for years, as a member of the House Government Operations Committee, to bring to light questionable employment practices and unwarranted privacy invasions.

Recognizing that one of the root problems of government infringement of individual liberty is the break-down in the channels for voicing grievances and obtaining administrative redress, Congressman Reuss has been the leading exponent of the "Ombudsman" principle to provide more effective complaint procedures for citizens. To this end, I am pleased to note, he has sponsored in the House my bill to protect employee privacy and other rights and to establish a special agency to hear employee grievances.

In the Senate, Senator Gaylord Nelson has been one of the principal sponsors and supporters of the bill.

To define a right to privacy affected by any particular act of government today, we do not need to search the case law which since the 1890's has governed the quest for civil remedy in private law. Nor do we need to conjure up and analyze myriad conflicting interests and balance them back and forth until we have broken the scales and forgotten the issues involved.

As I listened to officials justify their policies and techniques affecting employee privacy on the ground that there is no constitutional right to privacy; as I read decisions, articles, and recent books on this subject, I have the uneasy feeling that some people are like John Webster's scholar in *The Duchess of Malfi*. He studied to know the number of knots on Hercules' club, the color of Achilles' beard, and whether Hector were not troubled with the toothache; and he "studied himself half blear-ey'd to know the true symmetry of Caesar's nose by a shoeing-horn; and this he did to gain the name of a speculative man."

There is no need of legal digests and eight-syllable words to define the issues and the constitutional rights involved in this subject.

I submit that they are the same this year as they were when the Federal Constitution was drafted. They can be expressed today in terms as simple as those coined by Thomas Paine to rouse the colonies to independence: The question is whether citizens of today are as alert to defend their liberties.

The same concerns which prompted fifty-five Senators to cosponsor a measure to protect government employees from unwarranted government invasion of their privacy prompted the members of five state constitutional conventions to propose prohibitions on general searches and seizures for the Federal Constitution. They are the same concerns which caused Thomas Jefferson and James Madison, remembering arbitrary English statutes and the royal restraints on the exercise of free speech, press, assembly, and petition, to wage their great battles for freedom of conscience and for the other guarantees embodied in the First Amendment. And they are essentially the same problems which spurred the popular demand for the Fifth Amendment provision against self-incrimination.

The Fourth Amendment serves to protect the liberty and property of the individual from violation without probable cause.

One of the greatest bulwarks of our liberty, this Amendment was forged out of bitter colonial and English experiences with illegal searches and seizures under general warrants, and with the unchecked powers of the Star Chamber. Of the legal principles it reflects, a Justice of the Supreme Court said in 1886 "they affect the very essence of constitutional liberty and security—they apply to all invasions on the part of the government and its employees, of the sanctity of a man's home and the privacies of life. It is not the breaking of his doors, and the rummaging of his drawers, that constitutes the essence of the offence; but it is the invasion of his indefensible right of personal security, personal liberty and private property, where that right has never been forfeited by his conviction of some public offence." (*Boyd* v. *U.S.*, 116 U.S. 615 (1886)).

But it is to the First Amendment guarantees that we look for protection against what Jefferson termed "any form of tyranny over the mind of man." Many of the practices and policies of which government employees have complained in the post-World-War-II era fall clearly within the proscriptions of this amendment.

A regulation which threatens surveillance, or worse, for indiscreet remarks or unwise choice of associates is covered by this amendment. Within its restrictions also fall requirements to submit to interviews, tests and polygraphs which solicit information about a person's politics, religious beliefs and practices, sexual attitudes and conduct, or relationships with members of one's family. To condition a citizen's employment on submission to such pumping of his mind and thoughts and beliefs, is to exercise a form of of tyranny and control over his mind which is alien to a society of free men.

Similarly, to require him to state his associations, his outside activities, his financial interests and his creditors and to make them factors in decisions affecting his employment interests, is to force conformity of thought, speech and action to some subjective, pre-established standard, unrelated to his official assignments.

To require employees to take any oath beyond that which the Constitution specifically prescribes for office-holders is to threaten freedom of conscience and thought.

To ask him to report his civic and political organizations is as intimidating as to tell him to go out and lobby for legislation, or to take part in beautification projects, when he would rather go fishing. Yet the Federal Government does both. To coerce him to contribute a given amount to a charity drive, or to buy savings bonds against his will as a condition of employment, is equally reprehensible. Yet Federal officials do it.

These practices affect not only the right to speak and act according to the dictates of his conscience; they invade also his right not to speak at all, not to act at all, and not to participate at all. In today's society, with the world becoming, according to Mr. McLuhan, "a global village," this may well be the most precious right enjoyed by civilized man.

The Federal Constitution specifically protects him in the enjoyment of these rights.

The Supreme Court struggled several years ago to define a constitutional right to privacy based on a case involving the Connecticut birth control law. It examined six different amendments and found that "specific guarantees in the Bill of Rights have penumbras, formed by emanations from those guarantees that help give them life and substance," and that "various guarantees create zones of privacy."

The impressive but discordant intellectual exercises in which the various Justices engaged in the *Griswold* decision illustrated the ease with which the judicial branch may fall into a quagmire when it departs from its assigned role of applying the specific principles underlying specific amendments.

"Invasion of privacy" is a recognizable shorthand concept for the public, press, administrators, and for Congress; and I for one shall continue to use it. But if we want to determine why a particular practice is unconstitutional in policy or practice, we look, as Mr. Justice Black advises in his dissenting opinion in the *Griswold* case, to the "guarantees in certain specific constitutional provisions which are designed in part to protect privacy at certain times and places with respect to certain activities." He states:

"One of the most effective ways of diluting or expanding a constitutionally guaranteed right is to substitute for the crucial word or words of a constitutional guarantee another word or words, more or less flexible and more or less restricted in meaning. . . . Privacy is a broad, abstract and ambiguous concept which can easily be shrunk in meaning but which can also, on the other hand, easily be interpreted as a constitutional ban against many things other than searches and seizures."

The simple language and the intent underlying each amendment is sufficient to determine the constitutionality of current practices undermining the civil rights and civil liberties of government employees. If they can not be challenged on those grounds in the courts, then they must be challenged appropriately through political processes as issues of public policy. Only in this way will observance of the values we have enshrined in our Constitution be preserved and furthered.

One of the main reasons legislatures and citizens have tolerated these incursions on liberty so long is the pervasive influence of the old doctrine that employment, especially public employment, is a privilege, not a right. Illustrated by the dictum of Justice Holmes that a policeman has "a constitutional right to talk politics, but he has no constitutional right to be a policeman," this doctrine has, until fairly recently, restrained courts and legislatures from taking action to protect the citizen-employee. But at long last, they are beginning to recognize that just because he goes to work for government, an employee does not surrender the basic liberties guaranteed every citizen under our form of government.

They are beginning to realize that practices which can affect ten million citizens and their families can affect an entire society.

In this decade I believe that Congress, state legislatures, and municipal bodies have a special responsibility toward their employees. Sophisticated personnel methods, scientific surveillance techniques, and ingenious information-gathering systems increasingly beckon the public and the private employer. Improperly used or unwisely applied, they can, as we have seen, threaten the liberty and privacy of the individual. It behooves the people of every state, therefore, to urge a review of the doctrine of public employment as applied to their citizens who work for government.

Congress has taken the lead in this by its current considerations of S. 1035, a bill I have introduced, with the Junior Senator from Wisconsin, Senator Nelson, as one of the fifty-five cosponsors, "to protect the rights of civilian employees of the executive branch and to prohibit unwarranted invasion of their privacy."

This bill would prohibit:

Indiscriminate requirements that employees and applicants for Government employment: disclose their race, religion or national origin; attend Government-sponsored meetings and lectures or participate in outside activities unrelated to their employment; report on their outside activities or undertakings unrelated to their work; submit to questioning about their religion, personal relationships or sexual attitudes through interviews, psychological tests, or polygraphs; support political candidates, or attend political meetings.

It makes it illegal to coerce an employee to buy bonds or make charitable contributions; or to require him to disclose his own personal assets, liabilities, or expenditures, or those of any member of his family unless they would show a conflict of interest. It provides a right to have a counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary proceedings. It accords the right to a civil action in a Federal court for violation or threatened violation of the act; and it establishes a Board of Employee Rights to conduct hearings on complaints of violation of the act and to determine and administer remedies and penalties.

It has been my hope that this measure may become a guide or model law for state and local governments and for private employers as they revise their laws, regulations and policies governing personnel.

It was with considerable pleasure, therefore, that I received a letter last week from the Secretary of the Civil Service Commission of the City of New York, Mr. Allan J. Graham. He writes:

"It is my opinion, based on over 25 years of former Government service, including some years in a fairly high managerial capacity, that your Bill, if enacted into law, will be a major step to stem the tide of 'Big Brotherism', which constitutes a very real threat to our American way of life.

"In my present position as Secretary of the Civil Service Commission of the City of New York, I have taken steps to propose the inclusion of several of the concepts of your Bill into the Rules and Regulations of the City Civil Service Commission."

In the vast complex of Federal agencies, all with differing needs, policies, and regulations, it is apparent that we cannot hope to assure a uniform and continuing rule of official virtue and morality.

The most we can achieve is "justice" for civil servants.

But what, in this day and age, is "Justice?"

I submit that, for government officials, it is the same today as it was in the time of ancient Greece. It is the avoidance of evil.

As the German comic poet, Wilhelm Busch, phrased it:

"For Justice—this is ever true—
Is but the wrong which we don't do."

It can be said that this bill, S. 1035, then, amounts to a series of commandments to government administrators—from the Chief Executive on down—to avoid doing wrong to other government employees.

What is needed is a reform of the indifference toward individual rights displayed by well-meaning and intelligent people in some parts of government as well as in the private sector. This is reflected in a recent report entitled: "Privacy and Behavioral Research," issued in February by the Office of Science and Technology in the Executive Office of the President. It states, in beautiful language: "The individual has an inalienable right to dignity, self-respect, and freedom to determine his own thought and actions," but then the report continues: "within the broad limits set by the requirements of society."

The report does not answer the question: "Who is going to determine either the 'broad limits' or 'requirements' of society?"

Then the authors conclude: "When a person consents freely and fully to share himself with others—with a scientist, an employer, or credit investigator—there is no invasion of privacy, regardless of the quality or nature of the information revealed."

The authors here, like many who study these problems, have completely overlooked one of the crucial characteristics of the practices which are felt to violate the dignity or privacy of the individual—that is, when the consent is given to requests for information made by an employer or potential employer, by an extender of credit, or by a medical man who passes on conformity to certain standards, such consent cannot often be freely rendered. There is present an element of economic coercion, backed by the authority of government, which renders void a tacit or expressed consent. What appears to be tolerance of or consent to certain practices, the Subcommittee has found, is merely the result of human spirits long-since broken and resigned to the inevitable.

I am constantly amazed at the broad range of excuses and reasons for intrusive surveys and collection of personal data, for coercive practices, affecting the liberties of employees as citizens.

While that February report, citing the "requirements of society," suggests the broadest excuse I have heard yet, there are others cited by the Federal Government.

For instance, every few months, they force an employee to disclose his creditors, assets and liabilities, including how much cash he has in his safe deposit boxes, and they plead "prevention of conflict of interest." They ask him whether he likes tall girls, whether he loves his mother, or if he likes poetry, and they plead "mental health" or "emotional stability."

They require supervisors to conduct surveys of pregnancy of female employees, and they site "fire drills" as a reason.

They require college students applying for summer jobs to submit to interviews about their dating habits and they plead "national security."

They require a man to fill out a form stating his ancestry or race and they plead "equal employment opportunity." And if he responds to these government questionnaires, "I can't answer," or "I won't answer," the computer responds "you will;" and the supervisor adds "or else!"

"Efficiency", "statistical data", "protection of government data", "economy in government", "scientific decisions,"—these are some of the answers the Subcommittee and Congress have received when we have attempted to investigate these practices.

What I am urging is less administrative balancing of interests, and more weighting of the scales in favor of the values embodied in the Constitution.

There is no necessity for these abridgments of our freedom, but even if there were a necessity for them, my answer is the answer of William Pitt:

"Necessity is the plea for every infringement of human freedom. It is the argument of tyrants; it is the creed of slaves."

If the government is bent on controlling the minds and lives of its employees, its own officials are themselves brain-washed and tyrannized by their reverence for any scientific technique or method which is guaranteed by the experts to produce "sure-fire" results. It is one way, they reason, they can avoid political criticism. By acquiring all information acquirable about the individual, by taking short-cuts in investigative techniques, they think to immunize themselves from charges of improper management as well as from complaints of unnecessary expenditures. They want to have leeway to get the job done or obtain their administrative goals with the minimum of time and concern on their own part. And if the steam-roller of efficiency flattens the rights of the individual in the process, why, that's progress!

We live in a world increasingly controlled by experts and technicians. Men who should know better are afraid to speak up when they see other government officials violating or proposing violation of individual rights in the pursuit of some goal. They fear the power of the specialist or the efficiency expert who claims the necessity of some method or policy in order to make a rational decision. The result is that we are becoming overly awed by scientific claims to validity and efficiency. The results is that we stand in danger of letting technology—the creed of efficiency, the dogma of the expert—become the religion of our culture.

We live in the dawn of a day which may well see rationality in decision-making elevated to the status of a religious dogma which will dominate the minds of men. And I submit that its tyranny, if unchecked, will take a toll unequalled to that of any form of political tyranny in man's history.

If this seems a bleak outlook, I do not think it an exaggerated one. The more I hear and read and witness of haphazard plans for computerized data systems, of the goal-oriented practices perpetrated by government or great corporations on employees and other citizens, the more I believe we are losing track of certain fundamental truths by which we once piloted our national course.

We are forgetting, I believe, that in the diversity of our religious faiths and denominations, we have cherished one national religion—that is, humanity and the dignity of the individual. This ideal has been the amulet of our form of government and of the society in which we live. When we have tolerated departure from it, even by a few, it has been to our national sorrow.

There is an overriding relevance of this subject for the University, beyond that of interest to public administration students, political scientists or even constitutional law experts. The University must assure that those who seek answers to the problems of our times realize that all the answers are not in the books. In their search for specialized knowledge, they must have the individual at the center of their disciplines—the individual, not as a statistic, but as a sentient human being endowed with certain unalienable rights, including life, liberty and the pursuit of happiness. And the only way to do this effectively is to expose students to the means for self-knowledge and the development of those qualities of the soul which will imbue citizens, administrators, officials, employees, technicians, scientists and all the others who will govern tomorrow's America, with the emotional and intellectual capacity to identify with the victim of any form of tyranny.

It is well to remember Ralph Waldo Emerson's admonition in his Phi Beta Kappa address in 1837 at Harvard: ". . . I had better never see a book than be warped by its attraction clean out of my own orbit, and make a satellite out of a system. The one thing in the world, of value, is the active soul."

The wonders and the threats of the New Technology point up the need, then, for a special type of education—a spiritual education.

The need of civilized men for communicating the legacies of the race is an axiom wherever educators meet; but in our society, under our Constitution, for the age of technology in which we dwell, it is even more essential that we communicate the spiritual legacies of our history as a Republic. Only then will citizens be properly equipped to judge the morality of those who govern.

This is the role of the Departments of History and Political Science, to teach the axioms of our form of government, to explain how its machinery operates to protect the values, the liberties and the freedoms we cherish as a people. And more important, to guide students in developing sensitivity to any disparity between theory and practice. In the Sociology and Anthropology Departments, for instance, students should learn how the climate and personalities fostered by complex bureaucracies can affect the dignity of the individual, can destroy his image of himself, or can determine his behavior, his private thoughts and actions.

They must study what happens to an individual psychologically who is subjected to forced disclosure of his views on religion, politics, sex, or family; what happens to a society whose citizens have been stripped naked of the characteristics which made them unique to themselves and others. Or what happens to political freedom in a society whose members may fear to act or not to act according to prevailing social opinions, because a job may depend upon it.

The colleges and the great universities of our land share a common responsibility for insuring the communication of these spiritual legacies of our nation. The most vital legacy we share is our notion of the dignity of the individual and his freedom of conscience—his liberty to speak, act, and think for himself without coercion of any sort. Any practice, any act, any threat which reduces a man in dignity, which limits the freedom of his conscience or his capacity for thinking and acting for himself—this is wrong—whether it be termed an invasion of his privacy or tyranny over his mind.

CATTLEMEN BID FOR BETTER PRICES

Mr. CHURCH. Mr. President, an economist with the American National Cattlemen's Association has found that the average return on investment for U.S. cattlemen is a minus 1.03 percent. Cattle feeders did little better, leading the Farm Journal to conclude in a recent article that "cattlemen have been working for virtually nothing."

That is why the association has begun a voluntary effort to limit the number, kind, and weight of cattle available as a means of getting better prices. Long proud of their independence from government control and subsidy, the cattlemen are determined to work together to solve their problem of low prices.

I commend them for it. My own philosophy is that agricultural producers must work together to get the prices they deserve, just as other workers and producers have long done with success.

The outcome will depend, of course, upon the degree of cooperation achieved in a farflung and independent-minded industry. No one can predict the result, but few would disagree that the cattlemen have legitimate cause for concern.

Mr. President, I ask unanimous consent that the Farm Journal article from the March issue be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Will cattlemen trade some of their independence to get better beef prices? Can free enterprisers make a *private* supply management program work?

These are a couple of the most challenging questions to hit the beef business in years. And we're going to see some answers from the bold new marketing program initiated by the American National Cattlemen's Association (ANCA). Its aim: Better beef prices through *voluntary* actions.

The idea is that cattlemen moving together *on cue* from their own organization can limit the number, kind and weight of cattle available—then ask and get higher prices.

"We can do it," declares Girdner Crofoot, Kansas and Texas feeder. "It will take time, and we're going to have our discouraging moments, but we *can* put the plan over."

"Communications in processing and retailing are as fast as lightning. We need something just as effective on the production side," explains Kansas cattleman Bill House, ANCA vice-president.

"Since marketing co-ops and government controls seem unacceptable to the industry, it's up to cattlemen to work together voluntarily," adds Arizona feeder Joe Entz.

The two main features of the ANCA plan:

1. An expert setup at ANCA headquarters in Denver. This will determine what cattle prices *should be*—all costs considered.

2. Fast communications to members and possibly their bankers. They'll get market factor information and advice on what to do about it to get better prices.

A market development committee of cattlemen will set policy and call the shots. William C. Helming, ANCA economist, will co-ordinate the program. Crofoot and Entz are co-chairmen.

Action at the recent ANCA convention put the plan in gear. But some groundwork had already been done.

For instance, the size of the problem and need for answers stood out like neon lights in an initial "cost of production" survey.

Helming found average returns to U.S. cattlemen on ranch investment in *minus 1.03%*. And feeders got back on their investment only 1.7% in the West and −3.5% in Midwest and East in '65 and '66.

Returns to owners for their own labor and management were on the minus side in every area. *In other words, cattlemen have been working for virtually nothing!*

In contrast, ANCA feels beefmen need 3% to 6% return on investments and at least $6,000 a year for their own labor and management.

An important start on better communications was also made in late '66 with the weekly Beef Business Bulletin to "members only" containing late market factor information.

In the future, members will also get ANCA research and advice on:

Cost of cattle raising and feeding by area and kind of operation.

Price ranges that are profitable.

Desirable fed cattle weights.

Rates of cow herd buildup and liquidation needed to keep cattle numbers in line.

Are cattlemen dreaming? Isn't the cattle business too spread out for this kind of marketing plan? ANCA leaders think not. They point out that beef market power is more concentrated than you may think.

There are about 217,000 feeders in the U.S.—some 57,000 in the Plains and West and 160,000 in the Midwest, South and East. But ANCA figures that 2,000 of these lots handle 60% of the cattle fed.

And while more than 2 million U.S. farms market *some* cattle, ANCA estimates that only 30,000 to 40,000 produce strings of several hundred feeder cattle each.

ANCA is affiliated with 42 state cattle organizations. But significant to the marketing program, its greatest strength is in the 17 Western states, an area which has the bulk of *both* big producers and feeders.

Besides, the time is right for action. "Outside pressures" put beef marketing problems in sharper focus today than ever before, declares ANCA President John Guthrie, California cattle raiser and feeder.

In '66, these pressures included "the infamous hide export order," then the President's appearance on TV when he urged consumers to purchase most economical cuts of meat, and consumer boycotts.

"It's high time that cattlemen became price makers by doing a better job managing beef supplies," ANCA leaders think. And you can expect to see some vigorous moves to make them that from now on.

Troubled times have inspired group programs in livestock marketing for decades—and in many forms.

One of the most successful today is the National Live Stock Producers Association, born in the depressed 20s.

Producers groups have developed professional sales services for members using virtually every kind of marketing method there is—from stockyards selling to auctions, assembly points and carcass selling.

Now a giant federation of co-ops, the group serves 400,000 members through 16 agencies, 140 markets.

But the indirect approach—the soft sell—works too. Groups of ranchers like the Sandhills Cattle Association (SCA), founded in the "dirty 30s," concentrate on promotion and information. They work to improve the image of their product; make it easy for buyers to find.

No Nebraskan can say SCA got $1 or $2 more for him. But he is certain that it has helped keep Sandhill cattle selling in the "top dollar" bracket season in and season out.

Strongest direct attempt yet at private "supply management" is the current effort of the National Farmers Organization. Begun in the price bust of the mid-50s, NFO aims to guide members in "marketing together" in sufficient volume to command a "collective bargaining" position with processors. They want firm contracts.

So far no group efforts have given livestockmen as much bargaining power as producers have in other industries. This leaves a big opening still for bold, fresh ideas.

EXCERPTS FROM AN ADDRESS BY GOV. GEORGE ROMNEY, OF MICHIGAN

Mr. SCOTT. Mr. President, I ask unanimous consent that there be printed in the RECORD excerpts from an address by Gov. George Romney, of Michigan, given at Williamsburg, Va., on April 15, 1967.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Excerpts From an Address by Gov. George Romney, of Michigan, Virginia First Congressional District Dinner, Williamsburg, Va., April 15, 1967

The shallowness of the administration's approach is shown by the way it talks about the issues.

It talks about a war on this and a war on that—a war on crime, a war on poverty, a war on pollution.

Sure, we're against crime and poverty and pollution—but isn't it time we started talking about what we're *for?*

Isn't it time we got down to fundamentals—back to basic principles—and started applying them positively and constructively?

And how about fiscal integrity? The "Great Society" is conducting a war on that too.

The administration's failure to follow sound fiscal policies has burdened us with growing inflation, debts and taxes.

Fiscal integrity must be restored. It is indispensible in meeting the people's needs. Republicans know that to meet the legitimate needs of the people, you must maintain fiscal soundness—and we've been proving that in Michigan.

When I took office as Governor four years ago, my Democratic predecessors had left a $105 million deficit and a backlog of unmet state needs.

By applying sound Republican fiscal principles, we were able to expand needed state services while building a general fund surplus of $167 million—all without new taxes.

Today we are fighting for fiscal reform in Michigan, to provide more equitable distribution of our state's tax burden and provide new revenues for extending present services to a growing population.

But I have made it emphatically clear that we are not going to spend more than we are willing to pay for.

I will not sign appropriation bills until I can see where the money is coming from.

The alternative to fiscal reform is a slash in state services. I hope this will not be necessary. But I will not permit the sacrifice of Michigan's good name. I will not compromise with fiscal integrity.

I learned by experience when I was in the automobile industry that a relatively small company can make a place for itself, even in an industry largely dominated by giants. It can do this by giving the people a product they want at a price they are willing to pay—by sharing progress first with customers and then with workers and stockholders.

But a fundamental flaw in our labor laws encourages the growth of giant collective bargaining monopolies—giants whose self-interested struggles skim the cream off our economic progress and too often leave little or nothing for the customers.

More and more, their power struggles are shutting down vital industries and facilities so that the federal government keeps stepping in to make more and more of the basic wage, price, and other economic decisions in this country.

And it is getting beyond White House intervention and arm twisting. Now the White House is using Congress as a collective bargaining tool on a day-to-day basis.

A resolution to keep the railroads running with a mandatory 20-day bargaining extension to be acted on with as little debate and consideration in this important field as the Tonkin Bay Resolution received in the more important and vital case of Vietnam.

Congress may even have to pass a second measure requiring compulsory arbitration to keep the railroads running.

Consider the impact on the public if we had had a railroad strike along with the truckers lockout which started to paralyze our economy before it was settled this week.

This whole situation is escalating rapidly. And it is the public that is getting it in the neck.

Within another week the nation may be faced with a major strike in the rubber industry. Think of what that implies for the war in Vietnam as well as for our domestic economy.

And the "big four" of the rubber industry have combined forces to combat the monopolistic power of the unions.

Just ahead is the threat of a shutdown of the copper industry, with a deadline of June 1, which also has serious implications for the Vietnam war.

The answer isn't to create new federal agencies, or to enact new laws to cover special situations, or to extend federal power.

If the national administration had the right basic economic policies, it wouldn't be in this mess in the first place.

The answer is to correct the basic monopolistic flaw in our labor laws, to restore the competitive principle, and then to rely on competitive discipline.

We must also encourage greater management and labor teamwork for the principal benefit of customers.

Those who control the Democratic Party cannot make these changes. They are too indebted to the economic giants and labor bosses whose excesses must be curbed.

Only by strengthening America's basic economic principles of competition and cooperation can we fulfill America's economic promise. Only then can we have sound and adequate economic growth, greater abundance, more jobs, and the economic muscle to play our proper role in world economic development and peace.

THE 11TH HOUR

Mr. JORDAN of North Carolina. Mr. President, we are in the 11th hour before a threatened nationwide railroad strike confronts the American people. And today, as public hearings on this dispute begin before the Senate Labor Committee, I appeal to both parties in this conflict to settle the last differences between them that block a quick settlement.

In a statement on Saturday, President Johnson said that his able and experienced mediation panel had recommended a 6-percent wage settlement over 18 months plus an extra 15 cents an hour for skilled workers.

The unions are demanding 11.5 percent increase plus the differential over 2 years. And the railroads are offering a 5-percent-a-year pay boost.

In spite of the fact that these differences are relatively minor, Secretary of Labor Wirtz and Transportation Secretary Boyd said yesterday that collective bargaining had "fallen flat on its face."

The President's mediation panel reported that the differences are "of dollars and cents alone, and the real differences between the parties in our judgment are not great."

In short, there is no earthly reason why the Nation must be threatened with a calamitous railroad strike. There is no reason why union and management cannot act responsibly and overcome all remaining differences in this dispute.

The fact is that the Nation cannot afford this strike.

Our fighting forces in Vietnam cannot be jeopardized by a tie-up that would impede a vital flow of supplies and strategic materials.

I would remind both parties in this dispute that Congress will not be content to watch a nationwide strike paralyze the country without taking action of some sort.

And, as the President's mediators reported: The differences in this dispute "are not so serious that they should be the occasion for further legislation by the Congress."

I agree. But the matter now rests in the hands of those who must find agreement of outstanding differences before the bell tolls for us all.

AT FIRST GLANCE DEFENSE EXPENDITURES MAY NOT SEEM MAJOR FACTOR IN ECONOMY

Mr. SYMINGTON. Mr. President, on the first page of a 14-page statement made yesterday to the Joint Economic Committee by Assistant Secretary of Defense, Comptroller Robert N. Anthony, Mr. Anthony makes the following observation:

> At first glance, Defense expenditures may not seem to constitute a major factor in our economy.

As our late colleague Senator Robert S. Kerr, of Oklahoma used to say, "I thought I had seen and heard everything—and I been to the Dallas Fair twice."

DEATH OF SIR DONALD BURNS SANGSTER, PRIME MINISTER OF JAMAICA

Mr. INOUYE. Mr. President, Sir Donald Burns Sangster, knight commander of the Royal Victorian Order and Prime Minister of Jamaica until his untimely death, April 11, 1967, was an outstanding Government career officer in his homeland and a man who will be long remembered by his people and his many friends in the United States.

Stricken at the height of his career at the age of 55, Sir Donald began his political career in 1933 by running successfully for the Council of St. Elizabeth's Parish. His first venture into the national politics of Jamaica was in 1944.

But 1949, when the Jamaica Labor Party was formed, actually marked his real arrival on the Jamaican national scene. He became Minister of Social Welfare and in 1953 was Minister of Finance. When the health of Sir Alexander Bustamente, the first Prime Minister of Jamaica, began to fail a few years ago, Sir Donald became Acting Prime Minister and carried out his duties with great dispatch and tact.

As a result of the Jamaica Labor Party's great victory at the polls in February of this year, Sir Donald became Prime Minister in name as well as in fact. It was a great shock to the people of Jamaica, as well as to all who knew him, that in less than 2 months he was to be stricken with an illness which was to prove fatal.

A memorial service was held in his honor on Wednesday, April 19, at the Washington Cathedral. Secretary of Labor W. Willard Wirtz spoke at the services.

I ask unanimous consent that the text of the memorial service and the remarks of Secretary Wirtz be printed in the Record.

There being no objection, the items

were ordered to be printed in the RECORD, as follows:

A MEMORIAL SERVICE FOR THE HONORABLE SIR DONALD BURNS SANGSTER, K.C.U.O., PRIME MINISTER OF JAMAICA, 1911–67, WEDNESDAY, APRIL 19, WASHINGTON CATHEDRAL

ORDER OF SERVICE

The Right Reverend William F. Creighton, Bishop of Washington, Officiant.

Organ Prelude: Solemn Melody, H. Walford Davies.

The people stand and sing this hymn as the procession enters the Cathedral.

Hark, Hark my soul, "Pilgrims."

Hark, hark my soul! angelic songs are swelling
O'er earth's green fields and ocean's wave-beat shore;
How sweet the truth those blessed strains are telling
Of that new life when sin shall be no more!
Angels of Jesus, angels of light,
Singing to welcome the pilgrims of the night.

Onward we go, for still we hear them singing,
"Come, weary souls, for Jesus bids you come;"
And through the dark, its echoes sweetly ringing,
The music of the Gospel leads us home.

Refrain

Far, far away, like bells at evening pealing,
The voice of Jesus sounds o'er land and sea,
And laden souls, by thousands meekly stealing,
Kind Shepherd, turn their weary steps to thee.

Refrain

Rest comes at length, though life be long and dreary,
The day must dawn, and darksome night be past;
Faith's journeys end in welcome to the weary,
And heaven, the heart's true home, will come at last.

Refrain

Angels, sing on! your faithful watches keeping;
Sing us sweet fragments of the songs above;
Till morning's joy shall end the night of weeping,
And life's long shadows break in cloudless love.

Refrain

F. W. FABER, 1854.

Then the Bishop of Washington says:

"I am the resurrection, and the life: he that believeth in me, though he were dead, yet shall he live: and whosoever liveth and believeth in me shall never die.

"For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

Then is read responsively from the 121st Psalm.

Minister. I will lift up mine eyes unto the hills; from whence cometh my help?

People. My help cometh even from the Lord, who hath made heaven and earth.

Minister. He will not suffer thy foot to be moved; and he that keepth thee will not sleep.

People. Behold, he that keepeth Israel shall neither slumber nor sleep.

Minister. The Lord himself is thy keeper; the Lord is thy defence upon thy right hand.

People. So that the sun shall not burn thee by day, neither the moon by night.

Minister. The Lord shall preserve thee from all evil; yea, it is even he that shall keep thy soul.

People. The Lord shall preserve thy going out, and thy coming in, from this time forth for evermore.

Minister. Glory be to the Father, and to the Son, and to the Holy Ghost;

People. As it was in the beginning, is now, and ever shall be, world without end. Amen.

During the reading of the Psalm the Chargé d' Affaires, Embassy of Jamaica, is conducted to the Lectern to read the first lesson.

The First Lesson: Ecclesiasticus 44.1–9; 14.

Then shall the People remain seated, while the choir sings.

Psalm 23: Chant: Davies.

The Lord is my shepherd; therefore can I lack nothing.

He shall feed me in a green pasture, and lead me forth beside the waters of comfort.

He shall convert my soul, and bring me forth in the paths of righteousness for his Name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil; for thou art with me; thy rod and thy staff comfort me.

Thou shalt prepare a table before me in the presence of them that trouble me; thou hast anointed my head with oil, and my cup shall be full.

Surely thy loving-kindness and mercy shall follow me all the days of my life; and I will dwell in the house of the Lord for ever.

Glory be to the Father, and to the Son, and to the Holy Ghost;

As it was in the beginning, is now, and ever shall be, world without end. Amen.

The Second Lesson: Revelation 21.1–7: Read by Mr. Leopold Edwards.

Then is sung this hymn, "Abide With Me," "Eventide."

Abide with me: fast falls the eventide;
The darkness deepens; Lord, with me abide:
When other helpers fail and comforts flee,
Help of the helpless, O abide with me.

Swift to its close ebbs out life's little day,
Earth's joys grow dim, its glories pass away,
Change and decay in all around I see;
O thou who changest not, abide with me.

I need thy presence every passing hour;
What but thy grace can foil the tempter's power?
Who, like thyself, my guide and stay can be?
Through cloud and sunshine, Lord, abide with me.

I fear no foe, with thee at hand to bless;
Ills have no weight, and tears no bitterness.
Where is death's sting? where, grave, thy victory?
I triumph still, if thou abide with me.

Hold thou thy cross before my closing eyes;
Shine through the gloom, and point me to the skies;
Heaven's morning breaks, and earth's vain shadows flee:
In life, in death, O Lord, abide with me.

Amen.

H. F. LYTE, 1847.

The Memorial Address: The Honourable W. Willard Wirtz, United States Secretary of Labour.

Hymn: "St. Anne."

O God, our help in ages past,
Our hope for years to come,
Our shelter from the stormy blast,
And our eternal home:

Under the shadow of thy throne
Thy saints have dwelt secure;
Sufficient is thine arm alone,
And our defence is sure.

Before the hills in order stood,
Or earth received her frame,
From everlasting thou art God,
To endless years the same.

A thousand ages in thy sight
Are like an evening gone;
Short as the watch that ends the night
Before the rising sun.

Time, like an ever-rolling stream,
Bears all its sons away;
They fly, forgotten, as a dream
Dies at the opening day.

O God, our help in ages past,
Our hope for years to come,
Be thou our guide while life shall last,
And our eternal home. Amen.

ISAAC WATTS, 1790; based on Psalm 90.

The Bishop goes to the High Altar and then shall be said the Apostles' Creed, all the people standing.

I believe in God the Father Almighty,
Maker of heaven and earth:
And in Jesus Christ his only Son our Lord:
Who was conceived by the Holy Ghost,
Born of the Virgin Mary:
Suffered under Pontius Pilate,
Was crucified, died and buried:
He descended into hell;
The third day he rose again from the dead:
He ascended into heaven,
And sitteth on the right hand of God the Father Almighty:
From thence he shall come to judge the quick and the dead.
I believe in the Holy Ghost:
The holy Catholic Church;
The Communion of Saints:
The Forgiveness of sins:
The Resurrection of the body:
And the Life everlasting. Amen.

Then shall the Bishop say: The Lord be with you.

People. And with thy spirit.

Minister. Let us pray.

Then shall the People kneel: Lord, have mercy upon us.

People. Christ, have mercy upon us.

Minister. Lord, have mercy upon us.

Our Father, who art in heaven, Hallowed be thy Name. Thy kingdom come. Thy will be done, On earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, As we forgive those who trespass against us. And lead us not into temptation, But deliver us from evil. For thine is the kingdom, and the power and the glory, for ever and ever. Amen.

The Prayers and Blessing

Then shall be sung the Jamaica National Anthem.

THE JAMAICA NATIONAL ANTHEM

Eternal Father bless our land,
Guard us with Thy Mighty Hand
Keep us free from evil powers,
Be our light through countless hours.
To our Leaders Great Defender,
Grant true wisdom from above.
Justice, Truth be ours forever,
Jamaica, Land we love.
Jamaica, Jamaica, Jamaica land we love.

Teach us true respect for all,
Stir response to duty's call,
Strengthen us the weak to cherish,
Give us vision lest we perish.
Knowledge send us Heavenly Father,
Grant true wisdom from above.
Justice, Truth be ours forever,
Jamaica, Land we love.
Jamaica, Jamaica, Jamaica land we love.

The organ will play the National Anthem of the United States of America.

ADDRESS BY SECRETARY OF LABOR W. WILLARD WIRTZ AT A MEMORIAL SERVICE FOR THE HONORABLE SIR DONALD BURNS SANGSTER, PRIME MINISTER OF JAMAICA, WASHINGTON CATHEDRAL, WASHINGTON, D.C., APRIL 19, 1967

Our first meeting was against a background of contention. I remember his deliberate, measuring glance, the crinkling of the corners of his mouth that prefaced either smile or warning, and then his quiet, disarming comment: "You don't look like the ogre I have been hearing about."

Last week, on April 11, 1967, Sir Donald Burns Sangster, Knight Commander of the Royal Victorian Order, Prime Minister in his own hard-earned right of Jamaica, must have faced his ultimate adversary in much that same way.

For the legacy we gather here to receive was built on an uncommon equanimity—which frees the present of preconception or prejudice from the past, drains from men's relations the lingering poison of earlier offense, and commends consideration less of who has been wrong than of what is right. Even in the practice of what is characteristically a politics of protest, Sir Donald pursued that impossible ethical ideal.

This was not for lack of deep feeling, for he was a sensitive man, and when anger occasionally escaped him it cracked like a thunderbolt from summer's clear sky. Nor was it from any philosophy of fatalism or determinism, for he believed deeply that man's capacity includes the competence to perfect his own being.

It was the product rather of spartan self discipline—the authentic characteristic of leadership—a discipline that developed as the gay, ebullient young man from Mountainside matured into the reserved, deliberate statesman content to be alone at Vale Royale.

To call here upon encomium or superlative would be false to the spirit which presides over this occasion. In an age that puts a premium on personal charisma, this was a humble man who drew the love of his people, the respect of his political opposition, the admiration of nations, through intelligent, unostentatious service.

"My passion," he said once, "is love for my country," and 34 years of undivided devotion validate and dignify that declaration.

Apprenticing himself early to Jamaica's service, he worked selflessly and in the shadow while he earned his journeyman's status as politician, parliamentarian extraordinary, statesman of the world. Becoming master of the tools of his trade, he bent to none of its tricks. Politics, for him, was more than the art of the practicable; it was the means for doing whatever it was right should be done.

Conscientiousness was his trademark and probably his epitaph. Carrying at one point, when he was Acting Prime Minister, three portfolios, he was warned a year or more ago that he could not keep, physically, the pace his dedication had put him to. His response at the time was probably only that light-hearted gesture of his, clasping his hands behind his back, affecting a graceful, jaunty little walk, and whistling quietly.

Ten days before he was carried from Newcastle, he said at a service club luncheon in Kingston:

"If each man, whether he is a tailor, a butcher, a mechanic, accountant, salesman, barber, banker, or anything at all, does his his own job conscientiously and efficiently, and to the best of his ability, the strength of their total production would move the mountains of our problems."

He thought of his own job, and did it, in that same way—and with joy and grace. His 1966 Christmas letter to his friends (he rejected printed Christmas cards as cold, and penned a personal note at the end of each letter) concluded: "I have had a happy year. It was full of hard work."

In a world and time of people's tendency to judge others by their actions, themselves by their thoughts and words, Donald Sangster put these things in opposite order. Yet his words, like his deeds, were his own; and there was much in what he said to measure him by:

That closeness to his roots that came out in homely idiom: "the stillest calf sucks the most milk"—"the fish that keeps his mouth shut doesn't get caught"—and, as he said it, "rock a ribba bottom no know sun hot" . . .

That sense of humor which was essentially the distinguishing between what is important and what isn't, and the setting off of one against the other . . .

That calling at a political rally on the rough dynamics of politics—"What we want is unity, loyalty, and discipline from every person in the Party. If we get that, nothing can stop us" . . .

And then his New Year's Message, 1967—"Our achievements are only steps already climbed. The stairway is long. It stretches high into the sky, and the farther we reach toward heaven on earth in Jamaica the more strength and courage we will need."

We leave not having said, for not quite knowing, what it was that made the bond between Donald Sangster and those—even strangers—with whom he dealt; yet sensing more fully from his precedent that in the conduct of affairs between republics and countries and commonwealths the elemental values are only those that enrich the relationships of human beings with each other.

It is not presidents or princes or prime ministers who die, but—at that moment—only men. The legacy of Donald Sangster is that, living, he ennobled his office with his humanity.

THE NEWS MOSTLY GOOD—BEYOND VIETNAM

Mr. DODD. Mr. President, we often lament the state of the world, focusing, thinking on its troubles and difficulties, pointing to the efforts of world communism to expand aggressively, thinking of the sacrifices being made to prevent such a takeover.

It is proper to do so. But frequently we overlook the fact that the world's troubles exist not in a vacuum, but in the context of an ever-improving environment.

Communism has been thwarted in its attempt to take over the Government of Indonesia. In Africa, the leaders most attunded to the ideology of communism, Patrice Lumumba and Kwame Nkrumah, are now gone. In Ghana, as a recent essay in Time magazine points out, the new military government has replaced "Down With Neocolonialism" signs with others reading, "Ghana Welcomes Foreign Investment."

Men and women throughout the world have become disillusioned with the false promises of communism. More and more the Communists are being judged not on the basis of what they say and promise, but on the basis of what they do. What they do, this essay notes, has had the effect of impressing reality upon the observer:

> In Asia, Mao Tse-Tung's Red Guards have destroyed the image of Red China as a seductive model for emerging countries and largely reduced the credibility of China as a military threat before whom her neighbors must cringe. In fact, while China has been thrashing in economic disorder, her neighbors have by and large prospered and plucked up their courage, partly—as Singapore's Lee Kuan Yew admitted publicly last week and other neutralist nations cautiously indicate in private—because of the U.S.'s determined stand in South Vietnam.

The essay concluded that "rarely in recent decades have the signs been so relatively hopeful in so many places."

The world searches for dignity, for prosperity, and for a decent life. Many have at long last come to the conclusion that communism provides none of these, and Americans, who often attribute a kind of superhuman strength to their adversaries, would do well to look carefully at a world in which America is increasingly becoming the hope of a better future, and the guarantor of the good things already achieved.

I wish to share this essay with Senators; therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

THE NEWS MOSTLY GOOD—BEYOND VIET NAM

It sometimes seems that the U.S., like a man with an aching tooth, can think of nothing but Viet Nam. Man and nation begin to feel bad all over. But more detached historians could conclude that in the spring of 1967, the general state of the world is more promising than discouraging, more optimistic than gloomy. There is rapid, continuous change, and much of it is in the direction of hope and betterment.

One major factor is the altered character of the Communist challenge. By every indicator, Russia's two-headed leadership is cautious and conservative, having learned from the ignominious failure to Khrushchev's scary brinkmanship in Cuba. The result has been warily negotiated agreements with the U.S. on the peaceful use of outer space, reciprocal establishment of consulates, and the basis for a treaty restricting the spread of nuclear weapons. Equally significant, Russia and the East European Communist regimes have begun to abandon "command" economics. While certainly not decreeing instant free enterprise, they are taking into account the desires of their peoples for consumer comforts—and Western notions about how to achieve them through production incentives and market economies.

BOTCHED MODEL, NEW COURAGE

In Asia, Mao Tse-tung's Red Guards have destroyed the image of Red China as a seductive model for emerging countries and largely reduced the credibility of China as a military threat before whom her neighbors must cringe. In fact, while China has been thrashing in economic disorder, her neighbors have by and large prospered and plucked up their courage, partly—as Singapore's Lee Kuan Yew admitted publicly last week and other neutralist nations cautiously indicate in private—because of the U.S.'s determined stand in South Viet Nam.

In some of these countries, the U.S. can take credit for advice and aid. Japan, converted to democracy and free enterprise by the most remarkable military occupation in history, has built an economy that has far outpaced any other in Asia, and is now dispensing foreign aid itself. Despite perennial corruption, the Philippines has established itself as a vigorous and functioning democracy, sufficiently secure to be increasingly assertive in its relations with the U.S., and to become a leader in organizing such inter-Asian regional enterprises as the Asian and Pacific Council (ASPAC) and the Asian Development Bank. Taiwan, once cited as the supreme example of an economy artificially supported by outside (U.S.) aid, cut loose from all U.S. economic aid more than a year ago and is now sending technicians out on its own aid programs, notably to Africa. South Korea, with some 50,000 U.S. troops still stationed there to guard the northern border, has achieved a relatively stable government, and its economy is slowly improving.

If other Asian economies are less thriving, most are reversing the downward spiral. Indonesia, having bloodily saved itself from Communist takeover, now has to repair the intrinsically rich economy that Sukarno wrecked. Malaysia may yet fragment into its original pieces, but at least it has been relieved of the huge burden imposed by Indonesia's harassing little war. Prosperous Australia and New Zealand, though far to the south, now firmly consider themselves—and are accepted by Asians—as a part of Asia, and take a major hand in Asian councils. A U.S. observer summarizes: "The Asians are not thrashing around as much as they were even a year ago. Now, even if they're wobbly, they are essentially on their feet."

PRIDE AND BREAKUP

In Europe, the good news has been obscured by the fact that one of its manifestations has been a sharp kick in the U.S.'s diplomatic shins: De Gaulle summarily threw the NATO command out of France. But it is a gesture that is, among other things, an expression of Europe's new and proper self-confidence. This new independence has only become possible under the shelter of U.S.-Russian *détente*. The relaxation operates on the other side as well. More and more, the satellite nations of Eastern Europe are asserting their independence of Moscow and reaching out toward their old neighbors in the West—and the U.S. is doing its best to encourage them. A big factor in this movement is a growing awareness among the satellites that conventional Communism—particularly when applied to an overall scheme designed chiefly to benefit the mother country—simply does not work as an economic system. The breakup began with Rumania's refusal to accept Russian directions at the 1961 COMECON meeting.

The resultant economic dialogue has lured some 500 Western firms to invest over $800 million in Eastern Europe, and every year the tide of Western tourists increases. West Germany's new Christian Democrat-Socialist coalition regime has made limited new East-West moves possible. While there is not yet any end in sight for Germany's geographical division, most East European governments have dropped the stultifying position that nothing can be discussed unless West Germany acknowledges East Germany as a sovereign state. This year Rumania defied the Kremlin to recognize West Germany—and both Hungary and Czechoslovakia want to follow suit.

Western Europe's Common Market is celebrating its tenth anniversary in a justifiably euphoric state of self-congratulation. Trade among the Six has increased 238% in those years, and the last internal tariffs will disappear by mid-1968. De Gaulle, who has kept Britain out, has at least brought stability to France, and his recent setback at the polls may reduce his room to maneuver mischievously abroad, forcing him to give long-overdue attention to social problems at home. More queasy is the state of Britain. Still, its economy has perked up a trifle, achieving its first substantial trading surplus in three years in the last quarter of 1966.

AMID SHOUTING, BRIGHT SPOTS

Most equivocal area, and one latent with the most potential trouble, is what the State Department calls NEA—Near East and South Asia. India remains a lethargic giant, hamstrung by too many people, too little food, insufficient managerial skills. Pakistan still smoulders over Kashmir, but is edging away from its flirtation with Red China and seeking renewal of U.S. aid.

In the perpetually cloudy Middle East, Iran is a bright spot. In the country where landholders once owned whole provinces, the Shah's "white revolution" has distributed land to three out of every four peasants, who later this year will vote in Iran's first elections for local and provincial councils. Another promising country is Libya, which in five years has risen from the lowly status of a backward state to the proud rank of the world's seventh largest oil producer.

In Saudi Arabia, King Feisal, in the 2½ years since he displaced his wastrel brother Saud, has put his nation's huge income from oil ($700 million last year) to work building steel plants, refineries and fertilizer plants. But Feisal confronts Nasser on the barren battlefields of Yemen. Though there is no serious shooting there at the moment, their rivalry divides the whole Arab world into shouting camps. Cyprus still simmers, and Arab still glares at Israeli.

AFTER CASTRO, SOME STIRRINGS

At first glance, it would not seem that there was much good news out of Latin America. It is still beset by the *mañana* complex, and in some countries, oligarchs still resist social and economic reform. But there are major trend-setting exceptions to this pattern in Peru, Chile and Venezuela, where progressive parties are increasingly powerful. In many countries, military regimes have taken over, but the new style of army officer is in many cases closer to the people than the politicians-of-privilege that they succeeded. In Brazil, for instance, army influence has meant at least the start of a turnaround from chaos to order, from corruption to responsibility.

Equally important is the collapse of Castroism. Once hailed all through Latin America as a champion of the downtrodden, Castro has ended by disillusioning all but his most fervent admirers. Today, Russia has to pump $1,000,000 a day into Cuba just to keep Castro going. In fact, Castro's expansive dreams of empire building have produced a constructive backlash. It speeded the launching of the Alliance for Progress, which has not exactly taken off in a big way but did stir some Latin regimes to take the first steps toward reform. And at long last, the Latin Americans are beginning to move toward regional collaboration and even a Latin American common market. The Central American Common Market, established in 1960, has proved a notable success producing a threefold increase in trade volume in just five years.

STILL COUPS, BETTER LEADERS

Even in Africa, seemingly always in the grip of coups and tribal clashes, there is clear progress if the continent is viewed in the longer perspective. Only six years ago, Patrice Lumumba, Sékou Touré and Kwame Nkrumah seemed the wave of the angry future, raging against the old rulers and demanding homage to their newfound importance. The Communists—Russian, Chinese, East German—swarmed through every new capital, offering ideological sympathy for their rage and flashy economic projects for their egos. Lumumba is long gone. Nkrumah is an exile, and Touré a diminished voice. Today's leading African figures are Jomo Kenyatta, Julius Nyerere, Kenneth Kaunda, and such durable elder statesmen as Haile Selassie and Félix Houphouet-Boigny; they range from staunchly anti-Communist to at least warily disenchanted. Ritual feelings about "neocolonialism" are giving way to practical attitudes bent on solving Africa's overwhelming problems. In Ghana, the new military government has replaced "Down with Neocolonialism" signs with others reading, "Ghana Welcomes Foreign Investment," and has invited Communist advisers to go home. In Tanzania, growing numbers of thinking Africans are unwilling to swap one imperialism for another.

Nowhere is there a sure guarantee of continued progress. The disparity between the world's rich and poor, underlined by the Pope's encyclical last week, remains a threat to the world's domestic tranquillity and badly needs practical measures rather than emotional slogans. Bloodshed, revolution and disorder may erupt anywhere at any time. But rarely in recent decades have the signs been so relatively hopeful in so many places.

CORPS OF ENGINEERS IMPROVES DISPOSAL OF DREDGE MATERIAL FROM THE CALUMET RIVER

Mr. HARTKE. Mr. President, last summer I protested the Army Corps of Engineers' practice of dumping nutrient laden dredge materials—some 160,000 cubic yards of it—into Lake Michigan. This material was derived from the corps channel improvements and harbor dredging to keep our Great Lakes ports and access routes open to commercial and pleasure boat traffic during the 1966 shipping season.

The corps practice of dumping that deadly sludge from the Chicago River and the Calumet areas seemed incomprehensible to me and to other Senators who were working within the Great Lakes Conference of Senators toward solutions for abating pollution and cleaning up this vital waterway. This dumping was a significant threat to the welfare of our Great Lakes area population. We could not understand the corps' disregard for the safety of the Lake Michigan water supply for the Indiana, Michigan, Illinois, and Wisconsin communities affected.

The corps defended the dumping practices by citing the high costs of moving the material to other areas, the lack of onshore disposal areas, and that their major responsibility was to keep the access routes and ports open to shipping traffic. There appeared to be no reasonable alternatives.

We were able to secure some funds for studying alternative disposal sites for last year. The Bureau of the Budget has recommended $5 million in the Corps of Engineers fiscal 1968 budget for the study and alternative disposal means for this dredging season.

As the 1967 season opens, I am pleased to note that the Corps of Engineers, the Federal Water Pollution Control Administration, the Indiana Stream Pollution Control Board, and the Indiana State Department of Natural Resources has made progress toward ending all dumping of dredge materials into the lake.

More than half of the 459,000 cubic yards of material which will be moved from Indiana areas—some 263,000 cubic yards, with high and medium pollution potential rating, from the Calumet River—will be deposited in on-shore or diked disposal areas.

Another 149,500 cubic yards—125,000 cubic yards from Indiana Harbor—high rating—and 25,000 cubic yards from the Michigan City Harbor—low rating—is to be dumped into authorized or control areas of Lake Michigan. These areas will be studied by the Federal Water Pollution Control Agency and the Army Corps. The 46,500 cubic yards—low pollution potential rating—to be dredged from the Calumet Harbor will be moved by the Corps in September. This amount from the Calumet Harbor and an additional 35,000 cubic yards of new work from the Indiana Harbor, which may be undertaken in August is now scheduled to be added to the control area. However, the corps is still studying this.

Mr. President, I would be much happier if none of this material were to be dumped into Lake Michigan. But we are making some progress. Our Indiana

Stream Pollution Control Board and others are working with the corps, and hopefully they may find even more onshore or dike disposal areas for the dredge material before the dredging season closes.

DECISION FOR FREEDOM

Mr. HRUSKA. Mr. President, the dramatic entry into this country last Friday of Mrs. Zvetlana Alliluyeva, Stalin's daughter, is an event which, although it is the product of one individual's struggle within herself to be free to lead a life of her own choosing, has major significance for all of us.

Here is a person who was close to the very apex of Communist power. Through the years, she was able to observe and experience the nature of communism as few persons could. Yet, she has decided that communism—in spite of the purported transformation it is now undergoing—was not for her.

Why did she come? Why did she leave her homeland, her children, and her friends for a new country she has never seen nor visited? Simply stated, she chose freedom.

Obviously, it was a decision that was a long time in coming. It was a decision that took courage and will mean sacrifice and loneliness.

In her own words:

> I have come here in order to seek the self-expression that has been denied me for so long in Russia.

And she found God. She found that "it was impossible to exist without God in one's heart." When this conclusion was reached, the main dogmas and teachings of communism lost their significance for her.

Also, there were compelling personal reasons culminated by the death of her husband, an Indian national who was never welcomed in the Soviet Union.

Mr. President, this dramatic event sharpens awareness that hundreds of millions of persons throughout the world seek that which Mrs. Alliluyeva has chosen and will find in our country. Our efforts must be pledged to making such a choice possible in their own lands, now captive.

Mr. President, I ask unanimous consent that the moving statement Mrs. Alliluyeva made upon her arrival in New York be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 22, 1967]

I Could Not Return to Moscow

(*Statement written by Mrs. Svetlana Alliluyeva*)

It is important to me to explain something of the reasons why I decided not to return to Russia but to come to the United States instead.

I've read some wrong explanations in newspapers and magazines and I don't want to be misunderstood by anyone—especially my own children and my friends in Russia.

When I left Moscow last December in order to convey the ashes of my late husband, Mr. Brijesh Singh, to his home in India, I fully expected to return to Russia within one month's time. However, during my stay in India I decided that I could not return to Moscow.

It was my own decision, based on my own feelings and experiences, without anyone's advice or help or instruction. The strongest struggle was going on in my heart all that time because I would have to leave my children and not see them for quite a long time. I did everything to force myself to return home.

MANY REASONS FOR COMING

But all was in vain. I felt it impossible to go back and went instead to the United States Embassy in New Delhi, hoping for help and understanding. Now, after a happy and peaceful rest in Switzerland, a wonderful country with kind people to whom I shall always be grateful, I have come here in order to seek the self-expression that has been denied me for so long in Russia.

Why did I leave Russia and come here to ask for your hospitality? There are many reasons.

Since my childhood I have been taught Communism, and I did believe in it, as we all did, my generation. But slowly, with age and experience I began to think differently. In recent years, we in Russia have begun to think, to discuss, to argue, and we are not so much automatically devoted any more to the ideas which we were taught.

Also religion has done a lot to change me. I was brought up in a family where there was never any talk about God. But when I became a grown-up person I found that it was impossible to exist without God in one's heart. I came to that conclusion myself, without anybody's help or preaching. But that was a great change because since that moment the main dogmas of Communism lost their significance for me.

I do believe in the power of intellect in the world, no matter in which country you live. Instead of struggling and causing unnecessary bloodshed, people should work more together for the progress of humanity. This is the only thing which I can take seriously—the work of teachers, scientists, educated priests, doctors, lawyers, their work all over the world, notwithstanding states and borders, political parties and ideologies.

ONLY GOOD AND BAD PEOPLE

There are no capitalists and Communists for me, there are good people, or bad people, honest or dishonest, and in whatever country they live people are the same everywhere, and their best expectations and moral ideals are the same.

My father was a Georgian, my mother was of a very much mixed nationality. Although I've lived all my life in Moscow, I believe that one's home can be anywhere that one can feel free.

My late husband, Brijesh Singh, belonged to an ancient family of India. He was a wonderful man and my children and I loved him very much. Unfortunately the Soviet authorities refused to recognize our marriage officially because he was a foreigner and I because of my name, was considered as a kind of state property.

Even the question of whether I should be allowed to marry a citizen of India was decided by the party and the Government. Moreover, we could not travel together to see his homeland, or anywhere else outside of Russia.

Mr. Singh had suffered for many years from a chronic illness. In Moscow his health began rapidly to decline and his heart became weak. Despite my entreaties the Government refused to allow me to take him to India, his homeland, before he died. After he died the Government finally allowed me to take his ashes home. For me, it was too late.

My husband's death brought my long repressed feelings about my life to the surface. I felt it impossible to be silent and tolerant any more.

I want you to know that three years ago I wrote a book about my life in Russia. I am happy to say that now it will be published in English and Russian, as well as other languages. The American edition will be published by Harper & Row and other publishing arrangements are being worked out by my lawyers, Greenbaum, Wolf & Ernst, and most particularly by my friend, Edward S. Greenbaum and his partner, Alan Schwartz, who accompanied me here from Switzerland.

I hope that my book will explain more fully than I can in these brief remarks what I felt and what I wanted to, but could not, say while in Russia.

SYMBOL OF THE PURPOSE

The publication of my book will symbolize for me the main purpose of my journey here. The freedom of self-expression which I seek can, I hope, take form of additional writing, study and reading on the literary subjects in which I am most interested.

While in Russia my interests were primarily literary and my friends were drawn largely from the ranks of writers, artists and teachers. I hope while here to be able to expand and broaden such friendships and, if possible, to make some small creative contribution to the world of arts and letters.

Despite the strong motives and deep desires which have led me to the United States, I cannot forget that my children are in Moscow. But I know they will understand me and what I have done. They also belong to the new generation in our country, which does not want to be fooled by old ideas. They also want to make their own conclusions about life.

Let God help them. I know they will not reject me and one day we shall meet. I will wait for that.

COUNCIL OF ECONOMIC ADVISERS ENDORSES TRUTH IN LENDING

Mr. PROXMIRE. Mr. President, it is gratifying to learn that a record number of agencies have endorsed S. 5, the truth in lending bill. One of the most impressive reports on behalf of the bill was made by Gardner Ackley, the Chairman of the Council of Economic Advisers and one of the most distinguished economists in the country.

The Council believes the bill will do much to further price competition in the credit industry, thereby lowering the cost of credit. Moreover, the Council believes the bill will benefit economic stabilization by making consumers more aware of the cost of credit.

Mr. President, some economists have testified before our committee on behalf of the credit industry and have claimed the bill would not have this effect. It is, of course, difficult to get any two economists to agree on any matter of public policy. However, it is gratifying to me that Ackley, Okun and Dusenberry, three of the most knowledgeable economists in the United States, are supporting the bill and believe it will have a beneficial economic impact.

Mr. President, I ask unanimous consent that the Council's report be inserted in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

The Chairman of the Council,
of Economic Advisers,
Washington, April 14, 1967.

Hon. John Sparkman,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in reply to your request for a report on S. 5, 90th Congress, a bill "To assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit," known as the "Truth in Lending Act."

As a matter of equity, the consumer has the right to know the true cost of borrowing just as he has the right to know the price of any other commodity he buys. A consumer needs this information to make wise decisions in his own interests. To provide this information is the basic purpose of the bill.

The bill has a further economic justification in offering potential improvement of the efficiency of markets. Markets function more efficiently when buyers and sellers have full information about prices, and can make comparisons among alternative sources of supply or demand. This is as true about credit as it is about any commodity or other resource. Indeed, there is a special need for legislation in this area, since the price of credit is a relatively complicated concept, and is not well understood by many—or perhaps most—consumers. By requiring lenders to reduce all the confusing, complicated terms of credit to one standard comparable price—the annual percentage rate—the proposed bill would enable consumers to make proper and intelligent comparisons, and would promote effective competition among lenders. The market for consumer credit would operate with greater efficiency in providing at lowest cost its broad benefits to the American people.

The bill would provide an additional benefit to the cause of economic stabilization by increasing the responsiveness of consumer spending to changes in credit costs. At times when credit costs fall, consumers will be made aware of the true reduction in the cost of borrowing, and they will be encouraged to make increased installment purchases. On the other hand, when demand pressures mount and credit costs rise, consumers will be induced to defer purchase and inflationary pressures will thereby be eased. The stability of the economy would thus be served, while the consumer would be able to reduce his credit costs, a significant item in his budget.

The Council of Economic Advisers has examined the proposed bill, and finds that it would serve these useful purposes well, with minimal hardship—and, indeed, with benefit—to any legitimate lender. Therefore, we strongly support the bill and urge its passage.

The Bureau of the Budget advises that enactment of legislation along the lines of S. 5 would be in accordance with the President's program.

Sincerely,

GARDNER ACKLEY.

UNITED STATES HAS NOTHING TO FEAR FROM SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS—LIX

Mr. PROXMIRE. Mr. President, each one of the four Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery, which I have daily urged the Senate to ratify, was debated at length, written, and rewritten in order to guarantee only the narrowest and most careful application.

In spite of these facts, some critics of Senate ratification have managed to conjure up the most awful images of international tribunals convicting the United States and our citizens of mythical violations of these conventions.

Nothing could be further from the truth. This brand of irresponsible talk is a grave disservice, not only to the conventions themselves, but to sincere American citizens as well.

Authoritative and knowledgeable commentators have uniformly emphasized that the Genocide Convention has no application or relevance to segregation or any other isolated denials of civil rights.

It is acknowledged that U.S. ratification of these four conventions would make us liable to unfounded and baseless charges by unfriendly governments seeking an empty headline. But this is a risk we, as a nation, face every day. Any individual or any nation that merely acts is subject to criticism from the professional censors of the world.

But a charge of U.S. violation under any of these four treaties would be so transparently fraudulent that the risk of international censure of the United States is absolutely infinitesimal.

The domestic law of the United States is already much more stringent than the minimal universal standards proposed by these conventions. We, as a people, have nothing to fear.

Ambassador Goldberg put the whole question of U.S. accountability to an international tribunal in proper perspective recently:

> If we are faithful as a people and through our national forums to our own constitutional commands, we will not be called upon to answer before an international forum.

The United States has nothing to fear and much to gain internationally through Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

Let the Senate vest the United States with the necessary credentials for our rightful leadership position in the continuing crusade for human dignity by ratifying all four of the human rights conventions.

LIVESTOCK MARKET DIGEST APPLAUDS HRUSKA IMPORT BILL

Mr. CURTIS. Mr. President, the current issue of the Livestock Market Digest, the trade journal of competitive livestock marketing, carries an editorial in support of the meat import legislation introduced last week by my colleague from Nebraska [Mr. HRUSKA] and cosponsored by 33 Senators. I am pleased to be among that group.

The editorial states:

> Senator Hruska will obtain again, as he did in 1964, the good will of livestock men for speaking up in the Senate for their interests.

Similar response among farmers and ranchers throughout America has come as a result of Senator HRUSKA's leadership in this important field. It is my intention, Mr. President, to urge that the Committee on Finance, on which I serve, schedule hearings on the Hruska bill in the near future, and that similar action be had in the House.

It is only through a full and comprehensive airing of the issues and factors involved in this matter that Congress can reach a sound and practical solution to a most vexing problem.

I ask unanimous consent to have printed in the RECORD the editorial published in the April 24 issue of Livestock Market Digest.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATOR REVIEWS IMPORT HISTORY, NEED FOR HELP

The history of action to reduce meat imports during the most recent previous depression in livestock prices—that beginning in 1962 and lasting until 1964—was re-traced in the United States Senate earlier this month. The purpose of the recitation was to point out the need for action now which would reduce the possibilities that imports could be as significant a domestic price factor as they were then.

That is what Sen. Roman Hruska (R.-Nebr.) had to say: "In 1963 and 1964 a large and vital segment of America's agricultural economy stood on the brink of financial ruin as it watched prices for beef and beef products drop to disastrously low levels, driven ever downward by mountainous imports from abroad.

"The per capita increase in consumer demand was being met and overcome by a gigantic increase in imports. This increase amounted, in the period between 1956 and 1963, to an eightfold jump, from 211 million pounds of beef and veal in all forms to 1,677 million pounds.

"When we added into the calculation the effect of live cattle that were also being brought in, it developed that foreign nations were supplying an amount of beef to the American market equal to 10.7 per cent of our total domestic production."

His review continued to the present situation which included imports of beef and mutton of 614.2 million pounds in 1965, and of 823.5 million pounds in 1966. Under the formula established by law in Congress in 1964, the Secretary of Agriculture's estimates of imports are used to determine the possibility of import restrictions. That estimate now is 900 million pounds for 1967, but Sen. Hruska noted that last year's forecasts by the Secretary were lower than figures actually turned out to be.

The danger that 1967's estimates may prove too low was pointed out—for it could be damaging, if not disastrous, to find out too late to do anything except to accept the price consequences.

Sen. Hruska's remedy is to change the limit (now 995 million pounds) for triggering the import restrictions. "This trigger level is just too much foreign beef," he says. He would also eliminate the 10 per cent overrun which is now required before quotas can be imposed. He would impose the quotas by law, not on the basis of estimates, would count military purchases overseas against such quotas, and would restore authority to extend the quota system to other types of livestock products.

Such changes are sure to incure the wrath of some of American allies—for they want U.S. meat markets to remain open. The experience has been, however, that domestic agriculture pays too stiff a price for the protectionism practiced by other nations—the Common Market included.

Sen. Hruska will obtain again, as he did in 1964, the good will of livestock men for speaking up in the Senate for their interests.

FOREST INSECT AND DISEASE RESEARCH LABORATORY AT WEST HAVEN, CONN.

Mr. RIBICOFF. Mr. President, as a part of its national forestry effort, the Forest Service operates a forest insect and disease research laboratory at West Haven, Conn. I commend the work of the fine men and women who are developing sound, practical methods for controlling serious pests of the forests of Connecticut and other New England States.

Currently, the Forest Service has a staff of 34 at the laboratory; 16 members of the staff are scientists and 18 provide a variety of technical and administrative support services. Approximately $410,000 of Forest Service appropriations are used annually to support the laboratory staff and program.

A laboratory-office complex, authorized by the Congress, is being constructed at Hamden, Conn., for the staff and program which are now located in temporary quarters at West Haven. This scientific facility will be ready for use by approximately July 1, 1967. It will contain modern scientific instruments; for example, an electron microscope, required for intensive forest insect and disease research.

Thus, the basic elements—a competent staff and a modern laboratory—for a comprehensive program of research are available. But to be most effective these basic elements should be strengthened. Adequate immediate strengthening of the program at Hamden would require an additional appropriation of $355,000—$250,000 for insect research and $105,000 for disease research. I would hope that such an increase in this vital program area will be possible this year.

President Johnson's proposed budget for fiscal year 1968 provides a total of $6.5 million for nationwide forest insect and disease research programs of the Forest Service. Included in the total is an increase of $292,000. The research work at West Haven, as well as at other locations in the United States, is financed by this budget item in the Forest Service appropriation bill.

The additional funds needed for the research work at Hamden would be used to: First, staff, equip, and operate the new laboratory; and second, expand immediately research leading to control of serious hardwood pests. As has been the practice in the past, this new work would be done in close cooperation with Yale University, the Connecticut Agricultural Experiment Station, and other institutions in the region.

Much of the research at West Haven is directed to the development of nonchemical control systems for forest pests. These lines of attack would be followed when the program is strengthened.

Chemicals have been effective eradicators of insect pests. But continued reliance on direct suppression of insect infestations by chemicals alone cannot be tolerated. Some alternative biotic control methods have already resulted from research and still others appear possible. These methods can be more efficient biologically, more advantageous economically, and safer to man and wildlife—including fish—than the chemical methods now generally used. Perhaps biotic controls cannot replace chemicals entirely, but the two approaches can and should be integrated into effective and sound systems.

Possible biotic control methods encompass the following: First, insect parasites and predators; second, microbial agents—viruses, bacteria, fungi, and protozoa; third, sterilization and release of male insects into infested areas; and, fourth, identifying, selecting, and breeding strains of trees resistant to pest attack and injury.

Research has already shown tangible results with each of these approaches, and the research has already been applied to successful methods of pest control. For example: First, parasites and predators imported from Europe have become established in the Northeast and play a vital role in controlling the gypsy and browntail moths; second, a predaceous beetle was recently imported from Europe and released in various parts of the Nation, including the Northeast, for control of the balsam woolly aphid; third, specific viruses have been found, propagated, and applied for control of the European spruce sawfly, four pine sawflies, and the Great Basin tent caterpillar; and fourth, tree strains resistant to rusts, gall aphids, and other pests have been found and are being propagated. These few examples clearly illustrate that scientists, if adequately financed and equipped, can discover new, natural ways of controlling forest pests that have a minimum of ill side effects.

The Northeastern United States has about 71 million acres of hardwood forests. These forests contain large reserves of some of our most valuable hardwoods. For example, essentially all of the black cherry, 80 percent of the yellow birch, 65 percent of the sugar maple, 73 percent of the beech, and 33 percent of the ash timber resources of our Nation are found in these forests. These forests of Connecticut and elsewhere in New England are highly prized for recreation, water, wildlife, and beautification of the landscape.

And along with several other hardwoods, these species supply large volumes of raw materials for many wood-using industries located in the Northeast and other parts of the Nation. Such industries, ranging from pulpwood plants to furniture factories, provide employment opportunities, markets for timber, and other economic benefits to many communities.

So, forests make substantial contributions to the economic and social well-being of the region as well as the Nation. Current trends in uses of these multiple hardwood forest resources clearly indicate that demands upon them will climb steadily in the years ahead.

Insects and diseases have sharply reduced the capacity of northeastern forests to meet even the present demands upon them. Defoliating insects, trunk borers, cankers, stains, rots, and other pests have ruined vast amounts of otherwise valuable timber. Tree pests have spoiled the beauty of thousands of acres of forest land and made them unsuitable for recreational uses.

We must protect our forests against these pests. The Forest Service research program at West Haven is directed toward developing sound, practical protection systems. We need to strengthen this effort—reduce the time required to develop reliable control systems—and make sure we fully realize the production potential of New England's forests.

A REVOLUTION IN MANAGEMENT

Mr. MONDALE. Mr. President, last Wednesday, Joseph A. Califano, Jr., Special Assistant to the President, addressed the Washington chapter of Sigma Delta Chi and described how President Johnson and the administration have started a "revolution in management."

He explained:

> The thrust of that revolution is to mobilize the powerful new means of processing and communicating information and to develop modern analytical techniques to deal with problems in their entirety.

He cited the model cities program and the new Department of Transportation as examples of a systems approach in which the resources of many institutions and agencies—Federal, State, and local—are assembled for a concerted attack on problems which cut across political boundaries and involve many levels of government.

The administration is showing encouraging success in adapting governmental machinery to modern techniques. Moreover, additional machinery can and should be made available to the President to carry out innovative attacks on the Nation's social problems.

Early this year I introduced a bill which I believe would do this. The Full Opportunity and Social Accounting Act of 1967, S. 843, would create a Council of Social Advisers corresponding to the President's Council of Economic Advisers, with a total overview of Federal domestic social programs. It would provide for an annual Presidential Social Report comparable to the Economic Report. Finally, it would establish a joint congressional committee with oversight responsibility.

Not the least important, the legislation declares social accounting a national goal, and would provide for regular reports on the status of society, based upon appropriate social indicators, just as we do now in the economic sphere.

President Johnson and the administration are to be congratulated for their imaginative and creative efforts. Congress should encourage this governmental revolution.

Mr. President, I ask unanimous consent that Mr. Califano's address be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Politics of Innovation and the Revolution in Government Management

(Remarks by Joseph A. Califano, Jr., Special Assistant to the President, before the Washington Chapter of Sigma Delta Chi, April 19, 1967)

Tonight I would like to talk to you not about our more publicized problems or about our more celebrated achievements.

You are all too familiar with our problems—the urban ghettos, rural poverty, keeping the economy in a state of non-inflationary prosperity, the transportation snarl. You often write of those problems—more often, I must admit, than we would like.

You have also heard us speak many times of our achievements—the million college students now receiving Federal assistance; the million Americans acquiring new skills under Federal training programs, where none were receiving such help just a few years ago; the six million patients whose medical bills have already been paid by Medicare; the 72 months of unparalleled prosperity; the 3.6 per cent unemployment rate. Although you have not written about these accomplishments as often as we would like, you are certainly familiar with them.

The story I would like to talk about tonight is largely unwritten. It is a complex story and admittedly not the stuff of banner headlines. But it is as critical to the success of the President's domestic programs as are the legislative victories in education, in medicare, in civil rights.

This story involves two elements: the politics of innovation and the revolution in government management that it has inspired.

The politics of innovation springs from the exploding potential and production of the American nation, our capacity to grow in wealth and power more rapidly than in population, and our need to adjust constantly to a changing environment. The politics of innovation is characterized by our efforts to expand our national wealth so that we have the resources to deal with problems in a total context. As one commentator observed, the question is no longer whether there should be handouts to the poor, but how to break the poverty cycle; the question is not how to move more cars by more roads, but how to develop new transportation techniques that adjust to the whole urban environment.

The revolution in management is the response of government to the politics of innovation. The thrust of that revolution is to mobilize the powerful new means of processing and communicating information and to develop modern analytical techniques to deal with problems in their entirety.

These new problem-solving techniques are leading us to abandon many old slogans and to conduct our national dialogue on the basis of facts and through the prism of a total approach. This new approach to problem solving and decision making has many names: systems analysis, cost effectiveness, planning, programming, budgeting, evaluation.

The name is not important. The approach is. It is a systematic way of saying: what are all the parts of the problem, how do they affect each other, and why? It gives us new management tools to determine our objectives, set our priorities, examine the options open to us and apply the resources available to those programs which will have the maximum impact on the solution of our problems.

For the approach to be total, problems must be defined and examined in their entirety, as a whole, rather than in bits and pieces. It is an approach ideally suited to the Presidency.

First—much as you gather the facts for a story, or as a lawyer gathers the facts for a trial, all of the data bearing on the problem must be assembled.

Second—on the basis of that data, specific objectives must be defined.

Third—alternative means of reaching that objective must be clearly identified and evaluated.

Fourth—the available alternatives must be presented in a way that helps the President select the best option, in terms of the benefits it will bring in relation to costs, social as well as economic.

We must apply a total analysis not only to the substance of the problems, but to the institutions with which we try to solve them. It does no good, for example, only to develop a highly sophisticated mass transit system to speed commuters from their homes in one city to their destination in another. We must also tackle the problem of how the hundreds of Federal, state, city and county agencies involved can work together to install and operate the system effectively and inexpensively.

The new management revolution affects the machinery of government at all levels. It requires reorganization of Federal departments and agencies. It involves an entirely new set of relationships between Federal, state and local governments. These relationships and departments and agencies of government at all levels must be assessed in terms of their capability to define and solve problems.

These principles may seem simple and obvious to anyone in this room. While there were forerunners to be sure, perhaps the most startling fact is that these principles were so rarely applied in government until the last few years—and they have only recently begun to be applied to the domestic side of the Government.

The classic application of these new analytical techniques is in the Defense Department. There, the complex questions of force structure lend themselves to this new problem-solving approach—because they are so readily quantifiable. Defense planners can tell, for example, that an airplane weighing so many gross tons, costing so much to produce, can fly so far and penetrate enemy defenses with so many pounds of bombs. They can compare the effectiveness and cost of that airplane with the ability of a missile to deliver accurately a warhead of a given size in a few minutes to its target.

Perhaps the most difficult part of the Defense equation is the assessment of an enemy's capabilities and his intentions. To enhance our ability to make this assessment, it was essential to restructure the institutions responsible for making it—hence, the combination of separate service intelligence organizations into the Defense Intelligence Agency.

The difficulties of adapting these techniques to the domestic problems of our Nation are enormous. But their potential is vast—in imaginative and effective programs, in revitalizing the entire Federal structure of our country, in savings to our taxpayers, in giving the Presidency a more effective management mechanism than it has ever had.

President Johnson has fully grasped that potential. Years of experience on the House and Senate Armed Services Committees have given him an appreciation of the value of a systematic and total analysis—and of the difference in the operation of the Defense Department before and after its application there.

The same sure instinct for the effective use of Presidential leadership that has led to so many legislative achievements has brought the President to seek their effective administration.

For, from the perspective of the Presidency, a total approach is essential to the solution of any problem. This is particularly true for a problem-oriented President. Crime to the Justice Department may be federal crimes and federal judges and federal courts. To the Department of Health, Education, and Welfare, crime may be juvenile delinquency and halfway houses. To the Labor Department, it may be criminal records that prevent young men from getting jobs. But to the President, the problem is to control crime—not merely to get higher police salaries here and more judges there, not merely to get better correctional institutions here, and probation officers there.

The need for a total approach is particularly acute at a time when the President has committed, through the legislation of the last three years, a substantial amount of funds to the most visible national needs: education, health, poverty. Now we must look beneath the surface—and we must do so with analysis and judgment informed by facts, with a willingness to experiment, with a recognition of past mistakes and a determination to correct them.

For no one knows better than the President that we cannot content ourselves with putting new legislation on the books. We must constantly ask what we are trying to do and whether we are doing it well enough.

While one out of every six college students is now receiving Federal aid, how many potential college students have not even been identified?

While one million Americans are getting job training, how many of them will be self-supporting for extended periods of time? And how many thousands of Americans will not even walk down the street to the neighborhood employment center for help—and why not?

While Head Start is reaching a half-million preschoolers, how many other needy children have not yet felt the excitement of learning—or the encouragement of love?

While the overall unemployment rate is down to 3.6 percent, how do we reach the 12 percent of our teenage Americans who were without jobs in 1966?

While we wipe out measles and smallpox and other diseases, how do we bring the infant mortality rate of the most affluent nation in the world to a level that compares favorably with 10 other nations?

As we reach increasing numbers of Americans with economic policies, with special training, education and health programs, the most important questions become: how to evaluate these programs in terms of their success in achieving our great national objectives and how to reach the untouched Americans.

It is critical that your government find and use the right approach at this point in the Nation's history.

For on that approach depends the confidence of the Congress essential for appropriations and new legislation. On that approach depends the confidence of the American taxpayer, who is entitled to the most effective programs his tax dollars can buy. And on that approach may depend the success of the most comprehensive commitment the Nation has made to improve the quality of life for all of its citizens.

How can this new, total approach operate on the domestic scene:

Where problems cut across several departments within each of which so many entrenched bureaucracies operate.

Where the facts—the raw material of decision making—are often social and psychological and hence not easily quantifiable, even if they are obtainable.

Where so many of the alternative tools to be applied to the problem rest with state and local governments who are often ill-equipped, and private institutions who are often disinterested.

Take the problem of the slum, for example. A slum is a group of decayed and rotting buildings. It is also poverty. It is hunger. It is inadequate education. It is denial of job opportunity. It is discrimination. It is the infection of rat bites. It is despair and frustration.

Once we recognize that a slum is all these things, it becomes clear that health workers, transportation experts, educators, psychiatrists, vocational training and tax experts—all these and more are needed and they are needed at the right time and in the right place. From the very beginning, the approach must be inter-disciplinary and total.

The Federal government alone cannot wipe out a slum. For the President cannot, and should not be the mayor of every city. Nor can cities alone, when states are responsible for public health and employment services. Nor can states alone, when private industry has most of the jobs available for the unemployed.

Once we recognize that the Federal government cannot do the job alone—nor can the city or the state—a means must be found to bring together the potential of Federal, state and local programs with private initiative.

This is precisely what we are attempting to do with the Model Cities program. Under this program, local communities are asked to assemble all their resources—public and private—together with all available Federal programs and submit a comprehensive plan not only to build apartments, transportation systems, sewers, or hospitals, but to give people in the area the opportunity for self-development at the same time. The Federal government will pay a substantial bonus to help get the job done.

To join effectively with the local community, the Federal government must abandon its traditional vertical structure and bring to bear a horizontal lineup of departments and talents. This, itself, presents difficult problems to departments and agencies that have been inner-directed for a generation.

Another example of our preparations to handle problems in their total context is the Department of Transportation. Establishment of that Department formally recognizes that our transportation network is a series of highly inter-related forces that had far too long been going their own separate ways, fragmented and uncoordinated.

The problems and operations of each mode of transportation have a direct influence on the problems and operations of the others.

For example, an attempt to provide the swiftest, most efficient transportation system in the Northeast corridor raises these questions:

Are eight-lane turnpikes the answer? With special 100-mile per hour bus lanes?

Or high-speed railroads?

Or jumbo aircraft that can move more than 700 people in a single flight?

Or some combination? What combination?

Where, when and how should the Federal investment be made? And how much should it be? Should it be made at a time when it takes the airline passenger longer to get from the airport to the city than fly to the airport?

A few months ago, this Nation did not even have the organizational structure for asking—much less answering—questions such as these. It had instead 31 separate agencies and programs, uncoordinated and growing increasingly chaotic each year.

The Model Cities program and the Transportation Department are two tangible achievements which allow us to apply a total systems approach. It is no accident that they were also two of the most controversial bills the President presented to the Congress last year.

They represent the politics of innovation in action. Old myths were destroyed. Past mistakes were recognized as such. Power structures—created in part by the politics of distribution to urban renewal departments in cities and to subsidized transportation industries—preferred the old to the new, the known to the unknown.

My point is not to dwell on these legislative achievements of President Johnson. I cite them merely to note some results of a systematic approach that is just beginning to take hold, and to assure you that we recognize that passage of a law is only the beginning.

These are early developments. Their most important impact may be within the Federal bureaucracy. When the President, by concrete example, demonstrates his willingness to take on the tough problems if a sound analysis based on facts has been made, he encourages the planners to ask the hard questions, to demand answers, to seek alternatives, to innovate.

We are beginning to ask these questions and, in some cases, get some startling answers.

We have recently completed a preliminary study of the welfare programs supported by the federal government to answer a very simple question: How many persons capable of working are on welfare?

Some would say many millions. But analysis disclosed that, over the next few years, out of the 7.3 million Americans on welfare, only 50,000 males may be capable of getting off—even if every program, public and private, were adequately staffed and efficiently run.

Of the 7.3 million citizens on welfare:

2.1 million, mostly women, are 65 or over, with a median age of 72.

700,000 are either blind or so severely handicapped that their work potential, if any, is extremely limited.

3.5 million are children whose parents cannot support them.

The remaining 1 million are the parents of those children: about 900,000 mothers and 150,000 fathers.

Two-thirds of the 150,000 fathers on welfare are incapacitated. Only some 50,000 are capable of being given job skills and training that will make them self-sufficient.

The problems this study raises are:

How to reach, how to motivate this proportionately small target of 50,000 fathers, and how to educate the American people to recognize and accept this target.

If special child-care centers and special training programs were established, how many mothers would we be able to move off the welfare rolls? Indeed, is it desirable to take two or three-hundred thousand mothers away from their minor children?

Perhaps most important, we must determine whether past mistakes put almost one million mothers and 3.5 million children on welfare—and correct those mistakes.

And what of the hundreds of thousands of Americans who are part of the problem, but not on federally supported welfare programs.

This is only a preliminary collection of the most fundamental information on welfare. If more detailed studies and analyses confirm these preliminary findings, it will be relatively easy to define the target. The difficult task will be to resolve the issues such an analysis raises.

For identification of the problem, proper characterization of the issue is only the beginning.

It is easy to say that the issue is not states' rights, but states' responsibilities. The difficult task is to define those responsibilities, and for the governors to get their states to recognize and assume them.

It is easy to say that free enterprise requires partnership, not a wall of separation, between the Federal government and business and labor. The difficult task is to establish effective federal partnerships with business and labor to solve the problems of contemporary America. Consider the proposal to establish the department of business and labor.

It is easy to say that long-standing programs are obsolete and are only being continued by institutions which they themselves created. The difficult task is to replace the obsolete with programs tuned to the problems of today and tomorrow. Consider our attempts last year to change the school milk and land grant college programs.

It is easy to say that artificial boundaries drawn by pilgrims in New England or pioneers in the West more often hinder than help solve transportation and pollution problems. The difficult task is to transcend those boundaries and set up new institutions.

Solving the difficult tasks—proposing innovative solutions—brings us squarely into the politics of innovation. The first step in practicing the politics of innovation is education—a responsibility that is ours to share, you in the press and we in the government. For in a public educational process, the press is indispensable.

I have attempted to describe the way President Johnson would like the government to approach problem solving and decision making. But the President is the first to recognize that systems analysis—and the entire planning, programming and budgeting system—is no substitute for judgment, compassion, or indeed, decision making itself.

What this process can do for a President is inform his judgment, help translate his compassion into effective action, and help assure that his decisions are based on facts, alternatives and sound analysis. It can measure—to the extent that such things are measurable—the costs and benefits of different alternatives. It can show a President how much he will get for what he spends today—and how much more, or less, it will cost if he waits until tomorrow. But it can never substitute for the political philosophy of a President or a party, or a President's concern for the welfare of his people and his Nation.

Nor do I mean to suggest that we are on the verge of shattering every deeply imbedded principle of government. In our search for new solutions, we have no intention of ignoring the lessons of experience. Actually, we will learn more and more from our experience, as we systematically evaluate it.

But we will not be like Mark Twain's cat who once sat on a hot stove. The cat never sat on a hot stove after that—but he never sat on a cold one either.

What a systems approach represents—and all it represents—is a method of analyzing problems. We have not yet found the answers to all the questions we have raised. In some cases, we have only begun to pose the questions. In others, we have not yet even found the right questions to ask.

This disclaimer does not in any sense downgrade what I consider to be the value of the effort. I place that value very high—as high, indeed, as any government adventure of recent times.

All of us in this room have had experience with the crises of government which crowd other news off the front pages. But they are not what government is. The essence of government—the priceless quality which fuses it with the public will—is its capacity to respond to the needs of the people it serves. It is precisely to heighten this capacity that we have embarked upon the total system of analysis and problem solving that I have discussed tonight.

HAWAII SUCCESS STORY

Mr. BOGGS. Mr. President, it has come to my attention that the distinguished senior Senator from Hawaii [Mr. Fong] and a business associate are the subjects of a magazine cover story regarding a fascinating business success story in Hawaii.

A photograph of Senator Fong and his associate, Clifford Yee, appears on the front cover of the April 1967 issue of Hawaii Business and Industry. Hawaii Business and Industry, I have learned, is one of the State's most respected and influential monthly publications devoted to happenings in Hawaii's world of finance and commerce.

The article deals with the growth of Finance Factors, of which the Senator is president and board chairman, from a foundling as an industrial loan company 15 years ago to a family of companies having total resources of $64 million.

The history of Finance Factors—together with the operations of all of its affiliated companies—is one of sound and spectacular growth, the magazine observes. This is indeed a tribute to the gentleman who heads the organization.

I ask unanimous consent that the Hawaii Business and Industry article, entitled "The First 15 Years of Finance Factors," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The First 15 Years of Finance Factors—This Month Hawaii's Largest Industrial Loan Company, and the Multitude of Companies That Have Developed Along With It, Marks Its 15th Anniversary

Fifteen years ago, when personal loans were a new concept in Hawaii, a small Honolulu hui scraped up $200,000 in cash and formed an industrial loan company to specialize in the newly developing field of consumer finance. Today, after 15 years of spectacular growth, the company has grown into what its founders fondly term a family of companies, diversified yet closely interrelated.

Heart of the whole operation is still Finance Factors, of course, with total resources today of $48-million and, appropriately, 15 offices on all major Islands. It is the largest industrial loan company in operation in the Islands—despite competition from such national organizations as Beneficial, Seaboard, Budget, and lately Dial Finance. But beyond Factors itself, is a wide ranging collection of diversified but closely related operations spawned by the parent company.

The list includes Grand Pacific Life Insurance Co., one of the State's most successful life companies, which last year sold $17-million worth of insurance and now has over $93-million worth in force—roughly $10-million for each year of its operation. In a major step taken recently, the decision was made for the locally-owned company to begin operating in California.

Also a separate corporation is Finance Realty, the subdividing and homebuilding member of the family. Realty started out in 1953 with a 12-acre subdivision in Manoa, in 1955 bought 120 acres near Wahiawa for what was to become the 500-unit Waipio acres subdivision—long since completed. In 1958 it developed and sold 9,000 acres of land on the Big Island—one of the few Big Island subdivisions to have been completely sold out.

Currently the company is involved in two major long-range projects. Makakilo City, a subdivision being built above Barber's Point, now has 500 homes on land leased from Campbell Estate. For its other major project, the company has 1,800 acres of fee land at Pupukea which it is developing into one-acre lots, and the Pupukea project is now going into its third increment.

Another member of the corporate family is involved in land development as well, but primarily develops it as income property rather than to sell. This is Finance Investment, set up initially to go into any type of investment, but today mostly involved in land and buildings—from cooperative and condominium apartments to warehouses and office buildings. Most recently, Investment has gone into hotel construction—its latest project being a joint venture with Inter-Island Resorts to build the new Naniloa Hotel in Hilo.

There is one other separate corporation in the family—Finance Securities. Although it deals almost exclusively with house accounts, it illustrates quite well how the corporate entities develop within the family group. As the volume of stock transactions within the company began to grow, it became apparent that there was enough corporate activity to warrant the formation of a separate corporation. Today Securities handles the stock transactions of all the various firms, which over the years has developed into a substantial volume.

Also set up separately is the Finance Factors Foundation, to which the company has made an annual contribution for the past eight years. This contribution is based on a share of corporate profits, and the Foundation now has over $125,000 in it, the earnings from which are used for various charitable causes determined by the board of directors each year.

Within the various corporations are a number of specialty divisions, such as Finance Factors Insurance, a general lines agency which is still under the parent company and has not yet been set up as a separate corporation. Finance Realty has a real estate sales division and a construction company, and Finance Investment operates a property management division. There is still another layer of company activity, this being the individual development companies formed within the corporate parent. Under Finance Investment, for instance, there is a separate company which developed the Ward Avenue Building, another which built the Finance Factors office building in Hilo, and so on.

Behind this corporate structure, and the ever-widening ripples it creates as it grows, is a philosophy that whatever the company is involved in should somehow be used to create profit for the company. Thus it was that when Finance Factors started making auto loans, it decided to set up its own agency to provide coverage for the cars the company was financing. Or that when Realty started subdividing, it set up its own construction company to build the homes.

This philosophy runs even deeper than its own corporate operations. When Security Title Corporation was set up a few years ago, Finance Factors was impressed by its plans to put title information on punch cards and, in effect, to automate the industry. Since through its loan activity it was processing a large number of documents, Factors took a small investors position in Security Title. As executive vice president Clifford Yee puts it, "We like to insure the success of the companies we invest in through full company sponsorship on our part." How true this is can be seen in the company's relationship with Inter-Island Resorts. Through Finance Investment, the company set up a joint venture to build the Naniloa Hotel in Hilo. Inter-Island divorced the Naniloa from its regular corporate structure and then formed a 50/50 joint venture with Finance Investment to build the hotel, with the management rights going to Inter-Island Resorts.

Finance Factors has gone even further, however. During the last public offering of Inter-Island stock, Factors bought in, and today is represented by Yee on the board of directors. It is likely that this association will result in future joint ventures as the burgeoning visitor industry requires Inter-Island to expand its facilities to meet the growing demand. But beyond that it illustrates Finance Factors' willingness to participate with other companies it has faith in.

GROWTH OF CONSUMER FINANCE

While other members of the family have been spreading out in various directions, the parent company has proved particularly adept at increasing its share of the highly competitive market for consumer finance. In its early days, the company was in the forefront of the industry as it expanded from financing for autos into home appliances, then furniture, and finally into the service areas of personal loans for travel and other intangibles. Of course, as the market has grown, competition from other lending institutions has come into the picture, ranging from banks and credit unions to other finance companies.

The growth of the industrial loan companies in Hawaii has been spectacular over the last 15 years, going from $30-million worth of resources in 1952 to $184-million last year. In this growth, Finance Factors has had a remarkable showing, having only ten per cent of the offices, but better than a quarter of the dollar resources of the local industry.

One of the reasons for that success is that Finance Factors has taken a different approach than the others. While most firms set up small offices in a great many locations, Finance Factors takes the approach of having regional offices, much like a bank would. While it has fewer offices, they are generally larger and more impressive than the competition. In the cases where Finance Investment owns the building, it is known as the Finance Factors Building. Factors always encourages its people to take part in community activities and become a part of the community.

Nowhere has its success formula been so vividly pointed out, however, as during the current months when money was in short supply nationwide and many companies found themselves in tight straits. Not only did Factors have reserves held for just such a rainy day, but its ties with east and west coast and local banks held up during the period of stress. In 1966, net profits after taxes were up a healthy 14 percent.

THE MEN INVOLVED

The man the public most closely associated with Finance Factors is Hiram Fong, who as president guided it through its formative years. Today, with Fong in Washington, more and more responsibility is in the hands of Clifford Yee, one of the original founders, who holds the title of executive vice president and serves as the coordinating officer of all the companies. Not that Fong has divorced himself from business now that he is a Senator. He gets back to Hawaii every couple of months, and company business gets a good deal of his attention during those times. At Finance Factors, however, there is a relationship between owners and the management team that is unusually close. Partly this is because four of the owners are active in the company, but it is also due to the degree of freedom and responsibility that management has placed on each of its key executives.

While it is not widely known, ownership in Finance Factors rests in six men, each of whom has an equal share of stock in the company. Of the six, three spend full-time in operations—Clifford Yee, Mun On Chun, and Daniel Lau. The others are Hiram Fong, Fong Choy and Dr. L. Q. Pang. None of the six has taken any profits out of the firm, and over the years a major part of the company's expansion has been internally generated out of re-invested profits.

Major decisions, such as Grand Pacific's proposal to operate in California, are discussed by the owners and the management team to relate the specific move to over-all company operations, and a consensus is arrived at by the board of directors. Day-to-day operations are left in the hands of the individual executives, with Clifford Yee serving as the coordinating officer for all the operations.

Yee was in his early thirties and head of accounting at Honolulu Trust Company when the idea of forming a consumer finance company was first discussed. Working with him at the time, and also among the original founders, were Daniel Lau, who today is corporate secretary for all the companies, and Mun On Chun, who heads up Finance Realty and at 59 is the elder statesman of the youthful management team. The fourth member of the group that originally put the company together was Lawrence B. C. Lau, who was to sell out in 1962 and move on to American Security Bank, to become the bank's president.

Finance Investment is run by Sheridan Ing, an MIT graduate who came to Finance Factors in 1957 from Hawaiian Telephone, where he had been head of business research. Ing was brought in to set up Grand Pacific Life Insurance in 1957, then went on to set up Finance Investment which he heads today.

Ing was replaced at Grand Pacific by Wadsworth Yee, who serves as executive vice president, in addition to his duties as State senator. At Finance Factor, Edward Matsumoto handles the day-to-day operations as senior vice president; and a former Amfac insurance executive, Robert Doane, runs Finance Insurance. Finance Securities is under Edward Wong.

A PREMIUM ON PEOPLE

Finance Factors puts a premium on people, and the fact shows throughout its operating arrangement. Almost all promotion comes from within the company, and it is a young company. Yee himself is 43 and the average age of the top line management group is 38. The average age for the entire company is only 32, half of whom have five years or more with the company. What holds the 250 people who make up the family of companies? It is a combination of a lot of things, ranging from one of the first profit sharing plans in the State to a training program that encourages personal development.

In-house training programs are set up annually for both new trainees and to further the knowledge of other employees. Because the other times of the year are hectic, the training periods run from March to June or July for five or six weeks on week nights. Beyond the basic training program, headed by personnel director Ross Landgraf, there is an opportunity for each employee to further his training at company expense. Every male employee is urged to take the Dale Carnegie Course, and the company will pay the tuition for anyone who wants to take real estate, insurance, or other related courses. Speakers are regularly brought in to talk to groups on subjects of industry interest, and the speakers are often from the competiton. As an example, bank credit men are invited in to speak, as are mortgage men, advertising people, and estate planners.

Finance Factors also encourages its people to have professional accreditation: At Grand Pacific the supervisors are all CLU's, at Finance Investment the property manager is certified, and two key executives are graduates of the National Installment Banking School. The senior management team has been through the Harvard Advanced Management Program, and even the head of the company's advertising agency, John McDermott of Fawcett-McDermott & Associates, is a licensed insurance man.

THE FORMULA HAS PAID OFF

How well this emphasis on people has paid off is evident in the over-all success of the company. Taken together, the entire Finance Factors family has resources totalling about $64-million. In addition to Factors, with $48-million, Realty has resources of $4½-million, Grand Pacific Life almost $3-million, and Investment $9-million. Up to now Finance Factors' growth has been almost entirely based on operations in the State of Hawaii. While this may not be true in the future, since Grand Pacific is already moving into California, and the company is interested in any good proposition no matter where it is, nevertheless management feels that Hawaii is still in a decidedly strong growth position. Wherever it goes, however, the sound management team and the proven corporate philosophy of Finance Factors will likely reflect its past successes in new and exciting directions.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is concluded.

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

EXECUTIVE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE D—TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE, INCLUDING THE MOON AND OTHER CELESTIAL BODIES

The Senate, as in Committee of the Whole, resumed the consideration of Executive D, 90th Congress, first session, a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

The **PRESIDING OFFICER**. The Senator from New Hampshire is recognized.

Mr. **COTTON**. Mr. President, the "Treaty Governing the Exploration and Use of Outer Space" is designed to establish rules preventing the use of outer space or any celestial body in it as a base for nuclear or any other weapons of mass destruction, and to provide means of enforcing these rules. Unlike the Consular Convention, it is not a unilateral treaty with the Soviet Union entered into at a time when the Soviets are our virtual enemies in the Vietnam war. On the contrary, it is a multination treaty subscribed to by many, and perhaps eventually by all nations. For these reasons I have been desirous of supporting it, provided it did not pose a threat to the security of the United States of America.

The obstacle in the way of my voting for ratification was the question as to whether the United States would be able to detect violations of the treaty by the Soviets or others in time to take measures for our protection. Frankly, I place no reliance on the treaty promises of the Soviet Union, and I do not have complete confidence that our own Government will always be alert and realistic in guarding against possible threats to our security. My lack of confidence, however, does not extend to our military leaders.

In order to satisfy myself on this vital point, I addressed three question to the Secretary of Defense. They were:

First. Will we be able to determine if Soviet spacecraft carry heavy weapons?

Second. If so, how?

Third. Could our present and projected retaliatory capacity survive a sneak attack from outer space?

The testimony of General Wheeler, Chairman of the Joint Chiefs of Staff, found on page 98 of the hearings before the Committee on Foreign Relations, constitutes a partial answer, but being given in open hearing, could not be specific enough to wholly resolve my doubts. The answers to my questions received from the Department of Defense, particularly from the Director of Research and Development, went into the matter more fully and furnished considerable assurance, but even that information might not have enabled me to make the grave decision to vote for the treaty.

I then sought and obtained a personal conference with General Wheeler, speaking for the Joint Chiefs of Staff. Obviously, the information or the subjects of discussion with General Wheeler cannot be disclosed, other than to say that they went directly to the core of the three questions propounded by me. The information from, and the assurance of, the Joint Chiefs of Staff, added to the data received from the Defense Department and carefully studied, enable me to vote for this treaty with complete confidence that it may promote, and certainly will not endanger, our national security.

I shall vote for the ratification of the treaty.

(At this point Mr. HOLLINGS assumed the chair.)

Mr. **COOPER**. Mr. President, I compliment the distinguished Senator from New Hampshire for his interest in securing exact and adequate information about the military and security aspects of the treaty.

I should like to speak briefly on this matter, because in the committee I directed my attention and addressed my questions to this particular issue.

We know that the interest of our country in the peaceful exploration of outer space is neither new nor recent. In November of 1958, President Eisenhower took the initiative, and, in an exchange of letters with the Chief of State of the Soviet Union, expressed our country's desire to seek agreements to limit the uses of outer space for peaceful purposes. This policy has been reaffirmed repeatedly by President Kennedy and President Johnson.

In its consideration of the treaty, the Committee on Foreign Relations, at its first hearing, received the testimony of Secretary of State Rusk, Ambassador Goldberg, and a statement by the Administrator of the National Aeronautics and Space Administration, Mr. Webb.

I must say that I did not feel that they dealt adequately with the military and national security aspects of the treaty. I requested that the chairman of the committee insist that the Chairman of the Joint Chiefs of Staff, General Wheeler, and the Deputy Secretary of Defense, Mr. Vance, speaking for the Secretary of Defense, appear at a public hearing on April 12, to testify concerning these problems.

I should like to comment on those provisions of the treaty which bear on our national security and military posture in light of the testimony given the committee by General Wheeler and Mr. Vance.

Paragraph (1) of article IV obligates the treaty parties "not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner."

Paragraph (2) of article IV prohibits "the establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies" and, in the affirmative, requires that the moon and other celestial bodies be used exclusively for peaceful purposes.

In order to establish safeguards and to ascertain compliance by the parties with the above prohibitions of article IV, the treaty in article XII provides for inspection by granting the parties physical access "to all stations, installations, equipment and space vehicles on the moon and other celestial bodies" upon reasonable advance notice. But with respect to orbiting bodies—and this is the important distinction—there is no provision in article XII or in any other article of the treaty authorizing physical inspection so as to determine whether orbiting bodies are armed.

It was this absence of a provision in the treaty requiring inspection of orbiting objects which aroused my concern and prompted my interest in seeking additional information.

The Senate should address itself to this important question and the public at large has a right to be informed.

In the public hearing held by the Committee on Foreign Relations on April 12 the questions which have been raised here by the distinguished Senator from New Hampshire [Mr. COTTON] and which I will raise also, were addressed to General Wheeler, the Chairman of the Joint Chiefs of Staff, and the Honorable Cyrus Vance, speaking for the Secretary of Defense.

At the outset of the hearing, before I had an opportunity to put questions to these witnesses, the able Senator from Ohio [Mr. LAUSCHE] covered the subject matter thoroughly and in detail and obtained answers to many of the questions that concerned me. When my opportunity for examining the witnesses presented itself I noted that many of the questions I had prepared had been answered. The answers to some of these questions contain information and judgments which the Senate and the country as a whole are entitled to know.

One of the first questions asked by Senator LAUSCHE, and which I later asked, was this: Is it possible for the United States, within its present capabilities, to determine whether an orbiting object in outer space is armed?

The answer was that it is not possible to determine whether a single body orbiting in space is armed but that the appearance of a number of orbiting bodies would give notice to our security and military services of the possibility that they might be armed. Mr. Vance testified:

> We believe that, through our space observation and other technical surveillance systems, compliance with this provision of the treaty can, and will, be effectively monitored. This is not to say that one or two or some very small number of weapons could not be clandestinely orbited without being identified. This is possible. On the other hand, to be militarily significant, a large number of weapons would have to be deployed, and this would certainly be detected.

This view was reaffirmed by General Wheeler, who stated:

> We have certain capabilities today to detect and keep track of objects in space, and while, as I point out in my statement, a space power could undoubtedly orbit one or two weapons of mass destruction in space without our necessarily detecting it, any substantial number which would constitute a military threat could be detected at the present time by our present capabilities.

The second question I asked was this: Is it more difficult for the United States to detect an attack by armed missiles or an attack by armed orbiting bodies? Both witnesses testified that we could easily detect a missile attack but that we would have greater difficulty in detecting a surprise attack of orbiting bodies armed with nuclear weapons.

Both General Wheeler and Mr. Vance, speaking for the Secretary of Defense, assured the committee that the Defense Department is pushing forward its present programs for developing improved methods of surveillance and identification of orbiting armed objects, that the Department has sufficient funds at present to carry out this program and that the Department would not hesitate to request additional future appropriations when needed.

General Wheeler testified that:

> This threat can be answered only through intensified U.S. efforts to develop capabilities to detect and verify the orbiting of nuclear weapons or those threatening mass destruction. We must develop the capability of dealing with that threat should it materialize, with or without a treaty.

In this connection I believe the most significant testimony given by the Chairman of the Joint Chiefs of Staff was that he would prefer to rely upon the capabilities of the military services and the agencies of the United States to maintain monitoring and surveillance systems for the detection of possible armed satellites rather than have the right to inspection.

I do not know all of the reasons he had for making that statement, but it is important and significant that the Department of Defense and the Chairman of the Joint Chiefs of Staff said that they prefer to rely on our capabilities to detect any possible arming of orbiting bodies, and they expressed confidence that they would be able to maintain that capability. It is upon this basis that I find myself able to support the ratification of this treaty.

My last point is that the treaty does not significantly change our present situation. Today there is no agreement. It has been the announced U.S. policy since 1962 not to deploy weapons in outer space. We should bear in mind that whether we enter into this treaty or not, the Soviet Union, if it so desired, could orbit armed objects, and our present capability for verifying the armed nature of these objects in space would not be changed.

I close by saying that I believe this is an important treaty. I think it deserves more discussion in the Senate, not only concerning its provisions, but concerning its possible long-range effects. I would like to take this opportunity to compliment Ambassador Goldberg for his long and patient efforts and skill in negotiating this treaty.

I am happy that the Senator from New Hampshire raised this issue.

Mr. President, I ask unanimous consent that my questions to Deputy Secretary of Defense Vance and the Chairman of the Joint Chiefs of Staff, General Wheeler, and their answers be printed in the RECORD at this point.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

MORE TESTIMONY SOUGHT

Senator COOPER. As the Chairman stated at the outset of this meeting, I did ask these witnesses be called to testify before the committee upon the military aspects of the treaty and its effect upon our national security.

I did not think that the statements of Secretary Rusk or of Ambassador Goldberg or Mr. Webb covered this aspect adequately. I have also read the statements of the Secretary of Defense, which I think you, Secretary Vance, have repeated.

Mr. VANCE. I have, sir.

Senator COOPER. And the statement of General Wheeler.

I may say at this point that many of the questions that I had prepared for this hearing have been answered because of the questions of Senator Lausche. I think he has explored this field very thoroughly.

But I do want to ask a few more questions because I think it is necessary that the country, as well as the Senate, feel that this treaty does not in any way impinge upon the security of the United States.

VERIFICATION OF ORBITING OBJECTS

I am aware, of course, as you have stated, that whether this treaty is entered into or not, the Soviet Union, if it desired, could orbit armed bodies, and our capability for verification would not be changed in any way. That is correct, is it not?

Mr. VANCE. That is correct.

General WHEELER. That is correct.

Senator COOPER. You have stated that the United States now has the capability of identifying objects that are orbited in space, but can we also determine whether or not they are armed?

Mr. VANCE. Senator Cooper, as I indicated in my statement, it would be possible for the Soviet Union to launch one or two which might escape our identification. However, it would be, in my view, impossible for the Soviet Union to launch, undetected, a militarily significant number, and I believe General Wheeler will concur with that statement.

General WHEELER. That is right.

Senator COOPER. I have not served on the Armed Services Committee for a long time or the Joint Committee on Atomic Energy, and some of these subjects are very technical. I do not have the knowledge that perhaps Senator Gore and others would have on the technical aspects. But may I ask again, can you distinguish and identify an orbiting body and can you determine now whether that body is armed?

Mr. VANCE. It is not possible to determine whether a single body orbiting in space is armed with the technology which we have at this point in time.

DETECTION OF ARMED ORBITING BODIES

Senator COOPER. But if you detected a number of orbiting bodies, that gives you cause for concern that they might be armed?

Mr. VANCE. That is correct, sir.

Senator COOPER. One of the purposes of this treaty is to encourage the free use of space. What would there be about a group of orbiting bodies that would give you concern that they might be armed?

Mr. VANCE. There are some characteristics which would be identifiable or would lead to the conclusion that this might be an orbiting bomb or a nuclear weapon. The size would be one of the important facts that one would look to. There are other classified programs which we have underway at this point which when they reach their fruition will be able to give us a great deal more knowledge than we can gather at the present time with respect to the nature of the body in orbit.

Senator Cooper. Mr. Secretary, you have stated that there could be a small number of orbiting bodies which you could not detect but that a significant number would cause you concern. Now, is there any point where a certain number would cause you concern?

Mr. Vance. Are you asking me how many would give us concern?

Senator Cooper. Yes.

Mr. Vance. It is a difficult question to answer, Senator, but if we would detect ten or more, I would certainly have concern.

DETECTION OF A MISSILE LAUNCHING OR AN ORBITING BOMB

Senator Cooper. Would it be more difficult to determine whether a missile attack was being launched or whether a group of orbiting bodies might constitute an attack upon the United States?

Mr. Vance. Let me say, Senator, with respect to that question, that it is much more difficult to launch an attack from space than it is to launch one from the earth. You have many problems in trying to launch an attack from space. You have the problem of accuracy. The accuracy of a bomb deorbited to the earth is much less than that of an ICBM. In addition the payload is less than that of an ICBM.

The whole problem of command and control is much more difficult with respect to an orbiting body. Finally, it is much more expensive than an ICBM.

So that from a commonsense standpoint, it simply does not make sense——

Senator Cooper. I understand, and that is the question I am going to direct my attention to in a minute. But that was not the question I asked.

Mr. Vance. I am sorry.

Senator Cooper. My question is this: Is it more difficult to detect a missile launching than it would be to detect an armed orbiting object directed against this country?

Mr. Vance. No. We have systems in being right now which make it easy to determine whether a missile has been launched.

Senator Cooper. That is what I thought. You make the distinction that it is easier to identify a missile attack on the United States than it might be——

Mr. Vance. Oh, yes; indeed, sir.

Senator Cooper (continuing). To identify an attack by armed bodies orbiting the earth.

FEASIBILITY OF ARMING ORBITING BODIES

You said that, in your judgment—and I think General Wheeler also made the statement—the arming of bodies orbiting the earth was not feasible for many reasons, at least in the present state of technology. Would you consider that it is possible that the technology could advance to the point whereby the arming of orbiting bodies might become feasible?

Mr. Vance. I doubt it myself, sir. But I said in my statement that it is possible that some of the disadvantages which I have mentioned to you in answer to your previous question may be eliminated in time.

Senator Cooper. Do you agree with that, General Wheeler?

General Wheeler. Yes, sir; it can be done at the present time, but it is not attractive for a number of reasons, some of which you have touched on, Senator.

I would think that advancing technology will remove some of the disadvantages inherent in an armed orbiting body, and it is for this reason that the Joint Chiefs of Staff consider, as I brought out with Senator Lausche, that we must improve our capabilities in the detection and verification area.

Senator Cooper. You now state that you believe the United States has the capability to identify orbiting bodies which might carry arms.

General Wheeler. This is correct, sir.

CONTINUED RESEARCH PROGRAMS

Senator Cooper. Assuming, as you have stated, that the technology could be advanced so that the arming of orbiting bodies might be considered feasible by the Soviet Union, do you now have a program to improve surveillance and monitoring which could meet such a contingency?

General Wheeler. We do, Senator.

Mr. Vance. Yes sir.

Senator Cooper. You have no doubt about that.

General Wheeler. I have no doubt about it.

Senator Cooper. The reason I asked that, General Wheeler, is because you have said in the statement you filed with the committee several weeks ago and today that:

"As technical, economic, and military factors change or alter current assessments concerning strategic efficacy of orbital weapons, our national security will demand an increase in our military efforts in space not prohibited by the treaty"—

And, later:

"Of crucial significance to the Joint Chiefs of Staff is the proposition that the United States will not permit the authority of this treaty to become meaningless by diminishing U.S. military efforts in space technology."

Do you believe it would be necessary for further assistance from the Congress to authorize programs which would enable you to develop methods of surveillance and identification of orbiting armed bodies, so as to protect the security of the United States?

General Wheeler. That is correct, Senator. What I am really saying in these two statements, which you quoted, is that we cannot permit the treaty itself to generate a sort of euphoria that this gives us a security situation that will hold into the future indefinitely, and, therefore, we will undoubtedly be coming to the Congress in future years asking for budgetary support for continuing R. & D. programs to improve our capabilities for detection and verification.

Mr. Vance. However, Senator, I would point out we have sufficient funds in the current year's budget to do all that is required at this time.

Senator Cooper. There is no question in your mind, then, that you will ask for the means to meet this possible contingency.

General Wheeler. None at all, sir.

Senator Cooper. I have two or three other questions.

CAN THE UNITED STATES EVENTUALLY ARM ORBITING BODIES?

The U.S. policy is not to arm orbiting bodies whether or not this treaty is entered into?

General Wheeler. That is correct, Senator.

Senator Cooper. Assume we enter the treaty and the United States does not arm orbiting bodies, and suddenly you discover that the Soviet Union has done so. Would that event place the United States at an immediate military disadvantage or endanger its security?

General Wheeler. I do not believe so, Senator. We gave up nothing that was currently attractive to us from a military point of view in stating our intention not to orbit weapons of mass destruction. And if the Soviets do orbit weapons of mass destruction, it would not follow, in my judgment, that we should do so in order to improve our security.

There might be other things that we should do which would take away from them any military advantage they might achieve.

INSISTENCE UPON VERIFICATION PROCEDURES

Senator Cooper. I realize there is not any practical method of verification. Would the failure of the United States to insist in this treaty on some form of verification with respect to orbiting bodies, mark any change in what I understand to be the policy of the United States to insist upon verification procedures with respect to weapons treaties?

That is probably a question for the Department of State.

General Wheeler. I believe that probably is one for the Department of State, Senator. I would say it represents no change which causes me concern. It is quite true, as I am sure you are inferring, that in the past in various arms control agreements we have insisted on on-site inspection, and, of course, in this particular instance we are not, except in the case of the moon and other celestial bodies.

Senator Cooper. My reason for asking is to determine whether this is the first deviation.

General Wheeler. Yes.

However, as I said in response to an earlier question from the committee, I would prefer to rely upon our national capabilities in this regard.

Senator Cooper. I would like to say that I support the objectives of the treaty, and I am very happy that you testified. I think your testimony cleared up—at least in my mind and, I believe, in the minds of others—questions which could relate to the security of the United States.

Thank you, Mr. Chairman.

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WEAPONS OF MASS DESTRUCTION

Senator Cooper. The treaty refers to weapons of mass destruction as well as nuclear weapons. Can you give us some statement about that?

Mr. Vance. Yes, I believe it would include such other weapons systems as chemical and biological weapons, sir, or any weapon which might be developed in the future which would have the capability of mass destruction such as that which would be wreaked by nuclear weapons.

Senator Cooper. I was impressed in reading the statements of Secretary Rusk and Ambassador Goldberg and Mr. Webb. However, they said little about the problem of verification and little about the military aspects of the treaty. You have directed your testimony toward those issues.

Is there anything that you could say in an executive session which would give further light on this subject that you are not able to say here in open session?

Mr. Vance. We could go into further details on what systems we have and are working on in the verification field, and this might be illuminating to the committee.

Senator Cooper. But your statements would remain the same——

Mr. Vance. Our statements remain the same. I fully support this treaty in every respect.

Senator Cooper (continuing). In executive session.

I think that is all.

Senator Sparkman. Any statements you give in executive session would simply sustain the conclusions you have reached.

Mr. Vance. That is correct.

General Wheeler. That is correct.

Senator Sparkman. Thank you very much, gentlemen.

(Several Senators addressed the Chair.)

Mr. COOPER. I yield to the Senator from Colorado.

Mr. ALLOTT. I believe the distinguished Senator from New Hampshire [Mr. Cotton] and the distinguished Senator from Kentucky [Mr. Cooper] have both rendered a very important service to the Senate in the discussion of this matter.

I had caused some study to be made, and I made some study of this matter in my office. I was not able to procure from the hearings nor from what I could ascertain any satisfactory answer to some of the questions that were raised. I have since received those answers from the discussion by the Senator from New Hampshire, and more particularly from the discussion by the Senator from Kentucky [Mr. COOPER], who is a member of the Committee on Foreign Relations.

With respect to the reservation expressed by the Senator in connection with the discussion of this particular treaty on the floor of the Senate, I was in the Chamber yesterday and acquiesced in the unanimous consent, after being assured that the minority leader had cleared this matter for a vote at 2:30. Therefore, I presume it is regular in that respect. Frankly, I feel, in view of the ramifications of this treaty, that it is a matter which might well have taken up a little more discussion than has been taking place in the Chamber for the last 3 weeks for the benefit of all of us.

I was concerned when I learned that apparently there were no hearings originally scheduled with respect to members of the Department of Defense. As I understand it, those hearings were scheduled on the instigation of the distinguished Senator from Kentucky. I may be in error about that, but it seems to me that a treaty which may potentially have long-term effects, which this treaty does, could well have borne a little more exhaustive discussion and a little more exhaustive investigation than apparently this treaty did.

I shall vote for the treaty with the assurances we have received here, but I do feel that there is a tendency on the part of the Senate and perhaps even on the part of many to skim over these matters in a rather cursory fashion—and believe me, there is nothing at all cursory about a nuclear weapon system in space.

It is true that we could identify even one missile—a nuclear missile—orbiting in space, and we could more readily identify perhaps 10 missiles which might be considered as constituting an offensive system, but it might also be considered in this same respect that we have to view the potentiality of the U.S.S.R. That potentiality might be to orbit 10 of these at one time, or in the course of 2 or 3 days, and then we are faced with a situation post facto about which nothing could be done.

However, in view of our developing technology and our capability, I believe within the foreseeable future it would be inadvisable and too expensive to orbit an offensive system in space, considering the potential that the U.S.S.R. has at the moment in the intercontinental ballistics field. Therefore, I do not regard this as an irrecoverable bar to voting for the treaty.

Mr. President, I ask unanimous consent that an analysis I made upon the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space be inserted in the RECORD as a part of my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

This treaty was signed on January 27, 1967, on behalf of the USA, Great Britain and the USSR. It was referred to the Foreign Relations Committee, which has reported favorably thereon without reservation.

The purposes of the Treaty: To establish general principles for peaceful exploration and use of outer space, including the moon and other celestial bodies. The parties agree that the exploration and use of outer space and other celestial bodies will be for the benefit of all countries without discrimination; not subject to appropriation by claim of sovereignty; precludes the establishment of military installations and the conduct of maneuvers; and provides for the right to inspect installations and space vehicles on the moon and other celestial bodies.

The language of the Treaty is based on a blending of the language of the Anarctic Treaty of 1959 together with the substance of two United Nations General Assembly resolutions.

The Outer Space Treaty consists of a Preamble and seventeen articles. The pertinent articles are set out below. The issues raised by these provisions will be disposed of in a separate paragraph.

Article 1 provides that the exploration and use of outer space shall be carried on for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.

Article 2 provides that outer space shall not be subject to national appropriation by claim of sovereignty.

Article 3 provides that parties to the Treaty shall carry on their activities in the exploration and use of outer space in accordance with international law.

Article 4 provides that the parties shall not undertake to place in orbit any objects carrying nuclear weapons, install such weapons on celestial bodies, or station such weapons in outer space in any other manner. (It is to be noted that inspection provisions of Article 1 and 12 do not apply to Article 4.)

Article 5 obliges parties to return astronauts and to report to the UN any condition in outer space that might endanger life.

Article 6 provides parties shall bear international responsibility for all its national space activities.

Article 7 provides that state parties are internationally liable for damage to other state parties by any object launched into outer space.

Article 8 provides that an object launched into outer space retains its national character.

Article 9 provides for the principal of cooperation and mutual assistance between the parties.

Article 10 establishes means whereby requests can be make by parties to the treaty to observe the flight of space objects launched by one another.

Article 11 provides for informing the Secretary General of the UN of the nature, conduct, and location of activities of peaceful exploration in the use of outer space.

Article 12 provides for access to installations and space vehicles on celestial bodies. (Inspection provision.)

Article 13 provides that the provisions of the Treaty apply to the activities both of single states and in those situations in which states carry on activities jointly.

The remainder of the articles, 14 through 17, provide the necessary steps for ratification of the Treaty, and the means whereby a party may withdraw from the Treaty after ratification.

Issues Raised by the Language of the Treaty:

1. *Article 1* raises the question of whether or not there is a fixed obligation on the US to share with other parties to the Treaty the benefits and results of its exploration, particularly in the area of its present communications satellite field. It was the Committee's understanding that nothing in Article 1 diminishes the right of the US to determine how it shall share the benefits or results of its space activities.

2. *Article 4* raises the question of whether the US is committing itself to an arms control measure which has not been properly safeguarded from violation. In this regard, at the Committee hearings, Secretary Rusk commented, "We have no doubt we can monitor effectively a weapons system placed in outer space." This, together with a statement from the Joint Chiefs of Staff stating that they did not seek a mutual inspection provision in orbiting bodies, led the Committee to feel that there was no problem with regard to inspecting vehicles orbiting the earth which might or might not be carrying nuclear weapons in violation of the Treaty.

3. *Article 7* with regard to the nature and extent of international liability assumed by the parties—The Committee noted that the Administration is presently preparing a Treaty on international liability. Under the terms of this treaty, electronic interference by one spacecraft with another is not covered. Therefore, it is the understanding of the Committee that Article 7 pertains only to physical, non-electrical damage which space activities may cause to persons or people of another signatory state. Evidently, therefore, the electrical interference which must be covered may be the subject of another Administration treaty. The Committee report is not clear on whether or not this treaty is now being prepared. In a letter from Dean Rusk to Senator Smith with regard to this question, the State Department advised that negotiation of a detailed convention on liability will take a considerable amount of time. In the meantime, they consider that Article 7 represents a fair arrangement and will serve adequately as a guide for the parties to the Treaty. In the view of the State Department, no agreement with regard to the Space Treaty could have been reached without a fair liability provision. In this letter, however, Senator Smith raises the valid point that under the terms of this Treaty, the United States could be liable to a foreign national in this country who might be injured by an object launched in this country. Oddly enough, the Treaty goes further with protecting foreign nationals than US citizens who have no specific remedy at the present time for objects launched by the U.S. Secretary Rusk's comment to this point is that this is true but there are reciprocal provisions which would grant American citizens the same right on foreign soil.

4. *Article 12* provides access to installations and space vehicles on celestial bodies on the basis of reciprocity. It should be noted, however, that such access is only available to installations and space vehicles in place on the moon, and does not provide for any kind of inspection during the time that these vehicles or installations are in orbit.

(Several Senators addressed the Chair.)

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. COOPER. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I am glad to have the assurances that have been given. There are, of course, pros and cons on this treaty, as on all treaties.

I intend to vote for the treaty. I am, as we all are, concerned about the machinery that flies through the air.

But, I am more concerned about what is going on in the minds of the people who propel that machinery.

On that point, although this may seem perhaps not the place to say it, what are the conclusions I want to draw, hopefully?

I know that the hearts of all Americans go out to the family, and to the Russian people, in the death of Vladimir Komarov. I know that many people throughout the world must have said, in their own way, in their own language, to the Supreme Being in whom they believe, "May God rest his soul."

In view of the statements recently made by Svetlana Alliluyeva Stalin in recognizing in the midst of her Soviet land the existence of the Supreme Being, we have no way of knowing how many people in Communist lands may have sent up the same prayer, lacking sufficient strength within themselves but in their own way praying for the brave Komarov, "May God rest his soul."

Perhaps in a spiritual explanation lies some hope far more than in the simple control of machinery.

Mr. GRUENING. Mr. President, it would be difficult not to vote for a treaty which offers great hope of peace in space. Would we could have it on earth. I agree with the Senator from Colorado [Mr. Allott] that it would have been desirable had we had a little more time for debate. I invite attention to one point I have discussed before, on April 14, which I think should have received more consideration before we were asked to vote. That is with reference to satellites as aids to the war which is now going on in southeast Asia.

In the New York Times of April 13, there was published an Associated Press story to the effect that:

> American bombers are being guided to targets in North Vietnam by daily photographs received from U.S. weather satellites.

According to the story, the aerial photos from the satellites are rushed, sometimes when still wet, to the U.S. air commander in South Vietnam, Lt. Gen. William W. Momyer, even while U.S. bombers are on their way to the north:

> By spotting breaks in the clouds, General Momyer can divert planes to areas that are unexpectedly clear. With satellite photos sometimes taken minutes before, he has a grasp of the weather situation that is impossible to obtain by conventional forecasting.

Mr. President, to me that would seem to be a violation at least of the spirit of the treaty. If we can use satellites, which are certainly articles in space to assist one side in the war, I think this is violating the spirit of the treaty even before it has been ratified. I realize that there is a distinction between outer space as intended in the treaty and what we may consider space closer to earth, but I feel the issue is not so clearly defined in the treaty to prevent future misinterpretation or misunderstanding.

I wish that this treaty had had fuller consideration.

Mr. President, I ask unanimous consent that the insertion which I made on April 14, which appears on page 9641 of the Congressional Record, including an article published in the New York Times concerning this matter be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Is the United States in Violation of the Spirit of the Outer Space Treaty Even Before Ratification?

Mr. Gruening. Mr. President, I ask unanimous consent that I may proceed for 6 minutes.

The Presiding Officer. Without objection, it is so ordered.

Mr. Gruening. Mr. President, I have supported, and intend to continue to support, the Treaty on Outer Space. It represents, in my opinion, an important step forward on the rocky road to peace for all mankind. I hope that it will shortly be reported favorably by the Senate Committee on Foreign Relations and that the Senate will then promptly give its advice and consent to its ratification.

In the New York Times this morning there appeared a story under the dateline of Saigon, South Vietnam, April 13, from the Associated Press to the effect that "American bombers are being guided to targets in North Vietnam by daily photographs received from U.S. weather satellites."

According to the story, the aerial photos from the satellites are rushed, sometimes when still wet, to the U.S. air commander in South Vietnam, Lt. Gen. William W. Momyer, even while U.S. bombers are on their way to the north:

"By spotting breaks in the clouds, General Momyer can divert planes to areas that are unexpectedly clear. With satellite photos sometimes taken minutes before, he has a grasp of the weather situation that is impossible to obtain by convention forecasting."

In connection with the Senate's consideration of the Treaty on Outer Space, a serious question is raised by this practice of using the weather satellites to locate attainable bombing targets in North Vietnam. The question is thus raised as to whether or not this practice would violate the objectives of the proposed treaty.

It is true that the weather satellites in and of themselves are not weapons of war and are not raining bombs on North Vietnam. It is also true that the satellites are not being used as triggers physically located on the bombing planes flying over North Vietnam.

On the other hand, when a weather satellite flashes a photograph to earth and that photograph is then rushed to the U.S. air commander in South Vietnam so that he can and does then determine places over North Vietnam where the weather is clear and he orders those places bombed, it is obvious that the satellite itself is passing on the information, through an intermediary, to the bombers. The weather satellite thus becomes an integral part of the bombing operation as though it were physically located on the bombers themselves as part of the trigger mechanism. The weather satellite is certainly an object in what is considered to be "outer space."

The question may well be asked: "Is not the United States in violation of the spirit of the Outer Space Treaty even before ratification?" This is a question that should be thoroughly explored by the Committee on Foreign Relations before it reports on the treaty. The time to explore this question is before, not after, ratification.

I ask unanimous consent that the news story from the New York Times of April 14, 1967, entitled "Satellites Guide U.S. Pilots in War," be printed in full at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

"SATELLITES GUIDE U.S. PILOTS IN WAR—WEATHER PHOTOS PROVIDING DATA ON NORTH VIETNAM

"Saigon, South Vietnam, April 13.—American bombers are being guided to targets in North Vietnam by daily photographs received from United States weather satellites.

"The Air Force said today that photographs of all Southeast Asia had become one of the most valuable guides to United States bombing and that the North Vietnamese might be receiving them, too, using them for air defense planning.

"The wave lengths on which the satellites transmit the photos are public knowledge, and they are being received and studied by various nations throughout the world.

"The Air Force has no confirmation that they are being received in North Vietnam. But experts said the necessary equipment was relatively cheap and the photos would be just as valuable to North Vietnam as they were to the United States.

"The weather photos from the ESSA (Environmental Survey Satellite Agency) and the Nimbus satellite, both orbiting more than 600 miles up, are monitored by Air Force weather stations in Saigon and in Udon, Thailand.

"Prints rushed to general

"So important are the pictures that wet prints are frequently rushed to the United States air commander in Vietnam, Lieut. Gen. William W. Momyer, while strikes are headed north.

"By spotting breaks in the clouds, General Momyer can divert planes to areas that are unexpectedly clear, with satellite photos sometimes taken minutes before, he has a grasp of the weather situation that is impossible to obtain by conventional forecasting.

"The electronic satellite photos are received by standard television techniques somewhat refined to give more detail. The standard United States screen, for example, has 500 lines an inch while satellite pictures are 800 lines an inch.

"Col. Edwin Carmell of Rantoul, Ill., who runs the Saigon weather post, says:

" 'Our people, who are experts, can tell from the density of the picture, by comparing whites and grays, a remarkable amount of information.'

"He said they could generally get cloud ceilings, separate rain clouds from others and obtain a vast amount of detail needed by pilots.

"The two satellites usually furnish two photos daily of Southeast Asia.

" 'The photos have become about 50 per cent of our product,' Colonel Carmell said. 'In the general's eyes, they are maybe 100 per cent.

" 'The weather has been so bad up North recently, we could be 95 per cent correct by predicting bad weather all the time. That doesn't do much good. What the Air Force wants is to know about that other 5 per cent.' "

Mr. CURTIS. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. CURTIS. Mr. President, when Mr. James Webb was before the Committee on Aeronautical and Space Sciences, I asked him to provide the committee with a list of benefits which would accrue to the space program and to the United States in general from this treaty, and also what the benefits would be which the Soviet Union would obtain.

Mr. Webb's response has just arrived in my hands within the past 5 minutes, and I ask unanimous consent to have his statement printed in the Record.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SPACE TREATY BENEFITS

Benefits which will accrue to NASA and the United States in general through the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space include the following:

1. Establishment of a regime of law in space which is founded on the high standards and objectives which were written into the National Aeronautics and Space Act of 1958. We are already meeting these standards by the open character of our activities, our emphasis on international cooperation, and our high-priority efforts to develop practical benefits from the exploration and use of outer space which can be shared with all people.

2. Narrowing of the field for military competition (the Treaty prohibits stationing nuclear or other weapons of mass destruction in orbit, on celestial bodies, or anywhere in outer space; forbids establishment of military bases, installations, and fortifications on celestial bodies; and bans the testing of any type of weapons or holding of military maneuvers on celestial bodies).

3. Obligation of states to treat astronauts as envoys of all mankind, assist them in distress, and return them to their own countries.

4. Obligation of states to report conditions discovered in outer space which could constitute a danger to the life or health of astronauts.

5. Recognition of property rights of states in objects launched into space and obligation to return if such objects or component parts are found beyond limits of state of registry.

6. Obligation to conduct exploration of outer space, including the moon and other celestial bodies, so as to avoid their harmful contamination and also adverse changes in the environment of the Earth resulting from the introduction of extraterrestrial matter.

Articles I and XII of the Treaty, which require free access to all areas, stations, installations, equipment, and space vehicles on the moon and other celestial bodies, provide a means of assuring compliance with the Treaty prohibitions which apply to the moon and other celestial bodies. There is no Treaty provision for inspection to assure compliance with the bombs-in-orbit provision, but in this matter, as General Wheeler stated in his testimony before the Senate Committee on Foreign Relations, we prefer to rely on our own national monitoring capability. *In the last analysis, this Treaty depends on the good faith of the states parties to the Treaty.* It is to our advantage because we gain their commitments to desirable objectives without giving up any present or planned activity. Should there be serious Treaty violation by another party, the United States could withhold the obligations otherwise owed to the breaching party or could regard the operation of the entire Treaty suspended during continuation of the breach. The United States may withdraw at any time on one year's notice. Mr. Webb's testimony, submitted to the Committee on Foreign Relations, is relevant here:

"The security of this country rests both on a strong defense posture to make aggression unattractive to any who may consider such a course and on a vigorous, dynamic aeronautical and space program. The programs being recommended by the President in his budget for 1968 fulfills this requirement. We *still stand* at the threshold of the space age. But we cannot *stand still* there. Our best hope for security lies in recognizing that we are only at a beginning, that no man can forecast with certainty what will become possible in the decades of development that lie ahead, and that we must therefore pursue a national program on a scale and at a pace which will keep this country at the frontiers of space science and technology. Do this, and we can face the future with confidence. Fail, and no treaty can guarantee our security."

As for Soviet motivation, it seems reasonable to assume that the USSR sees in the Treaty the same benefits that we see. The Soviets stand to benefit from such provisions as the requirement to give assistance to and that they hope that Article X will lead to some expansion of their tracking facilities, and in view of their current arms burden, they may been influenced by the desire to avoid extending the arms race into outer space.

Mr. CURTIS. Mr. President, while I intend to vote for the treaty, I invite attention to the fact that there is one significant sentence in Mr. Webb's statement, as follows:

> In the last analysis, this treaty depends on the good faith of the states parties to the treaty.

We must not forget that. We must not forget Russia's historical record in reference to treaties.

It is my understanding that this treaty may be preliminary in nature and that there may be further space treaties, or more treaties with the Soviet Union.

It is my hope that in the future these treaties might have a little more study in depth by all committees of the Senate which have some responsibility with certain aspects of it.

I thank the Senator from Kentucky for yielding to me.

Mr. COOPER. Mr. President, I should like to call the Senate's attention to two further points.

I raised certain questions concerning the possibility of our entering into this treaty and suddenly discovering at a later date that one of the parties had violated article IV and was arming orbiting objects. I was concerned that such a possibility might place the United States at an immediate military disadvantage and endanger our national security.

I asked General Wheeler this question:

> Assume we enter the treaty and the United States does not arm orbiting bodies, and suddenly you discover that the Soviet Union has done so. Would that event place the United States at an immediate military disadvantage or endanger its security?
>
> General WHEELER. I do not believe so, Senator.

Second, I hope that this treaty will be adhered to in its own right because it could lead to a successful nonproliferation treaty.

Mr. THURMOND. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield.

Mr. THURMOND. Mr. President, I believe this treaty to be unnecessary. It is simply an attempt to get the Senate to affirm policies which the administration has already agreed upon, both in the unilateral declarations of two Presidents, and in a series of resolutions agreed to in the General Assembly of the United Nations beginning in 1961. It is an attempt by President Johnson to have Congress share in the responsibility for the outcome of this dubious course of action, and to appease his critics who demand concessions in the name of peace.

The only benefit of this treaty will be to get formal Soviet accession to the Johnson program under the framework of treaty law. The merit of such an accomplishment is itself nebulous. The Soviets regard treaties as a scrap of paper, to be adhered to as long as the advantage is on their side, and to be violated at will. Therefore, their present agreement to the terms of this treaty has, at best, only a formal significance.

Since the Soviet record indicates that they will violate this treaty as soon as it fits their strategy of world conquest, it is of the utmost importance that every effort be made to appraise ourselves of the progress of their design. If the Soviets succeed in mounting nuclear weapons in an orbiting vehicle, the balance of power between the U.S.S.R. and the United States could change drastically.

We have declared that it is our official policy not to place weapons in space. Some military spokesmen have stated that there would be no military advantage to such an orbital superbomb.

While I do not wish to go into that issue at this time, suffice it to say that technology changes rapidly, and that the Soviet opinion of the value of orbital bombs may be quite different from ours.

We must not forget that certain policymakers in our Government about 5 years ago declared that the Soviets would not find it in their interest to install missiles in Cuba.

We should not hesitate, therefore, to use every scientific means at our disposal to check Soviet compliance.

I have discussed this matter with Senator JOHN STENNIS, chairman of the Armed Services Preparedness Subcommittee, and Senator CLINTON ANDERSON, chairman of the Aeronautical and Space Sciences Committee, and they both assure me that we will use all our resources, both scientific and otherwise, to monitor Soviet performance under this treaty. Moreover, we will call upon the Secretaries of State and Defense to keep the Senate continually appraised of the situation. If this treaty is violated by the Soviets, it is presumed that the administration will take steps immediately to cancel it and follow a course that will preserve our national security.

Furthermore, I call attention to article XVI of this treaty. After the treaty has been in force for 1 year, any party to it may give 1 year's notice of withdrawal. While such a privilege is of no value in a case where the disarmament features of the treaty have been violated, it may provide an escape should a rapidly-changing world situation demand that we reassert traditional national rights of sovereignty and responsibility. This treaty appears to be another step in the artificial and unrealistic atmosphere of detente with communism, in which emotions and desires supplant objective appraisal of events.

Upon these bases, therefore, I rest my position. It is clear that nothing will be gained by voting against the treaty. The administration has already put into effect the policies it proposes, whether the Senate approves of them or not. Although the treaty contains a potential threat to the national security, the Preparedness Subcommittee and the Space Committee stand by in vigilance. Having thus stated my serious reservations, I will vote for this treaty with the understanding that if its laudatory goals prove illusory, steps appropriate to the occasion will be expected.

Mr. **ANDERSON.** Mr. President, as chairman of the Committee on Aeronautical and Space Sciences, I wish to endorse the treaty on outer space which is now before the Senate. I have had a long-continuing interest in the internationalization of science, and this treaty which defines the general guidelines for future relations among nations in the exploration and use of outer space is a forward step in using science as a basis for promoting mutual understanding among nations.

But the treaty contributes far more to world order than an outline of directives for functional cooperation in science and technology. Beyond that, it has actually taken an area—the environment of outer space—and provided that nations accepting the treaty make a commitment not to place in earth orbit any objects carrying nuclear weapons or any other kind of weapons of mass destruction. In this unique instance, such weapons are not to be installed on celestial bodies or stationed in outer space in any manner. What man has been unable to attain so far on the land, on the sea, and in the air, he has now been foresighted enough to establish as an objective in this new space environment: an agreement which looks to the future of space as a place where many beneficial activities can be carried on without fear or orbital bombardment.

The treaty is a general document setting forth broad principles to guide the behavior of nations as they develop space activities. In the United States we know the value of defining such concepts so that they will constitute a firm base from which we can devise rules and regulations for orderly expansion. The Declaration of Independence and the Constitution of the United States are basic documents devised at the dawn of our national history, and since that time, we have been striving to attain their objectives and ideals. With each new generation and with every advance in science and technology, we are still able to adapt to changing conditions and maintain the continuity of our history by adhering to broad principles defined by the founders of our Nation.

It is not to be expected that a treaty drawn at this time will solve every international space problem that may arise in the future. Indeed, it would hardly be wise to assume that in a rapidly developing field it would be possible to provide in advance for every possible contingency. What we do have in the treaty is a framework of ideas to guide us in ways which have been predetermined as helpful to nations and to mankind in general.

Looking back on the development of these general principles, it is clear that many of them have already been tested. They did not spring into being suddenly. Some were basic policies established at the beginning of the space age, particularly as far as the United States is concerned. For example, the National Aeronautics and Space Act of 1958 states that—

> The Congress hereby declares that it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.

Furthermore, this first space law established the objective of "cooperation by the United States with other nations and groups of nations in work done pursuant to this Act and in the peaceful application of the results thereof."

I strongly favored those provisions.

Under this act, NASA began early to develop a significant program of international cooperation in space activities. It will be remembered that the first chairman of the Senate Space Committee—then Senator Lyndon B. Johnson, was invited by President Eisenhower to address the United Nations on the peaceful uses of outer space on November 17, 1958. Senator Johnson said, a little more than a year following the orbiting of the first spacecraft, that "penetration into outer space is the concern of all mankind", that outer space where "no nation holds a concession" is "unscarred by conflict, [and] must remain this way." He said that—

> We of the United States do not acknowledge that there are landlords of outer space who can presume to bargain with the nations of the Earth on the price of access to this new domain. We must not—and need not—corrupt this great opportunity by bringing to it the very antagonisms which we may, by courage, overcome and leave behind forever through a joint adventure into this new realm.
>
> What man has done thus far has been the result directly of international cooperation on an informal basis by men of science through the years. The success, further, of the formal cooperation undertaken in observance of the International Geophysical Year foretells the high promise offered by enlargement of our goals and intensification of our support and efforts.
>
> We know the gains of cooperation. We know the losses of failure to cooperate . . .

On September 25, 1961, when President Kennedy addressed the United Nations General Assembly on "Let Us Call a Truce to Terror," he emphasized the general principles which were being formulated under the aegis of U.S. leadership:

> As we extend the rule of law on earth, so must we also extend it to man's new domain—outer space . . . The cold reaches of the universe must not become the new arena of an even colder war. To this end we shall urge proposals extending the United Nations Charter to the limits of man's exploration in the universe, reserving outer space for peaceful use, prohibiting weapons of mass destruction in space or on celestial bodies, and opening the mysteries and benefits of space to every nation. . .

Thus, Mr. President, it is a matter of historical record that three Presidents of the United States have contributed to the broad policies incorporated in the treaty now before us. The record of negotiation within the United Nations reveals in many resolutions on outer space, passed unanimously by the General Assembly, that our officials steadily worked for principles which would insure space as a peaceful environment.

It is a matter of record, also, that the Congress has consistently supported international space activities for peaceful purposes. In the Communications Satellite Act of 1962, the declaration of policy and purpose provides in section 102:

> (a) The Congress hereby declares that it is the policy of the United States to establish, in conjunction and in cooperation with other countries, as expeditiously as practicable a commercial communications satellite system, as part of an improved global communications network, which will be responsive to public needs and national objectives, which will serve the communication needs of the United States and other countries, and which will contribute to world peace and understanding.
>
> (b) The new and expanded telecommunication services are to be made available as promptly as possible and are to be extended to provide global coverage at the earliest practicable date. In effectuating this program, care and attention will be directed toward providing such services to economically less developed countries and areas as well as those more highly developed, toward efficient and economical use of the electromagnetic frequency spectrum, and toward the reflection of the benefits of this new technology in both quality of services and charges for such services.

The fundamental policies which were evolved are not merely theories. NASA's space program has been and continues to be tailored to the standards set forth in this treaty. Under these policies programs are planned and Congress authorizes and appropriates funds for space activities in specific areas, notably manned flight, space communications, the use of space vehicles for weather prediction, and navigation. Millions of people in many areas of the world are in a position to improve their crops and minimize the effects of natural disasters through use of our meteorological satellites. Our scientists and engineers work on the earth to use outer space for benefits which are reflected back to the earth in many practical ways.

Meanwhile, NASA's international space program has developed cooperative projects with some 69 nations and locations, getting maximum results with a minimum cost because nations which cooperate with the United States pay their share of the expense. Our international agreements now constitute a vast network of cooperative projects, particularly those which establish the tracking stations so essential to both our manned and unmanned space ventures.

Our manned space flight program is still in its infancy. We are all concerned over the tragic accident which befell our Apollo astronauts, and the accident which took the life of Soviet Cosmonaut Komarov, and the possibility of future misfortunes in space which may jeopardize the lives of other gallant men. This treaty recognizes the dangers inherent in exploring a new medium; it regards astronauts as "envoys of mankind" and states that parties to the treaty shall give them all possible assistance in the event of accident, distress, or emergency landing. No strings are to be attached to their return. We will be informed, and will inform others, of any information developed relating to the safety of astronauts in outer space. Astronauts thus become envoys of all mankind and are not to be regarded as unwanted intruders.

When I say that this treaty provides guidelines for the conduct of future space activities, I can also say that these fundamental policies have been pretested so that we need have no doubts about the wisdom of the general trend—that outer space is to be free, not subject to claims of sovereignty, and that nations are to cooperate so that all may benefit and none may be harmed. Every provision in the treaty is in harmony with the space policies of the United States and the fact that so many provisions were initiated by the United States is a testimonial to our leadership in this field. The treaty has already been approved by the President, and by the appropriate officials in the Department of State, the Department of Defense, and the National Aeronautics and Space Administration.

I shall vote for the treaty, and at the same time, in my capacity as chairman of the Committee on Aeronautical and Space Sciences, realize that those of us who are members of this committee have an obligation to exercise continued vigilance so that the U.S. national space program is meshed with international space arrangements in ways that protect the Nation and contribute in a realistic manner to world order and peace. The treaty will become international law, but as we all know, a law governs activities which must be administered in the public interest. The Committee on Aeronautical and Space Sciences will continue, under the rules of the Senate, to be the legislative tracking station for outer space programs of the United States.

Mr. TOWER. Mr. President, I wish to endorse the outer space treaty now before the Senate for ratification.

During the past 10 years, mankind has embarked upon what may prove to be the most exciting adventure in all human history—the exploration of the heavens both by man himself and by means of the most sophisticated, ingenious instruments he has yet devised. The future voyages of discovery in space may well surpass those that brought explorers from the old world to the new in terms of their impact on life on earth.

Space travel is no longer science fiction, but fact. On April 19 the latest spacecraft in the Surveyor series was soft landed on the moon and began transmitting scientific data to stations on the earth. In a few short years, a manned lunar landing will be made by the United States, the Soviet Union, or both, and other nations will surely follow thereafter.

We who have been fortunate enough to witness the advent of the space age have been given a magnificent opportunity to start with a clean slate in outer space. In no other major area of human endeavor is this possible, nor in all probability will it ever be possible again. Space is truly our last frontier. Accordingly, we have a most serious responsibility to begin now to provide guarantees, such as those contained in this treaty, so that the heavens shall forever remain a realm of peace and order. We must make some guarantee that the celestial bodies will not become the object of national appropriation both in order to prevent them from becoming future battlefields or the source of conflict among nations on earth. We must make it understood that celestial bodies are to be the preserve of all mankind and their use intended for the benefit of all mankind.

The role of the United States in this noble endeavor is to continue to take the lead it assumed at the beginning of the space age in efforts to guide space activities in the direction of peace. We have exhibited great statesmanship in this area, starting with President Eisenhower and continuing under Presidents Kennedy and Johnson.

The treaty under consideration represents no departure in the space policies thus far pursued by the United States. Rather, it represents a further step in their evolution. In 1958, then Senator Lyndon B. Johnson appeared before the United Nations at the request of President Eisenhower to state that the United States does "not acknowledge that there are landlords in space" and that our objective in space is the promotion of international cooperation. It was clearly stated in the NASA Act, passed in 1958, that our space program is intended for peaceful purposes. We fully supported the United Nations resolutions in 1961, 1962, and 1963 in which the legal principles governing the use and exploration of outer space were first enunciated. In essence these are that international law and the United Nations Charter are to be applied to man's activities in outer space, that the celestial bodies are not to be subject to any claim of sovereignty by nations, and that their use and exploration are to be open to all on an equal basis.

In 1962, our Defense Department declared that, although the United States had the technical capability to do so, it would not deploy nuclear or other weapons of mass destruction in outer space. Following the lead of the United States, the United Nations General Assembly approved a resolution in 1963 calling upon all nations to refrain from sending such weapons into an orbit around the earth or stationing them in outer space.

It has been shown, however, that statements of principles and noble intentions embodied in U.N. resolutions do not always provide sufficient insurance of good conduct. If those principles are to become meaningful guides to the conduct of nations as the pace of space exploration accelerates, they must be given more status under international law. Their embodiment in a treaty, with its greater binding force, becomes essential. It is equally essential, of course, that the provisions of such treaty not be violated in any way. While this Nation has lived up to its other treaty commitments and some others have not, hopefully we will see in future years no violations whatsoever of the outer space treaty.

Mr. President, in the interest of national security, I believe that we can no longer afford to wait to subscribe to a space treaty. Time is running short. To attempt to impose the rule of law in outer space after a dispute or conflict has arisen there, or a territorial claim has been made, may well prove to be an exercise in futility. The reasons for not waiting until some nation has landed on the moon or the planets to draft a treaty are quite obvious. By claiming sovereignty any nation might thereby claim the concomitant right of denial of access to these bodies for scientific exploration or any legitimate use. Should the United States fail to ratify the treaty, it would substantially weaken its ability to protest any occurrence of this nature in the court of world opinion.

Mr. President, scientists have warned that the space environment can be used for belligerent purposes in a number of ways. They have warned that any nation which controls outer space can thereby gain control of whole continents or the entire earth itself.

With this in mind, I have paid especial attention to the reasons given by the Joint Chiefs of Staff and the Secretary of Defense for their support of this treaty. We have been assured there will be no defense disadvantage to us as a result of ratification, that our MOL program can continue unhampered in any way.

Further, it is their belief that it is desirable to act now to prevent the introduction of destructive weaponry into outer space and to avoid the extension of the arms race into another arena. Our military experts have in fact said that the treaty enhances the national security by offering a real possibility of limiting the kinds and numbers of weapons that can be aimed at the United States.

Among other assurances that the treaty will not work to the detrmient of national security are the following:

We have no substantial reason at the present time to fear that a nation would choose to orbit nuclear weapons because of practical considerations involved. At the present state of the art, there is no real advantage to be gained. ICBM's afford a much more effective and far less costly means of accomplishing the job for which orbital weapons would presumably be intended, and the guidance and control problems of these weapons are still formidable.

This does not preclude the possibility of their use, however, nor deny the fact that the application of increasingly sophisticated technology will probably enhance their strategic value. It has been acknowledged by Secretary McNamara that, although it is possible that a very small number of orbital weapons could be deployed by an enemy without our detecting them by presently available means, a militarily significant number could not escape detection. Certain characteristics and patterns would become evident. Furthermore, against the possibility of a surprise attack from space, the United States has a swift retaliation capability in its ICBM's.

In any case the United States intends to continue the development and improvement of its technological capabilities to determine the presence of any orbital weapons and to keep abreast of the relevant activities and capabilities of other nations. No surrender of our right to do so is involved in this treaty. Any limitations in our detection and verification capabilities will be the limitations of technological development.

They will in no way arise from provisions of the treaty. In this connection the most important fact to remember is that the problem of monitoring potentially belligerent satellites is with us now. It will continue to be the same with or without the treaty. The treaty offers us relatively more security, however, because nations whose intentions to abide by the treaty are recorded before the world have hopefully acquired a compelling incentive to keep their word. The political and psychological stakes in doing so are high.

Mr. President, I feel further assured that the treaty will not be harmful to the national interest for the following reasons: No curtailment of either our military or nonmilitary space program is required. Development and refinement of our weather, navigational, communications, scientific, and mapping satellite systems will continue. In no sense do their functions violate the word or the spirit of the treaty. These systems are not intended for belligerent purposes. They play a very important role in surveillance of the peace by checking for ominous activities in outer space. The mission of the VELA satellite, for example, is to alert the world to the occurrence of any violation of the Nuclear Test Ban Treaty by detection of nuclear explosions at high altitudes beyond the reach of earthbound instrumentation.

Military personnel and equipment are not to be excluded from outer space. Very explicit provisions in the treaty allow for the use of any personnel and facilities in space in the pursuit and support of peaceful ends. There will be no necessity, therefore, to modify the roles performed by our astronauts, who are presently drawn from the military services, in support of the entire U.S. space program.

I do not wish to imply by my foregoing remarks that I think that this treaty offers any foolproof guarantees. Admittedly, consent to the treaty involves risk and the placing of great faith in the promises of the other contracting parties.

We are not, however, treading on entirely new ground. There is a precedent that affords substantial cause for optimism in the so far unblemished success of the treaty internationalizing the Antarctic. During the 7 years in which it has been in effect, there have been no suspected or known treaty violations. The free access to installations provisions have caused no trouble and encountered no opposition. American, Soviet, and scientists of other nationalities have visited and worked at each other's bases, participated in cooperative projects and information exchanges. In the case of the moon and other celestial bodies, the space treaty provides for reasonable advance notice between representatives of different nations before projected visits. Even with this provision, it is to be hoped that the same type of cooperation will develop on the moon as that which has developed in the Antarctic. Furthermore, military personnel work with scientists in the Antarctic and provide them with logistical support. The hostile environment encountered in the Antarctic tends to bring men together in realization of their mutual interdependence. It seems reasonable to assume that the harsh environment of outer space will also be conducive to cooperative endeavor. The frequent Antarctic experience with the rescue in distress of the men of one nation by those of another also give hope that the rescue and assistance to astronauts provisions of the space treaty will be observed.

Mr. President, in concluding my remarks, I wish to emphasize the following points. The creation of this international agreement is an attempt to take out insurance against both foreseen and unforeseen events. We must, however, realize that this treaty cannot provide for all the contingencies and issues that are bound to arise in the encounters of men and nations in outer space. That is not its intended purpose. The President has properly characterized it as "an interim achievement, a significant, but not final step forward." What is important is the fact that a substantial beginning has been made toward insuring that the rule of law shall prevail in space.

I am satisfied that this treaty contains nothing inherently detrimental to the safety of the United States. Gen. Earle G. Wheeler, in his testimony before the Senate Foreign Relations Committee said:

> The Joint Chiefs of Staff have no military objection to the United States becoming party to the treaty.

It makes no demands and places no obligations upon us which we have not already decided to accept. It requires no changes in our domestic, foreign, space, and defense policies. Whatever courses of action we planned to take in preparation for, or in the event of, hostilities directed against the United States from outer space would still be open to us. We will have lost no flexibility of action, but, in all probability, will have gained additional security.

I believe therefore that the United States has everything to gain and nothing to lose by participating in this great international undertaking. Similarly, I feel that considerations of enlightened self-interest will outweigh the advantages which any other party to the treaty might expect to gain by its violation. I shall go even further and express the hope that this treaty, by preventing the creation of an atmosphere of fear and distrust in outer space, may encourage the nations to channel their energies and ambitions into constructive and cooperative activities designed to meet its fascinating challenges as they have in the Antarctic.

Mr. President, I therefore support the outer space treaty and urge its adoption by the Senate. Ratification of the treaty would be a foresighted gesture on our part and one that should bestow great credit upon the 90th Congress and the American people, especially in the eyes of future generations for whom we shall have begun to lay the groundwork for the wise and beneficial use of the space environment.

Mr. DODD. Mr. President, I rise to approve ratification of the treaty before us.

Officially, the covenant is called Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies.

More popularly, it is referred to as the Space Treaty.

In the interest of simplicity, I propose to use the popular appellation.

It has been said that the Space Treaty represents the most important advance in arms control since the Nuclear Test Ban Treaty was negotiated in 1963. I concur in this estimate. And I derive some personal satisfaction from the fact that my resolution of May 21, 1963, helped pave the way for the Test Ban Treaty, as well as from the assumption that the ban on atmospheric testing has helped to ease the way for the agreement we have before us today.

In the age of nuclear weapons which are capable of wiping out entire cities at one blow, the quest for arms control becomes a matter of urgent concern to all the peoples of the world. Despite the tremendous difficulties posed by the existence of Soviet communism, I consider it proper that we should explore every realistic possibility of achieving arms control agreements.

Essentially the treaty before us obligates the signatory nations to conduct their activities in outer space in accordance with the principles of international law. It stipulates—

That the exploration and use of outer space should be for the benefit of all mankind;

That all nations should be free to explore outer space but that no nation should be able to claim sovereignty over any celestial body; and

That space should be an area of international scientific cooperation.

With these principles, no reasonable person could disagree.

I wish to deal with some of the objections to the treaty, because I have received letters from many intelligent citizens expressing concern over the treaty and arguing that it would imperil our security if the Soviets should secretly develop an orbital missile capability, while we have none. Among other things, these correspondents have pointed to the fact that the Kremlin publicly paraded what it described as an "orbital missile" hard on the heels of the United Nations resolution which called upon all member states to refrain from placing nuclear weapons in orbit.

I have heard conflicting opinions from scientists about the advantages of stationing nuclear weapons in orbit.

I believe it is accurate that a majority of our scientists consider orbital missiles impractical because of the high cost of placing them in space and because of the inevitable loss of accuracy.

On the other hand, I have heard some scientists argue that the loss of accuracy could be compensated for by using warheads of 100 megaton size or larger. And they argue further that if the Russians were ever to put up an orbital missile system it would at one stroke nullify any anti-missile defense we may establish because orbital missiles could be triggered to descend on us with virtually zero warning.

When the experts themselves differ so

sharply, it is difficult for a layman to have a firm opinion.

However, I do agree with those who oppose the space treaty that we must remain alert to the possibility that the Soviets may someday attempt to mount an orbital missile system in space and that we must therefore develop the capability to pinpoint and identify orbital missiles and if necessary to neutralize them.

But to those who oppose the treaty, I would point out that, with or without the treaty, we have to face up to the possibility that the Soviets may someday be tempted to place nuclear weapons in space, and that, with or without the treaty, it is still essential that we develop manned maneuverable spacecraft which can rendezvous with and examine suspicious space objects, and neutralize them if they turn out to be nuclear missiles.

Nothing is lost by signing this treaty, so long as we realize that the Soviets are frequently prone to dishonor their obligations and that we ourselves, in the final analysis, will have to develop the means for enforcing the treaty.

On this point, I find myself strongly reassured by the carefully researched statement of the staff of the Aeronautical and Space Sciences Committee, which I would like to read:

> All intelligence gathering devices and methods would be used by the United States for information on situations involving any potential dangers to the nation. This would also be true in the absence of this treaty. The United States has the technological capability of detecting any substantial number of weapons of mass destruction which might be orbited by another nation. Nothing contained in the treaty could be used to deter the United States from developing a greater technological capability in this area. However, the policy of the treaty may deter some nations from attempting to acquire the technological capability to orbit weapons of mass destruction. Depending on the seriousness of the non-compliance, the United States could make a formal protest, discuss the situation in the United Nations, stress its determination to maintain peace by deterrent forces, or, in the last analysis, engage in protective military activities.

The need for a continuing alert should be driven home to us by the continuing Soviet insistence on the right to secrecy. In its first draft of the treaty, the United States called for compulsory reporting of activities on celestial bodies to the U.N. Secretary General and for the dissemination of information gleaned from space exploration to the public and the international scientific community. The Soviet Union balked at this, and insisted that all such reports be on a voluntary basis. On this point we gave in, in the interest of reaching agreement, so that the final wording of the treaty simply called upon member states to report on their space activities to the extent that they find it "feasible and practicable."

This is not a perfect treaty. But it is about the best we can do now, and it deserves to be supported.

It is a good thing to have the basic principle of international cooperation and respect for international law applied to mankind's future activities on outer space and on celestial bodies. And, although we must continue to scrutinize all Soviet space objects carefully, from a security standpoint the treaty is also a definite plus because even the Soviets will hesitate before openly affronting the many signatories to the treaty.

As one Senator, I congratulate the administration on the successful conclusion of the space treaty.

I hope it will lead to other and more far-reaching measures in the field of arms control in the not too distant future.

Mr. HRUSKA. Mr. President, the Senator from Idaho [Mr. JORDAN] is absent today because of a death in his family. He has asked me to read for him a statement which he had prepared and intended to make on the pending treaty.

STATEMENT OF SENATOR JORDAN OF IDAHO, READ BY SENATOR HRUSKA

Mr. JORDAN of Idaho. Mr. President, during the Eisenhower administration the Congress enacted the National Aeronautics and Space Act which declares that "activities in space should be devoted to peaceful purposes for the benefit of all mankind." In so doing the Nation established as policy its determination that outer space should not become another battleground for the settlement of conflicts generated on earth.

The space environment offers a new arena for nations to use in trying to achieve peace through cooperation. The Treaty on Principles Governing the Activities of States in the Use of Outer Space, Including the Moon and Other Celestial Bodies provides an opportunity for the advancement of the national policy we have enunciated. It can be a major step in the historical development of the use of space and the eternal cause of peace.

The treaty on outer space will not interfere with our objectives in space. It provides an instrument for the sharing of knowledge and the expansion of our space effort through cooperative action. Clearly, the creation of such an instrument will serve our objective that activities in space be for the benefit of all mankind. But the treaty was carefully negotiated with emphasis on reciprocity and a determination that vital national interests should not be sacrificed.

Thus, such endeavors as the orbiting of satellites to provide a warning system to deter aggression will be in no way curtailed by the space treaty.

The treaty contains needful principles to guide and govern the activities of nations in the exploration and use of outer space, including the moon and celestial bodies. For instance, article II provides that "outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means." If outer space can be successfully internationalized surely one of the most dangerous potential sources of friction among nations will have been removed. Article II contains a principle for which there is a modest precedent here on earth. The Antarctic Treaty provisions suspend national claims of ownership and give legal form to international exploration. Thus, this aspect of the outer space treaty is a further implementation of a doctrine we have already endorsed for undeveloped and little explored regions.

Our Government's satellite situation report, issued March 15, 1967, shows that as of that date there were 699 objects placed in space by man, most of them in orbit around the earth. The source of 561 of these objects is listed as the United States against 102 whose source is listed as the U.S.S.R., 29 French, two Canadian, two United States-United Kingdom, and three unknown. When satellites orbit the earth in 90 minutes or less, they pass so swifty over national boundary lines that it is to every nation's benefit to recognize and protect the international character of space.

Article III of the treaty requires those nations which accept the treaty to abide by international law, including the United Nations Charter. This provides the basis for nations to settle any conflicts which might arise in space by peaceful means rather than by resorting to violence. Perhaps we may be able to improve our abilities to achieve this objective on earth by achieving it in space. Space is truly a pristine environment and it is vital that we do all possible there to eliminate the diseases of conflict which divide us on earth.

Article IV deals with the military element in space activities. On this section, I believe, some writers have jumped to unwarranted conclusions without thoroughly studying the official text of the treaty. Some have even mixed up orbiting space vehicles with missiles and antimissiles.

Article IV has two paragraphs. In the first, nations which accept the treaty "undertake not to place in orbit around the earth any object carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies or station such weapons in outer space in any other manner." This provision not to place nuclear or other weapons of mass destruction in outer space is and has been the policy of the United States and the treaty does not change it.

Furthermore, the opinion of military experts is that bombardment from orbiting spacecraft is not an effective strategic device as compared to intercontinental ballistic missiles which are based on land and sea. Whether or not we have this treaty, we are already faced with the situation that the two most powerful nations on earth have land- and sea-based ICBM's—the most accurate and destructive weapons known. Thus, we have an effective military deterrent force for keeping the peace which can be controlled with far greater precision than orbital weapons.

In addition, the United States has intelligence gathering methods which make it impossible for another nation to orbit any substantial number of weapons of mass destruction without our knowledge. Any such aggressive action abridging the treaty by another nation would, of course, compel this nation and other nations to take the necessary steps for self-defense. But in view of our ICBM capability, we would not be suddenly faced with a situation which would leave us without the means to effectively resist aggression.

The second paragraph of article IV commits nations which are parties to the treaty to use the moon and other celestial bodies exclusively for peaceful purposes. Thus, it is forbidden to establish on celestial bodies any military bases, installations, and fortifications, and to test weapons and conduct military maneuvers. Nevertheless military personnel for scientific research or other peaceful pursuit are not prohibited. This provision merely embodies in legal form the actual practice which nations now follow.

Mr. President, I have mentioned only a few of the articles providing for the peaceful development of space, but I believe the matters I have touched on are representative of the total positive thrust of the entire treaty. As I see it, the treaty on outer space is not only an instrument of hope, it is a practical approach toward using outer space as an environment where peaceful activities can be carried out for the benefit of all mankind.

Although I admit this treaty is not all one could hope for in a compact on outer space, it must be remembered that it is the final product of agreement between 28 nations. The agreements reached show an encouraging spirit among nations. If we can carry into action the spirit of these negotiations, I believe we will have made a great step forward. This treaty does not tie our hands. It implements our policy.

Mr. President, after giving careful study to the treaty, I believe that in good conscience I can support it.

Mr. HOLLAND. Mr. President, will the Senator from Idaho yield me 1 minute?

Mr. CHURCH. I remind the Senator that 1 minute from now the unanimous-consent agreement to vote will be in order; but I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator. Let me say to the Senator from Alaska [Mr. Gruening] on the point he raised a moment ago that this treaty has no provision pertaining to the use of data obtained from any spacecraft such as a weather spacecraft traveling in earth orbit. The treaty refers solely and many times in these words to "outer space including the moon and other celestial bodies" but it does not affect in any way the use of data from satellites in orbit near the earth.

This treaty follows carefully the policy which we have followed with success in the Antarctic Treaty.

Mr. President, I hope that the Senate will ratify the treaty.

Mr. GRUENING. Let me say to the Senator from Florida that there is a vagueness there that perhaps should be clarified, because where the limits of space are in its relation to earth may be highly controversial in the future, and a satellite is certainly a spacecraft.

Mr. MANSFIELD. Mr. President, if, after the vote is completed on this treaty, I could be recognized to have the floor, I ask unanimous consent——

The PRESIDING OFFICER. After the vote on the treaty, the Chair informs the Senator from Montana that 10 minutes have been set aside for the Senator from Arkansas [Mr. McClellan].

Mr. MANSFIELD. Who has the time?

The PRESIDING OFFICER. The Senator from Arkansas [Mr. McClellan].

Mr. ALLOTT. Mr. President, what is the unanimous-consent request?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be recognized at the conclusion of the vote on the treaty.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I wish the attachés of the Senate would, if they will, ask all Senators, if they feel inclined to do so, to be in the Chamber at that time.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum——

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the question is on the adoption of the resolution of ratification on the treaty on outer space. The yeas and nays have been ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question is now on agreeing to the resolution of ratification of the treaty on outer space. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. Clark], and the Senator from Oregon [Mr. Morse] are absent on official business.

I also announce that the Senator from Wyoming [Mr. McGee], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. Clark], the Senator from Wyoming [Mr. McGee], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. HICKENLOOPER. I announce that the Senator from Massachusetts [Mr. Brooke], the Senator from Illinois [Mr. Dirksen], the Senator from California [Mr. Kuchel], and the Senator from Iowa [Mr. Miller] are necessarily absent.

The Senator from Idaho [Mr. Jordan] is necessarily absent to attend the funeral of a friend.

The Senator from California [Mr. Murphy] is absent because of illness.

If present and voting, the Senator from Massachusetts [Mr. Brooke], the Senator from Illinois [Mr. Dirksen], the Senator from Idaho [Mr. Jordan], the Senators from California [Mr. Kuchel and Mr. Murphy] and the Senator from Iowa [Mr. Miller] would each vote "yea."

The yeas and nays resulted—yeas 88, nays 0, as follows:

[No. 92 Ex.]

YEAS—88

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morton
Mundt
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—12

Brooke
Clark
Dirksen
Jordan, Idaho
Kuchel
McGee
Miller
Morse
Moss
Murphy
Muskie
Smathers

The PRESIDING OFFICER (Mr. Hollings in the chair). On this vote the yeas are 88, the nays 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified of the action taken today.

The PRESIDING OFFICER. Without objection, the President will be notified.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. MANSFIELD. Mr. President, I have just sent copies of my proposed remarks to the Senator from Louisiana [Mr. Long], the Senator from Tennessee [Mr. Gore], and the Senator from Delaware [Mr. Williams], and also to the administrative assistant of the distinguished minority leader for the Senator from Illinois [Mr. Dirksen].

Before all else, I wish to take note of

the magnanimous statement of the distinguished Senator from Louisiana, the majority whip, the assistant majority leader [Mr. LONG]. Over the weekend he indicated that he was prepared to put aside his personal reservations and differences and to vote for the motion which is now pending.

I think I know how strongly the Senator from Louisiana feels about the act for the public financing of elections. He believes with all his heart that it is essential for the maintenance of access to the Presidency for all Americans, rich or poor. He believes it essential for the curbing of tendencies toward private corruption of the public electoral process. The Senator from Louisiana believes in this law as its father and like any father, he is deeply determined that his offspring shall survive and develop. I know his fear that in the complexity of the process by which laws are made and unmade in the Congress, this significant advance—and let there be no doubt about it, the Long Act of last year is a significant advance—could conceivably be lost if the pending motion carries.

Nevertheless, in the interests of the demeanor of the Senate and the progress of the legislative program, the Senator from Louisiana made it clear over the weekend that he would put aside his serious doubts and resolve his concerns in accord with the pending motion. He has recognized, as have I, that there was an honest misunderstanding in our discussion of the matter and neither of us desires to profit by it.

That is more than the action of an experienced legislator, that is the action of a decent man. It is the action of a Senator in the best tradition of the Senate. I respect and admire the Senator from Louisiana for his courage, his magnanimity, and his understanding.

May I say, Mr. President, that I do not and never have indulged in personalities when considering legislation on or off the floor. It is a luxury I cannot afford and would not if I could.

In my judgment, the motion which is now pending is as promising—as any measure can be—of passage by the Senate, especially in view of the statement of the Senator from Louisiana over the weekend. I suppose some would find in this prospect some vindication or "victory" for me in my alleged "leadership struggle" with the Senator from Louisiana, a struggle which is in all essentials a myth.

I regret to disappoint the drama seekers, but there is no "leadership struggle" between the Senator from Louisiana and the majority leader. There is only a high degree of mutual respect and affection. And as for victories—I do not desire victories on the basis of honest misunderstandings.

A victory in this situation would be as hollow as it is meaningless. The fact is clear—my votes demonstrate it—as one Senator, I agree with the basic premise of the Long Act of last year, that the present system of financing elections is seriously deficient, and that some form of public financing is essential for the good of the Nation. Moreover, I believe that the preponderance of the membership of the Senate agrees with the premise.

When I introduced the pending motion it was not with the intent of overthrowing that premise which the Senator from Louisiana did so much to establish, for the first time, in law. I did so, rather, in the hope of resolving this matter after the lapse of an inordinate length of time. I did so when it appeared that the debate had gone beyond the point of usefulness and when the atmosphere in the Senate appeared to be growing more and more heated and uneasy. I felt that the time had arrived when the leadership had to act to try to break the procedural impasse. Not to have done so, it seemed to me, would have been to let the Senate slip further into a quagmire of irrelevancies—as it still might do.

As it now stands, the motion which is pending at the present time would retain the Long Campaign Fund Act of 1966 until July 31 of this year. At that date, it would expire unless an additional law providing safeguards and guidelines had been adopted in the interim. Personally, I believe that in that period, there could be adequate Senate committee consideration of the matter. There could be hearings during which all of the various proposals for guidelines and for changing the financing approach and for other reforms could be studied. In my judgment, there could be brought back to the floor, in 6 weeks or less, the kind of bill upon which most Members could agree.

May I say that, in my opinion, the pending motion would not only produce a Senate bill on election financing, but that it also would provide an acceptable pathway out of the present procedural dilemma on the Senate floor. May I say, further, that this motion was not offered as a compromise or as an endorsement or rejection of any particular position on the pending matter. It was offered simply as a course which seemed to me to be fitting in view of the impasse.

Several Members have come to me in the past few days, however, emphasizing that if, for some reason or other, the bill containing controls and guidelines is sidetracked in the legislative machinery of either House, the advance represented by the Long Act of last year would be lost as of July 31. That is something which, as one Senator from Montana, I do not wish to happen. If I may be permitted to say so, as majority leader, I am inclined to think that a majority of the Senate also does not wish that to happen.

In short, if I gage the sentiment correctly what is sought by the Senate at this time, therefore, is the preservation of the very real legislative gain which with all its deficiencies, is represented by the Long Act on campaign financing. At the same time, and with greater emphasis, the Senate is determined that this gain shall not be subject to the jeopardy of abuse which, if the act stands alone, without safeguards and guidelines, might make it even more unsatisfactory than the unsatisfactory system of campaign financing which now prevails.

I pondered this matter at length over the weekend, focusing on this question: Would it be possible by some adjustment in language to preserve in law the principle of public participation in the financing of elections but hold its operation in abeyance until such time as tight safeguards over the equitable use of public funds for these purposes could be established?

Yesterday and again this morning I discussed this matter further with several interested Senators whose views vary on this question. I did not seek their concurrence but rather their guidance and to inform them. Moreover, since it is not the leadership's practice to seek to surprise the Senate or any of its Members on procedural matters, I wished to talk first with those who were most directly concerned so that they might be on notice as to my intentions.

Mr. President, I had intended, at this point, to send to the desk a modification of the pending motion. May I say to the Senate that this new language is my own; it was arrived at without consulting any other Member of the Senate. I alone am responsible for it.

By this new language the relevant portion of the pending motion would be changed to substitute for the expiration date of July 31, 1967, a provision that would prohibit the disbursement of any public funds under the Long Act until the Congress acts again on this matter by the passage of a further law providing guidelines and safeguards.

I realize that this modification is not the answer to everyone's view of this matter any more than was the original motion. In my opinion, however, this modification would better protect what I believe to be the preponderant viewpoint of the Senate. Under it, the principle embodied in the Long Act would be in no danger of being stricken from the statute books. At the same time, however, the Long Act would not become operative—not 1 cent of public funds will be made available for any political campaign—until appropriate safeguards and guidelines on usage were adopted by the Congress and have become law.

Mr. President, before I conclude, I think I should call the attention of the Senate to a matter which has caused me considerable strain, worry, and concern since Thursday last.

I refer to a personal commitment which, presumably I made, but which I had not thought I made in conversation with two distinguished Members of the Senate, the Senator from Tennessee [Mr. GORE] and the distinguished Senator from Delaware [Mr. WILLIAMS]. The distinguished minority leader from Illinois [Mr. DIRKSEN], who is indisposed and unavailable at this time, was also present during the conversation.

The conversation concerned the possibilities of an agreement to vote at a time certain and the possibilities of a motion to recommit which I intended to make—win or lose—on the Long amendment. While the two questions were certainly discussed, I do not recall that reciprocal assurances were either sought or agreed to.

Nevertheless, I have been informed by

one Senator that I did make a personal commitment; that if there were an agreement to vote at a time certain, I would offer a motion to recommit immediately thereafter. To be sure, those two events did transpire on Thursday. I thought they developed, however, because all were in agreement that it was a way for the Senate to get off dead center.

Quite frankly, I do not know, therefore, where this leaves me personally or where it leaves the Senate. For some time now, with passions rising and with days and weeks of wasted debate and recrimination over what began as a simple, clear-cut, and limited tax measure, I find myself—the Senate, in effect, finds itself—in the midst of what can only be described as a comedy of errors if it were not, apparently, a tragedy of misunderstandings.

The distinguished majority whip, the Senator from Louisiana, misunderstood me. I apparently misunderstood the distinguished Senator from Tennessee. The Senator from Delaware has said nothing of any misunderstanding, but perhaps even that is a misunderstanding of the Senator from Delaware's view of the matter. I apologize to all three of these distinguished members of the Finance Committee for what can only be described as a most inadequate effort on my part to be helpful to all of them and to the Senate.

Where, then, do we go from here?

I have in my hand the modification of my own motion—the motion which I made on last Thursday and which is now pending before the Senate. As I have already said, I arrived at the point of presenting this modification only after a great deal of soul searching, only after extended conversations and discussions with many interested Members of the Senate. I arrived at it in the hope of building a bridge between the position of the Senator from Tennessee and the Senator from Delaware on the one hand and the Senator from Louisiana on the other. If I have understood them, all have insisted throughout this debate that some form of public financing of elections is desirable and that the only problem is how to provide appropriate guidelines and election reforms which will safeguard these public funds from abuse and corruption.

I stand here in the Senate among my colleagues with what I believe is language which will achieve this purpose. Yet, I do not know whether or not I am now, in honor, permitted to offer it in place of the pending motion at this time. I most certainly will not offer it if the Senator from Delaware and the Senator from Tennessee tell me that I have a personal commitment to them which is binding upon me to insist, first, upon a vote on the pending motion. If they will tell me that I have such a commitment to them, I shall urge the Senate to proceed immediately to a vote without change, on the motion which is now pending. But if they do not so tell me, I shall proceed to offer substitute language which I have already described, to the motion which is now pending—language which I believe will preserve the positions of all three of these members of the Finance Committee, and, at the same time, will more faithfully reflect what I believe to be the preponderant sentiment of the Senate with regard to the matter which is before us.

I await the answers of my two distinguished colleagues to the questions I have raised, and then I shall urge the prompt judgment of the Senate.

Mr. GORE. Mr. President, this is a trying hour for the Senate. It is not for the senior Senator from Tennessee to pass judgment upon anyone, or to seek to interpret for anyone events which transpired. I desire to state precisely what happened. It is important for the Senate that it understand exactly what happened.

This has been a very hard-fought issue.

Mr. COTTON. Mr. President, may we have order, so that we can hear the Senator?

The PRESIDING OFFICER. The Senate will be in order.

Mr. GORE. The distinguished and able majority leader refers to it as a comedy of errors. Mr. President, this began with a basic error. The 1966 act as the Senate will recall, which is now law, was attached to a bill to which it was not germane. Because it affects the revenue law, the only manner in which the Senate can now work its will with respect to amendment or repeal is to do so as a part of a revenue measure which originated in the House of Representatives. This is why the amendment to repeal the Long Act was offered as an amendment to the pending bill. This is the same procedure by which the law was enacted. This is the only way by which the Senate can work its will to repeal that law.

We acted in haste, in the closing hours of adjournment last year, when it was with the greatest of difficulty that a quorum was achieved. It is now agreed by all, including the distinguished author of the bill, that the law is in basic error in many respects.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. This is a very good law. I would agree that it could be amended to satisfy the criticism of some. It is a very good law without any amendments. I hope the Senator will understand my position.

Mr. GORE. I thank the Senator for his statement. The Senator himself offered a number of far-reaching amendments, which in itself, it appeared to me, constituted an acknowledgment that the law was inadequate. I am pleased that the Senator has stated his position as he wishes it stated.

I submit that the agreement reached last Thursday and the motion which the distinguished majority leader submitted accomplished in a reasonable way that which he now seeks to accomplish. It provided that there be a hundred days before the act would expire, during which it was anticipated that the Senate would act. Indeed, the majority leader proposed to instruct the committee to report a bill within 6 weeks for the action of the Senate, which would still leave 7 weeks for action on the floor of the Senate and in the other body; but if by July 31, 1967, a time approaching the end of this session and before tax forms are printed, the act has not been amended, then by the majority leader's motion it would be repealed. I thought it was a reasonable motion.

Now, as to the gentleman's agreement we had, I wish to state as precisely, and fully, and in as detailed a way as possible what happened.

The distinguished majority leader asked me to join a conference. There were four of us involved in that conference. There were some other Senators, I think, who may have overheard the conference, or portions of it, but only four were participants: the distinguished majority leader, the distinguished minority leader, the distinguished senior Senator from Delaware, and the senior Senator from Tennessee.

The agreement we reached had these provisions. There was to be a vote on the pending Long amendment. Let me recall to the Senate the status of the Long amendment at that time. It was an amendment to the amendment of the senior Senator from Hawaii; not an amendment to the pending bill; but an amendment to an amendment. The Inouye amendment, as amended by the Long amendment, is still pending. It has not been adopted. Therefore, the Long amendment is not now a part of the bill before the Senate.

The senior Senator from Delaware and I were fully appraised of the parliamentary situation. Indeed, on the previous night we had insisted that the record be made clear as to whether the Long amendment had been offered as a substitute for the Inouye amendment or as a perfecting amendment. The RECORD shows that clearly. The rollcall vote was ordered. This is now a matter of record.

The question of whether the amendment of the junior Senator from Louisiana be adopted had some unusual characteristics. I am going to be perfectly frank with the Senate. It was said—I am not exactly sure who made the statement; I do not recall—that the junior Senator from Louisiana, being the chairman of the Committee on Finance, needed to get the amendment adopted as a face-saving matter for him. I know that all of us recognize the importance and the desirability of those things. Anyway, an agreement was reached: One, that the vote come on the Long amendment. I stated in consequence of the other provisions of the agreement that as far as I was concerned he could select his own time for a vote. The Senate is well aware, as I am, that in these close, hard-fought issues, the result of a particular vote is usually determined by absentees and pairs.

I was well aware that the witching hour had been set for 3:30 or 4 o'clock last Thursday afternoon. There was no agreement that we vote then. We could have had a vote earlier. The Senator from Delaware [Mr. WILLIAMS] or I could have had a vote by moving to table. However, in view of the other parts of the agreement I was not only willing to have a vote, at a time of Senator LONG's choosing, but I spoke to several Senators on this side and told them that in view of the agreement we had reached it would be a virtually meaningless vote and they could vote as they pleased. At any rate, a vote was held.

The other part of the agreement was carried out. What was the other part of the agreement? The other part of the agreement was that the majority leader would immediately, after the vote—however it came out—offer a motion to recommit with instructions. Senators will recall that such a motion was made. It is in the RECORD.

There were to be three parts of the instructions: One, that the bill be reported forthwith, restoring the investment credit. Two, all amendments, all riders, were to be stripped from the bill except one, and that was that the Gore-Williams amendment be modified, taking from it the corrupt-practices amendment revisions which were in the original Williams amendment, and changing the date which was in my amendment to the Williams amendment for repeal as of July 1, to July 31. Third, the committee was to be instructed to report an election campaign financing bill within 6 weeks. The agreement was carried out. The vote was held, the result of which the Senate is advised.

The majority leader offered the motion he had agreed to offer. There is one step I should relate which was within the vision of most Senators and the gallery. Just before the agreement was given to vote on the Long amendment at a given time, with a time limitation, the four of us who participated in the agreement—Senators MANSFIELD, DIRKSEN, WILLIAMS, and GORE—met in front of where the Senator from Nebraska [Mr. HRUSKA] now sits. I specifically asked, "Does this mean that you will offer the motion we agreed to?" Senator MANSFIELD said "Yes." This agreement was fully executed.

Now, the question arises, and the majority leader seeks an answer as to whether that was a commitment.

I submit to the Senate these details as accurately and as precisely as I can recall them. There was no commitment that the majority leader would insist upon a vote on his motion. On the other hand, there was no suggestion that if we entered into this agreement it would be temporary in nature, and that after the vote on the Long amendment, then the motion would be either withdrawn or altered.

I state these details as clearly as I can recall them. If I have omitted something I would like to be corrected. As far as I am concerned I hope the distinguished majority leader will listen to the recollection of the Senator from Delaware [Mr. WILLIAMS], and the Senator from Illinois [Mr. DIRKSEN], and perhaps think about it overnight before altering his motion, which was a part of our agreement.

Mr. President, the Senate is an institution which I love. It operates in mutual trust and confidence. This institution could not function well in any other manner. The most sacrosanct thing we have in this body is confidence in gentlemen's agreements.

I appreciate very much the position taken by the majority leader. If we understand this to be a commitment, he says that he will go through with it.

This is MIKE MANSFIELD.

This is the Senate.

This is the integrity of the Senate and the integrity of its Members.

I should like the distinguished majority leader to consider my relation of these events as I have recalled them, and to hear likewise from others in the conference, before he reaches a decision as to whether he feels that the agreement would be fulfilled either by withdrawal or alteration of the motion at this time.

I hope that he will contemplate the move, and I will think about it further, and consult with him.

Mr. WILLIAMS of Delaware. Mr. President, when the Presidential Campaign Fund Act was first passed last year both the Senator from Tennessee and I, as well as other Senators, opposed its enactment because we thought it was a bad measure. We still feel that way about it.

For the past 4 weeks the Senators have been debating this issue, and finally we persuaded the Senate to repeal the act.

As the Senator from Louisiana has pointed out, we have been successful in our efforts. The Senate had adopted as a part of the pending bill one amendment which would terminate the Presidential Campaign Fund Act as of July 1. Also included in that same amendment were two very major and very important corrections and modifications of the Corrupt Practices Act, something which we have been working on for a number of years. The first would require full disclosure and reporting of all campaign expenditures, and the second extended the Corrupt Practices Act to primaries.

Now we are all familiar with the parliamentary snarl in which the Senate has been embroiled for the past 3 or 4 weeks. The Senator from Tennessee has just related the circumstances leading up to what we thought was an agreement. I will not review them. He has related the situation as I understand it. I will say that I did think we had an agreement or an understanding, but on the other hand, I recognize that there is always an area for an honest misunderstanding even though personally I did understand it this way.

I think, at the same time, that we should proceed. Let me first say that I appreciate the statement of the majority leader more than I can ever tell him. When he said that if the Senator from Tenessee, the Senator from Delaware, and the Senator from Illinois did have that understanding, all we had to do was say the word and he would proceed with his original motion—that is a statement which Senators would expect MIKE MANSFIELD to make.

I appreciate that attitude. Certainly I want to win; the Senate understands that. But at the same time I think there comes a time when something more important than winning is at stake.

We cannot operate, as the Senator from Tennessee has so well said, unless we can operate on gentlemen's agreements.

At the same time, we must be realistic and recognize that there can occasionally be an honest misunderstanding or difference of opinion. Therefore, I would prefer, here tonight, not to make this decision at this particular time. I think we understand each other, but I am hoping that some agreement can be worked out. I say that as one who feels that while we may win I do not want to take advantage of his offer. I respect him too much as a gentleman and a friend; winning is not that important.

I am therefore going to suggest to the majority leader that rather than pursue this matter tonight we leave the question as it is, that the Senate should adjourn. Perhaps all of us can go home and think this matter over very carefully and arrive at a decision, not from a personal standpoint but a decision which Senators will feel will be in the best interests of safeguarding the integrity and perpetuating the respect which the Senate must command.

The majority leader has been more than fair.

Mr. LONG of Louisiana. Mr. President, I wish to take less time than the Senator from Tennessee on this subject, and perhaps no more time than has the Senator from Delaware.

I have heard the statement made over and over again—and, oddly enough, at times with many Senators in the Chamber—and the response to which I have usually made to an empty Chamber, that there are no safeguards in the existing law.

Let me say that the law which I had the honor to sponsor last year provided in its text or in conjunction with already existing law at least four safeguards on the use of money paid to political parties from the presidential election campaign fund.

In the first place, the Federal criminal law which would be applicable if there were violation of last year's law provides as strict a fraud penalty as can be imagined.

Section 1001 of title 18, United States Code, provides as follows:

> Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or documents knowing the same to contain any false, fictitious or fraudulent statement or entry shall be fined not more than $10,000 or imprisoned not more than five years, or both.

Second, section 1002 of title 18, United States Code, covers virtually anything that might not be covered by the fraud penalty I just read.

Section 1002 specifies:

> Whoever, knowingly and with intent to defraud the United States, or any agency thereof, possesses any false, altered, forged or counterfeited writing or document for the purpose of enabling another to obtain from the United States, or from any agency, officer, or agent thereof, any sum of money, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

Third and perhaps most important of all, however, is the Advisory Board set up by the so-called Long Act to aid and counsel the Comptroller General in administering the act. It has Republicans to watch the Democrats and Democrats to watch the Republicans and three others to watch both the Democrats and the Republicans. Neither side is going to let the other side get away with a single dime. And the Comptroller General has to approve every expenditure before it can be paid.

Finally, the Long Act empowers the Comptroller General to issue such rules and regulations as he determines necessary to carry out his responsibilities under the act. If he has reason to believe there are gaps in the statute he can regulate to fill them. And bear in mind that his chief responsibility is to protect the United States from erroneous claims for Federal moneys.

Mr. President, I have been saying here on the floor of the Senate, with regard to my proposal, that everyone should be permitted to put up $1, 50 cents of which would go to the Democrats and 50 cents of which would go to the Republicans, with some arrangement in the future whereby third parties which had a substantial vote would be taken into account, so that no candidate for President need be subject to improper influence as a result of political contributions or the financing of his campaign.

I have been saying that if anyone fears that this presidential election campaign fund might be misused in any respect, he should bring in his amendment and I will support that amendment if it will prevent any kind of abuse that a Senator thinks has not been outlawed already.

Mr. President, my proposal is a good proposal. It was carefully considered. It had the best advice of the best minds in the Treasury Department, the best minds in the Joint Committee on Internal Revenue and Taxation, the best minds in the Finance Committee, the best minds in the House Ways and Means Committee, and all the additional advice we could get made available to us.

But, if anyone, out of an abundance of precaution, wants additional safeguards, to add anything to the proposal which would help alleviate the situation; if anyone is worried about how the money will be accounted for, let him offer an amendment to last year's law.

I attempted to improve upon last year's law myself in my amendment on which the Senate voted last Thursday. I have been willing to vote for any amendments to the Long Act which are within reason. But the one thing I have not been willing to do is to repeal the basic law we enacted last year, which for the first time provides that campaigns will be financed by $1 contributions and which frees the candidate of onerous obligations instead of leaving it entirely up to the very large contributors to finance presidential campaigns.

Mr. President, I do not think we made a mistake when we passed the bill last year. We had conducted hearings in the Senate Finance Committee. We studied the matter. We reported a proposal which was the product of our best judgment, as an amendment to a revenue bill—necessarily so. There were other amendments to that revenue bill. One of them was the Saltonstall amendment, upon which the then Senator from Massachusetts had worked for many years. So far as I know, there was not a single objection to it.

An effort was made on the Senate floor to strike the presidential election campaign fund title from that revenue bill. The effort was unsuccessful. When it came back from conference, there could have been an extended debate on it. We thought earlier that there would be a filibuster on it, but there was not. At that time I offered to yield, in order to save the bill, what I thought was the best part of the bill, the Presidential Election Campaign Fund Act, but those opposing the bill felt they could do better if they could vote their way and we voted ours. We voted on the conference report. It passed the Senate and the House and it became the law.

It has been suggested that the vote of last Thursday, in which I prevailed, was a face-saving matter. I do not think so. The way I counted them, there were 50 votes on each side, with the Vice President voting to break the tie, depending on what the motion was. A motion to table would fail on a tie vote. The Vice President could, if he wanted to break a tie vote, cast his vote. I said publicly that the Vice President, in my judgment, more likely would have voted to retain the existing law than to repeal it. So it was simply a vote, from my standpoint, to record the will of the Senate.

When we voted on this matter a week prior, I knew that three Republicans had to leave town immediately after the vote. That is why I thought a Senator should not have to suffer the indignity of being denied the courtesy to finish his remarks when he wanted time. One Senator wanted to be sure he would have a vote when he had his men in town, and when the other thought he had his men either in town or paired, he wanted a vote.

I suffered the loss of five absentees when that vote occurred on the Gore-Williams amendment. However, last Thursday, the opposition had more absentees than I did. The result was they lost because of absentees.

As I said on the floor yesterday on this subject, any time both sides want to agree to pair their absentees, they have my agreement. If they give me notice, I will give them the right to pair. But I ask them to fight either by the Marquis of Queensberry Rules or the London Prize Ring Rules. I will fight by either set of rules. I will abide either by the Marquis of Queensberry Rules or the London Prize Ring Rules. When they fight by the London Prize Ring Rules, there is no such thing as a foul. One can hit a man anywhere. If they are going to fight by those rules, I am willing to abide by them. But I do not want to go by the Queensberry rules while they use the London Prize Ring Rules.

As I said, I personally would be willing to agree to anything that was fair. I have agreed to abide by anything which the majority leader proposed. I remain by that position.

I was somewhat dismayed that the original recommittal motion was apparently shown to those of the opposition without having been shown to me. The majority leader did write me a letter. I assume that what he described in that letter was what he was referring to when he offered the motion to recommit. I do not quarrel about it. Whether the motion is agreed to or not agreed to, the bill is still open to amendment and still subject to debate. We can proceed accordingly.

As far as I am concerned, I feel I have been badly prejudiced by a failure of communications, for which I was in large measure to blame.

I do regard this as a procedural motion, and, accordingly, I am going to stay by my word. I said I would vote for the recommittal motion of the majority leader, whatever the motion was, and that is what I am going to do.

Mr. WILLIAMS of Delaware. Mr. President, if I may speak briefly, I wish to say to the Senator from Louisiana that I did not see any written form of the motion. I want to make that clear. I do not want anyone to think that the majority leader showed me anything that the Senator from Louisiana did not see.

I stated before that there was a verbal understanding, but at the same time I accept the fact that in any verbal agreement there can be a misunderstanding. When the Senator from Montana indicates such was the case, I know the Senator from Montana well enough to know that there was. There is no man in the Senate for whom I have a higher regard than the majority leader. He has again demonstrated the size and the man that he is.

That is why I make the suggestion that rather than debate it at this time and make a decision now, perhaps we could sleep on it tonight. As one who likes to win, now or at any other time, I still say there are more important things than winning. That is why I say we should sleep on it tonight and see if we can come up with a calmer decision tomorrow. I only make that as a suggestion.

Mr. MANSFIELD. Mr. President, I hardly know what to say. I believe I have received, indirectly, an answer to the question which I have raised. I believe the distinguished Senators are doing their best to alleviate the position in which they think I find myself and in which the Senate finds itself.

I do not know whether it would be a good idea to think over this proposal overnight, because I have an idea that, if that were the case, and the suggestion were offered in good faith and with good heart, we might find ourselves in just as difficult a position tomorrow.

In view of the fact that I did not get a clear-cut answer; in view of the fact, therefore, that I must make my own interpretation, and in view of the fact that I do not by any means approve of what I am about to do, I ask for a vote on the pending motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana to recommit.

Mr. CURTIS. Mr. President, a parliamentary inquiry. What are we voting on?

Mr. HOLLAND and several Senators requested the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. For the

information of the Senator from Nebraska, the clerk will state the motion.

The assistant legislative clerk read Mr. MANSFIELD's motion, as follows:

I move that H.R. 6950 be recommitted to the Committee on Finance with the following instructions:

(1) To report back forthwith provisions which relate to restoring the investment tax credit and a provision providing for an expiration date of July 31, 1967 on the Presidential Campaign Fund law of 1966.

(2) To report back within six weeks provisions with respect to the Presidential Campaign Fund law of 1966.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from West Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK] and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

On this vote, the Senator from West Virginia [Mr. BYRD] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from West Virginia would vote "nay," and the Senator from Oregon would vote "yea."

Mr. HICKENLOOPER. I announce that the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Idaho [Mr. JORDAN] is necessarily absent to attend the funeral of a friend.

The Senator from California [Mr. MURPHY] is absent because of illness.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Idaho [Mr. JORDAN], the Senators from California [Mr. KUCHEL and Mr. MURPHY], and the Senator from Iowa [Mr. MILLER] would each vote "yea."

The result was announced—yeas 64, nays 22, as follows:

[No. 93 Leg.]

YEAS—64

Aiken
Allott
Anderson
Baker
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dodd
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Javits
Jordan, N.C.
Lausche
Long, La.
Magnuson
McCarthy
McClellan
Mondale
Monroney
Montoya
Morton
Pastore
Pearson
Pell
Percy
Prouty
Randolph
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Young, N. Dak.

NAYS—22

Bartlett
Bayh
Brewster
Dominick
Ellender
Hart
Hartke
Hollings
Inouye
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Mansfield
McGovern
McIntyre
Metcalf
Mundt
Nelson
Proxmire
Ribicoff
Williams, N.J.
Young, Ohio

NOT VOTING—14

Brooke
Byrd, W. Va.
Clark
Dirksen
Jordan, Idaho
Kuchel
McGee
Miller
Morse
Moss
Murphy
Muskie
Smathers
Yarborough

So the motion to recommit was agreed to.

Mr. BYRD of West Virginia subsequently said: Mr. President, earlier today the Senate voted on the motion submitted by the distinguished majority leader [Mr. MANSFIELD] to recommit H.R. 6950 to the Committee on Finance. I did not vote on that recommittal motion. I was in the reception room at the time. I did not hear the bell which indicated that a yea and nay vote was to begin, and for some unknown reason the pages did not locate me. I was there talking with some West Virginia members of the National Association of Letter Carriers.

I regret that I missed the vote. I had intended to vote against the motion to recommit, and had so advised the majority leader and the majority whip. I merely take the floor at this time to indicate for the record that had I been present and voting, I would have voted against the motion to recommit.

Mr. LONG of Louisiana. Mr. President, from the Committee on Finance, I now report a bill to carry out the instructions of the Senate. It provides for the restoration of the investment tax credit under the same circumstances as are described in the report of the Committee on Finance when it originally acted on this measure on March 23. In addition, it contains an amendment terminating the Presidential Election Campaign Fund Act effective July 31, 1967.

In accordance with further instructions of the Senate, the Committee on Finance will promptly begin hearings to improve and perfect the Presidential Election Campaign Funds Act. In accordance with these instructions, legislation containing improvements and perfections will be reported to the Senate within 6 weeks.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property, with an amendment, as follows:

That sections 48(j) and 167(i)(3) of the Internal Revenue Code of 1954 (defining suspension period) are each amended by striking out "December 31, 1967" and inserting in lieu thereof "March 9, 1967".

SEC. 2. Section 46(a)(2) of the Internal Revenue Code of 1954 (relating to limitation on investment credit based on amount of tax) is amended—

(1) by striking out subparagraphs (B) and (C) and inserting in lieu thereof the following:

"(B) for taxable years ending before January 1, 1968, 25 percent of so much of the liability for tax for the taxable year as exceeds $25,000, or

"(C) for taxable years ending after December 31, 1967, 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000."; and

(2) by striking out the next to the last sentence and inserting in lieu thereof the following: "In applying subparagraph (C) to a taxable year beginning before January 1, 1968, and ending after December 31, 1967, the percent referred to in such subparagraph shall be the sum of 25 percent plus the interest which bears the same ratio to 25 percent as the number of days in such year after December 31, 1967, bears to the total number of days in such year."

SEC. 3. Section 48(a)(2) of the Internal Revenue Code of 1954 (relating to property used outside the United States) is amended by inserting before the semicolon at the end of subparagraph (B)(i) "or is operated under contract with the United States".

SEC. 4. The amendments made by the first section and section 3 of this Act shall apply to taxable years ending after March 9, 1967.

SEC. 5. The Presidential Election Campaign Fund Law of 1966 expires on July 31, 1967.

Mr. LONG of Louisiana. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Louisiana. Mr. President, is it in order for me to amend the bill I have just reported?

The PRESIDING OFFICER. The substitute amendment is open to amendment.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Louisiana [Mr. LONG] moves to strike section 5 of the substitute amendment (reported forthwith) for the bill (H.R. 6950) relative to the presidential election campaign fund law of 1966.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. WILLIAMS of Delaware. Mr. President, is the Senator from Louisiana ready to debate his amendment?

Mr. LONG of Louisiana. Mr. President, I am ready for a vote.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay that amendment on the table.

Mr. PASTORE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware [Mr. WILLIAMS] to lay on the table the amendment of the Senator from Louisiana [Mr. LONG].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the Senator from New York [Mr. JAVITS]. If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. CLARK] and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK] and the Senator from New York [Mr. KENNEDY] would each vote "yea."

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from Florida would vote "nay."

Mr. HICKENLOOPER. I announce that the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Idaho [Mr. JORDAN] is necessarily absent to attend the funeral of a friend.

The Senator from California [Mr. MURPHY] is absent because of illness.

The Senator from New York [Mr. JAVITS] is detained on official business, and his pair has been previously announced.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Idaho [Mr. JORDAN], the Senators from California [Mr. KUCHEL and Mr. MURPHY] and the Senator from Iowa [Mr. MILLER] would each vote "yea."

The result was announced—yeas 41, nays 43, as follows:

[No. 94 Leg.]

YEAS—41

Aiken
Allott
Baker
Bennett
Boggs
Byrd, Va.
Carlson
Case
Church
Cooper
Cotton
Curtis
Dominick
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Hansen
Hatfield
Hickenlooper
Hruska
Kennedy, Mass.
Lausche
McClellan
Morton
Mundt
Pearson
Pell
Percy
Prouty
Russell
Scott
Smith
Spong
Symington
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—43

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Dodd
Eastland
Ellender
Gruening
Harris
Hart
Hartke
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Jordan, N.C.
Long, Mo.
Long, La.
Magnuson
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Nelson
Pastore
Proxmire
Randolph
Ribicoff
Sparkman
Stennis
Talmadge
Tydings
Williams, N.J.
Young, Ohio

NOT VOTING—16

Brooke
Clark
Dirksen
Javits
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Mansfield
McGee
Miller
Morse
Moss
Murphy
Muskie
Smathers
Yarborough

So the motion of Mr. WILLIAMS of Delaware, to lay on the table the amendment of Mr. LONG of Louisiana, was rejected.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. METCALF. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. METCALF. Is H.R. 6950 at the present time open for amendment?

The PRESIDING OFFICER. The Senator is correct. It is open for amendment.

Mr. METCALF. Mr. President, I call up my amendment No. 137, and ask that it be read.

The PRESIDING OFFICER. The Senator is advised that a motion to strike is pending. But the amendment that is proposed to be stricken may be amended before the motion to strike is voted on.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. LONG of Louisiana. Mr. President, may I explain to the Senate that what I would hope we would do would be to limit this bill to one strictly dealing with the investment tax credit; and if my motion prevails—and the Senate has declined to table my motion—this will be what I originally had hoped the majority leader was going to move, and what I, as the manager of the bill, had prayed he would move: that is, that we would be asked to recommit and report a clean bill, which would be nothing more than a bill to give business the investment tax credit and accelerated depreciation as of the date recommended by the President.

May I say, Mr. President, that if my motion carries, we will be in a position to do that; and if it does not carry, then we are going to be right back doing what we have done for the last month—taking extraneous amendments, which amendments will lead, in my judgment, to more and more controversy, until eventually we will have another motion to recommit, and once again we will go through the whole thing.

Let me say this, as one who is vehemently opposed to the Gore amendment to repeal the Presidential Election Campaign Fund Act of 1966. I am not going to take something I am against, which cannot command a majority vote in the Senate, and then tell other Senators that they cannot offer their amendments which can command a three-quarters vote or a two-thirds vote in this body. Why should we take something that can only be agreed to when you have an advantage on absentees, when there are good amendments that Senators would like to offer which can command a three-quarters majority?

I hope that we will be permitted to vote on a motion to strike out the one thing that the majority finds objectionable, and if we can I am willing to go ahead and pass an investment credit bill only. I hope that is what we are going to be asked to do.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I shall not yield to the Senator at this moment, but I shall yield to him shortly.

If Senators want to vote to give business the benefit of the investment credit they can do that. I have spoken for the committee and I have taken those orders from the Senate.

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order.

The Senator from Louisiana may proceed.

Mr. LONG of Louisiana. Mr. President, the Senate has instructed the Committee on Finance to conduct hearings and report back a bill on election campaign financing after considering all aspects. We have been ordered by the Senate to do that. I wish to point out to Senators that we have been ordered by the Senate to conduct hearings and report back.

I find objectionable that part of the bill which the committee was instructed to report back which repeals the Presidential Election Campaign Fund Act of 1967, particularly since the Senate has voted with me on that matter as recently as last Thursday. If I detect the thinking of the Senate as revealed in the just defeated motion to table, the Senate is prepared to strike that part which I find objectionable, and if they do that, I suggest that no further amendments be offered. However, if repeal of the Campaign Act stays in the bill, as one Senator, I shall insist that other Senators have their amendments considered.

Mr. METCALF. Mr. President, do I have the floor?

The PRESIDING OFFICER. Is the Senator seeking recognition?

Mr. METCALF. Mr. President, I am seeking recognition to offer an amendment.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. METCALF. Mr. President, my amendment is an amendment which I have tried to write as an amendment to the investment tax credit bill. If I may, I would like to offer this amendment and have the clerk state it.

The PRESIDING OFFICER. The Senator is advised that the only amendment now in order, since there is a pending motion to strike of the Senator from Louisiana, is one that would amend the paragaph which the Senator from Louisiana seeks to strike.

Mr. METCALF. Then, I yield the floor with the understanding that after that proposal is voted upon I will have an opportunity to offer my amendment.

Mr. GORE. Mr. President, as the able junior Senator from Louisiana [Mr. LONG] has stated, this will probably be a very close vote.

Mr. MORTON. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. GORE. Mr. President, representatives of two Senators who are absent have asked me to request that this vote not be held until tomorrow so that they may return to the Capitol. Of course, the pending amendment is subject to a substitute amendment. After opportunity has been afforded for offering and consideration of such amendments, I would be glad to enter into a unanimous-consent agreement to vote at some time certain, so that all Senators can be here and vote. If it turns out that the Vice President must decide, that is constitutional, and the decision will be made. However, I would not wish at this time to offer any suggestion as to the time for voting. Someone may have a substitute to offer. Let the Senate realize that there is before the Senate now a bill reported from the committee upon instructions by the Senate with a termination date of July 31, 1967, for the Presidential Election Campaign Fund Act. There is a motion pending to strike that section of the bill which the committee has reported upon instruction by the Senate.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. METCALF. I do not desire to delay the Senate. I wonder if the Senator from Tennessee would permit me, by unanimous consent, to offer my amendment. I do not request a yea and nay vote. The matter will only take 15 minutes or less and, then, the Senator from Tennessee can proceed and have us vote at a fixed time tomorrow or at some other time.

Mr. GORE. I shall not interpose an objection. I am not sure an amendment can be offered in the second degree, even by consent, but at least I would not object to the Senator offering whatever amendment he wishes to offer.

I would like to proceed with my statement briefly.

Mr. LONG of Louisiana. I would be willing to agree to arrange two pairs for the two Senators the Senator wishes to protect.

Mr. GORE. We are not going to vote on the Long amendment today.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LAUSCHE. I would like to address two questions to the Senator from Louisiana to find out his position.

Is it the position of the Senator from Louisiana that if his amendment carries then he will not oppose consideration of other amendments that may be offered to load this bill down again as it was loaded before we voted today?

Mr. LONG of Louisiana. If I prevail in my motion, I hope to limit this bill, to the extent I am able, to what it started out to be: a bill to restore the investment tax credit, and accelerated depreciation.

Mr. LAUSCHE. What will the position of the Senator be if his motion is defeated?

Mr. LONG of Louisiana. Then, I feel that everybody else also should have their irrelevant, extraneous amendments considered.

Mr. GORE. Mr. President, I wish to retain the floor.

The **PRESIDING OFFICER.** The Senator from Tennessee is recognized.

Mr. GORE. The distinguished Senator from Louisiana has just said that unless his amendment, which is now an amendment to a committee bill which has been reported by instructions from the Senate, is adopted, he will invite everybody else——

Mr. LAUSCHE. Then, we are back where we started.

Mr. GORE. This brings us pretty well around the merry-go-round. If the Long amendment is defeated, the bill will go to the House, restoring investment credit and repealing the Long amendment as of July 31. Meanwhile, the committee is under instructions to report a bill to replace it or amend it.

It seems to me that a reasonable course of action is to defeat the Long amendment and speed the bill to the House of Representatives.

Mr. METCALF and **Mr. LONG of Louisiana** addressed the Chair.

Mr. GORE. I shall yield in a moment, but I am not prepared to try to foreclose the Senator from Montana or any other Senator who may have substitutes to offer.

Mr. LONG of Louisiana. Mr. President, the Senator from Tennessee has great confidence when he assumes he is going to defeat everybody's amendment after he defeats the Long amendment. Other Senators have good amendments. The Long amendment would in effect strike the Gore amendment, and the Gore amendment, in my judgment, does not have a majority of the Senate in support of it.

Mr. GORE. The Senator is now on the other side. He is in the position of saying that unless his amendment to the committee bill is accepted he is going to invite everybody else to offer one, whereas, if his amendment is accepted he will seek to deny that privilege to everybody else.

Mr. LONG of Louisiana. The Gore amendment; that is, the provision repealing the Long Act of last year, is totally irrelevant to this bill to restore the investment credit and accelerated depreciation.

Mr. GORE. It is in the bill. It is in the bill. It is a part of the bill before the Senate.

Mr. LONG of Louisiana. If it stays in the bill, being totally irrelevant to investment credit, as far as I am concerned we are going to consider a lot of other irrelevant amendments which have more merit.

Mr. GORE. I shall not undertake to give any instructions to the Senate.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ERVIN. Was not the Long law totally irrelevant to the bill onto which it was attached?

Mr. GORE. The best that I can recall it was, being a part of the Christmas tree bill.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield further?

Mr. GORE. I yield.

Mr. LONG of Louisiana. Was it not one of numerous amendments which were irrelevant to the bill to which it was attached?

Mr. GORE. Yes. There were so many irrelevant amendments. There were so many "goodies" on that Christmas tree that the conferees on the part of the other body had but little resistance. They, too, had some "goodies" on the tree. That illustrates how effective the junior Senator from Louisiana is. He prepares the way. But he is now in the *position of advocating that his* own committee's bill which was reported by instructions of the Senate, be amended.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield further?

Mr. GORE. I yield.

Mr. LONG of Louisiana. I am pleased to find that the Christmas tree bill, which the Senator finds so obnoxious with all of those amendments, seems to have had only one to which he objects now. I thought he objected to most of them. I am pleased to see that now there is only one to which he objects, the Presidential Election Campaign Fund Act of 1966.

In my judgment, that was the best amendment in the bill.

Mr. GORE. There were several to which I seriously objected. There was the $2 million tax benefit for one corporation. But they have got that. Perhaps we can stand a $2 million favoritism amendment. But the Long amendment which authorized an estimated $60 million to go into a campaign slush fund to be administered from Washington is a danger to the elective process. I want to see that amendment stricken from the law and that we then proceed to write an election reform bill. I am prepared after the substitute process is terminated, to enter a unanimous-consent agreement to have a vote and settle it. If it is 50-50 that is all right, but let us have a vote and fix a time certain when all Senators can be on notice and be in the Chamber. But I am not going to foreclose anyone else from offering an amendment.

AMENDMENT NO. 137

Mr. METCALF. Mr. President, I have been standing in this Chamber waiting patiently to offer a relevant amendment, an amendment offered in committee, an amendment to the bill which is relevant to the bill. I hope I will have an opportunity to offer such an amendment.

If I may, I ask unanimous consent that I may be permitted to offer this amendment at this time.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

First, the Chair states that the pending amendment of the Senator from Louisiana will be temporarily laid aside and the Senator from Montana may present his amendment.

The clerk will state the amendment.

The **LEGISLATIVE CLERK.** Renumber section 4 of the bill as section 5 and insert after section 3 thereof the following new section:

SEC. 4. Section 203(e)(1) of the Revenue Act of 1964 (Public Law 88-272) is amended by inserting at the end thereof the following new sentence: "The preceding sentence shall not apply in the case of property used predominantly in the trade or business of the furnishing or sale of electrical energy."

Mr. METCALF. Mr. President, I should like to have the attention of the Senator from Louisiana so that I may ask him some questions about the bill.

As I understand the bill—and I ask the Senator from Louisiana to respond—if tax credits are given, if the 3-percent credits for utility companies are given, does the bill prohibit any State from passing through to the consumer? Is that correct?

Mr. LONG of Louisiana. Present law states that the credit shall be passed through over a period shorter than the life of the property only with the consent of the company involved.

Mr. METCALF. Yes. The company involved, whether it be Consolidated Edison, Montana Power, whatever it is—unless the company consents—any public service commission or regulatory commission of the various States——

Mr. LONG of Louisiana. Oh, no.

Mr. METCALF. Cannot order it to be passed through——

Mr. LONG of Louisiana. The Senator is slightly in error. What the present law says——

Mr. METCALF. I am not in error. I am merely asking a question.

Mr. LONG of Louisiana. Present law applies only to Federal regulatory agencies—it does not apply to a State agency. Present law provides that a Federal agency cannot require a passthrough of the investment credit to the user in the case of those covered by section 203(e)(1) of the Revenue Act of 1964 unless the company agrees to it. That does not bind a State regulatory agency. One of these could follow this policy if it wanted to. They could require an immediate and full passthrough so far as they are concerned without the consent of the company.

Mr. METCALF. I am delighted to have that interpretation of the bill, because it was my understanding from reading the bill that a State regulatory commission could not order a passthrough whether it benefited the 3-percent credit under the bill.

Mr. LONG of Louisiana. As I recall it, we do not require that. My understanding is that we simply instruct the Federal regulatory agencies. Frankly, I say to the Senator, I have considerable doubt that we should try to instruct State regulatory agencies.

Mr. METCALF. I have, too. That is why my amendment was submitted.

Mr. LONG of Louisiana. It would be more appropriate that a State agency would decide for itself on this policy question. We would propose to decide it with regard to our own agencies, but we do not propose to decide that with regard to a State agency. That falls in the area of States rights. They have the same rights we have; namely, the right to be right and the right to be wrong.

Mr. METCALF. When this amendment was submitted in committee, it was my understanding, and it was the interpretation that was given, that the present law as written would prevent State regulatory agencies from passing through to the consumer, if the State regulatory agencies decided that they wanted to, unless——

Mr. LONG of Louisiana. I am familiar with that section, Senator. I wish to say that we debated that at considerable length in the Revenue Act of 1964. I was the Senator in charge of that bill.

Mr. METCALF. I remember. I participated in that debate.

Mr. LONG of Louisiana. I quote from the law:

> It was the intent of the Congress in providing an investment credit under section 38 of the Internal Revenue Code of 1954, and it is the intent of the Congress in repealing the reduction in basis required by section 48(g) of such Code, to provide an incentive for modernization and growth of private industry (including that portion thereof which is regulated). Accordingly, Congress does not intend that any agency or instrumentality of the United States having jurisdiction with respect to a taxpayer shall, without the consent of the taxpayer, use—
>
> (1) in the case of public utility property (as defined in section 46(c)(3)(B) of the Internal Revenue Code of 1954), more than a proportionate part (determined with reference to the average useful life of the property with respect to which the credit was allowed) of the credit against tax allowed for any taxable year by section 38 of such Code, or
>
> (2) in the case of any other property, any credit against tax allowed by section 38 of such Code,
>
> to reduce such taxpayer's Federal income taxes for the purpose of establishing the cost of service of the taxpayer or to accomplish a similar result by any other method.

I think from what I have quoted the Senator can see that the provision refers only to what we would tell the Federal Power Commission, the FCC, the Interstate Commerce Commission or other Federal regulatory agencies. So far as State agencies are concerned, they have the complete right to do the opposite if they so choose.

Mr. METCALF. Mr. President, with that explanation, and that interpretation from the Senator in charge of the bill, I am perfectly willing to withdraw my amendment. My only hope in this amendment was to provide that if State regulatory agencies held hearings and decided that these benefits should be passed through to the consumer, they should be permitted to do so. If the Senator from Louisiana will so interpret the bill so it can do so, I will ask unanimous consent, under that understanding, to withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The question is on the motion of the Senator from Louisiana.

Mr. WILLIAMS of Delaware. Mr. President, I understand the committee amendment is subject to a perfecting amendment or motion.

The PRESIDING OFFICER. The Senator is advised that only amendments which amend the motion of the Senator from Louisiana to strike would be in order.

Mr. WILLIAMS of Delaware. That is what I understood.

Mr. President, the Senate has acted very wisely in my opinion in ordering to send the measure back to the committee to report back with a termination date for the presidential campaign fund of July 31. I understand the Senate committee is to hold hearings and will develop a workable program for the financing of campaigns and then report back to the Senate in 6 weeks. I think that was the best procedure.

I was hoping the Senate would stand by its earlier vote of today. However, under the motion of the Senator from Louisiana he proposes to strike one section, which has the effect of reinstating the Presidential Campaign Act effective July 31. This would nullify the earlier vote of the Senate.

If we are going to reopen this question in the Senate then I think we should discuss various proposals and see if we can arrive at a plan that would be more effective than the present one for a $1 checkoff on each tax return.

If this is to be the procedure I shall have a proposal to offer on behalf of the Senator from New York [Mr. KENNEDY], the Senator from Illinois [Mr. PERCY], and myself which proposes to enact President Johnson's 1966 recommendation for campaign reform effective July 31. The President's recommendations were introduced last June when he sent his message to Congress. The President's proposal recommended the financing not only of presidential campaigns but also of congressional campaigns by allowing $100 contributions to political campaigns or candidates as an additional deduction for tax purposes. In that manner an individual could make a contribution up to $100 to the party or candidate of his choice. I think that is very important to give the contributors a choice as to which candidate or political party they wish to support.

The bill also carried a provision to reform the Corrupt Practices Act along the lines of what was enacted by the Senate a couple of weeks ago, when it accepted the two amendments I offered. This proposal extends the Corrupt Practices Act to require 100-percent reporting by all political committees. That is important. Everybody agrees to it. It would also extend the provisions of the Corrupt Practices Act to primaries. They are two points on which Presidents Johnson, Kennedy, and Eisenhower had been very firm over the years.

This proposal, which was recommended in a message by President Johnson, was introduced in the Senate by the Senator from Pennsylvania [Mr. CLARK], and was cosponsored by the Senator from Kentucky [Mr. COOPER], the Senator from Michigan [Mr. HART], the Senators from New York [Mr. JAVITS and Mr. KENNEDY], the Senator from California [Mr. KUCHEL], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the former Senator from Oregon, Mrs. Neuberger, the Senator from Wisconsin [Mr. PROXMIRE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Rhode Island [Mr. PELL].

This amendment is now printed as amendment No. 172, and is on each Senator's desk. I shall not call it up tonight for a vote, but it will be called up tomorrow, at which time I shall outline the reasons why it should be adopted. This will not be offered should the Senate decide to accept no further amendments to this bill but to leave it as just approved by the Senate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Earlier in this statement, the Senator said he hoped the Senate would abide by the decision which it made earlier this afternoon. Will the Senator explain what he meant by that decision to which we should adhere?

Mr. WILLIAMS of Delaware. The decision made earlier this afternoon was for the Senate to recommit the bill, eliminate all amendments except those relating to the restoration of the 7-percent investment tax credit, plus the additional amendment to terminate the Presidential Campaign Financing Act effective July 31, 1967. That same motion also carried instructions to the committee to report back to the Senate its recommendations in connection with a method of financial political campaigns and that that report would be made in 6 weeks. I think that would be the orderly procedure.

I want to make it clear as I offer the amendment that it is not being offered under the threat that if this amendment is not accepted, I shall be a dog in the manger and help sink the bill with a lot of other amendments. I am offering it in good faith. I want it accepted or rejected on its merits.

I object to the position of the Senator from Louisiana that he is going to have his way or he will kill the bill by loading it with amendments. I will not be a party to any such procedure.

The Presidential Campaign Financing Act was adopted in the latter part of 1966 as a rider on the Foreign Investors Tax Act. I find no fault with that procedure. The only manner in which the Senator from Louisiana could offer the amendment in the Senate was to offer it as an amendment to a formerly passed House bill. But, by the same token, the only way in which any Senator can propose the repeal of that act is to use the same procedure and offer an amendment as a rider on a previously passed House bill dealing with revenue.

The act was enacted as a rider adopted in the Senate. The Senator from Tennessee [Mr. GORE] and I proposed the amendment as a rider to repeal it.

Mr. LAUSCHE. I concur fully in what the Senator has said. The Senator from Delaware has said that we have stepped again on the merry-go-round on which we have been moving for practically 4 weeks. The Senator from Montana [Mr. MANSFIELD] attempted to clarify the confusion that has existed on the Senate floor for 4 weeks by separating the capital investment tax credit features of the bill from all the other amendments. We voted to send the bill back to committee, with instructions to report back separately a bill on capital investment tax credit. That was done. But out of the clear sky, like a bolt, comes the initiation of the old 4-week routine—an amendment dealing with the subsidizing of presidential elections.

The moment the chairman of the Finance Committee offered that amendment, other Members of the Senate who had pet bills or amendments that they wanted to offer were encouraged to offer their proposals.

Mr. President, how long are we to engage in this merry-go-round movement? We are exactly where we were last week. The Senator from Louisiana proposes the most incomprehensible proposition that I have heard of. He says that if we defeat his amendment he will accept every amendment that is offered so as to load down the bill for defeat; but if we approve his amendment, he will not accept any others. How can he justify a position of that type? I cannot understand it.

I understand the position of the Senator from Delaware when he says that he hoped the Senate would abide by what was done earlier today, but since we do not propose to abide by it, he suggests he is going to offer his amendment. I understand that.

Do I misunderstand the position of the Senator from Louisiana?

Mr. LONG of Louisiana. The Senator certainly does. He has never been more mistaken in his life than in what he is saying now.

Mr. President, I have been in these Williams traps before, and they are very difficult to get out of; but I have found that if I twist and wriggle long enough, somehow I will get through them.

The Finance Committee originally brought before the Senate last month a bill to restore the investment tax credit, with nothing on the bill having to do with repealing the Long act on presidential campaign financing. However, such an amendment was offered, so we had to struggle back and forth about the matter over a long period of time. We offered amendments to the amendment, substitutes for the amendment, and when the opposition came in—with my team out of town—and voted that amendment on the bill, it was my turn to seek to have more amendments voted on the bill.

Mr. LAUSCHE. Mr. President, I condemn that policy to the most vigorous degree that I can. I can never subscribe to it. But my question is——

Mr. LONG of Louisiana. Just a minute. Will the Senator permit me to make my position clear?

Mr. WILLIAMS of Delaware. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I have not voted for a single amendment that is not, in my judgment, an amendment which has merit and which deserves the consideration of the Senate, of the House of Representatives, and of a conference committee of the two Houses. I have voted for similar amendments on other occasions. I have voted for them on their own merits. But when a Senator brings in an amendment I am against, and offers it as an extraneous amendment on this bill, my reaction is, "Very well, if you want to make another Christmas tree bill out of this one, so be it. Bring in your baubles."

If the Senator is willing to limit this bill to the investment tax credit, so am I, as I stated almost a month ago when the whole fight started. But if Senators wish to broaden it to include all sorts of extraneous matters, I do not see how the Senator can expect to put on the one he wants as an extraneous amendment without——

Mr. LAUSCHE. I do not want to. Neither do I want the Senator's.

Mr. WILLIAMS of Delaware. Mr. President, I yield to the Senator from Ohio.

Mr. LAUSCHE. Will the Senator yield for me to propound a question?

Mr. WILLIAMS of Delaware. I yield to the Senator from Ohio, and then I should like to complete my remarks.

Mr. LAUSCHE. What will the Senator from Louisiana do with respect to the other amendments that will be offered, in the event his amendment is defeated?

Mr. LONG of Louisiana. May I say that as far as my amendment is concerned, it simply takes the Williams-Gore amendment off the bill. If their amendment is off the bill, I do not want an amendment on the bill. I have none on it. I am simply moving to strike theirs off. If they take theirs off, I shall not put mine on. If theirs goes on, I will fight to put mine on, and will be willing to accept other Senators' amendments.

If the Senate wishes a clean bill to give back the investment tax credit, which we have been talking about for a month, I am willing to vote for it, as I said on this floor almost a month ago. But I do not intend to support a proposition in which somebody can rub my nose in the ground by voting to repeal a law that is on the books, and which seeks to catch me at a disadvantage when my allies are absent. I cannot agree with Senators whose position is, "We will do this to you, but we want you to keep other amendments off this bill." My judgment is that we will either keep it a bill relevant to the investment credit or it will not be a bill relevant to the investment credit. I am perfectly willing to vote to limit it to the matter of this investment tax credit. I am not asking for any advantage. I am asking for a chance for the Finance Committee to conduct campaign financing hearings, to hear Mr. WILLIAMS' plan, Mr. GORE's plan, Mr. METCALF's plan, and everybody else's plan. After we get through studying everybody's suggestions, my thought would be to give the committee an opportunity to report out what we think is the best possible campaign financing plan.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Ohio.

Mr. LAUSCHE. The Senator from Louisiana is willing to have this matter come before the Senate as a simple, clean, objective capital investment tax credit bill, on condition that his amendment is agreed to?

Mr. LONG of Louisiana. Oh, no. This would not be a clean investment tax credit bill unless my amendment is agreed to.

Mr. WILLIAMS of Delaware. Mr.

President, I point out again that the Senate, by a vote of 2 to 1, made its decision earlier this afternoon, with the result that we have before us now a clean bill dealing only with the restoration of the 7 percent investment credit and the expiration date of the Presidential Campaign Act of 1966. I should like to keep the bill as it now stands, and I will not offer my amendment unless the Senator from Louisiana presses for the adoption of his amendment. If he does I have no choice. Rather than restore the Presidential Campaign Act after July 31, we should give consideration to some of the excellent suggestions that were made by the Senator's own President of the United States, President Johnson.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. Just a moment.

The Senator from New York [Mr. KENNEDY] and the Senator from Illinois [Mr. PERCY] have joined me, and this amendment can be offered if the Senate decides to proceed with amendments. I would be perfectly willing to agree there would be no amendments and keep the bill as it presently stands. I leave the decision to the Senator from Louisiana or rather to the Senate tomorrow. As I understand, we could not vote tonight anyway.

Mr. LONG of Louisiana. Will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield the floor.

Mr. LONG of Louisiana. If the Senator wishes to yield the floor, I will say it in my own right.

Mr. WILLIAMS of Delaware. I was going to yield the floor.

Mr. LONG of Louisiana. Mr. President, the Senator uses a most unfortunate choice of words when he says I am seeking to restore the Presidential Election Campaign Fund Act. All I am seeking to do is just leave the law the way it is, until the committee can report out a bill on this matter in 6 weeks, setting forth the committee's recommendations. I am perfectly content to hear the Williams suggestion, and consider it and vote on it in the committee. I wish to hear the Senator from Montana [Mr. METCALF] explain his ideas. I wish to hear everybody, and study everybody's thoughts. I should like to study the recommendations of Mr. Neustadt, one of the great political scientists of America. I want to hear what he thinks about all this. I wish to get everybody's advice.

May I say to the Senator from Ohio, in my judgment he is falling into grievous error when he says I am threatening the Senate. What I am saying is this: If the Senate will hold this to an investment tax credit bill, I will hold it to an investment tax credit bill. But if Senators insist on putting amendments on the bill, whether, as the Senator calls it, by instructions of the Senate—referring to the amendment that is on there through a misunderstanding between myself and the majority leader—or otherwise, then, I say again as I said almost a month ago on this same subject, I am willing to support every other rider I think is a good one. If it is not a good amendment, I will not support it. It will not be the first time I have voted for amendments on bills.

I remind the Senator that the only way we can legislate on revenue bills or in the revenue area in the Senate is to amend a House bill. The Constitution of the United States absolutely forbids us to originate revenue acts here in the Senate. We have to wait for the House of Representatives to send us a bill, and then we can amend it. Once in awhile we do what the Senator criticizes. He said it was a Christmas tree bill. Whoever, I believe in the Washington Post, first used the expression that "when the bill hit the floor it lit up like a Christmas tree," I think found a very appropriate phrase, which caused Senators to begin calling a measure such as the Foreign Investors Tax Act a Christmas tree bill. But that is the only way we can consider various and sundry revenue proposals which Senators have to offer.

If it were within my power, as committee chairman, to send to the House of Representatives a revenue bill originating in the Senate, and let them talk about amending our bill instead of our amending theirs, I would be delighted. But the Constitution does not permit us to do it, and the only way under the sun that I know to keep the Senate an equal legislative body with the House of Representatives is, once in awhile, to support a Senator and give him an opportunity to offer his amendment on a revenue bill that has passed the House.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Mr. President, the point I am trying to make is that we are back where we were before we voted this afternoon. The majority of the Senate voted to send the bill back to the committee, ordering the committee to report on two matters.

The committee was ordered to report on the investment tax credit and to put a termination date on the Long bill as of July 31.

We are now proceeding to undo what we ordered the committee to do, and to that action I cannot subscribe. That is my position.

Mr. LONG of Louisiana. Mr. President, the Senator saw how we got in that position, I hope, because there was a misunderstanding in complete good faith between two men of honor, both of whom wanted to do the right thing by the other.

I voted for the Mansfield motion, even though I could not think of anything that would prejudice me more.

At the time I initially objected to the motion of the majority leader, some people seemed to feel that I was challenging the majority leader's leadership or that I was not showing the respect that should be shown to the leadership when the majority leader indicated that he had an agreement from both sides. Unfortunately, our agreement was predicated on different interpretations of what his motion was to be.

I offered to surrender, and I did. I voted for his motion, even though under the circumstances he thought I was being victimized, and he voted against his own motion. I obeyed the orders of the Senate and followed those orders and sent the bill back.

When the bill was reported to the Senate, I did what any Senator has a right to do—to amend the bill. I offered an amendment to strike out what is totally irrelevant to the investment tax credit.

If the Senator wants to be irrelevant again, he can be as irrelevant as he wishes, and we can wander all over barnyard.

Mr. LAUSCHE. Mr. President, does not the Senator see that when he offers his amendment there will be a whole series of other amendments offered and we will be back where we started?

Mr. LONG of Louisiana. No. If my amendment prevails—the amendment that is pending at this moment—this will be a clean investment tax credit bill, precisely the bill reported originally by the Senate Committee on Finance before other people insisted on making us vote on other extraneous matter.

Who is responsible for this? It is those Senators who insisted on putting an extraneous rider on the bill, a provision that would repeal the Presidential Election Campaign Fund Act of 1966.

That being the case, if Senators are going to put those extraneous riders on the bill, I will invite other Senators to offer their amendments, because some of their amendments are very good. I voted for a number of amendments that are very good amendments.

I voted for the Bob Byrd amendment to let old people who cannot find a job draw social security.

I voted for the Abe Ribicoff amendment to help a man put his boy through college.

I voted for the George McGovern amendment to help the cattle farmers.

I voted against a lot of other amendments, amendments that had not been studied and that I felt needed more consideration. I felt that we could not afford to agree to those amendments at that time.

I voted against the Prouty amendment, although I know the Senator from Vermont is sincere in his effort to try to give assistance to old people. However, adequate consideration had not been given to the proposal.

If the Senator from Ohio wants to hold this measure to a strict tax credit bill, I have been willing to do that all the time, and I am willing to do so now. However, if the Senator does not wish to do so, then I think it would be just as appropriate to let other Senators offer amendments.

There are some amendments that have been agreed to before by the Senate. The Senator from West Virginia [Mr. BYRD] has had his amendment agreed to by the Senate, I believe, three times now, and always by an overwhelming vote.

How in good conscience can we tell a man that he cannot offer his amendment which has been studied and supported by the Senate when another Senator is permitted to offer an amendment that would not command a majority vote of the full Senate and insist that that amendment be the only amendment to the bill?

Nothing is contained in the rules of

the Senate that gives a Senator a right to add his amendment to a bill and insist that that be the only amendment.

Mr. LAUSCHE. The remarks of the Senator sound effective, except that they have the weakness that he now wants relevancy, while last year he indulged in irrelevancy by permitting the start of an avalanche of amendments that were neither pertinent nor relevant to the pending bill.

Mr. LONG of Louisiana. I did not contend that the foreign investors tax bill was relevant to all of the amendments, nor that the amendments were all relevant to it.

This Senator had told every other Senator earlier in the 89th Congress: "Please hold off your amendments. Don't offer them to this bill. We will, in due course, give you an opportunity to offer your amendments at a time when we will have no procedural objection." Finally, near the end of the 89th Congress came a bill which was the handicraft of the Fowler Task Force. We asked the Secretary of the Treasury what he wanted.

We held the bill up to Senators and said: "Well, this looks like the last train through the station. If we don't let you offer your amendments to this bill, it will be too late. Offer your amendments. If I don't fulfill my commitments now, it will be too late."

There were numerous amendments remaining to be considered. I voted for amendments that I thought were good amendments, and I voted against amendments that I thought were bad amendments.

We went to conference with the House of Representatives. Treasury Department representatives were heard in the Senate-House conference committee and were consulted.

In conference, we thought we retained the best part of the Senate action.

There was no intention to limit the foreign investors bill to relevant amendments.

We were cleaning the decks. There is no use kidding ourselves about that. We were offering Senators a chance to offer amendments that they had held up from offering for years.

Former Senator Saltonstall from Massachusetts had an amendment to require the Government to make an annual reporting of its contingent liabilities. It took the former Senator from Massachusetts 6 years to get that amendment enacted into law.

I had urged him not to offer his amendment to the debt limit bill and to two or three other bills.

I had said: "I will find a bill to let you offer your amendment too, and I will have no procedural objection. I perhaps will support it."

What does the Senator think was the first amendment to go on the Christmas tree bill? It was the Saltonstall amendment, offered by the Senator from Delaware [Mr. WILLIAMS], who finds so much trouble with the Christmas tree bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. Mr. President, the Senator mentioned the Saltonstall amendment.

The Saltonstall amendment was the only amendment to the so-called Christmas tree bill which did not provide for any loss of revenue. Not a dime of revenue was lost through that amendment.

All that the Saltonstall amendment provided was for an annual reporting by the various agencies of the Government, listing both their assets and their liabilities. The amendment was agreed to unanimously.

I repeat, it represented no loss in revenue.

The first amendment agreed to that provided for a loss of revenue was offered by the Senator from Louisiana to increase the depletion allowance for oyster and clam shells. Then followed the $2 million special tax windfall for just one company.

I pleaded with the Senator from Louisiana not to open up the measure as a Christmas tree package for a number of special interests.

Mr. LONG of Louisiana. Mr. President, I have no apologies to offer. I have voted for tax reductions. I have had the honor of pushing through the Senate about $20 billion in tax cuts. And I am not sorry for that.

The Senator from Delaware apparently wants to tax the American people until they have lost their eyeballs. However, I am happy that I voted for tax cuts. By means of these tax cuts, we provided for the giving of a minimum standard deduction to the little man and for helping people of limited means who have special expenses.

One of the Senate amendments on the very foreign investors tax bill was an amendment to let the old people have a more generous deduction for medical expenses. I have no apologies to offer for that nor for another Senate amendment on that bill which would have extended medicare to cover the costs of drugs.

THE EYES OF TEXAS ON PENSACOLA

Mr. TOWER. Mr. President, a vice president of Lone Star Steel Co., L. D. "Red" Webster, had occasion recently to tour and observe the Pensacola Naval Air Station, and to be welcomed aboard the U.S.S. *Lexington*.

His observations were reprinted in a special article in the Longview Daily News, of Longview, Tex.

Realizing the worthiness of the article and the views expressed by Mr. Webster, I ask that the article be printed at this point in the RECORD, so that it may be shared by other Senators.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

L. D. (RED) WEBSTER OPINES "COLOR ME BLUE . . . NAVY BLUE"

(EDITOR'S NOTE.—L. D. (Red) Webster, vice president, public relations and advertising, Lone Star Steel Company, recently observed the U.S. Navy in action. He was among a party of national business and civic leaders who were guests of the Navy for a tour of Pensacola Naval Air Station facilities and a cruise aboard the U.S.S. *Lexington*.

(As a former newsman, Webster brought home to Texas vivid images of modern Russia during a 1958 tour. His series of newspaper articles on that trip were widely reprinted and later published in book form under the title, "I Saw Russia."

(Here is his impression of our Navy.)

(By L. D. "Red" Webster)

Color me blue—Navy blue, that is!

And for all of you mothers, dads, wives, sisters and little brothers who might have concern about the well being of your loved one now serving in Uncle Sam's Navy, take a tip from this old landlubber and don't worry: the boy is in the best of hands.

Until a few weeks ago, I probably would have said my leanings were toward another branch of the service but after a visit to Pensacola, the Navy's "Annapolis of the Air," I discovered the gray strands among my red locks had suddenly taken on a blue cast. I even bought a Pensacola sweat shirt and wore with pride a blue cap whose gold emblem indicated I had been to Pensacola if for no more important reason than to enjoy a civilian's tour.

Pensacola opened my eyes to a branch of our nation's service that I had never been close to. With eyes opened, they began to sparkle with respect for the kind of men who run the Navy, and the training program the Navy provides.

Pensacola is beautiful, but not extravagantly so. It is old, and in its crustiness, there is a rough, rugged quality of durability that marks itself on every man who trained there. In its newer facilities, especially those for space studies, there is a freshness that is as new as the frontiers of space itself. At Pensacola, they guard the goodness of the past with fervor, look to the unknown of the future with courage and daring.

Arriving at Pensacola in a Navy transport, the equivalent of an airline's DC–6 but with the seats all facing backward and not too plush, our group received a red carpet welcome. A band was on hand, but before we could deplane, four admirals and a host of captains boarded and apologized for the rain which kept us from marching down a long line of greeters. It was a winning, warm welcome, and from that moment on, we were a part of Pensacola.

Aside from the detailed tour of the giant base where we were shown, among other things, the new medicine building for studying man's environment in space, and the devices where men are put through all sorts of tests to develop reactions to space conditions, the highlight of the trip was a day long cruise on the USS Lexington.

Lady Lex is quite a boat! As we walked toward the gangplank, an old gent stood looking at this mammoth vessel. He opined "You'll never make me believe that much steel will float." I agreed.

Our day on Lady Lex was characterized by high and cold winds (40 degrees, in Florida, too) and a choppy sea. Without a quiver, Lady Lex glided from the pier, moved into a channel whose width was just a coat of paint wider than the big boat, and headed for the open gulf. Despite the waves and wind, underfoot the boards of the flight deck were as solid as a concrete slab. No vibration, no pitching, no rolling. Just plain solid, even tho Lady Lex was now pushing along at about 25 m.p.h.

As we headed out to sea our group started a tour under the direction of a young engineering Officer. Quickly, I realized that I didn't want a guided tour. So I conveniently got "lost" from the group, and for a couple of hours, prowled Lady Lex from the bow, right up to where the anchor chains slide out through the nose, to the stern, from the bottom most deck about four stories down, to the top of the bridge six or seven stories high. It's the equivalent of a 10-story building, and three times longer than a football field.

In the depths of Lady Lex's innards, I

learned about the Navy Squeezing sideways through corridors bulky men aren't comfortable in, I met up with the engine room. In this hot, sweaty forced-air compartment, I saw Navy training at its best. Here were massive boilers, the pots that generated the power to keep Lady Lex, with all of her intricate systems, on the prowl. Nowhere did I see an officer, petty or otherwise. Instead, my disbelieving eyes fell on a handful of kids, just plain boys, one of whom was fuzzy-faced for lack of a first shave, and the others weren't much older, if any.

The only orders these lads received came over the intercom. The directions had to do with upping the steam or lowering it, depending upon the power needed to operate the ship, or the catapult high above on the flight deck. When the words came over the speaker, these kids popped to, and you never saw such a fanfare of wheel-spinning and lever-jerking in your life.

That night, at a banquet, I asked Adm. A. S. Heyward, our host and top seadog of the Navy's air training program, about the extreme youth I had seen. He said, "Yes, we can take them as young as 17, but that is exceptional." He then told me that the average age of enlistees or inductees assigned to Pensacola for duty, not air training, was "about 19."

On the flight deck a swarm of propeller craft singled in, caught their hooks on the big cables across the deck, and settled to quick stops, lifted the hooks, then gunned to immediate take-offs. Then came the jets and the same routine. Up ahead of the bridge, I watched a plane being adjusted to the catapult. On signal, the plane was slammed into the air within a space of about 30 yards, smooth as silk. There must have been a hundred arrested landings and take-offs, and on the following day, Lady Lex celebrated her 175,000th arrested landing.

On the ride back to Dallas, I thought about the ingredients that are necessary for the development of what I'd seen at Pensacola. Of course, man-to-man leadership was the basic requirement, I thought of Admiral Heyward, a grand guy, the kind of a man you'd be honored to follow anywhere. Then I realized that seated beside me was another outstanding example of the breed. He was a big bear of a man. Square-jawed, heavy-browed, muscular, native Texan Capt. David S. Crockett, C. O. of the Dallas Naval Training Station. He personified the Navy.

Up ahead in the plane, youthful example of what makes the Navy click, prepared box lunches for the passengers. He was flame-thatched Mike Armour, yeoman second class, whose home is Mineola.

With the memories of Pensacola fresh in my mind, and the faces of a captain and a boyish sailor before me, I had but one thought. It was:

"Gosh, I wish I could have been a Navy man."

SPEECH OF GENERAL WESTMORELAND TO THE ASSOCIATED PRESS

Mr. TOWER. Mr. President, I am not aware whether someone else has done this today. If it has not been done, I should like to do it.

General Westmoreland has made an excellent speech to the Associated Press, and following his speech, he submitted cogent answers to questions that were propounded. I ask unanimous consent that the transcript of this very closely reasoned defense of what we are doing in South Vietnam and his advocacy of it be printed at this point in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

TEXT OF GENERAL WESTMORELAND'S REMARKS AT AP MEETING

(NEW YORK, *April 24.—Here is the text of Gen. William C. Westmoreland's speech on Vietnam Monday to the annual meeting of the Associated Press*)

A COMMANDER'S VIEW OF THE WAR IN VIETNAM

Almost 40 months ago I last visited this hotel just before leaving for duty in Vietnam. I came by to see my friend, Gen. Douglas MacArthur.

Gen. MacArthur said to me: "I see you have a new job. I know you realize that this new assignment carries with it great opportunities, but it also is fraught with hazards."

I now wonder whether this occasion is an opportunity or a hazard.

The situation in Vietnam has been accorded the most intensive news coverage in history. As a result, every American should have, by this time, his own image of the war. How accurate is this image? Do most Americans fully appreciate the character of the war and its complexity? Today I hope to contribute to better understanding.

What kind of a war is being fought in Vietnam? How is it being fought? How is the battle going? And what lies ahead? These questions I will address.

The Vietnamese—and we, their allies—are involved in a total undertaking—a single, all-pervading confrontation in which the fate of the people of Vietnam, the independence of the free nations of Asia, and the future of emerging nations—as well as the reputation and the very honor of our country are at stake. At one and the same time, we must fight the enemy, protect the people, and help them build a nation in the pattern of their choice.

THE REAL OBJECTIVE

The real objective of the war is the people. If the enemy could take Saigon, or the heavily populated areas of the Delta, or both, the war would be over—without negotiation or conference. He lost this chance two years ago, and I can promise you that his military tactics alone will not win him another opportunity. Yet, despite his staggering combat losses, he clings to the belief that he will defeat us. And through a clever combination of psychological and political warfare—both here and abroad—he has gained support which gives him hope that he can win politically that which he cannot accomplish militarily.

Many myths about the Vietcong still persist—and I hope I can dispel some of them here and now.

The doctrine of conquest in South Vietnam is from the book of Mao Tse-tung. It is the standard three-phase pattern—the combination of subversive political cells, guerrilla units, and conventional military forces.

Between 1954 and 1963, political cells, trained and directed from North Vietnam, were installed throughout South Vietnam. At the same time, Hanoi directed that the Vietcong begin recruiting and organizing guerrillas, and training them in terror tactics.

By late 1964 the combination of enemy political-guerrilla warfare and governmental instability in the south resulted in a decision by Hanoi to enter the decisive, and final, phase. Vietcong companies were formed into battalions, regiments and divisions, and North Vietnamese army units began to infiltrate covertly to the south.

ON HANOI'S TERMS

Never at any time during those 10 years of subversion, terror and attack did Hanoi relax its control over its war against the people of South Vietnam. The goal of this aggression was then, and still is, the conquest of the South—reunification on Hanoi's terms.

What we have is not a civil war. It is a massive campaign of external aggression from Communist North Vietnam.

The political cells have created an enemy pseudo-government that still pervades many villages and hamlets. The guerrillas wage constantly, mostly at night, the cruelest kind of war—terrorism—civilians are shot, bombed and mutilated as examples to those who might resist or defect, or simply because they are leaders.

A typical example of Vietcong terror took place shortly before I left Vietnam. During the early morning hours of April 16th, the Vietcong attacked a hamlet 20 miles north of Saigon. Among the victims were five revolutionary development team members. Three of them were women. Their hands were tied behind their backs and they were shot through the head.

During the last nine years, 53,000 Vietnamese—a large share of them teachers, policemen, and elected or natural leaders—have been killed or kidnaped. Translated to the United States, that would be more than 600,000 people, with emphasis on mayors, councilmen, policemen, teachers, government officials and even journalists who would not submit to blackmail.

At the other end of the war spectrum, we have fought, in the south, during the past year, major elements of eight North Vietnamese regular army divisions. We have captured thousands of weapons and large stores of ammunition and equipment that have been transported from North Vietnam.

In summary: The Vietcong is not a legitimate nationalist movement. It is a movement organized, controlled and supported by the Communist government of North Vietnam. What support it gets from the people of South Vietnam is largely the result of terror, intimidation, and murder of those individuals who oppose it.

Two years ago South Vietnam was on the verge of defeat. The enemy's main force units were attacking with increased intensity from hidden bases and sanctuaries. The government of Vietnam had arrived at a crossroad. It was a question of honoring a long-standing commitment by the Government of the United States to a young nation fighting for its freedom, or defaulting to the aggressor. Our President reaffirmed our commitment and made the courageous decision to stand firm—to stay the course. This meant using whatever military and economic power was necessary.

Once we had major forces ashore we began to look for the enemy, and he was not hard to find. Major battles ensued; they were bitter and bloody. But in them we learned that the enemy has little regard for human life and, for propaganda purposes, will turn losses and defeats into absurd claims of victory.

During the last year and a half we have sought out the enemy, caught him off guard, fought him before he was ready. For a time he stood and fought and we punished him severely. Now he is becoming more difficult to find. We have invaded his elaborate and widely scattered base areas—some of them built over a period of 20 years.

Working closely with the Vietnamese forces we have moved into many of the populated and productive areas which formerly provided supplies and recruits to the enemy.

INFILTRATION IS COSTLY

We have turned the enemy's ambushes against him and we have learned how to draw him into an ambush. We have sent our deep patrols to find him. He has been punished by B52 strikes and unparalleled close support from our tactical air, artillery and naval gunfire. And on land and sea we have made his infiltration costly.

Although the military picture is favorable, I emphasize the fact that we have no evidence to indicate that the enemy is slowing his invasion from the north, or that he is breaking up his major units and scattering them about, or that he has given up his plans to try to inflict major defeat upon us. He is taking great casualties and he does have logistics problems, but his leadership is good and his men are tough and tenacious. He needs a victory for political, psychological and morale purposes, and he will continue to strive for one.

So the end is not in sight. The enemy can hide in the jungles and mountains of South Vietnam where we cannot reach him without major effort. He rests and regroups, trains and replenishes in hidden camps and supply areas in regions along the borders of neutral countries and the demilitarized zone which he overtly violated almost a year ago. He continues to recruit and train guerrillas for use as guides and intelligence agents for his main force units and for sabotage and terror. So we must be prepared for more bitter fighting in days to come.

Before leaving the military situation, I must honestly say that I am concerned about cease-fire proposals. In other wars, cease-fire was an acceptable condition; but, in this war, inevitably it will be a military advantage to the enemy and a detriment to our side. This is because of the clandestine character and covert methods of the enemy. Traditionally he has used covertly cease-fire periods to reinforce and resupply his units, and to strengthen and realign his political posture.

One of the regrettable facts of war—any war—is that casualties are not confined to the military forces involved. There are civilian casualties in Vietnam and these are of constant concern to me, my commanders and men. But, civilian casualties do not result from indiscriminate use of our firepower. They are caused by mechanical failure or human error. This is in sharp contrast to the Vietcong policy of calculated attacks on civilians.

Never in the history of warfare have so many precautions been taken by men in combat. We cover an enemy-held area with leaflets and loudspeaker broadcasts warning of impending attack. We do not permit an air strike or artillery fire on a moving column of enemy until Vietnamese officials give approval. Every possible precaution is taken to avoid casualties among civilians. Never has a nation employed its military power with such restraint.

Now a word about the Vietnamese armed forces.

I have worked with the Vietnamese military for more than three years, and I have learned to understand and admire them. A look at their record in combat, as well as in political administration, reveals an exceptional performance, when all is considered. During the last three years I have seen them literally hold the country together. Despite their military background they have taken long strides toward developing democratic processes and institutions. They fought the enemy guerrilla and main forces alone, until our arrival, and, during that time, they were expanding their forces to the limit that their manpower and economy could support. Except for the continental army of our early years, never before in history has a young military force been subjected to such a challenge. In my book, the Republic of Vietnam armed forces have conducted themselves with credit. As I tour the country several times each week, I am encouraged by the obvious improvement in the morale, proficiency and quality of their fighting forces.

STANCH ALLIES

Today the Republic of Vietnam armed forces are working and fighting side by side with their allies—the Koreans, the Australians, the New Zealanders, the Thais and the Filippinos, as well as the Americans, and they have earned the confidence of these staunch allies.

The Vietnamese armed forces and the Vietnamese people are aware of and appreciate our support. They know we have assisted them for 12 years in the development of their military organization.

More important to the Vietnamese, I think, is the fact that our American servicemen are eager to help them build schools, dispensaries, and other things of lasting value to their communities. These civic action projects, voluntarily undertaken by our troops and those of our allies, are inspiring to behold.

A young corporal undertakes the support of a Montagnard family whose breadwinner has been assassinated. An American squad or platoon adopts a hamlet, bringing to its people the material things they need and the spiritual uplift which will help them to self-sufficiency. Many communities in Vietnam are living a better life because of the encouragement and help our troops have given to them. A true missionary zeal among our troops is commonplace and is one of the unique characteristics of this war.

I am constantly impressed by the concern for the lives of others shown by the men of my command. As I travel among them, and I see their courage against the enemy and their compassion toward their friends, I am inspired by their example.

I would like to tell you more about the men of my command. Today your soldiers, sailors, airmen, marines and coast guardsmen:

Are better educated than before.

Are better informed.

Have traditional American ingenuity and initiative.

Are better physical specimens.

Have high morale.

And understand what the war is all about.

They know that they are helping to stop the spread of communism in Southeast Asia and to give the people of South Vietnam a freedom of choice. They have been given a job, and they are doing it well, and with pride . . . and they are dismayed, as I am, by recent unpatriotic acts here at home.

What are these men? They are mostly youngsters representing every State of the Union—from the farms, the cities, the factories and the campuses. They are the sound product of America's democratic society. They are the sum of our educational system, our medical science and our communications. Their excellent morale results from knowledge of their jobs, sound military policies, professional unit leadership, and unprecedented material support. Their medical care is superb, their food is excellent and their mail is carefully handled. Shortages have been few and of short duration.

FORWARD WITH CONFIDENCE

As an individual, this fighting man is a tough, determined professional in battle one day, and next day, a sensitive, compassionate friend helping the Vietnamese people. He is a fighter, a thinker, and a doer. He has seen—at first hand—Communist subversion and aggression at work; he has acquired a deeper appreciation of the importance of freedom. And from his ranks in the years ahead will come the confident, alert, intelligent citizens and leaders who will make this nation's future greater than its past.

With fighting forces like these, a commander cannot help but look forward with confidence as he views the military situation.

But I am mindful that the military war in South Vietnam is, from the enemy's point of view, only part of a protracted and carefully coordinated attack, waged in the international arena. Regrettably, I see signs of enemy success in that world arena which he cannot match on the battlefield. He does not understand that American democracy is founded on debate, and he sees every protest as evidence of crumbling morale and diminishing resolve. Thus, discouraged by repeated military defeats but encouraged by what he believes to be popular opposition to our effort in Vietnam, he is determined to continue his aggression from the north. This, inevitably will cost lives—American, Vietnamese, and those of our brave allies.

I foresee, in the months ahead, some of the bitterest fighting of the war. But I have confidence in our battlefield capability. And I am confident of the support we and our allies will continue to receive from our President and from the Congress.

The magnificent men and women I command in Vietnam have earned the unified support of the American people.

Thank you.

Gen. Westmoreland answered written questions submitted at the annual meeting of the Associated Press. Following is a partial text of the questions and answers:

Q. Gen. Westmoreland, have you asked the Pentagon for more troops and how many?

A. As commander of our American armed forces in Vietnam, it is needless to say I am constantly studying our troop requirements. I continuously analyze the situation. I submit my requests from time to time, my desires, my estimates to my senior military headquarters. I have been getting troops in considerable numbers during the past year. They are continuing to arrive. The number of troops that will ultimately be needed is a matter that will have to be studied in consideration of many factors—our estimate of the enemy's capabilities and intentions, the economy of South Vietnam. Because as we deploy troops to go ashore we per se put pressure on their economy and this is a factor that has to be considered. These matters and these factors will have to be reviewed at our senior levels in Washington. Needless to say, the discussions that have taken place are privileged and, as a matter of military security, I cannot give you any definitive number as to my estimate of the number of troops that will be required.

BOMBING OF AIRFIELDS

Q. Would you comment please on the bombing today in North Vietnam, an airfield there. What happens if the Migs take sanctuary in Red China?

A. I was delighted to learn that the Mig airfields have been bombed, at least two of them today. This was a military target on which was based aircraft that had been used offensively against our flighter-bombers. It is true that Migs could take sanctuary in China, as they did during the Korean War, but the Migs would be at a disadvantage operating from those bases compared with those in North Vietnam. The reaction time would be increased and they would therefore become a lesser threat to our fighter-bombers, and the jeopardy to our very fine Air Force and Navy pilots would be reduced.

CASUALTY STATISTICS

Q. There are daily statistics of the number of Vietcong killed, but serious doubt about the body count announced of those that have been killed. What is your view please of the accuracy of this count?

A. Over a period of over three years, I have given this matter considerable personal attention. It is my judgment that the casualty figures that we estimate or state that we have inflicted on the enemy are accurate, perhaps conservative. True enough, there could be from time to time some exaggeration. There could be some double counting of casualties, but in my opinion this is more than offset by those enemy troops that are killed by artillery or air strikes that we never know about. Also we do not claim credit, in estimating or assessing casualties on the enemy, those that die of wounds. So all factors considered, I feel that the figures that you receive that are announced by my headquarters in Saigon are definitely accurate and I believe on the conservative side when all factors are considered.

POLITICAL ASPECTS OF WAR

Q. Could you run this war without political help and could you win this war if given a free hand in military decisions?

A. As a military man, this is a bit of an awkward question. I think it is impossible in view of the nature of the war, a war of both subversion and invasion, a war in which political and psychological factors are of such consequence, to sort out the war between the political and the military. Political factors must be considered, they must be considered in selecting targets. They must be considered in our actions involving nearby so-called neutral countries. They must be considered in the means that are used in pursuing the war. The reason for this is not only because of the complexity but also because of our national policy to confine this war to that of a limited war, and this means that from time to time the means are limited. And that policy has been made loudly clear: that it is not our intention to expand the war. We want to keep it as a limited war and therefore political factors have to be considered and the decisions involved are necessarily above my levels. Since I deal in military factors, I am responsible only for fighting the ground war in South Vietnam and only that air war in the so-called expanded battle area.

SINO-SOVIET INTERVENTION

Q. What is the possibility of escalation of the war bringing in Red China and Soviet Russia and how effective would they be if they did come in?

A. This is a very difficult question to speculate on. To a military point of view I think we should be prepared for any contingency. Of course the USSR is providing equipment to North Vietnam primarily in terms of air defense, weapons and systems. The Communist Chinese are providing support in the form of transportation units and some antiaircraft weapons but primarily infantry-type weapons to support the North Vietnamese army and Vietcong main force units. I think this boils down to whether the USSR and Red China feel that the threat to their formal government and their territory is of such consequence that they could hazard the risk that would necessarily be involved.

VIETCONG FIGHTING SPIRIT

Q. The Vietcong are regarded, generally, to have fought well against us for quite some time. To what do you attribute their spirit?

A. The Vietcong, organized, directed and commanded from Hanoi, have placed good emphasis on political indoctrination. As a matter of interest their training program for their units devotes more time to political indoctrination than it does to military training. This indoctrination is well done. Of course, it is backed up by a ruthless cadre that uses strong-arm methods that are required to keep their troops in line.

Now, this so-called cadre, or leadership are excellent. They have been well trained and indoctrinated and they are committed. However, we have noted a number of recent trends that are encouraging. We are picking up more prisoners, more defectors coming in and the rate seems to be increasing in a very encouraging way. We learn that many of the rank and file of these units would like very much to defect to come in under the government of Vietnam's amnesty program, the so-called Chieu Hoi program. But the cadre control them so tightly that they cannot get away. We also know that there is considerable friction between the North Vietnamese leadership and the South Vietnamese, the Vietcong. North Vietnamese leaders are playing more and more a role in the South. The leadership in Hanoi is by their action putting in their own leadership apparently because they do not trust some of the South Vietnamese leadership, and there is definite friction between these two regional groups.

The number of defectors that we have received has been multiplying by a factor of two for the last couple of months, and, hopefully, this trend will continue.

The number of senior defectors that are coming in is encouraging. Whereas a year ago defectors were primarily confined to the lower ranks, now we are getting some of the senior officers. I talked to one the other day, a senior officer, and he told me that many members of the large headquarters that he served before defecting would like very much to defect, but they have not been able to find a way. The control by the North Vietnamese leaders was of such consequence that they could not make the break.

FAST DEPLOYMENT SHIPS NEEDED

Mr. TOWER. Mr. President, during the past month I have been doing more thinking than talking about the fast deployment logistical ships, their function, the method of procurement, and the effect upon the merchant marine and shipbuilders.

I have studied the testimony of the Army, the Navy, the Marine Corps, and the Office of the Secretary of Defense. They are solidly behind this program, and their arguments are persuasive.

I have analyzed the opposition to the program. I find it based largely on fears. I am convinced that these fears are groundless. I therefore believe the Senate should reverse its previous action and approve the FDL program.

Here we have a program based upon a concept of fast reaction in time of crisis—a program vigorously supported by the military leaders of all services and by the Defense and service Secretaries. The proposed ships are especially designed to carry out the requirements for the concept—characteristics which are neither feasible nor economical for incorporation in merchant ships.

These include humidity control, ability to maintain and exercise Army vehicles in place, fueling facilities, ventilation to remove exhaust fumes of running vehicles, rapid offloading either over-the-beach or at a pier, helicopter storage maintenance and operating capability, and habitability environment for extended periods at sea. Although some recent commercial ship designs incorporate some of these features, none has more than a few. Certainly, no economically viable ship could includes all of the essentials.

I am particularly impressed by the results of defense logistic studies compiled since 1964.

The proposed fast deployment capability could reduce the duration of conflicts, cut casualties substantially, and vastly reduce the amount of territory which would have to be recovered. General Johnson, in his testimony before the House Armed Services Committee, pointed out that the United States has suffered seriously from lack of a rapid deployment capability. He stated that the Joint Chiefs of Staff have reviewed the key studies and reports that have led to the FDL ship program, and they agree that it will meet a most important and valid military requirement.

The strategic requirement for a rapid deployment capability should be obvious from our past experience, Mr. President. Such a capability in 1941–42 would have allowed us to reinforce the Philippines and perhaps stop the Japanese expansion in the western Pacific. Indeed, such a capability might have deterred the Japanese attack.

In Korea, our initial deployment was made possible only by the presence of troops in Japan. We required nearly 2 months to close the 2d Infantry Division from the United States to Korea. In contrast, under the rapid deployment concept, less than 2 weeks would be required to close a division, plus supporting units whose total strength exceeds that of the division itself.

Our general strategic objectives are to deter aggression and, to the extent that we cannot deter it completely, to limit it in form, locale, and duration. As long as we maintain these objectives, we are remiss if we fail to provide the most effective means of carrying them out.

Land prepositioning is relatively inflexible. In conjunction with aircraft, it enables rapid response only to a contingency near the point of prepositioning and requires permission of the host country for overflight and egress. As we have recently witnesed in France, it is unrealistic to believe that we will have the support of all host countries in a future contingency. Without a ready fast deployment capability our readiness to support our national objectives is lost.

The ability of the merchant marine to provide this rapid response has been thoroughly analyzed. Since the merchant marine is dispersed throughout the world, it would require a minimum of 30 days to gather the ships required to load a brigade for deployment. Such a recall would immediately alert the world to our impending move and defeat our deterrent effect. The FDL ships, fully loaded or partially loaded and ready, can sail within 24 hours. Those who claim that this job can be done by the merchant marine do not understand the concept.

This does not reflect upon the merchant marine. For follow-on support, the merchant marine is vital—a fast, modern merchant marine. The FDL ships are not designated to replace private shipping, nor is it intended to utilize them in peacetime for point-to-point shipping in competition with the merchant marine. To do so is not only uneconomical, in view of their special characteristics, but also would completely defeat their reason for existence—the immediate availability for deployment.

A picture has been painted showing the FDL ships as policing the high seas and threatening wayward nations with "power diplomacy." Let us face the facts of real life and ask why we maintain a strong 6th Fleet in the Mediterranean and a powerful 7th Fleet in the Far East. These fleets are maintained to protect our national interests and our primary national interest is to hold the line against aggression.

Regardless of what national policies one believes we should pursue, we do have certain worldwide commitments imposed by agreements and treaties which Congress and the Defense Department must support. In order for Defense to fulfill its responsibilities, Congress must provide the military with the options necessary to most effectively carry them out.

We have provided the nuclear deterrent option, an option which we hope will never be used, but one which is in the hands of our leaders and which we know will be used only when absolutely necessary. Yet, when we are requested to provide a much less costly option, one which is much less deadly but most effective in dealing with the present threats, we question the ability of our leaders to use the option properly. I do not understand this reasoning.

The FDL ships will not be standing menacingly off the shores of some small nation threatening to land if things do not go our way. However, they may be near an area where we have commitments or ready to sail from port should the need arise. Their flexibility and readiness will permit them to move without raising alarm or notifying the world of our intentions—as would be the case should we call in our merchant marine. The integrated rapid deployment capability combining the FDL ships, the C–5A aircraft, and selective prepositioning provides us with a powerful option in fulfillment of our national strategy—one which is most effective and which is attainable at the least cost.

The new ship procurement practice of the Navy—buying large numbers of ships on a multiyear basis—is being adopted in the interest of providing the best possible ships at the lowest cost. However, the potential fringe benefits of this concept include the economic motivation for modernization of private shipyards due to a favorable opportunity to amortize the investment.

Our shipbuilding industry needs incentive to modernize—incentive which can come only from a strong Government policy regarding defense and merchant marine future programs. No businessman is going to commit $20 million to $100 million in modernization of his facilities unless there is a reasonable assurance of business. The new ship procurement practice of the Navy—which is embodied in the FDL program—other oncoming programs, and the fiscal year 1966–67 DE and LST procurements, will go a long way toward motivating private investment, improvement of shipbuilding practices, and ultimate lower costs for both Navy and merchant marine.

A similar program of long-range shipbuilding for the merchant marine will further stimulate capital investment. The results can do nothing but benefit the Nation, the Government, the merchant marine, and the shipbuilding industry.

The cross-section views of the shipbuilding industry are best illustrated by a letter written by Mr. Ed Hood of the Shipbuilders Council of America to our colleague, Senator MAGNUSON:

> Individual reactions to this project within the collective maritime community have run the full spectrum—from great enthusiasm to serious uncertainty to outright opposition—and the shipyard industry has been no exception.
>
> There is, however, universal agreement among our members that substantial cost savings result from the series production of a standardized ship design in any multiyear procurement.
>
> Additionally, our shipyards have long contended that significant cost savings can be derived when the shipbuilder is given an opportunity to influence the vessel's design. In this connection, it is believed that the yards can eliminate numerous construction bottlenecks which increase costs and suggest alternate less costly features which in no way impair the vessel's strength or operating capabilities.
>
> In these two respects, the FDL project conforms with the long-held beliefs and objectives of our industry.
>
> As to the validity of the basic concept of the FDL's military mission, it would seem presumptuous to us to pass judgment either pro or con. We are not privy to the DOD's back-up data on anticipated future logistic support requirements nor the analyses which determined that the FDL project has greater merit than any of the other options examined.
>
> Within the shipyard industry, another aspect of the FDL project has developed a wide range of opinions. I refer to the probability that the successful bidder will construct an entirely new shipyard. Within the two extremes, there are those who believe that the FDL ships can be obtained on a series production basis, with cost savings, in existing facilities, appropriately modified. And, there are others who contend that if our merchant and naval shipbuilding facilities are to be commensurate with existing ship replacement needs, we as a nation would require more shipbuilding capability than is now available. The FDL yard, in this last context, would be considered as only an increment of the required additional capacity.

So wrote Mr. Hood of the shipbuilders council.

The shipbuilders seem to agree with the Navy conviction that the concept of multiyear procurement of a large number of standardized ships will promote substantial cost savings. Furthermore, they agree that even existing facilities would probably require appropriate modification for this large project. I understand that although the Navy envisions a new or substantially modernized shipyard, this is in no way a requirement. One proposal has announced plans to modernize an existing shipyard for this program.

The Navy appears to be practicing what it preaches. For the past year, a very thorough study has been in process to develop a master plan for modernization of its own shipyards. Although engineered estimates are not yet developed, it is apparent that this modernization will involve in the order of $600 million over a 6- to 7-year period. I am told that this program will result in new, modern machinery, modern process lines, the most efficient materials handling facilities, and new or modernized functional buildings with all workflow designed for most effective operation. I will be most anxious to hear the details of this program when it is first presented in the 1969 budget program next year.

Some unions and some segments of the shipping industry are opposed to the program because they see the FDL ships as direct competition with the merchant marine—both in the quest for shipbuilding funds and in eventual ocean trade. As I have already stated, it is clear to me that the use of the FDL ships in point-to-point trade would be uneconomical and would defeat their reason for being. They will always be fully or partially loaded for deployment and will therefore be unavailable for ocean trade. Furthermore, I understand that Secretary McNamara has agreed to provide assurance that these ships will not be utilized for point-to-point cargo carrying in peacetime.

Talk about competition for shipbuilding funds is not a realistic argument. The FDL ships are military ships, budgeted by the Defense Department, and justified on the basis of military necessity. Merchant marine shipbuilding subsidy funds are budgeted by the Department of Commerce and justified accordingly. We do require a stronger merchant marine, and I have championed and will support such a program; and I would not consider it to be in competition with the Navy shipbuilding program.

This program is unique in Congress. I recall very few large programs which have been so vigorously and unanimously supported by all services and by Defense. There must be firm conviction regarding the requirement. I hope the House will include this program in its bill. If it does, I strongly recommend that we in the Senate give full reconsideration to the program and approve it.

I point out that in approving the program for the two fiscal year 1966 ships and for more ships in fiscal year 1968, we are not authorizing the entire program. We are authorizing the concept.

Again, Mr. President, let us remember that Congress establishes national policy and is dutybound to provide the tools required to carry out this policy. To deny the tools of defense is to deny the policy and weaken our resolve and ability to carry out our national objectives.

The FDL program should be pursued.

I ask unanimous consent that an article from Navy magazine of April, concerning this FDL program, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FDL PROGRAM: WHAT IT IS AND WHY THE PENTAGON WANTS IT

The Navy's announced desire to construct a fleet of Fast Deployment Logistics (FDL) ships has stirred up as much ire—and as many hazy visions—as the drug LSD. An AFL–CIO official, for example, has called them "superjuggernauts of the sea" which "would appear to cast the United States in the role of a global policeman."

The Senate Armed Services Committee wasn't convinced that the program's worth would justify its cost. Besides, it reported, it was concerned that the program implied the United States was "considering intervention in any kind of strife or commotion occurring in any of the nations of the world."

In mid-March, much to the disappointment of the Defense Department the Senate chopped the request for FDL funds from the FY 1968 budget.

The fight isn't over yet, however, and beneath the haze a range of issues has emerged.

HITTING RAPID DEPLOYMENT

In attacking the FDL because they picture it as a global policeman's squad car, its opponents are really firing over the FDL to hit the rapid deployment system of which it is a part. The objective of rapid deployment is to enable American troops and their equipment to respond quickly ana meaningfully to a crisis and, thus, to "git thar fustest with the mostest" when they are called upon to go. That objective is not exactly new to military men.

What is new with the rapid deplyoment system is its speed and scale. An Army infantry division force would be able to move troops in C–141 aircraft and immediately necessary equipment for them in giant C–5A planes to a trouble spot, in response to a request from an ally and to orders from the President. These Army forces would then be supplied with heavy equipment in a matter of a few days by FDL ships.

The ships would not carry combat troops but only material, heavy vehicles, and the like, "married" to the forces they would supply, owned and maintained by the Army, and able to move under their own power onto lighter craft and thence ashore. Thus, the FDL is something quite different from an amphibious assault ship—both because it is to support Army troops, not Marines, and because it carries only cargo which is to be offloaded in a non-assault operation.

The secret of the rapid response—of the Army divisions, of the logistic ships and of the aircraft—is constant readiness. The FDLs, for example, could be kept fully loaded, deployed offshore where trouble was anticipated, and ready to move their cargo ashore when the decision was made to send in troops.

Or, kept partially loaded and ready to move at 25 knots from ports in the United States or in forward areas overseas, they could move anywhere in the world within two to 20 days, and offload their supplies in hours.

NEEDED FOR LEBANON

It took 56 days after the beginning of hostilities in Korea to move the Second Infantry Division and supplies for it from the United States to the theater of war. In the summer of 1958, in the Lebanon crisis, two division forces in the United States, earmarked for possible use there, and ready to go, could not be moved as quickly as the situation in the Middle East demanded. Because of this problem, a less desirable course was chosen, and some forces were moved from Germany to the Eastern Mediterranean. A combination of C–5As and FDLs would have obviated the transportation and supply problems.

The rapid deployment capability could have two kinds of effects. First, its existence could deter enemies from initiating military action in peripheral areas remote from the United States, since an enemy would know that distance would not affect our capability to make our influence quickly felt there. Second, in the event that deterrence failed, a rapid deployment capability could limit the fighting in form, in locale, in destruction and in duration.

U.S. forces introduced rapidly into battle to assist allied forces could reduce the risk of their destruction or defeat. Acting alone in support of American interests, they could delay the advance of an enemy's attack before it gained overpowering momentum.

Studies have indicated that casualties in battle and the duration of conflicts could both be reduced by as much as one-half in most cases, because of the improved reaction time, and the better support of friendly forces against attack that it would bring.

NOT A COMPETITOR

The objective, then, as the Pentagon sees it, is not to give the United States more power to police the world, but rather to continue to develop a balanced deterrent and, at the same time, to enhance the usefulness of tactical forces. In any event, the FDL is part of a Department of Defense program that has been under development for three years; thus, the attacks against the FDL as a global policing power are misdirected.

A second major objection to the FDL program has been that the ships would be operated in competition with the U.S. Merchant Marine. Yet, the very nature of the FDL—constant readiness, instant deployment—takes away much of the force of this argument. The FDL is not designed to do what the Merchant Marine does and conversely, the Merchant Marine could not conceivably do what the FDL is designed to do. The roles of the two are very nearly mutually exclusive.

Because they would always be fully or partially loaded with Army equipment, FDL ships would not be available for peacetime point-to-point transportation of military cargoes.

Furthermore, FDLs would not handle bulk cargoes as efficiently or as well as Merchant Marine ships could. The Merchant Marine would continue to be essential to the national defense for steady and sustained transportation of supplies after the FDLs' initial quick reaction, which could not in any way eliminate the need for that backup support.

Beyond this, the Defense Department, in an unusual step, has told Congress it would accept a prohibition against using FDLs in point-to-point traffic in peacetime as part of the language of the law.

COMPLEMENTS MM

So, far from undermining the Merchant Marine, the FDL concept complements it. And the new ship procurement concepts associated with it, the Navy believes, will go far toward rejuvenating the ship-building industry upon which, to a considerable extent, the health of the Merchant Marine depends. At the same time, these concepts—which will be applied in future ship procurement projects—are expected to bring substantial cost savings to the Navy and, thus, to the taxpayer.

Examination of these interrelated issues might begin with a look at the U.S. shipbuilding industry.

That industry is behind other American industries and foreign shipbuilders, both in absolute productivity per man and in rate of growth. Ship construction in U.S. yards costs about twice as much as that abroad. Part of the reason for this is the Navy's past piecemeal procurement policies.

It should be remembered that while the Merchant Marine provides only a few hundred million dollars of work per year to the shipbuilding and allied industries, Navy work amounts to $2 to $2.5 billion dollars a year. Because of the piecemeal approach, ships have not been standardized as they might have been; capitalization in shipyards has not been encouraged as much as it might have been if there were more series production; and designing with economic production in mind has not been emphasized because, under present practices, shipbuilders construct ships previously designed by the Navy, which has not had as much regard for the individual builder's problems as the builder would have.

HOW IT WOULD BE DONE

Since 30 of the FDL ships would be built if the program is ever fully approved, the project presents an ideal opportunity to use new methods, and this the Navy has done. The "Total Package Contract" approach is being followed and is expected to lead to cost savings and perhaps to construction of a new private shipyard, the most modern one in the world.

As the new approach would be applied in the FDL project, one contractor would design, build and engineer all the ships under a contract he would have helped to formulate and won in competition with other contractors.

A total of $17.7 million has has been provided for the contract definition phase of the FDL, with three companies—Litton Industries, Lockheed, and General Dynamics—in the competition. With congressional approval, the Navy would award a three-year, multi-year contract by June 30, 1967 to one of these. Navy planners figure each ship would cost somewhere around $35 million.

Whether to build a new shipyard, incorporating modern methods, would be a decision for the contractor. A new or modernized shipyard of high productivity would provide a much-needed stimulus to the American shipbuilding industry.

THE BATTLE GOES ON

In summary, both the Navy and the Department of Defense have carefully considered the implications of the rapid deployment capability for the national defense posture, have concluded that it is both necessary and desirable to a power with interests and obligations over a vast part of the globe, and have decided that a mixture of air forces and sea forces—the C–5A and the FDL—is the optimum combination for getting troops and supplies where they are needed fastest.

The opposition has been vocal and Congress has not been enthusiastic about the project. Though the fight has been lost for the moment in the Senate, it will be carried to the House. And if it is lost there, the fight will be resumed next year.

THE DEATH OF FATHER OF REPRESENTATIVE DIGGS

Mr. HART. Mr. President, I rise to introduce a sad note in our Record. Within the past few minutes I have learned of the death in Michigan of the father of Representative Charles C. Diggs, Jr.

Mr. Diggs, father of Representative Diggs, achieved dramatic success in Michigan. He was one of the outstanding successes in the Detroit business community, having started literally from scratch. He was one of the earliest Negro members of the Michigan State Senate. He lived a full life, blessed, I suspect—if we could have his word on this—with the most satisfying of all incidents, the emergence of his son as a national figure and a respected one.

I know that all of the Michigan delegation in Congress join me in expressing to his widow and to Representative Diggs and the family our deepest regret.

On a personal note: Many years ago, when I first became active in politics in Michigan, Representative Diggs' father was very kind to me, and his kindness I shall never forget.

Mr. President, while I realize that these words are of little meaning at the moment to the family, I can assure them that all of us here and at home recognize that Charles Diggs was a dramatic example of the success that can be achieved by an American, whatever his color.

GEN. WILLIAM CHILDS WESTMORELAND—AN OUTSTANDING SOUTH CAROLINIAN—OUTSTANDING AMERICAN

Mr. HOLLINGS. Mr. President, I rise to comment on the visitation of one of the most distinguished South Carolinians to ever grace our great State, the honorable and four-star Gen. William Childs Westmoreland, of Columbia, who is presently visiting in South Carolina with his mother, whom he has not seen for the past 3 years.

I was presiding in the Senate yesterday at the time General Westmoreland made his presentation to the Associated Press in New York, but since that time I have listened to a transcript of his speech and of the question-and-answer period that followed, and I wish to congratulate him on his magnificent presentation. It indicates to me—and I believe it is significant and worth observing—that General Westmoreland represents a new breed of a new military.

I was acquainted with General Westmoreland before his Vietnam assignment. For a year he attended The Citadel, the military college of South Carolina, at Charleston. Later he went to West Point and made an excellent record there.

I knew him as an outstanding superintendent of the Military Academy at West Point. At that time, while I was serving as Governor, he was honored with an honorary degree from The Citadel.

In his colloquy yesterday with the press in New York, General Westmoreland pointed out that it was not the intent of the United States to follow a policy of annihiliation, but rather to employ a war of attrition.

He spoke of the tremendous restraint being used in this commitment of military forces in Vietnam.

I could relate, firsthand, one incident that occurred during my visit to Vietnam last November and December which graphically illustrates this point. The situation in question was a touchy one and certainly demanded more of a political and diplomatic response than the authoritarian one of a military commander.

I admired the way General Westmoreland handled the problem. I remarked then and many times since my return about his magnificant handling of this situation.

He showed this characteristic again yesterday in his response to questioning about the type of war we were employing. He spoke in response to charges that have been made by those, less knowledgeable, on the floor of the Senate.

He addressed himself to the bombing, and specifically the bombing of Mig airfields in North Vietnam. He said he was delighted at those bombings. Talking as a father, which he is, and as a man of compassion, he said it was not that we were annihilating, but that we were saving lives with the step-up of the bombing against targets in the north, and specifically the bombing of Mig airfields.

The General's remarks were certainly different from those of the nervous Nellies who are fearful about involvement of Red China.

Certainly no one has advocated rushing headlong into a confrontation with Red China or the Soviets, but when we ask our pilots to fly down the gun barrel each day in Vietnam we should be able, as commanders back home, so to speak, to face the risk of such a confrontation. We must eliminate the easy access of Mig fighters to our pilots and planes in the north by knocking out their airfields and their airplanes whenever and wherever we can.

It has been said that these planes would then be flown from fields in Red China. As I understood the general's answer he did not advocate hot pursuit, but he did say that knocking out these airfields would make it a little more difficult for them to run us into flak alley to use their missiles against us, and especially would reduce the tremendous losses from antiaircraft fire.

General Westmoreland answered the charge of those who have spoken in this Chamber with respect to cease-fire and the cessation of bombing. He said a cessation in bombing and a cease-fire would once again mean a loss of American lives and the lives of our allies in Vietnam.

He responded to the question of what portion of the battle the South Vietnamese were carrying on. He said that they rated high and were still carrying on a majority of the search-and-destroy missions. Then, finally, in answer to a question, he said that peace demonstrations are hurting the war in Vietnam and costing us lives because it means, in the eyes of the Communists, a victory in the political-type war that is being fought.

In this respect, I am reminded of the comments made by another good friend, Dr. Frank Barnett, who used to head our National Security Seminars in Washington. He talked about the three dimensions of war. The first dimension, in World War I, was one of land, sea, and air; the second dimension, in World War II, was one of nuclear, atom, and hydrogen bombs; and in the third world war, in which we are presently engaged, he discussed the third dimension of psychological, political, economic, and sociological warfare.

It is not my intent to comment on history and recall the French surrendered at Dienbienphu in 1954, but history will record that North Vietnam had practically no economy left. They had lost their bridges, pathways, and industrial capacity and still they were only holding on, all the while working for a political victory. This is all they had left. The 13 battalions lost by the French could have easily been replaced, but France could not stand the political defeat back home. As a consequence, superior military forces withdrew from the field of battle. This background, Mr. President, is to show that Ho Chi Minh knows the hardship that war can bring, but he also knows that a war of this type can work because he has seen it work.

The answers of General Westmoreland, as to the peace demonstrations and the political reactions we engage in at home, forcefully moves a major front of the war in Vietnam to the shores of the United States.

This is a different war. I cannot help but recall one incident that occurred when I visited the airfield at Saigon. The airfield and planes were being attacked on the ground and were being defended from the air by the Army and by helicopters. I remarked to General Westmoreland that this war was a mixed-up engagement; that in every war I had seen, the ground forces were always supported by the air forces and this was a turnaround. General Westmoreland, at that time, said that that was the way this war is. Actually, the frontline is in the rear because down in the Mekong Delta more of the battle is in progress.

I felt that was a sage observation until I watched at home, as a newcomer to the Senate, the debate being carried on. Now I believe—from General Westmoreland's response and observation of yesterday, and from what I have observed—that the frontline has been brought to the home front and we are being hurt by peace demonstrations and the position being taken by leading Senators in this body.

I am familiar with past discussions about freedom of debate. I am for rule XXII. That was the first important vote taken in the Senate after the presiding officer [Mr. SPONG] and I were sworn in. If I differ with Senators, it is not a differing with their right to speak. I will, as Voltaire said, defend to the death the right of Senators to speak.

I think it is significant that corresponding with General Westmoreland's visit we had a presentation by our distinguished Senator and friend from South Dakota [Mr. MCGOVERN] earlier today. I was unable to be in the Chamber at the time but I have read a copy of his remarks. The Senator from South Dakota has been called from the Chamber for a press conference. He was told of my intent to make these remarks and has courteously said that he would study them this evening and probably respond to them tomorrow.

The Senator from South Dakota discusses the matter quickly and gets to the point. In the final part of his speech he says that the ineffective and unpopular officials of Saigon do not have the confidence of their subjects. As reported by General Westmoreland, and as other Senators in this body know, this is not true.

One of the great stories in Vietnam is that a responsible civil government is emerging. Our military is helping to build this government. It is easy for us to sit back here and call it unpopular. I do not know how long Senators here will last politically, or how long the administration will last. If we look at some of the popularity polls I think the administration is in trouble in 1968. However, that does not mean that we are going to abandon the Government. Neither should a lack of total support mean that we should abandon the civil government in Vietnam. We should hail the free elections, the drawing up of the constitution, and the various elections now being held in the villages in the face of unbelievable terrorism. Terrorism that has resulted in the death of numerous public officials. This great desire for a freely elected officialdom to me is indeed a healthy sign.

I disagree also with the second observation of the Senator from Sorth Dakota that we have no obligation to play policeman for the world, and especially in Asia.

As I said in an earlier speech in the Senate, I stood with the present Senator from Arizona [Mr. FANNIN], who was then Governor, and several other distinguished Members of this body, at the last battleship within the commission of the U.S. Navy. We still have that one under commission. It has 1,100 men aboard ship and now, as then, is 62 feet under water at Pearl Harbor. As we harken back to that day 25 years ago, remembering Pearl Harbor, we also remember that the great United States of America stood alone as the world's policeman. Since World War II, we have stood as the policeman in Berlin, Lebanon, Suez, Korea, the Dominican Republic, Cuba, Guatemala—and now at Vietnam.

These are instances which we have not brought upon ourselves but instances which have been thrust upon us in the role of world leaders. If they want to talk about great resources for the Great Society, let us talk about the great resources we have as a free people to protect freedom the world over. Thus, I think we do have this obligation. Being a policeman is not always a pleasant job, but it is always a necessary one.

The third lesson which the Senator from South Dakota points to is:

> Corrupt regimes of the kind we have been alined with in Saigon do not deserve to be saved by the blood of American boys.

Mr. President, I believe this is a political statement. We have been free, without even a civil war, for 100 years. We have been a free nation for almost 200 years and yet there is still talk of corruption here within the Halls of this Congress.

Is it not amazing that South Vietnam has a government at all, or a regime at all, after a systematic killing off of the leadership? The great lesson of Vietnam is that we as a people are willing not only to help militarily but also to help build a government, and a society.

The fourth lesson that my distinguished friend points out is that those who believe that American military power has an important role to play in the Pacific should return to the once-accepted "doctrine of our best generals that we should avoid committing American soldiers to the jungles of Asia."

That is another good political statement that holds good whether in a war or out of war.

I agree basically with the Senator's thesis that we should heed our military leaders in time of war. But I differ in that I prefer to heed those leaders who are fighting the war today, directing our military efforts today, who are charged with saving the lives of our fighting men today, rather than military leaders—though we may all agree upon their competence in their time and in their day—who lived, planned, and fought a different war in a different world and under different circumstances.

General MacArthur, great as he was, never fought the kind of war that General Westmoreland is now fighting in Vietnam.

When history makes her judgment as to who knew best how to conduct this war in Vietnam, and who has done the most to bring about its end, I want to be counted firmly and irrevocably on the side of "Westy" Westmoreland.

Finally, the fifth lesson:

> Our involvement in Vietnam came about through a series of moves by the Executive Branch.

And then talks about the undeclared war—I would only refer to the response of the Honorable George Ball in an internationally televised program, who, when asked what would have been the policy of President Kennedy, responded that the present policy in Vietnam under President Johnson would have been the policy of President Kennedy. In fact, President Kennedy was the one who really stepped up the commitment of our troops. We all remember, in the 1950's, the entry of the United States into Vietnam in an advisory capacity politically, economically, and militarily that it came about under President Eisenhower, in his exchange of correspondence with Winston Churchill and, later on, upon request of the Government in Vietnam.

I think there is a lack of candor with respect to saying that we are there at their request solely. I think we are necessarily fighting in Vietnam in order to keep from having to fight here in our own homeland.

I believe this war is both important and significant. Considering the recent accolade given the United States at the SEATO conference by the members of the nations most directly involved I do not see how any other conclusion is possible. I will admit that President de Gaulle does not like our actions there. He does not want anyone to win in Vietnam. But the nations of the SEATO alliance and the nations in the Far East immediately involved, who know what is in the balance, have commended the stand of the United States in Vietnam.

That brings me to the final words in the presentation of my distinguished friend from South Dakota:

> A conscientious man would be cautious how he dealt in blood.

Mr. President, would not we all?

That should be taken in light of the statement in his introductory remarks:

> So, I do not intend to remain silent in the face of what I regard as a policy of madness.

When a distinguished Member of this body refers to policy in Vietnam as being a policy of madness, that statement should not go unchallenged, particularly in light of General Westmoreland's presentation to the Associated Press on yesterday. He agreed with our policy there. The only thing he could not answer was: When would the war end? The reason he could not answer that question was that he could not tell when we, back here in Congress and in the administration, would finaly unite in a resolve and a clear and convincing determination that we know what the real issues are and that we will continue to seek an honorable victory in Vietnam.

It is a simple axiom—an aggressor will terminate his aggression when the cost of that aggression exceeds his willingness to pay. We will never raise the price sufficiently high in Vietnam by running away from the truth.

Instead of painting signs of protest, we should be painting the number of Migs downed in combat. Instead of shouting, "Peace at any cost," we should be shouting, a just peace at whatever price.

Instead of preaching treason, we should be preaching justice and freedom of choice for all men everywhere.

Who in all the world is better qualified to know the conduct of the war in Vietnam and the effect that actions here at home have on that war then General Westmoreland?

No one.

Just as our soldiers have been called a new kind of fighting man, so General Westmoreland is a new kind of military leader. He is not only an outstanding soldier, but he is also a political scientist. He was a brilliant student at West Point. This background has stood him in good stead, because he has been called upon to lead a two-front war—one of which deals with government and politics—and he has performed admirably in both.

Few men have been better qualified to fill a job demanded of them by their government than General Westmoreland.

I submit that speeches on the floor of the Senate which contribute to the encouragement of those demonstrations also cost the lives of American fighting men.

And I submit further that it is high time such talks ceased without observing what is in the balance.

The national interest demands it. The lives of our sons and fathers depend upon it.

Seldom has the world witnessed so divided an America as she is witnessing today. It is a division that, like all divisions, can only cause pain and suffering for those divided.

The strength of America has always been her unity of purpose. Her uniform dedication to simple, basic precepts of liberty and justice for all. That unity does not exist today, and the inevitable result is the sapping of our incalculable strength.

Mr. President, we, as the highest elective body in this great country of ours, and, indeed, we as a nation, very badly need a thorough reassessment of where we stand today and where it is that we are going. Our purpose in this world seems to have become obscured by a haze of oratory, a cloud of semantics, and a divergence of opinion; and we seem no longer to know where we are going. This sometime happens when you take your eye off the target.

Let us make that reassessment. Let us urge our President to look once again at exactly what needs to be done to terminate this terrible war. Let us ask him to take politics out of it and do whatever he must to win.

Let us urge this Congress to reflect once again, anew, upon the why's and where's of Vietnam and strive to achieve that unity of purpose to bring that incalculable strength of which we are capable together again.

Let us urge our people to look once again at the reason we have become the greatest power the world has ever known—and why. Let them once again know that a desire to be free, to choose the God of our choice, and the government of our choice, is the incentive that caused our forefathers to decide that neither history, nor expedience, nor the easy way, is acceptable as an alternative to freedom.

What better time for such a reassessment—such a reflection—such a look—than now when the man who symbolizes what I feel to be the position of an overwhelming number of our people, is here—back from Vietnam—trying to tell us that standing together, unified in our determination to win with honor, we can achieve a peace; and once again show the world that the United States of America has not altered those basic principles upon which she, as a nation, was founded.

I believe when my distinguished friend from South Dakota makes the statement that—

> Hanoi knows very well that America is not going to surrender or withdraw from this war—

When he says—

> Hanoi knows very well that not a single U.S. Senator has advocated either U.S. surrender or U.S. withdrawal—

He is in error, because I have only to refer to the recommendations after the first part of his presentation. In light of the war in Vietnam, the position that we now find ourselves in, the distinguished Senator recommends:

> Stop the bombing, north and south, end the search and destroy offensive sweeps and confine our military action to holding operations on the ground.

That to me means surrender. That to General Westmoreland would mean surrender.

He says further:

> We should clearly state our willingness to negotiate directly with the Vietcong with some recognition that they will play a significant role in any provisional government resulting from a ceasefire and a negotiated settlement.

General Westmoreland said yesterday, in answer to questions, that the Vietcong were the North Vietnamese, and made that crystal clear.

I think the real persuasion of his statement is found in the distinguished Senator's allusion in the second paragraph of the first page of his prepared talk:

> If the war continues on its present course, our dreams of a Great Society and a peaceful world will turn to ashes.

Mr. President, I believe in first things first, and I believe we should put our minds to a free society before we can undertake the thought of a Great Society. I believe that is the issue.

If I were Ho Chi Minh, without artillery, without an air force, and without a navy, but I saw that I was winning political victories every day—that the frontline had moved to the churches and universities—that Members of Congress were being constantly besieged on Capitol Hill with cries of "Peace, peace, peace," I too, would hesitate to come to any table to negotiate. If I had heard the frontline had moved to the civil rights movement, where Martin Luther King says we, the United States of America, are the greatest dispensers of violence, and Stokely Carmichael says, "Hell, no," I believe I would refuse to negotiate. If I had heard that the frontline had moved to Fifth Avenue, ordinarily reserved for victory marches, and had observed a march of some 100,000 urging surrender, I would hold off from going to the negotiating table. If I were Ho Chi Minh and had heard the United States of America was being called an aggressor by its own people, and was being urged to be cautious about spilling blood, and all this talk about stopping the bombing and stopping the search-and-destroy missions, and all the talk about surrender, I would also not want to negotiate.

I think Ho Chi Minh and the Communists in the north have today won another political victory in the third dimension of our war in Vietnam here in the U.S. Senate Chamber. And when someone refers to that war as a policy of madness, I believe, having my own convictions, that I had no alternative but to express them.

DUTY-FREE TREATMENT OF DICYANDIAMIDE AND OF LIMESTONE FOR CEMENT—CONFERENCE REPORT

Mr. BYRD of West Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 286) to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962. I ask unanimous consent to the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of West Virginia. Mr. President, I have submitted this conference report in behalf of the junior Senator from Louisiana [Mr. LONG], chairman of the Senate Committee on Finance.

The House-passed bill would permit the duty on dicyandiamide to be reduced to zero immediately without regard to the 5-year staging requirements of the Trade Expansion Act. There are two Senate amendments to this bill.

The first one was added at the request of the administration. It waives the requirements of the Trade Expansion Act for certain prenegotiation hearings and other administrative procedures. This waiver was added in recognition of the short time remaining to negotiate with respect to this product during the Kennedy round.

The second Senate amendment added a new provision to the bill to provide for negotiating a zero tariff on limestone used in making cement without regard to the staging requirements of the Trade Expansion Act. This amendment also waived the prenegotiation hearings and other administrative procedures so that negotiations with respect to this limestone could be undertaken before the Kennedy round terminates.

The limestone amendments—except for waiving the prenegotiation requirements—are substantially the same as those contained in the House-passed version of H.R. 1141.

The House agreed to all these Senate amendments. The bill before us, I am advised, is identical to the bill the Senate passed on March 23. I urge that the conference report be agreed to.

Mr. DOMINICK. Mr. President, I merely wish to congratulate the Committee on Finance, particularly the distinguished chairman of the House Committee on Ways and Means, WILBUR MILLS, and Congressman JOHN BYRNES, Senators CARLSON, LONG, and BYRD, for the work they have done in getting these particular bills through. It has not been easy to do, even though there was no opposition, because we have been working against a time limit, which has been of some substantial difficulty.

Among other things, we knew that the time within which negotiations under the Kennedy round could continue in Geneva would end by the end of this month, so that it was extremely important that we be able to alert our own negotiators as to the actions of Congress in this field, so that they could take it up and see it through in their talks with the respective countries involved.

The portion I am particularly pleased with is, of course, the limestone amendment. I think all the amendments are good, but this one is particularly good because it relieves a real shortage we have in certain areas of our country where we need limestone for the manufacture of Portland cement.

So again I congratulate my friend the distinguished Senator from West Virginia for having brought the matter up in this fashion and this rapidly.

Mr. BYRD of West Virginia. Perhaps I should say to the distinguished Senator that I am advised that the House conferees had asked that the amendment on limestone be deleted, but the Senate conferees would not agree to that. I am sure that pleases the Senator from Colorado.

Mr. DOMINICK. It certainly does.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. GORE. Earlier today I indicated I would be prepared to enter into a consent agreement to vote on the Long amendment at some time certain. It appeared then that a substitute might be offered, but none has been offered; and after conference with the senior Senator from Delaware, I am prepared to enter into an agreement to vote at 3:30 tomorrow, if the able assistant leader is prepared to enter into such an agreement.

Mr. BYRD of West Virginia. Mr. President, in response to the inquiry of the distinguished senior Senator from Tennessee, let me say that I am not prepared to enter into such an agreement. The distinguished majority leader and the distinguished majority whip left the floor feeling that this conference report would be the remaining business before the Senate today, and that thereafter I would move that the Senate adjourn. So I am not prepared to enter into such an agreement.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. GORE. I was certainly not suggesting that the Senator do so without making such inquiries and contacts as he desired. I really rose only to indicate that we were prepared for a vote at some time certain when Senators could have adequate notice to be present.

The able junior Senator from Louisiana has given his estimate that the Senate is evenly divided on this issue, 50–50. I think perhaps his estimate may be a little optimistic on his side. It is my view that a majority supports repeal.

But in any event, if we can fix a time certain, I would be prepared to fix a time right now—for example, 3:30 tomorrow afternoon—and take my chances and accept the results. But I can understand the able Senator not wishing to enter into such an agreement, and I certainly do not press it. I only wished to indicate that this issue will ultimately probably be determined by those present and those absent and those who arrange for pairs, as many close questions are. Sometime we must settle it; and I would be prepared to settle it at 3:30 tomorrow afternoon.

Mr. BYRD of West Virginia. Well, Mr. President——

Mr. GORE. By tomorrow it may be that I will receive additional requests. As of now, I have only requests of Senators to postpone the vote until tomorrow. Tomorrow will be a different day, but as of now I am prepared to agree to vote. It is important that Senators have adequate notice.

Mr. BYRD of West Virginia. Mr. President, I wish it were within my power to accommodate the distinguished senior Senator from Tennessee in this matter. As for myself personally, I would have no objection to voting on the matter tomorrow afternoon at 3:30, or voting on it now. But under the circumstances, I am sure that the senior Senator from Tennessee will understand that I would have to interpose an objection if a unanimous-consent request to that effect were to be made.

Mr. GORE. I understand. I do not make such a unanimous-consent request, and would not do so in the absence of the majority leader and the chairman of the Committee on Finance, unless they had been advised of it.

Mr. BYRD of West Virginia. Yes. I am sure the Senator will understand that I could not agree to it in their absence.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock a.m., tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

ORDER FOR RECOGNITION OF SENATOR NELSON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the approval of the Journal tomorrow, the Senator from Wisconsin [Mr. NELSON] be recognized for 45 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the speech by the Senator from Wisconsin [Mr. NELSON] tomorrow, there be a period for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the period of the transaction of routine morning business tomorrow, statements therein be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR McCLELLAN TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at some time during the period for the transaction of routine morning business tomorrow, the distinguished senior Senator from Arkansas [Mr. McCLELLAN] be recognized for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate today, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock, tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 47 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, April 26, 1967, at 11 o'clock a.m.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 25, 1967

The House met at 12 o'clock noon.

Rev. T. Stewart Matthews, St. Paul's Episcopal Church, Macon, Ga., offered the following prayer:

Almighty God, who hast given us this good land for our heritage, and through whose mighty power our fathers won their liberties of old, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogancy, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, and especially this House of Representatives in Congress assembled; we beseech Thee that Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the good of Thy church, the safety, honor, and welfare of Thy people; that all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety may be established among us for all generations; and that there may be justice and peace at home, and that through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In the time of prosperity, fill our hearts with thankfulness; and in the day of trouble suffer not our trust in Thee to fail; all which we ask through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 375. To amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 67–8.

CRITICAL SITUATION IN VIETNAM

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, it has come to my attention through private Vietnamese sources that there is a desperate power struggle going on in Saigon between Premier Ky and General Thieu, and that this power struggle has caused a serious breakdown in the will of certain of the government forces to fight. The situation is particularly serious in the I Corps area.

The former commander of the I Corps area, Gen. Nguyen Cahn Thi, is now in Washington. At the time of the Buddhist uprising he was successful in bringing peace to the area affected by it. Although he was immensely effective and popular among the peasants, he was forced to resign shortly after the uprising. I have invited him to the Speaker's Dining Room today at 2:45 to brief my colleagues in the House. At that time he will give critical information about the situation in Vietnam, and especially the I Corps area.

PERMISSION FOR SUBCOMMITTEE ON HOUSING OF COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CONGRESSMAN HORTON SCORES COSTLY PACE OF SPACE RACE: URGES COOPERATIVE RESEARCH AND EXPLORATION EFFORTS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, earlier this year, in the aftermath of the Apollo disaster, I told my colleagues in this body:

> The ambition to conquer space must not be so intense or hasty that it becomes menaced by a disregard for the lives of the men who make that ambition possible.

Having followed the House and Senate investigations into U.S. space mishaps, and noting with sorrow the death yesterday of a brave Soviet cosmanout, I must again question the wisdom of racing headlong for the moon.

The Russians must now feel, as we do, the painful cost of this decade-long rush we have been engaged in for national prestige. We cannot, of course, abandon our investment in seeking new technological horizons in space, and we do not expect that the U.S.S.R. will abandon her program, although it appears that in the last 2 years her space development has been slowed considerably. At a time when problems of crime, housing, health, and urban blight and pollution face this Nation, we cannot oversharpen our focus on lunar goals.

I have no doubt that this great Nation can reach the moon by 1970 by spending huge sums of money and by making several costly sacrifices, such as the loss of life which occurred last January. A far more difficult, and more necessary, accomplishment would be to prove that when we are challenged by another nation in this expensive and complex pursuit of space, we will not lose sight of more pressing and more humane goals.

I urge the President to seek an agreement with the Soviet Union which will facilitate the pooling of our efforts to broaden man's horizons beyond his earthly home.

The tragedy of four needless deaths in the past 4 months will not have occurred in vain if they help us to reevaluate the wisdom of this costly race.

TO AMEND THE RULES OF THE HOUSE OF REPRESENTATIVES

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 42 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 42

Resolved, That paragraph 4 of rule XXII of the Rules of the House of Representatives is amended by adding at the end thereof the following sentence: "Two or more but not more than ten Members may introduce jointly any bill, memorial, or resolution to which this paragraph applies."

The SPEAKER pro tempore (Mr. Albert). The gentleman from Mississippi [Mr. Colmer] will be recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the gentleman from California and, pending that, I yield myself such time as I may consume.

Mr. Speaker, this is a very simple resolution. It is neither going to break the Treasury nor is it going to solve the national debt, but it will, I hope and I think, be conducive toward a reduction of the cost of legislating. It is an economy move.

Mr. Speaker, this resolution just simply does one thing: It provides for a change in the rules of the House to provide that as many as 10 Members of the House may join in sponsoring a resolution or a bill that is introduced here. Now, why is that done? Under the present system there may be 25, 30, 50, or even 100 Members of the House who want to introduce a similar bill. As a result of this desire to cosponsor a bill or a resolution, each Member introduces one. Let me illustrate. When we had the so-called ethics resolutions up before the Committee on Rules, there were over 100 resolutions introduced for the purpose of establishing a Committee on Ethics and Standards. Approximately half or more of those resolutions were identical. In other words, there were 50 Members of the House who introduced identical resolutions for this particular purpose. The other day the gentleman from New Jersey [Mr. Widnall] introduced a housing bill. More than 90 Members of this House introduced identical bills.

Now, let us see what it costs to introduce this housing bill and have it printed. I think this is significant and it is one of the main purposes of the bill. The cost of printing this bill of 36 pages for 90 separate sonsors is $8,292. Under joint sponsorship with a total of nine prints it would have cost $2,897, and had the one bill been sponsored by 90 Members the one printing would have cost $607. These figures were furnished at my request by the Clerk's office.

Mr. Speaker, in response to my request, the Clerk of the House of Representatives has informed me that the cost of printing 10 identical bills with an average of eight pages is $1,006.

Now, Mr. Speaker, if these 10 Members jointly introduce one bill, the cost is estimated to be $164. This represents a savings of approximately $850 on that one item.

Now, Mr. Speaker, as the Members of the House know, when a bill is introduced, 2,800 copies of the bill are printed. Upon each occasion on which another Member introduces an identical bill, 250 copies must be printed, with his name and number contained thereon.

Mr. Speaker, 1,900 copies of each House resolution are printed. Each time another Member introduces an identical resolution 250 copies must be printed, with the new name and number.

Mr. Speaker, on the 13th day of this month 16 Members, led by the gentlewomen of this House of Representatives introduced separate bills to provide for the recess of Congress during the month of August.

It is my understanding that over 100 bills have been introduced to regulate the importation of milk and dairy products, all providing for the hoped for identical objective.

Mr. PATMAN. Mr. Speaker, will the distinguished chairman of the Committee on Rules yield to me at this point?

Mr. COLMER. Well, Mr. Speaker, I had previously promised to yield to the distinguished gentleman from Iowa [Mr. Gross], but I shall now yield to my distinguished friend, the gentleman from Texas [Mr. Patman].

Mr. PATMAN. I thank the distinguished gentleman for yielding.

Mr. Speaker, I am in sympathy with what the gentleman from Mississippi [Mr. Colmer] is saying. It is my opinion that the gentleman is entirely right. However, I just wonder if the number "10" should not be raised to at least make it 20, 25, or, perhaps, 30 or something like that?

Would the gentleman from Mississippi object to that suggestion or to such an amendment?

Mr. COLMER. Mr. Speaker, permit me to say in response to my friend, the gentleman from Texas [Mr. Patman], that serious consideration was given to this particular proposition. And, frankly, I favored it. I further feel that the majority of the Committee on Rules favor it. There is nothing sacred about the figure "10." Frankly, I put the figure "10" in here because I wanted this body to get started upon this proposition.

Mr. Speaker, I would have no objection to making the number 25. However I would be opposed to just lifting the lid entirely and, for instance, permitting more than a majority of the Members of the House to introduce a bill.

Mr. PATMAN. Mr. Speaker, if the distinguished gentleman from Mississippi will yield for just one further question——

Mr. COLMER. Yes, I yield further to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, the figures "25" seems to me to represent a reasonable figure.

I would like to ask the distinguished gentleman from Mississippi [Mr. COLMER] if this resolution is subject to amendment?

Mr. COLMER. I shall be happy, later on, if the gentleman from Texas desires to offer such an amendment, to yield to the gentleman for that purpose, or to offer such an amendment myself.

Mr. PATMAN. I thank the distinguished gentleman, and I shall offer such amendment.

Mr. ALBERT. Mr. Speaker, will the distinguished chairman of the Committee on Rules, the gentleman from Mississippi [Mr. COLMER], yield?

Mr. COLMER. I am glad to yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I have asked the distinguished gentleman from Mississippi to yield to me at this time for the purpose of making, or undertaking to make, legislative history which in my opinion will be of benefit to the House of Representatives and the officers of this body in administering the program which the gentleman's resolution seeks to add to the rules of this House of Representatives.

And if the gentleman will yield to me for that purpose, I have several questions.

Mr. COLMER. I am happy to yield to the gentleman.

Mr. ALBERT. In what order are names to be printed on the bills? Alphabetically, order of cosponsorship, or order of seniority of Members?

Mr. COLMER. Of course, in answer to the gentleman's question, I would have to give him my opinion as to that. I am not sure that I have the authority to answer it categorically, but my own idea about it is that if the gentleman from Oklahoma, for instance, desired to introduce a bill and would like to have cosponsors that he would consult with those whom he thought would be interested. His name would appear as No. 1 on the bill, regardless of the alphabetical order or seniority, or anything else, and then other names would be added before the bill was introduced, now, mind you—and I want to emphasize that—in whatever order the gentleman saw fit to place them, or the Members agreed upon among themselves.

Mr. ALBERT. Second, when will the bill be referred to a committee and numbered? The day it is introduced, or the day it is sent for printing, if held for additional cosponsors?

Mr. COLMER. I believe that is a very pertinent question, and I am glad the gentleman brought it up.

The bill with the cosponsors would be introduced like any other bill or resolution, and it would be numbered and referred to the committee in the regular course, as has been the custom under the present rules.

Mr. ALBERT. In other words, if the gentleman will yield further, all the names of all the sponsors of a bill must be on the bill when it is introduced; is that correct?

Mr. COLMER. Correct, sir.

Mr. ALBERT. Third, if the bills are held for a stated period of time for additional cosponsors, how is this to be done, or is that intended?

Mr. COLMER. I do believe that question was answered in the previous answer. The bill is not introduced until all of the sponsors' names are on it.

Mr. ALBERT. In other words, you do not intend that sort of situation to arise?

Mr. COLMER. I believe what the gentleman's question is directed to is would there be any layover on the desk as is done in the other body? The answer to that is "No."

Mr. ALBERT. The answer is "No"?

Mr. COLMER. The answer is "No."

Mr. ALBERT. Where are bills to be held, and under whose responsibility?

I believe that question was answered in that there will be no holding of the bill. It will be introduced with all the names on it at the time of the introduction of the bill, and then the bill will take its normal course as all other bills.

Mr. COLMER. Just as is the custom now with reference to bills having one sponsor.

Mr. ALBERT. Then there will be no problem with respect to additional cosponsors; they will just simply have to introduce a separate bill if they desire to join in such a bill on a later date?

Mr. COLMER. The gentleman is correct again.

Mr. ALBERT. Does this resolution limit one subject matter to 10 sponsors? If not, what will govern the first name to be used on additional bills? Will it be identically the same procedure?

Mr. COLMER. The same procedure.

Mr. ALBERT. The same procedure as the gentleman describes with respect to the original bill?

Mr. COLMER. The same procedure as in the initial instance.

Mr. ALBERT. What date will be printed on the bill? Will that be just exactly as on other bills because the bill will be in completed form when it is introduced?

Mr. COLMER. That is correct.

Mr. ALBERT. How can a Member add his name to a bill as a cosponsor after a bill is introduced? Can he do it at all under any circumstances?

Mr. COLMER. He cannot add his name. He would either have to introduce a bill separately on his own, or in conjunction with other sponsors.

Mr. ALBERT. And this bill—and we are talking about a specific bill—cannot be reprinted only for the purpose of adding the names of cosponsors; it would require a new bill?

Mr. COLMER. The gentleman is correct.

Mr. ALBERT. The gentleman has already answered the next question I had intended to ask.

My next question is: How can a sponsoring Member's name be removed from a bill after it is printed for the first time?

Mr. COLMER. I know of no way that could be done any differently from what the practice now is. If a Member introduced a bill on his own, if he changes his mind and does not want to continue supporting it or pushing it, he just forgets it.

Mr. ALBERT. A Member cannot withdraw it—in other words, there is no way to withdraw a bill.

Mr. COLMER. I would assume, and I might say that the gentleman from Oklahoma is possibly in a better position to answer that question than I am, I would assume that a Member could, by unanimous consent of the House, as in all other cases, remove his name from a bill.

Mr. ALBERT. May I ask the gentleman further, and I hope I am not trespassing too much on the gentleman's time.

Mr. COLMER. No, indeed; I think the gentleman is serving a good purpose to clarify these things.

Mr. ALBERT. Does this prevent a Member who has jointly sponsored a bill from introducing a bill on the same subject matter as an individual sponsor at some future time in either session of the Congress? In other words, if the gentleman's name is on a bill, together with nine colleagues, can he at a later date introduce a bill on the same subject matter under his own individual name and as an individual sponsor?

Mr. COLMER. I can see no reason or justification for such a procedure.

Mr. ALBERT. If any changes are made in the draft of legislation by the original sponsor while it is being held for additional cosponsors, who will be responsible for notifying the cosponsors who are already on the list?

Also, if the gentleman and eight other Members of the House are going to introduce a bill and then he finds another Member—a 10th Member who wants to have his name on the bill as a cosponsor; does the gentleman have to notify the cosponsors in case there is any conflict by reason of the additional name being added to the bill?

Mr. COLMER. I am not quite sure I understand the distinguished gentleman's question.

Mr. ALBERT. If any changes are made in the draft of the legislation by the original sponsor while it is being held for additional cosponsors——

Mr. COLMER. It is not being held—that is the point. I repeat the bill is not introduced until it is perfected.

Mr. ALBERT. How many bills are to be printed—and this is my last question I will say to my colleague. What will be the distribution of bills to each of the sponsors?

Mr. COLMER. I would assume that the present rules and procedures relative to the printing of bills would be followed just as it is now.

Mr. ALBERT. The gentleman understands that I am not debating this bill but merely seeking information.

Mr. COLMER. I think the distinguished gentleman from Oklahoma is being very helpful. In fact, I had intended to go into some of these matters myself.

Mr. ALBERT. I hope I have not trespassed too long on the gentleman's time. But obviously, if a large number of Members are cosponsors of a bill and request copies of a bill, we are going to wind up right where are now. Is that not true?

In other words, if 10 Members are cosponsors of a bill and each Member wants x number of bills for himself, the situation with respect to the number of bills to be printed will be the same as it is now; is that not true?

Mr. COLMER. Not necessarily. But I do not understand that when 2,800 bills are allocated or printed, let us say on a bill sponsored by the gentleman from Missouri [Mr. JONES] who we see here is honoring us with his attention—if the gentleman introduces a bill, I do not think he gets the 2,800 copies. They are for whoever wants copies of the bill for general distribution.

Mr. ALBERT. That is true. I would think that if a number of Members wanted the bill it would be the same as if it were separately introduced.

Mr. COLMER. As a practical matter, I think so.

Mr. ALBERT. I thank the gentleman.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman.

Mr. JONES of Missouri. I think I can answer that question so that we can understand it.

As I read this bill, this is permissive legislation. It is not requiring anybody to put their name on a bill if he wants to introduce a separate bill. It is only permissive. In other words, I have personally been trying to get this done and many times I have introduced a bill going back for several years which was not only permissive but which would have been mandatory.

The proposed resolution will not prevent the introduction of a flood of bills, because Members who would want to get a copy of the bill would send it out and it would be distributed.

I am going to support the gentleman's resolution. I am hopeful that I can briefly improve it a little bit so that we might save some additional money. There is a great opportunity to save money in connection with this subject. I will ask for the time to speak later.

Mr. COLMER. As a practical matter, I am sure we will save money and that there will not be many additional bills introduced. The gentleman will see that this will result in the saving of many thousands of dollars.

But Mr. Speaker, I should like to call the attention of Members to another advantage of the proposal. The cosponsoring of a bill adds prestige and strength to proposed legislation. For there is strength in unity.

The proposal is given status by numbers.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Florida, who has been an advocate of the proposal for a number of years.

Mr. ROGERS of Florida. I wish to commend the gentleman for his diligent efforts in bringing the resolution before the House. I, too, favor the resolution, although I would go a little further than the gentleman and not restrict the number of Members who might be included as cosponsors.

I feel, too, that this would bring about a great saving to the membership and to the taxpayers. I was glad to hear the gentleman say, in response to the gentleman from Texas [Mr. PATMAN], that you would agree to amend it to 25. I wondered if the gentleman would consider taking off any limitations so that if 50 Members wanted to get together they could do so. Would there be any objection to that?

Mr. COLMER. In response to the gentleman from Florida, who has been interested in this matter for a long time, it would not be practical or advisable to take the lid off. When you get to the point, as has been done in some other bodies, where a majority of the membership, for example, cosponsor a bill, then the body is in the position of the billy goat at the convention: They have already voted, and the bill does not get the proper consideration.

Mr. ROGERS of Florida. If the gentleman will permit me one more comment, I shall not ask him to yield further. I notice this has happened in the Senate. It has also happened that even though a measure had a majority of that body as cosponsors, a number of those people changed their minds later on, and there is no prohibition against their changing their minds. If Members would still want to do it, I should think there would be no objection. Certainly they would have the right to change their minds when the vote came up.

Mr. COLMER. I believe the comments of the gentleman as well as those of the gentleman from Texas [Mr. PATMAN] are very good ones. In fact, I have an amendment in my pocket ready to offer which would make it 25. I think we ought to keep it within some limits.

I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding, but my question was answered in the colloquy between the gentleman from Mississippi and the gentleman from Oklahoma, the distinguished majority leader. I thank the gentleman.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding and, like the gentleman from Iowa, most of my questions have been well taken care of in the legislative record, just made on the floor. It has been stated that the purpose of the measure is for economy in printing. That there would be no elimination of an open-ended introduction, so to speak. That anyone could still originate any blanket bill that they pleased, and the originator would determine whose names would be listed on the bill?

Mr. COLMER. Correct.

Mr. HALL. I do have one question which might well be in the form of a parliamentary inquiry. Under the resolution as it changes the existing rule, could not, under a unanimous consent request, a bill be submitted and asked to lie in "the hopper," or at the Speaker's desk for x number of days until cosponsors were added, similar to the technique which is used in the other body?

Mr. COLMER. I do not know that I am in a position to answer a parliamentary inquiry, nor do I know that the Speaker would be at this time, since the resolution has not been adopted. But certainly it was my idea, as the author of the resolution, that we have no laying-over at the desk, but we would just permit as many as the number limited in the resolution to introduce the measure in the first instance.

Mr. HALL. Mr. Speaker, I understand the gentleman's intent. I think it is good to make this legislative record. I doubt if I would ever make such a request.

But will the distinguished gentleman yield at this time for a parliamentary inquiry of the Chair, inasmuch as it is important that we try to envisage, in passing this legislation today, what effect it will have on the future rules of procedure in the House, and their application.

Mr. COLMER. I yield to the gentleman from Missouri.

The SPEAKER pro tempore. The Chair must advise the distinguished gentleman from Missouri that this is a matter for debate on a resolution pending and not a matter properly within the jurisdiction of the Chair on a parliamentary inquiry. It is up to the sponsor of the resolution to explain the terms of the resolution.

Mr. HALL. Mr. Speaker, would the gentleman from Mississippi, the distinguished chairman of the Committee on Rules, as sponsor of the resolution agree with me that as the existing rule is now proposed to be amended by this legislation here before us, it will be possible to ask, under the other rules of the House, for unanimous consent that a bill being introduced on x day be allowed to lie on the Speaker's table for x number of days in the future, for the purpose of having cosponsors or additional cosigners of the bill, realizing this is a matter of speculation, and we are simply making a legislative record?

Mr. COLMER. In answer to the very able gentleman from Missouri, first, I hope that will not be done. Second, it is my understanding that this House can do anything it wants to by unanimous consent.

Mr. HALL. So that ultimately the gentleman's answer is in the affirmative.

Mr. COLMER. The gentleman is answering his question.

Mr. HALL. I thank the gentleman.

Mr. COLMER. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Mississippi has consumed 25 minutes.

The Chair recognizes the gentleman from California.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, risking the possibility of repetition—and I do not wish to do that—I want my intention on this bill to show in the RECORD as legislative history in connection with the many important questions that have been asked.

This simply follows requests of many

Members over the years that we let more than one person join in introducing a resolution or bill. We picked the number of 10, because we figured we had to crawl before we walked, but we have found some interest. We did not know what number we could accept, but in any event, the gentleman from Mississippi and I discussed earlier some of the comments we have had, and we have an amendment to go to 25. That number is perfectly acceptable to me.

On some of the questions asked by the majority leader, if it is my bill, and if my friends would like to sponsor this legislation with me, my name would be first, and the next nine names would be either in the order I asked them to sign, or that they had signed. It would not be by seniority or by the alphabet. In other words, I might want a good friend of mine from California, if we have been working on this together for some time, to be the first name following mine. That happens to be my intent.

I do not believe the bill should be held at the desk or anywhere else for people to add their names as sponsors. The principal supporter of the bill should obtain the names. Once the bill is introduced, I think that is it.

In answer to the distinguished gentleman from Missouri, I would certainly think the bill would not be held any place after it is introduced—that is, for the purpose of adding other names to it.

In answer to another question: Does it limit the Member to just the bill he cosponsors? No, I do not think it does. If 10 Members want to introduce the same or separate bills, they can. If they have 1,500 copies printed, and everybody wants the same number, of course, we will spend the same amount of money, excepting the names will be changed. I do not think that will happen. We will be able to save some money on the vast majority of the bills introduced.

I do not believe names can be added subsequently as cosponsors. I do not see how a name can be removed once the bill is put in, any more than a Member can remove his name from a bill he puts in.

It will not prevent any cosponsor from introducing a separate bill.

I believe if the language of the bill is changed by a principal author, and he has had eight or nine Members already cosign, I believe out of friendship and courtesy, he should tell them this is the way the language will be; do they still want to be sponsors of it? Certainly that is what I would do in the matter.

I believe that takes care of the history as far as my intent as to why this bill is being brought here.

How many bills can each sponsor introduce? I guess he can put in as many bills on a subject as he wants to. This just happens to list 10 people who may get together and who may be saving a little money, and who may show they are all interested in it.

I believe another advantage of it is that a Member may have a bill with one number, and other Members have bills on the same subject, but theirs have different numbers. Then the Member tells his constituents, "I introduced a bill on that subject." When the bill is passed, it may be the bill with the first number, or it may be that the committee chairman's name is on a bill with a different number. In this way, at least 10 Members can say, "We started this ball game on this particular bill together," and take such credit as they feel entitled to in their own districts on that particular measure.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Kansas.

Mr. DOLE. I just wonder why we could not expand the number from 25 to a number which would cover the largest delegation.

As an example, California has 38 Members. There might be a specific problem affecting all of the Members, and they might like to have their names on the same bill.

New York has 42 Members.

Under the restriction of 25, it would require two separate bills to accommodate the Members from one State.

Mr. SMITH of California. I believe it would be a very rare occasion when the 38 Members from the great State of California would all be in agreement on one particular subject.

We just sort of thought, "Let us start with 10—now go up to 25."

Perhaps it will look good in a few months and we can go to 50 or 100. We can consider it then. Let us not ruin the start we are making. It has been quite a number of years over which Members have asked that this measure be brought to the floor, and we are very happy to do it.

Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. JONAS], and I ask unanimous consent that the gentleman may speak out of order.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from California?

There was no objection.

WATER AND SEWER PROGRAM FUNDS

Mr. JONAS. Mr. Speaker, I had hoped that the distinguished Member from Texas, the chairman of the Committee on Banking and Currency, would remain in the Chamber, but since I arranged with the gentleman from California to yield this time to me the gentleman from Texas has retired. I had intended to engage the gentleman from Texas in a colloquy concerning a speech he made on the floor yesterday, in which he announced he was introducing legislation to increase the authorization for water and sewer grants.

I wanted to say to the gentleman that it is apparently going to take more than legislation to expand this program, because the administration is not spending all the money appropriated by Congress for water and sewer grants.

We have just concluded the hearings on the appropriation request for 1968, and we found, to my surprise, that the Department of Housing and Urban Development is not spending the money we appropriated last year for this important water and sewer program, which touches every community in the entire United States.

There was appropriated last year the sum of $100 million for this program. But the Department is not spending all of it. On the contrary, HUD expects to carry $10 million of that appropriation over into fiscal year 1968.

In addition, it may be surprising to the Members to learn that the administration requested in the fiscal year 1968 budget only $165 million for this program, when it might have requested the full amount of the authorization, which would have been $400 million.

I believe that the people of the country should be asking the administration to explain why it did not request the full amount of money Congress authorized for the water and sewer program, and why it is not spending all that Congress appropriated last year.

There is a backlog of $4 billion of requests for funds under this program according to the speech of the gentleman from Texas, yet the administration prefers apparently to downgrade the water and sewer program, which touches every community in the United States, and to put its major emphasis on inaugurating a brandnew program which it started out calling the demonstration cities program but later changed to the more glamorous title of the model cities.

I think it ought to be of interest to the Members of this body to know that the water and sewer program is being downgraded by the administration. Frankly I see very little reason to increase the authorizations for it when the administration will not even spend the money on the water and sewer program that Congress has already appropriated.

Mr. LATTA. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I will be glad to yield to the gentleman from Ohio.

Mr. LATTA. I would like to commend the gentleman for bringing this matter to the attention of the House, because, as he knows, there have been thousands and thousands of requests made by villages and cities through this Nation for these funds which are badly needed. In my area we have many applications on file and we keep hearing all the time that they do not have the money to carry them through. Now, the gentleman from North Carolina is informing the House and the Nation that the administration is not funding the program to the extent of $10 million which was already authorized and appropriated by the Congress. Is that a correct statement?

Mr. JONAS. Yes, Congress appropriated $100 million last year. The administration plans to spend $90 million of it, carrying over $10 million into 1968. And instead of asking for the $200 million which Congress authorized, the new budget asks for only $165 million. So they are not even spending the money on this program that is presently available from appropriations and are not asking to fully fund authorization previously voted by Congress.

Mr. LATTA. I wish to thank the gentleman for bringing this matter to the attention of the House.

AMENDMENT OFFERED BY MR. COLMER

Mr. COLMER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLMER: On page 1, line 4, after "than" strike out "ten" and insert "twenty-five".

The amendment was agreed to.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, this resolution, in my opinion, is about the most innocuous permissive legislation I can imagine. I cannot see how anybody could be against the passage of it. While I will support or did support the amendment, at the same time I would have preferred to see the resolution go through without any limitations at all.

Just to give you some idea of what we have been doing here in the past, on Thursday of last week a bill was introduced and 90 identical copies of the same bill, 32 pages long, with all of that printing, were made. That is 91 different copies of one bill. Of course, each bill also has to go through the same regular procedure. It has to be printed 91 times. The thing is that the people just do not understand that many times, and I think most every time, these identical bills are set up individually in the Printing Office. They do not just change the number of the bill and reprint the bill, but they set up the whole bill. I hate to estimate what the cost of the printing of this one bill amounted to. I would estimate the cost of printing alone, in excess of $8,000. This is not unusual. Sometimes we have 100 bills or more than that. One time I remember 150 bills. Some of the older Members who have been around for some time will recall over the years that I have been trying to do something to cut down on the expenses and the useless expenditures we make here in the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Iowa.

Mr. GROSS. Why should the Government Printing Office set up separate type for each of the 90 bills separately?

Mr. JONES of Missouri. They should not. I am not defending the Government Printing Office for doing that. But, as the gentleman will recall, they have done it on many occasions. You will often find identical bills with different numbers. You try to follow it through and you find that even the division of the words is not the same, indicating that it has been set up again.

I would like to see this changed, but it is something else that we will get into with the unions and everybody else when we start trying to do that. If the gentleman will just let me conclude here, because I just want to make a few comments.

Mr. Speaker, back in 1959 I introduced a bill which was not permissive but mandatory, to the effect that we would have eliminated this duplication of printing.

Frankly, Mr. Speaker, at that time I could not even find a forum before which to obtain a hearing, because I learned that there were not many people who were interested in saving money around this place.

Mr. Speaker, the bill which I introduced at that time provided as follows:

> Before printing any bill or resolution, the Clerk shall compare the copy introduced with similar bills or resolutions introduced during the same Congress, and in lieu of printed in the CONGRESSIONAL RECORD, together with a reference to the original bill or of the Member introducing same shall be printed in the Congressional Record, together with a reference to the original bill or resolution introduced.

In other words, Mr. Speaker, everyone, under the provisions of the bill which I introduced at that time, could obtain the proper credit and could say, "All right; I am supporting that bill." Under the provisions of that resolution as originally introduced we could have had as many as 100 names appearing thereon.

Mr. Speaker, across the way in the other body, upon occasion we have as many as 70 or 80 Members of that body whose names appear on a bill, which upon occasion has indicated that the bill has already passed.

Mr. Speaker, the same thing could happen here, and some people change their mind, while on the other hand, some people will sign anything in the world which is placed before them, or will be hunting for some way to get their name off the bill at a later date.

However, Mr. Speaker, at least this represents a start in the right direction and that is the primary reason I am going to support this resolution. However, if we could only get together a few of us who are interested in economy, to give a little time and consideration as to the savings which could be effected through the elimination of identical printing—an operation which represents nothing more than a waste of dollars being thrown down the drain; I say thousands of dollars, then we could accomplish something—such as the wasting of several thousands of dollars last Thursday when this bill which I hold in my hand was introduced.

Mr. Speaker, had we had this principle in effect at that time, perhaps 75 names could have been gotten on the bill, or three or four, and instead of printing 91 different bills, or instead of printing 32 different bills, we could have printed only one.

Mr. Speaker, as the Members of the House can clearly see around here, we must do something to curb this type of expenditure. I am not going to say that the amount of money which we will save as a result of this type of operation will make a great deal of difference in a national budget of $135 billion. But at least we will have some economy and will indicate to the people of the country the fact that we wish to act realistically, and economically.

However, Mr. Speaker, I am telling the Members of the House that this wasteful expenditure of money in this fashion worries me and it should be of concern to the Members of this body.

Mr. Speaker, we have reached the point in our thinking that as long as it is "Uncle Sam's money" or the money of someone else, we do not have much interest in trying to save it. Congress needs to create a new image, and to impress the public that we are interested in practicing economy in every way possible.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution, as amended.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

PUTTING THE MARITIME PROBLEM IN CLEAR PERSPECTIVE

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GARMATZ. Mr. Speaker, during the past several years some of those in the Government responsible for promoting the American merchant marine have claimed to appreciate the fact that our merchant shipping capability is in a state of dangerous decline.

One of the panaceas produced by these people has been to permit the building of ships for American operators in foreign shipyards on the theory that one of the root causes of our maritime decline is the high cost of building modern merchant ships in American shipyards.

This superficially simple proposal has been repeated so often that there is a tendency not to examine all of the facts in their true perspective.

Recently, Mr. Edwin M. Hood, the very able president of the Shipbuilders Council of America, presented a paper before the 18th annual Institute on Foreign Transportation and Port Operations at Tulane University in New Orleans, La., which should be read by every thoughtful person concerned with the merchant marine.

Mr. Hood carefully and objectively analyzes all aspects of our maritime problem and demonstrates how the U.S. Government can save 50 percent on maritime subsidies without resort to foreign construction.

Mr. Speaker, I include Mr. Hood's paper, entitled "Putting the Maritime Problem in Clear Perspective," in the RECORD at this point:

PUTTING THE MARITIME PROBLEM IN CLEAR PERSPECTIVE—HOW THE U.S. GOVERNMENT CAN SAVE 50 PERCENT ON MARITIME SUBSIDIES WITHOUT RESORT TO FOREIGN CONSTRUCTION

(By Edwin M. Hood)

INTRODUCTION

There is little disagreement among those interested in national maritime affairs with respect to the present state of the U.S. merchant fleet: the ships are predominantly old and declining in number each year. Obviously, something must be done. Yet, there persists an area of substantial disagreement as to what should be done. It is to be hoped that constructive action will evolve from the continuing dialogue which began in earnest several years ago. Much of the discussion, unfortunately, has not been constructive, primarily by reason of a lack of perspective pertaining to the economic status of our maritime industry in world markets.

Certain economic factors exist which are not subject to change and a tendency to discount these factors has sometimes obscured tangible opportunities for improving the viability of the American merchant marine. Let us therefore consider the "facts of life" about U.S. flag ship operations in world markets and then examine several actions which could make our maritime industry more competitive.

NONCONSTRUCTIVE ACCUSATIONS

Always, the American merchant marine is rebuked for "high costs." All sectors of the industry have been criticized for their cost levels compared to those of other nations.

Shipbuilders have been berated because costs of building ships here are higher than in countries such as Japan. Some people contend, on spurious grounds, that costs are double here, though no modern cargo liner has been built elsewhere with the size, power and rigidly enforced quality specifications of U.S. built ships. This position is based on hypothetical construction of a ship in the lowest cost yard of the world—a shipyard specializing in building tankers of "house" design in multiple copies to local standards. This position is presented as universally true. Limited available evidence of instances where bids have been received here and abroad for the same ship does not sustain that contention. Also overlooked is the degree of support and assistance that other nations provide their shipbuilding industries, thus distorting any real cost differentials.

Subsidized vessel operators have pointed out to them that U.S. seamen earn several times the wages of their foreign counterparts as though those operators have unilateral control over wages paid our citizens versus those paid people elsewhere. The direct implication is that these operators should seek to drive down the standard of living of American seamen so we can be cost competitive on wage rates.

Nonsubsidized operators have been frequently chided as "freeloading" for carrying defense and other cargo preference cargoes reserved by statute for U.S. bottoms. The reality that they sail 20 year old ships and would not dare invest millions to replace them at a time when detractors of influence seek to eliminate their markets seems to pass without notice.

ECONOMIC BACKGROUND—OUR NATION VERSUS OTHERS

These several examples are unfortunately illustrative of the level of sophistication too often applied these days to maritime industry analysis.

The basic facts underlying the present maritime dilemma are quite simple, and it is clear that cost improvement emphasis is being erroneously placed.

A fundamental consideration is that our citizens enjoy a standard of living which is considerably above that of the rest of the world. This desirable situation should be commended, not condemned; encouraged, not discouraged. And, as this truism relates to the maritime industry, it must be totally recognized and understood. It exists; it will continue to exist; it is not subject to change.

Most of our nation's commerce exists in an atmosphere totally isolated from direct confrontation with the wage structure of other nations. In 1965, our Gross National Product (GNP) was $676 billion and total value of foreign trade was $50 billion or only 7.4%. These figures show that nearly all of our service industries and most manufacturing concerns do not have foreign competition. For U.S. manufacturers, the significant protective buffer exists of transporting foreign products here, then paying import duties and U.S. cost levels for warehousing, marketing and servicing those products in the U.S.

Practically all of our industries which are successful in world markets owe their success to one of two reasons, both of which relate to superior technology.

In the first category are industries which have a technology superiority paid for by the Federal Government through massive research efforts. This has been particularly relevant to the progress of the aerospace and electronic industries. The anticipated Federal Fiscal 1968 appropriation for design of the commercial supersonic transport aircraft is $200/$250 million and this amount is merely the first increment of a multibillion dollar research and development project.

The second category includes those industries which owe their technological advantage to the tremendous consumer purchasing power of our citizenry, such as the automotive and chemical industries. Nearly the same number of automobiles are stolen each year in the United States as exist in Russia: annual production here equals the total number of automobiles in all of England.

The U.S. maritime industry enjoys neither advantage.

INTERNATIONAL STATISTICS ILLUSTRATE THE POINT

A brief examination of a few basic economic indicators illustrates the strength of our economy and the well-being of our citizens relative to other nations.

In 1964, the Gross National Product (GNP) of the United States was $629 billion. The combined GNP of the four principal nations of Free Europe—France, West Germany, Italy and the United Kingdom—was $332.6 billion. Our 192 million citizens enjoyed nearly double the GNP of the 210 million citizens of those leading countries. Governmental expenditures at all levels of the United States in 1964 were $128 billion and exceeded the total GNP of the second most prosperous nation of the free world, West Germany, by $24 billion. These expenditures were an amount nearly equal to the GNP of France and Italy combined. The growth in our GNP from 1964 to 1965 was over $47 billion—$2 billion less than the total GNP of Italy. Major U.S. Government foreign assistance programs totalled more than $102 billion between 1945 and 1965. We gave away an amount almost equal to the GNP of West Germany in 1964.

In the Far East, we find Japan with a GNP in 1964 of $69 billion with a population of 97 million, and no more than $45 billion for India with a population of 472 million.

The following statistics of Gross Domestic Product for 1963 further illustrates our fortunate—our enviable—economic position:

1963 gross domestic product of free world

	Total (billions)	Per capita
United States	$540	$2,853
Europe (West)	369	1,062
Latin American	79	345
East and southeast Asia	138	141
Africa	[1] 38	(2)
Canada	36	1,879
Oceania	22	1,301
Middle East	[1] 8	206
Free world total	1,230	584
Selected maritime nations:		
Japan	57	590
West Germany	79	1,418
Norway	5	1,398
United Kingdom	75	1,385

[1] Estimated.

(2) Not available.

Source: United Nations "Yearbook of National Account Statistics, 1965."

The United States enjoyed 44% of the total free world Gross Domestic Product. The per capita amount was over 50% above the next highest nation, Canada, and ranged from two to nearly five times greater than in leading maritime nations.

A comparison of amenities also demonstrates how well off our citizens are. In 1964, our 192 million population constituted 6% of the world's total of 3,220 million. Yet, we enjoyed 50% of the 2.3 billion civil aviation miles flown and 52% of the 160 million motor vehicles in use. In fact, 90% of our dwellings have flush toilets compared to 75% in West Germany and 9% in Japan.

The point of all these figures is to emphasize that our high geared, productive, tooled-up economy gives our citizens a standard of living without parallel. This standard is astoundingly above that of even other highly industrialized nations. We would consider our nation in the depths of a catastrophic depression if our average standard of living declined just half way to that of Canada, the second most affluent of the leading nations of the world.

When confronted with a commercial situation, manufacturing or service, which places us in direct labor cost to labor cost competition with other nations, it is doubtful that we will ever be able to close the gap completely. It is a reality that must be squarely faced. As pointed out previously, we can freely compete in world markets only in those sectors of our economy which are (1) propped up by Federal Government purchased technology, or (2) tooled to the hilt because of the massive consumption of our near trillion dollar society. Beyond this, our industry and commerce is cost competitive to the extent that indemnification is available by one means or another from direct competition.

ECONOMIC BACKGROUND—THE MARITIME INDUSTRY

The maritime industry, both shipbuilding and ship operations, does not benefit from barriers of distance and duties, nor from massive infusions of Government sponsored technological advance, nor from the powerful base of substantial domestic consumption. Our maritime industry exists because of Federal Government programs and regulations. Should the various maritime programs be eliminated, as some industry detractors suggest, there would be no national maritime industry since a world market confrontation solely on the basis of our wage rates versus foreign rates would invoke a competitive contest we have little chance of winning.

Recognizing how international wage structures fit into maritime affairs is the first step in formulating a constructive approach to revitalizing our maritime capabilities. The implications are very simple. Without the kinds of maritime programs we have today which accommodate this wage differential, we would have virtually no merchant fleet and no merchant shipbuilding capability. With these programs, we will.

The second step is to admit why the present dialogue is so intense. Our merchant fleet has grown small and old. Most of the ships are of World War II vintage and at that age can offer physically only a few more years of useful service and economically are already past their prime. Our National Defense Reserve Fleet (NDRF) which furnished nearly 800 ships for the Korean War, over 250 during the Suez Crisis and 180 for Viet Nam is in even worse condition both physically and as to economic viability.

We are caught in the strange paradox that as our foreign commerce increases and as our responsibilities for maintaining world peace increase in scope and distance from our shores, our merchant marine competence declines. The more sea power we need, the less we have.

Those who say that the maritime industry is inefficient and archaic because it requires Federal Government support to survive against foreign competition are victims of our statistics-happy society which has learned to express things in numeric terms but not to look beyond these figures to the meaning of what they portray. For example, the cost of cargo handling in U.S. ports averages about four times that in foreign ports.

Port charges for pilotage, dockage and so forth, are double or more those of other countries. Should we quit "subsidizing" our ports and longshoremen by carrying on our foreign commerce only between foreign ports without merchant ships touching our shores? Of course not!

Think of the money we could save by rolling back wages here to foreign levels. Or, as someone put it: if only we could earn 1967 wages, have 1925 prices and pay 1915 taxes, we would be sitting pretty. At best, this is idle dreaming. Under both approaches, unfortunately, our Government would go bankrupt with the taxes that would be collected.

Many other examples, equally ridiculous, are possible which illustrate that we live in a high-powered economy which lifts itself up by its own bootstraps to a level so high above the rest of the world that the entire structure severely limits foreign competition through a whole series of prohibitions against labor cost to labor cost competition with other economies less developed than ours. Some of these protections are direct and obvious—such as maritime subsidies—some are indirect and hidden—a foreigner needs permission to work here and, if he gets it, is paid the same wage as his American citizen coworkers.

Putting the first factor of the maritime problem—the need to accommodate our higher wage rates—together with the second, the declining quality and size of our merchant fleet leads to the real reason why maritime affairs are so controversial today. To replace a fleet growing obsolete in block and to expand it to a size suitable to both our economic dependency on international trade and our free world commitments will require a considerable amount of Federal Government support for both ship construction and ship operations. This expenditure backlog created by inattention in past years is a politically unpopular fact to utter aloud and has led to a variety of alleged corrective measures of dubious logic.

The way to resolve our present maritime problems is not to present unreal economic interpretations. Since a cost disparity is inherent in our national success, it must be either accommodated or not. The extent to which this accommodation is forthcoming in our maritime programs is precisely the extent to which our merchant marine will exist. This is true today and will remain so for a long time to come. Further, if our fleet has been permitted to grow old in block, and concurrently small, it naturally follows that expenditures in block are required to restore its strength and vitality.

The next question becomes, then, how big should our maritime industry be?

HOW BIG ARE OUR VITAL INTERESTS

Plans to open various segments of our maritime industry to free international competition are futile, unless based on a prior decision to remove our national presence from these sectors. Accordingly, a major point in reevaluating our maritime posture should be to define the extent to which our merchant fleets and shipyards are vital to our economic, defense and other national interests.

Many factors bear upon development of a definitive description of what constitutes a merchant fleet and shipyard capability of suitable size. A brief review of pertinent components is illuminating.

In 1964, total sea-borne movement of commercial goods in international trade aggregated 1,520 million metric tons of which 381 million, or 25% was for the account of the United States. Yet, less than 10% of our own trade was carried in U.S. flag vessels. While we used one ship in four of the world merchant fleets engaged in foreign commerce to carry our goods, we supplied one ship in forty to these fleets. And those we supplied were largely over 20 years old. Parenthetically, we now have little tanker capacity and little bulk carrier capacity, a definite weakness in fleet balance. This is a dangerous situation. Such dismal participation is clearly at odds with our only existing formal national policy, as expressed in the Merchant Marine Act of 1936, as amended, that our fleets should carry a "substantial proportion" of our foreign commerce, a term interpreted by the Congress to mean at least 50%.

To meet national emergency requirements, we have largely relied on our National Defense Reserve Fleet (NDRF). Since World War II, we have returned nearly 800 ships from this fleet to active service during times of emergency, and now have nearly 180 carrying supplies to support our Viet Nam effort.

Additionally, we routinely employ the capacity of about 250 to 300 dry cargo ships to carry defense supplies to our other armed forces and to the forces of our allies overseas. At this time, more than 50% of cargo loadings for overseas on U.S. flag ships are military supplies.

Another 100 to 150 vessels are used to transport surplus food and other aid to hungry or less developed nations.

These three groups, employed for defense and other free world commitments total well over 500 active ships and all of them are over 20 years old. They are inefficient, economically wasteful ships.

What will we do if another Viet Nam type conflict would begin now demanding another 200 to 300 ships, as well as probably necessitating an additional sealift effort to bolster our flanks in Europe? What will we do 5 to 10 years hence when none of these ships are available? No plan exists for providing such emergency capacity and routine resupply operations in future years. Is this a safe, and sound position? Of course not!

Our shipyards are building fewer than 15 new merchant ships per year, though there has been a substantial amount of idle capacity for some time. This rate will support a fleet of 375 ships. What kind of program is this for a nation which utilizes one-quarter of the world fleets active in foreign trade? What kind of a program is this for a nation which already has well over 500 ships, about one-half of its total active capacity, carrying routine military supplies and aid cargoes and supporting a conflict which is minor by historic comparisons? The insufficiency of our present level of effort is eminently clear.

Other factors must be considered too. Ships built and operated under the U.S. flag contribute enormously to the economic wellbeing of our nation. Our maritime industry is a very positive and substantial contributor to a favorable balance of payments, an especially critical problem at this time. A decision to build our ships abroad, or to forego carrying that fraction of our foreign commerce which presently moves on U.S. bottoms would seriously affect both our balance of payments position and our national economy.

These several points dramatize a need to modernize and expand our merchant fleet and to expand and accelerate ship construction programs for U.S. shipyards. Careful study of comprehensive facts and figures to identify our merchant fleet needs is a proper point of departure for re-establishing our merchant marine programs. A "volume" determination, however, is contingent on recognition of the principle that indemnification against foreign wage levels is essential, and the principle that revitalizing and maintaining our merchant fleet is going to be costly.

One final item remains to be considered—accomplishing these tasks at minimum public cost. To do this, emphasis must be placed on the potentials for cost reductions.

SIGNIFICANT COST REDUCTIONS ARE POSSIBLE

Numerous possibilities exist for reducing the cost of United States shipbuilding and ship operations. It should not be necessary to list the dozens of specific proposals which have been set forth by various industry experts and others in recent years and months. Instead, let us consider three broad categories of cost reduction which we believe offer remarkable potential for improvement. These examples also underscore the conviction that rational application of research, development and analysis skills to cost saving opportunities within our maritime industry will reduce cost differences between U.S. and other countries to a level which will make turning our sea power requirements over to foreign flag ships and shipyards unattractive even to today's most vocal detractors.

The three broad categories are:

(1) *Shipbuilding.*—Production - oriented construction of austere ships of standardized design. Cost reduction potential: about 20% to 30% of shipbuilding cost, which is about equal to a 35% to 55% reduction in construction differential subsidy.

(2) *Shipboard Automation.*—Installation of shipboard automation equipment to reduce crew size by one-half. Cost reduction potential: about 40% to 45% in operating differential subsidy.

(3) *Shipping Systems Improvement.*—Implementation of rapid shiploading systems (e.g. containerization or warehouse concept) and improvement of cargo control (cargo preference cargoes, ship routing, and so on) to reduce the nearly three-quarters of shipping costs assignable to port operations. Cost reduction potential: Estimated to be 20% or more of unit shipping cost. This should result in further reduction of subsidies.

Even a partial achievement of the cost reduction potential believed feasible for these three areas would remarkably improve our maritime posture and competitive position around the globe. While total equalization of our costs with those of foreign nations is for all practicable purposes an unrealistic goal, the proper execution of programs in the categories outlined should enable our ships to be built in U.S. shipyards, operated under the U.S. flag and to compete in world markets with significantly reduced government subsidies per unit of cargo delivered.

It has been constantly amazing that the Federal Government has flirted with the radical plan of building our ships in foreign nations and has, by its inaction, already caused a diminution of our sea lift capability, yielding to dependence on ships of other nations. A thoughtful program of cost saving as part of a firm resolve to keep our sea power at a level commensurate to our needs and commitments would be much more logical in the public interest and from the standpoint of national security.

PRODUCTION ORIENTED SHIPBUILDING AND SHIPBOARD AUTOMATION

The following table lists costs of operating a 1960 era general cargo ship in subsidized liner service. These figures apply to a ship of about C–4 size.

TABLE A.—*Typical ship-operating cost (per day)*[1]

	Actual cost	Government subsidy	Net cost
Crew wages	$2,030	$1,585	$445
Other direct costs	1,620	350	1,270
Overhead	920		920
Depreciation and interest	[2] 1,600	[2] 620	980
Total	6,170	2,555	3,615

[1] Not including port charges and cargo handling costs.

[2] Construction subsidy expressed as cost per operating day.

The Shipbuilders Council of America completed more than a year ago an extensive study of ways to reduce merchant shipbuilding costs. This study, which was conducted at the request of the Maritime Administration, was done by experts from all professional specializations within the shipbuilding industry. Numerous recommendations were made concerning contractual procedures, design specifications, component standardization, series building and so forth. The conclusion was that merchant ships could be built for 20% to 30% lower cost than under present procurement practices. The entire savings would essentially accrue to the Federal Government as a reduction to the construction differential subsidy.

These savings were not conjecture or whimsy. They were the combined judgments of men of competence and experience who build our merchant ships. They would not place themselves in the exposed position of predicting levels of savings which could not be attained if the conditions they specified were met. These conditions were straightforward detailed recommendations. Broadly, these included means for reducing red tape, elimination of over-designed features, administrative simplification, standardization of components and production of ships in multiples.

Automation of ship operations to allow crew levels below those now utilized is well within proven ship design technology. An increase in vessel cost of about 10% for automation equipment will allow crew reductions of 50%. Since crew costs represent about one-third of total costs for current ships, and since operating subsidies covering the differential between U.S. and foreign crew wages are more than 60% of total subsidy costs, the merit of such automation is readily apparent. This program should be accomplished in coordination with an expansion of our merchant fleet so that total shipboard employment is not reduced. This would avoid unfair economic harm to our seamen and would preserve the valuable national asset these skilled crews represent.

The effect of implementing both these cost reductions—production oriented ship construction and automated ship operations—could modify the operating costs of Table A as follows:

TABLE B.—*Ship-operating costs per day with cost reductions*[1]

	Actual cost	Government subsidy	Net cost
Crew wages	$1,015	$792	$223
Other direct costs	1,570	300	1,270
Overhead	920		920
Depreciation and interest	[2] 1,420	[2] 340	1,080
Total	4,925	1,432	3,493

[1] Not including port charges and cargo handling costs.

[2] Construction subsidy expressed as cost per operating day.

The projections reflect a cost reduction potential for Federal Government subsidies of over 43%. By implementing these programs, the United States could procure nearly twice the merchant fleet capacity we now possess for no increase in subsidies over the long term. This would give us a fleet of new ships, a healthy supporting shipyard industry, and no net reduction in shipboard employment due to the increase in fleet size. This is a vastly different result than programs now reported under consideration within the Government would yield.

SYSTEMS COST REDUCTIONS

There is additional potential for significant cost reduction by improving cargo delivery systems. Cargoes are still loaded and unloaded in a manner not greatly different from that of 40 or 50 years ago. As a consequence, approximately one-half of a ship's life is spent at berth in port. This condition can no longer be tolerated when a new, large, high speed cargo ship may cost well in excess of $10 million.

Also of concern is the evidence that typically the cost of loading and unloading general cargoes, plus port charges, is equal to all other vessel operating costs, including company overhead, depreciation and mortgage interest. Add these two factors together and you find that nearly three-quarters of the costs of shipping cargoes from one point to another is incurred in port. One would intuitively think that the bigger part of ocean shipping costs would ensue from sailing on the high seas, but this is not true. These costs are now a little more than 25% of the total, and that figure includes the high seas cost of steaming between ports within a trade area.

There is absolutely no reason why this expensive condition should exist. Warehouse concept ships have long been designed which can be loaded by fork lifts through side ports rather than by hooks, nets and brute force through topside hatches. The process of containerization has been advanced to the point where even movement of livestock and bulk cargoes appears feasible. Various designs which incorporate preloaded cargoes aboard ship have been suggested. Versions of all three of these designs either have been built or are now under contemplation.

The consensus of our data is that such ships can reduce time in port by 50% or more and cargo handling costs by as much as 50%. The following table illustrates the potential benefit of such a ship concept:

	Present general cargo ship		Cost of equivalent cargo movement in new concept ship
	Percent of total cost	Distribution of $10,000 cost	
Ship cost in port	23	$2,300	$1,150
Ship cost at sea	27	2,700	2,700
Port charges	5	500	400
Cargo handling	45	4,500	2,250
Total	100	10,000	6,500

These projections indicate savings may be as great as 35%. Certainly, doing everything possible to realize these savings is desirable. But, such reductions are not automatic. These ships can carry a tremendous volume of cargo. To make the most of their potential will require availability of cargo to move in great volume. Important keys in achieving this volume is the manner in which cargo preference cargo is handled and the extent of protection offered to a carrier over a particular trade route.

Current recommended changes to Federal Government programs appear to be exactly opposite to these two major incentives. This is difficult to rationalize in view of the magnitude of the cost reduction potential. It would seem that the Government's best interests would be served by continuing to reserve 50% of government-sponsored cargoes for U.S. flag ships, or perhaps even to increase that percentage; to restrict competition over a trade route; and to find a way, based on these concessions, to further reduce subsidy expenditures.

SUMMARY

The achievement of total equality in shipbuilding and ship operating costs between the United States and other maritime nations is not within the realm of immediate possibility. Our society has progressed too far to make such a goal wholly attainable. Nevertheless, we have a critical and immediate need to maintain significant sea power. To obtain this capability the cost to the Federal Government will be considerable in terms of construction and operating payments. This reality has prompted some Government spokesmen to favor either building ships for our flag abroad, or greater dependence on foreign flag shipping for our sea power requirements, or both.

It is suggested that the U.S. Government accept the precept that a cost differential of indefinite duration must be indemnified with subsidies, that a merchant fleet capacity and shipyard capability are essential, and then move to implement those actions which will significantly reduce the Government's share in shipbuilding and ship operating costs. This paper offers certain recommendations which could reduce total governmental subsidies well over 50% if properly executed. It cannot be denied that savings of this magnitude are worthwhile seeking in the national interest.

CONGRESSMAN HORTON SUBMITS JOBS DEVELOPMENT INCENTIVE ACT TO SPUR INDUSTRIAL DEVELOPMENT OF RURAL COUNTIES THROUGH TAX INCENTIVE PLAN

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I am pleased today to submit a comprehensive proposal for spurring the creation of jobs in the rural areas of America.

The bill I am submitting will provide special tax incentives for businesses meeting certain requirements, which locate in counties designated by the Secretary of Agriculture as being eligible under the provisions of this bill. Among these tax incentives are:

First, an additional 7-percent credit for investment in machinery and equipment.

Second, accelerated tax amortization of investment in commercial and industrial facilities, including real estate, over a 60-month period, and

Third, a tax credit for expenses incurred in the operation of employee training programs, parallel to the tax credit I have generally proposed in H.R. 4624, the Human Investment Act.

As a member of the Select Committee on Small Business, I have become aware of the serious problems confronted by small town and rural economies. In fact, a small business subcommittee under the able direction of the gentleman from Illinois, Congressman John C. Kluczynski, is currently holding a series of hearings on the problems of small businesses in these areas. The proposal I am introducing today is the result of my experience as ranking minority member of this subcommittee and of my close collaboration with the chairman of the Small Business Committee, the gentleman from Tennessee, Congressman Joe L. Evins.

Too often, Mr. Speaker, children of rural counties are forced to migrate to already crowded cities in order to find employment that will pay them a living wage. This rapid migration to urban areas creates serious problems for the cities—problems the Congress and the Federal Government are now beginning to wrestle with—but it also robs rural counties of the skills and talents of these young people.

Many of those who migrate to cities do so only through economic necessity. They are often hesitant to leave their homes in the country for city life. One reason for the urban trend in our country is that we have paid too little attention to the need for and the opportunities for economic development of rural areas. In today's era of modern and plentiful transportation and communications facilities, it is no longer essential for all industry to be concentrated in the great urban centers. In fact, many industries today find that rural areas offer a more plentiful supply of skilled labor than some cities.

As an example, my home city of Rochester, N.Y., has a current rate of unemployment which is less than 1 percent. Nearby Wayne County, N.Y., which I also represent, had an unemployment rate of 6.8 percent in 1966. Both areas are served by good roads and railroads, but the trend toward the city and away from its countryside persists.

The bill I am submitting today is designed to provide special tax incentives to businesses which locate in counties designated as job development areas by the Secretary of Agriculture. Under this proposal, a job development area is defined as: a county, no part of which is an urbanized area, which has more than 15 percent of its families earning less than $3,000 per year; an Indian reservation; or an area which is about to undergo substantial emigration due to the closing of a Defense Department installation.

In order to qualify as a certified facility, the development facility must create within the designated area a minimum of 20 new jobs, and must take at least 50 percent of its employees from residents of the designated area and 25 percent of its employees from among heads of families whose yearly income is below $3,000.

Certified facilities would be eligible for double investment tax credit—as much as 14 percent instead of the 7-percent rate now applicable. Also, they would be eligible for accelerated tax amortization of investment in industrial and commercial facilities over a 60-month period. As an additional encouragement to industry to locate in designated areas, my bill provides a tax credit for employee training programs, parallel to that allowed under the Human Investment Act as proposed in H.R. 4624, which I introduced earlier this year.

Mr. Speaker, this bill provides considerable tax advantages to a business locating in one of these underdeveloped counties, but the cost to our Treasury will be far outweighed if this program is successful in spreading the economic growth of our Nation more evenly among geographic areas. I believe that this program can accomplish this goal without necessitating the creation of any new federally administered development grant programs. Under my bill, localities in these areas which work hardest at luring new industry will be indirectly rewarded by the automatic application of these tax benefits to facilities meeting the requirements of this bill.

Thus, my plan harnesses local and private initiative in accomplishing this pressing national goal.

Let me, for a moment, illustrate what the potential impact of this program would be. In the State of New York, for example, 13 counties are presently participating in the Appalachia Regional Development Act of 1965. All but two of these 13 counties have more than 15 percent of their families earning less than $3,000 per year. An additional 15 rural counties near or adjacent to the 13-county Appalachian area in the State have family income and unemployment statistics as bad or worse than the statistics of the Appalachian counties. In all of these counties, a large percentage of workers are employed in counties outside their county of residence, usually in a nearby city. These statistics came to light in February when New York's Governor Rockefeller sought to expand the Appalachia program within our State to these additional areas.

The fact that these conditions exist in vast areas of a State as prosperous as New York, which has many thriving cities, is indicative of the seriousness of this problem around the Nation.

Just as we must move quickly to bolster the agricultural economy of rural America, we must also provide for balanced economic development of our countryside. The forced migration of rural people to our cities for economic reasons is not inevitable, and it represents a waste of potentially productive labor and potentially prosperous towns and villages.

Although this is the age of strip-cities and rapid urbanization, the United States cannot afford to allow its vast rural areas to grow into virtual economic ghost towns. I believe that my proposal will enhance the attractiveness of these areas for industry, that it will take some of the population pressures off of our burgeoning cities, and that it will revitalize many small communities which were once the backbone of this great Nation.

RESPONSE BY GEORGE F. SMAYLING TO BLANK QUESTIONNAIRE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, every Congressman has his share of problems and unusual experiences. While I have not yet had one colleague's experience of loaning and losing my automatic typewriting, I contend my problem is equally disturbing.

I recently received over 24,000 responses to a questionnaire I circulated throughout my district. I sought to reply to those constituents who returned the questionnaire. Like many Congressmen, I sent my written responses to the House Folding Room for stuffing, sealing, and mailing to expedite this task.

During this bulk mailing, through someone's omission, one of my constituents received an absolutely blank sheet of letterhead in reply to his questionnaire response.

Fortunately, this constituent, Mr. George F. Smayling of St. Charles, Mo., is good natured.

I would like to share with you his response to the blank paper I sent him, which follows:

St. Charles, Mo.,
April 9, 1967.

Hon. William L. Hungate,
U.S. House of Representatives,
Washington, D.C.

Dear Sir: Your assistance in resolving a family disagreement is urgently requested. Every Congressman recognizes his clear and present duty to prevent violence in constituents' streets, but few Congressmen are called upon to prevent violence in their constituents' houses. However, unorthodox as my request may seem, no one can deny my right to place my problem squarely in the hands from whence it came.

The enclosed ????? from your office has elicited four different explanations, each zealously defended by its proponent:

1. As a pragmatist and empiricist, I maintain that your communication obviously implies John Locke's *tabula rasa* and that you are subtly affirming that your constituents' wishes are your commands.

2. My wife is opting for your having created a "first". We have non-music music, as John Cage's compositions of twelve minutes of silence, and non-art art, with various "artists" creating totally black, or totally blue, etc. canvases. But no one, before now, has written a non-letter letter. Yours is the first, she says!

3. Compelling as our arguments are, our high school freshman son, studying civics at the moment, avers that you, skilled in statesmanship, are simply offering evidence (or non-evidence) of the ultimate in noncontroversiality.

4. Finally, our twelve-year old son, a great mystery, spy novel fan, is convinced that there is a secret message on your letterhead. He has used all his "007" kit chemicals to no avail; undaunted, he is saving his allowance to buy more esoteric chemicals to reveal the invisible ink which he feels must surely be on the paper, somewhere.

Your attention to our grave problem will be appreciated. Naturally, each family member hopes he will be adjudged correct in his interpretation; however, we have agreed to forgive and forget our differences, regardless of who is right, if you will only give us the answer.

Yours very truly,
George F. Smayling.

CHANCERIES IN WASHINGTON

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, on April 10, 1967, the House passed H.R. 6638, a bill to provide two properties totaling 11 acres in Northwest Washington for the use of foreign governments for their chancery and embassy purposes. I opposed that bill simply because it did not meet the pressing problem for which it was designed. Basically, the problem is space.

The President, the Department of State, the District of Columbia Commissioners, and the National Capital Planning Commission all have advocated a realistic, well-thought-out solution to the problem of housing our foreign friends, many of whom are at a loss in seeking adequate headquarters.

Currently, many of these nations have to make do with totally inadequate, obsolete, makeshift office arrangements scattered helter-skelter throughout Washington. Most of this problem stems from the stringent zoning laws of the District of Columbia. Chanceries, under the zoning requirements, are to be treated as office buildings and thus are precluded from most areas of the District. In those few areas where they may establish, space is simply not available.

To solve this problem, the President has proposed a larger, more desirable location in an area other than that provided in H.R. 6638. This larger area is a truly realistic and farsighted solution and would quarter a goodly number of the hundred-odd nations now having relations with the United States. In addition, this area would provide space for several of the important international organizations, such as the Organization of American States. The OAS has long been anxious to acquire a decent location on which to build but, so far, without success.

This question is much more than simply a housekeeping problem; it touches on our conduct of our foreign affairs. If we are not responsibly and maturely hospitable to our foreign friends, might we not expect equal treatment abroad?

An editorial in the Washington Star of April 13, 1967, supports my view of the issue involved here, as follows:

> POOR SUBSTITUTE
>
> The House of Representatives' proposal to make two separate tracts of land in the Kalorama area of Washington available for foreign chanceries has drawn a swift reaction. According to a State Department poll, not one of the 27 foreign governments seeking new chancery sites has the slightest interest in either location. And that being the case, what purpose has been served by the House action?
>
> Actually, the State poll is not surprising. The larger of the two Kalorama sites, the old Henderson Castle tract at Sixteenth Street and Florida Avenue, requires no federal legislation to authorize a chancery use under existing zoning, yet failed previously to evoke serious interest. Even if this were not so, however, the House-passed bill would hardly constitute a satisfactory alternative to the so-called International Center advocated by the National Capital Planning Commission near Washington Circle. Both the Kalorama sites are limited in size, and could provide at best only a portion of the space required. The concept of the International Center, carefully planned and tightly controlled, seeks a more lasting solution to the dilemma.
>
> So the scene of battle moves now to the Senate stage, with the administration affirming its support of a slightly modified version of the Washington Circle plan. Harold A. Pace, the current assistant protocol chief, suggests that the State Department will be in there pitching. State officials, however, showed little heart for the fight in the House, leaving the NCPC largely to carry the ball alone. If this performance should be repeated in the Senate and nothing more significant than the House bill results, the State Department, which is primarily responsible for assisting foreign diplomats, will have only itself to blame.

SOVIET HYDROELECTRIC TURBINES LIKELY TO PROVE FAULTY

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, the New York Times reported on March 31 that the U.S.S.R. had asked the Interior Department if Moscow would be allowed to bid on the contract to supply hydroelectric turbines and generators, which will expand the generating capacity of the Grand Coulee Dam in Washington State. This contract would be worth approximately $100 million to the Soviets.

Aside from the objection that many of us would have to such a transaction while our men are engaged in fighting against Soviet-supplied weapons in Vietnam, there is also the question of the depressing of our domestic turbine industry. But to me the most important factor is the reliability of the equipment. Would the United States receive reliable equipment? The evidence that has come to my attention shows it is very likely that procurement of Soviet equipment could well delay our contemplated expansion of the generating power of the Grand Coulee Dam.

A study published in 1964 by the Senate Committee on the Judiciary, entitled "The Many Crises of the Soviet Economy," had this to say on page 9:

> The Soviet Union manufactured in 1960 about 3 million electric motors (0.6 kilowatt or more), having a total capacity of 25 million kilowatts, valued at 300 million rubles. The value (not depreciated) of all electric motors (0.6 kilowatt and above) installed in the U.S.S.R. is estimated to be about 1.45 billion rubles. The magnitude of repairs and maintenance caused by substandard quality and low reliability of the equipment can be seen in the fact that in 1960 about 10 million kilowatts of motor capacity underwent general overhaul. This overhaul coupled with other repairs and maintenance, cost, in 1960, 1.2 billion rubles, required a staff of 350,000 people—of whom 10 percent were engineers and technicians—and consumed 25,000 tons of copper.
>
> Downtime of new electric motors during their first year of life amounts to 30 to 40 percent of the total working time.

Again on page 13 of this study it states:

> Soviet industrial establishments are not too interested in increasing the quality, reliability, and service life of both producer and consumer goods since this would require additional material and labor expenditures. It would also require the acquisition of extra equipment such as measuring and testing instruments, the use of more expensive materials, and it would necessitate an improvement of existing designs.

The deputy director of the Likhachev automobile plant in Moscow admitted that 30 percent of their electric motors are always idle in evidence cited on page 25 of this same study.

Of course, the Soviets have experience in the manufacture of large generators, but as this same study stated on page 31 two large Soviet powerplants received faulty generators in 1961 of 150,000 and 200,000 kilowatts respectively and were unable to go into operation due to these defects.

Another question to be considered is how the maintenance of this machinery would be carried out. Presumably, repairs would have to be accomplished by Soviet technicians, who would have to travel here at great expense. And what of spare parts? Soviet industry is notorious for its shortages of spare parts. Would the Soviets refuse or delay to send technicians and spare parts if their relations with the United States were not to their liking at the particular moment in the time that we needed these things? These questions are difficult to answer and should be considered by our Government.

Therefore, it would be my hope that the U.S.S.R. not be allowed to bid on this contract. This skill in manufacturing large hydroelectric turbines is needed in the United States. It has a direct relationship to our shipbuilding industry, which is also in dire straits. We further cannot afford the loss of dollars. But, chiefly I would hope that we would not foolishly award a contract to a Communist nation that does not produce reliable machinery.

ACTION—NOT STUDIES—NEEDED TO HALT DAIRY IMPORTS

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, the Secretary of Agriculture has been traveling over the Midwest talking to farmers about helping them with their problems. He could have saved himself a trip by asking Members of Congress, who receive a number of letters every day from farmers who are having difficulty making a living.

The dairy farmers of this country have spoken in a unified voice, calling for action to end their No. 1 problem—the booming importation of dairy products into this country in evasion of set quotas.

The Secretary of Agriculture said himself, on April 4, 1967, that dairy income is "disgracefully low, and must be improved." Secretary Freeman added that he had recommended to the President that action be started to prevent the further evasion of dairy import quotas, and the President has asked the U.S. Tariff Commission to make a study to determine if section 22 action is needed to halt imports.

The administration has admitted that one problem is, just as American dairy farmers cut back production to balance supply and demand, imports began flooding the country. It is estimated that some 4 billion pounds of milk equivalent will be shipped into this country this year. Our dairy farmers have to set their prices to compete with these products. This has driven their prices down so low that many cannot make a living on the dairy farm, and they are leaving their farms by the thousands.

Of course, we must have a strong dairy farm industry to assure American consumers of an adequate supply of milk, so this is a problem for all, farmers and consumers alike.

So here is the situation. The dairy farmers and the Secretary of Agriculture agree that something should be done to control imports. There is an emergency situation; that is why, we are told, the Secretary met with farmers last week.

The call for setting of quotas under section 22 would be a short-term solution, if this did not take too long. These hearings by the Tariff Commission could take more than 6 months.

Under section 22 of the Agricultural Adjustment Act, the President can set quotas pending the report and recommendations of the Tariff Commission. In other words, the President has the authority to act immediately to limit these imports which are having a disastrous effect on our dairy farmers.

If the Secretary of Agriculture would report to the President that there is a situation which calls for emergency treatment, the President could act tomorrow to regulate the flow of dairy imports.

He could stop some of this grumbling from the farm belt which has caused him to take emergency action and send the Secretary out to see if he can throw some water on the fire out there in the Midwest.

The President can do this now, temporarily stopping the flow of dairy imports in evasion of quotas.

This action would help the dairy farmer, until a permanent solution is in effect. And, the dairy farmers are united on what this solution should be. They are for passage of the Dairy Import Act of 1967, which would set quotas, while allowing importers to share in our domestic markets.

The administration can best serve the dairy farmers of this country by taking immedaite action under section 22—which it has the authority to do—and stopping the flow of imports before more dairy farmers decide to leave their farms.

TRIBUTE TO DR. EARNEST BRANDENBURG

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include pertinent material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, recently the education community suffered a great loss in the death of Dr. Earnest Brandenburg, president of Drury College in Springfield, Mo. In a few short years that Dr. Brandenburg served as president of Drury he established a responsible, yet progressive, record in education which will be hard to equal. He had the highest respect of the community, the students, the faculty of the college, and the education community at large. One of the finest tributes to Dr. Brandenburg appeared in the April 14 issue of the Drury Mirror, written by Gale Montgomery. His actions truly spoke so loud that words cannot tell, but this article vividly portrays the depth of our sense of loss:

A PERSONAL TRAGEDY FOR MANY

(By Gale Montgomery)

In an early morning class, a Drury professor made the unusual request that his students bow their heads. He reverently thanked God for the "great humanitarian who had been our president for all too short a time." He prayed that Dr. Brandenburg's guidance and the illumination he brought to the minds of those he knew would remain in the spirit of the college forever.

Dr. Brandenburg's death was not only a loss for the college, it was a deep personal tragedy for the many people who knew him well.

I met Dr. Brandenburg in the fall of 1964 when we both arrived on campus. After being introduced to him in a long reception line and feeling very impressed by the warmth and friendliness which seemed to radiate from this man, I learned that he was to be my counselor. I faced the first appointment in his office with no small amount of anticipation. The experience, however, was no cause for anxiety. It was the first of many times that Dr. Brandenburg took time during the course of a busy day to talk about my problems and ambitions. I know from this experience that he had a genuine interest and sincere concern for every student in the college. The great achievements he made for the campus were inspirations of his desire that every Drury student have every possible education advantage. To this ideal he was dedicated.

Dr. Brandenburg fought many winning battles for the college with the assistance of advisors and the administration. It was the personal battle too, was not that he lost, and this battle too, was not fought alone. Another dedicated man made every attempt known to medicine to save Dr. Brandenburg's life. As a medical doctor, he too has a deep concern for the welfare of the people that he serves. That these two great men should come together to fight the overwhelming odds of cancer was a trick of fate that influenced both of their lives with lasting impressions. Dr. Brandenburg had complete faith and confidence in his doctor and through their many discussions came to know him well. Following his death, the doctor commented to the extent that the ethics of his profession would allow. He spoke of Dr. Brandenburg as one of the "greatest men that he had ever known." He came to recognize the great intellectual mind as merely a part of the man who loved life and lived it well. Even during the last days Dr. Brandenburg spent in the hospital, he retained his infinite capacity to make, and be, a friend. The doctor referred to our former president with the word that often came to the minds of many. He called him a gentleman, not only in the way he lived, but in the way he died.

Everywhere he went Dr. Brandenburg was loved. By the student, by the faculty, by a doctor and nurse who shared with his family the last days of his life.

I will remember Dr. Brandenburg because he was my friend. He was a gentleman who built his own memorial in the hearts of everyone he knew.

PROPOSED 48-PERCENT TAX ON NET ADVERTISING OF ORGANIZATIONS

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I believe it is the duty of Congress to take a closer look from time to time at the rules and regulations issued by the Internal Revenue Service which has the duty of collecting those taxes imposed on our people by Congress.

I believe that a detailed examination is called for at this time, particularly since the Commissioner of the Internal Revenue Service, Sheldon S. Cohen, is in my opinion preparing to issue regulations which are tantamount to a death tax on some of the finest public service organizations in the Nation.

Mr. Cohen seeks to impose a 48-percent tax on the net advertising income, across the board, on publications dedicated and using their resources to promote a better life for the youth of the Nation, for progress in science, medicine, and law.

I believe the Nation's tax collector is ill-advised in his zeal to crush the financial stability of such organizations as the Boy Scouts, the Girl Scouts, the National Geographic Society, the American Historical Association, American Chemical Society, the American Medical and Dental Associations, and the American Bar Association—to name a few who will be dealt a death blow if the Commissioner is allowed to have his way.

The facts, Mr. Speaker, are that these public service groups do compete with such publications as Life, Look, Time, and Newsweek for the advertising dollar, but not to the extent the apparently alarmed collector of Internal Revenue feels. There is another difference, also, Mr. Speaker. The revenue from such public service publications do not go into the private pockets of any of our citizens. The revenue totals a little over $100 million annually and in the case of the Scouting movement it is used to train boys and girls for better citizenship—something that is sorely needed in today's world. The medical journals use the revenue derived from the sale of advertising to advise and inform medical practitioners of new devices, drugs, and techniques in medicine; the law journal does the same; the National Geographic Society promotes exploration and scientific studies; the chamber of commerce, with revenue from its publications, a better business climate, new business and industry techniques, and therefore more jobs and higher tax revenues from the creation of them.

The Commissioner's edict, in addition to scooping up more revenue for the Internal Revenue Service, is placing himself in the role, not only of a censor, but of an advocate of antitrust activity among public service organizations. His apparent intention is to promote competition among those seeking the advertising dollar, but punishing those organizations who use their funds for public service.

I contend that this activity should be taken only after the judgment of Congress has been determined, or by the courts of the Nation, which have ample precedent for determining what is fair and unfair in today's business markets.

For years, Mr. Speaker, some of our leading foundations have operated in a tax-exempt status, and wrongfully in many cases, if the prevailing opinion in Congress is any standard. Many of them may do good work, but others, I understand, are simple tax dodging operations.

Such is not the case, insofar as I know, in relation to those public service organizations now under death penalty taxation by the Internal Revenue Commissioner.

I believe it is an obligation of Congress to protest this proposed action against scouting, medical progress, legal refinements, and scientific advancement.

I believe the Collector of Internal Revenue in this instance is relying on an outdated mandate from Congress. His contemplated action is based on a 17-year-old law, which was enacted for the purpose of curbing an abuse on the part of a tax-exempt university, which sought to acquire a macaroni factory and use it for educational revenue in direct competition with other producers of the same product.

We are not dealing with macaroni here, Mr. Speaker, but instead with some of the most public spirited and basic efforts in the Nation to improve the general welfare.

Congress should halt this newest effort of the Internal Revenue Collector until it has had time to examine the full impact of the proposed regulations and until it has heard from those whose lifelong efforts are about to be swept down the drain of ever increasing taxation.

It is my understanding that the Commissioner does not deny that the principal expenditures made by the tax-exempt organizations in question are used for public service, community and individual betterment, and the advancement of science and medicine.

For example, the American Bar Association spends its income in improving our judicial system, encouraging the standards of its lawyer members. It encourages the profession to serve the poor without fees or at reduced rates, and this includes cooperation with the poverty program. The National Education Association spends its income developing and publicizing improved teaching methods and higher educational prerequisites for teachers. The chamber of commerce calls upon its membership to participate in community action and be responsible citizens. The medical organizations strive to improve the level of the public health. The National Geographic uses its income, and has for many years, in the advancement of exploration and for the benefit and general education of the public.

I am today introducing legislation which in effect deems advertising income in publications of educational, charitable, and scientific nonprofit associations to be related to the objectives for which such organizations were established and given tax-free status. I am listing some of the organizations which in my opinion are seriously affected by the proposed IRS regulations:

PARTIAL LISTING OF CONCERNED ORGANIZATIONS

National Education Association, 1201 16th Street NW., Washington, D.C.

Boy Scouts of America, 1742 Connecticut Ave. NW., Washington, D.C.

Girl Scouts of the USA, 1725 Eye Street NW., Washington, D.C.

American Bar Association, 1155 East 60th, Chicago, Ill.

American Dental Association, 222 East Superior, Chicago, Ill.

American Heart Association, 22 West Madison, Chicago, Ill.

American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.

American Institute of Architects (Frank J. Whalen, Jr., of Spencer & Whalen, D.C.), 221 North LaSalle, Chicago, Ill.

American Institute of Certified Public Accountants, 666 Fifth Avenue, New York, N.Y.

American Osteopathic Association, 212 East Ohio, Chicago, Ill.

American Veterinarians Association, 600 South Michigan, Chicago, Ill.

American Psychological Association, 1200 17th Street NW., Washington, D.C.

Association of Western Hospitals c/o J. L. Zem, president, 26 O'Farrell Street, San Francisco, Calif.

Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C.

National Geographic Society, 17th and M Streets NW., Washington, D.C.

National Paraplegia Foundation, Inc., 333 North Michigan, Chicago, Ill.

National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

Professional Convention Management Association, Mrs. Beverly C. Weyermuller, executive secretary, 1308 Ritchie Court, Chicago, Ill.

Professional Photographers of America, Mr. Frederick Quellmalz, executive manager, 152 West Wisconsin Avenue, Milwaukee, Wis.

American Historical Association, 400 A Street NW., Washington, D.C.

American Chemical Society, 1155 16th Street NW., Washington, D.C.

American Public Health Association, 224 East Capitol, Washington, D.C.

American Society of Association Executives, 2000 K Street NW., Washington, D.C.

Greater New York Hospital Association, 3 East 54th Street, New York, N.Y.

National Association of Insurance Agents, 96 Fulton Street, New York, N.Y.

Lahey Clinic Foundation, 605 Commonwealth Avenue, Boston, Mass.

Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.

U.S. Savings & Loan Association, 812 Pennsylvania Avenue, Washington, D.C.

National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

American Institute of Chemical Engineers, 345 East 47th Street, New York, N.Y.

American Academy of General Practice, Volker Boulevard and Brookside, Kansas City, Mo.

Associated Builders and Contractors, Inc., 111 West Lexington Street, Baltimore, Md.

American College Public Relations Association, 1785 Massachusetts Avenue NW., Washington, D.C.

American Mining Congress, Ring Building, Washington, D.C.

American Optometric Association, 7000 Chippewa, St. Louis, Mo.

Bituminous Coal Research, Inc., 350 Hochberg Road, Monroeville, Pa.

Society of Automotive Engineers, 485 Lexington Avenue, New York, N.Y.

American Association of University Women, 2401 Virginia Avenue NW., Washington, D.C.

National Rural Electric Co-op Association, 2000 Florida Avenue NW., Washington, D.C.

The Menninger Foundation, Box 829, Topeka, Kans.

American Medical Association, 535 North Dearborn Street, Chicago, Ill.

Shriners Hospitals for Crippled Children, 323 North Michigan Avenue, Chicago, Ill.

Group Health Association, Inc., 2121 Pennsylvania Avenue NW., Washington, D.C.

National Association of Retail Druggists, Press Building, Washington, D.C.

All labor unions who have publications which accept advertising.

AEC DEATH MINES

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, Pennsylvania has produced far more coal than any other State in the Union. Anthracite was mined as early as 1769, and within 20 years bituminous coal was being extracted from beneath the earth of western Pennsylvania. In the intervening years a total of almost 14 billion tons has been produced.

Accidents have taken a heavy toll of our miners, but all precautions are taken to provide protection against roof falls, explosions, and other dangers incident to working deep in the bowels of the earth.

Our miners are also subjected to the very real possibility of contracting silicosis, emphysema, and other bronchial and lung diseases that can come from working in atmosphere laden with dust. While a great deal more must be learned about preventing and dealing with these afflictions, Pennsylvania by law provides compensation to victims and their dependents for occupational disabilities of this nature.

In this presumably enlightened era, one might also expect that environmental health victims in other mining industries would be similarly treated. We have recently learned that such is not at all the case.

On March 9 of this year the Washington Post carried a news story about a Rocky Mountain miner who is one of the many that will die because they worked in underground uranium mines. Just how many men already exposed to the radiation that will prove fatal will not be known for some time, as it often takes between 17 and 20 years from the start of mining to the start of lung cancer. The peak of employment of uranium miners in this country came in the late 1950's and the early 1960's.

On April 14 the matter was the subject of a Post editorial stating bluntly that a death warrant for as many as 1,150 uranium miners has in effect been signed by the Atomic Energy Commission, the sole purchaser of uranium in this country. I shall include that editorial at the conclusion of my remarks. It must be read with care by every Member of Congress, for it contains charges and implications that cannot be overlooked.

Can my colleagues fully comprehend the mental anguish that exposure to radiation in unsafe mines has created for the victims and their families in addition to the cruel physical suffering that is ahead for those sentenced to death? The tragic assumption is that the conditions might have been corrected but it seems that these conditions have developed because of a consortium of secrecy between certain of our Federal agencies—the Departments of Labor, Interior, and Health, Education, and Welfare, together with the Atomic Energy Commission—as well as, regrettably, our own Joint Committee on Atomic Energy.

If such callous treatment of an employee were chargeable to industry, these Federal agencies would utilize every means of forcing and/or penalizing the guilty parties so that conditions would be corrected and such restitution as possible would be forthcoming.

This indifference to human suffering by Federal agencies is frightening enough, but it is all the more appalling that members of the Joint Committee could be aware of conditions and still acquiese to the wishes of the AEC and other offices involved.

The AEC has too long been considered a "sacred cow," never to be criticized or even questioned. Typical is AEC's arrogance in granting licenses for construction and operation of reactors in communities whether or not the citizenry opposes, all the while keeping as quiet as possible the fact that recovery of full damages from an atomic accident is limited and that private insurance companies exclude radiation damage from howeowners policies. Congress, of course, must bear responsibility for granting such authority. Perhaps, as the full range of the Price-Anderson law and its implications come to be better understood, Members of the House and Senate will finally recall from the AEC a power that it never should have been granted in the first place. The long-delayed news of what is happening to uranium miners should awaken the Nation to the questionable antics of the AEC and its consorts downtown and on Capitol Hill.

The production and utilization of atomic power is no longer the sole secret of the United States. There are other major world powers in possession of the necessary knowledge, both for military and for peaceful use. Under the circumstances, the AEC should no longer be entitled to immunity from inquiry that it has enjoyed on the theory that its work must be cloaked in the mantle of secrecy.

The failure of our own joint congressional committee to act in the best interests of uranium miners and general public makes urgent a complete review of AEC's activities.

The Post editorial follows:

[From the Washington (D.C.) Post, Apr. 18, 1967]

AEC Death Mines

A death warrant for perhaps 1150 uranium miners has in effect been signed by the Atomic Energy Commission, the sole purchaser of uranium in this country. Only two loose ends remain to be tied up. First, the miners must be told; the study predicting their death from lung cancer, caused by radiation exposure in unsafe mines, is still a secret document within the Federal establishment. Secondly, the miners must die; lung cancers is usually not detected for 10 or 20 years so that will take some time.

In truth, a good many more than 1150 uranium miners may expect to die of lung cancer, since the radiation standards in effect today, although improved, remain feeble. Moreover, the standards being considered by the inter-agency Federal Radiation Council, a creature of the AEC, are widely regarded as inadequate, even in the unlikely event that they were to be enforced. They are "weak," one internal Government paper states, for the reason that to toughen them "would reflect badly on this (HEW) and other departments for previous failure to act." In addition, "some mines would be shut down and some miners put out of work." That the possible alternative to unemployment is death evidently has not been considered.

Not only the AEC but the Departments of Labor, Interior and HEW, and the Joint Congressional Committee on Atomic Energy have over the years found the flimsiest pretexts of jurisdiction, cost and security to avoid their responsibilities to the miners. Existing, internationally accepted radiation standards should be adopted at once. The Federal Government must guarantee the payment of compensation claims to cancer-stricken miners, or their widows. Not one miner should be allowed to work for one more day in an Atomic Energy Commission death mine.

BURNS DITCH

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, anyone who has followed closely the grand scheme to build a Lake Erie-Ohio River Canal was certain to recognize the fallacy in the recent declaration by the Army Engineers that the project is "economically justified." This assessment of the value of the $1,036,850,000 ditch—with $968,200,000 to come from the U.S. Treasury—recalls these definitions of the word, "water," from Webster's Seventh New Collegiate Dictionary:

a: capital stock not representing assets of the issuing company and not backed by earning power

b: fictitious or exaggerated asset entries that give a stock an unrealistic book value.

These interpretations could also apply to a number of other estimates for water projects which the Army Engineers concoct with utmost fluidity and without concern for accepted standards of liquidation. One of their more notorious calculations pertains to the benefit/cost ratio for Burns Ditch Harbor, a needless undertaking that would destroy much of the beauty and recreational value of the Indiana Dunes and surrounding lake area.

In the Izaak Walton magazine for February 1967, Mr. Herbert P. Read recounts some of the manipulations that have taken place in the process of persuading the Engineers to arrive at their mysterious conclusions for Burns Ditch. Mr. Read also provides a measure of the Engineers' history which should be made known to all Members of Congress.

In asking unanimous consent to insert the article in the Record, I must point out that—while I, too, object to Bethlehem Steel Corp.'s attempt to industrialize a site that should be preserved for esthetic and recreational purposes—it was Bethlehem which recently donated 1,200 acres of land for the western Pennsylvania conservancy's plan to save a mountain range for vacationers to enjoy. Bethlehem has been a mighty economic asset to the Johnstown area and must not be categorically condemned for an unpopular action in one area of its operations.

Mr. Read's article follows:

The Dunes—The Army—The Battle

(By Herbert P. Read)

The Indiana Dunes has been a battleground from the beginning.

In our battle to save the dunes, there is much you can learn and apply in your own conservation wars wherever you may be. I also hope to arouse you to protest a new threat to the newly authorized Indiana Dunes National Lakeshore in the form of an industrial landfill for steel mills projecting out into Lake Michigan. The Army Engineers granted a permit for the landfill over the objections of conservationists, the U.S. Public Health Service, and the U.S. Department of the Interior. The highhanded and prejudicial manner of the Army Engineers even aroused protests from the press. I further hope to sound the alarm over the runaway, unchecked power of the Army Engineers in their rampaging campaign to wipe every vestige of natural landscape from the face of America. Whether it be well-known controversies such as the Indiana Dunes, Grand Canyon, the Everglades, Rampart Dam, the Potomac River, or less publicized but equally important battles to save Murphy's Pond in Kentucky and the Big Walnut Valley in Indiana, the Army Engineers are involved. *You* are involved, and *you* should learn something about this destructive force. We must curtail their power or get them to update their thinking to the modern concept of natural resource management. At the same time, we must stop the Army Engineers from being totalitarian shock troops running interference for big industrialists allied with politicians with their eye on the pork barrel.

You should also know the duties and responsibilities of the Army Engineers in recommending Civil Works Projects, since in many instances they bend, twist, and interpret the rules to suit their own objectives. The Army Engineers surround their work with military secrecy wholly unnecessary to the purpose. Their secret deliberations and decisions affect every man, woman, and child in the United States. They have built a domain of power exceeding that of the President, and financed by public funds. Yet they remain accountable to no one, except to their own hierarchy. The voters can't turn them out of office, and the Congress has, thus far, found it advantageous to keep affairs as they are.

The Indiana Dunes controversy is a typical case history of conservation battles everywhere. It has highlighted the growing conflict of nature, open space, people, and industrial development. The cast of antagonists included land speculators, politicians engaged in secret deals, and the Army Engineers. By helping the Indiana politicians justify a harbor near Burns Ditch on the southern tip of Lake Michigan serving primarily Midwest Steel and Bethlehem Steel Companies, the Army Engineers became the instrument by which the Indiana Dunes were gutted, delaying the establishment of the Indiana Dunes National Lakeshore until it was almost too late. By issuing a landfill permit, they may yet destroy what Congress has just sought to preserve.

It took ten thousand years for the shifting, swirling, and constantly opposing forces of wind, water, sand, and the plant world to create the Indiana Dunes. It took fifty years of dogged, determined crusading for conservationists to overcome the political power of giant industries and land speculators. In 1916, Stephen Mather, first Director of the National Park Service, recommended early federal acquisition of the 25-miles of dunes shoreline between the steel city of Gary, Indiana, and the older port city of Michigan City, Indiana. Also in 1916, Indiana's United States Senator Tom Taggart introduced the first "Save the Dunes" bill in Congress, but World War I killed the proposal. By the 1920's, local Indiana politicians viewed the Dunes as a gold mine for land speculation with promotion of more steel mills and a harbor. Their opposition forced conservationists to accept a 3-mile state park. Promises to enlarge the park were never honored, and no land purchases were made after 1926. The depression of the 1930's slowed both residential and industrial growth long enough for America to re-awaken to its heritage of natural beauty. In 1952, the Save the Dunes Council was formed, but by this time, also, the Burns Ditch harbor promotion was renewed. Low point for conservationists was in 1956 when Bethlehem Steel Co. acquired a large portion of the best of the dunes area, after a series of secret, political and financial deals. The proposed harbor was relocated to be between Bethlehem and Midwest Steel Companies in the dunes heartland.

The clash was then inevitable. Conservationists and harbor proponents and industrialists were on a collision course. The Army Engineers recommended federal funds for the harbor based on their economic feasibility studies. The value of the Indiana Dunes was dismissed with a few paragraphs and the dunes park proposals seemed dim. But as the Army Engineers usually unquestioned economic evaluation of the harbor in the form of a Benefit/Cost ratio began its moves through federal channels toward ultimate presentation to Congress, we managed to throw a little sand in the usually well-oiled gears. The Engineering Committee of the Save the Dunes Council, which I served as chairman, discovered that the Army Engineers' Benefit/Cost ratio was based on incorrect data, unrealistic projections, and erroneous assumptions. We managed to find an impartial forum with the U.S. Bureau of the Budget which had not yet approved the harbor project. The Budget Bureau launched its own economic evaluation which generally vindicated our criticisms. The Army Engineers, for the first time, beat a strategic retreat. We had stalled the harbor, but our dunes bill was also stalled in Congress, due to the opposition of most of the Indiana politicians.

In 1963, President Kennedy proposed a plan which included conditional approval of the harbor, and eliminated the Bethlehem Steel Company property from the Lakeshore boundaries. In return, the Indiana politicians agreed to support a National Lakeshore proposal of about 11,000 acres.

While this story deals primarily with the Bethlehem Steel landfill, rather than the harbor controversy, our experience offers its first lesson for you in your own battle to save America the Beautiful. To wit: When the Army Engineers sanctimoniously proclaim that their plan to dam up or channelize your favorite river valley is the "only feasible alternative" and that the Benefit/Cost ratio "proves" it—Don't you believe it! Demand the Army Engineers' back-up figures and have someone qualified analyze them.

At long last, in 1966, 50 years after that clarion call from Stephen Mather, Congress enacted H.R. 51, the Indiana Dunes National Lakeshore, to save what was left of that magnificent sweep of natural shoreline. It may have been late—but it was worth it. In the years to come, it will provide a measure of relief for the wage slave who must toil in the hot stinking, sprawling, polluted urban asphalt jungle nearby. That this semi-wilderness should survive while a steel and concrete wall was enveloping over half of Indiana's shoreline is, in itself, a miracle. The Izaak Walton League of America can be proud of its contribution toward establishing the Lakeshore under the aggressive leadership of Indiana Division President Tom Dustin and past President Roy Crockett. In the Congress, Senator Paul Douglas of Illinois, who had braved ridicule for eight long years to keep alive the Lakeshore proposal, had been joined by Indiana Senators Vance Hartke and Birch Bayh, under the terms of the 1963 Kennedy Administration compromise, Indiana Representative J. Edward Roush, sponsor of H.R. 51, Rep. Ray Madden, Rep. Morris Udall of Arizona and Rep. John Saylor of Pennsylvania worked mightily to pass the bill before the expiration of the 89th Congress. It was close, but the bill passed and was subsequently signed into law by President Johnson.

But the victory was clouded by a new specter. In 1967, the inspiring view along the wide sandy beach may be blotted out by an industrial landfill for Bethlehem Steel Company, projecting a half mile out into Lake Michigan, behind a rubble mound bulkhead, and topped by a 250 foot high complex of blast furnaces, basic oxygen furnaces, and gigantic lakefront scrap heap. It would jut out northward into the Lake between the east and west ends of the National Lakeshore, from the beach frontage of Bethlehem Steel property, which unfortunately was removed from the Lakeshore area. Compound the problem with inadequate and unenforced pollution control, and the horrendous result would be seen from every point along the Indiana shoreline.

Bethlehem Steel Company would thus acquire 333 acres of publicly owned offshore land for their own private use for a nominal fee to the State of Indiana of about $110 per acre. Onshore land is selling for over $10,000 per acre. Bethlehem already owns over 4000 acres of on-shore land, of which only about one-half would be used for steel making and finishing. The balance of the land could be sold or leased to captive steel users or fabricators. Thus, the taxpayer would supply part of the basic steel mill site from Lake Michigan, at a token remuneration, while Bethlehem speculates with their more expensively acquired on-shore land.

In 1962–63, Bethlehem unleashed its army of growling bulldozers and the center core of the dunes was stripped and leveled to make way for a finishing mill. This occurred while Congress was debating the Lakeshore bill and despite pleas from conservationists, congressional leaders, and Interior Secretary Stewart Udall. Until 1966, a stretch of high dunes remained on the Bethlehem property along the lake. The landfill filling in process permits Bethlehem Steel to get rid of these high dunes which the company and Indiana politicians have for years denied the very existence of. It also will provide a dumping ground for slag and other excess process waste when the "surplus" dunes are gone, as recently admitted by a Bethlehem Steel official at a public hearing. The landfill permit can be extended periodically and Bethlehem can continue to dump farther out into Lake Michigan.

Any projection into the lake at this point interrupts a littoral drift parallel to the shore which "washes" the beach to dissipate any build-up of the pollution which already exists in the water. A continuous erosion and replenishing of sand also occurs. The harbor breakwater and landfill would alter this natural process and result in beach erosion. Artificial remedial measures are costly. The Indiana Port Commission supposedly bears the financial responsibility, but no funds for the purpose have been authorized or appropriated. In fact, few people in Indiana know of the liability.

The landfill is not essential to the construction of the port Indiana is building on the lake between Bethlehem and Midwest Steel Companies. It is not essential to the steel mill expansion plans. Convenient to Bethlehem Steel Co., yes—but not essential. Filling in Lake Michigan for private use is not a "right" but a privilege supposedly granted only when in the overall public interest. Title to the offshore land is held by the State of Indiana. Long ago, the steel companies pushed through a law making it possible to acquire title to filled-in land after approval by state officials. Thus Inland Steel Company, located near the Indiana-Illinois line in the heart of a heavy industrial complex has built virtually its entire plant on a landfill. The Governor and the heads of several state agencies are theoretically the Guardians of the Public Interest. But, in practice, the political power of the steel companies has made state approval virtually automatic. This does not prevent the state and the steel companies from playing little games in jockeying back and forth for favors or concessions. The agreement which transferred part of Bethlehem's land to the Indiana Port Commission for the harbor construction contained an unpublicized clause which committed the Indiana Port Commission to use its influence to get approval of the landfill when, and if, Bethlehem wanted it. When the time came, Bethlehem put the arm on the Indiana Port Commission, which in turn "convinced" the Indiana politicians that the landfill was essential to the harbor.

We knew of Bethlehem's ultimate intent to fill out into the lake in 1963. But the permit from the state was granted without public hearings and without publicity. A permit was necessary from the Army Engineers next, and they almost managed to pull off the same stunt. While we were occupied with the frantic scramble to get H.R. 51 passed, an innocuous little notice was mailed out in June of 1966 by the Army Engineers as required by law. But no public hearings. We protested and asked for public hearings. There was no response. Then at a hastily called news conference, the Army Engineers announced the granting of the permit in August. When reporters pressed for the identities of objectors, it was claimed by the Army Engineers spokesman that "only a few" had protested. Left unmentioned at the time was the fact that the Department of the Interior had also objected.

In fact, the Army Engineers had completely ignored the Interior Departments request for public hearings before issuing the permit.

A few days later, a Chicago newspaper uncorked the fact that a key man, in approving the landfill for Bethlehem, had alternately worked for the Army Engineers, then for Bethlehem and back again for the Army Engineers. The resultant furor forced Army Secretary Stanley Resor to suspend the permit and hold public hearings.

The lid was off. No longer could Bethlehem hope to slip through the landfill permit quietly. Interior Secretary Udall prepared to send his top team to the hearings to oppose the landfill. Bethlehem called in its credit chits with the Indiana politicians. The hearings were a circus. Before a battery of television cameras and busloads of reporters a parade of politicians and port promoters claimed that Bethlehem's landfill was "essential" to the "public" port, or that it was part of the 1963 port—park compromise. I prepared and submitted testimony with sufficient documentation to prove otherwise. The Indiana Division of The Izaak Walton League opposed the landfill and cited the 1960 National Resolution establishing general principles opposing the bulkheading and filling in of shorelines.

Testifying on behalf of the Department of the Interior, Dr. Stanley Cain, Assistant Secretary for Fish, Wildlife and Parks, said:

". . . the Congress has declared it to be unlawful to build or fill in navigable waters of the United State unless the work has been recommended by the Chief of Engineers and the Secretary of the Army. But it does not follow that, in deciding whether to make a fill lawful, the Chief of Engineers and the Secretary of the Army are to concern themselves only with the negative aspect of whether the proposed activity will unreasonably obstruct navigation."

". . . it is the applicant (Bethlehem Steel Co.) who must establish that the public interest will be served by bestowing this privilege (the landfill)."

". . . we are concerned that Bethlehem's fill threatens the scenic, recreational, and natural values which justify the proposal for the Indiana Dunes National Lakeshore."

"The detrimental esthetic effects of a massive rubble mound breakwater, stretching 2,500 feet into the lake, ultimately topped off by an industrial complex, are not difficult to imagine."

"We believe that consideration by the Corps of Engineers and the Secretary of the Army should, in this case especially be viewed in terms of the broadest public interest. As we see it today, that public interest requires denial of the permit."

Other conservation groups and citizens objected to the landfill, but the facts of the issue no longer mattered. What mattered to the Army Engineers was that most of Indiana's political structure had endorsed the landfill. The fact that the reasons given for the endorsement were based on fiction rather than on fact, was ignored.

The Army engineers acknowledge that they have the responsibility and duty to reject a landfill project if it constitutes an obstruction to navigation. They have also acknowledged that their responsibility extends to small pleasure craft obstructions. The entire south end and especially the Indiana Dunes Shoreline of Lake Michigan is heavily used by small boats of every description. Small craft must stay close to shore because of notorious sudden storms and high winds which whip up heavy waves very suddenly.

Ultimately, Midwest Steel to the west of Bethlehem would also fill out into the lake and present a three mile frontage of bulkhead with the harbor entrance near the center. Any boat would have over a mile detour past the rubble mound breakwater before it could reach the safety of a sand beach or harbor entrance. Some small boat owners objected on the basis of landfill hazard to navigation. One of these was Harold Olin, now President of the Porter County Chapter of the League, who was shipwrecked recently when a sail boat of which he was a crew member was wrecked on a similar type bulkhead at the entrance to Michigan City harbor. His companion was drowned due to the fact that when he was washed overboard he was dashed against the bulkhead.

Several compromise proposals were offered, including one which I developed, which would have permitted a smaller landfill and effectively screened the industrial complex. There was never any comment by the Army Engineers nor consultations to investigate the merits of our proposals.

The Interior Department continued to ask for an opportunity to resolve the differences or arrive at a meaningful compromise. As late as October 12, 1966, Interior was still asking for conferences, stating that "The Interior Department is ready and anxious to provide that consultation here." Interior concluded with:

"As the record now stands, it is apparent that Bethlehem has not made a case of necessity; there is both a risk of pollution and a certainty of esthetic impairment; alternatives have not been considered, let alone shown to be infeasible."

Six days later the permit was reissued, after a few perfunctory sessions with Interior, and none with us. We found that *before* the October 12 deadline for filing final statements subsequent to the public hearing, the Army Engineers had their own "compromise" plan under discussion with Bethlehem and the Indiana Port Commission. It was not shown to us until after the reissuance of the permit. The concessions were so minimal as to be meaningless. The landfill was reduced from 333 acres to 300 acres. The east bulkhead of the landfill was made generally perpendicular to the shore and called for a row of trees. What kind of trees can hide 250 feet high blast furnaces?

Most revealing are the excuses being peddled by the Army Engineers for the approval of the landfill. A letter over the signature of Alfred B. Fitt, General Counsel of the Army, is being sent to those who have protested the landfill. It is a masterpiece of "managed news." For example, the danger of air and water pollution is dismissed because the landfill was approved by the Indiana Stream Pollution Control Board. Anyone familiar with the Indiana political situation would hardly except otherwise. No mention is made of the fact that the U.S. Public Health Service objections were *not* resolved. The letter claimed that "conferences were had with the Department of Interior." The Interior Department was stalled off from early July to October 11, a few days before the reissuance of the permit and *after* the Army Engineers had their plan in the works. What perfunctory conferences that were held were due only to the pressure of the press and public outrage. The real prizewinner in the letter is the excuse for contributing to the visual pollution of the Indiana Dunes National Lakeshore Mr. Fitt states:

"A power plant with typical smoke stacks and coal dumps lies between the national Lakeshore and the Bethlehem property." He neglected to mention that the Lakeshore is only 1800 feet from the landfill.

As ugly as the utility smokestack is, at least it was not on a landfill way out into the lake. But the shocking aspect is the type of mentality or lack of understanding of a smokestack justifies multiplying the ugly smokestack tenfold and stringing them out for all to see. Ugliness begets ugliness. One conservation loss is used to justify further losses.

There are two lessons for us here. First, we must realize that every encroachment upon natural resources will be used to justify further encroachments. Secondly, familiarize yourself with the status of the public projects in your area, and speak your piece loud and clear early in the game.

It also raises the issue of whether we are going to permit the Army Engineers to run roughshod over the agencies charged with protection of our natural resources.

A growing response of people when made aware of the Army Engineers presence in Civil Works projects is: Just what is the Army doing here anyway? Why aren't they out fighting the Viet Cong or Something? The Army Engineers were authorized in 1775, and in 1776 constructed the fortifications at West Point. The government provided surveys for canal and railroad routes and decreed that the navigable waters of the United States be kept free of obstructions and tolls. In the early days of the Republic, the military academy offered almost the only engineering training in the country. In 1820, the Rivers and Harbors Act selected the Army Engineers for design and construction of harbors and canals. Considering the conditions of the times, it was a wise choice. During peacetime, civil works projects authorized by Congress kept the Army Engineers alive.

There were many notable accomplishments including the Panama Canal. Besides design and construction, the economic value of a proposed project was calculated by the Corps of Engineers. Projections of future traffic trends were made and transportation costs calculated. The Transportation savings were estimated at a Benefit/Cost ratio established. Benefits were expanded to include water and power resources to justify construction of dams. A favorable Benefit/Cost ratio became the criteria used by Congress to authorize new projects. It wasn't long before Congressmen seeking to tap the pork barrel realized that the Army Engineers were the key to unlock vast millions of public dollars. On the other hand, the Corps of Engineers realized that Congress was the fountain that kept the Army Engineers busy, growing and creating more Colonels and Generals. Thus, the cooperative venture grew and grew. Judging from my own experiences and observations, it appears that success of a new project is dependent upon a policy level decision after reviewing the political scene. While required to respect the views of the "local interests", the Army Engineers interpret "local interests" as the key politicians, business and industrial interests.

The voice of the "people" and especially "conservationists" are tolerated but the stance of the politicians is most important. Unfortunately, as we all know, politicians are often more responsive to power plays within their state, and the Army Engineers end up by front running for the guys with the most clout. Intentional or not, that is the way it is. Once the decision is made to ultimately approve a project, the figures used in the Benefit/Cost ratio must be arranged to come up favorably. Figures don't lie, but liars can figure, and since estimates of the future cannot be verified until after the fact, an excuse is always handy. Still some of the errors are quite blatant, as I discovered in investigation of the Burns Waterway Harbor reports. I know of other projects similarly compromised, such as the Arkansas River project, Missouri River Project, and Lake Erie—Ohio River Canal Project. A book entitled, "Muddy Waters," by Professor Arthur Maass of Harvard University exposed many irregularities. But who reads exposes about engineers?

More and more of the contours of America were altered and buried in concrete, and today it is reported that the Chief of Engineers regards public hearings as an annoying delay before getting on with the business of reshaping nature.

But lately the pioneer philosophy of exploitation is being modified to allow for preservation, recognizing that "progress" has new dimensions, and seeking partnership, rather than destruction of nature. The problem is that such contemporary thinking has yet to penetrate the fossilized structure of determining a Benefit/Cost ratio. In 1962, Congress and President Kennedy sought to update the Army Engineers with Senate Document 97, which sets forth policies on the use and development of water resources, and thus determines the responsibility of the Army Engineers in such matters. It states:

"Well-being of all of the people shall be the overriding determinant in considering the best use of water and related land resources. Hardship and basic needs of particular groups within the general public shall be of concern, but care shall be taken to avoid resource use and development for the benefit of the few or the disadvantage of the many."

Senate Document 97 also required that there be protection of areas of unique natural beauty, historical and scientific interest, open space, green space and beaches.

In 1966, President Johnson directed the heads of federal agencies to plan their programs to enhance the natural beauty of America. In practice, the Army Engineers readily utilize outdoor recreation when it raises the Benefit/Cost ratio of a favored project. The Izaak Walton League supports the concept of outdoor recreation for public works projects, but sometimes, as with Glen Canyon, a more valuable resource is lost. In such cases of conflict with conservation values, the loss is duly noted, but does not lower the Benefit/Cost ratio.

Quite obviously, a reformation is needed, and fast!

Most of my criticism has been of the Army Engineers rather than the steel companies or the Indiana politicians. I have learned not to expect any concern over the public's interest from Bethlehem Steel Co. After all, here is a company which is admittedly in existence solely and exclusively to "make money." This is good, old *laissez faire* capitalism. As for the Indiana politicians—well I guess they are no different than the ones in your state. Some are dedicated and conscientious, and then there are the others. But as an architect and engineer myself, it was a painful experience to realize that the Army Engineers ignores the public interest at worst, or assumes the narrowest possible view at best.

In 1949, the Hoover Commission recommended removing all civil works functions from the Department of the Army to a new Department of Natural Resources, which hopefully would give proper consideration to conservation values. Congressional opposition prevented adoption of the plan. Recently, Dr. Stanley Cain, Assistant Secretary of the Interior, proposed that public works projects be required to carry the affirmative approval of the Interior Department as well as the Army Engineers and the Bureau of the Budget. While not foolproof, the plan provides an additional safety factor and I urge your support of it. In the meantime, maybe we can move the Army Engineers to reform their procedures—but don't hold your breath.

The practice of industrial landfills into Lake Michigan and other bodies of water, is a growing threat with serious consequences. Recently, in Illinois, U.S. Steel Corp. was allowed to fill in at its South Chicago mill site. If the trend in Indiana and Illinois continues, Wisconsin and Michigan may be forced to follow. The engineering problems can be overcome when the economics of the landfill procedure justified it. With a growing population and shortage of industrial sites near water, Lake Michigan could be reduced to a barge canal. The few shoreline parks would become untenable. The only solution is legislation, applicable to all Great Lakes States prohibiting landfills except for public use, and only if not detrimental to natural resources.

As for the landfill for Bethlehem Steel, I urge you to protest this monstrosity directly to President Johnson, and let him know that the excuses being offered by the Army Engineers are unacceptable. And I also hope you let Interior Secretary Udall know you support his opposition to the landfill.

As for my fellow dunes savers—I guess we still have a job to do.

THE UNITED STATES NEEDS DOCTRINE OF THE SEAS TO EXTEND BORDERS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, whenever a people or a nation stood at the gates of a new frontier, a doctrine or policy was needed for the establishment of order in that new frontier.

Today, the United States again faces a new frontier. It is the last great frontier on the face of the globe, the frontier of the seas.

As history has taught us, we need a doctrine and plan for the organized and systematic settlement of that frontier—beneath the seas.

Because we are tremendously closer to the realization of entering the frontier beneath the seas, I now urge that the United States take immediate steps in formulating our policy of the seas. We need a definite program now, if we are to realize the vast wealth that soon will be accessible to us.

There will be two concrete results from such a formulation of policy: First, the borders of the United States will be extended as our technology allows us to push farther and farther into the mysteries of the sea; and

Second, the people of science and industry in the United States who are investing time and money, and indeed their fortunes, in unlocking these mysteries, will be guaranteed by law that they will not have their work pirated by foreign intruders.

We are fortunate in that we have an already solid base in law to begin with.

I refer to the Geneva Convention of 1958, of which the United States is a signator. Before that time, there was a shadowy premise that a nation's right to explore beyond the Continental Shelf was limited.

In the 1958 convention, the definition of the Continental Shelf was spelled out and a provision of exploitation was included. I quote from that definition:

> The Continental Shelf is defined as the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of territorial sea, to a depth of 200 meters or, beyond that limit, to where the depth of the superadjacent waters admits to the exploitation of the natural resources of the said areas.

The key phrase is, "to where the depth of the superadjacent waters admits to the exploitation of the natural resources."

In layman's language, that means that the nation which is capable of exploitation, can extend its borders to the point of exploitation. And the sovereign borders of the nation are marked from the point of exploitation back to the mainland.

We are beginning to develop the technology that will allow us to mine the mineral wealth beneath the seas off our shores. Now is the time we should set forth our doctrine of the seas.

That doctrine, Mr. Speaker, should clearly spell out that we intend to extend our borders as far as possible into the seas; that we do not intend to halt our boundaries at the 3-mile limit or at the 12-mile territorial limit. We intend to move just as far into the sea as our technology will carry us, be it 10 miles or 50 miles or 150 miles.

If we fail to make our policy clear in regards to the seas now, we will suffer uncertainty when the time comes that other countries are also capable of mining the ocean resources off our own shores.

NATO AND THE INTERNATIONAL AZALEA FESTIVAL

Mr. HARDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. For 14 of the 18 years of the existence of the North Atlantic Treaty Organization, the city of Norfolk, home of NATO Headquarters, has recognized and honored the NATO countries with the International Azalea Festival. Each NATO country is represented at the festival by a lovely princess and by other officials, often including the ambassador. The festival runs for almost a full week and its functions are numerous and varied. One of the highlights is the joint civic club luncheon which is attended by all of the city's civic, political, business, and professional leaders.

Last Thursday I had the pleasure and privilege of presenting the Honorable Henry H. Fowler, our distinguished Secretary of the Treasury, who spoke at the civic club luncheon. His remarks were both pertinent and timely since they occurred so close to the anniversary of the signing of the NATO Treaty in April of 1949, and dealt with subjects of major current interest to the whole North Atlantic Community.

So that the entire membership of the House may have an opportunity to read Secretary Fowler's address, I am inserting it below:

Address by Hon. Henry H. Fowler

It is a great pleasure for me to have the opportunity to speak here at the headquarters of the NATO Atlantic Fleet. It is an official pleasure because NATO, while it is a key part of our international security, is something more than that. It also has important political and economic aspects in today's world, and I am officially deeply interested in the economic side of NATO.

Apart from this, it is a great personal pleasure for me to take part in this Azalea festival, and join you in honoring the charming young ladies who grace it. In connection with NATO, I feel that it is a most fortunate coincidence that the young lady who has been selected as Queen of the festival this year comes to our shores from Belgium—an ally small in territorial size—great in power—rich in wisdom—and courageous in time of adversity.

The military headquarters of NATO in Europe has moved this year to Belgium, as you know, and I feel that it is a happy quirk of history that here at the Atlantic Fleet Headquarters at this time we are honoring a lovely representative of the Belgian nation.

At the last NATO Ministerial meeting, Belgian Foreign Minister Harmel introduced a resolution, which has since become known as the Belgian Resolution, or the Belgian Initiative, to set up, within NATO, a high-level commission for the review and examination of the future course of NATO in view of changing conditions. This commission will be particularly concerned with political and economic aspects of the alliance. It will make a preliminary report to the Ministerial Meeting to be held in June, and will make its final report in December.

To conduct such a review is indeed a wise move at this point. For we are looking today at a NATO which is in process of change—and that change is a tribute to the vast economic and industrial advances which the nations of Europe have made since the end of World War II and the days of the Marshall Plan.

It is against this current, up-to-date backdrop that I would like today to take a look at NATO in the context of the Atlantic Community.

The Atlantic Community has come about for very good reason—principally the need for free men to band together for protection of their freedom. Many of the underlying factors which brought about the creation of NATO in the first place continue to grow apace—and despite the headlines, they coninue to knit our nations together.

Time and distance continue to shrink.

Businessmen and technicians continue to weave their intercontinental links. The jets are loaded these days with them coming from or going to another continent for some commercial or scientific purpose. The seats they do not occupy hold tourists bent on visiting countries other than their own for reasons of kinship, culture, scenery or sheer pleasure. The health of our economy is associated with the health of the economies on the other side of the ocean. And we know that commerce has become so international that one of my big problems as Secretary of the Treasury is to work out with finance officials of other nations improved international monetary arrangements to avoid restrictions on this commerce and facilitate the free flow of goods, tourists and capital.

There are countless and meaningful links of history, culture, religion and blood. And, of great significance, we share a history of parliamentary democracy. Ideas of government and of the freedom of man have flowed back and forth across the Atlantic. The colonial philosophers drew much of their inspiration and many of their ideas from the writings of ancient Greece and Rome as well as their continental and British contemporaries. Basically we share the same kind of economic and industrial organizations. We have stable and abundant economies, the kind which, if properly harnessed, could do much to dispel hunger and misery not only in our own countries but in the less developed areas of the world.

We are truly interdependent—militarily, economically and politically. We are a small world and we are becoming more so every day, despite those who would like to turn the clock back to a past when the nation-state was supreme. Never has the old cliche, "Time waits for no man" been more true than it is today. The clock has passed nationalist thinking.

The North Atlantic Alliance is designed to establish and maintain security for the region. The treaty signed on April 4, 1949, opened a new era in the diplomatic history of the United States, so different from our past history of aloofness and non-involvement that stretched back to our beginnings as a nation. May I add it was also a new era for Western Europe, marking the organization of the mutual security of that war-torn area on a basis far different from the haphazard, and often unsuccessful arrangements of the past.

In the military field, NATO is achieving its basic purpose. It has prevented any further Soviet encroachment in Europe. It has helped create an important by-product of greater reasonableness in Soviet policy toward the West.

It has achieved and, despite French military withdrawals, maintained an integrated planning and command staff and logistic structures. In short, if we are enjoying today a "thaw" in East-West relations, NATO is the peace insurance which helped bring it about—and this is no time to drop that insurance.

In the rightful current emphasis on making NATO "more than a military alliance" let us not forget that we would be worrying about other and more tragic problems if NATO had not been a successful defensive military shield behind which we could nourish our great prosperity and strengthen our institutions. No doubt we need some changes and modifications in the Fire Department we created eighteen years ago. That recognition of need for change should not suggest that we need a weaker Fire Department in a world where violence and force and the threat of force remain so sadly widespread in the world around us. Let me suggest that it is fitting and only fair that the allocation of the costs of the modernized Fire Department among those protected should be considered at the same time that the question of forces and other strictly military matters are considered.

I would like to turn briefly now to some of the economic and monetary aspects of NATO and the Atlantic Community which it serves.

All our eyes, these days are turned toward the Kennedy Round negotiations in Geneva. These negotiations are moving toward their late April-early May deadline. The United States cards are on the table. We want freer trade on a reciprocal basis. We hope that the barriers will continue to fall. And it would be tragic—and there would be grave repercussions—if the Kennedy Round were to fail.

To sustain this trade, we must also assure a financial viability for the Atlantic Community. And, in the context of NATO, an important step is being taken to assure this financial viability. Since last fall, a series of trilateral meetings have been held by the governments of Germany, Great Britain and the United States. One of the purposes of these meetings has been to find a fair solution to one element of the problem of assuring financial viability for the Alliance and the Community it serves.

These trilateral discussions came about partly because of Germany's expectation that in the coming year her purchases of military supplies from the U.S. and Britain will be substantially less than in the past. Prior to this, we had found a solution to the foreign exchange cost of stationing troops in Germany—where NATO needs them most—through these German purchases. These so-called "offset" purchases helped to offset the pressure on the U.S. balance of payments at the same time that they enabled Germany to satisfy equipment needs for its NATO commitments in the most efficient manner.

Now, as a matter of fairness, no ally, ideally, should suffer a balance of payments loss or receive a balance of payments gain as a result of participating in NATO. Just as the nations of this alliance work together to provide the men and the weapons which all of us must have for our safety—so should they cooperate in order to achieve fairness in the financial consequences which the need for these men and weapons bring about.

The system of advance agreement among the allies for purchase from each other of the arms they will need, in prescribed amounts—the "offset" concept—can be discontinued, so that each nation can decide what military procurement it wishes to make in the light of that country's obligation to the alliance. However, the allies should also find other ways to deal with the residual foreign exchange effects caused by the basing of military forces away from their native land.

In the tripartite talks which our government is conducting with Germany and Britain, our position is that decisions on the force levels each nation supplies should be made jointly, in NATO, and not unilaterally, and that they should be made on the basis of broad secuirty considerations. The talks were designed as a preliminary to the NATO force level talks to be held this spring. They are proceeding satisfactorily, and the three governments will very likely have recommendations for NATO prepared in a short time.

The tripartite talks could well constitute the takeoff point for longer-range arrangements. These should seek to remove the foreign exchange constraints which if left unsolved, will weaken the financial fabric on which our community depends.

Earlier I referred to the well established fact that during the eighteen years of the Alliance the economic and financial power of the Western European members has been greatly enhanced—not only by the atmosphere of relative peace and security that NATO has created, but by a developing fabric of international economic and financial cooperation. The monetary reserve position of Western Europe has expanded to provide financial strength to the individual countries and to the area. The United States, through its military expenditures in NATO, has made a clear and tangible contribution to the building up of the reserves which should be recognized.

The balance of payments adjustment process and new international monetary arrangements are vital to the maintenance of the Alliance and the Atlantic Community in a sound and balanced financial posture.

Today the U.S., after many years of balance of payments deficits and declining reserves, cannot, as it has in the past, supply reserves to the rest of the world without regard to its own reserve position. The supply of the traditional types of reserve assets—gold and the national reserve currencies—will fall far short of the demand for reserves in the years ahead. A situation can be foreseen in which countries will be able to increase their reserves only at the expense of losses by other countries—and a shrinkage of world reserves, just as has been the case in the most recent year, can occur unless a suitable plan for the creation of new reserves is agreed upon.

It is our hope, expectation and position that at the Annual Meeting of the International Monetary Fund in September of this year the Governors will approve the structure and major provisions of a specific plan. The political will to bring them about is up for the test in the forthcoming negotiations. We cannot permit the doubts of one or two to prevent the rest of us from doing what we know must be done.

What is it that we seek? We seek the assurance that when there is a need of reserves as an essential base for international finance in all its aspects this would not lead to retreat into stale and timid and destructive restrictions for want of means to make liquid reserves available.

We seek an open, competitive, fruitful world economy as the indispensable means that will permit us, and the rest of the world, to get on with the work of building a Greater Society of Nations.

We seek, in other words, the financial underpinning that will be necessary for the Atlantic Community to do its job in the world—in relation to itself, in relation to aiding the developing societies on toward the abundant life, in relation to maintaining and furthering the detente with the Soviet and its allies.

We seek, in short, to assure a better world at peace.

In playing your indispensable role in building this better world you here at Norfolk have our hopes, our thanks and our prayers.

NEW FEDERAL BUILDING AT JACKSONVILLE, FLA.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, next month a new Federal building will be dedicated and opened in downtown Jacksonville, Fla. This is a much-needed facility, which will house 31 Government agencies and 1,600 employees, and will save the taxpayers almost $500,000 in annual rental fees. The new building is a wonderful thing for Jacksonville and the Third Congressional District of Florida. However, it has been constructed in a very crowded area of the city and this fact has brought about a very difficult situation.

There has been no adequate planning for employee and visitor parking for the new building. When the Jacksonville Federal Building was initially authorized, the Government policy was not to provide for sufficient employee and visitor parking. In recent years that policy has been changed as to new buildings, but the change was too late for the Jacksonville project.

The General Services Administration has provided 131 parking spaces for Government-owned vehicles and 50 spaces for patrons of the building, which is totally inadequate for the area, which has an overabundance of buildings and the few parking lots in the vicinity are now taxed to capacity.

I have been contacted by many employees of the Federal Government in Jacksonville who will be moving into the new building and the parking committee of the downtown council. They are concerned about this lack of planning for parking. In an effort to solve this problem I have had lengthy conversations and meetings with the GSA at the highest level. The GSA has made a survey of the parking situation near the building, and has come to the conclusion that more parking is needed. But no funds have been requested to provide adequate parking.

Mr. Speaker, I have introduced two bills which will bring about a speedy solution to the parking problem for the new Jacksonville Federal Building and also provide for broadened GSA authority to solve construction and alteration problems in public buildings similar to the parking problem in Jacksonville.

H.R. 9057 authorizes the GSA Administrator to construct, operate, and maintain a parking facility in Jacksonville, Fla.

H.R. 9056 provides for financing the construction and alteration of public buildings by enlargement of the activities encompassed in the present GSA buildings management fund and to redesignate the fund as the "Federal Buildings Fund." It will give a sound solution for parking problems at Federal buildings on a nationwide basis.

I have requested departmental reports and early hearings on the legislation. I am hopeful for fast action to help alleviate the critical parking situation at the new Jacksonville Federal Building.

Copies of the two bills follow:

H.R. 9056

A bill to provide for financing the construction of public buildings, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 1(1) of the Act of July 12, 1952, 66 Stat. 593, as amended (40 U.S.C. 490(f)), is amended to read as follows:

"(f)(1) There is hereby authorized to be established by the Secretary of the Treasury, a Federal buildings fund. Such fund shall be composed of (A) the assets of the buildings management fund (including any surplus therein) created by section 1(1) of the Act of July 12, 1952, 66 Stat. 593, as amended, and the fund shall assume all the liabilities, obligations, and commitments of the said buildings management fund; (B) the funds appropriated to General Services Administration under the headings 'Operating expenses, public buildings service'; 'Repair and improvement of public buildings'; 'Construction, public buildings projects'; 'Sites and expenses, public buildings projects'; 'Payments, public buildings purchase contracts'; 'Additional court facilities'; and 'Expenses, United States court facilities', in the Independent Offices Appropriation Act, 1968, and any unexpended balances of prior year appropriations under these headings; and (C) the estimated fair market value as determined by the Administrator of Government-owned buildings or facilities carried in the active inventory of General Services Administration.

"(2) The Federal buildings fund shall be available without fiscal year limitation for use by or under the direction and control of the Administrator (A) for the acquisition by purchase or otherwise of real estate and interests therein, (B) for the construction, including supervision, of public buildings, including fallout shelters, and equipment for such buildings, (C) for the alteration of public buildings and other Federal buildings, (D) for the maintenance, operation, and protection of public buildings and sites, and services related thereto, including demolition and improvement with respect to public buildings sites authorized to be leased pursuant to section 210(a) of this Act, (E) for all necessary preliminary planning, (F) for the rental of space in buildings in the District of Columbia and elsewhere and services related thereto, including restoration of leased premises, (G) for moving Government agencies (including space adjustments) in connection with the assignment, alteration, and transfer of building space, (H) for contractual services incident to cleaning or servicing buildings and moving, (I) for the provision of such fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to title 18, U.S.C. 3056, (J) for space assignment and utilization activities, (K) for the payment of principal, interest, taxes, and any other obligations under contracts entered into pursuant to the Public Buildings Purchase Contract Act of 1954 (40 U.S.C. 356), (L) for the operation of Federal parking facilities and parking areas, including the establishment of rules and regulations governing the same, and the outleasing of the facilities and areas for operation, (M) for the provision, directly or indirectly, of additional space, facilities and courtrooms for the judiciary, including alteration, expansion and extension of Government-owned buildings and acquisition of additions to sites of such buildings; rents; furniture, furnishings, and equipment; repair and alteration of rented space; preliminary planning; preparation of drawings and specifications by contract or otherwise; and administrative expenses, and (N) for all expenses, including personal services and administrative operations, of real property management and related activities.

"(3) The fund shall be credited with (1) advances, reimbursements, and payments, including payments in the nature of rental equivalents for Government-owned or leased office, storage, and related space and fees for parking, from available appropriations and funds of any agency, including General Services Administration, Federal employee, private person, or organization for which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator, and provided for in regulations issued by him, on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and where applicable, provision for public liability and damage claims, and depreciation), and (2) all other reimbursements, and refunds or recoverings resulting from operations of the fund, including the net proceeds of disposal of excess or surplus real and personal property and receipts from carriers and others for loss of, or damage to property.

"(4) No funds appropriated to any Federal agency and transferred to General Services Administration for deposit in the Federal buildings fund shall be used for the acquisition or construction of public buildings involving an expenditure in excess of $500,000 unless such acquisition or construction has been authorized by the Congress: *Provided,* That this requirement shall not apply to any project heretofore or hereafter approved in the manner provided for in the Public Buildings Act of 1959, as amended.

"(5) As used in this subsection—

"(A) the term 'public buildings' means any building, whether for single or multitenant occupancy, its grounds, approaches, and appurtenances, which is generally suitable for office, storage, or related uses by one or more Federal agencies or mixed ownership corporations, and shall include: (i) Federal office buildings, (ii) post offices, (iii) customhouses, (iv) courthouses, (v) appraisers stores, (vi) border inspection facilities, (vii) warehouses, (viii) record centers, (ix) relocation facilities, (x) Federal parking facilities and parking areas, and (xi) similar Federal facilities, and (xii) any other buildings or construction projects the inclusion of which the President may deem, from time to time hereafter, to be justified in the public interest; but shall not include any such buildings and construction projects: (a) on the public domain (including that reserved for national forests and other purposes), (b) on properties of the United States in foreign countries, (c) on Indian and native Eskimo properties held in trust by the United States, (d) on lands used in connection with Federal programs for agricultural, recreational, and conservation purposes, including research in connection therewith, (e) on or used in connection with river, harbor, flood control, reclamation or power projects, or for chemical manufacturing or developing projects, or for nuclear production, research, or development projects, (f) on or used in connection with housing and residential projects, (g) on military installations (including any fort, camp, post, naval training station, airfield, proving ground, military supply depot, military school, or any similar facility of the Department of Defense), (h) on Veterans' Administration installations used for hospital or domiciliary purposes, and (i) the exclusion of which the President may deem, from time to time hereafter, to be justified in the public interest;

"(B) the term 'acquisition' includes purchases, condemnation, donation, exchange, devise, or procurement by any other means or method of real estate or interests therein including leasing;

"(C) the term 'construction' includes site acquisition, preparation by contract or otherwise of architectural and engineering designs, plans, working drawings, specifications, the building of new public buildings, and the related services and procedures incident thereto;

"(D) the term 'alteration' includes the repairing, remodeling, improving, extending, or other changes or modifications in or of public buildings, acquisition of site additions, preparation by contract or otherwise of architectural and engineering designs, plans, specifications, and working drawings and the related services and procedures incident thereto, but excludes rearrangement of space, or relocation of equipment which does not increase building capacity or improve its quality, usually made to accommodate a special agency operation or to permit the most efficient use of space and facilities;

"(E) the term 'Federal parking facilities' means any single, multilevel, underground, or other structure or parking lot that has been acquired or constructed pursuant to the authority contained in this subsection for the express purpose of providing off-street parking for official vehicles owned by Federal agencies, vehicles of the government of the District of Columbia, vehicles of visitors on official business to public buildings, and privately owned vehicles of employees of Federal agencies and the District of Columbia:

"(F) the term 'parking area' means those grounds, areas, courtyards, or spaces within, adjacent to, around, near, or beneath buildings occupied either by Federal agencies or by the government of the District of Columbia or any site owned or leased by the Federal Government suitable for parking that are specifically identified and designated by the Administrator for use for off-street parking for official vehicles owned by Federal agencies, vehicles of the government of the District of Columbia, vehicles of visitors on official business to public buildings, and privately owned vehicles of employees of Federal agencies and the District of Columbia; and

"(G) the phrase 'preliminary planning' includes economic investigations, cost estimates, studies, surveys, architectural concept sketches and line drawings, engineering services, site investigations, and related similar services required incident thereto and otherwise necessary to carry out the responsibilities vested by this subsection."

H.R. 9057

A bill to authorize the Administrator of General Services to construct, operate, and maintain a parking facility in Jacksonville, Florida

Be is enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is authorized to acquire by purchase, condemnation, donation, exchange, or otherwise such real property or interests therein as may be necessary for the construction, operation, and maintenance of a parking facility at Jacksonville, Florida, and he is authorized to construct, operate, and maintain such facility. Such parking facility shall be located in the vicinity of the recently completed Federal building in Jacksonville, Florida, and shall provide suitable parking space for officers and employees of the Federal Government who are employed in such building and for members of the public visiting such building.

A GREAT NEED FOR THE OLD-FASHIONED, PATRIOTIC SPIRIT OF AMERICA

The **SPEAKER** pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from New Jersey [Mr. SANDMAN] is recognized for 5 minutes.

Mr. **SANDMAN**. Mr. Speaker, on Sunday, last, I had the privilege of dedicating the freedom shrine at St. Augustine's Academy in New Jersey. Inside the shrine are displayed 28 documents most responsible for American freedom today. These documents are made available through the splendid work of the Exchange Clubs, bringing to the attention of the people the great need for a more patriotic public. It would be most appropriate if all other service clubs followed suit.

Recent events, more particularly the demonstrations held in New York City on the weekend of April 14, where 100 draftees burned their draft cards in public and made other rash antiwar demonstrations, point to a growing threat to our national security. The greatest single need, as I see it today, is the need for a more patriotic public. As the days and weeks pass more and more such deplorable incidents are happening, even to the point of burning the American flag in public. All of these acts are completely out of context with American history. For example, large crowds of demonstrators that witness and do such things would certainly have nothing in common if in the same parade they followed the Marine Band. The only thing that these people are doing is giving the enemy some reason to believe that there is dissension within our country that might force the withdrawal of our troops from Vietnam. The net result of it prolongs the war there.

Never before in American history has there been a greater need for the old-fashioned patriotic spirit that welded the Colonies over a period of years into the most powerful nation in the world. I have always been a firm believer in the right of public assembly and freedom of speech. Constitution guarantees along this line must forever be preserved. Every person, of course, has the right to disagree. However, in the interest of national security it seems to me that every person by virtue of this citizenship, with all of the advantages that brings to him, has an obligation to respect this Government and to obey its laws.

Burning the American flag in public is a most disrespectful act. Draft card burning is a violation of a very strong Federal statute which according to Public Law 89–152, can impose upon the offender a prison term of not more than 5 years or a fine of $10,000 or both. From the best information available to me, not one of the 100 draft-card burners in New York City on the weekend of April 14 was apprehended or arrested. In this connection I feel that the Congress should call upon the Justice Department to enforce the law.

There is no question in my mind that the laws affecting the draft have to be changed. They are antiquated, inadequate, and unfair and I am confident that this Congress will change the draft laws. But until the day that those laws are changed, every citizen has the obligation to obey the law of the land. If our Government is to survive, we cannot select the laws we will obey.

The argument as to whether or not we should be in Vietnam is now a moot question. The important issue for the American public to address itself to is that we are involved there. It has grown to be a very expensive conflict at the cost of thousands of American lives. Our great problem is, How do we draw this war to an end? How can we reach an honorable conclusion at the earliest possible date with the least amount of toll of American blood? It is my position that political differences insofar as the war is concerned must be forgotten. The President is the Commander in Chief of our Armed Forces. He has available to him the most up-to-date information and the counsel of the best military minds. The great decisions that must be made in the conduct of this conflict on a day-to-day basis are properly in the hands of the President of the United States and not those who spout off from time to time, and who for the most part are only trying to become President themselves.

I have often thought that it may be possible to do away with the draft, if confidence can be restored in our Government and its leadership. I am confident this can be done when the people of this country realize that the great decisions made in Vietnam have a profound effect upon everybody's freedom. The American flag is our symbol of freedom itself, our national anthem is our inspiration and when played by any of the great service bands, it should make every American's chest swell with pride.

IMMIGRATION HEARINGS

Mr. **FEIGHAN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **FEIGHAN**. Mr. Speaker, tomorrow, Wednesday, April 26, will mark the second day of hearings to be conducted by the House Judiciary Committee, Subcommittee on Immigration and Nationality, on the immigration aspects of the mutual educational and cultural exchange program. This session will begin at 10 a.m. in room 2237, Rayburn House Office Building, and we will hear testimony from officials of the American Medical Association and the American Nurses' Association.

Last Wednesday, April 19, 1967, we heard testimony from the Associate Commissioner, Operations, Immigration and Naturalization Service, Mario T. Noto, and from whom we received much useful information, including a very comprehensive series of tables containing a breakdown of the statistics concerning the admission of exchange visitors by country of birth and by occupation for fiscal years 1962 through 1966. Of the 159,371 exchange visitors admitted during this time, 84,568 were professional, technical, and kindred workers; 55,447 were students; and the balance of 19,356 included managers, service, and clerical workers, and other classifications.

Of particular significance for tomorrow's hearing is the fact that of the 84,568 professionals admitted under exchange programs during this period, the two largest single classifications involved 21,655 physicians and surgeons and 8,562 professional and student nurses. This means that almost one-third of the nonstudent exchange visitors admitted were concerned with the medical and allied fields. In addition, information provided showed that during the fiscal years 1963 through 1966, almost one-half of the 2,863 applications for waiver of the 2-year foreign residency requirement which were granted were granted to physicians, surgeons, and nurses.

Thus, it is apparent that the medical and allied fields are playing a significant part in all aspects of the exchange program, and a part which is a vital interest to all in view of the fact that the whole world, not just the United States, is facing ever-increasing shortages of such trained, qualified personnel. It is our hope that the testimony to be received tomorrow will provide further useful information for our review of the immigration aspects of these programs.

INTERNATIONAL TRADE

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT] is recognized for 60 minutes.

Mr. DENT. Mr. Speaker, I take this time today to try to call the attention of the House to what I consider to be an impending crisis in the matter of international trade and its effects upon the American economy and its threat to world relationships and to the need at this time for a reevaluation of our trade policies both here and abroad.

As chairman of the general Subcommittee on Labor, I have the responsibility of keeping track of the impact of the minimum wage law and all fair labor standards practices.

During the hearings over the past 3 years on this legislation, many of the industries have protested against the enactment of the recent fair labor standards law setting up $1.60 by 1968.

It was not so much that they opposed a general increase in minimum wages for the American economy as such. What they opposed was the enactment of this legislation without consideration of the impact on labor-intensified industries by imports from abroad where there are few if any regulations—at least very, very few—that affect the cost of production.

So during this session, I have introduced bills H.R. 478 and H.R. 479 as amendments to the Fair Labor Standards Act and we are now holding hearings so that if these bills are passed by the Congress and enacted into law, we will then have a directive to the Secretary of Labor and to the President of the United States that upon petition by any industry or any representative of an industry or any labor organization or representative of labor, or any community group, a direct inquiry must be made into any subject matter relating to the effect of imports upon industry, employment, and the local community.

For too many years we have discussed the matter of trade relationship to the impact on employment and upon the economics of industry; finally we have come to realize that probably the most important aspect of an adverse impact as a result of imports is upon the community itself. This Congress with my vote has tried to pass legislation aimed at relieving communities of the awesome burden of trying to rehabilitate themselves.

I live in the region known as Appalachia. We have spent, and intend to spend, billions of dollars in that 11-State area in an effort to bring that region back into the group of States as a full-fledged earning and paying member of the fraternity.

During our hearings I was astounded to learn that the greatest adverse impact of imports is upon that very region which the Congress is spending billions of dollars to rehabilitate. Because of the nature of the region, the labor-intensified industries reside there and it is in the labor-intensified industries that the impact is felt the hardest.

We had testimony after testimony to the effect that if the Kennedy round succeeds in what it started out to do, we will set this area back at least another 40 or 50 years, and backward it cannot go. We have volumes of testimony from the largest to the smallest industries in this Nation to the effect that the impact of imports is not recognized or even considered by the departments of Government charged with looking after the economic welfare of this Nation.

What has happened has been a slow but sure progress in the direction of economic oblivion for this Nation. I make that statement because in my 10 years of active study of this problem, I have watched a very direct attack made upon the American market by the exporting nations. Trade agreements are no longer consummated in the interests of the economy of the Nation or even considering the economics of the trading nations, although that appears to be the main reason and the main issue at stake in the trade agreements.

In reality what we have done is to create a situation where we are using trade negotiations as a weapon in international diplomacy. Even an 8-year-old boy knows that you cannot blend successfully the exact science of economics with the inexact science of the will-o'-the-wisp of foreign relations, for that which appears to be solid with foundation today in international trade can be blown away by the passing of an individual from the political scene in a nation, or by a temporary bad wind that blows over the economy of a nation.

To prove that we are dealing entirely in an area of insecurity in the matter of trade, and without any line of action or any predetermined plan which deals with all problems, at least from a standard base, I should like to point out that recently there was a large order—and for reasons of not embarrassing the company that participated in the deal I shall not mention it by name—for a great amount of steel to be used in the erection of a transmission line and other appurtenances in a large extension of a public utilities complex.

This power entity had some problems with delivery of American-purchased steel, so they put in an order with an Italian supplier. In this case, price was of no mention, because the prices were comparable, but it was a question of delivery. We had allowed ourselves to get into a position on this type of steel where we could not produce the required steel for an extension of an individual power company, so they had to order steel from a foreign source in order to extend this power company's complex. Immediately the manufacturers in the United States who fabricate this particular type of steel protested. Being caught in a position of being pressured by someone with political influence and baggage behind him, suddenly we get an order stopping the shipment of this steel to the United States, placing an embargo on it, on a pretext that the Italians had raised some kind of tariff barrier on some other article of export from the United States.

Those of us who live in an area where industries have been depressed, and in some particular instances decapitated, have been protesting this kind of action for 25 years, but the little people who were protesting did not have the baggage behind them politically that the big steel industry has, so their cries of woe and anguish have gone unnoticed. But the day has come, as has been prophesied many, many times on this floor—as it has been predicted the day would come—when the mightiest have come asking for relief. So today we have the steel industry protesting that they cannot survive in the so-called world of free trade.

While the steel industry overseas was unable to produce beyond their own needs or even up to their own requirements, the steel industry here stood aloof from the glass workers, from the ceramic workers, from the little mushroom growers in southeastern Pennsylvania, from the button makers—who have all but gone out of business—from the glove manufacturers in this United States, from all of these little people who were, in the old strategy of war, separated and destroyed one by one.

But now steel has reached a position where foreign countries not only can make all they need, but if given a few more years they can make all we need—and I guarantee this, if we do not change the law, they will sell all we need within this country. If the Members of this House do not believe that, they should ask the makers of fine china where in the United States they can sell and how much they can sell of their product in the United States. Ask a hardwood plywood manufacturer how much hardwood plywood he can sell in the United States. Ask the shoe manufacturers how many shoes they can sell in the United States.

Lo and behold, we have now come to a position where every second man in the United States who wears a worsted suit is wearing a suit made from imported cloth. That is every second man in the United States, gentlemen.

If tomorrow we stop the import of stainless steel tableware, we would have to start eating with our fingers until we build some plants so that we can produce a sufficiency for our demands. Some say these things are unimportant—they are unimportant to those who are not bit by unemployment of long duration, such as some of us who come from the Appalachia region.

But the serious thing before us is that we refuse to reevaluate a philosophy of trade which is as dead as yesterday's dodo bird. We are talking about going to the moon. We are talking about spaceships. And we are dealing in a trade philosophy that is more than 300 years old. We are talking about a philosophy that is based upon selling to another nation the goods it needs that it cannot produce and buying from that nation the goods we need that we cannot produce. Do we not all know that everybody can produce everything today?

Hong Kong, compared to the United States, is like a speck on a map of Pennsylvania, and yet it is producing for this great Nation of ours a great portion of electronics parts and devices we use.

I visited a plant there—on a junket, incidentally, on one of the junkets which the newspapermen say is a waste of money. God willing, and if I am permitted by the Congress to do so, I will take every junket I have time to take, because it is only by so doing that I was able to learn that another element has entered into this phase of trade, about which I am disturbed.

I refer to the element of American runaway industry.

I visited a plant in Hong Kong, which has thousands of employees, where every pound of production is shipped back to the United States, to its parent company, the Fairchild Camera Corp. The employees in that plant earn the magnificent sum of from $30 to $40 a month. They work 6 days a week. There is no minimum wage law, no social security, no hospitalization, no maximum hour law, and child labor law.

When I asked about the kids, about so high, working in the plant, I was told, "Well, they grow small here." We grow small in this country, too, but if they let us alone long enough we grow up.

I asked the manager of this plant how he felt about this kind of an operation. I say this for the record, and I had witnesses, because there were a few more courageous Members of Congress who did not believe it was a bad thing to junket to find out what was going on in the world. They were present. The manager made the astounding statement that by so doing he was helping the American economy. I asked, "How on God's earth are you helping the American economy?" He said, "Well, if we did not have this plant here making these products to ship to the United States the Japanese would be shipping them in, so we are helping the American economy because we are able to create income for our company which in turn is taxed by the Federal Government."

I said to him, "You remind me of the man who once said, 'Hit me on the head with a sledge hammer,' and the fellow said to him, 'Why?' And he replied, 'It will feel so darned good when you stop.'"

The answer is not to send our industry and our jobs outside the country to produce for the American economy. The answer is to put some kind of a restraint upon the production coming in.

Under what kind of logic can a nation with fewer than 100 million people within it expect to be the provider of manufactured consumer goods for the whole world?

We have seen nations break away in our generation from political colonialism only to become a part of a grander scheme of economic colonialism.

However, in this new kind of a twist we find a very strange phenomenon taking place. In the old days of so-called political colonialism the large countries held the small countries in the grasp of their hands, but in the industrial colonialism we find the small countries holding the big countries in their hands. If this is let go without change by this Congress this year, when the reciprocal trade agreement comes before this House I will repeat a prediction I made on this floor in 1962, which has been borne out to the letter, and say to you that given 5 more years I will not have to come here and talk about it. The people will speak at the polls. We can ignore it by using a philosophical argument that if we trade with one another we will not be shooting one another. Where do you think they get the bullets to shoot with? Did you see the statement that came out of Peking the other day about their new program of sanctions and retribution against their enemies where they said they exempt those that they are in trade with? They forgive any kind of action or reaction against them by a nation if it will trade with them. Did you see where our friends the Canadians, whom we just recently made a very excellent free trade deal with—and I challenge anybody in this room to go in and buy a Canadian auto product today and tell me whether it was made in Canada or the United States—you tell me where it was made when you buy it. The automobile worker may not protest, as I understand they are a free trade organization and are oriented that way. The thing I cannot understand, though, is how an automobile worker, working for well over $3 an hour minimum, can justify the demand that he be permitted to buy Hong Kong-made shirts because they are cheaper and therefore reduce his cost of living when these shirts are made by Hong Kong workers at 15 cents an hour or less, when, by all of the standards, he can never possibly sell any product he makes at $3 an hour to the Hong Kong worker.

The second part that astounds me is how can he expect an unemployed shirtmaker in the United States, who normally earns $1.95 to $2.25 an hour, who is put out of a job by the Hong Kong shirtmaker—how he can expect this unemployed shirtmaker to buy his car. We have come a long way in this country. There have been many reasons given by many persons for it, one reason advanced is free trade. I suppose up to the time I came to the Congress I, too, believed and I might confess at this moment I was a militant believer in free trade. Oh, I had read all of the books and I believed the way people ought to get along was to trade with each other. But how do you trade with nations who are masters of deceit? We are practicing in our international trade today international thievery. You would put some of these international traders in jail for being outlaws or brigands or horse thieves or whatever name you want to give them if they practiced in the United States the same kind of trade practices that they practice in international trade.

Last week we held a hearing on work gloves and the work glove manufacturers from down South came in and they laid before our committee work gloves developed for American industry by research conducted by American glove producers. They laid alongside of their work gloves, gloves shipped in from Japan which were exactly identical except in price. Now, the American consumer might think he is going to get an advantage pricewise by opening this area up for unrestricted trade. But you know how long he is going to get the price benefit? Only up until the moment when he destroys the American competitor.

Do you want proof? Then, I shall give it to you.

Mr. Speaker, my wife and I indulge in a little luxury upon occasion. We like to go fishing. Upon occasion I am not a very good navigator. So, we bought a Zenith transistor radio which contains a beam finder on it. So long as one follows the beep, one is going to go somewhere, and that is better than going nowhere.

So, Mr. Speaker, 3 months later the batteries wore out in this beep-producing apparatus. I had to take it apart. This is a Zenith, mind you, an American manufacturer's name contained thereon of high honor, a manufacturer whose products one can see every day on the TV, bragging about the fact that they are the representatives of custom-tooled handicraft. Well, Mr. Speaker, permit me to read to the Members of this body what they say. They say, "The quality goes in before the name goes on."

Mr. Speaker, I am sure, however, that somewhere along the line they must have forgotten that motto with reference to this particular product. I say this because it was not cheap, mind you. It cost $100. The same, identical article made by the Japanese for the American market under the Japanese name, would have been bought a few years ago for about $19. However, the Japanese model is no longer on the market. I shall tell you why. When I undertook to place new batteries in this Zenith, I found out, upon investigation, that it was made in Japan, and that is the procedure by which American companies peddle their name and reputation on imported products.

Mr. Speaker, I might say that even a "stupid" American could understand that once we eliminate the competition, prices increase. That is the history of trade, international trade, national trade or otherwise. The history of trade is that you wipe out the competition and you undertake to make the market carry as much as the market is able to bear.

Mr. Speaker, upon an earlier occasion I read the views of a gentleman, I believe, from the great State of Louisiana—I forget the name of the gentleman—who fought chain stores. That gentleman said, "Yes; you are selling much cheaper than the corner grocery store can afford to sell. However, if you eliminate the corner grocery store, you will pay more for the same product."

Mr. Speaker, I am beginning to learn that that is true.

Mr. Speaker, in the old days when one wished to purchase a dollar's worth of ham, you received a dollar's worth of ham and not 30 cents worth of promotion, packaging, stamps, and hokum.

Mr. Speaker, we are not doing anything in the United States in our pursuit of trade except working ourselves into a position from which we can never recover, if we continue to follow our present policies.

Mr. Speaker, I have before me statements in support of this charge, statements by men who made no such statements a few years ago and who took no part in the fight when the few "lonely hearts" were up here bleeding for the little fellow, who had no voice.

Mr. Speaker, I can show to the satisfaction at least of myself, and to any other person with an open mind, evidence as a result of the testimony taken before the subcommittee which it is my honor to chair to this effect: There is evidence as to the numbers of jobs lost in industry and backup employment, as a result of the trade balances of last year alone which would wipe out unemployment in the United States.

Mr. Speaker, I am speaking of supporting jobs in the steel industry. I am speaking about direct jobs. I am talking about related and supporting jobs which are necessary in the work force behind every primary production job.

Mr. Speaker, I say this because one will find that for every primary producing worker in the United States, it takes better than two workers behind him.

This means that for every job you lose over a direct import of a production job product you lose three jobs in the American economy.

The steel industry alone last year lost 70,000 jobs directly, and they say, unless we make changes by 1970 it will be 150,000 jobs.

Those 70,000 jobs in western Pennsylvania and in eastern Pennsylvania in our two steel centers would wipe out all of the steel unemployment in the State of Pennsylvania.

I remember when we had 42 distinct and different flat glass producers in the United States, and we are down to four. The recent order of the President on flat glass can well spell the death of the remaining four. Maybe not—and this is where you must understand under the so-called broad term of diversification we have allowed industries that produced in the main a certain product, for instance, glass, to go into other areas of production like radios and televisions and chemical products of all kinds.

Now, when their balance sheet comes out, and they make their report to their stockholders, they show a pretty fine report of profit, but they do so because they have an export, as it were, of the other products. But the glassworkers have lost their jobs.

I do not believe—and I repeat—I do not believe that anywhere in the Constitution the President, the Secretary of State, the Secretary of Labor, the Tariff Commission, or the Congress of the United States was ever given power to designate who was to eat and who was to starve at the employment table in the United States.

Who is to say that a glassworker's job was to be sacrificed in order that a cottonpicker could work down South? Who was to say that this industry was expendable, and that this other industry was to be protected? If you do not believe there are protected industries in the United States, then just look over the tariff schedules. We say that we believe in free trade, except where it pinches our personal welfare.

I know Members of Congress who have—who have ridiculed my position on trade. They have said I am a fanatic. Well, there have been a lot of fanatics who have gone across the pages of history. So, being a fanatic, if it is a cause in which you believe and which you believe to be just, I guess it is not too bad a thing to be called. They have called me a protectionist; indeed I am. I believe if it is American it is worth protecting.

I made the statement to these Members many times that I found that if you scratch a free trader with a loss of jobs in his district he will bleed just like a protectionist. And now we find that all of the steel industry Representatives in Congress are starting to bleed just like I am. Their blood is starting to run. I hope they demonstrate how they feel before their blood congeals and the vote comes up on the tariff bill.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. DENT. I would not mind yielding to the gentleman, but I do owe it to my good friend from West Virginia to yield to him, inasmuch as he has been trying to attract my attention.

Mr. MOORE. May I say to the gentleman I appreciate very much his very penetrating analysis of the trade problem in the country. He has used as an example the problem we have in this country as to the flat glass industry.

I would like to have him share with us, if he will, the difficulty which this particular industry has had as a direct result of the relief which it obtained by following the procedures enumerated in the trade bill in which the Tariff Commission gives it certain relief because they felt that as a domestic industry it was jeopardized only to wake up and find that the nations that had the American marketplace were threatening all sorts of retaliation in other forms in other marketplaces, and substantially were usurping the rights of the Congress of the United States to legislate what should be the national policy of this country.

Am I not correct in that?

Mr. DENT. The gentleman is absolutely correct.

The President of the United States, the late lamented John F. Kennedy, when faced with a practical political situation in 1962, in which he needed votes on this floor to pass the 5-year trade bill known as the Kennedy round approach, made a concession to those of us from the glass industry area, that he would ask for an increase in glass tariffs. The industry at that time was promised, and I make no bones about it, because the record will show it, that there would be no reduction in those tariffs so long as he was President of the United States, and at that time, the industry had every reason to believe that it would be about 8 years.

So the industry went out and spent millions of dollars. In my own district alone they spent $3 million to rehabilitate their plants in my county, and two in my congressional district, two of the largest producers of flat glass—window glass—in the country.

Lo and behold, that President of the United States has departed, and a new President has taken office. The same old Tariff Commission crowd who have never given up because it was against the recommendation of the Tariff Commission that the President put higher tariffs into effect—kept pushing for a reduction in glass tariffs. When John Kennedy looked into the matter seriously, the glass industry was asking for a reasonable rate of increase on tariffs—just a little bit of a hike to help them out. But when he looked into the matter, to his everlasting credit, let it be said, he said, "That will do no good. I doubt even what I intend to ask for will do any good. But I am going to ask for"—and he received—"a new tariff"—which was higher than the tariff on glass was during the Smoot-Hawley tariff days—the old scapegoat for the great depression.

Any sane, reasonable person who looks into the tariff question cannot help but go back into history and find that in every successive action starting back in the days of the first Clay compromise to the second Clay compromise and all through separate periods when we allowed our tariff rate in the United States to go below 40 percent ad valorem, we hit a depression. In fact, we had money in the bank when the Clay compromise was put into effect. Within 4 years we were in a panic.

Two years later we repealed the Clay compromise and reinstituted a high tariff policy. Within 5 years we had money in the bank again and then we got cocky and down the tariffs went with the second Clay compromise and the second panic in the history of the United States took place.

This is just plain history and it is so factual that I cannot understand how any Member of this Congress today in this generation of high obligation can think otherwise. It is within this high obligation threat that we are facing the crisis that I mentioned in my opening remarks. Every nation needs more money than it can generate because hanging over the nations is the specter of the so-called mass movement of its people in the direction of communism or the specter of some other takeover by the proletariat, as it were.

So in order to hang on to the administrative leadership of the country diplomatically and politically, we now have to do things for people that we used to let people do for themselves. I am not saying that that is wrong. I think proper education and proper recreation and proper facilities for people to live in and proper clothing and decent housing and food sufficient to maintain the body in good order—I say that all of these things are excellent goals for government. But in order to do all these things, we have to reach out and get more revenues.

Now there are some nations that are banking upon that revenue to keep their government solid from so-called balances of trade. So we have a phenomenon which this country is participating in, in expecting that every nation can export more than it imports and that everybody will have a balance of trade—it is just like sitting down at a poker table and expecting everybody to come out a winner. There is not a single nation on the face of the earth that has trade, that can have the ideal situation of more exports and less imports all the time. It just cannot be done.

Even the so-called mathematician economists are involved. Incidentally, someone ought to go to our institutions of higher learning and relegate the books from which they teach economics to the Library of Lost Usefulness. We are teaching sophomoric economics in a graduate world.

In the junket that we made we studied trade and, with the orders of Congress, we looked into our overseas schools. I mention the subject because it is apropos of what kind of books we are using in the study of economics in our universities. In our overseas schools we found books on science teaching that the height beyond which no man could survive or no object could enter into the atmosphere beyond that height without burning up or disintegrating was 25,000 feet. They were teaching that to our kids who are the sons and daughters of airmen who every day go beyond that height.

And that is what we are doing in economics. We are teaching our kids the economics of Adam Smith and Henry George diluted by the new kind of economics practiced by State Department officials. In order to change this, we may have to change Congress, because I believe the majority of this Congress grew up in that atmosphere of economic teaching.

In trying to talk to some Congressmen that I have known for years about restrictive trade covenants I have found that they just look at me as if I was born in the days of McKinley. Sometimes it worries me so much that I hate to shake hands with people, especialy if they have a bandage on their hand. Maybe that is one reason why we ought to have younger men in the Congress after this present flock of young men get out of the way, because they are so thoroughly indoctrinated with the free trade ideology that they are even worse than we oldtimers who have passed through that stage and, incidentally, who have gone through a change of life. We do not do the things that we used to do as freemen.

We are beginning to realize that perhaps there is something to the plea of the little fellow who said, "I just lost my job in a sporting goods company."

He was asked, "Why did you lose your job?"

He said, "Because we can't compete with the Japanese baseball gloves."

How do you like to see the American baseball teams—the American national sport—depend on the production of another nation before they field a team?

Gentlemen, I ask you to get the eight books of our hearings in 1962 and read them. Read the reports, so that you can then bring yourself up to date later with the new report that we are preparing right now. And the new report, gentlemen, will open the eyes of any person who is willing to have his eyes opened. What I am about to say I say with all kindliness to my fellow Members of Congress, I say to the Members of Congress who are so adamant, so strong, and so positive in their position on free trade that, if they get a little industry in their communities which is hurt, they will change their tunes darn quick.

You know, the other day the Senate defeated a rider on a bill to restrict the imports of beef. If you watch TV on Sunday, you will find out to whom I refer. My two Senators—without mentioning their names—both voted to refuse to curtail the import of meats.

Their excuse was: it was in the interest of the consumers. It gave them cheaper meat. Did it? It did not. Meats in the shops are not labeled as to their origin; they know this or should know it. This kind of excuse usually comes from diehard free traders or, worse, fence straddlers who want to be on both sides all the time. These gentlemen are from Pennsylvania, so they should know this story about imported beef.

In today's morning paper from Pittsburgh, they should find some enlightening things. Six men have been sent to jail because they pawned off onto innocent meat buyers in western Pennsylvania 10 million pounds of horsemeat from Mexico as hamburger and boneless beef. I believe the stiffest sentence was a few months in jail, and a $6,000 fine, or something like that. I wonder how many horses I have eaten in the last 3 years? Evidently I paid like all the others in my State for "beef" not knowing it was horsemeat or imported. The price was the same.

We argue on this floor about laws regarding adding coloration to oranges, or having truth in advertising, or truth in packaging. We argue about sanitation laws for every product in the United States. For instance, in making cheese, we are required to wear white aprons, we have to separate the manufacture of bluemould cheeses from the Schweitzer and Swiss type and Limburger and other white cheeses. We separate them because they contaminate each other. Yet we allow tons of cheese to come into this country which has been produced under conditions which are prohibited in this country. When we analyze the imported cheese, we have difficulty separating the herd from the curd.

It is just fantastic. As I have sat here in the House, I have heard some of the best bleeding hearts in my life on this floor. I often want to come down and look and see how red the carpet is around them. I believe that is why we changed the color. The other one showed too much. They bleed for the poor innocent American consumer who might buy a product packaged or made in Pennsylvania, like the mushrooms produced by my growers in Pennsylvania, for fear that product has been produced without the proper inspection and the proper sanitation and all these things that have to be done so the consumer is protected. Yet they allow mushrooms to come in from Formosa by the shipload, which are being sold in the U.S. markets. There is no restriction on age of workers or dress of workers or sanitation, on the farms or in the processing plants or anything else. They are being sold for 49 cents for an 8-ounce can of whole button mushrooms from Formosa, which are shipped over here and from the same shelf with mushrooms from eastern Pennsylvania mushroom producers, the finest mushrooms in the world, which are selling for over $1 for 8 ounces of button mushrooms.

Of course, it may be immaterial to the fellows in the cotton States, whether the mushroom industry is going out of business, because we are protecting the cotton industry against overseas cotton. Believe me, we are only going to protect it until the production of cotton in many countries, including India and Latin America—I understand they are clearing thousands of acres now in Nicaragua to promote growth of cotton—we have been dealing in cotton and textiles under false pretenses for many years anyway, because they have been buying one bale of cotton and shipping in two bales of textiles, so for every cotton worker job we have preserved, we have lost three or four textile workers.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, I thank the gentleman for his very powerful and very interesting statement here today, for the series of hearings he has held on this subject and for the leadership he is exercising in this area. Particularly I thank him on behalf of the steelworkers and textile workers of my district and the many more like them across the United States whose jobs are threatened by this very problem which the gentleman has so well explored today.

I thank him, too, on behalf of mothers across this country whose sons in Vietnam are threatened by the present trade policies and those the President has proposed for the future toward the Soviet Union and the Communist bloc countries, which polices the gentleman has mentioned in his remarks.

It happens that a number of my constituents are steelworkers. Their jobs were threatened last year and the year before, as they are this year by this problem, as the gentleman knows. As he has said, it is true that the steel industry is a Rip Van Winkle, which, having slept through the revolution, has now decided to wake up and stand up, pick up a musket and commence firing. I am delighted that this awakening, though belated, has come. It seems to me this is a matter of concern for all industry and all labor, and not just the fight of those already burned in this fire, like glass or textiles. Yesterday it was textiles, today steel, tomorrow it could be many other

American industries threatened by this same challenge of low wage area foreign competition. When my neighbor's house is burning down, my house is no longer safe. Now, therefore, is the time to act, and to act together. I associate myself with the remarks of the gentleman and thank him on behalf of the many American citizens whose jobs are threatened, and who need our protection and our help.

Mr. DENT. I thank the gentleman very kindly.

Let me say, in talking about cotton, there are some cotton textile folks who came in—Mr. Robert Stevens, Mr. Buford Brandis of the American Textile Manufacturers Institute, and Sidney Korzenik of the National Knitted Outerwear Association, and so on. They are lamenting, in a way, that the long-term textile agreement had been extended for only 3 years. They wanted 5.

I said, "You know, you fellows astound me. There was a time, perhaps, when the long-term agreement meant something, but, you know, it is absolutely worthless today, because it does not cover any textile that has less than 50 percent cotton content. Did you know that the Japanese are now the world's foremost developers of blended textiles? They are blending our cotton textile agreement right out of the window. In a few years, if you let them get away with it—if you have this kind of an agreement there will not be many straight cotton textiles imported. I have always said the LTA was as worthless as the paper it was written on; just another fake, time-consuming excuse in futility. If you do not include manmade fibers and synthetics, you may as well forget the agreement, because you are not going to be fighting, straight cotton imported textiles, because they have discovered that blends lend themselves to our modern methods of living and our ways of living better than a straight cotton product. Those countries which were no threat at all to the textile industry of the past are going to wake up and be a major threat to the industry, because they do not need cotton, which requires certain climatic conditions to be produced.

This is the truth in the whole area of production. All the way along the line, over the whole spectrum of American production, we will find the same possibilities in the future. Size of any nation or of any person today has nothing to do with it. Japan has proved that. Hong Kong is greater proof of it. The size of the nation or the character of the people themselves has nothing to do with tomorrow's trade picture.

We have entered—just partially, mind you—into the field of automated production. We are not all the way in, because when we are all the way in it is going to be pitiful to behold. If they are screaming now for birth control, they will be looking for another type of control on the other end, some kind of death control, because, what are you going to do with the people?

We must remember that unrestricted, uncontrolled trade is ofttimes the spark that ignites automation before it is needed by the demand for goods.

Automation is a blessing only when it produces for use. Automation is a curse when it produces for surplus.

Before my lifetime has run out—unless the Lord suddenly decides he needs me more up there than I need myself down here—believe me when I say, nations will have to look inward for the solutions to their problems economically, not outward. They are all looking outward. The thing that disturbs me on this floor today is that they are looking one way—thisaway.

Everybody that makes plans today for production figures say to themselves "Well, we will need so much for ourselves, we might be able to sell a little bit to Joe across the street, but we can always sell a whole lot to Uncle Sucker Sam over on the other side of the ocean." Some U.S. industries rely on the so-called antidumping law. Did you ever review the history of the antidumping cases in the U.S. Tariff Commission? That is the most miserable record of maladministration that has ever been written in the history of this democracy. You do not only have to prove that he is dumping but you have to prove he is dumping today. What he did last week? No matter. They ask, what have you on your books today that will tell us who is dumping and where? So what is the dumping law? It is absolutely useless. The dumping law is that if a nation sells in the U.S. market at a price less than they charge in their own market, it is considered dumping. If they sell at a price in their markets comparable to the price in our market, then they will never sell it. So what they do is where they do sell at a price comparable or competitive to their own market, they do it by a subsidy from their own governments.

Trade? It is a poker game with a marked deck, and the only person at the table who cannot read the deck is the U.S. State Department. The cards are so obviously marked that an innocent outsider can see them 30 feet away from the players. But it is even worse than that. It is a poker game in which everybody thinks they are going to come away winners. We are the biggest losers of all and we will just not admit it. Do you know why? Because they have you and you and you and everybody else in the United States, I believe, believing that we export more than we import.

Gentlemen, if ever a lie was perpetrated on the American people, that is the biggest one. All the figures show that in x numbered year we imported $20 billion worth of products and we exported $25 billion. So we had $5 billion surplus. But I have said this before, and I will say it again, this is double-talk bookkeeping. The difference between the figures has to be analyzed, discounting that part of our shipments in exports purchased by the American people would be nearer to truthful reporting. Remember that under exports we count Public Law 480 exports at our value. We count the billions of dollars of foreign aid material and equipment that we buy for other countries. We even count, mind you, about $90 million a year worth of CARE packages. To our bookkeepers these are exports. They are exports and you just cannot say that they are telling a lie. They are just perpetrating a fraud. There is a little difference there; the difference between a lie and a fraud, you figure it out. When we measure imports, we measure them at the price f.o.b. foreign shipping port. When we measure exports we take the price landed foreign shore plus customs, insurance, and freight. If we buy $100 million worth of textiles from Japan—and believe me we do—when that $100 million of textiles arrives in the United States it is considered an import of $100 million because that is what we paid for the product in Japan.

However, Mr. Speaker, when we ship $100 million worth of cotton, we add to that customs, insurance, and freight, which by rule of thumb is approximately 20 percent of the purchase price of the goods. So, Mr. Speaker, the export is listed as over $120,000,000 worth of exports. Whom are we fooling? I do not know but I have a good idea. It is not me, is it you? In the column here where we list "exports," we put down $20 million surplus. So, we make $20 million right away for our trade balance. It is that simple, only do not try to spend the surplus because it is not there.

Mr. Speaker, the best proof I can cite is the fact that if we were selling from $3.5 to $6 billion a year more goods than the amount of goods we are purchasing, why would we be in debt to the extent of $23 billion to foreign countries?

Mr. Speaker, if you and I are in business, and if I buy less from you than you do from me, how are you going to have a surplus? That is exactly what we are telling the public.

Mr. Speaker, I dislike reading articles and various quotations. However, I do believe that upon occasions some things have to be read.

Mr. Speaker, we are faced with a most difficult problem at this time. I wish I had more time during which to go into this subject. And, Mr. Speaker, if the Lord will spare me—and I do hope He does not need me for a few years yet—I intend to take the floor again to discuss other facets of this problem.

However, Mr. Speaker, right now we are faced with a very serious reality; and that is that the Kennedy round of negotiations is about to expire. The Congress will probably be asked, through unanimous consent or through whatever other type of consent is necessary, to just extend the provisions of the 5-year term agreement for 3 months or 6 months, or for an indefinite period of time, until they can get around to doing more about it. All of us know what has held it up over the intervening years, the French agricultural attitude. But all of us were told something was going to be done about it. What they propose to do is completely out of line with logic.

There are some features of the Kennedy round that demand attention. I believe the proposal currently being considered ought to be given full publicity. If the proposal prevails you can count on more unemployment in every sector of the industrial complex.

The so-called Kennedy round of tariff negotiations is reaching a climax within a few weeks. It has run a very tortured course indeed; and even at this late date no one knows whether it will be completed in time to be proclaimed before June 30, when the President's authority for the negotiations expires.

One of the uncertainties confronting the negotiations resides in the commitment of the United States that we will not negotiate industrial tariffs unless this country obtains suitable concessions on agricultural products in foreign markets. It was agreed in May 1963 and May 1964 by ministerial resolutions of GATT that with respect to agricultural products the negotiations would provide "acceptable conditions of access to world markets" to permit the significant development and expansion of world trade in agricultural products.

When the European Economic Community "tabled"—that is, submitted—its offer on agricultural products in 1966, it was found to be very meager and unsatisfactory to the United States as a basis for negotiation. In other words, the offer did not represent anything that could reasonably be interpreted as "acceptable conditions of access to world markets" for agricultural products.

In view of the American commitment not to negotiate the tariff on industrial items, the deadlock was such that the negotiations could not proceed if there were no further offer.

In order to break the deadlock our negotiators have suggested a substitute linked with an international grain agreement. The proposal is to induce other countries to agree to shoulder a share of the burden of feeding the hungry people of the world.

The other countries should indeed carry their proper share in distributing grain to the starving people. However, I am puzzled by the notion that this is a function of GATT, which is to say, the General Agreement on Tariffs and Trade. How does the plan to induce other countries to participate in our food-for-peace program or to lighten our burden under Public Law 480 shipments to needy nations, become involved with the trade and tariff negotiations of the Kennedy round?

The Kennedy round is the name given to the tariff negotiations that are being conducted under the authority of the Trade Expansion Act of 1962. A reading of the authorization of the President as contained in that act, namely, to "enter into trade agreements with foreign countries," does not lead one to believe that inducing other countries to share our self-assumed burden to supply wheat or other food to hungry people of the world, was contemplated as a part of the President's activity under the Trade Expansion Act.

What was the President authorized to do under that act when he entered into trade agreements with foreign countries? He was authorized under section 201(a)(2) to "proclaim such modification or continuance of existing duty-free or excise treatment, or such additional import restrictions, as he determines to be required or appropriate to carry out any such trade agreement."

That is all. There is nothing about inducing other countries to take a load off our shoulders in our effort to help feed starving people in other parts of the world. The President is authorized to deal with "any existing duty or other import restriction" and that is all.

Assuming that the EEC countries and others in other parts of the world such as Japan and England should indeed agree to provide some of the food that we regard as necessary to prevent starvation in India, Pakistan or other parts of the world, what has that to do with duties and other import restrictions?

There is no relevance at all between the President's authority to enter into foreign trade agreements along certain specified lines to modify duties or their continuance or to modify or continue other import restrictions, on the one hand, and what may or may not be done by other countries in helping us or not helping us with the problem of feeding hungry people, on the other.

The two activities have no relation to each other.

It is clear, that what is proposed under the food-aid commitment by other countries, is a substitute for the "access commitment" under which we were to be assured continuing access to the EEC grain market.

That "guaranteed access" was to be the quid pro quo that we exacted from the EEC countries in return for which we would consent to negotiate tariff reductions on industrial items.

Now that the EEC offer under the "guaranteed access" was regarded as completely unsatisfactory because of its extremely limited range, the whole Kennedy round was confronted with a crisis. The EEC had not met our conditions for negotiating the industrial items. It had not fulfilled in any reasonable degree the "guaranteed access" to her agricultural markets.

In this dilemma someone suggested the substitution. If instead of giving us a guaranteed access to the EEC market for farm products, a condition on which the EEC was defaulting, why not accept in lieu of this guarantee a helping hand toward lightening our burden incurred through feeding starving people.

This suggested substitute is preposterous. It would ignore completely the mandate of Congress as laid down in the Trade Expansion Act. Nowhere in that act is found anything that relates to a shift of financial burdens among negotiating countries as a suitable subject for negotiation in lieu of tariffs and trade restrictions. Only an utter disregard of the intent and letter of the legislation, which is to say, of the Congress, could lead to the entertainment of the suggested substitute.

Why not say that if other countries will shoulder a part of our antipoverty program we will give them the Panama Canal or Alaska as a concession under the Trade Expansion Act?

The executive branch, and especially the State Department, has not been backward in ignoring Congress; but the suggestion of swapping a wholly unrelated offer for a relevant offer when the latter fails, goes even beyond the usual degree of disregard.

In order to salvage the Kennedy round, which is about to collapse because of our determination not to negotiate industrial products unless we receive an equivalent concession on agricultural products, it is hardly in order to seize upon some device that lies entirely outside the President's authorization under the law to make it possible to claim that our condition for continuing the negotiations had been met.

The effort to make this unjustifiable substitute is, if anything, evidence of desperation in our negotiators.

It would not be a victory for us even if the substitutes should be accepted by the EEC. It would let them off the hook, so to speak, so far as the guaranteed access is concerned. Quite surely our own appropriation for Public Law 480 and food for peace would not be reduced.

The aid commitment sought from other countries would clearly not fill the bill. It is an outrage that the President's Special Representative for Trade Negotiations should entertain so wild a suggestion as that contained in the substitute. It is extralegal, and the special representative should be called to account.

In view of the foregoing statement it may well be important for us to examine the situation in certain U.S. industries. Can they stand a sell-out such as contemplated in the proposed food agreement.

I think not. After hearing testimony, part of which I intend to give you now; I am positive that the impending crisis in world trade will be hastened if the foregoing proposal becomes a reality.

TEXTILES

Mr. Robert Stevens, president of the J. P. Stevens Co., stated:

> With a total balance of payments deficit of $1.4 billion last year, it is an interesting but unwelcome fact that roughly two-thirds of our balance of payments deficit is represented in the form of textile product imports.

In commenting on low-cost foreign imports, Mr. Sidney Korzenik, of the National Knitted Outerwear Association said:

> Our labor costs are 10 to 15 times greater than those of competitors overseas; and they are now using American management, American know-how, and modern machinery.

I asked Mr. Buford Brandis, of the American Textile Manufacturers Institute, "What is the problem behind the import problem?" Mr. Brandis replied:

> This is the cost problem.

Congressman DANIELS, in pursuing my question, asked Mr. Brandis:

> With American technical know-how and modern methods of mass production, would that not offset the increase in cost for wages and taxes?

Mr. Brandis replied with an emphatic, "No, sir." Mr. Brandis said that the U.S. industry has no real secret technology.

Keeping in mind the competitive advantage of foreign industries because of their low-wage production costs, I asked Mr. Morton Darman of the National Association of Wool Manufacturers:

> If we open up the whole world to your products, if we have a complete free trade world, can the American industry survive?

Mr. Darman's reply was, "No, sir."

Mr. Cross of the Dan River Mills Co., the largest gingham producer in the

United States, wrote to union representatives regarding reduced production because of textile import. Mr. Cross stated:

> Of its total 7,464 looms, 3,297 looms or 44 percent produce gingham. A year ago these looms were operating a scheduled 5.6 day week, working three shifts a day. Now all are operating only four days a week. This reduction has an immediate effect on the earnings of Dan River workers and is the price they pay for accelerated imports of cotton textiles.

Mr. E. Fountaine Broun, of the Man-Made Fiber Producers Association, emphasized that textile imports direct a threat to already depressed Appalachia. Mr. Broun stated:

> There are 1,022,000 Textile Industry jobs in Appalachia and within 50 miles of it. . . . The danger which exists, and is increasing, to the Textile Industry is uncontrolled importation into the United States of man-made fibers and of textiles products and apparel containing man-made fibers and wool, as well as increasing imports of cotton textile products and apparel.
>
> They (textile imports) clearly have an adverse effect of serious proportions on employment and economic activity in the Appalachian Region and in other areas.

STEEL—PIG IRON IMPORTS ADVERSELY AFFECT STEEL INDUSTRY

Congressman JOHN BUCHANAN, of Alabama, quoting from a special report on steel in Business Week of June 1966, stated:

> While the U.S. had net steel exports of about 4 million tons in 1957, by 1965 this had been replaced by net steel imports of 8 million tons.
>
> U.S. Department of Commerce figures on pig iron importation revealed that: "pig iron imported in 1965 was 882,000 tons plus; in 1966, 1,183,656 tons. Exported in 1965 were 28,255 tons; exported in 1966 only 12,122 tons."
>
> This shows a total dollar drain to the U.S. of $8,944,161 in two years, 1965 and 1966, on pig iron alone which is a small segment of our economy.

IMPORTS THREATENING ONE OF AMERICA'S MOST BASIC AND IMPORTANT INDUSTRIES—STEEL

Quoting from figures compiled by the Iron & Steel Institute, Congressman RICHARD MCCARTHY stated:

> A total 90 million tons of products from steel mills were produced here by domestic corporations last year. . . . our country's exports hit a new low—1.7 million tons, a level that has not been this low since 1959. This brought the United States a deficit of more than $900 million in internal trade. Nearly half of these imports came from Japan.

Following is an excerpt from testimony of Mr. John P. Roche, president, American Iron & Steel Institute:

> Imports of steel mill products into the United States in 1965 totaled approximately 10,383,000 tons, representing 10.3 percent of the total market. Just 4 years before, in 1961, imports were 3,163,000 tons. This compares with the 1955–57 period when such imports averaged only 1,200,000 tons, or about 1.5 percent of the market. The significance of the 1965 import volume can be gaged from the fact that it was equivalent to the combined output in 1965 of Jones & Laughlin Steel Corp. and of Armco Steel Corp., the fifth and sixth largest American steel producers, which directly employ 79,000 workers.

Mr. Speaker, I include an excerpt from testimony of Mr. O. R. Strackbein, chairman, the Nationwide Committee on Import-Export Policy:

> The principle of cost reduction in manufacturing nevertheless remains the same. The reduction must come from the factor where the real cost lies. This is labor.
>
> The case of steel. Here I make some calculations that can be followed in the statement which concludes on page 10. First, I wish to say in the middle of the page, that the steel industry has often been accused of inefficiency and it is for that reason it is losing its export markets and it is for this reason imports are flowing in at a higher level.
>
> Let me point out that productivity in American steel plants has risen 50 percent since 1950 with the result that in 1965 the industry produced 32.4 percent more basic steel with 13 percent fewer workers than in 1950, or a drop of 75,000 workers.
>
> Considering the increase in population during this period, some 24 percent, the load placed on other industries and other economic activities by this disgorgement of workers was naturally heavy; for if steel had absorbed its share of the population increase in employment it would have added 140,000 workers instead of dropping 75,000. The absorption elsewhere, therefore, must be 215,000 to avoid unemployment. The question arises of how high a mechanization speed the economy can stand.
>
> In other words, if steel had done what coal did during this period, it would have disgorged not 75,000 workers but about 250,000 workers. It could have been competitive. It could have exported and it could have withstood the imports of steel.
>
> The displacement in steel was not great enough in fact to effect the magnitude of cost reduction necessary to achieve competitiveness with imports. As I point out there, again making a calculation which I hope is clear and can be followed by anyone with ordinary arithmetical training, this, as I say, reinforces the conclusion that about 225,000 workers would have to be displaced out of 500,000 for steel to be competitive.
>
> This is not offered as an exact measure. It is offered as a way of calculating what it will take in terms of employment for an industry to become competitive with imports if the imports are underselling by as much as say 10 percent, and in some instances, of course, imports undersell by more than 10 percent.

I also include an excerpt from testimony of Mr. Clark E. McDonald, managing director, Hardwood Plywood Manufacturers Association:

> In 1950, the U.S. manufacturers of hardwood plywood produced 93 percent of our domestic consumption. That same year plywood was added to the offer list for the GATT negotiations, despite the efforts of our association, then the Hardwood Plywood Institute, which filed a brief and made an appearance before the U.S. Tariff Commission and the Committee of Reciprocity Information. At the GATT negotiations in 1951 the duty on plywood, other than birch, alder, and red cedar, was reduced from 40 percent ad valorem to 20 percent ad valorem.
>
> Hardwood plywood imports in 1951 amounted to 67 million square feet. The year 1952 was the beginning of the deluge with the Japanese assuming the lead which they have yet to relinquish. In the early years most imported plywood was for use as door skins or stock panels.
>
> By 1954 imports had increased 740 percent, accounting for over one-third of the entire U.S. consumption. In the fall of that year the Hardwood Plywood Institute filed an escape clause complaint with the Tariff Commission; the hearings were held in March 1955. On June 22, 1955, the Tariff Commission issued its decision finding no injury; the principal reason given was that the downward trend of the industry had not existed for a sufficient length of time to establish serious injury.
>
> By 1958, after imports had increased 1,500 percent from the 1950 total and had accounted for 53 percent of the U.S. consumption, a second escape clause complaint was filed. Hearings were held in April 1959, and again the Tariff Commission denied relief on the ground that the imported material, by having a lower price, had established a new market.
>
> During 1965 imports increased to 2.1 billion square feet, over 37 times the 1950 import figure, to account for 54 percent of the U.S. consumption of hardwood plywood. With only one exception, every year since 1950 has seen more U.S. imports of hardwood plywood than in the previous year and in every year since 1957 the foreign production has surpassed the U.S. production in the domestic market. According to current statistics released by the U.S. Department of Commerce, Bureau of the Census, import totals for the first 6 months of 1966 are up 28 percent over the corresponding period of last year's record consumption of imports.

Mr. Speaker, following is an excerpt from testimony of Mr. John T. Hall, president, the Hall China Co.:

> Mr. HALL. It has been said that we run inefficient plants but in this particular case the casting trade is done exactly in the same manner in Germany, in Italy, in Portugal, and in Japan as it is done in the United States. It is done by hand in plaster molds. It is no different. It is clay in suspension poured into a plaster mold until the desired thickness is attained and then the excess clay in suspension is dumped out of the mold. There are no mechanical contrivances or inventions which make the Japanese plant more efficient than, in this particular case, the Hall China Co.
>
> The main difference in selling price is due to the tremendous difference in wages paid.
>
> A person running a plate-forming machine in the United States earns about $2.95 per hour—fringes included. The operator of a similar machine in Italy will receive 57 cents per hour, and a Japanese will do the same work for 36 cents per hour. A plate-forming machine would make these [indicating].
>
> All the pottery industry have a terrifically high labor cost. The ratio of direct labor cost to goods sold runs in the neighborhood of 73 percent. That is the cost of goods, not goods sold. It runs in the neighborhood of 73 percent. As a ratio of sales, it will be slightly over 60 percent. Consequently, when a factory in Japan will pay 36 cents an hour and make the ware exactly in the same way as it is made in this country where we pay $3.70 per hour they could probably sell the ware for a good deal less than the $6 a dozen.
>
> The aforementioned examples of the disparity in wages between the American potter and his foreign counterpart illustrate the difference in wages that prevail in all crafts. . . .
>
> The competition of increased imports appears to have been one of the major factors influencing the downward trend of recent years in employment and output in the earthenware and household china segments but not in the commercial (hotel and restaurant) segment of the domestic pottery industry. Imports of earthenware and household china rose rapidly between 1954 and 1960 (142 percent and 60 percent, respectively), and increased to a substantial share of the U.S. market (27 percent for earthenware and 90 percent for household china in 1960). The consensus of most manufacturers and importers consulted for this study was that the increases in the share of the market going to foreign suppliers were chiefly due to the substantial price differentials favoring imports, especially those from Japan.

I include an excerpt from testimony of Mr. William P. Holmes, president, Wilson Sporting Goods Co.:

Mr. HOLMES. Mr. Chairman, members of the Subcommittee on Labor, my name is William P. Holmes. I am president of the Wilson Sporting Goods Co. and am here on behalf of the Athletic Goods Manufacturers Association, representing baseball and softball glove and mitt manufacturers of the United States.

We represent approximately 90 to 95 percent of the productive capacity of this industry domestically.

Imports of these products which were negligible in 1956, increased substantially each year until in 1965, approximately 70 percent of all the baseball and softball gloves and mitts sold in the United States were actually manufactured in Japan. During this period, some domestic producers were forced out of business, and all others drastically curtailed production in line with reduced sales.

You have before you on page 2 of my testimony a table that clearly shows a historical picture of the annual losses to American industry resulting from uncontrolled foreign invasion. You will note in reviewing this that in 1956 domestic industry had sales of 3,314,000 units and on an annual basis from 1956 through 1965, there was a continuous decline until in 1965 the sales by domestic producers amounted to 1,028,000 pieces.

In 1956 imports were negligible and not reported by the Department of Commerce.

In 1957 there were 149,000 units imported into the United States and the following year 533,000 units. In 1959 this increased to 1,271,000 and in 1960 to 2,412,000, and in 1965 there were 3,481,000 baseball gloves and mitts imported.

Actually in 1957 imports accounted for 4.2 percent of the total apparent consumption in this country and in 1965 they accounted for 69.9 percent.

The ratio of imports to domestic sales is currently 338.6 percent. The market as you can see today is pretty well dominated by imported merchandise.

Following, Mr. Speaker, is an excerpt from the testimony of Mr. Edward E. Kennedy, research director, International Union of District 50, United Mine Workers of America:

At the bottom of page 8, in relating our relatively high levels and high standards of living to foreign trade, we think it is significant that among the principal industrial nations of the free world the United States currently exports only about 5 percent of its gross national product, while the European Economic Community countries must find an export market for about 18.5 percent of their gross national product.

Or, to state it another way, the United States with its great productive capacity, the highest money wage rates and the highest standards of living, consumes 95 percent of its gross national product while, by comparison, the European Economic Community countries, with average hourly money earnings of somewhere under $1 per hour, consume only about 18.5 percent of their gross national product.

Dropping down on page 9, in 1962, the Department of Commerce made a study of the shifts in the U.S. trade position between the years 1950 and 1953 and the years 1961 and 1962. This is by groups of finished manufactures.

The first list of these groupings shows those finished manufactures where there has been an improvement in our trade position. In the second list of these groupings is finished manufactures where the shifts show a deterioration in the U.S. trade position and in major industries, a switch from an export to an import balance.

During this period, automobile passenger cars switched from an export balance of $233 million plus to an import balance of $328 million minus in 1961. And the import balance further increased in 1962.

The textile group switched from an export balance in 1952 and 1953 of $171 million plus to an import balance in 1961 of $418 million minus, and, of course, there was a further deterioration in the trade position by 1962.

The Department of Commerce is not bringing these particular tables and information down to date, so there are just a few others here. House furnishings and other finished consumer textiles. There was a switch from an export balance of $35 million plus an import balance of $224 million minus in 1961.

Steel mill products switched from an export balance of $72 million in 1950 and 1953, to an import balance of $212 million in 1961. And that, of course, has further deteriorated on up to the present time.

Our unemployment rate in July of this year was 3.9 percent of our civilian labor force, and during the past year ranged from a high of 4.5 in July of last year to a low of 3.7 for February and April of this year. On its face, it would appear that domestic employment may not have suffered greatly because of the deterioration of our trade position, in 10 major groups of finished manufactures. However, whatever chain reaction there is in the loss of jobs here as a result of competitive imports in these and other categories is perhaps more than offset by the use of manpower to produce the materials necessary to service the war in Vietnam.

Servicing the war in Vietnam will not always be such an offsetting force of employment here. We must be concerned not only with protecting the jobs of our American workers from the low-wage produced competitive imports from overseas, but we must create new jobs for an ever-increasing number of new entrants into the labor force each year.

Mr. Speaker, in view of the approaching expiration of the time allocated to me for this special order, I ask unanimous consent to include in the RECORD at this point certain pertinent statements which I would have read had I had the time during which to do so.

The SPEAKER pro tempore (Mr. PATTEN). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. In conclusion, Mr. Speaker, I want to read a letter from the petroleum industry appropriate to the problems facing our U.S. economy in the area of trade regulated by so-called agreements and Government edicts:

INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA,
Washington, D.C., April 17, 1967.

Hon. JOHN H. DENT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DENT: We are very much concerned about recent developments which we feel pose most serious threats to the integrity and meaningfulness of the Mandatory Oil Import Program. The present quota which limits oil imports into the United States east of the Rockies to 12.2 percent of domestic production appears to be in danger of being circumvented to an extent that would destroy the stability and meaningfulness of the program.

In addition, increased imports would worsen our balance-of-payments position. Oil imports are our largest deficit item, exceeding $2 billion annually.

The immediate threats come from three directions as follows:

First, the President on April 10 modified the oil import proclamation by authorizing the Secretary of the Interior, at his discretion, to allow increased imports of finished asphalt outside the quota established by the 12.2 percent ratio. There is no evidence available which shows that increased imports of finished asphalt are needed and no national security justification for importing asphalt over and above the 12.2 ratio. The asphalt content of the crude oil produced within the United States is very substantially greater than current and anticipated demand for asphalt and U.S. refineries have a wide degree of flexibility to increase greatly the output of asphalt. The stock position of asphalt during 1966 is substantially above that of preceding years, further indicating no shortage in the supply. Under the Mandatory Oil Import Program imports of finished asphalt have averaged only 17,000 barrels daily during recent years although importers are free to substantially increase these imports within their present allocation, if they so desire. Further, under the present import program, there is no limit on the type of crude oil that can be imported under a crude oil allocation. The crude oil quota into the eastern United States is over 1 million barrels daily, any part of which could be in the form of asphalt bearing crude oil.

Second, there are now pending before the Department of the Interior five applications involving refineries and petrochemical plants in Puerto Rico and the Virgin Islands seeking permission to ship to Continental U.S. some 100,000 barrels daily of petroleum products and an unknown quantity of petrochemicals. These applications are now set for public hearing before the Department of the Interior on April 20.

Third, the Administration recently authorized the establishment of foreign trade zones in Bay County, Michigan, and at Taft, Louisiana, both for the operation of petrochemical plants to be supplied with petroleum feedstocks from foreign sources. The Department of the Interior is now considering whether or not such imports into a foreign trade zone should be included within the 12.2 limitation. Meanwhile, the petrochemical companies are urging that they be given unlimited access to foreign petroleum feedstocks. The petrochemical industry is a consumer of petroleum like many other industries and individuals and it is not fair or justifiable to accord one segment of the consuming public preferential treatment. The petrochemical industry now constitutes a market for domestic oil in the order of 500,000 barrels daily, about 5 percent of total domestic production. The loss of any substantial portion of this market to foreign sources would constitute a serious loss to the domestic industry.

The strength of the domestic oil industry has been substantially weakened during the past ten years. Exploration and drilling have steadily declined. As a result, development of new reserves has been inadequate and our security as to oil is seriously threatened.

The oil import program was designed to serve one purpose—the national security. It cannot remain effective in serving this purpose if it is to be used to give preferential treatment to asphalt or other products; to encourage the economic development of Puerto Rico and the Virgin Islands; to aid the competitive position of individual refineries, or petrochemical companies; or to give the petrochemical industry preferential treatment over other consumers. These other objectives may be worthy ones, but the oil import program was not designed to serve them.

Your consideration of these matters would be very much appreciated, particularly as to whether or not further legislation is needed. In the meantime, it would be most helpful if you would urge upon the President and Secretary Udall the need to continue to keep all imports within the limitations established by the 12.2 ratio.

Very best regards.

Sincerely,

L. DAN JONES,
General Counsel.

Mr. DENT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include pertinent extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore (Mr. PATTEN). The time of the gentleman from Pennsylvania has expired.

THE KENNEDY ROUND NEGOTIATIONS

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House the gentleman from North Carolina [Mr. WHITENER] is recognized for 30 minutes.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include pertinent extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, the splendid statement which has been made by the distinguished gentleman from Pennsylvania [Mr. DENT] during the course of his special order should cause all Members of the House to sit up and take notice. As I listened to the gentleman's statement with reference to the import problem which is faced by every American, I felt a deep sense of appreciation for his learned analysis of the issue.

Mr. Speaker, the distinguished gentleman from Pennsylvania has served with distinction as a member of the Committee on Education and Labor and as chairman of the subcommittee which has made in-depth studies of the effects of imports upon domestic employment and upon our domestic economy.

Mr. Speaker, I personally express again to the gentleman my appreciation for the reception which he has given to members of the labor and management teams from my area who have been concerned about imports, as they affect the textile industry and the domestic work glove industry.

Mr. Speaker, having the privilege of representing the largest textile producing area in America, and the work glove capital of America, these studies by the gentleman from Pennsylvania and his subcommittee have been very gratifying to me and to the people whom I represent.

Mr. Speaker, the so-called Kennedy round of tariff negotiations is reaching a climax within a few weeks. It has run a very tortured course indeed; and even at this late date no one knows whether it will be completed in time to be proclaimed before June 30, when the President's authority for the negotiations expires.

One of the uncertainties confronting the negotiations resides in the commitment of the United States that we will not negotiate industrial tariffs unless this country obtains suitable concessions on agricultural products in foreign markets. It was agreed in May 1963 and May 1964 by ministerial resolutions of GATT that with respect to agricultural products the negotiations would provide "acceptable conditions of access to world markets" to permit the significant development and expansion of world trade in agricultural products.

When the European Economic Community tabled—that is, submitted—its offer on agricultural products in 1966 it was found to be very meager and unsatisfactory to the United States as a basis for negotiation. In other words, the offer did not represent anything that could reasonably be interpreted as "acceptable conditions of access to world markets" for agricultural products.

In view of the American commitment not to negotiate the tariff on industrial items, the deadlock was such that the negotiations could not proceed if there were no further offer.

Mr. Speaker, I do not have to say to the Members of this body that I come from a State and a district in which textile production is the principal economic mainstay and the overwhelming source of employment. The textile industry is at this very moment confronted with extremely high imports—imports that have risen sharply in the past few years.

These imports were presumably to be kept within reasonable bounds by the long term textile agreement, but the fact is that they have risen threefold in terms of yardage brought in during the course of the Government's textile program. During 1966 textile imports exceeded exports by $800 million, whereas just a few years ago this country was a net textile exporter.

Clearly, under these circumstances, it is unthinkable that textile tariffs should be further reduced; and yet that seems to be the prospect as of today, assuming that the Kennedy round is finally negotiated.

This prospect brings us back to the recent suggestion of the U.S. representatives to induce other countries to agree to shoulder a share of the burden of feeding the hungry people of the world.

Now, Mr. Speaker, I think the other countries should indeed carry their proper share in distributing grain to the starving people. However, I am puzzled by the notion that this is a function of GATT, which is to say, the General Agreement on Tariffs and Trade. How does the plan to induce other countries to participate in our food for peace program or to lighten our burden under Public Law 480 shipments to needy nations become involved with the trade and tariff negotiations of the Kennedy round?

The Kennedy round is the name given to the tariff negotiations that are being conducted under the authority of the Trade Expansion Act of 1962. A reading of the authorization of the President as contained in that act—namely, to "enter into trade agreements with foreign countries"—does not lead one to believe that inducing other countries to share our self-assumed burden to supply wheat or other food to hungry people of the world was contemplated as a part of the President's activity under the Trade Expansion Act.

What was the President authorized to do under that act when he entered into trade agreements with foreign countries? He was authorized under section 201(a)(2) to "proclaim such modification or continuance of existing duty-free or excise treatment, or such additional import restrictions, as he determines to be required or appropriate to carry out any such trade agreement."

That is all. There is nothing about inducing other countries to take a load off our shoulders in our effort to help feed starving people in other parts of the world. The President is authorized to deal with "any existing duty or other import restriction," and that is all.

Assuming that the EEC countries and others in other parts of the world, such as Japan and England, should indeed agree to provide some of the food that we regard as necessary to prevent starvation in India, Pakistan, or other parts of the world, what has that to do with duties and other import restrictions?

There is no relevance at all between the President's authority to enter into foreign trade agreements along certain specified lines to modify duties or their continuance or to modify or continue other import restrictions, on the one hand, and what may or may not be done by other countries in helping us or not helping us with the problem of feeding hungry people, on the other.

The two activities have no relation to each other.

Mr. Speaker, it is clear, I believe, that what is proposed under the food-aid commitment by other countries, is a substitute for the access commitment under which we were to be assured continuing access to the EEC grain market.

That guaranteed access was to be the quid pro quo that we exacted from the EEC countries in return for which we would consent to negotiate tariff reductions on industrial items.

Now that the EEC offer under the guaranteed access was regarded as completely unsatisfactory because of its extremely limited range, the whole Kennedy round was confronted with a crisis. The EEC had not met our conditions for negotiating the industrial items. It had not fulfilled in any reasonable degree the guaranteed access to her agricultural markets.

In this dilemma someone suggested the substitution. If instead of giving us a guaranteed access to the EEC market for farm products, a condition on which the EEC was defaulting, why not accept in lieu of this guarantee a helping hand toward lightening our burden incurred through feeding starving people.

Mr. Speaker, this suggested substitute is preposterous; and I do not know who but our Department of State and its satellites would feel justified in ignoring so completely the mandate of Congress as laid down in the Trade Expansion Act. Nowhere in that act is found anything that relates to a shift of financial burdens among negotiating countries as a suitable subject for negotiation in lieu of tariffs and trade restrictions. Only an utter disregard of the intent and letter of the legislation, which is to say, of the Congress, could lead to the entertainment of the suggested substitute.

Why not say that if other countries will shoulder a part of our antipoverty program we will give them the Panama Canal or Alaska as a concession under the Trade Expansion Act?

The executive branch, and especially the State Department, has not been backward in ignoring Congress; but the suggestion of swapping a wholly unrelated offer for a relevant offer when the latter fails, goes even beyond the usual degree of disregard.

In order to salvage the Kennedy round, which is presumably about to collapse because of our determination not to negotiate industrial products unless we receive an equivalent concession on agricultural products, it is hardly in order to seize upon some device that lies entirely outside the President's authorization under the law to make it possible to claim that our condition for continuing the negotiations had been met.

Mr. Speaker, I am afraid that the effort to make this unjustifiable substitution is evidence of desperation in our negotiators. When they make such an outlandish offer to save the day for the Kennedy round I can only say that they are not representing this country with credit. If their lack of fortitude in this move is representative of their negotiations in other areas of their activity, I think they should be recalled. We should send over negotiators that have some minimum of respect for the law under which they operate.

I am not of a disposition to stand silently by while these negotiators undertake to cover their own shortcomings by substituting a wholly alien bargaining pawn for what the law prescribes. If we were guaranteed access to certain markets and if the promisors have defaulted on their guarantee, I do not regard it either legal, practical or justifiable, to substitute something else as if it were an acceptable concession from our trading partners. These partners are not even the initiators of the notion of a substitution. We are seeking to force it on them, so that our boys can come home claiming a great victory.

It will not be a victory even if the substitutes should be accepted by the EEC. It would let them off the hook, so to speak, so far as the guaranteed access is concerned. Quite surely our own appropriation for Public Law 480 and food for peace would not be reduced.

If the duty on textiles is to be reduced, it would go down much better if we had something substantial to show for it. The aid commitment sought from other countries would clearly not fill the bill. It is an outrage that the President's Special Representative for Trade Negotiations should entertain so wild a suggestion as that contained in the substitute. It is extralegal, and the Special Representative should be called to account.

Mr. MOORE. Mr. Speaker, will the distinguished gentleman from North Carolina yield to me?

Mr. WHITENER. Yes, I am delighted to yield to the distinguished gentleman from West Virginia.

Mr. MOORE. Mr. Speaker, I wish to say to the distinguished gentleman from North Carolina that I am deeply appreciative of the tremendous amount of work and effort which the gentleman has put in over the years in analyzing the trade posture of our country and the adverse effects which we have suffered with respect to the cotton industry in that part of the country from which the gentleman from North Carolina comes, as well as the other trade policies which affect parts of the country.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MOORE. Mr. Speaker, I am deeply appreciative of the efforts here today of the gentleman from Pennsylvania [Mr. DENT] and the gentleman from North Carolina [Mr. WHITENER] and associate myself with their remarks.

Mr. Speaker, I wish to add a few words to what has been said here this afternoon on the negotiation of the Kennedy round.

There is something ironic about the great anxiety of this country's efforts to avoid a breakdown in the Kennedy round. The irony is that we would in reality be better off without the Kennedy round, as I shall hope to show while I have the floor. Therefore the spectacle of our trade representatives in Geneva beating the bushes for some means of saving the Kennedy round from collapse, is rather pitiful.

It is not only pitiful, it goes beyond that. What they are proposing as a saving measure is objectionable; first, because the proposal that has been discussed here this afternoon, is not authorized by the Trade Expansion Act, and, second, because the tactics or lack of tactics of these trade representatives smack of an almost hopelessly naive entreaty addressed to the other countries to save the situation.

Mr. Speaker, the recital here this afternoon has shown all too clearly the disastrous methods pursued by our negotiators. From the very beginning they gave ground and have kept on giving ground, until now they are about ready, as the saying goes, to throw the baby out with the wash. We are apparently ready to do almost anything to avoid a collapse; and, of course, our trading partners know it. It would be unusual indeed if their price did not rise with the increasing sense of our anxiety.

The President's Special Representative for Trade Negotiations has set a succession of deadlines in the past several years, dates that the EEC—Common Market—and other countries were to meet, only to see them come and go without a ripple.

We were so eager to get the Common Market established in the first place and to see it succeed that we refrained from rocking the boat. Nevertheless we kept up a succession of demands under the trade negotiations that one by one fell by the wayside, largely because they ignored the internal purposes of the Common Market.

As has been recounted this afternoon, we began by asserting that our agricultural exports must be given access to expanding markets abroad in return for concessions from us on industrial tariffs. We firmly stated that we would not negotiate industrial tariffs unless we were assured foreign outlets for agricultural products that could expand with rising consumption. We soon settled for a guaranteed access to those markets which merely meant that we would be satisfied if our share in foreign agricultural markets did not shrink. This was probably the first retreat; but it set a pattern, as might have been expected.

The time came when all the countries were to submit their list of exceptions, which is to say a list of items, which was to be kept to a bare minimum, that they would withhold from negotiation. This was to include agricultural products. When the time came, the EEC countries did not submit their agricultural list.

What did we do? We had said repeatedly that we would not negotiate industrial items unless the agricultural offer was received. We broke down and submitted our industrial list in any event.

It was a year or more later before the EEC made their offer, including the agricultural part. The whole offer was disappointing, but the agricultural part was nearly a nullity. We should have been able to anticipate this from the fact that the EEC was establishing a common agricultural policy—CAP—among the six nations; and in order to do this they established certain guaranteed minimum prices. In order to protect these from disruption by imports they established variable import fees that were designed to bring import prices up to the domestic guaranteed prices. This system would eliminate any competitive advantages that imports might enjoy. Therefore it was unlikely that imports would increase. They could in fact be expected to remain at existing levels, or to decline.

We, of course, protested, but when the EEC stood adamant it was we who came forward with a substitute.

As explained here this afternoon, we were willing to give up the guaranteed access to foreign markets for farm products for something just as good. This latter happened to be in the form of the other countries taking over a part of our food for peace program, which is to say, they were asked to relieve us of some of our load of grain shipments—wheat—under foreign aid. If they would do this we would forget about the guaranteed access to foreign markets for the whole gamut of farm products. We were willing, as a price of saving the

Kennedy round, to throw up our hands at the idea of gaining a firm assurance that our market for farm products in the EEC would be preserved.

That is where the matter stands today.

The question is why we should seek so frantically to save the Kennedy round—even at the expense of violating the Trade Expansion Act. That act does not authorize the kind of an agreement now contemplated. It has to do with modifying or binding existing duties or other import restrictions. It does not authorize fast and loose trading in other fields such as is now suggested.

But why save the Kennedy round? I say American industry would be better off without it; and I shall undertake to tell you why.

Already we are at a serious competitive disadvantage in most manufactured products. Our share of the world exports of manufactured products has shrunk 20 percent since 1958. Should machinery be removed from the list the shrinkage would be worse, since exports of machinery have risen at a lively pace as a result of our flood of foreign investment in plants and equipment. New branch plants abroad are largely equipped with American machinery—at least for now.

Also, many American industries are finding import competition very serious in our own home market. One of the latest is steel. Imports in the past 7 years have risen to the point of supplying some 11 percent of the whole market, and in some lines as much as 50 percent or more.

The same thing happened with meat. In several fields imports have virtually taken over the whole market, such as portable typewriters, transistor radios, jeweled watches, and sewing machines. Imports of footwear and of dairy products, of woolen goods, cotton textiles and manmade fibers have plagued domestic producers with increasing severity in recent years. Tomato imports, imports of strawberries, organic chemicals, petroleum, automobiles and many other items, tell much the same story. The New England fisheries have been driven back by imports to a secondary position. Watch imports, imports of baseball bats, baseballs and baseball gloves, tennis balls and tennis racquets, have raised havoc with American producers. Chinaware, earthenware, and glassware are other sufferers from imports.

Many of the producers have shifted much of their production abroad and now import. Our bicycle industry survives only because it imports the parts for assembly here. Motorcycle manufacturing is down to one company.

Mr. Speaker, if we examine our foreign trade statistics in realistic fashion, we will find that so far as private competitive trade is concerned this country is running a deficit of some $2 billion instead of a surplus of some $4 billion as reported officially.

It is for these reasons that I say we do not need the Kennedy round. We would be much better off without it. We are already at a competitive disadvantage in world markets and a further reduction of our tariffs would over-expose yet more industries. The balance-of-payments position of this country would again deteriorate with further tariff reductions.

Therefore I say, let the Kennedy round collapse. Such an outcome would be a godsend to American industry, not a tragedy.

Mr. SIKES. Mr. Speaker, will the distinguished gentleman from North Carolina yield to me at this point?

Mr. WHITENER. I am delighted to yield to the distinguished gentleman from Florida.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I share the concern of the distinguished gentleman from North Carolina [Mr. WHITENER] about the fiasco which has developed in the negotiations in the Kennedy round on agricultural products and in other areas, as well. He has shed important light on a subject of great interest to the American people. I congratulate him on his statement.

The State of Florida has a major interest in fruits and vegetables, and the interests of our producers have been very adversely affected by foreign trade developments in these products. I brought this situation to the attention of the Congress and of the administration in a statement submitted to the General Subcommittee on Labor, which was inserted in the CONGRESSIONAL RECORD, volume 112, part 19, page 26259.

We have faced restricted practices which have hampered our exports to Europe, and it would appear that our producers may face the prospect of across-the-board tariff cuts in the Kennedy round. An official of the Department of Agriculture has stated that the United States made a generous offer but that the offers made by other countries are disappointing. Particularly, this official has said that the United States is "sadly disappointed with the offers made to date with the EEC."

The United States appears to be so desperate to make a trade agreement in the Kennedy round that our negotiators have gone far outside of the authority delegated by the Congress to the President in the Trade Expansion Act of 1962 for face-saving undertakings by other countries, especially in Europe. We have been effectively blocked out of Europe by the variable import levies on agricultural commodities and have been unable to secure a reduction in these levies or a commitment that the European Common Market countries would control agricultural production to an extent that would permit the United States and other major producers of agricultural commodities to have continued access to the European market.

Instead of walking away from the bargaining table in the face of the arbitrary and stubborn attitude of the European Common Market—which we should do—our negotiators appear to be using the food aid problems of underdeveloped countries as a pretext for making a one-sided nonreciprocal agreement.

There can be no quarrel with the fact that the developed nations of the world should use their surplus agricultural commodities to help the less-developed countries that are particularly hard hit in staving off famine or near-famine conditions. This is a humanitarian duty which every affluent nation has. By no stretch of the imagination can a promise by the European Economic Community to see its duty in this respect be accepted by the United States as a trade concession worthy of balancing the trade concessions which we are regrettably prepared to make in the Kennedy round.

The Congress never intended to authorize the President to trade U.S. duty reductions off for promises by other nations to act in a responsible manner in the use of their agricultural surpluses for the benefit of the starving peoples of the less-developed nations of the world. This is a subject which lies in another area and, however desirable, does not belong in tariff discussions.

Mr. Speaker, I was opposed to the enactment of the Trade Expansion Act of 1962 because I was convinced the Congress did not have sufficient knowledge about the trade policy and attitudes of the European Common Market to make sensible judgments concerning the nature of the authority which should be delegated to the President for effective negotiations with the Common Market. The years of frustration which have characterized the negotiations in the Kennedy round have confirmed my judgment in this respect. This kind of a deal which the U.S. negotiators are now considering with the Common Market is the strongest evidence of the futility of the delegation of authority which we made to the President in the Trade Expansion Act of 1962.

The totally unwarranted negotiations on agricultural commodities in which the Europeans refused to budge an inch in regard to their trade restrictions that detrimentally affect our exports and the unseemly spectacle of the U.S. negotiators scurrying around to dream up ideas like the food aid proposal are matched by the sorry performance of our negotiators in regard to chemicals. The administration admits that it was given no authority to negotiate changes in basic customs laws such as the American selling price or antidumping rules. Nevertheless, because the Europeans insist upon our making concessions in these areas—though they refuse to make concessions on agricultural products notwithstanding our insistence—the administration has indicated a willingness to enter into separate agreements for the elimination of the American selling price and the modification of our antidumping procedures.

On chemicals, I regret to say that it appears that our negotiators are willing to reduce our chemical tariffs across the board in exchange for a very unequal, less extensive, and smaller reduction in duties by the Europeans. Then in a separate agreement our people are considering making a commitment to eliminate the American selling price basis of valuation for benzenoid chemicals and rubber-soled footwear in exchange for a promise by the European countries to confer upon us some of the duty reductions on chemicals which we are entitled to by virtue of our offered tariff reductions on chemicals in the first place.

In other words, on chemicals as in agriculture, we are prepared to give a great deal and to accept virtually nothing in return.

During the debate on the Trade Expansion Act, many of us tried to warn the Members of this body about the mess in foreign economic policy which could result from the enactment of that act. The administration leaders on the floor of the House were determined that the bill should pass, and all appeals to reason fell upon deaf ears. Subsequently, many of the promises and assurances that were given by administration spokesmen in that debate have been forgotten.

Of one thing I am certain: If an attempt is made to bring onto the floor of the House a bill to extend the Trade Expansion Act or to make any similar grant of authority to the President in this area, they will find many Members of this body up in arms and unwilling to continue to accept the yoke which resulted in the passage of the 1962 act.

Mr. BRINKLEY. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. BRINKLEY. Mr. Speaker, as Representative of the Third District of Georgia, which is also a leading producer of textiles, I would like to say that the import crises indeed constitute a clear and present danger to the national textile economic well-being. I would like to associate myself with the timely remarks by the gentleman from North Carolina, and commend him for his leadership.

Mr. WHITENER. May I say to the gentleman from Georgia that I am deeply indebted to him for the interest he has shown in this problem. This is not just a problem of North Carolina or Georgia. It is a problem of the entire Nation. I welcome our new colleague from Georgia to this very worthwhile cause to which some of us have been dedicated so long. I am delighted that he has spent his time here with us today. He is making a contribution to the fight which is so important to all of us.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. BUCHANAN. Mr. Speaker, I thank the distinguished gentleman for his remarks today and for his leadership through the years.

Mr. Speaker, I share the gentleman's concern about the effect that the Kennedy round will have upon American industry and American workers, and his concern as to whether our negotiators are working to protect the economic stability of American industry upon which hundreds of thousands of our American workers depend for their livelihood.

In any evaluation of foreign trade agreements, and tariff reductions, the effect upon our domestic economy, and specifically those industries affected must be fully considered.

The steel industry and the textile industry are two of the many important American industries which have been adversely affected by a flood of foreign imports from low-wage areas of the world on the domestic market.

The city of Birmingham, as every Birmingham resident knows, is one of the largest steel-producing cities in the United States. The steel industry in our city has the largest payroll and is our largest employer.

The State of Alabama is also vitally concerned with the effect of imports on textile manufacturing. Total employment in the textile product industry in Alabama for 1961 was 37,700 and in 1966, 40,000. Total manufacturing employment in Alabama last year was 292,500, of which steel mill manufacturing provided 37 percent.

Following World War II, fully modern steelmaking plants appeared overseas, financed in great part by the United States, and built with the output of American mills. From a net exporter in 1947, the United States, under the impact of increased imports of steel mill products, shifted to a net importer in 1966.

Today, U.S. output is 26 percent of world output as compared with 57 percent in 1947. In 1966 the difference in the value of imports for both iron and steel products over exports was $758,154,000 versus $591,760,611 in 1965, an increase, incidentally, in the dollar drain of $166,393,389.

In the textile industry, the United States in 1961 imported 93 million square yards of wool textiles. In 1966 that figure had more than doubled to 190 million square yards.

In 1961 the U.S. imported 720 million square yards of cotton textiles. In 1966 the figure had soared to 1,823 million square yards.

Such increases in the import rate of any commodity are bound to have an adverse effect upon industries and their employees. In the textile industry, with mounting imports of textile products in the period between 1950 and 1960, employment in the U.S. textile industry declined by 332,000 jobs and 676 American mills closed.

The American textile industry has made a tremendous recovery since 1960. But the pressure of ever-increasing imports is again threatening its future, and the jobs of those employed within the industry.

American steel and textile workers, along with all Americans, have helped to subsidize their foreign competition through their taxes which have funded our foreign aid program. That competition is now thriving and in many instances is using—by our standards—substandard, low-cost labor. This clearly constitutes both strong and unfair foreign competition.

At the very least, the American worker is entitled to some protection from the consequences of our Government's use of his own tax dollars.

Competing nations, like Japan, France, and others, set tariffs and quotas to protect their products. But our tariffs and quotas, already moderate, are the target of demands for further reductions.

The United States is not afraid of fair competition. But our industries should not be obliged to face unfair competition created by our own negotiators in trade agreements such as may result from the Kennedy round.

Our negotiators must be aware of the urgent need of American workers and American industry for protection from excessive imports, and be guided accordingly.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks to follow the remarks of the gentleman from North Carolina and also to revise and extend the remarks I made earlier during colloquy with the gentleman from Pennsylvania [Mr. Dent].

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WHITENER. I thank the gentlemen from Alabama and I say to him, I appreciate his diligence in this concern for American jobs and American people.

ROBERT DARU

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on April 21 New York lost a colorful and courageous crusading lawyer. Robert Daru was known for his dedication to justice and his willingness to fight for unpopular causes. Mr. Daru started his legal career as an assistant district attorney for New York County. Later he served as special counsel to the U.S. Senate Committee on Crime and Racketeering. He was board chairman of the New York Criminal and Civil Courts Bar Association and for 15 years had been counsel for its committee on justice. Two years ago, when Robert Daru filed antisegregation petitions in Alabama courts, Klansmen threatened to kill him if he returned to Alabama. With typical courage he returned to Alabama saying:

> Alabama is the United States; it's my country. If I can't go there I can't stay in America anywhere.

Mr. Speaker, I extend my deepest sympathy to Mrs. Daru and her family.

I wish to include in the Record two obituaries—one from the World Journal Tribune of April 21, and one from the New York Times, of April 22.

The two obituaries follow:

[From the New York World Journal Tribune, Apr. 21, 1967]

Robert Daru Dies—Crusading Lawyer

Robert Daru, 66, was a motorcycle-riding crusader who devoted his life to fighting injustice.

A lawyers' lawyer, he championed many unpopular causes and won most of them.

He challenged the hooded knights of the Ku Klux Klan, proposing federal legislation to curb Klan activities. When he filed antisegregation petitions in Alabama courts two years ago, Klansmen threatened to kill him if he returned to Alabama.

Undaunted, Mr. Daru went back.

IGNORED THREATS

"I got a lot of mail saying 'stay out of the South'," the white-haired attorney said at the time. "My wife told me, 'stay out of Alabama.' I said no. Alabama is the United States; it's my country. If I can't go there I can't stay in America anywhere."

A former federal prosecutor, he was chairman of the executive committee of the New York Criminal and Civil Courts Bar Assn. For 15 years he was counsel to the association's committee on justice. He also served as counsel to the Senate Crime Committee, the Federal Grand Jury Assn. of New York and other crime-battling groups.

Death threats were no novelty to Mr. Daru. His life was threatened for the first time in the early 1930s when he prosecuted gangster Vincent (Mad Dog) Coll, who was later shot dead by rival mobsters.

DRAFTED KIDNAP LAW

Later, as special counsel to the Senate crime committee, he drafted the so-called Lindbergh Act providing the death penalty in kidnaping cases.

In his capacity as counsel to the committee on justice, he helped free a man who spent seven years in Sing Sing for a forgery he did not commit.

In the 1950s, Mr. Daru defended the rights of 90 West Point cadets who were dismissed from the military academy for cheating. Last winter, he was called in during the most recent cheating scandal at the Air Force Academy.

STIRRED COTROVERSY

He stirred up a controversy here last year when he urged Mayor Lindsay to crack down on the Ku Klux Klan and what he termed other "klan-hearted" vigilante groups, including the Maccabees—a civilian anti-crime patrol in the Crown Heights section of Brooklyn.

Another recent crusade by Mr. Daru was an attempt to stop the New York Central Railroad from converting long-distance passenger trains to short-haul runs.

The distinguished lawyer, who often drove to court on a motorcycle, collapsed and died last night on a bus at Madison Ave. and 23rd St., while en route to address a Boys' Club meeting in Greenwich Village. He is survived by his wife, the former Belle Warshaw; two daughters and seven grandchildren.

[From the New York Times, Apr. 22, 1967]

Robert Daru Dies—Zealous Lawyer—Won Several Lost Causes—Was Assistant District Attorney

Robert Daru, a crusading lawyer who took pride in fighting lost causes and winning some of them, died of a heart attack Thursday night on a bus on Madison Avenue at 23d Street. He was 66 years old and lived in the Executive Hotel, 237 Madison Avenue.

The white-haired, blue-eyed Mr. Daru had left his office at 292 Madison Avenue for a dinner of the Banton Boys in Greenwich Village. He qualified as a Banton Boy because he was once an assistant district attorney of New York County, serving under the late Joab Banton in the nineteen-twenties and early thirties.

Mr. Daru was moved by many things and he sought to eradicate injustice wherever he felt it existed. Recently he took a public stand against "MacBird!," the stage satire that suggests President Johnson had a role in the assassination of President Kennedy. Mr. Daru fired off a press release to newspapers questioning the decorum of "MacBird!" and charging it was "a terrible disgrace to the country."

"Bob was always sending out press releases to the papers," a member of the bar said yesterday.

Mr. Daru was board chairman of the New York Criminal and Civil Courts Bar Association and for 15 years had been counsel for its Committee on Justice. A member of the association, which was founded in 1893, said that years ago the organization was known as a "crusading bar association when others were straight-laced and never involved in controversy."

OPPOSED KLAN-HEARTED GROUPS

Early last year, Mr. Daru urged Mayor Lindsay to crack down on the Ku Klux Klan and "Klan-hearted" vigilante groups that might be operating in the city. He proposed an ordinance requiring all groups engaged in "private law enforcement" to disclose their membership and finances.

"There is as large a percentage of klan hearts in this city as in any large city," Mr. Daru declared.

About two years ago the lawyer came under attack by the Ku Klux Klan in Alabama when he filed antisegregation petitions there. They threatened to kill him if he returned, but he went back and was unharmed.

Mr. Daru, who frequently referred to himself in the third person, once told a reporter: "Daru is known to be a fighter of lost causes, but I've fought for a lot of lost causes and won."

One cause he was quite proud of was that of the late Bertram M. Campbell, who was falsely convicted of forgery in the forties and who spent three years in Sing Sing before the guilty person confessed. Mr. Daru was counsel to an association committee that assisted in the exposure of the erroneous conviction.

SPENT OWN MONEY IN CAUSES

Mr. Daru, who was once counsel to the Federal Grand Jury Association for the Southern District of New York, was vigorous against anything he considered unjust.

"If he hadn't had such zeal, he could have had a lot of work," a friend said. "You couldn't talk him out of something when he *made up his mind. Sometimes he spent his* own money in causes. But he was honest and sincere and everybody loved him. You couldn't feel angry at him, although you could get impatient."

In 1951, Mr. Daru surprised some of his colleagues by entering the controversy over the West Point cribbing scandal. About 90 cadets had been dismissed for what military authorities called organized cheating. Mr. Daru, who began an investigation, argued that those dismissed had the right to be considered for reappointment. He also asserted that responsibility for the dismissals did not rest with the cadets alone but with the system at West Point.

"I can't refuse to do the things I feel I ought to do," Mr. Daru said.

HELPED DRAFT CODE

Dr. Daru resigned as an assistant district attorney in 1932 after six years as a prosecutor. Later he became special counsel to the United States Senate Committee on Crime and Racketeering. In 1941 he was one of 90 judges, lawyers and prosecutors who drafted a Code of Ethics and Principles for Prosecution and Defense of Criminal Offenses. The code was adopted by many state bar associations.

He usually slept less than five hours a night. "I don't need more," he said. "When I have more I'm in a coma."

Mr. Daru liked to ride a bicycle and motorcycle and did so at every opportunity. He believed the bicycle was good for holding down the more than 200 pounds he carried on his 5 foot, 10-inch frame.

Mr. Daru is survived by his widow, the former Belle Warshaw; two daughters, Mrs. Norman Fenton, whose husband is a Judge in the Arizona Superior Court, and Mrs. S. Lenwood Schorr of Tucson, Ariz.; and seven grandchildren.

A funeral service will be conducted Sunday at 2 P.M. in the Riverside Chapel, Amsterdam Avenue and 76th Street.

U.S. TRADE NEGOTIATORS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Betts] may revise and extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BETTS. Mr. Speaker, I think the gentleman from North Carolina is performing a useful service to the House by his discussion of the arbitrary and illegal actions of the U.S. trade negotiators in the Kennedy round.

As the gentleman has brought out in his remarks, it has become very clear that the United States is not going to receive reciprocal trade advantages in any Kennedy round trade agreement for its agricultural trade, nor is the prospect any better in industrial trade.

During the debate on the Trade Expansion Act of 1962, I tried my best to point out the dangers which lie in the excessive grants of authority to the President which were contained in that act. As I saw it, these unprecedented grants of power would seriously affect agriculture, industry, minerals, and fishery products.

While no Member of Congress actually knows what is going on in the Kennedy round—I understand that even the so-called congressional delegates to the Kennedy round are not given copies of *the position papers developed by the U.S.* trade negotiators—it has become quite clear from many sources that we are about to be sold out in agricultural negotiations by a strategem in which other countries will make promises to shoulder a part of the responsibility of affluent nations to feed the starving peoples of underdeveloped countries. The European Common Market has made it quite clear that it does not propose for one moment to change in even a minor degree the variable import levy system which absolutely protects the European market from U.S. agricultural exports.

In antidumping it is also regrettably evident that the United States is in the process of agreeing to a watering down or weakening of our antidumping rules—as ineffective as they have proven to be in protecting American industries.

In the area of chemicals, the United States seems on the verge of promising to make an across-the-board reduction in its duties in exchange for very minor reductions in duty by European nations and by Japan. *At the same time,* we are being led by our overwhelming desire to put a good face upon the disastrous negotiations in the Kennedy round, to promise in a side agreement to eliminate the American selling price basis of customs valuation on benzenoid chemicals and rubber-soled footwear in exchange for the delayed receipt of duty reductions which theoretically are supposed to match the across-the-board reductions that we have promised to make in our duties for the benefit of Europe.

Never in the entire history of our trade agreements law has such a shambles been made out of our negotiations with other countries. These rigid results in negotiations are the more difficult to understand because of the really unprecedented grant of power which was made by the Congress to the President in the Trade Expansion Act of 1962. With more power than any President before has had, President Johnson and his negotiators are faced with the poorest results achieved by the United States in any of the lackluster performances by our trade negotiators in past multilateral negotiations under the General Agreement on Tariffs and Trade.

Once again the United States appears likely to be outbargained and outtraded, but this time it appears that we will not even have the face-saving comfort of theoretical reductions in tariff duties by other countries; instead, we will accept promises by them to see their duty to mankind through food aid as a type of trade concession to the United States.

We also will accept as worthy bargaining material from the affluent nations of Europe their disappointment in the legal inability of our trade negotiators to make self-executing concessions for the elimination of the American selling price, the weakening of our Antidumping Act, or basic changes in our agricultural price support systems.

Mr. Speaker, I agree with the sentiment which has been expressed by other Members of this body that it would be better to call off the Kennedy round than to go forward with the types of nonconcessions which our negotiators are discussing in Geneva.

U.S. TRADE NEGOTIATIONS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. DORN] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I wish to join with the gentleman from North Carolina [Mr. WHITENER] in his concern over the turn taken by the negotiations under the Kennedy round.

I agree that the negotiations have gone through a torturous and agonizing course over the past 4 years, only to arrive at an impasse that apparently can only be resolved through a retreat by this country from a position that has been firmly asserted on numerous occasions.

The President's Special Representative for Trade Negotiation and his deputies have vowed over and over again that this country will not negotiate our industrial tariffs unless and until we receive acceptable concessions for our agricultural exports.

The other countries, particularly the EEC or Common Market group, have been on notice to this effect since 1963 when ground rules for the negotiations were first adopted. It was agreed that "acceptable conditions of access to world markets" would be provided for agricultural products, so that trade in such products could be developed and expanded.

As the months and even years went by while the EEC countries were shoring up and protecting their agricultural products by price supports and variable imports fees, no offer was made to this country even though what was advertised as a firm deadline came and went. We, the United States, went ahead despite the default, and submitted our list of exceptions on industrial items in any case, contrary to what we had vowed. In other words, we let the default pass and proceeded with our own submittal exactly contrary to what we said. This was no doubt the tipoff to the EEC. Having vowed that we would not make an offer on industrial items unless we received an offer on agricultural products at the same time, we nevertheless made our offer when the agricultural offer was not submitted by the EEC. The meaning was there for anyone to read, and the EEC read it.

The Common Market countries could easily conclude from our lack of firmness that from that time on they could outwait us on all other items of difference with fair assurance that we would back down on all other points of disagreement.

This comes very close to what has happened. We fixed other deadlines, and these have also been disregarded with impunity. We still, nevertheless, cling to our determination to negotiate a Kennedy round—apparently with little regard for the cost in terms of prestige and still less regard for the lack of reciprocity that may be achieved.

One example is enough to confirm this suspicion. It has already been mentioned this afternoon on the floor, but it bears repeating and should become publicly known. I refer, of course, to the backing down from our position on agricultural products. This needs a little explanation to become understandable.

The Trade Expansion Act authorizes the President to enter into trade agreements and in their course to modify or bind tariff rates or other import restrictions. It was under this authorization that we agreed to what has come to be called a "guaranteed access" to foreign markets for our farm products. "Guaranteed access" really meant no more than a guarantee to holding our own, as distinguished from an expanding foreign market. Thus it was a weak bargain to begin with.

In other words, we settled for nothing more than a guarantee that we would not be confronted with a freezeout by the Common Market—something that could happen under the variable import levy system they adopted.

When the EEC made its offer on farm products, however, it was a minimal proposal that was wholly unacceptable. The American Farm Bureau Federation immediately called for abandonment of the Kennedy round in view of the paucity of the offer.

That recommendation, though fully justified, was not followed. This country was so wedded to the notion of bringing off an agreement under the Kennedy round that it looked around for some face-saving substitute for the guaranteed access formula; and hit on the international grain agreement.

Such an agreement, of course, is not contained in the authority of the Trade Expansion Act. This fact characteristically did not stop the President's Special Representative, Mr. William Roth or his Deputy, Mr. Michael Blumenthal. They came up with the suggestion that the other industrial countries should contribute to the feeding of the hungry people of the world and thus lighten our burden. Should they agree, we would forget about the guaranteed access and consider ourselves compensated by the sharing of our self-assumed burden of feeding the world.

Mr. Speaker, I do not question the desirability of what is proposed; namely, that the other countries should help relieve suffering from hunger in the overpopulated areas of the world. We should not have to buy this as a favor; and that is what we would be doing. We would give up the guaranteed access to foreign markets for farm products in return for persuading these countries to do what they should do in any case—assuming they are so inclined.

Not only should we not have to pay for their doing their share: the Kennedy round is not the right vehicle. The only authority the President has in this field is that contained in the Trade Expansion Act; and that act cannot in good conscience be stretched to encompass a deal on sharing foreign aid. Desirable or not, the proposed deal on grain is alien to the Trade Expansion Act.

Moreover, we would relinquish our guaranteed access to foreign agricultural markets for the proposed lightening of our burden incurred in relieving the food deficit in needy countries. Mr. Speaker, if the President's Special Representative can go this far in stretching his power under the Trade Expansion Act, there is almost no limit to which he might go. The provisions of the law are apparently irrelevant and meaningless.

The State Department had become so accustomed to follow its unilateral interpretation of the trade agreements legislation that the President's Special Representative soon fell into the same habit. Congress has been pushed aside and is no longer tolerated as having any authority in the field of trade. That it is the function of Congress to regulate foreign commerce and to lay and collect duties, is not only forgotten but is no longer mentioned.

I think it is long past the time when Congress should reassert its power and responsibility in this field.

The President's Special Representative is negotiating in two other fields that lie beyond his competence under the Trade Expansion Act. One is the proposed international antidumping code and the other, the elimination of the American selling price—ASP—which establishes the basis for levying duties on certain chemical items, rubber-soled footwear and two minor items.

Although he is not authorized to do so, the Special Representative proposes to negotiate separately on these items and then bring them back to Congress for approval. This procedure would be designed to bring extreme pressure on Congress, verging on coercion, to approve what had been negotiated and signed. This style of forced play, Mr. Speaker, does not go down well. It represents an effort to pressure the Congress with considerations of diplomacy as the instrument of pressure. It is neither fair as a procedure nor conducive to harmony between the executive and the legislative branch.

I wish to commend the gentleman from North Carolina [Mr. WHITENER] for airing this important subject on the floor. The weakness of our negotiating approach should have been exposed before now. We throw away our bargaining power before we are half way through, by tipping our hand and revealing our anxiety over failure to reach an agreement.

Also the disregard for the limits of authority of the President in making trade agreements is in great need of exposure. The gentleman from Pennsylvania, though on the other side of the aisle from me, has done a great service today and I gladly give him all the support I can.

NUCLEAR WEAPONS AND THE ATLANTIC ALLIANCE

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the eminent foreign correspondent and columnist, Edgar Ansel Mowrer, recently analyzed the decline of NATO and pointed to the importance of nuclear weapons in this decline. His perceptive column follows:

REFUSAL TO GIVE U.S. ALLIES ATOMIC WEAPONS WEAKENS NATO

(By Edgar Ansel Mowrer)

In the international field, as elsewhere, troubles rarely come singly.

Particularly not when they are being stirred up by fanatics who have managed to stretch a controlling paw over a third of the earth's people.

Therefore none of us should be surprised that from Bolivia to Quebec, from Bonn to Peking, and from Rhodesia to the Philippines by way of Somalia, Yemen, Pakistan, India, Ceylon, and Indonesia, new eruptions may occur at just about any time.

Since no Western power but the United States is any longer ready or able to deal with these sores, we Americans have no choice but either to follow the Truman Doctrine wherever it may lead us, or to let the rest of the world go hang . . . itself on a Red gallows.

Of all threatened areas West Europe most needs our support. Some people say it is too late. From Oswald Spengler on, pessimists have gloomily predicted the "downfall" or the "suicide" of the West.

Yet, many, including Arnold Toynbee, have replied that while this may happen it need not. The West is still by far the best governed, most prosperous, most scientifically advanced, and most powerful section of humanity.

UNITED FRONT NEEDED

Halting further deterioration would seem to depend on its ability to unite and present to the entire world the same sort of united front which it did in the early fifties.

Since then, a series of American policies, chiefly the New Frontier's infatuation with the idea of cooperation with the Soviet Union, has unquestionably brought about a loss of cohesion which could lead to the West's integration and, on the European side, to total loss of power.

This would be an even greater catastrophe than the loss of China in 1949, whose full effect the world is just beginning to realize.

We ought then feel happy that the "Task Force on the Conduct of Foreign Relations" of the Republican Coordinating Committee has brought out a statement urging President Johnson to put into effect his remark that "an integrated Atlantic defense is the first necessity" of our foreign policy.

This statement lists five American actions which have led to the deterioration of NATO. These were (1) permitting the construction of the Berlin Wall; (2) our unilateral withdrawal of missiles from Greece and Turkey following the Cuban missile crisis; (3) the imposition on our NATO allies of a defense policy of "flexible response" in place of "massive retaliation"; (4) the abrupt cancellation of the Skybolt missile project and giving preference to Britain; and (5) the priority and emphasis given by Washington to the "Hot Line" with the Kremlin, thus by-passing our allies in favor of direct talks with the Soviet Union in case of crisis.

DEPRIVED OF REAL POWER

With all of these I agree. Yet the "Task Force" has in my opinion overlooked the chief cause of NATO's rot. This is the consistent American refusal to give to our allies any sort of real control, still less possession, of atomic weapons. For this deprives them of that real power which is the essence of all politics. It creates not merely a quantitative but a qualitative distinction within NATO to which our European allies are bound—I repeat, bound—in the long run to react with further resentment of apathy, together the cause of NATO's current sickness.

In fact, I dare predict: so long as the United States refuses to endow our allies with nuclear weapons of their own over which they have full control, NATO will continue to sicken or even die. This is why the realization of a nuclear non-proliferation treaty with the Soviet Union would be a catastrophe.

Think it over, Republicans.

NATIONAL HOME OWNERSHIP FOUNDATION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROWN of Michigan. Mr. Speaker, I wish to commend the 37 Senators and the over 100 House Members for their action last week in co-sponsoring the Percy plan to promote homeownership in the slums.

Lack of adequate housing has already emerged as one of the country's worst problems. It is part and parcel of continuing racial tensions and the preservation of the so-called poverty cycle.

Now, for the first time we have a vehicle which can provide the coordinated impetus required from the private sector, individual citizens and government, to make homeownership a reality and not just a mere dream for those Americans who today endure the crushing burden of inadequate, substandard housing.

It is not the whole answer to the slum problem. There is a need for many new approaches, but Senator PERCY's proposal for the establishment of a National Home Ownership Foundation moves down a largely untraveled road. It is an attempt to mobilize the private sector, with Government reinforcement at crucial spots.

For too long, public housing for slum residents has been of the "Government knows what's best for you" approach. This program put the faith where it belongs, in the people.

I sincerely hope this imaginative program will win bipartisan support and that the Congress will move quickly to enact it in this session.

UNIQUENESS: THE GREAT HOPE FOR THE SOUTH

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. HAMMERSCHMIDT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HAMMERSCHMIDT. Mr. Speaker, the South is rapidly becoming the new frontier in the second wave of development of the United States. Part of this development is being spearheaded by men such as Winthrop Rockefeller, newly elected Governor of Arkansas.

On April 14, 1967, Gov. Winthrop Rockefeller addressed Johns Hopkins University. At the time of this address to the new Institute of Southern History, the Governor made several comments reflecting on the past experiences of the South. For example, he said:

> It is self-deceiving for the South to attempt to develop itself while largely ignoring more than 20 per cent of its human resources. And, past negligence has left the South a great task in bringing the Negro directly and positively into its economic system.

Then the Governor talked about what the South could be like and what it needed to do in the coming years. In talking about goals he said:

> Suppose that over the next 50 years the South should succeed in this game of economic catch-up. What then? It will have achieved the dubious distinction of becoming nationally "average". I believe that the goal must be for something greater.

Lastly, the Governor discussed the challenge that was before the South when he said:

> I am convinced that economic uniqueness is absolutely necessary for the South, if it is to achieve its aspirations. My presence here, and my efforts in becoming the first Republican governor in Arkansas in 94 years, serve as evidence that I believe we can achieve this uniqueness.

The complete text of Governor Rockefeller's comments is as follows:

UNIQUENESS: THE GREAT HOPE FOR THE SOUTH

(By Winthrop Rockefeller, Governor of Arkansas, April 14, 1967)

Arkansas is known as the "Land of Opportunity." For more than a decade, I have been working with leaders in the States to find ways of fulfilling the promise of this slogan. Much has been accomplished, and much more remains to be done.

During this long period of involvement, I have come to believe that our slogan in Arkansas may be applied broadly to the South as a whole. I am convinced that the South is a Land of Opportunity, if we choose to make it so.

Many things have been spoken and written—both good and bad—about the South. Its problems have been deplored, its past defended and its recent trends praised. Today I will not repeat this backward-looking literature, nor do I propose to review in detail the massive amount of statistical information that has been absorbed in the preparation of these remarks. While certain new and pertinent figures will arise, my primary concern is with a philosophical evaluation of this information; with the wise use of its implications; and with the opportunities that lie before us.

A number of years ago, during my earliest travels in behalf of developing Arkansas, I came to the conclusion that the greatest problem facing the South was a massive inferiority complex. Today, much of my optimism about the future rests upon the fact the South is in the process of shaking off this old complex; that it is turning away from what is past, and is beginning in earnest to explore the opportunities of the present and of the future.

This transformation is essential if the South is to meet three vital prerequisites to truly dramatic development. These prerequisites, I believe, are *understanding, motivation* and *initiative*.

We must understand clearly the environment that shapes our economic development.

We must be motivated to seek higher goals.

And we must seize the initiative in creating our own opportunities.

The trends of history are not with us, and success will not come easily. Fulfillment of our goals will demand real uniqueness. Yet I believe that, within the concepts discussed here today, success is possible.

To clearly understand the South's economic environment today, we must briefly review the past. The roots of today's problems are anchored more than a century deep in history. Here has been a land of extremes both socially and economically . . . And we know that the "image" of the manorial plantation which emerges from great literary works is more than an image—it is a reflection of certain facts of life in the early South.

This nation had its beginning while the industrial revolution was in its infancy. Until then, mankind had been almost totally preoccupied with the land. Food and fiber were products of the land, and opportunities for a share of the "good" life—indeed for any life—rested on the share that turned the soil.

Significantly, the first phases of the industrial revolution were concentrated in the fiber industry. Fiber—or specifically cotton, as far as the South was concerned—became a tremendously valuable source of income. The South took advantage of its unique situation and grew cotton with a vengeance. Who would have done otherwise? Cotton was in world demand, it was profitable and apparently it would be everlastingly essential to industrial activity.

The rationality that controlled the cotton economy was too great to foresee that man soon would begin to rise above subsistence level living; that his next several lifetimes would be turned to the manufacturing industries for employment and growth of income; that agriculture would steadily decline in its relative importance; and that eventually, "King Cotton" would be dethroned.

As industrialization progressed, the South began to fall back with its single-product, undiversified economy—and more significantly, with a product doomed to declining importance in the world market.

By the time this trend of economic history became apparent, the South was already behind—both in income and the development of industry.

Soon to add to the South's predicament was the increasingly important matter of investment and enterprise. The cotton economy created a social structure not readily adaptable to change . . . a social structure of "haves" and "have nots". Only the growth of comparatively recent years has brought about the creation of a sizeable middle class . . . And we now know that a substantial proportion of investment and entrepreneurship must come from this segment of the population.

I have expressed my conviction that something else of great significance came into being during this period of diverging economies and diverging standards of living.

Literally, perhaps, it belongs in the vernacular of the sociologist and not the economist. Yet I am convinced that the massive inferiority complex, which the South is just now throwing off, has been very much involved in some painful economic verities.

For many years the appeal of the big stock exchange boards have caused an overwhelming share of the South's private investment dollars to be funneled almost exclusively into Northern enterprises. These investments have represented enough wealth to finance enormous development in the South, and they must play a vital role in its future.

Returning to history—the rest of the comparative development story is a predictable continuation of a trend. With the continuing diversification of industry in the North, the discovery of the tremendous output possible through mass production, and the subsequent rise of the average working man's income, divergence of incomes between North and South became more marked.

Two significant points can be made from this sequence of events. First, the South's almost total concentration on the production of cotton was, at that time, entirely rational. Only a marked departure in the history of man's development—the industrial revolution—decreed that this decision would be wrong.

Second, and more importantly now, we must recognize the long-run consequences of such a change, since to this day the resulting divergence of incomes between the North and the South persists. As change continues, the divergence can be eliminated—but the South must be careful not to become enraptured with another falling star.

How may we change the trend of economic history? Obviously, we must break the trend, and to do this we must understand our position in it now. Only the need for brevity causes me to speak of the South, today, as though it were a homogeneous region. We are all aware of the tremendous diversity that exists within the 16 states of the South Atlantic, East South Central, and West South Central census regions, commonly defined as the "South".

Near the end of the last century, the South began its own industrialization of a sort. This was largely a response to shortages in the more rapidly growing regions of the nation.

Timber shortages in the North, caused by rapid urban and railroad construction, created a lumber industry boom in the South.

Faced with labor shortages and high wages, the textile industry began moving South. Iron and steel got a late start, and the petroleum demands of the new auto industry created a petroleum boom in the Southwest.

Of greater significance, however, have been the effects of some radical changes that have shaken the South—most of these within the last 25 years.

The Second World War exposed people in the South to more of the world at large and brought about changes in them; and the war, with its subsequent boom period, created a nationwide labor shortage. The South found itself the possessor of a newly valuable asset—abundant labor—and the supply was continuously fed by an agricultural labor force being diminished by mechanization.

While high-wage industries competed for labor in the North, and attracted many thousands of migrants, the low-wage, highly labor-oriented industries competed by moving South.

This new labor force in the South was inexperienced, but highly trainable. Over and over again during my days as chairman of the Arkansas Industrial Development Commission, we found this to be true. And during that period, I am pleased to say, some 600 new plants located in Arkansas, creating more than 90,000 new jobs.

If we have recently begun to disparage low-wage industries, we should remember that they were sorely needed to provide jobs where none existed, and beyond that, to begin the rudimentary training that transforms raw agricultural labor into an efficient industrial work force. We in Arkansas still have need for some of these industries.

Development in the South since 1940 has both good and bad aspects. Our percentage of the nation's manufacturing employment has increased from 19 per cent to 24 per cent. The region's employment structure is still oriented toward low wages, however, and we receive slightly less than 20 per cent of the manufacturing employment income.

The South's share of the nation's population has remained at just over 30 per cent—but this percentage hides the combined effects of a higher birth rate and selective migration. A relatively smaller working age population, with relatively large proportions of young people to educate and older people to care for, places a difficult strain on an economy, and especially one with low incomes struggling for improvement.

Within its 30 per cent of the total population, the South has 56 per cent of the non-white population. The results of selective migration leave the region with more than 59 per cent of the non-white population 19 years of age and younger, and more than 62 per cent of those 65 and older.

It is self-deceiving for the South to attempt to develop itself while largely ignoring more than 20 per cent of its human resources. And past negligence has left the South a great task in bringing the Negro directly and positively into its economic system.

Finally, the South's lower income and development pattern is reflected in the structure of its occupational employment.

As of 1960, the South had about 29 per cent of the national employment, but only 26 per cent of the professional and technical people; almost 38 per cent of the farmers, 46 per cent of the farm laborers, and 48 per cent of the private household workers.

Obviously, the income gap cannot be closed until this occupational imbalance undergoes considerable change. It is true that per capita incomes have risen in all states. But the fact remains that, with few exceptions, the top ten states in 1930 are still the top ten. The bottom ten states—including ten of the 16 Southern states—in 1965 remained in the bottom ranks. Compared to its own income situation, the South is much improved. Among all the states, however, it has improved but little.

Analysis also reveals that income differentials among all the states tend to narrow as the national economy grows. Yet the state-by-state ranking of per capita income continues as a striking reminder of the differentials.

In the normal course of events, the South might hope for income equality in a half-century or so—if it can sustain its recent rapid growth rate.

In his fine book about education in North Carolina, Governor Terry Sanford wrote, "The mystery of the age is not the moon; it is motivation." Today the truth of this is seen with stark clarity in the Southland.

In the South—where the search for answers to the mysteries of the moon and beyond is rapidly intensifying—is also where the simplest kind of motivation can represent the most frustrating of challenges. Why? Because the standards the people accept for themselves have been shaped by poverty. The standards that leaders in government set forth are geared largely to keeping up with poor neighboring states. The standards proposed by more forward-looking business leaders are to catch up with the national average.

The facts of economic growth in this country show us two things.

First, each state's growth depends largely upon the growth of the nation as a whole.

When the nation grows rapidly, the less developed states grow even faster. In times of recession or slow growth, the poorer states fall even further behind. A primary concern for the South, then, is rapid economic growth for the entire country.

Suppose that over the next 50 years the South should succeed in this game of economic catch-up. What then? It will have achieved the dubious distinction of becoming nationally "average". I believe that the goal must be for something greater.

Our second conclusion must be, then that because the national growth trend involves a long, slow process, any significant variations from it almost certainly will require breaking the pattern.

I am convinced that economic uniqueness is absolutely necessary for the South, if it is to achieve its aspirations. My presence here, and my efforts in becoming the first Republican governor in Arkansas in 94 years, serve as evidence that I believe we can achieve this uniqueness.

So far I have maintained that the South's economy has been undernourished by industries with a diminishing capacity to sustain the region's growth. We have fallen behind by not adapting rapidly enough to basic technological and economic changes. I also have maintained that we have not aimed high enough. We have not been motivated to seek excellence; to create change rather than merely respond to it.

As long as the South concentrates only on the symptoms of under-development and poverty, it will be stuck with them. Our resources are limited, and we can expend them trying to appease these *symptoms* without ever making any meaningful progress toward eliminating the *causes*.

Let me make myself perfectly clear. The obligation of social welfare programs is to attend to the deeply troubled; to those who, even given the opportunity, cannot help themselves. The South recognizes this obligation, as must other regions, and is prepared to live with it always.

But among these sixty million people there are comparatively few who, given the opportunity, cannot help themselves. And so the goal of our economic development program must be to provide these opportunities; to create jobs that are competitive with and preferable to, occupying a spot on the public welfare rolls.

I would be remiss if I were not to make reference to the problems growing out of new concepts of the federal system. Areas of taxation are essentially prescribed by law. With the federal income tax most sensitively reflecting the growth of our national economy—at the rate of from six to nine million dollars a year—many new-found tax dollars are being earmarked for the states on a matching grant-in-aid basis.

But all of the states, and particularly the under-developed Southern states, are being hard put to find the matching funds, and at the same time continue to support adequate and ever more expensive state services.

I am pleased about the growing awareness of the dilemma of the states, and the feeling that the states can only give responsible leadership when the federal government recognizes the necessity of unencumbered bloc grants or tax sharing.

There are a number of alternatives in the immediate future, and decisions made in the next decade seem likely to determine the future of the South for a long time to come. Very likely we have reached a transition in mankind's existence that will prove to be as significant as was the industrial revolution. From this vantage point we can contemplate the great growth industries of the Twenty-first Century. Let us consider some alternatives.

Hopefully, industrial growth in the South will continue for some time, and it will be valuable for training and sustaining the South's people. But because manufacturing employment and growth are leveling off nationally, the South should become increasingly selective in the types of manufacturing it develops. Along with this, we should emphasize relevant vocational training for members of our potential work force who are 35 years of age and under.

And perhaps nothing deserves higher priority than proper management of the South's immensely valuable water resources. Our abundant water supply puts is in a uniquely favorable position for attracting more and more of the traditionally higher paying jobs, such as are found in the booming paper industry.

What are to be the big growth industries in the next century?

First, and quite obviously, the future will bring about tremendous growth in the highly technical so-called "Think" industries. As man's knowledge deepens and widens, and as he encodes more and more of himself into machines, the ownership, storage and control of knowledge becomes paramount. The South has a start in its Space centers and research complexes, but the region itself has committed little of its own effort in this field.

Unquestionably, the basic educational systems of much of the South must undergo considerable improvements. In the context of these remarks, however—and at the risk of being misunderstood—I am saying that the basic Southern educational system is both a "symptom" and a "cause" of under-development, and that therefore it falls within the "catch-up" concept.

The quest for quality standards in basic education in the South must not falter. It must, instead, gain momentum. It is my view that the concept I propose to you now can have the effect of greatly intensifying this quest.

And let me say that it is utter folly to base our educational system on the fallacious philosophy that we can support an infinite number of educational institutions, with each trying to be all things to all people. This kind of approach is dissipating our already limited resources. We need to economize by specializing our institutions of higher education, rather than proliferating the fields each and every campus seems compelled to offer.

The challenge of the "Think" industries to the South extends to making very large investments in the most advanced areas of research. With careful planning and investment, the South can create major centers for these industries that will attract the private enterprise which is certain to develop. This activity will take place whether the South participates or not, and we must make commitments very soon.

Where is the second great area of opportunity?

The world seems somehow bent on proving correct Parson Malthus' theory that people will go on reproducing to the limit of the available food supply.

As we come more closely to grips with the mounting problem of feeding the world's people, a great industry must arise in food technology. Already we have passed through a questionable era of food surpluses and are turning our attention to ever higher production.

The land—and as your Professor Gifford Pinchot maintains—the seas, will be called upon to provide food enough for an enormously populated world. But food production is the end result of food and nutrition technology—and providing more nutrition from less resource will become the basic solution to the problem of feeding the world.

In this, the South has a beginning. With the soybean as a basic protein source, the growth of this and related crops can provide the basis for a food technology industry. Arkansas, for example, has a growing freshwater fish farming industry, and the nation's only experiment station for research in this area. I believe that a unique opportunity exists for the South to achieve and sustain the leading position in food technology. We must exert an influence on federal agricultural policy, nurture the food industry with investment in laboratories and other facilities, and provide strong support to the agricultural sector of our economy.

And here, once more, we recognize the blessing of an abundant water supply, properly managed.

While we may lament the truism that farming is no longer a way of life—we need to keep in mind that it is still a very big business.

What is the third area of opportunity?

It now seems certain that the American people will become the first in history to enjoy a real abundance of leisure time, with sufficient incomes to fill this time with a variety of activities. This leisure time can become one of the nation's great blessings, or one of its great problems.

Certainly, very few areas of the United States are suitable for leisure time development in the total sense, and only the barest beginning has been made to develop the leisure industry for the volume of participation that the future will bring.

Unquestionably, the South can assume a leading role in the development of this industry; unquestionably, leisure time offers the greatest potential for industry of any of the areas we have discussed. The obstacles will be in planning too small, too late, and in underestimating the quality and quantity of leisure time facilities needed.

With the rapid development of urbanization, and the prediction that ultimately ninety per cent of the nation's population will live in urban areas, we are becoming increasingly more concerned with open space and naturalness. Admiral Hyman G. Rickover spoke almost reverently on this subject when he said:

> "Much more thought should be given to technological interference with the balance of nature and its consequences for man, present and future. There is need for wider recognition that government has as much a duty to protect the land, the air, the water, the natural environment against technological damage, as it has to protect the country against foreign enemies and the individual against criminals."

The leisure time industry I am speaking of contemplates doing no technological violence to the balance of nature. Conversely, it will recognize the transcending value of nature in a world that continues to explode with population.

Certainly other opportunities deserve consideration but, in summary, these three—the

"Think" industries, food technology and leisure time—are the areas which, I believe, hold forth truly exciting promise for the creating of a better way of life in the South.

The South today is drawing very near to an important crossroads, from which it will choose between two avenues into the future.

One will invite us to proceed as usual, locked on course, and in perhaps half a century find ourselves pulling abreast of those states described as being nationally "average".

The alternative choice will be a much higher road. It will provide no historically infallible markers to guide us surely along the way; nor can we even be sure where it ultimately will lead.

But I am an incurable optimist, and I inherited more than a fair share of family tenacity. And so in my own mind there is no doubt about what our destination can be.

Robert Browning said, "What I aspired to be, and am not—comforts me."

As Southerners we must not aspire to be "average". Before us are a greatly enriched way of life, and a position of economic leadership.

So we will choose the high road—and gladly—because out there is fulfillment of that promise: "The Land of Opportunity".

JOHNSON OIL DIPLOMACY BUILDS SLICK BUT DANGEROUS BRIDGES TO THE EAST

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FINO. Mr. Speaker, to read this week's newspapers is to read about escalation of the war in Vietnam. Each day, our jet fighter-bombers fly raiding missions to destroy North Vietnamese fuel supplies, including oil supplies largely provided by the Soviet Union and Eastern Europe.

It disgusts me, therefore, to read that the incumbent Democratic administration of these United States is helping the Communists to supply North Vietnam with oil and petroleum products. This charge is very easy to document, and I shall proceed to do so.

My enclosures are as follows:

First. Allen and Scott column of February 22, 1967, describing how U.S. State Department has given "encouragement" to U.S. oil companies in Iran to make Iran-produced oil available to the Soviet bloc—which could be transshipped to Vietnam.

Second. Excerpts from State Department letter to me of March 14, 1967, describing the legal situation with respect to U.S. oil company sales of foreign-produced oil to the Soviet bloc, and noting that U.S. oil companies participating in the United States-Iranian Oil Consortium were, in fact, furnishing or about to furnish such oil to the Soviet bloc.

Third. Excerpts from April 2, 1967, London Economist article describing how Iran was moving into the Soviet sphere of influence; how Iran had agreed to sell the Soviet bloc crude oil and provide natural gas and petroleum products to the Soviet Union through a pipeline to be built from the Persian Gulf to the Soviet Union, to be provided in return with technicians, a steel mill and armaments.

Fourth. Excerpts from U.S. News & World Report's article of February 20, 1967, describing how Iran is to get antiaircraft guns, armored troop carriers and military trucks in return for gas exports to the Soviet Union.

Fifth. Wall Street Journal article of April 13, 1967, stating that Eximbank has given the Government of Iran a $60 million loan for help to provide U.S. equipment for a petrochemical plant at Shahpur, near the terminal of the pipeline to be built to the Soviet Union.

Sixth. Excerpt from April 20, 1967, Moscow Narodny Bank Weekly Press Sheet describing April 15 oil agreement signed between Russia and Iran to explore and exploit Iranian oil resources outside the area already operated by a consortium of Western oil companies.

Seventh. Article from April 22, 1967, London Economist detailing Soviet-Iranian oil agreement of April 15, stating that Iran has concluded a $100 million arms deal with Russia, payments to be made in gas and petroleum products, in addition to the joint oil exploration agreement. The Economist map shows the proposed pipeline to the Soviet Union going near or to Shahpur, where Eximbank is financing construction of a petrochemical plant, control of which will be in the hands of National Iranian Oil Co.'s National Petrochemical Co. of Iran. These Iranian Government-owned corporations are those participating in the oil deals with the Soviet bloc.

Eighth. Excerpts from January 16, 1967, Barron's weekly article entitled "Dangerous Bridges," which describes how the Soviet Union uses oil as a foreign policy weapon in Africa and Asia, and how the United States has gone along with the Soviets, even granting a steady stream of approvals for export of oil drilling and gas production equipment under the Export Control Act. The article also describes how the Export-Import Bank guarantees sales of this equipment to Eastern Europe on credit.

The enclosures follow:

[From the Northern Virginia Sun, Feb. 22, 1967]

Source Material, United States-Soviet-Iran Oil Transactions

(By Robert S. Allen and Paul Scott)

The U.S. is helping Russia realize a long-sought goal in the Middle East by giving access to the vast oil resources there. With encouragement from the State Department, American companies with concessions in Saudi Arabi, Iran and Iraq have begun selling oil to Russia and the Eastern European satellites.

The multi-million dollar oil sales, arranged under the greatest secrecy last month, received the green light from U.S. authorities after Middle East governments began pressuring American firms to take advantage of the new market.

These unreported Middle East developments are considered by Administration insiders to be a direct outgrowth of efforts by President Johnson to seek a detente with Russia by offering to increase trade.

Still unresolved among U.S. officials is how Russia or other Soviet bloc nations can be kept from shipping the Middle East oil to North Vietnam, Cuba and North Korea.

Although there is no evidence that the initial shipments were destined for these countries, Russia as chief oil supplier of these Red regimes is expected to use future oil purchases from the Middle East to meet these commitments. This development, when it occurs, could touch off a major political storm in the U.S., especially if the shipments are to North Vietnam while that conflict is raging.

Excerpt From Letter of Assistant Secretary of State Macomber to Representative Fino, March 14, 1967

Dear Congressman Fino: The President has asked me to reply to your letter of March 3, 1967 concerning a recent story in the "Northern Virginia Sun" which reported that United States oil companies operating in the Middle East had been encouraged to sell petroleum to the USSR and other Eastern European countries. You expressed strong opposition to such trade.

The United States Government has not encouraged United States oil companies to sell petroleum to the Soviet Union or to the other Communist countries of Eastern Europe. Under the Export Control regulations, United States oil companies are required to obtain an export license from the Department of Commerce before selling domestically-produced petroleum or petroleum products to the USSR and other Eastern European countries. Export license applications for such sales would be subject to the usual criteria and a license would not be approved if it were determined that the item in question would make a contribution to the purchasing country detrimental to the national security and welfare of the United States. A different situation prevails with regard to petroleum and petroleum products produced by United States companies from their overseas operations. Sales of these products to the USSR and the other Eastern European countries are not subject to the Export Control regulations. Under the Foreign Assets Control and Cuban Assets Control regulations, United States oil companies are prohibited from selling petroleum and petroleum products from foreign operations to Mainland China, North Viet-Nam, North Korea and Cuba.

As for possible United States sales to the Soviet Union, it should be noted that the USSR is one of the world's leading exporters of crude petroleum, having exported over 60 million metric tons in 1965 out of a total production of more than 242 million metric tons. For this reason it is extremely doubtful that the USSR would be interested in purchasing crude petroleum from United States companies. On the other hand, with the exception of Romania, all the Eastern European countries are major importers of crude petroleum. At present the USSR supplies these countries with almost all of their petroleum imports. From the point of view of the Eastern Europeans this trade is attractive since it does not involve the expenditures of hard currency. The availability of Soviet crude in Eastern Europe on barter terms has meant that up to now there has been no demand for petroleum produced by United States international oil companies. However, because this situation can change I understand that United States companies are now looking into market possibilities in certain countries of Eastern Europe.

A significant recent development has been the promotion of petroleum sales to Eastern Europe by the Government of Iran in exchange for industrial equipment. Iran is interested in promoting such barter trade in order to obtain a foothold in new markets, and the Eastern European countries are interested in new outlets for their manufactured goods. On the Iranian side, this trade will be based on oil produced in Iran by the Iranian Consortium in which some United States companies participate. Under the terms of the agreement between the Government of Iran and the Consortium, Iran has the right to call upon the Consortium to deliver stated amounts of oil in lieu of a cash royalty. Whatever transactions are arranged would be between Iran and the Eastern European Government concerned. As was noted above, our export control regulations do not apply to the participation of United States companies in arrangements of this type.

[From the Economist of London, April 2, 1967]

Iran and Russia: Friends Across the Fence

In the early 1960's Iranian relations with the Russians were hostile. Today contact with the communist world is expanding in all directions.

New agreements signed over the last two years have pushed up trade with half-a-dozen east European countries. A recent agreement under which Iran will sell Rumania $100 million worth of crude oil over a ten-year period in return for heavy plant and machinery is typical of these trade treaties. Discussion is going on about using the credit, worth nearly $40 million, that has been offered to Iran by Poland, Hungray, and Czechoslovakia. The volume of trade is still small. But more and more industrial equipment is being bought in east Europe in exchange for traditional Iranian exports, such as cotton and dried fruit.

These arrangements are largely adjuncts to the surprising expansion in Iranian-Russian ties. The Russians last year became the largest single market for Iran's non-oil exports, taking some 20 per cent of the total. After Iran formally pledged in 1963 that it would not allow foreign missile bases on its soil, nor allow Iran to become a base of aggression against the Soviet Union, the two countries quickly signed a number of long-pending agreements. The Russians have already held their first industrial exhibition in Teheran; Aeroflot now flies regularly between Teheran and Moscow; a cultural agreement is in the pipline. The two countries are co-operating in constructing a dam across the Aras river on their common frontier. The dam will be jointly used for hydroelectric power and irrigation purposes, and is being financed by Russian credits worth $36 million. This money will also help pay for Russian technical assistance in developing Iranian fisheries and for a string of grain silos the Russians are constructing across the country.

The crowning act to these multiple moves towards a rapprochment came last December, when the two countries signed an agreement under which the Russians are to provide Iran with $286 million in credits to finance an industrial complex consisting of a steel mill, a machine-tool plant and, possibly, a factory for making farm implements. The steel mill, with an initial annual capacity of 600,000 tons, will be expanded at a second stage to 1,200,000 tons. At the same time, the Russians are to help Iran build a $450,-million pipeline to run natural gas from Iranian oil fields to the southern Soviet republics 750 miles away.

This agreement is immensely important. Iran has been wanting a steel mill for some 20 years. But repeated negotiations with the United States and west Europe have not worked out and the issue had become highly political. It will give a Russian slant to Iran's biggest venture into heavy industry; it will bring dozens of Soviet technicians to Iran and means that several hundred Iranian technicians and workers will be trained by Russians.

Business Around the World

All at once, *Russia* is reminding everybody that it hasn't really changed so much after all. To the Kremlin, *trade is still a weapon.*

In the Middle East, it has just been revealed that Russia has signed a 90-million-dollar deal to buy *natural gas from Iran,* a treaty ally of the U.S. What does U.S. ally Iran get in return? Antiaircraft guns, armored troop carriers, military trucks. That's *just the latest in Soviet arms deals* in that part of the world. Egypt, Syria are among others using Russian weapons.

It's being asked: Is Russia winning major influence in these oil lands?

[From the Wall Street Journal, Apr. 13, 1967]

WASHINGTON.—The Export-Import Bank authorized a $60 million loan to the government of Iran to help finance purchases in the U.S. of equipment and services for a petrochemical plant to be built by Shahpur Chemical Co. adjacent to the port of Bandar Shahpur at the northern tip of the Persian Gulf.

Shahpur Chemical is jointly owned by National Petrochemical Co. of Iran, a subsidiary of National Iranian Oil Co., and by Allied Chemical Corp., New York.

The plant's cost is put at $172.5 million, of which about $71 million will be used for purchases in the U.S. Allied Chemical National Petrochemical Co. of Iran, the Plan Organization of Iran and European and Iranian banks will finance $112.5 million of the project.

[From the Moscow Narodny Bank Press Weekly, Apr. 20, 1967]

Iran–U.S.S.R. Oil Pact Signed

Iran and the Soviet Union announced on April 15 a joint venture to explore and exploit Iranian oil resources outside the areas already operated by the consortium of Western oil companies. This was revealed in a joint communique issued after Soviet Deputy Premier Nikolai Baibakov's second audience with the Shah in 10 days. The agreement was signed for the Soviet Union by Mr. Baibakov and for Iran by the chief of the planning organisation, Safi-Asfia.

[From the Economist of London, Apr. 22, 1967]

Oil Under the Caspian

The oddities of the oil and gas protocol signed this week between Russia and Iran suggest that the two countries know something special: it could be confirmation of the Russians' published hunch that the biggest oilfield in the world lies under the southern end of the Caspian Sea. The protocol was a hasty document which caught even people in Teheran by surprise. Its first part, the intent to explore jointly for oil, has been published far in advance of any details being worked out; indeed the Russian negotiators have been in Teheran during the very fortnight that the key four figures of the National Iranian Oil Company—including Iran's best qualified oil man, Reza Fallah, and chairman of NIOC, Dr. Manuchehr Eghbal—have been miles away from Iran at the world petroleum conference in Mexico City. If there really is a lot of oil to be discovered, where are the Russians, who already supply the bulk of east European requirements, going to sell it? The Shah himself believes that they would dearly like to operate in the western market for middle east crude as much for nuisance value and the commercial leverage it would give as for anything else.

This is the ambiguous part of the agreement; the protocol mentions doubling the supply of natural gas from Iran to Russia, and, by implication, building a second pipeline. Over a series of deals, Iran has bartered natural gas against Soviet credits for building steel mills, machine tool plants and under the new protocol a range of new projects from grain silos to mining. Since the gas is to be delivered over a six-year period, the agreements presume a political bond between Teheran and Moscow that a few years ago would have been wholly unacceptable to the west, regarding Iran as it did then as a key strategic oil base. Work on the first 42 inch pipe laid across the Azerbaijan border will be started this week, and should deliver gas in 1970. It has a capacity of 15 billion cubic metres a year—5 billion of which is earmarked for consumption inside Iran, with 6 billion, rising to peak capacity of 11 billion cubic metres going across to Russia to pay off the 2½ per cent $286 million Russian credit used to build the steel mill and machine tool complex at Isfahan. Since this particular deal was struck in January of last year, Iran has concluded a $100 million arms deal with Russia, again to be covered by payments in gas. Add this week's new credits, also to be repaid in gas, which, if Iran is to meet its commitments, will come to close on 20 billion cubic metres a year. A second pipe will almost certainly have to be laid to carry this. Usually, more gas can be pumped through a pipe merely by stepping up the pumping rate; the size of Soviet compressors being used seems to rule this out here. And increasing the planned pipe diameter would delay the pipe 18 months.

Excerpts From January 16, 1967, Barron's Weekly Article "Dangerous Bridges"

Petroleum is another peace-loving commodity with a mortal kickback. Soviet oil dumping on non-Communist markets, to acquire foreign exchange for the USSR's industrial build-up, has been noted. This drive, also aimed at making under-developed African and Asian countries dependent on the Soviet by displacing Western oil suppliers, because so clearly perilous that the State Department two years ago issued an alert about it. A National Petroleum Council report (sponsored by the U.S. Interior Department) said that Soviet-bloc oil exports "further Communist political objectives, (with) penetration especially marked in Western Europe"; the Council warned that "Western equipment and technology would enhance the Soviet's ability to produce, refine and export oil." Yet one of the first moves in the Administration gambit for Rumania's "independence" was a 1964 license to help set up an oil refinery installation there with capacity of one million tons annually. Since then there has been a steady stream of approvals for petroleum drilling and oil and gas production equipment.

The real Red dilemma is how to pay for U.S. skills and equipment. They can pay only by borrowing. Not short-term credits, which lower the boom quickly, but long-term. Ultimately the logic of the bridge policy must compel such credits in bulk. Critics of the Administration see this as the most pernicious aspect of the program.

The Communists already have accumulated a cozy $2 billion commercial debt, largely in West Europe. Industrial sales approved or executed for Rumania are backed by five-year credit guarantees to U.S. business from the Export-Import Bank. The President now has Congressional authority, at his discretion in "the national interest" to command the Bank's support for more of the same with the entire bloc. His Special Committee on East-West trade deliberately advised him that "trade with Communist countries should not be subsidized." But this is what we are ready to do.

EVEN THE RUSSIANS KNOW L.B.J. IS ABOUT TO REPEAL GOLD BACKING FOR THE DOLLAR

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FINO. Mr. Speaker, today I have written to the President to ask him to have members of the House and Senate Banking Committees to the White House for a meeting on the U.S. gold problem.

Today we are reaching the point where our gold reserves cannot supply more than a tiny fraction of world dollar claims against gold so long as we must keep gold supplies on hand to the extent of 25 percent of our currency. There can be little doubt that the administration is preparing to scrap the 25-percent gold backing for the currency. No new legislation has to be introduced, because Chairman HENRY REUSS of the International Finance Subcommittee of the House Banking Committee dropped such a bill in the hopper months ago. According to the London Times of April 19, the administration is about to ask Congress to repeal the 25-percent gold cover. Inasmuch as the Times is a quite reliable newspaper, I think that the President ought to let members of the House and Senate Banking Committees in on his plans, so that a credibility gap is not thrown up which could make things more difficult if the administration later seeks rubberstamp committee action.

I enclose the Moscow Narodny Bank's April 20 press weekly summary of the London Times article stating that the administration is about to seek repeal of the gold cover for our currency:

UNITED STATES TO REPEAL CURRENCY GOLD COVER LAWS

The U.S. Administration will shortly ask Congress to free the entire American gold stock for international transactions by repealing the law which requires a 25 per cent gold backing for the currency. The amount of gold available to meet foreign demands would be increased by this move from the present $2,800 mn to the full $13,100 mn contained in the U.S. gold stock and the ration of foreign claims to "free" American gold holdings would be reduced from 10–1 to only about 2–1.

REORGANIZATION OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the residential mortgage market crisis of 1966 generated not only legislation which was enacted last year but study on the part of trade associations in the real estate and mortgage lending fields as to methods for averting future crises whenever pressures are put on the capital market.

The National Association of Real Estate Boards has made a thorough study of the structural defects inherent in our basic arrangements for residential financing, and has recommended a substantial reorganization of the Federal National Mortgage Association with the object of preparing it to meet mortgage crises such as that of 1966 which saw residential sales and home building take a sharp plunge downward.

Briefly, the bill would do two things:

First. It would reconstitute the Federal National Mortgage Association as an independent corporate instrumentality of the United States; and

Second. Would authorize it to deal in conventional loans as well as FHA and VA loans.

This represents an enlargement of its powers under the secondary market functions of the agency. The powers relating to special assistance would vest in the Secretary of Housing and Urban Development although the new FNMA would administer these functions for the account of and at the expense of the Department.

Another unique provision would require that common stock subscriptions in excess of $200 million must be used to retire the Treasury preferred stock subscriptions which presently amount to $154,820,000. The common stock subscriptions today are approximately $122,175,000.

The reference to the conventional market is prompted by the lack of a secondary market today for conventional loans. The purpose of the bill is to at least initiate steps which might some day make the conventional loan a nationally marketable commodity as is the case today with respect to FHA and VA loans. Of course, national standards will have to be developed by FNMA. Such national standards could generate activity in the State legislatures to remove some of the legal impediments and technicalities which deter the marketability of so many conventional mortgages across State lines.

Reconstituting FNMA as a separate agency, divorced from the welfare and subsidy oriented Department of Housing and Urban Development, is not as enormous a change as would appear at first glance. In 1954 when the Congress rechartered FNMA, reference was made to the ultimate retirement of the Treasury's investment, and the submission at that time of a plan to the Congress for the conversion of FNMA to a privately owned corporation. It could be said, therefore, that this new FNMA bill represents an intermediate step between FNMA as it is constituted today and its eventual transfer to private ownership.

I believe that these proposals for FNMA, as developed by the National Association of Real Estate Boards, merit the serious study and consideration of the House Housing Subcommittee. I am therefore introducing the measure so that it might be considered by the subcommittee during its current deliberations on housing legislation.

The proposed bill and a section-by-section summary follows:

H.R.—

A bill to reconstitute the Federal National Mortgage Association as an independent corporate instrumentality of the United States, to enable it to deal in conventional mortgages, and to provide otherwise for its further development as a secondary market facility

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302(a) of the Federal National Mortgage Association Charter Act is amended—

(a) by striking out "a constituent agency of the Housing and Home Finance Agency" and inserting in lieu thereof "an independent corporate instrumentality of the United States"; and

(b) by inserting at the end thereof: "At the discretion of the board of directors, conditioned upon the availability of space and the payment by the corporation of economic rent therefor, the principal office of the corporation may be located in space which otherwise would be available to the Department of Housing and Urban Development."

SEC. 2. (a) Section 308 of the Federal National Mortgage Association Charter Act is amended to read as follows:

"PRESIDENT AND BOARD OF DIRECTORS

"SEC. 308. (a) The Association shall have a president who shall be the chief executive officer of the corporation, and such other executive officers as may be provided for in the bylaws. The president of the corporation shall be appointed by the President of the United States, by and with the advice and consent of the Senate, for a term of fifteen years from the date of his appointment and qualification and until his successor is appointed and has qualified, except that at any time he may be removed by the President of the United States for inefficiency, neglect of duty, or malfeasance in office.

"(b) The Association shall have a board of directors consisting of nine persons, one of whom shall be the president of the corporation ex officio, as chairman of the board. Another member of the board shall be the Secretary of the Treasury ex officio, except that he may designate an Under Secretary or Assistant Secretary of the Department of the Treasury to serve as such member in his stead. Another member of the board shall be the Secretary of Housing and Urban Development ex officio, except that he may designate an Under Secretary or Assistant Secretary of the Department of Housing and Urban Development to serve as such member in his stead. Another member of the board shall be the Chairman of the Board of Governors of the Federal Reserve System ex officio, except that he may designate another member of the Board of Governors of the Federal Reserve System to serve as such member in his stead. Another member of the board shall be the Chairman of the Federal Home Loan Bank Board ex officio, except that he may designate another member of the Federal Home Loan Bank Board to serve as such member in his stead. The other four members of the board shall be persons elected annually, in the manner provided in subsection (c) of this section, by the holders of the common stock of the Association outstanding from time to time. Such elective members shall hold office until the close of the next succeeding annual meeting of the stockholders. The ex officio members of the board, as such (or as members of the executive committee), shall not receive compensation for their services. Each elective member shall receive compensation at the rate of $150 for each day he is in attendance at meetings of the board (or of the executive committee), and shall be reimbursed for his actual expenses incurred in traveling to and from such meetings. No such elective member shall be deemed to have a conflict of interest by reason of his ownership of corporate common stock or other securities issued by the Association, nor by reason of his ownership of or employment by any organization doing business with the Association.

"(c) One meeting of the holders of the common stock of the Association outstanding from time to time shall be held in each year during the month of May for the sole purpose of electing the elective members of the board of directors. Each share of such common stock shall entitle the holder thereof to one vote for each vacancy to be filled, and cumulative voting shall not be allowed. Such meetings shall be held at such times and places, and shall be subject to such rules and procedures as may be provided for in the corporate bylaws. The bylaws shall provide for the manner of filling of vacancies among elective members of the board of directors occurring between the annual meetings of the common stockholders. The executive and other officers, attorneys, employees, and agents of the Association shall not be ineligible to become elective members of the board but, as such (or as members of the executive committee), shall not receive compensation for their services.

"(d) The board of directors of the corporation shall meet at the call of its chairman, who shall require it to meet not less often than once each quarter; or a meeting may be called by any four other members. Within the limitations of law and subject to the provisions of section 302(d) hereof, the board shall determine the general policies which shall govern the operation of the Association. The board of directors shall select and effect the appointment of qualified persons to fill the usual and customary corporate executive offices (other than the office of president of the corporation), as may be expressly provided for in the bylaws, and the president of the corporation and such persons shall have such executive functions, powers, and duties as may be prescribed by the bylaws or by the board of directors, and shall be the executive officers of the Association and shall discharge all such executive functions, powers, and, duties.

"(e) The corporate bylaws may provide for the establishment of an executive committee of the board of directors. Any such executive committee shall consist of three members of the board, one of whom shall be the chairman of the board ex officio, as chairman of the executive committee, another of whom shall be elected by a majority vote of the whole board from among the other ex officio members of the board, and the third of whom shall be elected by a majority vote of the whole board from among the elective members of the board. Each member of the executive committee shall hold office until he ceases to be a member of the board of directors or, except as to the chairman, until his successor has been elected by a majority vote of the whole board, whichever occurs sooner. The executive committee shall meet at the call of its chairman; or a meeting may be called by the other two members. The executive committee may be authorized to act between meetings of the board of directors with the full power of the board, except that any policy determinations or actions shall not be inconsistent with general policies determined by the board or which would govern such determinations.".

(b) Section 303(a) of such Act is amended by striking out "nonvoting common stock" and inserting in lieu thereof "common stock which, except as provided in section 308(c), shall be nonvoting".

(c) Section 303(g) of such Act is amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "president of the Association".

(d)(1) Section 5314 of title 5, United States Code, is amended by adding thereto: "(48) President of the Federal National Mortgage Association.".

(2) Any other provision of law to the contrary notwithstanding, the board of directors of the Federal National Mortgage Association may fix the compensation for not more than four of the corporate executive offices of such Association at the annual rate applicable to positions in level V of the Executive Schedule (5 U.S.C. 5316).

(e) The first elected members of the board of directors of the Federal National Mortgage Association shall be elected at a meeting of the holders of the Association's common stock, to be called by the chairman of the board as soon as is practicable after the enactment of this Act.

(f) The incumbent of the office of president of the Federal National Mortgage Association immediately prior to the effective date of this section shall be deemed to be the president of such Association as described in section 308(a) of the Federal National Mortgage Association Charter Act, as amended by subsection (a) of this section until his successor is appointed as provided in said section 308(a), and has qualified. The incumbents of the other executive offices of the Association immediately prior to such effective date shall continue in their respective offices until their successors are selected and appointed as provided in section 308(d) of such Act, as amended by subsection (a) of this section.

Sec. 3. Section 303(a) of the Federal National Mortgage Association Charter Act is amended by striking out the third sentence and inserting in lieu thereof: "At the option of the Association, all of the preferred stock shall be retirable at par value at any time, and any common stock acquired by the corporation and held by it as corporate treasury stock shall be retirable so long as not less than $100,000,000 of such common stock will thereafter remain outstanding. The amount of preferred stock authorized to be outstanding during any fiscal year shall be the amount otherwise provided for in this section reduced by an amount equal to the par value of the outstanding common stock in excess of $200,000,000 determined as of the close of the preceding fiscal year."

Sec. 4. (a) Section 302(b) of the Federal National Mortgage Association Charter Act is amended to read as follows:

"(b)(1) For the purposes set forth in paragraph (a) of section 301 and subject to the limitations and restrictions of this title, the Association is authorized under section 304, pursuant to commitments or otherwise, to purchase, lend on the security of, service, sell, or otherwise deal in any mortgages which are insured or guaranteed as provided in paragraph (3) of this subsection, or which are insured or guaranteed by an underwriter under a contract determined by the Association to be generally acceptable to private institutional mortgage investors, or which, although neither insured nor guaranteed, are of a quality generally acceptable to private institutional mortgage investors and otherwise meet generally the standards of the Association in its other operations under section 304. The Association shall not purchase any mortgage which is not insured or guaranteed as provided in paragraph (3) of this subsection and as to which the outstanding principal balance exceeds 80 per centum of the appraised value of the property covered thereby unless payment of such excess amount is insured or guaranteed by an underwriter under a contract determined by the Association to be generally acceptable to private institutional mortgage investors.

"(2) For the purposes set forth in paragraph (b) of section 301 and subject to the limitations and restrictions of this title, the Association is authorized under section 305, pursuant to commitments or otherwise, to purchase, service, sell, or otherwise deal in any mortgages which are insured or guaranteed as provided in paragraph (3) of this subsection. The Association shall not purchase under section 305 any mortgage (i) offered by, or covering property held by, a State or municipality or instrumentalities thereof; (ii) at a price which exceed 100 per centum of the unpaid principal amount thereof at the time of purchase, with adjustments for interest and any comparable items; or (iii) if the original principal obligation exceeds $17,500 for each family residence or dwelling unit covered thereby plus an additional $2,500 for each such family residence or dwelling unit which has four or more bedrooms. Clause (iii) of the preceding sentence shall not apply to any mortgage with an original principal balance that exceeds the applicable dollar limitation per dwelling unit if it is one of the following: (i) a below-market interest rate mortgage insured under section 221(d)(3) of the National Housing Act, covering property which has the benefit of local tax abatement in an amount determined by the Secretary of Housing and Urban Development to be sufficient to make possible rentals not in excess of those that would be approved by the Secretary if the mortgage amount did not exceed the applicable dollar limitation per dwelling unit and if local tax abatement were not provided; (ii) a mortgage insured under section 220 or title VIII of such Act; (iii) a mortgage insured under section 213 of such Act and covering property located in an urban renewal area; (iv) a mortgage insured under title X of such Act with respect to a new community approved under section 1004 thereof; (v) a mortgage covering property located in Alaska, Guam, or Hawaii.

"(3) For the purpose of this title, the terms 'mortgages,' 'home mortgages,' and 'first mortgages' shall be inclusive of any mortgages or other obligations insured or guaranteed under the National Housing Act, the Servicemen's Readjustment Act of 1944, chapter 37 of title 38, United States Code, or other Federal law."

(b) Section 305(h) of such Act is amended by striking out "clause (2) of section 302(b)" and inserting in lieu thereof "clause (i) of the second sentence of section 302(b)(2)".

Sec. 5. Section 302 (c)(2) of such Act is amended—

(a) by striking out "by each" and inserting in lieu thereof "by the Federal National Mortgage Association (except with respect to its secondary market operations) and each"; and

(b) by striking out ", except that such authority may not be used with respect to secondary market operations of the Federal National Mortgage Association".

Sec. 6. (a) Section 301 of the Federal National Mortgage Association Charter Act is amended—

(1) by inserting in paragraph (b) immediately after "(when, and to the extent that, the President has determined that it is in the public interest)" the following: ", at the expense of and for the ultimate account of the Secretary of Housing and Urban Development,"; and

(2) by inserting in paragraph (c) immediately after "in an orderly manner," the following: "at the expense of and for the ultimate account of the Secretary of Housing and Urban Development,".

(b) Section 302 of such Act is amended by inserting at the end thereof the following new subsection:

"(b) Excepting its activities carried on in a fiduciary capacity pursuant to subsection (c) of this section and under section 306, the operations of the Association under the special assistance functions (section 305) and the management and liquidating functions (section 306) shall be conducted by the Association at the expense of and for the ultimate account of the Secretary of Housing and Urban Development; and in connection therewith and subject to the same exception determinations by the board of directors with respect to such functions shall be consistent with any written statements of general policy formerly transmitted by the Secretary of Housing and Urban Development to the chairman of the board."

(c) Section 305(b) of such Act is amended by inserting at the end thereof: "All operations of the Association under this section shall be at the expense of and for the ultimate account of the Secretary of Housing and Urban Development, and such Secretary shall reimburse the Association for the amount of its administrative expenses allocable to such operations, on a fairly prorated basis."

(d) Section 306(a) of such Act is amended by inserting at the end thereof: "Excepting its activities carried on in a fiduciary capacity pursuant to section 302(c), all operations of the Association under this section shall be at the expense of and for the ultimate account of the Secretary of Housing and Urban Development, and such Secretary shall reimburse the Association for the amount of its administrative expenses allocable to such operations, on a fairly prorated basis."

(e) Section 307(c) of such Act is amended by striking out everything following "related obligations of the Association," and by inserting in lieu thereof: "its prorated and unreimbursed expenses, and the like, including amounts required for the establishment of such reserves as are determined to be prudent, shall inure to the Secretary of Housing and Urban Development, and such related earnings or other amounts as become available shall be paid annually by the Association to the Secretary of the Treasury for the account of the Secretary of Housing and Urban Development, for covering into miscellaneous receipts. As of the close of June 30 and December 31 of each year the Association shall render an accounting to the Secretary of Housing and Urban Development with respect to its operations conducted at his expenses and for his ultimate account."

SEC. 7. The amendment made by sections 1 through 5 of this Act shall become effective on the first day of the second month beginning after the date of its enactment, and shall operate prospectively only; and the amendments made by section 6 of this Act shall become effective on July 1, 1968.

SEC. 8. Section 309(g) of the Federal National Mortgage Association Charter Act is amended by adding at the end thereof, "Every Federal Reserve Bank shall have power to buy and sell in the open market, under the direction and regulations of the Federal Open Market Committee, any obligations issued by the Association.".

SECTION-BY-SECTION SUMMARY

A bill to reconstitute the Federal National Mortgage Association as an independent corporate instrumentality of the United States, to enable it to deal in conventional mortgages, and to provide otherwise for its further development as a secondary market facility

Section 1. This section would repeal the provision making the Federal National Mortgage Association a constituent agency of the Housing and Home Finance Agency (now the Department of Housing and Urban Development) and would constitute it an independent corporate instrumentality of the United States. The section would further provide that the principal office of the corporation in Washington, D.C. may be located in HUD office space.

Section 2. Subsection (a) of this section would rewrite section 308 of the FNMA Charter Act, to change the method of appointment of FNMA's president and the composition of the board of directors, and to increase the number of board members from five to nine. At the present time the HUD Secretary is the chairman of the board and also appoints the other four board members; as chairman of the board, he also appoints the president of the corporation and the other executive officers. The foregoing would be changed to provide for appointment of FNMA's president by the President of the United States, by and with the advice and consent of the Senate, for a term of 15 years. The president of the corporation ex-officio would be chairman of the board, and four other board members ex-officio would be the Secretary of the Treasury, the Secretary of Housing and Urban Development, the Chairman of the Board of Governors of the Federal Reserve System, and the Chairman of the Federal Home Loan Bank Board; to serve in their stead, Secretaries could designate Under Secretaries or Assistant Secretaries and Board Chairmen could designate other Board Members. The remaining four members would be elected annually by the holders of outstanding common stock. The board of directors of the corporation would meet at least quarterly, and could provide for an interim three-member executive committee. The board would have authority to appoint the executive officers (other than the president), and would have sole responsibility to make policy decisions for FNMA with respect to all of its secondary market operations and all of its fiduciary activities. (See also summary of section 6.)

The conforming amendment made by subsection (c) would substitute the FNMA president for the Housing and Home Finance Administrator (now the Secretary of Housing and Urban Development) as the officer who at the time of the retirement of the last of the corporation's preferred stock will initiate recommendations for appropriate legislation.

Subsection (d) would place the position of president of FNMA at level III of the Executive Schedule for pay purposes ($28,500 per annum). This is the level of the Chairman of the Federal Home Loan Bank Board, and is one level below that of the Chairman of the Board of Governors of the Federal Reserve System. Other comparable positions at level III include the President of the Export-Import Bank, the Chairman of the Board of Directors of the Federal Deposit Insurance Corporation, and the Administrator of the Small Business Administration. The subsection also provides four positions at level V ($26,000) of the Executive Schedule for other corporate executive officers.

Section 3. This section would restrict retirements of FNMA common stock to such stock, in excess of $100,000,000 outstanding, as may be held by the corporation as corporate treasury stock. Toward achievement of the goal of retirement of the Government's investment, the section would also provide for automatic annual reductions in the amount of authorized preferred stock equal to outstanding common stock in excess of $200,000,000.

Section 4. The purpose of subsection (a) of this section is to enable FNMA to deal in conventional and other mortgages and to provide otherwise for its further development as a secondary market facility. That purpose would be accomplished by revising section 302(b) of the FNMA Charter Act to permit an expansion of the scope of FNMA's operations. As so revised, section 302(b) would effect the changes indicated below.

Section 302(b)(1) would authorize FNMA, under its regular secondary market operations which are almost entirely privately financed, to purchase, land on the security of, and otherwise deal in conventional mortgages which do not exceed 80 percent of the appraised value of the security. The corporation would also be authorized to deal in all types of loans that are Federally insured or guaranteed—in addition to those insured by the Federal Housing Administration, those insured under title V of the Housing Act of 1949 by the Farmers Home Administration of the Department of Agriculture, and those guaranteed by the Veterans Administration—for example, such loans insured by the Farmers Home Administration under the Consolidated Farmers Home Administration Act of 1961. If a mortgage is not Government underwritten and the loan-value ratio exceeds 80 percent, it would be required that the excess amount be covered by suitable mortgage insurance written by an acceptable private insurer to qualify the mortgage for purchase. Otherwise, a privately insured mortgage would be eligible for purchase if the same mortgage without mortgage insurance would be qualified for consideration. Also, as to the corporation's secondary market operations only, two existing operating restrictions would be eliminated as not being appropriately applicable to a privately financed activity designed to meet and satisfy the financial requirements of the broad general secondary market for mortgages. These present restrictions are the prohibition against purchasing mortgages at a price (without regard to yield) exceeding par (100), and the prohibition against purchasing mortgages offered by, or covering property held by, States and their instrumentalities.

Under section 302(b)(2), conventional and privately insured mortgages would not be included in FNMA's special assistance functions authority; but otherwise, if and to the extent approved by the President of the United States, the Association could deal in the types of obligations permitted under the secondary market operations. Because purchases under the special assistance functions are Treasury financed, section 302(b)(2) would retain the restriction in existing law against acquisition of mortgages from States and their instrumentalities, the prohibition against purchasing mortgages at a price exceeding par (100), and the $17,500 per family residence or dwelling-unit ceiling on mortgages eligible for purchase, the last restriction remaining subject to the same several exceptions provided by existing law.

Uniformity of FNMA's operations as to Federally underwritten mortgages and loans would be furthered by section 302(b)(3), which defines the scope to include, as noted above, not only those which are FHA-insured and VA-guaranteed but also those which are insured or guaranteed under other Federal law.

Subsection (b) is a technical amendment.

Section 5 is a technical amendment.

Section 6. Excepting its financing activities carried on in a fiduciary capacity under its management and liquidating functions, this section would change FNMA's operations with respect to its special assistance functions and management and liquidating functions so that commencing July 1, 1968, they would be conducted by the corporation consistent with general policy determinations made by the Secretary of Housing and Urban Development. Such operations under these two headings would thereafter be conducted at the expense of and for the ultimate account of the Secretary of Housing and Urban Development. Under the provisions of subsections (c) and (d), the Secretary would be required to reimburse FNMA for its related administrative expenses. As a consequence of this change, it would become the responsibility of the HUD Secretary to request and justify any future related program dollar authorizations, and also necessary appropriations to cover any losses and the administrative expenses of these functions. The guaranty by FNMA in its corporate (nonfiduciary) capacity of participations issued and sold under its management and liquidating functions would be for the ultimate account of the Secretary because such financing is for the benefit of the Government.

Section 7. This section would make all of the foregoing amendments effective on the first day of the second month beginning after the date of enactment of the bill to allow time to make arrangements for necessary changes, except that it would also further postpone the effectiveness of the section 6 amendments until July 1, 1968, because the 1968 fiscal year budget requests are already being processed.

Section 8. This section would provide express permanent authority for the Federal Reserve open market purchase and sale of

FNMA obligations and other securities. The potential flexibility of open market transactions would be increased, which could serve to make FNMA securities somewhat more attractive to private investors.

THE 73D MEETING OF THE ACOUSTICAL SOCIETY OF AMERICA

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I had the privilege of addressing the Acoustical Society of America at their 73d meeting at the Statler-Hilton Hotel in New York City on Thursday evening, April 20, on the subject of noise pollution.

The outgoing president of the society is Martin Greenspan, of the National Bureau of Standards in Washington, D.C., who presided, and among others in attendance were incoming president Ira J. Hirsh, of the Central Institute for the Deaf in St. Louis, Mo., and chairman of the meeting Jozef J. Zwislocki, of the Laboratory of Sensory Communication of Syracuse University, N.Y.

I reviewed my noise pollution suggestions, including my noise control bill, H.R. 2819, and my various statements with respect thereto—see CONGRESSIONAL RECORD of January 17, page 614, January 18, pages 788–810, January 26, pages 1739–1742, February 6, pages 2582–2589, and March 20, page 7280.

Of interest to my colleagues, especially those from California, was the Gold Medal award to Vern Oliver Knudsen of UCLA, an outstanding authority on physics, sound, hearing, and acoustics.

The citation for the award to Professor Knudsen and accompanying material follows:

CITATION TO VERN OLIVER KNUDSEN, NEW YORK, APRIL 20, 1967

For his original research into the propagation of acoustical waves through air and through the sea; for his contributions to the understanding of the communication of speech and music and his expert application of this knowledge in the field of hearing and architectural acoustics; for the dissemination of his research findings by superior teaching and authorship; and for his gentle but effective guidance during a lifetime of service to the Acoustical Society of America as founder, officer and senior counsel.

Vern Oliver Knudsen needs no formal introduction to this Society. He was there at its inception, saw it through adolescence, and is participating vigorously in its maturity. Vern Knudsen may or may not have started his research in acoustics at birth, as Dr. E. C. Wente insists Harvey Fletcher did, by early discovery that the vowels attracted much more attention than most consonants, but his interest in music began early for he recently revealed that he attended his first concert in the Mormon Tabernacle at the tender age of six.

Vern Oliver Knudsen was born in Provo, Utah, during the "gay nineties," and this may have had a profound effect, for Harvey Fletcher, during the dedication ceremonies of Knudsen Hall at UCLA in 1964, gave his first impression of him as "a romping little boy—always so jovial and smiling." Although his romping has subsided some, he has remained gay and jovial and smiling.

Harvey Fletcher was Vern's teacher in physics and mathematics at Brigham Young University where he received his AB degree in 1915. During his senior year, he was permitted to assist Dr. Fletcher with his research on Brownian movements. Upon graduation, he followed his professor to the Bell Telephone Laboratories where he was engaged on some of the early work on oscillators, and during World War I investigated earth currents with such early equipment on a 1700-mile segment of a transatlantic cable.

By 1919, armed with the latest information about the new vacuum tubes and electronic circuits, he started his graduate work at the University of Chicago. Here he studied physics under Michelson, Millikan, and Gale. Millikan wanted him to work on the contribution of electrons to the specific heat of metals for his dissertation. Knudsen wanted to work on some problem in acoustics on which he could utilize his knowledge of vacuum tube circuits. This impasse was resolved, however, for Millikan went to Europe. With Gale's assistance, Knudsen had his work on sensibility of the ear to small differences of loudness and frequency so well along by the time Millikan returned that he too endorsed the thesis. Millikan introduced Knudsen to Dr. George E. Shambaugh, the dean of otologists of that day. This contact resulted shortly in two significant papers on which Knudsen and Shambaugh collaborated: "Sensibility of Pathological Ears to Small Differences of Loudness and Pitch," and "Report on an Investigation of Ten Cases of Diplacusis."

Vern Knudsen received the Ph.D. degree in Physics from the University of Chicago *magna cum laude* in 1922 and joined the Department of Physics at UCLA (then known as University of California Southern Branch) the same year. In 1922, UCLA was without almost everything we now consider essential for a modern Department of Physics. Andrew Knudsen, Vern's father, made the trek across the plains a generation before to settle in the desert of Utah. Vern confronted the lack of research space and equipment with the same drive and spirit that his father displayed. He found in the Los Angeles area many auditoriums and classrooms, mostly acoustically bad. In these, with organ pipe and stop watch in hand, he began the research on architectural acoustics.

With Dr. Shambaugh's advice, he joined forces with Dr. Isaac H. Jones, a distinguished otologist of Los Angeles. Shortly, definitive papers were rolling out under these two names on normal and impaired hearing. Some 26 audiometers were built in the Knudsen's back yard and made available only to doctors who agreed to use them for research. This Knudsen-Jones audiometer was the first instrument which enabled the otologist to make a differential diagnosis between conductive (middle ear) and perceptive (cochlear) impairments of hearing, and to test the cochlea directly.

When the "talkies" hit the motion-picture industry in 1929, Vern Knudsen was called to help design stages for sound recording. For this and other acoustical work, adequate facilities for the determination of the absorption of sound in acoustical materials was now required. In the move of the University to the Westwood site such facilities were included. A double-walled reverberation chamber and measuring rooms were built as part of the Physics Building. With newer equipment it was now possible to make more precise measurements using reverberation techniques.

Knudsen quickly observed, however, that these measurements could not be duplicated with anything like the accuracy the new equipment justified. The results were quite repeatable on any one day but there were large deviations from day to day. This discrepancy was observed in the reverberation time of even the empty room. After exhaustive tests to make certain the walls of the enclosure were not changing, the now well-known dependence of the absorption of sound in air on the humidity was discovered.

At this point, Dr. Knudsen joined forces with Dr. Hans Kneser, a visiting professor from Marburg, Germany. Together they found that the experimental results could be well explained by interactions between the oxygen molecule and water vapor. For his contribution to this important finding, Dr. Knudsen was awarded the American Association for the Advancement of Science prize of $1000 in 1935.

During World War II, Dr. Knudsen gave his attention to the study of sound under the sea. He was the first Director of Research at what is now the Navy Electronics Laboratory at San Diego, California. In record time, distinguished scientists and an excellent supporting staff were recruited for this "crash" program. Vern guided much of the early investigation of the propagation of sonar signals and the influence of the ambient sound encountered in the sea. During this period, he served as a member of the National Research Council.

Vern Knudsen's publications include two definitive books, "Architectural Acoustics," published in 1932, and "Acoustical Designing in Architecture" with Cyril M. Harris, 1950. Over 100 articles are to be found in scientific and technical journals. On looking through the bound volumes, I find it easier to locate Vern's papers among the well-used pages than I do to use the index.

Vern Knudsen is a Fellow of the American Association for the Advancement of Science, the American Physical Society, and the Acoustical Society of America, (president during 1933–1935). He has been a member of the Los Angeles Building and Safety Commission. He is a past president of the California Institute for Cancer Research and is a member of the Board of Directors of the Hollywood Bowl Association (president during 1960–1961 and chairman 1961–1963). The Vern Knudsen Graduate Fellowship Physics is supported by the Hope for Hearing Research Foundation. He has received honorary degrees from Brigham Young University, where he started his professional career, and at UCLA upon his retirement. He was the first recipient of the Wallace C. Sabine Medal from The Acoustical Society of America in 1957. He was the recipient of the John H. Potts Medal from the Audio Engineering Society in 1964.

In 1934, Vern Knudsen was made Dean of the Graduate Division of the Southern Section of the University of California, a post which he held with distinction for 24 years and during which time the UCLA Graduate Division increased from 287 to 5160. In 1956, he was appointed Vice Chancellor. He became Chancellor in 1959 and, as the Spanish neatly put it, reached the age of "jubilation" in 1960. As many of you know, retirement for Vern has meant an opportunity to again put his major effort to problems of acoustics.

Dr. Simon Ramo, speaking at the dedication of Knudsen Hall at ULCA in 1964, said of Vern Knudsen that he had the "quality of combining depth of perception in science of the physical world and understanding of human beings and had his confidence in them."

The Acoustical Society of America again pauses to do honor to Vern Oliver Knudsen by presenting him the Gold Medal 1967.

LEO P. DELSASSO.

OTHER AWARDS OF THE ACOUSTICAL SOCIETY OF AMERICA

THE BIENNIAL AWARD

The Biennial Award is presented in the Spring of even-numbered years (beginning in 1942) to a Member or Fellow of the Society who is under 35 years of age on 1 January of the year of the Award and who during a period of two or more years immediately preceding the Award, has been active in the affairs of the Society and has contributed substantially through published papers to the advancement of theoretical or applied acoustics or both.

WALLACE CLEMENT SABINE AWARD

The Wallace Clement Sabine Award is presented at one- to three-year intervals to an individual of any nationality who has furthered the knowledge of architectural acoustics, as evidenced by his contributions to professional journals and periodicals or by other accomplishments in the field of architectural acoustics.

PIONEERS OF UNDERWATER ACOUSTICS AWARD

The Pioneers of Underwater Acoustics Award is presented in the Fall of odd-numbered years to an individual, irrespective of nationality, age, or society affiliation, who has made an outstanding contribution to the science of underwater acoustics, as evidenced by publication of research in professional journals or by other accomplishments in the field.

THE GOLD MEDAL

The Gold Medal is presented in the Spring of odd-numbered years to a member of the Society, without age limitation, for contributions to acoustics. The first Gold Medal was presented in 1954, an even-numbered year, on the occasion of the Society's Twenty-Fifth Anniversary Celebration.

FORMER RECIPIENTS

Wallace Waterfall, 1954.
Floyd A. Firestone, 1955.
Harvey Fletcher, 1957.
Edward C. Wente, 1959.
Georg von Békésy, 1961.
R. Bruce Lindsay, 1963.
Hallowell Davis, 1965.

COMPREHENSIVE PLANNING AND COORDINATION ACT OF 1967

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. McDADE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. McDADE. Mr. Speaker, I am introducing today a proposed Comprehensive Planning and Coordination Act of 1967.

This is a bill which has been introduced by the distinguished junior Senator from Pennsylvania in the other body in a somewhat different form. Specifically, the distinguished Senator would put the administration of the legislation under the Office of Emergency Planning. In my own version, the administration would lie with the Department of Housing and Urban Development.

In this regard, I have had correspondence with the noted Senator, a copy of which I am appending to these remarks:

APRIL 17, 1967.

Hon. HUGH SCOTT,
Old Senate Office Building,
Washington, D.C.

DEAR HUGH: I have now had an opportunity to review S. 799, your proposed Comprehensive Planning and Coordination Act of 1967, about which you gave a presentation at the April 11th caucus of the Pennsylvania House Republican delegation.

Your bill has a great deal of merit. I wholeheartedly endorse its objective of strengthening the ability of the States and their political subdivisions to plan and implement their Federally aided development activities.

The Housing Subcommittee of the House Committee on Banking and Currency is currently holding hearings on H.R. 8067, the Administration's bill to amend and extend laws relating to housing and urban development, which was introduced on April 5th. Section 208 of that bill proposes amendments to Section 701 of the Housing Act of 1954, the so-called 701 or urban planning assistance program. Introduction of your bill in the House of Representatives would give the Housing Subcommittee an opportunity to examine a constructive alternative to Section 208.

Accordingly, I propose to introduce a bill embodying virtually all of the features of your bill. While I am impressed with your persuasive reasons for vesting the responsibility for administering the program authorized by your bill in the Office of Emergency Planning, I believe that the Department of Housing and Urban Development, with nearly 13 years of experience with the 701 program, is well qualified to discharge this responsibility. For this reason, and also to assure reference of the bill to the Housing Subcommittee, I shall have S. 799 redrafted to assign administrative responsibility to the Department of Housing and Urban Development.

I salute you for your initiative and am delighted to join you in this constructive area.

Sincerely,

JOSEPH M. McDADE.

APRIL 20, 1967.

Hon. JOSEPH M. McDADE,
House of Representatives,
Washington, D.C.

DEAR JOE: I have your letter of April 17th respecting the introduction of my planning bill, S. 799, in the House of Representatives. You propose, in order to assure its consideration by the Banking and Currency Committee, that the bill be modified to put authority for its administration in the Department of Housing and Urban Development.

Let me say first that I would not object to this. However, I think I should explain Section 4 of S. 799, which puts the program in the Office of Emergency Planning. My feeling is that, because comprehensive planning, as I have defined it, cuts across the whole spectrum of government programs—social, economic, and physical development—and is involved with urban as well as rural development, it should be administered by the Executive Office of the President rather than a line agency.

I selected OEP as the administering agency for three reasons:

(1) I did not want to create a new organizational unit in the White House. The President should have freedom to organize his own office as he sees fit.

(2) OEP has responsibilities which are closely related to the purposes of S. 799, and it has a cadre of systems analysts and a very substantial computer capability.

(3) Reorganization Plan No. 1 of 1958, as amended, gives the President authority to assign emergency planning functions wherever he wants in the Executive Branch. Section 4(b) of my bill states that nothing in it affects the President's authority under Reorganization Plan No. 1 of 1958, *but shall be in addition to it.* Section 4(b), in short, is intended to provide parallel authority for delegating functions under my bill with that for emergency planning. Therefore, if the President felt that the program should be administered by HUD, he could transfer it, wholly or in part, from OEP to HUD.

Thus, you can see that I have no objection to HUD administering this program, but I did feel that it is a decision the President should make. However, the framework for comprehensive planning is the important thing in this legislation, not the specific organizational arrangements.

Therefore, I will be most pleased to have you introduce the bill with the amendments you propose.

Sincerely,

HUGH SCOTT,
U.S. Senator.

TRIUMPH FOR PERCY AND THE GOP

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, the proposed National Home Ownership Foundation Act which was introduced last week by many Members, including myself, has attracted more positive attention from the Nation's news media than perhaps any single new concept in the 90th Congress to date. I know that our distinguished colleagues, the gentleman from New Jersey, Congressman WIDNALL, and Senator PERCY, are highly gratified at indications that the news media and the people react favorably to this excellent proposal.

On April 21 the Denver Post printed an editorial which, I believe, should be shared with the other Members of Congress. With your permission, I submit this editorial for inclusion in the RECORD:

TRIUMPH FOR PERCY AND THE GOP

After less than four months as a senator, Charles H. Percy of Illinois has moved into the national spotlight with a legislative feat that can only be described as astonishing.

Not only has he devised a creative and constructive new approach to slum housing in his "National Home Ownership Foundation" bill, but he has persuaded every Republican in the Senate to join him in sponsoring it.

The bill also has the support of more than 100 Republicans in the House. GOP leaders are obviously pleased and proud to have their party identified with what Sen. Everett Dirksen of Illinois has called "a new venture and a new approach."

Percy's bill calls for the creation of a private, nonprofit National Home Ownership Foundation, authorized to sell up to $2 billion worth of government-guaranteed bonds.

With loans from this foundation, community organizations in cities throughout the nation would repair and rehabilitate housing and sell it to low-income families. Mortgage payments on the housing would be returned to the foundation.

The low-income families would get help in paying the interest on the mortgages through special appropriations from Congress, expected to total about $60 million over the next three years.

No one—including Percy—would pretend that this new legislation would solve the housing problems of the poor in American cities or wipe out any substantial portion of the nation's slums. But it would be an important step toward those objectives and an important supplement to programs already under way, such as urban renewal.

It seems clearly an idea worth trying. If it proves itself, it can be applied on an expanded scale in future years.

Democrats have already expressed some

friendly reactions to the Percy plan, and there is a good chance it can win congressional approval.

We hope it does. But even if the new bill fails, Percy's achievement in uniting all Republicans in the Senate behind a forward-looking new program will remain a truly impressive feat.

TESTIMONY OF SPOKESMAN FOR THE IOWA PRIVATE UTILITY COMPANIES

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the vice president and general counsel of the Iowa-Illinois Gas & Electric Co., Mr. William B. Waterman, Davenport, Iowa, was in Washington on several occasions recently awaiting the opportunity to testify before the House Agriculture Committee on H.R. 1400.

Mr. Waterman had been designated as the spokesman for the private utility companies in Iowa. On the day he was to testify, the public hearings were abruptly ended and after waiting for some time, Mr. Waterman was not allowed to testify.

For this reason I am placing a summary of Mr. Waterman's remarks in the Record:

Summary of Statement Submitted by W. B. Waterman

The witness spoke on behalf of his own company and of Iowa Electric Light and Power Company at Cedar Rapids, Iowa; Iowa Power and Light Company at Des Moines, Iowa; Iowa Public Service Company at Sioux City, Iowa, and Iowa Southern Utilities Company at Centerville, Iowa. These companies in total comprise the investor-owned members of the Iowa Power Pool, a facility for the exchange of generation between its members, which also includes Corn Belt Power Cooperative of Humboldt, Iowa, among others.

He referred to his appearance before the same Committee on June 22, 1966, at which a statement was submitted relating to a similar form of legislation, noting that the proposed legislation would create a very large banking facility, having been described as the largest Federal banking facility ever proposed, which, by its terms, would extend the authority of the bank, headed by the REA Administrator, into loan areas denied him by the language of the present Rural Electrification Act. This extension of authority to the Administrator was deemed objectionable by the witness who directed the Committee's attention to the circumstances described in his previous statement in which the Administrator in clear contradiction to the language of the Rural Electrification Act granted a loan to build a transmission line to serve a customer of Iowa-Illinois Gas and Electric Company, in the face of the language of the Act forbidding loans to serve customers already receiving central station service.

In his current statement he described the creation of an agency consisting of approximately 21 municipalities in western Iowa entitled, "Missouri Basin Municipal Power Agency." This Agency, he noted, is engaged in ascertaining whether Bureau of Reclamation power through the Basin Electric Cooperative at Bismarck, North Dakota, is available at the preference power rate provided for federal power.

He further described instances in the service area of Iowa Public Service Company in which 4 Iowa communities, Lake View, Wall Lake, Breda and Hinton, have been solicited by the Bureau of Reclamation to purchase energy from it which they now purchase wholesale from Iowa Public Service Company. All 4 municipalities have notified their supplier of the termination of their wholesale contract and the issue of whether this solicitation by the Bureau is in violation of the law of Iowa is presently being considered in the Iowa District Court. Two other municipalities, Alton and Hull, whose residents are served at retail by Iowa Public Service Company, have refused to renew their franchises, one of them having condemned the utility facilities, and both are seeking through the Northwest Iowa Power Cooperative to obtain energy under the preference power authority by which the government distributes its Bureau of Reclamation power. Two municipalities in the service area of Iowa-Illinois Gas and Electric Company have indicated an interest in acquiring government power or government-subsidized cooperative power. One group of 12 municipalities in northern Iowa comprising some 32,000 consumers, have joined together to become a distribution member of the Corn Belt Power Cooperative at Humboldt, Iowa, which both generates electric energy and acquires and distributes, under preference power provisions, energy generated by the Bureau of Reclamation.

The witness cited those challenges in the context of the more limited powers of the Administrator in the Rural Electrification Act as indicative of the direction which would be taken and the speed accelerated in the socialization of the electric power industry in western, northwestern and north central Iowa if funds estimated to reach $6 billion were made available under this Federal Electric Bank proposal, H.R. 1400, now being considered by the House Agriculture Committee. This statement was submitted to familiarize the Committee with the coordinated activities being carried on between the Bureau of Reclamation and the Administrator of the Rural Electrification Administration to extend the availability of preference power provided by federal taxation and subsidized Rural Electrification generation through the Rural Electrification Act.

THE 26TH ANNUAL CONVENTION OF WORKMEN'S BENEFIT FUND OF UNITED STATES OF AMERICA

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SCHEUER. Mr. Speaker, on June 4, 1967, the Workmen's Benefit Fund of the United States of America will hold its 26th national convention in New York City. Founded in 1884 by a group of German-American immigrants to provide mutual help in times of economic crisis, this fraternal society has grown through the ensuing years to become one of the most respected and active organizations of this type in our Nation. I am proud that branch No. 179 has its headquarters in the 21st Congressional District which I have the honor to represent. I want to call my colleagues' attention to an important address made before a meeting of that branch recently by Jack Hengerson, national secretary of the Workmen's Benefit Fund, which follows:

The American Way

(Address by Mr. Jack Hengerson)

Grover Cleveland was the Democratic candidate for President, James Blaine the Republican candidate, and New York City was recovering from a disastrous financial panic, when a small group of German immigrants met in October 1884, and formed the General Workmen's Sick and Death Benefit Fund of New York City and Vicinity, a fraternal benefit society founded to provide mutual assistance in times of illness or death.

Today, the outgrowth of that small group, now the Workmen's Benefit Fund, is entering upon its 82nd year. Its membership has grown from a dozen founders to over 50,000, with branches in 22 States. During the first year, it paid out $150 in benefits to its members; last year almost $1.25 million was paid. During the past 81 years, it has paid out over $44 million in hospital, surgical, medical, disability and death benefits.

THE BEGINNING

The story begins—like the American story—with a group of men who sought political asylum. With their families they fled the oppressive laws of Germany under Bismarck, the Iron Chancellor, in the 1880's. They came to the United States. They came as freemen-machinists, cigarmakers, and other skilled craftsmen, to work and to raise their families in freedom. A major part of that freedom is the right of men to organize to protect themselves from political tyranny, from economic exploitation, from the poverty which follows upon the sickness or death of the family's provider.

Wage earners in the 1880's could not fall back upon savings, as their paychecks were small. Neither was there any aid from the Governor, or organized charity, to which they might turn. On September 24, 1884, a group of those exiled German workers met for the purpose of forming an association which would protect its members in times of sickness or death. Scandals had brought the established profitmaking insurance companies into disrepute. "Order of the day", the minutes of that meeting read, "self-help." Less than a month later, on October 19, 1884, that association was founded—the General Workmen's Sick and Death Benefit Fund of New York City and Vicinity.

The beginnings were modest enough; payments to begin when the organization had 75 members; weekly sick benefits of from $6 to $9; a death benefit of $75. These payments seem insignificant in the light of today's wages and the cost of living, but it should be remembered that 70 years ago $7 a week was the salary of a skilled workingman. Only a few months after the establishment of the society, it was faced with a dramatic challenge. Two members died. The $150 needed in death benefits had not yet been collected in the treasury. Had the society failed its members in that crisis, it could not have survived. But the enterprising treasurer raised the money by borrowing from friends. The death benefits were paid, and the society's reputation for honesty and reliability were thereby established.

The membership rolls expanded. By 1887 there were four branches with 527 members. By the end of 1888 there were 733 members and 15 branches in 3 states—New York, New Jersey and Massachusetts. Growth was so rapid and extensive that the society's name had to be changed to include the wider territory; it was now called—Workmen's Sick and Death Benefit Fund of the United States of North America. (The designation "North" was later dropped.) After 1888, sick benefits were extended to 26 weeks, with another 25 weeks at half benefit, and the death benefits were raised from the original $75 to $150 in 1888 and $250 in 1891.

With such rapid growth, there was a sharp need for new administrative machinery. The small group of German workmen who founded the society had provided a completely democratic organization, and the organization proved flexible enough to meet the needs of expansion. Headquarters were expanded, too—from a small office on East Fourth Street at $6 a month to a store at $12, and by 1889 the society leased larger quarters in the Metropolitan Savings Bank Building on Third Avenue, which remained its home until 1930 when it moved into its own building at 714 Seneca Avenue in Brooklyn.

The problem of coordinating the activities of the member branches with the main administration was met and solved by holding a convention. The first was held in November 1892 and there all branches were represented. A second convention met in 1895 and a third in 1898. In 1898 the national executive board applied for incorporation of the society. There were now 161 branches in 21 states and over 20,000 members. Eminent personalities began to join the organization, among them the genius in the field of electricity, Charles Steinmetz, who for a time was the financial secretary of one of its branches, Daniel Hoan and Jasper McLevy, many-term mayors of Milwaukee and Bridgeport, respectively.

By 1905, the society had grown so large that it needed its own publication to spread news of its activities to its membership. At the convenion of that year, a motion was passed authorizing the publication of a paper, "Solidarity". Its first issue appeared in April 1906 and it has since been published regularly over half a century as the official organ of the society. Its policy was stated clearly in that first issue: "Our paper shall be a means of the enlightenment and conciliation. Its best efforts will be given to that great work of culture; the winning of the workers to the goal which we must set for ourselves * * * Enlightenment, teaching, education are the prerequisites."

WORLD WAR I HARASSMENT AND AID TO GOVERNMENT RESEARCH

The Workmen's Sick and Death Benefit Fund, having been founded by German immigrants remained essentially German in composition in its early years. Its convention of 1910 proposed, among other things, the organization of English-speaking branches. During World War I, the society, like all German-American groups of the times, was subjected to a certain amount of harassment by self-styled superpatriots. Its loyalty to America, however, was never questioned, and the society grew in strength during the War. Soon after World War I, the U.S. Department of Labor asked the society for permission to scan its records for statistical purposes, because the organization's sick benefit figures were, at that time, practically the only source of health insurance statistics. The society gladly cooperated with various Government agencies, for it had been an early advocate of a system of Government-run social security. Even today, the society is urging broader coverage and higher benefits under the social security laws.

POSTWAR EXPANSION AND THE DEPRESSION

The postwar period was one of expansion and consolidation for the society. In 1928, the organization adopted new additions to its benefit structure; women could now join the sick benefit group, and children were also admitted to the society. Membership rose to a new peak in 1929. In 1934, when it celebrated its 50th anniversary, it could look back with satisfaction over its half century with the knowledge that it had survived war, labor unrest, and the great depression. During the period of great unemployment, its relief fund had helped thousands of members to survive. No person was dropped from membership for nonpayment of dues, so that regardless of the members' economic condition, they were eligible for benefits in times of sickness and distress.

OPPOSITION TO TOTALITARIANISM

In a new era, which recognized the rights and duties of men to organize in their own interests for their security and protection, the society moved ahead steadily. In 1939 at the 18th convention, its name was officially changed to the Workmen's Benefit Fund. Once again, as it had done many times before, the Workmen's Benefit Fund asserted its firm opposition to fascism, nazism and communism, "with their intolerance, hatred, persecution, and destruction of culture, freedom and peace." At this convention, too, the medical care and hospital plan was adopted on a national basis, following the institution of similar services by local branches a few years earlier.

The Workmen's Benefit Fund continued to expand its activities and its services to members. The 20th national convention of 1943 set up a life insurance program of regular and endowment policies. The emergency relief fund had been greatly strengthened and is constantly being used to help member families that suffer from unemployment or other financial distress, such as that caused by flood or other disasters. District committees were set up to coordinate the activities of the many branches. These include not only the insurance and health benefits, but such varied services as camps for children in various parts of the country, homes for the aged and convalescent. Local branches are, of course, also engaged in social and educational activities and support national and community drives for charitable and health purposes. Many branches provide general practitioner care and, in metropolitan areas, an excellent medical specialist service.

By 1959, the membership had greatly expanded—embracing all economic groups, ethnic and national backgrounds, and religious faiths—with branches in 22 States and the District of Columbia. Its economic strength was reflected not only in the reports of its activities by the Insurance Department of the State of New York, which carefully supervises fraternal societies, but such increased services to members as providing life insurance policies up to $25,000 and the addition of major medical coverage.

With its membership a representative cross-section of American citizens, the organization continued its opposition to all forms of totalitarianism. Publication of a photograph of a 14-year old Hungarian Freedom Fighter on the cover of "Solidarity"—soon after the Soviet suppression of the Hungarian rebellion—reflected the membership's violent disapproval of Communist imperialism and the subjugation of free peoples. Many of the new WBF members were refugees from Communist oppression and they needed no reminder that democracy was still the finest form of government.

And it was entirely fitting that at its 25th national convention, held in New York City the week of June 1, 1963, that the Workmen's Benefit Fund opened a nationwide campaign to raise funds to erect an international interfaith memorial to the victims of Nazi persecution by making the first contribution to the American Committee for the Dachau Memorial. At the same convention, the delegates strongly endorsed a program of medical care for the aged through social security and the establishment of a Domestic Peace Corps.

Over the years of growth there have been many changes, but the fundamental structure of the Workmen's Benefit Fund has remained unchanged. The editor of its magazine "Solidarity" reiterated briefly just what their organization means to all its members: "In itself, the society is a very sober-minded affair, a purely protective institution, organized for self-help on a nonprofit basis. The very purpose gives the organization its idealistic aims. For this reason, progressive thinking men and women of all national origins, and of all occupations, can be active in the Workmen's Benefit Fund as they are active in political, educational, and economic organizations."

COMMENCEMENT ADDRESS BY BERNARD L. BOUTIN, SMALL BUSINESS ADMINISTRATION, AT FLORIDA ATLANTIC UNIVERSITY, BOCA RATON, FLA., APRIL 23, 1967

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PEPPER. Mr. Speaker, leadership is indeed an intangible quality. We are living in a time where the need for inspired leadership grows almost by the day. Just last Sunday, Mr. Bernard L. Boutin, Administrator of the Small Business Administration, delivered the commencement address at Florida Atlantic University, a fine, new center of learning at Boca Raton.

In his address, Mr. Boutin—who is well recognized in this city for his own leadership qualities—called to the attention of the academic community the need for our colleges and universities to go far beyond teaching their students merely how to earn a living.

Mr. Boutin said:

> A university that has stimulated the mind and not the spirit is a failure.

And he called upon every American college student to pledge a portion of his life toward working for the public good.

Mr. Speaker, there is much food for thought in Mr. Boutin's comments to these Florida students regarding the challenges of tomorrow and their part in them. For this reason, I have requested permission to have this fine address inserted at this point in the RECORD:

COMMENCEMENT ADDRESS BY BERNARD L. BOUTIN, ADMINISTRATOR, SMALL BUSINESS ADMINISTRATION, AT FLORIDA ATLANTIC UNIVERSITY, BOCA RATON, FLA., APRIL 23, 1967

Someone once said that by tomorrow, today will be yesterday.

Someone else, a lot later, said and I quote "cool it."

And there, synthesized to their very essence, are the alternatives our society of the Sixties lays before you.

They are not new choices, but I think that today they are much more clearly defined than perhaps ever before in our history.

The gray middle-ground between status quo and progress has become ever narrower and the choices for those who are on the threshold of decision, have become sharper.

Will you pick up the challenge of a John Kennedy? Will you see the horizon, not as the end of the road but as the doorway to a better tomorrow?

Or, will you play it safe, will you wait until tomorrow has become today and today has become yesterday. In other words, will you "cool it?"

Just two and a half years ago a former school teacher came down here to Boca Raton to dedicate this fine new university.

This former school teacher, by name, Lyndon B. Johnson, said on that occasion, "The past is your teacher, but it holds you in no bondage." And, he said further, "We must think in terms of the twenty-first century and the twenty-second century and not the eighteenth century and the nineteenth century." These words, I am certain, were not spoken lightly by the President. Nor should they be taken lightly by those of you to whom they were directed. For in them lies the seed of personal challenge.

History does not tell us what would have happened had Franklin Roosevelt not believed he could overcome the problems of a financially, emotionally demoralized nation. Or what the outcome if Winston Churchill had not believed the people of his gallant island could win the Battle of Britain. Or if John Kennedy had not had the vision that, by his words and deeds, he could rekindle the spirit of America in a divided world, faltering on the knife edge of nuclear holocaust.

But history does tell us that times of peril and trepidation in the world have brought forth the greatest leaders. The men of courage and insight who are equal to the challenge at hand. The need for leaders of this magnitude, in these times and the times ahead, will not diminish—it will grow. And I, for one, look hopefully to our colleges and universities to bring forth this leadership.

It is certainly not enough for our centers of learning merely to cure the shortages of doctors, teachers, atomic scientists, or other categories of endeavor, even though this is important. For, in my view, a university that has stimulated the mind and not the spirit is a failure.

If you learn medicine and not humanity, you are only half a doctor. If you learn law and not justice, you are only half a lawyer. And, if you simply learn how to make a comfortable living but feel no part in the challenge of tomorrow, then you are less than half a man.

Much has been said about the government service being the breeding ground for technocracy. In my view, if there is a prime potential breeding ground for a technocracy in this Nation, it is in our colleges and universities.

There is, for example, danger in a medical student being taught that just to be a good doctor is his ultimate goal. There is danger in the student engineer being told that his ultimate goal is solely to achieve excellence in his field. For therein lies the foundation of a generation feeling little responsibility to society and, even worse, a repugnance to the thought of taking an active role in community leadership or political leadership.

Of all the things I have read about Florida Atlantic University, nothing has impressed me more than a short simple statement by your own President Williams when he said, "Florida Atlantic is experimental, it is innovative, it is unafraid."

Too many of our universities have become merely training mills, turning out cautious graduates whom they have headed on a carefully plotted path, leading safely to financial security. The only experiments are performed in a laboratory. The only innovation is in technique. There is present on the campuses of some of these same schools what Secretary of Health, Education, and Welfare John Gardner has characterized as "the anti-leadership vaccine." This deadening serum is often administered in several doses.

First, there is the specialization injection. No one would be foolish enough to dispute the need for high competence in specialized areas in a world that grows more complex by the minute. However, serious thought must be given, and soon, to increasing the small number of people devoting their energies and talents to across-the-board leadership. The type of leadership that deals with and thinks in terms of the great world problems and the national goals and objectives of this Nation.

Take, for example—a prime example—the great and overriding problem of hunger and poverty here at home and throughout the world. Assuredly, we must have specialists to improve opportunities for education and training. We must have expert designers to rebuild our cities. We will need doctors, nurses, and dentists to help eradicate sickness and disease. New techniques in farming and good preparation and preservation will have to be developed to adequately feed a growing population. We will need an increasing supply of business executives, entrepreneurs, scientists and inventors to keep our economy sound and provide the needed jobs for full employment. As needed as all this expertise is, however, it can come to naught without men of vision and talent who see the total problem and provide the common leadership and motivation for solution.

The next shot of "the anti-leadership vaccine" immunizes the potential leader against making hard decisions. The theory is, when a decision is to be made, have it made by committee, or take a poll, or send it through an elaborate system of clearances, or simply wait and hope the problem goes away. The result is often an "anti-decision," or no decision at all.

Harry Truman once spoke four words that I believe will stand for all time as the credo, the Golden Rule, of decision makers. He said simply, "The buck stops here."

This does not mean the leader operates in a vacuum, flying, so to speak, by the seat of his pants. What it does mean is that when all the facts have been developed, when all of the alternatives have been defined, there must be someone to make the hard choice and to move ahead with it.

To paraphrase an old expression—we simply cannot operate with all Indians and no chiefs.

Another ingredient in the anti-leadership campaign is the one that says—"all politicians are incompetent. All Government administrators are bureaucrats submerged in a mass of red tape. All company presidents are anti-society. All union leaders are socialists." I suppose the theory is that we should all try to get high enough up the ladder of influence to straighten these leaders out but not dirty our hands by aspiring to undertake their often awesome responsibilities.

Taken together, I think you can see this is a rather potent and dangerous mixture. It is a philosophy that divorces responsibility from freedom, encourages picketing rather than participation, places individual desire over the common good, allows violence to replace reason and cynicism to be substituted for honest discussion.

It is an easy trap for the unwary to fall into because protest has become fashionable and for too many, words like dedication, decency, loyalty, patriotism and trust seem outworn and old-fashioned. Pseudo-leaders with their phony slogans find it easy to attract the lazy and the indifferent. The lazy because they have no time to seek truth and the facts. The indifferent because they fail to understand their national heritage and the relationship between individual rights and national purpose.

The challenge we face today is inherent in the affirmative answer to the questions—will I, as an individual, make a contribution to my country, to my fellow man, as I take my place in society? Will I be willing to utilize my ability and my energy in such a way that it will be said of me by future generations—"the community, the state, the nation, the world is a better place in which to live because of the way I have conducted my life?"

It has been said, and rightfully so, that this is a land of opportunity. Nowhere is this more evident than in this fine new school, built by the citizens of Florida for its young people.

It is evident in the gleaming new buildings and the new types of courses. In the unstructured atmosphere. And, mostly, in the new attitudes that are obviously present.

Students explore the ocean depths; they learn by television; they read books electronically. Here there are no ivy walls. No hide-bound traditions. You don't even have any freshmen or sophomores. Yet, you have students who are younger than sixteen and older than sixty, and everything in between.

You have been in existence for less than three years and already you offer significant courses of graduate study. And, incidentally, speaking as someone who has a particular interest in these fields, I was delighted to learn that soon this university will be offering graduate study in the fields of business administration and public administration.

The great need in these fields and the opportunities to serve, both in the public and private sectors, cannot be overstated.

I do not view higher education solely as preparation for what comes later. It should be rather an experience, a part of living. And this, I believe, is the meaning of your motto—"Where tomorrow begins." If this then is your opportunity, what then is your responsibility? For opportunity is not a bottomless well. It must be replenished, and, the greatest repayments must be made by those who have reaped the most benefits.

Many of us tend to forget this, until, from time to time, one of our great leaders reminds us, as John Kennedy did in January of Nineteen-sixty-one, when he called upon the people of America to ask themselves what they could do for their country. The result was both electrifying and gratifying. Outstanding people streamed into the public service. Many became more active in their communities and in their States. And, so also has President Johnson successfully brought many of the great businessmen, educators, and other leaders into the service of the country, often at great personal sacrifice.

This Nation is neither as great as it has to be, nor half so bad as it appears to be in many other parts of the world. But with world leadership comes the responsibility to take on the challenges facing the world—to help seek answers to the great problems—of hunger, blight, poverty, dissension and misunderstanding. I believe there is need to dramatize and articulate this Nation's commitment to its responsibilities, both as a leader and as a seeker of world peace and brotherhood.

Would it not dramatize this commitment were every American college student publicly to pledge a portion of his life toward working for the public good? Would this not present America as the land where the students not only exercise their right of dissent, but also where they fully intend, indeed, they have pledged themselves, to be involved in the great decisions and the great challenges of tomorrow?

What great good might come forth if, indeed, every college student in this Nation merely thought about such a pledge. And, what better place to begin than here at Florida Atlantic University—"Where tomorrow begins."

I ask you to think about this. I believe the world awaits your answer.

Thank you.

CONGRESSMAN CLAUDE PEPPER'S PROPOSAL TO AMEND CERTAIN PARTS OF PRESENT HOUSING AND URBAN DEVELOPMENT LEGISLATION

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PEPPER. Mr. Speaker, today I was privileged to appear before the House Subcommittee on Housing of the Banking and Currency Committee in support of my three bills: H.R. 6028, H.R. 7245, and H.R. 8620, which would provide for open-space land-development assistance, permit utilization of private planning consultants for local urban planning, and provide compensation payments to businessmen who are forced to relocate because of urban renewal.

I am appalled at the restrictions which have been placed on local communities and private businessmen when urban renewal and urban beautification would be mutually beneficial to the community and to its industry. It is my belief that adequate payment for business relocation will result in an overwhelming, enthusiastic response from city governments and from its businessmen, because they will be able to share the responsibility and the cost of urban planning. I have stated my position many times—proper housing and replacement of outdated, unsafe buildings can only result in improved city government and happier community relations. Our Nation is dependent upon each of its communities, from village to metropolis, for its ultimate strength.

Mr. Speaker, I have, therefore, requested that my statements before the House Subcommittee on Housing be inserted in the RECORD for the attention of my colleagues, and for all others who may read this RECORD:

STATEMENT OF HON. CLAUDE PEPPER, A MEMBER OF CONGRESS FROM THE 11TH DISTRICT OF THE STATE OF FLORIDA, BEFORE THE HOUSE SUBCOMMITTEE ON HOUSING, REGARDING LEGISLATION TO AMEND CERTAIN PARTS OF PRESENT HOUSING AND URBAN DEVELOPMENT ACT, APRIL 25, 1967

Mr. BARRETT. Our next witness this morning is one of our great Congressman from the State of Florida, one of the most knowledgeable Members of Congress, regardless of what party or part of the country from which he may come. We have some very fine Congressmen coming from the North, Northeast and Northwest. But the name of Congressman Pepper seems to underline all Members, including the gentleman from Rhode Island.

We greatly appreciate your coming here this morning, Congressman Pepper, and we are certainly going to benefit from your remarks and your testimony, I am sure.

I think my colleague would like to pay a commendation and welcome you here this morning and I therefore yield to Mr. St Germain of Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I thank the Chairman for recognizing me.

I am happy to say that it is a pleasure to have Congressman Pepper with us and I am sure his testimony, as always, will spice up the record of these hearings and we look forward to his pearls of wisdom.

Mr. PEPPER. I do want to thank you, Mr. Chairman, and my distinguished friend, Mr. St Germain for your kind words. You know how much I cherish the time I was privileged to serve with both of you on this great Committee and how proud I have been as a Member of the House and Senate of the splendid contribution that this able Chairman and his distinguished Colleagues have made through the Housing Programs and other legislation that you have so ably sponsored. So, I am very proud to be here today and I thank you for waiting past your lunch hour to give me the privilege of appearing here today. It is characteristic of your deep sense of dedication to public duty.

I thank you very much for the privilege of being here this morning to testify before this distinguished body on the vital subject of the Nation's Cities. I am very pleased to have this opportunity to speak in particular support of three bills, H.R. 6028, H.R. 7245, and H.R. 8620, that I have recently introduced dealing with housing and urban development. I know some great legislation will come out of the Committee in this field. I have long been a staunch supporter of vigorous Federal action in the fields of housing and urban development. I have also generally supported the Administration's programs in these areas, including the Federal open spaces program and the urban renewal program.

These programs represent sound and constructive approaches to the problems of attempting to improve the quality of urban life, and to provide adequate housing for all of our citizens, regardless of race, creed, color, or level of income. However, as programs become operational and experience in their administration is gained, areas in which they may be strengthened and improved are frequently revealed. The three bills that I have introduced are designed to help provide some of the needed improvements in present programs.

The first, H.R. 6028, is designed to amend the Housing Act of 1965 to eliminate an inequitable situation in the Federal open space program. This bill would broaden the open space land provisions to permit development aid for land designed to be utilized for open space purposes, regardless of how that land is acquired. Under present law, only property acquired as part of an open space land program is eligible for developmental assistance. This provision obviously distorts the objectives of the open space land program of providing the maximum possible amount of open space in our congested urban areas.

Under the language of the present law, land acquired by any means except purchase as part of an open space project is ineligible for open space development funds. This means that local communities that acquire land as part of another project, and who wish to utilize some of this land for open space purposes, are ineligible to receive development aid for this land. This is an unnecessary restriction on open space land development assistance, which my bill will help to eliminate.

There is no argument as to the desirability of providing Federal assistance for the development of open space land. My bill will take a significant step to broaden the provisions of present open space legislation so that the development of open space land may be pursued with increasing vigor by urban communities throughout the country.

The second bill, H.R. 7245, is designed to amend the Housing Acts of 1949 and 1954 to permit the utilization of private planning consultants by local communities for purposes of urban planning. The amendment to the 1949 Act would change the language of the preamble in order to reflect the desirability for eliciting the talents of private planning consultants in the effort to help solve the nation's housing problems. Section 701 of the Housing Act of 1954 would also be amended to allow planning grants to communities that wish to utilize private planning consultants, instead of attempting to build their own individual planning staffs.

The present wording of one of the objectives of the Housing Act of 1954 is "to encourage such (local) governments to establish and improve planning staffs." The Congressional intent of this phrase was to encourage local planning activities. The aim was not to restrict 701 planning grants only to localities with planning staffs on the local government payroll. However, the language has been given a strict interpretation in the administration of Section 701 planning grants and has resulted in these grants generally being made available only to localities employing their own planning staffs. This has served adversely to affect those Section 701 applicants who desire to have urban planning services performed by outside professional planning consultants.

There could be any number of reasons why a community might not wish to develop a regular planning staff of its own, or might wish to have some of its planning functions performed by a private consultant. In such situations the community might find it advantageous to hire an outside consulting expert on a contractual basis. In these instances I feel that the community should not be denied the opportunity to utilize such professional services, simply because of a narrow and probably erroneous interpretation of what Congress intended when it passed the Housing Act of 1954.

I hope that my bill will be favorably acted upon by Congress during this session. This bill will make clear the intention of Congress to maximize the utilization of free enterprise in meeting the Nation's housing and urban development needs. It will do this by explicitly permitting the use of private planning consultants, where appropriate, under the Section 701 program.

My third bill, H.R. 8620, is an important measure designed to amend the Housing Act of 1959 to provide more equitable compensation payments to businesses that are forced to relocate because of urban renewal activities. This bill contains three basic provisions to help accomplish this objective: (1) the elimination of the restriction that relocation payments may be made only to businesses earning less than $10,000 per year; (2) an increase in the maximum payable relocation benefits to a more equitable level than at present; and (3) the provision of fair compensation to businesses that are injured by the displacement of their customers by urban renewal.

This three-pronged approach should provide a workable means of helping to solve the problems of providing just compensation for dislocations resulting from urban renewal activities. Under existing law the total relocation payments to a business may not exceed $3,000 and no payments are granted for loss of customers and goodwill caused by urban renewal. I believe that the businessmen of this country must be sufficiently and fairly compensated for the sacrifices required of them by urban renewal projects. This is not only a matter of equity, but represents a sound investment in the future of the entire urban renewal program as well.

I interpolate, Mr. Chairman, and gentlemen of the Committee. My recalling a case that I had when I was actively practicing law. A man had a business right adjacent to a highway. They built an overpass and took all of the traffic away from his business. They left his business there but no way to get to it except through a very circuitous back road and for all practical purposes that man's business had been taken for public use, which is the position I strongly took in the case.

It is well recognized that a renewal project has small chance of success without the wholehearted support of the community involved. It is obvious that this support is unlikely to be forthcoming if the businessmen affected know that they will be required to bear an inordinate share of the renewal costs. Without adequate compensation for relocation, this is precisely what the businessmen are asked to do. Thus, it is obvious that in order to help insure the long run support and success of urban renewal, equitable relocation payments to businesses affected by the urban renewal programs, must be provided.

The rapid growth of American business activity since the amount of relocation payments was determined has meant that the present payments scheme is, in many instances, totally inadequate. The $10,000 maximum earning restriction is one example of such an unrealistic limitation. Under today's conditions many relatively small business operations earn amounts in excess of $10,000 per year. These are the businesses that suffer the greatest hardships cause by urban renewal disclocations.

My bill will raise the maximum allowable earnings to an amount above the present unrealistic $10,000 per year level, so that these businesses may be permitted to receive relocation benefits. Similarly, the $3,000 maximum allowable relocation payments are often utterly inadequate to compensate businesses for the necessity to relocate due to urban renewal activities. My bill will affect an increase in the maximum payable relocation benefits to a more realistic level than is presently permitted.

The urban renewal program is one of the most important means available to help provide decent housing for all our Nation's families, and to help eradicate the decay found in the central parts of many of our major cities. Since the urban renewal program was initiated in 1949, all too little has been done for the unfortunate businessmen who are displaced by this program. Seventeen years is far too long to wait to rectify this situation, but certainly waiting longer only compounds this situation and compounds the injustice. We must do something for these people, and we must do it during this session of Congress.

These, in summary, are the modifications to improve existing housing and urban development programs that I am proposing. As the above discussion has indicated, their aim is to broaden or improve existing programs with the end in view of making them serve better their stated objectives. All these amendments represent progressive, forward-looking modifications that will provide much needed improvement to some of our most important housing and urban development programs. I urge favorable consideration of this legislation, and its speedy passage by your able committee.

Mr. Barrett. Will the gentleman yield? I have a very important meeting that I must go to and the gentleman from Rhode Island will take the Chair.

Mr. Pepper. Mr. Chairman, I have concluded.

Mr. Barrett. I do want to say this, that as usual, you always submit excellent testimony.

Mr. Pepper. Thank you.

Mr. Barrett. It is very edifying. It is very nice to be associated with such a colleague as you.

Mr. Pepper. I can assure you it is reciprocal, Mr. Chairman.

Mr. Barrett. Your untiring efforts to help your associate colleagues—this is a very fine tribute and we are grateful to have you here today.

Mr. Pepper. Mr. Chairman, I appreciate it. What you all have done has meant so much and what you will continue to do will mean so much to human health and happiness in this country that I am glad to have had this opportunity in leading this great fight.

Mr. St Germain (presiding). I would like to compliment you on your statement. I agree with you on two of your three propositions. I do not agree or disagree entirely on your second. I was wondering if perhaps a suggestion might be in order.

At the end of Page 2 you say that in these instances you feel that the community should not be denied the opportunity to utilize such professional services. Now, we had a gentleman here who appeared on behalf of the private planners, and to be frank with you, Mr. Pepper, it was Professor George M. Raymond, a very knowledgeable individual and I have had no contact with his particular firm, but I have been disappointed in many of the private planning firms. However, I agree with you, that a community should be given a choice.

I therefore wonder if it would not be satisfactory, that which you are attempting to achieve, though I still say it would be caveat emptor to the particular communities involved in that we want to clarify the intent of this particular section of the 1949 Act as amended, by stating that when this language was written it was not intended to preclude communities employing private planners if they so desired. The intent is still to encourage communities to have their own planning staffs where they can afford them and where the planning staffs are available. But this should not preclude a community from employing private planners.

Mr. Pepper. My able friend and Acting Chairman, if that intent is clearly expressed in the report I would think that that would achieve the objective that I had in mind, unless the language is so clearly to the contrary that the agency might take the position that the language would have to be modified. If there is an ambiguity in it, then the clarifying statement in the report should certainly achieve the objective that we all have in mind.

Mr. St Germain. I think the Department of Housing and Urban Development, if it were made expressly clear in the report, from recent history in other areas.

Mr. Pepper. Since we are talking about administrative action and not court action, I think that the language clearly stated in the report will achieve the results that we have in mind.

Mr. St Germain. I also am terribly interested in the problems of open spaces and especially because I have seen in many instances of people being treated most unfairly on relocation. I have in mind one instance and I have asked the staff of the Committee to prepare an amendment for me. For example, a particular business that, among other things had within it a great number of bins. The cost of disassembling these, moving and reassembling came out to about three times the amount that it would have cost to just abandon them and build new bins. Because of the language in this Act this had to be done. They had to disassemble and reassemble as well as move or relocate. I have asked the Committee, and I wonder if you would make this type of amendment that I think should be added. It would be where an option would be had where it is proven to the Secretary that this is the case, an option could be had to abandon if there is a resale price, then it would be the net worth or net cost for replacement rather than just relocation.

Mr. Pepper. I think that would be desirable.

Mr. St Germain. I have no further questions and I would thank my colleague for his contributions.

Mr. Pepper. I thank you very much.

Mr. St Germain. The Committee will stand adjourned until 10:00 o'clock tomorrow morning.

(Whereupon, at 1:00 o'clock p.m. the Subcommittee recessed to reconvene on Wednesday, April 26, 1967).

THE 37TH ANNUAL NATIONAL 4–H CONFERENCE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Aspinall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the week of April 23 to April 28 has been selected for the 37th annual National 4–H Conference being held in the Nation's Capital. It is a pleasure, therefore, for me to pay tribute to this fine organization and to all those who are responsible for the growth and success it has enjoyed since its was founded around the turn of the century.

There are many who have played a strong and important part in this continuing growth and success. I want to call my colleagues' attention to one of these 4–H members—to whom specific reference will be made hereinafter—although all of them deserve mention and a heartfelt well done from the entire Nation for the contribution they are making to America. About 2,750,000 boys and girls, from ages 9 to 19, now enjoy and benefit from 4–H work coast to coast. Since 1914, when Federal legislation was passed to help finance and carry on 4–H work as a part of the Cooperative Extension Service, about 26 million young people have taken part in the head-heart-hands-health program. Also, 4–H-like informal educational programs are now spread around the world—having been adapted to suit the needs of about 75 countries on all six continents.

Sharing responsibility for the 4–H Clubs of America, Mr. Speaker, are the U.S. Department of Agriculture, the State land-grant universities, and the counties. The Federal Extension Service gives national leadership and the State extension services give State leadership to the program. About 372,000 men and women serve as unpaid volunteer local club leaders, and are assisted by about 142,000 4–H'ers called junior leaders. This is more than ample proof of the effectiveness and wisdom of such Federal, State, and private action.

It has long been the dream of the United States to lead the free world to a lasting peace. To accomplish this, our youth must be fully prepared to meet the challenges that tomorrow holds. Youth organizations, such as the 4–H Clubs of America, are vital to our Nation in this respect for they help to provide the background for these young Americans of whom we are all so justly proud.

Our 4–H Club members and their leaders have not hesitated to meet new challenges and to set forth workable programs to meet new needs and problems. Accordingly, Mr. Speaker, about 230 outstanding 4–H Club members are in the Nation's Capital for the National 4–H Conference. These outstanding members have been named by their States for exceptional personal development, and for major achievement in community service, leadership, and citizenship. Two or more girls and two or more boys have come from each of the 50 States and Puerto Rico, representing various cultural and economic backgrounds. Also attending are 10 4–H Club members on an exchange basis from the 10 provinces of Canada.

Four of these outstanding 4–H'ers have come to this national conference representing Colorado. I am proud to say that two of these award-winning 4–H members reside in the Fourth Congressional District, which I am privileged to represent in this distinguished Chamber.

Mr. Speaker, I would like to pay special recognition to the State 4–H president from Colorado, Ann Williams, of Greeley, a member of 10 years' standing. This young lady was named National Leadership Girl of the year in 1966 by the President of the United States. Ann Williams is typical of those who strive and succeed as a 4–H member. She has served with acknowledged distinction and honor through various projects, club activities, and leadership roles at all levels in 4–H, the community, church, and school.

I take great pleasure in putting in the Record her views on how 4–H has helped her in selecting a career. I know that my colleagues will agree we are privileged to have her thoughts on the value of being an active member of the 4–H Clubs of America. Her views follow:

4–H Help With a Life Career Choice

(By Ann Williams, Greeley, Colo.)

To summarize nine years of learning and living in a few words is practically impossible; however, with the aid of generalizations, perhaps I can portray to you just what 4–H has meant to me.

When I was nine years old, my parents encouraged me to join and, as with most ambitious youngsters, I didn't need a second invitation. But it was in that first miserable stitch and those first few flat cupcakes that I learned 4–H wasn't an organization for fun alone.

I found out the hard way that receiving a third place on my project—with good grace and sportsmanship—was much more important than getting champion. I learned that the strength of character gained in failure was the true measure of my success.

Although responsibility became a new word in my vocabulary, it took more than one year for it to become reality. When I was a freshman in high school, it was my chore to feed the 4–H steers. In order to reach them, one had to enter a main corral where there were about two hundred head of fat heifers. On this particular evening I was in a tremendous hurry because, as it happened, I was to have my first date to a high school function. I finished my chores in good time, was dressed for the evening, and my date picked me up. We had a wonderful evening but, to my dismay, when we got home promptly at 12 o'clock, mass confusion was reigning on the ranch! Two hundred head of cattle were running loose on, not only our farm, but in about a five mile radius. Indeed I learned a little more responsibility and care about shutting the corral gates when doing chores, after I had chased obnoxious heifers until 2:30 in the morning.

By this time I had taken a large variety of projects in the home economics area and planned to do the same in agriculture.

One of the most important things I have learned in leadership is how to be a good leader when necessary, but more important, how to be a good follower when the occasion called for following. This was particularly true when I was State 4–H President and there were four vice-presidents. Each of us had activities to lead and at the same time we had to be participators in one another's leading. This was quite an experience!

I was Mistress of Ceremonies for numerous assemblies at Camp Tobin and State Conference and had to present a general picture of a typical 4–H youth. At first it was hard to conquer doubt and fear, but I soon found out if I thought with *purpose*, then most of the failures were easily overcome.

The summer of 1965 is one that I will never forget, for in that year, I, along with 32 other Colorado 4–H'ers, went to Washington, D.C. Never have my horizons broadened so quickly in so short a time. Whether I was sitting listening to an inspirational speaker, or looking at monuments in Washington, the thought kept recurring to me: "You've got to do more with your life. It isn't enough to just help yourself, you've got to help others too."

That thought has been a starter and a guideline throughout the past year for most of my activities. The activity most vital to me I will now briefly explain.

My sister and I met with a Greeley mother who wanted us to help in a 4–H club of mentally retarded and some physically handicapped girls. There were to be six in our club and we would assist in cooking and clothing projects. Carol and I were thrilled at the prospect of helping these girls, and, of course, we began making plans for our new project.

Immediately we faced problems. Our most prevalent one was our lack of experience, but also the girls couldn't read directions on recipes on cooking packages very well because of their low level of comprehension and mental capacity. When we got our 4–H manuals on cooking and clothing, the directions were again too difficult. Because of this reading difficulty, the girls were frustrated and consequently there was a low level of achievement. Other problems we encountered were the lack of self-direction, a short attention span, difficulty in following directions, failure to bring required materials, and poor coordination—to name a few.

But not everything was so gloomy and apparently futile. We soon discovered that these individuals, more so than the average, formed affections easily and consequently they tried very hard to please us. They also have tremendous pride in their achievements and a deep rooted desire to do a really *good* job. Every meeting we saw an improvement in some way.

Of course we couldn't spend our whole year *hoping* their attention span or coordination would improve. We had to do something about these problems too.

First of all we changed our meetings from twice a month to every week. This helped but didn't altogether solve the problem of interest. We had to be constantly working on new and different projects.

In order for them to practice self-direction and following directions, Carol and I made simplified, illustrated worksheets for them to follow. We hope ultimately to revise completely the cooking and sewing manuals for the slow learners.

For one of the girls, sewing is particularly difficult because of a deformed left hand. This problem we alleviated by stretching the fabric over an embroidery hoop and then sewing. When I explained how to sew on a button, eight times, to a single individual I felt a definite need for patience.

All of this has helped me to choose occupational Therapy as a life vocation. I feel I *must* help others and work with those less fortunate than I in order to have a full life myself. I want with all my heart to truly "live all the days of my life!"

ADDRESS OF THE HONORABLE JAMES A. BYRNE OF PENNSYLVANIA AT DEDICATION DAY CEREMONIES AT INDEPENDENCE HALL IN PHILADELPHIA, APRIL 15, 1967

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STRATTON. Mr. Speaker, it was a very great honor for me, over the recent Easter recess of Congress, to travel to the combat areas of southeast Asia as a member of a subcommittee of the Armed Services Committee. The very able chairman of that subcommittee was the distinguished gentleman from Pennsylvania [Mr. Byrne].

It was a pleasure and an honor to serve under the leadership of Mr. Byrne. He was very largely responsible for organizing and carrying through a most informative and highly beneficial visit on the part of all members of our subcommittee.

A week ago last Saturday, while other people were demonstrating against our Nation's policy in Vietnam, burning draft cards and American flags in New York City, Chairman James Byrne was addressing a patriotic rally on the steps of Independence Hall in the historic city of Philadelphia, which Chairman Byrne himself represents so very ably in this House.

The rally was sponsored by the Philadelphia County Council of the American Legion.

Chairman Byrne's address at that patriotic rally deserves to be read by every Member of this body, because it points up some of the important lessons that the members of our committee came back with from Vietnam.

Under leave to extend my remarks, I therefore include Chairman Byrne's address at this point:

Speech of Congressman James A. Byrne at Dedication Day Program Saturday, April 15, at Independence Hall Sponsored by Philadelphia County Council, American Legion

Ladies and Gentlemen:

It is truly a pleasure to be here with you this morning as patriots gather together once again in this historic hall to rededicate themselves to the cause of free men everywhere.

Your meeting here today as well as similar meetings which are taking place across this great land of ours, takes on particular significance because it is the answer to a small but vocal minority in this country who, by demonstrations and protests, are misleading Ho Chi Minh into believing that the American people do not have the stamina or the stomach to carry this effort through.

The message of this meeting must carry through to Hanoi, and this message must convey to the communist leaders everywhere that the American people have the fortitude, possess the determination, and are willing to sacrifice whatever is necessary so that the people of South Vietnam may have the right as free men to select their government and their leaders and not to have imposed on them a communist form of government either by subversion or invasion from without.

Frankly, I feel very humble here in this sanctuary of freedom because only very recently have I returned from a tour of our military installations in South Vietnam and Thailand. I had the opportunity of talking with not only such great military leaders as General William C. Westmoreland, Lieutenant General Lewis W. Walt, who commands the Third Marine Amphibious Force at Danang and whose troops guard and patrol the areas just south of the dividing line between North and South Vietnam; Lietuenant General Bruce Palmer, whose troops are currently engaged in operation "Junction City," the operation along the Cambodian border; and Admiral Norvell C. Ward, who directs our extremely difficult operations in the Mekong Delta; but also with 124 boys of every grade and rank from my own congressional district here in Philadelphia. To a man, they understand our reason for being in South Vietnam—and to each of them, a pull-out, a lessening of effort, or a weakening of position, is unthinkable.

And Mr. Ho Chi Minh, if you personally could see their determination, their attitude, their morale and their equipment with which they intend to drive your kind out of South Vietnam, you would realize that beatniks and peaceniks and long-hairs do not speak for America.

Why are we in Vietnam and possibly why are we committed to defend Thailand, just as we were in Korea about 20 years ago? I guess the simple answer is that communist leadership has not yet learned that armed aggression is a force that will not be permitted in the second half of the Twentieth Century.

I cannot help but recall an illustration General Westmoreland used during a discussion with a congressional delegation from the House Armed Services Committee, a subcommittee which I had the honor to Chair on our recent inspection trip over the Easter recess.

He described Vietnam in terms of analogy comparing the country to a small modest house occupied by a family of four. One day the father discovered that the foundations were being eaten up by termites. He ordered his children to take hammers and search out and kill the termites who were undermining the basic structure—even though the termites continued to multiply as fast as the children were able to destroy them. But even the small ineffectual effort of the children angered the bully up the street who was a friend of the termites. The bully invaded the house and began attacking not only the children but the mother and father as well. The family, not being able to cope with the combined action of the termites and the bully, called upon their friends for help, so their friends also came to their house to assist. But when they all joined in, because the termites had so weakened the structure, the foundations of the house began to give way, and it became necessary to strengthen the foundations before the house collapsed completely. Recently, an I-beam in the form of a new constitution was added, and the basic structure is more sound than before. But it will still take some time and effort to force the bully to return to his home and to finally eradicate the termites. After this is done, further repairs will have to be made on the house but the father and mother and their two children primarily will be the ones to accomplish this important mission.

I believe this aptly illustrates the problem in South Vietnam. Begun over 20 years ago, the Viet Cong, an organization composed of communist sympathizers in South Vietnam, but organized, directed and commanded out of Hanoi, began attempting to create such confusion that the government in the South would tremble. Failing by subversive means, they undertook open aggression. They received direct assistance from the North, and the government almost collapsed. At the request of the duly constituted government, we came to their assistance. The government in Hanoi then began sending in regular units and are continuing to do so. We, the Republic of Korea, Australia and New Zealand as well as the troops of South Vietnam, are resisting these forces.

And at the same time, we are assisting the people of South Vietnam through a social revolution. We are assisting their government to bring democracy to every village and hamlet in the nation.

But both jobs are difficult and, in my opinion, will take a great deal of effort and time. For instance, in the field of education alone, less than one-half the people are literate. Formal education stops at the fourth grade. They have had no experience with democratic government. Yet, their very will and desire and determination to live as free men has kept them resisting the communist effort for 20 years.

I am not a military man, thus I would not attempt to predict how many men or how long it would take to accomplish a military victory in South Vietnam. But I do know it is disheartening to our troops to make a successful assault upon an enemy position and then have to withdraw because we do not have sufficient manpower to hold and control that position. I know, too, that it is distressing to our pilots to bomb a railroad installation once, only to have that target repaired within a matter of weeks, and then to bomb it again after additional antiaircraft defense measures have been put into effect while some major targets for obvious reasons are left untouched.

I am not discussing or suggesting escalation of the war, although the hard truth of it is that every day by the use of new weapons or through devious devices, the enemy is escalating the war against American troops. I am talking about intensification of our efforts in order to achieve victory.

I, for one, am going to urge the Congress to support the requirements which have been expressed by responsible military commanders in the field in order to achieve the U.S. objectives in Vietnam.

We can and we must, win the war in Vietnam. And we are winning! In my opinion, the time will come when the leaders in Hanoi will realize that our policies in Vietnam have the overwhelming support of the American people. We recognize that if we give up in South Vietnam that communist campaigns in Thailand will intensify. Undoubtedly Laos and Cambodia would then fall—not by choice but by external force. What would be our choices in such an event?

Recognizing this, you and your organizations by your support of such meetings as this, are not only sending your allegiance and thanks to our wonderful troops who are so courageously serving you in Vietnam, but you are also serving notice on Mr. Ho Chi Minh and company that continued aggression will not achieve victory for his kind of "ism".

We aim for a peaceful world where men are able to live in freedom. But like the patriots who gathered in this hall over 178 years ago, freedom is something worth fighting for.

NEED TO REVISE SELECTIVE SERVICE LAW—LII

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, although the Department of Defense issued a directive on February 17, 1960, establishing a policy of using civilians to the maximum extent possible in the retail activities of commissary stores, a study published by the Comptroller General of the United States, in December 1965, estimated that the Army, Navy, and Air Force were using the services of about 4,000 enlisted personnel, receiving about $17.2 million annually in pay and allowances, in commissary sales stores.

These personnel were performing standard supermarket jobs; such as stocking fruit, vegetables, and canned goods; operating cash registers; and supervising functions. The Comptroller General's report found that for the most part these men were not "developing and/or maintaining proficiency in specific military occupations to the degree possible during normal duty hours."

The Comptroller General held that these assignments were in contradiction with the intent of the basic Department of Defense policy to use civilians to the maximum extent possible in positions which do not require military personnel.

Furthermore, the Comptroller General estimated that about 5,060 enlisted personnel, receiving about $23.3 million annually in pay and allowances, were assigned to such nonmilitary activities as officers' and noncommissioned officers' clubs, hobby shops, bowling alleys, and golf courses. Not included in the study were enlisted personnel assigned to services at gymnasiums, libraries, service clubs, and fieldhouses.

Shown below are three examples of enlisted personnel who were assigned to nonmilitary activities:

1. The serviceman enlisted in the Air Force in December 1961. For 9 months he was trained as a ground communications equipment repairman at Keesler Air Force Base in Mississippi. Generally this job specialty involves the operation, installation, testing, and maintenance of ground communications equipment. After working approximately 1 year in the occupation for which he was trained, he was assigned to Offutt Air Force Base, Nebraska. In October 1963 he was assigned to the Hi-Fi Hobby Shop at Offutt, and he was still assigned to that activity at the time of our review. The serviceman advised us that he did not know how he was selected for the assignment but that he was selling tubes for the convenience of the individuals who patronized the shop.

2. The serviceman entered the Navy in October 1962. After completing recruit training he was assigned to the Naval Air Station, North Island, San Diego, California. In May 1963, he was assigned to the officers' bowling alley. At the time of our review, his duties consisted of cleaning up and performing minor repairs to the pinsetting machinery. This serviceman had been in the Navy for more than 1 year, and, at the time of our review, he had not received any special training of a military nature and had not developed any specific military skill.

3. An Army serviceman had 3 years of experience as a motor maintenance sergeant which requires that he be able to diagnose malfunctions of tracked vehicles (tanks, weapons carriers, and others), determine the extent of repair required, and perform final inspections and road tests to ensure that repaired vehicles meet prescribed standards. He had continually received excellent efficiency ratings. At the time of our review, the serviceman's personnel records showed his duty assignment to be that of a recreation specialist at Fort Hood, Texas. We interviewed the serviceman to determine what duties he was performing and found that he was assigned to the Rod and Gun Club at Fort Hood as a game warden. As a result the Army was not utilizing the skills of this highly trained and experienced individual in

the performance of needed military duties, while at the same time the Army was training additional personnel in this skill.

Mr. Speaker, the use of servicemen as game wardens, caddies, or storekeepers is scandalous and I fail to understand how the Military Establishment can allow such practices to exist. The use of military personnel should be restricted to military-type duties. By way of contrast, I might add that in a military force obtained through voluntary recruitment, each man would be assigned to his proper function and this financial waste and misassignment would not occur.

EDUCATIONAL TAX CREDIT

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, one of the vital elements of our national wealth which allows America to remain the leader in an ever-changing world is our remarkable and constantly expanding educational system. Our elementary, secondary, and higher educational facilities are unmatched in excellence and the opportunities they offer to the student. Our system lays at the feet of our children—our young men and women—inestimable combinations of education to allow future fulfillment in every conceivable field of endeavor. Never before in history has such opportunity been proffered.

As a direct consequence, the demand for more highly educated individuals has escalated beyond the wildest dreams of 50 years ago. Where at one time a high school education was sufficient for practically any job, today a college degree is required. I have no doubt that in foreseeable future a master's degree and, eventually, a Ph. D. will be prerequisites for many of the occupations of tomorrow.

But the task we have of providing our children with the best possible education drops a heavy financial weight on the shoulders of the parent and in increasing instances on the student himself. Recent surveys have shown that from 65 to 80 percent of the students at an average college pay some or all of their expenses. Many young married people work during the day and attend night classes to further their education. And, of course, many parents foot the entire bill of sending their children through college. The high cost of sending a young man or woman to college is many times a bar to continued education because the parents simply do not have the financial resources to pay the bills.

In recognition of this dilemma, 4 years ago I first introduced a bill to provide a tax credit for expenses incurred through higher education. The individual paying the bills, be he parent or student, would be eligible under my bill, which I have reintroduced this year, to claim varying amounts of credit on the personal income tax depending on the expenses.

Last week, the Senate accepted an amendment to the investment tax credit bill to allow a similar educational expenses credit. I cannot commend too highly this action by the other body.

Under my bill an individual could claim 75 percent of educational expenses up to $200, 25 percent of expenses over $200 but not exceeding $500, and 10 percent of expenses over $500 but not exceeding $1,500. The tax credit would be reduced by an amount equal to 1 percent of the amount by which the adjusted gross income of the taxpayer exceeds $25,000.

Mr. Speaker, it is estimated that this credit might cost the Government $1.3 billion by 1970. This is a relatively small amount when it is realized that our gross national product is expected to rise $200 billion during the same period.

The real clinching argument, however, is that the Federal Government can expect to recoup the cost of the credit through income tax receipts from those who will benefit from their college degrees. The graduates will earn higher salaries and, as a result, inject more money into the Federal Treasury through taxes.

A similar situation has taken place with regard to our prior GI bills, and particularly with the educational benefits provisions. The veterans who took advantage of the educational benefits have repaid the cost not only in a monetary sense, but also by upgrading our country by their services as lawyers, doctors, businessmen, and in other occupations which might have never been attained without the education made available through the GI bills.

Education is the most priceless gift an individual can receive. It is priceless to the person and equally so to his country.

Mr. Speaker, I am hopeful that when the investment tax credit bill goes to the conferees, it will emerge with the educational expenses tax credit provision intact.

Fairness demands that we give the average American taxpayer a partial respite from the tremendous and increasing burden of paying for higher education. The expense will still be heavy, but perhaps not too heavy to prevent our children from attending college and participating effectively in the future of our great Nation and the world.

PROTECTION OF RELIGIOUS SCRUPLES

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BINGHAM. Mr. Speaker, early in the session I introduced H.R. 265, a bill to protect civil service employees whose religious obligations forbid them to work on certain days. This legislation would permit sabbatarians in the Federal civil service to have their work schedules adjusted, where possible, so they would not be compelled to work on days which would violate their religious obligations so long as the time was made up on other days.

I think it is of interest that my home State of New York has recently enacted very similar legislation to protect the religious scruples of State and local civil servants. I am most pleased to see my own State take the lead in this matter by adopting legislation to counteract this kind of religious discrimination in the State and local civil service. Mr. Speaker, I insert the text of the New York legislation in the RECORD, and hope that its passage in New York will give added impetus to our efforts to adopt similar religious safeguards on the Federal level:

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Statement of legislative purpose. It has long been the policy of this state that every individual is guaranteed the right to obtain employment free from discrimination because of his religion. It is the finding of the legislature that, in accordance with this policy, no individual should be prohibited, prevented or disqualified from, or discriminated against in obtaining or holding public employment because of his observance of any particular day or days or portion thereof as his sabbath or other holy day as a requirement of his religion. Questions have recently been raised, however, as to whether the provisions of the laws against discrimination and other laws are sufficiently clear to protect the interests of individuals holding or seeking public employment who observe any particular day or days or portion thereof as a sabbath or other holy day as a requirement of their religion. This act is therefore enacted to clarify the existence of this right and to provide specific assurance of it, and should in no way be construed to limit the rights assured by the provisions of the law against discrimination or any other law, rule or regulation. It is the intention of the legislature that this act shall be construed liberally to effectuate the purposes for which it is enacted.

§ 2. Subdivision nine of section two hundred ninety-six of the executive law, as added by chapter eight hundred fifty-one of the laws of nineteen hundred sixty-five, is hereby renumbered to be subdivision ten, and a new subdivision nine is hereby inserted in such section, to read as follows:

9. (a) It shall be an unlawful discriminatory practice for any officer, agency, or department of the state or any of its political subdivisions, including but not limited to the educational authorities of any school district, to prohibit, prevent or disqualify any person from, or otherwise to discriminate against any person in, obtaining or holding employment by the state or by any such subdivision or district, because of his observance of any particular day or days or any portion thereof as a sabbath or other holy day in accordance with the requirements of his religion.

(b) Except as may be required in an emergency or where his personal presence is indispensable to the orderly transaction of public business, no person employed by the state or any of its political subdivisions or any school district shall be required to remain at his place of employment during any day or days or position thereof that, as a requirement of his religion, he observes as his sabbath or other holy day, including a reasonable time prior and subsequent thereto for travel between his place of employment and his home, provided however, that any such absence from work shall, wherever practicable in the judgment of the employer, be made up by an equivalent amount of time and work at some other mutually convenient time, or shall be charged against any leave with pay ordinarily granted, other than sick leave, provided further, however, that any such absence not so made up or charged, may be treated by the employer of such person as leave taken without pay.

(c) This subdivision shall not be construed to apply to any position dealing with the public health or safety where the person holding such position must be available for duty whenever needed, or to any position or class of positions the nature and quality of the duties of which are such that the personal presence of the holder of such position is regularly essential on any particular day or days or portion thereof for the normal performance of such duties with respect to any applicant therefor or holder thereof who, as a requirement of his religion, observes such day or days or portion thereof as his sabbath or other holy day. If any question shall arise whether a particular position or class of positions is excepted from the provisions of this subdivision nine by the provisions of this paragraph c, such question may be referred in writing by any party claimed to be aggrieved, in the case of any position of employment by the state or any of its political subdivisions, except by any school district, to the civil service commission, and in the case of any position of employment by any school district, to the commissioner of education, who shall determine such question. Any such determination by the civil service commission shall be reviewable in the manner provided by article seventy-eight of the civil practice law and rules and any such determination by the commissioner of education shall be reviewable in the manner and to the same extent as other determinations of the commissioner under section three hundred ten of the education law.

§ 3. This act shall take effect September first, nineteen hundred sixty-seven.

ELEMENTARY AND SECONDARY EDUCATION

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BINGHAM. Mr. Speaker, in the near future we will be considering amendments to the Elementary and Secondary Education Act of 1965. Among the many vitally important programs included in this year's legislation, none is more creative and exciting than the work of the National Teachers Corps. The Corps is made up of dedicated young teachers, operating in teams under the guidance of a "master teacher," who bring their intelligence and fresh ideas and enthusiasm to stimulate children in deprived areas.

I had the pleasure this week of visiting Niles Junior High School, in my congressional district, and observing the fine work that members of the Teachers Corps are doing. In a letter urging me to do what I could to "see that this program is maintained," Mrs. Mildred W. Sablove, the very able principal of Niles, commented that "The National Teachers Corps program in this school has been a wonderful asset to us. The people in it are a cut above the average teacher in enthusiasm, integrity, and interest in children." This is high praise from a seasoned professional in the field of education and is indicative of the contribution being made to the development and education of children in our underprivileged areas.

The two teams working at Niles have concentrated on developing a close and personal relationship with disturbed children in the school and with their families in order to give more individual help to the children. The teams have also worked on community projects which involve the children and their parents in efforts to recognize and deal with neighborhood problems. For example, an empty store has been turned into a part-time adult education center for the teaching of English, typing, and Spanish. Thus, many of the parents who are too timid to attend official board of education night classes, and who also fear to travel the streets at night, are able to take advantage of local classes as well as have their children looked after in an informal child-care center. The nucleus of a parent-teacher association has also been started under the guidance of the Teachers Corps interns.

I think it significant that all the Teachers Corps members at Niles speak Spanish and are veterans of the Peace Corps. The successful combination of idealism and practicality which distinguished the Peace Corps is being effectively carried over to the work of the Teachers Corps. It would be shameful if we were to lose the benefits this program has to give because of shortsighted economies or lack of appreciation of its importance.

POWELL FIASCO

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Burton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BURTON of California. Mr. Speaker, on April 14, 1967, the San Francisco Examiner, a newspaper published in my district by the Hearst Publishing Co., carried an editorial which I believe merits the attention of the Members of this House. It reads as follows:

Powell Fiasco

Adam Clayton Powell, to the surprise of literally nobody, has won re-election to the seat in Congress from which he was barred as unfit by fellow members of the House. Harlem kept the faith, baby, with its bad boy Congressman—even though it did so with no great outpouring of enthusiasm. Only about 33,000 of the area's 126,000 registered voters went to the polls.

So now what? There would seem to be only one sensible course of action for Congress to take, and that is the course which should have been taken in the first place. The special committee on the case, headed by Rep. Emanuel Celler, originally recommended that Powell be seated and censured. This was rejected by House hotheads who rashly demanded and got his exclusion.

The House now has been overruled by the voters of Harlem. They obviously can be depended on to do so time and again. Powell is the man they want and their wishes must no longer be denied. Any further negation of their ballots would be a far greater evil than the wrongdoing of which Powell stands accused.

Adam Clayton Powell should be seated, and formally censured. And if he has done anything criminal in his fast and loose handling of public funds, the proper law enforcement agency should seek to punish him, not Congress.

GREEK TRAGEDY

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Burton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BURTON of California. The full implications of the recent military coup in Greece cannot be assessed at this time. However, it is apparent that orderly, democratic process has been disrupted. This cannot be viewed with anything but disquiet and apprehension, given the historic role of Greece as the fountain which watered and nourished representative government, gave birth to the great philosophers, and developed the concept of the "enlightened man."

The great bond which ties Western civilization and culture to Greek history makes us feel deeply the troubled times she now endures.

I am including in the Record at this time the New York Times editorial of April 22, 1967, entitled "Greek Tragedy."

Greek Tragedy

No convincing case can be made for imposition of an army-backed dictatorship in Greece. Under much graver circumstances the country survived a major Communist strike for power in 1944 and a civil war against Communist-led forces in 1946–49 without resorting to dictatorship.

It is doubtful that young King Constantine ordered the coup that has been carried out in his name. But what is certain is that his clumsy political machinations over two years helped to polarize the country's political forces and to create a situation that invited a coup. In any case, many Greeks will believe that Constantine opted for the coup as the only means of preventing the return to power in the May elections of his arch political enemy, George Papandreou.

The King's abrupt dismissal of Mr. Papandreou as Premier in 1965, without giving the Center Union leader a chance to resign, provoked a crisis that has smoldered ever since. It aroused sympathy for Mr. Papandreou and support for his charges that the palace was meddling unacceptably in politics to favor right-wing forces.

But Mr. Papandreou and his demagogic son, Andreas, cannot escape major portions of blame for the coup that has now placed both in detention. The father frittered away a golden opportunity to bring needed economic and social reforms to Greece after his landslide election victory of 1964. Whether he was entirely aware of the so-called Aspida plot of left-wing officers, he certainly set about to install army leaders sympathetic to his Center Union in key commands, provoking a reaction from the right wing.

In a country less than twenty years removed from a bloody struggle against the

Communists, Andreas Papandreou bid openly for far-left support; threatened to realign Greece's foreign policy and turned the family's vendetta with Constantine into a nation-rending campaign against the monarchy itself.

Even the conservative National Radical Union must bear some of the blame for the deteriorating situation, though Premier Kanellopoulos reportedly resisted the coup and is also under arrest. The Radical Union gave Greece nearly eight years of stable government, but rigged an election in 1961 that it could have won fairly, thus giving George Papandreou the comeback opportunity that led eventually to his 1964 victory.

So there is blame enough to go around, but trying to assess it will not resolve the problems Greece now faces. The army will find that it is much easier to seize power than to get rid of it constitutionally and peacefully. Tragedy has overtaken Greece and the most tragic aspect is that a greater sense of responsibility on all sides might have averted it.

HAWAII'S REPRESENTATIVE IN THE PEACE ESSAY CONTEST

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mrs. MINK. Mr. Speaker, I wish to bring to the attention of my colleagues the many talents of a fine young constituent, Miss Jo Ann Yukimura, of Lihue, Kauai. Miss Yukimura, a 17-year-old high school senior, will represent Hawaii in the worldwide peace essay contest sponsored by Lions International in observance of the golden anniversary of Lionism. Her essay was selected from the 34 entries submitted by Lions clubs throughout the State; she won a scholarship award from the Rama Watumull Fund. Her long list of achievements includes winning first prize for an essay on "Master Planning" during her freshman year; being named a national merit semifinalist, representing Kauai during her sophomore year in the statewide extemporaneous public-speaking contest; participating in the National Science Foundation summer science training program during her junior year; winning a Bausch and Lomb Science Award; and participating in the William Randolph Hearst Foundation U.S. Senate youth program held earlier this year in Washington.

Jo Ann is also president of the Lihue Christian Church Pilgrim Fellowship Club; State delegate and member of the board of the National Youth Forum; an active member of the Pacific and Asian Affairs Council; member of the Bio-Chem-Phi Club; concertmaster of Kauai High's concert band; member of the National Honor Society; current student body president; president of the Garden Isle High School Government Association; and participant in the science seminar.

Hawaii is proud of Miss Yukimura's outstanding talents and capabilities, and I am happy to share with my colleagues her exemplary essay "Peace Is Attainable," an affirmation of American youths' sincere concern for the welfare of not only their fellow citizens, but of their world brotherhood as well:

PEACE IS ATTAINABLE

(By Miss Jo Ann Yukimura)

Hawaii and the rest of the world recently turned their attention to the memories of World War II. The horror, the loss of lives, the immeasurable suffering, and the bitter hatred of twenty-five years ago can still be remembered. And yet, the same tentacles of war are crushing Viet Nam today. "Must it always be so?" One is forced to cry the question that has been asked throughout the centuries.

I say no! Our desire for peace today is not unfamiliar, but there is a newness in its tone. It holds an unprecedented urgency in this unprecedented age. And as man has ventured undaunted to the very frontiers of knowledge and skills, he is also capable of achieving a higher plane of existence with his fellow men than he now has.

I believe we can achieve world peace—not as a world situation in which goodness, mercy, and unselfishness come to all nations and to all people. Indeed, that is a beautiful picture which should be kept in a secret part of our hearts, but if we truly desire world peace, we must grasp a realistic goal and BE WILLING TO WORK FOR IT. World peace will not be the attainment of pure goodness and love. It will not be agreement on all issues. It will be the situation in which nations no longer view war and violence as a method of solving differences and conflicts. Nations will be able to sit down and discuss issues, to respect and tolerate other points of view. As one Girl Scout remarked on a recent "Dialogue" television program. "We want to live, not so much in unity as in harmony."

War, to a large degree, is a state of mind or an unconscious expectancy that is deeply imbedded in our present way of life as was asserted by Senator William Fulbright in his book, "Old Myths and New Realities." People view it as an alternative to settle conflicts. As long as they do so, war will be part of our life. It is this attitude that must be destroyed while other effective alternatives are simultaneously provided.

A KEY WORD

Disarmament has been a key word for a long time. Let us eliminate the possibility of war through it. Nations, presently so jealous of their powers, must be willing to take the risk and break loose from the narrow confines of the idea of complete national sovereignty. Leaders of nations must lead the search for peace.

Each country must agree to the reduction of her military force to the size of an adequate police force and must submit to inspections by a qualified impartial, international team under the United Nations. Inspections and the regulation of disarmament agreements can be effective and are highly feasible. It must be remembered however, that the effectiveness of such an effort as disarmament will depend on the participation of the important military powers, including Communist China.

To replace the security that nations find in the possession of arms, we must provide a stronger security through the United Nations. An international peace-keeping force—mobile, dedicated, and impartial—with men who can place international loyalties above national interests is necessary. It should be responsible to several commanders, preferably from small, neutral countries. Decisions should be made by a decisive, impartial group of internationally respected men not in any way connected with the conflict under consideration.

Then we must give substance to an international court, beginning with the nullification of the Connally Act by the United States who reserved the right to rule on any conflict she considered domestic and thus destroyed any power of the present World Court. Nations should be able to bring their disputes and conflicts to the court with faith that the conflict will be settled impartially. Again, internationally respected men should sit on the court. Sacrificing power, the nations will be able to create such an atmosphere that a delinquent nation-state will not simply be acting against another, but against the whole world. People within all nation-states have accepted some system of laws; let us now do away with worldwide anarchy.

BE DIFFICULT

"Impossible!" yells the cynic. "Impossible!" rages the pessimist. The process of attainment will be difficult, but the warless world is not hard to imagine. It will be a hopeful, new way of living.

Where a converted war economy will close some doors, it will open many other doors. Kenneth E. Boulding shared his vision of world peace in "A Warless World," a book edited by Arthur Larson. There would be more funds for the beneficial war against poverty, for the improvement of education, for the re-direction of scientific and medical research, for the manufacture of additional consumer goods in countries with scant supplies, for foreign aid. Most of all, the conversion from military to peaceful uses could make the difference between life and death in smaller countries. Governments will be enriching lives (their real jobs) instead of causing deaths.

Money alone is not the only factor. Time, talent, and energy can be re-directed toward more creative ends. Presently, in the United States, 50 percent of all research and development is of a military nature. War taps over one-half of the talent of scientists and engineers.

Eliminate war, and man can turn to the vast challenges of outer space, the earth, the sea, and the secrets of life. Man can work together, not against one another.

In a warless world, we can truly concentrate all efforts to building a world in which people are accepted as people, in which everyone has enough to eat, a place to sleep, and the opportunities to grow to his ultimate capacity as a person. It is a tantalizing picture!

CAN BE FORESEEN

Problems will undoubtedly occur, especially in the transition period, but many can be foreseen and planned for. Government, for example should encourage corporation heads to begin investigating now the various possibilities for the conversion from military to civilian production. Governments, themselves should explore ways to aid military industries during the transition.

World and state must also work toward gradually introducing the peoples of the world to the ideas of disarmament. Acceptance of such ideas and conditions will require a long period of education and adjustments, for there will be many psychological, social, and economic repercussions during the transition toward world peace.

Changes in the world structure and through governments alone will not suffice, however, as is illustrated by the fact that detailed and logical plans for world peace have been proposed before. What must also change are the attitudes of people. We must strike at the very foundation of war—the prejudice and ignorance that exist among peoples of nations. It is the way people view people of other nations that enables one man to murder another in a battlefield. The opponent is not thought of as another man—a man with a family, a man who can laugh, cry, experience the same fears and joys as I, who yearns for peace as I do. He is the enemy, a terrible, impersonal enemy which must be stopped. Even off the battlefield, the Russian is the "Communist" who wants to bury me or the American is that "terrible capitalist." World peace will be impossible with such a foundation.

In this problem the answer to the often posed question, "What can I do as an individual for world peace?" We may not be able alone to change the world organization, but we can in our own homes and schools, work for world peace. Peace will be based upon how people can understand other people. Our task will be to divest ourselves of the prejudices and ill-informed images that we hold of others—others of different countries, but beginning with those close to us. We must make sincere attempts to understand others.

To get to know our brothers around the world will demand participation in and encouragement of the serious study of the values, viewpoints, and histories that differ from ours. Interest in others and tolerance must prevail. This age of rapid communication and mobility offers many opportunities which only need to be utilized. Books, cultural exchanges, foreign exchanges, letter-writing, and conferences will all help us to see people as individuals, not as countries or as mass stereotypes.

World peace often seems unrealistic because we are not used to the idea, but it is not impossible. No, world peace is only as impossible as we make it. We must only decide how much we want it and then work toward it. The road is long and risky and will often be painful, but it lies there beckoning us to take the first steps. Man, in striving for world peace and in achieving it will be fulfilling God's plan for him.

JOSEPH M. HEALEY, MAYOR OF TOWN OF KEARNY, N.J.

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have always felt that effective local government is an important cornerstone of this Nation. The whole thrust of creative federalism should be to keep local government strong.

It is a great source of pride to me to know that we have in the 14th Congressional District of New Jersey some truly outstanding municipal officials. And none—I might add—is more distinguished than the mayor of the town of Kearny.

Joseph M. Healey has been the chief executive of the town for 18 years, and these 18 years have been years of great progress for this west Hudson County municipality which is celebrating its 100th anniversary in 1967.

Mayor Healey is a member of the 1966–67 advisory council of the National League of Cities. And to give you an idea of his reputation among mayors of American cities, it is worthwhile to consider that his colleagues on this important body include the mayors of the cities of Detroit, Boston, Chicago, Denver, Minneapolis, Milwaukee, New Orleans and New Haven. Truly for a town the size of Kearny, to have its mayor included in this company, is a high honor indeed.

Mr. Speaker, I would like to call to the attention of all Members of this House an article which was published in the Jersey Journal, a leading newspaper in northern New Jersey, on April 18, 1967. It is an honest appraisal of Mayor Healey's great contribution to his town during the last 18 years.

The article follows:

He's the News—Mayor Healey Sets a Fast Pace for Kearny

As Kearny celebrates its centennial this year, there's no doubt that one man is right in the middle of things—the town's personable mayor, Joseph Michael Healey.

And why? Healey remains as vigorous as ever after a career as councilman and mayor spanning more than a third of the town's history.

Ever since he was a newsboy delivering papers to Chateau Belgrove, the former residence of Gen. Philip C. Kearny, U.S.A.—the town's namesake—the mayor also has been a keen student of the nine-square-mile town's history.

The mansion was torn down many years ago—"I wish I had been mayor then," Healey said yesterday. However, every street sign in Kearny this year will bear the red diamond patch that emblazoned the uniforms of the men in Gen. Kearny's Union army during the years just before the Civil War.

"We'll have a time capsule, too," Healey notes proudly, "with the signatures of each of the town's school children inside."

Friends say there is a simple explanation for the mayor's phenomenal strength as a vote-getter during his 18-year incumbency, for Joseph Healey loves Kearny and Kearny loves Mayor Healey right back.

Typically, he lists his finest project as the development of the lovely, three-mile-long Riverbank Park on the Passaic River, Hudson County's first reclamation project financed by the state's Green Acres program.

Eight years ago, the town applied to the Hudson County Parks Commission for funds to spruce up the then-bedraggled eyesore. The Commission refused, claiming a half-million dollars would be needed.

Healey decided to go ahead, using a recipe of daring, imagination—and city employees. The result proved better than anyone had hoped.

Riverbank Park has its own zoo, picnic grounds and verdant recreation areas—all at a cost of $100,000.

The development of Port Kearny, the berth for 15 ocean-going ships last year, is another favorite achievement of Healey's.

Irish-American activities are the mayor's avocation. He is a past grand marshal of the Newark St. Patrick's Day Parade. The mayor lives in a modest home at 244 Forest St.—"in the same ward where I was born"—close by Kearny High School, where he was a member of the first graduating class. Since the completion of an outdoor refinishing, Healey's family has dubbed their home "the little White House."

Kearny's first lady is the former Ann Carey.

Their eldest daughter, Mary Ann, a graduate of Georgetown University, currently teaches as a volunteer for the Catholic Extension Society in La Junta, Colo. Joseph Junior is a freshman at the College of the Holy Cross, in Worcester, Mass., and Thomas, the youngest son, is a freshman at St. Cecilia's High School.

L.B.J.: A RESPONSIVE EXPONENT OF AMERICAN LIFE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Anderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, an able Tennessee newspaper editor, Mr. John M. Jones, of the Greenville Sun, recently met President Johnson and interviewed him during his recent trip to Tennessee. The result is an excellent profile on our President that deftly captures his hopes for America and his sense of responsibility for meeting the needs of our people.

Mr. Jones sums up the essential Johnson as "a rugged individualist, very determined and a responsive exponent of the American way of life."

I insert this excellent article in the Record at this point:

Sun Editor Finds Johnson Keenly Feels Responsibilities—President Appears in Vigorous Health, Confident of Future

(By John M. Jones)

No matter how you regard Lyndon B. Johnson, from a political standpoint, even a casual observer would likely rate him the most powerful single man in the world today.

From the vantage point of having spent a few hours in personal conversation with three presidents, (Roosevelt, Kennedy and Johnson), I came away with these impressions.

Roosevelt was the most attractive personality—the most dynamic man by far. Kennedy was the most appealing with an amazing grasp of facts and information. Johnson could well be described as a rugged individualist, very determined and a responsive exponent of the American way of life. Certainly Johnson is faced with the most awesome responsibility of the three, because of the enormous nuclear capacity of two and perhaps three nations in the world for total destruction of modern civilization.

The responsibilities of the presidency weigh heavily on President Johnson and are quickly apparent to anyone who spends an evening in his presence.

He carries this responsibility well. He is relaxed, obviously healthy (he says he feels good and he looks it) and moves with quiet confidence through discussions of the daily and long range problems he faces as commander-in-chief of a nation at war in a world now capable of its own total destruction.

JOHNSON FAMILY TEAM

Perhaps, more than any first lady in recent history, Lady Bird Johnson is a partner, advisor, and actual participant in the presidency. She never takes from the president, but by sheer charm, tact and an obviously vice-like grip on the problems he faces, bolsters, expands and contributes to practically any subject of conversation.

Both the President and Mrs. Johnson show the strain of the terrible responsibility of his office. Yet, they have a sense of humor, camaraderie and a natural friendliness and charm which give a lift to those about them and act as a safety valve for the daily pressures in their own lives.

The public image of President Johnson, the consummate politician, fades preceptibly as he talks of his daily problems, some global, some local.

The American people ask much of their presidents. He is a target not only for the nation's enemies, but for political competitors, the dissatisfied, cynical and, of course, the probing, searching eyes and ears of the army of press which follow him wherever he goes. Sometimes it must seem to the president that most of the press is dedicated towards bending every statement and move to find an ulterior motive or an unknown objective.

Never before in American history has a president, during war time, suffered the harassment in congress, press and in minority groups who fill the air waves and pages of our publications with questions that border on defiance of stated and open foreign policy of the nation as passed and approved by Congress.

There seems little doubt that the war in Vietnam has been prolonged and American lives lost because of the false hopes raised in the minds of our enemy, that we will tire of our task and quietly abrogate our solemn commitments to our treaty allies.

SHOWS NO BITTERNESS TOWARD CRITICS

Johnson shows no obvious bitterness toward his critics. One gets the feeling, however, that sometimes he deplores the lack of objectivity, failure to put issues in proper perspectives and the negative criticism which makes the job of commander-in-chief ever harder.

President Johnson clearly values patriotism not only in those who agree with him, but also in his critics.

What has been described as arm twisting is in his own view, just persuasion by placing the point in question in its proper perspective with facts which sometimes cannot be made public. He might describe it as trying to get a congressman or senator to look at the problem through the eyes of the man who must ultimately make the decision with perhaps a fuller explanation of background and reasoning which for strategic reasons cannot be made public.

To most of the world, friend and enemy alike, Lyndon B. Johnson is the United States. When he is popular and strong at home, he is stronger abroad and the nation's policy is more respected and effective. When a president is attacked at home, downgraded in the public eye, obviously the prestige and power of the nation suffers and our strength is sapped while giving encouragement to our enemies.

MISSES LUCI

The president clearly misses his younger daughter. He speaks of her very tenderly and warmly. The Johnsons are obviously proud of their two daughters. One gets the feeling that the president is perhaps closest to Luci, whose sparkling personality and obvious love of her father is most apparent. He misses the light airy touch she added to the solemn goings on in the White House filled with deep concern and absorption with critical affairs of state.

She apparently is the most devoutly religious member of the family and the Johnsons appear to have accepted her conversion to Catholicism as a normal expression of her fine mind and character. They speak enthusiastically of soon becoming grandparents.

GOVERNOR'S GRANDDAUGHTER A HIT

They as well as other guests were much taken with little Melinda Wagner, daughter of beautiful, blonde Ann Ellington and her husband, Tim Wagner and granddaughter of Governor and Mrs. Ellington.

The Buford Ellingtons grace the governor's mansion with charm and hospitality. They seem to abhor any pretense and a guest in the mansion finds that they appear the same friendly and natural people whether the president of the United States is present or a casual acquaintance is in their home.

SAY GRACE BEFORE MEALS

They normally say grace before meals just as is done in most other Christian homes. When the president and the other guests were seated, the Governor quietly bowed his head and offered thanks to All Mighty God for gifts which he has showered on us.

Governor and Mrs. Ellington, ever thoughtful of the keen interests of their Tennessee guests seated the President and Mrs. Johnson at the ends of the dinner table so that the conversation with them could be shared more easily by the entire group.

Dinner consisted of a shrimp cocktail, roast beef, asparagus, corn o'brien, lettuce with french dressing and a creme de menthe parfait with two small cookies. The President ate heartily as did the entire party.

CONVERSATION OFF THE RECORD

Conversation during the evening was off the record, but practically every major subject of conversation imaginable and especially controversial subjects were touched upon during the course of the evening. In some cases, the President held forth in great detail. He gave the impression that he welcomed an opportunity to share his thoughts and to discuss issues with those in the party. He obviously felt that the group would respect his off the record views.

Vietnam, very logically, occupied most of the conversation but other subjects ranged from President DeGaulle of France, the Manchester book, our allies and enemies, to Bobby Kennedy. All of this occupied nearly four hours of conversation in which seven fortunate newspaper men in Tennessee were privileged to participate.

Shortly after 10 p.m. Governor Ellington stated that he felt the President and Mrs. Johnson had had a long hard day and since they had to fly back to Washington that night, that he thought the guests would not want to delay their rest any.

SECRET SERVICE MUCH IN EVIDENCE

The entire group rose and said their goodnights. However, the Governor invited the party to go to the airport to see the President off and the entire group piled into waiting limousines in a caravan of secret service men and highway patrolmen and moved to the airport where "Air Force One," the President's personal plane was waiting.

The Governor boarded the plane with the President and Mrs. Johnson while a crowd which had gathered to see the President off, applauded and waved. A few seconds later, the Governor came to the door of the plane and said that the President would like for the other dinner guests to come aboard to see the plane.

"Air Force One" is luxuriously appointed with working office and bedroom for the President and his personal staff. It is an enormous jet plane with the United States of America in blue letters painted practically the length of the fuselage.

ABOARD "AIR FORCE ONE"

When the party entered the President's personal compartment, which is large and spacious, the Life magazine photographer who had been taking pictures all day asked for the party to line up for another group shot inside the plane. The President consented and he invited the entire party to sit down while he called for a steward to bring handsome glass ashtrays embossed with "Aboard Air Force One" in gold and the seal and signature of the President. He also gave each of the Governor's guests two decks of beautifully embossed playing cards inscribed LBJ and also with the presidential seal.

Finally, the party said its good byes again and the President, whose hand I noted appeared tender from the tremendous number of hands he had shaken during the day, said his good nights and the party departed so that the big jet airplane could take off.

The motorcade moved off of the apron of the airport and stopped to watch the presidential jet taxi into position and quickly take off for the brief flight back to Washington.

SECRETARY GARDNER PRESENT

Secretary of Health, Education, and Welfare John Gardner, accompanied the President and Mrs. Johnson back to Washington. He had participated in the three day tour of Mrs. Johnson in North Carolina, West Virginia and Tennessee where she visited various Appalachian area projects.

It all started with a telephone call from Governor Ellington the night before inviting me to join a small group of friends to have dinner with the President. I was told to be at the governor's mansion at 6:30 p.m. and that a hotel reservation would be made for me. The Governor said, "We will sit around and talk for a little while and then have dinner."

To my amazement, when I arrived at the governor's mansion, I was ushered into an upstairs sitting room, adjacent to the Governor's bedroom where only six other invited guests had gathered. This turned out to be the "small party" which the Governor had arranged. These men were Charles Schneider, editor of The Memphis Press Scimitar; Ed Ray, executive editor of The Press Scimitar and a long time friend of the President's from Texas; James H. Stahlman, publisher of The Nashville Banner; Ralph Millett, editor of The Knoxville News Sentinel; James E. Charlet, publisher of the Clarksville Leaf Chronicle; Sam Kennedy, publisher of The Columbia Herald and John M. Jones, editor of The Greeneville Sun. The one thing this group had in common was that they were all longtime newspaper friends of Governor Ellington.

GUESTS FROM BOTH POLITICAL PARTIES

They represented both political parties and some of them had supported candidates opposing President Johnson.

We were told by one of the Governor's aides that the President and Mrs. Johnson and the Governor and Mrs. Ellington were at that moment meeting with a group of educators and the press in a room downstairs and that they would all four join our party shortly.

A few minutes later the President, the Governor and their wives, walked in and each of us was presented.

A famous Life magazine photographer followed them into the room and was given a few minutes to shoot pictures of the entire group both formally and informally.

The President sat in the center of a large sofa, and noticed a large vase of flowers partially blocking the view of one of the party. He said, "Bird, move the flowers please." The Life photographer objected to the flowers being moved, but then the President quietly said, "Move the flowers." One of the guests quickly moved them. There was no doubt about who was in charge from that moment.

CONVERSATION OFF THE RECORD

After the room was cleared of staff and photographers, the President relaxed in a comfortable chair and said, "I am glad to be with you, but I must ask that our conversation here tonight, be off the record. Let's talk about anything on your minds and I will try to answer or get the answer for you."

For four hours, conversation never lagged and naturally the chief executive did most of the talking. Mrs. Johnson rejoined the party after changing clothes and frequently joined in the discussion of various subjects.

PRESIDENT VALUES LADY BIRD'S OPINIONS

It was quickly clear that the President valued and sought her advice and knowledge. She speaks quickly, clearly and convincingly in an accent that might be described as a cross between typical Texas and typical Southern.

You have the impression, when Lady Bird Johnson speaks, that she is talking to you and you alone.

I came away thinking that Lyndon B. Johnson and Lady Bird Johnson are a happy family team, deeply aware of the tremendous responsibility of the office occupied by the President and burdened with cares beyond the average citizen's knowledge.

Their conversation is frequently broken with smiles and laughter as the President rolls out some of his famous Texas stories and jokes, most of which seem to have a clear meaning and message in relation to the subject being discussed.

FORMER SCHOOL TEACHER

Lyndon B. Johnson is truly a product of this nation. Born on a small ranch in Texas, he has known, first hand, hard times and hard work. He frequently alludes to the period in his life when he was a school teacher. Although he has been a power in the affairs of this country for more than thirty years, his vast experience and knowledge of government and the affairs and international relations of this country have uniquely equipped him for the job he now holds.

He appears mindful not only of his power, but of his great responsibilities. One gets the feeling from talking with him that he keenly feels the anguish in a mother's heart who has lost a son in Vietnam and the pride he holds in the United States fighting man overflows from a voice that can choke up on the price our nation must pay to survive successfully in a world tortured by Communist aggression and power of self-destruction at any moment.

There was little doubt in the minds of those who accompanied me to the Governor's mansion for an evening with the President that here is a man who, though many of us will disagree with some of his policies and actions, is truly on top of his job and who feels a responsibility and a dedication to all the people of this country regardless of race, religion, or other circumstances.

SOCIETY HILL WEEK 1967

Mr. BYRNE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, it gives me great pleasure to call to the attention of the Congress the week long Society Hill celebration to be held in the city of Philadelphia the week of June 3 to 11. It is my pleasure to represent the Third District of Pennsylvania in which Society Hill is located. This is the Independence Hall area, which is the "Cradle of Liberty" for our great Nation.

I would like to extend an invitation to my colleagues and to the people across the Nation to visit with us in this unique renewal area during this observance and participate in these events. The program is still yet to be completed, but you will find listed below the events which have been scheduled thus far:

SOCIETY HILL WEEK, 1967

PROGRAM OF EVENTS—JUNE 3–11

June 3

"Ye Olde Market Fair"—Day-long fete sponsored by Old St. Joseph's Church, featuring old-time entertainment, refreshments, booths. Will be held at historic New Market at Second and Pine Streets.

June 4

"Open House"—Official opening of historic Hill-Physick-Keith home, including open house and tea; special services at famous Society Hill churches; guided tours of area; friends invited to spend the day in Society Hill.

June 5

"School Night"—Special programs and open house at schools of Society Hill; tours, motion picture, concert and refreshments will highlight evening.

June 7

"Pennsylvania Hospital Day"—Traditional day-long country fair in Washington Square, sponsored by Pennsylvania Hospital. To include all types of booths; fashion show; art show; antique auction and other activities. To be held in Washington Square.

"Community Salute"—Program to salute individuals and organizations responsible for continuing development of Society Hill. Main event will be a community symposium "Philadelphia: 1976?" Town-meeting discussion on what individuals and groups are doing in areas of education, physical environment, culture, and other facets of modern life. What's happening now—and what's ahead.

June 9

"Award Day"—Includes morning presentation of Registered National Historic Landmark to City of Philadelphia for the New Market and Head House; Luncheon ceremonies to honor recipient of Third Annual Society Hill Week Medal.

Evening events to include swim show, fireworks, band concert.

June 10

"Children's Day"—Activities for children in and around New Market area. "Old Guard" Fife and Drum Corps will perform; games and displays of police and fire equipment will be featured.

NATIONAL RAISIN WEEK

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SISK. Mr. Speaker, on this 58th anniversary of National Raisin Week, I am proud to join Representative BOB MATHIAS, in paying tribute to the men and women who make up America's great raisin industry.

I would particularly like to salute and commend the officers and members of the California Raisin Advisory Board for the truly tremendous job they have done these past few years in increasing the export sale of raisins.

Figures alone—impressive as they are—do not reveal the significance of their efforts or the importance of their example.

In a relatively few years, and solely as the result of its imaginative, bold, threefold program of merchandising, advertising, and promotion, the California Raisin Advisory Board increased the export sale of raisins from approximately 18,000 tons in 1958–59 to 60,000 tons in 1965–66. Last year, the bustling inland seaport of Stockton, Calif., alone shipped more than 42,000 tons of raisins to foreign lands.

This, I submit, is an impressive achievement.

To me, however, the most dramatic and, in the long run, the most beneficial aspect of this remarkable performance lies in one simple fact: It was done by private industry. By the raisin industry, I am proud to say.

Raisin exports now take nearly one-fourth of the total crops of raisins produced in the San Joaquin Valley. And I believe that overseas market development will play an increasingly vital role in California's quarter billion dollar raisin industry.

Underscoring this probability is the recent European-Far East trip by California Raisin Advisory Board manager, Henry Andreas. This trip was the most thorough and complete investigation of the board's foreign marketing program ever undertaken.

Over a period of 33 working days, Mr. Andreas visited and evaluated each of 10 projects in the board's market development program. At the same time, he vigorously explored the possibility of starting development programs in Italy and Taiwan.

The project countries visited by Mr. Andreas were Ireland, Denmark, Norway, Sweden, Finland, West Germany, Switzerland, and Japan.

According to Mr. Andreas' report, trade committee reaction was good in every country. In Japan, the All-Japan Federation will, for the first time, cosponsor baking demonstrations with the California Raisin Advisory Board.

Obviously, officials of the California Raisin Advisory Board, and their product—the tasty, tiny raisin—are winning new friends for America in foreign lands. More than that, they are helping—without Government prompting or assistance—to alleviate, if not solve, our critical balance-of-payment problem.

The California Raisin Advisory Board has shown what initiative and imagination and hard work on the part of private industry can accomplish in the fields of international relations and international trade. It has helped to strengthen the bonds of friendship between the American people and the peoples of other countries. It has helped our Nation while advancing the interests and progress of the members and industry it serves.

I can think of no more fitting an occasion to commend the California Raisin Advisory Board and the raisin industry for their great and growing contributions to the welfare of our Nation and our people than this 58th anniversary of National Raisin Week.

H.R. 2508, CONGRESSIONAL DISTRICTING BILL, MAY CAUSE INCREASED CONFUSION, EVEN MORE CONGRESSIONAL REDISTRICTINGS, AND GREAT INEQUITIES AMONG THE SEVERAL STATES

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CONYERS. Mr. Speaker, as a member of the Judiciary Committee, I have filed minority views with House Report No. 191 which opposes the passage of H.R. 2508, a bill to establish Federal guidelines for the drawing of congressional district boundaries. That bill is scheduled for House consideration on this Thursday.

In summation there were four criticisms: that the standards for population disparity of 30 percent for the 1968 and 1970 elections were far too great and in fact had been declared unconstitutional by the Supreme Court; that there was no effective requirement that the districts be in a compact form and in fact the language of the bill seemed to offer the State legislatures a license to gerrymander the congressional districts; that the effect of this bill would be to overthrow Supreme Court decisions based on the Constitution and so was a serious attack on the American system of separation of powers; and finally that no hearings had been held on this subject in either the 90th or the 89th Congress and so this very important subject was being pushed through the House without adequate consideration of all its many serious implications.

Today I would like to address myself to a somewhat different point; namely, that this bill may cause increased confusion regarding the appropriate standards and result in an increase in the amount of times congressional district boundaries are changed. This result would, of course, be the exact opposite of one of the main motives behind this bill; namely, the interest in regularizing the standards for congressional districting and in reducing the number of times congressional districts are changed. Unfortunately I feel that, largely as a result of the very hurried fashion in which this bill was written, that passage of this bill will result in the exact opposite that its sponsors desired.

Further, this bill will result in great inequities between the States as to how soon and what standard they have to meet in drawing their congressional district boundaries. And the differences in the treatment of the various States will be the result of on which side of the 30-percent line the State might fall, however short the distance above or below. As a result of that discrepancy, based on statistics which are already 7 years old, some States will have a 5-year reprieve from the Supreme Court's holding of what the Constitution requires while others will have to immediately redistrict their States at great financial cost.

REGARDING THE 22 STATES CONSIDERED BY CONGRESSIONAL QUARTERLY TO HAVE MET THE ONE-MAN, ONE-VOTE STANDARD AND SO IMMUNE TO COURT CHALLENGE (SEE TABLE C IN THE LRS MEMORANDUM)

At my request the Legislative Reference Service has prepared a memorandum showing the statistics of population disparity among congressional districts for each of the States. This memorandum is included in the CONGRESSIONAL RECORD immediately following my remarks. The memorandum shows that there may be as many as 22 States whose congressional districts would appear to have reasonably conformed with the one-man, one-vote principle enunciated by the Supreme Court. Most of these States have had to go through long and arduous months of effort in order to achieve these standards. Presumably the intent of this bill would be to leave those States alone. However, the bill provides that the State legislatures in those States could now again redraw the boundaries of their congressional districts up to a 30-percent population deviation.

It might be stated that the bill prohibits more than one redistricting between decennial censuses and so what I have just described could not occur. However, the provision prohibiting more than one redistricting between decennial censuses only occurs in section 1, the permanent law provision which only takes effect in 1972. There is no such provision in section 2 of the bill, which is the temporary law applying to just the 1968 and 1970 elections.

Under this bill State legislatures would be free to do whatever they desired within the very loose guidelines of 30-percent population disparity, regardless if the State now had districts with, say, only 3.4 percent population deviation as in Michigan, 2.6 percent in Maryland, 2.2 percent in Arkansas or 7.1 percent in Mississippi. State legislatures would be free to pass another districting statute as long as it conformed with this bill even if they had been previously ordered to institute their current redistricting statute by a Federal court. There is not only nothing to the contrary in this bill, but, in fact, the last sentence of the bill positively invites such redistrictings by State legislatures since it provides that even court-imposed districts can be superseded when "the State shall establish valid districts in accordance with the provisions of this act."

In case some of my colleagues might feel that I have interpreted this provision inappropriately, I would cite to them the analysis of this bill contained in the current issue of Congressional Quarterly, usually considered an authoritative source in analyzing legislation. In discussing the same sentence in the bill I just quoted to you, Congressional Quarterly states:

> The effect of this provision would appear to be to permit states already redistricted by the courts to supersede the court orders with their own redistricting schemes, which could allow a 30-percent deviation, much larger than the standards currently being applied by the courts. (Congressional Quarterly, April 21, 1967, p. 636.)

In the 22 States where this might have relevance, certainly there must be quite a few legislatures that would jump at the chance to redraw congressional district boundaries—whether in the interests of their political parties, their personal ambitions, their sectional interests, or whatever. I would point out to my colleagues that in many States party control of the legislature and the Governor's office has recently changed hands so that this possibility might become very relevant.

The actual intent of the entire bill, and particularly this last sentence, was to prevent repeated redistrictings. But though this bill ties the hands of the courts in this area, it is at the same time a license for easy redistricting and possibly gerrymandering offered to State legislatures by the Congress.

REGARDING THE EIGHT STATES WHICH ARE BEYOND EVEN THE 30-PERCENT POPULATION STANDARD INCLUDED IN H.R. 2508 (SEE TABLE A IN THE LRS MEMORANDUM)

There are eight States which have districts with population disparities even greater than the very easy 30-percent standard established in this bill. Among the eight States are the following: California, New York, Pennsylvania, Ohio, West Virginia, Georgia, Tennessee, and Nebraska. The Members from these States may be unhappy to learn that they will not get a 5-year reprieve from conforming with the one-man, one-vote policy established by the Supreme Court as will many Congressmen from other States. I would guess, however, that most of my colleagues would not be consoled for having to immediately redistrict, a very painful process, by the fact that the new redistricting would be guided by very loose standards. Of particular concern will probably be the provision in the bill that all eight of these States will have to contract with the Bureau of the Census for a special statewide census. Though this is a very expensive and burdensome process, the cost of such a special census will have to be borne by these eight States.

In California, our largest State, there is currently no pending court suit regarding congressional districts. But as Mr. SMITH of California pointed out during the Rules Committee consideration of this bill, and as was agreed to by our distinguished chairman, Congressman CELLER, passage of H.R. 2508 in its present form would automatically require that California redistrict. In effect this bill would relieve any possible litigant from the very arduous, difficult, and expensive task of accumulating the relevant statistics and precedents and arguing them before the courts.

Though I would certainly be in favor of requiring all States in the Union to immediately conform with the one-man, one-vote doctrine I must say it is hard for me to see how we can justify, automatically and immediately forcing some States to redistrict, and for them to bear a heavy financial cost, while at the same time postponing any redistricting for another large group of States until 1972 when a new census will have been taken—at Federal expense—and when the number of Congressmen apportioned to many of the States will have changed.

It would seem to me to be hard to justify that Nebraska with 31.1 percent disparity in population will immediately have to go through this very expensive and arduous process while Minnesota with 28.5 percent disparity will now be allowed to wait 5 years before it implements what the Supreme Court has stated is the clear requirement of the U.S. Constitution.

CONCLUSION

I would invite all of my colleagues to examine the statistics included in the Legislative Reference Service memorandum following my remarks and to examine this bill more carefully to see whether they come from the lucky or from the unlucky States:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., April 24, 1967.

To: Hon. JOHN CONYERS; attention, Mr. Horwitz.
From: American Law Division.
Subject: Congressional districting statistics.

In response to your request we enclose tables setting out, as of this date (April 24, 1967), the statistics of congressional district population variations. Listed are the percentages by which the largest district exceeds the smallest in population and the deviation below and above the average population of each State. Calculations are based upon population statistics rounded to the thousands.

With regard to your question as to the

appropriate formula for determining the percentage by which the population of the largest district exceeds the smallest, it appears that the simplest one is $X=L-S/S$ where X is the percentage, L is the population of the largest district, and S is the population of the smallest district.

I would want to point out that the deviation of the largest from the smallest district (the standard used in H.R. 2508) would, in any particular State, always be greater than the sum of the greatest deviations below and above the average district (the standard often used and which Congressional Quarterly uses). This is due to the fact that the mathematical base for the first figure is smaller than the base for the second figure while the total population disparity, of course, remains the same.

JOHNNY H. KILLIAN,
Legislative Attorney.

I. Congressional districting statistics—All 50 States in alphabetical order

State	Percent deviation of largest district from smallest	Percent largest district is from average	Percent smallest district is from average	Year of last districting
Alabama	15.4	6.1	8.4	1965
Alaska [1]	(2)	(2)	(2)	(2)
Arizona	15.2	7.8	6.3	1966
Arkansas	2.2	.6	1.6	1965
California	61.4	11.8	42.4	1961
Colorado	21.7	7.4	12.6	1964
Connecticut	19.3	4.3	14.1	1964
Delaware [1]	(2)	(2)	(2)	(2)
Florida	27.0	9.2	13.2	1965
Georgia	38.2	16.4	15.5	1964
Hawaii [3]	(2)	(2)	(2)	(2)
Idaho	20.9	9.4	9.4	1965
Illinois	14.5	6.1	7.5	1965
Indiana	22.8	12.8	7.2	1965
Iowa	25.2	10.4	12.3	1961
Kansas	15.2	9.6	4.2	1965
Kentucky	6.9	3.8	2.9	1966
Louisiana	24.9	9.1	12.7	1966
Maine	9.0	4.3	4.3	1961
Maryland	2.6	1.1	1.5	1966
Massachusetts	27.4	12.3	11.6	1962
Michigan	3.4	2.1	1.3	1964
Minnesota	28.5	11.5	13.2	1961
Mississippi	7.1	3.5	3.4	1966
Missouri	21.8	9.7	10.1	1965
Montana	6.4	3.1	3.1	1965
Nebraska	31.1	14.5	12.8	1961
Nevada [1]	(2)	(2)	(2)	(2)
New Hampshire	20.8	9.3	9.3	1881
New Jersey	17.3	7.3	8.7	1966
New Mexico [3]	(2)	(2)	(2)	(2)
New York	34.6	14.4	15.1	1961
North Carolina	19.1	8.9	8.4	1966
North Dakota	11.4	5.4	5.4	1960
Ohio	43.1	20.9	13.2	1964
Oklahoma	3.9	1.8	2.1	1967
Oregon	16.1	8.6	6.3	1965
Pennsylvania	34.0	14.2	15.0	1966
Rhode Island	15.0	7.0	7.0	1931
South Carolina	12.2	5.0	6.1	1966
South Dakota	7.0	3.4	3.4	1965
Tennessee	32.8	13.8	14.4	1965
Texas	22.1	9.7	10.2	1965
Utah	3.0	1.5	1.5	1965
Vermont [1]	(2)	(2)	(2)	(2)
Virginia	11.1	4.9	5.8	1965
Washington [4]	(5)	(5)	(5)	1965
West Virginia	39.3	18.6	13.4	1961
Wisconsin	7.1	3.4	3.4	1963
Wyoming [1]	(2)	(2)	(2)	(2)

[1] These 5 States have only 1 Congressman each so, of course, their congressional districts include the entire State.

[2] Not applicable.

[3] Hawaii and New Mexico each have 2 Congressmen, but traditionally both positions have been elected on at-large basis.

[4] Population figures for Washington's congressional districts are not available from official sources. Congressional Quarterly indicates that the greatest deviation from the average is above 13 percent so that the total variation of the largest from the smallest would likely be at least in the middle 20 percent.

[5] Not available.

II. Congressional District Statistics—All 50 States According to How They Might Be Affected by H.R. 2508

(NOTE.—The following four tables attempt to classify the various States according to how they might be affected by passage of H.R. 2508. The tables separate the States into four categories: 1) those with district population variations over 30% and therefore beyond the maximum allowed by H.R. 2508 for the 91st and 92nd Congresses; 2) those under 30% but listed by Congressional Quarterly as currently "imperiled" by being subject to a possible court finding of unconstitutionality, and 3) those which are now presumed by Congressional Quarterly to be on a sound constitutional basis, and 4) those States whose Congressmen are elected on at-large basis.)

COMMENT ON THE FOLLOWING CLASSIFICATION OF THE STATES

Congressional Quarterly developed a classification of the States regarding the compliance with the "one-man, one-vote" doctrine in its January 20, 1967 Weekly Report following the Supreme Court's January 9 decisions in the Missouri Congressional Districting case, *Kirkpatrick* v. *Presiler,* 385 U.S. 450 (1967) and the Indiana Congressional Districting case, *Duddleston* v. *Grills,* 385 U.S. 455 (1967). Briefly, Congressional Quarterly posited that since in the Missouri case, the greatest deviation from the average was 10.4%, while in the Indiana case, the greatest deviation from the average was 12.8%, then "the two orders apparently mean that even a 10 percent variation from the state average district population is too large to meet the Court's 'one-man, one-vote' rule." Thus 22 States, each of which had at least one district varying by 10% from the average, were listed as probably not in compliance with the Court's decisions.

It is important to note, however, that The Supreme Court has warned against any "uniform formula" and the establishment of "rigid mathematical standards." *Roman* v. *Sincock,* 377 U.S. 695, 710 (1964). In fact, the Court has cautioned:

"What is marginally possible in one State may be unsatisfactory in another, depending on the particular circumstances of the case. *Reynolds* v. *Sims,* 377 U.S. 533, 578 (1964).

And further:

"The fact that a 10% of 15% variation from the norm is approved in one State has little bearing on the validity of a similar variation in another State. *Swann* v. *Adams,* 385 U.S. 440, 445 (1967).

The standard the Court has set is one of "practicable equality", "that as nearly as is practicable one man's vote in a Congressional election is to be worth as much as another." *Wesberry* v. *Sanders,* 376 U.S. 1, 8 (1964). Decisions must be made on a "case-by-case basis" with "concrete and specific standards" developed "in the context of actual litigation." *Reynolds* v. *Sims,* 377 U.S. 533, 578 (1964). There is, therefore, no precise way of knowing whether the courts would throw out the Congressional districting of any particular State as being unconstitutional.

But the Congressional Quarterly breakdown has been widely used, including, it would seem, in the majority report accompanying H.R. 2508 (p. 10: "If the Congress does not establish guidelines for the States to follow, some 22 States or 297 congressional districts may be ruled invalid.") For this reason the following tables follow the Congressional Quarterly breakdown. However, Tables A & B combined include only 21 States instead of the 22 listed by Congressional Quarterly. Since January 20, 1967 when Congressional Quarterly published its list, Oklahoma redistricted (in March) so that now the maximum deviation from the average is 2.1% with the deviation of the largest from the smallest is 3.9%, and therefore Oklahoma would probably be free from being ruled invalid by the courts for population disparities.

It should also be noted that the mathematical standard established by H.R. 2508 differs from that used by Congressional Quarterly. Congressional Quarterly calculated the percentage deviation from the average district. The bill sets a standard measured by the percentage by which the population of the largest district exceeds the smallest (a measurement recently used by the Supreme Court, incidentally, see *Swann* v. *Adams,* supra, 444). One should also note that the latter figure *may not* be obtained by adding together the greatest deviations below and above the average. In fact for any particular State the deviation of the largest from the smallest district would always be somewhat greater than the sum of the greatest deviations below and above the average district. In order to prevent any confusion, the following tables provide the statistics in both ways. The first column of percentages is that by which the largest exceeds the smallest, and the second column is the largest variation from the average district.

TABLE A.—*States exceeding the 30-percent standard of H.R. 2508 for the 91st and 92d Congresses*

[Total: 8 States and 157 congressional districts]

State	Percent deviation of largest district from smallest	Maximum percent variation from average district
1. California	61.4	42.4
2. Ohio [1]	43.1	20.9
3. West Virginia	39.3	18.6
4. Georgia	38.2	16.4
5. New York [1]	34.6	15.1
6. Pennsylvania	34.0	15.0
7. Tennessee [2]	32.8	14.4
8. Nebraska	31.1	14.0

[1] Court challenge pending.

[2] Under court order to redistrict before 1968 elections

TABLE B.—*States meeting the 30 percent standard of H.R. 2508 and currently "imperiled" by the possibility of the courts declaring their districts invalid, according to the Congressional Quarterly*

[Totals: 13 States and 134 congressional districts]

State	Percent deviation of largest district from smallest	Maximum percent variation from average district
1. Minnesota	28.5	13.2
2. Massachusetts [1]	27.4	12.3
3. Florida [2]	27.0	13.2
4. Iowa	25.2	12.3
5. Louisiana	24.9	13.7
6. Indiana [1]	22.8	12.8
7. Texas [1]	22.1	10.2
8. Missouri [1]	21.8	10.4
9. Colorado	21.7	12.8
10. Connecticut	19.3	14.1
11. North Carolina [1]	19.1	8.9
12. New Jersey [1]	17.3	8.7
13. Washington	(3)	[4] 13.0

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[1] Under court order to redistrict before 1968 elections.

[2] Florida: A 3-judge Federal court has been ordered convened to hear a challenge to districting.

[3] Population figures for Washington's congressional districts are not available from official sources. Congressional Quarterly indicates that the greatest deviation from the average is above 13 percent so that the total variation of the largest from the smallest would likely be at least in the middle 20 percent.

[4] Approximately.

TABLE C.—*States considered by Congressional Quarterly to have met the "1-man, 1-vote" standard and so immune to court challenge*

[Total: 22 States and 135 congressional districts]

State	Percent deviation of largest district from smallest	Maximum percent variation from average district
1. Idaho	20.9	9.4
2. New Hampshire	20.8	9.3
3. Oregon	16.1	8.6
4. Alabama	15.4	8.4
5. Arizona	15.2	6.6
6. Kansas	15.2	9.5
7. Rhode Island	15.0	7.0
8. Illinois [1]	14.5	7.4
9. South Carolina	12.2	6.1
10. North Dakota	11.4	5.4
11. Virginia	11.1	5.8
12. Maine	9.0	4.3
13. Wisconsin	7.1	3.4
14. Mississippi	7.1	3.2
15. South Dakota	7.0	3.4
16. Kentucky	6.9	3.8
17. Montana	6.4	3.1
18. Oklahoma	3.9	2.1
19. Michigan	3.4	2.1
20. Utah	3.0	1.5
21. Maryland	2.6	1.4
22. Arkansas	2.2	1.6

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[1] Illinois State supreme court redistricted for 1966 election but noted it was only valid for 1966, and that 1967 legislature would have to enact a districting statute.

TABLE D.—*States which elect their Congressmen on at-large basis*

The following five States have only one Congressman each so, of course, their Congressional Districts are the State as a whole (total: 7 States and 9 Congressmen):

1. Alaska.
2. Delaware.
3. Nevada.
4. Vermont.
5. Wyoming.

The following two States have two Congressmen each, but traditionally both positions have been elected on at-large basis.

6. Hawaii.
7. New Mexico.

JOHNNY H. KILLIAN,
Legislative Attorney.

COMMITTEE ON WAYS AND MEANS—PERMISSION TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE A CONFERENCE REPORT ON H.R. 286, DUTY-FREE TREATMENT OF DICYANDIAMIDE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file conference report on H.R. 286, duty-free treatment of dicyandiamide.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MULTER (at the request of Mr. BOGGS), for April 25 and 26, on account of Jewish holy holidays.

Mr. BROTZMAN, for April 26, 27, and 28, on account of official business as a member of the Board of Visitors to the U.S. Air Force Academy.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. COHELAN (at the request of Mr. BRINKLEY), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. RESNICK (at the request of Mr. BRINKLEY), for 1 hour, on April 26; to revise and extend his remarks and include extraneous matter.

Mr. CHAMBERLAIN (at the request of Mr. BUCHANAN), for 30 minutes, on April 26; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROYBAL.

Mr. SAYLOR and to include extraneous matter.

(The following Members (at the request of Mr. BUCHANAN) and to include extraneous matter:)

Mr. BRAY.

Mr. MCCLORY.

(The following Members (at the request of Mr. BRINKLEY) and to include extraneous matter:)

Mr. EILBERG in two instances.

Mr. MOORHEAD.

Mr. BINGHAM.

Mr. WOLFF.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 375. An act to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce; to the Committee on Interstate and Foreign Commerce.

SENATE JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to a joint resolution of the Senate of the following title:

S.J. Res. 49. Joint resolution to designate April 28–29, 1967, as "Rush-Bagot Agreement Days."

ADJOURNMENT

Mr. BRINKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 26, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

691. A letter from the Deputy Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of certain additional nonarmory facilities projects to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 2233a (1), and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

692. A letter from the Secretary of the Treasury, transmitting the semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of December 31, 1966, pursuant to the provisions of Public Law 87–195; to the Committee on Foreign Affairs.

693. A letter from the Comptroller General of the United States, transmitting a report of financing the civil service retirement system administered by United States Civil Service Commission; to the Committee on Government Operations.

694. A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

695. A letter from the Comptroller General of the United States, transmitting a report of review of Federal excise tax exemption on beer and tobacco products given to certain consumers, Internal Revenue Service, Treasury Department; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POOL: Committee on Post Office and Civil Service. H.R. 8553. A bill to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes (Rept. No. 211). Referred to the Committee on the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 6431. A bill to amend the public health laws relating to mental health to extend, expand, and improve them, and for other purposes; with amendment (Rept. No. 212). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee of conference. H.R. 286. An act to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962 (Rept. No. 213). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 9095. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 9096. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

By Mr. BATTIN:

H.R. 9097. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 9098. A bill to revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchanges of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BEVILL:

H.R. 9099. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 9100. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 9101. A bill to provide for the early transition to a fully voluntary military manpower procurement system by further improving, upgrading, and strengthening the Armed Forces of the United States, and for other purposes; to the Committee on Armed Services.

H.R. 9102. A bill to relieve the Postmaster General of responsibility for determining mailability under the congressional frank, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of Virginia:

H.R. 9103. A bill to amend subsection (c) of section 501 of the Internal Revenue Code by making it clear that the tax exemption of a civic league or organization exclusively for the promotion of social welfare shall not be affected because of income, including subscription and advertising income, derived from carrying on any publication, such as a journal, which is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 9104. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

By Mr. CLANCY:

H.R. 9105. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 9106. A bill to provide for the adjustment of annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

H.R. 9107. A bill to provide for recomputation of annuities payable from the civil service retirement and disability fund where persons otherwise eligible to receive survivor annuities predecease the annuitants; to the Committee on Post Office and Civil Service.

H.R. 9108. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

H.R. 9109. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. DEVINE:

H.R. 9110. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 9111. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD:

H.R. 9112. A bill to amend title XVIII of the Social Security Act to include drugs requiring a doctor's prescription among the medical expenses with respect to which payment may be made under the voluntary program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 9113. A bill to amend the Internal Revenue Code of 1954 to allow an unemployed individual a deduction from gross income for expenses paid or incurred in seeking employment; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 9114. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas having high proportions of person with low income, and for other purposes; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 9115. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOWARD:

H.R. 9116. A bill to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. KAZEN:

H.R. 9117. A bill to provide that certain highways extending from Laredo, Tex., to the point where United States Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the Pan American Highway; to the Committee on Public Works.

By Mr. KEE:

H.R. 9118. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Serivce.

By Mr. MARTIN:

H.R. 9119. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 9120. A bill to amend title 39, United States Code, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REINECKE:

H.R. 9121. A bill to prohibit mutilation and desecration of the national flag; to the Committee on the Judiciary.

H.R. 9122. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROBISON:

H.R. 9123. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the U.S. Labor Court, and for other purposes; to the Committee on the Judiciary.

H.R. 9124. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 9125. A bill to amend title II of the Social Security Act to provide an increase in benefits, reflecting the length of time spent in covered employment or self-employment, for individuals having more than 40 quarters of coverage; to the Committee on Ways and Means.

H.R. 9126. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 9127. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. SLACK:

H.R. 9128. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STANTON:

H.R. 9129. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 9130. A bill to include prepared or preserved beef and veal within the quotas imposed on the importation of certain other meat and meat products; to reduce the percentage applied to certain aggregate quantity estimations used, in part, to determine such quotas from 110 percent to 100 percent; and for other purposes; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 9131. A bill to amend the Public Buildings Act of 1959 to require separate contracts to be entered into for the performance of mechanical specialty work required in certain construction and alteration of public buildings; to the Committee on Public Works.

By Mr. WIDNALL:

H.R. 9132. A bill to amend title I of the Housing Act of 1949 to provide that Federal urban renewal funds may not be used for grants to projects which are included within comprehensive city demonstration programs except to the extent that such funds are specifically earmarked for projects included within such programs; to the Committee on Banking and Currency.

By Mr. CHARLES H. WILSON:

H.R. 9133. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

By Mr. ANDREWS of North Dakota:

H.R. 9134. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BLACKBURN:

H.R. 9135. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. CLEVELAND:

H.R. 9136. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. DENNEY:

H.R. 9137. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. DOLE:

H.R. 9138. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. GUDE:

H.R. 9139. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. JOHNSON of Pennsylvania:

H.R. 9140. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. KUPFERMAN:

H.R. 9141. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. MOSHER:

H.R. 9142. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. RUMSFELD:

H.R. 9143. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCHNEEBELI:

H.R. 9144. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. STANTON:

H.R. 9145. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. WATSON:

H.R. 9146. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. WYLIE:

H.R. 9147. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ADDABBO:

H.R. 9148. A bill to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes; to the Committee on the Judiciary.

By Mr. BEVILL:

H.R. 9149. A bill to amend chapter 2 of the Internal Revenue Code of 1954 to extend the period within which certain ministers, members of religious orders, and Christian Science practitioners may elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.R. 9150. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FINDLEY:

H.R. 9151. A bill to amend the Central Intelligence Agency Act of 1949 to authorize annual appropriations for such Agency; to the Committee on Armed Services.

H.R. 9152. A bill to establish a joint congressional committee to make a continuing study and investigation of the activities and operations of the Central Intelligence Agency; to the Committee on Rules.

By Mr. HOWARD:

H.R. 9153. A bill to amend the Oil Pollution Act of 1924; to the Committee on Merchant Marine and Fisheries.

By Mr. McDADE:

H.R. 9154. A bill to amend section 701 of the Housing Act of 1954, to provide more economic, efficient, and effective implementation of the various Federal loan and grant-in-aid programs, to improve the quality of urban and rural life through improved comprehensive development planning, programing, and coordination among and between Federal agencies, States, regions, metropolitan areas, and local governments, and to encourage greater coordination between States and their political subdivisions in the planning and programing of Federal loan and grant-in-aid programs, and for other purposes; to the Committee on Government Operations.

By Mr. MATHIAS of Maryland:

H.R. 9155. A bill to establish a conference on the antitrust laws; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 9156. A bill to provide for the retirement of $40,000,000,000 of interest-bearing obligations of the United States held by the 12 Federal Reserve banks; to the Committee on Banking and Currency.

By Mr. PRICE of Illinois:

H.R. 9157. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin:

H.R. 9158. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. ROONEY of New York:

H.J. Res. 530. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.J. Res. 531. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. UTT:

H.J. Res. 532. Joint resolution to prevent the subversion of the United States and the American continents as proposed by the Communist Government of Cuba under Castro, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HALL:

H. Con. Res. 323. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. ROTH:

H. Con. Res. 324. Concurrent resolution to provide early appropriations for Federal education programs; to the Committee on Rules.

By Mr. ADAIR:

H. Res. 450. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

By Mr. FRIEDEL:

H. Res. 451. Resolution relating to the salary of the technical assistant to the attending physician; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

158. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to the construction of Federal buildings so as to be accessible to the physically handicapped; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KUPFERMAN:

H.R. 9159. A bill for the relief of certain Philippine nurses; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 9160. A bill for the relief of Ioannis O. Katsiolis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

70. The SPEAKER presented a petition of Mrs. Katherine Jackson, Oakland, Calif., relative to the civil rights of her son; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Svetlana Stalin

EXTENSION OF REMARKS
OF
HON. WILLIAM G. BRAY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 25, 1967

Mr. BRAY. Mr. Speaker, Svetlana Stalin is a living eyewitness to a period of Russian history that will probably never be fully explained or explored. The late Sir Winston Churchill once described the Soviet Union as "a mystery wrapped in a riddle inside an enigma." The secret, closed nature of the Soviet state has effectively prevented the rest of the world from probing too deeply into the intrigues and mysteries of the Kremlin and its rulers since the Bolshevik Revolution in 1917.

Svetlana Stalin was born in 1925, 1 year after Lenin's death. Not until 1966 had she ever left the Soviet Union. She was 28 years old when her father died in 1953. For this period, it is probably no exaggeration to say that she was closer to Joseph Stalin than any other human being.

Until publication of her memoirs, no one can say for sure just what new light will be thrown on this dark and bloody period of Russian history. Millions died in purges and the Soviet state was very nearly destroyed in World War II. American experts who have seen the manuscript of Miss Stalin's memoirs say it is essentially nonpolitical but will still be quite valuable as a historical document.

I believe the most significant statement has already been made by Miss Stalin. Upon her arrival in the United States she said, in part:

> I was brought up in a family where there was never any talk about God. But when I became a grown-up person I found that it was impossible to exist without God in one's heart. . . . Since that moment, the main dogmas of communism lost their significance for me.

She went on to say that she hoped to find in America "the main purpose of my journey here—the freedom of self-expression which I seek."

Let us hope that Miss Stalin's actions and remarks will be carefully noted by those Americans who attack their own country and praise the Soviet Union. Let them be carefully noted, as well, by the world at large. They stand as a clear and ringing rebuke to the baseless and slanderous charges made against our national integrity, our national honor and our basic international good will.

It must be a shock to those who condemn the United States—Americans as well as foreigners—to read what this woman has done, and her own words telling why she has done it. Miss Stalin's father was for years the world's most powerful man and she has had an unequaled opportunity to see at first hand exactly what communism is, and what it means. Joseph Stalin's very name was synonymous with atheism and godless communism. His policies and intrigues shaped human history in the past and what he has done will influence mankind for decades to come.

Now his daughter, by her own choice, has sought the very opposite of all that in which her father believed. And she has chosen to seek it in the United States of America, the country that more than any other has stood against her father, and the heritage of tyranny and despotism he has left to the world.

Common Situs Picketing

EXTENSION OF REMARKS
OF
HON. JOSHUA EILBERG
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 25, 1967

Mr. EILBERG. Mr. Speaker, I very much appreciated an invitation recently to offer testimony in behalf of H.R. 100. I sponsored a related bill, but as I told the special subcommittee, even if the rules of the House allowed, there would be no pride of authorship on my part in regard to this bill. It matters not that H.R. 7363 is or is not adopted over H.R. 100. I feel very strongly that what does matter is that some legislation is passed to correct inequities which exist over the problem of common situs picketing.

The Denver building trades decision of the U.S. Supreme Court notwithstanding, it seems to me that those of our citizens who happen to make their living in one or more of the building trades have been placed at a great disadvantage; one that is not shared by their counterparts in almost any other trade.

Were these men employed in a factory, for example, they would be able to bargain collectively with other members of their craft, with their entire plant, with other employees of the company regardless of craft, or even with all other employees of the industry across the country. Thus, a railway clerk at least theoretically is in a position to bargain to improve his lot together with engineers and trainmen on his railroad, and indeed, with employees of a great many transportation companies. Under collective bargaining, the same rights extend to steelworkers, rubber workers, automobile workers, and practically all other labor groups.

Many times these employees, too, are assigned by their employers to temporary locations or sites that are not part of the primary facility in which they were hired. Why, then, should a plumber, painter, carpenter, or laborer be unable to bargain for himself and his colleagues? The fact that his employer may be one of several, all fulfilling parts of a general contract on a common site is not reason enough for denial of this right.

I am sure the Members of this House know of upheavals caused among the building trades since the Denver building trades decision was handed down. This has been as difficult a decision for affected tradesmen in this field to understand as it has been for them—and many others of us—to accept. There can be no real justification for singling out the building trades as a group apart from other segments of American labor. I feel sure Congress never intended to establish such discrimination; yet we have allowed this situation to persist since 1951.

I must permit myself to believe that the 90th Congress is ready to correct these inequities. For while this bill favorably affects a segment of our population that could be called labor, it is primarily designed to end a large slice of nonsense. And this Congress already has been labeled a "no nonsense" one.

I have tried to point out that similar restrictions on collective bargaining do not apply to members of other labor organizations. Similarly, they do not apply to trade and manufacturing organizations or combinations of companies.

My plea to you at this time is not to help create an advantage for a disadvantaged group, but rather to eliminate a disadvantage under which one segment of our population has suffered for 16 years.

National 4-H Conference

EXTENSION OF REMARKS
OF
HON. LESTER L. WOLFF
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 25, 1967

Mr. WOLFF. Mr. Speaker, the 37th National 4-H Conference is being held here in Washington this week at the National 4-H Center, attended by delegates from each of our States and Puerto Rico. The 103,000 4-H members from New York State will be represented by five delegates, one of whom is Miss Janice Glover, a constituent of mine from Westbury, Long Island.

Recently the Long Island Press, a leading newspaper on Long Island, carried a feature story, "The Glover Family Operates as a Unit." The article quotes Mrs. Glover's praise of Janice, the oldest daughter, that:

> A night never goes by that I don't walk in from work to find dinner ready to be served. Janice usually gets home by three o'clock in time to greet the little ones, plan the dinner and keep up with the ironing.

This is much appreciated by a busy mother of six who has a full-time job and takes classes beside. It was through her 4-H work that Janice learned to cook.

Despite the unusual demands at home, Janice manages a well-rounded school and social life. An excellent student with her eye on a career in science, she has just been accepted into the National Honor Society.

Janice has been a 4-H member for 7 years, giving special attention to projects in clothing, food, home improvement, horticulture, and gardening. She has been a full-fledged junior leader for 3 years where she says her responsibilities and opportunities are unlimited. Her leadership work in 4-H has contributed to her goal to be a vocational guidance counselor in an underdeveloped area.

She is vice president of the teen club of her council, and is on the student council for Westbury High School in Nassau County. Janice edits the county 4-H paper, "4-H Bugle."

Mr. Speaker, I should like to take this opportunity to congratulate each and every 4-H member on the fine work they are doing in their respective communities and wish them every success in the future.

Lowering Social Security's Retirement Age to 60

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 1967

Mr. SAYLOR. Mr. Speaker, I rise today to urge a simplification of our social security system, which would substitute full benefits at age 60 as a right for everyone, men and women alike, with no reduction in benefits, for the present jigsaw puzzle of alternative retirement ages which older people must face.

In the original Social Security Act of 1935, age 65 was somewhat arbitrarily set over 30 years ago as the appropriate retirement age for everyone. Writing of these times, Wilbur J. Cohen—then a staffman for the Committee on Economic Security which outlined the original act and now Under Secretary of Health, Education, and Welfare—has written:

> There was no scientific, social, or gerontological basis for the selection. Rather, it may be said that it was the general consensus that 65 was the most acceptable age.

We have recognized through the years, notably with the increased efficiency of our productive plant, that waiting until they reach age 65 in our times causes real hardship for many of our older people whose jobs have become obsolete or who find themselves unable to continue the pace of their younger years. Sometimes this means that they must resort to charity. In other cases, where they can continue on the job but for shorter hours and less pay, the amount of their benefit can actually be reduced because of the lower wages. But we have recognized these developments in a sporadic and expedient way.

In the 1956 amendments we lowered the retirement age for women to age 62, with full benefits for widows, but only actuarially reduced benefits were provided for wives and women workers who retired at the earlier age. In the 1961 amendments men were made eligible for actuarially reduced benefits at age 62. Moreover, the fact that the period for computing benefits—and insured status—for men is based on the period up to the year of attainment of age 65—rather than age 62 used for women—can have the effect of further reducing men's benefits. In the 1965 amendments, widows were made eligible for actuarially reduced benefits at age 60. It is a pretty confusing situation especially for older women who can find themselves having to choose from the many alternatives—knowing the choice of an actuarially reduced benefit can lower rather substantially the amount they will receive for the rest of their lives. And I can see no "scientific, social or gerontological basis" for paying men a lesser benefit at age 62—thereby usually reducing his wife's benefit, too—than the one a woman worker with an identical record of contributions becomes entitled to. Thus, at a time of life when they are usually least able to support themselves people are called upon to confront a topsy-turvy set of decisions as to what is the best thing to do—and I think the "topsy" is appropriate because, like Topsy they "just growed."

I applaud the efforts which are being made to discourage age discrimination in employment so that people can continue to work. But I am also convinced, when I talk with the people in my district, that too many of them are simply unable to work at their peak or, more tragically, many of them are unable to find a job which can use the skills they have developed over a lifetime—or, for that matter, any work at all. According to data which was assembled for the Republican Coordinating Committee's Task Force on Problems of Aging, 71 percent of women and 22 percent of men between the ages of 60 through 64 were not in the labor force in 1960. Currently, 65 percent of women and 25 percent of men are in this position.

The only valid justification for the anomalies we have produced is the scramble of assorted retirement ages in that they "save money." I think we must ask ourselves at this time if this area is the appropriate one in which to make savings. This question is, I think, particularly valid right now because, last fall, it was announced that an updating and revision of future cost assumptions to the social security trust fund revealed savings of some 0.74 percent of payroll. At that time the idea was to translate those savings into an 8 percent increase in benefits across the board, with no increase in tax.

I believe, Mr. Speaker, that we should consider the alternative of, instead, lowering the retirement age to 60 with full benefits—a change which could be made at exactly the same cost of 0.74 percent to the system. The earnings limitation of our social security plan provides a built-in assurance that those people who are fortunate enough to stay on the job after age 60 at good wages would hardly want to retire and draw benefits. The major beneficiaries, therefore, would be the less fortunate people who cannot work or whose earnings are so small as to barely keep them alive.

We could also, at no further cost, add the principle of providing automatic cost-of-living adjustment benefit increases for the future, such as those proposed by the ranking minority member of the House Ways and Means Committee, the Honorable JOHN W. BYRNES. You will recall that in 1965, we provided a 7-percent increase in benefits. With the automatic cost-of-living adjustment to provide for the future, I am convinced that the alternative now of using the savings to lower the retirement age to 60 with full benefits should receive the very serious consideration of this committee. And because I am aware of the careful consideration you give to all possible alternatives, I am sure my proposal will get that kind of consideration.

Heroism of Harvard, Ill., Busdriver Saves Children

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 1967

Mr. McCLORY. Mr. Speaker, last Friday afternoon one of the most destructive tornadoes in history raced across northern Illinois, leaving death and heavy damage in its path.

My heartfelt sympathy and personal concern have gone to all those who suffered as a result of this terrible disaster. Truly, the loss of lives and property damage caused by the tornado has brought a solemn sadness into our hearts.

Yet, amid this widespread sorrow, there are reasons for rejoicing and for renewed hope. Countless citizens have responded immediately to the tragedy, giving aid, comfort, and encouragement to those in need. The rebuilding has already begun.

One special act of great heroism occurring in my congressional district warrants comment. On Friday afternoon Boyd Jones, a young man from Harvard, Ill., was driving his schoolbus down a country road in Dunham Township, McHenry County. The bus was filled with 32 children ranging from kindergarten youngsters to high school students. When Boyd Jones reached Busse Road just off State Route 23, he spotted a dark funnel cloud bearing down rapidly. Jones brought his vehicle to a quick standstill, led the children out of the bus, and directed them to lie down in a mud- and water-filled ditch on the west side of the road.

No sooner were they in the ditch than the violent wind struck the bus, completely destroying it. The body was torn from the chassis, and parts were tossed high into the air severing nearby powerlines. Only debris remained.

All of the children were safe, and only a few received minor injuries. As Boyd Jones and the children looked up, they saw the road their bus had traveled, which was now strewn with piles of boards that had been farm buildings only moments before.

Boyd Jones marched the children a

block and a half up a dirt road to a nearby farmhouse where they telephoned the school authorities—and reported the safety of the children who had been entrusted to his care. His quick thinking and fast action averted what could have been a catastrophe.

Mr. Speaker, I am proud that Boyd Jones, hero, is my constituent, and I am proud to bring his accomplishment to the attention of my colleagues.

Secretary Robert C. Weaver Addresses Pittsburgh Conference on "People in Motion"

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 25, 1967

Mr. **MOORHEAD.** Mr. Speaker, midway through last week's Second International Conference on Urban Transportation, held in my home city of Pittsburgh, more than 1,000 delegates from seven States and 25 foreign countries heard the Secretary of Housing and Urban Development, the Honorable Robert C. Weaver, speak on HUD's role in developing urban mass transportation.

Mr. Weaver told the delegates that although the theme of their Conference was "Cities in Motion," they should be aware of "the needs of people" in developing balanced mass transportation systems.

Emphasizing that transportation is a key element in HUD's efforts to make cities livable, Mr. Weaver warned that a transit system which fails to serve all areas of a city, or which destroys or blocks the view of its natural beauty, or which contributes to its air or noise pollution, will hasten that city's decline rather than enhance its future.

Under leave to extend my remarks, I insert the text of Mr. Weaver's address at this point in the RECORD and commend it to the attention of my colleagues:

MASS TRANSPORTATION IN URBAN DEVELOPMENT

(Address by Robert C. Weaver, Secretary, Department of Housing and Urban Development, Second International Conference on Urban Transportation, Pittsburgh Hilton, Pittsburgh, Pa., Apr. 18, 1967)

The theme of this conference is "Cities in Motion" but I want to put it in terms of people in motion. They are not quite the same things. You have talked in this conference about various aspects of urban mass transportation: the politics, the technology, the research, the financing, and other matters.

I want to deal with the Department of Housing and Urban Development's role in keeping the needs of people as a highest priority in the development of a balanced, transportation policy.

Mobility is rightly one of the nation's proudest achievements.

People can move upward to higher incomes. They can move outward to fresh, green suburbs. They can go downward to study the deepest ocean depths.

We could move a mountain, if we chose to expend our explosive resources to do it.

We have moved armies, by aircraft, across half the world almost overnight, to prove to ourselves, and to our friends and potential enemies, that we could do so.

We have even moved the hometowns of supposedly immovable Major League baseball teams.

One of the most agreeable facts about American life today is that anyone who can afford it can get into his automobile and go almost anywhere he pleases. It gives a man a sense of well-being just to know that a vehicle of escape sits waiting in his garage.

But—and you knew a but was coming—if anyone is going to escape, it had better not be on one of those days, which every driver has experienced, the day when wherever it is that he happens to want to drive, another vehicle is already there, blocking his way.

The national search for a place to park, or for room to maneuver your car around another car, is legendary.

It has been a good many years now that people have been discovering there are some ironies in mobility.

If you want to take a long trip by airplane, it takes a relatively short time; but if you want to take a short trip by auto, it can take a relatively long time.

Airports are moving farther and farther out of town, and often they are jammed with people even before the terminals are finished being constructed, while at the center of many American cities, monumental train depots stand nearly deserted.

In some Vietnam battles we have been able to pluck wounded soldiers out of the jungle and transport them by helicopter to a base hospital in an average of 16 minutes, but an ambulance in this country cannot get across town in 16 minutes—unless it is 3 o'clock on a Sunday morning and there is no rain, snow, sleet or fog.

There are many ironies in mobility, and some of them are cruel.

We live in a nation where many men change jobs, and careers, and hometowns, several times within a lifetime. They can reasonably expect that, with patience at least, there will be some transport system to take them to their new opportunities.

But other men cannot even get out of the slums they live in, to go to work, or to a doctor, or just to a movie, except by a major expenditure of time, patience and precious dollars.

In some American cities, the bus and subway lines simply don't go through the slums, unless those neighborhoods happen to be happily situated on the route to somewhere else.

That is why HUD recently made sizable grants to both the Watts area of Los Angeles, and to Nashville, Tennessee. In both of those cities, it was found—after dramatic proof you well remember—that there was no good, cheap public transportation between the neighborhoods where many low-income families lived and hospitals, employment centers and, in fact, the rest of society.

Instead, there had been actual, physical isolation and alienation. That is something we can cure without even pondering the deeper questions of race prejudice and the causes of poverty. We can put a bus system in now, and that is being done.

The problems of cities will not be solved by that; the deeper questions will have to be faced. But that is a subject for another forum. For this forum, it raises the question of developing a balanced, national transportation system that does not permit this isolation of neighborhoods to occur, or continue, or recur.

It is a question very much alive at this moment in a number of places, where the decision must be made soon on where the first subway line will run. Will it be out one street through middle and upper class neighborhoods, or out another street, just a few blocks away, through low-income neighborhoods?

This is a question that many cities will be facing as they move toward mass transit systems. They will have to decide where to invest billions of dollars in the coming decades. And even though it is a lot of money, it will never be enough in any city or metropolitan region to satisfy everybody at the same time.

In the end, these are political decisions, in the best sense, that political leadership has the responsibility. It is our responsibility in HUD, if only because Federal dollars are utilized, to participate from a perspective of national concerns.

In practice, we consider that to mean we will want to know from communities seeking Federal help that they have included a careful inquiry into economic development and social welfare in deciding how best to serve a total region.

The development of a transportation system is an equation of many quantities, some of which are still unknown to us, or at least insufficiently investigated.

But we do know that the efficient movement of people and goods involves a lot more than vehicles and tracks, and goes beyond the fundamentals of speed, convenience, comfort and cost. Transportation by its nature crosses political boundaries and raises questions of intergovernmental relations.

It embraces economic and social dimensions. It expands the options for preserving and enhancing the environment, and it surely ought not to destroy natural beauty or block the view of it.

Transportation involves as well the opportunity for bringing governments and private enterprise and research institutions into joint endeavors to establish rational public policy.

Federal involvement in transportation is about as old as the Republic, if you count the military protection for the covered wagons. But as most of you know, it is also about the newest of Federal activities. The Department of Transportation came into being on the first of this month, the newest of the Cabinet-level departments, the only one newer than my own Department of Housing and Urban Development which was created in November, 1965.

HUD's province is, of course, urban transportation for, as President Johnson put it, "The life of a city depends on an adequate transportation system."

Our activity is not much older than the Department, stemming largely from the 1964 Urban Mass Transportation Act. In these few years, we have been making commitments of funds for capital improvements, tests, demonstrations of new ideas, and research, approaching half a billion dollars through next year. It will reach two-thirds of a billion by the following year, if Congress approves the requests now before it.

The statistics have little meaning, however, unless you also know our intentions and the directions in which we are trying to move. HUD is involved in many programs to help local officials help themselves in central cities and metropolitan areas. We are attempting to look at all of their problems in a coordinated way. Transportation becomes a paramount concern in this broad view of all the programs that can make urban areas livable. We seek to formulate a transportation equation that will include all of the necessary factors.

One essential step is to develop a transportation research and development program. We are required to submit our proposal for that to the Congress by next March. To develop the objectives of such a research effort, we are revewing the Department's own studies in land use, human needs and capital grants. And we are asking many others to help in what will become the proposal to Congress next year.

In February we provided four grants to

research firms, and we expect to announce several more shortly. The first four indicate our approach to research and development.

We are asking one firm to suggest improvements to existing transit systems that can be introduced six months to three years after its study.

Another firm, not coincidentally the Westinghouse Air Brake Company of Pittsburgh, is asked to study how to minimize the dislocations of neighborhoods and people when transit systems are introduced, and we seek solutions likely to be available in three to eight years.

A third firm is asked to consider the impact of new transit technologies on the shape of the city, and on passenger movement, in systems that might be developed in five to 15 years.

The fourth project is to conduct a sophisticated but practical systems analysis by computer of the strengths and weaknesses of urban transportation from the view of passenger origin and destination, points served and lands traversed.

Among the unsophisticated, I suspect there may be some skepticism in doing research about research. But a moment's reflection will reveal that we are talking about expenditures eventually in the billions, about the complexities of moving people, and the diversities of many kinds of communities. This is not a subject that yields to cure-alls, and certainly not to quick or simple ones.

Still there are steps we are taking for even more immediate relief to haggard commuters.

One is here in Pittsburgh. I am announcing here today a grant of $200,000 to the Port Authority of Allegheny County to look into what may seem to be a simple subject, but one that is actually most often neglected. That is the question of how to tell the transit riders what service is available, and how to get the riders to tell the system what services they need.

I don't understand why it is that so many bus and subway systems have been developed with hardly sufficient consideration to telling the riders how to get where they want to go. In Paris, you can figure out the Metro system without knowing a word of French—by pushing a button that lights up the routes on boards that are in every Metro station. In this country, there are subway systems where you have to get on the train before you can get to a map that tells you what train you should be on.

Still another immediate step is our request to the National Academy of Sciences to look into the design of buses. We hope to have that report early next year.

In this study, we are searching for a bus design that incorporates efficiency with comfort—including year-round climate controls—and above all provides a bus that does not contribute either noise or fumes to the cities already polluted with both.

There ought to be a sense of moral outrage in this nation that publicly-owned vehicles such as buses are now aggravating the pollution problems of urban areas. It has only been within the last few years that we have begun to understand just how much our automobiles, trucks and buses are creating air pollution. We have long understood how much they created noise pollution.

Government has a special obligation here, and it is not just to complain about it. Thus we have in this bus-design grant the opportunity to help the manufacturers find the ways to solve a transit industry problem, and thus help to solve an urban problem.

It is intriguing, of course, to think far beyond the possibilities of transit information systems, and bus designs, and consider the fresh answers that can be made possible by the new technologies.

They involve such ideas as computer scheduling of buses and trains, curb dispensers of tickets and even curb calling of the vehicles, as well as automated highways.

Last summer at Woods Hole, Massachusetts, we had a group of experts from many fields and many disciplines considering what we ought to be doing across the whole range of housing and urban development, and transportation was one of the important centers of interest.

We think this is entirely a proper role for government to stimulate the broadest and longest-range thinking, as well as in terms of immediate solutions. We feel that the total program being developed will permit us to move on short, middle and long-range problems.

As we fit all these factors into the transit equation, it becomes more certain all the time that there is a special responsibility to emphasize the esthetic design of transportation systems, so that they preserve and improve communities, as well as move people and goods.

HUD is making concerted efforts to stress excellence of design in many programs, but there is an unusual opportunity in transit systems where physical design can be combined with social considerations and planning.

We expect design will be a major topic in two-week seminars being sponsored this summer at West Virginia University and Kent State in Ohio for key management officials of transit systems. They will be examining the potentials in planning, economic policy, financing, land use, and engineering advances, for the total development of transportation systems.

Even more directly, we are inviting several hundred transit officials, engineers, architects, urban planners, bus and subway train manufacturers to Washington in May. We want to show them, and to hear from them, what is being done around the nation to make design an essential component from the beginning of transit development. They will also review European and Canadian approaches.

As so many American cities and their metropolitan regions begin to move into mass transit in a major way, it is clear that some are highly conscious of the importance of design, but some also are not. The quickest way to make them all aware of the possibilities is to permit them to exchange views. And that, too, is entirely a proper role for government.

As I said at the beginning, the theme of this conference, and perhaps the theme of our time, is people in motion. We can be proud that this is a nation in which so many people can move in so many ways.

But we can also take little comfort from it. For the final irony in mobility is that it creates problems—problems of so many vehicles in motion that it blocks some people from moving, and it raises questions in the minds of others about why they do not share freely in all the new capabilities for coming and going.

We feel it is HUD's particular responsibility to see to it that these ironies are not overlooked in the design and the development of the urban public transportation systems of the future.

Festival of Passover

EXTENSION OF REMARKS

OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 1967

Mr. EILBERG. Mr. Speaker, as the Passover season begins it is a pleasure for me to extend greetings to my colleagues of the Jewish faith and to invite my other colleagues to join with us in observing another anniversary of the Exodus.

Like many others in this House, however, I am concerned that some people in parts of the world may not be allowed to celebrate the occasion because of continuing religious persecution. I know that a very great number of my colleagues have joined in supporting House Concurrent Resolution 114, including the leadership on both sides of the aisle. On the first day of this holiday I am proud to be in their company in expressing the sense of the Congress in condemnation of religious persecution in the U.S.S.R.

The compelling need for enactment of this resolution is obvious. In the Soviet Union, places of worship have been closed, religious education of children has been prevented, and severe restrictions have been placed on activities of rabbis and other religious leaders. I cannot think of a more appropriate time for a joint effort calling for religious freedom, not only for Jews, but for all people who are being harassed and persecuted in practicing their religion.

Los Angeles County Supervisors Endorse Bilingual Education Bills

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 1967

Mr. ROYBAL. Mr. Speaker, I am delighted to announce that the Los Angeles County Board of Supervisors, at its regular meeting on April 18, 1967, unanimously endorsed the growing number of similar bills recently introduced in the House and Senate to provide a new bilingual educational opportunities program to offer the Nation's more than 2 million non-English-speaking elementary and secondary school children a better chance to realize their full educational aspirations.

In presenting this matter to the board for its official consideration, Supervisor Ernest E. Debs declared that the implementation of Federal legislation is vital to the resolution of one of the the country's most serious educational problems, that of hundreds of thousands of American children who are members of non-English-speaking ethnic and nationality groups.

Supervisor Debs pointed out that the problem exists not only in Los Angeles, but is also apparent in many other areas throughout the Nation.

As the author of H.R. 8000, the Bilingual Educational Opportunity Act, one of the bills endorsed by the Los Angeles County Board of Supervisors, I am particularly encouraged by such evidence of increased local support for this most worthwhile legislative proposal.

The Bilingual Educational Opportunity Act is specifically designed to assist local school districts in setting up new and imaginative systems of bilingual education, individually tailored to meet the specialized needs of Spanish-speaking grade and high school students living in the Southwestern States, New York, and Florida. French-speaking youngsters in certain areas along the United States-Canadian border, as well as other non-English-speaking children residing in widely scattered sections of the country.

There is an urgent need, Mr. Speaker, to find constructive solutions to the unique bilingual-bicultural education problems faced by the hundreds of thousands of American schoolchildren who are members of our non-English-speaking ethnic and nationality groups.

The situation is just beginning to receive national recognition as one of the most critical education problems in the United States, calling for immediate, aggressive remedial action to help overcome the serious learning difficulties experienced by this important segment of the Nation's school-age population.

So far, little or no progress has been made toward finding adequate answers to the highly complex problems involved.

And today, job opportunities, income levels, economic advancement, in fact, all the aspects of personal and family well-being, are closely linked to educational achievement and the ability to communicate effectively with one another.

Those who are severely handicapped because of language barriers in our modern, predominantly English-speaking society suffer a continuing denial of the opportunity to participate and share fully in the rich abundance of 20th-century America.

My bill, therefore, is an effort to develop the kind of local-State-Federal cooperative approach I believe is necessary to meet the special educational needs of the large number of students in the United States to whom English is a secondary language.

The measure would provide $7 million the first year to enable local school districts to initiate comprehensive bilingual systems of teaching non-English-speaking students.

The Bilingual Educational Opportunity Act authorizes Federal financial assistance to local educational agencies to conduct a variety of programs such as: original research and demonstration pilot projects in the field of bilingual education; intensive preschool Headstart-type programs specifically designed to orient and prepare non-English-speaking children for smoother transition to and more rapid advancement in the elementary school environment; activities to emphasize the use of the ability to speak a language other than English as a bridge to the learning of English; regular, ongoing school-systemwide bilingual education programs; the teaching of English as the first or primary language; the teaching of the language spoken in the home as a second language; programs designed to impart to non-English-speaking students a knowledge of and pride in their ancestral language and cultural heritage; programs to attract and retain as teachers promising individuals of non-English-speaking ethnic or nationality background; and community efforts to establish closer cooperation between the school and the home.

Mr. Speaker, because of its importance as a symbol of widening grassroots support for a system of bilingual education, I ask unanimous consent to insert in the CONGRESSIONAL RECORD the pertinent sections of the letter I have just received from the Los Angeles County Board of Supervisors announcing their wholehearted endorsement for Federal legislation to establish new programs designed to improve educational opportunities for bilingual children.

The letter follows:

BOARD OF SUPERVISORS,
COUNTY OF LOS ANGELES,
Los Angeles, Calif., April 21, 1967.

Each Member, House Education and Labor Committee, Each Member, Senate Labor and Public Welfare Committee, California Congressional Delegation.

GENTLEMEN: At the meeting of the Board of Supervisors on April 18, 1967, Supervisor Ernest E. Debs directed the Board's attention to proposed federal legislation to establish new educational programs intended to improve educational opportunities for the bilingual child.

In presenting this matter for the Board's consideration, Supervisor Debs declared that the implementation of federal legislation is vital to the resolution of one of the Country's most serious educational problems, that of hundreds of thousands of American children who are members of non-English speaking ethnic and nationality groups. He pointed out that the problem exists not only in Los Angeles, but is also apparent in many other areas throughout the Nation.

Therefore, on motion of Supervisor Debs, the Board adopted an order unanimously endorsing the bills which propose the kind of local-state-federal cooperative approach so necessary to meet these existing educational handicaps.

The Board further ordered that the House Education and Labor Committee, the Senate Labor and Public Welfare Committee, the California Congressional Delegation, and Senators Thomas Kuchel and George Murphy be informed of its sponsorship and support of these Bills.

Very truly yours,

JAMES S. MIZE.

Finally, Mr. Speaker, I would like to include in the CONGRESSIONAL RECORD at this point the text of H.R. 8000, the Bilingual Educational Opportunity Act:

H.R. 8000

A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that one of the most acute educational problems in the United States is that which involves the more than two million bilingual and bicultural children of non-English-speaking ethnic or nationality background; that little headway has been made in finding adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

BILINGUAL EDUCATIONAL OPPORTUNITY PROGRAMS

SEC. 2. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating section 701 through 706 and references thereto as sections 801 through 806, respectively, and by adding after title VI the following new title:

"TITLE VII—BILINGUAL EDUCATIONAL OPPORTUNITY PROGRAMS

"SHORT TITLE

"SEC. 701. This title may be cited as the 'Bilingual Educational Opportunity Act'.

"DECLARATION OF POLICY

"SEC. 702. In recognition of the special educational needs of the large numbers of students in the United States to whom English is a second language, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs.

"AUTHORIZATION AND ALLOTMENTS

"SEC. 703. (a) For the purpose of making grants under this title, there is authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970, and the succeeding fiscal year.

"(b) From the sums appropriated pursuant to subsection (a) for each fiscal year the Commissioner shall allot an amount to each State based upon the number of non-English-speaking elementary and secondary school students in such State and the per capita income in such State in such manner as he determines will best carry out the purposes of this title. For the purposes of this title 'non-English-speaking elementary and secondary school students' means elementary and secondary school students born in, or one or both of whose parents were born in, a non-English-speaking area such as Mexico, Puerto Rico, Cuba, or French Canada, and in States for which such information is available, other students with Spanish surnames, and where the Commissioner establishes additional objective criteria which he deems appropriate for carrying out the purposes of this title, other students determined on the basis of such additional criteria.

"(c) A State's allotment for a fiscal year pursuant to subsection (b) shall be available, prior to such date in such year as is established by the Commissioner, for grants to local educational agencies in such State pursuant to this title. Allotments not reserved prior to such date may be reallotted to other States and made available for grants pursuant to th's title prior to the end of such fiscal year in such manner as the Commissioner determines will best carry out the purposes of this title.

"USES OF FEDERAL FUNDS

"SEC. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of students who speak English as a second language, including—

"(1) special bilingual and bicultural educational research and demonstration projects; and

"(2) pilot projects designed to test the effectiveness of plans and programs so developed; and

"(b) the establishment, maintenance, and operation of programs, including minor remodeling of classroom or other space used for such programs and acquisition of necessary equipment, designed to meet the special educational needs of students who speak English as a second language through activities such as—

"(1) intensive preschool, Headstart-type programs specifically designed to orient and prepare non-English-speaking children for smoother transition to and more rapid advancement in the elementary education environment;

"(2) the utilization of the ability to speak a language other than English as a bridge to the learning of English;

"(3) regular, ongoing comprehensive bilingual educational programs;

"(4) the teaching of English as the first or primary language;

"(5) the teaching of the language spoken in the home as a second language;

"(6) programs designed to impart to non-English-speaking students a knowledge of and pride in their ancestral culture and language;

"(7) programs to attract and retain as teachers promising individuals of non-English-speaking ethnic or nationality background;

"(8) efforts to establish closer cooperation between the school and the home; and

"(9) other activities which meet the purposes of this title.

"APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

"SEC. 705. (a) A grant under this title may be made to a local educational agency or agencies upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purposes set forth in paragraph (a) or paragraph (b) of section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purposes of this title;

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in paragraphs (a) and (b) of section 704, and in no case supplant such funds;

"(5) provide for such fiscal control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) Applications for grants under this title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of non-English-speaking students within the State, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (b) of section 704, and their financial ability to provide those services and activities, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) in the case of an application for assistance for a program for carrying out the purposes described in paragraph (b) of section 704, the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"(d) The Commissioner shall encourage local educational agencies to utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of the non-English-speaking. He shall also encourage local educational agencies to make optimum use in such programs of the cultural and educational resources of the area to be served. For the purposes of this subsection, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"PAYMENTS

"SEC. 706. (a) From the amounts allotted to each State under section 703 the Commissioner shall pay to each applicant in that State which has an application approved under this title an amount equal to the sums expended by the applicant under the application for the purposes set forth therein.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADVISORY COMMITTEE

"SEC. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on Increasing Educational Opportunity for Bilingual Children, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. At least four of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children who speak English as a second language. In addition, at least four of the members of the Advisory Committee shall be of non-English-speaking ethnic or nationality background.

"(b) The Advisory Committee shall advise the Commissioner (1) on the action to be taken with regard to each application for a grant under this title, and (2) in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Advisory Committee.

"(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of substance, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"LABOR STANDARDS

"SEC. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

AMENDMENTS TO TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 3. (a) Section 601(a) of the National Defense Education Act of 1958 is amended by inserting after the second sentence a new sentence as follows: "Any such grant or contract may include a curriculum designed for the special training of teachers of bilingual children."

(b) Section 603 of such Act is amended by striking out "$18,000,000" and inserting in lieu thereof "$19,000,000".

AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 4 (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out "and each of the two succeeding fiscal years" and inserting in lieu thereof "and the succeeding fiscal year, and $51,000,000 for the fiscal year ending June 30, 1968".

(b) Such section is further amended by striking out the word "or" at the end of clause (3), by striking out the period at the end of clause (4) and inserting in lieu thereof a comma and the word "or", and by inserting after such clause a new clause as follows:

"(5) who are engaged in or preparing to engage in special educational programs for bilingual students."

AMENDMENTS TO COOPERATIVE RESEARCH ACT

SEC. 5. subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting "and title VII" after "section 503(a)(4)".

Community Leadership Conference on World Problems—II

EXTENSION OF REMARKS
OF
HON. JONATHAN B. BINGHAM
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 25, 1967

Mr. BINGHAM. As previously reported, on February 22 I had the honor of cosponsoring, with New York University, a community leadership conference on world problems, specifically dealing with such areas as Vietnam and southeast Asia, the Middle East, Rhodesia, and southern Africa, and Europe.

The following is a summary of the remarks made by speakers on the panel on Rhodesia and southern Africa. The panel was moderated by Prof. Conor Cruise O'Brien, of New York University, and consisted of such distinguished authorities as Chief Adebo, Nigeria's Ambassador to the U.N., Lord Caradon, the British Ambassador to the U.N., Mr. Christopher Phillips, president of the U.S. Council of the International Chamber of Commerce and a former U.S. Representative on the U.N. Economic and Social Council, and Dr. Tilden J. LeMelle, assistant professor of political science at Fordham University.

PANEL ON RHODESIA AND SOUTHERN AFRICA

The moderator of this panel was Prof. Conor Cruise O'Brien, of New York University, well-known expert on Africa.

The first speaker was Chief Adebo, permanent representative of Nigeria to the United Nations.

Chief Adebo said that the purpose of the panel was to explore the problems of southern Africa, and the possible solutions to them. The Union of South Africa and Rhodesia, he said, presented the most serious problem areas. The question is not one of destroying the white people in South Africa or of making Africa completely black, but of creating countries where all people, white and black, could live in peace with complete equality. The peoples of the area need to be given the right of self-determination.

South Africa is the greatest problem, Chief Adebo said. Although 62½ percent of its population are black, the Government does not recognize them as people, but merely as objects of exploitation. They are segregated politically, socially, and economically.

Rhodesia, which at one time had the possibility of becoming a free country where all the inhabitants would be able to work and live together as equals, is now becoming a slave country where the majority of people will be held in subjection. It is for the conscience of all people to decide whether the right of self-determination should be given to the people of Rhodesia. The test should not be whether other African countries are having problems with independence after long years of servitude. It is true that, because the Africans in Rhodesia have not been given any experience in self-government, a democratically constituted Rhodesia might run into difficulties, but people are entitled to make their own mistakes in learning to govern themselves. The African countries could be given technical assistance from others to minimize their errors.

Unfortunately, Great Britain's reaction to Rhodesia's acts has been merely to issue declarations and to support sanctions. If words alone could dispose of apartheid or colonialism, there would not be an acre today in Africa under apartheid or colonialism, so many have been the words of protest. However, words are not enough and the sanctions which were imposed, both voluntary and mandatory, have been ignored by various countries.

The problem of South-West Africa, Chief Adebo further said, is separate in some senses from that of the Union of South Africa. South-West Africa does not belong to South Africa, but it is a trust territory having international status. The people are refused the right of self-determination by South Africa which continues to administer the area nondemocratically even though the mandate has now been terminated. The International Court having refused to act responsibly on the issue, the last U.N. General Assembly adopted a resolution taking away from South Africa the right to administer South-West Africa. Further U.N. action is being awaited.

Mozambique is also an area where the people are oppressed and denied the right of self-determination. Portugal claims that Mozambique is not a part of Africa but an extension of Portuguese territory put in Africa by mistake by God. Of course, the Portuguese do not give the right of self-determination even to their own people in Portugal. Hopefully, someday this policy will change.

The Portuguese attitude toward Angola is the same as toward Mozambique.

All these four areas, Chief Adebo said, are albatrosses around the neck of the rest of Africa and of the United States, the United Kingdom, and all the other countries who are allies of these regimes. Shall we merely denounce, or shall we take action? The United States is taking steps to eradicate its own racial problem. Furthermore, in the United States racism is not official Government policy, as it is in these African lands.

The U.N. will do nothing effective unless the people who choose the governments sending representatives to the U.N are prepared to act forcefully.

What do we propose be done? We propose punitive measures. If you do not agree, please advise us what other effective measures we can take. We think you should start with moral pressures. Do not merely keep ships from landing in South Africa, but see to it that no ships are sent there at all. Tell South Africa: "Until you abandon the policy of apartheid, we shall play no more games with you, since you are not members of a decent society."

Unfortunately, the Western countries keep increasing their assets in South Africa. Stop doing so. We need to take effective steps through collective action. Collective action is a matter of collective responsibility. All the great powers are to blame for not having done enough so far. Some small countries have ignored their responsibilities also, and are also to blame. We must all work together now to be effective if the problem is ever to be solved.

The next speaker was Lord Caradon, permanent representative of the United Kingdom to the United Nations.

Lord Caradon stated that he agreed with Chief Adebo's analysis. North of the Zambesi River the forces of African nationalism are dominant and the African peoples control their own destinies. South of the river no African has any effective say in the Central Government of his country. The governments south of the river are governments of white supremacy.

These problems of southern Africa cannot be settled by resolutions and words. They will not be easily or quickly resolved. There are powerful political and military forces and we must deal with these problems step by step. If we attempt to deal with them all at once, we may well fail in our efforts, betraying those who depend on us and perhaps weakening the U.N. in the process. We must end the domination of one race by another, but we can only succeed by advancing on sure ground.

Rhodesia is at the top of the list, Lord Caradon said. There Great Britain has a special and acknowledged responsibility, deriving from the fact that Rhodesia is a British colony. But we have to remember that there has not been any direct British administration in Rhodesia, nor any British forces present; the country has been administered by the white people of Rhodesia, as it is still so administered today.

It would have been easy for the United Kingdom to have said in November 1965, when Rhodesia illegally declared its independence, "We will take no action." But the United Kingdom took positive steps first to block oil delivery through BEIRA and then to cut off all British trade with Rhodesia, suffering economic loss as a result.

The contribution of the United Kingdom has been greater than that of any other country. However, it has so far been ineffective in achieving its purpose and therefore the United Kingdom asked the U.N. to have its member countries refuse to accept exports from Rhodesia. As a result, such exports have fallen substantially.

No country can continue to survive when it suffers impairment of its exports to the serious extent of their dropping by more than half. We miscalculated in that it was not expected Rhodesia would be able to last so long. But the United Kingdom is determined to continue these economic measures and it has now declared that it will never grant independence to Rhodesia except under majority rule.

There is criticism that the United Kingdom should have used force by invading with an army brought in by air. Such an air invasion has never been attempted. It is easier to start a war than to stop it. The British policy has been to solve the problem without bloodshed.

There is another criticism, Lord Caradon said; namely, that the United Kingdom has not been prepared to impose sanctions against South Africa. But who will provide the ships and meet the enormous cost of a blockade? Who will suffer the losses? The United Kingdom would suffer most, since it would be impossible to maintain its balance of payments. The new nations could not possibly compensate for such a loss.

We are dealing with a vast problem and the practical method is to go step by step. No one disagrees on the principles involved or on the purposes of the action to be taken. The question is how to go about it. Great Britain has made its position known and firmly intends to carry out the policy it has stated.

Professor O'Brien commented on Lord Caradon's use of the word "invasion." Since Rhodesia is part of the British Dominicas, the movement of troops does not constitute an invasion. Certainly, when the British used to move their energetic forces around his own country of Ireland, they did not call it an invasion.

Lord Caradon replied that he meant invasion in the sense that it would mean moving in troops against resistance. The Irish question could be left till another time.

The next speaker was Mr. Christopher Phillips, president of the U.S. council of the International Chamber of Commerce, and a former U.S. representative on the U.N. Economic and Social Council.

Mr. Phillips commented that there is no easy panacea to the complex problem of apartheid in South Africa. The question is what practical means are there available to influence South African policies?

U.N. resolutions have proven to be quite ineffective. Economic sanctions, even if they could be enforced, would not moderate the Government's policies and might well lead to even greater xenophobia. The use of force is impractical. Isolation of South Africa tends to increase resistance to change and to result in greater fears of the outside world.

What we should do is to try to bring South Africa back into contact with the rest of Africa. Although this in itself would not produce any quick changes, an improvement in relations with other African governments might begin to create a better climate in which change is more possible. Recently, there have been one or two straws in the wind indicating slightly more flexibility: relaxation of apartheid in certain international sports contests; the reception by the Government of the heads of black African states for the first time.

The existence of new, independent black African states within southern Africa, economically beholden to South Africa, may have the effect of mitigating South Africa's pathological fear of black Africa.

These may seem like small and inadequate changes when viewed against the repressive actions of the South African Government. But the business of having to maintain decent relations with independent black states, of having to meet and deal with their leaders, could in time bring about adjustments in thinking and attitudes.

They could become the basis for a détente to relax tensions, to improve understanding, and to reduce fears. Of course it would be a slow process at best.

Certain economic factors within South Africa might also chip away at apartheid. Labor shortages, not merely of menial labor, but of technical, administrative, and professional personnel, will bring more Africans into white cities and will tend to increase de facto integration. Black Africans will have to fill the jobs and so create a more integrated society. It may not work, or it may work too slowly, but what better course is there now available to cope with this complex and dangerous problem?

The last speaker was Dr. Tilden J. LeMelle, assistant professor of political science at Fordham University.

Professor LeMelle stated that Rhodesia, South Africa, Angola, and Mozambique are all part of the same problem. There is a conflict between the aspirations of the indigenous African peoples for democratic majority rule and the intransigent determination of the minority to continue arbitrary minority rule. The problem has both a political and racial dimension, both of which must be solved.

The political aspect is that a relatively small minority arbitrarily makes all the decisions and has absolute control over the affairs of the nation. The majority is systematically excluded from even minimal participation in decision-making. The majority has risen in passive and active rebellion against this intolerable situation. The resistance began peacefully, but only hardened the minority's intransigence. The majority was threatened with death or imprisonment, and faced with the choice of acquiescence or rebellion. They chose the course of rebellion, so that today violence has become the official policy of both the ruling minorities and the oppressed majorities. The course of violence is a threat to international peace.

The racial aspect of the problem, Professor LeMelle said, is based on the minorities' assumption of white racial superiority. In South Africa, Rhodesia, and South-West Africa, the racial policy is expressed by forced separation of the races; in the Portuguese colonies by forced assimilation. The Portuguese have given the "inferior" black man the benefit of the doubt; that is, he can be lifted up to the white's level.

To both types of racist policies, the Africans have reacted to assert the black man's essential worth and equality.

The problem in southern Africa, then, is an intimately intertwined politico-racial one, the socioeconomic aspects being functions of the other two. Even the political problem can also be viewed as a function of the racial problem. Viewing the problem of southern Africa as basically a racial one, lends the problem to practical and nonviolent solutions, both at the domestic and international levels. None of the other approaches has worked, nor are they likely to work in the near future. Indeed, in the light of the recent court ruling in the South-West Africa case and the total involvement of the U.N. in the problem, it seems unlikely that other approaches will lead to more than finely worded resolutions. Economic sanctions have never been effective in changing the attitudes and policies of intransigent target states. Violence does not seem likely to solve anything in South Africa, which is the key to the entire southern Africa area.

Accordingly, it would seem that the only policy that can be pursued with any hope of success is that proposed by Mr. Phillips.

REBUTTAL

Professor O'Brien suggested that rebuttal concern itself with the problem of South-West Africa, where South Africa no longer has any right to be. What should the U.N. do, faced with the contumacy of South Africa?

Chief Adebo said that he disagreed with Lord Caradon that the problem of southern Africa should be nibbled at piecemeal. So long as South Africa helps Rhodesia, no sanctions can be effective. Until we have dealt with South Africa, we cannot succeed.

It is impossible to avoid violence since violence is already present in South Africa. How can you deal with a violent man, by peace and patience? Sanctions will not work if we do not want them to work.

South Africa acknowledges that it has no right to ownership over South-West Africa. Until we are willing to confront South Africa, the nearly unanimous resolutions of the U.N. will be meaningless. South Africa has to be shown that we mean it when we say that it has no right over South-West Africa. The people of South-West Africa have the same right to self-determination that those of Botswana and others of her neighbors have.

Two methods can be used: Persuasion or force. If the friends of South Africa would say that they won't be her friends any more unless she changes, South Africa will change. Announcing in advance that we intend no confrontation with South Africa does not help. The General Assembly cannot solve the problem on its own and eventually the problem must go to the Security Council, which is likely to denounce South Africa, but do nothing else.

Chief Adebo said that he was not asking Britain to commit economic suicide, but it was for Great Britain to invoke the principle of collective responsibility under article 50 of the U.N. Charter. Even though Great Britain's calling on the Security Council for action under this article may involve laborious discussion, the step is worth taking. If the Western nations continue to support South Africa, then the Security Council will be unable to act effectively. International resources to destroy apartheid exist, and should be used.

Lord Caradon stated that Great Britain had been to the Security Council twice. It has taken the first steps. Is an economic war against southern Africa practical? Will it be effective? Lord Caradon said he thought not, and believed in the step-by-step approach. Rhodesia, the most recently established outpost of white supremacy, should be first.

Professor LeMelle agreed that a step-by-step action is necessary, but the first step should be in South Africa. Since the West will not do anything effective to bring change in South Africa, the use of force should be considered if the black African countries have the power to use it effectively and if the positive approach suggested by Professor LeMelle and Mr. Phillips fail.

The results of a question period follow:

QUESTION PERIOD

Question. If this is a democratic conference, why was no one from Rhodesia invited to explain their position?

A member of the audience answered that the U.N. had decided the case and it didn't seem necessary to go over Rhodesia's defense to discuss disposition of the problem posed.

Question. Why not aim our attack on South Africa through military action over Southwest Africa, the area where South Africa is most vulnerable?

Chief Adebo stated that the U.N. has taken the position that South Africa has no right to continue to administer Southwest Africa. The friends of South Africa should press her to avoid a confrontation. The U.N. should proceed according to the provisions of the Charter and impose economic sanctions, and if these do not succeed, military sanctions.

Question. What will the African countries do if the Western countries do nothing?

Chief Adebo answered that the African countries can do little by themselves without assistance from the U.N., the countries of the West and the East. But those who have the power now should use it wisely.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 26, 1967

The House met at 12 o'clock noon.

Rev. John E. Huss, Charleston Heights Baptist Church, Charleston Heights, S.C., offered the following prayer:

It is with sincerity, Father in Heaven, that we earnestly pray for peace to come to our troubled world.

We pray for our enemies, even as Jesus taught us to pray. Enable them to realize that we merely seek justice and that we shall never lack in resoluteness.

Endow our President with wisdom. Give our lawmakers the determination to seek the right. Help them to use their high position of responsibility in sacrificial and noble service to our country.

And, Father, help us to humble ourselves, and to seek Thy face, and to turn from the ways of wickedness. In turn fulfill Thy promise to "hear from heaven, forgive our sin and heal our land."

We ask in His dear name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 286) entitled "An act to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962."

LET US BRING CONGRESS UP TO DATE

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, legislative reorganization has been the topic of frequent discussion and debate over the years in this Chamber and, I hope, at long last is approaching the stage of legislative action. The streamlining of Congress is a major issue of concern today throughout the Nation. We are living in the space age yet operating with horse-and-buggy machinery. The sixties demand that we take vital and constructive action in this area.

I have prepared testimony for the House Rules Committee on the proposal for legislative reorganization. I am including in the RECORD today my suggestions covering what I consider a unique change in present practice which I urge the Members to read and study carefully as a basis for serious thought on how we can make representative government in this changing modern world not only more efficient but effective.

My suggestions, I admit, are weighted on the side of the constituent, yet I firmly believe that they would also prove to be ultimately to the best interests of the health and well-being of the Members.

THE LATE HONORABLE KONRAD ADENAUER

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, yesterday morning I turned on my TV set and found myself unexpectedly at the funeral of Konrad Adenauer.

It has been a great many years since I have been so deeply moved.

I have had the privilege of meeting him. Since I speak a little German, we had a happy little conference. His handshake was wonderful. His eyes were beyond anything one could imagine.

Yesterday during the mass and during the long procession evidencing such heartfelt respect and such deep feeling by those soldiers of the new Germany I was carried away. I missed my committee, but I did not care. The committee was not so important just then, though I did get there late.

But what that man in his 91 years has given to this world is almost unbelievable, raising Germany, as he did, from the depths to a place of respect among the nations. I said a little word in this Chamber about his death, but I could not restrain myself from speaking as I have this morning. I hope some of the rest of you heard and saw that satellite presentation. I hope you are reading the papers, but most of all I hope that as long as you live you will remember that Konrad Adenauer was a man of greatness of soul. We know that never the spirit was born, the spirit shall cease to be never; birthless, deathless, and changeless remaineth the spirit forever. It is my earnest hope, indeed my prayer, that some of his humble magnificence may have been left among us and that we, sometimes arrogant, Americans, may find it in our hearts.

FAVOR KEEPING OUR SPACE TECHNOLOGY

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I am very much opposed to NASA Administrator James Webb's call for cooperative efforts between the United States and Russia in manned exploration of space. Mr. Webb is overlooking the fact that the law allows only Congress the right to make such a decision, not the administration, and not an emotional Space Administrator.

Mr. Speaker, I deeply regret the loss of the life of the Russian cosmonaut—as I joined Americans in sorrow over the loss of our three astronauts. But I do not believe we can allow emotion to overlook the fact that Russia is our real enemy in Vietnam where far more American lives are being lost than in either country's space efforts. It is Russia that says they should join with Communist China to "defeat the United States in Vietnam." It is Russia that provides the missiles that attack our fighters and bombers. And, it is Russia that supplies the arms and ammunition, in increasing quantities, that are used daily against our American servicemen.

In the space effort it has been the United States that has developed the technology for space exploration, and some of that information is for defensive military purposes. Mr. Speaker, I cannot accept any proposal for sharing that outer space information with a country that is so openly trying to defeat us on the ground.

SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY—PERMISSION TO SIT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 72]

Abbitt
Baring
Bell
Berry
Broyhill, N.C.
Celler
Conyers
Cowger
Cunningham
Dawson
de la Garza
Diggs
Esch
Evins, Tenn.
Farbstein
Fino
Foley
Fulton, Tenn.
Galifianakis
Giaimo
Hanna
Hansen, Idaho
Hawkins
Hays
Hébert
Henderson
Holland
Hull
Jacobs
Lennon
Long, La.
McEwen
McMillan
Mathias, Md.
May
Multer
Murphy, Ill.
Murphy, N.Y.
O'Hara, Mich.
O'Neal, Ga.
Ottinger
Pepper
Pool
Pucinski
Riegle
Ronan
Rostenkowski
Roybal
St. Onge
Sullivan
Taylor
Tenzer
Tunney
Utt
Van Deerlin
Waggonner
Watkins
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Younger

The SPEAKER. On this rollcall 368 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING THE ACT OF JUNE 30, 1954, AS AMENDED, PROVIDING FOR THE CONTINUANCE OF CIVIL GOVERNMENT FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS—CONFERENCE REPORT

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 303) to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 208)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the Bill (S. 303) to amend the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with a further amendment as follows: Add a new section to read:

"SEC. 2. Any appointment hereafter made to the office of the High Commissioner of the Trust Territory of the Pacific Islands shall be made by the President by and with the advice and consent of the Senate."

And the House agree to the same.

WAYNE N. ASPINALL,
HUGH L. CAREY,
JAMES A. HALEY,
JOHN P. SAYLOR,
ROGERS C. B. MORTON,
Managers on the Part of the House.

HENRY M. JACKSON,
QUENTIN N. BURDICK,
THOMAS H. KUCHEL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 303) to amend the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The House and Senate versions of S. 303 agreed on the major objective, to increase the authorized annual fiscal year appropriations for the Trust Territory of the Pacific Islands from $17,500,000 to not to exceed $25,000,000 for fiscal year 1967 and $35,000,000 for each of the fiscal years 1968 and 1969.

The only area of disagreement was with respect to Section 2 of the bill. The Senate version changed the titles of the High Commissioner and the Deputy High Commissioner to Governor and Lieutenant Governor, respectively, and provided that future appointments to these offices should be made by the President with the advice and consent of the Senate. The House version omitted these provisions.

The differences were resolved in the following manner. The Senate conferees agreed to continue the use of the designation, High Commissioner, while the House agreed that future appointments to the position would be made by the President by and with the advice and consent of the Senate. The designation and appointment of the Deputy High Commissioner remains as at present.

It was further agreed that Congress would consider the request if, at a future date, the citizens of the Trust Territory of the Pacific Islands, through the Congress of Micronesia, ask that a change be made in the title of the High Commissioner.

WAYNE N. ASPINALL,
HUGH L. CAREY,
JAMES A. HALEY,
JOHN P. SAYLOR,
ROGERS C. B. MORTON,
Managers on the Part of the House.

The SPEAKER. The gentleman from Colorado is recognized for 1 hour.

Mr. ASPINALL. Mr. Speaker, the report is a unanimous report of the conferees. It provides for the nomenclature of the Administrative Officer of the Trust Territory to remain "High Commissioner," and that the Commissioner be appointed by the President, rather than by the Secretary of the Interior, and be confirmed by the Senate of the United States.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to my friend from Iowa.

Mr. GROSS. Can the gentleman give us a reason for this new appointive procedure?

Mr. ASPINALL. From the beginning, the High Commissioner has been known as the High Commissioner.

First the High Commissioner was appointed by the President. Then there was a secretarial order, approved by the President, that the High Commissioner was to be appointed by the Secretary of the Interior.

It is our understanding that the position is sufficiently important that there should be a Presidential appointee confirmed by the Senate of the United States.

Mr. GROSS. Was the Commissioner's appointment approved by the Senate in the past?

Mr. ASPINALL. Heretofore, the High Commissioner, whether appointed by the President or by the Secretary of Interior, has not been confirmed by the Senate.

Mr. GROSS. I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to my friend from Pennsylvania.

Mr. SAYLOR. I wish to say that the conferees on the part of the House insisted that a number of changes which the other body had put into this bill when it passed be not agreed to.

All we are doing is returning to the same situation that existed before the President turned over this job of appointment to the Secretary of the Interior. Now we will go back to having a Presidential appointee and will have the Members of the Senate confirm his appointment.

Mr. ASPINALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1968

Mrs. HANSEN of Washington. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9029) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 hours, the time to be equally divided and controlled by the gentleman from South Dakota [Mr. REIFEL] and myself.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentlewoman from Washington.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9029, with Mr. PRICE of Illinois in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentlewoman from Washington [Mrs. HANSEN] will be recognized for 1 hour and the gentleman from South Dakota [Mr. REIFEL] will be recognized for 1 hour.

The Chair now recognizes the gentlewoman from Washington.

Mrs. HANSEN of Washington Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we are presenting for the consideration of the House, the 1968 appropriations bill for the Interior Department and related agencies which covers 30 diverse agencies and is familiarly known to this House as the all-American bill, for it is that legislation providing funding not only to build a stronger, richer America through protection of our natural resources, both land and people, but to enhance the magnificent cultural heritage of this Nation.

Funds provided in this bill go to every State in the Nation and our territories, and to a certain extent affect the international relations of the United States. I have reference to our administration of the trust territories, Samoa, and various international negotiations in connection with commercial fish activities.

This is a bill full of details. Because of this and because it covers so many facets of our national living, with so much to be said in a relatively short time, I cannot review each item. This I regret.

However, I recommend that each of you read the committee report which describes these items rather completely and for a better understanding of the programs funded here, may I urge that you read the hearings. These are in great detail, covering the operations of each department.

At this time I would like to highlight some of the committee's major considerations.

The committee recommends a total appropriation for 1968 of roughly $1.4 billion. This includes appropriation of receipts in the amount of $126,400,000 but excludes borrowing authorization for the helium fund in the amount of $16,200,000.

This is $78,482,850 or 5.9 percent below 1968 budget estimates.

This recommended amount also represents an 11.1-percent reduction in borrowing authority and a 100-percent reduction in the annual contract authority.

Therefore, the overall amount recommended by the committee is a 6.3-percent reduction below budget estimates. Appropriations recommended in this bill are $32,151,350 over the 1967 appropriation.

This comparison excludes any pending pay supplementals for the 1967 fiscal year, which when considered, will leave this bill $18 million over the amount of funding available in 1967 for direct appropriations rather than the approximate $33 million listed in the report.

As you review this budget, it is well to remember that new authorizing legislation enacted by the second session of the 89th Congress for the Department of the Interior and related agencies funded here amounted to $229,297,000.

The 1968 budget estimate included requests of $24,064,700 for these activities.

INCOME AND REVENUE

One of the most important features of this bill is the income its activities generate.

We have a forecast of $1,041 million in fiscal year 1968 revenues as compared with $1,023 million in fiscal year 1967, an increase of more than $18 million.

Actual appropriations in this bill are $1.2 billion.

Receipt income is only $197 million short of funding the entire activity provided here.

Revenues could fund this bill entirely if there were not also certain nonreceipt items of major importance to the entire United States, one of which is the $334 million provided for the welfare and assistance of American Indians.

There is also a total for support of the government of the Virgin Islands, Guam, American Samoa, and the administration of the Trust Territories in the amount of $33,113,000.

EXTENT OF ACTIVITIES

On pages 3 and 4 of the report, the committee has listed some of the activities funded in this bill:

Few Members realize the extent of U.S. landownership under the management of our Federal departments.

For example, in the Bureau of Land Management there are 457,102,198 acres; U.S. Forest Service, 186,500,000 acres; Bureau of Indian Affairs, 55,294,080 acres; Bureau of Sport Fisheries and Wildlife, 28,930,769 acres; National Park Service, 26,551,432 acres; a total of 754,288,479 acres, or one-third of this Nation's land.

ROAD CONSTRUCTION

The road mileage inventory in 1966 for the Forest Service, Bureau of Indian Affairs, Bureau of Land Management, and the Park Service was 266,970 miles.

Mileage to be constructed in 1967, 8,349.

Mileage to be constructed in 1968, 8,763.

Recreational visitations

[In millions]

	1966 calendar year, actual	1968 calendar year, estimated
National Park Service	135	160
Bureau of Sport Fisheries and Wildlife	17	21
Bureau of Land Management	38	50
U.S. Forest Service	160	199
Total	350	430

Another area of U.S. revenues is in:

TIMBER PRODUCTION

Forest Service: An estimated harvest of 12.7 billion board feet of timber is anticipated in 1968 from Forest Service lands with a value of $171.5 million. This volume represents about 25 percent of the total timber cut for industrial purposes in the United States and is equivalent to the construction of 1.3 million homes of average size. It represents a million jobs based on timber use.

The Bureau of Land Management also administers the sale of over 1.5 billion board feet of timber annually.

GRAZING

Bureau of Land Management also administers grazing of over 10 million head of livestock and 2.7 million big game animals.

Forest Service provides grazing for 7 million head of livestock which provides a continued and necessary source of grazing required by about 20,000 family-size ranch units throughout the United States.

Indian education and welfare

Indian children in Federal day and boarding schools total	58, 300
Indian children in public schools total	47, 000
Indians provided with welfare and guidance services total	23, 000
Operation and maintenance of Indian irrigation systems total (number of systems)	300

MINERAL RESOURCES

Bureau of Land Management administers mining and mineral leasing on some 780,000,000 acres in the continental United States and over 250 million acres of submerged lands of the Outer Continental Shelf, with estimated receipts of $560,000,000 in 1968.

Geological Survey supervises development and production of minerals and mineral fuels on leased Federal Indian and Outer Continental Shelf lands, the annual value of such production being $1.9 billion with royalties of over $250 million.

INCREASES AND DECREASES

On pages 2 and 3 of the committee report, we have enumerated activities in the bill for which major increases and decreases are recommended. A quick glance at this table lists activities emphasized for 1968 and those for which funding is limited.

INCREASES

First. Additional education and welfare services and other assistance to the American Indian:

The committee is proud to make funding provisions for the integration of Indian youth into public schools. If this course is pursued with diligence, it will eventually result in lower construction costs in this category, at the same time providing a greater breadth to the total sum of American education.

We have also provided increases for sanitation, health, housing, and a wide scope of general education programs, as well as job training. These things are necessary in order that our Indian peoples may become part of the economic mainstream of America.

It is vital that we constantly improve the management of their reservation lands and resources, provide adult education to close the cultural lag between parent and child, and to add increasingly to total Indian knowledge.

Costs are major at this time in many Indian areas due to a multiplicity of reasons. It is impossible to place Indian children in public schools due to a lack of roads, and in many instances, availability of water. It is necessary to construct Indian hospitals because there is a lack of facilities in areas near reservations.

Until our Indians are provided with decent housing, sanitation, job training, economic status, we will never solve their problems or social needs.

However, I think the committee can point to certain accomplishments. In 1961 there were 125,450 Indians in school; in 1965, there were 149,462.

When we have the last child enrolled in school, we will have begun to see daylight. To this end the committee has worked diligently and hard.

Second. The second item of increase is

that of road construction, $18,481,000, providing additional funding for the U.S. Forest Service.

To indicate some of the receipts generated by spending in this category:

Sale and use of Forest Service resources in fiscal 1966 amounted to	$173,900,000
Increase over 1965	26,500,000
1968 receipts are estimated at	180,700,000

Third. A third increase is for additional requirements of the U.S. Forest Service, $11,426,000 for thinning, salvage, aerial logging, recreation, research, tree genetics, firefighting, and so forth.

THINNING AND SALVAGE

For the Bureau of Land Management, the budget proposed an appropriation of $560,000 for thinning and salvage activity in western Oregon. The committee has recommended that $760,000 be made available to the Bureau of Land Management for thinning and salvage work in 1968. However, instead of appropriating the additional funds it is the recommendation of the committee that the $760,000 be deducted from the 25 percent available in the Oregon and California grant lands fund and be earmarked for this purpose. This amount, with the $4,598,000 provided in the budget base for forest management, will provide a total of $5,358,000 for forest management work, including thinning and salvage, for the 1968 fiscal year.

The Forest Service budget for 1968 contains a request for $1,424,000 to sell and harvest thinning and salvage material as follows:

Sell 280 million board feet at $2.67 per 1,000 board feet	$748,000
Harvest 210 million board feet at $3.22 per 1,000 board feet	676,000
Total	1,424,000

To the extent that funding for the regular sales and harvest timber program are not required, the Forest Service has indicated that additional funds could be used for thinning and salvage work. In its report, the Committee has stated it would be inclined to give favorable consideration to the reprograming of funds for this purpose.

Recreation. I think it is interesting to note here that U.S. Forest Service lands have shown the greatest increase in visitations of any lands in the United States. Someone said to me one day on the floor of this Congress, "Why do we need to spend money on forests and parks? We didn't have these things yesterday and it was a pretty good world."

My answer to that is very simply this—it was a good world that many of us enjoyed, but it has been gradually disappearing into a thicket of high-rises, clover leaves, on-ramps, water pollution, air pollution, and city pavements.

At this late date in our history, we are now trying to leave for those who will come after us some part of that "good way of life." This, I think, is in essence the concept of the multiple-use purpose of the Forest Service.

Fourth. The fourth increase is in the acquisition of land under the land and water conservation fund program, $9,500,000—an advance from the general fund.

This program I will discuss in more detail in just a moment.

Fifth. There is increased money for management protection and maintenance of national parks: $7,410,200 to provide for increased visitations and use with the necessary funding for maintenance and construction.

DECREASES

The next item which I would like to discuss briefly is that of decreases.

Each cut has been looked at, scrutinized, priorities discussed. Cuts represent personnel, travel, printing, other services, and in many instances they are small, housekeeping details for economy. There is no "credibility gap" here between the committee's frank decreases and the public's shouted desire for economy in spending, even though that economy be drastic and hurtful in many instances.

None of the committee enjoyed making any cuts. Each Member of Congress has been vitally concerned with his or her district and with appropriations for its betterment.

From the budget requests, from the hearings and from the careful review of items, the committee has tried to develop a program of orderly progress, not as fast as many of us would like.

The largest decreases are:

First. In the construction facilities: $35,729,600.

These items range from an Indian health hospital for which planning was not yet complete to Forest Service construction and low priority park construction.

Second. In saline water research: $20,000,000.

A hasty glance at the table in the back of the report might indicate the committee slashed saline water funding. This is not the case. For saline water research, only $7,500,000 remained of the authorization which had not been appropriated.

Action is currently being taken to extend this authorization but legislation has not yet been enacted. Therefore, the committee has approved funding for saline water to the extent of existing authorization and has passed over the balance of the budget without prejudice. If the necessary authorizing legislation is enacted in time, additional funding for this activity may be added in the other body, in which case it would become a conference item.

This bill is not as large in dollars as others. In fact, its total is little more than the cost of one aircraft carrier, but it has not lacked in various items of major importance to the entire United States.

I would like to discuss with you for a moment the arts and humanities budget request.

ARTS AND HUMANITIES BUDGET REQUEST

The committee approved $11,700,000. A reduction of $4,670,000 below the budget request of $16,370,000. Of this, the arts endowment share is $7,000,000. A reduction of $1,750,000. The humanities endowment share is $3,500,000. A reduction of $2,500,000.

Also provided is $1,200,000 for administration, a reduction of $420,000 below the budget estimate.

The question has been asked, "Why are we concerned with arts and humanities at this time?" I would like to read two quotations—one from a letter to me by the acting president of the University of California who said:

> A nation which neglects such basic areas of inquiry as history, archeology, philosophy, and jurisprudence will find itself adrift without perspective in a world it cannot understand. Worse still, it will lack a fundamental understanding of itself. A nation which neglects languages and literature will find itself inarticulate in a world where survival may depend on the communication of ideas. A nation which takes small interest in the record of its artistic endeavors and fails to give adequate attention to esthetic criticism of its contemporary life, may find its people dispirited by ugliness. All of these are the professional concerns of the humanist. He is not a marginal contributor to society. His work is vital.

Second, John Adams, after a trip to Paris, in 1787 wrote to his wife, Abigail:

> The mechanic arts are those which we have occasion for in a young country as yet simple and not far advanced in luxury. I must study politics and war, that my sons may have liberty to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture, in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry and porcelain.

The United States is proud of its Constitution, it is proud of the thought which went into it. Sometimes few of us remember that its background is deep in the humanities.

In her magnificent book, "A Miracle at Philadelphia," Catherine Drinker Bowen reviewed the background of James Madison's documentation for the Federal Convention of 1787 when he wrote Thomas Jefferson, then in Paris, asking for "whatever may throw light on the general constitution of the several confederacies which have existed." Books from Jefferson arrived by sailing vessel, not by ones and twos, but by the hundreds—biographies, memoirs, histories. These documents on humanities enabled James Madison to be the best informed man and our leading constitutional architect at the Federal Convention.

May I further remind the House that the committee of this Congress has set aside funds for technology and scientific programs in forestry, fisheries, and wildlife, but equally important, our humanities provide social and philosophical guidelines enabling us to use these in ways beneficial to mankind.

It is well also to remember that a great many people never leave the sidewalks of a city to use a fishpole or hunt. They do, however, spend their Saturdays and Sundays in museums, galleries, at theaters, and with books.

The mind and additions to its sum of knowledge is their recreation.

The committee regrets that we could not fund both the arts and humanities to the full extent of the 1968 budgetary estimates, for the amount reported here is only one one-hundredth of 1 percent of the total U.S. budget. However, I am sure that everyone realizes legislation is usually compromise.

LAND AND WATER CONSERVATION FUND

One of the major problems facing Congress and the departments is that of continuing land escalation costs and the rising price between authorization and funding. This has been of concern to the committee in prior years. It continues to be. This year as the first step, the President suggested a $32 million advance appropriation to the land and water conservation fund for land acquisition.

First. The States wanted 60 percent of this advance appropriation; the committee has approved only a total of $9,500,000, plus $110,000,000 of land and water conservation fund receipts.

States will receive $65,000,000.

Federal agencies will receive $51,725,000.

Percentagewise, this breaks down as 55.5 percent for the States and 44.5 percent for the Federal Government.

Because of the critical budget situation in the United States, the problems of war and the national debt, the committee was extremely careful and thoughtful about spending the full $32 million advance. Thus, we have only reported $9,500,000. We were selective on priorities for parks, forests, and the Bureau of Fish and Wildlife—perhaps too selective. You will note that tables on page 13 review the reductions. No one section of the country has received all the money or all the cuts.

The committee is deeply concerned that we felt we could not afford to spend not only the full $32 million but perhaps a great deal more, and I would be less than frank if I did not say that some of today's cuts may well be increased costs for the future. These conservation cuts can only be described as a casualty of war and debt. They also are the echo from those who have said "cut the budget, we refuse to pay additional taxes."

I would like to say as we discuss the wide differential between authorization and spending, that the American people should look at the willful speculator with appraising eyes and the speculator should take stock of himself. He, too, should remember that this is his United States and that speculation costs caused by his greed are unconscionable additional tax burdens which he, too, will bear and undoubtedly grumble about.

There are those in this body and in this country who may say, "Why spend money this year on recreation at all." It is well for them to remember that our country is urging people to stay at home because of the gold drain abroad. Therefore, it is obvious we must invest in the development of areas for our own recreation programs.

We have provided money in this bill for an experimental fish protein plant as part of a hopeful answer to the world's hungry people. For those who complain that this is "fish versus corn, or wheat or soybeans," may I say there are so many millions of hungry people in the world we must make use of every food resource at our command.

I would like to commend the Bureau of Commercial Fisheries for their negotiations this year with Russia in developing policies relative to our off-shore fishing and particularly emphasizing the necessity of the preservation of fish spawning beds. The time continues to grow shorter for the entire world to plan a comprehensive oceanographic conservation program for resources.

Last year the committee did not authorize money for the expenditure of funds for ship construction in Poland. I am pleased to report to the House today that as a result, our own domestic shipbuilding concerns have entered into this program and have begun to develop trawlers for American use. This is most welcome.

COOPERATIVE FISH UNITS

The amount of funds involved here is not great, but the committee has received critical testimony with regard to the fact that cooperative fish units and cooperative wildlife research units are not funded uniformly. The committee directed the Bureau of Sport Fisheries to correct this situation in the 1968 budget estimate. No action was taken by the Bureau.

The committee therefore directs that the funding for the cooperative fish units in Idaho, Louisiana, Maine, New York, and Pennsylvania each be increased by $9,200 in fiscal year 1968, to bring these units up to par with the funding of other fish units and to absorb the additional cost.

The committee has further directed the Bureau to take action to equalize the funding for wildlife cooperative research units in its budget next year and indicated that if this were not done, the committee would take similar action on wildlife research units.

BLACKBIRDS

The committee had a great deal of testimony relative to farm crop damage by blackbirds. We have recommended an appropriation for:

Research	$250,000
Operation	150,000
Site selection for research center	50,000

In addition there is $800,000 included in this bill for control of birds. The committee in its report directs the Bureau of Sport Fisheries to use a major portion of these funds for blackbirds. Total money available for these blackbird problems is therefore slightly in excess of $1,000,000.

Because the question is always asked, "Can we afford this bill?" I want to say we cannot afford not to spend this money.

The American Nation does not hesitate to spend money in far less fruitful ways. From the Department of Commerce I have the following figures: In the year 1965, for tobacco alone, Americans spent $8,420,000,000; on alcoholic beverages we spent $12,940,000,000. Therefore, does anyone suggest we cannot pay for the preservation of our American resources? For the land which holds our forests and about 2 trillion barrels of oil resources, safeguards purity of our water and provides access to areas of beauty of our Nation?

It is well to remember also that some of today's conservation costs are the result of yesterday's recklessness. In my own State there are streams where salmon no longer spawn because of old logs and snag debris, costly to remove.

I doubt that Americans ever again approach our natural resources with careless, greedy abandon. Instead, there will be caution, care, and conservation.

Finally, the money we appropriate today is another pledge from this Congress to those who walk here long after we are gone, that they may inherit in fullest measure the splendor which is America.

Mr. McCORMACK. Mr. Chairman, will the gentlewoman yield to me?

Mrs. HANSEN of Washington. With pleasure, Mr. Speaker.

Mr. McCORMACK. Mr. Chairman, I want to call to the attention of my colleagues the fact that history is being made today. Another event in the great history of this body is taking place today, because the distinguished gentlewoman from Washington is the first lady to be chairman of a subcommittee of the Committee on Appropriations and the first gentlewoman of the House to handle on the floor of the House a bill coming out first from the Subcommittee on Appropriations of which she is chairman and which will later come from the full Committee on Appropriations.

Mr. Chairman, the distinguished gentlewoman from Washington [Mrs. HANSEN] is the first gentlewoman of this House of Representatives to handle on the floor of the House the first bill reported out of a Subcommittee on Appropriations of the full Committee on Appropriations.

Mr. Chairman, I sincerely feel that all of us should pause to recognize and realize what this wonderful legislator has contributed today and shall continue to contribute to the history of this great body, the House of Representatives of the United States, as a result of being the first lady Member, as I have previously stated, to serve as chairman of a Subcommittee on Appropriations, in the entire history of our great and beloved country. The distinguished gentlewoman from Washington [Mrs. HANSEN] is the first lady Member of the House to handle on the floor of the House an appropriation bill.

Mrs. HANSEN of Washington. Mr. Chairman, I thank the distinguished gentleman from Massachusetts, the distinguished Speaker of the House of Representatives, for those remarks.

Further, Mr. Chairman, I would like to say that it gives me great pride, under the magnificent leadership of the distinguished gentleman from Massachusetts, the Speaker of the House Representatives [Mr. McCORMACK], to express my personal gratitude for this opportunity.

Thank you, Mr. Speaker.

Mrs. KELLY. Mr. Chairman, will the distinguished gentlewoman from Washington yield to me at this point?

Mrs. HANSEN of Washington. I shall be delighted to yield to the distinguished gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Chairman, I wish to associate myself with the remarks which have just been made by our beloved and distinguished Speaker. I, too, want to say that not alone is the chairman of this subcommittee most capable and most able and well liked, but I further wish to say that the distinguished Speaker of the House of Representatives has played no small part in seeing that the rights of women in this House of Representatives have had equal jurisdiction and recognition.

Mr. Chairman, I thank the distinguished gentlewoman from Washington for yielding.

Mrs. HANSEN of Washington. Mr. Chairman, I wish to thank the distinguished gentlewoman from New York for her remarks, and to again reiterate that it has truly been a demonstration of equal opportunity for me to serve in this great deliberative body, the House of Representatives of the United States, under the distinguished leadership of our very beloved Speaker.

Mr. KARSTEN. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Missouri.

Mr. KARSTEN. I note that the committee withheld the budgeted amount of about $2.9 million for the completion of the visitors center in the city of St. Louis.

As the gentlewoman knows, this is not a new project and the work needs to be done on time. I wonder if, by delaying this project, it might result in a higher cost.

Mrs. HANSEN of Washington. This is not the only project postponed by the committee that might cost more to complete in the future. I should like to point out to the gentleman from Missouri that the Federal Government has already appropriated $17,250,000 for construction of this project. Contribution of local funds amounted to $5,750,000.

We hope the time will come when budgetary problems are not of the concern they are this year, and that some of these very worthwhile projects, including the Jefferson National Expansion Memorial can be funded to the fullest extent.

Mr. KARSTEN. The gentlewoman knows that this is a joint project, under which the Federal Government, I believe, bears three-fourths of the cost and the city bears one-fourth.

In looking over the hearings, there appears to be some uncertainty as to the city's ability to match the Federal funds, due to a pending bond issue. Was there actually any uncertainty before the committee?

Mrs. HANSEN of Washington. I do not believe the committee was particularly concerned with that aspect in our considerations. We are concerned that adequate zoning protection be maintained against high buildings in this area so that the view of the memorial will not be obstructed.

Mr. KARSTEN. I believe we have to resolve that problem. I do want to thank the gentlewoman for her interest in this. I hope in the not too distant future funds will be forthcoming in order that we may use this wonderful memorial.

Mrs. HANSEN of Washington. I thank the distinguished gentleman from Missouri. May I assure not only the distinguished gentleman from Missouri, but also every other Member of the House that the gentlewoman is interested in every aspect of this wonderful Nation of ours, from the trust territory to Maine, and from Alaska to Florida.

Mr. ICHORD. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. With pleasure.

Mr. ICHORD. I commend the distinguished gentlewoman from Washington for her very well organized and comprehensive statement and report, which was made in her usual competent manner.

I would direct your attention to page 33 of the report. I observe that under the appropriation for the Forest Service there are moneys appropriated for the acquisition of land under the Weeks Act. I would say to the gentlewoman from Washington last year I received many complaints from constituents in my district which caused me to look into the acquisition of lands by the Forest Service not only in my district but all over the United States. I feel today with our pressing budgetary problems it is contrary to sound public policy for the Forest Service to purchase any forest lands purely for the purpose of timber management, because today, 1967, the simple fact is that our private landowners can manage our timber resources just as well as the Federal Government and in many cases do a better job and still have the lands in taxation.

So I would like to ask the gentlewoman from Washington what lands, if any, the Forest Service will be permitted to purchase under the appropriations in this act.

Mrs. HANSEN of Washington. There is wide range of spending on Forest Service lands. There is the trade item, as you are well aware, in the field of timber management. It is often necessary to trade ownerships to work out land problems.

Mr. ICHORD. I am not objecting to the exchange.

Mrs. HANSEN of Washington. There is also a provision to acquire lands which are for sale. These things are constantly reviewed, because there may be, for example, a piece of land adjoining a Federal Forest Service area that can be used for timber or recreation. It might involve the destruction of a piece of forest land if it is not bought for forest management. This is one of the criteria that the Forest Service uses. I think wise and prudent management is used at all times. We have directed them to purchase these lands with the greatest care. You will find all of these items of land management are discussed in great detail in our hearings.

Mr. ICHORD. I have no objection to the squaring up of land ownership. I also have no objection to the purchase of recreational lands. But I do agree with the gentlewoman from Washington that we should be very careful in our land purchases, because I think it would be contrary to sound public policy in this day and age.

Mrs. HANSEN of Washington. I assure you they do not have the funds to be anything but careful.

Mr. EDMONDSON. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the distinguished gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentlewoman for yielding and would like to take this opportunity to join our distinguished Speaker in complimenting the gentlewoman, the chairman of the subcommittee, for the very splendid presentation which she has made and the mastery of a very difficult and widespread field which she has brought to the floor of the House with her presentation. I particularly want to express the appreciation of the people of Oklahoma to the gentlewoman for her recognition of the urgency of the need for improved educational opportunities for our Indian people.

Mr. Chairman, I have specific reference to the various things that the distinguished gentlewoman has done in this area and to her very able leadership of this very fine subcommittee of the full Committee on Appropriations.

However, Mr. Chairman, I am quite sure that our very fine friend and colleague from the Dakotas, the distinguished gentleman from South Dakota [Mr. REIFEL] has given to her every assistance in the effort toward trying to improve the opportunities for the Indian people through focusing upon this problem a greater amount of attention to this important element of the society of our great country.

Mr. Chairman, it is my opinion that the distinguished gentlewoman is walking in the same pathway that our great colleague, the distinguished gentleman from Ohio [Mr. KIRWAN], walked when he served with distinction as chairman of this most important subcommittee, and he said that this bill represented an investment in America, an investment in building a better America. It is my opinion that the distinguished gentlewoman from Washington shares that view, I am quite sure, based upon what the distinguished gentlewoman has said.

Mrs. HANSEN of Washington. Mr. Chairman, may I thank the distinguished gentleman from Oklahoma [Mr. EDMONDSON]. Further, Mr. Chairman, may I say to the distinguished gentleman from Oklahoma and to my other colleagues that I follow very humbly in the distinguished footsteps of the gentleman from Ohio [Mr. KIRWAN], and my immediate predecessor, the distinguished gentleman from Indiana, Mr. Denton, in the consideration of items in this bill which contribute to an important segment of our society.

Also, Mr. Chairman, I would like to say that all of my colleagues who serve on the subcommittee, as well as those who serve on the full Committee on Appropriations have been magnificent, able, capable. I would like to add that the distinguished gentleman from Ohio [Mr. KIRWAN] deserves a great deal of appreciation for his magnificent contribution to the resources of this great country. His leadership and foresight have made possible a better land for millions of Americans to enjoy. It has taken great courage and wisdom and both of these attributes he has in full measure.

Mr. Chairman, any change which this committee has undertaken to bring about, has been designed for the best interests and on behalf of the resources of this great Nation.

Mr. HALEY. Mr. Chairman, will the distinguished gentlewoman yield?

Mrs. HANSEN of Washington. It is with pleasure that I yield to the distinguished gentleman from Florida.

Mr. HALEY. Mr. Chairman, I would like to join with my distinguished colleague, the gentleman from Oklahoma [Mr. EDMONDSON], in his remarks insofar as the gentlewoman from Washington and her efforts in behalf of this legislation are concerned.

Mr. Chairman, may I make the further observation to the effect that the distinguished gentlewoman has had very fine training as a result of the gentlewoman's service on the House Committee on Interior and Insular Affairs of our great Congress.

Mr. Chairman, I would like to ask the distinguished gentlewoman one question, however.

Mr. Chairman, if the gentlewoman will return to page 38 of the report—and calling the gentlewoman's attention to the "Indian Claims Commission," I see that the committee has increased the appropriation to the extent of $118,000.

However, in the language of the report it is stated that this is designed for the employment of five additional attorneys to assist in the processing of Indian claims and in order to meet the increased cost of processing of Indian claims and to meet the increased cost of additional expenses connected therewith, and so forth.

Mr. Chairman, may I ask the distinguished gentlewoman from Washington [Mrs. HANSEN], Was there any consideration given to the appropriation of additional funds for the employment of two additional Commissioners to serve on the Indian Claims Commission?

Now, I preface that interrogation with the fact that I realize the House of Representatives only passed this legislation a short time ago.

Mrs. HANSEN of Washington. Yes.

Mr. HALEY. Of course, as the distinguished gentlewoman realizes, $118,000 would not take care of the salaries of those two additional Commissioners and the necessary expenses incident to their addition to the Commission.

Mrs. HANSEN of Washington. Mr. Chairman, the distinguished gentleman from Florida is correct. There was a great deal of discussion which was held in the subcommittee upon this subject. However, at the time we were holding hearings on this bill, the authorization for this change in organization of the Indian Claims Commission had not passed, nor had it been passed at the time of the markup of the bill.

Mr. Chairman, it is the hope of our subcommittee, and the hope of the full Committee on Appropriations, that we can expedite the processing of the tremendous backlog which is involved in the settlement of various Indian claims now pending.

Mr. HALEY. Mr. Chairman, I thank the distinguished gentlewoman for her response to my interrogation.

Also, Mr. Chairman, I wish to thank the distinguished gentlewoman for her presentation of this rather difficult piece of legislation.

Mr. Chairman, the distinguished gentlewoman from Washington is following in the footsteps of the very able gentleman from Ohio [Mr. KIRWAN], and I am sure she is going to continue to do a very magnificent job.

Mrs. HANSEN of Washington. Mr. Chairman, I wish to thank the distinguished gentleman from Florida [Mr. HALEY], and it is my opinion that the leadership which has previously been demonstrated by the distinguished gentleman from Ohio [Mr. KIRWAN] has laid the groundwork for making this an easier task.

Mr. JOELSON. Mr. Chairman, will the distinguished gentlewoman yield to me at this point?

Mrs. HANSEN of Washington. I am delighted to yield to the distinguished gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, may I state to the Members of the Committee of the Whole House on the State of the Union that it has been a pleasure to work with the distinguished gentlewoman from Washington. It is my opinion that we also should say something about the Republican members who have served on this most important subcommittee of the Committee on Appropriations.

You know, Mr. Chairman, I, for one, sometimes have a tendency to be partisan. However, I feel it is important to point out the fact that this is a completely nonpartisan bill and every member of the subcommittee has undertaken to do an effective job for the country.

Mr. Chairman, the ranking Republican member, the distinguished gentleman from South Dakota [Mr. REIFEL], has been diligent and thoughtful and most considerate in the consideration of this bill.

And although I am an easterner without too much background on the subject directly I, have had the opportunity to see that what this subcommittee does is really important to every part of this Nation.

Mr. Chairman, I take this opportunity to speak briefly in behalf of appropriations for museums and for endowments for the arts and humanities contained in this bill.

The money provided in this bill for the arts and humanities is necessarily modest in terms of the total budget because of our pressing needs in other areas of endeavor. However, by making this appropriation, we will hearten and encourage the arts and humanities. Let us not turn our backs on them. Let us not strangle the song in the throat of the singer. Let us not extinguish the hopeful light of learning.

Mrs. HANSEN of Washington. Mr. Chairman, I thank the distinguished gentleman from New Jersey. May I say it has been a pleasure to have him as a member of the subcommittee. I also join in expressing to the members of the Republican Party who served with diligence on the committee, my appreciation for their thoughtful, nonpartisan approach. I might say there was no partisan approach at all concerning our American land, and this is as it should be.

Mr. YOUNG. Mr. Chairman, will the gentleman yield?

Mrs. HANSEN of Washington. I am pleased to yield to the distinguished gentleman from Texas.

Mr. YOUNG. Mr. Chairman, I simply wish to add my word of commendation to those already spoken with regard to the work the gentlewoman has done on this constructive legislation. I would also add that my commendation goes to all members on the committee, and to the staff, on both sides of the House.

Mrs. HANSEN of Washington. Mr. Chairman, I thank the distinguished gentleman from Texas for his statement.

Mr. JOHNSON of California. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the distinguished gentleman from California.

Mr. JOHNSON of California. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I want to take this time to commend the gentlewoman from Washington for doing a very fine job as the chairman of the subcommittee.

I also want to commend the gentleman from South Dakota [Mr. REIFEL] for his thoughtfulness in bringing about this bill today.

There are two specific items in the bill that our people in the State of California want to thank them for, that is, the consideration given for the forest roads and trails, and in increasing the amount of money that will be made available for the Forest Service for that purpose.

Also for the committee's consideration in the way of land acquisition, wherein moneys have been made available for the Whiskeytown Reservoir and national park area, which is going to be a great help to our State.

Mr. Chairman, I thank the gentlewoman for yielding.

Mrs. HANSEN of Washington. I thank the gentleman.

Mr. HALL. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I am pleased to yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I thank the gentlewoman for yielding. I want to associate myself with the remarks of our Speaker, and the remarks of our other colleagues who have commented on this historic day now taking place. I do this not only in consideration of the manner in which the distinguished chairman of the subcommittee has familiarized herself with the hearings, and in presenting this difficult bill of such broad public importance and appeal, but to the members of her staff and her committee in mastering the contents and in presenting the bill here in such a poignant and succinct manner.

Mr. Chairman, the gentlewoman was even more gracious and charming in the handling of her subcommittee hearings, and this is indeed an historic occasion. I have had occasion to review the hearings and report in some detail, as the gentlewoman knows, I believe it is well organized, and presented.

In connection with the problem that she spoke of so ably in her opening remarks in the well about "land acquisition," I simply want to parochially call attention to the fact that I have submitted and had referred three bills, one to the Committee on Public Works, one to the Committee on Interior and Insular Affairs, and one to the Committee on Ways and Means, implementing the hearings held 4 years ago by the Committee on Public Works on Land Acquisition, about which nought was done.

Second, insofar as the fees for the "land conservation and water use fund," for the people of our Nation, they make a new argument for bills to make this the land of free water instead of the land of the double fee.

And I would hope that, in spite of the need for the golden nugget and/or the "golden eagle" to aspire to additional land acquisition, it will not be pushed, as it is so unfair to the aged people, is impossible of implementation by the Corps of Engineers, but should be applied by them in the case of the U.S. reservoirs, not the Secretary of Interior. I also note the gentlewoman says we now have control of 34 percent of the land mass in the Federal Government, whereas a few years ago we were developing homestead laws in order to get rid of the land under Federal control. We must not become too central, too Federal, and exercise too much control.

Mr. Chairman, I thank the gentlewoman for yielding. I believe this has been a magnificent presentation and discussion, and I further compliment the other Members on both sides of the aisle for this fine subcommittee work on the great Committee on Appropriations.

Mrs. HANSEN of Washington. I thank the distinguished gentleman from Missouri for his very generous remarks.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the distinguished gentleman from California.

Mr. DON H. CLAUSEN. I certainly want to join all of my colleagues in offering accolades to the gentlewoman from Washington. I appreciated her courteous attention when I appeared as a witness before the committee. In my opinion, she has done a commendable job in handling this bill from start to finish.

I would like, however, to refer to page 35 of the report and simply ask a question, which I think I know the answer to. This relates to forestry research. As you know, I appeared before the committee requesting an amount for Humboldt College. I understand that probably the reason for not including this was because of the overall fiscal problems associated with the Vietnam situation. Is that just about the answer to the question or is there any policy that the committee had?

Mrs. HANSEN of Washington. The committee has tried to use guidelines of priority wherever possible. May I say to the distinguished gentleman from California, as he so well knows, I also come from a forest area and no one is more deeply interested in providing these forest research facilities than I. One example is the research facility for animal damage. In two States of the Northwest some $15 million of damage is done to young trees and seedlings each year, so, I completely share his concern and I assure him that I hope our budgetary difficulties are not resolved to the exclusion of this necessary research for our forests.

Mr. DON H. CLAUSEN. Certainly the amount you have provided for forest roads and trails and recognizing the value of the forest industry in the forestry States, and while all of us would like to have more of these projects in particular in our budget, I assure you of one thing, I will be back before your committee next year and I intend to support this bill against any amendments.

Mr. Chairman, I thank the gentlewoman for yielding.

Mrs. HANSEN of Washington. I thank the distinguished gentleman.

Mr. GOODLING. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman.

Mr. GOODLING. I want to thank the committee for what it did and for the assurance of the attempt to eliminate some of the so-called nuisance birds. This problem is becoming more serious each year and I am happy to see that the committee recognizes its responsibility here in attempting to do something about it.

Mrs. HANSEN of Washington. I thank the distinguished gentleman. The committee was increasingly concerned with the problem of bird damage, and we hope that the Bureau of Sport Fisheries and Wildlife will give maximum attention to this problem.

Mr. YATES. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield with pleasure to the distinguished gentleman from Illinois, my colleague on the committee.

Mr. YATES. First, may I say I want to join all my other colleagues who have complimented the gentlewoman for the fine job she has done as chairman of this committee, which is shown by the excellence of the bill.

I suppose it is too much to expect that the entire House of Representatives would be in agreement with the report of the committee. I regret very much the action of the committee striking out the funds for the Indiana Dunes National Lakeshore. Reading the record and the report, I find it difficult to understand the committee's action. This new and beautiful park area suffered discriminatory treatment. It alone of all the new developments was denied funds.

On page 13 of the report it is shown that there were approximately 12 national parks, recreation areas, seashores and lakeshores for which funds were requested by the Department of the Interior. All of the installations received funds from the committee. Piscataway Park, like the Indiana Dunes area, had its entire funds stricken out.

I am advised that a significant amount of money will be available for Piscataway Park from reprogramed funds to begin the task of picking or purchasing property to carry out the intent of the Congress. There is nothing that is being made available for the Indiana Dunes National Lakeshore.

The committee has vetoed the action of the House in passing the bill establishing the lakeshore last year. I should like to ask the gentlewoman why such action was taken? Was it the purpose of the committee to veto the act establishing the Indiana dunes as a national lakeshore so that no funds would be available for this installation?

Mrs. HANSEN of Washington. If the distinguished gentleman from Illinois will permit me, may I say that the House Appropriations Committee has no intention of vetoing authorizing legislation. Very briefly, the vote of the committee members was to strike this item.

Mr. YATES. In effect, is that not what happened by the refusal to allocate funds?

Mr. HANSEN of Washington. This was action on an appropriation item.

Mr. YATES. Yes. May I ask the gentlewoman another question?

Mrs. HANSEN of Washington. Within the time limits.

Mr. YATES. I promise to be brief. I understand there is a request made for an allocation of certain funds from reprograming accounts for reprograming from other installations, an amount of money which will permit a beginning of land acquisition through the establishment of an office by the Department. Is that correct?

Mrs. HANSEN of Washington. The reprograming request came to our attention last week. As the gentleman well knows, we have been extremely busy with preparation for the consideration of the bill now before the House, and have not had time to properly consider reprograming requests.

On the question of the acquisition of new land not only for the Indiana Dunes Area but other areas, may I say that there should be adequate preparation for acquisitions so that they may be accomplished in good order and as promptly as possible, and that the necessary surveys and title work can be done efficiently.

Mr. YATES. So far as the gentlewoman is concerned, that is intended to be done here as well in the Indian Dunes.

Mrs. HANSEN of Washington. The reprograming request is in abeyance at the present moment. As I have told the gentleman, I am working on this bill. One thing at a time. When I complete this action today, then I will consider the reprograming item. But never assume that the Appropriations Committee aspires to wield veto power over legislative authorizations. We sometimes find it necessary to scrutinize the flexibility of a budget in a given year and for various activities.

Mr. ASPINALL. Mr. Chairman, will the gentlewoman from Washington yield to me?

Mrs. HANSEN of Washington. With pleasure I yield to the very distinguished gentleman from Colorado, the chairman of the authorizing Committee on Interior and Insular Affairs.

Mr. ASPINALL. Mr. Chairman, I wish to commend the gentlewoman from Washington for the fine work which she has done since she came to Congress. She served on my committee for several years. Now she has stepped into a further responsibility of her own, and on this first piece of work in this committee that she now has under her control she has done a wonderful, a very efficient, and an effective job. It is a difficult committee. The gentlewoman stayed with the work hour after hour, day after day, and week after week, and I just want her to know how very proud I am of her and of the work she has done.

Mrs. HANSEN of Washington. I thank the distinguished gentleman from Colorado for his very generous remarks.

Mr. SCHWENGEL. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. If I have time, I will be glad to yield to the gentleman from Iowa.

Mr. SCHWENGEL. I would like to ask the gentlewoman a question with regard to the cut in the proposed appropriation for the Herbert Hoover National Historic Site at West Branch, Iowa. I notice there was a cut of $400,000. I am disturbed from reports that I get that in the end, by allowing this reduction, the project will cost a lot more. Also the action is causing a lot of confusion in that area among the people who are living there who thought that the Government had committed itself to an immediate program to move for the completion of that park.

It is causing difficulties to my own community. I was wondering if the gentlewoman had been aware of these problems and also the fact that it may cost more—undoubtedly it probably will cost more—if we postpone this?

Mrs. HANSEN of Washington. If the gentleman from Iowa will yield, I took great care to point out in my opening statement that the reductions recommended by the committee might be costly later on. May I say to the gentleman $600,000 was originally appropriated for the Hoover National Historic Site. There are funds still available from that appropriation, and there is $70,000 provided in this bill which can be applied. I can assure the gentleman this is exactly what cuts do in this budget. It means that some little part of America, some magnificent part of America, may not be developed as quickly. Maybe we will not take care of the things today that need to be taken care of.

Mr. REIFEL. Mr. Chairman, I yield 5 minutes to the distinguished chairman of our full committee [Mr. Mahon].

Mr. MAHON. I thank the gentleman from South Dakota for yielding to me at this time. I shall take only a minute.

As the Speaker so well pointed out earlier this afternoon, this is a historic occasion in the House of Representatives. The Committee on Appropriations was established on March 2, 1865—102 years and 55 days ago. During its more than 102-year history, the Committee on Appropriations has had the honor of having three women as members. The Republican side of the aisle has somewhat outdone the Democrats with respect to the women on the Committee on Appropriations. The first woman ever to serve on the Committee on Appropriations was the charming Mrs. Florence Kahn, of San Francisco, Calif. She served a number of years. At this time, Mr. Speaker, the situation is well balanced with Julia Hansen on the Democratic side and Charlotte Reid on the Republican side.

So, Mr. Speaker, while the Republicans have outnumbered the Democrats 2 to 1 in this regard, in the long history of the Committee on Appropriations, the Democrats nevertheless take top billing, because, as someone noted earlier, Mrs. Hansen is the first woman in the history of the Congress to present an appropriation bill to the House of Representatives. I know we all want to give her a special salute upon this occasion, not only because she has presented the bill, but also because she did a magnificent job in conducting the hearings, in drafting the bill, in piloting the bill through committee, and in bringing the bill to the House.

I again thank the gentleman from South Dakota [Mr. Reifel] for yielding to me.

Mr. REIFEL. Mr. Chairman, the proceedings when we consider the Interior bill in the Appropriations Committee cannot be right and cannot get started right until and unless we have some remarks from the former distinguished chairman of this committee and our good and revered friend, the gentleman from Ohio, Mike Kirwan. I yield to him such time as he may consume.

Mr. KIRWAN. Mr. Chairman, I appreciate the opportunity to address the Members of the House today. I served on the Interior Subcommittee, I believe, longer than any man in Congress. I was chairman of it for 14 years.

The woman who is chairman of the Interior Subcommittee today is well qualified to handle this bill. Her State legislative background and her experience while serving on the Interior and Insular Affairs Committee has provided good training for her present responsibilities. She is a hard worker with great capacity for intelligent decisions and gracious consideration. She has done an excellent job in the preliminary action to presenting this bill today.

The committee's recommendation for reductions is not to seriously cripple vital programs, but to economize where possible, and at the same time provide sufficient funding to protect our investment in our natural resources. I remember in 1961 there were many rollcalls on this bill when attempts were made to seriously cut many of the programs. An attempt was made to reduce construction funds for national parks for which we had not adequately maintained the facilities for 4 or 5 years.

In 1956 only 55 million visitors went to the parks. Last year 133 million people visited our national parks. Where would we be now if we had not had the foresight to fund needed park construction projects.

Every dollar provided in this bill is to be spent in and for America. No reductions should be made on an investment as sound as this.

I hope the committee will have your full support. The meticulous way they consider this bill and review its content is the only way to arrive at decisions on funding levels.

There probably is not a Member on this floor today who would not like something added for his or her district, but this it not the place to try to add projects to the bill. That should have been done before the bill reached the floor. Neither is this the place to attempt wholesale cuts in the bill.

There are two bills, this bill and the public works bill, in which every dime of the money provided is to be spent in and on America.

I hope today, as time marches on during the next hour or two, that the bill will pass. There has been very little controversy on this bill the last several years. I hope that will be the situation today.

Thank you.

Mr. REIFEL. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. Garmatz].

Mr. GARMATZ. Mr. Chairman, as chairman of the House Committee on Merchant Marine and Fisheries, I want to make a special appeal to this distinguished Committee to help put America's fishing industry back on its feet—or, I should say, back on its ships.

Once the leading fishing nation in the world, this country—as I am sure Members are aware—declined after 1940; by 1956, it had dropped to second place, behind Japan. But today, just 11 years later, we find this Nation's fishing industry has plummeted to fifth place. The frontrunners are Peru, Japan, China, and the U.S.S.R., respectively.

But, although our industry has been in a serious state of decline, there is hope that it can climb out of the doldrums and assume a more vigorous competitive role among the world's leading fishing fleets.

The first ray of hope came in 1960, when the Congress passed the first fishing vessel differential construction program. This legislation was designed to correct inequities in the cost of construction of fishing vessels, and to utilize American shipyards and labor in rebuilding and revitalizing our obsolete commercial fishing fleet. The program authorized an appropriation of $2.5 million annually and up to 33⅓ percent of construction subsidy. Although it only lasted 3 years before it was amended, it resulted in the addition of 10 modern vessels to our obsolete fishing fleet.

A second, and more important boost to the fishing industry came on August 30, 1964, when the U.S. Fishing Fleet Improvement Act went into effect. Under this important piece of legislation, a total of $10 million was authorized to be appropriated over a 5-year period to provide Federal subsidy for a new fishing vessel construction program.

Although the funding program has been disappointing since the inception of the act in 1964—because a meager total of only $10.1 million was appropriated by the Congress in that time span—the initiation of the act has had a beneficial and stimulating effort upon the industry.

Since the signing of the first contract under the new program, six new vessels have already been constructed and are now actively engaged in fishing activities. Eleven more are now under construction. I might mention here that two of these are stern ramp trawlers, which embody the most modern concepts known to the American fishing industry. These two craft, which will be built by the Maryland Shipbuilding & Drydock Co. in Baltimore are prototype vessels, and are expected to make a valuable contribution to the industry by actively demonstrating how America's fishing fleet can once again become a first-class competitor in this vital industry.

Altogether, plans and specifications on a total of 41 vessels have been submitted under the new act. These vessels have ranged from a 50-foot lobster vessel to a 294-foot factory stern trawler, and have been designed for owners in the States of Maine, Massachusetts, New York, Virginia, Florida, Texas, California, and Washington.

But more is needed to continue this program. Although at present there is a carryover of approximately $2.3 million from previous appropriations, these funds will be obligated within the next few weeks. Also, when contracts are let on the 12 vessels already approved and awaiting bids—in addition to the remaining three vessels awaiting contract signing—$11 million of Federal funds will be needed for immediate funding.

This $11 million, however, would not include $5 million for applications for ship construction subsidy already approved by the Department of the Interior. Neither does it include an additional $8 million, which has been estimated as the subsidy cost on applications for which hearings are scheduled, and will be scheduled during fiscal year 1968.

In other words, this program is in dire need of funds if it is to be continued. As a matter of fact, my feelings about the importance of this program have been so strong that I have introduced legislation, H.R. 5919, which would increase the authorization from $10 million to $20 million per year and extend the entire program for an additional 5 years. If this legislation is enacted, the new program would begin next year, or fiscal year 1969.

I strongly urge the House to extend the hand of Federal cooperation and encouragement to this struggling but deserving industry by fully funding the authorization of $10 million.

On another subject of importance, it is also disturbing to note in the President's budget for fiscal year 1968, that a total of only $3 million has been requested for carrying out the Anadromous and Great Lakes Fisheries Conservation Act.

The act authorizes $25 million—over a 5-year period—to be utilized in the conservation, development, and enhancement of our Nation's anadromous fish and the fish in the Great Lakes that ascend streams to spawn.

Members will probably recall that $5 million was appropriated for fiscal year 1967; however, only $2 million was actually made available to the Bureaus for obligation.

This 5-year program has received excellent participation. A total of 67 projects have been reported to the Bureau of Sport Fisheries and Wildlife by 26 States; and 49 projects have been reported to the Bureau of Commercial Fisheries by 23 States. All of these projects will require funding during fiscal year 1968 since no money is presently available. If an increase in applications for the remainder of fiscal year 1967 and during fiscal year 1968 occurs as anticipated, then the need for these funds will be even greater.

The current program will expire at the end of the next fiscal year and only $2 million of the $25 million authorization has been utilized. Therefore, I respectfully urge an increase in the amount to be appropriated under this program to at least $5 million for fiscal year 1968.

I suppose everyone who appears before the Appropriations Subcommittee invariably asks for more money, and I must admit I found myself in the same position on most of the matters I am addressing myself to today.

It gives me great pleasure, therefore, to state that I am perfectly happy with the President's budget proposal on the Endangered Species Preservation Act of 1966.

I respectfully support the President's request for fiscal year 1968, which calls for $3 million for land acquisitions and $694,000 for research and research facilities. I might point out that 15 endangered species of birds and mammals are now cared for under this program at the Patuxent Wildlife Research Center in Maryland.

This budget includes funds to acquire about 253 acres of land adjacent to the Patuxent Center. Additional plans call for a laboratory and additional rearing facilities for the support of this program.

This is a fine, worthwhile program. Once again, Mr. Chairman, I say I support these requests in the President's budget.

Mr. Chairman, this bill involves an issue which is of great importance to me and my State of Maryland. I refer to Public Law 89-720, to provide for the control or elimination of jellyfish and other such pests.

Naturally I have a great personal interest in this legislation, because the Chesapeake Bay—a portion of which I represent—is severely afflicted by the yearly invasion of the jellyfish, which is sometimes known as the sea nettle. I introduced legislation in the 89th Congress because I felt very strongly that something had to be done to at least control these toxic water creatures, about which very little is yet known.

The presence of jellyfish has severely inhibited the growth and development of the vast recreational potential of the Chesapeake Bay, and I am convinced that controlling it would result in untold millions of additional revenue to that area. But other coastal areas, like New York, New Jersey, and Virginia, also have been afflicted by these stinging creatures, whose visits have caused beaches to be closed and hampered the operations of many small businesses.

The jellyfish legislation is limited to a 3-year research program which authorizes the appropriation of a total of $2.25 million; $500,000 for fiscal year 1968, $750,000 for fiscal year 1969, and $1 million for fiscal year 1970. The cost of the program is to be shared on a 50-50 basis by the States and the Federal Government.

At the hearings on this legislation, it was estimated by the director of the Chesapeake Biological Laboratory of Maryland that the program planned by the State of Maryland alone would in the first year far exceed the $100,000 which the budget proposes. Funds for an experimental laboratory alone will cost an estimated half million dollars; biological and chemical research will cost another $150,000 per year. Furthermore, no estimate is available on other essential activities, such as engineering studies of new and improved methods of beach protection, field testing and evaluation of control measures, and actual application of control, if it is proven feasible.

I would like to call attention to the fact that Maryland is only one of 22 coastal States which is involved and affected in some way by the jellyfish problem. And I would also like to note that, since this program will be based on a 50-50—or matching fund—basis, no State will become financially involved unless it volunteers to participate. But whether or not a State participates, all coastal States will benefit from whatever valuable information is developed through research.

Mr. Chairman, although the President's budget calls for only $100,000, I respectfully request that the full amount of $500,000 be appropriated for the first fiscal year of research into the jellyfish problem.

Mr. Chairman, I wish to thank the gentlewoman who was the chairlady of the Subcommittee on Appropriations for the kindnesses shown to me when we appeared before the subcommittee.

I approve the legislation and I will support the legislation. I hope it will pass unanimously.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from New Jersey.

Mr. JOELSON. I should like to tell the committee that the subcommittee faced its responsibility and refused to be "jellyfished" by this problem.

Mr. GARMATZ. I thank the gentleman.

Mr. REIFEL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, from all of the deserved commendatory remarks that have been made by the male Members of this body, I think there must be a little element of envy in the fact that the chairman of my committee happens to be the first lady to have served on such a committee of the Congress and that I am the ranking member to be associated with her in our deliberations on this particular bill and our consideration of the budget request that came before our committee. The distinguished gentlewoman from Washington has provided a thorough and accurate report of the committee's actions on the Department of the Interior and related agencies budget. Even if I attempt to improve on the presentation or give information that would add to what has been so brilliantly presented to you, it would not be possible for me to do so.

So what I am going to say will be an attempt to underscore what she has presented to you.

I concur in all that she has said. In her first year as the chairman of this subcommittee she has demonstrated convincingly her tremendous knowledge. Many of the members of this committee are probably not aware of the fact—but you should be—that she was an effective legislator in her own State of Washington before she came to the Congress and she is familiar with all of the aspects of the various agencies that this bill funds in the Department of the Interior—the Bureau of Land Management, the Forest Service, the Park Service, the Bureau of Mines, the Geological Survey, and all of the other agencies covered in this bill.

It has been a real privilege to serve under the able direction of the gentlewoman from Washington [Mrs. HANSEN]. She has shown her appreciation for the job that each agency is doing and her concern at the same time for the taxpayer, as is evidenced by her most able report. Many will be disappointed, and understandably so, that we find it necessary to cut out many deserving projects, but, as our very able Member of this body and the former chairman, the gentleman from Ohio [Mr. KIRWAN], pointed out earlier, we do have to consider priorities at such a time in our history. It is necessary to pare here and add there and do the best that one knows how in order to cut the cloth to fit the pattern.

A reading of the report will demonstrate hardly any unbudgeted programs are funded in this bill. Mindful of the billions of dollars that the Vietnam war is costing and mindful of the proposed 6-percent surtax on the taxpayers and mindful of the tremendous budgetary deficit which is officially estimated at over $8 billion for next year, we deemed it our duty to cut wherever we could and yet preserve the integrity of the programs of the Department of the Interior. So cut we did. As has been pointed out to you this afternoon, this is the tightest budget that the Department submitted since I have served on the committee. Yet by diligent search and setting priorities we were able to reduce it by 5.9 percent or almost 6 percent over the budget request, which is a decrease over the request of $78 million. We have done so without, in our opinion, sacrificing the goals of many worthwhile and ongoing programs.

Mr. Chairman, as was so ably pointed out by the distinguished gentleman from Ohio [Mr. KIRWAN], the gentleman who spoke just previously, he has frequently referred to this as "an all-American bill."

Mr. Chairman, this bill is exactly that, and a little more. It is also a bit on the international side, because in this bill we find consideration of the Pribilof Islands—the Pribilof Indians who live up near the Russian border.

Mr. Chairman, we fund the people of the trust territories and also American Samoa.

Mr. Chairman, we are out there in the South Pacific as a display of what our democracy is able to accomplish and the kinds of programs that are being carried out in that area and in these other faraway places which represent our type of democracy.

Mr. Chairman, it is our hope that as time goes by we shall be able to do even more.

Mr. Chairman, many of the activities financed under this measure are revenue producing.

No appropriation bill that comes before the consideration of this body provides much return to the Treasury and to the taxpayers of these United States.

As has been previously pointed out, this bill forecasts that as a result of the various activities carried on in the various agencies which are funded hereunder, they will generate the sum of $1,041 million in Federal revenue.

Mr. Chairman, we must consider the timber revenue generated through the activities of the Forest Service and the land grazing fees which are collected by the Bureau of Land Management, as well as the grazing fees collected by the Bureau of Land Management in its other operations.

Also, Mr. Chairman, we must consider the valuable mineral resources which are developed by the Geological Survey and those revenues and resources which are developed through the fish harvest and through the operations of the commercial fisheries.

Mr. Chairman, all of these activities, and many more, are putting money back into the Treasury of the United States.

I find it regrettable, as does the distinguished gentlewoman from Washington, the chairman of this subcommittee, as well as the other members of our subcommittee that because of the pressing situations now confronting us, situations demanding more and more of our limited funds, that such an effective activity as that of the Geological Survey, struggling with its efforts to discover heavy metals, metals that are sorely needed in our manufacturing segment of our economy and other elements of our industry across the Nation, that we must cut back some on these activities, activities where it has been already demonstrated pay back $3 for every dollar we are expending upon them.

Mr. Chairman, every State of this great Union and every congressional district benefits from the work and the programs being funded by this bill, activities all the way from the Pribilof Islands which are located near the Russian border, to Florida, and to the Seminole Indians, as well as the trust territories—to Guam and to every State and almost every community.

Mr. Chairman, all of these entities are being either funded or cared for under this bill.

It is the opinion of the subcommittee that we have approached the financing of these programs in a prudent manner and in such a way that if any segment of this bill is reduced by any amount, either by an overall cut or by specific amounts having reference to specific programs, it is going to endanger the fruition of those programs that we are hoping will continue to keep our country and our economy strong.

Mr. Chairman, the principal out-of-pocket expense associated with this bill is for Indian education and Indian welfare, as the distinguished gentlewoman from Washington has so ably pointed out.

This year we propose to grant an additional $9.6 million to the Bureau of Indian Affairs for these services, bringing the year's total to $126,478,000. This is still $3 million below the budget estimate.

I am sure all of us agree that we still owe a large debt to the Indian people of this country. We have not fully met our obligation to the American Indian.

In this field we are taking another step in that direction, another look at this overriding problem. I wish budgetary conditions were such that they would enable us to do more.

Mr. Chairman, if I may—and pardon a personal reference—I was supplied with an Indian Bureau report, a quarterly report, on Indian schools, dated December 31, 1889, submitted by a teacher, the then Miss Marietta Cain, from Pennsylvania, a teacher out there on the Indian reservation where I was born.

In this list is my mother's name, who was then Lucy Burning Breast, 10 years of age. The first school that she had ever attended, the first opportunity to learn the English language. Twenty-five years later I was privileged to attend that same little country school, and today in comparison the things we are doing in education for the Indian people of this country is amazing. It is accomplishing great things, but more needs to be done.

We can take pride in the fact that when the Optimist magazine published an article by the Vice President of the United States, and when certain excerpts were taken from that by Russian publicists showing our country up in poor light, the Optimist magazine challenged the Russians to come to this country and they would be free to go wherever they wanted to find out the situation for themselves. So they went to the Navajo Reservation and they came back with the report that we are making great strides in the field of education among the Indian people.

Another area in which we are forced to inflict cuts was the land and water conservation fund, which is administered by the Bureau of Outdoor Recreation. The authorizing legislation permitted up to $60 million a year to be appropriated for 8 years, as an advance to that fund. Visitors to our national parks, Federal reservoirs and wildlife reservations also contribute to the fund by a daily user's fee, or the purchase of a $7 Golden Eagle passbook. Instead of the $60 million this year, the administration requested $32 million. After taking into account the receipts that are coming into this fund we reduced this amount to $9.5 million.

This necessitated the deferral of some land acquisitions already authorized under the National Park Service.

Here was one of the most difficult areas, as our chairman has pointed out, that we had to consider, that of selecting which projects should be deferred. In general it can be said that we deferred funds for the acquisition of those projects which came along more recently than others. In some cases we felt insufficient justification was developed in the hearings. So we felt that at this particular point in time some of these acquisitions might well be delayed until next year.

We are concerned at the extremely high per-acre cost of land acquisition for some of the projects, and we did not wish to create more or less a windfall or to encourage speculation in land values at the taxpayers' expense.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. REIFEL. I yield to the gentleman.

Mr. YATES. Mr. Chairman, I take this time only for the purpose of inquiring whether a delay in 1 year in many of these projects will result in an increase of the prices to be paid for the purchase of the land?

Does not the record before the gentleman show that over the last few years land prices have risen an average of 10 percent per year? Certainly this trend will not be cut, but rather will be sharpened over the next year. Does the gentleman not agree with that?

Mr. REIFEL. I am sure the gentleman is correct, the price escalation on these projects is increasing by the year. However, they have done so on all of the projects we are faced with so it was a matter of setting up priorities in selecting those that we felt were of a higher priority than others in the hope that as the situation improved we can give them, as the chairman has pointed out, more favorable consideration later. So it was not with any sense of prejudice that some projects were deferred. We hope and trust that these authorized projects can be funded in the years ahead when budgetary restrictions are not so pressing.

In the meantime, we expect the States to meet their responsibilities under the land and water conservation fund. We also believe that it is reasonable the users of Federal recreation areas should be willing to pay a modest fee for the areas they occupy.

This, in turn, will generate a great deal more activity and enhance opportunities for all Americans and provide new areas for our people in which to swim, fish, and picnic.

Another area of concern is the National Foundation on the Arts and Humanities.

Last year an initial appropriation of $9 million was provided for this new Foundation.

We were requested to provide $16.3 million this year, but found it necessary to recommend only $11.7 million.

We have also insisted upon careful supervision and administration of grant programs.

We have insisted on the continued appointment of distinguished panelists to investigate research proposals. Some unfortunate publicity has surrounded this program and it is regrettable and it must be avoided in the future if we are to see this program enjoy the public esteem and fulfill its mission of preserving and enhancing our cultural heritage.

I regret we even have to cut back on this program one dime over the initial request.

I do not know too much about the arts and humanities. The fact is that every time somebody comes up from either one of these agencies, I ask for a definition of it and I have one here which I think is important to have in the RECORD.

I got this from the chairman of the endowment of the humanities, Dr. B. C. Keeney and this is what he says:

> If you want a really simple definition of the difference between arts and humanities, the one I use generally is this. If you do it, it is art. If you write about it and actually teach about it or think about it, it is the humanities.

In this connection, I also have put into the record of the hearings, at page 780, part II, of our subcommittee appropriations and related agencies, which you have available to you, a statement from Mr. Stevens. He is the Chairman of the National Council on the Arts, which explains, in my judgment, what the arts and humanities and particularly the arts involve.

This was in the Washington International Arts Letter, volume VI, No. 3, dated March 1967, and I would just like to quote in part from that:

> In a society which has always been marked by that special disorder which comes of vast spaces, a highly diversified people, great natural and technical resources, and a rapid tempo of historical change, the arts are here of utmost importance—not only as a moral force, but as a celebration of the American experience which encourages, clarifies, and points to the next direction in our struggle to achieve the promise of our democracy.

As to the humanities, for that great area of effort, I have only the deepest and the warmest sense of concern.

I have here a copy of a book from the Library of Congress entitled "Giants of the Republic." The foreword to this book was written by Edward Everett Hale. The copyright is dated 1895. It gives us the giants who were the founders of the Republic, the builders of the Union, the giants of the great Civil War, the American Navy, of the reunited country, the giants of inventive achievement, the giants of men in business, the giants of religion and social reform, the giants of American literature.

A neighbor of mine had this book when I was about 10 or 12 years of age and I used to go to his ranch on horseback about 3 miles. I carried a flour sack in which to put the book and I borrowed it from him so many times that he finally gave it to me.

You can read in this book of the lives of the founders of our country—about Andrew Jackson, for instance. I quote:

> When he was only thirteen, the British ravaged South Carolina, killed his oldest brother, Hugh, and captured Andrew and his brother Robert, carrying them off with others to Camden, forty miles distant from their home. The captives were not allowed food or even water on the way; they were thrown into a wretched prison-pen, without beds, medical attendance, or any means of dressing their wounds. They were kept on miserable food, and, to crown all, smallpox broke out among them. Dying and dead lay in the ground together.
>
> Their mother came to the rescue of her boys; she obtained their exchange, took them home, and nursed them; but Robert died in two days, and Mrs. Jackson herself fell a victim to the disease. Thus at fourteen years of age Jackson was left alone in the world, without father, mother, or brother, and without a dollar to call his own.

As a kid on the Indian reservation, thinking that I had difficulties, that story was a source of encouragement. As I read about these great men, as I read about Abraham Lincoln, Longfellow, General Lee, Calhoun, I did not know that this was humanities. This was what we are talking about and what we would like to preserve in this budget. I am hopeful that, whatever is said and done today, in this particular area we will be able to retain even the minimal amounts that were felt so necessary and to which a cutback was made in the budget request.

All in all, I can recommend this bill to you as one that meets the test of financial responsibility, one that sets priorities in numerous areas of domestic concern, one that will preserve the work that has already been done and strengthen the programs of the future.

The total cost of the bill of more than $1.3 billion for fiscal year 1968 is less than the total cost of waging the Vietnam war 1 month—and to that tremendous effort of our men and women in southeast Asia, of course, we are pledged to give whatever is necessary.

The people in our national parks, forests, and wildlife preserves have demonstrated time and again tremendous dedication to their tasks and appreciation for the stewardship entrusted to them.

Last fall I spent 26 days visiting the Department of the Interior installations across our country, and I wish that every Member of this body could see the dedication of these men and women and the high use to which they are putting every dime that we appropriate for their efforts to improve our country. We know they are going to be disappointed in many instances in the level of funding provided in this bill. Nevertheless, the cuts that we made were deemed necessary at a time that calls for national sacrifice. This bill is going to make America a little better place to live in.

I believe it merits your support. I recommend it to you for passage without reservation.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman has consumed 23 minutes.

Mr. REIFEL. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman has 27 minutes remaining.

Mr. REIFEL. Mr. Chairman, I yield such time to the gentleman from Pennsylvania [Mr. McDADE] as he may require.

Mr. McDADE. Mr. Chairman, I rise in support of the pending bill. However, before I make any comments about this bill or any section of it, I wish to express my appreciation to our new chairman, the distinguished gentlewoman from Washington, for the expeditious and impartial manner in which she handled the hearings. My appreciation goes as well to the distinguished ranking Republican, the able gentleman from South Dakota [Mr. REIFEL], whose leadership has been of great assistance to me, and whose deep concern has had a great impact upon this important piece of legislation.

Just a short while ago, this bill was discussed in great detail, and I shall not reenter that technical area. Instead, I will focus on some of the many aspects under which this bill might be considered, and will make brief remarks on the significance of these aspects.

When I addressed this House on a similar bill last year, I noted the nationwide sweep of this appropriations bill, touching virtually upon all sectors within the borders of America, and even extending beyond those borders.

The scope of this bill is truly enormous. Some picture of this enormity may be gotten when one notes that in managing the public lands, the Bureau of Land Management, the U.S. Forest Service, the Bureau of Indian Affairs, the Bureau of Sport Fisheries and Wild Life, and the National Park Service, administer more than 750,000,000 acres. This represents an area more than seven times greater than the combined areas of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania. It is a truly staggering figure. The visitations to the recreation areas covered in this bill under the National Park Service, the Bureau of Sport Fisheries and Wild Life, the Bureau of Land Management and the U.S. Forest Service, totaled over 350,000,000 in 1966. It is estimated that this figure will rise to approximately 430,000,000 visitations in 1968. These visitations will represent more than twice the total population of America.

Other activities are included in this bill. Take for example, the Bureau of Sport Fisheries and Wild Life. This is a Bureau that is concerned with the activities of 50,000,000 hunters and fishermen in America, and if one more proof were needed of the scope of this bill, I would point out to my colleagues that all of the activities included in this bill generate more than a billion dollars worth of revenue returning to the Federal Treasury. But though the whole scope of this bill is so vast, it is also fitting to look at some of the individual sections of the bill and the bureaus in the Department of the Interior, or the related agencies.

There is the Office of Saline Water, for example. This is an office which is not only concerned with the vital problem of cleaning our water resources but it is also concerned with developing new water resources, by the conversion of salt water.

There is the Office of Commercial Fisheries. This is an office that is constantly studying the tremendous resources of food which lie beyond the continental limits in all of our oceans. Many of our scientists have said that if the world is to be fed in the future, it must be fed from the sea. This Office of Commercial Fisheries is doing the pioneering work in exploring the food resources of the seven seas.

There is the Coal Mine Safety Board of Review. Because of this office there has been a significant decrease in accidents and fatalities in the operation of small mines all across the country, and there has been no decrease in the production of these mines.

There are funds to run the Smithsonian Museum, which is a great treasure chest of our American heritage, and funds to run the National Art Gallery which is a great treasure chest of world art.

Through the arts and humanities section of this bill, there are funds to raise the very quality of American life, so that we may offer all Americans a better life.

There is also the Bureau of Mines which has great significance in my own district. I wish to call to the attention of my colleagues the splendid work which has been done by the Bureau of Mines in the area of surface restoration in the anthracite coal region. I want to commend the Bureau also for the remarkably competent and efficient job which they have done in the past in combating mine fires, and, in particular, for the job they are doing at this very moment in fighting a serious mine fire in my district.

I thank all of the members of the subcommittee for the support which they have given me in my efforts to make the Bureau of Mines more and more conscious of the air pollution and the water pollution problems created by burning culm banks, and of the overall problem of coal refuse deposits. Thanks to the support of the subcommittee, and for which I am grateful, there is about $450,000 included in this bill to combat this problem, and it is a serious problem. In the relatively small area of 484 square miles of the anthracite area of Pennsylvania there are 863 refuse banks containing 910 million cubic yards of material. Many of these banks are burning today or have burned in the past. I applaud the attention which the Bureau of Mines is now giving to this serious problem, particularly its decision to have a meeting of the top experts in America to study this problem and to submit proposals to solve it. I will continue to watch closely the future developments in this matter.

I have touched only slightly on the scope of this bill, but I am sure my colleagues will know from the reading of the committee report how important it is.

This is a bill which encompasses a vast section of America and the best portion of American life.

There is written above this Chamber, a quotation from the writings of Daniel Webster:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.

This bill is concerned with just that, developing the resources of our rich land. I urge its passage.

Mr. REIFEL. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. ANDREWS].

Mr. ANDREWS of North Dakota. Mr. Chairman, I compliment the gentlewoman, the chairman of this House subcommittee, for her outstanding presentation. I also compliment my good friend and colleague, the gentleman from South Dakota [Mr. REIFEL], for the hard work he has done in making this a successful bill on the floor today.

I would like to call the attention of my colleagues to the funds in this bill for the setting up of a pilot plant for the production of fish flour to be used as a protein concentrate in our food-for-peace program around the world. I have serious reservations about this product from several standpoints.

Certainly one is from the standpoint of its purity. The Food and Drug Administration, in a recent shotgun decision, decided that it was indeed fit for human consumption. Fishmeal, or fish flour, or whatever you want to call it, is indeed a protein supplement, but it has been used mainly as an additive for hog feed and cat and dog food. It was never previously OK'd for human consumption and here is why: Fish flour is the leftovers from fish filet factories after they have taken the filet off. What is left—the eyeballs, the scales, the fins, the bodywaste, entrails, and all that kind of stuff, is cooked at a high enough temperature to kill off the bacteria and it ends up as a high protein byproduct of commercial fisheries. Its production can, of course, be expanded by processing normally inedible fish which exist in the sea in great numbers.

The strange ruling of the Food and Drug Administration that this type of junk can be sold for human consumption would indicate that wholesomeness is no longer a requirement for food in the United States. If they can do this, there is no reason why they cannot rule that a rendering plant could sell meat from animals that die of disease and old age for human food, rather than limiting its use to dog and cat food.

As a matter of fact, last month I got a letter from a packer who had heard of the recent decision of the Food and Drug Administration and he asked me this question:

> If this fishmeal is accepted by the FDA, why shouldn't the products produced by our rendering operations, operating in conjunction with our beef slaughtering plants, be just as acceptable for human consumption, assuming, of course, that the "paunch manure" would be removed before rendering as it now is. This is not done in fish meal processing as I understand it. The finished products from our rendering operation have 51 to 55% protein content and range in price between $65 and $115 a ton. Our product certainly seems to be the more feasible, cost wise, of the two. In all honesty I am not sure whether the consumers of the U.S. or the world would accept this product any better than they would fishmeal, but I certainly believe one should be as acceptable as the other.

So you see how ridiculous things are getting today. Fishmeal is indeed high in protein, but as my colleague, the gentleman from Iowa, NEAL SMITH, has pointed out—so are cow manure, chicken feathers, and dead rats. As long as they are brought to a high enough temperature, they could meet the same sanitary tests as fish meal.

I have, also of course, grave reservations about fish flour products because of the potential it affords the Communist agitators and propagandists in the underdeveloped countries where we send our food-for-peace commodities. They generally do not need much of an excuse to go into action and the tale they could tell about the unwholesome food we would be passing off on the people of these nations could, in large measure negate the great good we have done in winning friends to our side through our most worthwhile food-for-peace program. While the Food and Drug Administration was undoubtedly obtained to combat this potential Communist argument, I doubt it would deter it too much.

I have grave concern, also of course, as a Representative of a farm State, because, at the present time the protein supplement that is being used in our food-for-peace program is a combination of soybean flour, corn, and dried milk solids. These are products that are selling below parity and they are all products that make a most wholesome protein mix. But if you do not share my concern with the unwholesomeness of the fish flour product, or the potential for Communist agitation if we begin to use it on a large scale, or if you are not interested in the farmer, who is now selling his product at a ruinously low price, you should be concerned with the fact that this fish flour will cost an estimated 2½ times as much per pound of protein as a protein supplement made from soybean flour.

These cost comparisons were furnished at my request by the Library of Congress when I asked for information on a comparison of soybean flour and fishmeal flour with respect to protein content and cost of each. They told me that a comparable soybean product is a low fat soy flour, which has already been developed and is in use for both animal and human food. This product may be called SPC—soybean protein concentrate—and with the oils removed, it contains a large percentage of protein. The two are compared in the table I wish to insert in the RECORD:

Fish protein concentrate:	
Protein	85 percent.
Biological value	75 percent.
Cost per ton	$400 to $500.
Soybean protein concentrate:	
Protein	50 percent.
Biological value	65 percent.
Cost per ton	$120.

The SPC is of high quality and is complete except for a slight deficiency in the essential amino acid, methionine. The soybean protein may be improved and perfected by supplementing it with 1.27 percent DL-methionine. In fact, by doing this, the improvement in protein efficiency ratio over the unsupplemented food is 74 percent. Methionine costs only about $1 per pound and 1½ pounds of methionine added to 100 pounds of SPC would not only remedy the deficiency, but increase the utilization of all of the other amino acids. The vitamin content of fish protein concentrate and soybean protein concentrate is a near draw.

The report from the Library of Congress, as I said, points out that the fish protein concentrate cost will remain at its present level of about $400 to $500 per ton mentioning that:

The factors which will ultimately determine the cost are, first, the acceptance and demand for FPC; second, the fixing of new requirements of the Food and Drug Administration; third, whether or not new technological problems develop in connection with mass production; and fourth, the appearance of problems of a bacteriological nature as FPS goes into more extensive use.

The latter may consist of extensive variations in the bacteria population of raw fish materials and production batches, including variations in coliform count and pathogens of enteric origin.

The report further points out that a soybean protein concentrate of the isolated type should be further developed and marketed for the following reasons:

1. It is less likely to be subject to variables mentioned in connection with FPC.

2. A protein concentrate of "vegetable" origin should be available in America and abroad for those populations whose dietary prejudices and preferences could not be met by FPC.

3. The processing technology for a plant protein isolate would appear to be inherently simpler than that of FPC. It has been under study for several years and much progress has been made. A pilot project now may be in order.

4. In the near future it may be possible to establish the production cost of isolated soybean protein. At the moment it appears that the cost would be approximately $250 to $300 per ton.

Mr. Chairman, in view of all this information and the fact that serious questions seem to exist as to whether or not fish flour will indeed be acceptable and certainly whether it will be anywhere near feasible on a cost-per-unit basis, I would like to have the assurance of the distinguished chairman of the subcommittee that this is indeed just a pilot plant to determine price and production techniques and that within the next 2 years, full reports be given back to Congress as to the cost per unit and technical difficulties that might arise.

Adding methionine to soybean flour would bring the total cost to about $150 per ton, far below the cost of fish flour. It is also possible to produce an isolated soybean protein concentrate which contains about twice as much protein as the soybean meals and flours now on the market. This could be produced for about $250 to $300 per ton and, according to noted researchers in the field, the potential for isolated protein from 95 to 100 percent in human food is practically untapped.

Food scientists and industrialists, the report goes on to point out, believe that fish protein concentrate will remain at an anticipated production cost of $400 to $500 per ton. Even the isolated protein concentrate made from soybeans is much cheaper on a per pound basis of protein equivalent.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the distinguished gentlewoman, the chairman of the subcommittee.

Mrs. HANSEN of Washington. Mr. Chairman, may I say to the distinguished gentleman, this is exactly what is proposed. No one knows for certain at this point the total overall costs of any of these protein products. They vary, and they will vary. It is also felt we may make fuller use of many of the food elements we throw away today. But I assure the gentleman our committee constantly will review the costs included and all the other pertinent information in this connection.

Mr. ANDREWS of North Dakota. I thank the gentlewoman from Washington.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of North Dakota. I am glad to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. One of our departments of Government has made a concentrated effort to get the FDA to legalize fish filth for human consumption.

I do not believe there is anything wrong whatever—and there is nothing illegal about it—in using fish flesh for human food, but they want to include and mix in with it the filth from the fish in order to bring the price down, and still label it for human consumption, and not even require the label to show that there is filth involved in the product. This is going too far and is not consistent with other laws we have, administered by the Department of Agriculture.

I believe they ought to be consistent. I do not believe either animal, poultry, or fishmeal should be considered wholesome food, when it includes intestinal waste and filth.

Mr. ANDREWS of North Dakota. I thank the gentleman for his contribution. Even with the filth included, the cost is still 2½ times as much as soybean flour.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the distinguished gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I wish to associate myself with the gentleman's remarks, and to express my concern over the action of the committee in authorizing this protein demonstration pilot plant.

I am, however, heartened that the distinguished chairman of the subcommittee indicates that we will have an opportunity to closely follow this.

I am sure, as the remarks of the distinguished gentleman from North Dakota indicated, many of us are concerned about the development of fish flour.

Mr. ANDREWS of North Dakota. I thank the gentleman for his contribution.

Mr. Chairman, the great challenge that faces us in helping to fend off starvation for our fellow humans in the underdeveloped nations of this world is far too important to be treated lightly.

It is my hope that the Congress will not allow itself to go blindly into the search for adequate protein supplements to use in our important food-for-peace program. I should like to have firmly established the intent of Congress that, first, this is indeed a pilot plant; second, that we recognize the problems involved in it; third, that a report be made back to the same subcommittee within the next 2 years for its evaluation; and fourth, that studies and pilot plant operations should be going on at the same time to see whether or not plant food protein sources could not be lowered in cost also.

The cost relationship now is 2½ to 1. If this pilot plant study succeeds in lowering the cost of proteins from fish, certainly it could be reasonably expected that a similar pilot plant study would succeed in lowering by the same percentage the cost of a protein supplement from soybeans, milk solids, and other agricultural products. Many of us feel that an investment in the food-for-peace program is perhaps the best investment that we can make in this world today. Certainly, food wins far more friends than bullets and bayonets and we know we must find the most efficient, least expensive, and most acceptable type of wholesome protein supplement that we can use in this program. This goal, I think, deserves the careful consideration of us all.

Mr. REIFEL. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. Marsh].

Mr. MARSH. Mr. Chairman, I rise in support of this appropriation bill today and urge its adoption by other Members of the House.

Perhaps there is no other bill that covers such a diversified number of efforts and activities of the Federal Government, and certainly there is no other bill that is more a custodian of the natural resources of our great land.

The testimony again this year spotlighted the increasing demands of our public lands, our national parks, and our national forests as areas for greater recreational use by an expanding population. The testimony also bears out the inability to develop these recreational resources to keep pace with the demands for their use. This bill today recognizes this increased need and seeks the orderly development of our public lands for these purposes.

It should not be overlooked that a great deal of this development is multipurpose development. The opening of roads and trails and the improvement of existing roads for such purposes as the harvesting of timber also mean that these roads can be used as access to these lands for recreational development.

Neither can it be overlooked that simply investing in a given area to develop campsites, picnic grounds, and the accompanying sanitary facilities is only part of the total job. Frequently, it is the case that it is necessary, after the development of recreation areas, that substantial investments must be made in succeeding years for the construction of access roads to these areas.

It is significant to note that the direct appropriation requested in this bill is $1,381,510,150. However, this Department realizes from total receipts to the Federal Treasury from a wide range of activities the sum of $1,041,875,000. As the able chairlady of the subcommittee has pointed out, the bill as submitted to the subcommittee was a tight bill; nevertheless, the subcommittee has been able to find areas of reduction, and these reductions have been made, amounting to 6.3 percent. I might say there are many areas in the bill where substantial additional funds could be spent. There are many worthwhile programs and projects that are not funded in this bill. Some very hard choices had to be made in reduction of some requests and denial of others; however, in light of huge demands of our Federal budget and the critical situation in which we find ourselves, whereby there must be belt tightening, it has been necessary to select priorities. This has been done in this bill, and your committee feels it brings to the House a well-balanced bill. To further reduce this bill would not only adversely affect the operation of the various departments and agencies, but would jeopardize our natural resources.

In closing, I would like to pay tribute to the outstanding leadership by the chairman of the subcommittee. The gentlewoman from Washington has displayed a real mastery of this complex bill. Together with the able assistance of Mr. Reifel and other members of the subcommittee and its capable staff, she has brought to the floor a carefully structured bill.

Mr. REIFEL. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Chairman, in recent months I have had much to say on the subject of some of the grants made by the National Foundation on Arts and Humanities. I hope I have not bored the Members of the House with my interest in "comic strips." As I stated to the subcommittee in my testimony, printed on page 89 of part III of the hearings, I am not against culture, the arts, or the humanities. I am one of the founders of the American Humanics Foundation and I serve on the board of trustees of Drury College, an outstanding liberal arts college in Springfield, Mo.

But I am for sound and prudent use of the taxpayers' money in this time of severe strain on the Federal budget and the American economy, at a time when the chairman of the House Committee on Appropriations warns, as he warned in his letter of March 14 to all Members, that our planned budget deficit this year could go as high as $18 billion.

Members may well recall that during the debate on consideration of the bill to create the National Foundation on Arts and Humanities there was some lighthearted colloquy on an amendment proposed by my friend and colleague from Iowa, which would have broadened the definition of "performing arts," to include subsidies for "belly dancing"—as the amendment was translated. Of course, few seriously expected that amendment to carry.

But I wonder what the response of this august body would have been if an amendment had been offered on the floor of the House that day, to authorize Federal funds—taxpayers' money, if you will—for a study of the history of comic strips and cartoons. I strongly suspect that such an amendment would have met the same fate as the now famous belly dancing amendment.

But lo and behold, 2 years later, a grant is awarded in the amount of $8,769 to a Professor David Kunzle, of the University of California, Santa Barbara, Calif., for a study of the history and political impact of comic strips and cartoons.

The comic strip grant only served as a most appropriate vehicle for calling the attention of the American people to this unnecessary expenditure of taxpayers' money.

Let us forget, for the purposes of this discussion, the fact that Dr. Kunzle is not a citizen of this country. Let us forget that he is one of the more vociferous and vocal opponents of our defense against aggression in Vietnam.

But let us not forget that this Nation is heavily in debt and going more so every minute. Let us not forget that the American people are being asked by the President of the United States to dig deeper in their pockets for another 6-percent tax increase. Let us not forget that we are in a desperate fiscal situation, that we are the victims of inflation which is the cruelest tax of all; and that this Congress, whether it dodges the issue or not, must have the courage to establish priorities and say "No," when fiscal sanity demands it. I will recognize that displaying such responsibility may well bring heaps of scorn and ridicule on those who offend someone else's definition of intellectualism or "scholar power."

I do not subscribe to a clipping service, but I have seen many editorials resulting from my past criticisms. Although the vast majority of these editorials have been in overwhelming support of my position, including the Wall Street Journal, the Chicago Tribune, the St. Louis Globe Democrat, the Shreveport, La., Journal, the Tulsa World, the Oklahoma City Daily Oklahoman, the Joplin Globe, and others too numerous to mention, it was was very interesting to observe the single-mindedness of those which were in opposition. Admittedly they were few in number, but among them were the Washington Post and the Washington Star, although even the Star's own columnist "The Rambler," took a different outlook. But by a strange coincidence both these papers editorialized on this subject on the same day. By an even stranger coincidence they just happened to use the very same term—"Know-Nothingism"—in describing my position.

Never, not once, not in an editorial in any paper, at any time, have I seen any explanation of how this study of the history of comic strips is going to help our Nation persevere in the study to win the minds and hearts of men. "Fundus Eórum Trahite, Cordes Mentesque Venient."

As I told the Chairman of the Endowment for the Humanities, I admire the art of the comic strips writer and the cartoonist. I just fail to see a single reason why he or they, must be pyschoanalyzed at the taxpayers' expense. They have managed to persevere and prosper all these years without a Federal study, and I suspect, they are the better for it. I simply do not believe that these expenditures—and I refer to the entire assortment of grants made by the humanities endowment on February 8—can be justified at this time in history when the American people are being asked to dig so deeply in their pockets, and when we are engaged in a war that is depleting our National Treasury at an alarming rate.

Only yesterday, I inserted in the Congressional Record an excerpt from the Ford Foundation of 1966 report, showing it had approved expenditures totaling $89 million for the arts and humanities. And the Ford Foundation is only one of 175 private foundations which make money available to the academic community for this purpose.

If we do not have the courage and the will to defray expenditures such as this in time of war, then I ask what can we cut back, where can we institute economy, where can we save the taxpayer from our own excesses?

Mr. REIFEL. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Iowa [Mr. Kyl].

Mr. KYL. Mr. Chairman, the committee has obviously performed a very fine job in bringing before the Committee of the Whole House on the State of the Union this appropriation measure.

Nonetheless, there are some comments that should be made regarding certain exclusions and inclusions.

Mr. Chairman, a number of the Members of the House are worrying about problems with which they are especially concerned. They are worrying because they do not receive consideration for specific projects.

Mr. Chairman, it should be pointed out that this shortcoming results from a habit which we enjoy here in the House of Representatives. We authorize, almost with abandon, and then appropriate in a miserly fashion on interior matters.

Now, Mr. Chairman, I do not blame the Committee on Appropriations for this procedure, because, after all, the committee must be realistic. This is the point at which we start to cut, and it is not fair to blame the committee.

Mr. Chairman, these shortages in appropriations can and do work a hardship on many areas of the country.

It has already been mentioned that the little town of West Branch, Iowa, had depended upon the Federal Government to provide certain funds with which to undertake a project, and now it must wait a year or 2 years or more in order to obtain the kind of funds needed. The community made plans. The lack of appropriated funds causes a serious dislocation in the town.

Mr. Chairman, I do not wish to appear provincial in mentioning this case, because it represents a number of situations about which I have been concerned in many other States of the Union.

Nationally, right now, we are almost a billion dollars behind authorizations.

The tables which appear in the report, page 1122, show an estimated deficit of $2.7 billion to the year 1977.

Certainly, Mr. Chairman, someone must take cognizance of this fact when we call for an ever-widening scope of acquisition. In other words, Mr. Chairman, we have to catch up. We have to hold up authorizations until we can catch up with appropriated funds.

Mr. Chairman, there are many items that should be mentioned in connection with the consideration of this legislation.

I have reference, for instance, Mr. Chairman, to the Bureau of Mines, a bureau of the Federal Government which has the awesome responsibility of locating and managing the mineral resources which we must have if this country is to continue to forge ahead in the future. This means, Mr. Chairman, that the Congress of the United States and the agency concerned must see to the fact that the job is done efficiently and that it is done well. However, they continue to receive far too little money.

We have talked today about the field of the arts and humanities. The State of Alaska has had a tremendous treasure of art and artifacts. That treasure has almost disappeared. This represents a serious crisis, yet I see no special effort made here to take care of the situation.

But, Mr. Chairman, this is my great concern:

> In Indian affairs we have spent so many years, and so many dollars, and so much misguided effort trying to improve the lot of the first Americans.

In this budget we have a new program for the Indians. Suddenly after 150 years—someone has staggered onto something new. Do not be fooled. There is nothing in this program which is new. There is nothing in this proposal which will scrap the oppressive bureaucracy and archaic philosophies which have produced generations of failure in dealing with the Indians.

The only bright spot I can see regarding the Indians is that the Indian Bureau has not yet been transferred from the Interior Department to HEW—and that has been proposed. That would indeed be a tragedy.

Mr. Chairman, we refer to the first citizen of the United States as the red man. When we look at the situation of the Indian today, it is our faces which should be red.

Mr. REIFEL. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. Jonas].

Mr. JONAS. Mr. Chairman, I would like to pay my respects to the committee for making substantial cuts in this bill under the budget recommendations. I know how difficult it is to work with a bill that involves so many different activities and touches so many aspects of life in this country as does this one. However, I would like to call attention to the fact that there is one area in which I think the subcommittee did not make sufficient cuts, and that is the area of jobs in the department. We are talking about an executive department of the Government which has 82,000 people employed in it. About 50,000 or 60,000 of those are in the Department of the Interior, and the others are in what is referred to as related agencies. But, departmentwide, under the supervision of the Department, and covered under this bill, are agencies that employ in excess of 80,000 people.

The reason I am attracted to this particular item, and the reason I think an additional cut can be made here, is because I find that the Department had 4,820 unfilled jobs as of December 1966. In other words they had nearly 5,000 unfilled jobs just 4 months ago. What therefore is the justification for appropriating money for 1,662 additional jobs over these provided in the bill last year when the Department did not fill 5,000 of those jobs it had money to fill last year?

Part of that came about because the Director of the Bureau of the Budget last September imposed a ceiling on employment and required almost every agency of the Government to roll back employment levels to those in effect on July 31, 1966.

Some agencies appealed from that ruling and had some of the jobs restored. Nevertheless, some of the cutback in this Department is accounted for by the fact that the Bureau of the Budget undertook to put what I would call a freeze on employment and to roll back the levels of employment to the end of the preceding fiscal year.

If the Bureau of the Budget, after the Congress appropriates money to fund a certain amount of jobs, can take the responsibility of rolling back those job levels to a period in the past, I think it is an invitation—and an open invitation—to the Congress to quit appropriating money for more jobs than are necessary.

If the Department could operate last year and during the last 4 months of the calendar year 1966 with nearly 5,000 fewer jobs than it had money appropriated for; and if the Department could get along as well as it did with an employment level of nearly 5,000 fewer employees, I think that is an open invitation for us to roll back employment levels also and cut out increased requests for the new budget.

I find that the new budget now under consideration proposes an increase of 2,563 jobs notwithstanding the fact that this Department had 4,800 unfilled positions at that time. It takes a lot of nerve to ask that of Congress.

Mr. Chairman, at the proper time when the bill is read for amendment, I intend to offer an amendment—not to strike out any programs, but to reduce the level of employment by 2 percent.

Mr. REIFEL. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. LANGEN. Mr. Chairman, permit me to take a brief moment of the Members' time to call to your attention an item that may become a part of this bill before final consideration.

During the past year or more, the location of a Job Corps camp in my district has created a serious and difficult road problem in Becker County. During the process of establishing the camp and acquiring the necessary equipment, a section of county black-top road has been severely damaged. This occurred because of added traffic and the hauling of heavy equipment which included draglines and dozers needed in the operation of the camp, over a road which could not carry this kind of load, and some of the hauling being done at a time of the year when the road was in its weakest condition.

The result of this experience has placed a too heavy financial burden on the county, as well as great inconvenience to citizens in the area who normally use the road. Appeal has been made by the county commissioners for moneys with which to repair the road.

During recent weeks and days, it has become known that the Jobs Corps does not have money or authority for such expenditure, even though it is difficult to understand why not, and so because of the camp being located on a game refuge, and with substantial work being done by the Job Corps for the Fish and Wildlife Department, an arrangement is in the process of being worked out so that they might provide these moneys out of their regular construction funds. This item may become a matter of consideration at a later date by inclusion of the amount of money needed by the other body, when the appropriate considerations have been completed. I wish only to call this matter to the attention of the membership at this time, in order that it might be known and adequately considered during the appropriate time, which could involve the conference committee.

Mr. ULLMAN. Mr. Chairman, may I congratulate the distinguished chairman of this subcommittee, the gentlewoman from Washington [Mrs. HANSEN], for the outstanding manner in which she has managed this important bill here today. Every member of her subcommittee has contributed to the preparation of this appropriation measure. Untold hours, days, and weeks of work have gone into its preparation. We are all proud of the dignified and able way in which it has been presented by the gentlewoman from Washington. Congratulations to her and her subcommittee.

Mr. COHELAN. Mr. Chairman, I have great respect for the distinguished Member from Washington [Mrs. HANSEN] and the other members of her subcommittee who I know have given this bill a great deal of consideration. I know they will understand when I express concern and disappointment over two features of this measure.

Mr. Chairman, I believe it is shortsighted, in terms of the preservation and development of our natural resources, to reduce by nearly $14 million the amount requested through the land and water conservation fund for land acquisition within our national park program. The reduction, for example, completely eliminates funds for acquisition of the Indiana Dunes National Lakeshore, which we authorized last year.

I fully share the committee's concern with the cruel escalation of land prices in areas designated for national parks. I, too, realize that the Department of the Interior has not yet come forward with a comprehensive plan to meet this problem. I am particularly familiar with the difficulties at Point Reyes in California, where land speculation played a major role in exhausting the original appropriation for this national seashore before more than one-third of the authorized area could be acquired.

I agree with the committee's desire to put pressure on the Department to find solutions to this problem. But I do not agree that we should make a substantial cut in the funds requested for the land and water conservation fund to accomplish this purpose.

One of the difficulties today, that contributes to the problem of cost escalation, is the time that elapses between authorizing and appropriating funds for acquisition. The Director of the Bureau of Outdoor Recreation has testified that this time lag runs anywhere from 18 to 24 months. We need to move more, not less, quickly, but this reduction in funds will only slow that movement further.

I hope that these funds for national park acquisition and development will be restored at an early date. I hope that the Interior Department will concentrate on the critical question of insuring a more adequate source of income for the land and water conservation fund and on the equally critical problem of escalating land costs. The Department, at an early date, should recommend appropriate, remedial legislation to the Congress, and we should give it our prompt consideration.

Mr. Chairman, I am also disappointed that the committee recommended a reduction of some $2.5 million in the appropriation for the National Foundation on the Arts and Humanities. The $6 million requested had already been reduced by $2 million from the original authorization.

I am alarmed that efforts will be made to cut this figure even further. My own view is that the sum recommended by the committee is altogether too modest, but I urge the House to approve it without delay, resolving that in the future we shall raise our sights in the whole field of arts and humanities, in order that the quality of our lives and those of generations who follow us will be richer and more satisfying.

We are of necessity concerned these days with scientific research—because the fruits of this endeavor can offer us a healthier, better life, one in which we are better able to deal with the world around us. We are concerned, of necessity, with the protection of people against military might. But, even as we concern ourselves with science and defense, it is also important that we not lose sight of the human need for expression and for understanding, values with which science and the military cannot primarily concern themselves. The pressures of community responsibility, the necessity of earning a livelihood for self and family, and the conflict and strains inherent to contemporary civilization, all too often contrive to make us forget the contribution which the arts and humanities can make to the quality of our lives.

In the 2 short years it has been in operation, the National Foundation on the Arts and Humanities has embarked on a dynamic program—reaching from rural Wisconsin to the San Francisco Opera Co. and into each of our 50 States—encouraging the development of creativity and scholarship. This is what we sought when we passed the legislation in 1965, and I believe that the record of achievement warrants our continued support today.

Many are hesitant, in the face of military spending, about concerning ourselves with this program. I would remind them that in a day when we seek improved understanding with peoples all over the world, the language of music and painting and scholarship is practically universal. And encouragement of efforts in these fields at this time may very well bring greater understanding of our Nation and its ideals than will our supremacy in other areas of endeavor.

Mr. WIDNALL. Mr. Chairman, I have taken an active interest in the National Foundation on the Arts and Humanities, having introduced and cosponsored several of the original measures leading to its establishment in 1965. The efforts made so far by the National Endowment for the Humanities and the National Endowment for the Arts, the two co-units of the Foundation have, in my opinion, been a credit to the foresight of Congress in creating the Foundation.

Any early activity is likely to have some elements of trial and error in it. This is certainly not the time, during such a formative period, for any cutback in congressional support. I recognize that the Committee on Appropriations has made an earnest attempt, as it states in its report on H.R. 9029, to strike a balance between those who denigrate the program and those who enthusiastically embrace it. Nevertheless, I view with some dismay the lack of attention to the needs of the Endowment for the Humanities. The reduction from the $4.5 million program budget of fiscal 1967 to only $3 million for grants and loans to individuals and groups and another $500,000 available for matching grants is unnecessary and uncalled for.

We are barely edging above the past levels of interest in research in the humanities which in 1965 found activity in this area equaling only one-half of 1 percent of the Federal research support for the sciences. There is no denying the impact that the concentration on the scientific has had in our daily life. We, as a nation, are far along the route to the goal of that old nursery rhyme, that ends "healthy, wealthy, and wise", as far as the first two categories are concerned.

It is in the third, where we seek not mere knowledge or education but wisdom in making use of our knowledge in our public and private decisions, that we are weak. Yet it is the most important part. To understand, evaluate and appreciate ourselves and our society, past, present, and future, through research, teaching, and the dissemination of what has been learned, is of utmost importance if we are to be the masters of our scientific and technological age, and not its servants.

Progress in the humanities, and public appreciation of the role of the humanities, will not happen overnight. Americans generally have a need and a desire to see immediate, pragmatic results. Patience and contemplation is not one of our national virtues. To cut back on funds for the humanities, however, will certainly not aid in producing prompt practical applications of this research and related activities. I urge that this Congress not take a step backward from its 1965 position, but fully fund both the National Endowment for the Arts and the National Endowment for the Humanities in our action today on appropriations for the National Foundation on the Arts and Humanities.

Mr. FASCELL. Mr. Chairman, much has been said about the artificial split between the sciences and the arts. The phrase "the two cultures" has become a popular term to describe a condition that is generally deplored. Here in America our natural inclination for invention and technology has made this split even more a problem. Our strength today as a military and an economic power derives from our great technological skills. And there is a powerful economic incentive for a young man or woman to join the ranks of the scientists and the engineers. The Sunday Times every week is full of ads describing the lures of work in aerodynamics hydrospace, computer design, and scientific occupations whose names we can barely pronounce, much less understand what they are. Prestige and substantial incomes are the reward of the technician and the scientist. But no one takes a quarter page ad in the Times or the Washington Post to hire a historian, an archeologist, or an English professor.

This imbalance between the two cultures, between the sciences and the arts and humanities, has been encouraged by the spending of the Federal Government. In 1967, Federal spending for the sciences generally amounted to $15.9 billion; of this figure $5.6 billion was for research. In that same year, the Federal Government spent $4.5 million on the humanities generally; of this, $2 million went for research. And today we are debating whether we should cut back the sum of $3.5 million to be spent on the Humanities Endowment.

It seems to me that we should think seriously about this imbalance in Government spending. I know that the Committee on Government Operations has given this matter careful thought. After a careful study of all Government research programs, the committee stated, in its 18th annual report in 1965:

> The committee recommends that massively increased support for scholarship and for instruction in the humanities and the social sciences—by some combination of private means, or by Federal, State, and local government support—be accepted as an important national goal.

I would point out that the Humanities Endowment is the logical vehicle for carrying out this recommendation: $500,000 of the $3.5 million appropriation is actually contingent fund to match private donations. If we in Congress fail to support this appropriation, surely private industry and individuals will be reluctant to respond to the challenge of this matching fund.

The lack of adequate support for the humanities is also a source of concern to leaders of the scientific community. The distinguished members of the Board of the National Science Foundation stated in a telegram to the leaders of the Appropriations Committee that they supported the work of the National Foundation for the Arts and Humanities:

> We are deeply concerned that the power of science and technology be used wisely not only to abolish hunger and promote health, but also to help all people to realize themselves fully as human beings. The decisions necessary to establish peace abroad and a sound society at home must be based on understanding of man's history and of his needs and hopes as revealed by literature and art.

This is eloquent testimony, indeed, for the humanities. For scientists know that without a humanistic culture, they stand in isolated splendor, separated from the community with which they have traditionally interacted to the benefit of both. They know that you cannot have a healthy scientific community inside an ailing scholarly community generally. Scientists are discovering practical solutions for physical problems, but solutions which can only be applied by combining the techniques of the scientist with the wisdom of the humanist.

Mr. Chairman, the unnatural split between science and the humanities is an unfortunate novelty in the 20th century. And it is one that should be discouraged, not encouraged. By neglecting and actually discouraging the study of humanities, we are guilty of "cultural nonsupport." We create a climate where statistics and facts, technology and mechanics, are revered above the wisdom we need to use them. We create a climate in which "nonscientific truth" sells at a discount. The growing restlessness of our college youth reflects a rejection of the neat sterile automated society in which what people think and feel, what they write and create, what they are as opposed to what they can do and earn in some automated enterprise is assumed to be unimportant. We can go a long way to change the image of America as a "no deposit, no return" society by enabling our scholars and our teachers in the humanistic studies to be an influential and important part in creating a life of quality in the midst of our abundance.

Therefore, I support the amount recommended by the Appropriations Committee for the Humanities Endowment.

Mr. ROUSH. Mr. Chairman, I should like to associate myself with the remarks of the gentleman from Illinois [Mr. YATES] as he expresses disappointment as to the deletion of funds for the Indiana Dunes National Lakeshore. I, too, am deeply disappointed that the committee has stricken this money. There is some consolation, however, in the remarks of the gentlewoman from Washington [Mrs. HANSEN] that this action was not intended as a veto of the project. There is no consolation, however, to the people of Indiana and this Nation, who expected this project to get underway this year. Land costs will be greater next year and even greater the next year. Persons owning land within the area authorized for the lakeshore must continue to live in an atmosphere of uncertainty. Indiana has displayed a cooperative spirit in connection with the proposed development of the national lakeshore. It will now be more difficult for the State to plan, design, and develop its own adjoining facility if there is uncertainty as to when the nationnal lakeshore will get underway. In my judgment the House is not acting wisely if this bill should become law without an amount included for the Indiana Dunes National Lakeshore.

Mrs. SULLIVAN. Mr. Chairman, I am deeply disappointed, and the people of St. Louis are understandably puzzled, by the severity of the budget cuts in the Interior Department appropriation bill. Among the consequences will be extended further delay in the completion of the Jefferson National Expansion Memorial, where only a small percentage of the work remains to be done. These are the finishing touches necessary to make fully usable a project in which more than $32,000,000 has been invested, and which attracts 5 million or more visitors annually.

The magnificent stainless steel Gateway Arch, designed by the late Eero Saarinen, now soars 630 feet over the skyline of St. Louis, to a height exceeding the Washington Monument. It is breathtaking—spectacular. It has been cited as one of the truly outstanding engineering achievements of the world.

Everyone who has seen the arch has been thrilled by its grandeur and moved by the silent eloquence of its tribute to the pioneering spirit which opened the American West. It was from this spot that Lewis and Clark began their hazardous and fateful expedition to the Pacific.

The Jefferson National Expansion Memorial was begun more than 30 years ago when our then mayor of St. Louis, the Honorable Bernard F. Dickmann, reached an agreement with President Franklin D. Roosevelt for the joint venture to which the city would contribute $1 for every $3 of Federal funds. The land was obtained and cleared at a cost of more than $8,000,000 but it was not until 1954, however, that legislation was enacted authorizing the initial appropriation of Federal construction funds, and actual construction work was not begun for several years thereafter.

Now the memorial is nearly finished. But because of the long delays and the complex engineering problems which had to be solved in the construction of the unique arch, the nearly $24,000,000 of Federal and local funds made available so far for construction will not cover such essential work as landscaping and the completion of the visitor center and Museum of Westward Expansion, which will afford visitors an understanding of the historical significance of the arch and the deeds it commemorates.

Therefore, the 89th Congress increased the authorization by an additional $6,000,000 of Federal construction funds, to be matched by $2,000,000 of local funds. After protracted deliberation, the President and his aids came to the conclusion that only $2,325,000 of the authorized $6,000,000 of additional Federal funds should be made available in the forthcoming fiscal year, because of budget considerations, and that is the amount the Appropriation Committee was requested to approve.

DELAY OF COMPLETION WILL INCREASE TOTAL COST

The committee, however, decided to postpone this request along with a number of others which it placed in the category of deferrable items. I strongly disagree with the judgment. Our experience on this project has demonstrated clearly that deferral of construction work which is going to have to be done—which will eventually be done—almost always costs the Federal Government far more in the long run, while depriving us of the full use of the facility in the meantime. I firmly believe it is a false type of economy. It would show a reduction in 1 year's Federal budget at the expense of a far greater increase in a subsequent budget.

That is why I intend to try my very best to have the Senate overturn this decision. The facts of legislative life are clear to all of us here today that an effort to amend the bill on the House floor for this or any other project left out by the committee would have no chance of success and, furthermore, might rule out the possibilty of House acceptance of a Senate amendment. It is for that reason only that no amendment is being offered on this item.

But I want the record to show that we in St. Louis feel this work should go forward now. We desire to save the Federal Government money by finishing this great memorial promptly. That would be true economy. The splendid arch now rests on a barren spot—periodically a sea of mud—which is to be transformed into a thing of beauty befitting the structure and the concept which led to the memorial's construction.

The visitor center and museum will serve as an inspiration to all who visit the arch, depicting the significance of the pioneering spirit which led Thomas Jefferson to purchase the Louisiana Territory, which sent Lewis and Clark on their great adventure, and which prompted thousands of brave men, women and children to risk all, including their lives, for the new life which could be theirs beyond the Mississippi.

Those of us who have worked so hard for so long to bring this marvel of engineering imagination into existence—as a great curving silvery ribbon of steel which lifts the mind and the heart and the spirit of all who see its beauty and feel it beckoning mankind forward to new challenges—have no intention of permitting the memorial to remain unfinished.

I am sorry that the bill now before the House omits the modest amount the President recommended for this project for the 1968 fiscal year. Surely no one is more deeply concerned than the President about holding down unnecessary or deferrable expenditures at this time because of budget considerations. Had we insisted upon an amount above the budget figure, or upon an appropriation not recommended in the budget at all, I could understand the committee's action on this item. But that was not the case.

Mr. PICKLE. Mr. Chairman, today we are considering at length the appropriations bill for the Department of the Interior. There is one provision of that bill which I hope would be changed before the bill becomes law.

Page 14 of the bill concerns surveys, investigations, and research by the Geological Survey. There is a provision that $13,960,000 shall be available for cooperation with States or municipalities for water resources investigations, but that no part of this appropriation shall be used to pay more than one-half the cost of any such investigation carried on in cooperation with any State or municipality.

This is the well-established State-Federal matching program to assist the States in planning their future water needs. Over the past years, every State has taken advantage of this sharing provision, and this year, it appears the States feel the need and are prepared to step up their research programs. In all but seven States, the estimated offerings for fiscal 1968 exceed the 1967 program.

The problem, however, is that this $13.9 million Federal appropriation will be insufficient to match the increased funds earmarked by the States. The 1968 budget, as we see it today, provides a total increase of $1,010,000 over the Federal matching funds available in 1967, while the States indicate an anticipated $2,273,800 increase over their 1967 programs. In other words, the States, in 1968, are willing to put up about $1,263,800 which, under this bill, cannot be matched by Federal grants.

I say that if the States are able to see themselves clear to make the sacrifice here, we should certainly do our part. It is my hope the other body will give consideration to this fact. I have talked to members of the Appropriations Committee, and I believe it would be agreeable if this amount was added by the other body, or in conference.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

TITLE I—DEPARTMENT OF THE INTERIOR PUBLIC LAND MANAGEMENT

Bureau of Land Management

Management of Lands and Resources

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, $49,013,000.

Mr. HUNGATE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to say a few words on behalf of the comic strips and particularly with reference to Little Orphan Annie and the investigation that is contemplated.

If I might, I would like to refer to a recent article in the Christian Science Monitor concerning the problems we face with the philosophy of our comic strips. The columnist says:

> LITTLE ORPHAN ANNIE
>
> (By Richard L. Strout)
>
> WASHINGTON.
>
> I am getting pretty anxious about Little Orphan Annie. She's got herself into another jam—kidnaped again. Of course, Daddy Warbucks may turn up; even so, the suspense accumulates.
>
> Little Orphan Annie, as you know, is a syndicated comic strip. She appears in some 400 newspapers with 35 million readers—

If I may interpolate here, she may reach more people than some Congressmen.

> Comics, movies, television are part of the arts; they probably affect mass culture as much as the schools, perhaps more.
>
> In Annie's case there's always Daddy Warbucks. He is the eternal father image. The Romans had a name for it, deus ex machina. (Would that be pater bellum lucrum?). He represents a national instinct. If he is around no disaster can befall us, or our country. He will have a simple, forthright answer for any problem, no matter how complex, Vietnam, say. Of course we have to be on the side of the "goodies"—the people of good will. Fortunately we are on that side.
>
> Annie's foster parents demand why the police don't rescue their daughter. The police captain (a "goodie") explains that "the police have known for weeks who hired the gang to try to kill Pete; the price, the whole plan."
>
> Naturally Annie's agonized mother asks, "Why aren't they all in jail, captain?"
>
> "Ah, we're living in a new era," he explains. "Now even admitted violent crime doesn't count! The *legal* question is, how the dickens did the cops find out?"
>
> "But that's crazy!"
>
> "Some of us, in my business, think so, but it's the new law, lady! We also know the men in that group of hired killers! They got back to their home city yesterday; but by a recent judicial decision it's illegal for a cop even to ask a suspect his name!"
>
> "Why, that's incredible!"
>
> "Nope; invasion of the suspect's constitutional right to privacy," said the learned judge!
>
> The angry father springs to his feet: "Whose side are the courts on, anyway?"—

Of course, this is more effective with pictures—

> The police captain thinks this is a good question, but he is helpless. He rams the moral home with the clincher, "How long since you've heard of any kidnaper being executed?"
>
> Now this is social criticism of a powerful order even if you feel it is outrageously oversimplified. It is delivered in the Sunday newspaper and the children are being conditioned by it as they spell it out on the living room rug. Ordinary legal processes are corrupt; the courts are aiding the criminals; the best way to get justice is to take matters into your own hands. Any violence will be condoned by Daddy Warbucks.
>
> In Miranda v. Arizona the Supreme Court recently ruled that the police must warn a suspect of his right to remain silent; that he has the right to the presence of counsel and that anything that he says may be used against him. British police have been saying that for some time.
>
> The U.S. Department of Justice isn't able to recall any "recent judicial decision" like that cited above making it illegal for a policeman to ask a suspect his name.
>
> The President's Crime Commission last February noted that back in 1931 the Wickersham commission found that the "third degree" (stationhouse beatings to extort confessions) was "almost universal." Now it is hardly more than a name. The report says: "Few Americans regret its virtual abandonment by the police."
>
> However, the rights of the individual (the suspect) versus society (you and me) still make a red hot issue. Little Orphan Annie offers powerful propaganda, and nobody doubts where she stands in her one-sided argument. "Police procedures must be controlled somehow," the President's Crime Commission declares. Attorney General Ramsey Clark said here last week, "I do not believe court rules cause crime."

> But Little Orphan Annie dissents. She may have more effect on the children than the Crime Commission, the Attorney General, or their parents. Wonder how she will get out of her present fix anyway?

Mr. Chairman, I would submit that some study and investigation of our comic strips and what effect that they have on our lives is not out of order.

Mr. HALL. Mr. Chairman, I move to strike the requisite number of words.

I have said repeatedly I do not oppose "comics," but I am against spending for repetitive studies as granted by this Council.

Let us not be beguiled by vague generalities and let us restore some sense of reason and priority in the allocation of Federal funds.

Mr. Chairman, I notice that during the hearings my distinguished colleague from Washington, the chairman of the subcommittee, asked Mr. Barnaby Keeney on many occasions whether the work to de done by one of the grantees was a duplication of anything that was done previously, and in every instance the Humanities Endowment Chairman always replied that it had not, or that this would not be a duplication of anything previously done.

I only regret that this question was not asked in the case of the grant for study of "History of Comic Strips and Political Cartoons." It would have been interesting to see Mr. B. Keeney's reply.

I have here, and I invite any Member of the House to take a further look, five books previously written on this very same subject by some distinguished writers, and I doubt very much that our friend Dr. Kunzle can add anything of significance to these works. I might add not one of these were subsidized by the taxpayer.

First, a book written by Gerald W Johnson, entitled "The Lines Are Drawn," written in 1958. Mr. B. Keeney in justifying the grant to Dr. Kunzle cites the work of cartoonist Thomas Nast. I daresay there is more about Nast in this book than will probably ever be written by Dr. Kunzle, even at Federal expense.

Next, a book entitled "Highlights," a cartoon history of the 1920's written by Rollin Kirby, with a foreword by Walter Lippmann. It cost the American taxpayers not one red cent.

Next, a book entitled "Our Political Drama," written by Joseph B. Bishop, describing the impact of political cartooning on American politics. It cost the taxpayers' not one red cent.

Next, the "History of Political Parties," by Samuel Ordway, Jr., replete with political cartoons, and costing the American taxpayer not one red cent. Please excuse emphasis on "red," lest I offend the cultural and sensitive ears of those who deem me a "know-nothing." I should have said "one copper."

And finally, a book entitled "Un-Americana," edited by Charlotte Pomerant.

No previous work, indeed. For a lesson in political cartooning I invite the Members of the House to stop by and see my exhibits, Dr. Kunzle to the contrary.

Mr. JOELSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not rise to justify the grant for comic books. However, I feel very strongly that we will be on a very dangerous course if we try to tell the artists what they should create or the scholars what they should study. We should keep our legislative noses out of the direction of art and humanities, because, if we do not, we will be traveling on the very dangerous and deadly road to thought control by the Government.

Although I am in favor of this program of aid to the arts and humanities, if it should ever mean that the Government will tell artists and scholars what they should create, and how they should think, I would rather withdraw my support than be party to such a perilous course.

Mr. DINGELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise as chairman of of the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries, to discuss several matters which affect, I believe, the jurisdiction of that subcommittee and the subject matter over which that subcommittee has appropriately acted for a number of years. I would, for that reason, like to address several questions to the very distinguished and fine gentlewoman from Washington, who so ably chairs the subcommittee of the Appropriations Committee which has the matter presently before the body today.

I note on page 27 of the committee report, language which appears about the middle of the page as follows:

> The Committee expects that the Bureau will continue the policy of more widespread acquisition by easement instead of purchase in fee which will reduce the cost of the program.

I refer here specifically to the program of acquisition of lands for refuges and refuge purposes to preserve the habitats for migratory waterfowl, a very important program as far as conservation and conservationists and duck hunters of this country are concerned.

I am troubled because one of the things the subcommittee which I have the honor to chair has always maintained a great interest in has been the land acquisition program. I point out to my very dear friend, the fine gentlewoman from Washington, that we have had repeated reviews and scrutinies of this matter within the subcommittee. I am apprehensive lest language of this kind might lead the Department of the Interior to expend money for acquisition of land by easement as opposed to acquisition of land by purchase in fee, where that might be more appropriate. I hope my dear friend from Washington might make some comment to ease my mind on this subject.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. Mr. Chairman, I am delighted to yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. I agree with the distinguished gentleman from Michigan that there is need for the acquisition of land for the refuges. However, as we are well aware, there are certain areas of this country where it is impossible at the present time, due to difficulties not only with owners of property, but for other reasons, to purchase the land. So, rather than set aside the flyway area or make it impossible for the orderly progress, the committee has hoped that in these instances, until these problems are solved, that easements can be given, hopefully looking toward the time when this land will be in the area of complete preservation.

The Appropriations Committee is not in the authorization business. We are looking at this as a very down to earth, factual matter, and we would rather see some development made.

Mr. DINGELL. I am very much comforted by this, because it was the intent of the subcommittee, when we considered legislation of this kind, to make very sure that easements were available as a device for acquiring land. The subcommittee is always well aware of the fact that there are areas where it is not possible, for political or possibly other reasons, to acquire good land by outright purchase. There are also a good many tracts of land in the country where acquisition by fee or by purchase is not possible because the land does not constitute a manageable unit or is so small or isolated that it would not be appropriate to be set up as a refuge in the conventional sense.

In this the subcommittee has always been thoroughly sympathetic to the acquisition of an appropriate interest in the land through easements, and would applaud that kind of use there.

I am very much comforted to hear the gentlewoman from Washington, for whom I have the highest respect, say this, because this language, uninterpreted as the fine chairman of the subcommittee has done today, might lead to some interpretation which might be troublesome at least in the subcommittee I have the honor to chair.

I thank the gentlewoman for her comments.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, our distinguished colleague from Missouri has had much sport in recent weeks over one minuscule part of the grants by the National Foundation on the Humanities. In the process of his criticism of the grant for the history of the comic books, the gentleman has completely ignored the multiplicity of grants in other areas of scholarship made to scholars in each and every one of the States of the Union.

I suppose one should be impressed by the fact that there are five book titles relating to comic strips on the table here, for all of us to look at.

I wonder, really, if there should be just one title on each subject of human knowledge or on each subject relating to the humanities.

For instance, should there be one book, I would say to a physician, on surgery? One on orthopedics? One on gynecology? Or one on any one of the multiplicity of specialties that there are in the gentleman's other profession?

I remember some time ago suggesting, in the course of the discussion on medicare, that there is not enough specialization in medicine. Why should an opthalmologist, for instance, be responsible for the treament of both eyes? There ought to be a left-eye man and a right-eye man. Then there would be a body of literature on the left eye and a body of literature on the right eye.

I note with some interest the presence of a distinguished Member of this body who is a historian, who has taught us a great deal about the building in which we meet, and whose hobby is Lincoln. I wonder how many titles there are on the subject of Abraham Lincoln, and whether there should be a restriction to one book on Lincoln—Sandburg's—and burn all the rest, for instance.

Is knowledge to be limited to one or to four titles? Indeed, should there not be a study to compile the whole body of knowledge on each and every subject?

As a matter of fact, there is an undercurrent in the remarks of our distinguished friend from Missouri indicating some political disagreement, some philosophical disagreement with the scholar who is to be the recipient of the grant to which he objects.

We have philosophical disagreements among ourselves all the time. It does not mean, however, that philosophically if a doctor disagrees with a lawyer that the doctor knows more about the law than the lawyer does, or vice versa. Of course, a great many lawyers practice medicine and a great many doctors practice law, especially constitutional law. I think the fact that the criticism is so terribly narrow is a tribute to the grants made by the Foundation on the Arts and Humanities. I could not agree more than I do with my friend from New Jersey [Mr. JOELSON] who says that he is in support of this legislation. Let us look at the affirmative side of it. Are we competent, any of us, in any particular field, to judge scholars in other fields? I think that I have in my library at home five versions of interpretations of the sonnets of Shakespeare and there are not a great number of them. Recently there has been developed a whole series, as yet incomplete, on the writings of Mark Twain, who said, incidentally, "It is the will of God that we have Congressmen, and we must bear the burden." He also said that to the best of his knowledge there is only one native probable criminal class, and that is Members of Congress. Well, I do not happen to agree with that, although I think it is very amusing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LATTA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to commend the subcommittee for recognizing the problem we are being faced with in commerce and by citizens generally that is caused by the blackbirds and starlings of this Nation. Members will realize from past Congresses the attempts of this House to recognize the problem. On page 25 of the report, it says:

> In addition, the Committee directs that of the $800,000 included in the budget estimate for bird control, the major portion of these funds be utilized for the control of blackbirds.
>
> During the hearings, the Committee received extensive testimony of the increasing severity of damage to corn and other crops by blackbirds. The Committee is not convinced that agency officials are giving this problem sufficient attention in proportion to the huge losses in farm income that are occurring.
>
> It is therefore the expressed desire of the Committee that activity in the blackbird control program be greatly accelerated and that the Committee be furnished with quarterly reports during the next fiscal year on progress that is being made in this connection.

It seems to me since the committee has been informed of the tremendous losses occurring every year in agriculture which cost the Department of the Interior some $58 million a year, that it is time we got started on this problem. I am well pleased that the committee has seen fit to make a worthwhile start to do something about this problem that is on the increase throughout the United States. As I pointed out in my testimony before the subcommittee on this subject, not only is this a problem faced by agriculture but it is one faced by everyone who travels by air. As the Air Force reported last year, they suffered some $10 million by reason of bird damage to aircraft alone. And, that in fiscal 1965, there was a total of 1,233 strikes involved. Of this total, 394 represented commercial craft and 839 Air Force planes.

Mr. Chairman, these figures only serve to give to the Committee of the Whole House on the State of the Union some idea as to the magnitude of the problem that the subcommittee has now directed to the agency in charge of this problem in an effort to do something about the solution thereof.

Once again, Mr. Chairman, I say to the distinguished chairman of the subcommittee, the gentlewoman from Washington [Mrs. HANSEN], and to the other members of the committee, "A job well done."

Mr. MACHEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first, I would like to state that I have listened with a great deal of interest to the report and to the consideration of this legislation on this historic day by the distinguished gentlewoman from Washington, the first woman to be the chairman of this subcommittee. I do wish to compliment the distinguished gentlewoman upon her report, particularly with reference to her recognition of the escalation of land costs and the speculation which is engaged in with reference to land located in specific areas and the problems that we face as a result thereof.

Mr. Chairman, I am quite disturbed and concerned in view of this situation. And Mr. Chairman, I am rising to express my strong objections to the deletion of $2.7 million requested by the Department of the Interior to purchase parkland to save the view from Mount Vernon across the Potomac River at Piscataway Park, Md.

This pilot program in cooperative parkland purchase and preservation of open spaces by private landowners, nonprofit foundations and the Federal Government has been with us since 1961 when the first legislation authorizing the park was signed into law by President Kennedy after it passed both Houses without objection.

What has happened since then has been both tragic—and amazing. I think I can sum up the recent history of Piscataway Park by saying legislatively this project has been a resounding success. Insofar as securing appropriations to complete the job, it has been a failure.

The only logical conclusion must be that this project is both cursed and blessed. From the standpoint of the appropriations committees the project is cursed. From the standpoint of cooperation by the private landowners and foundations in the park area it has been blessed like no other proposed national park in the Nation.

In a reversal from previous deletions of requested appropriations for Piscataway Park when it spelled out the reasons for its adverse decision, the appropriations committee this year has not directed one word of wisdom in its report on the fiscal 1968 Interior budget as to its reasons for deleting the $2.7 million. I am certain that the Committee is fully aware that if the other body upholds this deletion the Piscataway Park project will go down the drain, because, beginning on August 8, 1967, the first donation of land to the Government, a total of 151 acres donated in fee simple by the Accokeek Foundation, will revert to the foundation because money to complete the Federal share of parkland purchase was not forthcoming. When this reversion goes into effect that will be the beginning of the end for Piscataway Park and our efforts to save the view from Mount Vernon. Another force—one that originally triggered the effort to save Piscataway—will once again become a major threat: Water and sewer service to that part of Prince Georges County where the park is located.

For it was back in 1960 during the 87th Congress when the Washington Suburban Sanitary Commission, looking around for a location to build a large sewage treatment plant to serve the hundreds of thousands of persons who would soon move into southern Prince Georges County, laid its eyes on Mockley Point and decided the plant should be built there, in full view of the Mount Vernon estate of our first President. It was at this time when I, as a delegate to the Maryland Legislature, became alarmed at the threat of a sewage treatment plant desecrating the Mount Vernon view and the Potomac River shoreline in relatively virgin territory. I helped our delegation prevent, through legislation, the WSSC from locating its plant on Mockley Point. At the same time, in Congress, House Joint Resolution 459 was drafted, introduced, enacted, and signed into law by President Kennedy on October 4, 1961. This was pioneering legislation, and still is, because it based the successful acquisition of Piscataway Park as squarely on the shoulders of private landowners and the nonprofit foundations—as donors of land and scenic easements—as it did on the Federal Government.

It cited as its objective preservation for the benefit of present and future generations the historic and scenic values, the present open and wooded character of the land, and preservation of "lands which provide the principal overview from Mount Vernon estate and Fort Washington, in a manner that will insure, insofar as practicable, the natural beauty of such lands as it existed at the time of the construction and active use of Mount Vernon mansion and Fort Washington."

Mr. Chairman, nothing has occurred to alter these objectives, except here in the Congress. Here in the Congress it has been, since before I was elected to this distinguished body, an almost futile and discouraging effort to eke out a few dollars for the Federal Government to participate in this project, as authorizing legislation has promised.

It did not take long to prove that the original authorization of $937,600 for Federal parkland purchase was totally inadequate to do the job. The House Appropriations Committee properly acknowledged this and called upon the administration and the Piscataway Park supporters to seek a new and increased authorization. Meanwhile, the same committee graciously appropriated $391,132, after denying the administration's request for the full authorization, to permit the National Park Service to buy the most critical area, Mockley Point. The Park Service acquired 97 acres for $391,132. That is all that the Government has been permitted to purchase by the Appropriations Committee since the original act was signed on October 4, 1961. This is not to take credit away from the committee; indeed, it realized that there were immense pressures on Mockley Point and that it had priority in parkland purchase at Piscataway under Public Law 87-362, the original authorization. But Mockley Point is only a fraction of the whole undertaking. If we are to lose the $2.7 million which was deleted, the National Park Service would still have the 97-acre Mockley Point in fee simple, and it may serve some sort of public purpose even though it is inaccessible to the public because the Government does not own the surrounding land which contains roads.

While the Federal Government was negotiating the purchase of the 97-acre Mockley Point, the Accokeek Foundation was making good its pledge to contribute to the cooperative parkland effort. This progressive foundation, with no ulterior motive in mind but to preserve the overview from Mount Vernon and the Maryland shoreline in open spaces and natural scenic values, donated outright a total of 151 acres to the Federal Government. This land was donated on August 8, 1962, but with one qualification: The donation agreement contains a reverter clause which calls for the Federal Government to substantially complete its portion of the cooperative parkland project or the donated 151 acres would revert in 5 years. The 5 years will expire on August 8, 1967, and no one can argue that by any stretch of the imagination has the Government done its share to substantially complete its portion of the parkland acquisition.

Bearing in mind the August 8, 1967, deadline and the advice of the Appropriations Committee that the original authorization was grossly insufficient, I introduced a bill on July 22, 1965, to increase the authorization to $3.5 million. This too was found to be inadequate by the Interior Department and an administration bill for $4.1 million authorization was drafted and introduced March 9, 1966, by myself and by the gentleman from Pennsylvania [Mr. SAYLOR], who did a very commendable job of carrying the ball in his committee in Congress. We all were gratified to see President Johnson sign the new increased authorization into law July 19, 1966. In a letter to me the President stated that Piscataway Park "is an integral part of our program for the beautification of the Potomac River."

While the Congress was considering the new $4.1 million authorization the administration asked the Appropriations Committee for the balance of the original authorization, $544,500, in the fiscal 1967 budget. The subcommittee disallowed this request on the ground that it is not the committee's policy to appropriate funds for projects concurrently undergoing new legislative authorizations. I can understand this policy and I think it is a wise one. The subcommittee has commented on its report that:

> The committee's action in recommending the reduction of $544,500 for land acquisition in Piscataway Park, Maryland, does not necessarily indicate the Committee's opposition to this proposal.

However, Mr. Chairman, it apparently did in fact indicate the subcommittee's opposition because it went right ahead this year and deleted the $2.7 million administration request for fiscal year 1968 under a completely new authorization that was entirely realistic, and the subcommittee did not even mention one word as to the reason for its action.

Now, Mr. Chairman, I cannot and will not be picayunish about every decision the Appropriations Subcommittee makes in relation to Piscataway Park. However, when all the subcommittee's actions on this park are put into perspective along with several other projects that are designed to protect the Potomac River shoreline and open spaces in Prince Georges County a rather clear picture begins to emerge. Since before I came to Congress in the 89th Congress this picture has been a long string of decisions by the committee against preservation of open spaces and the shoreline in Prince Georges County. I believe that there is a reason for this discrimination against Prince Georges County, but I cannot for the life of me find out what it is. I sincerely would like to know how my county "sinned" against the Congress to be accorded such shabby treatment. I cannot believe that it is being done without some motive, but I have not had the privilege of finding anyone who will tell me.

Going back a few Congresses I would like to review this series of adverse appropriation decisions against Prince Georges County and the Potomac River shoreline.

A major project for preservation of open spaces like Piscataway Park is the George Washington Memorial Parkway, first authorized in 1930 to preserve the shoreline along the Potomac River from Mount Vernon to Great Falls, Va., and from Fort Washington to Great Falls, Md. For all intents and purposes this parkway has been completed in Virginia and Montgomery County, Md., but the appropriations subcommittee has been extremely reluctant to approve any funds for the Prince Georges County segment, which is the only one not completed. It is true that in fiscal year 1961 the subcommittee approved $250,000, and in fiscal year 1962 another $500,000. But these moneys were appropriated with the restriction that none of the parcels to be acquired could be contiguous. Thus, the original purpose for a long stretch of parkland along the shoreline was defeated. Meanwhile, the first administration request for the full $937,600 authorization for Piscataway Park met defeat in the fiscal 1962 budget request, and it was only reluctantly that the subcommittee finally appropriated $213,000 in the fiscal 1963 budget.

In the fiscal 1964 budget the administration again sought the $724,600 balance of the original authorization but it was denied. Restored in the Senate, the appropriation lost in conference. In fiscal 1965 the committee again deleted the request from the budget, which was in a supplemental request. However, the committee did permit the National Park Service to reprogram $180,000 to be applied to the $213,000 it had appropriated in fiscal 1963 to purchase Mockley Point in Piscataway Park. No funds have been appropriated for parkland purchase at Piscataway Park since then.

In continually denying the administration's requests for funds at Piscataway Park the subcommittee maintained, and properly so, that the original $937,600 authorization was totally inadequate. I do feel that the administration should bear some of the blame for not acknowledging the propriety of the position of the appropriations subcommittee relative to insufficient authorization. Clearly, the administration should have gone back to the legislative committee for increased authorization as soon as the appropriations subcommittee announced its position back in 1964. Unfortunately, it was not until July 22, 1965, when I offered my first bill to increase the Piscataway Park authorization that the administration started moving in the same direction. Needless to say, we had lost some valuable time.

The last money that has been appropriated for the George Washington Memorial Parkway in Prince Georges County was in fiscal year 1962. We have not seen a cent since then. Last year the subcommittee disallowed an administration request for $2.9 million in matching funds for land acquisition on grounds similar to Piscataway Park—insufficient authorization. The subcommittee even went so far as to say that:

> In the opinion of this committee, any further extension of the George Washington Memorial Parkway should be taken up with the appropriate legislative committees in the House and Senate with a view to obtaining current and adequate authorizing legislation for such extension.

This position was announced after the committee had appropriated over the years millions of dollars for the same parkway along the banks of the Potomac River in Virginia and in Montgomery County under the same 1930 authorization.

In the same report on the fiscal 1967 Interior budget, the subcommittee denied $544,500 for Piscataway Park for reasons I have spelled out earlier, and reasons with which I have no quarrel. But, in explaining its denial of the $2.9 million parkway request for Prince Georges County, the committee made the startling statement that:

> One of the justifications given for the acquisition of this land was the preservation of the scenic beauty along the banks of the Potomac River. The Committee heard numerous witnesses on this proposal and is of the opinion that a sufficient attempt has not been made to protect the natural beauty of the Potomac River banks through the acquisition of easements. Before efforts are made to purchase this high cost land, the Committee feels every effort should be exhausted to accomplish the same purpose through the effective use of easements.

Applying this statement to Piscataway Park, which like the George Washington Memorial Parkway is a major effort to preserve the shoreline's scenic and natural beauty in open and undeveloped spaces, I am at a complete loss to understand why Piscataway Park—a pilot program for the Nation in donated land and donated scenic easements—should be killed by this committee.

Every effort has been made, and successfully, at Piscataway to acquire scenic easements, and not through condemnation but through a joint cooperative effort with the nonprofit foundations and the private landowners. It has been a remarkable success.

As I stated earlier the first donation was the 151 acres given the Federal Government on August 8, 1962, with the 5-year reversion clause, which all donations of land and easements contain as a matter of routine. In the same year, 1962, the first scenic easements covering 5 acres was donated to the Government. In 1963 a total of 60 scenic easements covering 82.9 acres were donated. In 1965 a total of 60 were donated, protecting 435.9 acres in Piscataway Park. In 1966, private landowners donated 28 scenic easements protecting 277.7 acres, and so far this year 13 scenic easements protecting 45.5 acres have been donated.

Mr. Chairman, never has there been a park project quite like Piscataway Park. Where else in the United States can you find private landowners and foundations giving away their valuable land and property rights in order that the view from an historic estate be protected in open spaces? And believe me, these lands and property rights are extremely valuable, as we have seen in the escalating authorization, and as we will see very dramatically as soon as water and sewer service is available to the area. Once these water and sewer lines are opened up, we can count down and out everything we have tried to do to preserve the Potomac River shoreline in Prince Georges County at Piscataway Park and along the George Washington Memorial Parkway. We need the $2.7 million for parkland purchase at Piscataway desperately and we must have it before the August 8 deadline.

Piscataway Park is the chance of a lifetime for one of the most economical park projects in the Nation. Those private landowners and foundations, which have more than matched the Federal share in donating their valuable land and property rights should not be let down. Nor should the millions of Americans who pay tribute to Mount Vernon Estate. We should not fail in this pilot project, which could lead the way for establishment of new national parks in scenic open spaces through a cooperative Federal-private landowner program and which could save the Government untold millions of dollars in land acquisition. We should not discourage American landowners from donating scenic easements to their National Government, a concept while not necessarily new, is newly put to test in a highly critical area, and one badly in need of our assistance to make it a success and model for the country.

To impress this body even more with the widespread support the Piscataway pilot project has, our Prince Georges County government is on record in favor of granting a 50-percent tax credit to private landowners who donate scenic easements in the park area. This means money out of the county's revenue, and in the face of coming water and sewer service, this could be a very substantial amount of real estate tax revenue given away for the simple esthetic purpose of preserving open spaces and saving the view from Mount Vernon.

This county tax credit for donated scenic easements would go into effect if we can get the $2.7 million to finish the Federal responsibility at Piscataway Park.

Mr. Chairman, if we were truly in a time of a national war emergency and our national budget was extremely tight I could understand actions by our appropriations committee in making severe cutbacks in the various appropriations bills. But this appropriations bill for the Interior Department is not an economy bill. In fact, it is $32 million higher than the Interior appropriations bill for the current fiscal year. Even then, in paring $78 million from the administration's total request, the subcommittee, I feel, has not given proper consideration to just how economical this Piscataway Park project actually is. Quite frankly, I believe that it is the best bargain in a national park project we have ever seen. In denying $2.7 million to make this cooperative pilot project a reality we are exercising false economy, and the taxpayers' money is not being wisely spent. At Piscataway the taxpayer would in effect get $1 return for every Federal dollar spent, while in other projects the return is half as much, at best.

It is my fervent hope that the other body will take into consideration the many benefits of Piscataway Park and will restore the $2.7 million that the appropriations committee has deleted without comment. If this is successful, then we can finish our job in protecting the view from Mount Vernon, preserving a portion of the Potomac River shoreline in open spaces, free from the threats of high-rise apartments and industry. We will have a model pilot program in joint preservation of open spaces, with the Federal Government working hand-in-hand with the private landowners and other groups to reduce through donated scenic easements and donated land the enormous prices we are having to pay for parkland.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Land and Water Conservation

For expense necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), including $2,775,000 for administrative expenses of the Bureau of Outdoor Recreation during the current fiscal year, and acquisition of land or waters, or interests therein, in accordance with the statutory authority applicable to the State or Federal agency concerned, to be derived from the Land and Water Conservation Fund, established by section 2 of said Act, and to remain available until expended, not to exceed $119,500,000, of which (1) not to exceed $65,000,000 shall be available for payments to the States to be matched by the individual States with an equal amount; (2) not to exceed $34,458,000 shall be available to the National Park Service; (3) not to exceed $15,367,000 shall be available to the Forest Service; (4) not to exceed $1,900,000 shall be available to the Bureau of Sport Fisheries and Wildlife: *Provided*, That in the event the receipts available in the Land and Water Conservation Fund are insufficient to provide the full amounts specified herein, the amounts available under clauses (1) through (4) shall be reduced proportionately.

For a repayable advance to the "Land and Water Conservation Fund," as authorized by section 4(b) of the Act of Sept. 3, 1964 (78 Stat. 900), $9,500,000, to remain available until expended.

Mr. YATES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want the RECORD to show that I do not agree with the recommendations of the Committee on Appropriations in striking from the bill the funds requested to create the new Indiana Dunes National Lakeshore. I offered an amendment in committee to restore a part of the funds so that the work could begin. Unfortunately, my motion was defeated.

I consider the committee's action discriminatory. It is true that the dunes bill went through the last Congress only after a bitter fight. But it did go through, and it should now be funded together with other approved areas. But the committee said no. It made funds available for every other new development except the dunes. That is why I say the committee's action is discriminatory.

Delay will not help the situation. Prices for the land will not go down; they will rise. The record before the committee shows that the price of land for the parks goes up at least 10 percent a year. Acquiring the land for the dunes which was to be purchased this year will inevitably be higher next year.

This is a critically important recreation and park area for the Chicago metropolitan area. It is one of the last remaining places where people who live in the cities can go for rest and relaxation, where they can escape from the noise and hurly-burly of urban life. I hope the area will not be lost to economic development, desirable though that may be. This is a unique location. It must be preserved in its pristine elemental beauty. It is perhaps the only remaining inland dunes area. America's generations to come will have lost an irreplaceable national treasure if the committee's action is sustained.

I hope and trust its vetoing action will be overturned in another body.

AMENDMENT OFFERED BY MR. SCHWENGEL

Mr. SCHWENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHWENGEL: On page 10, line 21, strike out "$119,500,000" and insert in lieu thereof "$119,900,000".

On page 10, line 24, strike out $34,458,000" and insert in lieu thereof "$34,858,000".

On page 11, line 1, insert after "National Park Service" the following: "(of which not to exceed $400,000 shall be used for land acquisition for the Herbert Hoover National Historic Site, West Branch, Iowa)".

Mr. SCHWENGEL. Mr. Chairman, I file this amendment to gain some time in order to ask some questions of the gentlewoman from Washington, the chairman of the subcommittee, and the ranking Member regarding the Herbert Hoover National Historic Site, West Branch, Iowa, and some of its problems; also to receive some further enlightment and some commitments regarding the future of this project.

Before I ask the questions, I would remind you—and I have this report from the Department of the Interior—of some matters that may have not come to your attention, and may need further consideration.

They point out that the $470,000 requested in the President's budget represented the amount of money required to complete the Herbert Hoover project at a very early date. They point out that exceptionally good progress has been made on this acquisition, and all of the funds appropriated for fiscal year 1967 have been committed. Thus go on:

> In fact, options have been taken during the last month or so looking forward to the availability of the remaining balance for land acquisition for fiscal 1968 so that we would be able to transfer our land acquisition officer to Munsing, Michigan, for opening of our Picture Rocks acquisition program.
>
> We are very limited in the number of employees we have available for this important work, and we must manage and utilize them as effectively as possible if we are to operate with the effectiveness, dispatch and frugality that Congress also desires.
>
> The possible loss of this appropriation, of course, disrupts the timing and does not permit the maximum efficient utilization of our manpower.
>
> More important, to the local people, is the fact that if we are unable to accept the options we have taken in anticipation of completing this project early in the 1968 fiscal year, we will have to let them expire, and this will likely create hardship on some of the landowners who may have obligated themselves to purchase new homes or homesites outside the park boundary.

I point out that while those options do not legally obligate the Government and were taken with full knowledge and understanding, they were dependent upon the continued appropriation. It at best is poor public relations to inform them that they cannot be accepted because of the lack of such an appropriation.

There is more of significance in this letter which I shall not read at this time but I will turn now to some correspondence I received from a very responsible citizen at West Branch which points out the gravity of the situation at it relates to the people there.

I will quote partially from the letter I received from him in which he says:

> It disturbs us greatly here to learn of this cut by the government because this would mean the complete halting of the project. Things are literally in a hell of a mess. Houses have been moved, lots have considerable debris upon them, the Park Service claims a lack of funds to keep lawns mowed, weeds down, etc. Furthermore, if this project is to be stopped at this point for a period of a year or two or three, the entire town and its economy will be stymied and stifled.

Then he mentions the problem of just taking care of the debris and the economy of the city just is such that the city is not able to take care of that problem. The Department of the Interior says they do not have the money to take care of it.

So I would like to ask the distinguished gentlewoman from Washington [Mrs. HANSEN], the chairlady of this committee, for some explanation as to what may be done in this kind of a situation and also for some further assurance, if this problem can be pointed out, if it is more critical than we think or if it becomes more critical or is more critical if future consideration will be given to some alleviation of the problem.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentlewoman.

Mrs. HANSEN of Washington. The gentleman has asked a question which many Members of the House might ask—"Why is this item not in the budget in the full amount?"

I tried to cover this in some depth in my opening statement.

We are in a critical budget year. We have the problems of paying for a war. Few individuals are enthusiastic about paying additional taxes, and we also have millions of people asking for recreation facilities in some very desirable areas.

The committee has tried with a great deal of conscience and in good faith to select those areas which are of the highest use to the maximum number of people, and which have the utmost value for recreational purposes.

A sum of $630,000 was appropriated for the Herbert Hoover National Historic Site in 1967. There was a reprograming in November 1965 of $50,000.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SCHWENGEL. Mr. Chairman, I ask for 3 additional minutes, so that the gentlewoman may be able to answer the question.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mrs. HANSEN of Washington. This provided a total of $680,000.

There was $527,814 obligated as of April 21, leaving a balance of $152,186—plus the $70,000 provided in this bill.

This makes over $222,000 available.

There are some projects that are highly desirable which do not have one thin dime in this bill.

So I ask the gentleman from Iowa to exercise the same restraint that the other members of the committee have used in this critical budget year. This is a part of a loaf and we are genuinely regretful that it cannot be the whole loaf.

Mr. SCHWENGEL. Will the gentlewoman tell me whether or not at some time priorities will be given to this project?

Mrs. HANSEN of Washington. I can assure the gentleman that the committee will consider every request with the same care. There is no prejudice against any single project in this subcommittee.

Mr. SCHWENGEL. Mr. Chairman, may I have an assurance from the senior minority member of the committee that I can extend to the people at West Branch with regard to this matter?

Mr. REIFEL. Mr. Chairman, the gentleman from Iowa will have every assurance that the gentleman from South Dakota can give, for the person honored by that national monument was one of the men whom he has revered since childhood. I remember one of his sayings:

> This country owes me nothing. It gave me, as it gave everyone, a chance and an opportunity. It gave me an opportunity for service and honor. In no other country village could a boy from an uninfluential family without funds look forward with unbounded hope.

I suppose because I know of this great American as one who was conservative, by the nature of his early youth in Iowa, I believe he would approve of our attempting to find some ways in which to conserve in our budgetary efforts in this committee.

Mr. SCHWENGEL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Chairman, the amendment which I offer if the Committee would agree would raise the amount of money available to the National Park Service for land acquisition purposes by $400,000. The funds would be used to continue the land acquisition program at the Herbert Hoover National Historic Site at West Branch, Iowa.

I was quite disturbed when the committee made its decision to reduce the $470,000 request for the program at West Branch to $70,000. The cutback will mean that the land acquisition program, now half completed, will come to an abrupt halt for at least 1 year.

The Herbert Hoover National Historic Site at West Branch is the location of the birthplace of the late President Hoover and is also the location of the final resting place for him and his wife. The Herbert Hoover Library, containing the Hoover Presidential papers and memorabilia which illustrate the outstanding national and international career of an outstanding public servant, is also located on the historic site.

The master plan, agreed to by the Congress, calls for the development of a 175-acre park at the West Branch site. A 28-acre tract now is under the supervision of the General Services Administration. On this tract are the library, the grave sites of the Hoovers, the birthplace cottage, and the blacksmith shop of Herbert Hoover's father. This tract of land, except for a few acres on which the library is located, will be turned over to the National Park Service on July 1, 1967.

Under the provisions of Public Law 89-119 the National Park Service was given authority to acquire the necessary land to insure an adequate historic site to honor President Hoover. The plan, as agreed to by local officials in West Branch, calls for the acquisition of 155 acres in addition to the original 28-acre tract.

By the end of fiscal year 1967 approximately two-thirds of the 38 parcels of land which were to be acquired will have been purchased or will be under option. This accounts for one-half of the total land area to be acquired. This means that one-third of the parcels and one-half of the land must still be acquired.

The $70,000 which is made available for land acquisition by the bill before the House will do very little to enhance the completion of the program at West Branch. To delay the program will increase the eventual cost of the land and will add also to the administrative expense of the Park Service.

The cutback will affect adversely the economy of the town of West Branch. Residents have been making plans on the assumption that the program would be completed on schedule. Landowners affected have been making plans based on this assumption as well. The disruption of the project resulting from the proposed cutback would be injurious to the economy of Herbert Hoover's hometown.

The Herbert Hoover National Historic Site is both the birthplace and gravesite of President Hoover. As far as I know, there is no precedent for denying the funds for the completion of a project of this type. It honors a former President whose achievements and record finally are receiving the high accord they justly deserve.

The Herbert Hoover Foundation first purchased the land on which the gravesite, birthplace, and library are located. The foundation built the library. Overall, the foundation has invested well over $1 million in what is now the Herbert Hoover National Historic Site. The land and library have now been turned over to the Federal Government. We have an obligation to complete this fitting memorial to President Hoover as soon as possible.

The Congress appropriated $15½ million for a cultural center to honor the late President Kennedy. In addition, $1.7 million has been appropriated for an adequate gravesite for our martyred President.

Please do not misconstrue my remarks. I am not quarreling with the propriety of the memorials to President Kennedy. The point I wish to make is that the request for the $400,000 to help complete the Hoover site is not unreasonable or inconsistent with actions taken by this House on other occasions.

The total land acquisition cost for the Herbert Hoover National Historic Site probably will not be over $1.3 million. Other memorials, fitting and proper as they may be, have gone through this House almost without question.

Therefore, I ask for your support at some early date to insure that the memorial to President Hoover is completed as soon as possible. The adoption of the amendment I offer will mean that the work can proceed on schedule. It will mean that a fitting memorial to President Herbert Hoover will mark his birthplace and grave.

I will withdraw the amendment I have offered with the assurances that the project at the Herbert Hoover Historic Site will be given every consideration for possible funding at the earliest possible date.

I will continue the fight to gain approval of the funds necessary to complete this project. It is my hope that the other body, in its wisdom, will see fit to reinstate the funds cut here today.

THE ARTS AND HUMANITIES

The areas of arts and humanities are becoming increasingly important to all Americans. As this Nation grows and prospers, as it is confronted with more changes and complexities, more effort must be devoted to encouraging a better understanding and appreciation of this broad area we call the humanities. We are living in a time of stress and strain and of misunderstanding. There is a lack of appreciation of many things—especially of the arts, humanities, and the character of America. This will come through, finally, if we do as all mature nations do, begin encouraging the various modes and values through expression.

The United States of America has a great heritage in the field of literature. We have a great musical and singing heritage as well. We have a wonderful culture in America, the development of which needs encouragement and growth. There are people today with new desires, new ambitions, and the opportunity to express this desire and ambition should be broadened.

The National Foundation of Arts and Humanities can and will encourage these opportunities. It was a noted American, August Heckscher, a Presidential consultant on the arts who said,

> You cannot travel about this country today without finding in every city there are plans afoot to do something new with the life of that place: to build a cultural center, to create a symphony orchestra, an opera group, to make that city a place of culture and arts.

I suppose it could not be said that any political administration has created the interest in culture, but it can be said that there is an urge to continue to create, develop, and share a culture. The National Foundation of the Arts and Humanities can help achieve these goals.

It is timely and with some pride that I commend to the attention of my colleagues the unique contribution made to the development of the arts and humanities in my home State of Iowa. The University of Iowa is one of the most distinguished centers of learning in this country and I think it is fitting and proper for me to describe the many contributions to the cultural growth that Iowa through the University of Iowa has given to this Nation. The achievements of this great university and the pioneering which has gone on in all of Iowa come as a result of the leadership which has been shown there. It is in full accord with the goals and achievements of the National Foundation of the Arts and Humanities.

The University of Iowa has provided outstanding leadership in the area of the arts and humanities. Significant to us is the fact that these contributions are home-grown products that stem from our State's talents and from those who our university has attracted to work and study there. They have, as you can see, developed exceptional abilities there.

The fact that the University of Iowa was the first school in the United States to accept work in the creative arts for all degrees is a record of which we are proud. Since then, other institutions have followed this example. An achievement of note, we believe, is that the University of Iowa pioneered in this field more than 30 years ago.

The university has perhaps the finest print workshop in the United States. It was established and is headed by Mauricio Lasansky, a native of Argentina, now a U.S. citizen. He came to Iowa in 1945. Mr. Lasansky's work has been nationally and internationally acclaimed. He has won more than 100 competitive prizes in our country and abroad. The Whitney Museum of New York recently accorded him a major exhibition. This is an example of the kind of cultural climate which exists in Iowa. It brings dignity to my State.

There are other examples. Charles Treger, of the university's department of music, was the first American to win the Wieniawski Violin Prize. Competitions for this award are held in Poland. In the field of the violin, it is considered the highest possible accolade. In the field of music, also, the university's string quartet toured European countries a year ago with great success, and it has received equal praise from our own Nation's music experts, including the critics in Washington, D.C. Its excellence has recently been honored by a presentation of Stradivarius instruments.

Paul Engle, a native of Iowa, was appointed by the President to serve on the National Council on the Arts, which is advisory to the Arts and Humanities Foundation. He founded the university's program in creative writing and was its director for 25 years. It is worth noting that among the many awards won by students and staff who have participated in this program are: The Pulitzer Prize for poetry, the Pulitzer Prize for fiction, the National Book Award for poetry, and the National Book Award for fiction. Again, these are our country's outstanding literary honors.

It is also worth noting that Iowans have given generously to this program. There is a significant partnership between cultural leaders and the business leaders in my State. In Cedar Rapids, the following firms have contributed: The Collins Radio Co.; the Iowa Manufacturing Co.; the Merchants National Bank; the Iowa Steel & Iron Works; John B. Turner & Son; the Quaker Oats Co.; Iowa Light & Power Co., Cedar Rapids; and WMT-TV and radio. From elsewhere in Iowa contributions have come from Amana Refrigeration, of Amana; the Burlington Hawk-Eye; the Fisher Governor Co., of Marshalltown; the Iowa Power & Light Co., of Des Moines; and the Maytag Co., of Newton. Private philanthropic individuals and organizations have also contributed, including the Fred Maytag Family Foundation of Newton.

This is timely to mention because a major purpose of the Arts and Humanities Act is to help encourage added private support for the arts, and to provide new and urgently needed "seed money" for our cultural advancement.

It was good to learn that the humanities endowment created under the act by Congress has provided a grant to the university's international writing program. This, as many know, brings leading writers from all over the world to Iowa, so that they can learn at first hand about our country and increase their own knowledge and ours.

Truly, the arts have a long heritage in Iowa. Davenport has an arts center, Des Moines has one of the finest arts centers in the country. There are centers for artistic excellence and growth in Sioux City, and in Cedar Rapids, to name two more; and I would also like to point out that the city of Waterloo has established an arts council, to which tax dollars are contributed. All these activities both deserve and need additional support, and it is encouraging for me to know that the Iowa State Arts Council, representative of both cultural and business interests, has been formed. This year it has received a grant of $25,000 from the Arts and Humanities Foundation to further develop cultural progress.

It is obvious to me that the arts and humanities add dignity and value to human life. It seems equally obvious to me that Iowans should be justly proud of the contributions they have made in this very important field of human endeavor.

I believe the investment we make in the Arts and Humanities Foundation is of great worth. There is nothing unusually daring, nothing contrary to the American way of life in this legislation. The expectations and hopes it has raised among thoughtful people go across the country. And we have thoughtful people in Iowa who see its merits, see its potentials, see what it can mean for this generation and those to follow; for we have witnessed those same merits, those same potentials in our own State. Through our own experience, we have witnessed just what it is that the Arts and Humanities Foundation is helping to nourish and provide more fully, more abundantly and for all citizens.

Mr. SCHWENGEL. Mr. Chairman, I ask unanimous consent that my amendment may be withdrawn.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of the Secretary

Salaries and Expenses

For necessary expenses of the Office of the Secretary of the Interior, including teletype rentals and service, and not to exceed $2,000 for official reception and representation expenses, $6,776,500.

AMENDMENT OFFERED BY MR. RIEGLE

Mr. RIEGLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIEGLE: On page 28, line 23, strike out "$6,776,500" and insert in lieu thereof "$5,498,900."

Mr. RIEGLE. Mr. Chairman, I salute the committee for its hard work in drafting this appropriation bill. My disagreement with the bill at hand relates solely to the amount of money this country can afford at this time for Interior-related activities.

Ladies and gentlemen, I am worried about our national priorities at this time. The plain and simple fact that we face is that we do not have enough money to go around to solve all the problems we have. Unfortunately, due to the rising costs of the war in Vietnam, we do not have enough money available today to effectively confront even our crisis social problems that we are facing in this country. I would like to cite very briefly, examples of some of the problems we have had to set aside in order to take up the kinds of activities defined in this appropriations bill today. I have the pleasure of serving on the District of Columbia Subcommittee of the Appropriations Committee, under the excellent chairmanship of Mr. NATCHER. We have had to cut item after item out of that bill in committee. That appropriation bill later was approved by this House. The item cut most was the field of education. I quote my chairman when he said:

> We had to cut more in schools than in any other item.

Needed construction funds for schools in excess of $40 million were cut out. In the area of the summer program for slum children, it was cut by $1,250,000. We also cut the money available for parks. This is just an example.

The District of Columbia is a disgrace. We do not have the funds to address so many of these critical problems. It is not just a matter of the level of money that is available. We do not have enough money available to solve these problems.

I have in mind the Harlems of our big cities and other slum conditions in this country, and I ask whether we have money for all the items detailed in this bill.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. RIEGLE. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, I join with my friend from Michigan in attempting to save money. I wish he would advise this Committee at this time of the particular duties and services of the Department of Interior that he is cutting out of the funds.

Mr. RIEGLE. Mr. Chairman, I would be happy to do that. It was pointed out a few minutes ago, in discussing the trends of last year, that there were 4,800 unfilled vacancies in the Department of the Interior. That is unfilled vacancies. The appropriation as outlined calls for an additional number of people in this Department of 1,600. When we cannot fill 4,800 vacancies, I cannot understand why we need 1,600 additional people.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield further?

Mr. RIEGLE. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, how is the gentleman able to relate these vacancies to this particular cut the gentleman proposes in this appropriation?

Mr. RIEGLE. I do not understand the gentleman's question.

Mr. ASPINALL. The gentleman suggests that there are 4,800 vacancies. I wish to know how he has related those reductions he now proposes with the 4,800, because some of those vacancies are under the hold order we have at the present time from the executive department.

Mr. RIEGLE. I have not undertaken to make that relationship and I will not today. I think that job is a job that ought to be done by Secretary Udall.

My point is this: I do not feel we are meeting our critical national social needs in education and mental health and many other fields.

Yet we are asked to consider and to fund additional Federal growth in what I consider to be nonessential spending areas. If they are essential, that essentially escapes me.

I believe the American people are fed up with the idea that we have to continue to incur this secular growth in every department of the Federal Government across the board. There are areas which are essential, in my judgment, in which we are not spending sufficient money.

I hope that at some point someone here is going to start to say "No" to these automatic increases.

I believe the amendment I have just offered is one step in that direction. It is a small step, and one I believe the Department of the Interior can live with.

We talk about economy in government, but we do not have very much economy in government. The only way we are going to obtain it is to start cutting back some of these appropriation bills. I believe that the sooner some of the nonessential Federal activities and the bureaucrats that administer them get the message that the Federal free lunch is over, the quicker we will have some money available to solve some of the critical problems that we are now ignoring.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. RIEGLE. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I understood the gentleman to say that the District of Columbia appropriation bill had been cut very severely. Would it be more accurate to say that we increased substantially the District of Columbia appropriation for education over that for last year, but we did cut the budget request? Is that not a more accurate statement of what occurred?

Mr. RIEGLE. I would expand what the gentleman has just said to add that *we have not been able to fund the needs.* That is our problem today.

The money we need to meet these urgent social problems and others is competing against these activities we are trying to fund in the Interior Department appropriation bill.

Mr. JONAS. Mr. Chairman, I move to strike the last word.

I shall not take 5 minutes, but ask the gentleman from Michigan to give me his attention.

As I understand the amendment, as read, all the gentleman proposes to do is to reduce the item for salaries and expenses in the Office of the Secretary of the Interior below the substantial increase voted by the subcommittee over the sum appropriated last year to run that Office; is that correct?

Mr. RIEGLE. That is exactly right.

Mr. JONAS. On page 56 of the committee report Members will find that the item for salaries and expenses in the Office of the Secretary of the Interior for 1967 was only $4,998,900. For 1968 the budget request is for $7,570,000, an increase of $2,571,000 for salaries and expenses in the Office of the Secretary alone. The committee reduced that requested increase by $793,500, but recommends an increase of $1,776,600 over last year. The amendment offered by the gentleman from Michigan would simply make an additional reduction in the increase proposed for this Office but even if his amendment is adopted the Secretary will still have a substantial increase of funds available to run his immediate Office over last year. Is that correct?

Mr. RIEGLE. That is exactly right.

Mrs. HANSEN of Washington. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sorry the distinguished gentleman from Michigan has not had the opportunity of serving on the subcommittee, where he might sit in review of all the activities of this revenue producing bill. This is one bill that today generates income nearly equal to the total amount it provides by appropriation.

I would remind the Members of the House that this is to be a general cut in the Office of the Secretary, not necessarily for application to personnel only.

The Secretary is responsible for executive management and coordination of water pollution problems, water research, acquisition of lands, and management of our natural resources, to mention a few of his responsibilities.

These are important activities. These are activities in connection with which our committee was critical because sufficient funds had not been provided in the budget estimate for their total efficient management.

As I mentioned in my opening statement, we have a reserve of about 2 trillion barrels of oil.

This oil is important not only to the economy of the United States but to the defense of the United States, if you please.

Now, we did make measurable cuts in the Office of the Secretary, but I think there is not one of us who would want to make cuts so severe as to endanger the management of our natural resources.

Now, on the question of personnel, I would like to say one thing. We have reviewed the question of personnel very carefully. I will probably have an opportunity to say more about this later. The Bureau of the Budget imposed ceilings, and we have provided cuts. I fail to see that $828,500 taken from the management of our resources, is going to be particularly economical.

Mr. GROSS. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Iowa.

Mr. GROSS. This affects only the Office of the Secretary, does it not?

Mrs. HANSEN of Washington. That is right. The Office of the Secretary, may I explain, is that group of top people who do or should do, the finest kind of a job in the management field. It is just as if General Motors were on this floor today, and all of a sudden $1 million was taken off their top sales force in a critical year.

Mr. JOELSON. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from New Jersey.

Mr. JOELSON. Does not the Office of the Secretary also include the Assistant Secretary for Water Pollution?

Mrs. HANSEN of Washington. Of course.

Mr. JOELSON. And the Water Resources Council?

Mrs. HANSEN of Washington. Certainly.

Mr. JOELSON. And would not this amendment strike out some funds for these purposes which the gentleman from Michigan described as nonessential?

Mrs. HANSEN of Washington. Of course. The life of America, the land of America, is what a great many men are dying for now.

Mr. EDMONDSON. Mr. Chairman, would the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is it not also accurate to say that the Secretary of the Interior is a Cabinet officer, principally responsible in the field of Indian affairs and in the problem areas associated with Indians and that we have as severe a problem economically among the Indian people as we have in the District of Columbia or any place else? When you start striking at the Secretary of the Interior and his finances, you are hitting right at the action agency that is dealing with one of the most severe problems facing our country.

Mrs. HANSEN of Washington. You would be restricting an action agency, peoplewise and moneywise.

Mr. KYL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would ask my colleagues to do these things in considering this amendment: First, check the size of the budget of the Interior Department intrinsically and compare the size of that budget with that of other departments. Then look at the budget in regard to the net cost, expenditures over income. Then check this year's budget in comparison with that of last year and check what this committee has done with this year's request by the Department of the Interior. If we are to be responsible in cutting these expenditures, this is not the point at which we should act.

Mr. Chairman, the point at which we should act logically and responsibly is in the authorization. I state this because there is no prudent reason for this House of Representatives to continually ask the Department of the Interior to take on additional duties, and then say in effect that it has to operate with less funds than it had the year before, or with a slight difference in the total amount of funds as represented by this proposed amendment.

Therefore, Mr. Speaker, I oppose the amendment and urge its rejection.

Mr. JOELSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the hearings with respect to the budget for the Office of the Secretary of the Department of the Interior indicate that much of the funds about which we are talking here today deal with water. They asked for positions with which to coordinate the program of the Department of the Interior for water resources, but more importantly, to provide funds for staffing of a new office, the office of an Assistant Secretary for Water Pollution.

Now, Mr. Chairman, the gentleman from Michigan [Mr. Riegle] talked about nonessential services. However, I cannot think of anything more important than clearing up our terribly polluted waters.

Mr. RIEGLE. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. Yes; I yield to the gentleman from Michigan.

Mr. RIEGLE. Mr. Chairman, what I do not understand is how we are going to solve these problems with 4,800 vacancies? How can the gentleman explain the fact that we are to add 1,600 jobs to a request which already includes 4,800 vacancies, and thus solve these problems?

Mr. JOELSON. The 4,800 vacancies did not exist in the Office of the Secretary of the Department of the Interior, but existed in the entire Department of the Interior.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. Yes, I am delighted to yield to the distinguished gentleman from North Carolina.

Mr. JONAS. Ninety-five are in the office of the Secretary himself.

Mr. JOELSON. That is correct. But, I would like the gentleman from Michigan to tell me how many positions the gentleman wishes to take away from this new division having to do with water pollution? This is a blunderbuss approach, and that is the trouble with his amendment.

Mr. RIEGLE. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. Yes; I yield further to the gentleman from Michigan.

Mr. RIEGLE. Mr. Chairman, I am disturbed about the fact that 95 of these positions are in his office. How are we to solve these problems if we do not fill these jobs and we do authorize the additional money?

Mr. JOELSON. Does the gentleman from Michigan know how many jobs were asked for by the proposed Division of Water Pollution, I ask the gentleman?

Mr. RIEGLE. I would be happy to—

Mr. JOELSON. Mr. Chairman, if the gentleman from Michigan does not know or does not have any idea how many positions were requested for the water pollution program, then I suggest to the gentleman that he check further into the matter.

Mr. RIEGLE. Mr. Chairman, will the gentleman yield further?

Mr. JOELSON. I yield further to the gentleman from Michigan.

Mr. RIEGLE. Can the gentleman from New Jersey tell me that number?

Mr. JOELSON. Not offhand, and that is why I did not offer an amendment.

Mr. HOLIFIELD. Mr. Chairman, will the distinguished gentleman yield?

Mr. JOELSON. Yes, I am delighted to yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, did not the Committee on Appropriations have any testimony with reference to the pollution which now exists in Lake Michigan?

Mr. JOELSON. Mr. Chairman I yield to the distinguished chairman of the subcommittee, the gentlewoman from Washington [Mrs. HANSEN], in order to respond to that interrogation.

Mrs. HANSEN of Washington. No; we did not have under consideration water pollution per se. However, in related discussions during almost all of the hearings, the question of pollution in our streams and lakes came up for consideration and was discussed at length.

Mr. HOLIFIELD. Mr. Chairman, if the distinguished gentleman will yield further, I read an article in one of our national magazines with reference to the pollution of Lake Michigan, in which the article stated that the fish in Lake Michigan will die and as a result thereof the commercial fisherman cannot catch the amount of fish they have on previous occasions, in the old days.

Mr. Chairman, it seems to me that one thing which is important is the control of water pollution and the control of water pollution, particularly, in a body of water of the size of Lake Michigan.

Mr. Chairman, I am surprised that a Member of this Congress, coming from the Michigan area, from an area not only important to the State of Michigan, but to the surrounding States, would propose such a reduction in this pollution control appropriation.

Mr. RIEGLE. Mr. Chairman, will the gentleman from New Jersey yield further?

Mr. JOELSON. Yes; I yield further to the gentleman from Michigan.

Mr. RIEGLE. Mr. Chairman, it is my understanding that contained in this bill is a provision for a Water Control Commission, which is primarily engaged in the solution of these problems in the area of water resources.

Mr. JOELSON. Water resources are distinct from water pollution. We are asking for a new operation in the Office of the Secretary of the Department of the Interior in order to handle the serious problem of water pollution, which effort could be nullified if the amendment which the gentleman from Michigan has offered is adopted.

Mr. Chairman, in my opinion it is an ill-considered amendment and therefore, I urge that it be rejected.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. Yes; I yield to the distinguished chairman of the subcommittee.

Mrs. HANSEN of Washington. Mr. Chairman, the problem of water resources in this country is probably one of the most critical that we face. It is a problem which is countrywide.

Mr. Chairman, we had a gentleman from the Delmarva area appear before our subcommittee who testified on what the effect would be in that area unless they obtained specific knowledge as to the quality and the kind of water that is available in that area.

We have no complete answers to any of these water problems; but the problem of water per se is one of the most vital to our lives—the very life of this Nation.

Thank you.

Mr. JOELSON. Mr. Chairman, I urge the rejection of the amendment, and I yield back the balance of my time.

Mr. SNYDER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have taken this time to ask the gentlewoman from Washington a couple of questions:

First, referring her attention to page 32 of the committee report, under the section that we are dealing with, the Office of the Secretary, next to the last paragraph, where it discusses this increase in funds over last year, or the cut in the budget, however you want to term it, and the last sentence in the paragraph, reads:

> This of course resulted from the transfer of various functions and funds, some of which the committee is not inclined to question.

I wonder if the gentlewoman would just clarify that. I would also ask that she save me enough time for one more question: Which function transfers does the committee question, and which ones the committee does not approve. Apparently the subcommittee does know of this transfer of funds that is going on.

And if I might continue I will go ahead with my next question, and then the gentlewoman can perhaps answer them at one time.

Mrs. HANSEN of Washington. I would say to the gentleman that perhaps it would be better if I answered them one at a time.

The committee had no question on the transfer of funds to finance the activities related to the Water Pollution Control Administration recently transferred from HEW, neither did it question fund transfers for the Office of Survey and Review.

I would say that the committee likes to have an orderly use of appropriated funds, so that if we fund a particular activity of an agency we can be sure that is where the funds will be used. We do encounter certain situations where it is proper and practical to have fund transfers to a certain extent.

Mr. SNYDER. The other question refers to the last statement on that page:

> Notwithstanding, the committee wishes to go on record that it will not countenance the continued manipulation of appropriated funds to the extent that has occurred during the past few years.

I am curious as to what manipulation of funds the subcommittee has found going on during the past few years, and whether or not this has to do at all with the question that is before the Committee of the Whole on this amendment?

Mrs. HANSEN of Washington. No. It is a question of minor fund transfers, where funds were used to expand the Office of Equal Opportunity, for example. And there are other minor instances the committee questioned, such as the establishment of the Office of Ecology without prior approval of the committee. We think *x* number of dollars appropriated for *x* activity should be expended accordingly unless prior approval for any change is secured from the committee. That is exactly what was meant by the statement in the report, and it should be interpreted accordingly by the Department.

Mr. SNYDER. Yes, I would certainly agree with the gentlewoman. I would question whether or not the legislation that has been brought before us today has any particular new clause or new sentence or new phraseology that might keep the office in line with the thinking of the committee, and might make them not manipulate funds such as you have found.

Mrs. HANSEN of Washington. There is no specific language in the bill. I believe it is the duty and the responsibility of every appropriation subcommittee to recommend in the report wherever possible, and provide through its hearings, directions for the best kind of administration management possible, particularly in a department where there are so many various activities.

Mr. SNYDER. I wish to thank the gentlewoman for this report, and I would say I commend the gentlewoman for this language, and I hope there will not be any further manipulation of funds.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman.

Mr. JONAS. Mr. Chairman, I believe before the debate on this amendment closes, in explanation of the proposed action by the gentleman from Michigan, attention should be directed to page 55 of the committee report which shows that there is a separate item for the Office of Water Resources Research, and the committee increased the funds in that office by nearly 100 percent over last year.

The bill contains $11,130,000 as opposed to $6,894,000 in 1967, an increase of $4.25 million in this 1 year in that office.

Mr. RIEGLE. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman.

Mr. RIEGLE. Mr. Chairman, the gentleman is absolutely right. There is $11 million appropriated or suggested in the area of water resources research. I am amazed that there is no activity in that area which would aim itself at the question of water pollution. I am likewise disturbed, if we were to cut the Secretary's budget as I suggested, and as I hope we will, I would be worried if he would choose to make these cuts in the area of water pollution. I would hope he would make cuts in other areas and not in this area.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise in support of this amendment.

When the gentleman from Michigan [Mr. RIEGLE] took the floor and spoke of the District of Columbia appropriation bill, he was immediately reminded that while the District of Columbia appropriation bill was cut below the budget, it was still above the spending figures for last year.

So that bill is no different than this one. This bill was cut below the budget request but it is still $22 million above spending for the same general purposes last year. So that argument falls pretty flat.

It is my understanding that in the Office of the Secretary there has been a $500,000 increase this year above the spending for the same general purposes last year—at least $500,000.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. JOELSON. I think in all fairness, it should be kept in mind that water pollution is only this year the function of the Department of the Interior and that accounts for an almost $300,000 increase. It used to be in the Department of Health, Education, and Welfare, but it now has been transferred to the Department of the Interior and that accounts for almost $300,000 of that increase, as I understand it.

Mr. GROSS. The gentleman continues to talk about water resources.

Mr. JOELSON. No, this is water pollution.

Mr. GROSS. Yes, water pollution—and so on and so forth. There are other areas of activity in the Secretary's office; are there not?

Mr. JOELSON. I do not doubt that. But I was just trying to point out that the increase of almost $300,000 is due to the new function in that office.

Mr. GROSS. Apparently, the Committee cut that request; did it not?

Mr. JOELSON. Yes, it was cut.

Mr. GROSS. Why did you do that if it is so important?

Mr. JOELSON. Yes, but almost $300,000 remains, as I understand it.

Mr. GROSS. But I am asking you—and I am in favor of the cut—but I cannot understand why you are bleeding at every pore now after you, yourselves, cut it.

Mr. JOELSON. Well, just because it has been cut does not mean that it should be slaughtered.

Mr. GROSS. Oh, I see—you want to wield the ax according to the way you think it ought to be wielded.

Mr. JOELSON. I do not want to wield an ax—I would rather use a fine instrument when it comes to cutting expenditures.

Mr. GROSS. But if anyone else wants to make a cut, whatever the logic, you oppose it.

You have 95 positions, as I understand it, which are unfilled in the Office of the Secretary, and yet you want to add more employees; is that correct? If so, how can you possibly justify it?

Mr. JOELSON. It is not correct.

Mr. GROSS. What is incorrect?

Mr. JOELSON. All I am saying is that this is a blunderbuss approach and it would very definitely damage the antiwater pollution work.

Mr. GROSS. We know the facts and the figures both as to the employment and vacancies that exist in the Secretary's office, plus the committee's proposed increase in the number of employees and the amount of money. What is blunderbuss about it?

Mr. JOELSON. Because it is not selective. It is just across-the-board. It gives to the Executive the very discretion that we have been trying to retain in the Congress. I have heard a lot of talk about the Congress relinquishing its powers and this goes right toward that tendency and gives the Executive that discretion.

Mr. GROSS. I will say to the gentleman from New Jersey that this amendment is specific.

Mr. JOELSON. No, it is not specific.

Mr. GROSS. Oh, yes; it is.

Mr. JOELSON. It is for that entire office as I understand it.

Mr. GROSS. That is what it is aimed at.

Mr. Chairman, I yield back the balance of my time.

Mr. McCLORY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as I recall in the last session of the last Congress, we adopted a reorganization plan which transferred water pollution control from the Department of Health, Education, and Welfare to the Department of the Interior.

As I understand this debate and the representations made by the members of the committee from the majority side, part of the increase about which we are talking in the Office of the Secretary results from the transfer of this authority. I supported the reorganization plan, and I think perhaps the plan was adopted partly because of investigation and findings of the Committee on Government Operations upon which I served formerly. That committee discovered that various water pollution activities were dispersed throughout various departments and agencies. It does seem to me that it is better to have all the water resource and water pollution activities concentrated in the Department of the Interior.

I can see justification for increasing some appropriations in the Department of the Interior to carry on this additional responsibility. However, the point I want to make at this stage of the debate is that since these water pollution activities are being transferred from the Department of Health, Education, and Welfare to the Department of the Interior, it will certainly be incumbent upon the Appropriations Committee to see that corresponding cuts are made in the Department of Health, Education, and Welfare appropriation bill so that we do not have the same appropriations continue in that Department for activities which no longer exist there but which have been transferred out of that department to the Department of the Interior.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from New Jersey.

Mr. JOELSON. I remember during the hearings I specifically questioned whether or not there would be overlapping, and I was assured that there would not be. I would join the gentleman in saying that this item should be localized so that there will be no duplication of expense.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. RIEGLE].

The question was taken; and on a division (demanded by Mr. RIEGLE) there were—ayes 31, noes 73.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows, page 36, line 6:

Commission of Fine Arts

Salaries and Expenses

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), including payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and Committee meetings of the Commission either within or outside the District of Columbia, to be disbursed on vouchers approved by the Commission, $115,000.

AMENDMENT OFFERED BY MR. RIEGLE

Mr. RIEGLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIEGLE: On page 36, line 14, strike out "$115,000" and insert in lieu thereof, "$50,000".

Mr. RIEGLE. Mr. Chairman, I have a number of additional amendments which will come later, and I would like to submit these at this time.

The CHAIRMAN. Does the gentleman

wish to offer these to this section of the bill?

Mr. RIEGLE. No. They are to later sections, but I would like to have them considered en bloc.

The CHAIRMAN. The gentleman asks unanimous consent that a series of amendments he desires to offer be considered en bloc.

Is there objection?

Mr. YATES. Mr. Chairman, reserving the right to object, are these amendments to this section of the bill?

Mr. RIEGLE. No, they have to do with later sections.

Mr. YATES. Are they related to the same subject?

The CHAIRMAN. Are they related to the amendment the gentleman offers?

Mr. RIEGLE. Yes, they are. They refer to the Smithsonian Institution.

Mr. YATES. Mr. Chairman, I think the Members would like to know. Will the gentleman take the microphone and explain?

The CHAIRMAN. Is there objection to the request of the gentleman to have them considered en bloc?

Mr. YATES. Mr. Chairman, reserving the right to object, may we have an explanation?

Mr. RIEGLE. The amendments which I will offer, which will come later in this bill, are three, having to do with the Smithsonian Institution, and, likewise, the cuts are in that.

Mr. YATES. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The gentleman is recognized for 5 minutes in support of his amendment.

Mr. RIEGLE. Mr. Chairman, I recommend this cut in the spending for the Commission on Fine Arts for one reason: That we do not have the money. If we are going to pay for this, we will have to borrow money. We are already deeply in debt with the cost of the war in Vietnam going up, as is the spending in other areas. I do not think we should spend money for this activity that we do not have at this time.

Mrs. HANSEN of Washington. Mr. Chairman, I rise in opposition to the gentleman's amendment. I would remind the gentleman from Michigan and Members of this House that this appropriation item relates to the planning and the continuing development of our Capital. The people who serve on this Fine Arts Commission are rendering a valuable service to the people of this country. I believe this is not a practical place to try to balance the budget, and it is my sincere hope the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

National Foundation on the Arts and the Humanities

Salaries and Expenses

For expenses necessary to carry out the National Foundation on the Arts and the Humanities Act of 1965, to remain available until expended, $10,700,000, of which $4,500,000 shall be available for carrying out section 5(c) and functions under Public Law 88–579; $3,000,000 for carrying out section 7(c); and $2,000,000 for carrying out section 5(h) of the Act: *Provided,* That, in addition, there is appropriated for the purposes of section 11(b) of the Act, amounts equal to the total amounts of gifts, bequests and devises of money, and other property received by each Endowment, during the current fiscal year, under the provisions of section 10(a)(2) of the Act, but not to exceed a total of $1,000,000: *Provided further,* That not to exceed 3 per centum of the funds appropriated for the purposes of section 5(c) and not to exceed 3 per centum of the funds appropriated for the purposes of section 7(c) shall be available for program development and evaluation.

AMENDMENTS OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. HALL: On page 39, line 20, strike out "$10,700,000," and insert in lieu thereof "$9,000,000,".

On page 39, lines 20 and 21, strike out "$4,500,000" and insert in lieu thereof "$4,000,000".

On page 40, line 1, strike out "$3,000,000" and insert in lieu thereof "$2,000,000".

On page 40, line 3, strike out "That," and all that follows down through and including "*Provided further,*" on line 9.

Mr. HALL. Mr. Chairman, I ask the committee to contemplate what would have happened if, after I read the annual report of the Council on the Arts and the Humanities, and made a simple query, the Director had simply acknowledged an error and said, "I am sorry. We will try harder." The other reaction is a matter of record.

Mr. Chairman, the amendment which I propose is very simple in nature and easy to comprehend. It would merely keep the expenditure at the same level of appropriations as last year. It is not a reducing amendment or a cutting amendment.

In fact, I commend the committee for the cuts it wisely saw fit to make in the appropriation request. But I believe adoption of my amendment would emphasize this point and make clear its dissatisfaction with the way this program is being operated. I regard it as a reasonable compromise.

I would much rather see these grants drastically reduced, but at the very least I do not believe they should be increased. That is the purpose of this amendment.

What kind of grants might be curtailed by this reduction in funds for the National Council on the Arts and the Humanities to last year's level?

First of all, it would be up to the Director, but in addition to the comic strip and cartoon grant, on which so much work has been done in the past without Federal subsidy—to wit, the references on the desk here in the well—consider these, which are construed to have some important public benefit.

There is a grant of $12,000 for a University of Texas Folklore Archive. No doubt that study will delve into the most fascinating cases of Texas folklore, possibly "the Saga of Ballot Box 13," down where the River Pedernales flows.

Or there is a $5,000 grant for the bibliography of criticism of Edgar Allen Poe. When asked if such a bibliography had already been accomplished, Mr. B. Keeney's response was, "Not an international bibliography."

And then there is $18,800 for a study into the question, "Did Edmund Burke write the 18th century journal, the Annual Register?" Mr. Keeney explains this is an effort to answer a question which is of considerable importance in the history of conservatism. I do not know who will be doing this study at Federal expense, but if he is anything like Dr. David Kunzle, who is doing the comic strip study, I shudder to think of the Federal image that will be attached to conservatism. It may well be like the fox being asked to make a study of the chicken coop.

And then there is a grant of $25,000 to the American Oriental Society to hold an International Congress of Orientalists in the United States. Mr. B. Keeney states we are criticized abroad for our lack of hospitality in international congresses of scholars.

I have just been invited to a $25,000 peace on the waters, or vice versa, international meeting here in Washington. I do not know whether we need one on orientalists or not, but I doubt it very much. I know the work of the Breasted Institute on the University of Chicago campus.

There is $25,000 to prepare a history of book publishing in America. I simply cannot bring myself to believe that this would not be a duplication of the writings on this subject which have been done previously without Federal subsidies. I defy anyone to check this with the Library of Congress and tell me otherwise.

Then there is $15,000 for a dictionary of American popular beliefs and superstitions. If you believe in superstitions, by all means vote against this amendment. If not—and I think not—I hope it will be accepted.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

I do not know whether the gentleman from Missouri was guilty of a Freudian slip or not, but the Chairman of the National Foundation on the Humanities is Dr. Barnaby Keeney and not Mr. Bikini. As a matter of fact, although he is a great scholar and was a distinguished university president, I do not think that the Chairman of the Foundation on the Humanities would be particularly attractive in a bikini, even.

The gentleman from Missouri I think argues very well in opposition to his own amendment. With all due respect to him, I might say it would be most interesting when the moneys for medical research come up, which are in excess of billions of dollars, if they are the subject of his careful and scholarly scrutiny as have been his objections to the history of comic strips.

As a matter of fact, if the gentleman would take the time to go to the Library of Congress, which is essentially our Library, the gentleman would find its bibliography is incomplete. There is going to be a requirement and there is a requirement that in order for scholars throughout the United States to avoid the need for coming to Washington and going to the various libraries throughout the United States, there be a centralized bibliography on all subjects, even on ones of which the gentleman approves. It is an absolute need.

It is perfectly easy to ridicule scholarship and perfectly easy to say, "Well, what need is there for a history of the folklore of any area, including the Pedernales or the Ozarks?" As a matter of fact, some of the great folk music of our land and some of the most poignant literature on the American scene comes from those very areas. It ought to be studied and it ought to be a matter of scholarship just as there ought to be scientific scholarship. Disease and pestilence are not the only enemies of man. Ignorance is just as great or perhaps the greatest of all enemies.

This is nothing more or less than a mischievous amendment and it should be defeated. Are we to be told as civilized human beings that this great land of ours cannot afford the very small amount of money for the arts and humanities which is contained in this bill? Yet we walk in here and without question—and not necessarily improperly, either—vote in excess of $2 million an hour to support our military effort in Vietnam. Does anyone in this chamber really and honestly and truthfully believe that we cannot afford a few million dollars for the appreciation and the learning which is so essential in a civilized society when we can afford billions of dollars a year to protect that society? What are we trying to protect? A nation of ignoramuses? I think not.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Illinois.

Mr. YATES. By what standards are civilizations remembered? By what standards do we remember the Greeks? We remember them from Pericles and the Greek philosophers.

Mr. THOMPSON of New Jersey. The Greeks are not Americans, you know.

Mr. YATES. It still relates to the subject.

Mr. THOMPSON of New Jersey. Some people are very dangerous.

Mr. YATES. We remember the art and the culture. Our civilization will be great depending on the arts and the humanities. The emphasis being placed in this House for these cuts being made on the basis of a war going on overlooks the fact that when peace comes it must be made by those skilled in the arts and the humanities and we cannot get the cuts back.

Mr. THOMPSON of New Jersey. I thank the gentleman from Illinois.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the distinguished majority leader.

Mr. ALBERT. I want to associate myself with the remarks made by the gentleman. No one has a higher regard for the gentleman from Missouri than I. He knows the regard in which I hold him. And, Mr. Chairman, I do not look upon the gentleman's amendment as being frivolous. However, I do believe it is misguided.

Mr. Chairman, if there is anything which I believe we would want to guard against——

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. THOMPSON] has expired.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Chairman, will the distinguished gentleman from New Jersey yield further?

Mr. THOMPSON of New Jersey. Yes; I yield further to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, it is my opinion that if there is anything against which we should guard in this Nation at any and all times, it would be an imbalance in our education.

Mr. Chairman, I happen to remember the fact that some years ago, during the period in which the Wright brothers were attempting to obtain a hearing before a committee of the Congress, they were completely laughed out of the hearing room; and, so were the supporters and followers of Marconi.

Mr. Chairman, there existed an imbalance against this type of progress—this type of technological progress—and there existed an imbalance in the other direction. Just as disturbing, who is to be the judge of what scholarship is? Who is to be the judge of what the humanities are? Is it going to be individuals, or is it going to be the community of scholars themselves?

Mr. Chairman, I can say to the distinguished gentleman from New Jersey [Mr. THOMPSON], and to my distinguished friend from Missouri, that I do not believe a more competent individual occupies a position in Government than the distinguished former president of a great American university, Dr. Barnaby Keeney, to whom reference has been made, and who serves as chairman of the National Endowment for the Humanities. The country is equally blessed to have a very distinguished citizen, Roger Stevens, as chairman of the National Endowment for the Arts.

Mr. Chairman, I thoroughly support the position of the gentleman from New Jersey and hope that the Committee of the Whole House on the State of the Union will do likewise.

Mr. MAHON. Mr. Chairman, will the distinguished gentleman from New Jersey yield to me at this point?

Mr. THOMPSON of New Jersey. I am delighted to yield to the chairman of the Committee on Appropriations.

Mr. MAHON. Mr. Chairman, the President of the United States in submitting his budget, undertook to use a great deal of restraint in respect to the request for appropriations for the National Foundation on the Arts and Humanities.

Mr. Chairman, the Committee on Appropriations is of course aware of the concern on the part of Members of the House generally for a wise spending policy.

Mr. Chairman, the committee does not want to go overboard on this subject, because the members thereof realize that it is controversial and somewhat difficult.

So, Mr. Chairman, we made a reduction of well in excess of $4 million here. The total amount in the bill, I believe, is about $11.7 million.

Mr. Chairman, this is a small program, but the implications of this program are tremendous. They are important. They represent an evidence of cultures and refinements and ambitions and hopes and dreams of the American people.

Mr. Chairman, we do not always agree upon all of the things involved, but we do agree that the things of the heart and the mind and spirit are the greatest things in all the world, the greatest things in the United States.

Mr. Chairman, we do realize that man cannot live by bread alone. We have heard that someone said, "If you have two loaves, go quickly and sell one and buy a flower, because the soul also must be fed."

It seems to me that we should go along with this relatively small sum for one of the great programs which, generally, must be performed by the people and not by the Government, and support these men, Roger Stephens and Dr. Keeney, gentlemen who are trying to afford leadership in this important work, the humanities and the arts.

Mr. THOMPSON of New Jersey. Mr. Chairman, I am extremely grateful to the distinguished gentleman from Texas [Mr. MAHON], the chairman of the full Committee on Appropriations.

Mr. Chairman, when the Committee rises, I shall ask unanimous consent to include as a part of my remarks, and to insert as a part of my remarks, a list of the grants reflecting the fields of scholarship in which grants have been made by the Foundation on the Humanities.

They represent the brightest young scholars, the most promising young scholars from nearly every State in the Union, and they are indeed a great contribution.

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. I thank the gentleman for yielding.

Mr. Chairman, I would like to associate myself with the remarks of the gentleman from New Jersey and to say that I was reared in the community of the gentleman who offered the amendment. Generations of my ancestors lie buried there. I am sure that that community also believes in scholarship. So I trust the gentleman's amendment is defeated.

I particularly hope that we do have a consideration of the American comic strip. As a child I remember—happily—that I sat on my father's lap while he read the Katzenjammer Kids. I trust that we have some understanding of comic strips are, and what the effect has been upon American life.

I also believe that if we were to do a little survey on the superstitions and beliefs of the people of the district of the gentleman from Missouri we will find that a good many of those superstitions and beliefs go back to Elizabeth I.

Mr. Chairman, I personally urge the defeat of the gentleman's amendment, and I support the position of the gentleman from New Jersey.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. REID of New York. Mr. Chairman, I thank the gentleman for yielding.

I rise in opposition to the amendment and in support of the appropriation of $11.7 million. Personally, I would support the full amount of $16,370,000, requested by the President for the National Foundation on the Arts and the Humanities.

Mr. Chairman, I believe the Foundation has worked creatively in the State of New York and throughout the Nation to encourage artists, authors, playwrights, and the members of the dance.

In addition to grants to a number of talented individual New Yorkers in several fields, national organizations based in New York City have also received assistance from the National Endowment for the Arts. For example, the Academy of American Poets received a matching grant to launch a lecture series entitled "Dialogs on the Art of Poetry," for high school teachers.

The American Lyric Theater Workshop received a grant to create a special theater laboratory for professional actors, writers, musicians, and dancers, under the direction of Jerome Robbins. The Educational Broadcasting Corp. received a matching grant under a program to enable educational stations throughout the country to provide additional programing in various art fields. Other grants indicative of the diversity and creativity of the Foundation's endeavors went to the American Playwrights Theater, the New York City Opera Co., the New York Shakespeare Festival, and the New York State Council on the Arts—the first State arts council.

These endeavors give earnest of our concern at the national level for the arts, and they should be, in my judgment, fully supported. But more than this, I believe it is essential. And with all due respect to my distinguished colleague from Missouri, I believe it is one thing to have Government support of the arts on the one hand and congressional evaluation of the arts, on the other. I believe Government support is necessary, but equally there should not and there must not be any Government control or direction over the arts. I believe that should be separate. The role of the critic and the judge should be left to Roger Stevens and Dr. Barnaby Keeney, and to their distinguished councils.

The Congress has the right and clearly so to appropriate funds for the encouragement of the arts, but we should not deal with specific grants which, in my judgment, would be a grave error. We must—as the House of Commons has for two decades—uphold independence for the arts free from political interference.

Mr. Chairman, I thank the gentleman for yielding.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I would like to take this opportunity to associate myself with the remarks of the gentleman from New Jersey, and rise in opposition to the amendment.

I would also say, as he has pointed out, this Congress yearly appropriates over $24 billion in armaments for the war in Vietnam, with hardly a ripple of opposition in this House. I would also call attention to the fact that we yearly appropriate approximately $5 billion for the space program, again without a ripple of dissension in this House.

Certainly the amount recommended for the Foundation on the Arts and Humanities is a drop in the bucket compared with these other programs.

Mr. Chairman, I hope the amendment is defeated, and that the recommendations in the committee report prevail.

It seems a worthy investment in the means by which future generations may know that America, in the second half of the 20th century, was populated by more than transistors, printed microcircuits, and antimissile defense mechanisms.

Mr. Chairman, I want to compliment the distinguished Congresswoman who chairs the subcommittee for her work on this most important and complicated bill. The subcommittee has imposed significant reductions where these could be made in the interests of economy without damaging the overall efficiency of the programs involved.

The amounts recommended for the National Foundation on the Arts and Humanities would seem to be the minimum necessary to continue the important and very worthwhile work of the Foundation.

The recommended figure is $4.6 million below the amount requested for fiscal year 1968. This represents a cut of approximately 25 percent in the Foundation's budget request for the coming fiscal year. This must be considered a drastic reduction by any standard. Any further reduction would seem to dictate an extensive retrenchment in their program for the coming year.

In view of the significant progress already achieved by the Foundation, compared with the relatively small investment we have made so far, I strongly recommend that the committee's recommendations be approved.

So far some 287 fellowships have been granted to scholars and teachers in the humanities at 190 institutions in 44 States and the District of Columbia. This represents an increase of 35 percent in the number of such awards from public and private sources and a 90-percent increase in awards to postdoctoral scholars. In addition, 83 projects have been approved totaling some $1,459,000, and involving 130 American scholars in an activity which will give new meaning and insights to American letters. The projects will involve literary, historical, philosophical, and archeological subjects.

Additional programs under the endowment have also made important strides in the field of educational broadcasting. These programs will bring over 1,600 recorded works in the humanities to the almost 2 million Americans who cannot read because of blindness or other physical disability. Federal assistance is also being given to the Nation's museums and historical societies who, like many fields of education, are in great need of upgraded professional staffing. By imposing cuts in the committee bill, we will widen the already broad gap between the number of grants approved and the number of requests which are received. So far only some 414 grants have been approved of the 1,575 requests received.

Mr. Chairman, in the 89th Congress I was sponsor of a bill to establish a National Foundation on the Humanities. Many of the features of my bill, along with similar bills of my colleagues, were incorporated in the legislation which finally established the National Foundation on the Arts and Humanities. In stressing the need for this kind of activity in Government, the point was made repeatedly that the humanities had become a neglected field in this age of science and technology. The tremendous imbalance in favor of science was cited, and it was agreed that more attention must be given the humanities, without which the log of history and of our great American heritage could not be written. The competitive atmosphere of international relations has hardly lessened since the establishment of the Foundation, and the imbalance in support of science and technology has likewise increased. If anything, it is more important now than ever that we support the humanities to the fullest extent possible, and, again, I respectfully urge that we accept and approve the judicious recommendations contained in the committee report.

Mr. ALBERT. Mr. Chairman, will the gentleman yield further?

Mr. THOMPSON of New Jersey. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, I hope the gentleman will put in the RECORD all of the data he has on what is being programed and what is contemplated. I have been handed two little items that I believe are worth calling to the attention of the House at this time. One is the endowment research and support for an American historical association project to assist scholars by organizing the vast amount of material not fully available to American historians. Another is to provide uniquely valuable source material on the career of Dwight D. Eisenhower. I believe this is very important.

Mr. THOMPSON of New Jersey. I might not fully agree.

In conclusion, Mr. Chairman, I would like to emphasize that the fundamental disagreement with respect to this amendment between the gentleman from Missouri and I which has run on through the RECORD for a period of time has nothing whatsoever to do with personalities. It is simply a fundamental disagreement and I hasten to disabuse anyone's mind as to any implication other than that.

I thank those who have joined me in opposing this amendment and fervently hope that it is defeated.

Mr. Chairman, following are most informative statements relating to the grants and activities of the Humanities Foundation. I submit that they are spectactularly useful and profound:

National Endowment for the Humanities Fellowships Announced

February 1, 1967.

The National Endowment for the Humanities today announced the award of its first fellowships, totaling $1,900,000.

In the belief that national progress in the humanities depends upon increasing the pool of effective and dedicated humanistic teachers and scholars, as fellowships in the sciences have increased the nation's pool of outstanding scientists, the Endowment has established three programs of fellowships. Two of the programs are directed toward younger scholars, one of them providing support for a summer of study and research and the other support for a period of up to eight months. The third program provides support to senior scholars for a year of uninterrupted study and writing which will enable them to make contributions of major significance to their individual fields.

Today's awards, representing 190 educational institutions located in 44 States and the District of Columbia, and including scholars unaffiliated with academic centers, consist of: 100 Fellowships for Younger Scholars, 130 Summer Fellowships, 57 Senior Fellowships.

A list of awards follows:

ALABAMA

Summer fellowships

James M. Miller (History), Birmingham-Southern College, Birmingham.

Hugh A. Ragsdale, Jr. (History), University of Alabama, University.

ALASKA

Fellowships for younger scholars

William H. Wilson (U.S. History), University of Alaska, College.

Summer fellowships

Edward H. Hosley (Social Sciences), University of Alaska, College.

ARIZONA

Fellowships for younger scholars

Richard Oakley Davies (Social Sciences), Northern Arizona University, Flagstaff.

Nicholas A. Salerno (English Literature), Arizona State University, Tempe.

Summer fellowships

Larry A. McFarlane (History), Northern Arizona University, Flagstaff.

John K. Yost (History), University of Arizona, Tucson.

ARKANSAS

Fellowships for younger scholars

Barbara Meacham Jarvis (Spanish Literature), University of Arkansas, Fayetteville.

CALIFORNIA

Fellowships for younger scholars

George P. Blum (History), Raymond College, Stockton.

Seymour L. Chapin (History), California State College, Los Angeles.

Alan Stanley Curtis (Music), University of California, Berkeley.

Richard Whitlock Davis (History), University of California, Riverside.

Kurt Mueller-Vollmer (Comparative Literature), Stanford University, Stanford.

John F. H. New (History), University of California, Santa Barbara.

David Fate Norton (Philosophy), University of California, La Jolla.

Alexander Rabinowitch (History), University of Southern California, Los Angeles.

Summer fellowships

Norman S. Cohen (U.S. History), Occidental College, Los Angeles.

Thomas K. Dunseath (English Literature), University of California at San Diego, La Jolla.

Robert H. Fossum (American Literature), Claremont Men's College, Claremont.

Frank J. Garosi (History), Sacramento State College, Sacramento.

Helen C. Gilde (English Literature), California State College, Long Beach.

Robert Griffin (French Literature), University of California, Riverside.

Carroll B. Johnson (Spanish Literature), University of California, Los Angeles.

Alice M. Laborde (French Literature), University of California at Irvine, Irvine.

Murray Lefkowitz (Music), San Fernando Valley State College, Northridge.

Michael N. Nagler (Comparative Literature), University of California, Berkeley.

David C. Young (Classical Studies), University of California, Santa Barbara.

Senior fellowships

Marija Gimbutas (History), University of California, Los Angeles.

Mary R. Haas (Linguistics), University of California, Berkeley.

Richard Hostetter (History), University of California, Riverside.

Theodore C. Karp (Music), University of California, Davis.

Vladimir Markov (Russian Literature), University of California, Los Angeles.

Edward N. O'Neil (Classical Studies), University of Southern California, Los Angeles.

Rollie E. Poppino (History), University of California, Davis.

W. Kendrick Pritchett (Classical Studies), University of California, Berkeley.

Gilbert Reaney (Music), University of California, Los Angeles.

Carlo Pedretti (Art), University of California, Los Angeles.

Hugo Rodriguez-Alcala (Spanish Literature), University of California, Riverside.

Avrum Stroll (Philosophy), University of California, La Jolla.

Larzer Ziff (American Studies), University of California, Berkeley.

COLORADO

Senior fellowships

J. Glenn Gray (Philosophy), The Colorado College, Colorado Springs.

Summer fellowships

John M. Koller (Philosophy), Colorado State University, Ft. Collins.

Courtland H. Peterson (Social Sciences), University of Colorado, Boulder.

CONNECTICUT

Fellowships for younger scholars

Jack M. Davis (English Literature), University of Connecticut, Storrs.

Stephen L. Dyson (Classical Studies), Wesleyan University, Middletown.

Cyrus Hamlin (German Literature), Yale University, New Haven.

Summer fellowships

Richard O. Curry (U.S. History), University of Connecticut, Storrs.

Senior fellowships

John Morton Blum (American Studies), Yale University, New Haven.

Robert Sabatino Lopez (History), Yale University, New Haven.

Jaroslav Pelikan, (History of Religion), Yale University, New Haven.

DISTRICT OF COLUMBIA

Fellowships for younger scholars

Helen James John (Philosophy), Trinity College, Washington, D.C.

Summer fellowships

Robert W. Kenny (History), George Washington University, Washington, D.C.

Shirley S. Kenny (English Literature), Catholic University of America, D.C.

Jeane C. Wilke, (U.S. History), Trinity College, Washington, D.C.

FLORIDA

Fellowships for younger scholars

Charles C. Crittenden (Philosophy), Florida State University, Tallahassee.

Kenneth Alden Megill (Social Sciences), University of Florida, Gainesville.

Summer fellowships

Robert Detweiler (English Literature), Florida Presbyterian College, St. Petersburg.

John G. Gardner (English Literature), Biscayne College, Miami.

Frank P. Norris (Spanish Literature), University of Miami, Coral Gables.

William H. Scheuerle (English Literature), University of South Florida, Tampa.

S. L. Weingart (English Literature), Florida State University, Tallahassee.

George D. Winius (History), University of Florida, Gainesville.

Senior fellowships

George Alexander Lensen (History), Florida State University, Tallahassee.

GEORGIA

Fellowships for younger scholars

William Franklin Boggess (Classical Studies), University of Georgia, Athens.

Summer fellowships

James H. Davis (French Literature), University of Georgia, Athens.

Eva K. Harlan (Philosophy), Emory University, Atlanta.

Allen B. Skei (Music), The Woman's College of Georgia Milledgeville.

HAWAII

Fellowships for younger scholars

Alan Gavan Daws (History), University of Hawaii, Honolulu.

Summer fellowships

Hugh Hi-woong Kang (History), University of Hawaii, Honolulu.

Senior fellowship

Wilhelm G. Solheim (Social Sciences), University of Hawaii, Honolulu.

ILLINOIS

Fellowships for younger scholars

Keith M. Baker (History), University of Chicago.

Rudolph W. Heinze (History), Concordia Teachers College, River Forest.

Peter R. McKeon (History), University of Chicago.

Douglas H. White (English Literature), Illinois Institute of Technology, Chicago.

Summer fellowships

Thomas W. Blomquist (History), Northern Illinois University, DeKalb.

Mervin R. Dilts (Classical Studies), University of Illinois, Urbana.

Herbert L. Kessler (Art), University of Chicago.

Taimi Maria Ranta (Social Sciences), Illinois State University, Normal.

John A. Tedeschi (History), The Newberry Library, Chicago.

C. David Tompkins (U.S. History), University of Illinois, Chicago.

Senior fellowships

Charles A. Knudson (French), University of Illinois, Urbana.

INDIANA

Fellowships for younger scholars

John T. Canty (Philosophy), University of Notre Dame.

Robert Harlen King (Philosophy), DePauw University, Greencastle.

Theodore Kermit Scott (Philosophy), Purdue University, Lafayette.

Summer fellowships

Jack M. Balcer (History), Indiana University, Bloomington.

Thomas J. Jemielity (English Literature), University of Notre Dame.

William L. Rowe (Philosophy), Purdue University, Lafayette.

Senior fellowships

Willi Apel (Music), Indiana University, Bloomington.

Wu-chi Liu (Drama), Indiana University, Bloomington.

Nicholas Lobokowicz (Philosophy), University of Notre Dame.

Calvin O. Schrag (Philosophy), Purdue University, West Lafayette.

IOWA

Fellowships for younger scholars

Warner Barnes (American Literature), University of Iowa, Iowa City.

Richard S. Hanson (Middle Eastern Studies), Luther College, Decorah.

Summer fellowships

James T. Clemons (History of Religion), Morningside College, Sioux City.

William S. Cobb (Philosophy), Grinnell College, Grinnell.

Galen O, Rowe (Classical Studies), University of Iowa, Iowa City.

John H. Sieber (History), Luther College, Decorah.

Senior fellowships

Stow Persons (History), University of Iowa, Iowa City.

KANSAS

Fellowships for younger scholars

John G. Clark (History), University of Kansas, Lawrence.

John O. Rees (American Literature), Kansas State University, Manhattan.

Janet Eloise Tupper (Music), Ft. Hays Kansas State College, Hays.

Summer fellowships

John C. English (History), Baker University, Baldwin.

Victor R. Greene (History), Kansas State University, Manhattan.

Ronald W. Tobin (French Literature), University of Kansas, Lawrence.

KENTUCKY

Fellowships for younger scholars

Joseph Polzer (Art), University of Louisville, Louisville.

Summer fellowships

Eric C. Hicks (French Literature), University of Kentucky, Lexington.

LOUISIANA

Fellowships for younger scholars

John Robert Moore (History), University of Southwestern Louisiana, Lafayette.

Summer fellowships

Victor J. Voegeli, III (U.S. History), Tulane University, New Orleans.

MAINE

Fellowships for younger scholars

Dorothy Koonce (Classical Studies), Colby College, Waterville.

MARYLAND

Fellowships for younger scholars

Don William Denny (Art), University of Maryland, College Park.

Summer fellowships

Kariofilis Mitsakis (Comparative Literature), University of Maryland, College Park.

Jerome F. O'Malley (Classical Studies), Loyola College, Baltimore.

Senior fellowships

Don Cameron Allen (English), Johns Hopkins University, Baltimore.

Adrienne Koch (History), University of Maryland, College Park.

MASSACHUSETTS

Fellowships for younger scholars

Daniel R. Borg (History), Clark University, Worcester.

Charles Edwin Clark (U.S. History), Southeastern Mass. Technological Inst., Dartmouth.

Robert W. Doherty (History), University of Massachusetts.

Arthur Ralph Gold (English Literature), Wellesley College, Wellesley.

John L. Heineman (History), Boston College, Chestnut Hill.

Summer fellowships

Marie-Rose Carre (French Literature), Smith College, Northhampton.

Samuel Y. Edgerton (Art), Boston University, Boston.

James D. Ellis (Drama), Mt. Holyoke College, South Hadley.

Robert A. Hart (History), University of Massachusetts, Amherst.

Paul C. Helmreich (History), Wheaton College, Norton.

Alan H. Schechter (Social Sciences), Wellesley College, Wellesley.

Gordon S. Wood (History), Harvard University, Cambridge.

Senior fellowships

James Franklin Berar (American Literature), Clark University, Worchester.

Ruth J. Dean (French Literature), Mount Holyoke College, South Hadley.

Einar Haugen (Scandinavian Literature), Harvard University, Cambridge.

Baruch A. Levine (Linguistics), Brandeis University, Waltham.

MICHIGAN

Fellowship for younger scholars

Donald N. Baker (History), Michigan State University, East Lansing.

William C. Bryant (Spanish Literature), Oakland University, Rochester.

James Horace Jones (English Literature). Northern Michigan University, Marquette.

William W. Freehling (U.S. History), University of Michigan, Ann Arbor.

Summer fellowships

John G. Blair (Comparative Literature), Oakland University, Rochester.

Joseph F. Hanna (Philosophy), Michigan State University, East Lansing.

Senior fellowships

Kenneth Ray Scholberg (Spanish Literature), Michigan State University, E. Lansing.

MINNESOTA

Fellowships for younger scholars

Allan H. Spear (U.S. History), University of Minnesota, Minneapolis.

Summer fellowships

Jooinn Lee (History of Religion), University of Minnesota, Morris.

Toni A. H. McNaron (English Literature), University of Minnesota, Minneapolis.

Jacqueline T. Schaefer (Comparative Literature), Carleton College, Northfield.

MISSISSIPPI

Fellowship for younger scholars

Leon E. Boothe (U.S. History), University of Minnesota, Minneapolis.

Summer fellowships

Thomas L. Connelly (U.S. History), Mississippi State University, State College.

William K. Scarborough (U.S. History), University of Southern Mississippi, Hattiesburg.

MISSOURI

Fellowships for younger scholars

Richard L. Admussen (French Literature), Washington University, St. Louis.

Summer fellowships

S. Pendleton Fullwider (U.S. History), Stephens College, Columbia.

Orland W. Johnson (Music), Washington University, St. Louis.

Sheldon J. Watts (History), University of Missouri, Kansas City.

NEBRASKA

Fellowships for younger scholars

Edward L. Homze (History), University of Nebraska, Lincoln.

Summer fellowships

Frederick C. Luebke (Social Sciences), Concordia Teachers College, Seward.

NEW HAMPSHIRE

Fellowships for younger scholars

Richard Lloyd Regosin (French Literature), Dartmouth College, New Hampshire (Hanover).

Summer fellowships

Thomas Vargish (English Literature) Dartmouth College, Hanover.

NEW JERSEY

Fellowships for younger scholars

James M. McPherson (U.S. History), Princeton University, Princeton.

Edwin Masao (History), Rutgers, The State University, New Brunswick.

Summer fellowships

Robert K. Faulkner (Social Sciences), Princeton University, Princeton.

William W. Fortenbaugh (Classical Studies), Douglas College, New Brunswick.

Dan Warshaw (Social Sciences), Fairleigh Dickinson University, Teaneck.

Stanley B. Winters (History), Newark College of Engineering, Newark.

Senior fellowships

Arthur Mendel (Music), Princeton University, Princeton.

NEW MEXICO

Summer fellowships

John A. Mears (History), New Mexico State University, University Park.

NEW YORK

Fellowships for younger scholars

Carol Rothrock Bleser (U.S. History), Adelphi Suffolk College, Long Island.

Leonard G. Bonin (Philosophy), State University College of New York, Oswego.

Briton Cooper Busch (History), Colgate University, Hamilton.

Arthur L. Clements (English Literature), State University of New York, Binghamton.

Raymond Joseph Cunningham (U.S. History), Fordham University, Bronx.

Lynd Wilks Forguson (Philosophy), State University of New York, Buffalo.

Joan Gadol (History), City University of New York.

William D. Grifin (History), St. John's University, Jamaica.

Baruch Hochman (Comparative Literature), Bard College, Annandale-on-Hudson.

Jerome J. Nadelhaft (U.S. History), State University College, Genesco.

Lucy Freeman Sandler (Art), Washington Square College, New York.

Harold I. Shapiro (English Literature), Hofstra University, Hempstead.

Barton Sholod (Comparative Literature), Queens College, Flushing.

David Sidorsky (Philosophy), Columbia University, New York.

Hendrik Vanderwerf (Music), University of Rochester, Rochester.

Joseph Wiesenfarth (English), Manhattan College, Bronx.

Summer fellowships

John R. Aiken (U.S. History), State University College, Buffalo.

Nicholas Capaldi (Philosophy), State University College, Potsdam.

James K. Graby (Philosophy of Religion), Keuka College, Keuka Park.

Leo J. Hoar (Spanish Literature), Fordham University, Bronx.

Michael G. Kammen (History), Cornell University, Ithaca.

Berel Lang (Philosophy), C. W. Post College of Long Island, Brookville.

Michael Mallory (Art), Brooklyn College of the City University of N.Y., Brooklyn.

Eugene P. Nassar (English Literature), Utica College.

John M. O'Brien (History), Queens College, Flushing.

David C. Pierce (History of Religion), Bard College, Annandale-on-Hudson.

Richard P. Roark (Social Sciences), State University College, Geneseo.

David Rosand (Art), Columbia University, New York.

Thomas B. Settle (History), Polytechnic Institute of Brooklyn.

Sandro Sticca (Drama), State University of New York at Binghamton.

J. Stuart Wilson (English Literature), State University College, Fredonia.

Senior fellowships

Seeger A. Bonebakker (Middle Eastern Studies), Columbia University, N.Y.

Lionel Casson (History), New York University, N.Y.

Edgar Baldwin Graves (History), Hamilton College, Clinton.

Howard Hibbard (Art), Columbia University, New York.

Norman Kelvin (English Literature), City College of the City University of N.Y.

Arthur Mizener (English Literature), Cornell University, Ithaca.

Ernst Oster (Music), New York, N.Y.—Unaffiliated.

Marc Raeff (History), Columbia University, New York.

Melvin Richter (Social Sciences), Hunter College, New York.

A. William Salomone (History), University of Rochester, Rochester.

Bernard S. Solomon (Philosophy), Queens College, Flushing.

NORTH CAROLINA

Fellowships for younger scholars

Randolph M. Bulgin (English Literature), University of North Carolina, Greensboro.

William Brown Patterson (History), Davidson College, Davidson.

John Marion Riddle (History), North Carolina State University, Raleigh.

John M. Schnorrenberg (Art), University of North Carolina, Chapel Hill.

Summer fellowships

Richard C. Barnett (History), Wake Forest College, Winston-Salem.

Roger A. Bullard (History of Religion), Atlantic Christian College, Wilson.

William J. De Sua (Italian Literature), University of North Carolina, Chapel Hill.

J. Rodney Fulcher (U.S. History), St. Andrews Presbyterian College, Laurinburg.

Jean Gordon (History), University of North Carolina, Greensboro.

Senior fellowships

Henry C. Boren (History), University of North Carolina, Chapel Hill.

Anne Firor Scott (Social Sciences), Duke University, Durham.

NORTH DAKOTA

Fellowships for younger scholars

Theodore I. Messenger (Philosophy), University of North Dakota, Grand Forks.

Summer fellowships

Richard F. Hampsten (English Literature), University of North Dakota, Grand Forks.

Senior fellowships

Demetrius J. Georgacas (Classical Studies), University of North Dakota, Grand Forks.

OHIO

Fellowships for younger scholars

Jasper Hopkins (Philosophy), Case Institute of Technology, Cleveland.

Zane L. Miller (U.S. History), University of Cincinnati.

Frank Rosengarten (History), Western Reserve University, Cleveland.

Jack Ray Thomas (U.S. History), Bowling Green State University, Bowling Green.

David P. Young (English Literature), Oberlin College Oberlin.

Summer fellowships

Matthew E. Baigell (Art), Ohio State University, Columbus.

Norman S. Care (Philosophy), Oberlin College, Oberlin.

Gary R. Hess (History), Bowling Green State University, Bowling Green.

Mary K. Howard (History), John Carroll University, University Heights.

William C. Morgan, III (History), University of Toledo, Toledo.

Lee Daniel Snyder (History), Ohio Wesleyan University, Delaware.

Senior fellowships

Hugh M. Davidson (French Literature), Ohio State University, Columbus.

John R. Spencer (Art), Oberlin College, Oberlin.

OKLAHOMA

Summer fellowships

Charles M. Dollar (U.S. History), Oklahoma State University, Stillwater.

OREGON

Fellowships for younger scholars

John M. Tomsich (U.S. History), Reed College, Portland.

Darold D. Wax (U.S. History), Oregon State University, Corvallis.

Senior fellowships

Earl Pomeroy (U.S. History), University of Oregon, Eugene.

PENNSYLVANIA

Fellowships for younger scholars

Allan Cutler (Social Sciences), Temple University, Philadelphia.

David Allen Grimsted (Social Sciences), Bucknell University, Lewisburg.

Anne Coffin Hanson (Art), Bryn Mawr College, Bryn Mawr.

Susan Snyder (English Literature), Swarthmore College, Swarthmore.

Charles L. Tipton (History), Lehigh University, Bethelehem.

Martin M. Tweedale (Philosophy), University of Pittsburgh, Pittsburgh.

Summer fellowships

James M. Bergquist (U.S. History), Villanova University.

Bruce L. Clayton (U.S. History), Allegheny College, Meadville.

Dennis N. K. Darnoi (Philosophy), Immaculata College.

Charles G. Dempsey (Art), Bryn Mawr College, Bryn Mawr.

Paul R. Evans (Music), University of Pennsylvania, Philadelphia.

Ira Grushow (English Literature), Franklin & Marshall College, Lancaster.

Allan I. Ludwig (Art), Dickinson College, Carlisle.

Robert D. Sider (Classical Studies), Messiah College, Grantham.

Senior fellowships

MacEdward Leach (English Literature), University of Pennsylvania, Philadelphia.

Helen F. North (Classical Studies), Swarthmore College, Swarthmore.

RHODE ISLAND

Fellowships for younger scholars

Margaret Dalton (Russian Literature), Brown University, Providence.

Summer fellowships

Jaegwon Kim (Philosophy), Brown University, Providence.

Senior fellowships

William F. Church (History), Brown University, Providence.

SOUTH CAROLINA

Fellowships for younger scholars

William Sanderson Kable (English Literature), University of South Carolina, Columbia.

Summer fellowships

Robert B. Patterson (History), University of South Carolina, Columbia.

Frederick F. Ritsch (History), Converse College, Spartanburg.

TENNESSEE

Fellowships for younger scholars

Philip Houston Kennedy (French Literature), University of Tennessee, Knoxville.

Ljubica D. Popovich (Art), Vanderbilt University, Nashville.

Summer fellowships

B. J. Leggett (English Literature), University of Tennessee, Knoxville.

James F. Kilroy (English Literature), Vanderbilt University, Nashville.

Louis C. Stagg (English Literature), Memphis State University, Memphis.

TEXAS

Fellowships for younger scholars

William F. Holmes (U.S. History), Arlington State College, Arlington.

Alexander P. D. Mourelatos (Philosophy), University of Texas, Austin.

John W. Velz (English Literature), Rice University, Houston.

Robert M. Weir (U.S. History), University of Houston, Houston.

Summer fellowships

G. Karl Galinsky (Classical Studies), University of Texas, Austin.

Charles D. Peavy (American Literature), University of Houston, Houston.

Senior fellowships

John P. Sullivan (Classical Studies), University of Texas, Austin.

VERMONT

Fellowships for younger scholars

Ursula Heibges (Classical Studies), Middlebury College, Middlebury.

Summer fellowships

Victor L. Nuovo (Philosophy), Middlebury College, Middlebury.

VIRGINIA

Fellowships for younger scholars

Woodford D. McClellan (History), University of Virginia, Charlottesville.

Summer fellowships

Thomas K. Hearn (Philosophy), College of William & Mary, Williamsburg.

H. Marshall Jarrett (History), Washington & Lee University, Lexington.

Harold S. Wilson (U.S. History), Old Dominion College, Norfolk.

Senior fellowships

Clifford Dowdey (U.S. History), Richmond (Unaffiliated).

Irvin Enrenpreis (English Literature), University of Virginia, Charlottesville.

WASHINGTON

James E. Broyles (Philosophy), Washington State University, Pullman.

Norman H. Clark (U.S. History), Everett Junior College, Everett.

Richard L. Greaves (History), Eastern Washington State College, Cheney.

WEST VIRGINIA

Fellowships for younger scholars

Barton Hudson (Music), West Virginia University, Morgantown.

WISCONSIN

Fellowships for younger scholars

Alan David Corre (Middle Eastern Studies), University of Wisconsin, Milwaukee.

James W. Tuttleton (American Literature), University of Wisconsin, Madison.

Summer fellowships

Vlad I. Thomas (English Literature), Wisconsin State University, Whitewater.

Chauncey Wood (English Literature), University of Wisconsin, Madison.

Senior fellowships

Gian N. G. Orsini (Comparative Literature), University of Wisconsin, Madison.

WYOMING

Fellowships for younger scholars

Gene M. Gressley (Social Sciences), University of Wyoming, Laramie.

Summer fellowships

Steven M. Foster (English Literature), University of Wyoming, Laramie.

NATIONAL ENDOWMENT FOR THE HUMANITIES EDUCATIONAL GRANTS ANNOUNCED

FEBRUARY 2, 1967.

Barnaby C. Keeney, Chairman of the National Endowment for the Humanities, today announced grants totaling $403,000 to further the study and dissemination of the humanities through educational projects.

In announcing the educational grants, many of which are aimed at strengthening the teaching of the humanities in secondary schools, Mr. Keeney said, "The significant curricular developments in the humanities at the secondary and elementary school levels of education have only partially been disseminated into the nation's school systems. Good basic curricula exist in many fields but the gap between development and application remains large. Many of our programs are aimed at closing that gap."

The grants indicate that the Endowment is concentrating on the individual, through Fellowship grants and through educational programs designed to increase the knowledge and potential of the individual teacher of the humanities from primary school to university. Development of teaching aids such as Instructional Television, and workshops, seminars and programs conducted by leading university professors in the various fields of the humanities are some of the means emphasized through which teachers may deepen their own interests and develop a greater ability to disseminate their knowledge to their students.

Announcements of individual research grants and other major programs will be issued within the next few weeks.

INSTRUCTIONAL TELEVISION COMPETITION

To foster national interest in Instructional Television and to bring added color and excitement to the teaching of the humanities in secondary schools, a grant of up to $100,000 was approved for the WGBH Educational Foundation in Boston, Mass.

The project will involve producers of Instructional Television (ITV), university staff and creative television experts in the production of five television programs relating to various fields of the humanities for classroom use.

A national competition will be held in five regional areas and the best presentation and treatment of ideas from each region will be selected by panels in each area. The panels will be made up of a Project Director, scholars in the fields of the humanities, and representatives of instructional television, educational television and commercial TV.

Each program will be of one-half hour duration and will develop the relationship between two or more fields of the humanities. The programs selected by the panels will be produced at WGBH, Boston, under the supervision of a program director, a leading TV producer and an outstanding "humanist" in the fields covered by the program.

The programs will be disseminated by WGBH which will make them available to the National Center for School and College Television in Bloomington, Indiana and to NAEB and NET meetings. With each film there will be a study guide for the use of classroom teachers. The project director will also make field trips throughout the country to show the films and to discuss their potential use with high school and television personnel.

COUNCIL FOR PUBLIC SCHOOLS, BOSTON, MASS., PROGRAM OF READING AND BOOK EXPOSURE FOR CULTURALLY DISADVANTAGED CHILDREN

A grant of up to $39,000 was approved to the Council for Public Schools in Boston to carry out two programs to allow children who perhaps have never owned or even read a book to become familiar with reading as a pleasure.

The project will give more than 1,000 elementary school children in disadvantaged areas of Fall River and Boston, Massachusetts, a more individualized exposure to books and related activities than they normally have at home or at school.

Children will be encouraged to borrow books from public libraries and will receive four gift books during the year to stimulate awareness that a book is something to own and to prize. In this way the project will emphasize the point that reading is enjoyable and will develop a child's ability to select books which interest him. College-educated parents in the community will serve as volunteers in this project and will be recruited through civic organizations, churches and schools.

It is hoped that through widespread dissemination of information about the program, comparable communities will be encouraged to adopt similar programs.

TALKING BOOKS PILOT PROJECT

A grant of up to $100,000 was approved for a pilot project to be undertaken by Recording for the Blind Inc. in New York, in order that this medium may be used to bring the resources of the humanities to the 1.5 million Americans who are unable to read for reasons other than blindness. Since many of these people are confined to hospitals the grant will support a demonstration program in four participating hospitals. Taped "talking books" will be produced in the general field of the humanities including literature, history, philosophy and the social sciences. Titles will be selected by the librarian of Recording for the Blind in cooperation with the Endowment. More than 1,000 books will be produced and a master tape of each title will be made with a tape copy of each title for program use.

Tapes will be made available on a circulating basis to each of the participating hospitals which include initially, the Rhode Island Hospital, Providence, R.I., The Institute of Rehabilitation Medicine of New York University Medical Center, Goldwater Memorial Hospital, and Bellevue Hospital all in New York City. After full circulation has been reached the tapes will be given to the Library of Congress for duplication and circulation through its regional libraries.

Under the new law, the Library of Congress is enabled to extend its services to handicapped persons other than the blind, so it is possible this program will be continued under their auspices.

Evaluation of the project will be carried out by Dr. Lawrence Gold of the City University of New York, over a two-year period. This research will help determine patient reaction, type of books most in demand and other pertinent factors.

STUDY PROGRAM FOR CRITICS

A study grant of up to $8,000 was approved to New York University School of the Arts to plan a program which would enable 10 to 15 critics of the arts from newspapers, little magazines and quarterlies, and academic critics to come to New York for an academic year of instruction in five areas of the humanities. A seminar in criticism, also in the planning stage, would enable critics to enlarge their competence in a particular field and to attain greater competence and knowledge in correlated fields.

Newspapers in large metropolitan areas are able to have specialists in the various areas of the arts and the humanities, but newspapers in smaller cities throughout the country have a need for critics who are grounded in two or three or even more fields. While journalistic competence is requisite, the approach of this project would be to widen the scope of the critic's knowledge in the humanities.

PROGRAMS FOR HISTORIANS AND HISTORICAL AGENCIES

Two programs dealing directly with bringing about a better understanding of state and local history on the part of directors and staff members of historical societies were approved by the Council.

There are 3,500 historical societies in the United States and these programs are designed to help them work more effectively with the material at hand so that the public may be more easily made aware of what America is and the past that made it so.

The grants were approved to:

The American Association for State and Local History in Nashville, Tennessee. Up to $55,850 was approved for the purpose of holding two regional seminars of three weeks each for 20 participants on the administration of historical societies and museums. The seminars which will be held in St. Paul, Minnesota, and Portland, Oregon, will stress the importance of analyzing unexplored but accessible material, dramatizing it and making it more readily available to schools in the field so that the nation's historical societies and museums may contribute more effectively to the American public's understanding of its past.

There will also be a Publications Institute of one week's duration to be conducted at Vanderbilt University in Nashville, Tennessee for 25 participants.

The State Education Department, Albany, New York, was approved a grant of up to $9,300 for a two-day conference to which will be invited the 1,000 local historians in the various New York State communities. The conference will be pointed toward giving the participants a broader, more exciting knowledge of their field and encouraging them to relate local history to the wider scene and to coordinate their available materials so that better dissemination is possible. The program will feature lectures by six historians of national prominence.

UNIVERSITY OF IOWA, INTERNATIONAL WRITING PROGRAM

The University of Iowa, five years ago, inaugurated a Translation Workshop in conjunction with its highly successful creative writing program. Under this program writers from all over the world have come to the University to study and to translate their own works into English and American works into their own tongues including Turkish, Polish, Japanese, Chinese, Korean and Bengali. The project serves the dual purpose of making American literature more available abroad and of giving the United States the opportunity of having excellent translations of important hitherto unavailable foreign works. A grant of up to $10,000 has been approved to the University to support this program.

UNIVERSITY OF LOUISVILLE, SUMMER HUMANITIES INSTITUTE

Twenty teachers and a group of gifted students from the Louisville, Kentucky high schools will be given the opportunity of participating in a dual demonstration program taught by members of the University of Louisville's humanities faculty.

The Endowment will support this program with a grant of up to $30,000 seeing in it an opportunity for high school teachers and university staff to work together to improve and broaden the teaching of the humanities in area schools.

Community resources will be drawn upon including the noted Louisville Symphony Orchestra. The teachers will take two courses taught by the University faculty: "Philosophy, Science and Religion in Modern Culture" and "Arts and Music in Modern Culture."

Then they will apply the new ideas and methods developed in these courses in the teaching of a six-week demonstration class made up of the selected high school students.

The application of teaching ideas developed in the seminars for teachers and the demonstration classes for students should have an important effect on the regional humanities curriculum.

DOVER SPECIAL SCHOOL DISTRICT, DOVER, DEL.

A planning grant of $6,500 was approved to the Dover Special School District to enable the faculty of each of the eight schools in the district (five elementary, two middle schools, and one high school) to work on a program designed to improve the comprehensive humanities program already existing in the Special School District.

One purpose of the planning grant is to enable the school district to analyze its resources, determine how best to make them serve the humanities teacher. Two important facilities whose role will be analyzed are the University of Delaware Computer Center, which now aids in scheduling, testing and in developing pilot projects; and the State Educational Television studio which has assisted Dover in teaching programs. Another purpose is to enable the school system faculty to have released time to consult with university faculty on materials and plans for curricula. Tentative arrangements have been made with a professor of education from the University of Delaware and a professor of American civilization from the University of Pennsylvania.

ALASKA METHODIST UNIVERSITY, ANCHORAGE, ALASKA, CONFERENCE ON ALASKAN HISTORY

A grant of up to $9,850 was provided for the Alaska Methodist University, Anchorage, to enable it to hold a conference of 11 scholars from all parts of the United States and 40 elementary and secondary school teachers from Alaska on the occasion of the Alaska Purchase Centennial.

The invited scholars will be, for the most part, people who have written books on the history of our 49th State and who have explored the history of the Eskimos.

Primary objectives of the conference are to stimulate teaching interest in Alaskan history which is almost neglected in the majority of history textbooks now in use and to revitalize interest in historical sources which are rapidly disappearing.

AQUINAS COLLEGE, GRAND RAPIDS, MICH., SUMMER WORKSHOP

Emphasizing the effort on the part of the Endowment to strengthen and dramatize the teaching of the humanities in secondary schools is a summer workshop program planned at Aquinas College, Grand Rapids, Michigan, for which a grant of up to $8,976 was approved. Seventy-five teachers who are now or will be teaching literature in secondary schools will be enrolled. Two-thirds of the participants will be drawn from public schools in Western Michigan, the rest from private schools.

The course, which will demonstrate how trends in the content and style of literature are expressed in the other correlated arts of theatre, painting, music and the cinema, is designed to stimulate creativity in teaching and to give the secondary school teachers the opportunity to receive fresh ideas through their contact with the college faculty. Basis of the course will be selected prose and poetry from 19th and 20th century British, Irish and American literature. The results of the workshop will be published in education journals and should bring about statewide changes in how the humanities are taught.

GREAT LAKES COLLEGES ASSOCIATION

The Council approved a planning grant of up to $13,500 for the Great Lakes Colleges Association to work out the establishment of a humanities teaching network involving the Great Lakes Colleges Association and Western Reserve University, Cleveland, Ohio, and the University of Cincinnati, Cincinnati, Ohio.

Ultimately wider college-university cooperation will be established within the Ohio, Michigan and Indiana area which will facilitate the exchange of faculty; enable doctoral and postdoctoral university scholars to familiarize themselves with college teaching; and allow college faculty to do part-time teaching and research at a university, thus strengthening the teaching of the humanities at both college and university levels through this cooperative effort.

Initially a college-university workshop will be set up to work out details of the cooperative plan. This will be followed by a college-university regional conference on a contemporary sub-cultural problem. Member colleges of the Great Lakes College Association are: Antioch College, Denison University, Kenyon College, Oberlin College, Ohio Wesleyan University, DePauw University, Earlham College, Wabash College, Hope College, and Kalamazoo College.

TRAVEL STUDY INSTITUTE, UNIVERSITY OF GEORGIA

To enable 30 teachers of visual arts and anthropology at school and college levels to utilize the unique resources of Latin American museums, the Endowment will support a demonstration program by the University of Georgia with a grant of up to $22,000.

A four-week tour of Mexican and Guatemalan Museums will enable the teachers to acquire a knowledge of Latin American culture and have a better understanding of the indigenous art of their hemisphere.

The primary objective of this program is to broaden the artistic knowledge of these teachers, who will be drawn from Georgia and neighboring states and who may not have had the opportunity to visit great museums in this country or abroad. The experience of actually seeing excellent examples of pre-Columbian as well as Colonial and modern Latin American Art should stimulate an interest and excitement which will be communicated to their students.

The tour will be preceded and followed by a week in class at the University so that the participants will not only be briefed on what they will see on their tour but will have time for evaluation on their return.

Mr. JOELSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think we should reemphasize the fact that out of a budget recommendation of $16,370,000 the Committee on Appropriations is recommending $11,700,000 or a reduction of $4,670,000. So it has not been extravagant or profligate. Yet the gentleman from Missouri urges even deeper cuts.

In recent decades we have appropriated billions upon billions of dollars for the military and we will do it, I am sure, for years to come because we believe that it is the answer to the question of whether we will survive.

But the next immediate question is, "How will we survive?"

I believe, that when the history books of our troubled era are written, our times will not be judged by the number of thundering bombs, screaming missiles or whining bullets that mankind has been able to produce, but it will be judged on the quality of its poetry and its art and its scholarship and its humanity and its philosophy.

I would urge you as a measure of encouragement to the arts and humanities to support this appropriation. We can add luster to our generation, and we should do so. We must not dump billions and billions of dollars upon our generals and let our poets wither and our scholars perish.

Mr. McDADE. Mr. Chairman, I move to strike out the last word, and rise in opposition to the amendment.

I want to say just a few words about the National Foundation for the Humanities which was the subject of so much discussion earlier.

In moving to curtail the funds for the National Endowment for the Humanities, the gentleman from Missouri brings sharply into focus the basic question as to the worth of this program.

For this, this House and the country owe him a debt—for this Congress now has the opportunity to finally bury that issue.

And bury it we shall, when we defeat the gentleman's amendment.

There was a revolution in American thinking when the Soviet Union put Sputnik I into orbit, and became the first nation to orbit a space satellite. We rushed to our schools and demanded more science. We rushed to our legislatures and demanded more money for science. There was a frenzy to make America No. 1 again, and we have been working to that end ever since.

But in our haste to create new and distinguished men of science, I am afraid we lost sight of some of the other values which may, in the long run, have a significance far greater than the question of who can get to the moon first.

It is inconceivable to me that this small sum should be so seriously questioned, when its purpose is to increase our knowledge of our fellow man by encouraging the examination and dissemination of human knowledge.

The essence of the humanities is the study of man, his languages, his literature, his philosophy, his history, his culture.

In short, it is an effort to view the totality of man's efforts in the past in order that we may separate from that past what is good and true and apply it in our daily lives.

And we have much to learn.

For if we have learned to orbit the moon and to split the atom, we have yet to learn how to live in peace.

We have yet to learn the corollary to that phrase that everyone knows: "History tends to repeat itself."

That corollary is: "Those who do not know the past are condemned to relive it."

We cannot afford to relive a past that has been and even now is fractured by man's inability to live at peace.

Our society today is preoccupied with achieving justice for all. But, we cannot achieve this unless we are aware of the whole history of man's struggle against injustice. This is the business of the humanities. We are preoccupied with acquiring the means to accomplish greatness, but we are spending very little to discover what greatness may lie in the individual and in the Nation. Yet, unless we concern ourselves with this search, we may find ourselves with enormous capacities and no sense of direction.

Mr. Chairman, America has been the land to which men dream of coming, but they do not dream of finding science in America. They dream of finding freedom. From its very foundation, it has been a land of freedom, a land where one does not merely live, but one lives richly in the incomparabe heritage given us by our Founding Fathers. This is a heritage of humanism. It is a heritage that tried to give to man the dignity which man should have—and to give that dignity, our Founding Fathers were profound students of the dignity of man, of humanism.

I have voted with enthusiasm for the money which we have spent in support of science, in the hope we may produce another Isaac Newton, another Einstein.

I have every confidence my colleagues will defeat this amendment, and will vote to spend the small amount asked. It may well produce another Jefferson—or another Lincoln.

Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Chairman, I rise in defense of the full amount recommended by the Appropriations Committee for the National Foundation for the Arts and the Humanities. I regret that it is necessary in this House to defend this modest sum for the study of our history, our arts, and our literature. But in rejecting efforts to cut back the money appropriated for the Humanities Endowment, I feel that I am only paying respect to the traditions for which this body stands. It is after all in this House that Madison, Monroe, Clay, and Lincoln sat; it is this Capitol Building where every day we walk past marble memorials to Jefferson, to Webster, and to the great men of our past, some known and some unjustly forgotten; it is here that in the early days of the Republic the Supreme Court made its historic decisions.

In this Chamber, we deliberate on the great issues of our own time, surrounded by the ghosts and memories of our predecessors who in their time wrestled with problems as great as ours.

Mr. Chairman, this building is a great encyclopedia of our history; as we work here we know that the words we speak and the actions we take will be part of the history of tomorrow. A sense of history has stood by us as our Nation grew; our ability to draw from the wisdom of the past has helped us to face and to solve the ever-renewed problems of the present.

The great men who built our Republic and who wrote our Constitution drew their inspiration from the past. Anyone who reads the writings of John Adams and Thomas Jefferson, of George Mason and James Madison, of Benjamin Franklin and Alexander Hamilton, sees the knowledge and the wisdom they drew from the history and the literature of Greece and Rome, from the political thought of the Italian Renaissance, from the precedents and experience of English history and law.

No computer wrote our Constitution; no data processor programed the wisdom of the past for easy readout by constitutional technicians. Living men read and studied the lessons of history, and by their hard won decisions turned inherited knowledge into the reality of their time which became in its turn our bequest of wisdom to which we still turn for guidance in 1967.

Mr. Chairman, it is ironic that the item which is the subject of this amendment should appear in the $1.3 billion Interior appropriations bill. In this same bill, we are voting to preserve and to maintain our natural heritage, to memorialize the battlefields of our history, and to maintain the physical monuments of our heritage. Quite rightly, we do not stint ourselves for conservation and preservation. But are we to remember the greatness of our past only in objects—in parks and forests however beautiful, in statues and monuments however impressive?

Mr. Chairman, I would ask this House whether Bradford would rather be remembered for the Mayflower Compact than for the Plymouth Rock Monument, whether Jefferson would rather be remembered for the Declaration of Independence than for Monticello, and whether Lincoln would rather be remembered for the Gettysburg Address than for the Lincoln Memorial?

Mr. Chairman, it is a sad comment on our time that we can spend more than $70 billion on our national defense, that we can spend additional billions on space efforts, but still quarrel about a comparatively small sum to study the thoughts and the words that make up our heritage of Western civilization. I will vote for the full funding recommended by the committee in good conscience; to me this is a small measure of respect to the men whose thinking, whose writing, and whose actions have made our past a great resource of strength to us now, and as a small gesture to the scholars who make our past and our heritage a very real part of our present.

Now, of all times, we cannot ignore our history or our culture. Now, obsessed as we are by the arts of war and the techniques of destruction, we cannot turn our backs on the "humane studies." Never was there a time when we needed them more.

Mr. MOORHEAD. Mr. Chairman, I rise in opposition to the amendment.

A FUNNIES THING HAPPENED ON THE WAY TO THE LOUVRE

Mr. Chairman, I rise in support of the full appropriation for the National Foundation on the Arts and the Humanities.

I do so even though there has been criticism of one grant by the Foundation for the study of the effect of the political cartoon and comic strip on American life.

I rise in support of the Foundation with great assurance because I have support for such a grant from that most unlikely of all sources, the France of General de Gaulle.

Mr. Chairman, for many years President Charles de Gaulle has done everything he could to downgrade anything American in France.

Recently, however, that most French of all French institutions, the Louvre Museum, unveiled an exhibit of that most American of American institutions—the funnies.

For years the French Minister of Culture, Andre Malraux, has been trying to bring the best of eastern and western culture to France. But, imagine the temper of the Chambre des Deputes which has been inculcated by De Gaulle's anti-American attitude when the Deputies learned that French taxpayers' dollars had been spent by the Museum des Arts Decoratifs to show an exhibit of American comic strips.

Mr. Chairman, if I were a Member of the Chamber of Deputies, I might feel compelled to object to the expenditure of many thousands of French francs for an exhibition in the Louvre of not French—but of American—comics.

Mr. Chairman, if I were a Member of the Chamber of Deputies, I would certainly make a speech about Monsieur Claude Moliterni, director of the French Society of Research in Illustrated Literature. Monsieur Moliterni said that "French comic-strip thinking is at least 40 years behind the American counterpart."

That is language which should be brought to the attention of the Un-French Activities Committee, if such a committee exists.

If I were a Member of the Chamber of Deputies, I would point out how much more sensible and economical America was with respect to this particular art form where the National Foundation on the Arts and Humanities expended only $8,739 for a study, not of foreign, but of domestic political cartoons and comic strips

But, Mr. Chairman, I am not a Member of the Chamber of Deputies I am happy to be a Member of this body and to be able to use the French exhibition as reported yesterday evening by Dan Gregory in the Washington Star, who wrote about the American comic-strip exhibit in the Louvre and quoted the Director as saying:

> We are highly encouraged by attendance so far both from the public and professional circles. This is an exciting climax to the 18-month campaign we have been conducting to inform the French public on American comic-strip concepts.

Mr. Gregory's article concluded with the following words:

> Burne Hogarth, Mell Lazarus and Lee Falk, among Americans on hand at the opening ceremonies, hailed the exposition's acceptance at the Louvre as a major step in recognizing the cultural and artistic impact of comics, both in the United States and abroad.
>
> "Some French artists are revising their thinking, and this is directly attributable to American influence," said Moliterni. "This exposition and the large contribution by American creators will go a long way toward developing this trend in France."
>
> The exposition is scheduled to go to Switzerland, Belgium, the Netherlands and Italy this year and early in 1968. Negotiations are in progress for it to go to New York by the summer of 1968.

Mr. Chairman, if France and Switzerland and Belgium and the Netherlands and Italy can recognize the cultural and artistic impact of American comics, I think it not improper for an American foundation to do likewise

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from New York.

Mr. SCHEUER. I believe that art and humanistic studies find their own verity in themselves—ars gratia artis—art for the sake of art, scholarship for the sake of scholarship.

But I think as practical men we can also agree that studies and research projects in the arts and humanities additionally provide the wellspring, the inventory of humanistic thought that provides the foundation for much worthwhile practical application in day to day affairs. Many programs that our Congress has funded, such as pure research in the physical sciences, have provided a wellspring for specific, practical advances in medicine, engineering, industrial, space and defense technology and other applied fields.

We have in the arts and humanities program provisions for studies in the fields of architecture, planning, the quality of urban environment, the urban design, and urban planning.

If sufficiently creative and thoughtful studies are done in these areas, they may give us great guidance in organizing and directing some of our ongoing federally assisted programs where we are spending literally billions of dollars in remaking American cities—in our housing, transportation, air pollution, model cities, and education programs. Experience has pointed up many flaws in these programs; in many ways they have proven imperfect and have failed to meet our expectations. Many of these programs have been the subject of criticism on the floor of this House.

Perhaps with some fundamental thinking and study of the quality of the urban environment and the quality and design of urban communities made possible under the terms of this legislation, we may seek to achieve more both in the quality and in the cost-benefit impact of these ongoing programs.

Mr. MOORHEAD. Mr. Chairman, I would like to say these questions are raised on the Fine Arts Commission. I believe we should recognize the British Art Council, which is the forerunner of our Arts Commission, was formed during World War II, when there was a much greater war effort going on in England. They decided it was important to spend money for the very things they were fighting for.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. Mr. Chairman, I associate myself with all the very distinguished Members of this House who have spoken in opposition to the amendment. As I pointed out earlier, the humanities have contributed to the forming of America itself. A cut here today can only be equated in terms of a cut in the sum of human knowledge. This would be tragic indeed.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was interested to hear the chairman of the Appropriations Committee, Mr. Mahon, talk about the modesty of the President in asking for funds for spending this year.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I was talking about the President's budget request for the arts and humanities activities—the request for some $16.3 million.

Mr. GROSS. Mr. Chairman, I thought the gentleman was talking about the total bill.

Mr. MAHON. I think we might say that the President exercised some restraint on the bill generally, but I was speaking only to the arts and humanities item. Certainly the committee has applied additional restraint, as the report of the committee clearly shows.

Mr. GROSS. The modesty of the President is well expressed, I believe, in the fact that the committee saw fit to cut the President's request by nearly $93 million. If it is Presidential modesty to ask for $93 million more than a liberal committee will approve, I do not know the meaning of the word "modesty," but perhaps the gentleman has some other interpretation of it.

Now, Mr. Chairman, of interest to me is this item in the hearings entitled "Linguistic Atlas of Japan." I wonder if the gentlewoman from Washington, the chairman of the subcommittee, can give us some information as to what is here being attempted.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. Mr. Chairman, this was discussed before this committee as set forth on page 856 of the hearings. The decision was made that it was necessary to understand all these background languages, and this is one project that came up for approval of a grant. I can see exactly why they might want to fund the exploration of the background of any language that adds, as I said a moment ago, to the total fund of human knowledge. That is not a bad thing to do.

Mr. GROSS. Would the gentlewoman think that if we have perfected a Linguistic Atlas of Japan, that it could help solve the situation that has grown out of the expropriation by the Japanese of an American hotel in Tokyo just recently?

Mrs. HANSEN of Washington. I believe perhaps the study of the dialects of the people of Japan might enable the people of the world to better understand the people of Japan.

Mr. GROSS. We could communicate with them and tell them we do not like the fact that they expropriate American investments in Japan?

Mrs. HANSEN of Washington. The gentleman is a member of the Foreign Affairs Committee, and I am sure he will communicate that message.

Mr. GROSS. On page 852 of the hearings I find this colloquy:

> Mrs. Hansen. Now, tell us about the 27th International Congress of Orientalists.
>
> Mr. Keeney. This is a group of distinguished scholars of the Orient that have been meeting for half a century, I guess. It has met all over the world. It has never met in the United States. One of the things that this country is most criticized for abroad is its inhospitality to conferences, learned conferences of this sort.
>
> One of the best ways to make learned people of other countries understand this country better is by bringing them to this country and letting them associate on intimate terms for a week or two with Americans.
>
> Mrs. Hansen. And a grant of up to $25,000 will take care of the costs of this conference?
>
> Mr. Keeney. No; this will take care of setting up the conference, organizing it. This will not be used to pay the expenses.
>
> Mrs. Hansen. They pay their own expenses?
>
> Mr. Redding. Yes.
>
> Mrs. Hansen. And those attending from our own country will pay their own expenses.
>
> Mr. Keeney. Unless they can get their university to do it.

I recall not so many years ago when an international conference was staged in Washington, D.C., and the House restaurant downstairs was opened so that they could feed the international conferees. I do not know whether they were attached to the arts or to the humanities, or to both.

At any rate, Congress was adjourned, the restaurant was opened, and the foreigners were to pay for their meals.

What happened was that the House of Representatives picked up the expense for a lot of unpaid food bills.

I do not know where they get this "inhospitality" label. I do not know what we have to do to convince them that we are a hospitable people.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. Gross was allowed to proceed for 5 additional minutes.)

Mr. GROSS. So, Mr. Chairman, I do not understand how the promoters of the humanities and arts business, or foreign moochers could label us as being inhospitable.

I assume, as I started to say a moment ago, when I was interrupted, that the nonpayment for food by some of those attending that international conference was charged to the expense of the operation of the restaurant. Members of the press probably would say that House Members do not adequately pay for food in the House restaurant, and that is the reason why there are deficits.

Yes, let us have more international conferences, and let the conferees eat us out of house and home, to add to the deficit of the House restaurant.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

Methinks they protesteth too much who would prove their own culture.

I submit, Mr. Chairman, that no one in submitting this amendment or in any other comment that has been made here today, has been against scholasticism. No one is against the social graces, the arts, or the humanities. And no one is even against the bleeding hearts versus the realists.

The option is not one of choice against what we must do. One wonders whether the military as compared with poetry and culture is indeed a choice or not. The Greeks were not subsidized in developing their culture.

Mr. GROSS. No, and if the gentleman will permit me, neither was the originator of the Katzenjammer Kids that was alluded to a little while ago. He was not subsidized so far as I know. But that was back in days when people were self-reliant and the arts and humanities were only a gleam in some spender's eyes.

Mr. HALL. If the gentleman will yield further, I was coming to that. We have heard from the Northeast, the Katzenjammers, and the Ozarks. I am certainly not against cartoons. There will be many originals found on the walls of my office of a political nature and which are interesting to me. The point I want to make and why I appreciate the gentleman yielding is that what you hear is not all of these questions or whether or not there is a choice but the question is for those who would read history or whether they believe art is for the grace of art or not, and whether we have come to the place that Lord Macaulay described, when commenting on Randall's biography of Thomas Jefferson; namely, that we "are a republic which will survive only until we find we can vote ourselves largess from the Federal Treasury."

Mr. GROSS. I say to the gentleman I support his amendment, but it does not go anywhere near far enough. This ought to be cut down to real size.

Mr. HALL. I agree and I appreciate the gentleman's support.

Mr. GROSS. I am thankful for small favors. I would just like to add this: I think we can save this $2.7 million and devote it to the humanities and humans in the District of Columbia, to those people who have to appear, for fear of their lives, before a congressional committee as witnesses did yesterday with hoods over their heads in the nature of Ku Klux Klan hoods. I think we could well devote more money to the protection of our citizens, those who live in fear of being killed by thugs, than to expend it on some of the silly things that are being paid for under this appropriation and as set forth in the hearing record we have here dealing with the arts and humanities. Let us do something for our own people here at home.

Mr. HALL. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman.

Mr. HALL. I appreciate the gentleman yielding for one last remark. I appreciate the statement of our distinguished majority leader about a grant to study the history of Dwight David Eisenhower. I thought it was being done in Kansas already, but it does not compare with the study already granted and appropriated for by the council on "the mating dance of the Amazonian butterfly."

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. GROSS. If I have time.

Mr. LONG of Maryland. I believe the gentleman made a statement that arts and literature were not subsidized in ancient Greece.

Mr. GROSS. I did not say anything about ancient Greece. I was not there at the time.

Mr. LONG of Maryland. The gentleman from Missouri, Dr. HALL, I believe, made that statement.

Mr. GROSS. Well, he may have.

Mr. LONG of Maryland. Your learned colleague. I do not pretend to be a deep student of the classics or the Golden Age of Greece, but I would like to point out that arts and literature were probably more heavily subsidized at that time, relative to the resources of the community, than in any other period of history.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. HALL].

The question was taken; and on a division (demanded by Mr. HALL) there were—ayes 29, noes 99.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Smithsonian Institution

Salaries and Expenses

For necessary expenses of the Smithsonian Institution, including research; preservation, and exhibition, and increase of collections from Government and other sources; international exchanges; anthropological research; maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; administration of the National Collection of Fine Arts and the National Portrait Gallery; including not to exceed $35,000 for services as authorized by 5 U.S.C. 3109; purchase, repair, and cleaning of uniforms for guards and elevator operators, and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901, 80 Stat. 299), for other employees; repairs and alterations of buildings and approaches; and preparation of manuscripts, drawings, and illustrations for publications; $23,790,000.

AMENDMENTS OFFERED BY MR. RIEGLE

Mr. RIEGLE. Mr. Chairman, I offer certain amendments.

Mr. Chairman, there are three amendments, all relating to the Smithsonian Institution, amendments which come at various points in this appropriation bill.

Mr. Chairman, I ask unanimous consent for them to be considered en bloc.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to consider en bloc a series of related amendments, all relating to the Smithsonian Institution.

Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

On page 41, line 16: strike out "$23,790,000" and insert in lieu thereof "$23,608,000".

On page 42, line 5: strike out "$3,000,000" and insert in lieu thereof "$2,316,000".

On page 43, strike out lines 1 through 7.

Mr. RIEGLE. Mr. Chairman, these three amendments are all, in my judgment, reasonable reductions in the operations of the Smithsonian Institution for the forthcoming fiscal year.

Mr. Chairman, I would summarize these three amendments, briefly, in this manner:

The first amendment, Mr. Chairman, proposes a reduction from the item of salaries and expenses in the amount of $182,000.

Mr. Chairman, the second amendment proposes to do away with the increase in the museum programs and related research. If adopted, this amendment would keep that program at its present size.

Then, Mr. Chairman, the final amendment, if adopted, would delete $803,000 of construction funds for the Hirshhorn Museum and Sculpture Garden.

Mr. Chairman, within the item of salaries and expenses there would still be an increase remaining, if my proposed amendment is adopted, in excess of $1 million.

Mr. Chairman, I offer these three amendments at this time for this reason: They are small, and I think the American people are quite ready and willing at this time to make some small sacrifice in order to indicate their desire to help us out with the financial crisis which faces this country.

Then, Mr. Chairman, it is my opinion that the American people are quite willing to use the Smithsonian Institution next year at the same level of services which it provides this year.

Mr. Chairman, there are more than sufficient funds contained in this bill with which to increase and improve the services the next time around, even if these three amendments are adopted.

But, Mr. Chairman, if we do expend these additional moneys, this will represent money which we will have to borrow.

Mr. Chairman, I hope I need not have to remind the Members of the Committee of the Whole House on the State of the Union that we are already some $14 billion in debt, and over 10 percent of our national income goes for the payment of interest on that debt. That does not represent productive expenditure. We must resist, I believe, the easy choice of slipping deeper and deeper into debt.

Mr. Chairman, this year we are looking toward another record budget and we are looking toward another record deficit, some say a deficit of $20 billion and some say they will be glad if it is no higher than $20 billion.

Mr. Chairman, I think what must be said is this: it is the policy of the majority party that has brought about this massive deficit, by bringing in bills such as this one where we do not dare make any reduction, where every dollar requested is sacred, and we are told there is no place where reductions can wisely and prudently be made.

Mr. Chairman, this bill represents an increase over the amount which was appropriated for the present fiscal year, and we do know that it is going to increase this record deficit. We also know that it involves two other things, higher taxes and more inflation.

Mr. Chairman, it is my opinion that the American people by a very decisive vote just a few months ago—and I see 47 vacancies on the Democrat side of the aisle—indicated they desired fiscal responsibility on the part of the Federal Government and did not wish to have to suffer the burden of higher taxes and increased inflation.

There is only one way around that, and that is to cut all the spending we can. These are moderate cuts. They are the kinds of cuts the American people, I believe, want us to make. And if these cuts are not made then this excessive spending will cause the inflation that steals from the paychecks of the working men and women in this country, and from the meager resources of the people who are on social security. They are the ones who are at stake today. Expenditures like these are causing it. I hope we can pass amendments of this kind, and make a beginning in reducing and reversing this inflationary trend, and stop the trend of ever-increasing spending of borrowed money at the Federal level.

Mr. Chairman, I would like to read from the committee testimony, and in particular the testimony of the Director of the Smithsonian Institution. This appears on page 906 of the committee testimony. The Director said, when he was talking on the money that was in this bill:

> In the National Collection of Fine Arts and the National Portrait Gallery, we have come to the moment of truth. These two galleries are scheduled to be opened in 1968.

These are the funds I have referred to in my amendments.

He then said:

> This is going to be the principal cultural event before the next election, in the city of Washington.

He said "before the next election."

Now, Mr. Chairman, he has something else on his mind besides just serving the interests of the American people.

I hope we can cut this down in at least some amount. Certainly the people of the country will welcome some long overdue economy in government.

Mrs. HANSEN of Washington. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, in the first place, this is an overall cut. The buildings have been built. Do we want to say to the people who come here to visit that we have no lights; we have no staff; and we have no interpretive assistants?

The second part of the amendment relates to counterpart funds. The third part of the amendment relates to the Joseph H. Hirshhorn Museum and Sculpture Garden. The United States is the recipient of $25 million worth of art.

Mr. Chairman, what are we going to do with it? Put it down at the end of the Mall some place, and bury it?

Mr. Chairman, I would say to those who say "cut, cut, cut," that we had better tell the American people to stay away from Washington and stop visiting here.

In 1966 the Smithsonian Museum had 12,663,451 visitors. In order to make the Smithsonian more available for people for a longer period of time this Congress, through the activity of our committee, made sure that the hours were extended. Why are we interested in the Smithsonian Institution? Because we hope the young people of this city, as well as the young people from around our Nation visiting here, will become interested in our tremendous past and our exciting future. We hope they will begin to use these facilities for their improvement, morally and culturally, rather than becoming juvenile delinquents and engaging in crime. This is one expenditure that is for the benefit of all Americans in this Nation.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan [Mr. RIEGLE].

The amendments were rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

AMENDMENT OFFERED BY MR. JONAS

Mr. JONAS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Amendment by Mr. JONAS: On page 45, immediately following line 17, insert a new section as follows:

"SEC. —. No part of the aggregate of the appropriations in title I hereof, or of the aggregate of the appropriations in title II hereof, shall be used to pay the compensation of any persons numbering in excess of 98 percent of the aggregate number otherwise provided for in such titles."

Mr. JONAS. Mr. Chairman, I explained the purpose of this amendment in general debate and therefore will not take the 5 minutes due to the fact that we have been debating this bill all afternoon and Members have work to do in their offices before the day is over.

The amendment would merely fund 98 percent of the jobs programed in the bill. It would, in effect, make a reduction of 2 percent in the jobs contemplated to be filled by the appropriation for next year.

I wish to remind members of the Committee that the Department of the Interior has 82,000 jobs, about 60,000 of which are in the Department proper and the others are in what is called related activities.

I would remind the Committee also that as of December 31, 1966, the Department had 4,820 unfilled jobs under the levels appropriated for last year.

Some of these job vacancies came about by reason of the circular issued by the Director of the Bureau of the Budget last September directing that employment levels be rolled back to the level of July 31, 1966, in order to reduce employment.

Part of the vacancies came about as a result of that directive, but part also came about because of the inability of the Department to fill the jobs on a timely basis due to delays in recruitment and other delays incident to the filling of the jobs.

It has been said here today that most of these new jobs provided for in the bill are in very important activities such as the Bureau of Indian Affairs, the Park Service, and so forth.

I would call your attention to page 118, part I of the hearings, in which there is a list showing where these vacancies occur; 1,907 of the 4,800 job vacancies are in the Bureau of Indian Affairs and 828 of the vacancies are in the National Park Service.

I submit to you that if the Department of the Interior could operate throughout 1966 with 4,800 fewer jobs than were appropriated for last year and do a good job as it has done, I cannot see why, in view of the critical budget situation that we face and the deficit that is contemplated next year, the Department cannot do so in the new year without increasing employment by 1,662 jobs as contemplated in the bill before you today.

I would also call the attention of the committee to the statement of the distinguished chairman of the subcommittee which appears on page 78 of part II and I quote:

> Mrs. HANSEN. Another area of concern to the committee is the ceilings being placed on personnel by the Budget Bureau shortly after the appropriation is available. You fellows come up here and justify your personnel needs, in some cases indicating the whole program will fall apart if you don't get what you are requesting in personnel. Then after the committee recommends an appropriation in good conscience, we find you don't need as many personnel as you claimed you did.

That is exactly the situation we are now in. They did not need and did not fill the jobs we gave them last year. They wound up on December 31, 1966, with 4,800 vacancies. They do not need the new jobs they are asking for next year. I do not believe my amendment will adversely affect any activity of the Department and believe it deserves the support of the Committee today. Let us strike a blow for economy and fiscal responsibility. The country is counting on Congress to hold the line against excessive and unnecessary spending. Let us today measure up to our responsibility in that regard.

Mrs. HANSEN of Washington. Mr. Chairman, I rise in opposition to the amendment.

We have very carefully tried to take cognizance, as the gentleman from North Carolina said, of the excess positions in certain areas. I believe it is well for us to remember where some of these position vacancies were. They were among teachers in the Bureau of Indian Affairs and services such as that.

Also it is well to remember that the Bureau of the Budget imposed personnel ceilings, and there were not as many positions to be filled. Fund reductions recommended by the committee will tend to reduce the number of positions by about 900. But when you reduce the number of positions and automatically put a ceiling such as that which the gentleman has suggested you shall have said, "Don't do some of the work." Many of the positions in the Forest Service and the Department of the Interior are connected with vital activities such as firefighting and the care of Indians in hospitals, and so forth.

We have discovered also that sometimes when we curtail personnel, there is a tendency on the part of the agencies to contract for the work, and in many instances it has been far more costly than using in-house personnel. If you put a blanket ceiling on personnel, suppose a forest fire breaks out some place and there is necessity to put it out. Shall we let the fire burn? The same principle is true with respect to a group of sick Indians in a hospital. Shall we allow them to lie there without care?

I think credence must be given to a committee's attempt to reconcile the work that must be done. And again I remind you of the revenue-producing work, and its relationship to employees. The committee has carefully analyzed this whole matter, and I do urge that you vote down the amendment.

Mr. REIFEL. Mr. Chairman, I rise in opposition to the amendment. I regret that I must oppose my distinguished friend from North Carolina. He mentions the Indian Bureau and the vacancies they have had. There has been the rollback, freeze, or whatever you may want to call it, having to do with the employees in that particular agency of Government, keeping employment at levels that existed on July 1.

The schools of the Indian Bureau are scattered from Alaska to Florida. They are in North Carolina, Mississipi, all throughout the Midwest, and from the Mississippi River clear out to the west coast. These schools are in isolated areas. It is difficult to get teachers to go to them because salaries are higher in public schools, and teachers do not want to put up with the isolation. It is only the most dedicated who want to help those who are in need who will go out to those places, and by the time the Bureau of Indian Affairs has gone out to get teachers to man these schools, the public schools have already had their choice.

Many teachers are reluctant to go into the Bureau of Indian Affairs school program because of the isolation, so the lowest point at which we would have teachers employed in the Bureau of Indian Affairs would be in July, because the schools do not start until September. Many of the positions are not filled even after the school starts. Then the schools are closed in May, so the teachers leave then. That accounts for many of these so-called vacancies that are reported. We have a teacher on the job for, say, 7 months or 8 months, and that is only seven-twelfths or eight-twelfths of a man-year.

I have been to some of the hospitals on recent visits to the Indian reservations. The personnel ceilings have affected them, so that they are not able to get doctors and nurses to come to the hospitals. As the chairman of our subcommittee, the gentlewoman from Washington [Mrs. HANSEN] has pointed out, these are small agencies scattered in different parts of the country. The bureaus and other agencies of the Government are in the same situation in the Interior Department. It is not easy. If they were all one monolithic group in one body in an agency, we could cut personnel 2 percent across the board and not reduce the services that are so important and so needed in the classrooms and in the hospitals.

Last fall I visited a Bureau of Commercial Fisheries installation. They had an outstanding scientist, who was dealing with the breeding of fish, and who had discovered a way of hatching fish and growing them from the small egg to maturity—the first time this has happened in the history of biological science—and yet, because of these cuts that are arbitrarily made; were it not for a student on the university campus who would devote his time without charge to help the professor with this project, the tremendous work that was done and much of the information would have been lost.

I hope the members of this Committee will vote this amendment down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. JONAS].

The question was taken; and on a division (demanded by Mr. JONAS) there were—ayes 36, noes 72.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Amendment offered by Mr. Bow: On page 45, immediately following line 17, insert a new section as follows:
>
> "SEC. —. Money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1968, only to the extent that expenditure thereof shall not result in total aggregate net expenditures of all agencies provided for herein beyond 95 per centum of the total aggregate net expenditures estimated therefor in the budget for 1968 (H. Doc. 15)."

Mr. BOW. Mr. Chairman, this is the same amendment that was offered five times last year and once this year. It should not require any further explanation. I will explain it briefly, however, just so your recollection may be refreshed as to what it would accomplish.

It would limit the expenditure of funds appropriated in this bill so that expenditure thereof would not result in total aggregate net expenditures of all agencies provided for in the bill beyond 95 percent of the amount which the President's January budget estimated would be spent by these agencies in fiscal 1968.

To the extent that there are 1-year appropriations in the bill, and a great body of appropriations are for 1 year, the effect of the amendment would be to reduce the funds in this bill by 5 percent and the President's proposed 1968 spending by about 5 percent. To the extent that there are multiple-year appropriations in the bill, the amounts of the reduction in the bill and in the President's planned spending would depend upon the availability of carryover funds which the President could use to finance activities of agencies provided for in the bill.

The amendment does not affect the spending of previously appropriated funds and it does not cut any individual appropriation item in the bill. Simply put, it limits the President's total proposed spending in fiscal 1968 to 95 percent of the aggregate amount that would otherwise be spent by the agencies provided for in the bill.

Since the amendment goes to the aggregate spending rather than to spending on individual programs, it would give the President substantial flexibility in determining where cuts could be made without any crippling effect upon the essential services of government. As a matter of fact within the framework of the bill, the President would have the same flexibility in determining where individual cuts should be made as he had last fall when he announced a budgetary cutback of $5.3 billion in Federal programs in an effort to save $3 billion from planned spending during the current fiscal year.

Of course, the expenditure limitation amendment would make the reductions mandatory and the administration would not be in a position to rescind the cuts as has been done recently with respect to the President's proposed $3 billion reduction in 1967 spending.

If Congress fails this year to curb Federal expenditures, then spending on nondefense programs, exclusive of interest, will have almost doubled—97-percent increase—in the 8 years since 1960, when the budget was last balanced. We simply cannot escape the fact that necessary expenditures for the War in Vietnam are increasing, and they probably will continue to escalate for the foreseeable future. Never before in our Nation's history have we attempted to fight a war on the one hand and on the other continue business as usual with respect to nondefense spending. The continued pursuit of such a policy at this time can only result in further price inflation, either increased taxes or an unmanageable deficit, and the threat of debility in the economy's private sector should a recession develop from the present slowdown in economic growth. For these reasons, I urge you to support the amendment.

It has been suggested by the gentleman from New Jersey that an across-the-board cut such as this would take away from the House the opportunity to allocate where cuts should be made. I am sure the gentleman knows, as do the other Members of the House, that the President does not have to spend any of the money we appropriate, so we do not direct him where to spend the money. If he wants to cut down any place he can, so this is not taking away from the House of Representatives any of its prerogatives. The President has that power already. We only appropriate, and he spends what he wants to spend where he wants to spend it.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am delighted to yield to the gentleman from New Jersey.

Mr. JOELSON. I am sure the gentleman will concede that under the present arrangement the Executive cannot spend more than we appropriate.

As I understand the gentleman's amendment, in this 5-percent area it would give the Executive unbridled discretion.

Mr. BOW. The gentleman is completely wrong. We only say to him that he can spend no more than 95 percent of the amount he estimated in the budget for 1968 would be spent. That does not give him an opportunity to spend any more in any field. He is limited by the amount in the budget estimate.

He did that last year, as the gentleman well knows, after Congress adjourned. He did exactly this sort of thing. He held up $5.3 billion.

When the Director of the Bureau of

the Budget called me and told me the President was going to do this, and wanted me to know it, I said, "This sounds very much like the Bow amendment to me." With the exception of highways, it was pretty much the Bow amendment.

So the President did it anyway.

I say we are not taking away the powers of the House of Representatives, because the President has that power now. What the House of Representatives will be saying to the President is that we are now exercising the powers of Congress and saying to him, "Mr. President, you cannot spend beyond 95 percent."

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(By unanimous consent, Mr. Bow was allowed to proceed for 3 additional minutes.)

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield 1 minute to the gentleman, so that I may have 2 minutes.

Mr. JOELSON. I take only a half minute to tell the gentleman how delighted we are that he is back here again, hale and hearty, fighting away, even though we disagree.

Having said that, I take the other half minute to say that the 5 percent still would give to the President discretion as to how he would diminish that 5 percent of spending.

Mr. BOW. I say to the gentleman that the President already has the authority. He used it after the Congress adjourned by freezing $5.3 billion and he used his own discretion as to where he would do it. This will give the House the opportunity to say to the President, "You cannot spend beyond 95 percent." This is the way really to get at this budget and begin to get some cuts in it. Then we can go back to the people and say, "Congress has done it." In doing it we will not affect any essential service of the Government.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. JONAS. Would it not be fair to say it is absolutely the only way Congress can exercise any control over spending?

Mr. BOW. I think the gentleman is absolutely correct.

Mrs. HANSEN of Washington. Mr. Chairman, I rise in opposition to the amendment.

I do not think I need to go into any great depth on this subject, because the House has discussed it repeatedly. I took my oath of office as a Member of the legislative body. I am not about to abdicate one small part of it to the discretion of any other branch of the three branches of Government. I do not propose after spending all the time that we have spent on a subcommittee determining those items we felt logically and properly belonged in a budget, that we should finally say, "Mr. President, here, you just do what you please with it." Otherwise, why should it not be more sensible to appropriate the full amount of his budget and say to him, "You go ahead and spend it any way you please as long as you take off 5 percent."

I would like to point out that there is already a 6.3 percent cut here. I would like to point one other thing out, too. Those programs the Executive might not think are the proper programs, in spite of what you and I think, and might be the very ones that would be included in the reduction. Frankly, I prefer to retain my prerogatives as a Member of Congress.

Mr. REIFEL. Mr. Chairman, I rise in opposition to the amendment.

I will not take the 5 minutes allotted me but merely emphasize what the chairman has said. We worked diligently on this budget and recommended a 6.3-percent reduction. It just seems to me we have gone as far as we can in this regard. I hope this amendment will be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. Bow].

The question was taken; and on a division (demanded by Mr. Bow) there were—ayes 42, noes 71.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. THOMPSON OF GEORGIA

Mr. THOMPSON of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Georgia: On page 45, between lines 17 and 18, insert:

"SEC. 302. No part of any appropriation contained in this Act shall be used for any purpose relating to the charging of entrance fees to any recreational sites owned by the United States."

Mr. THOMPSON of Georgia. Mr. Chairman, on Friday, April 14, this year, the Corps of Engineers announced that they would be charging this year, at 168 recreational sites throughout the United States, fees in accord with the so-called Golden Passport program.

Mr. Chairman, this represents an increase of some 16 sites over the number of sites at which fees were charged last year.

The fees that are charged are fees charged not only by the Corps of Engineers, but they are also charged by the National Park Service, the Forest Service, the Bureau of Sport Fisheries and Wildlife, as well as the Bureau of Land Management, and the Corps of Engineers in the water recreational areas.

Mr. Chairman, from 1944 until 1965, there were no fees charged, in fact, the Flood Control Act of 1944 specifically prohibited the charging of fees.

In 1965, as the result of an act of Congress, this prohibition was deleted by section 2(a) of the Land and Water Conservation Act of 1965.

What this means is simply this, that we will be charging the people of the United States a fee for using the various recreational sites throughout the country and which were constructed with their tax money.

There are a number of areas, of course, that are involved in this situation.

Mr. Chairman, since this announcement was made on April 14, I have received several inquiries from constituents, whom it is my honor to represent, primarily because Lake Lanier, one of the newly included areas, is located near my district.

There were approximately 8 million persons who visited this facility last year, according to the Corps of Engineers.

Mr. Chairman, I recall very, very vividly that when this lake was constructed, we were told that the people of the area would be given free access and free recreational use of this facility, in addition to the generation of hydroelectric power, and that they would be able to go on picnics, water skiing, and hiking without charge.

Frankly, Mr. Chairman, I can afford the $7 charge or the $1 charge if I go for a visit to one of these facilities. However, there are so many people who live in the congressional district which it is my honor to represent who simply cannot afford this fee. They may be able to afford enough gasoline in order to get their car to the site but the payment of such a fee is going to deprive them of the money which they need for the support of their families.

Mr. Chairman, we have had in Washington this week the National Letter Carriers who are asking for a raise in pay. These hard-working people, after having served for a period of 21 years, will make as much as $7,200 per year. And, Mr. Chairman, they need every penny they make. However, if you charge these fees to someone who is attempting to send his child through school on an income of $600 a month, this is going to work a hardship upon him.

Also, Mr. Chairman, we hear the cry that there are going to be riots throughout the country this summer unless certain recreational facilities are made available to the people.

Mr. Chairman, I would like to submit to the members of the Committee of the Whole House on the State of the Union that by charging fees for the use of recreational areas, we will encourage these people to remain in their ghettos, because many of them supply cannot afford the cost, the entrance cost, into these particular areas.

I would like to appeal for support from both sides of the aisle. These areas have been developed with the taxpayers' money. They are to be used by all the people. Now they are charging the $1 fee per person. This is not an exorbitant fee to me, but it is going to be to many people.

Mr. Chairman, I urge support of this amendment in order to prohibit any of the funds from this act being used for the purpose of charging fees to the people, for the recreational facilities that have been built with the taxpayers' money.

Mrs. HANSEN of Washington. Mr. Chairman, I rise in opposition to the amendment.

In effect, Mr. Chairman, what this amendment would do—and this is a very short and quick summary—it would repeal the entire land and water conservation fund program. There is no faster way to unbalance the Interior Department budget than by the adoption of this amendment. This is a matter for consideration in the authorizing committee. We have discussed it with our Committee on Appropriations and with the chairman of the authorizing committee—who will speak on this in just a few moments—but this is something that should not be done at this particular point in time, for this would negate the authorizing legislation and eliminate a sizable amount of the funding in the budget without any further consideration or discussion. To my mind this would be absolutely the most imprudent thing this House could do, and I sincerely hope the amendment is voted down.

Mr. ASPINALL. Mr. Chairman, will the gentlewoman yield to me?

Mrs. HANSEN of Washington. I will be glad to yield to the gentleman.

Mr. ASPINALL. Mr. Chairman, this is an instance where this House spent years and years trying to get a program that would work. We are still interested in listening and talking to those who still have some reservations about the program. This amendment has taken us completely by surprise this afternoon, the amendment that the gentleman from Alabama has offered.

I would suggest that if each one of the members of this committee would stop and think a moment and try and realize what this amendment will do to the recreational program, not only in this one area of Alabama but throughout the entire United States, he will oppose the amendment.

If the Members wish to change the authorizing legislation, why, of course, that is their prerogative, and that is their responsibility, and the committee which I chair will be very glad to hear them. But if they want to gut this bill insofar as recreation is concerned, if they want to gut the outdoor recreational program which is an outgrowth of the Outdoor Recreational Review Commission's suggestions and recommendations, then all they have to do is to accept amendments such as this without proper hearing.

Mr. EDMONDSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time principally to state a position that I know is shared by a good many on both sides of the aisle, which is a position in sympathy with the amendment which the gentleman from Georgia has presented here on this floor this afternoon.

I believe there are many of us on our side of the aisle, as well as on the other side of the aisle, who question the wisdom of the entrance fee approach in connection with our outdoor recreational program.

Further, I believe that we have had evidence presented very recently to the Committee on Interior and Insular Affairs indicating that among the administrators of this program there has been a great deal of disappointment in the revenues derived from the fees, and that they are reviewing at this time the fee system and its effectiveness.

At the same time, I will agree with the gentlewoman who is the chairman of the subcommittee, and with the chairman of the full committee, that this is not the proper time or the proper piece of legislation with which to deal with this subject matter.

Mr. Chairman, I believe the gentleman has stated a position that will have many friends on future dates, and in this forum. I believe the experience of this year may very well bring the administration itself to the point of recommending a complete change with reference to the fee system that is now in use.

But I do think they have made a good case before the House Committee on Interior and Insular Affairs, for being permitted to continue the use of the fee system through this current year and to see just how it works out in the recreational areas of the country.

I hope the amendment will be rejected at this time with the understanding that the experience of this year may very well lead a number of us to support a subsequent piece of legislation to deal with this subject in the next session of the Congress.

Mr. SMITH of Oklahoma. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Chairman, I would like to agree with my distinguished colleague, the gentleman from Oklahoma [Mr. EDMONDSON], concerning the ridiculous determination that has been made by the Department of the Interior to charge the local citizens living near the Wichita Mountain Refuge user fees for access to the eight recreational areas in the park.

I have been contacted by many of my constituents in the southwestern part of Oklahoma in regard to the charging of these fees. The public reaction of the charging of these fees under the so-called golden eagle program has been one of unanimous disapproval.

There have been no new facilities constructed in the eight recreational areas in the Wichita refuge since the CCC days of the depression. The refuge does attract some tourists but because of its remoteness most of the visitors are simply a constant turnover from the local area or from the Fort Sill military installation.

In my opinion the business of charging user fees for facilities which were constructed 30 years ago not only positively constitutes double taxation but at the same time simply does not constitute good commonsense. I would hope that the Secretary of the Interior would ask the Bureau of Sport Fisheries and Wildlife to reconsider their determinations and remove the unnecessary and burdensome fees from this area.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. THOMPSON].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. ALBERT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to take time to say that I think the House of Representatives owes a vote of thanks to the chairman of the subcommittee, the gentlewoman from Washington, for the very efficient and knowledgeable manner in which she has handled this bill.

This is the first time a woman Member of the House of Representatives has ever managed an appropriation bill on the floor. The gentlewoman from Washington has set a precedent that all Members could well emulate.

Mr. Chairman, I know that we all join in commending her.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentlewoman.

Mrs. HANSEN of Washington. I thank the distinguished gentleman from Oklahoma and I would like to express my appreciation to the Members of the House today who have been so patient. I also want to say that no bill is possible without all of us working together. I do express my deepest appreciation to each and every Member of the House of Representatives for your courteous consideration and your kind understanding and cooperation.

Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 9029) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mrs. HANSEN of Washington. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

MOTION TO RECOMMIT

Mr. BOW. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BOW. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bow moves to recommit the bill to the Committee on Appropriations with instructions to that Committee to report it back forthwith with the following amendment: On page 45, immediately following line 17, insert a new section as follows:

"SEC. —. Money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1968 only to the extent that expenditure thereof shall not result in total aggregate net expenditures of all agencies provided for herein beyond ninety-five percent of the total aggregate net expenditures estimated therefor in the budget for 1968 (H. Doc. 15)."

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. BOW. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Ohio [Mr. Bow] demands the yeas and nays.

Members in favor of taking the vote by the yeas and nays will rise and remain standing until counted.

A sufficient number have arisen.

In accordance with the unanimous-consent agreement of April 20, further *proceedings on the bill will be postponed* until tomorrow.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the bill H.R. 9029.

The SPEAKER. Without objection, it *is so ordered.*

There was no objection.

BILL TO HELP CURB MISMANAGEMENT AND WASTE IN THE EXECUTIVE DEPARTMENT

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, the proposed fiscal year 1968 budget has received considerable criticism in this Chamber and many Members are hoping certain nondefense programs can be trimmed or eliminated. The President wants a surtax imposed to reduce the size of the *contemplated recordbreaking budget deficit.* Yet, amid the talk of reducing expenditures, far too little attention is given to waste, inefficiency, and mismanagement of public funds.

In the 89th Congress, I introduced a measure which was designed to get at the sources of much of the mismanagement and waste in the executive department. It went to the roots of these problems which lie in improved administrative procedures and the ferreting out of individuals and practices underlying the misuse of our tax dollars. Today I resubmit a slightly revised version of my earlier bill because the problems it seeks to solve remain. They have undoubtedly grown in the last 2 years. Let me again review the principal objectives of this legislation:

First. To require publication in General Accounting Office reports of the names of Government employees personally responsible for failing to comply with the laws or administrative procedures in spending public funds after this has once been reported by the Comptroller General to the appropriate agency head.

Second. To require that before one cent of taxpayers' money can be spent by a newly established Federal agency, the head of that agency must consult with the Comptroller General to become well acquainted with requirements for the disbursement of funds and contracting procedures.

Third. To suspend from all agencies whose accounting systems have not been approved by the General Accounting Office within 2 *years after passage of the* bill, and requiring all new agencies to meet these approved standards within 2 years after they begin operation.

Fourth. To require that every agency which receives General Accounting Office recommendations because of findings *of mismanagement of funds must submit* to the Bureau of the Budget a report of corrective action to prevent recurring waste.

Now let us consider the provision to require the Comptroller General to *publish the names of persons responsible for improper handling of public funds.*

First, it is a basic concept of American government that all activities of public employees should be open to inspection, excepting only those of a purely personal nature or involving the national security. *Accordingly, persons charged with* the authority to disburse public funds should be publicly held accountable for their actions. To hide by anonymity or pass the buck through the "chain of command" is a great disservice to the American people. *It is with this in mind that I submit the Comptroller General* should publish the names of persons whose fiscal or legal decisions have cost the taxpayers unnecessarily through inefficient operations.

I believe in rewarding those in Federal *service whose suggestions and good judgment merit recognition. Through* the Government employees' incentive awards program, 67,731 awards, averaging $36, were given for superior job performance in 1964. More than 118,800 suggestions were adopted with awards averaging $40 presented to many thousands of officials. If such an expansive program can be conducted for promoting good work, surely it is only proper to seek to identify and obtain disciplinary action or dismissal, where justified, for those failing in judgment, training or intent, to meet the standards of responsibility with which they are charged.

The Comptroller General presently has the basic authority for access to records of Government agencies but does not regularly publish the names of individuals involved in deficiencies in his periodic reports. However, former Comptroller General Campbell believes it desirable to identify these decision-making personnel and has stated this in a letter addressed to me on March 18, 1965:

> In order to achieve for the Congress and the agency involved the greatest benefits from our findings, it is our policy not only to clearly demonstrate the existence of deficiencies and their actual or potential adverse effects, but also to determine, insofar as practicable, the underlying causes. In this respect, we consider it desirable to closely relate the deficiencies we find, not only with the specific practices and procedures, but also with the organizational units and individuals who are responsible for the existence or occurrence of the deficiencies since we feel that there is no substitute for a strong sense of personal responsibility in conducting the Government's affairs.

The legislation I propose requires that when the Comptroller General finds that a particular Government employee is not complying with the prescribed procedures for dispensing funds, property or *assets for which he is responsible, this* information must be called to the attention of the head of his department or agency. If, in a subsequent audit, the Comptroller General finds the same individual guilty of the same or similar deficiencies and corrective or disciplinary *action has not been taken against him,* then the name of this individual shall be published in the General Accounting Office reports on that agency. With the names of such persons and a documented report on the deficiencies involved, ap*propriate committees of Congress can* conduct investigations, draft new legislation or otherwise determine what action is needed to rectify these situations.

This bill goes to the heart of a great many of the wasteful practices which are often repeated. I believe it is essential *that every accounting system must be* adequate to properly and prudently dispense Federal moneys in accordance with statutory provisions and good business practices. My bill will require executive departments and agencies to bring their accounting procedures into conformity *with the Budget and Accounting Procedures Act* within 2 years. This 2-year limitation will also apply to all new agencies. If a department fails to comply, all expenditures of public funds must cease until the Comptroller General approves the agency's accounting system.

Mr. Speaker, when we talk about Federal spending over a period of years we are referring to astronomical figures in the hundreds of billions of dollars. We should also not overlook these facts: In 1963, the Comptroller General presented evidence of potential savings of $218,380,000 and for 1964 the figure was $294,323,000. When we speak of accounting systems we are speaking of 128 such systems within the civil departments and agencies subject to General Accounting Office approval. These agencies have had more than 14 years to improve and modernize their accounting systems. Look at the results: Only 41 complete systems and parts of 15 others had been approved through May, 1964. In 1964 the Comptroller General made the following statement regarding the delinquencies in improving their systems:

> In the nearly 14 years that have gone by * * * the number of executive agency accounting systems that have been modernized, improved and brought into conformity with the requirements of law and the broad principles and standards prescribed by our office is disappointingly small.

This bill would require that all agencies receiving Government Accounting Office recommendations for improved procedures or policies submit a report to the Director of the Bureau of the Budget on whether the agency has complied with the recommendations and, if not, why. The President has pledged his administration will fight waste, so, through this bill, the Director of the Bureau of the Budget must review the progress of executive departments and agencies to eliminate recurring waste. A compilation of the reports to the Director of the Bureau of the Budget will be submitted to Congress annually for review, particularly by the Government Operations Committee and Appropriations Committee.

While a basic problem in any government is the ability and judgment of personnel at every level of decisionmaking, the administrative officer should be quick to take remedial action when a Government Accounting Office recommendation is brought to his attention. Presently, except for the initiative taken by an administrator and the encouragement in that direction contained in the Bureau of the Budget's Circular No. A-50 of April 1, 1959, little coordination or control is maintained over recurring waste.

The President, in his far-reaching legislative program, has proposed a number of completely new agencies, and at least one new cabinet department. I believe the Congress has a responsibility beyond simply criticizing Government officials after waste has been discovered. We should build, develop, and reinforce administrative practices to keep newly hired officials in full and accurate compliance with the statutes under which new Government establishments must operate. The heads of all new agencies are required to consult with the Comptroller General on principles, standards, and related requirements for accounting and legal disbursement of public funds in my bill. This procedure is mandatory because only by a thorough review of the contracting and expenditure systems can an accounting system function with minimum difficulty and maximum efficiency.

The Acting Comptroller General submitted a report and comments on this measure to the House Government Operations Committee on November 22, 1965. His statements were constructive and largely favorable. Mr. Weitzel indicated that in most cases his investigators can and do ascertain the causes and identify persons directly responsible for undesirable conditions although presently names of such individuals are not normally included in audit reports. The GAO would consider all contributing factors before placing the name of an individual in a report. Such prudence and latitude are allowed in the bill I propose. It was suggested that perhaps the Bureau of the Budget rather than the GAO be the recipient of such statements of personnel deficiencies. My bill would place this responsibility with the GAO because it is an arm of Congress. The Bureau of the Budget is part of the Executive Office of the President and has no particular sensitivity or responsiveness to the Congress.

Improved standards of auditing practice by executive agencies is the purpose of section II. I am pleased the approach contained in the bill has been embraced by GAO. Mr. Weitzel stated:

> We are, of course, in agreement with the objective of section 3 of the bill, namely, to accelerate development, installation, and effective management use of financial information produced by a modern accounting system in each executive agency.

This section, as well as others, may be modified to make them more administratively suitable and I welcome suggestions such as were presented by the GAO. The GAO position helps to confirm the necessity for adopting this or similar legislation.

Abundant examples to document the need for this bill are available to my colleagues and the American people. I simply refer you to any annual report of the Comptroller General, the Comptroller General's periodic reports to Congress, and various hearings and reports of the House and Senate Government Operations Committees.

This measure is particularly timely. I hope the overriding need for economy as expressed in this Congress will bring this bill to active consideration by the House. Here is a measure to save taxpayers dollars, not appropriate more of them. What a refreshing exercise it would be to enact a law such as I am proposing rather than continue to appropriate funds which result in mountainous waste accruing through the vast Federal bureaucracy.

TANZANIA'S UNION DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, April 26 marks the third anniversary of Tanzania's Union Day which celebrates the creation of the United Republic of Tanzania from the former countries of Tanganyika and Zanzibar.

Tanzania is a vast and often strikingly beautiful land of 362,000 square miles with a population of more than 10 million diverse peoples primarily engaged in agriculture. Contained within her borders are some of the most beautiful vistas of Africa—the mighty snow-capped Kilimanjaro soaring nearly 20,000 feet, the vast rolling plans of Serengeti, and the sparkling beaches lining the Indian Ocean.

For centuries Tanzania has been an important trading terminus for the peoples of many lands. Boats from the Persian gulf states, from India, and in ancient times, from as far as China regularly plied the ocean routes to Dar es Salaam, Kilwa and Zanzibar; and the Sultans of Zanzibar ruled an area extending from Mozambique to Somalia.

Today Tanzania, like so many of the newly independent nations of the world, is seeking her own place in the sun. Under the guiding hand of the vastly talented Julius Nyerere, a personal friend of mine, the peoples of Tanzania are working together with talent, industry and dedication in building a new and brighter future for their young nation.

We as Americans contribute greatly to this process of nationbuilding in Tanzania. Already hundreds of Americans in the Peace Corps, the Agency for International Development and many other organizations have helped by teaching skills and by assisting in building an economic infrastructure. Today we honor the leaders and people of the United Republic of Tanzania for what they have accomplished and for their unquenchable determination to seek a better future for their country.

My sincere good wishes go today to the people of Tanzania and their able and devoted leader, the great Julius Nyerere.

On the wall of my office in the Rayburn Building hang two photographs of Julius Nyerere. Ours has been a long and enduring friendship with its commencement long before independence had come to his country. When independence did come, Tanganyika, the land of his birth and of his affection, it was my happy good fortune to be present as a representative of my country as the Union Jack was lowered and the flag of a new sovereign nation was unfurled in the tropical winds of Africa.

Several times I had flown from Dar es Salaam to Zanzibar and my visits there and my friendly conversations with the people of Zanzibar had left me with a sense of enthrallment.

Mr. Speaker, the future of Africa is in the hands of the Africans. I have complete and abiding confidence in the brilliance of that future. With faith and confidence we can leave the pattern of Africa's tomorrow in the hands of today's Africa to mold. I venture to predict that the spirit of union will be increasingly reflected in the building of that pattern, and the union of Tanganyika and Zanzibar that we celebrate today well may be the forerunner of other unions to come.

Again my heartfelt good wishes to the government and the people of Tanzania.

PASSOVER AND ANTI-SEMITISM IN RUSSIA

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, during this historic and meaningful time of the Passover holidays, so sacred to the Jewish people all over the world, so significant in terms of deliverance from bondage and oppression, I feel that it is particularly appropriate that I should address the House to offer my best wishes and affectionate regard to my Jewish friends and to the Jewish people.

I was pleased to join the Members of the House who recently signed the joint statement on Soviet anti-Semitism.

It seems to me that this is a matter which deserves widespread support, and I hope that the able, distinguished gentleman from New York, our esteemed friend, Congressman JONATHAN BINGHAM, and his associates, will have additional good results in enlisting a representative number of House Members in behalf of this imperative intercession.

I want to commend these able, distinguished Members, not only upon their Joint Statement on Soviet Jewry, but also upon the timing of their protest to coincide with the commencement of the sacred Passover season, which at the time of the release of this manifesto will be in the process of faithful observance by Jews all over the world.

I have addressed the House before on the subject of repression and supression of Jewish religious and cultural life in the Soviet Union.

It is an incredible thing in this advanced day and age that any nation should restrict within its boundaries the right of citizens, or others living under the jurisdiction of its government, free worship of the God of their own choice, or to deny them any of the rights which we in America have cherished for so many years, and the people of the world have come to know as human rights.

To be sure, the Jewish people have long been exposed to despicable persecution, hostility, and discrimination. But thank God, in recent times, these detested marks of tyranny, bigotry, and prejudice have been disappearing at a rapid rate and there are now relatively few civilized nations in the world where they can be practiced.

It is incomprehensible that the powerful Russian nation which professes and prides itself on its high level of economic advancement and interest in the people should still permit, in any sense whatever, palpable discrimination and the denial of freedom of worship and cultural rights to any of its citizens, or for that matter, any human being living within its borders.

I reiterate the views that I have previously expressed in this matter, and again urge our State Department to make known through diplomatic channels, and by collective action wherever that can be effected, in or out of the United Nations, or in any other way, to try to prevail upon the Russian Government to put an end to this kind of prejudice and discrimination, so that there will be true deliverance from oppression and tyranny of this kind for a courageous, God-fearing, undaunted race of people, who place the worship of the fatherhood of God above their personal safety and their personal affairs.

I am also forwarding my views to President Johnson, advising him of my deep interest in the restoration and recognition of minority, religious rights of the Jewish people in Russia, and urging him to use his own good offices in every way that he can, as head of this great, powerful government, to bring an early end to every vestige of suppression of religious worship and cultural rights and other human rights of the Jewish people.

Religious freedom is a basic cornerstone of this Government, and one of the most conspicuous marks of an advanced civilization. I hope and pray that the Soviet Union will recognize and implement this principle in its relations with our Jewish brethren, and thus give all believers in God to know that it upholds the right of every human being to practice his own religious faith and his own familial and cultural patterns and beliefs.

ARMENIA DESERVES FREEDOM

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, Armenia is an historic state dating back to the fourth century with a language, culture, and church structure of its own. One of the tragedies of history is that the Armenia people do not enjoy their independence.

On April 25th we commemorated the 52d anniversary of the Turkish genocide of the Armenians, recalling not only the great self-sacrifice of this virile and ancient nation in the cause of good government and human rights, but also the important contributions made by the Armenian people to the Allied war effort of 1915–18. The Armenians, although the smallest of the Allied nations to participate in World War I, contributed more to the Allied cause in terms of casualties than any other single Allied state, large or small. Such great sacrifices and devotion to the cause of freedom must not be forgotten.

Mr. Speaker, may I remind the Members that at a time when Communist aggression is increasing in Vietnam and it is clear that the major culprit is the Soviet Union, we must maintain our interest in the restoration of freedom to the people of Armenia and the other captives of communism.

Surely, a nation that has suffered so much is deserving of its freedom.

LETTER FROM BROOKFIELD, ILL., POSTMASTER

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, as a member of the Post Office Committee I have benefited by the constructive comments of postmasters, supervisors, clerks, and carriers who write to express their concern over problems facing the Department. Very often they offer very thoughtful and constructive suggestions. Postmaster Michael Colgrass, of Brookfield, Ill., is dedicated to his career in the post office and recently wrote to me expressing his views on the size of certain bulk mail items. In view of the fact that the House Post Office Committee will soon delve into the matter of postal rates, I believe this letter from a dedicated postmaster merits attention:

U.S. POST OFFICE,
Brookfield, Ill., March 21, 1967.

Hon. EDWARD J. DERWINSKI,
Congressman, Fourth District, Illinois,
Washington, D.C.

DEAR CONGRESSMAN: The unprecedented volume of mails, together with constant turnover of manpower has taxed the resources of my office to the maximum. I find the same condition in most all post offices in metropolitan Chicago. Postmasters gather at regular monthly meetings, hold a roundtable discussion for the good of the service and the predominant points of discussion generally lead to the manpower problem, and particularly the constant handling of unusual heavy volume of third class bulk rate permit mail received in *chunk size.*

Large articles of a nonpreferential nature, serviced under bulk mail permit at a reduced postage rate, involving all stop or nearly all stop listing of chunk size samples, is presenting a grave problem not only in cost but also delay of delivery within the lawful 48 hour period in many cases.

March 14 I clocked at my office a complete city distribution listing of a 20 page Easter sale Korvette flat mail at two hours. For comparison, I clocked a city distribution all stop mailing of free samples containing sandwich bags which come in chunk size 9½'' x 2'' x 2'', mailed by Scott Paper Co. at a total of 16 hours.

During the week of March 13–18, this office also received chunk size samples of Pampers Diapers, 8¾'' x ⅝'' x 4½'' under bulk mail permit from Procter & Gamble; chunk size cereal samples 5⅝'' x 4⅛'' x 1⅛'' from General Mills; Mashed Potato Buds samples, 4'' x 2¾'' x 1 3/16'' chunks from General Mills, all at special reduced rate bulk mail permit.

Our office or any other postoffice to my knowledge, is not equipped to case chunk mail. In your school days, you will remember the time you carried mail part time. I am sure you can now vision the slow handling of this type of mail. If chunk mail cannot be cased, naturally it will have to be rotated and strapped separately.

The largest sample article mentioned above was too large to strap, therefore they were relayed loose, a portion each day; the plastic sandwich bags were strapped 16 to a bundle; the cereal samples, strapped 10 to a bundle; the Potato Bud chunks 12 to a bundle.

Mr. Congressman, with your postoffice experience you can readily observe the snails pace chunks are processed. The relay mail box space available daily is limited. This mail is not only costly to the Department, it also creates a backlog.

The next operation for the mail carrier is to lay out these chunks from relay boxes to mail bag. A much slower operation than bundles of letter size or bundles of flat mail.

The delivery of chunks to homes also presents a problem. Mail boxes are constructed to contain letter size mail, magazines and other flats, but not for chunks. We try to put samples between the house door and storm door if a storm door is installed and unlocked. Or we place it on the doorstep and ring the doorbell. When no one is home this type of mail is unprotected from inclement weather.

I have served as Postmaster for 33 years. In all these years I have been able to keep my expenditures close to man-hour allowance authorized by the Department. In the past twelve months our post office and other post offices in our area have received all stop bulk mailing of letter size, flats and chunks to the extent that it has continuously raised the cost of operation for auxiliary assistants and overtime to record proportions. For years this office has had fairly stable routes. In 1966 the increased volume of mail required all route adjustment. This year I will be forced to again adjust all routes. This will continue to raise my cost of operation.

Because of the continuous increase in the cost of operation, I took a cost analysis of chunk mail, using the sandwich bag sample 9½'' x 2'' x 2''. The all stop number of sample pieces received is 6,097. The Department revenue for this article per piece is 3.6 cents. The cost to deliver the chunk piece at this office is as follows:

	Hours
City distribution to carriers	16
Carrier time to case	15
Tie and sack for relay	20
Special afternoon relay, 3 days at 2 hours per relay	6

	Hours
One-fifth minute delivery per piece (6,097)	23
Total	80
80 hours at average cost of $3.24 per hour	$259.20
Cost to deliver 1 piece [1] (cents each)	4.24
Post office revenue (cents each)	3.60
Loss to the Department at this office (cents each)	.64

[1] $250.20 divided by 6,097 pieces delivery cost equals 4.24 cents each.

This, of course, does not take into consideration the cost per piece at office of sender from Philadelphia, Pennsylvania 19105, the sectional centers, nor the transportation cost of this mailing.

The cost to the Department for the sample articles which we refer to as chunk is tremendous. This type of mailing is constantly on the increase. The loss to the Department is obvious from the moment we accept this type of mail.

As our Congressman and a member of the House Post Office Committee may I respectfully request that consideration be given to change the law pertaining to bulk mail permit privileges for *chunk size* mail. This type of mail does not fit in the carrier case nor our patrons mail box and because of the tremendous loss of revenue, consider this type of mail as odd size and to charge the company a regular piece rate instead of bulk rate, which will bring additional revenue to the postal service.

Sincerely yours,

MICHAEL COLGRASS,
Postmaster.

RIGHT OR WRONG—MY COUNTRY

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NELSEN. Mr. Speaker, many who read the CONGRESSIONAL RECORD regularly are aware, I am sure, of the famous editorial entitled "I Am a Tired American." It was penned by a fearlessly outspoken patriot, Al McIntosh, of Luverne, Minn. After first appearing in Al's paper, the Rock County Star-Herald, and in the CONGRESSIONAL RECORD, it went on to receive numerous honors and awards and has become one of the most widely reprinted editorials in modern history.

Mr. Speaker, Al has done it again. I am proud, indeed, to insert in today's RECORD another McIntosh editorial certain to swell the hearts of Americans:

RIGHT OR WRONG—MY COUNTRY

Time was when you stood up for America. Proud.

Standing tall and straight even tho you were only four foot high.

Time was when patriotic songs and readings weren't taboo, like Christmas, in our schools.

Time was when every school boy knew these great lines.

"My country—may she ever be right; But right or wrong—my country."

And American citizens believed in that creed—and they lived by that creed. Love of country flamed like an eternal torch with fierce pride and tender love of country.

Our officials didn't go round from door to door of world capitols humbly explaining and cravenly "justifying" our policies and unashamedly trying to buy "friendship" and "cooperation."

Our citizens didn't buckle at the knees at the onslaught of foreign propaganda.

We didn't wear shin guards in the diplomatic corps because foreigners weren't kicking us on the shins—with impunity and immunity.

Heart breaking isn't it.

Our shilly shallying, our "explanations", our "rationalization", our apologies didn't gain us one inch of stature in the world.

We've come off with nothing more than the title—"losers."

We Americans need a transfusion. We need an infusion of something precious. You can't buy it at any store at any price, but you can live it—free — — — the love of America.

The men in Viet Nam have it.

The folks at home need it.

Flag waving? You bet it is.

We are not one of the "raunchy brigade" who think patriotism is for the birds. (We're so happy that our parents migrated here from another country.)

A tolerant nation. Where else can Stokely Carmichael and his breed of vermin preach "we won't go?"

Where else in the world can ministers preach sedition and get away with it?

Where we let the scruffy unwashed parade with picket placards of hate!

Where else do intellectuals sneer and deride government policies?

Where else . . . but in America? And we protect them . . . as we should.

Republicans or Democrats, the great majority of Americans know that we are in a full scale shooting war where every day more Americans than we care to think about—pay the total price for patriotism. A war we didn't—and don't want—but on whose outcome the survival of the free world depends.

Because we won't cut off the war and devote that money to civil rights demands, then sedition is being openly preached in the streets.

This nation does have a troubled conscience. It hasn't done as well as it could, or should, in many ways. Civil rights included. But first things come first—and survival is "first" in America. If we don't maintain and preserve the United States then we'll guarantee our street demonstrators they won't find any "rights" in a Communist prison camp.

The grab baggers of the world misinterpret us.

Our enemies are convinced by the clamor in America's streets and in public gatherings, that our nation is hopelessly split into two armed camps. And in that "split" they see hope. The hue and cry has excited "Uncle Ho" in Viet Nam into resolute determination. He is convinced that if he can hang on another year or two, that because of America's "division," he can achieve the final victory.

It's time we Americans got some starch in our spines and mustered up our courage to say "this is it." And mean it. And to draw the line and say "cross it . . . if you dare."

We don't want to model after Russia but isn't it a paradox that for all her 50 years the Russians have never had a "public relations officer."

They (the Russians) have answered protest with rebuffs and abuse.

They have answered appeals with insults.

They have apologized for nothing—even when caught red handed in lies and espionage.

They have met the proffered hand of friendship with espionage and arms.

They have answered independent action by brutality.

When the Hungarians revolted, that nation was brutally smashed to its knees by Soviet armor and troops.

The Russians theme is "so what?" Fait accomplis! Tragic isn't it?

Russia has achieved more rapport and understanding with other nations . . . more respect . . . than we have ever created with all our hat in hand apologizing in the capitals of the world.

What are we going to say is not said with conceit.

Or false pride.

Nor is it said with complacency.

"If any man or woman can point his finger at any other nation on the face of the earth and truthfully say:

"This nation is a greater nation than the United States.

"No other nation offers greater freedoms to everyone regardless of race, religion or color.

"No other nation offers greater opportunity to achieve the good things of life in a material or spiritual way.

"No other nation has such willingness to succor those oppressed, to empty its purses for those in need.

"No other nation has so much concern for the welfare of the sick, the elderly, the poor."

If any man can look me in the eye and tell me that, with proof of a better nation than America, then we'll join a 20th century expedition of modern day Pilgrims to sail away to that New World.

Come to think of it—on second thought—we don't think we'd go. We'll stay here just as long as a merciful Lord lets us . . . to work in our own tiny way for a better United States and a Happier World.

"My country—may she ever be right; but right or wrong—my country.

MEAT IMPORTS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NELSEN. Mr. Speaker, meat imports under Public Law 88-482, the Meat Import Act of 1964, have reached levels which are injuring domestic producers and jeopardizing the stability of American markets. The quantity of imports of fresh, chilled, or frozen beef and veal were up 30.7 percent in 1966 from 1965, and were up 50 percent in January from a year earlier.

Total meat imports, including mutton, under the meat import quota amendment were up 34 percent over 1965. These rising levels amounted to 823.5 million pounds in 1966.

To review the present situation for a moment, Mr. Speaker, Public Law 88-482 restricts the imports of fresh, chilled, and frozen beef, veal, and mutton to a level of the adjusted base quota. The law, however, provides that nothing will actually be done to check those imports unless the Secretary of Agriculture estimates in advance that the volume is likely to be more than 10 percent greater than the adjusted base quota.

The bill I am introducing today would change that arrangement in several respects. First, because there is no real reason we should suffer an additional 10 percent of import volume, this proposal would eliminate that overflow, thus limiting the imports to the quota.

Second, this bill would eliminate the responsibility of the Secretary of Agriculture to estimate in advance the level of imports and determine whether they will likely be greater than the allowable quantity. In this bill, the quota would be established by the law itself. Precedents for this measure come to mind in the Sugar Act and in laws governing certain imports from the Philippines.

Third, this bill would change the base period for the determination of the quota. Presently, the period is set at 1959–63. This includes a period of extremely high imports and is not representative of normal meat imports. It results in a base quota of 725,400,000 pounds. The bill I introduce today would set 1958–62 as the base period and result in an unadjusted quota of 585,500,000 pounds.

This proposal provides that quotas be imposed quarterly instead of annually so as to insure an even spread of imports to stabilize the market.

Because there could be an occasion when Congress could not act swiftly, the fifth provision would give authority to the executive branch to impose quotas on the importation of other meat products, if necessary, to prevent a damaging flood of such product. For example, this authority would be necessary in case the quotas on fresh, chilled and frozen beef were filled and there should be an effort to get around those quotas by importing beef in other forms.

Finally, the bill provides that offshore purchases of meat by the Department of Defense for the use of our troops abroad or otherwise shall be charged against the quota applicable to such meat.

The American farmer has suffered from rapidly rising imports for many months now. Last year, in spite of the astounding rise in our gross national product, per capita income on the farm was only $1,731, less than two-thirds the level of average per capita income for the entire country. The most recent figures show that the parity index of prices paid by farmers for goods and services was up 13 points in March over March 1966. The parity index for wages alone was up 61 points, and while costs rose, the prices farmers received fell and the parity ratio stood below 74, the lowest level since 1934.

Cattle prices, largely because of meat imports, have fallen far behind the rise in the general price level. The average price last month of choice slaughter steers in Chicago was $24.67 a hundred pounds, compared with $29.22 a hundred during March 1966, a decline of over $4.50 a hundred. Good feeder steers in Kansas City weighing 550 to 750 pounds averaged $26.57 a hundred in March 1966 and $23.08 a hundred in March of this year, a decline of $3.50 a hundred.

It looks now that that we will have a near record year of meat imports. American housewives, having been told by the President to shop for the cheapest cuts of meat, provide a ready market for these imports.

In addition, the American livestock producer is faced with an additional assault. The State Department is now promoting an international meat agreement patterned along the lines of the international wheat agreement which may open the doors of new markets to imports over and beyond those now permitted by law. Our shipments abroad would be limited and curtailed to meet the economic needs of Argentina, Australia, New Zealand, and Mexico and any other country that wants to start ranching.

Mr. Speaker, the experiences of the American livestock industry indicate that Public Law 88–482 needs close examination and amendment. The bill I am introducing today offers constructive change, and I urge its consideration.

BARRY GOLDWATER SPEAKS OUT

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NELSEN. Mr. Speaker, an article which appeared in the "Speaking Out" section of the February 11 Saturday Evening Post has been brought to my attention by Mr. Lyle Johnson, of Glencoe, Minn. Mr. Johnson asks that this article be brought to the attention of my colleagues here in the House, and I include "Don't Believe What the Liberals Tell You," by Barry Goldwater, at this point in my remarks:

DON'T BELIEVE WHAT THE LIBERALS TELL YOU

What do you call it when a person falsely makes the accusation that someone is associated with the enemies of democracy?

Or what do you call it when someone tries to slam the door on a political debate by the use of personal insults?

Or how do you describe the regular use of the plain old-fashioned lie as a tool of "truth"?

What do you call that kind of behavior? McCarthyism? Extremism? Birchism? Ku Klux Klanism? The Big Lie Technique?

Self-styled liberals, in particular, have a wide vocabulary of political and philosophical cuss words to describe such activities. They should. They are personally guilty of practicing every one of those techniques even as they weep, wail, moan, shriek, cry, froth and foam about how those nasty conservatives go around "smearing" people.

I'm not speaking from theory or secondhand opinion. I'm speaking from firsthand experience. And I'm not hinting anything, or suggesting, or supposing, or guessing. I am saying flatly, and on the basis of the factual record, that "liberals" in this country have piled up a record of smear and distortion that gives the lie to their every utterance of pious moral superiority.

They are two-faced.

They practice a double standard of truth and fairness.

The only part of this charge for which I am prepared to hear some contradictory evidence is the generalization. There must be some liberals who do not practice this double standard. But if any are brought to my attention, I would be prepared to bet that they are the sort of liberals whom most of their fellow liberals regard as renegades.

By liberals, of course, I mean, in a political sense, those who believe that the only solution to our political problems rests in collectivity and not in individual initiative. I hasten to add that this does not fit the classic definition of "liberal," but these people have done their own perverting of words and their meanings. For one reason or another it has always seemed somehow impolite to bring the moral credentials of liberal writers and commentators into question. Dick Nixon, for instance, was widely castigated for his criticism of the press coverage of his California gubernatorial campaign in 1962—but I have yet to hear a person who listened to him who didn't also admit, in effect, that "Of course we all know that what he said was correct. He just shouldn't have said it in public."

I, for one, am tired of this pussyfooting about a matter of crucial importance to every American. We should make our political decisions in an atmosphere of free, open and rational debate; not in a steaming sewer of half-truths, no-truths and ideological fog.

The need for some public candor on this subject is particularly painful, it seems to me and to every person with whom I have discussed the matter—persons ranging from cab drivers to ex-cabinet officers—since the fantastic coverage of the recent congressional and gubernatorial elections.

Now that is a matter that doesn't need to be documented in detail here. It is documented, indelibly, in the memory of practically every man, woman and child who watched network television on election night last November. The bias toward victory by so-called liberal, or at least nonconservative or non-Republican candidates, was obnoxious to most viewers. I think anyone would remember David Brinkley's hound-dog look as the votes piled up for Ronald Reagan, and certainly everyone will remember the doomsday look Eric Sevareid as he began to realize that many liberal bubbles were being pricked around the nation. In my judgment, the overall bias was so strong that Mr. Brinkley actually seemed to me to lose his temper when a colleague "revealed" that Brinkley himself lived in a heavily Republican suburb of Washington. Mr. Brinkley's ringing defense against this slander was to quickly reassure his audience that he hadn't even voted. No matter what Mr. Brinkley's personal political leanings, which I myself feel to be honest and responsible, the atmosphere of the evening was so heavily charged that it was bound to provoke such an incident.

Let me get something straight, however, at this exact point. No matter how lopsided this liberal double standard makes news coverage—I do not regard censorship or any kind of formal control as a solution. In fact, it is part of the problem that liberal domination of the working level of most news media exercises a sort of censorship on its own. No. Censorship is never an answer. I know that as the double standard becomes more pronounced there will be more and more cries for censorship. I even know that things some day could get so bad that, in sheer revulsion, and given localities with the political balance of power to do something about it, there might even be impositions of censorship. Recent attempts to bar some speakers from certain state campuses are just a symptom.

The impulse to such censorship is understandable. It is not, in conscience, supportable. Censorship is not the answer. The answer is open competition. And I am not so pessimistic as to believe that those most sensitive of corporate entities, the TV networks, aren't going to realize some day that true balance and a true coverage of "both sides" of political issues is a highly salable commodity.

Rather than dwell on what millions of Americans have seen with their own eyes and heard with their own ears, however, I want to take a few swats at the liberal double standard as practiced in the public print—including the print of *The Saturday Evening Post*.

During the 1964 presidential campaign this magazine presented an editorial which—I will bet a year's subscription—will be read for years in journalism schools as an unbeatable example of editorial extremism. I will quote just one typical sentence, lest the present *Post* editors lose any sleep over an "incident" which, if they choose, they can simply slough off as having been "someone else's responsibility."

The Saturday Evening Post, in its epic contribution to clean campaigning, presented this thoughtful evaluation of the presidential candidate with whom I am the most closely acquainted, me:

"He is a wild man, a stray, an unprincipled and ruthless political jujitsu artist. . . ."

There is not, in the entire long repetition of such charges, a single factual statement that had real bearing on the campaign. It was hate literature, pure and simple—exactly the kind of intemperate diatribe which—I'll bet another year's subscription—the editors have editorialized against throughout the years; until it came time to practice what they preach.

Let's return, for a moment, to the points with which I began this little love letter to the illiberal liberals. Do I really mean that any lofty liberal ever really falsely accused someone being associated with subversives or totalitarians? You thought that was the sort of thing only done by anti-Communists, some of whom have used pretty skinny excuses for calling a person pink?

Well, let me first assume that you regard Fascism, as subversive, along with Communism. Wouldn't an unfounded charge linking one with Fascism, or saying he was a Fascist, be pretty much the same as an unfounded charge linking a person with a Communist group or saying he was a Communist?

Agree? Then will CBS and *The New York Times* please stand up and take their well-deserved bows for practicing precisely this sort of smear technique?

The CBS contribution came in a widely broadcast dispatch from one of the network's European correspondents, Daniel Schorr, in July, 1964, just ahead of the presidental campaign. Schorr flatly reported that I was trying to appeal to right-wing elements in Germany as "only the start of a move to link up with his opposite numbers in Germany." Referring to "right-wing elements" in Germany is the equivalent, of course, of referring to pro-Communists as the "far left." It avoids certain legal complications, but it gets the point across neatly and precisely. Schorr, however, wasn't content to risk anyone's missing the point. He then went on to report that I had accepted an invitation to speak before an evangelical academy near Munich which, he dutifully reported to his audience, was widely regarded as a breeding ground for neo-Fascism.

Mr. Schorr's report was, to put it politely, not true. But millions heard it, thanks to the facilities of the Columbia Broadcasting System, which has devoted major documentary time to bemoaning the fact that there is "extremism" abroad in the land—and on the airwaves, fellows, eh?

The New York Times not only repeated the Schorr charges regarding the evangelical academy, of which I had never even heard, but it added some new fuel to the fire, concerning the charge of neo-Fascism. In a dispatch from its correspondent, Arthur J. Olsen, the *Times* reported that I had been in "frequent and friendly" correspondence with a controversial and "militant" German politician and had given an interview to "an extreme rightist weekly."

There was no such correspondence, nor was any evidence of it ever produced. There was no such interview. As the *Times* easily could have checked, this "extreme rightist weekly" had simply quoted public statements which I had made. The *Times* piece, in short, was a full-fledged falsehood.

And what about the personal-insult technique? Is that below the belt for upstanding liberals? If so, they must wear their belts in an odd position. Again, during the campaign period, no less a liberal leader than Mr. Walter Reuther, president of the United Auto Workers, wrote a widely quoted letter saying that I was not only wrong but mentally unbalanced. Temperate, eh? High-level liberal debate!

Mr. James Farmer, a man of luminous liberal credentials, who was then head of the Congress for Racial Equality, summed up an aspect of the liberal double-think process that extends far beyond journalism. He was quoted, during the campaign, as saying that I had "no program. He is just against everything." I submit that for someone to be against everything would surely represent a remarkable feat. One of the specific suggestions I made during the campaign (and I made and published them on dozens of subjects, including the draft—which I pledged to end—and on the need to upgrade skills to end poverty) is still today caught up in the double standard. This suggestion, made early in the campaign and repeated throughout, was that we establish an equitable way in which the Federal Government could share tax revenues with the 50 states. Today that same proposal is being hailed as a triumph of "moderate" and "progressive" thinking. But even if Mr. Farmer himself agreed with those descriptions, today, I wonder if he might be moved to reexamine his former statement? Not under the liberal double standard he wouldn't.

Perhaps the most flagrant example of widespread use of The Big Lie technique came after I had been interviewed by Howard K. Smith on ABC's *Issues and Answers* program. One question was about interdicting Viet Cong supplies in the heavy jungle cover of Vietnam. Part of my reply was, from the transcript: "There have been several suggestions made. I don't think we would use any of them. But defoliation of the forests by low-yield atomic weapons could well be done."

The San Francisco Examiner, next day, ran this front-page headline: Goldwater's plan to use Viet A-Bomb.

The Associated Press, which originally reported, also, that I had suggested A-bombing Vietnam, took the trouble to double-check its reporter, found that the facts didn't back up his story and issued a correction. But who read the correction? Liberals always complain that corrections never do catch up with misstatements. Did they complain about this example? If I'd have held my breath waiting for them to do it, I'd be sea-blue by now.

Two of the most critical issues of the entire 1964 presidential campaign, as a matter of fact, hinged not on facts but on journalistic "extremism." During the primary campaigning in New Hampshire *The Concord Daily Monitor* ran a headline saying, flatly, Goldwater Sets Goal: Abolish Social Security. There was nothing in the story to support the headline. There was nothing in anything I had said to support the headline. It became, however, a banner for my opponents in a flurry of falsehoods from which I was never able to escape. (Ignored in this flurry was my public voting record in support of Social Security, my frequent statements that, specifically, the system cannot now be abolished, and my coincident concerns for all the voluntary forms of insurance upon which so many Americans must depend for security.)

That *The Concord Daily Monitor* should have taken the cake for misrepresenting does not mean that the rest of the press shouldn't step up to the table. Can anyone honestly say that he did not read a dozen repetitions of the Social Security distortion during the campaign? It was, in fact, commonplace. I have yet to hear many sighs of ethical concern about this in the journalism profession with its otherwise great concern for professional standards of objectivity.

Another issue that received similar treatment was control of nuclear weapons. In 1964, at Hartford, Conn., I held a press conference at which a question was asked on this subject. I answered, as I had suggested in an article for *Life* magazine, that more control over tactical nuclear weapons should be extended to the commander of NATO.

Yet the reporter for *The Washington Post* reported the answer as being a suggestion that NATO *commanders* be given nuclear authority. My views on this could easily have been checked in my published works. But hundreds of other papers also went ahead with the same casual liberal disregard for objectivity, when it concerns a conservative, to repeat the misrepresentation until it was possible for editorialists and opponents alike, across the country, glibly to say that I wanted "every second lieutenant" to have an A-bomb. (At least two major publications, *Time* and *U.S. News & World Report*, proved later on, incidentally, that *the* commander of NATO has in fact been given tactical nuclear authority. The revelation did not shake, so far as I can observe, the consciences of most of those who had earlier reported my suggestion as one of alarming folly.)

Lest you get the idea that all this double-standard business is past history, let me refer to a few current examples of two-faced liberals at work. Hate literature? You remember how, during the period of mourning following the assassination of President Kennedy, even the Chief Justice of the United States referred to the climate of "hate" that breeds such violence. Liberals everywhere began to hate hate, so to speak. What about today, when many of them also dislike the incumbent President? The double standard goes to work. There is now in wide circulation a little booklet entitled *MacBird*—a play which uses *Macbeth* as its model. It is described as a political satire. And what does it have to say? It simply sets up a situation in which the character representing President Johnson plots the assassination of the character representing President Kennedy. And what does the author, one Barbara Garson, have to say about this "funny" idea? "It doesn't worry me if people think he killed Kennedy," she is quoted as saying. Do liberals rush to heap hate labels on her and her work? Not at all. The highly regarded liberal critic Dwight Macdonald calls it "the funniest" political satire he's read in years. *The New York Times* and *The Washington Post*, the fountainheads of liberal restraint, have glowed over it, and Yale's drama school has given the authoress a $5,000 fellowship! Sic Semper Hate!

Or, take an example that I read even while writing this. In his syndicated newspaper column of December 16, Joseph Alsop says that I support Richard Nixon as a Presidential candidate for 1968 "beyond any doubt at all, because he has indicated to Goldwater that, if nominated, he will adopt the 'Southern strategy' that Goldwater invented and still favors." He goes on to make it clear this strategy is a racist strategy. (By the way, Alsop invented the "Southern strategy" slogan.)

Joseph Alsop may not have any doubts; he also hasn't any facts. It is "beyond any doubt" flat dishonesty to say that Richard Nixon has indicated to me that he will follow any particular strategy if I support him. It is a flat misrepresentation and not true to say that I favor a racist strategy of any sort, in any section, for any excuse, under any circumstance. I reject it. I abhor it. I have never accepted it, and I have never permitted it. I am not a racist, Mr. Alsop, and you do every standard of objective truth, commentary, and reportage a disservice when you say that I am or that I favor a racist strategy, or that Mr. Nixon does.

But the double standard takes care of that. Mr. Alsop and his friends object to the smear technique only when applied to themselves or *their* friends.

In not a single one of the examples mentioned would I argue for a moment against the right of the reporter to express whatever opinion of me he might have. Nor am I even arguing that a man should not have the right to distort the truth or even reverse it in an open society where a free exchange of ideas would provide a natural and effective antidote and counterbalance. At any rate, I would not argue that we should take any form of action that would give anyone the power to compel these men to behave differently.

My argument, which may seem more like a cry in the wilderness at this late date, is simply for every American to examine his premises and his standards when it comes to so-called facts and fairness. If it is a fact for liberals, it must also be a fact for conservatives.

I know that there are those on the right who have their own double standard of fairness, and I deplore that just as heartily. But there are frequent and ample outcries against that. There are safeguards aplenty. Not so with the double standards of the left. Liberals do not even seem aware that they *are* practicing a double standard, a two-faced fairness, a spread-eagle truth.

In short, I'm not looking for retraction or apology—just simple recognition of the facts and the useful, thoughtful reflection which we might expect to follow such a recognition. But I'm still not holding my breath waiting for it to happen.

INEQUITABLE AGRICULTURAL IMPORTS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NELSEN. Mr. Speaker, today I am joining many of my colleagues in sponsoring legislation to relieve the great problem of inequitable agricultural imports. New and broader machinery is needed to control foreign farm commodities displacing American markets. Certain farm imports have risen so fast and to such a great level that large numbers of domestic farmers are suffering depressed prices. This is happening in a period of rapidly rising production costs, increasing the damage from cheap foreign imports, and while parity stands at the lowest level since 1934. From 1965 to 1966, total beef and veal product imports rose 27 percent; meat imports under the meat import quota amendment, 34 percent; pork product imports, 14 percent; lamb product imports, 19 percent, and mutton product imports, 102 percent.

Last year dairy product imports in milk equivalent were up a startling 300 percent. In the same year, the number of dairy cows in America declined by 1.1 million. Much of this drop is due to dairy imports. These imports account for many of the 50,000 dairy farms that went out of existence last year. Meanwhile, farm costs of production keep going up. Last month, the parity index of prices paid by farmers for goods and services was up 13 points from the previous year. The parity index for wages and taxes alone was up about 14 percent.

We are concerned about the high level of these imports, Mr. Speaker, not only because foreign producers are usurping a greater percentage of the domestic market, but also because farm parity stood at 74 as of March 30.

I have already introduced the Dairy Import Act of 1967, and I firmly believe it is a necessary and prudent piece of legislation. But, Mr. Speaker, the problem of price-depressing agricultural imports goes beyond just the dairy industry. The increase in imports in agricultural goods is quite general. For reasons I have cited, broader legislation is necessary. The bill I propose would amend section 22 of the Agricultural Adjustment Act of 1933, as amended, to include not only those goods that are covered presently under section 22, but any agricultural commodity that is threatened by increased imports.

Under the present law, only the Secretary of Agriculture can recommend that the President request an investigation by the Tariff Commission, or recommend immediate Presidential action curtailing imports. The Secretary may take this action only when he has cause to believe that programs of the Agriculture Department are endangered by imports.

Under my proposal, the President or any interested party, such as industry groups, either House of Congress, or the Committee on Agriculture of either body could request an investigation. The U.S. Tariff Commission would be required to promptly make an investigation and file its report within 90 days. It would determine whether any agricultural commodities were being imported into the country in such increased quantities as to cause or threaten serious injury to the domestic producers of like agricultural products.

If this investigation uncovered evidence of serious injury, or if the Senate Committee on Agriculture and Forestry or the House Committee on Agriculture so resolved, the Tariff Commission would hold hearings.

If the hearings then showed that domestic producers or farm support programs were being injured or threatened, the Commission would make a report with recommendations to the President. If he failed to act on this recommendation, the Congress could by a two-thirds vote enact the recommendations of the Commission through a concurrent resolution.

Mr. Speaker, we have a recent example of why this legislation is vitally needed. Instead of requesting emergency action to govern the rate of dairy imports flooding the country, earlier this month the Secretary of Agriculture requested an investigation. If the bill I am introducing today were law, that investigation would have been held months ago. The President and the Congress would have had the recommendations of the Tariff Commission, and appropriate action would have been taken.

This bill to protect American agriculture from unwarranted imports is not aimed at protecting inefficient production, but at preventing foreign producers from throwing American markets out of balance. For example, in 1962 and 1963 imports of beef were permitted to rise to disastrous levels, driving many livestock men out of business. When imports were finally restricted, beef prices rose sharply, thus drawing farmers back into beef production. This rise in beef production came at the same time dairy imports were rising, pushing men out of the dairy industry. Beef quotas were then raised again. Because of this action, high U.S. beef output collided with increased imports. Such arbitrary import policies and reversals have helped produce the poor state of the meat and dairy market today.

In addition, we also do a disservice to foreign competitors when we do not have a stable market at home. At a given price, it is possible to figure how much of a given commodity the market will absorb. When we have an imbalanced market, importers cannot plan on how much we will buy in a given year and will tend to overproduce. This leads to dumping, at great cost not only to the foreign producers, but to the disruption of our markets and producers.

Under the legislation I am introducing today, the reaction time could well be cut so that we could have a more stable agricultural market in goods subject to import competition.

We have experienced in the past 5 years several instances where the actions taken on imports have been too little or too late. Providing other channels for initiative has become necessary, will speed action, and provide better response to the needs of the moment.

There is one final point. It should be clearly understood we cannot continue selling on the international market without purchasing. We have a favorable balance of trade in agricultural goods, and we should be able to maintain it after implementing this legislation. But the fact is, imports of all supplementary goods—those items that are in competition with domestic producers—grew from 1965 to 1966 by 17 percent, while our commercial exports for dollars grew at only 9.4 percent. Many important U.S. export categories actually showed a marked decline in 1966 from 1965. Dairy exports were down 36 percent, total animal and animal product exports were down 8 percent, and cotton exports were down 11 percent. In part, this is due to new trade barriers erected abroad.

Because I believe this bill would be effective and because it is needed now, I urge its consideration and support.

AMENDMENT TO ELEMENTARY-SECONDARY EDUCATION ACT

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Quie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. QUIE. Mr. Speaker, over the past few days there has been mounted within the Johnson administration an attack of incredible dimensions on my proposed amendment to the Elementary and Secondary Education Act to authorize block grants to the States for certain of its programs beginning July 1, 1968.

This attack has dealt in misinformation, outright misrepresentation, and fear, to such an extent that it is impossible to reply to every such allegation. Two matters, however, have seemed to me extremely important to address, and I have done so through clarifying changes in the amendment to be proposed.

First. There is the allegation that Southern and border States would "lose money" under the formula I have proposed. This is absolutely erroneous, because it is based upon a theoretical authorization for the present act which, under the committee bill (H.R. 7819), would require full appropriation of funds for title I of the act. Without such full appropriation—an unlikely event since it is more than double the President's budget request for next year—every State except three would get less money under the committee bill than under my amendment. These three are Alaska, New York, and the District of Columbia.

In order to dispel all such fears, however, my amendment will contain the following language:

> Sec. 702(c) The amount of any State's allotment under subsection (a) for any fiscal year shall not be less than the aggregate amount of its allotments for the fiscal year ending June 30, 1968, under titles I, II, III, and V of the Elementary and Secondary Education Act of 1965.

The other concern was far more important—that the participation of private school pupils and teachers could in any way be imperiled by the language of my amendment. That matter has now been resolved.

My amendment from the very beginning contained the same language as the present act respecting participation of private school children in the benefits of the program, and even increased the types of assistance which could be made available. However, I have been happy to cooperate with all interested parties in writing in clarifying language to make even more explicit the intent, first, that the Federal block grants would not be commingled with State funds to be spent for general educational purposes, but would be separate funds to be spent for special programs; and second, that private school children would enjoy the same degree of participation in these programs financed under my amendment as they now do under titles I and II of the Elementary and Secondary Education Act.

The language of my amendment will speak for itself on both these points, so I am inserting it at this point in the Record, with the modifications agreed upon, so that every interested person may judge for himself:

H.R. 6983

A bill to amend the Elementary and Secondary Education Act of 1965 to continue the authorized programs after June 30, 1968, through block grants to the States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Block Grants Amendment Act of 1967".

Part A—Duration of and Authorization for Programs

Sec. 101. (a) (1) Section 201(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(2) Section 201(b) of such Act is amended by striking out "$150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$150,000,000 for the fiscal year ending June 30, 1968."

(b) (1) Section 301(a) of such Act is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(2) Section 301(b) of such Act is amended by striking out "$500,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof the following: "$500,000,000 for the fiscal year ending June 30, 1968."

(c) (1) Section 501 of such Act is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(2) Section 501(b) of such Act is amended by striking out "$50,000,000" and inserting in lieu thereof "$65,000,000".

(d) (1) Section 601(a) of such Act is amended by striking out "during the fiscal year ending June 30, 1967, and the succeeding fiscal year,".

(2) Section 601(b) of such Act is amended by striking out "$150,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: "$150,000,000 each for the fiscal year ending June 30, 1968, and the succeeding fiscal year".

(e) Section 706(b) of such Act is amended by inserting after "June 30, 1968," the following: "and for the fiscal year ending June 30, 1969,".

(f) (1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968".

(2) Section 15 (15) of such Act is amended by striking out "1962–1963" and inserting in lieu thereof "1963–1964".

(g) Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out "1968" wherever it occurs and inserting in lieu thereof "1969".

Part B—Block Grants to the States for Continuing Educational Progress

Sec. 102. (a) Title VII of such Act is redesignated as title VIII, and the sections redesignated accordingly, and all references to any such section in that or any other law, or in any rule, regulation, order, or agreement of the United States are amended so as to refer to such section as so designated.

(b) Such Act is further amended by inserting a new title VII as follows:

"TITLE VII—BLOCK GRANTS TO THE STATES FOR CONTINUING EDUCATIONAL PROGRESS

AUTHORIZATION ON CONTINUING BASIS

"Sec. 701. (a) To the end of enhancing the fundamental capability of the several States to make effective progress in meeting educational needs, and to carry forward the type of programs initiated under other Federal educational legislation without the administrative difficulties inherent in a proliferation of categorical Federal grants, the Commissioner is authorized for the fiscal year ending June 30, 1969, and for each succeeding fiscal year, to make grants to the States for the broad purposes set forth in this part, and it is the intent of Congress that these grants will replace those authorized under titles I, II, III, and V of this Act.

"(b) For the purpose of making grants under this part there is hereby authorized to be appropriated for the fiscal year ending June 30, 1969, the sum of $3,000,000,000, and for each of the succeeding fiscal years such sums as may be necessary to assure continued educational progress.

"ALLOTMENTS OF FUNDS

"Sec. 702. (a) (1) From the funds appropriated to carry out this title for each fiscal year the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine and, first, shall allot such amount among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs under this title, and then may use reserved funds for the purpose of making grants and contracts for special projects and educational planning as provided in section 707. From the remainder of such sums the Commissioner shall allot to each State an amount which bears the same ration to the amount of such remainder as the product of—

"(A) the school-age population of the State, and

"(B) the State's allotment ratio (as determined under paragraph (2)), bears to the sum of the corresponding products for all the States.

"(2) The 'allotment ratio' for any State shall be 100 per centum less the product of (A) 50 per centum and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the United States, except that the allotment ratio shall in no case be less than 33⅓ per centum or more than 66⅔ per centum. The allotment ratios shall be computed by the Commissioner on the basis of the most recent satisfactory data available to him from the Department of Commerce.

"(3) For the purposes of this part—

"(A) The term 'child of school age' means a member of the population between the ages of five and seventeen, both inclusive.

"(B) The term 'United States' means the fifty States and the District of Columbia.

"(C) The term 'income per child of school age' for any State or for the United States means the total personal income for the State and the United States, respectively, divided by the number of children of school age in such State and in the United States, respectively.

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

(c) The amount of any State's allotment under subsection (a) for any fiscal year shall not be less than the aggregate amount of its allotments for the fiscal year ending June 30, 1968, under titles I, II, III, and V of the Elementary and Secondary Education Act of 1965.

"USES OF FEDERAL FUNDS

"Sec. 703. Grants under this part may be used, in accordance with applications approved under section 704, for—

"(1) programs and projects (including the acquisition of equipment and, where necessary, the construction of school facilities) which are designed to meet the special educational needs of educationally deprived children, and which give the highest priority to school attendance areas having high concentrations of such children;

"(2) the provision of library resources, textbooks, laboratory and other instructional equipment, and audiovisual equipment for use in the elementary and secondary schools of the State;

"(3) the establishment and operation of supplementary educational centers to serve broad educational needs by involving the public and private educational, cultural, and artistic resources of communities and by conducting experimental and innovative programs related to regional and national programs of educational research and development;

"(4) the strengthening of State leadership and supervision provided through the State educational agencies, and the initiation of comprehensive educational planning to identify and attack educational problems on a continuing basis;

"(5) the provision of educational testing and counseling and guidance services in elementary and secondary schools;

"(6) the improvement of in-service teacher education programs, and the encouragement of efforts to improve the recruitment of teachers, particularly for service in inner-city and isolated rural schools which experience problems of recruitment;

"(7) programs designed to improve educational opportunities for children in institutions for the handicapped, or for neglected or delinquent children; and

"(8) other special programs designed to strengthen and improve elementary and secondary education in the State and to promote equal educational opportunities.

"STATE PLANS AND APPLICATIONS

"Sec. 704. (a) Any State which desires to receive payments under this title shall submit to the Commissioner, through its State educational agency, a State plan which—

"(1) sets forth a program for expending funds under this part for the purposes described in section 703 and indicates the probable allocation of funds for these general purposes;

"(2) provides that (A) not less than 50 per centum of the funds allotted or reallotted under section 702 for any fiscal year shall be used to fund programs and projects to meet the special educational needs of educationally deprived children (as provided by section 703(1)), and (B) not less than 7 per centum of the funds allotted or reallotted under section 702 for any fiscal year shall be used for the provision of library resources, textbooks, laboratory and other instructional equipment, and audiovisual equipment (as provided by section 703(2));

"(3) provides that, to the extent consistent with the number of children attending private elementary and secondary schools in school attendance areas selected for programs under section 703, provision will be made on an equitable basis for including special educational services and arrangements (such as, but not limited to, dual enrollment, educational radio and television, mobile educational services and equipment, and other special educational arrangements) in which such children can participate;

"(4) provides that arrangements (whether through the State educational agency or some other State agency or commission) for the distribution of library resources, textbooks, laboratory and other instructional equipment, and audiovisual equipment and materials for the use of teachers and pupils shall include provisions for the loan of such resources, textbooks, equipment, and materials on an equitable basis for the use of teachers and pupils in nonpublic schools;

"(5) contains assurances that the highest priority in the use of funds under this title will be given to local educational agencies which are experiencing the greatest educational difficulties because of such factors as: (A) heavy concentrations of economically and culturally deprived children, (B) rapid increases in school enrollment which overwhelm the financial resources of a local educational agency, and (C) geographic isolation and economic depression in particular areas of the State;

"(6) provides that any local educational agency or other applicant for assistance under this title which is denied such assistance may have an opportunity for a hearing before the State educational agency;

"(7) sets forth policies and procedures designed to assure that Federal funds made available under this title for any fiscal year will not be commingled with State funds and will be so used as to supplement and, to the extent practical, increase the level of State, local, and private school funds that would in the absence of such Federal funds be made available for library resources, textbooks, laboratory and other instructional equipment, and other printed and published instructional materials, and in no case supplant such State, local, and private school funds;

"(8) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to any other public agency) under this title; and

"(9) provides for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioners shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

"PAYMENTS TO STATES

"Sec. 705. (a) From the amounts allotted to each State under section 702 the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(b) In any State which has a State plan approved under section 704(b) and in which no State agency is authorized by law to conduct educational testing or to provide library resources, textbooks, laboratory and other instructional equipment, audiovisual equipment and materials, or other printed and published instructional materials for the use of children and teachers in any one or more elementary or secondary schools in such State, the Commissioner shall arrange for such testing and for the provision on an equitable basis of such library resources, textbooks, or other instructional materials and equipment for such use and shall pay the cost thereof for any fiscal year out of that State's allotment.

"PUBLIC CONTROL OF LIBRARY RESOURCES, TEXTBOOKS, LABORATORY AND OTHER INSTRUCTIONAL EQUIPMENT, AUDIOVISUAL EQUIPMENT AND MATERIALS, AND OTHER INSTRUCTIONAL MATERIAL AND TYPES WHICH MAY BE AVAILABLE

"Sec. 706. (a) Title to library resources, textbooks, laboratory and other instructional equipment, audiovisual equipment and materials, and other printed and published instructional materials furnished pursuant to this title, and control and administration of their use, shall vest only in a public agency.

"(b) The library resources, textbooks, laboratory, and other instructional equipment, audiovisual equipment and materials, and other printed and published instructional materials made available pursuant to this title for use of children and teachers in any school in any State shall be limited to those which have been approved by an appropriate State or local educational authority or agency for use, or are used, in a public elementary or secondary school of that State.

"SPECIAL PROJECT GRANTS

"Sec. 707. (a) From the funds reserved in accordance with the provisions of section 702, the Commissioner is authorized (1) to make grants to State educational agencies to pay part of the cost of experimental projects for developing State leadership or for the establishment of special services which hold promise of making a substantial contribution to the solution of problems common to the State educational agencies of all or several States, (2) to arrange for interchanges of personnel between the United States Office of Education and the several States (as provided by section 507 of the Elementary and Secondary Education Act of 1965, the provisions of such section being incorporated herein by reference), and (3) after consultation with the appropriate State educational agency or agencies, to make grants to or contracts with public and private agencies, institutions, and organizations for projects for the improvement or expansion of educational planning on a regional, interstate, or metropolitan area basis.

"(b) Payments under this section may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine, except that payments to a private agency, institution, or organization conducted for profit shall be in accordance with a contract for specified services.

"LEGISLATIVE INTENT

"Sec. 708. It is the intent of Congress in enacting this title that the States shall have utmost freedom, consistent with the requirements of section 704, to use the appropriated funds for the improvement and strengthening of elementary and secondary education within each State by meeting educational needs which the State determines are most urgent. Accordingly, the Commissioner is directed to administer the program in such a manner as to reduce the amount of paperwork, justifications and negotiation required of applicants and to expedite the transmission of funds to the States. To that end, questions of the intent of the legislation are to be resolved by broad, rather than narrow, interpretations and, whenever possible, in favor of the programs proposed by the State.

"ADMINISTRATION OF STATE PLANS

"Sec. 709. (a) The Commissioner shall not finally disapprove any application submitted under section 704, or any modification thereof, without first affording the State educational agency submitting the application reasonable notice and opportunity for a hearing.

"(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency administering a program under an application approved under this title, finds—

"(1) that the application has been so changed that it no longer complies with the provisions of section 704(a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify such State educational agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

"(c) All laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of any project under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this clause, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"JUDICIAL REVIEW

"SEC. 710. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of an application submitted under section 704(a) or with his final action under section 709(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code."

GEORGE STAFFORD, OF KANSAS, BECOMES MEMBER OF INTERSTATE COMMERCE COMMISSION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. MIZE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MIZE. Mr. Speaker, this is a significant day for Kansas. At 3 this afternoon, George M. Stafford, of Valley Falls, Kans., will be sworn in as the first Kansan to serve on the Interstate Commerce Commission in its 80-year history.

In taking over his new duties at this important Federal agency, George Stafford brings many years of administrative experience to this level of Government service. He has served on the staff of our senior Senator, the Honorable FRANK CARLSON, for over 20 years, and this in itself is one of his highest recommendations for the post. He is devoted, loyal, effective, and dedicated to giving his very best in every situation.

George Stafford's nomination evoked considerable editorial praise from the leading papers in Kansas. The Topeka State Journal wrote:

> The appointment is a good one, for Stafford has had long experience in statecraft as Frank Carlson's private secretary when Carlson was governor and as his administrative assistant for the more than 16 years he has been U.S. Senator.

The Manhattan Mercury stated:

> Stafford will be a great credit to the ICC and the appointee is one of the most accomplished Kansans we know. The whole state basks in the reflected glory of the high appointment to this most-deserving native son of Valley Falls.

From the Wichita Eagle, this recommendation:

> He also would bring to the position a great deal of understanding and deep personal integrity. He would serve the nation well and bring honor to Kansas.

The El Dorado Times had this to say:

> It begins to look as if George Stafford, who has kept modestly behind the scenes in the Carlson entourage, is on the way up to an important place in government. Which goes to show that a man as smart, capable and obliging as is George Stafford, is seldom overlooked when jobs requiring brains and common sense are waiting to be filled.

Under an editorial entitled "A Good Appointment" in the Lawrence Daily Journal-World, George Stafford gets this kind of boost:

> President Johnson has chosen well and Stafford can be expected to measure up to the responsibilities of the office . . . The Public would have more confidence in the integrity of government if we had more men of the stature and ability of Stafford in places of public trust.

Based upon what the people who know George Stafford best have to say, the Nation can be assured that the Interstate Commerce Commissioner who takes office today will measure up, will be responsible, and will serve with distinction.

I am moved to add my own endorsement to all that has been written and offer my own best wishes to George Stafford for a long and eventful career as a member of the Interstate Commerce Commission, knowing that each day of service in his new position will add to his record as an outstanding public servant.

STARS AND STRIPES STRUGGLES TO STAY FREE

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I submitted for the RECORD of March 16, 1967, a lengthy commentary on the Government management of news. Included in my remarks, were over 50 alleged instances of military news management involving the European edition of Stars and Stripes, a daily newspaper servicing more than a half million Americans overseas.

James M. Halbe, assistant foreign editor of Business Week, has recently written an article on the same subject, published in Dateline magazine, an annual publication of the Overseas Press Club. Mr. Halbe, a former Stars and Stripes staff member, traces the efforts of the civilian editorial staff of Stars and Stripes to find some recourse from Army censorship other than by "appealing to the officers doing the censoring."

The article attributes the Defense Department's present troubles to the fact that the role General Eisenhower filled during World War II, in preventing military interference with Stars and Stripes, "has gone unfilled for 22 years."

The complete text of the article follows:

STARS AND STRIPES STRUGGLES TO STAY FREE

(By James M. Halbe)

This year, the 25th for *Stars and Stripes* in Europe, may well be one of the most memorable years in its history. It marks the rediscovery by the *Stars and Stripes* staff of an effective recourse from arbitrary censorship that the newspaper has not enjoyed since World War II, when General Eisenhower was both the supreme Allied commander and the supreme Stars and Stripes advocate.

That recourse is the Moss Committee, the House subcommittee on government information, of which Rep. John Moss (D-Calif.) is chairman. Because of protests to this committee:

The Defense Department's scheme to create a Pentagon-controlled monopoly on the flow of all news to GIs overseas has been blocked.

The Defense Department's secret ban on the publication in *Stars and Stripes* of an Associated Press article on the Joint Chiefs of Staff has been exposed.

The Army's attempt to censor the news of the arrest in California of U.S. Ambassador to Germany George McGhee's son has backfired badly, creating a flurry of publicity that the original news item would never have received.

A list of more than 50 examples of Army and Air Force attempts to manage the news in Stars and Stripes during the last six years has been placed in the Congressional Record by Rep. Donald Rumsfeld (R-Ill.), a member of the Moss Committee.

The only tragedy in the *Stars and Stripes* affair has been wrought by the Defense Department. It not only tolerated the summary dismissal of Colonel George E. Moranda from his post as chief information officer of the Army in Europe, but it publicly denounced him as "unsuitable" for the job. Colonel Moranda's offense: trying to protect the Army from certain embarrassment by counselling against censoring the McGhee story out of *Stars and Stripes*, then, having lost the battle, immediately complying with an order to do so.

Obviously something has gone wrong somewhere. Certainly neither the Army nor the Defense Department expected this kind of trouble. What happened?

The simplest explanation is that the role Eisenhower played in protecting the integrity of *Stars and Stripes* has gone unfilled for 22 years. Eisenhower understood the natural tendency of the military to ordain righteousness by fiat, and the danger it posed for both the credibility and the integrity of *Stars and Stripes*. He simply forbade any military meddling with the paper.

When *Stars and Stripes* was recreated in London on April 18, 1942, General George C. Marshall, the Army chief of staff issued a statement noting that its World War I predecessor had been a major factor in sustaining the morale of the American Expeditionary Forces.

"We have Pershing's authority for the statement that no official control ever was exercised over the matter which went into the Stars and Stripes," wrote Marshall in the first issue in World War II. "It always was entirely for and by the soldier. This policy is to govern the conduct of the new publication."

Eisenhower made Marshall's order stick. So did the staff. Bob Moora, managing editor of the wartime London edition (and now an executive with RCA in Camden, N.J.), remembers that "the staff had to fight to withstand the pressures of well-meaning but ill-advised officers to use the paper for propaganda purposes, for personal publicity, or as a headquarters directive."

The staff's standard brushoff to would-be abusers of *Stars and Stripes* was to refer them to Eisenhower for "authorization" to publish their pet news item. The staff also maintained a private "out-of-channels" pipeline to Ike—a Syracuse bookie named Bill, who was a back-slapping pal of Captain Harry Butcher, Eisenhower's naval aide.

When Lieutenant General George Patton made his now-famous threat to ban *Stars and Stripes* from the Third Army because of a Bill Mauldin cartoon he didn't like, Bill the Bookie called Harry. Eisenhower immediately wrote a letter to his deputy, stating, "A great deal of pressure has been brought upon me in the past to abolish such things as Mauldin's cartoons, the B-Bag, etc. You will make sure that the responsible officer knows he is not to interfere in matters of this kind. If he believes a specific violation of good sense or good judgment has occurred, he may bring it to my personal attention."

General Mark Clark provided the same kind of protection for *Stars and Stripes'* Mediterranean edition.

Eisenhower, Clark, Marshall, and Pershing wanted *Stars and Stripes* to be just one thing—a newspaper. All of the generals who have commanded U.S. forces in Germany since Eisenhower have wanted the newspaper to be a house organ as well.

The most notable example of overplay in *Stars and Stripes* in recent years was the retirement in 1962 of General Bruce Clarke as Army commander in Europe. Fourteen times between March 30 and April 30 Clarke made Page 1 of Stars and Stripes—almost entirely by paying farewell visits to military units. His retirement ceremony and the change of command on April 30, of course, became the most important news event in the world in the issue of May 1.

The Army also has traditionally served as self-appointed public relations agent for the American Express Company in Europe. When Amexco changes the interest rates or terms of deposits in the banking facilities it operates on U.S. military posts, the Army makes the announcement not Amexco.

And consider this lead from a Page 1 story in this issue of January 31, 1963:

"Heidelberg (Special)—The following press release was received Wednesday from the (West German) Federal Ministry of Economics for transmittal to U.S. Army Europe."

From the U.S. military's standpoint, the AP, UPI, and *Stars and Stripes'* own reporters are merely loopholes in the iron curtain it has thrown up around its bailiwick in Europe. And it intervenes to plug the loopholes whenever it chooses.

This compulsion to interpose itself between the GI and reader and the source of the news also suggests that U.S. military leaders believe news lacks a certain validity until it has been "ratified" by the Army or Air Force.

When the President announces the assignment of any general to Europe, for example, *Stars and Stripes* is forbidden to publish the story until Army or Air Force headquarters has found a specific job for him. This means that newspaper readers in the U.S. can sometimes know about the assignment several days before *Stars and Stripes* readers.

When the reassignment of a general already in Europe is announced by the President, *Stars and Stripes* cannot publish the story until the general has been notified. In one instance, *Stars and Stripes* "notified" him personally; he said he already knew about it. But the Army information division still refused to "release" the story until the general had been "officially" notified.

In another instance, an Army information officer in Heidelberg refused to approve a change in a reassignment story because he did not want to disturb a general on the badminton court to read it to him.

Generals are not entirely to blame for the news distortion in *Stars and Stripes*. The military command system itself creates problems. The channel of communications between *Stars and Stripes* and most U.S. generals in Europe is a bobsled run of embellishment.

If a colonel thinks a one-column picture of a general in *Stars and Stripes* would make the general happy, then obviously a two-column picture would make him twice as happy. Conversely, if a general tells an aide, "The news from Timbuktu doesn't look good this morning," *Stars and Stripes* hears it as, "No more unfavorable news from Timbuktu; the general doesn't like it." Or, worse still, "What's the matter with you guys up there? Can't you see you're damaging Timbuktu-American relations?"

In the publishing of *Stars and Stripes*, the military command system produces a series of conditioned responses up and down the chain of command. Generals begin to feel that they and their VIP visitors are always Page 1 news, regardless of what else is going on in the world that day. After that, the mere arrival of an Army courier with a picture of the general at *Stars and Stripes* amounts to an order to publish it—on Page 1.

The picture of General Paul Freeman, commander of the Army in Europe in 1962–65 (and now head of the Continental Army Command in Chicago), posed with frequent VIP visitors, was treated as Page 1 "news" during his tenure probably more often than that of any other individual in the world.

The cumulative effect of all the "must" stories, including verbatim handouts, is to reduce *Stars and Stripes* to exactly what the Defense Department, the Army, and the Air Force, claim it is not—an official U.S. government publication.

The detachment from official U.S. policy that Stars and Stripes might have had by remaining what Eisenhower intended it to be has been lost almost entirely because the U.S. military establishment behaves toward *Stars and Stripes* approximately the ways the Soviet government behaves toward *Izvestia*.

For the recent exposure of the Army's malpractices as a newspaper publisher in Europe, the Defense Department has only itself to blame. Much of what has come to light this year was known by the Defense Department in 1963. With studied care, it chose to ignore all of it.

There had been repeated efforts by individual members of the *Stars and Stripes'* staff before 1963 to protest both arbitrary censorship and phony "must" stories. But the system of protesting censorship to the officers doing the censoring was so obviously ineffective that it became, as it is today, an exercise in futility. Its only value lay in creating a written record of the protests.

The staff's search for some recourse from the military's abuse of *Stars and Stripes* thus led away from the whole military establishment. The most obvious recourse for most Americans is to write their Congressman. Several staff members tried this avenue in 1960–63—without success.

In June 1963, on my first and only try, I found a recourse that produced complete and almost immediate success. On June 8, while I was acting assignments editor, the Army killed a story I had assigned about President Kennedy's impending visit to Germany, giving as the reason "a protest from the embassy." I checked out the alleged "protest" with the embassy and elicited a categorical denial that anyone in the embassy had made any.

I then hit hard where I thought it would do the most good, since the President was involved: I wrote a carefully documented letter about the circumstances to Pierre Salinger.

Three weeks later, I learned that the officer who had ordered the story killed had been "transferred to other duties." No one ever interfered with *Stars and Stripes'* coverage of President Kennedy again.

In August, 1963, Heidelberg's temptation to meddle in the news became irresistible again, and this time it had more sinister implications. The Birmingham race riots were taking place, and *Stars and Stripes* gave them the Page 1 prominence they were getting in most American newspapers.

Major General William C. Baker, the Army chief of staff in Heidelberg, became indignant about the *Stars and Stripes* coverage. Colonel Ben Legare, the army chief of information, came up to Darmstadt and told both Colonel Ridgeway Smith, the editor, and Arnold Burnett, the managing editor, that all news pictures of racial incidents in the United States must henceforth be "screened" in order to eliminate any that might "inflame" General Baker. Legare quoted Baker as saying publication of such pictures was "treason."

Later, Baker told Smith and Burnett in Heidelberg that he was dissatisfied with *Stars and Stripes'* coverage of racial disorders in the U.S. because it was not objective and did not give the white Southerners' point of view. He also expressed the opinion that AP and UPI were not objective because they had "sold out."

The immediate result of these two meetings was an order that all pictures of racial incidents had to be cleared either by Burnett or Bernard Kirchhoff, the assistant managing editor. A few days later, the order was strengthened to require approval by Colonel William W. Coleman, Jr., the deputy editor.

On the first day of the new order, three pictures and one story were killed. The kills continued, and a week later two more staff members wrote Salinger. On September 16, the dam broke. Burnett informed me and two other members of the staff that the inspector general of the Army, Major General Edward H. McDavid, and two aides had arrived from Washington and wanted to talk to us the next day.

None of us who were thus summoned knew exactly why, and I was curious; so that night I telephoned Salinger at the White House. He called Arthur Sylvester at the Pentagon while I waited, then came back with, "That's my investigation. You're free to tell them anything you want. I'll get a complete report on the whole matter."

For the next three days, we did a great deal of telling, but that was the last we ever heard of the Great IG Investigation of 1963. Two months later, President Kennedy was assassinated. No one felt like inquiring further of Salinger after that. When Salinger was a senator in 1964, however, I called him in Washington and asked if he had ever gotten the IG report. He said no. He also called Sylvester at the Pentagon. Sylvester said the report was "classified" and would never be made public. The Moss Committee is now trying to get a copy from Major General Keith Ware, the Army chief of information.

Salinger was an ideal solution to the recourse problem that had plagued *Stars and Stripes* for so long. He did for *Stars and Stripes* what Eisenhower did in World War II and what the Moss Committee is doing today: He used muscle, the one language the Army seems to understand.

But Salinger and we made two mistakes. Salinger's was that he called on the Army to investigate the Army. In truth, the services are so committed to preserving their command structures that they are almost completely incapable of perceiving any truths that might appear to weaken it.

Colonel James W. Campbell, the present editor-in-chief of *Stars and Stripes*, made the point quite well when he admitted in a Frankfurt press conference in January that he had allowed a kill order by his deputy to stand, even though he disagreed with it, because he "didn't want to undermine the authority of a subordinate." To his credit, Campbell later admitted he felt he had made a mistake in not reversing the decision. (The story killed was an A feature by William L. Ryan on the new Soviet leadership.)

Our mistake at *Stars and Stripes* was in not making public the 1963 investigation at the time it took place. We were surprised that the "investigating" was to be done by the Army, but we were caught up in a heady enthusiasm generated by Salinger's quick response. We felt committed to the propriety of silence, both because the White House was involved and because we were civil servants and unwilling to give our own story to the competition. We were convinced we were on the right track.

Had we tipped off AP, UPI, and *Overseas Weekly* to what was happening, we might have created the pressure that only public attention can exert. The IG report might at least have reached Salinger.

For the Army, *Stars and Stripes* remains what it has always been, a dilemma. The Army cannot publish it with an entirely military staff it can control; there is not enough professional talent in the entire Armed Forces to produce it. The Army, therefore, must rely on "outsiders"—trained professional newsmen. But it cannot make professional newsmen accept what it has been doing to *Stars and Stripes* for the last 22 years. Fortunately, the staff will no longer shut up—and the Moss Committee won't let go.

A FEW KIND WORDS FOR THE CIA

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, Hon. William Atwood, editor in chief of Look magazine and former Ambassador to Kenya, presents a sobering view of the recent controversy and publicity concerning the Central Intelligence Agency and its role in countering the Communist offensive. Mr. Atwood knows at firsthand something of the CIA operations, and his comments merit close attention. The article, which appeared in the April 18, 1967, issue of Look magazine, follows:

A FORMER AMBASSADOR SAYS A FEW KIND WORDS FOR THE CIA

It's open season on the Central Intelligence Agency. Just about everybody, from the California New Left to the Arizona Old Right, has been taking potshots at one agency of our Government that can't talk back. The revelation that it has helped finance through foundations some cultural and student groups seems to have aroused even more indignation than the Bay of Pigs fiasco 6 years ago. Editorial-page cartoonists are again caricaturing the foxy-faced little men in trench coats with CIA on their hatbands, and any mention of the Agency is good for a snicker on the cocktail-party circuit. CIA is once more a dirty initial.

And as usual, the CIA has had to keep quiet. It's the silent service that is never able to brag about its frequent successes nor confess its occasional failures. Even its friends on the outside have to be careful about what they say for fear of violating security. And yet, having seen quite a bit of CIA operations during my 5 years as a U.S. Ambassador, from 1961 to 1966, I feel like saying that I'm sorry about the recent furor and sorrier still about its possible consequences. For the exposé in *Ramparts* magazine has succeeded in doing what Communist propagandists have tried for years, in vain, to accomplish: the slandering of American students and scholars abroad and the discrediting of much of the good work done by our private foundations.

Carl Rowan, who was, like me, a Kennedy-appointed ambassador, recently asked in his newspaper column: ". . . [are] the benefits to 'freedom' accruing from these exposés of the CIA . . . great enough to balance out the damage done to our security"?

I don't believe that anybody should answer "yes" to this question without first taking the following insufficiently appreciated facts into consideration:

1. The CIA is primarily concerned with the collection and evaluation of intelligence from a variety of sources. Its 15,000 employees are neither spooks, jackasses nor supermen, as they are so often and so variously depicted in fiction; they are for the most part calm, studious, deskbound professionals who never do the kind of things James Bond does. Nor is the Agency by any stretch of the imagination "an invisible government." Abroad, CIA people assigned to our overseas missions are under the jurisdiction of our ambassadors. In Washington, CIA activities are cleared, approved and supervised by the interdepartmental National Security Council, which meets in the White House.

2. The CIA is also in the business of watching and countering the actions of the Soviet KGB and other Communist intelligence services. Unhappily, the cold war is by no means over. I have seen at first hand and close range in Africa how much effort and money is spent by our adversaries to bribe, deceive, subvert and undermine the potential leaders of these new young nations. And I have been gratified, as an American, that we have been able to alert our friends and help protect African independence and nonalignment—thanks in part to the CIA. The information we have been able to furnish free governments about the identity and activities of KGB agents among others has been invaluable. For the latter's activities are both far-flung and intensive. Between 60 and 70 percent of all Soviet-bloc diplomatic personnel in Asia and Africa are intelligence agents in disguise. And among Communist newsmen, the proportion is even higher. Compared to the opposition, we are quite thin on the ground; but then, our mission in these countries is not to subvert but to help prevent subversion.

3. Indirect CIA financing of student and cultural activity has been negligible compared to what the other side has been doing. The Russians alone are estimated to be spending $10 million a year in recruiting and proselytizing youth groups. Total CIA subsidies to counter this campaign since the early 1950's have been less than a third of this sum. The beneficiaries of funding have not—as implied in the recent exposés—been bought, badgered or corrupted by the CIA. In fact, most of them didn't even know where the money was coming from. Unlike their fellow students from the East, they were not expected to take orders, perform espionage functions or even promote official U.S. views on foreign policy.

Then why all the fuss? I think part of the reason is that the CIA has both an undeservedly sinister reputation and the wrong kind of name to be in the business of supporting activities that are peripheral to its intelligence-gathering mission. The British perform this function more discreetly. Student, youth and cultural affairs are handled by the British Council, a privately run but government-supported institution. The French work through their Ministry of Education and the *Alliance Francaise*. Their CIA counterparts manage to keep far away and out of sight—which is where they belong. This is not to say that Britain or France are "closed" societies. It's just that, being more experienced and sophisticated, they appreciate the importance of self-imposed restraint on publicizing intelligence operations.

We Americans don't—perhaps because we feel guilty about the CIA. I don't think we have any reason to, but then I've had more chance than most of my fellow citizens to see how the Agency works.

So what do we do now? Admitting that the CIA and our top Government officials were naive in thinking that these indirect subsidies could be indefinitely hushed up, we still should not jettison the activities they made possible—not if we care about enlarging worldwide understanding of America and what we stand for.

I believe that it's up to the Congress, which holds the purse strings, to repair the damage. You can hear plenty of patriotic cold-war oratory on Capitol Hill, but when it comes to appropriating funds needed to wage the cold war, our representatives don't always suit their actions to their words, except where military expenditures are concerned. Let's hope the recent furor will impel our elected representatives to realize that Vietnam is only one front in this war—and by no means the most important—and that being niggardly about foreign economic assistance, about USIA operations and about the kind of activities that should be handled by the State Department's Bureau of Educational and Cultural Affairs is the most shortsighted kind of economy at this time in history.

The job the CIA has been doing covertly needs to be done overtly, perhaps by an agency with a less cloak-and-dagger-sounding title. Otherwise, we will only make it easier for our determined and unscrupulous opponents to convert and subvert a new generation of leadership in this revolutionary world.

And while we ponder how to do it, let's also hope the muckrakers get on a new tack. We've done ourselves enough damage already.

WILLIAM ATTWOOD,
Editor in Chief.

HOMEOWNERSHIP FOR LOW-INCOME GROUPS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, a new approach in providing homeownership for low-income groups, originated by Senator CHARLES PERCY, of Illinois, and cosponsored by every Republican in the

Senate and supported by over 100 Republican Members of the House of Representatives, is attracting national public comment and support.

I offer for the RECORD three editorials from nationally recognized newspapers which discuss the Percy housing bill:

[From the Chicago (Ill.) Daily News, Apr. 22, 1967]

PERCY'S PULLING POWER

The decision of all the Republicans in the U.S. Senate to join in sponsoring Sen. Charles Percy's housing bill is a bright omen not only for the bill but for the very junior senator from Illinois. We cannot recall when a bill proposed by a senator of less than three months' seniority has drawn this kind of unanimous support.

The variegated list of co-sponsors is an impressive display of Percy's salesmanship and his party's unity. It is a remarkable feat for a freshman senator, even for a remarkable freshman senator. It is no wonder that anybody who can talk John Tower, Jacob Javits, Strom Thurmond and Clifford Case into sponsoring the same bill should find himself being talked about as a presidential possibility.

The wide attraction of Percy's bill can also be explained by its combination of appeals. It uses government financing to meet an urgent social problem, but it relies primarily on individual initiative. And by encouraging private ownership of housing, it promises to save public money.

The mechanics of the bill are inventive and involved ("not perfect"), says Percy, who hopes the details will be worked out in committee. A National Home Ownershp Foundation would be financed by the sale of government bonds, to attract investors who otherwise might not put their money into slum housing. The foundation in turn would lend money to local, nonprofit associations that would renovate slum properties and sell them to poor families at low-interest, long-term rates with small down payments.

The federal government would make up the difference between the rates at which the foundation lends the money and the rates charged by the local associations.

Those unable to afford even modest payments could contribute their labor—a "sweat equity"—as apprentices in construction work. It is hoped they would learn job skills while working for their homes.

Under another part of the Percy bill, home buyers would be eligible to receive not only job training but counseling in the problems and responsibilities of maintaining their property.

The Percy approach is based on the observation that those with an interest in society—a home, in this case—can best be trusted to build and preserve it. Percy calls his bill an urban homestead act. It is not just another federal subsidy tacked on to the old ones but a new approach, which is another reason why his bill has attracted more attention than is usually given legislative requests from the White House.

The bill may also be an omen for the Republican Party's prospects in 1968. All 36 GOP senators now have aligned themselves behind an imaginative attack on a pressing problem of American cities. By backing the Percy bill, the senators have demonstrated that their party has more than opposition to offer the country's great urban centers.

Everett Dirksen, Illinois' senior senator and the leader of his party in the upper house, says the Percy bill will probably be "the major Republic housing measure in this session." It is also a major demonstration of the party's capacity for responsibility as an election year approaches.

[From the Christian Science Monitor, Apr. 21, 1967]

THE PERCY PLAN

There is something universal in the desire to own one's home. Millions of immigrants went to the United States with the hope of achieving this goal, often denied them in their native lands. Countless poor American families have wished for the security of an owned dwelling. But low incomes and the building costs in American cities have frustrated the hopes of many. The choice offered the poor is usually a rented slum flat or public housing which the family must leave when its income rises.

Many of the ills of the cities have roots in the misery and insecurity of the rented slum homes in which families below the poverty line are living.

In presenting to Congress a carefully thought-out and opinion-tested plan for low-cost ownership of houses or apartments for the poor, Senator Charles H. Percy of Illinois is providing a needed stimulus to action.

It is not the whole answer to the slum housing problem, as Senator Percy himself points out. He sees, as we do, the need for many approaches. An important one is that of the new federal commission appointed by President Johnson to go into recommended improvements in housing codes, zoning, taxation and other factors affecting building costs.)

But Senator Percy's proposal for establishment of a National Home Ownership Foundation moves down a largely untraveled road. He calls it "an attempt to mobilize the private sector, with government reinforcement at crucial spots." The program would be financed by the sale in the private market of up to $2 billion in bonds. The federal government would then provide subsidy to bring down the interest rate on mortgages to an amount the low-income families could afford. A further aid to the poor would be to accept the prospective homeowner's own labor on the dwelling as a part of the payment.

The program has a ring of practicality. It has already so recommended itself to both conservative and liberal Republicans that the party may well adopt it as a campaign issue. We hope it might win bipartisan support.

Lack of adequate housing has already emerged as one of the country's worst problems. It is part and parcel of continuing racial tensions and the preservation of the so-called "poverty cycle." The Percy plan is an imaginative effort to do something additional about this problem.

[From the Chicago (Ill.) American, Apr. 23, 1967]

PERCY'S HOUSING PLAN

Sen. Charles H. Percy's bill for low income housing is one of the most ingenious plans yet proposed for fighting the slums. It is too bad the bill doesn't have bipartisan support; Percy reportedly tried to obtain it but could not.

The freshman senator does have Washington marveling, however, at the way he lined up support for the bill from 35 of his 36 Republican colleagues in the Senate, including such disparate G. O. P. spirits as New York's liberal Jacob Javits and Texas' conservative John Tower. This feat of persuasion has heightened speculation about Percy's chances for his party's Presidential nomination next year—anyone who can unify the strife-torn G. O. P. this way evidently has something the party needs. The speculation, in fact, has all but submerged the bill. Yet the proposal has merits that should make it acceptable to both parties.

Under Percy's plan, a national home ownership foundation would be set up to help nonprofit community organizations work out plans for low income housing. Financing of the local groups would be backed up by the federal government. The foundation would buy bonds that the local groups issued to finance their projects, selling them to the public as tax-exempt, government-guaranteed bonds.

The foundation would also help pay the interest on mortgages of low income families buying homes, or cooperative or condominium apartments.

One advantage of this approach is that it would give slum dwellers a real stake in the community—something they don't get by seeing their rents siphoned off by a landlord who often does not live among them. Tenants jointly owning cooperative or condominium apartments would have a common investment to protect in seeing that the project did not slip into disrepair. If a person's income increased enough, he would be obliged to repay the government for its assistance. The new jobs created by such increased building and rehabilitation of dwellings would be a beneficial byproduct of the plan.

There is some question how much an impact this approach would have in Chicago or New York City, with their large inventories of big, multiple-apartment dwellings. Rehabilitation of such structures would require extensive financing, and community groups might be wary of tackling such large-scale projects. In cooperatives and condominiums, moreover, money has to be set aside to pay for repairs as a part of the building payments. If something required extensive repairs, the individual payments of tenants would have to be raised to make up for a depleted maintenance fund. Experience has shown that poor people cannot stand such strains on their severely limited incomes.

Still, Sen. Percy should take a bow for developing what could become another highly workable tool to put to use fighting slums. If we are to salvage our cities, we need as many of these tools as we can find.

THE REAL HEROES

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in continuing its fine publicity of the coming support-our-boys-in-Vietnam parade to be held May 13 along Fifth Avenue in New York City, the New York Daily News today carried an account of the coming parade with this headline: "Heroes Will Lead Viet Parade."

The heroes referred to are Congressional Medal of Honor winners who will head the mammoth salute to other American heroes—our servicemen in Vietnam.

Contrast these heroes with those heroes championed by the Fort Hood Three Defense Committee in one of its circulars headlined: "Free Three American Heroes."

The Fort Hood Three Defense Committee are formed to agitate in behalf of three Army enlisted men who were court-martialed, given dishonorable discharges, and sentenced to prison for refusing to go to Vietnam. The Communist Party, DuBois Clubs, and other Communist organizations have conducted a tremendous amount of agitation and distributed extensive propaganda material on behalf of the "Fort Hood Three." This committee is supported by a mixed group of professed and identified Communists, fellow travelers, and pacifists.

The Fort Hood Three Defense Committee supported the Vietnam Week demonstration in New York in which the American flag was burned on April 15.

New Yorkers, past masters when it comes to parades, will have an opportunity to show who their real heroes are on May 13 when the support-our-boys-in-Vietnam parade goes swinging down Fifth Avenue. According to Mr. Ray Gimmler, parade chairman, the commemoration for our servicemen in Vietnam promises to be quite an affair. He said:

> From all indications this parade promises to be one of the biggest New York has ever seen.

Here is a unique opportunity for those in the New York City area to render respect to the American flag in contrast to the sickening extremism of the flag burners.

Here is an excellent means of showing Moscow and Hanoi that the majority of Americans are undivided and resolute in helping free men defend themselves against Communist treachery and terror.

And finally and most importantly, here is a wonderful chance to tell our servicemen in Vietnam that—like their forefathers fighting in a righteous and moral cause—they are our real heroes.

I have permission to insert in the Record at this point the article from the New York Daily News of April 26, 1967, by Henry Machirella, entitled "Heroes Will Lead Viet Parade":

Heroes Will Lead Viet Parade

(By Henry Machirella)

A number of Medal of Honor winners, from World War I through Vietnam, will head the Support Our Boys in Vietnam Parade to be held May 13 along Fifth Ave., it was announced yesterday.

Ray Gimmler, parade chairman, said: "From all indications this parade promises to be one of the biggest New York has ever seen."

Representing the recipients of the nation's highest military award will be Michael Valente of Long Beach, L.I.: Thomas Kelly of Manhattan; Charles Shea of Plainview, L.I.; John Meagher of Jersey City, Stephen Gregg of Bayonne; Maynard H. Smith of Nassau, N.Y. and recent Vietnam hero Robert E. O'Malley of Long Island City, Queens.

DARED ENEMY FIRE

During World War I, Valente charged through withering enemy machine-gun fire east of Ronssoy, France, that was holding down an entire company. He and another soldier finally silenced the fire by killing four and capturing 21 of the enemy.

Kelly, a medic in Germany during World War II, made 10 separate trips through murderous enemy fire to bring critically wounded men out of a battlefield death trap.

Shea, serving with the 88th Infantry Division in Italy, singlehandedly attacked three enemy machine-gun nests, killing the crews of the first two and three more Germans in the last nest.

Meagher, in the battle of Okinawa, charged an enemy pillbox and killed six Japanese after bayonetting one who charged his tank.

ONE-MAN ASSAULT

Gregg, a second lieutenant in France, staged a one-man machine-gun assault to permit a medic to recover seven wounded comrades from behind enemy lines.

Smith, a bomber gunner over Europe, saved his burning aircraft by throwing exploding ammunition overboard and manning all working guns until enemy fighters were driven off.

O'Malley is the former marine sergeant personally decorated by President Johnson at the White House for his heroism against the Viet Cong.

Because of the overwhelming response from persons and groups wishing to join the parade several new phones have been manned to accept calls. They are: in the Bronx, 669–7363; in Brooklyn, TR 5–9140; in Queens, BO 3–2279; Nassau, FL 4–2323 and 593–4790; Suffolk, RA 8–6337 and LT 9–1265, and Westchester, WH 9–1300.

CONGRESSMAN NELSEN'S VERSION OF THE DISTRICT OF COLUMBIA REVENUE BILL

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NELSEN. Mr. Speaker, I am today introducing legislation that would, I believe, provide an equitable and satisfactory approach for helping to solve the District of Columbia's acute revenue problems.

The bill offers something close to a middle course between the measure sponsored by the distinguished chairman of the House District Committee, on the one hand, and the administration-backed legislation, on the other.

To refresh the memories of the Members, the administration's proposal calls for a new method of computing both the annual Federal payment authorization and for determining the District's debt ceiling.

Under these provisions, the Federal payment would equal 25 percent of the general fund income from local taxes. The companion revenue proposal would limit the amount available each year for debt retirement to 6 percent of the general fund tax yield and the Federal payment.

Chairman McMillan, however, has introduced legislation that would raise the District's fixed-dollar authorization ceiling for the Federal payment by $10,000,000, for a total of $70,000,000, and increase the fixed-dollar borrowing maximum by $25,000,000, for a total of $315,000,000.

My bill, Mr. Speaker, combines some key features of both approaches. It would set the annual Federal payment authorization at $70 million—the amount provided in Chairman McMillan's measure. My bill, however, adopts the administration's computation proposal for determining the debt ceiling authorization, but with a major stipulation. Under this provision, the debt ceiling amount would be frozen at the end of the 3 fiscal years for a thorough review by Congress.

Until and unless Congress acted, this authorization level for debt would be held at the amount set under these provisions for the fiscal year ending June 30, 1970—the final year of the 3-year trial period. With this control feature, Congress would have the option of turning to either the fixed-dollar or the computation mechanism for determining the authorization levels.

The Federal payment authorization would, of course, remain at the $70 million level until revised by Congress.

The provisions of this bill, Mr. Speaker, would provide the Appropriations Committees with sorely needed additional revenue leeway in their deliberations on the District's budget programs.

With this debt ceiling approach, District of Columbia officials would be better able to look ahead and thus develop orderly and sound financing for capital improvement spending programs and projects.

It might be well to emphasize that the proposed approach relates only to revenue authorization, and not to actual appropriations. Congress would, of course, maintain its annual control over the city's budgets through the appropriations review process.

For the purposes of clarity, here is a comparison of the authorization levels that would be established under the three revenue proposals:

Chairman McMillan's bill: The Federal payment would be raised from $60 million to $70 million; the debt ceiling authorization would be raised from $290 million to $315 million; both would remain at these levels until changed by Congress.

The administration-backed bill: The Federal payment for fiscal 1968 would be $70.6 million; $74.4 million for 1969; $78.3 million for 1970; $82.4 million for 1971; $86.7 million for 1972, and $91.1 million for fiscal 1973. The loan ceiling would be set at $335.0 million for fiscal 1968; $353.3 million for 1969; $371.6 million for 1970; $391.1 million for 1971; $411.5 million for 1972, and $432.6 million for fiscal 1973.

The Nelsen bill: The proposal by Chairman McMillan for a $70 million Federal payment authorization is combined with the administration's computation method of arriving at the loan limitation. The loan ceiling for fiscal 1968 would be $335 million; $349.6 million for 1969; and $363.9 million for 1970 and, at that point, would freeze for congressional review.

My approach to the District's revenue and budgetary problems should in no way be interpreted as being the only answer to these problems. The proposal of our distinguished chairman, Mr. McMillan, has great merit and is a step in the right direction.

I have consulted with the minority members of the House District Committee and the consensus appears to support my proposal.

With the introduction of my bill the committee will have before it all the possible solutions to the District's revenue problems so that the committee can engage—as quickly as possible—in a meaningful and fruitful dialog looking to the best interests of the District of Columbia and the Nation.

Comparative statement of revenues provided under various legislative proposals

[In millions of dollars]

	1968	1969	1970	1971	1972	1973
Administration proposals:						
Payment	70.6	74.4	78.3	82.4	86.7	91.1
Loan	335.0	353.3	371.6	391.1	411.5	432.6
Representative Nelsen:						
Fixed amount for Federal payment with no escalation: Payment	70.0	70.0	70.0	70.0	70.0	70.0
3-year projection under computation method for Federal loan with no further increase without legislation: Loan	335.0	349.6	363.9	[1] 363.9	[1] 363.9	[1] 363.9
Representative McMillan: Fixed amount for Federal payment and fixed limitation on loan amount; no escalation without further legislation:						
Payment	70.0	70.0	70.0	70.0	70.0	70.0
Loan	315.0	315.0	315.0	315.0	315.0	315.0

[1] Prior to July 1, 1970, a review will be made to determine future method for establishing Federal payment and loan.

MINK MARKET MENACE

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. LANGEN. Mr. Speaker, unless we stop the rising flood of price-depressing mink imports, American mink farmers may be forced to abandon their industry. Accordingly, I have today introduced a bill to place a yearly quota on mink imports that are in competition with domestic producers. Simultaneously, I have written the President urging the Chief Executive to use his authority under section 332(g) of the Tariff Act of 1930 to institute a Tariff Commission investigation into the problem of mink imports.

Imports of mink pelts are entering our country at an alarming rate, driving down the market price American mink farmers receive for their product. Last year the United States accepted 5.7 million foreign mink pelts with an import value of over $73 million. But it is even more disturbing to note that mink imports for January–February 1967 hit an average monthly rate nearly twice the average monthly rate last year.

Mink raisers in the State of Minnesota are feeling the adverse effects of the unfair competition caused by the swelling tide of cheaper foreign mink imports which is washing away needed markets for them. Minnesota ranks second among States in the production of mink pelts.

My bill to restrict mink imports would insure American mink raisers that their vital domestic markets would not be usurped by foreign mink. When foreign mink imports are dumped into this country at an average price of less than $13, every effort should be made to protect the interests of domestic producers whom it costs an average of $18 per animal to produce one pelt. That is why I earnestly hope the House Committee on Ways and Means will schedule hearings on my bill at the earliest possible time.

Under the provisions of the Langen mink import control bill, a quota based on domestic consumption would be placed on imports of whole skins, whether or not dressed, with a duty of 50 percent ad valorem on mink imports in excess of the quota allotment.

FARMER STILL GETTING SHORTCHANGED

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. LANGEN. Mr. Speaker, with farm debt and production costs hitting recordbreaking highs, and farm prices continuing to go down, no wonder the American farmer is up in arms over low farm prices and concerned about what the future will bring. We on the House Republican task force on agriculture have found that the dire situation of American agriculture leaves little assurance of improvement in the future, except that the demands of the war might result in improved farm prices.

Feeling his pocketbook become lighter by the month, the farmer knows full well that he is being shortchanged—as the farm parity ratio continues its plunge now to a dismally low 74—the lowest since 1934.

If the present deplorable conditions of inadequate farm prices and increased agricultural imports to compete with commodities produced domestically continue, then we can certainly expect to see a continued decline in the number of farms in this country. Indeed, the future of the family farm in America has never been more endangered than it is today. That is why the task force will continue to analyze the farm scene in order that the many antiagriculture maneuvers which have repeatedly hurt the farmer can be corrected.

Total farm debt last year went up 10 percent—an average of over $1,200 increased indebtedness per farm. Prices farmers now receive for their commodities are substantially below those received last fall. The number of farms operating in the United States in 1966 dropped 4 percent from the previous year, and the Department of Agriculture now predicts 82,000 more farms will be wiped out in 1967. Obviously, the farmer is alarmed, with good reason.

There has not been a farm message sent to the Congress this year, nor is there any indication that the many anti-agriculture maneuvers will be halted. In fact, agriculture rated but one short sentence in the President's state of the Union message.

Lack of income equity between farmer and nonfarmer is a glaring, undeniable fact. While estimated annual personal income from nonagricultural sources rose 8 percent from the March 1966 rate to the March 1967 rate, estimated annual personal income from farming dropped 16 percent, as reported in the April 1967 issue of Economic Indicators, prepared by the President's Couneil of Economic Advisers. Thus, if any group has legitimate cause to go on strike for a fair financial return, it would be the farmers.

If there is no objection, I hereby insert the task force statement in the RECORD at this point:

STATEMENT BY CONGRESSMAN ODIN LANGEN, CHAIRMAN, HOUSE REPUBLICAN TASK FORCE ON AGRICULTURE, APRIL 26, 1967

The American farmer has his back against the barn wall. He is struggling under the burdens of record-breaking production costs, record-breaking farm debt, and record-breaking agricultural imports which compete with the commodities he produces. He has little assurance that present inadequate farm prices will show improvement, except perhaps as a result of the demands of the war. Indeed, the farmer's pocketbook tells him by its lightness that he is getting shortchanged for his efforts. And he knows full well that his plight is reflected in the farm parity ratio—now at a dismally low 74 (the lowest point since 1934).

Take a close look at the dire situation of American agriculture. Note the 122,000 farms which were wiped out last year and the fact that the Department of Agriculture predicts that another 82,000 farms will no longer be operating units at the end of this year. Is it any wonder that the American farmer is up in arms over low farm prices and concerned about what the future will bring? Unequivocally, the future of the family farm in America has never been more endangered than it is today.

It is in response to this deplorable situation that the House Republican Task Force on Agriculture will persist in its efforts in behalf of American agriculture, with the purpose of analyzing the farm scene, both national and international, in order to correct the many anti-agriculture maneuvers which have repeatedly and abrasively worked against the best interests of the American farmer. For if the farmer is not given the full and proper recognition he so richly deserves, the ability of this nation to produce its own food and fiber will soon be permanently impaired.

Without question, then, the economic condition of American agriculture is growing steadily worse. We find that the total farm debt in 1966 increased 10% over 1965—an average of over $1,200 increased indebtedness per farm. The increase was from $41.6-billion to $45.8-billion, or an increase in the national farm debt of $4.2 billion in just one year, according to page 305 of the *1967 Economic Report of the President.* And with increased production expenses, it is so very difficult to obtain a market return adequate enough to cover the production effort. That is why present low farm prices are all the more difficult for the farmer to endure. Price farmers now receive for their commodities are substantially below those received last fall.

The farm income picture is completely out of line with the rest of the economy. While estimated annual personal income from nonagricultural sources rose 8% from the March, 1966, rate to the March, 1967, rate, estimated annual personal income from farming dropped 16%—as reported in the April, 1967, issue of *Economic Indicators* prepared by the President's Council of Economic Advisers:

Estimated annual personal income from selected sources (change from March 1966 rate to March 1967 rate)

	Percent change	Change (billions)	Scope of change (billions)
Personal income from nonagricultural sources	+8	+$46.5	$547.0 to $593.5
Business and professional	+2	+1.0	41.5 to 42.5
Rental income of persons	+4	+.7	18.7 to 19.4
Dividends	+4	+.8	20.9 to 21.7
Personal interest income	+12	+4.9	41.4 to 46.3
Wage and salary disbursements	+8	+30.5	382.9 to 413.4
Farm	−16	−2.8	17.3 to 14.5

Take a look at the dairy situation, in particular. With 2.7-billion pounds of dairy imports (whole milk equivalent) entering our country in 1966, no wonder markets for domestic producers are being usurped and prices they receive held down. In fact, last year's dairy imports equaled the milk which could have been produced by over 300,000 American cows, or the milk production of more than 6,000 dairy farms with 50 cows each.

Remember: it was only last spring that the President followed the Secretary of Agriculture's advice in raising the Cheddar cheese import quota for fiscal year 1966 from 2.8-million pounds to 3.7-million pounds. We only hope that the President will see fit not to boost the Cheddar cheese import quota even further to 9.6-million pounds, a possibility he asked the Tariff Commission to investigate last spring.

Other agricultural imports adversely affect large numbers of livestock raisers: total beef and veal imports were up 27% in 1966 over the previous year; meat under the Meat Import Quota Amendment (Public Law 88-482) up 34%; pork imports up 14%; lamb imports up 19%; mutton imports up 102%; and present indications are that meat imports will continue to increase in 1967.

Or take a look at the dilemma confronting the grain farmers, who are asked to expand their production but are not given assurance by the Administration that their cooperative efforts will bring an adequate financial return.

ANTIAGRICULTURE MANEUVERS

Last year our domestic producers of food and fiber felt the economic impact of many developments, including the decision to dump huge quantities of grain upon the domestic market in order to break and depress grain and livestock market prices; a sharp curtailment of purchases of pork and dairy products by the military; repeated decisions to increase imports of raw sugar into the United States, designed to lower market prices for domestic sugar producers; decisions on the 1967 wheat program which will lower the blend price per bushel farmers will receive for their wheat; permitting or condoning price and wage increases for other segments of the national economy in excess of the 3.2% Administration guideline, while denying farmers the opportunity to receive fair prices for their products; the departmental action imposing restrictions on the export of cattle hides, calf and kip skins, such action causing lower domestic livestock prices, notwithstanding subsequent increases in shoe and other footwear prices; etc.

If the Administration would have avoided implementing the foregoing decisions, the American farmer would today be in far better economic condition. Indeed, these Administration policies and practices have repeatedly worked against the farmer's best interests—just as the Task Force on Agriculture predicted they would.

There is no indication that these antiagriculture maneuvers will be called to a halt, so the Task Force will be ever alert to further developments in the same vein in order to respond to them with full force in behalf of American agriculture. We note that there has not been a Farm Message sent to Congress this year. Moreover, agriculture rated but one short sentence in the President's State of the Union Message. Therefore, every effort must be expended to alleviate the worsening economic position of American agriculture before it is really too late.

If there is any doubt in the public's mind about the alarming extent to which Administration officials have welcomed indications that their efforts to depress farm prices have met with success, the public should take a look at the following substantiating evidence—just a few of the abundant examples:

"Secretary of Agriculture Orville L. Freeman expressed pleasure today with the fact that prices of farm products had dropped recently. It was the first time in the memory of Federal farm officials that a Secretary of Agriculture indicated that he was pleased with a decrease in farm prices." (Article in the *New York Times*, 4/1/66)

"Mr. Ackley (Gardner Ackley, Chairman of the President's Council of Economic Advisers) cited as 'welcome' evidence of a slowdown in economic growth the recent turndown of pork prices." (article in *Wall Street Journal*, 5/16/66)

"You should take immediate action to increase the Cheddar cheese (import) quota for the current quota year ending June 30, 1966, by 926,700 pounds without awaiting the formal review and recommendations of the Tariff Commission . . ." (letter from Secretary of Agriculture Freeman to President Johnson, 3/31/66)

"For example, I mentioned the fact that increase in supplies of pork depend on the difference between the price of hogs and the price of corn, and we're trying to hold down the price of corn. The Government's acquired large stocks of corn in its past price support operation, now we're releasing them into the market." (Interview with Mr. Gardner Ackley, Today Show, 3/10/66)

"Mr. Langen. Does this imply then because of production increases you think the present parity prices as established are too high?

"Secretary Freeman. Well, I think parity income is the standard. I think parity price today is largely meaningless. It is just one of a number of factors.

"Mr. Langen. That doesn't answer my question. Do you think present parity is too high?

"Secretary Freeman. Yes."

(House Agriculture Appropriations Subcommittee Hearings, Part I, p. 77, 2/3/66)

Accordingly, we on the Task Force will persevere in our efforts to rectify this situation whereby the farmer is being shortchanged by administrative tactics and inadequate farm prices.

OUR WAYWARD EXPORT-IMPORT BANK

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FINO. Mr. Speaker, last Friday, I sent a letter to Eximbank President Harold Linder asking him to comment on allegations made against the Bank; to wit, that it had made a loan to the Government of Iran for a petrochemical plant which is to supply Russia and the Soviet bloc with petroleum products pursuant to Iran-Soviet agreement under which Iran is getting a steel mill—and also armaments—and that it had made some 80 loans in competition with commercial banks, which loans totaled $856,000,000, mostly in connection with the export of jet aircraft engines and related equipment.

I hope to have Mr. Linder's answer shortly, but my letter may be of interest to the Members of this House. The United States-Persian-Russian oil situation will perhaps be made clearer to those who find it interesting if they read my insertion in yesterday's Record at page 10744 entitled "Johnson's Oil Diplomacy Builds Slick but Dangerous Bridges to the East."

The letter referred to follows:

Congress of the United States,
House of Representatives,
Washington, D.C., April 20, 1967.

Mr. Harold Linder,
President, Export-Import Bank,
Washington, D.C.

Dear Mr. Linder: In the brief interval since you spoke to our Committee, several situations have been brought to my attention with respect to which I feel our Committee ought to have your views. I hope that it will be possible for you to answer these serious allegations prior to the reconvening of our Committee hearings.

(1) On April 12th, Eximbank announced a $60 million loan to the Government of Iran to help finance U.S. purchases of equipment and services for the construction of a petrochemical plant to be built by Shahpur Chemical Company (jointly owned by the National Iranian Oil Company and the Allied Chemical Company of New York) on the Persian Gulf. As you know, the State Department is concurring in or encouraging (depending on the source) United States oil and chemical company participation in Iranian oil consortiums which are exporting petroleum products to the Soviet Union. Assistant Secretary of State Macomber admitted to me in a letter of March 14, 1967, that U.S. companies in Iran were free to sell to the Soviet bloc because the Soviet Union and Eastern Europe do not fall within the prohibition of the Foreign Assets Control Act, which prohibits U.S. companies from selling even foreign-produced products to China, North Korea and North Vietnam. A *Northern Virginia Sun* article of February 22, 1967 states bluntly that back in January, the State Department pressured U.S. oil companies in the Middle East to sell to the Soviets, although the sales were arranged under the "greatest secrecy". Secretary Macomber has admitted that U.S. oil companies are participating in sales to the Soviet bloc, any of which deliveries could be transshipped to North Vietnam.

According to the *London Economist* of April 2nd, Iran and Russia are developing a new economic and political closeness. Russia is building a pipeline across Iran to the southern Soviet Republics and United States oil and chemical companies are entering into joint ventures with the Iranian government to develop the oil and gas products which are going to be piped to Russia. One such joint venture which will supply Russia with petroleum products is the Shahpur petrochemical plant, to which you have just granted a $60 million loan. Were you aware, in granting the loan to Shahpur, that the facilities to be constructed were to be used in part to provide petrochemical products for the Soviet Union, as part of the Iran-Soviet agreement whereby Iran is slipping out of the United States sphere of influence and Russia is gaining her long sought toehold on the Persian Gulf?

(2) Apropos the present campaign of the Soviet Union to better its foreign exchange position and gather in hard currencies, for example, by opening up the White Sea shipping route and selling antiques in London, have you made a study of the benefits of the Fiat plant, with its 600,000 annual capacity, alleged by the February 10, 1967 *Wall Street Journal* to be intended primarily for export, to the foreign exchange position of the Soviet Union? If you have not made such a study, has the State Department, to your knowledge?

(3) I am appending to this letter a table showing nearly eighty loans made by your bank between January 1, 1964 and March, 1967, which reliable and highly placed sources in New York allege to have been made in unfair competition with commercial banks active in the field of export trade financing. In several of the situations mentioned, I am informed that your bank deliberately ignored information indicating that commercial banks had already obtained a commitment from a foreign buyer to borrow at a set amount. Instead of helping the commercial banks, your bank underbid them by offering foreign borrowers a lower rate of interest, thanks to your public resources, than the privately-owned commercial banks could match. I am informed that your loan to Iberian Airlines in 1966 was a particularly reprehensible example of business stealing. You will note that over a period of slightly more than three years, you are accused of having made $856,000,000 worth of loans "suitable in whole or in part for commercial banks." I think you owe it to the export financial community, yourself, and the House Banking Committee to address yourself very carefully to the situation regarding *each* of these loans—did you offer a below-market rate, did you underbid a private group which had received a commitment, and what were your reasons for making the loan?

(4) As you know, plans are afoot among leading banks to establish a corporation, perhaps an Edge Act or Agreement Corporation, to finance United States jet aircraft and related equipment exports. Among the eighty-odd loans regarding which questions have been raised, a good number—$449,000,000 worth—represent loans your bank made to finance jet aircraft and related equipment exports. Some persons interested in trade financing feel strongly that you have been guilty of gross "empire building" with respect to loan financing of jet aircraft and equipment exports, and that you are trying to block, with behind-the-scenes efforts, the formation of an Edge Act or Agreement Corporation through which commercial banks may finance jet aircraft exports. As you will note, the loans you are alleged to have made in unfair competition with the commercial banks, are all prime loans to solid, established countries, so that there is no question of "risk". I hope that you will address yourself in detail to the jet aircraft loan situation, and I hope that you will go on record with an emphatic approval of the efforts of commercial banks to form an Edge Act or Agreement Corporation to finance United States jet aircraft and related equipment exports, as per the hopes of the Treasury and State Department.

(5) With respect to the loans allegedly made by your Bank in competition with commercial banks, is it not true to say that our balance of payments is suffering by the fact that whereas commercial banks could be collecting market interest rate returns from foreign borrowers, some of whom had already agreed to market interest rates before your intervention, your Bank is collecting lower rates of interest offered for empire building reasons? Is it not true that the Department of the Treasury has sought to influence you to desist in your loan making competition?

(6) Also with respect to your competing with commercial banks by making loans at less than market interest rates, do you feel that it is proper for you to make less-than-market interest rate loans when the borrower is willing to pay market? In my bill, H.R. 8288, there is a provision which would amend your Act to prohibit you from making loans when market interest rate loans are available to the would-be borrowers in the United States. Would you object to having such a provision in your Act to amplify the present "policy of Congress" expressed in the statute that you not compete with private lenders?

I hope that you will be able to answer these questions in some detail before our Committee meets again on the subject of the Eximbank. Copies of this letter are being sent to all Members of the House Committee on Banking and Currency; to the Secretary of State and to the Secretary of the Treasury.

Sincerely yours,

PAUL A. FINO,
Member of Congress.

Enclosure.

Export-Import Bank loans committed during 1964, 1965, 1966 and January–March 1967 which might have been made in whole or in part by commercial banks

Date	Country	Loan		Portions suitable for commercial banks
		Amount (millions)	Purpose	
Jan. 22, 1964	Venezuela	$10.5	Steel mill equipment	Maturities to 5 years.
Apr. 13, 1964	Mexico	1.6	Cement plant	Do.
May 18, 1964	Venezuela	2.3	Equipment for paper plant	Do.
June 1, 1964	Mexico	4.0	Equipment for auto parts plant	Early maturities.
June 3, 1964	Colombia	2.5	Agricultural machinery	Maturities to 5 years.
June 22, 1964	Italy	20.0	Equipment for automobile plant	All.
June 23, 1964	India	25.0	Equipment	Early maturities.
July 6, 1964	Tunisia	2.6	Railways	Early maturities under political guaranty.
July 15, 1964	Iran	4.2	do	Early maturities.
Aug. 10, 1964	Philippines	11.6	Telephone cable	Do.
Aug. 27, 1964	Austria	2.0	Cotton	All.
Aug. 31, 1964	Italy	1.65	Equipment for steel plant	Do.
Sept. 2, 1964	India	6.8	Pulpmill	Early maturities.
Sept. 10, 1964	Japan	60.4	Jet aircraft	All.
Oct. 15, 1964	Peru	13.8	Equipment for iron ore processing plant	Do.
Oct. 23, 1964	Israel	4.0	Refinery	Early maturities.
Dec. 28, 1964	Greece	5.0	Power	Do.
Jan. 7, 1965	India	3.34	Chemical plant	Do.
Jan. 11, 1965	Italy	20.0	Industrial equipment	All.
Jan. 15, 1965	India	17.0	Locomotives	Early maturities.
Jan. 31, 1965	Colombia	2.5	Agricultural plant equipment	Do.
Feb. 24, 1965	Taiwan	2.75	Nylon plant	Do.
Mar. 3, 1965	Nigeria	3.36	Power	Do.
Mar. 30, 1965	Japan	11.0	Auto plant	All.
Apr. 12, 1965	Argentina	1.8	Equipment for tire plant	Early maturities.
Apr. 15, 1965	Greece	2.5	Equipment for cement plant	Maturities to 5 years.
June 30, 1965	Japan	6.4	Chemical plant	All.
July 14, 1965	Argentina	2.5	Equipment for synthetic fiber plant	Early maturities.
July 22, 1965	Venezuela	12.5	Equipment for aluminum plant	Do.
July 30, 1965	Mexico	1.5	Equipment for auto parts plant	Maturities to 5 years.
Aug. 4, 1965	Germany	2.5	Steelmill equipment	All.
Aug. 12, 1965	Mexico	1.8	Equipment for aluminum plant	Maturities to 5 years.
Do	Israel	5.0	Jet aircraft	All.
Sept. 16, 1965	Austria	1.5	Cotton	Do.
Oct. 7, 1965	Japan	5.0	Auto plant	Do.
Nov. 9, 1965	Greece	10.0	Industrial Development Bank	Maturities to 5 years.
Nov. 17, 1965	Italy	.9	Computer system	All.
Do	Japan	14.5	Jet aircraft	Do.
Dec. 1, 1965	do	3.3	Auto plant	Do.
Do	Ecuador	0.8	Equipment for paper plant	Early maturities.
Jan. 7, 1966	Ivory Coast (Senegal)	6.05	Jet aircraft	All.
Jan. 13, 1966	Ethiopia	4.3	Equipment for papermill	Early maturities.
Do	Taiwan	31.2	Power	Do.
Jan. 25, 1966	Finland	.8	Airplane engines	All.
Feb. 23, 1966	Iran	9.8	Jet aircraft	Early maturities.
Mar. 2, 1966	Mexico	5.0	Mining equipment	Maturities to 5 years.
Mar. 3, 1966	do	1.4	Textile equipment	Early maturities.
Mar. 15, 1966	Japan	2.35	Equipment for chemical plant	All.
Mar. 24, 1966	Iceland	0.3	Dredge	Do.
Mar. 28, 1966	Zambia	4.9	Aircraft	Do.
Mar. 31, 1966	Mexico	21.2	Equipment for lubricating	Maturities to 5 years.

Export-Import Bank loans committed during 1964, 1965, 1966 and January–March 1967 which might have been made in whole or in part by commercial banks—Continued

Date	Country	Loan		Portions suitable for commercial banks
		Amount (millions)	Purpose	
Apr. 27, 1966	Brazil	$1.5	Equipment for auto plant	All with parent company guaranty.
Do	New Zealand	6.5	Jet aircraft	All.
May 13, 1966	Peru	2.0	Various equipment	Do.
May 16, 1966	Morocco	1.6	Equipment for gas turbine plant	Early maturities with political guaranty.
May 23, 1966	Costa Rica	3.2	Equipment for tire plant	All with parent company guaranty.
May 25, 1966	Belgium	17.5	Jet aircraft	All.
June 2, 1966	Jamaica	3.0	Equipment for tire plant	All with parent company guaranty.
June 7, 1966	Mexico	1.75	Communications link	Early maturities.
June 8, 1966	China	4.7	Jet aircraft	All.
June 10, 1966	do	5.4	Petroleum equipment	Do.
June 15, 1966	France	11.0	Jet aircraft	Do.
Do	Iceland	5.2	do	Do.
June 30, 1966	Spain	2.1	Power equipment	Early maturities.
July 1, 1966	Japan	2.0	Equipment for chemical plant	All.
July 14, 1966	Norway	1.2	Helicopters	Do.
July 18, 1966	Mexico	.8	Television glass tube manufacturing equipment	Do.
July 19, 1966	Italy	1.0	Manufacturing equipment	Do.
Aug. 3, 1966	Venezeula	6.4	Jet aircraft	Do.
Do	Mexico	6.8	Equipment for auto plant	Do.
Aug. 4, 1966	Italy	110.4	Jet aircraft	Do.
Aug. 16, 1966	Israel	1.3	Papermaking equipment	Do.
Aug. 22, 1966	Pakistan	2.5	Various equipment	Do.
Aug. 23, 1966	Iran	9.0	Power equipment	Early maturities.
Sept. 6, 1966	Korea	3.3	*Jet aircraft and related equipment*	*All.*
Sept. 9, 1966	*Taiwan*	7.65	*Power equipment*	Maturities to 5 years.
Sept. 26, 1966	Iran	13.1	Equipment for petrochemical plant	Early maturities.
Oct. 4, 1966	Iceland	0.85	Equipment for diatomite plant	Do.
Oct. 6, 1966	Israel	5.6	Jet aircraft	All.
Oct. 10, 1966	Venezuela	2.0	Equipment for steel plant	Early maturities.
Oct. 20, 1966	Mexico	1.28	Equipment for synthetic rubber plant	All.
Oct. 27, 1966	do	10.0	Railway equipment	Early maturities.
Nov. 11, 1966	Japan	2.5	Equipment for polyethylene plant	All.
Nov. 21, 1966	Tunisia	0.7	Equipment for tire plant	*Early maturities.*
Nov. 23, 1966	*Mexico*	1.8	*Dredge*	*All.*
Do	do	3.0	Air navigation equipment	Early maturities.
Nov. 28, 1966	Australia	11.7	Jet aircraft and related equipment	All.
Dec. 1, 1966	United Kingdom	4.6	do	Do.
Dec. 9, 1966	Portugal	5.8	do	Do.
Jan. 5, 1967	Finland	17.55	do	Do.
Do	Japan	22.5	do	Do.
Jan. 9, 1967	Taiwan	5.0	Relending credit to commercial banks	Do.
Jan. 11, 1967	Ireland	20.0	Jet aircraft and related equipment	Do.
Feb. 2, 1967	France	6.5	Jet aircraft	Do.
Feb. 24, 1967	Spain	5.9	Communications equipment	Do.
Mar. 3, 1967	Colombia	20.4	Jet aircraft and related equipment	Do.
Mar. 6, 1967	Mexico	4.0	do	Do.
Mar. 9, 1967	Sweden	7.2	do	Do.
Mar. 28, 1967	Japan	3.0	Printing equipment	Do.
Mar. 30, 1967	Australia	65.5	Jet aircraft and related equipment	Do.

SUMMARY

Total loans suitable in whole or in part for commercial banks	$856,000,000
Loans wholly suitable for commercial banks	589,000,000
Loans to finance aircraft for prime borrowers	449,000,000

COMMODITY FUTURES TRADING REGULATIONS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FINO. Mr. Speaker, today I am introducing my 1967 commodity futures trading regulatory bill. I feel strongly that Congress must pay more attention to this increasingly important segment of American commerce. I include material as follows:

First. My press release, briefly describing my legislation.

Second. Explanation of changes which would be made in existing law—Commodity Exchange Act—by the Fino bill.

Third. Brief statement with respect to need to give the CEA carefully safeguarded margin-setting power with respect to futures trading. The need for margin-setting power because contract markets like Chicago Board of Trade, Nation's biggest, refuse to take the necessary steps themselves. Commodity Exchange Authority is holding off a decision as to whether to seek margin-setting power pending completion of an Agriculture Department commissioned study—Wall Street Journal article of March 20, 1967, included. Probable CEA request will be for margin-setting power only where likelihood of excessive speculation instead of last year's sweeping power.

Fourth. Importance of commodity trading is growing, witness article "A Booming Bedlam in Commodity Trading" from Business Week of March 4, 1967, and New York Times article of March 19, 1967, on volume in commodities keeping up a record pace.

Fifth. The need for additional Federal regulatory power over the commodity markets is great. Included are New York Times article of February 13, 1965, showing how CEA's resources are inadequate to police commodity markets, according to U.S. General Accounting Office, and how trading practices and lack of competition go uninvestigated and uncorrected, as witness De Angelis and the salad oil swindle: New York Times article of March 10, 1966, describing how CEA failed last year in its regulatory power increase bid; Wall Street Journal article of April 6, 1966, on same subject; New York Times editorial of April 8, 1966, discussing how proposed CEA bill last year went too far vesting power in the Secretary of Agriculture.

Sixth. There is fair sentiment for putting the growing futures trade in livestock and livestock products under the act, as per my bill. Two New York Times articles describe the growing livestock futures markets.

Seventh. It would be foolish to put sugar and coffee futures trading, to say nothing of cocoa, under CEA authority because such regulation would impose enough new administrative and financial burden upon such trading that the markets would shift to London, where there is no Government regulation and practically no margin requirements. Any price-influencing speculation would continue unabated, and the United States would lose trading profits and related benefits. Subheading 7 includes numerous enclosures and letters in support at this position. As a general policy, we should not seek to regulate futures trading in commodities produced outside the United States, and in which trading markets exist abroad free of controls. We should also rethink our participation in international commodity agreements like the International

Coffee Agreement, which are so disadvantageous to the American consumer and to dependent American businessmen.

[A release of Congressman Paul A. Fino, Apr. 26, 1967]

FINO INTRODUCES COMMODITY CONTROL BILL

Congressman Paul A. Fino, Dean of the New York Republican House delegation, and a senior member of the Consumer Affairs Subcommittee of the House Banking Committee, today introduced his 1967 commodity regulatory legislation. Mr. Fino also introduced commodity regulatory legislation in the 89th Congress.

In introducing this legislation, Mr. Fino said:

"Today, more than ever before, United States agricultural surpluses are disappearing and commodity trading is booming. Last year, the volume of commodity futures trading exceeded the volume of the New York Stock Exchange by several billions of dollars, yet this trading in commodities—which is extremely important in determining the prices for many food products—is not adequately regulated by the federal government. The only federal agency regulating trading in agricultural commodities is the Commodity Exchange Authority, a small agency within the Agriculture Department which operates on a meager and inadequate budget.

"For one thing, the Commodity Exchange Authority needs more money to do a good job. My bill would require the CEA to undertake a certain regular commodity trading investigations and would raise the CEA budget accordingly. Secondly, it would toughen the present Commodity Exchange Act to give the CEA greater powers over America's commodity exchanges. My bill would give the Commodity Exchange Commission margin-setting power with respect to commodity futures trading, albeit only in clear circumstances of excessive speculation, but my bill would not give the Secretary of Agriculture authority to put new commodities under regulation without Congress' approval.

"My proposal would also exclude from regulation under the CEA agricultural commodities produced abroad—for example; coffee, sugar, rubber, cocoa and so forth. The way to make sure that American housewives pay reasonable prices for these commodities is to get the United States out of international cartels like the International Coffee Agreement, by which United States consumers are made to pay high prices as a kind of indirect foreign aid to coffee growing nations. My bill calls for a study of these international commodity agreements.

"My bill would add trading in livestock and livestock products to the trading regulated by the CEA. Our American consumers need this kind of protection against speculation in beef and pork."

EXPLANATION OF PRINCIPAL CHANGES IN COMMODITY EXCHANGE WHICH WOULD BE MADE BY FINO BILL

The Commodity Exchange Commission would be given authority to set margin requirements whenever there is a clear danger of excessive speculation likely to cause unwarranted commodity price changes.

The Secretary of Agriculture would be given the following powers:

(*e*) To issue cease-and-desist orders against individuals for violations of the act.

(*f*) To establish minimum financial requirements which must be met by futures commission merchant registrants.

(*g*) To deny registration, after opportunity for hearing, to any applicant who does not demonstrate his meeting of the financial requirements or any applicant who it is found is unfit for registration, by reason of having engaged in practices of the kind prohibited by the act, conviction of felony, suspension by a board of trade, debarment from Government contracting, or having made false statements in the application, or for other good cause shown.

The bill would provide authority for injunctions to restrain or prevent violations.

It would make applicable to all persons the provisions of the act prohibiting fraud, cheating, deceit, bucketing, and false records in connection with the orders for or transactions in interstate commerce or for future delivery on or subject to rules of a contract market. The present provision is applicable only to members of contract markets or their correspondents, agents, or employees. Administrative action would be authorized with respect to any action intended to have or having the effect of restraining trade, as well as any unfair or deceptive act or practice.

Presently futures commission merchants are required to segregate customers' funds in separate accounts. The depository of such funds would be prohibited from treating them as belonging to the futures commission merchant or any person other than the customers. *This is to prevent their being* used to offset liabilities of the commission merchant, and so forth.

Recordkeeping requirements would be expanded to include a requirement with respect to records pertaining to spot or cash transactions and inventories.

The bill would make it a violation of the act for anyone against whom an order denying trading privileges has been issued to in any manner exercise such privileges during the effective period of such order. Heretofore the restraint was on persons extending the privileges without any affirmative restraint on the person against whom the order was issued.

The bill would affirmatively require contract markets to make effective trading rules prescribed by the Secretary of Agriculture and make failure to do so grounds for disciplinary action against the contract market.

It would make any person who aids, abets, or acts in combination or concert with any other person in any violation of the act responsible as a principal.

Manipulation and cornering, or attempts thereat, and transmitting false, misleading or knowingly inaccurate crop or market information would be made felonies instead of misdemeanors, as is presently the case.

The term "manipulate" would be defined so as to require that manipulation involve an action intended to raise, peg, fix, depress or stabilize prices, albeit there would not have to have an intent to go beyond this.

The bill would require the Administrator to undertake periodic investigations of commodity markets based on their contract volume, and the Authority would be given increased funds amounting to $250,000 per year for the purpose.

The bill would make contract markets liable in damages for violation of the act, or negligence in connection therewith, to aggrieved persons.

The bill would require the Secretary of Agriculture to make a study of international commodity agreements, their viability in balancing world supply and demand, their impact on U.S. supply and demand and price structures, and other facets of the problem, by April 1, 1968.

The CEA should have power to set margins with respect to commodities over which they presently have jurisdiction. Clearly, the markets themselves are not always able to meet reasonable opportunities to police themselves. A March 4 Business Week article, included in the next section, describes how the Chicago Board of Trade is so loath to police itself that even its top officials feel that they may be inviting regulation—to this end, they are seeking political influence rather than taking corrective steps:

[From the Wall Street Journal, Mar. 20, 1967]

COMMODITIES: FARM AGENCY, SEEKING CONTROL OF MARGINS IN FUTURES TRADING, PINS HOPES ON STUDY

(By Burt Schorr)

WASHINGTON.—The Agriculture Department is far from burying its hopes for stronger controls over commodity trading.

With the help of a Washington research organization, it is seeking evidence to support its theory that higher margin requirements (partial payments on contracts calling for future delivery of certain commodities) can curb price manipulation or "excessive" speculation. The research study is expected to be given to Agriculture officials about mid-April.

Last year, the department supported a bill in Congress that would empower the Secretary of Agriculture to set minimum margins in commodity trading. It got no further than House Agriculture Committee hearings. And though it was only one of 14 major amendments suggested for the Commodity Exchange Act, this proposal drew the most vehement protests from industry witnesses.

The margin issue is no less controversial today. Commodity traders already are suspicious of plans announced by the department to regulate supplies of such basic commodities as wheat and corn with the aim of assuring farmers a "fair" income and keeping down Government costs for storing surpluses. Supplementing existing Federal supervision of crop production with commodity-price powers would complete Government dominance of once-free markets, they fear.

Not so, counters Alex C. Caldwell, administrator of the department's Commodity Exchange Authority. "It's 30 years since any major change in the Commodity Exchange Act," he says. "Meantime, the markets have changed and the situations have changed. If we're going to do any real policing, we're going to have to get authority to deal with market conditions as they exist."

The CEA supervises trading in domestically produced commodities. These include grains, soybeans and soybean products, wool, fats and oils, butter, eggs and potatoes. It isn't involved in trading of metals, hides, rubber, coffee, cocoa, or sugar, which to a large extent are produced by foreign nations but traded on U.S. exchanges.

DIFFERENT FROM SECURITIES MARGIN

The commodities-margin issue is probably confused by some with credit margins permitted in securities trading. These are set by the Federal Reserve Board as part of its general credit-control machinery. A security may be owned "on margin" for unlimited periods, but a futures contract is an agreement to take delivery of a specified quantity of a commodity by a particular date.

However, in many cases delivery is averted by a sale of the contract before delivery date.

The securities margin is in effect a down payment, currently set at 70% of the total purchase price. Commodity margins, on the other hand, are intended only to protect dealers from price drops and are consequently pegged by commodity exchanges at levels equivalent to far lower percentages. For example, futures contracts for March wheat, currently quoted at about $1.85 a bushel in Chicago, may be purchased on the Chicago Board of Trade with a cash margin payment of only 15 cents a bushel. If the price should drop 15 cents, the buyer need put up only another 10 cents to meet lower margin-maintenance requirements. The buyer pays the balance of the contract's value upon delivery.

CEA officials continue to follow the market action with the aim of developing a dossier of suspicious commodity-price movements. Such a compilation would help bolster any future department testimony before Congress. But beyond that, it might well foretell the precise circumstances under which the Agriculture Secretary would act to change margins should Congress ever give him the authority.

Consider a memo circulated in the department last June, describing "most irregular" movements of soybean futures prices.

On June 27, the memo noted, all soybean futures prices had advanced the 10-cent limit permitted in one day by Chicago Board of Trade regulations. The following day, "the July soybean futures price opened about 2 cents higher than the previous close," the memo continued, "dropped 6 cents in the next half hour, rose 10 cents in the next hour, fell 5 cents in the following half hour, closing about 1 cent down from the previous day." On the day after that, "the July soybean future advanced the 10-cent limit again to $3.75½ a bushel, the high for the season."

The scuttled 1966 margin amendment would have permitted the Secretary to act "whenever (he) has reason to believe there is danger of manipulation, sudden or unreasonable fluctuations or unwarranted changes in the price of any commodity, or excessive speculation in any commodity."

As might be expected, this sweeping authorization stirred a storm of grain-trade objections. Foremost was the argument that it would provide the Secretary with price-control powers enabling him to destroy commodity trading entirely. There was also criticism of its "blunderbuss" terminology, which was said to threaten a confusing collision with trading-practice definitions evolved from years of court decisions. Asserted Robert B. Parrott, director of the Grain and Feed Dealers Association: "The proposed amendment defines 'manipulation' so loosely and arbitrarily as to enhance the prospect that ethical participants in the markets would be falsely accused and convicted."

MAJOR OBJECTIONS LISTED

Evidence developed by Robert Nathan & Associates Inc., the research concern hired by the department, will help overcome such objections, Agriculture officials hope. Heading the effort is Harlan Bramble, a scholarly former State Department economist with long experience in international grain negotiations, who lists the major questions the study seeks to answer:

—Assuming "excessive" speculation can't be defined, can it at least be shown that substantial trading activity sometimes is associated with substantial price fluctuations, and which is the result of the other?

—Is control over margins a feasible tool for influencing price fluctuations?

—If the answer to both questions is yes, what administrative difficulties would be expected (such as timing Government action to assure the prices decline rather than rise after controls are imposed)?

In their study, Mr. Bramble and about five colleagues chiefly are mining daily reports of certain grain-futures contracts filed by brokers, traders and exchange clearing house members. The CEA has been receiving this trading information since 1924, but Mr. Bramble's work is complicated by the fact that the agency has discarded all the raw forms filed prior to 1958. Moreover, because of its limited budget and manpower, the CEA has tabulated the data for only two days of each month—the 15th and 30th, or the closest trading days to those dates.

The study will employ other data as well, including trading-volume statistics, compiled by the exchanges and clearing houses, and past Government reports on crops, weather and other topics "having a bearing on market conditions." All this is being "tempered by conversations with knowledgeable persons" in commodity trading.

Mr. Bramble will acknowledge only "some interesting findings so far." But he adds, "We'll contribute some light, I suppose, and probably raise a lot more questions."

Thus the Agriculture Department continues to press for extensive power to control commodity margins. On several past occasions, though, the Government has successfully "persuaded" commodity exchanges to increase margins to combat sharp price fluctuations. Most notable, perhaps, is the period in the spring of 1947 when, by the department's account, "a sharp rise in speculation activity indicated the need for substantially higher margins to prevent price distortions."

[From Business Week, Mar. 4, 1967]

A BOOMING BEDLAM IN COMMODITY TRADING

Volume is rising at the Chicago Board of Trade, the world's largest commodity exchange. And the public is joining in the action, with closer government control a likely result.

At precisely 9:30 a.m. every Monday through Friday, a bell rings in a huge room at the Chicago Board of Trade, and something akin to a 1,000-man karate match erupts.

The board's members, who have been waiting calmly in groups of five to 10 on the steps of seven wooden trading pits, suddenly start yelling, shoving, and waving their hands wildly in an effort to work out trades. Some bull their way through the thick crowd to get to other brokers. Some simply yell as loudly as they can—often in the face of another broker—and use frantic hand signals to try to make it clear that they have commodity contracts to buy or sell.

As faces grow redder, tempers shorter, the jostling more aggressive, and the roar louder, another day of trading is under way at the 119-year-old board—the world's largest commodity exchange.

Lean days

The board hasn't always been such a boisterous place. In the late 1950s, speculative trading of commodity contracts dwindled because prices were pretty much controlled by the government's agricultural price supports. As trading volume slackened, the board bought up 20 of its 1,422 memberships at $5,000 each in a vain attempt to keep up the value of a membership. Even then, the price sagged to $3,650 in October, 1960.

These days, however, it is hard to imagine how the board's trading floor, occupying a quarter of a city block, could be much more tumultuous—or its management more interested in setting up new programs to protect the board's new-found prosperity. Trading volume soared 25% last year, to a record $81.4-billion—only moderately below the $98.5-billion volume on the New York Stock Exchange, the giant of the nation's financial markets. Membership prices rose in response to $29,950. (The amount of money actually changing hands at the Board of Trade was much less than on the Stock Exchange, however, because traders don't have to put up as much cash margin in commodities.)

Regulations

But beneath the rosy glow is concern. The government is trying to tighten its regulatory grip on the commodity market, the last of the great U.S. arenas for free-wheeling speculation, just as it did on the stock market in the 1930s.

The government already has tried several times and lost. Last year, for instance, the Agriculture Dept. asked Congress to give it new powers over commodity trading, including the authority to set margin rates (the amount of cash a trader must put up when buying commodity contracts) and increased leeway for investigating price manipulations and for disciplining errant commodity brokers. Margins currently are set by the exchanges themselves, under the time-honored tradition of minimum government interference in the exchanges' operations. The bill was defeated, largely because of vigorous opposition from the exchanges.

This week, the government was at it again. The Commodity Exchange Authority, an Agriculture Dept. agency, was working on a plan to strengthen its regulatory activities by requiring brokers to supply more information on transactions. As before, there is strong industry opposition.

I. ROLE OF THE PUBLIC

The exchanges may be getting into a bind, however. They need increased trading by the public to help support their increased volume. But widespread public participation in the market is likely to bring stronger cries for tougher government regulation—especially if there is a major price decline in which the public gets hurt.

The public already is getting into commodity speculation in a big way. Donald J. Powers, a vice-president of E. F. Hutton & Co., estimates that the number of Hutton customers who trade commodity contracts has risen 40% to 50% the last two years. Another big brokerage house—Francis I. duPont & Co.—says its commodity brokerage business was the most active ever last year. Gardiner B. Van Ness, Jr., of Thomson & McKinnon adds that public trading of commodities has been on the rise since late 1965.

Many investors were attracted to commodities last year because prices rose sharply just at the time the stock market was falling apart. Some traders, according to Van Ness, also saw commodities as a good way to hedge against last year's price inflation. And as the investing public has become more sophisticated and speculative, it has gotten deeper and deeper into commodity trading, where the action is much more lively than in stocks or bonds.

Sales training

Brokerage houses, for their part, have been working hard to whet the public's appetite for commodity speculation. Some firms have started advertising that they deal in commodity contracts. Some have set up special programs to educate their salesmen on the big profits that commodity trading can produce for sophisticated customers—and on the pitfalls of big losses.

Board of Trade officials acknowledge that this heavier public trading is bound to increase pressure for stiffer government regulation. "Any time the public gets hurt the public is going to scream, and the government uses it as an excuse to step in," says Warren W. Lebeck, executive vice-president. "It happens in automobiles, it happens in cosmetics, and it happens in the stock market."

The board insists it would be willing to accept a "reasonable" increase in government regulation, but that too much regulation would hurt rather than help. That's because commodity trading, unlike stock or bond trading, thrives on unfettered speculation.

II. KIND WORDS FOR SPECULATION

While speculation has become something of a dirty word in the stock market, it still is as American as Girl Scout cookies at the nation's commodity exchanges. Visitors to the Board of Trade are proudly shown a film titled "The Speculators," and board officials righteously extol the "economic function" of speculation. The idea is that it allows farmers and grain processors, by buying and selling commodity contracts, to transfer the speculative risk for price fluctuations in their products to the professional speculators with whom they trade.

William J. Walton, a floor trader for General Mills, says that the company's reasons for trading at the board are simple. "Look at the price of wheat over the last year. It has fluctuated nearly 50¢ a bushel. Without a place to hedge our inventory, we would have no control over our profit and loss."

Robert B. Parrott, executive vice-president of Central Soya Co., adds that his company buys about half its annual soybean requirements during September, October and November when the crop is marketed. "This is a substantial commitment in dollars and cents," he says. "Obviously, we can't sell our products at the time of purchase, so we must hedge. This permits us to shift the price risk and protect ourselves against price exposure and hazard."

Price supports

Until a few years ago, government price supports were so high on wheat, corn, and certain other commodities, that farmers and processors weren't hedging. The government guaranteed them a better price than they would get on the open market. But last year, as prices of many commodities rose well above the support levels, hedgers flocked to the Board of Trade—and the speculators followed.

Another factor in the sudden surge of speculation was that the government's once-mighty grain stockpiles were getting smaller and smaller because of the world food shortage and reduced farm production in the U.S. Trading became so hectic that it had to be delayed several times in June to allow harried brokers to catch up with their paperwork.

A wild ride on March wheat

If investing on the New York Stock Exchange is too tame for you, consider trading on the Chicago Board of Trade.

When you buy a common stock, you own a piece of the company. But when you buy or sell a commodity "futures" contract, you merely agree to deliver some commodity at a future date at a set price, or to accept delivery of the commodity from someone else at that price. Thus, you are speculating on whether the price of the commodity will rise or fall before the delivery date and are taking the risk of price fluctuation away from the farmer or processor who owns the commodity.

Risky

And the prices do soar and sink. Among the factors that drive prices up and down are weather, government agricultural policies, the size of farmers' plantings, purchases of commodities by foreign countries, and international political developments.

Witness March wheat—that is, wheat for delivery this month. Late last September, the March contract was trading as high as $1.90 a bushel, or $9,500 per contract of 5,000 bushels. Any speculator who bought or sold a contract was required by the Board of Trade to put up 15c a bushel—or $750 per contract—in cash margin as a sort of performance bond in case of default. This low margin gives a speculator great leverage.

By early last October, the price of the March wheat contract had fallen to $1.74 a bushel—more than enough to wipe out the 15c margin of anyone who had bought a contract at $1.90, and more than enough to double the money of anyone who had sold a contract at $1.90.

The price of the March contract then rallied as high as $1.86 a bushel in late November, producing big profits for speculators who had bought at the October low. By the end of January, however, it was down to $1.61 a bushel—a penny shy of tripling the money of anyone who had sold the contract for $1.90 at the September high and again wiping out many buyers. At the end of last week the price was back up to $1.77, more than doubling the money of those who bought at $1.61 and wiping out those who had sold at that price.

How it works

When delivery date on a contract arrives, you don't necessarily have to clear your backyard and get ready to stack 5,000 bushels of wheat there. If your contract obligates you to deliver the wheat to someone else, you can simply cancel it by buying another contract that obligates you to accept delivery in the same month. Similarly, you can offset a position that obligates you to accept delivery.

Besides wheat, the Board of Trade has trading in corn, soybeans, oats, live cattle, and other commodities. If you are looking for more exotic speculation, you can trade everything from frozen orange juice to mercury to frozen pork bellies on other exchanges. The Board of Trade once even kicked around the idea of trading in Scotch whisky futures contracts. The only problem, as some members tell it, was that everyone wanted to be a taster.

III. UPDATING THE EXCHANGE

Now, spurred by the trading boom and by the threat of stiffer government regulation, the Board of Trade's management has taken on a new, more progressive look. Last fall, for instance, the board started requiring new brokers to take a three-hour test on the commodity market before being allowed to handle customers' orders for contracts.

The board also is stepping up its public relations program to polish its image and to stress the economic need for speculation in the commodity market. It has scheduled a three-day conference on international agriculture for May—the first major conference of its kind by the board. And it is installing new electronic equipment to speed the dissemination of price information.

Other moves

Some smaller commodities exchanges also are changing. The Chicago Mercantile Exchange, where trading volume last year was nearly four times as large as in 1963 is enlarging its trading floor. The New York Coffee & Sugar Exchange has embarked on an aggressive public relations program under its new executive director, Edwin B. Dexter.

The Board of Trade's new vigor is particularly impressive when you consider that it has been operating without a president since late 1965. The board has been searching for a new president since Robert C. Liebenow resigned a year and a half ago to become president of the Corn Industries Research Foundation in Washington. Robert L. Martin, the chairman, says the board has considered numerous candidates, but hasn't been able to find the right man so far. "You go with a lot of gisls before you get engaged," he quips.

Of the board's new programs, the electronic dissemination of prices is probably the most overdue. But, as officials explain it, they spent most of their time in the late 1950s and early 1960s fighting government price supports, and didn't have much time left for other matters.

IV. SPREADING THE WORD

The price dissemination that's still in use couldn't be much more archaic. When two brokers complete a trade in one of the seven pits—octagonal wooden structures with several outside steps leading up to a flat rim and then several inside steps down into the "pit"—they flash the price by hand signal to a clerk standing in the "pulpit" overlooking the pit. The clerk then transmits the information to shirt-sleeved workers in a small, grimy back room.

From the back room, the information is transmitted over the board's ticker service, leased from Western Union Telegraph Co.

Then the really tricky part begins. Instead of using its own original information for posting grain prices on the trading floor, the Board of Trade takes the data off the Western Union tape. After that, the prices are transmitted by Morse code to a balcony around the trading floor, where clerks chalk the prices onto huge boards that can be seen by traders on the floor.

Factor of error

The entire roundabout process sometimes takes two or three minutes. In addition, it results in wrong prices being posted about 5% of the time and allows traders in Minneapolis, Kansas City, or any other location away from the trading floor to read the latest prices on the ticker before they are posted at the Board of Trade.

The new electronic system, scheduled to be installed this spring, will permit prices to be posted directly from the "pulpits" onto electronic boards on the walls of the trading floor. It is expected to reduce errors and be far quicker.

In pushing through its new programs, the board's management has encountered some opposition from members. In 1964, for instance, a special committee of the exchange wanted to stiffen numerous rules in the wake of the "salad oil scandal" at Bayonne, N.J. In that scandal, Anthony "Tino" De Angelis and his Allied Crude Vegetable Oil Refining Corp. bought up about 30% of the soybean oil futures contracts on the Board of Trade and about 90% of the cottonseed oil futures contracts on the New York Produce Exchange, only to become overextended and go into bankruptcy when prices began to fall. As it turned out, De Angelis was also using forged warehouse receipts for collateral for borrowing.

Rejection

The Board of Trade's special committee urged that a "positions surveillance committee" be formed to protect against future price manipulations and attempted corners of the market, but the membership rejected the plan by a vote of 431 to 311. It also rejected a proposal for stricter margin rules.

Lebeck insists that although the proposals were turned down in 1964, "I think that things like this are gradually going to come along." Adds Chairman Martin: "We don't want to be like the guy in the buggy whip business who wondered what happened to him."

[From the New York Times, Mar. 19, 1967]

VOLUME IN COMMODITIES KEEPING UP WITH RECORD PACE OF 1966

(By Elizabeth M. Fowler)

Last year proved to be a record one for commodity futures trading, with 10.4 million contracts traded. Brokers noted that a shift out of the stock market into commodity futures had helped.

Then along came January and some disillusionment. Many commodities had lost their speculative appeal. Furthermore, the stock market looked interesting.

January's volume of commodity futures fell to 801,500 contracts down 5 per cent from the 847,900 in the month a year earlier. Most of the decline could be traced to sharply lower speculative interest in soybeans and soybean oil, linked to lower export demand and a larger crop.

The trend changed in February. Figures just released by the Association of Commodity Exchange Firms, Inc., showed 741,385 contracts traded in February, 8 per cent ahead of the 686,379 in the month a year ago.

By a scant margin of less than 1 per cent, trading for the first two months exceeded last year's record pace.

On the bright side for trading activity, wheat and corn have been moving at a faster pace this year than last.

Meanwhile, speculative interest continues to remain quite heavy in Maine potatoes, pork bellies, live cattle and world sugar. And in recent weeks there has been a spurt in silver futures trading.

Volume and speculative interest in potatoes continue strong in the face of sharply declining prices. Apparently some traders have clung to the belief that the market has been oversold.

In the case of pork bellies and live cattle, much of the attraction has centered on Government talk of helping farmers to get higher cash prices for live hogs and cattle. There has been a report, too, that farmers have been moving more live animals than usual to market now in the hope of forcing higher prices later. The picture remains confused.

Speculative interest in world sugar increased sharply on news some weeks ago of sales of low-priced sugar for industrial use. For example, Publicker Industries, a chemical and liquor company, bought sugar to be processed into alcohol.

Japan was also reported to be a substantial buyer of sugar for similar use. Since that news, prices have tended to drift lower in quiet trading.

The most recent switch of speculative interest has been into silver futures. Many brokerage firms have deliberately avoided suggesting speculation in silver because the prospect of the Treasury's permitting a price rise remains a year off.

Nonetheless, trading in this relatively inactive contract has been on the increase. Only 10,013 silver contracts were traded in all 1966. In January this year, volume totaled 2,520 contracts.

In February trading amounted to 1,806 contracts.

Recently, the Government announced plans to sell a large amount of its silver reserves, indicating that it hoped to keep the price at the current $1.29 an ounce at least through 1967.

[From the New York Times, Feb. 13, 1965]

SUPERVISION LAGS FOR COMMODITIES—FEDERAL AGENCY IS SEEKING BROAD POWERS TO CURB TRADING MALPRACTICES—ENFORCEMENT ASSAILED—OLD ASSOCIATES OF DEANGELIS APPARENTLY STILL CAST A SHADOW OVER MARKETS

(By Richard Phalon)

Anthony DeAngelis is walloping pots in the kitchen at the Lewisburg, Pa., penitentiary for his part on the $150-million-salad-oil swindle, but there was an indication last week that some of his old buddies still cast a long shadow over the commodities markets he once dominated.

That became apparent when a Federal grand jury charged A. James Comenzo, who used to handle much of the floor brokerage for DeAngelis on the New York Produce Exchange, with fraud and violations of the Commodity Exchange Act.

Mr. Comenzo insists he will prove his innocence in court. He said: "There's nothing to" the four indictments, which among other things, contend that Mr. Comenzo and an associate filed false financial statements with the Government after setting up a commodities brokerage concern called Harney, Burns, Inc., late in 1963.

PROMISE OF PROFITS

The grand jury also charged, on evidence first dug up by the Commodity Exchange Authority, the Government agency responsible for policing the securities markets, that customers had been lured into the concern with roseate promises of big profits. The profits somehow turned into losses, the grand jury said.

The indictments further allege that Harney, Burns "churned" customers' accounts in an effort to beef up commissions and that customers' cash accounts were not segregated, as the Commodity Exchange Act demands.

Criminal actions against futures brokers, according to Alex C. Caldwell, C. E. A. administrator, are few and far between. And for all the muscle the C. E. A. has put behind it, the Comenzo case illustrates that regulation in the commodities markets is considerably more porous than in the securities markets.

* * * * *

FOOD PROCESSORS AFFECTED

Enforcement of the rules that govern the game on the futures markets—and some of the shortcomings in those rules—are questions of more than casual interest to food processors, who use the commodities exchanges to "hedge" their soybean-oil and wheat inventories, for instance, against price fluctuations.

They are also questions of more than casual moment for members of the public who speculate in commodities.

And they are questions of importance for every housewife who has ever loaded a supermarket basket with bread, butter, cereals, bacon or beef. As Mr. Caldwell told a Senate Committee last year, what happens in the commodity markets can affect consumer prices.

The C. E. A.'s budget for this year is $1.19-million, roughly 7 per cent of what was earmarked for the Securities and Exchange Commission's oversight of the stock markets, or about $800,000 less than what was allocated to the S. E. C.'s New York regional office alone.

There are time lags in most S. E. C. prosecutions, too, but the Comenzo case suggests that the short-staffed C. E. A. has a certain amount of difficulty in penetrating behind the documentation commission brokers are required to file.

Thus, the C. E. A. approved the Harney, Burns registration as a futures commission merchant in December, 1963, and again in December, 1964. It was not until April of last year that the C. E. A. filed an administrative complaint against the concern. The grand jury charged Harney, Burns with fraud that dated to November, 1963.

The grand jury also charged that when Harney, Burns went out of business last spring, possibly because of the interest the C. E. A. had begun to show in its activities, a "successor" company called the Dunbeath, Hagen Corporation, theoretically under completely different management, sprang up at the same 50 Broad Street address.

The C. E. A., because the law is so permissive as to entrance requirements into the commodities brokerage business, approved Dunbeath, Hagen's registration in July of last year.

It was not until the end of December that the Government agency complained that Dunbeath, Hagen had filed "a false financial statement . . . which misrepresented and concealed the true financial condition" of the concern.

Neither Harney, Burns nor Dunbeath, Hagen was a member of any of the regulated exchanges. Under the terms of the Commodity Exchange Act, and unlike the broker-dealer requirements in the securities business, the two concerns did not have to show even a minimum amount of capital to qualify for registration as futures commission merchants.

The Commodity Exchange Act is so elastic that even a felony conviction does not bar entry into the business, investment advisers do not have to register, and neither do brokerage firm salesmen.

The Comenzo case in fact, provided a counterpoint on how far removed the commodities business is from regulatory practices that have long been standard in Wall Street.

Two of the salesmen named as defendants along with Mr. Comenzo in one of the four indictments drifted into Harney, Burns after having been forced out of the securities business.

Their registrations were lifted last year as the result of an S. E. C. investigation into high-pressure sales tactics at the New York brokerage concern of Fabrikant Securities, Inc.

Still a third Harney, Burns salesman was among the 14 individuals cited last year in an S. E. C. complaint of stock manipulation.

Many New York Stock Exchange member firms, of course, do a brisk business in commodities. Their salesmen are subject to Big Board discipline.

Commodity-exchange member firms are also choosy about the kind of sales help they take on, but both Mr. Caldwell and Louis J. Lefkowitz, New York State Attorney General, are convinced that some refugees from the boiler rooms have infiltrated the booming commodities trade.

WHERE THE ACTION IS

"The dynamiters," says Assistant Attorney General Fred D'Ambrosi, "are taking the path of least resistance. They go where the action is."

At the moment, the C. E. A. has no plans to bring brokerage-firm salesmen under its direct control. The government agency did, however, propose a bill in the last session of Congress, and again this session, that would set minimum capital standards for brokers who want to get into the business.

The bill would also empower the C. E. A. to slam the door on any prospective broker who has been suspended by a commodity exchange, convicted of a felony, barred from doing business with the Government, or who makes a "false statement" on his application.

The bill stirred no noticeable enthusiasm in Congress last year and, though the House Agriculture Committee is expected soon to schedule hearings on it, some observers believe the outlook for passage is not good.

Industry opposition is likely to center less on the minimum-capital and "pedigree" provisions of the bill than on the power the C. E. A. wants to set margin requirements on the exchanges whenever it believes there is danger of excessive speculation, unwarranted price moves, or manipulation.

The agency also wants injunctive and "cease and desist" powers. It would also like to see written into the Commodity Exchange Act of 1936 a definition of manipulation. The statute, though originally framed to outlaw manipulation, unaccountably does not spell out what the term means.

Mr. Caldwell thinks the proposed legislative package would make for much more effective policing. There has "been no general revision of the Act for 30 years," he says. "The markets have changed and the times have changed."

Though some of the proposed amendments would give the C.E.A. the kind of injunctive leverage the S.E.C. has always had at its command, that precedent cuts no ice in the trade.

Robert Martin, chairman of the Chicago Board of Trade, thinks that giving the C.E.A. injunctive powers is a bad idea.

"They wouldn't have to prove anything," he says, "they'd just have to suspect it. They could force people to divest themselves of a position—then apologize if they were wrong."

Mr. Martin is also dead-set against giving the C.E.A. control over margins, the "earnest money" traders have to put up on futures contracts. So is Everette B. Harris, president of the Chicago Mercantile Exchange.

Washington, Mr. Martin contends, is a long way removed from the realities of the jostling and shouting traders in the wheat and soybean pits, and would be inclined "to play things safe," perhaps to the detriment of the exchanges' function as a hedging place.

The Board of Trade chairman is also convinced that the definition of manipulation the C.E.A. is seeking is much too vague. What is needed, he says, "is a rifle, not a shotgun."

"We're always on the watch for manipulation," Mr. Martin adds, "but it's not that much of a problem."

That statement is seconded by Mr. Caldwell. "I don't think there's been any increase in manipulation," the C.E.A. head says.

The box score would seem to support both men. Since 1936, the C.E.A. has logged only 28 administrative complaints against manipulation, about 22 of which, Mr. Caldwell says, resulted in "effective sanctions."

Yet the General Accounting Office, which rides herd on the regulatory agencies, is convinced that the C.E.A. has not found more violations because it has not been looking hard enough.

QUESTIONABLE PRACTICES CITED

Last July the Accounting Office said the C.E.A. had not been running enough trade-practice investigations "to disclose and discourage abusive trading practices . . . on certain commodity futures markets."

In the five years ended June 30, 1964, the G.A.O. said, the agency had not once checked the trading pattern on 21 "regulated" markets, with a combined volume of $33.7-billion, that accounted for 76 per cent "of the average annual value of all futures contracts."

In addition, the G.A.O. reported that three of the fastest-growing markets on the board accounting for a combined average annual volume of $26.5-billion—soybeans, soybean oil and soybean meal "had never been subjected to a trade-practice investigation since their establishment," a period that ranged from 13 years to almost a quarter-century.

In the course of investigating the investigators, the G.A.O. pieced together buy and sell orders on an exchange the C.E.A. had not checked out for seven years. Over a single three-month period, it found 47 instances "where questionable trading practices appeared to exist."

The C.E.A. followed up on the evidence and ultimately slapped a suspension order on two brokers. They admitted to having dealt at the expense of their customers and to having run a series of "wash," or fictitious, sales.

The G.A.O., in addition to finding that the "number of trade-practice investigations made by C.E.A. was . . . insufficient to provide the necessary deterrent to abusive trading practices," also rapped the agency's knuckles for not having made regular examinations of exchange records.

A periodic review of "inside" documents such as the minutes of business-conduct-committee and directors meetings, the G.A.O. said, would put the C.E.A. in the "possession" of information needed "to effectively administer and enforce the provisions of the Act."

Mr. Caldwell, more than three months before the report came to the surface, told the G.A.O. that he agreed his agency should be making more trade-practice investigations but that, unfortunately, there was the budget problem. The C.E.A. had neither the money nor the staff needed to keep a more aggressive tab on the exchanges.

But the Accounting Office said C.E.A. could not "limit its responsibility to properly police trade practices . . . merely because additional manpower and funds may have to be requested."

On April 1, two weeks after having told the G.A.O. about his agency's money problems, Mr. Caldwell appeared before a House Appropriations subcommittee. Presumably in accordance with policy laid down by the Agriculture Secretary, he made no request for an increase over the $1.16-million the C.E.A. got in fiscal 1965.

TRADITION OF FRUGALITY

According to the transcript, Representative Thomas G. Morris, a New Mexico Democrat, asked: "Isn't it rather unusual not to ask for any increase in funds over a previous fiscal year in your agency?"

"No, sir," Mr. Caldwell replied. "We have been rather conservative in our budget requests in the past—as I believe the chairman will agree."

Jamie L. Whitten, Democrat of Mississippi, made it clear that he did indeed agree. "Yesterday," he said, "I reminded everyone that Mr. Mehl [a former C.E.A. administrator] some years ago turned some money back that he couldn't use and he got written up all over the United States, competing with two or three movie stars for newspaper space."

Mr. Caldwell carried on his agency's tradition of frugality when he appeared before a Senate Appropriations subcommittee two months later—a month before the G.A.O. published its report.

"You are satisfied with the amount of money?" asked Senator Milton R. Young, Republican of North Dakota.

"Yes, sir," Mr. Caldwell replied.

The C.E.A. has put in a budget request of $1,398,000 for fiscal 1967, an increase of about $200,000. It is not clear at this point whether the increase would be earmarked for more trade-practice investigations or whether the request is pegged to the additional money the C.E.A. will need if the Commodity Exchange Act is amended.

The agency apparently intends to buttress its case for the amendments with atrocity stories raked from the debris of Anthony "Tino" DeAngelis's wild foray into the commodities markets.

The C.E.A. did not come out of that episode with distinction. It had position reports on DeAngelis and knew beyond question that he had accumulated about 80 per cent of the cottonseed-oil contracts on the New York Produce Exchange and about 30 per cent of the open soybean oil contracts on the Chicago Board of Trade.

CLOSED BOOKS ON DE ANGELIS

Exactly why the C.E.A. did not act—or felt it could not act before the DeAngelis collapse—has been kept a closed book. Two Congressional committees that attempted to get at the agency's files and question some of its personnel pulled up short when C.E.A. said public disclosures might jeopardize the case against DeAngelis.

Now that DeAngelis has been jailed, the receiver for Ira Haupt & Co., an old-line brokerage firm that lost $20-million and was liquidated as a result of the swindle, has started a court action in the hope of getting access to some C.E.A. records.

Two attorneys for the receiver—Ira Millstein and Carl Lobell—are trying to determine whether Haupt can justifiably file suit against the exchanges for failure to regulate and have argued that the C.E.A. files are important to that determination.

The attorneys have also been questioning officials and directors of the exchanges, Harry E. Anderson of Merrill Lynch, Pierce, Fenner & Smith has testified that he was concerned that DeAngelis had actually cornered the cottonseed-oil market.

"I was afraid," he told Mr. Millstein, that the New York Produce Exchange was "going to be in violation of the Commodity Exchange Action that a corner was being allowed to develop."

Mr. Anderson also testified that directors of the New York Produce Exchange Clearing House in August, 1963—some three months before DeAngelis's roof caved in—ordered their chairman "to communicate to the manager of the exchange their concern over the manner in which trading was being conducted and their apprehension over the concentration of interest." DeAngelis's position continued to build.

Similarly, Robert Rachlin, a partner of Paine, Webber, Jackson & Curtis, recently testified that he, in the spring of 1963, warned the Chicago Board of Trade's soybean oil committee that DeAngelis was "attempting to run a corner," and that he "would eventually go bankrupt," because of the murderous premiums he was paying to keep prices high."

Mr. Rachlin says he voted to expel DeAngelis from the Board of Trade when the then-president of the Allied Crude Vegetable Oil Refining Corporation was brought up on charges of wash sales several months before the collapse.

"I felt," Mr. Rachlin testified, that "we had Mr. DeAngelis in the position the Treasury Department had Mr. Capone. We could hang him for the wrong reasons, perhaps, but keep him out of there."

The board voted to suspend DeAngelis for 30 days. "I didn't feel I was too persuasive in convincing a lot of people who were economically interested in Mr. DeAngelis," Mr. Rachlin said. "Nobody wanted to kill the golden goose."

[From the New York Times, Apr. 10, 1966]

Commodity Agency Fails in Bid for Broad Regulatory Powers

(By Richard Phalon)

A cortege of more than 20 witnesses appeared before a House Agriculture subcommittee last week. By the time the last attaché case snapped shut on the last prepared statement and the hearings ended, it was clear that the Commodity Exchange Authority's hopes for broader regulatory power over the nation's commodity markets had been left for dead.

The last flicker of life in those hopes was snuffed out when Representative Spark M. Matsunaga, a Hawaii Democrat and chairman of the subcommittee on domestic marketing and consumer relations, said, "there has been no real need shown for the bill."

That statement was a blunt summary of the stand taken by almost all of the commodity market officials who attended the obsequies, and it was seconded by several other subcommittee members.

Representative Charles M. Teague, Republican of California, said he thought Robert L. Martin, chairman of the Chicago Board of Trade, had made a much "more convincing case against the bill" than Assistant Secretary of Agriculture George Mehren had made for it.

"No case has been made for the bill," said Representative Bob Dole, a Kansas Republican.

The bill, among other things, would have amended the Commodity Exchange Act to include a definition of manipulation. The act was drawn to outlaw manipulation, but unaccountably does not spell out what the term means.

The C.E.A. also hoped to get injunctive and "cease and desist" powers, one of the primary weapons the Securities and Exchange Commission relies on in regulating the stock markets.

Further, the C.E.A. was asking for margin requirements on the commodity exchanges—the so-called "earnest money" traders have to put up—whenever it believed there was a danger of excessive speculation, unwarranted price moves, or manipulation.

The exchanges, apparently to the satisfaction of the subcommittee, argued that the amendments would amount to writing the C.E.A. a blank check.

"If passed," said Everette B. Harris, president of the Chicago Mercantile Exchange, "this resolution will give the Secretary of Agriculture unprecedented power."

"If used mistakenly by the present or any future Secretary," Mr. Harris continued, "it could disrupt completely and ultimately destroy our entire system of futures trading in agricultural commodities."

The industry's position has been clear for more than 2 years now. The Department of Agriculture sent a similar bill to Capitol Hill last session only to see it disappear into a morass of Congressional inaction.

The industry had plenty of time to mend its political fences. The C.E.A. based its brief for tighter regulation on the $150,-million salad-oil swindle and Anthony DeAngelis's wild foray in the cottonseed oil and soybean oil futures markets.

ACTION INEFFECTIVE

The C.E.A. proved itself to be a watchdog with rubber teeth in that episode, a chastening fact of regulatory life the General Accounting Office underscored last July, when it reported that the Government agency had not been running enough trade practice investigations "to disclose and discourage abusive trading practices . . . on certain commodity futures markets."

Testimony coming out of the continuing investigation into the case suggests that the Chicago Board of Trade and the New York Produce Exchange were no better at flagging down DeAngelis than the C.E.A.

Curiously enough, the G.A.O. report was generally ignored during the subcommittee hearings last week. When it did sneak into the record at one point, a Congressman confessed complete surprise to the existence of the survey.

It was no surprise to the industry that the C.E.A. planned to buck for legislation after the collapse of the DeAngelis empire. The industry began to muster its lobbying forces at least as early as January, 1964—two months after the swindle surfaced.

On Jan. 20, 1964, for instance, one Chicago Board of Trade official told another that a study of the swindle "could be presented to members of Congress in support of our position that certain proposed legislation is not necessary.

Vice President Humphrey, then a Senator from Minnesota, the official wrote, "made a strong suggestion that such a study would be well received by members of Congress and may perhaps forestall legislation."

AN EAR TO THE GROUND

Still another Board of Trade official, at about the same time, asked a Congressman from South Dakota to "keep his ear to the ground" and drop him a line "if there appears to be any ground swell for new legislation."

Not all of the testimony the subcommittee heard last week was hostile. Harry L. Graham, legislative representative for the National Grange, a farm organization, said the bill was necessary "not only to correct the abuses we have seen, but to prohibit similar abuses in the future."

Mr. Graham also suggested that the recently opened futures contracts in frozen pork bellies and beef sides "had something to do with the increase in the price of bacon this last year, an increase not consistent with the price of pork."

The C.E.A. recently checked into the possibility of manipulation in pork-belly trading and gave the Chicago Mercantile Exchange a clean bill of health.

[From the Wall Street Journal, Apr. 6, 1966]

FARM AGENCY'S PUSH FOR BROADER AUTHORITY OVER COMMODITY EXCHANGES SEEMS STIFLED

WASHINGTON.—Commodity-trading groups appear to have stifled an Agriculture Department push for broader Federal authority to regulate commodity exchanges.

More than 20 trade spokesmen, representing food processors, farm groups and grain dealers as well as the exchanges, have blasted the proposed new regulatory legislation at hearings before a House Agriculture subcommittee. Provisions empowering the Secretary of Agriculture to set credit and down-payment requirements for commodity-futures trading and broadening the terms of a ban on market "manipulation" have drawn the sternest opposition. Commodity-exchange spokesmen also complain that the bill would let the Secretary set exchange procedures and prescribe the terms of futures contracts.

With only the Agriculture Department promoting the bill, the present disposition of most subcommittee members is to shelve the measure. Some of the bill's minor features appear constructive, "but the cloudburst over the main ones has deluged all the rest," says a subcommittee Democrat.

The Agriculture Department based its campaign on a need for guarding against "another salad-oil scandal" and for curbing "unreasonable price fluctuations." Under critical questioning from House panelists, however, department officials acknowledged that they already have tools for dealing with fraud and attempted market-rigging in the existing Federal Commodity Exchange Act. The act requires the licensing of most commodity exchanges, provides for imposition of dollar ceilings on the futures-trading activity of a single firm or individual, and enables the department to ban further exchange dealings by anyone it finds guilty of attempted market-cornering or manipulation.

The one section of the bill that might survive the industry onslaught would extend these policing powers to certain commodity markets currently exempt. The Agriculture Department wants authority to cover trading in any "agricultural or forest commodity." Such a blanket grant is highly unlikely, but there is considerable sentiment in the House Agriculture unit for covering cattle and hog futures markets and the New York Coffee & Sugar Exchange.

[From the New York Times, Apr. 8, 1966]

COMMODITY REGULATION

The abuses in commodities trading exposed by the soybean scandal have led the Department of Agriculture to request sweeping powers over the nation's commodity exchanges. It is seeking amendments to the Commodity Exchange Act that will enable the Secretary of Agriculture to set margin requirements, regulate trading and take legal action against anyone suspected of manipulation.

Stricter regulation of commodity trading is necessary. The soybean affair was only the latest and most notorious example of the freewheeling practices that pervade the commodity exchanges. They have shown little desire to curb manipulation and other abuses largely because those who are charged with self-regulation represent those doing the manipulating. And the Commodity Exchange Authority—an arm of the Agriculture Department—has been too small and too weak to take effective policing action.

But measures to eliminate the abuses that now prevail should not make for potential new abuses, and that is what the proposed amendments vesting absolute power in the Secretary would do. For the nature of the Secretary's office ties him too closely to the special interests of farmers to make it wise to put him in sole control of regulating the commodity markets.

The solution may lie in giving regulatory powers to the Securities and Exchange Commission or to some wholly new commodities trading agency. It is also conceivable that the job might be done by an expanded and strengthened Commodity Exchange Authority. But it is clear that power over regulation must not be placed in the hands of a czar representing a special interest any more than it can remain in the hands of speculators representing their own self-interest.

[From the New York Times, Jan. 29, 1967]

BEEF PRICES UP, BUT FUTURES ARE DOWN

(By Elizabeth M. Fowler)

Many housewives now know that beef prices will be heading up this year.

But no one would think a beef price rise is on the way by looking at the recent action of livestock futures. The futures have been registering more declines than increases on heavy volume.

In fact, since a month ago the nearby April contract has dropped about 2 cents a pound to 25.85 cents a pound.

Last year's drought conditions in the Southwest probably contributed to the drop in futures prices. The drought encouraged more farmers to ship cattle to feeders earlier than usual. At last report, the Government estimated cattle and calves being fed for slaughter at 11.3 million head as of Jan. 1, about 7 per cent more than a year earlier. This caught some futures traders by surprise and led to enough selling to cut back prices.

PRODUCTION CYCLES

Cattle, like some other basic commodities, tend to go through production cycles. An oversupply, as in 1963–64, brings lower prices for a while. Then farmers cut back their herds for higher prices. Once higher prices make themselve felt, farmers increase their output and so it goes.

"Cattlemen reduced herds in 1965 and 1966 in response to depressed cattle prices," according to Arthur Raitano, head of commodity research at Walston & Co. "Now they are more optimistic and are taking steps to halt a decline in inventory." The outlook for later this year is fewer animals coming to slaughter as farmers build up herds. A decline in beef output means higher prices.

How will it affect families? Each person in this country spends about $450 on food, and a large percentage goes for meat, possibly a third or more.

Mr. Raitano commented, "Some cattlemen expect prices to be around $30 a hundredweight, 30 cents a pound, compared with $24 in Chicago in recent weeks."

This indicates housewives will have to allot more of their food money to meat or switch to cheaper protein alternatives.

With the prospect for higher prices, trading in live cattle futures has become active. Trading in the contract was started a little more than two years ago by the Chicago Mercantile Exchange. Last year the Chicago and Kansas City Board of Trades also added trading in cattle.

The Chicago Mercantile Exchange contract has become one of the most successful new futures contracts in history, with a trading volume in 1966 of 168,574 contracts covering 25,000 pounds of live beef on the hoof. What makes it significant is that it proves a live commodity can be traded effectively. Few deliveries are actually made, as is the case of most futures contracts.

The fact that they can be made is the basis of trading. The contract gives the farmer or feeder a chance to sell his herd ahead by means of selling a future. Then when he takes his cattle to market he can buy back the future. His price protection is a matter of importance since banks that make agricultural loans want collateral.

AIDS RETAILERS

On the other side of the fence, a meat packer or retailer of meat can buy thousands of head of cattle by means of futures, thus assuring his supply. Then, as the packer's or retailer's buyers purchase the herds from ranchers or farmers an equivalent number of futures can be sold, lifting the hedge as the supplies come in. Thus, price and supplies are assured.

Futures prices take their cue from conditions in the cattle market, plus the prospects such as size of herds, numbers coming to market, weather conditions etc. As each delivery month draws to its end the price will rise, or fall, to the level of the spot market for cattle.

Since cattle reach the consumer from a variety of directions, the question arises as to where the spot prices are set. Ranchers and feeders can sell directly to packers of supermarkets under contract. They can consign their animals to a trucker who carries them to different markets. These markets may be in country areas, or they can be large terminal markets in cities. There, the cattle will be handled by selling agents or sold at auction.

HELPS SET PRICES

"We're the price-setting mechanism," explained Raymond French, president of the Canal-Randolph Corporation. He was talking last week of the nation's major public stockyards, which act as "hotels" providing quarters, feed and water for about 16 per cent of the nation's live cattle.

Union Stock Yards of Omaha ranks as the nation's largest single stockyard, but Canal-Randolph, which is also in the real estate business, operates 10 active yards including the nation's second and third largest yards, in South St. Paul, Minn., and Sioux City, Iowa.

"We're essentially a public utility. Our rates are set by the Department of Agriculture," Mr. French added.

He noted a "big change" in the livestock picture from the days when the poet, Carl Sandburg, wrote about Chicago's once bustling stockyards. Today there are more than 1,500 packers compared with the so-called Big Four of some years ago. With decentralization, Mr. French believes the producer has been hurt because there are too many markets now, which means higher unit costs for handling cattle.

[From the New York Times, November 1966]

CATTLE FUTURES SPURRING BATTLE—CHICAGO EXCHANGES VYING FOR LEAD IN TRADING

(By Elizabeth M. Fowler)

A battle is under way between two large Chicago commodity exchanges—the Chicago Mercantile Exchange and the Chicago Board of Trade. Both trade in live cattle futures contracts, but the Mercantile Exchange has chalked up two successful years, while the Board of Trade cattle contract was started only in October.

While no one knows how the contest will be resolved, both exchanges may be lucky in the next six months or so because the cattle production cycle indicates fewer animals will come to market next year, with resulting higher prices for beef. Such a situation generally tantalizes speculators, who tend to like the long, or bullish, side of a market.

Last week the Chicago Board of Trade was in the midst of a vigorous publicity campaign to promote its new cattle contract. Its officials were visiting major cities such as Omaha, Denver, Dallas, Los Angeles and San Francisco, with a message for brokers and a movie about trading.

Warren W. Lebeck, executive vice president of the Board of Trade, the nation's largest commodity trading center, was in New York to answer questions and tell why the exchange added live cattle to its roster of soybeans, wheat, corn and other agricultural commodities.

In starting its new contract, the Board of Trade has obviously come up against some formidable competition from its smaller, but aggressive and evergrowing rival, the Chicago Mercantile Exchange, which pioneered in a live cattle contract about two years ago. In so doing the Mercantile Exchange was following the suggestion of a bank officer. Bankers have long liked futures trading because it gives farmers, other producers, wholesalers, exporters, etc., a place to hedge their positions. Since many large commodity positions are carried partly on bank loans, a hedged position makes the loan secure.

In addition, the Kansas City Board of Trade, also envious of the success of the Mercantile Exchange, began its own live feeder cattle contract earlier this year.

The Mercantile Exchange made a notable success with its pork-belly contract, which attracted some frenzied speculation only a year ago when pigs were in short supply and bacon prices were high. With this taste of victory, it may not be cowed by its much bigger rival.

SUPPORT GROWING

Although at first the Chicago Mercantile Exchange did not arouse the interest and participation of the meat packers, it has slowly attracted support for its new cattle contract. The recalcitrant meat packers apparently use it now. For the first nine months of this year, the Mercantile Exchange volume in this commodity totaled 115,828 contracts, compared with 37,987 in the 1965 period. It also has a so-called Western-delivery contract, in which trading totaled an additional 2,080 contracts in the period.

Competing in the same field is not new to commodity exchanges, which are always eager for new trading vehicles to increase their volume and give their members alternate markets. Since many commodities move through cycles when interest in them is high, a variety of contracts gives members a kind of "hedge."

Although brokers usually think it is confusing for two exchanges to trade in similar contracts, the desire for greater volume is a big factor. For example, the New York Produce Exchange recently started trading in a new soybean contract, hoping to lure some business that might otherwise go to the Board of Trade, which has a surprisingly successful soybean contract. In fact, the board's soybeans have become in recent years the most actively traded commodity future in the world. In the first nine months of this year, more than 2,561,000 contracts changed hands, although this was somewhat less than in the 1965 period.

SIZE DESCRIBED

The size of soybean trading can best be judged by this fact: It represents almost a third of the 7,876,000 nine-months' trading in all commodity futures on this nation's exchanges.

Both the Board and the Chicago Mercantile Exchange have futures contracts in dressed beef, but neither has been particularly successful. However, the Board has done better in this instance than the Mercantile.

Can the Board of Trade be successful with its new contract? Brokers don't know, but they are watching with interest. Some say they don't think it is fair for the Board of Trade to try to break into the Mercantile Exchange's field.

Mr. Lebeck said last week, "We think it has a tremendous potential. We're encouraged." He stressed some of the differences between the board's contract and its competitor's. These include the board's permission for delivery during a contract month while trading is still going on and its single delivery point—Chicago.

One aspect is that the cattle cycle may soon help trading volume in the two competing contracts. Speculators by nature tend to be bullish and like the up side of a market. Cattle production, which is now completing one of its long cycles, is expected to decline because of recent lower prices and cutbacks in cattle on hand after a long rise in the total. This comes at a time when consumers' incomes are high and their taste for beef well developed, along with the population increase.

The outlook is for higher beef prices, with the effect being felt especially early next year.

EXCLUSION OF COFFEE, SUGAR, COCOA, RUBBER, HIDES, AND FISHMEAL FUTURES TRADING

In preparation for introducing my 1967 commodity regulation legislation, I wrote a letter on March 10 to Commodity Exchange Administrator Caldwell, asking his views on certain aspects of trading in sugar and coffee futures, two commodities the Authority is anxious to bring within the regulatory scope of the Commodity Exchange Act. Because the Authority is most anxious to regulate these commodities so that it may set margin requirements on contract purchases in order to curb alleged speculation, which allegedly raises prices, I asked Mr. Caldwell to comment on the part that was played or was not played by effective margin requirements during the great sugar speculation of spring 1963. I also asked Mr. Caldwell to comment on arguments raised by the coffee and sugar exchange that sugar and coffee futures trading would shift to the unregulated London exchanges if put under CEA regulation in the United States. I also contacted the New York Cocoa Exchange, which submitted a memorandum opposing inclusion of cocoa under the Commodity Exchange Act for quite similar reasons. The New York Produce Exchange likewise opposes the inclusion of its new fishmeal contract within the Commodity Exchange Act's scope. I contacted Ambassador Bruce in London for information regarding the rules and regulations of the several London commodity markets, and he advised me that these margin requirements "are left largely to the discretion of the individual trading member dealing with his client," confirming exchange arguments that many large sugar traders—most coffee trading has already moved to London—would shift their orders to London if the CEA were to be given margin-setting power over sugar futures purchases. Information is also available linking the 1963 price rises in sugar more to U.S. Government actions like reallocation of the Cuban sugar quota, misspeculation as to available sugar and untimely sugar purchase announcements than to sugar futures speculation. I include all of this material, together with my analysis of the inadvisability of giving the Department of Agriculture regulatory power over futures trading in agricultural commodities produced abroad and readily traded on foreign exchanges, particularly London.

My letter of March 10 to Commodity Exchange Administrator Alex Caldwell.

Caldwell reply of March 15 to that part of my letter asking for comments on 1963 and 1964 margin rates on sugar.

Caldwell letter of March 28 in further elaboration on steps the CEA would have taken to curb sugar futures speculation in 1963 by higher margins, denying that such steps would have interfered with hedging.

New York Coffee and Sugar Exchange letter of March 31 debating Caldwell attack on sugar margins set in 1963 and correcting erroneous statistics.

Caldwell reply of March 28 to that part of my March 10 letter requesting comments on exchange allegations that

CEA regulation would drive coffee and sugar trading to London.

New York Coffee and Sugar Exchange letter of March 27 setting forth in greater detail reasons why CEA regulation of coffee and sugar futures trading would drive trading to London.

April 3 letter to me of U.S. Ambassador Bruce in London describing freedom under which British commodity markets operate.

March 14 letter of New York Produce Exchange opposing inclusion of fishmeal contracts under Commodity Exchange Act.

Memorandum of New York Cocoa Exchange opposing regulation of cocoa futures trading under the act—that is, shift to London as per coffee and sugar.

With reference to the CEA's desire to pull sugar under the act because they deem this power necessary to set—25 percent—margins in sugar trading so as to curb speculation leading, they feel, to price escalation, I oppose this for reasons as follows:

First. The 1963 sugar price escalation was principally a function of misconceptions of supply and demand, aided and abetted by the U.S. Department of Agriculture in their: reallocation of the Cuban sugar quota, pushing up the price of world sugars; erroneous and misleading forecasts; and their May 1963 announcement of sugar needs which the August 1963 Fortune article on sugar describes as having pushed sugar prices 1½ cents higher in its own right.

Second. Even if speculation did abet sugar price climbing in 1963, as is possible, the Coffee and Sugar Exchange imposed four margin increases taking the fullest steps short of inhibiting legitimate hedging.

Third. Even if sugar margins can curb sugar speculation in the United States, that speculation can just as easily shift to London, with the same effects on sugar prices to users and consumers, but with a business loss to the United States.

Fourth. There is no good reason to put international commodities under CEA regulation.

March 10, 1967.

Mr. Alex Caldwell,
Administrator, Commodity Exchange Authority, Department of Agriculture, Washington D.C.

My Dear Mr. Caldwell: I am writing to ask you to put together a short memorandum of the futures markets for agricultural commodities, specifically sugar, coffee and cocoa in European centers like London, Paris, and Antwerp, describing for each what types of futures are traded and how that trading is regulated. I have also written to our several embassies.

As you may know, I am working on new commodity regulatory legislation this year, which I expect will be somewhat different than my bill of last year. I have been in touch with some of the Commodity Exchanges, and some of them have raised arguments which have given me pause. I am particularly concerned with the possible effects of CEA regulations on New York futures trading in commodities like sugar, coffee and cocoa, which trade might easily be shifted abroad, particularly to London, were the United States regulatory burden to be increased. The British government, as you know, does not regulate the British exchanges, and there are no margin requirements, just bank guarantee arrangements. Representatives of the Coffee and Sugar Exchange have expressed particular fears that their trade might move to London. They suggest that in that event, commodity futures speculation and price changes would presumably persist as before, but the United States would have lost the benefits of having trade in these commodity futures headquartered in New York. I would appreciate having your thinking on these questions as I have not yet decided whether or not to include coffee and sugar in the list of commodities which I will propose, by legislation, to add to those presently under CEA jurisdiction. My Administrative Assistant, Mr. Phillips, has already raised these points with your Deputy Administrator, Mr. Grosstephan.

I believe that your Agency studied the change in sugar prices during 1963–64 and made a report on those changes to the House Banking Committee's Subcommittee on Consumer Affairs, of which I am a member. The executive committee of the Coffee and Sugar Exchange argues that the margin requirements they promulgated at the time were more than adequate to curb excessive speculation. As you will remember, the Exchange raised its margin requirements (for No. 8 contracts in quantities one thousand or less) from $500 to $1200, albeit they did so in several stages. I would appreciate having your views on the adequacy or inadequacy of these actions with respect to the situation in sugar as it existed at the time.

You may be sure that I recognize that it will take you some time to prepare this information.

With best wishes, I am
Sincerely yours,

Paul A. Fino,
Member of Congress.

U.S. Department of Agriculture,
Commodity Exchange Authority,
Washington, D.C., March 15, 1967.

Hon. Paul A. Fino,
House of Representatives,
Washington, D.C.

Dear Mr. Fino: This is in response to that part of your March 10 request for comments on 1963 and 1964 margin rates on sugar. We will answer you on the foreign commodity exchange dealing in coffee, sugar and cocoa as soon as we can.

Sugar: Margin rates, No. 8 contract, New York Coffee and Sugar Exchange, monthly, 1963 and Mar. 31, June 30, and Dec. 31, 1964

Date	Future	Closing price per pound (cents)	Minimum margin per contract	Value per contract	Margin as percent of price
1963					
Jan. 2	March	5.00	$400	$5,600	7.1
Jan. 31	do	5.88	600	6,586	9.1
Feb. 28	May	6.22	600	6,966	8.6
Mar. 29	do	6.42	800	7,190	11.1
Apr. 30	July	8.58	800	9,610	8.3
May 23	do	12.95	1,200	14,504	8.3
May 31	do	10.95	1,200	12,264	9.8
June 28	September	8.35	1,200	9,352	12.8
July 31	do	7.08	1,200	7,930	15.1
Aug. 30	October	6.80	1,200	7,616	15.8
Sept. 30	March	8.12	1,200	9,094	13.2
Oct. 31	do	11.47	1,200	12,846	9.3
Nov. 29	do	10.36	1,200	11,603	10.3
Dec. 31	do	10.40	1,200	11,648	10.3
1964					
Mar. 31	May	7.90	1,200	8,848	13.6
June 30[1]	September	4.96	900	5,555	16.2
Dec. 31	March	2.50	500	2,800	17.9

[1] Margin of $1,200 in effect from May 6, 1963, through June 28, 1964. Effective on June 29, 1964, margin lowered to $900.

March 28, 1967.

Hon. Paul A. Fino,
House of Representatives,
Washington, D.C.

Dear Mr. Fino: As you asked in your March 23 letter, these are our views concerning the level of margins that might have been set on sugar in 1963–64 and whether higher margins would have disturbed hedging during this period.

The attached table sets forth the margin rates for the No. 8 world sugar contract and prices during 1963 and 1964. Prices for the No. 8 contract climbed rapidly in the first four months of 1963, and spurted upward during May, reaching a high of 12.95 cents a pound on May 23, before reacting sharply.

From January 1 to May 31, the exchange raised margin rates from $400 per contract of 112,000 pounds to $1,200. The $1,200 rate became effective on May 6, 1963, only after prices had almost doubled from the level at the beginning of the year. The most important gauge in the application of margins, in our opinion, however, is the percent of the margin rate to price or value of the contract. This is the way margins are assessed in stocks.

With the broad upward movement in sugar prices occurring in the first five months of 1963, margins rose from 7.1 percent on January 2, 1963, to 8.3 percent on May 23, 1963, when the peak price was reached. Thus, at best, applicable margins were less than 10 percent during this period of high prices. After the spurt when prices fell, margin percents rose, reaching 15.8 percent on August 30, 1963, with the futures price at 8.12 cents a pound. Higher margin percentage rates were attained in 1964, but by this time prices had receded below 5 cents a pound and margin rates had been reduced and were at $500 by the end of 1964.

In assessing the adequacy of sugar margins in the 1963–64 period, it is my view that higher margins were put into force too late in light of the rising price movement which was accompanied by extremely heavy trading of a predominantly speculative nature. Moreover, the margin levels that were in force were too low to effectively restrain the speculative fever that gripped the market. To quote John Maynard Keynes: "Speculators may do no harm as bubbles on a steady stream of enterprise. But the position is serious when enterprise becomes the bubble on a whirlpool of speculation."

In short, I consider the action of the New York Coffee and Sugar Exchange with regard to margins as too little and too late.

Sincerely yours,

Alex C. Caldwell,
Administrator.

As you are aware, we have no authority under the Commodity Exchange Act to fix margins. From time to time, however, we have expressed our concern that excessive speculation is a major factor causing erratic fluctuations in futures prices and should be curbed. And we have indicated that minimum initial margins on speculative transactions should be at least 25 percent of the contract value. On this basis, therefore, margins on the No. 8 sugar contract in 1963 would have been about $3,600 per contract on May 23, 1963, three times higher than the $1,200, the top margin fixed by the exchange in 1963.

This 25 percent rate should have been fixed in January 1963, when volume and open contracts spurted along with prices. Of course we now have the benefit of hindsight, but the three factors mentioned, the amount of trading activity, the trend in open contracts, and the course of prices, along with knowledge of market conditions, would have been essential ingredients in determining the level of margins. We should also state that a fixed percentage under certain conditions might be totally inadequate under other conditions.

Whether higher margins on speculative transactions in 1963 would have restricted hedging in the No. 8 sugar contract is problematical. We don't think so, for in the first place, the amount of hedging was relatively small in the No. 8 contract during 1963.

Secondly, and more important, however, is that the erratic price movements that prevailed in the sugar markets must have been highly disturbing to hedgers in view of the relatively small amount of hedging in the No. 8 contract. We also say this based on our experience with other markets which shows that hedgers facing a gyrating market pricewise have a much greater price risk in placing their hedges than in a market of less price fluctuation. Thus, this risk to hedgers adds more to the cost of marketing than would be the case under more stabilized conditions.

We consider that large numbers of speculators add to rather than reduce price fluctuations. The very presence in the markets of large numbers of speculators brings capricious shifts in market balance as all flock one way and then the other.

Although in theory it might be demonstrated that speculation tends to stabilize prices, in practice, however, speculation lives on price fluctuations and the weight of such trading more often accelerates and accentuates price movements.

Sincerely yours,

ALEX C. CALDWELL,
Administrator.

NEW YORK COFFEE AND SUGAR EXCHANGE, INC.,
New York, N.Y., March 31, 1967.

Hon. PAUL A. FINO,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FINO: Thank you for your letter of March 23, 1967, with which you enclosed a copy of Mr. Alex Caldwell's letter to you, dated March 15, 1967, concerning minimum original margins for No. 8 Raw Sugar Contracts during the first half of 1963.

First, we would like to invite your attention on the appended page to certain errors in the tabulation of price quotations and minimum margin rates attached to Mr. Caldwell's letter.

We are concerned with these errors because they may have been the basis for your inquiry as to "why you did not impose higher margins on No. 8 Sugar Contracts during the period between March 30 and May 23, 1963."

When sugar prices were rising spectacularly during the first half of 1963, the Board of Managers of the Exchange and the Board of Directors of the Clearing Association kept in daily touch with every phase of the sugar situation. All necessary actions were taken to maintain the integrity of the Raw Sugar Future Contracts and to keep sugar futures prices in line with values of raw sugar in the actuals market.

Mr. Caldwell's letter seems to imply that the extent of the fluctuations in sugar prices during that time would have been less if original minimum margins for sugar futures contracts had been higher. We heartily disagree with this view.

Minimum original margins were increased by the Clearing Association and required by the Exchange four times during this period of rising sugar prices as shown on the appended page and affirmed by the attached copies of actual directives which implemented each margin increase. The aim was to maintain such margins at about ten percent (10%) of the value of the contract. Even though prices were rising rapidly, margins as percentage of price rarely fell under ten percent.

There is one point of great importance which we would like to stress and which is so often overlooked in discussions of minimum margins. These original margins are minimums and are rarely available to general trading customers. The Managers of the Exchange and the Directors of the Clearing Association knew that margin deposits required from customers by clearing members of the Exchange were considerably higher than the minimums. The general public trader normally clears through large commission houses. This Exchange checked the margin requirements of major commission firms at the time when the minimum margin was $1,200.00 per contract; these firms reported that they required $4,000.00 per contract from their customers. This, in practice, puts a substantially different light on the relationship between original margin and the value of the contract. It is, however, what actually happens in a volatile market. We believe the businessmen of commission firms did an excellent job of screening customers on the basis of the credit risks involved.

Price changes result from the interaction of supply and demand. The sugar price rise in 1963 resulted from a sudden supply deficiency. After the U.S. Department of Agriculture report was published on August 5, 1963, representatives of the Exchange called on Congresswoman Sullivan and all members of the Subcommittee on Consumer Affairs and requested that a public hearing be held promptly in connection with the sugar price situation. For reasons which were not divulged to the representatives of the Exchange, no public hearing was scheduled.

We contend, as we did in the statement made by my predecessor, Mr. James M. Clark, before the House Agriculture Subcommittee on April 5, 1966, that "we are sure that an impartial examination of the operation of the New York Coffee and Sugar Exchange will support our contention that the Exchange is managed responsibly in the best interest of buyers, sellers, and the public."

Further, we appreciate this opportunity to review the data provided to you, and to answer questions. We shall be pleased to provide additional information if needed.

Sincerely,

REED CLARK,
President.

Hon. PAUL A. FINO,
House of Representatives,
Washington, D.C.

DEAR MR. FINO: This is in further answer to your March 10 letter concerning futures markets abroad that deal in sugar, coffee and cocoa. The markets discussed are the only ones dealing in futures in the commodities with which you are concerned. As discussed with your Administrative Assistant, Mr. Phillips, there are some problems in trading in futures markets abroad.

In the first place, prices of the commodities are in the currency of the country in which the market is located. It means that such prices have to be converted to U.S. prices based on fluctuating exchange rates in order to follow the course of prices. Trading abroad also creates the added risk from changing exchange rates and the cost of covering this risk by the purchase or sale of foreign exchange. This is an impediment which the rank and file of traders, other than those dealing in the actual commodity, generally wish to avoid.

Secondy, there is very little public information on trading activity in markets abroad available. The lack of such information would handicap traders in this country where exchanges release trading data and traders are accustomed to having this information.

We have no way of telling whether trading in sugar, coffee and cocoa would be shifted abroad with the advent of Government regulation. It is our opinion that such would not be the case, and we are basing this on our experience with wool. This is an international commodity which was placed under the Commodity Exchange Act in 1954, and in which there is futures trading in England, Australia and France. Our records show that there was no shift of trading from New York to these countries at the expense of New York. In fact, there are many traders located in England and France who regularly trade and hold positions on the New York wool exchange.

We do not have adequate information available on which to comment concerning the extent of regulation abroad in sugar, coffee and cocoa. We can only obtain this information by writing to our attachés. Since you have already written on this aspect, we will not do so.

As you asked, we are listing the various markets by commodity, briefly describing the distinguishing features of each market.

SUGAR

United Terminal Sugar Market Association, Contract No. 2, London. This market trades in only raw cane sugar produced in a country signatory to the Commonwealth Sugar Agreement. Thus, sugar from other countries than Commonwealth countries is not deliverable, as is the case with the No. 8 contract in the New York sugar market.

International White Sugar Market of the Bourse de Commerce de Paris. This market trades only in white sugar. It is not intended as a replacement to the London or New York raw sugar markets, but is complementary to these markets.

COFFEE

Coffee Terminal Market Association of London. Trading in this market is based on African coffees although coffees from India, Trinidad and Indonesia are deliverable. No Brazilian or Colombian coffees are deliverable as on the New York market.

COCOA BEANS

London Cocoa Terminal Market Association. Cocoa beans from all important producing countries are traded on this market just as on the New York market.

Stichting Cacaotermijnmarkt of Amsterdam. We are informed that this market is inactive at the present time.

More detailed information on the specific contracts covering each commodity discussed in the above markets is given in the briefs attached.

If we can be of further assistance to you in obtaining additional details concerning these markets, please let us hear from you.

Sincerely yours,

ALEX C. CALDWELL,
Administrator.

NEW YORK COFFEE AND SUGAR EXCHANGE, INC.,
New York, N.Y., March 27, 1967.

Hon. PAUL A. FINO,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FINO: It is a pleasure to give you more detailed information concerning our belief about the effect of regulation by the Commodity Exchange Authority on the New York Coffee and Sugar Exchange.

In our opinion government regulation of coffee and sugar trading would jeopardize the life of the Exchange. Moreover, government regulation of coffee and sugar futures trading would have no effect on the price levels for coffee and sugar. Coffee prices are largely influenced by the International Coffee Agreement. Prices for sugar in the United States are stablized through the operation of the Sugar Act of 1948. World sugar prices are a result of the inter-action of supply and demand in the world sugar market.

With respect to coffee futures trading, there is enclosed a chart showing coffee futures trading in recent years in the New York and London markets. Trading has declined drastically in New York, and increased dramatically in London. There are many reasons for this development, including lack of margin requirements in London, terms of contracts in the two markets, operation of the International Coffee Agreement and structure of the coffee industry in the United States. The fact is that the New York Coffee and Sugar Exchange could not operate if dependent alone on the volume of trading in coffee futures at the present time.

Two raw sugar contracts are traded on the New York Coffee and Sugar Exchange. The No. 10 contract involves raw sugar eligible for consumption in the United States under the Sugar Act. Because of the nature of the administration of the Sugar Act by the United States Department of Agriculture, there is almost no trading in Contract No. 10. At the present time, only Sugar Contract No. 8 is traded in substantial volume.

Trading in raw Sugar Contract No. 8 is the activity that supports operation of the New York Coffee and Sugar Exchange. The contract provides for delivery of free world market raw sugar at free world market prices. The raw sugar is not eligible for food consumption in the United States. Delivery of raw sugar under Contract No. 8 is f.o.b. and stowed in an ocean-going vessel at a foreign port of shipment. Many of the buy and sell orders originate in foreign countries.

The Exchange currently requires an original margin deposit of $500 per contract which now represents approximately one quarter of the full value of the contract. In the past the Exchange has acted promptly during radical price changes to change margin requirements to protect investors.

In the London Terminal Market, the raw sugar futures contract provides for delivery of British Commonwealth raw sugar at free world prices. Delivery is c.i.f. (cost-insurance-freight) destination port in the United Kingdom.

Unlike New York no cash margins are required. This differs from New York in two important aspects. First, the clearing member may lodge with the London Terminal a simple bank guarantee rather than cash. Second, the clearing member can allow his trading client to buy and sell without depositing any margin at all. The credit standing of the trader will obviously be of some interest to the clearing member, but this is left solely to the judgment of the clearing member, whereas in New York Exchange rules require margins from any and all traders. Lower margin requirements obviously cheapen the cost of trading.

World sugar marketers and traders use the New York #8 contract and the London raw sugar contract inter-changeably. Delivery provisions of the New York contract offer somewhat more flexibility than the London contract to traders who envisage the possibility of effecting delivery. However, in practice physical deliveries are negligible. In 1966 deliveries amounted to one percent (1%) of total value of world futures sugar contracts. As a trading medium London is on a par with the New York contract. In actuality advantages in margin costs, commission rates and a favorable governmental climate has, and in our opinion will continue to attract increasing trading in coffee and sugar futures to London.

It is our judgment that further restrictions or impositions placed on our Exchange will invite the foreign interests to hedge their contracts in London in preference to New York. This again will tend to drive capital out of the New York market, to London. To cite an example we invite your attention to study the attached Coffee chart, which is self-evident.

We are proud of the service of the New York Coffee and Sugar Exchange has rendered to coffee and sugar producers and consumers for eighty-five years. We want to continue to perform that function, but if trading in coffee and sugar futures is subject to regulation by Commodity Exchange Authority, we shall in all likelihood be forced to suspend operations.

Sincerely,

Reed Clark,
President.

April 3, 1967.

Hon. Paul A. Fino,
House of Representatives,
Washington, D.C.

Dear Mr. Fino: I refer to your letter of March 9 and Minister Kaiser's interim reply of March 17, 1967, concerning the commodity exchanges in London.

Enclosed herewith are copies of the complete rules and regulations of the following commodity markets operating in London:

London Metal Exchange.

Coffee Terminal Market Association of London.

London Cocoa Terminal Market Association.

United Terminal Sugar Market Association.

Rubber Trade Association of London.

London Wool Terminal Market Association.

I believe that these authoritative booklets will give you a more accurate picture of the manner in which the several market groups police their members and operations than we could offer you by attempting to summarize or extract from them.

As for margin requirements, you will note that they vary somewhat among the several markets but are, in great measure, left very largely to the discretion of the individual trading member in his relationship with his client. For example, a member of the London Metal Exchange buying copper bars for a client may require an unknown client to put up the full 10% margin provided for in the standard contract or, if his client is a well known and established firm, he might not require any margin at all. According to knowledgeable persons engaged in commodity trade here, this system functions very satisfactorily.

A booklet describing the operations of the London Metal Exchange is in the process of being published and I shall send you a copy as soon as it is available. I believe it might provide an interesting supplement to the formal rules and regulations.

This subject of commodity exchanges and their operations is, of course, a rather complicated one and I know that this material may not answer all of your needs. If, after looking over this material, there are any further detailed or specific questions which you feel the Embassy might help to answer, please do not hesitate to write to me again.

Sincerely yours,

David Bruce,
American Ambassador.

New York Produce Exchange,
New York, N.Y., March 14, 1967.

Hon. Paul A. Fino,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Congressman Fino: This is in response to your letter of March 10, 1967, in which you state that you expect to offer amendments to the Community Exchange Act again this year.

As to the Fish Meal Futures Contract which was inaugurated on this Exchange the first of this month, it would appear that it would be entirely inappropriate for the Commodity Exchange Authority to be required to regulate trading in this futures contract should Fish Meal be added as a regulated commodity.

Our future contract provides for delivery of the Fish Meal, which must originate from Peru or Chile, at Hamburg, Germany, on a cost, insurance and freight basis. Under the terms of the contract, therefore, any deliveries made in satisfaction of the contract could not be made either from the United States or to the United States.

The two other active futures contracts being traded on this Exchange are soybeans with a delivery basis of St. Louis, Missouri and East St. Louis, Illinois and cottonseed oil, delivered from licensed warehouses located in the cotton producing areas of the United States, basis F.O.B. New York City. These commodities are presently numbered among those named in the Commodity Exchange Act.

Accordingly we can see no correlation whatsoever between trading in cottonseed oil and/or soybeans or any other regulated commodity and trading in our Fish Meal Futures Contracts.

We appreciate the opportunity to respond to your letter and to give you our views as you have requested.

Sincerely yours,

Otto F. Rehders,
President,

Memorandum—Efforts To Put the New York Cocoa Exchange Under the Commodity Exchange Act

1. The New York Cocoa Exchange, Inc., a membership organization, was formed in 1925 to provide a hedge market for cocoa beans. The chaotic market conditions in the early 1920's caused serious difficulties to merchants and traders in cocoa when wide variations in price occurred against which no protection was available. To guard against such risks, a small group of merchants banded together forming a commodity exchange to trade in cocoa.

2. The New York Cocoa Exchange operates as a futures contract market for the purchase and sale of contracts for delivery of cocoa at a later date. Contracts (each for 30,000 lbs. of cocoa beans) can be made for the current and 17 months forward, a total of 18 months. Orders for purchase and sale emanate from the cocoa trading activities of cocoa importers, merchants, producers, manufacturers and public traders. The trading floor is the hub of a vast communications network spreading throughout the world and transmitting orders to buy or sell from Ghana, London, Paris, as well as the entire United States. More detailed explanations of the market machinery are available and are freely distributed.

3. The Exchange is governed by a Board of Managers (12 in number) representing all segments of the cocoa trade and industry elected annually by the membership. The Board has jurisdiction over the operations of the Exchange and constantly reviews the trading procedures, the level at which margins are required, and generally sets the policy of the Exchange. The Exchange does not make prices nor does the Exchange profit from any price changes. At the present time the New York Cocoa Exchange is not under the jurisdiction of the Commodity Exchange Act and is termed (quite erroneously) as an unregulated Exchange. Even a cursory study of the By-Laws and Rules of the New York Cocoa Exchange shows it to be one of the most strictly regulated in this country or anywhere else.

4. For 41 years the New York Cocoa Exchange has provided the facilities for trading in cocoa bean futures for importers, merchants, producers, manufacturers and public traders. Futures contracts representing over

4,500,000 tons of cocoa beans have already been transacted in 1966. The New York Cocoa Exchange has therefore provided a fluid market which has thus far traded tonnages 3 times the size of the world crop permitting "price insurance" operations by those who market and process the world's cocoa crops.

5. The Chairman of the House Agriculture Committee, Representative Harold Cooley, introduced a bill, H.R. 11788, on October 22, 1965, at the request of the Secretary of Agriculture. This bill, if passed, would have had the effect of transferring the authority for placing certain commodity exchanges under the Commodity Exchange Authority from the Congress to the Agriculture Department, and would allow the Secretary of Agriculture at the same time to determine when agricultural or forest commodities or products or by-products are to be placed under the operation of the Commodity Exchange Authority. Hearings were held on this bill April 4, 5, and 6, 1966, and no further action has been taken by the Sub-Committee since that time.

6. On May 3, 1966, Representative Paul A. Fino introduced a bill, H.R. 14854, which was a somewhat watered-down version of H.R. 11788. However, this bill still places in the Secretary of Agriculture the authority to determine when any agricultural or forest commodity or product or by-product is to be placed under the Commodity Exchange Authority. No further action has been taken on this piece of legislation.

7. It seems doubtful that action will be undertaken in the House of Representatives on either of these bills during the current session of Congress; however, in all probability, one or the other will be reintroduced during the early part of the next session of Congress, probably in amended form.

8. At no time in the past has there been an investigation of the Cocoa Exchange, its activities, or its officers by any Federal regulatory body. Routine checks by state authorities have never resulted in any criticism of the operations of this Exchange.

9. There has never been a default, fraud scandal, or failure involving the Exchange or its related organization, the New York Cocoa Clearing Association, the purpose of which is to guaranty the fulfillment of every contract executed on the Cocoa Exchange.

10. It is noteworthy that the New York Cocoa Exchange provides the world's only universal commodity futures contract—a contract under which any of the more than 25 growths of cocoa now grown, as well as any growths which may be produced in the future, can and are freely deliverable at fixed differentials. Hence, the Cocoa Exchange becomes the most perfect hedge market available to a commodity trader.

11. Prior to the formation of the Exchange in 1925, the world cocoa market place was in London and Liverpool. Although Western Europe including the United Kingdom still consumes more cocoa than the United States, the remarkable hedge opportunities of the New York Cocoa Exchange, Inc. has brought the center of trade to the United States.

12. It is interesting to note that the Exchange facilities provided the Trade the means of carrying stocks in such quantities prior to the outbreak of World War II, that the chocolate industry was able to operate for more than a year without requiring much-needed shipping space for further importations—even though cocoa and chocolate held high priority ratings. By the same token, today, the New York Cocoa Exchange, Inc., has provided the means for stocking the United States with an estimated 400,000 tons of raw cocoa beans—a stockpile of a strategic raw material well in excess of a year's useage, carried at no cost to the United States Government.

13. With such a distinguished record of performance to a great industry and to the United States Government, it is difficult to rationalize the need for the New York Cocoa Exchange, Inc. to be placed under the Commodity Exchange Act. Evidence would tend to support the opposite conclusion that the New York Cocoa Exchange, Inc. is best regulated by those most intimately concerned with its success.

14. In any discussion of the difficulties of bringing the New York Cocoa Exchange, Inc. under the authority of the Commodity Exchange Authority, it must be borne in mind that not one single cocoa bean is grown commercially within the territorial limits of the U.S.A. The U.S.A. is the largest individual consumer nation of cocoa and its confectionery business is the largest in the world. To adequately maintain a supply of a raw commodity for the use of the largest consumer nation when none is grown here, requires special techniques both contractual and operational which appear far beyond the scope of the Department of Agriculture or the Commodity Exchange Authority, who have directed their regulatory attention since the 1930's almost entirely in the domestic field. The New York Cocoa Exchange, Inc. is constantly aware of changing patterns in world cocoa trading whether caused by political upheaval (West Africa provides ⅔ of world cocoa), changes in cocoa quality, or international monetary changes. The Commodity Exchange Authority could not be expected to react to international changes adequately.

15. Commodity Exchange Authority control would be rendered difficult with respect to the large foreign interest in our market, and the delicate problem of a United States regulatory body policing the business activities of foreign nationals has never been faced. This problem becomes even more delicate when regulation might even infringe on the activities of foreign governments—whose state marketing companies control the sale of all cocoa within their countries.

16. Although New York and the U.S.A. are now the center of the cocoa trade, there is fear that if the Commodity Exchange Authority regulations were imposed upon the New York Cocoa Exchange, Inc. this dominance would cease. There are three other cocoa exchanges now in existence and competition is keen among them. London, Paris, and Amsterdam could easily provide better hedging opportunities if the trading on the New York Cocoa Exchange, Inc. either became more expensive or more restrictive.

17. As an example of how Commodity Exchange Authority rule would make trading both more expensive and restrictive on the New York Cocoa Exchange, Inc. the subject of initial margin comes to mind. Generally, Commodity Exchange Authority has suggested to its regulated exchanges a higher initial margin rate than imposed by the New York Cocoa Exchange, Inc. London requires even less.

18. Unregulated exchanges do not require members to place margin payments in segregated bank accounts as does the Commodity Exchange Authority. By allowing customer's funds to be comingled with company funds greater credit availability for the cocoa trade is generated and is invaluable in maintaining the flow of supply. The London Terminal does not require segregeation of funds.

19. The Commodity Exchange Authority sets maximum limits for the number of contracts an individual may hold, and, although this appears to be a regulation with merit, it would further alter the competitive position of the New York Cocoa Exchange, Inc. The London Terminal again has no limits.

20. Any business lost to foreign cocoa exchanges further alters the balance of payments pattern which the United States now has in cocoa trading. Obviously, since all cocoa is imported into the U.S.A., the basic pattern of payment balance is a dollar outflow. However, the heavy volume of trading done from abroad on the New York Cocoa Exchange, Inc. creates an inflow. By restricting the competitive position of the New York Cocoa Exchange, Inc., even this inflow would be reduced, and if United States traders found London Terminal more attractive, an outflow would be established.

21. Finally, both H.R. 11788 and H.R. 14854 give to the Secretary of Agriculture the authority of deciding what commodities are to come under his regulation. To give an administrative department such open-end regulatory power is neither required nor justified. The Congress should retain its traditional power to decide which commodities are to be placed under the Commodity Exchange Authority. In so doing, this assures those interested in a given commodity such as cocoa the traditional right to be heard before a proper forum of this Government where they can state their case and argue the issues such as those mentioned in this memorandum.

BILL TO PROHIBIT DESECRATION OF THE FLAG

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, today, I am introducing a bill to prohibit desecration of the flag and urging that Congress take swift action on the passage of this important legislation.

Across the Potomac River, adjacent to Arlington National Cemetery, stands a monument. It depicts the actual account of six U.S. marines raising the American flag atop Mount Suribachi on the island of Iwo Jima during World War II. This memorial is solemnly dedicated to those brave men who have fallen in combat so that the American flag, which symbolizes our proud heritage and our beloved country, might fly forever.

Several times in recent years in this country, Mr. Speaker, we have witnessed this same flag spit upon, trampled, and burned in the streets by misguided mobs and collegiate reactionaries. These protestors and demonstrators, in their twisted and confused way, have made it a vogue to desecrate the very symbol of that which permits them to protest and demonstrate. In so doing, they have made a mockery of those who have given their lives so that others might have the privilege of saying: "I pledge allegiance to the flag and to the Republic for which it stands."

The vast majority of our citizens have watched and listened to these professional demonstrators with great patience and tolerance, Mr. Speaker. Recently, however, many have drawn the line over desecration of the American flag. News accounts of recent Vietnam protest demonstrations in New York and San Francisco reflect more resentment, more fights and more arrests than in the past. This strongly suggests, Mr. Speaker, that patience is growing thin.

So long as misfits and malcontents in this country are permitted to exploit loopholes in the law, they will continue to seek them out. The burning of draft cards and the flag are prime examples. This distinguished body has seen fit to make it a Federal offense to burn a draft card. We must, in my judgment, render the same respect to the American flag. As the Nation's lawmakers, we have thus been challenged.

Failure of the 90th Congress to act on this vital bill would provide a partial answer to those who are asking: "What has happened to patriotism in this country?" Passage of this bill would remove considerable doubt and, in so doing, we will have acted in the best interests of those millions of Americans who are appalled at these shameful displays of defiance and disloyalty.

CONGRESSMAN HORTON SUBMITS BILL MAKING DESECRATION OF THE AMERICAN FLAG A FEDERAL CRIME

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HORTON. Mr. Speaker, with a deep sense of regret, I am today submitting for the consideration of the Congress a bill making it a Federal crime to publicly desecrate the American flag.

My regret stems from the sad fact that such a bill is necessary in this great and free democracy. Until very recently, it was inconceivable that a person who enjoys the benefits and privileges of American citizenship would stoop to the public desecration of the flag which is the symbol of the American Nation, its people, and its free government. To illustrate the newness of this problem, I would cite a law passed in 1917 which prohibits aliens from destroying the American flag. Obviously, our counterparts never dreamed during World War I that American citizens would so mock their homeland.

Of course, one of the bastions of the American system is the right of all citizens to express themselves freely. But we, as legislators, must decide what shall be the dividing line between lawful and unlawful expressions. If we will not permit the destruction of military or Government property as a mode of protected expression, nor the public burning of one's selective service registration card, how can we in conscience permit the willful destruction of the star-spangled symbol of our people which is displayed at every scene of worthy national endeavor—from Iwo Jima to the flagpoles of thousands of schools and courthouses across our land.

Mr. Speaker, I need not pursue the deep meaning that our flag has for the great majority of Americans. As the Congressman from Rochester, N.Y., once the home of Francis Bellamy, author of our Pledge of Allegiance, I feel shame for those who make necessary the introduction and consideration of this bill.

NATIONAL HOME IMPROVEMENT MONTH

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WIDNALL. Mr. Speaker, on Thursday of last week, I introduced House Joint Resolution 522, authorizing the President to proclaim the month of May 1967, as National Home Improvement Month. Similar resolutions have been introduced by my distinguished colleagues, the chairman of the House Banking and Currency Committee, Representative WRIGHT PATMAN, and the chairman of the House Special Subcommittee on Housing, Representative WILLIAM BARRETT. In the other body, similar resolutions have been sponsored by the chairman and ranking minority member of the Housing Subcommittee.

As detailed in the resolution which I shall include at the close of my remarks, we believe that a focus on home improvement can be a positive factor in arresting the decline of neighborhoods and in shoring up a vital area of our economy, the homebuilding and construction industry. Home improvement loans are available through regular commercial financing channels, with FA guarantees, and, in special cases involving urban renewal or areas of concentrated code enforcement, directly from the Federal Government.

I have a particularly strong interest in seeing home improvement and rehabilitation encouraged. For the past several years, as ranking minority member of the House Special Housing Subcommittee, I have been stressing the need to preserve and improve one of our Nation's most precious resources, the existing housing supply. The housing needs of our citizens are such that we have to run just to stand still as far as new construction is concerned. To improve both the quality and the quantity of decent housing we will have to make use of existing rehabilitation techniques and generate an interest in new approaches. One of these is the low-interest rehabilitation loan for urban renewal and code enforcement areas I authored in the 1964 Housing Act.

The housing industry as a whole, while improving from its performance in 1966, is still far from being out of the woods. An effort by Congress and the President, such as this resolution declaring May to be National Home Improvement Month, will give a psychological and economic lift to the industry. In contrast to last year, money does seem to be available for mortgages and home-improvement loans, but the demand has not sufficiently developed. This is certainly one way to encourage that demand. I would hope that action could be taken promptly on this resolution by the appropriate congressional committees.

The text of the resolution follows:

H.J. RES. 522

Joint resolution requesting the President to proclaim the month of May 1967 as National Home Improvement Month

Whereas the repair, rehabilitation, modernization, and improvement of the housing inventory of the United States is a matter of national interest and concern; and

Whereas this Nation has undertaken a major effort to improve the physical and social environment of America through the rebuilding of entire blighted neighborhoods in cities, large and small; and

Whereas well-maintained homes and living accommodations contribute significantly to the self-respect and ability of families to take part in the mainstream of American life and community enterprise; and

Whereas the rehabilitation of housing is the key to many of our successful urban programs both federally and locally assisted; and

Whereas the improvement, modernization, and rehabilitation of housing constitutes an enormous economic market for business, labor, and all segments of the building industry, and is a stimulant to prosperity and expanded employment; and

Whereas several of the States and many cities have enacted resolutions to encourage home improvement and rehabilitation of dwellings in orders to enhance the appearance and beauty of urban areas and to uplift the morale and civic pride of the citizenry: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May 1967 be designated as "National Home Improvement Month", and that the President of the United States is authorized and requested to issue a proclamation inviting the people of the United States to observe this month and its occasion with appropriate ceremonies and activities.

RELIGIOUS PERSECUTION IN THE U.S.S.R.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LUKENS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. LUKENS. Mr. Speaker, it was my privilege last evening, the 25th of April, to address the Ukrainian Catholic Seminary on the subject of "Religious Persecution in U.S.S.R." My sincere belief is that a U.N. commission on the many allegations of persecution in the Soviet Union should be established. Accordingly, I have written the Honorable Arthur Goldberg, our U.S. Ambassador to the U.N., asking him to place a resolution before the General Assembly to commission such a body to study these alleged inhumanities toward people desiring real, not promised, religious freedom.

Following is the speech delivered to the Ukrainian Catholic Seminary:

FIRST ANNUAL CONGRESSIONAL LECTURE ON COMMUNIST PERSECUTION OF RELIGION, APRIL 25, 1967

Reverend Clergy, ladies and gentlemen:

I am delighted to be here at the Ukrainian Studies' Center of the Ukrainian Catholic Seminary as the first Member of Congress to be invited to your Annual Congressional Lecture on "Communist Persecution of Religion." I am sure that this subject is of vital importance to all of us as Americans, as members and citizens of the free world.

I hope to be able to explain in the course of this lecture the why and the wherefore, some facts of Communist persecution, and whether there is anything we can do about it.

Why should the leading Communist government, which in its Constitution supposedly guarantees religious freedom, find it so necessary to persecute all religions?

Why must such a government be considered dangerous to the whole world? The answer to this is the key to our understanding of present world conflicts and upheavals; it is why Khrushchev could boast about burying us.

Communism as practiced in the world is based upon historical dialectical materialism advocated by Marx, Lenin, Stalin and Mao Tse Tung clearly recorded in their works. As Pope Pius XI pointed out in his March 28, 1937 Encyclical Letter "Atheistic Communism", this dialectical materialism accepts in the world only one reality: "Matter," the blind forces of which evolve into plant, animal and man. In such a doctrine there is no room for the idea of God, no room for the idea of matter combined with spirit, no difference between body and soul. There is no room for the idea of survival of the soul after death, nor any hope in a future life. As a result of this, Communism strips every human being of his innate dignity, strips him of his liberty, removes all of his rights, and all of those great concepts which find utterance in the Preamble to our Declaration of Independence, which states: "We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness." All of these things are vitiated and denied by Soviet Communism. Proof of this is to be found in this statement of Lenin: "Atheism is a natural and inseparable portion of Marxism, of the theory and practice of scientific socialism. Our propaganda necessarily includes propaganda for atheism." Here Lenin is doing nothing more than restating article 124 of the Soviet Constitution: "In science, the Church in the USSR is separated from the State, and the school from the Church. Freedom of religious worship and freedom of antireligious propaganda is recognized for all citizens." Note how clever this article of the Constitution is worded: Freedom of religious worship and freedom of antireligious propaganda is recognized for all citizens. This is to say, that freedom for religious propaganda is *not* guaranteed because earlier in the same article "The Church in the USSR is separated from the State, and the *school* from the Church." In other words, the State takes over all the schools, the Church is allowed to operate none. Secondly, since the Church cannot operate schools, it cannot teach religion and since it is permitted only to worship but not to make religious propaganda, it is discriminated against in the same sentences which seemingly grants religious freedom. And so the famous article 124 which the Soviets and Communist sympathizers quote so liberally as guaranteeing religious freedom, when read in full context and full understanding of their terms shows that in reality it guarantees only the freedom to "phase-out" religion.

Communism knows that it cannot destroy man's rights and enslave him unless it first destroys the sovereignty of God. Dictatorship cannot tolerate allegiance to anyone or anything other than itself. Therefore, if it cannot twist religion to its own ends, it must necessarily destroy that religion, because religion is the visible tie, the visible reality, religion is all of that which encompasses man's relationship to and belief in a Supreme Being! It gives form and substance to the reality of the spirit world and to the existence of a Higher Authority other than the state. Therefore, it must be destroyed, or the state will find itself destroyed ultimately. Therefore, I suggest that the present protracted world crisis is not necessarily a political or economic crisis, but a religious crisis. In support of this, I quote Lunacharsky, Commissar of Public Education, "We hate Christianity and Christians; even the best of them must be looked upon as our worst enemies. They preach the love of our neighbors and mercy, contrary to our principles. Christian love is an obstacle to the development of the revolution. Down with the love of our neighbors; what we want is hatred. We must learn to hate and it is only then that we shall conquer the world." (CONGRESSIONAL RECORD, Vol. 77, pp. 1539 and 1540.)

If you were to ask any group of Americans, whether college students, housewives, or factory workers, what their opinion was of Nazism, their reply would be unanimous. All would agree that Nazism had been brutal and barbaric. All would applaud our own resolute stand against it.

Yet, if you were to ask this same group their opinion of Communism, the results would be far different. There would, in fact, be as many answers as people questioned.

Some would speak of Marxism, others would point to Sputnik, or the method of teaching mathematics in Soviet schools. Most would say that Communism was not monolithic and that, even where it had once been tyrannical, it was now undergoing significant change. They would speak of "detente," and of building "bridges" to the East, and would characterize as unsophisticated those who painted a less optimistic picture.

All Americans, those who paint pictures which are optimistic and those who do not, would like to see a world at peace in which all men would possess dignity and freedom. This world, however, will never be brought about by refusing to see things as they are, admittedly an unpleasant undertaking when things are not good.

The Communists have cleverly adopted and used our own terminology and this is an obstacle difficult to surmount.

They say that they practice democracy, yet elections in Communist countries are uncontested. They say there is freedom of the press, yet no opposition papers are to be found. They boast of free speech, yet men languish in prison for uttering unpopular views. The elementary freedom for people to leave is even denied, as evidenced so eloquently by the Berlin Wall. Even Svetlana Stalin left without her children or worldly possessions. What kind of system fosters this kind of action?

In our own country one of the freedoms we hold most dear is the free exercise of our own chosen religion. Men and women of all faiths came to these shores so that they could practice their own religions in their own way. As George Washington wrote to the Jewish Congregation at Newport, Rhode Island, "There will be none to make you afraid."

In this country there are none to make any man afraid about his worship of God, and when we hear others in other places speak of freedom of religion, we assume that they are speaking of the way of life we ourselves have come to know.

Speaking on January 22, 1958 then Soviet Premier Nikita Khrushchev stated that "We are for the freedom of the religious convictions of the people and for respect for the religious views of every human being in every nation."

Those of us in the West who pose questions about the state of religion in the Soviet Union are referred to Article 124 of the Soviet Constitution. The decree on the separation of church and state and of school and church of January 23, 1918 was not aimed at religious freedom or tolerance but at the undermining of the very existence of the church.

The clergy were deprived of voting rights and were considered idlers and enemies of the people who were not productively working. By order of Lenin, the All Russian Extraordinary Committee for the Suppression of Counter-revolution was established in 1918 and during the first three years of Communist rule thousands of clergy were the victims of Soviet terror.

According to official Soviet data, for example, 423 churches were closed and 322 destroyed in the first half of 1929, and 1,440 churches were closed by the year's end. Synagogues were converted into clubs, Buddhist monasteries were closed, Moslem Mosques were converted into atheist museums and the printing of the Koran was prohibited.

The provision that the school shall be separated from the church denies to the church any educational functions. These are considered to be a monopoly of the state.

Another legal document, "Decree on Religious Associations," was enacted April 8, 1929, under Stalin by the Central Executive Committee of the People's Commissars. This legislation sets forth in 19 paragraphs what religious associations must do and not do. The right to participate in religious rites is defined by the Government as worship in an approved meeting place by a registered congregation led by acceptable ministers. There is strict enforcement of the regulation against giving religious instruction to the young, including parents giving religious instruction to their own children. Public worship is forbidden, as is any attempt to preaching the Gospel beyond the bounds of the approved meeting place. Baptism of children is likewise forbidden, and only those religious groups which have met the approval of the Government are even permitted to participate in this limited practice of their faith.

While those below the age of 21 may not be given religious instruction, they are the major target of the state's own anti-religious propaganda, also clearly protected by Article 124.

In 1925 the League of Militant Atheists was formed to publish and spread anti-religious material and, like the government economic plans, an atheistic 5 year plan was launched in 1927 and again in 1932. The program aimed at the complete disappearance of God's name from the USSR by 1937. In the late 1930s the League was reported to have 3.5 million members but it did not succeed in eliminating religion from the Soviet Union and because of its failures, and the need for a new and more conciliatory approach during World War II, the League was abolished in 1943. Just before and during World War II, some concessions were made to the Russian Orthodox Church, the Russian Orthodox Patriarchate was legalized, a climate was to be established among the masses more favorable to the Communist government, making them more willing to fight and die for Mother Russia.

During World War II the Communist government sought to unify the people against the German invader, and also attempted to create the image in the West of the Soviet Union as a democratic and freedom-loving state. The editors of papers and magazines were instructed to stop publication of articles attacking the church and although the laws and regulations relating to religion remained in force, they were not strictly applied.

With the end of the war came an increasing reign of terror. An example of the renewed vigor with which the Soviet Government attacked religion may be seen in the case of the Ukrainian Catholic Church.

At the beginning of April, 1945 the Lviv newspaper, *Vil'na Ukraina* (Free Ukraine) printed a series of articles written by Yaroslav Halan an agent of the NKVD, headlined with the title: "With a Cross or a Knife?" and constituted a brutal attack on the late Metropolitan Andrei and the Ukrainian Catholic Church as a whole.

It is important to review the story of the Ukrainian Catholic (Uniat) Church in former Galicia and Carpatho-Ruthenia. The Soviet regime, recognizing the Ukrainians as a separate national entity, considers them as one of the three branches of the all-Russian tree. The Latin Rite, celebrated in a language unfamiliar to them, was never popular among Eastern Slavs. The Uniat Church, which retained the Old Slavonic language, was much more attractive to them.

The Soviet Regime did not want to take the chance of allowing such a church to cross its borders in 1939 when it took over these territories. It did not wish to expose its nationals to the danger of joining a church which was Eastern in form but Western in faith and subject to authority from abroad. Therefore the Ukrainian Catholic (Uniat) was subjected to the severest persecution, and finally to formal extermination, not permitted to register as a religious association or group of believers. She became a silent church in the catacombs of the Soviet Union.

Statistics: The Ukrainian Catholic Church consisting of six million faithful was forced to abandon Rome. Closed or turned into Orthodox Parishes 3,040, churches and chapels, 4,400, monasteries 127, academies 5, schools 300+. Approximately 6,000 priests, nuns, monks and seminarians were imprisoned or murdered.

Only a few days after the publication of these articles, the Ukrainian Catholic Church received a cruel blow. On the night of April 11, 1945, Metropolitan Josyf was arrested, and with him the entire Ukrainian Catholic hierarchy: Bishops Hryhorii Khomyshyn from Stanyslaviv, Nykyta Budka of Lviv, Nykolai Charnetsky from Volhynia and Auxiliary Bishop Ivan Liatyshevsky from Stanyslaviv.

Barely two weeks after Metropolitan Josyf's arrest, Moscow Patriarch Alexei consecrated a Russian priest, Makarii, as Bishop of Lviv, and on April 28, 1945 a so-called Initiatory Group was organized in Lviv, whose purpose was to work to bring the Ukrainian Catholic Church into the Russian Orthodox Church. On March 8–10, 1946 a "councel" took place in Lviv with 216 priests and 19 laymen participating. It "invalidated" the decision of the Council of Brest in 1596, concerning the Union, and united the Ukrainian Catholic Church with the Russian Orthodox Church. However, out of 3,600 priests only 42 submitted to forcible reunion.

Metropolitan Josef was sentenced in 1946 and nothing was heard about him until the death of Stalin in 1953. At that time he was made the same proposition which he had refused in 1945: They demanded that he recognize the authority of the Patriarch of Moscow. But he again rejected this proposal and as the result of another trial in 1958 he was sentenced to an additional seven years of compulsory labor in a concentration camp.

The reason for the Soviet Government's desire to unite the Ukrainian Catholic Church with the Russian Orthodox Church brings us to another important aspect of the treatment of religion under Communism.

Just as the church was needed during World War II to increase the Soviet prestige in the eyes of the world and unite the people, so it is neeeded in peacetime to sell the Soviet foreign policy and the philosophy of Socialism.

Here was an example of foreign policy of the Soviet Union interplaying in the matter of religion. Any ties to the Vatican were considered dangerous to the Communists. Foreign policy has continued to be affected by religion and has been a source of serious hostility between the Church and the State in many of the East and Central European countries which are largely Catholic with ties to the Vatican. The story of Cardinal Mindzenty and the abortive Hungarian Revolution of 1956 is still troubling the foreign policy of the Hungarian Communist government. Cardinal Beran of Czechoslovakia is definitely persona non grata with the Communist government of that country. Cardinal Wyszynski of Poland and the Communist government there are often in open hostility. The Communist governments of the Catholic countries find it extremely difficult to directly confront the Church authorities. They fear that if they press too hard against the Church the people will revolt. They do not wish to bring on religious wars of revolution. They also fear that Communist revolutions in South America and other Catholic or Christian nations would be hampered by too much attention focused on Communist persecution of religion.

The Communist regime has learned to use the Church for its own ends. Where it has been able to get complete control of the hierarchy, as it has in the case of the Russian Orthodox Church, it has effectively utilized the Church. It is an interesting, though horrifying fact that Metropolitan Nikolai, Patriarch of the Russian Orthodox Church, was willing to let the Church bear false witness to the murders of the Polish Officers at Katyn Forest. Metropolitan Nikolai certified that Katyn was the work of Nazi murderers. It is a well known and documented fact that it was the Russian Communist government which murdered the cream of the Polish officers in order to more easily take over Poland after the Nazi retreat.

Dr. Matthew Spinka, prominent church historian at the Hartford Theological Seminary, notes that the Soviet policy has ". . . resulted in the ever increasing subjection of the church to governmental control, so that in the end but little actual difference could be discerned between the external relations vis a vis the church which had existed under the Czarist regime and that which existed under the Soviets. It in turn established the pattern of relations which became not only the fixed form for Russia but for all communist-dominated countries as well. As such, this modus vivendi, whereby the church has been lulled into the belief of the possibility of a 'peaceful co-existence' and of preservation of its essential rights, in reality has been used as a tool for eliminating all religion from society. This presents perhaps the most difficult problem facing modern Christendom."

An example of the use of the Russian Orthodox Church in spreading political propaganda may be found by looking briefly at the Communist World Council of Peace which met in East Berlin on February 23, 1951.

At that time Metropolitan Nikolai of Moscow was the featured speaker. He stated the following: "And so we became convinced that the spirit and substance of Fascism have not disappeared, that the delirious dreams of the fanatic Hitler have found their continuers, now trying to realize them. Their followers do not lag behind their teachers. From the first day of the lawless aggression the American neofascists began a systematic, cannibalistic destruction of the 'lower' Korean race. What do we see? Cynically violated standards not only of international rights, but of human morals. Executions without trial and inquisitions, secret and public. Dreadful tortures of victims; the cutting off of ears and noses, breasts, and putting out of eyes, the breaking of arms and legs, the crucifixion of patriots, the burial alive in communal graves of women with children at their breasts."

In 1952 Metropolitan Nikolai charged that U.S. airmen in Korea were waging germ warfare: "Infected insects are being dropped from American aircraft on populated points, not only in Korea but in China . . . the Church cannot pass over in silence the suffering of the Korean people, which is perishing from the brigandlike attack and demoniac malice of these human monsters."

Concerning the Hungarian Revolution, Patriarch Alexei defended the brutal repression carried out by the Soviet army and noted that "When the fate of Hungary hung in the balance, Orthodox Christians in our country prayed for a speedy end to the bloodshed."

Testifying before the Senate Internal Security Subcommittee, Petr Deriabin said that "Most of the priests in the Soviet Union, and the religious people who help the priests, they are some kind of agents of KGB or the MGB or were at that time. It is impossible in the Soviet Union to serve God without serving the state security."

The Communists have actually extended the church's power in subjugated areas. In 1946, the 3.6 million Roman Catholics of Galicia were forced to accept the authority of the Russian Orthodox Church as a means of binding them closer to Moscow. The once independent Eastern Orthodox Churches of Albania, Rumania, and Bulgaria are now dominated by the Russian Church for the same imperialist reasons.

Not only the Russian Orthodox Church has fallen under the spell of favorea treatment by the government. On the 40th Anniversary of the Russian Revolution, Jacov Zhidknv, vice president of the Baptist World Alliance, said that "The Evangelical Christian Baptists are thankful and praise God that the Soviet Government during the course of the past forty years has acted according to the high ideals precious to Christianity."

Lest the collaborationist churches obscure the very real story of religious persecution it is important to turn to some of the facts and figures which explain the scope of repression. Some, such as French author Francois Mauriac, have even declared that what is going on in Russia is much more than violent persecution, it is complete destruction.

Mr. Olivier Clement, an Orthodox professor, declared that from 1959 to 1962, the number of churches open decreased from 22,000 to 11,500 and the number of priests carrying on their functions from 30,000 to 14,000. More than half of the monasteries have been closed, from 69 in 1958 they were reduced to 31 in 1962. Of eight seminaries reopened in 1945, two have been closed and two have been almost stripped of their students.

Of the 2,455 religious institutions existing in pre-revolutionary Georgia, 2,335 churches, 27 monasteries, and 7 convents had been closed by the authorities by the end of 1923.

Judaism in the USSR is subjected to unique discrimination. Jewish congregations are not permitted to organize a nationwide federation or any other central organization. Judaism is permitted no publication facilities, and no Hebrew Testament has been published for Jews since 1917, nor is a Russian translation of the Jewish version of the Old Testament allowed. The study of Hebrew, even for religious purposes, has been outlawed and the production of religious objects, such as prayer shawls, is prohibited. The number of Jews in the Soviet Union is close to 3 million, of whom 1 million have been estimated to be believers. For these there are approximately 60 synagogues and rabbis, which amounts to one synagogue and rabbi per 50,000 Jews.

The fate of the Moslems has been similar. In 1942 there were only 1,312 mosques in the entire Soviet territory for the 24 million Moslem population. It was less than half the number existing in 1927, in the small territory of Bashkira with approximately one million Moslems.

Based on the assertion that Buddhism was in the service of the Japanese militarism, and that the lamas were allegedly carrying on counterrevolutionary activities, one monastery after another was closed and lamas disappeared. The party secretary of the Buriat Autonomous Republic reported to the Kremlin in 1935 that the number of lamas had fallen from 14,000 to 900, and 18 monasteries out of 37 were closed. The small Buddhist temple in Leningrad was also closed and its lamas arrested and executed. In the Kalmyk Autonomous Republic, by 1936, the number of clergymen was reduced from 1,603 to 70 and the majority of monasteries were closed.

Reporting on a recent trip to the Soviet Union and Eastern Europe, the Rev. Josef Nordenhaug, General Secretary of the Baptist World Alliance, points out that the Universal Declaration of Human Rights adopted and proclaimed by the United Nations states that "Everyone has a right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

The Rev. Nordenhaug notes that the "human rights declared by the United Nations do not spell out in detail the practical ordering of religious liberty. It is, however, clear that religious liberty includes public manifestation of one's religion."

For a Christian, religious liberty means the opportunity to confront people with the personal experience of salvation by grace through faith. Religious liberty also means that a person must be free to accept or reject such testimony. None of this, he said, exists today in the Soviet Union.

Last year a Lutheran pastor, the Rev. Richard Wurmbrand, arrived in the United States after fourteen years in Communist prisons. He recalled that when the Communists came to power in Rumania in 1945 they convened a meeting of Protestant, Catholic, Jewish, and Orthodox clergymen. More than 4,000 attended and were told that Rumanian Communism would be different from Russian Communism.

"We will not persecute the church," the Communists said, and according to the Rev. Wurmbrand, "There was only one in that Congress who protested and said that Communism can never change, that terror is an essential part of Communism." The Rev. Wurmbrand was that one man and he went to prison as a result of his refusal to stop preaching the Gospel.

Once in prison he said that "I met in prison all those who had praised Communism, all those who have collaborated with Communism, and they were treated just like me. They had been fools."

When asked the reason for his arrest, this was the Rev. Wurmbrand's reply to a Senate committee: "This is a question that is put to you in the West . . . with us the question is why somebody is not arrested. A colleague of mine was sentenced to seven years in prison because on Christmas Eve he preached that Jesus, being a babe, Herod wishes to kill Him, but His Holy Mother fled with him to Egypt. This was the charge: that he hoped Nasser would be on the side of the imperialists and therefore he mentioned Egypt."

Christian martyrs have been made in the prisons of Rumania and of other Communist countries. Men have died for their belief in God and in the integrity of the church. The Rev. Wurmbrand tells of Catholic priests dying "not only for Christ, but dying for the Pope." Asked if he believed in the Pope, one priest said that "Since St. Peter there has always been a Pope, and until Christ comes again there will always be a Pope." The Priest was tortured to death.

One question Richard Wurmbrand has asked over and over again is this: we pray for the saints and martyrs of years ago, and we should, but what of those of this very day?

At the present time, however, traditional Communist hostility to the churches is being downgraded, and no longer will Christians and Jews in the West hear the militantly atheistic appeals of Marxist leaders. It is as old as time: if you cannot defeat an enemy, make some arrangement to join him. If you cannot destroy the existence of a foe, destroy his ability to resist by carefully seducing him and using him for your own ends.

In the March, 1963 issue of *Political Affairs,* theoretical journal of the American Communist Party, Arnold Johnson notes that "Any serious idea of winning the majority of the American people for peace requires seeing not only the necessity but also the possibility of getting such a stand from the major church organizations and religious leaders."

Gus Hall, leader of the American Communist Party, characterized this new liberalized position as ". . . an aspect of the general political upsurge of these days, reflecting the most fundamental transition from one social system to another . . ."

Furthermore, *Political Affairs* devoted its entire issue for July 1966 to a discussion of the new relationship between Communism and religion made possible by the Vatican Council and the increasingly conciliatory position of the World Council of Churches.

Attempting to conceal the atheistic nature of world Communism, the editorial, entitled "Communism and the Church," which appeared in this issue urged Communists to accept a new approach: "We must fight to eradicate the sectarian idea that religious institutions are solely instruments of reaction and obscuritanism, and to make it clear that they have not only played a progressive—even revolutionary—role in past periods of history, but that under certain conditions they may play a progressive role today."

In an article entitled "Marxism and Religion," Herbert Aptheker, chief theoretician of the American Communist Party, states that "Marxism emphasizes the revolutionary quality of early Christianity." He quotes Engels, who wrote that "The sentiments of the masses were fed with religion to the exclusion of all else: it was therefore necessary to put forward their own interests in a religious guise in order to produce an impetuous movement."

Aptheker's point, in simple terms, is that since religion remains a force in society, it will be easier to get people to support Communist aims in the world if churchmen can be enlisted in the cause. In order to do this Aptheker clearly misstates the traditional Communist position, a position inherent in the materialistic world outlook it seeks foster. He writes that "An attitude of contempt for religion is an anti-Marxist attitude."

Roger Garaudy, French Communist theoretician, states that there is no real conflict between Communism and Christianity. In fact, he says: "Marxism must find and take over that which, underneath the myth, was the aspiration which gave birth to it . . . whereas early Christianity mentally abolished the distinction between slaves and free men, it did nothing to abolish it in actual fact, as did Spartacus, and did not even urge that it be eliminated." According to this thesis, Communism is simply applied Christianity.

We must not forget that while the outward thrust of Communism is one of conciliation with religion and that of using religious bodies to support Communist aims and programs, the reality of life for believing Christians, Jews, Moslems, and Buddhists in the Soviet Union and other Communist states is unchanged.

News from Eastern Europe during the past two years offers ample evidence of this fact. In Lithuania, for example, Father Vytautas Balciunas of Salanti was sentenced to forced labor in Siberia for "enticing children and arranging an outing for altar boys" and January, 1965 Father Valeatinas Sikahys, pastor at Pagramantis, drew a two year prison sentence for giving children First Communion. Churches which have not already been closed are now government property, are classified as places of amusement, and are taxed according to the plot of land they occupy. The Lutheran Church at Vilnius has been made into a Communist youth headquarters and the church at Jurbakas is now a jail. Cemeteries have been made into athletic fields, and what religion continues to exist has been forced underground.

While the Communists claim that religious freedom exists, their own news media tells quite a different story.

Pravda Ukraini for October 3, 1966 tells the story of "Brother Prokofiev" who had already been in prison three times, but as soon as he was released, he began to organize secret Sunday schools again. The result was a fourth arrest.

Uchitelakaial Gasets for February 19, 1966 said that the "illegal" Baptist organization in Rostov has an underground printing press, and that publications are printed in which youth are called to stand for their faith. The paper asks: "Why do teachers mix so timidly in the life of families in which children are idiotized (by religion)?"

Sowjestskaia Rossia recounts how the Baptist Marinkowa has had six children taken away from her because she gave them Christian faith and forbade them to wear the Communist pioneer necktie. When she heard the sentence, she said only, "I suffer for my faith." She now has to pay the boarding school bills of her children who are now in a state institution which preaches militant atheism.

The role of education in Communist countries is clearly that of indoctrinating young people in a militant atheistic philosophy. Lithuanian Communist Party Secretary A. Barkauskas made this clear in a meeting of the Central Communist Committee, February 12 and 13, 1963. He stated: "Without exception, all graduates of secondary and technical schools must be deeply convinced and active atheists. Newspapers must dwell extensively on atheistic topics. In literary works, whatever the theme being developed, must run a red threat of atheistic anticlericalism."

In the face of such reports it is difficult to understand why so many church leaders in the West persist in believing that somehow religious freedom has begun to exist for those who live under Communism.

At a recent conference in Wiesbaden, Germany concerning "Christian Churches and Totalitarian Rule," Professor Will Herberg, author of the book *Protestant, Catholic,* Jew and Professor of Theology at Drew University, presented this assessment: "Some Christian leaders have even allowed themselves to become so bemused with the idea of socialism as a kind of wave of the future and with the 'liberal' delusion that the enemy is always on the right that they cannot see the flagrantly totalitarian character of the Soviet, East German, Chinese, and other Communist regimes, and tend to adopt attitudes running from friendly 'neutralism' and critical cooperation to outright support."

At this same conference Sir Arnold Lunn, British Catholic lay leader, noted that "No prominent Jew ever defended the Hitler regime. No prominent Negro defends apartheid in South Africa. Yet you can always find some Christians who defend Communists."

Lest any be truly misled as to the state of religious freedom in the Communist world today, it is important to review the most current material which has been received. At this very moment men are languishing in prison and suffering in labor camps for the "crimes" of distributing Bibles, holding Sunday schools, and preaching the Gospel. By no means is this what free men mean when they speak of religious liberty, unless, of course, words have ceased to be identified any longer with the concepts which gave them birth.

Religion has been the traditional enemy of all modern tyrannies. Mussolini stated that "Religion is a species of mental disease." Karl Marx called it the "Opium of the people" and Hitler denounced Christianity not only because Jesus was a Jew, but because it was cowardly to speak of giving love for hate.

We must not forget that tyranny is also the enemy of all religion, and of freedom as well. This may not be an optimistic picture, but real men in the real world cannot afford the luxury of dealing in pipe-dreams.

Only if we recognize things as they are can we change them, and to do this requires the kind of vision St. Matthew spoke of when he said: "If ye have faith as a grain of mustard seed, ye shall say unto the mountain, Remove hence to yonder place; and it shall remove; and nothing shall be impossible unto you."

Having told you the why and the wherefore of Communist persecution of religion, having documented for you the fact of their persecution, it is now time to evaluate.

Let us not be confused by some changes of tactics by the Communist governments, such as permitting a Patriarchate in Moscow and by the visits of Gromyko and Podgorny to the Vatican.

Let us clearly evaluate these diplomatic steps in the light of existing facts, and the fact is that atheism still forms an integral part of Marxism, Leninism which requires a complete extermination of religious feeling in the masses. During the past years the Communist party has intensified its antireligious propaganda. The earlier violence against religion has returned in the Soviet Union. The party uses all its agencies to repress religion. It has improved its methods by organizing in all Universities Chairs or Departments of Atheism.

The fact is that the Orthodox Patriarch is being used effectively as a tool of the Soviet Union's foreign policy and is a public relations office of the Soviet Ministry of Foreign Affairs.

The diplomatic niceties between Moscow and the Vatican show a clear aim of the Communists to take control of the Catholic Church in the Soviet Union and degrade it to the same functions as the Patriarchate of the Orthodox Church.

I have no doubt that the Vatican is aware of the fact that one of the aims of Moscow is to make Communism in Europe and especially in Latin America more acceptable. The masterminds in Moscow attempt to use even Catholicism as a weapon against the United States, where the Catholic Church, as all religions, is a bulwark of freedom, justice, mercy and human dignity.

Let us therefore not be confused; the aim of Communism remains the same to eradicate religion. Only the tactics change. After the successful penetration and control of the Orthodox Church through its Patriarchate, the Communist party wants to penetrate other religious bodies in the same manner in order to use and to destroy. In the meantime they use them for anti-American propaganda.

Knowing the Communist aims toward religion is a step in the right direction. The problems are many. What can be done to expose the Communist deceptions? What can be done to protect our own religious freedom? What can be done to help the return of true religious freedom in the Captive Nations?

It occurs to me that to expose the Communist deceptions on the religious front it would be important for church and lay leaders to organize an annual conference on Communist persecution of religion. The Communist strategy and tactics could be exposed at such a conference. The findings of the conference would be given widest possible distribution.

Further I will recommend that the United States Department of State prepare a White Paper on Religious Freedom and present this to the United Nations. The State Department should call for the matter to be brought before the United Nations particularly in as much as the Charter of the Nations states that religious freedom is a fundamental human right. The right to worship God without fear must be a universal right for all people in all countries of the world.

I am much concerned about recommendations to tax church-owned property, to deny reading the Bible in public places such as our schools, to eliminate the words "In God We Trust" from our coins and to prohibit the use of the Bible in our courts. Atheists enjoy freedom of being non-religious; that is a right I would not deny them, but the atheist must not be allowed to deny religious people their right to worship God wherever and whenever they wish. It is my intention to speak about religious freedom and the persecution of religion anywhere I may be invited to do so. I believe that this is the great issue of our civilization.

TAX CREDIT FOR EDUCATION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BROCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROCK. Mr. Speaker, the bill which I offer today is designed to correct what I feel to be one of the most glaring inequities in our present tax laws. Our income tax is supposed to be a "graduated" tax—one based on an individual's ability to pay. If a man pays a $500 hospital bill, he can get tax relief for that expenditure. He can deduct the interest on his home mortgage from his gross taxable income. Any number of other "necessary" expenses are taken into account in determining his ability to pay. But, there remains one very necessary, one very important expenditure for which the present law provides no relief. This is the high cost of educating our children—of affording them the opportunity to go to college.

The aim of the bill which I offer today is to correct this situation—to give some tax relief to lower and middle income families who are struggling to pay their bills, maintain their homes, and still send their children to college. Let us face it gentlemen, a college education is no longer a luxury or just a nice thing to have. The technological advances of the 20th century have made a college education a necessity—a very costly necessity.

My bill would help to bring a college education within the reach of many qualified students who otherwise would not be able to afford it. It would allow a tax credit based on experience, including tuition, books, and supplies. The maximum credit would be $325, which would be deducted from the amount of income taxes owed the Federal Government.

Under my bill the credit is available to anyone who actually pays these expenses. It is available to students who are working their way through school and pay their own expenses; it is available to parents putting their children through college; it is available to other relatives; and it is available to those who would like to help a deserving student.

This approach would be a very practical help to those who need it most. It is not designed for the wealthy, but for the average American. Over two-thirds of the benefits would go to families earning less than $10,000 a year. It would give these Americans a better chance and a greater incentive to send their children to college.

I can think of no way to assure a better return on our dollars than to invest them in the future of our young people.

DEPARTMENT OF DEFENSE MONOPOLY ON FLIGHT TEST RESEARCH BUSINESS SHOULD BE ERASED

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOSMER. Mr. Speaker, at Long Beach, Calif., a comprehensive business flying service for evaluating components and systems for the aerospace industry has been established under the name of Flight Test Research, Inc. That business is being hobbled by the monopoly the Department of Defense imposes on this kind of activity. It is a monopoly which developed innocently, simply because no such service heretofore has been offered by private enterprise. Now that private enterprise is offering the service, the Department of Defense should take every reasonable step to ease its monopoly and permit the normal functioning of the American economic system. This will be difficult because not only is Government entrenchment in this business of long standing, but it also is widespread and diffused amongst a number of Air Force and naval installations. Furthermore, the aerospace industry is accustomed simply to turn to these Government installations and that pattern must be disrupted.

I make these remarks today so that persons in the aerospace industry may become aware of the problem and lend their help to the DOD in solving it. To better define the problem I have obtained unanimous consent to include with these remarks an article from Aviation Week & Space Technology for February 6, describing Flight Test Research, Inc.'s capabilities and my letter of April 25 to Defense Secretary Robert F. McNamara, requesting his good offices in taking remedial action. These two items follows:

BUSINESS FLYING: T-33's USED TO CHECK AEROSPACE SYSTEMS

(By George S. Hunter)

LONG BEACH, CALIF.—A comprehensive business flying service for evaluating components and systems for the aerospace industry is being conducted here by Flight Test Research, Inc.

The test load currently is apportioned between three Canadair T–33s, with two more due this month. Other Canadian jet aircraft are being acquired.

The company has used Canadian equipment thus far because jet aircraft potentially available in Canada are considered operational by the U.S. military services and cannot be acquired in this country.

FTR claims to be the only commercial contractor in the U.S. supplying this kind of service which, combined with a fast response to an industry request for quotation (test services, schedule and price) enables customers to score competitive advantages by being able to offer operationally debugged equipment quickly.

A recent test program conducted by FTR required only four days from initial customer inquiry to first flight. This fast action appeal, FTR claims, accounts for the current volume of its business.

Typical test programs since the start of operations in August, 1966, including those completed, currently under way or in the advanced planning stage for major aerospace firms, involve:

Inertial navigation, system trouble shooting and drift evaluation for commercial and military versions.

High-altitude antenna performance evaluation.

High-altitude spatial force-field survey.

Air-to-ground correlation seeker system evaluation. This system embodies a manual/optical scanner for ground target identification and selection; an automatic mode lock-on and hold by a terrain discrimination scanner, with coupling to automatic pilot to fly the weapons platform on a firing course; and a manual override operated in conjunction with a visual display.

High-speed rocket firing tests.

Napalm bomb drops in various flight modes.

Variety of aerial surveys and pace or chase aircraft services.

T–33 performance figures are 48,000-ft. ceiling and 1,300-naut. mi. range with auxiliary tip tanks; 50,000 ft. and 500 naut. mi. without tanks. Speed at 38,000 ft. with tip tanks is Mach. 0.82, and Mach 0.84 without tanks. At sea level, speed with tip tanks is 540 kt. and 480 kt. without tanks. Full-load rate of climb is 6,000 fpm. at sea-level, reduced to 1,000 fpm. at 35,000.

The aircraft offers volumes of up to 35 cu. ft. for test equipment installation in the rear cockpit, and up to 15 cu. ft. in the nose with its standard equipment removed or relocated. A variety of load concentrations and distributions of up to 3,000 lb. is possible within the maximum aircraft gross weight of 18,700 lb., with an additional payload margin of 400 lb. available in a clean configuration without tip tanks.

Program fees are negotiated individually, with charges tailored to the type of maneuvers, flight hours, equipment installation effort and the amount of transportation involved to and from the test site.

Transportation services are provided by a propeller fleet consisting of a Douglas DC–3 and an executive type eight-seat Cessna 411, which also are available for charter.

A supercharged Piper Aztec C is being used full-time to support a meteorological research program aimed at obtaining data on rate of ice accretion on wings and control surfaces during changing weather at altitudes of 35,000-38,000 ft.

Three Brantly helicopters also are used as support platforms for VTOL research programs, as well as providing for the Los Angeles CBS–KNX radio station service, which broadcasts highway traffic reports during peak hours.

All aircraft modification, maintenance and overhaul are carried out on FTR premises, except for jet overhaul, which is handled by Rolls-Royce in Canada.

Company installations at Long Beach include hangar facilities and machine sheet-metal forming, hydraulic, paint, avionic, radio and instrumentation shops. For example, each T–33 was acquired for $40,000 in Canada, cost an additional $10,000 in modifications and was readied for test services in three weeks.

FTR has a continuing arrangement with Douglas Aircraft Co. for airborne instrumentation, data acquisition devices and data reduction services for support of FTR programs. This includes such equipment as accelerometers, strain gages, oscilloscopes, multiple channel and multiplexed recorders, and telescopic-sight camera.

Douglas was supported by FTR with pace and chase aircraft service during flight test programs of the stretched version of the DC–9 and the DC–8–62 Series airliners.

FTR's key men are Russell O'Quinn, president and founder, and Jim Lucey, director of flight test. Both have broad flying and industrial backgrounds and current security clearances. A full-time helicopter pilot, administrative assistant, financial controller and a number of certified full-time and part-time mechanics round off the organization. Also on call are a stress-and-structures engineer and a number of type-certified pilots with military test experience to help out at peak loads.

O'Quinn hasn't yet resolved the important question concerning eventual acquisitions of supersonic and twin-engined jet aircraft, through purchase or bailment, to broaden the base of operational services. He accepts the fact that before long, if test demand trends continue, he might be pushing the design limits of his present equipment. Currently, required test program g-levels are being met by manipulating rates of turn. Pressure suits are available for high-altitude work.

FTR's organizational build-up began in March, 1966, under the name of Aeronautical Specialties, Inc., with combined backing from banks and private capital. Current aircraft investment is approaching half a million dollars.

APRIL 25, 1967.

Re: Federal Monopoly of Flight Test and Research Activities.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: The issue about which this is written has been brought to my attention by Flight Test Research, Inc., 2680 East Wardlow Road, Long Beach, California 90807, of which Mr. Russell P. O'Quinn is president.

FTR is made up of personnel who have had years of experience in flight test and environmental testing of aerospace vehicles and products. Their experience obtained at military services' flight test centers or with major airframe manufacturers. Their goal is to achieve recognition by the Federal Government in all of its various related branches and services that a civilian flight test and research facility is now a reality and that this capability is available from private enterprise.

Put another way they desire that the United States government monopoly on this kind of activity be eased and that private enterprise be allowed to function in this legitimate area of economic endeavor.

Since the inception of the modern aeronautical and aerospace effort, no civilian organization or agency has ever before been established with the single aim and purpose of providing flight test and active inflight environment research and study services. As a result, the only flight test and research centers heretofore in existence were 100% government-owned and operated, as for instance at Wright-Patterson AFB, Edwards AFB, Patuxent River AFB, NAS, etc.

FTR has the capability to perform in the flight test and research areas of the aerospace industry, but, due to present policies of the military, the industry as a whole feels that it is obligated to use government-owned flight test facilities, particularly in relation to government-awarded contracts.

As an example: FTR had two requests for proposals to be submitted on major programs, one from the Douglas Aircraft Company and the other from Lockheed Aircraft. The reply to FTR's proposals was that Edwards Air Force Base could supply the same flight test services at a cheaper rate. The military price was just 10% above actual fuel costs.

Mr. O'Quinn on behalf of FTR points out that aerospace flight testing is made up of two separate phases, one of which pertains to the manufacturer's need to flight test during design and developmental stages and the other is certification and evaluation of the finished product. He further states:

"In the majority of all contracts and subcontracts let by the Federal Government and by prime contractors, it has been an unwritten rule, if not a written rule, that governmental flight testing and research services will be utilized for both the design and developmental phase as well as certification and evaluation phase. The reason for this has been simply no other capability existed heretofore. We desire to have a rule and/or policy established to the effect that prior to civilian or military products being committed, particularly in the design and developmental stages of flight test, to a governmental flight test facility, that a capability study be made to ascertain the availability of such services from private enterprise."

While in Washington a short time ago, Mr. O'Quinn discussed his firm and its problem with Mr. Thomas C. Muse, Assistant Director, Tactical Aircraft Systems of Your Research and Engineering Branch. Although Mr. Muse expressed interest both to Mr. O'Quinn and to me, the real problem seems to be the lack of any policy and directives which would permit the use of a private firm for flight testing and research services, such as set forth above, and prevent government facilities from monopolizing the business. I might point out that numerous companies have inquired of FTR about its availability for performance in flight test areas in relation to both civilian and military products, only to withdraw because of uncertainty due to the possibility of disturbing long established relations with the military and government flight test centers.

It is my belief and understanding that numerous provisions of law either discourage or prohibit competition by the government with private business. It is my understanding that long standing policy of the present Administration favors maximum utilization of the resources of private enterprise. I am aware of the Atomic Energy Commission's unceasing effort to withdraw from areas of commercial production whenever private firms are capable of supplying market demands for nuclear isotopes and similar products.

It strikes me that DoD is now confronted with precisely the same type of situation and that it deserves both quick action and action at the highest level, namely, Mr. Secretary, your own office. I say this because, for DoD the problem is somewhat unique, because it has ramifications in both the Navy and Air Force Departments, and because the provision of this type service by government is of such long standing that top level and explicit directives are going to be required to obtain results.

For your information, I am enclosing a brochure concerning FTR, as well as a reprint from Aviation Week & Space Technology. Mr. O'Quinn will be pleased to return to Washington and explain further the capability of this firm and discuss the entire problem with members of your staff.

I realize that this is a somewhat complex problem but it embodies the very large principle of private enterprise confronted with a military competitor who is able to quote prices without relation to economics. It will be appreciated if you will let me know what steps may be taken through the Department of Defense to assist FTR.

By copies of this letter (less enclosures) I am requesting cooperation with you toward a solution of this matter by the House Government Operations and Small Business Committees and The Federal Aviation Agency.

Thank you for your courtesy and cooperation.

Sincerely yours,

Craig Hosmer,
Member of Congress.

Mr. Speaker, an example of how the aerospace industry can assist in breaking the Government monopoly in this legitimate field of private business is the allegation by Lockheed and Douglas contained in my letter that Edwards Air Force Base was pricing a flight test research job at just 10 percent above actual fuel costs. As a matter of fact, Edwards Air Force Base bills separately for aircraft flight time, pilots pay, ground support facilities and other aspects of the total service. Aerospace industry accounting practice routes these various bills to different company departments. Had Lockheed and Douglas established any system whereby these separate billings could be brought together to establish the actual cost for the particular job involved, it is likely that a sensible consideration of FTR's proposal could have been made. Instead, it was rejected out of hand.

Hopefully I am looking for quick and favorable attention to my letter by the Secretary's office. I am also hopeful that whoever monitors the Congressional Record for the various aerospace companies will clip and forward these remarks to their top management.

POTOMAC PARK CONFUSION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Saylor] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SAYLOR. Mr. Speaker, if one were to select a single topic that has been discussed more in this Chamber than any other, I suspect it would involve the need for individual initiative, the importance of localities and States helping themselves, and the importance of cooperation rather than unilateral action by the Federal Government. Despite the general agreement and the constant effort to solicit individual action in resolving their own problems and urging that the Federal Government be a cooperator rather than a director, the Appropriations Committee, this day, has with one fell swoop laid to rest any support for this concept by the Congress.

Six years ago the citizens of Prince Georges County, Md., opposite George Washington's Home at Mount Vernon, after exhausting every avenue open to them as individuals and members of their community, came to the Federal Government with a request to establish a park, which would not only protect the land opposite Mount Vernon from commercial development, but for which these individuals and foundations offered land in fee and in less than fee to the Federal Government free of charge. The act passed the House and Senate without a dissenting vote. The State of Maryland passed enabling legislation to support and aid the Federal Government in its establishment of the park. Prince Georges County passed an ordinance that further enhanced the efforts to the Federal Government to complete the park.

From the very inception the Appropriations Committee has refused to allow the Federal Government to live up to its obligation. At one time the reason given by this committee was the failure of the authorization to be sufficient to complete the acquisition of land for the park. Legislation was introduced in the 89th Congress in order to increase this authorization as a result of a direct request by the Appropriations Committee. This passed both Houses without dissent and was signed into Public Law 89-513 by the President on July 19, 1966.

The fact that the request of the Appropriations Committee was complied with apparently made no impression, for on this day we are now in the unenviable position of telling the people who have contributed lands and rights to lands, which would cost the Federal Government $11,000,000 if they were to purchase them in fee simple, that their efforts are meaningless. We are saying to these people that we really did not mean what we said when we urged them to show initiative and to utilize local and State governmental bodies in a cooperative fashion. We are saying to them that we were not impressed by the fact that the value of your contributions are over twice the amount of the total appropriations requested. The Appropriations Committee has placed the Federal Government in the position of not being able in the future to extend any encouragement to individuals or groups of individuals to enter into any agreement with the Federal Government that requires good faith on both sides because the Federal Government cannot be trusted to honor its obligations.

Words are not enough to convince the American people that their efforts, if worthy of purpose, entered into in good faith, and diligently pursued, will be rewarded. The action of the Appropriations Committee this day will give added incentive to those who want to bring any and all problems to the Federal Government for solution and funding, for no credit will be given for self-help.

FEDERAL PROTECTION OF PRIVATE PENSION PLANS FOR EMPLOYEES

The SPEAKER pro tempore (Mr. Evans of Colorado). Under previous order of the House, the gentleman from New York [Mr. Kupferman], is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, I today introduced a bill to establish a Federal system of protection of private pension plans. In doing so I join with one of my colleagues in the other body, the senior Senator from Indiana, Mr. Hartke, who is introducing a similar bill in the Senate today.

Our basic concern in sponsoring this legislation, Mr. Speaker, is the security of the worker who has earned the right to rely upon the long-range value of a private pension system, and who stands to lose that security if the plan is terminated for any reason, such as bankruptcy, merger, or closing of a section of a business.

Employers at the present time do not generally assume any liability beyond their contributions to the plan. If the plan is terminated, as for example happened when Studebaker's South Bend, Ind., plant was forced to close down in 1964, thousands of workers, many of whom have been with the company for many years, may lose part or all of their pensions where the employer had no further obligation to contribute to the fund or no assets from which to contribute.

The bill I have introduced today would authorize the Secretary of the Department of Health, Education, and Welfare, under which the system of pension protection would be administered, to borrow moneys from the Treasury for the establishment of a pension protection fund. This money would be repaid by premiums which would be forthcoming from the plans which have met Internal Revenue Code tax incentive requirements, and which have been approved by the Secretary.

My bill would create a seven-member Federal Advisory Council for Insurance of employees' pension funds to assist the Secretary of HEW, and would be appointed by the President and confirmed by the Senate. The pension protection program would provide the worker protection much the same way as is presently provided for his savings by insurance through the Federal Deposit Insurance Corporation, and the insurance of the mortgagor's obligation to make future payments under the Federal Housing Act. Moreover, because of the self-financing feature of the bill, it would not necessitate the spending of any public funds.

Secretary of Labor W. Willard Wirtz has recognized the need for Federal support of private pension plans.

There follows at the end of this statement a summary of the January 1965 report of the President's Committee on Public Policy and Private Pension Plans on which Secretary of Labor Wirtz served as chairman. Recent comment by Congressman Curtis of Missouri, on private pension programs can be found at page 10525 of the Congressional Record of April 24, 1967.

Addressing the Senate Finance Committee hearings held August 1966 to consider legislation—S. 1575, 89th Congress, second session—to establish a Federal system of reinsurance for private pension plans, Secretary Wirtz said:

> This is a matter of personal financial security for millions of individuals. Annual benefit payments from these plans now total some $3 billion—to almost 3 million beneficiaries. By 1980, coverage of these plans is expected to increase from the approximately 25 million employees now covered to about

42 million. Over the same period, the present $85 billion held in these funds will probably grow to $225 billion.

These facts make it plain that the Nation, as a whole, has a major stake in the private retirement system.

During the Finance Committee hearings, Secretary Wirtz cited a U.S. Department of Labor study with preliminary figures for the period of 1954 to 1965 which shows the termination of 4,243 pension plans involving 183,699 workers. Secretary Wirtz told the Committee:

> The legislation which you are considering today is a serious, constructive attempt to deal with these difficulties and to provide beneficiaries of private pension plans with limited protection through a Federal reinsurance program . . . I whole heartedly endorse the purpose and objectives of this bill.

Walter P. Reuther, president, United Automobile, Aerospace, and Agricultural Implement Workers of America, AFL–CIO, and president of the Industrial Union Department, AFL–CIO, also appeared before the Senate Finance Committee to support Federal protection for private pensions. In a prepared statement Mr. Reuther said:

> With the tremendous expansion of private pension plans in America, and their development as a flexible and significant secondary source of retirement income, the security of the pension promise which they represent to millions of wages earners has clearly become a matter of vital public concern.
>
> Establishment of a national mechanism to insure a portion of the risk of inadequacy of plan assets to meet benefit obligations in event of termination is in no sense a threat to the private pension system. On the contrary, such an undertaking will serve to strengthen the private system and to make it more effective while continuing to permit a wide latitude in the design and operation of plans to meet varying needs and circumstances.
>
> The program will be self-financing and constitutes a direct and practical approach to a critical problem which only national legislative action can solve.

Lending Federal support to the pension plan system by the administration of a self-financing program would mean that financial security for those workers when they really need it most would be a reality, not an illusory promise.

I was pleased to introduce legislation—H.R. 17590—in this body in the second session of the 89th Congress to protect the rights of employees under pension plans—see Congressional Record, volume 112, part 16, page 22080, for my statement and the bill. It is my earnest hope that my colleagues will give the legislation which I have introduced today their enthusiastic attention and support.

There follows the January 1965 report of the President's Committee on Public Policy and Private Pension Programs, containing a summary of major conclusions and recommendations concerning private employee retirement plans:

Appendix—Summary of Major Conclusions and Recommendations From 1965 Report to the President on Private Employee Retirement Plans by the President's Committee on Corporate Pension Funds and Other Private Retirement and Welfare Programs

DEVELOPMENT OF PRIVATE RETIREMENT PLANS: CONCLUSIONS

Private retirement plans now cover about 25 million workers, about half of the employees in private nonfarm establishments. They pay almost $2¾ billion a year in benefits to nearly 2½ million beneficiaries. Their status as a major financial institution is reflected in their accumulated reserves of over $75 billion, in their annual accumulations of $6½ billion, and in their annual benefit payments of almost $2¾ billion a year.

It is estimated that by 1980 the number of employees covered by retirement plans will increase to 42 million, or three out of five employees then expected to be in private nonfarm establishments. The number of beneficiaries will increase to about 6½ million in 1980. According to these projections, plans will continue to build substantial reserves since the contributions paid into the funds, together with the funds' earnings, will be far in excess of benefit payments. Under the assumed conditions, total contributions, which amounted to nearly $7 billion in 1964, are expected to rise to about $11 billion a year by 1980, while benefit payments during the same period will increase to around $9 billion annually. Total reserves will grow to about $225 billion by 1980.

THE PUBLIC INTEREST IN PRIVATE RETIREMENT PLANS: CONCLUSION

Although the development of private retirement plans has largely been the result of business and labor initiative, public policy has encouraged and protected these plans through tax laws, labor relations statutes, standards of fiducial obligations of trustees, and more recently through specifically designed legislation requiring public disclosure of various aspects of retirement and welfare plans.

The prevailing tax provisions for private pensions make it possible to provide private pensions at a substantially lower cost than that which would result if no special tax provisions were available for pensions. Regardless of how the worker and the employer may share the benefits—in the form of higher pensions or reduced costs—which the special tax provisions for pensions make possible, it is evident that the advantages for both employers and workers are very significant. The loss of revenue to the Federal Government as a result of this special tax treatment is estimated to be more than $1 billion annually.

Several points underline the breadth and depth of the public interest in private retirement plans:

1. They represent a major element in the economic security of millions of American workers and their families.

2. They are a significant, growing source of economic and financial power.

3. They have an important impact on manpower in our economy.

4. They have a major, growing significance for Federal taxpayers because the special tax concessions reduce the tax base and put more burden on other tax sources.

RELATION OF PRIVATE PLANS TO THE PUBLIC RETIREMENT PROGRAM: CONCLUSIONS

The public program will continue to be the Nation's basic instrument for assuring reasonably adequate retirement income to workers, their widows and dependents.

Private pension plans should continue as a major element in the Nation's total retirement security program. Their strength rests on the supplementation they can provide to the basic public system.

The basic justification for the indirect public subsidy involved in favored tax treatment lies in the social purposes served by private pension plans. In view of these social purposes, public policy should continue to provide appropriate incentives to private plan growth, and by improving the basic soundness and equitable character of such plans, set a firmer foundation for their future development. Because protection will always be far from complete, private pension plans cannot be a substitute for public programs, but public policy can encourage developments which will provide supplementary retirement benefits to a growing proportion of the Nation's workers and will provide greater assurance that the promised benefits will be paid.

Continuing attention will be necessary to assure that the combined benefits available through OASDI and supplementary private pensions, for those receiving them, are reasonably related to wage levels and living standards in the economy.

PRIVATE PENSIONS, LABOR MOBILITY, AND MANPOWER POLICY: CONCLUSIONS

Private pensions, along with seniority and other benefits based on length of service, tend to reduce labor mobility by tying workers to a particular employer. While the effect of private pensions on mobility is significant, it is limited and selective. However, there is cause for concern in the selective impediments to mobility now erected by private pension plans and in the possibility that such plans in the future will not permit a rate of mobility among mature workers sufficient to accommodate a rapid rate of technological change.

Employers should be encouraged to adopt more widely those types of pension plans which do not involve significantly higher costs for older workers, in preference to those types which involve greater differences in cost between new employees in different age groups. However, legislation affecting private pensions is not recommended as a means of minimizing the use of rigid age limits in hiring.

The government should not attempt to regulate compulsory retirement practices, which should be left to private decision. However, employers should be encouraged to adopt flexibly administered systems of retirement. Measures to compel earlier retirement are not desirable or suitable as a general means of dealing with unemployment problems.

VESTING: CONCLUSIONS

The advantages which vesting brings to the private pension system are the following:

1. As a matter of equity and fair treatment, an employee covered by a pension plan is entitled, after a reasonable period of service, to protection of his future retirement benefit against any termination of his employment.

2. Vesting also provides special advantages to the employer.

3. By making private pension benefits more widely available, vesting strengthens the Nation's program for retirement protection.

4. Vesting enhances the mobility of the work force.

The values of vesting extend beyond the interests of the participants in pension plans. Benefits to the entire economy are involved, including the strengthening of economic security for retired workers and the effective operation of the Nation's system of labor markets.

Recommendations

A vesting requirement is necessary if private pension plans are to serve the broad social purpose justifying their favored status. The Internal Revenue Code should be amended to require that a private pension plan, in order to qualify for favored tax treatment, must provide some reasonable measure of vesting for the protection of employees. Several suggestions are made regarding the most effective method for implementing this requirement without creating obstacles to the future growth of the private pension system. The Committee suggests a system of graded deferred vesting based solely on service applicable to both single and multiemployer plans. An appropriate transition period should be provided, and special procedures made available to plans whose costs would be increased by more than 10 percent as a result of this recommendation, the recommendation of funding, or a combination of the two.

FUNDING FOR FINANCIAL SOLVENCY: CONCLUSION

Pension plans without adequate funding may turn out to be empty or only partially fulfilled promises. The minimum standards for funding under present tax law do not assure adequate funding. The setting of standards for adequate funding, therefore, becomes an important public concern.

Recommendations

The present minimum standard for funding needs to be strengthened by changes along the following lines:

1. As a minimum standard of funding for *stated benefit* plans, the plan should be required to fund fully all current service liabilities and to amortize fully all accrued liabilities over a period that roughly approximates the average work life of employees but not more than 30 years.

2. As a minimum standard for funding of *fixed contribution* plans, the contribution commitments of the plan should be realistically related to benefits promised and actually paid.

3. The funding process of every qualified plan should be certified at the inception of the plan and periodically thereafter by an actuary with acceptable professional qualifications.

4. The funding process should be subject to review by the Internal Revenue Service on the basis of guidelines or ranges of standards with respect to such actuarial assumptions. The guides should be specified by the Internal Revenue Service with the advice and consultation of a public advisory body of actuaries and other interested parties.

5. Concurrent with actuarial certification, a determination should be made by a professionally qualified public accountant with respect to the value of pension fund assets.

6. An appropriate transition period should be provided, and special procedures made available to plans whose costs would be increased by more than 10 percent as a result of this recommendation, the recommendation on vesting, or a combination of the two.

PORTABILITY AND INSURANCE: CONCLUSIONS

Two proposals are worthy of serious study to help fulfill the long-range promise of the private pension system:

1. The possibility of some institutional arrangement for transferring and accumulating private pension credits.

2. A system of insurance which, in the event of certain types of termination, would assure plan participants credit for accrued benefits.

INEQUITIES UNDER THE TAX LAWS: CONCLUSION

Present laws permit many serious inequities in qualified private retirement plans and in the tax treatment of benefits distributed by such plans.

Recommendations

1. The option which qualified retirement plans now have to cover only salaried or clerical employees should be eliminated, unless there is a showing of special circumstances.

2. The maximum period for which coverage of any employee can be deferred by a qualified plan should be reduced from five to three years.

3. Employees of tax-exempt institutions should be given tax favored treatment for pension benefits earned after the date of the change only where they participate in tax qualified plans.

4. An appropriate dollar limitation on contributions to qualified corporate pension plans for any employee or a commensurate limitation on benefits should be required, as to benefits earned after the date of the change, in order to prevent abuse and restrict favored tax treatment to private plans which furnish benefits consistent with public interest.

5. Qualified plans should be permitted to continue to integrate with OASDI, but, as to benefits earned after the date of the change, the employer should be given credit for no more than one-half of the social security benefit.

6. The present provision treating lump-sum distributions of retirement benefits as long-term capital gains should be replaced, as to benefits earned after the date of the change, by an appropriate averaging device which might take into account the individual's future income status.

7. The special tax treatment of distributions of employer securities to employees should be eliminated, with respect to appreciation in value arising after the date of the change.

8. Gift and estate taxes should apply to transfers of interests in qualified retirement plans in the same manner as they apply to transfers of similar types of property.

9. Deferred profit-sharing plans should be required to provide for employers' contributions in accordance with a predetermined formula.

10. The Committee's vesting requirement should also apply to deferred profit sharing plans designed primarily to provide retirement benefits but in such cases reallocation of forfeitures among the remaining participants would be prohibited. In the case of all other deferred profit-sharing plans, a provision granting immediate vested rights to all covered employees should be required.

11. An appropriate transition period should be provided and special procedures established for those plans whose costs would be substantially increased by these recommendations.

FINANCIAL ASPECTS OF RETIREMENT PLANS: CONCLUSIONS

The total amount of investments held by private retirement funds has increased from $12 billion at the end of 1950 to over $75 billion at the end of 1964. A further increase to around $225 billion is projected by 1980. However, the Committee does not believe there are sufficient grounds for recommending regulation of the size of retirement funds or of their rate of capital accumulation.

By 1964, the noninsured funds were investing half of their new resources in common stocks. This shift has certainly been one of the factors contributing to increases in common stock prices, particularly for the higher grade stock, although it would be very difficult to estimate the quantitative importance of this single factor.

In view of the wide legitimate differences regarding the most advantageous balance of retirement funds investments, the Committee does not believe it would be desirable on the basis of evidence to date to require conformity to a prescribed rule with respect to the proportion of stocks to other investments.

PROTECTING THE INTERESTS OF EMPLOYEES IN THE INVESTMENT OF RETIREMENT FUNDS: CONCLUSIONS

Whatever the type of investments made by retirement funds, such investments should be made honestly, conscientiously and prudently; it is important that there be the greatest practical degree of assurance on these points.

This Committee recognizes the need for additional measures for the protection of the interests of employees, but doubts whether a major problem is the lack of appropriate standards of prudence. On the basis of present evidence, the Committee does not propose the substitution of a new set of statutory standards for the recognized standards of fiducial responsibility, although there appears to be a need for strengthening statutory provisions for assuring compliance with these standards.

Full disclosure of relevant facts is a prerequisite for self-help and for the enforcement of statutory measures for the protection of the individual's rights. It is premature, short of a more extensive test of the effectiveness of the disclosure approach as a means of assuring standards of fiducial responsibility, to make a recommendation for a regulatory agency to act as guardian for the collective interests of employees and their beneficiaries.

Recommendations

1. Future investments by retirement funds should be subject to a maximum limitation (perhaps 10 percent) on the portion of a fund that may be held in stock or obligations of the employer company or its affiliates, regardless of the ability of such investment to meet a fiducial test.

2. The Welfare and Pension Plans Disclosure Act should be amended by requiring the disclosure of additional information related to the investment holdings and activities of retirement plans.

FURTHER STUDY AND RESEARCH: CONCLUSIONS

The pension and welfare areas deserve greater emphasis in the planning of the Federal Government's research and statistical programs. Several suggestions are made for further research regarding private retirement plans.

REORGANIZATION OF CONGRESS

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. SCHADEBERG] is recognized for 15 minutes.

Mr. **SCHADEBERG**. Mr. Speaker, many in and out of Congress are looking forward to constructive progress in the efforts to improve the efficiency and effectiveness of Congress through reorganization legislation. No doubt many different approaches can be made and will be suggested to accomplish this goal. I am aware that the House Rules Committee cannot accept all of the recommendations that will be offered by interested Members, but I am offering a few suggestions to which I urge you to give serious consideration. If they are of such nature that they cannot be included in the present legislation under consideration, perhaps they can be a basis for future reorganization. I am making these proposals so they can be made part of the Record and my colleagues can study them.

I have studied the bill under consideration by the committee and find a great deal of merit in it. I will be looking forward to reading the suggestions of others who will be testifying on it. My suggestions will cover an area of activity which, I have found in my 4 years as a Member of this House, have created grave inconveniences to Members for which I feel there should be some relief. Perhaps these suggestions are such that they should be considered only by the House and be incorporated into the House rules. It may turn out that they may be impractical in terms of the present thinking regarding the responsibilities of Congress, but I will place them in the Record as a serious attempt on my part to make the House duties not only more convenient for the Members but help make Congress more responsive to the will of the people.

In outline, these are my suggestions:

First. The first 3 weeks of each month, beginning with the first Monday in the month, should be scheduled as legislative weeks, with the House being in session from noon until 5 p.m., Mondays through Fridays.

Second. When the month includes five Mondays, there shall be four legislative weeks.

Third. Sessions each day shall be adjourned before 5 p.m. if legislative business does not require the full 5 hours. Sessions can be extended beyond 5 p.m. by consent of the Members. If such consent is not given, unfinished business will be the first matter of business on the next legislative day.

Fourth. Sessions can be held on Saturdays of legislative weeks by consent of the Members.

Fifth. From the close of the last legislative week in each month until noon of the first Monday of the succeeding month, Members will be free to return to their districts for such activities as they deem necessary to fulfill their responsibilities as representatives of their districts.

Sixth. If the Member chooses to return to his district, he will be furnished transportation equal to the amount of a round-trip airline ticket to the airport he chooses as his place of destination plus 10 cents a mile for transportation to and from his place of residence in the district.

Seventh. The present rule permitting deduction from pay if not present at a legislative session will be enforced unless, as in the case of sickness or official business, the Member is excused by the Speaker of the House.

Eighth. Congress will adjourn sine die on July 31 and return for sessions on the Monday following Labor Day. It shall continue in session until 1 week before Christmas unless the responsibilities of Congress are completed before that date.

Ninth. In even-numbered years Congress will stand in recess from the close of the last legislative day in October until the Monday following the day of the general election.

There would be distinct advantages to both the Member and his constituents should my suggestions be adopted. The foremost responsibility of every Member of the House is to represent his people. He needs an opportunity to make personal contact with his people on a regular basis so that he not only can report to them his stewardship, but so he can listen to what his constituents have to say; to hear their suggestions; to discuss pending legislation with those whose lives and fortunes are intimately, are directly, related to proposed legislation.

Here are the advantages:

First. The Member could schedule his office hours, speeches, and other activities in his district 2 years in advance and except for situations beyond his control would be spared the embarrassment and criticism of having to cancel appearances.

Second. He could thus arrange his schedules so that he could have personal contact with constituents from every part of his district.

Third. His constituents could also plan in advance such occasions as they desire with the assurance that, if their Congressman consents to appear, they have reasonable assurance he will attend.

Fourth. Meetings with individuals and groups could be planned in advance of upcoming legislation, giving the Member an opportunity to better understand how proposed legislation would affect his constituents.

Fifth. The Member could schedule office hours in his district with assurances that he can make an appearance on scheduled dates.

Sixth. Constituents being aware of the requirement that their Representative be present in Washington on specific days would not expect the Member to be in the district when he should be in Washington.

Seventh. The Member would be saved much of his precious time by making it possible for him to make one trip to accomplish ends which under present circumstances may require three or four trips back to his district. He would travel once to stay a week in the district instead of having to make two or three trips. This would provide him sufficient time to be with his constituents without absenting himself from his work in Washington when he is needed here.

Eighth. He would be paid for necessary travel associated with his work, thus relieving unnecessary financial strain on those like myself who are too close to Washington—in terms of flying time—not to go back to his district yet far enough away to make it financially burdensome as well as time consuming and inconvenient.

Ninth. Finally, it would give the Member a maximum amount of time to be with his family whether they have accompanied him to Washington or remain in the district. The midsummer recess would give him a few weeks to be with his children when they are out of school. I cannot impress upon you too much the very grave injustice being done the Members of Congress under the present arrangements.

I am not unaware that political considerations may dictate deviation from the plan I propose but our first responsibility and obligation is to give the best representation we can to our constituents. Washington need not continue to grow further and further away from the people. Congress can be and must become again truly the voice of the people and must reflect it. Anything we can do to accomplish this goal should and must be done if we are to recapture the confidence of the people in representative government.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SCHADEBERG. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

I appreciate more than the gentleman could rightly know the depth of the study and the perception he has obviously put into what he reports to the House of Representatives of the Congress this evening. This is obviously erudite. It is based on many considerations, including the public trust, true representative government in a republic under a limited constitution, and how best to acquit ourselves.

I wonder if the gentleman is familiar with the report of the select committee, the bipartisan joint committee established by the two bodies of the Congress, insofar as it pertains to these matters he has covered so well this evening. If not, I would recommend that the report be studied, since I had the privilege of serving on that committee for the past 2½ years, because many of the suggestions the gentleman makes are covered therein, such as the summer interval if the work is not accomplished by proper programing and proper leadership on the part of the House prior to that time, during the entire month of August. Then the Representatives would be off and at home with their families, and could come back to accomplish what further needed business was necessary in the fall.

Indeed the gentleman from Wisconsin has thought about this matter at obvious length.

The joint committee heard much testimony from many Members of Congress and from political scientists and from others who wanted to come before the committee, in public hearings, and spent much time in executive session on these very subjects of travel time, travel allowances, and days of work.

We did not involve either House in the Joint Committee, so far as the rules of a particular House were concerned, but we did address ourselves in some detail, at least in the hearings and in the markup of the bill, to the expedition of business, and the use of means by which to expedite the business of the Congress.

I want to commend this report to the gentleman, and certainly wish to associate myself with his studious remarks. I thank him for taking this special order and for having done the research he has done. I do so only in the spirit of helping with that, as I make these comments thanking the gentleman.

Mr. SCHADEBERG. I thank the gentleman from Missouri, who, as always, makes constructive suggestions.

May I add one item to my remarks. I believe that the strain on the Members of Congress is something we ought to take a very serious look at, because I believe we could lessen many of the tensions present today if we would take some constructive step toward making it easier for the Member. In addition, he could represent his district better.

I realize that some will say this is a suggestion that we have 3 weeks of work and 1 week of play, but I have confidence in the American people. If they know the Congressman is going to have this 1 week a month, they will ask him to come back to the Congress and put his feet to the fire. They will ask questions.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. SCHADEBERG. I am glad to yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. I, too, want to associate myself with the remarks of the gentleman from Wisconsin and to commend him for the effort he has made in presenting these suggestions to the Members of the House.

I have had many private conversations with the gentleman in the well, and I know how dedicated he is to coming up with some constructive, positive reforms in our organizational structure that will help us accomplish the business for the public.

Particularly I want to associate myself with the gentleman's suggestion for a summer recess.

Again, this is not going necessarily to be just one big vacation, because I know Members will be at home and available for their constituents to see. I think the gentleman has done a great job here, and I commend him for it.

Mr. SCHADEBERG. I thank the gentleman very much.

CONGRESSMAN CHAMBERLAIN RENEWS CALL FOR ACTION TO END CAMBODIAN "BACK DOOR" AID TO VIETCONG

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. CHAMBERLAIN], is recognized for 30 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, recently, on February 27, a front-page New York Times story carried the headline, "GI's Sight Enemy on Cambodia Side: Patrol Watches as Armed Vietcong Squad Crosses Border Into Vietnam." Such stories about the aid and comfort derived by the enemies of South Vietnam from Cambodia are not unique. However, what would be unique would be a story telling of some effective action to prompt Cambodia to live up to its alleged policy of strict neutrality.

Disturbingly, the record appears to show that the administration is willing, albeit after some official handwringing, to cast a tolerant eye upon the role of Cambodia and the way it is being used by North Vietnam and the Vietcong. It is, regrettably, but another instance of our willingness to fight this war according to terms and conditions dictated by the enemy. Such an approach has not shortened the conflict nor tended to limit the cost in lives. On the contrary, quite the opposite may be true.

The compelling question remains: When is something going to be done to stop the expansion of the war by the enemy into Cambodia?

Upon my return last April from a special subcommittee mission to Vietnam for the Armed Services Committee, I first reported to the House on May 4, 1966, my deep concern over this problem. The alarming, and in some cases contradictory, reports in the press up to that time with respect to the role of Cambodia, prompted me to seek out firsthand information. As I said a year ago, I could find no military man with direct knowledge of the Vietnamese conflict that doubted for a moment that Cambodia was being used by Vietcong or North Vietnamese units.

For instance, while I was in Tay Ninh a briefing officer referred to a chart on the wall and pointed out three different areas where airfields were located just a few miles across the border in Cambodia which were being used daily for air flights to bring supplies for the Vietcong. We were also advised of another location within the general area that was being used as a training ground for the Vietcong.

I was particularly shocked to learn from a highly informed naval officer that while we were spending billions of dollars to bomb the North to cut off supplies, we had no effective control over the ships using the Mekong to insure that they were not helping to supply the enemy.

At that time I particularly urged that something be done about the "back-door" aid that the Vietcong were reported to be receiving, directly and indirectly, from ships moving up the Mekong River, 140 miles right through South Vietnam en route to Cambodia.

My urgings were greeted, however, by the State Department with only soothing evasions. As recently as last November 15, I was confidently told that there was:

> * * * a strict inspection system of foreign vessels bound for Cambodia to insure that their cargo does not include any secreted war materials that might be destined for the Viet Cong.

Furthermore, Ambassador Douglas MacArthur II continued:

> The movements of foreign vessels are also closely monitored in an effort to insure that they do not drop off any supplies for enemy forces during their transit of the Vietnamese portion of the Mekong.

Thus, it was asserted "all feasible measures" were being taken. There was, it was implied, nothing more that could or should be done.

In view of these unequivocal assertions, I was amazed to learn just 14 days later, from a news dispatch from Saigon appearing in the Washington Post on November 29, 1966, that—

> South Vietnamese gunboats have started escorting all foreign ships traveling the Mekong River to Cambodia to stop the smuggling of guns and ammunition to the Vietcong.

Since this new action was, presumably, in the view of the State Department as of November 15, neither feasible nor necessary, I consequently asked the Secretary of State for an explanation. The answer came down in a letter dated December 22, 1966, which merely stated that:

> Changes are made as needed in order to insure that controls operate effectively as possible.

Such changes are precisely what I had been advocating for months, because the problem had been there for months. It did not suddenly appear last November. This was again confirmed to me in a letter from the Department of Defense, dated February 2, 1967, which stated in part:

> During 1966, the GVN and the United States Government became increasingly concerned over reports of Vietcong acquisition of badly-needed supplies from ships with international registry moving up the Mekong River to Cambodia from the South China Sea. To deal with this problem, a convoy system was instituted in November 1966 and since that time there have been no reports of off-loading supplies for the Vietcong along the Mekong in South Vietnam. It is, of course, difficult to make an accurate assessment of the effectiveness of the system to date because there is no way of knowing how many vessels intended to deliver supplies to the Vietcong but the absence of such reports is encouraging.

This is, I agree, certainly encouraging news, and it is only to be regretted all the more that these steps were not taken long before I found it necessary to call attention to this problem months ago.

However, Mr. Speaker, this only represents part of the problem.

For example, there is still the difficulty of trying to insure that goods entering Cambodia via the Mekong River do not ultimately benefit the Vietcong. As I pointed out a year ago, there have been reports for some time indicating that these cargoes often seem to disappear once they reach Phnompenh; finding their way back into South Vietnam by land or by small boats on the Mekong. Such traffic is admittedly hard to control in an area of the world with a long tradition of smuggling.

In fact, Prince Sihanouk recently complained that smuggling operations are of such a scale that Cambodia cannot profitably export rice on the legitimate market because of the black market competition. Here, it should be noted, Sihanouk is apparently not concerned that the goods go to the Vietcong, but only that custom duties are evaded. Just as much as the smugglers, Sihanouk has considered it in his interest to help the enemies of South Vietnam. Consequently, there is little likelihood that either the clandestine or the open "back-door" aid that the Viet Cong derives from Cambodia will be stopped until it is in Silhanouk's interest to do so.

A year ago, I urged that the Mekong River be closed entirely to Cambodia-bound shipping. It will be recalled that in late 1965, the South Vietnamese closed the river to all Communist-flag ships in accordance with the treaty governing this international waterway which permits unilateral action when the security of a riparian state is threatened. Clearly, so long as Cambodia's alleged policy of strict neutrality results in aid and comfort to the enemies of South Vietnam due even in part to the shipping traffic on the Mekong River, I believe that the Saigon government is well within its rights to close the river entirely.

During 1966, there were a total of 309 free world ship arrivals at Phnompenh. In January and February of this year there were 41 such arrivals. Detailed information is as follows:

Free world ship arrivals by flag, Phnompenh, Cambodia

[PN—Panamanian; UK—United Kingdom; JA—Japanese; FR—French; NE—Netherlands; IT—Italian; DE—Denmark]

	PN	UK	FR	JA	NE	IT	DE	Total
1966								
January	19	4	10	5	1	----	----	39
February	17	3	8	6	2	1	----	37
March	13	3	10	6	----	----	----	32
April	5	2	11	4	----	----	----	22
May	8	1	8	2	1	----	1	21
June	4	3	9	5	----	----	----	21
July	7	1	6	2	----	----	----	16
August	15	1	8	5	----	----	----	29
September	7	3	9	2	1	----	----	22
October	7	1	10	7	----	----	----	25
November	5	2	3	12	1	----	----	23
December	11	1	5	----	----	----	----	22
Total	118	25	97	61	6	1	1	309
1967								
January	10	1	5	5	----	----	----	21
February	5	----	5	8	2	----	----	20
Total	21	3	20	17	2	----	----	41

While there were fewer arrivals in 1966 than in 1965, it should be noted that the actual level of Cambodian imports last year rose substantially—particularly from Communist countries. I submit, therefore, that until there is some real assurance that this trade does not benefit in any way the Vietcong, why should Cambodia be permitted "business as usual" access to the South China Sea via the Mekong?

A year ago, in this Chamber, I posed the same question. Today an answer to it is, if anything, even more urgent and necessary. For, as the Vietcong loses more and more of its havens of safety within South Vietnam the value of Cambodia as a sanctuary and source of supply can only increase.

Yet, our policy toward Cambodia promises to continue to be one of tolerance and timidity, on the assumption apparently that only if we do nothing can the situation improve. This policy, it needs hardly to be stated, has achieved little except our own continual embarrassment, and has afforded Sihanouk a free hand to do as he wishes at the ultimate expense of American and South Vietnamese lives.

At the same time it has been our official policy to publicly disclaim the reports of our own military people on the scene and thereby to give credence to Cambodia's phony neutrality. It is difficult to say who is the more naive—the administration about Sihanouk, or Sihanouk about the Communists.

Press reports in recent days indicate that Sihanouk may have already lost his gamble in appeasement and with it his hope that the Communists would spare his country so long as Cambodia practiced a one-eyed neutrality policy of providing political and material support to the Vietcong. In an all too familiar pattern, Cambodian Red terrorists—whose "masters," according to Sihanouk himself, are the Vietcong—have begun assassinating civilians, setting fire to villages, harassing rice farmers, and seizing weapons from provincial guard posts.

In a story appearing in the State Journal of Lansing, Mich., April 16, 1967, William R. Frye comments on this turn of events and Sihanuok's reaction to it as follows:

> The full text of Sihanouk's extraordinary broadcast has become available here. He says that if necessary, he will get the foreign exchange with which to buy weapons by such economies as closing all Cambodian embassies, calling home Cambodian diplomats, and suspending his cherished five-year development plan.
>
> But he clearly cannot understand why it should be necessary. Cambodia has "given a great deal of aid to the Viet Minh (Communist-influenced rebels who drove out the French in the 1950s) and the Viet Cong," he points out.
>
> "The Americans are aware of the fact that we have aided them (the Viet Cong) in the political and diplomatic fields. We have also given them aid in many other fields, which I cannot explain in detail." This, of course, is precisely what he has indignantly denied many times previously. "People's China, the great leader of communism, is also aware of all this," Sihanouk went on, "but why have they allowed their Khmer Viet Minh children to kill my partisans who are only nationalists?"

We can only hope that, confronted with the reality of Communist duplicity, Cambodia will now be prompted to make greater efforts to live up to its official ideal of strict neutrality. In any event, we should be doing, at the same time, everything we can to encourage Sihanouk to cooperate in sealing the Cambodian border with South Vietnam.

A prolonged war in southeast Asia is not in the interest of the Free World. Certainly one of the purposes of our involvement in Vietnam is to show the world that Communist aggression will not be permitted to succeed. The longer that it takes to achieve that purpose, the less encouraged will be those threatened peoples to make the costly effort to resist.

We cannot achieve our goals by continuing to ignore the basic realities of the situation. Too great a part of the tragedy that is Vietnam has been due to this failure. Too often our policy of a limited conflict has meant, in effect, only a policy of drift. Never before in our history have we been involved in a war and done so little to keep supplies from the enemy. This war is real. We have looked the other way until it has become necessary to commit forces greater than committed to the Korean conflict. We must give our soldiers every measure of support we possibly can.

With the recent actions along the Cambodian border in the Tay Ninh area it is clear that Cambodia has been a great source of help to the enemies of freedom. If Cambodia is to tolerate this situation the economic weapon of closing the Mekong should be used to insist upon a truly neutral Cambodia. Let that country get the message that we mean to back up our troops, that we mean to hasten the end of the war by keeping supplies from the enemy. In doing this, the Mekong River traffic will be forced to use the ocean port of Sihanoukville, in the Gulf of Siam, a harbor already choked with vessels from Communist countries delivering war materials.

Mr. Speaker, the time has come for us to make greater use of the political and economic weapons in our arsenal if we are to keep faith with our fighting men.

Mr. Speaker, at this point in the Record, I ask unanimous consent to insert several pieces of correspondence and news stories which pertain to my preceding remarks.

OCTOBER 17, 1966.

The Honorable **DEAN RUSK,**
The Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: From information available to me, it appears that there is substantial trade between South Vietnam and Cambodia via the Mekong River. I cannot determine what advantages accrue to each side, but I do note with some concern the size of the petroleum movement from Saigon to Phnom Penh in French vessels.

In light of Cambodia's openly professed sympathy and physical support for the Viet Cong, I wonder whether the Government of Vietnam is well-advised in maintaining a trade relationship with Cambodia. I would be grateful for your answers to the following questions:

1. What is the nature (size and content) of the trade between South Vietnam and Cambodia?
2. Are there any advantages to South Vietnam that make such trade desirable within the context of the present war and Cambodia's position with respect to it?
3. What measures are open to the United States to exert pressure on the GVN to stop this trade?
4. What would this action contribute to a larger program directed toward closer control over Mekong River traffic?

Thanking you for your courtesy, I am
Sincerely yours,
CHARLES E. CHAMBERLAIN.

DEPARTMENT OF STATE,
Washington, D.C., November 15, 1966.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives.

DEAR CONGRESSMAN CHAMBERLAIN: I have been requested to reply to your letter to the Secretary of October 17, concerning trade between Cambodia and the Republic of Viet-Nam.

There is no regular trade between Viet-Nam and Cambodia although illegal local trade occurs at many points along the 600 mile border between the two countries. As you know, the Mekong River is an International Waterway and freedom of navigation on it is guaranteed by a Convention and Protocol, ratified by the riparian states in December, 1954. However, under this Convention shipping on the river bound to or coming from Cambodia is subject to certain Vietnamese regulations pertaining to such matters as health and security.

In accordance with the security provisions of the Protocol, Viet-Nam has instituted a strict inspection system of foreign vessels bound for Cambodia to insure that their cargo does not include any secreted war materials that might be destined for the Viet Cong. The total volume of dry cargo carried in this trade is small. The movements of foreign vessels are also closely monitored in an effort to insure that they do not drop off any supplies for enemy forces during their transit of the Vietnamese portion of the Mekong. As a result of these measures we are satisfied that little, if any important war materials reach Phnom Penh via international shipping plying the Mekong River.

Your letter mentioned your particular concern about petroleum movements. According to the latest statistics available, all shipments loaded in South Viet-Nam for Cambodia are transshipments of petroleum products from third countries. Since large tankers cannot operate on the Mekong smaller vessels out of Phnom Penh pick up POL for Cambodia from commercial storage facilities located near Saigon. Our information shows that about 83 thousand tons of POL were transshipped to Cambodia through Viet-Nam during the first half of 1966. We do not consider this amount to be excessive to the needs of the Cambodian economy.

In short, the South Vietnamese do not conduct regular trade with Cambodia and are taking all feasible measures within the provisions of existing international agreements to prevent shipments for Cambodia which move through their territory from being diverted to the enemy. We believe these measures have been effective and you may be assured that they are being kept under continuing review.

Please call on me whenever I may be of assistance to you.

Sincerely,
DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

DECEMBER 1, 1966.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: When I returned from attending the NATO Parliamentarian's Conference, I found on my desk the Department's response to my inquiry of October 17th concerning trade with Cambodia and South Vietnam.

It expressed the conclusion that the South Vietnamese were taking "all feasible measures within the provisions of existing international agreements to prevent shipments for Cambodia which move through their territory from being diverted to the enemy" and that the Department believes that "these measures have been effective".

In terms of these statements I was therefore surprised to read in the *Washington Post* of November 29th a new dispatch (copy enclosed) stating that the South Vietnamese Navy has found it necessary to take additional measures in this matter by requiring that all foreign ships traveling the Mekong route to Cambodia to have gun-boat escorts "to stop the smuggling of guns and ammunition to the Vietcong."

While I have not had an opportunity to verify this news report, if reliable, it would clearly raise doubts about the Department's assertion that everything that could or needed to be done was already being done. I would therefore appreciate the Department's further comments on this situation.

Sincerely yours,
CHARLES E. CHAMBERLAIN.

[From the Washington (D.C.) Post, Nov. 29, 1966]

SHIPS BOUND TO CAMBODIA GET ESCORTS

SAIGON, Nov. 28.—South Vietnamese gunboats have started escorting all foreign ships traveling the Mekong River to Cambodia to stop the smuggling of guns and ammunition to the Vietcong, it was learned today.

Vietnamese naval authorities said the escort regulations went into effect two weeks ago. Previously, all South Vietnamese ships traveling the 140-mile waterway between the South China Sea and the Cambodian border had been escorted.

The official reason for the convoy order was "to protect foreign ships from Vietcong attacks." But South Vietnamese Navy sources said they had evidence that "many" ships traveling the Mekong had dropped ammunition and supplies to the Vietcong.

Lt. Cmdr. Nguyen An, the Vietnamese chief of naval operations, said none of the ships have been caught giving supplies to the enemy. "But we have caught items in Vietcong junks after they were freshly loaded from ships," he said in an interview with United Press International.

"I don't know why they do it . . . whether it's for profit, out of sympathy for the Vietcong, or a way of paying taxes so the Vietcong will leave them alone," he said.

DEPARTMENT OF STATE,
Washington, D.C., December 22, 1966.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives.

DEAR CONGRESSMAN CHAMBERLAIN: I have been asked to reply to your letter of December 1, to Secretary Rusk concerning controls on Mekong shipping to Phnom Penh, Cambodia.

As I mentioned in my letter of November 15, the United States and the Vietnamese Government are alert to the possibility that the Viet Cong might receive supplies from international shipping and are taking all feasible measures to prevent it. This whole problem of dealing with the possible diversion of cargoes to the Viet Cong is kept under continuing review and changes are made as needed in order to insure that controls operate effectively as possible.

The system of armed convoys up to the Cambodian border for shipping on the Mekong to and from Phnom Penh was instituted and is controlled entirely by the Vietnamese authorities. The convoys are part of the general monitoring effort and are intended to give more effective control over possible diversions as well as serving to protect shipping from enemy attack and insuring a clear passage on the Mekong waterway. Although the Vietnamese Government has stated that the new system became effective November 1, public announcement of the change was not made nor the first convoy formed until the latter half of the month.

Please call upon me whenever I may be of further assistance to you.

Sincerely,
DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

JANUARY 20, 1967.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

MY DEAR MR. SECRETARY: If the press reports are accurate, some time in November of 1966, the South Vietnamese Navy began escorting all foreign ships traveling the Mekong River to Cambodia with gunboats, in order, as one dispatch put it, "to stop the smuggling of guns and ammunition to the Viet Cong." I would appreciate being provided a report on the success of this operation to date.

In addition I have noted a news story, copy included, filed by a New York Times correspondent from Saigon detailing such arrangements that were apparently made to expedite the flow of fuel oil to the Cambodian capital of Phnom Penh via the Mekong waterway in order to insure that the power plant in that city would not be forced to shut down.

I would appreciate any comments the Department has on this story indicating the extent to which it agrees or disagrees with the statements made therein.

With kindest regards, I am
Sincerely yours,
CHARLES E. CHAMBERLAIN.

[From the New York Times, Dec. 2, 1966]

SAIGON SAID TO SPEED OIL TO CAMBODIA DESPITE MUTUAL HOSTILITY

(By R. W. Apple, Jr.)

SAIGON, SOUTH VIETNAM, Dec. 1.—An extraordinary diplomatic exercise, in which South Vietnam is about to come to the aid of an ostensible enemy, Cambodia, has been secretly played out in four world capitals during the last few days.

The affair will come to a climax in the next week or so, but the key move is reported already to have been made.

According to unimpeachable sources, the National Leadership Committee, the military-civilian junta that rules South Vietnam, decided at a meeting this morning to allow enough fuel oil to be shipped up the Mekong River to keep the power system of Pnompenh, the Cambodian capital, from shutting down.

The background of this decision is complex.

In November, the Saigon regime decided to require all ships using the Mekong to travel in convoys with registered pilots and, in some cases, with armed guards. Previously, ships had moved freely up the broad waterway from the South China Sea.

The South Vietnamese action was based upon a minor clause in the 1954 agreement among South Vietnam, Cambodia and Laos regulating the use of the river.

The Mekong is the principal waterway—and, as such, the principal avenue of commerce—in all three countries.

Vietcong guerrillas control much of the territory along the banks of the Mekong near the South Vietnamese-Cambodian border, and ships are reported to have unloaded some cargoes in this area. To assist the United States Navy's Operation Game Warden, which seeks to re-establish allied control over the waterways in the Mekong Delta, the convey system was instituted.

Saigon's decision caught the Cambodians with a low supply of fuel oil for the Pnompenh plant. The city was threatened with a total blackout.

The Mekong is the only feasible route for large quantities of petroleum products to reach the Cambodian capital, because the country's only deep-water port, Sihanoukville on the Gulf of Thailand, is without storage facilities and Cambodia lacks both the highways and the trucks to transport the oil overland.

Prince Norodom Sihanouk, the Cambodian premier, has attempted to steer a relatively neutral course between East and West, although he has severed relations with the United States and with South Vietnam and has accepted some Communist assistance.

The shortage of fuel oil—Pnompenh is believed to have on hand only enough to last until Dec. 10—was a potential source of considerable embarrassment.

American experts on southeast Asia, as well as the Australians, who represent Cambodian interests here learned of the situation despite Prince Sihanouk's reluctance to discuss it in public. They determined to attempt to come to the Cambodians' rescue.

"Sihanouk is doing all right in his funny way," one highly placed source said tonight. "After all he is a natural leader, popular in his own country, and those are rare enough in Southeast Asia.

"Although there are times when the allies would like to cut his throat, none of us really want to see blood flow."

Convincing the South Vietnamese was another problem, however, and sheafs of messages have been exchanged among ministries in Washington, Canberra, Pnompenh and Saigon searching for some mutually acceptable solution. Such a solution now appears to be at hand.

The Vietnamese Government's hostility to the Cambodians is grounded in its belief that Vietcong and North Vietnamese troops use Cambodia as a sanctuary, and in Prince Sihanouk's friendliness with President de Gaulle, who has advocated a neutralist solution to the Vietnamese conflict.

Despite this context of conflicts, the allies decided that it was imperative to persuade the Saigon Government to permit fuel oil to reach Pnompenh as soon as possible.

The allies proposed, the sources said, that special arrangements he made for the shipment.

After today's meeting, however, it appeared more likely that a compromise would be worked out. The probable solution reportedly will be to load onto ships in a regular convoy enough oil to tide the Cambodians over—thus giving the impression of no special dispensation.

The convoy is scheduled to head up the Mekong on Saturday, or perhaps even tomorrow. It should arrive in Phompehn well before the deadline.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., February 2, 1967.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives,
Washington, D.C.

DEAR MR. CHAMBERLAIN: Your letter to Secretary McNamara of January 20, 1967, concerning the Government of Vietnam's convoy system on the Mekong River has been referred to me for reply. Because the Department of State has been actively involved over the past several months in discussions with the GVN over inauguration of such a system, I am forwarding your letter to that Department for action. However, I will comment briefly on the military aspects of the convoy system.

During 1966, the GVN and the United States Government became increasingly concerned over reports of Viet Cong acquisition of badly-needed supplies from ships with international registry moving up the Mekong River to Cambodia from the South China Sea. To deal with this problem, a convoy system was instituted in November 1966 and since that time there have been no reports of off-loading supplies for the Viet Cong along the Mekong in South Vietnam. It is, of course, difficult to make an accurate assessment of the effectiveness of the system to date because there is no way of knowing how many vessels intended to deliver supplies to the Viet Cong but the absence of such reports is encouraging.

I hope this information will be helpful.

Sincerely,

TOWNSEND HOOPES,
Deputy Assistant Secretary.

DEPARTMENT OF STATE,
Washington, D.C., April 7, 1967.

Hon. CHARLES E. CHAMBERLAIN,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CHAMBERLAIN: Thank you for your letter of March 29 attaching correspondence regarding the Mekong River convoy system. Your letter of January 20 to the Department of Defense, which was to have been forwarded to the Department of State by Defense for additional comment, apparently went astray and we have no record of receiving it here. I regret the delay in replying to your inquiry.

The Vietnamese government instituted the convoy system last November as a security measure to guard against the possibility of diversion to the Viet Cong in Viet-Nam of supplies carried on ships transiting the Mekong to and from Cambodia. We believe that it has been effective for this purpose. The convoy system was not intended to be used as a weapon of economic warfare against Cambodia.

In the early days while the convoy system was shaking down there were some delays in the delivery of petroleum products to Cambodia. At that time our Embassy in Saigon and field representatives of oil companies operating in Cambodia worked with the Vietnamese authorities to improve the functioning of the system and the scheduling of shipments. Most of the initial problems have been worked out and there have been no recent reports of real or potential shortages of petroleum supplies in Cambodia.

If I can be of further assistance to you, please do not hesitate to call on me.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional Relations.

[From the New York Times, Feb. 27, 1967]

GI'S SIGHT ENEMY ON CAMBODIAN SIDE—PATROL WATCHES AS ARMED VIETCONG SQUAD CROSSES BORDER INTO VIETNAM

(By Tom Buckley)

LANDING ZONE MUSTANG, SOUTH VIETNAM, Feb. 26.—An American patrol probing to the Cambodian border has reported that it watched a squad of armed Vietcong cross from Cambodia into Vietnam.

The sighting was one of the few ever made public. American military intelligence officers have long asserted that the guerrillas and their North Vietnamese allies were using Cambodia as well as Laos farther north as a refuge from bombs, artillery and ground offensives.

Military sources agree that the nearby Cambodian refuge explains in part why so few enemy troops have been sighted in the 25,000-man operation Junction City, which began Wednesday. The operation, the largest of the war, is taking place in a 150-square-mile area in northwestern Tayninh Province.

PATROL TELLS OF MISSION

Today the members of the six-man patrol from the 196th Light Infantry Brigade told about their mission as they waited for their next assignment at the brigade's forward headquarters here.

Their leader, Specialist 4 Robert Webber of Little Rock, Ark., said the patrol set out through the tangled scrub and forest at 8 A.M. Thursday.

The patrol's route paralleled Highway 22. The road, which is depicted on most maps as a bright line of red and white, seemingly the equivalent of a four-lane highway in the United States, is hardly more than a rutted dirt track barely wide enough for a jeep.

The men, wearing mottled camouflage uniforms, slipped silently through the jungle. Their automatic rifles were covered with dull green tape. In the camouflage netting of their helmets they had fixed grass and twigs to break the outline. Their faces were daubed with shades of green, brown and black greasepaint.

"We got to within 100 yards of the border by 7 P.M.," said Specialist Webber, a slim and smiling 25-year-old who is a graduate of the Special Force reconnaissance and command school at Nhatrang.

"I posted a rear guard and flank guards and settled down in thick bushes a few feet off the road," he said.

At the point where the road crosses the border, maps show a hamlet called Xamet. In fact, said Specialist Webber, like many other such hamlets and villages in these uplands, it no longer exists. Its inhabitants moved away long ago. Their reed and thatch huts have been burned down or simply decayed.

Even so, the patrol leader said, the junction of roads and trails showed many footprints made by the sandals worn by the guerrillas, as well as other signs of frequent use.

FOE COMES DOWN THE ROAD

"At 9:30 we heard sounds in the distance," he said, "the guerrillas came down the road from Cambodia. They were moving fast, almost trotting. The first guy was wearing white pajamas, not black ones." The Vietcong usually wear black pajamas.

The patrol's job was to observe, not to fight, so the men remained motionless. Specialist Webber communicated the sighting to his headquarters by radio. No words were needed, only a code based on the use of the "squelch" button which alters the pitch of the radio's steady tone.

For two more hours the patrol waited. "Then we heard voices to our rear," Specialist Webber said.

It was a different group, heading north. But before the guerrillas got to the border, three of them slipt off.

"When they got to be only 10 or 15 feet away from us we had to open up," Specialist McMahon said.

The quick blaze of fire killed the three guerrillas. The two G.I.5s ran to a prearranged meeting point a few hundred yards away. From there, Specialist Webber ordered in artillery.

By dawn yesterday, the men were back at their base camp. Their platoon leader, First Lieut. John M. Maxwell of Lakeland, Fla., has recommended Specialists Webber and McMahon for the Bronze Star. Today they were congratulated by Brig. Gen. Richard Knowles, the brigade commander.

[From the Jackson (Mich.) Citizen Patriot, Apr. 6, 1967]

U.S. WINS MEAN CAMBODIA MORE VALUABLE TO VIET CONG

WASHINGTON (UPI).—The problem of Viet Cong sanctuary in neutral Cambodia is increasing as bigger battles are fought in border areas of South Vietnam, Pentagon officials said today.

The problem grows worse as U.S. military fortunes in Vietnam improve, they said. The more successful Allied forces are, the more the Communists flee into Cambodia to rest, bind up their wounds and gather strength before returning to battle.

Defense Department officials would give no estimates of how many North Vietnamese and Viet Cong troops have been using Cambodian territory as sanctuary. But they denied published reports from the field that more than one North Vietnamese division is based there.

The Pentagon lists no Communist units as "based" in Cambodia. Officials described the border situation as fluid, a constant coming and going. A regiment may be there one day and gone the next.

But larger battles do mean larger sanctuary, according to officials. In some of the major fighting of Operation Junction City in the Tay Ninh area near the border it is believed the Communists had nowhere to go but Cambodia.

Lt. Gen. Jonathan O. Seaman, former Field Force II commander in charge of Junction City, told a news conference in South Vietnam before leaving for a Washington assignment that he could not "prove" Communist forces fled to Cambodia but he was "willing to venture" some did.

[From U.S. News & World Report, Apr. 24, 1967]

HOW PEKING DOUBLECROSSES A FRIEND

Another Chinese ally in trouble is Cambodia's Prince Norodom Sihanouk.

For years, Sihanouk has proclaimed his country's neutrality, the while sidling up to Red China and North Vietnam. Now, he admits to being doublecrossed by the very people he has been covertly aiding.

In a recent speech in Pnompenh, the Prince declared he faces armed insurrection on two fronts.

In the West, near the Thai border, Cambodian Reds have mounted a campaign of terror. In the East, Viet Cong elements, driven into Cambodia by American operations in South Vietnam, are starting a "liberation war" of their own.

"People's China," said Sihanouk, "the great leader of Communism, is aware of all this. But why have they allowed their Khmer Viet Minh children to kill my partisans, who are only nationalists?"

There was another reason why Sihanouk was suddenly at outs with Peking. A major leak in Cambodia's foreign exchange comes from the sale of rice by overseas Chinese in Cambodia to Communist forces in South Vietnam. Now Sihanouk is trying to crack down on these sales—and those who foster them.

The Prince said no foreign intervention would be solicited to put down the Communist threats. This was in part an admission that he has nowhere to turn.

Cambodia broke diplomatic relations with the U.S. in May of 1965. In November of that year, Moscow told him they were "too busy" to receive him.

An American official in Saigon summed it up this way:

"It's refreshing to see Sihanouk boiling in his own rice bowl. Maybe it'll bring him back to reality."

[From the Lansing (Mich.) State Journal, Apr. 16, 1967]

APPEASEMENT FAILS—SIHANOUK VOWS TO "REPRESS" REDS

UNITED NATIONS, N.Y.—Behind the silken curtain which Prince Sihanouk has erected between Cambodia and the outside world, fascinating and astonishing things are taking place.

A Communist revolt has broken out, similar in many respects to Viet Cong terrorism in Vietnam and Pathet Lao insurgency in Laos.

Red terrorists, objecting to the results of recent elections in which the Left lost ground, have gone into hiding in the forests and are emerging to assassinate civilians, set fire to villages, harass rice farmers and seize weapons from provincial guard posts.

What they are doing is described by Sihanouk—who has rarely so much as slapped a Communist on the wrist—as "groundless revolution."

Refusing to bow to Red demands for a sweeping change in the government (two officials were ousted in a vain effort to satisfy them), he has vowed to "repress" the revolt. In effect, he has declared war.

This is an extraordinary turn of events for Cambodia. For a long time, Sihanouk sought to work closely with the Communists—cutting his ties to the West, giving the Viet Cong sanctuary and supplies, and orienting his diplomacy toward Moscow and Peking, whom he termed his "great friends". In large part, this is still his policy.

WANT ALL OR NOTHING

As in Indonesia, however, none of this satisfied the Reds. They wanted all or nothing, and are now reaching for the complete prize. Appeasement has crumbled at Sihanouk's feet.

The prince's reaction is that of a confused, dismayed and angry man. He has identified the "masters" of the Cambodian rebels as the Viet Cong. He says he will resist. But he will not turn to the West for help.

"I will absolutely not ask for support from the Americans," he told the nation in a recent radiocast. He said he refused to become "lackeys of the Vietnamese or Thai." Without any real explanation, he said he would not even turn to France for help, though Paris has been helping him against right-wing rebel forces.

PLAINTIVE, NAIVE COMMENT

Where else to turn? In a plaintive and naive passage which must be one of the more remarkable comments of a head of state in recent times, Sihanouk asked his people:

"How can we ask China and Russia for ammunition and rifles to fight against the Khmer (Cambodian) Reds? . . . I dare not ask them."

The full text of Sihanouk's extraordinary broadcast has become available here. He says that if necessary, he will get the foreign exchange with which to buy weapons by such economies as closing all Cambodian embassies, calling home Cambodian diplomats, and suspending his cherished five-year development plan.

But he clearly cannot understand why it should be necessary. Cambodia has "given a great deal of aid to the Viet Minh (Communist-influenced rebels who drove out the French in the 1950s) and the Viet Cong," he points out.

"The Americans are aware of the fact that we have aided them (the Viet Cong) in the political and diplomatic fields. We have also given them aid in many other fields, which I cannot explain in detail." This, of course, is precisely what he has indignantly denied many times previously.

"People's China, the great leader of communism, is also aware of all this," Sihanouk went on, "but why have they allowed their Khmer Viet Minh children to kill my partisans who are only nationalists?"

In a climatic gesture comprehensible, no doubt, to an Asian audience, he spreads out his arms and offers to commit political harikari (*presumably knowing that popular opinion* will not let him).

If the communists want to take over power, he says, he will resign. "I have also written letters asking them (the Reds) to take over power. However, they have refused, and some of them do not even bother to answer.

"I beg you, Communists, to turn the nation into a Communist nation as of today, and not to mistreat the nation . . ."

But if they insist on fighting for power, he says he will go all out to prevent it.

TRAGI-COMIC STORY

What emerges is a tragi-comic story of the education of still another well-meaning fellow-traveler: a man who has been painfully disillusioned but is still clinging to the thorns that are tormenting him; who has found from experience that Communists cannot be smothered by kindness, but who is still trying to smother them—and fight them at the same time.

Perhaps the only comfort for an outsider is that the Sukarnos and the Nehrus who have followed the path of appeasement in the past have been inundated by their own naivete—and their successors are showing signs of having learned the lesson. It may well be happening again in Cambodia.

Thus it may be that communism—by its very brutality and double-dealing—is helping to destroy itself.

A BLATANT REPUBLICAN ATTEMPT TO DESTROY THE ELEMENTARY AND SECONDARY EDUCATION ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Resnick] is recognized for 60 minutes.

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may include charts and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RESNICK. Mr. Speaker, I begin with this question: Do not most of our colleagues believe that our Government should be working to eliminate the forces that perpetuate poverty and ignorance in our land, conditions which breed misery and crime?

Do not most of us believe that our Government should be actively working to improve the quality of education available to all American schoolchildren?

Obviously, most of us agree with these concepts. And so do the overwhelming majority of Americans. We all believe that in America today there should be no justification for ignorance, hopelessness or despair.

Yet, such basic concepts as eliminating poverty and improving the quality of American education are under heavy attack from our Republican colleagues. Many programs initiated by the Johnson administration face a serious threat this year, and are being challenged by a well-organized Republican attempt to wipe out the progress of the 89th Congress and the Great Society.

Last week I spoke about Republican attempts to wreck *the administration's* war against poverty.

Today, I want to speak to you about another proposal presented to Congress by the Republican wrecking crew. This proposal would do nothing less than destroy the landmark Elementary and *Secondary Education Act.*

Of course, the Republicans claim they are not trying to destroy anything. They say their only purpose is to improve existing programs. But the fact is that if the amendments offered by the gentleman from Minnesota on the Education Act are passed, the Republicans will have succeeded in killing one of the most important laws enacted by an American Congress in many decades.

The Quie amendment is based on an old Republican operational philosophy: the people be damned, especially those in need, whether they are in need of an education, or housing, or help. It is always very difficult for the Republicans to understand how anybody could need anything.

We have learned that to improve the quality of education—particularly for schoolchildren who are economically deprived—we need the full cooperation of Federal, State, and local educational agencies.

Yet the Republican proposal would destroy the very spirit of cooperation that we have worked so hard to create. The Republicans would give complete control of funds to the States, thus depriving local school districts of the ability to create programs responsive to local needs and local conditions.

The Quie amendment cannot stand on its own merits. He knows it. And so he is trying to prime the pump of a destructive program with money. In fact, he has proposed a gigantic piggy bank to dispense funds and instead of giving the keys to educators he is giving the keys to hometown politicians. He has drawn up a phony list of figures which purportedly demonstrates that most States would receive less money under the administration's bill than under his amendments.

His chart contains two columns—the first shows what States would receive under his proposal—a total of $3 billion. The second column shows what States would receive under what he thinks the Congress would appropriate for title I, and he thinks $1 billion less than what the administration has requested.

In other words, he has loaded the dice *in favor of his own bill—hoping to win* support from our colleagues whom he knows would not otherwise give his proposals a second glance.

The truth is that most States would receive far less under the Quie proposal. For example, my own State of New York would receive $122 million less. I was a little more than curious, after seeing how poorly my own State of New York fared, to see how Minnesota would make out. Imagine my surprise when I learned that Minnesota's share will go from $58.8 million to $61.3 million, or a gain of $2½ million under the gentleman's proposal. I would certainly like to know what magic formula produced these differences. I also could wonder why Georgia would lose $30 million under the Quie amendment or close to *30 percent; and, West Virginia, a State* that has been doing everything possible to help itself, would lose $12 million, or 25 percent loss as compared to the administration bill. I can understand how the District of Columbia would lose $6 million or 50 percent of its allocation under *the committee bill, for after all, the District* of Columbia does not have anybody to stand up to the distinguished gentleman from Minnesota and his meat ax.

Southern and border States as a group would receive $373 million less. Our great industrial States like California, Illinois, and New Jersey would also be big losers.

As a New York Congressman, I could not possibly vote for this proposal. The educational needs of the Empire State are no different from those of most other sections of the Nation. We need more money to build new schools; we need to raise the salaries of our underpaid teachers; we need to raise the level of our educational competency. We cannot hope to achieve these goals with less money. On this score alone, the Quie amendment would be a catastrophe for education in New York State now and for years to come.

But the issues involved in this amendment transcend any concern about its effects only on my home district and State. For the Republicans want nothing less than an end to our Federal Government's program of aid to American education. This is the real meaning of the Quie amendment.

Consider the consequences of this proposal.

The Republicans would earmark only 50 percent of funds for educationally deprived children. The existing Elementary and Secondary Education Act sets aside 75 percent for this purpose.

The Republican amendment wipes out—yes, completely eliminates—special programs for migrant workers and their families, foster children, dependent children overseas, and Indian children. It also entirely eliminates the promising Teacher Corps program and special educational programs for handicapped, neglected, or delinquent children.

The Republican bill authorizes no requirements for program evaluation—the States simply get the money, and that is that. There are no legislative safeguards to insure that money is spent fairly or properly, and absolutely no concern for our goal of educational equality throughout the United States.

In short, where Federal programs in education insist upon adequate scope and quality from those administering the programs, the Republicans blatantly insist on nothing. How is that for a carte blanche invitation to chaos? Republicans cry about Federal money with strings attached. But the truth is that so-called strings really mean standards that are imposed upon those participating in Federal programs.

I can sum up the Republican proposal in one phrase: They would take from the poor and give to the rich. It is a very old Republican scheme.

And by so doing, they would dash the hopes of millions of Americans who are participating in one of the most successful educational programs the world has ever seen.

The Elementary and Secondary Education Act has already enriched the lives of 8.3 million schoolchildren in nearly 18,000 school districts in every State in the Union.

Nearly $1 billion has been provided for Federal educational services ranging from remedial reading, to student and parent night classes, educational television, and bus service in isolated areas.

This program began only after we had identified the greatest needs in our society. It was shaped to be responsive to those needs. And it is doing so right today.

Now, I ask you—do we want to do away with such a vital program?

Do we want to stop now? Just as we have begun to feel the impact across the country?

Do we want to go back to where we were 6 years ago when the Federal Government looked the other way on educational needs?

Federal aid to primary and secondary schools was established for one reason and one reason only, because the people needed it and needed it badly.

As we all know, most of the money to finance education is raised by local property taxes. This type of taxation was adequate 100 years ago. It has long since outgrown its usefulness. The biggest share of this inequitable tax system falls on the shoulders of the small property owner and the small businessman. The large corporations and those able to pay, contribute virtually nothing under our present system. Only through Federal aid to education with the money coming from everybody's income tax, equitably and proportionately, can we hope to raise the great sums of money that we need today and the even far greater sums that will be required in the near future. If American education is to continue to reshape our country and our world, it can no longer depend on the frail base of local property taxes that virtually exempt those most capable of supporting it.

I can tell this distinguished body that no program enacted by Congress has meant more to President Johnson and his administration than this program, and I can further assure you that no one is willing to fight harder against these Republican attempts to scuttle this great act than our President and those of us who believe with him that education is the first order of public business of this administration's domestic policy.

Who are these Republicans who have suddenly taken a great interest in American education?

Where were they in 1965 when 68 percent of House Republicans voted to recommit this bill?

Where were they when 73 percent of House Republicans voted against final passage?

Are we really to believe that these Republicans are now suddenly interested in or committed to improving the quality of our education in this country?

Let us look at the voting record of the man who says he is the greatest friend that American education has, the author of the block grant substitute bill, the distinguished and capable gentleman from Minnesota.

In 1960, the gentleman voted against a $1,300,000,000 public school construction bill, to be administered by the States under their own plans.

In 1961, he voted against a $325 million emergency school construction program and a continuation of the student loan program of NDEA and the federally impacted areas program.

In 1963, this "great friend of education" voted against the Health Professions Educational Assistance Act.

In December of 1963, the gentleman voted to recommit the Vocational Education Act and voted against the adoption of the conference report on this groundbreaking legislation.

In 1964, he voted twice to kill support for urban public library services and for library construction assistance. In 1965, education's friend and the vast majority of his Republican colleagues voted to recommit the Elementary and Secondary Education Act and against final passage of this act which is the cornerstone of our system of Federal aid to education.

Again in 1965, this self-proclaimed champion of Federal assistance voted twice to kill the Higher Education Act of 1965.

With friends like this, those American children who are in desperate need of a decent education, need no enemies. I submit, that on the basis of this gentleman's previous voting record on education bills, it is about as wise to follow his suggestions as to send your kid sister out for a walk with Jack-the-Ripper.

I, for one, would appreciate it if the gentleman from Minnesota would explain to me when his great conversion in favor of Federal aid to education took place. When did Dr. Jekyll suddenly turn into Mr. Hyde? What strange brew or vapors have caused the distinguished gentleman to be transformed into a devoted, dedicated friend of American education? Perhaps the gentleman could share this most essential formula that made his conversion so that we could use it on some of his Republican colleagues who, while insisting they are friends of American children and the cause of better education, try to prove it by voting against the legislation that will provide the one essential ingredient for better education—money.

The Quie bill is unjust and immoral. It would do little for those who need help most. In States where racial discrimination is rampant, Federal standards provide the only chance for fairness to Negro students. There are no such standards in the Republican bill. They have planned it that way.

I call it unjust and immoral for still another reason. The gentleman from Minnesota and his Republican colleagues know that for decades Congress and various administrations have struggled to find a formula that would provide Federal aid to education and still maintain the traditional separation of church and state. They know full well that if the formula that was so carefully worked out to provide aid to both public and private schools is upset, all Federal aid runs the risk of being declared unconstitutional. By maintaining the standards of the present Elementary and Secondary Education Act, by providing aid to the student and not to the school, we have found a fair and equitable solution to a most difficult problem. I know of no surer way of killing this whole program than to upset the balance and open it up to charges of unconstitutionality.

This is a struggle between those who believe in progress for all of the people and those who do not. I know that there are frustrations in dealing with a bureaucracy. I know that some school administrators are minor and can be overcome.

The real issue is this: We have a good and sound educational program that works and works well. The 89th Congress passed this law with high hopes. And President Johnson signed this law with pride of accomplishment.

Those of us who served in the 89th Congress know full well that if we had listened to the Republican voices of "doom" and "gloom" and "it can't be done," that the 89th would never have been known as the Congress of accomplishment. President Johnson's administration, in partnership with the school boards and administrators and teachers and students proved it could be done. It will be up to us to see that this great concept continues to grow and flourish.

I think we are making progress, however. In the past, Republicans would simply vote against legislation aimed at educational advancement and would openly admit they were against these measures. Now, at least, they are doing their best to camouflage their opposition and to make it appear as though they are in favor of Federal aid to education. But I think it is reasonable to assume that neither the Members of this distinguished body nor the great American public will be misled for long by this modern legislative version of the old shell game.

Mr. Speaker, earlier this week the distinguished Commissioner of the Office of Education, as well as the chairman of the House Labor and Education Committee, spoke out against this Republican proposal. I include in the RECORD the remarks of Commissioner Howe and Chairman PERKINS:

CHAIRMAN PERKINS REPLIES: "QUIE OFFERS PHONY FIGURES TO GARNER VOTES"

Representative Quie, in introducing his third substitute to H.R. 7819, the Elementary and Secondary Education Amendments of 1967 (the bill to extend the Elementary and Secondary Act of 1965), inserted in the Congressional Record for April 20, 1967, a table purporting to show the comparative distribution of funds among States under the Elementary and Secondary Education Act as now constituted and under his proposed amendment. According to Mr. Quie, all States except New York and the District of Columbia would benefit from the block grants proposed by the Quie substitute. However, the claim of increases reflected in Mr. Quie's table is utterly false.

The major fallacy in Rep. Quie's statistics is that he compares authorization for the block-grant substitute with what he imagines the Administration will request in appropriations for fiscal year 1969. No budget for fiscal year 1969 will be submitted to the Congress until January 1968, and no one now knows how much money will be requested. An honest comparison of amounts States would receive under two alternative proposals should compare like with like, authorization with authorization.

The attached table compares authorizations under the Quie substitute with authorizations under the four titles of the Elementary and Secondary Education Act which it would replace.

Several things are clear from this table. First, the $3 billion lump-sum figure in the Quie substitute is actually a substantial decrease in Federal assistance to elementary and secondary education—a cut of $281.5 million from the existing authorization!

Second, 25 States would receive substantially less money under the Quie substitute than they would receive under ESEA. (The Department of Defense Overseas Schools and the Bureau of Indian Affairs Schools would be excluded altogether.) The States thus hurt include all the Southern and border States, with the exception of Maryland, and some of our Nation's biggest and most populous States—New York, California, Illinois, New Jersey, and Texas, for example. It is precisely these States—States with low per-pupil expenditures for education or States with the largest numbers of educationally disadvantaged children enrolled in school—which need Federal assistance the most.

Comparison of authorizations under H.R. 7819 as approved by the House Committee on Education and Labor and under the proposed substitute by Representative Quie (H.R. 8983), fiscal year 1969 [1]

	Committee bill	Quie bill	Net gain or loss (col. 2 minus col. 1)
U.S. and outlying areas	$3,281,467,883	[2]$3,000,000,000	$281,467,883
50 States and the District of Columbia	3,198,470,325	2,910,000,000	288,470,325
Alabama	106,719,767	74,984,127	31,735,640
Alaska	5,467,596	4,113,410	1,354,186
Arizona	25,664,306	30,283,668	4,619,362
Arkansas	65,786,875	39,088,258	26,698,617
California	208,855,676	206,119,222	2,736,454
Colorado	26,914,439	31,768,327	4,853,888
Connecticut	26,705,283	28,098,959	1,393,676
Delaware	6,897,339	6,390,385	506,954
Florida	94,349,862	88,597,972	5,751,890
Georgia	118,208,361	88,063,650	30,144,711
Hawaii	8,308,769	11,671,947	3,363,178
Idaho	10,360,644	14,094,094	3,733,450
Illinois	127,666,495	119,475,294	8,191,201
Indiana	55,880,401	76,079,751	20,199,350
Iowa	44,788,350	44,191,479	596,871
Kansas	30,089,487	35,134,269	5,044,782
Kentucky	87,489,613	62,954,095	24,535,518
Louisiana	97,811,654	78,535,534	19,276,120
Maine	14,643,927	17,471,949	2,828,022
Maryland	43,129,420	50,996,592	7,867,172
Massachusetts	49,776,056	60,738,670	10,962,614
Michigan	95,459,641	132,509,268	37,049,627
Minnesota	58,866,056	61,379,507	2,513,451
Mississippi	99,529,772	52,013,966	47,515,806
Missouri	72,835,424	64,100,525	8,734,899
50 States and etc.—Continued			
Montana	$11,162,661	$13,277,485	$2,114,824
Nebraska	23,072,816	23,124,793	51,977
Nevada	4,197,514	4,506,765	309,251
New Hampshire	6,762,289	10,254,911	3,492,622
New Jersey	70,762,078	70,052,005	710,073
New Mexico	22,277,154	23,384,655	1,107,501
New York	286,213,671	164,309,713	121,903,958
North Carolina	150,361,444	100,797,585	49,563,859
North Dakota	14,648,447	13,340,319	1,308,128
Ohio	110,928,936	159,489,128	48,560,192
Oklahoma	47,998,215	40,586,581	7,411,634
Oregon	23,349,537	29,127,896	5,778,309
Pennsylvania	141,557,132	157,773,688	16,216,556
Rhode Island	11,097,377	11,211,904	114,527
South Carolina	89,735,037	56,841,559	32,893,478
South Dakota	16,517,657	14,122,708	2,394,949
Tennessee	103,901,688	74,748,791	29,152,897
Texas	222,871,660	198,291,363	24,580,297
Utah	10,975,409	21,925,807	10,950,398
Vermont	6,627,603	7,260,951	633,348
Virginia	89,751,592	77,159,025	12,592,567
Washington	32,580,281	43,028,933	10,448,652
West Virginia	48,384,092	36,279,296	12,104,796
Wisconsin	52,157,299	67,615,259	15,457,960
Wyoming	5,381,397	5,899,625	518,228
District of Columbia	12,992,076	6,734,337	6,257,739
Outlying areas	82,997,558	90,000,000	7,002,448

[1] Estimated authorizations based on:

Title I, estimated 5 to 17 population; low-income factor, $3,000 per annum; AFDC 1965; estimated ADA handicapped children (January 1967); estimated migratory children of migratory workers (FTE 1965); juvenile delinquents (January 1967); dependent and neglected children (January 1967); estimated children 5 to 17 in foster homes supported by public funds (January 1967) and 50 percent State or National average estimated CE per pupil in ADA 1966–67 (except migratory children). Estimated authorizations for administration are 1 percent of estimated authorization for programs or $150,000, whichever is greater. Amount for outlying areas estimated at 2½ percent 50 States and District of Columbia amount.

Title II, estimated distribution of $150,000,000 to the 50 States and District of Columbia on the basis of total public and estimated nonpublic K–12 enrollment, fall 1966. Amount for outlying areas estimated at 3 percent of 50 States and District of Columbia amount.

Title III, estimated distribution of $500,000,000 to the 50 States and District of Columbia with a basic allotment of $200,000 and the balance distributed 50 percent on the basis of the 5 to 17 resident population, July 1, 1965, and 50 percent on the basis of total resident population, July 1, 1965. Amount for outlying areas estimated at 3 percent of 50 States and District of Columbia amount.

Title V(A), estimated distribution of $56,000,000 with 15 percent ($8,400,000) withheld for special projects, 2 percent ($952,000) of the balance withheld for outlying areas and the remainder ($46,648,000) distributed (a) 40 percent ($18,659,200) among the States in equal amounts and (b) 60 percent ($27,988,800) distributed on the basis of the total K-12 public school enrollment, fall 1966.

[2] Estimated distribution of $3,000,000,000 with 3 percent reserved for the outlying areas and the balance distributed on the basis of the State products of (1) fiscal year 1968–69 NDEA allotment ratios which are based on total personal income per school-age (5 to 17) child for 1963, 1964 and 1965 with allotment ratio limits of 33⅓ percent and 66⅔ percent, and (2) estimated 5 to 17 populations, July 1, 1965.

WHAT'S WRONG WITH QUIE SUBSTITUTE

I. Procedurally, not considered by the Commitee. No hearings held. Don't know what's in the bill. The April 20 Quie bill is the third version introduced this month! Unlike the present ESEA, the Quie bill is not supported by the world of education.

II. Administratively, it would throw American education into chaos. It would change all the ground rules and upset the patterns of successful innovation and service begun in the past 2 years.

III. It would launch a new Holy War, reintroducing the bitter divisiveness of the church-state issue. Disadvantaged private school students, now enjoying the benefit of participating in many local public school programs, would be excluded under the Quie plan if administered by many State departments of education.

IV. Formula of Quie bill takes from the poorer States and gives to the wealthier. (It would reduce the authorizations for 16 Southern and border States by $373 million. It would also cut New York, California, Illinois, and New Jersey by $134 million.) Proposed formula change is contradictory to last Quie amendment (½ the national average per pupil expenditure) which was designed to help poorer States.

V. Many States are not yet ready to handle the entire job. State departments of education are being strengthened, but only gradually.

VI. The Quie bill sets aside 50 percent of all funds for the educationally deprived, while the ESEA earmarks 75 percent for this critical national purpose. The Quie bill has no guarantee that cities will not suffer from discrimination in the distribution of funds. The strength of the present ESEA is that the Congress, not Governors or the State departments of education, guarantees that certain essential jobs will be done which were formerly neglected by the States.

VII. No local school district would know its entitlement under the Quie bill, unlike ESEA which establishes definite entitlements for each county and, through the States, for each local school district.

VIII. The Quie substitute would wipe out programs for specified beneficiaries of the present ESEA: children of migrant workers, foster children, children in the Department of Defense's Overseas Schools, Department of Interior's Bureau of Indian Affairs Schools. It would also delete provisions for successfully operating programs: Teacher Corps, special education for children in State institutions for the handicapped, neglected or delinquent, etc.

COMPARISON OF AUTHORIZATIONS UNDER COMMITTEE BILL (H.R. 7819) AND QUIE SUBSTITUTE

Fiscal year 1968; no change.

Fiscal year 1969; losses as follows, compared to the committee bill:

	In millions
Alabama	−$32
Arkansas	−27
Florida	− 6
Georgia	−31
Kentucky	−24
Louisiana	−22
Mississippi	−46
Missouri	− 4
North Carolina	−50
Oklahoma	−$5
South Carolina	−31
Tennessee	−28
Texas	−27
Virginia	−22
West Virginia	−12
District of Columbia	− 6
16 Southern and border States	−373

(Overall, the Quie substitute slashes the authorization of the Elementary and Secondary Education Act by $281 million, to a total of $3 billion. As noted above, substantially more than this overall cut—or $373 million—is attributed to reductions in the entitlements of 16 Southern and border States.)

HIGHLIGHTS OF THE ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967, AS REPORTED (H.R. 7819) BY HOUSE COMMITTEE ON EDUCATION AND LABOR

I. *Elementary and Secondary Education Act of 1965* (P.L. 89–10).

Entire act extended one year through FY 1969.

Title I—*Opportunity for Disadvantaged Children:* $2.4 billion authorized for FY 1968; formula used in FY 1967 ($2000 low-income factor, ½ State average expenditure per pupil) is continued in effect until new formula ($3000, ½ State or ½ National average) is fully funded by appropriations.

Title II—*Library Resources and Textbooks:* $154.4 million authorized for FY 1968; No major amendments.

Title III—*Supplementary Centers and Services:* $515 million authorized for FY 1968; No major amendments.

Title IV—*Research* (Cooperative Research Act); No amendments.

Title V—*Strengthening State Departments of Education:* $45.5 million authorized for FY 1968; New $19.5 million program for comprehensive educational planning and evaluation.

Title VI—Education of Handicapped Children: $154.5 million authorized for FY 1968; New $7.5 million program for Regional Centers to diagnose and treat handicapped children's educational problems.

II. *Teacher Corps.*

$21 million authorized for FY 1968 for payment of Corpsmen's salaries; Extension of Teacher Corps for two years through FY 1969; Authorization of grants to school districts to employ Teacher Corps teams (Provisions for recruitment, selection and higher education training now pending in higher education subcommittee).

III. *Federally Affected Areas (P.L. 815 and P.L. 874).*

Both laws extended one year for school construction and for maintenance and operations.

DURATION OF AND AUTHORIZATIONS FOR PROGRAMS

SEC. 301.—Paragraph (a) extends title I of the Elementary and Secondary Education Act of 1965 (title II, Public Law 81–874) to June 30, 1969.

Paragraph (b) extends title II of the Elementary and Secondary Education Act of 1965 to June 30, 1969, and authorizes appropriations of $150 million for fiscal year 1969 for such title.

Paragraph (c) extends title III of ESEA to June 30, 1969, and authorizes appropriations of $500 million for the fiscal year 1969 for such title.

Paragraph (d) extends part A of title VI to June 30, 1969, and authorizes appropriations of $150 million for the fiscal year 1969 for such part.

Paragraph (e) extends the dissemination of information provision of title VII of ESEA to June 30, 1969, and authorizes $2 million for such provision for fiscal year 1969.

Estimated maximum authorizations for fiscal year 1968 for titles I, II, III, V, pt. A, V, pt. B, VI of the Elementary and Secondary Education Act of 1965

	Total estimated authorization	Estimated authorization: title I	Estimated authorization: title II	Estimated authorization: title III	Estimated authorization: title IV, pt. A	Estimated authorization: title V, pt. B	Estimated authorization: title VI
United States and outlying areas	$3,319,637,720	$2,442,337,720	$154,500,000	$515,000,000	$38,675,000	$14,625,000	$154,500,000
50 States and District of Columbia	3,235,083,891	2,382,799,891	150,000,000	500,000,000	37,901,500	14,332,500	150,000,000
Alabama	105,390,302	89,269,808	2,731,113	9,322,523	758,217	267,103	3,041,538
Alaska	5,546,462	3,773,026	193,035	914,593	329,765	124,259	211,784
Arizona	26,002,094	18,523,773	1,263,305	4,335,875	499,686	182,302	1,197,153
Arkansas	64,657,197	55,825,587	1,399,317	5,111,898	535,452	198,544	1,586,399
California	215,048,083	138,130,306	14,448,594	46,170,314	2,599,036	929,050	12,770,783
Colorado	27,582,099	18,426,286	1,647,185	5,229,772	560,550	198,899	1,519,407
Connecticut	27,980,548	15,785,810	2,171,080	7,205,237	612,511	237,993	1,967,917
Delaware	7,110,857	4,348,418	403,210	1,496,940	356,763	134,732	370,794
Florida	94,866,936	71,040,924	4,096,585	14,475,412	962,850	369,610	3,921,555
Georgia	117,083,122	97,369,339	3,324,106	11,563,035	864,379	307,263	3,635,000
Hawaii	8,726,557	4,934,866	598,700	2,062,233	384,833	143,917	602,008
Idaho	10,697,127	6,948,650	556,915	2,035,852	389,449	143,163	623,098
Illinois	131,519,936	86,580,633	8,289,828	26,696,694	1,437,739	584,609	7,930,433
Indiana	58,154,845	36,306,622	3,925,009	12,717,065	907,278	329,539	3,969,332
Iowa	45,536,270	32,929,023	2,245,656	7,187,724	633,341	234,798	2,305,728
Kansas	30,937,807	20,728,355	1,727,053	5,896,633	569,684	212,167	1,803,915
Kentucky	86,688,094	72,408,151	2,332,424	8,324,472	653,507	253,214	2,716,326
Louisiana	96,940,872	80,268,352	2,950,410	9,680,553	730,720	270,387	3,040,450
Maine	15,023,943	10,162,772	785,055	2,685,333	414,524	156,165	820,094
Maryland	44,427,623	28,728,875	2,837,887	9,246,027	715,020	269,233	2,630,581
Massachusetts	52,435,785	29,776,412	4,127,343	13,313,389	869,362	350,307	3,998,972
Michigan	99,304,613	61,576,074	7,185,401	21,942,477	1,361,554	481,481	6,757,626
Minnesota	59,746,091	43,268,972	3,071,862	9,452,855	738,371	270,476	2,943,555
Mississippi	97,421,102	86,270,962	1,812,389	6,390,085	603,860	214,874	2,128,932
Missouri	73,662,459	54,347,983	3,468,884	11,309,004	806,344	311,745	3,418,499
Montana	11,438,429	7,691,331	575,773	2,643,590	385,992	143,607	598,136
Nebraska	23,469,142	16,635,971	1,151,397	3,880,683	465,661	177,155	1,158,275
Nevada	4,381,534	2,041,776	338,013	1,287,283	354,161	131,670	228,631
New Hampshire	7,135,896	3,728,917	518,558	1,883,219	367,887	142,276	495,039
New Jersey	73,290,856	45,439,457	4,991,252	16,832,124	997,636	413,320	4,617,067
New Mexico	22,420,150	16,994,388	906,125	2,985,231	440,172	157,408	936,826
New York	288,255,819	216,532,645	12,619,222	43,757,254	2,013,174	915,871	12,417,659
North Carolina	148,452,766	126,329,326	3,634,274	12,946,483	922,471	331,403	4,288,809
North Dakota	14,731,861	11,205,420	513,039	1,915,461	375,213	141,344	581,384
Ohio	115,703,689	70,732,588	8,305,644	26,480,206	1,522,642	566,859	8,095,750
Oklahoma	48,169,820	37,252,388	1,871,559	6,257,144	613,329	221,042	1,954,358
Oregon	24,144,363	15,269,755	1,543,745	5,098,310	547,762	198,410	1,486,381
Pennsylvania	145,879,860	97,439,456	8,688,249	28,754,145	1,465,340	626,410	8,906,260
Rhode Island	11,486,815	7,245,338	658,410	2,369,343	381,614	151,949	680,161
South Carolina	88,396,764	76,158,304	1,987,356	6,998,344	636,574	225,568	2,390,618
South Dakota	16,542,400	12,831,195	584,748	1,992,717	385,927	142,852	604,961
Tennessee	102,867,701	85,974,498	2,740,727	9,953,965	759,056	283,256	3,156,199
Texas	222,781,192	176,179,204	8,229,062	27,622,982	1,651,043	582,390	8,516,511
Utah	11,603,277	6,282,663	899,995	2,930,566	451,405	156,520	882,128
Vermont	6,801,378	4,442,660	322,578	1,224,879	343,534	130,339	337,388
Virginia	89,859,088	70,549,173	3,209,083	11,448,239	827,062	306,550	3,516,981

Estimated maximum authorizations for fiscal year 1968 for titles I, II, III, V, pt. A, V, pt. B, VI of the Elementary and Secondary Education Act of 1965—Continued

	Total estimated authorization	Estimated authorization: title I	Estimated authorization: title II	Estimated authorization: title III	Estimated authorization: title IV, pt. A	Estimated authorization: title V, pt. B	Estimated authorization: title VI
50 States and District of Columbia—Continued							
Washington	$34,047,571	$20,493,564	$$2,458,750	$7,748,432	$695,023	$244,339	$2,407,463
West Virginia	48,150,281	39,598,127	1,326,693	4,840,005	519,612	192,952	1,672,894
Wisconsin	53,854,634	35,077,745	3,532,161	10,839,678	767,579	296,125	3,331,346
Wyoming	5,556,169	3,462,815	269,254	1,062,786	342,115	127,055	292,144
District of Columbia	13,121,612	9,481,208	521,989	2,060,936	374,721	148,000	534,758
Outlying areas	84,603,829	59,537,829	4,500,000	15,000,000	773,500	292,500	4,500,000

Paragraph (f) extends the temporary provisions of Public Law 81-815 to June 30, 1968.

Paragraph (g) extends the temporary provisions of Public Law 81-874 to June 30, 1969.

WHY A TEACHER CORPS?

The schools aren't reaching the slum kids, or kids in poor rural areas. When the schools fail, so do the kids. They are the ones who commit the crimes, wind up on welfare, are the dropouts from society. And the universities aren't training teachers who want to take on these jobs.

Local school systems and universities are now getting together to work out their own solutions, to develop Teacher Corps programs that must have state approval. As Dr. Sam Spinks of the Hattiesburg, Mississippi Public Schools says, "We have complete control of the program from the selection of personnel to defining and assigning duties and responsibilities." The job is part in the schools and part in the community, an effort to get slum parents to give more help to their own kids.

There are 1200 Corps members now. The $12,500,000 FY supplemental will pay tuition for present Corps members, enroll and train 2,500 more. The $36,000,000 requested for FY 68 (21,000,000 in the Elementary and Secondary Act and 15,000,000 in the Higher Education Act) will pay second year costs of the 2,500 Corps members and train 3,000 in the summer of 1968.

Experienced teachers, selected by the school systems, serve as team leaders for four to eight college graduates who work two years in the schools as intern teachers. At the same time they are enrolled in a local university. In two years they complete a Master's Degree program that prepares them for work in their tough schools.

Recruiting is a series of local efforts backed up by national publicity. Applicants are screened by the Teacher Corps for legal and minimum requirements, then selected by the school systems and universities.

The program works. It's at work in 20 of the 25 major cities and in rural communities in Appalachia, the Ozarks, on Indian reservations, in Mexican-American communities and Migrant areas. The NEA polled the superintendents and principals. Seventy-five percent said it's doing a better job in their schools, that it's a better way to train teachers. They want three times the number they have. And hundreds of other school systems have asked for Corpsmen. The universities have developed programs that not only work for Teacher Corps but will serve regular students in education.

The interns will receive less pay than students on a graduate fellowship. They seek a tough job in the schools that most need help. And most will stick. Far more persons in graduate teaching programs stay in the schools than do regular teacher graduates.

The Teacher Corps is mostly a program to get teachers who can help kids decide early that they can make it on their own. As one in the Dade County program said, "I like it in that class. I'm smart in there."

COMMISSIONER HOWE STATEMENT ON QUIE SUBSTITUTE, H.R. 8983

The proposed substitute for the Elementary and Secondary Education Act of 1965 raises serious questions about the continuity of major reforms in education launched by the Congress two years ago.

The key provision of the substitute is a system of "block" grants to States, starting in Fiscal Year 1969 with a total authorization of $3 billion—about $300 million less than authorized by present legislation. States could use block grants for eight listed categories of expenditure except that 50 percent of the funds must be used for educationally deprived children and 7 percent for library resources, textbooks, and equipment. Funds would be allocated to the States on the basis of the number of school children and relative income per child.

I regard this proposal as a backward step. Here are some of the reasons why:

Our analysis of the Quie formula shows that funds would be taken from the poorer States and given to the wealthier. In the 16 Southern and border States, authorizations would be reduced by $373 million in Fiscal Year 1969.

Some of the States with the largest concentrations of disadvantaged children would also lose authorized funds in Fiscal Year 1969. For example, New York, California, and Illinois would lose a total of approximately $133 million.

Disadvantaged private school students, now enjoying the benefits of participation in many local public school programs, would not have the same guarantees of eligibility under the Quie plan. Jeopardy to their participation could shatter the emergent spirit of good will and cooperation now developing between public and private school educators under the legislation enacted by the 89th Congress.

The Quie bill sets aside a minimum of 50 percent of all funds for the educationally deprived starting in fiscal 1969. Under the Administration bill for FY 1969, more than 80 percent of the authorization is allocated for these children under Title I—$2.6 billion, compared to the $1.5 billion called for by the Quie proposal. This watering down of our commitment to the least fortunate pupils is a step backward.

The substitute fails to guarantee special programs for children of migratory workers or children enrolled in Indian schools. These are two of the Nation's neediest groups of children. We have just begun to overcome the grave deficiencies of the education these children have been getting.

The proposal is damaging administratively to local school districts because they would not know their entitlements as they do under ESEA, which establishes definite entitlements for each county and—through the States—for each local school district.

The Quie substitute would delete specific provisions for programs that are operating successfully and deserve to live—among them, the Teacher Corps and special education programs for children in State institutions for the handicapped, neglected, and delinquent, and children in foster homes.

There is no requirement for evaluation of on-going programs by State and local educational agencies. The Congress would have no way of knowing if funds were being used effectively, or if the block grant approach paid off in better education than our broad categorical approach.

Many States are not yet ready to handle the entire job under block grants. State Departments of Education, with assistance from Federal funds, are gradually being strengthened, but many still lack the resources for this task.

There is no guarantee that an adequate share of funds to help educationally deprived children would be channeled by the States to the large cities, where the problem of teaching the disadvantaged is most acute. The cities have no specific entitlement under the Quie proposal, and in many States where political differences exist between the State capital and the metropolitan center, the victims of political disagreement may well be disadvantaged children.

In Fiscal Year 1968, which starts next July 1, the Quie proposal would make less money available to the large cities than would the bill reported out by the House Committee on Education and Labor. It is important to point out in regard to Mr. Quie's proposed legislation that some of the information entered by him on pages 10369-10370 of the CONGRESSIONAL RECORD (House) for April 20 is in error. Particularly the table of financial comparisons on page 10370 is misleading. Attached is a document which gives corrected figures. It compares authorizations in Fiscal 1969 under the Quie proposal with those under the Committee bill. In the table that Mr. Quie entered in the RECORD, he compared the authorization under the Quie bill with his estimate of appropriations under the Committee bill. Such a comparison is not valid.

The wording of the Quie proposal is such as to raise the possibility that Federal funds will be used to supplant local and State funds without any added benefit to children. Section 740(a) 7 requires that Federal funds for library resources and textbooks be over and above normal State and local expenditures for these purposes, but the large percentage of funds to be given the States under the Quie proposal are subject to no such requirement.

[From the New York Times, Apr. 26, 1967]

SCHOOL AID UNDER ATTACK

The House Republicans are playing a dangerous game with the program for Federal aid to elementary and secondary schools.

As worked out in the 1965 law, this program managed skillfully to steer around racial and religious antagonisms that had previously killed school-aid bills for a generation. Instead of general school aid, the law provides for assistance to individual school districts based upon the number of their children from families with annual incomes under $3,000. This provision funnels the aid to the districts that need it most.

Under this law the Federal funds remain under the control of public officials, but children in parochial schools are qualified to receive the same kind of supplementary assistance as those in public schools. In practice, such aid means providing them with the services of a remedial reading teacher or a guidance counselor or with a hot breakfast program. No money goes directly to any private or parochial school. Naturally, the program involves some fairly detailed Federal requirements including racial equality, but it has worked well because it also elicits cooperation between public and parochial school administrators at the local district level.

In place of this intricate and ingenious compromise, the Republican minority on the House Education and Labor Committee under leadership of Representative Quie of Minnesota proposes the substitution of block grants to the states for educational purposes. The formula of the Quie bill would provide less money for the impoverished rural districts of the South, but it appeals to racist sentiment because state education commissioners in the South could more easily evade Federal desegregation requirements.

The Quie bill attempts to pacify parochial school supporters by including a proviso that one-half of the block grants would have to be used for special programs in which poor children in religious schools could participate, much as they do now. But most states have language in their constitutions forbidding the spending of public money for private schools, and this restrictive language might be held to apply if the states received any genuine discretion in the use of these Federal grants. Moreover, unfortunately, some states have a history of bitter ill-will between their state departments of education and parochial school systems.

If Republicans and Southern Democrats unite to substitute the Quie bill for the simple renewal of the existing law, the effect may be to kill school aid altogether. This is because most Catholic members are likely then to vote against the bill on final passage. In short, there is serious danger that the nasty quarrels of the past will be exacerbated.

It is possible that block grants to the states might usefully be substituted for some existing Federal programs, but such a change would have to be made on an extremely limited, experimental basis and with great caution. The highly charged school aid program is the least promising place to begin.

LAW ENFORCEMENT ASSISTANCE ACT OF 1965: SECOND ANNUAL REPORT

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. CORMAN. Mr. Speaker, a few days ago the Attorney General submitted to the President and to the Congress its second annual report on the activities of the Office of Law Enforcement Assistance.

I had the privilege of authoring the Law Enforcement Assistance Act of 1965—Public Law 89–197—and the 1966 amendments to the act—Public Law 89–798. In passing this legislation, the Congress recognized the need for a national commitment in the war against crime. In signing the act on September 22, 1965, the President stated:

> We are not dealing here in subsidies. The basic responsibility for dealing with local crime and criminals is, must be, and remains local. But the Federal Government can provide an infusion of ideas and support for research, for experiments, for new programs.

The experiences of the Office of Law Enforcement Assistance have demonstrated the great need not only for a continuation of our commitment but for an expansion of assistance to the State and local law enforcement agencies if our joint efforts in the fight against crime are to be effective. The proposed Safe Streets and Crime Control Act of 1967, now under consideration in the House Committee on the Judiciary, will incorporate the provisions of Public Law 89–197 and 89–798. In his annual report, the Attorney General stated:

> The proposed Safe Streets and Crime Control Act of 1967 is a logical extension of the Law Enforcement Assistance Act, offering more direct, operational aid to law enforcement agencies while preserving the research and demonstration emphasis which provided the cornerstone for the Law Enforcement Assistance Act.

Under the act some $11.7 million, covering 194 projects, have been approved to date, with funds going to virtually every State in the Nation. Funded projects range from a computer-assisted patrol allocation project in St. Louis to a prosecutional training program for senior law students at Boston University.

The projects covered under the Law Enforcement Assistance Act's program operation are divided into seven categories: First, law enforcement training projects; second, law enforcement agency improvement; third, corrections projects; fourth, criminal justice projects; fifth, general studies and surveys; sixth, District of Columbia comprehensive program; and seventh, special Law Enforcement Assistance Act's programs.

I would like to call the attention of the House to a few of the awards made during the first year's operation of the Office of Law Enforcement Assistance. These will offer an indication of the crime-fighting efforts which have benefited from this program.

Law enforcement training projects:

South Carolina Law Enforcement Division, Columbia, S.C. A training program for closed circuit monthly presentations on basic police science topics for all State law enforcement personnel; estimated 3,000 participants.

University of Wyoming. A statewide training program—more than 600 officers—involving three training conferences per year at five regional locations in subjects relating to law enforcement.

Kentucky State Police. Four 1-day training conferences for Kentucky law enforcement officers from county and local agencies which do not provide regular training.

Law enforcement-agency improvement projects:

Los Angeles County, Calif. Sheriff's department, demonstration in routine police patrol utilizing helicopters.

Minneapolis Police Department. Placement of specially selected juvenile officers in Minneapolis junior high schools for improved preventive, educational, and school-police liaison work.

City of Phoenix, Ariz. Police records and data system study designed to modernize and integrate existing local systems and improve their capacity for meeting operational, analytical, and reporting requirements.

Corrections projects:

Opportunities, Inc., Providence, R.I. To establish model residential treatment facility for juvenile offenders as rehabilitation alternative between probation supervision in home and state training school commitment.

Western Interstate Commission for Higher Education, Boulder Colo. Regional training program for correctional personnel.

Southern Regional Education Board, Atlanta, Ga. Institute on manpower and training needs for correctional rehabilitation in the South.

Criminal justice projects—training, demonstration, and studies:

National District Attorneys Association, Chicago. Two-part training project in five Midwestern States.

Judicial Research Foundation, Denver, Colo. To define problem areas and needs in lower court systems relative to criminal case handling and recommend methods for dealing with such problems.

General studies and survey projects:

Arthur D. Little, Inc., Cambridge, Mass. Study of illicit traffic in narcotics and drugs and law enforcement methods for control and suppression.

National Opinion Research Center, University of Chicago. Study of the incidence of crime and attitudes of victims and nonvictims toward law enforcement personnel agencies.

Special Law Enforcement Assistance Act projects:

Wisconsin: Governor's Commission on Law Enforcement and Crime.

Law enforcement degree program development projects at: Eastern Kentucky State College, Memphis State University, University of Georgia, Indiana University, University of Pennsylvania.

The second year grants and projects continued to encourage the kind of crime fighting innovations which the first year's program emphasized.

In the short time of its existence the Office of Law Enforcement Assistance has accomplished a great deal. Projects were distributed over a wide geographical range and the programs that were developed were meaningful and important in the effort to combat the rising trend of crime in our country.

The Law Enforcement Assistance Office under the Department of Justice is to be highly commended on its swift and efficient implementation of Public Law 89–197.

NEED TO REVISE SELECTIVE SERVICE LAW—LIII

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, opponents of an all volunteer force have issued dire predictions that its makeup will be one of racial imbalance. They assume that a military career would have more appeal to young men from lower economic positions in society and since Negroes make up a large portion of this element, hence, it follows that Negroes then would constitute a very large percentage of a voluntary army. In a recent article by Gus Tyler of the International Ladies' Garment Workers' Union, he warned that "the voluntary army would be an army of the 'other America,' especially Negroes." The latest exponent of this position is Senator EDWARD KENNEDY. In a speech in Evanston, Ill., the senior Senator from Massachusetts implied that a volunteer army would contain a disproportionate number of Negroes and said that he opposed creating an all-volunteer army because it would be a "black army fighting wars for the rest of the country."

It is true that first term reenlistment rates for Negroes, which averaged some 45 percent in 1965, are quite high when compared to that of the white, which in that same year was 17 percent. Perhaps this is because the Army is the one fully desegregated institution in our society. Here the Negro has an opportunity to live on equal terms with his white colleague, to develop his talents, obtain a guaranteed income, gain promotion on merit and have a sense of accomplishment.

I do not think, however, that it is fair to say that Negroes alone, will rush in overwhelming numbers to join a volunteer army. The military has always appealed to certain segments within our society and will continue to do so, particularly when pay and other incentives are increased. I cannot understand why the Negro is deliberately singled out as the one element within our society that would be attracted to serve in a voluntary armed force. Such assumptions are entirely without merit.

I, of course, am not swayed by such talk. Even if Negroes should enlist in greater numbers than they presently do, I cannot see how this Government can discriminate against them by denying their right to serve their country. For those who are seriously concerned that the Negro will enlist in military service solely because it is the only avenue open to him for personal fulfilment, let me say to these people that they should show some concern now about developing other opportunities for the Negro youth within our society.

THE MENACE OF AIR AND WATER POLLUTION

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. GIAIMO. Mr. Speaker, in our legislative efforts during the past two decades to combat the menace of air and water pollution, the Congress has enacted legislation of three types: First, financial assistance to the States to aid their programs for the construction of municipal sewage treatment facilities; second, grants for research and the development of antipollution devices; and third, the development of judicial weapons against industrial and other polluters.

Today, I have reintroduced legislation to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement equipment. The time has come, I feel, for the Congress to initiate this new approach in its struggle against air and water pollution.

Mr. Speaker, one vital aspect of the challenge of a growing America is the preservation and reclamation of our limited natural resources, and in particular, curbing the ominous problem of contamination in the air we breathe and the water we drink. In 1960, America's water needs stood at more than 300 billion gallons a day. By 1980, those needs will more than double. By the turn of the century they will more than triple. Can we meet this future demand if we continue to lose more than 20 billion gallons of water each day to pollution? The air is free, but who wants to breathe it knowing it is contaminated? Each year over 133 million tons of pollutants are released into our atmosphere, of which nearly a third is directly attributable to industrial waste.

My legislation is designed to provide industrial plant owners with an economic incentive to install pollution control equipment. Under the provisions of this bill, the owner will be able to claim a tax deduction at an accelerated rate, spanning 36 months. To take advantage of this tax benefit, the owner need only notify the appropriate State pollution authority that he has installed the proper equipment. The State authority would then certify to the Secretary of Health, Education, and Welfare that the newly installed equipment meets all requirements established by the Secretary of the Treasury that the owner was eligible for the tax benefit.

Congress must take steps to assist and encourage industrial owners in their efforts to check pollution. The purchase and installment of pollution-control equipment is an extremely expensive undertaking. The competitiveness of our economy discourages capital outlay for nonproductive equipment and inhibits civic-minded businesses from taking action against pollution. It is in the public interest, their health and welfare, that the Federal Government assist those businesses that wish to help control pollution. The benefits of tax incentives have been proven in other fields. I am certain such an approach will work in this area as well.

PROCURE PHOTOCOPYING MACHINES

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I am offering today a resolution to authorize the Clerk of the House to procure or lease photocopying machinery so that Members may be provided with copies of pending amendments during debate.

Last August, shortly after the 12-day debate on the civil rights bill, I called the Members' attention to the frequent difficulty of finding out the exact language, and even sometimes the general thrust, of amendments offered; and I suggested:

> With today's marvelous copying machines, there would seem to be no reason why copies of amendments could not be run off as soon as they are sent to the Clerk's desk, so as to become available to Members shortly thereafter.

I know that all Members are concerned with improving House procedures. Surely the present practice with regard to the consideration of amendments leaves something to be desired. The reading of amendments by the Clerk is necessarily hurried and often even the reading is waived by unanimous consent. Normally, the Members have to rely on the explanation of amendments offered by the proponents under the 5-minute rule.

Sometimes, copies of amendments being considered are available at the committee's tables, at other times they are not. In any event, Members are naturally reluctant to disturb those at the committee tables who are managing the bill.

This unsatisfactory situation could be readily solved by the use of one of the modern, high-speed copying machines, which would make copies of amendments available in a matter of minutes to Members interested. Even amendments covering several pages could be made available quickly.

I am advised that all that is needed is a simple resolution authorizing the Clerk of the House to acquire, by purchase or lease, appropriate photocopying machinery to enable him to furnish one copy of any pending amendment to Members who may request it.

The text of my proposed resolution follows:

H. RES. 452

A resolution authorizing the Clerk of the House to furnish Members of the House of Representatives with copies of amendments offered for consideration on the floor of the House of Representatives

Resolved, That there is authorized to be expended from the contingent fund of the House of Representatives such sums as may be necessary for the Clerk of the House of Representatives to acquire, by purchase or lease, such photocopying or similar equipment as may be necessary to enable him to furnish during debate one copy of any amendment offered for consideration in the House of Representatives or in the Committee of the Whole House on the State of the Union to any Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) who requests such a copy.

GENERAL WESTMORELAND A FINE SOLDIER, BUT SHOULD NOT BE ADMINISTRATION SPOKESMAN

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. BINGHAM. Mr. Speaker, Gen. William C. Westmoreland is a fine soldier, and deserves recognition as such.

However, I find it deeply disturbing that he should be using his prominent position to speak out on subjects that are essentially political and go far beyond the proper province, in my view, of a commanding general in the field.

His condemnation of dissent and debate on the subject of the war was, in my judgment, deplorable. Moreover, it will have, if anything, the opposite effect from that which the general intended.

I was also greatly concerned by the following paragraph in the general's address to the Associated Press:

> Before leaving the military situation, I must honestly say that I am concerned about cease-fire proposals. In other wars, a cease-fire was an acceptable condition, but, in this war inevitably it will be a military advantage to the enemy and a detriment to our side. This is because of the clandestine character and covert methods of the enemy. Traditionally he has used covertly cease-fire periods to reinforce and resupply his units, and to strengthen and realign his political posture.

Even in short-range terms, this statement is highly questionable. Our side, too, has used periods of truce to rush forward supplies. Moreover, the political advantage of a period of truce may be far greater for the South Vietnamese—who can use a period of quiet to carry forward the "revolutionary development" program—than for the NLF and the Vietcong.

But a far more grievous error in the general's statement is that it totally overlooks the possibility that a cease-fire might lead to negotiations and ultimately to a peaceful settlement consistent with our goal of preserving the right of the people of South Vietnam to determine their own future. To this extent, the general's statement seems to be in conflict with the position of the administration, and particularly President Johnson's acceptance in principle of the proposals recently made by Secretary General U Thant for a mutual cease-fire and standstill to lead to negotiations.

Taken to its logical conclusion, the general's statement seems to be in conflict with his own recognition that this is a war of limited objectives. If, as he says, our goal is not total victory over North Vietnam, then an agreed cease-fire must necessarily be a first step in bringing the conflict to an end. It cannot be ended any other way.

In the nature of things, the military commander in the field sees only one side of a complex problem, the military side. His concern for his troops is natural and indeed commendable. But he cannot be expected to give full weight to the broad and psychological aspects of the situation, which may well determine the ultimate outcome.

Some commentators have concluded that General Westmoreland is acting as a spokesman for the administration. If that is so, and if his comments signal a change in the President's policy of seeking a negotiated settlement, then the country is entitled to know the facts.

I prefer to believe that, when General Westmoreland speaks on nonmilitary matters, he is speaking as an individual and without official authorization.

In either case, the net effect is bad. The world is being given an impression that our tradition of civilian supremacy is being undermined.

INDISPENSABLE CLASSROOM EQUIPMENT

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I would like to make a few remarks about education. Not just about education in general, but about that educational asset which is vital and necessary if we are going to have good education. It is: A good teacher in every classroom.

This Nation has been aroused to our dangerous lag in educational progress. On the one hand, we have wrought a marvelous nation which has taken great strides in science, economics, and social benefits. But the complex world in which we live requires trained intelligence to operate it. Sometimes it seems to me that we are trying to run a modern world of machines and gadgets with a horse-and-buggy educational program.

When we start to consider what we need in education, the first thing most of us think about is money. That is, if we only had more money, the problem would solve itself. Others among us say that more organization, an improved hierarchy, would result in great strides. These are essentials of a strong and effective educational system. We do need money, and much of it. We do need intelligent and imaginative and forceful leaders to tie our educational efforts together. But neither, nor both put together, will give us the kind of education we want unless we have the services of the right persons to meet our children face to face in the classroom, participating in the endless struggle to relay the wisdom and aspirations of the ages. Above all, we need the good classroom teacher if our educational problems are to be solved.

In this age, we tend to look for a substitute when the real thing is lacking. So we more or less instinctively turn to what might be substitutes for good teachers.

Some would accept organization as a substitute. An impressive staff of administrators, supervisors, specialists, experts, executives, and consultants is assembled. The theory is that the combined wisdom and ability of the carefully selected staff will somehow seep down to the gladiators immersed in the dust and sweat of the educational arena. A good organization is a requisite for an effective operations, admitted. But it is not a substitute for high quality work at the teaching level.

New gadgets are gaining in popularity among our educators. Our children sit for hours before television screens in the classrooms, before teaching machines and other computerized instruments. The contributions undeniably are impressive.

But these are tools. They are not instructors. We cannot automate all our instruction. Machines are dead and the breath of life is not in them. The learning process also requires animate, sentient, intelligent beings—acting and reacting toward one another. Good education requires a passionate devotion to the truths and mysteries and beauties of the universe. It requires an ardent desire to advance a new generation one step further along the road to understanding. It requires a dedicated individual, on fire with interest and enthusiasm and inspiration.

This is the indispensable classroom equipment.

In a recent message to Congress on the subject of education, the President stated:

> I do not recommend more of the same, but more that is better—to solve old problems, to create new institutions, to fulfill the potentialities of each individual in our land.

He stressed education because, it not only overcomes ignorance, but "arms the citizen against the other evils which afflict him.

He said that nothing is more fundamental to all we seek than our programs in health and education.

President Johnson backed his goals with proposals for additional funds.

Most of the States in the last few years have been making heroic efforts to increase funds for education. My own State of West Virginia is one of them. Under the leadership of a progressive Governor, with the active cooperation of a concerned State department of education, West Virginia is moving rapidly forward in building new schools to meet the demands of a new age. Additionally, we must find in West Virginia the ways and means of obtaining and keeping the good classroom teacher.

The colleges and universities of West Virginia are training capable teachers in reasonable numbers. Our tragedy is that our teachers are not always available to serve in local schools. School officials from States nearby and far, attracted by superior teachers bred and reared and trained in West Virginia, come to raid us.

"Come and help us," they say. "We have prestige schools and we will pay you more as a beginner than you may hope to earn after a lifetime of service in your home State."

Many of our most talented young people, naturally, respond. But the loss of ability to the State which reared and trained this superior individual is a "brain drain" of the most pernicious character.

The answer, of course, is to meet the competition. In industry, in business, in the professions, demand fixes price. Whatever pay is needed to obtain those who will meet the need is paid. In West Virginia, as in other States, we have made progress. But it is just a beginning.

We need not only to meet the competition in money but we need to assure the young teacher, and the older teacher, that we cherish his efforts and his sacrifices. We need to confer prestige on the occupation of instructing the young.

They serve with too few rewards, these dedicated individuals to whom we have entrusted our young people. In too many cases, we pay them poorly and treat them shabbily. We work them too hard and place too large demands on them.

The body is a deep mystery and only the highly trained physician can deal with it. His rewards, both financial and in public esteem, are great. But the mind is a deeper mystery. Something happens there when we learn but nobody knows exactly what. How to stimulate the mind to activity is even more of a mystery. How ironic, then, that the people to whom we turn for unlocking of the deeper mystery are too often shunted aside as we hurtle along other byways. We tend to drift from the main road, failing to put first things first.

Master educators, teachers in the classrooms, deserve more than what we have given them.

It is said that education is the capstone of the arch which supports civilization. If the capstone crumbles, the arch caves in on itself, and the edifice collapses in ruin. The teacher is the capstone on which everything rests.

My State, my Nation—our States, our Nation—must find ways to see that the capstone is strengthened and cherished.

VISIT OF VICE PRESIDENT HUMPHREY TO WESTERN EUROPE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the tremendous success of the recent visit by Vice President HUMPHREY to the nations of Western Europe drew acclaim in the European press. Likewise, here at home, the American press has lauded the firmness with which he withstood barrages of anti-American criticism.

The Vice President passed off the incidents which saw him splattered with paint and bombarded with eggs and flour. He pursued with devotion and determination the goals of his visit and he returned home with words of praise and the cheers of the vast majority of Europeans ringing in his ears.

Mr. HUMPHREY reminded Europe that America's resolve to shoulder its commitment to freedom in southeast Asia is indicative of the resolve with which America views its commitments in Europe.

The Call-Chronicle newspaper of Allentown, Pa., on its editorial page in the April 9 edition, lauded the Vice President for his composure, firmness, and frankness during his European trip.

This editorial was written by Mr. W. D. Reimert who had an opportunity to observe Mr. HUMPHREY'S persuasiveness when the Vice President addressed the kickoff dinner of the Lehigh County United Fund Campaign and the student body of Muhlenberg, both in Allentown, last September 23.

I feel Mr. Reimert has written a comprehensive appraisal of what Vice President HUMPHREY achieved in Europe, and I include his appraisal in the RECORD:

[From the Allentown (Pa.) Call-Chronicle, Apr. 9, 1967]

HUBERT HORATIO TO THE RESCUE

(By W. D. Reimer)

Lyndon B. Johnson's lot is at best an unhappy one. In the earlier days of his presidency, he was often accused of concentrating too much on domestic problems and neglecting the war in Vietnam.

His answer to this was to escalate the war in all directions. Then, of course, came the accusations that he was concentrating so much on the war that domestic matters were being neglected. In addition to this, it was found to his embarrassment, that the nation could not fight the war and have its butter too. So he proposed increasing taxes that had been repealed just a short while before.

More recently, a certain restiveness on the part of Uncle Sam's allies in Europe over the war in Vietnam and other matters such as NATO and the proposed nuclear proliferation treaty with Russia has caused considerable concern and was followed by accusations of concentrating too hard on the war and domestic matters to the neglect of important allies. England is unhappy. France is downright hostile and has summarily ordered American armed forces off the lot. Germany chafes under the restrictions of World War peace treaties.

So to answer the criticism and to take soundings in preparation for a projected trip to Europe the President dispatched Vice President Hubert Horatio Humphrey to the scene.

Everything considered, it is hard to see how he could have made a better choice. The United States needed a new face and a new approach in Europe. The statesmen of the continent were becoming a bit tired of Secretary of State Dean Rusk and the monotony of his line.

No secretary of state has ever worked harder than the indefatigable Rusk. The way he has stood up under the pressures of one of the world's toughest assignments has been just short of miraculous.

A lesser man would have folded up long ago and sought the surcease of private life. What is more, the attacks on the United States and its war policies have been so persistent and so vicious as to force the secretary of state into an unfortunately defensive position. And the more he was on the defense the less convincing he became. Europe wanted to hear another American voice.

In the few days he has been abroad, Hubert Humphrey has been anything but defensive. It is not his nature to be so. He has never been apologetic about anything he believes in. Like Harry Truman, the haberdasher from Kansas, Hubert Humphrey, the druggist from South Dakota, approaches things directly and simply. He is more of a spellbinder than Truman, and any one who has heard him in person will agree that his speeches though long are seldom dull.

Let it be recorded then that his current trip shapes up as a significant journey. By avoiding the double-talk of diplomacy and the tired cliches of all these years of the Vietnam war, by being just himself, a Mid-Western American who does not beat around the bush, Humphrey is believed to have made a deep impression on his hearers and a favorable one.

This in spite of the emphasis placed by the news services on demonstrations by anti-Vietnam war and Communist groups. Actually, the roughhouse that got so many headlines was relatively minor except in France. Some booing in England, a minor bomb scare, flour and eggs in Germany, some paint in Italy.

In London he stood up admirably to a barrage of pointed and slanted questions. After a cool reception from members of Parliament, he wound up being loudly cheered. To the British he said in effect: We are not asking you to stop criticizing the United States. We may be at fault in some things ourselves. But we do ask that in all fairness the criticism should be less one-sided. Hanoi and the Viet Cong are at fault, too. If you really want peace, stop making the United States the sole scapegoat for what is going on in Vietnam.

In Berlin Humphrey got more cheers than jeers. There he was roundly applauded when he said:

"Berliners know better than anyone else the value of commitments kept. And I know the people of Berlin know, as all free peoples know, that our commitment to freedom in one place is no less than our commitment to freedom in another place."

In France, Humphrey, who can act as well as orate, must have done exactly the right thing. For he was able to elicit from the dour De Gaulle the first kind words about the United States in many a long month:

"Despite whatever currently may be the difference in our respective actions in the midst of a troubled and, alas, bloodied world, your visit allows us to mark the long-standing and active friendship French people maintain towards the American people."

The violence of French demonstrations was not unexpected. There the Communists are more active and more emotionally voluble than in the other countries Humphrey visited. Certainly the burning of the American flag was a senseless and needless insult to an old ally, and the demonstrations as well as the failure of Paris police to hold them more firmly in hand may result in an indefinite postponement of President Johnson's visit. But, in the final analysis, what happened in man to man talks with French officials is what counted most, and in this respect Humphrey is believed to have put across a few important points.

When all is said and done, the nations of Western Europe shudder at the thought of what might happen if the United States ever withdraws its protective umbrella from its skies. Its statesmen know that if we violate our commitments in the Far East, we can just as easily do the same in Europe. They may take a certain pleasure in making Uncle Sam the scapegoat in Vietnam. But they know where their bread is buttered.

Humphrey's frankness and his fresh approach have reassured Europe that our concentration on Vietnam does not mean we are forgetting our obligations elsewhere. All this does not mean that West Europeans will love us more. But the chances are they now understand us better.

THE PROMOTION OF SAFETY OF PASSENGERS AND EMPLOYEES ON AMERICAN RAILROADS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. OLSEN. Mr. Speaker, many of the major safety requirements which affect the railroad industry were either initiated by law or are now bolstered by legislative action. The Congress has the traditional and important task of legislating in the area of railroad safety.

The 60-year-old statute which limits railroad operating employees to 16 hours on duty in 24 and provides for specific rest periods following the legal limit of work has gone unchanged since 1907 with the exception of some adjustments in the penalty provisions.

As I understand it, the law currently permits railroads to work engineers, firemen, conductors, brakemen, and switchmen up to 16 consecutive hours without rest. They are also permitted to work the men an aggregate of 16 hours in 24 without having to provide them with an 8-hour consecutive rest period.

The amendments I am introducing today reduces the 16-hour limit to a more reasonable 12 hours and provides that all employees subject to the law be given at least 8 consecutive hours' rest in the preceding 24-hour period.

Many changes have taken place in the character of railroad operations in the last 60 years, as you know. The speed of trains; the length of trains; the tonnage carried on trains have nearly doubled in just the last 20 years.

Yet there has been no move to require the railroads to provide operating employees with adequate rest periods in order to insure safe and efficient operation in view of this added burden and responsibility which falls upon them. I find it amazing that this law has not been amended earlier.

Impressive support for my amendments is found in reports of the Interstate Commerce Commission clearly indicating the increasing rate of accidents on our railroads. Indeed, we have a responsibility to pay greater attention to safety regulations. I do not think it is an unwarranted assumption to say excessive work hours imposed on the men who operate our Nation's trains have been one cause of the month-by-month increase in train accidents.

Mr. Speaker, I submit that we should have acted before, that the Congress has been remiss in this area of its responsibility and that we have an obligation to act now to eliminate the threat imposed on our railroad employees and on the general public by the absence of stricter regulations. Mr. Speaker, I urge my colleagues on the Committee on Interstate and Foreign Commerce and in the House to give serious consideration to the amendments I introduce today.

AMENDMENT TO THE MINERAL LEASING ACT OF 1920

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. OLSEN. Mr. Speaker, I have today introduced a bill to amend the Mineral Leasing Act of 1920 by repealing the limitations on the leasing of Federal coal lands imposed upon railroads.

Section 2(c) of the act prohibits the acquisition by a common carrier railroad of a permit or lease for any coal deposits except for its own use for railroad purposes, and in such event is limited to no more than 10,240 acres in the aggregate. Because the use of coal for railroad locomotive fuel ceased with the dieselization of the railroads, section 2(c) in practical effect prohibits the acquisition by a railroad of a Federal coal lease.

The results of these restrictions has been to impede the development of vast coal deposits on the public domain in the railroad checkerboard land-grant areas in our Western States, particularly in my State of Montana and our neighboring State of Wyoming.

At one time the Northern Pacific Railroad had extensive coal mining operations in Montana and Washington. Its Federal coal leases contained these restrictions. When the railroad changed to diesel locomotives, eventually all mining operations ceased. However, the railroad still owns large coal reserves and desires to develop them by entering into cooperative ventures with responsible members of the coal industry.

There is rapidly developing in the West a market for large quantities of coal to supply the vastly expanding network of large electric powerplant installations. In addition, markets will develop in the foreseeable future for huge tonnages of coal for the production of hydrocarbon chemicals and gasoline. The mining of these vast undeveloped coal reserves will bring employment to thousands of coal miners, a flow of new capital investment, a substantial increase in income and tax revenues, and will bring economic growth and technical progress to the West.

The reasons for the restrictions placed upon the rights of the railroads to assist in the development of this valuable resource, however valid they may have been in 1920, are no longer applicable. They have become unnecessarily restrictive and discriminatory, and there is no reason to continue them in effect when the result clearly has been to cause my State and other Western States rich in coal reserves to suffer a drastic economic impact.

The common carrier railroads of America will not be given an undue economic advantage over other prospective Federal coal lessees by the enactment of this legislation. They are subject to the vigorous enforcement of antitrust laws and regulations, the rate and general regulatory powers of the Interstate Commerce Commission, and the control of the Federal Power Commission and State public utility commissions. The rights of the public will be adequately and carefully protected by the Department of the Interior.

I call upon my fellow Members of Congress to support this effort to unlock and bring about the development of our valuable western coal reserves.

POVERTY PROGRAM SUCCESSFUL

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. OLSEN. Mr. Speaker, we have all seen articles in the press reporting shortcomings in programs directed by the Office of Economic Opportunity. The press is quick to report the occasional scandal in one program or another. I do not deny that there have been scandals, and I do not condemn the press. It is an unfortunate truth that errors in administration or scandals in operation have greater reader appeal than do the routine success stories related by individuals who have watched these programs in action.

There have been mistakes. There have been errors in the administration of these relatively new programs. No one denies this. On the other hand, however, a tremendous amount of good has been done through such programs as work-study, the Neighborhood Youth Corps, and Headstart.

I have just received a letter from Marilyn M. Rusoff, president of the Missoula, Mont., League of Women Voters. It is an excellent, unsolicited testimonial to the work that is being done by OEO. I want to share it with you, and I insert it at this point in the Congressional Record. Here is a part of a success story yet to be told:

League of Women Voters,
Missoula, Mont., April 12, 1967.

My Dear Mr. Olsen: Following a two-year study, the League of Women Voters strongly supports policies and programs in the United States to provide for all people equality of opportunity for education and employment. Our study here in Missoula encompassed both the national acts (OEO, MDT, Civil Rights, etc.) and a very direct, personal association, and in some cases involvement, with the initiation and development of the "War on Poverty" here. We have come to feel great confidence in Mr. Paul Carpino as the very capable and dedicated director of our local CAP program and we are distressed that this CAP program especially is under fire and seems likely to be further cut in funds and limited in its scope by the earmarking of the funds. Here in Missoula the initiation and development of measures to combat poverty have been carefully tailored to local needs as determined by an initial survey of over 1000 low-income families and we see the exercise of local initiative as one of the strengths of the whole OEO program.

In a community of this size we come into direct contact with persons who are helped by various OEO programs and we could describe many specific cases. A Crow Indian high school girl, without family assistance, has supported herself working for her "keep" for years and now with her Youth Corps job for the first time has money to buy clothes and school supplies. The training and experience she is getting in the Youth Corps are helping greatly to give her the self-confidence she needs to persist in the face of extra difficulties she will encounter, as an Indian in job seeking. With this help and encouragement we now feel she may well succeed in developing the real potential she has to become a self-respecting and self-supporting young woman.

A college student from a very low-income rural Montana home is enabled to stay at the University without periodically taking time out to work because of his Work-Study job. Often the top student in his classes, he is getting experience in working in his chosen field and providing valuable research assistance for his professor.

We have visited the new North Side Community Center, set up with much volunteer effort on the part of the residents of the area and the assistance of the CAP. We find that already every evening for several weeks is booked at the center; adult basic education classes, volunteer tutoring classes for high school students; homemaker classes for young mothers, legal aid counseling, and recreation programs for all ages. A day Care Center is providing child care for a young mother we know who is enabled to get business training under MDT which she needs because her husband has deserted her and several small children.

The Community Action Program here has been in effect not much more than a year but is certainly showing its worth. We Leaguers in Missoula do not know what is happening in big cities or rural areas over the country but we do know that right here we are making a real beginning in reaching the disadvantaged and helping them to improve their lot.

We urge you to support these programs.

Yours sincerely,

MARILYN M. RUSOFF,
President.

COOPERATIVE LEAGUE, A STRONG BACKER OF TRUTH IN LENDING

Mr. WALKER. Mr. Speaker, I ask *unanimous consent that the gentleman* from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the Cooperative League of the USA has long fought for the passage of meaningful truth-in-lending legislation.

The league is a national federation of all types of customer-owned businesses which deal with some 18 million families in our country. Last week, Mr. Shelby Southard, of the Cooperative League, appeared before the Senate Banking Committee's Financial Institutions Subcommittee to testify on behalf of S. 5, the Truth in Lending Act.

Not only did Mr. Southard strongly endorse the legislation, but he issued a warning against any attempts to water down the bill. In part, Mr. Southard said:

> Be certain that "Truth in Lending" describes your final product accurately. You owe this much to a long line of persons in and out of public life who have worked selflessly through three Administrations to insure passage of a bill which deserves that label, and—more importantly, you owe it to the people of this country.

Because of the strong stand that the Cooperative League has taken in favor of truth in lending, I am including a copy of Mr. Southard's testimony in my remarks:

STATEMENT OF SHELBY EDW. SOUTHARD, OF THE COOPERATIVE LEAGUE OF THE USA, TO SENATE BANKING COMMITTEE, SUBCOMMITTEE ON FINANCIAL INSTITUTIONS, REGARDING SENATE BILL S. 5—THE TRUTH IN LENDING ACT

Mr. Chairman, the Cooperative League of the USA thanks your Committee for giving us the opportunity to share with you our views on the legislation before you, the Truth in Lending Bill (S. 5).

The League, which is a national federation of all types of customer-owned businesses with members in all 50 States, was one of the pioneer groups to urge upon Congress the wisdom of a bill such as this, which has as its central purpose to make the typical consumer more alive to what his use of credit is costing him. Wise credit use is often the touchstone of business success and in the management of our personal financial affairs as well.

This is especially true of cooperative business. It is so whether it be in the field of housing, insurance, rural electrics, the grocery business, farm supply and marketing, prepaid group health plans, or credit unions. We can speak with considerable assurance on this point because League member organizations are active in every one of those fields, so that our activities extend now to over 18 million families in this country.

It is through the credit unions that we are *most vividly conscious of the need to make* people aware of what credit is costing them when they borrow money or buy on the installment plan. The dramatic growth in the number of credit unions and their lengthening membership rolls are solid evidence that, as people do discover how important this is, they do *something about it.*

Senator Proxmire's bill differs only slightly from the earlier bill on this subject introduced several times by former Senator Paul Douglas. We supported and worked for the Douglas bill and we have compared carefully the provisions of his bill with the one proposed by Senator Proxmire. To be effective *the bill must require that the cost of* credit be expressed as an annual percentage, including in that rate the "incidentals" for fees, credit reports, and the like, which have a way of mounting alarmingly without the customer's noticing it. Also at the crux of the matter is the requirement that all forms of consumer credit including small loans, installment purchases, revolving credit, and home mortgages be covered.

We are pleased that the Proxmire bill includes all these points. They are the important ones. Unless we have such a law, there can be no assurance that consumers have those elementary facts they need to make wise decisions when they buy. No one argues when the car buyer wants to look at the motor, the tires, the upholstery, the air conditioning. These are components by which the manufacturer competes for the buyer's favor. But another component, frequently more important than any of these, is the cost of credit. There is no logical reason the buyer should not also know precisely what the credit component is going to cost—and not buried beneath a suffocating blanket of detail which has as its purpose, not to inform, but to cover up its real cost.

During the earlier rounds of this now 6-year-old debate, the opponents made some headway by raising a series of questions beginning "What if—?" These iffy questions all had to do with how difficult such a law would be to enforce, and its friends could only say then that it is a simple thing to print up rate tables covering every conceivable variation of interest charges. (In fact, the Treasury Department and Department of Defense have recently done so—so simply any clerk can use them.) But the answer to such iffy questions now is that the State of Massachusetts has had such a law for a considerable period of time and the experience up there has answered them in the most effective way possible. None of these hypothetical fears have proved to have a basis in fact. This is the verdict of those who have a role in administering the law, and indeed some of its former critics have been fair and said their earlier fears before the law was passed were unjustified. That is your answer, Mr. Chairman. If these fears were real, the trouble would have surfaced by now, and you can bet we would be hearing about it.

Having followed closely the long debate excited by this legislation, we are confident in our prediction that many reputable but misguided business witnesses who have opposed it will find upon its enactment that they have been freed from competition by segments of their business which exist in its shadows and on its fringes, making bad medicine for everybody.

It is the familiar history of earlier consumer protection laws—first strenuous resistance based on fears of alleged government interference. But in practice the law will interfere only with those people who bring discredit on their business by preying on the uninformed, the gullible, and ones least able to protect themselves. Firms which extend credit on a level of integrity and reasonable concern for their customers will be able to do so without harassment from the "quick buck" operators who give them unfair competition and who have demeaned for too long an honorable sector of our economy.

In closing we urge the Committee to review again the essential points which comprise a meaningful Truth in Lending law and make sure those provisions are in the bill which you report to the Senate floor for action. You can take little satisfaction, and the people of this country will derive little good, *from a law which bears a persuasive title* but lacks the elements to make it truly descriptive of what the bill contains. Make sure that in the changes and amendments you consider you do not violate the spirit of another bill Congress passed last year called Fair Packaging and Labeling. The label on S. 5 now reads "Truth in Lending." Be certain that *"Truth in Lending" describes your* final product accurately. You owe this much to a long line of persons in and out of public life who have worked selflessly through three Administrations to insure passage of a bill which deserves that label, and—more importantly, you owe it to the people of this country.

EXTENSION OF NATIONAL TEACHER CORPS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, on November 8, 1965, President Johnson signed into law the National Teacher Corps bill. At that time, he hailed the program as one that would be of tremendous assistance to the children of America.

During the past school year, 1,200 corps members have been at work in 275 schools across our Nation. They have been assigned to those areas where their services are most urgently needed—in isolated rural area schools, in ghetto schools, in Indian reservation schools, and in depressed area schools.

These dedicated, determined young teachers, who make up the Corps, have worked hard to reach the disadvantaged children of America. During the short time that the Corps has been in existence, their efforts have borne fruit. The corps members have proven that apathetic, underprepared, and neglected children can be reached, and can be taught, and can be guided toward becoming good citizens and useful, productive members of the communities in which they live.

The record shows unmistakably that the National Teacher Corps is too badly needed to be discontinued. An editorial which appeared in the Washington Post on April 24 discusses this urgent need and echoes the sentiments of the President for continuing the Teacher Corps. I am happy to insert this editorial, which follows, in the CONGRESSIONAL RECORD:

TEACHING TEACHERS

Congress ought to give thoughtful consideration to a report just released by the National Advisory Council on the Education of Disadvantaged Children. The report is an appraisal of the Teacher Corps during its first year of operation; and it is strikingly enthusiastic about the performance and the potentialities of this fledgling group in a period when it was peculiarly handicapped by problems of organization and by inadequate funds. At the same time, the report is something more: it is an insightful discussion of the special problems of teaching "disadvantaged" children.

A major educational challenge confronts the country. Public school systems in every major city are flooded today with the flotsam of a vast new migration—from rural areas to urban centers. Many of these migrants, uneducated, even illiterate and accustomed to agricultural employment, are wholly unequipped for participation in an industrial economy; and often, in consequence, they find themselves crowded into decaying neighborhoods, unemployed, exploited and desperate. Their children, often, are in a real sense disinherited—deprived of any cultural stimulation or any incentive to learn.

It is for these children that the schools must today undertake a special task—a task analogous to but different from the task accomplished by the public schools at the turn of the century in making the melting pot a reality for the children of the migrants from Europe. "For centuries," the report of the Advisory Council observes, "schools have dealt almost wholly with students who have valued learning and have come to school in search of it. Among the children with whom the Teacher Corps works, the first task is not so much to *teach* them as to *reach* them, in order to persuade them that they can learn—and that learning can be useful, interesting and rewarding."

The Teacher Corps recruits idealistic and committed young college graduates who want to do this specialized and difficult type of teaching; and it trains them for the task in participating universities and in the public schools of disadvantaged neighborhoods which have asked for their help. During the past school year, some 1200 Corps members have served in 275 schools in 111 school districts in 29 states, serving in each case at the invitation of a local school system. Usually they work in teams of three to ten interns, headed by a team leader who is an experienced teacher. They are subordinates of the local school authorities, conforming to local rules and practices, paid at a rate equal to that received by the least experienced teachers in the local school district.

The Teacher Corps brings with it not only specialized training and some fresh ideas; even more significantly it brings the ardor of dedicated young people. It has made a great beginning; it can, if it gets the chance, render even richer service in the future. But it will be obliged to go out of business entirely by the end of June unless Congress quickly votes to extend its life and to give it the supplemental appropriation it needs to carry on through the summer. No better investment could be made toward the education of the disadvantaged.

PANAMA CANAL: SANITATION IN TERMINAL CITIES

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FLOOD. Mr. Speaker, in a statement to the House in the RECORD of March 22, 1967, I quoted a March 5 letter from the isthmus reporting an increase of rodent population in the Republic of Panama incident to accumulations of garbage and a resulting rat invasion of the Canal Zone.

In this connection it is important to know that until the 1955 treaty with Panama, at the request of that country, relieved United States for responsibility for enforcement of sanitary and health ordinances in the cities of Panama and Colon, this function was performed satisfactorily by our Government under provision of article VII of the 1903 treaty with Panama.

Since my March 22 statement, I have received a news story from an isthmian newspaper confirming one of the points made in the March 5 letter and have sent a copy to the Surgeon General of the U.S. Public Health Service as additional information.

The indicated news story follows:

[From the Panama American, Mar. 4, 1967]

EXTERMINATORS SLAY 934 RATS AT REPUBLIC OF PANAMA HOSPITAL

The Rodent Control Section of the Municipal Health Board yesterday estimated that rats are probably eating 20 per cent of the food supplied to the Matias Hernandez Psychiatric Hospital. The Rodent Control Section trapped 934 rats in one eight hour day.

Rats average more than two pounds in weight, a spokesman said.

THE PANAMA CANAL: 1967 ENCYCLOPAEDIA BRITANNICA

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FLOOD. Mr. Speaker, during the last decade I have read widely on the subject of interoceanic canals, including articles on the Panama Canal in standard reference works. Among the latest such contributions is a comprehensive historical sketch on the Panama Canal in the 1967 edition of the Encyclopaedia Britannica by Capt. Miles P. DuVal, Jr., U.S. Navy, retired, who is a distinguished historian of the Panama Canal and an outstanding and objective authority on interoceanic canal problems.

The more I have studied isthmian questions the more I realize the importance of studying the history involved. Unless this is done we shall be destined to repeat the mistakes of the past that could be easily avoided. This lesson applies particularly with respect to the Panama Canal, which, throughout its existence, has been the subject of a series of crises. The tragic situation with which we are now confronted at Panama has been brought about by impractical and uninformed theorists who ignore in their calculations and actions all semblance of wisdom. They seem to know nothing of the past nor to care in the least for the past. They are in nowise objective and appear to be wholly influenced by foolish sentimentality and the failure to appreciate what such a canal means to the United States and the free world, especially Latin America, including Panama, from a military and protective standpoint.

The final section of the indicated Britannica article, which deals with Panama-United States relations, is the joint product of Almon R. Wright, senior historian, U.S. Department of State, and Captain DuVal. The article has a most helpful bibliography which will be of great value to all who wish to go more deeply into the subject.

Because of the inherent value of the *indicated contribution, I consider it of* the highest importance for study by those concerned with the canal question, both in and out of government, especially cognizant committees of the Congress and their staffs.

The subject article follows:

[From the Encyclopaedia Britannica, 1967 edition]

PANAMA CANAL

(By Capt. Miles P. DuVal, Jr., U.S. Navy, retired)

Panama Canal, a high-level artificial interoceanic waterway of the lake and lock type at the Isthmus of Panama connecting the Atlantic and Pacific oceans, owned, operated and controlled by the United States under treaty, for the transit of vessels of commerce and of war of all nations on terms of equality, with tolls that are just and equitable. The Canal Zone, through which it was built, is the constitutionally acquired domain of the United States granted in perpetuity by the Republic of Panama, for the construction of the canal, and its perpetual maintenance, operation, sanitation and protection.

By using the canal, vessels plying between the Atlantic and Pacific coasts of the United States can eliminate the Cape Horn route and save a distance of about 8,000 nautical mi., while journeys between the Atlantic and Pacific coasts of the North and South American continents can be reduced by 3,000–4,000 mi.; vessels from Europe to western Asia and Australia can effect a saving of 1,000–2,000 mi. Hence the canal is of the greatest international importance, strategically and economically.

This article is divided into the following sections:

I. THE WATERWAY

1. Description
2. Navigation

II. CANAL ZONE

1. Area and Tidewaters
2. Sovereignty
3. Administration
4. Tolls
5. Canal Traffic
6. Defense

III. HISTORY

1. Panama Railroad, 1849–55
2. French Project, 1879–1904
3. United States Policy, 1850–81
4. Isthmian Canal Commission, 1899–1901
5. U.S. Diplomacy, 1901–03
6. Building the Canal, 1904–14
7. Principal Engineering and Construction Projects After 1914
8. Reorganization and Policy Determination
9. Panama-U.S. relations

I. THE WATERWAY

1. Description.—The Panama canal does not cross the isthmus from east to west as generally supposed, but from northwest to southeast, with the Atlantic entrance 33½ mi. N. and 27 mi. W. of the Pacific entrance. Located in one of the heavier rainfall areas of the world with its longest section formed by impounding the waters of the Chagres river valley by a dam at Gatun, its principal features include: twin-flight locks, dams and spillways at both ends of the canal; the summit-level Gatun lake; an excavated gorge across the continental divide, renamed as Gaillard cut, connecting Gatun lake with the Pacific locks; a small Miraflores lake between two sets of Pacific locks; and two terminals.

The Atlantic terminus is at Cristobal on Limon bay, a natural harbour protected against storms from the north by east and west breakwaters. The Pacific terminus is at Balboa, a sheltered artificial harbour with its Pacific entrance channel safeguarded from silt-bearing currents by a causeway from the mainland to the fortified islands in the Bay of Panama.

The canal length from shore line to shore line is 40.27 statute miles; and from deep water to deep water, 50.72 miles. From north to south, its main parts are:

1. Atlantic sea level dredged channel of 500 ft. bottom width from deep water to Gatun locks, about 7.4 mi.
2. Gatun locks in three steps from sea level to Gatun lake, 85 ft. above sea level.
3. Gatun lake section with channels varying in width from 1,000 ft. at Gatun to 500 ft. at Gamboa where Gaillard cut begins, distance about 24 mi.
4. Gaillard cut of 300–500 ft. minimum bottom widths to Pedro Miguel locks at the south-end of the cut, distance about 8 mi.
5. Pedro Miguel locks in one step (31 ft.) to the intermediate Miraflores lake, 54 ft. above sea level.
6. Miraflores lake with channel 750 ft. wide to Miraflores locks, distance about 1 mi.
7. Miraflores locks in two steps to Pacific sea level.
8. Pacific sea level dredged section to the Bay of Panama, distance about 8.5 mi.

The controlling depth for the Atlantic dredged section from deep water to Gatun locks is 42 ft. below mean low water; from Gatun locks to Pedro Miguel, 42 ft. below the minimum Gatun lake level of 82 ft.; from Pedro Miguel locks to Miraflores, 42 ft. below the minimum Miraflores lake level of 54 ft.; and from Miraflores locks to deep water in the Pacific, 42.4 ft. below mean low water spring (maximum) tides.

The canal is equipped with modern aids to navigation. The Panama canal has had no major operational improvement since opening to traffic in 1914 with the exception of the Madden Dam and Power project, with its upstream lake to conserve water for lockages and maintenance of channel depths in Gatun lake during dry seasons and to reduce the danger of floods from the upper Chagres in wet seasons, and of the enlargement of the Gaillard cut started in 1959.

Locks.—No part of the canal attracts more attention than its massive locks. Constructed in duplicate to enable simultaneous lockages of vessels in the same or opposite direction, all locks have usable dimensions of 1,000 ft. length, 110 ft. width, and a depth to accommodate vessels drawing 40 ft. in salt water. Each lock gate has two leaves, the leaves being floatable structures 65 ft. wide by 7 ft. thick, varying in height from 47 to 82 ft., weighing from 400 to 750 tons, and operated by 25 h.p. motors through gear arrangements.

Locks are equipped with unique safety devices, notably hydraulically operated fender chains and electric towing locomotives. The fender chains protect lock gates against vessels that may get out of control when approaching locks, and are dropped into grooves to permit passage. With the exception of small craft, vessels are not allowed to pass through locks under their own power, but are required to be drawn by towing locomotives, varying in number from four to eight, depending on ship characteristics.

The time required for passage through the locks depends upon many factors, including size of vessel and its handling features. Generally, lockage intervals are 80 min. at Gatun, 40 min. at Pedro Miguel, and 60 min. at Miraflores.

Gatun Dam and Spillway.—The key structure of the Panama canal is Gatun dam, near the end of the Chagres river valley. It is about 1½ mi. long on its crest, ½ mi. wide at the base, 400 ft. wide at the water surface, 100 ft. wide at the top, and its crest is 105 ft. above sea level. It contains 22,958,069 cu.yd. of material.

Located on a natural hill of rock near the centre of the dam, Gatun spillway was designed to provide adequate control of Gatun lake levels during the maximum known discharge of the Chagres river. The dam and spillway together with Gatun locks form the northern barrier that creates Gatun lake.

Gatun Lake and Gaillard Cut.—Gatun lake, at its normal height of 85 ft., has an area of 166 sq.mi. and a shore line of 1,100 mi.; with a watershed of 1,285 sq.mi., which includes territory of the Republic of Panama. Its designed operating range is 5 ft., between water levels of 87 and 82 ft. above sea level.

Gaillard cut, formerly called Culebra cut, is an artificial extension of Gatun lake across the continental divide to Pedro Miguel locks, with its original bottom at a maximum of 40 ft. above sea level, on an alignment that passes between Gold hill and Contractors hill. Its restricted channel and rocky banks make this cut the most hazardous part of the canal. A steady growth in vessel sizes and number carrying hazardous cargo has increased the frequency of transits requiring one-way navigation in Gaillard cut.

Pacific Dams, Miraflores Lake and Spillway.—Across the south end of Gaillard cut, a pair of one-lift (31 ft.) Pedro Miguel locks and two flanking dams to nearby hills form the southern barrier closing the upper valley of the Rio Grande and holding the Gatun lake water level. With crests 105 ft. above sea level, the east dam extends about 300 ft. to Cerro Luisa and the west extends about 1,400 feet to Cerro Paraiso. The east dam is a concrete wall, 260 ft. long, covered with earth; the west is earth and rock, containing 699,518 cu.yd. of material.

At Miraflores, a set of two-lift locks and two dams form a second barrier closing the lower valley of the Rio Grande and creating the intermediate Miraflores lake. This lake, at 54 ft. above sea level, has an area of 1.5 sq.mi. Its watershed is 38 sq.mi.

The major part of the east dam at Miraflores is the spillway, designed to handle free flow of water from Gatun lake through one chamber at Pedro Miguel in event of accident. The west dam, with crest 40 ft. wide and 70 ft. above sea level extending 2,700 ft. to Cerro Cocoli, is the second largest dam of the canal, containing about 2,388,423 cu. yd. of material.

Terminal Facilities.—The Atlantic terminus affords safe anchorages in Limón bay and convenient pier berths at Cristóbal. The Pacific terminus has mooring buoy, dock and pier berths at Balboa; also an unprotected outer anchorage in the Bay of Panama. All piers are modern, 1,000 ft. long by 200 ft. wide, with enclosed sheds and railroad service, ample for storage of consignments and transhipment of cargo.

Both terminals are equipped for servicing to vessels, provisioning and repairs. The principal repair installations are on the Atlantic side near Mount Hope, with a 386-ft. dry dock. Larger marine and railway repair shops on the Pacific side are closed, with a 1,044 ft. dry dock in a stand-by status. Salvage tugs and other wrecking equipment are available.

2. Navigation.—All vessels entering or leaving a terminal port, maneuvering in Canal Zone waters, or in transit, in general, are required to take pilots, who have charge of navigation and movement. Transits are made under rigid traffic controls. The average time required to transit is from seven to eight hours.

II. CANAL ZONE

1. Area and Tidewaters.—The Canal Zone is a strip of land and land under water 10 mi. wide with boundaries generally 5 mi. from the centre of the canal except for the western salient covering the mouth of the Chagres river, the arms of Gatun lake extending into the Republic of Panama, and Madden lake. Beginning in the Caribbean, "three marine miles" from mean low water as provided by treaty, the zone extends across the isthmus to a distance of "three marine miles" from mean low water in the Pacific, but excludes the Panamanian cities of Colón and Panama.

The Canal Zone includes all of Gatun lake and surrounding shores up to the 100 ft. contour and all of Madden lake and its shores up to the 260 ft. contour. The total area of the Canal Zone is 647.29 sq. mi.—372.32 sq. mi. land, 185.52 sq. mi. fresh water, and 89.45 sq. mi. salt water, including the Atlantic and Pacific coastal waters within the three-mile limit.

The tides at the Atlantic and Pacific terminals differ in both magnitude and character. At Cristóbal on the Atlantic side they are irregular and small, with an extreme range of 3.05 ft. At Balboa on the Pacific side, they are remarkably regular with two highs and two lows every lunar day of 24 hr. and 50 min., with an extreme range of 22.7 ft.

2. Sovereignty.—Under the authority of the Panama Canal act of 1912 and in conformity with treaty, Pres. William H. Taft, by executive order of Dec. 5, 1912, declared that "all land and land under water within the limits of the Canal Zone are necessary for the construction, maintenance, operation, protection, and sanitation of the Panama Canal." Since title to all such land was acquired by the United States, the Canal Zone, in its entirety, is a United States government reservation.

The only private enterprise activities permitted within the zone are on lands rented under revocable licenses, normally to shipping interests, agriculturists and others directly connected with the canal or its operation. Areas assigned for other government purposes, in the mid-1960s, included 141 sq. mi. for the armed forces, with 108 to the army, 22 to the navy and 11 to the air force; 6 to the Smithsonian institution as a wildlife preserve on Barro Colorado; 5 as the Madden Forest preserve; 0.96 to the Federal Aviation agency; 4 to commercial licences and 13 to Canal Zone town sites. Remaining land, largely mountain or jungle, totals over 200 sq. mi. All areas continue subject to the civil jurisdiction of the Canal Zone government in conformity with the Canal Zone code.

3. Administration.—The Panama canal enterprise, as reorganized July 1, 1951, under public law 841, 81st congress, approved Sept. 29, 1950 (Thompson act), consists of two main units, the Panama Canal company and the Canal Zone government, with the dominant mission of the safe, convenient and economic transit of vessels. The Canal Zone is divided into two districts, the Balboa (or Pacific) subdivision and the Cristóbal (or Atlantic) subdivision.

Balboa and Cristóbal.—These subdivisions are coterminous with the Balboa and Cristóbal divisions of the U.S. district court. Their common boundary crosses the Canal Zone at right angles just northwest of Barbacoas Island. The Balboa subdivision includes all Canal Zone area lying southeasterly of this boundary, and the Cristóbal subdivision, all lying northwesterly of it.

Towns, except Gamboa, are clustered near the terminals convenient to canal and shipping activities, in which, directly or indirectly, most of the civilian population in the zone is employed. Gamboa, because it is the headquarters of dredging operations, is located north of Gaillard cut to prevent isolation of equipment from lake dumps in event of slides. All towns have the facilities of well-managed communities in the United States, with high standards of health, sanitation and education. The canal administrative centre is at Balboa Heights.

A long-felt defect in the 1903 treaty was failure to provide for adequate public crossings of the canal for the Canal Zone and Panama, both divided by the waterway. This condition was initially corrected by the United States by a toll-free ferry at Balboa in 1932 under legislation sponsored by Rep. Maurice H. Thatcher, former member of the Isthmian Canal commission for whom it was named; and finally, in 1962, pursuant to treaty, by the toll-free Thatcher Ferry bridge to replace the ferries.

The civilian population in the 1960 census including dependents of the U.S. armed forces, was 42,122, with 11,499 in the Cristóbal district and 30,623 in the Balboa district. The population of the principal communities was 3,489 for Gamboa and 3,139 for Balboa.

The Panama Canal Company.—This is a corporate instrumentality of the United States, operated under the management of its board of directors and charged with the maintenance and operation of the Panama canal and the conduct of business-type operations incident thereto and to the civil government of the Canal Zone.

The basic law requires that the company be self-sustaining. Its obligations include its own operating expenses, the net cost of civil government, interest and depreciation on United States investment in the enterprise, and $430,000 of the $1,930,000 annuity paid to the Republic of Panama, the remainder being provided by the department of state, and thereby excluded in fixing tolls.

The Canal Zone Government.—This is an independent agency of the United States, administered by a governor of the Canal Zone, under the supervision of the president, or such officer of the United States as may be designated by him (secretary of the army). It performs the functions of city, county and state governments, with certain attributes of diplomatic character in connection with the Republic of Panama. The governor, who is appointed by the president and confirmed by the senate, is ex-officio a director and president of the Panama Canal company.

The judicial functions of the Canal Zone government are performed by two magistrate's courts, Balboa and Cristóbal, each presided over by a magistrate appointed by the governor; and by a United States district court of the fifth judicial circuit, consisting of two divisions, Balboa and Cristóbal, presided over by one judge appointed by the president.

4. Tolls.—The levy of tolls is subject to provisions of the Hay-Pauncefote treaty (1901), the Hay-Bunau-Varilla treaty (1903), and the Thomson-Urrutia treaty proclaimed in 1922. Exempted from transit tolls in accordance with treaty are vessels owned, operated or chartered by the government of the Republic of Panama and war vessels of the Republic of Colombia; also vessels in transit solely for repairs at Panama canal shops.

Tolls are assessed on the basis of Panama canal net tonnage of actual earning capacity, a net vessel ton being 100 cu. ft. of space. Tolls cover all normal transit charges, including pilot service. Vessels operated by the United States, including warships and auxiliaries, are assessed tolls.

Tolls in 1964 were 90 cents per net ton for merchant vessels, army and navy transports, tankers, hospital and supply ships, and yachts, when carrying passengers or cargo; 72 cents per net ton on such vessels in ballast without passengers or cargo; and 50 cents per ton of displacement for other types. The average measurement per ocean-going commercial vessel in fiscal year 1964 was 5,910 net tons and average tolls per vessel, $5,175.

The Panama Canal company is authorized to prescribe and, from time to time, change rules for the measurement of vessels and tolls, subject to requirements for six months notice, public hearings and approval by the president of the United States, whose action shall be final and conclusive.

Fiscal year	Total transits [1]	Total long tons of cargo [1]	Total tolls and toll credits
1929	7,157	30,781,755	$27,128,893
1933	5,032	18,269,917	19,621,181
1939	7,449	27,993,144	23,699,430
1943	4,372	11,030,105	7,368,739
1950	7,690	30,364,982	24,511,713
1955	8,786	41,523,432	35,136,529
1960	12,135	60,391,655	51,803,032
1962	12,099	69,036,591	58,347,290
1964	12,839	71,746,561	62,546,391
1965	12,909	78,899,012	67,148,451

[1] Exclusive of transits for repairs.

Source: Annual Report of Board of Directors, Panama Canal Company, 1964.

5. Canal Traffic.—Although the Panama canal was conceived and built primarily as an artery of world trade, its traffic, except during World War II, has had an irregular but sustained growth since 1916 in the number of commercial transits and cargo tonnage. Its traffic volume is extremely sensitive to wars and depressions, and to appreciable political, economic or other upheavals in any part of the world, such as crop failure, strikes, destruction by tropical storms, development of foreign industries and closure of the Suez canal.

A significant feature of Panama canal traffic is the pattern of its trade routes, of which eight are well defined.

The lowest traffic volume after 1933 occurred in 1943, when there were 4,372 transits by ocean-going commercial vessels with 11,030,105 tons of cargo. A high point in traffic history occurred in fiscal year 1962 when, for the 11th consecutive year, new records in the number of transits, toll revenue, and tons of cargo were made. Growing numbers of commercial vessels with beams over 80 ft. were using the canal, thus emphasizing the need for increased capacity.

6. Defense.—The Panama Canal act of 1912 vests responsibility for protection of the Panama canal and Canal Zone in the governor, this protection being the normal exercise of police authority within the Canal Zone. Defense against external aggression is a function of the armed forces, for which the commander in chief, Southern Command, is responsible. These include army, navy and air force units, located in the Canal Zone and elsewhere.

The act further provides that "in time of war in which the United States shall be engaged, or when, in the opinion of the president, war is imminent," the president is authorized to vest exclusive authority and jurisdiction over the Panama canal and Canal Zone government in such officer of the army as the president may designate, with the governor subject in all respects to the orders and directions of the designated officer of the army.

During war or emergency, elaborate security precautions are taken by both civil and military authorities, including careful examination of arriving vessels and use of specially trained security guards during transits.

III. HISTORY

The advantageous geographical location of the Central American isthmus was recognized by the early Spanish who, within a few years after the visit there by Columbus in 1502, followed with extended explorations focused on four main route areas: Tehuantepec, Nicaragua, Panama and the Darién-Atrato. Not finding a strait, they promptly conceived the idea of constructing one.

Because of lower continental divides at Panama and Nicaragua, with penetration by large valleys, these two avenues became rivals for isthmian transit. At Panama, mountainous terrain and torrential rivers, notably the Chagres, at the time presented insuperable barriers to a canal. Lake Nicaragua, 3,089 sq. mi. in area, with its then navigable San Juan river flowing into the Atlantic, reduced the magnitude of the task to cutting across the narrow strip which separated the lake from the Pacific. Eventually, control of the Nicaragua route became a focal point of international conflict, with Great Britain and the United States in a diplomatic deadlock. This situation was prolonged by the Clayton-Bulwer treaty (1850) which deprived the United States of exclusive control over any isthmian canal that it might construct.

1. Panama Railroad, 1849–55.—When United States westward expansion in the late 1840s required better means for transit, three North Americans of vision, John Lloyd Stephens, William Henry Aspinwall, and Henry Chauncey, organized the Panama Railroad company. Chartered in 1849 by the state of New York, this company, under enormous difficulties, completed building the Panama railroad in 1855—the first transcontinental railroad of the Americas. Running from Aspinwall (Colón) close to the line of the future canal, this 47.5-mi. strategic rail link was the first concrete step toward construction of the Panama canal, giving it a tremendous advantage over Nicaragua in the choice of route.

In view of the key functions that this celebrated railroad was later to fill in Panama canal history, it is important to note a treaty of 1846 between the United States and New Granada (Colombia). This treaty was an offensive and defensive alliance aimed primarily toward securing a canal at Panama, even then recognized by Pres. James K. Polk as the most practicable route. It provided that the United States should guarantee the "perfect neutrality" of the isthmus and its free and uninterrupted transit.

2. French Project, 1879–1904.—Meanwhile, French interests under the dynamic leadership of Ferdinand de Lesseps (*q.v.*), hero of the Suez canal, decided to construct a canal across the American isthmus. An International Congress for Consideration of an Interoceanic Canal, consisting of 135 delegates, convened at Paris on May 15, 1879, to decide upon site and type. As president of the congress, De Lesseps applied his prestige and genius toward securing approval for a sea-level type of canal at Panama.

Adolphe Godin De Lépinay de Brusly, an engineer who had studied the American isthmus, protested strongly at this trend. He understood the topography at Nicaragua and how its large natural lake, 105.5 feet high, would contribute toward construction of a canal at that location. He knew the surface features at Panama—the continental divide about 10 mi. from the Pacific, the torrential Chagres river flowing into the Atlantic and the smaller Rio Grande into the Pacific, both through valleys suitable for the formation of lakes. He emphasized the key problems at Panama as the control of the Chagres river and excavation of Culebra cut, recognized the lake idea as offering the best solution, and proposed a "practical" plan for building the Panama canal. It called for a dam at Gatun and another at Miraflores, or as close to the seas as the configuration of the land permitted, letting the waters rise to form two lakes about 80 ft. high, joining the lakes by cutting across the continental divide, and connecting them with the oceans by locks. This design, he explained, was not only best for engineering but also most advantageous for navigation.

Unfortunately for the French, De Lépinay's idea was ignored. His conception, however, and its dramatic presentation before the Paris congress of 1879, established him as an architectural and engineering genius and the originator of the plan from which the Panama canal was eventually built. The French Panama Canal company, despite De Lépinay's timely warning, launched upon its ill-fated undertaking. Ten years later, in 1889, its effort collapsed due to a combination of bankruptcy, lack of planning and disease. In France, it resulted in a sensational financial scandal. Yet, before failing, the company, to save money and time, was forced to change its plans from sea-level to a high-level lock type.

Reorganized in 1894 as the New Panama Canal company, its officers realized that their only chance of assuring any return on the investment was to hold on until the United States could be induced to take control. Thus until 1904 they limited their activities to technical studies and such excavation as were required to protect the concession from Colombia. The total French excavation was 78,146,960 cu. yd. of material, of which 29,908,000 were later useful to the United States.

3. United States Policy, 1850–81.—With active canal endeavours temporarily checked by the Clayton-Bulwer treaty and transit facilities met by the Panama railroad, United States efforts were generally restricted to explorations. It was not until Gen. Ulysses S. Grant became president in 1869 that major interest revived, with extensive naval exploring expeditions starting in 1870 and covering the more important canal sites.

With the objective of securing the best type of canal at the best site, and at least expense, the reports of these expeditions were reviewed by the first United States Interoceanic Canal commission 1872–76, consisting of Brig. Gen. Andrew A. Humphries, chief of U.S. army engineers; C. P. Patterson, U.S. Coast survey; and Commodore Daniel Ammen, chief of the bureau of navigation of the navy. Reporting to President Grant on Feb. 7, 1876, the commission was unanimous in recommending a Nicaragua canal starting on the Atlantic side near Greytown, following the San Juan river to Lake Nicaragua, through the lake, and thence across the land to Brito. Thus, the United States became definitely committed to the Nicaragua route, then complicated by British control of its eastern terminus through their protectorate over the Mosquito kingdom.

Viewing an isthmian canal as "virtually a part of the coastline of the United States" and alarmed by the energetic measures taken by French interests at Panama, United States leaders determined to change American policy. This attitude found expression on March 8, 1880, when the Select Committee on Interoceanic Canals of the house of representatives recommended a resolution by the congress declaring that any form of protectorate on this continent was contrary to the Monroe Doctrine (*q.v.*), that the United States asserts and maintains its right to possess and control any artificial means of isthmian transit, and that the president be requested to take steps to abrogate the Clayton-Bulwer treaty. This objective was supported by former President Grant, who, in Feb. 1881, publicly commended "an American canal, on American soil, to the American people."

4. Isthmian Canal Commission, 1899–1901.—The French failure in 1889 rendered the canal situation less acute, requiring a new crisis to dramatize the issue. This was supplied by the historic voyage of the U.S.S. "Oregon" during the Spanish-American War in 1898, which emphasized the need for an isthmian canal. The result was that Pres. William McKinley, in 1899, appointed an Isthmian Canal commission, with Rear Admiral John G. Walker, U.S.N. (ret.), as president, to investigate all canal routes, particularly Nicaragua and Panama, and to recommend the most practicable. In its first report on Nov. 16, 1901, the commission estimated the cost of a Nicaragua canal at $189,846,062, and Panama at $144,233,358; and the value of the French holdings at $40,000,000. But as the French company was demanding $109,141,500 for its property, the total estimate for Panama was $253,374,858. Because of the excess cost for a canal at Panama, it recommended Nicaragua as the only practicable route.

5. U.S. Diplomacy, 1901–03.—Meanwhile, the United States government, under the leadership of Secretary of State John Hay, negotiated with Great Britain the Hay-Pauncefote treaty of Nov. 18, 1901, which superseded the Clayton-Bulwer treaty and recognized the exclusive right of the United States to construct, regulate and manage any Isthmian canal. It further adopted the principal points in the Convention of Constantinople (1888) for the Suez canal as rules for the operation and neutralization of the American canal. These rules provided that the canal should be free and open to vessels of commerce and of war of all nations on terms of entire equality, with tolls that were just and equitable. The United States was also authorized to protect the canal against lawlessness and disorder.

The New Panama Canal company in Paris, reacting to the commission's recommendation for Nicaragua, on Jan. 9, 1902, cabled Admiral Walker its readiness to accept the United States offer of $40,000,000 for its holdings. Thereupon the commission, in a supplementary report on Jan. 18, 1902, canceled its first recommendation and recommended Panama as the most practicable and feasible route for an Isthmian canal. Describing the previous concessions from Colombia as unsatisfactory and insufficient, the commission emphasized the necessity for obtaining in perpetuity the grant of a sufficient strip of territory across the isthmus for canal purposes. Promptly transmitted to the congress by Pres. Theodore Roosevelt, the new recommendation started a memorable debate in the congress known as the "battle of the routes." Out of it came the basic law for construction of the Panama canal approved June 28, 1902, known as the Spooner act.

This law authorized the president to acquire all French holdings including its Panama railroad stock at a cost not exceeding $40,000,000 to obtain from Colombia perpetual control of a strip of land for the maintenance, operation and protection of the Panama canal and railroad, and then, through the Isthmian canal commission, to construct the Panama canal. The type contemplated by the act was high-level, with Atlantic locks and dams at Bohio to form a Lake Bohio. Provision was also made that in event of failure to obtain an adequate treaty within a reasonable time, the president should proceed with construction of a Nicaragua canal.

In harmony with the act, Tomás Herrán, Colombian chargé d'affaires in Washington, after many months of arduous labour, succeeded in negotiating a most favourable treaty for his country—the Hay-Herrán treaty of Jan. 22, 1903, which was ratified by the United States senate on March 17, 1903.

Unfortunately, this treaty became involved politically in Bogotá. The Colombian senate, called into special session on June 20, 1903, for its ratification, rejected the treaty against urgent pleadings by Herrán in Washington and U.S. Minister Arthur M. Beaupré in Bogotá.

The Panama Revolution, 1903.—Panamanian leaders, fearing that after all Panama might still lose the canal to Nicaragua, determined to avert that possibility. A Panamanian agent was then dispatched to Washington to obtain promise of help for a plan of revolt. While no promise was given, the warship U.S.S. "Nashville" appeared at Colón on Nov. 2, 1903. On the following day an uprising occurred, Colombian troops were prevented from crossing the isthmus to put down the rebellion and independence was proclaimed under the leadership of Manuel Amador. It was recognized, first by the United States, second by France, and soon afterward by other countries.

Then followed negotiation of the second basic canal convention, the Hay-Bunau-Varilla treaty of Nov. 18, 1903, with Panama instead of Colombia. By this treaty, in harmony with the Spooner act, United States was granted in perpetuity exclusive use, occupation and control of the Canal Zone. Significantly the United States could exercise all sovereign powers to the entire exclusion of the exercise of such powers by Panama. That country was to receive $10,000,000 in cash and a $250,000 annuity to begin nine years after ratification of the agreement. The proclamation of this treaty on Feb. 26, 1904, sealed the choice of the Panama route.

A few days later, on March 8, 1904, President Roosevelt recognized the contributions of Admiral Walker by appointing him as the first chairman of the first Isthmian Canal commission for the construction of the Panama canal. One member, Maj. Gen. George W. Davis, U.S. army (ret.), was the first governor of the Canal Zone. John F. Wallace, a leading railroad engineer, not experienced in "frontier" work, was chosen as the first chief engineer.

The Canal Zone was formally acquired on May 4, 1904—a day subsequently celebrated annually in the zone as Acquisition day.

6. Building the Canal, 1904–14.—Work under the United States started haltingly. Because of public clamour to "make the dirt fly," the commission weakened in its stand for thorough and comprehensive preparation and started work without proper equipment or plans. Though valuable time was thus lost, the commission made important contributions. It organized the Canal Zone government, started sanitation under the supervision of William Crawford Gorgas (*q.v.*), and recruited the nucleus of an engineering and construction force.

Resigning on March 30, 1905, the Walker commission was succeeded by a new one headed by Theodore P. Shonts, a prominent railroad executive, with Wallace continuing as chief engineer. Though for a time conditions improved, Wallace, on June 26, 1905, suddenly resigned throwing the working forces into confusion.

Battle of the Levels, 1904–06.—Of the difficulties of this period the gravest was increasing uncertainty as to the type of canal that should be built—the high-level lock type contemplated by the Spooner act or a canal at sea level as had been suggested by Wallace in 1904.

Fortunately, President Roosevelt selected a great railroad builder, executive and explorer, John F. Stevens, as the new chief engineer. Stevens' qualifications were unique. He had read everything available on the Panama canal since the time of Philip II, discovered Marias pass in Montana, built railroads in the Rocky mountains and supervised open mining operations in Minnesota. Thus, he had observed what occurs when the delicate balances of nature are upset, understood the hazards of cutting a ship channel through mountains, and was experienced in personnel and construction problems in undeveloped terrain.

Arriving on the isthmus on July 25, 1905, at a time of chaos, he rescued the project from possible disaster. He promptly provided housing for employees, established commissaries, adopted sanitation measures, ordered equipment and double-tracked the Panama railroad. After planning the transportation system for Culebra cut excavation and for relocation of the railroad to higher ground on the east side of the canal, moving the Atlantic locks sites from Bohio to Gatun to form Gatun lake, recruiting competent leaders and forming the organization for building the Panama canal, he found progress hampered because of delay on the decision as to the type of canal, then being considered by an International Board of Consulting Engineers, of which General Davis was chairman.

In its report of Jan. 10, 1908, this board split—the majority of eight members headed by General Davis and including five Europeans, voting for sea level; and the minority, five Americans (Alfred Noble, Henry L. Abbott, Frederic P. Stearns, Joseph Ripley and Isham Randolph), voting for the lock type.

The controlling features of the lock plan recommended by the minority were a dam at Gatun creating Gatun lake 85 ft. high as the summit level and Culebra cut. Parallel flight locks were to be provided: three-lifts at Gatun, one-lift at Pedro Miguel, and two-lifts at Sosa hill, the last two sets being separated by an intermediate Sosa lake. Though of different lock arrangement, this plan was the same type as recommended in 1901 by the Walker commission.

Testifying before congressional committees in Washington in January and June 1906, and using the De Lépinay arguments of 1879, Stevens supported the high-level plan with a conviction that no one could shake, and strongly opposed the sea-level plan recommended by the majority of the International Board of Consulting Engineers. In the end, with the support of President Roosevelt, Secretary of War Taft, and the Isthmian Canal commission, the views of Stevens prevailed against strenuous opposition concerned primarily with questions of "vulnerability." Congress, by act approved June 29, 1906, adopted the high-level lake and lock plan as proposed by the minority. This was the great decision in building the Panama canal.

The transit since 1914, in both peace and war, of thousands of vessels of various types, completely establishes the wisdom of that decision. It secured for Stevens, who was mainly responsible for bringing it about, great fame as the basic architect of the Panama canal. This fact was recognized in Oct. 1962 at the time of the opening of the Thatcher Ferry bridge by the dedication of a handsome memorial honoring the great engineer.

Pacific Lock Location Question, 1906–08.—Though the high-level plan, as approved by the minority of the International Board of Consulting Engineers, placed all Atlantic locks at Gatun it divided the Pacific locks into two sets. Stevens, early in 1906 before adoption by congress of the minority report, recognized the Pacific lock arrangement as faulty and recommended consolidation as a needed change. Eventually, on Aug. 3, 1906, Stevens approved a plan placing all Pacific locks in three-lifts south of Miraflores with the terminal dam and locks between two hills, Cerro Aguadulce on the west side of the sea level section of the canal and Cerro de Puente on the east side, a location later recognized by Lieut. Col. George W. Goethals as offering the best site. This arrangement would have enabled lake-level navigation from the Atlantic locks to the Pacific, with a summit level anchorage at the Pacific end of the canal.

Regrettably, Stevens was under great pressure to start active construction. Advocates of the sea-level proposal, stung by their defeat in congress, and also opponents of any canal at all, were ready to take advantage of any change in the approved program as evidence of weakness in the high-level plan. Together, these two forces represented a political and economic power that could not be ignored.

Stevens' foundation investigations, necessarily made in haste, proved unsatisfactory, and he did not dare to jeopardize the project by further delay. On Aug. 23, 1906, apparently confident that this important question would rise again, he voided his plan but retained it on file, and proceeded with the approved plan for separating the Pacific locks, which he did not personally favour.

Later, after Stevens left canal service, Maj. William L. Sibert, a member of the commission with a keen appreciation of marine needs in the design of navigational works, made more extensive explorations. Finding adequate foundations, he likewise, on Jan. 31, 1908, recommended the consolidation of all Pacific locks in three-lifts at Miraflores to provide a Pacific terminal lake, but his well-reasoned proposal was not approved and the canal was completed with two sets of Pacific locks, separated by Miraflores lake.

Construction and Completion, 1907–14.—With canal type decided, construction organization effected, and a greater part of the plant installed by July, 1906, real progress started. Thus, Stevens was able to assure the press in 1906 that the canal would be completed in 1914 and formally opened by Jan. 1, 1915.

On Jan. 30, 1907, after having brought design and construction to a point where work was in "full swing" and success a certainty, Stevens submitted his resignation to the president. Despite that action, however, Roosevelt, on Mar. 4, 1907, in recognition of his tremendous contributions, appointed him as chairman of the Isthmian Canal commission, making Stevens the first to hold the combined positions of chairman and chief engineer.

Stevens was succeeded by Lieutenant Colonel Goethals, an outstanding army engineer, who, with his associates, civilian as well as military, ably brought the project to completion substantially in accord with the Stevens plan. Such changes as were made, though important, were nonbasic. These included widening the bottom of Culebra cut from 200 ft. to 300 ft., increasing usable lock dimensions to a width of 110 ft. and length of 1,000 ft., with a depth to permit passage of ships drawing 40 ft. in salt water, rerouting the Panama railroad around Gold hill, relocation of locks from Sosa hill to Miraflores, and redesign of Gatun dam.

Other members of the Isthmian Canal commission on April 1, 1907, were Maj. David D. Gaillard, Major Sibert, naval civil engineer Harry H. Rousseau, Lieut. Col. William C. Gorgas, Jackson Smith and J. C. S. Blackburn. Later changes included Lieut. Col. H. F. Hodges (1980–14) to succeed Smith, Maurice H. Thatcher (1910–13) to succeed Blackburn and Richard L. Metcalfe (1913–14) to succeed Thatcher. Gaillard died on Dec. 5, 1913, without a successor.

The building of the Panama canal, one of the greatest engineering feats in the world, was indeed a monumental and unprecedented achievement. Its subsequent success, in both peace and war, entitle all who, in significant manner, participated in its planning, construction, sanitation and civil administration, to highest honour. The canal was opened to traffic on Aug. 15, 1914.

7. Principal Engineering and Construction Projects After 1914.—The Isthmian Canal commission, abolished on April 1, 1914, was succeeded by a highly centralized permanent operating organization authorized by the Panama Canal act of 1912, known simply as The Panama Canal. Though free, under the law, to choose the governor from any source, Pres. Woodrow Wilson, in recognition of the services of Colonel Goethals, appointed him as the first governor of The Panama Canal.

The canal was launched into its era of operations under Governor Goethals, who served until late 1916 after the early slide crises. Goethals chose his principal engineer assistant as his successor and established a tradition of succession, by advancement, that lasted until 1952.

Madden Dam and Power Project, 1919–35.—Faced with the problems of an unusually dry season, 1919–20, requiring conservation of water for lockages and maintenance of channel depths, and later by a great flood in 1923, endangering the waterway, together with growing traffic, congress authorized the first important step toward increasing canal capacity, the Madden Dam and Power project. Completed in 1935, it provided more water for lockages, controlled floods, improved navigation and supplied additional power.

Third Locks Project, 1939–42.—The second step toward greater capacity was for a third set of locks. Because of naval needs, in the critical period preceding World War II, congress, on administrative recommendations, authorized the Third Locks project, at a cost not to exceed $277,000,000. The proposed layout contemplated a new set of larger locks, 1,200 ft. long and 140 ft. wide, with 45 ft. navigable depth, near each of the existing locks but at some distance away with the new locks joined with existing channels by means of by-pass channels. At the Atlantic end, the project duplicated existing arrangements. At the Pacific end, however, the proposed channel, in addition to duplicating its faulty layout, contained three sharp bends of 29°, 47° and 37° in succession from north to south.

Work was started in 1940 and was pushed vigorously until suspended by the secretary of war in May, 1942, because of shortage of ships and materials more urgently needed elsewhere for war purposes. No excavation was accomplished at Pedro Miguel; that at Gatun and Miraflores was substantially completed. About $75,000,000 was expended.

Terminal Lake—Third Locks Plan, 1942–43.—Fortunately, suspension of work on the Third Locks project occurred while there was still time for canal officials to re-examine it in the light of needs demonstrated by war-operating experience. These studies served to emphasize that the separation of the Pacific locks and failure to provide a summit-level lake at the Pacific terminus were fundamental errors of design, with Pedro Miguel locks as the principal obstruction to optimum canal operating conditions.

Out of the studies, including an evaluation of the sea-level idea, grew what proved to be the first comprehensive proposal for the economic increase of capacity and operational improvement of the Panama canal—the Terminal Lake-Third Locks plan. It proposed the physical removal of Pedro Miguel locks, consolidation of all Pacific locks near Aguadulce, elevation of the intermediate Miraflores lake water level from 54 ft. to that of Gatun lake to create a summit-level anchorage at the Pacific end of the canal to match, as far as possible, that in the Atlantic end. It would also include raising the summit level to its highest feasible height of approximately 92 ft., enlarging Gaillard cut and constructing a set of larger locks. Essentially, this was the same plan originated by De Lépinay, and later recommended by Stevens and Sibert.

Officially submitted and publicly presented in the Canal Zone, it aroused wide interest among engineers and maritime agencies, including the secretary of the navy, who, on Sept. 7, 1943, submitted it to the president. Soon after, in 1944, it was approved in principle by the governor of The Panama Canal and recommended to the secretary of war for thorough investigation, and later, in 1945, it was approved in general before the congress by a succeeding governor for the major modification of the existing waterway in preference to completing the original Third Lock project. A 1949 congressional investigation reported that it could be accomplished at comparatively low cost.

The Terminal Lake-Third Locks plan, being an enlargement of the existing facilities that does not call for additional land or waters, is covered by current canal treaties and does not require negotiation of a new one, a paramount diplomatic consideration.

Sea Level Plan, 1945–47.—The spectacular advent of the atomic bomb in 1945 injected new elements into the canal picture. At the request of Canal Zone authorities, congress enacted public law 280, 79th congress, approved Dec. 28, 1945, authorizing the governor of The Panama Canal to make a comprehensive investigation of the means for increasing its capacity and security to meet future needs for interoceanic commerce and national defense, including consideration of canals at other locations. This was the first time the terms "security" and "national defense" had been embodied in any Panama Canal statute.

The report of the inquiry with security and national defense as paramount considerations, recommended only the sea-level plan for major canal construction, initially estimated in 1947 to cost $2,483,000,000, a figure later substantially increased. Though the report covered the Terminal Lake-Third Locks plan, which it did not recommend, it offered a relatively minor program for improvement of present installations as a preferred alternative to the major operational improvement of the existing waterway as recommended in 1943 by the secretary of the navy.

With the exception of the two canal terminals, the 1947 sea-level plan would provide a virtually new Panama canal of 60 ft. minimum depth in navigation lanes and a 600 ft. width between sloping sides at a depth of 40 ft. on a new alignment somewhat removed from the present channel. The plan also provides a tidal lock (200 ft. by 1,500 ft.) and a navigable pass at the Pacific end, many miles of flood control dams on both sides of the projected canal, diversion channels and spillways. Some of its features are not covered by current international conventions and would require a new treaty with Panama, with further concessions, attendant indemnity and increased annuity charges.

The report of the investigation failed to receive presidential approval. Transmitted to the congress on Dec. 1, 1947, without comment or recommendation, its submission, however, led to a recurrence of the 1902 and 1906 debates over route and type with almost identical arguments, but on the basis of the newer term, "security," rather than the old term "vulnerability."

In voluminous discussions, many leading engineers, nuclear scientists and other experts challenged the assumptions on which the principal 1947 recommendations and estimates rested. The congress took no action until 1957, when an independent inquiry into the entire subject of increased facilities for interoceanic transit was authorized and a special board of consultants appointed.

Its final report of June 1960 included estimates for the Terminal Lake-Third Locks plan ($1,020,900,000) and the Sea-Level plan ($2,537,000,000) exclusive of any Panamanian indemnity. The board emphasized that the Sea-Level plan would present many constructional problems including interruption to traffic. A plan for a lake and lock canal at Nicaragua ($4,095,000,000) as an alternate route was submitted without definite recommendation. This report, otherwise inconclusive, recommended that the entire canal situation be reviewed in 1970 or earlier if warranted. The congress, on administrative request, by act approved Sept. 22, 1964 (78 Stat. 990), authorized further investigations to determine the feasibility and most suitable site for a canal at sea level between the Atlantic and Pacific Oceans.

Meanwhile, the 1947 report served to focus governmental attention on administrative problems of the Panama canal.

8. Reorganization and Policy Determination.—On June 30, 1948, the Panama Railroad company was reincorporated as a federal corporation and, on Feb. 28, 1949, the house of representatives authorized on investigation into the organizational and financial aspects of the Panama canal enterprise.

All recommendations growing out of this inquiry were implemented except that for transfer of responsibility for canal supervision from the secretary of the army to the secretary of commerce, which the president delayed for further study. The resulting Act of Congress, public law 841, 81st congress, approved Sept. 26, 1950, known as the Thompson act, created the Panama Canal company and the Canal Zone government. Effective July 1, 1951, the act started major administrative changes, including a break in 1952 in the traditional selection for appointment as governor. The law requires that transit tolls be established at rates to place the canal enterprise on a self-sustaining basis, a fundamental principle in canal policy with far-reaching implications for its future.

9. Panama-U.S. Relations.—Because of the previous history of Panama as a land of endemic revolution, the framers of the 1903 treaty, in order to guarantee political stability essential for future efficient operations of the waterway, insisted on its perpetuity, sovereignty and protective clauses. Subsequent events fully substantiated the wisdom of these 1903 treaty provisions, which remain largely unchanged. The canal was no sooner opened to traffic in Aug. 1914, than the United States applied another provision of this treaty, that of obtaining additional lands. During World War I, in which Panama participated, the United States took possession of several areas of land, and in 1919 acquired a group of islands. Friction over this and other issues led to an attempt in 1926 to revise the convention of 1903, but Panama refused to sign any agreement. The attempt was renewed in Oct. 1933, when Pres. Harmodio Arias conferred in Washington with the U.S. president. Their basic agreement was refined and incorporated in four treaties, signed March 2, 1936. At the insistence of Panama, the United States was relieved of the obligation to guarantee the independence of the republic and renounced the right to acquire any additional lands and waters outside the Canal Zone. By limiting the use of the zone commissaries to persons employed on the canal and the railroad, the negotiators sought to dissipate a long-standing grievance. It was agreed that Panama was to operate port facilities at Colón and Panama city, that equal opportunities between Panamanian and American employees should be observed, and that the United States should increase the annuity from $250,000 to $430,000. Agreement was also reached on constructing a transisthmian highway. The weakening of the diplomatic structure was further advanced in the 1955 Eisenhower-Remón treaty, which provided for the annual U.S. payment to Panama to be increased to $1,930,000, for equal pay for equal work to Panamanians and U.S. citizens (effective 1958), and for Panamanian concerns to be placed on an equal footing with U.S. companies in contract bidding; the U.S. obtained a 15-year lease for a military base at Rio Hato. The effect of these treaties has been the withdrawal of canal activities to the limits of the Canal Zone and the curtailment of activities within the zone.

The policy of the Canal Zone authorities in the ensuing years was to improve the living conditions of the Panamanians working in the zone and to make changes in the physical features of the canal that would benefit trade in general and Panama's wellbeing in particular. Among the new policies designed to improve the condition of Panamanian workers were equal wages for equal work, the establishment both of a minimum wage and a labour commission to hear disputes, and the making available of health and life insurance equally to Americans and Panamanians. Capital improvements included the enlargement of Gaillard cut to 500 ft. width and 47 ft. depth (not yet completed), the building of the Thatcher Ferry bridge across the canal, the transfer of certain real estate properties to Panama, and the purchase of new towing locomotives.

But these changes lacked the emotional appeal that was attached to the display of the Panamanian flag. In 1958 and in 1959 the Canal Zone was invaded by Panamanians intent on raising their flag there, and in the latter year their attempt was turned back with injuries. President Eisenhower reviewed the Panamanian claim with sympathy, and in 1960 agreed to the raising of the Panamanian emblem at one point in the Canal Zone as evidence of titular sovereignty (never defined). From this beginning the United States made further concessions until the two flags were displayed almost equally.

A dispute over this very concession between Panamanian and U.S. students at the Balboa high school on January 9, 1964, caused considerable deterioration in relations between the two countries. The subsequent mob assaults on the Canal Zone produced a number of deaths, injuries by the score, and great property damage, requiring the use of U.S. army units and a temporary replacement of civilian by military rule in the Zone. The U.S. embassy was evacuated, and many Americans left their homes for the sanctuary of the Canal Zone. Normal diplomatic relations were restored on April 3. In December U.S. President Lyndon Johnson proposed the negotiation of three new treaties with Panama concerning the existing canal, a new canal at sea level, and U.S. bases, and both countries appointed negotiators for such purpose. Late in 1965 the U.S. and Panama announced that they had agreed to abrogate the 1903 treaty and that the new treaty would recognize Panama's sovereignty over the Canal Zone.

During the weeks of discussion the economy of Panama suffered. Trade between the Canal Zone and Panama declined; investment capital was less available; credit became tight and tourism almost ceased. On the other hand, the canal continued to operate without interruption. The enlargement of the Gaillard cut was not slowed down, the new towing locomotives began to arrive, and, of more immediate importance, the illumination of the locks promised to extend the hours of transit.

See PANAMA: ***History*** for further aspects of Panama-U.S. relations; *see* also references under "Panama Canal" in the Index.

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SMALL BUSINESS ADMINISTRATION AID IS IMPORTANT FACTOR IN GROWTH OF NEW JERSEY BUSINESS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RODINO. Mr. Speaker, small industrial and service firms in my New Jersey congressional district account for a large part of the total number of businesses in our State. They have contributed millions of dollars to the national economy, provided jobs for thousands of workers, and have also provided products and services essential to the expanding economy of America.

As in the case of many small businesses throughout the United States, they frequently require assistance and guidance in maintaining their competitive position and, more importantly, to develop new products and services demanded by our space age.

The Small Business Administration provides several broad programs of assistance to these small firms, and it is doing an outstanding job of helping America grow and prosper by aiding deserving small firms with management guidance, financing, technical knowledge, and counseling. In many cases, SBA's assistance helps unite community resources with Federal, State, and business factors in a self-help effort inherent in our American way of life.

Mr. Speaker, I would like to call your attention to the success story of the Pfaff & Kendall Co., of Newark. It is noteworthy because it clearly illustrates how SBA, working with the private business sector, has wisely lent taxpayers' money to expand and modernize a contributing small firms, which in turn provides additional jobs, larger payrolls, and supporting services and taxes.

I am especially pleased to mention this SBA assisted firm, a leading manufacturer of outdoor aluminum lighting standards, because they also are developing additional aluminum products that can materially improve highway safety, and thus decrease the death tolls on our roads and highways in line with the President's highway safety program.

The Pfaff & Kendall Co., of Newark, N.J., was a prewar small firm making columns and doing contract pipe threading. They entered the aluminum pole business in the late 1940's, carefully building the business to its present size with about $5 million in sales.

In 1961 the company had an option to acquire major facilities and property adjoining the plant. Normal banking and loan channels simply could not accommodate the company's money needs, and public financing was not felt to be sound at that time.

Pfaff & Kendall approached the first small business investment company—SBIC—of New Jersey. After a careful investigation, the small business investment company provided $500,000 unrestricted on a 10-year loan with warrants to buy 17 percent of Pfaff & Kendall stock.

Small business investment companies, as you know, are licensed, regulated, and sometimes financed by the Small Business Administration.

The funds supplied by the SBA-licensed small business investment company enabled this company to expand facilities, and almost double its yard and manufacturing capacity. The increased capital also made it possible to carry larger inventories and to better serve its customers more promptly. Pfaff & Kendall's business has increased by some 50 percent since 1961. Further expansion plans, incorporating new products, is expected to further increase business by another 50 percent. This company demonstrates an outstanding example of the application of good management, resourcefulness, and ingenuity.

The Small Business Administration, the first small business investment company of New Jersey, and the Pfaff & Kendall Co., of Newark, are an ever present example of what teamwork can do for our economy, for our people, and for our future. I commend each of them for a fine job.

NEWARK STAR-LEDGER COMMENTS ON IMPROVING OUR POSTAL SYSTEM

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RODINO. Mr. Speaker, during this session we will face the difficult and complex task of considering revision of postal rates and proposals to improve Post Office Department operations. I would like to call to the attention of my colleagues the views of the Newark Star-Ledger on the problem, as expressed in an editorial of April 7. The Star-Ledger recommends more realistic postal rates and a complete overhaul of the Post Office Department, with the emphasis on mechanization, as the prescription for improved postal service. This leading newspaper also finds great merit in Postmaster General O'Brien's call for a nonprofit corporation to run our mail delivery system.

> Mr. O'Brien's proposal—

The editorial says—

> should generate fresh thinking on how the nation's mail dilemma can be resolved.

I include in the Record following my remarks:

The Postal Dilemma

> Neither rain nor sleet nor the gloom of night will deter the delivery of the mail, but few will deny that it is getting harder and costlier all the time.
>
> The President, with his announcement of a proposed hike in mail rates, is seeing to it that it will cost more but with no comparable upgrading in service. It's an old story with the Post Office Department . . . more money, more employes, the same archaic methods of operations . . . and more deficits.
>
> But there is something new with the Post Office, a revolutionary proposal by Postmaster O'Brien that the entire operation be placed in the hands of a non-profit government corporation. It may be just what the Post Office needed to jolt it out of the doldrums of the horse-and-buggy age into an automated operation.
>
> Delivering the mail seems to be a relatively simple process, the physical transmission of a letter or package from one address to another; but it is much more complicated than that; present methods are archaic and costly.
>
> The department has been a persistent deficit operation, a condition condoned by Congress mostly for political reasons. Its methods would be the despair of a modern business executive, because the actual cost of running the department has no valid relation to mail rates.
>
> The President's proposed rate increase would reduce the gap between cost and rates, but it would not wipe out the annual deficits that must be picked up by taxpayers. This is particularly true of third class deliveries, the so-called junk mail that is usually thrown away without even opening; the taxpayer is paying for the privilege of receiving mail that he doesn't want in the first place.

The increase in mail rates will be helpful in reducing the postal deficit but the long range solution lies in a complete overhaul of the department, an emphasis on automation. This is not going to be achieved with the present administrative structure; it would be more desirable to have the department removed from direct legislative influence and placed under the management of a board of directors and a professional executive.

This is in line with Postmaster O'Brien's proposal, a finding based on experience in the administration of the department. Mr. O'Brien has frankly told Congress that his agency is in a "race with catastrophe." It is a candid admission that should generate fresh thinking on how the nation's mail dilemma can be resolved.

FORESTER MILTON M. BRYAN, STRESSES THE WISE AND BALANCED USE OF RESOURCES AT FORESTRY FIELD DAY

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. HENDERSON. Mr. Speaker, the Seaboard Air Line Railroad Co. annually holds a Forestry Field Day in a southeastern State. Several years ago many Members of Congress boarded a special train and attended such a forestry field demonstration near Richmond, Va.

This year a special train left Raleigh, N.C., at 8:00 a.m. April 13. On board were Gov. Dan K. Moore, members of the State legislature, the council of State, and some 200 leading industrialists from 25 States throughout the Nation. Another 500 people—landowners, students, and timber operators—were already assembled at the pine woodland near Hoffman, N.C.

Governor Moore, State supervisor of vocational agricultural education, and the State forester gave remarks on forestry in North Carolina. Milton M. Bryan represented the Forest Service of the U.S. Department of Agriculture. His remarks, at a time when many individuals are demanding more restrictive uses of our Nation's forest resources, merit attention and thoughtful consideration:

REMARKS AT HOFFMAN, N.C., BY MILTON M. BRYAN, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE AT THE COOPERATIVE FIELD FORESTRY PROGRAM OF THE SEABOARD AIR LINE RAILROAD CO., NEAR HOFFMAN, N.C., APRIL 13, 1967

Working forests are producing forests that affect our economy and touch the lives of us all. From them comes much of the raw material on which many of the industries represented here today depend. They also provide a great variety of other products and services for our Nation.

Woodlands in industrial holdings, National and State Forests, and the small family forests so prevalent in eastern United States are all working forests. More than 70 percent of all timber producing lands is in private ownership. The Seaboard Air Line Railroad Company's forestry field days and sustained efforts to promote multiple use of woodlands are thus a most appropriate and significant contribution.

In the next two hours you will see some exciting examples of wise use and productive management of forest resources in presentations by skilled foresters. But, as we consider the tremendous importance of commercial uses of the forest, let us be sure also to keep in mind the great pressures of an expanding population to use the lands for other purposes than the production of forest products.

Many well-intentioned and articulate individuals are demanding that certain forests in which they are interested be set aside for special uses—such as to serve recreational opportunities or maintain scenic values. I believe we need to be concerned about the fact that the term "conservation," which really means a wise and balanced use of resources, is often interpreted in the narrower sense of "preservation" which excludes timber cutting, wildlife harvest, managed watersheds and forage for livestock. Conservation can and should go hand-in-hand with the multiple uses that make a forest a more profitable and productive resource for all concerned.

The Secretary of Agriculture has repeatedly stressed that the forested areas of our country, which coincide to a major degree with the economically depressed areas, possess a great latent potential ready for development and use. In these resources we have an unusual opportunity to protect and improve the economic strength of the Nation so that poverty in localized areas can be alleviated and the production of raw materials needed by industry can be sustained. A built-in-bonus in utilizing this potential is the opportunity to enhance natural beauty and to expand recreational activities.

This broad concept of conservation is practical. As you will see here today, it is being accomplished in North Carolina. In this State, an outstanding State Forestry organization is receiving solid support from the Governor, an informed legislature, a progressive wood-using industry, and many forest land owners.

As leaders in industry, you can do much personally to promote effective management and use of the forest resources in your home States. For example, many State Foresters cannot attract or hold the top flight personnel they must have—simply because of an inadequate salary structure.

Look into the situation when you return home. Find out if your State Forester and his organization are receiving the support in both money and personnel they need to do the job that you know must be done. See if the term "conservation" is being presented to your people in a way that makes sense and that will really generate public support for wise use of resources.

Effective action now is the key to building a sustained supply of the benefits and products of the forest which are needed in larger amounts each year by the people of your State and the Nation.

These are significant challenges for all of us.

CRIME CONTROL: A LOOK INTO THE FUTURE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. SCHEUER. Mr. Speaker, on Tuesday and Wednesday of last week, the 18th and 19th of April, I sponsored an exhibit in the Rayburn Building entitled "Crime Control: A Look Into the Future." I wish now to express my thanks to you, Mr. Speaker, for your cooperation in making this exhibit possible, and to the Clerk of the House, Mr. Jennings; to Ben Guthrie, of the Clerk's office; to the property custodian, Ed Kellerher; to David Faust, of the superintendent's office; to Tom Campbell, of the catering office; and to the Capitol Police, for their kind and effective assistance.

I believe that the exhibit made a worthwhile contribution toward establishing a Federal research program for crime prevention and detection; and I was gratified that a large number of my colleagues were able to drop by the exhibit and take note of the potential that research offers in the fight against crime.

CONGRESSMAN CLAUDE PEPPER PROPOSES LEGISLATION TO GUARANTEE EQUAL RIGHTS FOR MEN AND WOMEN—REGARDLESS OF SEX OR AGE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. PEPPER. Mr. Speaker, I have today introduced a bill, H.R. 9207 and a joint resolution, House Joint Resolution 536. My bill is designed to amend the Employment Act of 1946 to declare a national policy with respect to the right of Americans to employment without regard to sex or age. The resolution proposes an amendment to the Constitution to assure equal rights for both men and women.

Fortunately, there has been in the 20th century substantial improvement in the status of women—the 19th amendment ratified less than 50 years ago fostered hope that a general revision of laws and practices to end discrimination against women would follow. But this hope has not been fully realized. The fact is that discrimination against women still exists.

In many States a woman cannot handle or own separate property in the same manner as her husband. Moreover in some States women cannot pursue a profession or engage in business as freely as men can. Inheritance rights of widows differ from those of widowers in several States. Women are often classified separately for purposes of jury duty. Some States have restrictive work laws, which purport to protect women, but in fact result in discrimination in the employment of women. It is time, past time, we correct this undesirable discrimination due to sex, and guarantee under the Constitution equal rights without regard to sex. Proposals for amendments similar to House Joint Resolution 526 have been introduced and favorably reported by the committees in the 81st, 82d, 83d, 86th, and 87th Congresses.

Congress has wasted much valuable time by inaction. I would like to see the 90th Congress go on record as having enacted legislation proposing a long overdue amendment to the Constitution guaranteeing equal rights regardless of sex under both Federal and State law.

My bill, H.R. 9007, would, when passed, record that the 90th Congress declared a national policy with respect to the right of Americans to employment without regard to sex or age. This bill, as my joint resolution, proposes to eliminate discrimination due to sex, but in this instance, discrimination particularly in regard to employment. Much of what I said regarding the joint resolution also pertains to this bill, so, rather than be repetitive, I shall devote my time to the problems of employment discrimination due to age.

Nobody would support a national policy of "discriminating" against older workers where there is no reason for it. But this very practice is developing in private employment which more and more is getting to the point of excluding persons of 40 or 50, let alone 60, from new employment.

We have learned that a person of 65 years of age is still capable of rendering a valuable contribution to his society. An ever increasing body of information reveals the considerable extent to which age as an invariable cause of significantly diminished work capacity has been exaggerated. The reservoir of competence and responsibility in the senior citizens of this country is a vast natural asset which is not fully employed. There are today over 17 million Americans over 65—many who could contribute valuable services to their country. In 1964, approximately half of all private job openings were barred to applicants over 55; a quarter to those over 45; and almost all to those over 65.

In 1966, there were at all times about three-quarters of a million unemployed workers 45 years and over. Over three-quarters of a billion dollars in unemployment insurance was paid out in 1964 to workers 45 and over. Moreover, older workers bear a disproportionate share of long-term unemployment and more than half of the Nation's poor families are headed by persons 45 and over.

This bill is not designed to give any person more than he or she is worth but to assure every person the opportunity to work and contribute to the economy and the progress of our Nation, to the full extent of his capacities.

We are living in a sharply competitive world and we need the skill and productivity of all people. A man capable of rendering an honest day's work should have the opportunity to do it. Ability, physical and mental endeavors should determine employability, not the calendar. Age should not arbitrarily be the criterion of capacity. An older American should not be treated as a second-class citizen in terms of job opportunities.

AMERICAN HOMEMAKER OF TOMORROW

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. STUCKEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. STUCKEY. Mr. Speaker, this month 50 young ladies traveled to Williamsburg, Va., from every corner of the United States to compete in the Betty Crocker Search for the American Homemaker of Tomorrow. These young women had already competed with 581,000 other high school seniors. And, they were the winners from their home States.

Mr. Speaker, the purpose of the Betty Crocker award is to assist our schools in inspiring in the young women of our Nation a deeper awareness and understanding of the place of the American home in our society and economy, and Mr. Speaker, I think this is a fine program, because we all know that today's student homemakers are the mothers of tomorrow's children. And with the complex problems that are facing our young people—the increasing juvenile delinquency and crime rate; classrooms becoming more crowded every day, qualified teachers too few to go around—we all know the evergrowing importance of the home and its influence on our youth.

Miss Sharon Diane Smith of Cook County High School in Adel, Ga., was our State's winner, and I am proud of Miss Smith. She has brought honor to the young women of Georgia's Eighth Congressional District.

When Miss Smith was in Washington last week before going on to Williamsburg and the national contest, she came and visited me in my office, and this young woman, with her vitality, sparkle, and self-assuredness made me confident that tomorrow's children are in good hands.

I would like to take this opportunity to congratulate all of our young homemakers who participated in this contest, and to thank Sharon Diane Smith for representing Georgia and the Eighth Congressional District so well.

THE THIRD SEDER

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FASCELL. Mr. Speaker, tonight in south Florida a communitywide Third Seder is being held by the Israel Histadrut Committee and the Greater Miami Committee for Medical Services in Israel. It marks the beginning of a month-long celebration of the State of Israel's 19th anniversary of independence.

The Third Seder was initiated in America 35 years ago by the late Isaac Hamlin. This year it will mark a memorial to the 6 million Jewish victims of the Hitler regime and it will recognize the 24th anniversary of the Warsaw ghetto uprising.

The guest speaker will be U.S. Supreme Court Justice William O. Douglas. Awards will be presented to Leo Mindlin, retiring executive editor of the Jewish Floridian, who will receive the first annual Isaac Hamlin Memorial Award, and to Mr. and Mrs. Morris Newmark, who will receive the Israel-Histadrut Pioneers Award for their generosity. Announcement will be made of the completion of the Greater Miami Amal Vocational High School in Ramleh, Israel.

This occasion is certainly a tribute to freedom and independence—a memorial to those who died and those who rebelled against tyranny, a celebration of the independence of the Jewish State, and the foundation of a place of education, the core of freedom.

NATIONAL SCHOOL SAFETY PATROL WEEK

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. HOWARD. Mr. Speaker, the over 900,000 boys and girls who are daily protecting approximately 19 million school children in this country are deserving of special recognition, I believe. For that reason, I am introducing a joint resolution designating the second week of each May as "National School Safety Patrol Week."

Most, if not all of my colleagues, are aware, I am sure, of these youngsters who give their time in order to protect their fellow students at street crossings and on school buses.

Although the patrol idea was tried for brief periods in various parts of the Nation as early as 1916, it was not until 1922 that the idea really took hold. At that time the American Automobile Association, with the assistance of the Chicago Motor Club, began the patrols on a nationwide scale.

Since 1922, the traffic death rate of school-age children has dropped nearly one-half, while the death rate of all other age groups has doubled. A significant achievement, obtained at least in part by the work of these young patrols.

Since today so many of our youngsters attend school by way of school bus service, the patrols have been extended successfully into this area of protecting their fellow students.

I would like to call to the attention of my colleagues the following seven duties outlined for the patrol member who is assigned to sit at the front of the schoolbus:

FRONT BUS PATROL MEMBER'S DUTIES

1. When the bus stops to pick up waiting pupils, he leaves his regularly assigned seat in the front of the bus, dismounts and takes his position beside and facing the step so that he may, if necessary, aid children entering the bus. If it is necessary for children to cross the roadway to get to the bus, he shall look both ways for approaching ve-

hicles, and upon signal from the bus driver, who has also been watching traffic from all directions, that it is safe for children to cross, the Patrol member shall signal for them to do so. He boards the bus last.

2. Upon arrival at school, he is first off the bus, taking his station beside and facing the bus step and lending assistance, if necessary, to dismounting pupils.

3. When school is dismissed, with the assistance of the REAR Patrol member, he shall see that pupils enter the bus in an orderly manner and without delay, forming pupils in line if necessary. (It is the duty of non-bus School Safety Patrol members to keep non-bus riding pupils away from the bus loading and maneuvering area.) When the bus door opens, the FRONT Patrol member shall, from his position beside and facing the step, lend assistance, if necessary, to children entering the bus.

4. When the bus has stopped to discharge pupils, he shall check on children leaving, standing in front of them out of the way of the door opening apparatus. He shall alight first, and assist, when necessary, dismounting pupils.

5. If children must cross the roadway, he shall take a position, five steps in front of the bus and even with the left front fender, which will enable him to see clearly the driver's signal to cross. Children should remain behind the Patrol member until both he and the bus driver have looked both ways to make certain that all approaching traffic has stopped. *Upon signal from the bus driver that it is safe to cross,* the Patrol member then motions for the children to do so.

6. When the children have reached the other side of the roadway, he boards the bus and takes his regular seat.

7. When the bus stops at a railroad grade crossing he may alight, walk to the tracks, look both ways and then give the signal for the bus to proceed if no train is in sight. Such duties on the part of a Bus Patrol member shall in no way lessen the responsibility of the driver to stop and look both ways and to assure himself that no train is coming before starting across the tracks.

FORESTRY SCIENCES LABORATORY ALBUQUERQUE, N. MEX.

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, an appropriation of $700,000 is needed now to construct the Forestry Sciences Laboratory at Albuquerque, N. Mex. Funds for planning a laboratory for forestry research at Albuquerque were included in the fiscal year 1965 appropriation for the Forest Service, and the plans and specifications for the building are complete.

Forest Service scientists have been located at Albuquerque, partly in rented space and partly in space provided by the University of New Mexico. The university has urgent need for its rooms. Laboratories and specialized facilities required for present research programs cannot be developed in the rented quarters. To ease this situation for both parties, the university leased a site on the campus to the Forest Service for construction of a research laboratory.

The research to be housed in the proposed laboratory includes studies both of insects and diseases affecting southwestern forests and of methods for rehabilitating depleted watershed and range lands. Field studies need to be backed up by laboratory research using the latest techniques and specialized equipment. For example, growth chambers providing controlled environments are needed in many investigations. These special facilities would be provided by the proposed construction.

Forests and woodlands, covering about 26 percent of the area of New Mexico and Arizona, are subject to destructive outbreaks of bark beetles. The annual loss during the past 10 years has approximated $1 million. Defoliating insects cause additional loss. Studies of the physiology and life history of the insects responsible are basic to the development of safe and effective controls. Losses from diseases also are substantial, and the causes must be isolated and studied as the first step toward control.

In some areas of the Southwest, grazing of livestock and game has aggravated natural erosion problems. The results are depleted grazing capacity and heavy sedimentation of stream channels. Efforts to improve the range and to put protective cover on unstable soils show the need for research to develop a substantial fund of knowledge. This research is essential to maintain and improve the fundamental soundness of land use in the arid Southwest.

I regret that the subcommittee failed to include funds for this budgeted and most worthy project.

CINCO DE MAYO: AN EXAMPLE FOR THE WORLD

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. BROWN of California. Mr. Speaker, the 5th day of May is truly one of the most proud and memorable days in the history of this hemisphere. On this day in 1862 a foreign army was defeated on Mexican soil. The invaders were French troops seeking to pave the way for the liberation and regeneration of Mexico. Their orders were to secure the country and await the arrival and imposition of a monarchial rule under Archduke Maximilian, younger brother of the Hapsburg Emperor of Austria.

The French believed they came as liberators of an oppressed people. Napoleon III of France had been wrongly counseled by Mexican dissidents that a French army would be welcomed promptly by the people of Mexico. The invaders landed on the Mexican coast at Vera Cruz; meeting little resistance, they proceeded inland toward the capitol at Mexico City.

The self-styled liberators advanced upon Puebla, where, the French commander had been assured, the priests and their parishioners would welcome them with "clouds of incense," and the population would "fling wreaths of flowers about their necks." They were sadly mistaken. Instead, they were met by an army of ex-guerrillas led by amateur generals armed with outdated weapons which the British had captured from the first Napoleon at Waterloo and subsequently sold to the Mexican Government.

The French general, confident of a swift and glorious victory over a "ragtag," undisciplined band, ordered his troops to attack the center of the Mexican fortification—the steep slopes of the Cerro de Guadalupe. He succeeded in adding a new national holiday to the Mexican calendar. On May 5, 1862, the French Army, with the loss of more than a thousand men, was driven back to Orizaba and the coast.

But the French were already too deeply committed to withdraw from Mexico. Napoleon's choice was to escalate, rather than to lose face. He deployed over thirty thousand more troops, plus an additional number of cannon, and eventually managed to overwhelm the bankrupt, hard-pressed forces of the government and impose their rule upon the nation. The liberal government of Benito Juarez was slowly driven across the border into this country. Guerrilla warfare against the "liberators" never ceased and, in fact, large sections of the country were never fully pacified by the monarchy.

During this tragic period, the United States was deep in the throes of the Civil War, making support of the Mexican Government impossible, even against such a clear transgression of the spirit and letter of the Monroe Doctrine.

The much harrassed French and their cohorts were driven out of Mexico in 1867. On June 19 of that year, Emperor Maximilian, a sad and misinformed victim of an unsuccessful attempt to subjugate a proud and brave people, died before a firing squad on the Hill of Bells.

The message which was written into history that day at Puebla is of great significance to all the world. The defenders of Puebla and the people of Mexico stand out as one of the great champions of freedom, self-determination, and independence.

It is a tribute to these people that they were not led astray by those among them who sought to deliver their country unto the hands of a foreign invader. Their perseverance and silence had betrayed a burning ardor in their hearts for freedom and justice. An ardor which was to erupt 43 years later into a demand for fundamental transformation of the Mexican society.

Mr. Speaker, as one scans through the many chapters of Mexican history, he cannot but be instilled with a deep pride and admiration for the great Mexican people and their Republic. They have overcome countless obstacles and continued on to forge a new society for themselves, and the example they hold forth to the world is enviable to all.

We in the Southwestern United States are extremely proud of the many Mexicans who chose to settle in this country.

Throughout the Southwest we are continually exposed to the rich Latin culture, architecture, and language. And, may I stress, Mr. Speaker, the legacy that these people brought with them from Mexico—a strong will, determination, and courage which made possible the stand and victory at Puebla on Cinco de Mayo in 1862, has given this society the best that a people can offer.

SUCCESS IN SOUTHWEST SCHOOLS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FRASER. Mr. Speaker, there has been much discussion recently of the schools in Southwest Washington, particularly the new trischool elementary system. In some cases, I believe, there has been more heat than light. Thus, I was pleased to read recently the very straightforward and objective report in the Washington Star on the Southwest schools.

As a member of the District of Columbia Committee here in Congress I am concerned about education in the District. As the father of five school-age children, I have a personal interest in Southwest schools. Next year our youngest child will attend kindergarten at Amidon. Currently, I have three children at Jefferson Junior High and one at Western High.

Like all parents, Mrs. Fraser and I are concerned about our children's education. Before moving into Southwest Washington from the suburbs we visited Jefferson and Western and were, frankly, pleasantly surprised. We talked to counselors and principals and observed the students. After some months in these schools we find they compare favorably with the public schools they attended in Montgomery County, Md., and in Minneapolis, Minn., my home district.

This does not mean that our schools in Washington, Montgomery County, or Minneapolis, do not need more financial help. They do—all of them. But we also need to have confidence in our public schools. They need our support and our encouragement, not blanket criticism and condemnation. Improving education for all children ought to be our goal.

With permission, Mr. Speaker, I insert the Star's article with this goal in mind. It illustrates the improvements already taking place as a result of education bills passed by Congress. I hope it will encourage Members to vote needed appropriations for District of Columbia schools and other education bills. We need this money to bring all schools in the District and in the Nation up to the level of the best Southwest schools and we need to go on from there.

Education is our best national—and local—investment; to neglect it is to impoverish future generations.

The article follows:

STRONG START OF THREE MERGED SCHOOLS IS QUIETING COMPLAINTS

(By John Stacks)

Six months ago many parents in Southwest Washington were swearing at the city's school superintendent, condemning the board of education and threatening to yank their children out of the area's elementary schools.

Their anger was provoked by the board's plan to merge the three schools in the Southwest.

The huge urban renewal effort in Southwest had left school populations in relatively isolated sections. The new high-rise luxury apartments and smart town houses were clustered in such a way that children from the upper-income housing all went to Amidon.

Amidon also had slightly more than half its student body coming to school from garden-type public housing. Syphax and Bowen schools served exclusively low-income areas, including a giant high-rise public housing project at 1200 Delaware Ave.

The plan for the merger called for two grades at each school—first and second at Syphax, third and fourth at Amidon and fifth and sixth at Bowen. Each school also houses its own kindergarten classes.

Opposition to the merger was strong. It included, along with parents of Amidon children, Supt. Carl F. Hansen, who obviously feared for the future of Amidon, the cradle of his well-known program in basic education.

But strong pressure was coming from another group of new Southwest parents who disliked the educational differences between Amidon and her sister schools and who also apparently were concerned about a rising resentment against the luxury home and apartment dwellers that seemed to be building up in the poorer sections of their community.

These parents wanted the merger and were backed by parents in the poorer areas of Southwest, who were organized by antipoverty workers.

Vocal opposition to the plan has now subsided. Mrs. Elaine Jenkins, community coordinator for the three schools, reports she has had no complaints in the last month. Complaints from parents before that were largely minor and mechanical and easily taken care of, she said.

While it has been reported that racial integration was the aim of the merger, it was in fact socio-economic integration and the elimination of obvious differences in educational quality that were the aims of the school board.

Thus the final success of the tri-school plan will hinge on its ability to keep and attract middle-income families, both Negro and white, and to raise the quality of education in all three schools.

While it is too early to pronounce the merger plan a complete success, the early indications are that in its first semester of operation the merger is off to a very strong start.

Some Amidon children did leave the area before the merger was accomplished, but school officials maintain the rate of transfer to other schools was no greater than normal and that the tranfers were balanced by new registrations.

Since the January merger there has been no change, officials insist, in the overall socio-economic balance in the three schools. The ratio of poor children to others remains about 90 percent to 10 percent in the 2,000-pupil system. The very smallness of the latter portion makes it all the more remarkable that the ratio has not changed substantially.

In the period from January to mid-April, Amidon Elementary School lost 23 pupils, 12 Negro and 11 white. Only one of these children went to a private school. Officials calculate that only one of the Negro transfers was living in the upper-income housing and that most of the white transfers involved moves out of the Washington area associated with fathers being assigned new duties with the government.

Transfers into Amidon since January give the school a net loss of two white and a gain of eight Negro children.

Nineteen children, all Negroes, left the Bowen School. Transfers into the school left it with a net gain of two white children and a loss of 14 Negro children.

Twenty-eight children left Syphax elementary but incoming transfers left the school with a gain of one white child and a loss of nine Negro children.

The net change in all three schools leaves the overall proportion of white and Negro children nearly unchanged. The ratio of public housing to upper-income housing children is also unchanged.

At this point, at least the merger has been remarkably successful in its ability to hold children. More significant results will be seen in September, however. About 30 parents are known to be applying to private schools, and others will undoubtedly leave the area. But new high-rise housing is opening in the Southwest and so other children will move in. The economic balance when school opens in the fall will be the first hard indicator of the plan's attractiveness to middle-income families.

School officials are moving ahead with plans to improve the education children in the Southwest will receive. Each school now has full-time specialists in reading, art, music, language and physical education. Most schools in the city must share such special services on a one-time a week basis.

Teachers, always the decisive factor in successful learning, are now participating in an imaginative program operated by Arena Stage in which their ability to perform—literally—in front of a class is being improved. So-called theatre games are being taught so that teachers can use role-playing and student dramatizations as methods of teaching material.

The National Teacher Corps has placed four full-time teachers and four part-time teachers in the Bowen school. All schools are now qualified under Title 1 of the Elementary and Secondary Act for special federal funds.

On May 1, a series of twice-a-week "special interest" classes will be scheduled in the afternoon that will permit children to select their own subject matter.

These special classes also will permit much more interchange between the socio-economic groups than is now occurring. When the merger was accomplished, classes were moved intact with their teachers. Thus, at the moment, children formerly at Amidon are still in classes with the children they knew at Amidon, and the children from Bowen and Syphax are still not mixed with the Amidon children in classrooms.

After-school activities and such special activities as school safety patrols are organized with an eye toward bolstering maximum contact between the two groups. The principals in the three schools report no serious incidents between children of the different groups and they continue to believe that, left alone, the children will get along well.

At the regular meeting of the District Board of Education last week, two parents from Southwest came to congratulate the board members and the school administration on the early success of the merger.

And they suggested that the administration and the board begin planning now for classroom organization for the fall. Some tri-school officials believe that strict reading group classes should be followed, even though this will have the effect of keeping most of the Amidon children together.

One of the school principals, William Boyd of Bowen, favors following Supt. Hansen's suggested plan of grouping children by achievement only in reading, and allowing other classes to consist of children from all achievement levels.

Still others in the system favor extensive use of team teaching and the elimination of grades and tracks as they now are used in the elementary system.

When parents this week asked for decisions on the organization plans, Supt. Hansen replied with a request that the parents give him their suggestions.

Both parents and school officials seem determined to avoid what could be a destructive fight over organization. If Hansen's Amidon plan and the track system are pitted against other forms of organization, a largely symbolic argument would follow that would have the effect of making the tri-school plan a test of political strength rather than a significant rational experiment in education.

Flexible discussion of grouping plans may well produce a combination of ideas designed to best serve all the children in the merged schools.

There is now apprehension on the part of the three school principals that the children transferred from their schools to one of the others in the subsystem may be getting shortchanged in their new schools.

Mrs. Virginia Miller, principal at Amidon, reports more behavior problems in her school since the merger. She refused to comment on the quality of her new, merged teaching staff and plainly wonders about the success of former Amidon pupils in other schools.

Boyd, on the other hand, wonders about his children now at Amidon. He has devoted himself to the problems of disadvantaged children and is concerned that the care he was giving may not be available in the other schools.

Interestingly, the concern for the children runs in other directions, concern for the Amidon child now in what was always a low-income school and concern for the disadvantaged child who is now in Amidon.

This two-way concern is probably healthy. Those in charge of the merged schools recognize it and point out that it indicates involvement of both economic ends of the neighborhood in the future of the plan.

Another community-wide concern has been the assignment of tri-school graduates to junior high school. In the past, Amidon children went to Jefferson Junior High while Bowen and Syphax children went to Randall Junior High.

In effect, the junior high assignments were extensions of the differences between Amidon and her two sister schools, so this week school officials announced that all tri-school children would be permitted to go to Jefferson.

Another high school official also indicated he is attempting to get funds and staff to make Randall a copy of the highly successful Jefferson program so that both the secondary schools in Southwest will be comparable.

As was the case before the merger, the success of the tri-school plan hinges on parental confidence. At this point confidence appears high and most parents and school officials are optimistic. And the school administration seems to be making every effort to insure future confidence and success in the Southwest experiment.

POSTAL SERVICE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, Postmaster General O'Brien's "daring" proposal to transfer the responsibility for operating our postal service to a non-profit government corporation warrants full consideration. That is the conclusion reached by the Lewiston Daily Sun, as expressed in a recent editorial. It is the same conclusion that hundreds of newspapers and millions of private citizens across the land—and many Members of Congress—have reached. With permission granted I insert the Daily Sun's editorial in the RECORD:

DARING POST OFFICE PLAN

The surprise plan of Postmaster General Lawrence F. O'Brien to put the Post Office Department on a professional, businesslike basis, while abolishing one of the juiciest political plums in the federal system, his own job, is as daring as it is novel. That he takes a realistic view of the operation is obvious, however, in his stipulation that the huge department, which reaches into every city and town in the United States, should be operated as a non-profit government corporation. The department has run at a deficit for years.

Traditionally, the postmaster general has been chosen in recognition of his service to the elected President. While able men have held the position, their knowledge and experience in the handling of the U.S. Mails have been incidental. Meanwhile, the department has grown to huge proportions, as the volume of mail has mounted steadily.

As the Post Office business has mushroomed, so have the postal deficits. Rate increases—and another is under study by Congress at this time—have failed to keep the department out of the red.

O'Brien has been determined to modernize the department and introduce businesslike methods in it. That is no easy task in a federal agency which has existed in substantially the same form since 1829 and in which tradition has carried more weight than business judgment.

In proposing the setting up of a corporation, along the lines of the Tennessee Valley Authority, to take over the operation of the Post Office Department, O'Brien is seeking a changeover of mammoth proportions. If approved, it would mean that the department would be freed from policy decisions by act of Congress, and released from much of the political pressure it now is under.

Putting the postal service on a businesslike basis is such a desirable objective that it warrants giving the daring O'Brien proposal full consideration.

NASA AND FREEDOM OF INFORMATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 20 minutes.

Mr. RYAN. Mr. Speaker, we are confronted with a very grave question which goes to the heart of the democratic process—whether an agency of our Government has the unqualified right to withhold from the public and Members of Congress information which is crucial to a congressional investigation of a vitally important matter.

If Federal agencies have this right, then the elected representatives of the people cannot perform their function of making policy and watching over the expenditures of public funds to insure that they are not squandered and that the recipients of public funds fulfill their commitments. Certainly there is no right to conceal information to avoid embarrassment or to cover up inefficiency and negligence. The matters on which I will comment today constitute a crucial case in the long fight for freedom of information.

The House Science and Astronautics Committee, of which I am a member, has been investigating the circumstances which led to the Apollo fire on January 27, 1967, which claimed the lives of three brave astronauts.

Apparently because of failures by NASA and its contractor, North American Aviation, their lives were unnecessarily sacrificed.

During the course of the hearings it was revealed that on December 19, 1965, 13 months before the Apollo fire, Gen. Samuel C. Phillips, Apollo Program Director, sent a covering letter along with a report to North American Aviation, the principal Apollo contractor. It became clear that the Phillips report critically discussed the performance of North American Aviation. It also became clear that the report has a vitally important bearing on the management competence of North American Aviation and the supervisory competence of NASA, both of which are now in question.

Because of the crucial importance of the Phillips report to our investigation, I requested that it be made available in its entirety to the Science and Astronautics Committee and that NASA and North American Aviation be examined concerning its contents. The public, which pays for the second most expensive governmental program, is entitled to know the facts.

In spite of the obvious relevance and importance of the Phillips report, NASA has refused to produce it. It has not refused because the divulgence of its contents would impair national security. It has not refused because it was a classified document. And it has not refused because the administration claimed "executive privilege" which can only be asserted by the President. In fact, there is no rationale for the suppression of the report. All that NASA would say was that NASA always complied with Congress' "real needs."

I continued to request the report both privately and publicly. Then on Saturday, April 15, 1967, in response to continuing pressure to release the Phillips report, Mr. Webb sent a letter to the subcommittee chairman with an attached memorandum referred to as a summary. The so-called summary is no substitute for the full report. Mr. Webb describes it as being in essence the same as the testimony before the Senate Committee on Aeronautics and Space Sciences on April 13.

I have now seen a copy of the Phillips report. It is now clear to me why NASA refused to divulge its contents. The reason is simple. It is not that the report would damage the national interest or security. It is not that the space program would be jeopardized. It is simply that the truth concerning NASA's failure properly to supervise Apollo operations and incredible mismanagement on the part of NASA's major Apollo contractor is highly embarrassing.

In a democracy no agency should be

permitted to withhold critical information for its own protection. On the contrary, the public which, at a tremendous cost, is financing NASA's efforts in space, has a right to know how its money is being spent. The $25 billion for the moon program is nothing compared to the costs that will ensue later as NASA's future plans unfold. These plans are in some way inconsistent with the recommendations of the scientific community. These plans are in some ways very exciting and remarkable. To be sure, the costs involved are astronomical. Yet the public has not been allowed to review these plans and to approve of future expenditures.

The Phillips report does not discuss these future plans. But it does give the American people some basis for evaluating the performance of those who will be shaping these plans at vast public expense.

In its effort to hide the facts NASA tried to convince the Congress that, although the Phillips report might have been critical, all the deficiencies mentioned in the report were cleared up long before the Apollo fire. The facts are to the contrary.

An April 5, 1967, the Apollo Review Board made its findings. These findings were made 16 months after the Phillips report was sent to North American Aviation. The similarity between the two sets of findings shows that NASA knew of management's incompetence a full 13 months before the tragic fire. The only reasonable and objective conclusion is that North American Aviation did not clear up the deficiencies pointed out in the Phillips report and that NASA did not exercise proper supervision thereafter.

The covering letter dated December 19, 1965, from Gen. Samuel C. Phillips to Mr. J. L. Atwood, president of North American Aviation, states:

> I am definitely not satisfied with the progress and outlook of either program (S–II and CSM) . . . Even with due consideration of hopeful signs, I could not find a substantive basis for confidence in future performance.

According to the Phillips report:

> The review was conducted as a result of the continual failure of NAA to achieve the progress required to support the objective of the Apollo Program.

The following abbreviated items from the Phillips report of December 19, 1965, and their close correlation with many findings of the Apollo Review Board may be of interest:

> Phillips report: "At the start of the CSM and S–II programs, key milestones were agreed upon, performance requirements established and cost plans developed. These were essentially commitments made by NAA to NASA. As the program progressed NASA has been forced to accept slippages in key milestone accomplishments, degradation in hardware performance, and increasing costs."
>
> Apollo Review Board: ". . . during this period (October 7 to December 20, 1966) the Apollo Program Director made a decision to conduct a Recertification Review to be conducted during the month of December 1966. This action was deemed necessary in view of the large number of action items resulting from the initial review, with many remaining open. The selected date of December 21, 1966, for this second review was influenced by a slippage in the launch schedule caused by the delay in completion of the Environmental Control Sub-system . . . to correct a previously-identified deficiency . . ."
>
> Phillips report: "Inadequate procedures and controls in bonding and welding, as well as inadequate master tooling, have delayed fabrication. In addition there are still major development problems to be resolved. SPS engine life, RCS performance, stress corrosion, and failure of oxidizer tanks has resulted in degradation of the Block I spacecraft as well as forced postponement of the resolution of the Block II spacecraft configuration."
>
> Apollo Review Board: "The purpose of the First Article Configuration Inspection (FACI) is to establish the Configuration Baseline for the spacecraft. It is accomplished by establishing the relationship of the spacecraft as described by released engineering documentation (drawings, specifications) to the spacecraft as manufactured, assembled, and tested. The FACI checkpoint has been implemented for Block II spacecraft only. It was not implemented for S/C 012 . . ."
>
> Phillips report: "NAA performance on both programs (S–II & CSM) is characterized by continued failure to meet committed schedule dates with required technical performance and within costs. There is no evidence of current improvement in NAA's management of these programs of the magnitude required to give confidence that NAA performance will improve at the rate required to meet established Apollo program objectives."
>
> Apollo Review Board: "At the time of shipment of the spacecraft to KSC, the contractor submitted an incomplete list of open items. A revision of the said list significantly and substantially enlarged the list of open items. The true status of the spacecraft was not identified by the contractor."
>
> Phillips report: "With the first unmanned flight spacecraft finally delivered to KSC, there are still significant problems remaining for both block I and block II CSM's. Technical problems with electrical power capacity, service propulsion, structural integrity, weight growth, etc., have yet to be resolved. Test stand activation and undersupport of GSC still retard schedule progress. Delayed and compromised ground and qualification test programs give us serious concern that fully qualified flight vehicles will not be available to support the lunar landing program."
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> Apollo Review Board: "Unsatisfactory Report. Category: Spacecraft. System: EPS. U.R. No.: A–054. Contractor Part Name: Cable Harness Assembly (Crew Compartment). Date reported: 10–11–66. Supplier: NAA. Mission: Apollo. Serial No.: 012. Unsatisfactory Condition: This Unsatisfactory Report documents a recurring problem concerning bent pins in S/C electrical connectors, which if not corrected, could seriously impair the checkout schedules and/or jeopardize subsequent Apollo Missions.
>
> "Review of Pre-FRR (Flight Readiness Review) report completed by NAA on January 27, 1967: 'During the Combined Systems Test at Downey, several caution and warning light indications could not be verified. Troubleshooting isolated the problem to an open circuit within terminal block assembly No. I behind the Main Display Console. An x-ray examination . . . revealed seven pins not properly inserted. The pin insertions in the remaining 31 similar TB assemblies installed in the S/C were examined. This examination revealed nine additional discrepant terminal block assemblies.' "
>
> Phillips report: "Effective planning and control from a program standpoint does not exist. . . . The program managers do not define, monitor, or control the interfaces between the various organizations supporting their program."
>
> Apollo Review Board: "300 Materials do not meet the (flammability test) criteria established . . . 650 Materials have no status as to acceptability. Due to the type of information . . . used by NAA to compile the material usage list, exact location and amount used is not available in the majority of the cases. Such information is obtainable only by drawing review. This activity is not planned by NAA. In addition, subcontractor compliance has not been either imposed or obtained in all cases. Due to this lack of information, an engineering decision cannot be made on whether a serious problem does or does not exist nor can an assessment be made on the effect on the reliability from a toxicity and flammability standpoint."
>
> Phillips report: "The condition of hardware shipped from the factory, with thousands of hours of work to complete, is unsatisfactory to NASA. S&ID must complete all hardware at the factory and further implement, without delay, an accurate system to certify configuration of delivered hardware, properly related to the DD 250."
>
> Apollo Review Board: "Two revisions were made to the original Command Module DD Form 250. The first (original) DD 250 did not reflect the true status of the Command Module in that it did not include all of the actual part shortages nor did it list the equipment removed to facilitate shipment. To correct the status of the Command Module, the second CM DD 250 was written. After shipment, additional discrepancies were discovered in the 'as shipped' hardware configuration status . . . The third CM DD 250 was written to correct the status of the Command Module . . . items requiring Downey action which were not completed at NAA-Downey were transferred to KSC on the DD 250."
>
> Phillips report: "NAA quality is not up to NASA required standards. This is evidenced by the large number of 'correction' E.O.'s and manufacturing discrepancies. This deficiency is further compounded by the large number of discrepancies that escape NAA inspectors but are detected by NASA inspectors. NAA must take immediate and effective action to improve the quality of workmanship and to tighten their own inspection. Performance goals for demonstrating high quality must be established, and trend data must be maintained and given serious attention by management to correct this unsatisfactory condition."
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> Apollo Review Board: ". . . As a result of review of open work, it was found that a large number of engineering changes (had to be) incorporated into the S/C at KSC. Many of these changes resulted from non-fit or non-function problems . . . The large number of changes made it difficult to establish the vehicle configuration."
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> Phillips report: "Poor workmanship is evidenced by the continual high rates of rejection and MRB actions which result in rework that would not be necessary if the workmanship had been good. . . . A practical system of measuring work accomplished vs. work planned must be implemented and used to gauge and to improve the effectiveness of the labor force."
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> Apollo Review Board. Review of test findings, August 19, 1966: "Failure of ECS Measurements. The water-glycol pump package pressure measurements was found defective . . . The transducer for water-glycol pump inlet pressure measurement was not replaced and NAA's request for waiver was granted. CO2 Partial Pressure Gage. When power was turned on, the gage went to full scale deflection and triggered the caution and warning system. Additional testing was accomplished prior to shipment and gage operation was determined to be satisfactory although Automatic Checkout Equipment readouts did not correspond. The master caution and warning light triggered with no visible indication on the individual display

when the glycol evaporator steam backpressure was operated. The problem was found to be a switch which was removed and replaced. A retest with the new switch was not performed and was transferred as open work to KSC . . . Use of Velcro and other materials in the CM was not considered desirable and was unsatisfactory for flight. Investigation of the CM crew compartment was performed with identification of undesirable materials listed prior to shipment of the spacecraft."

Phillips report: "Work task management—General orders, task authorizations, product plans, etc., are broad and almost meaningless from a standpoint of defining end products. Detailed definitions of work tasks are available at the 'doing level'; however, these 'work plans' are not reviewed, approved, or controlled by the program managers. There is no effective reporting system to management that evaluates performance against plans. Plans are changed to reflect performance. Trends and performance indices reporting is almost nonexistent."

Apollo Review Board: "The purpose of a CDR (Critical Design Review) is to formally review the design of a spacecraft when the design is essentially complete and is intended to precede the release of engineering drawings for manufacture. This review for S/C 012 . . . was accomplished after the S/C had been released for manufacturing.

"Shakedown inspection is . . . to detect and record hardware discrepancies . . . On investigation, it was learned that there were shakedown inspections performed prior to major test and milestones. However, these inspections were performed without definitive inspection criteria.

"Inspection procedures just prior to C/M hatch installation were reviewed . . . White Room space and weight loading limitations prevented having an Inspector witness these functions . . .

"Analysis revealed that constraints lists are signed only by NASA/NAA Operations and Engineering with no NASA or NAA Quality control signature indicating approval of the constraints lists.

"Panel 6 investigated the requirements for retesting of components or subsystems after rework. APOP–T–502, Discrepancy Recording System, covers the retest requirement, but there is no requirement to keep the discrepancy records open until the retest has been verified. The records are closed out with a statement that the retest will be done in a subsequent test. This can then be deleted by on-the-spot deviations in a subsequent test.

"In an attempt to obtain a complete subsystem history from the records, considerable difficulty was experienced. This was due to the fact that the records are not maintained by subsystem."

Phillips report: "Incentivization of the S–II program should be delayed until NASA is assured that the S–II program is under control and a responsible proposal is received from the contractor. Decision on a follow-on incentive contract for the CSM, beyond the present contract period, will be based on contractor performance."

Apollo Review Board: "The overall communication system was unsatisfactory . . . Deficiencies in design, manufacture, installation, rework and quality control existed in the electrical wiring . . . These deficiencies created an unnecessarily hazardous condition and their continuation would imperil any future Apollo operations . . . There were 113 significant Engineering Orders not accomplished at the time Command Module 012 was delivered to NASA . . . Problems of program management . . . and with the contractor have led to insufficient response to changing program requirements."

Mr. Speaker, the danger of an agency arrogating to itself the power to suppress important facts is clear. It is time for NASA to face Congress and the public. NASA's refusal to let the public know what failures General Phillips found and to compare these failures with the continued failures which led up to the Apollo fire deprives the public and the Congress of the means to pass judgment upon NASA's operations. NASA should have made the full report public in the first instance. It can still do so.

In the past NASA has pursued a policy of openness in conducting the space program. That is consistent with our society and with the original NASA act which provides that—

> Information obtained or developed by the Administrator in the performance of his functions shall be made available for public inspection. . . .

And that nothing in the NASA act "shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Charles H. Wilson (at the request of Mr. Miller of California), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Price of Texas, for 60 minutes, on April 27, with respect to beef imports.

Mr. Hall, for 60 minutes, on Tuesday, May 2, on the subject of "Death Tax on Youth Leadership Training."

Mr. Pirnie (at the request of Mr. Buchanan), for 60 minutes, on May 2; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Walker) to revise and extend their remarks, and include extraneous matter:)

Mr. Ryan, for 20 minutes, today.

Mr. Randall, for 1 hour, on May 8.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mrs. Hansen of Washington to revise and extend her remarks made in the Committee of the Whole today and to include tables.

Mr. McCarthy.

Mr. Thompson of New Jersey to include extraneous matter made in the Committee of the Whole today.

(The following Members (at the request of Mr. Buchanan) and to include extraneous matter:)

Mr. Ayres.

Mr. Fulton of Pennsylvania.

Mr. Keith.

(The following Members (at the request of Mr. Walker) and to revise and extend their remarks:)

Mr. St. Onge.

Mrs. Kelly.

Mr. Rooney of Pennsylvania.

Mr. Kee.

Mr. Teague of Texas.

Mr. Eilberg.

ADJOURNMENT

Mr. WALKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Thursday, April 27, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

696. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 7, 1967, submitting a report, together with accompanying papers and an illustration, on a review of the reports on Wilson Harbor, N.Y., requested by a resolution of the Committee on Public Works, House of Representatives, adopted September 26, 1963 (H. Doc. No. 112); to the Committee on Public Works and ordered to be printed with an illustration.

697. A letter from the Comptroller General of the United States, transmitting a report of review of the management of aircraft parts reserved for maintenance activities at depots in the continental United States, Department of the Army; to the Committee on Government Operations.

698. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the recordation of mining claims; to the Committee on Interior and Insular Affairs.

699. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to create the National Capital Airports Corporation, to provide for the operation of Washington National Airport and Dulles International Airport by the Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

700. A letter from the Chairman, Federal Maritime Commission, transmitting a draft of proposed legislation to amend provisions of the Shipping Act, 1916, to authorize the Federal Maritime Commission to permit a carrier to refund a portion of the freight charges; to the Committee on Merchant Marine and Fisheries.

701. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the use of funds to provide additional research laboratory space at the University of Kansas, Lawrence, Kans., pursuant to the provisions of 79 Stat. 192, 193; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. S.J. Res. 42. Joint resolution to amend the National Housing Act, and other laws relating to housing and urban development, to correct certain obsolete references (Rept. No. 214). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. S. 1216. An act to authorize appropriations during fiscal year 1967 for use by the

Secretary of Defense for acquisition of properties pursuant to section 1013 of Public Law 89-754, and for other purposes (Rept. No. 215). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 9161. A bill to amend the section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises; to the Committee on Ways and Means.

H.R. 9162. A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes; to the Committee on Ways and Means.

Mr. ASHMORE:

H.R. 9163. A bill to authorize the waiver of recovery of certain payments made by the Federal Government; to the Committee on the Judiciary.

By Mr. BETTS:

H.R. 9164. A bill to provide for identification by the Comptroller General of individuals who fail to comply with certain prescribed procedures, to require approval of certain accounting systems by the Comptroller General, to require reporting by the Bureau of the Budget of action on recommendations made by the Comptroller General, and for other purposes; to the Committe on Government Operations.

By Mr. BRINKLEY:

H.R. 9165. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of Michigan:

H.R. 9166. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

By Mr. BURKE of Massachusetts:

H.R. 9167. A bill to prescribe the geographical limits of the naval districts and to provide that the commandants thereof shall be officers not below the grade of rear admiral; to the Committee on Armed Services.

By Mr. BURTON of California:

H.R. 9168. A bill to amend title 5, United States Code, to eliminate U.S. citizenship requirements with respect to employment of personnel by the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BUTTON:

H.R. 9169. A bill making the 12th day of October in each year a legal holiday to be known as Columbus Day; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 9170. A bill to assure nondiscrimination in Federal and State jury selection and service, to provide relief against discriminatory employment and housing practices, to prescribe penalties for certain acts of violence or intimidation, to extend the life of the U.S. Commission on Civil Rights, and for other purposes; to the Committee on the Judiciary.

H.R. 9171. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 9172. A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes; to the Committee on Ways and Means.

H.R. 9173. A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 9174. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.R. 9175. A bill to exclude U.S. Route No. 22 from Haafsville to Easton, Pa., from being on the Interstate System and to provide for the designation of an alternative route; to the Committee on Public Works.

By Mr. DOW:

H.R. 9176. A bill to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FEIGHAN:

H.R. 9177. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. FINO:

H.R. 9178. A bill to amend the Commodity Exchange Act, as amended; to the Committee on Agriculture.

By Mr. GERALD R. FORD:

H.R. 9179. A bill to amend title II of the National Housing Act to make available, through a new program of mortgage insurance, additional financing for the construction of needed nonprofit hospital facilities; to the Committee on Banking and Currency.

By Mr. FOUNTAIN:

H.R. 9180. A bill to require the Secretary of Agriculture and the Director of the Bureau of the Budget to make a separate accounting of funds requested for the Department of Agriculture for programs and activities that primarily stabilize farm income and those that primarily benefit consumers, businessmen, and the general public, and for other purposes; to the Committee on Agriculture.

H.R. 9181. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 9182. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 9183. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 9184. A bill to amend the Public Health Service Act in order to establish in the Public Health Service the position of Chief Veterinary Officer; to the Committee on Interstate and Foreign Commerce.

By Mr. GIAIMO:

H.R. 9185. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 9186. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. JOELSON:

H.R. 9187. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income compensation of enlisted members of the Armed Forces; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 9188. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 9189. A bill to amend the Public Health Service Act in order to authorize quality grants for schools of veterinary medicine and scholarships for students of veterinary medicine; to the Committee on Interstate and Foreign Commerce.

H.R. 9190. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

H.R. 9191. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 9192. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 9193. A bill to amend the Housing and Urban Development Act of 1965 to increase from $200 million to $500 million the amount of the annual appropriations authorized thereunder for grants for basic water and sewer facilities; to the Committee on Banking and Currency.

By Mr. McFALL:

H.R. 9194. A bill to amend section 201 of the Agricultural Adjustment Act of 1938, as amended, in order to require the Secretary of Agriculture in certain cases to make complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs, and practices relating to the transportation of farm products; to the Committee on Agriculture.

By Mr. MACDONALD of Massachusetts:

H.R. 9195. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increase in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MEEDS:

H.R. 9196. A bill to amend title 39, United States Code, to revise the rates of postage on third-class mail; to the Committee on Post Office and Civil Service.

H.R. 9197. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 9198. A bill to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad; to the Committee on House Administration.

By Mr. MORRIS:

H.R. 9199. A bill to amend section 5[illegible] of the Atomic Energy Community Act of 1955, as amended; to the Joint Committee on Atomic Energy.

By Mr. NELSEN:

H.R. 9200. A bill to prohibit mutilation and desecration of the national flag; to the Committee on the Judiciary.

H.R. 9201. A bill to establish the annual Federal payment authorization for the District of Columbia, and providing a method for computing the annual borrowing authority for the general fund of the District of Columbia; to the Committee on the District of Columbia.

By Mr. NICHOLS:

H.R. 9202. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 9203. A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes; to the Committee on Ways and Means.

H.R. 9204. A bill to amend the section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 9205. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

H.R. 9206. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.R. 9207. A bill to amend the Employment Act of 1946 to declare a national policy with respect to the right of Americans to employment without regard to sex or age; to the Committee on Government Operations.

By Mr. SCHADEBERG:

H.R. 9208. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 9209. A bill to amend the Older Americans Act of 1965 so as to extend its provisions; to the Committee on Education and Labor.

By Mr. SKUBITZ:

H.R. 9210. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 9211. A bill to amend the Internal Revenue of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents at an institution of higher education; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 9212. A bill to authorize the Secretary of Commerce to carry out a comprehensive program in the field of weather modification and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H.R. 9213. A bill to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 9214. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. STUCKEY:

H.R. 9215. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer to tobacco acreage allotments and acreage-poundage quotas; to the Committee on Agriculture.

H.R. 9216. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 9217. A bill to amend title II of the Social Security Act to provide that the wife or husband of an individual entitled to disability insurance benefits may (if otherwise qualified) become entitled to wife's or husband's insurance benefits without regard to age; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 9218. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. TEAGUE of Texas:

H.R. 9219. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 9220. A bill to amend title 38 of the United States Code, so as to make certain benefits available to veterans who have served for 90 days or more in the Armed Forces during peacetime; to the Committee on Veterans' Affairs.

By Mr. WALKER:

H.R. 9221. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

By Mr. WIDNALL:

H.R. 9222. A bill to reconstitute the Federal National Mortgage Association as an independent corporate instrumentality of the United States, to enable it to deal in conventional mortgages, and to provide otherwise for its further development as a secondary market facility; to the Committee on Banking and Currency.

By Mr. CHARLES H. WILSON:

H.R. 9223. A bill to amend the Older Americans Act of 1965 so as to extend its provisions; to the Committee on Education and Labor.

By Mr. BLATNIK:

H.R. 9224. A bill to amend the Oil Pollution Act of 1924; to the Committee on Merchant Marine and Fisheries.

By Mr. BROCK:

H.R. 9225. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 9226. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 9227. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. ESCH:

H.R. 9228. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GUBSER:

H.R. 9229. A bill to establish a permanent Commission on Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. GETTYS:

H.R. 9230. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mrs. HECKLER of Massachusetts:

H.R. 9231. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 9232. A bill to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 9233. A bill to amend title 39, United States Code, to encourage correspondence with the U.S. Armed Forces in overseas combat areas by providing for the transportation of first-class letter mail at no cost to the sender to and from the United States and combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.R. 9234. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 9235. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 9236. A bill to amend section 22 of the Agricultural Adjustment Act of 1933, as amended; to the Committee on Ways and Means.

By Mr. PICKLE:

H.R. 9237. A bill to provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the Pan American Highway; to the Committee on Public Works.

H.R. 9238. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 9239. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. RIVERS:

H.R. 9240. A bill to authorize appropriations during the fiscal year 1968 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. ROBERTS:

H.R. 9241. A bill to amend title 38 of the United States Code to permit the furnishing of benefits to certain veterans conditionally discharged or released from active military, naval, or air service; to the Committee on Veterans' Affairs.

By Mr. WATSON:

H.R. 9242. A bill to amend the Railroad Retirement Act of 1937 to increase from $100 to $200 a month the amount which may be earned without loss of annuity by an individual whose entitlement is based on disability; to the Committee on Interstate and Foreign Commerce.

H.R. 9243. A bill to amend title 39, United States Code, to provide for the transportation of mail at no cost to the sender to and from the United States and combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9244. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deduction from benefits thereunder; to the Committee on Ways and Means.

H.R. 9245. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. ANDERSON of Tennessee:

H.R. 9246. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BEVILL:

H.R. 9247. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BLATNIK:

H.R. 9248. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BOW:

H.R. 9249. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BRINKLEY:

H.R. 9250. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN:

H.R. 9251. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Florida:

H.R. 9252. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURTON of California:

H.R. 9253. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROTZMAN:

H.R. 9254. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H.R. 9255. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DOW:

H.R. 9256. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DUNCAN:

H.R. 9257. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDMONDSON:

H.R. 9258. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS of Louisiana:

H.R. 9259. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 9260. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARRISON:

H.R. 9261. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

H.R. 9262. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KARSTEN:

H.R. 9263. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KARTH:

H.R. 9264. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KING of California:

H.R. 9265. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KING of New York:

H.R. 9266. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MEEDS:

H.R. 9267. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MESKILL:

H.R. 9268. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLS:

H.R. 9269. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MINSHALL:

H.R. 9270. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MIZE:

H.R. 9271. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MOORHEAD:

H.R. 9272. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 9273. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NIX:

H.R. 9274. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PETTIS:

H.R. 9275. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H.R. 9276. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. POOL:

H.R. 9277. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. QUILLEN:

H.R. 9278. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REIFEL:

H.R. 9279. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Colorado:

H.R. 9280. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHWEIKER:

H.R. 9281. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H.R. 9282. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Oklahoma:

H.R. 9283. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SHIPLEY:

H.R. 9284. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SISK:

H.R. 9285. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMSON of Wisconsin:

H.R. 9286. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. VIGORITO:

H.R. 9287. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALKER:

H.R. 9288. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WINN:

H.R. 9289. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Tennessee:

H.R. 9290. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HATHAWAY:

H.R. 9291. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RANDALL:

H.R. 9292. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RHODES of Pennsylvania:

H.R. 9293. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TAFT:

H.R. 9294. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON of Tennessee:

H.R. 9295. A bill to amend the Civil Service Retirement Act to extend to employees retired on account of disability prior to October 1, 1956, the minimum annuity base established for those retired after that date; to the Committee on Post Office and Civil Service.

H.R. 9296. A bill to equalize civil service retirement annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9297. A bill to amend section 8338, title 5, United States Code, to correct inequities applicable to those employees or members separated from service with title to deferred annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9298. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 9299. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

H.R. 9300. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 9301. A bill to designate a portion of the San Francisco-Stockton ship channel as the John F. Baldwin Ship Channel; to the Committee on Public Works.

By Mr. CONTE:

H.R. 9302. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 9303. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

H.R. 9304. A bill to establish a self-supporting Federal reinsurance program to protect employees in the enjoyment of certain rights under private pension plans; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 9305. A bill to amend the act of March 3, 1901, which established the National Bureau of Standards to authorize a fire research and safety program, and for other purposes; to the Committee on Science and Astronautics.

H.R. 9306. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for the ransom of a kidnaped person; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 9307. A bill to establish a self-supporting Federal program to protect employees in the enjoyment of certain rights under private pension plans; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 9308. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus personal property to State and local governments, Indian groups under Federal supervision, and volunteer firefighting and rescue organizations at 50 percent of the estimated fair market value; to the Committee on Government Operations.

H.R. 9309. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for an individual who is a student at an institution of higher education; to the Committee on Ways and Means.

H.R. 9310. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

Mr. RHODES of Pennsylvania:

H.R. 9311. A bill to repeal the authority for the current wheat and feed grain programs and to authorize programs that will permit the market system to work more effectively for wheat and feed grains, and for other purposes; to the Committee on Agriculture.

By Mr. UTT:

H.R. 9312. A bill relating to taxation by States of the income of Members of Congress, members of their staffs, and certain officers of the United States; to the Committee on the Judiciary.

By Mr. ASHBROOK:

H.R. 9313. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for tuition expenses of the taxpayer or his spouse or a dependent at an institution of higher education, and an additional credit for gifts or contributions made to any institution of higher education; to the Committee on Ways and Means.

H.R. 9314. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. MULTER (by request):

H.R. 9315. A bill to provide for a study and investigation with respect to the adoption by the United States of a reformed calendar; to the Committee on Foreign Affairs.

By Mr. MATSUNAGA (for himself and Mrs. MINK):

H.R. 9316. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUDE:

H.J. Res. 533. Joint resolution to establish a commission to conduct a study of the adequacy of the financial resources available for the operation of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. HALPERN:

H.J. Res. 534. Joint resolution to provide for the designation of the third week in May of each year as National Credit Week; to the Committee on the Judiciary.

By Mr. HOWARD:

H.J. Res. 535. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 536. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.J. Res. 537. Joint resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

By Mr. DENT:

H. Con. Res. 325. Concurrent resolution expressing the sense of the Congress with respect to the application of the minimum wage and overtime compensation standards of the Fair Labor Standards Act of 1938 to foreign producers; to the Committee on Ways and Means.

By Mr. PETTIS:

H. Con. Res. 326. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Res. 452. Resolution authorizing the Clerk of the House to furnish Members of the House of Representatives with copies of amendments offered for consideration on the floor of the House of Representatives; to the Committee on House Administration.

By Mr. ERLENBORN:

H. Res. 453. Resolution to create a select committee to investigate and study collective bargaining practices in the motor carrier industry; to the Committee on Rules.

By Mr. PATMAN:

H. Res. 454. Resolution authorizing the printing of additional copies of the subcommittee print entitled "Bank Stock Ownership and Control"; to the Committee on House Administration.

H. Res. 455. Resolution authorizing the printing of additional copies of the subcommittee print entitled "The Fiat-Soviet Auto Plant and Communist Economic Reforms"; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

159. By the **SPEAKER**: Memorial of the Legislature of the State of Hawaii, relative to families with two or more members serving in the Armed Forces; to the Committee on Armed Services.

160. Also, memorial of the Legislature of the State of Washington, relative to the enactment of legislation authorizing a disability "freeze" under the Social Security Act; to the Committee on Ways and Means.

161. By Mr. **ZION**: Memorial of the House of Representatives of the General Assembly of the State of Indiana memorializing the Congress of the United States to authorize the U.S. Army Corps of Engineers to make a feasibility study of a navigable Wabash Waterway joining the Ohio River with Lakes Erie and Michigan in accordance with the recommendations of the Wabash Valley Interstate Commission as contained in the commission's report entitled "Cross-Wabash Valley Waterway"; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BETTS:

H.R. 9317. A bill for the relief of Lt. Col. Duren L. Spivey, U.S. Air Force (retired); to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 9318. A bill for the relief of Maria Ferrigno, and her son, Carlo Ferrigno; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 9319. A bill for the relief of Gioacchino Loiacono; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 9320. A bill for the relief of Minobu Miki; to the Committee on the Judiciary.

H.R. 9321. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of Olin G. Smith against the United States; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9322. A bill for the relief of Giuseppe Iacona; to the Committee on the Judiciary.

H.R. 9323. A bill for the relief of Salvatore Rusotto; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 9324. A bill for the relief of Jose Joaquim Rezendes; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 9325. A bill to authorize and direct the Secretary of Transportation to cause the vessel *Cap'n Frank*, owned by Ernest R. Darling, of South Portland, Maine, to be documented as a vessel of the United States with full coastwise privileges; to the Committee on Merchant Marine and Fisheries.

By Mr. RODINO:

H.R. 9326. A bill for the relief of Dr. Abraham Ruchwarger; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 9327. A bill for the relief of Chai Koon Cho; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 9328. A bill for the relief of Genoveffa Siano; to the Committee on the Judiciary.

H.R. 9329. A bill for the relief of Michael Waithe; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

71. The **SPEAKER** presented a petition of Ginowan City Council, Ginowan, Okinawa, relative to the reversion of Okinawa to Japan, which was referred to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, APRIL 26, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God, our Father, we would make our hearts, cleansed by Thy forgiving grace, a temple of Thy presence, knowing that only to the pure does Thou grant the vision of Thy face.

In this hallowed moment, we bring to the altar of prayer our inmost selves, cluttered and confused where the good and the evil, the petty and the great, the wheat and the tares are so entwined.

May the eternal immensities shame our little unworthy thoughts and ways. In our private lives and in our public service, help us this and every day to live more nearly as we pray.

For the radiant dream which we call America hear our vow as we too pledge our lives, fortunes, and sacred honor as security for freedom's greatest venture.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Byrd of West Virginia, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, April 25, 1967, was dispensed with.

RECOGNITION OF SENATOR NELSON

The PRESIDENT pro tempore. Under the order entered yesterday, the Senator from Wisconsin [Mr. Nelson] is recognized.

Mr. BYRD of West Virginia. Mr. President, will the distinguished Senator from Wisconsin yield to me, with the understanding that he will not lose his right to the floor?

Mr. NELSON. I yield.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session and that it proceed to the consideration of the nominations on the Executive Calendar beginning with 142.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia:

John Joseph Gunther, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency; and

William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

FEDERAL RESERVE SYSTEM

The Chief Clerk read the nomination of William W. Sherrill, of Texas, to be a member of the Board of Governors of the Federal Reserve System.

Mr. TOWER. Mr. President, yesterday I had the pleasure of appearing before the Banking and Currency Committee and speaking on behalf of the nomination of Mr. William W. Sherrill to the Board of Governors of the Federal Reserve System. Now that the Senate is considering his confirmation, I wish to say a few words recommending him for the post.

Mr. Sherrill has distinguished himself both in the academic community and in the business environment. He is a gentleman of the highest integrity, who always has the complete respect of his associates—whether they be his fellow members of the Federal Deposit Insurance Corporation, those associated with him as a former banker in Houston, or those familiar with him through his civic work when he was treasurer of Houston.

He is a graduate of the Harvard University Graduate School of Business, served as president of the Homestead Bank of Houston, and only last year was appointed to the Federal Deposit Insurance Corporation, a post he has filled with distinction.

I am most gratified by his nomination, and I am sure we will want to confirm him to the post.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. YARBOROUGH. Mr. President, it was my great privilege and honor yesterday to present to the Committee on Banking and Currency William W. Sherrill, who was nominated by President Lyndon Johnson to the Board of Governors of the Federal Reserve System. Mr. Sherrill's nomination was unanimously approved by the committee, and today it has been overwhelmingly approved by the Senate. His services in that position will benefit all Americans.

A great Texan and a great American, Mr. Sherrill has compiled an outstanding record as a soldier, a student, a banker, and a government administrator. During World War II he served in the Marine Corps and was wounded at Iwo Jima, receiving a Purple Heart. He received a bachelor of business administration degree from the University of Houston and a master's degree in finance with distinction from the Harvard Graduate School of Business Administration.

His public service with the city of Houston included 4 years as city treasurer and chief administrative officer for Mayor Lewis Cutrer from 1958 to 1962. As a former president of the Homestead State Bank of Houston and a former director of the Colonial Savings & Loan Association, his banking experience is great. Many bankers in Texas have expressed to me their strong approval of the nomination of Mr. Sherrill as one who understands monetary policy from the small bankers' position as a lender. During the past year he has served ably as one of the three directors of the Federal Deposit Insurance Corporation.

I ask unanimous consent to have printed in the Record articles and editorials published in the Houston Post, the Washington Post, and the San Antonio Light concerning Mr. Sherrill.

There being no objection, the articles and editorials were ordered to be printed in the Record, as follows:

[From the Houston Post, Apr. 23, 1967]

W. W. Sherrill Is Named to Fed Board

(By Franklin Reed)

Washington.—William W. Sherrill, a former Houstonian who has served for the past year as director of the Federal Deposit Insurance Corporation, was named by President Johnson Saturday night for an upcoming vacancy on the Federal Reserve Board.

The President, in a move regarded as a liberalization of the powerful board, picked Sherrill as the replacement for Charles N. Shepardson, 71, who faces mandatory retirement on April 30.

The new appointment is subject to Senate confirmation.

The administration's relations with the board have not always been easy, but Sherrill's appointment will bring to the board a man once described by President Johnson as having "a useful, keen, logical mind as well as an energetic and imaginative spirit."

A Houston banker until his appointment to the FDIC in early 1966, Sherrill waded with an easy stride into the complexities of high government service and almost immediately became the subject of speculation about even better things to come.

Less than a month after he joined the three-man governing body of the FDIC, some influential financial writers picked him as the most likely next choice for comptroller of the currency, a job that didn't fall his way.

Shepardson, who was appointed to the board in 1955 from a faculty position at Texas A&M University, was with the majority when the board voted 4–3 in 1965 to raise the discount rate over President Johnson's protests.

That decision led to tight money and the constriction it brought was only recently set aside by the board. The majority in the discount rate increase was led by Chairman William McChesney Martin Jr. who only last month was redesignated by President Johnson until the end of his term in 1970.

Sherrill, 40, was president of the Homestead State Bank of Houston and executive vice-president of the Jamaica Corp until his appointment to the FDIC.

He is a former director of the Colonial Savings & Loan Association of Houston and a former City of Houston official.

Sherrill served the city as clerk of the Corporation Court, as administrative officer of Civil Defense, as city treasurer and as executive assistant to former mayor Lewis Cutrer.

After graduation from the University of Houston in 1950, Sherrill took a master's degree in finance from the Harvard Graduate School of Business Administration.

In 1955 the University of Houston Alumni Association, which he once served as treasurer and director, picked him for an Outstanding Alumnus Award.

Sherrill served with the U.S. Marine Corps in World War II, and was wounded at Iwo Jima. He and his wife, the former Marilyn Sue Poer, have three children and live in nearby MacLean, Va.

[From the San Antonio Light, Apr. 23, 1967]

Texan To Get Post on Fed

Washington.—President Johnson plans to nominate William W. Sherrill, now a Federal Deposit Insurance Corporation official, to the board of governors of the Federal Reserve system, the White House announced Saturday.

Sherrill would succeed Charles N. Shepardson, who is to retire April 30. Shepardson, who has served a full 14-year term on the board, was appointed by President Dwight D. Eisenhower.

A former Houston businessman, Sherrill entered public service with the city of Houston as its chief administrative officer and city treasurer in 1954.

His business career, the White House said, has included experience in banking and real estate.

Sherrill has been president of the Homestead Bank of Houston and also vice president of the Colonial Savings Association of Houston.

He also has been executive vice president of the Jamaica Corp., a Houston real estate development firm. One of the three-man board of directors of the Federal Deposit Insurance Corporation, he now lives in McLean, Va.

[From the Washington Post, Apr. 25, 1967]

MAN FOR ALL FACTIONS

When Mr. William McChesney Martin was reappointed Chairman of the Federal Reserve Board for three more years, it was assumed that President Johnson would even the score and placate outraged sensibilities by replacing Gov. Charles N. Shepardson, about to be retired, with a proponent of "easy money." In nominating Mr. William W. Sherrill, a director of the Federal Deposit Insurance Corporation, the President achieved much more than the hoped for equilibrium between opposing forces. Mr. Sherrill is warmly embraced by spokesmen for both factions.

Rep. Wright Patman, chairman of the House Banking Committee and a life-long crusader against tight money, thinks that Mr. Sherrill will make a "fine" member of the Board. Mr. Charles E. Walker, the executive vice president of the American Bankers Association, thinks that the President made an "outstanding appointment." The broad consensus could have something to do with the fact that everyone involved—the appointer, the appointee, the man being replaced and the two reactors—comes from Texas. It also happens that Mr. Sherrill, who has a background in both banking and Government, is well liked.

A man for all factions, in any other context, would be suspect. But the Federal Reserve Board is striving to refashion its monetary doctrines and techniques of control, and it may be strengthened by a new member who is unencumbered by the need to defend some firmly held position.

U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the U.S. Coast Guard.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, it is so ordered.

Mr. BYRD of West Virginia. I thank the distinguished Senator from Wisconsin for yielding to me.

THE NEED FOR A GREAT AWAKENING ON PRESCRIPTION DRUGS

Mr. NELSON. Mr. President, I wish to call to the attention of the Senate and the American people the fact that many of our citizens are being dramatically shortchanged on prescription drugs.

They are being shortchanged by paying exorbitant prices for drugs which they desperately need. Even more seriously, they sometimes fail to provide themselves with these drugs because they cannot afford the high costs.

In many cases, the victims of this situation—and their doctors—are tragically unaware that they need not pay these high prices. They do not know that drugs which are just as pure and just as potent are available at a fraction of the cost.

These are clear, undisputed facts, and I think that there is a clear and compelling public interest in placing these dramatic facts before the American people.

Once these facts are made known, I hope they will lead to a great awakening on the use of prescription drugs in this country.

It is time to strip some of the mystery and fear away from the vital, lifegiving business of supplying drugs to sick people. It is time to show how drugs can be selected wisely and openly from among clearly identified alternatives. I think that is the American way.

Let me cite a few examples.

One of the most important drugs for high blood pressure patients is called "reserpine." A large drug company based in Switzerland, known as CIBA, markets this drug as "Serpasil," a trade name. The price to the pharmacist is $23.50 per 1,000 tablets. This price is for .1 milligram tablets.

Another reputable firm, Columbia Medical Co., of New York, sells the same drug but under the official or generic name of reserpine for $1.10 per 1,000.

These figures represent the price paid by the pharmacist. To compute the price to the consumer, it is necessary to add the retail markup, which is usually about 67 percent.

Thus, a person whose doctor writes "Serpasil" on the prescription blank will pay at least 20 times as much for this drug as the patient whose doctor writes "reserpine."

The Federal Government buys tremendous quantities of drugs. The Defense Supply Agency asked for competitive bids on this drug, reserpine. The bid was requested on .25 milligram tablets. The Swiss firm, CIBA, sells these specific tablets as "Serpasil" at a price of $39.50 per 1,000 to the pharmacist.

In the competitive bidding, the same firm offered to supply this same drug to to Defense Department for 60 cents per 1,000.

However, CIBA lost the bid to another firm which bid 51 cents.

This is one dramatic illustration of how the writing of prescriptions with brand names rather than the generic or official names, raises the cost of prescription drugs to the very people who need them the most and who can often least afford this dramatic inflation of the price.

I realize, of course, that this situation is not new. It has been discussed previously before Congress, and it has been mentioned frequently in newspaper and magazine articles.

But it has remained at best a subject for discusion rather than action. Who is to say that the "cheap" drug is the same as the more expensive one? Who can believe that doctors would actually prescribe a $20 drug if they knew the same drug was available to their patients for about $1? There has been a vague suspicion that something was wrong, but it was hard to find widely acceptable, expert testimony on this subject.

Now we have a single publication which, in my opinion, provides exactly the information we have been needing.

This is the "Handbook of Prescription Drugs," by Dr. Richard Burack, of the Harvard Medical School.

Dr. Burack is an authority in this field. He is a member of the medical school faculty at Harvard, a pharmacologist, and a practicing physician. The preface to his book is written by another distinguished medical educator, Dr. George Nichols, Jr., clinical professor of medicine at Harvard Medical School, and director of the department of medicine at Cambridge City Hospital.

This book is a responsible, understated commentary on a matter of great and urgent importance to the American people.

It may not have the poetic eloquence of "Silent Spring," Rachel Carson's brilliant attack on the dangers of pesticides, nor the quaking indignation of "Unsafe at Any Speed," Ralph Nader's courageous exposé of unsafe automobiles. But it tells a story which may even be more important, and I suspect it will have similar impact.

If this book is fairly considered by the American press and the public, it will shake the drug industry and the American Medical Association just as Nader's book shook the automobile industry, and once again, those who benefit will be the citizens of America.

Dr. Burack's book is not an attack on the medical profession, nor even on the drug industry as a whole. He leans over backward to give credit where it is due.

What he does is unmask a situation which unquestionably exists in our country today, and which does not serve the best interests of the physician, his patients, or even many elements of the drug industry.

It is a situation which I believe Congress should investigate, and which should be corrected as quickly as possible. Dr. Burack seems to think that the situation could be fairly easily corrected, simply by the dissemination of reliable information to all the parties involved.

That is why I say that I hope the result of the inquiry will be a great awakening on the part of the American people to the undesirable situation which exists in the business of supplying prescription drugs to the people who need them so much.

Dr. Burack makes clear that doctors do not prescribe high-priced drugs merely because they want to see their patients paying 20 times as much as is necessary.

They do this, he tells us, because even doctors are not really thoroughly acquainted with the drugs which are available today, and the reasonable prices at which most of them can be purchased.

Doctors are highly trained men, but Dr. Burack tells us that pharmacology—the body of science dealing with the action of drugs—is not taught beyond the second year in most medical schools. And, in any event, much of what many doctors learned about drugs in medical school is now obsolete because of the rapid developments which have occurred in this field.

The fact is, most doctors make their diagnosis and then "look in the book" to select the drug to treat the disease. They do not expect—nor should they be expected—to be able to carry around in their heads the detailed names and other information involving hundreds of drugs.

This would be perfectly reasonable if there were a reliable "book" for them to consult. But the harsh truth is that the book principally used is actually an advertising catalog called the "Physician's Desk Reference."

The published material in this book, which doctors consult in search of the proper drug for their patient, is actually advertising copy, bought and paid for at the rate of $115 per column inch.

As Dr. Burack puts it:

> The great pity—bordering on scandal—is that too much responsibility for keeping doctors informed of developments in pharmacology has been forfeited to pharmaceutical manufacturers who have succeeded, through advertising, in influencing practicing doctors to write prescriptions for which the patient pays a maximum price.

The drug industry pushes doctors into prescribing high-priced drugs by that standard device of the merchandising world—the emphasis on brand names.

The drug industry spends more than $600 million a year on advertising aimed directly at doctors. This amounts to more than $3,000 for every prescribing physician in the Nation.

Costly advertisements in medical journals pound away at the virtues of certain brand-named drugs. "You can be sure if you use Superpill—the Cadillac of drugs," the doctor is told in words almost that blunt.

"Much of this advertising is misleading," Dr. Burack states in his handbook. Some of it is downright false.

But none of it is objective, and that is what is really important. The drug manufacturer tells you the virtues of his drug. He does not tell you that an identical compound is available at one-twentieth the cost—which is just as effective, just as pure, just as potent, and just as safe.

If the practicing physician could take the time to make a comprehensive study of the drug world, if he could talk to the managers of large hospitals, if he could study the way the Federal Government buys hundreds of millions of dollars worth of drugs—the very thing which Dr. Burack has done in writing his book—then he would be able to tell his patients what they really need to know: How to get good quality drugs at reasonable prices.

But physicians are not able to do that; so they read the paid advertising in the Physician's Desk Reference, they select the drugs they are familiar with, and the patient pays the price.

As a result, 90 percent of the prescriptions today are written with expensive brand names, even though cheaper generic equivalents are available.

This is a remarkable testimonial to the effectiveness of the drug industry advertising campaign.

And the drug industry is not about to give up a good thing. Every device known to modern public relations is being used to maintain this situation which forces the sick people of America to pay such a heavy financial penalty.

"Detail men," really salesmen, visit doctors regularly and plug the high-priced, brand-name drugs. In conversations inside doctors' offices, they also warn of impurities and other alleged dangers in the low-priced competitors—if the doctor indicates that he has heard of them.

Junk mail promoting high-priced, brand-name drugs pours into the doctors' offices. The American Medical Association sells lists of doctors' names and addresses for this purpose. To show what big business this is, Dr. Burack states that the AMA's revenue from selling mailing lists alone is at least $900,000 a year.

One of the most shocking disclosures of the Burack book is the fact that the medical profession itself, and particularly the American Medical Association, does not provide their own members with reliable and really comprehensive and objective information on the wide variety of drugs available today.

The AMA used to publish an inexpensive and valuable volume which listed a great number of drugs and useful facts about them, but it was discontinued about 15 years ago.

Lacking any reliable and objective reference publication, doctors generally fall back on getting their information from the paid advertising.

And, of course, this is one section of the advertising world where price is not considered a reliable measuring stick. Since this advertising is aimed at the doctor, not at the patient, this extremely costly and effective advertising program emphasizes quality and effectiveness and very skillfully leaves the impression that to consider price would be somehow unethical.

As Dr. Burack explains it:

> The overwhelming number of practicing doctors are singlemindedly concerned with giving their patients the most effective medication with the least possible chance of unwanted side effect or toxicity. Most doctors—like most people of any kind—are likely to be suspicious that a bargain may be cut-rate in quality as well as cost. There may even be a matching tendency to believe that something more expensive must also be of higher quality.

Again, Dr. Burack reveals, the American Medical Association does little to dispel this notion, this belief that the patient must pay a terribly high price in order to get a "safe" or "effective" form of a widely marketed drug.

In fact, an editorial in the Journal of the American Medical Association on November 9, 1964, stated:

> The physician who prescribes meprobamate as such has no way of knowing that his patient will receive the drug in a form of highest quality and expected potency.

Meprobamate is the official or generic name for a widely advertised sedative. By that name, the price to the pharmacist is as low as $3.10 from one firm. Under the brand name "Miltown" it is about twice as much—$6.60. Under another brand name, "Equanil," it is $5.80.

Even if doctors are not aware of the great disparity in prices charged for identical drugs, one would think the pharmacist would be and that he would step in on the side of the customer.

But here the firms which sell the brand name drugs at such great profit have the law on their side. In at least 39 States, State law forbids a pharmacist to disregard the physician's use of a high-priced, brand-name drug and substitute a less expensive form of the same drug available under a generic or official name.

Before drawing any conclusions about the evil of this system, of course, the question must be answered as to whether there really is any superiority in the higher priced, brand-name drugs.

Dr. Burack, on the basis of his extensive experience and his study of drug testing programs, concludes that there is no basis whatever for preferring the high-priced, brand-name drugs.

He points out that the Federal Government buys drugs under their generic names from 100 different manufacturers, which are carefully investigated.

These drugs are used to treat the President of the United States and many other important patients at Walter Reed Army Hospital, Bethesda Naval Medical Center, and many other Federal and military hospitals. The drugs the patients are treated with are just as pure, just as potent, just as safe as any drugs you can buy—and they cost only a fraction as much. They are purchased generically and they are prescribed under their generic names.

Dr. Burack asks: "Is there any reason why other citizens should not have access to these same medications?"

It is correct that problems can arise as to the safety, potency, or purity of drugs. But the point is that such problems are not necessarily limited to low-priced drugs sold under generic names.

Dr. Burack points out that a study of drugs recalled during a 33-month period ending June 30, 1965, showed that nearly half of the recalls involved products of the largest and best known corporations.

In 1966, the U.S. Food and Drug Administration sampled 4,600 drugs from 250 manufacturers. About 2,600 were drugs sold by their generic names, and about 2,000 were drugs sold by brand names. The FDA found that 7.8 percent of the generic-named drugs were not of acceptable potency and 8.8 percent of the brand-named drugs were not of acceptable potency.

Further impressive evidence of the safety and reliability of drugs bought by generic names at reasonable prices is found in the fact that 80 percent of the accredited American hospitals which have their own drug formulary system follow essentially the same procedure followed by the Federal Government. They buy drugs by generic names and they select from a wide number of drug firms in order to obtain reasonable prices.

The most dramatic story which Dr. Burack tells lies in his specific examples.

He takes a hypothetical case of a 10-year-old child with rheumatic fever. His doctor prescribes penicillin. He may have to take these pills for 20 years.

If the doctor prescribes "250 potassium Penicillin G. tablets, 200,000 units," the prescription will cost the family from $5 to $6.25. If the doctor prescribes "250 Pentids tablets, 200,000 units," the prescription will cost $27.50.

Over 20 years, Dr. Burack figures, one prescription will cost a total of $375 and the other will cost $1,650.

Or take a patient with asthma. She can be given 100 tablets of prednisone, at a cost of $3 to her, or she can be given the same thing under the name "Meticorten" at a cost of $28 to $30.

A drug for sleeping can be prescribed as sodium pentobarbital, and cost as little as $3.95, or the drug can be prescribed as "Nembutal" and cost $16.20. This is the price to the pharmacist; the customer would pay about $6.50 for one version and about $27 for the other.

Another sleeping drug, sodium secobarbital, is available for as little as $4.50, but if it is prescribed as "Seconal" the cost is $18.30—price to the pharmacist; the customers' prices would be about $7.50 and $30.50.

A drug used to suppress appetite is dextroamphetamine sulfate. By that name it comes as cheaply as $1, but prescribed under the brand name of "Dexedrine" it is $22.60—price to the pharmacist; the customer's prices would be about $1.60 and $37.50.

A popular antihistamine is chlorpheniramine maleate. Prescribed under this name it is available for a little as $1.95, but under the brand name of "Chlor-Trimeton" the cost is $20.59—price to the pharmacist; the customer's prices would be about $3.25 and $35.

We mentioned reserpine earlier, which is available at $1.10 by this name or at $23.50 as "Serpasil,"—to the pharmacist; the customer's prices would be about $1.75 as opposed to about $40. Dr. Burack says it also can be substituted for "Rauwiloid" which sells for $51 or "Singoserp" at $42.75—price to the pharmacist; again the price to the customer would be about $84 or $70.

One drug prescribed for angina pectoris ranges from $1.50 under its generic name to $20 under the brand name "Peritrate,"—price to the pharmacist; the customer would pay anywhere from $2.50 to $35.

How do drugs get these high-priced names?

Every new drug approved for sale must be given an official or generic name. These are often jawbreakers, such as chlordiazepoxide. A new drug developed by a drug company may also be given a brand or trade name, which is often much catchier and also implies certain powers—for example, "Librium," a sedative. Patents last 17 years, after which anyone can sell the drug under its generic name but not under the original firm's copyrighted brand name.

But the evils of the situation Dr. Burack describes continue long after the patents expire. For instance, the high-priced Dexedrine cited above is still being prescribed by doctors familiar with it after many years of use, despite the fact that the patent expired years ago and about 50 other firms now sell the same drug under its generic name at far less cost to the patient.

One common justification for the high prices charged for brand names is the amount of money spent in research. Dr. Burack points out that the drug industry spends four times as much for advertising and promotion as for research.

The use of brand names has more disadvantages than high price alone. Dr. Burack contends that it leads to an endless proliferation of drug names which merely confuse and mislead doctors.

Not only is every drug for sale a potential brand name, but then this drug can be combined with an endless number of other drugs and sold under new brand names. And, each time the price goes a little higher, of course.

Nitroglycerin pills, used by heart patients, are available for as little as $1—the price to the pharmacist. But one firm adds a little nicotinic acid and sells them for $42—the price to the pharmacist. Dr. Burack says the patient easily could take the two drugs separately at a fraction of the cost.

Obviously, this is a very serious and very undesirable situation. At the very least, the full facts on this problem must be brought home to the American public, which I believe has every right to expect the best and finest drugs that American research can provide, and at the most reasonable competitive price.

I congratulate Dr. Burack for his timely book. It will perform a great public service, I am certain.

The Congress now has the responsibility to follow through by getting all the facts it can, making them available to the public, and then considering whether legislative action is needed.

For that reason, the Monopoly Subcommittee of the Senate Select Committee on Small Business will begin public hearings into this question on May 15.

I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ROUTINE MORNING BUSINESS—TIME LIMITATION ON STATEMENTS

The **PRESIDING OFFICER.** Pursuant to a unanimous-consent agreement previously entered, the Chair lays before the Senate the subject of morning business, with a limitation of 3 minutes imposed upon each Senator in the presentation of a specific subject.

ENROLLED JOINT RESOLUTION SIGNED

The **PRESIDING OFFICER.** The Chair announces that on today, April 26, 1967, the Vice President signed the enrolled joint resolution (S.J. Res. 49) to designate April 28–29, 1967, as "Rush-Bagot Agreement Days," which had previously been signed by the Speaker of the House of Representatives.

NATIONAL CAPITAL AIRPORTS CORPORATION ACT

The **PRESIDING OFFICER** laid before the Senate a letter from the Secretary of Transportation, Washington, D.C., transmitting a draft of proposed legislation to create the National Capital Airports Corporation, to provide for the operation of Washington National Airport and Dulles International Airport by the Corporation, and for other purposes, which, with the accompanying papers, was referred to the Committee on Commerce.

RESOLUTION OF THE SENATE OF PENNSYLVANIA

Mr. **SCOTT.** Mr. President, I present a resolution of the Senate of the State of Pennsylvania, which I ask may be appropriately referred, and printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Finance, as follows:

SENATE OF PENNSYLVANIA

RESOLUTION

Whereas, Imports of foreign steel have increased from more than one million tons in 1957 to eleven million tons in 1966; and

Whereas, In 1966 these imports accounted for eleven per cent of the total domestic steel market; and

Whereas, The current world excess steel producing capacity of approximately seventy-five million tons and projected facility additions for Western Europe and Japan indicate that imports will account for an increasingly greater share of the domestic steel market in the years to come; and

Whereas, The current high level of importation is largely due to the many actions of foreign governments to encourage their steel industries to export, coupled with the significantly lower employment costs in those countries; and

Whereas, If present trends continue, the loss of volume caused by the rapidly increasing imports will pose a serious threat to the profitability of the steel industry; and

Whereas, A healthy domestic steel industry is vital to our National security, is instrumental in maintaining a high level of employment in Pennsylvania and other steel producing states, and is a significant factor in stemming the drain on the United States balance of payments; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorializes the United States Congress to take all necessary steps to provide the domestic steel industry with temporary relief from the increasing inflow of foreign steel imports until equitable and fair competition is established; and be it further

Resolved, That a copy of this resolution be forwarded to the two United States Senators from Pennsylvania and to each member of the House of Representatives from the Commonwealth.

MARK GRUELL, JR.,
Secretary.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 1621. A bill to provide that motor vehicles sold or shipped in interstate commerce shall be equipped with tamper proof odometers in order to protect the American consumer from being deceived by unscrupulous motor vehicle salesmen; to the Committee on Commerce.

By Mr. RANDOLPH:

S. 1622. A bill to amend an act, "Authorizing the Secretary of War to sell and convey to the town of Marmet, W. Va., two tracts of land to be used for municipal purposes"; to the Committee on Public Works.

By Mr. ANDERSON:

S. 1623. A bill to amend section 56 of the Atomic Energy Community Act of 1955, as amended; to the Joint Committee on Atomic Energy.

S. 1624. A bill to authorize the Secretary of the Interior to convey certain lands to the Pueblo de Taos Indians, New Mexico, and for other purposes; and

S. 1625. A bill to declare that certain lands be held in trust for the Pueblo de Taos Indians, New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the last two above-mentioned bills, which appear under a separate heading.)

By Mr. BIBLE:

S. 1626. A bill to amend section 3 of title 4, United States Code, which prohibits the desecration or improper use of the flag of the United States by any person within the District of Columbia, so as to make such prohibitions applicable throughout the United States, to increase the penalties prescribed in such section with respect to desecration of the flag, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 1627. A bill for the relief of Mary Knezovich; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 1628. A bill to authorize suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes;

S. 1629. A bill to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for other political divisions and subdivisions in the National Capital region;

S. 1630. A bill to authorize the Commissioners of the District of Columbia to establish, or cooperate in the establishment of, a laboratory for the testing of materials, and for other purposes; and

S. 1631. A bill to raise the maximum age limit of schoolchildren entitled to transportation in the District of Columbia at a reduced fare; to the Committee on the District of Columbia.

By Mr. HARTKE (by request):

S. 1632. A bill to create the National Capital Airports Corporation, to provide for the operation of Washington National Airport and Dulles International Airport by the Corporation, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER (for himself and Mr. TYDINGS):

S. 1633. A bill to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer; to the Committee on the District of Columbia.

By Mr. INOUYE:

S. 1634. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARTKE:

S. 1635. A bill to establish a self-supporting Federal program to protect employees in the enjoyment of certain rights under private pension plans; to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 1636. A bill to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KENNEDY of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. BAKER:

S. 1637. A bill to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority; to the Committee on Public Works.

(See the remarks of Mr. BAKER when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S.J. Res. 77. Joint resolution to authorize the President to proclaim the first Wednesday in May of each year as a "day of recognition" for firefighters; to the Committee on the Judiciary.

By Mr. HARTKE:

S.J. Res. 78. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. HARTKE when he introduced the above joint resolution, which appear under a separate heading.)

TAMPERPROOF ODOMETERS

Mr. PROXMIRE. Mr. President, earlier I referred to a proposal of Herbert Nebel, which won the "there ought to be a law" contest.

I wish to introduce a bill which embodies this proposal and I ask for its appropriate reference.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

The bill (S. 1621) to provide that motor vehicles sold or shipped in interstate commerce shall be equipped with tamper-proof odometers in order to protect the American consumer from being deceived by unscrupulous motor vehicle salesmen, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Commerce.

LANDS FOR THE TAOS PUEBLO INDIANS

Mr. ANDERSON. Mr. President, I am today introducing two bills in behalf of the Taos Pueblo Indians to solve their land needs. Both bills would provide them with 3,150 acres of land surrounding Blue Lake. This tract of land—now part of the Carson National Forest—would encompass Blue Lake, Waterbird Lake, and Star Lake in the headwaters of Rio Pueblo de Taos. This is the mountainous area which the Indians regard as a religious shrine and to which they go to worship. Each bill further provides that the U.S. Forest Service be given authority to protect the area from fire, insects, disease, and to maintain sanitary conditions and/or otherwise protect the natural resources.

The only difference between the two bills is that one of them gives the 3,150 acres to the Indians in fee simple; that is, the Indians would have title to the land. The other gives the land to them in trust. With rare exceptions, land given to the Indians by congressional action has been given to them in trust. The Indians usually have preferred it that way.

Section 2 of each bill would continue the exclusive use permit granted to the Taos Indians by the act of May 31, 1933. The Forest Service would also be authorized to protect this area.

For several Congresses the problem of the Taos Indians has been difficult to resolve. I introduced S. 3085 in the last Congress, and the Senate Interior Committee held hearings on this measure to protect the Indians' religious area. The Government agencies and the Indians, however, have been unable to reach a satisfactory compromise. After a careful study of the hearings and information furnished to me, I believe that the transfer of 3,150 acres to the Indians as a religious shrine, and the grant of an exclusive use permit to them for approximately 29,000 acres adjoining the 3,150-acre tract, would be fair treatment of the Indians. At the same time, the arrangement would protect a very vital watershed which affects many persons downstream.

I have taken the unusual step of introducing two bills which provide different remedies for a problem in the hope that the Congress can move more expeditiously toward a solution. I would like to see hearings held as soon as possible on both bills so that the Indians and the executive departments can present their views.

I am anxious to see a fair and reasonable arrangement achieved that will be in the interest of the Indians and the public.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. ANDERSON, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, as follows:

S. 1624. A bill to authorize the Secretary of the Interior to convey certain lands to the Pueblo de Taos Indians, New Mexico, and for other purposes; and

S. 1625. A bill to declare that certain lands be held in trust for the Pueblo de Taos Indians, New Mexico, and for other purposes.

PROHIBITION OF DESECRATION OR IMPROPER USE OF THE U.S. FLAG

Mr. BIBLE. Mr. President, I introduce for appropriate reference a bill to establish a uniform law throughout the United States prohibiting the desecration or improper use of the flag of the United States.

Mr. President, it has become increasingly clear that there is a real need for uniform law, applicable equally in every State, to protect the integrity of our national flag. The recent events in New York during a so-called peace demonstration are enough to convince most Americans of this need.

There is something badly wrong when irresponsible louts can, with apparent impunity, publicly disgrace the flag of the United States.

There is something badly wrong when a few miscreants think their rights as U.S. citizens given them license to humiliate the symbol of their Government.

There is something badly wrong when the right of dissent is profaned by deliberate insults against the national flag and all that it stands for.

There is something badly wrong when the flag we are taught to respect and revere—the flag to which we pledge our allegiance—is mutilated and spat upon in the name of patriotism.

And there is definitely something badly wrong if the American people and their representatives in Congress stand idly by while all this is going on.

As are most Americans, I am sick and tired of watching a few lunatic-fringe demonstrators abuse and defile the constitutional rights of all Americans to speak freely, to assemble peaceably, and to petition for a redress of grievances. The irony of it is that they seek to malign the very system that protects them and offers them the right to demonstrate.

Mr. President, we hear many jokes about those self-proclaimed patriots who are quick to wrap themselves in the flag. The thrust of the jokes is that patriotism is a safe cloak to wear and it is one that offers excellent camouflage for other activities. But if I wear that cloak now it is for no other reason. And I wear it proudly.

I count myself among those who are not still embarrassed by patriotism, who are still not ashamed to salute the flag and pledge allegiance to the United States.

I also count myself among those who still think there is something sacred about the Stars and Stripes.

Simply put, I don't think irresponsible demonstrators should have the right to defile the flag. If they do it, I think they should be punished.

Mr. President, several bills have been introduced in the House of Representatives and at least one other here in the Senate which are designed to prevent desecration of our Nation's flag. It is not my intent here to offer needless duplication. However, I believe the bill I introduce today may overcome some of the objections to previously proposed measures.

One problem with legislation of this nature has been the fact that all States have existing laws of some kind or another on the subject. There has been an understandable desire to avoid preempting State laws and causing unnecessary duplication. Accordingly, my bill provides for concurrent jurisdiction with the States.

To overcome another objection, my bill also would not interfere with the sale of plates, ashtrays, and like trinklets bearing the flag emblem so long as no offense is obviously intended and so long as the emblem does not represent an attempt to mislead the purchaser into believing the item has Federal endorsement.

I should also add that the limitations imposed by my bill are, I believe, reasonable and prudent and seek to avoid excesses in the opposite extreme.

I have not bothered to address myself to the argument that flag burning is a constitutional right. Such an argument is hollow enough and obnoxious enough to defeat itself. If as a nation we ever become that permissive and gullible in our interpretation of the Constitution, then that great law of the land is no longer safe, even from itself.

Our flag, as our Nation, is as great as we choose to make it.

Mr. President, I ask that the bill be printed in full in the Record following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1626) to amend section 3 of title 4, United States Code, which prohibits the desecration or improper use of the flag of the United States by any person within the District of Columbia, so as to make such prohibitions applicable throughout the United States, to increase the penalties prescribed in such section with respect to desecration of the flag, and for other purposes, introduced by Mr. Bible, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1626

A bill to amend section 3 of title 4, United States Code, which prohibits the desecration or improper use of the flag of the United States by any person within the District of Columbia, so as to make such prohibitions applicable throughout the United States, to increase the penalties prescribed in such section with respect to desecration of the flag, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of title 4, United States Code, is amended to read as follows:

"§ 3. Use of flag for advertising purposes; mutilation of flag

"(a) (1) Any person who, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing, or any advertisement of any nature upon any flag, standard, colors, or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors, or ensign upon which shall have been printed, painted, attached or otherwise placed, any word, figure, mark, picture, design, or drawing, or any advertisement of any nature; or who shall manufacture, sell, or possess any article of merchandise or receptacle for merchandise, upon which shall have been printed, painted, attached, or otherwise placed a representation of any such flag, standard, colors, or ensign, as an advertisement for such article or receptacle or for the purpose of conveying and in a manner reasonably calculated to convey the impression that such article or receptacle is approved, endorsed, or authorized by the Government of the United States or any agency thereof, shall be fined not more than $100 or imprisoned for not more than thirty days, or both.

"(2) This subsection shall not make it unlawful (A) to place or cause to be placed, upon any flag, standard, colors, or ensign of the United States of America, any stamp, tag, label, or other means of identification required to be thereon or affixed thereto by the Textile Fiber Products Identification Act or any other Federal or State law for the protection of the public welfare, or (B) to expose or cause to be exposed to public view any such flag, standard, colors, or ensign on which there has been placed or to which there has been affixed any such stamp, tag, label, or other means of identification.

"(b) Any person who, with intent to defile, defy, disparage, or cast contempt upon any flag, standard, colors, or ensign of the United States of America, shall publicly and willfully mutilate, deface, defile, defy, trample upon, or cast contempt upon any such flag, standard, colors, or ensign shall be fined not more than $250 or imprisoned for not more than six months, or both.

"(c) The term 'flag, standard, colors, or ensign of the United States of America', as used in this section, shall include (1) any flag, standard, colors, or ensign, of the United States, or any part thereof, or (2) any colorable imitation thereof, made of any substance or represented on any substance, in any manner reasonably calculated to convey the impression that the same is any flag, colors, standard, or ensign of the United States of America."

Sec. 2. The enactment of this Act shall not be construed as indicating an intent on the part of the Congress to prevent any State, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or American Samoa from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of the enactment of this Act.

NATIONAL CAPITAL AIRPORTS CORPORATION

Mr. HARTKE. I am introducing today, by request, a bill to create a National Capital Airports Corporation, to provide for the operation of Washington National Airport and Dulles International Airport, over which it would have control and responsibility for operation and maintenance. It is my understanding that Mr. Staggers is introducing the same bill today also in the House.

The explanation of the bill's provisions is contained in a section-by-section analysis, which I ask may appear in the Congressional Record, together with the letter of transmittal from Secretary of Transportation Alan S. Boyd.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis and letter will be printed in the Record.

The bill (S. 1632) to create the National Capital Airports Corporation, to provide for the operation of Washington National Airport and Dulles International Airport by the Corporation, and for other purposes, introduced by Mr.

HARTKE, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The section-by-section analysis and letter presented by Mr. HARTKE are as follows:

SECTION-BY-SECTION ANALYSIS OF THE NATIONAL CAPITAL AIRPORTS CORPORATION BILL

Sec. 1. Cites the Act as the "National Capital Airports Corporation Act."

Sec. 2. Creates under the direction of the Secretary of Transportation the National Capital Airports Corporation with responsibility for the operation, maintenance, and protection of the Washington National Airport and the Dulles International Airport.

Sec. 3. Provides that the Corporation shall be a continuing entity, subject to dissolution by Act of Congress.

Sec. 4. Requires the Corporation to establish its principal office either in the District of Columbia, at the Washington National Airport, or at the Dulles International Airport. It authorizes the Corporation to establish at the airports such other offices as the Secretary may prescribe. It then provides that for the purposes of venue the Corporation shall be deemed to be a resident of each of the jurisdictions in which it has established offices.

The purpose of the venue provision is to remove any uncertainty as to the appropriate forum for civil proceedings involving the Corporation by specifying that the Corporation may be sued in either the District of Columbia or Virginia if it maintains offices in both jurisdictions. This clarification is necessary because under existing statutory standards (28 U.S.C. 1391(c)) it is uncertain whether the Corporation would be "doing business" in D.C.

Sec. 5.(a). Declares it to be in the public interest that the airports transferred to the Corporation be operated on a self-sustaining basis consistent with sound commercial practices.

(*b*) Requires that rates and charges be fair and reasonable giving due consideration to costs of operation and capital investment among other things and taking into account similar rates and charges at comparable airports within the United States.

Requires that the submission of the annual budget program of the Corporation as required by the Corporation Control Act include a statement of the basis for rates and charges.

Prescribes the method for determining the amount of capital invested, allowing a deduction for amounts which could have been received had the airport been eligible for grants under the Federal Airport Act.

(*c*) Requires that other Federal agencies using the space, facilities, or services of the airports be charged for such use on the basis of actual cost to the Corporation, but no greater than charges to non-federal users.

Sec. 6. Grants necessary housekeeping powers to the Corporation, including authority to adopt a corporate seal, by-laws, rules and regulations; to sue and be sued and to have the priority of the United States with respect to payment of debts; to acquire and dispose of property to carry out the purposes of the Corporation; to construct and operate facilities required to meet the needs of the Corporation; to accept gifts and donations; to appoint employees; to enter into contracts and leases in the conduct of its business; to obligate and expend funds; to execute legal instruments; to settle and adjust claims; and to take other action as necessary to carry out the powers conferred upon it.

The sue-and-be-sued provision is an integral part of the "business-like" character of a Government corporation. It removes sovereign immunity in all cases except where specifically provided, e.g., the Tort Claims Act. It gives more assurance to parties dealing with the Corporation that it is a "business transaction" more than a "Government transaction." The provision authorizing settlement of claims is directly related to this. Ordinarily, only GAO can settle claims. Here, if the Corporation is to be business-like and amenable to suit, it has to possess authority to settle in lieu of going into court.

Sec. 7. Authorizes the Corporation to transfer to any Federal agency or to the State of Virginia any right of way or access road to the Dulles International Airport.

Sec. 8. Authorizes the Corporation to develop for the National Capital region a regional plan for public airports and heliports giving particular attention to general aviation airports that will reduce congestion at major air terminals serving the region.

Sec. 9. Vests the management of the Corporation in a General Manager to be appointed by the Secretary.

Sec. 10. (*a*). Establishes an Advisory Board composed of five members appointed by the Secretary for terms of five years. Three members are required to be from private life with at least one experienced in air carrier operations.

(*b*) Provides that the Advisory Board shall meet at the call of the Secretary or Manager, but not less often than once every six months, to review the general policies of the Corporation and to advise the Manager and the Secretary respecting policies.

(*c*) Provides for compensation and travel and subsistence for members of the Advisory Board.

Sec. 11. (*a*). Establishes a National Capital Airports Fund for the payment of all expenditures of the Corporation, the fund consisting of the amounts advanced from appropriations, the value of the net assets of the airports, and receipts from operation of the airports; and establishes a formula for determining the value of the assets.

(*b*) Requires the Corporation to pay annually into the Treasury of the United States interest on the value of the net assets transferred to the Corporation and amounts appropriated during each fiscal year in accordance with certain prescribed procedures and conditions.

(*c*) Provides for a formula for determination of interest charges.

(*d*) Provides for crediting excess money in the Fund to the appropriation account in order to reduce interest charges.

(*e*) Authorizes a waiver of interest when receipts are insufficient to pay interest.

(*f*) Authorizes appropriations. Authorizes advances to the Fund from the appropriations. Waives interest on advances made to cover losses.

Sec. 12. Requires the Corporation to contribute to the civil service retirement and disability fund and the employees' compensation fund.

Sec. 13. Provides that facilities of the airports analogous to facilities developed with Federal aid shall be available without charge to the United States for use by aircraft of the Department of Defense. (The Federal Airport Act contains a similar provision with respect to airports receiving Federal aid under that Act.) Further provides that Secretary may limit military use if it interferes with civil use of the airport facilities.

Sec. 14. Requires the Corporation to furnish without charge space in airport buildings necessary for air traffic control and related activities.

Sec. 15. Prohibits any person from using the name of any airport operated by the Corporation without the consent of the Corporation.

Sec. 16. (*a*). Transfers to the Corporation all property operated by the Secretary as the Washington National and Dulles International Airports together with all structures, facilities and improvements thereon.

(*b*) Requires the Corporation to assume the rights and obligations of the United States arising in connection with the operation, maintenance and protection of the airports which exist on or before the effective date of the Act.

(*c*) Continues in effect all orders, determinations, rules, etc., issued, made or granted by the Secretary in connection with the operation of the airports.

(*d*) Substitutes the Corporation in any administrative proceedings involving the airports pending before the Administration.

(*e*) Continues any pending judicial proceedings involving the airports.

(*f*) Provides for the transfer of officers, employees, equipment, and records from the Department of Transportation to the Corporation, without reduction in employee classification or compensation for one year after transfer.

Sec. 17. Exempts the Corporation from state or local taxes.

Sec. 18. Grants the Corporation Manager the power to make and amend rules and regulations, and provides penalties for knowing and willful violations of such rules and regulations.

Sec. 19. Authorizes employees of the Corporation and U.S. Park Police to make arrests within the jurisdiction of the Corporation and to bear firearms. Authorizes employees of the Corporation to accept collateral for violations.

Sec. 20. Amends certain acts affected by the establishment of the Corporation.

Sec. 21. Repeals certain existing provisions of law.

Sec. 22. Disclaims any intent to affect any agreement entered into between the United States and the Commonwealth of Virginia pursuant to section 107 of the Act entitled "An Act to establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes," approved October 31, 1945 (59 Stat. 553).

Sec. 23. Separability provision.

Sec. 24. Establishes an effective date.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., April 26, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I transmit herewith for the consideration of the Congress a draft bill "To create the National Capital Airports Corporation, to provide for the operation of Washington National Airport and Dulles International Airport by the Corporation, and for other purposes."

The primary purpose of this legislation is to place the operation of the federally owned civil airports in the Washington metropolitan area on a sound business basis so that they may better serve the travelling public, the airlines, and other users of aircraft at a limited cost to the taxpayer. Such legislation will facilitate improvements in the efficiency of airport operations and will permit swift action to correct conditions where the safety or convenience of the public is involved.

Incorporation of the federally owned civil airports in the Washington area was first recommended by the Hoover Commission in 1949. Since then, enabling legislation has been proposed in the 83rd, 86th, 87th, 88th, and 89th Congresses.

With the opening of Dulles International Airport in 1962, it is more imperative than ever that the Government act to provide an organization which can efficiently and effectively manage the national capital's airports, now representing a Federal investment of approximately $150 million. The creation of a Corporation with business type budget and accounting practices is essential to an effective review and evaluation of the operation and management of these airports by appropriate agencies of the Government and by the Congress.

The Bureau of the Budget has advised that enactment of this legislation would be consistent with the Administration's objectives.

Sincerely,

ALAN S. BOYD.

PROTECTION OF PRIVATE PENSIONS

Mr. HARTKE. Mr. President, I am today offering for the third time in as many sessions of Congress, a bill to protect the rights of employees to receive private pensions through Federal reinsurance of those pension plans. I am pleased that Representative THEODORE R. KUPFERMAN is also introducing the bill in the House, thus making it a bipartisan effort.

The bill, first introduced as S. 3071 in the 88th Congress, and as S. 1575 in the 89th, received a hearing in the Finance Committee on August 15 of last year. As a result of those hearings, I have made changes to meet two of the problems raised at that time. As previously introduced, there were two contingencies under which the Federal guarantee of the private pension would become operative—failure of the amounts contributed to provide anticipated benefits in case of closing out of the company operations, and losses incurred if investments must be sold to provide the benefits. In the present bill only the first contingency is covered. The second change from the previous provision is the dropping of the possibility of a fund withdrawing on 60 days' notice from coverage by the Federal reinsurance. Once participating in the insurance, in other words, the fund will not be able to get out, even though it is willing to pay the additional taxes involved in nonparticipation. The reason is that, quite conceivably, a company in a prospective failure situation might elect to withdraw in order, as has happened in some instances, to use a pension fund controlled by the management alone to bolster its finances. Then, if the employees eventually lose their jobs they will have lost their pensions entirely and without the intended guarantee.

Otherwise, this bill is substantially the same as those previously offered. It sets up a nine-member Federal Advisory Council for Insurance of Employees' Pension Funds, subject to Presidential appointment and Senate confirmation. Private pension plans would be required to participate if they are to retain qualification for special tax treatment under the Internal Revenue Code. Premiums paid by each participating fund, in a fashion roughly comparable to the participation of banks in the Federal Deposit Insurance Corporation, would provide a fund upon which claims could be made in case of, to use the language of the bill, "failure of the amounts contributed to such (insured private pension) fund to provide benefits anticipated at the time such fund was established, if such failure is attributable to cessation of one or more of the operations carried on by him in one or more facilities of such employer."

In other words, this bill attempts to deal with one problem only, although there are a variety of other problems connected with private pension funds, some of which are treated in the broader bill recently offered by Senator JAVITS, and in which he has incorporated also protection of private pensions. That one problem is the cessation of operations by an employer, leaving employees short of what they have been in effect promised for their length of service.

As I have previously noted, because the pension fund was relatively young and only partially funded, when Studebaker ceased its South Bend operations workers who had not reached the age of 60 received no benefits, even though they had worked as much as 25 or 30 years for the company.

There is a flexibility built into the bill, so that if the premiums should prove insufficient to cover all employees there is an established series of priorities, beginning with those already retired, then those who have reached normal retirement age, and with second priority to those 60 and over. Those in younger age groups would comprise the remaining categories of claimants, but none of them would receive payments until normal retirement age is reached. In the latitude available, the Advisory Council will be able to use discretion and maintain the reinsurance pool in a sound condition. It should be noted that the program is self-financing and does not require a Federal expenditure from the Treasury.

It was gratifying in the hearings last August to have the approval in principle of so many of the witnesses who testified. As Secretary Wirtz pointed out, the private plans—now holding some $85 billion in assets—are expected to grow to $225 billion by 1980. In a sense, because of the special income tax treatment provided for qualified plans—which includes almost all—the Government is subsidizing them. Mr. Wirtz said:

> As a result, a given pension system can be financed by a 30-percent-lower rate of contributions. The burden of these tax reductions is, of course, shifted to other taxpayers.

Consequently there is a "continuing public concern" with the operation of such private plans.

The interagency Committee on Corporate Pension Funds and Other Private Retirement and Welfare Programs, in a January 1965 report, suggested that a system to protect beneficiaries in event of plan termination was "worthy of serious study." Secretary Wirtz, Chairman of that Presidentially appointed Committee, said of the bill I am offering—or more strictly speaking, of its slightly different predecessor—

> The legislation which you are considering today, S. 1575, is a serious, constructive attempt to deal with these difficulties and to provide beneficiaries of private pension plans with limited protection through a Federal reinsurance program. For this and other reasons already stated, I wholeheartedly endorse the purposes and objectives of this bill.

Mr. Jerome Kurtz, representing the Treasury Department, said likewise, "The Treasury Department supports the objective of S. 1575." Mr. Walter Reuther, from his position as President of the Industrial Union Department of the AFL-CIO, called the bill "soundly conceived" and "an effective instrument in dealing with a very serious and compelling human problem."

The extent of the problem was underlined when the testimony brought out that as pension plans are working today, only about 1 out of every 8 working today has a chance of receiving cash benefits and that persons affected by the kind of situation insured against run to scores of thousands.

The problems of private pensions are complex. It is difficult to deal with the entire spectrum in a single comprehensive way. I believe that it is possible to attack one of the most vulnerable areas in the operation of these plans through the single-purpose legislation which I offer today. I hope we may be able to proceed to its adoption in some form, if not precisely that in which it is offered, in order that the worker who thinks he is protected may really have the protection when it is needed.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1635) to establish a self-supporting Federal program to protect employees in the enjoyment of certain rights under private pension plans, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

ESTABLISHMENT OF THE PLYMOUTH ROCK NATIONAL MEMORIAL

Mr. KENNEDY of Massachusetts. Mr. President, I introduce, for appropriate reference, a bill to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes.

In 1835, Alexis de Tocqueville said of Plymouth Rock:

> Here is a stone which the feet of a few outcasts pressed for an instant; and the stone becomes famous; it is treasured by a great nation; its very dust is shared as a relic.

In 1970, we will celebrate the 350th anniversary of the Pilgrims' landing. Although we honor the deeds of these hardy Pilgrims who landed in 1620 with a national holiday, we have so far neglected to include the site of their landing in our National Park System.

Because it is my belief that the historic Plymouth Rock site should be maintained as an important, tangible monument for all Americans to enjoy, I introduce this bill which would designate Plymouth Rock as a national memorial.

The Pilgrims play a large part in the history of our country, and it is very appropriate that the site of their putting ashore from the *Mayflower* to settle the town of Plymouth be made a national memorial.

The diversity of religious belief we enjoy today in America, which is unique in the world, is a natural outgrowth of the Pilgrims' own search for a land in which to practice their religion free from hierarchical dictates.

The origins of our American constitutional government can be traced, in part, to the Pilgrims' *Mayflower* Compact, in which the Pilgrims established one of the world's first civil governments based on the principle of consent of the governed.

The fortitude the Pilgrims demonstrated in the face of cruel adversity as they struggled to keep the settlement of Plymouth going, is a continued inspiration to all Americans.

The area for the memorial which would be authorized by this legislation would be limited, for size is not important in honoring this national heritage. Almost 2 years ago, I asked the National Park Service to survey the location and recommend a suitable park area. The subsequent Park Service report has recommended three alternate plans, the most suitable of which can only be resolved by hearings and action in Congress.

Last year I introduced a similar bill, S. 3477. Companion legislation has been introduced in the House this session.

Mr. President, in 2½ short years we will celebrate the 350th anniversary of the Pilgrims' landing. The affection Americans feel for the courage and vision of the Pilgrims has not dimmed with the passage of time. It therefore seems most appropriate that Plymouth Rock be designated a national memorial, and done without delay.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill—S. 1636—to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes, introduced by Mr. Kennedy of Massachusetts, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF TENNESSEE VALLEY AUTHORITY

Mr. **BAKER**. Mr. President, I introduce for appropriate reference, a bill to amend the Tennessee Valley Authority Act of 1933, to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority. An identical bill has been introduced in the House of Representatives by Mr. Brock of Tennessee. I applaud his initiative in this important action and urge both speedy and favorable consideration in both Houses of this Congress.

As the law now reads, appeal is available to any person whose land is subject to acquisition by the corporation if, in his opinion, the proposed compensation is not just. But nowhere in the course of such appeal does the plaintiff have access to a jury trial. Appeal is first made to a three-man commission appointed by the district court, then to a panel of district judges with de novo jurisdiction, then to the court of appeals.

Basic to the Anglo-American conception of the judicial process and equality under law is a jury of one's peers. The Constitution leaves the choice in this case up to the Congress; it provides, of course, that no "private property shall be taken for public use, without just compensation"; *it further provides that* no person shall be deprived of his property without due process of law. It is left to us to determine just what, in this case, that due process is and ought to be.

In supporting Representative Brock's bill, the Knoxville Journal editorialized on February 8:

> This bill is in no sense an anti-TVA measure.

If the amendment were passed, the editorial continued, "many of the headaches of the agency's land acquisition would be eliminated."

This amendment is in no way a criticism of the Tennessee Valley Authority. Condemnation cases in which equity has not been achieved are probably quite rare. It is intended only to provide people in the Tennessee Valley the same protection granted in ordinary condemnation procedure.

Mr. President, I ask unanimous consent that an editorial published in the Knoxville Journal of February 8, 1967, entitled "Jury Trials a Solution," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Jury Trials a Solution

Last week Rep. William E. Brock, of the Third Congressional District, reintroduced a bill which would require jury trials in land condemnation cases invloving the Tennessee Valley Authority. Representative Brock introduced this same bill in the last session of Congress but it was not enacted.

Under the existing law, as represented by the original TVA Act, any landowner whose property is to be acquired by TVA does not, according to the record, have much choice other than to accept whatever evaluation TVA's appraisers may place upon it. The only place that the seller may go on appeal is to a three-man commission named by a federal judge. This commission has more times than not affirmed TVA's original appraisal.

It was this restriction of appeal action by landowners which resulted in a rash of charges, during the years in which land in the Tennessee Valley was being acquired by the authority, creating the conviction that individual citizens were being mistreated.

The feeling among those who had their land taken at what they considered less than real value was that the commission was a creature, in effect, of TVA and thus the authority was suspect of being in the dubious position of acting as prosecutor, judge and jury, in passing on prices paid to landowners.

In a nutshell, the Brock bill would require TVA if it decided upon condemnation proceedings to acquire a citizen's land, to bring action in the U.S. district court for the district in which the land, easement, right-of-way or other interest or any part thereof is located. The court, of course, is also given the right to divest the property owner of his property and to place it in the name of the United States.

This bill is in no sense an anti-TVA measure. The truth of it is that, if Brock could get his amendment enacted, many of the headaches of the agency's land acquisition division would be eliminated.

The Brock bill is pertinent to the current situation because the authority faces the necessity of acquiring thousands of acres in both the Tims Ford and Tellico Dam reservoirs. Certainly the percentage of necessary condemnations is likely to be greater at this time than it was when the authority originally undertook its land acquisition program in the *early 1930s. It would seem to* us that TVA would welcome, rather than oppose, the passage of this measure.

Mr. **BAKER**. Mr. President, I ask unanimous consent to have printed in the Record a copy of House Resolution 29, adopted by the General Assembly of the State of Tennessee relating to this matter.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

House Joint Resolution No. 29

A Resolution petitioning and memorializing the United States Congress to amend the Tennessee Valley Authority Act of 1933 to provide that either party, in cases involving the condemnation of land by the TVA, may demand a jury to try the issue of just compensation

A Resolution petitioning and memorializing the Congress of the United States to enact legislation amending the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of the real property, by the Tennessee Valley Authority, and that the Congress give consideration to the passage of H.R. 4846, on this subject.

Whereas, The principle of trial by jury is a cherished part of the system of jurisprudence of the American people and has, since the birth of the Republic, been considered as the individual's greatest bulwark of freedom and;

Whereas, In practically every statute providing for the condemnation of private property under the laws of eminent doman, the land owner is entitled to have a jury trial for the determination of the compensation to which the property owner may be entitled for the taking of the land by condemnation proceedings and;

Whereas, The Tennessee Valley Authority Act of 1933 (16 U.S.C. 831x), is unique in that it provides for the taking of land under the powers of eminent domain by the Tennessee Valley Authority without granting to the property owner the safeguard of a jury trial, and in fact prohibits the use of a jury in such cases, and;

Whereas, Under the procedure now in effect under the TVA Act the only appeal is to a three Judge Federal court, or upon waiver to a one Judge federal court, where the case is tried upon the written testimony adduced before the Commissioners appointed under the Act to award damages and;

Whereas, This procedure is expensive and cumbersome and may impose undue hardship and expense upon the property owner, who in many instances may not be able to withstand such expense and;

Whereas, Legislation has been introduced in the Congress of the United States by H.R. 4846, proposing to amend said Tennessee Valley Authority Act to provide that either party to such condemnation suits may demand a jury;

Now, therefore, be it resolved by the House of Representatives of the Eighty-Fifth General Assembly of the State of Tennessee, the Senate concurring, That we reiterate our belief in the principle of trial by jury, and that we memorialize and petition the Congress of the United States to give consideration to H.R. 4846, being a bill to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation *of real* property by the Tennessee Valley Authority and;

Be it further resolved, That the Congress of the United States is hereby petitioned to enact into legislation a law which will guarantee to the property owner whose land is being taken by condemnation proceedings by the Tennessee Valley Authority the right to trial de novo before a jury, when the demand for a jury is made within the time and in the manner provided by law and;

Be it further resolved, That a copy of this Resolution be furnished to each member of

Senate and the House of Representatives of the United States.

Adopted: March 29, 1967.

James H. Cunningham,
Speaker of the House of Representatives.
Frank L. Ganell,
Speaker of the Senate.

Approved: March 30, 1967.

Buford Ellington,
Governor.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1637) to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority, introduced by Mr. Baker, was received, read twice by its title, and referred to the Committee on Public Works.

THE RIGHT TO VOTE AT 18

Mr. HARTKE. Mr. President, I am today introducing a joint resolution proposing a constitutional amendment extending the right to vote to citizens 18 years of age or older. The joint resolution contains the text of the proposed amendment, and its preamble sets forth the reasons for adopting such a measure. I believe there is a growing sentiment throughout the country for reducing the voting age in this way, and that it is a desirable constitutional change.

I ask unanimous consent that the text of the joint resolution be printed in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 78) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older, introduced by Mr. Hartke, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Whereas citizens of the United States upon attaining the age of eighteen years are called upon by their Government to bear the burdens and responsibilities of national defense; and

Whereas most Americans, by the time they become eighteen years of age, have completed secondary education and are pursuing education or training beyond the secondary level, or are responsibly employed, taxpaying citizens; and

Whereas in most States citizens who are eighteen years of age but less than twenty-one years of age are ineligible to exercise the single most important right of a citizen, the right to vote: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislature of three-fourths of the several States:

"Article —

"Section 1. The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if such a citizen is eighteen years of age or older. The Congress shall have power to enforce this article by appropriate legislation.

"Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

ADDITIONAL COSPONSORS OF BILLS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the name of the senior Senator from New Hampshire [Mr. Cotton] be added as a sponsor of S. 612, the Dairy Import Act of 1967, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the name of the Senator from Alabama [Mr. Hill] be added as a cosponsor of the bill (S. 1485), the Intergovernmental Manpower Act of 1967, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the name of the Senator from Indiana [Mr. Hartke] be added as a cosponsor of S. 1446, the Orderly Marketing Act of 1967, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the names of the senior Senator from Nevada [Mr. Bible], the junior Senator from Nevada [Mr. Cannon], the junior Senator from Georgia [Mr. Talmadge], and the senior Senator from Minnesota [Mr. McCarthy] may be added as cosponsors of the bill (S. 1588) to revise the quota control system on the importation of certain meat and meat products, which was introduced last Thursday, April 20, and that the names of those additional cosponsors be added on the bill at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. Brewster], I ask unanimous consent that the names of the Senator from Maryland [Mr. Tydings], the Senator from Massachusetts [Mr. Kennedy], the Senators from Minnesota [Mr. McCarthy and Mr. Mondale], the Senators from Connecticut [Mr. Ribicoff and Mr. Dodd], and the Senator from South Carolina [Mr. Hollings] be added as cosponsors of the bill (S. 278) to reclassify certain positions in the postal field service, and for other purposes, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEARINGS BEFORE INTERNAL SECURITY SUBCOMMITTEE

Mr. EASTLAND. Mr. President, the Internal Security Subcommittee will resume its hearings next week on "Gaps in the Internal Security Laws and How To Plug Them." Hearings will be held Tuesday and Wednesday, May 2 and 3, and on Tuesday and Wednesday, May 9 and 10. Any person desiring to be heard by the subcommittee on this subject is asked to contact the chief counsel of the subcommittee.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 303) to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, April 26, 1967, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 49) to designate April 28–29, 1967, as "Rush-Bagot Agreement Days."

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, notwithstanding the limitation, to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE AMERICAN FLAG

Mr. BYRD of West Virginia. Mr. President, my distinguished senior colleague [Mr. Randolph] and I are cosponsors of S. 515, authored by the able minority leader [Mr. Dirksen], a bill proposing to make it a Federal crime to desecrate the U.S. flag, and providing a penalty of a fine of not more than $1,000 and imprisonment of not more than 1 year for violations thereof.

There would be no need for the introduction of such legislation if all Americans were of the same fine caliber as that of the Army logistical support troops serving in the Da Nang subarea in South Vietnam.

On March 26, the Army chaplain stationed with that command, Maj. Hershel H. Homer, acting in behalf of these troops, wrote to Dr. Frederick Brown Harris, our own Senate Chaplain, to bring to his attention the dedication of a new military chapel in the Da Nang area, to be called the Chapel of Flags. He requested that Chaplain Harris say a prayer for the troops and for the flag which is to be flown over their chapel. I was also asked to arrange to have the flag first flown over the Capitol, and I am pleased to have performed that service.

I wish to read a copy of Chaplain Homer's letter to Chaplain Harris, having first deleted the names of the other military personnel who do not seek publicity. It reads:

Headquarters,
Da Nang Subarea Command,
APO San Francisco, March 26, 1967.

Dr. Frederick Brown Harris,
Chaplain, U.S. Senate,
Washington, D.C.

Dear Chaplain Harris: We of the Army's First Logistical Command serving here in Da

> Nang, Vietnam have constructed a new chapel for all religious faiths. It is perhaps the largest and finest armed forces chapel in all of Vietnam. We hope to dedicate it on 26 April 1967.
>
> One idea which was suggested on 1 and 2 March 1967, and which was met with enthusiasm was to ask each state governor to furnish his state's flag to hang in the new chapel sanctuary. Most have answered and many have already sent flags as of this date. Some have said they do not have flags on hand at this time or no funds available to purchase a flag to send us. We feel that surely such a patriotic project for all the men stationed here will ultimately see all state flags coming to us; hopefully before 26 April 1967.
>
> I would like to request that you say a prayer for all of us serving here in Vietnam and especially a prayer for our new chapel here at Da Nang Sub Area Command as an opening prayer for one day's session of the Senate on the day that Senator Byrd is having a flag flown over the Capitol for us.

In reflecting upon the Chaplain's request for a prayer for all of those in Vietnam, I am reminded of the wicked Queen Mary who said:

> I fear the prayers of John Knox more than all the conquering armies of Europe.

I am also reminded of Tennyson who said:

> More things are wrought by prayer than this world dreams of.

The letter continues:

> In the past we have had services in a Mess Hall. Although this is not the most conducive place for worship it has been our home for three months on Sundays. There are three Army companies of men serving here in the 1st Vietnamese Corps Area. We army men get the supplies forward so that the men on the front lines can "keep on keeping on." We are so often the behind the scenes forgotten men in the Army. We are mostly truck drivers, supply clerks, maintenance men and finance and administrative personnel. Our Commander, our brilliant area engineer, and our Sergeant Major, have hoped and planned and dreamed about a chapel here ever since they arrived on the scene. I, as a Methodist Army Chaplain from the Northwest Texas Conference, have been the lucky inheritor of all their efforts to make religion a vital part in the lives of the men here.
>
> I am writing this letter to you on Easter Day. Our chapel attendance today at Protestant service was 161 and 207 at the Roman Catholic Mass. Though this is an Easter crowd it is a far cry from the first Sunday when I came here and there were only 18 and 26 respectively in attendance. We have averaged 27.53% in attendance of our personnel for the last quarter, which I feel is high for Vietnam; but, which I feel is not good enough.

Mr. President, that is a very good percentage of attendance. I would venture to say that it exceeds the church attendance of the people back home. However, the chaplain does not feel that this attendance is good enough. I continue to read his letter:

> The new chapel will be an incentive to worship more often for most of our men; who, at heart are all basically good moral men. We have some of the finest of America's manhood right here and I am proud of them, everyone. They have talents this world never dreams of.
>
> I am afraid I have gone on at too great length; but, I did want to ask you if it would not be possible to say a prayer for us and our chapel at the opening of one of the Senate sessions. Would you please do this for us logistical soldiers here in Da Nang, Vietnam?
>
> With warmest personal regards, I am
>
> Sincerely yours,
>
> Maj. HERSHEL H. HOMER,
> *Staff Chaplain, DSAC.*

The date for the dedication of this chapel was set for April 26. So, I am attempting to support the efforts of the Senate Chaplain, Dr. Harris, in bringing this dedication to the attention of the Senate. An American standard is being flown today over the Capitol, having been blessed by Chaplain Harris with this blessing:

> God of our Fathers, whose love divine hath led us in the past: be Thou our ruler, guardian, guide, and stay.
>
> We lift this day our jubilate for the starry flag which in all the world is the sacred emblem of this Nation under God.
>
> As we pledge anew allegiance to all that its flowing folds symbolize, make us solemnly conscious that—
>
> "There's not a thread of it
> No, nor a shred of it
> In all the spread of it,
> From foot to head,
> But heroes bled for it,
> Faced steel and lead for it,
> Precious blood shed for it,
> Bathing it Red!"
>
> God bless America in these tempestuous days as under this banner she mobilizes her might to help defend freedom and oppose tyranny in all the world.
>
> God bless this flag, and all the flags, as they wave in the *"Chapel of Flags"* in far away Vietnam—grant, we beseech Thee, O God, that 'ere long *peace with righteousness* may be attained for all—
>
> "Our thought of Thee is glad with hope,
> Dear country of our love and prayer!
> Thy way is down no fatal slope,
> But up to freer sun and air.
>
> With peace that comes of purity,
> And strength to simple justice due,
> So runs our loyal dream of Thee,
> God of our Fathers—Make it true!"
>
> Amen.

To the Americans serving in Da Nang who are today dedicating their chapel and are awaiting the arrival of their Nation's flag from its first flying over the Nation's Capitol, I say, inspired by the words of an earlier American patriot:

> A thoughtful mind, when it sees a Nation's flag, sees not the flag only, but the Nation itself; and whatever may be its symbols, its insignia, he reads chiefly in the flag the government, the principles, the truths, the history, which belong to the Nation which sets it forth.

This flag will be sent on to South Vietnam today with an accompanying certificate as to its having been flown today over the Nation's Capitol.

This Nation has its own great banner, and wherever it streams abroad, men see daybreak bursting on their eyes, for the American flag has long been the symbol of liberty, and men have rejoiced in it. Not another flag on the globe has had such an errand, or has gone forth upon the sea carrying everywhere, the world around, such hope for the captive, and such glorious tidings. And wherever the flag has gone, and men have beheld it, they have seen in its sacred emblazonry no rampant lion and fierce eagle, but only light, and every fold significant of liberty.

I feel it is especially appropriate that Chaplain Homer wrote to Chaplain Harris to seek his aid in promoting this program to emphasize the meaning of our American flag, for Chaplain Harris' love for his country and its flag and all that it represents have long been an inspiration to those of us here in the Senate. His views on the duties of the military and the requirements for military service in behalf of our Nation were well stated in his article published on April 24 in the U.S. News & World Report, entitled "The Blade of a Righteous Sword."

I wish to place this article in the RECORD at this point, accompanied by the introductory comments of Editor David Lawrence.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BLADE OF A RIGHTEOUS SWORD

(The Reverend Martin Luther King has been saying that the United States "is the greatest purveyor of violence in the world today." Some other clergymen echo that view as they condemn the war in Vietnam.

(What is the religious justification of the right of self-defense against aggression? Dr. Frederick Brown Harris, who opens the Senate's sessions with prayer, wrote recently in the "Washington Star" an answer, entitled "The Blade of a Righteous Sword." Below is the text of the article.—David Lawrence, *Editor.*)

(By Dr. Frederick Brown Harris,
Chaplain, U.S. Senate)

There is nothing inherently good or bad about a sword. The quality of sharpened steel may depend on whether it is in the hands of a surgeon or a bandit. Earth's greatest Teacher admonished, "Put up your sword; for he that takes it shall perish by it." That sword was drawn in anger and vengeance. It was a bad sword. But Jesus also said, "I am not come to bring peace, but a sword." That sword unsheathed against evil was a good sword. All depends upon the purpose for which the blade is to be used.

Without swords, coerced men are compelled to cry peace when there is no peace and to surrender the most heavenly things to the most hellish forces. There is a sword bathed in heaven. If swords are in the hands only of those who cannot be trusted with them, then the only peace possible between the lion and the lamb, which, it is prophesied, shall some day lie down together, is for the lamb to lie down inside the lion. There are present-day appeasers of evil who would label that arrangement peace. But a peace dictated by unethical force is the peace of slaves.

A nation must be strong to make its word for peace effective. A peace gained by constant retreat because of the threatening blackmail of superior force is not peace, but war. It will be a day of mourning for all the free world if ever our nation, whose potential force is the greatest, refuses to back to the hilt its belief in universal brotherhood and to use its horrible swift sword against aggressors ready to pounce on new victims.

There always is enough bad in the world to shatter any dream of an ethical peace, unless that ill will has a restraining fear of the power of organized good will. To weaken the national striking power is to vote to make it inevitable that the democracies shall be forced to do the bidding of oral perverts who have been allowed to fashion a preponderance of swords.

Of course, force never is the last word. At best, it but clears the way for the constructive agencies of friendship, good will and cooperation to do their healing work, so that at last swords can be turned into plowshares. But when you face men who have put the state on the throne, instead of God, you cannot conquer them by kindly example or a friendly smile. No gentle charms can stay the fangs of the cobra when it is ready to strike. To allow callous deviltry—whenever it is powerful enough—to trample righteousness into the mire at will, while the forces of good stand impotently by, is a tragic travesty of justice and judgment.

In England, before World War II, a group of influential clergymen, ignoring Germany's rearmament, led a movement utterly to renounce the sword of defense.

Declaring they were willing to risk all on meeting Hitler's threat with understanding and good will, they secured hundreds of thousands of signed pledges of a virtual refusal to take up arms. That futile policy, sincerely followed, helped to bomb the churches of which these preachers were the ministers and to fill the land with lamentations for the mangled and the dead. That crusade was a definite factor in Britain's unpreparedness when the foe struck. Time tragically proved it was no hour to exchange a clean sword for an olive branch.

In America, a man stood up in a free pulpit to preach. He quoted detached sentences from the Christ whose hand held the lash when His Father's House was made a den of thieves, and whose eyes were often as a flame of fire. The preacher declared that evil, no matter how diabolical, was never to be resisted with any physical weapons. Rhetorically, he asked, "What has a sword ever accomplished worthwhile?"

In a pew was a worshiper in whose heart was an aching void and in whose home was a Gold Star, speaking of the valor of a young crusader who marched forth with a righteous sword and came not back. At the church door, following the service, that worshiper said to the clergyman: "I can tell you one thing that the righteous sword has done."

"What?" asked the minister.

Replied the listener with deep feeling: "The sword in the hand of those who have resisted militant evil has given you the right to stand here today and to proclaim your convictions without fear of being liquidated."

The one who had publicly said that rampant evil was never to be resisted by force paused for a moment and then acknowledged, "I am afraid I cannot refute that."

There is no refutation in God's world and man's for the flash of the righteous sword!

"THERE OUGHT TO BE A LAW" CONTEST

Mr. PROXMIRE. Mr. President, last year I sponsored a competition among the citizens of Wisconsin which I called a "there ought to be a law" contest.

I invited suggestions from the people of my State on what new law they most wanted Congress to enact.

My staff and I had anticipated maybe 100 entries. We were very pleasantly surprised. The response on the part of the people of Wisconsin was remarkable, an example of grassroots democracy at work.

I received more than 1,200 entries from Wisconsin citizens of all ages and backgrounds and hundreds more from people outside Wisconsin.

Suggestions were made on every conceivable topic of concern to the people of Wisconsin and the people of the United States. They dealt with education, agriculture, taxes, labor-management relations, auto safety, civil rights, Vietnam, and law enforcement.

The final selection of a winner from all these suggestions was really a rough decision for my staff and myself. But it was our judgment that the suggestion of Mr. Herbert Nebel, of West Allis, Wis., had the greatest merit.

Mr. Nebel is 67 years old, retired, and lives with his wife, Esther, in West Allis. They have five daughters, four of whom are married, and 10 grandchildren.

Mr. Nebel's winning suggestion is a Federal law requiring automobile manufacturers to install a tamperproof odometer on all automobiles to record the exact mileage traveled during the life of each vehicle.

Herbert Nebel's suggestion has considerable merit on two separate counts: First, it is consumer-protection legislation which would prevent the unscrupulous automobile seller from misleading a prospective buyer; second, it has strong auto-safety implications, enabling the purchaser to know how potentially safe a vehicle will be and for how long, through knowing how many miles the car has traveled.

The car-rental companies have been able to record accurately the exact mileage traveled by each of their leased vehicles. There is no prohibitive expense involved, and, in fact, the savings to the American public through the preservation of lives would be incalculable.

Practically every new car eventually becomes a used car, and the bill would protect the American consumer who cannot afford to buy this year's model and is forced to rely upon the information of others when buying a car for himself and his family.

We have relied too long upon an outdated dictum, "Let the buyer beware." The enactment of this bill would proclaim: "Let the buyer be aware."

Mr. President, I should like to indicate also that Mr Nebel, in winning the contest, won a free trip to Washington, for which I paid. Unfortunately, he missed his plane. He was to be here today. But he will arrive, and we are looking forward to having him here. He certainly has indicated his good citizenship as well as his intelligent alertness in winning this contest.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The time of the Senator has expired.

Mr. PROXMIRE. I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL TRADE COMMISSION STRONGLY FAVORS TRUTH IN LENDING

Mr. PROXMIRE. Mr. President, apropos of letting the buyer beware, the Subcommittee on Financial Institutions is holding hearings on the truth-in-lending bill.

I am happy to say that the hearings have been most productive. Although the criticism and opposition to the bill continues, the hearings have been informative and will help us to have a more practicable and workable truth-in-lending bill within the next few weeks.

Also, the administrative agencies, the executive agencies of the Government, have been most helpful in support of the bill.

A very similar bill was introduced in 1960 by former Senator Paul Douglas, of Illinois. It has been in the committee for 6 long years. Three years ago there was a tie vote on the question of reporting the bill. Five members of the subcommittee voted for it and five against it. We never could get a majority. This year we are in a much stronger position, for a number of reasons.

Not only has the composition of the committee changed in favor of the bill, but also a similar truth-in-lending bill was enacted in Massachusetts. In fact, it has all the ingredients of our bill. It was enacted to take effect, in part, on November 1, the remainder to take effect on January 1. The main objection to the bill was that it would not work, was complicated, and would impose a heavy burden on business. However, the law in Massachusetts has worked so well that merchants in that area are in favor of it.

The Automobile Dealers Association, which was a stringent opponent of the legislation, has passed a resolution calling on the NADA—the National Automobile Dealers Association—to change its position and to support truth in lending.

The merchants who have sold on revolving credit have changed their position.

Lechmere Sales, a large discount house, a group that had been opposed to this legislation in the past, came before our committee and testified that the law has been quite workable, that it has been helpful for the consumer, and that it has prevented a deceptive and unfortunate kind of competition.

In addition, a similar law passed in Nova Scotia, Canada, had been in effect for 6 months. We have had excellent testimony by mail from Nova Scotia in support of the bill.

A similar bill was passed in the State of Washington. It passed the State senate unanimously, passed the State assembly with only two dissenting votes, 86 to 2. Washington has not had its law in effect long enough to make any judgment, but it was overwhelmingly accepted there; and this is indicative of the kind of approval this legislation has received throughout the country.

I wish to make one more point in connection with the bill: Congressmen who have conducted polls in their districts to ascertain the sentiment of the people on various problems before Congress have found that this particular proposal is by far the most popular; that the variation is from 88 to 95 percent for approval; and that the approval is not confined to any one party. Republicans as well as Democrats, conservatives as well as liberals, say they want truth in lending. When they buy something on time, they want to be told what their finance charge is and what the annual rate is.

The Federal agencies have been most helpful. I should like to refer specifically today to the support given by the Federal Trade Commission.

In a report to the Banking and Currency Committee, the Federal Trade Commission strongly supported S. 5, the truth in lending bill, and urged its passage by the 90th Congress. The report indicated S. 5 was in accord with the President's program. FTC feels consumers should be made fully aware of credit costs and believes this objective will be achieved by S. 5. FTC also indicated there would be no conflict between S. 5 and FTC's proposed resolutions on retail installment transactions, inasmuch as those regulations would only apply to the transactions in interstate commerce or the District of Columbia. In other words, for the FTC regulations to apply, a person would have to live in one State and buy an automobile on time in another State before the FTC disclosure regulations would apply. Thus, somewhat ironically, the FTC regulations would protect wealthy suburbanites from Connecticut and New Jersey who shop in downtown Manhattan, but would not protect Negro and Puerto Rican slum dwellers who live and shop in New York City.

Mr. President, I ask unanimous consent that the Federal Trade Commission's report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL TRADE COMMISSION,
Washington, D.C., April 12, 1967.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request of January 26, 1967, for a report on S. 5, 90th Congress, 1st Session, a bill "To assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit."

The bill provides that it may be cited as the "Truth in Lending Act." Its objective, as we interpret it, is to obtain full disclosure of the cost of credit. It would require any creditor, as defined in the bill, to furnish to each person to whom credit is extended, prior to the consummation of credit, a statement giving the debtor detailed information concerning the transaction, including the total amount to be financed and the annual percentage rate.

It further provides in connection with any revolving or open-end credit plan that the creditor furnish to the debtor prior to the extension of credit under such a plan, a statement in writing setting forth detailed information including the percentage rate per period of the finance charge to be imposed and also, at the end of each "period" which is defined in the bill as meaning "the time interval between the payments specified in the credit agreement for repayment of the total amount to be financed", the annual percentage rate used to compute the finance charge for the period, the total balance on which the finance charge was computed and the finance charge (in dollars and cents) imposed for such period.

Under the bill, the Board of Governors of the Federal Reserve System is directed to prescribe such rules and regulations as may be necessary or proper to carry out the provisions of the bill.

We believe the promulgation of the proposed guides would, in no way, obviate the necessity for enactment of the subject bill. The coverage of the bill is noted to be substantially more comprehensive than that of the staff proposals, which were limited to its experience developed in the course of investigations of retail transactions involving only goods or services sold under conditional sale contracts and promissory notes, or other similar credit transactions in which a security interest is retained by, or conveyed to, the seller. This is a more restricted approach than that of the bill which is addressed primarily to practices in connection with the lending of money.

The proposed guides were published at a time when serious questions regarding the practical application of an annual rate feature had been raised in hearings before your committee on earlier versions of the bill. We understand that this problem has since received considerable study. Agencies more directly concerned claim that the easy workability of the annual percentage rate requirement can be demonstrated. The Commission looks forward to following the testimony before your committee.

The Federal Trade Commission Act specifically excludes banks from the jurisdiction of the Federal Trade Commission. Consequently, the Commission's proposed guides will not apply to any credit transactions involving banks and financial institutions, as does the bill.

Also, the guides would extend only to those transactions which are "in commerce", as defined by the Federal Trade Commission Act (15 U.S.C. 44). This limits the scope of the guides to retail credit transactions in a territory of the United States or in the District of Columbia, or in interstate commerce.

The constitutional basis for the statutory jurisdiction granted to the Federal Trade Commission is the "commerce" clause of the Constitution. The Board of Governors of the Federal Reserve System, which is named as the governmental agency to administer the bill, has its jurisdiction based not only on the "commerce" clause but also, at least in part, on the "monetary" clause of the Constitution.

Thus, considering the very limited purpose and scope of the staff-proposed guides, they would not anticipate or obviate the need for the bill. You are earnestly assured that this Commission stands firmly in support of the proposition that both consumers and borrowers should be made fully aware of credit costs.

The Commission endorses and urges the passage of the subject bill.

By direction of the Commission.

PAUL RAND DIXON,
Chairman.

Pursuant to regulations, this report was submitted to the Bureau of the Budget on March 28, 1967, and on April 12, 1967, the Bureau of the Budget advised that enactment of legislation along the lines of S. 5 would be in accord with the President's program.

JOSEPH W. SHEA,
Secretary.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNIVERSARY OF MASSACRE OF ARMENIAN PEOPLE GRIM REMINDER OF SENATE FAILURE TO RATIFY GENOCIDE CONVENTION—LX

Mr. PROXMIRE. Mr. President, this week marks the 52d anniversary of the inhuman massacre of the Armenian people at the hands of the Turks.

In 1915 a policy of total extermination of the Armenian Christian population within the Ottoman borders was organized and implemented. During this nightmare of terror, 1,500,000 men, women, and children—whose only crime was belief in the Christian faith—were brutally tortured and murdered.

Entire families and villages were wiped from the face of the earth in a display of cruelty and criminality which shocked the conscience of the world.

This week as we observe the solemn anniversary of the individual and collective martyrdom of these 1,500,000 human beings, we do only great disservice to their memory by our continuing failure to ratify the Convention on Genocide, which has been in the Committee on Foreign Relations for 18 years.

The Genocide Convention declares the destruction of national, racial, and religious groups a crime under international law. This convention, originated at American initiative and adopted by American advocacy, has not been ratified by the United States.

Seventy nations have formally ratified the Genocide Convention, including virtually every major nation in the world, thus emphasizing their commitment to preventing another Armenian massacre. But the United States is not one of those 70 nations.

I do not believe that the people of the United States were unconcerned about the Armenian massacre or have dismissed that awesome carnage as merely a regrettable episode.

The American people are more human, more compassionate, more concerned.

Let the Senate honor the memory of the 1,500,000 brave men, women, and children who were systematically executed 52 years ago this week. Let the Senate put the United States squarely on international record on this crucial matter.

The Senate has the authority to do both by ratifying the Convention on Genocide.

SENATOR SYMINGTON'S POSITION ON ATTACKING MIG FIGHTERS PRAISED BY LIEUTENANT GENERAL EAKER

Mr. BYRD of Virginia. Mr. President, last Sunday the Daily Press of Newport News, Va., published an article on military affairs by Lt. Gen. Ira C. Eaker. This article speaks very highly of the senior Senator from Missouri [Mr. SYMINGTON]. It points out his knowledge, ability, influence in the Senate, and his deep interest and knowledge of the military situation.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

The being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Newport News (Va.) Daily Press, Apr. 23, 1967]

ATTACKING THE MIG'S ON THEIR OWN BASES

(By Lt. Gen. Ira C. Eaker)

Stuart Symington, Missouri's senior senator, returned from his third trip to Vietnam early this year convinced that U.S. Air Force and Naval air power should be permitted to attack the Russian MIG fighters on their bases in North Vietnam.

Secretary of Defense McNamara recently defended present policy prohibiting such attacks, pointing out that the MIGs do not presently represent a sufficient menace to justify the loss of life which might result from attacking MIG bases. He also suggests that if bases in North Vietnam are made untenable, the Russian fighters will merely move to bases in China.

On April 3, in a Senate speech, Symington said, "On three trips to the Far East in the last 16 months, I was briefed on Air Force and Naval airpower by U.S. civilian and military leaders at CINCPAC Headquarters in Hawaii, and also in the Vietnam theater. These officials, along with many of us back in this country, believe that successful air attacks against airfields in North Vietnam would not only lessen the North Vietnamese capacity for aggression, but would also reduce the number of lost American flyers." The senator also pointed out that more than 100 pilots he interviewed in Vietnam believed that they should be permitted to attack the MIGs on their bases.

There are two fundamental considerations involved in this argument between Senator Symington and the Defense Secretary. One is military and the other political.

From a military point of view, the reasons for destroying the MIGs on their North Vietnamese flying fields include:

a.) The quickest, most efficient way to destroy an enemy air force is to attack his planes on his air bases, as we learned in World War II against the Germans. Our airmen suffer fewer casualties in these operations than in air-to-air combat.

b.) The Russian MIGs in North Vietnam are now rising to meet our fighter bombers, forcing them to release their bombs and wing tanks in order to combat the MIGs on equal terms. Many of our missions are thus aborted. These prematurely released bombs also cause needless civilian casualties on the ground. In many cases our fighter bombers now are being accompanied by our own fighters, a duplication and waste of airpower. The MIGs are therefore exercising a much greater influence upon the effectiveness of our air operations than is generally realized.

c.) When Russian MIGs and SAMs attack our fighter bombers, the latter are forced to low level where they can be hit by small arms fire and anti-aircraft weapons. This combination has already destroyed more than 500 of our planes over North Vietnam. Three hundred of our flyers have been lost.

d.) The presence of MIGs on flying fields in North Vietnam is an important morale factor for the North Vietnamese. If these planes were destroyed it would be a discouraging factor against further aggression.

e.) If the MIGs were forced to move to Chinese fields, their effectiveness would be reduced by at least 50 per cent. Their fuel and range limitations are such that they could then spend less than half their present airborne time defending targets in the Hanoi area.

From a military point of view, the senator is quite right. The MIGs should be attacked on their North Vietnamese bases without further delay, as all experienced military air leaders agree.

While I am not qualified to assess the political implications, I believe that few men in public life can match Senator Symington's experience and qualification in this area.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am happy to yield.

Mr. SYMINGTON. By coincidence, I happened to arrive in the Chamber when the distinguished Senator from Virginia was being so kind. I deeply appreciate the remarks I heard. I did not hear all of them.

I can only say to the Senator that his father would be very proud of the record he is setting in the Senate.

Mr. BYRD of Virginia. I thank the Senator.

WHAT 4–H HAS MEANT TO ME

Mr. MANSFIELD. Mr. President, I have just had the privilege and pleasure of meeting, along with my colleague, Senator Metcalf, four fine young Montanans from the Big Sky Country who are in Washington to attend the National 4–H Conference. They are Rodney Pribyl of Eden Route, Great Falls; Sharon Swigart of Searing Route, Glendive; Gary Haase of Bloomfield Route, Glendive; and Ardith Gregory of Forest Grove.

Perhaps only persons who come from rural areas can know the immense amount of good that the 4–H organization does. Through its chapters, it molds our rural youth into good citizens, good leaders, and good Americans. Certainly if the four young people whom I have mentioned are representative of 4–H'ers everywhere, I can only hope that more groups will copy the example being set by the hundreds of 4–H clubs in America.

Mr. President, as delegates to the National Conference, the participants were required to write short personal statements entitled, "What 4–H Has Meant to Me." I call the attention of the Senate to the sentiments expressed by the Montana delegates and ask unanimous consent that their statements be inserted at this point in the Congressional Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

What 4–H Means to Me

(By Rodney Pribyl)

It's a hungry world teenagers have to enter as adults today. Hungry for knowledge, for purpose, for bright young men and women to lead it to the peace and justice it craves. The 4-H'ers of today are qualified to lead this world, and I believe this quality of leadership is the biggest reward 4–H provides youth of today and tomorrow. 4–H can best be explained as young people learning to plan and work together under skilled leadership. Development of this quality is probably one of the biggest rewards that I received from 4–H.

For me, it all started when I was nine at the club meetings. I learned the responsibility of being a good officer and how important it is to be able to cooperate with my fellow members to get the job done as quickly and efficiently as possible. I learned to use common sense, to do my part cheerfully, and to respect my fellow club members, all of which helped develop my character. The new ideas I learned, the interest I had in the world around me, and the improvement I learned to make in my life helped me to develop my own individuality.

From my projects I learned the responsibility of getting a job done, to improve my projects by the mistakes I made, and learned new methods. I discovered how important it is to have a good leader to make a 4–H club successful. His guidance and the many hours he spends in training sessions and learning new methods is evident in what he has taught and what his 4–H'ers have accomplished.

My leader taught me not only to make my project profitable and enjoyable, but to be responsible for a job given to me and how to accept constructive criticism. The mistakes I made not only helped to improve my project but myself. My leader not only helped me to make blue ribbon projects, but also tried to make every member blue ribbon. He always stressed the important point that if a member produced a blue ribbon project and wasn't blue ribbon himself, then he gained no value from his experience. My projects have developed my confidence to strive to do my best.

My work in the leadership area was the most rewarding. In my junior leadership project I had the opportunity to help younger members, and gained confidence and joy in helping others. I learned what some of the important qualities of a leader are by the experiences I had, by hard work and failures, disappointments, as well as successful adventures. I found we are not a leader for our own good but for the betterment of others. All these added to the development of my becoming a better citizen.

Through participation in 4–H activities and events I was able to exchange my ideas with other 4–H'ers, which gave me a broader outlook on life. Judging events gave me an opportunity to learn the value of participation, taught me good sportsmanship, and gave me a great deal of knowledge which I always will be able to use.

Demonstrations and speeches were a big help in overcoming my shyness and I have learned to give my opinion without hesitation. The quality of being able to communicate with people is a great asset which will help me all of my life.

4–H has meant wonderful trips and awards through which I learned to appreciate the help and encouragement we receive from Friends of 4–H. The trips provided a great opportunity to see new and interesting places, meet people, and exchange ideas.

My participation in 4–H has also meant many other things. It has meant long hours of hard work with my projects, tears, disappointments, pushing, prodding, encouragement from my parents and leaders, pride, knowledge, lots of fun, and many new friends.

Though my 4–H participation as a member is about over, I will have reached one of my goals. This was to finance my college education from my herd of 4–H beef cattle. In attempting this goal I have received much experience and knowledge that I will always be able to use. I can never express gratitude enough to my parents, leaders, and the friends of 4–H, for their generous help and encouragement.

To me, 4–H is like a story I once heard:

It seems a small boy was in his father's study one day, and found a map of the world. For some unknown reason he suddenly tore up the map and hid it under a book. The act was soon discovered and the boy's father called the young boy in and asked him the reason for tearing up the map. The boy had none, so the father, to punish him, told him to go into the next room and not to come out until he had put the map together.

In a few minutes the boy came out with the map all assembled, much to the father's surprise. The father asked how he had done it so fast. He said, "It was easy, there was a picture of a boy on the back. I just put the boy together."

Well, the moral of the story is . . . if the boy is put together right the world will fall into place. 4–H is putting young people together in a way no other program of its type ever will.

What 4–H Has Meant to Me

(By Sharon Swigart)

Four-H has meant opportunities for personal gain: for developing and recognizing myself for what I am. Through demonstrations, project work and other various county, club, and individual activities, 4–H has lead to a greater development of my personality. Being able to think, to plan, and to reason on my own. Being able to associate, to work and to play with people of all ages. Being able to see what needs to be done and to have the initiative and the know how to go ahead and do it. Most important, 4–H has taught me that it is better for one to take on few tasks and to do them well, than to try to do too many things at one time and to do a mediocre job of them.

Through my nine years of 4–H experience, I have learned to live: to enjoy the little things, to help and to work with others, and to participate and to do MY best—not necessarily the best.

What 4–H Has Meant to Me

(By Gary Haase)

Unless I wrote a book, I could not fully tell what 4–H has meant to me. I imagine any loyal 4–H member feels this way, but I am sure that 4–H has done more for me than it has for anyone else. It was the key to so many wonderful opportunities that I wish every young girl or boy would join and share them with me.

I have gained a wealth of worthwhile information and experience from my projects which will help me no matter what career I might choose. During the past eight years I have carried entomology, electric, beef fattening, horse, swine, garden, home improvement, home ground beautification, poultry and junior leadership. Through these I have gained knowledge in marketing, selling, maintenance, how to use what I have to the best advantage, how to start all over again when something goes wrong, have also acquired many new skills, how to keep records, how to have patience with myself and younger members, how to teach others and let others teach me, have gained understanding by working with leaders and extension agents, and take pride in trying to make the best better. During these eight years I was given the chance to perform the duties of an office each year and learned Parliamentary Procedure.

I have taken part in the many activities 4–H has to offer such as county and state demonstrations, county and state livestock judging, talks at meetings, junior leadership camp, county fair, county picnic with its stunt, song and banner contests, working at the county 4–H foodstand, usher at the county dress revue, assisted at workshops, and have made myself available whenever needed. By taking part in these activities, I have gained self-confidence, poise, social status and a host of many wonderful friends. I have found that no matter where I am and I meet another 4–H'er, we have a mutual interest; therefore, 4–H'ers are never strangers.

Last but not least, through 4–H I have won many (never-to-be-forgotten) trips, awards and have received recognition which I would never have gotten if I wouldn't have belonged to 4–H. I think 4–H can reach and do more good for all available and eligible youth than any other organization in the world. It makes no discrimination between race, creed or color; boy or girl; rich or poor; rural or urban. As far as I am concerned, we 4–H youth are "cream" of our nation and I have yet to meet up with a delinquent who is an active 4–H member. I urge everyone to stand behind 4–H all the way and give it all the support possible because the government of the future will be in our generation's hands.

What 4–H Means to Me

(By Ardith Gregory)

Deep down inside, I know 4–H has been my challenging reason for living in the past nine years.

This great reason began when I was ten years old. Galloping through the fields, I triumphed in being a first-class "tomboy." Then 4–H work started with people all around and project work to complete. I started to realize there was more to life than having fun with horses and caring only about my little self.

Throughout the following years, I grew up with my friend, 4–H. Each year the community fellowship of this organization gave me the fun of extra activities, the happiness of knowing others and the joy of meeting new individuals. The 4–H system also offered goals of personal success. I discovered the joy of putting my being in a job by giving it all I had, doing my best and trying for perfection. I learned to dislike an average feat and expect myself to perform above the median. Thus, 4–H gave me a valuable inner drive for personal goals.

Those people and projects in 4–H combined to provide me with a fortress of creative leadership. Office positions, county committees, camps and training held a multitude of opportunities to lead—for me to stand up and share my enthusiasm and knowledge with grace and effectiveness.

The 4–H system has also been elemental in giving me understanding and realization. It meant a broader understanding of agriculture and industry with their interdependence. It meant an understanding of the great importance of government and active participation for our country's welfare.

Throughout the nine years, 4–H filled me with enthusiasm—to warm up, believe in myself and get excited. 4–H filled me with a tolerance of others and the vision to see things from another's point of view. 4–H also filled me with the goal of usefully using knowledge.

To me, 4–H gave defeats, like flat cakes, and accomplishments, such as sewing 260 garments. To me, 4–H gave humility and pride and reason for living—yesterday, today and tomorrow.

WYOMING SALUTES U.S. NAVY SEABEES

Mr. HANSEN. Mr. President, 1967 is the dual anniversary year marking the 25th anniversary of the U.S. Navy Seabees, and the 100th anniversary of the Navy Civil Engineer Corps whose officers lead the Seabee battalions and teams in action.

We, of Wyoming, just last month, were proud to welcome creation of a new Seabee Reserve Division, headquartered in the city of Cheyenne. The Seabees of the Navy earned their way to fame and glory in the challenging days of World War II. Their construction accomplishments, from the shores of Europe to the farthest islands of the Pacific, became legendary.

These "can do" construction wizards, often substituting imagination and ingenuity for tools and materials, molded fuel drums into roofing, ammunition boxes into radiators, beer bottles into insulators. It was the Seabees who created the instant ports and piers, airstrips and roadways, and the infinite variety of support structures and facilities which advanced the forces of freedom worldwide.

In Korea, the Seabees served again, providing notable support in the Inchon landing.

Today the Seabees are busy in Vietnam. The magnitude of their work in changing and improving the communication and transportation facilities of that underdeveloped nation will substantially assist the Vietnamese when, eventually, peace and freedom are established and economic progress can advance.

In recognition of the Seabee silver 25th anniversary, Gov. Stanley Hathaway, of the State of Wyoming, recently proclaimed Seabee Day in Wyoming.

I ask unanimous consent to have the text of this proclamation entered in the Record at this point in my remarks:

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

Proclamation

Whereas the twenty-fifth anniversary of the founding of the Seabees (United States Naval Construction Battalions) occurs March 5, 1967, and

Whereas the one hundredth anniversary of the founding of the Navy Civilian Engineer Corps occurs March 2, 1967, and

Whereas Construction Battalion Division 9–29 is to be commissioned at the Naval Reserve Training Center, Cheyenne, Wyoming, March 5, 1967, and

Whereas the skill, energy and gallantry shown by the Seabees in constructing and maintaining bases for our armed forces in World War II, Korea and the present Vietnamese Conflict has added many brilliant pages to the military annals of our Republic, and

Whereas small teams of Seabees are exhibiting their "can do" motto by bringing technical skills to the village level in Southeast Asia, thus exemplifying the spirit of cooperation which is so vital a factor in building a desire for freedom in the populace, and

Whereas to accord official recognition to this anniversary seems fitting and proper:

Now, therefore, as Governor of the State of Wyoming, I do hereby proclaim March 5, 1967, shall be observed as Seabee Day in Wyoming and I respectfully request the appropriate observance of the occasion.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of Wyoming to be affixed this first day of March, 1967.

Stanley Hathaway,
Governor.

Attest:

Thyra Thomson,
Secretary of State.

ANTITRUST IN AN ERA OF RADICAL CHANGE

Mr. HRUSKA. Mr. President, recent Supreme Court decisions increasingly make important national social and economic policies. In the antitrust area the decisions indicate a determination to control industry structure, with a serious potential effect of undermining the flexibility and viability of our economy.

In a recent conglomerate merger case Mr. Justice Harlan scored the Court for failing to formulate clear guidelines to direct future industry growth and expansion by merger. These guidelines, and the social and economic values they serve, are matters of national public policy. They should come from the branch of our Government specifically charged to determine national social and economic policy—the Congress. These policies should not be created by judges and bureaucrats under the guise of dealing with justiciable controversies.

To stimulate congressional thought on this subject, I request leave to insert in the Record an article entitled "Antitrust in an Era of Radical Change" by Max Ways, which was originally published in

Fortune in March of 1966 and reprinted in March 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANTITRUST IN AN ERA OF RADICAL CHANGE

(By Max Ways)

(NOTE.—*Among businessmen, uncertainty and anxiety about antitrust enforcement have been increasing in recent years. This article, however, is not a report on their complaints, which are sometimes superficial and often in conflict with one another. Nor is this another paean to antitrust law, the great American sacred cow, ritually and uncritically praised by almost all parties and factions. Instead, this is an effort to look at antitrust afresh, to measure it against tomorrow's needs.*)

Our sacred cow was born two-headed. Any serious examination of antitrust must start by recognizing that two distinct—indeed, contrary—policies have existed side by side. One policy has protected competition against such practices as conspiracies between firms to fix prices or limit production; this side of antitrust, exemplified by the Addyston Pipe case of 1899 and the very similar electrical conspiracy cases of 1961, has played and should continue to play a helpful part in the ever increasing liveliness and flexibility of the American market. The other antitrust policy has been fearful of change; it has frowned upon the growth of firms, especially by merger; it has sought to preserve the specific structure of markets on the assumption—long since demonstrated to be groundless—that the degree of competition is directly proportionate to the number of competitors and inversely proportionate to their average size: it has impaired the legitimate scope of freedom of contract and introduced arbitrary rigidities into the market through which we allocate our resources.

During the last fifteen years the second policy has become more and more dominant in antitrust enforcement. Essentially, this other head of antitrust is anticompetitive and reactionary. Instead of relying upon the market to protect consumers and encourage progress, it substitutes the preferences of public administrators and judges as to how production and distribution should be organized. By trying to shield specific competitors against the effects of competitive innovation, it tends to reverse—or at least to inhibit—that long line of social evolution which has been described as the movement "from status to contract."

Because our economy is so resilient, the measurable practical damage done by this second kind of antitrust policy has not been great—yet. But what of tomorrow?

We can know very little about the business specifics of 1986 or 1996. But some general statements about the next twenty or thirty years can be made with a high degree of confidence. Among them: (1) the pace of change, which broke through a sort of sound barrier around 1950, will continue to accelerate; (2) change will be made up of millions of innovations; many will be based on scientific discoveries and technological inventions; there will also be significant innovations in merchandising, finance, and corporate structure, and those patterns of coordination and decision making that we sum up in the word "management." In short, what we know of the next twenty years is that corporations will need the utmost flexibility because in each year our economy will be more and more involved with innovation. It is this prospect that urgently requires the U.S. to abandon the anticompetitive side of antitrust.

TRAUMATIC MEMORIES

Serious debate of antitrust policy is drowned out by a kind of litany. "What makes the American business system superior to the British and all others?" "Antitrust." "What slakes the public resentment of big business?" "Antitrust." "What preserves us from direct government regulation and maybe even socialism?" "Antitrust."

Beneath this drone of exaggerated and indiscriminate praise, individual businessmen do no more than mutter sullenly—usually when their own oxen are gored. Corporation lawyers, prosperously immersed in the arcane minutiae of antitrust, fail to raise a public alarm about where antitrust is moving. Such protests as come to the surface are directed against the Attorney General of the day ("Bobby" became an expletive), or upon the chief of the Antitrust Division and the members of the Federal Trade Commission, or upon one jurist or another (Chief Justice Warren has earned the post of head whipping boy).

But this thing, as they used to say in Hollywood, is bigger than all of them. The reactionary side of antitrust has a momentum that is built into court decisions, congressional investigations, and the clichés of public discussion. This trend has picked up speed during the terms of such dissimilar Presidents as Truman, Eisenhower, Kennedy, and Johnson. A White House "friendly to business" cannot reverse the way antitrust has been going. The place to clarify a fundamental national policy is Congress.

In order to lift discussion out of the ruck of legalistic bickering, economist thumb-sucking, and political personalities, FORTUNE offers the proposition printed on one preceding page. No doubt, lawyers learned in these matters can improve its wording—if they can spare the time from their clients' antitrust cases. As it stands, however, the purport of the proposition is clear enough: to present the two sides of antitrust as a choice.

Much more is at stake than the level of corporate profits, of the efficiency of the aggregate economy, or its rate of growth. The *quality* of the American future depends on the flexibility of the market framework. If our business system continues to be haunted by hallucinations lingering from American capitalism's traumatic childhood, we will deal clumsily—and perhaps disastrously—with an era of radical change.

BRYAN, BRANDEIS, BIGNESS, AND BADNESS

A glance back at the origins of antitrust may help clarify the choice that now confronts the U.S. In both its good and bad aspects, antitrust was a response to the great change that began in the last third of the nineteenth century. The good side—the confidence in competition and the resolve to foster it—was a brave leap in the dark by a nation that could not be sure of the direction in which modern capitalism would evolve. The bad side—the fear of large business units, new methods, new patterns of trade—was a timid, if understandable, clinging to the circumstantial patterns of an older America. Both elements, side by side, can be clearly seen in the discussion of "the trusts" that rolled through the U.S. between 1880 and 1917.

Many words conspicuous in that discussion—including "trust," "monopoly," and "competition"—had split meanings; antitrust history is an exercise in unscrambling unintentional puns. "Trust," for example, meant originally a quite specific device by which stockholders in competing companies ended competition by pooling their voting stock in the hands of a board of trustees. But "trust" was also widely used to mean *any* large business corporation. "Trusts" in the first meaning—along with price-fixing agreements and other anticompetitive practices—were regarded by many lawyers and businessmen of the day as "conspiracies in restraint of trade," which had been illegal under common law. A practical difficulty was that the courts of the states, which normally enforced such common-law principles, could not readily get their hands on these huge new combines; they leapt across state lines and operated a nationwide business system. Without an act of Congress, federal courts had no solid authority to enforce the common-law prohibition against agreements in restraint of trade. Many who supported the Sherman Act of 1890 saw it as plugging a loophole in the federal-state structure. They reasoned that in the new business world, as in the old, competition would protect the public and stimulate progress. The good side of present antitrust policy is descended from this position.

But their interpretation of antitrust fell a long way short of satisfying that part of the public clamor which used the word "trust" to mean everything that was large, new, and different in business. Theodore Roosevelt understood—perhaps sooner and better than anyone else—the political dilemma involved in the two usages of the word "trust." In 1900, as governor, he told the New York Legislature: "Much that is complained about is not really the abuse so much as the inevitable development of our modern industrial life. We have moved far from the old simple days when each community transacted almost all its work for itself and relied upon outsiders for but a fraction of the necessaries, and for not a very large portion even of the luxuries of life. Very many of the antitrust laws which have made their appearance on the statute books of recent years have been almost or absolutely ineffective because they have blinked the all-important fact that much of what they thought to do away with was incidental to modern industrial conditions, and could not be eliminated unless we were willing to turn back the wheels of modern progress by also eliminating the forces which had brought about these industrial conditions." As a politician, T. R. was responsive to that element in popular antitrust feeling which was simply resentment of change. But when it came to practical antitrust policy he moved very cautiously because he believed that at bottom the people wanted progress even more than they wanted "the old simple days."

THE HIDDEN NAIL KEG

The young Walter Lippmann, writing in 1914 and using the word "trusts" in the broad sense of modern business organizations, brilliantly described popular reaction to the change. The trusts, he said, had come "into the life of the simple American community as a tremendous revolutionary force, upsetting custom, changing men's status, demanding a readjustment for which people were unready. Of course there was antitrust feeling; of course, there was blind desire to smash them. Men had been ruined and they were too angry to think, too hard pressed to care much about the larger life which the trusts suggested." Lippmann understood that William Jennings Bryan represented resistance to change. "Bryan . . . thought he was fighting the plutocracy; as a matter of fact he was fighting something much deeper than that; he was fighting the larger scale of human life . . . What he and his people hated from the bottom of their souls were the economic conditions which had upset the old life of the prairies, made new demands upon democracy, introduced specialization and science, had destroyed village loyalties, frustrated private ambitions, and created the impersonal relationships of the modern world."

This "antitrust" state of mind, which Lippmann called "conservative," had little knowledge of or faith in market competition. In the old, simple life only a small proportion of goods and services had ever passed through a competitive market. The village blacksmith was a small businessman who had a local monopoly. The village general store was a retail conglomerate, and in the absence of competition it could indulge in all kinds of administrative inefficiencies—e.g., the new clerk's ignorance that the proprietor kept the nail keg behind the pickle barrel. Louis Brandeis, one of the most influential voices in developing the reactionary side of antitrust, never really believed that, under the stimulation of increasing competition, corporate management was reducing administrative inefficiencies; instead, he seemed to feel that a thousand nail kegs would be hidden behind a thousand pickle barrels. Brandeis believed that in very big corporations inefficiencies would be multiplied; therefore, if big corporations made profits this fact could be explained only by assuming that the size of those companies gave them illegitimate "market power" which insulated them from their small competitors.

THEY RAN HARDER

This sort of thinking widened the split that had opened between two meanings of the word "monopoly." Originally, it had meant an exclusive right, granted or protected by the Crown, to do business in a certain commodity in a defined area. (All enduring European cartels were to have this element of government protection.) In the U.S. of 1880–1917, however, monopoly began to take on a very different meaning, which is at the root of many of our present antitrust difficulties. Section 2 of the Sherman Act is directed against "every person who shall monopolize, or attempt to monopolize or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several states . . ." Does "monopolize" refer to a set of practices intended to erect artificial walls against competition? Or does the statute forbid a company to attain in the course of the competitive race a large share of a line of trade? Under the influence of the Bryan-Brandeis type of "conservatism," the word "monopolize" has tended to move more and more toward the latter meaning. FORTUNE's proposition is intended to move it back toward the first meaning.

The greatest source of confusion, however, lay in the different applications of the word "competition." When in the late nineteenth century the U.S. entered a genuine market economy, businessmen were not immune to the general feeling of insecurity. The late nineteenth century's notorious conspiracies in restraint of trade were efforts to flee the rising uncertainties of intensified competition. These conspiracies all broke down, whether because they had been outlawed by Section 1 of the Sherman Act or because of technological developments.

But the main line of U.S. development in the twentieth century found very different answers to "the problem of competition." The corporation, with the principle of limited liability, compensated for the mounting risks that had become too great for individual proprietors and unlimited partnerships. If accelerating change undermined the security of a company, the company's response was to run faster—not to try to stop the change. If the new technology required huge investment, the corporation's response was to grow by plowing back profits, attracting new capital, and by mergers with other companies. If huge technological plants required specialization, the response was to develop professional managers to coordinate the specialists. In short, twentieth-century business evolved in exactly the opposite direction from the repressive spirit of the old conspiracies. Instead of limiting production and suppressing innovation in order to raise prices, modern corporations place a tremendous emphasis on increasing sales volume by vigorous merchandising, by the search for new markets, by cutting costs; they spend billions on research and development to create new products and services; they rely on the diversification of product lines, rather than on the suppression of innovation, to defend the company against the increasing vulnerability of *any* product to competition.

THE RISE OF CONSUMER POWER

The economy of 1900 was dominated by trade in the necessities of life. A family needed food, clothing, fuel, in quantities that could not be produced and distributed at a cost far below the family's income. There was not much consumer choice—or "power"—in that situation. The family could not resist a rise in the price of bread by shifting its purchasing to overcoats, even if the price of overcoats was falling. Demand in all three markets was "inelastic." A monopoly position in any one of them could by raising prices siphon off what little difference there might have been between family income and the cost of subsistence.

The twentieth century's enormous increase in productivity—and therefore in real wages—changed all that. In the U.S. today the basic subsistence requirements of 1900 can be purchased for less than 20 percent of an average family's income. We have raised our standard of "necessary" purchases to include home furnishings, non-utility clothing, etc. In this area of "secondary needs" today's consumer can at least postpone purchase if he finds the current price of one "need" less attractive than another. Above this, now, lies a third level, the vast domain of "discretionary" goods and services. Competition in this area jumps over the old market boundaries; as the economists say, these discretionary markets are subject to a high degree of "cross elasticity of demand." The beer competes with the candy; the trip to Miami competes with the violin lessons for Junior. The increase in demand elasticity—and therefore in the buyer's power to resist monopoly—has far outstripped any increase in "market power" that may have accrued to large corporations.

Back in 1902 an economist, Simon N. Patten, foresaw that the power of the great corporations would be limited by "the consumers' power of substitution." The chemists, among others, vindicated him. Synthetics hover menacingly over just about every raw material except gold, which is protected—at a low level—by some rather odd governmental arrangements. Progress has done most of antitrust's work by sharply reducing the chance that "market power" can arbitrarily raise prices.

By ignoring the whole range of fundamental changes that have come over the U.S. economy and by looking only at the percentage shares of large companies in narrowly defined markets, the Brandeis tradition insists that competition has been decreasing. In order to make it appear that a given company has an inordinately large share of a market, the government's usual tendency is to define "market" as narrowly as possible. If you assume that aluminum wire doesn't compete with copper wire (the Alcoa-Rome Cable case, 1964), that a commercial bank doesn't compete with another commercial bank twenty miles away (Philadelphia Bank, 1963), that a retail shoe market could be arbitrarily defined as any city of 10,000 with its "immediately surrounding areas" where both the merging companies had stores (Brown Shoe, 1962), then of course, you can prove quite a lot of "concentration." By setting up the rules of proof as if the U.S. market today were as tightly compartmentalized as in 1890, you can give some color of truth to the charge that U.S. business has become oligopolistic. Antitrust policy is still riding on a quest to rescue the maiden, Economic Freedom; but the girl has long since been liberated by other hands and now has fourteen daughters livelier than their mother.

THE GREAT SCOURING-PAD CASE

Don Quixote wasn't exactly crazy; he had just arranged his mental life so that he could see what he wanted to see. Sometimes events in the actual world of business intrude abruptly upon antitrust's La Mancha. The government had no sooner won the Paramount Pictures case, after years of complicated market analysis, than television came on the scene to prove that the movie industry as a whole was not exactly immune from competition. Within a few years television not only changed the structure of the entertainment industries but also caused an upheaval throughout the world of advertising. Television is the biggest and best-known postwar example of the effect of innovation on the U.S. economy. But every year there are tens of thousands of smaller examples of how innovation can transform a relatively stagnant business situation into one marked by agitated competition. Frequently, the increased liveliness is triggered by a merger.

Consider the great scouring-pad case pending, as this was written, before the Federal Trade Commission. For many years two medium-sized companies, S.O.S. and Brillo, doing a nearly equal business, accounted for more than 95 percent of the steel-wool pads sold to housewives for cleaning pots and pans. During this period the competition between Brillo and S.O.S. does not appear to have been intense; there were few important changes in product design or in production or merchandising methods. At the end of 1957, General Foods, which had not previously been in the household cleanser business, bought S.O.S. No challenge to the purchase came from Washington. During the next two years sales of S.O.S. relative to Brillo slumped.

General Foods then took several steps to revive its ailing property, steps that did not depend upon General Foods' vast size or market power but simply on its managerial brains. It turned the S.O.S. account over to a different advertising agency; then it followed the agency's recommendations for some changes in the product and the advertising pitch. Because investigators found that housewives associated the red soap in S.O.S. pads with rust, the soap was changed to blue; to call attention to the sizable amount of soap in S.O.S., a TV commercial showed a soap pad being whipped into a sort of meringue in an electric mixer. Brillo fought back with a plastic pad called "Dobie" and a disposable pad called "Paddy." General Foods, after a fumble with something called "Handigrips," countered "Paddy" with "S.O.ettes." General Foods' tactics worked. S.O.S. overtook Brillo and spurted ahead, even making big gains in the New York market, where Brillo's share had run as high as 84 percent.

Clearly, competition was heating up in scouring pads. But the FTC was not pleased. In 1963 it issued a complaint charging that the six-year-old merger of General Foods and S.O.S. violated the Clayton Act because it "tended to create a monopoly." In its complaint the FTC had little to say about what was actually going on in scouring pads. Instead, it stressed the size of General Foods and carried on about such matters as the company's possession of more than 50 percent of the markets in coconut and "edible gelatins (excluding ready-to-mix desserts)." The FTC displayed its solicitude for the status quo ante by asserting that the merger had "upset and realigned adversely, and threatens to upset and realign further, the competitive structure of the household steel wool industry." This foul deed, said the complaint, had been achieved through General Foods' "economic power, merchandising prowess and extensive advertising and promotion." S.O.S.'s share of the steel-wool scouring-pad market had risen from 51 percent at the time of the merger to 57 percent at the time of the complaint. The FTC asserted that monopoly was on the march.

But was it? At the initial hearing before the FTC's examiner, evidence showed that innovation had been breeding in another part of the teeming forest of American business. Scouring pads made with materials *other than steel wool* were attracting a rising share of the housewife's money. General Cable had a copper pad called "Chore Girl"; Kurly Kate Corp. had a plastic pad called "Flip" and two copper pads called "Kurly Kate" and "Kopper Kate"; Du Pont was in there with "Combo," made of nylon; Colgate-Palmolive had test-marketed a nylon pad called "Colgate-Ajax"; General Mills had a plastic pad called "Ocelo"; Minnesota Mining & Manufacturing was marketing "Scotch-Brite" and building a plant to make "Rescue" (both of nylon). Lever Brothers, Procter & Gamble, American Home Products, and a host of small firms were reported considering getting into the cleaning-pad free-for-all. Some monopoly!

The FTC's examiner was not impressed. He defined the market in which S.O.S. was sold as that for "steel wool scouring pads." He cited the indubitable fact that the physical properties of steel-wool pads are different from those of non-steel pads. But do their *uses* differ? The FTC's lawyers say "we must conclude" that non-steel pads are used only for cleaning china and glassware, but the lawyers did not produce evidence to back this up. *General Foods denies that it is* the case. Store managers, who probably know more about housewives than do FTC lawyers, mingle steel-wool pads and non-steel pads on their shelves, indicating that they think it's all one market. Advertising for the non-steel pads directly attacks steel pads as out of date. Prices of several non-steel pads are obviously set up to compete (on a per-time-used basis) with steel pads. In short, against a mountain of evidence that all scouring pads compete with all other scouring pads in an exceedingly lively market, the FTC's lawyers and the examiner, intent on showing monopolistic concentration, decided that steel wool stands impregnably alone in its ability to clean pots and pans. If so sweeping a claim were publicly made on behalf of S.O.S. or Brillo, the FTC would probably crack down on it for deceptive advertising.

ON THE POINT OF A NEEDLE

Many government briefs and judicial opinions contain ingenious economic analysis and show an impressive ability to relate old legal precedents to new sets of facts. Yet these admirable exercises are suffused with unreality. Everybody now laughs at the medieval schoolmen who engaged in complicated speculation on how many angels could dance on a needle's point. The schoolmen did this as mental calisthenics; they were not attempting to regulate a seraphic oligopoly. The FTC, the Antitrust Division, and the federal judges, however, aren't kidding.

The trouble is that the sophisticated analytical techniques they employ, though impressive in a purely academic sense, are being hopelessly outstripped by the increasing fluidity and complexity of the U.S. economy. The scouring-pad situation is about as simple as modern business can get; the mind reels at the prospect of antitrust lawyers and economists arguing over whether X's lasers really compete with Y's masers.

It is significant that market-structure analysis as used in antitrust cases always distorts the facts in one direction—toward a simpler, more primitive, more stagnant economic picture than the situation that actually exists. In the present state of the science, economic analysis cannot handle more than a small fraction of all the variables and contingencies needed for a sound *legal* judgment on changing market structure in any particular "monopoly" case. And the analysis tends to ignore the element around which competition in fact increasingly centers—managerial brains.

THE CREATIVE GALE

The economist who best appreciated the central role of management in the modern economy was Harvard's great Joseph Schumpeter. Writing in the 1930's and 1940's, he foresaw that the future U.S. economy would live in a self-generated "gale of creative destruction." He believed that the excellence of an economy would and should be measured by its innovative capacity rather than its size. As Schumpeter used the term, innovation did not mean the ability of science to discover new truths or of technology to invent new things. His "innovation" is an *economic* act by which a new product or a new service or a new production or merchandising method is introduced to actual use. One of management's most important functions is calculating the relative risks and rewards of possible innovations. At any point in time there are millions of potential innovations, many of them arising from advances in science and technology. These compete with one another for birth. A decision to attempt a certain innovation is based on calculations about how it will fare in competition with other offerings, old and new. Before and after the decision, management assembles and coordinates the work of scientists and technicians from many specialized fields, along with the judgments of merchandisers and of men who deal with the markets for capital. Rivalry between corporations centers on management teams that compete with one another to find new ways of cutting costs, increasing volume, modifying old products, and introducing new ones. The general market "allocates resources" by awarding different levels of profits to the winners and losers of this race.

Given Schumpeter's views about the decisive role of management, it is not surprising that he expressly foresaw the importance of mergers for American business. He understood, of course, that some operations require heavy capital investment under a unified management; but his thought on mergers went much further than a justification of bigness. Schumpeter's view of the innovating society puts the accent on flexibility. The merger technique is one that a management can use to develop the abilities it has, or to acquire abilities it needs to take advantage of new opportunities, or to protect itself by product diversification when the "gale of creative destruction" blows hard upon its business. In the innovating society, no company can expect to maintain indefinitely a given product line or a given market position or a given technology or a given set of marketing methods or a given set of financing arrangements.

Here is an example of a merger where present antitrust policy would play down the socially valuable motives while imputing "monopolizing" motives:

Company A has a group of scientists and engineers who have developed a narrow line of products in a specialized field of electronics. Starting from scratch six years ago, company A has achieved a profitable volume of $20 million a year. Its product line looks safe over the next three or four years—but beyond that, who knows? Its research and development people, still fecund with ideas, may come up with another series of inventions; but this second series, unlike the first, may not find an avidly waiting market. The second series may require vigorous selling, a skill that company A has not needed to develop. The second series may require financing on a scale unknown to the brief history of company A. It may require a great increase in numbers of employees, bringing problems of union negotiations of which company A is innocent.

Company B is also in electronics. It is older and bigger—say, $250 million a year. Some of its products compete directly with the present products of company A. Company B has a vigorous merchandising arm and a good reputation in the markets for capital. Its present product line looks fairly safe over five or six years. But its R. and D. seems tired, sterile. It decides that acquisition of company A will stimulate its research, while it can supply the broader managerial deficiencies of company A.

Antitrust policy, as now practiced, would tend to ignore all these considerations of managerial balance and efficiency and concentrate upon one fact: A and B are competitors in certain markets; therefore a merger between A and B is a horizontal merger that would "reduce competition"—meaning only that it would reduce the number of competitors in a narrowly defined market. Antitrust policy would say that if company A needs merchandising and financing expertise, let it go into the executive market and hire the men *individually*; if B needs scientists, let it do the same. This answer displays an ignorance of how work is organized in this *society*. A first-rate R. and D. department is far more valuable than the sum of the individual skills that make it up. So is a first-rate sales department or a treasurer's office. Company A's inventiveness might be aborted long before it could build, man by man, its merchandising and financial skills. And company B's capacity for introducing innovations might be wasted for lack of technological inventiveness.

A merger of companies A and B can be defended as socially desirable on grounds of efficiency. In a static economy this desideratum might be over-balanced by the danger of monopoly. But on the actual line of this economy's movement the danger that a merged A and B could garner the fruits of monopoly approaches zero.

To point out the social value that may inhere in mergers is not to argue that all mergers make good business sense. Of the 2,100 mergers consummated in 1965 quite a few may turn out to be mistakes. There are days when the financial pages of the newspapers are so full of corporate acquisitions—rumored, achieved, or frustrated—that it seems as if the urge to merge was reaching orgiastic levels. Some top executives, apparently afflicted with corporate satyriasis, charge up and down the country, pawing the ground and snorting as they search for another sleek little company with which to mate. Questions inevitably arise as to whether these executives' attention is adequately fixed on the business they already have.

FORBIDDEN FRUIT IS NOT ALWAYS SWEET

But preventing businessmen from making mistakes is not the proper function of the antitrust laws. If certain executives become so eager to show growth by acquisition that they bite off more than their management capacity can handle, if they pay more than an acquisition is worth, the market will punish them—as it has already punished some incautious corporate giants. Indeed, if the hand of antitrust were lifted from the merger field, some executives might place merger decisions more on the basis of sound business judgment and less on the basis of what their antitrust lawyers think they can get away with. The appetite for forbidden fruit is ever careless of the fruit's quality.

Another artificial stimulus to merger arises out of the tax structure. High rates of individual income taxes inhibit holders of common stock from making vigorous demands on corporations for higher dividend payout ratios. Because capital-gains rates are lower than ordinary income rates, stockholder interest tends to concentrate on corporate "growth," which may increase the market value of stock faster than it increases dividends. Some eager corporate managers view acquisition as a shortcut to "growth." If this situation distorts the total market unduly, its remedy lies in reform of tax legislation rather than in a tougher antitrust policy designed to reduce the number of mergers.

There is no reason to suppose that the wrong motives for corporate acquisitions account for more than a minor fraction of the present wave of mergers. Essentially, the merger movement is a rational and constructive response by the business community to the increasing liveliness and fluidity of the economy. This rational effort by business to prepare itself for tomorrow's conditions is colliding head-on with a more and more restrictive antimerger policy that does not adequately appreciate the pressure of change on business.

Antitrust enforcers are fond of pointing out that of the 2,100 mergers in 1965 less than thirty have been challenged (so far) by the Antitrust Division or the FTC. This comparison is supposed to show critics that the business system couldn't possibly be damaged by antimerger policy. That cat won't jump. Recent Supreme Court decisions go so far in prohibiting specific mergers that any potential merger of two substantial, healthy companies is logically subject to challenge under the new precedents. Uncertainty about whether a given company—or its competitors—will be permitted to merge pervades all councils of business strategy.

THE "SOCIAL AND MORAL" ARGUMENT

The trustbuster has in his arsenal one reserve weapon that transcends economics. When he fails by economic analysis to show that some company, escaping the competitive discipline, has damaged the public, he can always shift his ground to the "social and moral" argument against bigness—an argument that goes all the way back to the William Jennings Bryan era. This argument rests upon one interpretation of "equality" as a social goal. It prefers a society of many small producers because it fears "the concentration of political or social power in the hands of a few men."

In antitrust law the classic expression of this fear of bigness is a passage in Judge Learned Hand's opinion in the Alcoa case. He brushed aside as irrelevant Alcoa's attempt to show that it had not acted as if it were a monopoly, that it had not engaged in "predatory practices" or gouged the public. Moving to the "higher" ground, Judge Hand said: "Congress . . . did not condone 'good trusts' and condemn 'bad' ones; it forbade all. Moreover, in doing so it was not necessarily actuated by economic motives alone. It is possible, because of its indirect social or moral effect, to prefer a system of small producers, each dependent for his success upon his own skill and character, to one in which the great mass of those engaged must accept the direction of a few."

This quotation encapsulates fundamental mistakes about the nature of the modern corporation. It assumes that today's business unit is simply a magnification of the village general store, where the proprietor "directed" his obedient clerk; this way of looking at modern business inevitably results in a picture of concentrated power.

But the regimentation and loss of freedom that Hand feared is not a characteristic of large-scale business. The actual development of the modern corporation disperses power to many individuals within a unified decision-making structure. The head of a modern corporation is hedged about with new limitations upon his power. He is rarely, for instance, in any significant sense the owner of the business. The rise of professional management, distinct from the shareholders but answerable to them, has created a fundamental check-and-balance situation unknown to early capitalism and to the old law of private property. A more recent and equally important trend has been the dispersal of power within management. In a complex modern organization a subordinate is not the "agent" of his boss. Managers far below the top level of a large contemporary corporation have power that inheres in their skills, rather than in the delegation of a superior. They are not so much "directed" as given responsibility and opportunity to initiate, to decide, and to coordinate activities that a chief executive officer would be quite helpless in handling. More and more work that is entirely "directed" from above is performed by machines and computers. Millions of little managers within large modern corporations have more actual scope for individual choice and decision than the "independent" small farmers, artisans, and small tradesmen of the nineteenth century had.

The U.S. public, which may be more in touch with reality than antitrust lawyers, seems to sense that business power is not being concentrated "in the hands of a few men." Once upon a time every banker and bootblack knew the names of Vanderbilt, Rockefeller, Morgan, Harriman, Carnegie. He knew what business each was in and what kind of man each was. These men were giants in the land and their tremendous concentration of economic power carried with it a threat of inordinate political and social influence. But the man in the street today is not likely to know the names of Frederic G. Donner, Michael L. Haider, Fred J. Borch, Albert L. Nickerson, and Donald J. Russell, who are the chief executive officers of companies doing an annual business in excess of $40 billion—a sum that makes the sales of the old Standard Oil Trust look like a hot-dog stand. If your barber can identify the companies headed by the names above, he should stop cutting hair and come write a gossip column for Fortune.

WHAT THE PROPOSITION MEANS

Because opportunity is expanding and power is more and more widely distributed in this economy, Fortune's proposition for a new antitrust policy would end the effort to crawl back into the past. It would not allow courts to infer an offense against competition from size or market share or to assume, even in horizontal mergers, that a "restraint of trade" had occurred because the number of competitors had decreased and their average size increased.

The proposition would also mean that in vertical mergers—i.e., those that involve a supplier and a customer—the government could not longer void the acquisition on the ground used, for instance, in the case of Consolidated Foods' merger with Gentry Inc., a processor of dehydrated garlic, onions, and capsicum. The Supreme Court dissolved the merger because it was concerned that Consolidated might discriminate in favor of a supplier that bought its garlic, onions, and capsicum from Gentry. If evidence showed such a danger to be real, a court, instead of dissolving the merger, should issue an injunction forbidding the merged companies from unfair discrimination. The court's action should be aimed at illegal acts, not at a corporate structure.

As for conglomerate mergers, public policy ought to welcome them. The trend to conglomerates allows corporate capital or managerial skill to be applied in new markets that might otherwise languish for lack of these ingredients.

On similar grounds, joint ventures, where two or more companies form a third, should be welcomed. In the Penn-Olin joint-venture case the Supreme Court, intent on increasing the number of competitors, speculated that each of the parent companies might have entered the market (chemical salt in the southeastern U.S.) if they had not combined. The two companies might have had sound managerial reasons for preferring joint venture—reasons that the Justices of the Supreme Court are not qualified to assess and which they should not be made responsible for assessing.

We cannot know that the future requires big corporations, any more than we can know it will be best served by small ones. We can know that the future requires innovation and flexibility and that the market, including the merger market, provides a better framework for them than central government planning would. We have three choices: we can substitute planning for the competitive market; we can keep the market, while distorting its action by government intervention on the false premise that the vigor of competition is determined by the number and size of competitors; or we can recognize that we are moving, year by year, into a more truly competitive and more innovative society in which we will not need and cannot afford the restrictive side of antitrust.

HOW TO GET RID OF HYPOCRISY

The real "social and moral" danger to this society is that we will continue to pursue our present line of economic development while keeping alive in antitrust policy a set of ideals, derived from the Bryan-Brandeis form of conservativism, which denigrate the business system we have. If these ideals were valid, if we could have independence and freedom only with small business units, then we ought to scrap our present system and intentionally sacrifice some part of our material prosperity for social, political, and moral ideals. When we do not do so, millions of Americans—conspicuously including college students and their professors—accuse the society of hypocrisy.

There is indeed a gap between what we do and what we say—through antitrust—that we believe. But this is because the ideals are too firmly anchored in the particular experience of a past society. Every year the business system cries out more loudly for men of independence and character to take on the massive new burdens of decision making in an innovating society. As we enter a period of accelerating change we will have social and moral problems grave enough without carrying on our backs the trauma of 1880–1917.

COUNTRY EDITOR TALKS ABOUT REA

Mr. YARBOROUGH. Mr. President, one of that tiny group of smalltown editors who regularly turn out papers that are one of the glories of American journalism is H. M. Baggarly, editor of the Tulia Herald. In one of his recent "Country Editor" columns, Mr. Baggarly talks about the rural electrification program, about what it means to rural America, and about the problems it faces in preparing to meet the needs of the future. I ask unanimous consent that excerpts from the "Country Editor" column of April 20, 1967, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Tulia (Tex.) Herald,
Apr. 20, 1967]

The Country Editor

(By H. M. Baggarly)

This was the second year for us to be a guest at the annual Congressional Dinner sponsored by the electric cooperatives. We made the Washington trip with Lyle Robinson of Tulia.

Each year we become more convinced of the contribution electric cooperatives have made and are continuing to make to rural America . . . areas refused service by the "investor owned" companies which will gladly serve concentrated highly profitable population areas, but just aren't interested in serving the less profitable ones. They cannot be touched by the needs of the people . . . only a high rate of return. They are concerned only in cold statistics . . . never with the needs of the people.

If a financial plum develops in a rural area, such as a natural gas booster station or our own Mackenzie water project, the other sources of power will parallel cooperative lines for miles in order to snatch the business for themselves, depriving the cooperative of a profitable account to average in with the many unprofitable customers they are bound by law to serve.

This isn't right. It's a shabby way to treat an institution that means as much to the urban areas. Consider our own local electric cooperative, for example. Consider its contribution to local taxing agencies—$38,011.20 last year to the area it serves—its local payroll—40 employees, its creation of a demand for electrical appliances, its contribution to every worthy community cause, its willingness to assist with lighting problems encountered by Little League, airport projects and Christmas lighting projects.

Such a concern deserves something better than to be treated like a stepchild.

[One knowledgeable Congressman] . . . said that half the members of Congress think electric cooperatives are owned and operated by the government, completely unaware that they are private enterprise just like the "investor owned" companies except that they can borrow money from the government and at a rate below the commercial rate as compensation for their obligation to serve all customers within their territory regardless of how far apart they may be. (And don't forget that private companies were offered REA loans back in the late 1930s with which to serve the rural people and they turned these funds down flat . . . so cooperatives were the only alternative.)

Since Congress is not providing enough money to take care of the needs of the cooperatives (the demand for rural electricity is doubling every 7–10 years) the cooperatives want their own bank like the federal land bank, so that they can pool their credit and borrow money at rates similar to those charged by the federal land bank.

Enabling legislation by Congress is needed. Private power, of course, is fighting the proposal, spreading its rumors and inaccurate information for which it is noted. Cooperatives in more prosperous areas of service would borrow money at the higher rates. The least profitable ones would have first chance at the lower interest-yielding but inadequate in volume REA funds without which the less prosperous cooperatives could not survive.

ELIMINATION OF DRAFT EXEMPTION FOR MINISTERS OF THE GOSPEL AND STUDENTS

Mr. TOWER. Mr. President, I ask unanimous consent that a statement by the members of the faculty of the Episcopal Theological Seminary of the Southwest, at Austin, be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

A Statement by the Members of the Faculty of the Episcopal Theological Seminary of the Southwest in Austin, Tex.

In view of the fact that a new Selective Service Law is shortly to be enacted and that changes in the old Act are now under consideration in the Congress, we of the Faculty of the Episcopal Theological Seminary of the Southwest, in Austin, Texas, wish, severally and together, to record our urgent desire and strong recommendation that the new Law eliminate the special exemptions previously accorded members of the clergy and students preparing for the ministry. This recommendation is based, not only on our conviction that no class of citizens should, as such, be excluded from the privileges of citizenship or excused from its obligations, but also on our realization that there is a peculiar inappropriateness in the enjoyment by ministers as a class of any special immunity from the painful choices, the stresses, and the sufferings, which their fellow-citizens, including the members of their own congregations, must face and bear. As for the men preparing for the ministry, we believe they will later be better prepared to serve their generation if they have stood shoulder to shoulder with their fellows in this, as in other, respects. We are glad that many bodies of theological students, including our own, are making this same appeal for the discontinuance of the present 4–D classification.

We urge that theological and pre-theological students be dealt with, under the law, in precisely the same way as other comparable students, and that ministers be treated in accordance with the same general principles as govern the deferring or calling of members of other trades and professions.

We are sending copies of this statement to the Presiding Bishop of the Episcopal Church, the Chairman of the Board of Trustees of the Episcopal Theological Seminary of the Southwest, the Executive Director of the American Association of Theological Schools, the Chairmen of the Congressional Committees responsible for the writing of the new Selective Service Act, and the several representatives of the State of Texas in Congress.

Nelle V. Bellamy, Lawrence L. Brown, Frederick L. Chenery, Arnold W. Hearn, Raeburne S. Heimbeck, John C. Hurd, R. Francis Johnson, John Knox, Frederick A. Pope, Jr., Frank E. Sugeno, Ruel W. Tyson, Richard F. Woods, members of the Faculty of the Episcopal Theological Seminary of the Southwest.

DISTRICT OF COLUMBIA'S ACCELERATING CRIME RATE

Mr. BYRD of West Virginia. Mr. President, once again Washington's crime statistics have reached a new peak.

A report from Police Chief John B. Layton, concerning the Crime Index Offenses in the District of Columbia during the month of March, reads as follows:

Crime in the District of Columbia, March 1967

During March 1967, a total of 3,280 Crime Index Offenses were reported in the District, an increase of 1,108 offenses or 51.0% from March 1966.

During the month increases occurred in the classifications of Homicide, up 4 offenses or 28.6%; Rape, up 7 offenses or 87.5%; Robbery, up 214 offenses or 85.9%; Aggravated Assault, up 3 offenses or 1.2%; Housebreaking, up 559 offenses or 72.0%; Larceny ($50 and over), up 126 offenses or 29.6%; Auto Theft, up 195 offenses or 42.6%.

The increases for this month brought the trend of Crime Index Offenses (total offenses for the past twelve months) to 31,875, an increase of 6,752 offenses or 26.9% from the trend of March 1966, and an increase of 223.0% from the low point of April 1957.

Clearance of Crime Index Offenses for the twelve month period ending with March 1967 were down to 26.0% as compared with 28.2% for the twelve month period ending with March 1966.

The March report on crimes committed in the District of Columbia "reflects the largest single monthly increase ever recorded here," according to a news story, entitled "Washington's March Crime Rate Was 51 Percent Higher Than Last Year's," published in the Washington Post of April 22, 1967.

The Post article continued by pointing out that this increase occurred in a month which reflected the inauguration of beefed-up street patrols and their depressing effects on the crime statistics.

One can only wonder how great the crime incidence might otherwise have been because, despite the increased crime prevention efforts, no single crime category showed a decrease.

On April 22, also, the Evening Star of Washington, D.C., brought to the attention of the metropolitan area newspaper readers the facts of this increase in crime in the district in an article entitled "Crime Rises 51 Percent Over March 1966." Radio and television gave added emphasis to this alarming spiral of crime in the Nation's Capital City.

Surely the law-abiding citizens of the area can be expected to ask themselves, "Where will it end? Is law enforcement being rendered totally impotent?" when they are recurrently faced with such crime reports.

These are indeed shocking statistics published as yet another of the monthly reports which for years have indicated a continuing climb in lawlessness in Washington.

I ask unanimous consent that the crime index report for the District of Columbia for March 1967, be printed in the Record. I also ask unanimous consent that the two newspaper articles commenting on the crime increase be printed in the Record.

There being no objection, the crime report and the newspaper articles were ordered to be printed in the Record, as follows:

There being no objection, the items were ordered to be printed in the Record, as follows:

Metropolitan Police Department—Crime index offenses, March 1967

Classification	March		Change		Cumulative to date		Percent change	Total, 12 months ending March 1967
	1966	1967	Amount	Percent	Fiscal year 1966	Fiscal year 1967		
Criminal homicide	14	18	+4	+28.6	120	113	−5.8	144
Rape	8	15	+7	+87.5	110	107	−2.7	145
Robbery	249	463	+214	+85.9	2,227	3,570	+60.3	4,248
Aggravated assault	241	244	+3	+1.2	1,907	2,445	+22.4	3,278
Burglary	776	1,335	+559	+72.0	7,117	9,358	+31.5	11,462
Larceny ($50 and over)	426	552	+126	+29.6	3,554	4,409	+24.1	5,586
Auto theft	458	653	+195	+42.6	3,871	5,671	+46.5	7,012
Total	2,172	3,280	+1,108	+51.0	18,906	25,673	+35.1	31,875

Metropolitan Police Department—Crime index offenses reported

Precinct	March		Change	
	1966	1967	Amount	Percent
1	149	222	+73	+49.0
2	266	310	+44	+16.5
3	215	291	+76	+35.3
4	31	44	+13	+41.9
5	135	222	+87	+64.4
6	108	171	+63	+58.3
7	42	59	+17	+40.5
8	66	97	+31	+47.0
9	278	413	+135	+48.6
10	193	336	+143	+74.1
11	221	436	+215	+97.3
12	128	154	+26	+20.3
13	226	302	+76	+33.6
14	114	222	+108	+94.7
Harbor		1	+1	
Total	2,172	3,280	+1,108	+51.0

Metropolitan Police Department—Crime index offenses reported, March 1967

Precinct	Total	Criminal homicide	Rape	Robbery	Aggravated assault	House-breaking	Larceny ($50 and over)	Auto theft
1	222			33	6	39	108	36
2	310	4	1	45	43	124	51	42
3	291	[1] −1	1	21	8	106	122	34
4	44			2		14	7	21
5	222	1		41	15	103	15	47
6	171	1	1	15	16	78	17	43
7	59		1	2	1	32	15	8
8	97			5	3	45	25	19
9	413	1	2	97	29	174	34	76
10	336	2	1	53	42	156	33	49
11	436	3	2	47	26	184	48	126
12	154	1	2	19	8	74	19	31
13	302	5	2	41	35	127	43	49
14	222	1	2	42	12	78	15	72
Harbor	1					1		
Total	3,280	18	15	463	244	1,335	552	653

[1] This homicide reported for No. 3 Precinct for previous month; reported unfounded during this month.

[From the Washington (D.C.) Post, Apr. 22, 1967]

Washington's March Crime Rate Was 51 Percent Higher Than Last Year's

Washington crime statistics for last month reflected the largest single monthly increase ever recorded here. But the 51 per cent rise over March, 1966 figures was tempered somewhat by a note that the previous March had produced one of three low spots in the local crime graph.

Police Chief John B. Layton's March report released yesterday showed a total of 3280 crime index offenses reported last month. That compared with 2172 reported in March of last year—a month which reflected the inauguration of beefed-up street patrols and their depressing effects on the crime statistics.

Although the biggest percentage rise in the seven categories of serious crime occurred in the rape reports (15 last March against only 8 in March, 1966) robberies were less than two percentage points behind with an increase of 85.9 per cent. There were 463 of them reported against the 249 recorded in 1966.

No category showed a decrease, although aggravated assaults were up only 1.2 per cent with 244 of them reported last month against 241 the previous March, the report showed.

Burglaries registered a 72 per cent rise and auto thefts continued their upward trend with a 42.6 increase.

Biggest increase in total crime among the precincts was registered by the 11th which showed an increase of 215 or 97.3 per cent over the previous March.

MARCH CRIME INDEX FOR WASHINGTON

Following is Police Chief John B. Layton's report of the incidence of crime index offense in Washington last month, as compared with March, 1966:

Type of crime	1966	1967	Percent change
Homicide	14	18	+28.6
Rape	8	15	+87.5
Robbery	249	463	+85.9
Aggravated assault	241	244	+1.2
Burglary	776	1,335	+72.0
Larceny	426	552	+29.6
Auto theft	458	653	+42.6
Total	2,172	3,280	+51.0

[From the Washington Evening Star, Apr. 22, 1967]

Crime Rises 51 Percent Over March 1966

Serious crime in the District rose 51 percent in March over the same month a year ago, the highest monthly increase since the mounting trend began in 1957.

The sharpest rises were in robberies, up 85.9 percent to 463; rapes, up 87.5 percent to 15; and housebreaking, up 72 percent to 1,335.

The March crime jump was much greater than the increases in January and February, which averaged about 32 percent.

Crimes committed over the last 12-month period rose to 31,875 with the March figures and represented a 223 percent surge from the low point in April 1957.

While crime increased, the number of serious cases cleared during the 12-month period ending in March was down to 26 percent, compared with 28.2 percent for the same period ending March a year ago.

The total number of serious crimes (Crime Index Offenses which exclude larceny under $50, negligent homicide and statutory rape) was 3,280 for March.

All other categories in the crime index increased: homicide, up 28.6 percent to 18; aggravated assault, up 1.2 percent to 244; larceny up 29.6 percent to 552; and auto theft, up 42.6 percent to 653.

NATIONAL ENDOWMENT FOR THE HUMANITIES

Mr. McGEE. Mr. President, I wish to commend Mr. Marquis Childs for the important contribution he has made in this morning's Washington Post and other newspapers. I refer to his column in support of the National Endowment for the Humanities, which points out by using the wise words of John Adams, one of our Nation's founders, that war and politics are not the end of a society. Indeed, as Mr. Childs points out, Adams would have found incomprehensible the present dispute over support of the humanities by the Government.

There is no reason, why an area so vitally important as the humanities should be suspect. But in some quarters it obviously is. Scientific research, on the other hand, is freely supported by the same people; a condition which has given rise to a serious gap between our scientific knowledge and our understanding of what this new-found knowledge means to us as a people and to mankind as a whole.

Mr. President, I ask unanimous consent that Mr. Childs' column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Narrow Battlefield of Arts and Letters

(By Marquis Childs)

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture, in order to give their children a right to study painting, poetry, music, architecture . . ."

Those were the words of that stout-hearted Founding Father, John Adams, who like all the Adams tribe looked piercingly into the future of the land he loved. They were the keynote of the report of the Commission on the Humanities sponsored by three learned societies and made up of distinguished scholars, educators and public leaders.

The report recommended creation of a foundation supported by the Federal Government for advancement of the humanities. This was established as a National Endowment for the Humanities. An educator with an outstanding record and a droll sense of humor, Barnaby Keeney, former President of Brown University, was named chairman. At 52, Keeney put aside his career to come to Washington. He is now embattled in a dispute which he finds it difficult to reconcile with the broad objectives laid down by Congress.

It is a dispute that John Adams would have found utterly incomprehensible. Adams was saying that war and politics are not the end of a society. He was looking ahead to the time when the infant Republic should have so set its course that the third generation would have the opportunity to release the highest creative talents in poetry, the arts, music.

A House committee has just cut the requested $5 million for the humanities to $3 million. One reason is economy, the mounting cost of the war in Vietnam. But behind the economy talk is a motive that would baffle John Adams and the other thoughtful deeply committed men who founded this Nation.

It is a suspicion of government itself and, above all, distrust of government in any involvement in the arts or letters. A Republican Congressman from the Ozarks, Dr. Durward G. Hall, fastened on one of 69 recent grants by the humanities endowment as, in his expression, an "eye-grabber" to "teach the public how their money is running through the fingers of Congress." The eye-grabber, and Hall would have found another if this had not served his purpose, was a grant to compile a history of comic strips. Lest this not be eye-grabbing enough in itself, Hall announced that the art teacher at the University of California, David W. Kunzle, was not an American citizen. And to cap it all, Kunzle had criticized the United States' conduct of the war.

Those laboring to make a modest start at furthering the humanities with a small amount of Federal patronage see this as yahooism. It reflects a primitive conviction that the arts and letters are themselves suspect, a kind of sissified diversion that may be all right for women's clubs. And John Adams, the scholar-patriot, would have found this most difficult of all to comprehend.

Both the humanities endowment and a similar endowment for the arts, headed by Roger Stevens, are patterned after the National Science Foundation. Even for the most suspicious Congressmen, science is respectable. That is one reason for the imbalance with scientific research getting fantastic sums out of Government while the few millions doled out to the arts and humanities are given the cold treatment. Out of the astronomical defense budget of $71 billion, perhaps as much as $7 billion goes for research. With the research of other departments and NASA added the total would be well over $10 billion.

In making their case, proponents of the humanities point out what other western nations—Canada, France, Britain—are doing. With about one-tenth of the population and less than 10 per cent of our Gross National Product, Canada is spending this year, through the Canada Council, $5.6 million for the humanities and in the following fiscal year will spend more than $10 million.

The budget of the French national government is about $25 million to support the humanities. Pride in the ancient tradition of French culture is a source of the pride in a France revivified since the debacle of 1940. One of France's most noted men of letters, Andre Malraux, is Minister for Cultural Affairs. The face-lifting he has carried out for the museums and historic buildings of Paris puts a large plus in the cultural ledger and is a dollar-and-cents asset for tourism. Britain may be pinched in the effort to rescue the pound but the government is putting up to 12 times into the humanities what our Government proposes to spend.

The struggle in Congress is not ended, but in the light of America's affluence, the battlefield is narrow.

PRODUCTIVITY OF AMERICAN AGRICULTURE

Mr. McCARTHY. Mr. President, the productivity of American agriculture is one of the most important achievements of the 20th century.

What is called the farm problem is related to the large surpluses which American farmers, as a result of their efficiency, are capable of producing. The general marketing system of farm commodities has not kept pace with farm productivity, and one of the most serious needs of the economy is to develop procedures that will enable farmers to receive a fair return.

Several factors, in addition to the skill and adaptability of American farmers, have contributed to the great productivity of American agriculture. One of them is agricultural research, and in this area the Federal Government has long had a major role.

Last week, in Chicago, Secretary of Agriculture Orville L. Freeman addressed the 51st annual convention of the Federation of American Societies for Experimental Biology. In his speech Secretary Freeman reviewed the accomplishments of agricultural research and discussed its future. His address is an excellent statement of the importance of agricultural research, and I ask unanimous consent that it be printed at this point in the Record.

We have never in this Nation accepted a program of abandoning or minimizing agricultural research as a solution to depressed farm prices resulting from surpluses. We should not do so, but we are challenged to improve the system of marketing farm products so that farmers will receive fair prices.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Agricultural Science in the Science Community

(Address by Secretary of Agriculture Orville L. Freeman, before the Federation of American Societies for Experimental Biology, Grand Ballroom, Palmer House, Chicago, Ill., Apr. 20, 1967)

Mr. Chairman, distinguished scientists and scholars. I count it an honor to come before you tonight.

I speak to you, not as a scientist myself, but as the chairman of the board, so to speak, of one of the largest scientific organizations in the world—the U.S. Department of Agriculture.

Through our research in agriculture and forestry, through our findings in basic research and their technological applications, we have helped to create one of the best fed, best housed, best clothed and healthiest societies in the history of the world.

This could not have been accomplished without a scientific organization unique in many respects. It is the kind of organization that may not make a whole lot of sense on paper. But it is the kind of organization that could only develop in a democracy like ours . . . in a country as big and diverse as ours. And it works.

THE IMPORTANCE OF AGRICULTURAL RESEARCH

The Federal Government's contributions to agricultural research actually pre-date establishment of the Department of Agriculture. Back in 1839, when agriculture was but a division of the U.S. Patent Office, the far-seeing director of the office, Henry L. Ellsworth, obtained an appropriation of a few thousand dollars to distribute new seeds and plants. This laid the ground work for the vast research apparatus that began to develop after the Department was officially established in 1862.

I find it significant that among the first 30 employees of the Department of Agriculture were a chemist, an entomologist, and a horticulturist.

Until recent years, agricultural research has been the largest annual research expenditure by the Federal Government. Although proportionately smaller now, in relation to defense research, for example, agricultural research continues to be extremely significant and worthwhile.

Agricultural research is a public partnership of State and Federal institutions that began more than 100 years ago when the Department of Agriculture and the Land-Grant college system were created. It introduced and perfected a revolutionary concept of Federal support—the institutional grant system, under which the National Government supplies funds and general coordination, without detailed Federal control.

The States and the Department share research responsibilities. Each State does the work of direct interest to the people within its borders. The Department, in turn, is responsible for research of regional or national significance—often in cooperation with one or more States. In cooperative research, the States and the USDA draw on the counsel of their scientists in jointly deciding which part each will undertake.

This pattern of research and this Federation evolved from a common generic source—a group of highly creative and dedicated biological scientists.

There were such men as Yale's Norton, who promoted State agricultural colleges; Wesleyan's Atwater, who defined the experiment station concept; Georgetown's Taylor, who brought systematic and microscopic study of plant diseases to the Department of Agriculture's intramural research program; and California's Hilgard, who pressed for Federal support of agricultural science and the experiment stations.

RESEARCH AND PRODUCTIVITY

The pattern that men such as these helped to develop has served to make American agriculture the greatest production marvel in the history of mankind.

The outstanding success of our system depends in large measure on the attitude of the scientists themselves. Agricultural scientists have always been eager to carry the results of their research into the field and see it put into practice.

Long ago we learned that the most advanced scientific laboratory work is of little use if the farmer a few miles away still works his fields with a handplow and an ox.

We have proved that it is possible to develop a pattern of agricultural research that works all the way from the laboratory to the consumer.

We know it works. The record proves it. When the Department of Agriculture was first established, each farmer worker provided food and fiber for only 5 persons. Today he meets the needs of nearly 40.

In the past 20 years, crop production per acre and livestock production per breeding unit have increased 40 percent . . . and this was accomplished with a labor force that *declined* almost 50 percent in the same period.

In 1946, we produced 2.9 billion bushels of corn on 78 million acres. In 1966, we produced more than 4.1 billion bushels on 30 percent fewer acres. In 1946, the average milk yield per cow was 4,900 pounds a year. Today it is 8,100 pounds. Our markets for dairy products are now supplied by 10 million fewer cows than were needed two decades ago.

Today our farmers market almost 10 times as much broiler meat and three times as much turkey as they did in 1946, and in the same span of years they increased the output of red meat 35 percent.

A century ago, 7 million farm workers served a total population of 31 million Americans. By 1910, farms employed 13 million in a nation of 92 million. Today our nearly 200 million Americans are provided with an abundance of food and fiber by only 6 percent of their fellow citizens. Contrast this with Russia, where 50 percent of the people are involved in producing a much less satisfactory diet.

If we were as far ahead of the Russians in the space race as we are in agriculture, we'd be running a shuttle service to the moon today.

This amazing advance in agricultural productivity can be laid directly to agricultural research in hybrid seed, fertilizer, new plant strains, growth regulators, irrigation, drainage and reclamation, pest control, and new tools . . . and to the eager receptiveness of the American farmer who put new knowledge and techniques to work.

Our farmers now provide their fellow Americans with the best diet in the world . . . and at the same time contribute significantly to this nation's balance of payments and to this nation's humanitarian responsibilities at home and abroad.

Farm exports have almost doubled in the last 6 years and are now a key factor in our export earnings. New records are being set each year, and if the volume continues to increase at an annual rate of 4 to 5 percent, farm exports could reach $10 billion or more by the year 1980.

On the humanitarian front, our American farmers each year are helping feed 60 million Indians and 100 million other hungry people abroad.

OTHER RESEARCH BENEFITS

But agricultural research has not been, nor will it be, limited to improving food production. Always in the mainstream of scientific activity, agricultural research has been of great importance in helping establish a balanced and diverse environment, improving human health, and examining the life process itself.

Let me tick off just a few of the many other significant contributions of both basic and applied agricultural research to human welfare:

USDA scientists first demonstrated that insects are vectors of disease. In tracing the cause of Texas fever to the fever tick in 1893, they opened the way for control of such human diseases as malaria, yellow fever, and sleeping sickness.

Streptomycin, the first of the antibiotics, was discovered at the New Jersey Agricultural Experiment Station.

The use of killed cultures for immunization against typhoid fever, whooping cough, and other diseases was made possible by USDA research on hog cholera.

The first study of the nutritive value of foods . . . and the first use of a calorimeter to measure the expenditure of energy by human subjects . . . were by a Connecticut scientist who later became the first director of the Federal Office of Experiment Stations.

Mass production of penicillin became possible with a procedure developed by USDA's Northern utilization laboratory.

Vitamin D and niacin were discovered at the Wisconsin Agricultural Experiment Station . . . which also first pointed out the importance of iodine in metabolism and explained the chemistry of carotene and vitamin A.

And a team of USDA and Cornell University scientists was the first to purify and structurally identify two of the ribonucleic acids that transfer amino acids to the site in the cell where proteins are synthesized. This breakthrough offers hope that further research will lead to biochemical methods of controlling the inherited characteristics of living things.

NEW CHALLENGES

Agricultural research's job is far from done. It never will be. New insight from research continues to open exciting and challenging new opportunities for extending the benefits of science.

A current example is the promising combination of space and computer technologies that should provide information . . . never before available . . . for improving the productivity of resources all over the world.

We expect that remote-sensing equipment in spacecraft will be linked with computers to identify and measure land use . . . detect plant diseases, insect infestations, and drought . . . assess crop stands and vigor to predict future yields . . . and determine whether soils are suitable for growing needed crops.

New scientific approaches are also being employed to alleviate environmental pollution—one of the most serious threats to health, human welfare, and our ability to produce needed food.

Just this year we opened a new laboratory at our Agricultural Research Center in Beltsville, Maryland, to study the impact of air pollution on plants. We already have learned that a number of pollutants in our atmosphere can retard plant growth seriously—so seriously that it may soon be necessary to filter the air moving into greenhouses on the Eastern seaboard.

We also are hard at work to devise better methods for disposing of farm and processing wastes, including citrus wastes and poultry and dairy wastes.

In order to avoid the potential hazards of pesticide residues, we are developing revolutionary new methods of controlling pests.

We have already eliminated one important livestock pest, the screwworm fly, by mass release of insects sterilized by exposure to radioactivity and consequently incapable of producing offspring. The sterility concept also has potential application to many other insects—insects which are destroying much of the earth's food and fiber.

THE WAR ON HUNGER

The world can ill afford such waste. The most serious problem facing our planet today is world hunger.

An estimated 300 million to 500 million people in Asia, Africa, Latin America and the Mideast are now locked in a desperate, almost hour to hour struggle against famine. Another billion and a half are malnourished, disease-prone, and wearily resigned to endless deprivation. Unless something is done now, their future will be even bleaker.

We face this massive problem knowing that it can't be solved by new land or our food aid. By this time in man's history of tillage, we are short of economically usable land. And it is obvious that the developed nations, including our own, cannot feed the hungry world forever.

We now know that only the hungry nations can save themselves. And they must do it by developing their own agricultural production . . . with the developed nations' food, capital and technical assistance sustaining them in the interim.

Leading the way in teaching the hungry to feed themselves is agricultural research. In the next few decades it may make the difference between adequate nutrition and starvation for hundreds of millions of people.

One of our most significant contributions to alleviation of malnutrition is the development of new, high-protein foods and protein-enriched foods for developing countries. They include—

A process for making protein-rich soybean flour in villages, using hand-operated, inexpensive equipment . . . Ways to produce high-protein flour for bread and soup mixes from flourmill by-products now going into livestock feeds. . . . A peanut-flour wafer made without milk or eggs and especially nutritious for young school children . . . A flaxseed and soybean flour beverage that can be highly useful in giving children needed minerals and vitamins.

Still other research efforts are underway. The Department is testing artificial supplementation of wheat with lysine as a simple and cheap way of improving world protein sources. We are also seeking to breed more protein of high nutritional value into our wheat varieties. And we have just contracted with a private firm to find rapid and accurate ways of analyzing amino acids in soybeans—an essential step toward breeding still more protein into soybeans.

Department scientists are also doing productive work in Asia and Africa, in cooperation with scientists in those areas. In one project centered in Nigeria, Kenya, and Uganda, the scientific team has succeeded in developing a maize hybrid that yields from 50 to 75 percent more than the local varieties. We expect that nearly a half-million acres will be planted this year.

A cooperative project was recently initiated in Asia on the pulse crops that are staple foods in the Near and Middle East and South Asia. At research centers in Iran and India, thousands of strains from all parts of the world are being tested for productivity, adaptation, disease and insect resistance, and nutritional quality. Some of these strains yield 40 percent more than local varieties.

Other American scientists and technicians are working in 39 countries to help them develop the research, education, credit, cooperative, and other institutions they need for modern farming. And thousands of future agricultural leaders from other nations are being trained here to take on the job of building their own agriculture.

Since 1961 USDA has been drawing upon the competence of scientists in other countries for research of mutual benefit to our nation and theirs.

Under provisions of Title I of Public Law 480, the Department has numerous research projects underway in foreign countries—578 projects in 29 countries, as of December 1966. This research is done by eminent foreign scientists and is financed with foreign currencies that accrue from the sale of U.S. commodities. Because of the largely basic nature of the work, it has widespread application to world problems of increasing food production.

WE LOOK AHEAD

Success of our efforts to assist developing countries . . and to produce food here at home for export and donation . . . is contingent upon our finding ways to apply research to the specific needs and environments of the developing countries.

Many of these nations differ sharply from the United States in climate, in soil, in rainfall, and it is not often possible to export U.S. varieties successfully. New varieties that can thrive in the environments of the developing countries have to be developed.

Some notable progress is being made. A strain of stiff, coarse-strawed wheat that came to the United States from Japan was bred into a new variety in Mexico. It already has made that country self-sufficient in wheat production, and it holds great promise for countries with similar climates, like India and Pakistan.

Even more dramatic has been the development at the International Rice Institute in the Philippines of a variety of rice—known as IR-8—which will produce five times the yield of other varieties, under commercial farming conditions. This amazing variety, the result of crossing strains from Formosa and Indonesia, is producing exciting results in test plantings in Latin America, Formosa, and India.

I realize that in the eyes of some, applied research lacks the glamour and the drama of basic research. But there is no minimizing the crucial importance of applied research in the War on Hunger. The need for scientists who can carry on adaptive crop research, for instance, cries out in its urgency. In human terms, in terms of peace and security, applied research is needed more today than ever before.

I hope that everyone in the scientific community who possesses skills and knowledge that can be mobilized in this War on Hunger will focus all his intellectual powers on this serious and pressing need.

At the same time, we all realize that our future efforts are contingent upon a steady flow of new basic knowledge.

To insure that flow, the Department of Agriculture and the Land-Grant Colleges and universities are jointly making a long-range plan to guide the direction and evolution of agricultural science during the next 10 years. A report of this study was released last October as "A National Plan of Research for Agriculture."

The object of the study was to ask and answer two questions: What agricultural knowledge will the Nation need during the next 10 years? And where should research emphasis be placed to provide that knowledge?

This study group first set 10 goals for agricultural research, and then made an inventory of all agricultural research now being conducted in the country.

Now Federal and State scientists are taking a closer look at each of the 91 research problem areas identified. We are continuing to seek the best, least expensive way to attain our goals in the shortest time possible. In this effort, we need your judgment to make the most meaningful choices.

Our research needs do not stop at national boundaries. We fully support the impressive efforts toward more international coordination of research through the International Biological Program.

But we should be making just as much progress in other phases of international cooperation. The awesomely crucial nature of the War on Hunger demands that we bring more and more of our research experience to bear upon the food and fiber problems of the developing nations.

We must give them as much help as they can adapt to their use.

We must send them—not just food—but knowledge, technology . . . and the will to move forward in a changing world.

We must export the scientific pattern of research—and its integral education system—that have made agriculture in America the marvel that it is.

Today's world—much of which is hungry and despairing—needs all that science can give . . . and more. For sometimes even science is not enough.

The story is told of the student coming upon Louis Pasteur bent over his microscope.

"Pardon me," said the student. "I thought you were praying."

Replied Pasteur . . . "I was."

Thank you and good night.

THE NATIONAL GUARD

Mr. TOWER. Mr. President, a while back I received a letter from Col. J. W. Jordan, of the National Guard, which I wish to share with my colleagues and have made a part of the Congressional Record.

Colonel Jordan wrote enclosing a copy of a statement entitled "I Am the Guard," which has appeared as a public reminder in several publications. His letter in defense of the necessity for the Guard, and in its behalf as a valuable deterrent to aggression, is eloquent.

I ask that Colonel Jordan's statement of the case be reprinted immediately following the inclusion in the Record at this point of the statement, "I Am the Guard."

There being no objection, the material was ordered to be printed in the Record, as follows:

I Am the Guard

Civilian in Peace, Soldier in War . . . of security and honor, for three centuries I have been the custodian, I am the Guard. I was with Washington in the dim forests, fought the wily warrior, and watched the dark night bow to the morning.

At Concord's bridge, I fired the fateful shot heard 'round the world.

I bled on Bunker Hill.

My footprints marked the snows at Valley Forge.

I pulled a muffled oar on the barge that bridged the icy Delaware.

I stood with Washington on the sun-drenched heights of Yorktown.

I saw the sword surrendered . . . I am the Guard.

I pulled the trigger that loosed the long rifle's havoc at New Orleans.

These things I knew—I was there!

I saw both sides of the War between the States—I was there!

The Hill at San Juan felt the fury of my charge.

The far plains and mountains of the Philippines echoed to my shout . . . On the Mexican border I stood . . . I am the Guard.

The dark forest of the Argonne blazed with my barrage.

Chateau Thierry crumbled to my cannonade.

Under the arches of victory I marched in legion—I was there! I am the Guard.

I bowed briefly on the grim Corregidor, then saw the light of liberation shine on the faces of my comrades. Through the jungle and on the beaches, I fought the enemy, beat, battered and broke him.

I raised our banner to the serene air on Okinawa—I scrambled over Normandy's beaches—I was there! . . . I am the Guard.

Across the 38th Parallel I made my stand.

I flew MIG Alley—I was there! . . . I am the Guard. Soldier in war, civilian in peace . . . I am the Guard.

I was at Johnstown, where the raging waters boomed down the valley.

I cradled the crying child in my arms and saw the terror leave her eyes.

I moved through smoke and flame at Texas City.

The stricken knew the comfort of my skill.

I dropped the food that fed the starving beast on the frozen fields of the west and through the towering drifts I ploughed to rescue the marooned. I have faced forward to the tornado, the typhoon, and the horror of the hurricane and flood—these things I know—I was there! . . . I am the Guard.

I have brought a more abundant, a fuller, a finer life to our youth.

Wherever a strong arm and valiant spirit must defend the Nation, in peace or war, wherever a child cries, or a woman weeps in time of disaster, there I stand . . . I am the Guard.

For three centuries a soldier in war, a civilian in peace—of security and honor, I am the custodian, now and forever . . . I am the Guard.

March 25, 1967.

Realinement of the National Guard

Hon. John Tower,
Senate of the United States,
Washington, D.C.

Dear Senator Tower: I write this letter in the twilight of my military career as a Civilian Citizen Soldier with more than 30 years of active duty and National Guard service.

Although history clearly proves the necessity and value of the National Guard, some seem to feel that we still must prove our worth to the defense of this great nation. I say the attached "I Am the Guard" proves per se what the National Guard has done and what it can and will do in the future if given an opportunity.

The call-up of two National Guard divisions and numerous other units during the Berlin Crisis in 1961 probably averted an all-out war with Communistic Countries. Certainly it postponed an all-out conflict.

The citizen soldier must be preserved in its present status and *organization*. The fact that the world knows we have 21 National Guard divisions in itself is a deterrent. Hostile nations do not invade the strong—they select the weak.

The proposed changes that have persisted for more than three years of doing away with the National Guard divisions and relegating them to Brigade structure is bad any way you approach the matter.

Based on personal experience in World War II, and inherent weakness of the Japanese Army was their inability to mass divisions and launch a coordinated ground, air and sea attack. They had small units of brigades, battalions and small task forces size. They did not think at high level and they could not and did not effectively stop our *Divisions*.

A division organization trains many people for high-level Corps and Army assignments. Brigades cannot do this nor will the enemy worry about Brigades. They *will* worry about Divisions, Corps and Armies.

True, a National Guard Division with a low priority is not equipped with modern equipment, but that is not the fault of the National Guard. If we had up-to-date equipment, we could better train and be closer to a Combat Readiness state than we are now. Even so, the average National Guard Division presumably filled up with trained fillers and *immediately* issued up-to-date equipment could be combat ready in 13 weeks following mobilization.

Our record during the Berlin Crisis, while good, is not a true yardstick because it was well over 90 days before we received part of our necessary equipment, and we *never* were fully equipped or manned. Even so, we were combat ready in a little over 3 months.

We, I believe, must concede that Germany had a great army in World War II. Was it built around Brigades? Decidedly not. It was built around Divisions—over 300 of them. Likewise, the Russian concept was and is at Division level.

Some will contend that you can use a Brigade as the nucleus to form a Division, and to some limited extent this is true. However, you have to get a Division Commander, an Assistant Division Commander, a Chief of Staff for the division as well as a general and special staff. Where are these officers who must be experienced coming from? With the National Guard's present structure *going in*, you have your top people experienced trained and ready to go. They are already geared to Division-level thinking. Also a division can very feasibe furnish a cadre of high-level officers and non-commissioned officers to form a new division. Each division has three Generals, and a general and special staff section. Each section has at least one assistant trained at division level. Some sections have two or more assistants likewise trained.

I have talked to many high-ranking officers during the past three years and have yet to find any one in disagreement from a Military standpoint.

Finally, a reduction of Divisions to Brigades would in effect make the State Adjutant Generals Commanders. They are set up to handle the administrative functions of their particular state and to act as liaison between the state and the regular army. They are state political appointees and some of them could not qualify as Commanders. Either age, health or plain lack of experience would disqualify them.

From the beginning of time this great nation of ours has thought of an army being composed of a certain number of divisions augmented by special troops and support elements. Why discard a proven system, particularly at this time? Congress should not permit the Secretary of Defense to Realign the National Guard.

Sincerely,

J. W. JORDAN.

COOPERATIVE LEAGUE TESTIMONY ON TRUTH IN LENDING

Mr. MONDALE. Mr. President, last week, Mr. Shelby Southard made a significant statement to the Senate Banking Subcommittee holding hearings on the truth-in-lending legislation.

The position taken by the cooperative movement is significant because of its broad national basis, and I believe it should be brought to the attention of the Congress. I ask unanimous consent that his remarks be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SHELBY EDWARD SOUTHARD, OF THE COOPERATIVE LEAGUE OF THE USA, TO SENATE BANKING COMMITTEE, SUBCOMMITTEE ON FINANCIAL INSTITUTIONS, REGARDING SENATE BILL S. 5, THE TRUTH-IN-LENDING ACT, WEDNESDAY, APRIL 19, 1967

Mr. Chairman, the Cooperative League of the USA thanks your Committee for giving us the opportunity to share with you our views on the legislation before you, the Truth in Lending Bill (S. 5).

The League, which is a national federation of all types of customer-owned businesses with members in all 50 states, was one of the pioneer groups to urge upon Congress the wisdom of a bill such as this, which has as its central purpose to make the typical consumer more alive to what his use of credit is costing him. Wise credit use is often the touchstone of business success and in the management of our personal financial affairs as well.

This is especially true of cooperative business. It is so whether it be in the field of housing, insurance, rural electrics, the grocery business, farm supply and marketing, prepaid group health plans, or credit unions. We can speak with considerable assurance on this point because League member organizations are active in every one of those fields. so that our activities extend now to over 18 million families in this country.

It is through the credit unions that we are most vividly conscious of the need to make people aware of what credit is costing them when they borrow money or buy on the installment plan. The dramatic growth in the number of credit unions and their lengthening membership rolls are solid evidence that, as people do discover how important this is, they do something about it.

Senator Proxmire's bill differs only slightly from the earlier bill on this subject introduced several times by former Senator Paul Douglas. We supported and worked for the Douglas bill and we have compared carefully the provisions of his bill with the one proposed by Senator Proxmire. To be effective the bill must require that the cost of credit be expressed as an annual percentage, including in that rate the "incidentals" for fees, credit reports, and the like, which have a way of mounting alarmingly without the customer's noticing it. Also at the crux of the matter is the requirement that all forms of consumer credit including small loans, installment purchases, revolving credit, and home mortgages be covered.

We are pleased that the Proxmire bill includes all these points. They are the important ones. Unless we have such a law, there can be no assurance that consumers have those elementary facts they need to make wise decisions when they buy. No one argues when the car buyer wants to look at the motor, the tires, the upholstery, the air conditioning. These are components by which the manufacturer competes for the buyer's favor. But another component, frequently more important than any of these, is the cost of credit. There is no logical reason the buyer should not also know precisely what the credit component is going to cost—and not buried beneath a suffocating blanket of detail which has as its purpose, not to inform, but to cover up its real cost.

During the earlier rounds of this now six-year old debate, the opponents made some headway by raising a series of questions beginning "What if—?" These iffy questions all had to do with how difficult such a law would be to enforce, and its friends could only say then that it is a simple thing to print up rate tables covering every conceivable variation of interest charges. (In fact, the Treasury Department and Department of Defense have recently done so—so simple any clerk can use them.) But the answer to such iffy questions now is that the State of Massachusetts has had such a law for a considerable period of time and the experience up there has answered them in the most effective way possible. None of these hypothetical fears have proved to have a basis in fact. This is the verdict of those who have a role in administering the law, and indeed some of its former critics have been fair and said their earlier fears before the law was passed were unjustified. That is your answer, Mr. Chairman. If these fears were real, the trouble would have surfaced by now, and you can bet we would be hearing about it.

Having followed closely the long debate excited by this legislation, we are confident in our prediction that many reputable but misguided business witnesses who have opposed it will find upon its enactment that they have been freed from competition by segments of their business which exist in its shadows and on its fringes, making bad medicine for everybody.

It is the familiar history of earlier consumer protection laws—first strenuous resistance based on fears of alleged government interference. But in practice the law will interfere only with those people who bring discredit on their business by preying on the uninformed, the gullible, and ones least able to protect themselves. Firms which extend credit on a level of integrity and reasonable concern for their customers will be able to do so without harassment from the "quick buck" operators who give them unfair competition and who have demeaned for too long an honorable sector of our economy.

In closing we urge the Committee to review again the essential points which comprise a meaningful Truth in Lending law and make sure those provisions are in the bill which you report to the Senate floor for action. You can take little satisfaction, and the people of this country will derive little good, from a law which bears a persuasive title but lacks the elements to make it truly descriptive of what the bill contains. Make sure that in the changes and amendments you consider you do not violate the spirit of another bill Congress passed last year called Fair Packaging and Labeling. The label on S. 5 now reads "Truth in Lending." Be certain that "Truth in Lending" describes your final product accurately. You owe this much to a long line of persons in and out of public life who have worked selflessly through three Administrations to insure passage of a bill which deserves that label, and—more importantly, you owe it to the people of this country.

SORRY—LOT FILLED

Mr. TYDINGS. Mr. President, I commend to the attention of Senators an article published in yesterday's Wall Street Journal which underlines the urgency of coming to grips with the parking problem, not only here in Washington, but across the Nation. The article states:

> An estimated 75 million cars are looking for parking places these days, up from 40 million in 1959. Traffic authorities say the creation of new parking facilities hasn't come anywhere near keeping pace with the auto population explosion.

The toll exacted in driver frustration, as each individual finds the supply of parking spaces far short of the demand, cannot be measured. But each city can gage the economic loss sustained as motorists shun the inner city because there is no place to park their cars.

Mr. President, the Senate will soon have an opportunity to consider once again a bill I have introduced—S. 944. The bill would authorize the establishment of a public parking agency in the District of Columbia, with authority to raise necessary revenue for building public parking lots around the city. The passage of my bill would go far in meeting the parking needs of residents of the Washington metropolitan area, not to mention the more than 10 million visitors to the Nation's Capital each year.

Critics of the bill allege that public parking lots would unfairly compete with private parking lots. But this has not proven true in other major American cities. For example, the Wall Street Journal notes that:

> Detroit seems to be mixing municipal and private parking facilities successfully. The 23 city-owned garages and lots, which park nearly 4 million cars a year, are operated by private companies. Privately owned lots mingle with the city-owned facilities and seem to do a thriving business.

Mr. President, I ask unanimous consent that the article entitled "Sorry—Lot Filled" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SORRY—LOT FILLED: LACK OF PARKING SPACE POSES GROWING PROBLEM AS AUTO TOTAL CLIMBS—PINCH WORSENS AS CITIES CLEAR STREETS TO UNCLOG TRAFFIC—RETAILERS HAVE BIG STAKE—GARAGES OVER EXPRESSWAYS?

(By Ronald G. Shafer)

DETROIT.—At a luncheon not long ago, Novice G. Fawcett, president of Ohio State University, turned to Lee Iacocca, vice president of Ford Motor Co., and asked: "What's your biggest problem?"

"Selling cars," replied the Ford executive. "What's yours?"

"Parking them," sighed Mr. Fawcett.

There are 13,000 parking spaces at Ohio State. But faculty and student parking permits have been issued to 20,000 cars this year. Hundreds more students drive unregistered cars, and visitors drive hundreds of other cars onto the campus each day.

Finding a place to park anywhere is becoming an increasingly frustrating exercise for U.S. motorists. And parking has become a major headache for stores, factories and municipal agencies in cities, suburbs and small towns throughout the nation.

THE SEARCH GETS TOUGHER

An estimated 75 million cars are looking for parking places these days, up from 40 million in 1959. Traffic authorities say the creation of new parking facilities hasn't come anywhere near keeping pace with the auto population explosion.

"Most motorists seem to think a free parking place is one of their Constitutional rights," says James Hunnicutt, a parking consultant in Washington, D.C. "The free and easy days of parking are gone, but drivers haven't adjusted to it."

Traffic experts predict that finding a place to park is going to get even tougher in coming years. A study made for the Automobile Manufacturers Association reports that most cities already need 10 percent more parking in downtown areas and that their needs are increasing fast. We're losing ground, and there's nothing to be optimistic about," says Charles McGavin, a nationally known parking consultant in Reston, Va.

Mr. Hunnicutt, who is winding up a parking study for the National League of Cities, says: "I'm looking at parking reports from 1,400 cities, and they aren't very encouraging. Very few cities have even recognized the problem."

VANISHING PARKING PLACES

Some cities that are aware of their traffic and parking problems are finding that they must contribute to the parking pinch by eliminating curbside parking in order to unclog traffic-jammed streets. "I figure that by 1980 *curb parking* in any *big city will* be gone. Streets are for the movement of traffic, not to store cars," the ruthless Mr. Hunnicutt observes. Curbside parking spaces currently account for an estimated 8% of all parking spaces in cities with more than 1 million population.

The parking pinch is most severe in big cities. Wilbur Smith and Associates, a parking consulting firm in New Haven, Conn., estimates that roughly one parking space is needed for every four cars driving into a city's downtown section at any time during the day. Most cities' downtown parking space is inadequate by that standard.

Residential streets, too, are jammed with cars parked in front of homes of families that own two, three and more cars. In Milwaukee, 11,000 residents pay a monthly $4 "night parking fee" to use the city streets in front of their homes. Some New Jersey communities ban overnight parking altogether on *residential streets.*

Even some shopping centers and factory parking lots that were planned with motorists in mind have parking problems. A major difficulty is that longer, wider new U.S. cars must often be squeezed into parking spaces that were laid out for older, smaller models.

Parking consultants say the economic importance of adequate parking facilities isn't generally realized by many city officials and businessmen. A recent New York City survey estimated that the average motorist who parks less than a full day in Manhattan spends about $1,100 a year in the *city's stores, restaurants and entertainment facilities.* The Wilbur Smith survey estimates that a single parking space generates $10,000 worth of business a year for some downtown department stores.

Increased parking "saved the town" of Little Falls, N.Y., says Mayor Ted Wind. *After a new highway bypassed the town of 9,300* people, Little Falls officials obtained a Federal urban renewal grant and built a suburban-style downtown shopping center with space for 300 cars. "Without the parking, we'd be dead. We only had two main streets for parking before," says Mr. Wind.

In Columbia, S.C., a 1962 survey showed downtown land values were skidding and business was dwindling because of a shortage of parking places. In the past year, the city has added 550 municipally owned parking spaces in a combination parking lot and four-story garage a few blocks from downtown stores. Free shuttle-buses carry shoppers to and from the stores. Carey C. Burnett, city manager, says that as a result of the added parking land values are rising again, and downtown stores are doing more business.

Owners of an estimated 9,500 privately owned garages and parking lots, which provide 1.5 million U.S. parking spaces and take in revenues of $400 million a year, often bitterly oppose construction of city-owned garages. But city officials say privately owned lots alone can't meet growing parking needs.

Detroit seems to be mixing municipal and private parking facilities successfully. The 23 city-owned garages and lots, which park nearly 4 million cars a year, are operated by private companies. Privately owned lots mingle with the city-owned facilities and seem to do a thriving business. All-day rates at private and municipal facilities range from 50 cents on some lots a few blocks from the heart of downtown Detroit to $3.40 at a new, centrally located underground garage.

Traffic consultants say that in the future many city office buildings will devote some of their lower floors to parking space, and immense suburban parking garages will be common. Los Angeles planners are considering stacking parking garages above some *of the city's expressways.*

The goal of many city planners is to eliminate curb parking in downtown areas eventually by shunting commuters to fringe area parking lots. From there, they would ride rapid-transit facilities into the city. The Wilbur Smith *study shows* that in most big cities commuters currently take up about 70% of the available parking spaces. The study was that in the future "parking rates generally should be set to discourage all-day parking by persons who work in the downtown center and to encourage car trips in off-peak hours by persons who come downtown *for business or shopping.*"

The most popular device for controlling city parking remains the ubiquitous, coin-guzzling parking meter. More than two million U.S. meters take in some $150 million a year. Much of the parking meter revenues is used to finance new off-street parking *facilities.*

But many motorists disregard meters, as well as other parking controls. One nationwide study estimates that one out of every three cars parked downtown at the curb is there illegally. Many cities are hiring "meter maids" to patrol their streets and ticket illegally parked cars. *More than 50 large cities* now use women to enforce parking regulations, up from 21 in 1957. Boston's 30 meter maids are credited with helping to double the city's parking meter revenues. The women wrote 221,000 parking tickets last year.

Many motorists, however, also disregard *parking tickets. They rightly figure that* most cities don't have the time or manpower to track down offenders. In New York City, about four million parking tickets were written last year, but only 45% were paid. New York and some other cities are trying to boost their parking fine collections *by using computers to keep track of violators and to nab scofflaws* when they try to renew a driver's license or buy license plates.

New York has taken more drastic action to clear central Manhattan streets of parking violators. Mayor John Lindsay has declared 300 blocks of the city a "tow-away zone" where illegally parked cars are hauled off the streets. Since the campaign began in November, the controversial program has hauled 14,000 cars to a special city lot where each motorist must pay $25 towing charges and a $15 fine to get his car back. One hitch arose in the tow-away campaign last week when a city judge ruled that the city was responsible for damages to cars it towed away. But city officials are appealing the decision to a higher court, and the tow-away program continues unabated. Police say it has cut traffic congestion considerably.

IN LONDON, PARIS AND ROME, PARKING SPACE IS SHORT, TOO

LONDON.—Parking problems aren't limited to the U.S.

In both Great Britain and France, the auto population has more than doubled in the past 10 years, to more than 9 million cars in Britain and more than 8 million in France. Parking in London "is a bloody sight worse" than it is in most U.S. cities, says an official of Ford Motor Co.'s English operations.

Historic sites in Paris, such as the Place Vendome, have been turned into huge parking lots, without solving the city's parking shortage. Even the celebrated Champs Elysees these days is jammed with parked cars, leaving little room for sidewalk cafe patrons and pedestrians. In Santiago, Chile, a once-beautiful plaza in front of the presidential palace has been turned into a parking lot.

Rome, Madrid and Helsinki have severe parking problems. In Tokyo, where passenger car registrations have mushroomed to more than a million from 341,000 in 1957, *it is illegal for a resident to buy a car with*out first proving he has a place to park it.

THE 100TH ANNIVERSARY OF THE NATIONAL GRANGE

Mr. MUSKIE. Mr. President, the year 1967 marks the 100th anniversary of a great farm organization, the National Grange. It is indeed proper, therefore, that the Post Office Department saw fit to issue a stamp commemorating this event in American history.

In ceremonies held last week in the patio of the U.S. Department of Agriculture, Secretary of Agriculture Orville L. Freeman addressed a large group gathered for the unveiling of the stamp.

He took the opportunity to make some *trenchant and timely comments on the* farm price situation and the outlook for U.S. farming under the Food and Agriculture Act of 1965.

Mr. President, I ask unanimous consent that the Secretary's remarks be printed in the RECORD.

There being no objection, the Secretary's remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN AT THE NATIONAL GRANGE COMMEMORATIVE STAMP CEREMONY, MONDAY, APRIL 17, 1967, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.

National Master Newsom, Mr. Belen, honored guests, and my friends of the National Grange:

I'm honored to take part in this program and pleased to add my congratulations to *the Grange on this auspicious occasion.* I'm particularly pleased to have the opportunity to pay tribute to this organization's many and significant contributions to America . . . and to express my personal appreciation of the Grange's leadership in the struggle to reach parity of income for the American farmer and revitalize the entire rural economy. *And in the process I would* make a confident prediction: The National Master of the Grange will go down in history as one of America's, indeed the world's, great statesmen of agriculture.

The Grange has written an indelible record of achievement in its first hundred years.

And, Herschel, a fellow told me a story the other day that would indicate the Grange has even brighter days ahead.

It seems two farmers were trying to decide which farm organization to join.

"I don't know what to do," one said to the other. "The NFO won't let me sell anything . . . and the NFU won't let me buy anything. Seems to me that leaves the Grange. At least I could dance every Saturday night."

Well, it takes more than Saturday night dances to earn the honor of a commemorative stamp, and I, for one, am delighted that this occasion will draw the entire nation's attention to what the Grange has done for this country the past century.

Let me call the roll quickly.

You pioneered farm education, laid the groundwork for the establishment of farmer cooperatives, developed the original Farm Credit Act, and you championed interstate highway programs, legislation to remove the federal tax on fuel for "on the farm" use, Rural Free Delivery and the Parcel Post System, REA, the Soil Conservation Service, Farmers Home Administration, Extension Service, Vocational Agriculture Program, Crop Insurance, Upstream Small Watershed, School Lunch and Milk Program, Great Plains, Food for Peace and Food for Freedom, and Rural Area Development.

The passage of the Granger Laws brought about judicial and official recognition that the public *does* have a proper interest in the policy and decisions of big business.

And you were a key factor in the formation of the United Nations Food and Agriculture Organization and the International Federation of Agricultural Producers.

If a single word could describe the National Grange, that word would be "responsible." Historically, you have avoided extremes . . . choosing, instead, to move inexorably ahead on a solid middle path.

In the matter of farm commodity policy, *you reject complete reliance on the "free* market" at the same time you reject overregulation of agriculture.

You have recognized that farm commodity supplies must be brought into balance with the real needs of the nation . . . including its foreign commitments . . . and you backed this up with *your wise support* of the Food and Agriculture Act of 1965.

I use the word "wise" deliberately, *for* in the first year of the four years this Act will span, we rounded the turn into a New Era of American agriculture.

The surpluses of the Fifties are, for the most *part, gone, and for the first time* in years our farmers are being asked to grow more . . . instead of less.

Today, the market is nearer supply-demand balance than it has been a half a century, and the market is freer of Government than it has been in 30 years.

And last year farm income made almost *unprecedented gains. Gross farm income* and net farm income set new records, and total net farm income was the second highest in history.

Since the 1966 high income watermark we have slipped some this year. Temporary but familiar forces mostly beyond our control —*a bumper grain crop in Canada, Australia, and Russia* and increased production of fed cattle and hogs—have come together all at once and are exerting heavy downward pressure on farm prices. We are all worried about the 7 percent farm price sag since last fall. The prices the farmer must pay continue to climb. The cost-price squeeze which improved markedly *last year* is again severely punishing the American farmer.

I am deeply concerned with these recent developments. However, I do believe them to be temporary in nature. There is no way I know to completely eliminate the peaks and valleys in agriculture. Nature is always unpredictable. But we are learning to smooth them out and avoid boom and bust. This is what the Food and Agriculture Act of 1965, which might be called a Granger law because it incorporates longstanding Grange two-price principles, seeks to do. I believe it will work if we work at it and don't discourage too easily.

I am confident that prices will strengthen later in the year, and that over the four-year pull of the Food and Agriculture Act of 1965 the hills and valleys will level out . . . and the good will far outweigh the bad.

Remember, we've had only one year under the Act. And in that year, farm income made the greatest advance in 20 years.

Earlier this month, the President said: "We are trying to use the Act of 1965—and the four years of stability it gives us—to increase farm income substantially. There will be price fluctuations. There will be price frustrations. But these, we believe, during this four-year period will straighten out."

What we need most today are the confidence that we now *have* the tools to build a bigger, stronger, healthier American agriculture . . . and the perseverance to give those tools a fair test.

We can take a lesson from the little boy who was learning to skate. His tumbles aroused the sympathy of a bystander, who said: "Sonny, don't *you* think *you've* had enough? Why don't you stop for a while and just watch the others?"

With tears streaming down his face from the last spill, the youngster looked up and said: "Mister, I didn't get these skates to give *up* with. I got 'em to learn *how* with."

We didn't get the last five great farm bills to give up with. We got 'em to succeed with. *And we will succeed . . . if we don't let a tumble or two discourage us.*

Master Herschel Newsom and members of the Grange, here and all about this great United States of ours, on behalf of the President of the United States, the U.S. Department *of Agriculture, and, yes, of all America,* I extend to you thanks and congratulations on 100 years of service and accomplishment!

THE IMPORTATION OF BENZENOID CHEMICALS—RESOLUTION OF ALVIN, TEX., CHAMBER OF COMMERCE

Mr. TOWER. Mr. President, I ask unanimous consent that the text of a resolution passed by the board of direc*tors of the Alvin Chamber of Commerce* be printed in the Record. The resolution concerns the importation of benzenoid chemicals.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution

Whereas, the Board of Directors of the Alvin Chamber of Commerce has reviewed and is concerned with the discussions now in progress regarding the lowering of tariffs on benzenoid chemicals which may be imported from European countries;

Whereas, Alvin, Texas has in its immediate vicinity a large petrochemical complex directly involved in the manufacture of benzenoid chemicals;

Whereas, the petrochemical complex is the largest industry in the Alvin area and employs more than 700 people and provides *additional employment in this community* for servicing such a complex which enhances the growth and prosperity of this community;

Whereas, the lowering of tariffs or elimination or revision of the American Selling Price may jeopardize certain existing production of chemicals and future growth of this community as well as far-reaching effects in other similar industrial communities; and

Whereas, the Board of Directors of the Alvin Chamber of Commerce recognizes the far-reaching effects on this community as well as other industrial communities as a result of lowering tariffs on benzenoid chemicals;

Be it resolved, the Alvin Chamber of Commerce opposes the lowering of tariffs on benzenoid chemicals and urges Senators and Congressmen representing this District and State who have been notified of this resolution by certified copy take the necessary action to retain the American Selling Price basis for determining tariffs on benzenoid chemicals.

Attest:

Hollis W. McGinness,
Manager, Alvin Chamber of Commerce.
Ben Magness,
President, Alvin Chamber of Commerce.

SENATOR SPARKMAN ADDRESSES NATIONAL HOUSING CONFERENCE

Mr. MUSKIE. Mr. President, one of the Nation's leading authorities on housing is the distinguished chairman of the Committee on Banking and Currency [Mr. Sparkman]. As chairman of the Subcommittee on Housing since its inception, Senator Sparkman has played a major role in developing some of the most comprehensive and far-reaching legislation of our time. For the past 8 years it has been my privilege to serve *on this subcommittee. During this time* I have grown to admire Senator Sparkman's knowledge of housing problems and skill in working out the details of complex housing legislation.

Earlier this month, Senator Sparkman addressed the 36th annual convention of *the National Housing Conference. I ask* unanimous consent that the text of this speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Hon. John Sparkman, U.S. Senator From Alabama, Before the 36th Annual Convention of the National Housing Conference, Hotel Statler Hilton, Washington, D.C.

I welcome the opportunity of speaking at the Thirty-Sixth Annual Convention of the *National Housing Conference.* Thirty-six annual meetings—that covers a long span of years starting back in the days when Federal housing legislation was only a gleam in the eyes of your early pioneers.

Your contribution to good housing over the years has been outstanding and you should be proud *of your long history* of *faithful* and continuous *service to the cause* of housing and better living conditions for the American people.

Your meeting date this year is a little ahead of our legislative hearing period so that I have little to report to you on progress *of 1967 housing legislation.*

*The Administration's bill, which I intro*duced last week, is one of the most modest proposals we have had for years. One of the most significant new items is the request for authorization to establish a new assistant secretary within the Department of Housing and Urban Development for research and development.

A research and development program *for* housing is long overdue and I hope that the Congress will fully support the Department's request to move ahead in this badly neglected field.

Without studying the other provisions of the bill, I cannot predict their outcome but, offhand, I see no critical issues involved.

We have a number of other bills pending before us, including part of the Administration's civil rights bill. All of these bills will be the subject of hearings tentatively scheduled for late May or early June.

As you probably know, Senator Ervin has announced hearings on the President's omnibus civil rights bill starting May 23rd. These hearings will cover the same housing provisions as in the bill pending before us. I hope that we can make arrangements to avoid a duplication of the testimony before both committees.

I do not believe that the Congress is in a mood to pass any big housing bill this year, so that the final version passing the Senate will probably be quite modest and refer mainly to existing law.

After the heavy legislative years of 1964, 1965 and 1966, I welcome the opportunity of spending less time on new programs and more time on the progress of existing programs.

When one has been involved with housing legislation as long as I have, some doubts begin to develop about the necessity of constantly coming up with new programs to do what you were told existing programs were supposed to do years before. I sometimes wonder who is "tending the store" on the administration of existing programs when I see so much energy being expended on new programs.

I am convinced that much more could be done if a more imaginative and conscientious application were made of the laws now on the books, and I have urged this on the Secretary and his staff in the Housing Department.

With this in mind, the Housing Subcommittee this year took on the task of checking into two basic programs vital to the attainment of the nation's housing goals—rehabilitation and mortgage credit.

On rehabilitation, our first step was to look at field experience and learn what was being done in various cities to implement the laws on the books.

You will not be surprised if I tell you that we were a bit shocked by what we found. It is quite apparent that rehabilitation as a tool for city rebuilding is just not working.

Needless to say, rehabilitation is a tremendously complex undertaking, involving solutions to a whole series of technical, economic and social problems. With so little precedent, each project is practically on its own in developing its technique and procedure in mobilizing the needed community resources.

It is because of this that we were disheartened to see the relative lack of vital attention being given to the subject by high ranking local and Federal officials.

We have been exploring with HUD officials and others what can be done to make rehabilitation an effective program, and we have requested a full report from the Housing Department on the subject.

It seems to us a rather drastic new approach will have to be worked out if we are ever to meet our objectives of renewing the American cities under the model cities program or any other program.

To cut costs and reduce time involved, some methods of mass production will have to be introduced. Volume acquisition and volume reconstruction under acceptable financing terms which will protect the rights of the residents and produce housing at prices they can afford are essential to getting the job done.

Private enterprise with all of its technical resources and managerial skills should carry the maximum burden with government providing the leadership and the financial subsidy when necessary.

I note that the President plans to bring together outstanding leaders in home construction and home financing to consider ways to get this program off the ground and make it work. We will look forward to this meeting and will be happy to work closely with the President in solving this very difficult problem.

Another area of concern to all of us in meeting the national housing goals is mortgage credit. Without proper financing, decent housing, either new or old, cannot be provided.

The year 1966 was one of the poorest mortgage credit years since the thirties. Money for home financing soared to prices unheard of since the late 1920s. Some people had no choice but were forced to pay mortgage interest rates of 7 and 8 percent, and it was not unusual to hear of FHA mortgage loans calling for 10 discount points.

I will not go into detail on how all of this came about only to say that it was the result of an unusually heavy hand of the Federal Reserve Board in its attempts to prevent inflation.

The total money supply and credit available to the nation were reduced to the point of nearly causing a panic in August of last year. The final turnabout came when the seven percent investment tax credit was repealed and the Federal Reserve Board cooperated by loosening bank credit last Fall.

Our current posture is a peculiar one. Prime bank rates are down to 5½ percent but prime mortgage rates are still running between 6 and 6½ percent.

I am always amazed at our banking friends who espouse the market place as the best regulator of prices on the way up, but never explain why the market place is so sticky on mortgage rates when they should be coming down.

It seems that the market place invariably operates to the disadvantage of the borrower. Homebuyers have not been educated to shop around for the best mortgage terms—consequently they do not always get the lowest rate.

Consumer-oriented groups like yours would do well to help educate the public on matters of this sort.

With savings flowing again—in fact, the first two months of 1967 were near record savings months—there are some who believe that the mortgage credit crisis is over and nothing further needs to be done.

It is not as simple as that.

In the first place, our economy and our forward progress in reaching national housing goals cannot afford years like 1966. Housing bore the brunt of a bad mix of monetary and fiscal policies and we should not let it happen again. Furthermore, it should not be taken for granted that the institutional pattern of savings and lending, which was so drastically upturned by the 1966 experience, will now return to normal.

In addition, a two million a year housing start level, which is demanded to meet current needs, will require a sharp increase in mortgage funds over normal levels.

In view of these facts, the Subcommittee on Housing is conducting a Study of Mortgage Credit to determine what needs to be done to insure adequate home financing for the future.

Papers have been requested from government agencies, industry organizations, and a select number of outstanding experts in the field of finance, monetary controls, capital flows, pension funds and savings. Your President, Nat Keith, has promised to prepare a paper.

These papers will be published in early May following which hearings will be held to boil down the recommendations and to draw conclusions.

I see no reason why, in this modern age with all its expertness in the management of capital and money flows in our economy, we cannot develop the necessary institutions to insure adequate mortgage credit to meet our housing needs.

Now let me return again to legislative matters pending before us.

I have seen your opus on legislative proposals. However, I must be honest with you and tell you that I have not read all of it. I believe that it has 36 legal size pages. Someone has done a herculean task in bringing together so much material and I congratulate you on it.

I should like to comment on only a few of your proposals.

Your long-range look at the housing needs of our nation deserves the attention of everyone interested in housing.

You have established goals—both for the immediate future and for the next 20 years.

The dollar requirements to meet these goals are overwhelming. You face a tremendous problem to obtain Congressional concurrence. A doubling and tripling of grants for urban renewal, public housing, community facilities and FNMA purchases would not have much of a chance of enactment with the present Congress.

Such a tremendous expansion will require a lot of work on your part to prove the need. I am sure you can do it but it will take time.

Merely presenting your bill to Congress will never work. You must prove your case.

My personal reservation is a concern that you are placing too much reliance upon the Federal government. Somehow we have to learn how to make better use of the resources available at the local level and from private enterprise.

I should like to remind you of the 1949 National Housing Policy statement which outlined our goals but indicated that private enterprise shall be encouraged to serve as large a part of the total need as it can, and government should be utilized to help private enterprise, not as a substitute for it.

There are several large segments of private enterprise which need to be drawn in closer to meet the problems outlined in your prospectus.

Homebuilders and home improvement technicians need to be shown how they can do the job in city rebuilding at a reasonable profit.

Savings and loan and other thrift institutions need to be brought into city rebuilding to finance the improvements at a profit and yet without an unreasonable risk.

Pension and welfare funds need to be tapped to supply the credit to help finance the building programs to which you refer.

Government should provide the leadership and the direction but, in the long run, private enterprise should carry the bulk of the load.

I think a good illustration of the private enterprise potential is your experience in turnkey public housing where it is said that private enterprise can build projects 20 percent cheaper than government. The reason for this savings is not only the avoidance of government red tape, but the motivation and incentives provided to the builder working for himself.

The task before us is to develop the proper mix of government subsidy and private enterprise so that, on the one hand, our social objectives will be achieved through government subsidy and, on the other, maximum production will be attained from private enterprise with a fair profit.

As you know, our last few housing bills contained provisions to carry out this objective. The rent supplement program is an example. Unfortunately, it has run into difficulty getting appropriations and, as all of you know, it will take all of your combined support to get funds in this year's Congress.

Another program currently in difficulty is the FHA section 220 program because of what appears to be an unacceptable high loss rate.

A few bad experiences have caused a reaction against this program so that it is in danger of being smothered out of existence by an overdose of caution.

I am afraid some of its critics do not understand the purposes of the program, that is, to provide the financing tool to help in the rebuilding in urban renewal areas.

The Federal government spends huge sums

of money in its support of urban renewal and should not let this money go down the drain by failing to support programs to rebuild the areas.

We intend to take a closer look at the 220 program and hopefully take action to remove the cloud that seems to hover over it at the present time.

With further reference to your policy statement urging a larger share of national resources for housing and better communities, I do not have to remind you of the one big obstacle—the Viet Nam war.

No matter how you feel about it, whether you are a dove or a hawk or something in between, the facts are that we are in this war and we are spending a large share of our resources for it.

Some claim that our nation is rich enough to afford both guns and butter and that we should continue to expand our domestic programs despite our commitments in Viet Nam.

I think this is unrealistic.

I agree that we should look hard at other non-essential programs in our economy and establish priorities in terms of the greatest need. And you can be assured of a sympathetic ear on what you believe is the proper priority for housing and city rebuilding programs.

Your policy statement, pointing out the needs of our cities, contains most convincing agreements which cannot be ignored.

I believe that it is unrealistic to expect an expansion of Federal funds for your programs under today's circumstances. On the other hand, I see no reason why we should not be planning full steam ahead in preparation for the day, which we all pray will come soon, of a peaceful settlement of this unfortunate war.

Let me again congratulate you on your policy statement and I wish you every success in your efforts to provide good housing and a suitable living environment for every American family.

SELF-HELP WORKS IN ALBUQUERQUE

Mr. MONTOYA. Mr. President, the New York Times today has published an article citing the opinions of the distinguished Senator from Pennsylvania [Mr. CLARK], regarding a first hand series of impressions he is receiving of one of the most unusual approaches yet to the problem of poverty in America.

Senator CLARK is in Albuquerque, N. Mex., now, examining a neighborhood renovation project that is obtaining $2 in value from each antipoverty dollar spent.

In the San Jose section of Albuquerque, school dropouts, under the direction of Dr. L. E. Roberts, are building homes for poor people with materials donated by industry.

The University of New Mexico-sponsored project under Dr. Roberts trains these young men in construction skills, while an Office of Economic Opportunity "work experience" grant pays them wages as they learn.

Here is the self-help principle at work stretching the antipoverty dollar in Albuquerque to the utmost. A word of praise is also due the United States Gypsum Co., for its donations of materials.

Senator CLARK's comments reinforce what many have known: that in this particular case in Albuquerque, the taxpayer is getting full value for his tax dollar.

I ask unanimous consent that the complete text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 26, 1967]

SENATOR CLARK IMPRESSED BY POVERTY PROJECT IN ALBUQUERQUE

(By Joseph A. Loftus)

ALBUQUERQUE, N. MEX., April 25.—A neighborhood renovation project that makes the antipoverty dollar do double duty impressed a one-man Senate subcommittee today.

In the San José section, where most streets are dusty and unpaved and many are without city water and sewerage, families are getting new homes or additions to their homes, for the price of the material. Much of the material is scavenged or donated.

The work is being done by school dropouts. The project gives them training in construction crafts six hours a day and basic education for two hours. They are paid $37.50 a week out of a "work experience" grant from the Office of Economic Opportunity.

Senator Joseph S. Clark, Democrat of Pennsylvania, struck with the way the antipoverty dollar was being stretched by self help, said the project should have another component—family planning.

"I am impressed with the tragedy of the absence of information that would help these people stop having the unwanted child," Senator Clark remarked after a walk through the home of the Garcia family, where nine children and their parents live in three rooms.

WOOD-BURNING STOVE

They had a wood-burning stove and running water, but no bathing facilities or indoor toilet. A crew of five trainees and a foreman were adding two or three rooms without disturbing the family. They were using cinderblocks salvaged from a burned-out building next door. Mr. Garcia, who is apparently in his 40's, spurns the welfare rolls and ekes out a living repairing automobiles in his yard.

Senator Clark, chairman of the subcommittee on employment, manpower and poverty, who put in a nine-hour day of hearings yesterday, turned to the on-site inspections here and at the Santo Domingo Indian Reservation 40 miles north.

On a nearby street, the Williams family of nine occupies a new, one-story home, small and boxy but neat. The exterior walls are white plaster. The cost to the family was $700 for materials instead of an estimated total of $4,000 on the commercial market. The family draws its water from a well pump outside the back door. A primitive toilet stands about 25 feet away. The debris of the shack the family had lived in still lies in the yard.

1,600 BLOCKS A DAY

On still another street, a crew was throwing up an adobe house with a bathtub that was already installed. The "stones" of the walls were made of earth dug out of the back yard, moistened and baked in the sun. Each cake was the equal of four to six common building bricks. The construction binder was not concrete but more mud.

"Keeps you warm in the winter and cool in the summer," said L. E. Roberts, the project director. The University of New Mexico is the sponsor. A four-man crew makes 1,600 mud blocks a day, he said.

Mr. Roberts has three professional assistants—young men with degrees in counseling and guidance—12 foremen and three supervisors. The subprofessionals, like the trainees, are recruited from the neighborhood. The professionals have to know the city building code and speak Spanish.

A crew of five trainees and a foreman can add a room, 16 feet by 16 feet, to a house in a day and a half, Mr. Roberts said. The only cost to the owner is materials, which averages $278. Mr. Roberts begs some of those materials. He said the United States Gypsum Company gave him a load of wallboard that was slightly imperfect but valued by him at $20,000.

Everybody agreed that the building trades unions were winking at the project because they were not strong enough to interfere, and that similar projects in big Northern cities were unlikely. The wage rates were obviously far below union scales even in Albuquerque.

Mr. Roberts said 60 to 80 trainees were on the job at any given time. They are retained until they acquire a suitable skill level and the project places them in a regular job. Mr. Roberts estimated the cost to the Government at $250,000 a year.

THE 25TH ANNIVERSARY OF U.S. NAVY SEABEES

Mr. RIBICOFF. Mr. President, distinguished for their ability to get a construction job done, no matter what the difficulties, the U.S. Navy Seabees are famed for their motto: "Can Do."

This is the 25th year that the Seabees have served America, and have assisted peoples throughout the world who love liberty and work for a peaceful, productive future.

In recognition of the 1967 Seabee Silver 25th Anniversary, Gov. John Dempsey, of Connecticut, recently proclaimed "Seabee Month" in Connecticut.

I ask unanimous consent that the text of the proclamation be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

SEABEE MONTH, MARCH 1967

(Official statement, by his Excellency John Dempsey, Governor, State of Connecticut)

Twenty-five years ago, when the security of our nation was threatened by the Axis powers, the United States Navy organized its Construction Battalions, known then and today as the Seabees.

During the long months of World War II the Seabees, sometimes referred to as seagoing engineers, worked tirelessly to build the air strips, roadways, and other installations vital to victory for the allied forces. Often operating under enemy fire, with limited facilities and equipment, the Seabees earned fame for their ability to get their assignment accomplished. "Can Do" was, and is, their motto.

They served during the Korean action and whenever and wherever there was a need for their skills and determination. Today in Vietnam they are helping again to stem the tide of Communist aggression.

During the month of March, 1967, the Seabees observe the 25th anniversary of their founding. Celebrating its 100th anniversary this month is the Navy Civil Engineer Corps, the branch of the Naval Service with which the Seabees are affiliated.

In recognition of these significant anniversaries, I designate March as SEABEE MONTH in Connecticut.

Let us make this an occasion for deserved tribute to the active and reserve forces of the Seabees and the Navy Civil Engineer Corps for the great contributions they have made to our nation's defense effort.

THE 25TH ANNIVERSARY OF U.S. NAVY SEABEES

Mr. BREWSTER. Mr. President, this year marks the 25th anniversary of the

U.S. Navy Seabees, the Navy's famed construction battalions.

The Seabee motto "Can Do" long has stood for the spirit of courage and dedication so typical of America at her best.

Through a quarter century, and three wars, the Seabees have written proud pages into our military history, and today in Vietnam they again work tirelessly to support our Armed Forces and to strengthen a valiant people fighting for peace and freedom.

The Seabees are builder-fighters. Their determination and ingenious approach to successfully completing any construction task given them have made them a legend since the first battalion was created in the challenging days of World War II.

Eight battalions are at work today in Vietnam.

Perhaps most characteristic of the Seabees is their hope and expectation that the Vietnamese people, in coming days of peace and freedom will benefit significantly from the wonderful variety of construction work being accomplished today: the new roads and highways, the ports and piers, the water and sanitation systems, the landing fields and pads, the areas for landing and for storage.

The Seabees, too, are working hard in a new role. They have become the "Navy Peace Corps."

In the last 5 years, Seabee civic action teams have served, under sponsorship of the State Department and the Agency for International Development, in Africa, Latin America, and Asia.

In recognition of the 1967 Seabee silver 25th anniversary, Gov. Spiro T. Agnew, of the State of Maryland, recently proclaimed "Seabee Year" in Maryland.

I ask unanimous consent that the text of the proclamation be printed in the Record.

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

GOVERNOR'S PROCLAMATION: SEABEE YEAR, 1967

Whereas, On March 5, 1942, the United States Navy created the "Seabees"—construction battalions to build the Navy's bases; and

Whereas, These Seabees became legendary by performing remarkable construction feats in World War II and the Korean War; and

Whereas, They are now building American bases in Vietnam and at the same time improving the life of Vietnamese villagers by building schools, hospitals, roads and bridges;

Now, therefore, I, Spiro T. Agnew, Governor of the State of Maryland, do hereby proclaim 1967 as "Seabee Year" in the State of Maryland, and call upon all Marylanders to salute the Seabees on their 25th Anniversary.

THE VIETNAM WAR—A RELATIVELY SMALL BURDEN

Mr. McGEE. Mr. President, though it is true that the war in Vietnam, for some, assumes cataclysmic proportions, the fact that on a national scale it remains a relatively small burden is apparent. This fact is demonstrated in any number of ways—several of them explained in an enlightening column, authored by Howard K. Smith, and published in the Washington Sunday Star. Traffic, lung cancer, and firearms here at home take more American lives annually than does this conflict. It uses up but little of our gross national product. It is necessary, as attested to by reporters on the scene and by the troops in Vietnam themselves.

It cannot be demonstrated that the pursuit of the Vietnam war has materially affected our fight against poverty at home, or adversely affected the civil rights movement, which is troubled, in essence, with success and the question of what to do in the wake of substantial success.

These points are brought out clearly by Mr. Smith in his column. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Sunday Star, Apr. 23, 1967]

WAR IN VIETNAM A RELATIVELY SMALL BURDEN

(By Howard K. Smith)

The Vietnam war has done enough hurt to the nation without our having to exaggerate its effects. The truth is that to the nation as a whole it has been, in every material aspect, a relatively small burden.

To any family that has lost a son in that ugly little conflict it is pure cataclysm. But for the nation as a whole its costs have been limited. There are, for example, three rather trivial domestic categories of tragedy which will, within the present year, claim some fifteen times more American lives than have been lost since 1960 in Vietnam. They are automobile accidents, lung cancer from smoking, and wounds inflicted by our ill-controlled privately owned firearms.

The chief distress caused by Vietnam is moral. And that distress barely affects the men who do the fighting in the field. There, a UPI poll has shown what every reporter and Senator Edward Brooke have noticed: GIs see the war with remarkable clarity as an unpleasant duty that has to be performed in order to prevent worse conflicts later. The moral anguish of Vietnam is acute only here at home and among people whose chances of ever having to fight in Vietnam are very slight.

The war has demanded little or no economic sacrifice. The Nation as a whole has continued to grow better off. The war consumes a very small percentage of cur gross national product—something over three per cent, making it the "Smallest" such encounter we have been engaged in.

One of the loudest complaints made the war is that it has caused a curtailment of the domestic war on poverty. There is no hard evidence to support that complaint. What is curtailing the poverty program is the Congress elected last November which does not like the program—war or no war—and is using Vietnam as an excuse to vote the way it would vote even if the most placid peace prevailed. In the 1966 elections we simply reverted, after an interval, to the kind of hard-fisted, unimaginative Congress we have had most of the time since 1937.

In any case, the Nation's progress in reducing poverty has grown apace throughout the years of escalation in Vietnam. The prolonged boom by itself has considerably increased jobs and lifted an estimated six million people above the "poverty line" set by Michael Harrington and applied as a measure in legislation.

Equally unfounded is the loudly voiced complaint that the war has done damage to the Civil Rights movement. The voice of the Negro was mighty in the 1966 elections when, among other things, it elected three Republicans from Democratic districts in Texas and made an Alabama Negro a small town sheriff. It is more influential today and commands readier audiences than ever before in our history. When before now would the dangerous bilge of Stokely Carmichael have been carried over our three television networks?

The trouble with the Rights movement is success, though completeness and perfection in a short time remain elusive in this field as they have in all past social movements. Success has robbed the movement of much of its original elemental force, and—in order to keep a following—Rights leaders are having to increase the dosage of demagogy in their appeals, having to appeal to a more compact and smaller constituency—the young—and having to switch their issues from Rights to Vietnam. Mr. Carmichael, by winning points in this new way, has sucked the Rev. Martin Luther King into competition for the suffrage of this small but violence-prone fraction of the Negro population.

The war in Vietnam is a unique experience in many ways. Each of our wars in this century has given rise to hysteria—an evil the President has sought to limit by not breaking the psycholoigcal sound barrier and making a formal declaration of war.

But in past wars the hysteria has been on the part of those supporting war; this is the first one where the hysteria comes from the dissenters.

COLUMBUS DAY—A CONCURRENT RESOLUTION OF LEGISLATURE OF STATE OF NEW YORK

Mr. JAVITS. Mr. President, 60 years ago, on April 1, 1907, the State of Colorado became the first State in the Union to commemorate the discovery of America by Christopher Columbus, by designating October 12 a legal holiday.

The movement to pass this law was apparently spurred by an Italian immigrant, Angelo Noce, a native of Columbus' hometown, Genoa, Italy. Mr. Noce organized civic and Italian welfare groups in Denver to forward the cause, and on January 13, 1905, the measure was introduced in the Colorado House of Representatives by Hon. Emmet A. Bromley. Five days later, it was presented to the Colorado Senate by Senator Cacimero Barela.

I am pleased to note that my own State of New York followed Colorado's lead and declared October 12 to be a legal holiday. Many of us in Congress have sponsored legislation calling for the designation of Columbus Day as a national holiday. In this connection, I ask unanimous consent that a concurrent resolution of the Legislature of the State of New York, calling upon Congress to make Columbus Day a national holiday, be printed in the Record.

There being no objection, the concurrent resolution was ordered to be printed in the Record, as follows:

RESOLUTION 43

Concurrent resolution of the Legislature of the State of New York memorializing the Congress of the United States to make Columbus Day, the twelfth day of October, a Federal public holiday

Whereas, For many years the state of New York has accorded recognition to the great discoverer of this land, Christopher Columbus, by providing by law that the twelfth day of October in each year, the anniversary date of his discovery, be a legal public holiday in this state; and

Whereas, Although many other states have also made Columbus Day a legal holiday, the government of the United States has not provided the same recognition to that intrepid and famous explorer who met and conquered the then as yet uncharted extremities of the endless seas by making Columbus Day a federal legal public holiday; and

Whereas, It is just and fitting that Christopher Columbus be similarly honored federally for his memorable voyage and discovery of America; now, therefore, be it

Resolved (if the Assembly concur), That the Congress of the United States be and it is hereby respectfully memorialized to enact suitable legislation to make Columbus Day, the twelfth day of October, a federal legal public holiday; and be it further

Resolved (if the Assembly concur), That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy thereof to the Secretary of the Senate, one copy to the Clerk of the House of Representatives, and one copy to each member of the Congress from the State of New York.

By order of the Senate:

ALBERT J. ABRAMS,
Secretary.

By order of Assembly:

JOHN T. MCKENNAN.

TREASON AND FREE SPEECH

Mr. TOWER. Mr. President, the Longview Daily News, of Longview, Tex., recently published an editorial which, I believe, deserves wider attention.

There is a difference between treason and free speech; between incitement to violence and free speech.

The country is bigger than all the men named in Carl Estes' editorial, and will certainly survive these solutions being handed down from atop orange crates and soapboxes.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Longview (Tex.) Daily News, Apr. 19, 1967]

TREASON IS TREASON

The time has come for us to demand from our government how much longer it is going to tolerate Martin Luther King, Stokely Carmichael, Floyd McKissick and others of their breed and stripe.

What a sorry spectacle it was to see Old Glory go up in flames in New York last Saturday during the self-styled Spring Mobilization Against War in Vietnam! On first glimpse one would have thought the scene was Communist Russia or Red China.

This dastardly deed of desecration was repugnant and disgraceful.

And where was Martin Luther King? He was right there leading this rag-tag and bobtail mob! And where did it happen? In the shadow of the United Nations building! What did Martin Luther King do later? He addressed a rally at the U.N.! Ye gods and little fishes! What next can we expect?

Secretary of State Dean Rusk said Sunday that in the big rallies (Benedict Arnold mobs) and demonstrations such as those staged in New York and San Francisco, the influence and handiwork of the Communist apparatus can be found.

What is the Communist design on America? Destruction, that's all.

The Martin Luther Kings, Stokely Carmichaels, the Floyd McKissicks and others like them, wittingly or unwittingly, are playing footey with the Communists, whether they have sense enough to know it or not. What they are doing may be very pleasing to Hanoi and Peking, but it is certainly repulsive, disgusting and sickening to the vast majority of Americans, as millions of their own race will testify.

So-called "black power" becomes black defiance and mockery when the halter is removed, and its approach to treason, sedition, chaos, anarchy and revolution becomes more alarming and dangerous each week as these wild-eyed publicity, money and glory seekers spout their hate and disrespect for our government and its laws.

While these rabble-rousers and hatemongers—and that's what they really are—are running around over the country spewing their venom and trying to get their dirty mugs before television cameras, hundreds of American boys, white and colored, are being killed or wounded in the jungles and swamps of Vietnam in a war that might have been ended but for the hope, encouragement and comfort this trio and their kind are continually giving to the enemy through fomentation of unrest, turmoil and disunity among a very, very small segment of the population. It is well to remember however, that it was a small minority which seized power in the Communist revolution in Russia.

In our opinion, when Martin Luther King was awarded the Nobel Peace Prize several years ago, it was not only a hoax, but the greatest travesty in history both perpetrated and perpetuated on the words "peace" and "justice."

Can what he has been doing in America for several years be described or characterized as peaceful? Perfidious would be a more appropriate word.

From his mouthings it can be deducted that it's not peace in this country he wants—heaven knows he's created enough disturbances—but in Vietnam, and on the terms and conditions of the enemy.

"Stop the bombing!" he cries sanctimoniously.

We did stop—several times—and what happened?

What cause or reason has he to think that another interruption would benefit anyone but our adversaries? Doesn't he read the newspapers and know what happened? Or has he been too busy watching replays of himself on television?

We're sorely tired of the abuse and vituperation that is being heaped upon our President by this motley gang, better known as the King-Carmichael-McKissick triumvirate. This country has, in our opinion, tolerated this open rebellion from a gang of traitors to the men in our fighting forces much longer than it should have.

They go around bellowing like motherless calves and, like the calves, they're seeking nourishment—nourishment for their inflated egos and blood money for their pocketbooks.

We wonder how much longer the United States government is going to tolerate the sowing of seeds of dissension and discord by King and his crew and others of their ilk? The processes of democracy have been stretched much, much too far already.

Time has run out. It's later than we think. Something should be done now!

In conclusion, as a suggestion, why wouldn't President Lyndon Baines Johnson, as Commander-in-Chief of the Armed Forces of this country, be entirely justified in ordering the induction into the Army of these mouthers of the doctrine of Lenin and Stalin? After induction, if they acted there as they have been acting here at home, General William C. Westmoreland and the other fighting men should give them a drum-head court-martial and line them up before the nearest firing squad.

Treason is treason, whether it's in New York or Vietnam!

NATIONAL SECRETARIES WEEK

Mr. TYDINGS. Mr. President, the 16th annual observance of Secretaries Week, April 23–29, 1967, is being highlighted by the commemoration of the 25th anniversary year of its sponsor, the National Secretaries Association, International.

It has been said that "anniversaries are vital moments which link the living present with those two eternities—the past and the future."

In the beginning, NSA was founded to join together in a nonprofit, nonunion, nonsectarian, nonpartisan, and educational association, businesswomen who are or have been engaged in secretarial employment, or whose training and interest are of similar nature. NSA became international in 1954 with the installation of the first Canadian chapter.

Presently, the National Secretaries Association, with its 25,500 members in 580 chapters in the United States of America, Canada, and Puerto Rico, and affiliates in Mexico, Panama, Argentina, the Bahamas, Curacao, Finland, and Hong Kong, is the world's largest association of businesswomen in one profession.

Looking to the future, NSA has continuously worked to elevate the standards of the secretarial profession and of businesswomen in general. After 25 years, its primary goal remains education—continuing education. Believing that what is past is prolog, the association is looking to the future, a future in which all secretaries must be ready to meet the challenge of technological changes.

PLANNED PARENTHOOD

Mr. FANNIN. Mr. President, the concept of planned families certainly is not new, especially to anyone familiar with the efforts over the years of the Planned Parenthood Association. But the reasons why women, and to only somewhat less an extent men, volunteer their time and talents to winning wider acceptance of the idea are very often not known or are misunderstood.

Recently, Peggy Goldwater, the wife of my distinguished predecessor, Barry Goldwater, wrote an article for the Arizonan in which she told of her interest and work in behalf of planned parenthood. The article is valuable because it beautifully relates the deep concern of one human being for others, including many who have nowhere to turn for help during an hour of great need.

It is important, I think, to emphasize the voluntary nature of Mrs. Goldwater's work and of the Planned Parenthood Association's efforts generally. Believing as they do in individual responsibility, they do not attempt to impose their views on others. Their efforts are purely educational, their service wholly voluntary. And that is as it should be.

Mr. President, I ask unanimous consent that Mrs. Goldwater's article be printed in the RECORD.

There being no objection, the article ordered to be printed in the RECORD, as follows:

WHY I BELIEVE IN PLANNED FAMILIES

(By Peggy Goldwater)

Planned Parenthood is my baby.

I think of it that way because, when Margaret Sanger came to Phoenix years ago to organize a group of women, I was among the few who welcomed her and were inspired to join in her humane work.

Most of us had done volunteer work in hospitals and among needy groups. All were aware of the need for direct birth control assistance and information among those who had the most children and could least afford it. We knew family planning could relieve a great deal of human suffering. Still we felt somewhat bold and daring in planning our program. Even among intelligent people, the subject was considered too intimate to be discussed or dealt with openly.

We established the first birth control clinic in an area where it was needed most. Volunteers manned it, quietly and entirely. It was pretty much of a speakeasy-type operation. Any embarrassment we may have felt was overbalanced by the conviction that we were doing something about the demoralizing and dehumanizing effects of unplanned parenthood.

AWARE OF EFFECTS

I had first become aware of those effects while doing volunteer work at the New York Infirmary for Women and Children during my days as an art student. I fed the babies and cared for the children and loved that. But there were so many babies born to impoverished mothers. And so often the mothers didn't really care whether their newborn lived or died. Intuitively, I suppose, they realized they could not cope with those babies, emotionally, mentally or physically. New offspring meant spreading meager resources thinner and thinner among parents and existing brood.

To the young girl I was then it seemed an injustice and a terrible tragedy for a little baby to come into the world, unloved, unwanted and with no chance for health, dignity and self-fulfillment.

To the woman I am now—one to whom life has been very good—it still seems so. And in view of scientific strides with contraceptives and the revelation of the population explosion, it has become a major tragedy which calls for urgent action. Every day that religious, political and medical leaders fail to do something about birth by chance, they are placing themselves on the side of misery, even disaster and against the people of the world who await their guidance for physical, economic and spiritual salvation. Family planning is essential to each of those areas.

In the 30 years I have been associated with Planned Parenthood, excessive fertility has mushroomed from a family problem to become the world's most serious challenge. Originally I believed in Planned Parenthood because it offered the way to increased excellence in family life and to assure every child the birthright he is due.

But now with the revelation of the population explosion, I believe in Planned Parenthood for many additional reasons.

FAILURE TO BALANCE

It is the irony of our age that the population problem exists because science has permitted man tremendous control over death, including infant mortality. And man has failed to balance that triumph with corresponding control over birth. The frightening projection is that, if the present rate of population growth continues, the human race will more than double in 35 years from today, reaching the figure of 7.4 billion. Eighty percent of that growth will be in the poorest nations of Asia, Africa and Latin America, where already half the world suffers from hunger. Birth control is a vital necessity for emerging nations.

I believe in Planned Parenthood because I believe in education and employment and even in Arizona we have difficulty in keeping up with the growing school-age population.

I believe in Planned Parenthood because I love freedom and the pressures of population require ever-increasing regimentation, tending to breed dictatorship.

LIMITED SPACE

Adventure with nature in the wild and wide-open spaces, clear lakes and streams, wide horizons full of fresh, clear air and scenic excitement—shall we sacrifice these? Against the fact of limited space, the fact that the world's population grows twice as fast yearly as the world's food supply, the threat that crowding will deprive men and women of individuality and personality—how can one not believe in voluntary fertility control?

Science has given man the knowledge and techniques to solve the serious problems—personal and global—growing directly and indirectly out of exploding population. Why not put them to use? And why not balance the billions of dollars the U. S. spends on "death control" with similar attention to population control?

After all, it's a simpler problem. Barry quotes columnist Sylvia Porter as voicing the most unequivocal statement on this subject, "It is true that there are thousands of causes of death, but only one cause of birth."

CHOICE OF PRODUCTS

Today's women have a choice of more than 50 commercial products that are on the market and the rhythm method, which Clare Boothe Luce has referred to with her succinct wit as "checked-off love and clocked-out continence." With the exception of oral contraceptives all are less than completely reliable. The Planned Parenthood clinic at Memorial Hospital finds that, of women using the rhythm method, 40 percent will become pregnant in a year; among couples using mechanical means, 15 percent of the women will conceive; and of women fitted with an intra-uterine device, five percent may conceive.

Every mother knows that both charity and example begin at home. It is estimated that 9 out of 10 impoverished women in Arizona do not know about the possibility of limiting their families. Planned Parenthood locally tries to reach these people with information, services and materials. To raise the money to support these activities, we have planned a novel benefit featuring the Chinese Opera on April 22 and 23 at the Sombrero. We already have substantial backing from local leaders but I hope we'll be completely sold out. (Mrs. Paul Cameron Boyd is taking reservations.) The evening and the money will be well spent.

SUBSIDY COST

It costs $25 to subsidize the cost of birth control pills for one woman for one year through our clinic. The unwanted child on welfare costs the state $448.32 annually and, as recipients rarely leave the ranks until they are ineligible at 18, a total of $8,069.76.

And if anyone suffers from the misconception that poor people keep having children so they can increase their welfare doles, here are typical quotes from some the clinic has helped.

"Where were you when I had only three?" (She had 12.)

"Glory be! God must have sent you to me. With nine children heaven knows I don't want no more."

"My wife and I need you so badly. Please give us all seven methods."

Finally and personally, I believe in Planned Parenthood because, if I could give any gift I chose to all the mothers of the world, I would give them the family fun I've had. Our happiest times have been with our children—Joanne, Barry, Jr., Michael and Peggy, all grown now. We have been fortunate.

I would like other human beings to be as fortunate. To this end I'd like to see Planned Parenthood catch fire all over the world—an achievable goal on which survival of the human race depends.

REACTION OF AMERICAN SERVICEMEN TO ENEMY PROPAGANDA

Mr. TOWER. Mr. President, I ask unanimous consent that there be printed in the RECORD excerpts from a most thoughtful letter I have received from one of our men serving in Vietnam. I believe this letter illustrates how our men react to the enemy's propaganda use of antiwar statements of Americans here at home.

Let me make it very clear that I do not here pass any sort of judgment on those Americans who make such statements; they have every right to do so, and I want that right preserved.

It is only so that Senators may be advised of how the enemy's propaganda apparatus is operating that I ask for the printing of this young soldier's letter.

I also ask unanimous consent that there be printed at this point in the RECORD the text of a Vietcong propaganda leaflet which the enemy seeks to circulate among American troops in southeast Asia.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

LETTER FROM VIETNAM SERVICEMAN

DEAR SENATOR TOWER: Enclosed you will find 2 propaganda leaflets which I picked up in the field recently. I am sending these to you so that you can get a graphic idea of how the statements of prominent Americans are used against us. These particular leaflets are geared for American troops. They are not effective because our troops are sufficiently insulated against this type of propaganda by the mere fact that they are on top of the situation all the way. However, of considerably more importance is the fact that the statements contained in these leaflets are used by the enemy to convince their troops and people that America is not only the aggressor but is seriously divided as well. Because of the fact that the Viet Cong troops and the civilians under their control do not have access to contrary information it is pretty effective. It is quite possible that the leadership themselves do not understand that these people represent only a small but vocal minority.

In may cases the motives of the "Peace" groups are quite clear. Not so clear, however, are the motives behind the statements of some highly placed, influential Americans. There is one fact that seems to have been overlooked. The issues are no longer academic because Americans are dying in the field. These influential Americans do not seem to realize that their statements are having two highly undesirable effects; (1) they are prolonging the war by giving hope to the enemy and (2) more Americans are dying.

I realize that much of what I have said merely reiterates what is common knowledge. However, I hope that this letter will serve to give you insight on some of the things we come across over here.

Vietcong Propaganda Leaflet Text

WHAT SOME AMERICANS HAVE SAID ABOUT THE WAR IN SOUTH VIETNAM

Senator Wayne Morse, (U.S. Senate, March 4, 1964): . . . "Those troops should be brought home. They never should have been sent there in the first place.

"American unilateral participation in the war in South Vietnam cannot be justified and will not be justified in history . . . I am flatly opposed to any expansion of our commitment there."

Senator Ernest Gruening (U.S. Senate, March 4, 1964): "Let us get out of Vietnam on as good terms as possible—but let us get out."

Dr. Hellen B. Lamb: "Not a single additional American boy should die in this dirty, undeclared war that violates America's own highest ideals, the United Nations Charter and the basic rights of peoples everywhere to self-determination."

Rev. Dan Berrigan S.J., Rev. Philip Berrigan, Dorothy Day, Paul Goodman, Darlington (appeal to the conscience of America to end the war in Vietnam, December 19, 1964): "As Americans, we are profoundly ashamed of the role our government has played and the actions it has initiated or continued in South Vietnam.

"We call upon President Johnson to declare an immediate cease-fire on the part of American forces in South Vietnam, followed by their earliest possible withdrawal."

Leaflet issued by the May Second Movement in U.S.A.: "For nine years our government has been lying to us. For nine years our government has directly violated every section of the 1954 Geneva Agreement. For nine years our government has carried on a war in South Vietnam it has been too shame-faced to declare openly. For those nine years our government has been fighting a people who don't want us in their country. . . . Our government cannot 'win' the war in South Vietnam because it is fighting the people, the popular will for peace, independence and neutrality."

AMERICAN SERVICEMEN

The South Vietnam National Front for Liberation: "What do you think about these opinions?

"Isn't it clear that you have been forced to sacrificing your life senselessly and nonsensically, for American war profiteers, not for your own interests, nor for the honor of American people?

"Demand that the U.S. government stop its aggressive war and you must be sent back home.

"Immediate withdrawal of all U.S. troops.

"Peace for Vietnam."

IMPROVED CONDITIONS OF MIGRATORY FARMWORKERS

Mr. McCARTHY. Mr. President, a few weeks ago the Wall Street Journal published a report on the changes in the farm labor situation in California since the termination of Public Law 78, the Mexican farm labor program.

One thing is clear from the report: the conditions of domestic migratory workers have improved substantially.

During the final 12 months of the Mexican farm labor program, the hourly farm wage rate in California increased only 3 cents per hour. From October 1964 to October 1966 the hourly rate increased 22 cents an hour, to an average of $1.58. Housing for domestic workers and their families has been improved. Meanwhile, the gross income of growers in California has increased from $3.67 billion in 1964, the last year of the Mexican farm labor program, to $3.95 billion in 1966, indicating that termination of the program did not set back California agriculture.

Over the years, many of us in Congress worked to amend the Mexican farm labor law. The principal objective of our efforts was to prevent the adverse effect of the program on the wages, employment opportunities, housing, and working conditions of domestic migratory workers. We sought to provide safeguards and guidelines to prevent foreign workers from being employed at the expense of low wages and insecurity for domestic workers.

The Senate on two occasions approved amendments I offered, but they were dropped in conference.

By 1963, mechanization was reducing the number of Mexican workers brought in for harvesting cotton and other crops. Only about 33,000 growers were using braceros, and California growers accounted for more than half the man-hours of Mexican labor in 1962.

As Senators will recall, there was strong opposition to any change in the law. In my opinion, the decision of Congress to abolish the program when it did, rather than to phase it out more slowly, was the result, in large part, of the attitude of the growers in refusing to support any of the reasonable modifications proposed, despite the factfinding studies and other evidence showing the adverse effect on domestic workers.

I regret that we were unable to bring some improvement to domestic migratory workers before we did, but in any case the action finally taken by Congress was a sound one. I believe that Secretary of Labor Willard Wirtz deserves commendation for his skill in carrying out the decision of Congress. Terminating a program of this kind involves difficult problems. Secretary Wirtz, during the transition period, provided the needed flexibility while holding firm to the essentials.

Much remains to be done to improve conditions for domestic migratory workers, but the end of the Mexican farm labor program has contributed to somewhat better conditions for them. I ask unanimous consent that the article written by Mr. James E. Bylin, and published in the Wall Street Journal of March 9, 1967, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Mar. 9, 1967]

Bracero Boomerang: All the Predictions About Ending the Program Were Wrong

(By James E. Bylin)

San Francisco.—When Congress refused at the end of 1964 to renew the controversial law permitting hordes of temporary Mexican workers to toil in U.S. fields, some hold predictions were uttered.

Growers were gloomy. "Commodities with an annual value reaching into several hundred million dollars cannot and will not be able to survive a program based on a wing and a prayer that maybe someone will show up at harvest time to pick the perishable crops," declared one. Spokesmen for worried California fruit and vegetable farms glumly predicted that domestic workers, even if offered higher pay, wouldn't handle the jobs assigned to the so-called braceros.

Labor leaders were confident. "A vast resource of domestic manpower is available to agriculture as soon as it offers employment on realistic terms," said an AFL–CIO spokesman. The labor federation wanted the braceros out, charging they depressed wage scales and discouraged U.S. workers from entering farm work.

Government officials were at least optimistic. To some, ending the bracero program would provide jobs for unskilled U.S. laborers, easing chronic unemployment.

Each group now claims the past two years have borne out its prognostication, but the truth is that all three were at least partly wrong. Instead of crops rotting wholesale in the fields for lack of harvest-time help, farm production in California, the nation's biggest agricultural state and largest employer of braceros, is on the rise. True, there's been a steady rise in wage rates. But American workers haven't exactly swarmed into the hot, dusty fields to replace the braceros. Moreover, the end of the bracero program has triggered a process likely to cut the work force further in future years.

WHAT HAPPENED?

How are these counter trends possible? Thank a makeshift program that, without fully satisfying any of the antagonists, basically has been serving its purpose—to raise standards among farm workers as well as to get the crops in.

The big factor: Mechanization.

Growers are accelerating their switch to new types of harvesting machinery at a pace they didn't think possible a few years ago. Actually, it's an old lesson. In soft coal, union leaders knowingly traded higher wages for fewer jobs and more mechanization. And knowingly or not, for better or worse, unions have accomplished much the same thing over the years in many other industries.

A difference here has been the suddenness of the switch from men to machines—and it's a switch the growers are making somewhat reluctantly. Many say they would prefer to have the men, even at today's higher wages, than the machines that require such a heavy capital investment. It seems evident, however, that mechanization will continue and that it will expand to replace other American farm workers in the years ahead.

The bracero controversy has centered in California for good reason. Since the late 19th century, California agriculture has been distinguished from other farm states by extremely large holdings and a dependence on single male workers, not migrant families. Over the decades these male workers have been Orientals, Mexican-Americans and "Okies," escaping the Southwest dust bowl in the depression-ridden 1930s.

In 1951 Congress enacted the "bracero" law. The law was to have been temporary—to provide workers during the labor-short days of the Korean War. And like many another temporary measure, it was renewed year after year as growers continued to rely on the braceros to harvest such crops as tomatoes, asparagus, melons, strawberries and lettuce. By 1964 California's peak farm employment included 62,500 braceros. Texas had 15,600, Michigan 12,800 and Arizona 7,200.

To one U.S. Labor Department official, the two years since the demise of the bracero law have proven "the wisdom of the Department's policy of preference for jobless Americans in agricultural employment." But in its implications that domestic labor was substituted for the sidelined braceros. this claim is a bit boastful. While growers did indeed manage to increase the pool of domestic workers, their recruiting efforts were only partially successful. At the 1966 employment peak, there were only 5,000 more domestic seasonal workers in California fields than at the 1965 peak and 11,000 more than at the 1964 peak of 161,400.

That's a far cry from replacing 60,000 plus braceros man-for-man. And not even machines could make up all the difference. So, on an emergency basis and over protests by the AFL–CIO, the Labor Department had to allow in some braceros—16,000 at the 1965 peak and 7,000 at the 1966 peak.

Doesn't the fact these braceros still have been needed actually show that growers were correct to begin with, that Americans wouldn't do the difficult stoop-labor tasks in the fields? That question has really yet to be answered. For even when it was clear the bracero program was on its way out, little was done to offer domestic workers one important enticement: Proper housing.

California's agricultural heritage included a highly developed network of barracks and dormitories, on farms and in labor camps. These might be fine for single male workers, but they were unsatisfactory quarters for migrant families that traditionally handle some of the harvest work in other states and for workers and their families from the cities. Only now is the old system being broken down. The Council of California Growers estimates that growers spent $5 million on family housing in 1966, and that at least that much will be spent this year. Further, some $3 million in Federal farm housing grants and loans were poured into California last year.

With the realization that great numbers of seasonal workers soon won't be needed, this new housing tends to be temporary in nature—trailers, pre-fab outfits—but fairly comfortable. It remains to be seen whether better housing, coupled with higher wages, will finally produce sufficient domestic labor.

The bracero cut-off clearly has accomplished one thing, however: Improving the lot of the farm workers who remain. According to Labor Department statistics, California's hourly farm wage rate climbed 22 cents from October 1964 to $1.58 in October 1966 as growers competed to attract workers. During the final 12 months of the bracero program, the increase was only 3 cents.

While this was going on, the vast majority of the growers were hardly displaying the deep suffering they had so dismally predicted. From $3.67 billion in 1964, California's gross farm income climbed to $3.75 billion in 1965 and $3.95 billion in 1966. More importantly, net income, which dipped to $922 million in 1965 from $1.05 billion in 1964, rebounded to some $1 billion last year.

If anyone could be termed losers in the bracero battle, it would be consumers, who ultimately must absorb the increased wages. However, not all the blame for spiraling food prices can be placed on better farm pay: Processors, wholesalers and retailers historically multiply a farm-level increase several times before a product reaches the shelves.

And if anyone could be termed victors, along with farm workers, it would be manufacturers of farm machinery, who have been benefiting from crash programs to develop labor-saving mechanical harvesters and the growers' new willingness to gamble huge sums on the machinery. The most dramatic case involves processing tomatoes, always a major bracero crop. Whereas a paltry 3% of the tomatoes were machine picked in 1964, the 1966 figure soared to nearly 70%. (California produces some two-thirds of the U.S. processing tomatoes.)

For one, Tri-Valley Growers, a big grower-owned canning company, threatened to shift its tomato operations to Mexico when the braceros were cut off, but recently decided against the move, explaining: "The dynamic events of the past two seasons now indicate that tomatoes can be successfully grown in California under current conditions including a sharply reduced pool of qualified labor."

CUTS COSTS, TOO

Mechanical harvesters are now approaching the final development stage for other labor-intensive crops like asparagus, grapes and lettuce. If they follow the lead of tomato pickers, they'll reduce costs as well as labor needs. One study showed the tomato machines harvesting at $11 an acre, compared with $17 an acre with hand labor.

Nonetheless, California's growers maintain they would be producing much more if they could have braceros, at least for a few more years, as well as the machines. They have an ally in California Gov. Reagan, who has called for a full-scale return of the bracero program. At the very least, Gov. Reagan's aides say, more braceros may be needed on an emergency basis this year than last. That conclusion, however, will be difficult to prove to the U.S. Labor Department, which certainly will be reluctant to halt the tide toward fewer foreign supplementary workers.

In fact, Labor Secretary Wirtz considers the post-bracero development "one of the magnificent accomplishments of the department in its whole history," a contention that growers hotly challenge. Aside from rising wage scales, the first contingent of farm workers—about 400,000 nationally—has been brought under Federal minimum wage laws. Congressional proposals would also extend unemployment insurance protection to many field hands. And, U.S. authorities estimate, $50 million a year that flowed to Mexico in bracero wages is being kept in the U.S.

Without the formal bracero program, California still has been more than holding its own in agriculture. Sometime in the future, paradoxically, there may be a different cry: What to do with the workers being displaced by machines. At that time, everyone probably will be wondering what the shouting was all about back in the mid-1960s.

SENATOR STENNIS' INCISIVE ANALYSIS OF ECONOMIC EFFECT OF VIETNAM WAR

Mr. PROXMIRE. Mr. President, it has become increasingly obvious during the past 2 years that the Vietnam war, apart from its vast international importance and its deep personal significance for many American families, is also having a substantial impact on our economy. Unquestionably the inflationary pressures of 1966 stemmed in large measure from acceleration of that conflict. Now this country faces the possibility of further increase on the one hand and, on the other hand, a possible deescalation brought about by a negotiated peace. In these circumstances, the Joint Economic Committee undertook its current study on Vietnam spending and its impact on the economy.

Yesterday the committee was privileged to have as its opening witness of the day one of the most knowledgeable men in the Nation on the subject of U.S. military preparedness. I refer to my able colleague, Senator JOHN STENNIS, chairman of the Armed Services Subcommittee on Preparedness. Senator STENNIS not only gave us the benefit of a highly incisive analysis of Vietnam spending in the past, but he also gave us the benefit of his great information and wisdom on the subject of possible increases in future spending. The testimony is particularly appreciated by our committee because the administration has been unable to supply us with this kind of analysis. I refer particularly to assessment of the range of possibility of future expenditure in Vietnam. This is a most significant figure for our economy. In the absence of definitive analysis of this kind, it would be extremely difficult for our committee to appraise the economic outlook or make recommendations on tax and expenditure policy.

Mr. President, there has been some confusion in the Congress over the newspaper reports of the Stennis statement. In one of the committees of the Senate this morning there was confusion over whether Senator STENNIS was talking about an underestimate of spending in fiscal 1967 or fiscal 1968. Mr. President, I quote from Senator STENNIS' statement:

> It may be that it will be difficult for us to find major ground combat units to deploy to Vietnam without calling up reserves or drawing down on forces deployed elsewhere, such as Europe or Korea. With this reservation, however, I feel that the end of calendar year 1967 will find at least 500,000 American troops in South Vietnam. This is some 60,000 more than are in the country at this time and is substantially more than are called for under the presently approved program.

The end of calendar 1967 is of course the very middle of fiscal 1968. The Senator's conclusion on the underestimate of 50,000 troops—or, as he said in his further testimony, $4 billion to $6 billion—is in fiscal 1968. I repeat, fiscal 1968.

I ask unanimous consent that the Senator's testimony be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

> Mr. Chairman and members of the Joint Committee, I was pleased to accept your very kind and flattering invitation to meet with you today. Although I have no great expertise in economic matters, I am delighted to make whatever contribution I can to the furtherance of your important work and the solution of the serious and weighty problems with which you are confronted.
>
> My statement today will be directed primarily to the history of defense budgetary planning and appropriations requests for the past two or three years. This will show, of course, that the original basic military budgets presented to the Congress proved to be grossly inadequate for the needs. The necessity to return early in the succeeding Congresses for very large supplemental defense appropriations not only established the inadequacy of the original budgets but made sound overall budgetary and economic planning difficult, if not impossible. In my opinion, this situation still exists with respect to the FY 1968 defense budget, although to a lesser extent.
>
> Let me go back briefly to the summer of 1965 when the large-scale buildup of our combat forces in South Vietnam commenced. At that time the FY 1966 Defense Appropriations Bill was pending before the Congress. It sought new obligational authority of about $48.5 billion—a reduction of about $7.9 billion from the Service requests.
>
> This budget had been finalized in the fall and winter of 1964. It was essentially a peacetime budget. In no way did it take into account or fund for the large demands on our military resources and assets which resulted from our greatly increased involvement in the war in Vietnam. It was clearly apparent that, since the budget had been put together, the cost of the war had gone up and up in every respect.
>
> Since I was at that time serving as Acting Chairman of the Committee on Armed Services and the Defense Appropriations Subcommittee because of the illness of Chairman Russell, I publicly urged the Secretary

of Defense on several occasions during June and July, 1965, to come to the Congress with all the facts and with such upward revisions in the defense budget as were necessary to take up the slack caused by the heavy, ever-increasing, unprogrammed and unfunded Vietnam expenditures.

While he did not see fit to do this, in August, 1965, he did submit a request for an add-on of $1.7 billion to the FY 1966 request. While this was approved, it was still far from being adequate. I pointed out in presenting the appropriation bill to the Senate on August 24, 1965, that the amount provided definitely would not finance the war during the then current fiscal year.

At about that time, that is, in August, 1965, I publicly estimated that in January, 1966, we would be faced with a supplementary defense appropriation request of from $12 to $14 billion.

The supplementary defense appropriation request for FY 1966 presented to us in January, 1966, was for $12.7 billion. It was, of course, approved. Thus, the basic defense budget of $48.5 billion which the Congress considered in the spring and summer of 1965 ballooned to $63.3 billion in early 1966—including about $900 million to fund the pay raise—because of the tremendous increase in military operations and costs. Even with the supplemental, the amounts provided the Army were not entirely adequate.

By May of 1966 the Army had estimated an additional requirement of over $900 million to carry on its operations for FY 1966. As a result of all of this, the overall fiscal and economic planning for FY 1966 including estimates of the size of the deficit, was thrown completely out of balance.

In fairness it should be pointed out that the large buildup of military operations during calendar year 1965 necessarily threw the original estimates out of balance to a considerable degree. The point which I made while handling the FY 1966 Defense Appropriation Bill was that there was no effort whatsoever to give the Congress a realistic or practical estimate of the additional funds which would be required to finance the war. The $1.7 billion finally requested in August, 1965 was obviously entirely insufficient and was known to be at the time.

The same cycle evidenced itself for FY 1967. The basic military budget presented was about $59.9 billion in new obligation authority—some $3.5 billion less than the total for FY 1966, despite the fact that our military operations had escalated and it was clear that the cost of the war had gone up very substantially. It was also $12.9 billion less than the Services had requested. It was again clear that this was entirely inadequate. Fiscal planning at that time, as the Secretary of Defense frankly stated, was based on the arbitrary assumption that the war would end by July 1, 1967. This proved to be unrealistic.

Although repeated questioning in executive session failed to bring from defense officials even a ball park estimate of the rate of spending for the war or what the FY 1967 supplemental request would be, I estimated in a statement on the Floor of the Senate that the supplemental requirement would be from $12 to $15 billion.

In January of this year the after-the-fact funding bill came in. The supplemental request was $12.9 billion, raising the total of the new obligational authority for FY 1967 to $72.8 billion. The defense expenditures estimate for FY 1967 was raised to $67.9 billion, about $9.6 billion over the original budget estimate. Once again, therefore, the funding of the war on a piecemeal basis threw the original budget, and, therefore, overall economic planning, entirely out of kilter.

Congress has the primary responsibility under the Constitution for the appropriation of funds. In doing this we are entitled to all of the facts and the very best financial estimates that can be made by those in the Executive Branch of the government, who are closest to the problem. Otherwise, we are not able to fulfill our obligations, and it seems to me that the way this matter was handled in calendar year 1965 and calendar year 1966 forced the Legislative Branch of government to what was, in effect, a neglect of duty.

In addition, I think that the business, financial and labor segments of our economy are entitled to know the "facts of life" with reference to our fiscal affairs so that they may better plan for their own future and thus keep our economy strong.

These were the basic principles of government which were my motivation in insisting on realistic figures during these two years. Another basic fact is that, because of the lack of information, and being "in the dark," so to speak, as to even the approximate cost of the war, the Congress passed Defense Appropriations Bills during these two years in amounts which fall far short of the actual costs. As a result, the entire national budget was understated, thus making it more probable that other appropriations for new or expanded programs would be approved during the rush at the end of the session.

As the Secretary of Defense has stated, the basic approach in preparing the FY 1968 defense budget was changed. It theoretically funds the war in Southeast Asia for the entire year but at the levels of troop deployments and military operations which had been approved and authorized at the time the budget was put together and finalized. The Secretary of Defense stated:

> "Accordingly, barring a significant change in the character or scope of the Southeast Asia conflict, or unforeseen emergencies elsewhere in the world, the FY 1967 Supplemental and FY 1968 Budget should be sufficient to cover our requirements until FY 1969 funds become available, even if the conflict continues beyond June 30, 1968."

The FY 1968 budget requested $75.3 billion in new obligational authority, with expenditures being estimated at $73.1 billion. It is a tight budget. The new obligational authority is only about $2.5 billion above the total for FY 1967 even though our military operations have escalated substantially. The Secretary of Defense reduced the requests of the Services by about $17.6 billion. Admittedly, some desirable programs have been eliminated or deferred.

I am pleased with the more realistic approach to the FY 1968 budget which eliminates any arbitrary assumption as to the date the war will terminate. I also approve of justified reductions in the Service requests that do not deny essential military requirements.

However, it is still very doubtful that the FY 1968 budget is adequate even for the scale and scope of military operations envisioned when it was approved.

It should be added that neither the FY 1967 Supplement nor the FY 1968 budget completely provides for replacement of assets which have been drawn upon to wage the war in Southeast Asia. Nor does it provide procurement funds which would be required simply to replace items already in the inventory with later models except for helicopters and tactical aircraft and where the newer model is required to replace consumption. These matters are being deferred and will have to be funded in the future.

In addition, it must be emphasized again the adequacy of this budget is, at best, limited to the scale of military operations and size of deployed military forces which had been approved when the budget was formulated late last year. The amount in the budget, if adequate to begin with—and this is doubtful—will remain adequate only so long as our troop commitments and the level of military operations do not exceed those which had approval at the time it was presented. In other words, the budget remains valid only as long as the planning level and other planning factors on which it was based remain valid.

In my opinion, it is already clear just a few months later—and a full two months before we get into FY 1968—that we are going to be forced to exceed the level of troop commitments which was approved when the FY 1968 budget was finalized. Our responsible military commanders have already asked for substantially more troops than have been approved.

The need for additional troops is particularly pronounced in the First Corps in the northern part of South Vietnam, which is the responsibility of the Marine Corps, and in the Fourth Corps in the Mekong Delta area. As you have read, we have already been forced to transfer several thousand Army troops from other areas of Vietnam to the First Corps to assist the Marines in meeting the threat posed by the large-scale infiltration of North Vietnamese forces in and near the demilitarized zone. Thus, we have been compelled to weaken our forces elsewhere.

Therefore, in the face of hard realistic and clear military requirements, I am convinced that unless the unexpected occurs, it will be absolutely essential to commit many thousands of military men to South Vietnam above the presently approved number. It is almost inevitable that the cost of the war will go up in men, machines, materiel and money.

It may be that it will be difficult for us to find major ground combat units to deploy to Vietnam without calling up reserves or drawing down on forces deployed elsewhere, such as Europe or Korea. With this reservation, however, I feel that the end of calendar year 1967 will find at least 500,000 American troops in South Vietnam. This is some 60,000 more than are in the country at this time and is substantially more than are called for under the presently approved program. Even this number would be less than our military commanders have requested.

For all of theses reasons, I do not believe that we can keep within the FY 1968 military budget request if the war continues and I feel that next January we will again be faced with a request for a significant supplemental defense appropriation.

TRIBUTE TO A HERO

Mr. TOWER. Mr. President, Mr. G. B. Rasco, principal of the Lake Jackson Junior High School, in Texas, was kind enough to send me a copy of a statement made to the students at Lake Jackson by Mrs. Georgia Walley, a history teacher at the school.

Mrs. Walley saw the opportunity to present to the children of the school an example, from their own midst, of bravery, honor, and courage and the meaning of these virtues, as exhibited in battle by Pfc. "Corky" Melass.

I ask that her remarks be printed in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

TRIBUTE TO A HERO

(By Mrs. Georgia Walley)

Today's headlines in the Houston Post, referring to one of Lake Jackson Junior High's former students, should make all of us stand a little taller . . . and it should stop us in our tracks and make us think about what it really means to be a great American.

PFC Lawrence Melass, "Corky" to those of us who know him personally, is today's shining example of what it means to be a really great American . . . one who stands when duty and honor require that we stand. Corky was, and is, one of the quiet ones. He was not a campus leader, he did not make the honor society, he did not win football laurels . . . he was just a good, decent, average American boy . . . but in the fiery trial of war he quietly carried out his duty in the highest and noblest tradition of the United States Armed forces. A famous American General once defined courage by saying: "True courage is a perfect sensibility of the measure of danger, and a mental willingness to endure it." Under the withering fire of a treacherous enemy, Corky measured up to the definition of a courageous man.

There is a great moral to be drawn from this young man's battlefield courage and it is this: That in ordinary Americans there are extra-ordinary capabilities . . . if we but rise to the occasion. The occasion comes daily. We do not have to be a general on some far-flung battlefield. Most of us are just plain privates-first class . . . but the army, and the nation, cannot long survive without great numbers of good, dedicated PFC's. Corky has demonstrated anew the worth and the dignity of one single person . . . and it is for this very reason that we fight out there.

The motto of the United States Military Academy at West Point is: Duty, Honor, Country. Pfc. Corky Melass has added new life and new luster to that motto. The most meaningful compliment we can pay him . . . and all the many thousands with whom he serves . . . is to live up to that same motto in the daily opportunities that come to each of us.

DOMESTIC LEAD-ZINC SITUATION

Mr. ANDERSON. Mr. President, on April 12 the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs held a comprehensive hearing on S. 289, a bill I sponsored for myself and 27 other Senators from both parties to bring some degree of stability to the American lead-zinc industry, which is so basic to our national security and economic development.

As is only too painfully known, the domestic lead-zinc industry is one of peaks and valleys—of low prices with consequent low domestic production 1 year, and then higher prices and more production another year. Such fluctuations, so often violent and upsetting, are the result to no small extent of the influence of foreign, low-cost output which continually threatens our markets.

It is not a good way to run a business, particularly one so basic as is the lead-zinc industry.

S. 289 would bring some stability to this dangerous situation by providing for some degree of control over imports. It would authorize strictly limited, flexible import quotas on a quarterly basis for lead and zinc ores and raw metals.

These quotas would be triggered by the relationship of metal shipments and supplies held by domestic primary producers. Also, under the bill the Secretary of the Interior is authorized to establish quarterly quotas for imports of manufactured lead and zinc articles, under carefully defined guidelines.

At the hearing on S. 289, a considerable amount of opposition to the bill was expressed by the administrative agencies and some segments of the industry, notably importers of lead and zinc. This opposition echoed that of previous attempts on the part of many of us in Congress who feel responsibility for preserving a basic domestic industry. These reports and statements tried to contend that the bill was unnecessary by pointing to the recent favorable price situation with respect to lead and zinc. They also insisted that the domestic industry could obtain adequate relief through appeal to the Tariff Commission for administrative remedies.

Mr. President, as so often happens, these rosy-hued, plausible-sounding theories were upset by fact. The very next day after the hearing, April 13, the Wall Street Journal published an in-depth study of the domestic lead-zinc situation, pointing to severe price drops and forecast hard times ahead for these industries. I ask unanimous consent that the text of the study by the Wall Street Journal be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Metals Malady Lingers On: Lead-Zinc Firms Face Price Cuts in 1967—Rising Imports, Auto Slump Key Factors

(By Glynn Mapes)

Kellogg, Idaho.—The nation's lead and zinc industry, which has fallen on bad times in the past year, appears to be in for more of the same.

Industry observers and at least a few producers expect price cuts this year for the two important base metals. The price of lead was trimmed twice last year, and zinc prices have been on the verge of tumbling.

Four years ago, U.S. producers shook off a lengthy slump as rising demand brought on price increases and actually led to shortages of the metals. Production and consumption soared for several years.

IMPORT QUOTAS REMOVED

Then, in the fall of 1965, President Johnson removed import quotas on lead and zinc, opening the door for increased foreign competition. Since then, the auto industry, the biggest customer for lead and zinc, began a sales decline of its own.

Today, while other nonferrous metals are still buoyed by Vietnam needs, lead and zinc supplies are outpacing demand. And those who expect price cuts this year say the long-term outlook isn't much better.

The producers' woes are numerous. Most importantly, auto sales are in a deepening decline. Also, overseas consumption of foreign-produced lead and zinc is dropping, with the resulting offerings of lower-priced metal here putting substantial downward pressure on U.S. prices. And without Federal controls, these imports are rising spectacularly.

NEW SUPPLIES SLATED

What's more, vast quantities of new U.S. and Canadian lead and zinc production will be coming on stream this year and next, which could well spark further imbalance in an already precarious supply-demand picture. Bracing for the new supplies, several big foreign zinc producers cut production by 10% last fall. A few weeks ago, two domestic concerns made similar moves, citing the sharp buildup of unsold zinc stocks, due in part to auto-production cutbacks.

U.S. pig lead currently sells for 14 cents a pound delivered in New York. Less than a year ago it was quoted at a 10-year high of 16 cents, only to be cut in May and October in two 1-cent steps in an effort to meet growing competition from foreign producers.

Since October 1964, Prime Western Grade zinc (used for galvanizing) has held a quote of 14.50 cents a pound in the key East St. Louis market. This level is a 15-year high.

BUYER SOUNDS SIMILAR NOTE

But according to metals analysts and buyers, lead's price retreat isn't over yet and zinc will be joining it on a downhill slide. A nonferrous-metals expert for a big Wall Street brokerage house, for example, sees 1-cent price drops in both metals before year-end. "It's already a sloppy market, and inevitably it will get worse. I don't see any way to avoid a glut of supply and a slackening of demand," he says.

Adds a buyer who deals with lead and zinc: "I don't see prices hitting bottom this year. By 1969, after the new production comes in, lead could easily be down to 11 cents and zinc to 12 cents."

Nor is it just analysts and buyers who are talking this way. E. C. Schwab, president of Bunker Hill Co. here, remarks: "There's a distinct possibility of softening in both lead and zinc prices in the latter half of this year." Last month, the executive predicted lower earnings for 1967 on the assumption that zinc will fall 1 cent a pound and lead 2 cents a pound this year.

Publicly, at least, other major producers are more optimistic. Concerning lead, Simon D. Strauss, vice president of American Smelting & Refining Co., Jersey City, N.J., maintains: "If the market looks a bit easy it's only because of increasing imports and worry about upcoming new production. More importantly demand weakness hasn't developed." Richard A. Young, chairman of St. Louis-based American Zinc, Lead & Smelting Co., terms the present zinc price firm. "We're merely in an adjustment period now. Given a domestic economy where industrial production doesn't drop more than 5% from a year ago, zinc will hold steady for all of 1967," he says.

OUTPUT CLIMBED LAST YEAR

World output of both lead and zinc in 1966 scored gains over the preceding year. According to the American Bureau of Metal Statistics, lead-refinery production increased to 2,180,332 tons from 2,119,939 tons in 1965, with U.S. companies producing 466,466 tons—including foreign-mined ore that is refined at U.S. smelters—against 453,030 tons a year earlier. World zinc-smelter output was 3,004,431 tons, up from 2,925,642 tons in 1965, while domestic production rose to 1,110,430 tons from 1,078,263 tons.

The International Lead-Zinc Study Group, a respected statistics-gathering body of domestic and foreign producers, notes that while world-wide lead demand continued to outpace supply last year, zinc for the first time rang up a small surplus. The outlook for both metals is darker this year, the group forecasts. Lead supplies are expected to outstrip demand by about 55,000 tons; for zinc, the anticipated surplus will be a whopping 135,000 tons. (The zinc forecast allows for the 10% production cutbacks announced overseas last fall.)

In the U.S., refiners say that lead sales so far this year are equaling or slightly exceeding the 1966 pace. But recent severe cutbacks in auto production have affected zinc more than lead, because nearly all the zinc the auto industry consumes goes directly into new cars (about 35% of total U.S. zinc output is used in die castings for trim and in other automotive applications). Lead, on the other hand, is used in replacement batteries and in antiknock gasoline, two markets that tend to maintain a level demand.

First quarter industry-wide zinc sales were off about 30% from a year earlier, estimates American Zinc's Mr. Young. Producers' inventories of the metal rose sharply to about 90,000 tons as of March 1, up from around

40,000 tons a year earlier. "Unquestionably, smelter stocks will build somewhat further this year," notes Mr. Young. In mid-March, St. Joseph Lead Co., New York, another major refiner, said it planned to pare zinc output by 13% in the present quarter, and added that it had cut first period production by 10%. Since then, one smaller producer has announced a similar cutback and some others are expected to follow.

Lower-priced foreign lead is currently the major depressing factor on domestic lead quotes, industry analysts agree. The metal sells in London for nearly 4 cents a pound below the U.S. price. That's a penny or so more than can be offset in the U.S. by the American import duty of $1\frac{1}{16}$ cents a pound, plus freight and docking charges of between 1 and 1½ cents.

There are indications that producers are attempting—so far unsuccessfully—to shore up the London market by support buying. But a reduction of the domestic price is the more likely way of trimming the unusually wide U.S.-London price spread, analysts believe.

ZINC SPREAD ALSO WIDE

The present spread of about 2 cents between zinc offerings in London and in East St. Louis is also considered on the wide side by analysts, though not as bad as lead.

As a result of lower foreign prices and removal of U.S. import controls in late 1965, imports of the two metals are climbing fast. Lead intake last year totaled 433,000 tons, an increase of 26% from 1965. Zinc imports in the same period soared 38% to 800,000 tons. Viewing the rising imports, producers apprehensively recall the disastrous years of 1958 to 1962, a slack demand period when plentiful foreign supplies of the metals swamped U.S. markets.

Legislation to impose flexible import quotas is pending before Congress, but many producers concede privately that the bill's chances of passing are slim unless the present situation worsens drastically.

In Washington, the Senate Interior Committee held a one-day hearing yesterday on a bill sponsored by 27 Senators to limit lead and zinc imports when domestic stocks rise to a certain level. The Administration is strongly opposed to the measure, and its chances are dim.

There's mounting concern that the enormous buildup of production capacity currently underway will further cloud the long-term outlook. Domestic consumption of both lead and zinc reached records last year. Many industry observers, however, believe the forthcoming additions to capacity will outstrip the expected growth in shipments for the next few years.

Says Kenneth Green, director of purchases for Electric Storage Battery Co., Philadelphia, a big buyer of the metals: "With producers embarked on such big increases in output, I'm looking for a real donnybrook on prices." Producers, predictably, aren't as pessimistic, although most admit there will be rough sledding ahead.

NEW MINES IN MISSOURI

Five new mines being built in southeast Missouri along with two new smelters are expected to bring about nearly a doubling of domestic lead-mine production to 600,000 tons by 1968 and add substantially to worldwide output. Producers there are spending more than $200 million to develop this giant new lead district, which will dwarf the nearby "Old Lead Belt," mainstay of U.S. output for a century. Much of this new lead can be profitably mined at a price level as low as 10 cents a pound.

Free World zinc-mine capacity is expected to jump 450,000 tons, or 11%, this year, primarily due to added output from Canada as well as from Australia. The U.S. Texas Gulf Sulphur Co.'s mammoth Timmins, Ont., mine will be the largest contributor to Canada's production increase.

One big question mark concerning lead-zinc prices this year is the threat of labor troubles for several major producers. Officials of the United Steelworkers of America and the International Union of Mine, Mill and Smelter Workers have said they intend to seek "substantial wage increases" when present nonferrous metals contracts expire June 30. (The two unions will merge formally July 1.) The contracts up for negotiation involve a monthly output of about 22,000 tons of lead and 15,000 tons of zinc, as well as large quantities of copper.

Mr. ANDERSON. Also, Mr. President, in fairness to members of the committee and other sponsors of S. 289, I believe the record should be set straight with regard to a news story published in the Journal of Commerce on April 14. Referring to our hearings and the attitude of the members of the committee; the newspaper said:

> This week the lead-zinc import situation was reviewed before the Senate Interior Committee and members of the committee present almost unanimously rejected the imposition of any import restrictions.

Mr. President, this statement is erroneous. The transcript of the hearing shows that each and every member of the committee who spoke at all at the hearing was in full support of the bill and did not in any way "reject" the imposition of any import restrictions, at least such as those proposed by S. 289.

As I say, I think it only fair to Senators for me to make this correction. However, the rest of the Journal of Commerce story is factual and thoughtful. In fairness to the reporter, I ask unanimous consent that the full text of the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Journal of Commerce,
Apr. 14, 1967]

Import Curbs Opposed: Chances for Price Cuts on Lead, Zinc Increase

(By Tony Gampetro)

Opposition by the Johnson administration to the imposition of lead and zinc import curbs at a time when the two industries have fallen on bad times is likely to increase the possibility of a price cut for the two metals later this year.

In 1966, as a result of a lag in consumption abroad which resulted in heavier movement of material into the United States and a disruption of the normal balance domestically, the price for lead suffered two declines, from 16 cents to 14 cents per pound, making it somewhat of an anomaly in a year which saw strong price levels for other metals.

While the zinc price of 14½ cents per pound, East St. Louis, did not decline, metalmen held their breath.

FACING FURTHER THREATS

This year, with auto sales in a deepening decline and overseas consumption still low resulting in lower prices abroad and increased imports into this country, the two sister industries are facing further threats to their future strucures.

This week the lead-zinc import situation was reviewed before the Senate Interior Committee and members of the committee present almost unanimously rejected the imposition of any import restrictions.

YEARS 1954 AND 1958 ACTION CITED

However, back in 1954 and 1958 the tariff commission found that the two industries were being harmed by imports and a quota system was put into force by President Eisenhower. Then in 1965 President Johnson removed these quotas.

According to Joseph C. McCaskill, interior staff assistant, imports of lead and zinc since then have markedly increased.

World production of both lead and zinc in 1966 registered gains over the preceding year and according to the American Bureau of Metal Statistics, lead refinery production increased to 2,180,332 tons from 2,119,939 tons in 1965.

U.S. companies produced 466,466 tons—including foreign-mined ore that is refined at U.S. smelters—against 453,000 tons a year earlier.

World zinc smelter output was 3,044,431 tons, up from 2,925,642 tons in 1965, while domestic production rose to 1,110,430 tons from 1,078,263 tons.

World supplies of lead and zinc are expected to exceed demand during the coming year. Metal observers believe that the surplus of lead will be approximately 45,000 tons, while for zinc the figure may well reach 123,000 tons.

Zinc mine output in the coming year is likely to grow by 410,000 tons compared with an estimated gain of 206,000 tons last year.

OUTPUT SEEN BOOSTED

New mines are now being built in Missouri and two new smelters are expected to bring about a doubling of domestic lead-mine production by 1968.

As a result of the slowdown in auto production recently two producers have cut zinc production. St. Joseph Lead Co. trimmed its output 10 per cent in the first quarter and is cutting back production 13 per cent in the second quarter.

The capacity at St. Joseph's smelter at Josephtown, Pa., is reported to be about 200,000 tons per annum.

Mathiessen and Hegeler Zinc Co. in West Virginia has also announced cutbacks. The smelter produces slab zinc, zinc dust, and zinc anodes and its capacity is rated at about 50,000 tons per annum. Its production cut was said to be 11 per cent.

However, many in the industry are optimistic stating that the present condition of the market could change rapidly if there is evidence of a more positive tone to the economy.

Of course, there is still Vietnam, which takes a fair amount of metal for the defense effort.

Mr. ANDERSON. Mr. President, I urge the Members of the Senate and House to give careful attention to these studies of the situation with respect to our lead-zinc industry and then to study the provisions of S. 289.

I am hopeful that this proposed solution to the situation will be expedited through the committee procedures and will come up for early consideration in the Senate. It is evident we need a program and need it now.

LOS ANGELES COUNTY BOARD OF SUPERVISORS UNANIMOUSLY ENDORSES S. 428, THE BILINGUAL EDUCATION ACT

Mr. YARBOROUGH. Mr. President, on April 18, the Los Angeles County Board of Supervisors unanimously endorsed S. 428, the Bilingual American Education Act. The bill would provide funds to be used to improve educational opportunities for bilingual children, such as the Spanish-speaking children of the Southwest.

I ask unanimous consent that the letter of endorsement be printed at this point in the Record.

There being no objection, the letter

was ordered to be printed in the RECORD, as follows:

BOARD OF SUPERVISORS,
COUNTY OF LOS ANGELES,
April 21, 1967.

Each Member, House Education and Labor Committee, Each Member, Senate Labor and Public Welfare Committee, California Congressional Delegation.

GENTLEMEN: At the meeting of the Board of Supervisors on April 18, 1967, Supervisor Ernest E. Debs directed the Board's attention to proposed federal legislation to establish new educational programs intended to improve educational opportunities for the bilingual child.

In presenting this matter for the Board's consideration, Supervisor Debs declared that the implementation of federal legislation is vital to the resolution of one of the Country's most serious educational problems, that of hundreds of thousands of American children who are members of non-English speaking ethnic and nationality groups. He pointed out that the problem exists not only in Los Angeles, but is also apparent in many other areas throughout the Nation.

Therefore, on motion of Supervisor Debs, the Board adopted an order unanimously endorsing the following bills which propose the kind of local-state-federal cooperative approach so necessary to meet these existing educational handicaps:

HR 5868 (Hon. James Corman).
HR 6828 (Hon. John V. Tunney).
HR 7186 (Hon. Charles Wilson).
HR 7685 (Hon. Edward Roybal).
HR 8000 (Hon. Edward Roybal).
HR 8177 (Hon. George Brown).
HR 8186 (Hon. John G. Dow, New York).
S. 428 (Hon. Ralph W. Yarborough, Texas).

The Board further ordered that the House Education and Labor Committee, the Senate Labor and Public Welfare Committee, the California Congressional Delegation, and Senators Thomas Kuchel and George Murphy be informed of its sponsorship and support of these bills.

Very truly yours,

JAMES S. MIZE.

FRED FRIENDLY AND FRIENDLYVISION

Mr. HARTKE. Mr. President, we who are members of the Committee on Commerce have been devoting considerable attention recently to the very important questions surrounding public television and the role of legislation and the Federal Government in the future of the medium's vast potential.

Among the witnesses we have heard was the noted former president of the CBS News Division and now the holder of the Columbia University Chair of Journalism named for the late Ed Murrow, his former colleague. Mr. Friendly is also a consultant in television matters to the Ford Foundation.

The April issue of the New York Times magazine has presented a full-length portrait of this controversial man of recognized vigor, vitality, and a touch of genius in the field of television.

I ask unanimous consent that the article entitled "Fred Friendly and Friendlyvision," written by Harvey Swados, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FRED FRIENDLY AND FRIENDLYVISION

(By Harvey Swados)

On the office wall of Palmer Williams, Columbia Broadcasting System executive producer, hangs a photograph of Edward R. Murrow, clambering wearily from the cockpit of a plane that had flamed out over Long Island in the nineteen-fifties, in the course of covering a documentary dreamed up by Murrow's "See It Now" colleague, Fred W. Friendly. "There's supposed to be a caption under that photo," says Williams, who was Friendly's alter ego during those splendid, wild years. "It would be Murrow saying, 'Holy Jesus Christ, the things we do for Friendly!' "

People are still doing things for Fred Friendly—most recently some of the nation's leading scientists, scholars and humanists, whom he has been importuning to sit on the board of a new public television enterprise that will begin a series of three-hour Sunday evening programs this fall with the economic support of the Ford Foundation—because he is a great salesman, one of the most effective of our time. But while the late Ed Murrow's name and face are still very present in The Barn, the vast C.B.S. complex on West 57th Street, as they are in Friendly's new surroundings at Columbia University (his very title is Edward R. Murrow Professor of Journalism), virtually every visible trace of Friendly himself vanished from C.B.S. within 48 hours after his sensational departure on Feb. 15, 1966. Whether he indeed left on a matter of high principle—management's refusal to run live George Kennan's Vietnam testimony before the Senate Foreign Relations Committee—or was eased out by a management which had wearied of his expensive and flamboyant ambitions, the de-Friendlyization process was complete, with the corridors promptly stripped of the full-page ads and the framed awards that bore his name.

In the C.B.S. studios, newsrooms and producers' offices, however, it is not quite so easy to eradicate the Friendly mark; and at the other networks as well, men continue to reflect on him and on his influence on their work and their lives. What is more, he has now moved, at the age of 51, into several worlds that are very new for him—the academic, the foundation and, hardly least of all, educational (or public) television—and here too he is already beginning to make himself felt.

The "self" of Fred Friendly, however, is not easy to define. If he had made his way through the dismal swamp of "entertainment" television, it would be fairly simple to see him, with his aggressiveness, his relentless drive, his numerous little cruelties to subordinates ("Don't tell me your troubles"), his vaunting ambition, his egomania, as a character out of a bad novel, like the movie magnates who have become so familiar to us that we are no longer sure whether they really existed in Hollywood or simply people the pages of books written half in hatred, half in envy. But Friendly attached himself to the most respected single figure of radio and television, and in partnership with him succeeded in putting on the air some of the most exciting and courageous documentaries in the history of an abused and corrupted medium. When you add to this the generally conceded fact that Friendly is in no accepted sense of the word an intellectual, but is possessed nonetheless by the intellectual's desire to please himself above all as well as by the craftsman's passion for perfection, you have a man who can pique a novelist's curiosity because of the possibility that he may be an enlargement of a certain type of American.

In assessing Friendly, indeed in conversing with him, one has to cut through the fog of verbiage with which he surrounds himself. He is unremittingly addicted to what Sig Mickelson, who originally hired him at C.B.S., calls "the dramatic use of the cliché." He may attribute some of these clichés ("the fire in the belly," "what you don't know can kill you") to his wife Dorothy, or to Murrow, but he hurls them about with the fervor of an evangelist selling a mixture of liberalism and adult education—and himself. "His dedication," says Mickelson, now an executive with Time-Life Broadcasting, "is a double one. In all of his adventures, the person of Fred Friendly has never suffered. But his self-interested driving has been of public benefit because his taste is good, and because he has an ability to steep himself in a problem, a burning desire personally to learn, and an unusual mental capacity."

This double dedication, expressed with an all but sublime *chutzpah*, has been in evidence for a long time. Born in upper Manhattan on Oct. 30, 1915, to a middle-class German-Jewish family, Ferdinand Friendly Wachenheimer moved to Providence at the age of 11 and wound up an undistinguished academic career at Providence Business College. At age 22 he presented himself at station WEAN in Providence with a series of five-minute documentaries titled "Footprints in the Sands of Time." He was engaged to write and narrate them at $8 a script (minus 15 per cent commission) but "the man who hired me said, 'We're going to call you Fred Friendly,' and within a matter of months that was the name I was known by throughout the area. Although I changed my name myself in 1938, I've always been as proud of the Wachenheimer branch of the family as of the Friendlys, and I'm puzzled by the fact that this has never appeared in print—as if I'd been hiding something."

In World War II he was a master sergeant working out of New Delhi, the Information and Education noncom for the China-Burma-India Theater, to whose bored soldiery he became known as a supersalesman of the war effort—and of himself. Even then, he had a flair for making generals do what he, rather than they, wanted, in the name not of Fred Friendly's advancement but of the greater good of all. Shortly after V-E Day he wangled a three-month leave from his rather static theater in order to go to Europe and do a film on how the G.I.'s were faring over there. It was a nice piece of salesmanship—and, as one who saw the film recalls, Friendly not only got himself a lot of publicity, but came up with some interesting footage and accompanied it with a running commentary that was both lively and witty.

A few years after the war Friendly latched on to Murrow, produced the fantastically successful early LP recording, "I Can Hear It Now," and was on his way. For about five years, in the early nineteen-fifties, this oddly matched pair achieved a striking symbiosis that has to be regarded, on balance, as one that was not only mutually helpful but beneficial to the American people at large. Opinions naturally vary about the lasting value or the breadth of Friendly's part in "See It Now" and the subsequent "CBS Reports." John Aaron, producer (with the late Jesse Zousmer) of "Person to Person," the celebrity-visiting show that converted Murrow from an educator and correspondent into a "star" and enabled him to get on with his more serious assignments, thinks that Friendly's abilities have been widely overrated. "Murrow," he says, "did a hell of a lot more for Zousmer and me than we could ever do for him, and the same holds true for Friendly."

Others disagree strongly with Aaron's contentions that Friendly had the luck to be in the right place at the right time and that, even with that luck, Friendly can point to only four or five outstanding shows out of several hundred productions. They hold that, even if Friendly was Murrow's Old Dog Tray, he was indispensable and provided Murrow with the logistical support essential for an enterprise that had no precedent and required masses of men, money and equipment, as well as a consuming belief in the edifying power of the medium. If Friendly got things done by exploiting Murrow's prestige and influence, by picking up a phone and shouting, "Murrow wants it done!", the point, they, say, is not so much that Friendly used Murrow's name in situations where his own would have meant little, but that in consequence things went on the air that never could have otherwise.

In any case, it is clear that the epoch which began with the first "See It Now" program in 1951, continued through its triumphs, "The Case of Lieutenant Radulovich" (1953), "Senator McCarthy" (1954), "A Conversation With Dr. Oppenheimer" (1955), and sputtered intermittently in the sixties with "CBS Reports" ("Lippmann on Leadership," "Who Speaks for the South?", "Harvest of Shame"), lives on in the memory of its team members as a unique experience. Thanks to Murrow's almost mystical integrity, to Friendly's dedicated, driving perfectionism, and to the team's insulation from the rest of the network, many look back upon it as the high point to their careers, or with the kind of wonder that it ever happened that is characteristic of certain other veterans.

Mrs. Natalie Paine, a Greenwich Village housewife and mother, is now quite removed from the entire scene, but for many of the hectic years she was Fred Friendly's secretary, and she ruminates with detached incredulity about the way he ran her life, as he did the lives of so many others. "I'd spoken of leaving a number of times after my marriage, but he told me it would be out of the question unless I got pregnant. When I did become pregnant, I was almost embarrassed to tell him—it was almost as though you couldn't get pregnant without Fred Friendly's official blessing."

Bill McClure, a sensitive cameraman turned producer, thinks of those years as a bit like being on a college paper: "We weren't concerned with salary, but with the spirit of the work and the product itself." Friendly, an "original animal" who was both a great leader and an obnoxious person—in no sense a corporation or an organization man—had not only imagination and skill but enormous luck in finding people." I arrived in the village of Riccione on the Adriatic for a little three-day holiday," McClure says. "It was quite cut off, but I hadn't even unpacked when someone came running, all excited. I was wanted on what must have been one of the two or three phones in the entire village. It was Friendly, telling me from New York to head for Paris at once to shoot some footage on Pierre Mendès-France. To this day I haven't figured out how he knew where I was—much less how he got through to Riccione."

If you didn't want to be found, you took your future into your hands every time you stepped into the corridor, where Friendly was likely to pounce and ship you off on the next flight to Tokyo, without so much as a chance to say goodbye to your wife. It is just possible that Horace W. Hateful, one of the gallery of immortals in the Bob and Ray radio shows of the early fifties, was created in response to a demand by C.B.S. wives who resented being left alone for months on end—or seeing their husbands publicly castigated and humiliated by the never-satisfied Friendly. Those who were eager to achieve something new, however, often found the atmosphere exhilarating. Stephen Flieschman, now a producer at A.B.C., says: "Friendly had the ability to make you feel as though you were the most talented guy in the world. I'd been fussing with C.B.S. about an Africa story for years, but within a half hour of my first meeting with Friendly, he estimated my enthusiasm and said, "Take a plane to Africa and go look around.' I did, and six months later, at just the right moment, the show, 'Nigeria: The Freedom Explosion,' went on the air."

This feeling for the right moment, for having background film ready that would illuminate a breaking news story, was (and remains) a Friendly trademark—and one that contributed to the tension of the entire operation. "He had an incredible knack," says producer Gene de Poris, "of always throwing hot dice. He really knew the future book—he was the one guy who sensed when to do a show so that it was ready for a news break. And in order to do it, he pushed mercilessly. When he'd phone me at midnight, at 1 A.M., or 2 A.M., my wife would ask, 'What can there be left to say that you didn't get said in 12 hours at the office?' "

"Fred Friendly," says Howard K. Smith, "would never let us do it the easy way. He'd never let us read our copy off the TelePrompTer. But in turn he did something terribly important for reporters, who, because they are looked on with distrust by executives, must have a producer who will fight for them. Fred Friendly would fight for you—and when you spend your life at a task that often seems from day to day like writing the Lord's Prayer on the head of a coffee bean, that means something."

David Schoenbrun, who like Smith has also departed from C.B.S., remembers his years there as the most thrilling moments of his life. "As a correspondent," he recalls, "I had titanic battles with Friendly, but he and his staff gave an extra dimension to my work that was simply wonderful. When I was doing the Common Market story, I had no idea at all of how to translate its complexities into something that would be visually comprehensible to an American viewer. It was Friendly and his staff who came through: Bill McClure had the genius idea of following a truck from frontier to frontier through Western Europe, with the camera filming a time-and-motion-study man beside the driver while he filled out mountains of papers and crawled through one customs crossing after another. It brought my story to life."

During those tense, tough years, as producer Palmer Williams recollects, people learned by doing, rewriting, editing, splicing, right up until air time—and sometimes even during the broadcast, frantically mixing the second half of the program while the first half was on the air. Friendly drove the team with a fury that was sometimes amusing, sometimes infuriating (there were six coronaries among the staff over the years), but at its best it instilled in them a sense of how important it was not to settle for second best—"if only," as Bob Chandler says, "to avoid an onslaught."

Chandler, then Friendly's public relations man, remembers watching an N.B.C. evening television program that was interrupted at three minutes to 9 by a news bulletin about President Johnson's health. "Automatically I switched to C.B.S.," he says, "to see if we were covering it. It took perhaps five minutes, but shortly after the station break I saw the C.B.S. News bulletin flash across the screen over the show, and I heard our announcer cut in with the news story. It seemed crazy, but I could have sworn that the announcer was crying. What had happened, it turned out, was that during the four or five minutes that it took to activate the emergency studio in the news room a young assignment editor was so badgered by Friendly that he burst into tears—and then had to go on himself and read the bulletin, the tears still in his voice."

A former C.B.S. executive remembers being at a screening with Friendly when an editor came in from the projection room to explain his troubles with the film. "Friendly turned on the man, a loyal associate who had probably already been up all night editing, and said coldly. 'There's nothing wrong with that footage that a little hard work and imagination on your part couldn't cure.' We went on out to the hall, and as Friendly punched the elevator button, he said to me thoughtfully, 'I must be getting old. There was a time when I would have had him in tears with that line . . .' "

On the other hand, Av Westin, executive director of the forthcoming Public Broadcast Laboratory programs of N.E.T., cannot erase from his memory the picture of Friendly in torment himself, observing a preview broadcast before the Democratic convention of 1964 (at a time when N.B.C., with Huntley and Brinkley, was capturing the public). Because of several technical errors, it was a disaster. "Fred went through the floor. He sat on the carpet with his shoes off, weeping. He's a very emotional man, and he assumes that others will react the way he does."

Producer John Aaron (whose colleagues remember a sign that used to hang in his office: DON'T GET AN ULCER—GIVE ONE) thinks back to the time when Friendly decided that "See It Now" had to have a live remote from a dirigible. "I went out to Lakehurst in a blinding snowstorm, and was told, quite reasonably, that it would be impossible to go up unless the storm abated. I phoned Friendly, whose response was, 'Put the commanding officer on.' The commanding officer told Friendly very politely that he'd like to help out for good public relations, but that under present weather conditions he couldn't even take the dirigible out of the hangar. 'Who's your boss?' Friendly asked, and promptly called the admiral in Washington. When the admiral told him that he could not countermand the decision of the officer on the spot, Friendly was apoplectic: How dared it snow when Fred Friendly wanted a four-minute spot? His attitude seemed to be, 'You can't do this to me, God!' "

The telephone was an essential tool for Friendly in finding people, in wheedling the great to appear on the Murrow show, and in working off his colossal rages. "One afternoon," says John Horn, the syndicated columnist who used to be in the C.B.S. press department, "I saw him finish up a phone call that so infuriated him that he literally *threw* the instrument back into the cradle. Then he grabbed me by the lapels and yelled into my face, 'If only I can remember that I'm smarter than any of these s.o.b.'s that are trying to give me advice!' "

A substantial part of this tigerishness found expression in fevered competitiveness with the other networks that was sometimes funny. Shad Northshield, an executive producer at N.B.C., ran into Friendly at a Washington banquet not long before Friendly left C.B.S. On the previous Saturday, Friendly had produced a piece on bullfighting in the U.S. and within several days N.B.C. had come along with a not too dissimilar piece, already in the works, for the Huntley-Brinkley show. "In front of a crowd of Senators and public officials, Friendly began to yell at me, 'We did it already! Why did you have to do it?' I said, 'Fred, until we do it, it hasn't been done.' "

Another N.B.C. executive acknowledges that this kind of relentless rivalry did considerable to keep N.B.C. from sinking into nothingness in the realm of news and public affairs during the fifties: "During Friendly's years as a positive force, say from 1951 to 1956, the N.B.C. people were embarrassed by the intellectual prestige and excitement of the Murrow-Friendly series. This was both constructive and important. We had feelings of inferiority for a long time, and we talked about 'our answer to Murrow.' "

But this same executive has severe reservations about the frenzy, the razzle-dazzle, the fascination with Big Names, that in his view make Friendly both an example and a victim of the "Washington syndrome"—the seductive talk about the national purpose, the awe of the celebrity and the abject reliance on "the world's leading authority," the belief that The New York Times is the sole criterion not only for news but for intellectual significance. "Listening to Friendly," he says, "is like going to eight Washington banquets in a row. Behind all the high-flown talk resides the kind of belligerent low-brow who is fascinated by technique and by the 'wisdom' symbolized by a handful of sages, and who knows nothing of an entire world of art and intellect."

How is one to determine the validity of such an estimate? Both in his conversation and in writing, Friendly is frank to avow that he has had no opportunity to cultivate any of the arts and that, working in a mass medium dominated by commerce and cravenness, he himself has of necessity been guilty of some of the sins with which he has charged others. In his significantly titled chronicle, "Due to Circumstances Beyond Our Control," he writes of the problem of satisfying affiliated stations: "I must admit that this system tempered our broadcasts. . . . I found myself subconsciously applying a new kind of conformity to our documentaries. Looking back now, I suppose that I was subtly influenced to do controversial subjects in a non-controversial manner."

In March, 1964, Friendly became president of the C.B.S. News division and so moved for the first time from being a producer to being a part of management. Of this experience he writes: "I must confess that in my almost two years as the head of C.B.S. News I tempered my news judgment and tailored my conscience more than once. Perhaps it was this as much as the dispute over the Vietnam hearings, that prompted me to get out while I still could."

Surely nothing could be more straightforward than these two admissions. Yet the impression persists that there is more here than meets the eye—partly because he does not document them as he documents the foibles of his former employers in a text that is obviously selective and cloyingly deferential to those employers, partly because he is constantly persuading himself of the rightness and significance of his behavior, and partly because the industry is startlingly full of people who, when they are willing to talk about Fred Friendly to an outsider, refuse to allow themselves to be quoted.

In the course of a lengthy conversation some of these matters were recently put to Friendly. "It's been said by some of your detractors—"

"I have *detractors*?" He leans forward, eyes widening behind his glasses in mock astonishment. His charm is considerable, his salesmanship extraordinary; both are aided by a grin which is both ready and youthful.

"Like everyone," he says, "I've done things I regret bitterly. I think the worst thing I've ever done was letting myself be pressured into relieving Walter Cronkite of his anchorman assignment before the 1964 Democratic convention."

This is a protestation which brings a smile to Mr. Cronkite who, as Friendly remarks in his book, "came out of the affair a bigger man than before," and expressions of incredulity from others in the broadcasting world.

For every man in the industry who swears fervently that "Fred Friendly is one of the most inspiring human beings I've ever been associated with," there would seem to be another to assert that "Fred Friendly has total recall for the triumphs and amnesia for the disasters," or that "Fred Friendly is a man of high principles and low practices."

The case of Arthur Morse might be cited in support of the latter observation. In his book, Friendly mentions in passing that Arthur Morse was the producer of "The Lost Class of '59," a report on the tragedy of the closed schools of Norfolk, Va., but he does not mention that Arthur Morse was his successor as Executive Producer of "CBS Reports"—or that Morse was let go within six months, a victim of the very corporate pressures to which Friendly, as his superior, had been subjected by the management of C.B.S.

Morse, who produced not only "The Lost Class of '59," but "Who Speaks for the South?" and other distinguished broadcasts, is respected throughout the industry as exceptionally able and honorable, and his selection by Friendly to head "CBS Reports" was regarded as a good omen. One of his first tasks was to complete production of a broadcast already in work, "Cigarettes: A Collision of Interests," a strong presentation of the economic impact of the tobacco industry. Among those interviewed had been David Ogilvy, the advertising man whose agency had declined cigarette accounts, and who commented at one point: "If there's a network whose president's conscience is not troubled by taking money for his stockholders for running cigarette commercials, perhaps they can be run."

Friendly, says Morse, asked him to delete Ogilvy's remark, on the grounds that Dr. Frank Stanton, C.B.S. president, was trying at board meetings to rid the network of the incubus of cigarette advertising. Morse replied, "I didn't take over 'CBS Reports' to preside over lowering the moral tone of such a fine organization. And I can't program shows on the basis of what goes on at board meetings." "Then you refuse?" "I do." On his way out the door, Friendly paused and grinned. "Keep me honest!"

The Ogilvy line stayed in, and Friendly stayed honest. But as Morse sees the incident this is not the point; it is rather that such a question could never have arisen during the free autonomous days when Friendly himself had been running the operation with Murrow.

Desirous of the same prerogatives that Friendly's superiors had given him when he had headed "CBS Reports," Morse found instead that Friendly's interference was "relentless," with the telephone barrage running at the rate of 25 calls a week. "It was impossible for me to function," Morse says, "but when I asked Friendly to release me from my contract, he refused."

Throughout the late months of 1964, Morse and "CBS Reports" were busily building a good relationship with the National Education Association, and with junior and senior high-school students and teachers across the country, who were incorporating the early Tuesday evening broadcasts in their classroom studies. James T. Aubrey, Jr., president of C.B.S. Television, made it plain that this tended to denigrate the Beverly Hillbillies, which followed "CBS Reports," but although Morse asked Friendly to intercede with Aubrey, nothing was done. On the morning of Dec. 10, Morse picked up his Times and read an article headed: "C.B.S. TO CHANGE HOUR OF 'REPORTS'—*Program Going to Monday in Network Realignment*"

The hour, the article stated, was being shifted from 7:30 to 10 P.M.

That day, Arthur Morse wrote a letter to James Aubrey in which he said: "It has obviously not occurred to you and your colleagues to inquire of any views I might have regarding the change. . . . Since I am supposed to oversee and supervise the work of 60 dedicated people, I find it rather difficult to sit uninformed except by my newspaper while the debate rages about the disposition of this program."

When Friendly saw the letter—a letter not very different from the dozens of letters and memos he himself had fired off to his superiors over the years to protect the integrity of his program, or from the one he was to send on his own resignation in February, 1966—he turned to Morse and said, "Now you've done it. I can't protect you any longer." A fortnight later, Morse's resignation was made public.

As most people familiar with the incident (including Morse himself) see it, it does not indicate any personal animus toward Morse on the part of Friendly, but rather Friendly's inability to keep his hands off a conception which he regarded as his own brainchild, and which he was willing to see perish rather than succeed in the hands of someone else. This in turn raises certain questions in regard to Friendly's current commitment to the development of public television.

When the Ford Foundation announced in 1966 that Fred Friendly would be joining it as a part-time consultant, and later in the year released through its new president, McGeorge Bundy, a plan for public television that bore the earmarks of Friendly's thinking, a number of producers and executives at National Educational Television (which has been the recipient of substantial Ford Foundation support) were both startled and upset. "Friendly's idea of cultural enrichment," said one, "is going to be 'Son of Lincoln Center' shows." Another complained, "Every one in show business has latched onto a good disease: multiple sclerosis, muscular dystrophy, cerebral palsy. Friendly too has a good disease: Inform the public. That's fine, but I'm only hoping he'll leave me mine—I'm concerned with exploring the dark side of the human heart."

These people would seem to be considerably mollified by the more recent announcement that at his own specific request Friendly will not be in charge of the three-hour Sunday evening broadcasts that will begin this fall, nor will he even sit on the board of directors of the program, which is to be divorced from Columbia University's School of Journalism and insulated so far as will be humanly possible from commercial, academic or foundation pressures. But regardless of the reasons—political, diplomatic, personal—that may lie behind this major adjustment of what promises to be an extraordinary development in American culture and communication, no one who knows him (and this includes his most ardent admirers) seems ready to grant the possibility that Fred Friendly will be able to keep hands off, content to play the role of elder statesman-professor-adviser.

This is something that Friendly himself finds understandable, in view of his own record of passionate involvement, but nonetheless a misconception of his role and a misunderstanding of his personality. "I hate it," he says intensely, "when I see words like 'Friendlyvision' in places like Variety. It would be a dreadful mistake to tie the development of public television to one man. Tell me I'm using another cliché, but this is an idea whose time has come. I've collected enough enemies—but if my enemies have to be the enemies of public television, I say that public television can't afford it."

Friendly's consultant role is seen by McGeorge Bundy, as he put it to me, as "an eye opener"; Friendly himself describes it as that of "a blocking back." There are two major reasons, according to Friendly, for his serious attempt to avoid involvement in the new program, which many people envision as the beginning of a new network and Friendly himself envisions, with customary exuberance, as the first of an entire series of new networks. "First, it would be unfair to public television to have it happen that way," he says. "It deserves to be judged on its own. Second, I don't have the ability. I find myself overage in grade, and this is the ball game of Av Westin, who is in his thirties."

But whether in his Riverdale living room or his Columbia University office, or prowling the corridors of the Journalism School, Friendly does not give the impression of a man who is over-age or who is ever going to stop selling. When he speaks of the forthcoming Sunday evenings that promise to bring some of the excitement of the old Murrow-Friendly shows into the lives of the jaded middle-aged and the sophisticated young, he slips from "they" or "Av" to "we"—and grins as he does so. And he reacts with fire to a devil's advocate:

"Pretentious? I *am* pretentious, but I'd like to make it possible for the people who are going to do public television to have the freedom that Ed Murrow and I had, left alone by Alcoa and C.B.S. with a free half hour.

"Instant wisdom? Because I tried to bring wise men to the screen, it doesn't follow that I was peddling instant wisdom. The two words contradict each other. Instant *engagement* is what you get from the tube.

"A better alternative to what we're attempting? A fourth network? But there's only one network now." Reaching out a long arm, he dramatically flicks the switches of the three small TV sets propped on a corner of his office desk. On the screens appear a quartet of mop-haired singers, a stalking cowboy, a smirking family. "Do we have an alternative now? We have one choice. I want a multitude. My great Walter Mitty dream is to be testifying like this, with three sets going—to show that all we're offered now is one thing: amusement. Someday it will be possible to have variety—if everything hasn't been given away already.

"Fascination with technique? But that goes against the total experience of my life. I've always been content-oriented. I'd like the tube used for what it alone does well. It is a unique medium, like the novel, or radio. It's a being-there medium. It's a happening."

At the Graduate School of Journalism, Friendly, still investing platitudes with the weight of profundity ("We don't approach our crisis-managing with the sense that we're traveling at the speed of light!"; "We're inventing the wheel on the way to the guillotine!"), hurries out to infect the young television journalists with his excited certainty that journalism needs more than just journalists, that they must pay attention not so much to technique as to their copy, that understanding must precede writing and talking. On the way to meet with them he observes, "What they need to achieve, to paraphrase Hemingway, is content under pressure." He hesitates, then adds, "The hard thing for me to get across without becoming obscene about it is what it means to me, being with those kids."

In his office at the Ford Foundation, Av Westin, who looks like a graduate student himself, is inclined to agree. "I know how tremendously they stimulate him. In moments of exuberance he sends me their term papers, as if I didn't have enough stuff piled up on my desk. But you know something? Some of them are damn good, and I've even hired several of the young men he's shipped down. Friendly is really getting turned on by those kids. I myself think that he can communicate with them more easily than he can with his own generation."

Certainly Friendly has not stinted on communicating at Columbia, where he spends perhaps 80 per cent of his time—some of it, to be sure, working on problems related to his advisorship of the Ford Foundation. In the first semester of his professorial incumbency, he served on the Broadcast Curriculum Committee of the Journalism School, gave a two-hour lecture every Monday, and conducted two two-hour seminars on basic issues every Thursday, in addition to supervising the studies of eight graduate students. As he breathed more deeply of the agreeable academic air, Friendly, with the active cooperation of Dean Edward W. Barrett and his colleagues, set about organizing a live television-journalism workshop.

On Wednesday evenings at 6:30 a group of 20-odd graduate students gathers on the sixth floor of the Journalism Building, only yesterday occupied by the Columbia University Press, to put on the air a 30-minute news program which they produce over closed circuit as if it were a nightly news broadcast. Male and female, white and black, Caucasian and Oriental, they work with the same intensity and concentration as the network professionals, and are perhaps even more mortified by their mistakes. They have gone out to shoot footage, they have interviewed people in the news, they have written and rewritten their copy; in his rumpled shirt sleeves Professor Friendly stands, pad in hand, making penciled notes as he watches the monitors and the students at the controls.

An hour later, the edited program is rerun for the faculty, all the participants and the handful of other interested students who have stuck around, supperless. When it is over, Friendly, perched on the edge of a table, tells them, "It was pretty good—but there should have been more than three or four minutes on Vietnam. I know the big stories out of Southeast Asia broke very late, but you should have been prepared with background interviews with local authorities like Prof. Doak Barnett. You have to be flexible." He goes on to assess the contribution of each individual reporter and producer, ranging from their over-all conceptions to the mispronunciation of names and places. "How late did you all work on this show? Till 3 o'clock? You're underpaid. See you next week, same time, same station."

He slips off the table and heads for the stairway, nodding to the students who murmur their thanks for his having stayed around until 9 at night. "How do you like that?" he demands as he hastens down five flights of stairs, too much in a hurry to wait for the elevator. "They thank me for staying after they've worked till 3 o'clock in the morning! Imagine! This is only the fourth Wednesday that they've been on the air—they have to learn the proportion between the news budget and the rest of the program, but are they smart! While I'm getting set to criticize the show I have to remember their names, all of them. They're very sensitive about things like that—wouldn't you be?"

He laughs. "When I think how I'd have treated them if they were working for me! I wish someone had told me about teaching before, it's such a fantastic experience. The other day a girl was telling me she wanted to open one segment of a program with a layout of buttons, including one that says, 'Make Love, Not War.' I said, 'You're going to have to explain that a little bit,' and you know what she answered? She said, 'Professor Friendly, the trouble with your generation is that you're all hung up on the relation between sex and love.' I tell you, those kids are just great. You know what I'd like to see on the air in our three-hour show? I'd like to see my generation jarred by someone who looks like a Beatle and talks with real wisdom—and some of these kids have got it. I'd like to see a distinguished man of my age interviewed, really put on the spot, by a bunch of long-haired brilliant kids. Wouldn't that be something?"

Bill Leonard, the newsman who is now a C.B.S. vice president, thinks it entirely possible that one could tour the broadcasting world and collect horror stories about Fred Friendly without hearing a single lie—but that after one had finished it would have to be conceded that all of the stories were outweighed by the man's positive contributions. That does not seem unjust.

This showman and impresario of ideas is outsized and often absurd. He gives the impression of never having paused to reflect; he uses people up the way smokers use up cigarettes; he will con you out of your watch; he has exploited the great and rattled the bones of an admired and even revered associate; he is apparently no less—and no more—loyal and trustworthy than any other aggressive salesman; he is adept at confusing acknowledgment of mistaken judgments with ruthlessly honest self-appraisal, and he is as quick to make unrealizable promises as he is to paint unreal word pictures.

But he has never lost that wideeyed amazement about significant ideas and important people that is the common property of the very young and the very creative; and his most passionate desire is for the right use of a marvelous new medium. Despite failures, failings, and falterings, he is committed in his own way to that "good disease" which is one of the essentials of democracy: informing the public. In the course of his career, he has already left his imprint upon our history, and he is now committing his ferocious energy to forcing open, and holding open, a door to the future.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and at 12 o'clock and 24 minutes p.m. the Senate took a recess, subject to the call of the Chair.

At 1 o'clock and 14 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. CANNON in the chair).

INVESTMENT TAX CREDIT

The PRESIDING OFFICER. The morning hour having concluded, the Chair lays before the Senate the unfinished business, which will be started.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The PRESIDING OFFICER. The question is on the motion of the Senator from Louisiana [Mr. LONG] to strike out section 5.

CONTINUANCE OF FOOD STAMP PROGRAM

Mr. BYRD of West Virginia. Mr. President, I am the sponsor of S. 953, providing for the indefinite continuation of the Federal food stamp program, so that this vital assistance to needy families may be provided on a stabilized basis. Otherwise, many deserving persons may not be able to purchase all the food they so greatly need.

Yesterday the Senate Agriculture and Forestry Subcommittee on Agricultural Research and General Legislation held hearings on my bill, proposing the amendment of the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967. Unless the Congress acts to continue the program, it will end with this fiscal year, 1967.

And for those of us who have watched the operations of this program since its inception, it is not comprehensible that a weapon of this tremendous value in the battle for improved standards of living can be permitted to lapse, or that the constant threat of its lapsing can be permitted to impair its usefulness.

West Virginia inaugurated this program as a pilot study in December 1961 and since its beginning in one West Virginia county it has spread to 589 counties in 41 States. I am told that it is estimated that approximately 1.5 million people share in the benefits of the food stamps in these 41 States and the District of Columbia.

In West Virginia, the program is operating in 40 counties, with an additional eight expected to begin food stamp operations in early May. The total appropriation for the operation of the program for fiscal year 1967 was $140,000,000. If the present appropriations request for operation of the program during 1968 is approved—$195,000,000—it will allow a reasonable amount of expansion during 1968, and it is hoped that the remaining seven of West Virginia's 55 counties can be blanketed in.

On the national level, I am advised that the cost of the food stamp program from December 1, 1961, through December 31, 1966, amounted to $202,808,734. Added to this amount, families receiving the stamps spent another $342,574,529, for a total food expenditure of $545,383,263.

My bill proposes the open-end extension of the Food Stamp Act of 1964. This extension has been recommended by the administration, and based on my personal knowledge of the successful operation of this food stamp program in West Virginia, I believe its indefinite continuation will prove to be a wise decision.

The evidence of its effective operation in West Virginia is shown in the statistics on the expansion of the program from four counties with 29,060 participants in 1965 to 40 counties with 93,640 participants in February 1967, with the value of coupons issued during that period totaling $40,899,451. Of this amount, the participants paid $24,115,968, receiving $16,783,483 in bonus coupons.

Comments have been made in the House of Representatives, which recently considered similar legislation, to the effect that the value of the food stamp program does not match that of the Federal school lunch and commodity distribution programs. To that, I can answer that the nutritional problems of the State of West Virginia and similar regions throughout the United States persist despite the hard work of State and Federal officials in the administration and distribution of foodstuffs under these two programs.

The commodity distribution program is heavily restricted in the variety of food distributed, so that there is always a built-in danger of poor nutrition from lack of certain essential nutrients. The school lunch program does indeed benefit the children in attendance at the public schools, but what about the other members of families—the elderly at home, the expectant mothers, the preschool children, to mention some classifications of family members certainly in need of balanced nutritional values?

There is also an additional benefit to be derived from the administration of the food stamp program—it has an accelerating effect on businesses in the communities participating in it, generating new economic activity in an estimated ratio of $7 for each $1 in new money spent for food.

Secretary of Agriculture Orville L. Freeman testified yesterday in support of the enactment of food stamp legislation, documenting the effectiveness of the operation of the food stamp program and the urgent need for its continuation without crippling amendment.

I ask unanimous consent that the Secretary's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record as follows:

Statement of Orville L. Freeman, Secretary of Agriculture, Before the Senate Subcommittee on Agricultural Research and General Legislation, Tuesday, April 25, 1967

Mr. Chairman, Members of the Subcommittee: I am happy to appear here this morning to discuss the Food Stamp Program with you.

The Food Stamp Program is a success.

It has more than lived up to our very high expectations of three years ago.

It has, in fact, been an exciting, imaginative and effective venture.

It has charted a new course in the wise and prudent use of this country's abundance of food.

It has improved the diets and health of our low-income families.

It has expanded food markets for our farmers.

It has stimulated the local economies of the areas in which it operates.

Again I want to pay tribute to the vision of members of this Committee, who, in 1964, helped enact the Food Stamp Act. And I want—as I did then—to acknowledge the special contribution of Senator Aiken of the Committee—who, for more than 20 years worked to enact such legislation.

Mr. Chairman, there is attached to my statement a table which shows the progress we have made since the Act was signed in August 1964. I am also submitting for the record detailed data for each of the 645 areas that operated Food Stamp Programs in February of this year, in which 1.5 million people in 41 States and the District of Columbia were participating.

But today, I do not want to dwell on the details of program operations or statistics. Rather, I want to review the broad place and purpose of the program in the whole range of activities for which the Department of Agriculture is responsible.

This program is in the Department of Agriculture because it is a *farm* and *food* program.

It provides increased outlets for our food surpluses and helps raise farm income. Here, I do not refer to food surpluses in the narrow sense of the commodities we have under loan or in inventory of the Commodity Credit Corporation. Rather, I refer to the excess capacity our farmers have to produce food—the food they could produce to their economic benefit, if the markets were available. And a larger market is available—it is the need for better diets among our low-income families. In effect—through the Food Stamp Program—this Committee and the whole Congress are building a bridge between those of our farmers who need larger markets and our poor families who need more and better food.

Mr. Chairman, you will recall that we undertook a careful three-year test of this program before we asked the Congress to provide continuing authority for it. During that test, we carefully studied its results to determine if, as a *farm* program, we would get the results we expected.

Those studies dramatically demonstrated the effectiveness of the food stamp approach.

Farm markets were expanded. A study in Detroit showed that food stamp families bought: 37 percent more meat, 32 percent more poultry, 67 percent more fresh fruit, 60 percent more fresh vegetables, 80 percent more fluid milk.

I could go on—these food stamp families used more grains—even though we had been donating cereal products to them before the Food Stamp Program started.

If we want to enlarge domestic markets for grains, the best way to do it is to make it possible for low-income families to buy more livestock products. And the Food Stamp Program does that.

That Detroit study showed that—with the same amount of Federal subsidy—the Food Stamp Program has a greater impact on farm income than does the direct donation of surplus foods.

The level of food consumption obtained among low-income families in Detroit—when we were providing surplus foods—provided a return of $1.75 per person per week to the farmer. Under the stamp program, the farmer's share increased to $2.01—a 15 percent increase.

Its successes as a farm program have been paralleled by its success as a food program.

It is a very valuable supplement to the restricted food budgets of our low-income families. It means more meat, more milk, more poultry, more fruits and vegetables for the food stamp family. And these are the protective foods that make for better diets and improved health.

Our files are full of unsolicited reports from families concerning what the Food Stamp Program has meant to them. Let me quote from an article that appeared in the Wall Street Journal of September 30, 1966.

" 'But I can't raise a family of young-uns on three days work and $35 a week.'

"So Mr. Collins, who has spent his whole life here in the Cumberland Mountains, counts heavily on help from Federal food stamps that can be used like cash at the grocery store. Gesturing at his neatly dressed eight-year-old boy, he says: 'This one would still be eating bread and gravy for breakfast instead of eggs, milk and cereal if it weren't for those food stamps.' "

The Food Stamp Program has been well administered. There have been no scandals. There has been no evidence of poor administration.

And again I would acknowledge the contribution of this Committee in developing the basic framework of the program—as set forth in the Food Stamp Act of 1964. Among other things, this Committee developed amendments to our original bill that more clearly and precisely defined program eligibility and that more precisely established the responsibility of States for proper program administration. Those amendments have stood the "test of time" and actual operating experience.

Finally, the program has acted as a stimulus to the entire economy of the community. The extra dollars that move into food stamp communities increase retail food sales by an average of 8 percent, according to studies. The retailer buys more food from the local wholesaler—many retailers report that they hire extra help, etc. So, these extra dollars turn around many times in the local community.

Again, let me quote from the Wall Street Journal article:

" 'My grocery business is like the old days when the coal mines were booming,' says Merlin D. Smith who has run a country store in the county for 20 years."

As always, there are some misunderstandings about a new program.

First, there is some misunderstanding about the role of State and local governments and the control they exercise.

It is a cooperative Federal-State-local program. The Department of Agriculture cannot put a single program into operation anywhere. The States and localities must request it. In fact, it's a 100 percent voluntary program—for the States, for the localities, for the retail stores, and for the family it is designed to help.

The States set the eligibility standards and each family is certified by the local office of the State welfare agencies. The States and localities determine how and where the coupons are to be sold to participating families. And they must finance almost all of those certification and issuance costs.

Second, there is a misunderstanding that the Food Stamp Program permits States to evade their responsibilities for the basic public assistance or general relief of the poor.

Families must continue to spend their own money for food—even though the families were getting their income from a public assistance or local relief grant. That is why we have a minimum purchase requirement—even for the family with very low and irregular income. It has been traditional for community resources—either public or private—to help families who find themselves in a short-term emergency. Thus, when we put a food stamp program into an area, we expect those community resources to finance the minimum purchase requirements for the family in an emergency.

So the States and localities must continue to carry out their basic responsibilities for the relief of the poor. They cannot use the Food Stamp Program as a "back-door" method of shifting that responsibility to the Department of Agriculture.

Third, some have felt that the States should finance 20 percent of the cost of the free coupons so that they may exercise proper control of the program.

If this change is made in the program, then most of the States will likely end their participation in the program, and go back to the distribution of surplus foods.

1. States continue to have serious difficulty providing sufficient funds to support their own public welfare programs. Some States—particularly the lower income States—are not now taking full advantage of available Federal public assistance funds because they have not been able to raise the tax funds required.

2. Major efforts are being made both by the Federal Government and the States to upgrade the level of welfare assistance to provide more adequately for the needs of the nation's needy families. These efforts will further tax available financial resources within the States between now and the time States would be asked to assume cost-sharing responsibility for the Food Stamp Program.

3. Welfare programs must provide for many pressing needs of poor families in addition to better nutrition through increased food consumption. The States' welfare programs must provide for all the needs of their needy families and State resources must be effectively allocated to that end. In fact, if States were now able to finance a public assistance program of adequate scope, we would not need a Food Stamp Program.

4. The States have available to them a Federal food program which does not require cost sharing. By choosing to participate in the Commodity Distribution Program they can continue to provide food assistance to needy families without assuming the financial burden that would be imposed on them by a cost sharing requirement in the Food Stamp Program.

Finally, it is important that the appropriation authorities for the program be authorized for an additional three years. We believe our experience under the Act demonstrates the wisdom of this Committee and the Congress in establishing the principle of gradual progressive program expansion—with appropriation authorities specified for a three-year period. This has meant that both the Department and cooperating State welfare agencies have had the time to gain experience and modify and adjust the program—based upon that experience. And it has permitted both the Department and the States to build the kind of administrative organization that is essential to effective and prudent program management and control.

The program has worked well because the States have been able to plan ahead—rather than on a year-to-year basis. And it was in recognition of this need that the Congress acted to provide the Department and the States a basis for forward planning—for three years—when the Act was passed in 1964.

To now place the program on a year-to-year basis would mean less orderly program expansion and less effective administration. It would endanger the goals and objectives set forth by the Congress and the effective administration that we and the States have been able to achieve.

I urge the Subcommittee to recommend a food stamp bill that will permit the program to continue and to expand—on the sound and workable basis embodied in the Food Stamp Act of 1964.

TABLE I.—*Food stamp program—Selected program statistics for specified months*

Item	For the month of—				
	August 1964	June 1965	June 1966	February 1967	June 1967 (projection)
Number of States	22	29	[1] 41	[1] 42	[1] 43
Number of areas	43	110	324	645	875
Number of participants	350,550	632,687	1,218,399	1,557,063	2,000,000
Number of retail food stores	13,300	18,000	42,200	60,900	88,000
Number of wholesale food stores	700	1,000	1,500	1,600	2,000
Monthly value of coupons issued:					
Total coupons	$5,865,057	$10,639,497	$20,577,786	$26,409,959	$34,000,000
Bonus coupons	$2,235,405	$3,988,717	$7,398,372	$9,559,675	$12,280,000
Percent of bonus coupons	38	37	36	36	36
Bonus coupons per person	$6.38	$6.30	$6.07	$6.14	$6.14

[1] Includes the District of Columbia.

Food stamp program—Participation and coupon value, by project area, February 1967

Project area	Participation (number of persons)			Coupons issued			
	Public assistance	Nonpublic assistance	Total	Total value	Bonus value	Bonus of total (percent)	Average bonus per person
Alabama (3):							
Greene	82	3,410	3,492	$42,160	$26,686	63	$7.64
Jefferson	3,209	6,661	9,870	131,710	69,615	53	7.05
Walker	2,087	2,564	4,651	67,882	33,618	50	7.23
Total	5,378	12,635	18,013	241,752	129,919	54	7.21
Alaska (1): Nome	9	88	97	2,040	724	35	7.46
Arkansas (21):							
Arkansas	246	505	751	11,026	4,771	43	6.35
Bradley	215	364	579	8,876	3,415	38	5.90
Conway	718	407	1,125	17,846	6,668	37	5.93
Craighead	387	924	1,311	19,454	9,439	49	7.20
Crittenden	546	7,256	7,802	89,683	54,836	61	7.03
Cross (new)	186	1,617	1,803	21,088	11,791	56	6.54
Faulkner	321	126	447	8,552	2,574	30	5.76
Independence	692	632	1,324	21,382	9,075	42	6.85
Izard	165	158	323	5,642	2,140	38	6.63
Jefferson	764	4,081	4,845	59,677	33,231	56	6.86
Lee	675	3,655	4,330	50,451	28,979	57	6.69
Lincoln	560	635	1,195	16,902	8,470	50	7.09
Lonoke	540	1,513	2,053	26,229	13,894	53	6.76
Mississippi	1,755	6,161	7,916	103,769	55,599	54	7.02
Monroe	495	2,175	2,670	33,362	19,312	58	7.23
Perry	382	93	475	8,594	2,682	31	5.64
Phillips	1,768	6,642	8,410	105,842	58,773	56	6.99
Poinsett (new)	755	1,864	2,619	37,073	17,921	48	6.84
Prairie	374	186	560	9,210	3,322	36	5.95
Pulaski	2,256	1,437	3,693	55,497	21,714	39	5.88

***Food stamp program—Participation and coupon value, by project area, February 1967*—Continued**

Project area	Participation (number of persons)			Coupons issued			
	Public assistance	Nonpublic assistance	Total	Total value	Bonus value	Bonus of total (percent)	Average bonus per person
Arkansas (21)—Continued							
St. Francis	1,179	4,454	5,633	$67,156	$40,564	60	$7.20
Total	14,979	44,885	59,864	777,311	409,170	53	6.83
California (4):							
Contra Costa	7,853	1,746	9,590	184,061	49,461	27	5.15
Humboldt	1,575	661	2,236	46,111	13,153	29	5.88
Los Angeles	66,201	14,526	80,727	1,492,529	406,254	27	5.03
San Francisco	8,515	2,279	10,794	219,997	58,603	27	5.43
Total	84,144	19,212	103,356	1,942,698	527,471	27	5.10
Colorado (26):							
Adams	[1]1,050	[1]669	[1]1,719	31,725	10,211	32	[1]5.94
Alamosa	[1]143	[1]223	[1]366	5,686	2,300	40	[1]6.28
Arapahoe	[1]900	[1]221	[1]1,121	22,500	6,682	30	[1]5.96
Bent (new)	[1]148	[1]200	[1]348	6,666	2,190	33	[1]6.29
Boulder	[1]275	[1]191	[1]466	9,116	2,784	31	[1]5.97
Clear Creek	[1]16	[1]3	[1]19	402	125	31	[1]6.58
Conejos	[1]175	[1]585	[1]760	11,266	4,943	44	[1]6.50
Costilla	[1]60	[1]297	[1]357	6,001	2,493	42	[1]6.98
Crowley	[1]60	[1]64	[1]124	2,397	838	35	[1]6.76
Custer	[1]27	[1]4	[1]31	671	210	31	[1]6.76
Denver	[1]9,200	[1]2,170	[1]11,370	240,305	73,107	30	[1]6.43
Elbert	[1]18	[1]1	[1]19	478	126	26	[1]6.63
Gilpin	[1]17	[1]12	[1]29	[1]645	200	31	[1]6.90
Huerfano	[1]326	[1]280	[1]606	11,298	3,642	68	[1]6.01
Jefferson	[1]654	[1]373	[1]1,027	20,108	6,108	30	[1]5.95
Larimer	[1]337	[1]195	[1]532	9,014	2,972	33	[1]5.59
Las Animas	[1]574	[1]602	[1]1,176	22,314	7,350	33	[1]6.25
Logan (new)	[1]100	[1]81	[1]181	3,409	1,137	33	[1]6.28
Mesa	[1]308	[1]198	[1]506	8,696	2,926	34	[1]5.78
Otero	[1]379	[1]377	[1]756	11,823	4,508	38	[1]5.96
Phillips (new)	[1]16	[1]10	[1]26	544	164	30	[1]6.31
Prowers (new)	[1]100	[1]86	[1]186	3,415	1,168	34	[1]6.28
Pueblo	[1]2,318	[1]1,459	[1]3,377	69,664	23,075	33	[1]6.11
Rio Grande-Mineral	[1]197	[1]321	[1]518	8,262	3,372	41	[1]6.51
Washington (new)	[1]60	[1]24	[1]84	1,734	528	30	[1]6.29
Weld	[1]850	[1]332	[1]1,182	21,206	7,376	35	[1]6.24
Total	[1]18,308	[1]8,978	[1]27,286	529,345	170,535	32	[1]6.2
Connecticut (1): Waterbury District	2,093	1,517	3,610	67,837	19,022	28	5.27
District of Columbia (1): Washington	11,637	7,269	18,906	319,106	116,027	36	6.14
Georgia (18):							
Bibb	1,249	1,951	3,200	48,820	20,135	41	6.29
Burke	204	1,014	1,218	14,970	6,924	46	5.68
Charlton	176	270	446	6,035	2,755	46	6.18
Clinch	109	115	224	3,454	1,406	41	6.28
Echols	75	98	173	2,674	972	36	5.62
Hall	254	361	615	10,271	3,851	37	6.26
Hancock	101	581	682	8,747	4,185	48	6.14
Houston	117	447	564	8,014	3,634	45	6.44
Lowndes	430	407	837	12,225	4,886	40	5.84
Lumpkin	210	94	304	4,908	1,870	38	6.15
Mitchell	338	802	1,140	15,986	6,996	44	6.14
Pulaski	151	348	499	6,949	2,768	40	5.55
Rabun	215	351	566	9,185	3,763	41	6.65
Richmond	565	643	1,208	17,160	6,045	35	5.00
Stephens	137	212	349	5,761	2,315	40	6.63
Taliaferro	49	85	134	1,789	796	44	5.94
Thomas	530	637	1,167	16,880	7,357	44	6.30
Washington	79	651	730	8,995	4,587	51	6.28
Total	4,989	9,067	14,056	202,823	85,245	42	6.06
Hawaii (3):							
Honolulu	4,157	792	4,949	100,610	[1]28,076	28	5.67
Kauai	238	125	363	7,350	[1]2,059	28	5.67
Maui	447	193	640	12,450	[1]3,631	29	5.67
Total	4,842	1,110	5,952	120,410	33,766	28	5.67
Illinois (53):							
Alexander	872	435	1,307	24,253	6,854	28	5.24
Bond	107	46	153	2,912	818	28	5.35
Calhoun	91	45	136	2,810	792	28	5.82
Champaign (new)	577	26	603	10,022	2,651	26	4.40
Clark (new)	81	29	110	2,288	622	27	5.65
Clay	166	134	300	5,194	1,530	29	5.10
Clinton	32	50	82	1,529	488	32	5.95
Coles (new)	144	21	165	3,358	883	26	5.35
Cook	77,503	6,703	84,206	1,630,170	440,373	27	5.83
Crawford	134	68	202	3,878	1,110	29	5.20
Cumberland (new)	10	48	58	1,128	387	34	6.57
De Witt (new)	35	42	77	1,461	422	29	5.64
Douglas (new)	65	75	140	2,596	771	30	5.51
Edgar (new)	123	38	161	2,888	796	28	4.94
Edwards	8	55	63	1,228	400	33	6.35
Effingham (new)	176	53	229	3,905	1,096	28	4.79
Fayette	124	55	179	3,658	1,016	28	5.68
Franklin	1,457	640	2,097	45,509	12,319	27	5.87
Gallatin	162	115	277	5,908	1,643	28	5.93
Greene	164	90	254	4,351	1,230	28	4.84
Hamilton	112	77	189	3,929	1,204	31	6.37
Hardin	181	68	249	5,604	1,480	26	5.94
Iroquois (new)	50	0	50	1,007	261	26	5.22
Jackson	612	258	870	16,187	4,603	28	5.29
Jasper	56	81	137	2,535	770	30	5.62

See footnotes at end of table.

Food stamp program—Participation and coupon value, by project area, February 1967—Continued

Project area	Participation (number of persons)			Coupons issued			
	Public assistance	Nonpublic assistance	Total	Total value	Bonus value	Bonus of total (percent)	Average bonus per person
Illinois (53):—Continued							
Jefferson	851	308	1,159	$23,285	$6,379	27	$5.50
Jersey	69	66	135	2,663	740	28	5.48
Johnson	82	98	180	3,552	1,055	30	5.86
Lawrence	359	147	506	9,368	2,567	27	5.07
Macon (new)	1,258	54	1,312	22,482	5,875	26	4.48
Macoupin	166	153	319	6,579	1,886	29	5.91
Madison	2,251	900	3,151	37,706	10,551	28	3.35
Marion	531	388	919	16,785	5,011	30	5.45
Massac	353	115	468	9,325	2,561	27	5.47
Monroe	85	36	121	1,762	539	31	4.45
Montgomery	141	72	213	3,861	1,094	28	5.14
Moultrie (new)	79	13	92	1,609	463	29	5.03
Perry	144	74	218	4,564	1,242	27	5.70
Piatt (new)	70	7	77	1,293	332	26	4.31
Pope	178	70	248	4,713	1,298	28	5.23
Pulaski	868	271	1,139	20,804	5,792	28	5.09
Randolph	80	104	184	3,515	1,066	30	5.79
Richland	51	32	83	1,703	505	30	6.08
St. Clair	9,033	1,086	10,119	216,776	58,374	27	5.77
Saline	711	394	1,105	24,175	6,657	28	6.02
Shelby (new)	50	36	86	1,265	360	28	4.19
Union	181	138	319	6,463	1,897	29	5.95
Vermilion (new)	282	2	284	3,767	1,032	27	3.63
Wabash	67	35	102	2,264	618	27	6.06
Washington	26	0	26	581	146	25	5.62
Wayne	127	40	167	2,688	723	27	4.33
White	118	121	239	4,921	1,412	29	5.91
Williamson	666	305	971	22,180	6,052	27	6.23
Total	101,919	14,317	116,236	2,248,957	610,746	27	5.25
Indiana (17):							
Bartholomew	247	167	414	6,497	2,600	40	6.28
Floyd	428	439	867	13,383	5,160	39	5.95
Gibson	380	258	638	9,302	3,882	42	6.08
Harrison	150	284	434	7,588	2,823	37	6.50
Knox	341	327	668	12,523	4,345	35	6.50
Lake	7,134	1,415	8,549	140,244	47,574	34	5.56
Madison	954	165	1,119	10,875	4,116	38	3.68
Marion	4,327	2,046	6,373	101,677	35,975	35	5.64
Perry	385	301	686	[1] 12,860	[1] 4,246	[1] 33	[1] 6.19
Pike	283	139	422	6,100	2,602	43	6.17
Posey	184	384	568	8,087	3,329	41	5.86
Putnam	63	40	103	1,616	615	38	5.97
Spencer	310	237	547	8,873	3,385	38	6.19
Switzerland	53	89	142	2,300	912	40	6.42
Tipton	101	41	142	2,518	792	31	5.58
Vanderburgh	2,408	1,893	4,301	67,195	24,255	36	5.64
Warrick	256	262	518	8,467	3,142	37	6.07
Total	18,004	8,487	26,491	[1] 420,105	[1] 149,753	[1] 36	[1] 5.65
Iowa (42):							
Adams	28	23	51	1,067	315	30	6.18
Appanoose	324	165	489	10,688	3,027	28	6.19
Benton	96	47	143	3,011	775	26	5.42
Butler	74	82	156	2,858	806	28	5.17
Calhoun	64	74	138	2,634	756	29	5.48
Cerro Gordo	309	65	374	7,323	1,967	27	5.26
Clark	11	5	16	410	110	27	6.88
Dallas	165	67	232	4,871	1,394	29	6.01
Davis	39	30	69	1,390	428	31	6.20
Decatur	89	61	150	2,980	1,022	34	6.75
Des Moines	197	246	443	6,856	1,997	29	4.51
Dubuque	722	373	1,095	18,640	4,674	30	5.18
Franklin	46	46	92	1,796	515	29	5.60
Greene	88	70	158	2,954	792	27	5.01
Grundy	23	4	27	618	178	29	6.59
Guthrie	88	77	165	2,907	837	29	5.07
Hamilton	126	15	141	3,009	779	26	5.52
Hardin (new)	93	36	129	2,775	728	26	5.64
Harrison	56	64	120	2,444	743	30	6.19
Henry	54	13	67	1,504	424	28	6.33
Ida	18	32	50	1,024	288	28	5.76
Jasper	156	71	227	4,871	1,373	28	6.05
Johnson	303	123	426	4,417	1,288	29	3.02
Lee	305	196	501	10,147	2,731	27	5.45
Lucas	205	62	267	5,896	1,693	29	6.34
Madison	57	69	126	2,642	826	31	6.56
Marshall	98	27	125	2,728	777	28	6.12
Monona	109	135	244	4,540	1,443	32	5.91
O'Brien	120	45	165	3,499	966	28	5.85
Plymouth	62	24	86	1,968	490	25	5.70
Pottawattomie (new)	938	89	1,027	22,163	5,848	26	5.69
Scott	797	483	1,280	24,458	7,033	29	5.49
Sioux	121	33	154	3,398	918	27	5.96
Tama	63	62	125	2,391	666	28	5.33
Taylor	28	58	86	1,755	548	31	6.37
Union	128	79	207	4,308	1,151	27	5.56
Van Buren	89	36	125	2,786	750	27	6.00
Wapello	507	388	895	18,634	5,683	30	6.35
Warren	135	67	202	4,138	1,107	27	5.48
Washington	77	57	134	2,642	760	29	5.67
Wayne	114	38	152	3,286	922	28	6.07
Woodbury	2,041	536	2,577	50,965	14,208	28	5.51
Total	9,163	4,273	13,436	263,391	74,726	28	5.56

See footnotes at end of table.

Food stamp program—Participation and coupon value, by project area, February 1967—Continued

Project area	Participation (number of persons)			Coupons issued			
	Public assistance	Nonpublic assistance	Total	Total value	Bonus value	Bonus of total (percent)	Average bonus per person
Kansas (5):							
Bourbon	169	44	213	$4,442	$1,288	29	$6.05
Cherokee	614	71	685	14,245	4,020	28	5.87
Crawford	836	94	930	20,464	5,490	27	5.90
Labette	541	109	650	12,804	3,564	28	5.48
Wilson	154	12	166	2,907	882	30	5.31
Total	2,314	330	2,644	54,862	15,244	28	5.77
Kentucky (44):							
Adair	107	376	483	6,630	3,194	48	6.61
Bath	134	394	528	7,250	3,520	49	6.67
Bell	2,215	2,134	4,349	67,056	26,568	40	6.11
Breathitt	2,203	1,762	3,965	62,564	22,762	36	5.74
Campbell	233	400	633	9,352	4,123	44	6.51
Carter	225	883	1,108	15,566	7,880	51	7.11
Casey	185	650	835	11,312	6,046	53	7.24
Clark	90	128	218	3,391	1,401	41	6.43
Clay	1,270	2,749	4,019	57,898	25,846	45	6.43
Clinton	86	602	688	9,340	5,132	55	7.46
Cumberland	320	433	753	11,154	4,965	45	6.59
Elliott	241	308	549	8,074	3,332	41	6.07
Estill	346	622	968	14,580	6,458	44	6.67
Floyd	2,601	2,975	5,576	85,464	32,480	38	5.82
Harlan	2,452	3,435	5,887	87,570	35,712	41	6.07
Jackson	603	671	1,274	19,704	7,432	38	5.83
Jefferson	2,528	1,852	4,380	73,256	24,734	34	5.65
Johnson	772	1,849	2,621	37,852	18,216	48	6.95
Knott	2,881	2,509	5,390	82,464	30,264	37	5.61
Knox	1,887	2,527	4,414	66,640	26,908	40	6.10
Laurel	418	1,682	2,100	29,174	15,232	52	7.25
Lee	356	1,198	1,554	22,546	10,726	48	6.90
Leslie	1,700	1,702	3,402	51,406	20,628	40	6.06
Letcher	1,624	2,068	3,692	55,386	22,733	41	6.16
Lincoln	163	569	732	9,972	5,442	55	7.43
Logan	176	348	524	7,754	3,335	43	6.36
McCreary	603	1,442	2,045	28,776	13,574	47	6.64
Magoffin	1,122	1,941	3,063	44,322	19,616	44	6.40
Martin	1,439	1,140	2,579	39,072	14,936	38	5.79
Menifee	294	197	491	7,304	2,762	38	5.63
Montgomery	224	264	488	7,396	2,968	40	6.08
Morgan	665	776	1,441	21,236	8,808	41	6.11
Muhlenburg	177	374	551	8,668	3,894	45	7.07
Owsley	497	868	1,365	20,904	8,494	40	6.22
Perry	3,782	3,075	6,857	102,306	39,324	38	5.73
Pike	2,247	2,509	4,756	72,672	28,180	39	5.93
Pulaski	445	1,251	1,696	24,428	11,892	49	7.01
Rockcastle	246	923	1,169	16,350	8,592	53	7.35
Russell	81	637	718	9,370	5,606	60	7.81
Simpson	72	190	262	3,875	1,585	41	6.05
Todd	36	127	163	2,508	1,057	42	6.48
Wayne	206	1,357	1,563	20,344	11,986	59	7.67
Whitley	852	1,631	2,483	36,368	16,446	45	6.62
Wolfe	709	492	1,201	18,900	7,038	37	5.86
Total	39,513	54,020	93,533	1,398,244	581,827	42	6.22
Louisiana (22):							
Acadia	1,500	2,600	4,100	59,584	27,718	47	6.76
Assumption	302	1,512	1,814	21,482	11,299	53	6.23
Avoyelles	2,392	5,774	8,166	117,156	54,218	46	6.64
Calcasieu	1,559	1,403	2,962	43,155	18,100	42	6.11
Caldwell	218	444	662	9,530	4,200	44	6.34
East Baton Rouge	507	1,028	1,535	17,254	8,618	50	5.61
Evangeline	3,814	5,249	9,063	136,480	59,086	43	6.52
Franklin	745	3,525	4,270	53,558	28,191	53	6.60
Iberia	734	797	1,531	21,810	9,188	42	6.00
Iberville	470	1,798	2,268	27,030	12,900	46	5.69
Jefferson Davis	688	500	1,188	17,373	6,781	39	5.71
Lafayette	1,062	2,767	3,829	48,998	25,093	51	6.55
Natchitoches	1,167	2,672	3,839	51,138	26,279	51	6.84
Pointe Coupee	856	1,901	2,757	37,312	16,678	44	6.05
Red River	413	1,641	2,054	25,400	13,145	52	6.40
Richland	484	3,148	3,632	42,484	24,214	57	6.67
St. James	163	418	581	7,482	3,327	44	5.73
St. John	97	409	506	6,925	2,789	40	5.51
St. Landry	2,101	10,052	12,153	156,424	82,122	52	6.77
St. Martin	1,321	2,258	3,579	48,603	23,809	49	6.65
Vermilion	335	1,152	1,487	19,517	9,991	51	6.72
Winn	448	155	603	9,913	3,530	36	5.85
Total	21,376	51,203	72,579	978,608	471,276	48	6.49
Maine (1): Androscoggin	736	877	1,613	30,110	9,642	32	5.98
Maryland (10):							
Allegheny	937	417	1,354	27,517	8,999	33	6.65
Anne Arundel	711	703	1,414	24,152	9,070	38	6.41
Baltimore	696	135	831	16,456	6,012	37	7.23
Caroline	209	30	239	4,682	1,647	35	6.89
Charles	154	31	185	2,664	996	37	5.38
Dorchester	313	92	405	6,967	2,382	34	5.88
Garrett	356	330	686	13,530	4,734	35	6.90
Prince Georges (new)	223	26	249	4,154	1,161	39	6.51
Queen Annes	98	103	201	3,124	1,157	37	5.76
Talbot	121	65	186	3,096	1,124	36	6.04
Total	3,818	1,932	5,750	106,342	37,742	35	6.56

See footnotes at end of table.

Food stamp program—Participation and coupon value, by project area, February 1967—Continued

Project area	Participation (number of persons)			Coupons issued			
	Public assistance	Nonpublic assistance	Total	Total value	Bonus value	Bonus of total (percent)	Average bonus per person
Michigan (6):							
Gogebic	686	371	1,057	$20,896	$5,729	27	$5.42
Houghton	800	790	1,590	31,685	9,067	29	5.70
Macomb	2,316	563	2,879	59,674	17,007	28	5.91
Oakland	5,024	738	5,762	111,616	29,267	26	5.08
St. Clair	1,653	283	1,936	34,005	9,196	27	4.75
Wayne	41,036	7,490	48,526	929,742	246,766	27	5.09
Total	51,515	10,235	61,750	1,187,163	317,032	27	5.13
Minnesota (29):							
Aitkin	107	309	416	8,479	2,800	33	6.73
Anoka	492	310	802	15,391	4,164	27	5.19
Becker	259	741	1,000	17,366	5,897	34	5.90
Beltrami	530	893	1,423	25,192	8,041	32	5.65
Benton	62	280	342	5,466	1,737	32	5.08
Big Stone	147	145	292	5,690	1,734	30	5.94
Carlton	291	632	923	17,407	5,384	31	5.83
Chippewa	49	79	128	2,324	722	31	5.64
Crow Wing	185	723	908	17,570	5,482	31	6.04
Dakota	497	224	721	14,267	3,770	26	5.23
Hennepin	5,567	2,333	7,900	165,580	44,045	27	5.58
Hubbard	81	499	580	10,216	3,791	37	6.54
Itasca	274	674	948	17,898	5,621	31	5.93
Kandiyohi	337	326	663	12,810	3,895	30	5.87
Koochiching	260	310	570	11,235	3,086	27	5.41
Lac qui Parle	78	242	320	5,699	1,810	32	5.66
Lake	35	134	169	2,914	954	33	5.64
Otter Tail	146	143	289	5,792	1,674	29	5.79
Pine	186	245	431	8,892	2,522	28	5.85
Pipestone	45	96	141	2,741	832	30	5.90
Polk	249	351	600	11,118	3,464	31	5.77
Ramsey	6,238	2,305	8,543	176,539	46,892	26	5.49
Renville	174	133	307	5,327	1,682	32	5.48
Roseau	97	112	209	3,492	1,194	34	5.71
Stearns	260	940	1,200	20,196	6,585	33	5.49
St. Louis	4,294	3,461	7,755	151,505	41,907	28	5.40
Swift	29	280	309	5,977	1,756	29	5.68
Washington	327	98	425	8,081	2,152	27	5.06
Wright	103	159	262	4,652	1,549	33	5.91
Total	21,399	17,177	38,576	759,816	215,142	28	5.58
Mississippi (20):							
Attala	612	2,123	2,744	36,450	19,674	54	7.17
Chickasaw	672	1,859	2,531	34,866	17,292	50	6.83
Clay	554	2,810	3,364	41,255	24,548	60	7.30
Coahoma	1,249	9,426	10,675	134,730	72,502	54	6.79
De Soto (new)	430	2,462	2,892	37,031	20,969	57	7.25
Forrest	787	2,086	2,873	38,420	20,129	52	7.01
Harrison	652	1,591	2,243	30,992	15,866	51	7.07
Jones	1,333	4,117	5,450	74,032	39,955	54	7.33
Leflore (new)	926	7,405	8,331	104,732	58,428	56	7.01
Lee	879	1,687	2,566	37,537	18,062	48	7.04
Lowndes	826	2,063	2,889	38,862	19,960	51	6.91
Madison	924	4,735	5,659	69,729	40,026	57	7.07
Marion	472	637	1,109	16,855	7,693	46	6.94
Panola	392	3,397	3,789	48,057	25,467	53	6.72
Pike	696	1,403	2,099	29,342	15,340	52	7.31
Quitman (new)	431	4,415	4,846	61,550	32,528	53	6.71
Tallahatchie (new)	1,138	4,987	6,125	78,958	42,955	54	7.01
Warren (new)	633	690	1,323	20,198	9,528	47	7.20
Yalobusha (new)	527	572	1,099	16,426	7,638	46	6.95
Yazoo	928	3,760	4,688	60,084	33,072	55	7.05
Total	15,061	62,234	77,295	1,010,106	541,632	54	7.01
Missouri (1): St. Louis (city)	14,175	8,888	23,063	371,649	156,659	42	6.79
Montana (3):							
Cascade	1,433	1,033	2,466	[1]45,573	[1]15,191	[1]33	[1]6.16
Deer Lodge	78	229	307	5,787	1,701	29	5.54
Silver Bow	952	337	1,289	26,470	7,731	29	6.00
Total	2,463	1,599	4,062	[1]77,830	[1]24,623	[1]32	[1]6.06
Nebraska (22):							
Boone	49	26	75	1,632	498	31	6.64
Boyd (new)	14	28	42	676	284	42	6.76
Buffalo	225	103	328	6,070	1,843	30	5.62
Clay	44	0	44	854	248	29	5.64
Cuming (new)	21	13	34	625	172	28	5.06
Custer	173	45	218	4,293	1,212	28	5.56
Dakota (new)	73	55	128	2,585	782	30	6.11
Douglas	4,765	2,189	6,954	134,350	46,906	35	6.75
Franklin	18	43	61	[1]1,200	[1]397	[1]33	[1]6.51
Gage	111	50	161	3,666	958	26	5.95
Hall	175	154	329	5,543	1,681	30	5.11
Holt	[1]35	[1]20	[1]55	1,118	334	30	[1]6.07
Keith	27	27	54	781	264	34	4.89
Lancaster	991	592	1,583	30,202	9,610	32	6.07
Morrill	51	36	87	1,815	549	30	6.31
Nemaha	66	56	122	2,475	719	29	5.89
Rock (new)	16	1	17	291	74	25	4.35
Sarpy	106	218	324	4,964	1,691	34	5.22
Saunders	98	161	259	4,358	1,603	37	6.19
Scotts Bluff-Banner	286	221	507	8,700	2,760	32	5.44
Sheridan	27	56	83	1,571	528	34	6.36
York	18	51	69	1,137	380	33	5.51
Total	[1]7,389	[1]4,145	[1]11,534	[1]218,906	[1]73,493	[1]34	[1]6.37

See footnotes at end of table.

Food stamp program—Participation and coupon value, by project area, February 1967—Continued

Project area	Participation (number of persons)			Coupons issued			
	Public assistance	Nonpublic assistance	Total	Total value	Bonus value	Bonus of total (percent)	Average bonus per person
New Jersey (4):							
Bergen (new)	975	151	1,126	$24,862	$6,001	24	$5.33
Camden (new)	3,026	1,005	4,031	86,760	23,478	27	5.82
Mercer	1,768	2,600	4,368	84,327	23,820	28	5.45
Salem	239	512	751	14,137	4,405	31	5.87
Total	6,008	4,268	10,276	210,086	57,704	27	5.62
New Mexico (17):							
Chaves	671	324	995	17,470	5,824	33	5.85
Colfax	277	185	462	7,898	2,953	37	6.39
Curry	662	400	1,062	18,153	6,808	38	6.41
Eddy	779	1,104	1,883	28,344	12,093	43	6.42
Guadalupe (new)	299	400	699	11,089	4,724	43	6.76
Harding	31	94	125	1,978	822	42	6.58
Lea	399	300	699	11,513	4,535	39	6.49
Mora	403	535	938	14,957	6,734	45	7.18
Quay	291	289	580	9,110	3,902	43	6.73
Rio Arriba	1,154	2,890	4,044	61,570	29,981	49	7.41
Roosevelt	283	673	956	13,952	6,470	46	6.77
Sandoval	350	1,633	1,983	27,631	16,213	59	8.18
San Miguel	1,754	2,138	3,892	63,596	26,879	42	6.90
Santa Fe	1,574	2,449	4,023	64,124	27,978	44	6.95
Taos	1,047	1,165	2,212	36,043	16,155	45	7.30
Torrence (new)	300	151	451	7,854	2,788	35	6.18
Union	110	35	145	2,786	944	34	6.51
Total	10,384	14,765	25,149	398,068	175,803	44	6.99
New York (1): Erie Welfare District	15,950	5,092	21,042	406,698	114,919	28	4.46
North Carolina (22):							
Bertie	573	4,032	4,605	59,736	32,360	54	7.03
Cabarrus	149	144	293	4,718	2,112	45	7.21
Chatham	159	428	587	8,744	4,252	49	7.24
Chowan	107	583	690	9,054	5,164	57	7.48
Cleveland	470	184	654	10,444	3,846	37	5.88
Dare	76	75	151	2,706	992	37	6.57
Durham	1,186	661	1,847	28,857	12,014	42	6.50
Forsyth	1,889	541	2,430	39,864	14,444	36	5.94
Franklin	474	1,560	2,034	26,544	13,678	52	6.72
Granville	110	805	915	11,322	6,200	55	6.78
Halifax	901	3,808	4,709	62,278	30,822	49	6.69
Harnett	281	320	601	11,115	4,771	43	7.94
Lee	522	368	890	13,275	5,440	41	6.11
Martin	441	2,534	2,975	38,558	20,396	53	6.86
Moore	538	302	840	13,034	5,290	41	6.30
Nash	1,631	5,974	7,605	99,618	52,816	53	6.94
New Hanover	607	270	877	15,119	5,603	37	6.39
Northampton	474	1,615	2,089	26,666	13,934	52	6,67
Orange	349	444	793	10,940	5,155	47	6.50
Person	367	593	960	12,894	6,222	48	6.48
Scotland	469	994	1,463	19,626	8,640	44	5.91
Surry	380	694	1,074	15,992	7,402	46	6.89
Total	12,153	26,929	39,082	541,104	261,553	48	6.69
North Dakota (1): Morton	164	280	444	7,750	2,731	35	6.11
Ohio (33):							
Allen	923	230	1,153	21,545	7,166	33	6.22
Ashland	127	42	169	3,212	1,026	32	6.07
Athens	967	332	1,299	24,614	8,659	35	6.67
Belmont (new)	908	208	1,116	22,602	7,692	34	6.89
Carroll (new)	99	61	160	2,949	1,043	35	6.52
Clark	866	571	1,437	27,330	8,904	33	6.20
Clermont	1,882	1,066	2,948	55,764	18,303	33	6.21
Columbiana	540	686	1,226	23,762	8,055	34	6.57
Coshocton (new)	97	16	113	2,313	711	31	6.29
Cuyahoga	58,621	4,647	63,268	1,188,182	414,238	35	6.55
Franklin	15,263	1,700	16,963	299,325	106,309	36	6.27
Guernsey (new)	507	187	694	13,492	4,658	35	6.71
Hamilton	21,115	6,345	27,460	511,847	171,417	33	6.24
Harrison	156	82	238	4,488	1,574	35	6.61
Holmes	97	17	114	2,434	772	32	6.77
Jefferson	1,226	489	1,715	34,468	12,060	35	7.03
Knox	107	75	182	3,834	1,188	31	6.53
Lake	363	67	430	8,802	2,684	30	6.24
Lawrence	2,211	1,166	3,377	64,246	23,838	37	7.06
Lorain	2,186	814	3,000	56,969	20,163	35	6.72
Lucas	14,681	1,994	16,675	313,970	108,167	34	6.49
Mahoning	4,222	2,590	6,812	109,835	36,809	34	5.40
Monroe (new)	543	158	701	13,148	4,674	36	6.67
Morgan	146	154	300	5,159	1,739	34	5.80
Montgomery	7,304	1,238	8,542	159,280	56,872	36	6.66
Richland	1,238	679	1,917	26,198	9,626	37	5.02
Scioto	3,572	996	4,568	84,904	29,988	35	6.56
Stark	2,424	1,042	3,466	67,961	23,093	34	6.66
Summit	8,921	1,298	10,210	188,449	64,501	34	6.31
Trumbull	2,219	711	2,930	56,508	19,463	34	6.64
Tuscarawas	747	177	924	18,070	6,246	35	6.76
Washington	357	238	595	11,383	3,834	34	6.44
Wayne	252	69	321	6,775	2,196	32	6.84
Total	154,887	30,145	185,032	3,433,809	1,187,668	32	6.42
Oregon (1): Multnomah	9,100	2,288	11,388	203,994	58,358	29	5.12

See footnotes at end of table.

***Food stamp program—Participation and coupon value, by project area, February 1967*—Continued**

Project area	Participation (number of persons)			Total value	Coupons issued		
	Public assistance	Nonpublic assistance	Total		Bonus value	Bonus of total (percent)	Average bonus per person
Pennsylvania (29):							
Allegheny	42,940	8,328	51,268	$967,379	$296,725	31	$5.79
Armstrong (new)	1,014	366	1,380	22,064	6,991	32	5.07
Blair (new)	1,976	795	2,771	47,500	14,650	31	5.29
Bradford	1,555	1,712	2,267	38,988	12,889	33	5.69
Cambria	4,404	1,440	5,844	118,008	37,387	32	6.40
Clarion (new)	676	248	924	18,562	5,708	31	6.18
Clearfield	2,187	979	3,166	55,368	17,964	32	5.67
Clinton	534	247	781	13,437	4,196	31	5.37
Crawford (new)	961	324	1,285	23,308	7,325	31	5.70
Dauphin	3,131	431	3,562	60,330	17,517	29	4.92
Fayette	12,192	2,064	14,256	263,161	81,649	31	5.73
Greene	1,870	708	2,578	41,771	13,813	33	5.36
Huntingdon	1,075	419	1,494	27,896	9,018	32	6.04
Indiana	1,814	659	2,473	34,531	11,555	33	4.67
Jefferson (new)	1,088	456	1,544	29,079	9,533	33	6.17
Lackawanna	4,469	2,392	6,861	126,815	40,970	32	5.97
Luzerne	6,039	3,066	9,105	167,127	54,637	33	6.00
McKean	1,025	430	1,455	25,742	8,079	31	5.55
Mifflin	696	197	893	14,545	4,629	32	5.18
Northumberland	1,379	746	2,125	37,659	11,776	31	5.54
Philadelphia	36,710	12,816	49,526	823,855	275,020	33	5.55
Potter	410	213	623	10,270	3,324	32	------
Somerset	2,143	1,063	3,206	57,362	18,440	32	5.75
Sullivan	107	63	170	3,072	970	32	5.71
Susquehanna	571	303	874	12,406	4,028	32	4.61
Tioga	771	552	1,323	22,269	7,467	34	5.64
Verango (new)	1,061	411	1,472	25,460	7,717	30	5.24
Washington	4,447	1,596	6,043	106,167	34,605	33	5.73
Wyoming	202	105	307	6,136	1,935	32	6.30
Total	137,447	42,129	179,576	3,200,267	1,020,517	32	5.68
Rhode Island (4):							
Central Falls (city)	3,626	451	4,077	91,060	25,877	28	6.35
Pawtucket (city)	(2)	(2)	(2)	(2)	(2)	------	------
Providence (city)	8,741	687	9,428	194,820	57,322	29	6.08
Woonsocket (city)	(2)	(2)	(2)	(2)	(2)	------	------
Total	12,367	1,138	13,505	285,880	83,199	29	6.16
South Carolina (8):							
Beaufort (new)	322	116	438	4,872	2,736	56	6.25
Cherokee	126	295	421	6,238	3,144	50	7.47
Dillon	229	4,816	5,045	60,296	37,540	62	7.44
Edgefield	96	577	673	9,172	4,792	52	7.12
Lee	201	3,504	3,705	43,284	27,791	64	7.50
McCormick	106	692	798	10,540	5,756	55	7.21
Williamsburg	456	6,446	6,902	86,310	50,530	59	7.32
York	204	930	1,134	15,466	8,364	54	7.38
Total	1,740	17,376	19,116	236,178	140,653	60	7.36
Tennessee (38):							
Anderson	621	1,949	2,570	37,278	17,980	48	7.00
Bledsoe	189	351	540	8,322	3,666	45	6.79
Campbell	628	3,276	3,904	56,136	29,780	53	7.62
Cannon	46	237	283	3,858	1,901	49	6.72
Chester	164	230	394	6,275	2,365	38	6.00
Claiborne	601	1,909	2,510	34,917	17,869	51	7.12
Cocke	196	904	1,100	15,138	7,884	52	7.17
Dyer	446	2,417	2,863	40,161	20,311	51	7.09
Fayette	118	6,128	6,246	76,424	46,424	61	7.43
Fentress	144	919	1,063	14,829	7,478	50	7.03
Grundy	217	542	759	11,232	5,536	49	7.29
Hamilton	2,496	3,284	5,780	88,076	35,548	40	6.15
Hancock	264	897	1,161	16,196	8,506	53	7.33
Hardeman	260	2,818	3,078	38,890	21,014	54	6.82
Hardin	301	890	1,191	18,922	8,108	43	6.81
Haywood	263	6,953	7,216	88,583	50,679	57	7.02
Henry	139	223	362	6,474	2,208	34	6.10
Knox	1,043	2,648	3,691	57,444	25,270	44	6.85
Lake	234	1,576	1,810	21,670	13,078	60	7.23
Lauderdale	323	3,902	4,225	55,642	30,682	55	7.26
Lawrence	173	467	640	10,297	4,257	41	6.65
Macon	76	186	262	4,404	1,832	42	6.99
Marion	406	1,229	1,635	24,001	11,174	47	6.83
McNairy	395	980	1,375	22,112	9,854	45	7.17
Meigs	43	186	229	3,124	1,551	50	6.77
Morgan	284	1,107	1,391	19,344	10,224	53	7.35
Pickett	50	253	303	4,044	2,222	55	7.33
Rutherford	302	471	773	10,025	4,553	45	5.89
Scott	729	2,338	3,067	45,596	21,122	46	6.89
Sequatchie	124	195	319	4,154	1,706	41	5.35
Sevier	109	309	418	6,232	3,044	49	7.28
Shelby	4,064	5,983	10,047	144,430	56,797	39	5.65
Smith	79	286	365	5,627	2,529	45	6.93
Sumner	134	474	608	8,461	4,249	50	6.99
Tipton	168	5,192	5,360	63,518	39,012	61	7.28
Trousdale	22	165	187	2,598	1,248	48	6.67
Weakley	138	242	380	6,252	2,508	40	6.60
Wilson	82	222	304	4,306	1,975	46	6.50
Total	16,071	62,338	78,409	1,084,902	536,144	49	6.84
Texas (2):							
El Paso	[1] 1,011	[1] 2,200	[1] 3,211	44,397	21,802	49	[1] 6.79
Tarrant	[1] 2,504	[1] 3,242	[1] 5,746	93,941	39,362	42	[1] 6.85
Total	[1] 3,515	[1] 5,442	[1] 8,957	138,338	61,164	44	[1] 6.83

See footnotes at end of table.

Food stamp program—Participation and coupon value, by project area, February 1967—Continued

Project area	Participation (number of persons)			Coupons issued			
	Public assistance	Nonpublic assistance	Total	Total value	Bonus value	Bonus of total (percent)	Average bonus per person
Utah (20):							
Beaver (new)	30	0	30	$762	$216	28	$7.20
Box Elder	113	17	130	2,636	840	32	6.46
Cache	179	120	299	6,209	2,213	36	7.40
Carbon	240	46	286	5,697	1,704	30	5.96
Davis	394	49	443	8,108	2,900	36	6.55
Emery	110	6	116	2,538	720	28	6.21
Garfield	84	15	99	2,057	612	30	6.18
Iron (new)	52	0	52	1,226	332	27	6.38
Juab	53	6	59	1,384	394	28	6.68
Kane	21	9	30	620	184	30	6.13
Millard	69	6	75	1,654	468	28	6.24
Morgan	18	0	18	384	120	31	6.67
Piute	53	2	55	1,224	352	29	6.40
Rich	7	2	9	216	60	28	6.67
Sanpete	270	23	293	6,374	1,885	30	6.43
Sevier	143	15	158	3,310	968	29	6.13
Utah	1,364	108	1,472	28,938	9,649	33	6.56
Washington (new)	119	13	132	2,947	851	29	6.45
Wayne	14	0	14	328	88	27	6.29
Weber	1,855	170	2,025	39,970	13,027	33	6.43
Total	5,188	607	5,795	116,582	37,583	32	6.49
Vermont (1): St. Albans Welfare District	474	1,425	1,899	33,302	10,663	32	5.62
Virginia (7):							
Bristol (city)	358	507	865	13,326	5,732	43	6.63
Chesapeake (city)	637	512	1,149	18,646	7,785	42	6.78
Danville (city)	259	148	407	6,038	2,176	36	5.35
Dickenson	595	1,748	2,343	33,294	16,768	50	7.16
Lee	894	1,233	2,127	31,458	14,678	47	6.90
Norfolk	3,088	1,194	4,282	67,530	22,323	33	5.21
Wise	471	1,537	2,008	28,618	14,826	52	7.38
Total	6,302	6,879	13,181	198,910	84,288	42	6.39
Washington (23):							
Adams	118	54	172	[1] 3,164	[1] 1,139	[1] 36	[1] 6.62
Asotin	305	37	342	[1] 6,840	[1] 2,052	[1] 30	[1] 6.00
Benton	975	294	1,269	[1] 21,879	[1] 6,345	[1] 29	[1] 5.00
Clallam	447	247	694	[1] 13,650	[1] 4,095	[1] 30	[1] 5.90
Clark	1,478	310	1,788	[1] 38,407	[1] 10,370	[1] 27	[1] 5.80
Columbia	59	20	79	[1] 1,432	[1] 444	[1] 31	[1] 5.62
Cowlitz	872	406	1,278	[1] 26,078	[1] 8,345	[1] 32	[1] 6.53
Franklin	514	87	601	[1] 13,343	[1] 4,003	[1] 30	[1] 6.66
Garfield	17	16	33	[1] 707	[1] 198	[1] 28	[1] 6.00
Gray's Harbor	1,255	455	1,710	[1] 32,727	[1] 9,491	[1] 29	[1] 5.55
Jefferson	185	22	207	[1] 4,270	[1] 1,153	[1] 27	[1] 5.57
Kitsap	1,022	209	1,231	[1] 25,585	[1] 7,164	[1] 28	[1] 5.82
Klickitat	176	72	248	[1] 5,375	[1] 1,505	[1] 28	[1] 6.07
Lewis	875	333	1,208	[1] 27,178	[1] 7,610	[1] 28	[1] 6.30
Lincoln	57	19	76	[1] 1,657	[1] 464	[1] 28	[1] 6.10
Mason	230	66	296	[1] 5,327	[1] 1,545	[1] 29	[1] 5.22
Pacific	332	79	411	[1] 8,903	[1] 2,404	[1] 27	[1] 5.85
Skamania	125	151	276	[1] 4,140	[1] 1,325	[1] 32	[1] 4.80
Thruston	1,332	158	1,490	[1] 27,564	[1] 7,718	[1] 28	[1] 5.18
Wahkiakum	27	13	40	[1] 873	[1] 262	[1] 30	[1] 6.55
Walla Walla	882	216	1,098	[1] 22,039	[1] 6,171	[1] 28	[1] 5.62
Whitman	102	126	228	[1] 4,520	[1] 1,311	[1] 29	[1] 5.75
Yakima	5,080	963	6,043	[1] 118,781	[1] 33,264	[1] 28	[1] 5.50
Total	16,465	4,353	20,818	[1] 414,430	118,378	29	5.69
West Virginia (40):							
Barbour	806	326	1,132	19,746	8,476	43	7.49
Boone	2,798	375	3,173	56,882	22,376	39	7.05
Braxton	1,379	259	1,638	28,444	11,900	42	7.26
Cabell	1,894	263	2,156	40,738	15,162	37	7.03
Calhoun	756	110	866	14,782	6,164	42	7.12
Clay	1,481	491	1,972	34,010	14,548	43	7.38
Doddridge	255	70	325	5,438	2,430	45	7.48
Fayette	4,859	1,500	6,359	109,970	45,750	42	7.19
Gilmer	593	183	776	13,426	5,636	42	7.26
Greenbrier	1,299	515	1,814	30,886	13,426	43	7.40
Harrison	688	516	1,204	20,328	9,020	44	7.49
Jackson	788	198	986	17,246	7,056	41	7.16
Kanawha	7,699	1,572	9,271	163,972	66,782	41	7.20
Lewis	664	162	826	14,050	6,082	43	7.36
Lincoln	3,496	434	3,930	69,712	28,030	40	7.13
Logan	5,755	620	6,375	112,320	44,282	39	6.95
Marion	934	329	1,263	22,662	9,056	40	7.17
Mason	535	298	833	14,086	6,298	45	7.56
McDowell	7,067	1,335	8,402	147,214	58,216	40	6.93
Mercer	3,201	623	3,824	69,752	27,760	40	7.26
Mingo	6,472	922	7,349	130,614	51,414	39	6.95
Monongalia	504	224	728	12,960	5,458	42	7.50
Monroe	746	133	879	15,538	6,248	40	7.11
Nicholas	1,115	637	1,752	30,176	13,176	44	7.52
Pendelton	261	84	345	5,846	2,592	44	7.51
Pocahontas	450	64	514	9,214	3,708	40	7.21
Preston	602	196	798	13,938	5,896	42	7.39
Putnam	650	186	836	14,604	6,274	43	7.50
Raleigh	3,889	1,163	5,052	90,300	36,740	41	7.27
Randolph	1,213	217	1,430	25,076	10,002	40	6.99
Roane	1,025	183	1,208	20,678	8,630	42	7.14
Summers	1,583	536	2,119	36,532	15,692	43	7.41
Taylor	345	150	495	8,630	3,590	42	7.25
Tucker	221	34	255	4,698	1,924	41	7.55
Upshur	692	238	930	16,434	6,676	41	7.18

See footnotes at end of table.

Food stamp program—Participation and coupon value, by project area, February 1967—Continued

Project area	Participation (number of persons)			Coupons issued			
	Public assistance	Nonpublic assistance	Total	Total value	Bonus value	Bonus of total (percent)	Average bonus per person
West Virginia (40)—Continued							
Wayne	4,773	615	5,388	$94,516	$38,260	40	$7.10
Webster	1,562	274	1,836	32,668	13,210	40	7.19
Wirt	118	58	176	3,040	1,366	45	7.76
Wood	745	367	1,112	19,954	8,586	43	7.72
Wyoming	2,644	624	3,268	57,742	23,628	41	7.23
Total	76,556	17,084	93,640	1,648,722	671,520	41	7.17
Wisconsin (18):							
Burnett	154	104	258	4,575	1,398	31	5.42
Crawford	175	288	463	8,202	2,821	34	6.09
Door (new)	107	99	206	3,557	1,101	31	5.34
Douglas	836	871	1,707	31,129	10,493	34	6.15
Dunn	195	376	571	8,083	2,705	33	4.74
Grant	306	180	486	9,269	2,738	30	5.63
Iron	49	130	179	3,549	1,038	29	5.80
Kewaunee (new)	28	15	43	842	244	29	5.67
Lafayette	99	118	217	3,657	1,239	34	5.71
Langlade	187	659	846	14,332	4,722	33	5.58
Milwaukee	12,059	2,900	14,959	253,728	75,751	30	5.06
Pepin	138	60	198	3,608	1,034	29	5.22
Pierce	1,138	112	250	4,305	1,308	30	5.23
Price	137	487	624	11,509	3,860	34	6.19
Rusk	222	275	497	10,367	3,250	31	6.54
St. Croix	72	89	161	2,803	844	30	5.24
Vernon	176	183	359	6,411	2,090	33	5.82
Waukesha	599	406	1,005	16,318	5,758	35	5.73
Total	15,677	7,352	23,029	396,244	122,394	31	5.31
Wyoming (23):							
Albany	117	155	272	4,664	1,603	34	5.89
Big Horn	214	293	507	8,741	3,109	36	6.13
Campbell	80	26	106	1,808	680	38	6.42
Carbon	398	312	710	11,793	4,412	37	6.21
Converse	91	40	131	2,054	748	36	5.71
Crook	6	5	11	248	80	32	7.27
Fremont	150	142	292	5,675	1,885	33	6.46
Goshen	234	79	313	6,141	1,846	30	5.90
Hot Springs	70	43	113	2,024	640	32	5.66
Johnson	59	28	87	1,557	467	30	5.39
Laramie	775	334	1,109	19,719	6,303	32	5.68
Lincoln	30	11	41	890	240	27	5.85
Natrona	787	526	1,313	23,196	8,596	37	6.55
Niobrara	27	39	66	1,362	424	31	6.42
Park	181	92	273	4,564	1,470	32	5.38
Platte	95	76	171	3,152	980	31	5.73
Sheridan	412	107	519	10,407	3,131	30	6.03
Sublette	22	42	64	1,160	516	44	8.06
Sweetwater	307	147	454	7,937	2,963	37	6.53
Teton	14	0	14	322	80	25	5.71
Uinta	25	6	31	757	197	26	6.35
Washakie	180	99	279	4,582	1,568	34	5.62
Weston	44	103	147	2,522	1,082	43	7.36
Total	4,318	2,705	7,023	125,275	43,020	34	6.13
Grand total (645)	[1] 959,990	[1] 597,073	[1] 1,557,063	[1] 26,409,959	[1] 9,559,675	[1] 36	[1] 6.14

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[1] Estimates.

[2] Combined with Central Falls, R.I.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 2 O'CLOCK

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess until 2 o'clock p.m. today.

The motion was agreed to; and (at 1 o'clock and 26 minutes p.m.) the Senate took a recess until 2 o'clock p.m. the same day.

At 2 o'clock p.m., on the expiration of the recess, the Senate reconvened, when called to order by the Presiding Officer (Mr. HOLLINGS in the chair).

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, if nobody desires to make a little or a long speech at this time, I move that the Senate stand in recess, subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 2 o'clock and 7 minutes p.m.) the Senate took a recess, subject to the call of the Chair.

At 3 o'clock and 10 minutes p.m. the Senate reassembled, when called to order by the Presiding Officer (Mr. HOLLINGS in the chair).

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. LONG of Louisiana. Mr. President, I am not going to make a unanimous-consent request at the moment or make any motion because there are conferences going on and discussions between Senators, and inquiries being made to see who is in town and who is not in town.

The Senate will not vote today because if it did the Senator from Louisiana would win by six votes. On the day that my troops are in town the opposition is hurting. The effort is being made to find a more favorable time for the opposition, when they have their troops in town.

Mr. President, that is the way we operate when Senators will not give pairs to absentees. We should agree now and forever that once everybody knows what he is voting for, we will pair every absentee.

There is a simple way in which we do it in the Committee on Finance, on which I am very proud to serve. In the Committee on Finance we will permit any Senator to be paired, any Senator recorded as voting, provided we are sure as to how he wants to vote.

Sometimes in the Committee on Finance we will arrive at a tie vote and we will place a long distance call to an absent Senator. We will tell him that we have arrived at a tie vote and ask him "How do you want to be recorded?" Perhaps he will be told, "Just a moment. JOHN WILLIAMS wants to talk to you. He does not think you want to be recorded as voting aye." Perhaps three or four Senators will speak to him on the telephone. He might say, "I know that, but that is how I want to be recorded." We record him as voting aye.

If we cannot pair these people, I have to find another vote, or the opposition finds a vote, and we wind up 50 to 50. We are trying to find a time to vote on pairing absentees.

My heart is in this fight. I was proud to fight to uphold the honor of the Senator from Montana [Mr. MANSFIELD] yesterday and I hope that the Democrats will vote to uphold my honor.

Eventually something will happen. I am here to say that it makes us look ridiculous when it takes a month to arrive at a conclusion on a single amendment because one crowd has more troops in town than the other side has, and that side has more troops than the other side the next day. This could go on forever. This governor could cease to exist for failure to extend the debt limit or pass an appropriation law because Senators are so dug in on their position that they insist on some small, minor, unimportant advantage, but nobody can foreclose the other fellow from coming back and fighting the fight all over again.

I hope that eventually we will have an opportunity to vote with every Senator present so that his position can be recorded.

The Committee on Finance has already been instructed to hold hearings and to report back. We know how we stand on that. We had a rollcall yesterday and we said we are going to agree to the Long amendment which would limit the bill to a simple investment credit bill. Senators may look at the rollcall, check the absentees, and it will be seen if everybody were here I would have won.

Now, we are not voting because the opposition is behind. I have been engaged in many a filibuster in my 19 years in this body, but this is the first time, bless Pat, that I have seen both sides filibustering. When the opposition is behind, they go to look for troops, and when we are behind we go to look for troops. Now, I understand that we will try to vote on Tuesday.

Mr. President, I can only say what I have said previously. I am willing to play by the same rules book as the other fellow, but I am not willing to spot the other man an unfair advantage, as important as this matter is.

At the moment Tuesday sounds like a satisfactory day for me. I am calling Democrats to see if I can get my troops in town. If that can be arranged, we will see about voting on Tuesday.

Mr. President, I do not want to mislead anybody. If I lose the vote on Tuesday, because I have an absentee or because, perhaps, somebody missed an airplane and is delayed, we will try again the following Tuesday.

Mr. ERVIN. Mr. President, for more than 3 weeks, I have sat and watched the Senate as it has struggled over the foolishness we did last fall in the false name of "campaign reform."

I have listened to the excellent speeches by the senior Senator from Tennessee [Mr. GORE], the junior Senator from New York [Mr. KENNEDY], and the senior Senator from Illinois [Mr. DIRKSEN], which have effectively cut to shreds the arguments in favor of a federally subsidized two-party system. There is little I can add but emphasis to what has already been said. Nevertheless, in view of the reprehensible tactics employed by those who oppose repealing the Campaign Fund Act, emphasis is in order.

In 14 years in the Senate, I have never seen pressure like that which has been brought on this issue. Businessmen in North Carolina have been told—and they have in turn told me—that the reinstatement of investment tax credit somehow depends on the survival of a political slush fund. And the pressure from businessmen in North Carolina and other States in no way exceeds the pressure from politicians in Washington. Under the circumstances, it is imperative that we hammer home to the country exactly what this "reform" is about so that pressure from the people will begin to be felt.

Today, we find ourselves basically where we were on April 3—considering the Gore amendment to repeal the Long Act, now no longer cluttered with amendments which obfuscate its purpose and effect. The current Long plan again restricts the $60 million campaign kitty to the two major parties. This means that third parties have no right to share the wealth—or, more precisely, that those who support candidates of a third party are denied an equal political right. And it is a right, which, if to be given at all, should be granted to the supporters of any third party no matter how small—whether States' Rights, Socialist, or Prohibitionist, and no matter whether the party may eventually receive 200, 2,000, or 2,000,000 votes. Although I am happy to defend the Democratic nominees for President from Jefferson on, there is no denying that third parties have played a useful role in our political history; and I would hate to foreclose their opportunity to do so again.

Even if somehow we devised a formula whereby all present and future parties could participate on an equal basis, the act would deny rights to another group of Americans, perhaps a majority; and that is the independent voter, who does not vote a straight Democratic or Republican ticket, but who compares candidates before he commits himself. Independents, who decide our presidential elections, would be asked to contribute to a party and its candidates months and even years before the nominee is chosen.

If there is a public obligation to finance political campaigns, we have got the bridle on the wrong end of the mule. It is indeed difficult for the poor man to compete with a rich man for his party's presidential nomination. But once the nominations have been decided, there is less difficulty with money. The entire apparatus of a major national party is available to the nominees, rich or poor. But in a race against a wealthy opponent, the man of limited means running for county sheriff, the city council, or even Congress has no equalizer like the National Committee.

I agree completely that creative work must be done if we are not to forfeit political power to those few wealthy enough to purchase elective office. I would support, for example, a $50 tax deduction for contributions to a candidate or party of a taxpayer's choice, whatever the office or party might be. This would be a meaningful step toward the original purposes of campaign fund reform: first, freeing more money for poorer candidates; and, second, broadening the base of financial support for political campaigns. It would do this at all levels of the democratic process without concentrating all political power in the hands of the few who control the National Democratic and Republican Committees.

The Campaign Fund Act is absolutely devoid of any utility in fulfilling its purpose. Its only effect is to allow the two major parties the key to the Federal Treasury. Although I have great respect for computers, I am not yet ready to have those at the Internal Revenue Service determine how our Nation's campaigns are to be financed; and I am certainly not willing to have the national party determine how State and local elections are to be financed.

Mr. President, I plead with the Senate to forget for a moment what they have been promised in return for not repealing the Campaign Fund Act, and to think instead of the merits of the act. I ask the Senate to repeal the Long Act so that the distinguished chairman of the Finance Committee can get on with the work of devising legislation worthy of his laudable objectives.

RECESS

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 3 o'clock and 13 minutes p.m.), the Senate took a recess, subject to the call of the Chair.

The Senate reconvened at 3:51 p.m., when called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW TO FRIDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 o'clock noon Friday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM FRIDAY TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes business on Friday, it stand in adjournment until 12 o'clock noon Monday, May 1, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM MONDAY, MAY 1, 1967, TO TUESDAY, MAY 2, 1967, AT 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday next, it stand in adjournment until 11 o'clock Tuesday morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning hour at 1 o'clock, on Tuesday next, there be a time limitation on the pending amendment, with the time to be equally divided between the distinguished Senator from Louisiana [Mr. LONG] and the distinguished Senator from Delaware [Mr. WILLIAMS].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That on Tuesday, May 2, 1967, after the conclusion of the morning hour (1 o'clock), during the further consideration of H.R. 6950, an act to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property, debate on the amendment proposed by the Senator from Louisiana [Mr. LONG] to strike Sec. 5 of the reported amendment shall be limited to 2 hours, to be equally divided and controlled by Mr. LONG and the Senator from Delaware [Mr. WILLIAMS], and to be followed by a vote thereon. *Provided*, That after the conclusion of the debate a quorum call shall precede the vote.

Mr. GORE. Mr. President, reserving the right to object, could we have the yeas and nays ordered on the pending amendment at this time?

Mr. MANSFIELD. The yeas and nays will be ordered.

Mr. GORE. We can get them by consent.

Mr. MANSFIELD. In view of the circumstances——

Mr. LONG of Louisiana. Mr. President, I object, but there will be no problem. There will be absolutely no problem in ordering the yeas and nays. I promise you that.

Mr. GORE. Why not order them now?

Mr. MANSFIELD. I will do it now.

Mr. LONG of Louisiana. All right.

Mr. MANSFIELD. I will break a longstanding rule in view of the circumstances affecting this legislation and ask unanimous consent that the yeas and nays be ordered and that the vote come at the conclusion of a quorum call.

Mr. LONG of Louisiana. Reserving the right to object, that will be only after a quorum call.

Mr. MANSFIELD. Yes; after a quorum call.

The PRESIDING OFFICER. Is there objection?

Mr. HRUSKA. Mr. President, the Senator from Nebraska is glad to observe that it is the breaking of a longstanding rule and hopes that it will not happen too often.

Mr. MANSFIELD. And it is not going to be considered as a precedent.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, I reserve the right to object, and I am not going to object. I want my leader and other Senators to hear this. I want the Senator from Tennessee to hear it, also.

The PRESIDING OFFICER. Let there be a little order in the Chamber so that we can hear the Senator.

Mr. LONG of Louisiana. I want everybody to hear my statement. I do not want to be misunderstood. I really do not think that those who differ with me about the presidential campaign matter are about to lose if they think they will be defeated because of absentees. Neither am I. And in the event I arrive at the conclusion that I lost because I could not get my troops in town, we will back off, and the race will be run over again.

I respect the right of the other man to take the same point of view. I do not want any special advantage, but I want it understood that I am not giving any, either. It works both ways.

Mr. President, I do not object.

Mr. GORE. Mr. President, I do not wish to reserve the right to object.

The PRESIDING OFFICER. The Chair would like to clarify part of the unanimous-consent agreement. Do I correctly understand that a quorum call is to precede the vote?

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER. After 2 hours of debate on Tuesday, and subsequent to the morning hour?

Mr. MANSFIELD. That is correct. The time limitation will start at 1 o'clock and conclude at 3.

Mr. GORE. I have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GORE. Mr. President, I am glad that an agreement has been reached for a vote. As my colleagues will recall, I suggested yesterday that we agree to vote today.

I have been anxious throughout this fight to reach a vote. On yesterday, two Senators left the Chamber during the first rollcall without knowledge that the second rollcall would occur. Both happened to be supporters of my side of the proposition. Nevertheless——

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I will yield in a moment. There have been a great deal of statements about how close the vote will be. Obviously, it will be very close.

On this rollcall of yesterday afternoon of 43 to 41, 16 Senators were absent. Of those 16, 10 have consistently supported repeal of the Presidential Election Campaign Fund Act of 1966. Six have opposed repeal. So I am glad we are going to have, finally, a vote. I hope that all Senators will accept the result of that vote when it is held. I express some confidence as to what the result will be on that vote, but this is a game at which both sides can play.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. May I say to my distinguished friend, the Senator from Tennessee, that I admire him very much. He is one of the ablest battlers in the Senate when he is on my side, but when he is on the other side he is a tiger.

I say to my distinguished friend that while I know he was in good faith in suggesting that we vote today, and he suggested that yesterday. According to my quick calculation, we would have won, because he had more absentees than we had. But I knew that that would only be a Pyrrhic victory. If I won it that way, the Senator would then count his absentees and feel he lost because the time was not appropriate to vote. He would think he had put himself in an unfortunate position; so he would fight us all over again. That being the case, I decided I did not want any unfair advantage.

The Senator would have been very foolish to agree to vote today. I would beat him by six votes right now. Tacticians on the Republican side of the aisle who know about their absentees, have found reasons not to agree to vote today. I do not blame them a bit.

Mr. GORE. Mr. President, I wish to call attention to one element in the coming vote. With respect to third parties, with respect to the candidates of any party for President except the candidates of the Republican and Democratic Parties, the vote that we will have on next Tuesday will be identical with the vote on repeal in which the Senate voted 48 to 42 in favor of repeal.

I wish to point out that the question now is upon repeal or retention of the Presidential Election Campaign Fund Act of 1966 as it exists in the law today. This law provides that only the candidate for President who is the nominee of a party which had a candidate for President who received at least 5 million votes in 1964 can share in the public funds during the election of 1968. This would mean, I should like to say to those who are interested and concerned, that the only way former Gov. George Wallace could share in the public funds for campaign purposes in 1968 would be to achieve the nomination of either the Republican or the Democratic Party.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. Not just now. I realize the Senator's concern about this.

Mr. LONG of Louisiana. I have news for the Senator.

Mr. GORE. We have had rollcalls on various proposed amendments to the 1966 act. We are now going to have a vote on repeal or retention of the Presidential Election Campaign Fund Act of 1966 as it stands. Under that law, which we will vote to repeal or retain, public money would be taken out of the Treasury of the United States to finance the campaign of the nominees of the Republican and Democratic Parties, but the law would provide no funds for the nominee of any other political party, be it independent, progressive, conservative, Dixiecrat, liberal, or any other party. Is that equal protection of the law? Is that fairness? Is that democratic? Does the Senate wish to vote to approve such a practice? We had such a vote once during this debate, and the result was 48 to 42 in favor of repeal of the law.

I yield.

Mr. LONG of Louisiana. Mr. President, may I say to the Senator that I heard his speeches about his desire to be fair to third parties.

The Senator from Wisconsin [Mr. PROXMIRE] offered an amendment to do justice to third parties. The Senator from Wisconsin comes from the ideal State to offer such amendments, because if ever a third party candidate deserved fair treatment, it was Bob La Follette, Sr. He was picked by a committee of Senators, whose chairman was John F. Kennedy, to be memorialized in the reception room of the Senate as one of the greatest men who ever served in the Senate, and he was the only man of his time whose portrait appears on that wall.

Senator PROXMIRE said:

> You might have another Bob La Follette some time.

And Senator HOLLAND said:

> You can talk about Bob La Follette all you want, but this will be known as the George Wallace amendment if it is agreed to.

Senator PROXMIRE said:

> I don't care what you call it. Right is right.

Mr. GORE. Mr. President, the situation is now different from what it was on a previous vote because the so-called George Wallace amendment is not in the proposal upon which we shall vote on Tuesday. The Senator must now defend the Presidential Election Campaign Fund Act of 1966, which would leave not only George Wallace but also a Bob La Follette or any other American who seeks the Presidency of his country penniless, unless he should be the nominee of the Republican Party or the Democratic Party.

Oh, yes; I know that the papers in Alabama heralded a previously proposed amendment as the George Wallace amendment. But they will not herald the vote next Tuesday as the George Wallace vote.

The law on which we are going to vote has this basic defect of unfairness to third parties, and it also provides that the American taxpayer can himself appropriate public funds for purposes of his own choosing. Mr. President, if that is constitutional, it is unwise. I doubt that it is constitutional. The Constitution provides that Congress shall appropriate public funds.

However, if we are to establish such a precedent, I say that it is an unwise precedent because some of the people who are demonstrating against the Vietnam war might want a law providing that they might deny use of their tax payments for the support of the war. We might have a referendum on the Vietnam war by such a procedure. This would be very divisive and unwise, if not unconstitutional.

There are many basic faults with this law. It is so wrong, so inadequate, so faulty, that even the author of it has offered a sheaf of amendments to perfect it. I am glad that finally we have an agreement to have a vote and I am confident that the Senate will once again vote to repeal this unsound law.

Mr. LONG of Louisiana. Mr. President, will the Senator from Montana yield to me so I may respond to the Senator from Tennessee?

Mr. MANSFIELD. I yield.

Mr. LONG of Louisiana. Mr. President, my good friend from Tennessee is confused. I would urge my good friend to call George Wallace. He supported the Senator from Tennessee for Vice President. See who George Wallace has more confidence in: LONG or GORE. He made a fine impression on "Meet the Press" the other day. It will be noticed that the two Senators from Alabama voted with the Senator from Tennessee the first time and against him the next time. I suggest that he touch base with Wallace to see if Wallace is for him, who talks for him, and votes against him or, if Wallace has more confidence in LONG, who did not talk for him but who voted for his right to get money from the fund if he receives enough votes in the election.

Mr. President, the Senator said I was trying to give every American citizen the right to appropriate $1 of his tax money. Nothing could be more in error. I shall read the provision. I shall read from section 303 of the act:

> (c) PAYMENTS FROM FUND.—
>
> (1) IN GENERAL.—The Secretary of the Treasury shall with respect to each presidential campaign, pay out of the Fund, as authorized by appropriation Acts, into the treasury of each political party which has complied with the provisions of paragraph (3) an amount (subject to the limitation in paragraph (3)(B)) determined under paragraph (2).

I shall explain the cross references. A taxpayer will mark on his return that he would like $1 to be spent, 50 cents for the Republicans and 50 cents for the Democrats. That is a mere request. He would appreciate it if we would finance both sides by contributing 50 cents for the Democratic candidate and 50 cents for the Republican candidate so that neither side has to sell out to big money.

Congress looks at that request.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I shall not yield yet. I shall yield later.

So we appropriate the money.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. In looking at the calendar, on most days, Senators will find 100 private relief bills for the relief of this, this, and that.

I say, let us provide for the relief of the Democratic candidate and the Republican candidate on the request of 70 million people. I am sure they will put up the $30 million to pay the expenses for each side. No candidate will have to make any commitment that his conscience does not dictate. We will relieve both of them of that improper commitment or corruption that might otherwise exist by observing the request for $60 million.

Thirty million dollars would be paid for each candidate, and it would be appropriated by an act of Congress.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. If I may finish my statement, I will yield to the Senator.

If we can appropriate a private relief bill for $1 million to give somebody help, and I have voted for them many times, we can do the same for a presidential candidate, even George Wallace.

(At this point, Mr. BYRD of Virginia assumed the chair.)

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. I would like to thank the Senator from Montana.

I wish to inquire of the able junior Senator from Louisiana, if we can constitutionally provide this option for the taxpayer, by marking a box on his tax return, to give money to the Democratic Party and the Republican Party, why could we not have another provision and let the taxpayer decide whether he wishes to have some of the tax money he pays used to support the Vietnam war, or the Alliance for Progress; and if we can have a provision for him to earmark a portion of his tax money for those purposes, why could we not, with equal justification, give him the option of denying use of his tax payment for such purposes?

Mr. LONG of Louisiana. May I answer that question?

Mr. GORE. I hope the Senator will. The Senate is going to answer it next week.

Mr. LONG of Louisiana. This is merely a petition to Congress, a request to the Congress to appropriate money for a purpose the taxpayer might find desirable.

Mr. GORE. Will the Senator yield?

Mr. LONG of Louisiana. If he does not find it desirable he does not have to do it.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I shall yield in a moment.

It is an invitation to him to pay $1 of tax money to be split between the two major parties, with some provision for the benefit of third parties. I am going to try again to give old George Wallace an opportunity. I am sure the Senator is embarrassed by his previous vote.

Mr. GORE. The Senator said that the marking of boxes on tax returns would be a petition to Congress. I wish to read the actual provisions of the law which the majority of the Senate, in my opinion, wishes to repeal. It does not say it is a petition to Congress. Here it is. A taxpayer marks the box, and a dollar of his money—no longer his money; it is a dollar of his payment to the Treasury—shall go where? Shall go into a special political fund.

Then, what does the act say?

> The Secretary of the Treasury shall—

No petition—"shall"—it is mandatory—

> The Secretary of the Treasury shall, from time to time, transfer to the Fund an amount equal to the sum of the amounts designated by individuals under Section 6096 of the Internal Revenue Code of 1954 for payment into the fund.

Now, Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. Please read section 303(c). Read that one, will you please, sir?

Mr. GORE. Will the Senator yield?

Mr. LONG of Louisiana. Yes.

Mr. GORE. I wish to complete this one first.

Mr. LONG of Louisiana. If the Senator would please read section 303(c). Let me say that if I were under the impression that the Senator from Tennessee now is, I would be against the bill, too. Read section 303(c), please.

Mr. GORE. I should like to reread this one section to the Senator first. Will the Senator yield?

Mr. LONG of Louisiana. The Senator is reading the wrong paragraph.

Mr. GORE. Will the Senator yield? I am reading from the Presidential Election Campaign Fund Act of 1966 which is unsound, unwise, and I think a great danger to our elective process.

Mr. LONG of Louisiana. The Senator might as well be reading the Republican Party platform. He is reading the wrong section. Now please read section 303 (c), sir. [Laughter.]

Mr. GORE. Will the Senator yield?

Mr. LONG of Louisiana. Go ahead.

Mr. GORE. This is not the Republican platform or the Democratic platform at all The Senator has said that this is an act for the relief of candidates for the Republican and Democratic Parties for President. I did not know that they were destitute. But I am reading from the law.

Mr. LONG of Louisiana. Just read on, good brother, until you get down to section 303(c).

Mr. GORE. If the Senator will yield, I will read it.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Tennessee.

Mr. GORE. The distinguished Senator from Montana is a kind and forbearing soul. I do not know how we could get along without his leveling influence, without his gentility, his kindness, and his understanding. I thank him ever so much.

Mr. President, I should like to begin by reading section 303——

Mr. LONG of Louisiana. "C."

Mr. GORE. "A."

Mr. LONG of Louisiana. Read on, good brother, until you get to "C."

Mr. GORE. It states:

> There is hereby established on the books of the Treasury of the United States a special fund to be known as the "Presidential Election Campaign Fund." The Fund shall consist of amounts transferred to it as provided in this section.

Now I come to "B."

Mr. LONG of Louisiana. Hooray. Read on.

Mr. GORE. To continue the quotation:

> The Secretary of the Treasury shall—

Shall—

Mr. LONG of Louisiana. Read on.

Mr. GORE—

> from time to time, transfer to the Fund—

I interrupt the reading here, Mr. President, to say that this is not a fund for the rehabilitation of cripples, not for welfare, not to promote full employment, not for social betterment, but a fund for what? It is for the presidential election campaign.

Continuing reading:

> an amount equal to the sum of the amounts designated by individuals under section 6096 of the Internal Revenue Code of 1954 for payment into the Fund.

Now these two sections mean that there has been created by law, unwisely, in haste, in the closing hours of a session, without adequate consideration, a presidential election campaign fund in the U.S. Treasury.

Section (b) provides that whenever taxpayers so indicate by marking a box on their tax returns, the Secretary of the Treasury shall transfer an amount equal to the total of such indications to this fund.

Now, Mr. President, if we can create a presidential campaign fund in the U.S. Treasury, we can, with equal constitutionality and justification, create a senatorial campaign fund in the U.S. Treasury, a congressional campaign fund in the U.S. Treasury, or a constable campaign fund in the U.S. Treasury.

Mr. LONG of Louisiana. Read on, good brother. Let us read the rest of it.

Mr. GORE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. Mr. President, I yield the floor. [Laughter.]

Mr. LONG of Louisiana. Keep on reading, good brother. Eventually you will get down to section 303(c).

Mr. GORE. Let me say to the Senator from Louisiana that if we can create such a fund in the U.S. Treasury—I am not sure that we can do it for a constable; perhaps I misspoke myself there—but if we can do it for one Federal purpose, we can surely do it for another Federal purpose, be it urban renewal, the Alliance for Progress, social betterment, or an agricultural program.

I think unquestionably we can create a special fund in the U.S. Treasury because we have done so before. What is new about this procedure is that never before have we permitted the individual taxpayer to decide whether a portion of his tax payment shall go into a special fund for a special purpose. That is the precedent. But, if we can do this under the Constitution for one Federal purpose, then we can do it for many other Federal purposes.

We have finally reached an agreement to have a vote, the result of which, I hope, the junior Senator from Louisiana will accept. We have had test votes before. We had a clear vote of 48 to 42. Then on yesterday, upon motion of the Senator from Montana, the majority leader, we had approximately a 3-to-1 vote directing the Finance Committee to report back a bill containing a provision for repeal of this unsound law. But my friend from Louisiana preferred not to abide by the result of that vote. After Senators had left—through no fault of the Senator from Louisiana—we had another vote, and we are going to have still another one on Tuesday next.

Thus, ample notice has been given to all Senators to be present, and I hope that they will be, because this session of Congress will not consider an issue more important than this one.

This is an issue which goes to the heart of our elective process. For the first time in the history of America, we have on the statute books a law relating to public financing of political campaigns. It may be we need to do this. The idea has merit. But, Mr. President, if we do it, it must be accompanied by reforms in our election law. We must amend the Corrupt Practices Act. We must revise the law governing use of money in elections to provide adequate safeguards to protect our electorate.

Some people appear to think there is but one reform we need, and that is to pour more money into political campaigns. I think basic reforms are sorely needed.

Mr. President, the corrupting influence of money in politics comes not from its absence, but from its presence, from its source, from its amount. We should not commingle public money indiscriminately with private money from whatever source, however questionable. We need a realistic election reform law; and I am pleased that the motion of the distinguished majority leader was approved by the Senate by a vote of more than 3 to 1, by which the Finance Committee is directed to report an election reform bill back to this body within 6 weeks.

I am glad we will vote finally on an amendment which seeks to strike from the statute books this unsound law which stands as a hindrance to realistic reform of election law.

Mr. President, if we can provide a special fund by legislation—and, as I say, I believe we can—for one Federal purpose, then we can do it for other Federal purposes.

If we can allow taxpayers to exercise their own choice and determine whether a portion of their tax money shall go to a special fund in the Treasury for one Federal purpose, then we can do it for any Federal purpose.

What might this practice lead to? The pacifists might wish that no part of their tax payments shall go to support the war in Vietnam. The urban dwellers might wish that no part of their tax payments shall go to support the prices of farm products.

Thus it can be seen we would have chaos in our Government. This is unwise, even if it is constitutional.

Mr. President, in order for a taxpayer to earmark 50 cents of his tax money for benefit of the Democratic Party, he does not, under this provision, give it; he directs that it be given. Let me restate it, because it is not the taxpayer himself who donates money. Assume that a taxpayer owes $100 to the U.S. Government. If he checked a box on his tax return, then $1 of that $100 would go into the presidential campaign fund. The remaining $99 would go into the General Treasury of the United States.

In order that this $1 of his $100 tax payment go into this fund, it must be divided equally. The Secretary of the Treasury must divide it equally, 50 cents for the Democrats and 50 cents for the Republicans.

In order that 50 cents of this taxpayer's payment go to the Democrats, we do violence to our system of government. I do not know how many taxpayers would check the box. I have not found many people who like the law. I appeared at one public meeting. I did not speak on this subject, but afterwards there were some questions. The moderator finally asked for a show of hands of those who favored the retention of this law and of those who favored its repeal. The people in that auditorium voted 16 to 1 in favor of repeal. I do not think the vote on Tuesday will be in that proportion, but I hope the Senate will vote to repeal the 1966 law.

Mr. President, I wish now to come to the section to which the Senator from Louisiana referred——

I read from section 303(c):

> PAYMENTS FROM FUND

Mind you, Mr. President, the fund has been established. The Secretary of the Treasury is ordered by the law to pay into that fund an amount equal to $1 for each taxpayer who has so indicated in the box on the tax form.

Then I come to the question of payment from the fund:

> The Secretary of the Treasury shall—

It does not say "may." It says in section (c) that the able Senator wanted me to read——

Mr. LONG of Louisiana. Read on. The Senator is only 10 words away. Read on.

Mr. GORE. I read:

> The Secretary of the Treasury shall, with respect to each presidential campaign, pay out of the Fund, as authorized by appropriation Acts—

Mr. LONG of Louisiana. Would the Senator mind reading the last four words?

Mr. GORE—

> Out of the Fund, as authorized by appropriation Acts—

This particular provision is not unusual. We have other funds in the Treasury, such as the highway trust fund. I was coauthor of the act creating that fund along with the distinguished father of the distinguished present occupant of the chair [Mr. BYRD of Virginia]. There is nothing unusual about payments out of special funds.

Mr. LONG of Louisiana. Would the Senator mind repeating that statement?

Mr. GORE. Mr. President, I do not yield just now.

Mr. LONG of Louisiana. It makes all the difference——

Mr. GORE. Mr. President, I do not yield just now.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. GORE. As is the case with the highway trust fund, and with other special funds, the appropriation out of this fund would follow more or less automatically in accordance with the amount in the fund. This is why I say it is not unusual. The unusual and unprecedented element here is the choice of the individual taxpayer as to whether a part of his tax payment shall go into a special fund for a special Federal purpose.

The taxpayer has no such choice with respect to the U.S. tax on gasoline or on tires. The hunter who buys a duck stamp has no choice as to whether his money for that stamp will go into the duck fund or into the General Treasury. When we drive up to a gasoline station on our way home and pay our tax on the gasoline which is put into our gasoline tanks, we have no choice as to whether the tax money will go into the highway trust fund or whether it will go into the general fund.

By law the tax is levied. By law it goes to a special fund. But, in this case, the individual taxpayer is given the power and the discretion to choose whether or not a portion of the money he pays into the U.S. Treasury will be used for a presidential campaign fund, or whether it shall be used for such purposes as Congress may determine.

This is the unprecedented part. This is the provision which I say permits the individual taxpayer to exercise a function which the Constitution reserves to the Congress. Yet this is a part of the bill on which we will vote next Tuesday. By a vote of more nearly 3 to 1, a provision to repeal this law is now a part of the pending bill. The distinguished junior Senator from Louisiana has moved to strike that provision from the bill. He has estimated that the Senate is divided 50 for and 50 against his amendment. According to my count, he is overly optimistic. But if his count be correct, he had better be sure that the distinguished Vice President is here, because on a tie vote, an amendment fails.

Mr. President, I call the attention of the Senate to these defects in the present law. There are others upon which I shall speak at a later time, but I wish to emphasize today, just after we have finally agreed to have a vote—which I hope will be the climactic one—that the law is unsound in these two respects: No. 1, it discriminates against every American citizen who may aspire to the Presidency of his country except the two men who will be the nominees of the Republican and Democratic Parties; and No. 2, in a manner which is unprecedented and of questionable constitutionality, it provides that each taxpayer can exercise his discretion, to allocate or to deny an allocation, of a portion of his tax payment, for one particular purpose—a presidential campaign fund.

I think the law is defective for each of those counts; but there are others to which I shall make reference later.

Mr. HRUSKA and Mr. LONG of Louisiana addressed the Chair.

Mr. HRUSKA. I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. LONG of Louisiana. Mr. President, I wish to respond to the statement of the Senator from Tennessee.

Mr. President, the Senator says he is worried about the constitutional problem. That seems to bother him more than any other one thing. So I shall address myself to that first.

Mr. President, what this act provides—and I am talking about the Presidential Election Campaign Fund Act of 1966, the so-called Long act—is the transfer of money into a special fund for the financing of a presidential campaign, and it then provides how the money is to be paid out.

Let us talk about the constitutional problem. There is absolutely no constitutional problem at all about transferring money from one Treasury account to another Treasury account. There is no problem there at all. But there is a constitutional problem about appropriating the money, because the Constitution clearly requires that the Treasury shall not pay money out without an act of Congress that appropriates it. There is the constitutional problem. Having provided for transfer of money to the fund, the act then says that it will be paid out as authorized by an appropriation act of Congress.

Mr. President, the Committee on Finance really does not have jurisdiction of that fund unless it is handled as a permanent appropriation. We have jurisdiction of permanent appropriations only. At one time we provided that the interest on the national debt would be a permanent appropriation, and now we have jurisdiction of that matter. A permanent appropriation is the only kind over which we have jurisdiction. Social security is a permanent appropriation. Interest on the national debt is a permanent appropriation. We have jurisdiction over all of them. We do not have jurisdiction over the annual appropriations.

So I have proposed that we implement what we do by means of a permanent appropriation. I propose to go that route, because otherwise my committee will not have jurisdiction over the appropriations.

Now, what do we do about this? We have not provided in this act for a permanent appropriation. The Long amendment, which received a majority vote by four votes, did provide for a permanent appropriation. But we do not have it now. All we have is the authorization to transfer some money from one account to another but the Secretary of the Treasury cannot make payment from the fund until authorized by congressional appropriation acts. The act then provides that if all the money is not paid out of the fund, it goes back to the general fund of the Treasury.

All we have here is an act on the books which invites a taxpayer to pay a dollar of his tax money to be equally divided between the Democratic and Republican candidates.

If I can amend the law, I will fix it up so that if George Wallace—or any minor party's candidate—gets 2 million votes, he will get a few dollars from this fund.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Not yet.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I will not yield to anybody before I get through.

Before I get interrupted again, I want to say something about the corrupting influence of money.

Mr. President, if I as a taxpayer say that I want $1 of my money to be paid to the Democratic and Republican candidates, 50 cents to each candidate, does anyone think that I bought those fellows? I contributed equally to both. I contributed 50 cents for Romney and 50 cents for Johnson, or whoever might be running.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Not yet.

How could I have bought them for 50 cents? Where does the corrupting influence come in? The corrupting influence does not come in when 60 million people put up $1 apiece. It comes in when one man puts up $1 million.

The corrupt influence of money comes into play where large amounts of money are involved as contributions.

When a man is faced with the need for $30 million with which to run a campaign race and his opponent has more money than that, that is when people make commitments that they never should make.

That is what I am trying to prevent. I am trying to fix it so that it will never again be necessary for a Republican or Democratic candidate to make a single promise that would separate him from his own conscience. That is the purpose.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. No. I will be through in about 5 minutes. Point No. 2——

Mr. SCOTT. Mr. President, at the end of 5 minutes, I will suggest the absence of a quorum.

Mr. LONG of Louisiana. I will yield in 5 minutes.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. LONG of Louisiana. Mr. President, what will we do about George Wallace and Martin Luther King? George Wallace is threatening to run for President, and so is Martin Luther King. What will we do?

If I have my way, we will amend the act so that if either one gets more than 2 million votes, he would be eligible to get financial assistance to help reimburse him for out-of-pocket expenses for every vote more than 2 million.

The last time we had a real serious third party challenge was when Henry Wallace and STROM THURMOND ran.

STROM THURMOND got about 1,200,000 votes, and Henry Wallace got about 1,100,000 votes. Their combined vote was 2,300,000 roughly.

I would think that if a man runs as a third party candidate and gets more votes than Henry Wallace and STROM THURMOND put together, he ought to be eligible to have a little financial assistance to help pay for such things as radio and television expenses.

If we can keep what we have presently on the statute books, we will then be able to provide a little financial assistance for television, radio, and newspaper advertising, and the transportation expenses of the candidate himself, whether it be the Truman train or Air Force No. 1, to get the man around the countryside so that he can convey his story to the public and the public will be able to make an honest judgment about the candidate.

I know that the Senator from Maryland [Mr. TYDINGS] thought this was a little too much money and he wanted to trim down the amount of money. He wanted to limit the amount of money. He does not want to make it possible for the money to be handed to some ward heeler so that the fellow can go away with it. The Senator was very wise about that. We are 100 percent with him on that.

The act already makes provision for that. A person can go to the penitentiary for doing that. However, the Senator from Maryland [Mr. TYDINGS] wants to be absolutely sure that nothing of this sort will happen.

We are willing to do that. I said I will accept the amendment. That is, when we come out of the committee.

The Senator from Tennessee said: "Where does the taxpayer have a choice? Where in law does the taxpayer have any choice concerning what his money is to be used for?"

The Senator then proceeded to give some of the examples where the taxpayer has that choice.

For example, when he buys a duck stamp. Nobody makes him buy a duck stamp. If he goes down and buys a duck stamp, the law says that the money goes into a special fund to maintain a supply of ducks for hunting. When a man buys a gallon of gasoline, part of the money goes into the highway trust fund, so ably put into the law by the Senator from Tennessee. The man does not have to buy the gasoline. During the war my uncle Dave fixed his automobile so it operated on butane gas. He paid absolutely no taxes on gasoline to move his automobile around during World War II.

Now there is a recommendation by the President for a fund for highway beautification. When anybody buys a car, he will pay something into the beautification fund through the excise tax.

The Senator from Tennessee says that under my proposal, third-party candidates would be left penniless. Not at all. They would have available to them the same sources of private contributions that exist now, and a lot more up to $60 million more that no longer will be needed by the major parties.

It does not hurt George Wallace. But if I had my way, we would provide that George Wallace, Martin Luther King, or anybody else who gets a certain number of votes—I would think that 2 million votes would be a fair number, and that is what the Senator from Delaware proposed—could get some help.

In 1956, the Senator from Tennessee studied this whole matter, and after he studied it with great deliberation and thoroughness, he gave us a report which is now out of print; I wish we could get some more copies, but somebody seems to object to it. It is a potential bestseller. There are more potential campaign contributors in the Gore report, alphabetically, than anywhere else in America. It is out of print, and everybody is trying to get a copy, especially professional politicians.

In his findings, the findings of the subcommittee as set forth in this report, it says that this poignantly demonstrates the need for effective limitations upon the amount of individual contributions.

Now, let me read on:

> And the desirability of providing incentives for mass contributions.

Let me read those four words again: "incentives for mass contributions."

That is ALBERT GORE speaking—not in 1967. That is ALBERT GORE in 1956. Oh, how times have changed in 11 years. The desirability of providing incentives for mass contributions.

Now let me read this, good brother:

> Or perhaps government assumption of the cost and responsibility for the conduct of Federal election campaigns and the curtailment of private subsidization of election campaigns.

Imagine that. To think I have lived so long——

Mr. SCOTT. Now that the gentleman has lived so long, will he yield to me at this point?

Mr. LONG of Louisiana. I yield for a question or a brief statement.

I ask unanimous consent that I may yield without prejudicing my rights, Mr. President.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SCOTT. The Senator from Louisiana has had the floor since the 23d of March. I would not want to deprive him now.

Mr. LONG of Louisiana. Not by myself. I have had some help.

Mr. SCOTT. I should like to ask the Senator some questions.

If there is a deduction of a dollar, and the Senator from Louisiana has said that 50 cents would go to one party and 50 cents to the other, I should like to ask him why the taxpayer has to put 50 cents on the horse he does not want to win.

Mr. LONG of Louisiana. I think that is very important, if you are going to try to fix it so that no matter who is elected, he need not be the kept cat of any vested interest. And I should like to do that.

When the campaign opens, how is John Q. Public, who has not heard any of these candidates, going to know which side to vote for? But I want to know that whomever I vote for and whoever is elected President is not the hireling of Wall Street. I want him to be a free man and to vote for his own convictions and to represent everybody. I do not want anybody to have a special hammerhold on him, even though I did not vote for him. I want him to be a free man, to do what he thinks is right. How do I know who I want to vote for before I hear the arguments of both sides?

So we said: "Let's just fix it up so that we will find out how many votes these two major parties received, subtract 5 million for each, multiply that by $1, and split it evenly. Both sides will have an equal chance to be heard, and then we'll know how we want to vote. And no matter which way we vote, even if the man we vote against should win the election, we would like him to be free to do whatever he thinks is right and not have to commit himself to anything in order to obtain campaign money."

Mr. SCOTT. My second question to the Senator is to ask him if he has not, in discussing his fears that somebody will be corrupted by a million dollars, failed in his provisions to provide against the million dollars. He allows anybody to contribute anything they want and just commingle with the taxpayer's dollar. The Senator has made no provision to avoid the very thing that he announces he fears the most.

Mr. LONG of Louisiana. I am glad the Senator brought up that point.

Mr. SCOTT. I am sure the Senator is.

Mr. LONG of Louisiana. I might have overlooked it.

What I have tried to explain to everybody who spoke to me about this is that I started out to provide a way that both sides could be honestly financed, with no special advantage toward anyone. I said that I, personally, would like to limit both sides to money made available under this act.

However, historically, the Republicans have had much more money than the Democratic candidate has had. If I had tried at that point to outlaw these private contributions that the Senator fears could influence and corrupt government—and I believe they do—I might have run into bitter resistance and even a filibuster from the Republican side of the aisle.

I said: "Let us provide an honest way to finance an election, and when you provide this financing, then there is no real basis for anyone to make any improper commitment."

Mr. SYMINGTON. Mr. President, will the Senator yield to me for 5 minutes?

Mr. LONG of Louisiana. I shall yield when I finish.

So a man may say: "We want to back you with some money. We're not for you but we want to be sure that if you go in, you're not going to mess around with our monopoly."

In a case like that, the candidate could say: "Forget about it. I don't think that would be proper, and I'm not going to make any commitment to you."

And he need not worry about financing his campaign. It is financed anyway. Maybe he would have $5 million more, if he were to make such a commitment, but he need not worry about that.

Furthermore, if I have my way, we are going to proceed to outlaw these private contributions for the purposes outlined in my amendment. We are going to limit the use of the funds to such things as the means of communications and the transportation of the presidential candidate, and outlaw the use of this money for other purposes; that is in the amendment for which the Senate voted. It is in S. 1407. I am on record for that.

Mr. President, the Senator from Missouri [Mr. SYMINGTON] wishes to make a statement; and I ask unanimous consent that I may yield to the Senator from Missouri for such time as he requires, without prejudice to my rights.

Mr. MANSFIELD. Mr. President, will the Senator yield to me briefly?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. Mr. President, is it certain that we do have a time limitation on the pending motion on Tuesday next?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, H.R. 6950 will be temporarily laid aside.

EXTENSION OF APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 161, S. 602, so that we will have some business pending. This is a bill on which the distinguished Senator from West Virginia [Mr. RANDOLPH], his equally distinguished colleague from West Virginia [Mr. BYRD], the equally distinguished Senator from Pennsylvania [Mr. SCOTT], and the equally distinguished Senator from Tennessee [Mr. BAKER] would like to make comments on tonight.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with an amendment to strike out all after the enacting clause and insert:

TITLE I—APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967

SEC. 101. This title may be cited as the "Appalachian Regional Development Act Amendments of 1967".

SEC. 102. Section 102 of the Appalachian Regional Development Act of 1965 (hereinafter in this title referred to as "the Act") is amended (1) by inserting "and" at the end of clause (7); (2) by striking out the semicolon and the word "and" at the end of clause (8) and inserting in lieu of thereof a period; and (3) by striking out clause (9).

SEC. 103. Section 105 of the Act is amended to read as follows:

"ADMINISTRATIVE EXPENSES OF THE COMMISSION

"SEC. 105. (a) For the period ending on June 30, 1967, the administrative expenses of the Commission shall be paid by the Federal Government. Thereafter, such expenses shall be paid 50 per centum by the Federal Government and 50 per centum by the States in the region, except that the expenses of the Federal Cochairman, his alternate, and his staff shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the Commission. The Federal Cochairman shall not participate or vote in such determination. No assistance authorized by this Act shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State member of the Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.

"(b) To carry out this section, there is hereby authorized to be appropriated to the Commission, to be available until expended, not to exceed $1,700,000 for the two-fiscal-year period ending June 30, 1969. Not to exceed $400,000 of such authorization shall be available for the expenses of the Federal Cochairman, his alternate, and his staff. Unexpended balances of appropriations under the authorization in this section prior to amendment by the Appalachian Regional Development Act Amendments of 1967 shall remain available for the purposes of this section, as amended, until expended."

SEC. 104. Clause (7) of section 106 of the Act, entitled "ADMINISTRATIVE POWERS OF THE COMMISSION", is amended to read as follows:

"(7) enter into and perform such contracts, leases (including, notwithstanding any other provision of law, the lease of office space for any term expiring no later than June 30, 1971), cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States (which is hereby so authorized to the extent not otherwise prohibited by law) or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation."

SEC. 105. Section 201 of the Act is amended to read as follows:

"APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

"SEC. 201. (a) In order to provide a highway system which, in conjunction with the Interstate System and other Federal-aid highways in the Appalachian region, will open up an area or areas with a developmental potential where commerce and communication have been inhibited by lack of adequate access, the Secretary of Transportation (hereafter in this section referred to as the 'Secretary') is authorized to assist in the construction of an Appalachian development highway system and local access roads serving the Appalachian region. The provisions of title 23, United States Code, that are applicable to the construction and maintenance of Federal-aid primary and secondary highways, and which the Secretary determines are not inconsistent with this Act, shall apply, respectively, to the development highway system and the local access roads. Construction on the development highway system shall not exceed two thousand seven hundred miles. Construction of local access roads shall not exceed two thousand miles that will serve specific recreational, residential, educational, commercial, industrial, or other like facilities or will facilitate a school consolidation program.

"(b) The Commission shall transmit to the Secretary its designations of (1) the general corridor location and termini of the development highways, (2) local access roads to be constructed, (3) priorities for the construction of segments of the development highways, and (4) other criteria for the program authorized by this section. Before any State member participates in or votes on such designations, he shall have obtained the recommendations of the State highway department of the State which he represents.

"(c) In no event shall the Secretary assist in any construction (including right-of-way acquisition) which would require for its completion the expenditure of Federal funds (other than funds available under title 23, United States Code) in excess of appropriations authorization in subsection (g). On its completion each development highway not already on the Federal-aid primary system shall be added to such system and each development highway and local access road shall be required to be maintained by the State as provided for Federal-aid highways in title 23, United States Code.

"(d) In the construction of highways and roads authorized under this section, the States may give special preference to the use of materials and products indigenous to the Appalachian region.

"(e) For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary shall require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act.

"(f) Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Commission determines that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 70 per centum of such costs.

"(g) To carry out this section, there is hereby authorized to be appropriated to the President, to be available until expended, $715,000,000 for the four-fiscal year period ending June 30, 1971. Unexpended balances of appropriations to the Secretary of Commerce under the authorization in this section prior to amendment by the Appalachian Regional Development Act Amendments of 1967 shall be treated as having been appropriated to the President for the purposes of this section, as amended, and shall remain available until expended.

"(h)(1) When a participating State proceeds to construct a segment of a development highway without the aid of Federal funds, in accordance with all procedures and requirements applicable to the construction of segments of Appalachian development highways with such funds, except insofar as such procedures and requirements limit a State to the construction of projects for which Federal funds have previously been appropriated, the Secretary, upon application by the State and after approval of the project by the Commission under section 223(2) of this Act, shall pay to the State the Federal share not to exceed 70 per centum of the costs of construction of such segment, from any sums appropriated to carry out this section.

"(2) This subsection shall not be construed as a commitment or obligation on the part of the United States to provide funds for segments of development highways constructed under this subsection, and shall not increase the limitation on construction in subsection (c)."

Sec. 106. Section 202 of the Act is amended to read as follows:

"DEMONSTRATION HEALTH PROJECTS

"Sec. 202. (a) In order to demonstrate the value of adequate health facilities and services to the economic development of the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the planning, construction, equipment, and operation of multicounty demonstration health projects, including hospitals, regional health diagnostic and treatment centers, and other facilities and services necessary to health. Grants for such construction (including the acquisition of facilities and initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291–201o), the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), and other laws authorizing grants for the construction of health-related facilities, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) No grant for the construction or equipment of any component of a demonstration health project shall exceed 80 per centum of such costs. The Federal contribution may be provided entirely from funds authorized under this section or in combination with funds provided under other Federal grant-in-aid programs for the construction or equipment of health-related facilities. Notwithstanding any provision of law limiting the Federal share in such other programs, funds authorized under this section may be used to increase Federal grants for component facilities of a demonstration health project to a maximum of 80 per centum of the costs of such facilities.

"(c) Grants under this section for operation (including initial operating funds and operating deficits comprising among other items the costs of attracting, training, and retaining qualified personnel) of a demonstration health project, whether or not constructed with funds authorized by this section, may be made for up to 100 per centum of the costs thereof for the two-year period beginning, for each component facility or service assisted under any such operating grant, on the first day that such facility or service is in operation as a part of the project. For the next three years of operations such grants shall not exceed 50 per centum of such costs. No grants for operation of a demonstration health project shall be made after five years following the commencement of the initial grant for operation of the project. Nothwithstanding section 104 of the Public Works and Economic Development Act of 1965 (79 Stat. 554), a health-related facility constructed under title I of that Act may be a component of a demonstration health project eligible for operating grant assistance under this section.

"(d) The Secretary of Health, Education, and Welfare is authorized to provide funds to the Commission for the support of its Health Advisory Committee and to make grants for expenses of planning necessary for the development and operation of demonstration health projects for the region. The amount of any such grant shall not exceed 75 per centum of such expenses.

"(e) Not to exceed $70,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

Sec. 107. Subsection (i) of section 203 of the Act, entitled "LAND STABILIZATION, CONSERVATION, AND EROSION CONTROL", is amended to read as follows:

"(i) Not to exceed $19,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

Sec. 108. Section 204 of the Act, entitled "TIMBER DEVELOPMENT AND RESEARCH", is amended by striking out subsection (b) and inserting in lieu thereof the following new subsections (b) and (c):

"(b) The Secretary of Agriculture is authorized to provide technical assistance, make grants, enter into contracts, or otherwise provide funds to forest products research institutions in the region and other appropriate public and private organizations, for Appalachian hardwood products research, including investigations, studies, and demonstrations, which will further the purposes of this Act. Funds shall be provided only for programs and projects which will contribute significantly to the development of (1) Appalachian hardwood technology, (2) new or improved uses of Appalachian hardwood resources, (3) new or improved processes or methods for producing hardwood products, or (4) new or improved markets for such products. Funds under this section shall be provided solely out of sums specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the allocation or distribution of funds pursuant to any other provision of law.

"(c) Not to exceed $4,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out the purposes of subsection (b) of this section."

Sec. 109. (a) Clause (1) of subsection (a) of section 205 of the Act, entitled "MINING AREA RESTORATION", is amended to read as follows:

"(1) make financial contributions to States in the region to seal and fill voids in abandoned coal mines and abandoned oil and gas wells, and to reclaim and rehabilitate lands affected by the strip and surface mining and processing of coal and other minerals, including lands affected by waste piles, in accordance with provisions of the Act of July 15, 1955 (30 U.S.C. 571 et seq.) to the extent applicable, without regard to section 2(b) thereof (30 U.S.C. 572(b)) or to any provisions therein limiting assistance to anthracite coal formation, or to the Commonwealth of Pennsylvania. Grants under this paragraph shall be made wholly out of funds specifically appropriated for the purposes of carrying out this Act."

(b) Subsection (b) of such section is amended by striking out "and 1967" and inserting in lieu thereof, "1967, 1968, and 1969", and by inserting after "restoration projects" a comma and the following: "including reasonable planning, engineering and land acquisition costs,".

(c) The first sentence of subsection (d) of such section is amended to read as follows: "Not to exceed $39,150,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

Sec. 110. Subsection (g) of section 206 of the Act, entitled "WATER RESOURCE SURVEY", is amended to read as follows:

"(g) Not to exceed $2,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

Sec. 111. Part A of title II of the Act is amended by inserting at the end thereof a new section as follows:

"ASSISTANCE FOR PLANNING AND OTHER PRELIMINARY EXPENSES OF PROPOSED HOUSING PROJECTS UNDER SECTION 221 OF THE NATIONAL HOUSING ACT

"Sec. 207. (a) In order to encourage and facilitate the construction or rehabilitation of housing to meet the needs of low- and moderate-income families and individuals, the Secretary of Housing and Urban Development (hereafter in this section referred to as the 'Secretary') is authorized to make grants and loans from the Appalachian Housing Fund established by this section, under such terms and conditions as he may prescribe, to nonprofit, limited dividend, or cooperative organizations, or to public bodies, for expenses of planning and of obtaining an insured mortgage for a housing construction or rehabilitation project, under section 221 of the National Housing Act (hereafter in this section referred to as 'section 221'), in any area of the Appalachian region determined by the Commission to have significant potential for future growth.

"(b) No grant under this section shall exceed 80 per centum of those administrative expenses, incident to planning a project and obtaining an insured mortgage under section 221, which the Secretary considers not to be recoverable from the proceeds of a mortgage insured under such section: *Provided*, That no grant shall be made to an organization established for profit.

"(c) No loan under this section shall exceed 80 per centum of the cost of planning a project and obtaining an insured mortgage under section 221, including, but not limited to, preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, Federal Housing Administration and Federal National Mortgage Association fees, and construction loan fees and discounts. Loans may be made without interest, or at any market or below market interest rate authorized for a mortgage insured under section 221: *Provided*, That any loan made to an organization established for profit shall bear interest at the prevailing market rate authorized for a mortgage insured under such section. The Secretary may, except in the case of a loan to an organization established for profit, waive the repayment of all or any part of a loan made under this section, including interest, which he finds the borrower is unable to recover from the proceeds of a mortgage insured under section 221.

"(d) All funds allocated to the Secretary for the purposes of this section shall be deposited in a fund which shall be known as the Appalachian Housing Fund and shall be used as a revolving fund by the Secretary for carrying out such purposes. General expenses of administration of this section may be charged to the fund. Moneys in the fund not needed for current operation may be invested in bonds or other obligations guaranteed as to principal and interest by the United States.

"(e) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 112. (a) Subsection (a) of section 211 of the Act, entitled "VOCATIONAL EDUCATION FACILITIES", is amended by inserting before the word "needed" in the first sentence, the following: "and for the equipment of such facilities and other school facilities".

(b) Subsection (b) of section 211 of the Act is amended to read as follows:

"(b) Not to exceed $18,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 113. Subsection (b) of section 212 of the Act, entitled "SEWAGE TREATMENT WORKS", is amended to read as follows:

"(b) Not to exceed $6,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 114. (a) Section 701(a) of the Housing Act of 1954 (40 U.S.C. 461(a)) is amended by striking out "and" at the end of clause (8) and all of clause (9) and inserting in lieu thereof the following:

"(9) the Appalachian Regional Commission, for comprehensive planning for the Appalachian region as defined by section 403 of the Appalachian Regional Development Act of 1965; and

"(10) local development districts, certified under section 301 of the Appalachian Regional Development Act of 1965, for comprehensive planning for their entire areas, or for metropolitan planning, urban planning, county planning, or small municipality planning within such areas in the Appalachian region, and for planning for Appalachian regional programs."

(b) The proviso of the first sentence of section 701(b) of the Housing Act of 1954 is amended by inserting after "States" the words "and local development districts".

SEC. 115. Section 214 of the Act is amended to read as follows:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 214. (a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the President is authorized to provide funds to the Federal Cochairman to be used for the sole purpose of increasing the Federal contribution to projects under Federal grant-in-aid programs, as hereafter defined, above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. Funds shall be so provided for Federal grant-in-aid programs for which funds are available under the Acts authorizing such programs and shall be available without regard to any appropriation authorization ceilings in such Acts.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by the Commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other existing or future Federal grant-in-aid programs authorized by Acts other than this Act for the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; National Defense Education Act of 1958. The term shall not include (A) the program for the construction of the development highway system authorized by section 201 of this Act or any other program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.

"(d) Not to exceed $97,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 116. Part B of title II of the Act is amended by inserting at the end thereof a new section as follows:

"CULTURAL PROGRAMS

"SEC. 215. (a) In order to encourage the development of the cultural resources of the region, the Chairman of the National Endowment for the Arts is authorized to make grants to assist the member States of the Commission (1) in supporting existing programs and projects (including productions) in the region which meet the standards enumerated in section 5(c) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 954; 79 Stat. 846); and (2) in developing programs and projects in the arts in such a manner as will serve all the people of the region. Such grants shall be made in accordance with the applicable provisions of section 5 of that Act, for programs and projects which are compatible with State plans approved pursuant to subsection (h) thereof, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) No grant shall be made to a State for a workshop production (other than a workshop conducted by a school, college, or university) for which a direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the recipient to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by the people of the region.

"(c) Not to exceed $500,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 117. (a) The first sentence of section 221 of the Act, entitled "MAINTENANCE OF EFFORT", is amended by striking out "exclusive of Federal funds," and inserting in lieu thereof the following: "exclusive of expenditures for participation in the National System of Interstate and Defense Highways, and exclusive of local funds and Federal funds,".

(b) The second sentence of such section is amended by inserting after "Highways" the following: "and expenditures of local funds and Federal funds".

SEC. 118. Section 223 of the Act is amended to read as follows:

"PROGRAM IMPLEMENTATION

"SEC. 223. No program or project authorized under any section of this title shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Commission has approved such program or project and has determined that it meets the applicable criteria under section 224 and will contribute to the development of the region, which determination shall be controlling."

SEC. 119. (a) Subsection (a) of section 224 of the Act, entitled "PROGRAM DEVELOPMENT CRITERIA", is amended (1) by striking out "In developing recommendations on the" and inserting in lieu thereof: "In considering"; and (2) by striking out "within those recommendations".

(b) Subsection (b) of such section is amended by striking out clause (1) and inserting in lieu thereof the following: "(1) to assist establishments relocating from one area to another;".

SEC. 120. Section 302 of the Act, entitled "GRANTS FOR ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS AND FOR RESEARCH AND DEMONSTRATION PROJECTS", is amended by (1) striking out subsections (a) through (c); (2) redesignating subsection (d) as subsection (e); and (3) inserting the following new subsections (a) through (d):

"(a) The President is authorized—

"(1) to make grants to the Commission for administrative expenses, including technical services, of local development districts, but (A) the amount of any such grant shall not exceed 75 per centum of such expenses, (B) no grants for administrative expenses shall be made for a local development district for a period in excess of three years beginning on the date the initial grant is made for such development district, and (C) the local development district contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

"(2) to make grants to the Commission for investigation, research, studies, technical assistance, and demonstration projects, and for training programs, but not for construction purposes, which will further the purposes of this Act.

"(b) The Commission is authorized to make a survey and study of acid pollution in the region resulting from mining activities and the effects of such pollution, in full cooperation with the Secretary of the Interior and other appropriate Federal, State, and local departments and agencies, with the objective of developing a comprehensive action program for the appropriate control, reduction, or elimination of such pollution in the region or the effects of such pollution. The Commission shall submit to the President a report, including specific recommendations for such program and for the policies under which it should be conducted, and the President shall submit the report to the Congress, together with his recommendations, not later than March 31, 1969. The study shall, among other matters—

"(1) Identify sources of acid mine pollution in the region and their type, area, ownership, and other characteristics; the relative contribution of each source; and the impact of each source on water quality in the streams affected.

"(2) Identify present and potential water-using and other activities which are affected by acid mine pollution in the region, or originating in the region, and the economic and social costs and effects attributable to such pollution.

"(3) Identify known methods and costs for the control and abatement of acid mine pollution.

"(4) Estimate economic and social benefits, public and private, that are likely to result from reducing to various levels acid mine pollution in the streams of the region and identify the types of beneficiaries and the relative distribution of the benefits to such beneficiaries.

"(5) Consider the appropriate roles of Federal, State, and private interests in programs for the control, reduction, or elimination of acid mine pollution in the region and the relative costs which each should bear, including specifically (A) the extent, if any, to which private interests can bear the cost of such programs within the economics of mining activity, (B) the effectiveness of past action by Federal, State, and local units of government in remedying or controlling the adverse effects of acid mine pollution, (C) relationships which might be established among Federal, State, and local units of government, and with private interests, for implementing and funding such programs, and (D) the need for appropriate Federal and State legislation, including adequate enforcement provisions, for such programs.

"(6) Formulate a program for the appropriate control, reduction or elimination of acid mine pollution in the region, including the identification of specific objectives and costs, with due consideration to: (A) the developmental effects of the program, (B) the economic benefits of the program in relation to costs, (C) the social effects of the program, (D) the avoidance of unwarranted financial gain to private interests, and (E) the types and sources of aid required to accomplish the program.

"(c) The Commission shall, as required by the President, maintain accurate and complete records of transactions and activities financed with Federal funds and report thereon to the President. The records of the Commission shall be available for audit with respect to such grants by the President and the Comptroller General or their duly authorized representatives.

"(d) Not to exceed $13,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section. Not to exceed $3,000,000 of such authorization shall be available for the purposes of subsection (b)."

Sec. 121. Section 303 of the Act is amended to read as follows:

"PROJECT APPROVAL

"Sec. 303. An application for a grant or for any other assistance for a program or project under this Act shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under the Act shall be approved for assistance."

Sec. 122. Section 401 of the Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 401. (a) In addition to the appropriations authorized in section 201 for the Appalachian development highway system and local access roads, there is hereby authorized to be appropriated to the President, to be available until expended, not to exceed $273,650,000 for the two-fiscal-year period ending June 30, 1969, to carry out this Act.

"(b) Unexpended balances of appropriations under the authorization in this section prior to amendment by the Appalachian Regional Development Act Amendments of 1967 shall be treated as having been appropriated to the President for the purposes of this Act as amended, and shall remain available until expended: *Provided*, That any unexpended balances of appropriations for the purposes of section 204 prior to such amendment shall remain available for such purposes."

Sec. 123. (a) Section 403 of the Act, entitled "DEFINITION OF APPALACHIAN REGION", is amended—

(1) by inserting in the clause relating to the counties in Alabama after "Jefferson," the following: "Lamar," and after "Morgan," the following: "Pickens,"; and

(2) by inserting after the clause relating to the counties in Maryland the following:

"In Mississippi, the counties of Alcorn, Chickasaw, Choctaw, Clay, Itawamba, Kemper, Lee, Lowndes, Monroe, Noxubee, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster, and Winston;

"In New York, the counties of Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Cortland, Delaware, Otsego, Schoharie, Schuyler, Steuben, Tioga, and Tompkins;".

(b) Such section is further amended by striking out the colon following "West Virginia" and inserting in lieu thereof a period, and by striking out all of the remainder of such section and inserting in lieu thereof the following:

"No recommendation for any change in the definition of the Appalachian region as set forth in this section shall be proposed or considered by the Commission without a prior request by the Congress for a study of such change."

TITLE II—AMENDMENTS TO TITLE V OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Sec. 201. Subsection (a) of Section 503 of the Public Works and Economic Development Act of 1965 is amended by striking the semicolon after clause (2), inserting a comma, and the following: "including the development of a comprehensive long-range economic plan approved by the Secretary;".

Sec. 202. Subsection (c) of section 505 of the Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following:

"Not to exceed $2,500,000 of the funds authorized to be appropriated by this subsection for each fiscal year shall be allocated by the Secretary to each regional commission to carry out the purposes of this section."

Sec. 203. Section 509 of the Public Works and Economic Development Act of 1965 is amended by redesignating such section as section 510 and by inserting after section 508 the following new section 509:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"Sec. 509. (a) In order to enable the States and other entities within economic development regions established under this Act to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the Secretary is authorized, once a comprehensive long-range economic plan established pursuant to clause (2) of section 503(a) is in effect, to provide funds pursuant to specific recommendations of each of the Federal Cochairmen of the regional commissions heretofore or hereafter established under this title, to be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. No program or project authorized under this section shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Regional Commission involved has approved such program or project and has determined that it meets the applicable criteria under section 504 and will contribute to the development of the region, which determination shall be controlling. Funds may be provided only for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Funds so provided shall be available without regard to any appropriation authorization ceilings in such Act.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by each commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means all existing or future Federal grant-in-aid programs assisting in the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by title I of this Act and by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; and National Defense Education Act of 1958. The term shall not include any program in which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this section, and shall not be taken into account in the computation of allocations among the States made pursuant to any other provision of law.

"(d) There is hereby authorized to be appropriated to the Secretary for each of the regional commissions for the purposes of this section the sum of $5,000,000 for the period ending June 30, 1968, and the sum of $10,000,000 for the fiscal year ending June 30, 1969.

"(e) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970.

"(f) An application for a grant under this section shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under this section shall be approved for assistance."

INVESTMENT TAX CREDIT

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri.

Mr. SYMINGTON. Mr. President, my staff has been following what has been going on for some weeks and I would like to read to the Senate a short statement in summary of what has transpired.

APRIL 26, 1967.

To: Senator SYMINGTON.

Re: Brief summary of floor situation on H.R. 6950.

The Committee on Finance has reported back, as previously instructed by the Senate, H.R. 6950 with two provisions: 1) restoration of the investment tax credit. 2) repeal of the *Presidential Campaign Financing Act* as of July 31, 1967. The Committee has also announced that it will hold hearings and report back within six weeks a bill for the improvement and revision of the Presidential Campaign Financing Act, this announcement also in accordance with the recommittal instructions of the Senate.

Senator Long has now moved to strike the provision of the Committee bill which provides for the expiration of the Presidential Campaign financing act on July 31, 1967. That is the pending business. He has announced that if his motion is defeated, he will open up the bill to further amendments. If his motion is adopted, he will do his best to foreclose further amendments.

Leaving aside the merits of the question of repeal of the Presidential Campaign Fund Act, I think it is fair to say that if the Senate does not support Senator Long's motion to strike, the Senate will be embroiled again in adopting all kinds of amendments—Ribicoff college tax credit. meat import quotas, textile import quotas, and so forth—to the investment tax credit bill.

If, however, the Senate supports Senator Long's motion to strike, Senator Williams, joined by Senators Kennedy and Percy, will offer an amendment to provide, in effect, the President's original recommendations on campaign financing—$100 tax deduction for individuals making contributions to the political candidates of their choice.

Senator Williams has said he will offer this amendment and others if the repeal question is to be reopened as Senator Long has indicated.

I would assume however that if Senator Long's motion to strike is adopted, the leadership would gather unity to table any other amendment. Therefore—so far as the effect on getting on with Senate business is concerned, a vote in support of Senator Long's motion to strike would *for the present* expedite the matter.

Senator Gore, in offering yesterday to enter into a unanimous consent agreement to vote today at 3:30 on the motion to strike, which was not agreed to, said he believed the majority of the Senate would vote against the motion. Senator Long has indicated that if every Senator were present, the vote would be 50–50 with the Vice-President deciding the issue.

Speaking for myself, I am becoming increasingly apprehensive about the nature and degree of the tieup of the Senate during recent weeks on this issue. It is now more than ever not a partisan matter with me.

Mr. President, we have in our State a great independent newspaper, the Kansas City Star. If the Senate will bear with me for a few minutes, I shall read from a recent editorial in that paper.

[From the Kansas City Star, Apr. 20, 1967]

THE SENATE FIDDLES WHILE THE ECONOMY BURNS

The Senate has tried to hang everything but a bill designating a national flower onto the important measure to reinstate business tax incentives. And the national flower may come yet. Certainly this extended period of parliamentary nonsense has threatened one of the session's high-priority pieces of legislation. A lot of people are burning while the senators fiddle.

The merits of the bill to restore the 7 per cent tax credit and accelerated tax depreciation *need not be discussed here.* More than a month ago the administration read the statistics, saw the need and moved quickly in a rare display of flexible fiscal policy. The House took prompt action and within days had dispatched the measure, its provisions retroactive to March 10, to the Senate.

Then the egg hit the fan. The Senate took its Easter vacation, and no one would object to that. It returned to the job presumably refreshed and raring to go. Deliberation began on the tax bill. But *this* is deliberation in the world's greatest debating society? Not as we *see* it. *Consider:*

After much sound and thunder, an amendment was tacked on to repeal the questionable campaign financing act of the 89th Congress.

Mr. President, I agree. There are parts of that law I do not believe right.

It is a law that ought to be repealed. But to let an extraneous issue thus threaten a measure vital to the entire economy is hardly the part of legislative statesmanship.

It was only the beginning. Another rider would lower the disability retirement age under Social Security. Perhaps this should be considered, but if so, it ought to be a part of the entire Social Security package which will come up later in the session.

Then someone thought of another idea that has been kicked around Capitol Hill for some time: To permit tax credit for college tuition payments. This is a plan with merit, and we would hope that some day a nation acutely conscious of the high cost of higher education—and of its necessity—might have such a provision in its tax code. But one thing at a time, fellow taxpayers. The college tax credit simply confuses the real issue of the moment, and has no place in this bill. Yesterday an amendment to cut meat imports was added to the stalled measure.

So it has gone, and so it is likely to go. Sen. Russell Long (D-La.), author of the campaign finance law, said he is coming back to get the repealer of his pet plan removed from the tax bill. He hints darkly that if he fails, he might tie up the tax credit bill in such a bundle of extraneous issues that it would never be acceptable to the House or to a conference committee. He said he will use any tactic to save his law to subsidize presidential campaigns, even if there is a risk of killing the tax bill.

Should he succeed, the administration presumably would start all over again. It would have no choice. But it would mean the loss of valuable time. A more reasonable course might be to accept the campaign law repeal (which President Johnson signed with no great enthusiasm last year) and push for genuine election financing reform. Or, the opponents of Senator Long might find it necessary to withdraw from the field, let him have his way, and live to fight another day.

After many weeks, there is real appeal in that statement, so far as I am concerned. The editorial continues:

At any rate, something has to give, and it has to give soon. The economy needs this tax credit, and if it doesn't get it, the good economic news of the last few days could turn sour. In which case, the responsibility would rest with the United States Senate which most people presume to be on their side in the battle against recession and/or inflation.

But instead of responsible action, thus far, the senators have staged a performance that began with a prologue appropriate to the senatorial silly season, moved on to far-out ridiculousness, and now takes on the elements of high tragedy. No one is impressed.

Mr. GORE. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. *I shall be glad to* yield in a moment.

I do not necessarily agree with every sentence in that editorial, but believe it time we think not only about what we have to say, what our convictions are *with respect to what is and has* been taking place on the floor of the Senate, but also that we recognize what the people of the country are thinking concerning these recent goings on.

I am not criticizing anyone, nor suggesting a curtailment of debate. This once, however, on my own time, I wish to make this short statement as to what I believe represents the views of the majority of the people of my State, how they feel about what has been going on in the Senate since about the middle of last March.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SYMINGTON. I shall yield to the Senator from Tennessee, who first asked me to do so.

Mr. GORE. I have listened with much interest to the statement of the distinguished senior Senator from Missouri and to the editorial which he has read.

I wish to suggest for the consideration of the able Senator that I believe that through all the travail he will find that, upon many occasions, I have urged expedition. Yesterday, I proposed an agreement to vote today. During the conferences today, as Senators who are now in the Chamber are aware, I said that, so far as I am concerned, I would be willing to vote on Friday, to vote on Monday, to vote on Tuesday, or to vote at any time when there could be a little notice, so that Senators could make their arrangements to return to the Capitol. This is an issue that has attracted much attention. It is a very important issue. I feel certain that every Senator will desire to vote.

This is the present situation: The Senate, by a vote of nearly 3 to 1, including the support of the able senior Senator from Missouri, has directed the committee to report a bill stripped of all amendments except an amendment for repeal of the Presidential Election Campaign Fund Act.

Unless that act is repealed the tax forms will provide a box by which taxpayers may direct that tax money shall be transferred to a campaign fund in which a vast sum of money may be accumulated. At any rate, the question now is a simple one: There is before the Senate by direction of a majority of the Senate a bill which does only the two things, to which the able Senator has referred. There is pending one amendment. All the Senate need do next Tuesday in a vote which it is already agreed will be held at 3 o'clock, is to vote down that amendment and such other amendments as may be offered, and the bill will go promptly to the House of Representatives where, I am confident, it will be accepted and become the law of the land.

Now if the Senator will yield for just 1 second more, I realize that this has been an extremely controversial issue. I only suggest for the consideration of the able Senator that I do not know of any more important issue which Congress will consider than the one to provide, for the first time in our history, the use of public funds to pay for political campaigns. It will set a precedent. It is *important. It deserves our careful consideration.* I think that it requires it. We have debated it too long, I agree, but now we approach the time to vote. The time is set to settle it. I have urged it. I have urged it before. I think that despite the travail through which we have passed and the extraneous debate we have engaged in from time to time, we are finally arriving at an hour of decision.

I hope and trust that the Senate will make the right decision. I thank the distinguished Senator. He has made thoughtful remarks. I appreciate his yielding to me.

Mr. SYMINGTON. The able Senator from Tennessee knows the affection and respect I have for him. He came to the Senate the same day I did; and we had been friends many years before that. I first saw this body 47 years ago, when my distinguished father-in-law occupied the seat now occupied by the senior Senator from Nebraska.

Regardless of the particular issue at hand, I have pride in representing the people of Missouri in the U.S. Senate. Some recent activities here, however, have both worried and distressed me. I, therefore, wanted this afternoon to make my position clear, not only to the Members of the Senate, but also to the people of my State.

Mr. LONG of Louisiana. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield to my able friend, the Senator from Louisiana, who is also my assistant majority leader.

Mr. LONG of Louisiana. Let me say to the distinguished Senator from Missouri that even though he does not agree with me on what I think is the finest thing we did in the previous Congress, my admiration for him is complete. I think he is one of the great Senators—one of the greatest who ever stood on this floor, even when I disagree with him.

I think that he was a great Secretary of the Air Force. His invaluable services to our country will cause us, some day, to erect a statue to his memory.

Mr. GRUENING. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I cannot yield. I do not have the floor. I want to get on with what I have to say. I was just prefacing my statement here.

Let me say to my very great friend, the Senator from Missouri, that I know that he would not have said about me what he read from an editorial. He is too courteous and too polite to do that.

Mr. SYMINGTON. I think that if my friend from Louisiana will read the editorial carefully, he will not necessarily think that it is too critical of him. On the other hand, it would have been neither fair nor right for me to have read the editorial out of context——

Mr. LONG of Louisiana. I agree—I agree—no problem——

Mr. SYMINGTON. It should be expressed in its complete form.

Mr. LONG of Louisiana. No problem—no problem. Let me say to the Senator that I will read his editorial if he will read the speech I made before he got the floor.

The editorial says that I might kill the bill. Let me say that I prepared a memorandum which I placed on every Senator's desk. The Senator is a rapid reader, and he can take a look at that. That is when this whole mess started.

Mr. SYMINGTON. I would have been in the Chamber listening to the Senator from Louisiana, but the Vice President gave the Committee on Foreign Relations this afternoon at 4 o'clock the benefit of remarks about his recent trip to Europe. That was the reason I was a little late getting here.

Mr. LONG of Louisiana. The Senator is a rapid reader. He can take a quick look at that memorandum.

I made the statement standing right at that desk alongside the Senator from Tennessee which, at one time, used to be my daddy's desk, and many years prior to that was used by John C. Calhoun. I can say precisely that what I intended to do was no threat but a firm promise as the Senator in charge of the bill and chairman of the Committee on Finance. I despise that amendment like the devil hates holy water, and if it stays in the bill, I would try to have the bill vetoed. There was no doubt about that when I spoke.

Mr. SYMINGTON. I am sure that the writer of those comments will appreciate the observations of the able assistant majority leader.

Mr. President, to be sure all know his position, I ask unanimous consent that at this point in the Record the statement, "Senator Russell B. Long's Position on the Gore Amendment and on the Investment Credit Bill and the Gore Amendment," be printed in the Record.

Mr. LONG of Louisiana. Mr. President, just so there will be no misunderstanding about it, I said that if the Senate wants to have an investment credit bill, I am prepared to stand here and——

Mr. SYMINGTON. Mr. President, I have asked unanimous consent to have that statement printed in the Record. Will the Chair please rule?

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement was ordered to be printed in the Record, as follows:

Senator Russell B. Long's Position on the Gore Amendment and on the Investment Credit Bill and the Gore Amendment

Mr. President: It is well that everyone, both inside and outside the Senate Chamber, should understand that the effort to hang the Gore amendment on the Investment Tax Credit bill is seriously jeopardizing that bill's chances to become law.

As Chairman of the Committee on Finance, I have stated repeatedly to Senators that I am ready to give assurances that the Committee will hold hearings in the legislative area of the Presidential Election Campaign Fund Act, as well as proposals to amend or repeal it, and that the Committee will report its recommendations to the Senate, provided that the Senate shows the Committee and its Chairman the courtesy of according us such time as we require to do a responsible and thorough job of considering every Senator's suggestions, as well as the recommendations which can be expected to come from the President.

If no such courtesy is to be shown to me and my Committee, then I do not care to make any such commitments, nor do I feel inclined to accord to other Committee chairmen courtesies which they decline to show me.

Should the Senate see fit to run roughshod over this Senator and his Committee, then I shall urge the House to decline to accept the Senate version of the bill, and should the House do so, in spite of his efforts, I shall ask the President to veto the bill.

Failure to enact a bill restoring the investment tax credit would indeed be a signal victory for the Senator from Tennessee, Mr. Gore, who has steadfastly opposed the investment tax credit every step of the way since it was first proposed. The Senator from Tennessee, Mr. Gore, having opposed the investment tax credit, having opposed efforts to liberalize it, having supported the effort to suspend it, now has before us an amendment which could kill the bill.

Should the Gore amendment be accepted by the Senate, I would deem it my duty to nominate the Senator from Tennessee as a conferee, together with enough Senators to assure that the Gore amendment could not be dropped so long as the Senator from Tennessee remained adamant in his position.

Thus far, the Senator from Tennessee has participated in two major conferences on Finance Committee matters between the Senate and the House of Representatives. One was on a big Social Security bill; the other on an unemployment insurance bill. In both cases, the bills died in conference. Should the same result occur in this instance, the Senator from Tennessee could, in good conscience, feel that he has accomplished a great national service, having contended for almost six years that the investment tax credit was a very bad idea, that it should never have been enacted, and that it should

> be killed at the earliest moment. From the point of view of the Senator from Tennessee, he would have achieved at least half of his principal objective.
>
> If American business wants the investment tax credit, it would do well to decide whether its chances are better following Gore, who has steadfastly opposed it, or following Long, who has managed the previous investment tax credit bills. Should the Gore amendment be accepted, it opens the gate to a bevy of other amendments which could provide the final nails for the bill's coffin.
>
> I, for one, am going to hold this bill to the limited objective of restoring the investment tax credit, if that is what the Senate wants to do. I am willing to assure Senators the chance to offer extraneous amendments to other bills at a later date, if that is what they want. I challenge any Senator to stand on this floor and say that I had not kept my word when I have offered assurances of this kind. If this good faith offer finds less than a majority of the Senate willing to accept it, then I shall chart my course to fit the conduct of the majority and open the bill to any other extraneous amendments.

Mr. LONG of Louisiana. I put this memorandum on every Senator's desk. But Senators are busy men, and their desks got cleared off before they ever saw the memorandum. As chairman of the Committee on Finance, I have repeatedly said that we will hold hearings on the Presidential Election Campaign Fund Act and we will report the bill.

If the Senate wants to repeal it, that will be its privilege, but I said we will hold hearings, as I have been instructed to do by the Senate. As Senators know, I have a pretty good reputation for keeping my word. Then I said so far as I am concerned, I am going to do everything I can to defeat this.

I am quoting from the statement:

> Should the Senate see fit to run roughshod over the Senator and his committee, then I shall urge the House to decline to accept the Senate version of the bill.

I shall ask my friend WILBUR MILLS not to take it to conference. Should the House do so, I shall ask the President to veto the bill.

Mr. SYMINGTON. As I understand the position of the Senator from Louisiana, the words he thinks are incorrect are "darkly hinted."

Mr. LONG of Louisiana. I did not darkly hint. I said it.

Mr. SYMINGTON. If I could modify the editorial, I would change those words; of course, I cannot.

Mr. LONG of Louisiana. I thank the Senator.

Mr. SYMINGTON. Does that satisfy the Senator?

Mr. LONG of Louisiana. I did not hint it; I promised it. I promised that would be my course of action.

Mr. SYMINGTON. I would say the Senator "guaranteed" it.

Mr. LONG of Louisiana. May I say that I went on to say that if this is going to happen, if Senators want this bill to be another Christmas tree bill, that is all right with me. If it is to be another Christmas tree bill, we will have a Christmas tree bill that will make the last Christmas tree bill look like a miniature. The Senator stated that, by a vote of 3 to 1, the motion of the Senator from Montana [Mr. MANSFIELD] carried——

Mr. SYMINGTON. Which Senator said that?

Mr. LONG of Louisiana. The Senator from Tennessee said the Mansfield amendment did. It was a humiliating thing, one that has never been done in the history of the Senate to a chairman of the Finance Committee, to make me report an amendment that I am against with all my heart. When that happended, the Senate majority leader knew he had fallen into an unfortunate situation, and he voted against it.

I could have had 15 votes against that motion, but I told them to vote for it. While the majority leader voted against his own motion that would humiliate me, I voted for the motion to protect his position.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. SYMINGTON. Mr. President, I have the floor.

Mr. LONG of Louisiana. One little paragraph, and I will be through. The Senator from Tennessee states with great confidence that he can defeat all the amendments. He may be able to defeat them, but the bill is still subject to debate. If I can get recognition from the Chair, I will have a great deal to say about it. We will be hearing about it from now until next January, or even until the following January.

So if anybody wants to fight on this, fine. If they want to make a tax bill out of it, I will cooperate. If they want to make it a Christmas tree bill, then let us make it the biggest Christmas tree bill that ever decorated the countryside.

I appreciate the courtesy the distinguished Senator from Missouri has shown me. Even when he cannot agree with me, he has been the most kindly and considerate man I know, with the possible exception of the majority leader.

I ask him to consider this problem. I have tried to be responsible. If we want to take irrelevant amendments, we have many to choose from; but if we want to pass a bill on the ground that the national economy requires it, then nobody will cooperate more than I will.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. SYMINGTON. Mr. President, I say to my friend, the Senator from Louisiana, that he knows of my great affection for him and my desire to see him succeed in anything he undertakes. He has been my friend for a very long time, and I, his. Now if I may criticize him slightly: To me he gives the impression that he feels his rights are being interfered with. He is the chairman of one of the most powerful committees in the Senate. He is also assistant majority leader because of the respect his colleagues have for him. I do not think he has to worry as much about his rights. But pretty soon he is going to have to worry about his duties. As the assistant majority leader of the Senate, it is more than his right, it is his duty, to see that the Senate gets back to work.

Now, Mr. President, before I yield to the Senator from Pennsylvania, I had promised to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the statement which has just been made. I am glad that on next Tuesday we will have an opportunity for the Senate to make its decision. At that time I hope the Senate will vote on this amendment based on its merits and not based on any threats made by a proponent or an opponent of the amendment. It would be a sad day in the Senate if Senators based their votes on threats that were made in or out of the Senate. I have been here 20 years, and I have never known it to be tried before. I have never heard such a challenge thrown out by any previous chairman. Since it has been thrown out let us meet it head on. Personally I do not want any Senator to vote for any amendment that I offer because of any threats. I will have no part of such schoolboy tactics.

The Senator from Tennessee and I have been trying to expedite the business of the Senate, and we will continue to do so.

As far as I am concerned, if the Senator from Tennessee is willing, I will make the offer here now to abide by the decision of the Senate next Tuesday, win or lose. If the Senator from Tennessee is willing we will accept that decision as final; then perhaps we can finish the bill next Tuesday.

So I make that offer to the Senator from Louisiana as evidence of good faith. I hope he will respond with an acceptance.

I want to emphasize one point at this time. The Senate by a vote of 63 to 29 recommitted the bill with specific instructions to report the bill back deleted of all the extraneous amendments and with only the provisions dealing with the investment credit itself plus the one amendment repealing the Presidential Campaign Fund Act of 1966.

I have not been able to find a precedent in which after a recommittal motion has been adopted, an amendment has been accepted by the Senate which would change the previous action of the Senate.

The Senate has acted in good faith in recommitting this bill, but if the amendment of the Senator from Louisiana—and I do not quarrel with his right to offer it—is approved by the Senate, the Senate will have established a precedent of changing the decision of the Senate once it has made its decision by a vote on recommittal.

I understand also that this question has never been submitted directly for a ruling. It has been more or less accepted as a basis of operation, with the general understanding that when the Senate acted it would in good faith abide by that decision. It would be considered a breach of faith for either the Senator from Tennessee or the Senator from Delaware to offer those amendments which had been deleted upon instruction of the Senate. The same with any other extraneous amendments.

If this past procedure is reversed and the Senate approves the Long amendment it will make our previous actions meaningless.

At the appropriate time I shall make a point of order. I have advised the

Parliamentarian and the Vice President of my intention to question whether or not the amendment of the Senator from Louisiana is in order. If it is ruled out of order that ends it, and we can go to the third reading of the bill.

I understand indirectly that they may be going to rule that it is in order. If it is then that goes in the rule book, and what the Senator from Missouri fears will happen would be in order. On that basis the recommittal motion and stripping the bill of these amendments would be only a procedural motion and did not have any force and effect. If the amendment of the Senator from Louisiana is in order, then, by the same token, once that ruling is made every other amendment, the ones dealing with the Corrupt Practices Act, the one dealing with meat quotas, the amendment offered by the Senator from West Virginia regarding social security, and every other amendment that was deleted by the recommittal vote of the Senate, 63 to 29, would be in order for offering over again.

I suggest that the orderly procedure would be to reject all amendments, including the pending amendment of the Senator from Louisiana.

If the amendment of the Senator from Louisiana is defeated that would automatically settle the matter.

But I repeat, to show Senators that we are not trying to delay and that we are not seeking any support of our position by either promises or threats—and the Senator from Tennessee advises me that he concurs in this statement—we will agree now to accept the decision of the Senate next Tuesday as final and binding upon us if the Senator from Louisiana will so agree. If we lose we will agree not to continue to pursue this fight further at this time if the Senator from Louisiana will make a similar commitment that if we win he will abide by the result. We can settle the matter.

Mr. LONG of Louisiana. Mr. President, will the Senator yield to me?

Mr. WILLIAMS of Delaware. I yield to the Senator from Louisiana to see if he will concur.

Mr. SYMINGTON. Mr. President, I have the floor. Before we go further, I would observe that those of us who did not have the advantage of being legally trained used to have a saying in business that there is a time to get the lawyers in a deal, and a time to get them out. Now I have been sitting around here for weeks and weeks, and have come to believe the title of this editorial "The Senate Fiddles While the Economy Burns." is appropriate.

Therefore, whatever can be done to get the Senate working again on legislation to help the country move forward, I am for.

I agreed some time ago to yield to my able and distinguished friend, the Senator from Pennsylvania [Mr. Scott].

Mr. SCOTT. Mr. President, I thank the Senator for yielding, because it is very difficult for me to get a chance to take part in this debate, and I have not had much to say.

Mr. SYMINGTON. I know the Senator does not refer to me. I assure the Senator I am delighted to yield to him any time, anyplace, anywhere.

Mr. SCOTT. I understand, and the Senator from Missouri is most kind.

I would like to say that the proceedings here have humiliated the Senate. They have humiliated the country. I think we have become a laughingstock.

I do not want this body to be a laughingstock under any circumstances or at any time. I would grieve very much if that were to happen.

I state to the Senator from Louisiana that I wanted, at the time, to support some of his motions. I wish to say to him that some of his motions have had merit, and I would have liked to have found it possible to support them. But I plead with the Senator, in pointing out that when he said, as the Senator did say, as he has on numerous occasions, that if his motion to strike fails, he will keep the Senate in session until next January or the January after that—and I am now quoting the Senator from Louisiana—that in doing that, he is making it impossible for at least one Senator to do anything other than to vote against his motion to strike.

I would far rather not be a Senator than vote here under a situation where I am told that unless I vote a certain way, I am going to be kept here on a single bill for a year or 2 years.

I do not know how many Senators feel as I do, but I think it needs to be said that the rules of procedure here are for the protection of all Senators, and the rules of debate are for the protection of all Senators. Every time I hear it said that "If you do not do things"—and I am not now referring to any specific Senator or to the Senate—but I say that if I ever, anywhere, hear anybody say to me, on the street, for example, "If you don't do things my way, you won't get anything done," that is not the way to get me to do things their way.

Mr. President, I suggest that we would all get along a lot better if we respect the rights of all of us here, and do not take a position that nothing will be done in this body, or any body, any place, or anywhere, unless it happens to suit the contention of any given single human being. (At this point, a portion of the debate was deleted by order of the Senate.)

Mr. LONG of Louisiana. Mr. President, will the Senator from Missouri yield to me?

Mr. SYMINGTON. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator from Delaware talks about a parliamentary inquiry.

I made a parliamentary inquiry. The Senator stood there at the desk. I was instructed to report an amendment that I hated to report.

The Record will show the parliamentary inquiry, and I believe the Senator from Missouri was in his seat to hear it.

I said: "Mr. President, is it in order for me to amend the bill I have just reported?"

The Presiding Officer consulted with the Parliamentarian and the Parliamentarian told him: "Yes, he has a right to amend."

I then moved to strike the campaign fund amendment after the Presiding Officer had talked with the Parliamentarian.

Let me read the Record.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Hold on.

The Record, at page 10692, states:

> Mr. Long of Louisiana. Mr. President, a parliamentary inquiry.
>
> The Presiding Officer. The Senator will state it.
>
> Mr. Long of Louisiana. Mr. President, is it in order for me to amend the bill I have just reported?
>
> The Presiding Officer. The substitute amendment is open to amendment.

The Record then reads:

> Mr. Long of Louisiana. Mr. President, I send to the desk an amendment and ask that it be stated.

I saw the Senator from Delaware talk with the Parliamentarian and discuss the matter. He knows how the Chair is going to rule, unless the Vice President wants to reverse the Parliamentarian, and the Vice President is not going to do that.

My good friend said on the floor that the Long Act had been repealed and that I was trying to reinstate it. He is laboring under the assumption that a mere Senate amendment to a bill that has not been passed is the law of the land.

The Senator talks about a threat. I did not threaten anybody. I drafted an amendment as the chairman of the committee.

I said:

> Here is how it will be. It will be relevant or irrelevant. We can agree that this is a very important matter and must become the law.

I hope the Senator from Missouri will listen to me.

Mr. SYMINGTON. I am listening.

Mr. LONG of Louisiana. I hope we can agree that this will be a tax credit law and that in a time of national emergency it will be enacted to protect the economy from a recession or possible depression. It will help to fulfill a commitment that the President of the United States made to the business community when the provision was suspended.

It will either be that kind of bill or it will be a Christmas tree bill. If one Senator put an irrelevant amendment on there which I despise above all other amendments, then as far as I am concerned, every other Senator can go and get his amendments. If he has something that is worthwhile and is worth voting for and considering, bring it in.

We had the Bob Byrd amendment. We had voted for it twice already. Why should we not vote for it again?

Then the Ribicoff amendment. I had been fighting it all along. However, the Senator had 48 cosponsors. How can you defeat that kind of support? That is 49 Senators.

The Senator talked about that amendment. I said:

> Fine. I have been fighting it all these years. If I have to take a lot of other amendments, I might as well take that too.

The Senator said that that great newspaper in his State, the Kansas City Star, finally woke up to the fact that if we want to have business, we ought to do it. I promised firmly:

> As chairman of the Committee on Finance, I have stated repeatedly to Senators that I am ready to give assurances that the committee will hold hearings in the legislative area of the Presidential Election Campaign Fund Act, as well as proposals to amend or repeal it, and that the committee will report its recommendations to the Senate, provided that the Senate shows the committee and its chairman the courtesy of according us such time as we require to do a responsible and thorough job of considering every Senator's suggestions, as well as the recommendations which can be expected to come from the President.

Why do we not let the President suggest his recommendations for amending the Presidential Election Campaign Fund Act? When he signed the law, he did not say it was a bad thing. He said it was a good thing.

He objected to signing H.R. 10 to the bill, the special tax advantage for doctors and lawyers. However, as far as the Long part of the bill was concerned, he thought that was good. However, he said he thought it ought to be studied and amended. An outstanding committee of political scientists was appointed to study the matter and make suggestions.

One more thing, and I am through.

Reference has been made to this so-called two-thirds majority by which we confirmed our high honor and respect for MIKE MANSFIELD.

I said over the weekend that there would be no challenge to MIKE MANSFIELD's leadership, not as far as I am concerned.

I said I would vote for his motion no matter what it was, because he had put his leadership on the line. I would not want him to do that to begin with.

I have never seen a more touching thing in my life than when that great leader of ours—having so expressed himself, realizing my predicament, and what an unfortunate thing existed at the moment—voted against his own motion.

Senator after Senator came to me and said, "How shall I vote?"

I said, "Vote for the amendment."

The majority leader voted against the motion. I voted for the motion.

Does the Senator mean that by doing that I bound myself not to offer any amendment? That is not what the Parliamentarian says.

I appreciate the Senator's statement. I am trying to be responsible, and so is he. He is trying to do what his conscience requires, and I admire him, even though he does not agree with me on the merits. I thank him for his thoughtful consideration.

Mr. LAUSCHE. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I thank the Senator from Louisiana for his comments. I had agreed to yield to the Senator from Delaware [Mr. WILLIAMS], but I yield to the Senator from Ohio.

Mr. LAUSCHE. The Senator from Delaware put to the Senator from Louisiana the question whether he will abide by the decision of the vote taken next Tuesday. The Senator from Tennessee [Mr. GORE] and the Senator from Delaware [Mr. WILLIAMS] say that whatever the decision will be, they will abide by it. The Senator from Delaware asked the Senator from Louisiana to state whether he will abide by that decision and allow this fiasco to come to an end. I ask, respectfully, that the Senator from Louisiana answer the question of the Senator from Delaware.

Mr. LONG of Louisiana. Mr. President, may I say that there is nobody I would enjoy having on my side more than the Senator from Delaware [Mr. WILLIAMS]. He is the best helpmate on earth when he is with you; but when he is opposing you, he is the most difficult man I have ever met to do business with.

I have been in these JOHN WILLIAMS traps before. They sound so simple and appealing and alluring that you go for it like a bass after a fly, and then suddenly you find there is a hook in the thing.

I do not feel like making any commitment like that. I shall be glad to think about it overnight and see if there is a hook in the proposition. If not, I may go along with it. I have been in JOHN WILLIAMS' traps before, and it is the most difficult thing on earth to get out of. Sometimes you have to wriggle for weeks.

I will reserve my rights, and I ask that the Senator reserve his. I did not ask for any such commitment.

Mr. LAUSCHE. I thought the Senator from Louisiana would say, "Since Senator WILLIAMS committed himself, I will do likewise." The Senator from Louisiana answered in a lot of words, but he did not answer my question.

Mr. LONG of Louisiana. On yesterday, the majority leader stood in this Chamber and said:

> If somebody thinks I made a commitment to him, if he will stand and say I made a commitment, then I will do, word for word, what they say I said I would do, even though I don't want to do it.

And the Senator from Delaware said:

> Let's think about it overnight.

They reserved their rights.

Mr. SYMINGTON. I yield to the Senator from Delaware, and then, with reasonable pleasure, I yield the floor.

Mr. LAUSCHE. I do not know what the position of the Senator from Louisiana is.

Mr. WILLIAMS of Delaware. I appreciate the Senator from Missouri yielding to me.

I wish to assure my good friend, the Senator from Louisiana, that I will never try to put him in a trap; and I will even give him a greater assurance, out of my great affection for him, that if I ever get him into a trap I will see that it is a comfortable one.

The Senator from Louisiana has boasted of the fact that he has the votes. He is an expert on that. If he has the votes, he has plenty of time to get them in here next Tuesday. All the Members of the Senate, on both sides of the aisle, have adequate time to be here if they wish to vote next Tuesday; therefore I believe in the interest of letting the American business people know that this bill is going to be expedited, we could now reach that gentlemen's agreement to abide by the decision regardless of who wins. If we cannot get this agreement I think it should be plain to the American businessmen as to who is responsible for the delay. Neither the Senator from Tennessee nor the Senator from Delaware are threatening to tie up the bill; we will cooperate.

I hope we do not reach the stage where the Senate has to invoke cloture against the chairman of any committee in order to stop a filibuster against his committee's bill. I would regret that very much. I hope the matter never reaches that stage. We should vote on this amendment on its merits and agree now to abide by the decision.

Naturally I wish to win on my position, but I do not want a single Senator to support the position that I am taking under any threat that he has to vote for my position in order to get this bill moving. I never have and never will make any such threat. All I ask is a vote on the merits.

The Senator from Louisiana is correct in stating that he asked the Presiding Officer if amendments were in order, and it was so ruled. I stated that. I merely state—and I repeat—that heretofore the amendments have been in order when they were additions to the bill and not to change the text as ordered reported under the recommendations. But we have not been able, at least, I have not been able up to this point, and the Parliamentarian has not been able up to the last time I talked with him, to find any precedent where after recommitting a bill and reporting it back under instructions, the text of that bill, as reported the second time, has been amended. If the Senator from Louisiana's amendment is adopted unless they can find such a precedent—which they have not heretofore found—it would be establishing a new rule.

The Senator from Louisiana is correct in stating that the Parliamentarian has so advised him, and, I understand that they will recommend that it is in order. There is no doubt in my opinion as to the manner in which the Vice President will rule, and I have advised them in advance to prepare the ruling.

My only purpose in making a point of order will be definitely to establish the rule as a part of the standing rules of the Senate.

Thus far all of our decisions have been based upon parliamentary inquiries and not upon points of order.

I am not trying to slip anything over on anyone. I certainly would not trap anybody into a parliamentary box—unless I had a good chance. Surely I would not be so foolish as to try to trap a man as agile as the Senator from Louisiana.

What I am pointing out is that once

this ruling has been made, as I anticipate it to be made, we shall have adopted and put in the rule book a precedent or a new rule whereby all amendments will be in order. That is all that I stated, and surely the Senator from Louisiana will agree that this will be the result. I do not question for one moment the propriety of the manner in which the Senator from Louisiana has proceeded. Not at all.

The Presiding Officer did state that amendments would be in order, and I am confident that he will so rule.

As an optimist, and as one who always was an optimist and wants to stay one for the remaining 50 years of his life, I am so confident that we are going to win next Tuesday that I have made this offer to join the Senator from Louisiana in a pledge to abide by the decision regardless of the results.

Mr. LONG of Louisiana. The Senator made me a firm commitment a while back which I thought was meaningful.

The Senator said that he would not trap me and that I cannot be trapped, but he has done it to me before, and it is difficult to wiggle loose.

Mr. President, the Senator said something about a precedent. The precedent is there. The Chair ruled. I asked a parliamentary inquiry, and the Chair ruled that I had a right to offer the amendment. The motion to table, made by the Senator from Delaware, could in some respects be regarded as a ruling from the Chair, and I won it. The precedent is there. It has already been ruled.

The Senator has asked whether I am willing to abide by that verdict. Not if I lost on absentees. I have my absentee list now, to see how many people will be out of town on Tuesday, and the number is considerable. If every Republican was in place and the absentee list is what is predicted on Tuesday, I would lose on absentees. I will do my best to get people back in town.

The Senator from Tennessee [Mr. GORE] talked about voting. He would have been very foolish to vote today. He has six absentees. I would like to give him pairs, but I do not feel like pairing all those Republicans. He is leading the fight against me on the Democratic side of the aisle, while the Senator from Delaware leads it against me on the Republican side of the aisle. I would have been glad to give him pairs with Democrats. I would have won easily. But I do not believe he would have been satisfied with that. He would see that he had four Republicans who did not have pairs, and he would probably have come back and tried me again, and it would have been an inconclusive struggle.

One of these days we will get this whole thing worked out. So far as I am concerned, time is of no particular moment. I agree with the Senator from Tennessee that it is the most important thing we will vote on. We will take all the time necessary, and eventually we will get around to holding a committee meeting and seeing what the Committee on Finance wishes to do, and we will vote it out.

If everybody would do what the Senator from Virginia did, give a pair to some poor fellow who is sick in a hospital and who cannot be here, and if everybody's vote was counted, I would have won with a vote of 50 to 50, with the Vice President breaking the tie in my favor, and off we would go with the investment tax credit bill. However, they caught me with their crowd in town and mine out of town. I come back when I have the larger army and this time the other fellow has the absentees. This could go on forever, but it will not. Eventually the Senate will accept a decision.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. The Senator from Louisiana said that the Senator from Delaware has trapped him in the past. I assume that by "trapped," he meant that deceitful means were used by the Senator from Delaware. I want to reject that implication fully and completely. I want to point out the extreme versatility of using the rule of the Senate for self-defense, but still ignoring the rule to commit offenses upon the other side.

I have been with the Senator from Delaware for 10 years and I wish to say with complete confidence that in the Senate he has spoken objectively, truthfully, and with the purpose of acquainting Senators fully with the facts so as to be able to render intelligent judgments.

I wonder what would have happened if I had invoked the rule to have the Senator from Louisiana take his seat when he stated that the Senator from Delaware was setting traps. Traps are supposed to snare the innocent. That statement was a direct challenge to the integrity of the Senator from Delaware. I did not ask that the Senator from Louisiana take his seat, but if the Senator from Pennsylvania, under the rule, was required to take his seat, then I submit to the Presiding Officer that that same rule would have required the Senator from Louisiana to take his seat.

Last week the majority leader, in order to bring the treadmill to an end, in order to stop the merry-go-round, made a motion. He realized that we were indulging in the use of time without producing anything constructive in the interest of the country. He made the motion that the bill be sent back to the Committee on Finance with the order that they return a bill with two provisions; one, solely dealing with the capital investment tax credit, and two, a repeal of the $60 million subsidy to political parties. That bill went back to the Committee on Finance.

To my great amazement, within 1 minute the Senator from Louisiana took the floor and said: In conformity with the direction of the Senate, we have prepared a bill reinstating the investment tax credit and repealing the Presidential subsidy bill.

I was amazed because I could not understand how the committee could have acted upon it. It was obviously the action of the chairman alone. But to my greater amazement, after it was stated that the bill was reported back in conformity with the direction of the Senate, an amendment was immediately offered to vitiate and repudiate the previous action of the Senate.

I, in my simple way of thinking, cannot understand how this dignified body can indulge in that type of conduct. One minute we direct the committee to report back in accordance with certain conclusions reached by the Senate. The whip and chairman of the Committee on Finance reports back and with the greatest alacrity imaginable, immediately proceeds to repudiate the direction given by a vote of some 60 to 20. I do not know the exact number. What are the citizens of the United States thinking of the Senate? What are they justified in thinking? One day we vote "aye," on a specific issue. The next day we vote "nay," and the third day we vote "aye."

We have spent 4 weeks on a treadmill. We have spent 4 weeks on a merry-go-round making the circle, and coming back to the same place at the end of the merry-go-round. Now, we rebegin the same merry-go-round, the same treadmill that was started 4 weeks ago.

The Senator from Delaware [Mr. WILLIAMS] wants to end it next Tuesday. Am I correct in that?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. The Senator from Louisiana says that it will not be ended next Tuesday, but that the treadmill and the merry-go-round will continue until January 1968, unless the will of the Senator from Louisiana is done.

God help the United States under that condition.

Mr. WILLIAMS of Delaware. I thank the Senator from Ohio. He has pointed out the parliamentary situation in which we find ourselves. I am not questioning for a moment, as I have stated, that the amendment of the Senator from Louisiana will be ruled to be in order. I say that based upon my consultations with the Parliamentarian.

However, if that amendment is adopted it is my understanding that it will be the first time in the history of the Senate that we will have changed a decision ordered by the Senate under a recommittal motion. That is the point I was making. I do not quarrel with the right or propriety of the Presiding Officer to make such a ruling. But the only way to get such an official ruling is to make a point of order; that will be done and then this procedure will officially be open for use by any Member. But I do think we should all agree to and abide by that decision next Tuesday, regardless of whether we win or lose, and go on with the business of the Senate. I would like to get such an agreement right now.

Nevertheless, I regret that the Senator from Louisiana does not see fit to accept this fair proposition offered by the Senator from Tennessee [Mr. GORE] and myself.

I also wish to thank the Senator from Ohio [Mr. LAUSCHE] for defending me against what he thought was somewhat of a reflection made upon me by the Senator from Louisiana [Mr. LONG]. The Senator from Ohio said he wondered what would have happened had the Senator from Louisiana been required to take his seat. I can tell him what would have happened. I would have moved that the Senator from Louisiana be permitted to proceed; I was enjoying his remarks. While I appreciate the concern of the Senator from Ohio, I did not take the remarks of the Senator from Louisiana as a criticism of me. Rather and, perhaps this was poor judgment on my part, I accepted them as a compliment coming from the Senator from Louisiana. I really think that what he had in mind when he said I had set a trap was that he was recalling how in the course of the debate we have exposed to the country what a monstrosity his proposed $60 million campaign slush fund really is and that we had gotten him somewhat into a position where the American people can see how disastrous the campaign fund law is.

Yes, indeed. I accepted his remarks as a compliment. I hope he will repeat them many times. To the extent that we have—if we may use the words of the Senator from Louisiana—"trapped" him into admitting on the floor of the Senate that the present law is not workable we have succeeded. In fact, he has been so enlightened by our analysis of this $60 million slush fund that he has recently offered an entirely new substitute bill, changing completely the proposed method of financing.

I do not consider that we trapped him—he used that word—but at least we have exposed the act to the American public for what it is. As an optimist and I shall always be an optimist, I feel that if we will only analyze what the Senator from Louisiana had in mind, we will see that he was really complimenting me and expressing his respect for the manner in which I have analyzed this proposed campaign slush fund. I even suspect that he will respect us more next Tuesday when we win that vote.

Mr. GORE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GORE. Mr. President, I asked the Senator to yield in order to say in my own words that I concur in the desirability of bringing this issue to a conclusion. Along with the able senior Senator from Delaware, I am prepared, as the Senator from Delaware has previously stated, to accept the results of the vote next Tuesday. I was prepared to accept the first vote. I was prepared to accept the vote on the motion made by the majority leader yesterday, however it came out.

I invite the attention of the Senate to the fact that on more than one day in every week of consideration of this measure, I have pleaded for expedition, and for a vote. Does not the Senator from Delaware recall that?

Mr. WILLIAMS of Delaware. The Senator is correct. We have offered numerous unanimous-consent agreements trying to bring this issue to a vote. The Senator from Tennessee, with my support, offered to get an agreement to vote today. We are never certain that there will be 100 Senators in the Chamber at any time.

All that we can do is to notify Senators that there will be a vote, and if they want to cast their vote, then let them come into the Chamber and do so. Let us settle this issue and get on with the business of the country.

Mr. GORE. Earlier in this legislative battle, an effort was made to frighten businessmen. It was suggested that the effort to repeal the Presidential Election Campaign Fund Act would, in some way, imperil enactment of the investment credit provisions.

I think the RECORD today will make it explicitly clear, if it has not already done so, that the Senator from Delaware and the Senator from Tennessee desire expeditious treatment of this issue, and that the way to speed enactment of the pending bill is to defeat the amendment next Tuesday, pass the bill, go to conference, and before the week is out the bill can become law.

Mr. WILLIAMS of Delaware. I agree. That is the best and most sensible way to take care of this problem. This question should have been settled at least 2 or 3 weeks ago.

REVISION AND EXTENSION OF THE APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965.

Mr. RANDOLPH. Mr. President, Members of the Senate joined in creating, in 1965, the establishment of the Appalachian Regional Commission, pursuant to the Appalachian Regional Development Act. This legislation, the result of 5 years of investigation, study, and public hearings, broke new ground in structuring the relationships between and among the Federal Government, State governments, and individual citizens and private business.

It has truly been a partnership for progress, and it provides a model for programs in other regions.

President Johnson has termed "creative federalism," as an approach characterized by a new and realistic and cooperative relationship among all levels of government. It has brought into being the establishment of a firm and full partnership between the Federal Government and the States of the Appalachian region.

In 1964, the President's Regional Commission on Appalachia transmitted a report to the President of the Senate, describing in detail the situation which obtained in an area extending from Pennsylvania to Alabama. It accurately and in stark terms set forth the differences which for too long had set this region partially apart from the rest of the Nation. It spoke of regional problems in terms of income, education, employment, and housing levels. It drew a graphic picture of a region which was far behind at a time when the United States as a nation had entered on and was enjoying the fullness of economic prosperity.

The Senate Committee on Public Works began hearings on proposals to ameliorate and correct this situation. The need for Federal assistance in an action program was demonstrated and documented. The Congress subsequently enacted Public Law 89–4, establishing the Appalachian Regional Development Commission, and authorizing a multifaceted economic development program.

In essence, we have reharnessed many of the existing Federal programs. We learned, not that the Federal Government lacked programs which could substantially contribute to an economic revival of Appalachia, but rather that the States of the region, for many reasons, were unable to take advantage of these programs.

The first thrust of the effort was the authorization of a development highway system. Throughout the history of this region and our Nation, the Appalachian mountain chain has been characterized as a barrier to commercial and social intercourse. The schoolchild learns that one of the first great problems encountered by our Founding Fathers, once the original settlement along the Atlantic coast was accomplished, was to find a passage through these mountains. The Cumberland Gap has its own hallowed place in the history of Appalachia.

Another major problem was to expand and strengthen health facilities and services. These, together with stepped-up vocational education activities, land stabilization, conservation and erosion control, coal mining area restoration, and sewage treatment were necessary if Appalachia was to be able to attract and hold the kinds of people and the kinds of business which make not only that area but any area economically viable.

Provisions for timber and water resources studies were also included. The capstone of the program was the provision of supplements to existing Federal grant-in-aid programs. No one piece of the program was to be so large as to overburden or overshadow the rest. All were intended to give that extra assistance which is required to bring Appalachia back into the mainstream of American economic development.

Mr. GORE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my distinguished colleague from Tennessee.

Mr. GORE. I wish to express personally, and on behalf of the people of Tennessee officially, gratitude and admiration for the leadership, the devotion, and the effective work of the senior Senator from West Virginia in this program, from which aspirations will rise and benefits badly needed will flow.

Mr. RANDOLPH. Mr. President, the statement of the distinguished Senator from Tennessee is characteristic of him. He is gracious, and in this instance, too generous. However, I am grateful for the words spoken by my friend. It is true when he says that I have been devoted to this region. But I am not alone, the devotion of the Senator from Tennessee to the region has been a matter of public knowledge over a long period of years. When he pioneered the development of the Interstate Highway System, he was thinking not only of a great superhighway network extending from coast to coast, but he was fully aware what all these roads together with the primary, secondary, and farm-to-market roads would do for the area of which I speak today.

Developmental roads—all what we are building under the Appalachian program—roads which will enable the people of Tennessee, and the people of West Virginia, to come into fruitful contact with each other as well as with people from the other States of the Union.

The intergovernmental structure thus created in the legislation of 1965 and the program contained therein were designed to "assist the region in meeting its special problems, to promote its economic development, and to establish a framework for joint Federal and State efforts toward providing the basic facilities essential to its growth and attacking its common problems and meeting its common needs on a coordinated and concerted regional basis."

It was an ambitious goal and an immense undertaking, but it was one to which the Senate gave highly substantial support. What our committee proposed was enacted by the Congress and was signed into law by President Johnson on March 9, 1965.

On January 24, 1967, the Special Subcommittee on Economic Development of the Senate Committee on Public Works, over which I preside, in addition to being chairman of the full committee, began hearings on S. 602, to revise and extend the Appalachian regional development program. The purpose of those hearings was twofold:

First, the refunding of the program. When the original legislation was passed early in 1965, with the exception of the Appalachian highway program, Congress made authorizations through fiscal year 1967 only. If we are to fulfill the promise of the excellent beginnings, we must authorize the funds for the continuance of the program.

The second purpose of the committee hearings was to conduct a searching review of the goals and achievements of the Appalachian program to date.

This effort is the embodiment of a new approach in intergovernmental relations, perhaps best expressed in the concept of "creative federalism." It is intended, as the Senator from Tennessee would say, not as a handout but as a helping hand. That is really what the people of this mountain area want, desire, and can appreciate. It is an equal partnership between the States and the Federal Government.

During the course of 7 days of hearings the Special Subcommittee on Economic Development heard from more than 40 witnesses representing every sector of involvement in the Appalachian program. Testimony was received from the State cochairman of the Appalachian Regional Commission, the Honorable Hulett Smith, Governor of West Virginia, and from the Honorable John Sweeney, the then Federal Cochairman, Members of the Senate, as well as from representatives of the Federal agencies, which have the direct responsibilities for carrying out the projects recommended by the Appalachian Regional Commission. In addition, the committee heard from a number of knowledgeable private citizens and interested groups.

Testimony or written statements were received from the Governors of 10 of the 12 States included in the region. The Governors were unanimous in their support of the program. I think it is important to note that they were high in their praise of the structure as well as the program implementation.

We have not made all the progress we desired to make—we have had real success. Though not all aspects of the program have moved forward as rapidly as we might have liked, some phases have been more successful than Senators believed possible. The program is a success because those who are most directly concerned with it, the Governors of the States and the Federal Cochairman have given it a maximum effort. Though the program has registered significant achievements, it has really only just begun.

The achievements resulting from the Appalachian Regional Development Act were partially summarized by President Johnson in his letter to Congress on January 20, 1967, in which he recommended the extension of the program. The President said:

> Because of the work done by the Commission and cooperating Federal, State, and local agencies.
>
> Fifty-one hospitals have been completed or are under construction.
>
> Fifty-two vocational education schools are being built.
>
> Work is underway on 790 miles of the development highway system.
>
> New libraries, airports, college classrooms, and water resource projects are being pursued to completion.
>
> Thousands of workers have been trained, hired, and added to the payrolls.

The institutional conception of the program as a joint State-Federal endeavor has been a valid one. The success achieved to date is a direct result of the high degree of cooperation between the Governors of the Appalachian States and the Federal Cochairman.

During the course of the hearings no adverse criticism was given at the Appalachian Regional Commission, the States, or the Federal agencies involved in the programs.

A number of private witnesses representing the business, educational, labor, and religious leadership of Appalachia did ask that the committee consider additional programs which would concern themselves with the development of human resources. The committee members share this concern for the development of human resources. And I point out that, except for the highway program, the two largest categories of Federal assistance in the Appalachian program are for health and vocational education. S. 602, as amended gives further evidence of congressional concern by providing additional programs oriented directly to the people of the region.

The bill, as reported, contains no sweeping changes in the original legislation. The basic structure of the Commission and the underlying philosophy of State-Federal cooperation remain intact and unchanged.

Additional Federal programs will be included under the umbrella of the Appalachian Regional Commission. Among these are technical assistance grants and loans to encourage low- and moderate-income housing under the provisions of section 221 of the Housing Act of 1954, the extension of the availability of planning money under section 701 of the Housing Act of 1954 to the so-called local development districts, timber products research, the development of a program for mine acid pollution control, and cultural program assistance.

S. 602 does not substantially expand the activities of the Appalachian program. The bill, as reported, authorizes the appropriation of $273,650,000, exclusive of the Appalachian Development Highway System, for the 2-fiscal-year period ending June 30, 1969. The 1965 act authorized an appropriation of $252,400,000 for the period ending June 30, 1967.

The major portion of this increase results from the inclusion of four new programs—hardwood timber product research, technical assistance for housing, the development of a mine acid pollution control program, and cultural program assistance.

The Appalachian highway program authorization which extends through June 30, 1971, would be increased by $175 million.

The primary change recommended by S. 602 provides for the appropriation of funds to the President. It is expected that the President will carry out the authorized programs by transferring the funds to the Federal Cochairman—for disposition in accordance with this legislation.

As introduced, the measure would have provided for appropriation of all funds authorized to the Appalachian Regional Commission for subsequent transfer to operating agencies of the Government to carry out authorized programs. This approach to funding the Appalachian program was considered as a means for achieving a consolidated review of the program in the appropriation process.

The committee has thoroughly considered the issues involved in the authorization of direct appropriations to the Commission. It is in sympathy with the view that appropriations for the Appalachian program should be sought on a consolidated basis. Similarly, we are aware of the concern of the President and the Bureau of the Budget about fragmentation of fiscal control.

In order to facilitate the most efficient operation of the program, and to accommodate the views of all parties on this issue, the bill reported by the committee authorizes the appropriation of all funds authorized by the act, except for the Commission's administrative expenses, to the President.

From discussions with the executive branch, it is the committee's understanding that funds appropriated to the President to carry out the act will be transferred by him to the Federal Cochairman of the Commission for further allocation among the Federal agencies and departments authorized to carry out the programs authorized by the act and for grants to the Commission for administrative expenses of local development districts and for research. This procedure will achieve a single review of the program in the appropriations process without appropriating program funds directly to a Federal-State commission.

Another amendment to the 1965 act would give the Commission itself the authority to approve programs and projects. This change likewise appears necessary if the program is to fulfill the promise it now holds for the revitalization of the Appalachian region.

This program was undertaken in 1965, in part, as an experiment in creative federalism. It was looked at as a test of the ability of State governments to more adequately meet their needs. If they are to do this, it seems to me that they must be given the opportunity to make the decisions. The Federal interests in these programs will be properly and fully protected by the Federal Cochairman.

S. 602 recommends the addition of 18 counties in Mississippi. Much of northeastern Mississippi shares common economic, social, and physical characteristics with counties in the Appalachian region. This area of Mississippi exhibits many of the same conditions of deprivation, such as unemployment, educational lag, health needs, public facilities shortages, and lack of adequate access which the program is seeking to alleviate in the Appalachian region.

In addition, two counties in Alabama would be included, as well as one county in New York.

To guard against continual expansion of the region encompassed by the Appalachian program, the committee has recommended language which provides that no recommendation for any further additions to the Appalachian region will be proposed or considered by the Commission unless the Congress has requested a study of such additions.

As a result of suggested amendments introduced by the Senator from Oklahoma [Mr. HARRIS], the committee considered and reported as title II of S. 602, three amendments to title V of the Public Works and Economic Development Act of 1965. The first is a clarifying amendment to insure the development of a comprehensive long-range economic development plan to govern the expenditure of funds in the title V regions. The second relates to the allocation of administrative and technical assistance and research funds to the allocation of administrative and technical assistance and research funds to the regional commissions established pursuant to title V of that act. The third is a provision authorizing the appropriation of funds for "Supplements to Federal grant-in-aid programs."

It is the committee's strong belief that the success of the Appalachian program gives strong evidence that the other commissions—Ozarks, Upper Great Lakes, New England, Coastal Plains, and Four Corners—will benefit greatly from the availability of such funds.

The committee recommends enactment of S. 602, as amended. It believes that the legislation is a vital necessity to maintain the effort being made to solve the difficult problems of the Appalachian area. The broad-scale attack begun with the enactment of the Appalachian Regional Development Act of 1965, Public Law 89-4, must be continued if we are to bring that region into a condition of economic parity with the rest of the Nation.

The amendments to title V of the Public Works and Economic Development Act of 1965 are equally necessary if the regional commissions established under that act, Public Law 89-136, are to bring renewed economic vitality to other regions of the United States.

Mr. President, I believe that the program presented under the reported bill is a sound and well-balanced one, which takes full advantage of the experience gained by the Appalachian Regional Commission during the past 2 years, and I believe the Senate will give prompt approval to this proven program.

Mr. President, I recognize the diligence and dedication of all my colleagues who serve on the Committee on Public Works. Without the cooperation and support of Senator JOHN SHERMAN COOPER, the ranking minority member, as well as, Senators STEPHEN YOUNG, EDMUND MUSKIE, ERNEST GRUENING, B. EVERETT JORDAN, DANIEL INOUYE, BIRCH BAYH, JOSEPH MONTOYA, JOSEPH TYDINGS, WILLIAM SPONG, JR., HIRAM FONG, CALEB BOGGS, GEORGE MURPHY, LEN JORDAN, and HOWARD BAKER, this legislation would not be the realistic response to the needs of Appalachia which it, in fact, is—and I thank them all for their valued contributions to our deliberations and action.

We have considered these matters, not in any partisan way. We gave our attention to this measure because we believed that we had a responsibility to strengthen this region and the other regions provided for in the legislation. These areas of our country must be put in a position not only to participate in but to contribute to the well-being of the citizens of the United States in the years ahead.

Mr. President, I know that several Senators, particularly the members of the Committee on Public Works, desire to be heard and perhaps to draw particular attention to some matters which need to be clarified.

It is my hope that by the middle of tomorrow afternoon—the bill can be brought to final passage. We shall probably request a yea-and-nay vote on the passage of the bill, so that the Members of the Senate may again have the opportunity, as they did in 1965, to express, in an affirmative, positive way, their approval of Senate bill 602.

Mr. SCOTT. Mr. President, as a cosponsor of the 1965 act and of the pending measure, I rise in support of this bill. S. 602, extends, in substantially its present form, the Appalachian Regional Development Act of 1965. That act has been most beneficial to my Commonwealth.

The Appalachian program has been an excellent example of how our Federal system of government should properly function. It is a genuinely equal partnership of the Appalachian States and the Federal Government. The Appalachian Governors have a strong voice and play an active role in formulating and carrying out the investment plans designed to revitalize the economy of this distressed region.

As a member of the Pennsylvania State Planning Board, which advises our Governor on the Appalachian program, I have been privileged to participate in this exciting planning and development process.

There is one feature of the pending bill which I wish to note favorably. I am glad that it provides that henceforth funds for all Appalachian programs will be appropriated to the President for disbursement by the Federal Cochairman of the Appalachian Regional Commission. The present practice of appropriating Appalachian funds to several Cabinet departments and agencies makes it difficult for the Appropriations Committees of Congress, as part of their oversight responsibilities, to carry out a single comprehensive review of the Appalachian regional development program.

Mr. President, I urge approval of this worthy legislation.

I make this statement at this time because I am presently engaged in doing what I can to help advocate the adoption of certain amendments to the constitution of the Commonwealth of Pennsylvania. Being engaged in that work, I am not certain I shall be on the floor at the time when the bill comes to a vote. If it does, I have the assurance of a live pair with another Senator, should I not be able to be present at the time.

I thank the Senator from West Virginia for yielding to me.

Mr. RANDOLPH. Mr. President, I am grateful for the comment of the Senator from Pennsylvania. He has participated in developing the answer to this legislative problem, even though not a member of the Public Works Committee. He has often appeared before our committee and argued effectively for the type of legislation that the Senate is now considering.

Mr. COOPER. Mr. President, I am very glad to join my friend, the senior Senator from West Virginia [Mr. RANDOLPH] in presenting to the Senate S. 602, a bill to revise and extend the Appalachian Regional Development Act of 1965, as recommended to the Senate by the Committee on Public Works, of which Senator RANDOLPH is chairman and on which I serve as the ranking minority member.

The Appalachian Regional Development Act has been in effect for a little over 2 years. During these 2 years, the Appalachian program has proved itself.

The wide acceptance and broad support this new program has received is evidence, I believe, that it was well conceived and has been well executed. Our committee received no testimony in opposition to this 2-year extension of the non-highway portions of the Appalachian Regional Development Act of 1965, and I am glad that it has been recommended to the Senate unanimously, with the support of both majority and minority members.

The Appalachian program is already bringing new opportunities and hope to the people of the region. And I must say it appears to be a happy exception among the new programs of recent years—for it has not created conflicts in administration, jurisdiction, or priorities. On the contrary, it has achieved cooperation, developed priorities, and fixed responsibility.

This has been accomplished through principles which have been talked about often, but in this case applied: local initiative; State responsibility; and the application of new priorities—in this case, regional planning—through Federal assistance programs already established.

The great thing about the Appalachian regional development program has been its demonstration of what can be accomplished by relying on State responsibility in carrying out Federal assistance programs. We are all concerned about overlapping programs, duplication, waste, and confusion of priorities. But the Appalachian concept has shown that, when the States are given responsibility and the authority for ordering priorities, existing Federal assistance programs can be better directed to the diverse needs of the States and utilized more effectively.

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President Kennedy, President Johnson, the Congress, and the Nation have recognized the deep-rooted and persistent problems of the Appalachian region, which justified designing a program to at last come to grips with its needs. I consider that the Congress, with the support of the people of the country, has been sympathetic and generous in providing this program for the Appalachian region.

I remember that, in 1959, I offered an amendment to the foreign aid bill, to assist the underdeveloped regions of this country and, later that year, the Senator from West Virginia [Mr. Randolph] and I proposed a program somewhat like the present one. Three years ago, I joined with Senator Randolph and 34 other Members in introducing S. 2782, following President Lyndon B. Johnson's message of April 28, 1964, proposing the establishment of an Appalachian Regional Commission and development program. That request was, of course, a consequence of the report by the President's Appalachian Regional Commission, formed at the request of President Kennedy on April 9, 1963, with the Honorable Franklin D. Roosevelt, Jr., as Chairman—which followed the initiative and work for years of the Governors of the central Appalachian States, which in Kentucky at least, began in the work of the East Kentucky Regional Development Commission.

The Senate Committee on Public Works held hearings that June and, on August 13, reported to the Senate the first Appalachian bill, which passed the Senate on September 25, 1964, by a vote of 45 to 13. The House of Representatives, however, did not take up the bill during the 88th Congress.

In the next Congress, Senator Randolph and I reintroduced the Appalachian Act as S. 3 on January 6, 1965, with 35 cosponsors. Hearings were held and the bill reported at the end of January. I again comanaged the bill in the Senate, which passed S. 3 by February 1. It was then passed by the House, without amendment, by a vote of 257 to 165, and became Public Law 89-4, with the President's signature on March 9.

That law authorized a 6-year program of highway development for the Appalachian Region—section 201. It also authorized demonstration health projects—section 202; land stabilization and conservation—section 203; a water resources survey—section 206; vocational education facilities—section 211; supplemental grants-in-aid—section 214; and grants for administrative expenses of local development districts and for research.

It was recognized that this program, while utilizing for the most part existing Federal programs and authorities, involved a new approach to regional action—and a new working relationship among the States and between the States and the Federal Government in carrying out grant-in-aid programs, and in directing assistance more effectively to the priorities of the States. For this reason, it was acknowledged that results should be reviewed by the Congress after 2 years, and the nonhighway programs were authorized through June 30, 1967, with the understanding that they could be renewed at that time.

That time having arrived, I was very glad this year to again join with Senator Randolph and 32 other Members of both parties in introducing the bill, S. 602, to extend for 2 years the nonhighway programs of the Appalachian Act of 1965. Our Subcommittee on Economic Development held 7 days of hearings, reviewing the entire Appalachian program, and made a number of revisions in the bill at first proposed. The hearings and our committee report to the Senate review the progress and accomplishments of this program, and the committee recommended without dissent this continuation of the Appalachian program.

III. PRINCIPAL PROVISIONS OF PUBLIC LAW 89-4 AND S. 602

Mr. President, at this point, I would like to summarize briefly the principal provisions of the bill our committee has brought before the Senate:

First. The composition and voting procedures of the Appalachian Regional Commission, its functions, administrative powers, authority to make recommendations, and administrative procedures, all set forth in title I of the act of 1965, are not substantially changed.

Second. Among the special Appalachian programs authorized by title II of the act of 1965, the principal new program in part A is the development highway system for which that act authorized appropriations of $840 million over 6 years to construct 2,350 miles of development highway, and 1,000 miles of local access roads. Of that amount, $300 million has been appropriated by the Congress for the 2 fiscal years 1966 and 1967.

The bill before the Senate increases the total highway authorization by $75 million—$140 million for the additional 350 miles of development highway across lower New York State and the connecting link in Pennsylvania, approved by the Governors after this tier of southern New York counties was added to the region. The remaining $35 million is authorized for local access roads, with the mileage limitation increased from 1,000 to 2,000 miles.

Among other changes, the new highway section 201 of the act authorizes advance construction of the development highways where the States are able to proceed—but there is no commitment that the cost of such advance construction will be paid by the Federal government—and emphasizes the maximum use of indigenous materials, including coal derivatives, in road construction.

Third. The act provides in section 202 for a program of demonstration health projects as a means of showing how better health facilities, including hospitals, diagnostic and treatment centers, may be brought to multicounty and regional areas. It authorizes grants up to 80 percent for construction of health facilities, grants for the entire cost of their operation the first two years, and for half of the cost for the next 3 years.

The bill restates this authority, includes also provision for planning grants up to 75 percent, and would permit the acquisition of facilities as well as the construction of new facilities. The committee bill makes clear that the operating funds may be used to cover operating deficits which include the cost of attracting, training and retaining qualified personnel. It authorizes appropriations for the next two fiscal years of $70 million for the demonstration health program, compared to $69 million authorized for the first 2 years, of which $23.5 million was appropriated.

It is acknowledged that it has taken some time to get the demonstration health program moving. But with the report of the Commission's Advisory Commission on Health showing tremendous needs in this field, we know that this amount must be carefully allocated to provide the most effective demonstrations—for it cannot begin to meet the health needs of the region.

Fourth. Section 203 of the act authorizes land stabilization, conservation and erosion control agreements between land owners and operators and the Secretary of Agriculture, up to 10 years' duration, with Federal cost sharing up to 80 percent on 50 acres of land.

This program is similar to the familiar agriculture conservation program. It seems to me that within the Appalachian region these funds should be used to supplement ACP funds to secure conservation measures where they are most urgently needed.

The committee bill authorizes $19 million for the conservation program for the next two fiscal years, compared to $17 million authorized for the first 2 years, of which $10 million was appropriated.

Fifth. Section 204 of the act was designed to encourage the establishment of timber development organizations; $1 million of the $5 million authorized was appropriated, of which $900,000 remains available. This authorization has not been extended.

After receiving testimony directed to

the opportunities for better utilizing the native hardwoods of the Appalachian region, our committee came to the view that the funds can best be used in research. The bill includes authority for the Secretary of Agriculture to carry out research which will contribute to the development of new and improved uses of Appalachian hardwood resources, improved processes and methods, and new markets for hardwood products. The committee bill authorizes appropriations of $4 million during the next 2 years for such investigations, studies, and demonstrations—in effect replacing the authorization unused for the timber development organizations.

I am glad that this new section has been included, because it seems to me that one of the great but neglected resources of the region is its hardwood. And with all the research programs of the Forest Service and others, relatively little effort has been directed to this field. Hard maple, birch, cherry are valued furniture woods. We all know, too, of the great demand for and serious shortage of walnut, and that this demand will increase. I believe we should give attention to cultivating walnut and other fine hardwoods, planning for their future use, just as the soft pine and pulpwoods are now cultivated and grown for a specific market.

Sixth. Section 205 of the act authorizes a program of mining area restoration which includes financial contributions to the States to seal and fill abandoned coal mines, to extinguish underground and outcrop mine fires, and to expand fish and wildlife restoration projects in the region. The authority to reclaim and rehabilitate existing strip and surface mine areas, however, is limited by the Lausche amendment to lands owned by Federal, State, or local bodies of government.

This section also authorizes the nationwide study of a long-range program for strip mine reclamation, by the Secretary of Interior in cooperation with the Secretary of Agriculture and others, which is in the final stages of preparation and will be submitted by the President to the Congress by July 1 of this year.

The committee bill maintains the mining area restoration program, adding the authority to seal abandoned oil and gas wells, to reclaim lands affected by coal processing, including waste piles, and to participate in mining area restoration projects including reasonable planning, engineering, and land acquisition costs up to 75 percent.

The bill authorizes appropriations of $39.15 million for the next 2 fiscal years for this work, compared to $36.5 million for mining area restoration the first 2 years, of which $24.85 million was appropriated.

Seventh. One of the most important provisions of the Appalachian Act, less noticed but having great potential, is contained in section 206 authorizing the water resources survey by the U.S. Army Corps of Engineers. For it will be the plan and the criteria developed by this survey which will determine the flood control measures, and the fuller utilization of the streams and rivers for industrial and municipal development and enhancement of the recreation opportunities of the region.

The region is one blessed with rainfall and countless streams. In fact, the narrow valleys cut into the plateau by these streams, and the quickening floods aggravated in recent years by surface mining, are among the most serious problems of the region. It is to turn this source of trouble into a resource for development that we look to the survey. The plan prepared by the Secretary of the Army will soon be submitted to the Commission, which will forward it to the President with the Commission's views, for transmittal to the Congress at the end of next year with the recommendations of the President.

The committee bill authorizes appropriations of $2 million to complete the water resources survey, compared to $5 million authorized for the first 2 years, of which $3.3 million was appropriated.

Eighth. The committee bill adds a new section 207 to the act, authorizing the Secretary of Housing and Urban Development to establish an Appalachian housing fund, to be used principally as a revolving fund. Loans from this fund could be made up to 80 percent of the cost of planning housing projects intended to qualify for insured mortgages under section 221 of the National Housing Act.

It is believed that section 221 has not been utilized in the region because of the difficulty of raising local costs for preliminary surveys and site engineering, site options, and FHA and other initial expenses, most of which can be recaptured by local sponsors and returned to the revolving fund when the construction loan insured by FHA is made.

The committee bill authorizes appropriations of $5 million for loans and grants for planning these housing projects.

Ninth. In addition to the new programs—part A of title II—I have just described, the Appalachian Act provides in part B of title II supplements for existing programs.

The first of these, and very important, is the provision of vocational education facilities, under section 211 of the act. The committee bill authorizes appropriations of $18 million for the next two fiscal years, compared to $16 million authorized for vocational education facilities the first 2 years, all of which was appropriated.

The committee bill amends the act to permit these grants to include the cost of equipment of the vocational training facilities constructed under this authority, and equipment of other school facilities needed to provide vocational education in the region.

Tenth. Section 212 of the act provides grants for sewage treatment works. These funds supplement those provided the States under the Federal Water Pollution Control Act, and are not allocated until the States regular allotments have been made. The committee bill authorizes appropriations of $6 million for sewage treatment works the next 2 fiscal years—the same as the authorization for the first 2 years, all of which was appropriated.

Eleventh. Perhaps the most effective and important program under the act, except for the development highway system, is that providing supplements to Federal grant-in-aid programs, through section 214. Under this authority, a wide variety of existing Federal-State cooperative programs may be supplemented with Appalachian funds, but in no event to exceed a total of 80 percent Federal share.

It is this section 214 which has provided the States and the Commission with the flexibility to adapt the Appalachian program to the highest priority needs of each State, to make the most effective use of the funds appropriated, and to better utilize within the region the programs previously enacted by the Congress for the country—but which time and again we have seen used first in the more fortunate areas which have available local matching.

It is this principle, also, which the committee hopes will be extended to the other regions, formed under the Economic Development Act, and for which title II of S. 602 authorizes the appropriation of initial funds.

While the act specifies programs such as those authorized by the Federal Water Pollution Control, Watershed Protection and Flood Prevention, Public Health Service, Vocational Education, Library Services, Federal Airport, Communications, Higher Education Facilities, Land and Water Conservation, and National Defense Education Acts, the supplemental grants are available for any of the existing grant-in-aid programs, and the bill includes future grant-in-aid programs as well.

The committee bill transfers the authority to approve these grants from the Secretary of Commerce to the Commission, which will continue to work through the line agencies responsible for each program. It was the judgment of the committee that parallel approvals and liaison between the operating agencies and the Department of Commerce resulted only in duplication and delay.

The committee bill authorizes appropriations of $97 million for section 214 supplemental grants for the next 2 fiscal years, compared to $90 million authorized for the first 2 years, of which $75 million was appropriated. I am informed by representatives of the Commission that the additional $7 million is occasioned by the inclusion in the bill of the State of Mississippi.

Twelfth. Following testimony received by the committee from Rabbi Siegel, chairman of the West Virginia Arts and Humanities Council, Dr. Ernest Nesius of the Center for Appalachian Studies and Development at West Virginia University, and Dr. Perle F. Ayer of the Council of the Southern Mountains at Berea, Ky., and others expressing interest in the broader social and cultural development of the region, the committee included a new section 115 of the act, to provide grants for cultural programs through the National Endowment of the

Arts. The bill authorizes appropriations of $500,000 for this purpose.

Thirteenth. The general provisions in part C of title II of the act, requiring maintenance of effort by the States and the consent of the States, and setting forth the program development criteria, and the procedure for the initiation, submission, and review of applications for projects and programs, remain substantially as enacted in 1965.

In restating section 223, and later section 303, the language adopted by the committee emphasizes that applications shall be initiated within the States, shall first be evaluated by the State member of the Commission, be approved by the State member as meeting the requirements for assistance under the act—and that no project shall be implemented until, first, the application has been determined by the responsible Federal officials to be compatible with the applicable Federal laws he administers, and, second, specifically approved by the Commission following its determination that the project meets the program development criteria of the act, "which determination shall be controlling."

Fourteenth. Title III of the act authorizes grants for the administrative expenses of local development districts and for research and demonstration projects. The committee bill transfers the authority to make these grants from the Secretary of Commerce to the President, through the Commission.

The committee bill authorizes appropriations of $10 million for this purpose for the next 2 years, compared to $5.5 million authorized for the first 2 years, nearly all of which was appropriated.

In an important new provision added to section 302, the committee bill directs the Commission to undertake a comprehensive survey of acid mine pollution in the region. The Commission report and recommendations are to be submitted to the President, for transmittal with his recommendations to the Congress by March 31, 1969. I consider this to be one of the most significant new provisions developed during the course of our consideration of the bill, which authorizes appropriations of $3 million for this purpose.

Fifteenth. Title IV of the act contains the authorization of appropriations for the nonhighway programs of the act, the Davis-Bacon provision, and the definition of the Appalachian region.

The committee bill authorizes $273,650,000 for the 2-fiscal-year period ending June 30, 1969, for the Appalachian programs other than the development highway system and local access roads, compared to $252,400,000 authorized for the first 2 years, of which $167.29 million was appropriated.

New section 401 authorizes the appropriation to be made to the President, for transfer by him to the operating agencies or the Federal Cochairman as required, with the intention that representatives of the Commission be enabled to testify before the committees of the Congress on funding of the Appalachian programs.

The Appalachian region has been enlarged by the committee bill, following the consideration in the subcommittee and votes on this question in the full committee, to include the State of Mississippi—18 counties—two additional counties in Alabama, and one additional county in New York.

Sixteenth. In addition to the amendments to the Appalachian Regional Development Act of March 9, 1965, the committee bill, S. 602, contains a second title, amending title V of the Public Works and Economic Development Act of 1965. It would provide in the other regions supplements to Federal grant-in-aid programs, as I have noted. The new section 509 of the EDA conforms to section 214 of the Appalachian Act, which has proved its value, and the bill authorizes the appropriation to the Secretary of Commerce for each of the regional commissions of $5 million for fiscal 1968, and $10 million for fiscal 1969.

IV

I think it is correct to say that this 2-year extension of the nonhighway programs will be helpful—but is realistic and modest in terms of the need. For example, the road funds will not provide the full 70–30 matching on the development highway system contemplated by the original act; the States will have to bear its increased costs, and one-half the cost of providing four-lane rather than two-lane highways where this is desired.

The limited funds available for sealing abandoned coal mines and extinguishing underground fires will not begin to touch the vast need for reclamation of the despoiled countryside and stripped wastelands.

This program will not construct the health facilities needed in the region—but can establish a small number of demonstration projects to point the way.

It can help construct a realistic vocational education system only where a State is willing, as in Kentucky, to utilize nearly all the nonhighway funds allocated to the State for this purpose, foregoing supplements for airports, sewage plants, colleges, watersheds, and other needs.

The modest housing loans for projects in growth centers does not attempt to reach the basic need for improved rural housing throughtout the region.

The water resource survey provides no reservoirs for flood protection—but we hope it will show where future works may be constructed most effectively and with greatest benefits.

It will not replace the need for sewage treatment plants under the Water Pollution Control Act and other authorities.

I mention these broader needs, which our committee considered to be beyond the scope of this bill so it will be known that there is no attempt in this bill to cure the problems of the region, which are vast. Rather, it is an effort to lay the groundwork for economic development within the region—to make it possible to get in and get out, and for some industry, doctors, nurses, and better teachers to be attracted to the region.

To illustrate that the Senate committee bill is a reasonable one—authorizing about the same amount for the second 2 years as for the first 2 years, although most programs expand—I would mention that other proposals have been earnestly advanced, including a House bill authorizing nearly 5 times the expenditures included in this bill—$1,117 million more for highways, rather than $175 million; $1,027 rather than $273 million for other programs—which I am sure could be used if the Congress were willing to appropriate funds for Appalachia on such a scale.

V

In 1964, when the Appalachian program first came before the Senate, I pointed out that some considered that the bill proposed preferential treatment for the Appalachian area. In one sense, that is true, but we must also think of the national interest—just as we do when we consider programs which meet other needs across the country.

Of course I am interested in the program partly because it would help my own State, and I must admit that, but I also believe there is a great national interest involved in giving new opportunity to the men, women, and children of the area who will be living and working in the region and toward our national goals.

For several reasons, which are apparent to those who have lived in this area, the development of this section of the United States has fallen behind that of other sections of the United States. In the first place, the region has been isolated and inaccessible—much of it so since the founding of the Republic. The topography of the area has increased the cost of roads and other means of transportation, which we all know is the base of industrial development and even our farming economy. As a result, the development of the region has lagged.

Furthermore, the natural resources of the area have primarily been coal and timber. While those resources provided employment in the past, the new technology in coal mining—the mechanization of the mines—has greatly reduced the number of persons employed. In my State of Kentucky, at the close of the war some 70,000 miners were employed, but today less than one-third the number are employed who earned their living from coal a few years ago.

These factors have resulted in a continuing low tax base for the area. This has made it difficult for the local governments to provide the framework for development which has proceeded so rapidly in many other States of the Union.

Conditions in the Appalachian region have involved human consequences. I cannot speak for every State. However, I know something about the region of eastern Tennessee and West Virginia, and I know about conditions in eastern Kentucky, because I live in that area. I do not live in a county which is one of the very depressed counties of the area, but I live on the edge of that region in eastern Kentucky. My family has lived there for 180 years, and I have traveled through it again and again since I was a boy. For years, I have gone up and down the streams and valleys through the entire area, and I have been on many campaigns in every county in the region.

Some 42 percent of the population of the United States have had a high school education, but unhappily, in the Appalachian region less than one-third of the population have been able to complete a full high school education. Still, I should say at this point that in eastern Kentucky the greatest percentage of local tax revenue in the entire area is applied to education—some 75 percent of the tax revenues being used for education, even though its per capita revenue has been the lowest in the region.

In eastern Kentucky, I am unhappy to say, the average income has been the lowest in the region, as has the rate of employment. Doctors are hard to find who will settle in a community unless it has hospital facilities. The young doctors now coming out of the medical schools can go into the big cities and earn large incomes in a few years. They do not wish to go into these areas unless hospital facilities are available. Nevertheless, the spirit and the individualism of the people in these areas have remained high.

In this region live people of pioneer stock, ever faithful to our needs in war, and loyal to our country through many generations. There are no stronger, more dignified or intelligent people in any region of the United States, and they remain determined and uncomplaining. Some parts of the area in which these people live have reached a degree of prosperity, but many thousands of people, because of the conditions I have described, have been passed by—while other Americans in other sections of our country were achieving increasingly higher standards of living.

To summarize, first, this is not a crash program. Second, it is not a program which has for its immediate purpose the relief of unemployment, although that will be one of its good effects. It is a program to establish requirements in these areas for industrial development and farm development, which we know to be necessary; also for transportation facilities, for additional development of water resources and small watersheds, and for construction of health facilities and other public facilities—simply to build up this whole region.

VI

The distinguished senior Senator from West Virginia and I each represent sister States which have in common the most acute economic problems in the Appalachian region.

I believe that there is no dispute over the necessity for continuing a special Federal-State effort in this region. The Appalachian Act was passed after a thorough appraisal of the needs of the region, and of the willingness and ability of the Appalachian States to join in an effort to promote economic growth and development and the advancement of the people of the region.

I believe it fair to say that the Appalachian program has established an outstanding record during its first 2 years of operation. The administration of this program has been one of steady progress, particularly in terms of directing the investment of the public funds appropriated for the Appalachian region in such a way as to make the greatest impact on the economic development of the region.

Of primary importance is the highway development program. Construction is well underway in the Appalachian Development Highway System, a network of modern highway corridors cutting through the area, designed to end the historic physical, economic, and social isolation of this upland region.

In addition, one variety of public facility projects, ranging from vocational education centers and hospitals to airports and pollution control facilities, are rising on foundations calculated to provide a base of permanent strength to the economy of Appalachia.

The Appalachian program, in its first 2 years, has demonstrated that a State-Federal partnership does work, and that the States will assume their responsibility. The States initiate projects, establish priorities within the total assistance available, and make the original determination as to where State and local funds can be best invested for the public benefit.

I have strongly supported the provisions in the Appalachian Act giving each State initial responsibility for project approval—and to the Commission itself, composed of the Governors with a Federal and State cochairman, effective program responsibility, and authority for administration of the act.

The idea of a regional development program for Appalachia began in the States, and was supported by the Appalachian Governors. The Congress made a sound judgment in insisting that the knowledge and experience of the States and their ability to deal with their own problems be used. I believe this successful example of State-Federal cooperation should be applied to many Federal programs.

VII

Because of its importance, I will discuss briefly what I believe to be the most significant new features of the Appalachian experience, and of S. 602.

First, as I have noted, the Governors are given the responsibility of proposing how Federal funds shall be invested for best use in their States. All projects which come before the Commission for funding approval must first be approved by the Governor. While it is true that the Federal cochairman does have a veto, it has not been necessary to use his veto in these past 2 years.

Most Federal-State cooperative programs, on the other hand, are accomplished through a relationship between a Federal agency and its State counterpart agency. Very often, little opportunity is given the State to participate in decisions that have a profound impact on the welfare of the people of the State.

Second, the Appalachian program vests responsibility for whatever decisions are made at the State level with each Governor. He is responsible for developing plans for the use of Appalachian funds. In doing so, as a practical matter, he must relate the Appalachian investments to those provided through other resources—Federal, State and local. He must determine priorities and decide which projects submitted from the local level best meet those priorities.

No project comes before the Appalachian Commission, and hence before any Federal agency, without State sponsorship and approval. There is no opportunity for the Federal Government unilaterally to approve a project or program without the approval and support of the Governors responsible to the people of their States.

Third, another important accomplishment has been the development of a new degree of interstate cooperation and coordination in planning between the States for broad regional development.

HIGHWAYS

In the history of our country, transportation has been the key to opening up new areas for development. The economic growth of the United States has been closely related to the development of the waterways and railroads, and in more recent years, highways. Appalachia, however, has been isolated from the mainstream of national commerce and, since the early days of the Republic, this has been a basic cause of the region's economic problems.

Although Appalachia lies between the major markets of the eastern seaboard and the midwest, traffic and commerce have flowed around the region, rather than through it. Because of its rugged and mountainous terrain, narrow valleys, and many streams, roadbuilding in the region is difficult and expensive and because of an inadequate tax base for financing costly highways in this isolated region, a network of roads and highways that other areas of the country now enjoy, has been denied.

The Appalachian Act recognized this basic problem, and established a development highway program to cut through and open up Appalachia and join with interstate roads in other States. The pace, design, and construction of the Appalachian highway system, the foundation upon which the economy of the region must be built, has been the initial work and concern of the Appalachian Regional Commission. The highway funds were allocated without dispute among the States. The basic decisions and corridor selections have now been made, the system planned, and construction is underway.

Of the 2,350 miles of development highway construction initially authorized by the act, 410 miles are in Kentucky. They traverse the most isolated area of eastern Kentucky. I am very glad that in eastern Kentucky, some 207 miles, more than half of Kentucky's total Appalachian mileage, is in some phase of construction, at a total estimated cost of $152 million, including some $95 million in Appalachian funds. The Commission has approved 790 miles for construction in all the States, at a total estimated cost of $690 million, including $387 million in Appalachian funds.

EDUCATION

The needs of Appalachia require greatly expanded efforts in the fields of education and health, for highways alone cannot do the job.

Kentucky is making its great effort, under the nonhighway programs, toward the construction of a system of area vocational schools. Supplemental grants have been approved by the Commission for 21 of these schools, now having an enrollment of 3,843 and planned for a total enrollment of 9,441, which are part of an areawide system of 37 vocational schools.

In Kentucky, the supplemental grant-in-aid funds are also being used to help build a network of educational television stations, and a total of $3.7 million in section 214 funds has been approved for the vocational education expansion and the new educational television facilities. These projects, it seems to me, are precisely the kind which the Congress had in mind in approving the supplemental grant program. The school districts sponsoring these facilities would not otherwise have the funds required to build them. But these schools will now have greatly improved capacity to provide training for jobs in today's economy.

This section 214 supplemental grant program has, in effect, provided "seed money." On the basis of grants approved up to January 1, 1967, every dollar of section 214 money supplemented $1.85 in other Federal funds, and was matched by $1.90 in State and local money.

Of the $45 million in supplemental grants expended under the Appalachian program in its first year and a half, more than 90 percent has gone for construction of vocational education and college facilities, hospitals, sewage treatment plants, libraries, and airports. This is extremely important not only in terms of helping meet the critical needs in these areas, but also in stimulating additional State, local, and private investment in the region.

HEALTH FACILITIES

Recognizing that the Hill-Burton and other Federal programs have not been fully applicable to the needs of people beyond the service areas of urban centers, the Appalachian Act authorized the construction of demonstration health centers. The purpose is to demonstrate new techniques for the delivery of adequate health services to selected areas of Appalachia.

The report of the Commission's Health Advisory Committee documents the need for better health care in Appalachia, and particularly in eastern Kentucky. It points out that the most pressing need is to meet the critical shortage of doctors and nurses in the region. While nationally 140 doctors serve 100,000 persons, in Appalachia the average is 92, and in eastern Kentucky only 60 doctors care for 100,000 people. The shortage of registered nurses is even more pronounced. In several counties in eastern Kentucky, the nurse-patient ratio is 32 per 100,000, compared to 300 for the United States as a whole.

I mention these facts because in recent years the Congress has voted substantial sums for medical school construction, medical libraries, and for loans and grants to medical students. We have only begun, however, to address ourselves to the problem of finding means to bring the general practitioner and nursing services to these isolated and rural areas.

APPROPRIATIONS METHOD

A final change in the act authorizes the appropriation of Appalachian funds to the President, permitting its transfer to the appropriate Federal departments upon direction of the Appalachian Regional Commission. The intention is to afford Congress the opportunity to review appropriations for the Appalachian program as a whole.

Until now, the Appalachian items in the President's budget have come to the Congress piecemeal. The highway money, for example, has been carried in the Department of Commerce budget; the vocational education construction money in the budget of the Department of Health, Education, and Welfare; the land stabilization funds in the Department of Agriculture budget; the mine area restoration funds are by the Department of the Interior.

The proposed change is intended in no way to turn the Commission into an operating agency. Following approval by the Commission, the release of funds would still be made by the appropriate Federal agencies. Normal administrative regulations, standards, and criteria would continue to be applied by each operating agency. The proposed change would, however, afford all of us an opportunity to consider appropriations for this program as a whole, rather than as items disbursed in a half dozen departmental budgets.

VIII

I am concerned about the proposals to extend the boundaries of the Appalachian area even though I recognize that these proposals flow from the success of the program and enthusiasm for it.

In the committee, I opposed any enlargement of the Appalachian region, and voted against each proposal to extend the Appalachian area as now defined by statute. In doing so, I want to make clear that I did not attempt to judge the relative merit of these proposals, or to deny a priori their claim to become a part of Appalachia.

I did so because I believe that if areas are designated as "Appalachia" before firm criteria for inclusion in the region have been established, it will weaken the concept of an Appalachian program for States and counties having similar characteristics such as isolation within rugged terrain which have caused their development to be retarded. No such criteria have been established in the Congress.

I have stated my position in my supplemental views, included as part of the report to the Senate by the Committee on Public Works. I point out there, that many members of the committee, and I am sure of the Congress, believe the Appalachian example offers great hope for the application of its principles to other regions, and to other programs. But if enlargement of the area without criteria and the appeals for further enlargement, sure to follow, cause this particular region to fail, it will tarnish the bright opportunity we have to build on this State-Federal experience in other regions and in other programs.

It was for this reason that I offered in committee section 123(b) of the bill. Further, it is my understanding that it is the sense of the committee, in which the chairman concurs and which I support, that additional proposals to enlarge the Appalachian region will not be entertained, either by the Commission or by our committee, unless and until specific criteria for better defining the Appalachian area, in both physiographic and economic terms, are developed, heard, and adopted.

Similarly, I moved to add subsection (f) of new section 509 of the Public Works and Economic Development Act, as companion language to that added by the committee in subsection (a). These sections make clear that in the regions now getting underway, applications for assistance shall initiate in the States, with State responsibility for their first approval, and that the regional commissions shall have true responsibility and authority.

I consider the bill reported by our committee a good bill—helpful but moderate in its reach, forward looking but practical in approach. I support it, as I have the concept from its very beginnings in Kentucky and West Virginia, and am glad to work for its early adoption by the Senate.

Mr. RANDOLPH. Mr. President, I wish to express my genuine thanks to the distinguished Senator from Kentucky. He has been most cooperative in this endeavor. I know that he agrees that cooperative effort has been the keynote of this program. It is in this spirit of cooperation that the Committee on Public Works has brought this bill to the Senate for action.

ADJOURNMENT

Mr. RANDOLPH. Mr. President, if there is no further business to come before the Senate today, I move, in accordance with the order previously entered, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock p.m.) the Senate adjourned until tomorrow, Thursday, April 27, 1967, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 26, 1967:

FEDERAL RESERVE SYSTEM

William W. Sherrill, of Texas, to be a member of the Board of Governors of the Federal Reserve System for the unexpired term of 14 years from February 1, 1954, vice Charles Noah Shepardson, resigned.

IN THE U.S. COAST GUARD

The following officers of the Coast Guard for promotion to the grade of lieutenant (junior grade):

David A. Carter
Harry W. Clarke
Armand L. Chapeau
Michael J. Blaschum
Bruce T. Collings, Jr.
David A. Bailey
Kermit Johnson
Freddie R. Lewis
Frederick K. Patterson
Paul L. Hooper, Jr.
William F. Golden
Jack L. Conerly
Joseph F. Gall
James V. Sorce, Jr.
Billy R. Warren
Gary L. Hutchens
Bertram "B" Townsend
Richard J. Burke

EXTENSIONS OF REMARKS

Texas Aerospace Industry Representation at Paris International Air Show

EXTENSION OF REMARKS
OF

HON. OLIN E. TEAGUE

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 26, 1967

Mr. TEAGUE of Texas. Mr. Speaker, there are today an estimated one-quarter million employees working in the aerospace industry and affiliated supply and service firms in central Texas. The industry generates over $1.5 billion in payrolls in central Texas annually and direct employment by six of the largest firms in the area runs over 86,000 people.

The 27th Paris Air Show, Salon International De L'Aeronautique et de l'Espace, May 26 to June 4, 1967, will include a proud display of United States civil, commercial, and military aircraft. Three brand new models designed and built by Texas firms will participate in the flight demonstrations and static displays.

The F-111A variable-geometry fighter is manufactured by General Dynamics, Fort Worth, for both the U.S. Air Force and the U.S. Navy. This airplane design represents a first in the use of variable sweep wing principles in an operational military airplane.

The newest airplane in the Navy's inventory, the A-7A Corsair II, designed and fabricated by Ling-Temco-Vought of Dallas, will make its international debut by participating in the flight demonstration program. A second Corsair II is in the U.S. aircraft display area.

Especially noteworthy is the fact that both A-7 Corsair II's will be flown across the Atlantic Ocean by Navy pilots on a nonstop flight from the Naval Air Test Center at Patuxent River, Md.—just 40 miles from here—to Mildenhall, near London. This nonstop transatlantic flight will be made without the use of inflight refueling. This approximate 3,500 statute-mile flight indicated the confidence our naval aviators have in their equipment and airplanes.

The A-7, incidentally, is the only single-place, combat aircraft in the U.S. inventory capable of a flight of this distance without inflight refueling. The U.S. Air Force is also purchasing the A-7D for its Tactical Air Command to perform the close-air-support role.

The third Texas aircraft to be flown at this international exposition of the world's aircraft is the XC-142, a triservice V/STOL transport also manufactured by Ling-Temco-Vought, Inc. of Dallas, Tex. The XC-142 will be transported by Navy carrier to the U.S. Naval Air Station at Rota, Spain, where it will be prepared for the flight by military pilots to Le Bourget. This airplane, the world's largest aircraft capable of vertical take-offs and landings with payloads of more than 8,000 pounds, will demonstrate for the world the possibilities and potential for V/STOL transport aircraft to provide city-center air passenger service. This concept of commercial air transportation will be depicted in the commercial aviation section of the U.S. pavilion.

It is interesting to note that all three of these products of the Texas aerospace industry are destined for use by more than just one of our armed services.

Protecting Consumers

EXTENSION OF REMARKS
OF

HON. JAMES KEE

OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 26, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed is "Protecting Consumers."

The report follows:

This is Jim Kee—bringing you the Kee Report.

The American people, as we all knew, enjoy a higher standard of living than any people on earth. We have more automobiles, and more telephones, than anyone else—more washing machines and more cooking utensils, better and tastier food items for the family table, and easy access to the world's most extensive system of public recreation.

We are thankful for these blessings. However, this bountiful prosperity has brought with it new hazards and new dangers. Most of these were unknown when life was simpler and the housewife had to do the family chores without the help of modern kitchen gadgets. These gadgets have taken much of the drudgery out of house-keeping. But even if the buyer is careful, he may be defrauded in buying sub-standard household machines or he may risk injury and death in their use.

To help solve these complex problems of modern living, Congress is now endeavoring to draft legislation which will protect purchasers from deceit, injury or death. This is known as protective legislation for consumers. How badly is it needed? The accident figures compiled by insurance companies and other agencies are quite startling. Every year, there are 400,000 accidents caused by the misuse or malfunctioning of cooking utensils, washing machines, power lawn mowers, and power tools. In other words, the home has become just about as dangerous as the highway.

Many accidents are unavoidable. But the Government can protect against the shipment of faulty machinery across the state lines and it can outline safety standards which will be helpful to local and state authorities.

The hazard of fire has existed ever since human beings learned how to make articles out of wood and textiles and other flammable materials. But in the present day America, the hazard of fire has grown to alarming proportions. In one year alone, there were 12,000 deaths caused by fire—a death rate 20 times higher than in France, and four times higher than in Great Britain. The property loss approached $2 billion. Experts in the field believe that the fire loss may be sharply reduced, especially by the wider use of inflammable fabrics in public gathering places.

In the early years of this century, a bitter controversy broke out when it was first proposed to protect consumers against the menace of contaminated food shipped across state lines. This issue arose when food canning developed into a major industry. Many sincere people believed that it was unwise for the Federal Government to enter the field of inspection and control. But it was soon realized that the alternatives were worse. Either the death list from contaminated food would grow to enormous proportions, or the canning industry would be forced out of business by lack of customers. Today most meat products are Federally inspected before they move across state lines. But the standards of inspection must be changed from time to time to meet new conditions.

In this century, more healing remedies have become available for general use than in all the previous centuries. These new drugs and medicines have brought relief from pain and misery to millions of citizens. But to avoid obvious dangers, Federal control of drugs moving in interstate shipment was established many years ago. This control of the drug traffic is now under scrutiny to see if firmer controls are needed.

Community Goals and Transportation Policy

EXTENSION OF REMARKS
OF

HON. FRED B. ROONEY

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 26, 1967

Mr. ROONEY of Pennsylvania. Mr. Speaker, in recent days my congressional district was visited by a distinguished public servant, the Honorable Alan S. Boyd, Secretary of Transportation, who addressed the 61st annual dinner of the Chamber of Commerce of Allentown, Pa.

Highlight of the meeting was the presentation of outstanding service awards to four prominent citizens of the community, and a native son whom most of us know as a former congressional aid now attached to one of our regulatory agencies.

The Secretary's talk was a well-thought-out discussion on "Community Goals and Transportation Policy." More than 700 persons from government, industry, and business heard his remarks and were unanimous that this great country of ours is indeed fortunate to have a man of Alan Boyd's stature in the important position he holds today.

Under unanimous consent I include the news story appearing in the Allentown, Pa., Morning Call describing this memorable event and a copy of Mr. Boyd's talk in the CONGRESSIONAL RECORD:

TRANSPORTATION CHIEF SAYS COMMUNITY MUST HELP PLAN

(By Ted Mellin)

Local leaders must join highway engineers in planning new traffic routes, Alan S. Boyd, newly appointed U.S. secretary of transportation, said last night.

"It is important for a community to choose the consequences—not just suffer the consequences," he said.

"It is wrong, in my opinion, to allow a decision of such cutting effect on the social fabric of a community to be made solely by one group."

Boyd, who took over as the nation's first transportation secretary April 1, spoke at the 61st annual dinner-meeting of the Allentown Chamber of Commerce.

More than 700 persons attending the event in Seegers Union on Muhlenberg College campus also witnessed the presentation of five awards.

Boyd's audience considered his consternation about the proposed Allentown Spur Route and Interstate 78.

Seven alternate plans have been drawn by the State Highways Department for linking the Lehigh Valley Thruway with midcity. A decision has not yet been reached on which of the seven courses will be followed.

The State Highways Department is planning I–78 south of Allentown, Bethlehem and Easton. The U.S. Bureau of Roads has been in conflict with the proposed routing.

The chamber's annual Distinguished Service Awards were presented to:

Rep. Marian E. Markley of Macungie R. 1, for "outstanding leadership in better government and social service."

Philip I. Berman, chairman of the Allentown Redevelopment Authority, for "outstanding leadership in the fields of culture and community development."

I. C. Gutman, president of the Industrial Development Corp. of Lehigh County, for his outstanding contributions in industrial development and civic service.

F. E. Hanson, associate director of development at Muhlenberg College and former Allentown Works manager for the Western Electric Co., for his leadership and "good citizenship."

A special award was presented to Jack Yohe, public relations director for the Civil Aeronautics Board and former Morning Call reporter, for his "outstanding contribution to aviation and continued devotion to Allentown and the Lehigh Valley."

Boyd told the gathering that it is essential that civic leaders "bring a strong sense of community conservation to transportation decision-making."

"In the department a few days ago, a dispute on the location of an urban highway was under review," he recalled. "A letter was brought to my attention from the head of a local group which said, in effect: "Our position is that we just want a direct route into the center of the city and we're willing to let engineers decide where it should go.

"I was deeply disappointed by this all-too-reasonable position, for it seemed to me that a civic responsibility was being evaded.

"There simply must be a close and thoughtful collaboration between highway engineers and local leaders."

He said a community must set the terms of existence for transportation, "not the other way around."

"A transportation route or facility may have momentous consequences for a city. It may undermine, or it may bring new vigor, or it may trigger some changes that make no fundamental difference at all."

He said he believed the Lehigh Valley has only one "really fundamental" transportation problem.

"And that (problem), in all candor, is not a problem that transportation should be asked to solve. It is a question of your identity. This community has yet to determine what its economic relationship should be to the New York metropolitan area.

"Is the Lehigh Valley eventually going to be an extension of the eastern megalopolis? Is that what you want? Or is the Lehigh Valley going to find its own future fulfillment as the Lehigh Valley?

"This choice, whichever choice you ultimately make, will have a very basic effect on your transportation needs. It will influence almost every transportation decision you face from tomorrow on.

"Personally, I feel that we have more than enough New Yorks in our country and not nearly enough Lehigh Valleys."

In retaining the valley's identity, Boyd said a priority decision would be the scenic and recreation development of the Lehigh River. Another would be the possibility of "naturalized open space, providing your community with a beltway and a green-forested buffer zone."

"I would place these both in the category of forestalling future transportation problems. It is far easier to shape the future than to revise the present day."

He also noted that metropolitan areas have been reluctant to put the additional costs on developers for new transportation facilities.

"All over America new subdivisions and high-rise apartments are allowed to go up with little concern that they impose on local transportation facilities. They create more congestion and a multitude of other side effects.

"The evil is not real estate developers and urban growth, for we need both. The evil is not congestion as such, for a certain amount of traffic delay in urban areas is just plain unavoidable.

"The abuse that we must seek to curb in the public interest is the thoughtless use of land, land-use which generates additional traffic where the facilities cannot be expanded except at prohibitive cost."

John Henry Leh, chairman of the chamber's award committee, presented the Distinguished Service plaques. He described the backgrounds of the four recipients.

Mrs. Markley, the first woman to represent Lehigh County in the State House, has been active in the Lehigh Valley Guidance Clinic, the Allentown Quota Club, the Cancer Society, March of Dimes, Red Cross, Needlework Guild, Cystic Fibrosis and other local campaigns for public welfare. She also has sponsored legislation to aid handicapped children. She is serving as a member of the State Board of Public Welfare and chairman of the Joint State Government Commission.

Berman heads a number of businesses and is a member of the Allentown Mayor's Citizen Advisory Committee and chairman of Citizens for Lehigh County Progress. He has been active in Boy Scouts, YM-YWCA Council, Allentown Symphony, as a trustee of the Lehigh Valley Educational Television Corp.; a member of the board of Baum Art School; a trustee of Cedar Crest College, several Jewish organizations, and he and his wife have provided works from their art collection for display at Allentown City Hall, Lehigh County Courthouse and in other cities around the world.

Gutman, president of Modern Transfer Co., Inc., has headed the Lehigh County IDC since January 1960. Since then the county's jobless rate dropped from about 8 to 2 per cent. Gutman also has been a member of the Lehigh County and Lehigh-Northampton planning commissions, the Allentown School District Authority, Lehigh Valley Junior Achievement, the United Fund and other organizations.

Hanson was plant manager of the Allentown Works of Western Electric from 1947 to 1951 and works manager the following 11 years. He is a trustee and vice president of Allentown Hospital, director of the Hospital Service Plan of the Lehigh Valley, a director of the Lehigh County United Fund and the Allentown Civic Little Theater. He also has been active in Boy Scout and United Fund programs and has helped to establish the Unlimited Skills Workshop at the Good Shepherd Home.

William D. Reimert, vice president and executive editor of the Call-Chronicle Newspapers, presented "a very special award to a very special son of Allentown—Jack Yohe."

Reimert said Yohe has distinguished himself as a news reporter and as a representative of the Civil Aeronautics Board. And, Reimert added, Yohe has "given honor to Allentown, the place of his birth."

Yohe was described as "an Allentown ambassador to the nation's capital."

Albert V. Moggio, chamber president, presented a plaque to his predecessor, Alfred Kramer, "in deep appreciation of the citizens for all you have done in their behalf."

Moggio said the chamber is entering a "new era of relationships" between the business and the community segments of Lehigh County. He pointed to the work done by the chamber to promote the county's community college, area technical school, water authority and highway system.

"Joint planning and coordination are essential," he declared. "Your chamber of commerce is people—people joined together voluntarily in a common cause, the welfare of the community . . . We owe our allegiance only to the common good."

Among the guests attending the dinner were Robert G. Bartlett, state highways secretary; Robert P. Gerholz, chairman of the board of the U.S. Chamber of Commerce; Rep. Fred B. Rooney; representatives of the transportation industry from Washington, New York, Philadelphia and Pittsburgh and members of other Lehigh Valley chambers.

Atty. Donald V. Hock, toastmaster, noted the theme of the meeting was "Transportation." He said mobility is the "word that brings us here tonight. We realize that there must be mobility to transport a person, to transport a product. To meet that challenge, there must be in all of us a mobility of the mind."

Mayor Ray B. Bracy presented a key to the city to Boyd and welcomed the visitors.

COMMUNITY GOALS AND TRANSPORTATION POLICY

(Remarks of Alan S. Boyd, Secretary of Transportation)

I thank the Chamber of Commerce for this welcome opportunity to think out loud on a subject that very basically affects our social and economic life.

It is the question of improved transportation facilities for the Lehigh Valley, the State of Pennsylvania, and the nation as a whole.

As you would expect, the new Department of Transportation is deeply involved in the care and cultivation of this $425 billion private-public investment. Wherever people travel and wherever goods are shipped—by water, land or air—our broad assignment from the Congress and President Johnson is to bring on transportation progress. And we hope to make an immediate contribution.

This summer, not too many miles east of here, the rapid-rail demonstration project, linking Boston, New York and Washington, should produce some history-making results. But since the Department was officially born only eleven days ago, our major contribution to transportation progress, thus far, has been in the form of shorter after dinner speeches.

People and businesses located here in the Lehigh Valley are spending perhaps $350 million a year on transportation service and equipment. So you have a very good reason for demanding the best transportation system obtainable—one that is fast, safe, efficient, convenient, and economical. And also one that will preserve the natural beauty of the countryside.

I have been asked by the enterprising officers of your very civic-minded organization to comment on some of the local transportation problems of this community. I would be only too willing to do so. However, no one is really competent to advise you on these matters who has not spent considerable time on the scene, listening to the heartbeat of the community.

The engineering and economic arguments are always loud enough for an outsider to hear, but the social and cultural considerations speak in a very soft register, and these, in the end, often determine whether people will approve or be forever resentful of a transportation facility.

After the warmth of your reception, I certainly do not feel like an outsider to Allentown, Bethlehem and Easton. But fully aware that I could not, in these few hours, become much of an expert on local matters, I am going to have to discuss your community's transportation problems in rather general terms.

Happily, I can be specific about one thing. And that is my admiration for this valley. This is a remarkably solid industrial area with a fascinating history and unique human resources. I know of no urban area comparable in size which has your locational advantages and your growth potential. I congratulate you on having such an able and respected man as Fred Rooney representing your interests in the Congress. And I congratulate you further on the rare sense of unity that your several cities and counties have achieved in their common identification as the Lehigh Valley.

Transportation is a force which, depending on your use of it, can either reinforce or erode that unity. It is essential that civic leaders bring a strong sense of community conservation to transportation decision-making.

In our Department, a few days ago, a dispute on the location of an urban highway was under review. A letter was brought to my attention from the head of a local group which said, in effect: "Our position is that we just want a direct route into the center of the city, and we're willing to let the engineers decide where it should be placed."

I was deeply disappointed by this all-too reasonable position, for it seemed to me that a civic responsibility was being evaded. It is wrong, in my opinion, to allow a decision of such cutting effect on the social fabric of that community to be made solely by one group. Here there simply must be a close and thoughtful collaboration between highway engineers and local leaders. I really think I would have been less disturbed by that statement of position had it concluded, ". . . we're willing to let the theology students decide where the highway should be placed."

For a student of theology does not understand construction problems, but he must be concerned with ethical problems, and he should be quick to discern where human values were being penalized to abstractions such as efficiency or economy.

So the first generalization I want to make about improvements in the Lehigh Valley is simply this: The community must set the terms of existence for transportation, and not the other way around. A transportation route or facility may have momentous consequences for a city. It may undermine, or it may bring new vigor, or it may trigger some changes that make no fundamental difference at all. It is important for a community to choose the consequences, not just suffer the consequences.

In the Lehigh Valley, as in every live urban center, there is a continuing effort to balance the various social and economic interests. Usually, transportation is the fulcrum of that teeter-totter, as each element in the community tries to transfer the cost of movement away from itself.

Thus, the car owner wants someone else to provide the parking. The merchant wants someone else to absorb the delivery charges. The pedestrian wants someone else to subsidize urban transit. The industrial plant wants someone else to underwrite the access road. The developer wants someone else to pay for the interchange. The owners of private planes want someone else to support the airport. And so on.

This is not anything to be cynical about. It is the nature of our society. It forces everyone to pay attention and results in a very healthy political life. Nevertheless, someone has to pay for transportation improvements.

The ideal approach, of course, is providing the payment for all improvements out of the government general treasury. That system is great until you add up all the costs and discover you'd need a hundred times more money than there is in the treasury.

In general, our society seems to follow three principles of transportation finance. In one, the user bears the cost of the transportation system, as our fuel taxes pay for the highways.

Another is called the almost-swear-word, subsidy. This simply means that the user couldn't afford to pay what the service really would cost. Nevertheless, it is very important to the community, for whatever reason, that this service be provided. So, as a matter of public policy, some part of the transportation costs are defrayed from the general treasury. This is customary, at the present time, for urban transit, local air service, and the merchant marine. Arguments for and against a particular subsidy are, of course, necessary and desirable. This is the way we get at the truth. This is the way in which our society determines what is, and what is not, in the public interest.

The third principle is the conception that transportation is a cost of doing business. We usually see this applied to the large suburban shopping centers, where free parking and shuttle-bus service are provided. In other words, an enterprise which imposes the need for additional transportation facilities should bear those additional costs.

Now, I must say, metropolitan areas have been very reluctant to extend this principle to residential real estate development, where it logically belongs. All over America, new subdivisions and high-rise apartments are allowed to go up with little concern for the added burdens they impose on local transportation facilities. In plain language, more congestion. And a multitude of other side-effects. Usually, no calculation is ever made of these costs. No attempt is made by the community to obtain compensation from the developer, in advance. He takes his profits and the community takes the consequences.

I'm reminded of the tale told about a state legislature in the 1870's. Powerful interests were favoring a measure by personal incentive means that would be frowned upon today. On the floor of the assembly, member after member was getting to his feet and lavishing praise on this particular bill. And its passage seemed assured. Until one old legislator who had somehow been overlooked stood up and began ferociously attacking the proposal. He lambasted it from every angle, for almost an hour, pointing to the evils in every paragraph. Meanwhile, news of this opposition reached the sponsors behind the scenes, and a messenger suddenly appeared on the floor with a bulky envelope which he casually dropped on the assemblyman's desk. The old politician, who was waving his arms in a peroration, scooped up the envelope and riffed through its contents. And as he put it in his coat pocket, he said, "Gentlemen, so much for the few bad parts of this bill. Now for the many good parts."

The evil is not real estate developers and urban growth, for we need the enlightened variety of both. The evil is not congestion, as such, for a certain amount of traffic delay in urban areas is just plain unavoidable. The abuse that we must seek to curb in the public interest is thoughtless or opportunistic use of land. Land-use which generates additional traffic where the facilities cannot be expanded except at prohibitive cost.

I know of no major city which possesses, or has the power to enforce, the kind of comprehensive zoning laws needed to defend the efficiency of its internal transport system.

But congestion, in moderation, is not the villain. If the moderate traffic delays encountered in the business center of Allentown were thought to be unacceptable, you could very quickly alleviate the problem. You would only need to close down one of the nation's great department stores which lures so much of that traffic into town!

The value of such a proposed solution, which I assure you is offered in jest, is that lots of people suddenly realize how much they prefer to live with the problem itself.

It is safe to say that many of the area's transportation difficulties are local versions of a broadly national experience.

Railroad passenger service, for example. Back in the 1880's, I am told, the city of Easton by itself had no less than 64 passenger trains arriving and departing *each day*! How many are there now for all three cities combined? Ten. Today, as you know, most railroads are eager to get out of the long-haul passenger business. They can hardly be blamed for that. It's unprofitable. To try to force any private firm to remain in any business at a loss, beyond a brief period of time, would amount to nothing more than confiscation of property.

Nevertheless, the disappearance of rail passenger service for local and intermediate distances is a matter of serious concern. Among rail-commuter operations, there is now only one railroad in the entire country that is able to show even a modest profit on a suburban line. I believe we are going to have to take some new initiative to promote profitability in those operations.

On the other hand, I don't think your geographical area suffers from any deficiency in railroad freight service. Nationwide, the rail freight business has enjoyed a very substantial upswing in the past five years. The growth of piggybacking is one of the major reasons. But the railroads have been encouraged by other developments, as well, in the realm of public policy—a very historic labor settlement, tax credits on investments, a more permissive ruling on mergers.

These and other decisions of the Johnson Administration have made the railroads more confident of their economic future, have inclined them to modernize and rationalize and economize. In so doing, they have become more competitive with other transportation modes. This, in turn, has made it easier for the railroads to attract fresh capital for further investment. And the upward spiral of progress yields benefits for the entire nation.

In jet air travel, this valley holds some very definite advantages. Related to size of community, your A–B–E airport is the equal of any in the nation. It is only a few minutes away from your home or place of business; which is to say, it is not only physically close, but you have no problems of surface access. It is actively and intelligently used by private industry, and illustrates the value of general aviation, organizationally as well as competitively. Moreover, your scheduled airline service makes you a next-door neighbor to the great metropolis, with all its cultural and commercial resources. Yet your own airport suffers from none of the air traffic congestion that plagues the East Coast.

In that sense, perhaps, your airport is under-utilized, but by that same token, it has great growth potential. In the jet age, I would say that you folks have the best of both worlds!

I am left with the feeling that the Lehigh Valley has only one really fundamental transportation problem. And that, in all candor, is not a problem that transportation should be asked to solve. It is the question of your identity. This community has yet to determine what its economic relationship should be to the New York metropolitan area.

Is the Lehigh Valley eventually going to be an extension of the eastern megalopolis? Is that what you want to see happen? Or is the Lehigh Valley going to find its own future fulfillment as the . . . Lehigh Valley?

This choice, whichever choice you ultimately make, will have a very basic effect on your transportation needs. It will influence almost every transportation decision you face from tomorrow on.

Personally, I feel that we have more than enough New Yorks in our country and not nearly enough Lehigh Valleys.

One of the priority decisions, in that connection, would be the scenic and recreational development of the river. Another is the possibility of naturalized open space providing your community with a beltway and a green-forested buffer zone.

I place these both in the category of forestalling future transportation problems. It is far easier to shape the future than to revise the present day.

With bold strokes of a well-conceived, farsighted policy, we can hand down to our great-grandchildren a marvelously improved environment. But dealing with current problems, the improvements usually come by small increments. Even the relatively minor changes for the better are hard to make.

The best illustration of that is perhaps the Department's High-Speed Ground Transportation project which I mentioned at the beginning of this talk. This experimental rapid-rail link-up of Boston-New York-Washington is the major activity in a $26 million project. When the Boston-New York segment goes into operation, some time in July, the running time—if our calculations are correct—will be cut from the present four hours and ten minutes to about three hours and fifteen minutes. And when the New York-Washington segment starts up, at the end of October, the running time will be reduced from the current three hours and thirty-five minutes to a flat three hours.

Do you see the point I'm trying to make? All that money expended, and all that work by the best technical experts in the field, for a net savings of fifty-five minutes and thirty-five minutes, respectively. And when the project is completed, we will then first be in a position to find out whether the thing can be economically justified, whether the public will ride the rapid-rail in sufficient numbers.

In sufficient numbers for what? In sufficient numbers to justify a further investment in much faster equipment, so that the savings in time will begin to get really dramatic.

Please don't misunderstand me. I'm not criticizing one of my own projects. I know it is worth the effort. I believe it will succeed very dramatically. But it *is* an experiment. There's no other way of getting at the truth of certain transportation ideas.

It may, in fact, be justified on other than strictly economic grounds. Perhaps it is in the public interest—hence worth a subsidy—to have good surface transportation connecting the nation's commercial, intellectual and political capitals. That, however, would be a matter for the electorate to decide.

The nineteenth century historian, Macaulay, was once comparing two schools of philosophy. He noted that Plato's followers (the Stoics) aimed at producing men who were virtuous and wise and above the vulgar, material needs. Whereas the followers of Bacon (scientific experimenters) were only trying to satisfy those vulgar needs as best they could.

Then Macaulay observed with a sigh of regret: "The wise man of the Stoics would, no doubt, be a grander object than a steam engine. But there *are* steam engines. And the wise man of the Stoics is yet to be born."

I believe that life without idealism is a great waste. But I am inclined to agree with one of the historian's commonsense conclusions: *the smallest actual good is better than the most magnificent promises of impossibilities.*

The Department of Transportation has been given a mission that is both Platonic and Baconian.

We must try to conceive of an ideal transportation system, a system that will ideally serve your community and the rest of the nation.

We must, at the same time, take practical steps to do away with a railroad crossing having gates that come down on a main business street at rush hour.

Progress in transportation, like progress in community life, is a matter of seemingly minor adjustments. A dangerous knob removed from a dashboard. Agreement about the wording on an export form. Getting an aircraft to make less noise. Getting a railroad man to say hello to a barge man.

I hope that you, in your community work, and I, in my transportation work, are granted two essential qualities:

The wisdom to perceive the ideal, and the resoluteness to advance by small but useful steps in the ideal direction.

A Bill To Amend the Housing and Urban Development Act of 1965

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 26, 1967

Mr. McCARTHY. Mr. Speaker, today I wish to introduce a bill to amend the Housing and Urban Development Act of 1965 to increase from $200 million to $500 million the amount of the annual appropriations authorized for grants for basic water and sewer facilities.

Demand for these facilities has gone up all over the country. Requests for funds this year have exceeded moneys on hand by 26 to 1.

People in my own western New York area need these basic facilities to replace their wells and septic tanks and to promote the efficient, orderly growth and development of their communities.

The bill I am introducing today was first proposed by my colleague, the gentleman from New York [Mr. Dow], and would provide up to 50 percent of the cost of improving or constructing basic water and sewer facilities for public bodies and agencies qualifying for assistance.

This would represent still another step toward the alleviation of water pollution. It should aid pollution control programs across the country.

All of the money would be used in the national interest. According to the HUD Development Act, projects to be financed have to be designed with an eye to future needs. They have to be ready to link up with other independent water and sewage facilities when it becomes necessary.

They must be built on a scale adequate to fulfill speculated growth needs of an area, and they must conform to a pattern of unification and coordination with other sewage and lateral facilities in that area.

New grants cannot be made under the HUD Act except in instances where the Secretary of Health, Education, and Welfare has certified that any waste material carried by prospective new or modernized facilities has been properly treated to meet applicable standards set up by all levels of government.

More money allotted for these commendable purposes would enhance the country's pollution and modernization efforts immensely. I hope the 90th Congress will see fit to pass this bill—or one like it.

WJAR TV's Film on the Groton Story

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 26, 1967

Mr. ST. ONGE. Mr. Speaker, I wish to commend television station WJAR-TV of Providence, R.I., owned and operated by the Outlet Co. Department Store of that city, for producing the half-hour color film "Undersea University," the story of the U.S. Navy's submarine school located at Groton, Conn., in my congressional district.

In July 1965, WJAR-TV suggested to the U.S. Navy that the station would produce at its own expense a half-hour television program about the Groton base and film it in color, so as to utilize the station's newly inaugurated color telecasting facilities that serve the Greater New London area and eastern Connecticut. During August and September of that year, a camera crew filmed typical scenes in the Groton classrooms, training simulators, underwater escape training devices, and at the submarine docking facilities on the Thames River.

Under close Navy security supervision a fascinating, colorful, and informative film was produced that reflected the highest credit on the officers and men who operate the largest submarine training center in the free world. "Undersea University" was telecast in color on the Providence television station at 9:30 p.m., Thursday, March 9, with a repeat telecast Sunday, April 2 at 3:30 p.m.

The station presented a duplicate color print of "Undersea University" to Rear Adm. J. S. Tyree, Jr., deputy commander of the Atlantic Submarine Force; and Capt. W. A. McGuiness, the base commander at Groton. This film is especially appropriate for showing to visiting civilians and to VIP's who would not otherwise be able to see much of the base in such great detail. This is the first time that the "Groton story" has been filmed so completely and in color. The print that is now in the hands of the U.S. Navy will be a valuable public information aid and may save considerable time and personnel previously allocated to public relations briefings on and off the base.

This voluntary public service project of WJAR–TV reflects the high broadcast standards and generosity of WJAR–TV and its parent organization in serving the needs of the U.S. Navy and the interests of widespread viewing audiences in southeastern New England, where the activities of the U.S. Navy have a special significance.

Akron, Ohio, Is Athletic Minded

EXTENSION OF REMARKS
OF
HON. WILLIAM H. AYRES
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 26, 1967

Mr. AYRES. Mr. Speaker, the city of Akron, Ohio, and its environments is most athletic minded. We believe very strongly in those sports in which participation of the greatest number of people are possible.

The eyes of the Nation turn toward us when we conduct the great Soap Box Derby, the nationally televised American golf classic, and the great tournaments conducted by the well-operated Professional Bowlers Association tournaments. The headquarters of all of these public-spirited organizations are within our confines.

Our industry, our unions, and other associations have done much to encourage these activities for our youth and their elders. Our great newspaper, the Akron Beacon Journal, is always in the forefront in initiating and supporting all worthwhile sporting events.

Recognizing the benefit of living and working in this fine athletic-minded community, the American Baseball Congress, the largest amateur baseball organization for players beyond junior age has moved its national headquarters to Fairlawn Village, a suburb of Akron.

The American Baseball Congress founded by the late Mr. C. O. Brown, in 1935, has grown enormously and now has over 1,800 teams operating in practically all of our States. These teams are divided into two divisions—712 in the unlimited-age Stan Musial League and 1,136 in the Connie Mack League for players under the age of 19.

The newly created headquarters is under the supervision of two great public-spirited citizens—Leonar Hackim, as president; and Mrs. Kay M. Brown, widow of the founder, who acts as secretary-treasurer. These two dedicated people and their staff have given hundreds of thousands of our young people an outlet for their energies and have provided millions with great athletic entertainment.

The age of 16 is a most critical age for our youth. It is at this time that the AABC enters the picture and helps in the formation of good character in these young people. We know of no case of juvenile delinquency in the ranks of the American Amateur Baseball Congress.

The "graduates" of the AABC are amongst our leading citizens today. The spirit of "fair play" within the confines of a highly competitive sport gave them a good foundation for a fine life.

Many of these participants decided to follow baseball as a professional career and the good basic training that they received in the AABC leagues was of great aid to them.

Its most famed graduate was probably Hall of Fame member, Bob Feller, who played in the first AABC tournament in 1935. Among the many others who were ranked as superstars were Pee Wee Reese, Robin Roberts, and Harvey Kuenn.

A good all-star team could be made up of those alumni who are now playing baseball in the major leagues.

While the AABC is indeed proud of these fine professional ballplayers, its primary interest is for the over 40,000 youngsters who are now taking the field in their leagues.

I know that we who serve in the Congress of the United States are deeply concerned about the youth of our Nation. Most of us are grateful for the years of amateur baseball that lay behind us. Therefore, I know that we all support such beneficial activities as provided by the American Amateur Baseball Congress.

Hon. Christian A. Herter

EXTENSION OF REMARKS
OF
HON. JAMES G. FULTON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 26, 1967

Mr. FULTON of Pennsylvania. Mr. Speaker, America has had her great men and a number of them have served right here in the House of Representatives. One of these truly great Americans was Christian A. Herter. His life was one of devotion to public service. He not only served with high distinction in this body from 1943 to 1953 but also as Secretary of State from 1959 to 1961. Chris Herter left Congress to serve as Governor from 1953 to 1957 of the great Commonwealth of Massachusetts. His lifetime of service to the cause of humanity in positions of high responsibility and patriotic dedication, are a lasting tribute.

When Chris Herter was in the House, he served well on the Committee on Foreign Affairs on which I was a member. His friendship and cheery smile are a cherished blessing. During that service, some of the most critical years in America's history, his balanced judgment and advice were invaluable. I treasure deeply not only his friendship but his outstanding contributions to the development of America's international high standing among our sister nations.

Mr. Speaker, Chris Herter will join that long list of great Americans who are now a part of our national heritage, and will become a part of our history for generations of Americans to honor and revere.

We in the House of Representatives salute Christian Herter for his competence, integrity, dedication, and friendship.

Passover, 5727

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 26, 1967

Mrs. KELLY. Mr. Speaker, the Passover, or Pesach, the great Jewish festival of religious freedom and national liberation, takes place this year from April 25 to May 1.

On this occasion I wish to pay tribute to the long history of Jewish devotion to the cause of religious freedom, and to acknowledge the debt America owes to this tradition of Israel.

As an American, proud of my own Irish heritage, in thinking of that historic event, the liberation of the children of Israel from bondage in Egypt, I recall the eloquent words of the Irish poet, Thomas Moore:

> Sound the loud Timbral o'er Egypt's dark sea!
> Jehovah has triumphed—his people are free.
> Sing—for the pride of the Tyrant is broken,
> His chariots, his horsemen, all splendid and brave—
> Now vain was their boast, for the Lord hath but spoken,
> And chariots and horsemen are sunk in the wave.
> Sound the loud Timbral o'er Egypt's dark sea;
> Jehovah has triumphed—his people are free!

At this Passover season, well may Ireland and America unite with Israel and with Jews everywhere in celebrating this festival of the essential freedom of the human spirit.

On this occasion, also, we would do well to recall that history, in many ways, repeats itself, and that some of the children of Israel are still suffering in bondage.

I have particular reference in this regard to the tragic plight of the Jews in the Soviet Union.

During the past couple of weeks, working together with a number of my colleagues, I have endeavored to focus public attention on the suffering of Soviet Jewry.

A number of Members of Congress have signed a letter endorsing a statement of the U.S. House of Representatives criticizing the discrimination practiced by the Soviet Union against its Jewish citizens.

The text of the statement and the list of signers as of April 24 follow:

STATEMENT OF MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES ON SOVIET JEWRY

The undersigned Members of the House of Representatives of the Congress of the United States associate themselves with their fellow citizens and people of good will throughout the world in condemning the suppression of Jewish spiritual and cultural life in the U.S.S.R. The evidence presented by the American Jewish Conference on Soviet Jewry leaves no room for reasonable men to doubt that the government of the U.S.S.R. continues to pursue a program calculated to destroy the means of Jewish cultural and spiritual survival, and to break the will of Soviet Jewry to live as Jews. Such a practice not only violates fundamental human rights, it is contrary to the guarantees of Soviet law and asserted policy.

Alone among Soviet nationality groups, Jews are forbidden the schools and other institutions of Jewish learning, teaching and publishing, that are required if the heritage of Jews is to be perpetuated. Alone among major religious groups in the Soviet Union, Jews are forbidden the right to have any form of nationwide federation of congregations or of clergy. Alone among major religious groups in the Soviet Union, Jews have no formal and official contacts between Soviet Jews and their co-religionists abroad. A systematic campaign of initimidation inhibits them from openly protesting these inequities.

Premier Alexei Kosygin declared recently that all citizens, including Jews, are free to leave the Soviet Union to join their relatives abroad. We await translation of those words into deeds.

These inequities imposed on Soviet Jews must be protested by everyone who values human rights of all individuals and all groups everywhere.

E. Ross Adair (Ind.)
Brock Adams (Wash.)
Joseph P. Addabbo (N.Y.)
John B. Anderson (Ill.)
William R. Anderson (Tenn.)
Mark Andrews (N. Dak.)
Frank Annuzio (Ill.)
Thomas L. Ashley (Ohio)
Wayne N. Aspinall (Colo.)
William H. Ayres (Ohio)
Walter S. Baring (Nev.)
William A. Barrett (Pa.)
William H. Bates (Mass.)
James F. Battin (Mont.)
Page Belcher (Okla.)
Alphonzo Bell (Calif.)
Charles E. Bennett (Fla.)
Tom Bevill (Ala.)
Edward G. Biester, Jr. (Pa.)
Jonathan B. Bingham (N.Y.)
John A. Blatnik (Minn.)
Ray Blanton (Tenn.)
Hale Boggs (La.)
Edward P. Boland (Mass.)
Richard Bolling (Mo.)
Frances P. Bolton (Ohio)
John Brademas (Ind.)
Frank J. Brasco (N.Y.)
Jack Brooks (Tex.)
Donald G. Brotzam (Colo.)
Clarence J. Brown, Jr. (Ohio)
Gary Brown (Mich.)
George E. Brown, Jr. (Calif.)
James T. Broyhill (N.C.)
Joel T. Broyhill (Va.)
John Buchanan (Ala.)
J. Herbert Burke (Fla.)
James A. Burke (Mass.)
Laurence J. Burton (Utah)
Phillip Burton (Calif.)
George Bush (Tex.)
Daniel E. Button (N.Y.)
James A. Byrne (Pa.)
John W. Byrnes (Wis.)
Earle Cabell (Tex.)
William T. Cahill (N.J.)
Hugh L. Carey (N.Y.)
Bob Casey (Tex.)
Elford A. Cederberg (Mich.)
Emanuel Celler (N.Y.)
Frank M. Clark (Pa.)
Donald D. Clancy (Ohio)
Don H. Clausen (Calif.)
James C. Cleveland (N.H.)
Jeffery Cohelan (Calif.)
Harold R. Collier (Ill.)
Barber B. Conable, Jr. (N.Y.)
Silvo O. Conte (Mass.)
John Conyers, Jr. (Mich.)
Robert J. Corbett (Pa.)
James C. Corman (Calif.)
William C. Cramer (Fla.)
John C. Culver (Iowa)
Glenn Cunningham (Nebr.)
Emilio Q. Daddario (Conn.)
Dominick V. Daniels (N.J.)
John W. Davis (Ga.)
William L. Dawson (Ill.)
Eligio de la Garza (Tex.)
James J. Delaney (N.Y.)
John R. Dellenback (Oreg.)
John H. Dent (Pa.)
Edward J. Derwinski (Ill.)
Charles C. Diggs, Jr. (Mich.)
John D. Dingell (Mich.)
Harold D. Donohue (Mass.)
John G. Dow (N.Y.)
John Dowdy (Tex.)
Thaddeus J. Dulski (N.Y.)
Florence P. Dwyer (N.J.)
Bob Eckhardt (Tex.)
Ed Edmondson (Okla.)
Don Edwards (Calif.)
Jack Edwards (Ala.)
Joshua Eilberg (Pa.)
Marvin L. Esch (Mich.)
Edward D. Eshleman (Pa.)
Frank E. Evans (Colo.)
George H. Fallon (Md.)
Leonard Farbstein (N.Y.)
Dante B. Fascell (Fla.)
Michael A. Feighan (Ohio)
Paul Findley (Ill.)
Paul A. Fino (N.Y.)
Daniel P. Wood (Pa.)
Thomas S. Foley (Wash.)
Gerald R. Ford (Mich.)
William D. Ford (Mich.)
L. H. Foutain (N.C.)
Donald M. Fraser (Minn.)
Samuel N. Friedel (Md.)
Richard Fulton (Tenn.)
Don Fuqua (Fla.)
Nick Galifianakis (N.C.)
Cornelius E. Gallagher (N.J.)
Edward A. Garmatz (Md.)
Tom S. Gettys (S.C.)
Robert N. Giaimo (Conn.)
Sam Gibbons (Fla.)
Jacob H. Gilbert (N.Y.)
Charles E. Goodell (N.Y.)
George A. Goodling (Pa.)
Henry B. Gonzalez (Tex.)
Kenneth J. Gray (Ill.)
Edith Green (Ore.)
William J. Green (Pa.)
Martha W. Griffiths (Mich.)
James R. Grover, Jr. (N.Y.)
Gilbert Gude (Md.)
G. Elliott Hagan (Ga.)
James A. Haley (Fla.)
Seymour Halpern (N.Y.)
Lee H. Hamilton (Ind.)
John Paul Hammerschmidt (Ark.)
James M. Hanley (N.Y.)
Richard T. Hanna (Calif.)
George V. Hansen (Idaho)
Julia Butler Hansen (Wash.)
William Henry Harrison (Wyo.)
James Harvey (Mich.)
William D. Hathaway (Maine)
Augustus F. Hawkins (Calif.)
Ken *Hechler (W. Va.)*
Margaret M. Heckler (Mass.)
Henry Helstoski (N.J.)
Floyd V. Hicks (Wash.)
Chet Holifield (Calif.)
Elmer J. Holland (Pa.)
Frank J. Horton (N.Y.)
Craig Hosmer (Calif.)
James J. Howard (N.J.)
William L. Hungate (Mo.)
John E. Hunt (N.J.)
Edward Hutchinson (Mich.)
Donald J. Irwin (Conn.)
Andrew Jacobs, Jr. (Ind.)
John Jarman (Okla.)
Charles S. Joelson (N.J.)
Harold T. Johnson (Calif.)
Robert E. Jones, Jr. (Ala.)
Joseph E. Karth (Minn.)
Abraham Kazen, Jr. (Tex.)
James Kee (W. Va.)
Hastings Keith (Mass.)
Edna F. Kelly (N.Y.)
Carleton J. King (N.Y.)
Cecil R. King (Calif.)
Horace R. Kornegay (N.C.)
Theodore R. Kupferman (N.Y.)
Dan Kuykendall (Tenn.)
Peter N. Kyros (Maine)
Melvin R. Laird (Wis.)
Odin Langen (Minn.)
Sherman P. Lloyd (Utah)
Clarence D. Long (Md.)
Speedy O. Long (La.)
Donald E. Lukens (Ohio)
Richard D. McCarthy (N.Y.)
John W. McCormack (Mass.)
Joseph M. McDade (Pa.)
Jack H. McDonald (Mich.)
Robert C. McEwen (N.Y.)
John J. McFall (Calif.)
Torbert M. Macdonald (Mass.)
Clark MacGregor (Minn.)
Hervey G. Machen (Md.)
Ray J. Madden (Ind.)
Charles McC. Mathias, Jr. (Md.)
Robert B. Mathias (Calif.)
Spark M. Matsunaga (Hawaii)
Lloyd Meeds (Wash.)
Thomas J. Meskill (Conn.)
George P. Miller (Calif.)
Wilbur D. Mills (Ark.)
Joseph G. Minish (N.J.)
Patsy T. Mink (Hawaii)
Chester L. Mize (Kans.)
G. V. Montgomery (Miss.)
William S. Moorhead (Pa.)
Thomas E. Morgan (Pa.)
Thomas G. Morris (N. Mex.)
F. Bradford Morse (Mass.)
Rogers C. B. Morton (Md.)
Charles A. Mosher (Ohio)
John E. Moss (Calif.)
Abraham J. Multer (N.Y.)
John M. Murphy (N.Y.)
William T. Murphy (Ill.)
Lucien H. Nedzi (Mich.)
Robert N. C. Nix (Pa.)
Barratt O'Hara (Ill.)
James G. O'Hara (Mich.)
Alvin E. O'Konski (Wis.)
Arnold Olsen (Mont.)
Thomas P. O'Neill (Mass.)
Richard L. Ottinger(N.Y.)
Edward J. Patten (N.J.)
Thomas M. Pelly (Wash.)
Claude Pepper (Fla.)
Carl D. Perkins (Ky.)
Jerry L. Pettis (Calif.)
Philip J. Philbin (Mass.)
J. J. Pickle (Tex.)
Otis G. Pike (N.Y.)
Richard H. Poff (Va.)
Howard W. Pollock (Alaska)
Joe R. Pool (Tex.)
Melvin Price (Ill.)
Robert Price (Tex.)
David Pryor (Ark.)
Roman C. Pucinski (Ill.)
Graham Purcell (Tex.)
Albert H. Quie (Minn.)
Tom Railsback (Ill.)
William J. Randall (Mo.)
Thomas M. Rees (Calif.)
Ogden R. Reid (N.Y.)
Ben Reifel (S. Dak.)
Ed Reinecke (Calif.)
Joseph Y. Resnick (N.Y.)
Henry S. Reuss (Wis.)
George M. Rhodes (Pa.)
John J. Rhodes (Ariz.)
Donald W. Riegle, Jr. (Mich.)
Ray Roberts (Tex.)
Howard W. Robison (N.Y.)
Peter W. Rodino, Jr. (N.J.)
Byron G. Rogers (Colo.)
Paul G. Rogers (Fla.)
Fred B. Rooney (Pa.)
Benjamin S. Rosenthal (N.Y.)

William V. Roth (Del.)
Richard L. Roudebush (Ind.)
J. Edward Roush (Ind.)
Edward R. Roybal (Calif.)
Philip Ruppe (Mich.)
William F. Ryan (N.Y.)
Fernand J. St Germain (R.I.)
William L. St. Onge (Conn.)
John P. Saylor (Pa.)
Henry C. Schadeberg (Wis.)
James H. Scheuer (N.Y.)
Richard S. Schweiker (Pa.)
Fred Schwengel (Iowa)
George E. Shipley (Ill.)
Garner E. Shriver (Kans.)
B. F. Sisk (Calif.)
Henry Smith III (N.Y.)
James V. Smith (Okla.)
William Springer (Ill.)
Robert T. Stafford (Vt.)
Harley O. Staggers (W. Va.)
J. William Stanton (Ohio)
Tom Steed (Okla.)
Sam Steiger (Ariz.)
Robert G. Stephens, Jr. (Ga.)
Samuel S. Stratton (N.Y.)
W. S. Stuckey (Ga.)
Leonor K. Sullivan (Mo.)
Robert Taft, Jr., (Ohio)
Roy A. Taylor (N.C.)
Charles M. Teague (Calif.)
Herbert Tenzer (N.Y.)
Fletcher Thompson (Ga.)
Frank Thompson, Jr. (N.J.)
Robert O. Tiernan (R.I.)
John V. Tunney (Calif.)
Morris K. Udall (Ariz.)
Lionel Van Deerlin (Calif.)
Guy Vander Jagt (Mich.)
Joseph P. Vigorito (Pa.)
Joe D. Waggonner, Jr. (La.)
Jerome R. Waldie (Calif.)
E. S. Johnny Walker (N. Mex.)
G. Robert Watkins (Pa.)
Charles W. Whalen, Jr. (Ohio)
J. Irving Whalley (Pa.)
Richard White (Tex.)
William B. Widnall (N.J.)
Lawrence G. Williams (Pa.)
Larry Winn, Jr. (Kans.)
Lester L. Wolff (N.Y.)
Jim Wright (Tex.)
Wendell Wyatt (Oreg.)
John W. Wydler (N.Y.)
Sidney R. Yates (Ill.)
John Young (Tex.)
Clement J. Zablocki (Wis.)
Roger H. Zion (Ind.)

Mr. Speaker, in commemorating the joyous event of Passover, let us not forget about the tragic fate of Jews in the Soviet Union and let us join in expressing the hope that they, too, may be delivered from their present situation.

Elimination of Social Security Retirement Test

EXTENSION OF REMARKS

OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 26, 1967

Mr. EILBERG. Mr. Speaker, since the passage of the Social Security Act in 1935, one of its most controversial provisions has been the limitation regulating the amount of money a person may earn and still draw social security benefits.

As the system presently operates, each beneficiary under age 72, excepting disabled workers, may earn no more than $1,500 a year without suffering reduction in social security benefits. If the beneficiary exceeds these income limits, his benefits are reduced by $1 for every $2 of annual earnings between $1,500 and $2,700, and by $1 for every $1 of annual earnings in excess of $2,700.

There are proposals to again revise this retirement test this year. I am happy to offer one of these today. For the record, social security benefits should be paid as a matter of right. Benefits are related to the wages, over the years, of the employee contributor and should be payable without the imposition of any limitation on earnings in later life.

Mr. Speaker, during the depression, when social security was first enacted, it was thought necessary to remove older workers from the job market in order to make way for younger ones. If this was ever a valid concept, it has long since ceased to be. Our depression-ridden economy of scarcity has been replaced by an economy of plenty. There is no longer any need to remove older people from the job market. Indeed, the retention of the retirement test in our social security system, by preventing many older persons from working, actually deprives the country of valuable skills and larger productivity.

Furthermore, the current retirement test causes hardship for those individuals who must work to supplement their benefits. The maximum amount an individual can currently receive a year in a primary benefit is $1,631. The minimum is $528, and the average is only about $1,000. The retirement test causes great inequities in a large number of cases where the individual has need for more income than social security benefits can provide, forcing vast numbers of retirees to live on a marginal income bordering on poverty.

The present retirement test, moreover, operates in a most unfair way. It applies to persons who must work but not to those who draw nonwork income. A man, for example, who has an income of $15,000 a year, or more, from dividends, interest, and rent can get every dollar of his social security benefits. On the other hand, a man whose only income is from his own work will lose some or all of his social security benefits if he earns over $1,500, one-tenth as much.

Under the present test, a man entitled to the minimum social security benefit of $44 a month will actually get none at all if he earns $2,548 a year. On the other hand, a man entitled to a social security benefit of $150 a month, who earns the same amount, that is, $2,548 a year, will be actually paid benefits by social security of $1,272 a year. He would not lose all his social security benefits unless he earned $4,500 a year. Thus the present system discriminates against those having the lowest social security entitlements, the very people who need the extra earnings most.

There is an exception to the provisions of the test, but it too favors the better off beneficiary. The law provides that benefits will be paid for any month a person does not earn more than $125. But if the man who has the $150-a-month benefit earned $500 in 1 month and $120 each month thereafter he would get all but $150 of his benefits for the year.

Obviously, people receiving minimum benefits and still able to work are the chief victims of the present restrictive law.

Mr. Speaker, while elimination of the so-called retirement test, or earnings limitation, is needed to eliminate these inequities, I am not as foolish as to think such a proposal can possibly pass this year. I propose at this time, however, an increase to $3,000 in the annual amount individuals may earn without suffering deductions.

Speech by the Honorable William S. Broomfield Before the Cutting Tool Manufacturers' Association Convention

EXTENSION OF REMARKS

OF

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 26, 1967

Mr. KEITH. Mr. Speaker, in my last newsletter I asked my constituents to let me know what they think of the proposal to expand trade with the Communist nations. The responses varied from an unequivocal "never" to a qualified "yes, but only if." The great number of replies, however, indicated to me the keen interest in this crucial issue among my constituents.

One of my constituents, Robert A. Smith, of Hy-Pro Tool Co., is president of the Cutting Tool Manufacturers' Association, which held its convention in Puerto Rico a few weeks ago. Our distinguished colleague from Michigan's 18th District, WILLIAM S. BROOMFIELD, delivered a particularly relevant speech which related current political issues to the economic interests of the cutting tool manufacturers. I am pleased to bring the text of his speech to the attention of the Members of the House, and suggest that they give particular consideration to the remarks pertaining to East-West trade.

SPEECH BY THE HONORABLE WILLIAM S. BROOMFIELD ON APRIL 5, 1967, BEFORE THE CUTTING TOOL MANUFACTURERS' ASSOCIATION IN PUERTO RICO

Thank you very much.

The late Sir John Maynard Keynes (canes), who has been the high priest of economic theory for the past few years, once made the observation that "economists have not yet earned the right to be listened to carefully."

As a politician, there is no doubt in my mind of the validity of Sir John's statement about the economist.

And there is also no doubt in my mind that the economist feels the same way about the politician, and probably just as correctly.

The reason for this sort of mutual suspicion between these two groups of people, the politicians and the economists, is that each is finding it increasingly necessary to stray into the backyard of the other.

The economist who ignores what impact

political decisions can have on his predictions for the future, simply courts disaster for himself and his clients.

And the politican who does not have at least a working knowledge of the economic forces at work in our Nation, and ultimately upon his own political career, soon finds himself in the same shoes as the wayward economist.

There are probably no two fields of human endeavor which collect so many facts and then pay less attention to them than politics and economics.

Over the years the practitioners of both have learned to recite their predictions of things to come in somewhat the same manner of the Delphic oracles at a temple in ancient Greece with a maximum of dramatics and a minimum of useful information.

In other words, they've learned to hedge.

They've learned to couch their predictions in enough ambiguity so that all bets are covered.

I want to warn you right now that anything I have to say this evening in the nature of a prediction should be taken in that light.

I am going to give you some ideas of the way things look to me, at the moment, and then ask you to take them with a grain of salt.

The reason is that we are at one of those turning points in history when anything can happen—and probably will.

I am not an oracle. I don't pretend to be.

The best we can do is to take a hard look at what is and from that attempt to determine what will be.

I am not going to try to divorce politics from economics in these remarks, or vice versa.

I am going to treat these two topics, politics and economics rather as a marriage —the shotgun variety, perhaps—but a marriage nevertheless, as an entity rather than separate parts.

While I am going to try to make my remarks this evening as pertinent as I can to the cutting tool industry, I am going to have to warn you that I will have to stray pretty far afield at times in order to try to get a point across.

The reason is that it is important—perhaps even vitally important—that the forces at work in the world are understood and are treated with courage and imagination.

And believe it or not, you and your fellow businessmen are going to have the primary responsibility of facing these problems in the world—not the politicians. Not the economists.

There is a professor of economics at Michigan State University who tells his beginning students that he will give them an "A" in the course if they will but learn to ask two short questions and how to apply them.

The two questions he asks his students to learn are only two words apiece:

"Oh, yeah?" and "So what?"

As you can imagine, that certain professor is not noted for giving out very many "A's."

We know what a difficult thing it is to learn to question.

And once we have learned to question, how much more difficult it is to apply what we find to what we already know.

If we are to grow in our businesses and as human beings, we know we have to accept change. Not merely accept it, but live with it, understand it, to work with it.

Right now, the old order, the world in which those of us here this evening spent our formative years, is crumbling away in big chunks.

And, like Humpty-Dumpty, it can't be put back together again, at least not in the same way.

We used to know who our friends were in the world.

Now, we're not so sure.

We used to know that depression was "bad" and prosperity was "good."

Now, we are questioning whether this is always the case.

We used to "win" wars.

Now we know that nobody can win. Not when there are so many weapons of almost infinite destruction around.

I don't have to tell any of you in this room about the remarkable scientific and technical progress that has occurred over the past few years. Your industry and those associated with it have been the leaders in these innovations, and most of you have been in on the ground floor as these changes have occurred.

What you may not realize as fully is that the changes in the political and economic relationships between our country and the rest of the world that we are now experiencing are just as profound, just as deep, as those within your own industry.

This, I guess, is the proper time to ask the Michigan State professor's first question.

"So what?" you say. "I'm a hard-headed businessman. I've got plenty of problems of own without worrying about the whole world. When are you going to start talking about something that applies to the cutting tool industry?"

Well, the answer to that one is that I am right now.

Last October, President Johnson proposed a series of steps to improve relations with the Soviet Union and its satellite nations in Eastern Europe.

Of the four steps he proposed, all of them deal either directly or indirectly with your industry.

The President proposed:

First, the elimination of export controls on hundreds of industrial items, including machine and cutting tools, which formerly were classified as "strategic" so that they can be sold to the Soviet Union and all its satellites except East Germany.

Second, authority for the Export-Import Bank to guarantee commercial credits to Poland, Hungary, Czechoslovakia, Rumania and Bulgaria, in addition to Yugoslavia, also he asked for an increase in lending authority for the Bank of $3.5 billion for that purpose.

Third, authority for the Export-Import Bank to underwrite the purchase of $50 million in machine tools in the States to equip the FIAT auto plant being built in the Soviet Union at a cost of $800 million and with a capacity of 2,000 cars a day.

Fourth, an East-West trade bill which would give the President the authority to extend "most favored nation" treatment under U. S. tariff laws to all of the Eastern European countries, again except for East Germany.

For those of us brought up on the idea of "better dead than Red," what is being proposed by the President is pretty hard to swallow.

It is doubly difficult when we realize that this same Soviet Union and its satellites in Eastern Europe are supplying an estimated $1 billion a year, or about 80 percent, of the strategic war materials being used against the Americans in Vietnam.

But there are reasons—good reasons—why the President and his Cabinet are proposing these moves toward ending the Cold War, at least as far as Europe and the United States are concerned.

The Administration's position is this:

They claim that the Soviet Union wants out of the war in Vietnam as badly as we do.

They say that, like the U.S., Russia has a tiger by the tail in Vietnam, and it doesn't know how to turn loose without giving its arch-rival, Red China, a political victory which would turn control of the Communist world over to Peking and the "hard line" doctrine which believes that war between Communism and capitalism is inevitable.

It is at this point that many of us bring up the other question raised by the Michigan State professor.

Our reaction is "Oh yeah?"

There are many of us who are not totally convinced that Russia is so anxious to get out of the war in Vietnam, no matter what her diplomats are telling our State Department.

One of the reasons for our doubts is a look at costs.

The Soviet Union and its satellites put about one billion dollars a year into supporting the war in North Vietnam.

The number of Russian troops involved, if any, is probably limited to a few "technical advisers" of the sort we supplied to South Vietnam's armed forces before the war became largely an American ground war.

To meet that expenditure of $1 billion a year, the United States is forced to spend better than $25 billion a year in Vietnam, and there are many of us who believe this figure is decidedly on the low side.

Moreover, the United States has added a much more precious ingredient than all the dollars we are spending there. That is almost a half million of her young men.

Now, what if the war in Vietnam should continue to escalate and spread to the neighboring countries of Thailand, Cambodia and Laos as it seems to be doing?

If that same ratio of 25 to 1 holds true, then Soviet Union would find itself in the position of being able to apply a hammerlock on American economy.

It could make the punishment on the United States very severe at a relatively small cost to itself.

If Russia resists temptation and limits its help to North Vietnam largely to defensive weapons, such as anti-aircraft installations, interceptor planes and radar installations, then perhaps the Soviet Union means what it says. Perhaps Russia does want to make friends with its former antagonists in West Europe and to learn to get along with the United States on peaceful terms.

Rather than Soviet words, I think Soviet actions will tell the tale in the future. Right now, it is simply too early to determine Russian intentions.

One of the facts we have to realize about our presence in Vietnam is that neither the Vietcong nor the North Vietnamese are our major enemy.

Let me put it this way.

If Red China should disappear from the face of the earth tomorrow, then the war in Vietnam would be over in a matter of days or weeks. Our troops could come home.

On the other hand, if North Vietnam should disappear from the face of the earth tomorrow, the major threat to the United States would not have lessened. It would still exist.

Over the years—or more correctly—over the centuries, China has developed a subtle and often effective method of winning wars.

In the days of the great dynasties, it was called "let barbarians fight barbarians."

Now, under Mao Tse Tung and his modern warlords masquerading under the guise of Communism, this technique is called "wars of liberation."

Red China regards Vietnam as the test tube of this new, but old, technique.

In essence, China says to a neighbor, "let's you and him fight."

"I'll be in your corner. I'll supply you with arms and moral support, and I'll be there when you need me."

The idea is not to "win" in what we consider the classic sense of the word. The idea is to kill Americans without committing Red Chinese to the battlefield.

By forcing us into a ground war on a man-for-man basis, and by slowly escalating that war so that our increased involvement is hardly noticed by us, Red China hopes to pin us down and to bleed us slowly of our resources.

In the meantime, Red China continues to make atom bombs, to work on hydrogen bombs and various systems of delivery until that inevitable day comes when Red China consders itself strong enough to take on the United States and to win.

In order to make Red China as invulnerable to our atomic bombs as possible, Red China's leaders deliberately set out to make their nation—not more civilized—but more primitive.

The reason was this:

Civilization means specialization.

Specialization means centralization.

And centralization means targets for atomic weapons.

By making Chinese villages as self-sufficient as possible, by deliberately moving away from higher living standards rather than toward them, Mao Tse Tung tried to prepare Red China for the time when it could first, challenge Russia for the control of the Communist world and, second, challenge the United States for the rest of the world that was left.

That strategy isn't as crazy as it sounds at first.

When we realize that roughly one out of every four human beings on the face of the earth lives in Red China, we can better understand what Mao Tse Tung was up to.

In essence, its leaders were saying, "If you kill every Chinese living in a city of over 100,000 people, you will have killed a hundred million Red Chinese. There will still be 600 million Red Chinese left."

As far as the Red Chinese—yes, and the North Vietnamese Communists—are concerned, everything is going according to plan in Vietnam.

When Ho Chi Minh talks about the war going on for another ten or twenty years there, he really means it. The North Vietnamese and the Chinese Communists are counting on just such a long-range commitment on the part of the United States as part of their plan to eat away at our resources and our will.

But Vietnam is about the only place that things are going according to plan for the Red Chinese.

Red China has met with some massive rebuffs, both at home and abroad.

Internally, Red China is tearing itself apart in a struggle for power between forces which are only dimly understood outside that massive country's own borders.

What seems to have happened is that the Chinese people have begun to rebel against the steady diet of sacrifice which Mao Tse Tung has insisted they endure.

There has been a drifting away from the "hard line" even by Communist officials themselves, and a series of purges is now going on in an effort to get the Communist party back on the track of strict conformity with Mao's views.

But even though both the United States and Russia have a huge stake in the final outcome of that struggle now underway within China, neither of us can do much except watch from afar.

Any interference by ourselves or the Russians would most likely only serve to rally the Chinese people around Mao and his announced policies of hate America and Russia first, last and always.

Red China has made many mistakes in foreign policy, but probably none so disastrous as what happened in Indonesia.

Indonesia had just about everything Red China needed in an ally.

It had a dictator who could be bought—Sukarno.

It had a strong Communist Party—the largest outside of the Iron or Bamboo Curtain countries.

It had a wealth of raw materials needed not only by Red China, but by the West as well.

It was in a strategic position geographically, as it controlled the straits through which all shipping must go from the Far East to the Middle East.

It had a strong army, navy and air force and the second largest submarine force in Asia.

But when the Reds rose up and tried to take over the country, evidently with Dictator Sukarno's help, the people had had enough. In one of the most terrible bloodbaths in history, they killed hundreds of thousands of the Reds.

Just how many Communists were killed is still not known. But the best estimates we have are that it was somewhere between three hundred and five hundred thousand.

Now, Indonesia, the fifth most populous country in the world, is on our side. In a few years, I think it will prove to be one of our strongest allies.

I think we can see that the main reason that the Soviet Union and the United States have been pushing closer together has been because of a giant common enemy, Red China.

I think we can also see that, while Red China poses a threat to our own security eventually, the threat to the security of the Soviet Union at the present time is much more immediate and much more serious.

China needs more land, and the Russian territory adjacent to its borders are virtually unoccupied.

China wants power within the Communist world, and the quickest way to gain that power is to wrest leadership of the Communist movement from the Russians whom the Chinese accuse of having become soft and decadent capitalists.

So now we have the opportunity, perhaps as we have not had before, of reaching some kind of "live and let live" relationship with the Soviet Union while that country is occupied with Red China.

As I mentioned earlier, one of the carrots we are holding out to encourage friendship with the Soviet Union are these trade bills proposed by the President and the lifting of embargoes on certain items which formerly were classified as strategic.

What the Soviet Union wants specifically are American machine tools.

If these tools are used to produce consumer goods for the Russian people, then I think most of us would agree that such sales might be not only good business but good diplomacy as well.

The richer the Soviet civilian becomes, the greater stake he has in protecting those things which are his, the less he is likely to be interested in pursuing warlike policies and the farther away he gets from the aggressive kind of Communism currently practiced in Red China.

But what if these tools are not used primarily for the production of civilian goods?

What if they are used, instead, for the production of weapons of war?

Weapons which could be used against Americans in places such as Vietnam?

Perhaps it is possible to control the types and kinds of tools which can be sold to the Soviet Union to the extent that their possible use for military purposes could be held to a minimum.

Perhaps it is not.

Most of us in Congress are going to have to turn to you for answers to questions such as these, because you have the technical skill and knowledge to give us the answers we are going to need to have if our decisions are to be sound and on-target.

Some experts have already warned us that the Soviet Union would probably buy only a limited number of American tools and then would use these as models to copy.

Other experts, just as able and just as sincere, tell us that it isn't that easy. They state it would take decades for the Soviet to unravel all the secrets of manufacture by the purchase of American machine tools, and by that time American technology would have gone on to newer and better methods.

Just as you in your business have to call on experts for evaluation and for answers, we in Congress have to depend upon the same kinds of advice upon which to base decisions which could, in the ultimate, determine whether we will live in a world of hostility or peace.

In this case, you are the experts. We are going to need your help and advice on these trade bills when they come before Committees of Congress and when they are considered on the Floor of the House.

If we are to best serve you, your business and our Nation, we are going to have to get from you many of the technical answers we need if we are to protect our own domestic industries in our search for peace.

Now, what about your business and the prospects here at home for the coming year?

Just recently, the Joint Economic Committee issued its recommendations on the business outlook for the foreseeable future, as well as some tentative conclusions on what should be done by government in order to encourage a high level of prosperity.

Even though that report is only a little more than two weeks old, some of its conclusions are already obsolete.

The report calls for the reinstatement of the seven percent investment credit as an aid to business expansion.

Congress has already voted to give back to business this provision which should never have been taken away in the first place.

The report called for an easing of credit restrictions by the Federal Reserve Board. The Federal Reserve has, happily, already taken such action and we are now waiting to see whether the stimulus to business promised by this action takes place as predicted.

In trying to find some rays of sunshine for business in the months to come, they are pretty hard to come by.

Of the twelve leading economic indicators—the signposts most often used to point to the direction the economy is heading—nine signal thumbs down.

There are signs that the inventory buildup is not going to dissolve as the Administration predicted by the middle of this year in making its optimistic forecast of $787 billion gross national product and a sharp upturn in business by the end of June.

The Administration is still calling for the six percent surtax on individual and corporate income taxes, even though the Joint Economic Committee has warned that such a tax increase might throw cold water on the fire the Administration is currently trying to build under the economy.

However, I want to warn you that as things stand right now, at least a portion of the six percent surtax is going to have to be imposed.

And my guess would be that while the individual taxpayer might get away scotfree without a Federal income tax increase, business might not be so lucky.

I am basing this guess—and it is a guess at this point—on the fact that next year is a Presidential election year.

The Joint Economic Committee has said that instead of the surtax, the Federal budget should be cut between five and six billion dollars.

There is no doubt that there is room for cuts of this magnitude. But a great many of the political "sacred cows" of the Great Society would have to fall by the wayside.

Defense costs have already been slashed

to the bone, in fact, some think into the bone to the point where troops are not getting what they need fast enough in Vietnam.

There seems to be no chance of substantial savings in this area, mainly because there is little chance for an end of hostilities before late in the year, at the very earliest.

Another unsettling factor in our national economy this year will be wages and labor. The Administration, junking its own wage-price guidelines, has all but issued an open invitation for a round of wage increases which business is going to have a difficult time meeting.

There are contracts in basic industries involving more than three million workers up for negotiation this year, and we will be lucky if a number of them don't end up in major strikes.

The Joint Economic Committee has foreseen this probable collision between industry and labor, and has recommended that the President be given sweeping powers to protect the public interest in such disputes.

But it is doubtful that Congress will be able to act in time, before the damage is done. And it is even more doubtful that the President would take action against labor on the eve of a general election, even if he had the powers.

This past year has been a rough one for some of the basic industries. For reasons known only to itself, the Johnson Administration used the machine and cutting tool industries and the home builders as brake shoes to slow down an inflation which threatened to reach runaway proportions.

Like the driver who misjudges a hill, the brakes were put on too late to do much good. The brake shoes have undergone a great deal of wear and tear in a short period of time, but there is still a great deal of danger but the car can be controlled.

There is still time to get back on the road to prosperity, and to do it safely and sanely.

But it will call for actions by government based upon what *is* rather than on what seems to be.

Politics and economics should and must go hand-in-hand in the future, because both can have great influence on each other.

In my opinion there is no room for political expediency where economic policy is involved.

In conclusion I want to thank all of you again for this invitation to be with you.

SENATE

Thursday, April 27, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of our salvation, to Thee we lift our hearts in prayer, bringing nothing but our need and the adoration of our contrite spirits. From Thy hands we have received the gift of life, the blessings of home and of friendship, and the sacrament of beauty. In the fullness of Thy mercy Thou hast given us work to do and the strength wherewith to do it.

In the vast difficulties confronting the makers of peace in these days so full of tension, restore and strengthen and sustain our souls and lead us in the paths of righteousness: for Thy name's sake.

Search us, O God, and know our hearts; try us, and know our thoughts, and see if there be any wicked or perverse way in us; for we would come to this high and holy hill with pure hearts and clean hands.

May we follow the gleam of the highest and best we know, as it leads o'er moor and fen and crag and torrent till the evening comes and the fever of life is over, and our work is done.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 26, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on April 22, 1967, the President had approved and signed the act (S. 1177) to provide for the disposition of a judgment against the United States recovered by the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the morning were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

RECOGNITION OF SENATOR FONG AND SENATOR JAVITS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the morning hour the distinguished Senator from Hawaii [Mr. Fong] may be recognized for 15 minutes, and the distinguished Senator from New York [Mr. Javits] may be recognized for 15 minutes following Senator Fong.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS OF SENATE TOMORROW TO HEAR GENERAL WESTMORELAND IN JOINT MEETING

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to announce that immediately upon the reading of the Journal tomorrow, there will be a quorum call; and I ask unanimous consent that beginning at 12:10 p.m. tomorrow, the Senate stand in recess subject to the call of the Chair, so that the Senate, in a body, may proceed to the Hall of the House of Representatives to participate in the joint meeting which will be addressed by Gen. William C. Westmoreland.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Is there objection?

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Would the Senator's intention be to return here for whatever business there may be?

Mr. MANSFIELD. Yes. A morning hour will follow our return.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. Bartlett in the chair). The Senator from Mississippi is recognized.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Mississippi may have as much time as he may desire.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT OF SELECT COMMITTEE ON STANDARDS AND CONDUCT—CENSURE OF SENATOR THOMAS J. DODD—(S. REPT. NO. 193)

Mr. STENNIS. Mr. President, on behalf of the Select Committee on Standards and Conduct, I send to the desk a report of the committee on the investigation of the Senator from Connecticut [Mr. Dodd], to accompany Senate Resolution 112.

As directed by the committee, I am also reporting an original resolution of censure of Senator Dodd, which I now also send to the desk.

This report and the resolution are by unanimous action of the committee.

The PRESIDING OFFICER. The report will be received, and the resolution will be placed on the calendar.

The resolution (S. Res. 112) is as follows:

Resolved, That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigations by the Select Committee on Standards and Conduct,

(a) to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign, and

(b) to request and accept reimbursements for expenses from both the Senate and private organizations for the same travel,

deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute.

Mr. STENNIS. Mr. President, this report contains findings of fact, conclusions, and recommendations, including the recommendation that I mentioned for the adoption by the Senate of a resolution of censure which is set forth on page 26 of the report.

The committee files the report and requests that the leadership confer with Senator DODD regarding the time that he may desire before the resolution is taken up. The committee further requests that the resolution be taken up within a reasonable time thereafter.

The committee hopes that there will be no move on the part of any Senator to take up consideration of the resolution earlier than the leaders may suggest. The committee is ready to present and debate the resolution at any time; but does not propose to start debate until the resolution is taken up. Should a debate start anyway, the committee would use its own judgment then as to when it would enter the debate.

Mr. President, this report speaks for itself. It is well documented with references to extensive testimony and other evidence, including stipulations of fact between the committee and Senator DODD. These stipulations are included in the hearings which have already been printed and are available to all Senators.

Copies of this report have not been put upon the desks of the Senators, but, along with copies of the printed hearings, are available to Senators in the cloak room and through the Document Room. Copies have also been sent to each Senator's office. The committee suggests careful reading and consideration of the entire report and the major parts of the printed hearings.

Speaking for the committee, the next order of business of the committee will be to make recommendations to the Senate, after hearings, concerning regulations for Senators and staff members, including the question of disclosure.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Utah.

Mr. BENNETT. Mr. President, as the ranking minority member of this committee, I wish to express, for the members of the minority, our complete support of the chairman and our complete acceptance of the report. When I say "complete," I do not rule out the fact that any member of the committee may have the privilege of discussing particular features of the report from his own point of view. But I should like to confirm that the decision behind the report was unanimous. Each of us who has worked with the chairman over these many, many months has approached his task with the determination to make the work of the committee unanimous.

Mr. STENNIS. I thank the Senator from Utah for his gracious comments, and I also thank him for his very valuable services as a member and vice chairman of the committee.

I certainly echo the sentiments of the Senator from Utah. In the beginning there might have been some outside pressure—outside the Senate—with reference to partisan or policy points to be made in some way. But the committee effectively resisted that pressure and the pressure died away. No consideration whatever was given to this matter from a party standpoint. I believe the best proof of that is that all members signed the report.

I yield the floor.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Report on Additional Research Laboratory Space at the University of Kansas

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on the provision of additional research laboratory space at the University of Kansas, Lawrence, Kans. (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

Report on Military Construction, Army National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on military construction, Army National Guard (with an accompanying report); to the Committee on Armed Services.

Amendment of Certain Provisions of the Shipping Act, 1916

A letter from the Chairman, Federal Maritime Commission, Washington, D.C., transmitting a draft of proposed legislation to amend provisions of the Shipping Act, 1916, to authorize the Federal Maritime Commission to permit a carrier to refund a portion of the freight charges (with accompanying papers); to the Committee on Commerce.

Report on Balance of Foreign Currencies Acquired Without Payment of Dollars

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on balances of foreign currencies acquired without payment of dollars, as of December 31, 1966 (with an accompanying report); to the Committee on Foreign Relations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the management of aircraft repair parts reserved for maintenance activities at depots in the continental United States, Department of the Army, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on financing the civil service retirement system, administered by the U.S. Civil Service Commission, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of Federal excise tax exemption on beer and tobacco products given to certain consumers, Internal Revenue Service, Treasury Department, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

Recordation of Mining Claims

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the recordation of mining claims (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Proposed Amendment to Senate Bill 611

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of a proposed amendment to Senate bill 611, relating to appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended (with an accompanying paper); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Agriculture and Forestry:

"SENATE JOINT RESOLUTION 51

"Enrolled joint resolution memorializing Congress to direct the Secretary of Agriculture to cooperate with State officials on State laws regulating the grain shipping industry

"Whereas, the Wisconsin Grain and Warehouse Commission was created in 1905; and

"Whereas, this commission since its formation has protected the interests of the grain shippers in this area by inspecting the grain and weighing procedures relating to grain shipments into and out of this state; and

"Whereas, through its conscientious and diligent efforts the commission has been successful in controlling unethical practices in grain inspecting and weighing and has become known and respected the world over; and

"Whereas, in 1919 the United States Warehouse Act was passed by Congress. This act was passed to complement state supervision over certain industries, including the grain shipment industry, but not to replace this supervision; and

"Whereas, under the provisions of this Federal Warehouse Act, however, grain firms are being allowed to become completely free of state supervision and to conduct their own inspections and grain weighing procedures; and

"Whereas, it has been verified through every day experiences that a disinterested 3rd party inspector is a necessity in grain weighing and inspecting operations for the public welfare; and

"Whereas, this is a proper area for state supervision; and

"Whereas, the Superior area has been classified by the United States government as an economically depressed area and, if the grain firms are successful in coming under the federal act, over 100 people will be out of work; and

"Whereas, the United States Warehouse Act provides that the Secretary of Agriculture is authorized to co-operate with state officials charged with the enforcement of state laws relating to warehouses, warehousemen, weighers, etc.; now, therefore, be it

"Resolved by the senate, the assembly concurring, That the legislature respectfully memorializes the Congress of the United States to direct the Secretary of Agriculture to co-operate with state officials and state laws in the area of grain shipments as authorized by the United States Warehouse Act in the interests of public welfare and the economy of this state; and, be it further

"Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives of the United States, to each member of the Congress from this state and to the Secretary of Agriculture.

"WILLIAM P. NUGENT,
"Senate Chief Clerk.
"HAROLD V. FROEHLICH,
"Speaker of the Assembly."

A resolution of the General Assembly of the State of Georgia; to the Committee on the Judiciary:

"General Assembly Resolution 90

"A resolution petitioning the Congress of the United States to propose an amendment to the Constitution of the United States; and for other purposes

"Whereas, the relationship that exists between the Federal Government and the government of the states is a matter of vital concern; and

"Whereas, the states play an indispensable role in our Federal system of government; and

"Whereas, unless the trend toward restrictive categoric federal grants is reversed, these grants will so entwine themselves that a state's freedom of movement will be significantly inhibited; and

"Whereas, there is a need and a justification for broader unfettered grants that will give states and localities more freedom of choice, more opportunity to express their own initiative which reflects their particular needs and preferences, all within the overall direction of national purpose.

"Now, therefore, be it resolved by the General Assembly of Georgia, that this Legislature respectfully petitions the Congress of the United States to propose the following article as an amendment to the Constitution of the United States:

" 'ARTICLE—

" 'Beginning with the first full fiscal year after ratification of this amendment by the requisite number of states, there shall be remitted to all of the states of these United States, an amount determined by the Secretary of the Treasury to be equal to not less than 5% of the aggregate total of individual and corporate income taxes paid to the United States during the preceding calendar year.

" 'Such funds shall be remitted to the States without restriction and this remission of funds shall be in addition to any other federal grant programs which may be enacted by the Congress.

" 'Each state shall share in such remission in proportion as the population of such State bears to the total population of all the States, according to the last preceding Federal census.'

"Be it further resolved that when the above amendment to the Constitution of the United States is ratified by three-fourths of the legislatures of the several States, it shall become a part of the Constitution of the United States.

"Be it further resolved that the Secretary of State is hereby directed to transmit a certified copy of this resolution to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives of the United States, and to each member of the Georgia Congressional Delegation."

A resolution adopted by the Louisil State Sovereignty Commission, of Baton Rouge, La., protesting against the intrusion by the U.S. Justice Department into the operations of the voter registrar's offices in the parishes of Caddo, Bossier, and De Soto, Louisiana; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Public Works, without amendment:

H.R. 8363. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes (Rept. No. 196).

By Mr. RANDOLPH, from the Committee on Public Works, with amendments:

S. 423. A bill authorizing the use of additional funds to defray certain increased costs associated with the construction of a small-boat harbor at Manele Bay, Lanai, Hawaii, and for other purposes (Rept. No. 195).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 823. A bill for the relief of Elwyn C. Hale (Rept. No. 197).

CHANGE IN NAME OF CERTAIN WATER RESOURCE PROJECTS UNDER JURISDICTION OF DEPARTMENT OF THE ARMY—REPORT OF A COMMITTEE (S. REPT. NO. 194)

Mr. RANDOLPH, from the Committee on Public Works, reported an original bill to change in name of certain water resource projects under jurisdiction of the Department of the Army, and submitted a report thereon, which report was ordered to be printed, and the bill was read twice by its title, and placed on the calendar, as follows:

S. 1649. A bill authorizing the change in name of certain water resources projects under jurisdiction of the Department of the Army.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL:

S. 1638. A bill to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, Calif., and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation; and

S. 1639. A bill to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bills, which appear under separate headings.)

By Mr. TOWER:

S. 1640. A bill to create an additional division for the judicial district known as the Western District of Texas, and for other purposes; and

S. 1641. A bill for the relief of Col. Howell T. Walker, U.S. Air Force (retired); to the Committee on the Judiciary.

(See the remarks of Mr. Tower when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1642. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to authorize the Secretary of Agriculture to finance and participate with State and local interests in the financing of recreational enterprises and industrial establishments needed for the economic development of rural areas, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. MONRONEY (for himself and Mr. Harris):

S. 1643. A bill to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY:

S. 1644. A bill to amend title I of the Elementary and Secondary Education Act of 1965, in order to authorize the Commissioner of Education to obligate payments under such title in the event appropriations are not made prior to a certain date; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 1645. A bill to amend the Public Health Service Act in order to authorize improvement grants for schools of veterinary medicine and scholarships for students of veterinary medicine; to the Committee on Labor and Public Welfare.

By Mr. MUSKIE (for himself, Mr. Boggs, Mr. Fong, Mr. Randolph, Mr. Tydings, and Mr. Young of Ohio):

S. 1646. A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 1647. A bill for the relief of Dr. Maria del Carmen Trabadelo de Arias; to the Committee on the Judiciary.

By Mr. HART:

S. 1648. A bill to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 1649. A bill authorizing the change in name of certain water resource projects under jurisdiction of the Department of the Army; placed on the calendar.

(See reference to the above bill when reported by Mr. Randolph, which appears under the heading "Reports of Committees.")

By Mr. TYDINGS:

S. 1650. A bill to amend the act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932, as amended, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (by request):

S. 1651. A bill to provide for the recordation of mining claims; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

ESTABLISHMENT OF JOINT COMMITTEE ON OVERSEAS INSULAR AREAS UNDER U.S. ADMINISTRATION

Mr. FONG submitted a concurrent resolution (S. Con. Res. 24) to establish a Joint Committee on Overseas Insular Areas Under U.S. Administration, which was referred to the Committee on Interior and Insular Affairs.

(See the above concurrent resolution

printed in full when submitted by Mr. FONG, which appears under a separate heading.)

RESOLUTION

RELATIVE TO CENSURE OF SENATOR THOMAS J. DODD

Mr. STENNIS, from the Select Committee on Standards and Conduct, reported an original resolution (S. Res. 112) relative to censure of Senator THOMAS J. DODD, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. STENNIS, which appears under a separate heading.)

APPROVAL OF SOBOBA INDIAN AGREEMENT

Mr. KUCHEL. Mr. President, I send to the desk for appropriate reference, a bill which would authorize the Secretary of the Interior to approve the agreement reached by the Soboba Band of Mission Indians, the Metropolitan Water District of Southern California, and the Eastern Municipal Water District resolving their 30-year-old dispute over interference with the underground water resources of the Soboba Indian Reservation resulting from the construction of the MWD's Colorado River aqueduct in the 1930's.

In the early 1960's a settlement was finally reached between all concerned parties. It was approved by MWD's board of directors in 1962 and by the Sobobas in 1965. It now requires the approval of the Secretary of the Interior. This bill would authorize the Secretary to approve the settlement and would further authorize the construction of the water distribution system envisioned by the settlement.

The Sobobas have a claim pending before the Indian Claims Commission. The bill provides that any money expended by the Federal Government for construction of the planned water facilities for the Sobobas, be an offset against any judgment obtained by the Soboba Indians from the Indian Claims Commission.

It is a pleasure to sponsor such a measure. This settlement is evidence of the good faith negotiations between the water districts and the Soboba Indians of California. It definitively resolves a long-standing dispute and will doubtless serve the interests of all parties concerned.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1638) to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, California, and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation, introduced by Mr. KUCHEL, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

APPROVAL OF PALM SPRINGS-AGUA CALIENTE COOPERATION

Mr. KUCHEL. Mr. President, I send to the desk for appropriate reference a bill to authorize the Secretary of the Interior to dedicate certain streets running through both the reservation of the Agua Caliente band of Mission Indians and the city of Palm Springs, Calif.

The able mayor of Palm Springs, Edgar L. McCoubrey, who I am pleased to call my friend, in urging congressional approval, has pointed out the advantages to both the city and the Indians which will result from this bill. My colleague, Representative TUNNEY, has sponsored similar legislation in the House of Representatives.

The resolution of the problems created by having streets, alleyways, and other strips of land traversing both the reservation and the city, including such things as names of streets, maintenance, and the like, has long been a desire of both the city and the Indians. After good faith negotiations between the city and the Indians, an agreement was evolved which allows the dedication of the concerned streets to the city by the Department of the Interior, and the corresponding acceptance by the city of the dedications it desires.

This is a fine example of cooperation by a local community and the contiguous Indian reservation. The prompt enactment of this measure will indicate the Federal Government's desire to hasten and encourage such cooperation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1639) to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land, introduced by Mr. KUCHEL, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CREATION OF A NEW JUDICIAL DIVISION, WESTERN DISTRICT OF TEXAS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a bill to create a new judicial division of the western district of Texas. The legislation, if approved, would redivide the present six divisions of the western district to create a seventh district with a court for the rapidly expanding Midland-Odessa area.

It is my understanding two bills have already been introduced in the House having essentially the same purpose. They were introduced by Congressmen GEORGE MAHON and CLARK FISHER, two very distinguished colleagues of mine.

Whereas the bills in the House would specify in which of the two cities, Midland or Odessa, the court would sit, my bill calls for the court for the Midland-Odessa division to be held in Midland and Odessa.

The need for additional court facilities in the western district is clear. The present situation is working much difficulty upon the residents of the area, and I am hopeful relief will be granted by approval of this legislation in committee and in Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1640) to create an additional division for the judicial district known as the western district of Texas, and for other purposes introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on the Judiciary.

RURAL RECREATION AND INDUSTRIAL DEVELOPMENT LOANS ACT

Mr. NELSON. Mr. President, the need for outdoor recreation is one of the most demanding of urgent national attention in our modern American society.

At the same time, the outdoor recreation industry affords the leading promise of economic advance and opportunity for people living in a large part of Wisconsin. The area of Wisconsin that has the greatest potential for outdoor recreation development, also has the most acute need for jobs to replace and to supplement the shrinking economic opportunities available in agriculture, in forest products industries, and mining.

The lack of adequate financing for recreational enterprises is the most serious blocking realization of the economic development potentials of many rural areas, and of helping to meet the skyrocketing need of urban residents for more adequate and more satisfactory outdoor recreational facilities. The reasons for the shortage of adequate credit are fairly simple:

Many outdoor recreation enterprises involve relatively heavy investments in land, and in long-life improvements such as water impoundments, ski slope grading, and so forth. Credit for such purposes needs to be offered on longer terms than are usually available for financing buildings and other types of normal business facilities.

Most recreational industry potentials are located in rural areas, where banks are usually small and other sources of credit nonexistent. National banks cannot invest more than 70 percent of their deposits in real estate loans, and normally do not exceed 60 percent.

Banks prefer to make short-term personal property loans, rather than the long-term real estate loans that are of such critical importance in outdoor recreation enterprise financing. And banks cannot make loans for more than 80 percent of the appraised valuation of the property, which is not adequate to insure the needed pace of development of outdoor recreation enterprises.

The needs for more adequate credit in order to develop the outdoor recreation potential in the northern Great Lakes basin undoubtedly corresponds to needs in many other rural areas throughout the country. This was spelled out by the Northern Great Lakes Regional Development Advisory Committee in a resolution adopted at its meeting in Wausau, Wis., in the summer of 1965. This organization, with representatives from localities in the upper Great Lakes basin area of Minnesota, Michigan, and Wisconsin, is a voluntary committee of local citizens which cooperates with the U.S. Department of Agriculture in planning for the development of resources and economic opportunities in the area. In its resolution, the committee declared as follows:

> Whereas, recreational owners, operators and developers find it almost impossible to obtain a loan to develop, or purchase, expand or upgrade recreational businesses at reasonable rates of interest on long term, based on ability to repay from income with a maximum of twenty-five years and,
>
> Whereas, this area is endowed with many fine natural resources which need further development in order to improve the area's economy and make the Northern Great Lakes Region, consisting of eighty-one counties of Northern Michigan, Minnesota and Wisconsin, more self-sufficient, and,
>
> Whereas, the recreational enterprises and businesses are so closely allied to the basic objectives of the Farmers Home Administration, that it seems logical to extend its loan services to the recreational enterprises and businesses, and,
>
> Whereas, the Farmers Home Administration could get the necessary help and advice of the University Extention Service of each State and the Resource Development Agent of each county in obtaining information on operations, cost, profits, and advice on development, expansion, and upgrading;
>
> Now, Therefore, be it resolved by this Committee that we go on record asking the Congress of the United States to amend the law to allow the Farmers Home Administration to make recreational loans regardless of population areas and to broaden the credit service to include the rural recreation industry.

The action of the committee initiated intensive studies and discussions on the part of community leaders in the area, with the counsel and advice of experts from the University of Wisconsin and other governmental agenices concerned. On December 1, 1966, a Finance Forum on Recreational and Small Business in Northern Wisconsin was conducted at Fifield, Wis. The Wisconsin members of the Northern Great Lakes Resource Development Committee played key roles in planning and conducting this public policy forum. The University of Wisconsin extension service helped to organize the forum, which was attended by 126 local community leaders. Its purpose was to discuss and define the problems in recreational financing, to document the needs of the industry, and to determine the most appropriate solutions.

The keynote of the forum was provided by Mr. M. J. Brunner, president of the First National Bank, Rhinelander, Wis. Mr. Brunner analyzed the importance of outdoor recreation enterprise to the economic future of the North, and identified the particular needs for careful economic studies and for more adequate financing. Mr. Brunner's excellent address to the forum will follow in full at the end of this statement.

In its summary and conclusions, the forum stressed the importance of more adequate provisions for long-term, low downpayment loans at reasonable interest rates in order to secure the needed development of recreational enterprises and other small business in the area. The full text of the summary and conclusions follow Mr. Brunner's statement at the end of these remarks.

At the present time, existing Federal lending programs cannot meet the requirements of the outdoor recreation industry.

For one thing, there is a top limit of $60,000 on loans to recreation enterprises made by the Farmers Home Administration of the Department of Agriculture. On the other hand, the general procedure of the Small Business Administration indicates that the initial investment of its borrowers would need to be $150,000 or more. There is no source of Government help readily available at all within the $90,000 gap between these two Federal credit programs.

Moreover, the Farmers Home Administration makes loans only to individuals whose primary source of income is from farming, and for whom outdoor recreation is a secondary source of income. The Small Business Administration, on the other hand, customarily requires that its borrowers derive their primary income from the enterprise to be financed.

Furthermore, the Farmers Home Administration does not make loans at all for recreation enterprises to small profit-making corporations or partnerships. These are excluded also from practical access to the Small Business Administration credit because of their small size.

For several reasons, the Farmers Home Administration appears to be the logical agency to administer the new authority that is needed to extend credit to rural outdoor recreation enterprises.

The Farmers Home Administration has had broad experience and great success in a considerable variety of lending programs to rural people.

The Farmers Home Administration already is operating an organization having local offices within convenient access to all rural communities in the country.

And FHA is already cooperating with committees of local community leaders in screening and providing service to applicants for loans for a considerable variety of purposes.

In its present credit operations, the Farmers Home Administration program gives strong support to the principle of cooperating closely and directly involving local people—including landowners, enterprise operators, local businesses, and country bankers and other lending institutions—in the loans which are advanced or insured by the Government.

This principle is of particular importance in credit for recreation enterprises. It is extremely difficult to develop objective criteria and standards for widespread application in a type of enterprise placing such a high premium upon novelty, innovation, and subjective managerial qualities. Therefore, participation in the risk in the enterprise on the part of responsible local community leaders would be of great value to the Government. It will enable the Government administrators to check their judgments against qualified judgments of responsible persons in the community, who, like the Government, would put some of their own money "on the line" to back up their judgment.

The bill that I am proposing provides for full recognition of this principle.

I ask unanimous consent that the text of the bill and the attached documents be printed in total in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, section-by-section analysis, and statement will be printed in the RECORD.

The bill (S. 1642) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to authorize the Secretary of Agriculture to finance and participate with State and local interests in the financing of recreational enterprises and industrial establishments needed for the economic development of rural areas, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Consolidated Farmers Home Administration Act of 1961, as amended, is further amended by adding the following new subtitle E:

"SUBTITLE E

"Rural recreation and industrial development loans

"SEC. 350. (a) The Secretary may make or insure loans not exceeding 90 per centum of the cost of recreational enterprises and small or medium-size industrial or commercial establishments needed for the orderly development of rural communities or for providing for job opportunities for rural residents consistent with any approved official plan of economic improvement for the rural area. At least 10 per centum of the cost of such enterprises or establishments shall be provided by local public bodies or agencies, or by persons permanently residing in, or by corporations, partnerships, cooperatives, or other business organizations, predominately owned by persons permanently residing in, the community in which the enterprise or establishment is to be located.

"(b) Loans under this subtitle may—

"(1) be available to local public bodies or agencies, to persons, corporations, partnerships, cooperatives, or other business organizations, which will provide the facilities, services, or opportunities for employment contemplated by or not inconsistent with the projects, purposes or objectives of any approved local development plan, but no loan nor participation agreement shall be made in connection with the relocation of any industrial establishment employing more than 50 persons from a location outside the rural community to be served by the facility or installation,

"(2) include funds for land acquisition, buildings, plants, equipment, access streets and roads, parking areas, utility extensions or the development of necessary water supply and waste disposal facilities, for the expansion or enlargement of such facilities, for refinancing, services and fees, initial operating capital including interest payments, and

"(3) be repayable within forty years or a lesser period not to exceed the useful life of the installation and upon such security as the Secretary may require to reasonably protect the interest of the United States. Loans made or insured under this subtitle, except loans to public bodies whose obligations bear interest not subject to Federal income tax, shall bear interest at a rate established by the Secretary equal to the sum of the annually estimated average yield to maturity, on the basis of closing market quotations or prices, as of January 1 preceding establishment of the rate by the Secretary, on all outstanding marketable public obligations of the United States which are neither due nor callable for redemption for ten years or more, adjusted to the nearest one-eighth of 1 per centum, plus an additional rate not exceeding 1 per centum per annum, provided that such interest rate shall not exceed 5½ per centum per annum. Such loans to such public bodies shall bear interest at the average rate, as determined by the Secretary of the Treasury, payable by the Treasury upon its marketable public obligations outstanding at the beginning of the fiscal year in which the loan is made, which are neither due nor callable for redemption for fifteen years from date of issue.

"(c) Participation loan agreements by the Secretary may be for immediate or future participation and shall provide for a pro rata risk-sharing and distribution of liquidation proceeds.

"(d) No loan or participation agreement authorized herein shall be made which would cause the unpaid principal indebtedness of the applicant under this subtitle at any one time to exceed $4,000,000. Such loans may be made or insured as a supplement to but not in lieu of any other Federal financial assistance available to the applicant, or may be made or insured for the applicant's share of the cost of development assisted under any other Federal program without regard to the limitations of, any other Federal law.

"(e) The Secretary may require as a prerequisite to loans or commitments hereunder that such appraisals or surveys of available facilities, resources, services, or markets as he determines to be necessary, be furnished either at the expense of the applicant or other sponsor or pursuant to an advance of loan funds.

"(f) Preference shall be given in the following priorities—

"(1) to financing installations which have been approved as projects under other Federal programs but for which adequate local financing is not otherwise available, and

"(2) to the installation of facilities which have substantial local public or private assistance either in cash, land or facilities.

"Sec. 351. The purposes for which the Agricultural Credit Insurance Fund may be used are extended to include loans to be insured and commitments to insure under this subtitle. Such loans and commitments shall not aggregate more than $200,000,000 in any one fiscal year in addition to the aggregate authorized in section 308 of the Act and the loans made under this subtitle in the fund at any one time and not disposed of shall not exceed $50,000,000 in addition to the aggregate provided in section 309 of the Act. Except as otherwise provided in this subtitle, the provisions of said sections 308 and 309 shall apply to loans and commitments under this subtitle.

"Sec. 352. The purposes for which the Farmers Home Administration Direct Loan Account may be used are extended to include loans and participations under this subtitle, and such loans shall be held for and collections therefrom deposited in said account.

"Sec. 353. The provisions of subtitle D of the Consolidated Farmers Home Administration Act of 1961, as amended, not inconsistent with the provisions of this subtitle shall apply to loans made or insured hereunder."

The section-by-section analysis and statement presented by Mr. Nelson are as follows:

Section-by-Section Analysis of Proposed Bill To Amend the Consolidated Farmers Home Administration Act of 1961

Proposed new section 350 of the Act would authorize the making or insuring of loans to individuals, corporations, other business organizations, and local public bodies in amounts up to 90 percent of the cost of recreational enterprises and small and medium-size industrial or commercial establishments. Eligible projects must be needed for orderly development of rural communities or for providing job opportunities for rural residents consistent with any approved official plan of economic development for the area. Loans may run for 40 years and interest rates are fixed by formulas but cannot exceed 5½ percent. Total indebtedness owed under this section by an applicant cannot exceed $4 million at any one time. At least 10 percent of project cost must be provided by local individuals, firms, or public bodies. Participation agreements with pro rata risk-sharing may be made by the Secretary. Priority will be given first to projects approved under other Federal programs but not adequately financed locally, and second to those having substantial local public or private assistance.

Proposed new section 351 of the Act would extend use of the Agricultural Credit Insurance Fund to loans and commitments authorized by the bill. Such loans and commitments could not exceed $200 million annually. The amount of such loans made from the Fund and not yet disposed of could not exceed $50 million at any one time.

Proposed new section 352 of the Act would extend the use of the Farmers Home Administration Direct Loan Account to include loans and participations authorized by the bill.

Proposed new section 353 of the Act would make applicable to loans authorized by the bill, the administrative provisions of Subtitle D of the Act which are not inconsistent with the provisions of the bill.

Credit Needs of the Recreation Industry—An Overview

(Statement of M. J. Brunner, Rhinelander, Wis., at the Finance Forum on Recreation and Small Business in Northern Wisconsin, December 1, 1966, Fifield, Wis.)

I would like to talk of God's Creation, as it applies to the State of Wisconsin, the agricultural area, the industrial area and the recreation area; their location, past history and development. Man, a human resource, has written the history of each area.

I would like to discuss the agricultural area first. This area, consisting of some of the best agricultural land of the state, located in the lower three-fourths of the state, was settled by good farm folks, people dedicated to the land and agriculture. For more than one hundred years the United States Department of Agriculture, through the state University, has worked with the farmer to improve his land and his herd, showing him how to test the soil, use proper fertilizer and test his herd so that he will be a successful operator. It has provided him with long term financing through the Federal land banks, short term financing through the Federal intermediate banks, Bank for Cooperatives to market his products, and the Farmers Home Administration to take care of other financial needs and help him buy or sell his farm. It is true that the American farmer is the best financed industry in the country, the best organized and the best informed.

The industrial area located in the southeast and Fox River Valley has made fine progress. These areas were developed by individuals who knew their business. They were located in good money centers, had no difficulty in financing and needed very little help from the University in their operations. Information as to their operation was available and they knew the costs and how to operate at a profit.

The recreation area located in the northern one-fourth of our state was rich in natural resources, with beautiful virgin forests, fine lakes and streams—nature's playground. But there was no one to protect or look after it. It was an orphan, adopted by the wrong parents—the timber barons, who slaughtered the forest for profit and left it. What was not slaughtered was burned over. Taxes were not paid—no one wanted it. The forestry services of the federal and state governments took over large parcels of the land and started reforestation. Fires were controlled and the timber started to come back. The fisherman started to come to the area. His needs were minor—a rough cottage, a place to sleep and eat.

Slowly the resort industry followed the early fisherman. They were not high class and they did not have to be. The area began to be recognized as a recreational area. The population explosion, good roads, longer vacations and plenty of money have brought in the family type vacationer. They require more and greater facilities and are changing the recreational complex, with longer seasons and more types of recreation. We also have many people retiring in this area. Many resorts are being broken up and sold as lots to the retiree, who builds a year-around home. This situation is going to create a problem.

We need help and it must come from the University. The area must be studied in depth, as to what makes a good resort; how large must it be to make a profit; what facilities must it have; how many people can the area support; how many resorts can the area handle; how can existing resorts be upgraded. There must be help in advertising, in hosting, and any other help that will aid in providing the long-term financing which the industry needs. To me it is the same as agriculture. People today need relaxation just as much as they need food. If we provide the proper relaxation we can stop building mental institutions. But like agriculture, it needs to be recognized as an industry. Some government agency must adopt this orphan and provide long-term financing. It cannot be handled by local banks, because of deposit fluctuations, funds moving out of the area, shortage of funds and liquidity requirements. The same type of financing must be provided for the recreation industry that the Federal land banks provided the American farmer; forty year loans based on ability to pay, which must be based on income. This industry is worth protecting and developing. Its effect on the tax income for the state is going to be worth all the effort, work and study that the University is devoting to it. The future for it is great, it is going to become greater and the demands will be tremendous. We will have to get our house in order or some other area will take this all away from us.

Summary and Conclusions

(Finance Forum on Recreation and Small Business in Northern Wisconsin, December 1, 1966, Fifield, Wis.)

1. What are the financing needs of the recreation industry and other small businesses in Northern Wisconsin?

A. Long term, reasonable interest loans.

B. Low down payment loans.

C. Package loans, including real estate and personal property, would be desirable. Payments should also include taxes and insurance.

D. Loans are needed for the creation of new recreational enterprises as well as for the expansion and modernization of present businesses.

2. Why can't the recreation industry secure financing? What are the road blocks?

A. There is no financing agency specifically charged with the responsibility of helping the recreation industry.

B. Present loaning agencies have serious limitations in meeting financing needs of the recreation industry.

C. More detailed information is needed on all facets of the recreation industry. Lenders often do not have enough information to justify making loans.

D. The recreation industry has not had proper recognition as a major industry. Its economic contribution to the area has not been clearly understood.

E. Many people living in recreational areas are indifferent toward the recreation industry. They do not understand the industry's problems or its contributions to the area economy, nor have they, in most cases, given their support to area promotions.

F. Many new recreational complexes encounter great difficulty in securing the liquor license needed for a profitable operation. Seasonal licenses are not available in Wisconsin.

G. The tax structure, as revised in many Northern counties, has placed the resort owner in a difficult tax situation. The property evaluation has risen considerably more than income from the property.

3. What changes are needed to enable agencies to meet the needs of the recreation industry and other small businesses? What steps should be taken to implement the needed changes?

A. One agency should be given the responsibility for recreation industry loans. Federal and state legislators should be encouraged to make this designation. This could be a new agency with sole responsibility to the recreation industry or one of the existing agencies with a change in present regulations to allow the agency to alter its lending programs to fit the needs of the recreation industry.

B. The University of Wisconsin is requested to conduct a depth study of the recreation industry to investigate both present situation and future needs. University Extension should coordinate a program of education and information for recreational businessmen and lending agencies. State legislators are requested to provide additional funds for the University of Wisconsin to provide essential research, education, and information programs.

C. An organization should be created, encompassing all segments of the recreation industry, to be the voice of the industry. Further, a legislative alert group is needed to keep the industry informed of pending legislation, to keep legislators informed of recreation industry problems and needs, and to sponsor legislation as needed.

D. State legislators need to take a look at liquor, tax, and other laws affecting the recreation industry.

E. Local lending institutions should be encouraged to establish a cooperative system of working together to provide loans to the recreation industry.

F. The Northern Great Lakes Resource Development Committee should be requested to coordinate all activity in this project to secure more adequate financing programs for the recreation industry and other small businesses. It is suggested that all interested organizations, agencies, and individuals be informed and involved in this program.

G. Another finance forum should be held in about six months. Topics for discussion at this meeting would be 1) Progress on proposals suggested at the first Finance Forum and 2) more detailed discussion on several problem areas. State and federal legislators should be urged to attend.

FOSS RESERVOIR, OKLA.

Mr. MONRONEY. Mr. President, on behalf of myself and my colleague [Mr. HARRIS], I introduce a bill to deal with a very serious water shortage emergency arising from the unanticipated mineralization of the water impounded in the Foss Reservoir in Oklahoma, making it unfit for municipal use without extraordinary treatment measures.

The Foss Reservoir, on the main stem of the Washita River in Custer County, Okla., was constructed to provide flow regulation of the river in support of municipal and industrial water supplies for the cities of Clinton, Cordell, Hobart, and Bessie, Okla. The citizens of these cities and potential water consumers in several rural communities in the area were assured before construction of this project started that it could furnish drinking water for approximately 50,000 persons in the area. The Foss Reservoir Master Conservancy District was organized by the local residents. This district entered into a contract with the Bureau of Reclamation, agreeing to pay over a 50-year period a total of $7,300,000 with interest for municipal water and other benefits to be derived from the reservoir.

Last year the district received approval from the Community Facilities Administration of the Department of Housing and Urban Development of a $365,000 loan for a conventional caustic and soda ash standard water treatment plant which it believed would make the Foss Reservoir water potable. However, further studies of the impoundment disclosed that instead of containing about 750 parts per million of dissolved solids as originally estimated by engineers of the Bureau of Reclamation, the dissolved solids in the Foss Reservoir water amount to twice that. The district board advised Senator HARRIS and me last year that its resources were completely inadequate to provide the kind of treatment plant that would be needed to deal with the magnesium sulfate content of this water. I have tasted this raw lake water and can personally attest that it is extremely offensive. I am told that in the raw state it would not be conducive to health.

This unexpected mineralization of the reservoir is basically the result of an unprecedented drought in the watershed above it, plus a system of soil conservation detention reservoirs on tributaries above the dam that, due to the low flow, have affected the quality of the water that reaches the Foss Reservoir.

I am convinced that we have here a problem which demands much additional Federal support because it is likely to recur in many other parts of the Nation as greater and greater demands are put upon our water resources in areas where agricultural and soil conservation practices are rapidly being altered by new technology.

The Secretary of the Interior, drawing on the expertise of the Bureau of Reclamation, the Office of Saline Water, and the Federal Water Pollution Control Administration, has advised my colleague and me that he supports additional Federal action to alleviate this problem. The Secretary under existing statutory authorizations has proposed to defer the time of construction repayment installments and to work with the board of directors of the Foss Reservoir Master Conservancy District to develop plans for the construction, operation, and maintenance of a water treatment plant capable of making this vast amount of impounded water suitable for human and industrial use. At the same time, he hopes to obtain data that will be of tremendous value in meeting similar crises elsewhere in the Nation.

This bill would relieve the district of an amount of its construction charge obligation under its contract with the U.S. equivalent to the cost of its constructing a 3-million-gallon-per-day electrodialysis plant. This plant would have the same output capacity as the plant originally planned by the district to meet pressing municipal needs in the area. The district, incidentally, has already paid to the United States a total of $218,364 toward the reservoir's original construction cost. This bill would enable the Secretary to refund this amount in order to give the district part of the working capital it would require for the much more elaborate treatment facility, with the provision that an equivalent sum would be added to the total indebtedness collectable after the new demineralization plant is available to process the water.

The difficulties that are being encountered in harnessing the water resources of this Nation will become more and more complex as our needs eventually increase manifold in the coming decades. In this area of western Oklahoma, the crisis is upon us already.

In the coming summer months, severe water restrictions will be imposed in most of the communities which were to have been receiving water by this time from the Foss Reservoir.

The board of directors of the Foss Master Conservancy District in a meeting recently passed a resolution explaining this predicament. I ask unanimous consent that this resolution be printed at this point in the RECORD to underscore the urgency of the problem.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 103 OF THE FOSS RESERVOIR MASTER CONSERVANCY DISTRICT

Whereas, the water in Foss Reservoir is polluted with minerals to the extent that it can not be used for municipal purposes without extraordinary and unusually expensive demineralization treatment to remove magnesium sulphate and other minerals; and

Whereas, at the time the Foss Reservoir Master Conservancy District contracted to pay the United States of America approximately $7,300,000, with interest, for the municipal water use portion of said Reservoir and the aqueduct system, as well as the irrigation water storage cost, it was anticipated by the District and the United States that said water would require only conventional treatment; and

Whereas, said District cannot possibly finance said demineralization plant and comply with said contract; and

Whereas, two annual payments have become payable under said contract and have already been paid although water is not yet available for use and cannot be made available without such demineralization treatment; and

Whereas, the Cities of Clinton, Bessie, Cordell and Hobart, which constitute said District, have made long range plans since the completion of construction of said Reservoir several years ago to use said water, along with many rural water cooperatives along the aqueduct, and are now faced with the immediate prospect of a serious water shortage.

Now, therefore, be it resolved that the

Board of Directors of Foss Reservoir Master Conservancy District request the Bureau of Reclamation, the Department of Interior, Senator Mike Monroney, Senator Fred Harris and other members of the Oklahoma delegation in Congress, to immediately sponsor and introduce federal legislation to relieve the Foss Reservoir Master Conservancy District of an amount of its construction charge obligations under its repayment contract with the United States equivalent to the cost of its construction of a three million gallon per day demineralization water treatment plant and to relieve the district of any payments due on the remaining balance of such obligations and of any interest under said contract until initial delivery of water is made from such plant for municipal use, with authorization to said District to grant a first lien on the aqueduct system and said plant for its cost; or that necessary procedures be instituted to cancel said contract of the District with the United States of America and repay said District the amount heretofore paid the United States of America under its terms.

(Unanimously adopted by the Board of Directors of the Foss Master Conservancy District on April 14, 1967.)

Mr. MONRONEY. I should like to emphasize that the need for a 3-million-gallon-per-day plant is a bare minimum requirement and that eventually a plant of much greater capacity will be required. However, the technology of water treatment is advancing rapidly and by the time additional treatment capacity is required from the reservoir, it may be possible to expand the demineralization system in a more economical fashion.

The provisions of this bill would not in any way relieve the water consumers in the Foss Reservoir area from the commitments they made in good faith at the time the reservoir plans were being put in final form. The forgiveness of a portion of the construction payments contemplated by this bill is designed only to offset the unpredicted concentration of minerals that has occurred in the reservoir. This additional outlay will be a bargain for the people of the United States in that much will be learned regarding a very difficult water treatment problem which already is having a depressing effect upon the economy and threatens the health of the people in the Foss Reservoir area.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1643) to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes, introduced by Mr. MONRONEY (for himself and Mr. HARRIS), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. HARRIS. Mr. President, I am very pleased to join with my distinguished colleague in the introduction of this important bill.

I am certainly hopeful, as is he, that the committee to which the bill is assigned will be able to hold hearings expeditiously on this very difficult and unique problem.

The situation is as it was explained by my colleague. One of the principal reasons for which the Foss Reservoir was built was to provide water to a number of cities and towns in western Oklahoma which are very much in need of an expanded water supply. They signed up to take this water and make certain repayments to the Federal Government upon the assurance that the water which was delivered to them would be drinkable. However, as has been explained, it has now been found that this water not only is not drinkable because of the tremendous mineral content before treatment, but also after normal treatment the water is still undrinkable.

The senior Senator from Oklahoma [Mr. MONRONEY] and I on the seventh of November met in Oklahoma City with Mr. Charles Engleman, who is one of the leading citizens in that area in the organization of these cities and towns and conservancy districts which is interested in this water. The problem was explained to us. The district is obligated to furnish drinkable water. The towns are obligated to make payments, but by normal methods of treatment the water cannot be made usable for these towns and cities. Therefore, they must have relief.

We were given several cups of this water to drink after it had been treated by various normal processes, and I can state that neither I nor Senator MONRONEY found it to be anywhere near drinkable. It was explained that there would be needed a very expensive plant for electrodialysis treatment in order to make the water usable.

The Bureau of Reclamation and the Department of the Interior and their officials have been very cooperative and have recognized the responsibility of the Federal Government to assist in making the Foss Reservoir a usable facility and to make this water, which is greatly needed by these cities, available.

It has been suggested that one thing which might be done would be to forgive the repayment responsibilities and obligations of the cities for a period until the water is made drinkable or usable. That solution alone would not be satisfactory, because while it would eliminate their obligation until the water could be made usable, nevertheless, it would not solve the major problem of that area, which is to get water to these cities that are greatly in need of it.

This bill would do that. It would assume on the part of the Federal Government its responsibility in this matter. I urge rapid consideration of the bill by the committee, and I join my distinguished colleague in hoping that the bill can be enacted into law soon.

AMENDMENT OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Mr. PROUTY. Mr. President, today educators and legislators are faced with the problem which daily becomes more clear and more intense.

Federal aid that was released in February by the Office of Education to carry out title I programs of the Elementary and Secondary Education Act, has fallen far short of what many school districts had counted on and for the most part had already spent to carry out their programs.

In every State there are districts facing a shortage of money to pay bills they contracted for last spring in the belief that the Federal Government stood behind them. But, the rug was yanked out from under them and they are being forced to curtail the very programs we in Congress encouraged and the administration promised to finance.

The Elementary and Secondary Education Act was approved on April 11, 1965. The vital programs it authorized, however, were not funded until September 23 almost a month after the schools were in session. And it was not until April of 1966 that the guidelines were issued or the funds allotted. It took 7 months for the Office of Education to make their final allotments.

In fiscal year 1967 the appropriations bill was signed in November 1966. This was two and a half months after the schools had been in session and then again from that starting point the Office of Education had to determine what school districts were to get how much money. The appropriations were so late that the Office of Education was faced in November with the task of collecting data to make allocations for programs that were begun back in September.

We are 7 months into the school year the third year of these programs. But as yet not $1 has been appropriated for the support of these programs for the next school year.

Left in limbo as to their future assignments, many experienced teachers are being forced to pull out of projects that were inadequately funded and are seeking employment elsewhere for the coming fall term.

And now in April of 1967 we are faced with a repetition of last year's occurrences. Last year I had the privilege of contributing an amendment to the Elementary and Secondary Education Act of 1965 that would have made it possible for the Commissioner to obligate educational funds for an impending fiscal year if Congress had not appropriated funds by a certain date. The limitation on such appropriations by the Commissioner would be that they not exceed the amount appropriated within the current fiscal year. This amendment was reported by the full Labor and Public Welfare Committee, but unfortunately, it died on the Senate floor.

So, I am here to begin again the task that I undertook almost exactly 1 year ago. We could have saved ourselves much disappointment and waste had we acted on this measure earlier. The imminent problems faced by school administrators trying to save their programs are tragic and needless. For many will not succeed and many children will therefore fail to receive the help for which Federal support to education is intended.

But it need not be so next year. There is perhaps now clearer insight into the ramifications of the divergence of academic and fiscal schedules than was afforded last year.

My bill is quite simple. The trigger date for its operation is May 15 of each year. If by that date in any year appropriations have not been made for the Elementary and Secondary Education

Act for the next succeeding fiscal year, the Commissioner of Education would be authorized to obligate funds under the programs on the basis of the amount actually appropriated for the fiscal year then current. Such obligations would be met from appropriations for the next succeeding fiscal year when those appropriations become available.

Now, some might say this proposal smacks of back-door financing or even of fiscal irresponsibility. I cannot agree. I see it rather as a legitimate, if somewhat unorthodox means of meeting a real emergency. We authorized each of the programs in question for 2 years. I am sure we will finance each program for each year of its authorization. I am fairly certain that the appropriations for these programs will not be cut radically from 1 fiscal year to the next. Consequently, I can see little likelihood that the obligation of funds for these programs prior to actual appropriations would lead to any fiscal embarrassment to the Federal Government.

The only practical way to stimulate a genuine long range school assistance program is to have funds available on a steady basis over a period of years long enough to enable cities and towns to plan their program, secure their grants from the Commissioner of Education and be certain that the money will be available to enable them to carry through with their work.

To assure that this money will be available my bill contemplates adoption of a contract authority principle which has been so successfully applied in the Bureau of Indian Affairs.

The Commissioner of Indian Affairs is authorized under title 25, section 99, to advertise in the spring of each year for bids, and enter into contracts, subject to the approval of the Secretary of the Interior. He can make such contracts for goods and supplies even though appropriations for the fiscal year have not been made.

Moreover, there are other precedents for a proposal of this nature. Public Law 89-313 enacted just 2 years ago added new sections to the Federally Affected Areas Act authorizing programs of assistance for school construction and operation in major disaster areas. These new sections, section 16 of Public Law 815, and section 7 of Public Law 874, have their own language authorizing appropriations but each section also has the following language:

> Pending such appropriation the Commissioner may expend . . . from any funds heretofore or hereafter appropriated for expenditures in accordance with other sections of this Act, such sums as may be necessary for immediately providing assistance under this section. *Such appropriations to be reimbursed from the appropriation authorized by this subsection when made.* (Italic supplied)

So here again a Federal official is authorized to obligate funds under a program before a specific appropriation for that program has been available.

There are precedents then for this proposal and to reiterate there is a pressing need for its enactment. School people across the country have been perturbed by the appropriation's lag with regard to Public Law 89-10.

The need for speedy resolution of this timetable problem is widely recognized by educators. Commissioner Harold Howe II last December noted that—

> The timing with which Congress appropriates funds could scarcely be better designed to make the job of the local school superintendent difficult. (*Saturday Review*, Dec. 17, 1966)

One superintendent, S. P. Marland, Jr., of Pittsburgh, appeared to agree thoroughly when he appeared before the House Education and Labor Committee on March 3, 1967. He noted that delays in distribution of Federal funds have hurt programs aimed at disadvantaged children.

A title I reading program director in New York recently noted that the greatest problem with the programs was with personnel. By the time she had money last fall to engage staff, she said, all the qualified people were taken. So she trained her own reading teachers. Now she is not sure she will have funds to retain her experienced teachers for next year, and they will surely be snapped up by other districts. If she does get a renewed appropriation, then she will have to start all over again retraining beginners in reading instruction.

Six leading educational organizations, including the PTA, the National Education Association, the Council of Chief State School Officers, the American Association of School Administrators, the School Boards Association, and the National Association of State Boards of Education, included among their proposals for legislation before the 90th Congress a study of the need to reconcile the time lag between school planning and Federal funding. In his message of February 28, President Johnson proposed legislative measures to deal with this problem.

Mr. President, we know from experience that the painstaking appropriations procedure is not susceptible to a drastic speedup. It should be equally clear, however, that the programs under title I of Public Law 89-10 should be funded at the earliest possible date. This bill, I am convinced, would lead to that end. Educators, not unlike businessmen, Senators and others in our society, need a reasonable amount of time in which to plan their programs and activities. Doubt about financial support for a particular program makes effective administration all but impossible.

It takes time to project plans, secure needed personnel and to prepare adequately for the implementation of new programs. I do not believe that our society can afford the waste and inefficiency that are the inevitable concomitants of a clouded fiscal future.

For until local schoolmen learn how much money will be available to them, they cannot plan wisely how to use that money. They cannot plan wisely for the use of their own State and local funds. They cannot make the necessary decisions on the allocation of physical facilities, on the assignment of teaching staff, or on the employment of additional, specialized personnel. Delayed funding of these programs is a serious problem, indeed, but a problem which would be largely removed I believe, if this proposal should be accepted.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 1644) to amend title I of the Elementary and Secondary Education Act of 1965 in order to authorize the Commissioner of Education to obligate payments under such title in the event appropriations are not made prior to a certain date, introduced by Mr. PROUTY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENTS TO SOLID WASTE DISPOSAL ACT

Mr. MUSKIE. Mr. President, the pollution of our environment falls in several major categories, all of which relate to the waste generated by production and consumption of goods. Over the past 5 years the Congress has moved decisively in these areas to assure that adequate Federal programs to meet and defeat these problems were developed.

Again this year the Congress has been called on to expand the war on air pollution. The President has proposed and the Senate Subcommittee on Air and Water Pollution is presently considering major amendments to the Clean Air Act.

Another area of equal importance must not be overlooked. That is the need to improve our comprehensive program to dispose of the solid waste which society produces, sometimes as the byproducts of our efforts to control both air and water pollution.

Our phenomenal productivity is contributing to a waste disposal problem whose dimensions, already immense, are sure to increase markedly as both rates of production and population climb.

Solid wastes are the residue of our prosperity, the unwanted discards which we burn, bury, or pile in open dumps in every corner of the land. Solid wastes comprise on the order of 160 million tons a year of items and materials which have lost their usefulness or appeal, but not their physical bulk.

They are the unwanted consumer goods, the industrial wastes, the farm wastes, even the wornout buildings, which we continually throw away to make way for the new. In throwing them away, we are creating a solid waste disposal problem which threatens our health and welfare, destroys the beauty of city and open countryside, and deprives us of untold billions of dollars worth of irreplaceable resources, and, perhaps most importantly, contributes to an already serious air pollution problem through indiscriminate burning.

We are approaching a solid waste disposal crisis, but we still have an opportunity to avert it.

Two years ago, in developing and enacting amendments to the Clean Air Act of 1963, the Congress gave its approval to the first Federal legislation directed at the problem of solid waste disposal. The Solid Waste Disposal Act of 1965, which President Johnson signed on October 20 of that year, empowered the Secretary of Health, Education, and Welfare to begin a program of research and development aimed at finding and evaluating better methods of safely disposing of the solid wastes which Americans discard at a rate of 5 to 8 pounds per person per day. The Secretary directed the Public Health Service to carry out the mandate of the Solid Waste Disposal Act, and I believe the Secretary has met this new responsibility with vigor and forcefulness.

Some 32 projects in all parts of the United States are being developed to demonstrate new and improved methods of collecting, processing, and disposing of solid wastes. These projects are receiving two-thirds grant support from the Public Health Service in the amount of nearly $3,900,000.

Twenty-five States have begun comprehensive surveys of their solid waste problems, combined with the development of plans for solving these problems. All of these State planning activities are being assisted by Federal grants, totaling $9,000,000.

Research projects on the health hazards associated with solid waste disposal, on new principles of waste reduction and salvage, and on related physical and biological problems associated with solid wastes are receiving nearly $2,000,000 in grant support.

The Federal solid wastes program is aiding in the training of graduate engineers and operating personnel to expand both the number and technical skill of persons working toward solution of the solid waste problems.

In its own laboratories and field facilities, the Public Health Service is carrying out a broad program of research and demonstration to increase our ability to prevent a crisis in solid waste management.

The knowledge we have gained and will gain under the impetus of the Solid Waste Disposal Act points the way toward substantial progress in managing the national solid waste problem. New understanding of the extent of this problem is coming to light, new technological approaches toward sanitary collection and disposal of solid wastes are being demonstrated, new insights into the productive salvage and reuse of waste materials are being gained, and new approaches toward regional programs of solid waste management are being planned. We need now to put this information to work on an operational basis.

To help accomplish this, I am today introducing major amendments to the Solid Waste Disposal Act of 1965, for myself and Senators BOGGS, FONG, RANDOLPH, TYDINGS, and YOUNG of Ohio.

First, we propose that the Federal Government undertake a program of support for the construction of advanced solid waste disposal facilities and systems that will bring into use the solid waste technology that is now available. Such a construction program must, of course, form a part of an overall approach to safe and sanitary solid waste management, and for this reason, we propose that construction grant funds be available only for projects which meet the highest standards of engineering practice, health protection, and pollution control.

The Nation will have to spend some $250,000,000 a year over the next decade to acquire additional facilities merely to keep pace with the anticipated annual increase of disposable solid wastes—the newspapers and packaging materials, aluminum and plastic containers, food wastes, industrial and agricultural solid wastes, demolition debris, and all the other discards which together would fill the Panama Canal four times every year. Experience has demonstrated that the cities and States, unaided, will not be able to make the investment of funds necessary to meet the rising cost of solid waste disposal, and they will surely lack the means to take advantage of improved methods now available or being perfected.

I believe it to be in the national interest for the Federal Government to come to the aid of State and local agencies that have the responsibility but not the resources to protect the American people from a worsening health hazard caused by improper solid waste disposal.

Construction which is not tied to comprehensive planning for solid waste management does not bring a community or the Nation any closer to sound and lasting control of the solid waste problem. Therefore, I urge that the Solid Waste Disposal Act be amended to provide assistance to States and communities in the development of technically feasible and economically sound programs for solid waste management. The planning for such programs should take into consideration the need to dispose of solid wastes safely and efficiently; the need to prevent air and water pollution from disposal operations; the need to prevent the spread of disease by insects, rodents, and other disease carriers; and the need to employ solid waste disposal as a method of reclaiming or improving land or of recovering valuable materials and energy potentials.

As I have indicated, fully half of the States are now carrying out comprehensive surveys and developing plans to meet solid waste problems on a statewide basis. However, the Solid Waste Disposal Act, in its present form, provides no support for the implementation of State plans once they are developed. It is my understanding that few, if any, States have the financial resources to put into operation the plans they are now developing, nor to continue the necessary business of constantly monitoring solid waste practices, enforcing regulatory measures—when and where they exist—or providing technical assistance to municipalities. There is no doubt in my mind that effective State programs are essential in the national effort to cope with the solid waste problem. Therefore, we propose that the Federal Government take this opportunity to give the State at least a part of the implementation assistance they need in the form of matching grants.

Construction, municipal and regional planning, aid to State programs—there are the principal features of the amendments of the Solid Waste Disposal Act which we are today introducing for the consideration of the Senate. The bill would authorize a Federal expenditure of over $800,000,000 over the next 5 years to continue and expand the work being carried on under the Solid Waste Disposal Act by the Department of Health, Education, and Welfare, and the Department of the Interior. But when this sum is compared with the more than $15,000,000,000 that the Nation will spend during the next 5 years merely to perpetuate present inadequate, unsanitary, and disfiguring solid waste disposal practices, I think we can recognize that the investment would be small compared with the return that could be realized.

Mr. President, I ask that my colleagues carefully review these vital amendments to the Solid Waste Dispoal Act as a necessary further step in the efforts of the Congress to bring an end to the destruction of the human environment through needless and preventable pollution.

I ask unanimous consent that a section-by-section analysis and the text of the bill be reprinted in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 1646) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, and for other purposes, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Solid Waste Disposal Act Amendments of 1967".

SEC. 2. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes."

SEC. 3. Section 204 of the Solid Waste Disposal Act is amended by striking out subsection (d).

SEC. 4. Section 206 of the Solid Waste Disposal Act is amended to read as follows:

"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

"SEC. 206. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of a single municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one municipality, of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and (2) developing solid waste disposal plans for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, and not to exceed 50 per centum of the cost of overseeing the implementation, including enforcement, and modification of such plans.

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single

agency as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of a final report of the activities of the agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

"(5) provides for such fiscal control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

Sec. 5. The Solid Waste Disposal Act is further amended by redesignating sections 207 through 210 as sections 208 through 211, respectively, and by inserting after section 206 a new section as follows:

"GRANTS FOR CONSTRUCTION

"Sec. 207. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal facilities, including completion and improvement of existing facilities.

"(b) Federal grants under this section shall be subject to the following limitations:

"(1) No grant shall be made for any project unless it is consistent with any State or interstate plan for solid waste disposal, and is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act;

"(2) Grants for projects shall be made in amounts not exceeding 66⅔ per centum of the estimated reasonable cost thereof as determined by the Secretary in the case of a project serving a single municipality and not exceeding 75 per centum of such cost in the case of a project serving an area including more than one municipality;

"(3) The grantee shall agree to pay the remaining cost;

"(4) In the case of a project which will serve more than one municipality or State the Secretary may, on such basis as he determines to be reasonable and equitable, allocate the estimated reasonable cost of such project between such municipalities or States;

"(5) No grant shall be made for any project until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the facilities after completion of the construction thereof; and

"(6) No grant shall be made for any project unless such project is consistent with the purposes of the Clean Air Act.

"(c) In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project, and the use by the applicant of comprehensive regional or metropolitan area planning.

"(d) Not more than 15 per centum of the total of funds appropriated for the purposes of this section in any fiscal year shall be granted for projects in any one State. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant that is chargeable to the percentage limitation under this subsection for each State into which such area extends."

Sec. 6. (a) Subsection (a) of section 211 of the Solid Waste Disposal Act, as redesignated by this Act, is amended by striking out all beginning with "$19,200,000" through the end of such subsection and inserting in lieu thereof the following: "$46,000,000 for the fiscal year ending June 30, 1968; not to exceed $83,000,000 for the fiscal year ending June 30, 1969; not to exceed $152,000,000 for the fiscal year ending June 30, 1970; not to exceed $216,000,000 for the fiscal year ending June 30, 1971; and not to exceed $236,000,000 for the fiscal year ending June 30, 1972. The sums so appropriated shall remain available until expended.

(b) Subsection (b) of such section 211 is amended by striking out all beginning with "$10,800,000" through the end of such subsection and inserting in lieu thereof the following: "$10,800,000 for the fiscal year ending June 30, 1968; not to exceed $12,500,000 for the fiscal year ending June 30, 1969; not to exceed $15,000,000 for the fiscal year ending June 30, 1970; not to exceed $18,000,000 for the fiscal year ending June 30, 1971; and not to exceed $21,500,000 for the fiscal year ending June 30, 1972."

Sec. 7. The amendments made by this Act shall be effective for fiscal years beginning after June 30, 1967.

The section-by-section analysis presented by Mr. Muskie is as follows:

Solid Waste Disposal Act Amendments— Section-by-Section Summary

Section 1. Short title.

Section 2. Adds the definition of "municipality" to the section devoted to definitions.

Section 3. Removes the ceiling (⅔ of construction cost) on Federal grants under Section 204 of the Act.

Section 4. Rewrites the section on grants for State and interstate planning to include municipalities, intermunicipalities, and other local groups. Grant ceilings are raised from 50 per centum to 66⅔ per centum for single municipalities and a new ceiling of 75 per centum is created for plans including more than one municipality. Such grants made for the development of solid waste disposal plans are to include planning for the reuse of solid waste disposal areas and studies of the effects of such areas upon adjacent sites. A ceiling of 50 per centum is placed on Federal grants to oversee the implementation, enforcement, and modification of such plans.

The eligibility criteria for agencies submitting applications for grants under this section remain the same.

Section 5. Provides a new section entitled "Grants for Construction". Under this section the Secretary of Health, Education, and Welfare is authorized to make grants for the construction of solid waste disposal facilities, including completion and improvement of existing facilities.

Projects receiving grants must be consistent with State or interstate plans for solid waste disposal and must be included in a comprehensive plan for the area involved.

The grant ceiling is 66⅔ per centum for single municipality projects and 75 per centum for areas including more than one municipality. The grantee must pay the remainder. This section provides for allocation of estimated reasonable cost between municipalities or States served by one project. Provision must be made by the grantee for efficient operation and maintenance of facilities after completion. Projects receiving grants must comply with the purposes of the Clean Air Act.

The Secretary is directed to consider the public benefits to be derived and the propriety of Federal aid in such construction. He shall also take into account the ultimate cost relation of the project to the public interest, the necessity of the project, and the use by the applicant of comprehensive regional or metropolitan planning.

This section limits grants for any one State to 15 per centum of the total appropriated funds for one fiscal year. The percentage limitation of grants for projects crossing State lines shall be left to the Secretary's discretion.

Section 6. Increases appropriation authorizations for the Secretary of Health, Education, and Welfare and extends such authorizations from fiscal 1969 through fiscal 1972. Funds so appropriated shall remain available until expended (this provision does not appear in existing law).

Extends appropriation authorizations for the Secretary of the Interior from 1969 through 1972, but does not increase the existing funds for 1968 and 1969.

Section 7. This Act shall take effect with fiscal year 1968.

DISTRICT OF COLUMBIA HANDGUN CONTROL BILL

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill to regulate the purchase and possession of handguns in the District of Columbia. The need for this legislation is urgent. During the past 10 years, there has been a steady increase in the number of crimes committed with handguns in the District of Columbia. In 1965 alone, the number of robberies committed with handguns increased 107 percent, while the total number of robberies increased 50 percent. The total number of aggravated assaults went down by 10 percent, but the number of handgun assaults went up 31 percent. And handgun murders went up 62 percent, while total murders went up 51 percent.

One clear reason for the increase in handgun crimes, I believe, is the ease with which handguns can be obtained in the District of Columbia. Under the present law, almost anyone can purchase a handgun in Washington by filling out a form and waiting 48 hours. And although present law requires a license to carry a handgun, it does not require a license to possess a handgun.

Based on its exhaustive study of the crime problem the President's Commission on Crime in the District of Columbia unequivocally concluded that strengthened handgun control legislation was required as "an essential first step" in bringing a "halt to the steady increase in the homicides, assaults, and robberies committed with handguns in the District." The legislation I am introducing today was prepared by the Department of Justice, and is the product of the Crime Commission's recommendation. The President's National Crime Commission also recommended firearm control legislation to accomplish the purposes of this bill. I ask unanimous consent that the portions of the District of Columbia and National Crime Commission reports dealing with firearms control be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TYDINGS. Mr. President, the handgun control bill I introduce today has the following features:

First. It would require a permit to either possess or carry a pistol in the District of Columbia. Present law requires a permit to carry a handgun, either openly or concealed. Issuance of a permit will lie within the discretion of the Commissioners and an applicant must demonstrate good moral character, responsibility, and a need for the weapon.

Second. Present law prohibits sale of pistols to persons under 21 years of age. This bill would prohibit possession of pistols by persons under 21 except under such regulations as the Commissioners may prescribe.

Third. Present law prohibits possession of pistols by felons, drug addicts, and persons convicted of a limited number of specific offenses. This bill would add a prohibition applicable to persons who are drug users, alcoholics, or mental incompetents.

Fourth. The bill would prohibit the carrying of a rifle or a shotgun unless unloaded and encased.

Fifth. The bill would authorize an additional 10-year term of imprisonment when a firearm is used in the commission of a robbery or an attempted robbery.

Sixth. The bill would require, in a manner similar to present law, licensing of persons who manufacture, sell or repair firearms, and require records and reports to be made concerning sales and repairs.

Seventh. The bill would prohibit the sale of pistols except to persons exhibiting permits to possess or carry them.

In summary, the bill would, on the one hand, continue to allow the possession and carrying of firearms by qualified, law-abiding citizens who demonstrate a need to possess or to carry such weapons to protect themselves or their property. On the other hand, the bill would provide for close control over the possession and carriage of weapons, empowering the law enforcement authorities to prevent them from falling into the hands of criminal elements or others not qualified or entitled to possess or carry them.

Hunters and sportsmen will not be inconvenienced by this bill. The bill does not restrain the purchase of rifles or shotguns. Moreover, the bill does not apply to antique pistols, so that the legitimate interests of gun collectors are not affected.

Opponents of firearms control frequently argue that any such laws abridge the second amendment to the Constitution. But, as the President's National Crime Commission stated:

> The U.S. Supreme Court and lower Federal courts have consistently interpreted this Amendment only as a prohibition against Federal interference with State militia and not as a guarantee of an individual's right to keep or carry firearms. The argument that the Second Amendment prohibits State or Federal regulation of citizen ownership of firearms has no validity whatsoever.

A license requirement for handguns is wholly reasonable. We require licenses before we permit citizens to drive automobiles, to guard against improper use of automobiles which would endanger the public. We require licenses before a man may practice medicine or dentistry or other vital occupations, to guard against improper practice of those occupations which would endanger the public. The purpose of handgun licensing is the same. We must guard against criminal use of handguns which endangers the life and property of every citizen in the District of Columbia.

One aspect of the bill, as drafted by the Justice Department, should receive particular scrutiny in committee deliberations. That is the provision that no pistol license may be given to anyone suffering from a mental illness. As presently drafted, "mental illness" is undefined and no provision is made for expert assistance by physicians in judging the existence of a disqualifying mental illness. Moreover, the provision should be considered in light of the congressional finding, in enacting the District of Columbia Hospitalization of the Mentally Ill Act, that "there is no necessary correlation between mental illness and the ability to exercise rights" such as holding a drivers license, voting or entering contracts—Senate Report No. 925, 88th Congress, second session, page 11, 1964.

In the 89th Congress, I introduced a bill for regulation of handguns whose purposes were similar to the bill I introduce today. That bill was, unfortunately, not enacted. This year the need is even clearer for strengthening gun control legislation to combat crime in the District of Columbia. I am confident that this year action will be taken, and the interests of the law-abiding public will be protected.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1650) to amend the act entitled "An act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932, as amended, and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on the District of Columbia.

EXHIBIT 1

[Excerpt from report by the President's Commission on Law Enforcement and Administration of Justice]

SECTION VI: FIREARMS

HANDGUNS AND CRIMINAL ACTIVITY

In the District of Columbia, handguns have become the weapon of choice among people bent upon crime. The reasons for this choice are clear: The handgun is readily obtained at a reasonable price, it is easily concealed until needed, and it is an affective means of threatening and applying force.

The increase in crimes committed with handguns in the District of Columbia is not an altogether new phenomenon. As shown by Table 1, there has been a steady increase over the last 10 years. In fiscal 1965 there was a "shocking increase" in the use of handguns in the commission of crime. Murders in that year rose 51 percent, but handgun murders went up 62 percent. The total of aggravated assaults went down 10 percent, while handgun assaults went up 31 percent. The increase of 50 percent in robberies produced an increase of 107 percent in handgun robberies.

Even the figures on Table 1 understate the number of serious crimes in which handguns are used. The police do not tabulate the use of weapons in crimes other than homicides, assaults and robbery; it is not known, therefore, how often handguns were used in commission of rape, housebreaking or other crimes. However, in fiscal 1965 there were 705 weapons offenses in which illegal carrying or possession was the most serious crime, and about 24 percent of persons convicted in the United States District Court for the District of Columbia in fiscal 1965 committed their crimes while armed.

There is no way to ascertain accurately the number of handguns possessed by residents of the District of Columbia. An estimated 65,000 handguns have been brought to police attention by owners or sellers since 1932. It is an open question, of course, how many of these weapons remain in the possession of the registrant and how many more are unregistered. The police suggest that the unregistered handgun is far more likely to be used for criminal purposes than is the registered one. This is confirmed by an examination of the 62 homicides committed with handguns in calendar year 1965 in the District of Columbia; only 26 of the weapons had been obtained legally, and of those only 12 were registered.

TABLE 1.—*Homicides, assaults, and robberies committed with handguns in the District of Columbia*

[Fiscal years 1955-66]

Fiscal year	Homicides		Assaults		Robberies and attempts	
	Number	Percent of homicides	Number	Percent of assaults	Number	Percent of robberies
1955	11	25.0	228	5.0		
1956	18	32.7	289	8.5		
1957	18	28.6	223	8.8		
1958	20	26.0	259	9.3		
1959	20	29.0	277	11.1		
1960	18	25.0	295	9.6		
1961	28	34.1	302	10.4		
1962	24	26.2	393	13.3	279	13.3
1963	21	25.3	415	13.8		
1964	37	35.6	467	17.0	482	18.3
1965	60	38.2	614	24.8	1,000	25.3
1966	73	50.0	640	22.7	1,137	29.0

Source: 1955-64, hearings on S. 1632 before the Senate Committee on the District of Columbia, 89th Cong., 1st sess. 323 (1965); and 1966; MPD Annual Report, 59 (1965); and 1966; letter from Inspector Jerry V. Wilson, Assistant Chief Clerk, MPD, Aug. 29, 1966.

EXISTING LAWS REGULATING HANDGUNS

Purchase laws

Under District of Columbia law, a handgun may be obtained legally in the District from any registered dealer or from any private owner after certain requirements are met. The requirements are completion of an application form by the purchaser, transmittal of the form to the police by the seller, and a delay of 48 hours to permit police investigation of the purchaser to determine whether he is eligible to purchase a handgun. Sales may not be made to persons under 21 years of age, to persons whom the seller believes to be of unsound mind, to drug addicts, to convicted felons, to persons with prior weapons offense convictions, or to certain misdemeanants. In effect, almost anyone who is willing to fill out a form and wait for 48 hours can buy a handgun. Illegal sales and purchases are punished by a fine of up to $1,000 or imprisonment up to 1 year, or both. During 1965 there were 2,486 handguns sold legally in the District of Columbia.

Those who wish to obtain handguns without coming to the attention of law enforcement authorities can do so readily. The reservoir of unregistered weapons in the District of Columbia makes it possible to obtain guns without any waiting period or police clearance. Although the transaction is illegal, there is no serious risk of detection for either party to the exchange. It is unlikely that the purchaser will be detected by the police until he has committed a crime more serious than illegal purchase or possession of a gun, and the police are virtually unable to trace the unregistered weapon to the illegal seller. No estimate can reasonably be made as to the number of weapons which change hands each year in this manner.

A resident of the District of Columbia may go outside Washington and purchase a handgun under the laws of another jurisdiction, even if he is not legally entitled to purchase a weapon in the District. In fact, until recently any person could go into counties adjacent to the District of Columbia and obtain a handgun without any formality or restriction. District police officials reported to a Senate subcommittee in 1965 that 58 percent of one Maryland gun dealer's sales were to District residents and that 40 percent of these buyers had police records. Federal legislation governing interstate shipment of firearms does not presently prohibit purchases where the buyer himself goes into another state to obtain a weapon.

Possession laws

Possession of a handgun is legal in the District of Columbia for all but a few specified persons: Drug addicts, convicted felons, persons with prior weapons offense convictions, and certain misdemeanants. Anyone else may keep a handgun in his home or place of business without restriction, without regard to whether it was obtained legally or illegally, and without informing the police about the gun. A minor or a person of unsound mind may possess a handgun in the District even though he cannot legally purchase it here. For those who possess a gun illegally, punishment may be a fine of up to $1,000 and/or imprisonment up to 1 year for a first offense and up to 10 years for subsequent offenses.

Carrying laws

No one may carry a handgun, openly or concealed, in the District unless he has been licensed to do so by the Metropolitan Police Department. "Carrying" has been interpreted to include having an accessible handgun in an automobile. Licenses are granted sparingly; the police estimate that only about two dozen are extant. Exceptions to the licensing requirement are made for five groups of people: (1) Federal and local law enforcement officers; (2) military personnel; (3) members of certain gun clubs and associations while they are going to or from target practice; (4) persons who sell or otherwise deal in guns as a business while they are in the ordinary course of that business; and (5) persons going to home or business following purchase, or between home or business and place of repair, or persons moving goods from one home or business to another, provided that the handgun is unloaded and "securely wrapped."

Of these exceptions, the most important is that for law enforcement officers. Special police, who are paid by their employers, can be appointed at the request of property owners for the protection of private property. These "policemen" are entitled to carry handguns at their places of work and, depending on the circumstances, may also be allowed to carry handguns between their homes and places of work.

Carrying without a license is punishable by a fine of up to $1,000 and/or imprisonment for up to 1 year for a first offense, and by imprisonment for up to 10 years for subsequent offenses and for persons who have prior felony convictions. In addition, any person carrying a handgun while committing or attempting to commit any of specified felonies may be imprisoned for additional periods of time upon conviction of that felony or its attempt.

Enforcement of these handgun laws in fiscal 1965 was actively pursued by police, prosecutors and courts. The Metropolitan Police Department recorded 705 weapons offenses and cleared 99.4 percent of them. The United States Attorney followed a general policy of prosecuting all gun cases, and in 1965 initiated "a crackdown on flagrant violations by District gun dealers." However, there was little use of the options which could result in additional penalties for users or possessors under the provisions of the Dangerous Weapons Act, presumably because experience has indicated that addition of charges to the indictment does not influence sentences given to defendants convicted of burglaries or other serious crimes.

Sentences given by the courts for weapons offenses varied widely. In 1965 in the United States District Court, 33 defendants were sentenced whose most serious offense on conviction was a weapons violation. Seven received a suspended sentence or probation; 4 were sentenced to a maximum falling within the category of 1 year or less; 14 received a maximum in the 1-to-3-year category; 3 received a maximum in the 3-to-5-year category; and 5 received a maximum in the 5 years or more category. A survey of cases in the Court of General Sessions showed that of 155 persons convicted of carrying a dangerous weapon (gun or other) in fiscal 1965, 86 were committed to jail, 17 paid a fine and 52 received suspended sentences or probation. Of the 86 committed to jail, the median sentence was 83 days; 4 defendants received the maximum misdemeanor penalty of 1 year.

NEED FOR ADDITIONAL HANDGUN CONTROLS

Based on its review of crime in the District of Columbia and existing handgun laws, the Commission has concluded that additional legislation is necessary. Every enforcement and legislative effort must be made to bring to a halt the steady increase in the homicides, assaults and robberies committed with handguns in the District. We recognize that enactment of new legislation does not ensure reversal of this trend, but we believe that it is an essential first step.

We welcome enthusiastically the recent legislative action in adjacent counties which has imposed new limitations on the sale of handguns. Montgomery and Prince Georges Counties in Maryland, and Arlington County and the City of Alexandria in Virginia now require waiting periods of at least 5 days and limit those persons who are entitled to purchase handguns in a way similar to the District of Columbia law. Maryland has enacted a handgun law with a 7-day waiting period on purchases; it became applicable to the entire state on June 1, 1966. It also forbids handgun sales to persons in categories similar to those of the District of Columbia. It is too early to measure the effects of these laws, but police cooperation has been initiated and may substantially reduce easy access to guns in nearby communities by District residents. However, those who are willing to travel farther are still able to ignore local purchasing restrictions. We believe these local laws can be bolstered by enactment of legislation to amend the Federal Firearms Act such as that recently considered by the United States Senate. Among other important provisions, S. 1592, as reported out of the subcommittee during the last Congress, would prohibit sales by Federal licensees of any handguns to persons who are not residents of the state in which the seller does business. We urge Congress to enact such legislation.

This Commission recommends that the District's laws relating to handgun control be substantially stiffened in an effort to curtail the easy availability and criminal use of these dangerous weapons. We support legislation which would, among other reforms, require all persons possessing handguns in the District of Columbia to register them with the police, prohibit the purchase or possession of handguns by all persons under 21 and in other specified categories, increase penalties provided by the law, and extend the necessary waiting period from 48 to 120 hours.

In fact, we believe that Congress should go even further than suggested by the bills considered in the 89th Congress. The seriousness of the situation in the District of Columbia, in our opinion, requires the enactment of a handgun licensing law. In brief, this legislation should:

(1) Require a license to purchase or possess any handgun under any circumstance;

(2) Authorize issuance of licenses by the Metropolitan Police Department only after:

(a) complete investigation of all applicants for licenses;

(b) proof of the applicant's qualifications to use a handgun; and

(c) an affirmative and specific showing of need to possess a handgun;

(3) Provide for confiscation of handguns owned by applicants not qualifying for licenses;

(4) Make possession without a license a misdemeanor for the first offense and a felony for subsequent offenses; and

(5) Define need to possess a handgun to the end that it shall include responsible persons who show that their lives have been threatened; or that their dwellings, places of business, or similar places of business or residences in the immediate neighborhood have been victimized by housebreakings, robberies or other acts of violence; or that they have handguns solely for target practice, or that they are bona fide collectors.

We are convinced by the experience in New York City that a strictly enforced licensing law can have a significant impact on the amount of handgun crime. New York's "Sullivan Law," enacted originally in 1911 and amended several times to make it more stringent, is unique in the United States because it requires a license to possess a handgun even in one's home or place of business. No license is necessary for the possession of a shotgun or rifle. New York City administers the Sullivan Law's licensing provisions restrictively with the apparent goal of making private ownership of handguns as uncommon as possible; compliance is made burdensome and pre-licensing investigations are exhaustive. New York police officials told a Senate subcommittee in 1965 that only 17,500 licenses to possess handguns had been issued in a city of more than 8 million people. Although there are certainly many crimes in New York City committed with handguns, the relative number of such crimes is substantially less than in the District of Columbia. While the District of Columbia had a handgun murder rate of 9.1 per 100,000 population in fiscal 1966, New York City had a rate of 1.7; the handgun assault rate was 79.8 in the District and 20.0 in New York City; and the handgun robbery rate was 141.7 in the District and 45.4 in New York City.

The legislation proposed by this Commission is a reasonable compromise among several competing interests. Notwithstanding the arguments often advanced by opponents of any handgun legislation, we believe that such a proposal is fully consistent with judicial interpretation of the Second Amendment of the United States Constitution. The proposed law does not restrain the purchase or possession of rifles or shotguns, which are the firearms used by most sportsmen and other legitimate users. It is designed to deal with the handgun which—easily obtained and concealed—poses the greatest threat to the law-abiding public. Balancing the needs of the community and weighing the evidence concerning the high incidence of violent crime when handguns are available, the Commission has concluded that purchase and possession of handguns should be the exception, not the rule. Possession of handguns should be permitted only where the owner has a demonstrable need—a need which takes into account the nature of a person's business or threats to his life or property, but which must be clearly shown.

As the Report of this Commission reflects throughout, crime in the District of Columbia cannot be dramatically eliminated, or even curtailed, by the adoption of any single legislative proposal or enforcement measure. This is certainly the case with legislation designed to restrict the use of handguns in serious crimes. Legislation on this subject must be followed by energetic law enforcement efforts to detect and prosecute violators. The recommendations of this Commission, if adopted, will help meet one of the most serious enforcement problems in the District of Columbia. A community in pursuit of law and order can ill afford to tolerate the handgun crime which has resulted from imperfect laws and entrenched opposition to change.

SUMMARY OF RECOMMENDATIONS

1. Legislation for the District of Columbia requiring a license to purchase or possess a handgun should be enacted.

2. Federal legislation to further curtail interstate availability of handguns should be enacted.

[Excerpt From Report of the President's Commission on Crime in the District of Columbia]

CHAPTER 10. CONTROL OF FIREARMS

The assassination of President John F. Kennedy with a mail-order rifle offered a grim and tragic illustration of what can result when firearms are easily available to anyone in the United States. The Commission strongly believes that the increasing violence in every section of the Nation compels an effort to control possession and some of the many kinds of firearms that contribute to the violence.

During 1963, 4,760 persons were murdered by firearms. During 1965, 5,600 murders, 34,700 aggravated assaults and the vast majority of the 68,400 armed robberies were committed by means of firearms. All but 10 of the 278 law enforcement officers murdered during the period 1960–65 were killed with firearms. And statistics, of course cannot even indicate the personal tragedy each of these offenses caused.

The issue of firearms control has been debated heatedly throughout the country in the past few years. Many millions of the estimated 50 million privately owned guns in the United States belong to hunters, gun collectors, and other sportsmen. Their representative organizations resist controls over the present easy accessibility of rifles and shotguns. Many other millions of firearms—pistols, revolvers, rifles, and shotguns—are owned by citizens determined to protect their families from criminal attack and their property from loss to burglars. In a nationwide sampling conducted for the Commission by the National Opinion Research Center, 37 percent of the persons interviewed said that they kept firearms in the household to protect themselves. Some citizens who fear assault and robbery in the streets of our cities carry firearms about for self-protection. Many of these firearms owners contend that control over the purchase and possession of firearms conflicts with the need and right to defend themselves, their families, and their property.

Although the Commission believes that controls at all levels of government must be strengthened in order to reduce the probability that potential criminal offenders will acquire firearms, it agrees that the interests of persons desiring such weapons for legitimate purposes must be preserved as much as possible. No system of control, of course, can guarantee that society will be safe from the misuse of firearms, but the Commission is convinced that a strengthened system can make an important contribution to reducing the danger of crime in the United States.

EXISTING FIREARMS CONTROL LAWS

Regulation of firearms in the United States is based upon three Federal laws, various kinds of State legislation, and a large number of local ordinances.

The first of the Federal laws, the National Firearms Act of 1934, applies to machine guns, short-barreled and sawed-off rifles and shotguns, mufflers, and silencers, and concealable firearms—not including pistols. The 1934 act requires that possessors register all of these weapons and devices with the Treasury Department, and it imposes annual taxes on firearms manufacturers, importers, and dealers. Taxes ranging from $5 to $200 are also imposed on the transfer of registered weapons and other equipment.

The Federal Firearms Act of 1938 requires the licensing of all manufacturers and dealers who use the facilities of interstate or foreign commerce. It prohibits the knowing transportation of firearms in interstate commerce to, or receipt by, any person who has been convicted of a felony, or who is a fugitive from justice. The law requires that most kinds of firearms imported into or manufactured in the United States bear serial numbers, and it prohibits the interstate transportation of stolen firearms, or those with mutilated serial numbers. The 1938 law also prohibits the licensed manufacturers and dealers from transporting firearms into States in violation of State laws requiring a permit to purchase firearms.

The third Federal law regulating firearms is the Mutual Security Act of 1954, which authorizes the President to regulate the export and import of firearms. Administration of the act has been delegated to the Department of State.

The Department of Defense, which formerly disposed of its surplus firearms through commercial and other private channels, suspended all such sales several months ago. It is now considering the advisability of destroying surplus or obsolete weapons in the future.

There is a wide diversity in the purpose and scope of State gun control laws:

Twenty-five States require a license to sell handguns at retail, 8 require a permit (or the equivalent) to purchase a handgun, 11 require a waiting period between purchase and delivery of a handgun, 1 requires a license to possess a handgun, 29 require a license to carry a handgun, 19 prohibit the carrying of a concealed handgun, 18 require a license to carry a handgun in a vehicle, 22 prohibit the carrying of a loaded firearm in a vehicle and 4 States require the registration of firearms.

New York State's Sullivan law is the most stringent firearms control regulation in the United States. The laws of several States require that anyone carrying concealable firearms have a license, but the Sullivan law prohibits anyone from keeping a pistol or revolver in his home or place of business without a license. Further, no one may even purchase a pistol or revolver until he has obtained either a license to possess or a license to carry such a weapon. The New York law does not require a license to possess or carry rifles and shotguns, but does state that they cannot be carried in an automobile or a public place when loaded.

In addition to the State laws, there are many county, city, town, and village ordinances that require licenses for the possession or purchase of firearms.

LIMITED EFFECTIVENESS OF PRESENT LAWS

At first glance, the combined regulatory machinery established by these firearms laws may appear to provide sufficient control. This appearance is misleading. A 1966 Federal Bureau of Investigation survey of the chief administrators of police departments in 10 large cities discloses that all but one believe that the easy accessibility of firearms is a serious law enforcement problem.

On the Federal level, the statutes do little to control the retail and mail-order sale of handguns, rifles, and shotguns. The provision of the Federal Firearms Act of 1938 prohibiting Federal licensees from transporting firearms into States in violation of State laws requiring a permit to purchase firearms has an extremely limited effect. Only eight States have enacted permit laws. If there are local ordinances within a State, but no State law, the Federal provision does not apply. The prohibition against transport of firearms to, or receipt by, felons or fugitives applies only to direct interstate shipment and does not prevent such persons from buying firearms locally after they have been transported from another State. Despite the Federal laws, therefore, practically anyone—the convicted criminal, the mental incompetent, or the habitual drunkard—can purchase firearms simply by ordering them in those States that have few controls.

Strict controls by one State or city are nullified when a potential criminal can secure a firearm merely by going into a neighboring jurisdiction with lax controls, or none at all. While information is sparse, there are strong indications that mail-order houses and other out-of-State sources provide a substantial number of guns to those who commit crimes. One study by the Massachusetts State Police showed that 87 percent of concealable firearms used during the commission of crimes in Massachusetts in a recent year were obtained from sources outside the State.

In order to prevent criminal use of firearms, the police must have some way of following weapons into the hands of the ultimate consumer. But only in four States do police agencies have a method of determining who owns firearms and where they are located. The requirement that each person register firearms—a tool available to law enforcement in almost every industrial nation in the world—has been compared with the State control of automobiles and drivers. At a time when there were very few automobiles, registration was not thought necessary. When automobiles became so numerous that they posed a serious physical threat to society, comprehensive registration was felt to be essential.

A final failing in the present system of control is the ease with which extremely low-priced, and therefore widely available, surplus weapons are brought into the United States from foreign countries. At the present time it is estimated that at least 1 million such weapons are reaching the civilian market each year. During the recent hearings of the Senate Subcommittee on Juvenile Delinquency, law enforcement officials testified that foreign imports accounted for a significant percentage of the total number of firearms coming into their possession as a result of having been used in the commission of crimes. The figures ranged from a low of 18 percent in Washington, D.C., to a high of 80 percent in Atlanta, Ga.

The limited statutory framework within which the State Department must operate prevents any effective control over the importation of firearms. If the import in question does not involve machineguns, sawed-off shotguns, or the other weapons covered by the 1934 National Firearms Act, each transaction is approved routinely, as long as the dealer is a bona fide businessman engaged in a bona fide business transaction.

PUBLIC OPINION ABOUT FIREARMS CONTROL

Public opinion on the subject of firearms control has been sampled several times in the last few years by the Gallup Poll. According to the 1966 poll, a substantial majority of persons interviewed—67 percent—said they favored "a law which would require a person to obtain a police permit before he or she could buy a gun." Even though the same question was put to firearms owners, a majority—56 percent—indicated that they favored police permits to purchase guns.

When the question asked by the Gallup Poll was directed to the problem of guns and juveniles: "Which one of these plans would you prefer for the use of guns by juveniles under the age of 18—forbid their use completely or by strict regulations on their use; or continue as present with few regulations?" In response, 27 percent of those questioned and 17 percent of firearms owners said they favored completely forbidding the use of guns by persons under 18; 55 percent of all persons and 59 percent of gun owners said they favored strict regulation; a large percentage of all persons and 22 percent of the gun owners wanted to continue as at present.

When the question of outlawing all handguns except for police use (a question last asked in 1959) 59 percent of these people were in favor and 35 percent were opposed.

CONTROVERSY ABOUT FIREARMS CONTROL

When the majority of the public favors reasonable firearms control, the National Rifle Association and other citizen groups have provided an effective legislative lobby to represent those hunters, gun collectors, and other persons to oppose additional regulation. Many arguments are offered by this opposition.

The most emotional position—one this Commission must reject outright—is that licensing and registration provisions for handguns, rifles, and shotguns would disarm the public and thus render it easy prey for violent criminals, or an invading or subversive enemy. In fact, all proposals for regulation would permit householders and shopkeepers to continue to possess firearms. Licensing and registration for the legitimate firearms owner would merely add a small measure of inconvenience to the presently largely unregulated mail-order and over-the-counter sales of firearms. It is this inconvenience that appears to be the underlying reason for the opposition to more firearms control. Opponents suggest that laws calling for registration would penalize the law-abiding citizen, who would comply—while not touching criminals who would not comply. They thus conclude that such laws do not address themselves to the real problem of firearms misuse.

Those supporting stricter control of firearms agree that many potential criminal offenders will obtain firearms even with additional laws. But they point to the conclusion of the Senate Subcommittee on Juvenile Delinquency, which found that criminals, for the most part, purchase their firearms through the mails or in retail stores, rather than stealing them. One police chief from a large western city told an FBI survey that, after permissive State legislation had preempted local controls, there were "several instances of homicide committed within 30 minutes of the time a short firearm was purchased by a person who would not have been granted a permit to purchase one under the former legislation."

During the first year's operation of a Philadelphia ordinance requiring a permit to obtain a firearm, 73 convicted persons were prohibited from purchasing firearms in the city. Federal Bureau of Investigation statistics demonstrate that a higher proportion of homicides are committed with firearms in those areas where firearms regulations are lax, than in those areas where there are more stringent controls. In Dallas, Tex., and Phoenix, Ariz., firearms regulations are fairly weak. In Dallas in 1963, 72 percent of homicides were committed with firearms; in Phoenix 65.9 percent were committed with firearms. In Chicago, where regulations are more strict, 46.4 percent of the homicides were committed with firearms. In New York City, with the most stringent gun controls of any major city in the United States, only about 25 percent of the homicides are committed with firearms.

Opponents of additional controls contend that firearms are dangerous only if misused and that the appropriate legal remedy is to punish illegal use of firearms—not to hamper ownership. Supporters of control argue that it is not enough to rely on the deterrent effect of punishing the wrongdoer after the act to prevent others from misusing guns. They maintain that firearms should be kept out of the hands of those who intend to use them wrongfully.

Opponents of firearms control legislation also rely upon the Second Amendment's guarantee of "the right to bear arms." The Second Amendment, in its entirety, states: *A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.*

The U.S. Supreme Court and lower Federal courts have consistently interpreted this Amendment only as a prohibition against Federal interference with State militia and not as a guarantee of an individual's right to keep or carry firearms. The argument that the Second Amendment prohibits State or Federal regulation of citizen ownership of firearms has no validity whatsoever.

COMMISSION RECOMMENDATIONS

Since laws, as they now stand, do not accomplish the purposes of firearms control, the Commission believes that all States and the Federal Government should act to strengthen them. Any legislative scheme should maximize the possibility of keeping firearms out of the hands of potential criminal offenders, while at the same time affording citizens ample opportunity to purchase such weapons for legitimate purposes.

It is appropriate to ban absolutely the sale of those weapons no citizen has a justifiable reason for owning.

The Commission recommends:

Federal and State Governments should enact legislation outlawing transportation and private possession of military-type firearms such as bazookas, machine guns, mortars and antitank guns.

In addition, dangerous or potentially dangerous persons should be prohibited from purchasing firearms.

The Commission recommends:

States should enact laws prohibiting certain categories of persons, such as habitual drunkards, drug addicts, mental incompetents, persons with a history of mental disturbance, and persons convicted of certain offenses, from buying, owning, or possessing firearms.

Prevention of crime and apprehension of criminals would be enhanced if each firearm were registered with a governmental jurisdiction. A record of ownership would aid the police in tracing and locating those who have committed or who threaten to commit violent crimes. Law enforcement officers should know where each gun is and who owns it.

The Commission recommends:

Each State should require the registration of all handguns, rifles, and shotguns. If, after 5 years, some States still have not enacted such laws, Congress should pass a Federal firearms registration act applicable to those States.

Government regulation to prevent those with criminal purposes from purchasing firearms cannot be effective as long as mail-order sales and retail sales to persons living outside the seller's State are not controlled. It is essential, also, to reduce and to regulate the importation into the United States of large numbers of cheap firearms. Since sporting weapons such as rifles and shotguns apparently present less danger of criminal use than do handguns, control over the latter should be more stringent. A truly effective system of regulation requires a meshing of State and Federal action.

The Commission recommends:

Each State should require a person to obtain a permit before he can either possess or carry a handgun. Through licensing provisions, Federal law should prohibit mail-order and other interstate sales of handguns and should regulate such sales of rifles and shotguns.

Federal legislation to implement these goals should prohibit the interstate shipment of handguns except between federally licensed importers, manufacturers, and dealers. A Federal licensee should also be prohibited from selling handguns to an individual not living in the State of the seller. The interstate shipment of shotguns and rifles should be delayed a sufficient time for law enforcement authorities in the buyer's hometown to examine his sworn statement concerning age and other factors affecting his eligibility to purchase such a weapon, and the consent of these authorities should be required before the weapon may be shipped. Antique dealers could continue to operate under reasonable regulations. States may also want to prohibit firearms sales to persons under a certain age, such as 18 or 21, or require parental approval for firearms registration in a minor's name.

RECORDATION OF MINING CLAIMS

Mr. JACKSON. Mr. President, I introduce, by request, a bill submitted and recommended by the Secretary of the Interior to provide for the recordation of mining claims.

This is a matter that has long been of interest to the Committee on Interior and Insular Affairs which has jurisdiction over the mining laws of our country. It is especially important at this time to consider the proposed legislation in view of the public interest in the development of our Nation's natural resources.

I ask unanimous consent that the letter of the Secretary of the Interior accompanying the draft legislation be inserted in the Record at this point in my remarks together with the text of the proposed bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1651) to provide for the recordation of mining claims, introduced by Mr. Jackson, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

The letter and bill presented by Mr. Jackson are as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill, "To provide for the recordation of mining claims."

We recommend that the proposed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The United States mining laws, with few exceptions, make no provision for notice to the United States of the location of claims under those laws. Generally speaking, the only records of these claims are those filed and maintained in the county recorders' offices. Unless the claimant files an application for a patent, which he is not required to do, the Federal Government may never know that a mining claim has been located on the public lands. Frequently, mining claims are discovered by the United States after the lands have been included within a Federal program area such as a reclamation project. Occasionally, lands may be sold and patented by the Federal Government without knowledge of a claim to the land based upon the United States mining laws. *Montgomery* v. *Gerlinger*, 146 Cal. App. 650, 304 P. 2d. 93 (1957). In that case, it was necessary for the mining locator to resort to court action to protect his interest in the mining claim.

The mining laws also make no provision for notice to the United States of the assessment work done on the claim. In many instances, Federal and State agencies and private enterprise, interested in utilizing or developing the public lands, are forced to spend large sums of money searching variable county records and, at times, old district mining records for obstructing mining claims, many of which have long since been abandoned or top-filled by subsequent locators. An interest usually is reasserted by the various locators or their successors only when other authorized land use becomes imminent. Costly legal proceedings, either administrative or civil, are required to remove these clouds on public land titles. The recordation of all mining claim title documents would provide a modern uniform source of official Federal records which would provide a major tool in freeing the land from encumbrances to the protection and conservation of our national resources.

For example, we estimate that approximately 6 million mining claims have been recorded since 1872. Only about one-half million of these claims are even semiactive. Many of the other 5½ million claims are, for all practical purposes, abandoned. However, they are clouds on the title of the public lands. Time-consuming and costly legal proceedings are required to clear title. During the past 10 years, the Bureau of Land Management has spent over $700,000 on contests of mining claims situated on lands needed by other agencies, such as the Bureau of Reclamation or the Department of Defense. We estimate that a considerable amount of this expense was for title searches and tracing of missing claimants.

This Department has recently announced a program to promote economic recovery of shale oil and associated minerals from the rich oil shale resources in Colorado, Wyoming, and Utah. Although some parts of the program are still in the formulation stage, the program clearly requires action to clear titles to Federal lands and to determine the validity of oil shale mining claims. Without a clear title, this Department cannot successfully embark on a meaningful program for development of these extensive resources. At the present time, because these claims are not recorded with the Federal Government, we do not know what they are. Information as to owners, their current addresses, or even the exact physical location of the mining claim on the ground, is seldom ascertainable from county recorders' offices.

We believe that enactment of this bill would serve several worthwhile purposes. The recording of mining claims, when combined with the other public land records presently maintained in the Bureau of Land Management, will enable anyone to obtain complete information about the status of any mining claim in one place. A prospector will no longer need to check both the land office records and the county records to determine whether lands are open to prospecting and free from mining claims.

The Government, for the first time, will have an accurate record to use as a basis for determining the rights that are claimed in the public lands and the parties who are asserting those rights.

We strongly believe that the enactment of this proposal would enable us, as the administrator of the mining laws and large areas of the public lands, and the Department of Agriculture, as administrator of the surface resources of public lands in national forests, to manage those lands and resources more effectively and at less cost than is possible under existing law.

Our proposal would require each person who claims, or who may hereafter claim, an interest in an unpatented mining claim to file a declaration with the Secretary of the Interior which includes the name and current mailing address of the claimant, the name of the claim, a description of the claimant's interest therein, and a description of the lands claimed. Declarations pertaining to claims located prior to enactment would be required to be filed within two years after enactment, and declarations relating to locations made after enactment would be required to be filed within 90 days after location of the claim or the acquisition of an interest therein, or 180 days from enactment, whichever is later. Special provision is made for valid, subsisting interests acquired by devise or descent. Declarations with respect to such interests must be filed before the expiration of two years after the death of the decedent or two years after the date of enactment, whichever is later. After the bill is enacted, no new mining claim will be valid until the required declaration is filed. In the case of a mining claim that is in existence when the bill is enacted, a failure to comply with the filing requirements within the time allowed will void the claim.

Our bill requires that the physical site of a mining claim be clearly identified. This requirement would not only be useful to us in the administration of the public lands, but also to private parties seeking to identify lands not already covered by mining claims. Many mining claims now of record in county recorders' offices simply describe claims in terms of corners tied to a blaze on a tree, a rock, etc., and the physical site of the claim may only be ascertained, if at all, by an actual inspection on the ground. Not uncommonly, the physical location of a claim cannot even be identified on the ground because a tree, to which a corner of the claim is tied, no longer exists or the blaze is no longer apparent. On the other hand, the description of the location of the claim in terms of the official surveys, where such exist, fixes a definite location. Recognizing that many locations are made on unsurveyed lands, our bill provides an alternative procedure for identifying the locus of such claims.

Our bill requires that a mining claimant notify the Secretary of the Interior of any change in his current address. This provision will aid materially in the effort to clear title to lands involved in the oil shale development program. An estimated 30,000 to 60,000 oil shale mining claims were located prior to the enactment of the Mineral Leasing Act, which precluded further locations for that mineral. An additional estimated 10,000 claims have recently been located in the oil shale area for other metalliferous minerals. The initiation of contest proceedings is impeded by the inability to locate and serve these claimants.

The bill would not change any of the present provisions of the mining laws relating to discovery, location of claims (except with respect to the notice filing requirement), assessment work, or applications for patent, nor would the bill affect in any way the requirements under applicable State laws, including those relating to recordation.

Our proposal directs the Secretary to give widespread publicity to the requirements of the bill, if enacted.

Both the recording and the publicity requirement follow the precedent of the Act of August 5, 1955 (69 Stat. 534), relating to scrip recordation.

We wish to emphasize that our proposal is an effort to bring the public lands under control and to permit a more effective management of the public lands. The costs of administration of the bill, in our judgment, would be greatly outweighed by savings resulting from elimination of the need for searches of county recorders' offices and contest proceedings against inactive or abandoned claims.

We believe the merits of a recordation requirement can be evaluated on the basis of present information.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

Stewart L. Udall,
Secretary of the Interior.

S. 1651

A bill to provide for the recordation of mining claims

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2324 of the Revised Statutes, as amended (30 U.S.C. 28), is further amended by inserting "(a)" prior to the text of the present section and inserting after the text of the present section the following paragraphs:

"(b) Each person who claims or who may hereafter claim an interest in an unpatented mining claim for which application for patent is not on file with the Secretary of the Interior on the effective date of this subsection shall file with the Secretary of the Interior a 'Declaration of Interest in Mining Claim' setting forth the name and current mailing address of claimant, the name of the claim, a description of the claimant's interest therein, the description of the lands claimed (1) as they are described in the location certificate, and (2) as they can be identified in accordance with the current official plats of survey, and the book and page of the local record of the location certificate, and any amendments thereto. If the mining claim is situated on unsurveyed land, the description of the lands shall (1) describe the situs of the mining claim by metes and bounds and with a connection by course and distance to (A) the nearest public land survey corner or United States mineral monument, or (B) at least two permanent and prominent natural objects or monuments; and (2) be supplemented by such further assistance, description, map, plat, or survey as the Secretary of the Interior may reasonably request in order to identify the land, and the supplemental data shall be filed or provided within ninety days after request by the Secretary therefor or within such longer period as the Secretary may permit after request made by the claimant within said ninety days. Declarations pertaining to claims located prior to the effective date of this subsection shall be filed within two years from said effective date. Declarations pertaining to claims located on or after the effective date of this subsection shall be filed prior to a date which is ninety days from the date of location of the claim or acquisition of a valid subsisting interest therein, or one hundred and eighty days from the effective date of this subsection, whichever is later: *Provided*, That in the case of a valid subsisting interest acquired in any mining claim by devise or descent, such declaration shall be filed prior to a date which is two years from the date of death of the decedent, or two years from the date of this Act, whichever is later.

"(c) Notwithstanding any other provision of law, no location hereafter made under the United States mining laws shall be valid unless the declaration required by subsection (b) of this section shall have been timely filed. A valid location made before the date of this Act shall become null and void if the declaration or supplemental identification data required by subsection (b) of this section are not filed or provided within the time prescribed.

"(d) Reasonable expenditures incurred in surveying and in the preparation of maps or plats or similar identification data in compliance with the requirements of subsection (b) of this section may be credited toward assessment work expenditures for the assessment year in which performed or for the succeeding assessment year.

"(e) A claimant who has filed a declaration as required by subsection (b) of this section shall promptly notify the Secretary of any change in mailing address by filing with the Secretary an amended declaration stating his new address and clearly describing his original declaration.

"(f) Compliance or acceptance of compliance with subsections (b) and (c) of this section shall not relieve the claimant from any obligation prescribed by the mining laws of the United States or of any State."

SEC. 2. Within sixty days after approval of this Act, the Secretary of the Interior shall cause to be published in the Federal Register a notice setting forth the requirements of this Act. Within that period the Secretary shall also cause notices of the requirements of this Act to be published in such newspapers, posted in such public offices, and given publicity by such other means, as he deems feasible and appropriate for the dissemination of information concerning this Act.

SEC. 3. The Secretary of the Interior is authorized to make such rules and regulations as he deems appropriate for the purpose of this Act.

MEMORIAL TO ASTRONAUTS WHO LOSE THEIR LIVES IN LINE OF DUTY IN THE U.S. SPACE PROGRAM—AMENDMENT

AMENDMENT NO. 176

Mr. TOWER. Mr. President, following the tragic death of Astronauts Virgil Grissom, Edward White, and Roger Chaffee at the first of the year, my good friend and distinguished colleague, Senator HOLLAND, introduced Senate Joint Resolution 30, a joint resolution to establish a monument to the memory of these gallant pioneers.

The proposed legislation would actually establish a commission to formulate plans for a memorial to be build at Cape Kennedy. The memorial would be dedicated to the three astronauts who died January 27; as the bill reads: to "any astronauts who have lost their lives or may hereafter lose their lives in line of duty in the United States space program."

The Senator from Florida has expressed the mood of the Senate in his joint resolution. The disaster, which befell these three young men at the prime of their careers and lives, lives on in the forefront of our memories. No word or wish from even this powerful body can reverse the tragic events of January, nor can our sadness even be adequately phrased.

So long as there is a deficit in the sum of human knowledge there will be men such as Scott and Grissom, White, and Chaffee who will risk their lives willingly to discover the answers. To them the discovery process is truly more important than their own safety and existence.

The monument we envision is a tangible tribute to that spirit.

Mr. President, I support Senate Joint Resolution 30, in general, but I am making the following suggestion. I believe the site for the monument should be a matter left up to the discretion of the Astronauts Memorial Commission.

Anticipating that the Senate may agree on the wisdom of this, I submit an amendment to Senate Joint Resolution 30, which would change the language only to the extent of allowing the Commission that privilege.

The PRESIDING OFFICER. The amendment will be received, printed and appropriately referred.

The amendment (No. 176) was referred to the Committee on Aeronautical and Space Sciences.

AMENDMENT TO HIGHER EDUCATION ACT

AMENDMENT NO. 177

Mr. JAVITS. Mr. President, I introduce for myself and my colleague, the Senator from New York [Mr. KENNEDY], an amendment to S. 1126, the Higher Education Amendments of 1967, which is presently pending before the Education Subcommittee of the Committee on Labor and Public Welfare.

This amendment would amend title IV, part A of the Higher Education Act to permit a State to use up to 15 percent of its allotment of educational opportunity grants for granting scholarships under a State program, provided that the scholarships would be granted on the same basis of need as the other opportunity grants provided under title IV. It would also be necessary for the State to evenly match the Federal funds. These scholarships would be in excess of the present State scholarship program.

Thus, without additional cost to the Federal Government, a greater number of needy students would be aided and the States would be encouraged to expand their own scholarship programs. The students to be selected must, in addition to demonstrated ability to pursue a program of higher education successfully, be from families whose size and income level are such as to provide little or no support for a student attending college. This provision would also serve to encourage the States to utilize to the fullest the trained counselors within local school systems for the recruitment of eligible recipients.

This amendment is identical to a provision I sponsored in the last Congress which was included in the Higher Education Act of 1965 as it passed the Senate but which was omitted in conference.

The amendment has the support of educators, including the New York State Department of Education. New York State Education Commissioner James Allen has indicated to me that he believes this amendment "would be highly effective in encouraging the further development of State programs, thus increasing the total impact in this critical area of removing financial hurdles to higher education." As Dr. Allen has pointed out, this is an area which requires a "concerted effort by a Federal-State partnership for effective solution."

The PRESIDING OFFICER. Without objection the amendment will be received, printed, and appropriately referred.

The amendment (No. 177) was referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS

Mr. McINTYRE. Mr. President, I ask unanimous consent that the name of the Senator from Hawaii [Mr. INOUYE] be added as a cosponsor of S. 1619, a bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska [Mr. GRUENING] be added as a cosponsor of the bill, S. 1508, to provide for a comprehensive program for the care and control of alcoholism.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. NELSON], I ask unanimous consent that at its next printing the name of the Senator from Minnesota [Mr. MONDALE] be added as a cosponsor of S. 1282, to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profit-making purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. NELSON], I ask unanimous consent that the name of the Senator from Minnesota [Mr. MONDALE] be added as a cosponsor of S. 1283, to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I ask unanimous consent that at the next printing of S. 1423, introduced by the Senator from Mississippi [Mr. EASTLAND], providing for new legislative authorization on small watersheds of the country, my name be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, I also request that at the next printing of S. 1423 my name be listed as a cosponsor of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. BREWSTER], I ask unanimous consent that, at its next printing, the name of the Senator from Iowa [Mr. MILLER], be added as a cosponsor of the bill, S. 278, to reclassify certain positions in the postal field service, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 286) to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MONRONEY:

Statement by him relating to observance of Soil Stewardship Week, April 30 through May 6, 1967.

HEALTHY LIVESTOCK INDUSTRY MEANS HEALTHY AGRICULTURE

Mr. HRUSKA. Mr. President, during recent discussions in the Senate concerning the problems of the livestock industry and the harmful effects of massive imports on the domestic market, attention has been called to the critical role livestock plays in maintaining a healthy agricultural economy. In turn, of course, a sound farm economy contributes significantly to America's overall economic condition.

The importance of livestock production and particularly cattle feeding has been highlighted in a splendid series of speeches given by Dr. Frank H. Baker, chairman of the University of Nebraska's Department of Animal Science, at annual Feeders Day programs in Wisner, Beatrice, Broken Bow, and Scottsbluff, Nebr.

Dr. Baker illustrates the rapid increase of cattle feeding in Nebraska and holds high optimism for additional growth in the future, not only for the livestock industry itself, but for the production of feed grains as well.

According to his projections, the production of feed grain in the State could be increased by an additional 6 million tons annually and the number of cattle fed could be increased by 4 million, yielding an additional $1 billion in cash agricultural receipts for the State.

As Dr. Baker points out:

> History shows that livestock has long been a major source of agricultural cash receipts in the state. During the quarter century from 1925 to 1950, livestock receipts constituted about two-thirds or more of the cash agriculture receipts for the state. These data compare favorably with the 71.7 percent of cash receipts from livestock contributed in 1965.

During his remarks, Dr. Baker spoke of the importance of the cattle feeding industry to the Main Streets of Nebraska. His remarks would have equal applicability to any of the other 33 States which have a million or more head of cattle.

He calculates that each dollar's worth of feed used in cattle feeding last year yielded a gross return of $1.97. Four million additional cattle fed in Nebraska would produce an additional billion dollars of cash agricultural receipts. To figure what this would mean to the "Main Street" economy, some economists use a multiplier factor of $5 to $7. Regardless of what exact factor is used, Dr. Baker observes:

> Suffice it to say that the current economy of the state is strongly dependent on agriculture and its livestock segment. Thus, a doubling of the cash receipts from livestock would have a profound effect on the economy.

Mr. President, I ask unanimous consent to have printed in the RECORD an outline of Dr. Baker's remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE POTENTIAL OF NEBRASKA'S CATTLE FEEDING INDUSTRY

(By Frank H. Baker)

Livestock enterprises provide a means for Nebraskans to utilize grass and grain in meat production. History shows that livestock have long been a major source of agricultural cash receipts in the state. During the quarter century from 1925 to 1950, livestock receipts constituted about two-thirds or more of the cash agricultural receipts for the state. These data compare favorably to the 71.7% of cash receipts from livestock contributed in 1965 (Table 1).

TABLE 1.—*Percent of cash receipts from livestock receipts*

1926–30	73.6
1931–35	75.1
1936–40	69.3
1941–45	66.2
1946–50	64.8
1965	71.7

The cash receipts from the beef enterprise in 1965 represented 49.5% of the total agricultural cash receipts with the other livestock commodities accounting for an additional 22.2% to form the total of 71.7%. Growth in cash receipts from agriculture has paralleled growth in the cattle feeding enterprise during the recent past. (Table 2) The numbers of cattle placed on feed in Nebraska since 1959 have doubled and the cash receipts from livestock have risen to almost a billion dollars. Perhaps the 1966 receipts reached the billion dollar mark.

TABLE 2.—*Comparison of growth livestock cash receipts and placements of cattle on feed*

	Livestock cash receipts	Cattle placed on feed
	Millions	*Thousands*
1959	$822	1,401
1960	767	1,468
1961	798	1,850
1962	834	1,875
1963	843	2,172
1964	882	2,441
1965	972	2,638
1966	(1)	2,862

(1) Will it be a billion?

A cattle feeding enterprise also requires that cattle be available or can be easily procured. Cattle fed in Nebraska originate from both in the state and outside the state. The number of calves produced and the number of stocker and feeder cattle shipped into the state during the early 60's are shown in Table 3. A comparison of these totals with the number of cattle placed on feed (Table 2) in the same years shows that more cattle are available than are being fed. In fact both cattle and feed grain are being shipped out of state.

TABLE 3.—*Cattle available for feeding in Nebraska*

[In thousands]

	In-shipments of stockers and feeders	Calves produced
1961	1,204	1,714
1962	1,330	1,746
1963	1,370	1,802
1964	1,272	1,[illegible]

Sixty-five to seventy-five percent of the cost of a beef cattle feeding enterprise is for fed grain. Thus, in considering long range potential for the feeding industry one must consider availability of feed grain. Here at the end of Nebraska's first century it is appropriate to consider how our land and water has been used in feed grain production. The average yields of corn and sorghum for the state (Table 4) show that during 90 years of vigorous tillage we barely maintained the output of our land at its original level. Then, suddenly during the past decade new technology provided the basis for yields leading up to the 1966 record production of feed grains.

TABLE 4.—*Crop yields*

[Bushels per acre]

	Corn	Sorghum
1866–75	30.9	------
1916–25	25.9	16.7
1945–54	30.3	20.3
1965	70.0	54.5
1966	79.0	70.0

The overall production of feed grains has more than doubled in our state during the past 3½ decades (Table 5).

TABLE 5.—*Average annual feed grain production*

[In millions of tons]

1930–40	4.7
1940–50	7.3
1950–60	7.4
1961–63	10.9
1966	13.3

Past growth in feed grain production has been closely related to growth in irrigation in the state. The number of irrigated acres has doubled during the past ten years (Table 6). These data refer to the acres to which water was actually applied.

TABLE 6.—*Irrigated acres*

1945	873,960
1954	1,365,000
1963	2,687,000
1964	2,780,000
1965	2,914,000

Some additional acres could have been irrigated but crop rotations or rainfall patterns for that year eliminated the need. Irrigation experts have informed me that we can irrigate an additional 3 million acres without depleting or "mining" our water resources. If we use the state yields of feed grains per acre for 1965–66 as the yield for new irrigated acres and consider that all these new irrigated acres might be planted in feed grains, we can project that an additional 6 million tons of feed grains could be produced in Nebraska.

People sometimes ask the question "How big will Nebraska's cattle feeding industry become?" I am quick to admit that my crystal ball does not include this answer. However, if one accepts that an additional 6 million tons of feed grain could be produced as suggested for new irrigated acres, one can project the growth potential for the cattle feeding industry. Most feeders produce 400 pounds of gain on a steer in their operation. Average feed efficiency figures indicate 750 pounds of grain are needed per 100 pounds of gain on cattle. Thus 1½ tons of feed grain is needed to finish a steer. Six million additional tons of feed grain would provide feed for finishing 4 million additional cattle in the state. Currently Nebraska is the second ranking state to Iowa in numbers of cattle fed. Iowa is marketing about 800,000 more cattle annually than Nebraska, but the rate of increase in recent years has been more rapid for Nebraska than for Iowa.

The importance of the cattle feeding industry to the "main streets of Nebraska" is illustrated by the fact that each dollar's worth of feed used in the enterprise in 1966 yielded a gross return of $1.97. For the future, assuming ample demand for beef, 4,000,000 additional cattle fed in Nebraska would produce an additional billion dollars of cash agricultural receipts for the state. The overall effect of this cattle feeding industry on Nebraska's economy requires the use of appropriate "multipliers" to estimate the business generated by each new dollar. Some economists use multipliers of $5 to $7 and others suggest smaller ones. Regardless of what exact multiplier should be used it suffices to say that the current economy of the state is strongly dependent on agriculture and its livestock segment. Thus, a doubling of the cash receipts from livestock would have a profound effect on the overall economy.

People are an important dimension of Nebraska's livestock industry. Our Animal Science Department works in developing people as well as in developing technology. There are several overall objectives in our work of 4 basic groups of clientele. These objectives are:

PRODUCERS

1. To assist producers to utilize meat animal technology to maximize income opportunities.

2. To assist producers to assume the responsibility for providing a dependable wholesome supply of meat to the American public at a reasonable price.

YOUTH

1. To assist youth to develop an understanding of scientific principles of meat production, meat utilization and meat quality.

2. To assist youth, both urban and rural, to develop an appreciation and interest for animal agriculture with emphasis on career opportunities.

INDUSTRY

1. To assist in promoting understanding and good will between agriculture's off-farm segments and the producers to facilitate reflection of price and quality information back to the farm.

2. To assist in promoting cooperation within the agricultural industry and in promoting both understanding and good will between this industry and consumers.

CONSUMERS

1. To assist consumers in the development of an understanding of meat quality standards and grades and their value in the wise purchase of meats.

2. To assist consumers in development of an appreciation for the contribution of animal agriculture in providing a nutritious diet and a high standard of living to the American public.

In guiding the Animal Science Department in pursuit of these objectives, I submit the following facts about the Department:

1. The Department is moving. The staff is vigorous, ambitious and anxious to assist all of our clientele in achieving new income, satisfactions, or services in animal agriculture.

2. The Department is going where the action is. We are seeking to gear the research and education programs to the problems and needs of Nebraska's people. We are not seeking seclusion of an ivory tower.

3. The Department is going to pay its way by developing new technology and new people for contributions to the industry. For example, given a demand situation in which the products will sell at average prices of the recent past the following facts are true in Nebraska:

a. One percent increase in calf crop produces two million dollars of income.

b. One percent increase in feed efficiency in cattle feeding increases net income by two and one-half million dollars.

c. Five pounds of additional weight on feeder calves at weaning time equals two million dollars.

d. One additional pig per litter yields four and one-half million dollars.

e. One percent increase in feed efficiency of swine increases net income by two million dollars.

f. Disease problems can be reduced in livestock production to reduce losses by five million dollars.

4. The Animal Science Department will move as fast as you want it to move. Our activity is governed by the physical and monetary resources available to us. You control these resources as you are the taxpayers of the state. You can channel your assistances to us in 3 ways.

a. Through legislative channels.

b. Through organizations of which you are a member and companies of which you patronize.

c. Through direct financial assistance via the University Foundation.

Nebraska's era of today, tomorrow, and the second century is indeed an interesting and exciting one for animal agriculture. This animal agriculture can contribute even more to Nebraska's greatness in the second century than it did in the first century. The capability of Nebraska's people, the fertility of its land, and the availability of its water are among its strengths that point toward the achievement of greatness during the second century.

VIETNAM

Mr. McINTYRE. Mr. President, I have read, with great respect and admiration, the remarks of some of my distinguished colleagues on the floor of the Senate Tuesday. Their expressions of viewpoint regarding the Nation's policies in South Vietnam were forthright and courageous. And I uphold their right, as Americans, to express dissatisfaction with the policies of the administration.

Nevertheless, I am troubled by the implication in some of the remarks that General Westmoreland's appearance in this country at this time is an attempt to stifle the expression of dissent.

For if it is true that the voice of the opposition is not to be stilled in this Nation, then—certainly—neither should the voice of support be silenced. There is value, no doubt, in speaking of the moral, spiritual, and political aspects of the conflict in South Vietnam. But should we not also listen to the voice of the one man who knows more about the hard facts of the military situation—more about the political implications and consequences of military policy—than any other?

General Westmoreland's knowledge of what is going on throughout southeast Asia has not been gained by a brief visit. His knowledge is the sum total of hour-by-hour, day-to-day, month-to-month living with what is going on there. Better than any one else, he knows the effect the past and recent peace demonstrations in this country have had on the magnificent fighting men he commands. But even more important, through contact with enemy defectors, he knows now they have influenced the thinking of North Vietnamese leaders in Hanoi.

It is fitting and proper that General Westmoreland give the Nation the benefit of this knowledge—that he give it firsthand. It is better that the Members of Congress get it that same way. To imply that there is an ulterior motive in his coming to the country now—either on the part of the administration or on the part of the general, himself—is an affront to his integrity.

I notice, also, a tendency on the part of many Senators to refer to statements made by administration and military leaders in 1964 and 1965—statements regarding the military or political situations in Vietnam at that time. There is the obvious attempt, in doing this, to discredit the administration. The differences between what was said then—and what is happening now—is held to prove a credibility gap. The assumption—not always just, not always credible—is that our policies and our actions alone, have caused these differences.

This is a world of political and military pragmatism. In Vietnam, we have been faced with the thrust of military infiltration by the enemy. Without effective military commitment and action by the United States, our policy of containment would be doomed. Hence, while the moral and spiritual considerations may be worth while as a matter of debate, we cannot allow them to supplant the present military realities.

The one man who knows more than any other about these realities is General Westmoreland. He knows what they mean to us as a Nation now. He knows what they will mean to us as a Nation in the near future. He will speak to us on Friday. Let us listen to him with open minds.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar, beginning with Calendar No. 144.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs:

Manuel F. L. Guerrero, of Guam, to be Governor of Guam.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar, beginning with Calendar No. 144.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

The legislative clerk read the nomination of John Joseph Gunther, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

The legislative clerk read the nomination of William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, pursuant to the unanimous-consent agreement obtained by the majority leader, I now wish to utilize the time provided through the gracious courtesy of the Senator from Hawaii [Mr. FONG]. We have agreed that I shall use his time.

The PRESIDING OFFICER. The Senator from New York is recognized.

THE NEAR EAST: AVOID ANOTHER VIETNAM

Mr. JAVITS. Mr. President, I address the Senate today on the very important subject of a cloud in the sky which could become a threatening storm and become another Vietnam. That cloud is the Near East.

Several months ago, I tried to interest the Department of State in taking some bold and affirmative actions with respect to the Near East. It seemed to me then that the quickening pace of armed clashes in that area and the impending British withdrawal from Aden made it incumbent on our Government to take steps before the situation got out of hand. Since then, Israel and Syria have had some serious confrontations and Aden is becoming engulfed by terrorism.

A week ago, the new Assistant Secretary of State for Near Eastern and South Asian Affairs, Lucius Battle, called the Near Eastern situation highly explosive. I hope the Department of State now agrees with this estimate. But what exactly do we intend to do about it? What concrete policy proposals do we want to implement? How much longer do we think the "quiet diplomacy" approach can work?

I ask these questions not only because I am concerned about peace in the Near East, but because the alternative to peace seems to be ever-deepening U.S. involvement. With France having adopted a hands-off attitude and with the British pulling up their bases of military operations, and with the U.N. doing about all it can to hold its own in truce operations on the Israel-Arab borders, only the United States remains as a prime deterrent to the war, and in case deterrence fails only the United States remains actively to intervene if it wishes to hold aggression there. We found ourselves in just that spot in Lebanon in 1958.

The parallel with Vietnam should not be taken lightly. At first, we supported the interests of our allies there. Then, our allies gradually loosened and finally cut their responsibilities. In the end, we were left with the bag. Unless we make a concerted effort to seek out new approaches and internationalize the responsibility, we may find that we have become the policeman in the Near East as well as the Far East.

In my view, the Senate should take the lead in galvanizing attention among the American people and within the administration about this problem. Specifically, I urge the Senate Foreign Relations Committee to undertake intensive executive and then public hearings on U.S. policy in the Near East. Vietnam and unrest in NATO have been diverting the attention of our decisionmakers just at the time when something can be done to stave off a grave crisis in the Near East. By the time they turn their eyes back again, the fire may well be burning.

The Senate spotlight did serve to bring about movement in our policy toward mainland China and to surface problems connected with Vietnam. Those people in the administration who wanted movement in our China policy would not have succeeded without the public educational efforts of the Senate and the pressure which developed from hearings. On Vietnam, the hearings did serve to make the administration think in public and justify its means and objectives. The Senate can and should play this role again with respect to the Near East.

I would suggest that the Senate Foreign Relations Committee look carefully at five key issues:

First. The strategic and political implications of the United Kingdom withdrawal from Aden.

Second. The possibility of the United States, the United Kingdom, and France reaffirming their commitments under the Tripartite Guarantee Pact of 1950 to keep the peace and maintain existing territorial boundaries.

Third. Proposals to the Soviet Union to deescalate the arms race in the Near East.

Fourth. The future role of the U.N. in Near East peacekeeping operations.

Fifth. What is, in effect, aid to the terrorist Palestine Liberation Organization through UNRWA aid to Arab refugees. The United States is now the heaviest contributor to this U.N. operation.

Aden is a particularly vital area for the West, and the implications of the impending British withdrawal from that base must be carefully considered. Aden is in a highly strategic location on the principal East-West trade routes, standing at the gateway to the rich oil lands of the Arabian Peninsula and the Persian Gulf and forming the southern flank of the Arab Near East. In addition, Aden faces east Africa, which is in the midst of strife between Somalia and Ethiopia, and torn by civil war in French Somaliland.

Aden is also a vital factor in regard to peace in Yemen. Yemen has been a battlefield for the United Arab Republic and Saudi Arabia ever since September of 1962. Today, about 40,000 Egyptian soldiers, using Soviet-made jets and reportedly even using gas, are engaged in that country. In its March 16 report, the Special Study Mission to the Near East of the House Committee on Foreign Affairs, observed that—

> A major factor to a Yemen settlement today is for some solution to the Aden problem.

Secretary Battle agreed with this view in his testimony early this month before the Senate Foreign Relations Committee.

If the United Arab Republic is allowed to take over in both Yemen and South Arabia, two serious consequences could follow. First, it could lead to a direct and all-out clash between the United Arab Republic and Saudia Arabia. Second, it could well mean the end of the newborn South Arabia Federation of which Aden will be a part. The Egyptian influence in the Aden disturbances, manifested through the Front for the Liberation of Occupied South Yemen —FLOSY—is strong. It is feared by many that the United Arab Republic would move into Aden and South Arabia once the British have evacuated, filling the political vacuum and providing another potential confrontation with Saudi Arabia. As the House Near East Study Mission put it:

> It will depend on the actions of the two rival powers; namely, Egypt and Saudia Arabia as to whether the (South Arabia) Federation will survive independence.

The House group went on to say that—

> Because of the unsettled condition which would be aggravated by the departure of the British from Aden, it would be desirable for the British to remain there—not indefinitely—but for a period beyond the present deadline.

The London Times in a March 13 editorial supported this view by warning against Britain's repeating the errors of 1948. At that time, premature British withdrawal from the Near East and Palestine in particular, led to an invasion of Palestine by its Arab neighbors, and bloody war between Arab and Jew.

Whether or not some interim solution can be worked out with regard to Aden, some combined Western presence is still needed to keep the stability of the Near East. A reaffirmation of the Tripartite Guarantee Pact of 1950 could fit this bill. While this pact has since, to greater and lesser degrees, been duly noted and reaffirmed by the United States, the United Kingdom, and France, many nations in the Near East region have come to believe that the Western powers would no longer act in concert in event of crisis. It is important to disabuse them of this idea. If the tripartite method, for certain reasons, cannot be reaffirmed, we should seek some Western guarantee alternative—perhaps through NATO.

The arms race in the Near East, initiated and sustained by heavy arms shipments by the Soviet Union, is the fire that makes the kettle boil in that area. Some understanding must be reached with the Soviet Union on deescalation. This arms race not only involves the dispute between the Arab states and Israel but also the many disputes among the Arab states themselves, including those between Western-oriented states, such as Saudi Arabia and Jordan, and Soviet-bloc oriented states such as the United Arab Republic and Syria. If allowed to continue unchecked such disputes could set the stage for another United States-U.S.S.R. confrontation.

I therefore urge that—privately or publicly—we invite the Soviet Union to seek with us a mutual means of imposing an embargo on arms and materials of war to the Near East.

The role of the U.N. in the Near East must also come under careful scrutiny. U.N. peacekeeping operations have not met with great success lately, either on the Syrian-Israeli frontier or in Aden, although the United Arab Republic seems content to allow the U.N to work in the Gaza strip for the moment.

Early this month the three-man U.N. mission to Aden departed from Aden in consternation after 5 days of a planned three-week visit. If the U.N. is to help keep the fragile Near East in peace, the member nations of the U.N. must take a more active and unbiased interest. Up to now, the U.N. members have treated the Near East as a political football, many nations finding the U.N. forum a convenient way of expressing friendship toward the Arab countries without a consideration of all the grievances and interests involved and without a clear notion of the frightful war which could break out at anytime.

The onesidedness of the perspective from the U.N. on the Near East can be clearly seen in regard to the connection between the UNRWA and the Palestine Liberation army. The PLA is one of the major terrorist groups in the Near East. It not only attacks Israel, but is now concentrating on destroying the Government of Jordan. Its leaders boast of receiving modern weapons and training from Communist China and of sending troops to Vietnam to "fight alongside the Vietcong in their struggle against the American imperialism."

And what are we doing about all this? Our own Government, despite some verbal opposition, is allowing the UNRWA to give food rations to the Palestine Liberation Organization which, in turn, uses these rations to recruit trainees to the PLA banner. This is nothing short of an outrage.

A realistic bolstering up of U.S. policy in the Near East has long been overdue. Unless we act on all fronts—with our allies, with the Soviet Union, and through the U.N.—in the near future, we may have to pay a heavy price. Unless our diplomacy becomes more active now, we may well find ourselves holding the military bag all over again—this time in the Near East.

Since debate and discussion on this issue could be so important in establishing guidelines for U.S. policy in the Near East, it may well be that a resolution would be needed to supply the proper framework for Senate consideration. I am actively engaged in fashioning a draft of such a resolution and will work with as many of my colleagues as are interested in producing one that will lead to meaningful debate.

I hope interest will be somewhat stimulated by this speech so that it will lead to a policy of the United States being established and it will take diplomatic initiative at this time, which could very well prevent another Vietnam.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the distinguished Senator from Iowa.

Mr. HICKENLOOPER. The Senator from New York has rendered a service in bringing this issue to the forefront at this time. In fact, I think it could well have been brought to the forefront a long time ago.

I may not agree with all aspects of the speech, but I am in agreement on a great many aspects of the matter. One statement and premise with which I do agree is that our policy in the Middle East has been one of confusion, uncertainty, and, too often, a policy of surrender to bluff and bluster.

I have long been concerned about the ease with which President Nasser can bluff the United States into giving him aid and food for his people while he is condemning us, criticizing us, spewing out invective against the United States over the radio and controlled press——

Mr. JAVITS. And, may I say to the Senator, waging war in Yemen, notwithstanding our desire to have peace there.

Mr. HICKENLOOPER. I know something about the Yemen situation. I happened to be over there a short time before we made what I thought was a mistake in recognizing Yemen after Nasser had invaded it. I think that if there ever was an occasion when aggression was indicated in that area, it certainly was established when Nasser sent his troops there to take over the Yemen. That is what he did. But at the time recognition was given to the so-called republican regime in the Yemen, Nasser agreed he would get his troops out of there within a short time if recognition were extended. As I recall, he had about 30,000 troops in the Yemen at that time. Instead of getting his troops out of there, he kept increasing them and increasing them until he got somewhere between 60,000 and 80,000 troops in the Yemen. Still he could not prevail against the very tough hill tribesmen who were resisting.

He did not keep his word. Nevertheless, we kept on feeding him, kept on putting in there about 40 percent or more of the food the Egyptian people were to eat. We donated to them, and kept donating to them, in spite of the open hostilities and the open attack, not military, but open verbal attack and political attack, which Nasser made on the United States.

That is not the only case. Movements are going into Aden and into Saudi Arabia at this time.

I have long thought we had mishandled the refugee problem in the Middle East, but that is another story. I was not here at the start of the able Senator's speech. I do not know whether he touched on it.

Mr. JAVITS. I did.

Mr. HICKENLOOPER. I think we mishandled that. We should long have been rid of the refugee problem. I blame Israel to some degree and Egypt to some degree. I think we should long ago have settled that problem when it first arose, rather than let it accumulate.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. HICKENLOOPER. I beg the Senator's pardon. I did not know I was using up his time.

Mr. JAVITS. Mr. President, could we have 2 more minutes, with the permission of the Senator from Hawaii [Mr. FONG]?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HICKENLOOPER. I thought the

Senator had unlimited time. I was quite neglectful of his own interests.

Mr. JAVITS. That is all right.

Mr. HICKENLOOPER. But at a later time we will continue this discussion.

Mr. JAVITS. In the first place, let me say that I could not have a stronger ally in the Senate. Second, I know how the Senator feels about the Palestine-Arab refugees. I felt it would have been best to take action therein. The real trouble stems from their deceiving their people by telling them, "We will get back in, and get the Jews out, too." Israel has been extremely anxious to work out some settlement, even including major payments, whereas the Arab States have pursued a policy of their being held as hostages to bolster their intransigence and undeclared war.

Mr. HICKENLOOPER. I think there is some persuasive argument on that side. On the other side, I am not sure what they told their people.

Mr. JAVITS. Finally, I wish to say that I do not want the United States to have to get into the Middle East. Neither does anyone else. I really do not want us to get into that situation. The whole purpose of my speech has been—and I hope the Senator from Iowa, who is a very senior member of the Committee on Foreign Relations, will be able to help—to get the Foreign Relations Committee to put the State Department's feet to the fire, as it were, and take the diplomatic initiative so that the situation will not embroil us in a war in the Near East.

Mr. HICKENLOOPER. On a collateral matter, which may not be so collateral, I do not think the way in which we are handling our affairs in Africa vis-a-vis Rhodesia and South Africa, is quite helpful. The direction in which we are being led has little basis. We are letting not only Britain but the United Nations lead us around by the nose to take action which is not in the interest of this Nation, and not even in the interest of the people there.

Mr. JAVITS. I hope that we will succeed in having some effort made in the direction embodied in my speech, and I hope that the Senator from Iowa will be of help in getting the State Department to take action in this regard.

Mr. PERCY. Mr. President, I commend the senior Senator from New York for his brilliant speech outlining the dangers inherent to the United States in the deteriorating Near East situation. A week ago, on the floor of the Senate, I spoke in some detail on some aspects of this critical situation.

If the United States does not act quickly to convince our Western allies of their responsibility in the area, to encourage United Nations peacekeeping efforts, and to negotiate deescalation of the arms race there, the prospects for the future will be very grim.

The senior Senator from New York has made a keen appraisal of the Near East situation. I hope that the President will read his analysis very carefully, and will act upon it.

Mr. CASE. Mr. President, the senior Senator from New York [Mr. JAVITS] has made another of his notable contributions to recognition of the problems facing this Nation. We have come to rely upon his judgment, his knowledge, and his experience, particularly in matters relating to the Near East.

I join the Senators from Iowa [Mr. HICKENLOOPER] and Illinois [Mr. PERCY] in expressing my appreciation to the Senator from New York, and I join with them in expressing the determination that this country must deal with this problem and not avoid it any longer. I agree fully with the Senator from New York and other Senators that this is a highly explosive situation in the Near East, and we can no longer pretend that it does not exist.

I hope that the suggestion of the Senator from New York that there be prompt and thorough hearings will be followed, and I shall cooperate fully to that end.

PROPOSED JOINT COMMITTEE ON OVERSEAS INSULAR AREAS UNDER U.S. ADMINISTRATION

Mr. FONG. Mr. President, I submit for proper reference, a concurrent resolution to establish a bipartisan Joint Committee of the Congress on Overseas Insular Areas under U.S. administration. The committee's mission would be to make a full and complete study and investigation of the relationship, present and future, of such areas with the United States, and to report to the Congress its findings and recommendations.

The political status of the overseas holdings of the United States presents one of the most difficult and important problems for this country. The central issue is the devising of ways by which the aspirations for more self-government by the peoples of our island territories and dependencies can be fulfilled without impairing or imperiling the authority of the Federal Government to carry out its essential responsibilities in terms of national defense and the promotion of the commonweal.

Various ideas and measures for meeting this problem have been advanced, but the approach has been on a piecemeal and makeshift basis. No comprehensive study resulting in an orderly, long-range approach to policies covering all our island territories has ever been undertaken by the Congress. My proposal is intended to achieve this objective through the establishment of a bibartisan committee of 12 Members of Congress, six from each House.

The United States now administers hundreds of islands, large and small, in the Pacific and the Atlantic. Some are situated close to the continental United States; others are thousands of miles distant. Their geographic location stretches from the Caribbean to the western Pacific. Only a relatively few islands, like Guam and American Samoa in the Pacific, and Puerto Rico and the Virgin Islands in the Caribbean, are known to most Americans. Strategic island areas under U.S. administration include the Ryukyu Islands—Okinawa—and the Trust Territory of the Pacific Islands—Micronesia.

The problem of moving to self-government poses difficulties because of the diverse status of the various islands and island groups. The government of American territories may be categorized in the following four groups:

First. Incorporated territories, which may be referred to as "Territories"—with a capital "T"; second, unincorporated but organized territories—with a small "t"; third, unincorporated and unorganized territories, or possessions; and, fourth, the Commonwealth of Puerto Rico.

In addition, two island groups fall into special categories: First, the Trust Territory of the Pacific Islands, which the United States administers under a trusteeship agreement with the United Nations Security Council; and, second, the Ryukyu Islands, which the United States administers by treaty with Japan.

An incorporated territory is recognized as a part of the United States of America; in other words, Congress has incorporated it into the body politic of the Nation by making the Constitution expressly applicable to it.

The granting of statehood to Hawaii and Alaska removed the last two incorporated territories. No other capital "T" territory remains under the American flag.

The little "t" unincorporated territory, on the other hand, is one which belongs to the United States but is not part of it. Unlike an incorporated territory, it is not regarded as an embryo State passing through the territorial stage. Guam and the Virgin Islands come into this category of unincorporated but "organized" territory. Both can be referred to as "possessions."

The Guamanians, who have been citizens of the United States since the approval of the organic act in August 1950, vote only in local elections. Most of the Virgin Islanders have been citizens of the United States since 1927—others were covered by legislation enacted in 1932. They, too, vote only in local elections.

Guam and the Virgin Islands have unicameral legislatures. Legislation pending in Congress would, if enacted, provide for Governors of the two territories to be popularly elected rather than being appointed by the President.

American Samoa is in the category of an unincorporated and unorganized territory, or possession. Most of the Samoans are "nationals," rather than citizens, of the United States. As nationals living in an unincorporated territory, they do not come under the protection or benefits of all provisions of the Constitution. The Governor is appointed by the Secretary of the Interior. American Samoa has a bicameral legislature with authority to pass legislation within certain limitations.

The Interior Department has general supervision over Guam, the Virgin Islands, and American Samoa.

The distinction among the categories of territories is important because the degree of constitutional rights and responsibilities accorded insular residents is largely determined by the political status of the territory involved. The U.S. Supreme Court has ruled as early as 1901 that Congress has the authority to determine which territories were to be designated as incorporated and which were not.

A territory, once incorporated, enjoys a superior status. The Supreme Court has ruled that all provisions of the Constitution—the "formal" and "procedural" as well as the "fundamental"—were to apply to incorporated territories but only the fundamental parts of the Constitution would apply to unincorporated territories.

Unfortunately, no listing of which parts of the Constitution are considered fundamental and which are procedural has been made by either the Court or Congress. As a result, it has been left to either one or the other to make such distinctions only as laws are enacted or cases decided under them. For example, it has been held that the provisions of the Constitution relative to jury trials do not necessarily apply to unincorporated territories, as such provisions are not considered "fundamental."

The Commonwealth of Puerto Rico is unique among America's island holdings. An unincorporated territory, it became an "associated state, or commonwealth" in 1952. All officials and officers are locally elected. The people elect a bicameral legislature. They are American citizens, vote in local elections, and elect a nonvoting Resident Commissioner to the United States.

In accordance with a recommendation of a United States-Puerto Rico Commission on the Status of Puerto Rico, a plebiscite is scheduled to be held on July 23, 1967, to give the people of Puerto Rico an opportunity to vote on three alternatives: continuation of the commonwealth status, statehood, or independence. The expression of the Puerto Rican people will be of great interest to the proposed committee in its study of the future relationship of Puerto Rico with the United States.

The status of the Pacific Trust Territory is also unique. After World War II, the former Japanese mandated islands were placed under American administration by trusteeship agreement with the United Nations Security Council—the only area with such status under the American flag.

The Micronesian residents are citizens of the trust territory, not American citizens, nor nationals, as are the American Samoans. A High Commissioner appointed by the Secretary of the Interior, serves as the administering authority of the trust territory. A bicameral legislature, known as the Congress of Micronesia, is composed of popularly elected representatives of the people.

U.S. obligation, as spelled out in the Trusteeship Agreement:

> To foster the development of such political institutions as are suited to the Trust Territory and shall promote the development of the inhabitants of the Trust Territory towards self-government or independence as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely-expressed wishes of the peoples concerned.

Thus, the Micronesians are assured the right of self-determination as to their future status.

Unlike the Puerto Rican situation, no timetable or machinery has been formally announced as to a plebiscite for ascertaining "the freely expressed wishes of the peoples concerned" in the trust territory.

The Ryukyu Islands present still another "status problem." Like the trust territory, the Ryukyus were wrested from Japan in the last World War. The United States is the administering authority of the Ryukyus by virtue of the 1951 peace treaty with Japan. Japan, however, claims residual sovereignty of her prewar prefecture. At present, a military High Commissioner administers the islands for the United States. The native Ryukyu government is composed of a locally elected legislature, whose members selected a Chief Executive.

From the previous discussion, it can be seen that this country has a multiplicity of relationships with her insular holdings, each with its own distinctive status. The task for Congress is to examine closely these diverse relationships so that it can ascertain the political aspirations of the people of each insular area. By such investigation, Congress would be better prepared to discuss and consider, in a realistic and timely manner, the status problems affecting these island areas. The bipartisan joint committee which I propose would be a most valuable means in undertaking this task.

My present proposal is an outgrowth and an enlargement of an earlier one I initiated in the last Congress. On August 18, 1965, I introduced a concurrent resolution (S. Con. Res. 50) to express "the sense of the Congress that the Trust Territory of the Pacific Islands should be included in the State of Hawaii if the people of such State and such trust territory are in favor of such inclusion, and that first, the State of Hawaii should consider including such trust territory as a part of such State, determine the will of the people of such State with respect to such inclusion, and report the results of such consideration and determination to the Congress; and second, the Secretary of the Interior should report to the Congress his recommendations with respect to such inclusion and the best means to determine the will of the people of such territory with respect to such inclusion."

This proposal stirred widespread reaction and comment not only in the trust territory and my home State of Hawaii but also among Americans elsewhere who expressed a concern for the well-being of dependent peoples under American administration. Although the resolution I offered in 1965 related only to the trust territory, it brought to the surface the larger question of our relationships with other island areas like Guam, American Samoa, the Virgin Islands, Puerto Rico, and the Ryukyu Islands.

I am gratified by the response because it generated the dialog so essential in developing this country's policies and programs vis-a-vis the island territories. It raised some basic questions and invited the observations of knowledgeable individuals on a subject which one authority aptly described as America's "territorial dilemma" because there are no quick and easy answers to the problem.

The following are a number of questions posed for consideration:

First. What are the prospects of other island territories following the precedent set by Hawaii when it was admitted as the first island State?

Second. If not statehood, what political status would be most suitable to each territory or insular area?

Third. Can island dependencies remain isolated so they can continue their traditional ways of life?

Fourth. How much longer must the Federal Government continue to subsidize island dependencies before they can achieve an acceptable level of economic self-sufficiency?

Fifth. What are the alternatives to statehood? (a) Inclusion in an existing State like Hawaii? (b) Commonwealth status comparable to that of Puerto Rico? (c) Merger of two or more territories into one larger territory? (d) Complete independence or sovereign independence with affiliation for foreign affairs and defense such as the arrangement between Western Samoa and New Zealand? (e) Self-government within the larger nation recently granted to the Cook Islands by New Zealand? (f) A cooperative confederation with the non-American island areas of the Pacific?

Whatever form of government is decided for a territory, it should be on the basis of a free and voluntary association on the part of the peoples involved. The choice must be true to the concept of self-determination. Coercion would be out of place in the democratic scheme of change.

While recognizing the political aspirations of territorial peoples, the Federal Government must face the reality of any threat or potential threat to the national security which may result from a change in the political status of a territory. This point is particularly relevant to the strategic role of the trust territory and of the Ryukyu Islands. The Pacific islands represent a major geographic region of the world which has not been infiltrated by a hostile power since World War II. The national interests demand that this should remain so. Having won island areas at great cost in lives and treasure to save democracy from totalitarianism a generation ago, this Nation should rightfully question any move which would jeopardize the American defense posture and hamper the free movement of our forces in this vast and vital ocean region.

The timing of any major change in the political status of an American-administered territory is all important. On the one hand, the pressure for change might come internally, from the insular people themselves. The pressure might also come externally, as, for instance, the criticisms from within the United Nations charging that the United States is practicing colonialism in not preparing the people of the trust territory rapidly enough for self-government.

These are some of the critical factors which should be weighed carefully as the tempo of the 20th century quickens even in the remote islands of the Pacific. With the arrival of the jet age, transportation, communications, and trade are beginning to transform the leisurely way of life in the Pacific.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FONG. Mr. President, I ask unanimous consent that I may be permitted to continue for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FONG. A comprehensive study of the overseas insular areas administered by the United States will require the full cooperation and assistance of the several executive departments involved. I am confident that the proposed joint committee will seek their advice and counsel, and give proper consideration to their recommendations. Close consultation will be especially necessary with the Department of the Interior, the Department of State, and the Department of Defense, as well as with other departments and agencies directly and indirectly charged with administrative responsibilities for the island holdings.

The United States has a golden opportunity to improve its record as an administering authority of insular possessions—a record which so far has lagged in developing the most effective measures for advancing the political status of these territories. This Congress can contribute immeasurably to the establishment of enlightened policies and orderly, long-range planning by creating the bipartisan joint committee proposed in the concurrent resolution I am now submitting.

I commend this concurrent resolution to the Senate of the United States.

Mr. President, I ask unanimous consent that the text of the concurrent resolution be printed in the Record.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the Record as requested by the Senator from Hawaii.

The concurrent resolution (S. Con. Res. 24) was referred to the Committee on Interior and Insular Affairs, as follows:

S. Con. Res. 24

Resolved by the Senate the House of Representatives concurring), That there is hereby established a Joint Committee on Overseas Insular Areas Under United States Administration (hereinafter referred to as the "committee") to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

Sec. 2. (a) The committee shall make a full and complete study and investigation of the relationship with the United States, present and future, of the Trust Territory of the Pacific Islands, Guam, American Samoa, and other Pacific island possessions, and the Commonwealth of Puerto Rico, the Virgin Islands, and the Ryukyu Islands.

(b) On or before December 31, 1968, the committee shall submit to the Senate and the House a report of its study and investigation, together with its views and recommendations with respect thereto.

Sec. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistance as it deems necessary and advisable.

(c) With the prior consent of the department or agency concerned, the committee may (1) utilize the services, information, and facilities of any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate or the House, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee provided for herein determines that such action is necessary and appropriate.

(d) Subpenas may be issued by the committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Sec. 4. The expenses of the committee, which shall not exceed $250,000, shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

OPPOSITION TO CONSULAR TREATY JUSTIFIED

Mr. BYRD of Virginia. Mr. President, the Washington Evening Star of yesterday, April 26, published an Associated Press dispatch captioned "Russia Rejects U.S. Bid To Better Lot of POW's."

I should like to quote the first several paragraphs of this news article:

> The Soviet Union has turned down a U.S. request for a joint move to try to improve the lot of American prisoners of war in North Vietnam.
>
> The rebuff from Moscow this week is interpreted in the State Department as fresh evidence of a toughening line on the part of the Soviet government in support of North Vietnam.

Mr. President, I should like to read again that second paragraph:

> The rebuff from Moscow this week is interpreted in the State Department as fresh evidence of a toughening line on the part of the Soviet government in support of North Vietnam.

It was less than 2 months ago, that the Senate ratified the consular treaty with the Soviet Union. This treaty gives to the Soviet Union special privileges not now accorded to any other nation in the world.

I took a great deal of time in making a decision as to how to vote on that treaty. I concur in the desire expressed by many to bring about a rapport between the East and the West.

Yet, as a Member of the Senate, I felt I could not overlook the fact that the Soviet Union is a major supplier of material and equipment being used to kill Americans in Vietnam.

I did not feel that this was the time to give special privileges to the Soviet Union—privileges not now enjoyed by any other nation; privileges which these other nations have not felt are necessary to carry on consular functions.

Although I concluded to vote against the ratification of the Consular Convention with the Soviet Union, I had hoped that my distrust of Russia was unjustified and that the Soviets now would give evidence that bridges of friendship are two-way affairs. Unfortunately, no such evidence has been forthcoming.

Almost from the day of ratification of the Consular Convention, the attitude of the Soviets hardened. Its shipping of war materials and petroleum to North Vietnam increased. Now they even refuse a request seeking to improve the lot of American prisoners of war in North Vietnam.

As each week goes by, I am convinced more than ever of the correctness of my vote. I am convinced more than ever that the U.S. policymakers are being deluded as to the intentions of the Soviet Union.

I ask unanimous consent, Mr. President, to have printed at this point in the Record the text of the Associated Press article dealing with Russia's rejection of a U.S. request for a joint move to improve the lot of American prisoners of war in North Vietnam.

There being no objection, the article was ordered to be printed in the Record, as follows:

Russia Rejects U.S. Bid To Better Lot of POW's

The Soviet Union has turned down a U.S. request for a joint move to try to improve the lot of American prisoners of war in North Vietnam.

The rebuff from Moscow this week is interpreted in the State Department as fresh evidence of a toughening line on the part of the Soviet government in support of North Vietnam.

This marks a sharp swing away from the Soviet position in February when Premier Alexei N. Kosygin, meeting with British Prime Minister Harold Wilson in London, played an important role in seeking to get peace talks started.

The peace mission failed and apparently the Russians found the failure and their part in it embarrassing because of their rivalry with Communist China in opposing the United States and supporting Communist forces in Vietnam.

Several days ago, U.S. officials said today, the United States asked the Soviet government to use its good offices with the North Vietnamese government to bring about a change in the condition of the POWs—captured American airmen—held by North Vietnam.

The Soviet reply, officials said, boiled down to saying North Vietnam is a sovereign country and the United States should take up its problem with Hanoi directly. The United States does not recognize or have direct relations with Hanoi, but officials said it already had addressed a new appeal to

North Vietnam through the International Committee.

The State Department's figures through April 18 show 128 American airmen confirmed as prisoners in North Vietnam, 52 suspected, and 203 missing—a total of 383.

A new wave of concern swept through the government here after publication recently of pictures of American POWs by an American photographer permitted to visit Hanoi. The photographs and descriptions gave rise to official fears the men might have been subject to drugs or brainwashing.

The United States has sent a number of approaches to North Vietnam in the past for freeing or exchanging prisoners or, failing that, for allowing them to be visited by Red Cross or other representatives who could regularly observe their condition.

In effect what the United States asked the Soviet government to do was support the efforts of the International Committee.

MOUNT CARMEL LAUDED FOR JOB WELL DONE

Mr. CLARK. Mr. President, the community of Mount Carmel, Pa., is now making a comeback as an industrial city, more than a decade after the closing of large coal mines which had once employed hundreds of miners.

The community's efforts to stay alive, even when half the population had moved away, have become recognized throughout Pennsylvania and in Washington.

The Small Business Administration has aided this effort, working closely with the Mount Carmel District Industrial Fund, Inc., a group of private citizens determined to build a new economic future for their hometown.

In the last 8 years, SBA has loaned more than $1,040,000 to industries which have brought into the area 355 jobs, with employment of an additional 100 projected.

This hard-pressed community raised on its own more than $300,000 in loan funds for the new industries.

The SBA turned to Mount Carmel last fall when searching for a location to film a documentary on the SBA loan process. Mount Carmel's success with the loan program made it a top choice for the film.

The film, I am happy to say, was made on location in Mount Carmel, using a cast of local residents who had lived through the trying days when the new industrial program was getting underway.

The first showing of the Mount Carmel success story, called "A Town on the Move," was held recently before an overflow audience in the local high school. SBA Administrator Bernard L. Boutin paid tribute to the fine men and women who had helped with both the industrial revitalization and the film.

It is fitting that this town, overcoming a streak of hard luck, should be enthusiastically planning a future with new industries and new jobs.

I ask unanimous consent that an article from the Mount Carmel Item of April 8, 1967, which reports Mr. Boutin's remarks at the premiere, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SBA ADMINISTRATOR LAUDS MOUNT CARMEL FOR JOB WELL DONE

National and state officials of the Small Business Administration visited Mount Carmel last night to pay tribute to the community for a "job well done" and to witness the premiere of a documentary film, "Town on the Move."

Heading the distinguished guests was Bernard L. Boutin, of Washington, D.C., national administrator of the SBA, who was the main speaker at a reception and banquet preceding the showing of the movie.

"We are here to pay tribute to you for an outstanding job and that's why this town (Mount Carmel) was chosen to be featured in the film which will be seen throughout the United States and various countries abroad," Boutin said. "We admire the initiative you people have demonstrated and see no reason for you to express gratitude to us. You have had the courage to help yourselves."

The SBA administrator told the group that it is well to pat each other on the back, for full-time cooperation eventually pays off.

"We must now look ahead to the next decade," he said, "for there are many communities that have not yet shared in the great prosperity the country is now experiencing."

By 1975, the speaker predicted 70 per cent of all the people in the country will be living in metropolitan areas. "And they will have problems," he added, "such as slums, inadequate schools, housing, etc."

"How much better it would be to keep the young folks in small towns like Mount Carmel," he remarked.

JOB NOT DONE

"Our job is not done," he continued. "Only through willingness to do something about these problems, making sacrifices and working together can they be solved. You can't do a job and then sit back. You must keep on going."

Boutin reminded that Pennsylvania was originally an agricultural state and then shifted to industry, but in industrial growth it ranks only 45th among the nation's 50 states. "We must elect good people to office and use the tools of government to keep progress moving," he added.

"These tools, such as the SBA and other agencies, must be used on a full-time basis."

The SBA chief commended the area for its hospitality and closed with the thought that perhaps in the future the town can produce another movie if "we put our shoulders to the wheels of progress and keep our young folks at home instead of sending them to the cities."

Boutin was accompanied to Mount Carmel by Robert C. Moot, deputy administrator of SBA and R. Frank Mesnel, deputy administrator of public affairs for SBA, both of Washington. Also in the party were Edward N. Rosa, administrator of the Middle Atlantic Area of SBA; William Genetti, regional director, and David P. Malone, program coordinator for SBA Economic Development Program, all of Philadelphia.

The group flew into the Shamokin Airport where they were met by a delegation from the Mount Carmel District Industrial Fund, mayors of the various communities, and representatives of other industrial organizations and business groups in the area.

A motorcade was formed and the visitors were taken on a tour past the Shamokin Industrial Park at Paxinos and the Mount Carmel Industrial Park on the Locust Gap Highway.

APPROXIMATELY 100 ATTEND BANQUET

Approximately 100 persons attended the banquet in the Knights of Columbus social room. The invocation was offered by the Rev. William T. Jackson, pastor of First Church of God and president of the Mount Carmel Ministerium. Opening remarks were made by the Rev. Matthias Siedlecki, vice president of the Mount Carmel Industrial Fund and chairman of the reception committee. Dr. G. R. Varano, cochairman, served as master of ceremonies.

Mayor Lawrence Joyce SBA officials and other dignitaries on behalf of the community and chief executives of surrounding communities. He said he hoped the SBA would "get a picture of our potential and need for industries."

Joseph P. Bradley, president of the Mount Carmel District Industrial Fund, spoke briefly on how the town was chosen to be featured in the SBA film and said that all scenes were shot here during a two-week period last November. He commended Dr. Varano and Father Siedlecki for getting the banquet and reception together on short notice.

Beside the SBA officials, other guests introduced and called upon to take a bow included:

Milton Jacques, executive secretary to U.S. Senator Joseph Clark; Charles Hallman, administrative assistant to Congressman Herman T. Schneebeli; Thomas Stephenson, representative of Governor Raymond Shafer; State Senator and Mrs. Preston Davis, Assemblyman Paul Ruane.

County Treasurer Lawrence Williams, County Commissioner Fred Kohler; Mayor Lawton Shroyer, Shamokin; Mayor Dimitri Lahaza and Mrs. Lahaza, Kulpmont; Mayor George Winnick, Centralia; supervisors of the townships of Mount Carmel, Conyngham, Coal, Zerbe and Ralpho.

M. C. Farrow, president of the Shamokin Area Industrial Corporation; Leonard Wydra, of Kulpmont Industrial Committee; Mr. and Mrs. Andy Hutnik, Mount Carmel, who had featured roles in the documentary film; John Chaplinsky, Pottsville, district head of the Pennsylvania Power and Light Company, and Mrs. Chaplinsky.

FATHER OF 10

The SBA administrator was introduced by Mr. Jacques, Senator Clark's representative. He said Boutin is a native of New Hampshire and the father of ten children. He formerly served as administrator of the General Services Administration and as deputy director of the Office of Economic Opportunity. He was appointed by President Johnson as administrator of the SBA in 1966.

Boutin was a former Democratic National Committeeman of New Hampshire and was closely associated with the late President John Kennedy, for whom he acted as campaign coordinator in 1960.

Governor Shafer's representative, Stephenson, not only brought greetings from the chief executive, but also from Clifford Jones, secretary of the State Chamber of Commerce.

Dr. Varano read telegrams of congratulations from Governor Shafer, Congressman Schneebeli, U.S. Senator Hugh Scott, Secretary of Commerce Jones and John K. Tabor, secretary of Internal Affairs.

Closing remarks were made by Father Siedlecki, who thanked everyone for their participation and helping to make the affair a success. He congratulated Dr. Varano on his recent appointment to the State Advisory Council of the SBA.

Benediction was offered by the Rev. Joseph P. Bradley, pastor of the Church of Our Lady of Mount Carmel, and a member of the Northumberland County Planning Commission.

After the banquet the guests retired to the senior high school auditorium where they were joined by several hundred other townfolk for the showing of the 28-minute color film, "Town on the Move."

It was an excellent presentation depicting the community's progress on industrial development from the time the Industrial Fund was formed in 1958 and how SBA played a major role in providing funds to attract new industry. Preliminary explanation of the purpose of the film and last night's festivities were explained by Industrial Fund President Joseph Bradley.

Announcement was made that the film will be shown at a future date over Television Station WFIL, Channel 6, Philadelphia. Administrator Boutin said it will also be distributed through the U.S. and foreign countries, many of whom have sent requests to the SBA to learn how the federal agency is helping small communities.

MILITARY OPERATIONS IN VIETNAM

Mr. MOSS. Mr. President, Crosby S. Noyes has written a very thoughtful column concerning the military operations in South Vietnam. He discusses the fact that we hear and read a great deal about the activities of our American troops, airmen, and sailors, but that we read little of the activities of the South Vietnamese Army. In his column, Mr. Noyes attempts to explain why this is so.

It strikes me that a totally distorted view is created in the minds of American readers by the contrast of the reporting of the activities of the American troops and of the South Vietnamese troops. I believe that the article by Mr. Noyes tends to put the activities into perspective.

I ask unanimous consent that the column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

South Vietnamese Still Fighting for Country

(By Crosby S. Noyes)

It is only natural that a good many commentators have been surprised by the news that units of the South Vietnamese army are heavily engaged with the Viet Cong in the Mekong Delta. No one, as the commentators point out, has been hearing much about the South Vietnamese army lately.

In fact, this is one of the more disturbing things about the reporting of the war in Vietnam.

Ever since large American forces arrived on the scene, many people in this country have been predicting that the South Vietnamese army (ARVN) would fold up completely and leave us to do all of the fighting. And to judge from the day-to-day news reports, these fears have been thoroughly justified.

There are a number of reasons why this utterly false impression has been created.

In the first place, it is assumed by virtually every American newsman in Vietnam that what interests the American newspaper reader is what "our boys" are doing. Ever since American troops arrived in strength the whole focus of attention of the resident news corps has centered almost exclusively on them.

This has been not only a matter of news judgment but also one of convenience.

The American military is notoriously cooperative when it comes to publicity. American units are staffed and equipped to handle squads of visiting reporters. Transportation is available. Language is no problem. The food is edible. And if you should happen to get hurt, there's a good chance that someone will look after you.

Running around the country with the ARVN, on the other hand, is no picnic. In the days before the Americans arrived, it was done by the more adventurous. But the South Vietnamese, rather understandably, never did completely grasp the problems involved in the care and feeding of American reporters, which helps to explain why the coverage of their activities has rated hardly a line for many months.

The physical setup for reporters in Saigon also contributes to this trend.

Each evening in the American information center, a detail of officers is on hand complete with maps and charts to brief correspondents on the military happenings of the day. The sessions are attended by virtually all of the foreign press corps in town.

But the briefing by specific order is confined to American actions, with occasional references to other allied forces in Vietnam. What the ARVN has done in the course of the day is the subject of another briefing, conducted at the same time across the street—in Vietnamese. It's small wonder that any foreign newsmen ever bother to attend.

And so the myth has grown that all of the serious fighting in Vietnam is being done these days by Americans, with an assist from the Koreans and Australians. And in terms of the much-discussed "Americanization" of the war, it is one of the more destructive myths.

The simple fact is that—in contrast to the lopsided reporting of the war, the ARVN is still doing more of the fighting in Vietnam than all of the allied forces combined.

While it lacks the enormous destructive power of the Americans' massive artillery and air support, its contact with the enemy has been continuous and costly. So far at least, the shift of the ARVN's primary mission from fighting main-force Communist units to "pacification" has brought about no noticeable decrease in the number of its casualties.

According to Defense Department figures, American casualties rose sharply during the major operations in the first 14 weeks of this year. But during the whole period, American dead exceeded those of the ARVN in only three weeks. For the total period ending April 8, the South Vietnamese army lost 3,090 men, compared to 2,287 Americans.

To point this out is not to disparage the American effort in Vietnam or to depict the Vietnamese army as a magnificent military machine. It is simply to recognize a small fact that somehow seems to have escaped the attention of a number of people: That the South Vietnamese are still fighting for their country.

Which is as it should be and as it has been for ten long and bloody years.

A PREDICTION: VIETNAM AND THE CRISIS OF THE CITIES

Mr. MORTON. Mr. President, I ask unanimous consent that an article which was published in the Washington Post of April 25, 1967, written by Mr. David S. Broder, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hold Onto Your Hat

(By David S. Broder)

Prediction is not ordinarily the work of a journalist, but the pattern of events in this country seems so clearly to be pointing to a convergence of crises late this summer and fall that it is foolish to ignore what is happening.

Whether one speaks to the men in responsible positions in the Federal Government or to the Governors and mayors whose business brings them to this city, one conclusion is apparent:

Our nerves are going to be tested—to say nothing of our intelligence and emotional stability—by two problems building toward a climax.

One is Vietnam. It is increasingly clear that, despite the disclaimers at the time, the Guam "conference was a council of war," where further steps in the escalation of the conflict were discussed and approved.

"Intensification" of the bombing, as it is called, has already started and further targets in the North, not yet hit, have been listed for attack. Our military manpower in South Vietnam, too, is going up, probably past the 500,000-man mark by the end of the year.

The pressure of events is pushing the Administration, even those men in it who still harbor private doubts on the wisdom of this course of action, to strive for a knockout of the enemy in Vietnam. The repetitions of America's willingness to negotiate have an increasingly hollow sound, not because this country is unwilling to negotiate, but because few of the men in command of Government believe any longer that the enemy will respond.

They have passed the point of no return. They will permit the military, or even direct it, to hit harder and harder at the North Vietnamese. They assume, far more than they realize, that at some time before North Vietnam has been totally destroyed, its government will sue for peace, or at least sit down to talk cease-fire.

What they also realize, but prefer not to dwell on, is that some time before North Vietnam has been destroyed, our attacks will bring us to the point where the Chinese and Russians may feel forced to retaliate or to intervene directly in the war.

Unless we are very lucky, the course to which we now seem to be committed will bring us very close to that line by late summer or fall.

That is one crisis. The other is the crisis of the cities, of the Negroes' rebellion against the discrimination and segregation they continue to face. Here there is, regrettably, no need even to speculate. When April finds the Negroes in Louisville, a city where the political leadership has been far more enlightened than most, marching and demonstrating, one can only imagine what July and August will be like in Cleveland, Los Angeles or Newark.

The mounting fury in the cities and the mounting warfare in Vietnam are not really two sides of the same coin. The denial of decent homes to Negroes would be a source of discontent even if there were peace around the world. Vietnam would be no less bloody if every slum school were staffed and equipped as it ought to be.

But the danger is that the emotions stirred by the riots and those stirred by the Vietnam war may combine to produce something very ugly indeed. People provoked tend to lash out, to vent their frustrations.

Too many of the same people who are saying, "Let's show these Vietnamese" are also saying, "It's time to get tough" with the demonstrators at home.

Too many of the people who blame "whitey" for profiteering in slum housing also blame him for their draft notices.

If it is a little too late to argue over the blame for what we face, it is not too early to get a firm grip on our emotions. Unless we are very lucky, it is going to be a rough passage.

Mr. MORTON. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

GROWING ATMOSPHERE OF FOREBODING AND BITTERNESS THREATENS TO ENGULF OUR COUNTRY

Mr. MORTON. Mr. President, I am profoundly disturbed by the growing atmosphere of foreboding and bitterness that threatens to engulf our country, from the White House and the Congress to Main Street and the urban ghetto.

The tragedy of Vietnam, possibly mishandled and certainly misunderstood, seems destined to create a climate of division and distrust in government that I have not experienced in more than two decades of public service. At the same time, the crisis of our cities, sinking in physical and psychological blight, is turning neighbor against neighbor, and can only lead to senseless and useless blood in the streets.

Mr. President, we are witnessing an epidemic of verbal overkill that, far from instilling sanity and moderation in the discussion of issues, engenders a dangerous and irresponsible overreaction.

The appearance tomorrow of a gallant field commander before a joint meeting of the Congress, while intended to pour oil on troubled waters, is instead pouring salt in a wound. This is overkill.

The unleashed verbal violence of a supposed advocate of nonviolence, not only does dire damage to the vital cause of human rights, but weakens the cause of those who rationally object to our Government's policy in Vietnam. This is overkill.

A recent statement in the highest councils of the Democratic Party to the effect, "don't poison the soup—you'll be drinking it in 1968," while intended to still internal political criticism, has had the opposite result. This is overkill.

There are many sympathetic and informed observers, at home and around the world, who believe that present American policies in southeast Asia can be classified as overkill. Although I question this view, I have no doubt whatever that overstatement and overresponse is bound to increase domestic and world tensions rather than reduce them.

Mr. President, we are in a "time of troubles" that demands moderation and reason, and the national interest will not be served by acrimonious and inaccurate charges.

Those who would label our involvement in Vietnam as that of "the greatest purveyor of violence in the world today" purvey only the worst type of injustice against their own worthy cause.

Those who would decry "unpatriotic acts at home" during a period of bloody conflict abroad, without differentiating between flagburners, peaceful demonstrators, and U.S. Senators exercising their responsible rights of dissent, only add fuel to the fires of irresponsible opposition that continue to plague present administration policies.

When the respected chairman of the Foreign Relations Committee has to take to the floor of the Senate to warn that there is a growing implication that dissent will lead to charges of treason, we are indeed in troubled times. Loose talk on the one hand, and deplorable, even illegal behavior on the other, both tend to heighten current misunderstanding and misapprehension.

Americans have recently been warned that "we must be prepared for bitter fighting in days to come" in Vietnam. I hope and pray this will not be the case. But I must issue a warning of my own. Unless more light and less heat is applied to the twin tragedies of Vietnam and our cities, we had better be prepared for bitter fighting right here at home.

Mr. President, this is a plea for reasoned and rational presentation of Government policy, and calm and collected debate on the issues. This is a plea to all sides to "cool it, baby."

INTERVIEW WITH DR. WERNHER VON BRAUN

Mr. SPARKMAN. Mr. President, there appeared in the March issue of the Reader's Digest an article condensed from the U.S. News & World Report giving an interview with Dr. Wernher von Braun, the top rocket expert in this country. The article is entitled "Man on the Moon: How Soon?" In very plain and understandable language Dr. von Braun has discussed this matter of space exploration and particularly the reasons why we should land on the moon and explore other areas of space.

The article is quite readable and informative. I commend it to all Senators.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Man on the Moon: How Soon?

Q. Dr. von Braun, what is the purpose of Project Apollo/Saturn, which we are preparing to launch?

A. The immediate objective is to land an American on the moon in this decade and bring him back alive. But there is a larger purpose. When President Kennedy announced the program, he made it clear that what he really had in mind was to develop a broad, national space-flying capability. He put it well when he said, "We have to learn to sail on the new ocean of space."

Q. We're now ahead of the original schedule. Is it possible that our first manned flight to the moon may come before 1970?

A. There is a possibility, if we don't hit any major snags. But this should not be interpreted as a commitment. From the fourth Saturn V Apollo flight on, all the hardware needed to land on the moon and return will be at hand. But we cannot say now whether all that equipment will be sufficiently mature as early as flight No. 4 to warrant an all-out attempt.

The Saturn V booster, which generates 7.5 million pounds of thrust, will by then have made two unmanned flights and one manned flight, and may well be in very good shape. And the Apollo spacecraft, the command-and-service module, will have made many flights on Saturn I-B rockets, so it can be rightfully expected to be in good shape. But the lunar module, or LM—the vehicle that will actually land on the moon—may still be hung up in the testing and flight-qualification program. In this case, we may let the astronauts orbit the moon a few times without making a landing attempt. A lunar landing may not come before the fifth or sixth flight.

Q. What will be the objective of the first landing on the moon?

A. To demonstrate that it can be done. We'll put a two-man landing party on the moon for about 18 hours, and they will leave a small emplaced station behind to radio information on the lunar environment after they've left. We have, of course, ambitious follow-on objectives. The basic Apollo hardware can do a lot more things.

Q. Will men, later, stay on the moon a week or a month?

A. We may go beyond that. The Saturn V rocket actually can lift a 50-ton payload—10,000 pounds more than we originally figured. Now, you can utilize this extra capability by putting more fuel into the LM, which means, in turn, that you can land a larger payload on the moon—more life-support equipment and scientific gear. Thus you can pick up a few extra days on the moon.

There is another, more ambitious approach. You would land with *two* lunar modules. The first would land unmanned, dispatched by the three-man crew of the Apollo spacecraft from an orbit around the moon. This LM need have no capability of leaving the moon. So, you could take the propulsion system, including fuel, out of the ascent stage and replace it with supplies, including oxygen, water and food, maybe even a "lunar Jeep." After this first unmanned module has landed, a second LM with two men aboard would land nearby. They could use the first module as a kind of cache and lunar shelter. With the extra provisions, we could support two men for something like 45 days.

Q. What problems would be posed by an extended stay?

A. The two LMs would have to be designed to live through the 14-day lunar night. This would require heaters to reactivate at sunrise all systems shut down for the night.

Another problem would be the command-and-service module, which keeps orbiting the moon with one man on board. The pilot-shipkeeper would have to wait in orbit 45 days for his two friends to come back, and that is a pretty long time. One way out might be to design this module so that it could be "put to sleep" for 45 days, unmanned, while the third crewman also flew down to the lunar surface.

Q. What is going to be the most difficult or dangerous part of the first moon missions?

A. One cannot single out any particular time. You have to have a successful launch and first-stage operation. Then a successful second-stage ignition, separation—and third-stage ignition. Then, to get out of the parking orbit, you have a second ignition of the third stage. After injection into a trans-lunar trajectory, you must have a successful docking and transit maneuver between the command-service module and the LM. Three days later, you have to reduce speed to allow the moon to capture your spacecraft into a lunar orbit.

Once in that orbit, you have to detach your lunar module for the descent to the moon. You must have a smooth touchdown. Eighteen hours later, you have to have a successful take off, then a rendezvous with the command-and-service module, a clean boost out of lunar orbit, and, finally, a successful re-entry. This whole chain of events must occur without a flaw, without a goof.

Q. Are you confident that all these systems will work?

A. In a joint effort with our sister center in Houston, we have developed a pretty good understanding of the reliability pattern. Wherever in that long chain of events we felt that the possibility of a failure was too high, we have provided ways and means to reduce the risk. This has been done mainly by providing "redundancy" and alternate options—either in terms of equipment or of other operation patterns.

For example, if one radio goes out, there's another radio to work with. Or, if all radios go out, the astronauts can still use astral navigation. Or, if the service-module engine fails to deboost us into a lunar orbit, we can still come home with the help of either of the two engines in the lunar module.

Q. We have had no accidents to date. Do you think people would accept a catastrophe on an Apollo mission?

A. We have been very fortunate so far. Sooner or later we will probably have an accident in space. But people today, I believe, are a little more ready to accept space flying just as they do aviation, and people have accepted aviation accidents as part of the price for 20th-century advances. We're doing our utmost to prevent accidents, though.

Q. On the first landing, how far from their lunar module will the astronauts go?

A. They will probably make two excursions outside, together, and go not more than one mile.

Q. Will this be telecast live back to earth?

A. Yes. The first man stepping out onto the moon will be televised by the other man, operating a camera inside the lunar module. We will hear the voices of the astronauts.

Q. Will they bring home samplings of the moon's surface?

A. There is an allowance for samples—about 80 pounds.

Q. We haven't heard much about Russian space endeavors lately. What are they up to?

A. I am convinced that the Russians haven't given up the race to beat us to the first lunar landing. The total Russian space activity is today higher than ever. In the last year, they have launched a tremendous number of satellites and probes.

You see, our lunar-orbit-rendezvous method of going to the moon is not necessarily the only method. You can take a shortcut. Let me venture a hypothesis: From what the Russians have released about the capability of the Proton rocket, which they have successfully fired, it can place a fairly large payload into earth orbit. This vehicle, combined with some high-speed stages they have used on their unmanned planetary flights, would conceivably give them a capability of flying a very sizable payload to the moon.

So, one surprise they may pull in the near future could be to put their well-proved manned space craft atop this vehicle, beef up the heat shield all the way around, and make a flight to the moon—not landing, but circling the moon and then returning to earth.

Q. Would they, in a fly-by, get extremely close to the target?

A. They could get the same kind of pictures that we are getting from our lunar orbiter now—not only fabulous photographs of the lunar surface, but also showing men in the foreground. Such an action is entirely within their reach. Flying around the moon like this is about 30 percent as difficult as a lunar landing, but it may get 70 percent of the propaganda payoff.

Q. Is there anything of military value in flights to the moon?

A. Space obviously has a military dimension, just as the air, ocean and land have. The fact that you can look down on earth and photograph things is undoubtedly important. We may have a safer world if there are fewer secrets.

Q. Why do you think it is important for us to go to the moon, at such great cost?

A. Our space-flight program—in particular, the manned flights—has helped tremendously to invigorate our sciences, educational system and industry. It has enabled industry to come up with products that the rest of the world just hasn't got to offer. I think the question is not, "Can we afford the space programs?" It is, "Can industrial countries afford not to have one?"—because they are falling hopelessly behind in technologies that spin out of the space program.

Q. In other words, there is more to be gained than international prestige or national pride?

A. Yes. Our space-flight program is the most invigorating thing that has ever happened to industry and science.

(NOTE.—Dr. Wernher von Braun, head of the Marshall Space Flight Center at Huntsville, Ala., is the key man behind the development of the Saturn V rocket that is to send Americans to the moon.)

FOUR-H CLUB MEMBERS ATTEND NATIONAL CONFERENCE IN WASHINGTON

Mr. SPARKMAN. Mr. President, we all know that outstanding 4-H Club members have been in Washington during the last several days in a national conference. From my State of Alabama we had two young men and two young ladies. They were Charles Bryant, of Stevenson; John W. Foster, Jr., of Coaling; Lucy Elaine Hallman, of Guntersville; and Claudia Nan Williams, of Columbia.

These boys and girls have all done outstanding work on 4-H Club projects over the past years. I wish I had available a statement as to what each one has done. I do have a statement that was prepared by one of these members, Lucy Hallman. It is entitled "What I Have Done and Learned in 4-H Club." I am sure the statement is typical of what every one of these 4-H Club members might have said.

I ask unanimous consent to have the statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHAT I HAVE DONE AND LEARNED IN 4-H CLUB

(By Lucy Hallman, Guntersville, Route 3, Marshall County, Ala.)

After having been in 4-H Club for eight years, I look back over my accomplishments and experiences and feel that each day of my work in 4-H has been beneficial as well as enjoyable.

4-H Club has changed me from a shy self-conscious little girl into a young woman eager to work with people and share ideas. 4-H work has taught me the value of getting along with other people and has made this one of my foremost goals in life. 4-H Club has taught me to think, speak, and act with thoughtfulness for other people and has helped me to realize that I am but one among many who need to combine their efforts for the benefit of all mankind.

My major skills learned in 4-H are clothing, nutrition and cooking, and public speaking, but I have learned quite a bit about a wide range of other subjects including electricity, entomology, dairy cattle, home improvement, and home grounds beautification. But far better than learning skills, I have learned about myself—my abilities and desires. 4-H Club work has helped me to use and develop various abilities and has made me desire to be an informed citizen, a friendly-outgoing neighbor, a helper to all who need help, an efficient worker, and a dedicated Christian.

Through my daily project work, I learned more in 4-H than in any other activity in which I have ever participated. Since 4-H gave me the incentive to struggle through my first apron, I now make nearly all my clothes, including sportswear, schoolwear, summer dresses, wool suits, and formal evening attire. This year I was named one of twelve finalists in the state dress revue with my aqua wool suit. Now that I have accomplished something, I am glad I cried a little over crooked seams and kept working until I did better.

Since my 4-H leaders taught me many aids to cooking and encouraged me to give a demonstration, I have been named one of the top teen nutritionists in the Alabama Youthpower Program and awarded a trip to Chicago to further my study of nutrition. I have been county dairy foods, breads, and district breads winner.

In 4-H I have gained the desire to help others and participate in all worthy activities. My wanting to help my father in his electrical activities resulted in my having an electricity project. By our working together in wiring our renter houses, an addition to our house, and other things, we saved a considerable electrician expense. I saved about $40.00 by being an electrican's assistant.

The usefulness I learned in 4-H fits well in my family because we endeavor to work as a team in all undertakings. Through this teamwork we are nearly always punctual and efficient. For example, at 5:15 a.m. each weekday morning for five years, my mother prepared breakfast, my father got ready for work, and I fixed my father's lunch. Through our combined efforts, my father is always on his way to work at 5:45 a.m.

At 4-H Camp where I served as junior counselor for three years, I learned the responsibilities and joys of leadership. Due to my experience in 4-H camp work, I was offered a job on the camp staff. I have worked at camp for six weeks and earned $150. My knowledge of working with children was increased here.

Through 4-H Club I have learned the dignity and value of work. I have obtained pride in jobs well done. I have made many new friends, shared ideas, served others, and worked toward many worthy goals in 4-H Club. But the greatest benefits of the 4-H program are the high ideals, senses of citizenship and cooperation, and desire to help embedded in my mind.

Now that I have completed eight years of 4-H Club activities I am trying to help others aim toward higher goals and realize the enriching opportunities that await those who strive for excellence in the 4-H Clubs of America!

THE CASE FOR FOREIGN AID

Mr. MORTON. Mr. President, on April 18, 1967, Mr. David Rockefeller, president of the Chase Manhattan Bank, spoke in Chicago at the Council on Foreign Relations. His message was entitled "The Case for Foreign Aid." I believe his message would be of interest to those who are studying legislation on foreign aid and to many others, as well, so I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE CASE FOR FOREIGN AID

(Address by David Rockefeller, president, Chase Manhattan Bank, at Council on Foreign Relations, Chicago, Apr. 18, 1967)

This is my first visit to Chicago since a recent happening which your society pages, with characteristic flair for the superlative, described as "the wedding of the year."

I refer, of course, to the ceremony linking the daughter of your Republican junior Senator from Illinois and a nephew of mine whose political affiliation is seldom mentioned within our family circle!

I was delighted to see that the nuptials were conducted in a commendable spirit of bipartisanship with Governor Romney seated on one side of the aisle and Lynda Bird Johnson on the other!

Personally, I have always had great admiration for Senator Percy, as I have for his eminent predecessor, Paul Douglas, and his distinguished colleague, Everett Dirksen. It is interesting to me that both Senators Dirksen and Percy now have sons-in-law who are in politics. I don't know whether that's just coincidence or whether it's Illinois' answer to the Kennedy clan!

Chuck Percy served with distinction as a member of our Board of Directors at the bank until he became active in public life. If you recall, one of the most serious campaign charges levelled against him was that he had "a friend at Chase Manhattan"!

Several weeks ago, while I was testifying before a Congressional Committee in Washington, Senator Douglas walked into the hearing room and sat down. Glancing up from my prepared text, I remarked that I was greatly pleased to see my former economics professor in the audience. Then the committee chairman, Senator Ribicoff, commented that in at least one case—obviously, not my own—he suspected that Senator Douglas had reason to lament the fact that he had taught his students so well!

In the years since I studied under Paul Douglas here at the University of Chicago, I have often wished I had absorbed more of his remarkable ability for illuminating the intricacies of economic issues. This would have come in handy on many occasions, especially one like this when I have elected to discuss "The Case For Foreign Aid."

In talking foreign aid, we are talking about nations beset with what the former British Prime Minister, Sir Alec Douglas-Home, has called "political problems which are insoluble and economic problems which are incomprehensible."

It is paradoxical and more than a little ironic, I think, that just when our foreign aid program is most successful in its impact on the developing nations abroad, it seems to be at its lowest ebb in public and Congressional support at home.

The average citizen, conditioned to such luxuries as instant coffee, instant lawns, even instant money, finds it hard to reconcile himself to the fact that there is no such thing as "instant development." He is slow to realize that the shaping of viable political, social and economic institutions in the backward areas is a plodding process at best. Beyond this, the easing of cold war tensions in many parts of the globe has made foreign aid appear somewhat less urgent. The national preoccupation with Vietnam has tended to divert attention from the developing nations. Moreover, foreign aid, unlike such issues as farm prices, tariffs and labor regulation, lacks a vital and vocal constituency to rally to its support. So, inevitably, it is a prime target when Congress begins casting about for places to trim the budget—and this is what is happening in Washington now.

For the fiscal year beginning July 1, President Johnson has requested an aid appropriation of just over $3 billion, about the same as this year's total which itself is one of the smallest in a decade. Nevertheless, some Congressional critics insist that substantial reductions can and should be made from President Johnson's rather modest proposal.

I'm sure that much of the criticism of foreign aid comes from thoughtful individuals who sincerely believe that there has been waste, poor planning and bad management in our overseas assistance program. And, to some extent, they are right. No operation on so broad and diversified a scale, in so incredibly complex an area as foreign aid, could ever hope to be 100 per cent successful.

All things considered, though, I believe the program has been improved enormously and is now functioning very well, indeed, under the able administration of William Gaud and his associates in the Agency for International Development, the government's chief foreign aid organization. I think it would be dangerously short-sighted for us to cut back on its funds at a time when the need is so great and the prospects for achievement so promising.

The case for foreign aid, as I see it, can be stated quite simply.

First, the aid program is working—that is, it is moving some nations toward what presidential adviser Walt Rostow calls the "take-off" into self-sustained growth.

Second, it is working because, in two decades of trial-and-error, we have learned how to administer it effectively. There is still considerable room for improvement, but I am persuaded that we are on the right course.

Third, from a political, economic and moral standpoint, it is an essential—indeed, an indispensable—corollary to our leadership role in the Free World, a role which we have not sought, but which is ours whether we like it or not.

Let's take a closer look at each of these points, and examine the relevant facts in the context of the current debate on foreign aid.

When I say the aid program is working, I mean that it is making a substantial difference in the lives of millions of people living in countries as widely scattered as Taiwan, Mexico, Thailand, Israel, Venezuela and many others. Unfortunately, failures are often easier to identify than successes. The overthrow of a corrupt regime supported by our aid commands bold headlines; an increase of $5 a year in a country's per capita income stirs scant public attention.

Yet measured by the hard calculus of tangible accomplishment, the developing nations as a group have made notable advances. In the past decade, their industrial production has doubled. So has the output of their mines. The manufacture of steel has tripled, and annual cement production is now higher than the total pre-World War II output of Western Europe and North America combined. Transportation and education have been vastly expanded. Export earnings in the past two years alone have risen about 8 per cent annually, far ahead of the rate for the 1950's. These accomplishments would not have been possible without our aid.

In my recent travels, I have had an opportunity to observe our foreign aid program in action in countries of Asia, Africa and Latin America which are now in the difficult mid-passage of development. These observations have convinced me that there are some heartening success stories in the making.

In Thailand, for example, American assistance, coupled with the country's own resources and the investment of foreign private capital, has produced such significant strides that the Thais are now approaching self-supporting economic growth. Most of the U.S. aid money has gone into sound economic infrastructure—hard-top highways, power plants, irrigation networks and the like. The result is that few developing nations anywhere can match Thailand's economic performance, with an annual growth rate around 7 per cent, very little inflation, and one of Asia's strongest currencies.

In Taiwan, better known perhaps as Formosa, U.S. aid has sparked an economic resurgence that has raised living standards to a point where they are second only to Japan's in all of Asia. Eight out of ten farmers now own their land. Illiteracy has been cut to less than 10 per cent, and almost 97 percent of the school-age children are in classrooms. So remarkable is the growth that our economic assistance program is no longer needed—a towering tribute to aid wisely used and a conspicuous and meaningful contrast with conditions prevailing on the Communist-ruled Chinese mainland.

In many parts of Latin America the Alliance for Progress has taken encouraging steps toward fostering economic growth and social reform. Savings and investment levels are rising. Per capita production increases in most countries have exceeded the goal of 2.5 per cent. U.S. Alliance aid—with local matching contributions—has helped with the construction of 28,000 new classrooms, the irrigation of a million acres of land, the distribution of 14 million textbooks. As a result of this effort, fifteen nations now have self-help housing projects, and some 20 million more Latin Americans have assured supplies of potable water than was the case before the Alliance.

The examples of Thailand, Taiwan, and parts of Latin America find responsive echoes elsewhere as U.S. aid is increasingly being put to good use. Not in every case, it is true. Not always with as rapid results as we might like to see. But, nonetheless, with sufficient impact to validate the argument that our efforts are beginning to exert a meaningful thrust toward progress in many areas of the globe.

A significant reason why aid is paying off—and this is a second major point in the case for foreign aid—is that we have learned how to administer the program with far greater effectiveness than ever before.

We have developed skilled personnel whose judgment can be relied upon in planning and carrying out worthwhile projects within reasonable budgetary limits. We have benefited from past mistakes. We have modified the program in several respects—through greater selectivity, more emphasis on self-help, stronger encouragement of local farm production, more extensive cooperation with multinational agencies, and a larger role for private investment.

The greater stress on selectivity underscores one of the key lessons we have learned in the foreign aid program. This lesson is that once the conditions for development are favorable, relatively large amounts of aid, properly applied and concentrated in a few years, can lift a country from stagnation to sustained growth.

Today, our development aid program is confined to far fewer countries than in the past, with 80 per cent of the funds going to eight nations where conditions for progress appear most favorable. For other countries, we continue to provide technical assistance, Peace Corps services, and aid in such fields as health and education. We also support the efforts of the World Bank, as well as regional development banks, which can help these countries improve their infrastructure of schools, roads and power lines so they will eventually be able to make the most advantageous use of a concentrated program of aid.

The increased emphasis on self-help is another forward step. Major aid recipients now put up an average of $8 of their own resources for every dollar they receive from us. Our aid is used to supplement and encourage local efforts, in recognition of the fact that ultimate success will depend on what the countries are willing to do for themselves. President Johnson sharply underlined this in his foreign aid message a year ago. "It must be clear," he said, "that the principle of our assistance is cooperation. Those who do not fulfill their commitments to help themselves cannot expect help from us."

Frequently, recipient nations are directed to improve their own policies as a condition for receiving assistance. To qualify for an $8 million highway loan, Afghanistan had to set up a highway maintenance department to keep the new roads in good repair. Before getting funds to modernize and expand mining facilities, Bolivia undertook far-reaching reforms of its mining code and revisions of its tax laws to encourage investment in mining. Faced with rampant inflation and dangerously low foreign exchange reserves, Korea inaugurated monetary and fiscal reforms that produced notable improvements in the overall economy. Thus foreign aid is being employed more effectively to channel the recipient countries' resources into productive uses.

The assistance program has also moved in other directions which I believe are constructive. The new food-for-peace effort is aimed at encouraging local food production in the less developed areas, rather than merely at the disposal of our own farm surpluses as was once the case. The local currency proceeds from sales of U.S. food can be used to finance such programs as agricultural research and education, land redistribution and fertilizer production. Over the next five years, an increasing proportion of our food exports to less developed countries will be shifted from local currency sales to dollars. At home, our policy is rapidly turning from one of crop restriction to crop expansion.

Population control also is coming in for greater attention. Once regarded as a problem to be discreetly avoided, it is now being dealt with conscientiously by aid administrators. Family planning programs, to help set up clinics and spread educational materials, have been established by American aid missions in some twenty countries abroad. It is clear that the developing nations must break out of the Malthusian circle where more food leads to more mouths to feed. This self-destructive trend can be curbed only by creating conditions where people are willing to limit births. Experience in Japan and elsewhere shows that they may be amenable to doing so if they see opportunities for their children to live better and happier lives than they have.

Not the least of the lessons we have learned in twenty years of dispensing foreign aid is the need for relying more extensively on the private sector—and this is now being done. The Agency for International Development has set up an Office of Private Resources specifically to help U.S. investors interested in the less developed countries. It has also worked out a variety of instruments designed to encourage and support increased private investment, both local and foreign. These include a far more liberal loan guarantee program aimed at attracting private investors. Greater effort is also being made to induce the developing countries themselves to create a more favorable climate for domestic and foreign investment.

It is increasingly recognized that the developing countries may be held back, not only by a shortage of resources and capital but also by a shortage of managerial talent. In the absence of competent managers, all the money and machines in the world are useless. Recognizing this, A.I.D. is supporting a novel program to put to work in the developing nations the experience of American business executives, mobilized through the International Executive Service Corps.

Under the Corps' sponsorship, retired executives and some mid-career men are volunteering their managerial know-how in developing countries around the world. In the past two-and-a-half years, well over 200 companies in more than thirty nations have obtained assistance from the Corps. One volunteer revamped the purchasing and merchandising program for a chain of supermarkets in Panama. Another reorganized the budgeting and marketing practices of a manufacturer in Iran. Still another taught a Taiwan chemical company a variety of American technical tricks that greatly enhanced its profitability.

Understandably, word of such achievements spread fast. As a result, the Executive Service Corps has started 105 new projects in the past three months alone, compared with 140 in all of 1966. This unusual approach to foreign aid is one of the first publicly sponsored programs that has been entrusted to the business community to carry out. It could point to an entirely new way of doing things, and could have a profoundly constructive impact on world opinion toward American business.

Besides the Service Corps program, business groups such as the Council for Latin America have been working closely with government to increase private enterprise's contribution to economic development. For instance, the Council has urged greater participation by the business community in civic action and the resultant broader and more effective pursuit of community relations, public affairs and governmental relations programs. It sees these as an important means of contributing to the development of Latin America and enhancing the role that private enterprise plays in that development.

It is abundantly evident, I think, that twenty years' experience has powerfully molded the foreign aid program we have today. It is a much more sophisticated vehicle for assisting the developing countries, one that is as far advanced in its way beyond, say, the 1950 model, as the latest electronic computers are in theirs. This new, honed-down kind of aid program has been put on a business-like basis with a view to getting full value in return for the money spent.

A third and final point in the case for foreign aid, in my judgment, is that politically, economically and morally it is part of the responsibility that goes with our leadership of the Free World.

You and I and all of us in the United States are firmly committed to working for a world of peace and freedom, a world in which individuals can achieve fulfillment in terms of human dignity, cultural and spiritual development, and material well-being.

Such a world is not likely to emerge so long as two-thirds of the earth's people continue to live far below the waterline of adequacy. As Pope Paul pointed out in his recent encyclical, "excessive economic, social and cultural inequalities among people arouse tensions and conflicts and are a danger to peace." It is surely in our own long-term interest that the backward nations eventually become stable and peace-seeking political entities.

So economic development of these areas is an indispensable prerequisite to the world of the future that we are dedicated to bringing about. In many cases, outside assistance is absolutely necessary for this development—necessary to provide the extra margin of thrust to propel an economy off the dead-center of stagnation.

The vast majority of developing countries have per capita incomes ranging between a quarter and a half-a-dollar a day. Most of their meager productive resources go to supply the basic food, clothing and shelter needed for survival. To grow and prosper, a country must have raw materials, markets, political stability and—above all—an ability to create new productive facilities. This requires a diversion of resources away from consumer goods and into the production of tools, equipment, buildings and their means of expansion. The function of foreign aid is to make these extra resources accessible to the recipient country, and at the same time provide the technical know-how and training necessary to capitalize on them.

I am convinced that we in the Free World now have the capacity to help more and more nations move out of poverty into a situation of growth and hope. A recent study by Herman Kahn's Hudson Institute, a nonprofit research center, concluded that by the year 2000—just 33 years from now—it is well within the realm of possibility that only one person in eight will have to live out his life in a pre-industrial, poverty-stricken society, as compared with two out of three people at present.

Realization of this inspiring vision is a task worthy of all the world's industrial nations. The primary requirement, in my view, is to think and act on a scale commensurate with the mammoth problems faced by the developing nations. This means setting aside a larger share of funds for this purpose, and shifting the nature of economic aid from the present dominance of bilateral arrangements to a greater reliance on multilateral aid.

Last year the industrial nations, taken as a group, provided a total of $7½ billion in new funds for the developing areas. However, the net flow was considerably less because of the mounting burden of repayments of interest and principal on past loans. One estimate places the real cost to donor nations at somewhere between $4½-and-$5 billion, which is far less than the rich can afford or the poor can absorb. More than that, there has been no material increase in this sum over the past five years. The flow of aid has been a declining proportion of the total output of both the developed and the developing nations. So at a time that should be an accelerating one in economic development, we are actually slowing down and one in danger of losing our momentum.

The gross national product of all the industrial nations is now running about $1¼ trillion a year. A figure of 1% for the gross flow of economic aid—which many authorities have recommended and which I myself feel would be appropriate—would work out to about $15 billion, double the present level.

The best hope for bringing about an increase of these dimensions in the level of aid seems to me to lie in a gradual transition to the multinational approach. In the past, our own government has tried without much success to persuade other countries to step up their aid, but they have understandable misgivings about supporting purely American aims. However, they might be more willing to provide funds through a multinational agency such as the World Bank, if the United States showed that it, too, was prepared to raise its own contribution.

Now that we have learned how to make foreign aid work, we should not be reluctant to apply increasing resources to the task. Surely, a nation which can afford to spend $20 billion or more in Vietnam, can afford to spend a fraction as much to eliminate the conditions that feed such conflicts.

It seems to me, therefore, that rather than cutting back on foreign aid funds, Congress would be well advised to set an example for other industrial nations by maintaining and even increasing our own efforts. What we need is a progressively expanded program of assistance, not a reduced one. In this critical area, the choice we face is to bear the costs—onerous though they may be—or bear the consequences of evading them.

America stands today as a citadel of freedom and a beacon of hope for the world's impoverished millions. Our place on history's canvas may well depend on whether we live up to the hopes of those who look to us to find democracy's premises vindicated and its promises fulfilled.

REINSTATEMENT OF INVESTMENT TAX CREDIT

Mr. TOWER. Mr. President, I am certainly pleased to support the reinstatement of the investment tax credit.

Economic experts appear to be in substantial agreement on the meaning of today's statistics: economic stability is dependent on restoration of this tax credit. Information available to us indicates that increases in spending for new plants and equipment will be considerably reduced from the 16.7-percent increase which took place between 1965 and 1966. Current estimates are that such spending will increase only 3.9 percent over the 1966 level during 1967. The backlog of unfilled orders in the machine tool industry was reduced by 17 percent during December and January. The level of new orders for machinery and equipment has generally declined recently, and extremely tight labor supply conditions in a number of key industries have relaxed.

Mr. President, although I did not favor this investment credit suspension last year, I recognized that economic and fiscal pressures resulting from combinations of circumstances—such as rapidly increased defense outlays necessitated by the situation in southeast Asia, much increase in business capital investment, and Federal deficit spending and corresponding inflationary pressures—were important factors in the administration's position at that time.

I felt, however, that the removal of this tax credit in 1966 for any great length of time could well have a depressing affect on our economy and conceivably could lead us into a recession. I regret very much that our economy for several months was forced to undergo the uncertainties caused by last year's tax credit suspension.

Mr. President, inflation of prices and costs has continued to be with us throughout the last several months. In my opinion, inflation has been worsened by the lack of tax incentives for business and industry to keep busy creating new jobs and improving operations so that cost reductions could be made possible on consumer products. Industry, not the Federal Government, is the primary cause of cost-price inflation through continuing, uncontrolled Federal deficit expenditures.

Mr. President, as I have noted, I felt that there should have been no suspension of this very important credit in the first place. However, I am most pleased that the administration has presented and supported this measure. I feel certain that its enactment will prove healthy to our economy.

AFL–CIO—FOR TRUTH IN LENDING

Mr. PROXMIRE. The American Federation of Labor and Congress of Industrial Organizations has long been one of the most consistent supporters of consumer legislation in the country. That is, of course, not surprising when one considers that the 13½ million members of the AFL–CIO constitute the biggest organized group of consumers in the Nation.

Andrew J. Biemiller, a former Member of the House of Representatives from Wisconsin, is now the director of the Department of Legislation of the AFL–CIO. Recently he told a Senate committee that the truth-in-lending bill, S. 5, should be enacted this year "so that the clear light of truth can illuminate credit transactions throughout the land."

Mr. Biemiller told the Subcommittee on Financial Institutions of the Committee on Banking and Currency that the AFL–CIO has been asking ever since the measure was introduced 7 years ago, "What's wrong with it?" and has "yet to hear anything approaching a persuasive answer."

Since it is my opinion that all of us should have the opportunity to consider Mr. Biemiller's argument, I ask unanimous consent that the statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Andrew J. Biemiller, Before the Subcommittee on Financial Institutions of the Senate Committee on Banking and Currency on the Proposed Truth-in-Lending Act, April 19, 1967

Mr. Chairman, my name is Andrew J. Biemiller. I am Director of the Department of Legislation of the American Federation of Labor and Congress of Industrial Organizations.

I am appearing in support of S. 5, the proposed Truth-in-Lending Act.

The AFL–CIO, which represents 13½ million members of trade unions and their families, has consistently urged the Congress to enact truth-in-lending legislation since its first introduction more than seven years ago.

On February 14 of this year, the Executive Council of the AFL–CIO issued a statement on Consumer Legislation which again called for "enactment of the long-standing Truth-in-Lending Bill to require all credit vendors to tell the borrower what the dollar cost of the finance charges will be on his credit and to state these charges in terms of a true annual interest rate." (I am submitting the complete statement as an attachment to this testimony.)

The case for a truth-in-lending bill is more compelling today than it was in 1960, when it was first introduced by Senator Paul Douglas and his distinguished colleagues.

Since 1960, total consumer credit (exclusive of mortgage debt) has risen by 69 percent. At the end of 1966 it reached an all-time high of $94.7 billion, or approximately $480 for every man, woman and child in the United States.

Installment debt—the major share of this credit—has risen even faster. It is up by 74 percent to a new high of $74.7 billion at the end of 1966.

During 1966, the proportion of after-tax personal income going into repayment of installment debt also reached a new high—14.4 percent, as compared with 13.1 percent for 1960.

Interest on consumer debt totaled $12.7 billion in 1966, is up by 74 percent since 1960.

This debt is owed—and this interest is paid—by a great many people. According to the 1965 Survey of Consumer Finances, conducted by the Survey Research Center of the University of Michigan, 49 percent of all American families are making installment payments. Half of these families owe $780 or more.

We have reason to believe that the proportion of installment borrowers is even higher among union families. Special tables prepared for the AFL–CIO in the course of the 1960 Survey of Consumer Finances showed that 65 percent of union families were then making payments.

No assumptions are necessary with respect to another figure—the shocking acceleration of consumer bankruptcies. Bankruptcies have risen even faster than the debt—80 percent since 1960. There were nearly 176,000 consumer bankruptcies in fiscal 1966, and the forecast for fiscal 1967 is 188,600.

We are well aware, Mr. Chairman, that neither this bill nor any other statute can abolish foolishness. There will always be people who spend—or borrow—beyond their means, no matter what the interest rates may be.

The purpose of S. 5 is not to save fools from their folly; its purpose is protect the prudent from duplicity.

In view of the widespread use of consumer credit and its increasing volume, there is ample reason to insist that consumers be given elementary information on what this credit costs them, in terms they can understand.

There has been little controversy over the desirability of disclosing the total dollar costs of credit in installment contracts. The debate has centered on the proposals that all consumer credit charges be stated in terms of true or effective rates on an annual basis.

No one can seriously dispute the fact that at present, the rates at which credit costs are applied are either not disclosed at all, or are quoted in a manner other than as true annual percentages. There are so many different ways in which credit charges are cited that they cannot readily be compared with each other.

The consumer is hurt in two ways: First, he cannot readily compare the costs of competing credit offers. Second, he is led to believe that credit costs are lower than they actually are. Rates are quoted in ways that imply that they are very low, and to give the impression that they are effective annual rates when they are not.

What ordinary shopper is likely to multiply out the 1½ percent a month on a revolving charge account by 12, to arrive at the true annual rate of 18 percent?

Will a borrower from a small loan company translate three percent a month into an astonishing 36 percent a year? Would he—or could he—ever figure out an annual rate equivalent for the split-level type of monthly finance rate—three percent on the first $150; 2½ percent on the next $150 and one percent on the remainder to $1,000?

The new car buyer purchasing at a $7 per $100 per year "add-on" rate understandably thinks this is an annual interest rate. So does the borrower from a bank who takes out an installment loan at an annual rate of seven percent "discount." Very few can translate these into actual effective rates of around 13 to 14 percent.

In no other field of lending does such disorder and confusion prevail. Business borrowers from banks and other financial institutions would not put up with the flim-flam in credit cost quotations that is defended as appropriate and even necessary in the consumer market.

Surveys have amply demonstrated that few consumers have any real knowledge of how much they pay for installment credit, and especially what they are paying in terms of annual interest. (These surveys are described briefly by Wallace P. Mors, in *Consumer Credit Finance Charges*, National Bureau of Economic Research, 1965, pp. 80–91. Other descriptions of the surveys have also been consulted.)

A 1954 survey of 311 families in Champaign and Urbana, Illinois, found that two-thirds of installment credit users did not know either the amount of the carrying charge of the interest rate on their most recent installment purchase.

A 1956–57 survey of 105 families using installment credit to buy cars in the San Francisco Bay area reported that two-thirds of them had no idea what annual interest rates they were paying and the other third—who thought they knew—said they were paying five or six percent, whereas in actuality, half of them were paying 12 to 32.5 percent.

A 1959 survey by the University of Michigan Survey Research Center showed that 39 percent of those questioned were unable to estimate the cost of credit on a car or for a loan, and that an additional 45 percent thought the charges would be less than 12 percent per year.

In 1960 the National Bureau of Economic Research found that 840 *Consumers Union* subscribers who reported the rates they paid on recent installment purchases estimated on the average, that they paid 8.3 percent. By definition these are sophisticated, consumer-oriented people. But the actual interest they paid as computed by the Bureau, was 23.2 percent. Borrowers who knew the true rate paid an average of 12.1 percent on loans under $500. Those who were completely uninformed paid an average of 37 percent.

Whatever the mysteries of consumer credit financing, there is little mystery about why consumer borrowers know so little about its costs. They are concealed behind a curtain woven out of indecipherable statistics; a curtain that's pure gold on the side of the lender.

It has been argued that some method other than the effective annual rate can meet the problem—monthly rates, for example, or the add-on method of quoting dollars per $100 per year. We disagree.

The price of money in all other credit transactions in the economy is universally in terms of annual interest rates. Consumers considering a home-improvement loan on an installment basis as against an increase in the mortgage—both stated as 5½ percent—may not know that one is an add-on (or discount) rate and the other a true annual rate. Use of savings in an account paying 4½ percent interest, as against an installment loan might be judged differently if the installment loan is quoted at an annual rate of 12.9 percent rather than at $7 per $100 in add-on rates.

Stating credit costs on a uniform, annual effective rate basis would not only make it possible for consumers to shop readily among competing credit sources, but would stimulate such shopping. Many witnesses in the 1963–64 hearings said, in effect. "If I had known the rate was 40 percent, I would have looked elsewhere," or "I would have made other arrangements."

If rates are soothingly low-sounding, such as two percent a month or $7, $8, or $9 per $100 per year, shopping for credit may not seem really necessary or worth while.

How much money is paid out unnecessarily in excessive credit charges isn't known, except for the certainty that it's a lot. In the California study of installment car buyers, mentioned earlier, it was found that four-fifths of the families did not check any credit source other than their car dealers. They paid, on the average, a rate of 22.9 percent in true interest charges. The one-fifth who did check other lenders came out with the relatively low rate of 12 percent. The study specifically pointed out that "The failure to shop for credit was, in all probability, related to the fact that very few of the families knew how much they were paying for credit in terms of annual or simple interest."

If price competition can be made effective among installment lenders, there will be hope for at least some reduction in rates generally, and a much sharper curtailment of excessive rates.

To some of those who oppose this legislation, such a development looms as a threat to the whole concept of credit buying and even to the economy itself. We say this is nonsense.

We in the AFL–CIO are not opposed to consumer credit. We are well aware that many items have become a part of the American way of life, from automobiles to washing machines, would be out of the practical reach of many families if credit were not available. Surely they would be out of reach for most wage-earners. And if they were out of reach, they could not be sold in quantity, many of the workers who make consumer goods would be out of jobs as well.

So we are all in favor of consumer credit. All we ask, and all that S. 5 provides, is that the consumer can tell how much credit is costing him, in honest, understandable terms.

S. 5 does not specify what credit costs should be. It simply requires lenders to tell what they are charging.

What is wrong with that? It seems to us that the only institutions that will be hurt are those who have something to be ashamed of—who know that they are bilking the buyer, and that their charges cannot stand disclosure.

We know that some opponents of the bill have claimed it would be impossible for them to reduce their credit charges to simple annual interest. Without making any claim to be expert computers of credit rates, we simply don't believe them. Surely the credit charges were established on the basis of the return expected of them. Surely those who purvey credit, when they do their own borrowing, calculate costs on a simple percentage basis. We believe their customers are no less deserving.

Actually, S. 5 is far from inflexible in this respect. It sets out a general method of computation and allows for variations for special situations within the discretion of the Federal Reserve Board. It provides for reasonable tolerances on the annual rate statement rather than absolutely precise mathematical exactitude.

As this committee knows, there are now precedents for truth-in-lending set by state statutes. In 1966 Massachusetts became the first state to enact comprehensive truth-in-lending legislation, requiring disclosure of annual rates on virtually all types of consumer installment sales and loans. And on March 23 of this year, a similar statute was signed into law for the state of Washington. The Department of Defense has had a truth-in-lending directive in effect since July 1, 1966, for lenders who do business with servicemen.

Mr. Chairman, this legislation has been under discussion since 1960. It has been debated and refined. It is thoroughly familiar to the committee, to the Congress and to the general public. It is simple, clear and straightforward. It penalizes no one. On the contrary, it offers American consumers—especially the credit buyers, who comprise almost half the families in the nation—the simple right to know how much they are being asked to pay when they don't pay cash.

From the very beginning, we in the AFL–CIO have raised one basic question with respect to this bill: "What's wrong with it?" We have yet to hear anything approaching a persuasive answer.

Therefore we strongly urge your prompt and favorable consideration of S. 5, so that the clear light of truth can illuminate credit transactions throughout the land.

SOCIAL ACCOUNTING

Mr. MONDALE. Mr. President, Washington University in St. Louis, Mo., publishes a highly respected monthly magazine known as Trans-action, which describes itself as "the magazine of social science and the modern society."

The latest issue of the magazine carries an editorial by senior editors Irving Louis Horowitz and Lee Rainwater, both Washington University professors, concerning congressional legislation involving the social sciences and the Federal Government's efforts to assess the state of the Nation. Specifically, the editorial discusses S. 843, The Full Opportunity and Social Accounting Act of 1967, which I introduced along with 10 other Senators early this year.

I ask unanimous consent that the editorial "Comment: Social Accounting for the Nation," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Trans-action, May, 1967]

COMMENT: SOCIAL ACCOUNTING FOR THE NATION

(By Irving Louis Horowitz and Lee Rainwater)

We are now witnessing an ever increasing reliance upon a whole range of social sciences as the American style demands constant assessment of national goals. As public officials become increasingly self-conscious about the quality of American life and cloyingly dedicated to spelling out the national purpose, they are adding the use of other social sciences to the already institutionalized use of economics in determining where we are and where we should go. This inclination, tentative as it still remains, is being matched by the escalating interest of even the most academic of social scientists in the possibilities of their work for creating as well as describing society.

The most significant of several recent moves in the direction of institutionalizing social science as a part of the federal government's efforts to assess the state of the nation and our government activity is Senator Walter F. Mondale's Social Accounting Bill. Senator Mondale (D., Minn.) has introduced legislation aimed at reaching three goals:

—establishing a Council of Social Advisors to devise a system of social indicators to advise the President on and to evaluate national social policies;

—requiring the President to transmit to Congress an annual social report on the nation, specifying progress made, listing goals for the future, and outlining policies for achieving these objectives;

—and establishing a joint committee of Congress to review the presidential report, just as the joint economic committee exercises supervision and responsibilities in economic matters.

On first sight such legislation might appear to simply make more paper work and reports for the government, but if the long experience with the establishment of the Council of Economic Advisors is any guide, Senator Mondale's bill can have a most profound impact both on government operation and on the social state of the nation generally. The bill, if passed, can institutionalize a much more systematic assessment of the social implications of various government actions and of the introduction into the policy-making process of the kind of social considerations that now tend to be either ignored or dealt with in a cavalier manner. Over time the government will begin to face some of the now unrecognized consequences of its actions and will be forced to address as policy issues various social problems which factual ignorance now clouds and conceals.

Although there are strong elitist overtones in establishing yet another group of experts crucial to the policy-making process, Senator Mondale's proposal should eventually result in an extension of democratic policy-making. The most important effect of the bill, as of the increasing importance of the program-planning budget system, will be to compel a clear statement of national goals. Just as in the economic area, this public statement of goals should allow for debate and action, both on the extent to which the goals are being achieved and on the adequacy of the goals framed. For example, the Council of Economic Advisers has taken the lead sometimes shakily in stating that the risk of inflation is a concern that overrides the goal of full employment, making it possible to debate the issue. Were these inclinations only vaguely implied in the economic planning of the nation, it would be much more difficult to formulate a debate on the relative importance of full employment, inflation, and a favorable balance of payments.

The long-range effects of the Mondale legislation on the social sciences themselves would be great. The social sciences are called upon to "put up or shut up" by a program directly calling upon social advisors to work out a social report. Social scientists might experience great internal pressure to move in the direction of more precise and clearly formulated statements about society and about the effects of various kinds of intervention on society. There is certainly no current equivalent of Keynesian programming in the other social sciences. In that sense the establishment of national social policy to some extent precedes and presumes the development of theory adequate to the task. The call for a wider use of social indicators should have the effect of making the development of such theory, along with a spelling out of the indicators themselves, an item of first priority for the social sciences.

In this connection, in order to establish a meaningful set of priorities, we urge that the Council of Social Advisors be enlarged from the present proposed three-member committee to a larger committee. In this way a larger network of advisors from the social science community can be involved. The quantity of information which will be required can be used to expand the type of theoretical horizons that will be needed. The purpose of the Mondale legislation is clearly *not* to build bigger and better mousetraps—for example, bigger and better mental institutions—but rather to show how the use of social indicators can lead first to political policies which might lead to a reduction and finally to an elimination of the need for institutions of this sort.

The legislative career of the act will help make clear that the Senate expects the Council of Economic Advisors and the Council of Social Advisors to cooperate closely and to mutually influence each other. Otherwise, it is likely that one will get two sets of perspectives: an economic advisor's perspective that orients itself mainly to the general health of the economy and a social advisor's perspective that orients itself mainly to all the kinds of troubles that are left over. In the long run, it would probably be desirable to merge the two councils. However, in the beginning, the social advisors probably need the protection of an autonomous agency until they have demonstrated their worth to carry real weight in any kind of combined council.

Much of the data that a council would use are currently collected in the various departments (HEW, OEO, Labor, and Commerce). However, this information is invariably tailored to the particular mission and policy commitments of the department concerned. Over time, the council should be in a position to offer guidance on developing information series which are less biased in terms of particular departmental perspectives. Only a group outside the given interests of each agency will be in a position to gain flexibility in developing and assessing methods for achieving national goals that cross departmental aims.

It is encouraging to find Congress taking leadership in the effort to make the social sciences policy relevant in the broadest possible way. Senator Mondale's bill, along with the proposal by Senator Abraham A. Ribicoff (D., Conn.) for an Office of Legislative Evaluation to determine the extent to which Congress' legislation accomplishes its intended goals, can provide crucial elements in developing a more rational, humane society.

Nor can Senator Mondale's proposed legislation on social accounting be isolated from companion legislation being introduced by Senator Fred R. Harris (D., Okla.) on the establishment of a National Social Science Foundation. For the emerging recognition of the worth of social science information comes at a time when there is a corresponding legislative concern over the moral behavior of social scientists. Therefore, the allocation of funds for the kinds of nonpolicy-oriented research that in the past (and present) have never received much government support or even encouragement is a necessary correlate to the social-indicators approach. For without free and imaginative research, the constructive role of a continuing evaluation of social indicators would be seriously impaired from the outset.

What these social science bills must help ensure is the growth of a wider network of politically relevant groups whose interests can be articulated and represented in federal planning councils. In the absence of this representation, there exists a danger that the planning agencies can become spokesmen for special interests masquerading as the voice of the total society. Experience with this process can serve as a means for educating otherwise inarticulate publics within American society, and for helping them to translate their passions into programs.

DEATH OF FORMER FEDERAL JUDGE DELBERT E. METZGER, OF HAWAII

Mr. INOUYE. Mr. President recently, Hawaii lost a great champion of civil liberties with the death of former Federal Judge Delbert E. Metzger, in Honolulu, at the age of 92.

Even to this day, few Americans realize that the people of Hawaii lived under the harsh dicta of martial law for a considerable period during World War II, when Hawaii was a Territory of the United States.

Judge Metzger ruled that the military had illegally closed the civil courts in Hawaii and had otherwise infringed upon the rights of the Territorial government. He was upheld by the U.S. Supreme Court.

A fearless crusader for what he believed to be right, Judge Metzger once said:

> I've never regretted a single decision I have ever made.

I ask unanimous consent that the accounts of Judge Metzger's passing, published in the Honolulu Advertiser and the Honolulu Star-Bulletin, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, Apr. 25, 1967]

EX-JUDGE METZGER DIES—CHAMPION OF CIVIL RULE

Delbert E. Metzger, 92, of 1914 Vancouver Drive, died last night at Hale Nani Hospital.

As a Federal judge during World War II, he fought against military encroachment on civil government.

Graveside services with military honors will be held over the ashes at 5 p.m. Thursday at Oahu Cemetery.

The Reverend Kenneth Rewick will officiate.

Mr. Metzger served in the U.S. District Court in Honolulu from 1939 to 1952.

In his battle against the Military, he once levied a $5,000 fine on Lieutenant General Robert C. Richardson, Jr., commanding general in Hawaii, for contempt of court.

The United States Supreme Court upheld his contentions on military rule. It declared that the Military had illegally closed the civil courts and had otherwise imposed unnecessary orders on the Territorial government.

In another case, Mr. Metzger ruled that Navy enlisted men do not lose their constitutional rights simply because they are in the Navy.

BAIL REDUCTION

One of his most controversial actions was reducing the bail of seven Islanders—including the I.L.W.U.'s Jack Hall—from $75,000 to $5,000 each after they were charged, under the Smith Act, of conspiring to teach and advocate the overthrow of the government.

"The practice of setting bail was never intended as a punishment of defendants before trial," he said.

His action was denounced in Congress by Senator Joseph C. O'Mahoney, Wyoming Democrat.

President Truman did not reappoint him in 1952. Mr. Metzger said he wasn't reappointed because of his decision in political cases.

BORN IN KANSAS

Delbert Everner Metzger was born in Ozawakie, Jefferson County, Kansas on March 4, 1875.

He attended public and private schools in Kansas and then enrolled at Washburn College. He received his law degree from Indiana Law School.

While he practiced law on the Mainland, he did not limit himself to that profession. He was farmer, rancher, theatrical promoter, newspaperman and mining engineer.

It was as an engineer that he first came to Hawaii in 1899. He volunteered with the Army during the Spanish-American War. He was assigned to the detachment making the first U.S. land survey and map of Pearl Lochs (now called Pearl Harbor).

The digging of artesian wells made him familiar with the land in Oahu, Kauai, Niihau and Hawaii.

And he mixed in politics, too.

With three others, he helped organize the Democratic Party on Kauai in 1900.

As a reward for his services to the party for 60 years, the Democrats named him to the Electorial College in 1960. Thus he cast one of the three votes that Hawaii gave to President Kennedy in the Islands' first presidential election.

MANY OFFICES

Mr. Metzger held many offices. He was a territorial senator from the Big Island from 1913 to 1915 and was treasurer and insurance commissioner for the Territory from 1918 to 1922.

He was considered for appointment as governor of the Territory in 1933, but President Roosevelt bypassed him.

He was named judge of the Fourth Circuit Court in Hilo in 1934. He served on the State bench until he was appointed to the Federal court in 1939.

Mr. Metzger married Alice Marion Weight in Hilo June 29, 1911. She survives, as does one son, Franklin.

The late Louise Hollingsworth, who reported court news for the Star-Bulletin for many years, said Mr. Metzer was "a soft-spoken, mild-mannered man whose firm, judicial pronouncements were sometimes almost inaudible."

LOUD REPERCUSSIONS

But his decision had loud repercussions.

Military government was set up in Hawaii after the attack on Pearl Harbor on December 7, 1941.

Mr. Metzger's stand against what he felt to be arbitrary and unfair operation of military law brought him into sharp conflict with the military government.

The Army had banned habeas corpus proceedings.

Mr. Metzger in 1943 had granted writs of habeas corpus to two naturalized Americans of German birth who had been held by the Army.

In 1944 he granted a writ to Lloyd C. Duncan, an American-born civilian worker at Pearl Harbor who got into a minor fight with marine sentries. He ruled that martial law did not exist in Hawaii and the provost court had no right to try Duncan.

General Richardson refused to obey the court's order and Metzger fined him $5,000.

Richardson retaliated with a general order forbidding any further action in the case or any attempt to enforce the fine.

Attorneys complained, "It's bayonet rule."

The Supreme Court upheld Mr. Metzger.

The Chicago Tribune commented:

"Even when military force prevented the execution of his mandate and he himself was threatened with an arbitrary fine by Lieutenant General Richardson, he courageously and consistently insisted on upholding the Constitution and the rights which it guarantees."

MAJOR DECISIONS

Other major court decisions:

1—Holding court in Los Angeles, Mr. Metzger ruled in August, 1949, that a Nisei did not lose his United States nationality despite his service in the Japanese army.

2—He ruled that the Fullard-Leo family was the legal owner of Palmyra Island. The U.S. Government sought possession of the atoll, but the Supreme Court upheld Mr. Metzger's decision in 1947.

3—He was a member of a three-judge panel which found unconstitutional territorial law restricting foreign language schools.

4—He was one of three judges who found acts of the 1947 Maui grand jury invalid because certain classes of the population were deliberately excluded from the jury.

5—The same panel ruled invalid territorial laws on conspiracy and unlawful assembly. The cases involved I.L.W.U. picketers in the 1946 and 1947 sugar and pineapple strikes.

6—In 1950 he acquitted "the Reluctant 39" who refused to testify before the House Committee on un-American activities.

7—He and Federal Judge J. Frank McLaughlin clashed on the composition of the Federal Grand jury in 1952. Mr. Metzger contended the grand jury lists were improperly drawn up.

He once said, "I've never regretted a single decision I have ever made."

LEFT BENCH IN 1952

Mr. Metzger left the bench in 1952 but he remained a center of controversy.

He appeared as the 50th and last witness for the defense in the Hawaii Communist conspiracy trial in April, 1953.

He gave a ringing endorsement to Jack Hall, the I.L.W.U.'s regional director, and said Hall's reputation as a law-abiding citizen was excellent and that he never heard his loyalty questioned.

Mr. Metzger ran for delegate to Congress in 1952 on the Democratic ticket. He lost to Republican Joseph R. Farrington. In a special election in July, 1954, following Mr. Farrington's death, Mr. Metzger was defeated by Mrs. Farrington.

[From the Honolulu Advertiser, Apr. 25, 1967]

JUDGE METZGER IS DEAD AT 92—FIGHTER FOR CONSTITUTIONAL RIGHTS

One of Hawaii's most distinguished jurists and most liberal lawyers, former Federal Judge Delbert E. Metzger, died yesterday at 6:45 p.m. at the Hale Nani rest home on Pensacola St. He was 92.

A confirmed battler for constitutional rights, the judge once said of his legal career: "I've never regretted a single decision I've ever made." An associate of many years described the judge two years ago as "the kindest man I ever met."

Judge Metzger was a colorful and often controversial resident of Hawaii for 68 years. He has been in ill health for the past two years, and his eyesight was almost gone. Funeral arrangements, being handled by Williams Mortuary, are still pending.

The crusty judge, who was still smoking 16 cigars a day and drinking three or four bottles a night as he neared his 90th birthday, is best known for his battles for constitutional rights.

During World War II, he fined the Army's commanding general in Hawaii, Lt. Gen. Robert C. Richardson, $5,000 for contempt of court—part of Judge Metzger's battle against excessive military control of Hawaii's Territorial government. His contentions on military government were later upheld by the U.S. Supreme Court.

One of his most controversial actions was reducing the bail of seven islanders—including the ILWU's Jack W. Hall—from $75,000 to $5,000 each after they were charged with conspiring to teach and advocate the overthrow of the government.

(The "Hawaii Seven" were acquitted when the U.S. Court of Appeals reversed their conviction, following an earlier U.S. Supreme Court decision in a Los Angeles Smith Act case).

"The practice of setting bail was never intended as a punishment of defendants before trial," he explained.

Judge Metzger was a versatile man. He was a farmer, publisher, soldier, engineer, lawyer, politician and judge during his lifetime. He was a member of the Territorial Senate for two terms and Territorial Treasurer from 1918 to 1922. But twice he met defeat in bids for election as Hawaii's Delegate to Congress.

A native of Kansas, he first came to Hawaii in 1899, and helped organize the Democratic Party on Kauai in 1900. He was a liberal Democrat then—when it wasn't a popular avocation in Hawaii at all—and throughout his lifetime.

The salty judge was fond of saying that no man in Hawaii had more friends—and more enemies at the same time—than he did.

While campaigning for State office one time, he said: "Legislative work needs less political struggles, tricks and skirmishes and more hard-working thoughtfulness toward the public weal."

Campaigning unsuccessfully for election to Congress in 1954, his theme was: "It's time to send a lawyer to Washington."

He celebrated his 83rd birthday with a round of golf even though an irate citizen had filed a $50,000 law suit against him in an automobile accident case.

Judge Metzger delighted in sinking his teeth into controversial matters.

As State treasurer, he found that land appraisals for tax purposes were lopsided in favor of sugar plantations and against home owners. His reappraisals never saw light however. A new governor came along and Metzger said he was asked to resign his post.

Judge Metzger acquitted the "Reluctant 39" local citizens who had been charged by the Federal government for contempt of court for hiding behind the Fifth Amendment by ruling that they "have every right to seek refuge in the amendment."

Once he not only threw out the Federal Court grand jury list but the grand jury itself because he didn't believe a true cross section of the Territory's citizens was represented.

He appeared as a character witness for Jack Hall during the Smith Act hearings here. Later he appeared as a defense counsel in 1958 for pacifists who tried to sail the *Golden Rule* into the Eniwetok nuclear test zone.

SENATOR McGEE ON DISSENT

Mr. McGEE. Mr. President, we have heard the claims that it is, somehow, unfair, intimidating, or bullying for General Westmoreland, personifying, as he does, the American fightingman in Vietnam, to be home addressing editors, students, or legislators, Congress included.

The reaction to General Westmoreland's appearance on the domestic scene has, from some areas, raised anew what I have called the arrogance of dissent. The suggestion has been voiced, and loudly, that the Government of the United States has not the right to be heard defending its policies in southeast Asia, or in marshalling support in the public forum. But the workings of a free society go two ways, Mr. President, so that it follows, I submit, that the Government and the administration have as much right to be heard—indeed, as much right to dramatize their case—as have those who oppose the war in Vietnam.

Mr. President, it is not "political blackmail" for those responsible for our policies and for carrying them out to explain them, to defend them, or to counter those with opposing views. What move has been made to brand dissenters as "traitors" except by the dissenters themselves through a brand of reverse psychology aimed at mobilizing sympathy? I for one have not noticed that those who oppose our policies in southeast Asia have been coerced into silence by the administration or by anyone else. If anything, the tempo of their vocal exercises has been increased in recent days.

If the public debate does give false hope to Hanoi that somehow North Vietnam ultimately will be able to achieve politically what it cannot win militarily—and I must say I am convinced this is the fact—then so be it. This is the burden a free and open society must bear. Thomas Jefferson put it well, Mr. President, when he wrote in his first inaugural address that:

> Error of opinion may be tolerated where reason is left free to combat it.

Mr. President, let us have reason. Must those who oppose the Government's policies desecrate the principles of free debate by accusing our leaders of tyranny? Must they reserve to themselves all wisdom? Why would they apply a double standard by refusing those who accept and agree with our Government's policies, and therefore happen to disagree with the dissenters, equal access to the public forum?

No, debate is not and will not be curbed, Mr. President. But it will be encouraged as a two-way discourse. Those who oppose our Government's policies in Vietnam are free to express themselves. Indeed, they have a duty to do so. But, by the same token, those who support the Government—and the Government itself—have an equal duty to explain its policies, to expand public knowledge about the war, and to enlarge the area of agreement.

Mr. President, this morning's Washington Post, in its lead editorial, dealt admirably with this controversy. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MEETING DISSENT

The government of a free society has no right to suppress, restrain or punish dissent; but it is under no obligation to refrain from reply or rebuttal.

Reaction in some quarters to the tour of General Westmoreland suggests that the opponents of the war may be seized of the notion that they have every right to mobilize their sympathizers but that those in favor of the war do not enjoy the same right to summon support to the forum.

Some bitterness has been caused, in particular, by General Westmoreland's disclosure that criticism of the American policy in Vietnam gives comfort to North Vietnam and, by prolonging the war may be costing American lives. This is simply a fact of life attested to by most authorities who have interviewed officials at Hanoi. The dissenters do wrong to try to suppress this fact and they are mistaken in resenting its disclosure. It is an awkward fact of life.

General Westmoreland did not say, and no other responsible critic has said, that this disagreeable fact makes it disloyal for anyone to criticize the conduct of the war or to dissent from the policy of the Government. It is doubtful if any democratic society could ever achieve, without the sacrifice of all principle, the degree of unanimity needed to divest the North Vietnamese of plausible pretenses on which to maintain the illusion that they can gain a victory by political dissent in the United States. One dissenting voice alone probably would be sufficient to that purpose. How much does an undeniably greater dissent increase the illusion? To whatever degree dissent contributes to it, this is a burden that a free country must cheerfully bear in wartime.

So debate cannot and will not be curbed in the United States, no matter how much it contributes to the hope of the North Vietnamese that they can achieve politically what they cannot accomplish militarily.

While it would be wrong for an American Government to try to diminish dissent by unconstitutional and antidemocratic methods, the Government has every right to try to diminish dissent by making its own contribution to the debate. It is perfectly free and able, within the framework of a free society, to mobilize the sentiment of the country. It should not be reproached for trying to enlarge the area of agreement by increasing the information and knowledge of the public about the war.

And it might be very well advised to seek frequently the advice and consent of Congress to the objectives of policy and to the altering means of achieving those objectives. The time is at hand when Congress, by a new and explicit direction to the Government, stating the ends of American policy and the methods of achieving them, might provide a healthy corrective to the North Vietnamese illusion that they are dealing with Paris and not with Washington.

THE PRESIDENT AND CIVIL RIGHTS

Mr. MONDALE. Mr. President, I was both surprised and saddened today to read the Reverend Martin Luther King's comments in Cleveland yesterday regarding who would be the best presidential candidates in 1968 "from a civil rights standpoint."

I was surprised and saddened not because of the names Dr. King mentioned but because of the name he did not mention. I think that to talk about candidates "from a civil rights standpoint" without mentioning the name of Lyndon Johnson calls for an explanation to the American people. For no President in our history has done more for the cause of civil rights than Lyndon Johnson.

When the history of the 1960's is written at some future date, the civil rights struggle will assume a central place in that work. The names of Martin Luther King and Lyndon Johnson will also assume central places in that history.

For if Martin Luther King was the apostle of the civil rights movement, Lyndon Johnson was the leader whose total commitment secured these rights in the laws of this land.

I am sure that the Senate shares my view that President Johnson has led the way toward more civil rights legislation than any other President since the reconstruction period.

President Johnson's civil rights and equal opportunity record speaks for itself. And friend or foe must admire the moral weight and the far-reaching effects of that record.

I know Dr. King cannot have forgotten that it was Lyndon Johnson who united the people and the Congress behind the Civil Rights Act of 1964 first proposed by the martyred President Kennedy; that it was Lyndon Johnson who worked hand-in-hand with Hubert Humphrey to prevent a filibuster from talking it to death; and that it was Lyndon Johnson whose tireless efforts and skill produced the overwhelming margin by which Congress approved this historic act—the most comprehensive civil rights law since the adoption of the constitutional amendments which freed the slaves and gave them the right to vote and full protection of due process of law.

I am sure Dr. King has not forgotten that Lyndon Johnson was the first President to obtain a voting rights law with teeth in it, and which has already resulted in the registration of hundreds of thousands of minority voters throughout the country. Is there any doubt that this effort took deep moral courage and commitment, and great strength to be successful?

And I am sure Dr. King has not forgotten that President Johnson pledged to go all the way in civil rights when he proposed the comprehensive Civil Rights Act of 1966 to prohibit discrimination across the board in housing, on juries, and in the exercise of the very basic right to protest.

Is this not the program of a great civil rights President?

And while it was President John F. Kennedy who proposed the beginnings of the most extensive equal opportunity programs in American history for the poor and the victims of discrimination and deprivation—it was Lyndon Johnson who saw them through into law and concrete action.

It was Lyndon Johnson who literally emancipated the minds of disadvantaged schoolchildren with the Elementary and Secondary Education Act of 1965; it was Lyndon Johnson who made the Economic Opportunity Act a total crusade against the cycle of poverty and dependency for millions of citizens too long kept out of American life because of their color; it was Lyndon Johnson who said that the cities of our Nation are the vital centers of life and commerce and growth and that they must be helped and strengthened with Federal assistance from every department of the Government; and it was Lyndon Johnson who made the Job Corps, the Neighborhood Youth Corps, Project Headstart and Project Upward Bound realities.

In short, Lyndon Johnson has, in the past three and a half years, built perhaps the greatest equal rights record of any President in American history—a record which cannot be denied.

To omit his name when talking about presidential candidates "from a civil rights standpoint" is an injustice.

And as one who has admired and been deeply moved by Martin Luther King, as one who has supported the efforts of his Southern Christian Leadership Conference, and as the chief Senate sponsor of President Johnson's Fair Housing Act of 1967, I feel compelled to set the record straight and express my sadness that so great and eloquent a leader would, for whatever reason, cloud the shining record of accomplishment and commitment President Johnson has achieved in the struggle for civil rights and equal opportunity.

FEDERAL EQUAL EMPLOYMENT OPPORTUNITIES PRACTICE IN FORT WORTH, TEX.

Mr. TOWER. Mr. President, I recently received a most encouraging report from the director of the Dallas region of the Civil Service Commission, Mr. Louis S. Lyon, concerning a review of equal employment opportunities practices in the various employing agencies of the Federal Government in Fort Worth. The survey was made last February.

Mr. Lyon reported that minority group employment in Fort Worth has increased over the past 3 years by 1.9 percent, from 7.1 to 9 percent. Today there are a total of 646 minority group employees out of a total of 7,104 Federal workers in Fort Worth.

During the same period, in which minority group employment increased nearly 2 percent, the overall Federal employment in the Fort Worth area declined by about 10 percent, due principally to the closing of the Fort Worth Army Depot.

What is especially enlightening is that minority group employees have shown gains in holding professional, administrative, and supervisory positions. According to Mr. Lyon, increasing emphasis will be given to encouraging and motivating youths and adults to pursue higher education and advanced training.

In a letter to me, the director advised me that overall community conditions in Fort Worth were found to be favorable. It was an analysis I was quite proud to hear.

Mr. President, our system based upon individual merit has done more than any other to eradicate color-consciousness.

RATIFICATION OF HUMAN RIGHTS CONVENTIONS WOULD BE OF GREAT VALUE TO U.S. FOREIGN POLICY—LXI

Mr. PROXMIRE. Mr. President, Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery, which I have been urging during every session of the 90th Congress, would be of great value to the United States in the conduct of this Nation's foreign policy.

U.S. ratification would be of immediate advantage in putting our Nation squarely on record on four vital issues of human dignity.

U.S. ratification would rob unfriendly nations of a major propaganda device which our failure to ratify has provided them.

U.S. ratification will also resolve the dilemma of many of our allies who have valiantly attempted to serve as apologists for this Nation's failure to ratify.

U.S. ratification will relieve the embarrassment of our own representatives at the United Nations which our failure to ratify has inevitably produced.

U.S. ratification will enable this Nation to "blow the whistle" on any signatory countries to these treaties which are violating any of the four treaties' provisions.

In short, the benefits to the United States through ratification greatly, greatly outweigh the remote threat of any unfriendly nation bringing a transparently fraudulent charge against the United States.

But what, if anything, do we as a nation have to fear from ratification? Our own domestic law has established standards of human rights immeasurably higher than the minimal guarantees contained in these four conventions.

Mr. President, the case for ratification is compelling. I urge the Senate to ratify the Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery without further delay.

NEED TO MAINTAIN ECONOMIC COMPETITION

Mr. HART. Mr. President, a cry of "wolf" seems too often to be the only way to catch the attention of Congress. This is not by the way of criticism because as a Member of this body I am aware—and I suspect observers are too—that we generally can stretch ourselves only to handle the crises. Impending danger frequently, then, is neglected until it too reaches the crisis stage.

Sometimes this chaotic situation wreaks only minor ills—ills which in one manner or another can be alleviated by tardy action.

But the Joint Economic Committee in its 1967 report has pointed a finger at an impending crisis which could not be cured with a belated bandaid.

In a strong section on "maintaining competition," buttressed by comments expressing even more alarm by the Honorable Wright Patman, the committee warned that if antitrust is not brought to bear on the increasing economic concentration in this country we soon will have no alternative but "some sort of statutory price-wage surveillance and, perhaps, actual controls."

The idea is appalling to me—and I know it is to Members of this body. However, I must concur in the warning. The investigations of the Senate Antitrust and Monopoly Subcommittee—which are quoted in the joint committee report—offer ample proof to substantiate that fear.

Certainly we are not yet too late in coping with the conglomerate mergers which account for approximately 70 percent of the merger activity in the United States. And, armed with the recent Procter & Gamble-Clorox decision from the Supreme Court, it is to be hoped that present law can do much to make sure competition is once again the base stone of our economic system.

What is needed is the cooperation of each citizen—industrial and private. Especially what is needed is an awareness of the deterioration striking competition and a recommitment from Congress and the Nation to the competitive system.

It would be ironic if—as the other major nations of the world are steering more and more onto the road of competition—the nation which carved that road from the wilderness should desert it.

As the report states:

> Antitrust must be assigned a central role in national economic policy of no less significance than monetary and fiscal policy.

Mr. President, I ask unanimous consent that the section of the Joint Economic Committee report for 1967 to which I made reference be printed in the Record:

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

MAINTAINING COMPETITION [1]

However, much private enterprises are exhorted to conduct thier affairs in accordance with wage-price precepts, achievement of price stability in an economy operating at or near capacity is impossible without effective competition. And without vigorous antitrust enforcement industrial markets will not long remain competitive. To underscore this duality—the vital role of competition and the necessity of government antitrust enforcement—is only to repeat what this committee has often said before and, indeed, what, as in its report this year, the Council itself spoke of in clear unequivocal terms. In fact, it has become a kind of annual ritual to stress the importance of preserving competition through antitrust activity.

Antitrust must be assigned a central role in national economic policy of no less significance than monetary and fiscal policy.

It is an economic fact of life that many vital industries in the American economy are now characterized by a high degree of concentration, with a few large firms accounting for most of the output. Sellers in these oligopolistic industries possess substantial power over price which they can exercise in a manner inconsistent with the larger public interest in achieving rapid economic growth with relative overall price stability. By reducing or inhibiting concentration in such industries and increasing the role of market forces, antitrust can materially complement other public economic policies. But if antitrust enforcement is to play such a role, greater vigor and more imagination are required, for, in recent years, far too little significant action has been taken. While price-fixing, bid rigging, and other forms of overt collusion have often been prosecuted by Federal agencies, too few cases have been brought to stem the merger tide and virtually nothing of consequence has been done to reduce the high levels of concentration in oligopolistic industries.

With nearly 2,000 mergers taking place annually—and with fewer than one percent being challenged by the Department of Justice and the Federal Trade Commission—it is hardly surprising that the economy is steadily becoming more concentrated. Data published late last year by the Senate Antitrust and Monopoly Subcommittee showed that in 1963 a mere 200 companies accounted for 41 percent of value-added by manufacture—up substantially from 30 percent in 1947. Even in industries already highly concentrated—autos, to cite just one example—mergers and other factors continue to reduce the number of active competitors. Given also the powerful influence of conglomerate (diversification) mergers, the likelihood—*absent strong antitrust intervention*—is that concentration will increase and that the number of firms with substantial discretionary pricing power will rise sharply. If the public is to be protected under these circumstances, the only answer—and it is an unappealing one to those of us who are strong proponents of a free enterprise system—may be some sort of statutory price-wage surveillance and, perhaps, actual controls.

Against this backdrop, the vital role of antitrust—as a means of achieving and preserving competition so that principal reliance can legitimately be placed on the market to keep prices and wages in rough conformance with changes in productivity—becomes strikingly apparent. Of course, the maintenance of competition calls for more than just antitrust enforcement: government regulation must be shaped to encourage rather than frustrate competition, procurement practices must not have the effect of promoting monopoly, and other public policies must be continuously appraised with the overriding objective of further competition. But in the last analysis antitrust enforcement must assume the primary role in increasing the competitive tone of the economy. And without a highly competitive economy, it may be impossible—without distasteful Government controls—to achieve a rapid rate of economic growth without serious and unacceptable inflation. This is why we think a more aggressive and more comprehensive program of antitrust enforcement is not only needed but is crucially related to the goals of the Employment Act.

TV PROGRAM "THE BELL TELEPHONE HOUR" RECIPIENT OF THE PEABODY AWARD

Mr. NELSON. Mr. President, for enriching television by inviting viewers to look in on events in the world of music, the new "Bell Telephone Hour" has understandably won the plaudits and appreciation of discriminating set owners all over the United States. Now it is indeed good to learn that video's most prestigious honor—the Peabody Award—has been accorded the innovative series that is underwritten by the American Telephone & Telegraph Co.

The George Foster Peabody Awards are designed to recognize the most distinguished and meritorious public service rendered each year by radio and television. They are administered by the Henry W. Grady School of Journalism, University of Georgia, under the direction of John E. Drewry, dean.

"The Bell Telephone Hour" was cited by the awards committee on two counts—for the quality of its programs and for the handling of its brief commercials. I ask unanimous consent to have printed at this point in the Record the text of the Peabody Award citation that was accepted for A.T. & T. by its vice president for public relations, Walter W. Straley, on Thursday, April 20, at the Peabody Award luncheon—its 27th—under the auspices of the Broadcast Pioneers.

There being no objection the award was ordered to be printed in the Record, as follows:

"The Bell Telephone Hour" continues to be one of the finest programs on television—

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[1] See supplementary views of Representative Patman, p. 40.

catering to the intelligent and sophisticated audience that is ignored by so many other programs in prime time. Not only is each program carefully planned and perfectly executed, but the Bell Co. has the rare good sense to key its commercials into the mood of the program itself, and to make sure that these commercials will not destroy the quality of the hour. In recognition—a Peabody Special Award.

THE 25TH ANNIVERSITY OF U.S. NAVY SEABEES

Mr. McINTYRE. Mr. President, the U.S. Navy Construction Battalions, the famous Seabees of the Navy, celebrate their 25th anniversary this year.

The Seabees were some of the most famous heroes of World War II; and we still recall the construction miracles accomplished by these imaginative builder-fighters.

The Seabees of today, led by officers of the Navy Civil Engineer Corps, labor day and night in Vietnam.

Eight battalions are busy building the structures and facilities so critical to the defense of that small Asian nation. Seabee-constructed deep-draft harbors, "instant" piers, landing and storage areas, roads and highways, communications facilities and other improvements promise a better future for Vietnam once piece and security is established.

Of great significance, also, is the newest service performed by the Seabees for people of underdeveloped nations. Seabees civil action teams, the Navy "Peace Corps," are working with Vietnamese villagers, teaching them the basic techniques and skills of construction, helping them to help themselves.

Seabee teams are providing medical help, improving village sanitation, digging water wells, building schools and roads, developing gravel pits, repairing homes and orphanages, and showing the people that Americans understand and care about the people of South Vietnam.

In recognition of the 1967 Seabee Silver Anniversary, Gov. John W. King of New Hampshire recently issued a proclamation paying well-deserved tribute to the unique contributions of the Seabees.

Mr. President, I ask unanimous consent that the text of the proclamation be printed in the Record.

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

A U.S. Navy Seabee Silver Anniversary Proclamation

Whereas, the Seabees (Mobile Construction Battalions), the "can do" troops of the United States Navy, first created during World War II, with subsequent meritorious service of legendary eminence in all theaters of military operations during World War II, in Korea, and today rendering stellar construction and civic action service in Southeast Asia in the highest traditions of United States military forces—will celebrate its twenty-fifth anniversary on 5 March 1967; and

Whereas, the United States Navy Civil Engineering Corps—created as a major element of the Naval forces a century ago, with distinguished service to this great country in war and peace, and meriting as it does the highest distinction that honored duty may attain in the finest tradition of the military—will celebrate its one hundredth birthday on 2 March 1967; and

Whereas, the Naval Facilities Engineering Command (the successor to the celebrated Bureau of Yards and Docks as of 1 May 1966) has for more than a century provided outstanding support to the military and civil services of this great nation and—will celebrate its one hundred and twenty-fifth anniversary 31 August 1967;

Now, therefore be it resolved, that I, John W. King, Governor of the State of New Hampshire, recognize this unusual and distinctive tri-anniversary occasion, and hail these three stalwart elements of the Armed Forces of this great and noble country now and during their 1967 Anniversary Year, marking their unique contributions over the years to the freedom and welfare of all United States citizens and of mankind throughout the world.

Given in the Executive Chambers in Concord this twenty-seventh day of February in the year of Our Lord one thousand nine hundred and sixty-seven, and of the Independence of the United States of America, the one hundred and ninety-first.

By his Excellency, the Governor:

John W. King,
Governor, State of New Hampshire.

Attest:

Robert L. Stark,
Secretary of State.

Mr. BYRD of Virginia. Mr. President, the U.S. Navy Construction Battalions, the famous Seabees of the Navy, this year celebrate their 25th anniversary.

This year also marks the 100th anniversary of the Navy Civil Engineer Corps, whose officers lead the Seabee battalions and teams in action.

In World War II, Seabee construction feats and fighting deeds became legendary. From the beaches of Europe, to the reaches of the far Pacific, a quarter million Seabees built everything imaginable, under the most extraordinary conditions, using techniques and materials in such unusual ways that their motto, "Can do!" became a permanent part of the American language.

In the Pacific alone, the list of Seabee accomplishments included 111 airstrips, 441 piers, 2,558 ammunition magazines, 700 square blocks of warehouses, hospitals for 70,000 patients, tanks for storing 100 million gallons of gasoline, and housing for one and one-half million men.

In Korea, Seabees supported the great Inchon landing.

Today, in Vietnam, the Seabees carry on their proud tradition, of magnificent achievements in the face of monumental difficulties—the challenge of jungles and mountains, rice paddies and unstable sand beaches, the ever-present threat of enemy attack.

Deep in the interior, where Seabee teams are carrying on civic action projects, the village people will remember their Seabee friends who are teaching them the skills and techniques of construction, digging water wells, improving sanitation, raising and repairing schools, churches and homes, building farm-to-market roads, and aiding the orphaned, sick and wounded.

In recognition of the Seabees and their Civil Engineer Corps officers, Gov. Miles E. Godwin, of the State of Virginia, recently issued a statement calling the attention of all Virginians to Navy Civil Engineer Corps and Seabee anniversary year.

I ask unanimous consent to have the text of this statement printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The year 1967 marks the 25th anniversary of the Navy Seabees and the 100th anniversary of the Navy's Civil Engineer Corps.

For completing their tasks in every part of the world, often under enemy fire, the military and civil construction arms of the Navy have become legend. Today their members are adding to an already enviable reputation in Southeast Asia.

As both the Corps and the Seabees hold anniversary observances this month, I call the attention of all Virginians to their many contributions to American victories and to the perpetuation of freedom throughout the world.

THE PROBLEM OF AIR POLLUTION

Mr. TOWER. Mr. President, I have received a letter from Dr. Herbert C. McKee, the very able chairman of the Texas Air Control Board, which I want to share with the Senate. I think Dr. McKee's letter points up the Texas approach to the problem of air pollution.

He writes specifically in regard to S. 780 and H.R. 4279, and addresses himself to the proper division of responsibility between various levels of government. There is much in his letter which deserves Senate notice.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Texas Air Control Board,
Austin, Tex., April 6, 1967.

Hon. John Tower,
Senator, U.S. Congress,
Washington, D.C.

Dear Senator Tower: At the last meeting of the Texas Air Control Board on March 1, 1967, a resolution was passed authorizing me to contact our Senators and Representatives regarding the opinion of the Board concerning S. 780 and H.R. 4279. These bills were introduced recently in Congress for the purpose of amending the Clean Air Act of 1963. Among other provisions, these bills would require the Department of Health, Education, and Welfare to establish emission standards for various industries engaged in interstate commerce that are nationally significant sources of air pollution.

The division of responsibility for air pollution control between different levels of government is admittedly a complicated matter. Certainly, the Federal government should take the lead in certain areas such as establishing standards for motor vehicles, conducting research and development leading to the establishment of minimum criteria for air pollution control, resolving interstate problems, and other areas. However, the members of the Texas Air Control Board *feel that state and local governments should assume a major portion of the responsibility for setting and enforcing standards applicable to local industries,* so that these standards can reflect local conditions, such as meteorological variations, types of industries, patterns of fuel use, and extent of industrial development in different areas. The importance of local control efforts has been stressed repeatedly by the U.S. Public Health Service, and in the Clean Air Act of 1963 and subsequent amendments.

Since Members were appointed to the Texas Air Control Board approximately one year ago by Governor Connally, the Board has established a vigorous program to discharge the responsibilities reserved to the states under the existing legislation. As evidence of our progress and future intentions, I am enclosing a copy of our recent report to the Governor and the Legislature, and also a copy of our Regulation I, "Control of Air Pollution from Smoke and Suspended Particulate Matter." Additional regulations are being developed and will be adopted as soon as possible. Many industries in the state have consulted with the Board's staff concerning the provisions of Regulation I, and voluntary compliance is anticipated by a majority of the industries affected. Enforcement action is also possible by the Board and by local agencies, under present laws in the State of Texas. Methods of cooperation with local agencies in enforcement are being studied. Thus, while our efforts are only beginning, substantial progress in controlling air pollution is anticipated as a result of State and local efforts.

The Texas Air Control Board welcomes the assistance of the U.S. Public Health Service in establishing minimum criteria and in other areas as provided by existing legislation. However, it is our hope that no new legislation will be passed which would prevent the Board from continuing to meet the responsibilities which are presently being met at the state and local level in Texas.

If you would like additional information concerning the program and plans of the Texas Air Control Board, please contact me at your convenience.

Very truly yours,

HERBERT C. MCKEE,
Chairman.

AN UNJUSTIFIED ATTACK ON PUBLIC TELEVISION AND FRED FRIENDLY

Mr. TYDINGS. Mr. President, the Federal Communications Commission has been entrusted by Congress with the awesome and difficult responsibility of insuring that the communications media of this country serve the public interest, convenience, and necessity. An FCC Commissioner must possess a unique combination of talents even to approach accomplishment of this responsibility. Among other attributes, he must be farsighted, fairminded, and deeply concerned with insuring that public airwaves are used in the public interest.

In recent months, FCC Commission Lee Loevinger has demonstrated that he falls far below the standards which are required of a man in his position. In a speech last October, before the New Jersey Broadcasters Association, he displayed an extraordinary "devil-may-care" attitude regarding the quality of television broadcasting. "Television," he said, "is not for me but for many others who do like it, but who have no time for the many things that I like." It is, he continued, "the literature of the illiterate, the culture of the lowbrow." And he concluded, "The more I see of television, the more I dislike it and defend it."

Loevinger's observations regarding the state of television programing are unfortunately accurate. The quality of programing is now determined almost exclusively by the business considerations of its commercial sponsors, and this leads to catering for the lowest common denominator of the audience. This absence of diversity, and failure to develop the educational and life-enriching potential of television is, in my judgment, a cause for grave concern. But Mr. Loevinger just yawns. Television, it seems, is beneath his attention.

There are, however, others in this country who are passionately concerned that the full potential of the television medium should be realized. Fred Friendly is one of these men. At his inspiration, the Ford Foundation has put forward a dramatic new proposal which provides both airwaves and funds for the high purposes which television should serve. This proposal is now before the Federal Communications Commission.

The Commission has not yet acted on this proposal. But Commissioner Loevinger has revealed his bias in a remarkably tasteless and inappropriate personal attack on Fred Friendly. On April 2, Loevinger spoke at the convention of the National Association of Broadcasters. I should note that this speech was reprinted in a full-page advertisement in the New York Times of Monday, April 24. The sponsors of this ad, as listed at the bottom of the page, were a group of radio and television stations. All but one of these stations are CBS affiliates, though the ad does not state this.

The speech consists largely of sarcasm and innuendo directed at Fred Friendly. Commissioner Loevinger refers to him as a "pugnacious chap" and continues:

> The major discovery or disclosure that deserves to be associated with the name of Fred Friendly is the theory, based on more than a decade of assiduous research, that a principal purpose of commercial television is to make a profit.

At another point, Loevinger said:

> Since Mr. Friendly shared the firm faith of a staunch little band of fellow gamesmen that people should watch what he thought would be good for them rather than what they wanted to see, while others in the network failed to share his vision of virtue in this moment of revelation, he negotiated a four hundred thousand dollar terminal payment from his employer and thus secured release from the materialistic demands of his associates.

This last sentence, I have been informed, is incorrect. Mr. Friendly did not negotiate any terminal payment with CBS at the time of his resignation. About a month afterward, a terminal payment was negotiated and the bulk of that payment consisted of deferred compensation and pension funds, to which he was entitled, which had built up during Mr. Friendly's 17 years with CBS.

The sarcastic, flippant tone of Loevinger's remarks are wholly inappropriate from a public official. The personal attack on Mr. Friendly is completely irresponsible. Fred Friendly is one of the most imaginative and courageous figures in American television. If being a "pugnacious chap" means having the courage to do the McCarthy broadcast that Friendly and Ed Murrow produced, then it is clear to me that American television needs more pugnacious chaps, and fewer Federal Communications Commissioners like Mr. Loevinger.

The flippant attitude toward television, and its public role, which Loevinger revealed in his speech last October is also repeated in this speech. The role of television in our society, Loevinger concludes, is amusement and escapism. It is, he says, "automated daydreaming." Should the educational potential of television be developed? Loevinger answers, "A very large group of Americans have received a good deal of education from television by watching commercials." Loevinger derisively dismisses those of us who believe that the American public deserves more diversity and more quality than television presently offers. We have, he says, a "shining vision of the true role of television as the long awaited cultural Messiah."

I find Mr. Loevinger's attitudes toward television, and his personal attacks on Fred Friendly, unjustified and irresponsible. His apparent vendetta against Mr. Friendly obviously biases his judgment regarding the merits of the Ford Foundation proposal now pending before the FCC. Loevinger's speeches raise serious doubts about his fitness to carry out his responsibilities on the Federal Communications Commission.

JUDICIAL BACKLOG

Mr. HRUSKA. Mr. President, for the past 3 days, the Subcommittee on Improvements in Judicial Machinery, of which I am privileged to be ranking minority member, has been listening to testimony relating to S. 915, a bill to provide for the establishment of a Federal Judicial Center.

On Tuesday of this week the members of the subcommittee were privileged to have testify, among other notables, Judge Harvey M. Johnsen, formerly chief judge and presently senior circuit judge of the Eighth Circuit Court of Appeals. I have had the honor to know Judge Johnsen for many of the 29 years he has served on the bench, both on the Nebraska Supreme Court and on the Federal appellate court, and respect his expertise concerning the operation and problems of the Federal courts.

In his statement, Judge Johnsen points up the present situation of the courts, and emphasizes the increased backlog of cases in the courts of appeals. He states that:

> In condensation of this aspect—there has been occurring in the Courts of Appeals since 1960 a marked and progressive increase in filings, with the number of appeals rising almost 70 percent in the last five years alone. But more ominously, the pending cases at the end of each fiscal year have grown from a backlog of 2,220 in 1960 to one of 5,387 in 1966, or an increase of 140 percent.

Judge Johnsen mentions other problems facing the Federal courts, including places of holding court and division points. As the judge explains:

> The matter of holding Federal Court at places within 25 or 30 miles of each other, of continuing the archaic artificialities of division points, etc., is modernly absurd.

In this connection, a few years ago, I had the opportunity to aid in the abolishment in the State of Nebraska of division points and reduce the places of holding court from eight to three.

We will have to wait until all the evidence is in before we decide whether the approach of S. 915 is the answer, or whether some other attack is needed. However, I recommend Judge Johnsen's statement to those who are interested in the current problems of the Federal judiciary, and suggestions for its improvement.

Mr. President, I ask unanimous consent that the statement of Judge Johnsen be inserted at this point in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HARVEY M. JOHNSEN, FORMERLY CHIEF JUDGE AND PRESENTLY SENIOR CIRCUIT JUDGE OF THE EIGHTH CIRCUIT

To the Chairman and the Members of the Subcommittee on Improvements in Judicial Machinery, of the Committee on the Judiciary of the U.S. Senate:

My appearance here is because of a request by Mr. Finley, Chief Counsel for the Subcommittee, to which I am, of course, glad to respond.

This is my twenty-ninth year of judicial tenure and service—two years on the Nebraska Supreme Court; the rest on the Federal appellate bench; and with service as Chief Judge of the Eighth Circuit for a substantial number of those years. It further has been my privilege, through some 23 or 24 years successively, to have served on a variety of the Committees of the Judicial Conference of the United States covering the range of Supporting Personnel of the Courts, Responsibilities and Powers of the Judicial Councils, Geographical Organization of the Courts, Implementation of the Criminal Justice Act, Judicial Statistics, and perhaps another special area or two which I have not taken the time to recall. All this, together with my membership and active participation in the Judicial Conference of the United States during the years I was Chief Judge has given me, I think, a fairly broad perspective and a somewhat definitive insight—or in any event a strong personal interest and a deep judicial concern—as to the condition, the operation and the problems of the Federal courts.

I have been for the past seven years Chairman of the Committee on Judicial Statistics, among whose functions has been to attempt to give direction to the gathering of information on the condition and the work of the Federal courts both in their individual and their system status; to have this information be as practical and meaningful as possible for portrayal and analytical purposes; to keep watch of such particular indications and general trends as the information points up, or contains persuasive implication of, that appear to be developing; to call these aspects to the attention of the Judicial Conference; and to make evaluation and recommendation periodically to the Conference of such additional judgeships as in the Committee's considered judgment seem to be soundly necessary to meet the situation.

It is the spectre presented by the statistics that in my judgment underlies a fundamental part of the need, at least an urgent, immediate aspect of it, for the creation of a Federal Judicial Center—which proposal the Subcommittee is here considering. The suggested Center is intended, of course, as the statement of its purposes in the Bill indicates, to serve long-rangedly and progressively to aid the Federal judicial system in dealing with its problems and improving itself. But I think it can in shorter range—within a period of three to five years perhaps (and I speak here only my personal opinion)—enable us to get at some effective means, in concepts, machinery and unified practices, that can alleviate our present statistical spectre or at least bring within some control the threat of future overwhelmingness.

It was the thought of Chief Counsel Finley, I believe, that a brief indication of the present situation of the courts and how it has been developing might perhaps be helpful in bringing this problem into relationship to a Federal Judicial Center, or that it would at least serve to set up the background against which any attempt to aid or improve the Federal courts cannot escape being viewed.

The situation is, I am sure, generally familiar to all the members of the Subcommittee, and I shall use only a few simple brush-strokes to put it on the canvas here. The easiest thing for me to do first is merely to repeat the aspect which the Committee on Judicial Statistics called to the attention of the Judicial Conference at its most recent session—the situation existing as to the Courts of Appeals, which has not had the focus that has been made upon the District Courts, but which is now reaching proportions that are similarly disturbing.

In condensation of this aspect—there has been occurring in the Courts of Appeals since 1960 a marked and progressive increase in filings, with the number of appeals rising almost 70 percent in the last five years alone. But more ominously, the pending cases at the end of each fiscal year have grown from a backlog of 2,220 in 1960 to one of 5,387 in 1966, or an increase of 140 percent. In fact, at the end of the first half of the present fiscal year, this had further risen to an all time high of 5,714, with a virtual certainty of a still further addition by June 30, 1967, the end of the present fiscal year.

It is to be noted that this has been occurring in spite of the fact the number of terminations per existing judgeship has markedly increased during that period—from 55 cases in 1960 to 76 cases in 1966. The portentous element in the picture, however, is the fact that there has not been a time from fiscal 1960 on when the number of terminations has been able to keep pace with the number of filings. The result is that, where the number of cases pending or the backlog stood at 32 per judgeship at the close of fiscal 1960, it had mounted by the end of fiscal 1966 to 69 per judgeship. And even as to the 1966 situation, it must further be stated that almost all of the Courts of Appeals had called on outside help (primarily district judges) in the hearing load which they had disposed of during that year. For example, in one circuit there had been a use of 36 percent of outside judgepower, and in another approximately 20 percent.

To be correspondingly brief as to the situation of the District Courts, I shall only mention that the civil filings in those Courts increased from a total of 58,293 cases in fiscal 1961 to 70,906 in fiscal 1966; and that while, as with the Courts of Appeals, the number of terminations has materially risen (55,416 in 1961 as against 66,184 in 1966, or an increase of about 9,800 cases), the terminations have not been able in any year to keep pace with the filings, so that the accumulation or backlog has grown from 64,128 in 1961 to 79,117 in 1966, or an increase of 15,000 civil cases.

I voiced the opinion earlier that I thought the creation of a Federal Judicial Center could have an immediate relationship in approach to and improvement of the existing situation in both the Courts of Appeals and the District Courts. There must, of course, in whatever such a Center can do in this respect, be sufficient time for sound overall study, appraisal, approval, gaining acceptance and getting placed in operation such structure, devices and practices as may be capable of being suggested. In general, this means to my mind finding workable and acceptable ways of enabling judges to relieve themselves, to the fullest extent possible, of mechanical and administrative tasks which do not call for exercise of the judicial quality and which are without any real judicial significance in their accomplishment.

In other words, I think there is a business or management side to our court system, as distinguished from the judicial side, which is being allowed presently to abide in the judges' offices, and for which we need to find some line of proper separation and some mode of handling that will enable the judges to free themselves from this unnecessary expenditure of time—except of course in a general responsibility such as they have in relation to the office of the Clerk of the Court.

This is a phase to which we have never been in a position to make any real approach, and yet it is something that I am satisfied has at least a partial responsibility—and a substantial one—for the condition which now obtains in our courts, and particularly the District Courts. Perhaps I can point up one aspect in illustration. Our statistics show that out of the civil cases filed in the District Courts only approximately 12 percent are ever actually tried. This ratio between trials and terminations has remained constant, within a 1 percent range, from 1960 through 1966. Thus, out of the vast accumulation or backlog of such cases which stand upon the District Court dockets, we know with reasonable certainty that some 80 out of every 100 are not going to require judicial time for trial and that getting them off the docket is primarily a matter of finding means and time of subjecting them to some kind of institutional touch and screening that will take them off the bank and put them into movement toward disposition.

Let me hasten to add that while I have used the figure 12 percent as to actual trials, I recognize that there is a substantial number beyond this in which the play of a judicial process such as pretrial conferences has been a material factor and often a controlling one in bringing about disposition and avoiding a trial. But even so, the fact remains that most of the cases which are now standing on the dockets or which will hereafter be filed, while needing some kind of institutional touch or pressure to cause them to get into motion, will thereafter move forward to disposition, once the parties realize that this movement is going to have to continue, and that the touch and pressure will be kept up to see that this occurs.

I am one who believes that there is in this important area a place for some institutional machinery that can be substituted for judicial time, and that a proper study and application to this problem through a Judicial Center should be able to come forth with some kind or some measure of general solution. If this can be done, and if judges can be made to give up the practice which so many of them have of assuming direct responsibility for this aspect, I think we shall have made some material progress toward holding down and diminishing backlog.

I have expressed myself generally and in suggestion only, without any thought of attempting to state what a Judicial Center ought to be expected or will be able to accomplish. I believe I have said enough, however, to make clear my personal opinion that a relationship can be made to exist in a Judicial Center to our present and expanding congestion or backlog problem which should have possibilities beyond the means which have been thus far available to us and the results which we have been able to accomplish.

I should like to add a few words of personal experience as to the third general purpose stated in the Bill—that of providing staff, research and planning assistance to the Judicial Conference of the United States and its committees. This is one of the existing deficiencies under which practically all of the Committees of the Conference have had to labor and which has imposed a material handicap upon their effectiveness.

Using my own experience in illustration—in the most recent effort of the Committee on Judicial Statistics to get at the internal operations and practices of the Courts of Appeals in their relationship to the sound need of these various courts for additional judgepower, we desired to have some field work done or a survey made in order to see if there was anything underlying the statistical picture which detracted from its value or apparent significance in the relationship of the work of one of these Courts to another.

The Administrative Office did not have a staff whose time could be spared to undertake this widespread task. Fortunately, Mr. Olney, the Director of the Administrative Office, was able to prevail upon Mr. Shafroth, former Deputy Director, to do the job for the Committee, despite his retirement, and we were able to get the survey made—but only because of Mr. Shafroth's availability, familiarity and dedication to the judicial system in the particular situation.

Similarly, when, preceding the Omnibus Judgeship Act of 1966, the Committee on Statistics undertook to make a study and evaluation as to each District Court in the country, we found aspects as to which we felt it would not be possible to get at the true picture of judgeship need except by a local penetration into the court situation. We were able to call upon the Administrative Office to have a staff member of the Division of Procedural Studies and Statistics make visits to and explore only a limited number of these local situations.

Again, when the Committee on Geographical Organization of the Courts, of which Judge John Biggs, Jr., was chairman and of which I was a member, undertook a few years ago, at the request of Chairman Cellars of the House Judiciary Committee, to approach this question, we soon discovered that there was little, if anything, we could do in that field because neither the Administrative Office nor the House Judiciary Committee had a staff which could take time to devote itself to the task and we were without any other means of getting it done.

The structure of division points, places of holding court, etc., in our court system bear a direct relationship to the efficiency of the courts and need studying in relation to our congestion situation. The matter of holding Federal court at places within 25 or 30 miles of each other, of continuing the archaic artificialities of division points, etc., is modernly absurd. Senator Hruska of the Subcommittee has some appreciation of this in the effort which he made and succeeded in accomplishing a few years ago of getting all division points abolished in the State of Nebraska and having the places of holding court cut down from 8 to 3 in number. My point here, however, is merely to point out the deficiency which presently exists as to getting any field work done or other necessary study made in this or any other field of committee endeavor, which the Bill for a Judicial Center laudably has as part of its purpose to correct.

To give one further such example—the Committee to Implement the Criminal Justice Act, of which Chief Judge John S. Hastings is Chairman and of which I am a member, has recently, in an attempt to carry out the request of the Congressional Conference Committee to the Department of Justice and the Judicial Conference of the United States to make report on the operation of the Criminal Justice Act, been working with the Department of Justice to have a field study made of how the Act is actually functioning, but here again it has been necessary to try to find some outside way of getting the task done because of lack of staff and means in either the judicial system or the Department of Justice to do the job.

Other Committees are able to provide similar examples as to the need for the Judicial Center Act from this standpoint.

I emphasize in concluding that I have been expressing merely my personal views in what I have said, but in any persuasion which this may contain I do voice the hope that a Federal Judicial Center may be established. I am certain it will be able to provide means for improving the Federal judicial system, which will carry us further along the way than we have yet been able to do.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

REVISION AND EXTENSION OF THE APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 602.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 602), to revise and extend the Appalachian Regional Development Act of 1965.

The Senate resumed consideration of the bill.

Mr. STENNIS. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. Mr. President, I have no additional opening remarks.

Last evening, I made a major statement on the previsions of the pending bill, as did the Senator from Kentucky [Mr. Cooper].

I know that the distinguished Senator from Mississippi desires to speak. I will not yield to him but ask that he be recognized.

Mr. STENNIS. It will be all right if the Senator will yield to me for just a few moments.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield to me for 30 seconds?

Mr. RANDOLPH. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I appreciate the Senator from West Virginia yielding to me for these few minutes. I wish to highly commend the chairman of the Committee on Public Works, and each member thereof, for the splendid work they have done over the course of the years with reference to the Appalachian program, which I consider to be one of the most valuable ever to come out of Congress.

It has the virtue of being coordinated with the States, their Governors, and their governments. Over the period of the past 3 or 4 years I have conferred closely with the Senator from West Virginia, the chairman, and he has his whole heart in this matter.

An area in my State of Mississippi, really was not considered in the original Appalachian bill. It has now been considered by the committee. It very properly adopted the formula, of admitting a certain number of counties from my State. I thank the committee not only for that action but also because it was willing to consider the matter. Other counties had been requested, both by me and my colleague [Mr. Eastland] to be included, but the committee, in its wisdom and its discretion, adopted a formula which left those counties out.

Even though I am disappointed, I shall yield to the judgment of the committee and go along with it in utmost appreciation, but with the hope that the committee in the course of future events will devise a plan which will include those counties.

Having already said that I know that the Senator from West Virginia gave this matter the utmost consideration, I should like to inquire what his position is now. Do I correctly understand, from private conversations, that he stands on the bill as it is presented now to the Senate and will espouse the cause of the Senate amendment, but that he will oppose any other amendment?

Mr. RANDOLPH. Both the junior Senator from Mississippi and his senior colleague [Mr. Eastland], who is now in the Chamber, have worked with me on these matters. The members of the committee gave the most careful attention to the documentation which formed the basis for bringing the Mississippi counties into the Appalachian region.

We have included language in Senate bill 602 to establish a procedure for taking care of this matter of increasing the number of counties embraced in the definition of the region. The committee felt that there might be an overexpansion of the area. It is understandable, that, from time to time, there might be reasons for requests for one or more additional counties to be included. Thus, in order to protect the integrity of the region the following language is included in the pending bill:

> No recommendations for any change in the definition of the Appalachian region as set forth in this section shall be proposed or considered by the Commission without a prior request by the Congress for a study of such change.

In the future, this section would be applicable to areas which might be considered for inclusion within Appalachia.

The 18 counties within Mississippi included in the pending bill are in keeping with the character of Appalachia, although the criteria are somewhat flexible.

We did not believe that the other Mississippi counties which had also been requested met all of the criteria or were as closely related to an economic planning and development area as are the counties which the committee accepted.

Mr. EASTLAND. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Does the Senator from West Virginia yield to the Senator from Mississippi?

Mr. RANDOLPH. I yield.

Mr. EASTLAND. What were included were counties in the drainage area of the Tombigbee River, which is typical of the topography of the Appalachian area; were they not?

Mr. RANDOLPH. That is true. I so indicated in my opening statement of last evening, and it in part bears out exactly what the Senator has indicated.

Congress could act, of course, on the question of including additional counties by, as the Senator understands, a committee resolution, as is done when flood control studies are authorized. So we do not block the consideration of counties in the future.

Mr. STENNIS. The Senator wants to get it down to the congressional level, so that Congress will know about it, and the Senate will have the facts in mind and can pass on the matter with the other body?

Mr. RANDOLPH. The Senator has stated it correctly.

Mr. STENNIS. Of course, in the process of legislating on the bill, the House of Representatives can consider this proposal. Members of the House from the State of Mississippi are interested, and if there should be a House amendment that includes these eight counties, or any part of them, I am sure the Senator, with his usual and very fine concept of and approach to this problem would consider what the House had done, if it had acted to include any of these counties in the bill.

Mr. RANDOLPH. Yes. If the matter of including additional counties were involved in conference, I would certainly give very searching consideration not only to the requirements of the Senate position, but also to the points which have been brought out.

Mr. STENNIS. I thank the Senator not only for his position, but also for showing a high level of statesmanship in the legislative process. We both appreciate it.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the senior Senator from Mississippi.

Mr. EASTLAND. The Senator from West Virginia has rendered an able and outstanding service. He certainly has been fair to the State of Mississippi. I am going to support the bill. I am going to support the committee's stand. I hope that if certain other counties should be added in the future, they will by all means be considered. I realize that there is a cutoff date. I realize that the distinguished Senator has his problems. He has been mighty fair and square with my State.

Mr. RANDOLPH. I am grateful for the further comment of the Senator from Mississippi. I assure him now, as I have on prior occasions when we have discussed this matter, that we are very conscious of our responsibility to include in the Appalachian region the counties in Mississippi or other States that have valid reason to be included.

Mr. EASTLAND. Mr. President, I support the Appalachian Regional Development Act Amendments of 1967. Of particular interest to me is the addition of 18 northeast Mississippi counties to the Appalachian program.

I have watched very closely the results of the Appalachian program as it has been applied in the several States involved since its enactment. I find this to be one of the best programs ever enacted by the Congress to assist the underdeveloped areas of our Nation.

The program was born out of the desire of the people in the area, working through their Governors with the Federal agencies in a true spirit of partnership. This partnership has demonstrated beyond our fondest dreams what can be done when local initiative and know-how, coupled with our Federal capability, are put to work on economic problems.

I was most happy to join other Senators in cosponsoring the bill before us to extend the life of this program and to enlarge its application. I am grateful to the members of the subcommittee and of the full Committee on Public Works for adding 18 counties in Mississippi to the area designated to participate in the benefits authorized in the bill. I had hoped 26 counties in Mississippi that have a real desire to become a part of this program could be included. The judgment of the committees was such that the area of my State added was limited to those counties that drained wholly or partially into the Tombigbee River.

It is not only desirable but inevitable that northeast Mississippi be incorporated in the Appalachian program. The economic structure of northeast Mississippi is and has been historically an integral and inseparable part of the southern Appalachian region. Geographically, these 18 counties are a part of and contiguous to the southern Appalachian range, sharing common problems and potentialities. It is my firm belief that the addition of these counties to the Appalachian program will be mutually beneficial to all concerned. The State's cochairman of the Appalachian Regional Commission, the distinguished Governor of West Virginia, was asked this question when testifying before the Committee on Public Works:

> What motivated you and the other Governors to approve the request of Mississippi for inclusion of the 26 counties as a part of the region?

Governor Smith summed it up as follows:

> The Commission was approached in regard to this because of the similarity of the area. A study was made by the Commission staff, to compare the statistics, the level of income, the problems that existed in this particular area. After the report was submitted the Governors studied it and on the basis of the information contained in that report we found that there was a similarity of problems. The counties are contiguous and we believe that they would fit in and would enable this program to be mutually advantageous to the neighboring States, those presently in Appalachia, as well as to those counties in Mississippi.

The Committee on Public Works, having carefully and conscientiously reviewed the recommendation that northeast Mississippi be included within the Appalachian program, summed up their findings in the committee report on S. 602:

> S. 602 recommends the addition of 18 counties in Missisippi. Much of northeastern Mississippi shares common economic, social, and physical characteristics with counties in the Appalachian region. This area of Mississippi exhibits many of the same conditions of deprivation, such as, unemployment, educational lag, health needs, public facilities shortages and lack of adequate access which the Appalachian program is seeking to alleviate in the region.

On page 45 of the report accompanying S. 602 the Committee on Public Works sets forth findings on which it bases the recommendation to incorporate northeast Mississippi in the Appalachian program. I ask unanimous consent that the findings be printed at this point in the RECORD.

There being no objection, the excerpts from the report were ordered to be printed in the RECORD, as follows:

MISSISSIPPI

Almost the entire State of Mississippi shares the conditions of deprivation, unemployment, educational lag, health needs, public facility shortages, and lack of access which are characteristic of the entire Appalachian region.

Population growth in the State of Mississippi in the decade of the fifties was entirely offset by net outmigration of 434,000 persons. This parallels the regional experience for the same period, where a net outmigration of over 2 million persons kept population growth down to 1.1 percent.

Per capita income for Mississippi in 1960 was $966 and over 50 percent of the families in the State had incomes under $3,000, while for the region the corresponding figures were $1,405 and slightly over 30 percent of the families.

Education levels in the Mississippi adult population are lower than those of the region and of the United States. Over 18 percent of the adult population has completed less than 5 years of schooling and only 29.8 percent has completed 12 or more years of schooling. The corresponding figures are 11.6 percent and 32.3 percent for the region, and 8.4 percent and 41.1 percent for the United States, respectively.

Employment in Mississippi underwent the same drastic shifts during 1950–60 as the region. As shown in table 1, there was a shift of far greater proportion than that of the United States out of the extractive industries (agriculture and mining) and an increase in the percentage employed in manufacturing and service industries. However, the ability of the region's, as well as Mississippi's, economy to make opportunities available for those workers released from agricultural and mining employment has been inadequate. This resulted in a decrease of the total number of employed: −1.5 percent for the region, and −4.8 percent for Mississippi, as shown in table 2. This decrease would have been much higher if the high level of net outmigration had not occurred.

TABLE 1.—*Distribution of employment, 1950 and 1906*

	1950			1960		
	Appalachian region	Mississippi	United States	Appalachian region	Mississippi	United States
Agriculture	14.1	42.1	12.4	6.8	20.9	6.7
Mining	9.2	.5	1.6	3.9	.7	1.0
Construction	5.4	5.1	6.1	5.8	6.6	5.9
Manufacturing	27.8	12.6	26.0	32.2	19.2	27.1
Services	43.5	39.7	53.9	51.3	52.6	59.3

TABLE 2.—*Changes in employment, 1950–60*

	Appalachian region	Mississippi	Non-Appalachian United States
Agriculture	−52.5	−47.3	−35.6
Mining	−58.6	27.0	−1.0
Construction	5.7	23.0	10.8
Manufacturing	14.2	44.8	20.6
Services	16.3	26.3	28.1
Total	−1.5	−4.8	17.1

Source: Regional figures from PARC report.

Most of the Appalachian region, as presently defined, falls within the Piedmont, Blue Ridge, Appalachian Valley, and Appalachian Plateau provinces. In addition, portions of Alabama, Tennessee, and Kentucky fall within the province defined as "Interior Low Plateau." A portion of that province falls within extreme northeastern Mississippi, within the counties of Alcorn, Prentiss, Tishomingo, Itawamba, Monroe, Lowndes, and Noxabee. This area of Mississippi is identified as the "Fall Line Hills," a province which extends into and across Alabama. The Mississippi portion of the Fall Line Hills, and the adjacent lands of Appalachian Alabama, comprise the eastern half of the Tombigbee watershed. This area also shares common characteristics in forest vegetation with Appalachian Alabama, Georgia, Tennessee, and Kentucky. These counties, therefore, constitute a geographic area with direct physical ties to the rest of Appalachia.

Three communities adjoining the Fall Line Hills in the Tombigbee Valley provide many of the employment opportunities and trade services for the area. They are: Corinth (Alcorn County), Tupelo (Lee County), and Columbus (Lowndes County). The labor sheds for these three centers are practically identical with the boundaries of the Tombigbee watershed. This conclusion is based on commutation patterns developed from the 1960 census employment data. This area includes, in addition to the counties already mentioned, Tippah, Union, Pontotoc, Lee, Chickasaw, Clay, Webster, Oktibbeho, Choctaw, Winston, and Kemper Counties.

These 18 counties constitute the minimum area upon which a regional development program could be based in northeastern Mississippi. They coincide with the Tombigbee watershed in which a master watershed development organization is operating.

In addition, these 18 counties make up the Tombigbee River Water Management District and the Northeast Mississippi Resources Conservation and Development Project Area. As such they represent an organized economic planning area capable of taking full advantage of the Appalachian program.

Mr. EASTLAND. Mr. President, this will not be the first time that the people in northeast Mississippi have united with the people of southern Appalachia in a bold, imaginative, and efficient partnership between local, State, and Federal authorities in order to initiate a comprehensive multistate program to develop the economic potential of this region.

Northeast Mississippi is presently bound to the southern Appalachian region by the Tennessee Valley Authority, the most successful areawide program ever instituted by our State and Federal Governments. The industrial and agricultural progress that has been made in this area has been largely due to the electric power, fertilizer, flood control, inland waterways, soil conservation, and restoration which TVA brought to this region.

The people of the southern Appalachian region are presently united in a multistate program to promote the construction of the Tennessee-Tombigbee Slack Water Canal, which will traverse north Mississippi and link up with the great Appalachian waterways to the Gulf of Mexico. With the construction of that canal, northeast Mississippi will be drawn even more closely into the economic orbit of the Appalachian region.

If these 18 counties are bound to the Appalachian region by geographical, cultural, and economic ties, and by mutual self-interest, they are bound even more closely to each other for the same reasons. They are bound together by the fact that they are TVA counties, that they are traversed by the proposed Tennessee-Tombigbee Canal, that they lie within the Tombigbee River Basin, and for other reasons. For these reasons, northeast Mississippi has distinct interests and characteristics which are peculiar to that area of the State. All of these counties are members of the Tombigbee River Water Management District, a joint State-county venture organized with broad powers to accomplish a comprehensive program dealing with all aspects of developing the water resources of the basin.

Some of the other multistate and or multicounty ventures in which these counties are involved are the Tombigbee River tributaries flood control project, the Tombigbee River Basin flood prevention program-SCS, resource, conservation and development program, the Rural Community Development Association, and the North Mississippi Industrial Development Association.

Thus, the people of northeast Mississippi have long realized how the resources of an entire area can be developed agriculturally, industrially, and commercially, and otherwise through joint ventures between local, State, and Federal authorities.

The application of the Appalachian program has already demonstrated, and I think will to an even greater extent in the future, that by activating the States in putting up their cost-sharing money for administrative expenses and participating through their agencies in the studies and justification for projects that we are developing State capability to move on its own initiative and to invest its own resources in solving its intrastate and local problems.

I feel that the performance under the program since its activation fully justifies the increased authorization in both mileage and funds for development highways not already on the Federal-aid primary system. In my judgment, the additional mileage is insufficient, but it will certainly contribute to the movement of raw materials into and finished products out of the area.

I congratulate the committee on doubling the mileage for access roads so that the new industrial plants, health projects, educational facilities, and port and recreational facilities can be reached from the primary system of highways with ease.

I know that the combined judgment of the several States officials working with the Appalachian Commission and Federal agencies will expend the authorized funds on the projects determined to be feasible so that the maximum in economic benefits will be generated.

The low incomes earned by the residents of the area have been such that they have been unable to participate in our health programs or to receive the benefits of private medical practice to the extent desired. The construction and operation of demonstration health centers will encourage the citizens of the area in the use of their own funds to protect their health and earning capacity.

One of the most far-reaching benefits in the pending bill is the encouragement of vocational educational facilities to provide job training to obtain employment. I know that the administrators of the educational program will channel it toward the needs of new industry being located within their immediate areas of such facilities so that the productivity of new plants and existing industries can achieve a more competitive position in both our domestic markets and in the markets of the world.

I am also encouraged that the bill includes incentives over and above our existing programs for the Nation to help in the development of adequate water supplies and distribution systems and for the treatment and disposal of municipal and industrial wastes. Water is one of our most valuable resources and it will be essential to protect its quality and at the same time that we encourage and increase its use for the development of the economy of the depressed areas.

Mr. President, I say again that, in my judgment this is very beneficial legislation. It meets the needs of our long economically depressed areas and by making it more productive will strengthen our entire Nation.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield now to the Senator from Ohio.

Mr. LAUSCHE. Has any change been made in the bill dealing with the former-existing law covering strip mining operations?

Mr. RANDOLPH. No. The committee has in no way altered that legislation. We know of the interest of the Senator from Ohio.

Mr. LAUSCHE. My interest is in awaiting a report from the Department of the Interior as to what course we ought to follow. My only concern is that there has been no change in the law.

Mr. RANDOLPH. The committee is

also interested in the report from the Department of the Interior, which is to be sent to the Congress by July 1, 1967.

In that connection, I read from page 39 of the report accompanying S. 602:

> The committee wishes to make it absolutely clear that none of the changes which it has recommended are designed or intended to remove the restriction contained in subsection (d) of section 205 relating to use of funds authorized under that section on privately owned lands.

Mr. President, I yield now to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, I am pleased to support S. 602, which extends and revises the Appalachian Regional Development Act of 1965.

The Appalachian program—now 2 years old—has laid the foundations for rejuvenating the economy of this vast underdeveloped region which ranges across a dozen of our eastern States.

The Appalachian program has been successful over the past 2 years in setting in motion a number of activities that are essential to any permanent improvement of the Appalachian economy. I do not mean to imply that the job has been completed in Appalachia, but it is well underway on several fronts which have particular application to Pennsylvania.

First of all, the Appalachian Development Highway System has been quickly put under construction. The Appalachian Commission acted promptly at the outset to decide what highways should be built to get construction going. For this it should be commended, for this network of strategically placed highways, crisscrossing Appalachia in all directions, will have a profound and long-range impact on many of the region's communities. This highway system will add more value to other development projects initiated under the Appalachian program by increasing Appalachia's accessibility to other parts of the Nation and to other parts of Appalachia.

The 432 miles of Appalachian highways earmarked for Pennsylvania include several routes whose improvement and construction cannot fail to enhance the development potential of Pennsylvania. The reconstruction and improvement of U.S. routes 220 and 15 under the Appalachian program will provide a decent direct north-south highway through central Pennsylvania for the first time in its history. Similarly, the rebuilding of U.S. route 22 with Appalachian highway funds will fill a serious gap in east-west transportation, and will serve several major population centers such as Altoona, Johnstown, and Pittsburgh.

The second major front on which the Appalachian program has shown progress consists of the unique contribution of the Appalachian Regional Commission to Federal-State relationships. The Commission comprises the interests of the Federal and State governments, each having equal representation. Unlike most Government programs, the Appalachian program gives the States a major role in determining Commission policy as to the economic development of the region, and in directing the expenditure of Federal funds. The Appalachian Commission has been the instrument which enables the State and Federal Governments to work together toward a common objective of developing the Appalachian economy.

The Commission has proved thus far to be the best example of creative federalism that I know of. Not only do the Appalachian States have primary responsibility for planning and initiating projects, but they actually share with the Federal Government in making decisions and establishing policy. In addition to promoting harmonious relations between the States and the Federal Government, the Commission has promoted a high degree of cooperation among the 12 Appalachian States. It is this interstate cooperation in the Appalachian program that has been primarily responsible for the Commission's success in deciding the location of highway routes and the smooth implementation of other elements of the Appalachian program.

The Appalachian program has demonstrated a valid and workable approach to one of the Nation's most critical domestic problems—the need to decentralize the decisionmaking about Federal grant programs, as well as their administration. In 2 short years, the Appalachian States have measured up to the responsibilities given them under the Appalachian program.

The third major task being performed by the Appalachian program with special ramifications for Pennsylvania is the restoration and rehabilitation of lands damaged by past and present mining practices. This program is particularly valuable to Pennsylvania where strip mining, mine fires, and the threat of mine cave-ins have long impeded economic development near its major Appalachian population centers.

The program to prevent mine subsidence and to extinguish and control mine fires was included in the Appalachian Act at the specific request of Senator SCOTT, Governor Scranton, and myself. Pennsylvania is uniquely afflicted by these problems in its northeastern anthracite region and in the bituminous area around Pittsburgh. All of the funds appropriated for sealing and filling mine voids and for the control of mine voids and for the control of mine fires have been granted to Pennsylvania. The Appalachian Commission has to date approved 31 mine fire and subsidence projects in the Commonwealth. The total cost of these is estimated at $22.5 million, including a 75-percent Federal share of $17 million.

In addition to the mine fire and subsidence projects approved thus far by the Commission, Pennsylvania has identified more projects which would require more than $35 million in Federal funds at the present 75–25 matching ratio.

I cannot emphasize too much the importance of the Appalachian mine area restoration program to Pennsylvania. The existence of mine fires throughout the State threatens residential and commercial property worth millions of dollars. Noxious fumes and gases released by these fires endanger the health of thousands of our citizens. These hazards received much nationwide attention last Thanksgiving when several families were forced to evacuate their homes in South Scranton in order to escape poisonous fumes released by a large mine fire. For the control of South Scranton mine fire, the Appalachian Commission approved $3,375,000 to protect health and property in Pennsylvania's fourth largest city.

Eleven mine fire control projects under the Appalachian program are now in progress under the Federal Bureau of Mines, involving almost $9 million in Federal funds.

Of equal importance to the Commonwealth has been the program to combat mine subsidence in the Scranton-Wilkes Barre area of our northeastern anthracite coal fields. The Appalachian Commission has approved six subsidence projects involving $4.5 million out of a total cost of $6 million.

The $39,150,000 authorized in S. 602 for mine area restoration is urgently needed to continue the momentum started over the past 2 years in combating these two serious Pennsylvania problems. Economic development can never be fully achieved in Appalachian Pennsylvania until its mine fire and subsidence problems are solved. This is especially true since the most serious subsidence problems are found near Wilkes-Barre and Scranton in the heavily populated Wyoming Valley of northeastern Pennsylvania which must serve as the focus for economic growth in that part of the State. This area and the Pittsburgh area are also where the most serious mine fire problems exist, and they must be dealt with in order to enhance the growth potential of these major metropolitan areas.

The third major element of the Appalachian mining restoration program is its provision for rehabilitation of strip mined areas. This part of the program has not moved at a rapid pace since the Appalachian Act provides that only publicly owned lands may be reclaimed under this program, and little of the land in Appalachia scarred by strip mining is in public ownership.

The Secretary of the Interior's report of July 1966 indicated that only 4 percent of the strip mined acreage in Appalachia is in public ownership and few of the States or local governments have the capacity to acquire these lands for reclamation.

Later on this year I intend to introduce legislation which would establish a program within the jurisdiction of the Appalachian Regional Commission to provide for the rehabilitation of strip mined lands not in public ownership. We cannot afford to postpone action on this critical problem indefinitely; too much is at stake for the people of my State and the other States of this region whose future is tied up with the fate of these blighted lands.

The three elements of the Appalachian mine restoration program—strip mine reclamation, mine fire extinguishment, and the elimination of surface subsidence—all are intended to improve the environment in Appalachia with a view to future development. S. 602 adds to these existing programs the authority to combat another serious mining problem, the reclamation of mine waste piles caused by underground mining. Those waste piles, which can be found throughout Pennsylvania, as well as other Appalachian States, are as unsightly and detrimental to the environment as the strip mine scars which afflict much of the region. Therefore, the rehabilitation of mine waste piles, along with the other reclamation programs, will contribute greatly to better environmental conditions in Appalachia.

I do feel, however, that the Appalachian Regional Commission has made an impact on the strip mining problem apart from the approval of strip mine restoration projects. This impact has taken the form of State regulations governing strip mining inspired in part by the example set by the State of Pennsylvania and others. Pennsylvania was the first State in the Nation to enact a strict set of regulations—in 1963. Since that time it has been followed by two other Appalachian States, Kentucky and West Virginia, which have enacted equally strict laws governing strip mining within the two States. At the present time, Virginia and Tennessee are considering similar legislation. It is apparent that the close association of all of these States on the Appalachian Commission has served to advance the cause of State-sponsored strip mining legislation throughout the Appalachian region. It is also apparent that these States, in the process of learning from one another, have assumed a substantial amount of responsibility at their own level of government in meeting the strip mining problem.

Pennsylvania's and Appalachia's immediate mine restoration problems are now in the process of being solved under the Appalachian Regional Development Act. There remains, however, one very serious problem in Appalachia's rivers and streams which to date has not been tackled under the Appalachian program.

I refer to the discharge of acid draining into thousands of miles of the region's streams as a result of both deep and surface mining operations. I have accordingly written and sponsored an amendment to the Appalachian Regional Development Act which appears in S. 602 to cope with the problem of acid mine drainage. My amendment authorizes $3 million in Federal funds for the development of a program for fighting acid pollution in Appalachia resulting from mining activities.

Considerable research has been carried on by the Federal Government in the past concerning acid mine drainage. However, action proposals have been sadly lacking. My amendment to the Appalachian Act gives the Appalachian Regional Commission, the Department of the Interior and other relevant agencies authority to devise a specific program to implement all of the various research that has been conducted on this problem.

Some 4,300 miles of Appalachian streams contain acid pollution, and half of this mileage is located in Pennsylvania in all of the State's major river basins. Our Susquehanna River Basin alone contains 800 miles of acid polluted waterways. The Delaware Basin contains 140 miles of acid pollution and more than 1,000 miles within the Ohio River Basin are polluted.

As in the case of mine fires and mine subsidence, economic development will not be fully accomplished until the streams of Appalachia are made clean. Water is one of Appalachia's most precious assets, but if the water is unfit for human and industrial use, there can be no adequate development along the 4,000 miles of major streams containing the pollution.

I am confident that this important amendment to the Appalachian program will produce results in cleaning up Appalachian water supplies. This proposal calls for developing a program for the control, reduction, or elimination of acid pollution in the region. The study that will be conducted will identify the sources of acid mine pollution throughout Appalachia; it will identify present and potential water use activities affected by acid mine pollution; it will identify known methods and costs for the control and abatement of acid pollution, and it will estimate the economic and social benefits that will result from reducing acid pollution in the region's streams.

The prompt enactment of S. 602 will continue the valuable work of the Appalachian regional development program in its attack upon the problems of Appalachia. This program has started the long-range planning and action necessary to cure the problems of deteriorating communities, the rehabilitation of mining areas, the serious educational problems which hold the region back, the chronic underdevelopment which results in inadequate access, and a host of other problems. This bill, adding several new ingredients to the original Appalachian Act will carry Appalachia closer to the eradication of the poverty and unemployment which have too long plagued it.

May I now have the attention of the senior Senator from West Virginia, the floor manager of the bill?

I say to my good friend that I must express my deep gratitude to him for his willingness to include in the bill the amendment which I sponsored dealing with acid mine pollution water going into our streams. I thank the Senator from the bottom of my heart for his courtesy in this regard. I am sure he will be repaid many times over. I believe there is a somewhat similar problem in West Virginia.

Mr. RANDOLPH. Mr. President, will the Senator yield at that point?

Mr. CLARK. I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I recall the constructive contributions made by the Senator from Pennsylvania during the earlier consideration of the Appalachian legislation in 1965. At that time he addressed himself to the effect of mine acids on the streams of the Commonwealth of Pennsylvania, the State of West Virginia, and other areas within the region.

The committee considered the matter, and embraced his thinking in 1965, and we have done so again in 1967.

On page 43, of the committee report filed with S. 602. we recommend this new subsection, stating:

> This provision calls for the development of a comprehensive action program to attack the problem of acid pollution in the rivers and streams of the region.

The report discusses the matter of underground and surface mines in the Appalachian region, particularly in six States. It points out the problems in the Loicona Dam and Reservoir in Pennsylvania where fish and other water life have been destroyed and where deterioration of the recreational and social value of the streams has occurred.

We are concerned about the need for control and abatement of acid mine pollution, not only at the Federal but also at the State level.

Pennsylvania is actively engaged in this type of endeavor.

We think that private efforts are also valuable. It is necessary that the research programs concerned with acid pollution and the treatment of polluted water be carefully studied before we act.

We have given careful thought to this subsection which embraces the ideas of the Senator from Pennsylvania. I am, of course, very grateful for his words about the work of the committee and my effort in these matters.

Earlier in the remarks of the Senator from Pennsylvania, he spoke of the developmental roads in Appalachia, and he highlighted one of those roads in Pennsylvania, notably the corridor between Altoona and the area near Harrisburg.

On page 10 of our report is a map which lays out the segments of the developmental highway system.

Mr. CLARK. Mr. President, I thank my friend, the Senator from West Virginia.

I intend to introduce and to press for the enactment of legislation which would establish a program within the Appalachian Region Commission's jurisdiction to provide for the rehabilitation of strip mine lands not under public ownership.

The Senator will recall, I am sure, that I mentioned to him and laid a good deal of weight upon the subject.

The Senator pointed out to me that one member of his committee was adamantly opposed to this proposal. Unfortunately, in the U.S. Senate we cannot always agree. Government by consensus is not always possible.

In Pennsylvania we need help to get our privately owned strip mines cleared up. Whether there is opposition or not, I will press for the enactment of such legislation.

The people need the protection afforded by such legislation, and they are pressing me for such a measure.

When the time comes that the Senator from West Virginia is put in the unfortunate position of having to arbitrate between one Senator and another, I hope that he will afford me a full hearing to help persuade him that this particular provision is badly needed by my constituents in Pennsylvania.

Mr. RANDOLPH. When that times comes, there will be a complete hearing and the advocacy of the Senator from Pennsylvania will certainly be given serious consideration by the Senator from West Virginia.

Mr. CLARK. Mr. President, I thank the Senator. There is one other matter which does not deal with Pennsylvania.

The two Senators from New York, the Senator from California [Mr. MURPHY] and I have recently returned from a field trip to Mississippi in connection with the poverty program.

The junior Senator from New York [Mr. KENNEDY] and I spent the day touring the delta counties of Mississippi.

I heard the colloquy of the distinguished senior Senator from West Virginia with the two Senators from Mississippi. I can understand the reasons why he felt it not desirable at this time to extend the number of counties covered by Appalachia.

The one thing that concerns me is the desperate poverty we found in the delta counties of Mississippi where literally hundreds, if not thousands, of families are, if not starving, at least suffering from malnutrition and hunger.

If ever there were an area in the country that should be included in the Appalachian program, it is those delta counties of Mississippi.

I would hope that in due course the Senator from West Virginia would give careful consideration to expanding the area of Appalachia so that it is not necessary to have a hill or a mountain in order to qualify under Appalachia.

I do not like the geographical determination as to what is to be considered eligible.

We should be thinking of people and not of geography.

If the Senator from West Virginia and his colleagues on the committee feel, in their infinite wisdom, that we cannot expand the geography to take in the desperately poor counties of Mississippi, then I would urge a new interstate compact of Arkansas, Mississippi, and Tennessee where the conditions are just as deplorable as those found in Mississippi.

Mr. President, I yield the floor.

Mr. RANDOLPH. Mr. President, I thank the Senator from Pennsylvania for his remarks concerning the result of his on-the-ground survey and investigation of that area of our country as a member of the Subcommittee on Poverty of the Committee on Labor and Public Welfare.

We had a rather lengthy discussion within the subcommittee yesterday concerning the findings by the subcommittee in that area.

I remind the Senator that I have indicated in the discussions here today that we do not have a hard and fast criteria. Geographical location is but one of the factors. However, I would note that Public Law 89-136, the Public Works and Economic Development Act of 1965, provides the machinery for a more appropriate and effective solution by creation of a Delta Regional Commission in that area, if the Governors of the States so desire.

The Senator from Pennsylvania was not present when I read the language which indicates that, in the future, Congress itself would determine which areas could come within the Appalachian region.

I agree with the Senator that we are, intensely interested in the humane equation as well as in the natural aspects of the area.

I thank the Senator. I yield to my distinguished friend, the Senator from North Carolina.

Mr. ERVIN. Mr. President, as a resident of and Senator from North Carolina I have had opportunity to observe the administration of the Appalachian program. It is an exceedingly well conceived program.

I am delighted to be able to say, from having observed it in operation, that it is not only well conceived but has also been well administered.

I commend the distinguished senior Senator from West Virginia for the vision and the energy which he has manifested as floor manager of the bill on this occasion and at the time when the bill was originally passed.

The Senator certainly deserves the thanks of all of the people of Appalachia as well as the thanks of the people of the country for the great work he has done in assisting in formulating the pending bill and piloting it through the Senate.

Mr. RANDOLPH. Mr. President, I am conscious of the contribution which has been made to this legislation by the distinguished senior Senator from North Carolina.

I recall many conversations with him about the region and the involvement of counties in North Carolina. He has ever sought to keep current on the legislation and the achievements attained under this program as it has moved into its operative phase during the past 2 years.

It is very heartening to have the Senator's assurance of his continuing interest and efforts.

I am very grateful to the Senator for his comments concerning my work in this area of legislation.

Mr. ERVIN. I thank the Senator, and I should like to join in his observation that the Appalachia program represents what may be called creative federalism at its best.

Mr. RANDOLPH. At its best.

In the history of Congress, I do not believe that we have ever moved in a regional concept as we have in Appalachia. And how fortunate we were, I say to the Senators who are on the floor at this time, that we came to this body only after 4 years of very careful consideration. The States themselves—not just the people in Washington, D.C.—worked on these problems. We had a task force which went out to learn the problems. Only then did we develop legislation to provide the structure under which the constructive answers might be brought into being.

INVESTMENT TAX CREDIT

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the clerk will report.

The LEGISLATIVE CLERK. A bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

REVISION AND EXTENSION OF THE APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. BYRD of West Virginia. I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the further consideration of Calendar No. 161 (S. 602), the bill to revise and extend the Appalachian Regional Development Act of 1965.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Mr. JORDAN of North Carolina. Mr. President, will the Senator from West Virginia [Mr. RANDOLPH] yield to me?

Mr. RANDOLPH. I hope the Senator from North Carolina [Mr. JORDAN] who is now on his feet, will understand that I have a commitment to yield to the Senator from Tennessee [Mr. BAKER].

Mr. JORDAN of North Carolina. That is perfectly all right. I appreciate the commitment of the Senator from West Virginia, and I shall remain on my feet until the Senator is ready to yield to me.

Mr. RANDOLPH. To have two Senators standing firmly on behalf of this legislation is very encouraging. I yield to the Senator from Tennessee, a member of the committee.

Mr. BAKER. I am glad to yield at this time to the Senator from North Carolina, who is my senior in length of service.

Mr. RANDOLPH. What the Senator from Tennessee has said is characteristic of him, and since he has said it in the way he has, I shall now return to the Senator from North Carolina.

Mr. JORDAN of North Carolina. I thank the distinguished Senator from Tennessee for yielding to me at this time.

I wish to say to the chairman of the Committee on Public Works, of which I have the pleasure to be a member, that I have attended all the committee hearings in connection with the bill, and I have studied it very carefully. I have taken a particular interest in the bill because of the geographic location of the area involved and the number of people it affects, people who would not be reached if it were not for this legislation.

I am familiar with practically all the territory covered in the bill. Of all the Federal programs with which I am familiar, this one has been conducted better and more economically and has brought more benefit for the money spent than has any other legislation of this nature.

The access roads which are being constructed under this legislation are reaching people who would not be reached for probably another generation, because highway commissions, the agencies which administer Federal aid for highways, and other agencies cannot provide funds for areas of sparse population. But where access roads have been constructed, industry has followed. I strongly recommend the enactment of the bill because of the great benefits it provides.

As the chairman of the committee pointed out earlier today, the bill was not drawn up hastily by any means. It was under study for a long time. The Governor of each of the States involved has taken an active interest in the legislation, together with the commission, in submitting recommendations. The program is reaching the people it is supposed to reach, and it is doing a wonderful job.

I commend the chairman for his excellent work in formulating the bill, and I join with the other members of the committee in urging its enactment.

Mr. RANDOLPH. I thank the Senator from North Carolina. Twenty-nine counties within his State are embraced in the Appalachian region, and in those counties we do find the conditions which he has described. But, more important, in finding those conditions we have attempted to bring programs into being that were not in the nature of handouts. The people in this area want productive programs, assistance programs, the helping-hand programs—not handout programs. The people in North Carolina, as have the people in the other areas of the Appalachian region, have helped this program move forward. I express my appreciation of them, and I thank the Senator from North Carolina.

I yield to the Senator from Tennessee.

Mr. BAKER. Mr. President, it is my privilege to speak in support of S. 602, a bill to revise and extend the Appalachian Regional Development Act of 1965. I do so without reservation, and I do so with the full knowledge that this measure, like most other measures which are presented to this body, is not perfect.

I am keenly aware that there are differences of opinion about the administration of various programs and on the precise location and the philosophy employed for the location of corridors and access roads, even to the point of which counties should be included and which counties should not.

The point is that I am not now concerned, nor is the Senate concerned, with the precise implementation of this measure, but rather with the judgment of the effectiveness of the vehicle we have chosen to accomplish our purposes.

In this respect, I believe that the bill is outstanding. I believe it is, in fact, on the threshold of being a new and prototypical approach to social legislative problems, and its importance far transcends the mere specific accomplishments which are undertaken within the purview of the description contained in the bill itself.

I commend our distinguished chairman, the Senator from West Virginia [Mr. RANDOLPH], for his diligent labors in connection with the framing of this extension, and commend him as one of the architects of the original legislation in a Congress in which I was not privileged to serve.

By the same token, I commend the ranking Republican member of the committee, the distinguished Senator from Kentucky [Mr. COOPER], for his substantial contribution to the structuring of the original concept and now the extension which is before the Senate.

As a very junior Member of this body, I am impressed with the fact that through the leadership of our chairman, the Senator from West Virginia, and our ranking Republican member of the committee, the Senator from Kentucky, we have had responsive and responsible hearings, and that we have produced and the committee has reported a bill that Congress and the country can be proud of for its promise of accomplishment in the future—this, notwithstanding that there are imperfections in all pieces of legislation and imperfections in the method and application of the remedies provided for.

I join my colleagues on the committee in urging the support of the bill, which received the unanimous approval of all members of the committee and the subcommittee, on both sides of the aisle.

I thank the chairman of the committee for yielding me the time to make these remarks.

Mr. COOPER. Mr. President, will the Senator yield?

The **PRESIDING OFFICER** (Mr. MCGEE in the chair). The Senator from West Virginia has the floor.

Mr. RANDOLPH. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. RANDOLPH. I yield to my distinguished colleague, the Senator from Kentucky, and in yielding I wish to say that the Senator from Tennessee is correct as to the constructive contributions of the Senator from Kentucky to this legislation in 1965 and again 1967. I know of the contributions made by the Senator from Kentucky, and I am not merely indulging in pleasantries when I say that we have approached this matter side by side, as have all members of the committee; and to have a newer member of our committee, the Senator from Tennessee [Mr. BAKER], come in and study this problem with us has been very heartening and helpful to the committee.

Mr. COOPER. Mr. President, I thank the distinguished Senator from West Virginia for his generous comments about my work on the bill.

I, too, can say, without any exaggeration, that the Senator from West Virginia has provided us with leadership in the development of this bill, which extends and revises the Appalachian Regional Development Act of 1965. It has been a great pleasure to work with him, and with all members of the committee on this significant bill. I know that the chairman of the committee would join with me when I say also that the interest of the new members of our committee has been of valuable assistance.

Yesterday I made an extensive statement, which is in the RECORD. It describes the revisions and amendments and additions to the act of 1965 which have been made by the committee bill, S. 602, and describes them in some detail. I shall not dwell upon the substance of the bill today. I ask, however, unanimous consent that the RECORD include at this point, a rather technical analysis of the bill, and a comparison of the 2-year authorizations in this bill with the authorizations for the first 2 years of the program, which I have had prepared.

There being no objection, the analysis and comparison were ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF S. 602

Sec. 102 (p. 28, line 24). Amends Section 102 of the *Act* by striking clause (9), which includes as a function of the Commission advising the Secretary of Commerce on applications for grants for administrative expenses to local development districts. (Conforms to Section 120 transferring from Commerce to the Commission authority under Section 302 of the Act to make these grants.)

Sec. 103 (p. 29, line 5). Amends Section 105 of the Act, which provides for administrative expenses of the Commission to be paid half by the Federal government and half by the States after June 30, 1967, to provide for the expenses of the Federal Cochairman, his alternate and staff to be paid wholly by the Federal government.

Authorizes (by direct appropriation to the Commission) $1,700,000 for administrative expenses for the next two fiscal years, of which not to exceed $400,000 shall be available for expenses of Federal Cochairman and his staff. (Compares to $2,000,000 authorized first two years for *all* administrative expenses of Commission.)

Sec. 104 (p. 30, line 10). Amends section 106 of the Act, which includes among the administrative powers of the Commission the authority to enter into leases, to provide specific authority to lease office space through June 30, 1971 "notwithstanding any other provision of law".

Sec. 105 (p. 31, line 1). Amends and restates Section 201 of the Act, authorizing the Appalachian development highway system, as follows:

(a) Substitutes for Secretary of Commerce the Secretary of Transportation.

Increases by 350 miles the length of the development highway system, from 2,350 to 2,700 miles.

Increases by 1,000 miles the local access roads, from 1,000 to 2,000 miles.

Adds "educational" to the specific recreational, residential, commercial or industrial facilities that a local access road shall serve.

(b) Provides for the Commission to "transmit its *designations*" rather than "submit its recommendations" to the Secretary for general corridor locations, priorities for construction of (all rather than major) development highway segments, for local access roads to be constructed, and for other criteria for the road program.

(c) Omits the provision that the Secretary shall have authority to approve in whole or in part such recommendations, or require modifications or revisions thereof.

Adds to the requirement for State maintenance the local access roads, and that maintenance shall be "as provided for Federal-aid highways in title 23."

(d) The authority of the States to give special preference in road construction to indigenous "mineral resource materials" is changed to indigenous "materials and products."

(e) The Secretary is mandated, rather than authorized, to require each participating State, to the maximum extent possible, to use coal derivatives in the construction of 10% of the roads.

(f) Transfers to the Commission, from the Secretary pursuant to the recommendation of the Commission, authority to provide Federal matching for road construction greater than 50% (up to 70%).

(g) Authorizes the highway appropriation to be made to the President, rather than to the Secretary.

Authorizes appropriation of $715 million for the highway program during the next four fiscal years (an increase of $175 million, since $300 million of original $840 million has already been appropriated).

(h) (p. 33, line 22 through p. 34, line 15). Adds a new subsection authorizing reimbursement of States for advance construction of development highway segments with State funds, pursuant to Commission approval.

Sec. 106 (p. 34, line 16). Amends section 202 of the Act, demonstration health facilities, as follows:

(a) Subtitle and text changed from demonstration health "facilities" to "projects." Opening statement of purpose "to demonstrate the value of adequate health and medical facilities and services" omits "and medical".

Adds planning grants to the grants for construction, equipment and operation of multi-county demonstration health projects. Adds "services" to the "other facilities necessary to health" specifically included in multi-county demonstration health projects.

Adds "acquisition of facilities" to the initial equipment specifically included in such construction grants.

Adds to the Public Health Service Act and the Mental Health Centers Act, with which such grants shall accord, "other laws authorizing grants for the construction of health-related facilities."

(b) Extends 80% matching limitation to "any component" of a demonstration health project. Omits "initial" from the "construction or initial equipment" subject to that limitation.

Provides for Federal construction or equipment contribution to be made from funds authorized under this section, or in combination with funds provided under other Federal grant-in-aid programs for the construction or equipment of health-related facilities. Provides further that funds authorized under this section may be used to increase grants for "component facilities" of a demonstration health project, up to 80%, notwithstanding any provisions of law limiting the Federal share in such other programs.

(c) Grants for operation of a demonstration health project specified to include (rather than equipment other than initial equipment) "initial operating funds and operating deficits comprising among other items the cost of attracting, training and retaining qualified personnel."

Provides such operation grants whether or not the project was constructed with funds authorized by this section.

Provides such grants (up to 100% first two years) for "each component facility or service" assisted.

Specifically authorizes for *operating* grant assistance a component of an eligible demonstration health project, *"notwithstanding section 104"* of the EDA.

(d) Adds a new subsection authorizing the Secretary of HEW to provide funds to the Commission for the support of its Health Advisory Committee, and to make grants not to exceed 75% for planning the development and operation of demonstration health projects.

(e) Authorizes $70 million of section 401 funds for this section. (First two years $41 million was authorized for construction, $28 million for operation.)

Sec. 107 (p. 37, line 8). Authorizes $19 million of section 401 funds for section 203 purposes, land stabilization, conservation, and erosion control. (First two years $17 million was authorized.)

Sec. 108 (p. 37, line 15). Adds a new subsection (b) to section 204, timber development organizations, authorizing the Secretary of Agriculture to provide technical assistance, make grants, enter into contracts or otherwise provide funds (from appropriations under this Act) to forest products research institutions in the region or other appropriate public and private organizations, for Appalachian hardwood products research, studies and demonstrations.

Authorizes $4 million of section 401 funds for the purposes of new subsection (b), hardwood research. (First two years $5 million was authorized for TDO's, $1 million appropriated, $900 thousand remains available.)

Sec. 109 (p. 38, line 16). Amends section 205 of the Act, mining area restoration, as follows:

(a) Adds to the authority of the Secretary of Interior to make financial contributions to the States to seal and fill voids in abandoned coal mines, abandoned oil and gas wells.

Substitutes for the authority to reclaim and rehabilitate existing strip and surface mine areas, "lands *affected* by the strip and surface mining and *processing* of coal and *other* minerals, including lands affected by *waste piles.*"

(b) Extends for two years the period of the 75% limitation for such assistance on non-Federal lands, through fiscal 1969.

Includes under such mining area restoration projects "reasonable planning, engineering and *land acquisition* costs."

(c) Authorizes $39,150,000 of section 401 funds for this section. (First two years $36,500,000 authorized.)

Sec. 110 (p. 39, line 16). Authorizes $2 million of section 401 funds for the purposes of section 206 of the Act, water resource survey. (First two years $5 million authorized, of which $3.3 was appropriated.)

Sec. 111 (p. 40, line 1). Adds to the end of part A of title II a new section 207, establishing a revolving Appalachian Housing Fund, and authorizing the Secretary of HUD to make loans and grants for planning and other preliminary expenses of housing projects in the region proposed under section 221 of the National Housing Act.

Grants limited to non-profit organizations, up to 80% of administrative expenses. Loans limited to 80% of planning and other preliminary expenses; profit organizations to pay interest at the market rate for insured mortgages.

Authorizes $5 million of section 401 funds for the purposes of this new section.

Sec. 112 (p. 42, line 8). Amends section 211 of the Act, vocational educational facilities, to add to the authority of the Secretary of HEW to make grants for *construction* of school facilities needed for vocation education, grants for the *"equipment* of such facilities and *other* school facilities."

Authorizes $18 million of section 401 funds for the purposes of this section. (First two years $16 million authorized.)

Sec. 113 (p. 42, line 19). Authorizes $6 million of section 401 funds for the purposes of section 212 of the Act, sewage treatment works. (First two years $6 million was authorized.)

Sec. 114 (p. 42, line 25). Amends section 213 of the Act, which amended section 701 of the Housing Act of 1954 to authorize comprehensive planning grants to the Commission, to authorize such grants by HUD also to local development districts.

Sec. 115 (p. 43, line 18). Restates and amends section 214 of the Act, supplements to Federal grant-in-aid programs, as follows:

Transfers from the Secretary of Commerce to the President the authority to provide funds (through the Federal Cochairman) for supplemental grants-in-aid.

Adds to grant programs authorized as of March 9, 1965, for which supplemental grants can be made, all other "existing and future" Federal grant-in-aid programs for the construction or equipment of facilities and acquisition of land.

Authorizes $97 million of section 401 funds for the purposes of this section. (First two years $90 million authorized.)

Sec. 116 (p. 45, line 15). Adds to the end of part B of title II a new section 215, cultural programs.

Authorizes the Chairman of the National Endowment for the Arts to make grants to the States in supporting existing programs and projects, and in developing programs and projects in the arts, in accordance with the applicable provisions of the National Foundation on the Arts and Humanities Act.

Authorizes $500,000 of section 401 funds for the purposes of this new section.

Sec. 117 (p. 46, line 24). Restates section 221 of the Act, maintenance of effort, to make clear that local expenditures are not included among the State expenditures required to be maintained.

Sec. 118 (p. 47, line 9). Restates section 223 of the Act, program implementation, as follows:

Omits the requirement, prior to implementing any project, for the Commission to consult with and obtain the recommendation of State officials. (All applications are now made through, and approved by, State members of the Commission, under section 303).

Requires that project *applications and* plans first be determined by the responsible Federal (line agency) official to be "compatible" with the provisions of Federal law he administers. (Rather than that plans *recommended* by the *Commission* be submitted to and *approved or modified* by those officials.)

Provides for the *Commission* to *approve* projects and to make the determination that they meet the criteria of section 224, "which determination shall be *controlling.*"

Sec. 119 (p. 47, line 22). Amends section 224 of the Act program development criteria, as follows:

The Commission is now directed to follow procedures that will insure consideration of the project criteria set forth in section 224, "in developing recommendations" on projects (to Federal agencies under section 223). The bill provides that it shall do so "in considering" projects, to conform to the Commission *approval* of projects specified in new section 223, above.

Substitutes for the prohibition against assistance used "in relocating" establishments from one area tc another, a prohibition against assistance used "to assist establishments relocating from one area to another."

Sec. 120 (p. 48, line 7). Amends section 302 of the Act, grants for administrative expenses of local development districts and for research and demonstration projects, as follows:

(a) Transfers from the Secretary of Commerce to the President the authority to make grants for administrative expenses and technical services of local development districts.

Such grants to be made to State members (rather than directly or through arrangements with the Commission.)

Revises the authority for investigation, research, studies and demonstration projects which will further the purposes of the Act, from that conducted with funds provided by the Secretary of Commerce, to grants by the President to the Commission.

Adds to the above authority (which formerly specified "appropriate public or private organization"), grants for technical assistance, and for training programs.

(b) Adds a new subsection authorizing the Commission to make a comprehensive study of acid pollution resulting from mining activities, and directing it to make specific recommendations to the President for report to Congress by March 31, 1969, for control, reduction or elimination of acid pollution. (Pages 49–51).

(c) Requires the Commission (rather than section 302 recipients reporting to Commerce) to maintain complete records of activities financed with Federal funds.

(d) Authorizes $13 million of section 401 funds for the purposes of this section, including $3 million for the mine acid study. (First two years $5.5 million authorized for local development district and research grants.)

Sec. 121 (p. 52, line 1). Amends section 303 of the Act to restate the requirement for State member approval of each application.

Omits the specific reference to "a political subdivision, or a local development district" making application (through the State member). In both the Act and the bill, the State member, not the Commission itself, makes the determination that a project meets the requirements of the Act (as distinguished from the Commission determination that it meets the section 224 criteria).

Sec. 122 (p. 52, line 12). Amends section 401 of the Act to authorize the non-highway appropriations to be made to the President (rather than to the operating agencies).

Sec. 123 (p. 53, line 6). Extends the statutory definition of the Appalachian Region to add Lamar and Pickens counties in Alabama, 18 counties in Mississippi, and Schoharie county in New York.

Prohibits the Commission from proposing or considering any further recommendation for a change in the definition of the region, without a prior request by the Congress for a study.

Sec. 201. (p. 54, line 1). Amends section 505(a) of the Public Works and Economic Development Act to require each regional commission to develop a comprehensive long-range development plan approved by the Secretary.

Sec. 202. (p. 54, line 16). Amends section 505(c) of the Public Works and Economic Development Act to impose a limitation on the $15 million authorized annually for regional technical and planning assistance, not to exceed $2½ million annually to each regional Commission.

Sec. 203 (p. 54, line 23). Adds a new section 509 to title V of the EDA to provide to the other regional commissions supplements to Federal grant-in-aid programs, similar to those under section 214 of the Appalachian act.

Authorizes for *each* of the regional commissions $5 million for this purpose in fiscal 1968, $10 million in fiscal 1969.

Includes in (a) language assuring Commission approval of projects, and responsibility for determining that projects meet section 504 criteria, identical to Appalachian section 223 as revised.

Includes in (f) language assuring State initiation and approval of projects, identical to Appalachian section 303 as revised.

Appalachian (S. 602) authorizations, other than highways

[In millions of dollars]

	Authorized by 1965 act 1st 2 years	Appropriated	Authorized by S. 602 2d 2 years	Increase over 1st 2 years
Sec. 105: Administration	2.2	[1] 2.4	1.7	−0.5
Sec. 202: Demonstration health facilities	69.0	23.5	70.0	1.0
Sec. 203: Land stabilization, conservatjon, erosion control	17.0	10.0	19.0	2.0
Sec. 204:				
Timber development	5.0	1.0	0	−5.0
Hardwood research	0	0	4.0	4.0
Sec. 205: Mining area restoration	36.50	24.85	39.15	2.65
Sec. 206: Water resources study	5.0	3.3	2.0	−3.0
Sec. 207: Appalachian housing fund	0	0	5.0	5.0
Sec. 211: Vocational education	16.0	16.0	18.0	2.0
Sec. 212: Sewage treatment	6.0	6.0	6.0	0
Sec. 214: Supplemental grants	90.0	75.0	97.0	7.0
Sec. 215: Cultural programs	0	0	.5	.5
Sec 302:				
Local development districts	5.5	5.5	10.0	4.5
Mine acid study	0	0	3.0	3.0
Total	252.4	167.5	273.65	21.7

[1] Includes $0.2 from sec. 401.

NOTE.—The act of 1965 authorized $2,200,000 of the funds authorized in sec. 401 for administrative expenses. S. 602 authorizes $1,700,000 separately, to be appropriated directly to the Commission for administrative expenses. Above totals are for sec. 401 only.

Mr. COOPER. Mr. President, I remember that it was 7 or 8 years ago that the concept began to take hold that a number of States, constituting a unique region, could join together for their own assistance and self-aid—and with the assistance of the Federal Government could move effectively toward the development which had been denied that region.

I think it worthwhile to remember that it was the Governors of the States constituting the Appalachian region who initiated this great development in the economic and human advancement of their States and areas. I recall, for example, the first conference of the Appalachian governors, at Lexington, Ky., in the fall of 1960, called by Governor Tawes of Maryland.

I am happy to note that in the Senate efforts were also being made. I believe it was when the 86th Congress convened, in January of 1959, that I offered an amendment to the Federal-aid Highway Act, in an attempt to secure additional funds for roads which would traverse eastern mountain regions. During those years also, in 1958 or 1959, I introduced in the Senate an amendment which I termed a bill for the development of the underdeveloped areas of the United States. However, essentially the Appalachian Regional Development Act came from the States themselves.

I make this point because it is necessary that the original concept be preserved. Under the act, no plan can be established, no application for a program can be accepted, unless it is first approved by the States. No separate project within a State can be approved or funds provided for it unless it has first been approved and submitted by the Governor of the State.

It is very important that this procedure be followed, for it has provided a Federal-State relationship which I think is different from any other program in which the Federal Government takes part. The only exception I can think of would be the Federal-aid highway program, where States must contribute their part of the cost and, with the exception of the interstate system, where the location of roads is first determined by the State highway department.

It is this new example of State-Federal action, where the initiative comes from the State, which I consider to be responsible for the accomplishments of the Appalachian program. I believe it provides an example which should be examined with respect to other programs—because if this concept should be adopted in other programs they would be more efficient and effective.

Mr. President, I shall not speak longer except to point out a problem which we have now faced in our committee, but which we had not faced before.

The Appalachian region does have its particular characteristics. It is a mountainous region, marked by narrow valleys and many streams, which have isolated the region and isolated its people from even the neighboring areas in their own States.

The report of the President's Appalachian Regional Commission in 1964 described Appalachia in these words——

The PRESIDING OFFICER. The Chair will interrupt the Senator until we have quiet in the Chamber. The Senate will be in order.

Mr. COOPER. I thank the Chair. I shall not speak long, but I would like to have order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. COOPER. Mr. President, I was addressing myself to a problem which arose. I mention the problem because I know we will have to take it into consideration in the future when we deal with Appalachia, if it is to remain a specific program designed to deal with the particular characteristics of this region.

I refer to the description of Appalachia in the 1964 report led by the President's Appalachian Regional Commission. The report opens with this statement:

> Appalachia is a region apart—geographically and statistically. It is a mountain land boldly upthrust between the prosperous Eastern seaboard and the industrial Middle West—a highland region which sweeps diagonally across 10 States from northern Pennsylvania to northern Alabama. Its ridges and twisted spurs and valleys measure to 165,000 square miles—an area 10 times the size of Switzerland.

That description, Mr. President, is also the opening statement of the reports of the Senate Committee on Public Works of August 13, 1964, and of January 27, 1965, recommending to the Senate the bills passed by the Senate in 1964 and in 1965 establishing the Appalachian regional development program.

There have been no criteria yet established to determine the exact nature of this area, except the statement I have read. However, to me, there are two characteristics of which we can take notice. The first is the topographic characteristic of the area. The second characteristic is one common level of poverty.

I make these comments because there is a tendency to join to the Appalachian region areas and counties which do not possess these unique characteristics.

Because parts of my State are within the Appalachian region, and enjoy the benefits of this legislation, I would not want it thought that I desire to maintain all of these unique advantages only for Kentucky, and deny them to other States. At the same time, I do know that we must be very careful about enlarging the region in our committee, or on the floor of the Senate, or on the floor of the House of Representatives, unless sound criteria have first been established which would give us reason to know that an additional area is truly a proper part of the Appalachian region.

I have stated my position on this matter in my supplemental views, which are a part of the committee report to the Senate on S. 602—and my concern that enlargement of the region without firm criteria could weaken the concept of the Appalachian program, detract from the broad support it now enjoys, and eventually cause it to fail.

As the Senate knows, other economic development regions have been established because they, too, possess unique characteristics. My thought is that even in areas contiguous to the Appalachian region, if those counties and areas do not fully meet the principal characteristics of Appalachia, they could be formed into separate economic development regions.

I recall, Mr. President, that in 1965, when this act became law, and at the time it was before the Senate, the distinguished junior Senator from New York [Mr. KENNEDY], on the very day that the bill was passed by the Senate, came to the Senate Chamber and offered an amendment which had not been considered by the committee, but which was adopted. The amendment added 14 counties in New York to the Appalachian region.

I opposed the amendment at the time, not upon the merits of whether or not these New York counties should be added, but because the matter had not been considered and no one knew whether those counties met the criteria and the characteristics of the Appalachian region.

More recently, in fact in January of this year, the Governors who form the Appalachian Regional Commission met and added—in effect added—or proposed that the Congress add to the Appalachian region, two counties in Alabama, and 26 counties in Mississippi.

In the Committee on Public Works, I opposed their addition. Let me say to the Senators from Alabama [Mr. SPARKMAN and Mr. HILL] and the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], that I did not oppose the addition to the Appalachian region of these Alabama and Mississippi counties on the merits—because I did not know what the merits were. I opposed the addition of these counties because I believed that if counties are to be added to the Appalachian area, criteria should first be established to enable us to determine whether these areas possess the same characteristics which led the Congress to establish the Appalachian region and the country to approve a special program for it.

The Senator from New York [Mr. KENNEDY] this year proposed the addition of another county in New York, Schoharie. I believe it does meet the criteria, so far as we have determined them, of rugged terrain and of deprived economic position within the State; and the committee approved the inclusion of that county. I voted against the inclusion of that county for the reasons I have stated. I also voted against the inclusion of any other counties.

The senior Senator from New York [Mr. JAVITS] had also asked for two more counties, Sullivan and Yates, to be added to the region. I voted against that proposal for the same reasons. But I must say in all honesty, that if the county of Schoharie in New York should have been added, then I think the two other counties, Yates and Sullivan, should also have been added.

Mr. President, I felt that I should make this statement before the Senate today—as I have already made it in committee—to invite the attention of the Senate to the fact that if we are going to add new areas to the Appalachian region, they should be added upon the merits as meeting some definite criteria established by the committee.

I do not believe the criterion could be one of poverty alone—because there is poverty all over the country. To be qualified, there must be poverty as a result of the physical characteristics of the county which has caused it to become isolated.

I mention this basic concept of Appalachia in my letter to the Director of the U.S. Geological Survey, which appears in the hearings of our committee following the map facing page 471. I stated there:

> It is the rugged terrain of the Appalachian Region which has been responsible for its relative isolation—which has made it less accessible and less attractive to doctors, teachers and industry, so that health services, education and jobs have lagged far behind the progress of the country as a whole. That terrain also, of course, overlies the nation's primary deposit of coal—with which the economy of the region has been closely associated.
>
> It is to the human consequences of the region's physical geography, including its culture and history of development, that the Appalachian program is directed—to bring into the area more highways, vocational schools, health centers and jobs.

Mr. RANDOLPH. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am happy to yield.

Mr. RANDOLPH. With regard to the addition of counties in States within the Appalachian region and the immediate problem which we have under consideration in this bill of counties in Mississippi, Alabama, and New York, the bill contains the amendment proposed in committee by the distinguished Senator from Kentucky, which reads as follows:

> No recommendation for any change in the definition of the Appalachian region as set forth in this section shall be proposed or considered by the Commission without a prior request by the Congress for study of such change.

I think the Senator from Kentucky believes the Congress should have this language as a guideline for the future.

Mr. COOPER. I appreciate that. In fact, I think that the Senator from West Virginia and I drafted that language, with the approval of the committee, so that we could deal with this problem in the future.

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Mr. President, I emphasize that I have not raised this question because Kentucky has counties for which I wish to preserve a larger share of the benefits of the bill, on the contrary, I have received appeals from my own State to include additional counties in the Appalachian region. Rather, I have spoken to this point in order that we might have better guidelines for the future.

Mr. President, I will close by expressing appreciation once more to our distinguished chairman, Senator RANDOLPH, who has shown such excellent leadership not alone in the development of this bill, but in his constant effort to see that the purposes of the 1965 act are carried out by the agencies of the Federal Government. It has been a great pleasure to work with the Senator from West Virginia and the Public Works Committee, on which I serve as the ranking minority member.

I think it has been shown that under this program, greater progress has been made toward the development of the Appalachian region than under other concepts and programs. I believe this has proved to be true because the Appalachian program brings into play the initiative and the fuller participation of the States. My great hope is that the Appalachian program, with other Federal programs, will meet their ultimate purpose: that is, to help raise the living standards of the people of this region—and not only to provide them better opportunity to move to and from the area and out of isolation, but also to stimulate and inspire them, having obtained the means, to get a better education and vocational training, and to enjoy better health.

If we can do that, then I think the purposes of this legislation will have been attained.

Mr. ELLENDER. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I am very pleased to cooperate with my distinguished colleague from Louisiana in determining answers to pertinent inquiries which the Senator from Louisiana has to make, and which we have previously discussed off the floor.

Mr. ELLENDER. The Senator will recall that when the bill was being considered 3 years ago, I asked quite a few questions.

Mr. RANDOLPH. Yes; and they were very helpful in developing the record.

Mr. ELLENDER. I thank the Senator.

How much of the money authorized has been obligated or spent for instance, on highways?

Mr. RANDOLPH. $840 million was authorized and $300 million appropriated.

Mr. ELLENDER. Yes. Then $300 million of the total original highway fund has been obligated?

Mr. RANDOLPH. No; of that $300 million, $132 million was obligated as of February 28, 1967, and we expect that approximately $100 million more will be obligated by June 30.

Mr. ELLENDER. Has any new authorization been added for roadbuilding?

Mr. RANDOLPH. We have added $175 million in new authorizations for roads.

Mr. ELLENDER. That is in addition to the $840 million?

Mr. RANDOLPH. That is correct.

Mr. ELLENDER. Now, with respect to the other titles, for water conservation, schools, and hospitalization, has all of the money which was originally authorized, been spent or obligated?

Mr. RANDOLPH. As of February 28, 1967, a total of $55,485,319 was obligated for nonroad programs and projects, from a total nonhighway appropriation of $167,290,000.

Mr. ELLENDER. Does that include all the programs other than roads?

Mr. RANDOLPH. Yes; that is correct.

Mr. ELLENDER. How much of the original authorization has not been used?

Mr. RANDOLPH. $252.4 million was authorized, and something like $167.3 million appropriated.

The following table gives the comprehensive statement of funds for the Appalachian Commission:

Comprehensive statement of funds Appalachian Regional Commission authorization, appropriation, approval, and obligation

Department and agency	Section of Public Law 89-4	Authorization	2d supplemental appropriation fiscal year 1965	Appropriation fiscal year 1967	Total	Estimated obligations Feb. 28, 1967	Approved projects Mar. 31, 1967	Additional Appalachian Regional Commission approvals June 30, 1967	Budget request fiscal year 1968
Appalachian Regional Commission	105	$2,400,000	$1,290,000	$1,100,000	$2,390,000	$1,933,991			$785,000
Agriculture:									
Land treatment	203	17,000,000	7,000,000	3,000,000	10,000,000	7,000,000	$9,193,000	$182,000	3,000,000
Forest Service	204	5,000,000	1,000,000		1,000,000	75,000			
Commerce:									
LDD and research	302	5,500,000	2,500,000	2,750,000	5,250,000	2,206,611	2,505,754	1,311,844	3,000,000
Supplemental grants	214	90,000,000	45,000,000	30,000,000	75,000,000	18,445,427	43,060,759	30,553,277	30,000,000
Developing highway	201	840,000,000	200,000,000	100,000,000	300,000,000	[1] 132,200,000			100,000,000
Access roads	201	(35,000,000)	(17,500,000)		(17,500,000)	6,900,000		739,678	
Department of Army	206	5,000,000	1,500,000	1,850,000	3,330,000	1,823,000			2,000,000
Department of Health, Education, and Welfare:									
Vocational education	211	16,000,000	8,000,000	8,000,000	16,000,000	5,273,000	11,995,385	3,774,785	7,000,000
Dem. health	202	69,000,000	21,000,000	2,500,000	23,500,000				15,000,000
Interior:									
Bureau of Mines	205	36,500,000	16,500,000	7,000,000	23,500,000	10,254,000	17,491,326	929,430	800,000
BFWL	205		850,000	500,000	1,350,000	457,500	913,922	251,250	400,000
FWPC	212	6,000,000	3,000,000	3,000,000	6,000,000	2,116,790	2,116,790	2,419,043	3,000,000
Total									164,985,000

[1] Estimated obligations June 30 for highways and access roads, $234,000,000.

Mr. ELLENDER. Since they were not able to spend the money that was authorized during the period of this program, why is the Senator increasing the authorization for future years?

Mr. RANDOLPH. A leadtime was necessary in order to plan these programs for execution. They are "cranked up" now and we can move forward on the available projects.

Mr. ELLENDER. Was any of the delay caused by lack of interest in the States or counties involved?

Mr. RANDOLPH. I would respond that just the reverse was true. There is great interest among local and State officials. There is concern. There is cooperation. There was planning. Yet, quite naturally, in a program of this kind we were plowing new ground, as it were. The Senator from Kentucky [Mr. COOPER] and I have discussed this several times. There was not an undue delay. After the studies were made, we had to discuss where the money could be best invested to return dividends to the region.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. Yes; I yield to the Senator from Kentucky at this point.

Mr. COOPER. I think the chief area in which the amount authorized was not used was in the demonstration health facilities: $69 million was authorized; $23.5 million was appropriated.

I believe more was not appropriated because a Health Advisory Committee was established to assay the needs of the area for the demonstration health facilities. It was necessary to look at the entire area, because each of these facilities will be designed to serve several counties. The Health Advisory Committee did not make its report until last year.

In that case alone, $69 million was authorized, and only $23.5 million was provided by the budget and the Appropriations Committee. But the need is there just the same. There is a great need for demonstration health facilities. There is a lack of hospitals and clinics in Kentucky, West Virginia, and throughout the typical mountain areas.

Mr. ELLENDER. As I recall, in asking questions when the bill was first enacted, the amount authorized for these extra facilities, other than for roads, was thought sufficient to construct what the proponents of the bill had in mind at the time. Are we adding any more authorizations for the project the Senator has just talked about? For example, $69 million was authorized and only $23.5 million was spent. Is the Senator adding more funds to what are already authorized?

Mr. RANDOLPH. No, we are authorizing $70 million in addition to what has been appropriated.

Mr. ELLENDER. In addition?

Mr. COOPER. Yes; for the next 2 years.

Mr. ELLENDER. Only $23 million was spent.

Mr. RANDOLPH. The authorization for the next 2 years would be $70 million.

Mr. ELLENDER. The committee is adding new funds in addition to those previously authorized, but which were not spent or appropriated. In other words the committee is adding $70 million, which means that if the $70 million is spent, plus the approximately $25 million already appropriated under the previous authorization, there will be a total cost of $95 million. The original request was for $69 million.

Mr. RANDOLPH. The Senator is correct. The exact total, for the medical facilities program to which the Senator refers, would be $93.5 million for the fiscal years 1966 through 1969, if all of the recommended authorization of S. 602 is appropriated and obligated.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. COOPER. I think we must recall that the authorization, when the bill was passed, was split. One part went to the Appalachian development highways and access roads. The authorization was for 6 years.

Mr. RANDOLPH. On roads; not on the other programs.

Mr. COOPER. Yes, on roads; not on the other programs. The second part of the authorization—for the programs other than highways—was for just 2 years. Now that 2-year authorization has expired.

Mr. ELLENDER. That is what prompted the question. I was of the impression that the money provided for all the programs other than for roads would be spent over the first 2 years. It was expected that the amount would be sufficient to construct those projects.

Mr. RANDOLPH. I understand what the Senator says, but I think the record will disclose that during the colloquy in 1965 I indicated that we would come back for further authorization. I never implied that the funds requested in Public Law 89-4 would suffice, because in 1965 we did not know what the long-term requirements would be in the non-highway field.

Mr. ELLENDER. I thought the entire authorization which amounted to almost $1.1 billion would be sufficient to take that area of the country out of the "dumps," as it were; but it seems it will take a good deal more.

Mr. RANDOLPH. I must say again to my colleague from Louisiana that I never indicated that there was a particular sum of money which could do this job. I am sure I have never done that.

Mr. ELLENDER. What is the Senator's conclusion now? Will the amount the Senate committee is providing now be sufficient to bring these areas to a point where they can economically equal other areas? Let us take North Carolina. It is a fine State. There is a great deal of prosperity in most of its regions. There is much prosperity in Georgia. There is much prosperity in New York and Pennsylvania. I am just wondering how long we will have to continue to appropriate funds in order to carry these areas known as Appalachia.

Mr. RANDOLPH. Personally—and I would not speak for the committee on this point—I hope that the funds this bill will make available to the program, which is just now beginning to hit its stride will result in this area reaching the level of prosperity of the rest of the Nation. Frankly, it would be my hope that the Senator from West Virginia would never have to return to ask for funds. That would be my desire. But I cannot predict that this desire will be fulfilled.

Mr. ELLENDER. In addition to the amount authorized 2 years ago, the amount the Senator is now asking for will represent how large an increase? $175 million to $200 million?

Mr. RANDOLPH. For roads, $175 million.

Mr. ELLENDER. And for the other?

Mr. RANDOLPH. $273.650 million for all other programs.

Mr. ELLENDER. The Senator is of the opinion that would be sufficient to bring the economy of those areas equal to the other parts of the country?

Mr. RANDOLPH. I cannot say that it will. But I say that I am hopeful that it will. I would desire that very much.

Mr. ELLENDER. I notice that the committee has added 18 counties in Mississippi and 13 in New York. On page 33 of the report, it states:

> Eighteen counties in Mississippi pursuant to invitation from the State members of the Commissions. These 18 counties make up the Tombigbee River Valley Water Management District and the northeast Mississippi resource conservation and development project area.

Mr. RANDOLPH. That is correct.

Mr. ELLENDER. Are those new counties?

Mr. RANDOLPH. They are new counties. I wish to say that earlier today and last evening in my formal statement I explained the addition of those counties.

There were many requests for more counties. I remind the Senator from Louisiana that when we first considered this legislation, Mississippi was considered for inclusion in the Appalachian region. The Senators from Mississippi were intensely interested at that time. However, cooperation of the Governor was lacking and we did not include them in the original act of 1965.

They are included in the Revision and Extension Act of 1967.

Mr. ELLENDER. What were the criteria? Are those counties attached to the Appalachian region?

Mr. RANDOLPH. They are.

Mr. ELLENDER. Are they part of it?

Mr. RANDOLPH. They are, geographically and in other ways, and we have spelled that out in the report.

Mr. ELLENDER. As to the 13 counties in New York, are we to understand that they are contiguous to the Appalachian region?

Mr. RANDOLPH. They have been in, from the beginning. These counties were invited in, in the original bill in 1965, by an amendment on the Senate floor. Those counties were included through the agreement of the Governor of New York and the commission.

Mr. ELLENDER. Then are we to understand that the 13 counties to which the Senator has referred in title IV were admitted 2 years ago?

Mr. RANDOLPH. That is correct, yes.

Mr. ELLENDER. Does the same apply for the 18 in Mississippi, or were they added this year?

Mr. RANDOLPH. We are adding the Mississippi counties this year.

Mr. ELLENDER. But the Mississippi counties are the only ones that have been added, which were not included in the 1965 Act?

Mr. RANDOLPH. No, we have included two in Alabama and one in New York. The committee has done that on the basis of very careful study. But we have language in the 1967 act to the effect that before additional counties may be added in the future, Congress itself will have to order a study and on the basis of that study, the committee will make its findings. We felt that we must not fragmentize or overextend the region. It has certain characteristics, and, as desirable as are the requests of Senators and others for additions, we feel that we must be very careful. That is the thrust of the amendment of the Senator from Kentucky, as he has expressed it today and before the committee. I concur in that thinking, and I know the Senator from Louisiana also feels as I do.

Mr. ELLENDER. To what extent, if any, has the committee modified the contributions to be made by the areas that would be benefited by the act? In other words, as I understand, on road construction the contribution is on a 50–50 basis. Is that correct?

Mr. RANDOLPH. It could be 70–30.

Mr. ELLENDER. Is there much on a 70–30 basis?

Mr. RANDOLPH. As I say, it can go to 70–30, but there is no change in the formula.

Mr. ELLENDER. What about the contributions in respect to other programs? Have the formulas been changed in any way?

Mr. RANDOLPH. The formulas have not been changed.

Mr. ELLENDER. What about the cost of administering the regional commission? Has that been revised?

Mr. RANDOLPH. The bill would authorize $1.7 million for administrative expenses.

Mr. ELLENDER. And the formula has not been changed?

Mr. RANDOLPH. It has been changed, yes, sir.

Mr. ELLENDER. To what extent?

Mr. RANDOLPH. It was 100-percent Federal, now it is 50–50, Federal and State participation.

Mr. ELLENDER. Fifty-fifty.

Mr. RANDOLPH. Fifty-fifty. We believe that the period of, let us say, Federal protectorship should now be past, and we have provided for equal responsibility.

Mr. ELLENDER. So that the State governments or the counties will pay 50 percent of the cost of the commission?

Mr. RANDOLPH. That is correct.

Mr. ELLENDER. I thank the Senator.

Several Senators addressed the Chair.

Mr. RANDOLPH. I yield first to the Senator from Oklahoma, because I had promised to yield to him at this point. He has certain commitments, and I know other Senators will concur in my yielding to him at this time.

Mr. HARRIS. I appreciate the Senator's yielding to me. While the distinguished Senators from Arkansas [Mr. McCLELLAN and Mr. FULBRIGHT] are here, they also have other meetings to attend, and are interested in making statements and asking questions about the Ozark Commission and the additions to the bill for the other commissions that have been made by the committee.

Mr. President, will the Senator yield to me at this time for the purpose of offering an amendment?

Mr. RANDOLPH. Yes, I yield to the Senator from Oklahoma for that purpose.

Mr. HARRIS. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The **LEGISLATIVE CLERK.** The Senator from Oklahoma [Mr. HARRIS] proposes an amendment as follows:

> On page 55, line 9, after the words "The Secretary" strike out "is authorized" and insert in lieu, therefore, "shall."

Mr. HARRIS. Mr. President, before I discuss the amendment itself, let me state to the distinguished Senator from West Virginia, the chairman of the Committee on Public Works, how grateful I am for his very great spirit of cooperation and helpfulness towards those of us who represent States in other regions of the country. In the first place, Mr. President, we never would have passed title V of the Public Works and Economic Development Act of 1965 except with the vigorous support and active help of the distinguished chairman of the Committee on Public Works. I had the honor, up until this year, of serving under his great leadership on that committee, and I pay him that public tribute and express to him my public commendation and appreciation for that support.

That feeling on my part is doubled by the help the distinguished Senator from West Virginia has given to the consideration of the amendment which I and others offered to S. 602 in the Committee on Public Works, and which, by and large, was adopted by the committee. The amendment provides funds for technical assistance, administrative expenses, and research for the additional regional commissions established under the Public Works and Economic Development Act of 1965, and also provides beginning funds for supplemental grants-in-aid for the various commissions.

However, after the basic amendment was adopted in the subcommittee, the matter was then taken up in the full committee, and at that time the full Committee on Public Works made a change in the amendment, as it had been adopted in the subcommittee, which provided that the funds for the additional commissions provided in the amendment could not be spent by those commissions until the Secretary of Commerce had received and approved a comprehensive, long-range economic plan.

Mr. President, the purpose of the amendment I offered in the committee, which amendment by and large was adopted, was not only to provide funds for these regional commissions, but also to give them a measure of autonomy so that they might be more equal in their status with the Appalachian Commission. That purpose was served in the amendment by and large. But the addition of the words that I have just read, requiring a long-range comprehensive plan and its approval by the Secretary of Commerce before the funds provided in this act can be spent by these commissions, I think, is a step in the other direction.

So, I joined with several of my colleagues, the distinguished Senator from Wisconsin [Mr. NELSON], the distinguished junior Senator from Arkansas [Mr. FULBRIGHT], the distinguished senior Senator from Arkansas [Mr. McCLELLAN], and the distinguished senior Senator from Oklahoma [Mr. MONRONEY], in a letter to the Secretary of Commerce requesting an explanation of that requirement.

We were fearful that, if a total and complete comprehensive plan were to be required, these new funds would not be spent soon, and the Ozarks Commission would not be able to begin to provide the immediate help these regions need.

Mr. President, in response to our inquiry I received a letter from Mr. Ross Davis, Assistant Secretary for Economic Development, of the Department of Commerce. The letter is dated April 26, 1967.

It states in one important paragraph:

> Accordingly, since at any given time it would not be correct to say that a plan is complete, the significant determination required of the Secretary is that the planning process has been initiated. This is all that the proposed amendments require.

Mr. President, I ask unanimous consent that the entire letter referred to may be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 26, 1967.

Hon. FRED R. HARRIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARRIS: Your letter of April 19, 1967, points out that S. 602—to amend the Appalachian Regional Development Act, recently reported out by the Senate Public Works Committee, contains a number of proposed changes to Title V of the Public Works and Economic Development Act of 1965.

In substance, your letter points out that these amendments, among other things: (1) will require each regional commission to "initiate and coordinate the preparation of long-range over-all economic development programs for such regions, *including the development of a comprehensive long-range economic plan approved by the Secretary;*" and (2), authorize certain supplements to federal grant-in-aid programs once a comprehensive long-range economic plan is established in accordance with (1) above.

You ask our comments on the effect of this language as an additional condition to be met by the commissions; what would be the official position of the Secretary of Commerce with respect to an acceptable comprehensive long-range economic plan; and evaluation of the new language described above; and finally, how this language will affect the administration of the program.

A primary function of the regional commission is, of course, the development of an effective long-range economic development program for the region. A key element of this activity is the planning process. In summary, the planning process referred to in sections 503 and 509(a) of the amendments (including the development of comprehensive long-range plans) is not a process which may be said to be completed at any given point in time and submitted to the Secretary for approval. On the contrary, it is an ongoing process, focused on economic development, comprehensive in scope but aimed at definite goals. It also is action orientated, project orientated, and constantly under study, review, and revision.

Accordingly, since at any given time it would not be correct to say that a plan is complete, the significant determination required of the Secretary is that the planning process has been initiated. This is all that the proposed amendments require.

The planning and program development process contemplated in the Public Works and Economic Development Act and included in the proposed new language will not in any way slow down or impede the progress of the regional commission program. As we interpret the requirements of the language, once the development planning process described above is started, the supplemental grant program also can be put into motion. And as long as the planning process is continued the requirements of the statute are met.

While planning, as I have indicated, is a key role of the regional commissions, it is not the only role. The supplemental grant program contemplated by S. 602 is an important adjunct to the planning process because it gives concrete evidence of the results of regional commission planning activity.

It was in recognition of this need that the President's budget for fiscal year 1968 included $10 million earmarked for supplemental grants for the regional commissions under the authority of Title I of the Economic Development Act. The additional authority for a similar but somewhat broader activity under the proposed amendments would augment this important phase of the regional commission program.

We are satisfied that this supplemental grant activity is both desirable and necessary. I assure you that the preliminary planning requirements will be used only to strengthen and not to stifle this activity.

I have discussed these principles with both the Secretary of Commerce and the Director of the Bureau of the Budget. They have expressed agreement with the interpretation of the new legislation and the principles which I have outlined above.

If you have any further questions on this matter, I would be most happy to respond.

Sincerely,

ROSS D. DAVIS,
Assistant Secretary for Economic Development.

Mr. HARRIS. Mr. President, the pending amendment would amend lines 9 and 10 on page 55 of the pending bill. It would change the words "The Secretary is authorized" to "the Secretary shall."

I think that should be done, since we are limiting the authority of those commissions by this language on the requirement of a comprehensive plan.

I think it would therefore be more appropriate to say that, after the plan has been approved, the Secretary "shall" provide these funds, rather than that he is "authorized" to do so.

I hope that the distinguished chairman of the Committee on Public Works will be able to accept the amendment.

Mr. RANDOLPH. Mr. President, I do accept the amendment. The Senator from Kentucky [Mr. COOPER], the ranking minority member on the Committee on Public Works, is also agreeable to accepting the amendment.

We feel that it may be unnecessary, but we are willing to nail it down as the Senator desires. Therefore, we accept the amendment.

Mr. HARRIS. Mr. President, I am very grateful to the distinguished chairman of the committee.

I am sure that I know what the answer to my question will be, but I think we ought to make a further record on this matter. Is the Senator from West Virginia in agreement with the letter received from Mr. Ross Davis which has just been printed in the RECORD, from his own interpretation of the testimony given at the hearings and from the consideration afforded to this matter by the committee, that this merely means the initiation of a comprehensive plan and does not require a complete plan before the funds can be spent?

Mr. RANDOLPH. The Senator is correct. I am glad that the Senator referred to the documentation of his point by Assistant Secretary of Commerce Ross D. Davis, and I concur in the interpretations of the Assistant Secretary.

Mr. HARRIS. Mr. President, I yield to the distinguished Senator from Arkansas [Mr. FULBRIGHT].

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I join in the remarks of the Senator from Oklahoma. He has taken an active part and done great work on this matter.

Let the record show that I join with him in the amendment and in his request.

I express also my appreciation to the Senator from West Virginia who has been most cooperative with us in our efforts and in the efforts of the Senator from Oklahoma to try to bring the Ozarks region along in the wake, we might say, of the Appalachian program, which is doing so much to prove that this can be an effective way to develop the country.

I appreciate very much the efforts of the Senators from Oklahoma and West Virginia.

Mr. HARRIS. Mr. President, the distinguished Senator from Arkansas [Mr. FULBRIGHT] has been a real stalwart in our effort to get the Ozarks Regional Commission under way. The project would not have been possible without his vital help.

I appreciate the willingness of the

chairman of the committee and of the ranking minority member of the committee to accept the amendment.

As the chairman of the committee knows, there is one further thing that we are interested in, and that is the tremendous need that exists in the Ozarks region for additional substantial and immediate funds, particularly in regard to lake access roads, ports, and highways generally, that are over and above the regular highway program and outside the means of the three States in the Ozarks region to provide in time to make fully usable, among other things, the Arkansas River navigation project.

I am very grateful for the memorandum which I received today from the distinguished senior Senator from West Virginia and for the conversation I have had with him since, to the effect that it is his plan, by mid-July, to hold hearings on legislation to authorize funds for these additional regional commissions.

Mr. President, I ask unanimous consent that the memorandum of April 26, 1967, from the distinguished senior Senator from West Virginia, to me be printed at this point in the Record.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

MEMORANDUM, APRIL 26, 1967

To: Senator Fred Harris.

From: Senator Jennings Randolph, Chairman.

DEAR FRED: I am informed that you continue to be concerned about the lack of program fund authorizations for the Ozarks Commission.

The members of the Committee on Public Works tried within the limits of the record before us to provide "seed money" in the form of supplements of grant-in-aid funds.

I understand and fully appreciate your feelings that more is needed if the so-called Title V Region Commissions are to do their job of revitalizing the economies of the areas included in those regions. For this reason, it is my intention to hold hearings in mid-July on legislation to authorize funds for programs for these regions. I believe that the Commissions already in existence can formulate cohesive and comprehensive programs based on the needs of the regions they serve.

I will contact you personally today to discuss the matter more fully.

Truly,

JENNINGS RANDOLPH,
Chairman.

Mr. HARRIS. Mr. President, I am very pleased to yield to the distinguished senior Senator from Arkansas [Mr. McCLELLAN].

Mr. McCLELLAN. Mr. President, I thank the Senator. I associate myself with the Senator from Oklahoma [Mr. HARRIS] and with my colleague, the junior Senator from Arkansas [Mr. FULBRIGHT], in the remarks they have made with respect to the pending amendment and the subject generally, and with respect to the memorandum from the distinguished chairman of the committee, which memorandum has just been printed in the Record.

I have read the memorandum and it assures us that hearings will be held.

I hope that the distinguished chairman of the committee, who is in a position to understand—and who does fully understand, I am sure—the problems we have in the Arkansas River Valley, particularly as it has been referred to here by the distinguished Senator from Oklahoma concerning the urgency of getting these roads built and the program activated and underway down there.

I hope, in view of what I know is his sympathetic understanding, that he can also give us his assurance not only that hearings will be held, but also that a very definite and sincere effort will be made to report legislation at the conclusion of those hearings, that the matter will be expedited, and that an effort will be made to report legislation to give us some relief and get our program authorized and underway.

Mr. RANDOLPH. Mr. President, I understand and fully appreciate the feelings of the Senator from Oklahoma and the Senators from Arkansas that more is needed if the so-called title V Commissions are to do their job of revitalizing the economies of the areas included within those regions.

The members of the Committee on Public Works tried, within the limits of the record before us, to provide what amounts to "seed money" in the form of supplements to the existing Federal grant-in-aid program.

Admittedly, the title V Commissions have been extremely slow in beginning their work. This has resulted from many problems with which we are aware. I stress the point that the Appalachian program, which we are extending and revising in the bill before us, was in the planning stage from 1960, when the Governors of Appalachia met in Annapolis, Md., until the Senate passed the act in 1965. The foundation of that act was the report of the President's Commission on Appalachia and hearings by the Committee on Public Works of the Senate in 1964. Even with this broad range of discussion and careful planning as a base, the Appalachian program itself has required time to function. As of February 28, 1967, obligations, including highways, have totaled almost $188 million. This is from an overall authorization of a $1.092 billion, and appropriations of $467 million.

There is no desire on the part of this Senator or the Committee on Public Works to thwart the aspirations of the people of the Ozark region. It is impossible for me, however, to accept an amendment for the authorization of substantial sums of money for programs which have not been given adequate hearing. I have no reason to doubt the validity of the request or the beneficial results which will be achieved by the construction of projects financed by this request. But I do not see how we can avoid the established order in carrying out the business of the Senate. I have assured the Senator from Oklahoma and the Senator from Arkansas that I am ready to hold hearings, no later than mid-July, on legislation to authorize funds for programs for the title V regions. I believe that the Commissions so established and already in existence can formulate the kinds of programs and secure the backup data necessary to qualify for favorable decisions by the Committee on Public Works and the Senate. I request that we be accorded opportunities to reach decisions in the normal and reasoned way in which these matters should be handled.

Toward that end, I assure the Senators that I shall exert my conscientious efforts.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. McCLELLAN. Mr. President, it is very gratifying and reassuring to me that the distinguished Senator from West Virginia, the chairman of the committee, has referred to our problem, what we are receiving at the moment, as "seed money." From his remarks, I clearly assume that he recognizes and concedes that seed money has to be cultivated if it is to grow and to develop. Therefore, from what he has said, I believe that he he is telling us that he is willing to put his hand to the plow and help us cultivate this seed money and see that it grows into the project that we so richly deserve and so humbly beseech him to help us secure.

Mr. RANDOLPH. The Senator has expressed a magic metaphor, but I do wish to make it meaningful.

Mr. HARRIS. The distinguished senior Senator from Arkansas has been the real guiding force behind some of the ideas that we have to increase the regional development program that is started in the Ozarks region. He and I have been practically living together the last few days. We have met with the Secretary of Commerce, the Budget Director, and the head of the Economic Development Administration. I am pleased to say that I join with the senior Senator from Arkansas, rather than that he is joining with me, in this effort today.

Mr. President, I am pleased to yield to the distinguished junior Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I wish to express my appreciation to the Senator from West Virginia and to associate myself with the remarks of the senior Senator from Arkansas.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. HARRIS. Mr. President, I am also grateful for the remarks that have been made on the floor by the distinguished Senator from West Virginia about hearings on authorizations and his willingness to help us get additional substantial authorizations for the Ozarks Regional Commission.

I have, together with other Senators, put together an amendment which I had intended to offer today, which would provide very minimal funds for the immediate road and highway needs in the Ozarks region, totaling some $62 million. I ask unanimous consent that a breakdown of that proposed amendment, and sums which would have been sought by it, be printed in the Record at this point in my remarks.

There being no objection, the document was ordered to be printed in the Record, as follows:

Ozarks development highway system

1. Oklahoma:	
(a) Primary roads, 82.7 miles	$9,448,000
(b) Access roads, 117.4 miles	10,142,000
Total, 200.1 miles	19,630,000
2. Missouri:	
(a) Primary roads, 83 miles	17,600,000
(b) Access roads, 13 miles	2,000,000
Total, 96 miles	19,600,000
3. Ozarks region, public ports and terminal roads:	
(a) Access roads to ports, 24.49 miles	3,659,000
(b) Access roads to lakes and recreation areas, 536.5 miles	13,412,500
(c) Access roads to lakes and recreation areas under construction, 232.6 miles	5,815,000
Total, 793.59 miles	22,886,500

Mr. HARRIS. Mr. President, I emphasize that these are very minimal funds, the absolute basic minimum that is immediately needed if we are to accelerate the economic growth of this region of America, which has not kept up with the national economic growth.

Without prolonging this matter much further, I wish to point out that there has been great national attention given to the Appalachia region and its problems, and properly so. The Ozarks region, which encompasses western Arkansas, eastern Oklahoma, and southwestern Missouri, is a region of America which matches the very depressing statistics of Appalachia, and in many respects surpasses them. I refer to Adair County, in eastern Oklahoma, which is probably the county with the most depressing statistics in eastern Oklahoma, but is, I believe, nevertheless, typical of many of the counties of this depressed region.

Mr. President, I ask unanimous consent that an extract from census and other records, which gives some idea of the economic problems in this area, concerning Adair County, be printed in the RECORD at this point in my remarks.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

II. Adair—Median family income, 1960, $1,919

		Percent
A. Total families:		
Total families	3,369	
Families under $1,000	725	
Families under $3,000	2,335	
Percent of families under $3,000	69.3	
B. Total labor force:		
Total labor force	5,500	
Employment	4,400	
Unemployment	1,100	
Unemployment rate (percent)	20	
C. Education: Men and women over 25 years of age:		
0 school years completed	372	
1 to 4 years completed	1,227	
5 to 6 years completed	983	
7 years completed	642	
Total less than 8 years	3,224	
Percent with less than 8th grade	46	
D. Public welfare aid:		
Total population	13,112	
Total recipients	3,126	
E. Housing:		
Total housing	3,999	----
No piped water	1,753	45.8
Other toilet facilities or none	2,098	52.5
F. Racial composition of population:		
White		76.7
Negro		.1
Indian		23.3

Mr. HARRIS. With the assurance of the distinguished chairman of the Committee on Public Works, for which we are most grateful, that we will have hearings by mid-July on additional substantial authorizations for the Ozarks Regional Commission and these other regional commissions under title V, and his willingness to help us get them, I shall not offer any amendment for that purpose at this time.

I thank the distinguished Senator from West Virginia.

Mr. HOLLAND. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. If the Senator from Florida will allow me to conclude this discussion with an observation I will be glad to yield.

The PRESIDING OFFICER. To whom, the Chair asks, is the Senator from Oklahoma yielding the floor?

Mr. HARRIS. I had yielded the floor.

Mr. RANDOLPH. I had not understood that the Senator from Oklahoma yielded.

The PRESIDING OFFICER. The floor had been yielded by the Senator from Oklahoma.

Mr. RANDOLPH. May I address the Chair?

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. RANDOLPH. I do assure and reassure the Senator from Oklahoma that the hearings we have discussed will be held. I hope that the hearings will develop sound reasons for amendments to title V of the Public Works and Economic Development Act of 1965.

Mr. HOLLAND. Mr. President, will the distinguished chairman of the committee yield to me for a question or two?

Mr. RANDOLPH. I am happy to yield to the distinguished Senator from Florida.

Mr. HOLLAND. The Senator will recall that this is one of the few measures of the so-called Great Society program in the field of welfare—and that is the field this is in—that I have voted for. I was glad to vote for it.

There is nothing that counts quite so much as personal observation and inspection. I have seen something of the poverty and depression that has existed in some of the former coal producing areas and oil producing areas in West Virginia. I have seen something of the same sort in eastern Kentucky, and some, although not so much, of the problems in Pennsylvania.

I do want to see this program given a chance to succeed. That does not mean I wish to commit myself to it on any permanent basis.

Do I understand from the chairman of the committee that this extension is for 2 years? Is that the period of the extension?

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. And a small extension of area in a certain direction. This extension is for 2 years only.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. Do I understand that the objectives of the program, which were largely confined to road construction, so necessary in those regions, and health work and vocational training, with some part devoted to reforestation, still remain the major objectives of the program?

Mr. RANDOLPH. The Senator is correct. The thrust of the program is the same as it was in the bill in 1965. Some 85 percent of the funds will go to construction and development of roads. It is important to repeat what I said in 1965, I have no desire to establish another bureaucratic program. I have a great desire to see the States by their own initiative develop this program as a partnership. They have been doing that and the program is underway. The achievements are notable, but final success is still to be attained.

I join the Senator from Florida in saying that these programs are sound programs, and they are going to pay dividends to this region and to its people.

The Senator from Florida knows the people of West Virginia. He has forebears in that State. He knows we have had problems, but they are on their way to be solved. The extension requested is not an unreasonable request. It is a continuation of a program that is now underway.

Mr. HOLLAND. I am glad to have that statement from the distinguished Senator.

Am I correct in my understanding that the highway construction program, giving access into this mountainous region, remains the major single part of the so-called Appalachian program?

Mr. RANDOLPH. The Senator is correct. We find new and diversified industries being developed. They are small units in some instances. There is a feeling on the part of the States within the area that we are providing the means by which they can meet their problems. In nowise could this program be characterized as a giveaway. It is an economic development program guided by sound criteria for the investment of public funds.

Mr. HOLLAND. I shall ask one more question. Has there been any reversal of the trend of loss of population in the State so ably represented by the distinguished Senator? There was a period when it looked as if West Virginia, a State which I dearly love, as the Senator knows, was losing population, as well as losing revenue.

Has there been a reversal of that trend, resulting, in the main, from the program which we are talking about?

Mr. RANDOLPH. We believe there has been a recent stabilization of the population figure in West Virginia. We know in the period 1950–60 we lost approximately 7.3 percent of our population in West Virginia. Arkansas was the only other State which had a similar loss and it had a loss of population approximating 7 percent.

I hope this is not facetious. It is spoken in good humor. Even though we lost population I never felt that we actually lost it. We simply sent missionaries into Florida and other States throughout the Union.

We are stabilizing our population at the present time in West Virginia. We think this is due in part to a program created by the Appalachian legislation.

Mr. HOLLAND. As long ago as in the 1880's a West Virginian—whether she was a missionary or not I am unable to say—came into the State of Florida and helped to set up a Florida family of which I happen to be a member. If there is any way we can help now by assisting West Virginia to regain its impetus and get over this depression that has followed the difficulties in the coal producing business and the oil producing business, and other problems, I would feel as if we are beginning to balance our books.

I wish to tell the Senator from West Virginia that I expect to stick with him during these next 2 years. I make no commitment whatever for any period after that.

Mr. JAVITS. Mr. President, I propose to deal with a problem in the bill which may take one amendment, and certainly may take two amendments. I would like to get some feeling from Senators before I actually move to offer an amendment.

I wish to make a brief statement as to my position. Then, I shall yield to the Senator from Tennessee [Mr. Baker], who has another engagement, so that he may express himself on this subject. Then I shall carry on the discussion.

Inasmuch as I am a lawyer, I wish to state what I wish to accomplish. One New York county has been added under this bill to the 13 counties which were added by the amendment to the original bill by the junior Senator from New York [Mr. Kennedy]. I jointly sponsored that proposal at the time the bill was before the Senate.

That would make the added county of Schoharie, which is physically attached to those previously, in.

Now, Mr. President, the Senator from Kentucky [Mr. Cooper] has already pointed out, in that regard, that there are two other counties which were submitted to the committee, but without the same amount of data and detail that they had on Schoharie; namely, Sullivan and Yates Counties, which have the same kind of case to be included, but were not included.

My purpose here is to raise the question, and perhaps to move to amend the bill, to include those two countries; in any case, to raise the serious question whether it is fair to include one county without including the other two, in view of the fact that they all meet exactly the same kind of criteria, that it is strictly arbitrary to take one county and exclude two. All need it equally. It does not matter to the bill, because it is a question of what area we should reach that deserves to be reached.

The Senator from Kentucky [Mr. Cooper] referred to the fact that these two counties do meet the same criteria and emphasized that, although he was opposed to including any counties in the area of the bill, all he wanted were criteria which would enable us to judge whether additional counties, if there were to be any, belonged in this particular legislation.

I think that these two counties do. I think that the standards would be entirely served by the argument which I will make to show that they do. I will then determine, if we get some consciousness of how the committee feels about it, whether actually to press an amendment which I will call up in a moment.

In the meantime, I should like to yield at this time to the Senator from Tennessee [Mr. Baker], so that he may express his views.

Mr. BAKER. I thank the Senator from New York for yielding to me. I hasten to say, as a member of the Committee on Public Works, and one who participated in the hearings which produced the bill, that I have already, before today, assured my colleagues that I support the bill and will urge acceptance of it.

As I also pointed out in my comments earlier, this is so, notwithstanding the fact that all of us, I suppose, do have some differences and some variations in viewpoints on how the bill and its purposes might be implemented in particular regions and areas. This does not detract, however, from the desirability of the vehicle of the bill with the approach on a regional and semiautonomous basis.

In this case, however, we are dealing with the addition of more counties designated as part of the Appalachian area to be brought under the cover of the various proposals for which the Appalachian bill provides.

The committee, I think wisely, has provided in the bill that this problem, in the future, may not be so much of a problem because it is providing, on request of Congress, that the regional commission will consider whether or not additional counties will be added from time to time.

I commend the chairman and the ranking Republican member for their foresight in so providing. However, today, we are confronted with a situation which is a little different. We have not yet agreed to this amendment to the bill. We have not yet provided congressional control in determining what counties may be added. We do have, by the committee report, a recommendation; namely, the addition of one New York county, Schoharie. I certainly have no quarrel with the addition of Schoharie County. However, I do feel, under existing criteria and under existing tests of topography, of sociological considerations, and economic considerations, that the counties of Yates and Sullivan, adjacent to and in the same and contiguous area of New York, bear the same justification as Schoharie County and should be considered on an equal basis by the proposal which the Senator from New York [Mr. Javits], I understand, may now offer from the floor.

Mr. President, in closing, let me say that I do support the bill. I believe that it is a fine, new approach to a regional concept of sociological improvement. I believe, however, in the execution of impartial justice and equity, that if Schoharie County is included now, as is recommended by the committee, the Senate should give consideration to considering Sullivan and Yates Counties as well, which bear substantially the identical characteristics as the one now proposed to be included.

I thank the Senator from New York for yielding to me.

Mr. JAVITS. I thank my colleague very much for his remarks. I point out that he carried the ball for me in the committee in a very valiant effort to get these two counties included. I am grateful to him. I think that the people of New York will also be grateful to him for what he has done.

Mr. President, I call up my amendment which is at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 53, line 21, after the word "Steuben" add the word "Sullivan" and after the word "Tompkins" add the word "Yates."

Mr. JAVITS. Mr. President, I have really laid down, and my colleague, the Senator from Tennessee [Mr. Baker] has already confirmed from his intimate knowledge of the activities of the committee, the basic point which is involved; namely, that if we include the additional county of Schoharie, there is really no reason in logic or justice why Sullivan and Yates Counties should not also be included.

They meet the criteria, in the sense that the topographical map shows them to be mountains, high hills, and rugged terrain in the Appalachian region, as it is defined, that both counties have relatively modest populations; namely, Sullivan, 45,272, according to the last census, and Yates, 18,614.

When we lay them side by side with the criteria for Schoharie County, which the committee lays down as its justification, contained on page 47 of the committee report, on any standard—the first standard is families with incomes below $3,000—Schoharie County has 27.9 percent. The average for Appalachia is 17.1 percent.

The figure for Yates County is 25.3 percent. The figure for Sullivan County is 21.9 percent—all in the same general order of magnitude.

The unemployment rates for Schoharie County are somewhat higher than they are for Yates and Sullivan.

Sullivan, 6.3 percent.

Yates, 4.1 percent.

Schoharie, for summer unemployment, shows a little over 8 percent.

The 13-county average unemployment

rate in 1966 in this New York area was 3.5 percent.

On the figure of those 25 years and older who have incomes in excess of $10,000, another one of the criteria set forth in the committee report, again there is comparability, the figure of roughly a little over 7 percent. This is shown on page 48 of the committee report.

In Yates County, for example, it is a little over 8 percent.

In short, Mr. President, as we look at the criteria upon which the committee apparently bases its judgment, it is almost impossible to distinguish these two counties, in the sense of the order of magnitude, from the county which was included.

In addition, both these counties are contiguous to the area to be served. Sullivan County, incidentally, is not only contiguous to the New York counties, but also has a direct tie-in with Pennsylvania counties within the Appalachian region and has a considerable economic community of interest with them.

Now, Mr. President, the question which faces me, under the circumstances, is whether to tempt the fates by pressing the amendment and getting a vote and perhaps having it turned down in view of the natural disinclination—which I can understand—on the floor, even by my friend the Senator from Kentucky [Mr. COOPER], to add additional counties, or whether to ascertain, in some way, the view or the rationale of the chairman of the committee and the ranking minority member, which prevailed in the committee, and then go to work in the other body—I have talked with both Representatives who handle these two particular areas—in the expectation or hope of getting it included there, and again the expectation or hope that it might, if included there, have favorable consideration by the conferees here.

Also, Mr. President, I am somewhat motivated and concerned by the fact that the counties which are legislated into the bill are now, if the bill stands as it is, being rather thoroughly locked in, because the provisions of the bill which will now become law—assuming that the bill goes through as it is presently set before us—deprive the Appalachian Commission of the opportunity to study the inclusion of additional areas unless they are requested to do so by the Congress. That means a law passed by the Congress and signed by the President, which seems to me a very cumbersome proposition in terms of getting any other areas studied in the first instance.

Again, this is a question to be presented to the committee which passed on the matter. Did they intend to make it as tight as all that, which, for practical purposes, bars these two additional counties from getting included in the Appalachian region, no matter how meritorious their case may be, in the days ahead, or was it their intention that there would be requests for surveys, et cetera, by the committees of the Senate and the House, in which case there would be some hope of being able to do something about the situation?

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. The chairman of our committee, who is the floor manager of the bill, has referred this question to me, because I am responsible for having made the suggestion that a curb be placed upon the addition of other counties.

Following discussions in the Special Subcommittee on Economic Development and in the full committee, we developed this provision. Its purpose is to prevent the Commission, on its own initiative, from making recommendations toward the admission of other counties or areas, which would inevitably lead to pressure upon the committees of Congress to admit them.

Upon the initiative of the Senator from New York in bringing it to my attention, I must say that it may, in fact, be too restrictive.

There is a precedent initiating studies of this kind. The precedent is that, upon a resolution adopted by the Public Works Committee, the Corps of Engineers can be directed to undertake a survey or review of a project—which may require for its completion millions of dollars.

As I understand, the senior Senator from New York is proposing that the bill be amended so as to authorize a study of any proposed change in the geographic definition of the Appalachian region—upon the adoption of a specific resolution by the Public Works Committee. Is that correct?

Mr. JAVITS. That would be my thought. At the least, I would hope that we would have some chance, if we failed in the present effort and in the other body.

Mr. COOPER. I believe the change should be made.

I say that as the one who initiated the idea of placing some restriction on the addition without criteria of new counties. I repeat that my idea about the addition of other counties is not directed toward the merits of the admission of any particular county. Rather, as I stated on the Senate floor a while ago, and as I also made known in my supplemental views filed as a part of the committee report, I believe there is a danger to the entire program if areas and counties are added without clearly established criteria.

I will say again what I said in the committee: At least upon the basis of the reasoning implied by the admission of Schoharie County, there was just as much reason for the counties of Sullivan and Yates to be included.

Another question was also thoroughly considered in the committee. That was the additional highway authorization proposed—$140 million in additional authorization for the Appalachian development highway system, required by the inclusion in that system of the corridor from Erie to Binghamton across the southern tier of New York counties, and the connecting link from Elmira south into Pennsylvania at Williamsport. It amounts to 350 additional miles of development highway, which is included in the total mileage authorized by this bill, and as I recall the New York portion amounts to $108 million for improving Route 17. While it is mileage and an expenditure not contemplated in the 6-year highway program included in the 1965 act, the question was resolved in committee on the grounds that the New York area was added to the region on the basis of a study specifically directed by the Congress—and that this area was therefore fully entitled to share in the Appalachian programs in the same way as every other area within the region.

I remember that the Senator from New York did confer with me about the importance of this Appalachian highway corridor, and strongly supported the highway authorization recommended also by the Governor of New York. So I believe it is correct that the Appalachian area of New York will receive assistance under this bill.

Upon the question of defining or changing the boundaries of the region, I might suggest to my friend—and we have been friends throughout our service in the Senate—that I think an orderly way to approach this problem would be to call upon the Senate Public Works Committee to hear the Senator. Then we could consider a resolution which would direct this study to be made. That, it seems to me, would be a practical approach, and I would support him.

Mr. JAVITS. I am grateful to the Senator from Kentucky.

I yield now to my colleague from New York.

Mr. KENNEDY of New York. Mr. President, I thank my senior colleague for yielding to me.

I would like to see these other counties that Governor Rockefeller and others have named come under the Appalachia criteria and be included in the bill. In fact, there are counties along the whole of that part of the United States which should be included. I would be delighted to have Sullivan and Yates Counties also included. Obviously, it would be of great help to the State of New York.

I want to express my appreciation to the chairman of the committee, the Senator from West Virginia [Mr. RANDOLPH], for his efforts from the beginning to include the State of New York in the Appalachia program.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from West Virginia.

Mr. RANDOLPH. I would remind my two distinguished colleagues from New York, if they will remember, that the mechanics by which New York was included in the Appalachia region was adopted on the floor. I had an appreciation of their problems then. I attempted then, as I have since, to be sympathetic.

Mr. KENNEDY of New York. I think we of New York owe a debt to the Senator from West Virginia because he took a personal interest in our problem. Having difficult economic problems in his own State, he is aware of other areas which suffer financially and economically. He therefore took great interest in our problem. So I think all of us in New York owe him a debt of gratitude.

Since then the Senator from West Virginia has always expressed great interest in the effectiveness of the program in the State of New York, and the development of the program and areas that could be included. We talked about Schoharie County initially. Again, after studying the matter and bringing the matter before the committee, he was finally able to include Schoharie County. We talked about this county, as well as the other counties. The Senator thought, in view of the financial drain that has already existed, perhaps we should move with Schoharie County. As I understood, he was going to continue to study the other areas, and when he was in a position where he could get the support of the committee and the Government, they would be included.

I would be delighted to have the rest of the counties included, but I think I would be less than candid if I did not say the State of New York already owes a great debt to the Senator from West Virginia and to all the members of the committee, and to the Governors, and to the Federal Government, for their aid in building some of our schools and water pollution plants that are being and are to be constructed in this area. If it had not been for the interest of the Senator from West Virginia and the other members of his committee, and the interest of the Governor of New York and the others, we would not have a program at the present time.

I am happy that my senior colleague has offered this amendment. I support the change in language. I have had a number of conversations in connection with this matter over a long period of time, but I thought I would like to have the whole record complete.

Mr. JAVITS. Mr. President, Senator KENNEDY certainly, I think, deserves the credit he has received for bringing this amendment to the floor. I am very happy and proud to join with him in it. I think it has been very constructive.

I heartily concur with the Senator as to the debt we owe the Senator from West Virginia. We will continue to owe it. The only reason I brought up this question is because there are very basic equities involved, where people in contiguous counties in the same situation certainly would have a right to feel that they should share in what their neighbors are sharing.

For practical purposes, I think it is always good to cooperate with the chairman of a committee, and in this case even more good than usual. Therefore, Mr. President, because I feel as I do, I should like to reverse the order of my proposed amendments, to withdraw the amendment which I have sent to the desk, if I may——

The PRESIDING OFFICER. The Senator has that right.

Mr. JAVITS. And, if I may be recognized, to send to the desk another amendment in an effort to deal with the problem of the locked door on even the consideration, in the future, of some additional county.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 54, line 6, strike out "request by the Congress for" and insert in lieu thereof "resolution by the Committee on Public Works of the Senate or of the House of Representatives, directing".

Mr. JAVITS. Mr. President, the idea here is to follow the same procedure which is dealt with in studies by the Corps of Engineers on road and other similar projects, rather than to lock the matter into a law which requires action by Congress and perhaps signature by the President.

The use of the word "Congress" in the bill is very uncertain. If nothing else, this amendment would give specificity to what is an uncertain designation.

Mr. President, if I may have the attention of the Senator from West Virginia, I will state that my own attitude as to what to do about this matter under the circumstances will be heavily conditioned by his views. I certainly hope that he will be kind enough to let us know his feelings about the amendment now at the desk, which is the pending business, relating to the way in which a study can be brought about, and I seek his general disposition on the substantive question of the addition of the two countries we have discussed.

Mr. RANDOLPH. Mr. President, in response to the inquiry of the senior Senator from New York, I agree with the distinguished minority member of the Committee on Public Works that in tightening the procedure by which counties would be included in the Appalachian region we were really doing what is proposed in the amendment of the Senator from New York. We were thinking of the term "Congress" as embodying the action of the Committee on Public Works, just as we do now in the resolutions for projects under the Corps of Engineers, the water study projects, and other projects that fall within that type of authorization.

I am firm in my thinking that we have come to the time when we must carefully study any requests for additions to the region. My acceptance of the Senator's language does not indicate any lowering of the bars, as it were, because we will study the counties that are requested, and I would want the very able Senator from New York to know that we feel that accepting his amendment in nowise weakens the language we reported. The amendment confirms our thinking.

Therefore, I join with the Senator from Kentucky in accepting the amendment.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. ELLENDER. As I understand the amendment, if a project is to be accepted, it will have to go back to the committee and be passed upon by Congress?

Mr. RANDOLPH. Yes.

Mr. ELLENDER. Congress is not being bypassed?

Mr. RANDOLPH. No.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. JAVITS. Now, Mr. President, I have thought through what would be in the best interests of the two counties involved, and have come to the conclusion that it would be in their best interests, with the matter at this stage, if I did not seek here on the floor of the Senate to have them included.

My estimate of the situation is that the effort would probably be rebuffed, for reasons not necessarily connected with the merits, in view of the fact that there seems to be a general disposition among Senators to at least be very careful about any new counties going in over and above those that are already in.

Under the circumstances, it seems to me that I would be best advised, in the interests of the people of my State, to await the action of the House of Representatives, which has not yet even held hearings, where the matter can be pressed in behalf of Sullivan and Gates Counties, and facts and figures adduced specifically before the committee. I shall testify before the House committee myself, and I already have the assurance of the Members from New York who represent those counties that they will press the matter. That, plus the fact that there is a capability under the bill as we have now amended it to bring about a study and review of the situation, in a considered way, by the Senate Committee on Public Works, leads me to feel that under those circumstances, Mr. President, I should not risk the good case which I feel very deeply those counties have been given a black eye by pressing for a record vote on my other amendment and having it turned down, in some lopsided way, for reasons quite different from the substantive question involved. In that position I have the sympathy, I know, of the chairman of the committee and the ranking minority member.

Again I join Senator KENNEDY in expressing appreciation for what has been done. I would never want the Senator from West Virginia or the Senator from Kentucky to feel that our interest in and our desire to press for the interests of these two counties represents any denigration of our deep appreciation for the consideration which we have received; and that will always be true, no matter how much we may, at a later date, press for. I think the equity is real, and I would not wish to jeopardize in any way the interests of the people of those counties by pressing for their inclusion at a moment when they might not be included, without the case being decided on its merits.

For that reason, Mr. President, I shall not press for the amendment to include the two counties, but rest my case upon the change which has been made; and I hope that we may—and there is a real expectation that we can—in the hearings before the House of Representatives, receive the consideration on the merits which we have not, for reasons for which no one is to be blamed, received here.

Mr. TYDINGS. Mr. President, I urge prompt passage of the Appalachian Regional Development Act Amendments of 1967. This bill is the product of exhaustive research, hearings, and executive consideration of the Appalachian program by the Public Works Committee, under the outstanding leadership of its chairman, the distinguished senior Senator from West Virginia, Senator Randolph.

This bill, hammered out in extensive consultation with State officials of each of the participating States and the Federal officials concerned, will provide a thoroughly effective foundation for the continuation of this essential regional development program.

Particular credit is due to Chairman Randolph, Senator Cooper, ranking minority member of the Public Works Committee, and the excellent committee staff for once again bringing forth a sound and reasonable program for the development of the Appalachian region into a vigorous participant in the American economic system.

The poet John Donne's thought that "No man is an island," has particular application to the Appalachian area. In the Appalachian Regional Development Act, Congress recognized that the well-being of all America suffers when a substantial part of its people and territory are cut off from contributing to the mainstream of modern economic activity. The Appalachian region typifies a number of areas in America where accidents of time and geography have prevented modernization of the economy and life of the people.

The Appalachian Act, by providing Federal funds to supplement and accelerate the economic development of the Appalachian region, has provided the "seed capital" essential to bring the Appalachian region into the twentieth century, so that its people may share in and fully contribute toward the American prosperity.

I am proud to be able to say that the Appalachian program was literally born in my own State of Maryland at a meeting of the Appalachian region State officials in our capital at Annapolis in May 1960. From that meeting, with the full participation of my own State under the leadership of its former Governor, Millard Tawes, grew what has today become the Appalachian program.

Maryland has had an important participation in the Appalachian program. Only our three most westerly counties—Garrett, Allegany, and Washington—are directly involved in the program, but the benefits to these counties have been substantial. To date these three counties in my State have made use of, or plan to use, a total of $13.7 million of Appalachian development funds for highways, vocational education facilities, a regional health center, hospital additions, sewer projects, and a library. These funds, which, but for the Appalachia program, would not have been available, have enabled these beautiful and potentially bountiful areas of Maryland to take substantial steps forward in their economic and educational development.

My one disappointment is that the vision of a modern interregional highway to connect the Ohio Valley with the ports and industries of the middle Atlantic coast, including the port of Baltimore, is clouded by the limitations on funds which the present war situation imposes on all our activities, including the Appalachian program.

Modernization of existing roads in western Maryland and the adjacent Appalachian area is now being undertaken with Appalachian program funds, but they are not sufficient to the real challenge of such a highway. The committee is to be commended for reporting a very reasonable bill which balances the needs of the program with the funds available. But I hope that when the current budget limitations imposed by the war in Vietnam recede, we can give special attention to the completion of a modern expressway running all the way from central Ohio, through West Virginia, to Hancock, Md., where it can join existing Interstate 70-S and run to the sea. Such a highway would be a lifeline link, directly across the heart of the Appalachian region, between the major industrial and transportation centers of the eastern half of our country.

Likewise, I hope that when the committee completes its Appalachian work it can turn to other regions of the country whose economic problems are comparable to Appalachia's. One such area which immediately comes to mind is the area of Delaware, Maryland, and Virginia, which lies between the Atlantic Ocean and the Chesapeake Bay. I hope that, as funds become available and the Appalachian program is assured of completion, we can consider a similar program of development for the Delmarva region, where tri-State cooperation and planning are already well advanced. By providing reasonable Federal assistance to the Delmarva area, we could, I am confident, greatly accelerate the economic development of this beautiful, but economically depressed portion of the three-State area.

I believe the idea of Federal-State cooperation the Appalachian program embodies clearly represents the wave of the future in our Federal system. The Appalachian Regional Commission, made up of the States themselves in partnership with the Federal Union, has strikingly demonstrated what progressive and enlightened State government can do in unselfish cooperation with its neighbor States and with adequate Federal assistance to meet regional problems. These States have said "Give us the money and we'll do the job." And they have done that job remarkably well.

Mr. President, I vigorously support the Appalachian Regional Development Act Amendments of 1967 and urge their prompt enactment.

Mr. RANDOLPH. The Senator from Maryland, a member of the committee, actively participated in the development of this legislation and I want him to know that I appreciate his efforts.

Mr. KENNEDY of New York. Mr. President, I am pleased to support S. 602 which extends and revises the Appalachian Regional Development Act of 1965.

Two years ago, during Senate discussion on the original Appalachian Act, I took the opportunity to urge that certain New York counties be considered for inclusion in the Appalachian region and be made eligible for assistance under the Appalachian program. Senator Javits and I sponsored an amendment to this end which was accepted by the Congress.

That New York is a fully participating member of the Appalachian program is, I believe, a high tribute to the spirit of regionalism which characterizes the program. In August 1965 the 11 Governors who were then members of the Appalachian Commission extended to New York an invitation to join the program. New York accepted the invitation and began immediately to receive the benefits of all Appalachian program funds with the exception of highway funds. The generous decision of the 11 Governors at that time to admit New York to the program meant, of course, that their States' shares of Appalachian funds would be slightly reduced in order for New York to receive Appalachian assistance. The decision was, however, made unanimously and was in keeping with the Appalachian States' desire to develop the economy of all of Appalachia so that the benefits would be truly regional in scope.

At the time that New York was admitted to the program in August 1965, the Federal cochairman and the State cochairman of the Appalachian Commission said:

> We feel that the continuing development investment which will be made in the 13-county area of New York will be of significant economic benefit to the entire Appalachian region. The 13 New York counties are similar to the Appalachian region in that they are abundant in natural resources, rich in potential, but lag behind the rest of the nation in economic growth.

In August 1965, the Appalachian Regional Commission initiated a highway study to determine New York's highway needs under the Appalachian program. In March 1966, the Commission voted once again unanimously to include New York State in the Appalachian development highway system. This inclusion took the form of a 252-mile Appalachian highway corridor from Binghamton, N.Y., to Erie, Pa.; and a 78-mile highway corridor from Elmira, N.Y., to Williamsport, Pa.; thus linking New York's Appalachian highways with the rest of the Appalachian highway system. The Commission also allocated $25 million in Appalachian funds for preliminary engineering, location studies, and construction on the two New York highway corridors.

Once again the State members of the Appalachian Commission demonstrated their total unselfish commitment to the development of the entire Appalachian region. The east-west New York highway corridor, running from Binghamton to Erie, will parallel and replace existing U.S. Route 17 in New York's southern tier counties. The construction of an adequate highway across southern New York is absolutely essential to the economic development of the area, which because of poor access has been bypassed like so many other parts of Appalachia.

I am confident that the southern tier counties will achieve a greater rate of economic growth through the construction of the Appalachian highways and through the various other programs authorized by the Appalachian Regional Development Act.

Senate bill 602 provides for an increase in highway authorizations for the Appalachian program in order to accommodate the inclusion of the two New York highway corridors.

This bill increases the authorized mileage for the entire Appalachian highway system by 350 miles, from 2,350 to 2,700 miles. It also increases the dollar authorizations from $840 million to $1.015 billion for the 6-year life of the highway program. The specific highway authorization in this bill is $715 million for the 4-year period ending June 30, 1971. The $300 million already appropriated for highways, when added to the $715 requested in S. 602, adds up to a total of $1.015 billion, as compared with the original authorization of $840 million in the Appalachian Regional Development Act of 1965.

This is an increase of $175 million, of which $140 million will be used to construct the two new highway corridors in New York and Pennsylvania.

The new highway authorization in S. 602 represents a valuable and worthwhile addition to the Appalachian program. Congressional approval of the new authorization will make possible the construction of a major highway in the southern tier counties of New York State which will have a significant and permanent impact on the economy in those counties and in certain northern Pennsylvania counties.

I am pleased that S. 602 permits the inclusion of Schoharie County, N.Y., in the Appalachian program, thus raising the total number of New York counties from 13 to 14. Schoharie County, because of its income and employment characteristics, deserves the type of assistance that it can receive under the Appalachian program, and I therefore urged its inclusion in the region.

The Appalachian program has been making an impact in the southern tier counties. In the year and a half that New York has been participating in this program it has received $30.6 million in Appalachian assistance, including $25 million for highways and $5.6 million in other grants. These grants have been approved for a variety of New York projects which include four vocational education schools, two hospitals, three libraries, two airports, and four sewage-treatment plants. This $5.6 million has made possible the construction of $15 million worth of public facilities in New York State. Many or most of these facilities would not have been built without this special supplemental assistance from the Appalachian program.

Joint Federal-State programs are not new. But this program offers a unique opportunity for States to participate—to share in the decisions and directions of the program.

The Governors of the 12 States of Appalachia are responsible for determining the investment of the Federal money in their States. The States devise their own plans for economic development based on their knowledge of their needs. The Federal Government cannot unilaterally decide for the States what should be done, what projects should be supported. The cooperation of the Governors is essential.

The degree of that cooperation during the 2 years of the program has been outstanding. All decisions on allocations of funds by the Appalachian Regional Commission have been made by unanimous vote. This type of cooperation has made it possible for New York to participate as a full partner in the program. With the passage of S. 602 New York State will continue to work with the other States on regional development.

The Appalachian program is necessary to the economic development of the entire region just as it is vital to the economic well-being of New York's Appalachian counties. The Appalachian program represents the first attempt in this country to stimulate the economic growth of a specific region. Passage of S. 602 will give the Appalachian Commission the means to build an even more successful program on the foundations that have already been created.

Mr. RANDOLPH. The Senator from New York has been unceasing in his efforts to bring to his State the benefits of the Appalachian program. He has contributed much to its development and his counsel and assistance have been valuable.

Mr. MONTOYA. Mr. President, I rise to congratulate the Senator from West Virginia [Mr. RANDOLPH] for his outstanding leadership and splendid work in giving S. 602 prompt, comprehensive hearings, and for reporting it to this body for early consideration. I also rise to urge my colleagues to give this bill prompt and favorable approval.

The Appalachian Regional Commission was established in 1965 as a working partnership between the States and the Federal Government to assist in economic revival of a 12-State region. Success of the program over the ensuing 2 years attests to the validity of the concept of directing resources under an economically integrated plan to geographically related regions.

Title I of the amendments to the Appalachian Regional Development Act of 1965, which we are considering here, would provide necessary funding and additional authority to permit the Appalachian Regional Commission to continue while enlarging the economic development work it has so ably and successfully begun. By giving this bill before us prompt approval we can permit this work to continue uninterrupted.

But we should not be distracted by the fine example set by the Appalachian Regional Commission from the needs and wants of the other regional commissions that have not been as fortunate. Instead, we should benefit from experiences of the Appalachian Regional Commission, according the other commissions the same support we have extended this one.

Five additional regional commissions have been established since formation of the Appalachian Regional Commission under provisions of the Public Works and Economic Development Act of 1965.

These regional commissions are the Ozarks, Upper Great Lakes, New England, Coastal Plains, and the Four Corners region which includes parts of my home State of New Mexico as well as Utah, Colorado, and Arizona.

These five commissions have been patterned after the Appalachian Regional Commission. However, these commissions do not possess the same degree of independence in achieving the desired State and Federal Government partnership now enjoyed by the Appalachian Commission. Consequently, they have been severely handicapped in their efforts aimed toward economic development of their respective regions.

I am, therefore, very pleased to join Senator FRED HARRIS, of Oklahoma, and seven of my Senate colleagues in sponsoring the three amendments contained in title II of S. 602 which would amend title V of the Public Works and Economic Development Act of 1965. I believe these amendments are essential to making regional commissions effective, viable organs much like the Appalachian Regional Commission has proven to be.

Specific funding provisions of the amendments will place these commissions, which operate in regions having highly diverse economic problems as well as greatly differing populations, on a firmer planning basis.

The first amendment is a clarifying one to section 503 of the Public Works and Economic Development Act of 1965. In its present form this section states that the commission with respect to its region will "initiate and coordinate the preparation of long-range, overall economic development programs for such regions." This would be amended to include development of a comprehensive, long-range economic plan approved by the Secretary of Commerce.

This amendment will govern expenditure of funds in all of the five title V regions by allowing the Secretary to exercise overall administrative control.

The second amendment adds to section 505(c) of the Public Works and Economic Development Act of 1965. To quote from the report of the Senate Committee on Public Works:

> The development of the other regional commissions, five in number, has been unreasonably slow. Much of this delay is the result of the failure to make funds available for administrative expenses and technical assistance.

It is essential that we prevent any further delay by appropriating necessary funds. Section 505(c) would authorize $15,000,000 each assistance. This amendment provides that no more than $2,500,000 of the funds appropriated each fiscal year may be allocated by the Secretary to each regional commission.

This will insure that each commission will receive funds necessary to function properly in this area. Without a safeguard of this type, a disproportionate funding breakout between larger and smaller commissions could seriously hamper planning in such smaller regions as Four Corners or Ozarks.

The third amendment establishes a new section 509 in the Public Works and Economic Development Act of 1965, related to supplements to Federal grant-in-aid programs. It authorizes the Secretary of Commerce, once the comprehensive, long-range economic plan is in effect as established by the first amendment, to provide funds for increasing percentage of Federal participation.

The Federal grant-in-aid programs from which funds may be used include programs authorized by title I of the Public Works and Economic Development Act; Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963, and others. No program will be included in which loans or other Federal financial assistance, except grants-in-aid are the source.

The Federal portion of such costs shall not be increased in excess of percentages established by each Commission, and shall in no event exceed 80 percent of the program cost. For this purpose, it is recommended that the Secretary be appropriated $5 million in fiscal year 1968 and $10 million in fiscal year 1969.

The purpose of this amendment is to enable maximum advantage to be taken of Federal grant-in-aid programs for which States and other entities are eligible, but for which they cannot supply the required matching funds.

It is my contention that support of these amendments will fulfill the congressional intent of cooperative State-Federal programs and thereby give an economic stimulus to commissions established in the Ozarks, Upper Great Lakes, New England, Coastal Plains, and Four Corners regions.

Mr. President, prior to passage of the Public Works and Economic Development Act of 1965, I had joined with the Senator from Utah [Mr. Moss] in introducing legislation which would have established as an economic development region, the area which has since been designated as the Four Corners Regional Commission under title V of the act.

I had worked closely with former Gov. Jack Campbell, of New Mexico, and the State delegations of Utah, Colorado, and Arizona as liaison with the Secretary of Commerce in an effort to secure early establishment of this Commission. The establishment of this Commission was very important to me and therefore I was most pleased when the Four Corners Regional Commission was designated in December 1966.

However, much needs to be done to insure the necessary funds to permit this organization to adequately and successfully perform its functions. The experiences of Regional Commissions, other than the Appalachian Regional Commission, disclose that there have been long, unnecessary delays simply because of lack of funds to permit them to proceed with planning and development.

I say unnecessary delays because the Appalachian Regional Commission has shown us what can be accomplished if given necessary financial support by Congress. We must move forward swiftly to fill a void that has existed and which has not permitted the other five regional commissions to proceed as we who helped in their formation had hoped they would and could.

I urge my colleagues to join me today in supporting this most essential and long overdue legislation to allow all regional commissions, including Appalachia, to march forward in their economic planning and development.

Mr. RANDOLPH. I thank my colleague on the Committee on Public Works for his kind words and his great assistance in bringing S. 602, to the floor of the Senate. His efforts are deeply appreciated.

Mr. MILLER. Mr. President, the Appalachia bill came before the Congress in 1965 under the aura of being a program to uplift distressed areas. That there are distressed areas among many of the counties listed as comprising the Appalachian region no one can deny. However, there were 67 of the counties listed in the 1965 act which could not have qualified as distressed counties under the definition of the Area Redevelopment Act. How many of these counties are still nondistressed counties, or how many others have fallen out of the distressed into nondistressed category, I do not know. But it seems to me wrong and discriminatory for this legislation to lay a foundation for preferential treatment of nondistressed counties—especially when there are other counties throughout the Nation which are distressed and are not eligible under this legislation for preferential assistance.

I pointed out in 1965 that at the time there were 17 of the 99 counties in my own State of Iowa with a higher rate of unemployment and a lower level of family income than in the aforesaid 67 counties. I also pointed out then that two of the States with counties included in the region—namely, Ohio and Pennsylvania, had a larger per capita disposable personal income compared with my State and many others, leading one to conclude that the people in other States should not be called upon to pay taxes to finance preferential Federal assistance to counties in Ohio and Pennsylvania.

For these reasons, I regretfully cannot support this bill.

Mr. BYRD of West Virginia. Mr. President, I commend my colleague on his effective work, as chairman of the Committee on Public Works, in conducting hearings on, and reporting to the floor, S. 602 to revise and extend the Appalachian Regional Development Act of 1965.

I believe that the present law, which has been in effect over the past 2 years, has proved to be beneficial to the State of West Virginia and other affected States. I enthusiastically supported the present law when it was before the Senate in 1965, and I support the measure before us which would extend the act of 1965.

I wish, at this moment, to express my gratitude to my colleague, for his personal dedication to this legislation, and for his untiring effort in promoting the legislation before us. I admire the leadership he has shown, and I hope that the Senate will, very shortly, give its overwhelming approval to this bill, thus permitting Appalachia to continue with the progressive programs which have brought hope to the people of that region.

I again commend my colleague, the floor manager and chief sponsor of the bill.

Mr. RANDOLPH. Your commendation is extremely gratifying. Your assistance and support have given me great encouragement and I thank you.

Mr. SPONG. Mr. President, on yesterday the distinguished chairman of the Senate Committee on Public Works, the senior Senator from West Virginia [Mr. RANDOLPH] presented a succinct review of S. 602, to revise and extend the Appalachian Regional Development Act of 1965.

As a junior member of the Senate Committee on Public Works, I should like to thank the chairman of the committee for the diligence and patience he has demonstrated in the committee hearings on this bill, particularly his patience with the junior Senator from Virginia. Moreover, I should like to observe that during these hearings he has shown a deep understanding of the people within the Appalachian region and their problems. On behalf of the people of Virginia, particularly those in southwest Virginia, I should like to express my gratitude to him.

This legislation to revise and extend the Appalachian Development Act comes to the floor with the endorsement of the Governor of every State in the Appalachian region. The Governor of Virginia, the Honorable Mills E. Godwin, Jr., filed a statement during the hearings, endorsing continuation of the Appalachian program. The enthusiasm of the Governors results in large measure, I believe, from the fact that their States have experienced equal partnership in execution of the various programs. In fact, projects must be initiated by States, and each may elect to participate in accordance with its particular needs.

As of the first of this year, Virginia had approximately 104 miles of highways under construction in the Appalachian regional development highway system. Accelerating the completion of two routes which link Virginia to its neighboring States will contribute immeasurably to the economic development of southwest Virginia, as well as remove much of the physical isolation this area of Virginia has always experienced.

Virginia is striving to improve its educational systems throughout the Commonwealth. Under the Appalachian Act there has been made available vocational education facilities in southwest Virginia. It is hoped that in the near future educational television, presently operative in every other section of Virginia, will be available to the school systems in southwest Virginia where it is much needed.

Mr. President, the Appalachian program has proved itself. It has encouraged local and regional planning. It has required complete State approval, and has developed local, regional, State, and Federal cooperation. States have established their own priorities—a fact which in my judgment is highly desirable. I support the bill before us as practical in concept and in many respects a model for State and Federal cooperation.

Mr. RANDOLPH. The Senator from Virginia, a member of the Committee on Public Works, has been most diligent in his efforts on behalf of this legislation. It is a pleasure to work with him.

Mr. President, before bringing this measure to a final vote I wish to once again acknowledge my gratitude to all the members of the Committee on Public Works for the cooperative spirit with which they have approached the problems of regional economic development.

I wish also to express my appreciation to the highly capable staff of the committee and its director, Dick Roga, and especially to Barry Meyer, who has recently joined the staff and who has worked long and effectively in preparing this legislation for consideration by the committee and the Senate.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, in the nature of a substitute, was agreed to.

The **PRESIDING OFFICER.** The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The **PRESIDING OFFICER.** The bill having been read the third time, the question is, Shall the bill pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware (when his name was called). On this vote I have a pair with the Senator from Pennsylvania [Mr. SCOTT]. If he were present and voting, he would vote "aye"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Alaska [Mr. GRUENING], the Senator from Washington [Mr. MAGNUSON], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Oregon [Mr. HATFIELD], the Senator from California [Mr. MURPHY] the Senator from Kansas [Mr. PEARSON], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from California [Mr. MURPHY], and the Senator from Kansas [Mr. PEARSON] would each vote "yea."

The pair of the Senator from Pennsylvania [Mr. SCOTT] has been previously announced.

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 68, nays 13, as follows:

[No. 95 Leg.]

YEAS—68

Aiken
Anderson
Baker
Bartlett
Bayh
Bible
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Dodd
Eastland
Ervin
Fong
Fulbright
Gore
Griffin
Hansen
Harris
Hart
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morton
Moss
Muskie
Nelson
Pastore
Pell
Percy
Prouty
Randolph
Ribicoff
Russell
Smith
Sparkman
Spong
Stennis
Symington
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—13

Allott
Bennett
Cotton
Curtis
Ellender
Fannin
Hickenlooper
Hruska
Miller
Mundt
Proxmire
Thurmond
Tower

NOT VOTING—19

Boggs
Brooke
Burdick
Carlson
Dirksen
Dominick
Gruening
Hartke
Hatfield
Lausche
Magnuson
Morse
Murphy
Pearson
Scott
Smathers
Talmadge
Williams, Del.
Young, Ohio

So the bill (S. 602) was passed, as follows:

S. 602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967

SEC. 101. This title may be cited as the "Appalachian Regional Development Act Amendments of 1967".

SEC. 102. Section 102 of the Appalachian Regional Development Act of 1965 (hereinafter in this title referred to as "the Act") is amended (1) by inserting "and" at the end of clause (7); (2) by striking out the semicolon and the word "and" at the end of clause (8) and inserting in lieu thereof a period; and (3) by striking out clause (9).

SEC. 103. Section 105 of the Act is amended to read as follows:

"ADMINISTRATIVE EXPENSES OF THE COMMISSION

"SEC. 105. (a) For the period ending on June 30, 1967, the administrative expenses of the Commission shall be paid by the Federal Government. Thereafter, such expenses shall be paid 50 per centum by the Federal Government and 50 per centum by the States in the region, except that the expenses of the Federal Cochairman, his alternate, and his staff shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the Commission. The Federal Cochairman shall not participate or vote in such determination. No assistance authorized by this Act shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State member of the Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.

"(b) To carry out this section, there is hereby authorized to be appropriated to the Commission, to be available until expended, not to exceed $1,700,000 for the two-fiscal-year period ending June 30, 1969. Not to exceed $400,000 of such authorization shall be available for the expenses of the Federal Cochairman, his alternate, and his staff. Unexpended balances of appropriations under the authorization in this section prior to amendment by the Appalachian Regional Development Act Amendments of 1967 shall remain available for the purposes of this section, as amended, until expended."

SEC. 104. Clause (7) of section 106 of the Act, entitled

"ADMINISTRATIVE POWERS OF THE COMMISSION",

is amended to read as follows:

"(7) enter into and perform such contracts, leases (including, notwithstanding any other provision of law, the lease of office space for any term expiring no later than June 30, 1971), cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States (which is hereby so authorized to the extent not otherwise prohibited by law) or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation."

SEC. 105. Section 201 of the Act is amended to read as follows:

"APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

"SEC. 201. (a) In order to provide a highway system which, in conjunction with the Interstate System and other Federal-aid highways in the Appalachian region, will open up an area or areas with a developmental potential where commerce and communication have been inhibited by lack of adequate access, the Secretary of Transportation (hereafter in this section referred to as the 'Secretary') is authorized to assist in the construction of an Appalachian development highway system and local access roads serving the Appalachian region. The provisions of title 23, United States Code, that are applicable to the construction and maintenance of Federal-aid primary and secondary highways, and which the Secretary determines are not inconsistent with this Act, shall apply, respectively, to the development highway system and the local access roads. Construction on the development highway system shall not exceed two thousand seven hundred miles. Construction of local access roads shall not exceed two thousand miles that will serve specific recreational, residential, educational, commercial, industrial, or other like facilities or will facilitate a school consolidation program.

"(b) The Commission shall transmit to the Secretary its designation of (1) the general corridor location and termini of the development highways, (2) local access roads to be constructed, (3) priorities for the construction of segments of the development highways, and (4) other criteria for the program authorized by this section. Before any State member participates in or votes on such designations, he shall have obtained the recommendations of the State highway department of the State which he represents.

"(c) In no event shall the Secretary assist in any construction (including right-of-way acquisition) which would require for its completion the expenditure of Federal funds (other than funds available under title 23, United States Code) in excess of the appropriations authorization in subsection (g). On its completion each development highway not already on the Federal-aid primary system shall be added to such system and each development highway and local access road shall be required to be maintained by the State as provided for Federal-aid highways in title 23, United States Code.

"(d) In the construction of highways and roads authorized under this section, the States may give special preference to the use of materials and products indigenous to the Appalachian region.

"(e) For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary shall require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act.

"(f) Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Commission determines that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 70 per centum of such costs.

"(g) To carry out this section, there is hereby authorized to be appropriated to the President, to be available until expended, $715,000,000 for the four-fiscal-year period ending June 30, 1971. Unexpended balances of appropriations to the Secretary of Commerce under the authorization in this section prior to amendment by the Appalachian Regional Development Act Amendments of 1967 shall be treated as having been appropriated to the President for the purposes of this section, as amended, and shall remain available until expended.

"(h) (1) When a participating State proceeds to construct a segment of a development highway without the aid of Federal funds, in accordance with all procedures and requirements applicable to the construction of segments of Appalachian development highways with such funds, except insofar as such procedures and requirements limit a State to the construction of projects for which Federal funds have previously been appropriated, the Secretary, upon application by the State and after approval of the project by the Commission under section 223(2) of this Act, shall pay to the State the Federal share not to exceed 70 per centum of the costs of construction of such segment, from any sums appropriated to carry out this section.

"(2) This subsection shall not be construed as a commitment or obligation on the part of the United States to provide funds for segments of development highways constructed under this subsection, and shall not increase the limitation on construction in subsection (c)."

Sec. 106. Section 202 of the Act is amended to read as follows:

"DEMONSTRATION HEALTH PROJECTS

"Sec. 202. (a) In order to demonstrate the value of adequate health facilities and services to the economic development of the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the planning, construction, equipment, and operation of multicounty demonstration health projects, including hospitals, regional health diagnostic and treatment centers, and other facilities and services necessary to health. Grants for such construction (including the acquisition of facilities and initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291-291o). The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), and other laws authorizing grants for the construction of health-related facilities, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) No grant for the construction or equipment of any component of a demonstration health project shall exceed 80 per centum of such costs. The Federal contribution may be provided entirely from funds authorized under this section or in combination with funds provided under other Federal grant-in-aid programs for the construction or equipment of health-related facilities. Notwithstanding any provision of law limiting the Federal share in such other programs, funds authorized under this section may be used to increase Federal grants for component facilities of a demonstration health project to a maximum of 80 per centum of the costs of such facilities.

"(c) Grants under this section for operation (including initial operating funds and operating deficits comprising among other items the costs of attracting, training, and retaining qualified personnel) of a demonstration health project, whether or not constructed with funds authorized by this section, may be made for up to 100 per centum of the costs thereof for the two-year period beginning, for each component facility or service assisted under any such operating grant, on the first day that such facility or service is in operation as a part of the project. For the next three years of operations such grants shall not exceed 50 per centum of such costs. No grants for operation of a demonstration health project shall be made after five years following the commencement of the initial grant for operation of the project. Notwithstanding section 104 of the Public Works and Economic Development Act of 1965 (79 Stat. 554), a health-related facility constructed under title I of that Act may be a component of a demonstration health project eligible for operating grant assistance under this section.

"(d) The Secretary of Health, Education, and Welfare is authorized to provide funds to the Commission for the support of its Health Advisory Committee and to make grants for expenses of planning necessary for the development and operation of demonstration health projects for the region. The amount of any such grant shall not exceed 75 per centum of such expenses.

"(e) Not to exceed $70,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

Sec. 107. Subsection (i) of section 203 of the Act, entitled "LAND STABILIZATION, CONSERVATION, AND EROSION CONTROL", is amended to read as follows:

"(i) Not to exceed $19,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

Sec. 108. Section 204 of the Act, entitled "TIMBER DEVELOPMENT AND RESEARCH", is amended by striking out subsection (b) and inserting in lieu thereof the following new subsections (b) and (c):

"(b) The Secretary of Agriculture is authorized to provide technical assistance, make grants, enter into contracts, or otherwise provide funds to forest products research institutions in the region and other appropriate public and private organizations, for Appalachian hardwood products research, including investigations, studies, and demonstrations, which will further the purposes of this Act. Funds shall be provided only for programs and projects which will contribute significantly to the development of (1) Appalachian hardwood technology, (2) new or improved uses of Appalachian hardwood resources, (3) new or improved processes or methods for producing hardwood products, or (4) new or improved markets for such products. Funds under this section shall be provided solely out of sums specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the allocation or distribution of funds pursuant to any other provision of law.

"(c) Not to exceed $4,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out the purposes of subsection (b) of this section."

Sec. 109. (a) Clause (1) of subsection (a) of section 205 of the Act, entitled "MINING AREA RESTORATION", is amended to read as follows:

"(1) make financial contributions to States in the region to seal and fill voids in abandoned coal mines and abandoned oil and gas wells, and to reclaim and rehabilitate lands affected by the strip and surface mining and processing of coal and other minerals, including lands affected by waste piles, in accordance with provisions of the Act of July 15, 1955 (30 U.S.C. 571 et seq.), to the extent applicable, without regard to section 2(b) thereof (30 U.S.C. 572(b)) or to any provisions therein limiting assistance to anthracite coal formation, or to the Commonwealth of Pennsylvania. Grants under this paragraph shall be made wholly out of funds specifically appropriated for the purposes of carrying out this Act."

(b) Subsection (b) of such section is amended by striking out "and 1967" and inserting in lieu thereof ", 1967, 1968, and 1969", and by inserting after "restoration projects" a comma and the following: "including reasonable planning, engineering and land acquisition costs,".

(c) The first sentence of subsection (d) of such section is amended to read as follows: "Not to exceed $39,150,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

Sec. 110. Subsection (g) of section 206 of the Act, entitled "WATER RESOURCE SURVEY", is amended to read as follows:

"(g) Not to exceed $2,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

Sec. 111. Part A of title II of the Act is amended by inserting at the end thereof a new section as follows:

"ASSISTANCE FOR PLANNING AND OTHER PRELIMINARY EXPENSES OF PROPOSED HOUSING PROJECTS UNDER SECTION 221 OF THE NATIONAL HOUSING ACT

"Sec. 207. (a) In order to encourage and facilitate the construction or rehabilitation of housing to meet the needs of low- and moderate-income families and individuals, the Secretary of Housing and Urban Development (hereafter in this section referred to as the 'Secretary') is authorized to make grants and loans from the Appalachian Housing Fund established by this section, under such terms and conditions as he may prescribe, to nonprofit, limited dividend, or cooperative organizations, or to public bodies, for expenses of planning and of obtaining an insured mortgage for a housing construction or rehabilitation project, under section 221 of the National Housing Act (hereafter in this section referred to as 'section 221'), in any area of the Appalachian region determined by the Commission to have significant potential for future growth.

"(b) No grant under this section shall exceed 80 per centum of those administrative expenses, incident to planning a project and obtaining an insured mortgage under section 221, which the Secretary considers not to be recoverable from the proceeds of a mortgage insured under such section: *Provided*, That no grant shall be made to an organization established for profit.

"(c) No loan under this section shall exceed 80 per centum of the cost of planning a project and obtaining an insured mortgage under section 221, including, but not limited to, preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, Federal Housing Administration and Federal National Mortgage Association fees, and construction loan fees and discounts. Loans may be made without interest, or at any market or below market interest rate authorized for a mortgage insured under section 221: *Provided*, That any loan made to an organization established for profit shall bear interest at the prevailing market rate authorized for a mortgage insured under such section. The Secretary may, except in the case of a loan to an organization established for profit, waive the repayment of all or any part of a loan made under this section, including interest, which he finds the borrower is unable to recover from the proceeds of a mortgage insured under section 221.

"(d) All funds allocated to the Secretary for the purposes of this section shall be deposited in a fund which shall be known as the Appalachian Housing Fund and shall be used as a revolving fund by the Secretary for carrying out such purposes. General expenses of administration of this section may be charged to the fund. Moneys in the fund not needed for current operation may be invested in bonds or other obligations guaranteed as to principal and interest by the United States.

"(e) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 112. (a) Subsection (a) of section 211 of the Act, entitled "VOCATIONAL EDUCATION FACILITIES", is amended by inserting before the word "needed" in the first sentence, the following: "and for the equipment of such facilities and other school facilities".

(b) Subsection (b) of section 211 of the Act is amended to read as follows:

"(b) Not to exceed $18,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 113. Subsection (b) of section 212 of the Act, entitled "SEWAGE TREATMENT WORKS", is amended to read as follows:

"(b) Not to exceed $6,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 114. (a) Section 701(a) of the Housing Act of 1954 (40 U.S.C. 461(a)) is amended by striking out "and" at the end of clause (8) and all of clause (9) and inserting in lieu thereof the following:

"(9) the Appalachian Regional Commission, for comprehensive planning for the Appalachian region as defined by section 403 of the Appalachian Regional Development Act of 1965; and

"(10) local development districts, certified under section 301 of the Appalachian Regional Development Act of 1965, for comprehensive planning for their entire areas, or for metropolitan planning, urban planning, county planning, or small municipality planning within such areas in the Appalachian region, and for planning for Appalachian regional programs."

(b) The proviso of the first sentence of section 701(b) of the Housing Act of 1954 is amended by inserting after "States" the words "and local development districts".

SEC. 115. Section 214 of the Act is amended to read as follows:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 214. (a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the President is authorized to provide funds to the Federal Cochairman to be used for the sole purpose of increasing the Federal contribution to projects under Federal grant-in-aid programs, as hereafter defined, above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. Funds shall be so provided for Federal grant-in-aid programs for which funds are available under the Acts authorizing such programs and shall be available without regard to any appropriation authorization ceilings in such Acts.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by the Commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other existing or future Federal grant-in-aid programs authorized by Acts other than this Act for the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; National Defense Education Act of 1958. The term shall not include (A) the program for the construction of the development highway system authorized by section 201 of this Act or any other program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.

"(d) Not to exceed $97,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 116. Part B of title II of the Act is amended by inserting at the end thereof a new section as follows:

"CULTURAL PROGRAMS

"SEC. 215. (a) In order to encourage the development of the cultural resources of the region, the Chairman of the National Endowment for the Arts is authorized to make grants to assist the member States of the Commission (1) in supporting existing programs and projects (including productions) in the region which meet the standards enumerated in section 5(c) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 954; 79 Stat. 846); and (2) in developing programs and projects in the arts in such a manner as will serve all the people of the region. Such grants shall be made in accordance with the applicable provisions of section 5 of that Act, for programs and projects which are compatible with State plans approved pursuant to subsection (h) thereof, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) No grant shall be made to a State for a workshop production (other than a workshop conducted by a school, college, or university) for which a direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the recipient to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by the people of the region.

"(c) Not to exceed $500,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 117. (a) The first sentence of section 221 of the Act, entitled "MAINTENANCE OF EFFORT", is amended by striking out "exclusive of Federal funds," and inserting in lieu thereof the following: "exclusive of expenditures for participation in the National System of Interstate and Defense Highways, and exclusive of local funds and Federal funds,".

(b) The second sentence of such section is amended by inserting after "Highways" the following: "and expenditures of local funds and Federal funds".

SEC. 118. Section 223 of the Act is amended to read as follows:

"PROGRAM IMPLEMENTATION

"SEC. 223. No program or project authorized under any section of this title shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Commission has approved such program or project and has determined that it meets the applicable criteria under section 224 and will contribute to the development of the region, which determination shall be controlling."

SEC. 119. (a) Subsection (a) of section 224 of the Act, entitled "PROGRAM DEVELOPMENT CRITERIA", is amended (1) by striking out "In developing recommendations on the" and inserting in lieu thereof: "In considering"; and (2) by striking out "within those recommendations".

(b) Subsection (b) of such section is amended by striking out clause (1) and inserting in lieu thereof the following: "(1) to assist establishments relocating from one area to another;".

SEC. 120. Section 302 of the Act, entitled "GRANTS FOR ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS AND FOR RESEARCH AND DEMONSTRATION PROJECTS", is amended by (1) striking out subsections (a) through (c); (2) redesignating subsection (d) as subsection (e); and (3) inserting the following new subsections (a) through (d):

"(a) The President is authorized—

"(1) to make grants to the Commission for administrative expenses, including technical services, of local development districts, but (A) the amount of any such grant shall not exceed 75 per centum of such expenses, (B) no grants for administrative expenses shall be made for a local development district for a period in excess of three years beginning on the date the initial grant is made for such development district, and (C) the local development district contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

"(2) to make grants to the Commission for investigation, research, studies, technical assistance, and demonstration projects, and for training programs, but not for construction purposes, which will further the purposes of this Act.

"(b) The Commission is authorized to make a survey and study of acid pollution in the region resulting from mining activities and the effects of such pollution, in full cooperation with the Secretary of the Interior and other appropriate Federal, State, and local departments and agencies, with the objective of developing a comprehensive action program for the appropriate control, reduction, or elimination of such pollution in the region or the effects of such pollution. The Commission shall submit to the President a report, including specific recommendations for such program and for the policies under which it should be conducted, and the President shall submit the report to the Congress, together with his recommendations, not later than March 31, 1969. The study shall, among other matters—

"(1) Identify sources of acid mine pollution in the region and their type, area, ownership, and other characteristics; the relative contribution of each source; and the impact of each source on water quality in the streams affected.

"(2) Identify present and potential water-using and other activities which are affected by acid mine pollution in the region, or originating in the region, and the economic and social costs and effects attributable to such pollution.

"(3) Identify known methods and costs for the control and abatement of acid mine pollution.

"(4) Estimate economic and social benefits, public and private, that are likely to result from reducing to various levels acid mine pollution in the streams of the region and identify the types of beneficiaries and the relative distribution of the benefits to such beneficiaries.

"(5) Consider the appropriate roles of Federal, State, and private interests in programs for the control, reduction, or elimination of acid mine pollution in the region and the relative costs which each should bear, including specifically (A) the extent, if any, to which private interests can bear the cost of such programs within the economics of mining activity, (B) the effectiveness of past action by Federal, State, and local units of government in remedying or controlling the adverse effects of acid mine pollution, (C) relationships which might be established among Federal, State, and local units of government, and with private interests, for implementing and funding such programs, and (D) the need for appropriate Federal and State legislation, including adequate enforcement provisions, for such programs.

"(6) Formulate a program for the appropriate control, reduction, or elimination of acid mine pollution in the region, including the identification of specific objectives and costs, with due consideration to: (A) the developmental effects of the program, (B) the economic benefits of the program in relation to costs, (C) the social effects of the program, (D) the avoidance of unwarranted financial gain to private interests, and (E) the types and sources of aid required to accomplish the program.

"(c) The Commission shall, as required by the President, maintain accurate and complete records of transactions and activities financed with Federal funds and report thereon to the President. The records of the Commission shall be available for audit with respect to such grants by the President and the Comptroller General or their duly authorized representatives.

"(d) Not to exceed $13,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section. Not to exceed $3,000,000 of such authorization shall be available for the purposes of subsection (b)."

SEC. 121. Section 303 of the Act is amended to read as follows:

"PROJECT APPROVAL

"SEC. 303. An application for a grant or for any other assistance for a program or project under this Act shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under the Act shall be approved for assistance."

SEC. 122. Section 401 of the Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 401. (a) In addition to the appropriations authorized in section 201 for the Appalachian development highway system and local access roads, there is hereby authorized to be appropriated to the President, to be available until expended, not to exceed $273,650,000 for the two-fiscal-year period ending June 30, 1969, to carry out this Act.

"(b) Unexpended balances of appropriations under the authorization in this section prior to amendment by the Appalachian Regional Development Act Amendments of 1967 shall be treated as having been appropriated to the President for the purposes of this Act as amended, and shall remain available until expended: *Provided,* That any unexpended balances of appropriations for the purposes of section 204 prior to such amendment shall remain available for such purposes."

SEC. 123. (a) Section 403 of the Act, entitled "DEFINITION OF APPALACHIAN REGION", is amended—

(1) by inserting in the clause relating to the counties in Alabama after "Jefferson," the following: "Lamar," and after "Morgan," the following: "Pickens,"; and

(2) by inserting after the clause relating to the counties in Maryland the following:

"In Mississippi, the counties of Alcorn, Chickasaw, Choctaw, Clay, Itawamba, Kemper, Lee, Lowndes, Monroe, Noxubee, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster, and Winston;

"In New York, the counties of Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Cortland, Delaware, Otsego, Schoharie, Schuyler, Steuben, Tioga, and Tompkins;".

(b) Such section is further amended by striking out the colon following "West Virginia" and inserting in lieu thereof a period, and by striking out all of the remainder of such section and inserting in lieu thereof the following:

"No recommendation for any change in the definition of the Appalachian region as set forth in this section shall be proposed or considered by the Commission without a prior resolution by the Committee on Public Works of the Senate or of the House of Representatives directing a study of such change."

TITLE II—AMENDMENTS TO TITLE V OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

SEC. 201. Subsection (a) of Section 503 of the Public Works and Economic Development Act of 1965 is amended by striking the semicolon after clause (2), inserting a comma, and the following: "including the development of a comprehensive long-range economic plan approved by the Secretary;".

SEC. 202. Subsection (c) of section 505 of the Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following:

"Not to exceed $2,500,000 of the funds authorized to be appropriated by this subsection for each fiscal year shall be allocated by the Secretary to each regional commission to carry out the purposes of this section."

SEC. 203. Section 509 of the Public Works and Economic Development Act of 1965 is amended by redesignating such section as section 510 and by inserting after section 508 the following new section 509:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 509. (a) In order to enable the States and other entities within economic development regions established under this Act to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the Secretary shall, once a comprehensive long-range economic plan established pursuant to clause (2) of section 503(a) is in effect, provide funds pursuant to specific recommendations of each of the Federal Cochairmen of the regional commissions heretofore or hereafter established under this title, to be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. No program or project authorized under this section shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Regional Commission involved has approved such program or project and has determined that it meets the applicable criteria under section 504 and will contribute to the development of the region, which determination shall be controlling. Funds may be provided only for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Funds so provided shall be available without regard to any appropriation authorization ceilings in such Act.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by each commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means all existing or future Federal grant-in-aid programs assisting in the acqusition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by title I of this Act and by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; and National Defense Education Act of 1958. The term shall not include any program in which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this section, and shall not be taken into account in the computation of allocations among the States made pursuant to any other provision of law.

"(d) There is hereby authorized to be appropriated to the Secretary for each of the regional commissions for the purposes of this section the sum of $5,000,000 for the period ending June 30, 1968, and the sum of $10,000,000 for the fiscal year ending June 30, 1969.

"(e) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970.

"(f) An application for a grant under this section shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under this section shall be approved for assistance."

The title was amended, so as to read: "A bill to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965."

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the distinguished senior Senator from West Virginia [Mr. RANDOLPH] has once again displayed his resourceful and extraordinary ability as chairman of the Committee on Public Works. Passage of this bill which extends the already proven Appalachian regional development program is just one among many outstanding achievements obtained under his direction. The Senate's overwhelming approval of the measure is a lasting tribute to the fine manner in which he steered it from committee to final action today.

But this great success, and the expected achievements realized from the continued Appalachian development encompassed in the extension of the program are to be shared by the distinguished Senator from Kentucky [Mr. COOPER]. As the ranking minority member of the committee, he has consistently applied his own strong and highly talented efforts in assuring decisive support for this measure.

Other members of the committee are similarly to be congratulated for joining in a cooperative endeavor to assist passage. To name just a few, I refer to the Senator from Ohio [Mr. YOUNG], the Senator from Maine [Mr. MUSKIE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Tennessee [Mr. BAKER] and to the other members of the committee. Their strong support was vital to this success.

Additionally, the Senate is grateful for the cooperation offered by the Senators from New York [Mr. JAVITS and Mr. KENNEDY]. Their selfless efforts in assuring the expeditious and efficient disposition of the measure were truly outstanding. The same may be said of the junior Senator from Oklahoma [Mr. HARRIS].

Finally, I wish to thank the Senate as a whole for joining so decisively to dispose of this measure with swift action—preserving to all Members full opportunity to urge each viewpoint. We all may be proud of the achievement.

AUTHORIZATION FOR POSTMASTER GENERAL TO ENTER INTO LEASES OF REAL PROPERTY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily, and that the Senate turn to the consideration of Calendar No. 82 (S. 1039).

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1039) to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with amendments, on page 2, line 21, after the word "mail", to insert "and"; after line 21, to strike out:

(3) at least 90 per centum of the net interior floor space of the building is devoted to mail processing activities and related vehicle service (but excluding building services) and the remainder of such floor space is devoted to directly related supporting activities such as administrative and accounting offices, maintenance areas, and employees' welfare facilities; and

On page 3, at the beginning of line 4, to strike out "(4)" and insert "(3)"; and in line 6, after "(e)", to strike out "No lease agreement may be entered into under this section or section 2102 of this title for a special purpose post office building having gross floor space exceeding 20,000 square feet until thirty days after the date on which the Postmaster General transmits to the Committee on Public Works of the Senate and the Committee on Post Office and Civil Service of the House of Representatives a report which includes a full and complete statement concerning the need for such an agreement and the facts relating to the proposed transaction"; and insert "At least thirty days prior to entering into a lease agreement under this section or under section 2102 of this title for a special purpose post office building having gross floor space exceeding twenty thousand square feet, the Postmaster General shall transmit to the Committee on Public Works of the Senate and the Committee on Post Office and Civil Service of the House of Representatives a report which includes a full and complete statement concerning the need for such an agreement and the facts relating to the proposed transaction."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the portion of section 2103(a), title 39, United States Code, which precedes paragraph (2) thereof is amended to read as follows:

"(a) Whenever the Postmaster General determines after consultation with the Administrator of General Services, that it is not desirable or feasible to construct a postal facility under the provisions of the Public Buildings Act of 1959, as amended (40 U.S.C. 601–615), the Postmaster General, in addition to the authority conferred upon him by section 2102 of this title may—

"(1) negotiate and enter into lease agreements which do not bind the Government for periods exceeding thirty years, on such terms as the Postmaster General deems to be in the best interest of the United States, for the erection by the lessor of special-purpose post office buildings on lands sold, leased, or otherwise disposed of by the Postmaster General to or otherwise acquired by, the lessor;"

(b) Section 2103, title 39, United States Code, is amended by adding at the end thereof the following new subsections:

"(d) As used in this section the term 'special purpose post office building' means a building which has the following characteristics:

"(1) it is situated in a particular geographical location to make it convenient for processing mail;

"(2) it is designed in a particular configuration to make it convenient for processing mail; and

"(3) it is not readily usable or convertible to use as a general-purpose office building.

"(e) At least thirty days prior to entering into a lease agreement under this section or under section 2102 of this title for a special purpose post office building having gross floor space exceeding twenty thousand square feet, the Postmaster General shall transmit to the Committee on Public Works of the Senate and the Committee on Post Office and Civil Service of the House of Representatives a report which includes a full and complete statement concerning the need for such an agreement and the facts relating to the proposed transaction.

"(f) A statement in the lease agreement that the requirements of subsections (d) and (e) have been met, or that the lease agreement is not subject to these subsections, is conclusive."

(c) The text of section 2109, title 39, United States Code, is amended to read as follows: "Agreements may not be entered into under sections 2104 and 2105 of this title after July 22, 1964, and under section 2103 after June 30, 1972."

THE DODD CASE

Mr. COOPER. Mr. President, earlier today, the distinguished chairman of the Select Committee on Standards and Conduct [Mr. STENNIS] filed in the Senate the committee's report and recommendations on the investigation of Senator THOMAS J. DODD, of Connecticut. I agree wholly with the conclusions and recommendations of the committee, with respect to those subjects upon which the committee held public hearings.

I think it proper, however, to say that I hold certain reservations which I expressed and contended for in the committee. My reservations concern sections 4 and 5 of the conclusions of the committee.

The subject of conclusion IV is "Other Allegations Not Covered in Public Hearings." It is correct that the preliminary examination of the staff and committee of these allegations indicated that it was unlikely that conclusive findings of fact could be obtained. It is correct that some evidence would only be cumulative. It is correct that the charges are being referred to the Department of Justice.

Nevertheless, I believe that further hearings on these allegations which were serious charges—charges which, if proven, could involve violations of law—might have provided the Senate and the public with better information as to their substance and their truth or falsity. In addition, it would have enabled Senator DODD to respond to these allegations made against him.

My second reservation concerns the supplement, "Unauthorized Removal of Documents from Senator DODD's Office."

The committee has authority to deal with the acts of Senator Dodd's employees. The consideration of their acts involves the public interest in the disclosure of wrongdoing, and also the problem of the custody of official papers of a Member's office and his personal papers—in the proper conduct of the office.

It was my position that the committee should make such recommendations as it determines necessary on this matter, separate from the report that has been filed, for the subject of the present inquiry is the allegations made against Senator Dodd.

I informed the committee that I would make this statement on the floor of the Senate.

LEGISLATIVE PROGRAM

Mr. KUCHEL. Mr. President, while Senators are on the floor, may we hear from our able friend, the majority leader, what his plans are for the remainder of today and for tomorrow?

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished acting minority leader, the pending measure may take a little while. We may or may not finish it today. I rather doubt it.

It is anticipated that following that, we will ask the Senate to allow us to take up Order No. 185—S. 1029—which will take several hours, anyway, I believe.

Then I would hope, if the distinguished senior Senator from Utah [Mr. Bennett] gets a reply to a communication which he has addressed to the Department of the Interior, that some time next week we would take up the bill.

Mr. KUCHEL. Does the Senator anticipate the possibility of rollcall votes tomorrow? Does the Senator believe there is a possibility of that?

Mr. WILLIAMS of Delaware. I do not believe that it will be controversial from my angle.

Mr. MANSFIELD. There is that possibility, but so long as we are all going to be here to extend the same kind of courtesy to General Westmoreland in the other Chamber that he extended to so many of us in Vietnam when we visited there, we will come back after that meeting, have a morning hour, and resume consideration of the pending measure. All Members should be on notice that there is a possibility of votes.

Mr. KUCHEL. I thank the majority leader.

Mr. MANSFIELD. May I add that we already have consent to recess at 12:10 p.m. tomorrow, to depart in a body for the Hall of the House of Representatives.

GENERAL WESTMORELAND INVITED BEFORE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, during debate Tuesday on the subject of American involvement in Vietnam, the senior Senator from Florida [Mr. Holland] urged me, as chairman of the Committee on Foreign Relations, to invite General Westmoreland to appear before the committee. The Senator emphasized the great ability of the general to help us understand the nature of the war in Vietnam and the dangers implicit in any domestic criticism of our growing involvement there.

I wish to report to the Senate that I acted promptly on the suggestion of the Senator from Florida, and instructed the staff of the Committee on Foreign Relations to inquire as to whether General Westmoreland would be available to meet with the committee in executive session. The staff was informed by the Office of the Secretary of Defense, Mr. Jack Stempler, that General Westmoreland's schedule was such that he would not be able to testify before any congressional committees. So far as the Secretary's office knew, General Westmoreland had only two public speaking engagements—the first that of last Monday, when he spoke to the annual meeting of the Associated Press in New York; the second, a scheduled address to a joint meeting of the two Houses of Congress to be held on Friday of this week. I understand that the general has been invited to a White House luncheon which will be attended by a number of Members of Congress, as well as by Governors who have been able to accept the invitation. He was also able to attend an off-the-record session at the Council on Foreign Relations in New York last Monday after his address to the Associated Press.

In addition to these sessions, I am also informed that the general will meet with the President, the Joint Chiefs of Staff, and a few selected committee chairmen before he returns to Saigon this weekend.

I report the general's schedule to the Senate not in anger that he has not been able to testify before any congressional committees, but rather more with regret. I say "with regret" because I believe a democracy requires direct exchanges between our executive and military leaders and the elected representatives of the people. Members of Congress have much to learn from our administrators—civilian or military—who must struggle to promote national policy in the field.

By the same token, our administrators have much to learn from those of us who have direct responsibilities to constituencies spread across this Nation, constituencies that bear the burden in taxes and sacrifice their lives for our policies.

Unfortunately, the short stay of General Westmoreland in the United States and his heavy schedule have not permitted a normal exchange of views to take place. I do not view speeches and luncheons as reasonable opportunities for serious exchanges of views or as substitute for our long-tested techniques of committee hearings.

One of the tragic byproducts of the war in Vietnam is that healthy public dialog between responsible policy officials in the administration and between equally responsible congressional committees is breaking down. Too many Members of Congress are forced to rely on Sunday TV shows and prepared speeches and press releases for such information as our officials see fit to release. I am grateful for these tidbits and have often benefited from the critical questions which members of the press put to administration officials. But this is not dialogue or discussion or debate in the tradition of our democratic society. Press conferences and TV shows are no substitute for face-to-face discussion between nonelected administrators and elected Members of the Congress.

I do not wish to be misunderstood. I do not put a premium on the intelligence, ability, or patriotism of elected Members of the Congress. I do put a premium on policy and understanding which grows out of free debate between administrators and Members of Congress.

It is for this fundamental reason that I regret it was not possible for General Westmoreland to engage in some real give-and-take with members of responsible congressional committees. Such sessions would have been good for him, good for us, and good for the country.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question.

Mr. HOLLAND. Mr. President, I wish to say that I appreciate the fact that the Senator has asked General Westmoreland to appear before his committee. I regret that the general has not been able to fit it into his schedule. I believe the Senator from Arkansas has done just exactly what he should have done in looking for the best possible information on the subject. I regret it was not available.

I thank the Senator.

Mr. FULBRIGHT. I thank the Senator from Florida.

Mr. President, there are some other items that I wish to discuss briefly and material I wish to have printed in the Record.

The Washington Evening Star has a lead editorial today entitled "Stifling Dissent." There is also an article in today's Evening Star by Doris Fleeson entitled, "General Westmoreland's Plea Sets Precedent." I ask unanimous consent that these two matters may be printed in the Record.

There being no objection, the editorial and the article were ordered to be printed in the Record, as follows:

Stifling Dissent

The uproar over the return of General Westmoreland to this country is an astonishing display of nonsense.

In the first place, the criticism is based on an inaccurate assessment of the facts. The intimation is that President Johnson ordered General Westmoreland to return to this country to brainwash the American people. The fact is that the directors of the Associated Press had been trying for two years to persuade the general to speak at their annual luncheon, and that he came this year in response to an invitation from Paul Miller, AP president. It undoubtedly is true that the general's visit had the approval of President Johnson and perhaps his encouragement. But the fact remains that the address to the AP was initiated by the AP.

More to the point, why in the world shouldn't General Westmoreland, our commander in Vietnam, come to the United States to speak to the people and to the Congress? He is in a position to know what he is talking about, which is a great deal more than can be said of some of the critics of the war. So why shouldn't he be heard? It seems to us that those senators who are wailing about some supposed plot on the President's part to "stifle dissent" should at least be willing to listen to the general, and also willing to let the people hear what he has to say.

There has been a suggestion that General Westmoreland will do what the President wants him to do and say what the President tells him to say. He doesn't strike us as being that kind of man, and we think Senator Holland was entirely right when he told the Senate that the general is not a mindless puppet who can be manipulated by the President or anyone else. At any rate, he is entitled to be heard and judged on the basis of what he actually says, not what a few overwrought senators say about him.

Senator Fulbright says "it is quite clear that there is a growing implication that dissent will lead to charges of disloyalty and muddleheadedness and then finally to implications of treason."

There may be those who would indict the Senator from Arkansas on the ground of muddleheadedness. But no responsible person, to our knowledge, has accused him by implication or otherwise of disloyalty or treason. And we do not think anyone will.

Dissent is not an exclusive prerogative of senators, nor are they entitled to any special immunity when they choose to dissent. They will be judged by their constituents, but the latter should be permitted to base their judgment on both sides of the story. The dissenting senators have no right to stifle dissent from those who disagree with them.

General Westmoreland's Plea Sets Precedent

(By Doris Fleeson)

No precedent exists for an American President bringing home the field commander of American forces at war to plead in public for support of that war and an end to protest and dissent against it.

This President Johnson has done with General William C. Westmoreland, who commands roughly 400,000 American fighting men in the undeclared war in Vietnam.

Westmoreland told a convention of newspaper executives in New York that Vietnam critics here were giving the enemy hope that "he can win politically that which he cannot accomplish militarily." He said also "I do not see any end of the war in sight," and he answered their questions.

The general is also addressing a joint session of Congress and paying courtesy calls on committee chairmen. But congressional committees eager to talk with him and put their questions have been rebuffed.

Several senators are expressing anger at the general's strictures against critics of Vietnam policy and what seems to them a fresh attempt to smother the voice of Congress with a military chorus. They realize Westmoreland must take orders from his commander-in-chief, the President, but they regard his whole journey as a clear case of military trespass into essentially political territory.

None can recall that during the War of 1812, Admiral Perry left his ship to backstop President James Madison nor did Mexican War generals returned to Washington help President James K. Polk in 1846. Critics of both wars abounded, Abe Lincoln being among the Mexican War doubters.

In September, 1864 as the Civil War drew to a close, the then President Lincoln's secretary of war, Edwin M. Stanton, did call upon Gen. U. S. Grant for moral support. Stanton asked for a telegram urging the necessity of filling up the Army by draft. The draft was even more unpopular then than now and Lincoln, like Johnson today, was worried about his re-election.

Grant immediately acquiesced with a strong message in which he argued that it was necessary to convince the Copperheads (Northern dissenters) and the South that the draft could be enforced.

Dr. Ward Gray relates the incident in "The Hidden Civil War, the Story of the Copperheads." His judgment as an historian is that it represents a valid equivalent of Johnson's use of Westmoreland and that both are correct. Dr. Gray, professor of American history at George Washington University here, supports Johnson's Vietnam policy.

President McKinley coped with the Spanish-American War without Admiral Dewey at bat here. Senators don't see it that way and continue to call the roll. President Wilson did not bring back Black Jack Pershing in World War I, General Eisenhower remained abroad until after VE Day. General MacArthur did not return after VJ Day and was brought home from Korea by President Truman only to be fired.

MacArthur's successor, Gen. Matthew Ridgway, appeared before Congress in May 1952 before Korean hostilities ended, but he had been relieved of that command and was en route to SHAPE headquarters in Paris to relieve Gen. Eisenhower. Eisenhower had presidential plans, which were notably successful.

Mr. FULBRIGHT. Mr. President, both of these articles deal with the appearance of General Westmoreland in New York on Monday and, of course, he will appear at a joint session tomorrow.

I wish to comment with regard to the editorial which appeared in the Evening Star today. The editorial states:

> The intimation is that President Johnson ordered General Westmoreland to return to this country to brainwash the American people. The fact is that the directors of the Associated Press had been trying for two years to persuade the general to speak at their annual luncheon, and that he came this year in response to an invitation from Paul Miller, AP president.

Mr. BYRD of West Virginia. Mr. President, may we have order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. FULBRIGHT. Mr. President, I have no doubt whatever that the AP did extend the invitation, but I also understand on very good authority that they also extended an invitation to the President, and he suggested that he could obtain General Westmoreland in his place. All of this is very regular. I do not criticize that aspect at all. I, by no means, criticize General Westmoreland for making a speech. This is a matter of policy for the administration, for which General Westmoreland is not directly responsible.

Mr. President, yesterday morning, April 26, there was an excellent editorial and an excellent article published. The editorial was published in the New York Post. The article is by Mr. Wechsler. I ask unanimous consent to have these two matters printed in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

A Matter of Definition

Webster's New International Dictionary: "Unpatriotic: adj. Not patriotic; not indicative of proper regard for one's own country and its interests."

When he employed this threatening term at the outset of the Administration's renewed "search and destroy" campaign against Vietnam policy critics, Gen. William C. Westmoreland was presumably referring to recent peace rallies here.

The essence of this serious charge, an echo of many recent statements by the highest Administration officials, is that it is unpatriotic to protest against or to criticize the war policy they have framed. These charges, like the war, are escalating in intensity.

There was a time when the criticism was simply ignored. Subsequently, the "Vietniks" and "peaceniks" were singled out for ridicule. Now all those who actively protest are "unpatriotic" and taxed with encouraging the enemy. It is not difficult to foresee the next stage: the cry will be "treason."

"It is," as Sen. McGovern (D-S. Dak.) pointed out yesterday in the course of a courageous, thoughtful and devastating analysis of the present policy, "almost as though we are fighting so intently to secure freedom in Vietnam that we are willing to sacrifice it in America."

Who are the "unpatriotic" critics? Are they all misguided neurotics, Communists or turncoats? These terms hardly describe the majority of the peace marchers here. They do not describe Sen. McGovern, Sen. Fulbright (D-Ark.), New York's two Senators, Kennedy (D) and Javits (R)—and many other critics here and abroad.

To attribute lack of patriotism to those who protest is a crude effort to stifle debate about what Sen. McGovern terms "the most tragic diplomatic and moral failure in our national experience." To suppress such debate is a common act of dictatorships, not democracies. It is, to say the least, "not indicative of proper regard" for the United States, its interests or its historic, cherished principles. It might even be called, in a word, "unpatriotic."

Call for Silence

(By James A. Wechsler)

Undoubtedly some publishers and editors in Gen. Westmoreland's audience at the Associated Press luncheon were privately chilled by the nature of his denunciation of critics of the Vietnam war. But the story that went out to the world—in words and pictures—was the spectacle of the standing ovation he received from our press dignitaries after he had implicitly challenged the right of any of them to object conscientiously to our desperate escalation course.

In arguments over excessive coverage of criminal trials that may prejudice a jury's deliberations, the press speaks with almost a simply sanctimonious voice in proclaiming the glory of the First Amendment (and the right to follow the circulation director's instincts). Surely Westmoreland's call for silence was a graver affront to that precious Amendment.

At the obvious direction of an Administration that has now violated virtually every pledge of the 1964 anti-Goldwater campaign in its conduct of the war, Gen. Westmoreland told the assembled press officialdom that active dissent was dangerous, "unpatriotic" business. He avoided specific reference to those editorial pages on which harsh questions have been asked about this tragic, divisive war. But if this assault was primarily aimed at those who participate in peace marches, how soon will there be open attack on the publication of alleged heresy?

It was said long ago that the rights affirmed in the First Amendment are indivisible. Yet a limited survey of yesterday's editorial pages disclosed only scattered signs of resistance to the new and massive propaganda offensive.

These are lonely hours for journalists who cling to the proposition that war is too serious a matter to be entrusted to generals, and who are dismayed by the abdication of civilian restraints on the simplistic bombing-strategy of the Joint Chiefs of Staff. On his return from Germany President Johnson will be able to contemplate a wide area of typewriter salute for his surrender to the military madness. His self-righteousness will be reenforced by many acquiescent words.

But the condition is not unprecedented. In my own recollection there was the long sickness of McCarthyism when much of the press either succumbed to the fraud or cravenly fled.

There is also the remembrance of a night when a President named Harry Truman gallantly reaffirmed the principle of civilian supremacy and—in the face of a predictable storm—dismissed Gen. MacArthur. On the morning after, and for many days, there was an ugly atmosphere of frenzy in the national air, encouraged by many newspapers throughout the land. But Mr. Truman survived the fury in his finest hours.

History may be far less generous to Lyndon Johnson for his submissiveness to military pressures and for his current flagrant use of Gen. Westmoreland—a distinguished, dedicated soldier—as lobbyist for our escalation operations. The episode intensifies a spreading moral civil war in the country; it may intimidate some, but it gives others a deeper compulsion to stand up and be counted. Its worst impact will be on many young men and women who, already alienated by the Administration's earlier intolerances, now find themselves branded disloyal by the commander in Vietnam, who speaks for the President's ghosts.

Mr. Johnson's exploitation of Westmoreland is not only a grievous intrusion of the military into a solemn civilian debate; it is another tactical disaster. While it may win him a few points in the next Gallup poll, it has already inflamed rather than smothered the domestic conflict in the Senate and other places—even while much of the press has cried three cheers.

Some additional Americans may now buy the argument that the repeated miscalculations of the military in Vietnam are actually the result of anti-war demonstrations at home. But others will begin to agree with Sen. McGovern (D-S.D.), that "the blistering military solutions of the war hawks have proved to be wrong and they will now try to blame the failure of their policy on their critics."

In recent private discussions Vice President Humphrey is said to have lamented the widening communications-gap between President Johnson and his liberal critics; he has reportedly remarked that the severity of dissent has merely fortified the position of the President's more truculent advisers. But how does one write with quiet courtesy and sympathetic understanding when nearly everything written in support of Mr. Johnson's 1964 candidacy is now exploded by his acceptance of the Goldwater strategy? It is, one might say, Barry Goldwater, not Lyndon Johnson, to whom apology should be addressed.

And now that we are apparently committed to the Goldwater battle plan, what happens to such officials as UN Ambassador Arthur Goldberg, Defense Secretary McNamara and others who are known to have opposed this adventurism? For many months the phrase has circulated in Washington that "what this Administration needs is a good resignation." I know how compelling the arguments are against dramatic defections that would be quickly cited as new excuses for military failure. There always remains, too, the hope that tomorrow will be the day when sanity can be reasserted. But there must be a point of no return for such men as Goldberg and McNamara.

Mr. FULBRIGHT. Mr. President, I can only recommend these articles to Senators for their consideration. I believe they treat the basic problem of whether or not it is consistent with our democratic process, to enlist generals in command of forces in the field to take responsibility for direction of policy—not the direction of the war, but policy for the purpose of wars or avoidance of wars. This is an unprecedented action. This was not done in World War I or World War II. It was not done in the War of 1812. The nearest we ever came to using a general in active command for a political purpose was in the Civil War when General Grant was asked to write a letter regarding the draft. Even then, he was not brought home to speak to the people in the North or anywhere else. He did write a letter saying the troops should be kept up. That was the nearest thing to enlisting a commanding general over troops in the field to support a political policy which it has been possible to find in rather brief research. I do know that if this had been done in World War I, World War II, or in the Korean war, Members of this body would remember it.

Mr. President, I cite this fact because perhaps it is the thing to do. Some of our political leaders have made a big enough mess of the situation that perhaps we should have the military in charge. I do not know. I cannot say very much for the wisdom of our present policy. This use of a general on active duty, is a departure from precedent and raises the question of whether or not it is justified and proper to do this in the midst of the controversy that certainly is agitating the country at the moment.

Pertinent to this matter, there is an article which appeared on April 27 in the Washington Post by Walter Lippmann, which is on all fours with the same problem; and there is an article by Mary McGrory in the Washington Evening Star on yesterday, and other articles. Mr. President, I ask unanimous consent that all of these articles may be printed in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post,
Apr. 27, 1967]

THE INTERVENTION OF THE GENERAL

(By Walter Lippmann)

The President's bringing Gen. Westmoreland home in order to explain the war reminds me of an instructive afternoon spent during the Second World War. The country and the Congress were divided on the question of whether to strike first against Hitler or first against Japan. Churchill and Roosevelt had agreed on the policy of Hitler first. But there were large and powerful groups in the country, many of them former isolationists in the sense that they were anti-European, who wanted to concentrate American forces on winning the war against Japan. Even the American chiefs of staff were divided on this question of high strategy.

Churchill had come to Washington, accompanied by the British chiefs of staff, to work out with President Roosevelt and the Administration the general plan of the global war. One morning I had a telephone call from Sen. Austin, who was a strong believer in the Churchill-Roosevelt line. He said in effect "I know you are seeing the Prime Minister this afternoon and I wish you would ask him to tell his chiefs of staff to come to Congress and testify in favor of our strategical policy." Quite innocently I said I would do this, and when Churchill received me that afternoon I began by saying that I had a message from Sen. Austin. "Would the Prime Minister instruct his chiefs of staff to go to the Senate Foreign Relations Committee . . ." I never finished the message. For the old lion let out a roar demanding to know why I was so ignorant of the British way of doing things that I could dare to suggest that a British general should address a parliamentary body.

As I remember it, what he said was "I am the Minister of Defense and I, not the generals, will state the policy of His Majesty's government."

No one who ever aroused the wrath of Churchill is likely to forget it. I certainly have not forgotten it. I learned an indelible lesson about one of the elementary principles of democratic government. And therefore, I take a very sour view of a field commander being brought home by the President to educate the Congress and the American people.

There is, of course, no argument about Gen. Westmoreland's tribute to the valor of his troops. The argument, which he does not seem to understand very well, is about whether the President is committing those brave and competent men to a mission which serves the honor and the interests of the United States and of the worldwide community of nations of which the United States is such a powerful member. This is the most unpopular war in American history. Even those who have conformed and support the war are not all of them inspired to feel that their sons are being asked to fight a just and necessary war.

Gen. Westmoreland will not be able, any more than are the President and the Secretary of State, to silence the doubts and the misgivings of our people. The real feeling of the country about the war is expressed by something much deeper than the protest marches, the draft card burning and the heckling, the speeches of the Senators and the articles of the editorial writers and the columnists. That deeper expression of the real feeling of the country is in the fact that in this war for the first time in the memory of man it is taken to be quite normal, it is almost fashionable, for the leading families in Government and business not to send their sons to war. This abstention, this attitude of sitting it out, is much more eloquent than anything that is said openly against the conduct of the war.

There is no denying that our adversaries take comfort from the evidence that the country is not united behind President Johnson. They will no doubt find in Gen. Westmoreland's mission in the United States confirmation of the fact that the President knows he is not leading a united country. And no doubt this will help Hanoi and the Vietcong to endure the terrible punishment which they are undergoing.

But Gen. Westmoreland is quite mistaken if he thinks he could win the war if only Sen. McGovern and Sen. Fulbright and Sen. Kennedy decided to remake themselves in the image of Hubert Humphrey. And the President is mistaken if he thinks he can light a bonfire in Vietnam that will rid him of his enemies abroad and of his opponents at home.

The President is indeed playing with fire. If there are any plain-spoken men to whom he still listens, they should speak before it is too late.

[From the Washington (D.C.) Evening Star,
Apr. 27, 1967]

THE MODEL MODERN POLITICAL GENERAL

(By Mary McGrory)

All civilian advocates having failed to still his critics, President Johnson sent for the field commander to explain the widening war in Vietnam.

Gen. William C. Westmoreland immediately justified his commander in chief's confidence.

He is the very model of a modern political general. He is square-shouldered and square-jawed, the kind of a man small boys would look up to and strong men respect.

He comes on full-color television screen with the splendor of a Hawaiian sunset. His four-stars gleam, his combat ribbons blaze. His brown eyes flash when he speaks of the need for "resolve" at home to bring the war to a successful conclusion.

Less grandiloquent than MacArthur, more articulate than Eisenhower, less intellectual than Maxwell Taylor and nothing at all like "blood-and-guts" Patton, he is all that Johnson could ask for in the way of a pleader for "supporting our boys" in Vietnam.

Beneath the political general lurks the professional soldier. He said straightforwardly that he was "delighted" by news of the bombing of North Vietnam airfields. And he told the Associated Press meeting yesterday in New York that "we must grind the enemy down."

But he is an attractive and forceful presence, and obviously the President's new hope that the country can be rallied for the hard months the General sees ahead "and no end in sight."

Dove members of Congress may feel the President is imposing on them by bringing back a field commander to explain a controversial war while it is going on. But when the general comes to speak to them in joint session on Friday, they will have to come and listen. He is the spokesman for the troops.

Many members already know him. The general has been a meticulous and persuasive host to shoals of Washington visitors. He has had some success in converting the dubious. Part of the credit for the change of heart of Sen. Edward W. Brooke, R-Mass., has been given to the general.

Certain Republicans have been so struck with the general's qualities that they have attempted to persuade him to become their candidate for the presidency, although he is a South Carolina Democrat. The General, asked about that possibility, during the question period, said in a manly, modest way that he was a professional soldier, much occupied.

But when at the end, he saluted and smiled, they may have decided that they ought to try again.

The general obviously believes in the war. His circumstances exclude him from the onerous necessity of explaining how we got there in the first place. He is so firm in his conviction of the rightness of his cause that he would like to venture onto such campuses as Berkeley and Harvard, where high officials of the Johnson administration fear to tread.

Weary spokesmen in the Defense and State Departments are perfectly willing to have a general take over the job of explaining the war to the civilians. About the military progress of the war he is not reassuring. But he can speak with authority about the morale of the American soldiers, which is one of the undisputed aspects of the situation. Secretary of Defense Robert S. McNamara's severest critics have conceded that the troops are in splendid condition, physically and mentally.

The general proved to be, predictably, against demonstrations and cease-fires. The President may feel such strictures will be accepted more readily from a stalwart soldier than from him.

The importation of Westmoreland, an appealing if not victorious commander, is an admission by the President that he cannot cope with dissenters. But this admission is obviously outweighed by the possibility that he has brought a hero into the murky polemics that surround the war.

[From the New York Times, Apr. 27, 1967]

In the Nation: How Much Is a War Worth?

(By Tom Wicker)

Washington, April 26.—The failure of the various peace flurries that excited the world at the beginning of this year now can be seen to have been more decisive than perhaps was realized. That period has been followed, with almost rhythmic regularity, by the mining of North Vietnamese rivers, the shelling of North Vietnam by ships and mammoth artillery, and the creeping escalation of American air attacks to include strategic targets, the formerly proscribed cities of Hanoi and Haiphong, and the air bases from which North Vietnam's MIG fleet operates.

ESCALATION AND RESPONSE

At least one response already has been seen—the dangerous escalation by the North Vietnamese of their ground operations just south of the demilitarized zone. This has forced redeployment of American forces in South Vietnam.

Gen. William C. Westmoreland, in his speech in New York, left little doubt that he both wanted and expected to get more troops, although he would not specify how many.

All of this can only mean that since the failure to get peace talks under way in January and February, President Johnson has determined on an enormous gamble. He has decided to seek a military decision over North Vietnam on the mainland of Asia, and the probability is that his timetable has been stepped up in an effort to produce an end to the war well before the 1968 election.

A MILITARY DECISION

In this strategy, a "military decision" would come when North Vietnam had been so blasted and drained of ability to fight that Hanoi would have to accept peace terms just to survive.

It is probably not possible for those not involved in the highest Administration decisions to know precisely on what grounds they are made—for instance, how much the President may be influenced by having to run for re-election next year, or to what extent he may be relying upon purely military estimates and conclusions.

There was a somewhat disturbing example of the latter in General Westmoreland's speech. Discussing the bombing of the MIG bases, the general left the impression that it might even be an advantage to his forces if the North Vietnamese were forced to transfer their aircraft to Chinese fields; it would take them that much longer, he said, to react to American planes over North Vietnam.

No doubt that is true, although since the MIG's have not been much of a deterrent factor to American air raids so far, it seems relatively unimportant. But this military view simply overlooks the fundamental fact that a transfer of the MIG's to Chinese fields will (a) inevitably draw Hanoi and Peking closer together, and (b) just as inevitably increase Peking's fear of attack, since the MIG's and their bases now are obviously considered to be acceptable targets.

But whatever the assumptions upon which Johnson and his closest advisers now are acting, they are tripping along a tightrope over disaster and it is not even clear that if they reach the other end the journey will have been worth it.

In the Senate, a group of war critics led by the able George McGovern of South Dakota, effectively raised the most threatening spectre of all—the persuasive thesis that escalation has consistently led only to response, that response has demanded more escalation, and that more escalation has produced further response, in a sort of deadly game of leapfrog the outcome of which no general and no President can predict, but which might well be the consolidation of the Communist nations against the United States in World War III.

In the Joint Committee on Economics, meanwhile, the respected John Stennis of Mississippi, who has consistently supported the necessity of the war, said that figures available to his Subcommittee on Preparedness placed the cost of 50,000 additional troops in Vietnam at $4 billion to $6 billion a year over present spending levels.

The war is already costing about $20 billion a year and the presently budgeted figure for national defense is an incredible $73.1 billion. Those, for instance, who deplore the Rev. Martin Luther King's call to Negroes to oppose the war should not overlook what the war expenditures, or any substantial portion of them, would mean to Negroes and to all Americans if they could be devoted to education, to destroying the slums, to training the unskilled, to building houses, hospitals, welfare and recreation facilities.

IS IT WORTH IT?

With all due respect, then, to those who question the war on purely moral or pacifist grounds, or who may intellectually reject any American military responsibility in Asia, or who may believe politically that the United States is interfering in a civil war, there is also a hard, practical, pragmatic question to be asked as well. It is simply whether, all other questions aside, this war is worth either the risk or the cost, let alone both.

[From the New York Times, Apr. 27, 1967]

Observer: The Latest Way Out in Vietnam

(By Russell Baker)

Washington, April 26.—Council of War:

"All right, Dean, you and the general go ahead and outline the latest plan for getting me out of this Vietnam mess."

"Gladly, Mr. President. As you know, it is quite clear that though the enemy cannot win, and though our air attacks are destroying 83 percent of his industrial capacity daily, and though our military picture is favorable, nevertheless there is no end of the war in sight."

GET WITH IT

"You're reading me last year's news again, Dean. Just tell me what we've got to do to get the end in sight."

"Mr. President, we've got to fool Ho Chi Minh."

"That's very interesting, Dean, but if you boys don't come up with something better than that by next spring, we're going to have to fool sixty million people to keep Dick Nixon out of this chair."

"Mr. President."

"Speak up, General. You know in my book you're a man I'd go to the well with."

"Thank you, sir. If I may expand on the Secretary's idea: It is now clear that, though beaten, the enemy will not say 'Uncle' as long as the war remains unpopular among the American people. While war opposition in America continues, the enemy will continue to prolong the war in the hope that a political upheaval here in Washington will bring about a change of policy."

"You're thinking mighty straight, General, but the question is: How are we going to stop this opposition to the war so we can get this war over with? What about it, Dean?"

"I think it only realistic to face the fact, sir, that the war is not entirely popular, and that there is little likelihood of our making it popular. However, to return to my original point, there is some possibility, I believe, of fooling Ho Chi Minh into thinking that it has become popular, or at least not unpopular, if you will excuse the triple negative."

"Talk a little plainer, Dean. The day's getting on."

"Our first problem, sir, is to convince the anti-war group that the quickest way to end the war is to start supporting it."

"You're saying you want me to get Dr. King and Carmichael and all those professors and New Lefties down here to the office and tell them they can't get the war over with until they learn to love it? I've passed some miracles in my time, but none that size."

"Not quite, sir. We naturally cannot expect them to truly respect the war's purposes as we have learned to respect them. We might, however, persuade them to pretend to be warlike. That might fool Ho into thinking the war had become popular, and then he would have no alternative but to give up and accept peace. Once a treaty is signed, they could say, 'Ho, Ho, Ho, we were just kidding, we were really for peace all along.' "

"What do you think, General?"

"Well, sir, it can't be any more futile than destroying 83 percent of Hanoi's industrial capacity every day."

FOR THE MORALISTS

"What about all those moralizers, Dean, who say the war's immoral? Even if we get Dr. King and Carmichael and all those professors and the New Lefties to come out for the war so they can end the war, we're still going to have a lot of moralizers complaining because we didn't end the war yesterday, and that's going to persuade Ho to keep hoping."

"May I put in a word, sir?"

"Keep it crisp, Walt. I've got the feeling we're headed no-place again."

"I would simply suggest, sir, that we strongly urge all highly moral people who are incapable of actually supporting the war to at least keep their mouths shut about it. There are, after all, many immoral phenomena to vent one's spleen upon nowadays. Surely men of good morality can be persuaded to transfer their vocal expressions of outrage to other fields—family breakup, zoning bribery, conflict of interest—until we have successfully fooled Ho to the peace table."

WHO'S BEING FOOLED

"Suppose it isn't as easy to fool Ho as it's been to fool ourselves?"

"We must risk it, Mr. President. Don't forget, the French didn't lose Vietnam at Dienbienphu. They lost it in Paris for lack of public backing for the war. If they'd had their people behind them, they'd still be there today."

"Dean, if you go around arguing that line, we're not going to have anybody to stand behind us. And right now we're standing in mighty tall elephant grass. Meeting's adjourned."

[From the New York Times, Apr. 27, 1967]

EXCERPTS FROM THE SPEECH BY DR. BLAKE*

I. The new and growing consensus on peace of the ecumenical movement.

The peace which ecumenical Christians support is not merely the absence of war but is a peace based upon justice and freedom.

Without justice among men and without freedom for men to be truly men, peace is not enough.

My second point of growing ecumenical consensus is that the present day possibility of thermo-nuclear war and the total destruction of civilization by the new weapons make peace in a new sense a necessity for men; war among the nations is no longer a live option.

You will have already noted that my first two points are in dialectic tension. While peace at any price remains immoral, war for any reason is clearly wrong. So far the ecumenical movement has been unable to resolve the extremes of this deadly paradox. But for human survival it must be resolved.

FULL JUSTICE AND EQUALITY

The third point is that a world of independent sovereign nations under no enforceable law and under no morality but their own safety and prosperity must give way to one worldwide community of all humanity.

The old assumption of national independence and survival are being rendered meaningless by mankind's common danger of destruction. World law and world institutions must be built upon this single community.

The fourth point is that world-wide community can be built only upon the foundation of full justice and equality among all men.

So long as two-thirds of the world is poor and growing relatively poorer and one-third of the world is prosperous and growing relatively richer there is no hope for any lasting peace.

Finally, the growing ecumenical consensus holds that Christians must give up the old triumphalist hope of dominating the world and must win men to the authentic way of Christ to serve the world.

A Christian view believes obedience is always more important than success. History, in Christian understanding, is not an automatic triumph of man's development but the arena of God's action of redemption.

II. The present policy of the United States in Vietnam.

It has for several years been my personal conviction that the present trend of United States policy and action in Vietnam is the greatest danger to human survival with the single exception of the present policy and action of the people's republic of China.

First, let us examine what is wrong with the United States policy.

It is increasingly a unilateral policy and less and supported by the peoples and governments who have been our allies in resisting Communist aggression. Our course has all the elements of high tragedy. More like Hamlet or King Lear than Macbeth or Julius Caesar, unable to distinguish friend from foe, caught in a dilemma which makes any decision increasingly difficult, the United States seems to be stumbling on towards final disaster.

Our high ideals more and more suspected by our best friends among the nations, we find our position successfully attacked by our enemies and we find ourselves more and more isolated from our friends.

Even those governments who share our fear of Communist aggression dare not fully and publicly support us because of the almost hysterical fears of their people of what we will do next.

CHINA'S GRIP TIGHTENED

In the second place our Vietnam policy is wrong because we cannot win. By this I do not mean we cannot obliterate Vietnam, north and south. We have the military power to do just that. But when the swamps of the Mekong delta are filled up with dead Vietnamese and when the flower of our youth lies dead with them, what victory will have been won?

Force cannot obliterate ideas. The more force we use the weaker become our best ideals. The picture of a great and wealthy nation mobilizing each month more and more of its unparalleled technological might to bring a tiny, long-suffering, dark-skinned nation to capitulation means clearly that the more we win the more we lose and each American soldier dead or wounded is a useless sacrifice.

Again, our Vietnam policy is wrong because the longer we pursue it the more we weaken the forces of freedom in South Vietnam and the more we push the whole nation into Chinese Communist ideology and control. Month by month and year by year we strengthen our foes as we use more violent power against them.

Finally, our Vietnam policy is wrong because it is delaying the economic and social development that freedom requires if it is ever to flourish in Vietnam, in the United States and in the whole world.

The Vietnam war is our excuse not to use our resources to win the war against poverty in our cities, not to establish racial justice in our nation, not to share sufficient resources to establish justice in Africa, Latin America or the rest of Asia.

When pushed by such consideration as I have been advancing, Administration spokesmen complain that they want to stop as much as anyone else but there is no alternative offered. I offer now the alternative in four points.

¶ Stop bombing North Vietnam. This escalation has already been proved wrong militarily and psychologically.

¶ Make it clear that we will not impose our peace upon Vietnam. (No longer is a Korea-type settlement possible. In a short time even a neutralizing of Southeast Asia will be impossible.)

¶ Agree with our allies in Asia and Europe that we will accept any peace that they will develop and agree to.

¶ Put our full effort to getting to the negotiation table.

I report to you, my fellow citizens, that as the months wear on it is harder and harder not to share the hopelessness of our free world friends as they watch the United States go step by step to tragic disaster.

My hope until now has been based upon the American people who I cannot believe are really committed to this administration's foreign policy. I believe still the American people are wise enough to heed the warnings of the whole world before it is too late. I believe in a free democracy. But as free citizens in a free land we must prove once more that government of the people, by the people and for the people is strong enough and good enough to survive upon this earth.

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*Excerpts from a speech today on the Vietnam war by the Rev. Dr. Eugene Carson Blake, general secretary of the World Council of Churches at an ecumenical meeting here.

[From the New York Times, Apr. 27, 1967]

LODGE FINDS WAR HURT BY CRITICS—ENVOY, HOME, SAYS PROTEST IN U.S. PROLONGS FIGHTING

(By John H. Felton)

BOSTON, April 26.—Ambassador Henry Cabot Lodge returned to his home state today with a warning that "disunity in America prolongs the war" in Vietnam.

The former Ambassador to South Vietnam and his wife landed at Logan International Airport in an Air Force plane about 9:30 A.M. on the way to their home in Beverly, Mass., on the coast north of Boston.

In a series of terse replies to questions by waiting newsmen, Mr. Lodge said that demonstrations, "make Hanoi think all they have to do is hang on and we'll fall apart."

Mr. Lodge, looking tanned and fit after a second tour of service in Vietnam, this time for four months, declined to comment on specific target areas when asked about the advisability of bombing North Vietnam airfields. But, he said, "I would be opposed to a World War II type of terror bombing."

TERMED U.S. TRUMP CARD

Mr. Lodge said the United States' bombing of military targets was "our trump card," and that any cessation of this bombing without reciprocal action by Hanoi would be "totally unacceptable."

Following the views expressed by Gen. William C. Westmoreland, United States commander in Vietnam, who is on a home visit, Mr. Lodge scored critics of the Johnson Administration's war policy.

Mr. Lodge said United States troops on the battlefield, "don't understand criticism in this country," but he described their general morale as high.

"Anyone who goes to Vietnam has his eyes opened to a lot of things," he said. Adding that just reading about the war was "very confusing."

REJECTS UNILATERAL MOVE

The Ambassador said a true cease-fire for both sides would have merit but that a unilateral end to the shooting by the United States was not practical.

"The Vietcong can go on with their terrorism, kidnapping and torture, while our side is precluded from trying to prevent them," said Mr. Lodge.

Asked for comment on the Rev. Dr. Martin Luther King Jr.'s weekend protest about Vietnam policy, Mr. Lodge replies, "I think he is quite uninformed."

The Ambassador was met at the airport by members of his family and three Harvard University students bearing posters supporting the Administration's policy in Vietnam.

[From the New York Times, Apr. 27, 1967]

WHOSE GOVERNMENT IN SAIGON?

A change in the stated political policy of the United States appears to have accompanied the change of American Ambassadors in Saigon. In the farewell interview given to The Times by Henry Cabot Lodge he frankly comes out for an important South Vietnamese military role in whatever government results from the coming elections.

This is tantamount to telling the Vietnamese not only what the composition of their government should be, but who should be in it, since the obvious candidates are the members of the present ruling military junta.

Are Americans fighting and dying 10,000 miles from home in order to put Marshal Ky and his clique in a position of uninterrupted power? In General Westmoreland's speech in New York he said: "At one and the same time, we must fight the enemy, protect the people, and help them build a nation in the pattern of their choice." Is it to be their choice or ours?

Mr. Johnson's 1964 Presidential campaign is replete with quotations that historians are going to find ironical. Former Senator Goldwater already finds them so, for he is now an ardent admirer of most Johnsonian policies. After all, they used to be his policies. In that campaign President Johnson came out firmly against bombing the North and sending "American boys nine or ten thousand miles away from home to do what Asian boys ought to be doing for themselves." He was in favor of a South Vietnam free to choose its own form of government and its own leaders.

Ambassador Lodge cannot be blamed for conforming to Washington's policies. He did so under two Administrations with skill, devotion and courage. Had he disagreed with the policies, he would have resigned. If the new Ambassador, Ellsworth Bunker, did not agree with present policies he would not have accepted the post in Saigon. These men are fully entitled to their beliefs and convictions, and they have every right to express them.

But Mr. Lodge should allow the same right to others and not condemn, as he did in his interview and on his return to Boston, those who believe that the escalation of the war should cease, that the bombing of North Vietnam should stop, and that the National Liberation Front and Vietcong in South Vietnam have a right to seek a future role in the Saigon government.

This week's impressive attack on the Administration's Vietnam policies by Senators McGovern and Church, which other Senators supported, is the kind of "debate" on the war that is needed now more than ever. Ambassador Lodge will be heard, with respect, in his presentation of an opposite view.

However, the people of Vietnam—South and North—are entitled to their views, too. It is not for Americans to tell them what kind of government they should have and what leaders they should choose.

Mr. FULBRIGHT. Lastly, I ask unanimously to have printed in the RECORD a famous passage from Mark Twain, entitled "The Mysterious Stranger," printed in 1898, which is very pertinent to the atmosphere that is developing in this country with regard to the present war and the effort on the part of the administration and its most fervent supporters to restrict, if not stop, discussion of the war and what is involved for those who disagree.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

There has never been a just one, never an honorable one—on the part of the instigator of the war. I can see a million years ahead and this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for the war. the pulpit will—warily and cautiously—object—at first; the great, big, dull bulk of the Nation will rub its sleepy eyes and try to make out why there should be a war and will say, earnestly and indignantly, "It is unjust and dishonorable and there is no necessity for it." Then the handful will shout louder. A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded, but it will not last long; those others will outshout them, and presently the antiwar audiences will thin out and lose popularity. Before long you will see this curious thing: the speakers stoned from the platform, and free speech strangled by hordes of furious men who in their secret hearts are still as one with those stoned speakers—as earlier—but do not dare to say so. And now the whole Nation—pulpit and all—will take up the warcry and shout itself hoarse, and mob any honest man who ventures to open his mouth, and presently such mouths will cease to open. Next the statesmen will invent cheap lies, putting the blame upon the nation that is attacked, and every man will be glad of those conscience-soothing fantasies and will diligently study them, and refuse to examine any refutations of them, and thus he will by and by convince himself that the war is just and will thank God for the better sleep he enjoys after this process of grotesque self-deception. (Mark Twain, "The Mysterious Stranger," 1898.)

Mr. FULBRIGHT. Mr. President, lastly, I wish to remind the Senate, and I hope that Senators will simply reflect for a moment, of the testimony of General Gavin in last year's Foreign Relations Committee hearings. General Gavin very precisely and soberly called the attention of the country and the administration to the risk it was running by overcommitment of U.S. forces in southeast Asia. He pointed out that overcommitment would be an invitation to anyone who was unfriendly to this country to engage in adventures if this country became bogged down in southeast Asia. We have had a speech today by the Senator from New York calling attention quite vigorously to the probability of an outbreak in the Middle East. He is concerned about the differences between Syria and Israel.

What would be the situation in which we would find ourselves if we were to have an outbreak of violence in the Middle East and an increase in pressure in Berlin if we at the same time have so many troops committed to this futile war in southeast Asia? This is what General Gavin called attention to last year and it is based on his long experience when he was associated with General Ridgway.

Mr. President, I think it is time for us to pause and reflect on this headlong course which is apparently leading us to unlimited escalation of the war in Vietnam; and possibly—I would not say probably; it may be probably—into a war with China. I hope the administration will think in time about the possibility of our being challenged in other parts of the world, some parts of which are far more vital to us than southeast Asia. I hope that the administration will think about this before it proceeds to what apparently is intended, and that is an all-out escalation, an all-out attack upon North Vietnam.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. First, I want to say that I agree completely with the Senator in his restatement of our primary national principle in such matters; that the final decision of policy must be made by civilians.

However, I am also of the feeling that the best possible advice, the best possible information, is what civilians need, including ourselves, to make that decision.

I know that my distinguished friend, with a slight departure from his customary logic, while seeming to play down any desire to get advice from General Westmoreland, quotes with approval the views expressed by General Gavin, based, as he says, on his experience under General Ridgway.

My own feeling is that General Westmoreland has been in the best possible position to bring a firsthand and authoritative report to the American people. I personally am glad he is here. I want to say again that I appreciate the attitude of the Senator from Arkansas in inviting General Westmoreland to appear before his distinguished committee, and I am sorry that he could not appear.

In closing, I want to say that not all of the columnists, in spite of the position of the distinguished columnists quoted by the Senator—that is, Walter Lippmann and Doris Fleeson——

Mr. FULBRIGHT. Let me say to the Senator that I placed in the RECORD the editorial he has in his hand.

Mr. HOLLAND. From the Evening Star?

Mr. FULBRIGHT. I did.

Mr. HOLLAND. I am glad.

Mr. FULBRIGHT. I read one sentence and then asked that the editorial be placed in the RECORD along with Doris Fleeson's article.

Mr. HOLLAND. Not all the editorialists or all the columnists are of the same opinion as those who are so fearful about the Vietnamese war.

May I say, also, that while the appearance of General Westmoreland may not be following a pattern which has been made heretofore, neither has the war in Vietnam followed any pattern we have had before. I think, in all good humor, that there is no one who can possibly advise us so clearly as General Westmoreland can.

I, therefore, look forward with a great deal of anticipation to his statement tomorrow at the joint meeting of Congress. I am sure that the Senator from Arkansas feels the same way and will be there to listen to him. I hope that every Senator and every Representative will be there, as well.

We do not have to do a thing following his statement. We do not have to accept any part of his advice. But I do think that he is a source from whom we can expect some good advice which we can safely follow and some factual information. Therefore, I look forward to his appearance tomorrow.

I thank the Senator for yielding to me.

Mr. FULBRIGHT. Mr. President, I should not think it would be necessary to stress the difference in the status of General Gavin and of General Westmoreland.

General Gavin has been retired from the service. He is not now under the command of our Commander in Chief. He is a completely private citizen, at the head of a very important, private research organization, the Arthur D. Little Co. His knowledge is based upon his experience in the past, when he had to do with policy which was being made at that time.

General Westmoreland, I need not tell the Senate, is under orders. He is a member of the armed services. We all know what that means. That is the precedent which has been broken by this action.

I do not think I should have to remind any Senator of the emotional quality aroused in the people by a man who commands some 400,000 of the finest young men of this country, men whose lives are dependent, to a great extent, upon his wisdom and his capacity. This situation arouses the kind of old, tribal instinct which is associated with mortal combat and goes back to most primitive days.

Obviously, a man who is used in this connection is entirely different from a retired officer who, for many years, has been out of the armed services and is now working in a private industry.

General Westmoreland's status has much greater appeal and is much more likely to cause distraction from rational consideration of the issue, to arouse emotions, and to cause people to draw together in support of their country, right or wrong. In the final analysis, we all shall support our country, right or wrong. I shall.

But I should like to point out as clearly as I can, before it goes too far, that I believe my country is following a wrong course and that I should like to see it follow the right course. That is what is involved here.

No one is trying to advocate that we not support the country. However, I thought it was the duty of Senators, as it is of retired generals, to give the best advice they can to the country in the determination of policy.

It never occurred to me that a man who commands 400,000 troops in the field would have the time or the inclination to decide what is the best political policy for the Senate and the Government of the United States. He has his own responsibilities.

I am told by the Senator from Georgia [Mr. Russell] and other Senators that General Westmoreland is the most capable commanding officer of our troops in the field that we have.

I accept that statement. I have no question about that or any other aspect of his character.

However, I do not question that he did not come to New York except with the approval of his Commander in Chief. I would not for one moment be understood as having the slightest criticism of General Westmoreland. I made that clear the other day. We all did. No one, for a moment, is trying to raise that question about General Westmoreland.

Mr. President, concerning the newspapers about which the Senator has very proudly reminded me—the Washington Evening Star and the Washington Post—they are both notorious for being completely servile to the administration so far as its foreign policy is concerned. There has not been one word of criticism of administration policy in either newspaper for the past 5 years, that I can think of. That is why I inserted the editorial from the Star in the Record. It is representative of what we read in that newspaper nearly every day.

I made it clear, also, that the Star is sufficiently broadminded as to publish in the same issue an article such as the one written by Doris Fleeson, who is an independent commentator. Therefore, I am quite willing to say that the Washington Star is a fine newspaper. It has its views. It is entitled to them. I am not trying to suggest that it should not express them. That is why I placed those editorials in the Record. I wanted to show what the views of the other side are.

The same thing can be said of the Washington Post. The Post publishes editorials just like those in the Star, I guess, nearly every day. We do not have to read them, because we can guess what they are going to say, so far as they concern our foreign policy; but also the Washington Post published an article written by Walter Lippmann, and he takes direct issue with the editor of the newspaper.

Of course, neither Walter Lippmann nor Doris Fleeson has any large television stations, either, so they do not, possibly, have any secondary interests in Government policy. In any case, I placed their articles in the Record, and the Senator from Florida is perfectly at liberty to include the editorials, likewise. There are two different views. The issue is: What is the intelligent, reasonable policy for the country to follow?

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. I think that is the question. My sole point has been that General Westmoreland is in the best position, from many points of view, to advise us as to what that policy might be. I am not at all of the opinion that because he is in the Army, he will come and tell us what the President wants him to tell or what anybody else would want him to tell, if he does not believe it himself.

I know that the Senator from Arkansas would not say anything merely because he was told to. Neither will General Westmoreland. I hold the same opinion about Mr. Benjamin McKelway, the editorial chairman of the Washington Evening Star.

The point I make is this: We ought to hear and welcome every bit of information we can get. I have simply taken the position, and I continue to take it, that there is no better source of information as to what the facts are right now in Vietnam than General Westmoreland. I hope the Senator from Arkansas agrees with me.

Mr. FULBRIGHT. I do not understand what the Senator means by that. Does not the Senator know that under Army regulations any active member of that body, including General Westmoreland, must have his remarks OK'd, passed upon, or approved by the Pentagon? The Senator knows that. I do not have to have my remarks approved. Neither did General Gavin.

Mr. HOLLAND. I do not have to have mine approved by anybody.

Mr. FULBRIGHT. No; but General Westmoreland is a member of the Armed Forces; I am not. I do not think it is necessary to point that out.

I received a letter the other day from a retired admiral whom all Senators know. I will go this far. I would not mind using his name, if any Senator is interested, although I do not think it is of any particular pertinence. He has been retired for several years. He takes issue with this war. He said so. He was called the other day by the commandant of the naval district in which he lives and warned that even though he is retired he had better be quiet about Vietnam, or else they would make it unpleasant for him.

He wrote me to inquire, "Has something happened to make the regulations for clearing speeches, applicable to retired naval officers?" So I asked Under Secretary of Defense Vance, who happened to be before our committee the other day, along with General Wheeler. I said, "Do your regulations apply to retired naval officers?"

Mr. Vance said, "I didn't think they did, but they certainly apply to active naval officers, as well as to General Westmoreland."

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. One of the dearest friends I have is a retired Army officer who wears four stars.

Mr. FULBRIGHT. I know him; he is a fine man.

Mr. HOLLAND. He has left his one son buried in an unmarked grave in Korea. I refer to Gen. James Van Fleet. He tells me that General Westmoreland is not only one of the best officers we have, but is also one of the finest of Christian gentlemen.

Mr. FULBRIGHT. I agree to that.

Mr. HOLLAND. He tells me that when General Westmoreland says something, it is what he believes way down in his heart.

Mr. FULBRIGHT. I am sure he does.

Mr. HOLLAND. I should like to hear the expressions of a man like that, who has been as close to the war in Vietnam as General Westmoreland has.

While the Senator from Arkansas did not say anything the other day to discredit General Westmoreland or his appearance here, that is not true of all the participants in the debate, as the Senator well knows.

Mr. FULBRIGHT. I would question that. I do not believe that in the course of the debate any Senator intended to reflect upon General Westmoreland. I am absolutely certain that they were all reflecting upon the wisdom of the administration—of the Commander in Chief—in bringing the general back at this particular time to deliver a speech which clearly is intended to make the critics who are discussing the issues of this matter shut up. That was the main purpose. I am sure General Westmoreland did not initiate any such venture. I feel certain that the other Senators had no intention of reflecting upon General Westmoreland's character or capacity.

Mr. HOLLAND. As to that, I shall let the record speak for their positions. It seemed to me that they were greatly reflecting upon General Westmoreland.

So far as any difference of opinion between the Senator from Arkansas and myself is concerned, this debate, too, exemplifies the fact that there is a difference of opinion on this general subject among Members of the Senate.

So far as I am concerned, regardless of how the Senator from Arkansas may feel, I look forward with enthusiasm and with anticipation to the speech to be made by General Westmoreland tomorrow. I believe it will be worth while for us to listen, and I believe it will be worth while for the country to hear.

Mr. FULBRIGHT. Does the Senator from Florida think that General Westmoreland will say anything different from what he said on Monday?

Mr. HOLLAND. I suspect he will. Whether he does or not, I have no foreknowledge of what he will say. I do not know General Westmoreland. I am not any special pleader for him; he is not from my State. I simply know that he is a very fine general and has been our leading soldier and field commander for almost 3 years. He has been commanding a great many of the boys from the State so well represented by the Senator from Arkansas and a great many boys from my State. Too many of them have been brought home and laid away in the soil of my State.

I know he is not going to come here—a man in his circumstances, and of his qualities, and set forth anything but the truth as he sees it, a man who has had access to the questionings of prisoners of war, of defectors, and there are thousands of them who have been questioned by staff officers.

I had the privilege at one time of listening to Austrian prisoners being questioned by our staff officers. The Austrians were deserters from the German front.

All such information comes in compiled form to the Commander in Chief. That information should give a clear viewpoint of the attitude of the North Vietnamese, the attitude of Ho Chi Minh, and the attitude of the Vietcong. Here we have the one man who at least can give us information, and I hope the Senator will be there to listen——

Mr. FULBRIGHT. I will be there.

Mr. HOLLAND. Who can tell us authoritatively what is going on over there.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. There are aspects of this war on which the able Senator from Arkansas and I do not agree; and there is nobody who has greater respect than I for General Westmoreland as a man and as a soldier. But it is unfortunate, if he has the time to come over here and deliver talks in Washington and New York and other places that upon the request of the Armed Services Committee he is not available to answer questions with respect to the conduct of this war with men who have the knowledge and experience of the distinguished senior Senator from Georgia [Mr. RUSSELL], the distinguished senior Senator from Mississippi [Mr. STENNIS], the distinguished junior Senator from Washington [Mr. JACKSON], as well as the other members of the Armed Services Committee.

There are matters which worry us and on which we would have appreciated being enlightened.

Without any irritation whatever, I would agree with the Senator from Arkansas that as long as he was making this long trip, it might have been well for him to have spent some time before the appropriate committees.

I thank the Senator for yielding.

Mr. FULBRIGHT. I appreciate the Senator's comments. I would have suggested, in order to save time, that we could have a joint session of the two committees and have one meeting, and it would be all right.

Let me end this by saying—and I apologize to the Senator from North Carolina [Mr. JORDAN]; I did not anticipate such interest in this subject; I have just one additional word—the point between the Senator from Florida and myself is that I think the general is saying things which go beyond the actual conduct of the war; that have direct implications on political policy that supports the war.

There is a vast difference between policy and conduct of the war on the battlefield, in which he has complete freedom. I would not think of criticizing his conduct there or what he has to say about that. If he says he needs 2 or 3 hundred thousand troops, I would agree with his judgment. If he asks for 500,000, I would not think of challenging him on his judgment. But it is the policy which has resulted and is resulting in this war, which is so tragic, in my opinion, and which is so tragic and ominous for the future if we continue to increase and escalate it. On this subject I would say he is not competent nor does he have a right to express himself in his position now. He did not learn about policies resulting in the war by fighting in the paddy fields of Vietnam. He does not know what the Chinese or the Russians are going to do. He is not going to learn that from prisoners he takes from the Vietcong.

This is a matter for the civilian government, at the highest level; and it happens to be, under our Constitution, a matter in which the Senate has some secondary responsibility. It is even less than secondary today; it is nearly nonexistent. Anyway, we are supposed to be able to advise, and not simply to consent.

That is what is involved here. It is a distinction of policy matters and the conduct of military operations. He did not learn about the fundamental policies in Vietnam, in my opinion—discussions of a matter in which people take different points of view.

Mr. JORDAN of North Carolina. Mr. President, I yield to the distinguished Senator from Kentucky [Mr. MORTON] for an insertion.

ADDRESS BY SENATOR HATFIELD

Mr. MORTON. Mr. President, I ask unanimous consent that a very thoughtful address given by our colleague from Oregon [Mr. HATFIELD] be inserted in full at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR MARK O. HATFIELD, REPUBLICAN, OF OREGON., YALE POLITICAL UNION, NEW HAVEN, CONN., APRIL 26, 1967

"Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power knowledge gives. A popular government without popular information or the means of acquiring it is but a prologue to a farce, or a tragedy, or perhaps both."

These are the words of President James Madison and I find them hauntingly appropriate today as more and more Americans admit to complete confusion regarding our policies and purposes in Vietnam. As this confusion has grown greater, and as it has become more difficult to define and defend a moderate stand, increasing numbers have sought solution in extremes. Louder and more demanding have grown cries for escalation—"let's win and get out." Equally demanding have grown the cries for immediate abandonment. And, in this clamor and confusion, the voices of moderation have been muted.

The solution for Vietnam is not to be found in emotional extremes but in a well-reasoned policy that respects historical fact and that accommodates current realities.

The present course of our involvement has been charted on a distorted map. The mapmakers have deliberately misinterpreted the 20 year history of this conflict to justify our present involvement, and they follow their twisted path with a lack of sensitivity to political realities and priorities.

If we are to reach our destination of a just peace in Southeast Asia, I am convinced that we must rechart our course—first, through an honest interpretation of history and an alteration of our policies to comply with this history, and second, through a recognition of this conflict as a political problem that must be solved through political offensives and not solely by military force.

We must recognize that Ho Chi Minh has been fighting and earning popular support since before the end of the Second World War and always under the primary cause of *nationalism*. And, following the Geneva Agreements, the conflict in South Vietnam was clearly a *civil war* among the Vietnamese people and not a war of aggression initiated by a foreign power. These are the raw facts of history and the true nature of this conflict.

But to justify our role in Vietnam, our gigantic intrusion into the affairs of this small country, President Johnson misrepresented the nature of this conflict as a "war of aggression" conducted by the North Vietnamese. It was on the basis of this deliberately distorted definition that Americans accepted the commitment of 100,000 men to South Vietnam early in 1965. Secretary of State Rusk explained that this escalation, this departure from our role as advisors to the South Vietnamese, was necessary to meet aggression from the North. The 100,000 men, Rusk said, was a response to the movement of the entire North Vietnamese 325th Division into the South at the end of 1964.

A State Department White Paper reported that 4,400 and possibly as many as 7,400 North Vietnamese had infiltrated into the South during 1964. In June 1966, however, the Pentagon confirmed Senator Mansfield's report that only 400 North Vietnamese soldiers had infiltrated during 1964. Mansfield concluded, and Secretary McNamara admitted, that it had been the weakness of the South Vietnamese government and the threat of its imminent collapse—and not the strength of the Communists—that had caused the commitment of 100,000 men, in 120 days, in early 1965. Thus on the basis of a misrepresentation by the Administration, the American public allowed the President to send American boys to fight a war he had said should be fought by Asians; to falsely redefine the conflict as primarily a war of aggression; and to seek a military solution to this political problem.

Other misrepresentations and contradictions have created more confusion and further reduced the public's capability to effectively influence the course of the war. The President has misrepresented the nature of the conflict and he has also misrepresented the nature of United States policy. As a candidate for President in 1964, Mr. Johnson stated in August, "Some others are eager to enlarge the conflict. They call upon us to supply American boys to do the job that Asian boys should do. They ask us to take reckless action which might risk the lives of millions." Yet within three months of his election as President, the decision was made to send Marine combat troops to Vietnam.

This reversal in positions and contradiction in statements is characteristic of Secretary of Defense McNamara also. On March 15, 1962; on May 12, 1962; on January 27, 1964; and on November 10, 1964, he stated that the United States was in South Vietnam to provide training, that he had no plan for introducing U.S. combat forces to South Vietnam, that we were there only to support the frontline troops of the South Vietnamese army, and that the war must be fought and won by the Vietnamese. But today, in absolute contradiction to assurances made to the American people that the war would be fought by the South Vietnamese and not by the United States, American combat troops number nearly 500,000.

Mr. McNamara has made numerous other statements that have been contradicted by fact. Perhaps best known of these is his prediction in October of 1963 that the major part of the U.S. military task could be completed by the end of 1965. This statement is by no means his only inaccurate prophecy or faulty assessment however. On May 12, 1962, he stated "Progress in the last 8 to 10 weeks has been great . . . nothing but progress and hopeful indications of further progress in the future." On July 25, 1962, he said: "Our military assistance to Vietnam is paying off. I continue to be encouraged. There are many signs indicating progress." And on January 31, 1963, he restated his optimism: "There is a new feeling of confidence that victory is possible in South Vietnam." According to McNamara's statements, we have been making great progress. Unfortunately, McNamara's "progress" has brought us no closer to a solution than we were in 1962.

The President has stated that "the only path for reasonable men is the path of peaceful settlement." Yet the President has failed completely to establish peace negotiations. This failure cannot be completely blamed on Ho Chi Minh's refusal to be "reasonable." There are a number of well-documented instances where the United States refused offers from Hanoi to negotiate. In 1964 the United States turned down two tangible and specific proposals to initiate peace discussions. In late July, General DeGaulle called for a Geneva-type conference and Russia asked the fourteen nations of the Geneva conference to reconvene. All major parties to the conflict agreed to the meeting but the United States replied: "We do not believe in conferences called to ratify terror, so our policy is unchanged." And, during September 1964 North Vietnam offered to meet with U.S. representatives in Rangoon, Burma, to discuss terms for ending the hostilities in Vietnam. Despite U Thant's determined effort to arrange the talks, the U.S. rejected the proposal.

Late in February, 1965, U Thant again tried to set up peace discussions and disclosed at a news conference that he had made concrete proposals and suggestions to the United States and to other powers principally involved in the Vietnam question. But the United States refused to participate and Administration officials confessed several months later that, if they had agreed to peace talks with Hanoi, it might have toppled the Government of Saigon.

A recent dialogue on the possibility of establishing peace negotiations is a repetition of the same old story of the Administration rejecting an offer to negotiate as not "meaningful" or not substantial. On December 4, 1966, a message from Polish Foreign Minister Adam Rapacki stated that Hanoi had agreed to talks at the Ambassadorial level in Warsaw. North Vietnam asked that special representatives be dispatched from Washington for this purpose. But after the American bombing raids near Hanoi December 13 and 14 in which civilian areas were damaged, North Vietnam withdrew its agreement, accusing the United States of bad faith.

The Administration now refuses to seek negotiations under conditions that it would have accepted a year ago. Perhaps the North Vietnamese do not sincerely want peace discussions and, even if negotiations were established, the results might be disappointing. But we must explore every avenue to peace and we cannot afford to second-guess the outcome of a complex political situation.

In fighting a war, our position must naturally be flexible, but this does not mean that the truth must be flexible, that the truth must be subservient to political motives. Every time that truth is distorted or denied us, we are denied a bit of our liberty. When government spokesmen misrepresent international situations and misrepresent our national intentions, they effectively greatly narrow alternatives to their policies. Many feel forced then, out of confusion and on the basis of no clear alternative, to endorse current policy.

Thus is created the tyranny of the "big lie"—a tyranny of "no alternatives," a tyranny that does not allow Americans the liberty of choice and that does not allow us effective voice in directing our nation's course.

Thus, we have an Administration that presents no alternative to escalating the war—to expanding its efforts to solve this basically political and economic struggle with military force.

I am firmly convinced that continued military escalation is destroying the possibility of a negotiated and lasting peace.

The purpose of this escalation, according to the Administration, is to bring Ho Chi Minh to the peace table. What kind of distorted logic leads us to believe that bombing North Vietnam's cities and factories will bring Ho to a conference table to discuss peace? We must take into account the psychology of escalation. The more we escalate the war, the more we bomb North Vietnam, the more going to the conference table becomes surrender. You don't "negotiate" with a man while holding a gun to his head: you outline the terms for his surrender. For Ho Chi Minh to agree to peace talks while we were bombing his country would be a great humiliation and would, in Ho's eyes, be virtual capitulation.

An American professor of psychiatry, in testimony before the Senate Foreign Relations Committee last year, stated that escalation was not an effective method of establishing peace negotiations. Dr. Jerome D. Frank, Professor of Psychiatry at the Johns Hopkins University, stated: "The Vietnam war has assumed an ideological character similar to the holy wars of former times, and this has ominous implications. . . . . People fighting for their ideals seldom if ever can be forced into surrendering by punishment. . . . The notion that one can cause people to abandon their ideologies by inflicting pain on them should have died in Rome with the Christian martyrs."

Annihilation of the North Vietnamese will not bring peace to the South. A defeated Ho Chi Minh, with his 50,000 troops returned to the North, would still leave five-sixths of the present enemy forces continuing the war in the South.

This Administration has lost its capacity to lead us to a peaceful conclusion of the war. It is defensively and inflexibly committed to policies which have not worked since they were initiated 20 years ago and show no hint of working now.

Yet our Vietnam policy-makers ask Americans to line up shoulder to shoulder and, in the name of blind faith and national unity, endorse their policies. They attempt to silence their critics by accusing the dissenters of aiding the enemy and of prolonging the war.

This Administration is using political blackmail to eliminate the painful but democratic necessity of giving all views a fair hearing. Those who dare to challenge the Administration's policies do so at the risk of having their patriotism questioned. I want to caution that we must not confuse patriotism with blind endorsement of bad policies.

They have now brought one of the most respected Vietnam policy-makers, the military field commander, to the United States where he is joining in the effort to silence the opposition. I want to contrast this general's statements—denouncing those who disagree with the Administration's policies—with the comment of one of America's great soldiers and statesmen. General George Washington in an address to the officers of the Army in 1783 defended the right and *necessity* to hear all opinions "If men are to be precluded from offering their sentiments on a matter—which may involve the most serious and alarming consequences that can invite the consideration of mankind—(then) reason is of no use; the freedom of speech may be taken away and, dumb and silent, we may be led like sheep to the slaughter."

As much as I oppose our present policies in Vietnam, I *can* attribute them to be the misguided actions of sincere men. I cannot, however, on any grounds, excuse the present vicious attempts by these men to gag the voices of opposition by impugning their patriotism.

What are these powerful and influential men telling the American people? That no one should criticize the war in Vietnam? That no one should voice any protest? That every truly loyal American will in silence accept every Administration decision in the conduct of this war? That it is disloyal and treasonous to dissent?

I am very deeply concerned by this attempt to silence opposing opinions. The President says we are in South Vietnam to preserve that country's liberty. But just what is being done in the name of liberty? Are we not being asked to preserve the liberty of South Vietnam at the expense of our own? Are we not helping the South Vietnamese to write and adopt a Constitution to define their liberties while at the same time we are allowing the President to re-define our Constitution to deny us our liberty?

The President cannot suspend the freedom of speech granted by the Bill of Rights in order to make his administration of the war popular. The Constitutional right of free speech has been upheld to be the same both in peace and in war. Our Bill of Rights is not suspended even in a period of declared war, much less in a time of undeclared war.

The courts have ruled that free speech is always untrammelled unless its exercise creates a "clear and present danger." Only if the words are of such a nature and are used under such circumstances that men, judging in calmness, could reasonably say that they created a clear and present danger that they would bring about the evils which our government has a right to prevent, only then can freedom of speech be curtailed.

The case for freedom of speech should need no restating. But Justice Brandeis has stated it so well and so forthrightly that I believe it bears review at this time. He said, in a 1927 case: "Those who won our independence believed that the final end of the state was to make men free to develop their faculties . . . They believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that without free speech and assembly discussion would be futile; that with them, discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; . . . (they knew) that the path of safety lies in the opportunity to discuss freely supposed grievances and proposed remedies; and that the fitting remedy for evil counsels is good ones . . . Recognizing the occasional tyrannies of governing majorities, they amended the Constitution so that free speech and assembly should be guaranteed.

"Fear of serious injury cannot alone justify suppression of free speech. . . . Those who won our independence by revolution . . . did not exalt order at the cost of liberty."

The Administration has acknowledged and supported the rights of free speech and free assembly in the civil rights movement but evidently does not apply the same standards to criticism or protest of the Vietnam war.

The sound and fundamental principle of the separation of the Executive, Legislative and Judicial powers of Congress. A full scale war is being conducted by the Administration without asking Congress for a declaration of war. Now, to compound this distortion of our checks and balances system, the Administration would stifle public criticism of the conduct of that undeclared war. Escalation of the Vietnam War is certainly accompanied by de-escalation of our constitutional safeguards.

What kind of men have we at the helm of government who would deliberately coerce the public into accepting their policies on the threat of being branded traitors. These are the tactics of tyrants with little understanding or respect for constitutional rights of men. They fail to realize that the freedom to stand opposed to the government's policy, the freedom to speak out against government actions which corrupt the basic tenets of our society, that this freedom is not a *privilege* that can be withdrawn when the boat begins to rock. This freedom is the inherent and ultimate *right* of people in a democracy. It is a right that supersedes any ambitions or complexes of men and stands above the gravity of any issue. Our belief in liberty is the foundation of our political system and any encroachment of this liberty—for whatever purposes—threatens our entire democratic structure.

I ask you "where is the conscience of America?" Where are the voices raised against such tactics? Where are the libertarians to denounce this diminishing of liberty for the sake of consensus? Have Americans become so mesmerized by the McCarthy-ite tactics of the Administration—the tactics of indiscriminate insinuation of unpatriotic motives to those that dissent—that they fail to recognize the threat of these tactics to liberty.

We must remember that liberty is not something that is once won and forever secure. In the words of Daniel Webster, "God grants liberty only to those who love it, and are *always* ready to guard and defend it."

I am also very deeply concerned that the Republican Party might become an accomplice in this political pressure to silence opposition. We have heard a number of leading Republicans comment that the Party should remain silent concerning Vietnam and not allow it to become a political issue. I strongly challenge this contention. I believe the Republican Party has an obligation to the fighting men in Vietnam. It must offer alternatives to the Administration's present policy that calls upon these young men to sacrifice their lives without bringing their comrades and country any closer to victory or solution. The Party also has an obligation to the country and the two-party system to offer alternative policies that we feel would better realize our national goal of peace in Vietnam.

Many have offered alternatives to military escalation and the American public deserves an opportunity to study and select or reject these alternatives.

I have, for a good number of months, listed three possible alternatives to our present policy that I believe might make it possible to extricate ourselves with honor from Vietnam.

First, on the military front, I believe that we should take steps to de-Americanize the war. This is essentially an Asian war with Asian interests most clearly at stake. President Marcos of the Philippines has declared that there must be Asian solutions to Asian problems and we should do everything possible to help them to wage their own military action. Asian troops should be *substituted* for American forces on a carefully scheduled program with logistical assistance from the United States. The President has warned us that the conflict in Vietnam could last for another 10 or 15 years and we should not wait another half-decade before taking positive steps to turn this war over to the people who have the primacy of interest in its outcome.

On the diplomatic front, I believe we should do everything we can to encourage the calling of an all-Asian conference. Through such a conference, the conflict could be redefined as a diplomatic problem to be most realistically negotiated by Asian diplomats, rather than as an American military problem to be solved by guns. An Asian diplomatic offensive might lead to reduced tensions and misunderstandings between adversaries in the conflict and build a bridge of trust between the two sides so that the atmosphere for peace discussions is improved.

Third, on the economic front, we must begin now to prepare South Vietnam for peace and the inevitable transition from a war-oriented to a peace-time economy. We should work for the creation of a Southeast Asian common market based on agricultural economies. Our goal of peace and stability in South Vietnam will not automatically be reached with the conclusion of the present conflict. When the hostilities cease in South Vietnam, the prospects for continued peace will depend to a great extent on this area's ability to progress economically and to meet the rising expectations of its people. None of the countries of Southeast Asia is large enough to support strong and viable economies in the near future. Through tariff agreements and cooperative planning, however these countries could coordinate the development of their individual and total resources. They should also be able to avoid the initial expense and long-term inefficiency of duplicating basic agriculture-oriented industries necessary to the development of each country.

The alternatives I have just offered join many other ideas worthy of careful consideration in seeking a solution to the war in Vietnam.

But whatever alternative we would adopt or whatever course we would pursue we cannot commit ourselves to a program that destroys liberty in name of some other goal.

As Justice Brandeis counseled us, liberty must be valued as both a means and an end, and he said, "Those who won our independence believe . . . liberty to be the secret of happiness and courage to be the secret of liberty."

Mr. MORTON. Mr. President, I might say this address was given before the Yale Political Union. In one of his opening paragraphs, Senator HATFIELD said:

> The solution for Vietnam is not to be found in emotional extremes but in a well-reasoned policy that respects historical fact and that accommodates current realities.

This, it seems to me, is apropos of the colloquy which we have just heard here on the floor of the Senate.

Later in his remarks he said:

> Yet our Vietnam policy-makers ask Americans to line up shoulder to shoulder and, in the name of blind faith and national unity, endorse their policies. They attempt to silence their critics by accusing the dissenters of aiding the enemy and of prolonging the war.
>
> This Administration is using political blackmail to eliminate the painful but democratic necessity of giving all views a fair hearing. Those who dare to challenge the Administration's policies do so at the risk of having their patriotism questioned. I want to caution that we must not confuse patriotism with blind endorsement of bad policies.

The question involved in the discussion we have heard is, Why is General Westmoreland here? Is he here to report on the conduct of the war? Is he here to bring us his great knowledge of what is happening there? If so, I think he should have been permitted to appear before the Foreign Relations and Armed Services Committee. Or is he, indeed, here merely to put a sort of a sack, if you will, over dissension, and try to muffle dissension?

That is the thing that disturbs me. I have known General Westmoreland for some years. He commanded the 101st Airborne Division, which is based at Fort Campbell, Ky. He had a very distinguished record there. I think he is undoubtedly one of the greatest field commanders, not only today, but in this century.

However, I believe that, not through his fault, the purpose of his visit here is being confused, and more and more people are beginning to think he is here to stop dissent rather than to give us any illumination on the problems that we face and the dilemma in which we find ourselves in Vietnam.

I thank the Senator for yielding.

Mr. COTTON. Mr. President, will the Senator yield to me for 1 minute?

Mr. JORDAN of North Carolina. I am happy to yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, the distinguished Senator from Arkansas referred to an editorial in today's Washington Post. I am not certain whether that editorial was ordered to be printed in the RECORD.

The editorial is entitled, "Meeting Dissent," and it was published in the Washington Post today.

I feel that the editorial is a very fair presentation of the matter, and I think it would add much to the comments and the consideration by the Senate of the appearance of General Westmoreland tomorrow.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 27, 1967]

MEETING DISSENT

The government of a free society has no right to suppress, restrain or punish dissent; but it is under no obligation to refrain from reply or rebuttal.

Reaction in some quarters to the tour of General Westmoreland suggests that the opponents of the war may be seized of the notion that they have every right to mobilize their sympathizers but that those in favor of the war do not enjoy the same right to summon support to the forum.

Some bitterness has been caused, in particular, by General Westmoreland's disclosure that criticism of the American policy in Vietnam gives comfort to North Vietnam and, by prolonging the war may be costing American lives. This is simply a fact of life attested to by most authorities who have interviewed officials at Hanoi. The dissenters do wrong to try to suppress this fact and they are mistaken in resenting its disclosure. It is an awkward fact of life.

General Westmoreland did not say, and no other responsible critic has said, that this disagreeable fact makes it disloyal for anyone to criticize the conduct of the war or to dissent from the policy of the Government. It is doubtful if any democratic society could ever achieve, without the sacrifice of all principle, the degree of unanimity needed to divest the North Vietnamese of plausible pretenses on which to maintain the illusion that they can gain a victory by political dissent in the United States. One dissenting voice alone probably would be sufficient to that purpose. How much does an undeniably greater dissent increase the illusion? To whatever degree dissent contributes to it, this is a burden that a free country must cheerfully bear in wartime.

So debate cannot and will not be curbed in the United States, no matter how much it contributes to the hope of the North Vietnamese that they can achieve politically what they cannot accomplish militarily.

While it would be wrong for an American Government to try to diminish dissent by unconstitutional and antidemocratic methods, the Government has every right to try to diminish dissent by making its own contribution to the debate. It is perfectly free and able, within the framework of a free society, to mobilize the sentiment of the country. It should not be reproached for trying to enlarge the area of agreement by increasing the information and knowledge of the public about the war.

And it might be very well advised to seek frequently the advice and consent of Congress to the objectives of policy and to the altering means of achieving those objectives. The time is at hand when Congress, by a new and explicit direction to the Government, stating the ends of American policy and the methods of achieving them, might provide a healthy corrective to the North Vietnamese illusion that they are dealing with Paris and not with Washington.

AUTHORIZATION FOR POSTMASTER GENERAL TO ENTER INTO LEASES OF REAL PROPERTY

The Senate resumed consideration of the bill (S. 1039) to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes.

Mr. JORDAN of North Carolina. Mr. President, the Senate is considering S. 1039, as amended and reported from the Committee on Public Works.

The purpose of this legislation is to continue beyond the current expiration date of April 30, 1967, the authority of title 39, United States Code, section 2103 for the Postmaster General to enter into lease agreements for special purpose post office buildings for periods up to 30 years and the authority of such section for land acquisition, including condemnation and related land disposition.

The 30-year lease construction program for the Post Office Department was authorized in the Post Office Department Property Act of 1954, and will expire on April 30, 1967. This authority authorizes the Postmaster General to obtain control of a suitable site either by assignable option, purchase, or condemnation; to advertise for competitive bids for the construction of a postal facility in accordance with Post Office specifications on the designated site; assign the option or sell the site to the successful bidder and lease back the entire facility for a term of years not in excess of 30.

The continuation of this 30-year leasing authority is vital to the Post Office Department's space acquisition program since it is the most economical method of leasing space where a lease is advantageous and long-term occupancy is projected and gives the Department the flexibility that it needs in meeting its expanding space requirements.

The annual mail volume in the United States is increasing at the rate of approximately 3 billion pieces annually, and many of the post office buildings are grossly inadequate to handle this increased mail volume. It is the opinion of the committee that the Post Office Department must have long-term leasing authority if it is going to have physical facilities capable of handling this increasing mail volume. It is pointed out that the leasing authority will provide new facilities over and above those constructed with appropriated funds under the provisions of the Public Buildings Act of 1959, and is in no way intended to replace Government construction of post office facilities where feasible.

Mr. President, the following features of S. 1039 will insure that leasing will not be used in lieu of Government construction in providing new postal facilities:

First. The Postmaster General must consult with the Administrator of General Services and thereafter determine that it is not desirable or feasible to construct a postal facility under the provisions of the Public Buildings Act of 1959 before proceeding to lease a new facility.

Second. His authority for long-term leasing is limited to special purpose post office buildings which are not readily usable or convertible to use as general purpose office buildings.

Third. He is required to submit a statement explaining all aspects of the lease and justifying the need for the facility to the Committee on Public Works of the U.S. Senate and the Committee on Post Office and Civil Service of the House of Representatives for each building having a gross floor space exceeding 20,000 square feet at least 30 days prior to entering into a lease. He may do it considerably before that time, but he must do so at least 30 days before.

Fourth. His authority to enter into long-term leases for new postal facilities is extended until June 30, 1972 only.

The committee, after carefully analyzing all facets of the Post Office Department's leasing program, believes that this bill provides the best possible basis for operation, and will insure the Government the best results; therefore, I urge passage of S. 1039.

Mr. FONG. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield to the distinguished Senator from Hawaii.

Mr. FONG. Mr. President, I support passage of S. 1039, which amends and extends for 5 years the authority of the Postmaster General to enter into leases of real property for up to 30 years.

Present authority to enter into 30-year leases expires April 30 this year. If the 30-year authority is allowed to expire, the Department will have, under permanent law, authority to enter into leases for up to 20 years.

Annual rentals under 30-year leases are smaller by far than under 20-year lease. Therefore, it is logical that if the Post Office Department is allowed to enter into 20-year leases, it should be allowed to enter into 30-year leases where this would be advantageous to the Government.

Based on the hearings conducted by the Senate Subcommittee on Public Buildings and Grounds, on which I serve, I believe leasing authority is an important management tool for the Post Office Department.

In the past, however, the Post Office Department has had quite a free hand in administering its leasing authority. S. 1039 would, very properly, circumscribe this authority. Thus, the pending bill represents an improvement over existing law in three significant respects.

First, whereas the Post Office Department, under its existing authority, is not required to consult with the Administrator of General Services regarding the feasibility of providing the required postal space through Government construction, S. 1039 does provide for consultation with the Administrator before the Postmaster General may exercise his authority to enter into leases for up to 30 years.

Second, S. 1039 limits the authority for 30-year leases to special-purpose post office buildings. Previously, the law did not impose such a limitation. A special-purpose post office building is defined in S. 1039 as one which is in a particular geographical location making it convenient for processing mail, is designed in a particular configuration making it convenient for processing mail, and is not readily usable nor convertible as a general-purpose office building.

Third, S. 1039 provides for congressional review of proposed leases of whatever duration, short term or long, of special-purpose buildings larger than 20,000 square feet. The bill requires the Postmaster General to submit to the Senate Committee on Public Works and the House Committee on Post Office and Civil Service at least 30 days prior to entering into a lease agreement a report giving the full details about the proposed lease transaction, including the need for such an agreement.

This procedure will enable the committees to maintain surveillance over the lease program of the Post Office Department.

No such requirement is imposed by present law, either with respect to 30-year leases, 20-year leases, or in fact any leases. Thus, if S. 1039 fails of enactment, the Post Office Department would retain authority to enter into 20-year leases, but it would not have to give Congress any prior report on a proposed lease. The pending measure, therefore, is an improvement over existing law.

Some mention should be made of Federal long-term leasing versus Federal construction of postal facilities.

Actual construction costs of a postal building such as we are discussing are approximately the same whether built by the Government or by a private builder.

Any comparison of Federal leasing versus Federal construction of 20- or 30-year postal facilities, therefore, has to be broader than just construction costs in order to ascertain the total costs of both methods to the Federal Treasury.

Obviously, rentals under a long-term lease must be sufficient to cover the lessor's amortized cost of construction, interest charged on money borrowed to finance construction, taxes, insurance, and a reasonable return to the lessor.

Taxes and insurance are not paid for a federally constructed building on federally owned land. So the local government loses the real property taxes that a private lessor would pay. And the Federal Government loses the income taxes that a private lessor would pay on income from buildings he leases to the Post Office Department.

So from that standpoint, obviously the total cost will be lower under Federal construction than under a long-term lease.

Although some may content that the Federal Government does not have to pay interest, when we are in a deficit financial position, as we are and have been for some years, some interest must be attributed to post office construction financed out of Federal appropriations. True, the interest rate may be lower than the interest rates paid by a lessor for the same 20- or 30-year period.

Last year, a study by the Bureau of the Budget analyzing comparative costs of post office building space was submitted to the Senate Subcommittee on Public Buildings and Grounds. This study, on page 76 of the hearings last year, demonstrates that cost differences between Federal leasing and Federal construction depend upon what assumptions are used in making the comparison and what factors are included and excluded.

One set of assumptions and one set of factors used by the Bureau of the Budget show Federal leasing costs $60.3 million more than Federal construction and ownership of a 30-year post office building.

A second set of assumptions and factors shows leasing costs as $34.7 million more.

A third comparison shows leasing would cost $19.2 million less than Federal construction.

So statistical exercises can be employed to prove one point of view or another.

On the question of Federal long-term leasing versus Federal construction, the Assistant Postmaster General Amos J. Coffman said in his prepared statement for our subcommittee this year:

> The General Accounting Office, the Post Office Department, and I might say, the Bureau of the Budget, are all agreed on one proposition, namely, that the larger major facilities required by POD can *generally* be constructed as Federal buildings more economically than they can be provided as leased buildings.

Mr. Coffman continued:

> This consensus then is the basis for the future policy of the Department. That policy is that to the extent possible and desirable, including availability of funds, our larger facilities will be constructed as Federal buildings either by the Department under its delegation of authority or by GSA as combination post office and Federal office buildings.
>
> Under this policy we believe that a very substantial number of buildings now being planned as leased buildings will be converted to Federal construction.
>
> We believe that this policy, unless interrupted by events and forces outside the control of the Department, will result in the great majority of the Department's larger facilities being constructed for Federal ownership.

So, whereas prior policy of the Post Office was to rely heavily on the leasing program for its larger facilities, now the Post Office has the policy of relying mainly on construction, except for those occasions where a 30-year lease would be more advantageous to the Government.

It is important also to note that whereas the General Accounting Office has in the past taken a dim view of some of the Post Office lease transactions, this year a representative of the General Accounting Office stated at the subcommittee hearings, page 60, as follows:

> In our opinion the Postmaster General has need for the authorities contained in section 2103 of title 39 to acquire title to sites and to enter into leases for periods not exceeding 30 years, and we recommend that these authorities be extended.

It is my understanding the General Accounting Office is in complete agreement with S. 1039 as amended.

The hearing record offers persuasive testimony indicating there will always remain some circumstances where long-term leasing authority including land acquisition authority, will be needed—in other words, where Federal construction is not possible nor desirable.

A situation may arise where for one reason or another the approval and funding of construction of a Federal building is not possible in time to meet postal service requirements. A leased building may then be preferable to no building at all.

A situation may arise where the site needed for a postal facility is not for sale and is owned by a public body, such as an airport authority or a port authority against which condemnation is not considered appropriate. Many airports, for example, are willing to provide a facility at their cost, but are not willing to sell the land for the construction of a Federal building. Again, leasing authority would be valuable here.

A situation may arise where a city or other taxing authority is willing to donate land or sell it for a low cost in return for a structure that will remain on the local tax rolls. Without leasing authority, the Post Office could not participate in such an arrangement.

A situation may arise where the only way a prime postal site can be brought under control for the leasing program is by condemnation.

Also, the leasing program enables the Post Office to spread the cost of space over the period of occupancy, rather than over the period of Federal construction. During the occupancy period, the revenue from users of the mail helps pay for the space being leased.

Where leasing is desirable and where long-term occupancy can be foreseen, the 30-year lease term is more economical than the shorter 20-year term to which the Department would be limited if S. 1039 is not passed. As I said before, the annual rental rate is substantially less under a 30-year lease than a 20-year lease.

Based on the testimony before the Subcommittee on Public Buildings and Grounds that a need exists for 30-year leasing authority, I am willing to support a 5-year extension of this authority provided in this bill. I am persuaded there are situations where a 30-year lease would be advantageous to the Federal Government.

Moreover, we will have an opportunity to look at this whole postal leasing program in 5 years. Meantime, the appropriate committees of Congress will maintain current surveillance through the requirement of reports from the Post Office Department. The knowledge that Congress is going to examine proposed lease arrangements will cause Post Office officials to be particularly diligent and careful in making such arrangements.

It is my understanding, as a member of the subcommittee, that the Post Office Department intends to use the long-term leasing authority sparingly, judiciously, and justifiably. Congress will be watching to see that they do.

One further aspect of S. 1039 deserves mention. That is the extension of the Post Office Department's land acquisition and disposition authority. I am persuaded this authority is essential to an effective leasing program whether the leases are of 10, 20, or 30 years in duration. If S. 1039 is not passed, the land acquisition and condemnation authority will expire and will not be available for the Department in connection with the Department's permanent authority to lease up to 20 years.

The Post Office attributes its success in obtaining site options at fair and reasonable prices for its lease construction program to the existence of condemnation authority in title 39, United States Code, section 2103. Testimony disclosed that the mere existence of the authority to condemn is sufficient in almost all cases to enable the postal service to obtain assignable options.

Direct land acquisition authority is useful when, for example, one or more owners of parcels within selected site area demand exorbitant prices and the Government's interests can be protected only by acquiring through condemnation, leaving the determination of fair value to the court.

It is useful when option speculators tie up the choice sites in an area to force the Government to accept their terms.

In cases where clear title to one or more parcels of a selected site cannot be conveyed by the owner, title can be cleared by condemnation proceedings.

It is useful when a municipality or other non-Federal Government unit owns the desired site and is willing to sell at a reasonable price, but lacks statutory authority to do so.

These are but a few of the occasions when direct land acquisition is useful. As long as leasing is permitted, the Post Office Department should have the authority for direct land acquisition, for this permits true competitive bidding on the same post office project, including the same site.

In conclusion, I would like to make one final observation. It is my privilege to serve on the Public Works Committee, which reported this measure favorably. It is also my privilege to serve on the Post Office and Civil Service Committee, which has jurisdiction over most postal matters. I have, therefore, a particular interest in the improvement of the Post Office Department.

The volume of mail which the Post Office Department handles each year is staggering—and it is growing by leaps and bounds. Despite the greatly increased use of telephone and other communications media, the American people are using the mails to an extent never before in history.

It appears the Post Office must accelerate its mail handling equipment acquisition. It must accelerate its efforts to find the space to handle the mounting volume of mail. And it must have the flexibility to accomplish this with efficiency, speed, and economy.

S. 1039 gives the Post Office Department a measure of flexibility. Yet through the checks and restraints I have described, the Post Office Department will be held within proper bounds.

The measure follows the precept of giving the administrators the proper tools and then holding them accountable.

I join my colleagues on the Senate Public Works Committee in urging passage of S. 1039.

Mr. JORDAN of North Carolina. Mr. President, does the Senator from Delaware wish me to yield time?

Mr. WILLIAMS of Delaware. Mr. President, I want the floor in my own right. I am going to propose that the bill be limited to post offices costing not more than $250,000. That would eliminate the leasing authority for all of the big Federal post office buildings which is the area in which we have found abuse.

The reason I object to the bill in its present form is that it is unnecessarily expensive to the Government. It must be recognized that these post office buildings are one-purpose buildings. That is made clear in the committee bill and in the committee report.

When one builds a one-purpose building and the Government leases it for 30 years the contractor will automatically—and I would, too—include in the rent a sufficient amount to amortize that building and its cost over a 30-year period. He has no basis of knowing whether at the end of that time the Government will renew the lease.

If the Government does not renew the lease it would be extremely expensive for the owner of the building to convert such a one-purpose building to, let us say, an office building or an apartment house.

The Government, on the other hand, knows that the postal facility will be operating 30 years, 60 years, or 100 years from now, and it, as the owner, can amortize the cost over the full life of the building.

The Government knows that at the end of 30 years the building will not be worn out. It knows that the building must be maintained over the 30-year period and that it will need the facilities after that period.

In many of the contracts the Government has written into the contract a provision that it is responsible for not only the rent but also for all costs of maintenance. It is assumed in the contract that the Government will return the building to the owner in good rentable condition, painted, and with all equipment in good shape.

Therefore the owner—the man leasing the property to the Government—would have a good building, fully amortized, to take over at the end of the lease period.

I do not think there is any possible way for the Government to lease to advantage one of these $5 million, $10 million, or $20 million buildings, on, say, a 30-year basis. It is not practicable.

The owner of the building must recover all of his investment during that period of time.

According to my tabulation—and I want to make sure that I quote the most recent information from the Post Office Department since its figures seem to vary from day to day—the last report from the Post Office Department showed, there were 287 post offices that had been built on a 20- or 30-year lease basis at a cost of more than $250,000. The remainder of the post office buildings were built at a cost of less than that figure.

I have tried to obtain from the Department a list of all these offices costing $250,000 or over and the rents that are paid. I asked for the cost of the building, who built it, the date of construction, and the basic terms of the lease, and so forth.

I have that report and had intended to put that information in the RECORD today. However, when I started to assemble this information I discovered that it does not coincide with the other information I have received as to costs, and so forth.

I think it is indefensible that the Post Office Department does not know the amount of rent it pays for some of the offices. If it does know why do they not give the committee or me the right answer?

At the time I asked for the reports I made the suggestion that it would be all right with me if a copy of the reports and the information being sent to me was also sent to the committee. Then we would have the same reports.

I cite one example of inconsistency. In the report received by me under date of September 29, 1966, from the Department, the annual rent for the post office at Buffalo, N.Y., is listed as $683,479. That building is leased for 30 years.

I have every right to expect the information to be correct. However, I had a report at the same time from the Comptroller General with reference to the same post office building in Buffalo.

According to the report of the Comptroller General the Post Office Department leased the same building from the same man for an annual rent of $958,479.76. How can anyone explain this discrepancy?

The Department sent to me and the committee this report which I have here, which indicates that it would require 39½ years to recover his investment costs.

I assume that the 39½-year period is computed on the basis of the report which accompanied the information, showing that the particular office is being leased by the Government at an annual rent of $683,479. However, the Comptroller General states that the annual rental for this building is $958,479.76 instead of $683,479. Over the 30-year period that is around a $9 million difference.

Perhaps the Department is computing its rentals on the basis of this new math; if so they had better convert back to the old formula.

In fact, I have in my file a letter from the Post Office dated approximately a year earlier wherein the Post Office Department gave $958,479 as the annual rent being paid.

Those inconsistencies are indefensible.

I have here another example. This information is also contained in the letter which I received from the Post Office Department. The letter is signed by Amos J. Coffman, Acting Assistant Postmaster General, under date of September 28, 1966.

In listing the Detroit Post Office the estimated construction cost is given as $22,755,000 and the land cost, $689,000. The total cost is $23,444,000. The annual rent is $1,801,474 per year. This is the last report.

In the Comptroller General's report on this same office he lists the cost of the facilities at around $15,807,000. However, they did not include in that $15,807,000 certain other costs, such as insurance premiums and general administration expenses, which account for some variation, but those items would not account for a $6 or $8 million variation.

I cite those two examples, but there are other errors. I desire to be frank about the matter. I found only three or four examples of such errors since I started to put this report together, but I do not have the Comptroller General's report on all of them for comparison. But when you find three or four inconsistencies out of about 10 that is a high percentage. When they tell the committee that the building costs $24 million and that the rent was computed on the basis of amortizing it over x period of years and then you find it only cost about $16 million, questions are in order. Somebody does not know what he is talking about.

When you find that they report to the committee and to me how economically feasible this proposition is on the basis that they are renting this building for six-hundred-and-some-thousand dollars when in reality they are paying nine hundred and some thousand dollars, how do we know how to vote on it?

I cite another instance where they leased the post office building. This time they awarded a competitive bid contract to build this building on the basis that the man whose bid was accepted was to build the building, furnish all maintenance, the air conditioning, the heating, the lights, and so forth, and keep it painted and in a complete state of repairs. That is the way the bid was accepted. After this building was constructed and the Post Office Department practically ready to move in they negotiated a change in the lease, and the Government assumed 100 percent of the maintenance costs over the entire life of the lease with just a minimal reduction in rent. The Comptroller General audited that change of contract and the estimate was that it would cost the Government $2,800,000 more over the life of the lease than it would have cost if it had kept its original lease. That is indefensible. No one operating his own business would make such a decision.

We have any number of examples where they have changed these leases to the disadvantage of the Government, where the extra cost is going to be half a million dollars or $300,000 or $400,000. In nearly every instance when the Comptroller General checked with the Post Office Department the latter stated that the papers with which they negotiated and figured this out were misplaced or lost. In two instances, they said it was done by an unidentified man in the Post Office Department who has left the Department, and they do not know exactly who did it. How do they know he has resigned or retired if they do not know who did it? I quote:

> The Department advised us that the officials who handled the negotiations were no longer with the Department and apparently no other information is available in POD.

These are the words of the Comptroller General. Why do they not know?

The Comptroller General has been highly critical of the fact that exceptionally elaborate office space is being built for a postmaster, far more elaborate than he needs. The Comptroller General was very critical of this waste, and I shall read from his reports on some of these offices:

> When questioned as to the need for providing postmasters with private offices of such size, the Post Office Department officials informed us that a large office is necessary to impress visiting representatives of labor, industry, and public organizations with the importance and dignity of the postmaster's position.

We respect the postmaster in our town as an individual, not because of the size of his office.

Continuing, the Comptroller General points out:

> Under Post Office Department standards, Postmasters in the top three grades of the postal field service are allowed private offices containing more space than is provided in the Senate and House Office Buildings for private offices of Senators and Representatives.

It is nice to impress upon people the importance of postmasters, but I do not believe you enhance a man's importance by putting him in an auditorium. It is just a waste of money. If we are going to impress people in that way, put them in Yankee Stadium. In this program we are pouring millions of dollars down a rat hole.

I have not found such abuse in smaller post offices which are being constructed on a lease basis. Perhaps the same problem would be found to exist if the situation were examined, but I have not found it.

When a contract is awarded for a post office that is going to cost $100,000 or $200,000 there is a vast number of builders who can compete for that particular building or investors who would like to have it as an investment. There is real competition. But, with respect to these large buildings, if one goes over this list he finds that half a dozen or so groups are building practically all of them. Competition is less keen. Significantly it is in the larger buildings that these expensive change orders and added costs are found.

I have cited the change order in the Detroit facility, where, according to the Comptroller General, they upgraded the contract, and over the life of the contract gave $2,800,000 more than had to be paid. They already had the building built and under a cheaper contract.

The Comptroller General pointed out a series of cases in this report, but I just cite two of them. I quote from the report:

> The low bids for annual rental under a 30-year lease for one postal facility were $1,884,000 with lessor maintenance and $1,780,000 without maintenance, a difference of $104,000. The Post Office Department estimated that annual Government maintenance cost would be $142,110.

I shall not read all of the report, but on the basis of the Post Office Department's estimates of maintenance costs, the changed contract resulted in an additional cost of $19,000 per year. That is $19,110 per year that the Government automatically assumed on a negotiated change in its first contract. As a result the Comptroller General said that over the 30-year lease period of this one office the Government will pay out $573,300 more than is necessary.

We find another instance where, after they had built and leased the building some additional parking space was needed. The Government itself negotiated with an adjoining property owner, obtaining an option to purchase this property at $87,441 and made a $10,000 downpayment.

The Government turned this option over to the lessor, and the lessor then spent an estimated $30,000 to blacktop and to put in lighting—a total cost of $117,000 on this parking lot. After deciding on the purchase price the Government negotiated the lease to pay $10,000 a year on a 30-year lease, which means they will pay $300,000 for this parking lot over the 30 years. The man will still own it at the end of the 30 years.

This program has reached the stage of ridiculousness. I realize we have a poverty program under this Great Society, but the poor fellows negotiating these contracts upward by millions are not in poverty. Surely we should not be doling the money out with a scoop shovel in $2 or $3 million amounts.

I will be willing to go along with this bill if they will accept an amendment limiting it to facilities costing not over $250,000. Let the Government, if it needs a post office, build it on a competitive bid basis and own it.

Mr. President, I point out again that these are one-purpose buildings. Their leases on a 20- or 30-year basis could not be economically feasible, no matter how the contract is written.

I shall cite an example of a one-purpose building. The example is extreme. But suppose we were to take the case of this building, our Nation's Capitol. Should it have been constructed and then leased on a 30-year term, the full cost would have to be amortized over that period, but we are going to have a Government not just for 30 years, I hope, but for centuries.

Whenever there is a one-purpose facility, I do not care how the contract is negotiated, it is better for the Government to construct and own the building. The Post Office Department does not have that much money to throw away Let us get some efficiency in this agency.

Much has been said about turning the Post Office into a private corporation and operating it as a business. I am one Senator who does not discount that proposal. It might not be the whole answer, but it does deserve careful consideration. The time is long past when some sensible business arrangements should be put into this massive agency. There is not a business in America that would take a one-purpose plant and put it on a 30-year lease.

I shall not delay the Senate tonight by referring to any more of these reports. I shall at a later date put them in the Record. I am first going to have them rechecked. They should not be printed in the Record today with the inconsistencies that exist. I would be willing to permit the Senate to proceed with the bill if we can have an agreement on the amendment to limit this authority to construct on a lease basis post office facilities costing less than $225,000.

Based upon the historical record of this program there have been less than 300 such larger offices built over the past 15 years.

Mr. JORDAN of North Carolina. I cannot accept that amendment. First, I cannot accept it because the first time

I heard of it was when the Senator from Delaware proposed the amendment this afternoon. It was not presented to the committee. The committee considered this bill extensively and the bill was reported unanimously. It was not reported until we had considered the matter extensively.

The Senator refers to the General Accounting Office extensively in his remarks. I shall read from the hearing what GAO said:

> In our opinion, the Postmaster General has need for the authorities contained in section 2103 of title 39 to acquire title to sites and to enter into leases for periods not exceeding 30 years, and we recommend that these authorities be extended.

Mr. President, this bill is considerably different than the 20-year leasing bill. It is supposed to have taken out all of the objections of the General Accounting Office. We have a letter to that effect. Both the General Accounting Office and the General Services Administration state that they have no objection to this bill, and they think that the size of the building contained in the bill—up to 20,000 square feet, not over that—meets all requirements that they recommend. The Post Office, in many cases, can do better than they can do. There are reasons for that, and I shall relate those reasons.

In a great many cities, practically all cities today, the cities own much land around airports. I speak of cities such as New York, Washington, and many other places where it is becoming necessary to build some general post offices in these areas. These are not regular post offices, but they are those post offices handling great volumes of mail. Many times the cities will not sell this land. The land does not belong to individuals. Therefore, the cities lease the land to the Government if a post office is needed to be built. The cities and parks own land where they might need to build a new post office.

Sometimes there is required a long period of time for the General Services Administration to get the authority and the money to build a post office in order to proceed with a building up to that size.

There is another matter in this bill that is not in the present law. In those instances involving over 20,000 square feet, the matter has to be brought back to the Committee on Public Works and the Committee on Post Office and Civil Service of the House of Representatives to be studied and for recommendations. The matter must be there 30 days before they can enter into a contract. A 20,000-square-foot post office is not going to run into millions of dollars. A post office of that size would run approximately $400,000, in my opinion, or about $25 a square foot. That price is about the top price that they are running now.

I cannot accept the amendment because, in the first place, the amendment was not considered in committee. I believe the bill takes care of the fear of the Senator from Delaware about leasing. A great many of these post offices are built on leased land. In fact, all of them are. They will rent property of an individual taxpayer or a group in a city and town, and those people pay taxes, as do others. They maintain the services, and keep the building painted. They are only required to keep the building up. The Government pays a certain amount.

I think that the General Services Administration knows what it is talking about. Otherwise, they would not have come back and amended their opposition of last year if they were not satisfied that the present bill takes care of the criticism they had of the old bill. If this bill is not passed, the 20-year bill would remain in effect. This bill would amend the 20-year provision and make it a better law than it is now. The Government would be ahead if we were to pass this bill instead of leaving the 20-year provision in the bill as it is now.

Mr. FONG. Mr. President, will the Senator yield.

Mr. JORDAN of North Carolina. I yield.

Mr. FONG. Mr. President, I wish to ask the distinguished Senator whether without this bill we would still have a lease law.

Mr. JORDAN of North Carolina. We still have the 20-year lease law.

Mr. FONG. Yes. This bill would increase the length of the leasing period from 20 to 30 years; is that correct?

Mr. JORDAN of North Carolina. The Senator is correct.

Mr. FONG. And this bill would give the 30-year leasing authority for only a 5-year period?

Mr. JORDAN of North Carolina. The Senator is correct.

Mr. FONG. At the end of the 5 years, the Post Office Department would have to come back to Congress and ask to have it extended if the Department wants 30-year leasing authority?

Mr. JORDAN of North Carolina. As the Senator knows, this bill has been extended twice before. This bill is much superior to the other bill. The General Services Administration and the General Accounting Office believe this bill is superior and they have no objections to it.

Mr. FONG. We are correct to say that, if this bill is not enacted, the Post Office Department will have a 20-year leasing period, but it will not have the right to condemn?

Mr. JORDAN of North Carolina. The Senator is correct.

Mr. FONG. In other words, if this bill dies, there will be no power in the leasing law to acquire land, by condemnation or other means?

Mr. JORDAN of North Carolina. The Senator is correct.

Mr. FONG. And this condemnation authority is most necessary?

Mr. JORDAN of North Carolina. The Senator is correct. As I pointed out a few minutes ago this matter is becoming more and more important all the time in order to have post office buildings properly located and still keep rental costs down. Also towns like to keep taxable property on their books if they possibly can and, where appropriate, leasing makes this possible.

Some post offices have been built by the Federal Government and are now too small and a new post office has to be built. They were built strictly for one purpose and did not fit anything else. They are not suitable for a store, office, or anything and the Government now has to sell them for little or nothing.

Mr. WILLIAMS of Delaware. Will the Senator from Hawaii yield at that point?

Mr. FONG. I yield.

Mr. WILLIAMS of Delaware. I want to point out that the Senator from North Carolina is making the best argument for my position which could be made; namely, that these are one-purpose buildings and that there is no other use for them.

I am not questioning the right of the Government to condemn the land. We are not talking about leasing land. I completely agree with what the Comptroller General's report on that point. If we are going to have such a program—and I say "if"—then a 30-year term is better than 20 years. I can cite cases where we have leased these for as short a term as 10 years, which is fantastic.

The amendment I am proposing, lest there be any misunderstanding, would limit such authority to $250,000, whether it be for 30 years, 20 years, 10 years, or any other number of years. When I said that there have been 287 offices I included those which have been leased for 30, 20, or 10 years. I am including them all, but I agree fully with the Comptroller General's report to the committee that it would be better to have 30 years than 20 years. We are not quarreling with that. I raise the point that, even the 30 years is not practical for a one-purpose building. I have as yet not seen where the Comptroller General has said these lease-purchase arrangements for large or small buildings are in the best interest of the Government.

Mr. FONG. Mr. President, the distinguished Senator from Delaware, in proposing his amendment, recognizes that a 30-year leasing authority is necessary, but he wants to limit it to the construction of a building of less than $250,000.

Mr. WILLIAMS of Delaware. I say that 30 years is much better than 20 years, because it is more feasible.

Mr. FONG. By offering the amendment, the Senator recognizes, then, that a 30-year authority is all right.

Mr. WILLIAMS of Delaware. If the Senator wants my own opinion, I think it would be better if we built and owned all of the offices. But recognizing the facts of life, I am willing to go along with the bill if we can agree to limit the authority to $250,000. Above that is where I found the most abuse. I have not had a chance to examine others, but I can see why abuse would not develop to such an extent in the lower price buildings. I would go along with the bill if the committee would accept this limitation. My own feeling is that it would pay the Government to build the offices in all instances.

I am only suggesting a compromise to get the question settled.

Mr. FONG. Mr. President, I think the report does state it is the consensus of opinion of everyone who appeared before the committee that the Government should build, if it can. I think the report specifically states——

Mr. WILLIAMS of Delaware. If the Government can afford to rent then why can it not afford to build? Under this program it can start a massive public works program and postpone payment into the future under the guise of leasing. I have reviewed the manner in which the program has worked since it has been in operation—about 12 or 14 years. There have been 280-some-odd post offices under the various leasing arrangements for 10, 20, and 30 years that have cost over $250,000.

In my opinion, the overwhelming percentage of the ones I have examined are not on terms in the best interests of the Government. They are one-purpose buildings, and we pay extra as the result.

Mr. **FONG**. Let me read to the Senator from the committee views, on page 3 of the report:

> It is the opinion of the committee that post office facilities should be provided through Government construction wherever ownership would be advantageous to the U.S. Government, all factors considered. However, the committee, in reporting S. 1039, recognizes the need for continuing the long-term leasing authority to enable the Post Office Department to adequately handle those unique situations which indicate it would be to the Government's advantage to lease rather than construct. It further believes that the other authority granted by the act will insure the continued availability to the Postmaster General of the important aspects of his land acquisition and disposal authority, as well as the vital condemnation authority.

Mr. President, the provisions which we have in the bill, and which have been agreed to by the General Accounting Office, provide that before the Post Office can consider leasing rather than Government construction of a postal facility, the Postmaster General must consult with the General Services Administration. That takes care of the criticisms leveled by the Senator from Delaware.

Mr. **WILLIAMS** of Delaware. The Post Office Department consulted the General Services Administration before. Consultants are a dime a dozen around Washington. It does not mean a thing in the world to consult with someone and then go on and do as they please. They have consulted with the General Services Administrattion before. The General Accounting Office also told them that they did not need such large office space for a postmaster, but they went on and did it anyway.

Mr. **FONG**. The present law does not require the Postmaster General to consult with the General Services Administration. This bill contains specific provision that the Postmaster General must consult with the General Services Administration, so that all the various criticisms which have been leveled at post offices which have been built under leasing authority will be taken care of by this consultation.

In another proviso, in every building over 20,000 square feet, the Post Office Department must come to the House and Senate committees with its plans 30 days prior to entering into a lease agreement, so that the Senate Public Works Committee and the House Post Office and Civil Service Committee will be able to examine the terms of the proposed agreement so far as construction and leasing of the facilities are concerned.

Now, under the present procedure for constructing most public buildings, the General Services Administration prepares a prospectus and submits it to the Public Works Committees of both the House and Senate. The committees review the prospectuses.

Here we have the same safeguards of committee review.

The proviso that a building of over 20,000 square feet must come to the committee is ample protection. So that when the Senator from Delaware says that he wants a limitation of $250,000 on a building, the provisos which we have already in the bill will take care of it. Therefore, I think it is not necessary.

Mr. **JORDAN** of North Carolina. The Senator will remember in the hearings and before the full committee, as well as the subcommittee, there was discussion concerning the abuse, to which the Senator from Delaware has referred, in these large offices. That was all brought out. That is one reason the Postmaster General must submit a justification to Congress, both to the Senate and House, 30 days before he enters into a lease. That will do away with this kind of abuse in the future.

Mr. **FONG**. Mr. President, the General Accounting Office appeared before the committee asserting that they agreed with the bill the way it was written with these provisos included. They felt that the Government will be protected. The fact that buildings over 20,000 square feet will come back to congressional committees for scrutiny will give ample protection so far as the Government is concerned.

Mr. **WILLIAMS** of Delaware. Assuming we do not pass this bill there is still authority to continue leasing for 20 years. This bill would make it 30 years. The Comptroller General said this extension of the term was an improvement. I agree with that. I said 20 years was much worse than 30 years, and 10 years much worse than 20 years. So we are in agreement, but that still does not mean an endorsement of the program.

The Comptroller General also said the Government should have a provision providing for condemnation of necessary locations. I agree with that. No one is trying to strike that out of the bill.

Since we are talking about the Comptroller General, he also told the committee there should be a minimum of 60 or 90 days provided for making reports to the committee. The committee provided only 30 days. I have been around committees for awhile. We are out of session a couple of months and the reports come in for 30 days. How many of us come back and read the reports? Let us be frank. How many committee members even know the reports are there?

Even with that provision, I am reminded of the fact that it was a committee of Congress that built the Senate Office Building and the Rayburn Building. The fact that a committee of Congress is going to supervise it does not mean much. The fact that the Post Office Department is going to be required to consult with the General Services Administration does not mean anything.

True, they were not required to do so under the old law, but the Comptroller General's report indicates that they have been consulting for the past 10 years. The offices built were still too big. Now under the bill which the committee has reported they would force more consultations. I say again consulting does not mean anything; it is the authority for final approval that counts.

I would support the change providing for leases of 30 years rather than 20 years if we are to have such a program.

The Senator has said that the Department wanted to lease land around an airport for postal facilities. I am of the opinion that they already have the authority for such arrangements, but if not, give them that authority. That is not the basis of our disagreement. The best evidence that the program is too loose is that the Government apparently cannot guess within $6 million what a building costs, and in one instance it does not know within $300,000 what annual rent it is paying. So how can it testify intelligently with respect to what this program costs?

The Senator from North Carolina suggests that I did not suggest this amendment to the committee. He is in error. I did testify before the committee on this bill. I do not know whether the Senator was present.

Mr. **JORDAN** of North Carolina. I was right there and heard the Senator.

Mr. **WILLIAMS** of Delaware. I told the committee I did not think it was economically feasible to build big offices on a lease-purchase arrangement. I called the attention of the committee to this matter and why I felt it should not be extended.

I understand the leadership would like to carry over any vote until tomorrow, and I shall withhold my amendment. Meantime, if we cannot work out an agreement I shall offer my amendment at that time and have a record vote on it.

Mr. **JORDAN** of North Carolina. That is satisfactory to me.

CONTINUANCE OF CIVIL GOVERNMENT FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS—CONFERENCE REPORT

Mr. **BYRD** of West Virginia. Mr. President, at the request of the junior Senator from Washington [Mr. JACKSON], I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 303) to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purpose. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER**. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of April 24, 1967, p. 10778, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. **BYRD** of West Virginia. Mr. President, the only point of difference between the House and Senate versions of the bill, I am informed, was that in the Senate version section 2 provided for the designation of the High Commissioner and Deputy High Commissioner of the Trust Territory as Governor and Lieutenant Governor, respectively, and required that hereafter the President would appoint the Governor and that he would be confirmed by the Senate.

The conference committee has agreed on language that would continue the use of the designation of High Commissioner for the chief executive in the trust territory, but would require that hereafter appointment to that position would be made by the President by and with the advice and consent of the Senate.

The conferees have further agreed that Congress would consider the request to change the title of the High Commissioner to Governor if at a future date the citizens of the Trust Territory of the Pacific, through the Congress of Micronesia, ask that this change be made.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, in accordance with the previous order, I move that the Senate stand in adjournment until 12 o'clock tomorrow.

The motion was agreed to; and (at 5 o'clock and 36 minutes p.m.), under the order of Wednesday, April 26, 1967, the Senate adjourned until tomorrow, Friday, April 28, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 27, 1967:

IN THE ARMY

Brig. Gen. Robert Bruce Shira, O21052, Dental Corps, U.S. Army, for appointment as Assistant Surgeon General, U.S. Army, as major general, Dental Corps, Regular Army of the United States, and as major general in the Army of the United States, under the provisions of title 10, United States Code, sections 3040, 3442, and 3447.

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3307:

To be major generals, Medical Corps

Maj. Gen. Byron Ludwig Steger, O19661, Army of the United States (brigadier general, Medical Corps, U.S. Army).

Maj. Gen. Robert Estes Blount, O19612, Army of the United States (brigadier general, Medical Corps, U.S. Army).

Maj. Gen. Joe Morris Blumberg, O29332, Army of the United States (brigadier general, Medical Corps, U.S. Army).

Maj. Gen. Conn Lewis Milburn, Jr., O20405, Army of the United States (brigadier general, Medical Corps, U.S. Army).

Maj. Gen. James Thomas McGibony, O20406, Army of the United States (brigadier general, Medical Corps, U.S. Army).

The following-named Medical Corps officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general, Medical Corps

Brig. Gen. Philip Wallace Mallory, O20916, U.S. Army.

To be brigadier general, Medical Corps

Col. Kenneth Dew Orr, O31042, U.S. Army.

IN THE NAVY

The following-named officers, when retired, for appointment to the grade of vice admiral pursuant to title 10, United States Code, section 5233:

Vice Adm. Joseph M. Lyle, Supply Corps, U.S. Navy.

Vice Adm. Fitzhugh Lee, U.S. Navy.

Rear Adm. John McN. Taylor, U.S. Navy.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 27, 1967:

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

John Joseph Gunther, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for the term expiring March 3, 1972.

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia for a term of 3 years expiring June 30, 1970.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 27, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

It is more blessed to give than to receive—Acts 20: 35.

O God and Father of us all, who hast created man in Thine own image and made him a living soul that he might live in fellowship with Thee, grant unto us Thy blessing as we wait upon Thee in prayer. Make us good in thought, gentle in word, and generous in deed.

Call to our minds again that it is better to give than to receive, better to minister unto others than to be ministered unto ourselves, better to be governed by Thy spirit than to be goaded by our own selfish desires.

Bless our President, our Speaker, and these Representatives of our people. May the benediction of Thy spirit abide in their hearts and lead them in the paths of righteousness, truth, and good will that the lamp of freedom may burn more brightly in our day and the banner of a just good will may fly forever at the masthead of our Nation. In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1967—PERMISSION GRANTED TO COMMITTEE ON APPROPRIATIONS TO FILE BY MIDNIGHT FRIDAY, APRIL 28, 1967, A PRIVILEGED REPORT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Friday, April 28, 1967, to file a privileged report on the second supplemental appropriation bill for fiscal year 1967.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JONAS. Mr. Speaker, on that bill I reserve all points of order.

UNFAIR TREATMENT OF CONGRESSMEN WITH RESERVE AND NATIONAL GUARD COMMISSIONS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, since coming to Washington I have found that a Defense Department regulation in regard to Congressmen with Reserve and National Guard commissions is very unfair and unreasonable. In fact, when elected to Congress, a man is forced to give up planned military Reserve careers and saharaed into a do-nothing or inactive military status. Under the present Department of Defense regulations a Member of Congress is discouraged from continuing his correspondence courses and his military education.

When most of us started our Reserve military careers we had no idea we would ever be elected to this great body. So why penalize a citizen-soldier just because he is elected to the Congress? If Congress does not want its Members to be citizen-soldiers then why do we not have Congress pass a law and not be regulated by nonelected officials?

I ask that other Members of the Congress join with me in correcting this unfair Department of Defense regulation.

APPROPRIATIONS FOR DEPARTMENT OF INTERIOR

Mr. RIEGLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RIEGLE. Mr. Speaker, today we will have an opportunity to recommit the appropriation bill for Interior and related activities with instructions that its spending be reduced by 5 percent.

Yesterday, I and other Members offered specific amendments to reduce this appropriation bill, but these amendments were defeated by administration supporters. Those of us who believe we need economy in Government have no choice today but to try our last alternative for reducing spending; namely, an across-the-board cut.

Today the people of the country should know that those who vote against this 5-percent reduction in nonessential spending are voting for a budget increase—and therefore are voting for bigger Government, more Federal bureaucrats, and a bigger deficit which only means more inflation and higher taxes.

Those who vote for this reduction in nonessential spending vote for economy in Government, vote to stop inflation, and vote to protect the hard-earned buying power and tax dollars of the working men and women of this country.

If all the people of the country could be present in this Chamber today, I believe 95 percent of them would vote to reduce this appropriation bill by 5 percent.

WHAT CUTS IN INTERIOR DEPARTMENT APPROPRIATIONS MEAN TO AMERICA

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. HANSEN of Washington. Mr. Speaker, yesterday we discussed the appropriation bill that the Subcommittee on the Department of the Interior presented to you.

I do not think I need to point out again that this is a bill which provides over a billion dollars worth of revenue. So, any cut in the appropriations provided by this bill is to say that we do not want to help the economy of the United States. It says instead that we want to cut forest production, and cut water programs. This is exactly what cuts in this bill will do.

Further than that, such cuts in this bill would say to the Indian people, "We do not want to educate you." It says to the people in the trust territories, "We do not want to do a better job to help your government there or the people of your territories."

And remember, the image of the United States in the Far Pacific lies in our management there.

APPROPRIATIONS FOR INTERIOR DEPARTMENT ARE ESSENTIAL

Mr. REIFEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. REIFEL. Mr. Speaker, I want to join with the gentlewoman from Washington [Mrs. HANSEN] in her remarks concerning the Interior Department appropriations and in her reply to the gentleman from Michigan who seems to take the position that the appropriations for the Department of the Interior and related agencies are not essential spending.

I regret that such a label as that has been placed upon this important bill because in the bill, for instance, there is one item that amounts to over $1 million which is almost 50 percent an add-on item and which has been requested by Members on both sides of the aisle. Its impact can be felt across the country with respect to the destruction that the blackbirds are doing to crops in the Upper Midwest and throughout the South. That is only one item. It was considered so essential by us in the committee that we added it on and cut down in other areas of the budget requests, so that we could accommodate that item and at the same time cut the budget request down almost 6 percent, which I believe was a real cut in a bill that is designed to strengthen our country in its natural resources, in its development, in its protection, and in its exploration for good.

DEPARTMENT OF INTERIOR APPROPRIATION SHOULD BE REDUCED

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Speaker, we have just heard two arguments against adopting the motion to recommit and I should like to respond during the 1 minute available.

I call to the attention of those in the Chamber the fact that even with a substantial cut, the bill contains $32 million more than the amount appropriated last year. The purpose of the motion to recommit is simply to reduce spending in these programs next year by 5 percent.

I believe the blackbirds can take a 5-percent cut. It would only be $50,000 out of a $1 million item. In view of the budgetary situation and the substantial increase over spending last year, we can afford to reduce this bill by 5 percent.

This, in fact, is the only way Congress can exercise any control over spending in a given year. The President can reduce spending levels, as he undertook to do last year, by freezing funds Congress appropriated for highway construction, military housing, education, health, housing, and so forth. I think Congress should give a little encouragement to the program of reducing spending, and a vote for the motion to recommit will do just that. I urge an affirmative vote on the motion. This will not damage any program but will simply move the funding level close to the level on which the Department operated last year.

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1968

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, the appropriation that we discussed yesterday was unanimously reported by the subcommittee in control. If we are just going to arbitrarily fix a percentage cut over and above something that has been very soundly considered, the Appropriations Committee might as well go out of business. We have considered this. We have cut 6 percent.

I would urge the Members not to turn over to the executive branch the functions of this Congress. We are charged with the responsibility of appropriating. When we just have an across-the-board slash, we are giving our responsibility to the executive branch of the Government.

COUNCIL ON ARTS AND HUMANITIES

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I have only one short postscript to add to yesterday's debate as it pertained to the National Council on Arts and Humanities. As I have carefully reviewed that debate and some of the comments, several significant matters come to mind.

First, the debate was full of generalities, but for some reason the proponents were not willing to get down to specifics, that is the 65 grants totaling almost $1 million which were announced on February 8, and which precipitated my endeavors to save the taxpayer a few dollars, a true function of the legislative branch of the U.S. Government.

My colleague, the gentleman from Pennsylvania [Mr. McDADE], said:

> Through the arts and humanities section of this bill, there are funds to raise the very quality of American life, so that we may offer all Americans a better life.

But nowhere did he relate this worthy objective to the specific grants announced on February 8.

My colleague, the gentleman from New Jersey [Mr. THOMPSON], posed the question:

> Are we competent, any of us, in any particular field, to judge scholars in other fields.

The answer may be questionable! But, I submit that alone is a reason why we should not be appropriating money for this purpose, especially when there are so many non-Government sources available, at least a hundred times the amount the Federal Government is contributing.

My friend the gentlewoman from Michigan stated:

> I particularly hope that we do have a consideration of the American comic strip.

And then she readily acknowledged that she had been inspired to read the Katzenjammer Kids on her father's lap, without the stimulus of a Federal subsidy.

I hope the Congress and the people will always be able to distinguish between a worthy objective and a prudent, reasonable, responsive means of attaining that objective. I simply make the case that Federal grants and the giving away of hard earned taxpayer's money to individual grantees is a less than responsible means of attaining a worthwhile end. If the day ever approaches when "culture and Federal subsidies," are synonymous then we will indeed be neither very cultured nor very solvent.

EDUCATION AND LABOR PROGRAM

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I am sure any Member of Congress on the majority or the minority side will take great exception to the remarks made by the President of the United States concerning the educational program which he currently has recommended to this Congress.

In the measure offered by the Committee on Education and Labor, and in the substitute measure offered yesterday by the gentleman from Minnesota [Mr. Quie], there is no church-state issue involved. The President of the United States in his remarks today is trying to develop this into a major controversy in this Congress. By doing so, he is doing a disservice to the decision that was made in the 89th Congress on this issue and is, indeed, making a severe tactical error in the development of the educational legislation in this Congress. In this extremely difficult period in our Nation's history, his speech today is an attempt to further divide our people without just cause and through raising false charges and straw men.

He talks about his $3.5 billion program; his administration shows charts showing the distribution of a $3.5 billion program, but in his budget he includes only $1.8 billion to fund this program. He deliberately tries to confuse authorizations with appropriations.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, how does the gentleman explain the fact that the first of several drafts we heard about from the distinguished gentleman from Minnesota contains a provision that, if I understood it correctly, 50 percent of the funds should go to the States unencumbered?

Mr. LAIRD. That is not correct, and it was not a provision at any time in the bill which I have seen. The funds could be used only for the purposes as set forth in titles 1, 2, 3, and 5 of the act of the 89th Congress.

Mr. ALBERT. How was the money to go to the States?

Mr. LAIRD. I will yield to the gentleman in a minute.

This was the interpretation put on the bill by people in the administration, in the executive branch, and when Monsignor Donohue and members of the Catholic bishops group went to the gentleman from Minnesota [Mr. Quie] they were satisfied it was not the intent of the bill. Further to clarify it, the gentleman from Minnesota [Mr. Quie] has accepted clarifying language suggested by these various individuals.

Mr. ALBERT. Just which one of the numerous Quie bills is the gentleman talking about?

Mr. LAIRD. As soon as we can find out when this bill is going to be scheduled for action on the floor of the House of Representatives, I can assure the gentleman that he will have a copy of the substitute amendment well in advance, at least 48 hours in advance, to go over in detail.

The point I want to continue on is that the President of the United States is only funding the current program at a 46-percent level of entitlement. He talks about a $3.5 billion program for ESEA. Last year with regard to vocational education, it was the Congress which had to increase the funding for vocational education by adopting the Laird amendment, over the objection of the President of the United States. The funding of vocational education must again be increased in this session. As ranking minority member of the Health, Education, and Welfare Appropriation Subcommittee, I want to assure the President of the United States that this program, particularly as it applies to the vocational work-study aspects, will again be increased over and above his recommendations.

REREFERENCE OF H.R. 6138 AND H.R. 8693 TO THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. CELLER. Mr. Speaker, I ask unanimous consent that two bills—H.R. 6138, introduced by the distinguished gentleman from Michigan [Mr. Dingell], and H.R 8693, introduced by the distinguished gentleman from New York [Mr. Ottinger], both entitled "A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, or other wildlife taken contrary to State law; and for other purposes"—which were referred to the Committee on the Judiciary be rereferred to the Committee on Merchant Marine and Fisheries. I make this request for the approval of the chairman of the Committee on Merchant Marine and Fisheries, the distinguished gentleman from Maryland [Mr. Garmatz].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE AID TO EDUCATION BILL

Mr. BRADEMUS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I regret that I was coming on the floor at the time the gentleman from Wisconsin was speaking, so I did not hear all of his address.

Having made that observation, I wish to say it is my understanding that the gentleman from Wisconsin was making the point that the President of the United States had charged that the minority was raising the church-state issue in respect of the Elementary and Secondary Education Act. Is that correct?

Mr. LAIRD. The President charges that the minority had raised this issue, which is not correct. The White House raised this issue, in the discussion that was set up——

Mr. BRADEMAS. Mr. Speaker, I decline to yield further. I yielded to the gentleman because I wanted to be sure I understood his charge.

I sat for day after day in the hearings of the House Committee on Education and Labor on the amendments to the Elementary and Secondary Education Act. One of the things which struck me, and I am sure struck Members on both sides of the aisle in that committee, was that there was no significant criticism—indeed, I remember no criticism—raised in respect of the title I arrangements in the Elementary and Secondary Education Act or any other titles of the act as they pertained to programs which provide for participation of students from private schools.

Mr. Speaker, we have had this extremely important piece of legislation on the statute books for some time now, a measure which has afforded improved educational opportunities for hundreds of thousands of children in our country who attend both private and public schools. And, Mr. Speaker, these programs have been working with remarkable and beneficial effect in communities all over our country and with almost no difficulty in respect of the church-state question. I, therefore, find it exceedingly strange—and significant—that the Republicans should now seek to undo this carefully and painfully-put-together fabric of assistance for education for the young people of our country, at a time when we all know that education represents one of the first needs of our country.

I know that in my own city of South Bend, Ind., the Elementary and Secondary Education Act has led to improved cooperation on the part of local public school authorities and private school authorities.

I believe it is therefore fair to say, Mr. Speaker, that it has not been the President of the United States or the majority members of the committee who would seek now, through a substitute bill, to undo the spirit of cooperation that we all seek to have in the field of church-state relations in education.

That is one reason I am confident that the overwhelming majority of the Members of this House will be voting against the substitute bill offered by the Republican Party which, as the New York Times said only this week, could kill the historic school aid program and be a great disservice to the young people of our country. I hope very much that the Members of this House will support the committee bill.

ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. Laird].

Mr. LAIRD. Mr. Speaker, I had hoped that the gentleman from Indiana [Mr. Brademas] would yield to me for the purpose of asking him a question. Since he did not yield, I am sure that the gentleman from Indiana did not mean to imply that the gentleman from Minnesota [Mr. Quie], had raised this church-state issue and did not mean to imply in any way that his bill will not continue the same type of ingenious arrangement as far as helping private schools.

Mr. BRADEMAS. That is precisely what the gentleman from Indiana meant to imply.

Mr. LAIRD. Would you point to the language in the bill which was delivered to you yesterday and appears in yesterday's Congressional Record that does away with this arangement?

Mr. BRADEMAS. I want to say to my friend from Wisconsin that his phraseology is very interesting—"the bill which was delivered to you yesterday." There has been one Republican bill; there have been two Republican bills, three Republican bills, four Republican bills, five Republican bills, six Republican bills, seven Republican bills. I do not know which Republican bill the gentleman addresses himself to.

Mr. LAIRD. I am addressing myself to the Quie substitutes placed in the Congressional Record yesterday.

Mr. BRADEMAS. Which Quie substitute?

Mr. LAIRD. Of yesterday. I might state to my friend from Indiana if the majority keeps changing its mind on when this bill is programed for floor action we may not have any educational legislation in this session.

Mr. BRADEMAS. There have been many Quie substitutes. There have been very many. The mimeograph machine is very busy on the other side of the aisle.

Mr. LAIRD. Since the gentleman is not familiar with the Quie bill, we will send one over to him, and I am sure we will be very glad to have him see that there is no change as far as the arrangements for private schools are concerned. The gentleman knows that is correct.

Mr. BRADEMAS. The gentleman is completely mistaken. As a matter of fact, his contention reminds me of another matter upon which I would like to comment. Some of my colleagues have advised me that the gentleman from Wisconsin earlier in his remarks alleged that Msgr. James C. Donohue of the U.S. Catholic Conference had indicated an endorsement of the Quie bill. If this is an accurate report of the remarks of the gentleman from Wisconsin, I must advise him that he is very much in error. Only this morning's New York Times, in an article by Marjorie Hunter, reported:

> The principal Catholic spokesman, Msgr. James C. Donohue of the United States Catholic Conference, issued the following statement:
>
> "We are satisfied the Republicans made a sincere effort to include us. But in spite of that, we do not feel we can support their plan."
>
> Monsignor Donohue said that the Catholic hierarchy would continue to support the Administration's school-aid program.

Further evidence that the gentleman from Wisconsin is incorrect when he contends that the Quie bill provides, in his words, "no change as far as the arrangements for private schools are concerned," is another report in today's Christian Science Monitor commenting on what it calls "the GOP time bomb."

The Monitor says:

> Mr. Quie did not anticipate, it is reported, that this bill would have the effect of cutting off federal aid to nonpublic schools. He now denies that it would. But the Rt. Rev. Msgr. James C. Donohue, a spokesman for the American Roman Catholic bishops, says he is extremely doubtful that private-school participation would be possible under these conditions.

Mr. ARENDS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The time of the gentleman has expired.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1968

The SPEAKER. The unfinished business is the vote on the motion of the gentleman from Ohio [Mr. Bow] to recommit the bill (H.R. 9029) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes, on which the yeas and nays were ordered on yesterday. Without objection, the Clerk will again report the motion to recommit.

The Clerk read as follows:

> Mr. Bow moves to recommit the bill to the Committee on Appropriations with instructions to that Committee to report it back forthwith with the following amendment: On page 45, immediately following line 17, insert a new section as follows:
>
> "Sec. 302. Money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1968 only to the extent that expenditure thereof shall not result in total aggregate net expenditures of all agencies provided for herein beyond ninety-five percent of the total aggregate net expenditures estimated therefor in the budget for 1968 (H. Doc. 15)."

The yeas and nays were ordered.

The question was taken; and there were—yeas 158, nays 231, not voting 44, as follows:

[Roll No. 73]

YEAS—158

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Ashmore
Ayres
Bates
Battin
Belcher
Betts
Bevill
Biester
Blackburn
Blanton
Bolton
Bray
Brock
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Bush
Byrnes, Wis.
Cederberg
Chamberlain
Clancy
Clawson, Del
Cleveland
Collier
Colmer
Conable
Corbett
Cramer
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fino
Fisher
Ford, Gerald R.
Fountain
Fulton, Pa.
Gardner
Gathings
Goodell
Gross
Grover
Gurney
Haley
Hall
Halpern
Hammerschmidt
Harsha
Harvey
Heckler, Mass.
Herlong
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kleppe
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
MacGregor
Martin
Mathias, Calif.
Mayne
Meskill
Michel
Miller, Ohio
Mize
Montgomery
Moore
Myers
O'Konski
Ottinger
Pelly
Pettis
Poff
Price, Tex.
Quie
Railsback
Rarick
Reid, Ill.
Riegle
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Scott
Selden
Shriver
Skubitz
Smith, Calif.
Smith, Okla.
Springer
Stafford
Stanton
Steiger, Ariz.
Taft
Talcott
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Whitener
Widnall
Wiggins
Williams, Pa.
Winn
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—231

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Barrett
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Brown, Calif.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Cabell
Cahill
Carey
Carter
Casey
Celler
Clark
Clausen, Don H.
Cohelan
Conte
Conyers
Corman
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Delaney
Dingell
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Gude
Hagan
Halleck
Hamilton
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Holland
Horton
Howard
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McDade
McFall
McMillan
Macdonald, Mass.
Madden
Mahon
Marsh
Mathias, Md.
Matsunaga
May
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Pollock
Price, Ill.
Pryor
Pucinski
Purcell
Quillen
Randall

Rees
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Roberts
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Ruppe
Ryan
St Germain
Sandman
Saylor
Scheuer
Schwengel
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Snyder
Staggers
Steed
Steiger, Wis.
Stratton
Stubblefield
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Udall
Ullman
Vanik
Vigorito
Waldie
Walker
Watts
White
Whitten
Wolff
Wright
Wyatt
Yates
Young
Zablocki

NOT VOTING—44

Baring
Bell
Berry
Bow
Brotzman
Cowger
Dawson
de la Garza
Dent
Diggs
Donohue
Dow
Evins, Tenn.
Flynt
Hanna
Hays
Hébert
Hosmer
Hull
Jones, N.C.
Long, La.
McEwen
Machen
Mailliard
Minshall
Morse, Mass.
Murphy, N.Y.
Nelsen
Pool
Rogers, Colo.
Roybal
St. Onge
Smith, N.Y.
Stephens
Stuckey
Sullivan
Tunney
Van Deerlin
Waggonner
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Bow for, with Mr. Berry against.

Until further notice:

Mr. Hébert with Mr. Bob Wilson.
Mr. St. Onge with Mr. Smith of New York.
Mr. Hays with Mr. Minshall.
Mr. Machen with Mr. Cowger.
Mr. Waggonner with Mr. Younger.
Mr. Charles H. Wilson with Mr. Mailliard.
Mr. Dent with Mr. Bell.
Mr. Evins of Tennessee with Mr. Brotzman.
Mr. Hull with Mr. Hosmer.
Mr. Stephens with Mr. McEwen.
Mr. Rogers of Colorado with Mr. Nelsen.
Mrs. Sullivan with Mr. Morse of Massachusetts.
Mr. Jones of North Carolina with Mr. Dow.
Mr. Baring with Mr. Long of Louisiana.
Mr. Murphy of New York with Mr. Diggs.
Mr. Donohue with Mr. Hanna.
Mr. Roybal with Mr. Dawson.
Mr. Williams of Mississippi with Mr. Tunney.
Mr. Flynt with Mr. Willis.
Mr. Stuckey with Mr. de la Garza.
Mr. Van Deerlin with Mr. Pool.

Mrs. HECKLER of Massachusetts changed her vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. MAHON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 377, nays 11, not voting 45, as follows:

[Roll No. 74]

YEAS—377

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bennett
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Delaney
Dellenback
Denney
Devine
Dickinson
Dingell
Dole
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Michel
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stratton
Stubblefield
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Utt
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—11

Ashbrook
Curtis
Davis, Wis.
Derwinski
Eshleman
Gross
Hall
Jonas
Kuykendall
Meskill
Scherle

NOT VOTING—45

Baring
Bell
Berry
Bow
Brotzman
Cowger
Dawson
de la Garza
Dent
Diggs
Donohue
Dow
Evins, Tenn.
Flynt
Hanna
Hays
Hébert
Herlong
Jones, N.C.
Long, La.
McEwen
Mailliard
Miller, Calif.
Minshall
Murphy, N.Y.
Nelsen
Pepper
Pool
Rogers, Colo.
Roybal
St. Onge
Steiger, Wis.
Stephens
Stuckey
Sullivan
Teague, Tex.
Thompson, Ga.
Tunney
Van Deerlin
Waggonner
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Younger

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Bob Wilson for, with Mr. Bow against.

Until further notice:

Mr. Hébert with Mr. Murphy of New York.
Mr. St. Onge with Mr. Bell.
Mr. Hays with Mr. Brotzman.
Mr. Dent with Mr. Cowger.
Mr. Donohue with Mr. Berry.
Mr. Miller of California with Mr. Mailliard.
Mrs. Sullivan with Mr. Minshall.
Mr. Evins of Tennessee with Mr. Nelsen.
Mr. Charles H. Wilson with Mr. Younger.
Mr. Van Deerlin with Mr. McEwen.
Mr. Rogers of Colorado with Mr. Thompson of Georgia.
Mr. Roybal with Mr. Steiger of Wisconsin.
Mr. Jones of North Carolina with Mr. Baring.
Mr. Tunney with Mr. Dawson.
Mr. Teague of Texas with Mr. Hanna.
Mr. Stephens with Mr. Herlong.
Mr. Pepper with Mr. Dow.
Mr. Long of Louisiana with Mr. Flynt.
Mr. de la Garza with Mr. Diggs.
Mr. Williams of Mississippi with Mr. Pool.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REREFERENCE OF HOUSE JOINT RESOLUTION 117 TO THE COMMITTEE ON THE JUDICIARY

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that House Joint Resolution 117 authorizing and requesting the President to extend through 1967 his proclamation of a period to "See the United States," and for other purposes, be rereferred to the Committee on the Judiciary instead of the Committee on Interstate and Foreign Commerce. The Committee on the Judiciary has handled this matter before.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

DUTY-FREE TREATMENT OF DICYANDIAMIDE AND OF LIMESTONE FOR CEMENT—CONFERENCE REPORT

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 286) to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 213)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 286) to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2 and to the title of the bill and agree to the same.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
JOHN W. BYRNES,
THOS. B. CURTIS,
Managers on the Part of the House.
RUSSELL B. LONG,
GEORGE SMATHERS,
CLINTON ANDERSON,
JOHN WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 286) to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962 submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommend in the accompanying conference report:

Under the bill as passed by the House, sections 201(b)(1) (relating to limit on decrease in duty) and 253 (relating to staging requirements) of the Trade Expansion Act of 1962 would not apply with respect to dicyandiamide. In effect, this would authorize the President to eliminate the duty (or reduce the rate to a rate under 50 percent of the July 1, 1962, rate) on imports of dicyandiamide pursuant to his trade agreement authority and would permit the elimination or reduction to be made without staging. Under Senate amendment No. 1, the prenegotiation procedural requirements of sections 221, 223, and 224 of the Trade Expansion Act of 1962 would be waived with respect to dicyandiamide. The House recedes.

Senate amendment No. 2 relates to limestone, when imported to be used in the manufacture of cement, provided for in item 513.34 of the Tariff Schedules of the United States (limestone chips and spalls and crushed and ground limestone). Under the amendment, the same provisions of the Trade Expansion Act of 1962 are waived with respect to such limestone as are waived under the bill (as amended by Senate amendment No. 1) with respect to dicyandiamide. The House recedes.

The House recedes on the amendment of the Senate to the title of the bill.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
JOHN W. BYRNES,
THOS. B. CURTIS,
Managers on the Part of the House.

The SPEAKER. The gentleman from Arkansas is recognized for 1 hour.

Mr. MILLS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this conference report has to do with two changes made to the bill H.R. 286 by the other body. The conferees were unanimous in accepting these two changes in the conference.

The subject matter of a bill introduced by the gentleman from Washington [Mr. PELLY]—H.R. 1141—which passed the House earlier by unanimous consent, was added to the provisions of H.R. 286, a bill which also passed the House by unanimous consent.

As to the other amendment, the Senate adopted language to the bill with respect both to the subject matter of H.R. 286 and the amendment containing the subject matter of H.R. 1141, which had the purpose of waiving the hearing process and certain other prenegotiation procedures with respect to the elimination of the rates of duties on these two products.

As to the two products we are talking about, the initial bill involved dicyandiamide, and in the bill introduced by the gentleman from Washington [Mr. PELLY] the subject of the amendment we are talking about is limestone to be used in the manufacture of cement.

In both of these instances the Senate amendment would suspend the prenegotiation procedures of the Trade Expansion Act of 1962 requiring that public hearings be held and that the Tariff Commission report to the President on the economic effects of the duty elimination. The purpose of waiving these procedures is to permit the President to put both of these items on the duty-free list during the current trade negotiations now about to be completed in Geneva.

In one instance, as Members will recall, dicyandiamide is not produced in the United States. It is used in the production of plastics. Coming in duty free, it would enable our processors of plastics to become more competitive with those abroad who have this article to use free of duty.

In the case of limestone, duty-free imports would come from Canada into the State of Washington and some of the other areas around the State of Washington, because this type of limestone is not available in anything like sufficient quantity on the west coast to keep the cement industry there in business.

It will be recalled also from the earlier discussion that we do not find it feasible or economical to transport limestone used to produce cement for long distances because of the weight of it and the freight involved. Cement, too, is produced in a limited area for sale and distribution within that limited area.

So it would have no effect on the other parts of the United States. I know of no objection that was presented to the committee prior to the time that this legislation was considered by the House.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. MILLS. Mr. Speaker, I yield myself 2 additional minutes.

There was a question subsequently raised by some members of a union that consists of cement workers, as I recall it. We looked into that situation and found no justification for any fears on their part with respect to employment. If we do not get this limestone into the United States, there would be a great deal of fear, in my opinion, as to the continued employment of people in the actual cement production in some of these areas, because they could not pay the price of getting the limestone from my State of Arkansas, for example, to the State of Washington for use in this connection.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, I simply want to emphasize what the chairman said, but I would add one point because I have been concerned in the past about nongermane amendments that were put on our bills. This was indeed a bill that the Committee on Ways and Means had considered in depth and, as the chairman explained, it was more of a technical reason why we put them both together.

Mr. MILLS. And both bills had passed the House.

Mr. CURTIS. That is right. Both bills had passed the House. It was on a subject matter, also, that we were familiar with.

On the other point, the reason for waiving the procedure of hearings was because of the Kennedy round which was just about to finish up. If we were going to use this for trading material, which we can, we have to waive these hearings. So, as the chairman explained, we took care to be sure that there were no substantive rights involved that would be ignored, and we were satisfied, as explained, that this would not effect any damage and, in fact, would work the other way.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman from Arkansas for yielding.

As he is well aware, a real serious situation has developed with respect to the importation of meat and dairy products into this country. It would be my hope in the shortest possible time that the distinguished gentleman from Arkansas and others in the House would give us some help, that is, we in the agricultural areas of the country, as the gentleman from Arkansas is, in shutting off the imports at least to support this conference report. I hope we might have some help on these issues that would be reassuring.

Mr. MILLS. Let me respond to my friend from Iowa. Like my friend, I am always interested in the amount of these items that come in from abroad and the effect that it may have on our domestic producers. I have been in touch with the people who are in the dairy business and who are concerned about the importation of certain types of products that come from processing milk. I have also been in touch with the people concerned about increases, as they describe them to me, of the importation of products that are directly competitive with livestock slaughter. We are looking into it, and if there is not some change in the situation, in all probability we will be giving consideration to it in the Committee on Ways and Means.

Mr. GROSS. I thank the gentleman.

Mr. PELLY. Mr. Speaker, perhaps at this point the less said the better as far as this conference report is concerned.

As the chairman has explained, the House conferees accepted a Senate amendment which substantially is my bill, H.R. 1141. However, Mr. Speaker, I do want to thank the chairman and the other House conferees for agreeing to this amendment, especially as my bill, H.R. 1141, had already passed the House unanimously.

I want to confirm what the distinguished gentleman from Arkansas [Mr. Mills] has said, that this will allow the cement industry in the Washington State area to expand and to create more jobs, and it will not adversely affect any lime or cement plants in any other areas.

Mr. MILLS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that I and all other Members desiring to do so may revise and extend their remarks in the Record on the conference report just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PERSONAL EXPLANATION

Mr. STEIGER of Wisconsin. Mr. Speaker, unfortunately, because of other important congressional business, I was delayed in reaching the floor of the House in order to vote on rollcall No. 74, the rollcall on the bill H.R. 9029, making appropriations for the Department of the Interior and related agencies for fiscal year 1968.

Mr. Speaker, had I been present I would have voted "aye."

HOUSE RESOLUTION 442—PROVIDING FOR THE CONSIDERATION OF H.R. 2508, FEDERAL STANDARDS FOR CONGRESSIONAL REDISTRICTING

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 442 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 442

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2508) to require the establishment, on the basis of the eighteenth and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, but such amendment shall not be subject to amendment. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendment, if adopted, and the previous question shall be considered as ordered on the bill and on the amendment thereto, if adopted, to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. SISK. Mr. Speaker, I yield to the distinguished gentleman from California [Mr. Smith] 30 minutes and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 442 provides a closed rule with 2 hours of general debate for consideration of H.R. 2508, a bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes.

The problems of congressional redistricting have troubled the Congress for many years. Extensive hearings on the establishment of congressional districts have been held by the Judiciary Committee since 1951. On March 16, 1965, the House passed H.R. 5505 which would have required that congressional districts be composed of contiguous territory in compact form and would have provided statutory standards to implement the one-man, one-vote doctrine. The proposal did not become law and was reintroduced in this Congress as H.R. 2508.

The purpose of H.R. 2508 is twofold: First, to give guidance to the States in the establishment of districts for the election of Representatives in Congress by requiring that districts be composed of contiguous territory in as reasonably a compact form as the State finds practicable; and, second, to provide congressional standards to State legislators to implement that one-man, one-vote doctrine.

The bill establishes temporary criteria to be effective during the 91st and 92d Congresses, and permanent standards for the 93d and subsequent Congresses.

Mr. Speaker, this is a rather complicated subject, a subject about which I am sure all of the Members of the House are concerned.

Mr. Speaker, it is my opinion that the Committee on the Judiciary of the House of Representatives made a presentation before the Committee on Rules based upon its long study of this matter.

Mr. Speaker, the adoption of the rule would make it in order to bring this question to the floor of the House for consideration in the manner in which many Members of this body have felt that we could proceed, at least, to give or establish certain guidelines in this area.

Mr. Speaker, I urge the adoption of H.R. 442, in order to give the Committee on the Judiciary the opportunity to explain this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL. Mr. Speaker, will the distinguished gentleman from California yield?

Mr. SISK. I am glad to yield to the distinguished gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Speaker, I appreciate the gentleman from California yielding to me at this point.

I wonder if I could undertake to bring out a little bit more information to the membership of this body, as to why this legislation comes to the floor under a closed rule? Was this done because in the opinion of the Committee on Rules or in the judgment of the chairman of the Committee on the Judiciary that this was needed?

Mr. Speaker, I wish to determine why is it necessary to consider this legislation without the benefit of the 5-minute rule, or without the privilege of insertions of points of order?

Mr. SISK. Mr. Speaker, I appreciate the comments of my good friend, the distinguished gentleman from Missouri [Mr. Hall].

Mr. Speaker, I recognize that this is somewhat of a controversial question.

Mr. Speaker, normally, I am opposed to closed rules.

I might say that this is a very unusual grant in this case, because I believe about the only instances in which the Committee on Rules does grant the closed rule has to do with ways and means dealing with tax matters generally. So this is a departure from the norm.

I think that the Committee on the Judiciary, the gentleman from New York, the distinguished chairman [Mr. Celler] of that committee, and the gentleman from Ohio [Mr. McCulloch] made an excellent presentation to the committee, and I believe it somewhat justified the closed rule, based on many of the problems that our committee has undergone in the course of attempting to draw some of these guidelines.

There is no question that each and every one of us has his own peculiar problems in connection with congressional reapportionment. As a Member from California, where we are right now concerned with it, we well recognize our own particular problem. I suppose this would be true of all 50 States. Every individual, I guess, would have a little different approach. I believe the committee felt that after having gone up and down the hill a time or two on this matter and, having had long and extensive hearings to study it, that the time had come probably for the House to vote up or down some kind of flexible guidelines to give to the courts in the hopes the courts will follow them, or at least give some consideration to them, and go ahead and see if it will be helpful.

There is a matter of time involved here. There are a number of States right now who are involved in this problem. I believe in some cases it will be the third time since 1960. So it was with some urgency, as I say, that we went along with the Committee on the Judiciary on this occasion.

I must say this has not fully justified in my mind, necessarily, or in the mind of the gentleman from Missouri, the use of the closed rule, but this is a case where we felt that the exception to the rule was in order.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's reply. I think it is very candid. I am still against closed rules, as they obviate the individually elected Representative's prerogatives.

As I have determined his statement, first, it is done in this instant to not open up a Pandora's box for redistricting at different times, or at different levels, or according to different geographical limits by each Member of this body, and second, it is certainly done at the request of the chairman of the committee having jurisdiction in this area, and does not therefore originate in the Committee on Rules, although they sanctioned it, or with the Parliamentarian in this case.

Mr. SISK. The gentleman very well states the case.

Mr. HALL. I thank the gentleman for yielding. I shall be against this closed rule, but am certainly for proper and responsible guidelines to the high tribunal on this political issue. I do not and have not considered it justifiable. I know the constitutional intent that this highest legislative body should determine its own standards of district alinements. In my opinion the court's intercession was devious and certainly it has wrought havoc with us all, and the several States of the Union, plus subsidiary political divisions.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I appreciate the gentleman yielding to me, because I would like to address a question to the chairman of the Committee on the Judiciary with respect to some language that appears in the bill.

There is language in the bill which employs the phrase "excluding Indians not taxed," and leaves the apparent inference that there are some Indians who would not be counted in some areas of the country for the purposes of determining representation within a State.

We had a colloquy on this matter the last time legislation along this line was before the House to establish firmly the fact that we are not imposing any new restriction upon the counting of people for representation in the districts. I would like to get the comments of the chairman of the Committee on the Judiciary on this point once again.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SISK. I will be glad to yield to the gentleman from New York to comment briefly on the question of the gentleman from Oklahoma.

Mr. CELLER. I thank the gentleman from California and the concluding statement of the gentleman has been sound.

The committee followed the language that is in the Constitution. It is my understanding at the present time there are no Indians not taxed; they are subject to sales taxes and excise taxes and income taxes. There is one exception; namely, from certain lands that are in trust, some are and some are not subject to taxation.

It may be that the language in the bill is obsolete. It is in the Constitution and it is in all legislation appertaining to redistricting throughout the years, it may be, however, I repeat, obsolete language.

I would say to the gentleman, if the bill is passed here and passed by the Senate, and goes to conference, I would pledge to have the matter reviewed by the conferees I am almost sure that phrase would be eliminated.

Mr. EDMONDSON. If I understood the chairman of the Committee on the Judiciary correctly, from the standpoint of actual application, in determining the representation of a district, this language would be of no importance and have no significance as all Indians are paying taxes of one kind or another.

Mr. CELLER. No, it would not, and therefore they would be counted.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I support the rule and I shall support H.R. 2508, a bill that establishes interim standards for congressional districts for the 91st and 92d Congresses and regular standards for the 93d and subsequent Congresses.

I cannot stress too much, Mr. Speaker, the urgent need for this particular piece of legislation. The interim standards provided for in this bill allow a 30-percent maximum variation between the population of the largest and smallest district, and the subsequent regular standards would impose a 10-percent maximum variation.

Now why are these standards so urgently required?

They are required because unless we act now to establish these standards, we are going to be faced with a situation of much difficulty. It is entirely possible that as many as 21 States will have to redistrict—despite the fact that most of these States have already shuffled their district boundaries to comply with the Supreme Court's Wesberry against Sanders decision of 1964.

This potential phenomenom of "musical redistricting" is the direct result of two more recent Supreme Court decisions. In the first, the Court rejected a Missouri plan which kept the population of all the State's districts within 10.4 percent of the average district population. In the second, the Court found unconstitutional Indiana's 1965 redistricting plan with a maximum 12.8-percent variation from the average.

These decisions illustrate the futility of the judicial branch of our Government entering Justice Frankfurter's "political thicket." What has resulted is nothing less than sheer chaos. Although most political scientists have usually assumed that variations of 10 to 15 percent from the average must be tolerated to avoid gerrymandering or splintering of towns, cities, and counties, this assumption has not proved valid in the case of Indiana and Missouri.

The problem, of course, is that the very nature of the judicial process does not lend itself to the establishment of a definitive allowable standard—and, in fact, to date the Court has not set such a standard.

So where does this leave us? Well, I am afraid it leaves us pretty much in the dark. We are faced with the possibility of new litigation in those 21 States that fall outside the Missouri and Indiana averages. For five of these States, this would be the third round of redistricting since the 1960 census. In addition to this incredibly ridiculous situation, as Members we are left in a sea of total uncertainty as to exactly where and what district we will be running from.

Obviously, then, what is required is a set of standards—and that is precisely the purpose of this bill. For the next two Congresses it will freeze at 30 percent the allowable deviation between the largest and smallest district in the State. This will provide the State legislatures with some type of guideline to follow so as to eliminate, at least in part, the doubt as to just what redistricting plan is constitutional.

In addition, the bill states that districts "be composed of contiguous territory, in as reasonably a compact form as the State finds practicable." This provision should help to prevent flagrant and abusive gerrymandering.

Mr. Speaker, it is clear that this piece of legislation is a must if we are to avoid wholesale confusion and chaos. If we fail to pass this bill, we and we alone are to blame for forfeiting our legislative responsibility to the courts. I hope we do not let this happen, and I urge my colleagues to support this important measure and the rule which makes consideration of the bill in order.

Mr. SISK. Mr. Speaker, I reserve the balance of my time.

The **SPEAKER** pro tempore. The Chair recognizes the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this resolution, House Resolution 442, provides for a closed rule with 2 hours of general debate for the consideration of the bill, H.R. 2508, a bill providing for standards for congressional redistricting.

I think we have covered the reason why the rule is a closed rule. It is a little different from any other time that we have asked for a closed rule because we were just a little bit afraid that it might open up a pretty big problem here, if it were not a closed rule. In fact, it is the first time that I can recall that we have had a closed rule for a bill coming out of the Committee on the Judiciary where the committee cannot offer amendments themselves.

The purpose of the bill is to set up precise criteria for the several States to follow when redrawing congressional districts. The Committee believes that such action is necessary because since the Wesberry decision—1964—the courts in applying the "one man, one vote" concept, have not been uniform in approving or disapproving various plans. The committee believes uniformity is needed.

The bill provides two plans; one is applicable only for the 91st and 92d Congresses the other applies to the 93d and all subsequent Congresses as a permanent solution.

The permanent plan provides that each representative elected to the Congress be elected from an individual district. Only in States with a single representative would the candidate run "at large"; all others would be required to run from a district drawn by the State legislature following Federal criteria contained in the bill. The population variation between the largest and smallest district is permitted to be only 10 percent, as measured by the most recent census. If a State decides to redistrict more than 2 years after a decennial census, it must have a new special census taken upon which to base its redistricting; and such a census must be taken within 2 years of the first congressional election held under the redistricting plan. Unless the State constitution provides otherwise, only one redistricting effort may be made between regular decennial censuses.

All States would be required to have districts, one for each representative to which it is entitled, if it is entitled to more than a single representative. This would include New Mexico and Hawaii. Population variations are limited to 10 percent from largest to smallest. The bill requires that all territory of a district be composed of contiguous territory "in as reasonably a compact form as the State finds practicable." This leaves to the States the decision on the physical structure of individual districts, within reason. They are required to follow the 10-percent rule in regard to population.

The temporary plan differs in several respects. It covers only the 91st and 92d Congresses. It repeats the basic requirement that each State must have as many election districts as it has representatives, but excludes New Mexico and Hawaii, which may elect their representatives at large. It also requires that all such districts vary from the largest to the smallest only within a fixed percentage. The percentage is not 10 percent, as in the permanent plan, but 30 percent. The language giving the State legislatures control over the physical structure of districts is not included.

Finally the bill provides that any State under court order to redistrict for an election shall use such districts as are created for such election until the State establishes new ones valid under the act or the court order is modified.

Mr. HUNGATE has submitted minority views. He opposes the 30-percent population of the temporary plan, and also its allowance of at large elections in two States, but no others.

Mr. CONYERS has also added minority views. He lists a number of cases, where the variations of population were much less than 30 percent, in which courts have held the redistricting invalid. He favors a section calling for judicial review in order to clearly define the relationship of the legislation to the courts.

Finally, he opposes the deletion of the requirement that districts be drawn "as compact form as practicable" and the substitution of "in as reasonably compact form as the State finds practicable." He feels it will permit widespread gerrymandering.

I should like to make a few personal comments, if I may, particularly as they relate to California, because I would like to try to make a little history today from the way I feel about the question. I realize that I am speaking only for myself and not the 37 other Members from the State of California. Our opinions may differ somewhat. But I do sincerely hope that on the passage of this bill, it will help to give some guidelines to the courts so that we can have more uniformity throughout the United States.

Since the 1964 decision there have been different interpretations by different courts, and I think rightfully so, I have no question but what the distinguished members of the California Supreme Court would always render a fair decision in connection with the redistricting problem. I hope the bill will pass and that it will help the courts and the State legislatures.

In 1965 after the 1964 "one-man, one-vote" rule, petitions in California were brought before the Supreme Court to require the State legislature to reapportion the State assembly, which is the body comparable to the House of Representatives, consisting of 80 members, and to redistrict the State senate, which consists of 40 members, and to redistrict the Members of the House of Representatives, 38 Members. We had the 1960 census. The State legislature redistricted in 1961 on the basis of the 1960 census.

In my opinion, they were faced with an impossible situation from the standpoint of making equal congressional districts. The reason I make that statement is that there are 80 assembly districts in the State of California. We had an increase of several Congressmen in 1961, and we ended up with 38 Members of Congress, 38 seats to be divided for the 1962 election.

The constitution as it is presently written in California prohibits the dividing of an assembly district into different congressional districts so the State legislature, from a practical point of view, was faced with having to divide 38 into 80, which it cannot do. You give each of the 38 congressional districts two of the assembly districts, and that leaves four left over. So some congressional districts had to take three assembly districts because of the constitutional requirements.

If we actually had each assembly district redistricted in accordance with the law, my understanding would be that they would have approximately 207,000 people based upon the 1960 census. So if they did do all those equally in these congressional districts and those congressional districts had to take more than two assembly districts, obviously they would be off a third or 50 percent, however the figures happen to be.

So the Supreme Court in the State of California directed that the assembly and the senate be redistricted. That was done in 1965, and the elections held in 1966 on the basis of the new districts.

The court did not order redistricting of the congressional districts, but stated the legislature could do it. My interpretation regarding the decision is that the legislature in California can do it if they wish to do it this year, in 1967, or, if they do not do it, the Supreme Court will give consideration as to whether they will consider a future petition.

The point I am attempting to make, for purposes of the RECORD, of my own opinion, is that if we reapportion in the State of California at this time based upon the 1960 census, we will not be any better off than we are now. It will present some very difficult problems.

There is no doubt that some of the districts are out of proportion with this particular bill. One specific example is the 13th district of California. It consisted of six counties in 1960. It was very large. So it was divided into two districts, four counties were placed in one district, and two counties, Santa Barbara and Ventura, were placed in another district. They were a little lower than the average number of people they should have had. Since 1961, the 13th Congressional District, with the many defense installations there, and the other areas there, has increased tremendously in size, so that as of now the estimate is that there are approximately 600,000 people in that particular district.

Yet, if we do redistrict at this particular time, that particular district, based on the 1960 census, would have to take additional people which would make it larger than it is now, which presents a problem that is extremely difficult, in my opinion, to comply with.

So, in mentioning those facts, we may jump from the frying pan into the fire. We do not have a 1967 census. If we had a 1967 census, it would be easy to do.

I would hope that the courts would give consideration to this between now and the 93d Congress, because we will have a census in 1970. Some States will lose Representatives or seats, and some will gain. In 1971, according to the Constitution, there will be a reapportionment among the States. At that time, I believe it can be done based upon the criteria in this bill. It may be pretty tough to get down to 10 percent. That is what it will be. I concur in it.

I think I should say in connection with the constitution of California, which prohibits dividing assembly districts, I would interpret the Supreme Court's decision in the State of California in 1965 to permit the State legislature now to split assembly districts if they reapportion between now and the 93d Congress.

Mr. CORMAN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from California.

Mr. CORMAN. Mr. Speaker, I believe, referring to section 2 of the bill of the interim law, that in California or in any other State where a district was undersized based on the 1960 census, but which had grown since that time, could be defended based upon a special census, under the language at the bottom of page 4 and top of page 5.

I mention that, because it was the amendment of the gentleman from Minnesota. It would be, I believe, applicable to the hypothetical case made.

That would not prevent reapportionment of California, because I believe our dilemma is, that the oversized district is in an area which has had a population explosion. I do not believe this could be defended, but the hypothetical district could be defended under the language mentioned by the gentleman.

Mr. SMITH of California. The only place I would find I would be in disagreement with that—and it would not be from the gentleman's statement, but from the standpoint of being practical—I know of no way to get a census between now and the time the legislature adjourns. I would be pleased if we could figure it out.

Mr. CORMAN. I just want to point out there are provisions we referred to for a special census under the 1954 act for a particular district. The purpose of that special census would be to defend the legality of that particular district. That, of course, could be done if anyone could afford the cost of it. I would agree with the gentleman no one is going to pay for the cost of recounting all the people in California. If they did, I am sure the court would make us reapportion, because the 28th district is not only large but is still growing.

Mr. SMITH of California. As we proceed in the matter I hope the distinguished gentleman from California and I will find ourselves in complete agreement on the bill and on issues between now and 1971. It will be a privilege and a pleasure.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to my colleague from California.

Mr. HOSMER. Would the bill, if enacted, require redistricting of California, and I believe 21 other States, where the districts as now constituted are more than 30 percent off from the norm of the 1960 census?

Mr. SMITH of California. I will give my answer, and I would appreciate it if the distinguished chairman of the Judiciary Committee [Mr. CELLER], would listen to my answer.

A question directed to me is as to whether this bill will require redistricting. My answer is it will not require redistricting and it will not prohibit redistricting. It merely sets up permanent standards to apply after the 93d Congress and temporary standards, if redistricting is indicated, in the 91st and 92d Congresses.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from California.

Mr. SISK. I should like to comment. I agree completely with what my colleague, the gentleman from California [Mr. SMITH] just said. As I interpret it, and as I understood the statements made by the gentleman from New York and the gentleman from Ohio when they were before our committee on this subject, it is correct. If the gentleman from New York wishes to comment further, he can.

I might say to my colleague [Mr. HOSMER], I believe the gentleman from California [Mr. SMITH] has correctly interpreted what we were told as the interpretation of this legislation.

Mr. HOSMER. Mr. Speaker, will the gentleman yield further?

Mr. SMITH of California. I am happy to yield further.

Mr. HOSMER. Should this bill be enacted, would it in a sense preempt from the State jurisdiction whatever the bill does in fact cover?

I have in mind this situation: Suppose a State constitution prohibits congressional districts from jumping county boundaries, and it turns out that in meeting the requirements of this bill it would be impractical not to jump county boundaries in establishing new congressional districts. Would the bill in fact make it legal to do so, despite a particular State constitutional provision?

Mr. SMITH of California. I do not believe this bill would cover that particular problem. It sets forth the guidelines on the temporary and permanent standards and criteria for redistricting. I know of no language in the bill other than "in as reasonably a compact form as the State finds practicable" that would be involved. If that language could be interpreted to permit them to jump, I do not know. Of course, there are a lot of questions we will not know the answers to until we get a final decision.

Mr. HOSMER. I thank the gentleman.

Mr. CORMAN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from California.

Mr. CORMAN. I should like to comment on whether this bill would require a legislative act. It is my own view that this Congress cannot and is not making that effort. That would be brought about by a court order.

If there should be a court order, this legislation sets up some guidelines as to what that court order ought to be.

If the State legislature reapportions within these guidelines, it is my own view that the court would not upset it. That is about all we would accomplish in this legislation.

As to the jumping of county lines, at the moment we have to comply with the one man, one vote rule, and if there is a lawsuit one cannot defend himself on the basis that he is required to apportion by counties and that is the reason for the malapportionment. It would be the court decision, under the Reynolds case, that one must follow the one man, one vote rule.

All the Congress says is what the one man, one vote ought to mean.

Mr. SMITH of California. I appreciate the gentleman's comments.

Mr. ECKHARDT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Texas.

Mr. ECKHARDT. My question goes to the question of the closed rule and with respect to some of the meaning of the language which I understand we may not amend under the closed rule.

I refer to page 5 of the bill, in which it is said:

> *In the event a court of competent jurisdiction has ordered the redistricting of any State and such order has been applied in an election, the districts established by such court order or orders shall remain in full force and effect.*

In my State of Texas, the court has not actually established the districts but has directed that districts be established by the legislature.

Of course, no election has yet been had. It would appear that the language may be inadroit in not referring both to a district established by such court order or "pursuant to such court order."

Mr. McCLORY. Mr. Speaker, will the gentleman yield in response to that question?

Mr. SMITH of California. I will be glad to yield to the gentleman from Illinois.

Mr. McCLORY. The sole purpose and intent of the last sentence in section 2 is to relate to those cases where the congressional districts have been established by court order and it would not apply to the situation to which the gentleman makes reference but only to those States where the court established congressional districts and it avoids having the court enter a new order or enter into a new proceeding for each election and continues the effectiveness of the court order during this temporary period until the States redistricted for the 93d Congress.

Mr. ECKHARDT. It would not apply, then, to the situation in which the court ordered redistricting and the legislature has subsequently redistricted?

Mr. McCLORY. It would not apply to that court order. No.

Mr. ECKHARDT. One other technical question. I ask these at this time only because we are under a fully closed rule here.

In section 2 it would appear there is no cutoff date for the application of section 2 whatsoever because it is stated here, "in each State entitled in the 91st Congress to more than one Representative." This would be a qualifying provision and continue indefinitely, as I read it. I do not see how this is limited by its language to those elections which result in those Congresses.

Mr. McCLORY. If the gentleman will yield, I think the purpose and intent of that section is clear in that it refers only to the 91st and the 92d Congresses and these are temporary provisions which are effective until we have the next decennial census, which would apply to the 93d Congress and then bring into effect the permanent guidelines set forth in section 1.

Mr. ECKHARDT. I am quite sure that is the intent, but it would have appeared that the language should have read then, "in the 91st Congress in each State which is entitled to more than one Member——"

Mr. SMITH of California. That is the way the section stands now.

Mr. ECKHARDT. No. As a matter of fact, it starts out, "in each State entitled in the 91st Congress." That would include all States, and all States would continue to qualify under that description indefinitely.

Mr. McCLORY. That is not the intent of the legislation, and I would not expect it to be the effect of this provision.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii.

There was no objection.

BIRTHDAY GREETINGS TO THE HONORABLE BARRATT O'HARA

Mr. MATSUNAGA. Mr. Speaker, I take this time to speak out of order because tomorrow marks a great day in our national life. It is the birthday of the oldest Member of this august body. The most distinguished and beloved Member from the State of Illinois, the Honorable BARRATT O'HARA, will be celebrating his 85th birthday. He was born April 28, 1882, at St. Joseph, Mich., the son of the late Circuit Court Judge Thomas O'Hara and Mary Barratt O'Hara.

BARRATT O'HARA has had a long and illustrious career of dedication to the freedom and well-being of his fellow men. He has carried out this dedication in a number of walks of life. At the age of 15 he left high school to fight for Cuban independence in the Spanish-American War. Returning to this country, he completed high school and went on to the University of Missouri, Northwestern University, and the Kent College of Law. At the age of 20 he was sports editor of the St. Louis Chronicle; at 21 he was sports editor for Hearst's Chicago American. At the age of 30 he was elected Lieutenant Governor of Illinois—the youngest in the history of that State.

In 1917, he became president of a film company with studios in Hollywood, but he resigned to serve in World War I. After the war he practiced law in Chicago, spoke nightly over a Chicago radio station, and was attorney for the city of Chicago in traction reorganization and subway construction.

He was associated with the famous criminal lawyer, Clarence Darrow, and still holds one of the best records, if not the best, for having obtained acquittals for defendants charged with capital crimes.

He was elected Representative from the Second District of Chicago to the 81st and 83d Congresses, and he has been reelected ever since.

His sincere dedication to the work of this Congress can be seen in his outstanding attendance record. His interest in bettering the lives of his fellow men is indicated throughout his career as soldier, editor, lawyer, Lieutenant Governor, and Congressman. His achievements range from minimum wage legislation for Illinois as its Lieutenant Governor in the early years of his career, to his efforts in behalf of labor, when he was a radio personality, and finally to his fine congressional record in such fields as housing, minimum wage, and civil rights.

Once the youngest Lieutenant Governor of his State, and now the oldest Member of the House, BARRATT O'HARA has shown us that neither youth nor age hinders the work of a truly dedicated public servant. BARRATT O'HARA has earned the honor and gratitude of his colleagues in the Congress and of Americans everywhere.

To me, he has been not only the dearest of friends, but also a treasured advisor and source of sage counsel. It was my distinct privilege to live with BARRATT O'HARA for over a month at the Congressional Hotel when I first arrived in Washington as a green Member-elect and to be taken under his wings, so to speak, during that first session of my first term. The lesson he taught me best, and which typified his sterling qualities, was couched in these words, "Don't get up to talk unless you know you have a contribution to make."

I am sure I speak not only for myself but for all my colleagues when I say: "Happy birthday, BARRATT; may you celebrate many more birthdays in health and happiness, and may we be privileged to celebrate them with you."

Mr. McCLORY. Mr. Speaker, will the distinguished gentleman from Hawaii yield to me at this point?

Mr. MATSUNAGA. I am delighted to yield to the distinguished gentleman from Illinois [Mr. McCLORY].

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Hawaii has expired.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include pertinent extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. McCLORY. Mr. Speaker, will the distinguished gentleman yield?

Mr. MATSUNAGA. I am happy to yield to the distinguished gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I wish to join with the distinguished gentleman from Hawaii [Mr. MATSUNAGA] in extending happy birthday greetings and warm affection to my longtime friend and colleague, the distinguished gentleman from Illinois, BARRATT O'HARA.

And, Mr. Speaker, I am sure that I speak on behalf of the Members on this side of the aisle in expressing those good wishes.

Mr. Speaker, I recall only a few years ago, when we celebrated in this body the gentleman's 50th year of public service. I recall also more than 30 years ago when I was a law student and a member of a legal fraternity I was called upon to provide a program of inspiration and encouragement to my fellow struggling law students. I called upon one of the most distinguished and most colorful figures at the Illinois bar—none other than the gentleman from Illinois [Mr. O'HARA], whom we honor again today.

Mr. Speaker, the distinguished gentleman from Illinois [Mr. O'HARA] was then a prosecuting lawyer in the city of Chicago. I am proud to have known and admired the gentleman over this long period of years.

Mr. Speaker, I express to the distinguished gentleman my personal good wishes, as well as those of my collegues on this side of the aisle upon this most auspicious occasion.

Mr. ALBERT. Mr. Speaker, I join in the tributes made to the distinguished gentleman from Illinois [Mr. O'HARA]. No finer man ever lived. His presence in this House is an inspiration to every Member. He is one of the most articulate debaters in this body, not simply because of his keen mind, his vast experience, and his ready tongue, but because of his great heart which goes out to every human being who is the subject of injustice. Yes, Mr. Speaker, BARRATT O'HARA is a great orator because, when he speaks, he speaks from his great heart. I love him. I am honored to call him my colleague and my friend. I extend to him the greetings of the day. God give him many more of them.

Mr. EDMONDSON. Mr. Speaker, it is a genuine pleasure to join today in wishing a happy birthday to one of the best loved Members of this body, the gentleman from Illinois, the Honorable BARRATT O'HARA.

In the 85 years of his life, this eloquent American has not only rendered outstanding service to his country, he has also won a lasting place in our Nation's history as a great lawyer and a great humanitarian.

It is a privilege to call him a colleague and a friend, and I wish him many happy birthdays in the years ahead.

Mr. ANNUNZIO. Mr. Speaker, I rise today to congratulate my distinguished colleague from Illinois, the Honorable BARRATT O'HARA, on his 85th birthday which he is celebrating tomorrow, April 28.

It gives me great pleasure to join his

host of friends to wish him abundant good health and good fortune in the years ahead as he continues his outstanding service in the best interests of his constituents in the Second District of Illinois and the people of America.

Congressman O'Hara has served his country with vigilance, honesty, and dedication in the 81st, 83d, 84th, 85th, 86th, 87,th, 88th, 89th, and now the 90th Congress. He is the only Member of Congress who is a veteran of the Spanish-American War, and he served again in the Armed Forces during World War I.

At the age of only 29 he was elected as Lieutenant Governor of the State of Illinois and was the youngest person in the history of our State to hold this responsible position.

He was an outstanding attorney in our State before coming to Congress. At one time he was also editor of the Chicago Examiner and the Chicago Magazine.

My colleague has received numerous awards in recognition of his distinguished public service including the Clarence Darrow Humanitarian Award. We from Illinois recall that Mr. O'Hara led the fight for passage of Illinois' first minimum wage law. Two years ago he served as a delegate to the 20th General Assembly of the United Nations.

To the "boy wonder of Illinois," as he is fondly known by his fellow legislators, I extend my best wishes for a happy birthday and many more years of fruitful service in the Congress of the United States.

GENERAL LEAVE TO EXTEND

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on this subject matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was on objection.

Mr. SMITH of California. Mr. Speaker, I have no further request for time.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Missouri [Mr. Hungate].

Mr. HUNGATE. Mr. Speaker, I urge that we vote down the previous question on this bill and that we vote down this rule.

Mr. Speaker, I urge upon the Members of the House that we have an open rule, rather than a closed rule.

Mr. Speaker, the pending legislation upon which we are asked to act has had no hearings on it at this session of the 90th Congress.

Mr. Speaker, this legislation had no hearings held upon it in the last session of the Congress. Yet it comes before this session of the Congress for its consideration and possible passage with only 2 hours of general debate provided for its general discussion. Two years ago it was voted on a closed rule with 3 hours' debate.

Now, 2 years later it is brought up with only 2 hours of debate. All the time was used up when it was considered previously. The bill at that time carried a 30-percent variation, but I would suggest many things have happened in that time. Many court decisions have been decided in the past 2 years on this very question.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. HUNGATE. Mr. Speaker, I will yield to the gentleman from Mississippi in just a moment.

Mr. Speaker, I would like to see an open rule on this so we could decide whether a 10-percent variation was a good variation for 1973, and so we could find out if it would not be a good one for 1968. So I do not see why, in the interest of uniformity, if some States wish at large elections they should not be permitted to have them after 1973 and why at the same time at large elections shall be denied to those States who do want them now in 1968.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield at that point?

Mr. HUNGATE. Yes, I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I would like to say that I am going to vote against the previous question. I oppose closed rules, except in the most extraordinary circumstances. I do wish to say, however, that by voting to open up this rule does not necessarily indicate that I am against the bill. I believe I will support the bill.

I agree with the gentleman. I believe the Members of the House should be permitted to offer amendments on any measure that comes before this body unless it is a very extraordinary measure that should be voted up or down "as is," and this is not such a measure.

Mr. HUNGATE. Mr. Speaker, I thank the gentleman for his remarks.

Mr. Speaker, there are some other items in here such as "in as reasonably a compact form as the State finds practicable." And if the previous question is voted down I plan to offer a rule that will permit amendments to be offered under the 5-minute rule.

Mr. ECKHARDT. Will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. ECKHARDT. Is it not true that we are providing in this bill for a set amount of time, so that a State may not at its own discretion redistrict in the middle of a 10-year decennial, no matter how drastic the population changes may have been, and no matter whether the legislature of the State feels that this change in the middle of the period would be desirable?

Mr. HUNGATE. As I read the majority views, this would be correct, although I would say to the gentleman that I am not everywhere accepted as an expert on all of the points in this bill.

Mr. ECKHARDT. It would appear that the decision of the Federal Government on this point should perhaps yield to the State government when it is determined that there is a sufficient local change in population for an additional districting during the decennial, and we would close that out absolutely if we pass this bill.

Mr. HUNGATE. I believe the gentleman is suggesting that the advantages of not diluting the citizen's vote, if dilution is not to exceed 10 percent, as the rule would be in 1973, it would seem to me, would be a good rule now. It would seem to me that if the State legislators—and I see many here who have not supported the Dirksen amendment, but they will I believe support this bill—it seems to me the one-man, one-vote, if it is a good rule for the State legislature and for the State senate and for the State representatives and for the city council, or the county supervisors, that it is a pretty good rule for the U.S. Congress now.

Mr. Speaker, I yield back the balance of my time.

Mr. SISK. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. Conyers].

Mr. CONYERS. Mr. Speaker, I am reluctant to oppose the wishes of my distinguished chairman or the Committee on Rules, but I believe it is manifestly unfair that legislation of this significance be debated under a closed rule. Many here have already stated that a closed rule is highly unusual. I am going to vote against the previous question. I do not have any amendments to offer myself because I believe the progress that we are making in the courts, now that the Supreme Court has moved into what was heretofore considered a forbidden political thicket, is going to be much more expeditious that any arbitrary formula that we can devise.

Sixteen years go when our distinguished chairman began introducing redistricting legislation, it was an attempt to eliminate gerrymandering of congressional districts.

I agree with what the gentleman from New York [Mr. Celler] said at that time.

He said:

> In the light of the court decisions and the legislative enactments the importance of the problem of fair, equitable apportionment both by the Federal and State legislatures is one that demands a final and prompt solution. It must be a solution which goes to the very root of the problem and eradicates the sources of the evil * * *. The problem is one which involves the fundamental principle of equality which permeates our entire Constitution so that its denial imperils the very heart of our democracy.[1]

Mr. Speaker, in my view this bill does not go to the very root of the problem that we face nor does it eradicate the sources of evil.

As a matter of fact, I think this bill would perpetuate the problem of confusion this bill is supposedly going to solve, because there are many parts of this bill that are very questionable and unclear when it comes to intepreting what they mean and how they would actually be enforced.

For example, there was one amendment offered in full committee which is now incorporated in this bill which could create problems in States that have already conformed to the one-man, one-vote doctrine with respect to congressional districts. The temporary districting plan for 1968 and 1972 which would allow a district to have a deviation in population up to 30 percent. That would open the door to State congressional delegations that already have been redistricted—and apparently some 22 States have done so satisfactorily and have conformed with the "one-man, one-vote" doctrine—to be subjected by their State legislatures to further redistricting to take advantage of the erosion of the "one-man, one-vote" principle that this bill would allow.

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[1] 17 Law and Contemporary Problems 268, at 274.

Some of the State congressional delegations that could be affected in this manner and be redistricted yet another time by their State legislatures are the following: Arkansas, Maryland, Utah, Michigan, Oklahoma, Montana, Kentucky, South Dakota, Mississippi, Wisconsin, Maine, Virginia, North Dakota, South Carolina, Rhode Island, Kansas, Arizona, Alabama, Oregon, New Hampshire, and Idaho. For the reasoning and factual situation that leads me to list these particular 22 States, I would refer my colleagues to the Statement I inserted in the Congressional Record of Tuesday, April 25, starting on page 10763, particularly table C in the Legislative Reference Service memorandum included, following my statement.

Then there is the situation of States whose districts have been declared unconstitutional and the cases are still pending in the courts.

The great question that has not been adequately answered is what happens to States that are under court order to redistrict if this bill becomes law? Many of these States had congressional districting plans where the variation in population between the largest and smallest district was well below the 30-percent guidelines established by this bill for the 1968 and 1970 elections. However, the courts found that such deviations were unconstitutional. For instance, Missouri had a 21.8-percent deviation, Texas had 2.1 percent, and Indiana 22.8 percent.

Could the attorneys general of those States now go into Federal court and ask for those court orders to be vacated because Congress had determined that such population deviations were constitutional, though the courts had just determined that those same population deviations were clearly not constitutional?

Some State, who might not want to present the issue in such a stark and dramatic fashion, might be imaginative to forego the use of that argument and comply with the court's findings that its current congressional districts were unconstitutional and then enact a "new" constitutional congressional districting statute which would happen to be a carbon copy of the "old" unconstitutional statute.

Would that be possible under the provisions of this bill?

In summation, I say that the confusion we will create by having a temporary rule here until 1972 and then a 10-percent deviation rule from 1972 on is more cumbersome and is going to create more litigation than by allowing the courts to proceed on their own.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SISK. Mr. Speaker, I yield 1 additional minute to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I thank the gentleman.

As I was saying, Mr. Speaker, the temporary law provided in this bill for the 1968 and 1970 elections is going to create more litigation than by allowing the courts to proceed on their own. The fact is that the courts have come up with a uniform requirement. The requirement that they have postulated in redistricting cases is that the States are not expected to comply with a uniform percentage type of rule the Supreme Court has recognized that some States have peculiar problems—including boundaries of city and county boundary lines and special geographic considerations. Therefore, what might be good for the State of Michigan, which has a 3.4-percent variation, might be impossibly too tight a standard for some other State.

For all of these reasons, I urge my colleagues, whether you agree with me of not regarding the bill itself, to at least vote down this rule so that we may consider this bill under the normal procedures of the House which allow debate and votes on amendments to bills. Many members have amendments they want to offer including some that would clarify many of the confusing and vague provisions of this bill. Let us debate this important matter as it should be debated and let democracy prevail as we discuss the very serious questions involved in this bill.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. Ottinger].

Mr. OTTINGER. I rise in opposition to the proposed closed rule and associate myself with the excellent remarks of my colleague from Michigan [Mr. Conyers] and the gentleman from Missouri [Mr. Hungate].

Mr. Speaker, I am fundamentally opposed to any closed rule. Such a rule necessarily involves a denial of democracy and shuts off opportunity in this House to consider alternatives to proposed legislation.

Such a rule is particularly obnoxious as applied to the bill we are presently considering inasmuch as this bill contains very serious constitutional and policy questions.

This bill raises serious questions as to overruling present court decisions with respect to the degree of deviation permitted in the population of congressional districts.

The bill raises a serious question with regard to the requirement of compactness of a congressional district—whether States should be able to make compactness determinations unfettered.

The bill raises serious constitutional and policy questions because of the lack of any provision for judicial review.

While recognizing the desirability of legislative standards for apportionment, I strongly oppose the bill in its present form. It represents a giant step backward from the constitutional interpretations by the courts requiring congressional districting to be as nearly equal in population as practicable. It renders meaningless the important requirement that districts be compact, turning this determination over to the State legislatures, many of which have shown no disposition to respect compactness or equality in framing district lines. It makes no provision for judicial review.

Whether you agree with these reservations or not, however, these are certainly important constitutional and policy questions that deserve debate. Alternative resolutions to these districting questions should be considered. There is no justification for a gag rule here shutting off these considerations from debate.

I urge my colleagues to vote down the previous question and vote down this closed rule.

Mr. SISK. Mr. Speaker, I recognize that this legislation is controversial, though extremely important to the Congress. I would hope that the House would see fit to adopt the rule and permit the gentleman from New York [Mr. Celler], and the gentleman from Ohio [Mr. McCulloch], to present their case.

Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. Albert). The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. Sisk) there were—ayes 42, noes 34.

Mr. BOLLING. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 284, nays 99, not voting 50, as follows:

[Roll No. 75]

YEAS—284

Abbitt
Adair
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashmore
Aspinall
Ayres
Barrett
Bates
Belcher
Betts
Bevill
Biester
Blanton
Boggs
Bolton
Brademas
Brasco
Bray
Brooks
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Cabell
Carey
Carter
Casey
Cederberg
Celler
Clancy
Clark
Clausen, Don H.
Cohelan
Collier
Colmer
Conable
Conte
Corman
Cramer
Cunningham
Daniels
Davis, Ga.
Davis, Wis.
Delaney
Dellenback
Denney
Devine
Dole
Dorn
Dowdy
Downing
Dulski
Duncan
Edmondson
Edwards, Calif.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gardner
Gathings
Gettys
Giaimo
Gibbons
Goodell
Goodling
Gray
Griffiths
Grover
Gurney
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Heckler, Mass.
Henderson
Herlong
Holifield
Holland
Hosmer
Hull
Hunt
Irwin
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kazen
Keith
Kelly
King, Calif.
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kyl
Kyros

Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Mize
Monagan
Montgomery
Moore
Morris, N. Mex.
Morse, Mass.
Mosher
Multer
Murphy, Ill.
Myers
Natcher
Nichols
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pirnie
Poage
Poff
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rostenkowski
Roth
Roudebush
Roush
Ruppe
Ryan
Satterfield
Saylor
Schadeberg
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Stubblefield
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thomson, Wis.
Tuck
Udall
Ullman
Utt
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Winn
Wright
Wyatt
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—99

Abernethy
Adams
Anderson, Ill.
Andrews, N. Dak.
Ashbrook
Ashley
Battin
Bennett
Bingham
Blackburn
Blatnik
Bolling
Brinkley
Broyhill, N.C.
Buchanan
Burton, Calif.
Button
Cahill
Chamberlain
Clawson, Del
Cleveland
Conyers
Corbett
Culver
Curtis
Derwinski
Dingell
Dwyer
Eckhardt
Edwards, Ala.
Eilberg
Fallon
Ford, William D.
Fraser
Friedel
Galifianakis
Gallagher
Garmatz
Gilbert
Gonzalez
Green, Oreg.
Green, Pa.
Gross
Gubser
Gude
Hall
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Hicks
Horton
Howard
Hungate
Hutchinson
Ichord
Joelson
Karth
Kee
Kupferman
Kuykendall
Laird
McCarthy
McClure
McDade
Machen
Minish
Mink
Moorhead
Morgan
Moss
Nedzi
Nix
O'Konski
Ottinger
Pike
Pollock
Pryor
Reid, N.Y.
Reuss
Robison
Rooney, Pa.
Rosenthal
Rumsfeld
Sandman
St Germain
Scherle
Scheuer
Schweiker
Slack
Staggers
Steiger, Wis.
Thompson, Ga.
Thompson, N.J.
Tiernan
Watkins
Wolff
Wydler
Yates

NOT VOTING—50

Baring
Bell
Berry
Boland
Bow
Brock
Brotzman
Brown, Calif.
Byrne, Pa.
Byrnes, Wis.
Cowger
Daddario
Dawson
de la Garza
Dent
Dickinson
Diggs
Donohue
Dow
Evins, Tenn.
Flynt
Hagan
Halleck
Hanna
Hays
Hébert
Jones, N.C.
Kirwan
Long, La.
McEwen
Mailliard
Minshall
Morton
Murphy, N.Y.
Nelsen
Pool
Rogers, Colo.
Roybal
St. Onge
Stephens
Stratton
Stuckey
Sullivan
Tunney
Van Deerlin
Waggonner
Williams, Miss.
Wilson, Bob
Wilson, Charles H.
Younger

So the previous question was ordered.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Halleck.
Mr. St. Onge with Mr. Bob Wilson.
Mr. Waggonner with Mr. Morton.
Mr. Byrne of Pennsylvania with Mr. Bow.
Mr. Dent with Mr. McEwen.
Mr. Donohue with Mr. Mailliard.
Mr. Evins of Tennessee with Mr. Cowger.
Mr. Hays with Mr. Minshall.
Mr. Dow with Mr. Bell.
Mr. Murphy of New York with Mr. Byrnes of Wisconsin.
Mr. Rogers of Colorado with Mr. Brotzman.
Mr. Van Deerlin with Mr. Brock.
Mr. Kirwan with Mr. Dickinson.
Mr. Jones of North Carolina with Mr. Younger.
Mr. Boland with Mr. Nelsen.
Mr. Daddario with Mr. Berry.
Mr. Brown of California with Mr. Dawson.
Mr. Flynt with Mr. Hanna.
Mr. Roybal with Mr. Stratton.
Mr. Stuckey with Mr. Williams of Mississippi.
Mrs. Sullivan with Mr. Baring.
Mr. Tunney with Mr. Diggs.
Mr. Hagan with Mr. Pool.
Mr. Stephens with Mr. de la Garza.
Mr. Charles H. Wilson with Mr. Long of Louisiana.

Mr. MACHEN changed his vote from "yea" to "nay."

Mr. MURPHY of Illinois changed his vote from "nay" to yea."

Mr. FINO changed his vote from "nay" to "yea."

Mr. O'KONSKI changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 1 legislative day in which to extend their remarks and include extraneous material in connection with the subject of my special order today.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FEDERAL STANDARDS FOR CONGRESSIONAL REDISTRICTING

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2508) to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 2508, with Mr. Edmondson in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. Celler] is recognized for 1 hour and the gentleman from Ohio [Mr. McCulloch] will be recognized for 1 hour.

The Chair recognizes the gentleman from New York.

Mr. CELLER. Mr. Chairman, once again we are confronted with the problem of establishing standards for congessional redistricting. I have been concerned with this problem for many years. I first offered a bill in 1950, and in 1951 the Judiciary Committee held extensive hearings on the establishment of congressional districts. Since that time, however, bills dealing with this problem have gotten nowhere. During the 89th Congress, on March 16, 1965, the House passed a redistricting bill which would have required that the districts be composed of contiguous territory in compact form. This bill was not acted upon in the Senate. Comity between the two Houses, in my humble opinion should have caused the other body to have given the bill better than mere cavalier treatment.

The Supreme Court in 1964, in Wesberry against Sanders, ruled that the matter of congressional districting was justiciable and under article I, section 2, of the Constitution that congressional districts must be composed as nearly as practicable of equal numbers of people. In the Wesberry case, the Supreme Court said:

> We hold that, construed in its historical context, the command of Art. I, § 2, that Representatives be chosen "by the People of the several States" means that as nearly as is practicable one man's vote in a congressional election is to be worth as much as another's.

The Supreme Court further said, in concluding its opinion:

> While it may *not* be possible to draw congressional districts with mathematical precision, that is no excuse for ignoring our Constitution's plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives. That is the high standard of justice and common sense which the Founders set for us.

It is time now for Congress to act in a manner to implement this decision. If Congress does not act, the courts will. Certainly, it is far better to permit the States to draw their own lines. If we allow the courts to continue to draw district lines each judicial district or each judicial circuit will have different formulae. There will be no uniformity.

The Judiciary Committee, in acting on H.R. 2508, amended the bill substantially in order to accomplish the following:

First. Provide interim standards for the establishment of congressional districts for the 91st and 92d Congresses.

Second. Provide standards for the establishment of congressional districts for the 93d and subsequent Congresses.

Third. Provide that the redistricting of any State that has been established by court order shall remain in full force and effect until the State shall have established valid districts in accordance with the provisions of the act.

Section 1 of the bill establishes standards for State legislatures to follow in the creation of congressional districts for the 93d and subsequent Congresses. These standards are:

First. When a State is entitled to more than one Representative, there shall be established by law a number of districts equal to the number of authorized Representatives.

Second. Representatives shall be elected only from such districts so established, no district to elect more than one Representative. Existing provisions for a Representative at Large are eliminated.

Third. Each district shall be composed of contiguous territory, in as reasonably a compact form as the State finds practicable.

I personally wished the standard of compactness to be just "compact" with no qualifying language, but the Judiciary Committee demanded qualifying language; namely: "in as reasonably a compact form as the State finds practicable." This change is unfortunate.

In setting forth the guideline that districts be "reasonably" compact, the committee apparently intends to give the States flexibility in establishing congressional districts. As far as practicable, this standard would not require splitting up of State or local governmental units or subdivisions. The committee intends that the State legislature shall determine the form or shape of congressional districts in implementing the congressional policy against gerrymandering.

The committee's use of the standard "in as reasonably a compact form as the State finds practicable," is intended to prevent gerrymandering. As to this result I have my doubts.

Fourth. The district with the largest population shall not exceed by more than 10 per centum the district with the smallest population in number of persons, excluding Indians not taxed.

Fifth. Population shall be based on the then most recent decennial census, but if a State redistricts more than 2 years after a decennial census, the population figures to be used must be those of a statewide Federal special census conducted pursuant to the provisions of the act of August 26, 1954 (71 Stat. 481; 13 U.S.C. 8) and said census must be less than 2 years old at the time of the next election following the redistricting.

Sixth. Unless the particular State constitution requires otherwise, there shall not be more than one redistricting between decennial censuses.

Section 2 of the bill establishes temporary or interim standards for State legislatures to follow in the creation of congressional districts for the 91st and 92d Congresses. These standards are:

First. When a State is entitled to more than one Representative, there shall be established by law a number of districts equal to the number of authorized Representatives.

Second. Representatives shall be elected only from such districts so established, no district to elect more than one Representative, except the States of Hawaii and New Mexico may continue to elect their Representatives at large.

Third. The district with the largest population shall not exceed the population of the district with the smallest population by more than 30 percent, excluding Indians not taxed.

Fourth. Population shall be based on the Eighteenth Decennial Census, or any subsequent Federal special census conducted pursuant to the provisions of the act of August 26, 1954 (71 Stat. 481; 13 U.S.C. 8).

Fifth. When any State has been redistricted by court order, and such order has been applied in an election, for interim stability the districts so established shall remain in full force and effect until the State shall establish valid districts pursuant to the act, or until superseded by a subsequent court order.

The other body did not see fit to adopt the legislation that was adopted by this House. It is rather sad to make that statement. I should think that comity—the comity that exists between both Houses—should have prompted the other body to accept what we had passed, and which appertains to the membership of this body. There was no skin off the back of any of the Members of the other body. I hope that this bill passes today, and that at least a bit more sober judgment will descend upon the brows of the solons of the other body and they will accept, on the score of comity alone, what we do here, and which appertains to our own membership.

Now, this bill is a result of our failure to enact legislation of this character over the years.

What has happened after the Wesberry against Sanders case? The various courts throughout the Nation started to redistrict. There were no guidelines, and the situation became a veritable hodgepodge. There was no consistency throughout the Nation. Every State varied from another State, because we had failed to lay down anything in the nature of guidelines.

I am reading now from the Congressional Quarterly.

This is on page 3 of the issue of September 16, 1966:

> Beyond declaring the districts must be as nearly equal in population as is practical, the court in its Wesberry decision set down no precise standards. This left the State legislatures and the courts with little guides as to what constituted one man—one vote.

Now, we seek to lay down some standards, so that there will be at least some degree of consistency throughout the Nation.

This is not perfect. I warn the gentlemen and ladies of the House, we just cannot satisfy every single Member of the House, because every district has its peculiarities, every district has it differences from other districts. Men have come to me with their problems and their peculiarities—and they are peculiar to their own districts—with the question, "Will this bill satisfy all these situations?" I said, "No. We cannot give you the millennium in this bill. We cannot give perfection. We cannot satisfy all and sundry. We do the best we can." That should be all that is asked of us. We approximate justice here. We set down decent guidelines.

For years I asked that in the guidelines we should use the words "contiguous and compact." Those words have been used for many years. We continue to use the word "contiguous" in the bill, but we have qualified the use of the word "compact." We say: "In as reasonably a compact form as the State finds practicable."

I did not like that qualifying clause. Yet what is legislation? Legislation is and always has been compromise. We just cannot bludgeon—at least the chairman cannot bludgeon the members of his committee that they abide by his will. That is not the Democratic method. It is a give-and-take proposal. That is the way all legislation is devised in a democracy. If we did not have it that way, we would have a dictatorship, and I am not going to be a dictator as far as the chairmanship of my committee is concerned.

I recognize the members of my committee have different views. We try to get together to develop a consensus, and we have developed a consensus on that score. The gentleman from Michigan rose and said, very properly, he does not like the idea of the qualifying phrase. I do not like it either. What am I going to do? Demand everything I want? We cannot do that, gentlemen. Legislation is not fashioned that way. This bill, however, is a practical bill, and I hope it will be accepted overwhelmingly by the Members.

In the report we say, for example, and very properly:

> Despite the fact that the Federal courts have reviewed the congressional districts of a number of States, Federal courts have not established precise criteria for congressional districting. Establishment of such precise criteria is a matter for Congress. Continued litigation underscores the urgency for Congress to declare its policy.

We declare its policy in this bill. Will the courts follow that declaration of policy? Will the courts follow the standards that we lay down?

I believe they will. I cannot with absolute certainty say they will. Nobody can tell what the courts may do. But I believe it is reasonable to say that the courts will follow our guidelines. They cannot disregard them. They must take them most seriously into consideration. It would be woeful for us at this stage not to lay down these guidelines.

We divide the bill into two parts. One part is temporary. The other part is permanent.

We say that after the next census, the 19th census, which will become operative about 1972, there shall be a fair division of population, with a possible difference of 10 percent between the district with the highest population and the district with the lowest population. The district shall be as compact as possible within the discretion of the legislature, and the district shall be contiguous.

But prior to 1972, for the next two Congresses, temporarily in the interim we say there shall be a tolerance of more than 30 percent between the largest and the smallest districts.

Why did we do that? We did that so as not to muddy the waters too much temporarily. We did not want to disturb the situation unduly until the next Federal census. It would be unfair to do otherwise.

It is kind of like trying to force one's hand into a tight glove. One has to maneuver. One has to flex. Finally one can get the tight glove on.

So we are putting on a tight glove, as it were, after 1972, and we are laying down these tight restrictions of 10 percent more than the smallest district. But until then we say, "All right; so that there may not be too much undue disturbance and interference with the present district lines, we make the tolerance wider—30 percent."

It is arbitrary; I admit that. But it is fair. It will last only until 1972.

When we contemplate the history of this legislation and the difficulties we have had in getting anything through, we have to recognize that we have to give something and that we cannot in one fell swoop say, "It must be 10 percent."

I sort of feel, if I may use the term, like Sisyphus in the Greek mythology, who was trying to push a boulder up over a steep hill. Every time he got near the top of the hill, the boulder would fall upon him and down he would go with the huge rock. I have been trying and trying to get a bill through for 20 years, and I am now near the top. I hope, with the help of Members, I can push this boulder over the hill. I think I can, because we have a reasonable proposition.

Again I say we cannot satisfy everyone, but I believe, in a measure, we can go reasonably far enough to satisfy most of the Members of the House.

I hope the bill will pass.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from North Carolina.

Mr. WHITENER. I should like to compliment the chairman of our Judiciary Committee upon his statement with reference to this bill and also to compliment him for the years of effort he has put forth in trying to get some type of road charted for the fixing of congressional districts. I believe that if the Congress had adhered to the gentleman's advice in previous years much of the problem that seems to be bothering our brethren today would probably not exist.

If I may say this, Mr. Chairman, I am one of those on the committee—and I can say, I think, without violating a confidence that the chairman of our committee felt the same way—who did not particularly like the exact language of every phase of this bill. However, we are supporting it and I join him in supporting it because it was the best we could do. It is easy to be critical and to try to look after one's own little problems, but we cannot do that. I think this bill is a good approach to a very knotty problem.

Mr. Chairman, I say you are to be commended. It is my firm conviction with the language we have we should be able to prevail on the other body to take action, as they should have done in the last Congress or in 1965, when we passed a similar bill.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. BRADEMAS. Mr. Chairman, I want to join my friend from North Carolina in commending the distinguished chairman of this committee for the outstanding work that he and his colleagues have done on this very important measure.

Mr. Chairman, I should like to propound to the distinguished chairman of the Committee on the Judiciary several questions which are of importance to the State of Indiana and, I am sure, to Members generally.

My first question is this: Under the provisions of this bill, would it be possible to split county and township lines in drawing the boundaries of congressional districts?

Mr. CELLER. I think the splitting of county and township lines would be possible under existing law and would be possible under this bill.

Mr. BRADEMAS. My second question, Mr. Chairman, is this: The State of Indiana is presently under court order to revise the congressional districts that were in effect for the 1966 congressional elections. What effect would this legislation have on the State of Indiana?

Mr. CELLER. As I understood it, the court has ruled that the redistricting was not lawful and therefore your State must now redistrict. The bill sets up guidelines and if the redistricting occurs, the court would have the guidelines set up by the bill to follow.

Mr. BRADEMAS. My third question, Mr. Chairman, is this—and I must precede it by this statement of facts. In the State of Indiana a three-judge Federal court declared that the 11 Indiana congressional districts cannot be used in the 1968 elections because of too large a variation in population. The Indiana General Assembly this year adjourned without having drawn new congressional districts, and it does not meet again in regular session until 1969. If the State legislature continues to be at an impasse and fails to redistrict in a special session, would the three-judge Federal court be obliged to draw new districts?

Mr. CELLER. Under those circumstances, the State would have to be redistricted and the redistricting would be done either by the State legislature or by the courts. Either one or the other must act, because the present lines have been declared illegal by the court.

Mr. BRADEMAS. My last question is this: In the event—and this is a question I know has been raised by some of our colleagues—the section of the bill pertaining to permissible population disparities among congressional districts were held unconstitutional, would the section of the bill banning at-large congressional elections remain in force?

Mr. CELLER. I think the answer is yes. I say that even though there is no separability clause, because in the bill, the population standard and the requirement that Representatives be elected only from districts are separate and distinct matters, I am quite sure that the court would consider them separately.

Mr. BRADEMAS. I thank the chairman and renew my commendation of him and his committee for their work on this important measure.

Mr. ICHORD. Mr. Chairman, will the distinguished chairman of the Committee on the Judiciary yield?

Mr. CELLER. Yes, I yield to the distinguished gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I also commend our distinguished chairman of the Committee on the Judiciary of the House of Representatives for his outstanding and visionary work in this field.

Mr. Chairman, for years the gentleman from New York has been urging the Congress to take this step.

Mr. Chairman, I would point out to the House that it is a sad, humiliating, and degrading spectacle, in my opinion, to see Members of this body—for example, our Maryland colleagues—have to go before a three-judge court in order to get their congressional districts redrawn.

Mr. Chairman, it is also a humiliating and degrading spectacle, as well as injurious to our constitutional and democratic processes, to have a district court and State court in the great State of Illinois perform the purely legislative function of establishing congressional districts.

Mr. Chairman, this bill, if adopted, would have the effect of moving the courts out of the political thicket, away from the legislative function which many students of our form of government believe to be a very dangerous practice for the courts and one which tears at the very fabric of our constitutional government.

However, Mr. Chairman, I do have questions with respect to the effect of this bill, if adopted, upon the State of Missouri.

In 1961 the General Assembly of Missouri divided the State of Missouri into 10 congressional districts. Members were then elected in 1962 under this plan. A suit was filed in the Western District Court of Missouri against this reapportionment, and on January 4, 1965, this redistricting act was held unconstitutional. On June 30, 1965, the legislature again redistricted. Under the 1965 Congressional Redistricting Act, the population of the largest district was 474,895, or 42,914 persons in excess of a mathematically ideal district. The population deviation from an ideal district is plus 9.9 percent. The population of the smallest district is 390,240, or 41,741 persons less than a mathematically ideal district. The deviation in population from an ideal district is minus 9.6 percent. On February 14, 1966, a complaint was filed in the western district court claiming that the 1965 Congressional Redistricting Act was unconstitutional. The district court on August 5, 1966, held that the 1965 redistricting act was void but permitted elections to be conducted in 1966 under the 1965 act.

The court, however, did enjoin elections under the act in 1968, 1970, and thereafter. This decision was appealed to the U.S. Supreme Court and in a per curiam opinion on January 9, 1967, a motion to affirm was granted and the judgment was affirmed. The Missouri Legislature is now trying to redistrict again.

I have three questions.

My first question is: If this measure is passed and signed into law, would the Missouri State Legislature be required to redistrict again?

My second question is: Would the Missouri Legislature be prohibited by the terms of H.R. 2508 from redistricting again before the 1970 census?

My third question is: If the Missouri Legislature is still required to redistrict under the terms of H.R. 2508, what will be the permissible percentage deviation in the new redistricting act?

Mr. CELLER. Well, Mr. Chairman, I will state to the distinguished gentleman from Missouri [Mr. ICHORD] that these are rather long and involved questions. I shall undertake to try to respond to the question of the gentleman in this fashion, if I may:

Mr. Chairman, the answer to the gentleman's first question is, I believe "Yes." The State of Missouri at the present time is not redistricted lawfully. In fact, the court has specifically found, as the gentleman recited, that the 1965 Redistricting Act was unconstitutional and was not eligible for use in elections in 1968 and 1970.

The court also said the redistricting was not void, approved its use for 1966. I suppose that was for practical purposes. Accordingly, if the bill, H.R. 2508, becomes law the State of Missouri will be required to redistrict.

With respect to question No. 2, Missouri being required to redistrict before the 1970 census, there is nothing in section 2 of the act which prevents more than one redistricting before 1970. Section 1 of the act prevents more than one redistricting between dicennial censuses. Accordingly, if Missouri so desires, it could redistrict a second time before the 1970 census.

Mr. ICHORD. The gentleman has answered that Missouri will still be required to redistrict under the terms of this bill. My third question is then applicable. If this bill becomes law, what will be the percentage of population deviation that will be permissible?

Mr. CELLER. If the redistricting is before 1972 the court, I am sure, would follow the guidelines we lay down in this districting, namely, that there would have to be a fair degree of population in the districts with a difference of 30 percent between the district with the largest population and the district with the lowest population.

If the redistricting is subsequent to 1972, there would have to be a total difference of 10 percent between the largest and the smallest district.

Mr. ICHORD. Mr. Chairman, I thank the gentleman for this opportunity to establish congressional intent. I am going to support his legislation because of the general principle involved. However, there is only one thing that concerns me. Here you will have a situation in Missouri where 9.9 percent above and 9.6 percent below is unconstitutional, but in other State jurisdictions where they have not gotten into court they will have a deviation of 15 percent above and 15 percent below, which will be legal and constitutional. That is one aspect of the legislation which does concern me. Missouri will have to redistrict, I agree, because it is under court order. However after this bill passes it would be legal for the legislature to draw districts with greater deviations than now exist but the district court has retained jurisdiction and I suppose that it can be worked out by application to the court for a change of the order due to this legislation.

Mr. KASTENMEIER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Wisconsin.

Mr. KASTENMEIER. Mr. Chairman, I rise on a slightly different point.

I recall the gentleman from New York saying in response to the question as to what compromises were made in committee, particularly as to compactness, he recited that the language now is in as reasonably a compact form as the legislature finds practicable. Actually, what the bill says is "as the State finds practicable."

I believe there may be a view that the word "State" is a broader entity than the legislature. The point I would make to my chairman is that the word "State" may include the legislature, and it may include a court; it may include the decision of a court.

Mr. CELLER. I thank the gentleman, and I am glad he is making legislative history on that.

Mr. KASTENMEIER. I make that point because I believe a number of the Members should be concerned about whether their district would be gerrymandered by the adoption of this bill.

Mr. CELLER. Of course, the gentleman may recall that while we were debating that in the committee itself I took a firm stand on the question of compactness, and wanted to hold onto the word "compact" without any qualifying language, but I could not prevail.

Now I may be inconsistent in supporting this bill without qualifying language. I believe it was Winston Churchill who said he would rather be right than consistent. I would rather be right than consistent in the sense of being right. I want to get something done here.

If we try to get perfection, we get nothing done.

There is the difficulty. There is the rub. That is why I say I would rather be right than consistent. And I am right here, I think.

Mr. KASTENMEIER. I think everyone who is familiar with this question over the years knows of the fight that the gentleman from New York has made against gerrymandering.

Mr. CELLER. If I may interrupt the gentleman to point out that in the report on page 4, you have the following language:

> The committee's use of the standard "in as reasonably a compact form as the State finds practicable," is intended to prevent gerrymandering.

Mr. KASTENMEIER. Yes, the gentleman is correct. A broad construction of the word "State" would include at least a remedy for the action of a State legislature inasmuch as an aggrieved person may go to the State court on the question of "as compact a form as practicable" if he feels aggrieved, under this bill.

Mr. CELLER. I think the gentleman is right.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. RANDALL. Mr. Chairman, in H.R. 2508 on page 4 at line 18 the word "shall" is used. At that place the bill reads: "and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that the States of Hawaii and New Mexico may continue to elect their Representatives at Large)."

In the State of Missouri, we are under a court order to redistrict. Our legislature may or may not be able to agree before the mandatory date of adjournment on a plan of redistricting. If our legislature does not act, the wording of this bill makes it mandatory legislation. In other words a Representative shall be elected only from districts and not at large. In effect, the bill says someone is going to redistrict. That could mean either the legislature or the courts would have to divide the State into districts?

Mr. CELLER. They have to redistrict because you cannot have a Congressman at Large except in the two cases of Hawaii and New Mexico. After 1972 no State would have a Representative at Large.

Mr. RANDALL. The provision on page 4, then is a temporary provision. After 1972, there will be no exceptions and no State may have a Representative at Large?

Mr. CELLER. That is correct.

Mr. RANDALL. I want to commend the chairman, the gentleman from New York, and particularly to commend him for what he said about comity, in the hope that the other body enacts H.R. 2508.

Our chairman deserves the thanks of the House because this measure sets up guidelines or standards both temporary until 1972, and permanent thereafter. This is not a plan to circumvent the one-man, one-vote of Wesberry against Sanders, but instead a bill to implement the one-man, one-vote rule within two separate sets of guidelines, one rather liberal until 1972, and another much more limited and restrictive thereafter.

The strongest provision of this bill is the mandatory requirement that the States be divided into districts. This respects the philosophy that leads to the most pronounced distinction between the House and the other body. Members of the House have to listen to the voice of the people in their own district. On the other hand, because of a large geographical area embracing many groups and many separate interests, there is the opportunity to escape responsibility. This measure, by preventing the election of Members of the House at-large or statewide, restores the original intent that Members of the House listen to the voice of the people in a limited area rather than an entire State.

Returning again to the principle of comity, a bill having to do with redistricting of the House of Representatives should not be of great concern for the other body. If the Members of Congress on the other side of the Capitol should have any possible interest, it should be in the direction of enacting a measure that would encourage Congressional Districts because when Members of the House are forced to run statewide, they become better known and better acquainted throughout the State and thus become stronger to challenge members of the other body in a statewide contest. H.R. 2508 should pass the House and certainly should not meet the same fate of inaction suffered in the other body by a very similar bill sent over in March 1965.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the able chairman of the House Committee on the Judiciary, the gentleman from New York, has articulately and accurately explained H.R. 2508. Thus, I believe it would serve a useful purpose for me to offer a few hard statistics which document the need for this legislation. There has also arisen some question regarding the powers of Congress to enact this proposal; therefore, I believe I might contribute to this debate by offering documentation of the clear unequivocal constitutional authority for the Congress to promulgate guidelines and standards for our State legislatures to follow in establishing congressional districts.

It is nearly unbelievable when one realizes the wave of congressional districting and redistricting that has occurred since the 1960 census and particularly since the Supreme Court's 1964 decision in Wesberry against Sanders. The latest count shows 41 States or 422 of our 435 congressional districts have undergone some form of redistricting. Most States have had to redistrict on numerous occasions with most of this activity obviously occurring since the 1964 Supreme Court decision.

If I may be candid and blunt, if this legislation is not enacted, I believe we can predict with some accuracy that under the current trend of Federal court decisions, an additional 22 States or 297 congressional districts may have to redistrict to satisfy the court-made criteria. This measure, which seeks to maintain the status quo of those many States which have already redistricted until the 1970 census, would preserve approximately 75 percent of these districts.

Mr. Chairman, I want to state clearly and without reservation that this legislation is not an attempt to nullify any decision of the Supreme Court or to unreasonably delay the impact or effect of any such decision. The Supreme Court has never—I repeat never—established a precise constitutional criteria for congressional districting. Therefore, rather than nullify the Supreme Court's rulings in this area, we are—by enacting this measure—filling a void created by the Court, a void which confronts every State dealing with congressional districting. This measure in seeking to employ temporary guidelines certainly does not unnecessarily delay redistricting under fair and realistic standards. To require the States to immediately comply with the standards of the permanent provision of this act—section 1—would be an unwise requirement with minimum effectiveness. It would mean that the States would have to redistrict in 1968 on 1960 population figures and then, within a matter of only 2 or 3 years, redistrict again under the 1970 decennial census. As we lawyers say: res ipsa loquitur—this speaks for itself.

Now, I would like briefly to discuss the constitutional foundations upon which this legislation so firmly and securely must rest.

The Supreme Court—in the Wesberry case—declared that article I, section 2 of the Constitution, which states that Representatives be chosen "by the People of the several States" means that as nearly as practicable, one man's vote in a congressional election must be worth as much as any other man's vote.

In establishing the one-man, one-vote rule, the Court raised many questions that it has never attempted to answer. It set forth no criteria or standards for the States or lower Federal courts to follow. Each court in considering the question of the constitutionality of congressional districts under the wording of article I, section 2, has in effect been forced to pronounce its own policy in deciding the inherent issues in the case. It is, therefore, not surprising that there is no unanimity in the redistricting standards laid down by lower Federal courts.

Subsequent consideration of redistricting cases by the Supreme Court has similarly failed to set forth any such precise or workable policy for creating congressional districts. This, however, I do not find difficult to understand, for I am of the opinion that article I, section 4 of the Constitution precludes the Supreme Court from determining such standards. That provision of the Constitution reads as follows:

> The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

In tracing the history of article I, section 2 of the Constitution, I found that the delegates to the Constitutional Convention in adopting this provision were quite aware of problems in creating districts for Representatives.

James Madison in discussing the matter referred to "the vicious representation" in Great Britain of "rotten boroughs," James Wilson of Pennsylvania urged that people be represented as individuals, so that America would escape the evils of the English system under which one man could send two members to represent the borough of Old Sarum, while a million people in London could send but four.

It was for these reasons that the authors of the Constitution stated in article I, section 4 that the State legislatures should prescribe the regulations for the conduct of elections for representatives, but further gave the Congress supervisory power to make or alter such regulations. The wording of article I, section 4 of the Constitution is clear. The power of the Congress to supervise the "manner" by which representatives are elected is absolute and plenary. This legislation is but an implementation of that power.

Mr. Chairman, I sincerely urge that H.R. 2508 be enacted.

The CHAIRMAN. The gentleman from Ohio has consumed 13 minutes.

The gentleman from New Jersey [Mr. RODINO] is recognized.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I wish to commend the very able and distinguished chairman of the Committee on the Judiciary [Mr. CELLER] for his long, arduous, dedicated and unyielding efforts to enact into law guidelines to provide equal representation in the House for all Americans.

In urging adoption of H.R. 2508, I am additionally hopeful that the chairman's efforts will be finally crowned with victory. Unfortunately, this bill which passed here the last Congress was not approved by the other body. The confusion and difficult situations with reference to congressional apportionment that exist in many of the States today would be alleviated with the enactment of this bill.

Apportionment, a complex subject, does not generate much public excitement. Yet it is an issue with which we all, as legislators, must be vitally concerned. It is a vital issue because it determines whether all constituents receive equal representation.

Apportionment establishes the numerical composition of the Congress. It regulates the size of legislative districts based on population. Fairness demands that each lawmaker represents approximately the same number of people. This is the "one man, one vote" principle determined by the U.S. Supreme Court in Wesberry against Sanders.

This doctrine is embodied in H.R. 2508. The bill proposes to approve a population variation as great as 30 percent between congressional districts, that is, 15 percent above and below the number that would have each member within a State represent the same number of constituents. In 1973, the variation must be reduced to 10 percent, that is, 5 percent above and below the number for equal representation. It provides that the districts should be contiguous and as compact as possible. To avoid an abrupt transition, the date 1973 has been chosen to coincide with the beginning of the 93d Congress.

There are presently eight States which have districts with population disparities even greater than the 30-percent standard established in this bill. Actually, as great as 61.4-percent deviation of the largest district from the smallest district exists. Certainly, this deviation is inequitable. This bill presents a sensible and democratic solution to the problem of fair and equal representation.

Perhaps there never will be perfect apportionment because of population explosions and shifts that occur between each census. Chairman CELLER's bill is the best approach to equal and fair representation, and I urge its approval.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, I appreciate the gentleman's yielding.

Mr. Chairman, I support this legislation. I am grateful to the gentleman from New Jersey [Mr. RODINO] for yielding. His statement of support of H.R. 2508 is consistent with the attitude that he has taken in the Committee on the Judiciary during the several times that he and I have participated in legislation relating to Federal standards for congressional districts.

The present bill may not fulfill all of the needs of the hour in the area of congressional redistricting. However, it is a step forward. It is my hope that the guidelines which it establishes will be strictly adhered to by the various State legislatures in the future when they come to consider the realinement of congressional districts.

Too often we have witnessed conflicting standards being applied by various Federal and State courts dealing with this problem. When all of the cases are compared it is apparent that today we have a government of men rather than of laws in the field of congressional redistricting. The whims of individual judges seem to have been brought into play in striking down the combined wisdom of the members of State legislatures in redistricting cases. This situation should not be permitted to continue.

The current bill will give fair and accurate guidelines. Hereafter, if the bill becomes law, courts will not be permitted to wander wildly in the legal area of redistricting. The test of contiguity, population balance, and compactness as established by the State authorities, will be the fixed guides which courts and legislatures will be required to observe.

Notwithstanding some minor provisions that I would alter if I had sole authority to write this bill, I shall support it with my vote.

Mr. RODINO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I strongly urge the approval today of H.R. 2508, to establish Federal standards for congresssional redistricting. In my judgment its enactment is essential if we are to resolve the dilemma now facing the Nation because of the necessity for continuing reapportionment. For without this legislation, recent Supreme Court decisions may require that 22 States, or 297 congressional districts, be reapportioned.

The Constitution, in article I, section 5, provides that "each House shall be the judge of the elections, returns and qualifications of its own Members." Long before now the Congress should have acted to fulfill this obligation by approving guidelines for the equitable delineation of congressional districts. The failure of Congress to enact population or size standards led to the Supreme Court's historic Wesberry against Sanders decision, requiring that districts be as equal in population as practicable. Subsequently, we have let this void be filled by actions by the State legislatures and the courts. And they have had no guidelines upon which to base decisions on the validity of reapportionment plans.

H.R. 2508 would establish a two-stage process for assuring equally populated, nongerrymandered congressional districts by 1972. For the interim period of the 91st and 92d Congresses, a 30-percent deviation between the population of the largest and the smallest districts in a State would be permitted. But for the 93d Congress, and thereafter, a stringent 10-percent maximum variation figure would be imposed. The bill also requires that districts be contiguous and compact as far as is reasonable and practicable.

Mr. Chairman, I would particularly stress another provision, that—

> There shall not be more than one redistricting between decennial censuses unless a particular State constitution requires otherwise.

I originally proposed this amendment in subcommittee and I am very gratified that it was accepted.

Enforced redistricting more often than once between censuses is both extremely costly and disruptive of the orderly processes of government. With the constant growth in population and the great mobility of our citizens, it would be impossible for any substantial length of time to truly achieve the ideal of one man, one vote. And what I would term "excessive redistricting" inevitably results in confusion and uncertainty for the individual citizens for whose benefit it was intended.

Another factor pointing up the urgent need for this legislation is the disturbing fact that in the absence of action by Congress, vital congressional redistricting decisions are often made by State legislatures which are themselves grossly malapportioned. Malapportioned State legislatures have in the past taken action which flagrantly violated citizens' rights to equal representation. Generally, too, State legislatures have little knowledge or responsibility for Federal problems.

Mr. Chairman, I urge approval of H.R. 2508. In my opinion it is a realistic and reasonable solution to the problem of assuring equal representation for all citizens.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield for a question?

Mr. RODINO. I yield to the gentleman from New York.

Mr. BINGHAM. Mr. Chairman, I thank the gentleman for yielding.

I would like to address a question of interpretation to the gentleman from New Jersey or any other member of the committee. I am puzzled by the language of section 2, and the same language appears in section 1 with a different figure. Section 2 reads:

> The district with the largest population so established shall not exceed by more than 30 per centum the district with the smallest population and the number of persons.

Earlier the distinguished chairman of the committee was saying that the intent of the bill was to provide for a permissible variation of 15 percent from the norm up and down, but, to my mind, that is not consistent with the wording of the bill. For example, if I may suggest an illustration, if district A has 115,000 inhabitants, and district B has 85,000, they differ 15 percent from the norm up and down, but the difference between the two districts is 30,000, and 30,000 is not 30 percent of 85,000, but 35 percent of 85,000, with the result, in that situation, that the variation would not be permissible, as I understand it, under the text of the bill. I wonder if this can be clarified?

Mr. RODINO. The gentleman is absolutely correct. I am sure the chairman, in responding to the question previously, only referred to the 15 percent above or 15 percent below as a shorthand reference. He, of course, referred to the language of the bill, commencing on line 21 down through line 25, that it shall not exceed by more than 30 percent. That is the variation, 30 percent more than the smallest district.

Mr. BINGHAM. Would it be fair to say the actual variation up and down is approximately 13 percent from the norm, if my arithmetic is correct?

Mr. RODINO. I am in no position to say whether it would be 13 percent.

Mr. BINGHAM. It figures out that way.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from California.

Mr. CORMAN. I would like to respond to the gentleman from New York. The reason for this language is to give greater latitude to the State legislatures for apportionment, and yet more precisely preserve one man, one vote. If there is some reason to have a district more than 15 percent over now, or more than 5 percent over, after this, that would be possible under the language of the bill, but it would mean the smallest district could not then be 15 percent under the norm. It would mean there could not be more than 30 percent variance between the two.

In a State with five to six districts, with a city which might need more variance to permit one district in that one city, this would give a legislature a little more variation. But it is true that it more nearly protects one man, one vote by saying the largest may not exceed the smallest by more than 30 percent, than it does to say 15 percent above or below the norm.

There may be a lesser number difference in the formula for this bill than there would have been under a 15 up or down or a five up or down after the next decennial census.

Mr. BINGHAM. I thank the gentleman.

Mr. RODINO. Mr. Chairman, I yield

5 minutes to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I believe there is a great possibility that this bill will increase confusion in the area of congressional redistricting, that we will create greater inequities, and that we will do great harm to the effective court system of redistricting which has been going on.

If no bill is enacted, 22 States apparently would not require redistricting for the 1968 and 1970 elections. According to Congressional Quarterly, some 22 States have apparently complied with the one-man, one-vote decision of the Supreme Court. For a discussion of the reasoning and population statistics which led to Congressional Quarterly's determination of which States could be considered to be in compliance with the Supreme Court's policy, I refer my colleagues to the memorandum from the Legislative Reference Service that I inserted in the CONGRESSIONAL RECORD for Tuesday, April 25. The discussion of this particular point appears on page 10765.

In all of those 22 States the population deviation of the congressional districting plan is well below the 30 percent allowed in this bill for the 1968 and 1970 elections. If this bill were to be enacted into law, the State legislatures in those 22 States would be free to pass another congressional districting law that could increase the population deviation up to 30 percent. The possibility that the legislatures could now redistrict under much looser rules than those previously understood to be required could be just too great a temptation for many State legislatures.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I certainly will yield.

Mr. CORMAN. How many of the States the gentleman has just indicated will have to reapportion because of gaining or losing seats in the next decennial census?

Mr. CONYERS. That we cannot predict, I say to my good friend from California.

I might say further that, of course, in 1970 there is going to be another decennial census and as a result there will certainly be a lot of redistricting that will be therefore required in a great number of States. In many instances this redistricting will be caused by major shifts of population within the State itself even though there would be no change in the total number of Congressmen allotted to those particular States.

What I am saying is that imposing an artificial formula requirement, which is really what this bill would do, is likely to create greater confusion for at least the 1968 and 1970 elections than would otherwise exist.

Mr. CORMAN. My point is that in at least some of those States the gentleman indicates, this legislation will force reapportionment. The fact of the matter is that either gaining or losing seats will force reapportionment. Is that a fair statement?

Mr. CONYERS. Yes; it is.

Let me point out what I consider to be the most serious defect in this bill. I refer to the fact that we are setting a 30-percent deviation requirement, which no court has ever upheld since the original one-man, one-vote decision regarding congressional districts, Wesberry against Sanders.

Apparently there are at least six States under court order right this moment. These States and their legislatures will have to determine whether they wish to comply with the decisions of all the courts, State and Federal, on this question, which have consistently stated that population deviations of much less than 30 percent are unconstitutional or instead follow the guidelines included in this bill.

If anyone thinks that establishing a 30-percent deviation standard is doing anything other than eroding the one-man, one-vote principle, I should be delighted to find out that it is not doing so, and be told how that could be so.

Not one State or Federal court has ever approved a 30-percent deviation, and I will give the floor to any Member who has a court or a State to name.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from New Jersey.

Mr. RODINO. It is fair to state that the court has not, as the gentleman rightly stated, approved any deviation of 30 percent, but is it not fair to state that no court has been presented a guideline set by the Congress prior to this time?

Mr. CONYERS. They certainly were not. At the present time there are no precise mathematical guidelines for congressional redistricting established by Congress. Nor have any such precise mathematical guidelines been established by the Supreme Court itself.

I am suggesting that the formula which has been worked out by the court—and the court has set it in about four different decisions—is that one cannot create a precise formula which will serve every State.

A natural geographic barrier might require that your State have a larger deviation in population from the smallest to the largest district than would be appropriate for another State. The Supreme Court has repeatedly stated that it does not expect the one-man, one-vote principle to be applied slavishly but would consider such difficulties as reasonable cause for deviations that would otherwise not be legitimate.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RODINO. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. Let me make my point, and then I will be delighted to yield to the gentleman.

There is also a serious question in the different States as to whether you cross various local and county lines. Where you do cross them the court will require a different consideration to be taken into account in trying to see if you are being practical in drawing up compact and contiguous lines. This is what the courts decided in the New Jersey congressional districting. So constitutionally we cannot say that every State in the Union must meet a specific maximum percentage deviation especially one which has never been approved by the court, and when in fact the courts have consistently declared smaller population deviations to be invalid.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield now?

Mr. CONYERS. I yield to the gentleman from California.

Mr. HOLIFIELD. I am impressed by some of the arguments that the gentleman made. I would like to ask him if he thinks this legislation, if passed by both bodies, would be mandatory upon the court or permissive and whether the guidelines either could be considered or rejected by the court.

Mr. CONYERS. Yes, sir. I would be delighted to answer that because the same question troubled us in the committee. The bill would be mandatory on the courts. It would invite a great number of courts that have already redistricted to consider some other plan that would produce up to a 30-percent deviation.

Mr. HOLIFIELD. The gentleman's statement is borne out by the committee report.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. Yes. I yield to the gentleman from New Jersey.

Mr. RODINO. I have a different interpretation entirely. I am sure the language is not mandatory but is merely instructional and a guideline for the courts. There is certainly no attempt to mandate the court that it should carry it out as such. I am sure the gentleman recognizes that.

Mr. CONYERS. I stand corrected, then. I was in all of the committee proceedings. If this language is not mandatory but permissive on the courts, I stand corrected. But I must say that after careful review I cannot find anything in the bill or in case law which would indicate that this bill would be anything but mandatorily binding on the courts.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the chairman of the committee.

Mr. CELLER. I think the gentleman should stand corrected. We could not issue a mandate to the court, as the gentleman from New Jersey said. This language is permissive. When the court would interpret the nature of the lines, it would undoubtedly take the guidelines into most serious consideration, but that would not be absolute. That would be persuasive, and I am inclined to agree that the courts would not likely disregard the admonition laid down by the Congress when it devised the guidelines, but one cannot say that the court must of necessity follow the guidelines.

Mr. CONYERS. I thank the chairman for that explanation.

Mr. HOLIFIELD. Mr. Chairman, would the gentleman yield further for a further question on that?

Mr. CONYERS. I yield to the gentleman from California.

Mr. HOLIFIELD. If the chairman is right that this not mandatory, would not the courts find themselves in opposition to previous decisions which the gentleman in the well has brought out, of 4- or 5-percent differentials?

Mr. CELLER. Of course, that would be because previously Congress did not lay down any guidelines. Now the Congress will have acted upon it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CELLER. The Congress will have acted upon it and laid down guidelines and said that the districts should be divided in this manner.

Mr. HOLIFIELD. Does it say shall be or can be?

The CHAIRMAN. Is there additional time yielded to the gentleman on the floor?

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman.

Mr. HOLIFIELD. I renew the question. Does the legislation say that they shall follow these guidelines or they may follow them?

Mr. CONYERS. There does seem to be, at the least, some confusion as to whether it does or does not specify. I would point out that the bill, beginning on line 21, page 4 states:

> The district with the largest population so established shall not exceed by more than 30 per centum the district with the smallest population.

I always understood that the use of the word "shall" in a law meant it was pretty definite. I would think that if a State's largest district did not exceed by more than 30 percent the district with the smallest population that the courts would have to declare such a districting plan to be valid, unless they decided this provision of the bill was unconstitutional. And we are told that this bill is constitutional.

Mr. HOLIFIELD. It is not up to the court at all.

Mr. MACGREGOR. Mr. Chairman, will the distinguished gentleman yield to me?

Mr. CONYERS. In just a moment I will be delighted to yield to my good friend, but let me point out while we are debating what guidelines we should suggest to the court, we should consider what the court's guidelines already are. No one has pointed out that in fact the Court has established guidelines already.

Mr. Chairman, I would like to cite some cases for the members of the Committee of the Whole House on the State of the Union. It is important to note, however, that the Supreme Court has warned against any "uniform formula" and the establishment of "rigid mathematical standards." *Roman* v. *Sincock*, 377 U.S. 695, 710 (1964). In fact, the Court has cautioned:

> What is marginally possible in one State may be unsatisfactory in another, depending on the particular circumstances of the case. Reynolds v. Sims, 377 U.S. 533, 578 (1964).

And, further—

> The fact that a 10 percent or 15 percent variation from the norm is approved in one State has little bearing on the validity of a similar variation in another State. *Swann* v. *Adams*, 385 U.S. 440, 445 (1967).

Mr. Chairman, the American Civil Liberties Union has analyzed this bill carefully. Based on their long and close familiarity with constitutional law, and particularly the case law developed in implementing the one-man, one-vote decision, they have come to the conclusion that H.R. 2508 "represents a dilution of and turning back from the historic holdings of the U.S. Supreme Court." In a letter sent to every Member of the House of Representatives, they outline their various concerns about the bill which leads them to urge that this bill be defeated. I am particularly heartened by the fact that my concerns about various provisions in this bill is supported by the analysis of the American Civil Liberties Union which has far greater expertise in this area than I would ever claim. Because this letter presents such a lucid and concise analysis of the bill, I would like to insert it in the RECORD at this point in my remarks.

AMERICAN CIVIL LIBERTIES UNION,
Washington, D.C., April 25, 1967.

DEAR CONGRESSMAN: I am writing to urge your opposition to H.R. 2508, a bill with laudatory ultimate purposes but whose effect, unfortunately, would be directly contrary to those purposes.

The bill, "To Require the Establishment, on the Basis of the Eighteenth and Subsequent Decennial Censuses, of Congressional Districts Composed of Contiguous and Compact Territory for the Election of Representatives," was recently placed on the House Calendar after having been reported out by the Committee on the Judiciary.

The ultimate purposes I referred to can be restated as:

1. The implementation of the one-man, one-vote doctrine for Congressional redistricting of *Wesberry* v. *Sanders* (376 U.S. 1, 18 (1964)).
2. The prevention of gerrymandering (certainly an integral part of No. 1).

A study of the bill leads me to the conclusion that the sponsors of this bill have not adopted the wisest methods of the realization of laudable ends. Indeed, as drafted, it represents a dilution of and turning-back from the historic holdings of the United States Supreme Court.

Mr. Justice Black enunciated the doctrine in *Wesberry* in these words:

"While it may not be possible to draw congressional districts with mathematical precision, that is no excuse for ignoring our Constitution's plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives."

H.R. 2508 seeks to achieve this numerical equality by establishing standards for the State Legislatures to follow in the creation of Congressional districts.

The approach is a two-staged one.

In the first stage, applicable to the 91st and 92nd Congress, the bill provides for the State the guideline that:

"The district with the largest population shall not exceed the population of the district with the smallest population by more than 30 per centum, excluding Indians not taxed."

A 30 per cent variation between Congressional districts is an unreasonably far cry from the objective of "equal representation for equal numbers of people." Our Courts have rejected State redistricting plans which provided considerably less of a variation. I can think of no reason which would justify placing the Congressional stamp of approval on such a redistricting scheme, temporary though it may be. Aside from the question of the constitutionality of such a scheme, it is unacceptable from a policy standpoint. It provides a too loose standard for the States about to redistrict. And for those which have already been reapportioned under far more stringent standards, it would appear to offer an encouragement to do it over again under standards less concerned with equality.

Beginning with the 93rd Congress, the standard of permissible variation would be reduced to 10 per cent. It appears to me that this too is unwise. While 10 per cent may be the best that can be achieved in certain States, a good faith effort may result in considerably less of a deviation in others Presently, the Courts may determine the good faith and the reasonableness on a case by case basis. This bill purports to prohibit the courts from interfering if a State has conformed to the 30 per cent rule in the elections of 1968 and 1970 and the 10 per cent rule beginning in 1972, even though a great deal better is possible. It would be, if sustained, a serious undermining of a landmark judicial advance.

We think it should be left finally to the courts to decide in each case, under the doctrine of *Wesberry,* whether the district has been drawn as numerically equal as reasonably possible. Nor can we see a justification for permitting a period of grace until 1972, during which a 30 per cent deviation would be permissible.

Turning to the second announced purpose of this bill, the prevention of gerrymandering, the bill again seeks to offer "precise criteria" for the guidance of the State Legislatures. The guideline to prevent gerrymandering is that beginning with the 93rd Congress, "each district shall be composed of contiguous territory in as reasonably a compact form as the State finds practicable." Again, under its plain meaning, this provision would appear to withdraw the jurisdiction of Federal courts in the area of gerrymandering by prohibiting them from reviewing and questioning a State finding of reasonableness and practicability. The role of State courts in such a situation is left ambiguous.

Furthermore, there is ambiguity created in the absence of the reference to "contiguous" and "compact" in the guidelines for the elections of 1968 and 1970. Is it thus suggested to the Legislatures that they need not concern themselves with gerrymandering until 1972 even though the courts may now consider the question?

For the above reasons I urge that you oppose H.R. 2508 when it is brought to a vote on Thursday, April 27, 1967.

Sincerely yours,

LAWRENCE SPEISER,
Director, Washington Office.

TYPOGRAPHICAL ERRORS IN THE MINORITY VIEWS OF REPRESENTATIVE CONYERS REGARDING H.R. 2508 AS PRINTED IN HOUSE REPORT NO. 191

In the minority views I submitted regarding this bill in House Report No. 191 there were certain typographical errors. I feel a responsibility to include a reference to these typographical errors along with my remarks today to insure that the record will be clear:

Page 9, paragraph 4, line 3; correct language: "the principal two being the standards of population and of compactness."

Page 9, paragraph 5, line 14; correct language: "decisions regarding the Constitution's limitations".

Page 10, paragraph 1, line 6; correct

language: "*Swann* v. *Adams*, 380 U.S. 440 (1967)"

Page 10, paragraph 1, line 12; correct language: "incident to the effectuation of a rational".

Page 10, paragraph 2, line 3; correct language: "variation of roughly 22 percent".

Page 11, paragraph 3, line 4; correct language: "matters since Wesberry v. Sanders".

TYPOGRAPHICAL ERRORS IN THE STATEMENT BY REPRESENTATIVE CONYERS REGARDING CONGRESSIONAL REDISTRICTING IN THE CONGRESSIONAL RECORD OF TUESDAY, APRIL 25, 1967

In the statement regarding this bill that I inserted in the CONGRESSIONAL RECORD of April 25, starting on page 10763 there are certain typographical errors. I feel a responsibility to include a reference to these typographical errors along with my remarks today to insure that the record will be clear. I would also request that the permanent edition of the CONGRESSIONAL RECORD of that day be corrected accordingly:

Page 10764, column 2, paragraph 6, corrections: The last two sentences should be stricken.

Page 10764, column 3, paragraph 2:

> Though I would certainly be in favor of requiring all States in the Union to immediately conform with the one-man, one-vote doctrine I must say it is hard for me to see how we can justify, automatically and immediately forcing some States to redistrict, while at the same time postponing any redistricting for another large group of States until 1972 when a new census will have been taken—and when the number of Congressmen apportioned to many of the States will have changed.
>
> It would seem to me to be hard to justify that Nebraska with 31.1 percent disparity in population will immediately have to go through this very arduous process while Minnesota with 28.5 percent disparity will now be allowed to wait 5 years before it implements what the Supreme Court has stated is the clear requirement of the U.S. Constitution.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I am delighted to yield to the distinguished gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, we are making an error in attempting to determine whether this particular statute would be wholly permissive or wholly mandatory.

Mr. Chairman, I believe it was and is the intention of the subcommittee and of the full Committee on the Judiciary that the statute be instructive, and we hope strongly instructive, to the courts of the country.

Mr. Chairman, I would like to call to the attention of the members of the Committee of the Whole House on the State of the Union the fact that the gentleman from Michigan has not referred to the fact that the courts in the handling of apportionment problems have commented that the Congress has not acted and has not instructed the courts in these particular matters.

Mr. CONYERS. No; I cannot say that I have ever referred to that fact.

Mr. MACGREGOR. Mr. Chairman, if the gentleman will yield further, is that not a fact, though?

Mr. CONYERS. Yes. The Court did initially make remarks of that kind. However, we have begun to develop a pattern.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. OTTINGER. Mr. Chairman, I would like to associate myself with the remarks which have been made by the distinguished gentleman from Michigan [Mr. CONYERS].

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. Mr. Chairman, I thank the distinguished gentleman from Ohio, the ranking minority member of the Committee on the Judiciary, in order that I may comment very briefly upon the bill.

However, Mr. Chairman, I cannot begin these remarks without taking notice of the fact that this is a very significant bill; significant in a personal way to the distinguished chairman of the Committee on the Judiciary, because the gentleman has fought for many years to establish some sort of fair standards, for congressional districts.

Mr. Chairman, it is my opinion that the work of the distinguished gentleman from New York last year and his work this year in bringing this legislation to the floor of the House for consideration is of extreme importance to the political well-being of the Nation.

Therefore, Mr. Chairman, I would like to congratulate the distinguished gentleman from New York for his persistence in what I feel is a very good cause.

Mr. MACHEN. Mr. Chairman, will my distinguished fellow colleague from the great State of Maryland yield to me at this point?

Mr. MATHIAS of Maryland. Yes, I am glad to yield to my distinguished colleague from Maryland.

Mr. MACHEN. Mr. Chairman, I thank my distinguished colleague, the gentleman from Maryland [Mr. MATHIAS], for yielding to me at this time.

Of course, the gentleman from Maryland [Mr. MATHIAS] is cognizant of the fact that we are parties to a Federal law case that redistricted the State of Maryland under a ruling of the constitutional powers of the legislature.

Mr. Chairman, we had a deviation of less than 30 percent, from top to bottom—15 percent either way; is that not correct?

Mr. MATHIAS of Maryland. There was a case in the U.S. court in Baltimore that resulted in redistricting.

Mr. MACHEN. And, Mr. Chairman, if the gentleman will yield further, if this bill is enacted into law, would that within itself not seem to be a mandate to our legislature to reenact a law that we feel is distasteful and one which the courts have found unconstitutional?

Mr. MATHIAS of Maryland. Mr. Chairman, permit me to say to my colleague, the gentleman from Maryland [Mr. MACHEN], and to the Committee that, certainly, it would not be my thought that this bill would represent an invitation to the courts or the Legislature of Maryland, or to anyone else, to redistrict again.

Mr. Chairman, one of the purposes of the bill is to provide a reasonable solution to this problem and to enact legislation which will give the body politic and the electorate some sense of stability, and some sense of continuity. Of course, this has an effect upon the Members also. It was not the intention of the committee of the bill to open the door to further redistricting. You will find in the language of the bill that it specifically validates and confirms those judicial redistrictings of the kind that was effected in Maryland.

To make this even more clear, I think there is a possibility that some instructions may be offered at the proper point here which would make this understanding crystal clear, but I am stating it to the Members as I view it at this time.

Mr. MACHEN. I thank the gentleman.

Mr. MATHIAS of Maryland. Mr. Chairman, there is a proverb, never controverted, that even the longest journey begins with a single step. I believe that is what we are dealing with in this case. Certainly there are valid criticisms that can be made of this bill. There are many things about it that particular people may not find compatible with their local political situation.

I have studied with great interest the rather voluminous material and charts the gentleman from Michigan placed in the RECORD on Tuesday. I believe they are a great contribution to the understanding of the bill, and of the problem. But I refer back to the fact that we must do something. I believe it is a very sad commentary on the House of Representatives that we have allowed a vacuum to exist. And as the gentleman from Missouri pointed out earlier here, the Members have been obliged to become parties in lawsuits in order to have judges legislate, and judges not only drawing the maps, judges not only drawing the district lines, but actually laying down the guidelines. While I have concurred in the fact the judges have had to do it because nobody else was doing it, the plain fact remains that the judges only finally were forced into the political thicket because we did not discharge the constitutional responsibilities that were conferred upon us, and because, of course, the State legislatures did not do it either.

Mr. Chairman, I believe it is time to help the courts get out of the thicket, or at least out of the thorny legislative areas where our duty lies.

We are not here, let me say, to lay down guidelines for the courts in future cases, we are here, as I conceive of this bill, to eliminate the necessity for most of the future cases. We are not laying down guidelines, we are laying down the law. And we have the constitutional authority and the constitutional responsibility to do that. We have not discharged that constitutional responsibility for far too long.

Mr. CONYERS. Mr. Chairman, will the gentleman yield for a question?

Mr. MATHIAS of Maryland. I will yield to the gentleman in just one moment, and I ask the gentleman to wait for just one moment because what I am about to say may affect the gentleman's question.

In the charts and the statistics that have already been put into the RECORD, of course, the gentleman has pointed out the deviations that exist and that may affect at least the temporary interim period of districting which is contemplated by the bill.

In that connection, I believe there is a good argument for a period in which there is some flexibility. We are attempting here in the latter part of this decade to deal with figures that were gathered in the first year of the decade. We are dealing with the 1960 census, but this is 1967. We are pragmatic people, or we ought to be. We know that we are not actually dealing with reality. For instance, Maryland, after the judicial redistricting is very close to equality among all districts, about a 2-percent deviation on paper. And yet, as a matter of fact, we know that in two if not three of the Maryland districts which are supposed to range from 382,881 to 393,210, there are more than half a million people.

The Congressional Directory lists only 10 districts, in five States, with 1960 populations over 500,000. According to the Census Bureau, however, by a phone call this afternoon, the Bureau has certified to the Clerk of the House that 83 districts, in 29 States, now have estimated populations over 500,000.

	Col. 1[1]	*Col. 2*[2]
Arizona	3	0
Arkansas	2	0
California	16	5
Colorado	2	0
Connecticut	1	0
Florida	7	0
Georgia	2	0
Illinois	4	0
Indiana	1	0
Kentucky	1	0
Louisiana	3	0
Maine	1	1
Maryland	2	0
Massachusetts	2	0
Michigan	1	0
Minnesota	2	0
Missouri	2	0
Nebraska	1	1
New Jersey	3	0
New York	5	0
North Carolina	1	0
Ohio	2	0
Oklahoma	2	2
Oregon	1	0
Pennsylvania	1	0
Texas	9	0
Utah	2	0
Virginia	3	0
Washington	1	1

[1] Districts over 500,000 (Census Bureau estimate).

[2] Districts over 500,000 (1960 population).

Not including: Delaware (one Member, at large), Hawaii, or New Mexico (two each, at large).

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to the gentleman.

Mr. CONYERS. Will not my colleague, the gentleman from Maryland, concede that the reason the courts did enter into this "political thicket" was not because they were waiting for us to provide guidelines but because of the fact that the State legislatures would not act and so the courts were finally forced to act, and will my colleague not also concede that the courts have established guidelines; that they have never approved any 30-percent deviation; and that they have never ordered an election for a Representative at Large in any State—although they have come perilously close to that. I think that judicial consistency is being established as a result of the decisions that have followed from the first redistricting case. Would not the gentleman concede that?

Mr. MATHIAS of Maryland. No, I do not concede that.

Let me say that I support what has been done by the courts. I think they had to do it. But I think they only had to do it because a vacuum existed for which we here are responsible and for which our colleagues in the State legislatures are responsible.

I do not believe for 1 minute that the Federal judges would have stepped into this picture had that vacuum not existed. When we move belatedly into this field, I think we are going to occupy it.

Furthermore, I do not believe we are laying down guidelines which will be competitive with the decisions of the Federal judges in the past. I think we are doing here what the Constitution intends that we do and that is to regulate the election of Representatives. This will be the law, not a guideline. As I say, I cannot conceive that the courts will feel that this is a competitive exercise. I think they will welcome this as being a constitutional declaration on the part of the Congress.

Mr. CONYERS. If my colleague will yield for just some brief observations.

In the Missouri case, the deviation ranged from minus 9.7 percent to plus 10.4 percent. And it was voided.

In the Indiana case, the largest district exceeded the smallest district by roughly 23 percent and not 30 percent. And it was voided.

In the Massachusetts case, the largest district exceeded the smallest district by roughly 27 percent. The act was held unconstitutional.

Mr. MATHIAS of Maryland. May I just remind my distinguished friend, the gentleman from Michigan, of this fact, however, notwithstanding all the figures you quote, I can give you the Maryland case today, which is the result of judicial redistricting, which is about 2-percent deviation on paper, but as a matter of fact we know it is far, far bigger. The reality of the matter is just that—after a growth period of 7 or 8 years—the 1960 figures are obsolete.

Mr. FRIEDEL. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to the gentleman.

Mr. FRIEDEL. My colleague from Maryland has just cited the case of Maryland where the Federal court ruled that a bill passed by the State legislature which allowed a 20-percent variation or deviation was unconstitutional. And they settled on a bill that had a variation of around 2 percent.

How can we justify, and not only in the case of Maryland but with all other States—where we would have a variation of 30 percent?

The average district is about 400,000. Under this bill you can have a district of 460,000 and another district with 340,000—which is a difference of 120,000. So how would they justify that wide a variation or difference in population with the one-man, one-vote principle?

Mr. MATHIAS of Maryland. Let me say to my distinguished friend from Maryland, I agree that I cannot justify it over the long pull. But in a period where we are moving from a complete vacuum to a period of congressional direction, you have to accept some flexibility and I am willing to accept it in this case.

Mr. FRIEDEL. I am also willing to accept some flexibility but not to the extent of 30 percent.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, in all deference to my colleagues in this body, a lot of hogwash has been expressed in the last few minutes. We are talking about data that is 7 years old when we talk about the 1960 decennial census. Much of it is so out of date as to be practically useless. I am sure that many States have had a similar experience to that of my own State of Minnesota. My congressional district, when it was established in December, 1961, was almost perfect in terms of population equality. Minnesota is entitled to 8 congressional districts.

On the basis of the 1960 census my district had 445,000 people. Today it has 625,000 people. If you redistricted Minnesota tomorrow on 1960 data and you achieved absolute population equality between the 8 congressional districts, my district in 1967 would have 50 percent more people than the least populous Minnesota district.

Ladies and gentlemen, you have got to have a population leeway of 30 percent during this upcoming interim period so as to give legislatures the opportunity intelligently to meet, insofar as they can, the spirit of the court's decisions.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I will yield to you by asking you a question. Do you believe in equipopulous districts, or do you believe in the right to cast an equally weighted vote?

Mr. CONYERS. I really do not know how to answer that question. I do not understand the distinction he is trying to establish.

Mr. MACGREGOR. May I say to my distinguished friend from Michigan that I believe you should. You have done a great deal of work, and effective work, in writing minority views. The day before yesterday you put into the RECORD a lot of tables. But until you have addressed yourself to the question of whether you wish to accomplish equally weighted votes or equipopulous districts, I submit you have not grappled with the heart of the problem.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I will yield in a minute.

Throughout America we have suburban districts that are contiguous with rural districts. I can cite a number of examples where you have a suburban district of 500,000 people and next to it a rural district of 500,000 people. But the demographic facts show that the suburban district has only 200,000 eligible voters with 300,000 minors. Next to it the rural district with the same number of people has 300,000 eligible voters and 200,000 minors.

If you are going to require absolute population equality what you are saying is that you want a person in one of those districts to have a vote that is worth only two-thirds as much as that of the fellow who lives across the river or across the county line. And you are going to say to the fellow who lives across the river or across the county line, "Your vote is worth half again as much as that of your neighbor."

May I say to my distinguished friend—and he is a dear friend of mine; we have worked together on matters—that you must first decide whether or not your objective is equipopulous districts or whether it is the right to cast an equally weighted vote. A 30-percent deviation during an interim period would enable intelligent, thoughtful, hard-working, dedicated legislators to try to carry out the intent of the Supreme Court decisions.

I now yield to my friend from Michigan.

Mr. CONYERS. I thank my good friend, with whom I have really enjoyed working on the Judiciary Committee on a number of very important pieces of legislation.

From listening to the gentleman it seems he is raising two separate considerations when he asks me whether I favor equipopulous districts or equally-weighted votes. I would have thought that both those terms referred to the same concept. But let me try to deal with the two considerations raised by my colleague.

First of all there is no doubt that populations grow during the periods between decennial censuses. I am sure he is correct in citing statistics showing that the population in a given district in 1967 could be far different than what it was in 1960.

First of all that would be true in any 10-year period. I am sure that the population in any given district in 1977 will be greater than what it was in 1970, or in 1987 compared to 1980. It is for that reason that I agree with Congressman ECKHARDT that we should not prohibit State legislatures from redistricting more than once between decennial censuses. That provision would prevent a State legislature from trying to develop a redistricting plan toward the end of a decennial period that would have taken those population changes into account.

But I must also point out that the same type of inequity is present in the fact that we only reallocate congressional seats once every 10 years. For instance, ever since about the middle of 1963 California has had a greater population than New York. But during the entire decade of the 1960's New York is going to continue to have 41 Congressmen, while California has only 38. It is for that reason, by the way, that I favor the taking of middecennial censuses.

As far as the inequity of having to redistrict in 1967 based on 1960 census data, I would point out that the courts have allowed the using of special census data so that a districting could be based on the most current data possible.

As far as the second question of whether we should count all people or just those of voting age in drawing congressional district boundaries, I must say that I did not realize that was a problem. On first consideration of the question, I would point out that the apportionment of the 435 Congressmen among the several States is based on total population, regardless of the ages of those individuals, and not on the voting population. The U.S. Constitution, in the 14th amendment, provides that:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State.

Therefore, I do not see how we can apportion Representatives among the people within a particular State on any other basis than the whole population, not just the voting age population.

But may I point out to my colleague that the important question is not whether I understand or am able to define his terms. The major consideration we are dealing with involves the one-man, one-vote concept. Twenty-two States in the Union have been able to redistrict without a 30-percent deviation, and, no matter how difficult you make your examples, it does not change a thing. The majority of the States in the Union right now have been able to redistrict well below a 30-percent deviation figure without great difficulties arising from the problems that you are conjuring up.

Mr. MacGREGOR. I am not conjuring them up at all. The Supreme Court has mixed the two doctrines of equipopulous districts and the right to cast equally weighted votes, and I hope that our discussion here today might be somewhat instructive to them as they grapple with this problem in the future, because what I think they really would like to see is that each man's vote is equal to another man's vote. But in coming down to tiny percentages of population equality, they take their eye off the ball and do not accomplish their objective.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the distinguished gentleman from Ohio.

Mr. McCULLOCH. I yield 1 additional minute to the gentleman from Minnesota.

Mr. MacGREGOR. I thank the gentleman.

Mr. McCULLOCH. Mr. Chairman, is it true that if there be a redistricting in many or some States of the United States in 1967 or 1968, that there would be deviations from 10 percent to 30 percent or 40 percent, and there would not be a one-man, one-vote districting situation?

Mr. MacGREGOR. The gentleman is absolutely correct. And in trying to meet that problem, we have inserted language in this bill, at the bottom of page 4 and running over to the top of page 5, to the same purpose as the similar language that was in the 1965 bill. We have provided that where there is special census information available, it may be utilized to validate a districting plan.

May I conclude by saying to my friend from Michigan—and I am sure he listened with great pleasure to our chairman, as like Sisyphus, he tried to push that boulder up over the hill—notwithstanding the fact that the gentleman from Michigan is standing on that boulder, I am going to lend a shoulder to the weight behind the boulder, and I think we are going to put it over the hill.

Mr. CELLER. Mr. Chairman, I yield 5 mintues to the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Chairman, I woud like to commend, of course, our distinguished chairman, who has worked on this bill for many years. No legislation in this field—and there are many great landmarks—would have been possible without the combined and cooperative efforts of our chairman from New York and the distinguished ranking minority Member from Ohio. Their courage and courtesy is hard to equal.

I would like to commend also the remarks made in this debate, which were helpful and illuminating, by the gentleman from Michigan [Mr. CONYERS], and the gentleman from Missouri [Mr. ICHORD], and the gentleman from Minnesota [Mr. MACGREGOR].

I believe all of us recall our Greek mythology and recall the great thing about Sisyphus, the reason it is so fascinating a story, is that the boulder always fell back. Albert Camus reminds us that the great triumph of man is to keep trying even when he knows the task is hopeless.

If we can reminisce a bit, the Rules Committee recently gave us what is popularly known as an Ethics Committee. We approved that 400 to 0. Many with short tenure issued long statements on the need for moral catharsis and enjoined that they would watch for performance, not merely creation of an Ethics Committee. I hope that they in here will join me in reconsideration of a speech on this very topic of politial morality delivered by the late Adlai Stevenson in Los Angeles, Calif., September 11, 1952. It could have been written yesterday.

Governor Stevenson said:

> I am frank to say that I get a little confused by corruption in politics. We tend to think of it as something so simple—the simple, unsophisticated terms of graft, of cash on the barrel head—but its forms are many and I think of another form which we witness every day.
>
> Perhaps the proper description is not corrupt, but expedient, for the legislator—be he in Sacramento, or Springfield, Illinois, or Washington, D.C.—who will vote for all kinds of special-interest bills to catch or to hold some votes while he prates piously about economy and indignantly about waste. Call that what you will. Condone it as you please. Even profit from it as you do now

> and then. Its cost to you is infinitely greater than all thievery and rascality that capture the headlines.
>
> Everyone is for economy, efficiency and honesty and against waste, sin, corruption and communism. But how about the logrolling for laws, or their repeal to serve the interest of some group at the public expense, to catch some votes or for fear of losing some?
>
> Many things are done which seem to be hard to distinguish from outright bribery. Yet we will condone the one and condemn the other.
>
> Surely, there must be some higher standard and some better test than simply bribery for cash, but I dare say that the only way that we will attain some higher standard of ethics and of responsibility and of courage in public life will be compounded heavily of forbearance your self from exerting selfish pressures plus some positive applause and tangible support for the guy who is playing it straight morally and ethically, as well as legally, in spite of the fact that you will probably not agree with him on the merits of the issues and actions many times. Indeed, sometimes he may not even wear your party label.
>
> Just remember that all that is gold to a politician does not glitter, and that to be good and stay in office, he needs a lot of help from people who don't want anything from him except to be good.

In short, Mr. Chairman, if the only ethical improprieties we can detect involve the exchange of cash, falsification of vouchers, and credit-card abuse, we are going to miss most of the action.

I hope we can join with Mr. Stevenson, Mr. Chairman—

> In any event, whatever my own fate as a politician, I do know that sound government ends when the leaders of special groups call the tune, whether they represent capital, labor or farmers, veterans, pensioners or anyone else.

Shall we bundle together the morality monument we passed a fortnight ago with this statute which will do so much to save the seats of every one of us. But let us return, as every Congressman must ultimately return, to the subject before us. Most of the Members will vote for this bill—and I suppose most will—but if you are from New York, this bill will help, and you need this bill because you will have a variation of over 30 percent between the districts. Some have over 100,000 more people than others. The permissible 30 percent variation might aid in saving a seat.

However, if a Member is from Ohio, this bill would be a good bill, because there is a 45-percent variation in districts with over a 100,000 difference in population between districts.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the chairman of the committee.

Mr. CELLER. The gentleman mentioned that there was a variation of more than 30 percent in the size of districts in New York. I checked on that, in the Congressional Quarterly. As between the district now occupied by the gentlewoman from New York [Mrs. Kelly], which is the largest district, and the district occupied by the gentleman from New York [Mr. Fino], which is the smallest district, there is a spread of 29.5 percent. It does not go above 30 percent.

Mr. HUNGATE. If the chairman will permit, I certainly agree with his statement and with the statement in the Congressional Quarterly. I used this figure originally, and the legislative reference service furnished a figure to the gentleman from Michigan [Mr. Conyers], which he inserted in the Record, on page 10765, which indicated it was above 30 percent.

I would want to state the correct figure. I am not certain whether it is 29 percent or some other figure.

Mr. CELLER. It is very important that these figures be correct. I read from the Congressional Quarterly, weekly reported dated September 16, 1966.

I fear that the gentleman's figures were obtained from a record different from that. These are the latest figures. These figures show the disparity is less.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. HUNGATE. Mr. Chairman and the chairman of the committee, I shall be glad to correct my remarks to show that New York is within the permissible 30 percent we now propose to enact.

If a Member is from California, he should support this bill, because that seems to be the worst malapportioned State in the United States. Despite the fact that they received eight additional Congressmen after the last census, there are population variations of over 280,000 between districts, and a percentage difference between districts indicating something over 60 percent.

Perhaps if we could have had an open rule, which I sought, Members could have sought an amendment to raise the percentage to 70 percent. This would have saved their seats, and would have satisfied them.

If a Member is from Indiana, they are still under a court order to redistrict, and face the possibility of at-large elections. This bill would abolish the at-large elections, and could save their seats.

On the other hand, if a Member is from Hawaii or from New Mexico, this bill will guarantee at-large elections until 1973, and could save a seat. This will allow plenty of time to amend the bill further.

The bill should receive the support of every person from Indiana or Texas, who does not want to run at large, and the support of everyone from Hawaii or New Mexico who wants to run at large.

We also have a statement in here that the district should be as compact as the State finds practicable. This should be good news for North Carolina. The North Carolina districts are approximately what I have indicated here on the map.

As I say, "as compact as that State finds practicable" should get the vote of the people from North Carolina.

They are under a redistricting order, because some have suggested that the present lines are tortuous. By the way, it was suggested that the present district lines are tortuous and that each incumbent got a district of his own.

To accomplish this, wildly shaped districts were created, often only one county wide and circling like crawling snakes. One State representative remarked that his county belonged in its congressional district "like Elizabeth Taylor belongs in the YMCA."

If the Member's district is unusual in shape, or in size, or in population, this bill is for him. Therefore, I am certain that the bill should pass without the support of such areas as Michigan or Mississippi, both of which are within the one-man, one-vote rule.

If we pass this measure, which will do so much for so many of us sitting here, it is imperative that we take other action to maintain our high ethics image. This can be done, as some have already done, by opposing such devices as the Dirksen amendment or by resisting the call for a new constitutional convention, because that comes from districts and States which are malapportioned.

If we pass this bill it will be received by a malapportioned legislature.

If the new Committee on Standards of Official Conduct is without a slogan, may I suggest, with apologies to James Russell Lowell:

In every struggle for power or pelf,
Be true to one party—namely yourself.

Mr. MacGREGOR. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. Mr. Chairman, I might say that I have no need for the chart, and the Sergeant at Arms is free to remove it as far as I am concerned.

Mr. CORMAN. Mr. Chairman, will the gentleman yield for one question on this?

Mr. McCLORY. I yield to the gentleman.

Mr. CORMAN. I would like to mention this on the chart before it is removed. Would there be a Federal registrar in your State? Would the gentleman enlighten me on that?

Mr. WHITENER. Mr. Chairman, would the gentleman yield to me?

Mr. McCLORY. I yield to the gentleman from North Carolina.

Mr. WHITENER. I would say to my distinguished and brilliant friend from California sending Federal registrars to any area shown on that map would be about as big a waste of money as some of the things a lot of my friends around here have been supporting for a good long while.

Mr. McCLORY. There seems to be a contention here by a number of those speaking in opposition to this bill that the Congress is lacking in authority to enact any legislation with respect to establishing guidelines for congressional districts. I disagree entirely with that contention and state on the contrary that it is highly incumbent on the Congress to provide the guidelines as set forth in this legislation.

As I interpret the bill before us, and having served on the subcommittee that considered it, there are two main purposes to be served by this congressional redistricting legislation.

The two main purposes to be served by the congressional redistricting legislation are:

First, to provide a legislative method of establishing congressional districts of approximately equal population; and

Second, to give stability to existing and future congressional districts.

The U.S. Supreme Court, in holding unconstitutional a number of congressional districting acts of State legislatures, has—in my opinion—indicated the need for congressional guidelines. This bill—H.R. 2508—undertakes to provide these guidelines. The measure establishes temporary guidelines, which affect existing congressional districts as established either by State legislatures or by court orders. And, in addition, it provides long-range guidelines that will affect congressional districts following the 1970 Decennial Census.

The suggestion of contiguity and compactness caused a certain amount of concern to the members of the committee. There is no desire on the part of committee members to authorize or countenance gerrymandering through this legislation. Quite the contrary; the committee wishes to provide guidelines that will establish compact and contiguous districts wherever it is possible for the State legislatures to meet these criteria.

The criterion of contiguity requires a rather liberal interpretation when it is necessary to include within a single congressional district areas which are separated by a body of water. Yet we find within congressional districts located along our coastlines numerous instances where such condition exists. These districts are contiguous and are thus interpreted by court decisions. In addition, they should be considered compact if the State within which they are located interprets them in that way. In other words, as I understand the intent of this legislation, the question as to compactness calls for a practical interpretation, and also attempts to leave this practical or practicable result up to the decision of the State legislatures.

The emphasis on this legislation is distinctly that congressional redistricting is a legislative and not a judicial function. In providing this emphasis, it is my feeling that the committee has also adhered to pronouncements of the U.S. Supreme Court. In other words, the Congress, through this legislation, is responding to the need for congressional guidelines.

It may be difficult for State legislatures to meet the criteria set forth in this bill without cutting across county lines and even municipal and ward boundaries in many instances. However, there should be sufficient latitude to permit natural boundary lines to be considered in establishing congressional districts.

This latitude of 30 percent between the district having the highest population and the one having the lowest population during the next 4 years, and a total of 10 percent between districts having the highest population and lowest population thereafter, would seem to provide sufficient latitude so that State legislatures could establish sensible districts of approximately the same population.

It does not seem appropriate to me to suggest that the State legislatures are going to deliberately use every means and device for evading the intent of this bill. On the contrary, I would expect that State legislature fulfill the objectives and intent of the Congress in establishing congressional districts, and that the requirements of this measure will be fulfilled as intended by the committee and by this House.

Let us recall that the guidelines set forth in this bill must be applied throughout the 50 States—large States and small States—sparsely populated and heavily populated. This legislation must be applied to such diverse situations as exist in the States of Maine, Massachusetts, Colorado, California, and Hawaii.

I can assure you that the members of the committee had in mind the interests of all 50 States and the many peculiar problems that exist in the individual States. A sincere effort has been made to take into consideration all of the particular problems and to satisfy the needs of all.

The establishment of guidelines, it seems to me, is essential. This bill represents the best that the committee can do, and it certainly should be possible for the legislatures of all of our States to establish valid and constitutional districts within the guidelines that have been set forth in H.R. 2508.

Mr. Chairman, I think it should be made crystal clear that the intent of this legislation is to provide a workable and practical program for establishing congressional districts on a basis required by the Constitution, as interpreted by the U.S. Supreme Court.

The intent and effect of the final sentence of the bill is to give support to those temporary redistricting plans which have been confirmed by a court order until the State legislature has an opportunity to improve upon what the court may have ordered. It would frustrate and violate this intent if greater disparity in population were permitted by any legislative action—and I would expect any such measure to be held invalid. Certainly, the intent of this legislation—H.R. 2508—is to establish, as rapidly as possible, districts having equal population within certain prescribed limitations—and to give reasonable stability to such districts.

The intent of the final sentence in the bill is to prevent a multiplicity of suits—to reduce the amount of court litigation—and to prevent a court proceeding prior to each election between now and 1972. To ascribe any other intent, or effect, to this sentence would be to thwart the intent of the Congress and to violate the entire congressional program of establishing guidelines for stable and fair congressional districts.

Let me emphasize once more that the committee regards the subject of congressional redistricting as a legislative function. If the State legislatures can, in the exercise of their authority, establish congressional districts that are fairer, more compact, or more contiguous than those that the court has directed, the legislative prerogative should be recognized.

However, there is no intent to grant any legislative authority that would permit greater disparity, less contiguity, or less compactness—and there should be no ambiguity in the legislative history on this subject. Any other interpretation would be inconsistent and violative of the entire meaning and thrust of this legislation.

Mr. ICHORD. Mr. Chairman, will the distinguished gentleman yield to me at this point?

Mr. McCLORY. Yes; I yield to the distinguished gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I thank the gentleman from Illinois for yielding and it is my opinion that the distinguished gentleman has made a very valid point with respect to the court's exercising a legislative function.

Mr. Chairman, permit me to read to the gentleman and the other Members of the Committee of the Whole House on the State of the Union the following sentence of an Illinois court on what they call congressional reapportionment, rendered on September 10, 1965.

Mr. Chairman, the court in the case stated as follows:

> On September 10, 1965, the Supreme Court of Illinois in People ex rel. *Scott* v. *Kerner et al.*, 32 Ill. 2d 539, 208 N.E. 2d 561, by appropriate order afforded the two opposing political factions of the State Electoral Board opportunity to settle in an orderly fashion the Illinois congressional reapportionment controversy.

Mr. Chairman, here is a court exercising a legislative function.

Mr. Chairman, it is my opinion that it is high time we took the courts out of the legislative field.

Mr. McCLORY. I thank the distinguished gentleman from Missouri.

Mr. McCULLOCH. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Illinois [Mr. RAILSBACK].

Mr. RAILSBACK. Mr. Chairman, first of all, I want to commend the distinguished chairman of the Judiciary Committee, my colleague from New York, for his long efforts in developing this legislation. A principal purpose of this bill is to prevent gerrymandering, and it deserves support, if only for this reason.

This matter of maintaining congressional districts of equitable nature is a subject of vital importance to every Member of this body, for it is a fundamental element of our representative government.

I will not attempt to repeat or review points already discussed by my distinguished committee colleagues who have explained this legislation, but there are two points which I believe deserve special attention.

I call your attention to the concluding sentence of the bill which reads:

> There shall not be more than one redistricting between decennial censuses unless a particular State constitution requires otherwise.

Many Members of the House have been faced with redistricting experiences. In the last few years some Members have had their districts redrawn as many as three times. Examples that come to mind are my colleagues from the States of Missouri and North Carolina.

The provision that I quoted and which

I authored as an amendment to the bill in committee, is designed to remedy this unnecessary and useless situation.

This particular provision of the bill is designed as a stabilizing factor for congressional districts. In effect, it prohibits a State from undertaking a redistricting more often than is required by article I, section 2 of our Constitution, unless State constitutions should provide otherwise. I would also point out that a State has not been redistricted within the meaning of this provision until the State legislature has enacted valid and proper districts which comply with the act.

There is currently under consideration by the Congress a plan for conducting a national census every 5 years. This provision of H.R. 2508, based on article I of the Constitution calling for an apportionment of Representatives every 10 years, would remain in effect regardless of the fact that a census might be conducted every 5 years.

This provision also permits each State to make its own determination regarding such redistricting. If the State, by its constitution, desires to redistrict more frequently than this law provides, it is free to do so. H.R. 2508 simply gives some order and stability to this process.

One valid redistricting following each decennial census is enough. It is consistent with the analogous constitutional requirement for apportionments.

A second point to which I would like to direct attention of my colleagues is the provision of this bill regarding population requirements for the districts.

There are actually two standards provided for in the bill, the first a permanent one to take effect with the 93d Congress, and the other a temporary one to provide a period of transition until the next decennial census is completed—or for the 91st and 92d Congresses.

This bill seeks to take cognizance of fair and reasonable standards and at the same time provides for an orderly transition to the time when population figures are available to realistically and truly create equitable congressional districts.

The permanent provision of this bill provides that:

> The district with the largest population so established shall not exceed by more than 10 per centum the district with the smallest population in the number of persons * * *

While the Supreme Court has refused to set a simple mathematical test for congressional districts, the lower Federal courts have set standards which vary from State to State. For example, a lower Federal court in Texas in Bush against Martin declared that:

> Any congressional redistricting plan in which the Districts on the average vary more than 5.5% from the ideal and under which less than 49.4% of the people can elect a majority of the State's congressmen (12) would be condemned for failure to represent a good faith effort toward equality as nearly as is practicable.

On the other hand, in New Jersey a court found a 17.3-percent deviation from smallest to largest unconstitutional. This plan provided for a deviation of 7.3 percent of the largest district from the average size and 8.7 percent from the smallest.

The standards of section 1 of H.R. 2508 certainly are fair and equitable even by the standard of the lower Federal courts.

The temporary standard provided by the bill permits the district with the largest population to exceed by not more than 30 percent the district with the smallest population in number of persons. This provision does not overrule or nullify the rulings of the Supreme Court. The language of the permanent section shows the basic intent of this measure is to be every bit as strict as the Court criteria. It is essential, however, that the States be given time and some leeway in adjusting to the ultimate standards set by this bill. A period of transition seems only fair. And even more important, the States must only be redistricted to this strict standard when there are available the reliable and then recent figures of the 1970 Decennial Census.

The Constitution in article I, section 2, gives Congress authority for determining the: "Times, places, and manner of holding elections for Senators and Representatives." This is then a proper function of Congress to set standards for the redistricting of its membership. The Supreme Court in Wesberry against Sanders declared that redistricting was a justiciable issue, and the Federal courts review the standards set by a State—I repeat—State legislative body. There is a big difference when standards are those set by the Congress, a coequal branch of Government. While this power of Congress is not an exclusive grant by the Constitution, this matter is a legislative matter and the policy of the Congress—in the absence of an abuse of legislative power—must prevail. In an analogous situation, the Supreme Court recognized in Baker against Carr, "the impossibility of a Court's undertaking independent resolution without expressing lack of the respect due coordinate branches of Government."

In short, the Court has clearly recognized the doctrine of separation of powers with regard to this matter and it would seem appropriate that it be applied fully in this instance.

Mr. Chairman, I urge affirmative action on this bill.

Mr. McCULLOCH. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. Biester].

Mr. BIESTER. Mr. Chairman, I am in rather a position of mixed feelings with respect to this bill. I support the concept of the bill. I support its purpose. I hope that circumstances lead to my being able to vote for it.

My greatest problem lies with the period of time which is characterized as a temporary period during which it seems to me our policy and purpose should be to provide some level of stabilization not only for the Members of this House but for the constituency which elected them. The people of our country are entitled to know who their Congressmen are, not just from month to month, not just from year to year, but from decade to decade.

In this temporary period with respect at least to a number of States, as I have reviewed the chart which was inserted in the Congressional Record on Tuesday, if we apply the 30-percent standard and base that upon the formula contained in the report inserted in the Record, four States would have to be redistricted, and those States find themselves within the range of 15 percent up from an average norm, and 15 percent from an average norm down.

My feeling is that we should provide as much stabilization as possible during this period, and discourage other redistricting in our States which have only had them in the last year or 2 years.

I certainly feel that the 30-percent figure, or a 15-percent up and a 15-percent down figure, makes sense when you are dealing with the end of the decade.

The population explosion has been tremendous, and in Pennsylvania I know that although on paper the figures may be 15-percent up and 15-percent down, they are much closer than that in actuality. I believe we should enable the legislatures to rely on the most accurate figure they possibly can because this is the way to do a real job, and not just the appearances of doing a real job.

If I have the opportunity to do so, and am recognized, it is my intention at the appropriate time to offer a recommittal motion with instructions to clarify the 30-percent range, and to ask that it be clarified as 15-percent up from an average norm, and 15-percent down from an average norm, as the tolerable range. And also I intend to ask for certain other stabilizations in the redistricting which has occurred during the last 2 or 3 years.

Now, Mr. Chairman, I yield back the balance of my time.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. Wylie].

Mr. WYLIE. Mr. Chairman, as has been pointed out, the case of Wesberry against Sanders decided that the House of Representatives of the Congress of the United States should be elected on the basis of one man, one vote.

Ohio has been referred to several times today as a glaring example of one of the States that has not necessarily complied with that rule.

We do have a case in Ohio which is now going through the three-man Federal district court and we have been told that we will have to redistrict again even though we just did it in December of 1965. No decision has been rendered and the journal entry of the court has not been entered.

Following this decision and decisions which followed implementing the one-man, one-vote rule, the Legislature of Ohio went about the task of redistricting the State.

There was language in the decisions of the Supreme Court which led one to believe that the one-man, one-vote doctrine should be based on the last Federal census. There was other language which seemed to say that the overriding consideration is one man, one vote based on actual current population.

In Franklin County, in which is situated the State capital, Columbus, and the districts which the Honorable Samuel L. Devine and I have the privilege of representing, we have a situation where a county has grown to a population of over 800,000 since 1960. According to the 1960 Federal census, the population is something over 682,000.

Obviously, even based on the 1960 census, this county was too large for one district—the average size of which was to be 404,433.

When we began the task of making the 12th Congressional District of a size to comply with the Supreme Court decision, we soon found that the county of Franklin was indeed much larger by population than the 682,000 plus figure as determined by the 1960 Federal census.

With the help of the Columbus Chamber of Commerce and the Ohio Department of Development, plus some figures from the Bureau of Labor Statistics of the Department of Labor, we found that the population of Franklin County, as of July 1, 1965, was over 786,000 people.

Obviously, basing a redistricting proposal for Franklin County on the 1960 census would not comply with the one-man, one-vote doctrine.

The Columbus Chamber of Commerce had compiled these figures based on factors which allowed it to estimate the population within one-tenth of 1 percent of the actual 1960 census. The figure is determined by taking a formula based on the number of building permits, the number of gas, water, and electric permits, along with the number of new postal addresses, plus the births and deaths in the county.

This figure is kept up to date on a continuing basis from month to month.

As of July 1, 1964, the population of Franklin County had increased to 764,923.

As of July 1, 1965, the increase was to over 786,000.

As of July 1, 1966, it is over 810,000.

So that in the case of each district, the 12th District and the 15th District in Ohio, we are now about equal to the 404,000 average figure per district. If we divide the whole State of Ohio by 24, which is the number of congressional districts we have, into the estimated present population we come up with what we call almost a minus 5-percent district in each case.

The 12th District and the 15th District in Ohio are the fastest growing congressional districts in the State. As of today, they are within, as I have said, a 5-percent deviation of the estimated population of the whole State of Ohio.

If the idea of the Supreme Court decision in the Wesberry against Sanders case is to have people represented equally or as near as possible equally, then we have complied with that decision, obviously.

This bill today would say that considerations such as a rapid increase in population are possible and indeed proper but that when we take another look at the problem after a head count through a Federal census in 1970, the districts may vary in size by only 5 percent, so that the increases in population such as have occurred in Franklin County can be taken into account for the first redistricting after the Wesberry against Sanders case but not thereafter.

I wish to commend the gentleman from New York [Mr. CELLER] and the gentleman from Ohio [Mr. McCULLOCH] for this Herculean effort in behalf of good government, and I urge your support of the bill.

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, as a member of the subcommittee I was much impressed by the remarks just made by the gentleman from Ohio [Mr. WYLIE]. In the redistricting bill which this body passed in 1965 we included language which read as follows:

> Where a State has redistricted since the last decennial census, the most recent Federal special census may be used in determining whether any district, invalid under the latest decennial census, meets . . . The percentage criteria contained in that particular bill.

Mr. Chairman, while the 1967 bill does not repeat exactly the language used in the 1965 bill, it is the intent of the subcommittee that the spirit of the 1965 language shall be contained in the actual text of the 1967 bill. In the 1967 bill, at the bottom of page 4, we make specific reference to any subsequent Federal special census, and our purpose was to provide the best possible information available to validate a redistricting as to the 30-percent criterion set forth in section 2 of the 1967 bill.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Chairman, I rise merely to emphasize the importance of the remarks made by my colleague, the gentleman from Ohio [Mr. WYLIE]. I might say that he was a member of the General Assembly in Ohio when they went through the process of redistricting. He made reference to Franklin County. Very simple this: They did a job based upon intelligent information and statistics. But you could not rely upon the 1960 census for population increase because this is one of the fastest growing areas in the Nation. If we had the means of taking the census more frequently than during the decennial period, it would show that as of today, in 1967, 7 years after the last census, that the two districts to which he made reference would fall right on target within the percentages necessary as set forth by the Supreme Court. So it will be necessary for us to perform our legislative functions to prevent the court from performing legislative functions and to look at it realistically on the basis of what the population is today and not what the Supreme Court sets as a guideline 7 long years ago, when there have been changes.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. DEVINE. I yield to the distinguished gentleman from Ohio.

Mr. McCULLOCH. Did I properly understand the gentleman from Ohio to say that the new district that was created by the redistricting legislation passed in 1965, which created the new district, the population therein had increased at least 100,000 since 1960?

Mr. DEVINE. In excess of 100,000 since 1960.

Mr. McCULLOCH. Mr. Chairman, that points up what several of us have been trying to say. There just is no such thing, congressional election to congressional election, of a one-man, one-vote actuality. It is an impossibility. The reasons for this legislation became clear as more and more districts experience that which has been described by my colleague, the gentleman from Ohio [Mr. DEVINE].

Mr. Chairman, I yield such time to the gentleman from Washington [Mr. PELLY], as he may desire.

Mr. PELLY. Mr. Chairman, it is essential that Congress establish some guidelines for establishing congressional districts lest uncertainty continue to reign and lest we find the courts suddenly ruling 297 congressional districts invalid. This bill, H.R. 2508, would cure this problem by replacing doubt with certainty. It is easy to understand why there has been so much confusion in the States since Federal courts have been directing redistricting, but without precise criteria for accomplishing it. Now, H.R. 2508 would establish permanent standards, and of equal importance, would allow a few years for the State legislatures to act. Mr. Chairman, I support this bill aimed at ending the States' present districting dilemma.

Mr. REUSS. Mr. Chairman, I am opposed to H.R. 2508, because I believe it a step backward in the principle of one person, one vote.

The principle of equality in congressional electoral districts has not been easily won. In Wisconsin we were able to enact a system of one-person, one-vote representation for the Wisconsin Legislature in the early 1950's only as a result of an historic decision by the Wisconsin Supreme Court. I had the privilege of participating in that litigation to secure fair representation as special counsel for the late Secretary of State Fred R. Zimmerman. The Wisconsin Legislature then addressed itself, after the 1960 census, to an equitable apportionment of the State's 10 congressional seats. The 1963 Wisconsin congressional reapportionment law is one of the fairest in the Nation. The most populous and the least populous districts, under that 1963 representation, vary only 3.4 percent from the average.

This is in full compliance with the decision of the U.S. Supreme Court in *Wesberry* v. *Sanders* (376 U.S. 1, 18 (1964)), in which the Court said:

> While it may not be possible to draw congressional districts with mathematical precision, that is no excuse for ignoring our Constitution's plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives.

Under the bill before us, States may, for the 1968 and 1970 elections, ignore this fundamental goal and instead allow for a disparity between the smallest and the largest district of up to 30 percent.

I see no reason why those States which have not already performed their manifest duty to enact equal congressional districts should be relieved from the Supreme Court mandate to redistrict now. The House cannot become a truly representative body until this is done. There is no excuse for delay.

Worse than that, the 30-percent leeway provided by H.R. 2508 would give an incentive for States like Wisconsin, which have redistricted properly, to backslide. They could undo the fair redistricting which they now have on their lawbooks, and turn the clock backward to the bad old days.

This is my most serious objection to H.R. 2508. But it is not the only one. The 10-percent leeway standard set up for 1972 and thereafter is likewise much too relaxed. H.R. 2508 is also defective in that it empowers the States to gerrymander their districts, now and forever. After 150 years this kind of monkey business ought to be abolished now.

Mr. KUPFERMAN. Mr. Chairman, while I opposed the rule (H. Res. 442) to bring this matter up today for a vote, on the grounds that first, no hearings had been held—see minority views of Hon. JOHN CONYERS, JR., to the committee report No. 191—and second, the rule itself prevented amendment which left the matter on a take-it-or-leave-it basis, I must now support the bill itself, H.R. 2508, establishing Federal standards for congressional redistricting, because finality is essential.

The chairman of our Judiciary Committee, the gentleman from New York, the respected and well-qualified Hon. EMANUEL CELLER, himself, recognizes that this bill is not perfect. Nonetheless, I agree with him that we must set up some standards and we cannot let the various courts in the country come up with differing rules.

A candidate is entitled to know where his district is and, with some certainty, where it will be in the future. We must not allow to occur again anything like the recent fiasco in New Jersey or the New York State legislative reapportionment situation where candidates had to run for 1-year terms while the courts and the legislature jousted over boundaries.

Mr. RHODES of Arizona. Mr. Chairman, under the provisions of the U.S. Constitution, the establishment of precise criteria for congressional districting is a matter for Congress. The continued litigation in this area underscores the importance of Congress declaring its policy. Indeed, if Congress does not establish guidelines for the States to follow, the districts in 22 States or 297 congressional districts may be ruled invalid.

H.R. 2508 would provide congressional standards for the States to follow in the establishment of districts for the election of representatives to Congress.

In 1964, the Supreme Court held in Wesberry against Sanders that the matter of congressional redistricting was a justiciable issue. As a result of this decision, many States have been directed by the Federal courts to redistrict. However, the courts have not established precise criteria for redistricting. Nor, under the Constitution, should they do so. Consequently, there has been a great deal of confusion, and all too frequently, State redistricting plans have been set aside.

H.R. 2508 would introduce the essential element of certainty into the presently troubled situation. It would establish temporary criteria to be effective during the 91st and 92d Congresses and permanent standards for the 93d and subsequent Congresses. The interim standards for States to follow would permit districts to have a population spread as great as 30 percent between the high and the low districts. These temporary guidelines would also give stability to States operating under court-ordered redistricting plans. The permanent standards established by this bill are as follows:

First. Each State shall establish by law a number of districts equal to the number of authorized representatives.

Second. Representatives shall be elected only from such districts so established. Existing provisions for Representatives at large in multimember States are eliminated.

Third. Each district shall be composed of contiguous territory in as reasonably a compact form as the State finds practicable.

Fourth. The district with the largest population in a State shall not exceed by more than 10 percent the district with the smallest population as determined under the then most recent decennial census.

Mr. BLACKBURN. Mr. Chairman, it is with great pride that I take this occasion to make known my support of the bill to require redistricting among congressional districts so as to insure fair representation of all the people in the Congress.

On the vote on the previous question I cast a "No" vote on the philosophical basis that I generally am opposed to closed-rule debate. I feel that every measure should be subjected to the possibility of amendment when, in debate on the floor of the House, it develops that some facet of the bill would require change. In the present bill, it is my thought that no State should be exempted from the provisions of the act.

Notwithstanding my sentiments that some need for change might exist in the bill, I still am happy to cast my vote for it.

For many years the residents in the metropolitan area of Atlanta were grievously underrepresented in our State house of representatives and senate. The more equitable representation which now exists was, I regret, the result of judicial decree and not legislative responsibility.

I am proud that the measure which now stands before this House is the result of an action initiated within the House. I am proud that the Congress has shouldered its responsibility without waiting for an endless procession of lawsuits.

Mr. REID of New York. Mr. Chairman, I am unable to support H.R. 2508, a bill to establish Federal standards for congressional districting, in its present form. While legislation along these lines is desirable, and the committee has made a start, I believe that the bill before us could compromise two important facets of congressional districting.

First, by permitting a variance as high as 30 percent in the size of district under the interim provisions to be in effect through 1973, the bill would seem to be departing markedly from the impact of several significant court decisions.

Second, the last sentence of section 2 raises doubts as to the jurisdiction of Federal courts in congressional districting cases. Serious constitutional questions are involved in the districting cases presently in litigation, and it would seem advisable that there be no uncertainty about the authority of Federal courts to decide these issues on the merits.

Mr. GUDE. Mr. Chairman, I am opposed to H.R. 2508 because it fails to squarely face the necessity for the establishment of one-man, one-vote guidelines. I voted against the rule which prevented us from offering amendments on the floor to rectify certain deficiencies in the bill.

This bill has set standards for congressional districting which the Supreme Court has already indicated are unconstitutional. Furthermore, a population variation of 30 percent between congressional districts is inequitable. The authors of the bill tacitly admitted this by providing that the permissible maximum will be 10 percent starting with the 93d Congress. The bill also neglects to make provisions for compactness as a standard for congressional districts.

I am opposed to this bill because it does not adequately provide equal representation for equal numbers of voters.

Mr. McCULLOCH. Mr. Chairman, we have no further requests for time, and we yield back the balance of our time.

Mr. RODINO. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, the gentleman from Missouri, who gave such a vigorous argument a while ago, implied that one could be for this bill only if he had some special interest in it. But there may well be two kinds of Congressmen here: Those who have really good districts they want to keep, and those who have not such good ones and would like to get better ones. It reminds me of what I was told when I was a young man: to beware of the girl who loudest proclaims her virginity.

I would point out that as far as California is concerned, this bill does not prevent California from being reapportioned. The court would order the reapportionment of California under this bill, just as it would under the existing case law. This bill would, for California, and for any other State that has to be apportioned now or in 1971, give some objective standards and give some stability to reapportionment.

The only clear case law at the moment is the court believes there ought to be a one-man, one-vote principle followed. As the gentleman from Michigan [Mr. CONYERS] pointed out, in many of the cases there has been great divergence among the cases as to how much latitude there ought to be.

Reapportioning any legislative body is difficult. Anyone who has served in a city council that reapportions itself or in a State legislature that reapportions itself or reapportions the congressional districts, knows there is nothing more difficult politically to do.

It is normal that the legislatures will be tempted to stretch as far as they can to find the limits the court will permit. If this House sets down objective standards, I am convinced that the courts will follow them.

The rationale has been clearly stated as to why we accept a larger variation now than we will after 1971. It is simply because the figures that we use now are stale and inaccurate. The figures we will be using then will be fresh and accurate.

As the gentleman from Minnesota [Mr. MacGregor] pointed out, a 30-percent variance will give a legislature that wants to respect the one-man, one-vote principle a much greater opportunity to do it than if we had tied it to a small percentage.

That might sound like an argument for doing away with percentages altogether, but, if we do not have some objective test, then we have thrown the State legislatures and the courts back into their own ill-defined standards and they must search, case by case, to find the limits permissible.

This search, this instability, does one thing. It makes it impossible for people to keep track of who is their Congressman, for whom they will vote in the next election—or against whom they will vote, as the case may be.

There are some things in addition to the one-man, one-vote principle that this legislation seeks to accomplish. For one thing, it requires districts to be contiguous. Most States require that. We require that the districts be compact. Many States require that. In that requirement we leave the interpretation of compactness to the States themselves, either to the legislatures or to the State courts.

I would call attention of the Members to the fact that there has never been any suggestion for legislation and no case requiring compactness as a Federal standard.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, is the gentleman not aware there is a case in North Carolina where they were required to redistrict because the lines were tortuous. Could that not be construed as a requirement for compactness? Would those districts not be some that were found compact as a State terms practicable?

Mr. CORMAN. They may very well not. It may well be that the language under this bill would upset that apportionment. I do not know. I believe that State legislatures and the State courts will be able to define compactness in a manner that protects the integrity of the principle of one man, one vote. If they fail, this Congress could then act.

Also, the more important reason for compactness is that it ought to be relatively easy for a person to find out what district he lives in. That is the real value of compactness.

We have mentioned the importance of stability in congressional districts. This involves the greatest frustration, in leaving with the legislatures and the courts the challenge of wondering how much they can deviate, because in some States there have been reapportionments ordered after the primary election. Aside from the panic this must cause people seeking public office, it certainly causes some confusion for the voter, and I suspect it diminishes the voter interest in congressional races, because one does not know until the eve of the election in which district he lives.

This is the greatest single value of the bill, outside of protecting the one-man, one-vote principle. It provides stability to district lines.

On the matter of the 10-percent deviation after 1971, the reasons the committee made it 10 percent from the smallest to the largest—in other words, assuming the smallest is 100, the largest can be only 110—were twofold.

First, the States may, if there is an area which is growing rapidly, make that area the smallest district, going more than 5 percent below the norm to preserve greater integrity for the one-man, one-vote principle for a longer period of time.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Michigan.

Mr. CONYERS. Could we clarify the new method involved in this bill? There are a great number of Members from New York. Is it not true that the districts in New York would be caught under the 30-percent deviation figure because, in fact, as the gentleman from Michigan [Mr. Dingell] attempted to point out earlier, there is a deviation in population between the largest and smallest district there of 34.6 percent?

Mr. CORMAN. In answer to the gentleman's question, one would have to look at the smallest district in New York, add 30 percent to it, and then ascertain whether that figure was smaller than the largest district. If it were, then the districting would not comply with these guidelines. It might be that a new census provided for in section 2, could be used to cure the defect.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CELLER. Mr. Chairman, I yield back the remainder of my time.

Mr. McCULLOCH. Mr. Chairman, I yield my remaining time to the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. Mr. Chairman, I rise for the sole and exclusive purpose of explaining the motion to recommit which will be offered shortly.

The motion to recommit, which will be offered by the gentleman from Arizona [Mr. Steiger], would recommit the bill for the sole purpose of deleting from the provisions of the bill the exception which exempts the States of Hawaii and New Mexico from any requirement to apportion into congressional districts.

Section 2 of the bill, as the Members will note, permits at-large elections in Hawaii and New Mexico. There is no basis for that provision except, I suppose, the difficulty which the Members from those States may claim in establishing congressional districts in those two States.

I might suggest that the mere fact that there is difficulty in those States because of their particular geography or because of the unusual distribution of population within those States is no reason why there should not be congressional redistricting there.

If it happens for instance that the Members from Hawaii live in close proximity to each other there is still no reason for them to feel they might be forced to run against each other. There is nothing to stop a Member from moving to another district in the State. In fact, as a result of redistricting in Illinois last year it was necessary for one Member to move from his place of residence to another place, in order to retain his congressional district.

I believe that we should apply this legislation uniformly. We should be equitable. There is no reason why we should treat two States differently from the other 48 States. This exception, I assume, was made in the interest of the incumbents. There is nothing wrong in considering the interests of the incumbents insofar as redistricting of congressional districts is concerned, but I believe the prevailing view should be—and this is the basis for the motion to recommit, by the gentleman from Arizona [Mr. Steiger]—that there is no justifiable basis for putting the interests of the incumbents ahead of the larger and more important public interests involved in this legislation. The people of Hawaii and the people of New Mexico should be treated just as fairly and equitably, as the people of the other 48 States.

That is the basis for the motion to recommit.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to withdraw my previous yielding back of the remainder of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

I am sorry that the gentleman indicates the other side is going to offer a motion to recommit.

The motion to recommit would provide that the States of New Mexico and Hawaii would be compelled to redistrict and could not elect Congressmen at large. Those two States in their histories have never been redistricted. We have considered very maturely this question in the Committee on the Judiciary. We figured it would be unwise immediately to require them to redistrict. We say until 1972. During this interim period they need not redistrict, but after 1972 they will not be permitted to elect at large.

There is a political aspect to this situation. I hate to say this, but there is no doubt about it. I hope that the Democrats will vote against the motion to recommit. The Republicans might as well vote for the motion to recommit, because it has political implications involved there.

I am sorry that the question is raised at this very late hour, the 11th hour, at a time when we had hoped to get this bill through without too much difficulty.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. Under the rule, the bill is considered as having been read for amendment. No amendment shall be in order to the bill except the amendment in the nature of a substitute printed in the reported bill. Such amendment shall not be subject to amendment. The Clerk will report the committee amendment as printed in the reported bill.

The Clerk read as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

"That section 22 of the Act of June 18, 1929, entitled 'An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives' (46 Stat. 26), as amended, is amended as follows:

"Subsection (c) is amended by striking out all of the language in that subsection and inserting in place thereof the following:

" '(c) In each State entitled in the Ninety-Third Congress or in any subsequent Congress to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of this section, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative. Each district so established shall at all times be composed of contiguous territory, in as reasonably a compact form as the State finds practicable. The district with the largest population so established shall not exceed by more than 10 per centum the district with the smallest population in the number of persons, excluding Indians not taxed, as determined under the then most recent decennial census, with the further provision that if a State redistricts more than two years after a decennial census, the population requirements specified in this paragraph must be met under a statewide Federal special census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8); and said census must be less than two years old at the time of the next election following said redistricting. There shall not be more than one redistricting between decennial censuses unless a particular State constitution requires otherwise.'

"SEC. 2. In each State entitled in the Ninety-First Congress and the Ninety-Second Congress to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of section 22 of the Act of June 18, 1929, entitled 'An Act to provide for apportionment of Representatives' (46 Stat. 26), as amended, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative, (except that the States of Hawaii and New Mexico may continue to elect their Representatives at large). The district with the largest population so established shall not exceed by more than 30 per centum the district with the smallest population in the number of persons, excluding Indians not taxed, as determined under the eighteenth decennial census or any subsequent Federal special census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8). In the event a court of competent jurisdiction has ordered the redistricting of any State and such order has been applied in an election, the districts established by such court order or orders shall remain in full force and effect until the State shall establish valid districts in accordance with the provisions of this Act, or until superseded by a subsequent court order."

Mr. McCLORY (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as having been read and printed in the RECORD in full at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The question occurs on the committee amendment to the bill.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. EDMONDSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 2508) to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes, pursuant to House Resolution 442, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT

Mr. STEIGER of Arizona. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. STEIGER of Arizona. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. STEIGER of Arizona moves to recommit the bill, H.R. 2508, to the Committee on Judiciary with instructions to report the same back to the House forthwith, with the following amendments: On page 4, beginning on line 19 through line 21, strike out "(except that the States of Hawaii and New Mexico may continue to elect their Representative at Large)".

Mr. CELLER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 161, nays 203, not voting 69, as follows:

[Roll No. 76]

YEAS—161

Adair
Anderson, Ill.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Bates
Battin
Belcher
Betts
Biester
Blackburn
Bolton
Bray
Brock
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Bush
Button
Cahill
Curtis
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Corbett
Cramer
Carter
Davis, Wis.
Dellenback
Denney
Devine
Dickinson
Dole
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fino
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Gardner
Goodell
Goodling
Gross
Grover
Gubser
Gurney
Hall
Halleck
Halpern
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Heckler, Mass.
Horton
Hosmer
Hungate
Hunt
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kleppe
Kupferman
Kuykendall
Laird
Langen
Latta
Lipscomb
Lloyd
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
MacGregor
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Mize
Morse, Mass.
Morton
Mosher
Myers
O'Konski
O'Neill, Mass.
Pelly
Pettis
Pirnie
Poff
Pollock
Quie
Railsback
Reid, Ill.
Reid, N.Y.
Reinecke
Rhodes, Ariz.
Riegle
Robison
Roth
Roudebush
Rumsfeld
Ruppe
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Stafford
Steiger, Ariz.
Steiger, Wis.
Stratton
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Widnall
Wiggins
Williams, Pa.
Winn
Wyatt
Wylie
Wyman
Zion
Zwach

NAYS—203

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Ashmore
Barrett
Bennett
Bevill
Bingham
Blanton
Blatnik
Boggs
Bolling
Brademas
Brasco
Brinkley
Brooks
Brown, Calif.
Broyhill, N.C.
Burke, Mass.
Burleson
Burton, Utah
Byrne, Pa.
Cabell
Carey
Casey
Celler
Clark
Cohelan
Colmer
Conyers
Corman
Culver
Daniels
Delaney
Dingell
Dorn
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flood
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan
Haley
Hamilton
Hanley
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holland
Howard
Hull
Ichord
Irwin
Jacobs
Jarman
Joelson
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kyros
Landrum
Leggett
Lennon
Long, Md.
McCarthy
McFall
McMillan
Macdonald, Mass.
Machen
Madden
Mahon
Marsh
Martin
Matsunaga
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
Nichols
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Price, Ill.
Pryor
Pucinski
Purcell
Randall

Rarick
Rees
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Ryan
St Germain
Scheuer
Selden
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stubblefield
Taylor
Tenzer
Thompson, N.J.
Tiernan
Tuck
Udall
Ullman
Vanik
Vigorito
Waldie
Walker
Watts
White
Whitener
Whitten
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—69

Aspinall
Baring
Bell
Berry
Boland
Bow
Brotzman
Burton, Calif.
Byrnes, Wis.
Cowger
Cunningham
Daddario
Davis, Ga.
Dawson
de la Garza
Dent
Derwinski
Diggs
Donohue
Dow
Everett
Evins, Tenn.
Flynt
Gude
Hanna
Hays
Hébert
Holifield
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Kirwan
Kluczynski
Kornegay
Kyl
Long, La.
McEwen
Mailliard
Mathias, Calif.
Minshall
Moore
Murphy, N.Y.
Nelsen
Nix
Pool
Price, Tex.
Quillen
Reifel
Rogers, Colo.
Roybal
Satterfield
St. Onge
Scott
Smith, Okla.
Springer
Stanton
Stephens
Stuckey
Sullivan
Teague, Tex.
Tunney
Van Deerlin
Waggonner
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Wydler
Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bow.
Mr. St. Onge with Mr. Springer.
Mr. Evins of Tennessee with Mr. Quillen.
Mr. Waggonner with Mr. Price of Texas.
Mr. Johnson of California with Mr. Mailliard.
Mr. Hays with Mr. Cowger.
Mr. Kornegay with Mr. Scott.
Mr. Dent with Mr. Stanton.
Mr. Donahue with Mr. Moore.
Mr. Dow with Mr. Brotzman.
Mr. Murphy of New York with Mr. Wydler.
Mr. Kirwan with Mr. Bob Wilson.
Mr. Jones of North Carolina with Mr. Younger.
Mr. Charles H. Wilson with Mr. Bell.
Mr. Holifield with Mr. Cunningham.
Mr. Teague of Texas with Mr. Byrnes of Wisconsin.
Mr. Aspinall with Mr. Berry.
Mr. Rogers of Colorado with Mr. Kyl.
Mrs. Sullivan with Mr. McEwen.
Mr. Daddario with Mr. Smith of Oklahoma.
Mr. Kluczynski with Mr. Reifel.
Mr. Stephens with Mr. Minshall.
Mr. Burton of California with Mr. Mathias of California.
Mr. Williams of Mississippi with Mr. Derwinski.
Mr. Long of Louisiana with Mr. Gude.
Mr. Jones of Alabama with Mr. Nelsen.
Mr. Baring with Mr. de la Garza.
Mr. Pool with Mr. Flynt.
Mr. Hanna with Mr. Diggs.
Mr. Tunney with Mr. Satterfield.
Mr. Van Deerlin with Mr. Willis.
Mr. Roybal with Mr. Nix.
Mr. Stuckey with Mr. Boland.
Mr. Davis of Georgia with Mr. Everett.

Mr. OLSEN and Mr. LONG of Maryland changed their votes from "yea" to "nay."

Mrs. DWYER, Mrs. HECKLER of Massachusetts, and Mr. BUTTON changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. McCLORY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 289, nays 63, answered "present" 1, not voting 86, as follows:

[Roll No. 77]

YEAS—289

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Ayres
Barrett
Bates
Battin
Belcher
Bennett
Betts
Bevill
Biester
Blackburn
Blanton
Blatnik
Boggs
Bolton
Brademas
Brasco
Bray
Brooks
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Carter
Casey
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Corman
Cramer
Curtis
Davis, Wis.
Delaney
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Dulski
Duncan
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Gardner
Gathings
Gettys
Giaimo
Gibbons
Goodell
Goodling
Green, Oreg.
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Holland
Hosmer
Hull
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Karsten
Kastenmeier
Kazen
Keith
Kelly
King, Calif.
King, N.Y.
Kleppe
Kupferman
Kuykendall
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Lukens
McClory
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Marsh
Martin
Mathias, Md.
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Mize
Monagan
Montgomery
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Multer
Murphy, Ill.
Myers
Natcher
Nichols
O'Hara, Ill.
Olsen
O'Neal, Ga.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reinecke
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Ruppe
Ryan
Sandman
St Germain
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Stafford
Steed
Stratton
Stubblefield
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Ullman
Utt
Vanik
Vigorito
Waldie
Walker
Wampler
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Winn
Wolff
Wylie
Wyman
Young
Zablocki
Zwach

NAYS—63

Adams
Anderson, Ill.
Bingham
Bolling
Brinkley
Brock
Brown, Calif.
Cahill
Carey
Conyers
Culver
Daniels
Dellenback
Denney
Dwyer
Eckhardt
Fallon
Farbstein
Ford, William D.
Friedel
Galifianakis
Gallagher
Garmatz
Gilbert
Gonzalez
Green, Pa.
Griffiths
Gude
Halpern
Hawkins
Helstoski
Hicks
Horton
Howard
Hungate
Joelson
Karth
Kee
Long, Md.
McCarthy
McClure
Machen
Matsunaga
Minish
Mink
Moorhead
Moss
Nedzi
O'Hara, Mich.
O'Konski
O'Neill, Mass.
Ottinger
Reid, N.Y.
Reuss
Scheuer
Slack
Staggers
Steiger, Ariz.
Steiger, Wis.
Thompson, N.J.
Udall
Watkins
Yates

ANSWERED "PRESENT"—1

Dingell

NOT VOTING—86

Andrews, N. Dak.
Aspinall
Baring
Bell
Berry
Boland
Bow
Brotzman
Burton, Calif.
Byrnes, Wis.
Cederberg
Cohelan
Cowger
Cunningham
Daddario
Davis, Ga.
Dawson
de la Garza
Dent
Derwinski
Diggs
Donohue
Dow
Edwards, La.
Everett
Evins, Tenn.
Flynt
Fraser
Fuqua
Gray
Hanna
Hébert
Holifield
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Kirwan
Kluczynski
Kornegay
Kyl
Long, La.
McEwen
Mailliard
Mathias, Calif.
Minshall
Moore
Murphy, N.Y.
Nelsen
Nix
Pickle
Pool
Price, Tex.
Quillen
Reifel
Rogers, Colo.
Roybal
Rumsfeld
Satterfield
St. Onge
Scott
Smith, Okla.
Springer
Stanton
Stephens
Stuckey
Sullivan
Teague, Tex.
Tunney
Van Deerlin
Vander Jagt
Waggonner
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Wright
Wyatt
Wydler
Younger
Zion

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Pickle for, with Mr. Dingell against.

Until further notice:

Mr. Hébert with Mr. Fraser.
Mr. St. Onge with Mr. Andrews of North Dakota.
Mr. Waggonner with Mr. Cederberg.
Mr. Edwards of Louisiana with Mr. McEwen.
Mr. Kirwan with Mr. Mailliard.
Mr. Aspinall with Mr. Berry.
Mr. Rogers of Colorado with Mr. Derwinski.
Mr. Wright with Mr. Kyl.
Mr. Holifield with Mr. Byrnes of Wisconsin.
Mr. Cohelan with Mr. Bell.
Mr. Daddario with Mr. Cunningham.
Mr. Dent with Mr. Brotzman.
Mr. Evins of Tennessee with Mr. Bow.
Mr. Roybal with Mr. Rumsfeld.
Mr. Van Deerlin with Mr. Bob Wilson.
Mr. Teague of Texas with Mr. Reifel.
Mrs. Sullivan with Mr. Price of Texas.
Mr. Johnson of California with Mr. Younger.
Mr. Jones of Alabama with Mr. Cowger.
Mr. Kornegay with Mr. Scott.
Mr. Kluczynski with Mr. Springer.
Mr. Long of Louisiana with Mr. Smith of Oklahoma.
Mr. Murphy of New York with Mr. de la Garza.

Mr. Donohue with Mr. Stanton.
Mr. Burton of California with Mr. Wydler.
Mr. Flynt with Mr. Vander Jagt.
Mr. Davis of Georgia with Mr. Quillen.
Mr. Fuqua with Mr. Minshall.
Mr. Gray with Mr. Moore.
Mr. Hanna with Mr. Diggs.
Mr. Dow with Mr. Wyatt.
Mr. Satterfield with Mr. Zion.
Mr. Williams of Mississippi with Mr. Nelsen.
Mr. Charles H. Wilson with Mr. Mathias of California.
Mr. Tunney with Mr. Nix.
Mr. Boland with Mr. Baring.
Mr. Pool with Mr. Willis.
Mr. Stephens with Mr. Jones of North Carolina.
Mr. Stuckey with Mr. Everett.

Mr. DINGELL. Mr. Speaker, I have a live pair with the gentleman from Texas [Mr. PICKLE]. If he has been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TRAGIC DEATH AND STAGGERING DESTRUCTION IN CHICAGO AND OAKLAWN PARK LAST WEEK

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, everyone is aware, I know, of the tragic death and staggering destruction in Chicago and Oaklawn Park last week, resulting from tornadoes. It is impossible to describe the character and extent of the damage, even when you have seen it as I have. The specific areas have been declared disaster areas by our Government, and I am grateful for that, but I want to take this opportunity to express my gratitude and the gratitude of our people for the sympathetic generosity and help of nongovernment people as well. Yesterday I received a telegram, for example, from the president of Smith Kline & French Laboratories, and I would like to read it:

Hon. JOHN C. KLUCZYNSKI,
House Office Building,
Washington, D.C.:

Smith Kline & French Laboratories expresses deep sympathy for the citizens of your district whose lives have been disrupted by the recent tornado. My company stands ready to help as best it can the difficult process of return to normal conditions. We have made arrangements through drug trade channels to replace at no cost all uninsured stocks of medical products produced by Smith, Kline & French and our subsidiary, Menley & James, which have been damaged or destroyed. Please accept for the people of your district our hope for an early and complete recovery.

F. MARKOE RIVINUS,
President, Smith Kline & French Laboratories.
PHILADELPHIA, PA.

We sometimes forget, in the pressures and urgencies of everyday living, what high levels of kindness exist all around us. I am personally thankful to Smith, Kline & French, and express as well the appreciation of my people, to them and to everyone who has come to our assistance in this sudden and overwhelming disaster.

THE RIGHT OF DISSENT IS WHAT THE FIGHTING IN VIETNAM IS ALL ABOUT

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, in his address in this Chamber tomorrow our persevering and able commander in Vietnam, General Westmoreland, whom we all admire, may well repeat a thought he expressed in his speech at New York: that opposition to the Vietnam war tends to prolong the conflict and increase casualties. It would be entirely proper for him to repeat it because a strong argument could be made for such a conclusion.

If he does, I hope he will add a thought that was missing in his New York speech—namely, that dissent and protest is a precious right that must be jealously guarded even though it may prolong a military conflict and cause extra hardship.

In a sense, the right of dissent is what the fighting in Vietnam is all about. It is the hallmark of our free society that sets it apart from communism. If, in defeating communism, we should stifle free expression by branding it unpatriotic, the victory would be Pyrrhic. What a tragic commentary if we should adopt a harsh technique of the police state in order to achieve military defeat of the police state.

I do not agree with what the peaceniks say and do, but I defend their right lawfully to dissent and protest. Voltaire's famous proclamation is appropriate:

> I disagree completely with what you say, but I will defend to the death your right to say it.

Those who enjoy putting bird labels on Congressmen probably classify me as a hawk, but I believe nonetheless that birds of all feathers must respect and defend the right of the doves to loft their sentiments. In this respect President Johnson might well emulate Abraham Lincoln.

As Congressman and as President he guarded jealously the right of dissent—even in time of war. He both practiced it and protected it.

As Congressman he brought upon his own head national scorn by criticizing America's role in the war with Mexico which was then in progress. He questioned whether Mexico was guilty of any aggression and put the blame instead on the United States. For it he was editorially labeled a traitor, a second Benedict Arnold.

As President he protected the right of free expression even in the darkest hours of the war. He himself was much abused and villified by cartoonists, writers and speakers, but he protected the right of free expression and the right to criticize nonetheless.

Lincoln's belief that the right of dissent should be protected seems especially appropriate today.

The protesters and dissenters are not the only ones whose statements may prolong the war and cause extra hardship. General Westmoreland might properly have mentioned others. For example, the prediction by Secretary McNamara on October 2, 1963, that our boys would be coming home in 1965 from Vietnam may well have given the Communists renewed reason to believe that time was on their side. A French military expert, Pierre Gallois, observed at the time that his announcement was like killing our own men.

The announcement by Ambassador Goldberg on December 22, 1965, that it was "not conceivable" that the United States would use nuclear weapons in Vietnam was credited by an eminent foreign policy observer, the late Constantine Brown, with causing Moscow and Peking to drop their effort to bring Hanoi to the peace table. According to Brown, the Communist capitals had been working seriously to end the war, because they feared the U.S. military buildup might quickly reach the nuclear stage. Goldberg's announcement eliminated that fear and the peace offensive collapsed.

In the 1964 presidential campaign, President Johnson played the nuclear scare to the hilt and ridiculed those who, as he put it, wanted American boys to do the fighting that Asians should do for themselves.

In my view, President Johnson, Secretary McNamara, and Ambassador Goldberg were very unwise and shortsighted to speak as they did. Their statements may well have caused the enemy to miscalculate. The statements may well have prolonged the war and caused extra hardship to our forces.

These statements were unfortunate but much as I regret them I do not call these men unpatriotic for speaking as they did.

And today we must all fight off the temptation, strong as it is, to scorn the demonstrators and dissenters as lacking in patriotism.

ADMINISTRATION PROPAGANDA MISLEADING

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, it is time Congress takes a long, hard look at some of the questionable activities of the administration in using taxpayers' money for propaganda to enlist support for its own programs.

The misuse of public money and the manipulation of facts by administration supporters has been brought forcibly home to me this past week by the deluge of telegrams and wires I have received from parents of schoolchildren attending private and parochial schools. These people have been told that enactment of the Quie amendment to the elementary and secondary education bill would eliminate their schools from participation in the Federal program. Our colleague, the gentleman from Minnesota, Congressman QUIE, has ably defended his amendment and has made clear that it in no way deprives private schools from participation. In fact, enactment of the Quie amendment would give greater safeguards to private schools and would make more money available for educational purposes by cutting down on heavy and wasteful administrative costs.

What concerns me is the spreading of misinformation to cause fear and discontent among the people by spokesmen for the administration programs. I would like to include, as a part of these remarks a sample of the propaganda that is being sent out in my State of Tennessee. The letter has gone to thousands of parents of private school children. It is an unsigned piece of propaganda, full of distortions and misstatements. I think the administration should be called to account for encouraging this type of brain washing. If necessary, Congress must enact stronger legislation to prevent the executive branch from manipulating the actions of Congress through public pressure engineered by the use of false propaganda.

The unsigned letter attacking the Quie amendment follows:

URGENT!! ACTION NEEDED!! IMMEDIATELY!!

Unless immediate and united efforts are made, nonpublic school children are about to be eliminated from all future federal aid to education programs.

Republican leadership (Albert H. Quie of Minnesota) in the U.S. House of Representatives will very soon offer an amendment to the Elementary and Secondary Education Act which will eliminate a portion of that act and substitute a provision for across-the-board grants to the individual states—with no strings attached. Thus, General Federal Aid to education without participation by nonpublic school children will be achieved. There will be no guarantee for nonpublic school children to participate in education programs provided by federal aid, as they are now enjoying.

WHAT'S WRONG WITH THE "QUIE" AMENDMENT?

I. Procedurally, not considered by the Committee. No hearings. Don't know what's in the bill. Unlike present ESEA, it is not supported by the world of education.

II. Administratively, it would throw American education into chaos. Overnight it would change all the ground rules and upset the patterns of successful innovation and service begun in the past two years (and even nine years in the case of certain NDEA titles which would be repealed).

III. Disadvantaged private school students, now enjoying the benefit of participation in public school programs, would be excluded by every State under the Quie plan.

IV. Formula of Quie bill takes from the poorer States and gives to the wealthier. Proposed formula change is contradictory to last year's Quie amendment (½ the national average per pupil expenditure) which was designed to help poorer States.

V. States not yet ready to handle the entire job. State departments of education are being strengthened, but only gradually.

VI. No guarantees in Quie bill that the educationally deprived will be served; that the handicapped will be aided; that the cities will not suffer from discrimination in the distribution of funds. The beauty of the present ESEA is that the Congress, not the State Departments, guarantee that certain essential jobs will be done which were formerly neglected by the States.

VII. No school district would know their entitlement under the Quie bill, unlike ESEA which establishes definite entitlements for each county, and, through the States, for each local school district.

ACTION

1. Place an immediate phone call to your Congressman (House).
2. Follow up with a telegram to confirm or explain further.
3. Enlist your friends and other interested persons in this vital project.

Tennessee Congressmen:

The Honorable Dan H. Kuykendall, Representative, Ninth District, Memphis.

The Honorable Ray Blanton, Representative, Seventh District, Adamsville.

The Honorable Robert A. Everett, Representative, Eighth District, Union City.

All may be addressed to House Office Building, Washington, D.C. 20515. N.B. unless the "Quie amendment" to "ESEA" (H.R. 7819) is defeated, all Federal aid to all private schools will be discontinued.

BIBLE TRANSLATION DAY

Mr. REIFEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. REIFEL. Mr. Speaker, today I have introduced a joint resolution to authorize the President to issue a proclamation designating the 30th day of September 1967, as Bible Translation Day.

Speaking from a personal standpoint I would like to give my views on the importance of Bible translations. In 1879 the Bible was translated into the Sioux language by two missionaries, Thomas S. Williamson and Stephen R. Riggs. My mother of the Rosebud Sioux Indian Reservation, became an Episcopalian 76 years ago and while my brothers and I were growing up she saw to it that we would never miss school or church. Her own only reading material was an Indian monthly printed by a mission and the Sioux language translation of the Bible. It is not too much to say that I owe my presence in this august Chamber at this moment to influence exerted on my mother by the Sioux language Bible.

Only three other Indian tribes in all North America had the entirety of the Bible translated into their tongues. These translations have exerted immeasurable influence for good not only on many individual families but also on entire communities and tribes.

In this day and age of accelerating technological change the translation of the Bible into Indian languages becomes evermore feasible and more rewarding in its results.

The common ground on which many nations and tribes stand today is furnished by the Bible translation into many tongues. It is now possible to communicate through Scriptural texts in over 1,232 tongues. Compared with the mere 30 or more U.S. Indian tongues into which Scriptural materials have been translated, this looms very large. There is great need to have work on translation as there are approximately 180 Indian tongues currently spoken in the United States.

One solution for the problem of reaching Indians today by Biblical translation may lie in the "diglot," which is simply a version of the old-fashioned "pony" "crib" or "trot" by the help of which some of us may have learned our Caesar, Cicero, or Virgil in our Latin courses. Those who learn to read their own language soon learn to read the second language and are assisted in their understanding of the relations between the two. Such devices may provide for the more rapid adoption of English by the Indian tribe than would be the case if the native language were never used for publication.

The final point that I would like to make is the enormous debt which we owe to the missionary translators of the Scriptures into American Indian languages. I can think only of the highest words of praise for their efforts and for their choice of life tasks in their endeavor to be of service to God and humanity. These men and women sacrificed the comforts of fireside and home to go out to undeveloped, preliterate peoples, seeking to carry the light to all men.

A TRIBUTE TO A GREAT AMERICAN

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, I am certain it will be of interest to my colleagues who served during the time the Honorable Clifford R. Hope was a Member of the House, that this distinguished American is being especially honored today at the Triple I Show, an annual convention of the Western Kansas Manufacturers, Inc., at Liberal, Kans.

My colleagues, who had the opportunity to be associated with "Cliff," will know of his tireless work in the field of agriculture throughout his 30 years in the House. During this time he served as Chairman of the House Committee on Agriculture of which I am now privileged to be a member.

After "Cliff's" retirement from the congressional scene at the end of 1956, he has continued an active interest in agriculture, having served as president of Great Plains Wheat, Inc., an organization to encourage increased wheat exports and consumption of this crop both domestically and abroad.

Today this distinguished American continues an active interest in not only agriculture, but projects of community and State improvement. In addition, he does extensive writing; so it is clear he has neither the desire nor time to retire.

I am sure his many friends in the House will be interested in learning of this richly deserved tribute by his host of friends.

Our senior Senator from Kansas, the Honorable Frank Carlson, a close personal friend of Mr. Hope, is to be present for the ceremonies today and will represent the Kansas congressional delegation on this occasion.

FOUR-H CLUBS PREPARE YOUNG AMERICANS FOR RESPONSIBLE ADULTHOOD

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, in these times when nonconforming behavior by a vociferous minority of America's youth often receives front page notoriety, it is reassuring, and indeed, refreshing, to note that the majority of our young people are engaged in more productive pursuits. I have in mind especially our young men and women who are busy learning to adapt to the scientific age and to prepare themselves adequately for their future role as the adult citizens of the United States. In this connection, I would like to invite the attention of my colleagues to an organization, which, because of its wide range of creative activities and its international dimensions, is probably the most important vehicle in preparing our young people for their future role as informed and conscientious citizens. I refer, of course, to the 4-H club.

Today, millions of young Americans ranging in age from 9 to 19, participate in the 4-H youth education program of the Cooperative Extension Service which is conducted through the joint efforts of the U.S. Department of Agriculture, the land-grant universities, county governments and volunteer leaders. Additional support is also provided by business, industry, agricultural and civic groups throughout the Nation.

If we add to our national 4-H membership the youth in 4-H-type organizations in 75 countries to which the 4-H concept of "learn by doing" has been exported, we have an impressive total of almost 8 million young people. It is not surprising therefore, that this sharing in international development and understanding among the youth of so many nations is regarded as a potent force in achieving a lasting peace.

In my own State of Hawaii, because of dedicated and exceptional leaders, like James Shigeta, we are able to count a solid 6,000 4-H members. I am pleased to point out that because 70 percent of 4-H'ers in Hawaii reenroll annually, the 50th State tops all of the Western States in reenrollments.

The highlight of the 4-H Club year is the visit of outstanding 4-H'ers to the Nation's Capital, and the 37th Annual National 4-H Conference is presently in session in Washington. The conference is attended by members who have been named by their States for exceptional personal development, and for major achievement in community service, leadership, and citizenship. Two or more girls and two or more boys have come from each of the 50 States and Puerto Rico, and I extend a warm welcome to these 4-H'ers and especially to the four members from the State of Hawaii, Cheryl Warashina, Rose Wong, John Sullivan, and Roy Kaneshiro. Credit too should be extended to Miss Elizabeth Speckels, their able and congenial adviser and escort.

Mr. Speaker, the 4-H pledge, which signifies the aims of each member of this tremendous organization, is one which all Americans, young and old, might do well to note and follow. I repeat the 4-H pledge for this reason:

I pledge—
My head to clearer thinking;
My heart to greater loyalty;
My hands to larger service: and,
My health to better living,
For my club, my community and my country.

VENEZUELA AND RESPONSIBILITY

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I have said in reciprocal trade relations, and regards our balance-of-payment problem, and the outflow of gold, many times, that "responsibility" is the key word in our dealings, and that it takes "two to tango."

The same is true in our foreign aid programs, whether they be military or economic, to say nothing of our military assistance program. It has been brought to my attention that we at one time provided military assistance in the form of destroyers, and even proposed the lending of an obsolescent submarine to the sovereign nation of Venezuela in South America. I opposed same on the basis of expropriation. Herewith, is an excerpt from Benjamin S. Dowd, president, Venezuelan Sulphur Corp., C.A. and Chemical Natural Resources, Inc., at the Latin American Conference at Princeton University, Princeton, N.Y., April 21 and 22, 1967. It exemplifies the need for responsibility before determining foreign relations and/or investments. The extract follows:

To obtain private investments a nation must have proved itself and have developed sufficient confidence in foreign capital markets.

We come to Latin American countries on this qualification. Recently (New York Times, March 28, 1967), "the United States representative to the Organization of American States said that United States should make clear its preference for progressive, democratic governments over military regimes in Latin America through acts of "special friendship." This United States representative of the OAS, who reportedly is President Johnson's chief spokesman on Latin American affairs, mentioned Venezuela and Colombia as countries whose progressive political leadership calls for particularly friendly United States attention"—end of New York Times quote.

Therefore, Venezuela will be reviewed, and it will be most difficult to reconcile the preceding quotation. The New York Times, January 23, 1967 reported Flight of Capital interrupts Venezuela's impressive record of economic progress. Capital always seeks a haven of security. This same matter of capital's lack of confidence concerning Venezuela was fully discussed at the Latin American Affairs Conference at Princeton University on April 10, 11, and 12, 1964, and the same problem continues to exist regarding Venezuela.

In 1952, 10 years before the Alliance of Progress, investors of the United States acquired large mineral concessions for the search of sulphur and other minerals. When the results, created by these investments and through the findings of world renowned geologists, geophysiscists and mining engineers, appeared to be very promising, the properties in Venezuela of these American investors to which they had valid titles for 100 years, were seized in 1959 by a Decree of Expropriation without Compensation, and subsequently confiscated. The decree was made retroactive for 5 years, both such illegal acts violated Venezuela's own constitution, as well as being in violation of international law. These illegal acts were during the first year of the administration of Romulo Betancourt, then president of Venezuela. The Minister of Mines was Juan Pablo Perez Alfonzo under whom the confiscation of these properties was finally accomplished in 1962. The industrial potentials of these properties were tremendous, being the source of unlimited amounts of the world's critically short minerals, such as sulphur; geothermal energy to create cheap electricity, and the means of the cheapest known method of desalinization of sea water by an inexhaustible supply of superheated natural steam.

In 1965, while litigation of a $116,000,000 damages suit against Venezuela was still in the courts, and by direction of the Ministry of Mines the company's buildings were stripped of all equipment and furnishings and shipped to a Venezuelan government installation. The present Venezuelan permanent delegate to the United Nations, Manual Perez Guerrero, was Minister of Mines at the time of these wanton acts of vandalism. The Department of State made inquiry at the time regarding these acts of vandalism against these American properties and was advised by the Venezuelan Director of Mines that these properties had been "abandoned" by the company, whereas, these were the same properties that Venezuela had confiscated.

Venezuela was denounced in the United States Senate. One Senator remarked during the discussion that American investors should not have their pockets picked by a foreign government, which at the same time is filling its pockets with United States aid money.

This is just one instance cited from the record as an aid to future planning, and may also be an aid toward creating a more favorable investment climate for Venezuela to again attract private investment funds.

As stated in the 1964 Princeton paper "One must try to reach and study the conscience of each nation. The fundamental principle of the sanctity of the contract must again be emphasized, as well as other principles of fair dealing, and these should be practiced."

Attracting investment funds will always be a matter of moral conduct. It depends entirely on the conscience of the government involved.

SECRETARY FOWLER'S REMARKS TO THE EIGHTH ANNUAL MEETING OF THE BOARD OF GOVERNORS OF THE INTER-AMERICAN DEVELOPMENT BANK

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Inter-American Development Bank is holding the eighth annual meeting of its Board of Governors here in Washington during the week of April 24. The Honorable Henry H. Fowler, Governor for the United States and Secretary of the Treasury, addressed the opening session, as Chairman of the Board of Governors, to welcome the delegates to the meeting.

As the Secretary's remarks aptly summarize the goals stated at the historic meeting of Presidents at Punte del Este, as well as indicating the significant role the Inter-American Development Bank will play in the accomplishment of these goals, I am including a copy of the Secretary's remarks in the Record for the consideration of my colleagues. I should like particularly to bring to your attention the commendation the Secretary has bestowed on our colleague, the gentleman from Wisconsin, Henry S. Reuss, chairman of the International Finance Subcommittee of your House Banking and Currency Committee. This well-deserved praise was extended with regard to work that Mr. Reuss has done in bringing to the attention of the House problems involved in agricultural development in Latin America. These reports have been printed by your committee as international subcommittee prints under the titles "Inter-American Development Bank's Role in Agricultural Development" and "Food for Progress in Latin America."

I urge all Members of the House to study the remarks of Secretary Fowler to the Board of Governors of the Inter-American Development Bank:

Address by the Chairman of the Board of Governors, Mr. Henry H. Fowler, Governor for the United States and Secretary of the Treasury, at the Inaugural Session

On behalf of the Government and the people of the United States, it is an honor to welcome this highly distinguished assemblage attending the Eighth Meeting of the Board of Governors of the Inter-American Development Bank. It is a great personal honor that has been given to me to preside at this first meeting in Washington, the seat of the Bank. I know that the heavy and extensive program of work laid out for us this week will contribute to the continued success and growth of this great institution.

As in all years, we are meeting to further a great common cause—the well-being and improvement of our hemisphere and the world. This year our meeting has a special significance in the light of the just completed historic session of our Presidents at Punta del Este, Uruguay, where our Inter-American Development Bank has been given major assignments in agriculture, education and health activities, and in furthering multinational projects. These efforts are not only important in and of themselves, but they are a basic prerequisite to success in achieving meaningful economic integration and the development of a great Latin American common market.

The Presidents of our countries already have set the theme for this meeting when they recognized the benefits of joint action to accomplish the goals of integration and development, and stated:

"Latin America will create a common market.

"We will lay the physical foundations for Latin American economic integration through multinational projects.

"We will join in efforts to increase substantially Latin American foreign trade earnings.

"We will modernize the living conditions of our rural populations, raise agricultural productivity in general and increase food production for the benefit of both Latin America and the rest of the world.

"We will vigorously promote education for development.

"We will harness science and technology for the service of our peoples.

"We will expand programs for improving the health of the American peoples.

"Latin America will eliminate unnecessary military expenditures."

A great deal has transpired since we met in Mexico City a year ago. There has been progress in the Hemisphere under our Alliance for Progress, and the Bank has continued to make its important contribution to that progress. We have increased flows of external assistance. Further, we have increased self-help performance in mobilizing domestic resources and in carrying out necessary reforms. We will hear further during the next few days how this institution of ours, the "Bank of the Alliance," the "Bank of Integration," the Inter-American Development Bank, has led the way in this hemispheric war against special privilege and poverty. We have come a long way since 1960, for we no longer have to hold out hope with mere words. There are activities in operation which further the economic and social being of the peoples in the member countries. Our Bank, which has passed the $2 billion mark for loan commitments, has touched almost every facet of the economic and social fabric in this Hemisphere.

We truly have an historic meeting in front of us. The Board of Executive Directors and the Management of the Bank, under the outstanding leadership of President Felipe Herrera, has had a record year and has developed a full tentative agenda for our consideration to set the stage for the future. We are called upon to respond to the needs and aspirations of the peoples in this Hemisphere by requesting our governments to expand the resources of the Bank, both in the Ordinary Capital and the Fund for Special Operations. We have had submitted to us a recommendation on the admission of the first new member to this young institution. We are asked to consider the steps which need to be taken to accelerate resources from non-member countries to the Bank. Finally, we will need to act on a new procedure for the election of Executive Directors.

This is indeed a large task, but I am sure that when the week ends we will have carried out our responsibilities and will be able to present to our governments successful fruits of our labors.

The wide representation at this meeting from every part of the world, covering both public and private institutions, is another sign of the importance of our institutions and these deliberations. These organizations and governments have an important role to play in the development of the Hemisphere. One of the reports placed before us by the Board of Directors clearly sets forth the positive role many of the industrialized countries of the world have played in the development of the Hemisphere through the provisions of resources to the Bank. On the other hand, it also reports conditions that call for correction where non-member countries are benefiting from Bank resources without any commensurate recognition of the Bank's capital needs and requirements.

It is significant that we have present here representatives of the foreign and domestic private sector. We welcome them—representatives of business, labor and cooperatives—and I am sure we do not have to stress before this audience the truism that the free private sector in each of the countries is the key to a successful development effort. The flow of private investment, which has improved recently, has not yet achieved the necessary level to accomplish our broad objectives. It is important that all of our governments take all possible steps to accelerate and facilitate that flow. I hope that the Bank may be able to play a more significant role in this area.

We should congratulate the Bank Management on selecting as the topic for the deliberations of the Round Table this year, "Latin American Agricultural Development in the Next Decade". There is no more crucial facet of the development of the Hemisphere facing us today than the problems of rural development.

We have been indeed fortunate in the United States to have available an up-to-date penetrating survey and analysis conducted in the U.S. Congress on the problems of agricultural development in Latin America and of the Bank's role. I commend to the Governors two extremely valuable reports of the Sub-committee on International Finance of the House Banking and Currency Committee, under the able and inspired leadership of Representative Henry S. Reuss. These reports conclude that the emerging world food crisis can be avoided in Latin America, where indeed the prospects for expanded food production are far more favorable than in other developing areas of the world. What is needed is additional capital both from domestic and external sources, additional investments and—crucially—more adequate and purposeful comprehensive plannning for agricultural development. The Bank, too, has taken exceptional intellectual leadership in dealing with this problem by undertaking a challenging study entitled, "Agricultural Development in Latin America: Current Status and Prospects", and has carried this forward by continuing here at the Shoreham Hotel for the rest of the week the Round-Table Discussions.

This year will be an historic year for our Hemisphere. We have had the Meeting of the Presidents. We are inaugurating here today our Eighth Annual Meeting of the Inter-American Development Bank here in Washington. In September, our sister institutions, the International Monetary Fund and the International Bank for Reconstruction and Development will meet in Rio de Janeiro, Brazil, to face some major international financial issues.

In inaugurating our deliberations I believe we have a responsibility to take into account the arena of international financial problems in order to place our discussions in the proper context. We are actively engaged in negotiations on the future of the international monetary system and new arrangements to assure the continued and adequate growth of international liquidity. This is a matter of vital interest to us all, and to the future of the Bank, which I am confident will culminate in historic decisions in Rio de Janeiro.

Another financial problem of hemispheric concern is the problem of the United States balance of payments. The termination of the persistent deficit in the United States balance of payments and the continued strength of the dollar as the keystone of the international monetary and trading system remain objectives of the highest national priority to the United States. The report of the Executive Directors before us at this meeting provides recognition that these objectives are also of interest to the Bank, and I am sure that my fellow Governors will agree that these objectives are of critical interest for each of their nations individually as well as for the Hemisphere as a whole. What is required is a continuing cooperative effort, taking account of the role and responsibilities of the United States throughout the free world, and designed to avoid actions which by threatening the United States balance of payments would also endanger continued assistance to free world development and the search for growth with stability.

I am pleased to note, as Governor for the United States, the cooperative measures adopted in the Bank and the further measures proposed by the Directors for our consideration during the coming week in conjunction with redoubled self-help and mutual assistance efforts. The United States, for its part, takes its responsibility very seriously—both toward the Bank, in which it is the major stockholder, and toward the Hemisphere. By its actions in the past, and, I can assure you, today, the United States strongly supports the concepts of multilateral assistance embodied in the Charter, and the important place of Latin America in the world.

As an introduction to a most significant week I have only sketched for you the high points. I am sure there will be opportunity for all delegations, including the United States, to comment on these and other important matters.

In addressing ourselves to the task before us in the coming week, let us bear in mind the words which President Johnson at Punta del Este addressed to the youth of our nations:

> The time is now. The responsibility is ours. Let us declare the next 10 years the Decade of Urgency. Let us match our resolve and our resources to the common tasks until the dream of a new America is accomplished in the lives of all our people.

I again welcome all the delegations to my country and dedicate ourselves to the task at hand which will influence the future course of this institution.

I hereby declare the Eighth Meeting of the Board of Governors of the Inter-American Development Bank inaugurated.

CHAMPION OF THE MILITARY

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Speaker, I was deeply impressed by a splendid editorial in the San Diego Union of April 24. It is a well written, concise and well-deserved tribute to our friend and colleague, the gentleman from South Carolina [Mr. Rivers].

Throughout the length and breadth of our land Mr. Rivers is being recognized for the outstanding leadership he is providing our committee and the Nation's military forces. Because I am sure my colleagues will want to read this tribute, I am quoting it below:

> ### Champion of the Military: Representative Rivers Bulwark in Defense
>
> Future historians looking at the United States of America in the decade of the 1960s may well be confused by the strange dilemma of our military men in this period.
>
> Throughout our nation are far too many detractors of the military men and their valiant effort to defend all rights, including those of their detractors.
>
> On the other hand are far too many men who profess to be a friend to the military man and defense, but weaken both in the name of "good" or "economy." Even the age of computerization has become the tool of some of these "friends" who seek to substitute electronics for the vast reservoir of tradition and experience.
>
> Even as these forces interplay, the nation's military forces are engaged in one of America's major wars, defending our foreign policy of self determination for all people.
>
> Historians will find a beacon in these trying times when they study Rep. L. Mendel Rivers, Democrat of South Carolina, who often stands in splendid isolation as chairman of the House Armed Services Committee.
>
> He pleads for and defends a strong military establishment, knowing it is inseparable from freedom. He pleads for fair pay and benefits for men in uniform—at least equal to the persons they defend. He battles the inflexible, transistorized thinking of a computerized Pentagon.
>
> Many who have sought to weaken the military can testify that Mr. Rivers' South Carolina voice can cut like a razor. And it is inevitable that he should draw the full wrath of those who seek to decimate American military might, often on an unfortunately personal basis.
>
> Fortunately, Rep. Rivers' peers hold him in high regard. House Speaker John McCormack said, "Rep. L. Mendel Rivers is one of the great Americans of our times." The sentiment was endorsed by Rep. Gerald Ford, House Republican leader; members of Congress, the Joint Chiefs of Staff and many others.
>
> Career military people can second the recent public tribute paid Mr. Rivers by a retired Navy officer who has watched the congressman for many years.
>
> "Mendel Rivers, the civilian," he said, "knows more about the military, its needs and its responsibilities than many who wear the uniforms or are charged with a strong national defense. He knows also where to place responsibilities for discharging military duties—in the hands of men in uniform."
>
> Rep. Rivers could avoid criticism and strong personal attacks if he retreated into obscurity. Fortunately for the nation he does not, but fights for its cause and in so doing draws lightning.
>
> All Americans have a high stake in this fight, and should consider the source and purpose when they hear attacks on Rep. Rivers.

SOCIAL SECURITY

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, in an article appearing in the Pittsburgh Post-Gazette of March 27, 1967, Mr. George Zielke, of that newspaper's Washington bureau, recalls this sentence in a report he contributed to that publication on May 7, 1950:

> Prevailing congressional philosophy on the subject of federal social security is to promise increased benefits, keep the taxes down—and leave the future problems of the system to the lawmakers of the future.

Over the years, it would appear that Congress has followed Mr. Zeilke's prediction, and it is past time that a measure of responsibility be assumed without delay. Further procrastination will be inimical to the general welfare. Today Congress must face up to the social security program's deficits, its weaknesses, its inequities. The President has asked for some sweeping changes, and Congress should respond by getting a firm hold on the broom and hiding nothing under the rug.

At the conclusion of my remarks I shall ask that an article by Milton Friedman in Newsweek of April 3 be inserted in the Record. It refers to a proposal calling for open recognition of the abysmal debt into which social security has plummeted, with a businesslike approach to its extrication and reformation.

To place the program on a straight and level track will require considerable amending, including attention to the plight of young people who begin making contributions in their youth and will come to find that they have been shortchanged at retirement age. Many Americans were startled to read this disclosure in a Lyle Wilson column in a recent issue of the Washington Daily News and other newspapers:

> The Tax Foundation explained that a 21-year-old putting in 44 years of work at present tax level will have contributed $32,496 in taxes and accumulated interest to the social security fund. Based on a life expectancy of 13 years after retirement at age 65, this man would collect only $19,704 in benefits.

The present method of computing social security benefits fails to give any recognition to the length of time a person may have paid into the fund. The benefits are based on average monthly earnings so that a person who pays taxes for 10 years can get as large a benefit as one who pays for 50 years. To correct this injustice, I am introducing a bill that will provide increased benefits for everyone who pays into social security for more than 10 years. I hope that it will be included in the changes that are now contemplated.

This bill is long overdue. Until 1950 the Social Security Act provided an increment for every year that a person paid social security taxes. This provision was justified then and a similar provision is justified now as a matter of fairness to those who have paid longer and greater amounts.

The act needs to be changed so that every person who has contributed for at least 40 quarters will have his benefit increased by $2 for each four quarters above the 40 that he pays. And if the maximum amount is being paid, the family maximum ought to be raised. I am, therefore, proposing also that the family maximum be raised by $4 for each $2 increase in the worker's benefit.

Now, Mr. Speaker, there is another newspaper item that belongs in any discussion about social security. The Johnstown Tribune-Democrat of February 14, 1967, contained an editorial that puts the spotlight on how everyone receiving social security payments can benefit to the maximum degree: by reduced Federal spending.

Each year that Federal outgo exceeds intake and a further increase in the national debt takes place, every person depending upon social security or any other fixed income is robbed of a percentage of his buying power. While we are recognizing that a number of alterations must be made in the Social Security Act, Congress should have the courage to declare emphatically that it will no longer tolerate excessive spending or additional hikes in the national debt.

Only through this position can we reverse the profligacy of the administration and give those receiving social security benefits—and everyone else—any semblance of the value of the dollar earned and saved.

The articles from Newsweek and the Tribune-Democrat appear below:

SOCIAL SECURITY

(By Milton Friedman)

Social security has become a sacred cow that no politician can afford to criticize—as the reaction by Republicans and Democrats alike to President Johnson's proposed rise in benefits has again made clear. Yet there is much to criticize.

1—In the past fifteen years, maximum old-age benefits have doubled. *But* the maximum tax assessed on a worker's wages has quintupled.

2—Retired persons currently enjoy a bonanza. *But* youngsters currently entering the system are getting a raw deal.

3—The benefit scale in the law is designed to favor the relatively poor. *But* the law has important indirect effects that favor the well-to-do.

The first two facts have a common origin: the aging of the social-security program. At its start in 1937, many workers became taxpayers, no one a beneficiary. It was all intake, no outgo. As time passed, workers who retired began to qualify for benefits. But for some time, the number was so small that outgo still fell far short of intake, even though retired workers received benefits that were many times as large as the equivalent of the taxes once paid on their wages. This situation has been changing rapidly. From 1950 to 1965, the number of retired workers receiving benefits grew more than sixfold, while the number of taxpayers less than doubled.

BENEFITS AND TAXES

To finance the excess payments to the growing number of retired, taxes assessed on wages have had to be raised repeatedly. As a result, the benefits promised younger workers are much smaller than the equivalent of the taxes paid on their wages.

The third fact—that social security has indirect effects that discriminate against the poor—is much more subtle. Note a few.

1—The poor generally begin working earlier than the well-to-do. So, on this score, they pay taxes for more years. Yet benefits, once eligibility is established, do not depend on number of years for which taxes are paid.

2—The well-to-do tend to live longer than the poor. They are therefore more likely to survive to receive benefits and also to receive benefits for more years. (This effect is partly offset by the greater value of survivors' benefits to the poor.)

3—Working wives get little for their taxes.

4—Men or women who do not pay taxes for enough quarters to qualify for benefits get nothing whatsoever in return for their taxes.

5—A man between 65 and 72 who works and earns more than a small amount per month loses part or all of his social-security benefits. To add insult to injury, taxes are still assessed on his wages! Property income, on the other hand, whatever its amount, does not affect benefits received.

CLEVER PACKAGING

Though labeled "insurance," the system of old-age benefits is no such thing. It is a welfare program that transfers income from some to others—notably from the young, rich and poor, to the old, rich and poor. Few of those who support the present system would favor either the structure of taxes by itself—a flat percentage tax on the first $6,600 of earnings and a zero tax on higher earnings—or the structure of benefits by itself—indiscriminate benefits based on age, sex, marital status and previous employment, with no attention to need. Tying the two together and labeling the combination insurance was a masterpiece of clever packaging.

In a recent article (The Wall Street Journal, Dec. 20, 1966), Prof. James Buchanan and Colin Campbell propose a sensible and ingenious method for converting present arrangements into a true insurance system—which could be voluntary—while at the same time fully honoring existing commitments. They propose that current liabilities—which they estimate at the staggering total of $400 billion—be openly recognized, funded and made an explicit charge on general tax funds and that the taxes imposed on younger workers be reduced to the level required solely to pay for the benefits they are being promised. The workers could then be permitted to purchase equivalent retirement benefits elsewhere if they so chose, without endangering the financial soundness of the government system. Their plan—and others for achieving the same objective—deserves prompt and serious consideration.

[From the Johnstown Tribune-Democrat, Feb. 14, 1967]

PROBLEMS OF SOCIAL SECURITY

Because people living on Social Security's fixed incomes are among those hardest hit when the American dollar suffers a reduction in its purchasing power, something must be done to help them.

One way that the federal government can lend a hand is by increasing Social Security payments. President Johnson has made such a recommendation. Of course, to do that there will have to be an accompanying increase in revenue. In turn, that must come from increased taxation on wage earners and on those who pay the wages.

On the surface, that seems fair enough. The only trouble is determining how much the wage earner can stand. And from the looks of things he may have to stand for a lot.

As proposed by President Johnson, by 1974 some wage earners could be paying double what they are paying now to finance Social Security coverage, including the amount needed for health care services.

Again, it may seem fair enough that the wage earners should help, for from where else shall the money come? But there is no guarantee that a man's wages will be increased sufficiently to cover the proposed added price of Social Security. Nevertheless, the fact remains that millions on Social Security need higher pensions.

There is another way that government could help the fixed-income members of the population—by restoring some sort of sanity to its fiscal policies so that the dollar could assume a healthier state of being.

In that way, the immediate need for Social Security increases would not be so pressing. Granted, as the number of retired people grows, the Social Security trust funds will need bolstering. It would, though, be a relatively gradual process.

There is only so much that the nation's wage earners (and employers, for that matter) can bear. We have been advocating a hike in the federal income taxes as a means of financing needed federal programs and of banking a red-hot economy that has shown only slight signs of cooling.

However, along with that tax-increase recommendation we have stressed the need for a cutback in federal spending on all manner of programs, many of which are almost total failures and others of which are of only questionable value to the people they are designed to help.

The record budget suggested by President Johnson hardly indicates an inclination to cut back on such programs.

Up, up, up and up is the best way to describe almost everything the Johnson administration proposes.

Some of the ups are necessary—defense spending, for example—but many of the others are not.

Taken individually, many of the other ups are not very alarming, but when they are placed one upon another the taxpayer is left at a dizzying height.

Although it is the responsibility of the taxpayer to help keep his government operating effectively, he has every right to question the policies of those in charge of running the government. The taxpayer expects, while meeting his responsibilities, that government officials meet theirs—of providing efficient *and economical* government.

Economy in government will allow the taxpayer to loosen his belt a trifle so that when the time comes to pay for a better life for the nation's elderly he can tighten it a few notches without fear of cutting off his own economic circulation.

TOGO INDEPENDENCE DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the West African nation of Togo today marks its seventh year of independence. It is a small country—one of the smallest in Africa—with a population of 1½ million people. Until recently its economy was almost entirely dependent upon agriculture but the discovery of large deposits of phosphates has given the small nation a new lease on the future and hopes for economic and social progress for its inhabitants.

Togo has had an interesting and varied history. Before 1884 the area had long served as a kind of buffer zone between the militaristic states of Ashanti and Dahomey. In that year a representative of the German Government signed a series of treaties with the Ewe and other tribes making the area a German protectorate. Thus it remained until British and French soldiers invaded and took over the administration in the early days of World War I. Togoland was divided between the British who ruled the neighboring Gold Coast and the French who ruled Dahomey. In 1922 the two divisions of Togoland were made class B mandated areas under the League of Nations.

With the advent of the United Nations the mandated areas became trust territories under the continued tutelage of France and Britain. At that time the Ewe Tribe—the largest ethnic group in the area—asked that the territories be brought under common administration, but this problem—the division of the Ewe Tribe—could not be resolved at the time and in fact has not been resolved to this day. In 1956 the British-administered territory became part of the Gold Coast which in 1957 became independent as Ghana. On April 27, 1960, the French-administered territory gained its own independence as Togo, and it is that country which we salute today. It faces what might seem to be unsurmountable problems as its leaders attempt to secure the benefits of modernization for its peoples but it faces these problems with determination and with courage. In the future of West Africa, where regional cooperation among African nations will come to play an increasingly important role, Togo will certainly be able to contribute a great deal.

My heartiest congratulations to the fine people of Togo and their distinguished President, His Excellency Kleber Dadjo, and Togo's Ambassador to the United States, His Excellency Dr. Robert Ajavon.

CONDEMN DISCRIMINATORY ACTS AGAINST RUSSIAN JEWS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. TAFT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TAFT. Mr. Speaker, as Americans who cherish religious freedom and seek to preserve it, we are greatly disturbed by daily evidences of discrimination against Jewish citizens in the Soviet Union. The suppression of Judaism is the suppression of all religions. For this reason, I am reintroducing a resolution I introduced during the 88th Congress in which the House would condemn discriminatory acts against Russian Jews.

As we all know, the Soviet Constitution is superficially a democratic document purporting to give full and equal citizenship to the Jews. It is no secret, however, that from the outset Russian rulers have ignored and still ignore today those provisions as they have ignored so many others. Their Constitution's safeguards of religious freedom have become a mockery in the light of actual experience.

When the Soviet era began, there were more than 3 million Jews in Russia. They attended their own theaters, they ran their own printing shops, they published their own newspapers. These institutions had kept alive their ties to a historic heritage.

Now, during the Passover season, it is doubly important to recognize and to condemn the Soviet Union's systematic persecution of the Jews. Today, in the Soviet Union, there is not a single Jewish daily newspaper, nor a Jewish theater. Jews must identify themselves as Jews on their internal passports.

I ask all of my distinguished colleagues to join with me in condemning the persecution of any person because of his religion by the Soviet Union and to urge Russia, in the name of decency and humanity, to cease persecuting persons for alleged economic offenses, and to permit fully the free exercise of religion and the pursuit of culture by Jews and all others within its borders.

OIL POLLUTION OF THE SEAS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEITH. Mr. Speaker, next week I will attend an international conference in London to discuss the danger of oil pollution in the seas. The IMCO—Intergovernmental Maritime Consultative Organization—meeting was called in order to find a solution to problems posed by such maritime disasters as the *Torrey Canyon*, the oil tanker which recently flooded the beaches of England with tons of oil, causing widespread damage and death to wildlife.

The oil slick which affected nearly 40 miles of beach on Cape Cod points out more clearly than ever the need to amend international agreements dealing with oil pollution. For this reason, I am grateful for the opportunity to attend the IMCO Conference as a member of the U.S. delegation.

At this time, Mr. Speaker, I should like to include three editorials in the RECORD which are pertinent to the IMCO Conference on May 4: "It Has Happened Here," from the April 18 New Bedford Standard-Times; "The Black Tide," from the April 20 Cape Codder; and "Death by Oil," from the April 21 New York Times:

[From the New Bedford (Mass.) Standard-Times, Apr. 18, 1967]

IT HAS HAPPENED HERE

When the supertanker Torrey Canyon went to pieces on Seven Stones Reef off the English coast, spewing crude oil by the thousands of tons on both sides of the Channel, there were those who wondered what it would be like if the New England coast faced a similar problem.

Now, we know, although the dimensions of our disaster are more modest than those of either France or England.

Yet relatively modest or not, we are suffering a tragic loss of wildlife; a serious threat to marine flora and fauna, especially in the inshore areas, and costly damage to important resort areas.

Nor do we know, at this point, how extensive the problem will be before it is over. An extensive oil slick is moving off the Massachusetts coast; as long as it is in the area, wind shifts make it a potential threat. Further, until we know where it came from—if we ever find out—we must entertain the possibility that it can recur.

The cleanup job will be long, hard, expensive and, in the case of the helpless sea fowl, heartbreaking. Yet even as it is accomplishd, we must turn to the task of prevention, the scope of which is both state and national.

In Washington, the House Merchant Marine and Fisheries Committee ought to push consideration of this type of water pollution, incuding specifically a bill by Rep. Keith, R-Mass., to set up responsibility and fast-action procedures in the event of Torrey Canyon-type disasters.

The whole question of bilge-pumping by tankers and other vessels ought to be reviewed at the federal level. In the present instance, we do not know whether the oil-fouling of Cape waters and beaches resulted from a damaged vesel or offshore pumping, complicated by an easterly wind that blew the slick toward the land.

Both state and national officials ought to set up a detailed procedure for handling this kind of prolem once it occurs.

The total effort ought to be in two parts: (1) Do everything possible by means of regulations and punishments to see that this kind of pollution does not occur; (2) If it does occur, have an established blueprint that makes it clear who does what and when to confine the damage.

[From the Cape Codder, Apr. 20, 1967]

THE BLACK TIDE

We did not think when we wrote an editorial two weeks ago entitled "Oil and Cape Cod Don't Mix", and another last week on the need for the purest water standards being applied to the Cape, that the lesson would be brought home so soon.

But last Sunday morning the Outer Beach of Cape Cod had a black tide, with a considerable quantity of tar-like bunker oil being cast up on the shore from Herring Cove in Provincetown to the tip of Monomoy. The intensity of befouling was more extensive in some areas than in other but evidence of the oil was there along the whole beach.

At this writing, and unless there is more to come, a combination of manual labor, money and nature will likely clean up the mess before the summer season. Nothing, of course, can replace the seabirds and marine life which have been the victims of mass death. And who is to know when the black tide will come again?

There has been much speculation about where the oil came from which has plagued us this week. But the speculation is irrelevant, if interesting. The relevant fact is that there is oil on the beach and that the prime natural resource of the Outer Cape has been damaged. It make little difference whether the oil came from the ruptured plates of a tanker sunk during World War II or from a careless man-made happening out at sea somewhere. The result is what counts; and the result is disaster.

The by-product of our increasingly technological age is the manner in which man, with his eye high on the dollar, fouls the nest of his own environment. Oil is money and has been lusted after for decades. But so is a broad, pure, white beach money—an economic asset almost impossible to measure. The difference is that one is private, the other public.

It is an old story and an old conflict. Countless mills and factories diverted public rivers for power and made profits. But they were subsidized profits, the subsidy being the resulting costly pollution of rivers which belonged to the public. Our government subsidizes the oil industry through depletion allowances; and it was publicly subsidized oil which ended up on publicly-owned beaches this week. Is there not some irony here?

The golden age of the hydrocarbon fuels is petering out and it is only a matter of time before atomic power takes over. Land resources have been exploited to the point where the end is in sight and the oil industry is shifting to off-shore resources to eke out the last dollar. The latest coveted area is right off our own Cape Cod. Once again the issue is between the private good and the public good.

If there is any good in this week's black tide it is to emphasize which side Cape Codders must be on in a fight which already has had its preliminary skirmishes. Despite all the rationalizations to be offered, we can't have it both ways. We can't tap in to any peripheral benefits to be had from exploiting for private gain the oil resources off our shores and at the same time keep intact the public natural resource of pure air, water and beaches on which our tourist economy is based.

We say it again: Oil and Cape Cod don't mix!

[From the New York Times, Apr. 21, 1967]

DEATH BY OIL

Along the coasts of Massachusetts and New Jersey thousands of sea birds are dead and dying. They are probably victims of unknown oil tankers which somewhere at sea dumped quantities of heavy black crude oil. As winds and currents carried this oil toward shore, it engulfed the birds, coating their feathers and making it impossible for them to fly. Many vanished in the sea and others were washed ashore, barely alive.

This man-made disaster repeats on a smaller scale the tragedy of the Torrey Canyon, the huge oil tanker which went aground off the English coast last month and spewed its oil into the sea. The breakup of the Torrey Canyon was an accident; but it has long been the practice of tanker crews to wash out their tanks at sea and pump the contaminated waste overboard before calling at the next loading port with clean tanks. About three-tenths of 1 per cent of a tanker's cargo is routinely wasted through such cleaning operations on each voyage.

The practice has been going on for a long time and its effects were so damaging to wildlife and beaches that some years ago an international convention on prevention of oil pollution of the sea set limits on these cleaning operations. They are now forbidden within fifty miles of the United States coastline and prohibited entirely in the North Sea, the Baltic Sea and a large area of the northeast Atlantic surrounding the British Isles. But these regulations are frequently ignored, and as in the present depredation of the Eastern coast, the oil may be dumped at a legal distance but carried shoreward by the currents.

The World Wildlife Fund of Washington, D.C., is making an emergency appeal for funds to try to rescue as many birds as can be saved in the wake of the Torrey Canyon. But beyond emergency rescue work, the maritime nations have an obligation to stop fouling the waters of the world. The cleaning of tankers without polluting the ocean is a technical and economic problem that can be managed if the will exists to do so.

The United States might well call a technical conference of the signatories of the international convention to consider improved methods of cleaning tankers. The U.S. Government can intensify enforcement off its own coasts when the existing fifty-mile limit is widened next month to 100 miles.

Congress, moreover, has an urgent responsibility to rectify a proviso slipped into last year's Clean Water Act at the behest of the oil industry. Previously, a shipowner was subject to fines if his vessel was guilty of emitting oil within the three-mile limit, unless he could prove that a serious emergency or unavoidable accident had taken place. Now, however, the burden of proof has been shifted to the Government to prove that the shipowner was "grossly negligent." Congress should not only remove this ripper provision from the law but also considerably stiffen the schedule of fines.

The dead birds and oily beaches along the Atlantic Coast are a silent reproach to man's waste and criminal recklessness in the care of his natural heritage.

FEDERAL INTERROGATION ACT OF 1967

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I am sure many of my colleagues share my own concern, and that of my constituents, with the alarming increase in criminal activity in this Nation.

I have found that one of the causes of this increase is growing uncertainty among law enforcement officials as to just how far they can go in interrogating persons accused of criminal activity. Some of the problems in this area have been created by recent U.S. Supreme Court decisions, such as in the decision in the case of *Miranda* v. *Arizona* (384 U.S. 436, 1966).

The situation has reached the point where one police chief in a small northern New England city tells me:

> Small boys who are involved in petty larcenies now insist on having an attorney present or they refuse to even give their name or their parents' name and address.

To help fill this growing breech, my distinguished colleague, the gentleman from Ohio [Mr. TAFT] has introduced legislation known as the Federal Interrogation Act of 1967, in which introduction I have joined. Our bills, currently before the House Judiciary Committee, are H.R. 7384 and H.R. 7829, respectively.

Yesterday, the gentleman from Ohio [Mr. TAFT], who in only his second term in this body is already one of its most respected voices, presented his views to the Judiciary Committee's Subcommittee No. 5. In both his formal presentation and his further explanation to the members, he again showed the depth of thought and study that has gone into the preparation of this vital legislation.

So that my colleagues may be privileged to share his views on the subject, I present here my colleague's statement:

TESTIMONY OF ROBERT TAFT, JR., FIRST DISTRICT, OHIO, BEFORE SUBCOMMITTEE NO. 5 OF HOUSE JUDICIARY COMMITTEE

I need not tell the Committee that crime and the problems of crime are intertwined with many other pressing needs. The figures merit facing crime head-on. In the last five years the national figures show a 49% increase with crime up 11% in the last year alone. In towns under 10,000 there was an increase of 14%, in suburbs of 13%; for those under age 18 the rate was up 9%. *It will not be enough to lay bare and to try to attack basic sociological causes and explanations of crime.* Only 25% of serious crimes are now solved by law enforcement officers; only 20% of offenses against property are solved; only 35% of robberies are solved.

In this vein, I have suggested two approaches that are by no means exclusive. One is favored tax treatment for law enforcement personnel to attract more to the profession, and even more, *to give public recognition, awareness, and sense of participation in their effort.*

A number of other proposals make general or specific attacks on the problem such as the "Safe Streets" bill, "Revenue Sharing," the Javits "Police Communications" bill and the Griffin "Information Center" bill. All should be sifted and the best of them enacted.

A further equally pressing approach *I will develop in detail today would establish workable and understandable procedural rules in connection with some phases of citizen cooperation, "Stop" interrogation and protection of constitutional rights. If we fail to act on these areas we will further undermine the growing loss of respect for procedures of law in enactment as well as execution.* The proposed bill is not an omnibus one. The complexities of the area and its importance are too great to use such a vehicle. Rather, I have tried to deal only with the problems of interrogation. There is no "Frisk" provision, and I have stayed within the "Mallory" rule.

FEDERAL INTERROGATION ACT OF 1967

H.R. 7384, my bill, deals only with the problems of initial stop and questioning in connection with a crime and later interrogation of the criminally accused. It would regulate only criminal interrogation in *federal* law enforcement.

However, if the proposal is accepted by Congress and found by the courts to be within the Constitution, it would doubtless serve as a model for state enactment and practice. Should it fail to be enacted by the Congress or the States, the forces of public opinion may force constitutional change or federal statutory compulsion within the new expanded concepts of the 14th Amendment (see Nov. 1966 Harvard Law Review Vol. 80 No. 1, Professor Archibald Cox.)

PROBLEMS OF MIRANDA

This bill is addressed to problems of law enforcement and individual rights raised by the case of *Miranda vs Arizona* 384 U.S. 436 (1966). The net effect of that and other recent decisions has been to exclude statements of an accused in a criminal case unless a pat formula of warnings has been used. These warnings are that he has the right to remain silent, that anything he says may be used against him, and that he has a right to an attorney, retained or appointed. The court added a sure-fire "reverser-on-appeal" to these by saying further by way of dictum that interrogation must cease if the prisoner in any way, at any stage states that he wishes to consult an attorney. We may find differences in the President's Commission and elsewhere as to how possible deterrent effects on crime can be achieved best. But even Chairman Katzenbach has agreed that such decisions as *Miranda* "have made police work more difficult." In proposing a legislative approach to these problems, it is not my intention either to throw down any gauntlet to the Supreme Court.

There were seven members of the President's Commission on Crime who criticized the report's failure to face up to this problem. There has been a host of testimony before this Committee and before the Senate (see Congressional Record, 90th Congress, March 3, 1967, pp. 5345–5355). I propose that we establish clearer standards than the flat fiats of *Miranda*. Yet I am convinced they are ones which will better protect the rights of the criminally accused, while reducing the possible deleterious effects that some interpretations of *Miranda* are having on effective law enforcement and the morale of our law enforcement officers.

My concern with the need for a comprehensive interrogation law stems from the conviction that the language in *Miranda* is inadequate to protect either society or the criminally accused. It is a matter of common belief that police investigations are presently hampered by the vague rules of *Miranda*. There are even those who believe that, out of frustration, they might have the eventual effect of outlawing the use of all confessions unless Congress and the States act to rectify the situation.

Many of you may have seen the Washington Star report of last Thursday on the testimony of Baltimore States Attorney to the effect that 72 self confessed felons are free in Baltimore because of *Miranda*.

MIRANDA MISSES OWN GOAL

The irony of it is that *Miranda* does not even accomplish its major goal, which is to assure that the ordinary criminally accused (not the Mafia, or the wealthy criminal) is interrogated in an atmosphere free from coercion as compared to "alone, in custody, in a police dominated atmosphere". *Miranda*, in practice, does not help these people, because it continues "even in such an atmosphere" to permit the waiver of all rights, both as to stops and questioning as well as when held in custody alone, without the assistance of any neutral or friendly third person.

It was in light of these considerations that H.R. 7384 was prepared. I will summarize briefly the salient provisions of the bill.

In the first phase of criminal investigation, the federal law enforcement officer is granted express authority to request voluntary cooperation and information from any person in connection with the prevention or investigation of a crime. He may have this anyway but Congress should recognize it. This request need not be preceded by any explanation or warning, but any refusal to cooperate may not be used later in court against the individual. (Section 3(a)). Secondly, if the officer has "reasonable cause" to believe there has been a crime committed and that the person has knowledge which may be of material aid, he may *direct* that person to remain in his presence for a period of not more than twenty minutes. (Section 3(b))

On this area *Miranda* states as follows: "Generally, on-the-scene questioning as to facts surrounding a crime or other general questioning of citizens in the fact-finding process is not affected by our holding. It is an act of responsible citizenship to give whatever information they may have to aid law enforcement." In such "situations the compelling atmosphere inherent in the process of in custody interrogation is not necessarily present". In other words we have tried to define the rules for an area where *Miranda* has no application. The individual is not in custody, alone, or in a dominated atmosphere.

The same would be true in any situation where the officer observed a person in circumstances which "suggest" that the person has committed or is about to commit a crime. The officer is given the power to impose the temporary minimal restraint without the "mechanical" warning provided in *Miranda*. But there are strict limits on the purposes for which the "stop" may be used. It can only be used: (1) to identify the person by readily available information; (2) to request his cooperation in the investigation of a crime; or (3) to ascertain his explanation for his presence or conduct by readily available information. Section 3(b) (3)

Thus, if an officer observes a man running down a dark alley behind a series of stores, he can be stopped and asked to explain his presence without going through the warnings set up by *Miranda*. If any voluntary, but incriminating, statements are elicited during this period, they would be admissible.

LIMITS PROTECT RIGHTS OF ALL

In carving out this specific area for on-the-street police investigation, I have proposed to limit it to a twenty minute period to minimize possibilities of abuse. This is in accordance with a tentative draft of an American Law Institute committee that has done careful work in this field. In more cases this period should be sufficient to enable the officer to find out quickly what is needed so that he may respond to the situation.

Thereafter, however, the officer must decide if he is going to make an arrest. If not, the individual must be informed he is free to go. If arrested, the officer must give the arrested person a statement of all his rights under *Miranda*, including the right to remain silent, the fact that the accused has a right to communicate with counsel retained or appointed, relatives or friends, and that anything he says can be used against him at trial. The second phase of the proposed bill comes into effect upon reaching the police station. The arrested person must be transported immediately and directly to the police station if any further interrogation is desired. During the trip, interrogation may continue without the presence of counsel, but any statement, to be admissible later, must be shown to have been wholly voluntary.

MASTER OF EXAMINATION

Thereafter, any further interrogation must take place before a court appointed official known as a Master of Examination.

The master of examination is an officer of the court and not a part of the law enforcement agency involved. He is charged with recording or transcribing and filing a report on the interrogation with supervising and limiting the questions and the manner in which the interrogation continues, and with carrying out the responsibility for securing counsel for the arrested person and seeing to it that his family is put into communication with him.

However, because of the sweeping powers and rights given the Master of Examination, powers which insure that a person's privilege against self-incrimination will not be dispelled by a "compelling atmosphere" interrogation before the Master can continue for only three hours without the presence or specific waiver of an attorney. If the attorney, or any friend or relation is available, they may be present during the interrogation. Furthermore, if the arrested person desires to assert his right to remain silent pending the arrival of the attorney or a relative or friend, the Master of Examination will insure the free exercise of such right. However, a mere indication that the accused desires not to be questioned will not terminate interrogation as it would under the *Miranda* dictum. And, if the arrested person is willing to talk, his statements would be admissible even though previously or simultaneously he has asked for and will receive the services of an attorney at the earliest availability.

SAFEGUARDS AGAINST POLICE ABUSE

The final provision of my proposal is a very explicit provision making it a misdemeanor for a police officer to use coercion, threats, or promises of leniency to elicit a confession. This provides a safeguard against police abuse that does not exist today.

I firmly believe that the proposal satisfies the Fifth Amendment's command that no person shall be compelled in any criminal case to be a witness against himself and the Sixth Amendment guarantee of effective assistance of counsel. No problem would seem to arise under the Fourth Amendment.

We have taken a comprehensive approach to the problem of out of court statements and provided appropriate safeguards for each of the situations.

CONGRESS HAS RIGHT TO ACT

It is proper for the Congress, as a coordinate equal of the Supreme Court, to make rational distinctions in determining the requirements of the Fifth Amendment, and the *Miranda* decision is replete with recognition of this fact. For example, the *Miranda* decision held that, for purpose of preventing a compulsive atmosphere, the safeguards must apply when one is deprived of his freedom of action "in any significant way". I can foresee that the application of this test creates many problems and have thus attempted to provide some specificity. My proposal provides that the twenty-minute stop for preliminary exploratory questioning is *not* custody nor such a significant restriction of liberty as to require a warning or the presence of neutral observers or attorneys. However, once the investigation shifts from a general exploration of what has happened to a focusing in on a particular individual, the interrogation changes from non-custodial to custodial and the accused is guaranteed his warning rights. This point is reached when questioning goes beyond the limited objects permitted during a "stop".

On the other hand, we have provided that once a person is arrested and taken into police custody, substantial safeguards—which include the introduction of elements of neutrality—must be provided. This removes the need for the absolute right to an attorney. As is pointed out in the Harvard Law Review, November, 1966 (80 Harvard Law Review 125, 207 "The Supreme Court, 1965 Term"):

"If appraisal of right to counsel and the right itself, are necessary only to insure that the subject fully understands his right to remain silent, they may be replaced by some equally effective way of delivering the admonition—perhaps by a magistrate. Even if the right to counsel during interrogation is granted to protect against abuses not easily proven, it would be unnecessary if the accused could be protected by a sound recording or a neutral observer."

The Supreme Court in *Miranda* stated clearly that the Constitution did not "require adherence to any particular solution", and the decision was not intended to create a "constitutional strait jacket" to handicap efforts at reform.

There are, naturally some minimal technical differences in the proposals I have made from the literal rules laid down in *Miranda* to govern post-custody interrogation. The most significant difference is that under my proposal the mere indication by an accused that he does not wish to answer or that he wishes to have an attorney present does not necessarily require a halt to further interrogation if the Master believes it proper to proceed.

While the Supreme Court in *Miranda* did expound exact conditions for calling a halt to interrogation where an accused indicates a desire to remain silent or retain counsel, I do not think that my proposed legislative reversal of such rules would be unconstitutional.

For one thing, these particular requirements of cessation of questioning were not necessary to reach the decisions on the facts in *Miranda* and its related cases. Hence, these supposed conflicts are based on no more dictum which the Court may follow or not as it sees fit. While I do not criticize the Court for its desire to provide rules in this troublesome area, its approach is severely limited.

The Court should recognize that while it fashioned rules to prohibit prolonged questioning in a police dominated atmosphere, under my proposal such questioning would be limited to a specific period (of which the accused should be informed before it commenced) in a judicially controlled atmosphere of neutrality. The Court would be faced with a situation where the accused would be guaranteed the right immediately to contact family, friends or an attorney and such persons would have immediate access to the accused. The Court would see that instead of the so-called manipulated coercive atmosphere with which it was concerned, there would be a controlled atmosphere, under the Master's supervision guaranteed to prevent psychological coercion. The Court would also find a new criminal sanction in addition to the exclusionary rule to enforce the voluntariness of all proceedings.

In other words, the very premises and assumptions upon which the Court acted when it enunciated the *Miranda* rules would have been removed. I think the Court might then recognize society's interest in being able to continue questioning without the fear that a request by the accused to stop the questioning or for the presence of counsel might throw out an otherwise voluntary confession.

In making this proposal, I am relying upon the Court itself when it said in *Miranda:*

"It is impossible for us to foresee the potential alternatives for protecting the privilege which might be devised by Congress or the States in the exercise of their creative rule-making capacities. Therefore, we cannot say that the Constitution necessarily requires adherence to any particular solution for the inherent compulsions of the interrogation process as it is presently conducted. Our decision in no way creates a constitutional strait jacket which will handicap sound efforts at reform, nor is it intended to have this effect. We encourage Congress and the States to continue their laudable search for increasingly effective ways of protecting the rights of the individual while promoting efficient enforcement of our criminal laws. However, unless we are shown other procedures which are at least as effective in apprising accused persons of their right of silence and in assuring a continuous opportunity to exercise it, the following safeguards must be observed."

This legislation is an attempt to provide effective safeguards for our people without unduly diminishing the effectiveness of our law enforcement agencies. It involves the traditional American approach of balancing important interests to advance the public good.

TITLE: BUILDING BRIDGES TO THE EXECUTIONER

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, although the field of foreign policy can be a complex one, the final custodians of this policy are, in the final analysis, the American voters, who, every 4 years can change their national leaders. There are those who hold that the average citizen is not equipped to evaluate or judge the merits of foreign intricacies; nevertheless, the American people still have the final say through the ballot box. And it is fortunate that this is so, for our national leaders have made tragic mistakes in the field of foreign policy in the past. One need only remember the comment of Congressman John F. Kennedy, later amply substantiated by extensive Senatorial hearings, concerning the downfall of China in 1949 that "what our young men had saved, our diplomats and our President have frittered away."

One need only recall our no-win policy in Korea in the 1950's which was extensively explored and exposed by Senate investigation.

One could cite other examples—the blatant and brutal violation of the 1954 Geneva Agreement by Ho Chi Minh who prevented thousands of North Vietnamese from relocating in the South and which was, in effect, ignored by the United States; our tragic inaction in Hungary during the revolt in 1956; this Nation's tacit approval of the enslavement of the peoples behind the Iron Curtain to date, as evidenced by our silence and inaction in the United Nations on behalf of their freedom.

In viewing our past record, I think it is safe to say that Divine Providence has not endowed our policymakers with the gift of infallibility.

It is with this perspective that American citizens must view our present policy toward the Soviet Union, the main enemy in Vietnam. A serviceman in Vietnam, in a letter which I inserted in the Record on February 27, cut through to the heart of the matter when he asked in exasperation:

> How can we trade with a country which aids the soldier who tries to kill me?

This is the type of hardnosed logic every citizen must employ in evaluating our policies toward the Communist countries:

> How can we trade with a brutal international movement which seeks slavery for all free men, and to gain it will, if necessary try to kill me?

This is the basic logic used by Father Daniel Lyons, S.J., in an excellent article regarding trade with Communist countries. Reverend Lyons is a noted author and lecturer and has visited Vietnam twice as an adviser at the request of the Defense Department. He has coauthored, with Dr. Stephen Pan, the comprehensive study of the situation in Vietnam entitled, "Vietnam Crisis." In addition, he has appeared before the House Foreign Affairs Committee to give testimony regarding southeast Asia. In contrast to many of the signers of "stop-the-bombing" petitions, Father Lyons' views are buttressed with impressive credentials.

I insert the article, "Building Bridges to the Executioner," by Father Daniel Lyons, S.J., who is now associated with the Asian Speakers Bureau in New York City, in the Record at this point:

Building Bridges to the Executioner

There is a strange relationship being built up by the United States toward Russia. Until a year ago, Soviet Russia was visibly worried that her military aid to North Vietnam would be resented by the United States. But she soon came to realize that the administration had no objection to her furnishing guns and missiles to Hanoi. So Russia began complaining about our helping the South.

The more Russia complains, the more U.S. officials do everything they can to help the Russian economy. Walt Rostow, the greatest bridge builder of them all, was made chief White House advisor on Soviet relations. Zbigniew Brzezinski, who also strongly favors building up Russia, recently became a top Presidential advisor, at Rostow's insistence. Brzezinski not only wants to do everything we can to help Russia, he wants us to persuade the rest of the free world to do the same.

Rostow and Brzezinski have convinced the President that he should go all out to build up Russia. The President recently arranged for the Export-Import Bank to use Federal financing for increasing trade with the Russian bloc, saying that it is "in the national interest" to extend credit to the Union of Soviet Socialist Republics.

Why it is in America's interest to finance the very country that is supplying guns, Migs and missiles to North Vietnam at the current rate of $800 million a year is difficult to understand. Yet the Administration has already arranged for shipping such strategic items to Russia and her satellites as a ball-bearing factory, radiation instruments, railway equipment, combustion engines, rocket engines, generators, chemical factories, a huge hydrogen plant, synthetic rubber, copper mills, steel mills, turbines, electronic computers, nuclear radiation and detection instruments, and navigational equipment for Russan planes.

The President recently listed more U.S. measures for building up the U.S.S.R. In doing so he used Brzezinski's phrase, "peaceful engagement". The cold facts, however, are that Soviet Russia and the United States have very few common interests. Those who think otherwise are indulging in wishful thinking. America has been talking a lot lately about a detente with the Soviet Union, but there is no justification for it.

A striking example of our sad mistakes in this regard was the wire recently sent by President Johnson congratulating the Soviet Union on the 49th anniversary of the Communist Revolution. He sent the wire "on behalf of the people of the United States," despite the fact that most Americans resent the Communist takeover in Russia. That takeover meant the suppression of religion and human rights, the murder of millions of people, the occupation of all of Central Europe. Without the Communist revolt in Russia there would have been no Red China, no Korean War, no Cuban takeover, no war in Vietnam today.

Bridges should be built to our friends, not to our enemies. But we build bridges to our enemies and antagonize our friends. Russia's whole purpose in the non-proliferation pact is to keep our allies, and particularly West Germany, from getting the atomic bomb. But Germany, Spain, Japan and Free China are the countries we should be building up and arming.

Germany fears that any rapproachment between the United States and Russia will be at her expense. Germany is the heart of our NATO defense. She needs nuclear arms to defend herself against the Warsaw Pact nations. Yet Germany has been unsuccessful in her efforts to obtain such arms from us. It is foolish for us to risk the relationship we have so laboriously built up with her. Nor should we risk severing the bonds of friendship we have established with other nations of the free world. But that is just what we are doing, in exchange for an illusory bond with leaders of the Communist world whose number one goal is to bury us.

RESOLUTIONS OF THE FARMERS COOPERATIVE COMMISSION CO. AT 52D ANNUAL MEETING IN WICHITA, KANS.

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SHRIVER. Mr. Speaker, the Farmers Cooperative Commission Co. recently held its 52d annual meeting in Wichita, Kans. During its deliberations the commission company adopted a number of resolutions which are related to agricultural and farm matters and concern the membership of this large organization. I have been advised that these resolutions are the result of careful and intensive study by the resolutions committee; and the views of many farmers were invited in the drafting of the resolutions.

They are deserving of the attention of Members of Congress who recognize the importance of a strong agricultural economy. The resolutions follow:

Resolution No. 1—Farm Programs

The marketing of wheat and feed grains has become a complex combination of domestic and export transactions. Grain producers are becoming more affected by International trade agreements, Government aid programs and barters.

Even with these complexities, farmers have accomplished much with their general farm, commodity and cooperative organizations. A Government farm program is an additional means available at present to gain the desired end in many commodities, especially wheat and feed grains.

We urge the continuance of price supports and a loan program. We further recommend the continuance of the present domestic wheat certificate programs. We also recommend the use of export wheat certificates or a similar devise to improve farmers income.

We favor the continuance of the P.L. 480 Food for Peace program and the expansion of Section 32 purchases, expansion of the food stamp program and reduction of imports where they affect prices and income to producers.

Resolution No. 2—Foreign Aid Programs and the Agricultural Budget

The cost of the current government Foreign Aid programs are now charged to the agricultural budget. These shipments do much to aid our foreign policy efforts. We recommend that the cost of the foreign aid programs be charged to the State Department or a similar interested department and not to USDA. We recommend that a concerted effort be made to help the general public recognize that a major portion of the money spent by USDA benefits all people, not just the farmer.

Resolution No. 3—National Grain Reserve

We strongly urge that a so-called strategic or minimum wheat reserve be established during this session of Congress. This reserve to be set aside solely as a means of protection against crop failure or in cases of extreme national emergency. Such a reserve should be sufficient to meet these extreme conditions.

We strongly urge that these reserves should be completely isolated from the market and at no time should they be used in influencing the market. Further, the cost of carrying such reserve should be borne by the Department of Defense, State, or a like or proper department.

Resolution No. 4—Transportation

The very large investments by farmers in facilities which are rail connected and which were built in good faith in the expectation of the continuance of transit can be destroyed in short order by the elimination of transit privileges.

We vigorously oppose any changes in the present regulations pertaining to transit. We further oppose multiple car freight rates, non-transit rates, or rates based on mileage.

We further recommend that flour rates be lowered to allow the flour mills of Kansas to compete with mills in other sections of the United States.

Resolution No. 5—Grain Grading Standards

The present Federal Grain Grading Standards are unnecessarily strict, severe, and unduly expensive. We are convinced that the present grading standards have not resulted in any significant increase in exports or domestic sales of wheat. Since the wheat producer is the one who pays the discounts that are created by these stricter standards, we recommend that a reexamination of the Federal Grain Grading Standards be made for the purpose of making necessary changes, taking into account the financial effect on wheat producers.

Resolution No. 6—Employee Training

The operation of all cooperatives is becoming more and more complex each year. It is becoming more important to have competent, qualified personnel to manage and operate an efficient and effective cooperative business.

We recommend a vocational training program that will teach young men and women the necessary skills to fill the many areas of employment vital to the successful operation of our businesses.

We further recommend Co-op employee training wherever possible through short courses and institutes sponsored by Kansas State University, Wichita Bank for Cooperatives, Farmers Cooperative Commission Company, Farmland Industries, and other regional cooperatives.

Resolution No. 7—Research and Market Development

The directors and management of the Farmers Cooperative Commission Company are supporting market research and development that promises economic improvement to the membership and the area it serves.

We encourage continued research and the employment of qualified personnel to find additional grain products for sale in the domestic and foreign markets. We recommend that an adequate promotional budget be maintained to support these products.

We commend the directors, the management, and the employees of the Farmers Cooperative Commission Company for their diligence in developing new products and markets for Kansas wheat.

Resolution No. 8—Consolidation and Competition

Many cooperatives are still duplicating services to members of a general area. There are many cooperatives in the area served by the Farmers Cooperative Commission Company that could better serve the membership by being merged into a more efficient business. In most areas services could be expanded, improved and even established.

It is desirable that managers and directors study the possibilities of mergers both on the local and regional levels.

We encourage the Farmers Cooperative Commission Company to continue working on the possibility of a merger of regional cooperative grain marketing associations, keeping in mind the best interests of the general membership of Farmers Cooperative Commission Company.

Every cooperative should review its grain pricing structure and grain handling procedure with the aim of increasing grain margins to a level consistent with good business management and the lasting welfare of its members.

Resolution No. 9—Youth and Farm Cooperative Movement

Cooperative organizations are established as permanent institutions, bridging over the generations. It is very desirable that all age levels be represented, that a certain number of board members, for example, be training to take over the functions and responsibilities of older board members with the passing of the years.

It has been found very desirable also, from the standpoint of insuring the interest and participation of the younger farmers, that positions on the boards of cooperatives, local and regional, be filled by young farmers so they may be thus encouraged to take a more active role in the government of their cooperative institutions and their talent and ideas best utilized.

Resolution No. 10—Producers Export Company

Producers Export Company is making headway in the field of increasing export sales of wheat and other grains marketed by farmers through their own cooperatives. It is yet a modest effort compared with some of the international export companies.

It is the desire of the members of the Farmers Cooperative Commission Company to make the maximum use of the Producers Export Company whenever possible.

Resolution No. 11—National Federation of Grain Cooperatives

We are proud of our association with other cooperative marketing associations in the National Federation of Grain Cooperatives, and with its Executive Secretary, Roy F. Hendrickson.

The federation is devoted to the expansion of cooperative activity by farmers throughout the nation and the world. In this effort, our association is anxious to participate and to forward the program of cooperative marketing development which is the surest road to improving the bargaining ability of producers.

Resolution No. 12—Kansas Cooperative Council

The Kansas Cooperative Council is organized for the purpose of representing the cooperatives of Kansas in many areas and is continually serving its cooperative members both in information and representation, especially in the Kansas Legislature. The Council is also active in the development of new ideas in the orderly marketing of wheat.

Continued support of the Kansas Cooperative Council is urged so that their important work can be continued and expanded.

Resolution No. 13—Kansas Farmers Service Association

We commend the Kansas Farmers Service Association and the C. R. Rock Company for their continued excellent service. These organizations are alert to the needs of their members in providing auditing and insurance services.

Resolution No. 14—In Appreciation

The Farmers Cooperative Commission Company enjoys an extremely high level of membership loyalty and support and is an outstanding example of teamwork in the cooperative field today. We commend the directors and managers of local cooperatives for their loyalty and support.

CADET KNOCKS TOPLESS IDEA

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, recently I placed my views on a proposed topless go-go discotheque in Vietnam before the House and, generally, reaction to this was favorable to my stand that this idea was ridiculous, detrimental to our Nation's basic God-fearing philosophies, hurtful to our national image, and helpful to those seeking areas of damaging propaganda. That the newspaper account would reach young men either serving or preparing to serve our country did not seem to be real to me at that time but I have heard many reports of reaction and have seen one reaction in writing which I present here for my colleagues to read at their leisure. It is written by a West Point cadet, Philip D. Reifenberg, and was printed in the March 30, 1967, issue of the Milwaukee Sentinel. In it, Cadet Reifenberg points to the above arguments and does it in a resourceful and freshly invigorating style which reflects the fine, moral tendencies of this young man and the many like him who rebel at the thought that topless women are what will "boost the morale" of the soldier in Vietnam.

I believe the observations of this young man are worthy of reading and I present them to you, as follows:

Abominable

To the Sentinel:

I would like to "compliment" Richard L. Bast and Redex-Vietnam, Inc., on their patriotic effort to "bring America to our boys overseas" by exporting topless "go-go" girls to Saigon (Sentinel, Mar. 2). This is "surely" a move that will "boost the morale" of the soldiers in Vietnam.

What does Mr. Bast think our soldiers are, a bunch of sex craving fiends? That patriotic effort of his is the most absurd thing I've ever heard, not to mention being an insult to the armed forces and to our fine nation. Why doesn't he go one step further—let him send LSD and marijuana with his girls; this would be an even greater "boost" to their "morale"!

Mr. Bast's proposal is pathetically ironical. He plans to hire 10 to 25 "girls of high caliber . . . nice, wholesome American girls" to send to Vietnam to excite our soldiers' sexual desires. But he doesn't want any "hard bitten strippers"! Naturally Redex-Vietnam, Inc., will have to pay its employes for their "services"; pay them with American currency, of which every denomination without exception bears the inscription, "In God We Trust." I wonder if our "patriotic" friend trusts in the same God the rest of us believe in, a God Who abhors sin and loves purity. If so, he is the best example of hyprocrisy I have ever seen.

Of course, Mr. Bast may be correct in his assumption that exporting these girls to Vietnam would be "bringing America to our boys overseas." Maybe topless "go-go" girls are the symbol of the American republic today. I could be wrong in believing that the United States is still the God fearing nation of high ideals that our forefathers founded. It might be that I've never seen America in its real form—since I am Catholic, and have great parents who taught me the difference between right and wrong, attended a fine high school, and am now "sheltered" by the walls of the United States military academy at West Point, my eyes may have been blinded to the true symbols of the American way of life. But I refuse to believe that the moral standards of America have decayed to such a degree that raw sex is now indicative of cultural entertainment in this nation.

But let's look at this from other angles, too:

Just think how our national image would suffer! To the rest of the world we would no longer be a great nation full of integrity and honor, but a nation of pagans, running around half nude, exporting our vices to other countries around the world. (This would be a wonderful source of propaganda material for our enemies!)

How about the poor girl whose husband is over in Vietnam? How long could she keep her faith in him, thinking that he might be replacing her with a "girlie show"?

If Mr. Bast succeeds in putting his suggestion into practice, I will personally be greatly affected. In three years, I will no longer be a West Point cadet, but a second lieutenant in the army. Upon graduation, I will promptly be assigned as a platoon leader, probably stationed in Vietnam, or wherever the trouble spot happens to be at that time. I'll have 42 men to look after in my platoon, physically and spiritually. I doubt if I would be able to take much pride in myself as a man, an officer or a Christian, knowing that those under my authority, who are supposedly fighting for the noble cause of peace and freedom, were in actuality wasting what little time and money they have for themselves to see an exhibition of "Bast's Hussies."

To me, Mr. Bast's plan is nothing more than abominable. I hope that all of you have this feeling, too. If so, do something, anything about it. Write your representative, your senator, even Mr. Bast himself. But please don't sit back and be content to merely think about the folly of the Redex-Vietnam, Inc. Remember the words printed at the top of the Sentinel's editorial page—

"The only thing necessary for the triumph of evil is that good men do nothing."

Cadet Philip D. Reifenberg,
Company F-4, U.S.C.C.
West Point, N.Y.

FUNDS FOR EDUCATIONAL ASSISTANCE PROGRAMS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am happy to join with my colleagues on the Special Subcommittee on Education in introducing today a concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs.

Mr. Speaker, hearings, studies, and surveys conducted by the subcommittee, under the able chairmanship of the gentlewoman from Oregon [Mrs. Green], indicate that late funding is wreaking serious havoc with educational programing at both the elementary and higher education levels. Needless to say, this works a serious hardship on a number of students. It is high time that the Congress define ways to act with reasonable dispatch so that the educational community of the Nation will not suffer due to our inability to make thoughtful decisions.

The academic calendar and the Federal fiscal calendar move in different cycles. Planning for the next academic year must be done during the spring of the preceding year while appropriations for educational assistance programs are rarely made before late summer or early fall—when the school year has already begun. School officials from a number of States have testified to the difficulties created by this disparity, and the National Advisory Council on the Education of Disadvantaged Children stated that:

> There is no doubt that implementation of Title I was greatly hampered this year by the nonavailability of funds until after the school year began.

An official of a large university wrote simply:

> How do you establish matching funds for an unknown budget?

Finally, Commissioner Howe indicated the concern of the Office of Education:

> It seems to me essential to look for appropriations practices which would prevent relationships with States and communities from being regularly conducted on a crisis basis.

As an immediate step toward the solution of this problem, we are recommending by the introduction of this resolution that the problem of late funding be subjected to a thorough and concerted study by a joint committee to be composed of Members of the House Committee on Education and Labor, the Senate Committee on Labor and Public Welfare, and both Committees on Appropriations. The joint committee would be required to submit its recommendations within 3 months.

Mr. Speaker, the Congress must act now if the far-reaching legislation we have passed in recent sessions is to be of maximum assistance to those young people who most need its help.

TO REMOVE THE PROHIBITION ON THE ATTENDANCE OF INDIAN SCHOLARSHIP STUDENTS AT SECTARIAN COLLEGES AND UNIVERSITIES

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. Pollock] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POLLOCK. Mr. Speaker, I have today introduced a bill to correct an inequity existing in our laws relating to the education of Indian students. At the present time the Bureau of Indian Affairs is prohibited by statute from using Federal funds for scholarships at sectarian schools including, of course, institutions of higher learning. Other Government scholarship funds can be used for this purpose but scholarships for Indians cannot. Certainly this is discriminatory.

In my own State of Alaska there are three institutions of higher learning—one, the University of Alaska, is public while the other two, Alaska Methodist University and Sheldon Jackson Junior College, are sponsored by churches. All are accredited. Thus a native student desiring to attend college in his own State with a scholarship is given no choice of schools.

My bill removes this prohibition for institutions of higher education. Similar legislation has been introduced in the other body with 11 sponsors—S. 876. I am hopeful that the Congress will consider correcting this discriminatory situation this session.

The text of the bill follows:

H.R. 9397

A bill to remove the prohibition on the attendance of Indian scholarship students at sectarian colleges and universities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph following the heading "SUPPORT OF SCHOOLS" in the first section of the Act of June 10, 1896 (29 Stat. 345), is amended by striking out the second sentence thereof.

SEC. 2. The first paragraph following the heading "SUPPORT OF SCHOOLS" in the first section of the Act of June 7, 1897 (30 Stat. 79; 25 U.S.C. 278), is amended by striking out the second sentence thereof.

SEC. 3. The second sentence of the sixth paragraph of section 21 of the Act of March 2, 1917 (39 Stat. 988; 25 U.S.C. 278), is amended by inserting before the period at the end thereof the following: ", except that this sentence shall not apply in the case of accredited institutions of higher education".

LODGE'S RETURN

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, this week a distinguished son of Massachusetts came home after completing a second tour of duty as U.S. Ambassador to South Vietnam. Henry Cabot Lodge fulfilled this public service with the same competence, good judgment, and devotion to duty that he exhibited as a U.S. Senator from Massachusetts and as U.S. representative in the United Nations. This morning the Washington Post saluted Ambassador Lodge for handling "every assignment with tact and skill." I include this editorial in the RECORD at this point:

LODGE'S RETURN

Ambassador Henry Cabot Lodge has served his country well in a difficult and dangerous post and is entitled to the praise of his countrymen and the gratitude of his country upon his return home.

It would be hard to imagine a more troublesome assignment. An Ambassador's role is arduous enough under normal circumstances; but the Ambassador to South Vietnam functions in circumstances far from normal. The necessity of maintaining the freest channels of communications with the friendly government to which he is accredited is only the beginning of the matter. Ambassador Lodge has had to be not only a diplomat but an administrator and a coordinator and an advisor. He has conducted himself with courage and with tact. He has furnished his own government reliable and intelligent estimates of the situation in that country. He has handled every assignment with tact and skill. He has been conscientious in the performance of a task that no man but a patriot would willingly have undertaken.

TURNING POINT IN LIFE RESOURCE PLANNING

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, our distinguished colleague, the gentleman from Ohio [Mr. BROWN] recently delivered an excellent address before the Ohio Planning Conference, in Dayton, Ohio.

The gentleman's concern was the preservation of our natural resources, and the urgent need for comprehensive planning and understanding of our goals. He pointed out how many seemingly extraneous factors must be included in any of the decisions about planning for growth and conservation in the years to come.

Because of the gentleman's cosponsorship of legislation to create a National Commission on Public Management, and because of his interest in the use of modern management techniques to help us solve our public problems, I include the text of his remarks in the RECORD:

TURNING POINT IN LIFE RESOURCE PLANNING

The civilized man's occupancy of this continent with its particular set of resources began 350 years ago, but the idea of conserving our resources did not begin until the mid-nineteenth century, when we began to think of our vast natural resources in terms of their wisest use.

A century later, we have been forced to abandon our previous narrow concept of conservation in the isolated categories of forests, wildlife, minerals and water. We have been forced to recognize the interdependency of all resources, and have found that we cannot divide them into separate definable units or keep conservation problems within state borders or city limits.

Social scientists today are emphasizing that we live in a dual world of two external environments: one the world of nature; and the other the world man has built within and around and on top of the world of nature. This man-built world has been described as including all our technologies from the axe and the hair shirt to electric power and atomic fission—and all our media from the alphabet to telstar television.

One of conservation's most urgent tasks today is to create a general awareness of man's relationship to his environments in both the biological and sociological senses. Public expectation must be elevated to require a more responsible performance from everyone—individual, citizens, corporate industry and the agencies of government. The new conservation also requires a more effective political machinery for formulating public policy—a task which often involves a difficult choice between conflicting public interest and private demands.

When concerned people—leaders of the community (or merely citizens interested in a certain project)—get together and work out ways of accommodating the interests of the various "publics" involved, so that the greatest good is wrought with the total environment in mind, then the politics of conservation is working at its best.

Our resources include: *Renewable resources,* on which we depend for life itself—fresh water and clean air—resources which when properly managed are self-replenishing:

Non-Renewable resources such as ores, minerals, coal, and so on. Open or green space might also be considered a non-renewable resource, rather than a renewable one.

Resources which we, at present, consider inexhaustible—the sun and the sea.

New and to-be developed resource of which we do not realize the value today—nuclear power, outer space.

The United States is now using up natural resources faster than man, science and nature, together, are creating them. The most economical and most sensible use of resources requires not only the skill of the trained scientist and technician, but the understanding and interest of the ordinary citizen upon whom rests the ultimate political responsibility for action. It also requires the proper political procedures and the power of funds (tax resources) which government needs to effect its decisions.

Perhaps our first good example of regional planning was the Miami Conservancy District of fifty years ago, in which the single entity of the watershed of the Miami River was taken into account with regard to community planning, flood control water resources, soil conservation, grass, forest and other crops, animal life, water and recreational interests in connection with one watershed. The Miami Conservancy District was given not only the legal and political power with which to operate, but also the taxing authority and therefore the financial resources needed to do the job required.

In the last half century, we have learned, in the Dayton community, that the community of interest of the Miami Conservancy District is only one of the communities of interest, or watersheds, we have to consider.

There are economic watersheds, educational watersheds, watersheds of retail commerce, of employment interests, of residential needs and many more. For instance, there is the consideration of medical services. Since most of us these days are born in hospitals and die there, regional hospital planning ought to be given consideration. Barney Children's Hospital is an example of planning for community need. Formerly, Dayton had to use pediatric facilities in general hospitals in the Dayton area, or the children's hospitals in Columbus or Cincinnati. There obviously should be some geographic coordination, however, in this area of specialized service. For instance, if Children's Hospital in Columbus decides to specialize in hematology, and Children's in Cincinnati is concentrating on orthopedic surgery, but there is no area hospital doing top notch children's heart or chest surgery, then Barney could aim to meet this regional need. I am not suggesting that this be the specific case, of course, but only citing an example of regional planning.

When we think of young people, we obviously get very quickly to the school problem. School locations have to be planned in such a way that transportation is both convenient and practical.

People do not live in a location where they can't find work. Therefore, arrangements for industrial development obviously ought to be planned into the community. People also tend to develop commercial activities convenient to where they live. Transportation plays a big part here—both locally and regionally. Ask the Dayton merchants south of Third and Main—and ask those of us who wanted to go through Dayton quickly before I-75 was finished.

We should also include athletics and recreational activities and consider the construction of swimming pools and YMCA/YWCAs at the same time we talk about auditoriums and drive-in movies. Perhaps the purchasers of the Cincinnati Redlegs ignored Dayton in their considerations, but the Governor of Ohio sure got in the act.

And, of course, we must consider green spaces and perhaps should even consider zoning, for the protection of fast vanishing rural areas, where agriculture can function as one of the industries necessary to the sustenance of life. Each of these interest areas may encompass another area or portion of another area, and each has to be given special consideration, but consideration tied in with the others. The municipal government system obviously has to tie in with other political subdivisions, just as the school systems must integrate with each other.

Planning green spaces into an area may even be more complex. The space will likely have to come from existing rural areas in order to serve people residing in metropolitan areas—people not directly involved in the local government of these green-space areas. Champaign Countians are not the chief users of the facilities of Kaiser Lake in Champaign County. On any weekend you can count more Dayton cars there than Champaign County cars. These regional interests, therefore, overlap and, not infrequently, conflict. In order to resolve the conflicts, there must be free and easy flow of discussion between governmental units and organizational units, whether it be a private organization running a private industry or a ball club, or a Chamber of Commerce expressing community interest, or a School Board, or a commercial enterprise. It is simply impossible to set up governmental boundaries which can encompass all the problems of our environment.

Obviously, the one organization which does cut across all boundaries is the Federal government. But this tends to ignore vital local interests and eliminate completely the various local options. Any system which is set up should permit local determination as to which regional interests should dominate when they are in conflict. But, of course, there ought to be more cooperation than Court action. I serve on the Government Operations Committee's Subcommittee on Intergovernmental Relations, and this whole field is one which has not been extremely well-defined in legislation. But, it will be the subject for future hearings or studies for legislation.

Another piece of Federal legislation which should be mentioned is the so-called Intergovernmental Cooperation Act, which has been re-introduced in both the House and Senate by members of both parties. In the House, the measure will be considered by the Government Operations Committee's Subcommittee on Executive and Legislative Reorganization, on which I also serve. This legislation, as you know, is designed to achieve the fullest cooperation and coordination of activities among all levels of government in order to improve the operation of our Federal system in our increasingly complex society.

A classic example of the need to give serious consideration to some legislation of this type can be cited in the case of the City of Philadelphia, where the Federal government literally ran into itself due to lack of coordinated planning. Involved, is one of the most historic tracts of land in the United States, that part of Philadelphia where the Constitution and the Declaration of Independence were drafted and adopted. First of all, the Congress agreed to create a national historical park extending from Independence Hall to the Delaware River. Within this area are many buildings of critical historic value because of their part in the birth of our Republic. At the same time, the Commonwealth of Pennsylvania agreed to clear six city blocks north of Independence Hall to make a great mall. Adjacent to this area, a private, nonprofit organization launched a rehabilitation and renewal program restoring older houses and building new apartments to replace the slums. All of this was done according to a city plan.

In another phase of Philadelphia's renewal plan on the banks of the Delaware, a mile of waterfront is being demolished to create a waterfront park containing museums and marinas. Approximately $407.4 million has been put into these projects by private agencies, the City of Philadelphia and the Federal government. However, the whole thing is now being jeopardized by the construction of Interstate 95 through the ara. The highway engineers want to build a 12-lane expressway which would rise up 23 feet, severing Independence National Park from the river, blocking the view of the waterfront, and making the waterfront park project practically untenable. Nine out of ten dollars of the cost of the Federal highway will be paid for by the U.S. Government. However, the Pennsylvania State Highway Department has the job of designing it. In so doing, the State engineers have ignored long years of work and millions of dollars of investment put into the area by fellow State agencies. The City of Philadelphia street department has ignored the long labors and investments of the city planning commission, the Philadelphia Redevelopment Authority and the private rehabilitation agency. The Federal Bureau of Public Roads seems oblivious to the huge sums invested by its fellow Federal agencies—the Department of Interior and the Urban Renewal Administration. They are interested only in costs insofar as they affect their trust funds financed out of gasoline taxes. The matter is still unresolved. Obviously, what is needed here is some supervision, some coordination, before the Liberty Bell, itself, is buried under concrete.

We must recognize the interlocking character of all resources and the mounting pressures against them in our present-day society. Among these are: population explosion; pressure against the land itself caused by our mushrooming urbanization, highway construction, defense establishments, airports, and building development; and the insatiable appetite for raw materials of our vast and expanding industrial plant, spurred on by the demands of Americans for an ever-higher standard of living.

To meet these pressures, we need to study methods of re-using more and more of the materials our economy uses. In fact, some experts call pollution "resources out of place." The principle of re-use is already firmly established: Half of our steel, 56% of our copper, 12% of our rubber and 21% of our paper are presently derived from scrap or reprocessed material. We need to have recreation lands and to preserve our wilderness areas.

We will need people trained in the sciences dealing with the air, the sea, the earth, the inter-relationships of living things and their environment, pollution of air, water and food, new energy sources and synthetic substitution products. To make the best use of our human resources, we must see that all of our people are educated according to their individual abilities. We must nurture our country's human potential and provide them with the opportunities for personal regeneration through recreation. In order to include all these things in just the consideration of the water needs alone in a certain area—that is to say water resources for industrial and human consumption and recreational use, agricultural development, flood control, pollution control, etc.—one is tempted to yearn for a computer into which all the facts might be put and an answer arrived at to determine how all the needs for water in an area can most efficiently be balanced.

Well, that is exactly what many experts want to do. Many of them believe that the efficient and, in the long run, essential approach to managing our resources, handling pollution problems, etc., will be the new science of systems analysis both for regions and for individual projects. The State of California has already contracted with aerospace companies who have considerable know-how in systems work, for analyses of preventing and managing waste and other community problems.

Republican-sponsored legislation pending in the Congress, which I have joined in introducing, provides for the creation of a National Commission on Public Management to study the applicability of the systems management approach to public problems such as water and air pollution, the growing crime rate, traffic congestion, slum housing, health services, education, law enforcement and distribution of public welfare. The Commission would examine the techniques developed by the defense and aerospace industries for complex problem-solving, and recommend how best they might be applied to equally critical domestic problems. This would engage the free enterprise system in the solution of public problems.

Let me digress for just a moment to pursue in detail a specialized interest—how to handle industrial pollution.

As many of you no doubt know, I have reintroduced a bill I sponsored last year to allow an incentive tax credit to industries which install facilities for abatement of air and water pollution. This measure has strong support in both the House and Senate. Twenty-two Republicans and 8 Democrats joined me in introducing my bill in the House on January 31, and several other Members have introduced identical or similar bills since that time.

If this country is to maintain and improve the quality of its environment, it will cost money, lots of it. This covers the whole gamut from appropriations, recreation user fees, tax policy, financial incentives to private industry, competition for the dollar with other activities of the Government, cost sharing between levels of government, subsidies of various sorts, etc.

There must be acceptance of responsibility by State and local governments and the business community. This need is not different than that faced in many other public actions. But the centralization of power and financing still tends toward the Federal Government with its 50–50 grants and outright grants for a multitude of programs. And with the Federal money, comes local irresponsibility and Federal authority. There also comes Bureaucratic red-tape and delay.

Local initiative and local funds reverse this trend. The GOP proposal to share Federal tax revenues with the States, if enacted into law, could have far-reaching effects in helping to find solutions to the complex problems we are facing. A good regional planning system must have at its base some consideration of financing methods. We must be able to create taxing authorities and levy taxes. The cost, as I have mentioned, may be great for all concerned; and ultimately, as Malcolm Forbes has stated: "We who live long enough to survive in our present environment will pay for it in the price of what we buy. But what's wrong with that?"

Secretary of Interior Udall has stated our dilemma very well, I think, in his book, *The*

Quiet Crisis: "We have built, but in most places not with distinction. Ours is a powerful nation, but the question is do we have a civilization of distinction? This Nation leads the world in wealth and power, but also leads in the degradation of the human habitat. We have the most automobiles and worst junkyards. We are the most mobile people on earth and we endure the most congestion. We produce the most energy and have the foulest air. Our factories pour out more products and our rivers carry the heaviest loads of pollution. We have rich cities, but few handsome ones. We excel as developers but not as conservers of order and beauty. We will not restore balance and harmony that we once had in the best American cities unless we act with new respect for the land—and for ourselves. Can we bring the conservation idea in from the countryside to the city? Can we build with true distinction? We can, I believe, if we develop a new scheme of values and a new politics as well. Henceforth, all of us must participate in the decisions that determine the face and character of tomorrow's America: the design of a bridge, the location of highways, the expansion of cities, the cleansing of air and water, the saving of open space, the preserving of wildlife and wild lands—rest on our involvement in the decision-making process."

This is why I feel we are at the turning point in life resource planning. If we take advantage of the opportunities available to us—through governmental cooperation, through the utilization of modern techniques to get proper resource management and through methods of adequate financing, as well as education, objective pre-planning of our requirements and effective utilization of our resources—we do have the opportunity to overcome the dilemma which faces not only the United States of America, but the entire world.

Future generations will not be building on the rubbish heap of a past civilization, but, rather, will be living in a well-maintained civilization, which has retained the best of the past and ordered the present, so that it can achieve the best of the future.

If we are not at a turning point toward accomplishment of this end, in the final analysis, we will be at a turning point toward ultimate failure in managing our own world audits resources. Then, it may not be the threat of nuclear war which mankind has most to fear, but his waste and pollution of his present resources and environment.

ADDRESS BY AMBASSADOR SOL M. LINOWITZ

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, last Friday, Ambassador Sol M. Linowitz, the U.S. representative to the Organization of American States, spoke before the National Press Club on the meaning of the recent Hemispheric Summit Conference. While Ambassador Linowitz was heartened by the commitment and dedication of the American Presidents, he was also disturbed by the failure of the Alliance thus far to ignite the spark of commitment in the youth of the Latin American nations.

This kind of balanced thinking is essential to any effective attack on the massive problems that remain throughout the hemisphere. Progress has been made to be sure, but we cannot rest content with its pace. Far more must be done to involve the people, all of all ages, in their own development process, and the first step toward the accomplishment of this task is the recognition of its importance. This the Ambassador has done, and I include the text of his remarks in the Record:

Excerpts From Address by Ambassador Sol M. Linowitz, U.S. Representative to the Organization of American States, Before the National Press Club, Washington, D.C., on the Summit Conference

What were the expectations with reference to the Summit Conference at Punta del Este and how well were they realized?

In launching and moving forward the Conference, the Latin American Presidents anticipated that the Presidents of this Hemisphere might come together, recognizing their common problems, and talk together frankly, freely, and with mutual respect about how to reach answers on the fundamental issues. The hope was that they might then undertake important commitments affecting the future of the Hemisphere. The Conference would be a Latin American Conference, organized and led by the Latin American leaders; and President Johnson would be present as a cooperating partner assuring the Latin Americans of our support and understanding and following their lead in hemispheric progress and unity.

What happened at Punta del Este was precisely that: eighteen Presidents, one Presidential representative, and the Prime Minister of Trinidad and Tobago met, spoke frankly, and (with one exception) reached agreement on issues of profound significance to the future of Latin America. *The Conference was a Latin American conference, led by the Latin American Presidents and involving fundamental commitments on their part more far-reaching than any since these countries achieved their independence. President Johnson was there as a helpful junior partner in the effort, making clear our own involvement and support and our willingness to walk at their side as they proceed along the bold path before them.*

The relationships established, the understandings reached among the Presidents and the spirit in which discussions were conducted, all give promise of a new era in Inter-American relationships.

It may be that the greatest contribution of this Summit Conference will have been not the decisions to move forward boldly along specific lines—fundamental as these decisions are—but rather its impact on the minds of men. The millions of the Hemisphere were watching as their top political leaders looked at their common problems, discussed their differences and chose the difficult way of peaceful revolution and development. *This was a dramatic demonstration of a dominant fact of Latin America today: that the Alliance for Progress represents the mainstream of political, social and economic thought and action . . .*

ON THE LATIN AMERICAN COMMON MARKET

Is a Latin American Common Market really a feasible objective? Taking into account the disparity of development among the countries of Latin America, is it reasonable to expect that there can indeed be fashioned a common market for the continent overriding political, economic and social barriers?

I believe that it is. *And my belief is grounded in the knowledge that many of the leaders of Latin America today are men of vision, men who know how to dream and how to achieve; men who know that what is needed most for that break-through is a unified assault by their nations against their common problems—an assault that will launch both new life into the Alliance for Progres and a new era of common understanding in the Americas.*

They also understand that nowhere is that unified assault more important than in this complex problem of Latin American economic integration. For success here truly could result in an upheaval of a continent that would cast out the ills now paralyzing so much of its potential.

And there is evidence that, vast though the undertaking may be, and potentially difficult though it admittedly is, it can be done. The first steps have already been taken through the organization of the Central American Common Market and the Latin American Free Trade Association. The countries of Central America, for example, have expanded intrazonal exports from $33 million in 1960 to $155 million in 1966. Upwards of 90 percent of all trade among the five countries of Central America is now restriction-free and the proportion of their intra-regional trade has more than doubled.

It is true that in the larger Latin American Free Trade Association—which includes Mexico and all of South America—progress has been slower. But even there, intra-zonal trade jumped from $775 million in 1962 to an estimated $1.5 billion in 1966. In addition, some 9,000 tariff concessions have been negotiated since LAFTA was organized.

Will the development of a Latin American Common Market provide increased competition for some of our own export markets? Probably. The same was also true of the European Common Market. Yet the growth of the European market has not affected our industrial growth adversely; quite the contrary. For whether it be Europe or Latin America—or any region, for that matter—our prosperity is bound up with the world's.

We will have to make some adjustments and there may be some short-term losses, but these cannot be compared to our—and their—long-term gains as we engage in a mutually profitable trade. And the story does not end with economics. *There is a political moral too: An economically viable Latin America will have an even greater stake than it does today in a free, stable and secure world.*

In conjunction with steps toward economic integration, the Presidents agreed that there will have to be action to overcome physical obstacles to the regional flow of goods and services: this will mean continental *road* projects, interconnection of *electric power systems* and *telecommunications*, and joint investment in *air transport, railroads* and *steamship lines*, as well as in such basic industries as *fertilizers, pulp and paper, iron and steel* and *petro-chemicals*. These and more are now grist for the Alliance mill as approved by the Presidents, and each project offers vast possibilities for transforming the map of Latin America.

I believe that much of this imagination and vision can be provided by private enterprise. Certainly it has both the technical know-how and the capital which are sorely needed.

Considerable misunderstanding still exists about the purposes and value of U.S. private investment in Latin American countries. Some of the blame for this may fall squarely on business, but less than popular conception has it.

Today, many of the Latin American countries are indeed making efforts to create a better environment for private investment; and United States businesses already supply one-tenth of the continent's production, pay one-fifth of all taxes, account for a third of all export earnings, and provide jobs for an estimated *1,500,000 Latin Americans.* I hope it will continue to participate to an even greater degree, recognizing always the great role it can and must play in meeting the needs of the people of the continent.

ON THE HUMAN FACTOR

In concluding his address at the Latin American Summit Conference in Punta del Este, Uruguay, earlier this month, President Johnson spoke directly to the youth of the Americas. To them he said:

"All that has been dreamed in the years since the Alliance started can only come to pass if your hearts and minds become committed to it. . . . Here in the countries of the Alliance, a peaceful revolution has affirmed man's ability to change the conditions of his life through the institutions of democracy. In your hands is the task of carrying it forward."

Behind these words was the recognition that the people of Latin America today are basically a young people, younger than we. Three-fifths of the Latin American population are under twenty-four years of age, compared with two-fifths for the United States and Canada. These young people now constitute the bulk of the electorate in Latin America—the people the Governments must answer to and heed—the people who, in a few years' time, will be the leaders of the continent.

It is the young people who must be convinced that the Alliance for Progress holds out a true promise for their future. It is they who must understand that while the Alliance for Progress can be their revolution, all of us in both North and South America share its ideals and its aspirations for something better; for hope, for dignity, for democratic institutions under law to carry on the fight in the only way it must be carried on—constructively, compassionately, and concerned with the right of the individual.

In my visits to Latin America, I've talked to university students about the Alliance and the relations between the United States and Latin America. I've been disappointed in their lack of awareness of how much the Alliance has been and is doing, and their lack of excitement about its potential. *Yet unless we can arouse that sense of excitement, that feeling of enthusiasm and loyalty among the masses of people of Latin America, neither the Presidents' program nor the Alliance can succeed.*

There are, of course, some who are afraid of change, who fear that rocking the boat can only lead to Communism in a region so scarred with misery, poverty and special interests. I think that the reverse is true—that the sure way to Communism or to any other extreme, right or left—is not the change, not to understand the needs of the people, not to give them the opportunity to attain the economic mastery of their lives and, perhaps even more important, social justice. The United States must, of course, deeply concern itself with methods of opposing any overt or covert Communism attempts to infiltrate this Hemisphere. But in doing so we must also remember that anti-Communism as such will not automatically command the attention of the average Latin American, who is steeped in his own personal struggle to keep his head above water. We must show that we stand for something better.

City slum dwellers denied hope and illiterate rural Indians denied even a glimpse of the Twentieth Century cannot offer a foundation to sustain or nurture democracy. A demagogue who elbows his way upward through the masses and who offers them protection and food will have their sullen support or mute acquiescence. For these are the staple commodities they desperately want and need. No promise or vision can vie with that.

And that is the meaning of the program undertaken at Punta del Este which must become known to the people in human terms. They must recognize that the Alliance for Progress is their charter, that the commitments at Punta del Este are their promise; and that even though "social justice" was not listed on the formal Summit Agenda, it was never absent from the Presidents' Conference table. As President Johnson said in his address:

"Our discussions here are couched in the technical terms of trade and development policies. But beyond these impersonal terms stands the reality of individual men, women and children. It is for them—not the statisticians and economists—that we work. It is for them—and especially for the young—that the hope and the challenge of the Alliance exists."

The promise of Latin America will be a difficult one to fulfill. We will incur many disappointments and encounter many frustrations. We shall probably become discouraged from time to time, and then there will be voices raised urging us either to withdraw or to turn our backs on Latin America. Yet this is a risk which we do not dare take. If we lose heart in Latin America now there may never be another place nor another day anywhere or anytime. For the stakes there are high—just about the highest for which we have ever played, and we cannot afford to lose.

PAYING TRIBUTE TO OUR CONGRESSIONAL SECRETARIES

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Goodell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, for 16 years the United States has been observing National Secretaries Week, noting for a brief time the dedicated and effective work of the secretaries of this country.

The theme suggested by the National Secretaries Association for this year is "Better Secretaries Mean Better Business."

I might suggest a variation on that theme by stating that "Better Secretaries Mean Better Government."

It can be said that there would be no service to any constituent, there would be no historic debate on the national issues preserved for posterity, and indeed there would be little government at all today in the United States, without the secretary.

It is a pleasure, therefore, to join my colleagues in paying tribute to our secretaries. Without them the Congress could not function. They are most important cogs in the Federal machinery, without which, we would all fall short of our goals.

I urge the Members to join in this observance.

GENERAL DE GAULLE'S REPLY TO JEAN-PAUL SARTRE CONCERNING THE RUSSELL TRIBUNAL

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, despite the fact that France is our oldest ally, there continues to be those in this country—some of them in positions of great influence—who believe President de Gaulle is hostile to the United States and seeks ways to frustrate or embarrass our policies. In my judgment, these opinions are unjustified. This position was substantiated by President de Gaulle's letter to Jean-Paul Sartre, dated April 13, concerning the "Tribunal" proposed by Lord Russell.

Lord Russell and Mr. Sartre had requested President de Gaulle to permit the "tribunal" to meet in Paris. This gathering was for the purpose of putting President Johnson on "trial" for his "crimes in Vietnam." Since France is not only a member of NATO, but SEATO as well, Sartre believed he would score a propaganda coup if President de Gaulle would permit this event to occur on French soil. President de Gaulle's letter must have been a bitter disappointment to Sartre, because he refused permission for the undertaking in France.

In concluding his letter to Mr. Sartre, the French President pointed out that the execution of justice belongs to the state alone and that Lord Russell's group "are invested with no power nor do they have international mandate . . . they do not give more weight to their warnings by wearing robes borrowed for the occasion."

Mr. Speaker, I ask that the text of the De Gaulle letter be inserted in the Record at this point:

GENERAL DE GAULLE'S REPLY OF APRIL 19, 1967, TO THE LETTER FROM MR. JEAN-PAUL SARTRE, DATED APRIL 13, CONCERNING THE BERTRAND RUSSELL TRIBUNAL

In your letter of April 13, you asked me to examine the case of Mr. Vladimir Dedijer and, more generally, that of the persons called on to take part, in one or other capacity, in the work of the Russell Tribunal.

The sponsors of this tribunal propose to criticize the United State's Vietnam policy. There is nothing in this to cause the Government to restrict their normal freedom of assembly and of expression. Besides, you know what the Government thinks of the Vietnam war and what I myself have said about it publicly and unequivocally. Regardless of the fact that, in our country, freedom of the pen and of expression exist, it would, therefore, not be a question of restricting private individuals whose theses on this subject are, moreover, close to the French Republic's official position.

In any case, it is a question neither of the right to assemble nor of the freedom of expression but of the duty—all the more binding on France since she has taken the stand she has on the substance of the matter—to make sure that a State with which she has relations and which, despite all their differences, remains her traditional friend, be not the subject on her territory of proceedings that greatly oversteps international law and customs.

Now, this would seem to be the case of the action being undertaken by Lord Russell and his friends, since they intend to give a legal appearance to their investigations and the semblance of a verdict to their conclusions. You are well aware that all justice, in its principle as in its execution, belongs to the State alone. Without questioning the motives that inspire Lord Russell and his friends, I must note that they are invested with no power nor do they have any international mandate and that, therefore, they could not carry out any act of justice.

That is why the Government is bound to oppose the holding on our territory of a meeting which, by the form it would take, would be contrary to that very thing for which the Government is bound to enforce respect.

I will add that, to the extent that some of the people gathered around Lord Russell may have moral credit, lacking a public jurisdiction it does not seem to me that they give more weight to their warnings by wearing robes borrowed for the occasion.

BOY SCOUTS 12TH WORLD JAMBOREE "FOR FRIENDSHIP"

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCLURE. Mr. Speaker, if Congress decides to recess each August, I would suggest that my colleagues consider a vacation this year on Lake Pend Oreille in Idaho's First District. Here, at Farragut State Park, over 8,000 Boy Scouts and their leaders from all over the world will join our Scouts in a mammoth encampment—the 12th World Jamboree "For Friendship," August 1 through 9.

We must acknowledge that the Scouts of today will be the leaders of tomorrow. Therefore, this meeting has an important bearing on world peace and international understanding.

The President has indicated that he will attend. I take this opportunity to invite all Members of Congress to be there as well. Not only will this meeting be an opportunity to see the seldom-publicized constructive side of today's youth, but an opportunity to see Idaho at its loveliest.

Because the jamboree is to be held in Idaho, the officials of my State have worked endlessly for the authorization of a commemorative stamp. Governor Samuelson, Louise Shadduck, the State director of the department of commerce, and the Idaho congressional delegation have seen their requests fall on deaf ears.

But this is not the only or even the best reason to support recognition of this event. This kind of face-to-face contact among young persons of demonstrated good character holds much more promise for the future than most of the dubious "bridge building" efforts being proposed today. It is this example of international goodwill which we seek to recognize. The fact that the Boy Scouts are the instrument of contact and will share in that recognition, merely adds another reason for this action.

This will be the first world jamboree to be held in the United States. It also appears that we are to be the first host country in the last 30 years which has failed to issue a special stamp. Certainly, we do not want to do less to support this event than other countries have done.

And so, today I am offering two bills. One, as you might suspect, directs the Postmaster General to issue a commemorative stamp. The other calls upon the President to proclaim the first week of August as Boy Scouts World Jamboree "For Friendship" Week.

Since 328 Members of Congress have participated in the scouting movement at one time or another, I know there is a great deal of sympathy within this body for what these bills would do. I hope that many of you will see fit to support in this manner, the Boy Scouts and their contribution toward a peaceful world.

CRAMER CALLS FOR ACTION ON ANTICRIME AND ANTIRIOT BILLS TO ASSURE SAFE STREETS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CRAMER. Mr. Speaker, I had the privilege today of appearing before the Committee on the Judiciary hearing evidence relating to anticrime proposals.

Because I believe that the combating of the ever-increasing rate of crime in the United States is one of the most critical problems facing the Nation and believing that this matter must be dealt with by the Congress this session and dealt with effectively, I am incorporating in the Record a copy of my testimony before the committee calling for enactment of my bills on the subjects of establishing: H.R. 421, antiriot bill; H.R. 6051, obstruction of justice; H.R. 6052, National Institute of Law Enforcement and Crime; H.R. 6053, immunity of witnesses; and H.R. 6054, Joint Committee on Organized Crime.

In addition, I asked the committee to consider "clear and precise laws which spell out the conditions under which the police may interrogate a suspect, how long the suspect may be retained, when a confession is 'voluntary,' and when the right to counsel begins."

TESTIMONY BY CONGRESSMAN WILLIAM C. CRAMER BEFORE THE HOUSE JUDICIARY COMMITTEE ON HIS BILLS, H.R. 6051 AND H.R. 6053, APRIL 27, 1967

Mr. Cramer. Mr. Chairman, may I preface my testimony today by expressing to this Committee my pleasure in having an opportunity to appear here today. Having had the privilege of serving as a member of this Committee for twelve years, it is with a sense of nostalgia that I return.

As a former member of this Committee, I developed a strong interest in anti-crime legislation. Much of my time over the past twelve years was devoted to this serious problem. And, because I was a member of this Committee and participated in its considerations, I can fully appreciate the heavy responsibility you have in recommending legislation that toes that oftentime narrow lines between Constitutional permissiveness and social necessity. It is never an easy matter to adjust the delicate balance between the protection of the accused on the one side and the rights of society to be safe from criminals on the other. Nevertheless, when the scales get out of kilter, it is this Committee's duty in the first instance to recommend ways to adjust them. In my judgment, the heavy thumb of Supreme Court decisions has placed the scales of justice out of kilter and weighted them—indeed, overweighted them—in favor of the accused. I might add that when law-abiding, taxpaying American citizens appear before a Committee of the United States Congress with their heads masked in sack cloth, for fear of crimnal reprisal, then it's rather obvious crime in America is out of hand. It is high time that this Congress accept the challenge and give serious consideration to the enactment of laws which will really make our streets safe and our persons and property secure.

In this connection, I am amazed that the Administration would recommend a bill which it calls the Safe Streets and Crime Control Act which doesn't include a provision for keeping the streets safe from rioters and rabble-rousers. The crying need in America today is for a strong anti-riot law which will give the Federal Government authority to apprehend those who would incite others to violence and then escape the jurisdiction of local law enforcement authorities by crossing state lines. I urge this Committee to consider my anti-riot bill, H.R. 421, which passed the House last session as an amendment to the Civil Rights Bill of 1966, by a vote of 387 to 25. Such people as Stokely Carmichael, George Lincoln Rockwell, and Ku Klux Klanners, must be put out of business and enactment of my anti-riot bill and vigorous enforcement thereof would accomplish this goal.

I would also hope this Committee would lend its support to the establishment of a Joint Commission on Crime, a bill I introduced and which is pending before the Rules Committee. Surely, if we can support a Joint Economic Committee which looks after the economic health of the nation, we should be able to support a Joint Committee on Crime to look after the moral health of the nation. Crime is constantly on the move and yet from my past experience on this Committee, the only time it considers anti-crime legislation is when it's told to do so by the President. A Joint Committee on Crime would have constant over-sight responsibility, would be able to keep pace with the growing rate of crime, and hopefully would be able to come forth with timely legislative recommendations to deal with the growing criminal octopus.

I emphasize that these bills are only a first step on what is a long journey towards making it easier for law enforcement authorities to secure criminal convictions. Congress also has the responsibility to cast light on the dark cave in which the Supreme Court has, through ill-considered decisions, thrust the field of law enforcement. This it must do by setting forth clear and precise laws which spell out the conditions under which the police may interrogate a suspect, how long the suspect may be retained, when a confession is "voluntary," and when the right to counsel begins.

Likewise, Congress must consider laws which assist State and local law enforcement agencies in improving their capabilities, techniques, and practices in the prevention and control of crime and juvenile delinquency. In this connection, I have introduced a bill, H.R. 6052, which would establish a National Institute of Law Enforcement and Crime within the Department of Justice. Patterned after the National Institutes of Health, which looks after the Nation's physical and mental health, my bill would create an agency to assist in the preservation of the nation's moral health.

Unlike the Administration's Safe Streets and Crime Control Act, which this Committee is presently considering, my bill would eliminate the extreme and complex requirements and Federal controls which would be thrust upon State and local law enforcement agencies in complying with the criteria established by the President's proposal. I am hopeful this Committee will give serious consideration to a bill patterned along the lines of my legislation. Clearly, assistance in the form of education, research and training for local law enforcement authorities is needed and I mention this at this point to indicate my interest in and support for this needed approach to fighting crime. I am also requesting at this point that I be permitted to place in the record of these hearings, following my testimony, an explanation of this particular bill.

Specifically, I am testifying in behalf of my bills, H.R. 6051 and H.R. 6053.

The first of my bills, H.R. 6051, amends Title 18 by adding a new section prohibiting the obstruction of Federal criminal investigations. At the present time, attempts to influence, intimidate, impede or injure a witness or juror in a judicial proceeding, a proceeding before a Federal agency, or an inquiry of investigation by the Congress or a Committee of Congress, are prohibited. (Sec. 1503 and 1505, Ch. 73, Title 18). In the case of United States v. Scoratow, the court construed these laws to *not* apply to attempts to obstruct a criminal investigation or inquiry before such a proceeding has been initiated. My bill would remedy this deficiency by providing penalties for attempting to obstruct communications to a Federal criminal investigator or information relating to a violation of a Federal criminal law. In short, the measure would extend to informants and potential witnesses the protections now afforded witnesses and jurors in judicial, administrative and Congressional proceedings.

The types of intimidation this bill is designed to make unlawful is well illustrated by the *Scoratow* case wherein the defendant threatened the life of a husband and his wife if the husband volunteered any information to the FBI. The court held that such intimidation was not made unlawful by existing obstruction of justice statutes because a complaint had not yet been filed in the case. Clearly, it is as essential to protect witnesses from threats of violence during an investigation as it is during the trial itself, and for this reason, I am hopeful this Committee will cure this glaring defect in the law.

My second bill, H.R. 6053, provides a statutory method for compelling witnesses to testify or produce documentary evidence concerning violations of certain sections and chapters of Title 18 offenses. Under this proposal, a witness would be compelled to testify or produce documentary evidence notwithstanding a witness' objection that such testimony might be self-incriminating under the Fifth Amendment of the Constitution.

Specifically, the bill would amend Section 1952 (interstate travel in aid of racketeering), Section 1503 (obstruction of justice by injury or threat to a witness or juror), Chapter 9 (bankruptcy frauds), and Chapter 11 (bribery, graft, conflicts of interest) of Title 18 of the United States Code. It extends immunity authority only to those areas of law enforcement where a critical need has been demonstrated, i.e., the investigation and prosecution of organized crime, with respect to which evidence is often unattainable where accomplices and co-conspirators cannot be compelled to testify.

The bill authorizes Federal prosecutors to confer immunity from prosecution, in appropriate cases, in exchange for testimony or evidence relating to violation of the criminal statutes which cover the principal organized crime offenses; interstate gambling, prostitution, bootlegging, bribery, graft, bankruptcy, fraud, jury tampering and schemes for the obstruction of justice.

The purpose of this bill is to compel the underlings to give evidence so that the barons of organized, syndicated crime can be prosecuted. If we want to stamp out the crimelords it is essential that we allow prosecutors to grant immunity to their underlings and for this reason, I strongly urge enactment of this bill. It might be pointed out that since the 1895 case of *Brown* v. *Walker* the Court has upheld the Constitutionality of immunity statutes.

In summation, Mr. Chairman, this Committee is vested with a serious responsibility. Congress must enact laws to get at the sources of the ever-increasing crime rate in America. Sometimes the sources are loopholes in the law. These we must close. My bill prohibiting the obstruction of Federal criminal investigations closes just such a loophole. At other times, entirely new avenues must be explored and my bill calling for the establishment of a National Institute of Law Enforcement and Crime within the Department of Justice provides such an avenue. Another such avenue is my bill providing immunity for certain witnesses so that the masterminds of organized crime can be prosecuted. These bills comprise a part of an anti-crime package which, if enacted, would go a long way towards assisting law enforcement authorities in apprehending and prosecuting criminals.

FEDERAL REDTAPE POLLUTES WATER POLLUTION CONTROL PROGRAM AS GREAT SOCIETY CUTS CLEAN WATER ACT OF 1966 AUTHORIZATIONS FROM $450 TO $350 MILLION

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CRAMER. Mr. Speaker, during this week the Subcommittee on Rivers and Harbors of the Committee on Public Works heard testimony on the progress—or lack of it—under the Clean Water Act of 1966, and it was repeatedly stated by many witnesses, and the evidence pretty clearly established, that this program is bogged down or polluted with, if you please, governmental redtape.

A 20-page State application form in small print came to light during the hearings, as did the issuance of three lengthy pamphlets containing Federal guidelines, the loss of nearly 50 percent of the 328 Public Health Service officers and personnel which were supposed to transfer to the Interior Department from Health, Education, and Welfare under the reorganization plan of the President, and numerous complaints of lengthy redtape which has resulted in too much inaction.

This coupled with a refusal of the Great Society to set proper priorities for all programs and thus giving water pollution control its deserved high priority as a much-needed and ongoing program has resulted in its being downgraded apparently not only in interest but in money as well.

The administration recommended only $203 million of the $450 million authorized for 1968. While this was being recommended the Demonstration Cities or Model Cities Act, a new program, was being increased many hundredfold to $612 million; the Highway Beautification Act—again a new program—was being increased 100-fold from $80 million to $160 million; and, of course, Teacher Corps and antipoverty were being substantially increased. This is in comparison to a mere $53 million increase recommended in water pollution control. This is one of the most vivid examples of the refusal to properly set priorities by the Great Society. The administration having failed to do this, then the Congress must accept the responsibility. It is obvious that all Great Society programs enacted in the last few years and all ongoing programs already in existence and expanded in many instances in recent years, cannot go forward with full force moneywise without risking fiscal chaos when we are fighting a war in South Vietnam and when to do so will lead to a $23 to $30 billion deficit in 1968.

This downgrading of the water pollution control program plus polluting the program with redtape is resulting in a substantial slowdown in cleaning up the waters of America. Congress acted unanimously in passing the Clean Water Act in 1966. It is unfortunate that the Great Society has assigned it to only partial success and to low priority while at the same time bogging it down in redtape.

I trust the hearings held before the Public Works Committee will cause the Great Society to mend its way and reevaluate the effort to clean up America's streams immediately.

For the information of my colleagues I am submitting for the RECORD a copy of an article entitled "Water and Sewer Plans Red Taped" published in the December 8, 1966, issue of Engineering News-Record, with a subheading entitled "Water Applications Pile Up."

APPLICATIONS PILE UP WITH WATER AND SEWER PLANS RED TAPED

Top lobbyists for some 25 organizations met in Washington this week to vent their wrath over red-tape delays in federal assistance for water and sewer projects, and to draw up a program of action for Congress next year.

Brought together by the Consulting Engineers Council, the various association executives have drawn case histories from their memberships that illustrate the difficulty of obtaining water and sewer money under four basic federal-aid programs.

These four programs are authorized to commit nearly $500 million in this fiscal year for water and sewer projects. But some $3 billion worth of applications are piled up in front of Washington's payout windows. Federal officials whittle down these requests by finding technical flaws, incomplete answers and inadequate responses—many of them are valid objections, but all of them result in processing delays.

Three basic proposals were discussed by the association executives at their closed-door meeting:

Impose a specific time limit on the various bureaus for processing water and sewer applications.

Organize a concerted assault on Congress to get more money appropriated for the water and sewer programs.

Draw up some kind of a list for Congress giving priority to water and sewer projects. This maneuver, however, would pit some of the groups against each other, school construction advocates versus water treatment boosters, for example.

RED TAPE SPAWNS MORE

The four separate federal-aid programs for local communities wishing to build water or sewer works are: the water and sewer line program administered by the Housing and Urban Development Department (HUD); the waste treatment plant program run by the Interior Department; rural community assistance for water and sewer programs from the Farmers Home Administration of the Department of Agriculture; and water and sewer construction assistance under the Economic Development Administration of the Commerce Department.

The four programs became so entangled last year that a separate, special form was devised just to direct a prospective client, usually a local public works director, to the appropriate federal office.

Sen. Edmund Muskie (D., Me.), chairman of a subcommitte on executive reorganization, recently cited the form as a prime example of unneeded and ridiculous red tape. While the form itself consists of only one page, it has four pages of instructions.

The comments at the hearing are indicative of the situation:

"Well, this is a rather devastating presentation, Senator," said Interior Secretary Stewart L. Udall when confronted by the instructions.

"A rather ludicrous example of the patchwork method of coordination," Muskie said.

POLITICAL GRAB BAG

Even more remarkable was Secretary Udall's admission that politics determines the fate of a grant request.

"Let's be candid about it," he testified. "We are sort of scattering a little grant here and there across the countryside, depending on the readiness of communities or the type of pressure that comes from the Hill."

And the words of the Secretary are mild compared with comments elicited by CEC in a membership survey. A partner in one large engineering firm pointed to the absolute lack of cash. This "automatically puts grants in the political grab bag."

The delays and postponements by federal officials have a far wider effect than just slowing a particular project. Attracted by the idea of the federal government picking up the bill, city officials postpone all or most projects hoping for payment by the federal government. As a result, the entire public works master plan of some cities is disrupted.

As one consultant said: "If a city cannot get a federal grant or loan it is inclined to postpone the improvement until more federal funds are appropriated, or city officials get a sympathetic ear from one of our congressional delegations."

INTERLOCKING FOULUPS

One consulting engineer pointed to another type of delay. The most common red-tape maneuver used by HUD officials is to declare the master comprehensive plan inadequate. One prerequisite is that an up-to-date comprehensive plan of the area exist. Often these plans are not within the control of the smaller jurisdiction applying for the federal grant.

No one is quite sure just how much money actually is involved in the four federal-aid programs, thanks to the intricate systems by which government calculations are made.

The Federal Water Pollution Control Administration, now part of the Interior Department, funnels its money through state public health agencies. Most consulting firms have established good working relationships with these state officials and wish that other federal programs would follow FWPCA's example.

But one of the problems in calculating funds arises here. Just how much money is allocated to the various state agencies, but not yet spent, is all but impossible to determine on a national basis. According to the four-year act authorizing waste treatment plant expenditures, the level of spending could rise to $1 billion a year for this program alone. But how much of these authorized funds will be appropriated by Congress in coming years is uncertain.

The program administered by the Farmers Home Administration is a little clearer, although its statistics are clouded by the fact that its water and sewer money can be used for other purposes. Basically, however, FHA is thought to have some $26 million in grants and some $85 million in loans to make this fiscal year. Reportedly, "little FHA" has on file some 4,000 applications requesting $1 billion for water and sewer projects.

The Economic Development Administration, of the Commerce Department, has virtually closed down its operations in the last few months. It received about $170 million and has an authorization for $500 million, but is believed to have pending applications asking for $1.3 billion.

The HUD program of 50% federal financing received $100 million in spending authority this year in the face of 4,700 applications seeking $2.7 billion.

The dollar figures in pending applications must be regarded with skepticism. A letter of inquiry from a mayor actually can't be considered a bona fide application. There also may be some duplication in requests to the agencies.

STRANGE ALLIES

CEC finds itself in a new role. Suddenly, legions of special interest groups, some previously unknown to engineering circles, have fallen in behind CEC's banner.

CEC with only three staffmen and six secretaries fully occupied by the task of marshaling opinion into a major pressure group, is now searching around for someone to take over the cause.

Yet to give someone else the problem will be difficult, since engineers play such a vital role in the whole process. Few of the other interested groups know the problems so well.

Only city officials, who dare not arouse the wrath of federal officials, and the consulting engineers know all of the details of the red-tape pile up.

THE NEED FOR A NATIONAL COMMISSION ON LABOR RELATIONS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Speaker, the Nation is apparently only days away from a paralyzing shutdown of its railroads—if the present course of events remains unchanged.

And, sad to relate, there is comparable paralysis already existing at both ends of Pennsylvania Avenue—at the White House and in the Congress—over what to do about this developing crisis.

There has been enough handwriting on the wall to have long since alerted everybody about the need for a review of the operations and adequacy of the emergency labor disputes provisions of the Railway Labor Act and the Labor-Management Relations Act, but apparently both the President and the Congress have forgotten how to read.

Instead, both seem content to abide by the forlorn hope that "something will turn up"—or that some sort of consensus will develop overnight for just the right kind of legislative changes needed to protect the national interest in situations such as we are again drifting into; changes that, magically, would be embraced by the administration, the Congress, and by labor and management.

In the absence of that consensus—and unless the President can somehow still manage to get the present disputants together—Congress appears likely to be asked, next week, to either consider governmental seizure of the railroads or to enact legislation requiring the parties to submit the dispute to binding arbitration.

In light of the urgency, and the overriding public interest, one or the other of these actions will probably be taken, unsatisfactory though either may be. But, in the end, we will merely have reacted to another in a lengthening series of crises—and succeeded in solving nothing.

Right now, the responsibility for drafting the long-range legislative proposals that everyone admits are needed in this difficult and complex area seems to have been accepted by no one—and I, personally, have no confidence that this Congress, with all its previously demonstrated desire to avoid the controversial and the self-evident malaise from which it seems to suffer, will rise to the level of its clear duty to get to work on this problem, with or without the President's approval and consent.

Only we can legislate in this area. Before attempting to do so, however, we ought to have the advantage of the best guidance and suggestions as to how to proceed that we can find. In the continuing absence of any Presidential advice, we must look elsewhere for that guidance, and this is why I am, today, reintroducing a bill which I sponsored in the 89th Congress for the creation of a national Commission on Labor Relations, to be composed of 15 members of the academic community who are particularly qualified not only in the theory but in the practice of labor relations.

The members of the Commission—which would be a temporary body similar in nature and in power to others created to serve comparable purposes—would be chosen and appointed by the President on a nonpartisan basis, by and with the advice and consent of the Senate, and would be required to report back to both the President and the Congress with their recommendations within 6 months after creation of the Commission.

The source of this legislative idea was an editorial carried in the Christian Science Monitor on last August 1. That editorial stated, in part:

> Perhaps Congress, with the help of the Department of Labor, should draft the legislation. But we wonder if a broader viewpoint might not be needed. Would it not be worthwhile for the White House to appoint a national committee of scholars on labor questions to come up with recommendations? Such a committee would, or should be free from political fear. It would, we hope, be free from either a pro-business or pro-labor bias.
>
> What are needed are recommendations which the American people can believe are drafted without fear or favor and solely in the broad national interest. We think that a non-partisan scholars' committee might provide an answer. Politics must not be

allowed to hamper or delay early action from whatever source.

Mr. Speaker, this suggestion made good sense to me, then—and it still does. If, in our effort to obtain the help we need, we do so reach outside the confines of official, politically hamstrung Washington circles for guidance, we will find a wealth of highly qualified "scholars" in the labor relations field waiting to serve in this capacity—men, and women, such as on the faculty of the New York State School of Industrial and Labor Relations at Cornell University, in my congressional district, or on the faculties of some at least 35 other such schools across the Nation, individuals who, by virtue of their training, background, and experience, would be capable of making a valuable and objective contribution to the successful completion of such a Commission's appointed task.

I would suppose that, in a sense, this Commission would seem to duplicate the function of the already existing, top-level President's Advisory Committee on Labor-Management Policy, a council established under Executive Order 10198 by the late President Kennedy, in 1962, and which has among its concerns the question of problems involved in collective bargaining. But, so far as I can discover, this Committee has not issued a report on this subject since 1962—or, if it has, such a report has not been made public—and such Commitee remains more or less in limbo. This is why I think we—and the President—ought to look elsewhere for guidance, and the requirement that the Commission's report would come both to Congress and the President would at least mean that, upon its receipt, we would not again have to await Presidential initiative.

Mr. Speaker, this suggestion may be far from perfect—but I believe it still to be a constructive one. As others have said, it is time for action on many fronts. Our people can no longer be asked to continue to bear the burden of massive strikes. Our economy, our system of government and the private enterprise system, itself, will only suffer if we continue to drift in the fashion we have.

DAIRY IMPORT ACT OF 1967

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, it was my privilege today to introduce a measure which will regulate imports of milk and dairy products. I was convinced of the necessity of such a bill because recently some dairymen visited my office and asked for some time to tell me the truth about the dairy business. They pointed out there are solutions for the present plight of the dairyman that were available but never used. Their reference was to import control.

One of the startling statistics left in our office was the fact 125,000 dairymen quit in the last 2 years. It is a fact the number of firms selling milk or cream is the smallest at any time in this century. Likewise, the number of milk cows on the farms is the smallest since 1900. The exodus of farmers from dairying is by no means limited to the small, marginal, or sideline dairyman, but full-time commercial dairies as well with good equipment and with herds of 40 or more cows have discontinued their operations within the last 2 years.

In spite of this decline in the number of dairy farms, there has not been an apparent solution to the dairy situation. In comparison with 1950, annual milk production is up 4 billion pounds. Per capita milk production is down by 125 pounds annually. Per capita milk consumption is down 121 pounds annually.

Why is it the dairymen are quitting? Simply stated, the basis of return on their investment is very low. Put in other words, it is a matter of low income and high costs as the reason dairymen cannot continue. Our Nation cannot afford any more economic "dropouts" in dairies.

If the net returns to dairymen are not sufficient to make operations profitable, then dairy herd dispersal sales will increase. No one benefits from dairy decline. The business economy is hurt. There are several injurious byproducts when dairymen quit the business.

It is no secret the dairy industry has been fighting for its survival. It has been losing ground because of lower per capita consumption of dairy products and the competition of substitute products.

A loss which is not always clearly contemplated is the depletion of the tax base when a dairy goes out of business. Many dairies are the backbone of the rural community. Each is a sort of an industry in itself. Take the buildings, equipment, and cattle and there is a valuation of from $50,000 to $75,000. True, if the dairy farm ceases operation, the land may continue to be cropped, but there is certainly a diminution of the local tax base.

There are other complex interrelationships by the segments of the agricultural economy. The decline of a dairy may have an adverse effect upon beef prices. Pressures may be put upon beef prices when farmers cull the herd and sell poor producers for beef. When a dairyman quits, some of the animals may go to another dairy but many always end up in a slaughter market.

Another side effect of the decline of the dairy is the fact that each cow consumes a feed grain in hay of about 3 acres of land. If the milk cow population is reduced, this will require new outlets for the products of 3 acres per cow. Since 1950, there are 9 million fewer milk cows.

This means 27 million acres of feed grain and hay lands pushed into the surplus category.

The new Import Act would deal with the huge influx of "loophole" products which is about 10 times greater than the amount authorized under section 22 regulations.

The Dairy Import Control Act is a moderate, responsible solution. Congress must provide new tools to plug the loopholes in the wall provided by section 22 to keep out the sea of foreign dairy supplies such as Colby cheese, and Junex. If we are to save our dairymen, there must be early hearings and prompt enactment of import controls on dairy products.

NEED TO REVISE THE QUOTA CONTROL SYSTEM ON THE IMPORTATION OF CERTAIN MEAT AND MEAT PRODUCTS

The SPEAKER pro tempore (Mr. DINGELL). Under a previous order of the House, the gentleman from Texas [Mr. PRICE] is recognized for 60 minutes.

Mr. PRICE of Texas. Mr. Speaker, in introducing this bill to revise the quota control system on the importation of certain meat and meat products, I would like to summarize the bill and the reasons I believe the revision is necessary.

I was not here at the time the so-called Meat Import Act of 1964, Public Law 88–482, was passed, but as I understand it, there were many who voted for it with some reservations as to its effectiveness. Now in a period of less than 3 years, these doubts have been confirmed by harsh facts, that is, the continuing and rapidly growing rate of meat imports and their effect on the livestock market.

You who were here then could probably say, "This is where I came in." I was on the other end of the stick at that time as a rancher and well remember the beating I and other cattlemen all over the country took when prices went on the skids and stayed there.

Choice slaughter steers in Chicago were bringing $30 a hundred in the fall of 1962 but by May of 1964 the price had plunged to $20.52. These were bankruptcy prices and I know because I am also part owner of a small bank.

Admittedly, there was a domestic overproduction problem at the time but anyone knows that when imports, especially cheaply produced imports and whether it is cow meat or bull meat or whatever kind of beef reaches a figure of more than a billion pounds a year, which was more than 10 percent of domestic production, then the cattle market must suffer. And the guy who suffers most is the one on the bottom who raises this beef from calves. It is all passed down to him. You never did see any substantial drop in retail meat prices during the time the cattleman was taking actual loss prices for his cattle.

Well, the bill was passed and the quota was rolled back to a 5-year average, 1959-63 which, of course, included the highest year on record, 1963. The act established a base figure on that average of 725 million pounds which was bad enough, but better than more than a billion pounds.

The real joker in the bill, however, was the formula under which that figure was adjusted upward in two ways before the quotas can be imposed. First imports are allowed to grow at the same rate as domestic production. As of now, this growth has reached 179,200,000 pounds, thus resulting in an adjusted base quota of 904.6 million pounds for 1967.

This provides further that quotas cannot be imposed except when imports are expected to amount to 110 percent of this adjusted base quota. This so-called trigger point amounts to 995 million pounds for 1967.

But, finally, the quotas are imposed on the basis of an advance estimate by the Secretary of Agriculture as to the level that imports are expected to reach for the year. The law says that at the beginning of each year and quarterly thereafter, the Secretary of Agriculture is to estimate the quantities of the specified types of meat that will come into the country and quotas will be imposed only if his estimates of expected imports exceeds the trigger point.

This bill would, essentially, do six things.

First, it would eliminate the 10-percent overrun so that imports could not exceed the actual adjusted base quota.

Second, it would relieve the Secretary of Agriculture of the duty of estimating in advance the level of imports to determine whether they might be greater than the allowable. Instead, the quota would be imposed by the law itself such as now provided under the Sugar Act which governs sugar imports from various countries.

Third, the bill would change the period under which total quotas would be based. This bill would use the average of the 5-year period 1958–62, thereby eliminating the highest year on record, 1963, and establish the base at 585,500,000 pounds, a more representative base period.

Fourth, the bill proposes that quotas be imposed quarterly instead of annually at present and thereby smooth out the flow of imports throughout the year and prevent seasonal surges.

Fifth, the bill would give the executive branch authority to impose quotas on the importation of other meat products if necessary to prevent a damaging flood of other products such as canned and cured beef, fresh lamb, and pork. Last year imports of lamb were higher than in any year since 1963 as well as prepared and preserved beef—neither included in quotas under the present law.

This authority would be necessary in case the quotas on fresh, chilled, and frozen beef and mutton were filled and there should be an effort to get around those quotas by importing beef in other forms. This, in fact, is exactly what has happened in the case of dairy imports which increased by more than 300 percent last year. The formulas and percentages of butterfat were varied to skirt limitations on a specific product by coming up with a so-called new product.

Sixth, the bill provides that offshore purchases of meat by the Department of Defense for the use of our troops abroad or otherwise shall be charged against the quota applicable to such meat. As an example, the Department recently negotiated the procurement of 10 million pounds of lamb from New Zealand and Australia for use in Vietnam. Both of these countries are, of course, standing beside us in Vietnam but 10 million pounds is a very large chunk in terms of domestic lamb production.

I need not, I am sure, remind you of the serious and worsening condition of the entire agricultural economy. Farm parity ratio for the past two months at 74 is the lowest level since 1934. Per capita farm income is less than two-thirds the national average. Farm debt went up 10 percent last year.

Since last year, the price of cattle has declined sharply. Choice steers on the Chicago market in March averaged $24.67 a hundred pounds compared with an average of $29.22 for March a year ago. Cattlemen are facing—if not already in—a repetition of the conditions of 1963–64 when imports were finally rolled back, but not nearly enough.

This time an effective bill which would be fair to both domestic and foreign producers could and should be passed. I am a firm believer in reciprocal trade but agriculture cannot be sold down the river in the interest of industrial exports and a favorable balance of trade without further serious injury to the farmer and rancher and his ability to supply this country with the abundance to which we have become accustomed.

Mr. BELCHER. Mr. Speaker, I appreciate this opportunity granted my able colleague from Texas to express my grave concern about this whole problem of agricultural imports. Today, the dairy industry faces a serious threat from imports. Our textile industry and our sheep growers are likewise threatened; indeed, the threat seems nearly to run the gamut of agricultural commodities. In my opinion, and certainly from the standpoint of folks in my area, one of the most serious import threats is that posed to beef.

As the gentleman from Texas has pointed out, the price of cattle has declined sharply since last year. Choice steers which were averaging $29.22 a hundred in March a year ago were down to $24.67 on the Chicago market last month. In only 5 out of the 20 years since the removal of price controls in 1946 have cattle prices been below $24 a hundred for choice fed cattle in Chicago. Prices of feeder cattle have declined too. Good feeder steers in Kansas City, weighing 550 to 750 pounds, averaged $26.57 a hundred in March of 1966 and $23.08 a hundred in March of this year. With the decline in the price of fed cattle, it is not unlikely that the price of feeders may fall even further.

This whole agriculture import situation is one which, if allowed to continue unabated, is going to wreck untold havoc upon the entire economy.

It has been my hope that the administration, using the authorities which it already has under the law, would move to halt the excessive flow of agricultural commodities into our markets. But what do we find? The Secretary of Agriculture clearly has the authority to precipitate a section 22 action to reduce dairy imports and the President has authority to act immediately in that regard. What has happened? The Secretary asked the President, the President asked the Tariff Commission, the Tariff Commission is supposedly investigating the situation and meanwhile back on the farm hundreds of dairymen are going out of business.

My friends, the farmer has long been getting the short end of the deal from Washington. But, I submit that it is going too far when an administration which only last year used the emergency power under section 22 to increase import quotas on cheddar-type cheeses cannot find its way clear to use that same authority to reduce dairy quotas. When farmers are in such bad shape that they will resort to destroying their product in an effort to gain some kind of recognition of their plight by their own Government, we are in trouble.

The USDA has admitted to having erroneously estimated the number of cattle in the country early this year by 2.3 million. That was probably a legitimate error. But it is serious; and it is peculiar, when it fits so well into the pattern of forcing down the price of beef and other agriculture commodities through a policy of expanded imports justified in the name of reciprocal trade. No wonder the farm income situation, as published today by the USDA, predicts a 5-percent or more drop in realized net farm income for 1967.

If the administration is not going to deal effectively and promptly with this serious problem—and so far the signs are certainly not encouraging that it is—then I believe we in Congress should certainly give serious consideration to the bill my colleague from Texas has introduced to curb beef imports and to the various other legislative remedies in regard to imports of other commodities now pending in the Committee on Ways and Means.

Mr. McCLURE. Mr. Speaker, one sometimes gets the impression that this administration is determined to find out how far it can push the farmer before he hollers, "Uncle." This is particularly true of our meat producers.

Livestock prices have dropped drastically in the past year. Choice steers, for example, are down $3 to $5 per hundredweight. Choice and prime wooled lambs are down $4.75 to $5.25 per hundredweight. Butcher hog prices have dropped $4.75 to $5 per hundredweight since a year ago. And the farm parity ratio stands at the depression-day level of 74 percent.

It is not hard to find the reason why. The Department of Agriculture says that total imports of red meats in 1966 was 1,273,000,000 pounds. That is 26 percent higher than the year before. The fact that the trend is continuing is indicated in figures released for the first 2 months of 1967. Particularly disturbing is the fact that beef and veal imports increased 20 percent over January and February of last year.

When Congress passed the Meat Import Act of 1964, it was in response to the administration's refusal to act even in the face of near disaster for domestic meat producers. As is usual with measures where anything is an improvement, the provisions of that act were much too little and far too late.

The base quota is 725.4 million pounds. Since average domestic production during the years 1965 through 1967 is estimated at 24.7 percent above the 5-year average of the base period—1959 to

1963—the quotas for the current year are 904.6 million pounds. But imports must reach 110 percent of that figure—in other words, 995 million pounds—before quotas can be instituted.

Countries importing to the United States are well aware of how far they can go to get the maximum share of the choice American market without being placed under quotas. One would assume that the Johnson administration is aware of this also. If it is, it is mighty hard to tell, in view of the fact that the President has not even submitted a farm message yet.

It is hardly encouraging for farmers to review the actions of this administration when other segments of the economy were threatened by imports in the past. In this regard, I recall the situation involving the National Tile & Manufacturing Co., of Anderson, Ind. It was a thriving business for more than a half century. But in 1951 tariffs on tile were cut.

In subsequent years, foreign tile flooded the market. Sales of Japanese tile in the United States went from 2,700,000 square feet in 1952, to 54,000,000 square feet in 1963. During that period, National's sales were cut in half.

Following the Trade Expansion Act of 1963, the company appealed to the Tariff Commission for help and was turned down. In October of 1966 the company folded and 525 employees were thrown out of work. I would hope that the administration treats the American farmer more kindly.

I am at a loss as to how to bring this matter to the President's attention. If I write the President, the letter is referred to the Secretary of Agriculture. If I write the Secretary of Agriculture, the letter is referred to the head of an interdepartmental agency. If I write the agency head, the letter is referred to "congressional liaison." Perhaps, if we could interest the junior Senator from New York in the meat import problem, the President might suddenly come up with a proposal of his own.

Among other things, this bill leaves out the disastrous year of 1963 in figuring permitted imports. Quotas would be based on actual meat import figures rather than Secretary Freeman's estimates. The bill abolishes the 10-percent overflow figure that triggers the quotas.

I am also pleased that the bill includes offshore purchases of meat as imports. This would certainly discourage the administration from such actions as purchasing 10 million pounds of meat from Australia and New Zealand for our servicemen in Vietnam. And, in this connection, I find it difficult to believe that with our facilities for getting all other supplies to the troops in southeast Asia, it is impossible to ship U.S.-produced meat there.

It is regrettable that the callous disregard for the agricultural community by this administration has been responsible for the current crisis. But I am also aware that in the final analysis, it is the Congress that writes the laws. Should we fail them, also, the farmers of this Nation will have no one left to turn to.

Mr. SMITH of Oklahoma. Mr. Speaker, I wanted to take this opportunity to congratuate my colleague from the neighboring 18th District of Texas, BOB PRICE, and other colleagues upon his introduction of a bill to revise the quota control system on the importation of certain meat and meat products. The Meat Import Act of 1964, Public Law 88-482, in my opinion has been completely inept in bringing about any real relief for the meat producers of this country.

I am sure that I need not remind any of the distinguished gentlemen on this floor today of the serious and worsening condition of the entire agricultural economy of the United States. Farm parity ratio for the past 2 months at 74, is the lowest level since 1934. Per capita farm income is less than two-thirds the national average. Farm debts went up by at least 10 percent last year.

As a part of all this, since last year the price of cattle has kept pace with declining farm prices generally. For instance, beef on the Chicago market in March averaged $24.67 per 100 pounds compared with an average of $29.22 for March, 1 year ago. The bill introduced by my distinguished colleague, the gentleman from Texas [Mr. PRICE], would essentially do six things. First, it would eliminate the 10-percent overrun so that imports could not exceed the actual adjusted base quota. Second, it would relieve the Secretary of Agriculture of the duty of estimating in advance the level of imports to determine whether they might be greater than the allowable. Instead the quota would be imposed by the law itself such as now provided under the Sugar Act to govern sugar imports from various countries.

Third, this bill would change the quota under which total quotas would be based. The bill would use the average of the 5-year period 1958–1962, thereby eliminating the highest year on record, 1963, and establish the base at a more representative base period. Fourth, my distinguished colleague proposes that quotas be established quarterly instead of annually, and thereby smooth out the flow of imports throughout the year and would therefore prevent seasonal surges. This bill would also grant to the executive branch the authority to impose quotas on importation of other meat products if necessary, to prevent a flood of other products such as canned and cured beef, fresh lamb, and pork. This executive authorization is absolutely necessary in a case in which the quotas such as fresh frozen beef and mutton were filled and there should be an effort to get around those quotas by importing beef in other categories. Also, this bill would provide that offshore purchases of meat by the Department of Defense will be charged against the quota applicable to such meats.

Mr. Speaker, if the present unfair condition of inadequate farm prices and increased agriculture imports which compete with products produced domestically continue, then we can certainly expect to see a continued decline in the number of farms in this country. The number of farms in operation declined 4 percent last year, and the Department of Agriculture, even though it has not even bothered to send a farm message to this Congress, has already predicted that 82,000 farms will be liquidated in 1967. The Great Society has certainly turned out to be a "great nightmare" for American agriculture. The attitude of the Great Society toward the farmer could not be made more clear by the fact that farming rated one short sentence in President Johnson's state of the Union message. It should be noted that the estimated annual personal income from nonagriculture resources increased 8 percent from March 1966 to March 1967, while the personal income from farming dropped 15 percent. Our farmers are crushed under the burdens of recordbreaking production cost, recordbreaking farm debt, and recordbreaking agriculture imports. This is the reason that over 122,000 farms went out of business during 1966.

I believe that imports are probably the greatest serious threat to the welfare of the American farmer. Enough dairy products were imported in this country to equal 6,000 farms with 50 cows each. Cheese imports last year were up from 2.8 million to 3.7 million pounds and President Johnson has asked the Tariff Commission to raise the figure to 9.6 million pounds. Beef and veal imports were up 27 percent in 1966, pork was up 14 percent and mutton was up 102 percent. If any one group in this country has a cause to go on strike for a fair financial return, it should be the farmer.

Mr. Speaker, because of the serious economic condition of American agriculture, I shall gladly join in cosponsoring this bill, and I again congratulate my distinguished colleague, the gentleman from Texas [Mr. PRICE], in his efforts to rectify the situation insofar as meat imports are concerned. This action is timely and absolutely necessary if the American farmer is to survive the apathy of the Great Society.

Mr. DOLE. Mr. Speaker, I am pleased to join Congressman PRICE and other Members of the House in introducing this bill to amend Public Law 88-482. When this meat import law was passed in 1964, it was with the understanding that the law would be tested for a time and then carefully reviewed and amended to correct any inadequacies preventing the establishment of proper safeguards for our Nation's meat industry.

In the past 3 years, beef and mutton imports have been steadily increasing. Today farmers and ranchers across the country again face prospects of another year of operating at a loss. Cattle prices are sharply declining; and meat imports, which are expanding at an alarming rate, are one of the key factors contributing to the problems of the meat industry.

The provision of this bill which gives to the executive branch the authority to impose quotas on meat products not presently covered by quotas is of particular interest to me. Under the present law, imports of canned, cured, and cooked meats are not covered by quota legislation. Whenever quotas on fresh, chilled, and frozen beef are filled, there can now easily be efforts to avert those quotas by importing beef in other forms.

This situation would parallel that which presently plagues the dairy industry. The importation of certain dairy products is strictly forbidden by quotas, but artificial substitutes not covered by U.S. regulations are brought in to evade the purpose of the quota. Foreign producers are able to find ways to evade quotas by producing and shipping products varying just enough to avoid the coverage of the quotas.

It is necessary that timely action be taken whenever any attempts are made to evade the quota limits and when imports of any agricultural commodities take an unfair share of the increase in our domestic market. Under the proposed amendments to Public Law 88-482, the Executive could act quickly to curtail the importation of such products which would further threaten our domestic market.

The time has come to recognize the imminent danger to the livestock industry of our country. I urge Congress to act immediately to tighten present meat import quotas and place them on a more realistic basis.

Mr. SKUBITZ. Mr. Speaker, today, we are calling for legislation to aid the livestock producer whose economic wellbeing is vital to the economy of Kansas and to this country. Today, we ask for legislation which will aid the livestock producer in his struggle, not only to compete with the high costs of production, but to compete with "cheap" meat being imported into this country at alarming and increasing rates. The future of the farmers and ranchers in this Nation depends upon what we do. The effect of imported meats on the market prices for our own products cannot be overemphasized. The farmer of today has been ignored, shoved under the rug, and used as a "whipping boy" by this administration. It should surprise no one that he is angry. In the name of a decent living for livestock men, we ask that this legislation be given immediate consideration. While all other income levels rise with this inflation-ridden economy, the farmers are fighting to maintain depression-year prices.

The farmers of this country have been filled to the neck with Secretary of Agriculture Freeman's promises. They will be satisfied only with action—no more will words soothe their tempers and words cannot fill their empty pockets. The record of Secretary Freeman is well documented in the market prices of today. March 30, I received from him a series of speeches, entitled "Agriculture 2000," in which he discusses in glowing terms the prospects for agriculture in the 21st century. Well, the farmers of today cannot wait 33 more years for a fair share of this Nation's wealth. And it is obvious, that the Secretary has wisely chosen to discuss agriculture in the 21st century rather than the state of agriculture today.

What can be said about agriculture today? Between March of 1966 and March of 1967, the index of prices paid by the farmer increased from 331 to 340, while the index of prices received by the farmer declined from 269 to 250, and the parity ratio fell from 81 to 74 in March of this year. The current market prices, based on the Government's most recent agricultural price listing, show that the price of hogs is down 25 percent; beef cattle down 10.4 percent; lambs down 19.8 percent; sheep down 16.1 percent, and on it goes, always down. The foregoing facts would not make very good copy for a speech by the U.S. Secretary of Agriculture. He would also have to tell us that his estimate of meat imports for the current year runs between 900 and 960 million pounds—while at the same time he has undertaken a special buying program in an attempt to remove some of the "surplus" meat from the market. And if the Secretary is estimating imports at 900 million pounds, we can expect them to exceed that mark by at least 120 million pounds—that is how far off he was last year. The Secretary of Agriculture estimated 700 million pounds of imports early last year and then began revising his estimate in an attempt to keep up with the imports. But even his last estimate did not equal the actual imports of 1966, which totaled 823.5 million pounds.

When it became clear in 1964 that the cattle crisis of 1962, 1963, and 1964 was due to excessively high meat imports, the Congress, in spite of this administration's resistance, passed the Meat Import Quota Act. Now it is clear that the watering down which was completed in the name of "compromise" must be removed. It was an achievement to get the law of 1964 on the books, but the effect of meat imports on our domestic producers causes us now to strengthen that law. It has proven in its application by and under the Secretary of Agriculture to be inadequate and to contain improper safeguards.

As it now operates, the beef-import law gives the importer every advantage. First, we set the quota on the basis of imports from 1959 to 1963, allowing the record high import level of 1963 to be computed in determining the base. Then we adjust it upward, with increased production here in the United States. Third, we allow the Secretary of Agriculture to estimate imports and impose an import on that basis. Fourth, we impose the quota only after imports surpass by 10 percent the established level calculated for the year. Fifth, the Department of Defense offshore purchases of meat are not calculated within the quota; and finally, by imposing this ineffectual quota only annually, we allow seasonal surges to depress our own market prices.

The bill before us would take up the slack, close the loopholes, and help the livestock producer in his fight to take a rightful place in this society with his rightful share of what this economy has to offer. First, it would allow the base level to be determined from an average of imports from 1959 to 1962, thereby eliminating from the average the record imports of 1963. Second, this bill would allow for the quota to be written into the terms of the law and eliminate the Secretary of Agriculture's estimate procedure. It would abolish the 110-percent trigger factor and impose quotas when the limit is reached. It would extend import quotas to canned and cured meats when they threaten the market. Department of Defense purchases would be counted within the quota, and quotas would be imposed quarterly instead of annually.

The State of Kansas will benefit greatly from this legislation. The Great Plains State—where the grazing lands of the Flint Hills are unequaled, where livestock production makes up the largest segment of agriculture, where the noteworthy Kansas City steaks are produced—deserves and needs this legislation.

Mr. SHRIVER. Mr. Speaker, today I am introducing legislation which is aimed at revising the quota control system on the importation of certain meat and meat products. First, I want to commend the able Representative, the gentleman from Texas [Mr. PRICE], for his leadership in bringing to the attention of the House one of the perplexing problems which continues to depress farm income. He is knowledgeable concerning such matters and is particularly aware of those factors which affect the important livestock industry in his State and across America.

More than 3 years ago I was one of those who called for meaningful legislation to limit imports of beef and other meat products. In 1964 Congress passed a Meat Import Act, Public Law 88-482. Unfortunately, we have noted evidence that this law really did not provide the relief for meat producers which many of us sought.

During the past 3 years the trend in meat imports has been steadily upward.

Public Law 88-482 relates only to beef, veal, and mutton—fresh, chilled, or frozen. It does not cover canned, cured, or cooked beef, or lamb or other meats.

Of the meats covered by the law, imports in 1965 amounted to 614.2 million pounds. For 1966 at the beginning of the year the Secretary of Agriculture estimated that the volume of imports would be 700 million pounds. That estimate was later revised upward twice—to 760 million pounds and then to 800 million pounds. But the final total for imports in 1966 was 823.5 million pounds.

Today the farmer finds himself in a price squeeze. His cost of living is up; his cost of operation is up. But farm prices are down. In the case of the cattleman, he has seen very little improvement in cattle prices in the last 3 years.

Yesterday in Chicago prime steers sold at $26 a hundred pounds with choice types bringing 50 cents less than that. The average price last month of choice slaughter steers in Chicago was $24.67 a hundred pounds, compared with $29.22 a hundred during March of 1966—a decline of over $4.50 a hundred pounds.

I need not belabor the importance of the livestock industry to my State of Kansas. Kansas has one of the top beef production programs of any place in the United States. Livestock products account for more than half of all farm income. No other single commodity produces a larger slice of Kansas cash farm receipts than does cattle or calves. Closely related and allied to the livestock segment of our economy is the meatpacking industry. More than 1 billion pounds of red meat are produced annually in Kansas, and the meatpacking industry employs nearly 9,000 persons.

Mr. Speaker, we cannot afford to turn our backs on the American farmer. He is responsible for supplying to all Americans an abundance of food to which we are accustomed. More than that, we look to him to help fight hunger in the underdeveloped countries throughout the world.

I urge that prompt and serious consideration be given to this legislation which would help provide an equitable solution to the problems of imports.

Mr. REIFEL. Mr. Speaker, it is a pleasure to join the gentleman from Texas [Mr. PRICE] and other colleagues in introducing a bill to control more effectively excessive imports of certain meat and meat products.

I commend the distinguished gentleman from Texas, who represents an important livestock producing area, for this display of leadership and concern for the impact these skyrocketing imports are having upon the producer.

On April 13 I joined with the distinguished gentleman from Nebraska [Mr. MARTIN] in introducing a more limited measure as an expression of our concern at the ineffectiveness of the Meat Import Control Act of 1964. I am happy to note that this more comprehensive measure, worked out in conjunction with the National Livestock Feeders Association and other leading livestock groups, incorporates the main provisions of our bills, H.R. 8505 and H.R. 8293. Our bills have helped to serve as a starting point and a catalyst for further action.

I commend, too, the distinguished Senator from Nebraska [Mr. HRUSKA] who has provided so much research and leadership on this subject this year as he did in our initial import battle of 1964. It is extremely regrettable that a measure similar to Senator HRUSKA's bill has become bogged down as just another extraneous amendment bill in the "Christmas tree" debate in the other body.

As a result it is imperative that the House, which is charged with initiating tariff legislation, take prompt and affirmative action on this bill.

We know there is widespread support for it in the other body. We know the livestock producers of this country are suffering immeasurable damage. We know that if it is left to the administration no relief will be forthcoming. We know that the livelihood and income of the domestic livestock producer will continue to be used as a pawn in the international tariff negotiations while so-called friendly nations carefully construct protectionist barriers against our meat and farm products.

In my State, well over 70 percent of farm income is derived from the sale of livestock and livestock products. The South Dakota State Legislature has passed a resolution decrying the excessiveness of current meat imports and loopholes in the present law.

With the farmer's return lower than that of 20 years ago and with per capita farm income only 60 percent of that for city workers, it is high time we end the "foreigners first" policy in agriculture.

By eliminating the 10-percent overrun, by eliminating the Secretary of Agriculture's reporting requirements and by imposing quotas on a quarterly basis, by using a more representative base period, by including nonquota products and by making Defense Department purchases chargeable against the quota, we are taking steps that should have been included in the 1964 law.

It is quite possible that enactment of this measure could mean a slight increase in grocery prices. I doubt that it would be necessary, but it could happen.

Here again, I cite the recent Minnesota poll which showed that more than seven out of 10 Minnesotans, 72 percent, agree that the Nation's farmers are not getting a fair return for their products, and that 57 percent of the Minnesota public as measured by that poll would be willing to pay higher food prices if it meant improved income for the farmer.

I feel sure the same feeling applies across our land at a time when everyone knows the farmer is not sharing equally.

Let me remind my colleagues, too, that farmers also buy groceries and meat products, just as they are good customers for almost everything industry produces—provided we give them a chance to make a decent living without the unfair competition of excessive foreign imports.

Again I commend the distinguished gentleman from Texas and the distinguished Senator from Nebraska for developing this proposal and bringing it before us today. I urge the distinguished chairman of the House Committee on Ways and Means, himself a livestock producer who understands the problem, to call early hearings and initiate the legislative steps needed to correct this situation.

Mr. KLEPPE. Mr. Speaker, when Public Law 88–482 was enacted in 1964, many Members of Congress, together with farmers and ranchers, expressed grave doubt that it would effectively curb meat imports. It is something of an understatement to say their fears were well grounded.

The act has not worked. It would not work with the present excessively high quota on meat imports, imposed on an annual basis. Even the so-called trigger in the law would not work. By the time the trigger can legally be pulled, the target is out of range.

Meanwhile, mounting meat imports put increasing pressure on domestic cattle, hog, and sheep prices which are already in a tailspin. According to the U.S. Department of Agriculture, prices received by farmers for all commodities dropped 7 percent from March 15, 1966, to the same date this year. Livestock prices have declined much more sharply. During the same period, prices paid by farmers increased by nearly 3 percent. This tumbled the parity ratio from 81 to 74. And it is heading lower.

Twenty years ago, American farmers were receiving close to $40 a hundredweight for choice cattle and $30 for top hogs. Today cattle and hog prices are little more than half of those amounts. It should further be pointed out that today's dollar has only about two-thirds of the purchasing power of the 1947–49 dollar, which makes these price comparisons even more unfavorable.

With farmers and ranchers receiving depressed prices, even in terms of diluted dollars, and paying inflated and ever-increasing production costs, there is little wonder that American agriculture finds itself at a financial crossroads today. The meat import bill we are discussing here would not solve all of the problems confronting the livestock industry, but it represents a step in the right direction—a step urgently needed now.

Mr. BATTIN. Mr. Speaker, my rancher constituents in Montana and their city neighbors who well understand their problems are fed up with Argentine and Australian beef. The economy of my State relies heavily on the cattle industry so the banker, who deals with cattlemen for ever-increasing debts, and the merchant who suffers right along with the rancher when times are bad, know the beef industry is not sharing the advances of a booming economy.

Hardly a day passes that I do not receive mail from a rancher who is ready to give up and move into the city because he is frustrated at the prices he receives for his livestock. The price he pays for equipment necessary to run a modern ranch has climbed to an alltime high after more than 6 years of inflation. Cattle production is hard work and these people are not being paid adequately for the effort and investment they put into their ranches.

West Donohoe, a Luther, Mont., rancher, writes:

> I don't know a single cattle producer or feeder who is satisfied with the present beef import quotas. Is there any chance of getting a lower quota?

Mrs. E. M. Kluver, of Forsyth, also complained to me about the present meat import laws and attaches the blame where I think it belongs:

> In 1952, Montana ranchers received around $150.00 for their calves. Last year, 1966, we averaged about $90. It has varied very little in the past six years, since Mr. Freeman became Secretary of Agriculture. We have been informed recently that red beef supplies for 1967 will be increased by 30% more than in 1966. Already the feeders are in bad shape and this will reflect on the cattle producers next fall. I hope you will take up the cudgel in our behalf again.

I gladly take up the cudgel offered by Mrs. Kluver and all of the ranchers of this country and ask this Congress to close the door on the almost billion-pound import market which is destroying the home market.

These letters that I have quoted from are only a sampling of the mail I have received on this subject. Cattlemen and their associations never neglect to mention this trouble when I meet with them in my State, and their every letter pleads for some relief.

The problem with beef imports is both in the administration of the act and the law itself. The law provides that when imports reach a stated level of the previous year's consumption, they shall be curtailled so as basically not to affect domestic production. Secretary Freeman opposed this law and therefore has not given his full attention to its enforcement. This, coupled with the Agriculture Department's so-called inadvertent miscount of several million in cattle population, has created havoc in the markets.

Congressmen E. Y. BERRY, of South Dakota, and BOB PRICE, of Texas, as well as other Members from cattle-producing States, have introduced identical bills to cope with the problems besetting our ranchers. Congressman BERRY's detailed listing of beef trade statistics over the past 12 years points out the drastic need to furnish Secretary Freeman with tighter import controls and a reminder to support and enforce this legislation in the best interest of American ranchers. Mr. Freeman's refusal to follow the intent of the present Beef Import Limitation Act—Public Law 88-482—has led us to the point where we must enact even stricter controls.

Three years of experience with the present meat import laws have shown that we cannot depend on the Secretary of Agriculture to follow the intention of Congress. So the time has come to enact specific legislation that does not allow as broad powers to the Secretary to extend our wishes. This bill would eliminate the provision that allows the administration to set a 10-percent overrun which he has announced he plans to use.

It will also relieve the Secretary of the task of estimating in advance the amount of imports. He has not been able to do this accurately, so I see no need in continuing this authority. Instead, the quota will be provided in the law just as imports are set in the Sugar Act which governs sugar imports from foreign producers.

I am not closing my mind to the need for reciprocal trade, but I believe the time has arrived when we must support our own people and stop selling the efforts of our ranchers down the river, across the seas. Our actions should primarily be for the benefit of our ranchers, and only after they are fairly treated should we look to the welfare of other countries' beef markets.

Those of you who represent population centers might be concerned that your people will pay for enactment of this bill in higher food costs. But the history of this import legislation shows that the amount of beef imported from other countries has little to do with the price a housewife pays for beef over the counter.

When the bill was enacted in 1964, the bottom fell out of the American beef market. Slaughter steers that had brought $30 per hundredweight in Chicago in the fall of 1962 were suddenly worth only $20. These were bankruptcy prices, but I never noticed any noticeable drop in meat prices in the supermarket. Quite the contrary, meat prices have skyrocketed.

I need not remind you of the condition of agriculture because it is constantly in the news and has elicited the remark from Secretary Freeman that "conditions are poor."

This bill will help to give the cattleman a share in the booming economy which he deserves for his efforts and it will protect a sizable portion of this economy by assuring better conditions for our own people.

Mr. MILLER of Ohio. Mr. Speaker, I rise today in support of the meat import legislation which I, and several of my colleagues have introduced in the House. There are serious difficulties confronting the American cattle industry which can be corrected by this legislation.

I note with great concern that farm income is down. Parity now stands at 74, the lowest it has been in some 30 years.

When livestock sells for low prices, as they have been and are now doing, not only are farmers and ranchers hurt, but everyone else is also hurt. The farm income decline is felt by many other segments of the national economy. Farmers are purchasing less equipment, fewer and cheaper automobiles, and less consumer goods than a year ago. They are being forced to seek more and bigger loans to meet operating expenses.

The meat import bill would tighten the present meat import quota law and make it more realistic with conditions that occur in the all-important farm segment of our Nation's economy. I am pleased at the broad support already shown by Members of this great body for this legislation. The number of cosponsors is indicative of the grave national concern over the status of the farm economy.

This matter demands the immediate attention of the House and the Ways and Means Committee. I shall help push for early hearings to expedite the passage of this bill.

Mr. BUSH. Mr. Speaker, I am pleased to join with my distinguished colleague from Texas in introducing the bill to revise the quota control system on the importation of certain meat and meat products. This legislation is a positive measure which will provide important relief to domestic meat producers.

There are many good features of this bill. It changes the period under which total import quotas are based by adopting the average of the years 1958–1962, a more representative base period than the present formula being used. The bill also imposes quotas quarterly instead of annually, thus smoothing out the flow of imports throughout the year and preventing seasonal surges.

The legislation also provides that offshore purchases of meat by the Department of Defense for the use of our troops abroad be charged against the quota applicable to such meat.

I truly hope this constructive measure will become law and serve as a positive solution to the present situation which has only depressed the market price of domestic beef and driven many producers from the market.

Mr. HALL. Mr. Speaker, it is with great pleasure that I join with my colleague from Texas in the cointroduction of this much needed meat import quota bill. I commend him for the research, the portrayal, and the solution.

All phases of agriculture have been caught in a "price squeeze" that threatens the viability of the entire farm economy, and surely penalizes the producer. Recently, the livestock sector has not been immune from the price squeeze. Cattle prices are down 10.4 percent from March of 1966. Pork prices are down 25 percent and sheep prices are down 16 percent from the same period.

Coupled with this decline in meat prices has been increasing meat imports. These imports are approaching an all-time high. The Department of Agriculture estimates that meat imports in 1967 will be at least 900 million pounds. This compares to the 614.2 million pounds of beef and mutton imported in 1965 and the 823.5 million pounds in 1966.

Mr. Speaker, as a result of the import situation in 1963, Congress took action to establish a reasonable control program intended to prevent recurrences of the 1963–64 price disaster. Efforts by Congress at that time to establish some semblance of control over imports of foreign meats were first resisted vigorously by the administration. It relented only after the price situation had become so bad that it could no longer be ignored.

The chief accomplishment of the 1964 congressional action was the official recognition that quotas on imports of beef and beef products were justified and necessary. It was paradoxical that under aegis of another department of the Cabinet we banned our own export of hides.

I think it is now clear our experience to date demonstrates that the present law is not working effectively, and that changes should be made if we are to protect the American livestock industry from further price declines. It is not working because we have allowed imports to increase at a time when domestic prices are already falling. It certainly makes no economic sense for us to continue to allow increased beef imports on the one hand, while on the other hand the Government engages in a special purchase program of beef in an effort to shore up domestic prices, to be a good neighbor, or for any other reason.

The bill that I am cointroducing does not eliminate the basic framework of our 1964 law—Public Law 88–432—but rather seeks to improve on the application of the objectives that Congress had in mind when it passed this law. It would change the basic quota used for calculating annual allowable import levels to a base period of 1952–62, which is much more realistic than the 1959–63 base has provided at the present time.

It would eliminate the present overrun provision by which imports into this country are allowed to exceed the prescribed cutoff level by 10 percent. It would extend the import controls to other livestock products such as canned, cured, and otherwise preserved beef; which have been coming into the country at increased rates. This proposal would also improve the method of estimating and reporting import trends, thus assuring more effective implementation of the control objectives, than has been the case in the past.

Mr. Speaker, in conclusion, all of American agriculture has been experiencing a severe price-cost squeeze. This trend has already caused great hardship as we strive to maintain and raise our standards of living. If it continues the impact on agriculture will be disastrous and the repercussions will be felt throughout the economy.

I again salute the gentleman in the well of the House for this worthwhile proposal, and gladly join in support.

Mr. HANSEN of Idaho. Mr. Speaker, I congratulate the gentleman from Texas [Mr. PRICE] on his initiative and am happy to join today in the introduction of legislation designed to give aid to our sorely pressed livestock industry. I have, on many occasions, called attention to the very serious plight of many segments of our agricultural industry and the apparent inability—or will—of those now shaping our farm programs to cope with it.

In my weekly newsletter sent to my constituents, for release today, I said, in part:

> The same situation exists in the livestock industry where imports of beef, pork, and sheep and lamb are all up alarmingly. In the area of beef imports, it is particularly bad. An admitted "boo-boo" on the part of USDA on cattle estimates, plus an unrealistically based 10 percent above-quota-imports "trigger clause," is causing cattlemen great concern. But Secretary Freeman refuses to move off dead-center. One can only wonder why the "top hands" in the administration won't pull the trigger on the gun Congress has provided to protect our livestock industry.

This bill, Mr. Speaker, would take this action out of the hands of the Secretary of Agriculture. Not only would it eliminate the 10-percent overrun so that imports could not exceed the actual adjusted base quota, it would impose the quota by law, thus obviating the necessity of having the Secretary estimate in advance the level of imports.

Passage of this bill would eliminate for future years the situation in which we now find ourselves where meat imports are expected to be in excess of the quota level of Public Law 88-482, but below the level which would direct the setting of import quotas.

I urge its passage.

GUARANTEED MINIMUM INCOMES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 15 minutes.

Mr. PELLY. Mr. Speaker, for the past few years one of the most discussed antipoverty proposals on the national level is a plan to guarantee to everyone a minimum level of income. At the moment it is not a Federal legislative issue, but, sooner or later, it will be. Probably sooner because the objective of assuring unemployed and unemployables a raise in the level of their living standard has plenty of appeal, socially and politically.

Because the guaranteed income proposal is new and different and because socially and economically, in one form or another, it has already attracted advocates, it deserves to be thoroughly studied. If, as some say, it has merit in part or as a whole, the public should be told about it; if it lacks merit in part or in entirety, the public likewise should be given the facts—especially before its promoters under an attractive label are able to ignite the flame of its popularity and start something which, like a forest fire, takes another fire to put out. And that might be more destructive than the original fire.

Recently I received a research paper, "The Ripon Forum," dated April 1967 supporting a program to combat poverty called the negative income tax. Addressed to Republicans like myself, the Ripon Society proposed conquering poverty by breaking down the barriers to free participation in the economic life of our Nation. In short, it called for an adequate education for everyone, elimination of discrimination in hiring and housing, and, finally, reducing the insecurity and dependence of the poor. To be specific, it called for supplementing and stabilizing low incomes by adoption of a negative income tax.

Under this latter plan, all families with incomes below a certain standard would be paid the difference between its earned income and that standard. The formula recommended, according to the Ripon Society study, would encourage families to move up the income scale by providing a slightly higher pro rata payment as the earned income increased until it reached an automatic cutoff at the point that the family would begin to pay taxes.

At the outset, I want to frankly say that the idea of a guaranteed income or a negative income tax, whatever form it takes or whatever one calls it, has great appeal—or at least when I began toying with the idea, I was intrigued. This was my first blush of superficial reaction. Take the farmers, I told myself. Under any such program, the Government would be saved several billions a year in subsidies and we would cut off about 100,000 Department of Agriculture employees. I began by thinking that the Government could actually save itself money. I thought of the high cost of administering welfare and other programs compared to the cost of issuing a Federal check.

Then I came back to earth and decided before going off halfcocked, I had better determine, if possible, just what this guaranteed income proposal involved. How would it cure the causes of poverty and, in other words, would it promote the general welfare? What would it offer in the way of incentives to work and produce and get ahead in the world? What would it cost and so forth?

Fortunately, there was plenty of material on the subject in order to study the advantages and disadvantages of this proposal, or rather of the different proposals on the subject. It is obvious from this material that there is much support for the general theory of guaranteed income for poor people. This support covers the desirability of relieving poverty on the basis of need, and that money rather than moral uplift is what is needed. Certainly no one denies that for the past 30 years or more in the United States, it has been accepted that the Government has a responsibility to see that people have a minimal subsistence. But ideas as to the best means of discharging that responsibility differ.

Our Federal, State, and local governments, of course, already offer many benefits of various kinds to low-income individuals, including students, unemployed workers, veterans, older citizens, and so forth.

As to the straight guaranteed income plan, it would provide a formula under which the Internal Revenue Service, based on income and family size, would make Government payments to nontaxpayers. These payments would assure a minimum income in accordance with a formula such as a $3,000 minimum annual income for a family of four. If the family income was $2,000, the Government payment would be $1,000. Another plan, the negative income tax, has an incentive provision in its formula so that as the income of a family increases, the Government payments or income supplement would decline—but would not decline dollar for dollar as income increased. Thus the total income of a family would increase more than the earned income. At some income level, then, the Government would cease to pay supplements altogether.

It is argued that presently in this country we already have a collection of Government programs that guarantee individuals a level of subsistence. Those favoring the Internal Revenue reserve tax plan argue that the present system is a trickle down to the poor—a sort of grab bag in many instances. Under their proposal every dollar goes directly to alleviate poverty. Also it is pointed out that programs like food stamp plans often fail to help the poor because many families have no money for matching purchases. Also, it is pointed out that minimum wage laws do not help people who have no earnings. Certainly, too, the obvious defects of certain antipoverty programs due to being administered or maladministered by the Office of Economic Opportunity have caused many of us to look hopefully for some other forms of assistance. Particularly, some favor assistance in a more useful form; namely, cash.

I agree with those who say our present welfare system is incapable of eliminating poverty and in many cases helps to perpetuate it. In this connection, I think a guaranteed income plan would have the same adverse effect, only on a wider scale. As to the negative income tax, let us see what those who have analyzed this proposal say.

One strong argument made against it is that the negative income tax would tend to perpetuate welfare as a way of life, by sacrificing social services designed to eliminate the causes of need for an income level guarantee. Likewise it is stated, and I would agree, that of those who earn only slightly more than the minimum of the basic formula, many would tend to forgo working at all. Meanwhile, rehabilitation and encouraging the needy to produce and become self-sustaining is ignored.

The appeal that first registered with me of a plan to fill the income gap of the poor was based on eliminating duplication, waste, and the heavy overhead of Government administration. Frankly, on more mature consideration, I am fearful that any such savings would be far less than the cost of a new program. We are told the difference between existing substandard incomes and the poverty line is $12 billion. So this whole program would be expensive and any illusory cuts in existing welfare costs would not approach that cost.

So, while I continue to seek some practical means of raising incomes of the poor and removing misery and ugliness and insecurity, and while I want to see the Republicans in the forefront of a national effort to cure poverty, I have concluded that a cash minimum standard by Government guarantee is not the answer.

Rather, under the philosophy of Lincoln, there is a better way. Any new approach should help the helpless and guarantee opportunity only to those who can help themselves. The function of the social worker is vital and necessary and cannot be eliminated. We must help the blind and the deaf and the afflicted. We must provide education and job opportunities. But, I have concluded, a dole to all low-income persons even with incentives for additional earnings will not attack the causes of poverty. Therefore, I believe that our problem would be intensified rather than solved by any of these proposals.

HOUSING AND URBAN DEVELOPMENT PROGRAM RECOMMENDED BY THE NATIONAL HOUSING CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, the National Housing Conference has just concluded its annual membership meeting which was attended by representatives of public-interest organizations who came from all parts of the country. This was the 36th annual meeting of the National Housing Conference.

For many years, this organization has been recognized as the conscience of the public interest in housing and urban development. In the cause to get better housing in better neighborhoods for the people, the National Housing Conference is the national organization which has always provided long-term leadership and guidance. It acts as the clearinghouse for public-interest organizations in focusing public understanding and support on programs to meet the pressing problems of housing and urban development.

Along with other Members of Congress, I had the privilege of addressing the membership of NHC. During the meeting which I attended, there was some discussion of the resolutions which were later adopted by the membership. I was deeply impressed by the proposed program.

These resolutions recommend the measures required to achieve a national goal during the next 20 years to eliminate and replace all slums and substandard housing; also, to build sufficient additional housing to provide for the one-third increase which will occur in our population during this period. Besides building enough new housing, the program contains recommendations to bring the supply of existing housing up to a decent living standard. Concurrently, NHC points out that we must solve human problems by an intensification of social programs and services to improve the quality of American life.

The NHC resolutions state that we are at a time of crisis in housing. Today, when the Nation's need for housing is at its alltime peak, housing is at its lowest level of production in many years.

NHC further states that our Nation is experiencing an urban crisis, with social unrest and violence in our cities. Its resolutions recommend that we take vigorous and immediate action to initiate a program now at the rate necessary to accomplish the 20-year goals.

The comprehensive scope of this program is indicated by the following major subjects which are included in it:

20-Year Goals and Required Priorities and Actions to Achieve Them.

Model Cities Program and Metropolitan Planning.

Housing Programs to Meet Needs During Next 20 Years.

Financing Nursing Homes and Facilities for Group Medical Practice.

Urban Renewal Program.

Providing Necessary Mortgage Funds and Lower Interest Rates.

Public and Community Facilities Including Water, Sewer and Mass Transportation.

New Towns and Rural Housing and Renewal.

Urban Technical Assistance, Research, and Training.

The NHC report is a careful study and analysis of our needs for housing and urban development. It presents a realistic program to meet these needs. I recommend that this report be read by everyone who is concerned about these critical problems facing our Nation.

I ask unanimous consent that the resolutions adopted by the National Housing Conference be included in the RECORD at this point. The material follows:

RESOLUTIONS ADOPTED BY THE MEMBERSHIP OF THE NATIONAL HOUSING CONFERENCE

CHAPTER A. 20-YEAR GOALS AND REQUIRED PRIORITIES AND ACTIONS TO ACHIEVE THEM

A–I. General statement of objectives

The National Housing Conference, assembled for its 36th Annual Meeting, presents herewith a program for housing and community development scheduled to be achieved over a period of 20 years. We must establish a national goal to eliminate all slums and substandard housing, and build enough housing to replace them during that period. We must also build sufficient housing to provide for the one-third increase which will occur in our population during this period.

To achieve these goals we must build 50 million new dwelling units in the next 20 years at the rate of 2½-million a year. At least 10 million of these new dwellings must be for people of low and moderate incomes who are not served by the normal private housing industry, at the rate of one-half million dwellings a year.

It is not enough to build new housing. The supply of existing homes must be brought up to a decent living standard. Concurrently, we must solve human problems by a great intensification of social programs and services to improve the quality of American life.

While the Viet Nam conflict continues, we must protect our home front. It is neither sound nor equitable to throw the burden of domestic restrictions on the housing and urban development programs. We are at a time of crisis in housing. Today when the Nation's need for housing is at its all-time peak, housing is at its lowest level of production in many years. We all know that our Nation is experiencing an urban crisis with social unrest and violence in our cities. If we are to avoid increasing demonstrations and violence in our cities, we must take vigorous and immediate action to provide good homes and good neighborhoods for the ill-housed. We can no longer tolerate bad housing conditions which are at the heart of the urban crisis.

We must take all of the measures necessary to initiate a program *now* at the rate necessary to accomplish our 20-year goals. We call for action, prompt and decisive, that will redress the imbalance and restore strength and vigor to residential building, and will avoid a recession. We must bring such construction up to the level commensurate with the housing needs of the people and with the requirements of a healthy, expanding economy. A decent home in a good neighborhood for every American should become a reality.

A–II. Message of the President of the United States on urban and rural poverty

On March 14, 1967, the President sent to the Congress his message on poverty in the United States. In his message, the President recognized the debilitating influence of slum dwellings on the hopes and desires for betterment of the Nation's poor who are presently living under rural and urban slum conditions. In establishing a "Strategy Against Poverty," the President called for a breakthrough on various fronts, including housing, transportation and water supplies. The National Housing Conference ("NHC") commends the President for his great concern with our Nation's poor and ill-housed citizens and supports his recommendations. In the specific Resolutions appearing under appropriate subject headings, NHC recommends the measures necessary to eliminate the urban and rural slum conditions and meet other housing problems described in the President's message.

A–III. Summary of present and long-range housing needs

Adequate legislative proposals require that we first re-examine the present and long-range program and policy position of NH in the light of the tremendous requirements for housing, community facilities, and total community development and redevelopment which are foreseeable in the next 20 years.

The following recommendations and conclusions are presented by NHC in order to fulfill its role as the national organization which provides long-term leadership, and a clearing house for focusing public understanding and support on programs to meet the pressing problems in our areas of interest. These recommendations are intended to gear the legislative proposals of NHC (and others who are like-minded) to the unprecedented challenges which confront us and the Nation now and during the coming 20 years.

The following factors summarize and emphasize the dimensions of the present and future needs of this country for housing, community facilities and community development and redevelopment; also, they show the corresponding requirements for drastic expansion, recasting and broadening for federal and local programs if these needs are to be met in accordance with the aspirations and resources of our American Society.

1. At the end of 1965, the estimated population of the U.S. was 195.5 million. The median official projection is that in 20 years the population will grow to about 260 million in 1985. This will represent a growth of about one-third in two decades, representing 65 million people and about 20 million households. By the year 2000, the U.S. population will be substantially in excess of

300 million. At least four-fifths of this population growth will occur in urban and urbanizing areas.

2. In 1960, 11.4 million dwelling units in the U.S. or almost one out of every five dwellings in the U.S. were dilapidated or deteriorated. There has been no substantial improvement in this overall situation in the succeeding six years. In addition, many of the so-called standard dwellings are obsolete or obsolescent, poorly located, or deficient in modern facilities and will require replacement before the end of the century.

3. In 1964, in the midst of unprecedented national affluence and prosperity, 18 percent or approximately 10 million American households had annual incomes below $3,000 and 35 percent or 19.6 million households had incomes below $5,000. Households in these income ranges occupy an overwhelmingly large proportion of the substandard dwelling units previously identified.

4. For a number of years, there has been widespread agreement that a sustained housing production rate in the general range of 2.5 million dwelling units a year will be required to meet population growth and to eliminate the slums and bad housing conditions summarized above. The fact is, as we all know, that actual housing production has been frozen for years at about 60 percent of this target and has served almost exclusively families and individuals above the national median in incomes. There is no evidence of any major breakthrough in this regard. Furthermore, the two on-going federal programs which have demonstrated ability to meet the needs of families and individuals of low and moderate income—the Low Rent Public Housing Program and the FHA Below Market Interest Rate Program—produced between them about 45,000 dwelling units in each of the years 1965 and 1966. This figure represents 9% of the annual rate needed for those of low and moderate incomes.

5. Residential construction in 1966 was alarmingly below this minimum. The rate of housing starts skidded downward until it reached a 20-year low in October 1966. For the whole of 1966, the rate of non-farm housing starts had dropped disastrously to 1.25 million dwelling units. This is half of the annual rate of 2.5 million which we need. As is well known, the greatest drop in construction has occurred in multifamily housing. Yet it is the multifamily housing that is most responsive to the needs of lower income families and the needs of our cities.

6. Housing starts in 1967 are destined to be fewer than in any year since 1946. This is a dismal prospect. For millions of our families, it is the prospect of distress from an unmet housing need. We must reject the inevitability of this prospect. Instead, we call for action, prompt and decisive, that would redress the imbalance and restore strength and vigor to residential building. We must bring housing construction up to the level commensurate with the needs of the people and with the requirements of a healthy, expanding economy. A decent home for every American family should become a reality in this prosperous nation of ours. We can't achieve that goal unless we increase the flow of money into housing in the amounts necessary for an adequate housing program to meet the needs of all income groups.

7. The shortage of existing community and public facilities of all types, even in advance of the projected population growth, and the increasing obsolescence and deterioration of many existing facilities continue to be the hallmark of the urban and suburban scene throughout the country. This is the product of the severe limitations on local public financial resources—notwithstanding large increases in local debt and local taxes—and of the grossly inadequate scope of federal aid programs in most categories.

8. The spread of suburban sprawl continues to mar the landscape, reflecting inadequate support for planning, short-sighted land policies, and the inadequate scale of programs for central city renewal and reconstruction.

9. The housing deficit—enhanced by the lag and depression in housing construction—is at the heart of the urban crisis. In meeting the urban crisis, our efforts must be directed to the solution of this central problem: the unmet need for good homes within the financial reach of all Americans.

10. The persistence of slum and blighted conditions constitutes a glaring contradiction to American resources and achievable American aspirations to establish a decent standard of living and a rewarding environment for all our population. As recent experience has shown, these large areas of blight, dilapidation and poverty are also breeding grounds in our cities for social disorders which are a blot on the image of American Society, at home and in the world.

A-IV. Suggested priority of housing and urban affairs in Federal programs

This grim picture will inevitably become grimmer unless there is a drastic realignment of national priorities. Such a realignment will require a re-thinking in depth of our federal and local programs and activities and a massive upgrading of the federal financial commitment for programs affecting the welfare of the vast majority of the American people.

The human needs of HUD programs have been given a lower priority in the Budget than space and other programs. This is clear from the wholly inadequate level of all HUD programs when measured against needs affecting the welfare of the vast majority of the American people. The programs for housing and meeting our urban crisis should not be given a lower priority than the highway program, the space program, or putting a man on the moon.

As a nation, we have fully recognized the importance of space exploration, but we have failed to recognize the even greater importance of an adequate program for housing and for meeting the urban crisis. If we can spend over $5 billion a year on the space program, we should certainly spend much more than that amount for necessary housing and better communities—and we mean net expenditures, after deducting receipts from sales of participations in HUD loans or repayments on such loans.

As a people, we are willingly spending $30 billion for the interstate highway system at an annual rate of $4.4 billion in Federal grants. We spent $5.9 billion for space research and technology in Fiscal Year 1966. Indeed, as shown by the 1968 Federal Budget figures cited below, we will spend 13 times more money for space research and technology during Fiscal Years 1966, 1967, and 1968 than we will spend on all of the programs administered by the Department of Housing and Urban Development ("HUD") during the same period.

Fiscal year	Department of Housing and Urban Development [1]			Space and technology
	Expenditures	Receipts	Net expenditures	
1966 (actual)	$5,126,000,000	$4,360,000,000	$767,000,000	$5,900,000,000
1967 (estimated)	6,478,000,000	5,892,000,000	586,000,000	5,600,000,000
1968 (estimated)	6,289,000,000	6,391,000,000	(2)	5,300,000,000

[1] For the supporting figures as to Department of Housing and Urban Development expenditures and receipts, see p. I-4 of publication entitled "Department of Housing and Urban Development—Summary of Budget Authorizations and Expenditures in the Budget for Fiscal Year 1968."

[2] No net expenditure, but net budget receipt of $102,000,000.

In the Budget for Fiscal Year 1968, HUD will not have any net expenditure—instead it will have a net income of $102 million. What is the explanation of this? First, it is because HUD is receiving recoverable assets on many of its programs, which are loans rather than grants. Through sales of participations, private financing is taking over the HUD investment in these loans. The proceeds of participation sales represent receipts which offset the expenditures for the recoverable loans made by HUD. Second, it is because FHA and FNMA charge fees or insurance premiums which cover their administrative expenses and offset losses on defaulted loans. Third, it is because the HUD programs of grants and aids are wholly inadequate to meet the needs of this country as described in these resolutions.

It is now time to allocate our resources in a way to make sure that the human needs of our people—which includes their need for a good home in a good neighborhood—receive the high priority which they deserve. Housing and other human needs of our people must not be sacrificed to the needs of space, highway and other programs.

We should now unleash the resources, the initiative, and the drive of the American economy to carry out the housing, community facilities, model cities, and other programs recommended in these resolutions. They are at the heart of the urban crisis. We should apply the same daring and ingenuity in these fields that we have applied in other fields where America has won world acclaim.

These programs should be given the money they need to do the job that must be done. The Administration should remove its restraints on the use of funds already authorized by law. Congress should increase the authorizations which are inadequate for these programs. We should set our domestic economy on a path of sound and balanced progress and growth to meet the housing needs of our people and to overcome the urban crisis; also, to increase the level of residential construction to sustain the requirements for a healthy economy and to avoid a recession.

Besides giving high priority in the federal budget to housing and urban development, the Administration should include HUD in all of the top councils of government concerning the formulation of policies on financial, planning, and economic matters. This includes not only immediate programs as recommended in these resolutions, but those that relate to the Post-Viet Nam period. As Vice President Humphrey said in a recent speech, the United States must be prepared to use wisely the billions of dollars which will be available for the good and welfare of this country once the Viet Nam conflict is over. Certainly, at that time housing and urban development should have a top priority.

A-V. Schedule of programs needed to accomplish objectives

The following is a schedule of the programs needed to accomplish our objectives now and for the coming decades:

1. Massive programs to increase and improve the national housing supply through measures which will raise production to the absolute minimum of 2.5 million dwelling units per year; also, to eliminate slums,

blight and deterioration within 20 years and provide for needed replacements.

2. The development of programs which will result in the production of at least 500,000 dwelling units per year for families and individuals of low and moderate income. This requires a many-fold increase of the total current volume of production for low and moderate income families and individuals. To achieve this, we must fully utilize all authorizations, speed up processing, and remove government restraints. All existing authorizations must be translated into production. It is necessary that there be a full implementation of the rent supplement program, with authorizations in the Appropriations Act for rent supplement contracts in the total amounts provided in the 1965 Act. In addition, we must increase three-fold the total amount of the present inadequate Congressional authorizations for housing to serve those of low and moderate incomes.

3. Establishment of vacant land development programs and land reserves programs which will be essential for the new housing and related facilities needed to accommodate the population growth in urban centers and to permit the renewal and redevelopment of slums and blighted areas.

4. The establishment of programs recognizing the failure of most residential rehabilitation efforts and introducing the capital or other subsidies necessary to make rehabilitation work on a large scale.

5. The establishment of federal grants for local public facilities of all types at a scale of at least $2 billion a year, with maximum flexibility for local determinations based on sound plans.

6. The development of new approaches to bring order and progress out of the present metropolitan area chaos through: substantial financial incentives for coordination of metropolitan area functions; the establishment of federal local governmental approaches for area-wide problems and programs; the encouragement of the consolidation of local governments where appropriate; and the encouragement of interstate compacts where desirable. This could be accompanied in large urban centers by administrative and political decentralization of decisions that are local in character and impact.

7. Effective programs of federal assistance for the establishment of new towns on a planned basis to help meet the needs of metropolitan population increases and to organize dispersal in order to relieve congestion within the cities.

8. The full implementation of the model cities program with an appropriation of $900 million for supplemental demonstration grants and an additional $12 million for planning. In addition, this program should be extended to all qualified cities, with additional authorizations in an amount sufficient to meet the long-run need for financing the model cities program on a nationwide basis.

A–VI. The 20-year housing perspective

1. To achieve the housing priority proposed above, it will be necessary to build a total of 45 to 57 million new dwelling units in the next 20 years; the high range in this projection would represent in effect the equivalent of the entire national housing stock in existence in 1960. This would represent an average 20-year annual production rate of between 2.2 million and 2.8 million units a year, with a rate in excess of these averages during the closing years of these decades in order to offset the lead-time which would be involved in expanding production up to the required levels. These projections contemplate accommodating the anticipated net household formation over the next 20 years, the replacement of existing substandard housing as well as of the units which will be eliminated by other demolition or losses, and the replacement of other presently existing housing at an annual rate of one percent to two percent of the present national inventory.

2. An indispensable element in achieving these goals as well as of accomplishing the social objectives of this housing priority will be to expand the rate of production of housing for the largely neglected low and moderate income segment of our population at an even sharper rate. If real progress is to be made in providing satisfactory housing for this disadvantaged section of the American population, a minimum 20-year target is production at an average annual rate of 500,000 units to produce a total of 10 million dwellings by 1987. This would require a three-fold increase in annual production over the levels contemplated by the 1965 Act. It would also clearly require overhauling and increasing flexibility of the existing programs and doubtless the development of additional approaches for housing production and finance in this critical phase of the market.

3. The accomplishment of the related 20-year goal of replacing all substandard housing by 1987, will obviously require a very large expansion in the critically underfinanced urban renewal program and the perfection of more flexible approaches to speed up the execution of urban renewal projects and multi-family housing on a greatly broader scale. Communities currently are generating demands for federal urban renewal grants at a rate of about $130 million per month or $1.5 billion per year. A tripling of this rate of urban renewal commitments would appear to be a minimum if the 1987 goal is to be achieved. This would also give financial reality to the model cities program for broad scale local programs to eliminate slums and blight.

4. The extension of the model cities program to all cities that can qualify, with increases to 1 billion dollars annually in the authorizations for supplemental Federal grants and for planning.

A–VII. Support for new legislation enacted in 1965 and 1966

In response to the wise and farsighted recommendations of the President, the 89th Congress enacted legislation which represented a memorable landmark in the recognition by our national government of its responsibilities for leadership and assistance in meeting the massive problems of urban and urbanizing communities where the great preponderance of the U.S. population lives and works. The legislation also covered rural areas which have been left behind. The major laws enacted were:

1. The Housing and Urban Development Act of 1965 ("the 1965 Act").
2. The Law establishing the Department of Housing and Urban Development.
3. The Demonstration Cities and Metropolitan Development Act of 1966 ("the 1966 Act").
4. The laws to stimulate the flow of mortgage credit for residential construction through FNMA purchases of mortgages and through participation sales in mortgages previously purchased by FNMA.
5. The Act amending the Urban Mass Transportation Act of 1964 and providing new authorizations and training and research programs.

We pay tribute to the outstanding services of the chairmen of the committees and subcommittees which handled the legislation—Senator Sparkman, Congressmen Patman and Barrett—and to Senator Muskie who accepted Senate sponsorship of the Demonstration Cities and Metropolitan Development Act; also to their able staffs. We express appreciation to many members of Congress in both parties who supported this legislation. We want to acknowelge the able work of the Secretary of HUD and his staff on this legislation and its presentation to the Congress and the people; also for the drive of the Congressional liaison staff of the White House. Finally, we want to emphasize the great assistance of the many national organizations who worked together in securing public understanding and support of the legislation.

Notwithstanding the importance of this legislation and the signficance of the new and extended programs which it authorized, our total machinery for meeting the measurable needs and requirements in these areas is still fractional. We need a long overdue breakthrough toward establishing national programs in dimensions and scope commensurate with national needs for housing and community development and for meeting the urban crisis.

A–VIII. Accelerated production instead of restraints by administration

These resolutions cite the slow rate of production of housing under government-assisted programs where laws have been passed which provide necessary funds and authorizations. At this critical time of urban crisis, we need a speedup in programs designed to meet that crisis. NHC urges affirmative action by HUD to carry out the full intent of housing and urban development laws, and to remove restraints and restrictions which have slowed down these programs that are so urgently needed.

NHC finds that in the administration of programs under HUD there exists a damaging disparity between (a) statutory objectives concerning housing and urban development programs, and (b) the administrative interpretations, actions and inactions under existing laws. There is a lack of uniform interpretation of statutes and regulations, and unwarranted administrative determinations which defeat the objectives of the laws and the intent of Congress. This results in disastrous delays and costly failures in meeting urgently needed housing and community development programs.

Too often, decisions and policies are made by HUD which are largely responsive to, and influenced, by, attitudes of a few Congressional critics, rather than the mandates in the laws adopted by the majority of the Congress. There are many instances cited in these Resolutions of administrative actions and restraints which are resulting in a slowdown of housing construction and denial of homes which are desperately needed now to overcome the urban crisis. Two specific examples may be cited:

1. There was a general complaint by NHC members that *administrative* cost limitations have been established in many HUD programs which are unworkable in the larger cities that face the greatest need for these programs. As a result, this housing is being pushed into outlying areas instead of being built within the cities where the great need exists, near places of employment and public transportation. The existing *statutory* cost limits permit HUD to enable housing to be built within the larger cities which will serve the income groups contemplated by the programs. HUD should fully use this authority.

2. In determining family incomes for admission to projects subject to income limits, HUD uses different rules in housing programs which are comparable and should have the same rules. For years, public housing has allowed appropriate deductions or exemptions in computing family income, but similar deductions or exemptions are not recognized in the FHA programs involving rent supplements or the 221(d)(3) below-market program.

HUD has discouraged the submission of new applications in programs where a backlog of unsatisfied applications exists. NHC is strongly opposed to this discouragement of applications for HUD assistance. Even when there is an unsatisfied backlog of applications, HUD should continue to accept applications. There is no better way by which HUD can learn the needs and demands for programs which it administers, so that it can document and support requests for necessary Congressional authorizations and appropriations.

In many of the HUD programs to meet urban housing and development problems, we are pioneering in difficult areas of need, which will inevitably involve risks that the government must assume. In some programs, premiums are charged for government insurance against these risks. Present restraints and restrictions which seek to eliminate all risks are resulting in the biggest risk of all for our nation—the slowdown of housing construction and denial of homes that are desperately needed now to overcome the urban crisis.

The public and social purposes of these programs are paramount. They must be carried out with all the drive and daring that is required and with full recognition that the government is underwriting risks.

A–IX. *Failure of administration to use authorizations for FNMA special assistance programs*

In addition to the foregoing HUD restraints and restrictions which have slowed down programs, the Administration has failed to use fully the authorizations in existing laws. The Administration has impounded large amounts of Congressional authorizations, even though these authorizations are grossly inadequate to meet current needs. This failure to use Congressional authorizations has contributed to the current low rate of housing construction and the denial of homes which are urgently needed by people of moderate incomes. The following table makes a comparison between the amounts authorized for FNMA special assistance programs and the much lower amounts which the Administration has made available for allocation and commitments:

Comparison of congressional authorizations with their use by administration

Programs	Amount authorized	Amount which administration made available for use
1. FNMA special assistance purchase of mortgages under sec. 221(d)(3) below-market interest rate program.	The committee report on Housing and Urban Development Act of 1965 stated the administration planned to utilize $1,500,000,000 of additional FNMA special assistance authorization for purchase of below-market interest rate mortgages. This was to be available at an accelerating rate which would involve about $450,000,000 for the current fiscal year.[1]	Of about $450,000,000 projected for this fiscal year, the administration initially impounded all but $32,000,000. Later through participation sales and loan repayments and additional $218,000,000 was made available to FNMA for 221(d)(3) allocations; so $200,000,000 is still impounded. During this fiscal year, the rate of 221(d)(3) allocations will be greater than this $250,000,000 made available, due to recaptures and carry-overs. The impounding of $200,000,000 of 221(d)(3) funds has contributed to a slowdown in the progress of the program, as adequate allocations are not made for advance project planning and initiation. Since the 221(d)(3) program started in 1961, there has been FHA insurance and starts of only 53,000 units. In calendar year 1966, starts totaled about 14,000 units instead of the expected 40,000 units a year. Required action: Full balance of $200,000,000 of 221(d)(3) authorization should be released now for allocation.
2. Cooperative revolving fund authorized in 1955 for FNMA purchase of FHA-insured mortgages under sec. 213, now fixed by law at a maximum of 5¼ percent interest rate.	Uncommitted balance of $131,000,000 in revolving fund	For the remainder of fiscal year 1967, administration had impounded the entire balance in the fund, until it recently released $50,000,000. Of these released funds, about $17,000,000 has been committed. Of the $131,000,000 uncommitted balance, $33,000,000 is available for FNMA commitment and $98,000,000 is impounded. Budget for fiscal year 1968 contemplates use of only $20,000,000. Cooperative projects cannot proceed without FNMA commitments since financing at the statutory maximum rate of 5¼ percent is not otherwise available. Required action: Impounded balance of $98,000,000 should be released now for FNMA commitments.
3. FNMA special assistance on projects: (a) Located in urban renewal areas; and (b) Nonprofit housing for the elderly and experimental housing.	Uncommitted balance of about: (a) $41,000,000 for housing in urban renewal areas; (b) $16,000,000 for nonprofit elderly housing and experimental housing. There was a transfer of $500,000,000 from special assistance funds for these and other programs when Congress authorized $1,000,000,000 for FNMA purchases of home mortgages as described in item 5 below.	For fiscal year 1968, the budget contemplates a total of only $55,000,000 for projects in urban renewal areas. Required action: When additional funds become available through the sale of FNMA participations or otherwise, there should be a restoration of the $500,000,000 taken from FNMA special assistance for multifamily housing, so it will be available for FNMA commitments.
4. Last year Congress authorized FNMA to participate with private lenders in providing construction financing on multifamily projects in cases where FNMA is now authorized to issue special assistance commitments to purchase the mortgage upon completion of the project.	Such construction financing is authorized on most of the special-assistance programs described in 1, 2, and 3 above.	The administration has not implemented this program. While more funds are available for construction financing than previously, FNMA participation in construction financing is still needed to expedite multifamily housing for lower income families; also to assure that such financing is available at reasonable interest rates and service charges. Required action: This law should be implemented without further delay.
5. Last year Congress authorized FNMA special assistance purchases of insured mortgages on homes where amount does not exceed $15,000 per house (subject to certain exceptions).	$1,000,000,000	Administration had impounded all of this except $250,000,000, but recently released an additional $550,000,000. Required action: Balance of $200,000,000 remains impounded and should be released for FNMA purchases of mortgages.

In the above table, the most notable example is the impounding of over $200 million of 221(d)(3) allocation authority for later FNMA commitment. This results in a slowdown of the program to serve people of moderate incomes who cannot be reached by normal private enterprise at market interest rates.

The 221(d)(3) program is seriously jeopardized by the lack of adequate funds for allocation to projects. There is a long lead time involved on 221(d)(3) and other multifamily housing projects. It is imperative that allocations be made now to enable the advance planning and initiation of entire projects. Otherwise, even next year, we will not reach the projected level of 40,000 units of construction contemplated by the law. The full balance of $200 million allocation authority should be released immediately for allocation under the 221(d)(3) program.

This will not affect the Budget during this or the next fiscal year, since there would be no actual disbursements until the fiscal year commencing July 1, 1969. This is due to the long period of time required to initiate and complete multifamily housing projects before FNMA would be called upon to purchase these mortgages on the completed projects. This same situation exists with respect to the recommended releases of FNMA special assistance authority on other multifamily housing as listed under items 2 and 3 of the above table.

The Administration should utilize all of these authorizations and do so fully and quickly. It should also provide all of the staff that is needed for these programs, free from present employment ceilings and from restraints on filling vacancies. The Administration should carry out the mandates expressed in the laws as finally enacted by the majority of the Congress in response to the dynamic and effective leadership of the President.

CHAPTER B. MODEL CITIES PROGRAM AND METROPOLITAN PLANNING

B–I. Model cities program

NHC is deeply impressed by the objectives of the Demonstration Cities Program authorized last year. Notwithstanding the progress and expanding activities directed toward the elimination of slums and blight in more than 800 communities throughout the country, it is obvious that only a small fraction of these pressing problems have been corrected by national efforts to date. There persist in most communities large sections characterized by slums, congestion, poverty and all the attendant social evils.

Through the hearings of the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations, public attention was concentrated on the problems causing our urban crisis and on the need for large Federal programs and expenditures to solve those problems—as we are recommending in these resolutions.

NHC registers its enthusiastic endorsement of the broad objectives of the model cities program (which it is now more aptly called) to launch massive local programs for the upgrading of broad sections of cities through the concentrated and coordinated use of all available federal aids and local private and governmental resources, including the supplementary federal grants authorized by the law. NHC welcomes the law's recognition that the solution of the human problems in these areas requires more than the upgrading of the physical environment and must involve equally a great intensification of social programs and services. The solution requires a tremendous expansion in the supply of adequate housing for low and moderate income families and individuals and of essential community facilities and services.

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[1] While the Participation Sales Act of 1966 repealed $450,000,000 of the additional FNMA special assistance authorization available on July 1, 1966, the Senate committee stated that it had been assured there would be a compensating amount restored to this authorization through sales of FNMA participations. So repeal was not intended to affect the amount available for FNMA special assistance. Additional FNMA special assistance authorizations of $550,000,000 and $525,000,000 are to become available on July 1, 1967, and July 1, 1968, respectively. For fiscal year 1968, the budget estimates reservations of $500,000,000 of FNMA special assistance for the below-market interest rate program.

The comprehensive and coordinated attack on these problem areas in the 1966 Act therefore holds forth the promise of greatly expanded local programs and greatly expanded federal assistance to communities to overcome these blots on American Society. NHC is convinced that, on the basis of experience and progress in communities over the past decades and of the growing recognition of the need for greatly expanded efforts in this direction, these objectives can be achieved if sufficient federal financial support and leadership are forthcoming.

NHC recommends and urges that Congress appropriate the full amount of funds authorized by the 1966 Act for supplemental grants and for planning under the model cities program. This amounts to $900 million in supplemental grants—$400 million for the fiscal year ending 1968, and $500 million for the fiscal year ending 1969. It includes $250 million of urban renewal authorizations for model cities, in addition to the authorizations of $750 million for the regular urban renewal program during each of the fiscal years 1968 and 1969. It also includes the appropriations for the additional $12 million of planning funds for the model cities program for the fiscal year 1968. In his message on Urban and Rural Poverty, the President has urged that Congress appropriate the foregoing sums applicable to the 1968 fiscal year.

To achieve the objectives of the model cities program, it is also necessary that there be full coordination among all of the participating constituents within HUD and all of the other participating agencies of the Federal Government. Moreover, each of them must effectively utilize all of its powers in doing its share of the total job that must be done. This is a challenge that requires the full measure of devotion on the part of all concerned.

There are some people who favor "block grants" and a Federal tax sharing with State and local governments, but who nevertheless oppose supplemental grant for the model cities program. This we find hard to understand. The model cities program is the only one now on the statute books which will give local governments the untied grants urged by block-grant advocates. Consistent with their principles, they should support the supplemental grants for model cities.

NHC believes that the untied supplemental grants are justified in the model cities program where they serve a sound public purpose. They are given as an incentive to cities to develop model programs for the improvement of entire neighborhoods.

With respect to proposed programs of block grants and Federal tax sharing which involve untied grants generally, NHC opposes such programs because they do not provide necessary incentives or requirements to achieve social objectives, such as the housing and urban development programs recommended in these Resolutions.

Today, when our most pressing domestic problem is to provide housing and urban development to meet the urban crisis, the Federal Government must pay large sums in grants for these programs. In these Resolutions we have recommended the programs which require such grants and the amounts of grants that are necessary to achieve our 20-year goals. Also, we have urged increases in the percentage amounts of these grants which are needed because of the financial plight of local governments. We can only meet the housing and urban development needs of America if the Federal grants are given, subject to incentives and conditions which will assure that the moneys will be used to meet these needs.

NHC has reservations with respect to the 1966 law. These do not run to its objectives but rather to the question of whether adequate federal resources will be made available to realize these promises. Specifically:

1. There can be no question that the number of cities throughout the United States which are qualified to meet the requirements for a model cities program, and which would be vitally interested in availing themselves of this imaginative broader approach, are substantially in excess of the 65 to 70 cities which were intended to participate in the program. In the interest of the long overdue expansion in national programs for elimination of slums and blight, NHC seriously questions a policy which would discriminate against cities of equal capacity and equal commitment to accomplish the laudable objectives of the law.

NHC therefore strongly urges that the model cities program be made available to all qualified cities which apply. NHC also strongly recommends that contract authority for the total supplemental demonstration grant of $900 million recommended by the President become available immediately, instead of being split between the fiscal years 1968 and 1969, and that planning funds in the amount of $25 million be made available annually. The volume of the ensuing applications from qualified cities would then place both the Administration and the Congress in position to gauge the long-run need for financing of the model cities program, which clearly will be at least $1 billion a year.

2. Another factor of equally great concern is the inadequate financing of the underlying programs which would establish the basis for model city programs. It is clear that the most fundamental of these programs is urban renewal which obviously would represent the core of any model city program. The urban renewal capital grant authorization, as established by the 1965 Act, is far below the rate of request for commitments for eligible projects which are currently being received from the more than 800 communities participating in that program. The result is that there is a current backlog of applications involving about $1.4 billion in capital grant commitments and that commitment authority for any new projects, no matter how meritorious or urgently needed, is evidently not possible before the beginning of the next fiscal year. Furthermore, as to the additional contract authority of $750 million for the fiscal year 1967–68, the indications are that the backlog of pending eligible applications will rapidly exhaust this amount.

The whole implication of the Demonstration Cities Act is that urban renewal activity in the participating cities will have to be greatly expanded in order to accomplish the objectives of the program. This situation leads to two major conclusions: *first,* that the urban renewal program as such is substantially under-financed and, *second,* that the increased demands for urban renewal commitments which will be generated by the model cities program cannot be accommodated by the increase in the 1966 Act of $250 million above the present urban renewal authorization of $750 million for fiscal years 1968 and 1969.

It is necessary to increase substantially the urban renewal authorization. NHC therefore urges that the capital grant authorization for urban renewal be increased by $1 billion per year for a 3-year period (as described more fully in the later resolution on this subject). Thereafter, the increase should be threefold above the $750 million level per year.

3. In the light of the far-reaching objectives of the 1966 Act, comparable problems of underfinancing are presented by related grant programs authorized by the 1965 Act which are involved in many if not all aspects of the model cities program. This relates particularly to the programs for grants for basic water and sewer facilities, grants for neighborhood facilities, and grants for urban open space and beautification (as described more fully in the later resolution on this subject).

4. There must be an increase in the supply of adequate housing for low and moderate income families and individuals as an indispensable element in the undertaking of the proposed model cities program. The accomplishment of this objective, and the satisfaction of the relocation requirements of the program, will necessarily require the development of new housing and related community facilities either on vacant land or on other sites not involving substantial residential displacement. It should therefore be clearly recognized that increased federal assistance will be necessary for such residential development, particularly multifamily housing which will predominate in the larger cities as land costs and densities increase. Such housing is not limited to what will be provided in the model program area or in the city itself.

B–II. Metropolitan planning

NHC recommends the appropriation for fiscal years 1967 and 1968 of the combined amount of $80 million which was authorized by Congress as supplemental grants for metropolitan planning. These are needed to achieve more effective coordinated metropolitan area planning and program development. The supplementary grants authorized for metropolitan areas would provide an important incentive for the development of sound metropolitan plans and programs to accommodate the vast expansion in population which will occur in these areas over the coming decades. We therefore recommend favorable action by Congress on the full amount of the foregoing appropriations to implement this program.

At the same time, we again point out that the requirements for public facilities of all types which will be needed in support of the impending sharp expansion in metropolitan area population will greatly exceed present funding of the related federally-aided programs. Substantial increases in these authorizations are essential (as later described) in view of the severe limitations on local governmental financial resources.

CHAPTER C—HOUSING PROGRAMS TO MEET NEEDS DURING NEXT 20 YEARS

C–I. Low-rent public housing

The 1965 Act authorized annual contributions contracts sufficient to finance about 60,000 dwelling units per year for public housing purposes for four years through new construction, rehabilitation, lease or other contractual arrangements for use of suitable private housing. Of these units, the legislative history indicates that only about 35,000 units per year will be new housing.

The NHC is convinced that there is demonstrable need for additions to the supply of low-rent public housing at a rate of at least 125,000 units a year. For the 4-year period covered by the 1965 Act, this would require additional annual contribution authority sufficient to finance an additional 65,000 units per year or a total of 260,000 new units. The additional authorization should include the past, present, and future portion of the 4-year period covered by the 1965 Act, as this will help meet the backlog of need.

As set forth below, NHC also favors various amendments to the U.S. Housing Act of 1937 which would improve the workability of the program and broaden its local acceptance.

NHC is impressed by the early evidence of widespread community acceptance of the new provision in the 1965 Act authorizing the use of suitable private housing for low-rent purposes through lease or other agreements between local authorities and the owners and operators of the private housing. As an extension to its present authority to use existing private housing, NHC also recommends legislation authorizing housing authorities to enter into agreements with private developers for the use of portions of new housing developments.

We commend HUD for its flexibility in using existing legislative tools to develop an innovative program which will enable low-income families to live in the same projects as families of moderate incomes assisted under Section 221(d)(3), instead of isolating families based on their incomes. This program will enable low-income families to continue in occupancy when their incomes increase, at which time they would no longer receive public housing subsidies, but would get the benefit of a below-market interest rate. When the family becomes self-supporting, it would pay a full market rate of interest.

In addition, NHC urges local authorities to examine their legal jurisdiction under state statutes from the standpoint of utilizing available private housing outside central cities for low-rent housing purposes, and, where such legal jurisdiction does not exist, to seek appropriate amendments to state laws.

NHC recommends the following perfecting amendments to the basic low-rent public housing legislation:

1. Authorization to HUD to make 100 percent Federal capital grants for writing down land costs and other site development costs for new low-rent public housing projects in excess of the re-use value not in urban renewal areas.

2. The revision of the annual subsidy formula to permit annual contributions equal to full debt service as established by permanent financing, with residual receipts being used either for project rehabilitation and improvement, or accelerated amortization. At any time after completion of a public housing project, provision should be made for reopening development cost, if necessary, and (a) making additional loans for needed rehabilitation or improvement with annual contributions correspondingly increased, or (b) making grants for such purposes as circumstances dictate.

3. Authorization for the sale of any project or part thereof to individuals, tenant cooperatives, condominiums, or other non-profit corporations where such sale would benefit community development but not restrict or reduce the number of dwellings for low-income families who need low-rent housing within that community. Such sales shall not be made where it would create company housing for rental by the employer to his employees. The proceeds from the sale of such projects or parts thereof shall be applied to the provision of substitute dwelling units for low-income families.

4. Supplement the language of the United States Housing Act of 1938, as amended, to emphasize the importance of good public housing design to the low-income family and to the local community; increase the present statutory limits on construction costs per rental room from $2,500 to $3,000 and increase the additional allowance for high cost areas from $250 to $500; and provide that the only monetary limitation to be applied in project development shall be the statutory room costs. In other words, administrative limitations should not be imposed, as is now the case.

5. Repeal the provision in the U.S. Housing Act of 1937, as amended, which requires a 20% gap between the lowest private and the upper rental limits for admission to public housing.

6. Authorization to permit low-income individuals (in addition to low-income families) to be eligible for occupancy of low-rent public housing.

7. Necessary changes in the requirements for participation in low-rent public housing to enable municipalities to construct such housing for those of low income who will later migrate into such municipalities to obtain employment in industries located therein or in servicing activities. This would include new towns or municipalities outside of central cities. It would facilitate dispersal of population and reduce the concentration of low-income families in the central cities.

8. In new and existing low-rent housing projects, there is great opportunity to provide social impetus and vitality not only to those living in the development but also to the surrounding neighborhoods. The need is both for physical community facilities on a large scale and for skilled and dedicated personnel to operate them imaginatively. The new program authorized by the 1965 Act for two-thirds Federal grants to assist communities in developing neighborhood facilities of all types, with preference to those in neighborhoods involved in the antipoverty program, affords a new opportunity to provide needed physical facilities.

9. There is an urgent need for the provision of necessary social and counseling services in low-rent housing projects and neighborhoods. Where funds cannot otherwise be obtained after consultation and coordination with other agencies, local authorities should be permitted to use project funds for this purpose and adequate provision for social and counseling services should be a required part of a project budget.

10. NHC calls attention to the fact that neither the new leasing program for use of privately owned housing for public housing purposes nor the rent supplement program for families and individuals within the public housing income range, require a local financial contribution in the form of exemption from local real estate taxes. The contribution of required tax exemption on regular low-rent projects (with a payment of 10% of shelter rents in lieu of taxes) therefore places such projects in a disadvantageous position from the standpoint of local governmental acceptance. In order to bring low-rent projects more closely in line with tax payments on other programs, NHC recommends that local housing authorities be permitted to pay 15% of gross rent in lieu of taxes, but not to exceed full taxes. Federal annual contributions should be increased accordingly.

11. At present, the special subsidy for housing elderly and displaced persons is available only in the event of a deficit operation. NHC recommends that it be made available in every instance and in an amount equal to the difference between the rent paid per month and the average cost of operation.

12. NHC recommends that the documentation required of the local planning authorities in order to qualify initially for the leasing program be reduced to eliminate the current requirements for development of detailed hypothetical data as to the extent of the potential supply of units.

13. In the 1965 Act there was a repeal as to future projects of Section 10(c) of the United States Housing Act of 1937, as amended, which provides that annual contributions to public housing agencies shall be reduced by any amounts by which the receipts of an agency exceed its expenditures. As a matter of fairness and to meet the needs of local public agencies, NHC recommends that this repeal should also apply to public housing projects existing at the time of the 1965 Act, as well as future projects.

C–II. Other housing programs for low and moderate income families

1. To expand housing production up to the annual level of 2½ million dwellings needed to meet national needs over the coming decades will require great expansion of construction for low and moderate income families and individuals—the segment of the total housing market which is not effectively served by the normal private housing industry with financing at market interest rates. NHC is convinced that the achievement of this expansion will require a wide range of approaches, including new methods not covered by existing programs, all as described in the following resolutions in this Chapter.

C–III. The rent supplement program

1. The principal innovation in this direction contained in the 1965 Act is the rent supplement program.

2. NHC supports the recommendation in the President's message that, in its Appropriation Act for the Fiscal Year 1968, Congress authorize the full amount of contracts for rent supplements authorized by the 1965 Act. This amounts to $40 million for the Fiscal Year 1968.

3. In addition, we urge that the Appropriation Act authorize contracts for the previous amounts provided in the 1965 Act which have not been implemented by previous Appropriation Acts. Before the Fiscal Year 1968, the law provided for a total of $65 million of rent supplement contracts, in Fiscal Years 1966 and 1967. However, only $32 million of this was authorized by previous Appropriation Acts.

4. Construction cost limitations have been established in the rent supplement program which are unworkable in many cities that face the greatest need for this program. NHC recommends that there be sufficient increases in these cost limitations to make it possible to build rent supplement projects within the cities where the great need exists. Only in this way can the rent supplement program fulfill its purpose of serving low-income families in the cities and near the places of employment and public transportation.

5. The success of the rent supplement program requires a staff in FHA who have the proper social motivations and qualifications. This is a social purpose program. It requires people who are wholly sympathetic with it and who are fully qualified to deal with the human problems involved. NHC urges that necessary action be taken now to assure such a staff and the expeditious achievement of the objectives of the rent supplement program. This includes social betterment as well as physical improvement of living conditions. The recommendations contained in this paragraph also apply to the below-market interest rate program designed to serve those of moderate incomes.

6. Suitable counseling services should be made available to housing programs where rent supplements are used. Such services should be allowable housing costs in computing rent supplements.

7. As finally enacted the rent supplement program was limited to serve low-income families in the group eligible for public housing. In the basic rent supplement program which involves loans at a market rate of interest, there is grave question whether these projects will achieve the objective of successful integration of different income groups in a housing development. Only 10% of the rent supplement program was authorized for use in the program involving loans at an interest rate of 3%. This part of the program will successfully achieve integration of different income groups in a housing development. NHC urges an amendment to the rent supplement program so that at least one-half of the total authorization is made available for projects financed at the below-market interest rate, since this will achieve the sound objective of combining in one project housing for families of moderate incomes and for families of low income. Housing for the elderly should be included in this additional authorization for a rent supple-

ment program financed at the below-market interest rate. (See also "Workable Program Requirement", Chapter J–II.)

8. The 1965 Act limits rent supplements to lower income families who are living in substandard housing. However, overcrowded conditions are not recognized as a substandard housing condition. As a minimum, the law should be amended to specifically include overcrowded conditions as a substandard condition. Further, the law should be amended to permit any low-income family to be eligible for housing aided by rent supplements, so long as the family qualifies as to income. Such a family should not be required to come from substandard housing.

9. NHC also believes that the provision in the rent supplement legislation requiring that low-income families pay rents equal to 25 percent of their annual income before becoming eligible for rent supplements is excessive. To eliminate the hardships caused by this provision, NHC recommends that this requirement be reduced to 20 percent, which would be generally consistent with long-established policies under the Federally-aided low-rent public housing programs as well as the continuing procedures under the FHA below-market interest rate program.

10. In addition, the present rent supplement program excludes nonprofit mortgages not insured under 221(d)(3). Many nonprofit mortgagors today hold buildings which are financed otherwise and which they are finding difficult to maintain properly and to charge rents low enough for low-income families. NHC therefore recommends an additional rent supplement program for nonprofit mortgagors, however financed, for low and moderate income families in dwellings that meet local code standards. The present rent supplement program for existing structures requires an expenditure for rehabilitation of an unworkable percentage of mortgage proceeds. Since there is a need to provide standard housing quickly for many more low and moderate income families, NHC recommends that the requirements be changed so they are workable and so they will quickly stimulate a large rehabilitation program. Also, local housing authorities should be eligible as sponsors of Section 221(d)(3) below market interest rate, Section 202 (housing for the elderly) and rent supplement programs.

C–IV. Housing for families receiving public assistance and others with very low incomes; also, code enforcement

1. Some 4 million American families now receive all or part of their income from public assistance programs. Many of these families are ill-housed, primarily because grants in all but a few jurisdictions are inadequate to pay the cost of standard housing. Moreover, public welfare programs provide no controls over the quality of housing occupied by recipients.

2. NHC commends the objectives of legislation previously introduced by Representative Widnall aimed at setting and enforcing minimum standards for housing occupied by recipients of public assistance. We urge, however, that such legislation require that public assistance shelter allowances cover the full cost of housing to the occupant and commit the Federal Government to bear the entire additional cost of meeting this requirement.

3. The 1965 Amendment on Code Enforcement should be further perfected by providing that the federal grants should equal 75%, irrespective of the size of the city. At present the larger cities only receive a two-thirds grant, while cities under 50,000 receive the 75% grant. The larger cities need the larger grants as much as the smaller cities. NHC urges an acceleration and emphasis in the program of concentrated code enforcement in deteriorated or deteriorating areas, together with necessary public improvements to arrest the decline in these areas. These improvements should include the provision and repair of necessary streets, sidewalks, street lighting, tree planting, parks, open areas, recreational facilities and similar improvements within these deteriorating neighborhoods. (A new program for rehabilitating properties up to code standards is discussed in Chapter C–IX.)

4. NHC endorses in principle and will undertake to study, the provision of grants to provide housing that is up to minimum code standards for families of low income who are not receiving public assistance. Such grants would be administered by a local housing authority or other appropriate agency.

C–V. Housing for those of moderate incomes

1. A major difficulty in our housing program today is the failure to provide sufficient housing for those whose incomes are above the maximums set for admission to low-rent public housing, but below the income needed to obtain standard private housing financed at market interest rates. As originally presented to Congress, the rent supplement program is limited to families eligible for public housing, so that no part of that program will meet the needs of the moderate income families who are in the so-called no man's land or gap between the eligibility for public housing and the financial ability to obtain good housing in the private market.

2. The 1965 Act provided for an additional below-market interest rate program under 221(d)(3) of 40,000 dwellings a year during a four-year period. There was a corresponding increase in the FNMA special assistance authorization to purchase mortgages under this 221(d)(3) program. This housing under 221(d)(3) has been provided by cooperative, nonprofit, and limited distribution mortgagors. It serves those of moderate incomes who are unable to obtain adequate housing in the private market.

3. Progress under this program has been much slower than anticipated. Since the program was started in 1961, there have been FHA insurance and starts of construction or rehabilitation on only 53,000 dwellings. During calendar year 1966, such starts totaled about 14,000 dwellings instead of the contemplated rate of 40,000. This low rate of starts under 221(d)(3) has been due to several conditions which NHC urges the Administration to correct:

(a) There has been a cutback in the amount of funds made available for allocations. There have been corresponding reductions in the amounts allocated and restrictions that have discouraged new requests for allocations. Thus, of about $450 million in FNMA authorization projected for use in the Fiscal Year 1967, the Administration impounded $200 million.

(b) There has been such long and cumbersome processing that it takes an average of 18 months from the time a project is initiated until FHA issues its commitment for insurance. Then, it often takes an additional 18 months to complete the FHA-insured financing and the construction. So, frequently, it takes 3 years before 221(d)(3) housing is occupied.

(c) There has been difficulty in getting construction financing at fair rates and charges. Yet, the Administration has failed to implement a 1966 law which authorizes FNMA to participate with a private lender in providing such construction financing.

4. To accelerate the construction of housing for those of moderate incomes, the Administration should make immediately available the $200 million which it impounded from the $450 million that became available on July 1, 1966 for the 221(d)(3) program. In addition to this $200 million, the Administration should fully utilize the additional FNMA special assistance authorizations of $550 million to become available on July 1, 1967. For the Fiscal Year 1968, the Budget estimates reservations of only $500 million of these FNMA special assistance funds for the below-market interest rate program. There will be a remaining $525 million of authorization of FNMA special assistance that will become available on July 1, 1968 pursuant to the 1965 law. NHC recommends the full and expeditious use of these funds.

5. These authorizations in the 1965 law are, however, demonstrably insufficient to meet anywhere near the volume of housing needed by the moderate income group. There must be a three-fold increase in annual production over the levels contemplated by the 1965 Act. We need a new FNMA authorization of 3% interest loans under 221(d)(3) covering 100,000 additional dwellings a year or 300,000 additional dwellings during the next 3 years. NHC recommends and urges a $1.5 billion increase in the FNMA special assistance authorization to provide the funds required for this program. Since this would be an increase in a revolving fund which would be replenished by sales of FNMA participations in the mortgages purchased, this amount of increased authorization should suffice to cover the 300,000 additional dwellings during the next 3 years.

6. The FNMA authorizations constitute a revolving fund for future loans under this program through the utilization of the 1965 Act to pool and sell participations to private investors in a trust secured by below-market interest mortgages. The 1965 Act authorizes Federal appropriations to reimburse FNMA for the difference between the rate FNMA pays on the sale of participations to private investors and the 3% rate it charges. With the sale of FNMA participations, private investment money is substituted for the Federal investment, so the program will represent no burden on the Budget, except for the differential in interest rates.

7. Section 221(d)(3) of the National Housing Act should be amended to permit more than 10% of the units in a project to be available for moderate-income individuals as distinguished from families; such permission for 10% was authorized in the 1966 Act. All moderate-income individuals would then be treated in the same manner as individuals who are elderly or handicapped.

8. The administrative regulations of FHA and FNMA applicable to the 221(d)(3) program should be amended in the following ways:

(a) To adopt measures which will remove impediments to the development of projects in high-cost areas, including high-rise (and in some instances low-rise) buildings in appropriate locations where they are needed. The present cost limits are unworkable for such areas. The practical effect of present FHA cost limits is to force most of the 221 (d)(3) housing into outlying areas, rather than to encourage its construction within the cities where employment and needed public transportation are available. While FHA allows its present cost limits to be increased in the event there is a partial tax abatement, such tax abatement is often not available because of restrictions in state and local laws. Moreover, many of the cities are facing problems of inadequate tax revenue and are reluctant to grant tax abatements. Tax abatements on such housing under 221 (d)(3) should not be required, since it is not required under the program for the leasing of privately-owned housing for public housing purposes or under the rent supplement program. The present FHA cost limits need to be increased to enable 221(d)(3) projects to be built within cities, without tax abatement. Such housing is urgently needed within the cities to serve those of moderate incomes near their places of employment and near public transportation.

(b) To amend the FNMA limitation on special assistance purchases of mortgages under 221(d)(3) so that it will include the exception for urban renewal areas which is applicable to other multifamily housing.

This is necessary due to the higher costs of housing that generally prevail in urban renewal areas.

(c) To amend existing regulations and directives which preclude nonprofit sponsors from participating in the 221(d)(3) program because of requirements for guaranties which are unworkable as applied to most nonprofit sponsors, including church groups. This recommendation is discussed in more detail in a later resolution.

9. To facilitate the formation of nonprofit organizations to sponsor 221(d)(3) housing, NHC recommends that a program be developed along the lines of the Travia Bill in New York State to make seed money available to nonprofit organizations (including cooperatives) for this purpose.

C–VI. New programs for rental, cooperative, and sales housing for lower and middle income families

NHC is convinced that additional new programs will be needed in order to stimulate the large volume of new housing needed to reach national goals. This is consistent with the position taken by us during recent years and confirmed by the vote of the NHC membership. The following new programs should be adopted to assist in expanding the supply of decent housing available to serve families in the lower and middle income groups:

1. *Rental or Cooperative Housing.* Profit-making rental projects, and nonprofit rental or cooperative projects, should be financed by Federal loans written at the market interest rate for private mortgages. The Federal loan should cover the cost of the project, which would involve either new construction or rehabilitation. The loan would require that rents for a portion of the units be scaled down in accordance with family incomes. The rents or monthly charges which these families could pay should be certified by the local housing authority (if available) or by another local public body. For each family paying less than the market rate because of insufficient income, the sponsor should receive a corresponding credit on his monthly debt service payment to the Federal Government. The reduction for any family should not exceed the debt service on its unit. There would be no income limits for admission or continued occupancy, and rent-paying ability would be reviewed only when leases or occupancy agreements are renewed. When a family becomes able to pay the full market rent, its subsidy would cease, but it would continue in occupancy at the market rent.

2. *Sales Housing.* The 221(d)(3) formula should be extended to cover portions of ordinarily financed owner-occupied sales housing developments involving new construction or rehabilitation. The program would be subject to certain limitations. Thus, the sales price should be identical to the prices at which other comparable units in the same project are being sold, so as to assure that preferential credit terms are not used to inflate prices of specially assisted housing. Incomes of buyers should be subject to a credit review procedure. The interest rate on each mortgage should be set to accord with the monthly payment ability of the family. As families' incomes rise, they would be reviewed periodically by a credit report to establish a current monthly payment rate and current mortgage rate. When the family income can support a market rate mortgage, the mortgage would be converted to a regular mortgage. If any owner of a home who was the beneficiary of a submarket interest rate desires to sell his home, the house may be sold with conventional financing on the market at any price if the special financing is cancelled. If the owner does not desire to sell the house with conventional financing, obtained by the owner or the purchaser, he may convey title to the servicing lender who can sell the house subject to conventional financing or sell it at a fixed price (the unamortized balance plus costs) to another eligible income buyer at an interest rate meeting the needs of that buyer. Such resale would be subject to the same preferences and procedures used at initial sale.

C–VII. Cooperative housing

1. In urban areas where multifamily housing will predominate, cooperatives provide a means of achieving home ownership by the people. This produces better communities where the control and responsibility rests with the people who have a stake in their own housing development. This program has been successful in achieving ownership of housing: (a) by moderate income families under Section 221(d)(3) where FNMA financing is provided at a 3% interest rate; and (b) by middle income families under Section 213 where FNMA financing is provided at 5¼% interest rate. Congress has given full mandates and authorizations for such cooperative ownership, which we fully support.

2. Ten years ago, Congress established a revolving fund of $225 million for the purchase of cooperative mortgages insured by FHA under 213. This financing has made it possible for middle income consumers to join together to help themselves get good housing through their cooperatives. While there have been extensive mortgage purchases from the cooperative revolving fund, much of the money has been returned, so it now has an uncommitted balance of about $131 million.

For more than 10 years, whenever there was a balance in the cooperative revolving fund, FNMA commitments were issued to cooperatives upon request. Cooperatives have relied upon the availability of this fund to buy their mortgages. Suddenly, and without notice, the Administration impounded this fund, contrary to the clear mandate of Congress. NHC has previously urged the Administration to withdraw the limitation on the use of this cooperative revolving fund, so cooperatives can proceed with the construction of their projects and provide housing to middle-income consumers who have purchased these homes. We are gratified that the Administration recently released $50 million of the uncommitted balance of the revolving fund. However, additional funds are needed in order to provide FNMA commitments for projects which had acted in reliance upon the availability of the revolving fund and which have already received FHA approvals for their feasibility. NHC urges the Administration to make these additional funds available. On these projects it is not possible to obtain private financing, since the interest rate is limited by law to 5¼% and the cooperative's entire program was predicated on that interest rate.

3. In addition to providing additional funds for cooperative projects already initiated in reliance upon FMNA financing from the revolving fund, NHC strongly recommends that the balance in the cooperative revolving fund be made immediately available for the purchase of mortgages on future cooperative projects. If these funds are not made available for FNMA purchases of cooperative mortgages, the cooperative housing program under 213 would be killed. This would be a catastrophe, since the 213 program meets an important need among those middle income families and individuals who can only afford the lower monthly charges achievable through cooperative economies and financing.

4. The remaining $131 million of the FNMA revolving fund authorization in the 1955 law is insufficient to provide the volume of cooperative housing needed by such middle income families. To achieve a three-fold increase in such cooperative housing, the cooperative revolving fund should be increased by $250 million. This should be sufficient because there will be sales of FNMA participations in the mortgages purchased and a return of such sales proceeds to the revolving fund.

5. FHA should implement the 1966 Act which re-enacted the directive contained in a 1955 law for the appointment of a Special Assistant for Cooperative Housing and added to the duties of such Assistant the additional cooperative housing programs which had been enacted during the past ten years. The 1966 Act contains a mandate that the Special Assistant for Cooperative Housing is to expedite these cooperative housing operations and eliminate obstacles to the full utilization of cooperative authorizations under Sections 213, 221(d)(3) and the rent supplement program.

6. An amendment is needed in the cooperative housing program under Section 213 so that cooperatives can perform a larger role in providing better homes at lower monthly costs. One of the major amendments required is to assure the adequacy of the amount of financing under an FHA-insured mortgage to enable the acquisition of an existing property by a consumer cooperative. FHA should insure the mortgage of the cooperative on such property in an amount which can be carried by the income from the property when operated on a nonprofit basis. Appraisal formulas which capitalize income are appropriate for property operated on a profit basis. They are not workable for property operated on a nonprofit basis by a cooperative which seeks to produce only enough income to cover its costs.

C–VIII. Multifamily housing in urban areas

1. To achieve success in the model cities program and to meet the housing needs of urban areas, it is necessary to achieve a high volume of production of multifamily housing, particularly for families of low and moderate incomes.

2. During the past two years, FHA-assisted multifamily housing was only about 7% of the total multifamily housing production or only about 32,000 units a year. This FHA participation included about 14,000 units which were covered by financing under the below-market interest rate program. Apart from the below-market program, FHA's participation in multifamily housing production was about 4%. This shows that FHA has performed a relatively minor role in such production. Yet, there is a great and predominant need for multifamily housing in urban areas which are facing crises and social disorders generated by slum conditions.

3. The rate of housing starts under the 221(d)(3) program is only about one-third the rate projected when the legislation was presented to Congress. Thus in calendar year 1966, such housing starts—including new construction and rehabilitation—totalled only 14,000 units instead of the contemplated rate of 40,000. While this Resolution cites some of the reasons for this low rate of starts under 221(d)(3), additional reasons are set forth under previous Resolution numbered C–V.

4. In view of the need to increase production of multifamily housing, NHC urges that there be a removal of the restraints and restrictions which are impeding multifamily programs. There must be an affirmative FHA program to encourage multifamily housing and to speed up its production. Otherwise, we are facing certain failure in the accomplishment of the objectives of the model cities program and in meeting the housing needs of our people.

5. Besides the removal of restraints and restrictions on multifamily housing, the construction of such housing should be encouraged and expedited by an enlarged staff of dedicated and socially motivated experts in multifamily housing, both in Washington and in the field. The staff should be fully qualified and experienced in the special techniques and procedures involved in the financing, developing, and management of multifamily housing.

6. As pointed out elsewhere in these Resolutions, FHA processing of multifamily housing is long and cumbersome. It takes an

average of 7 months for a sponsor to make submissions to FHA before FHA will accept an application for mortgage insurance. Then it takes another 11 months for FHA to process the application. This is too long a lag in the time between the initiation of a project and the issuance of an FHA commitment. During this time lag, there is likely to be a substantial increase in construction and other costs. By the time the builder and sponsor get an FHA commitment and are ready to start construction, they are often unable to build the project due to the cost increases which have occurred since the initiation of the project. As cost estimates are made at an early stage in processing, it is necessary that FHA reflect an allowance to cover cost increases that are likely to occur by the time the FHA commitment is issued and construction is commenced. Moreover, there is an urgent need to reduce FHA processing time on multifamily housing, just as FHA has done successfully on single family housing.

7. Many investors or sponsors are reluctant to understand multifamily projects in urban areas because of the current FHA requirement that they provide a guaranty against operating deficits until the projects become self-supporting. Thus, in urban renewal areas, experience has demonstrated that many projects will not achieve a self-supporting status until the areas have been redeveloped on a major scale and until they have become established as attractive communities. Moreover, FHA does not make the determination as to the need and extent of the operating-deficit guaranty until the time immediately prior to the issuance of its insurance commitment. By that time, the investor or sponsor has spent so much money on the project that it cannot afford to withdraw. Knowledgeable investors and sponsors are therefore refraining from initiating multifamily housing projects because of the uncertainties concerning the guaranties that may be required.

8. When this guaranty requirement is applied to nonprofit sponsors, it severely limits their ability to undertake 221(d)(3) projects which would serve moderate income families. Such nonprofit sponsors generally do not have the funds to provide the guaranty or the legal authority to give a binding commitment. Thus, many churches are unable to undertake an obligation which would commit their congregations to provide funds to meet operating deficits on a housing project. For these reasons, FHA should rescind the requirement that non-profit sponsors provide a guaranty against operating deficits.

9. In 1961, a law was passed providing that if there were losses during the first two years of operation of a multifamily project, FHA was authorized to increase the mortgage by an amount equal to the operating losses. However, this does not solve the problem as investors or sponsors are required to give a guaranty in advance. Moreover, they have no assurance that the operating losses will be added to the mortgage at a later date, since this is entirely discretionary with the FHA and the financing institution. To avoid this and other problems, NHC recommends an amendment in the law to authorize the inclusion in the original mortgage of the estimated amount of the operating losses for the initial two-year period. Although this amount would be included in the mortgage, there would be a requirement that any mortgage funds not needed to meet such losses would be used to reduce the mortgage; also, that the investors are not to receive any return on their investment during the period when operating deficits are being met from mortgage proceeds.

10. There is a balance of only about $40 million in the FNMA special assistance fund for the purchase of mortgages on housing in urban renewal areas. However, even this inadequate amount was impounded by the Administration until the next fiscal year. The reason the fund is so low is because a 1966 law transferred $500 million away from the special assistance fund for multifamily housing (i.e., housing located in urban renewal areas, nonprofit housing for the elderly and other moderate income housing) to a fund to buy mortgages on single family homes. It is necessary that this $500 million be restored to the FNMA special assistance fund to purchase mortgages on the eligible multifamily housing. To provide for this and for other FNMA special assistance purchases recommended in these resolutions, the revolving fund for FNMA special assistance should be increased by a total of 3 billion dollars to provide the financing required for the expanded housing programs described in these resolutions. The expenditures by FNMA for mortgage purchases do not represent grants, but are recoverable assets. Through the sale to private investors of participations in these FNMA loans and the HUD loans for college housing and elderly housing, private investment is substituted for the federal funds. The only cost to the government is the difference between the interest rates on the HUD loans and the rate paid by FNMA to private investors on participations. Except for the loans at below-market interest rates, this represents no cost and no net expenditure to HUD. As to below-market interest loans, the annual cost and net HUD expenditure is the difference between the below-market interest rate and the market rate on FNMA participation sales.

11. It is necessary to increase and accelerate the volume and production of multifamily housing in order to meet the urban crisis and achieve success in the model cities program. There are restraints and restrictions in multifamily housing programs which seek to eliminate all risks and assure that there will not be losses on projects. These restraints and restrictions are impeding the program and denying homes to people who urgently need them. Many of the multifamily housing programs are pioneering in difficult areas of need which necessarily involve greater risks and which may entail losses that exceed the amount of premiums collected. Since these projects affect the public interest and involve important social objectives, it should be recognized that normal business underwriting criteria cannot be applied to these programs, particularly those designed to meet needs among lower income families or those located in areas of urban renewal. It is recommended that the law be specifically amended to provide for appropriations to cover such losses when they exceed the amount of premiums collected on such programs which are affected by a special public interest or social purpose. This would include programs such as rehabilitation, housing in urban renewal areas under Section 220, and market rate 221(d)(3) programs involving rent supplements or the rehousing of displaced persons.

12. As recommended in an earlier Resolution, local housing authorities should be eligible as sponsors of multifamily housing in the programs under Section 221(d)(3) (below-market interest rate), Section 202 (housing for the elderly) and rent supplements.

C-IX. Rehabilitation

1. NHC finds general agreement that we lack adequate tools for an effective rehabilitation program. No substantial progress has been achieved through private efforts to acquire scattered buildings and obtain adequate financing. Everyone recognizes the importance of saving existing neighborhoods, where feasible, through rehabilitating suitable structures and other conservation measures. The model cities program is relying upon rehabilitation of housing as one of its major means of accomplishing its objectives. It is sound public policy to improve our present housing supply and conserve neighborhoods, rather than to allow them to deteriorate and subsequently require that greater costs be incurred in demolition and reconstruction. For this reason, NHC is pleased to note that the President intends to assemble an expert group of private citizens to examine every possible means of establishing the institutions to encourage the development of a large-scale efficient rehabilitation industry.

2. We must give reality to the popular but generally elusive goals of large scale rehabilitation of existing deteriorating housing which is above the level requiring demolition. There are some significant innovations underway which hold promise for more successful rehabilitation efforts. But, by and large, our attempts to achieve large scale rehabilitation have failed in any broad sense by reasons of the absence of realistic financing and technological mechanisms.

3. We must modify present programs and devise new ones which will achieve the volume of rehabilitation which is necessary for a successful program in model cities and for the improvement of deteriorated areas in other cities. This will require more favorable and realistic financing terms and the development of advanced technological methods for effective application.

4. Present federal assistance is not adequate and effective in achieving large-scale rehabilitation. Our attempts to achieve such rehabilitation have failed because of the absence of a realistic program of federal assistance. We need new financing programs which will work. The formulas for determining mortgage amounts on rehabilitation must recognize the actual cost of acquiring and rehabilitating properties that are structurally sound. There must be subsidies to write down the cost of properties to be rehabilitated where this is necessary in order to achieve monthly charges low enough to reach those to be served.

5. There should also be a contingency allowance built into a new financing formula based on replacement cost. This allowance should be included in the mortgage. In rehabilitation, the contractor is often not aware of potential structural, electrical or plumbing problems until he breaks into the walls and ascertains the actual conditions. At present, when the contractor incurs extra costs due to unforeseen conditions, he must meet them from his profit allowance which means he is likely to end up with no profit or with a loss. For this reason, many contractors are unwilling to undertake FHA-insured rehabilitation projects.

6. In those projects where the property is owned or controlled by the proposed mortgagor, cost savings may be achieved by stripping down the building and tearing out the interior walls before making estimates or getting bids for the rehabilitation work. In such cases, FHA should recognize the costs of gutting the building since this increases the value of the property before rehabilitation. It also attracts contractors to do the rehabilitation work, because conditions are known and unforeseen contingencies are minimized.

7. To reduce the monthly charges to the level which moderate-income families can afford, it is necessary to eliminate present requirements for short amortization periods on rehabilitation projects. Where rehabilitation properties are located in a central city, there are likely to be increments in land value which will enable the repayment of the loan, even though demolition occurs well in advance of the remaining estimated life of the improvements. At present the statute provides that such mortgages should not have a maturity exceeding ¾ of the remaining economic life of building improvements. This limitation should be repealed. FHA should be authorized to fix forty-year maturities when it determines this is appro-

priate in order to accomplish the purpose of the program.

8. It appears entirely clear, on the basis of experience, that large-scale rehabilitation programs will require capital and other subsidies comparable to those involved in acquiring and clearing slum properties. It requires subsidies to write down the costs of properties to be rehabilitated and to produce monthly charges which are within the financial reach of the lower income families to be served.

9. The 1966 Act adds Section 221(h) which provides for the new program initiated by Congresswoman Sullivan of 3% loans to nonprofit organizations for rehabilitation of substandard housing for resale to low-income purchasers. It authorizes $20 million of FHA-insured mortgages for the program. We urge that this new program be encouraged and expedited, with additional authorizations commensurate with the nationwide need. (For a further discussion of this program, and our commendation of Congresswoman Sullivan for sponsoring it, see Chapter C–XII–3 of these Resolutions.)

10. The 1965 Act provides that at least 10% of the aggregate of the new urban renewal grant authority—and the authorization for low-interest rehabilitation loans under Section 312 of the Housing Act of 1964—shall be used for code enforcement and rehabilitation to minimize the need for demolition and clearance of existing urban structures. We commend Congressman Widnall for initiating and securing the enactment of this legislation. It should stimulate code enforcement and rehabilitation.

11. NHC recommends that legislation be enacted, along the lines recommended by Senator Clark of Pennsylvania, which would provide standby financing of necessary improvements to homes owned and occupied by low-income elderly couples or individuals in urban renewal areas. Under such arrangements, interest and amortization on FHA-insured loans for these purposes would be deferred until the death of the owner or earlier sale of the property.

12. A new minimum rehabilitation program is needed for short-term rehabilitation, to be administered by HUD, although it should be recognized as part of the antipoverty objectives. The key to early successes in poverty reduction and the creation of self-respecting citizens is what happens to the children of impoverished families. Since housing and rehabilitation are complex private industries, it takes a long time to achieve results. Housing improvements are required now to provide decent homes for impoverished families and their children. We need a fast program to bring housing up to code standards without overcrowding in occupany. In addition to grants for code enforcement, HUD should finance: (a) the purchase of slum buildings which are in violation of housing codes or are overcrowded; (b) their rehabilitation up to code standards; and (c) rehabilitation grants up to $1,500 to low income owner-occupants outside of urban renewal areas where an official code enforcement program is underway. The housing should then be provided at monthly charges which the families can afford, with HUD grants to make up the difference between what the poverty families can pay (using 20% of their income) and the economic monthly cost of the housing. NHC recommends necessary legislation to enable HUD to undertake this program, which possibly could be done through the urban renewal process if funds are made available.

13. NHC commends Senator Javits for his leadership in a proposal to help solve the serious rehabilitation problem. NHC intends to study the bill which he introduced, S. 1199, so as to determine whether it can support it with such amendments as it deems necessary. While very important, the rehabilitation program is only one of many programs required and recommended in these Resolutions to meet our housing and urban development needs and to achieve our 20-year goals.

C–X. Housing for the elderly

1. The authorization of loans under Section 202 for housing for the elderly should be increased by $100,000,000 a year for the next three years. The 1965 Act authorized a total of $150,000,000 of loans for a 4-year period. This is inadequate in view of the tremendous need. In addition, the present policies under Section 221(d)(3) should be modified to permit the construction of such projects exclusively for the elderly, rather than limiting such financing to projects which also serve other age groups.

2. In accordance with the statutory authority for loans equal to total development costs, HUD should eliminate the requirements in the 202 program that an approved sponsor must make an investment to cover the cost of facilities, furnishings, equipment and working capital. Such costs should be included in the loan. The contribution of the properly-motivated sponsor consists of its devotion of time, ingenuity and energy in initiating, developing and administering projects, all without compensation.

3. Cost limits under the 202 program should be increased so that they will enable housing to be built within the cities where they are urgently needed to serve the elderly. In view of land costs and densities of the cities, this should include high-rise buildings. Moreover, the program should include rehabilitation as well as new construction. Tax abatement should not be required in order to undertake high-rise construction or otherwise incur construction costs that are required in built-up areas of cities. Such tax abatement is often not available because of restrictions in state and local laws. Moreover, many cities are facing problems of inadequate tax revenues and are reluctant to grant tax abatements. Housing for the elderly under section 202 should be permitted to pay full taxes, particularly since this is permitted under the program for the leasing of privately-owned housing for public housing purposes and under the rent supplement program.

4. There is also need for special programs to provide: (a) Federal grants to assist in the training of professional personnel for the management of elderly housing projects; (b) grants for the capital cost of necessary related facilities, such as senior activity centers, health maintenance units, dining rooms, hobby and craft rooms, and counseling centers; and (c) grants for working capital and seed money to States, localities and national nonprofit organizations such as church groups, labor unions, and fraternal organizations.

5. NHC urges that housing for the elderly be included in all planning under model cities programs.

C–XI. College housing

Since the passage of the National Defense Education Act of 1958, our Nation has increasingly recognized its dependency upon higher education for its security, welfare, and continued prosperity. In order to meet the demands made upon them by the expanding numbers of student applications and by required increases in facilities, additional housing must be provided for students and faculty.

Congress recognized the appropriateness of meeting such needs nearly twenty years ago. In the Housing Act of 1950, it provided for the institution of low-interest loans for housing and other educational facilities for students and faculties. As increased since 1950, the loan fund authorized is $1.675 billion, which amount is increased by $300 million each year from 1961 to 1968. This $300 million yearly increase is wholly inadequate to meet current needs. A recent study conducted under the auspices of the American Council on Education has indicated that approximately $1.5 billion per year will be needed for college housing for the next ten years. Recognizing that a portion of this amount may be derived from non-Federal sources, the Council recommends that Congress authorize a minimum of $1 billion per year for the next ten years in the form of a long-term, low interest loan for the construction of housing facilities. NHC supports this recommendation.

The Housing Bill of 1967 proposes an increase in the interest rate on college loans from 3 percent to a rate equal to the current average market yield on comparable maturities of U.S. obligations—with discretion in HUD to make a reduction of not more than 1 percent below this average yield. Since the present average market yield is 4⅝%, this means that the interest rate on college loans would be increased from 3% to at least 3⅝% and, possibly, to 4⅝%. NHC is opposed to this increase in the interest rate on college housing loans. We believe that these loans should continue to be made at the same 3% interest rate that Congress previously approved. We commend Chairmen Patman and Barrett for deleting this provision from the Housing Bill of 1967 which they introduced separately.

C–XII. Recent proposals for homeownership by lower income families

1. In his message to Congress on Urban and Rural Poverty, the President has called for a new program of low-income home ownership. He has directed the Secretary of HUD to carry out, within existing authority, a pilot program in this direction and has authorized FNMA to use $20 million of its funds to support this program. The program is intended to (a) Identify low-income families with the potential to build an ownership equity in a home, (b) Provide guidelines to assure the economic soundness of their investment, (c) Explore a program to insure low-income families against mortgage defaults and foreclosures that result from loss of health or economic recession, and (d) Encourage ownership equity to be acquired through self-help in the construction of homes. The President has stated that the various forms of ownership should all be explored, including cooperatives and individual ownership of single-family homes and apartments; also that multifamily buildings and individual homes, whether new or rehabilitated, should be included in the program.

2. NHC commends the President for implementing this program and urges the Secretary to formulate as speedily as possible the necessary actions for its effective execution. However, to achieve widespread home ownership by low-income families, we need to do more than start the pilot operation approved by the President.

3. In the field of rehabilitation, the 1966 law added a new Section 221(h) which is intended to initiate a program of home ownership among low-income families. Under this program, a nonprofit corporation will acquire and rehabilitate substandard housing. These rehabilitated houses are to be sold for individual ownership by low-income purchasers. We compliment Congresswoman Sullivan for her major role in initiating and securing the enactment of this important law. We urge HUD to take all necessary measures to expedite and facilitate its use in achieving its two principal purposes: (a) to provide a new financing technique for rehabilitation; and (b) to enable low-income people to achieve ownership of such homes. FHA recently issued its regulations and instruction handbook to implement this law. For the reasons set forth in paragraph C–VIII–(8) of these Resolutions, we recommend that FHA should not require that nonprofit organizations give a guaranty against deficits that may occur in this housing program. In view of the great

need for this program, we recommend that the Congressional authorization of FHA insurance be increased commensurate with this need.

4(a) We need to establish the President's program on a permanent legislative basis, with adequate continuing authorizations which will meet the nationwide need. To do this, amendments could be made to existing legislation under Section 221 which would accomplish the following:

Use existing agencies to carry out the program which would operate within the existing legislative framework.

Pattern the new program after Section 221 (h), but broaden it to include new construction in addition to rehabilitation.

Provide for interest rates which are low enough to serve lower-income families, which rates could be below the present 3% rate.

Include other forms of ownership as recommended in the President's message, such as cooperative ownership where the housing would be occupied by its resident members who qualify as lower-income families.

Authorize FNMA special assistance purchases of such mortgages, with a necessary increase in the FNMA authorization.

Utilize FNMA sales of participations in such mortgages which would substitute private investment for the Government investment in the loans.

Authorize annual appropriations to cover the difference between the low interest rates charged lower-income families and the market rate paid by FNMA on its participation sales.

Insure the participating lower-income families against mortgage foreclosures due to ill health or economic recession.

(b) The proposed program is urgently needed to fill a gap in our existing housing programs and meet the neglected needs of a "lower-income group" than those served by the 221(d)(3) program with a 3% interest rate, whom we describe as the "moderate income group."[1] While this neglected group has lower incomes than those of moderate incomes served by this 221(d)(3) program, their incomes are above the level reached by subsidies under public housing or rent supplements who constitute the "low-income group." Through an interest rate below 3%, it will be possible to meet the needs of these people of lower incomes who have a potential to achieve and retain ownership.

(c) We are not proposing that there be separate projects or developments to serve those in the moderate income group and those in the lower income group respectively. We believe that it is desirable to have families of different income groups occupying the same project and living in the same community, since this avoids the undesirable social *consequences of isolating people by incomes.* This can be accomplished by having different interest rates attributable to the dwellings occupied by those of different incomes, with appropriate adjustments in the interest rates according to the needs of the residents and what they can afford. It should be recognized that a family would continue in ownership and residence as its income increased. As the family's income increases, its monthly charges would be increased to reflect a higher interest rate until the family is paying the full market rate.

5(a) Recently, Senator Percy of Illinois presented a plan which is variously described as "An Imaginative Proposal for Home Ownership" and "A New Dawn for Our Cities." NHC commends Senator Percy for his concern and leadership in proposing solutions to the difficult and continuing housing problem of lower-income families. NHC is in agreement with the basic objectives of the plan to achieve home ownership by lower-income families as a means of encouraging the following values, as stated in the plan:

Human dignity and self-esteem

Motivation to achieve

Feeling of security and "roots"

Community responsibility and stability

Physical preservation and improvement of residential neighborhoods

Encouragement of participation and leadership in community activities.

These are values that the NHC has consistently believed in and supported. However, NHC recognizes that for many Americans rental housing offers a better solution to their particular needs and desires, because of their need for mobility or other reasons—such as a lack of potential to achieve and retain ownership.[2] In addition to the principles of home ownership, the plan seeks to encourage self-help and meaningful participation by lower-income families in decision making. It also endeavors to encourage participation by private enterprise, including nonprofit organizations.

(b) To fulfill these objectives and principles, the plan proposes new federal legislation which would include the establishment of a nonprofit corporation to be called the National Home Ownership Foundation (NHOF). Two-thirds of its Board would be from the private sector and one-third appointed by the President with Senate approval. NHOF would be authorized to issue debentures which would be federally guaranteed. Originally, low interest loans were to be achieved by granting federal tax exemption to NHOF debentures. Recently, however, Senator Percy has shifted from tax exemption of the NHOF debentures to a direct federal interest subsidy which would make up the difference between the interest rate on the NHOF debentures and the lower interest rate charged by NHOF. Since such lower interest rates must be charged in order to achieve low enough monthly charges to bring individual and cooperative ownership to lower income families, Congressional appropriations will be required to pay the difference between these lower interest rates and the market-interest rates on NHOF debentures. Besides providing homes to lower-income families through this program, there *would be NHOF insurance of the home owner* against foreclosure due to curtailment of income through ill health or economic recessions. The risk of this program would be spread over all NHOF borrowers. NHOF would be subject to Government corporation auditing, budgeting and reporting requirements and specified consultation procedures, *but it would be privately controlled.* The plan contemplates an active role for housing cooperatives which have provided a way for families to achieve ownership in the multifamily housing construction which is tending to predominate in the larger cities as a result of increasing land densities and costs. The foregoing description of the plan is based upon published reports, and responses to inquiries, concerning the plan. However, NHC has not yet seen the proposed legislation which would implement the plan, so we reserve further comment and recommendations until we have made a study of the bill after it is introduced.

(c) The proposed plan raises many questions which require careful study. The federal guaranty of debentures raises questions concerning (1) the appropriateness of the delegation of authority to a corporation which would be under private control and (2) the adequacy of federal regulation of such a corporation. On the proposed insurance program to protect home owners against foreclosures due to ill health or economic recession, there are questions concerning the cost of such insurance and whether NHOF borrowers could afford it and provide adequate reserves. On the proposal to establish a new corporation and an entirely new legislative framework for the program, we raise the question why it would not be better to use existing agencies which would operate within the existing legislative framework, but with necessary amendments as outlined above. While NHC has these and other questions of policy and legality concerning the plan, NHC welcomes the proposal of a plan designed to meet the housing needs of lower-income families and to bring the benefits of home ownership to them. NHC intends to continue its study of the plan so as to determine whether it can support the plan with necessary amendments. NHC is always interested in the development of additional tools to meet the critical housing needs of the American people, particularly those who are underprivileged.

6. Meanwhile, it should be noted that for many years, NHC has advocated and helped secure the enactment of legislation to bring individual and cooperative home ownership to moderate income people. In the following paragraphs, this resolution summarizes many tried and tested programs which are now in operation to enable moderate-income families to achieve ownership of individual homes or cooperative ownership of multifamily housing. An expansion of all of these existing programs is required. With such an expansion of programs now in operation, it will be possible to produce desired results quickly. We urge the Administration to take the actions necessary to implement and fund all of these programs and to seek necessary additional authorizations. In addition, these resolutions contain proposals for new programs to enable lower-income families to achieve individual or cooperative home ownership.

7. Among the existing programs is cooperative housing under Section 221(d)(3) where almost one-third of this 3% interest-rate program involves home ownership for moderate-income families. For middle income families, cooperative home ownership is being achieved through the 5¼% interest-rate program under Section 213. These programs for co*operative home ownership have achieved the* values and benefits listed above. They involve participation by the members in decision making, since every cooperative is a democratic organization owned and controlled by the resident members.

8. An amendment in the 1966 Act adopted *the principle of self-help in cooperative housing projects. It would allow members of a* cooperative to donate their labor in helping to produce housing for themselves, which would reduce their housing costs. On such labor donated by the housing consumers, the prevailing wage requirements are waived. Likewise, under cooperative housing, there is self-help by the members in providing some of the maintenance and upkeep of the property, such as interior decorating.

9. FNMA special assistance funds are available to purchase mortgages on individual homes which do not exceed $15,000 (subject to some exceptions). This achieves home ownership on housing of relatively moderate cost. The use of FNMA's special assistance funds helps to provide mortgage financing at reasonable cost.

10. The programs described above observe the principle of utilizing private enterprise, since there is: (a) private ownership of the housing—being either individual or cooperative home ownership; (b) private construction of the housing by private builders and contractors; and (c) private capital through interim financing until the project is completed and through the sale by FNMA to

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[1] In the program under 221(h) where lower costs may be achieved through rehabilitation, it should be possible to reach some of the low-income group—particularly in urban renewal and other areas when there are write-downs in the sale of the substandard properties to be rehabilitated.

[2] As pointed out in paragraph 12, it is necessary to establish more realistic credit criteria for lower income families so they can achieve individual or cooperative ownership of their homes.

private investors of participations in the mortgages purchased with special assistance funds.

11. On the legislation covering recent programs which provide for individual and cooperative home ownership by moderate-income families, we gratefully acknowledged the sponsorship and support of Senator Sparkman and Congressmen Patman, Barrett, and Reuss and Congresswoman Sullivan.

12. To further encourage and increase individual and cooperative home ownership among families of moderate, lower and low incomes, NHC recommends a change in the FHA regulations regarding credit approvals. The credit requirements are too stringent as applied to such families. Thus, it denies them an opportunity for home ownership if their credit reports indicate they have experienced past difficulties in meeting obligations, which frequently occurs among these income groups. However, this should not bar them from home ownership. It is necessary to establish and apply more realistic credit criteria for such families. NHC recommends that such families should be accepted as satisfactory credit risks if they have established a good record of meeting their monthly charges for housing during the preceding year, provided that the amount which they have paid is comparable to what they would pay for their proposed housing under individual or cooperative ownership.

13. In these *Resolutions*, NHC recommends legislation authorizing the sale of public housing for cooperative or individual ownership, subject to appropriate restrictions; also, additional programs to provide such ownership by those in the lower income group.

14. HUD and its constituent agencies *should fully use all available legislative tools* under existing programs to achieve the values and objectives of bringing individual and cooperative home ownership to people with incomes which are moderate, lower or low. This should include the following:

(a) There should be an active program to encourage such ownership under the 221(d)(3) program; the rent supplement program; the 202 program; the public housing program; the program for leasing private housing to serve public housing families; the mixed private and public ownership program to provide housing for people with incomes which are moderate, lower, or low; and other programs.

(b) In the disposition of housing acquired by HUD and its constituent agencies, a priority should be afforded to the residents who should have the opportunity to acquire the properties either through individual or cooperative home ownership.

(c) In the disposition of property by urban *renewal agencies, there should be a recognition* in the disposition plan that it is important to achieve individual or cooperative home ownership in residential urban renewal areas. Accordingly, part of these areas should be considered for the development of housing to be so owned by the people. As to such areas, there should be a disposition condition that those who acquire the property agree to develop it for housing that will involve such ownership. To encourage the building in urban renewal areas of the required volume of cooperative housing, the same profit and risk allowances are needed in the cooperative programs as in other multifamily programs of FHA, in recognition of the greater costs and risks when building and preselling in urban renewal areas.

CHAPTER D. FINANCING NURSING HOMES AND FACILITIES FOR GROUP MEDICAL PRACTICE

D-I. Financing nursing homes through public housing annual contributions contracts

There is a continuing desperate need for hundreds of thousands of nursing home beds, especially among the low-income elderly. This will be increased by demands generated through Medicare. Local housing authorities, with their long experience in planning, building and operating low-rent housing for the elderly are well qualified to develop nursing homes for low-income persons. They should be authorized to coordinate their housing programs with nursing home facilities to meet community needs for the low-income group. This can be done most effectively and with all of the advantages of public housing financing, by amending the U.S. Housing Act of 1937, to authorize annual contributions contracts with local housing authorities for nursing home facilities. In addition, Section 202 should be amended to permit the inclusion of nursing quarters and facilities in projects for the elderly financed under that section. By this amendment, elderly persons becoming in need of nursing facilities would not have to leave the community in which they are living.

D-II. Direct loans for nonprofit nursing homes

NHC supports legislation proposed by Senator Harrison Williams of New Jersey which would authorize HUD to make direct loans covering 100 percent of development cost for new or rehabilitated nursing homes to nonprofit groups, limited dividend corporations and public bodies. The loans would be made at a maximum interest rate of 3% and for 50-year terms.

D-III. Group medical practice

The 1966 Act includes a program of FHA insurance for facilities used for group medical practice. NHC reaffirms its support of this program and urges the Administration to implement the program in a way that will encourage the development of nonprofit cooperatives whose members will obtain the benefits of bona fide group medical practice at a reasonable cost. The program should operate in both urban and nonurban areas.

CHAPTER E. URBAN RENEWAL PROGRAM

E-I. The urban renewal program

1. The 1965 Act increased the urban renewal capital grant contract authorization by $2.9 billion. NHC and its cooperating public interest organizations testified before the legislative committees of the House and Senate that this increase would be insufficient to maintain the momentum of the program and to accommodate the increasing requirements of communities for this vital urban assistance. *The accuracy of the forecast* is confirmed by the fact that the authorizations for each fiscal year have fallen far short of meeting the backlog of eligible applications plus new applications entering the pipeline, notwithstanding discouragement of new applications. This shortage is accentuated by the fact that important new *urban renewal activities—such as grants for* demolition outside urban renewal areas, rehabilitation grants, and increased relocation grants—are a direct charge against the overall urban renewal authorization, in addition to urban renewal projects themselves.

2. NHC therefore urges that the capital grant authorization for urban renewal be increased now by at least $3 billion for a 3-year period. This $3 billion increase in authorization is essential for urban renewal to bring new life to the decaying central cities and towns, according to their needs and requirements. The need for this increase is made even more urgent by the expanded demands which will be generated by the model cities program. When we get the full impact of that program, we will need to triple the present annual rate of $750 million of urban renewal grants in order to achieve our 20-year goals. This means that there should then be an annual rate of ruban renewal grants of $2¼ billion.

3. If the $3 billion increase in the urban renewal authorization is not feasible at this session of Congress, as a minimum the NHC strongly recommends that the balance of the contract authority of $750 million (which was made available by the 1965 Act) be released now, without any limitation as to fiscal year. This would have the result of satisfying the present backlog of demands, the continuing applications which will be filed by communities at an increasing rate, and the increased demands which will be generated by the model cities program. This would also place the Congress in position to reappraise the long-term continuing need for urban renewal funds. Because of the long lead-time involved in urban renewal activities between the initial commitment of capital grant funds and their actual expenditure during project execution, the impact of such action on budgetary expenditures in the next two fiscal years will be very small.

4. The NHC also recommends amendments to the urban renewal laws, as described below.

5. On capital grants for urban renewal, code enforcement, and other comparable aid programs, there should be an increase in the federal grant to three-fourths from the present two-thirds which is paid to larger cities. The higher grants are now made to smaller cities, but they are needed equally by the larger cities. Correspondingly, in cases where the community elects to finance survey and planning costs at its own expense, the project capital grant should be increased to five-sixths from three-fourths.

6. Authorization to local public agencies to engage in the purchase, rehabilitation and sale or lease of properties suitable for such treatment, without limitation as to proportion or number. As indicated in an earlier resolution, an adequate and successful rehabilitation program must include a large expansion in the program for urban renewal acquisition of properties for rehabilitation. Likewise, there should be adequate funds available for grants to write-down the resale price on such properties subject to requirements for their rehabilitation.

7. As a further stimulus to rehabilitation, the Federal Urban Renewal law should be amended to authorize loan and grant contracts to assist the rehabilitation of scattered properties in residential neighborhoods or districts designated for conservation and rehabilitation or intensive code enforcement by an approved Community Renewal Program in the locality. Provision should also be made to recognize the cost of any new *public improvements serving the rehabilitation* properties for appropriate local grant-in-aid credits.

8. Local public agencies should be authorized to make sales of industrial and commercial land for later development to non-profit industrial development corporations or any other properly constituted *public body sponsored by the local agencies on the same basis* as that now authorized under economic development.

9. The existing statutory provisions for recognition of real property tax losses by the locality in an urban renewal area as a local grant-in-aid credit should be broadened to include the entire tax loss from the date of acquisition of the property to the completion of the redevelopment in accordance with the urban renewal plan for the project.

10. In any community where there is a project in execution and where long-term real estate tax abatement is provided by the municipality to a private non-profit or cooperative housing development for the purpose of achieving lower rents and facilitating relocation, such tax abatement should be accepted as a non-cash local grant-in-aid to the project.

11. Title I should be amended to assure that gross project costs shall include the fair market value of any substandard building which the local public agency determines should be eliminated, as well as the cost of demolition of such building, irrespective of whether the local public agency acquires the fee to the property on which such building is situated.

12. All Community Renewal Programs should include adequate studies and programs—by public agencies including Local Housing Authorities—for meeting the needs of low-income and elderly families. In localities without CRPs or with CRPs deficient in programming for low-income or elderly families, funds should be made available (irrespective of the size of the City) under CRP or Section 701 for these necessary studies and programming.

13. The NHC supports the objectives of the special urban renewal provisions for Central Business Districts which were introduced in the 88th Congress by Senator Clark and the then Congressman Rains. These would permit waiver of residential requirements in renewing central business districts; recognize that commercial, industrial, and cultural functions of central business districts are of vital importance to community growth and rehabilitation; and permit HUD to qualify site improvements and supporting facilities as part of the gross project cost and as a local grant-in-aid. They also would allow for rehabilitation and acquisition of historic properties in such areas.

14. NHC favors an amendment to the urban renewal law whereby any public facility in a community having more than one urban renewal project and having a Workable Program and a Community Renewal Program would be eligible for non-cash grant-in-aid credit if the development of the facility was occasioned by the urban renewal program.

15. NHC recommends that there should be no limit to the amount of grant for a particular demonstration project, which means that the Federal Government in special cases, could pay up to 100% of the cost of the demonstration program.

16. NHC recommends that Section 107 non-cash grant-in-aid credits be extended to cover air rights development costs for 221 (d)(3) projects in which a minimum of 20% of the units are rented to families or persons qualifying for and receiving rent supplement payments.

17. NHC recommends that 75% grants under the urban renewal program should be available for the reclamation of unbuildable land which is located within metropolitan areas. There are often large available areas of land which are not suitable for building because of problems which can be corrected by appropriate expenditures of public funds, such as the draining of swamps in meadowlands. Such land constitutes a below ground slum which can be eliminated to make the land suitable for development for residential and other purposes. In such areas, this will provide a convenient site for housing and other community facilities needed by those now living within the overcrowded areas of central cities.

CHAPTER F. PROVIDING NECESSARY MORTGAGE FUNDS AND LOWER INTEREST RATES

F-I. Tight money market and increase in interest rates

1. The tight money market has caused a depression in housing construction with a disastrous drop in the rate of production and a precipitous rise in interest rates. Housing has borne the greatest brunt and suffered the greatest damage. In the past year the average interest rate on conventional home mortgages has increased by ⅔ of 1%, which is a 10% increase in interest costs. On a $20,000 mortgage, this means an increase of over $10 per month for the first year. It means that many people who need homes cannot afford them now—even though they could have afforded them last year at the lower interest rates.

2. The increase in interest rates has been an important factor in increasing the cost of living. Each month the indexes have shown that the costs of housing have increased. While fiscal controls were supposed to help stop inflation, they contributed to inflation by increasing interest rates and increasing the cost of living.

3. Besides the increase in interest rates, the tight money market has drastically reduced the amount of money available for financing the building of homes that are urgently needed. Last year we built about 20% fewer homes than we built the year before when we were not building enough.

4. The recent easing of interest rates has had a negligible effect on the interest rates on housing mortgages. The Administration should take strong measures to roll back the interest rates on housing mortgages and reduce them to a reasonable level.

5. The Administration should also take strong additional measures to further assure an adequate flow of money for home building. Inadequate action has been taken by the Administration to provide additional mortgage money for housing. The amounts made available through the Federal Home Loan Bank Board and the $800 million of special assistance funds through FNMA are not adequate to meet the need. Moreover, only single family home construction is helped by this action. Only $50 million of additional special assistance funds was released recently for multi-family housing—for use by cooperatives under Section 213. Yet, the greatest drop in construction has occurred in multifamily housing, which is the most responsive to the needs of families in urban areas.

F-II. Proposed administration increase in maximum interest rates on multifamily housing

1. As recommended by the Administration, the Housing Bill of 1967 proposes to establish a uniform maximum interest rate of 6% for FHA mortgage insurance programs on multifamily housing. At present, most of these programs have a maximum interest rate of 6%, but the elderly housing program has a maximum interest rate of 5½% and other programs have a maximum interest rate of 5¼%, including cooperative housing under Section 213, condominiums under Section 234, and rental housing under Section 207. The Administration has stated that a uniform maximum interest rate of 6% would provide flexibility, so that in tight money periods there would be an avoidance of exorbitant discounts and a greater assurance of the availability of financing.

2. While NHC recognizes the advantage of having a uniform interest rate on multifamily programs involving market-rate financing for use during tight money periods, we urge Congress to obtain an assurance from the Administration that this legislation would not be used to increase interest rates *at this time* when everyone should be endeavoring to loosen the tight money market. Now that the Federal Reserve Board has reduced the discount rate to 4% and the banks are reducing their interest rates on loans, NHC urges the Administration to take action to reduce interest rates on future FHA-insured loans where the present interest rate is 6%.

3. In another resolution NHC has recommended increases in the FNMA special assistance funds for the purchase of mortgages which are now eligible for purchase under that program. These include projects which accomplish desirable social objectives or otherwise promote the public interest. NHC recommends that the FNMA special assistance program be utilized for the purchase of such mortgages as a means of supporting the drive to lower interest rates to a reasonable level and to avoid the unwholesome practice of charging points in the purchase of FHA-insured mortgages. This is one way to help roll back the interest rates from the unreasonable levels which are jeopardizing the housing program and the health of the economy.

4. NHC is opposed to a proposed uniform statutory maximum interest rate of 6% on all multifamily housing mortgages. If Congress favorably considers such legislation, NHC recommends that the proposed legislation be amended so that it will not be retroactive on a project which has previously received an FHA feasibility approval at a lower interest rate. On such a project where the mortgage is eligible for purchase by FNMA under the special assistance program, FNMA should be required to purchase the mortgage at the lower interest rate in effect at the time FHA approved the feasibility of the project. Otherwise, under its present requirements, FNMA would refuse to purchase the mortgage unless the interest rate is increased to the highest rate permitted by FHA at the time FHA issues its insurance commitment. This would impose a great hardship. There is reliance on the interest rate in effect at the time FHA approves feasibility since sales and other commitments are made which are predicated on that interest rate. Furthermore, a statutory maximum interest rate of 6% could jeopardize the lower interest ceilings existing on housing programs having specific social objectives, such as cooperative housing under Section 213 and nonprofit housing for the elderly under Sec. 231. These mortgages are eligible for FNMA purchase with special assistance funds. Congress should direct FNMA to purchase them when necessary to support the statutory interest rates and avoid discount sales of mortgages on such projects.

F-III. FNMA special assistance

In recognition of the serious problems of the tight money market and the increase in interest rates, a number of laws were passed in 1966 to provide FNMA special assistance which would help meet these problems. In addition, there are laws which previously had been enacted to provide FNMA special assistance. NHC strongly recommends that all of these special assistance authorizations should be fully used to help meet the problems of tight money and high interest rates. These include the following:

1. The full balance of the funds authorized for the 221(d)(3) program should be made available immediately for allocation under the below-market interest rate program.

2. The full balance of the Cooperative Revolving Fund authorized in 1955 should be made available for FNMA purchase of FHA-insured mortgages under Section 213, now fixed by law at a maximum interest rate of 5¼%.

3. The full balance of FNMA special assistance funds should be made available for the purchase of mortgages on projects located in urban renewal areas, non-profit housing for this elderly and other moderate income housing.

4. The Administration should implement the 1966 authorization for FNMA to participate with private lenders in construction financing on projects which FNMA now undertakes to finance, upon completion, under its special assistance programs. Many projects have been delayed due to the lack of construction financing at reasonable cost. The Administration has not implemented this law which was passed last year. NHC strongly recommends that this be done immediately as one of the measures needed to stimulate and expedite the building of housing for lower-income families.

5. A 1966 law provided for FNMA special assistance purchases of insured mortgages on homes where the amount does not exceed $15,000 per house (subject to certain exceptions). It authorized $1 billion to be used for this purpose. The Administration had impounded all of this except $250 million. Recently, however, the Administration released $550 million more of the $1 billion fund. NHC recommends that the $200 million balance of the money be released and used. NHC also recommends that in all rec-

ognized high-cost areas, the mortgage limitation should be raised to $17,500 per house.

6. There should be an immediate release of the $20 million of FNMA special assistance funds for Section 221(h). This was added by the 1966 Act and provides for a program of 3% loans to nonprofit organizations for rehabilitation of substandard housing for resale to low income purchasers.

In addition to the immediate release and use of all of the foregoing FNMA special assistance funds now authorized by law, NHC recommends that the revolving fund for FNMA special assistance should be increased by $3 billion dollars to provide the funds required for mortgage purchases on the expanded housing programs described elsewhere in these resolutions.

CHAPTER G. PUBLIC AND COMMUNITY FACILITIES INCLUDING WATER, SEWER AND MASS TRANSPORTATION

G–I. Water, sewer, public and community facilities, and other programs for urban area growth and development

1. The urban and urbanizing areas of the nation are and will carry the main impact of the unprecedented population growth which is now under way. At the same time, both the established central cities and the growing suburban communities are suffering from a backlog of deferred needs for public and community facilities of all types and are prevented by limited financial resources from overcoming these deficiencies, to say nothing of preparing for the multiplying demands which lie ahead.

2. The 1965 Act contained new authorizations for Federal grants to assist in the development of new basic water and sewer facilities. To meet the demonstrated needs, NHC urges that the funds authorized for grants for basic water and sewer facilities projects under Section 702(a) be increased substantially, as indicated below.

3. NHC recommends that an appropriation be made for the 1968 fiscal year in the amount of $400 million instead of the $165 million recommended in the Budget. The 1965 Act authorized grants of $200 million for each of the 1966, 1967 and 1968 fiscal years, but only $100 million was appropriated in 1966 and only $100 million is estimated to be appropriated in 1967. The authorized but unappropriated $200 million from the 1966 and 1967 fiscal years should be added to the 1968 authorization and the full $400 million should be appropriated.

4. In addition, NHC supports H.R. 4349, introduced by Congressman Widnall, which would increase by $300 million the authorization for grants for basic water and sewer facilities. However, NHC believes that this increase is not sufficient. It therefore strongly renews its recommendation of a year ago for legislation authorizing $2 billion annually for a 4-year period for 75% grants to local governments for (a) basic water and sewer facilities and (b) for all other types of public improvements and community facilities as described below. To achieve our 20-year goals, the program should be continued thereafter at the annual rate of $2 billion.

5. Besides the grants for basic water and sewer facilities, the proposed authorization would include grants to local governments which are required for many other types of public improvements and community facilities. The 1965 Act contained important new programs for advance acquisition of land for such public facilities and for neighborhood facilities, particularly in low-income neighborhoods. The public facility program should include the acquisition of land to provide open space, parks, and recreational facilities within the cities, so that they are closely accessible to the people who need them most. When so accessible, they will be actively used on a year-round basis. They will add beauty and charm to our cities. The 1965 Act was a promising opening step in the right direction, but its authorizations and scope are far from equal to the dimensions of the present and future needs for the public facilities described above. These local needs are so large that they are beyond the financial capacity of most communities without adequate federal assistance. In all cases there should be an increase in the amount of the federal grant to 75% for these purposes.

6. NHC recommends that the regional plan requirement for municipal water, sewer and other grants be waived in those instances where the improvements have no regional implications and where no regional planning mechanisms exist.

7. There is a great need for the foregoing federal public facility grants to assist hard pressed communities in overcoming serious backlogs in replacing substandard or obsolete facilities (especially in the central cities), eliminating water pollution and accommodating the unprecedented demands for additional facilities and services generated by population expansion. These needs cut across whole metropolitan areas and regions. They involve the central cities, the existing suburbs, and new suburbs and new communities still to come. Properly ordered, this essential expansion in federal aid could provide a potent influence in resolving the present chaotic conditions created by the multiplicity of local governmental jurisdictions in most metropolitan areas. This in turn has led to: suburban sprawl; a tragic misuse of land; rampant land speculation; and frequent failure of metropolitan area and regional planning as an actual effective tool for the control and guidance of new development. Such a program could provide important leverage to the establishment of federated local governmental approaches to control programs of area-wide and region-wide significance. At the same time, it could foster decentralization of local governmental functions of strictly local application.

8. In this connection NHC believes that such grants should be generally restricted to communities that are providing simultaneously adequate housing for low and moderate income families. However, NHC recognizes that there may be instances where the need for such housing does not exist. Therefore, NHC will study this matter with a view toward proposing legislation that will accomplish the objective of encouraging the provision of housing for low and moderate income families in communities outside of central cities, as well as the provision of much needed public facilities. NHC also feels that there should be better coordination between HEW and HUD with respect to public service grants inasmuch as both departments administer these funds with differing requirements and cost sharing ratios.

G–II. Mass transportation program

The Mass Transportation Program was initiated by Congress in 1964 and its authorizations were increased in 1966. This program represents an essential tool for achieving balanced local transportation programs and for overcoming the blighting impact of traffic congestion in metropolitan areas.

The present authorizations for the Mass Transportation Program are at the annual rate of $150 million for fiscal years 1967, 1968 and 1969. The objectives of this important program clearly require higher authorizations and longer term funding. NHC therefore recommends legislation authorizing additional mass transportation grants of $750 million per year for the next three years and recommends further that HUD undertake studies establishing the long-term requirements of this program. To provide mass transportation grants for 1969, we need the full appropriation this year of the $230 million that has been requested by the Administration.

CHAPTER H. NEW TOWNS AND RURAL HOUSING AND RENEWAL

H–I New towns

1. There is an urgent need for a program to develop New Towns. New Towns are planned communities designed to help meet the needs of the expanding metropolitan population and to provide an orderly dispersal of the population to relieve city congestion. New Towns are communities where people, employment, culture and recreation are planned in convenient relation to each other.

2. To achieve the objectives of the New Towns program, the law should recognize that it is also necessary to:

(a) Buy land at low cost and keep it available for resale at low prices.

(b) Achieve integration, both economic and racial.

(c) Minimize the amount of transportation required by assuring that there would be employment within the New Town itself for its residents, along with some employment in nearby areas; also, that there would be housing available for the lower-income service and domestic help.

(d) Achieve a layout and construction which provides for the separation of pedestrian and automobile traffic, safety of children, convenient playgrounds and other advanced technology. By internally relating homes, employment, and recreation, automobiles can be used for shorter trips and at non-peak road densities. By proper vehicular use relationships, we can reduce both travel peaks and daily trip lengths.

3. A public authority should generally be the instrument that would undertake necessary land acquisition and carry out the development of the New Town directly or through its long-term leasing or other disposition of land to private enterprise and to appropriate public agencies. It is desirable to permit certain non-governmental agencies to undertake a New Town program. This should include nonprofit private foundations or other public-interest type organizations; also, certain types of limited-dividend private organizations which do not operate under the compulsion to achieve quick and high profits. In addition, there is need for a separate governmental agency which would have all the powers, functions and responsibilities of the New Town.

4. Loans to public agencies or public-interest type organizations are required for periods of forty years, particularly in a program where the land would be leased and the rentals utilized to repay the loan. The legislation should be further amended to provide for such loans at a fixed rate of 3%.

5. With the passage of the 1966 Act, Congress recognized the need for a program to develop New Towns. While this legislation was a vital step in the right direction, it is only designed as an experimental program. Amendments are necessary to establish the New Towns program on a permanent basis. Accordingly, there should be a repeal of the present $250 million limitation as to the aggregate amount of mortgages which may be insured for New Towns. In addition, the requirements enumerated above should be stipulated as conditions to the financial aids available for the New Towns program.

6. Since there would be a substantial waiting period before the land authority would be collecting money under land leases, the loan should provide that payments of principal would not start until the time when monies would be available from the land leases. Likewise, interest should be treated as a developmental cost up to the point where sufficient monies will be recovered to carry the loan.

7. The 1966 Act extended to New Town programs the benefits of the Urban Planning Grant Program of the Housing Act of 1954. To the extent necessary to meet the needs

for planning on a permanent program of New Towns, there should be an increase in the present authorization for the Urban Planning Program.

8. In its large program of land acquisition, the Bureau of Public Roads should purchase excess land beyond the amount needed for the roads themselves. Since road-building programs result in the displacement of people from their homes, there should be recognition of the duty and responsibility of the Bureau to acquire land that is suitable for residential development and make it available to rehouse such displaced families. This relocation responsibility should be discharged similarly outside of New Towns wherever Federal highway programs displace large numbers of people. At large road interchanges, this program should include the acquisition of additional land for the development of New Towns where they are needed to rehouse displaced families and to meet the needs of our growing population. Such land can generally be acquired by the Bureau at low cost at the time when land is being acquired for new road systems.

H–II. Rural housing and renewal

As a general objective, NHC recommends a program of rural housing and rural renewal which will make available to rural areas the same kinds of financial assistance as are provided for urban housing and urban renewal. Specific proposals to achieve this objective are set forth below.

NHC recommends and urges that the Farmers Home Administration (a) implement its program of extending credit at a 3% interest rate for the construction of rental and cooperative housing in rural areas for people of all ages; (b) implement the new legislative authorization of consulting fees for services rendered to cooperatives by nonprofit organizations; and (c) give more sympathetic consideration to the existing cooperative housing provisions to alleviate the housing ills in the rural areas.

We further recommend that Congress be urged:

1. To provide rent supplements where they are needed, similar to the payments available under the rent supplement program of HUD.

2. To re-establish and increase by $50 million a direct-loan fund in the Farmers Home Administration loan program to supplement the mortgage insurance program and especially to keep the interest rates from going too high; such loan fund should be increased from time to time commensurate with the needs.

3. To give the Secretary of HUD authority to waive rules and regulations of HUD programs in order to give very small cities and towns an equitable share of HUD programs.

4. To provide an expansion of the low-interest loan program to predominantly rural areas under the Aiken-Poage Water and Sewer Act and add community facilities such as police and fire facilities, street lighting, and community centers.

5. To provide a new program of grants together with 3% loans for low-income families and individuals in rural areas for housing repair and rebuilding and for self-help housing, and appropriations for the existing program of grants.

6. To provide a small experimental program of aid to rural areas and small towns to establish public, cooperative or nonprofit transportation systems.

7. To provide that only the new farm home and the immediate lot (not exceeding 1 acre) would be encumbered in home mortgages under the Farmers Home Administration.

8. To provide a model housing program for rural areas and small towns of less than 5,000 population. We urge a program for small rural communities comparable to the model cities program.

9. To double appropriations for the Farmers Home Administration.

10. To increase the mortgage term to forty years for most rural housing loans.

NHC urges the Secretary of HUD to implement section 4(c) of the Departmental Act, assigning to the Director of Urban Program Coordination specific responsibility for continuing consultation with the Secretary of Agriculture and with industry and public interest groups—to the end of making federal housing and community facility aids for rural areas equivalent to those available in cities and metropolitan areas. We look toward greater use of HUD's experience through exchange of technical information as much as through new Executive and Congressional actions. Better coordination at the executive level between HUD and the Department of Agriculture should result in programs that meet sound standards of development appropriate to rural areas.

NHC supports the Rural Areas Redevelopment District Bill. We call attention to the items mentioned above as necessary to implementation of the plans of these Districts.

NHC is pleased to note that the President has asked the Secretary of Agriculture and the Director of the Bureau of the Budget to review all existing Federal programs to insure that rural areas receive an equitable share of their benefits. In addition, a National Advisory Commission on Rural Poverty has been established, and the Secretary of Agriculture has been asked to identify development problems in rural areas in order to coordinate the various Federal programs and avoid duplication. NHC supports these steps and urges the officials involved to take bold and comprehensive action.

H–III. Planning aids for multi-county areas

Recognizing that the Nation no longer consists of small towns and communities which can develop independently, the President and the Housing Bill of 1967 propose that Congress amend the Housing Act of 1954 to authorize $20 million to provide HUD-administered grants to States of up to ⅔ of the cost of technical assistance: (a) for comprehensive planning by multi-county planning agencies in non-metropolitan areas; and (b) for technical assistance to the multi-county planning agencies of the Department of Agriculture.

NHC urges Congress to enact the legislation recommended by the President. The proposed multi-county planning is necessary to achieve the sound development of smaller urban communities and surrounding rural areas. These areas should have opportunities and facilities which are comparable to those of large cities, so as to attract and retain residents and avoid further congestion in the large cities. However, it should be understood that this program should not encourage the pirating of industry.

H–IV. Migrant farm workers

In his recent message to Congress, the President has also called for the institution of an expanded program of self-help housing for migrant farm workers. He recommends the authorization of $35 million to provide such services as education and health and for the construction of 2,000 self-help housing units. NHC agrees that migrant farm workers are among the forgotten Americans, and urges Congress to support the President's recommendations.

CHAPTER I. URBAN TECHNICAL ASSISTANCE, RESEARCH, AND TRAINING

I–I Urban information and technical assistance

The 1966 Act recognizes the need to assist States to make available information and data on urban needs and assistance programs and activities; also, to provide technical assistance to small communities seeking to solve their urban problems. It provides for a Federal grant of 50% of the cost of an urban information and technical assistance program. Accordingly, the law authorized the appropriation of $2.5 million for the 1967 fiscal year and $5 million for the 1968 fiscal year for Federal grants for the urban information and technical assistance program. NHC recommends an appropriation of the full $7.5 million authorized, instead of the $6 million requested by the Budget.

I–II. Urban research and development

In his message to the Congress on Urban and Rural Poverty, the President observed that: "Less than one-tenth of one percent of our total research and development expenditures in government have been devoted to the field of housing and urban affairs. Yet, 70 percent of our citizens live in urban areas."

Recognizing that the failure to apply technological and scientific advances and resources to this vitally important area of American life must not continue, the President outlined a three-fold program to build a basic store of urban knowledge. NHC strongly supports the President's following three-point program which has now been embodied in the Housing Bill of 1967:

1. Legislation to authorize a new Assistant Secretary in HUD for research, technology and engineering. Under the new Assistant Secretary, an office for urban research, technology and engineering would be established in a form proven successful in other governmental agencies. HUD would also serve as an information source for state and local governments and private industry.

2. The Secretary of HUD would encourage the establishment of an Institute of Urban Development as a separate and distinct organization which would engage in seeking solutions to future urban problems and requirements.

3. The appropriation of $20 million in fiscal year 1968 for use by HUD for general research and an increase from $13 to $18 million for other studies and experimentation in the fields of housing, urban development and urban transportation.

I–III. Grants for training and fellowships

1. The shortage of trained professional and sub-professional personnel in the broad field of community development has long presented a serious problem in the development of effective action programs. Unless corrected, this problem will become increasingly acute as the dimensions and pace of community development activities increase.

2. The Housing Act of 1964 contained a two-part program intended to combat this shortage. The first part authorized $10 million, without fiscal year limitation, for matching grants to States. These grants were to be used by the States to assist in organizing, developing or expanding programs to provide special training in skills needed by those persons employed or to be employed by governmental bodies responsible for community development and to support research required for housing programs and needs. The second part of the program contained an authorization for the appropriation of $0.5 million annually for a three-year period beginning on July 1, 1964 to provide fellowships for the graduate training of professional city planning and urban housing specialists.

3. These were important first steps in meeting this problem. The Budget indicates, however, that with respect to the training program, in fiscal years 1966 and 1967 no Federal expenditures have been made or are anticipated. For fiscal year 1968, the Budget requests $5 million for the training program and NHC supports this request.

4. With respect to the fellowship program, the Budget indicates that no funds were appropriated in fiscal year 1966. For fiscal year 1967, the Budget contains an estimate of $0.5 million. Finally, the Budget requests

$0.5 millions in fiscal year 1968 for fellowships and indicates that this request is intended to carry out authorizing legislation which has not yet been proposed. The NHC recommends favorable action on this appropriation and the proposed authorizing legislation for fellowships in fiscal year 1968. NHS further recommends the three-year extension of the grant program for fellowships which is proposed by the Housing Bill of 1967.

5. NHC feels, however, that the foregoing program amounts are clearly inadequate to do the job. It, therefore recommends:

(a) That $100 million a year be authorized for training for four years;

(b) That the fellowships be increased to $2 million a year for four years; and

(c) That additional funds be provided for the training of sub-professionals in the broad field of community development.

This would be done through the Institute of Urban Development, as proposed by the President of the United States for establishment in the Department of Housing and Urban Development; and further, that the grant ratios be equal to those provided for in Title I of the Higher Education Act of 1965. NHC also recommends that research and training funds be made available directly to local communities without requirement for a local matching share.

CHAPTER J—PROGRAMS FOR GENERAL APPLICATION TO HOUSING

J–I. Equal opportunity for housing

1. Throughout its entire life, NHC has been committed to equal opportunity for all American families to secure good housing in good neighborhoods. It again reaffirms this position. While recognizing the slow but significant progress that has been achieved in recent years, it deplores the fact that this opportunity is still denied to millions of American families throughout every section of the land because of their race, color, creed or national origin, or because of the myths which exist as to their desire, or ability to pay for and maintain good homes. To overcome this denial of opportunity and to dissipate these myths are great challenges facing the Nation.

2. NHC has long supported the principle of a competitive housing market open to free bargaining by all American families without regard to racial or ethnic background. Many localities have been limited in achieving this objective, however, because of the lack of adequate supplies of low and moderate-cost living accommodations and by the congestion of many minority group families in limited sections of the community. To provide an adequate supply of housing, it is necessary to raise production to a minimum of 2.5 million dwelling units per year.

3. We applaud the past actions taken by the President and the Congress of the United States as steps in the direction of providing an equal opportunity for housing. We urge the Administration to take all necessary additional actions to achieve this objective. As a further necessary step in meeting this critically growing problem, the NHC approves and supports the President's message recommending to the Congress the enactment of a fair housing law in 1967. We recommend and urge that the Congress adopt and incorporate the President's recommendations in the enactment of a Civil Rights Act of 1967.

J–II. Workable program requirement

NHC endorses the principle that the requirement of a local workable program for community improvement be made a condition for approval of all federal assistance programs. NHC believes that the criteria for such workable programs should be reasonably flexible in relation to local conditions and should be judiciously administered with provision for recertification of such programs every two years.

Until the workable program requirement is extended as a condition for all federal assistance programs, NHC opposes any requirement that there be a workable program, or approval by the governing local body, before the undertaking of a program involving rent supplements, conventional public housing, or public-housing leasing of private housing.

J–III. Relocation

1. NHC has long recognized the need for coordinated relocation payments and practices within the various programs of the federal government. We, therefore, have given strong support to the Uniform Relocation Act now pending before Congress.

2. When home owners are being displaced through urban renewal or other governmental action, adequate payments should be made for the acquired home and for the relocation of the homeowner so the dispossessed homeowner will be able to get and own a decent home elsewhere.

3. When a small business is being dispossessed through urban renewal or other governmental action, affirmative action should be taken to assist its relocation either within the urban renewal area or elsewhere. If it is to be relocated within the urban renewal area, there should be a policy to establish a rental for the small business which it can afford. In order to achieve this, an appropriate write-down should be made in the disposition of property under the urban renewal program. While it is recognized that there are allowances under present legislation to cover the cost of relocation by a business which is displaced through urban renewal, we recommend this additional affirmative action to help assure the protection and continuance of a small business that is being displaced. NHC also recommends the full implementation and use of the 1965 amendments to the Small Business Act for businesses which are being displaced through urban renewal or other governmental actions.

J–IV. Uniform system for computation of incomes within HUD

At the present time the computation of incomes differs among the constituent agencies of HUD which are administering comparable housing programs involving income limits. For years public housing has recognized appropriate deductions or exemptions in computing the family income. Thus, there is a deduction from the income of a secondary wage earner which recognizes that there are expenses in earning such wages, so they do not represent a full increment to family income. Likewise, deductions are allowed for the amounts paid for the care of children or sick or incapacitated family members when these are necessary to permit employment of a wage earner. There are other limited allowable deductions for minors or dependent adults.

While these deductions or exemptions are made in the public housing programs, they are not now recognized in the FHA program involving comparable subsidies under rent supplements or under the 221(d) (3) program which involves lesser federal aid through below-market interest rates. NHC recommends that similar deductions and exemptions be allowed by FHA in computing family income in both the rent supplement and the 221(d)(3) programs.

J–V. Disposition of Federal lands

NHC recommends that local housing authorities have equal opportunity with Federal agencies for the acquisition of surplus Federal lands for low-rent housing needs.

J–VI. Rat control

The President's message on Urban and Rural Poverty and the Housing Bill of 1967 contain a proposal for a much-needed program of rat control and extermination. The President has stated that he will request Congress to provide $20 million in fiscal 1968 for the initiation of this program. Recognizing the clear menaces of rodent infestation, NHC commends the President for his leadership in mounting a campaign to meet this problem and urges Congress to support the President's request.

J–VII. Federal controls on interstate sales of real estate

NHC supports the enactment of S. 275, introduced by Senator Harrison A. Williams of New Jersey which would provide for a full and fair disclosure of the nature of interests in real estate sold through the mails and communication in interstate commerce. This proposed legislation would prevent frauds and misrepresentation in the sale of such real estate.

In recent hearings before the Senate Subcommittee on Frauds and Misrepresentations Affecting the Elderly, it has been shown that are increasing instances of deception and fraud inflicted upon the unwary public. This bill would provide effective protection of the public from being bilked into buying lots that are actually located in deserts, swamps, or other remote areas.

J–III. Support for international programs for housing

1. NHC is aware of the critical housing problems elsewhere in the world, particularly in the developing countries. We urge continuation and expansion of our Government's foreign aid programs for housing in the developing countries, particularly cooperative housing to provide ownership by moderate income families as contemplated by the Humphrey Amendment to the Foreign Assistance Act.

2. Further, we urge our Government to support efforts: (a) to elevate importance of housing in the economic development process by supporting efforts to establish within the framework of the United Nations a specialized international agency dedicated to solving the housing problems of the developing countries; and (b) to increase U.S. financial support to U.S. universities and other institutions for research and training programs to help solve these housing problems and supply the trained personnel so badly needed.

3. NHC applauds the leadership provided by the United States in the adoption of a resolution by the United Nations Social Development Commission giving emphasis to a demonstration program for the improvement of squatter areas; also, the resolution calling for a study to establish an International Housing Year.

J–IX. Appropriations requested by administration

NHC strongly recommends Congressional approval of the budgetary requests of the Administration for HUD programs. These funds are greatly needed to meet the critical problems of our urban areas and the shortage of adequate housing for persons of low and moderate incomes. In addition to the $750 million for urban renewal grants for fiscal 1969, we urge Congress to make full appropriations of the following amounts requested and previously authorized by Congress:

1. $412 million for supplemental and planning grants for the model cities program for fiscal year 1968, together with the $250 million increase authorized by Congress for urban renewal in model cities.

2. $40 million increase in contract authority for the Rent Supplement Program for the fiscal year 1968.

3. $230 million for Urban Mass Transportation grants in fiscal year 1969.

4. $50 million for urban planning assistance grants.

5. $20 million for urban research and technology.

6. $30 million for supplemental grants to encourage metropolitan growth planning.

7. $125 million for open space and beautification.

8. $42 million for neighborhood centers.

9. $6 million for urban information and technical assistance.

10. The amounts requested by the Administration for annual subsidies for low-rent public housing, water and sewer grants, direct loans for housing for the elderly and handicapped, community development training and fellowships, low-income housing demonstrations, and grants and loans to the State of Alaska for housing for low-income residents.

11. Adequate funds as requested by the Administration to permit HUD to fully and effectively discharge its important functions.

THE FOOD-STAMP PROGRAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I rise to bring to the attention of my colleagues the urgent need to continue to provide for the operation of the food-stamp program on a sound and fully operable basis. We will have the opportunity to make this crucial decision in the very near future.

In my own State of New Jersey, quite frankly, the program got off to a relatively late start. The first such program—in Mercer County—did not begin operation until June of last year. But, the success of the food-stamp program has led other counties to join.

As of March of this year, four counties were operating food stamp programs and another four, including Union County, are scheduled to begin operations in the near future. And, additional counties, Hudson included, want to be able to take advantage of the benefits as soon as possible.

In passing the Food Stamp Act of 1964, the Congress indicated to the States that it contemplated the progressive expansion of the food-stamp program to all areas of the country wishing to participate. This was to be a gradual process.

Now, there is a move in the House to change the rules. This new proposal would require the States to pay 20 percent of the cost of the free, or bonus, coupons. This—it is contended—is necessary to insure that the States and localities have control over the programs.

Mr. Speaker, the States and localities do now control the programs and their participation in them. It is strictly a voluntary program. The Department of Agriculture cannot, by law, start a single food-stamp program in any State unless the State and locality has requested it. Further, the State and locality must be willing to pay the cost of administering the program. If a county starts a program and then decides it is no longer needed, it can summarily withdraw. Frankly, I cannot see how this 20-percent requirement is going to give any more local control than already exists.

Mr. Speaker, this proposed cost requirement for the States is no minor change in the law. I submit that the move to require the States to match 20 percent of the cost of the bonus coupons will, in effect, end the program and, most assuredly, end it in those areas and States where it has had, and is having, the most beneficial impact.

Why anyone wants to halt this program is beyond my understanding. It has proved conclusively to be more effective than the free distribution of surplus food and, more importantly, it leaves intact the pride and sense of contribution of those families using the program. It has been well administered by both the Department of Agriculture and the States. Even taking into account the pilot program begun in 1961, the critics of the food-stamp program fail to point out any abuses or poor administration.

There is an additional important consideration. Would the legislature of your State appropriate funds to match the 20-percent requirement when they could easily go back to the free surplus food donations? And this overlooks the fact that the surplus food program was far more inefficient and less beneficial to the poor it was designed to help.

And, Mr. Speaker, the supporters of the move to eliminate the food-stamp programs try to console us with the fact that the States will be able to go back to distributing surplus food which the States do not contribute to the cost of. This seems to indicate that they are not really concerned about State control of the program.

There are several reasons why the States will be unwilling to match the 20-percent cost requirement, even though the program has proven so successful in the past and gives such great promise for the future.

In many cases, the States simply cannot afford it. In fact, if States were able to finance the kind of public assistance that is required to meet the needs of low-income people, then they would not need a food-stamp program.

If this situation is true in New Jersey—and it is—it is even more true for other States that now have substantial food stamp operations.

Some States cannot now even raise the revenue to take full advantage of Federal moneys available to help operate other public assistance programs. These are the States where the food stamp programs are most urgently needed. It is sheer folly to pretend that these States are suddenly going to find a new source of revenue to finance the cost of the coupons.

The State could, of course, pass this additional cost on to the counties. But, the counties most in need of the program would be those least able to pay and most would be forced to drop the program.

The stamp program is not a welfare program—it is a food program. It is a means of putting a national resource—our abundance of food—to work to meet a national need. It does not replace or lessen the need for the States to finance a public assistance program. It simply puts our overabundant food resources to work to help make up the deficiencies in State public assistance programs—deficiencies that arise out of the States' inability to fully finance such basic assistance.

Mr. Speaker, the district which I represent combines parts of two counties. Each of these will be severely affected by this proposed change in the Food Stamp Act. Union County is scheduled to begin a food stamp program on June 1, 1967. This means that unless the program is extended, the county will operate the program for a little more than a year. I seriously doubt that the county can afford to pay out 20 percent of the cost because of the already extentive and costly public welfare programs it now carries on.

On the other hand, Hudson County wants to begin participation after July 1. The county has a tremendous population of older people, many of whom could qualify to benefit from the food stamp program. Again, I feel that the comprehensive public assistance programs already borne by Hudson County preclude their paying 20 percent of the cost of a food stamp program.

Here then, in these two counties, the poor will be denied desperately needed assistance as a sacrifice to false economy, should the 20-percent requirement be enacted.

The supporters of this requirement point to the high cost of the war in Vietnam. I only have one question to ask. Is the economy of our Nation so weak and are we so hardened to poverty, that we would deny poor families a dignified way of helping themselves to get an adequate supply of food?

And, remember, they say the States can always go back to the commodity program. It is not a choice between spending or not spending dollars to assist low-income families to eat better.

Mr. Speaker, many false, yet superficially attractive, issues of economy and control have been raised in regards to the food stamp program. I think we should brush these aside and get right to the heart of the matter: Whether to end the program or not. I submit that the answer is that we do not want to and moreover we cannot afford to end it.

NEED TO REVISE SELECTIVE SERVICE LAW—LIV

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, some opponents of abolition of the draft have warned that a voluntary armed force would be composed of mercenary troops. General Hershey has also echoed similar sentiments. I am not quite sure what the general and these other individuals have in mind, unless they assume that those who would enlist would do so only for monetary reward, hence, qualifying them as mercenaries.

Today, we call upon many of our young men to perform what perhaps is the highest act of patriotism—to risk their lives in the defense of their country.

Their financial compensation, however, is extremely meager. Under a voluntary system, the man in uniform may also be asked to risk his life for this Nation, yet, because he may be paid what might approximate a living wage, should he thus be labeled a mercenary? Is this the term opponents of abolition would attach to those in the officer corps, who are adequately compensated? Obviously not.

Such statements are nothing more than unfair blanket indictments against all those who volunteer to serve in our Armed Forces. General Hershey should know better, particularly since he, himself, voluntarily enlisted in the Indiana National Guard when he was 16 years old. When there was a voluntary system of recruitment in the 1920's and 1930's, no one called those who enlisted "mercenaries." The economic life of many of the enlisted men would be far more rewarding, financially, in the civilian economy. There is nothing wrong in making military life more attractive and if this means increasing military salaries, then it should be done.

AN EDITORIAL FROM THE WOONSOCKET CALL, PERTAINING TO THE POST OFFICE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the postal service—and particularly its problems and what to do about them—has been the subject of nationwide attention ever since Postmaster General O'Brien called for a nonprofit corporation to take over our mail delivery system. There is no question that the situation is serious and steps must be taken to improve postal service. Postmaster General O'Brien's proposal and the need for immediate action to modernize the post office were discussed in a thoughtful editorial appearing recently in the Woonsocket Call which I would like to bring to the attention of my colleagues.

The editorial follows:

The Postmaster General's Frustration

If, as is probably the case, Postmaster General Lawrence F. O'Brien has tried to do his job conscientiously, one can understand his obvious frustration. He has proposed that the Post Office Department be turned into a non-profit government corporation headed by a professional executive.

O'Brien's idea is bereft of details, but he clearly suggests that something ought to be done to straighten out the department. Only a month ago he described it as being on the road to catastrophe, another example of his frustration.

That the postal service has deteriorated in recent years is no secret to anyone who uses it. The deterioration appeared to set in when deliveries were cut from two to one daily. The cause for the cutback at the time was said to be the increased volume of mail. The volume has continued to increase to the point where post offices in large metropolitan areas are virtually snowed under.

Right here in Woonsocket postal workers are handicapped by rather antiquated quarters, at least as regards size. This situation will hopefully be remedied when the government builds its new federal building. The volume in the Woonsocket office has increased over the years to the point where some areas don't receive a mail delivery until late afternoon.

The situation that exists in Woonsocket exists also in many, perhaps most, post offices throughout the nation. There is apparently just too much business under the existing setup.

There are some skeptics who contend that a private industry could take over the postal service and make a profit. That's a moot question. We have always regarded the mails as a service provided by government because it would be too costly for private enterprise. It has generally operated at a deficit, which is eventually made up from taxes.

That the postal service demands a complete overhaul is unquestioned. It is a labyrinth of old-fashioned and outmoded rules and regulations. Some segments have become dumping grounds for political appointees. Many of its facilities have outlived their usefulness.

A recipe for rejuvenation is in order, but Postmaster General O'Brien will have to be more specific if his proposal is to get the necessary attention.

A BILL TO AMEND THE SOCIAL SECURITY ACT

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, one of the glories of an affluent society is its ability to adequately care for its senior citizens—to care for those citizens who generously contributed toward the greatness of our Nation and who have now reached the sunset of their lives.

Though ours is a most affluent society which possesses the ability to adequately care for its senior citizens, we have nevertheless failed to do so. It is shocking, I think, to learn that this country, which is the wealthiest in the world, uses less of its national wealth for the social welfare of its citizens than other advanced industrial nations and frequently less than many poor and developing nations. While West Germany and Luxembourg use 17 percent and 16.6 percent, respectively, of their gross national product for social welfare measures, the United States uses only 7 percent.

We have not adequately met our overall social welfare obligations and we have particularly failed to give our senior citizens a just return for their labors while sending billions of dollars overseas to care for others—many of whom may one day turn against us.

The failure, I believe, has been a legislative one. We have failed to take into account the problems inherent in a dynamic economy and society. Though our intent has been good, we have failed through the years since the inauguration of the social security program to make legislative provisions which would enable adequate and timely adjustments of social security benefits in accordance with changes in the cost of living.

Oh yes, we have made periodic increases in benefits in an effort to maintain the purchasing power of social security beneficiaries through the years but such periodic adjustments have been far too few, too little, and too late.

Rather than providing a realistic and elastic system of payments that closely adhered to the cost of living, we let our senior citizens get by as best as they could on a fixed pension while rising costs of living robbed them of their purchasing power.

Far too many of our senior citizens have known the agony of trying to sustain oneself on a fixed social security pension while the cost of living leaps far ahead. To illustrate, during a 7-year period, beginning in 1958, we experienced an increase of over 8 percent in the consumer price index while the cost of services, which mostly affects the elderly, increased over 16 percent. However, during the same period social security beneficiaries received no increase in benefits to offset these increases.

Therefore, Mr. Speaker, I am introducing a bill today that will provide for an automatic increase in benefits whenever there is a 3-percent increase in the cost-of-living index.

We are not speaking of a small segment of our society when we refer to our senior citizens who rely on social security payments to sustain themselves. There are almost 22 million Americans numbered in this group. They deserve our vigorous attention and support. We must assure them that their golden years will be lived in the dignity for which they worked so hard to attain and will not be darkened by poverty's long and ugly shadow.

Though many of our citizens have found other financial means to sustain themselves after reaching their sixties, the overwhelming majority of the population reaches retirement age with social security as their only benefit.

This problem of which we speak is becoming increasingly acute because people are living longer and longer and, consequently, must depend upon social security payments for more years of their life.

We cannot expect these people to manage today's living costs on yesterday's fixed income. Through the many years of their retirement, we must continuously adjust social security benefits to living costs. This should not be left to the cumbersome legislative process of periodic increases as voted by the Congress. It can only be accomplished by the establishment of an escalation clause whereby rises in the cost of living will be matched by automatic increases in benefits without the necessity of legislative action on the part of the Congress. An automatic increase provision in our social security law is essential for inflation strikes more rapidly than the Congress acts.

In addition to an escalation clause, my bill calls for an immediate 12 percent across-the-board increase in all benefits. This will align benefits with today's cost of living while the automatic adjustments will meet future needs.

My bill also provides:

First. That the minimum benefit be raised from $44 to $80 per month. We must keep in mind that the minimum affects the neediest persons receiving benefits.

Second. That persons with 25 years of coverage, 100 or more quarters, will receive a minimum benefit of $100 per month and $150 for a couple.

Third. That outside earnings limitation be increased from the present $1,500 per year to $2,000 and that our pensioners be allowed to earn $3,000 before the dollar-for-dollar withholding from social security benefits becomes effective.

Fourth. That the taxable earnings base be automatically increased whenever there is a 3-percent increase in the national earning level. Many of the most serious shortcomings of the benefit structure in the past have been directly attributable to the chronic and continuing inadequacy of the base. The base has persistently failed to keep pace with the rising wage levels.

Fifth. That veteran pensioners be allowed this increase in social security benefits without a reduction in their veteran pensions.

Sixth. That under the Internal Revenue Code, increased social security benefits not be counted as income as computed by private trust and pension plans when determining benefits under their programs.

Mr. Speaker, the time to modernize our social security system is now. We must provide a program that will be responsive to tomorrow's needs and the growth of our economy. I believe that the bill I offer today will help to accomplish this.

JUDGE QUILICI COMPILES HISTORY OF ITALIAN-AMERICAN LAWYERS IN CHICAGO

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the Honorable George L. Quilici, judge of the circuit court of Cook County, has written a brief history about the Italian-American lawyers of Chicago.

Judge Quilici is a former law partner of the Honorable Arthur J. Goldberg, the U.S. Representative to the United Nations. He was elected judge of the municipal court of Chicago in 1940 and was reelected in 1942, 1948, 1954, and 1960. He was elected judge of the superior and circuit court in 1962. The superior court was eliminated under the judicial article and he is now judge in the circuit court of Cook County.

One of the most respected members of the Chicago judiciary, Judge Quilici has had an outstanding career. He was the famous prosecutor of the vote fraud cases and served as commissioner on character and fitness of the Illinois Supreme Court. He has been the recipient of many awards including the Star of Solidarity and the Commendatore al Merito della Republica from the Republic of Italy, the American Legion Citation of Merit, and the Chicago Industrial Council Community Services Award.

Judge Quilici received his LL.B. degree from DePaul University, and his J.D. degree from Northwestern University and John Marshall Law School. He has served as president of the Public Housing Association of Chicago and the Justinian Society of Lawyers, and has given generously of his time and effort to numerous civic and community activities.

In compiling a brief history about the Italian-American lawyers in Chicago, Judge Quilici has made a valuable contribution to the maintenance of accurate records about the development and growth of Italo-American participation in the field of law, jurisprudence, and the courts of Chicago.

It is my pleasure to insert the text of Judge Quilici's publication, which follows, in the CONGRESSIONAL RECORD.

THE ITALIAN-AMERICAN LAWYERS OF CHICAGO

The United States Census of 1870 lists no Italian lawyer in Chicago (lists one physician). The U.S. Census of 1900 lists 7 lawyers, (17 physicians). By 1920 there were, still, fewer than 40, but the rate of increase was rapidly accelerating.

Giovanni E. Schiavo in his book "The Italians In Chicago", published in 1928, lists 65.

At the end of 1966, there are over 500 Italian lawyers in Cook County. This figure is reached by counting 431 listed in Sullivan's Law Directory (1966–67), adding those admitted to the bar since publication, and estimating those not listed, either because they are with various businesses and corporations, or are located in suburban towns.

The yellowed, and crumbling pages, of the Chicago City Directory of 1900, lists as lawyers: Angelo Cella, John J. Mandioni, Onofrio Serritella, Emil Ferrio.

Also listed with Italian sounding names are: Frank O. Campe, Frank V. Campe, John Ela, Michael F. Cure, William A. Lemma, William Flora, Frank Crozi.

Which of these were Italian, we do not know.

The Clerk of the Illinois Supreme Court states that there is no record of Mandioni or Ferrio having been admitted to practice. Emil Ferrio appears on early Justinian letterheads. It is possible that he (and perhaps Mandioni, also) may have been admitted to practice elsewhere, such as Indiana.

The earliest lawyer we are certain about, to date, was Angelo Cella. He was admitted to practice on March 16, 1892. Nothing is known about him.

Onofrio Serritella was admitted October 22, 1894. Tragically enough, shortly after the turn of the century, he was slain by an enraged client, who believed that an abstract of title, examined, and certified, by Serritella, was defective.

It was almost one-half century later, that violence, once more, struck down a lawyer. William John Granata was capable, personable and popular. He had made important strides, politically and professionally. He had served as an Industrial Commissioner of Illinois.

He was axed down October 8, 1948, in the prime of life, at midnite, in the doorway of 188 West Randolph Street where he maintained his apartment, in downtown Chicago. The perpetrator of the maniacal crime was never ascertained.

The duty of the historian requires the inclusion of tragic events.

What kind of men, and lawyers, were these pioneers and founders? Many were born in Italy. Arriving here, they had to start learning the language. Their first earnings went to re-pay, more often than not, those who had loaned them the passage money. Many had had only a minimum of elementary education.

The others were the sons of immigrants—first generation American born.

With the loving sacrifices of their parents, and their own industry and endurance of handicaps, they worked their way through schools, and to a law degree.

Admitted to the bar, they had to compete for law business, with the long established lawyers. There having been no Italian lawyers, the expanding law business of the Italian merchants and industrialists, was, of course, handled by non-Italians.

It was under these conditions, that the pioneers struggled to make a beginning.

The political field, also, was pre-empted by others. But the beginnings were made, and built upon, as will, presently, be seen.

First, an over-all glance of these individuals. They were, variously, tall and small, lean and heavy, bushy-haired and bald, earnest and lighthearted, somber and fun-loving (and liking a glass of wine, or two), affable and ready to leap to the fray, articulate and oratorical. In short, they were human beings. They were competent, and zealous of their profession.

They had a profound feeling for the mother country, Italy, and were intensely proud and loyal American citizens.

Many may be seen in the two photographs; one taken at the Formal Annual Ball (Ballo di Natale) February 16, 1928; the other of "The Italian Lawyers Committee For Italian Relief dated December 5, 1931. (The photographs appear herein-after.)

These lawyers are the ones who paved the way for the sons and grandsons in the profession today.

We have said, above, that political "beach-heads" were established, and built upon. We, therefore, start with the Judges.

Who were, and are, they? Of what Courts, and when?

JUDGES

Bernard P. Barasa, Municipal Court, 1916 to 1924.

Francis Borrelli, Municipal Court, 1922 to 1946.

Alberto N. Gualano, Municipal Court (June to Dec.), 1922 to 1922.

John J. Lupe, Municipal Court, 1923 to 1935; Superior and Circuit Court, 1935 to present.

Francis B. Allegretti, Municipal Court, 1924 to 1932; Superior Court, 1932 to 1948.

John A. Sbarbaro, Municipal Court, 1926 to 1932; Superior Court, 1932 to 1960.

Nuncio Bonelli, Municipal Court, 1932 to 1950.

George L. Quilici, Municipal Court, 1940 to 1962; Superior and Circuit Court, 1962 to present.

Michael L. Rosinia, Municipal Court, 1946 to 1947.

Joseph A. Pope, Municipal Court, 1949 to 1956; Superior Court, 1956 to 1961.

Alexander J. Napoli, Municipal Court, 1950 to 1960; Superior and Circuit Court, 1960 to 1966; U.S. District Court, 1966 to present.

Daniel A. Covelli, Superior and Circuit Court, 1951 to present.

Felix Buoscio, Municipal Court and Associate Judge Circuit Court, 1957 to present.

Alfred J. Cilella, Circuit Court, 1958 to 1964.

P. A. Sorrentino, Superior and Circuit Court (April), 1962 to present.

Mel R. Jiganti, Associate Judge Circuit Court, 1962 to present.

Richard A. Napolitano, Associate Judge Circuit Court (July), 1963 to present.

Nicholas J. Bua, Associate Judge Circuit Court, 1963 to present.

Robert L. Massey, Circuit Court, 1964 to present.

Circuit Court Magistrates (1966–67): Frank W. Barbaro, Russell Dolce, Louis J. Giliberto, Frank S. Loverde, James P. Piragine, Joseph A. Salerno, Frank M. Siracusa, Adam N. Stillo.

The first Judge was Bernard Philip Barasa. He was born at Negaunee, Michigan, (not far from Lake Superior), in the mining country. April 15, 1875. He attended the University of Michigan, and Kent College of Law. He was admitted to the bar 1905.

He served as Judge of the Municipal Court of Chicago 1916–1924. He voluntarily retired from the bench, and returned to a successful practice.

He was one of the most popular vote-getters of his time.

It was a period of political party factions. Judge Barasa was a candidate, either as an independent, or with factional support, for State's Attorney, for member of the Board of Review (predecessor to the Board of Tax Appeals), and for Mayor of Chicago.

In each instance he received wide support, but because of party divisions, fell short of election.

He received many honors, but of course, his greatest pride were his daughter, and his two sons—all lawyers.

Kathryn Barasa served as an Assistant City Attorney. She married Samuel A. Rinella (who is, now, President of The American Academy of Matrimonial Lawyers).

The Rinellas are the parents of two sons—each a lawyer: Bernard B. Rinella, with the Rinella firm, and Richard A. Rinella, an Assistant State's Attorney.

This is a mile-stone, marking the first Italians achieving three generations of lawyers.

To complete the impressive law picture of this family, there are Judge Barasa's two sons, both in the private practice, J. Laurence Barasa, and Bernard L. Barasa, formerly, Secretary Industrial Commission of Illinois.

To the Barasa family goes the honor of "First Family of the Law."

(Judge Barasa died at Daytona Beach, Florida, in March 1964, just short of reaching the age of 89.)

Judge Francis Borrelli was born February 2, 1880. He was of small stature. Nevertheless, this little man won fame, by pitching several no-hit games, for the University of Michigan teams. He served 24 years on the Municipal Court bench, retired in 1946, and died in California past 75 years of age.

Judge Alberto N. Gualano was born at San Vicenzo Al Volturno, Campobasso, Italy, in 1868. He served on the Municipal Court 6 months, by appointment of the Governor, to fill an unexpired term. He failed of re-election in November 1922.

After many years of practice in Chicago, he retired to California, where he lived to be past 90 years of age.

Judge Francis B. Allegretti was born in Trevigno, Potenza, Italy, March 21, 1881. He was admitted to the Bar 1904. He served on the Municipal Court, and was, then, elevated to become the first to serve on the Superior Court. He retired, after 24 years as a Judge, in 1948. He now lives at Sugar Grove, Illinois, and was 86 years of age on March 21, 1967.

Four judges died while in office:

Municipal Court Judge Michael L. Rosinia, took office in December 1946. Less than one *year later—on September 24, 1947, he died.* He had served as The City Prosecutor, when it was a separate city office, with a large staff of assistants, under his administration. He was an unselfish, cultured, genial gentleman, and his loss was greatly mourned.

Superior Court Judge A. Sbarbaro, also, one of the most beloved and popular members of the bench, lost his life in a commercial plane explosion, over southern Indiana, while Florida-bound, on March 17, 1960. No trace of his remains was ever found.

Judge Joseph A. Pope, an able Judge, and a quiet, easy going person, in his early 50's died suddenly in his Chambers on September 19, 1961.

Judge Alfred J. Cilella, who previously had rendered outstanding public service, as member of the Legislature, Alderman, Committeeman, and as Judge of The Juvenile Court (then The Family Court) died at the age of 54, on August 4, 1964. He was greatly interested in the problems of the young, and in efforts to help them.

Judge Nuncio Bonelli served 18 years on the Municipal Court. He too, was an humanitarian, and a friend of the underprivileged youth. He died in Chicago September 23, 1958.

We let the dead rest for the moment, and turn to the living.

The Honorable Helen M. Cirese is a distinguished lady, and a member of still another "law-family".

Judge Cirese was the first Italian woman admitted to the Illinois Bar (1921).

She has served as President of the West Suburban Bar Assn.; President of The Women's Bar Assn. of Illinois; President of The National Assn. of Women Lawyers.

Miss Cirese was elected, and served, as Justice of the Peace, in Oak Park, Illinois, 1945–1961.

She was associated in the law practice with her two brothers, the late Charles C. Cirese, and Eugene L. Cirese, her present partner.

Circuit Court Judge John J. Lupe, now sitting in Chancery, is the "Dean" of the Judges. He has served continuously since 1923. He was the first Italian to be elevated to the Appellate Court (1946).

Judge Lupe is affectionately regarded by all, for his benign and gentle spirit, and respected for his vast legal learning.

Next in seniority, of the living Judges, is George L. Quilici, who has served on the bench since 1940.

The nomination of Judge Alexander J. Napoli, by President Johnson, as the first Italian Judge of the United States District Court, met with universal acclaim.

Judge Napoli brought to the Federal Bench, a distinguished record of service on the Municipal Court, the Superior and Circuit Courts, and as Chief Justice of the Criminal Court.

These historical "firsts" are recorded:

LAWYER "FIRSTS" CHICAGO (COOK COUNTY) ILLINOIS

First judge (Municipal Court): Bernard P. Barasa (1916).

First woman (admitted to bar: Helen M. Cirese (1921).

First Judge (Superior Court): Francis B. Allegretti (1932).

First Illinois Commerce Commissioner: William Parrillo (1941).

First Illinois Industrial Commissioner: William John Granata (1941).

First Chief Justice (Criminal Court): John A. Sbarbaro (1942).

First Justice (Appellate Court): John J. Lupe (1946).

First Secretary Industrial Commission: Bernard L. Barassa (1953).

First Member of Congress: Roland V. Libonati (1957).

First dean of Law School: Philip Romiti (1960).

First dean of Law School (De Paul University): Philip Romiti (1960):

First elected to county office (Clerk of Probate Court): Anthony G. Girolami (1961).

First Judge (U.S. District Court): Alexander J. Napoli (1966).

First-First assistant States Attorney: Louis B. Garippo (1966).

First President Joint Civic Committee of Italian Americans (President Emeritus at time of death, Aug. 28, 1965): Joseph Barbera.

By 1921 there were about 40 Italian lawyers. Their offices were in the lower-rent older buildings (now gone) on north Clark, Dearborn and LaSalle Streets.

Many were in the Ashland Block (155 North Clark) present site of the Greyhound Bus Station; others in the City Hall Square Building, now part of the site of the new Civic Center, and in the Reaper Block (northeast corner of Washington and Clark Streets), and in similar buildings. With few exceptions, they were all north of Madison Street.

On the other hand the large law firms that represented big business and industry, the banks, insurance companies and the railroads, were all south of Madison Street—the "line of demarcation."

In the fall of 1921, John De Grazia called a meeting of lawyers, in his offices in the Ashland Block, for the stated purpose of organizing a bar association of Italian lawyers. 30 answered the call.

The Justinian Society of Advocates was chartered by the State of Illinois, in October 17, 1921. (The name was amended to Justinian Society of Lawyers—on September 3, 1953.)

On the charter, the incorporators are: John De Grazia, Helen M. Cirese, Joseph R. Orrico and George L. Quilici.

De Grazia, the founder of the Society, was elected President, two terms, and served 1921–1923.

The original officers and members were:

ORIGINAL MEMBERS (1921) JUSTINIAN SOCIETY

John De Grazia, president.
George L. Quilici, treasurer.
Spiro Chiesa, vice president.
Joseph R. Orrico, secretary.

Charles C. Arado, Francis Borrelli, John A. Brizzolara, Vincent Chisesi, Helen M. Cirese, Anthony T. Clementi, Rocco R. Covello, Guy C. Crapple, Francis J. Cuneo, Vito B. Cuttone, Rocco De Stefano, Joseph M. Fiore, Alberto N. Gualano, Frank Ingraffia, Thomas H. Landise, John J. Lupe, Frank Mirabella, Nicholas A. Pope, Jerry Priore, Michael A. Romano, Michael L. Rosinia, John A. Sbarbaro, George J. Spatuzza, Horatio Tocco, Henry M. Tufo, Gerard M. Ungaro.

The Justinian Society became inactive, about the time of World War II, and remained so for a number of years.

It was in the late 40's, and early 50's that men, such as Richard Altieri, initiated steps to re-activate the Society, and to up-date its purposes and functions. Without interruption, the Society has continued, and prospered ever since.

The Italian lawyers have honored the profession, served well the community, and reflected credit on their progenitors.

It is not the purpose of this history to deal with the contemporary Bar. That is left to the historian, who will write History II.

This history is of the Bar of 35 years, and more ago. But reference is made to some of a later period, to note accomplishments of significance.

George L. Quilici, was elected the second President of the Society (1923) and was, in turn, succeeded by George J. Spatuzza, who became the third President (1924).

Spatuzza is a sagacious lawyer, and an important political figure. He served for many years as the Supreme Grand Venerable of the Order Sons of Italy in America.

His lawyer son, John G. Spatuzza, served as Grand Venerable, State of Illinois, of the same Order. Also, served as President of the Justinian Society, giving the Spatuzzas the unique distinction of being the only father and son combination to have done so.

The Libonati family is another notable *one, in our legal record. Michael Libonati,* the senior brother, and first of the three brothers to become a lawyer, lost his life in

World War I. Elliodor M. Libonati, a highly competent lawyer, died in 1954.

Roland Victor Libonati, the surviving brother, served as the youngest commissioned officer in the U.S. Army in World War I. He was elected to, and served many terms, in both the House of Representatives, and the State Senate of Illinois. He was elected as the first Italian Congressman from Illinois (1957). His son, Michael, a brilliant scholar, is finishing his law studies at Yale.

Judge Felix M. Buoscio is the Supervising Judge of the Traffic Center. He has two lawyer sons: F. Ronald Buoscio, and Harry R. Buoscio, an assistant Corporation Counsel of the City of Chicago.

Magistrate Frank S. Loverde has a son, Charles M. Loverde, practicing law, and, also, a brother, Joseph J. Loverde.

Horatio Tocco, Sr. is the top expert on Immigration and Naturalization. He has received many honors, including the highest award of the Government of Italy, that of Commendatore. He is, and has been, since 1929, the attorney for the Consul General of Italy in Chicago.

His son, Horatio Tocco, Jr., a lawyer, is a leading Savings and Loan, banker and executive.

Other highly successful Business, Banking and Financial lawyers include: David S. (Cesario) Chesrow, James V. Sallemi, Alfred E. Gallo, Peter D. Giachini, Nello Ferrara.

The stories of their climbs to the pinnacles of success, would, in each case, require writing to fill a book, as is the case of many listed below.

ON THE FACULTIES OF LAW SCHOOLS

De Paul University: Philip Romiti (dean), S. John Insalata, N. A. Giambalvo.

Loyola University: James Marchese Forkins, Vincent F. Vitullo, Ronald J. Salamone.

John Marshall Law School: Alphonse Cerza.

Chicago Kent College of Law: Dean J. Sodaro.

MEMBERS OF THE STATE LEGISLATURE OF ILLINOIS

Anthony Scariano, Nicholas S. Zagone, Victor A. Arrigo, Lawrence X. Pusateri, (Winner of First Justinian Law Scholarship (1953) and Past President Justinian Society. He is on the Board of Managers of the Chicago Bar Association.)

FORMER MEMBERS OF LEGISLATURE

State senate: Anthony J. De Tolve.

House of representatives: Andrew E. Euzzino.

OTHER NOTABLES

Gerard M. Ungaro (financier, corporation executive and philanthropist).

Dominic Tesauro: (Regional Administrator, U.S. General Service Administration. Has an outstanding record of service in U.S. Army, Military Government, in Italy, in World War II.)

LONG TIME MASTERS-IN-CHANCERY

Henry E. (Pieruccini) Perry, Anthony J. Mentone (president, Chicago Library Board), Anthony A. Pacelli, Samuel L. Montelione (son, Anthony S. Montelione, is an assistant State's attorney).

OTHER NOTEWORTHY ACHIEVEMENTS

Peter R. Scalise (member, Chicago Commission on Human Relations).

Antone F. Gregorio (member Illinois Supreme Court Commission on Character and Fitness. Past president, Justinian Society).

William J. Russo (assistant commissioner, Illinois Commerce Commission).

Antonia Rago Herbert, Michael Fio Rito (arbitrators, Industrial Commission of Illinois).

Armand Chiappori (former arbitrator, Illinois Industrial Commission).

John De Feo, Joseph T. Lavorci (recognized trial lawyers representing insurance carriers in negligence litigation).

Charles C. Arado (erudite writer on legal and philosophical subjects).

Maurino R. Richton (mayor of Chicago Heights, Ill.).

Paul C. (Ceffalio) Ross (political leader and ward committeeman).

John J. Moreschi (veteran labor attorney).

Lawrence N. Marino (former assistant U.S. district atty., past president, Italo-American National Union).

Maurice R. Marchello (writer and columnist).

Robert S. Clementi (expert in real estate law, as was his father, Anthony T. Clementi. Clementi is also a past president of the Justinian Society, of which his father was a charter member.)

Emil Caliendo (served as an industrial commissioner of Illinois (starting 1953), by appointment of the Governor).

Giuseppe Zaffina (promoter of opera in Chicago, past president, Justinian Society).

Richard P. Fredo, James S. Montana (former assistant probate judges. Montana established the first (for a number of years, starting 1953) Justinian Annual Law Scholarship Award).

Guy C. Guerine, and his brother George N. Guerine (old settlers of Melrose Park, Ill., and holders of public offices there, for many years).

Paul Comito (department head of the Chicago Title and Trust Co.).

Italian lawyers have moved "south of Madison Street," and have become partners in law firms of the greatest consequence. Some are listed here:

PARTNERS IN LEADING LAW FIRMS

Baker, McKenzie and Hightower: Michael A Coccia.

Bodell, Sears, Foster, Sugrue and Crowley: N. A. James Giambalvo. (Mr. Giambalvo is, also, on the faculty of De Paul University).

Eckhart, McSwain, Hassell and Husum: Marie A. Palumbo.

Hill Sherman, Meroni, Gross and Simpson: Charles F. Meroni, Anthony R. Chiara.

Kirkland, Ellis, Hodson, Chaffetz and Masters: George H. Dapples, Caryl P. Bonotto.

Ross, Hardies, O'Keefe, Babcock, McDugald and Parsons: John B. Angelo.

Spray, Price, Hough and Cushman: Theodore W. Grippo.

Winston, Strawn, Smith and Patterson: Charles J. Calderini, Richard J. Faletti.

Nor were the lawyers so preoccupied with the law as to forget romance.

Some husband and wife lawyer pairs are:

Frank Martoccio, Julia Palermo; Donald D. Panarese, Genevieve Cacciatore; Emile J. Rago, Catherine Barbino; Samuel A. Rinella, Kathryn Barasa; Joseph O. Rubinelli, Mary Jane Saccone (head of the inheritance tax division of the office of the Illinois attorney general).

At the close of this work is an appendix:

A. Names from Justinian letterheads, dating before 1935, of lawyers not otherwise named herein.

B. Those whose whereabouts are unknown, and are considered "missing."

There follows "In Memoriam" naming the revered dead.

To preserve some idea of their personalities and activities, a few are selected for this purpose.

Rocco DeStefano, was a giant of the criminal defense bar. Although a kindly man, with a twinkle in his eye, when the twinkle turned to firey flash, the thunder pealed. He was articulate and a formidable debater. Often, without compensation, he represented indigent unfortunates, in the interest of justice.

Michael A. Romano had served as an Assistant State's Attorney. He was eloquent, handsome and debonair. He was interested in, and had much talent for the theatre. After much preparation in drama schools, he left his law practice, and went to Hollywood. He appeared in several movies. Later he returned to Chicago, where in addition to maintaining a law office, for a number of years, he played roles in radio dramas. He was found dead in bed, having died in his sleep.

Robert Romano, also a former Assistant State's Attorney, and member of the Illinois Legislature, now deceased, was his brother.

Stephen A. Malato, with his handsome, rugged features, and his shock of gray hair, was one of the most colorful of all. He was a man of dignity. He spoke in measured tones. He had a great feeling for the common people.

Early in life he married Nina Van Zandt, the "widow" of August Spies.

On May 4, 1886, a street rally was in progress at the Haymarket Square—Desplaines and Randolph Streets. The police marched on the meeting. A bomb exploded killing and injuring a number of them. The police, then, fired on the crowd killing and wounding many.

Spies, and the other "anarchists," although not present at the occurrence, were charged in a conspiracy indictment, convicted and sentenced to hang.

While an appeal was pending, Nina Van Zandt, visiting the doomed men, fell in love with Spies. She was in her teens, and had attended Vassar College.

Because she felt that, somehow, it might help save him, and the others, she "married" Spies, by proxy, when the authorities refused to permit a ceremony in the jail.

The appeal was lost. The sentences of some of the condemned, were commuted.

Spies, Fischer, Engel and Parsons, were hanged, together, at the old jail, at Hubbard and Dearborn Streets, on November 11, 1887.

John Peter Altgeld was elected Governor in 1892. On June 26, 1893, Governor Altgelt pardoned the "Haymarket" men, who were serving commuted sentences of life imprisonment. This created a great furor. Those were days of turbulence, unrest, and high feelings.

It was in this climate, that Malato married Spies' "widow," Nina Van Zandt.

Later many came to recognize that the Haymarket "trial" was a legal travesty.

Malato served in the legislature, and he was a highly respected lawyer.

On the high bluffs, overlooking Lake Michigan (near South Haven), Malato possessed a pleasant estate, where he grew fruit trees and cultivated flowers.

His pleasure was to invite friends, for good food, good wine, and stimulating conversation.

Joseph Barbera was born at Campobello di Mazzara, Province of Trapani, Sicily, in 1905, and brought to the United States as a youngster.

He established a brilliant record as a scholar, was Valedictorian of his class, receiving his Law Degree from De Paul University College of Law.

He was admitted to the Bar in 1933. His skill as a trial lawyer was soon recognized. Barbera specialized in the field of Personal Injury (Negligence) cases. As his victories mounted, and his reputation expanded, cases poured into his office by referral from other lawyers.

Barbera was of medium height, swarthy, and possessed piercing eyes. He spoke fluently and persuasively.

He had the deserved confidence of the courts, and the respect of lawyers. He was ethical, and his word was good. Even his adversaries, whom he had stung on frequent occasions, with heavy verdicts, mourn his loss.

He served as President of the Association of Plaintiff's Lawyers in Illinois.

He was elected as the first President of the Joint Civic Committee of Italian Americans. This Committee united some two score societies, lodges, civic and professional organizations, for joint action in promoting their common interests.

One of the things brought about by his

dynamic leadership is the annual Columbus Day State Street Parade, now recognized as one of the largest and most colorful in the country.

Barbera was re-elected President, year after year, and then honored as "President Emeritus".

In 1957 he was knighted "Cavaliere", by the Republic of Italy.

Joseph Barbera, the distinguished lawyer, and honored citizen, was justly proud of his Sicilian-Italian ancestry, and he would fight untiringly in defense of his inheritance.

He became a leader in the movement against the defamation of Italian Americans, by certain newspapers, and TV programs such as the unspeakable series "The Untouchables".

Barbera gave generously of his vast energies and resources, to the efforts to end these irresponsible and scurrilous doings, injurious to millions of decent Americans.

In these struggles the timid were silent, and the indifferent looked the other way.

Barbera is gone, but the fight is an unending one. New leaders will continue to rise.

Joseph Barbera died August 28, 1965, at the age of 60, after a long and wasting illness. The spirit of the great man lived with him to the very end, and lives today in the memory of those who knew and honored him.

His lawyer-nephew, John J. Milano, and his associates, now conduct the Barbera offices, in a manner that would be sure to please the absent one.

Joseph I. (Imburgio) Bulger was tall, handsome and dapper. He had a fine mind, and was soft spoken.

He was a leading trial lawyer, who had experienced many courtroom dramas.

He was President of the Italo American National Union.

He owned twin engined planes, and an air-port, and was a skilled pilot. He had flown his planes across oceans, and around the world.

On December 2, 1966, he was Florida-bound, on a night flight over Tennessee. His plane became ice-encrusted in a severe storm. His last words, heard at radio towers, were "The plane is out of control. I am flying up-side down. I am about to crash." His body was recovered in the wreckage.

It is by co-incidence, that this history begins with a tragedy—the slaying of the first lawyer, about whom anything is known, and ends with a tragedy—the plane disaster that so recently, took Bulger's life.

The historian who will write of the succeeding generation of lawyers, will have a wealth of material to exceed the pages of this modest volume.

APPENDIX

ADDITIONAL MEMBERS OF THE BAR

(Found on old Justinian letterheads (before 1935)

A. STILL PRACTICING

Joseph F. Barsano, C. Jerome (Bisesi) Bishop, Paul Broccolo (formerly justice of the peace), Joseph B. Carracci, Anthony V. Champagne, Samuel J. Coco, Francis J. Cuneo (formerly assistant State's attorney), G. J. De Vanna, John A. Filpi, Joseph M. Fiore, James Gimabrone, Peter A. Grosso (formerly assistant State's attorney), Mario H. Guidarelli, Frank Ingraffia, Louis J. Leo, Anthony J. Mercurio, Anthony J. Muffoletto, Nicholas A. Pope, Donald J. Rizzio, Henry E. Sasso, Joseph (Scuccimarie) Scoville, Scott Vitel (Salvatore Vitello), James Yacullo.

B. NOT LISTED IN SULLIVAN'S LAW DIRECTORY (1966–67)

Anthony W. Alfini, Albert E. Bucciere, California (former assistant State's attorney), Anthony Caliendo, Coast Guard, Washington, D.C. (lately at Milwaukee, Wis), George R. Caruso, Arizona, Rocco R. Covello, Ettore A. Ferrai, Louis Littiere, Peter L. Morici, James Percival Pio, Aurelio A. Porcelli, California, Biagio Raimondi, Florida, Joseph A. Sambreno, Anthony J. Schiavone, Dominic H. Valens, Vito J. Viviano.

IN MEMORIAM

(Deceased members of the bar (alphabetically))

Paul Altier, Robert Altiri.

Bernard P. Barasa (judge), Joseph Barbera Leo Bartoline (legislature), Nuncio J. Bonelli (judge), Francis Borrelli (judge), John A. Brizzolara, Joseph (Imburgio) Bulger.

Benjamin Caruso (assistant U.S. district attorney), Nicholas E. Caruso (legislature), Spiro Chiesa, Vincent Chisesi (assistant city prosecutor), Alfred J. Cilella (judge).

Charles C. Cirese, Michael Costabile (city attorney of Chicago Heights), Guy C. Crapple (assistant U.S. district attorney), Vito B. Cuttone (assistant State's attorney), Anthony T. Clementi.

Frank De Bartolo, John De Grazia (founder of Justinian Society), Rocco De Stefano, Michael R. Durso (legislature).

Emil Ferrio.

Gabriel C. Garro, Cairoli Gigliott (publisher), William John Granata (commissioner Illinois Industrial Commission), Alberto N. Gualano (judge).

Sabatino Insalata.

Thomas H. Landise (assistant State's attorney), Elliodor M. Libonati, Michael Libonati, Salvatore Lo Sasso.

Stephen Malato (legislature), Carlo Merlo, Frank Mirabella, Joseph Munizzo (assistant attorney general), Charles V. Muscarello.

Frank P. A. Navigato, William Navigato (assistant U.S. district attorney), Joseph H. Nicolai (assistant State's attorney).

Joseph R. Orrico.

Vincent Pace, William Parrillo (commissioner, Illinois Commerce Commission), Patrick Petrone (alderman), Joseph A. Pope (judge), Jerry Priore.

Frank H. Repetto, Michael A. Romano (assistant State's attorney), Robert Romano (legislature), Michael L. Rosinia (judge), Ugo Rutili, Philip Salerno.

John A. Sbarbaro (judge), Charles Schavone (referee), Onofrio Serritella, Robert Solari.

Joseph Taglia (assistant attorney general), Henry Tufo.

SAVING THE FOOD STAMP PROGRAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, one of the best things which has happened in a long time for the poor people of Chicago was the initiation of the Federal food stamp program 2 years ago, on April 1, 1965. Before that time, we had the commodities distribution system in effect, but it was a completely unsatisfactory way of meeting the food requirements of our needy people; in fact, it had the opposite effect by forcing very poor families to subsist largely on whatever surplus agricultural commodities were given out free by the Department of Agriculture each month—flour, cornmeal, lard, dried beans, powdered eggs, powdered milk, and so forth.

But since April of 1965, families in Cook County whose incomes are sufficiently low, compared to family size, to make them eligible for the food stamp program have had the opportunity to obtain a good, well-rounded, nutritious, American standard of living diet for the same amount of money they would normally spend for food on an austere diet.

This is a great thing for the children of needy families of Chicago and Cook County, for it means that the child can enjoy a good breakfast before going to school and a good dinner at night, in addition to the lunches served in school. The advantages of good nutrition for our youngsters should be obvious to all.

PARTICIPANTS IN COOK COUNTY NUMBER 85,000

In Cook County, about 85,000 men, women, and children are now enjoying the good food which is within their reach in the grocery stores under the Federal food stamp program. Most of these people are in families on public assistance, but thousands of them are not on welfare—including elderly persons on social security who do not qualify for welfare but do not have enough income to enable them to buy the food they should have for good nutrition. Similarly, large families where there is employment income but not enough to feed the family properly and still meet other necessary expenses, can also qualify for food stamps. For instance, a family of 10 can have an income up to a maximum of $490 a month and still qualify for some help on food costs, if the liquid assets of the family are $600 or less. For a family of four, the income limit is a little more than $60 a week.

In most cases, however, those on the food stamp program in Chicago are families on public assistance. Our welfare standards in Illinois are relatively high compared to many other States, but as any social worker will quickly concede, the food budget provided for under our welfare program, while sufficient to keep people from actually going hungry, would not provide the kind of diet American families would regard as adequate.

AVERAGE COUPON BONUS IS $5.11 PER MONTH

According to information provided by the Secretary of Agriculture, the average value of bonus coupons received by people in Cook County participating in the food stamp program is $5.11 per month, or about 27 percent of the total expenditures for food made by, or for, such a person each month. Thus, the people themselves pay an average of 73 percent of their monthly food costs out of their own funds in order to participate in the food stamp program.

It should be noted that the higher the income an eligible family may have, the more it must pay of its own money for the food coupons, and the smaller the value of the bonus food coupons it receives. So those families at or near the top limit of income eligibility receive a comparative small bonus in food coupons, while those at the lower end of the income scale receive the major share of the benefit. The idea is to assure each family an adequate diet regardless of its income, and in a country which can produce such a tremendous abundance of food—so much, in fact, that we can help feed the hungry in many other lands—it is incumbent upon us to make sure that our own needy people can eat properly.

PLEDGE OF SUPPORT TO CONGRESSWOMAN SULLIVAN

I am grateful to the gentle lady from Missouri, the Honorable Leonor K. Sullivan, of St. Louis, who is the chairman of the Subcommittee on Consumer Affairs, on which I also serve, on the House Committee on Banking and Currency, for having initiated the food stamp legislation in 1954 and for working for many long years to make it into a reality.

I will certainly support her efforts to remove from her bill, H.R. 1318, the crippling amendments added to it by the Committee on Agriculture when this legislation comes before the House. One of those amendments would limit the authorization for appropriations for the program to 1 year only—placing this great program is jeopardy next year again and every year thereafter until new legislation could be passed to authorize further appropriations. The other amendment is even more serious, and would require the States to pay 20 percent of the value of the bonus coupons under the program.

For Cook County alone, it would mean a cost to the State of nearly $100,000 a month for the continuation of the program at present levels, or more than $1 million a year, just for Cook County's program. For the State as a whole, with 53 counties now participating and 14 more scheduled to enter between now and June 1 and 35 additional counties seeking to have the plan extended to them, the cost would be astronomical under the Agriculture Committee amendment. It would be at least $2 million a year, and probably higher.

I have received a letter from Gov. Otto Kerner which indicates that the State could not fund the added costs under this amendment in view of the very high expenditures Illinois is already making for welfare, including the very substantial costs to the State of its present obligations in participating in the food stamp program.

EXCELLENT LETTER FROM GOVERNOR KERNER

Mr. Speaker, the Governor's letter spells out this problem very clearly, and I submit it at this point in my remarks, as follows:

STATE OF ILLINOIS,
OFFICE OF THE GOVERNOR,
Springfield, Ill., April 24, 1967.

Hon. FRANK ANNUNZIO,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ANNUNZIO: Through the National Governors' Conference and other sources I am advised that the House Agriculture Committee has sent the Food Stamp Bill (HR 1318) to the floor with an amendment which will require State welfare agencies to pay for 20 per cent of the value of the "bonus" stamps.

I shall greatly appreciate anything you can do to have this provision eliminated from the Bill. It will have the effect of negating for all practical purposes, the significant role the Stamp Plan has played in providing the poor with diets more in line with those purchasable by other low-income persons not requiring welfare aid.

I am not informed of the reasons behind this proposal of the Agriculture Committee. If the intent is to force those States which have been using the Stamp Plan as a substitute, at least in part, for increasing their public aid grants for food up to the standards the States themselves say are necessary for minimum subsistence, I fear the result will only be to depress diets of the poor in these States back to pre-Stamp Plan levels. These States, presumably, are granting aid below their standards because at the present time they cannot finance aid at the level of their standards. It follows that other measures are indicated to correct the problem in such states, rather than deprive the poor of an existing help in the situation.

In the case of Illinois—which bases its public aid food allowances on an adaptation of the U.S. Department of Agriculture's Low Cost Adequate Diet *and which grants 100 per cent of this standard*—the bonus stamps have meant for the poor in Illinois just what the word "bonus" implies. It has given them not an expensive table, nor even a liberal table, but one which has not required the close figuring in expenditure of each dime and nickel necessary to manage on USDA's Low Cost Adequate Diet. This has meant a lot in our efforts here in Illinois to motivate persons on our public aid rolls who have any potential for employment, or for other improvements in their condition, to undertake educational and training programs and move off public aid into self-supporting status.

Currently, food allowances in our direct maintenance grants are costing us about $6.4 million per month for some 364,000 persons receiving help through the federally-aided programs. This money provides a grade school child on the Aid to Dependent Children program with about $23 per month for food; a teenager with $28; an ADC parent with about $25; and an adult on the program for the Aged, Blind or Disabled with about $25. As noted previously, these sums will provide an "adequate diet" but they obviously take some figuring and here is where the "bonus stamps" provided by the Federal Stamp Plan have had the plus value mentioned.

Illinois is now spending something over $1 million a year *in State* moneys for operating expenses of the Stamp Plan. With our food allowances already established at an adequate level, we could not possibly justify diverting from other urgent items of need in our public aid programs an additional amount of at least $2 million per year which would be required by the Agriculture Committee's amendment. Its adoption would compel us to two alternatives, both undesirable: (1) withdrawal from the Stamp Plan or (2) lowering of our food standard to accommodate for the moneys diverted to paying the proposed 20 per cent of bonus Stamp Costs.

The Stamp Plan is now in effect in 53 Illinois counties and will be spread to an additional 14 counties as of June (Attached is a list of the total of 67 counties in which the plan will be in operation as of June). As of March, the value of the bonus stamps received by persons participating in the Plan was $772,884. At this rate—and the value will go up as the plan expands both geographically and in recipient participation—the Agricultural Committee's proposal would require us to pay for the bonus stamps at least $2 million per year.

You will note from the list of Illinois counties that the Illinois program is operating in rural areas as well as in the highly urbanized areas. Contrary to assumptions in many quarters, the poor in rural areas have just as much a problem in securing an adequate diet as do the poor in the cities and larger towns.

I am sure you will have before you, in connection with Social Security Act amendments on other measures, information concerning the wide range now existing in State standards for basic maintenance grants to the poor. After you deduct such fixed cost items as rent and utilities, you will note how very limited the food purchasing power of most of the poor people in this country is. Until the States have the time and means to bring these standards up to minimum levels, the Food Stamp Plan is a very necessary and practical approach to meeting one of the most pressing problems of poverty.

In summary, the amendment proposed by the House Agriculture Committee would defeat one of the most important moves that has been made in recent years to improve the condition of the poor in this nation. With the States already strained in obtaining sufficient revenues to finance their existing share of public aid costs, they cannot assume the additional outlay that would result from enactment of the Agriculture Committee's amendment.

I shall appreciate anything that you can do to assure continuation of the Food Stamp program under the present arrangements. We are counting on it materially as an important aid in developing our Illinois public aid programs in the years immediately ahead.

Sincerely,

OTTO KERNER, *Governor.*

Illinois counties participating in food stamp plan program

County	*Effective date*
Alexander	May 1966.
Bond	January 1967.
Calhoun	January 1967.
Champaign	February 1967.
Clark	February 1967.
Clay	January 1967.
Clinton	January 1967.
Coles	February 1967.
Cook	April 1965.
Crawford	January 1967.
Cumberland	February 1967.
DeWitt	February 1967.
Douglas	February 1967.
Edgar	February 1967.
Edwards	January 1967.
Effingham	February 1967.
Fayette	January 1967.
Franklin	June 1966.
Gallatin	July 1961.
Greene	January 1967.
Hamilton	June 1966.
Hardin	June 1966.
Iroquois	February 1967.
Jackson	May 1966.
Jasper	January 1967.
Jefferson	May 1966.
Jersey	January 1967.
Johnson	May 1966.
Lawrence	January 1967.
Macon	February 1967.
Macoupin	January 1967.
Madison	December 1965.
Marion	January 1967.
Massac	May 1966.
Monroe	January 1967.
Montgomery	January 1967.
Moultrie	February 1967.
Perry	January 1967.
Piatt	February 1967.
Pope	May 1966.
Pulaski	May 1966.
Randolph	January 1967.
Richland	January 1967.
Saline	December 1965.
Shelby	February 1967.
St. Clair	December 1965.
Union	May 1966.
Vermilion	February 1967.
Wabash	January 1967.
Washington	January 1967.
Wayne	January 1967.
White	May 1966.
Williamson	December 1965.

Counties to be added June 1967: Adams, Brown, Cass, Christian, Hancock, Logan, Mason, McDonough, Menard, Morgan, Pike, Sangamon, Schuyler, Scott.

COMMITTEE AMENDMENTS MUST BE DEFEATED

In conclusion, Mr. Speaker, I think those of us from urban areas who have helped to pass much legislation of value to the farmers of this country must make it clear by our votes on the crippling amendments proposed by the Committee on Agriculture to Mrs. Sullivan's bill, H.R. 1318, that we do not intend to have the very successful food stamp program dismantled on the spurious grounds that this country cannot afford to continue it.

The fact that 14 of the 35 members of the Committee on Agriculture voted against H.R. 1318 in committee even after the crippling amendments were added to this bill indicates that the 20-percent "sharing" idea must have won their support not as a way of improving the program but of ending it.

I have assured Congresswoman Sullivan of my continued enthusiastic support for her humane efforts to assure good diets for all Americans, and I will certainly vote with her to knock out the committee amendments to H.R. 1318. I hope all of my colleagues from Cook County, and from other areas of Illinois which have food stamp programs in operation, or where they are scheduled to start, or where the localities have requested the plan, will join me in making the Illinois delegation 100 percent in favor of continuation of this successful program without the committee amendments.

COMMUNITY SELF-HELP THROUGH COMMUNITY ACTION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Rees] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. REES. Mr. Speaker, President Johnson, in his message to Congress on poverty, underscored the importance of individual communities analyzing the problems they face and developing a strategy for their own self-help effort, through a community action agency.

These agencies play a vital role in the attack on poverty through programs they have shaped to answer their own needs.

I have been gratified to note that a number of these agencies have included consumer education programs as part of their local war against poverty. The poor in the slums pay more for what they buy than those who live in more favored circumstances. This is unfortunate, but it is also very much a fact of life. The reasons are not difficult to identify. The poor are unable to buy in quantity, their choices are limited, and they are often the victim of sharp salesmen who take advantage of their lack of knowledge and their inexperience.

Locked in poverty, their reduced purchasing power helps to keep them in poverty. The consumer education programs seek to overcome these barriers. Homemakers are taught how to shop, where to shop, what to shop for. They are taught how to secure their full money's worth, so that every dollar can go further.

Most homemakers automatically check sizes and prices, and read the fine print in contracts. However, when you have never been exposed to these shopping techniques, when no one has ever told you that buying 5 pounds of sugar may be cheaper in the long run than buying 2 pounds, the full value of what money you have is never available to you. Consumer education seeks to correct this inequity. A number of buying clubs have been set up in various cities, an outgrowth of these consumer education programs. Their purpose is to combine the money of housewives so that staple foodstuffs can be purchased in bulk and then distributed to the members at a saving. Hopefully, these buying clubs contain the element of self-destruction for after the members learn how money can be saved through careful shopping, they will no longer need the club to do their shopping for them. A few dollars saved every week may appear as a minor victory, but when people learn how to handle their own resources, they are in a more favored position to move out of poverty.

Consumer education programs are only a small part of community action, but they are indicative of the many levels on which the problems of poverty are being attacked. This diversity of attack, this molding of local programs to meet the individual needs of a poverty area, are strong points in community action and offer sound reasons why the war on poverty should be supported.

ACCELERATED RESEARCH IN WATER POLLUTION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOWARD. Mr. Speaker, Chairman John A. Blatnik's inquiry into the status of the Nation's water pollution control program brought to light some excellent testimony. One of the valuable contributions to the overall inquiry came from Roy Gaunt's very able presentation of the capabilities of industrial research. His discussion of the need for accelerated research and its impact on industry is of great interest to all of us. His statement follows:

Accelerated Research in Water Pollution

I am Roy E. Gaunt, manager of the water province department of the Westinghouse Electric Corporation. This department coordinates the firm's activities related to management of water resources. We draw upon people and technology in our own department and througout the company for broad analyses of water problems and for research and development. Similarly, we utilize our own resources and other facilities of the company for production of equipment—including equipment for desalting, other methods of water purification, waste treatment, detection and measurement of pollution, pollution abatement, and so forth.

We appreciate the opportunity, as an interested private firm, to participate in the committee's review of the national program for clean water. Since this is an overall review, rather than an inquiry into specific legislation, it may be appropriate to suggest three very broad points which, it seems to me, need increased emphasis.

First, we need widespread recognition of the full dimensions and cost of the increased effort that lies ahead.

Our nation's need for usable water will expand from about 400 billion gallons a day, the amount we withdraw from lakes and streams now, to about *12 hundred billion* gallons a day within this generation. Our ability to satisfy this crucial need is threatened by an ugly tide of pollution which already has rendered many streams and lakes unfit for many uses, and endangers many more. Yet we are confronted with the recent judgment of Assistant Secretary of Interior DiLuzio that despite greatly increased efforts, we may be losing more water battles than we are winning. That is, new and additional sources of pollution tend to offset all our present efforts to prevent and reduce pollution. In the net, we are not improving our water resources but are barely holding our own, if that.

We are doing better compared with past standards of performance but we are not making nearly enough progress to meet tomorrow's needs.

I am not sure that any of us—industry, Federal government, state and local officials—can escape some share of the responsibility.

It has been estimated, for example, that industry withdraws about 20 percent of the water used daily, but contributes about 40 percent of the pollution. Mr. M. A. Wright, president of the United States Chamber of Commerce, has cited one study to the effect that business alone will have to spend $32 billion by the year 2000 to meet water conservation needs. While industry has enormously increased expenditures for pollution control, it has not yet remotely approached that pace.

It seems to me we need to move toward full acceptance in production economics of the cost of preventing pollution. In the past, the measurement of such cost often did not include the toll taken by waste products, or the cost of preventing this toll. In the future, we must count as a normal cost of production the cost of acceptably disposing of the wastes caused by production. Just as we include the cost of maintaining clean equipment, so must we include the cost of maintaining a clean environment. And the public must understand that pollution control is a proper part of the cost, and hence the price, of industry's output—and this cost will be very large, indeed.

But industry is not the only polluter, and may not be the major one. We must also find the way and the financial means to greatly expand and improve the treatment of municipal wastes. The city, no less than industry, must consider that a normal cost of its operations will be adequate disposal of its wastes.

Only ten years ago, it was considered a somewhat revolutionary step to appropriate $50 million a year in Federal funds to help build municipal waste treatment plants. Today, this program has been increased threefold—but, again, the tendency has been to underestimate, rather than to overstate, the cost and scope of the actions required. A 1965 survey of the Conference of State Sanitary Engineers showed that 5,300 municipalities still had no treatment facilities, or inadequate facilities.

Systems that are adequate today will clearly be inadequate tomorrow—as population increases and urbanization expands, we not only will have to expand capacity, but we will have to provide much more advanced treatment. Yet, contract awards last year for sewage treatment facilities (in constant dollars) were actually less than those for any of the previous four years, and more than 20 percent below the level reached in 1962 and 1963. In view of the need, it is somewhat startling that this effort is declining. A study by a Congressional committee showed that only 11 major cities would need more than $450 million for waste treatment facilities during fiscal 1968 alone.

Over-all, various studies suggest that expenditures of approximately $100 billion will be needed to curb water pollution over the next three decades or so. Somehow, the full dimension of the need—and the crucial import of what is at stake—must be gotten across to more people. Certainly this committee deserves much credit for its leading role in the effort to alert the nation.

Second, we need not only an expansion of effort, but broader coordination in planning and management.

Whenever we look at water, we are confronted with a somewhat bewildering complexity and diversity.

There are many different uses for water. It slakes our thirst, nourishes parched lands, cleanses man's habitat, generates power, keeps industry turning, produces food, provides recreation, and serves as a medium of transportation for man and animal. There are many different threats and problems—floods, temporary droughts, permanent shortages, and an ever changing and complex burden of pollution from a seemingly endless variety of sources. There are many possible alternative actions to help to meet these problems.

And there are myriads of units at all levels of government and industry which are involved in these matters. In the past three years alone, the Congress has passed more than 15 major acts dealing with water resources—to expand research, encourage planning, strengthen enforcement, provide for water quality standards, enhance recreational uses, expand the saline water program, expand municipal waste treatment, and so forth. These and many previous acts are administered by at least 22 separate Federal bureaus and offices, scattered through five cabinet departments and three independent agencies. Add to this picture an almost infinite variety of state and local statutes, and state and local agencies, and the complexity of the governmental arrangement becomes apparent.

The point here is that all these diverse uses, and problems, and possible solutions by a variety of agencies, are closely interrelated, and sometimes even conflicting. All of these factors, then, point to the urgent need for coordinated planning and management on a much more comprehensive scale than has been typically evident in the past—a total systems approach.

Consider a few of the questions that arise. In improving water quality, for example, is it more efficient overall to treat wastes partially and discharge them into the stream, relying on aeration and other natural processes for improvement, plus treatment as needed by downstream users; or is it more efficient on the whole to treat waste completely and reuse the water in a closed cycle within a city or plant? What would be the relative costs and benefits of diluting pollution by increasing stream flow? In mitigating flood damage, what are the relative costs and benefits of improved watershed practices, construction of dams, flood plain zoning, flood forecasting, and even flood insurance? What will be the effects of these various developments upon recreation and scenic attractions, pollution, or other water supply problems downstream? How do we balance the need for water for irrigation with the increase in pollution this is likely to bring? Can we meet future needs more economically by tapping more ground water, or ocean water, or building reservoirs, or transporting water, or eliminating wasteful uses, or reducing pollution?

Since rivers and pollution are unaffected by state or municipal boundaries, and the actions of each unit within a river basin may affect and be affected by many others, broader coordination is needed than is provided now under the various programs for state water quality standards and municipal treatment plants. How will the standards in one state relate to standards in another state on the same river? What is the priority and total systems planning involved in determining which municipal plants should be built first, to provide what degree of treatment?

A piecemeal, uncoordinated approach to water problems will not suffice. The logical approach would be to consider an entire river basin as a single system, which it is. Then we could review the water uses and water needs within the basin well into the future, and develop the relative costs and benefits of many alternative ways of meeting these needs. From these considerations the most efficient overall plan could be developed—a reservoir here, this type of industrial waste treatment there, improved watershed practices particularly in this zone, such a degree of municipal waste treatment here, and so forth. And the priorities as to timing could be established—which steps are most important, which steps can and should be taken first.

I am reminded that in 1908, a commission appointed by President Theodore Roosevelt recommended "prompt and vigorous action" by the states and the Federal Government to develop comprehensive water management plans for all the nation's river basins. Only recently, however, has legislation been enacted to encourage establishment of river basin commissions. And far too few of our rivers even now have the benefit of a commission with adequate authorilty to plan, decide, enforce, and manage on a comprehensive basis.

Third, in water resources research, we need more emphasis upon pushing through to problem-solving.

There are many studies which lead mainly to more studies, to large accumulations of paper data on too many small fragments of a problem. Too many of these studies are not designed to follow through to explore, or recommend, or test, or demonstrate, possible solutions to the problem.

I do not suggest that basic data are not valuable and necessary. It is very helpful, for example, to know the amount of a particular pollutant in a certain portion of the Ohio River; it is more helpful to know the distribution of this pollutant throughout the river; it is even more helpful to know the distribution of many pollutants throughout the river, and where they come from, and how they affect all the uses of the river. But it is most helpful of all to explore, and test, and demonstrate, what can be done about it.

As Commissioner Quigley of the Water Pollution Control Administration testified last year, we need not only more research but "more practical research." Support for research by Federal agencies is subdivided among several units and further subdivided by somewhat different statutory programs within these units.

In this connection, it seems to be that the technical capabilities and problem-solving orientation of modern industry need to be applied more fully to the analysis and solution of many water problems. Industry has a potential for research and development in water purification, in waste treatment, in instrumentation and measurement of water flows and pollutants, in automation of water systems, and in broad-scale systems analysis which has not been fully tapped. The blame for this, if blame there be, may rest in part with both industry and government. Industry has not shown the initiative in this area which is justified by the magnitude of the problem; and government, perhaps, has been too inclined to turn for the most part to government, or universities. In defense, space, and other fields, government, and industry have demonstrated a more effective partnership.

I might mention that at Westinghouse, we have developed a research proposal which puts into effect the principles I have discussed here. We call it full-scope stream pollution control. In summary, the project would be divided into four phases: first, selection of a stream site with typical, varied pollution problems and water uses; second, development of a highly sophisticated, automated, electronic system for continual instrumented surveillance of the stream, to detect and measure all meaningful pollutants, and their flow within the stream; third, development and installation of the most economic and effective techniques to prevent or abate all significant pollution, to bring the selected stream to acceptable water quality standards; and fourth, continued monitoring to test the effectiveness of these techniques, detect new or emerging problems, and develop new remedies as indicated.

Where existing methods and equipment are adequate to identify and solve specific pollution problems, these would be employed. They would be modified or improved as required. When no existing method can measure specific pollutants, or provide adequate abatement, the most efficient techniques would be developed through further research. The entire project would be designed as an on-site laboratory to demonstrate that a *coordinated* effort *can* achieve effective control of stream pollution; and to provide complete data on the most effective and economic monitoring and abatement techniques, which could then be applied or modified to solve specific similar problems on many streams throughout the country. We are confident such a research, development, and demonstration project could have significant nationwide impact.

In conclusion, I will simply reiterate three principles which we believe should guide the complex effort to assure adequate supplies of clean water: a greatly expanded investment by all involved, more coordinated and comprehensive planning and management, and more emphasis upon pushing through to develop and demonstrate actual full-scale solutions. We believe these principles are essential to success in the quest to provide ade- no longer take for granted, a commodity quate supplies of a commodity which we can which offers almost countless benefits to our developing society.

INCREASE IN SOCIAL SECURITY BENEFITS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I am today introducing a bill to increase social security benefits by an average of 50 percent.

The case for such legislation is obvious to all who are concerned that our elderly citizens live in dignity and comfort. Out of 21 million Americans receiving monthly social security benefits, 14 million are retired workers and their dependents. Yet, of these, some 5 to 7 million have incomes which fall far below the poverty line.

To most beneficiaries, social security is the major source of income, and to nearly half it remains virtually the only source of income. But because of the low level of present benefits, many beneficiaries live in abject poverty. Last year, benefits paid to retired single individuals averaged only $84 a month, or $1,000 a year; and to retired couples $142 a month, or $1,704 a year. This is an intolerable situation in a country as affluent as ours.

My bill contains two major new provisions for raising social security benefits to a level which will bring our older citizens out of poverty and into a retirement of dignity and self-respect. The most important of these would finance a part of the proposed increase from general tax revenues. By 1977, 35 percent of social security benefits would be funded from this source. In the light of the needs of our citizens and the future good prospects of our economy, this is both a realistic and a fair proposal. The other provision would insure that benefits automatically keep pace with rises in the cost of living.

In specific terms, the bill establishes minimum monthly benefits at $100, as against the present average of $84. For those whose lifetime earnings averaged between $1,200 and $3,000 a year, the bill provides for a 50-percent increase in benefits. For those who earned more than $3,000 annually, the bill provides for somewhat smaller, but still substantial, increases. Also, to insure that retirement benefits accurately reflect earning power during the most productive years, the bill provides that benefits can be calculated on a basis of average earnings during the 10-consecutive-year period when earnings were highest. Present law requires that the average be based on the entire working life, leaving out only the 5 lowest years.

In addition to these changes in the benefit structure, my bill corrects a number of other deficiencies in the existing law. The present $255 limit in lump-sum death payments is clearly outdated and falls far short of present-day funeral costs. To correct that situation, my bill provides that the lump-sum death benefit be equal to the highest monthly amount payable to a family or to three times the primary insurance amount, whichever is lower. The bill also provides that widows of beneficiaries receive the same pensions as their husbands received, instead of just 82½ percent as under present law.

The low limit placed on supplementary earnings by social security beneficiaries places many in straitened circumstances. Under present law, a beneficiary can earn only $1,500 and still receive full benefits. For every dollar he earns in excess of $1,500, he loses $1 of benefits for every $2 earned. For every dollar he earns in excess of $2,700, he loses $1 of benefits for every dollar earned. My bill would raise these limits substantially. The $1,500 limit would be raised to $2,400, and the $2,700 limit to $3,000. A special provision for widowed mothers would allow them to earn $3,600 without any loss in benefits.

It is one of the sadder aspects of present social security law that older, widowed Americans cannot remarry without one of the couple losing his benefits. My bill would correct this by allowing both partners in a marriage occurring after age 55 to retain the full benefits they had as single people.

The bill also closes a number of gaps in the benefits provided for the disabled. In particular, it extends disability benefits to young people who have suffered a disability before age 22, to disabled widows in certain cases, and to dependent sisters, and disabled dependent brothers of retired, disabled, or deceased workers.

These are some of the major provisions in the bill which I introduced today. I feel, as do many inside and outside Congress, that a basic overhaul of the structure of social security benefits is essential if we are to meet the needs of our people. I hope that Congress will give favorable consideration to the many worthwhile provisions contained in my bill.

ACTION ON THE WESTERN FRONT

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I believe it is time that we in Congress proceed with the task of renovation of the west front of the Capitol.

Since the appropriations were denied for this project last year, there has been a lot of loud opposition and criticism. Personal conflicts have crept into the issue, very little progress has been made this year, and the problem now seems at a standstill.

The west front is now in a sad state of disrepair. The latest report by the American Institute of Architects acknowledges this fact. I say that it is time to stop squabbling and proceed with the work.

I have read several speeches and articles concerning the plan, and noticed that there is criticism that the west front has fallen into disrepair due to a lack of proper maintenance. If this is the case, I would hope that it was done in good faith and on the assumption that the problem would soon be attacked on a scale larger than simple upkeep. I do not condemn anyone for shortcomings or overzealousness in official duties, nor for a desire to preserve historic traditions and monuments, but I submit that the time for action has come.

In light of the serious need for repair on the west front, I am glad to see that the Speaker and the Commission for Extension of the U.S. Capitol have recommended that the repair include an extension to provide more space in the Capitol. I agree that we need this room badly. As a member of the National Capitol Visitors' Commission, I am painfully aware of the cramped and crowded conditions all visitors must endure in visiting the Capitol. The public facilities here are entirely inadequate. It is estimated that between 10 and 11 million people enter the Capitol in a single year. On a heavy day, the count has been estimated at 50,000 visitors.

In light of figures like this, I look with disbelief on the challenges made to the need for more facilities in the Capitol. In the busy summer months, there simply is not room for people to sit down and relax; restrooms and water fountains are scarce; eating is virtually out of the question for all but the hearty.

In jest and disillusionment, some have suggested that the National Visitors' Center Commission should study transportation systems designed to zoom tourists into the Capitol, give them a quickie tour, and swiftly redeposit them several miles from Capitol Hill. If we are thus going to preserve the "greatest symbol of our country," only to have it effectively inaccessible to most of the American public, then I say we are flouncing about in a sea of illusion.

To any Member who suggests that tourist conditions here are not as bad as I indicate, I would suggest that you visit the Capitol some morning as a private citizen. Stripped of the privilege to go to the head of any line, I wonder how long it would take for the inadequacies to appear?

INSTANT REHABILITATION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BINGHAM. Mr. Speaker, so often we have heard criticisms about our Federal housing programs because of their "human removal" policies in an attempt to rehabilitate our slum areas. Because some of these criticisms are justified I have long believed that we should concentrate our vast resources on developing new methods and techniques to overcome the massive dislocation of families.

Thus, I followed with great interest the recent demonstration experiment of "instant rehabilitation" on a tenement house in New York City. Within 48 hours this decaying tenement with crumbling plaster, broken windows, leaky pipes, and so forth was transformed into clean and decent housing. Even more important, the families living in this tenement were not displaced but were moved temporarily into a downtown hotel. Then, only 48 hours later, they were moved back into their familiar apartment which had been completely renovated.

This "instant rehabilitation" process was developed through a grant from the U.S. Department of Housing and Urban Development. Of great importance is the fact that the cost involved in rehabilitating these apartments was actually lower than conventional rehabilitation. With the help of rent supplements these families will be able to remain as tenants in this now-modernized building.

I am convinced that this project on East Fifth Street represents a major breakthrough in our housing industry. The application of this technology will save both time and money as well as present a useful alternative to "human removal" in our efforts to rebuild slum areas. I sincerely hope that we will see more of this type of innovation and imagination in our housing program across the country.

Several informative articles have been written about this exciting experiment and I now insert them in the RECORD:

[From the Washington Post, Apr. 15, 1967]

MANY USES SEEN FOR "INSTANT REHABILITATION"

(By Leroy F. Aarons)

NEW YORK.—Bleary-eyed workmen cheered from the fire escapes. Mayor John Vliet Lindsay and Robert C. Weaver, Secretary of Housing and Urban Development, beamed. Schoolchildren chanted "This Land Is Your Land."

And 10 families of a grubby Lower East Side neighborhood marched into glistening new apartments Thursday in a tenement that 48 hours earlier was a squalid hovel.

The "miracle" of East Fifth Street—dubbed "instant rehabilitation" by HUD, which had concocted the whole idea—was complete.

At 10 a.m. Tuesday the 10 families, most of them Puerto Ricans, were removed to a hotel, and an army of 300 workmen invaded the five-story, 72-year-old tenement at 633 E. 5th st.

In the following 48 hours—working around the clock—they demolished the entire interior of the building, installed new walls, floors, lighting, heating and plumbing, and lowered complete pre-fabricated kitchen-bathroom packages for each apartment through a hole in the roof.

By 9:52 a.m. Thursday, eight minutes ahead of schedule, 20 ancient one-bedroom units had been transformed into a handsome mixture of 15 one- and three-bedroom apartments.

Rents in the building will rise from a range of $42 to $72 a month to $73 to $110. Tenants will be aided with welfare money and rent supplements.

While HUD officials claimed that the instant rehab technique was $1500 to $2000 cheaper than conventional rehabilitation methods, this was no more than an optimistic forecast. Still to be determined were the precise costs of 300 workmen working long hours at time-and-a-half and double-time (some as many as 20 hours straight), materials, equipment and all the other accoutrements of housing construction.

Some housing experts have questioned whether tenements like the ones on Fifth Street (more than 40,000 of them, ruled obsolete 65 years ago, dot the New York landscape) are worth saving. Clustered together with no space between them and little space in front or behind, they tend to lock the slums in from all sides.

Experts are also concerned that individual rehabilitation, without intensive social services for entire neighborhoods, tend only to perpetuate slum conditions.

But for the moment, these questions were swept aside in the truly impressive achievement of the rehab experiment. HUD, in concert with a team of city agencies, private industry and a foundation, had proven that a building could be renovated in a fantastically short time without sacrificing quality. The new apartments are attractive and the interior materials, from walls to the kitchen sink, appear both functional and durable.

The experiment made these additional points:

Off-site assembly of pre-fabricated materials and units is a practical technique which can save hours of time in hauling items like refrigerators and bathtubs up staircases and installing them piece-meal. The technique was devised by Edward K. Rice, a West Coast engineer, and his firm, Conrad Engineers, with a grant from HUD.

The instant rehab approach avoids disruptive relocation and allows tenants to reclaim their apartment in a matter of days. Conventional rehabilitation takes an average of six months.

The reduction in time cuts rental losses to owners and reduces the interest on construction loans and mortgages. This saving, estimated by HUD at roughly $1500 a unit, is the main basis of a lower-cost claim for the new technique.

The technology devised by Rice—a systems approach to construction and use of ready-made units—might well have application to other types of buildings and even in new construction.

Weaver, a long-time advocate of rehabilitation over massive demolition, gave a national thrust to the local pilot project.

"The whole point of what has been going on here in the past few days is a demonstration of what can and must be repeated many hundreds and even thousands of times across this city and in many cities," he said at today's ceremony. "It is not the only alternative . . . But it is one answer—and one that we have been looking for as a way to get moving toward saving buildings, and therefore saving neighborhoods for the people who live in them."

[From Newsweek, Apr. 24, 1967]

SLUMS: INSTANT RENEWAL

At 10 o'clock one crisp morning last week construction engineer Edward K. Rice blew a whistle outside a squalid tenement on New York's lower East Side and the first members of a 258-man renovation crew filed into the building. Their seemingly hopeless assignment: to transform the 72-year-old slum structure into a modern dwelling in just 48 hours.

As an electronic clock ticked off the seconds in the project headquarters next door, demolition men started dumping debris into the street. Then, following a carefully plotted schedule, relays of carpenters, plumbers, electricians, painters and laborers swarmed into the building to race the 48-hour deadline through the day and night. "Hurry up, hurry up," the workers called to each other. Finally, as the last touch was completed, Rice stopped the clock—at exactly 47 hours, 52 minutes, and 24 seconds.

The frenetic project was staged by the U.S. Department of Housing and Urban Development to introduce a revolutionary new approach to urban renewal that it calls "instant rehabilitation." By showing that even the most wretched tenements can be remade into decent homes quickly and economically, the department hopes to foster a continuing series of similar projects in big-city slums across the country.

Cost Cutter: Instant rehabilitation is designed to telescope normal techniques that displace tenants for six months or more. It is also expected to be cheaper. Last week's well-rehearsed lower East Side project cost $11,000 per apartment vs. an average price of $13,200 when conventional renovation methods are used and $21,000 when an entirely new building is erected.

Before beginning work at 633 East 5th Street in downtown Manhattan, government and construction officials spent a year in advance planning with New York Carolyndale Foundation, which bought the building last year specifically for the experiment. Engineers even made trial runs on a pair of adjoining vacant buildings to develop their techniques. Once everything was ready last week, the building's 31 occupants—mostly Puerto Ricans—were moved into the nearby Broadway Central Hotel, their belongings were stored aboard moving vans and their pets were left with willing neighbors.

First, a 60-man demolition crew on leave from tearing down the old Metropolitan Opera House stripped the building to its basic walls and floors. As they progressed from the rear to the front of the house on each floor, electricians moved in right behind them to install new wiring and carpenters to put in finished fabricated walls and window units. Then, as floodlights cast an eerie shadow across the scene on the first night, a 230-foot-high crane lowered preassembled kitchen and bathroom units down three shafts in the building. Finally, all the pipes were connected, plastic-coated flooring was laid, a vermin-proof garbage chute was installed, and the corridor walls were painted a bright light blue.

Doubts: There are some critics who argue that the HUD renewal project is inherently futile because the ancient tenements, no matter how they are spruced up, are still flimsy in basic construction and obsolete in design. At ceremonies celebrating the completion of last week's project, HUD Secretary Robert C. Weaver conceded that "instant rehabilitation . . . is not the whole answer by any means. But it is one . . . way to get moving toward saving buildings and therefore saving neighborhoods for the people who live in them."

Certainly there were no objections from the tenants of 633 East 5th Street, who were overjoyed by the contrast between their rat-infested old apartment and their sparkling new quarters (although rents will go up from a current low of $42 a month to $72, no tenant will be obliged to pay more than 25 per cent of his income). Nine-year-old Miriam Davila was almost breathless with excitement as she surveyed her family's new three-bedroom unit. "It's going to be clean," she said, "with no rats and roaches and I'm going to hang a picture of Little Bo Peep on the wall and I'm going to put a statue of St. Mary on the bureau and I'm going to wash the walls all the time so they'll be clean . . ."

[From the New York Times, Apr. 14, 1967]

"INSTANT REHABILITATION" PROVES INSTANT SUCCESS—48-HOUR, $1-MILLION PROJECT DELIGHTS LOWER EAST SIDE TENANTS—MAYOR TO DESIGNATE 10 MORE BUILDINGS

(By Steven V. Roberts)

Mrs. Willie May Grier's four children burst into their new apartment yesterday and their cries of delight echoed through the freshly painted halls of the ancient tenement.

They dashed from room to room, turning on the bathroom-sink faucets, pulling open the refrigerator, sliding the closet doors back and forth.

"It's beautiful, lovely, gorgeous," said Mrs. Grier.

"I like it here," said 6-year-old Daniel. "There's a lot of room."

Forty-eight hours earlier the tenement at 633 East Fifth Street had been a decaying hulk of crumbling plaster, broken windows, leaky pipes and moldering garbage.

But through a revolutionary engineering process called "instant rehabilitation" the building had been outfitted with entirely new walls, floors, window frames, appliances and electrical and plumbing systems.

The demonstration culminated a year of experimentation with materials and work methods on two adjoining tenements, 635 and 637. A lengthy plumbers' strike and the city's insistence that the heating system in the first two buildings did not meet safety standards delayed the final test, which was first scheduled for late last summer.

ONE MILLION DOLLAR GRANT

Conrad Engineers, a California concern, directed the experiment with a $1-million grant from the Federal Department of Housing and Urban Affairs. The buildings are owned by the Carolyndale Foundation, which holds a $568,400 mortgage insured by the Federal Government.

At a crowded ceremony in the middle of

East Fifth Street yesterday, Mayor Lindsay announced that the city would soon designate 10 more buildings to be renovated by the same process. He also urged his officials to find ways "to put this system on an operational basis for wide application in New York City."

In the shadow of a closed synagogue, Puerto Ricans and Negroes, who have largely replaced Jewish immigrants in the tenements of the Lower East Side, sat in rows of folding chairs. On the fire escapes of the renovated building lounged the burly workmen in hard hats who had given them hope for a new life.

Robert C. Weaver, Secretary of Housing and Urban Development, presented the keys to the first apartment to Mrs. Percenia Davila and her two children.

In his remarks Mr. Weaver said that instant rehabilitation "is not the whole answer by any means" to the problem of slum housing.

"But," he continued, "it is one answer—and one that we have been looking for as a way to get moving toward saving buildings, and therefore saving neighborhoods for the people who live in them."

The experiment began Tuesday morning when the 12 families occupying No. 633 were moved to a hotel and their belongings were put in storage. At 10 A.M. Edward K. Rice, the president of Conrad, blew a whistle and a wrecking crew entered the structure.

Only the skeleton of floors, stairways, and a few walls were left by the evening. Three holes were cut in the roof and preassembled bathroom and kitchen units were lowered by a 250-foot crane as floodlights lit the scene.

On Wednesday, walls and floors were covered, electric and plumbing lines connected, and closets installed. By 8:30 P.M. painting had begun.

Yesterday morning, 47 hours 52 minutes and 24 seconds after work had begun, some paint was still wet and the backyard was littered with refuse, but otherwise the building was ready for the tenants to return.

Mr. Rice estimated that he needed about a month to study a building before he starts, and about two months to assemble enough kitchen and bathroom units. He said the cost should come to about $11,000 an apartment, compared with $13,000 for conventional rehabilitation and between $20,000 and $23,000 for new construction.

Rents in the old apartments ranged from $42 to $72 a month. They will go up to an average of $85 a month, but the families, in their renovated apartments will pay only 25 per cent of their income for rent. The Federal rent subsidy program will make up the rent.

Housing experts generally agreed yesterday that the experiment had been useful in discovering new work methods to cut the time for rehabilitation. This virtually eliminates the problem of relocation, which has plagued every redevelopment project in the city.

They agreed also that valuable new products, such as highly durable wall and floor coverings and expandable window frames, had been devised.

Defenders of rehabilitation point out that it preserves neighborhoods to which people are attached. But critics insist that some neighborhoods are not worth saving. They agree with the elderly resident of the area who said yesterday: "If I could have a new apartment I'd move out of the neighborhood."

COMMISSION TO STUDY POSTAL SERVICE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Giaimo] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GIAIMO. Mr. Speaker, the Commission appointed by President Johnson to study the postal service has won richly deserved praise for the exceptional qualifications and caliber of the men who are serving on it. The New Haven Register, in a recent editorial, correctly described it as a "prestige Commission." Under consent I place the Register's editorial in the Record at this point:

A Prestige Commission To Study Postal Service

President Johnson has appointed a prestige commission to study the Post Office Department and determine what should be done to make the postal service more efficient. As it so often happens, a president, free of political considerations, can secure the volunteer services of men of proven ability for such a task. This procedure is not followed in appointments to paid positions, where patronage is usually a key factor.

The chairman of the commission is Frederick R. Kappel, former chairman of the American Telephone and Telegraph Corp. Other members include George Baker, dean of the Harvard School of Business Administration; W. Beverly Murphy, president of the Campbell Soup Company; Rudolph A. Peterson, president of the Bank of America; Fred Borch, president of the General Electric Company; J. Irwin Miller, board chairman of the Cummins Engine Company; Ralph Lazarus, president of Federated Department Stores; David Bell, vice president of the Ford Foundation; George Meany, president of the AFL–CIO, and David Ginsburg, Washington attorney.

The Commission has men of wide experience in communications, finance, law, industry, retail sales, industry and labor. Bell, as a former federal budget director, should be able to make a special contribution.

The commission is empowered to study every phase of postal operations. It will consult postal and other federal officials, heavy users of the mails, members of Congress and groups representing postal workers. It will also delve into a proposal by Postmaster General Lawrence O'Brien that the office be removed from the cabinet and that the postal service be set up as a special corporation answerable to the Congress.

The Post Office Department as now constituted has stirred increasing public criticism as operating deficits mount and service deteriorates. The opportunity is here to do something about it. The commission can be expected to fulfill its assignment within the allotted time of one year. What Congress will do with the recommendations is something else again.

REMARKS OF GENERAL WESTMORELAND

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, most of us in the Congress have been receiving letters from self-appointed strategists among our constituents, who, though usually civilians themselves, insist that only the military should be consulted on how to conduct a war, and who demand that "the generals be allowed to win without interference from the civilians." I was delighted to see that no less authoritative a military figure than General Westmoreland, who certainly understands the Vietnam situation better than most, has reaffirmed the fact that in this war in particular, political factors are inextricably mingled with the military considerations, and that they should not be "sorted out," if, indeed, they could be.

Since it is fairly obvious that some of the administration's critics are using the Vietnam war to boost their own political plans, and doing so in the name of "keeping politics out of the war effort," it is very worth while, I believe, to call General Westmoreland's words to public attention. The general is, of course, directly in the soundest military tradition. Ever since the great Prussian military genius, Clausewitz, pointed out that "war is politics carried on by other means," thoughtful military men, like thoughtful civilians, have realized that political and diplomatic considerations are every bit as compelling in making strategic and tactical decisions as are purely military considerations. Those who deny this premise are usually civilians who want to ride into office on military coattails, and who make claims for the military that military men know better than to make for themselves.

Under unanimous consent I place General Westmoreland's answer to this basic problem at this point in the Record:

Text of General Westmoreland's Remarks at AP Meeting

(Gen. Westmoreland answered written questions submitted at the annual meeting of the Associated Press. Following is a partial text of the questions and answers:)

Political Aspects of War

Q. Could you run this war without political help and could you win this war if given a free hand in military decisions?

A. As a military man, this is a bit of an awkward question. I think it is impossible in view of the nature of the war, a war of both subversion and invasion, a war in which political and psychological factors are of such consequence, to sort out the war between the political and the military. Political factors must be considered, they must be considered in selecting targets. They must be considered in our actions involving nearby so-called neutral countries. They must be considered in the means that are used in pursuing the war. The reason for this is not only because of the complexity but also because of our national policy to confine this war to that of a limited war, and this means that from time to time the means are limited. And that policy has been made loudly clear: that it is not our intention to expand the war. We want to keep it as a limited war and therefore political factors have to be considered and the decisions involved are necessarily above my levels. Since I deal in military factors, I am responsible only for fighting the ground war in South Vietnam and only that air war in the so-called expanded battle area.

FOR THE FIRST TIME AN AMERICAN UNDER SECRETARY OF STATE MAKES AN EXTENDED VISIT TO AFRICA

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as Chairman of the African Subcommittee of the Committee on Foreign Affairs I am happy to announce that this month for the first time an American Under Secretary of State will make an extensive tour of Africa. I have felt for a long time that in our many engagements in other parts of the world we had grown more and more negligent in our attention to the new emerging nations of Africa.

Under Secretary of State Nicholas deB. Katzenbach will visit 11 African countries May 10 to 27. He will be accompanied by Mrs. Katzenbach, Deputy Assistant Secretary of State for African Affairs Wayne Fredericks, whose knowledge of and friendships in Africa are unsurpassed, and several officials of the Department of State. Mr. Katzenbach will make his first stop in Senegal and will proceed to Guinea, Ivory Coast, Ghana, Congo(K), Zambia, Kenya, Somalia, Tanzania, Uganda, and Ethiopia.

Mr. Katzenbach's trip will allow him to see a significant cross-section of African countries and to meet many African officials and other personalities. It reflects his longstanding desire to visit Africa and to see at first hand some of the interesting developments and trends in that continent.

I am certain that Under Secretary of State Katzenbach, having seen Africa at firsthand and having talked with many African leaders, whose maturity of political judgment cannot fail to impress him, will return to Washington a stout champion of the cause of Africa.

CONGRESSIONAL REDISTRICTING

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Eckhardt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ECKHARDT. Mr. Speaker, today we have acted improvidently in considering H.R. 2508 under a closed rule, as I previously pointed out in debate upon the rule; and it is appropriate here to show how this harsh procedure, infrequently employed, has blocked all reasonable opportunity on the Democratic side to improve the bill.

The population deviation in the Texas congressional districts is about 20 percent between the largest and the smallest districts. The three-judge Federal court in *Bush* v. *Martin*, 251 F. Supp. 484 (1966) has required legislative action to correct deficiencies in Texas' districting plan. The first reapportioned legislature is now redistricting pursuant to the decision.

Thus, the court has ordered redistricting but has left the matter to the legislature to remove deficiencies. The court has not itself redistricted with subsequent application of the order in an election. Therefore, the court's order is not held to be "in full force and effect" under the language of the bill. The bill does not apply unless an election has been held on a districting plan directed by the court.

Therefore, the negative implications of this bill are to overturn the court's decision in Bush against Martin, and the effect is to encourage the Texas Legislature to flaunt the court's wise pronouncements in that case. The legislature might even be encouraged to expand the deviation from 20 to 30 percent, the full leeway allowed in the bill.

I think this would be most improvident. To use a predetermined scale of permissible imbalance of representation has already met the Supreme Court's rebuke in *Roman* v. *Sincock*, 377 U.S. 695; and we are encouraging the Texas Legislature to whistle in the darkness which has been created this day by a murky piece of legislation.

Therefore, I sought to strike out the temporary phase authorized in the bill, which would permit 30 percent spread in district population, and sought to leave only the 10 percent leniency for Congresses convened under districting pursuant to the 1970 census.

I also sought expressly to preserve "in full force and effect" all court orders directing redistricting so that the progress made toward the goal of one man, one vote would not be impaired.

I would have done this by a motion to recommit with instructions to first, strike out all the provisions of the bill not directly related to the 10-percent leniency provision designed as a permanent guideline; and, second, correct the last sentence so as to respect all final and valid court decisions directing redistricting.

I could not offer this as an amendment under the closed rule after the vote calling for the previous question. I could not offer it as an instruction in a motion to recommit because the Republican side controlled such single permissible motion under the rule which our Rules Committee had brought out.

I regret that therefore this bill could not be changed so as to make it effective and constitutional. It does, however, have this limited effect: It will encourage State legislatures to act unconstitutionally under the illusion that Congress can afford equal protection by defining "equal" as "70 percent equal."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Flynt (at the request of Mr. Landrum), for Thursday, April 27, 1967, on account of official business.

Mr. Nelsen (at the request of Mr. Gerald R. Ford), for the balance of this week, for personal reasons.

Mr. Bow (at the request of Mr. Gerald R. Ford), for April 27, 28, and May 1, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pelly, for 15 minutes, and to revise and extend his remarks and include extraneous matter.

Mr. Patman, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Delaney, for 30 minutes, on Tuesday, May 2, 1967; to pay tribute to a former colleague, the Honorable James A. Roe.

(The following Members (at the request of Mr. Button) to address the House following the legislative program and any special orders and to revise and extend their remarks and include extraneous matter:)

Mr. Curtis, for 60 minutes, on May 1.

Mr. Lipscomb, for 60 minutes, on May 4.

Mr. Pirnie, for 60 minutes, on May 9.

Mr. Fraser (at the request of Mr. Kazen), for 1 hour, today; and to revise and extend his remarks and include extraneous matter.

Mr. Hagan (at the request of Mr. Kazen), for 1 hour, on May 1; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Horton.

(The following Members (at the request of Mr. Button) and to include extraneous matter:)

Mr. Mathias of California.
Mr. Pino.
Mr. Blackburn.
Mr. McClory.
Mr. Hosmer.

(The following Members (at the request of Mr. Kazen) and to include extraneous matter:)

Mr. Roybal.
Mr. Long of Maryland.
Mr. Kornegay.
Mr. Rarick.
Mr. Brooks.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 286. An act to permit duty-free treatment pursuant to the Trade Expansion Act of 1962 of dicyandiamide and of limestone when imported to be used in the manufacture of cement.

ADJOURNMENT

Mr. KAZEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p.m.) the House adjourned until tomorrow, Friday, April 28, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

702. Under clause 2 of rule XXIV, a letter from the Acting Director of Civil Defense, transmitting a report on property acquisitions of emergency supplies and equipment, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended, was taken from the Speaker's table and referred to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PHILBIN: Committee on Armed Services. H.R. 5894. A bill to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes (Rept. No. 216). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 9330. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 9331. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 9332. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CORMAN:

H.R. 9333. A bill relating to taxation by States of the income of Members of Congress, members of their staffs, and certain officers of the United States; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 9334. A bill to designate a portion of the San Francisco-Stockton ship channel as the John F. Baldwin ship channel; to the Committee on Public Works.

By Mr. DERWINSKI:

H.R. 9335. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. DUNCAN:

H.R. 9336. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 9337. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 9338. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 9339. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 9340. A bill to revise the quoto control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 9341. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ (by request):

H.R. 9342. A bill to permit tacking of citizen ownership of vessels for trade-in purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 9343. A bill to amend section 510(a) (1) of the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

By Mr. GUBSER:

H.R. 9344. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

Mr. HANSEN of Idaho:

H.R. 9345. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

By Mr. HARSHA:

H.R. 9346. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. IRWIN:

H.R. 9347. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KEE:

H.R. 9348. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. KLEPPE:

H.R. 9349. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 9350. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. MILLER of Ohio:

H.R. 9351. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 9352. A bill to repeal the authority for the current wheat and feed grain programs and to authorize programs that will permit the market system to work more effectively for wheat and feed grains and for other purposes; to the Committee on Agriculture.

H.R. 9353. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 9354. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. REES:

H.R. 9355. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. RIVERS:

H.R. 9356. A bill to authorize certain construction at military installations and for other purposes; to the Committee on Armed Services.

By Mr. ROSTENKOWSKI:

H.R. 9357. A bill to provide for the issuance of a special postage stamp in commemoration of the Illinois Sesquicentennial; to the Committee on Post Office and Civil Service.

By Mr. ROUDEBUSH:

H.R. 9358. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. ST GERMAIN:

H.R. 9359. A bill to amend title II of the Social Security Act to provide a 12-percent, across-the-board benefit increase with an $80 minimum ($100 for 25 or more years of coverage) and subsequent cost-of-living increases, to liberalize the retirement test, to provide for increases in the amount of covered earnings to reflect general earnings level increases, and for other purposes; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 9360. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 9361. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 9362. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALKER:

H.R. 9363. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 9364. A bill to amend title II of the Social Security Act to remove the limitation on the amount of outside income which an individual may earn while receiving benefits, and to provide that a woman who is otherwise qualified may become entitled to widow's insurance benefits without regard to her age if she is permanently and totally disabled; to the Committee on Ways and Means.

H.R. 9365. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain amounts paid as educational expenses; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 9366. A bill to provide assistance to students pursuing programs of higher education in the fields of law enforcement and of correctional treatment of law violators; to the Committee on Education and Labor.

H.R. 9367. A bill to authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions; to the Committee on Interior and Insular Affairs.

H.R. 9368. A bill to establish a National Institute of Criminal Justice; to the Committee on the Judiciary.

H.R. 9369. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 9370. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 9371. A bill to amend title 5, United States Code, with respect to the determination of average pay for retirement purposes and the computation of retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9372. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 9373. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. O'NEILL of Massachusetts:

H.R. 9374. A bill to prescribe the geographical limits of the naval districts and to provide that the commandants thereof shall be officers not below the grade of rear admiral; to the Committee on Armed Services.

By Mr. PRICE of Texas (for himself, Mr. Anderson of Tennessee, Mr. Andrews of North Dakota, Mr. Bush, Mr. Burton of Utah, Mr. Don H. Clausen, Mr. Hall, Mr. Hansen of Idaho, Mr. Reifel, Mr. McClure, Mr. Smith of Oklahoma, Mr. Steiger of Arizona, and Mr. Carter):

H.R. 9375. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. SCHERLE:

H.R. 9376. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. SHIPLEY:

H.R. 9377. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. SKUBITZ:

H.R. 9378. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. BATES:

H.R. 9379. A bill to amend the Oil Pollution Act of 1924; to the Committee on Merchant Marine and Fisheries.

By Mr. BLATNIK:

H.R. 9380. A bill to authorize the expenditure of appropriated funds for insurance covering the operation of motor vehicles in foreign countries; to the Committee on Government Operations.

H.R. 9381. A bill to repeal certain provisions of title 5 and title 18, United States Code; to the Committee on Government Operations.

H.R. 9382. A bill to amend title 5, United States Code, to authorize payment of travel expenses of applicants invited by an agency to visit it in connection with possible employment; to the Committee on Government Operations.

By Mr. BRASCO:

H.R. 9383. A bill to protect the public health from the misuse of dangerous drugs and to assist law enforcement activities in the identification of dangerous drugs by amending the Federal Food, Drug, and Cosmetic Act with respect to the coloring and marking of stimulant, depressant, and narcotic drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. CAHILL:

H.R. 9384. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 9385. A bill to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. CULVER:

H.R. 9386. A bill creating the Dubuque Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Dubuque, Iowa, Grant County, Wis., and Jo Daviess County, Ill.; to the Committee on Public Works.

By Mr. FINO:

H.R. 9387. A bill to amend title 5, United States Code, to provide annuities for surviving spouses without reductions in the annuities of retiring employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 9388. A bill to provide that a flag or other appropriate device shall be furnished to families of members of the Armed Forces serving in Vietnam; to the Committee on Armed Services.

By Mr. HANSEN of Idaho:

H.R. 9389. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

H.R. 9390. A bill to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KUPFERMAN:

H.R. 9391. A bill to amend section 376(a) of title 28, United States Code; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 9392. A bill to amend the Export Control Act to require that the identity of export licensees be made available to the public upon request to the Committee on Banking and Currency.

By Mr. McCARTHY:

H.R. 9393. A bill to establish in the U.S. Capitol an educational center whose sole purpose will be the fostering of greater knowledge, interest, understanding, and inspiration of the significance and meaning of American history that was made in the Capitol of the United States; to the Committee on House Administration.

By Mr. McCLURE:

H.R. 9394. A bill to provide for the issuance of a special postage stamp to salute the Boy Scouts' XII World Jamboree "For Friendship"; to the Committee on Post Office and Civil Service.

By Mr. MATHIAS of Maryland:

H.R. 9395. A bill to amend the act of October 10, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 9396. A bill to provide for the establishment of a national cemetery at the Fort Necessity National Battlefield site, Pennsylvania; to the Committee on Interior and Insular Affairs.

By Mr. POLLOCK:

H.R. 9397. A bill to remove the prohibition on the attendance of Indian scholarship students at sectarian colleges and universities; to the Committee on Interior and Insular Affairs.

By Mr. RARICK:

H.R. 9398. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. REES:

H.R. 9399. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

By Mr. ROBERTS:

H.R. 9400. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 9401. A bill to amend title II of the Social Security Act to increase the amount of monthly benefits payable thereunder, to raise the wage base, to provide for cost-of-living increases in such benefits, to increase the amount of the benefits payable to widows, to provide for contributions to the social security trust funds from the general revenues, to otherwise extend and improve the insurance system established by such title, and for other purposes; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 9402. A bill to create the National Capital Airports Corporation, to provide for the operation of Washington National Airport and Dulles International Airport by the Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Mississippi:

H.R. 9403. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. WINN:

H.R. 9404. A bill to revise the quota system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 9405. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 9406. A bill to amend the Older Americans Act of 1965 so as to extend its provisions; to the Committee on Education and Labor.

By Mr. GUDE (for himself and Mr. Mathias of Maryland):

H.R. 9407. A bill to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer; to the Committee on the District of Columbia.

By Mr. HARSHA:

H.R. 9408. A bill to provide for the return of obscene mail matter; to the Committee on Post Office and Civil Service.

By Mr. JARMAN:

H.R. 9409. A bill to amend title 4 of the United States Code in order to increase the penalty for certain acts against the flag of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 9410. A bill to prohibit misuse or exportation of the flag of the United States in certain instances and to prohibit public display of the flag of a foreign government engaging the United States in war or armed conflict; to the Committee on the Judiciary.

By Mr. SMITH of Oklahoma:

H.R. 9411. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 9412. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 9413. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 9414. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANNUNZIO:

H.R. 9415. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BINGHAM:

H.R. 9416. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 9417. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLANCY:

H.R. 9418. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DOLE:

H.R. 9419. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DONOHUE:

H.R. 9420. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. DWYER:

H.R. 9421. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 9422. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 9423. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GARMATZ:

H.R. 9424. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HAWKINS:

H.R. 9425. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HULL:

H.R. 9426. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HUNT:

H.R. 9427. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 9428. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JONES of Alabama:

H.R. 9429. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KLUCZYNSKI:

H.R. 9430. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McFALL:

H.R. 9431. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATHIAS of Maryland:

H.R. 9432. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLER of Ohio:

H.R. 9433. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H.R. 9434. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RYAN:

H.R. 9435. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SANDMAN:

H.R. 9436. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHADEBERG:

H.R. 9437. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHEUER:

H.R. 9438. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SHRIVER:

H.R. 9439. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. UTT:

H.R. 9440. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WATKINS:

H.R. 9441. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WRIGHT:

H.R. 9442. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ZABLOCKI:

H.R. 9443. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CULVER:

H.R. 9444. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MACDONALD of Massachusetts:

H.R. 9445. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PUCINSKI:

H.R. 9446. A bill to provide for the transportation of parcels at no cost to the sender from the United States to combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RANDALL:

H.R. 9447. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 9448. A bill to establish the Commission on Labor Relations; to the Committee on Education and Labor.

By Mr. THOMSON of Wisconsin:

H.R. 9449. A bill to include prepared or preserved beef and veal within the quotas imposed on the importation of certain other meat and meat products, to reduce the percentage applied to certain aggregate quantity estimations used, in part, to determine such quotas from 110 to 100 percent, and for other purposes; to the Committee on Ways and Means.

By Mr. WAMPLER:

H.R. 9450. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 9451. A bill to amend the provisions of law relating to educational assistance to federally impacted areas to preserve the benefits of existing law insofar as they relate to the impact resulting from an international boundary relocation; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.J. Res. 538. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. McCLURE:

H.J. Res. 539. Joint resolution to provide for the designation of the first week of August in 1967 as Boy Scout's World Jamboree for Friendship Week; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.J. Res. 540. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. REIFEL:

H.J. Res. 541. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September in 1967 as Bible Translation Day; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 542. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H. Con. Res. 327. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. BRADEMAS:

H. Con. Res. 328. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. ERLENBORN:

H. Con. Res. 329. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. ESCH:

H. Con. Res. 330. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. GIBBONS:

H. Con. Res. 331. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. HATHAWAY:

H. Con. Res. 332. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. REID of New York:

H. Con. Res. 333. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 9452. A bill for the relief of Gaspare and Pietra LoBaido; to the Committee on the Judiciary.

H.R. 9453. A bill for the relief of Antonin and Carolina Monaco, and their daughter, Patrizia Monaco; to the Committee on the Judiciary.

H.R.9454. A bill for the relief of Calegero and Maria Piro; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9455. A bill for the relief of Andrea Caporrimo; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 9456. A bill for the relief of Monique C. Howell; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 9457. A bill for the relief of Kim Dan Heng; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 9458. A bill for the relief of Julita S. Manela; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 9459. A bill for the relief of Mrs. Ghitlea Milman Kilimik; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 9460. A bill for the relief of Elwyn C. Hale; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H.R. 9461. A bill for the relief of Demitre Ganas; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 9462. A bill for the relief of Our Lady of Guadalupe School in San Bernardino, Calif.; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 9463. A bill for the relief of DCic. Benjamin Benitez Amaba, U.S. Navy; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 9464. A bill for the relief of Emilio Victor C. Yerre; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 9465. A bill for the relief of Jose Porfirio De La Rosa; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 9466. A bill for the relief of Antonio Tavares da Silva Praticante and his wife, Margarida Praticante; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Soil Stewardship Week

EXTENSION OF REMARKS

OF

HON. A. S. MIKE MONRONEY

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Thursday, April 27, 1967

Mr. MONRONEY. Mr. President, next week is being observed throughout America as Soil Stewardship Week. This is a nationwide observance which places emphasis on man's obligation to God as a steward of the soil, water, and related resources.

This is the 13th consecutive annual Soil Stewardship Week sponsored by the Nation's 3,000 local soil and water conservation districts and their national association and cooperating church groups. During the period of April 30 to May 7, observances are being held in literally hundreds of thousands of churches of all denominations.

It is fitting for the Senate of the United States to pause a moment in its deliberations to observe Soil Stewardship Week and pay tribute to its sponsors. This includes the 87 soil and water conservation districts in my home State of Oklahoma.

The people who serve on the governing bodies of these local units of State government deserve our praise for the leadership they are providing in our home communities for keeping before the people the relationship between soil, God, and man. They are performing a great patriotic service. I propose that the Senate take this occasion to say, "Thank you."

Secretary of Agriculture Orville L. Freeman has called upon all Americans to observe Soil Stewardship Week by considering what they demand of the land, and of the men and women who fulfill those demands. I join him in this appeal. In urging widespread observance, Secretary Freeman said:

> Seventy-five percent of the American land is cared for directly by the American people. This is the privately-owned land of farms and ranches, producing food, fiber, wildlife and timber and providing much of our outdoor recreation. This is the land that makes America a symbol of abundance around the world.
>
> Upon our privately-owned countryside we place increasing demands:
>
> More food for a growing population.
>
> More homes, as our cities choke from overcrowding.
>
> More water, as our needs double and triple in the years ahead.
>
> More space for recreation, as millions of us seek refuge from the tension of our growing cities.
>
> We ask much of our land: Utility, beauty, and refreshment, as well as high productivity. And we receive them because the men and women who work the soil are good stewards.
>
> Their stewardship is seen in green fields that once were gullies, and clear streams that once ran full of silt. The curved and contoured face of our countryside is a testimony to the care of our farmers and ranchers.
>
> Stewardship also joins us with the future. Our great-grandchildren have a right to receive the land in good condition because they, in their turn must live upon it.
>
> A better land and a better life upon the land are among the finest goals a man can work for. This is a part of creative conservation where the goal we must reach is enhancement of man's total environment.
>
> During Soil Stewardship Week let us remember with gratitude the men and women who keep our countryside "America the beautiful."

Mr. President, this statement by the Secretary of Agriculture eloquently outlines the importance of soil and water conservation to the future welfare and security of all people. Soil Stewardship Week will give each of us an opportunity to renew our dedication to this great national cause.

Fino Introduces Bill To Safeguard Civil Service Widows

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. FINO. Mr. Speaker, today I am introducing legislation to eliminate the inequities in our Federal civil service retirement system under which a civil servant must gamble on whether or not he will outlive his wife in deciding what kind of retirement benefits to elect.

Under the present civil service retirement laws, a retiring worker must play the equivalent of Russian roulette with his wife's future. If he thinks he will outlive her, he gambles and gets more; if he is wrong, she's in grave financial straits.

The principle that a husband should not have to gamble with his wife's future is recognized in the social security system. A beneficiary cannot opt to deprive a wife or widow of her rights under social security. Separate and widows' benefits are a guaranteed right under social security. My bill adopts this principle by providing that the spouse of any retired civil service employee will be entitled to a 55-percent part of the deceased spouse's annuity. This will safeguard the wives of retiring civil service employees.

Full Support Against Soviet Discrimination

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. McCLORY. Mr. Speaker, the CONGRESSIONAL RECORD recently included a copy of a statement endorsed by various Members of the House of Representatives, criticizing the discrimination practiced by the Soviet Union against its Jewish citizens. The statement, together with a list of the Members of the House who had signed it when originally circulated by the gentleman from New York [Mr. BINGHAM], appears in the CONGRESSIONAL RECORD of April 24. This statement and list were again inserted in the April 26 CONGRESSIONAL RECORD by the gentlewoman from New York [Mrs. KELLY].

I am pleased to join in this statement and I communicated my support several days ago to the gentleman from New York.

My position on this subject is based upon information supplied by the American Jewish Conference on Soviet Jewry. I have requested that the State Department furnish me with additional information on this issue.

Gilbarco, Inc., Opens New Plant Near Greensboro, N.C.

EXTENSION OF REMARKS

OF

HON. HORACE R. KORNEGAY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. KORNEGAY. Mr. Speaker, this week it was my pleasure and privilege to participate in the dedication ceremonies of a new industrial plant near my hometown of Greensboro, N.C.

On hand to welcome my home community's newest industrial citizen was the Honorable Dan K. Moore, Governor of North Carolina, who said:

> North Carolina is very proud to have among our corporate citizens an outstanding company like Gilbarco.

I, certainly, enthusiastically share Governor Moore's remarks.

For Gilbarco, Inc., is a decided asset to our industrial community in North Carolina. The ceremonies in Greensboro this week were more than a dedication of a beautiful new manufacturing facility, they were also a rededication to the American business principles which permitted this 102-year-old firm to grow and to prosper and to have the faith in the future to leap into its second century in a new home and a new location.

Gilbarco, a subsidiary of Standard Oil of New Jersey, manufactures gasoline pumps, air compressors, hydraulic lifts, and a number of other related automotive service accessories. The company began life in 1865 when Charles N. Gilbert and John F. Barker perfected a safe gas generator utilizing naphtha, a waste product of the promising new petroleum industry, just 6 years after the drilling of the first successful oil well in Pennsylvania.

Later, in 1910, Gilbert and Barker introduced the first Gilbarco gasoline pump. In short, from gaslight to aerospace, Gilbarco has kept pace with the march of technology.

In 1965, the management of Gilbarco made the decision that a new, completely modernized plant was essential to achieve challenging new goals. After careful study and analysis, Greensboro was selected as the most advantageous centralized location for its new home. Today, the Gilbarco name is known worldwide and I am happy that representatives from 13 foreign nations where Gilbarco has employees and licensees were in attendance at its dedication program in Greensboro.

Gilbarco's new plant, with automated production and computerized data systems, is situated on a 70-acre site. It contains 430,000 square feet of air-conditioned plant and office space for several hundred employees.

Dr. C. L. Burrill, vice president and member of the board of the Standard Oil Co. of New Jersey, said the company recognized the superior qualities and attitudes in Greensboro even before Look magazine recently cited the community as one of 11 All America Cities.

Mr. Sidney Low, president of Gilbarco, and his fine management team have brought to Greensboro an old firm, but one with new ideas and new concepts. They will find in Greensboro kindred spirits.

For, in the immediate vicinity of the new Gilbarco plant, which is situated adjacent to the Greensboro-High Point-Winston-Salem Airport, some $35 million in new construction has been completed or is under construction.

Those of us who live in Greensboro are proud to welcome our new industrial neighbors and we will do our utmost to make them feel at home and to prosper here as they did in their former location.

Imports of Meat Products

EXTENSION OF REMARKS

OF

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. MATHIAS of California. Mr. Speaker, we are all aware of the plight of the American farmer and the continually worsening conditions of domestic agriculture. Earlier in this session of Congress I introduced a bill which would regulate the import quotas on foreign dairy imports. Because of the recent headlines telling of the serious dilemma facing our dairymen, the Congress has been notified of their economic frustrations.

But now, much the same problem faces our ranchers and cattlemen. Faced with ever-increasing imports on certain meat products, domestic meat prices are continually depressed.

Since last year, the price of cattle has declined sharply. Choice steers on the Chicago market in March averaged $24.67 a hundred pounds compared with an average of $29.22 for March a year ago. Cattlemen are facing, if not already, a repetition of the conditions of 1963–64 when imports were finally rolled back.

This unfortunate situation reflects an overall picture of American agriculture. Farm parity ratio for the past 2 months at 74 is the lowest since 1934. Per capita farm income is less than two-thirds the national average. The farm debt went up 10 percent last year.

In recent weeks, some very vital bills which would revise the quota control system on foreign meat imports have been introduced. These bills, which would be fair to both domestic and foreign producers, have broad bipartisan support in both the House and Senate, and should be passed. I urge my colleagues to give the closest consideration to this constructive legislation now before the Congress.

American Imprisoned in British Dungeon

EXTENSION OF REMARKS

OF

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. RARICK. Mr. Speaker, young Robert J. Barger, a 17-year-old American citizen and native of Baton Rouge in my district, today languishes in a Socialist prison at Leeds, England.

Can you conceive, in these modern times, of a 17-year-old boy in a foreign country denied his liberty and locked up in a prison integrated with hardened criminals, thieves, murderers, and homosexuals.

This is hardly the image of a civilized society—let alone a country that the American taxpayers have subsidized and our soldiers have helped defend.

It is reported to me that young Barger's crime was that while he was admitted to England as a temporary visitor, he violated his alien visa by taking up employment without required prior authorization. In other words this American youngster took a job. England, under a Socialist government, has laws to protect her citizens from jobs being taken by foreigners and makes working without a permit a crime.

Imagine the screams and protests from England if we in America forbade all Englishmen to take American jobs and could put them in prison if they dared take a job that was protected for Americans?

Presently our American State Department, through our London Embassy tells us they are "negotiating"—pleading—for the boy's release.

Barger's sentence on April 12 at the Leeds Magistrate's Court was supposedly with recommendation for deportation. His mother has provided the return travel money for him to come home. Yet, young Barger remains imprisoned. We are to await the sentencing judge's decision in remitting the original sentence to permit his deportation.

Our fellow countryman violated a Socialist law governing employment in England—and his case was heard by a stern and uncompromising judge, who applied the law swiftly and with its usual punishment. But Robert Barger is an American, and he should be returned to his home immediately. Seemingly, if punishment is necessary to appease the Socialists, why could not they have ordered a boy of such youthful age to be held within the confines of the U.S. Embassy?

As the elected representative of Robert J. Barger, I demand his immediate release from that filthy British prison and his return to the United States.

President Johnson Defends the Great National Consensus on Education

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. BROOKS. Mr. Speaker, our Chief Executive this morning stated in no uncertain terms that he believes the great American national consensus on aid to education is in danger from irresponsible attacks by men in this Congress who seek to destroy what years of effort have already built.

At a visit to the new Crossland Vocational Center in nearby Maryland, President Johnson today squarely accused the critics of his Elementary and Secondary Education Act of 1967 of "raising the same roadblocks which halted Federal aid to education for 20 long years." And he added that such opposition has again stirred up passions about church-state relations and poor States versus rich States in a claim for Federal money.

I join with the President in decrying these efforts to wreck Federal aid to education and to set divisive forces loose in our society.

I join with the President in calling a halt to those who would change a law which has been in existence for only 2 years, but has already produced innumerable educational benefits to schoolchildren the length and breadth of this country.

What the President was telling the American people this morning was clear and direct. The Republicans are not trying to amend the Federal aid to education program. They are trying to kill it—to kill it with changes; to kill it with slogans which are meaningless. These are the same men who opposed this very program 2 years ago.

Education, as the President said, is as important as the gross national product. Education, in fact, has been the first order of public business of the Johnson administration. We cannot let the people down. We cannot let our children down. We must move forward with this great educational adventure into the future of our country.

I insert in the RECORD the President's remarks which I trust the American people will read in full:

REMARKS OF THE PRESIDENT AT THE CROSSLAND VOCATIONAL CENTER

Fifty-five years ago, the great Kansas editor William Allen White issued an appeal for vocational education in America.

"The end of all schools," he said then, "must be life—or public education will fail . . . we must provide for the practical, the vocational."

Five years later, President Woodrow Wilson signed the first great charter for vocational education: The Smith-Hughes Act of 1917, pledging Federal support to the states for the education of young people in useful work.

This law established an educational partnership which has helped millions of Americans learn vital skills in agriculture, in home economics, in industry.

This year, we celebrate the fiftieth anniversary of that historic law. And today, as we dedicate this new center for vocational education, we celebrate another step toward an important national goal: that every young American shall obtain as much education as he wants—as much training as he can absorb and use.

There was a time when we thought that merely sending a child to school for a given number of years was enough to prepare him for life. Now we know that is not enough.

There was a time when a young man could drop out of school, get a job and enjoy a secure future. But now, in an expanding universe of knowledge and change, we know that is not enough.

Once we considered education a public expense; we know now that it is a public investment.

Once we thought every man could have a job—if only the economy flourished. We know now that education, not the Gross National Product, is the real key to full employment.

This new building is an example of what we have been learning about education and the world of work.

Crossland Vocational Center, and others like it across the country, are a forge which will shape the lives and careers of young people—and through them, we will build the America of the twenty-first century.

As we approach the next century, every citizen who hopes to play a productive role in American society must have occupational training of some sort—whether he wants to be a brain surgeon or airplane repairman, X-ray technician, or astronaut.

Before the year 2000, we will see startling changes in science and technology: change will wipe out hundreds of occupations and create hundreds of others requiring new knowledge, new skills.

If we are to step into the future without stumbling, we must have trained citizens.

We must help the one million students each year who drop out—cutting themselves off from education, when education is what they need most.

We must smooth the transition from school to work. We must help students become employable by encouraging them to combine school with a job.

Four years ago, when I signed the Vocational Education Act of 1963, only four and a half million students were enrolled in Federally-assisted vocational classes. Today the number has grown to seven million.

Four years ago, there were fewer than 400 area vocational schools in the country. Today there are nearly twice that number.

Not many people realize how swiftly times have changed in federal support for education. Four years ago, the Federal Government was spending $4.2 billion for education and training programs. My budget for the coming year calls for $12.4 billion—almost 3 times as much.

Four years ago the Office of Education was spending only $700 million to support education. In the coming year it will spend $4.2 billion—7 times as much.

The Public Health Service, the Office of Economic Opportunity, the National Science Foundation, the Labor Department, the Defense Department, the Veterans Administration and the Department of Housing and Urban Development—all are giving top billing to education.

It looks easy now, but we spent 20 years in the Congress battling for this breakthrough.

There were big road blocks in the way: the poor states were feuding with the rich states; public schools versus private and church schools; the city schools versus the rural schools; the integrated schools versus the segregated schools.

During those 20 years, many members of Congress despaired of ever passing federal aid to education. But finally, we worked out a program which avoided the road blocks and settled the feuds. At long last we put the laws on the books and the money in the schools.

Now some so-called "friends of education" want to go back to where we started. They claim they know a better way to spend the money. They propose to discard the Elementary and Secondary Education Act of 1965—to scrap it before it is two years old—and to substitute a different kind of legislation.

No one can tell for sure how they plan to change the law. Each day they trot out a new version. But already they have accomplished a great deal.

They have stirred up the suspicions of the poor states toward the wealthy states. They are reviving ancient and bitter feuds between church and public school leaders.

They have aroused fears of the big city school superintendents.

They are raising the same road blocks which halted federal aid to education for 20 long years.

I hope members of Congress will stop, look, and listen before they march down this blind alley.

It is a time of testing for American education.

The gains we have made so far are only the beginning. We must build on them, but we must not lose all we have gained by this reckless effort to rewrite our laws for partisan political advantage.

Thomas Jefferson said that "the most important bill in our whole code is that for the diffusion of knowledge . . . No other sure foundation can be devised for the preservation of freedom and happiness."

Those words are even more true for the twentieth century than for the eighteenth. I am glad to come here today, and see the foundations that you are building "for the preservation of freedom and happiness."

Thank you.

Presidential Appointment

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. ROYBAL. Mr. Speaker, I was delighted at the President's recent announcement of his intention to nominate Mr. Vincente T. Ximenes for appointment as a member of the Federal Equal Employment Opportunity Commission.

This excellent appointment will be not only a recognition of Mr. Ximenes' fine abilities and top qualifications for this important position in the Federal Government, but it will also be another indication that this administration genuinely appreciates the great contributions to the cause of good government that can be made by men and women of the Mexican American community.

There is no doubt that the present administration has made a greater effort to promote equal employment, educational, and economic opportunities for persons of Mexican descent than has ever been made before.

Certainly, much remains to be done, but the President deserves to be congratulated on his recent leadership in this most praiseworthy cause.

Treaties With the U.S.S.R

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 27, 1967

Mr. HOSMER. Mr. Speaker, some 23 bilateral treaties and other international agreements are in force between the United States and the Union of Soviet Socialist Republics. These range in date from 1825 to 1967. A 24th will go into effect when ratified by the U.S.S.R. It is the consular convention recently ratified by the Senate. The big year for such agreements was 1945 in which three went into effect. Two were effected in each of the years 1955 and 1966. The most recent agreement actually entered into force was on February 13 of this year. It concerned certain fishery problems in the northeastern part of the Pacific Ocean. The following lists the 23 according to subject and other details:

BILATERAL TREATIES AND OTHER INTERNATIONAL AGREEMENTS IN FORCE BETWEEN THE UNITED STATES AND THE UNION OF SOVIET SOCIALIST REPUBLICS

Aviation: Civil air transport agreement with exchange of notes. Signed at Washington November 4, 1966; entered into force November 4, 1966. TIAS 6135.

Agreement supplementary to the civil air transport agreement. Signed at Washington November 4, 1966; entered into force November 4, 1966. TIAS 6135.

Cultural relations: Agreement on exchanges in the scientific, technical, educational, cultural and other fields in 1966–67. Signed at Washington March 19, 1966; entered into force March 19, 1966; effective January 1, 1966. TIAS 6149.

Desalination: Agreement on cooperation in the field of desalination, including the use of atomic energy. Signed at Moscow November 18, 1964; entered into force November 18, 1964. 15 UST 2146; TIAS 5697.

Extension: November 18 and December 3, 1966 (TIAS 6174).

Films: Agreement relating to the exchange of medical films. Exchange of notes at Washington March 17 and September 5, 1955; entered into force September 5, 1955. 6 UST 3969; TIAS 3409; 256 UNTS 307.

Fisheries: Convention regarding navigation, fishing, and trading on the Pacific Ocean and along the northwest coast of America.[1] Signed at St. Petersburg April 17, 1824; entered into force January 11, 1825. 8 Stat. 302; TS 298; II Malloy 1512. Agreement relating to fishing operations in the northeastern Pacific Ocean. Signed at Washington December 14, 1964; entered into force December 14, 1964. 15 UST 2179; TIAS 5703. Agreement relating to fishing for king crab. Signed at Washington February 5, 1965; entered into force February 5, 1965. 16 UST 24; TIAS 5752.

Extension: February 13, 1967 (TIAS 6217).

Agreement on certain fishery problems in the northeastern part of the Pacific Ocean off the coast of the United States of America, with exchange of notes. Signed at Washington February 13, 1967. Entered into force February 13, 1967. TIAS 6218.

General relations: Arrangements relating to the establishment of diplomatic relations, nonintervention, freedom of conscience and religious liberty, legal protection, and claims. Exchanges of notes at Washington November 16, 1933; entered into force November 16, 1933. Department of State Publication 528; European and British Commonwealth Series 2 [new series]; Eastern European Series, No. 1 [old series].

Judicial procedure: Agreement relating to the procedure to be followed in the execution of letters rogatory. Exchange of notes at Moscow November 22, 1935; entered into force November 22, 1935. 49 Stat. 3840; EAS 83; 167 LNTS 303.

Lend-lease: Preliminary agreement relating to principles applying to mutual aid in the prosecution of the war against aggression, and exchange of notes. Signed at Washington June 11, 1942; entered into force June 11, 1942. 56 Stat. 1500; EAS 253; 105 UNTS 285. Agreement relating to the disposition of lend-lease supplies in inventory or procurement in the United States. Signed at Washington October 15, 1945; entered into force October 15, 1945. 7 UST 2819; TIAS 3662; 278 UNTS 151, and 315 UNTS 249.

Maritime matters: Declaration concerning the admeasurement of vessels. Signed at Washington June 6, 1884; entered into force July 20, 1884. 23 Stat. 789; TS 304; II Malloy 1526.

Occupied territory: Agreement relating to a change of boundary lines between the American and Soviet zones of occupation in Germany. Signed at Wanfried September 17, 1945; entered into force September 17, 1945. 5 UST 2177; TIAS 3081; 235 UNTS 345.

Protocol defining the location of the boundary of Greater Berlin, with annex. Signed at Berlin June 25, 1955; entered into force June 25, 1955. 6 UST 3781; TIAS 3378; 270 UNTS 15.

Pacific settlement of disputes: Treaty for the settlement of disputes. Signed at Washington October 1, 1914; entered into force March 22, 1915. 39 Stat. 1622; TS 616; III Redmond 2815.

Prisoners of war: Agreement relating to prisoners of war and civilians liberated by forces operating under Soviet command and forces operating under United States of America command. Signed at Yalta February 11, 1945; entered into force February 11, 1945. 59 Stat. 1874; EAS 505; 68 UNTS 175.

Rules of warfare: Convention relating to the rights of neutrals at sea.[1] Signed at Washington July 22, 1854; entered into force October 31, 1854. 10 Stat. 1105; TS 300; II Malloy 1519.

Space: Agreement[2] between NASA and the Academy of Sciences of the USSR outlining procedures for carrying out a coordinated weather satellite program, joint experiments with communications using a passive reflector satellite and joint contributions of satellite data to the World Magnetic Survey. As part of the weather satellite program, a telecommunications link (cold line) was established between Washington and Moscow. Signed in Geneva in June 1962; Entered into force August 1, 1963.

Telecommunication: Agreement on the organization of commercial radio teletype communication channels. Signed at Moscow May 24, 1946; entered into force May 24, 1946. 60 Stat. 1696; TIAS 1527; 4 UNTS 201.

Memorandum of understanding regarding the establishment of a direct communications link, with annex. Signed at Geneva June 20, 1963; entered into force June 20, 1963. 14 UST 825; TIAS 5362; 472 UNTS 163.

Territorial acquisition: Convention ceding Alaska. Signed at Washington March 30, 1867; entered into force June 20, 1867. 15 Stat. 539; TS 301; II Malloy 1521.

Trade and commerce: Agreement regulating the position of corporations and other commercial associations. Signed at St. Petersburg June 25/12, 1904; entered into force June 25/12, 1904. 36 Stat. 2163; TS 526; II Malloy 1534.

Visas: Agreement relating to the reciprocal waiver of visa fees to nonimmigrants. Exchange of notes at Moscow March 26 and August 20, 1958. 9 UST 1413; TIAS 4134; 336 UNTS 269.

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[1] Art. 3 obsolete by virtue of Alaska cession treaty (15 Stat. 539; TS 301); art. 4 expired April 17, 1834.

[2] Declaration of accession by Nicaragua signed at Granada June 9, 1855 (7 Miller 139). Agency to agency rather than an inter-governmental agreement.

Congressman Horton Introduces "Bilingual Education Opportunity Act of 1967"

EXTENSION OF REMARKS
OF
HON. FRANK HORTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 27, 1967

Mr. HORTON. Mr. Speaker, it is my privilege today to submit for the consideration of the House a bill to provide special assistance to those American elementary and secondary students whose native tongue is not English.

In the 5 years I have had the opportunity to serve the 36th Congressional District of New York, one of the legislative areas in which I have seen the greatest progress involves education. Many new programs have been brought into being during this time, and I am proud to have helped sponsor many of them.

However, in today's changing world, a good record in education does not insure that we will stay ahead. Just as educational requirements must meet this dynamism, so must our legislative support.

Therefore, I am submitting the Bilingual Education Opportunity Act, which I hope can help to overcome an increasing problem in our school systems. That problem concerns those youngsters of foreign-born parents who have too little training in English to enable them to compete effectively in the English-speaking classroom.

Many educators have discussed the problem with me, and from these discussions I am impressed with a number of proposed solutions. However, too often the attempts being made to provide a better grounding in English for schoolchildren are not having the effect they could if there were better coordination and cooperation among school systems.

My bill takes into account the present difficulty and would provide Federal assistance in designing a national program to develop special English language training. A key element of my measure is the focus on the encouragement it offers local educational agencies to create projects and to share the results with others.

Being able to communicate in English is essential to the economic future of today's schoolchildren. We need to make sure that their future is not jeopardized by insufficient opportunity to learn the language.

Chesapeake Bay Bridge

EXTENSION OF REMARKS

OF

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. LONG of Maryland. Mr. Speaker, 5 months ago, the people of Maryland voted down a proposed parallel bridge across the Chesapeake Bay. Despite this vote, the Governor of Maryland last week signed an act to build this bridge. I wish to insert in the CONGRESSIONAL RECORD a questionnaire on this matter which will be sent to my constituents:

STIRRED UP?

Stirred up over taxes? Governor Agnew has raised your income taxes by $120 million. Further hikes loom for your sales and property taxes.

Stirred up over your money being squandered? Most of us don't object to necessary spending. But Agnew wants to splurge $70 to $100 million on a parallel bridge and saddle you with toll taxes for forty years. (Under previous law, all bridges and tunnels would soon be toll free.)

Stirred up over being brushed off? In November, the voters rejected a parallel bridge. A few months later, Agnew rammed through an "emergency" bill to build this parallel bridge, plus two more bridges and a harbor tunnel—a tunnel which he admits could be built without this bill. Make no mistake. This is the same parallel bridge you rejected in November. A double-cross over a double-cross . . .

DO SOMETHING!

Raise your voice against at least one waste that you know about:

As a voter and taxpayer, I want:

☐ No bridge or tunnels while taxes are rising.
☐ Baltimore Bridge, as authorized by Rep. Long's bill, H.R. 3135.
☐ Harbor Tunnel.
☐ Parallel Bridge.
☐ All three bridges and harbor tunnel (total cost: $600 million.)

Send your answer to Congressman LONG, 200 Post Office, Towson, Md.

Plea to Soviets To Allow Freedom to Jews

EXTENSION OF REMARKS

OF

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 27, 1967

Mr. BLACKBURN. Mr. Speaker, it is indeed deplorable that in this enlightened age the Government of a proud and mighty nation, the U.S.S.R., would use official Government policy as a means of oppressing the members of the Jewish faith within its boundaries and deny the members of that faith their full rights.

As a Member of Congress, I call upon the leaders of the Soviet Union to permit the members of the Jewish faith the freedom to continue to teach the language of their fathers to their children and to permit their rabbis to carry on the services in the tradition of their faith. I appeal to the conscience of the leaders of the Soviet nations, and I remind the members of the Jewish faith who are living within the Soviet Union that they have not been forgotten by their brothers in the United States of America.

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